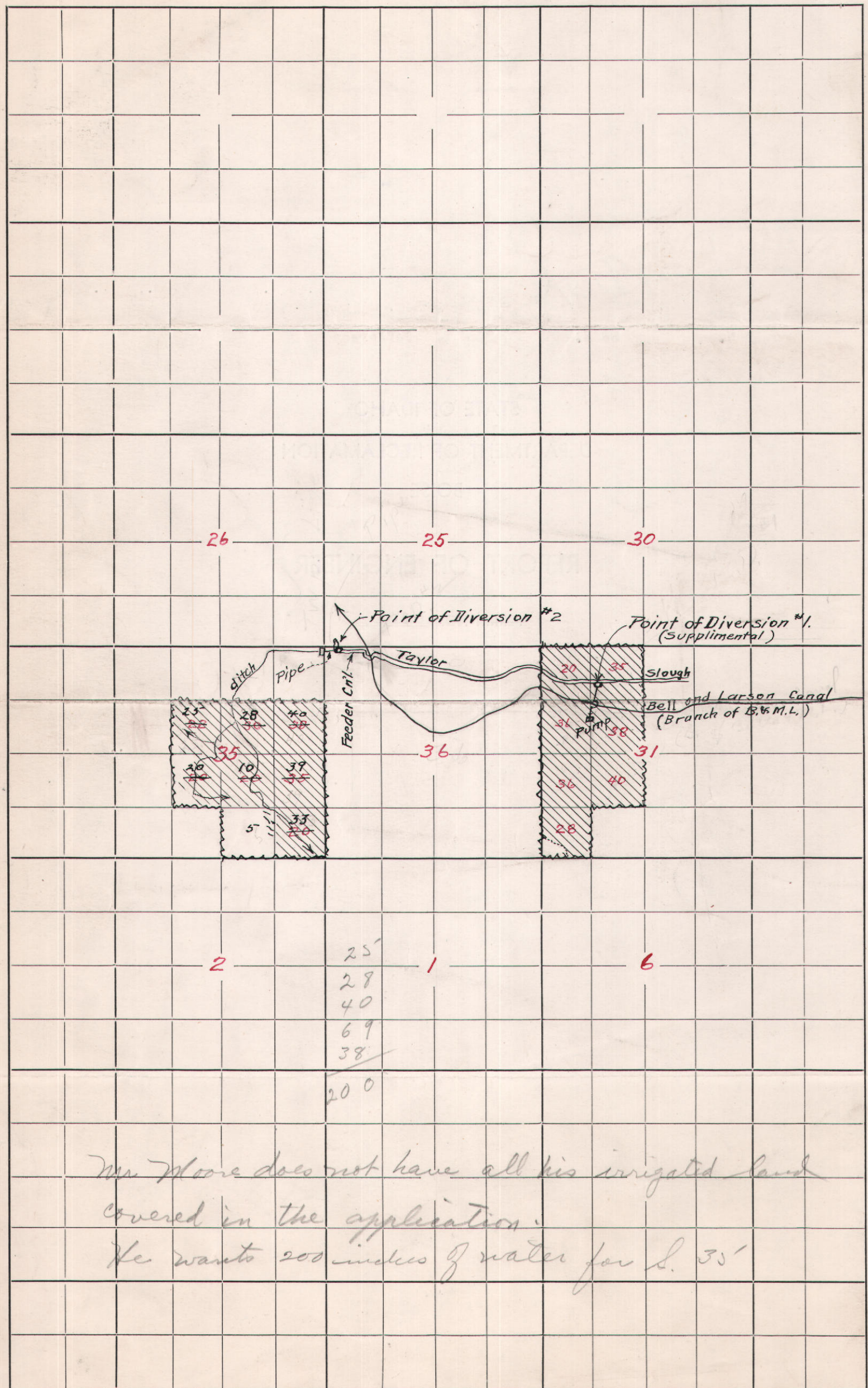




July 30, 1948

Re: Permit No. 18476

Mr. Henry S. Martin
Suite 212-213 Earl Building
Idaho Falls, Idaho

Dear Mr. Martin:

We return herewith applications for amendment to Permit No. 18476 in the name of Lowell C. Moore which have been duly approved by the State Reclamation Engineer and recorded in this Department. We also enclose Certificate of Completion of Works issued under this Permit authorizing the diversion of six (6) cubic feet per second of subterranean water from wells and pits with priority of June 4, 1937 for irrigation and domestic uses on E $\frac{1}{2}$ NW $\frac{1}{4}$, Lots 1, 2, 3, and 4, NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 31, Township 5 North, Range 37 East, B.M., N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 35 Township 5 North, Range 36 East, B.M.

We also enclose Departmental receipt No. 20781 for the \$5.00 fee paid in connection with completion of works proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/gt

Enc.

18476

✓
July 16, 1948

Re: Permit No. 18476

Mr. Henry S. Martin
212-213 Earl Building
Idaho Falls, Idaho

Dear Mr. Martin:

We acknowledge receipt of your letter of July 14th, enclosing the affidavit of Lowell C. Moore, in proof of completion of works under Permit No. 18476, and also your check for the \$5.00 fee.

In checking with the permit record, however, we find some discrepancy with the descriptions given in this affidavit and the permit record itself, as follows:

The original permit gave the point of diversion as in the center of the NW $\frac{1}{4}$ Section 31, Twp. 5 N., Range 37 E., B.M. This was amended on March 27, 1940, to the NW $\frac{1}{4}$ Section 36, Twp. 5 N., Range 36 E., B.M.; and again amended on February 17, 1945, to the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 31, Twp. 5 N., Range 37 E., B.M.

The affidavit submitted indicates that there are now two points of diversion, one in the center of the NW $\frac{1}{4}$ Section 31, and the other in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 36.

The land description in the original permit was the SW $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ Section 31, and E $\frac{1}{2}$ NE $\frac{1}{4}$ Section 36. This was amended on March 27, 1940, to the S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ Section 35, Twp. 5 N., Range 36 E., B.M.; and later again amended on January 20, 1945, to the NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 31, Twp. 5 N., Range 37 E., B.M.

As you will note, neither of these descriptions coincide with the land description given in the affidavit.

If there is to be another amendment in these descriptions, application for same may be made on the forms enclosed. If the affidavit is in error, a new one may be made on Form 8 enclosed.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

A
Encl.

Chief Clerk

CC to Lowell C. Moore

chk in cash

18476

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Certificate of Water Right
Transferred Right No. 889

ON PART A

THIS IS TO CERTIFY, That LOWELL C. MOORE, of Roberts, Idaho, is the owner of and using a certain water right for 2.0 cubic foot per second of subterranean source from a well located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 31, Township 5 North, Range 37 East, B. M., with priority of June 4, 1937, County of Jefferson, State of Idaho

Said Water Right being obtained by virtue of License No. 18476, issued by the State Department of Reclamation of the State of Idaho, dated November 25, 1949, and being appurtenant to the following described lands, to-wit:

E $\frac{1}{2}$ NW $\frac{1}{4}$, Lots 1, 2, 3 and 4, and the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 31, Township 5 North, Range 37 East, B. M.

That said license has been entered in the records of the State Department of Reclamation in Volume 8 of Licenses, at Page 4501.

And that now, upon the application of LOWELL C. MOORE, of Roberts, County of Jefferson, Idaho, for the transfer of 2.0 cubic foot per second of said subterranean water, made before the State Reclamation Engineer of the State of Idaho; and said application having been granted the right to use of said water upon the above described lands is hereby abandoned and the lands to which said water has, "By this certificate become appurtenant for irrigation and domestic purposes are described as follows", to-wit:

S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 35, Township 5 North, Range 36 East, B. M.

That said water is to be limited to any given time to an amount actually needed and beneficially used for such purposes and shall not exceed the following amount, to-wit:

2.0 cubic foot per second of subterranean water with priority of June 4, 1937.

That the water right hereby transferred, has heretofore been conducted to the first above described lands through private ditches with point of diversion in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 31, Township 5 North, Range 37 East, B. M.

That the water right hereby described will hereafter be conducted to the last above described lands, through private ditches, with the same point of diversion.

T-889
35-2052 A

That the right to the use of the water aforesaid, hereby confirmed, is restricted to the lands or places of use last above described, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho, this 10th day of July, A. D., 1957.

Mark R. Kulp

MARK R. KULP

State Reclamation Engineer

T-889
35-3050

COPY

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

In the Matter of the Application of

Lowell C. Moore
of Roberts, Idaho

For a Transfer of Water Right for
subterranean water, in Jefferson County,
Idaho.

ORDER GRANTING TRANSFER

No. 889

WHEREAS, On the 10th day of April, 1957, at the Department of Reclamation of the State of Idaho, at Boise, Idaho, this matter of the application of Lowell C. Moore, of Roberts, Idaho, for a transfer of water right came on regularly for hearing, pursuant to the published notice, in due and statutory form; and,

WHEREAS, No protest has been filed against the application, and the evidence filed with the application, by the applicant, shows that the water will be put to a higher and more beneficial use, and that no one will be injured thereby:

NOW, THEREFORE, IT IS HEREBY ORDERED, That the said application be, and the same is HEREBY GRANTED, and that a Certificate of Transfer be issued to the applicant herein, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho, this 10th day of July, A. D. 1957.

Mark R. Kulp
MARK R. KULP

State Reclamation Engineer

1-889
35-2050

State of Idaho

License and Certificate of Water Right

PART B

Water License No. 18476

Amount 4 second feet

Water District No.

Priority June 4, 1937

THIS IS TO CERTIFY that B. J. MOORE
 of Roberts, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated June 4, 1937; that Permit No. 18476
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
 6 second feet, was issued thereunder on July 30, 1948, showing that said works
 were completed on the 17th day of July, 1948; and that on the 20th
 day of January, 1949,

LOWELL C. MOORE, Assignee,

of Roberts, State of Idaho, made proof to the satisfaction of the
 State Reclamation Engineer of Idaho, of the right to use the waters of subterranean flow
~~tributary of~~ for the purpose of irrigation and domestic
 use, under Use Permit No. 18476 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 4732, on the 9th day of April, 1951;
 The right hereby confirmed dates from June 4, 1937;
 The Point of Diversion ^{are} located in the NE ¹/₄ NE ¹/₄ Section 31, Twp. 5 N., Rge. 37 E., B.M. and
 in the NW ¹/₄ NW ¹/₄, Sec. 36, Tp. 5 N., R. 36 E., B.M. Jefferson 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 Four (4) cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
5 N.	36 E.	35	SW ¹ / ₄ NE ² / ₄		28
			SE ¹ / ₄ NE ¹ / ₄		40
			SE ¹ / ₄ NW ¹ / ₄		25
			NE ¹ / ₄ SW ¹ / ₄		25
			NE ¹ / ₄ SE ¹ / ₄		39
			NW ¹ / ₄ SE ¹ / ₄		10
			SE ¹ / ₄ SE ¹ / ₄		33
			Number of Acres Actually Irrigated		
This license is issued as a correction and in lieu of License recorded in Volume 8, Page 4692, of Licenses, and dated January 18, 1951.					

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

9th day of April, 1951.

MARK R. KULP

State Reclamation Engineer

(SEAL)

35 2052

State of Idaho
License and Certificate of Water Right

Water License No. 20168 Amount 0.01 second foot
Water District No. Priority January 23, 1948

THIS IS TO CERTIFY that W. G. BURGHARDT
of Grandview, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated September 8, 1947; that Permit No. 20168
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.14 second foot, was issued thereunder on August 11, 1948, showing that said works
were completed on the 20th day of July, 1948; and that on the 30th
day of January, 1951,

W. G. BURGHARDT
of Grandview, 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
~~underlying~~ (subterranean flow), for the purpose of domestic and stock
watering uses, under Use Permit No. 20168 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 4731, on the 9th day of April, 1951;
The right hereby confirmed dates from January 23, 1948;

The Point of Diversion is located
in the NW 1/4 NW 1/4, Sec. 20, Tp. 5 S., R. 3 E., 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 0.01 cubic foot per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
5 S.	3 E.	20	NW 1/4 NW 1/4	-	-

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
9th day of April, 1951.

(SEAL) MARK R. KULP
State Reclamation Engineer

State of Idaho

License and Certificate of Water Right

Water License No. 18476

Amount 4 second feet

Water District No.

Priority June 4, 1937

THIS IS TO CERTIFY that B. J. MOORE
 of Roberts, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated June 4, 1937; that Permit No. 18476
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
 6 second feet, was issued thereunder on July 30, 1948, showing that said works
 were completed on the 17th day of July, 1948; and that on the 20th
 day of January, 1949,

LOWELL C. MOORE, Assignee,

of Roberts, State of Idaho, made proof to the satisfaction of the
 State Reclamation Engineer of Idaho, of the right to use the waters of subterranean flow
~~from two wells~~ from two wells, for the purpose of irrigation and domestic
 use, under Use Permit No. 18476 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 4692, on the 18th day of January, 1951;

The right hereby confirmed dates from June 4, 1937;

The Point of Diversion ^{are} located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 31, Twp. 5 N., Rge. 37 E.B.M. and
 in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 36, Tp. 5 N., R. 36 E., B.M. Jefferson 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 Four (4) cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
5 N.	36 E.	35	SW $\frac{1}{4}$ NE $\frac{1}{4}$		28
			SE $\frac{1}{4}$ NE $\frac{1}{4}$		40
			SE $\frac{1}{4}$ NW $\frac{1}{4}$		25
			NE $\frac{1}{4}$ SW $\frac{1}{4}$		25
			NE $\frac{1}{4}$ SE $\frac{1}{4}$		39
			NW $\frac{1}{4}$ SE $\frac{1}{4}$		10
			SE $\frac{1}{4}$ SE $\frac{1}{4}$		33
			Number of Acres Actually Irrigated	- -	200

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

18th day of January, 1951.

MARK R. KULP

State Reclamation Engineer

(SEAL)

State of Idaho
License and Certificate of Water Right

Water License No. 19571 Amount 0.9 second foot
Water District No. Priority December 1, 1944

THIS IS TO CERTIFY that C. A. GARRETT
of Pocatello, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated December 1, 1944; that Permit No. 19571
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
3 second feet, was issued thereunder on July 14, 1947, showing that said works
were completed on the 28th day of June, 1947; and that on the 31st
day of May, 1950,
C. A. GARRETT
of Pocatello, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of unnamed springs
, a tributary of Medicine Lodge Creek, for the purpose of irrigation
, under Use Permit No. 19571 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 4691, on the 18th day of January, 1951;
The right hereby confirmed dates from December 1, 1944;
The Point of Diversion is located
in the NE 1/4 SW 1/4, Sec. 6, T. 12 N., R. 33 E., B.M. Clark 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 0.9 cubic foot per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
12 N.	33 E.	6	SW 1/4 NW 1/4	40	--
			SE 1/4 NW 1/4	40	--
			NE 1/4 SW 1/4	40	--
			NW 1/4 SW 1/4	40	--
			NE 1/4 SE 1/4	40	10
			NW 1/4 SE 1/4	40	16
			SW 1/4 SE 1/4	40	7
			SE 1/4 SE 1/4	40	12
			Number of Acres Actually Irrigated	--	45

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
18th day of January, 1951.

MARK R. KULP
State Reclamation Engineer

(SEAL)

State of Idaho
License and Certificate of Water Right

Water License No. 18476

Amount Two (2) second feet

Water District No.

Priority June 4, 1937

PART A

THIS IS TO CERTIFY that B. J. Moore
of Roberts, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated June 4, 1937; that Permit No. 18476
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
Six⁽⁶⁾ second feet, was issued thereunder on July 20, 1948, showing that said works
were completed on the 17th day of July, 1948; and that on the 20th
day of January, 1949,

LOWELL C. MOORE, Assignee of B. J. Moore
of Roberts, State of Idaho, made proof to the satisfaction of the
of Idaho, of the right to use the waters of

Subterranean flow, a tributary of, for the purpose of irrigation and domestic
use, under Use Permit No. 18476 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 4501, on the 25th day of November, 1949;

The right hereby confirmed dates from June 4, 1937;

The Point of Diversion is located

in the NE 1/4 NW 1/4, Sec. 31, Tp. 5 N., R. 37 E., B. M. Jefferson 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 Two (2) cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
5 N.	37 E.	31	NE 1/4 NW 1/4		35
			SE 1/4 NW 1/4		37
			Lot 1		20
			Lot 2		36
			Lot 3		36
			Lot 4		28
			NE 1/4 SW 1/4		40
			Number of Acres Actually Irrigated -	- - -	233

Trans 889

232

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
25th day of November, 1949.

MARK R. KULP

State Reclamation Engineer

(SEAL)

State of Idaho

License and Certificate of Water Right

Water License No. 17577Amount Two second feet

Water District No. _____

Priority September 8, 1931

THIS IS TO CERTIFY that CHARLES A. CAIRNS
 of Meridian, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated September 8,, 19 31; that Permit No. 17577
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
Two (2) second feet, was issued thereunder on September 30,, 19 36, showing that said works
 were completed on the 28th day of September, 19 36; and that on the 29th
 day of August, 19 38,

CHARLES A. CAIRNS

of Meridian, State of Idaho, made proof to the satisfaction of the
 Commissioner of Reclamation of Idaho, of the right to use the waters of springs, waste water,
and seepage, a tributary ~~of~~ to Little Creek, for the purpose of irrigation and domestic uses
, under Use Permit No. 17577 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 4502, on the 20th day of December, 19 49;
to CHESTER ARNOLD CAIRNS, successor in title to Charles A. Cairns.
 The right hereby confirmed dates from September 8,, 19 31;

The Points of Diversion ^{are} located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 29, and in the
 in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 32, Tp. 19 North, R. 2 East, B. M. Adams 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 Two (2) cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
19 N.	2 E.	32	NE $\frac{1}{4}$ NW $\frac{1}{4}$	30	40
			NW $\frac{1}{4}$ NW $\frac{1}{4}$	40	38
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	30	30
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	10	25
			Number of Acres Actually Irrigated - -		

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
20th day of December, 19 49.

MARK R. KULP

State Reclamation Engineer

(SEAL)

APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 25765
Permit No. 18476
District No.

Assigned to

Lowell B. Moore
Roberts, Idaho

1. Name of Applicant: B. J. Moore

Postoffice address: Roberts

County: Jefferson

State: Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
(b) Amount of capital stock:
(c) Amount paid in:
(d) Names and addresses of directors:

II. The financial resources of the applicant are:

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

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

2. Quantity of water claimed: Six (6) cubic feet per second.

3. Source of water supply: Subterranean water, through pits and wells, which is a tributary of
This water is not known to be a tributary of any stream.

4. Location of point of diversion: Approximately the center of northwest quarter
feet distant from the
corner of Section 31, T. 5 N., R. 37 E., B. M., and is in the
of Section, T., R., B. M., County of Jefferson

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

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

- (a) Point of use of water: feet distant from corner of Section
T., R., B. M., in the of Section, T., R., B. M.
(b) Amount of power generated: H. P., under feet head.
(c) Water is to be returned to at a point feet
distant from the corner of Section, T., R., B. M., in the
of Section, T., R., B. M.

7. Estimated cost of works: \$ 2,000.00

8. Kind of works: Ditches, pumps, motors and pipe lines

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 four feet; width at water line seven feet; depth of water $1\frac{1}{2}$
feet; dimensions of flume:
Diameter of pipe 12 inches; length of conduit $\frac{1}{2}$ miles.
Average grade per mile 26 ft. lift feet.

12. The time required for the completion of such work is Three (3) years.

13. The time required for the complete application of the water to the proposed use is Three (3) additional years.

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

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

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

B. J. MOORE Applicant.

By Agent.

Date of first receipt at Department of Reclamation: 11:00 A. M., June 4, 1937

Returned to applicant for correction: June 17, 1937

Corrected application received: July 16, 1937

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 18476
Recorded in Book 67 Page 18476 Approved July 19, 1937
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 September 17, 1937 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 January 19, 1939
The whole of said work to be completed on or before July 19, 1940 1942
Beneficial use of water appropriated in accordance herewith, to be made on or before July 19, 1943 45

Witness my hand this 19th day of July, 1937.

R. W. FARIS
Commissioner of Reclamation.

Remarks: See below.

14.

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
5 N	37 E	31			40		40	40	40	40							40		240
5 N	36 E	36	40			40													80
Total Number of Acres to be Irrigated-----																			320

Remarks: The waters claimed by the applicant are Subterranean waters. They will be conveyed to the lands to be irrigated by means of an electrically driven pump and pipe line from the pump into the ditches. This requires one lift to cover all the land. The pipe line has cut-outs, so that the water can be diverted on different levels of land.
The pump will be located in the approximate center of the North-west quarter of Section 31, Township 5 North, Range 37, E., B. M. There is a slough running more or less east and west through the north half of the said North-west quarter of Section 31, into which slough there seeps subterranean water. From the slough to the pump a sump will be constructed so as to bring the water to the intake of the pump. The sump will be deepened from time to time as the water level makes it necessary. If any wells are constructed, they will be largely in the nature of deep pits, as no other construction is necessary in order to tap the subterranean water. The irrigating ditches radiate from the pipe line.

In testimony whereof, we, BARZILLA W. CLARK, Governor of the State of Idaho, and IRA H. MASTERS, Secretary of State of the State of Idaho, have hereunto 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 19th day of July, 1937.

STATE OF IDAHO

By BARZILLA W. CLARK
Governor

(SEAL)
Countersigned:
By IRA H. MASTERS
Secretary of State

AFFIDAVIT FOR CHANGE OF POINT OF DIVERSION OF WATER RIGHT

Permit No. 18476

STATE OF IDAHO)
COUNTY OF BONNEVILLE) ss.

B. J. MOORE, being first duly sworn, deposes and says: That his postoffice address is Roberts, Idaho. That he is the owner of and using a certain water right for six cubic feet per second of the water of subterranean sources, County of Jefferson, State of Idaho, obtained by virtue of Permit to appropriate the public waters of the State of Idaho, No. 18476, issued by the Commissioner of Reclamation, dated July 19th, 1937, bearing date of priority of June 4th, 1937, for the purpose of irrigating the following described lands, situate, lying and being in Water District No. 36, in the County of Jefferson, and State of Idaho, to-wit: SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 31, Twp. 5 N., R. 37 E., B.M., and E $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 36, Twp. 5 N., R. 36 E., B.M. and is the person to whom such right was so issued: That said waters are now diverted from said stream in the center of the NW $\frac{1}{4}$ of Sec. 31, Twp. 5 N., Range 37 E., and conducted to the above described lands through the pipe and ditch, as per map filed herewith and of this affidavit made a part; That affiant desires to change the point of diversion of said waters from the point above described to a point located in NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 36, Twp. 5 N., Range 36 E., and thereafter conduct same to the above described land through the pipe and ditch, as per map above referred to.

That his reasons for desiring to make such change are as follows: The land to be irrigated is more valuable and the location of pumping plant is nearer the land and there is less waste by reason of seepage and evaporation.

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

B. J. MOORE
Affiant.

Subscribed and sworn to before me this 27th day of March, 1940.

(SEAL) O. A. Johannesen
Notary Public.

Received and filed for record in the Department of Reclamation at Boise, Idaho,
at 10:30 A. M. March 28, 1940.

JAMES SPOFFORD
Commissioner of Reclamation

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO No. 18476

Comes now B. J. MOORE, and represents to the Commissioner of Reclamation of the State of Idaho, That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 18476, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows; SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 35, Twp. 5 N., Range 36 E., B.M., making a total of 320 acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Idaho Falls, this 27th day of March, 1940.

B. J. MOORE

Date of receipt at Office of Department of Reclamation 10:30 A. M. March 28, 1940.

APPROVAL OF COMMISSIONER OF RECLAMATION

I, James Spofford, Commissioner of Reclamation of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 18476. This approval constitutes a new permit, and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

JAMES SPOFFORD
Commissioner of Reclamation

APPROVAL OF COMMISSIONER OF RECLAMATION

I, James Spofford, Commissioner of Reclamation of the State of Idaho, hereby extend the time for the completion of construction work under Permit to appropriate the Public Waters of the State of Idaho, No. 18476, to July 19, 1942. Witness my hand this 23rd day of April, 1940.

JAMES SPOFFORD
Commissioner of Reclamation

APPROVAL OF STATE RECLAMATION ENGINEER

WHEREAS, Application for an extension of time for Completion of Works under Permit No. 18576 has been made by owner thereof, B. J. Moore, of Roberts, Idaho, which application was duly advertised for a period of two consecutive weeks stating that on the 28th day of April, 1943, a hearing would be held for the purpose of receiving any protests, testimony or evidence regarding such application; and

WHEREAS, At the time set for the hearing no protest, testimony or evidence had been presented, either orally or by affidavit; and

WHEREAS, It appears that the owner of said permit is entitled to a further extension of time within which to complete work;

NOW, THEREFORE, I, James Spofford, State Reclamation Engineer of the State of Idaho, by virtue of authority in me under Senate Bill No. 93, Session Laws of 1943, hereby extend the time for Completion of Works under Permit to Appropriate the Public Waters of the State of Idaho, No. 18476, to July 19, 1946.

WITNESS MY HAND this 30th day of April, A. D. 1943.

(s) JAMES SPOFFORD
State Reclamation Engineer

APPLICATION FOR AMENDMENT TO PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO, NO. 18476

Comes now B. J. MOORE, and represents to the State Reclamation Engineer of the State of Idaho, that he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. 18476, and that the list of lands to be irrigated, as described in said permit, be changed to read as follows: The Northwest Quarter (NW $\frac{1}{4}$), North Half of the Southwest Quarter (N $\frac{1}{2}$ SW $\frac{1}{4}$), and the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section Thirty-one (31), Township Five (5) North, Range Thirty-seven (37) East Boise Meridian; making a total of 280 acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Idaho Falls this twentieth day of January, 1945.

B. J. MOORE

Date of receipt at Office of Department of Reclamation- February 23, 1945.

APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. 18476. This approval constitutes permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and such application is approved only insofar as the rights of others will not be adversely affected thereby.

MARK R. KULP
State Reclamation Engineer

AFFIDAVIT FOR CHANGE OF POINT OF DIVERSION OF WATER RIGHT
PERMIT NO. 18476

STATE OF IDAHO)
COUNTY OF BONNEVILLE) ss.

B. J. MOORE, being first duly sworn, deposes and says: That his postoffice address is Roberts, Idaho. That he is the owner of and using a certain water right for six cubic feet per second of the waters of underground sources, County of Jefferson, State of Idaho, obtained by virtue of Permit to appropriate the public waters of the State of Idaho, No. 18476, issued by the, dated July 19th, 1937, bearing date of priority of June 4th, 1937, for the purpose of irrigating the following described lands, situate, lying and being in Water District No., in the County of Jefferson and State of Idaho, to-wit: The Northwest Quarter, North half of the Southwest Quarter, and the Southwest Quarter of the Southwest Quarter of Section 31, Township 5 North, Range 37 East, B.M., and is the person to whom such right was so issued.

That said waters are now diverted from said stream in the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 36, Twp. 5 North, Range 36 E.B. and conducted to the above described lands through a ditch, as per map filed herewith and of this affidavit made a part.

That affiant desires to change the point of diversion of said waters from the point above described to a point located in the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 31, Twp. 5 N., Range 37 E., B.M., and thereafter conduct same to the above described lands through the private ditch as per map above referred to.

That his reasons for desiring to make such change are as follows: That the land now being irrigated is more economically irrigated from the new point of diversion.

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

B. J. MOORE

Subscribed and sworn to before me this 17th day of February, 1945.

(SEAL) O. A. Johannesen
Notary Public
Idaho Falls, Idaho

Received and filed for record in the Department
of Reclamation, at Boise, Idaho, at
3:30 P.M., Feb. 23, 1945.

Mark R. Kulp
State Reclamation Engineer
JLA

APPROVAL OF STATE RECLAMATION ENGINEER

WHEREAS, Application for extension of time for completion of works under Permit to appropriate the Public Waters of the State of Idaho, No. 18476, has been made by the owner thereof, B. J. Moore, of Homedale, Idaho, which application was duly advertised for a period of two consecutive weeks in the Rigby Star, stating that on the 16th day of March, 1946, a hearing would be held for the purpose of receiving any protests, testimony or evidence regarding such application; and,

WHEREAS, At the time set for the hearing no protest, testimony or evidence had been presented, either orally or by affidavit; and,

WHEREAS, It appears that the owner of said permit is entitled to a further extension of time within which to complete work;

NOW, THEREFORE, I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, by virtue of authority vested in me under Chapter 12 (Senate Bill 13) of the 1945 Session Laws, hereby extend the time for completion of works under Permit to appropriate the Public Waters of the State of Idaho, No. 18476, to July 19, 1948.

WITNESS MY HAND this 19th day of March, A. D. 1946.

MARK R. KULP
State Reclamation Engineer

A S S I G N M E N T

I, B. J. Moore, the Permittee in that certain permit issued by the State of Idaho, Department of Reclamation, State Reclamation Engineer, numbered 18476, granting the right to appropriate 6 c.f.s. of subterranean water, through pits and wells, and which permit has been, by the order and approval of the State Reclamation Engineer, dated March 19, 1946, extended to July 19, 1948, in which to make proof of completion of works, do hereby assign, transfer and set over to Lowell C. Moore of Roberts, Idaho, all of my right, title, interest and equity in and to said described permit, and I do hereby request that said transfer be properly shown on the records of the office of the State Reclamation Engineer.

Dated this 21st day of March, 1946.

/s/ B. J. Moore

State of Idaho)
County of Owyhee) ss.

On this 30th day of March, 1946, before me the undersigned Notary Public in and for said State, personally appeared B. J. Moore, known to me to be the person whose name is subscribed to the above and foregoing instrument, and acknowledged to me that he executed same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year hereinabove last written.

(SEAL)

/s/ J. H. FORBES
Notary Public
Residence and Address - Caldwell, Idaho

My commission expires June 15, 1948.

Received and filed for record in the Department of
Reclamation at Boise, Idaho, at 3:30 P.M. April 16, 1946.

MARK R. KULP
State Reclamation Engineer

A

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, No. 18476

Comes now Lowell C. Moore and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 18476;

That the point of diversion is described in said Permit as being located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 31, T. 5 N., R. 37 E. B.M., and conveyed to the place of use through ditch (colored orange) as per map filed herewith.

That he now requests that the point of diversion for 2 cubic feet per second be left in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 31, Twp. 5 N., R. 37 E. B.M., as per amendment of February 17, 1945. 2 cubic feet per second to be used in connection with the irrigation of E $\frac{1}{2}$ NW $\frac{1}{4}$, Lots 1, 2, 3, and 4, and NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 31, T. 5 N., R. 37 E., B.M., And applicant further requests that the remaining 4 cubic feet per second of said Permit No. 18476 be diverted from a point on the slough in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 36, T. 5 N., R. 36 E., B.M. for use on N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 35, T. 5 N., R. 36 E. B.M., said water to be conducted to the lands to be irrigated through the ditches shown in heavy ink on the map referred to.

That his reasons for desiring to make the change are: The lands to be irrigated are owned by the applicant and more susceptible to irrigation; that the points of diversion as requested are close to the lands to be irrigated and the water is from the same source. That considerable distance of hard digging will be eliminated in not having to go along the ditch line indicated in orange; that the same amount of water will water more land because of the proximity to the land and less loss from seepage and evaporation.

That no one will be injured by such change, and that such change is to be made at Permit Holder's own risk.

Signed at Idaho Falls, Idaho, this 17th day of July, 1948.

/s/ Lowell C. Moore

Date of receipt by Department of Reclamation - July 21, 1948

APPROVAL OF STATE RECLAMATION ENGINEER

I, MARK R. KULP, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 18476. This approval constitutes a new permit and is issued as an amendment to the original permit to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

MARK R. KULP
State Reclamation Engineer

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, No. 18476

Comes now Lowell C. Moore, and represents to the State Reclamation Engineer of the State of Idaho.

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 18476, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows: E $\frac{1}{2}$ NW $\frac{1}{4}$ Lots 1, 2, 3, 4, and the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 31, Twp. 5 N., Rge. 37 E., B.M. (with point of diversion for 2 cubic feet per second in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said section) Total Acres 280 Tillable 240 for which applicant owns 100 inches of water in canal. N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 35, Twp. 5 N., Rge. 36 E., B.M. (with point of diversion for 4 cubic feet per second in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 36, Twp. 5 N., Rge. 36 E., B.M.) Total acres 320 of which approximately 200 will ultimately be tilled, making a total of 600 acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Idaho Falls, Idaho, this 17th day of July, 1948.

/s/ Lowell C. Moore

Date of receipt at Office of Department of Reclamation - July 21, 1948

APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 18476. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

MARK R. KULP
State Reclamation Engineer

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that LOWELL C. MOORE of Roberts, County of Jefferson, and State of Idaho, the holder of Permit No. 18476, issued upon Application No. 25855 bearing date of priority of June 4, 1937, authorizing the diversion of six (6) second feet of the waters of wells and pits (subterranean), County of Jefferson, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use six (6) second feet of the waters of said wells and pits; that the points of diversion of said water are in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 31, Township 5 North, Range 37 East, B.M., and in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 36, Township 5 North, Range 36 East, B.M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: E $\frac{1}{2}$ NW $\frac{1}{4}$, Lots 1, 2, 3, and 4, NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 31, Township 5 North, Range 37 East, B.M. N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 35, Township 5 North, Range 36 East, B.M.

Witness my hand this 30th day of July, A.D. 1948.

MARK R. KULP
State Reclamation Engineer

Proof of Completion of Works made July 17, 1948
Certificate of Completion of Works issued July 30, 1948

**APPLICATION FOR AMENDMENT TO PERMIT TO APPROPRIATE
THE PUBLIC WATERS OF THE STATE OF IDAHO, No. 18476**

Comes now Lowell C. Moore, and represents to the State Reclamation Engineer of the State of Idaho.

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 18476, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows: E $\frac{1}{2}$ NW $\frac{1}{4}$, Lots 1, 2, 3, 4, and the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 31, Twp. 5 N., Rge. 37 E.B.M. (with point of diversion for 2 cu. ft. per second in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said section). Total acres 280; tillable, 240 for which applicant owns 100 inches of water in canal. S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sect. 35, Twp. 5 N., Rge. 36 E.B.M. (with point of diversion for 4 cu. ft. per second in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 36, Twp. 5 N., Rge. 36 E.B.M.) Total acres, 320, of which approximately 200 will ultimately be tilled, making a total of 600 acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Idaho Falls, Ida., this 26th day of November, 1948.

Lowell C. Moore

Date of receipt at Office of Department of Reclamation - Nov. 29, 1948.

APPROVAL OF STATE RECLAMATION ENGINEER

I, MARK R. KULP, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 18476. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

MARK R. KULP
State Reclamation Engineer

LICENSE ISSUED FOR 2 SEC. FT.

p. 4501

LICENSE ISSUED FOR 4 SEC. FT.

Page 4682

all correction License

on p. 4732

MEMORANDUM

TO: File No. 35-2052; Keith Wilson
FROM: Gary Spackman *Gary*
DATE: May 24, 1988
RE: Proposed Change of License

You wrote me a memo on May 6, 1988, stating that you thought the source listed in License No. 35-2052 is erroneous. I cannot determine whether the two pumps discussed in the examiners reports pump from groundwater-to-slough then slough-to-field respectively, or whether both pumps pumped from surface water. The fact that artesian pressures exist in the vicinity also complicates the interpretation. I suggest we wait for the adjudication to resolve the question.

62 MAY 10 1988

**SOURCE DESCRIPTION
35-2052A/2052B**

Department of Water Resources

**FROM: KEITH C. WILSON
TO: GARY SPACKMAN
SUBJECT: SOURCE DESCRIPTION**

06 MAY 1988

IN REVIEWING THE FILE ON THESE LICENSES I BELIEVE THAT THE SOURCE SHOULD BE LISTED AS TAYLORS SLOUGH AND NOT GROUNDWATER. IN THE EXAMINERS REPORT DIVERSION NO. 2 STATES "DIVERTS FROM SLOUGH". ALSO DIVERSION #1 INDICATES THAT THERE IS A 10 FOOT LIFT TO A SUMP. TRANSFER # 889 TRANSFERS BOTH PARTS A & B TO THE SAME P/U. PLEASE NOTIFY ME WHAT YOUR DECISION IS ON HOW THESE LICENSES SHOULD READ.



KEITH C. WILSON

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

WATER RIGHT
DATA ENTRY LOG

[illegible]

May 24, 1957

RE: State Water License No. 18476

Mr. Lowell C. Moore
Roberts, Idaho

Dear Mr. Moore:

We refer you to our letter of March 13, 1957, in which we inclosed a photo-copy of State Water License No. 18476 and stated that our fee for this copy would be \$1.00.

To date this fee has not been received in this Department.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR

18476

March 13, 1957

Mr. Lowell C. Moore
Roberts
Idaho

Dear Mr. Moore:

As you requested we have enclosed a photo-copy
of State Water License No. 18476. The charge for this
copy is \$1.00 which you may remit at your earliest convenience.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

RTT:nls
Enclosure (1)

18476

18476

November 5, 1952

Mr. Paul A. Shepard, Manager
Bureau of Land Management
Federal Building
Boise, Idaho

RE: Desert Entry No. 02844
SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 34, SW $\frac{1}{4}$ NW $\frac{1}{4}$
SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 35, Twp. 5 N.
Range 36 E.B.M.

Dear Mr. Shepard:

In connection with the above captioned desert land entry in the name of Lowell C. Moore of Roberts, Idaho.

Mr. Lowell C. Moore is the owner for the use of water designated by State License No. 18476 for 4.0 cubic feet per second of the waters of subterranean flow, with priority of June 4, 1937; point of diversion in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 31, Township 5 North, Range 37 East, B.M., and NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 36, Township 5 North, Range 36 East, B.M., appurtenant to the S $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 35, Township 5 North, Range 36 East, B.M.

This 4.0 cubic feet per second is now used on the last above described lands, and Mr. Moore wishes to transfer enough of said water right to the desert entry lands to irrigate same under his desert entry filing. We are advised that Mr. Moore owns, in addition to the above stated License, 200 inches of water in the Butte & Market Lake Canal, and both sources of water are commingled into one irrigation system.

By following the statutes (Change in Place of Use, Section 42-232, Idaho Code) the department will have no objection to the transfer of said water right, as soon as the desert entry is approved by the Bureau of Land Management.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

RWT:fg
cc: Mr. John L. Bloom

18476

RALPH L. ALBAUGH
JOHN L. BLOEM
GEORGE L. BARNARD
ARTHUR L. SMITH

P. O. BOX 428
TELEPHONE 326
OR 2354

LAW OFFICES OF
ALBAUGH, BLOEM, BARNARD & SMITH
SUITE 201-5 ROGERS BUILDING
IDAHO FALLS, IDAHO

November 4, 1952

RECEIVED
NOV 5 1952
Department of Reclamation

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

Re: Permit No. 18476

Dear Mr. Kulp:

Lowell C. Moore, of Roberts, Idaho, the holder of the above numbered permit has made Desert Land Application Idaho-02244 and the Manager of the Land and Survey Office of the Bureau of Land Management has required that we obtain an affidavit from you that there is no objection on the part of the State to transfer sufficient water under the above numbered permit to the lands included in the application. Mr. Moore owns, in addition to the water developed under this permit, 200 inches of water in the Butte and Market Lake Canal and both sources of water are comingled into one irrigation system.

The lands upon which the desert land entry was filed are:

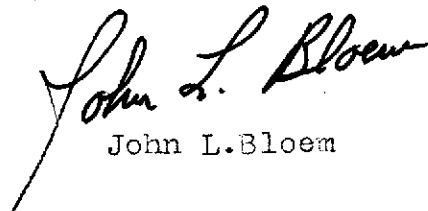
SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 34, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 35, Township 5 North, Range 36 East Boise Meridian.

However, most of these lands are lava rock and only five or ten acres can be irrigated in any sub-division.

Would you have any objection to furnishing such an affidavit?

Yours very truly,

ALBAUGH, BLOEM, BARNARD & SMITH


John L. Bloem

JLB:bf

18476

April 17, 1951

Re: Permit No. 18476

Mr. Lowell C. Moore
Roberts, Idaho

Dear Mr. Moore:

We enclose License and Certificate of Water Right issued in correction and in lieu of License and Certificate of Water Right issued January 18, 1951, on Permit No. 18476 and recorded in Volume 8, Page 4692 of Licenses.

Very truly yours,

MARK E. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh

Rnc.

18476

June 3, 1957

RE: State Water License No. 18476

Mr. Lowell C. Moore
Roberts, Idaho

Dear Mr. Moore:

We acknowledge receipt of your check in the amount of \$1.00 to cover the fee for the photo-copy of State Water License No. 18476 which was mailed you March 13.

We inclose our departmental receipt No. 28631 for that fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR
Enc.- 1 receipt.

18476

State of Idaho

License and Certificate of Water Right

Water License No. 18476 Priority June 4, 1937 Amount 4 second feet

THIS IS TO CERTIFY that B. J. MOORE

of Roberts, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated June 4, 1937; that Permit No. 18476 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 6 second feet, was issued thereunder on July 30, 1948, showing that said works were completed on the 17th day of July, 1948; and that on the 20th day of January, 1949

LOWELL C. MOORE, Assignee,

of Roberts, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of subterranean flow ~~contributory~~ from two wells for the purpose of irrigation and domestic use, under Use Permit No. 18476 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 4692, on the 18th day of January, 1951;

The right hereby confirmed dates from June 4, 1937;

The Point of Diversion ~~is~~ located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 31, Twp. 5 N., Rge. 37 E. B.M. and in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 36, Tp. 5 N., R. 36 E., B.M. Jefferson 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 Four(4) cubic feet per second.

Description and location of use:

TWP.	RANGE	SECTION	FORTY-ACRE TRACT	NO. ACRES DESCRIBED IN PERMIT	NO. ACRES ACTUALLY IRRIGATED
5 N.	36 E.	35	SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$		28 40 25 25 39 10 <u>33</u>
			Number of Acres Actually Irrigated		200

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 18th day of January, 1951

Mark R Kulp

State Reclamation Engineer.

18476

93317

Instrument No. _____

State of Idaho,
County of Jefferson, } ss.

I hereby certify that the within
instrument was filed for record at the
request of

Lowell C. Moore
on the 12 day of February
at 90 minutes past 4 o'clock
P.M. of 1937 at Book 55
of Jefferson County, page 296

EILEEN MADSEN

Recorder.

Charles E. Herman
Deputy

Recorder's Fee \$ _____

State of Idaho

License and Certificate of Water Right

Water License No. 18476

To Lowell C. Moore

Roberts, Idaho

Source of Supply Subterranean flow
from two wells

Jefferson County

Amount Four (4) Sec. Feet

Point of Diversion NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 31,
Twp. 5 N., Rge. 37 E., B.M., and NW $\frac{1}{4}$ NW $\frac{1}{4}$
Sec. 36, Twp. 5 N., Rge. 36 E., B.M.

Place of Use S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$,
NW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 35, Twp. 5 N.,
Range 36 E., B.M.

Purpose Irrigation and domestic use

Date of Priority June 4, 1937

Recorded January 18, 1951

in Book 8 of Licenses, Page 4691

18476

January 22, 1951

Re: Permit No. 18476

Mr. Lowell C. Moore
Roberts, Idaho

Dear Mr. Moore:

We enclose License and Certificate of Water Right issued under Permit No. 18476, confirming your right to the use of four (4) second feet of water from two wells in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 31, Township 5 North, Range 37 East, B.M. and the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 36, Township 5 North, Range 36 East, B.M., with priority of June 4, 1937, for irrigation and domestic use on 200 acres in the S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 35, Township 5 North, Range 36 East, B.M.

We also enclose Departmental Receipt No. 23008 for the \$14.00 fee paid in connection with this proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh
Enc.

18476

January 13, 1951

Re: Permit No. 18476

Mr. Lowell C. Moore
Roberts, Idaho

Dear Mr. Moore:

The supplemental report for beneficial use under Permit No. 18476 shows that you have irrigated 200 acres in Section 35, Township 5 North, Range 36 East, B.M.

Therefore, upon receipt of the statutory fee of \$14.00, being at the rate of \$2.00 for each 40 acre subdivision in which the land is located, a License will be issued for four (4) second feet of water from wells located in that Section.

This is in addition to the License previously issued for two (2) second feet from a well in Section 31, Township 5 North, Range 37 East, B.M., for irrigation of land in Section 31.

Very truly yours,

MARION R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh

18476

18476

June 28, 1950

Mr. L. C. Moore
Roberts, Idaho

Dear Mr. Moore:

I was called back from my inspection trip by the death of my Mother, so was unable to call on you on the date which I advised you in my last letter.

I will make this inspection as soon as possible at some future date.

Very truly yours,

WILLIAM R. GULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

ENH:bh

18476

June 24, 1950

Permit # 18476

Mr. Lowell C. Moore
Roberts, Idaho

Dear Mr. Moore:

I will probably be in Roberts on Wednesday, June 28, to make an inspection of your irrigation system, following your request to the State Engineer yesterday.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

ENH:bh

18476

November 29, 1949

Re: Permit No. 18476

Mr. Lowell C. Moore
Roberts, Idaho

Dear Mr. Roberts:

We enclose License and Certificate of Water Right confirming your right to the use of two (2) second feet of water from a well in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 31, Township 37 East, B.M. with priority of June 4, 1937, for supplemental irrigation and domestic use on land in the E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and Lot 1, 2, 3, and 4, Section 31, Township 5 North, Range 37 East, B.M.

We also enclose Departmental Receipt No. 21934 for the \$14.00 fee paid by you in connection with this proof.

Very truly yours,

MARK A. KULP
State Reclamation Engineer
By

Chief Clerk

A:bn
Enc.

18476

✓
November 21, 1949

Re: Permit No. 18476

Mr. Lowell C. Moore
Roberts, Idaho

Dear Mr. Moore:

Reference is made to your personal request that a License be issued covering the amount of supplemental to be used on Section 31, Township 5 South, Range 37 East, B.M.

We can issue a License for two (2) second feet of water from said well upon receipt of \$14.00 to pay the statutory fee.

We shall ask our Field Engineer to make another inspection of the land in Section 35, Township 5 North, Range 36 East, and upon receipt of his supplemental report, an additional License can be issued covering the irrigated land in that Section.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh

18476

August 17, 1949

Re: Permit No. 18476

Mr. John M. Corless, Secretary-Treasurer
Bonneville National Farm Loan Association
Idaho Falls, Idaho

Dear Mr. Corless:

Reference is made to your letter of August 15, 1949, in regard to Permit No. 18476 in the name of Lowell C. Moore.

Mr. Moore was in this Department recently, requesting that this matter be speeded up as much as possible and in reply, we wrote him, under date of July 27, as per copy of letter enclosed.

Upon receipt of the statutory fee of \$28.00 a License will be issued.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh
Enc.

CC: Lowell C. Moore

18476

35-02052 change of ownership

ROUTING SLIP

TO: Danni

FROM: Jennifer

DATE: 1-19-00 TIME: _____

PER:	
Our Conversation	
Your Request	
The Attached	X

FOR YOUR:		REVIEW AND:	
Information	X	Take Proper Action	X
Approval		Comment	
Signature		Draft A Reply	

ATTACHED TO BE:			
Posted		Returned To Me	
Circulated		Filed	
Distributed		Copied (_____ copies)	

Change for mortgage claim - file at Vault. Change done



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

January 18, 2000

RECEIVED

JAN 24 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

TERRILL LUFKIN
1015 TWIN BUTTE RD
MENAN ID 83434

Department of Water Resources

RE: NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP (NCO) FOR
PARTIAL DECREE(S) 35-02052

Dear Mr. Lufkin:

The Department's records have been modified to reflect the change in ownership for the above referenced partial decree(s).

Enclosed for your files is a report listing you as the current owner(s). Review the form and if there are corrections or questions, feel free to contact this office.

Respectfully submitted,

Jennifer Crabtree
Technical Records Specialist

Enclosure

AJ0749NP
No. 35-02052

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 01/18/00
PAGE: 1

OWNER CODE NAME & ADDRESS PRIORITY DATE WATER USE DIVERSION RATE DIVERSION VOLUME
C TERRILL LUFKIN 06/04/1937 IRRIGATION 04-01 10-31 6.000 CFS
1015 TWIN BUTTE RD
MENAN ID 83434
TOTAL DIVERSION: 6.000 CFS

D CANDACE LUFKIN
753 N 2600 E
ROBERTS ID 83444
(208) 228-3107

Water Source: TAYLOR SLOUGH Tributary to: SNAKE RIVER Stage: DECREED
Point(s) of Diversion: T05N R36E S36 NW1/4NW1/4 JEFFERSON County

Place of use Legal Description for: IRRIGATION

		NE				NW				SW				SE										
		NENE		MNE		SUNE		SENE		NENW		SNW		SENW		NESW		NWSE		SWSE				
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM			
05N 36E 34	:	40	40	39	40	:	40	:	40	39	:	37	40	36	39	:	40	38	37	36	:	80.0		
05N 36E 35	:	40	40	39	40	:	40	:	40	39	:	37	40	36	39	:	40	38	37	36	:	541.0		
05N 36E 36	:	40	40	39	40	:	40	:	40	39	:	37	40	36	39	:	40	38	37	36	:	54.0		
																				TOTAL ACRES	:	675.0		

POU County: JEFFERSON

Other Rights: 35-07746, BUTTE & MARKET LAKE CANAL

Conditions of Approval:

- C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
- PURSUANT TO SECTION 42-1425, IDAHO CODE.
- C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- SECTION 42-1425, IDAHO CODE.
- E03 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM
- BUTTE & MARKET LAKE CANAL CO.

Remarks: POU1 USE OF THIS RIGHT WITH RIGHT NO. 35-07746 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 675 ACRES IN A SINGLE IRRIGATION SEASON.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 432 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 01 Field Inspection Flag: C
Presumption Flag: C

RECEIVED

JAN 07 2000

Department of Water Resources
Eastern Region

STATE OF IDAHO

IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s): A35-02052 A35-07746
Adjudication Claim No(s): 35-02052 35-07746 (THESE HAVE BEEN)
2. The following **REQUIRED** information must be submitted with this form: 2 DECREE
 - A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**
 - AND
 - B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claim(s). (These are usually attached to your deed or on file with the county.)
 - OR
 - C. If your water right or adjudication claim is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.
3. Name and Address of Former Owner/Claimant Candace R Lufkin
753 N 2600 E Roberts Id 83444
4. New Owner/Claimant(s)
New Mailing Address TERRILL LUTKIN 1015 TWIN BUTTE RD
City, State and ZIP Code MENARD, ID 83434
New Telephone Number () 754-4009 589 1041
5. Date you acquired the property _____
6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below only if the water right(s) or claim(s) need to be split between owners. If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

Number of acres you irrigate with this water right _____	Number and type of stock _____
Diversion rate in CFS _____	Number of homes you acquired _____ Other uses _____

7. Signature of New Owner(s) Lutkin
or Claimant(s)

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

Statement

East ESPA Water Measurement District

900 N. Skyline Dr.
Idaho Falls, ID 83402
208-525-7171

DATE

11/3/1999

TO:

TERRILL R LUFKIN
753 N 2600 E
ROBERTS ID 83444

DATE	TRANSACTION	AMOUNT DUE	AMOUNT ENC.
		\$929.88	
		AMOUNT	BALANCE
10/04/1999	Balance forward		924.31
11/03/1999	INV #FC 898 - Finance Charge	5.57	929.88

Water Right No.
A 3510077

Moore Pump → Terrill Lufkin
Berrett Pump → 30.40
House Well - Candace Lufkin
Circle Well - Terrill Lufkin

CURRENT	1-30 DAYS PAST DUE	31-60 DAYS PAST DUE	61-90 DAYS PAST DUE	OVER 90 DAYS PAST DUE	AMOUNT DUE
5.57	4.64	6.69	0.00	912.98	\$929.88

Statement

East ESPA Water Measurement District

900 N. Skyline Dr.
Idaho Falls, ID 83402
208-525-7171

DATE

11/3/1999

*pdv 1067
12-28-99
1001.39*

TO:

ROBISON/LUFKIN LTD
753 N 2600 E
ROBERTS ID 83444

% Candace Lufkin

AMOUNT DUE

AMOUNT ENC.

\$71.51

DATE

TRANSACTION

AMOUNT

BALANCE

10/04/1999 Balance forward
11/03/1999 INV #FC 906 - Finance Charge

0.43

71.08

71.51

10078

CURRENT

1-30 DAYS PAST
DUE

31-60 DAYS PAST
DUE

61-90 DAYS
PAST DUE

OVER 90 DAYS
PAST DUE

AMOUNT DUE

0.43

0.36

0.52

0.00

70.20

\$71.51

Scott R. Hall
Idaho State Bar No. 3547
ANDERSON NELSON HALL SMITH, P.A.
490 Memorial Drive
Post Office Box 51630
Idaho Falls, Idaho 83405-1630
Telephone (208) 522-3001
Fax (208) 523-7254
Attorneys for Plaintiff

99 DEC 16 PM 1:38
DISTRICT COURT
MAGISTRATE
BONNEVILLE COUNTY
IDAHO

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNEVILLE

CANDACE R. LUFKIN,

Plaintiff,

v.

TERRILL ROY LUFKIN,

Defendant.

Case No. CV-99-4201

DECREE OF DIVORCE

DECREE OF DIVORCE

This matter having come before the court upon Plaintiff's Complaint for Divorce,
and the parties having entered into a Stipulation, and good cause appearing therefore;

THIS COURT ORDERS, ADJUDGES AND DECREES as follows:

1. That Plaintiff is now and has been for more than six (6) weeks prior to the
commencement of this action a resident of the State of Idaho.

2. That Defendant is now and has been for more than six (6) weeks prior to
the commencement of this action a resident of the State of Idaho.

3. That the parties have voluntarily entered into a Stipulation which is
attached hereto and incorporated herein as Exhibit "A", the terms of which shall be enforceable
and are hereby made a part of this Decree of Divorce and are merged only to the extent as
provided for in the attached stipulation..

4. That the bonds of matrimony hereto existing between the Plaintiff and the

Defendant are hereby and the same are dissolved and the Plaintiff is granted an absolute divorce on the grounds of irreconcilable differences.

DATED this 16 day of December, 1999.



Magistrate Judge

CLERK'S CERTIFICATE OF SERVICE

I hereby certify that I served a true copy of the foregoing document upon the following this 16 day of December, 1999, by hand delivery or mailing, with the necessary postage affixed thereto.

Scott R. Hall
ANDERSON NELSON HALL SMITH, P.A.
490 Memorial Drive
P.O. Box 51630
Idaho Falls, Idaho 83405-1630

Terrill Lufkin
753 North 2600 East
Roberts, ID 83444

CLERK OF THE COURT



Deputy Clerk

L:\srh\4339\DECREE.DIVORCE.wpd

Scott R. Hall
Idaho State Bar No. 3547
ANDERSON NELSON HALL SMITH, P.A.
490 Memorial Drive
Post Office Box 51630
Idaho Falls, Idaho 83405-1630
Telephone (208) 522-3001
Fax (208) 523-7254
Attorneys for Plaintiff

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNEVILLE

CANDACE R. LUFKIN,

Plaintiff,

v.

TERRILL ROY LUFKIN,

Defendant.

Case No. CV-99-4201

STIPULATION

IT IS HEREBY STIPULATED AND AGREED by and between the above-named Plaintiff and the above-named Defendant as follows:

1. The above-named Defendant, TERRILL ROY LUFKIN, hereby admits he has been served with process and admits he received a true and correct copy of the summons issued out of said court in said cause attached to which was a true copy of the complaint filed herein. The parties do hereby submit themselves to the jurisdiction of the court in the within action and consent that judgment be entered consistent with this Stipulation and consent to an immediate hearing on this cause.

2. The parties do hereby waive the making of findings of fact, conclusions of law and notice of entry of judgment in this matter and agree that the court may enter judgment in this matter according to the terms and conditions of the within Stipulation.

3. There have been three children born the issue of this marriage each of whom have reached the age of majority.

STIPULATION - 1

E X H I B I T

"A"

4. Each party represents and warrants that he or she has made a full and complete disclosure of all of his or her property, whether community or separate, and that neither has knowledge of any other property of any kind in which the party so representing has a beneficial interest.

5. The parties desire that as nearly as possible an equal division of the community property be made and each agrees that the division set forth herein accomplishes a substantial and equal division of the community property of the parties.

6. The property itemized in Exhibit "A" is hereby apportioned, set aside, transferred and conferred to the Plaintiff, free of all claims and demands of the Defendant. Each item of property set aside and transferred to Plaintiff is assigned and taken by her with all encumbrances and other obligations to which such item may be subject, except as otherwise provided herein. The Plaintiff shall pay and discharge all encumbrances and obligations and hold the Defendant free and harmless from any liability and/or expense thereof.

7. The property itemized in Exhibit "B" is hereby apportioned, set aside, transferred and confirmed to the Defendant free of all claims and demands of the Plaintiff. Each item of property set aside and transferred to Defendant is assigned to and taken by him with all encumbrances and other obligations to which such item may be subject, except as otherwise provided herein. Defendant shall pay and discharge all such encumbrances and obligations and hold Plaintiff free and harmless from any liability and/or expense thereof.

8. Pursuant to the division of property as set forth in Exhibit "A" and Exhibit "B", upon the execution of this agreement, each party shall quitclaim to the other all right, title and interest in and to property granted to the other herein at which time the other party shall assume all liability relative to said conveyed premises as provided for in Exhibits "C" and "D".

9. To effectuate a more complete and full division of the community property and in consideration of the agreements as set forth herein and in settlement of this matter, Plaintiff and Defendant specifically agree as follows:

9.1. Upon Defendant's sell, transfer, conveyance, etc., of that portion of the Berrett property which is assigned to him, or any portion thereof, as more fully described in Exhibit "E" hereto, or upon Defendant's sell, transfer,

conveyance, etc., of that property described Exhibit "H", or any portion thereof, Defendant shall pay to the Plaintiff the amount of \$132,700.00. Said payment is further in part in consideration for the debt owed on the McDaniel property, which is assigned to Plaintiff herein and which is more fully described in Exhibit "G" hereto, and which said debt was incurred for the purpose of implementing irrigation systems on the Moore property which is assigned to the Defendant herein and which is more fully described in Exhibit "H" hereto.

- 9.2. Plaintiff is granted a permanent easement to the Berrett property which is assigned to Defendant and which is more fully described in Exhibit "E" hereto for the purpose of hunting, walking, horse riding, and skating.
- 9.3. In the event that the Defendant or Plaintiff shall default on the payment of any debt on the Berrett property which is assigned to him/her (said default being either by breach of any contractual obligation thereto or by bankruptcy), as more fully described in Exhibit "E" hereto, Defendant or Plaintiff shall have the immediate right to cure the others default. If the Defendant or Plaintiff shall cure the others default, then the defaulting party shall immediately convey to the curing party all his/hers right title and interest in and to said property and the curing party shall then have the obligation to pay the debt associated thereto.
- 9.4. The Defendant and Plaintiff shall each further be required to enter into a pre-nuptial agreement prior to any future marriage retaining said property described and assigned to either as described in Exhibits "E", "F", "G", or "H" as their respective individual sole and separate property. In the event that said property shall be in either Plaintiff or Defendant's respective ownership at either's death, the parties covenant to execute wills granting said property to their three children, per stripes, in equal shares.
- 9.5 All current joint operating debt or other debt incurred in shutting down the current joint farming operation shall be paid from 1999 crop revenue and

from the sale of cattle. Any remaining cattle or crop which exists after the payment of the current joint operating debt shall be divided $\frac{1}{2}$ to the Plaintiff and $\frac{1}{2}$ to the Defendant.

9.6. The home located on the McDaniel property shall be conveyed to the Plaintiff by quitclaim deed upon entry of the decree of divorce.

9.7. Should either Plaintiff or Defendant sell any of the property described in Exhibits "E", "F", "G", or "H", the other party shall have a first right of refusal to match the purchase price which said first right of refusal shall be exercised within 60 days from notice thereof.

10. The Plaintiff and Defendant hereby stipulate and agree that community and separate debt exist between the parties and that the division of debt as set forth in Exhibit "C" and Exhibit "D" accomplishes an equitable division of the community debt and a restoration of the parties' separate debt. The Plaintiff is hereby assigned the debt listed in Exhibit "C" and the Defendant is hereby assigned the debt listed in Exhibit "D". Each party represents and warrants that he or she has made a full and complete disclosure of all of his or her debt, whether community or separate, and that neither has knowledge of any other debt of any kind in which the party so representing has liability. However, to the extent any debt exists, which is unknown to the parties, then the party so incurring such debt shall assume and pay such debt in full and hold the non-incurring party free and harmless from any and all liability and/or expense thereof. The parties do further agree to pay all such debt assigned to them either in Exhibit "C" or "D" and to hold the other party free and harmless from any liability and/or expense thereof.

11. The parties consent and agree that the court may grant Plaintiff and Defendant a complete and absolute decree of divorce each from the other on the grounds of irreconcilable differences.

12. It is expressly agreed that in the event the court grants a decree of divorce and the court acknowledges this Stipulation that the parties shall and do hereby waive any and further claims or demands each may have against the other of any nature or description except as provided for herein..

13. The parties hereby agree that each shall hereafter live separate and apart,

free from any and all restraints and control of the other, whether direct or indirect. Neither party shall molest or interfere with the other nor attempt to compel the other to co-habit or dwell with him or her by any means whatsoever, by legal action or otherwise.

14. The parties agree that neither will in any way molest, harass, annoy, assault or abuse the other, or go upon the property of the other without invitation, or in any way interfere with the personal liberties of the other.

15. Each party shall promptly execute and deliver to the other or any nominee or nominees of the other party, all instruments that may be necessary, convenient or appropriate to carry into effect all of the provisions of this agreement for division and confirmation of the property and mutual release thereof including but not limited to promissory notes, deeds, mortgages, deeds of trust, etc. It is further agreed that this agreement contains the entire understanding of the parties and that there are no representations, warranties, covenants or undertakings other than those expressly set forth herein. A modification or waiver of any of the foregoing provisions shall be affected only by a writing freely executed by both parties with the same formality as this agreement. Any party to insist upon a strict enforcement of any of the provisions of this agreement shall not be construed as a waiver of any subsequent default of the same or similar nature.

16. The parties acknowledge that they have entered into this Stipulation voluntarily and of their own free will and choice and that this agreement shall be construed in accordance with the laws of the State of Idaho. If any provision of this agreement is held to be invalid or unenforceable, all other provisions shall nevertheless continue in full force and effect. In addition, any defaulting party shall pay the prevailing party's attorney fees and court costs for enforcing this agreement.

17. This Stipulation shall be presented to the above-entitled court for approval, and if approved, the Stipulation shall be attached to the court's decree and/or order and is not merged into the decree but is contractual and not subject to modification.

18. Each party agrees that they have hereto read the within Stipulation, is familiar with the same, and has consulted with his or her legal representative with regard hereto.

19. Plaintiff and Defendant do hereby acknowledge that the law firm of

Anderson Nelson Hall Smith P.A., has represented the Plaintiff in the above matter and that said law firm does not represent the Defendant. Defendant has been advised to seek his own independent legal counsel. Said Attorneys have not given to any party any tax advice regarding the terms and conditions of this agreement nor have any representations been made regarding the status of title to any property or any liens thereon. Further, the legal descriptions have been provided by the Plaintiff and Defendant without specific survey as to each legal description and the attorneys have not given to any party any advice regarding the accuracy of the legal descriptions or the current status of any title or liens related thereto.

20. The attorney fees, court costs, recording costs, surveys, titling costs, and other costs necessary to carry this stipulation into effect and otherwise incurred in this matter will be paid by Defendant from his share of the proceeds of the 1999 crop and from cow sales.

21. By the signing of this agreement and the entry of the decree of divorce and/or order, counsel for Plaintiff withdraws from this action.

12 - 10 - 99
Date

Candace R. Lufkin
CANDACE R. LUFKIN, Plaintiff

12/10/99
Date

Terrill Roy Lufkin
TERRILL ROY LUFKIN, Defendant

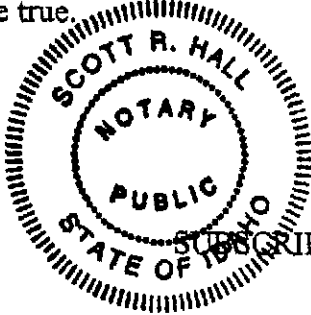
APPROVED AS TO FORM:

Scott R. Hall
Scott R. Hall
Attorney for Plaintiff

County of Bonneville)

CANDACE R. LUFKIN, being first duly sworn upon oath, deposes and says:

That she is the Plaintiff in the above-entitled action; that she has read the foregoing Stipulation, knows the contents thereof, and verily believes the information contained therein to be true.



Candace R. Lufkin
CANDACE R. LUFKIN

SUBSCRIBED AND SWORN to before me this 10 day of December, 1999.

Notary Public for Idaho
Residing at: *Burnsville Co*
My commission expires: *10/03/04*

County of Bonneville)

TERRILL ROY LUFKIN, being first duly sworn upon oath, deposes and says:

That he is the Defendant in the above-entitled action; that he has read the foregoing Stipulation, knows the contents thereof, and verily believes the information contained therein to be true.



Terrill Roy Luckin
TERRILL ROY LUCKIN

SUBSCRIBED AND SWORN to before me this 10 day of December, 1999.

Notary Public for Idaho
Residing at: *Bonawille Co.*
My commission expires: *10/03/04*

EXHIBIT "A"

Property to Plaintiff

Blue Stem name and associated brands and tax identification number.

½ of all cows after payment of joint operating debt as provided for in paragraph 9.5 above.

Home on the McDaniel property as provided for in paragraph 9.6 above.

McDaniel property together with all mineral and water rights and shares as described in Exhibit "G" below.

A portion of the Berrett property with all mineral and water rights and shares as described in Exhibit "F" below.

Future potential rights in the Berrett property with all mineral and water rights and shares as described in Exhibit "E" below as provided for in paragraph 9.1 and 9.3 above.

All units of ownership, whether previously the separate property of the Plaintiff or Defendant or community property of Plaintiff and Defendant in and to the Robison & Lufkin Limited Partnership and/or the - O.W. Robison Family Trust.

Case International Tractor.

1999 Chevrolet Extended cab pickup.

Sooner Stock trailer.

Circle D Trailer - flat bed.

Great Bend Loader.

Lawn Chief lawn mower.

C Tractor - International.

4 - wheeler.

Disc.

Drill.

Harrows.

Diker.

Generator.

Horse named Rusty.

Horse named Dee.

Palomino horse.

SawZall.

Gas Tank.

Big Horse Clippers.

Big Socket Set.

3 old saddles.

Sprayer for 4 - wheeler.

Calving & cow tools, dehorner, banding Iron, Nose tongs, puller.

1 in bed fuel tank.

All household furnishings currently in Plaintiff's possession.

Plaintiff's personal effects and personal property.

EXHIBIT "B"

Property to Defendant

½ of all cows after payment of joint operating debt as provided for in paragraph 9.5 above
Moore property together with all mineral and water rights and shares as described in Exhibit "H"
below.

A portion of the Berrett property with all mineral and water rights and shares as described in
Exhibit "E" below subject to the provisions of paragraph 9.1 and 9.3 above.

1997 Chevrolet Dully Pickup.

T. V. Satellite.

Sundowner Horse Trailer.

44' semi trailer flat bed.

John Deer plow.

Post hole digger.

Pipe trailer.

Dodge pickup.

Chevy pickup.

Pump.

Horse named LaBamba.

Horse named Moonshine.

Roan Colt horse.

Horse named Yeller.

Chain saw.

Diesel tank.

Grinder.

Small Socket Set.

2 new saddles.

Pressure washer.

Pick-up tool box.

1 in bet fuel tank.

All household furnishings currently in Defendant's possession.

Defendant's personal effects and personal property.

TV

Maroon Couch

EXHIBIT "C"

Debt Assigned to Plaintiff

All debt owed to U.S. Bank relating to the mortgage on the McDaniel property.

\$53,700 of the total debt owed to Farm Credit Services relating to the Berrett property subject to the provisions of paragraph 9.1 and 9.3 above of which Plaintiff shall pay 28.8% of the required loan payments.

All debt and all obligations relating to the lease with R&L - O.W . Robison Family Trust.

All debt relating to the home on the McDaniel property.

All debt obligation as provided for in paragraph 9.5 above.

Any debt incurred by Plaintiff after the date of separation which was May 29, 1999 unless otherwise assigned herein.

EXHIBIT "D"

Debt Assigned to Defendant

All debt owed to Lowell Moore relating to the mortgage on the Moore property.

All debt owed to Farm Credit Services and relating to the Berrett property subject to the provisions of paragraph 9.1 and 9.3 above, except for \$53,700 which is assigned to Plaintiff in Exhibit "C" above of which Defendant shall pay 71.2% of the required loan payments.

All debt obligation as provided for in paragraph 9.5 above.

All credit card debt of any nature or kind on which either Plaintiff or Defendant's name is an obligated debtor to be paid in full within 30 days of the date of the decree of divorce.

Any debt incurred by Defendant after the date of separation which was May 29, 1999 unless otherwise assigned herein.

EXHIBIT "E"

All of the below described property which lies South of the County Road:

Township 5 North, Range 36 East of the Boise Meridian, Jefferson County, Idaho.

Section 25: S1/2S1/2.

Section 36: N1/2NE1/4.
NE1/4NW1/4.

Beginning at the Southwest Corner of the NE1/4NW1/4; thence East along the sixteenth line 710 feet to the center of the Ball-Larson canal; thence along the center line of said canal as described in the following 20 courses; thence South 67°58' East 351.4 feet; thence South 44°38' East 236.8 feet; thence South 51°23' East 180.2 feet; thence South 22°39' East 180.4 feet; thence South 47°01' East 114.1 feet; thence South 67°54' East 208.9 feet; thence South 88°02' East 194.8 feet; thence North 76°53' East 96.5 feet; thence North 63°39' East 192.5 feet; thence North 77°01' East 101.5 feet; thence North 82°11' East 301 feet; thence South 89°04' East 383.7 feet; thence South 58°29' East 254.4 feet; thence North 86°36' East 92.6 feet; thence North 73°12' East 310.4 feet; thence North 42°41' East 75.2 feet; thence North 15°51' East 152 feet; thence North 7°05' East 317.1 feet; thence North 28°01' East 69.2 feet; thence North 44°37' East 53.5 feet; thence West along the sixteenth line to the place of beginning, being a part of the S1/2NE1/4 and the SE1/4NW1/4 of said Section 36.

EXCEPTING THEREFROM: Beginning at the Southeast corner of Section 25, Township 5 North, Range 36 East of the Boise Meridian; running thence N. 0°02'40" E. 75.98 feet along the section line to the True Point of Beginning; thence N. 0°02'40" E. 1247.04 feet to the Northeast corner of the Southeast Quarter of the Southeast Quarter of said Section 25; thence N. 89°34'54" W. along the North line of said Southeast Quarter of the Southeast Quarter 510.63 feet; thence S. 02°56'20" W. 2043.02 feet crossing the South line of said Section 25 into Section 36; thence S. 70°50'55" E. 129.00 feet; thence N. 81°23'12" E. 137.83 feet; thence N. 51°07'36" E. 138.14 feet; thence N. 34°28'45" E. 111.35 feet; thence N. 09°29'56" W. 173.59 feet; thence N. 05°31'38" E. 340.98 feet; thence N. 38°18'30" E. 112.68 feet, crossing the North line of Section 36 into Section 25; thence N. 68°59'42" E. 94.15 feet; thence S. 89°57'20" E. 23.73 feet to the True Point of Beginning.

LESS the existing county road right of way along the North and East sides of said property, Jefferson County, Idaho.

LESS: Beginning at the Southwest Corner of Section 25, Township 5 North, Range 36 East of the Boise Meridian; running thence North along the Section line 497.84 feet; thence into Section 26 the following three (3) courses: N. 31°31'46" W. 186.18 feet to a point of curve with a radius of 250.00 feet and a chord that bears N. 00°26'36" W. 258.16 feet; thence to the right along said curve 271.28 feet through a central angle of 62°10'20"; thence N. 30°38'34" E. 194.94 feet to the West line of said Section 25; thence North along said West line 240.12 feet to the Northwest corner of the South ½ of the Southwest 1/4 of said Section 25; thence S. 89°34'54" E. along the North line of said South ½ of the Southwest 1/4 a distance of 991.65 feet; thence S. 03°23'09" E.

878.73 feet; thence S. 28°39'29" E. 407.42 feet; thence S. 40°17'04" W. 76.30 feet; thence S. 25°14'42" E. 34.65 feet to the South line of said Section 25; thence N. 89°34'24" W. along said South line 1204.38 feet to the POINT OF BEGINNING.

TOGETHER WITH: an easement for ingress and egress over and across an existing road lying immediately West of the above-described property together with eighteen (18) shares of Butte-Market Lake Canal Company water rights.

SUBJECT TO: existing County Road Right-of-Way, Canal Right-of-Way and easements of record.

TOGETHER WITH all mineral and water rights and shares associated thereto.

EXHIBIT "F"

All of the below described property which lies North of the County Road:

TRACT 1:

Township 5 North, Range 36 East of the Boise Meridian, Jefferson County, Idaho,
Section 25: W1/2NW1/4.
N1/2SW1/4.

EXCEPTING THEREFROM: A strip of land to be used for a road right of way being 1 rod wide on and off the East side of NW1/4NW1/4 of said Section 25.

ALSO EXCEPTING THEREFROM: Beginning at the Southeast corner of the NE1/4SW1/4 of Section 25, Township 5 North, Range 36 East, Boise Meridian, said point being North along the Section line 1322.52 feet and South 89°34'54" East 2632.04 feet from the Southwest corner of said Section 25; running thence North 0°01'20" East along the East line of said NE1/4SW1/4 437.77 feet; thence South 87°53'25" West 393.60 feet; thence South 0°01'20" West 420.41 feet; thence South 89°34'54" East 393.34 feet to the point of beginning.

LESS the existing county road right of way along the South side of said property.

ALSO EXCEPTING THEREFROM: Beginning at the Southwest corner of the NW1/4SW1/4 of Section 25, Township 5 North, Range 36 East, Boise Meridian; said point being North along the Section line 1322.52 feet from the Southwest corner of Section 25, Township 5 North, Range 36 East, Boise Meridian; running thence North 202.32 feet along the Section line to the true point of beginning; thence North 481.62 feet; thence East 23.08 feet; thence South 35°02'38" East 388.83 feet; thence South 49°06'31" East 103.40 feet; thence South 70°56'24" East 117.71 feet; thence South 76°02'36" East 408 feet; thence North 86°17'21" East 151.66 feet; thence South 0°01'49" East 178.06 feet to the South line of the NW1/4SW1/4 of said Section 25; thence North 89°34'54" West along the South line of said NW1/4SW1/4 753.66 feet; thence North 48°22'12" West 307.08 feet to the true point of beginning.

LESS the existing county road right of way along the South and West sides of said property, Jefferson County, Idaho.

ALSO: Beginning at the Southwest Corner of Section 25, Township 5 North, Range 36 East of the Boise Meridian; running thence North along the Section line 497.84 feet; thence into Section 26 the following three (3) courses: N. 31°31'46" W. 186.18 feet to a point of curve with a radius of 250.00 feet and a chord that bears N. 00°26'36" W. 258.16 feet; thence to the right along said curve 271.28 feet through a central angle of 62°10'20"; thence N. 30°38'34" E. 194.94 feet to the West line of said Section 25; thence North along said West line 240.12 feet to the Northwest corner of the South ½ of the Southwest 1/4 of said Section 25; thence S. 89°34'54" E. along the North line of said South ½ of the Southwest 1/4 a distance of 991.65 feet; thence S. 03°23'09" E. 878.73 feet; thence S. 28°39'29" E. 407.42 feet; thence S. 40°17'04" W. 76.30 feet; thence S. 25°14'42" E. 34.65 feet to the South line of said Section 25; thence N. 89°34'24" W. along said

South line 1204.38 feet to the POINT OF BEGINNING.

TOGETHER WITH: an easement for ingress and egress over and across an existing road lying immediately West of the above-described property together with Fourteen (14) shares of Butte-Market Lake Canal Company water rights.

SUBJECT TO: existing County Road Right-of-Way, Canal Right-of-Way and easements of record.

TOGETHER WITH all mineral and water rights and shares associated therewith

EXHIBIT "G"

McDaniel property legal land description:

North Half (N1/2) of Section Twenty-six (26), Township Five (5) North, Range Thirty-six (36), East of the Boise Meridian, Jefferson County, Idaho.

Together with ditch and water rights pertaining thereto, including Fifteen (15) shares of Capital Stock of Butte and Market Lake Canal Co.

EXHIBIT "H"

Moore property legal land description:

TRACT I:

Township 5 North, Range 36, E.B.M., Jefferson County, Idaho.

Section 34: NE1/4SE1/4; SE1/4NE1/4

Section 35: S1/2; NE1/4; S1/2NW1/4

That part of the NW1/4NW1/4 of Section 36, Township 5 North, Range 36, E.B.M., described as follows:

Beginning at the Northwest Corner of Section 36; thence South 0°20' East along the Section line 211.8 feet; thence South 83° East 216 feet; thence North 41° East 183 feet; thence East parallel with the North line of said Section 36, a distance of 977 feet, more or less, to the East line of the NW1/4NW1/4; thence North 0°20' West along the 1/16th line 100 feet to the Northeast Corner of the NW1/4NW1/4; thence West along the Section line 1,312 feet, more or less, to the point of beginning.

Township 5 North, Range 36 E.B.M., Jefferson County, Idaho.

Section 26: Beginning at the Southeast Corner of the SE1/4 of said Section 26; thence North 100 feet; thence West 160 rods; thence South 100 feet; thence East 160 rods to the point of beginning.

ALSO: A triangular shaped piece of land described as follows:

Beginning at a point 100 feet North of the Southeast Corner of the SE1/4 of said Section 26; thence North 994 feet; thence West 51 feet; thence generally Southwesterly 1116 feet, more or less, to a point 100 feet North of the South line of the SE1/4; thence East 558 feet, more or less, to the point of beginning.

TRACT II:

Township 5 North, Range 36 East of the Boise Meridian, Jefferson County, Idaho.

Section 36: Beginning at the SW corner of the NW1/4 of the SW1/4 of said Section 36 and running thence North along the Section line 690 feet; thence Southeasterly in a straight line to a point which is 300 feet East and 478.5 feet North of the point of beginning; thence East 462.5 feet; thence South 478.5 feet; more or less to the South line of said NW1/4SW1/4; thence West along the South line of said NW1/4SW1/4, 762.5 feet to the point of beginning.

Also: The West 762.5 feet of the N1/2SW1/4SW1/4.

Also: S1/2S1/2SW1/4.

EXCEPTING THEREFROM: Beginning at the Southwest Corner of Section 25, Township 5 North, Range 36 East of the Boise Meridian; running thence North along the Section line 497.84

feet; thence into Section 26 the following three (3) courses: N. 31°31'46" W. 186.18 feet to a point of curve with a radius of 250.00 feet and a chord that bears N. 00°26'36" W. 258.16 feet; thence to the right along said curve 271.28 feet through a central angle of 62°10'20"; thence N. 30°38'34" E. 194.94 feet to the West line of said Section 25; thence North along said West line 240.12 feet to the Northwest corner of the South ½ of the Southwest 1/4 of said Section 25; thence S. 89°34'54" E. along the North line of said South ½ of the Southwest 1/4 a distance of 991.65 feet; thence S. 03°23'09" E. 878.73 feet; thence S. 28°39'29" E. 407.42 feet; thence S. 40°17'04" W. 76.30 feet; thence S. 25°14'42" E. 34.65 feet to the South line of said Section 25; thence N. 89°34'24" W. along said South line 1204.38 feet to the POINT OF BEGINNING.

TOGETHER WITH: an easement for ingress and egress over and across an existing road lying immediately West of the above-described property together with Ten (10) shares of Butte-Market Lake Canal Company water rights and six (6cfs) cfs in the Roberts slough.

SUBJECT TO: existing County Road Right-of-Way, Canal Right-of-Way and easements of record.

L:\srh\4339\stipulation.wpd

BONNEVILLE NATIONAL FARM LOAN ASSOCIATION

SERVING BONNEVILLE, CLARK AND JEFFERSON COUNTIES

IDAHO FALLS, IDAHO

JOHN M. CORLESS, SECRETARY-TREASURER

August 15, 1949

FEDERAL LAND BANK LOANS



Re: 67362 - Lowell C. Moore

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

Permit No. 18476

Dear Mr. Kulp:

In your letter of May 4, 1949 you stated that you would advise us in the near future regarding Permit No. 18476 issued in the name of Lowell C. Moore.

We are anxious to complete the closing of our loan to Mr. Moore, and would appreciate hearing from you at an early date.

Very truly yours,

A handwritten signature in cursive script that reads "John M. Corless".

John M. Corless
Secretary-Treasurer

kw

July 27, 1949

Re: Permit No. 18476

Mr. Lowell C. Moore,
Roberts, Idaho.

Dear Mr. Moore:

We now have on file the report of our Field Engineer on examination for beneficial use under your Permit No. 18476.

This report shows that you are irrigating 185 acres in Section 35, Township 5 North, Range 36 East, from the well located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 36, same Township and Range; also that you are irrigating 233 acres in Section 31, Township 5 North, Range 37 East with supplemental water from a well located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section.

License can therefore be issued for 3.7 cubic feet per second from the well in Section 36 and 2 second feet for supplemental water from the well in Section 31, upon payment of the statutory fees.

These fees are at the rate of \$2.00 for each 40 acre subdivision in which the land is located, which would be \$14.00 for the land in Section 35 and \$14.00 for the land in Section 31, or a total of \$28.00.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh

18476

C.S.F.

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

Permit No. 18476This proof is for Beneficial use

In Water District No. _____

1. Name of applicant Lowell C. Moore, Roberts, Idaho
2. Source of water supply: Subterranean from wells Twp. 5 N., Range 37 E., B.M.
3. Location of point of diversion: Is in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 31, /and NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 36
T. 5 N. R. 36 E. County of Jefferson

4. Describe works as they exist, giving dimensions and capacities of same: Diversion #1 has General Electric Pomona pump (Pump serial P D 6448) Motor model I2f428D; 220/440 Volts; 60-cycle; F.L. Amps 14.2/7.1; 1155 R.P.M. Motor serial 6090992; three phase; Ten ft foot lift to a sump for supplemental use in Sec 35.

Diversion No. 2 as shown on map (opposite) diverts from slough by means of 130 feet of 21 inch steel pipe passing under the canal of the Butte and Market Lake system; and thence by Feeder canal 1300 feet long and 10 feet wide to pump station, and two Layne Bowler turbines.

5. Water is used for: Irrigation and domestic purposes.
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):

E $\frac{1}{2}$ NW $\frac{1}{4}$, Lots 1, 2, 3, 4, and NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 31, Twp. 5 N., Range 37 E., B.M.

S $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 35, Twp. 5 N., Range 36 E., B.M.

MOTORS

Identical Motors, excepting Serial numbers, of S D J 6751532, and T D J 6756487
Motor model I2F57938; 15 H.P.; Type K; Code F; Frame I46; 3 phase;
220/440 Volts; 60 cycles F.L.; Amps 39.2/19.6; F.L. speed 1755 R.P.M.

Water is lifted 42 feet via 360 feet of 16" steel pipe to ditch 4 Ft. wide
and 1.5 feet deep. The canal has a concrete heading of two 12 Ft. compartments
for present, and future canal demands.

2 pumps on #2 G. Motors 10" discharge mtd on timbers.

(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:

Slough = 25' W x 8' deep x 1/4 mi less 260'

This examination was made on the 12th day of Aug, 1949
(Signed) Frederick J. Bowman
Engineer

18476

1/2
Lowell C. Moore,

Roberts, Idaho

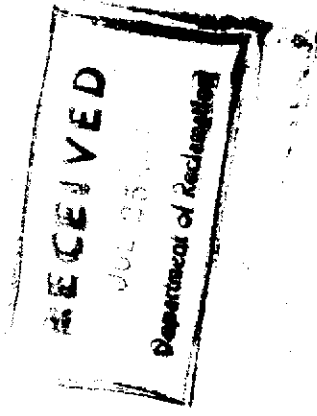
Permit No. 18476

Examination for Beneficial use

County Jefferson

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.
-



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 18476

REPORT ON PROOF OF Beneficial use

*4 cfs for sec 35
since*

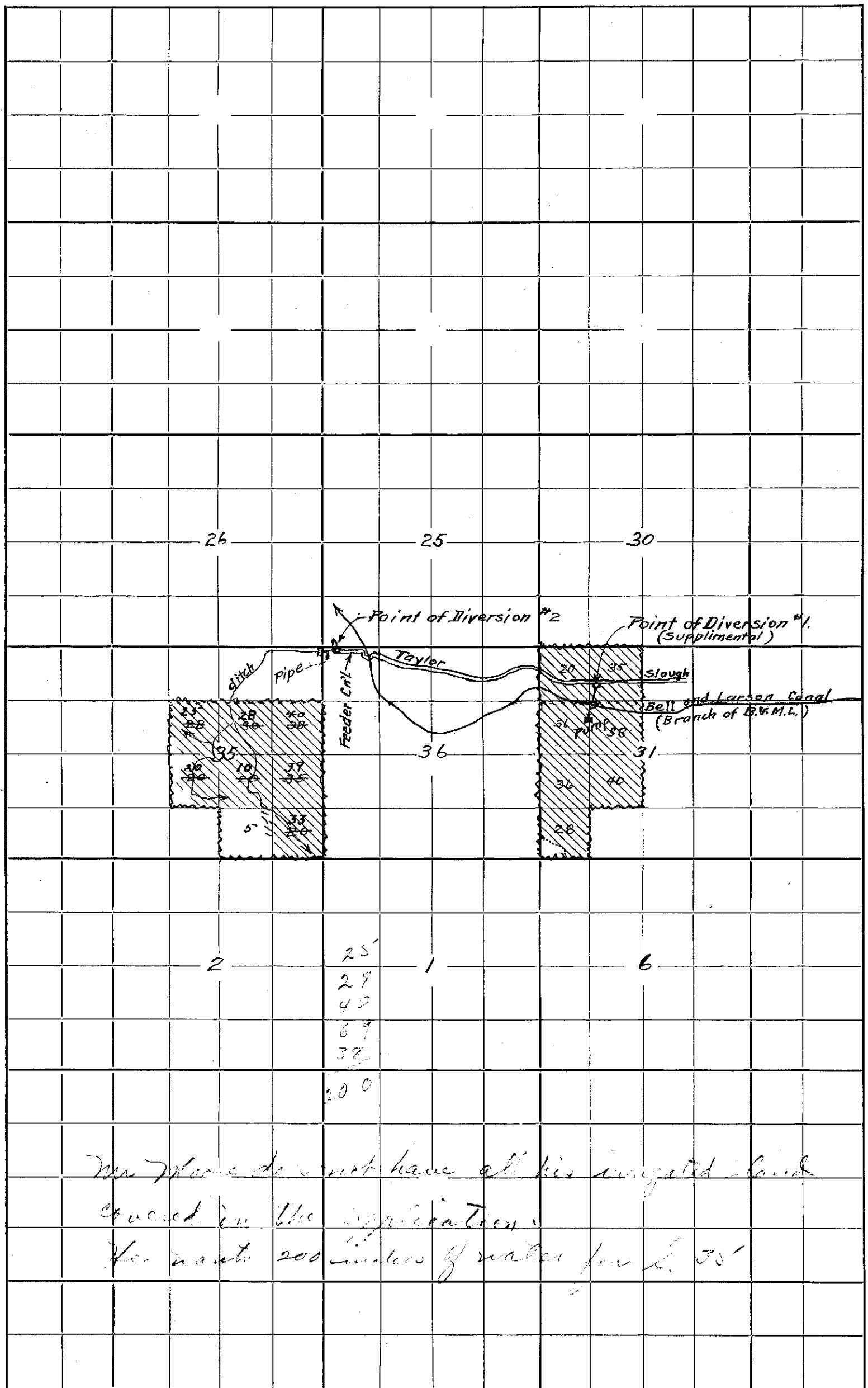
6-cfs

4 cfs in 35-

2 cfs " 31 (supplemental)

200 a in 35 (7-40's)

233 a in 31 (7-40's)



✓
May 4, 1949

Re: Permit No. 18476

Mr. John M. Corless, Secretary-Treasurer
Bonneville National Farm Loan Association
Idaho Falls, Idaho

Dear Mr. Corless:

In reply to your letter of May 2, inquiring relative
to Permit No. 18476, in the name of Lowell C. Moore.

Final Certificate or License has not yet been issued,
as we are awaiting inspection and report from our Field Engineer.

This Department has but one Field Engineer, who makes
examinations all over the State and it is his custom to group
filings in any given locality so as to save expenses.

It is probable that he will make a trip to that area
in the near future and we will advise you upon receipt of his
report.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh

18476

BONNEVILLE NATIONAL FARM LOAN ASSOCIATION

SERVING BONNEVILLE, CLARK AND JEFFERSON COUNTIES

IDAHO FALLS, IDAHO

JOHN M. CORLESS, SECRETARY-TREASURER

May 2, 1949

FEDERAL LAND BANK LOANS

RECEIVED

MAY 4 1949

Department of Reclamation

Re: 67362 - Lowell C. Moore

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

Dear Mr. Kulp:

Reference is made to State Water Permit #18476, Lowell C. Moore. Part of the land irrigated under this permit has been mortgaged to the Federal Land Bank of Spokane. Mr. Moore reports that he has submitted final proof of completion of work and that final license should soon be issued by your office.

Please notify us if final certificate has been issued, and if not, the approximate date you expect to complete it.

Very truly yours,

John M. Corless, kw
John M. Corless
Secretary-Treasurer

JMC/kw

February 7, 1949

Re: Permit No. 18476

Mr. Henry S. Martin
212-213 Earl Building
Idaho Falls, Idaho

Dear Mr. Martin:

We acknowledge receipt of your letter of January 28, 1949 enclosing depositions of Lowell C. Moore and two witnesses; also affidavit of publication in the Rigby Star, all submitted in proof in beneficial use under permit number 18476.

Before final action is taken in the matter the law requires that a field examination be made by an engineer from this department, and when this examination has been made and the report filed, you shall be notified as to the correct amount of fees. Meanwhile, we return your blank check enclosed in your letter

We are unable to say just when this examination will be made, as this department has but one field engineer who makes examinations all over the state. However, Mr. Tolman, field engineer for this department will try and contact Mr. Moore at the time he makes the examination, so that he can show him over the grounds.

Yours very truly,

MARK R. KULP
State Reclamation Engineer
By

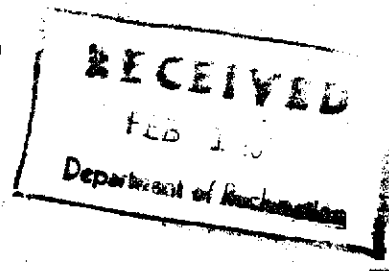
Chief Clerk

A/bh

18476

HENRY S. MARTIN
ATTORNEY AT LAW
SUITE 212-213 EARL BUILDING
IDAHO FALLS, IDAHO

January 28, 1949



Department of Reclamation,
Boise, Idaho.

Re: Permit 18476 - Lowell C. Moore

Attention: Jeanne L. Anderson
Chief Clerk

Dear Miss Anderson:

Enclosed is affidavit of publication in the Rigby Star, deposition of holder and depositions of two witnesses, in the above entitled matter, taken before E. A. Owen, Notary Public, on January 20, 1949, at Idaho Falls, Idaho.

Also. my check made to you, in blank, which you are authorized to fill in for the correct amount.

Thanking you for this and many past favors,
I beg to remain

Yours very truly,

Henry S. Martin

ASM:e
Encls.

18476

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 18476-----

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Lowell C. Moore, I live at Roberts, Idaho and am by occupation a farmer.

My post office address is Roberts, 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. My permit is number 18476 with a date of priority of June 4, 1937

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

Ans. The source of the water is subterranean. I divert 2 Cu. Ft. per second in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec 31 T. 5 N. Rg. 37 EBM and 4 Cu. Ft. Per second in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 36 T. 5 N. Rg. 36 EBM

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. I have a big pump which lifts the water into the old slough and the 2 cu ft per second are pumped by a lift pump and intake into a ditch that distributes it over the land in Section 31 described hereafter. The 4 cu. ft. above mentioned is pumped into the slough and conducted to an intake 1300 feet long in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ sec 36, where it is lifted into a ditch that carries it to the land to which it is used on hereinafter described. The works consists of wells, pits, intakes, ditches, the slough, and three pumps. The ditches are capable of easily carrying the amount of water diverted to wit; 6 Cu ft. per second. Head ates and 360 feet of 16" pipe and 100' of 21" pipe

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. The water is used for irrigation as follows. The 4 Cu. ft. per second on Sec. 35. SE $\frac{1}{4}$ NE $\frac{1}{4}$ 38 Acres, SW $\frac{1}{4}$ NE $\frac{1}{4}$ 30 acres, SE $\frac{1}{4}$ NW $\frac{1}{4}$ 30 acres, NE $\frac{1}{4}$ SW $\frac{1}{4}$ 20 acres, NW $\frac{1}{4}$ SE $\frac{1}{4}$ 20 acres, NE $\frac{1}{4}$ SE $\frac{1}{4}$ 35 acres, SW $\frac{1}{4}$ SE $\frac{1}{4}$ 15 acres, SE $\frac{1}{4}$ SE $\frac{1}{4}$ 12 acres, or a total of 200 acres irrigated. all in Township 5 North Range 36, EBM. The 2 Cu. ft. per second is used on Sec. 31 T. 5 N. Rg. 37. as follows. Lot 1, 20 acres, Lot 2, 36 acres, Lot 3, 36 acres, Lot 4, 33 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$ 35 acres, SE $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres, NE $\frac{1}{4}$ SW $\frac{1}{4}$ 40 acres. or a total of 227 acres as supplemental water. The land is cultivated, and can be cropped regularly.

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

Ans. No

18476

Amct.

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

Ans. 6 Cu. ft. per second

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

Ans. I acquired the permit by assignment from B. M. Moore, my father.

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

Ans. The 2 Cu. Ft. on Sec. 31 aforesaid has been used for three years and the 4 Cu. ft. per second used on Sec 35 aforesaid has been used for one season. That is to say the 1948 season.

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. I have used 100 inches of Butte and Market lake water on the land in Sec 31 in conjunction with the water I pumped under this permit.

(Sign)

Lawell C. Moore

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 Idaho Falls, County of Bonneville, State of Idaho, on this 20th day of January, A. D. 1949.

Notary Public

My commission expires July 6, 1952

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 18476

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. Norbert Brinkman, 52 years, farmer, Oakland Valley on Route No. 5.

Ques. 2. Are you acquainted with Lowell C. Moore, the holder of Permit No. 18476? How long have you known him and where does he reside?

Ans. I have known him about ten years, and he resides at Roberts Idaho

Ques. 3. Have you read or heard read said Permit No. 18476, and are you familiar with its provisions and conditions?

Ans. Yes I have and I am familiar with its conditions.

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. subterreanean sources supply the water which is diverted from pits and wells through ditches and diverted from two points as shown in question No. 6.

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. Six cu. feet of water or more.

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.

The land has been improved with cultivation and by building a complete set of ditches sufficient to carry the water to the crops. It is cultivated land for the most part.

Ans. NE $\frac{1}{4}$ NW $\frac{1}{4}$, Lots 1, 2, 3, and 4, and the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 31, T. 5 N. Rng. 37 E. B. M. is supplied by pits and wells, and a pumping system with a pump suitable to pump two cubic feet which diversion point is in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said section. Total 280 acres of which 240 are tillable and the applicant owns 100 inches of water in the Butte and Market Lake Canal Co. which he uses also on this land.

SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 35, T. 5 N. Range 36 EBM is the same kind of land with the same kind of improvements except the pump will pump 4 Cu. Feet. per second and the ditches will carry said amount of water to the land. The point of diversion is NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 36, T. 5 N. Rng. 36, EBM. There is a total of 320 acres of which 200 are tillable and farmed. The said water is used for irrigation, as follows. The water diverted in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 31, T. 5 N. R. 37 E. B. M. 18476 is used in connection with the 100 inches of the Butte and Market Lake water on the following described lands. Sec. 31 aforesaid, Lot one 20 acres, Lot 2, 36 acres, Lot 3, 36 acres, Lot 4, 36 acres, NE $\frac{1}{4}$ NW $\frac{1}{4}$, 35 acres, SE $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres, and the NE $\frac{1}{4}$ SW $\frac{1}{4}$ 40

The water diverted in the NW $\frac{1}{2}$ NW $\frac{1}{4}$ section 36 aforesaid is used as follows
SE $\frac{1}{4}$ NE $\frac{1}{4}$, 38 acres, S $\frac{1}{2}$ NE $\frac{1}{4}$ 30 acres, SE $\frac{1}{4}$ NW $\frac{1}{4}$ 30 acres, $\frac{1}{4}$ SW $\frac{1}{4}$, 20 acres, NW $\frac{1}{4}$ SE $\frac{1}{4}$,
20 acres, NE $\frac{1}{4}$ SE $\frac{1}{4}$, 35 acres, SW $\frac{1}{4}$ SE $\frac{1}{4}$, 15 acres, SE $\frac{1}{4}$ SE $\frac{1}{4}$ 22 Acres.

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

Ans. Irrigation

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. The land is Silt Loam which can be profitably watered with about a
miners inch per acre

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. I have seen the water transported through the ditches mentioned above all
this irrigation season, and that transported through the ditches with a
diversion point in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of section 31 has been used on the land together with
the other water in the Butte and Market Lake Canal has been used for three years.
The water in the full amount has been thus used and I have seen it during the past
three years, as stated above.

(Signed)

Robert J. Brinkman

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 Idaho Falls,

County of Bonneville, State of Idaho, on this 20th day of January,

A. D. 1949.

Edwin
Notary Public.

My commission expires July 6, 1952.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 18476

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. Thure Anderson, age 56, and my residence is Roberts, Idaho and I am
a farmer.

Ques. 2. Are you acquainted with Lowell C. Moore, the holder of Permit No. 18476? How long have you known him and where does he reside?

Ans. I have known him about ten years and he resides at Roberts also.

Ques. 3. Have you read or heard read said Permit No. 18476, and are you familiar with its provisions and conditions?

Ans. I have heard read the permit and am familiar with the provisions and conditions

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

Ans. underground. It is diverted by wells, pipes, pits, intakes, booster pumps
and ditches. The water is diverted at two places as shown in answers in
question six.

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. Six Cu. Ft. per second and more.

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. The water is used for Irrigation and the land is cultivated. The water diverted
in Sec. 31 is used in connection with other water to irrigate the following subdivisions.
Lot 1, 20 acres, Lot 2, 36 acres, Lot 3, 36 acres, Lot 4, 35 acres, NE $\frac{1}{4}$ NW $\frac{1}{4}$, 35 acres,
SE $\frac{1}{4}$ NW $\frac{1}{4}$, 40 acres, NE $\frac{1}{4}$ SW $\frac{1}{4}$, 40 acres. All in sec 31, T. 5 N. Rg. 37 E3M.
The water used for the land in Sec. 35 T. 5 N. Rg. 36 E3M. and diverted in
sec. 36 said township and range is used as follows, SE $\frac{1}{4}$ NE $\frac{1}{4}$, 38 acres, SW $\frac{1}{4}$ NE $\frac{1}{4}$, 30 acres,
SE $\frac{1}{4}$ NW $\frac{1}{4}$, 30 acres, NE $\frac{1}{4}$ SW $\frac{1}{4}$, 20 acres, NW $\frac{1}{4}$ SE $\frac{1}{4}$, 20 acres, NE $\frac{1}{4}$ SE $\frac{1}{4}$, 35 acres, SW $\frac{1}{4}$ SE $\frac{1}{4}$, 15 acres
SE $\frac{1}{4}$ SE $\frac{1}{4}$, 12 acres. The improvements are ample to pump and convey the water to the
soil. They consist of the ditches, pumps, one well and two booster, 360 feet of pipe
of large dimensions, main ditches and head ditches and the slough. There are also
gates intakes and spreader ditches.

18476

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

Ans. Irrigation

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. The land is silt loam, fairly level and can be irrigated with about one
miners inch per acre.

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. All of the land was irrigated this season, 1948, with the works above
described. The land in Sec. 31 was irrigated for three seasons with the works
appurtenant to that part of it. This water was used in connection with other
water on the land in S c. 31.

(Signed) Thure Anderson

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 Idaho Falls, in my office
County of Bonneville, State of Idaho, on this 20 day of January,
A. D. 1949.

Goodman

Notary Public.

My commission expires July 6, 1952.

Affidavit of Publication

THE RIGBY STAR

STATE OF IDAHO, }
County of Jefferson: } ss.

I, R. I. Jones, do solemnly swear that I am the printer of THE RIGBY STAR, a weekly newspaper as defined by Idaho Codes Annotated section 58-106 as amended, and that said newspaper is a weekly newspaper, printed and published at Rigby, in Jefferson County, Idaho, having a general circulation in said county, and that said newspaper has been printed and published as a weekly newspaper, in said county, for more than 78 consecutive weeks prior to the first publication of the attached notice.

And affiant further says that said attached notice, advertisement or publication, as per clipping attached, was published in said newspaper, in the regular and entire issue thereof, and not in any supplement issue thereof, for

4 consecutive issues thereof; first publication having been made on the

23 day of Dec., 1948

and last publication on the

13 day of Jan., 1949

And affiant further says that at the times herein mentioned said newspaper was made up of at least four pages of at least five columns each, printed from type matter, of at least seventeen and three-fourths inches depth; and that there are at least two hundred bona fide subscribers in Jefferson County.

R. I. Jones

Subscribed in my presence and sworn to before me this 14th

day of January, 1949

(SEAL)

Hope B. Jones

Notary Public for the State of Idaho,
Residence and P. O. Address: Rigby, Idaho.
My commission expires Jan 30, 1950

Publication Fee: \$_____

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

NOTICE IS HEREBY GIVEN, that at two o'clock P. M. on the 20th day of January, 1949, at Idaho Falls, County of Bonneville, State of Idaho, before E. A. Owen, a Notary Public, proof will be submitted of the application to beneficial use of six cubic feet per second of subterranean waters in accordance with the terms and conditions of Permit No. 18476 heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person holding said permit is Lowell C. Moore, Roberts, Idaho.

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

The amount applied to beneficial use is 2 cubic feet per second appurtenant to E $\frac{1}{4}$ NW $\frac{1}{4}$, and Lots 1, 2, 3, 4 and NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 31, Twp. 5 N., Rge. 37 E.B.M., with point of diversion in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said section; and 4 cubic feet per second appurtenant to S $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 35, Twp. 5 N., Rge. 38 E. B. M., with point of diversion in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 36, said township and range.

The name of the canal or ditch or other works by which said water is conducted to such place of use is private ditch, pipe line and pumps.

The right to take water from such works is based upon Permit No. 18476.

The source of supply from which water is diverted is subterranean.

The date of priority which said user is prepared to establish is June 4, 1937.

18476 MARK R. KULP,
(52-2) State Reclamation Engineer.

18476

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

NOTICE IS HEREBY GIVEN, that at two o'clock P.M. on the 20th. day of January, 1949, at Idaho Falls, County of Bonneville, State of Idaho, before E. A. Owen, a Notary Public, proof will be submitted of the application to beneficial use of six cubic feet per second of subterranean waters in accordance with the terms and conditions of Permit No. 18476 heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person holding said permit is Lowell C. Moore, Roberts, Idaho.

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

The amount applied to beneficial use is 2 cubic feet per second appurtenant to E $\frac{1}{2}$ NW $\frac{1}{4}$, and Lots 1, 2, 3, 4 and NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 31, Twp. 5 N., Rge. 37 E.B.M., with point of diversion in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said section; and 4 cubic feet per second appurtenant to S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 35, Twp. 5 N., Rge. 36 E.B.M., with point of diversion in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 36, said township and range.

The name of the canal or ditch or other works by which said water is conducted to such place of use is private ditch, pipe line and pumps.

The right to take water from such works is based upon Permit No. 18476.

The source of supply from which water is diverted is subterranean.

The date of priority which said user is prepared to establish is ~~January 20, 1948~~ June 4, 1937

MARK R. KULP
State Reclamation Engineer

18476

STATE OF IDAHO

Re: Permit No. 18476 DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date: December 17, 1948

The Rigby Star

Rigby, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **January 20, 1949** the date set for proof, the expense of the publication to be paid by the applicant, **Iowall C. Moore, Roberts, 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. KUIP

State Reclamation Engineer
By

Chief Clerk

18476

December 17, 1948

Re: Permit No. 18476

Mr. Henry S. Martin
212-213 Earl Building
Idaho Falls, Idaho

Dear Mr. Martin:

As per your letter of December 14 we are sending to the Rigby Star copy of notice of beneficial use proof to be made under the above numbered permit in the name of Lowell C. Moore, on January 20, 1949, before E. A. Owen, Notary Public.

We have instructed the newspaper to publish this notice once a week for four consecutive weeks and to send Mr. Moore the affidavit of publication together with statement of costs.

We have made one change in the date of priority which can go back to the original filing date of June 4, 1937.

We enclose herewith the forms of deposition for making this proof consisting of one for Mr. Moore and one for each of two witnesses.

At the time set Mr. Moore should appear before the Notary Public together with two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder for the purpose of executing the depositions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/gt
Encls.

18476

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) December 14, 1948

(P. O.) Idaho Falls, 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
Rigby Star of Rigby, Idaho, published in
the county in which the works are situated.

Lowell C. Moore

(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.

18476

HENRY S. MARTIN
ATTORNEY AT LAW
SUITE 212-213 EARL BUILDING
IDAHO FALLS, IDAHO

December 14, 1948



Department of Reclamation,
Boise, Idaho.

Re: Permit No. 18476 - Lowell C. Moore

Attention: Jeanne L. Anderson
Chief Clerk

Dear Miss Anderson:

I am enclosing herewith, authorization to publish notice and two copies of notice, in the above numbered permit. This notice is to be published in the Rigby Star at Rigby, Idaho.

Thanking you for your attention to this,
I am

Yours very truly,

Henry S. Martin

HSM:e
Encl.

18476

December 1, 1948

Re: Permit No. 18476

Mr. Henry S. Martin
212-213 Earl Building
Idaho Falls, Idaho

Dear Mr. Martin:

We enclose herewith approval of the State Reclamation Engineer of the application of Lowell C. Moore for amendment of land description in his Permit No. 18476, which has been duly recorded in this Department.

Mr. Moore may now proceed to make proof of beneficial use, and we enclose two copies of Form 10 for making the notice together with Form 11 which is your authorization for us to have the notice published at Mr. Moore's expense in the designated newspaper. Both copies of Form 10 and 11 to be returned to this Department.

Very truly yours

MARK R. KULP
State Reclamation Engineer
By

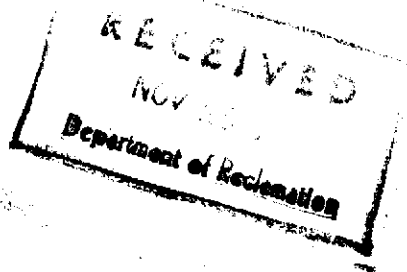
Chief Clerk

A/gt
Encls.

18476

HENRY S. MARTIN
ATTORNEY AT LAW
SUITE 212-213 EARL BUILDING
IDAHO FALLS, IDAHO

November 26, 1948



Department of Reclamation,
Boise, Idaho.

Re: Permit No. 18476

Attention: Jeanne L. Anderson
Chief Clerk

Dear Miss Anderson:

I wish to thank you for your letter of November 19, 1948, regarding the above numbered permit.

I am enclosing herewith, application for amendment, showing the correct description.

I assure you that I appreciate your help in these matters.

Yours very truly,

Henry S. Martin

HSM:e
Encl.

18476

November 19, 1948

Re: Permit No. 18476

Mr. Henry S. Martin
212-3 Earl Building
Idaho Falls, Idaho

Dear Mr. Martin:

We acknowledge receipt of your letter of November 17 and note that an error was made in describing the N¹ NE¹ Sec. 35, Twp. 5 N., Range 36 E. B.M. instead of the S¹ NE¹ of this section.

It will not be necessary to make any change in the permit record of proof of completion of works, but it will be necessary to make this correction before final proof is made.

We enclose an application for amendment which should be executed and returned for approval by the State Reclamation Engineer.

When so approved a new date may be set for making the proof which will require a new publication for four consecutive weeks giving the correct land description.

Meanwhile we return Mr. Moore's applications for amendment dated July 17, 1948, and Certificate of Completion of Works issued under this permit on July 30, 1948.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/gt
Encls.

18476

HENRY S. MARTIN
ATTORNEY AT LAW
SUITE 212-213 EARL BUILDING
IDAHO FALLS, IDAHO

November 17, 1948



Department of Reclamation,
Boise, Idaho.

Re: Permit #18476 - Lowell C. Moore

Attention: Jeanne L. Anderson,
Chief Clerk

Dear Miss Anderson:

In checking over the matters preparatory to making proof of application of water to beneficial use, in the above entitled case, I find that the description of the land to which the 4 cubic feet of water was to be made appurtenant was erroneous in that a certain subdivision was indicated as the North Half of Northeast Quarter of Section 35, Township 5 North, Range 36 E.B.M., when in fact it is, and should be, the South Half of the Northeast Quarter of said section, township and range.

This error appears in the application for amendment to the permit, filed July 21, 1948, in the proof of completion of works, in the certificate of completion of works, filed July 30, 1948, and in the notice of publication.

This is a typographical error and I am wondering if the description might not be changed on your records, to the proper one, and the matter published again, if necessary, showing the correct description.

I thought we had finally eliminated our difficulties but it seems whenever it rains it pours in this type of matter. In order that you might better understand what I am talking about in this letter, I have enclosed the papers that I have, appertaining to it, with notations thereon in the margins, with the exception of the proof of completion of works, copy of which I do not seem to have.

18476

11-17-48

I certainly appreciate your patience with me in this matter and would like to have any suggestions that you might make relative to clearing up the same in the easiest and best manner, so that when the water is finally allotted, it will be on the right property.

Will you please return the enclosed papers when you are through with them?

I wish you would send me two copies of proof of application of water to beneficial use, Form 17.

The witnesses in the case make proof of the application of the water to the South Half instead of the North Half of the said quarter section.

Thanking you for this and many past favors, I beg to remain

Yours very truly,

Henry L. Martin

HSM:e
Encl.

18476

✓
October 18, 1948

Re: Permit No. 18476

Mr. Henry S. Martin
212-213 Earl Building
Idaho Falls, Idaho

Dear Mr. Martin:

Your letter of October 11 in regard to beneficial use proof under Permit No. 18476 in the name of Lowell C. Moore has been brought to my attention upon my return to the office this morning.

Since publication has already been commenced setting November 12, 1948, as the date for making this proof, it will not be necessary to republish but on November 12 you may note a continuance to a later date.

The proofs when made should be accompanied by your affidavit to the effect that your office was open at the time originally set for making the proofs and that no protests were filed, if such is the case. On the other hand, if there should be a protest it should be accepted and your affidavit should so state.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

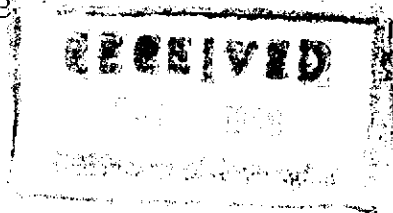
Chief Clerk

A/gt

18476

HENRY S. MARTIN
ATTORNEY AT LAW
SUITE 212-213 EARL BUILDING
IDAHO FALLS, IDAHO

October 11, 1948



*Not answered
Leave for Mrs. Anderson*

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

Re: Permit No. 18476

Attention: Jeanne L. Anderson
 Chief Clerk

Dear Madam:

Lowell C. Moore, applicant in the above entitled matter, came to the office this morning with reference to the hearing set for November 12, 1948. He states that he has a very important soil conversation meeting set for that day, at Weiser, Idaho, and would like to know if this hearing can be postponed without too much difficulty, and just what procedure is necessary to have the same postponed.

I would appreciate any information you might give in this matter.

Yours very truly,

Henry S. Martin

HSM:e

18476

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

12th
NOTICE IS HEREBY GIVEN that at two o'clock P.M. on the 22nd.
day of ~~September~~ ^{November}, 1948, at Idaho Falls, County of Bonneville,
State of Idaho, before E. A. Owen, a Notary Public, proof will be
submitted of the application to beneficial use of six cubic feet
per second of subterranean waters in accordance with the terms and
conditions of Permit No. 18476 heretofore issued by the State
Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person holding said
permit is Lowell C. Moore, Roberts, Idaho.

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

The amount applied to beneficial use is 2 cubic feet per
second appurtenant to E $\frac{1}{2}$ NW $\frac{1}{4}$, and Lots 1, 2, 3, 4 and NE $\frac{1}{4}$ SW $\frac{1}{4}$ of
Sec. 31, Twp. 5 N., Rge. 37 E.B.M., with point of diversion in the
NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said section; and 4 cubic feet per second appurtenant to
N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 35, Twp. 5 N., Rge. 36 E.B.M.,
with point of diversion in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 36, said township
and range.

The name of the canal or ditch or other works by which said
water is conducted to such place of use is private ditch, pipe
line and pumps.

The right to take water from such works is based upon
Permit No. 18476.

The source of supply from which water is diverted is subterranean.

The date of priority which said user is prepared to establish
is ~~June 20, 1948~~. June 4, 1937.

MARK R. KULP
State Reclamation Engineer.

18476

September 24, 1948

Re: Permit No. 18476

Mr. Henry S. Martin
212-213 Earl Building
Idaho Falls, Idaho

Dear Mr. Martin:

We acknowledge receipt of your letter of September 22 with enclosures as stated.

A copy of the notice of beneficial use proof to be made under Permit No. 18476 in the name of Lowell C. Moore on November 12, 1948, will be sent to the Rigby Star with instructions to publish it once a week for four consecutive weeks prior to that date and to send the affidavit of publication together with statement of costs to Mr. Moore in your care.

We have duly filed the affidavits enclosed in your letter but the affidavits of witnesses must be made at the time set for proof and before the Notary Public named in the Notice.

We enclose herewith the forms of deposition to be used in making such proof consisting of one for the holder and one for each of two witnesses.

At the time set Mr. Moore and his two disinterested witnesses should appear before Mr. Owen, the Notary Public, for the purpose of executing the depositions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/ks

Encls.

18476

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) September 22, 1948

(P. O.) Roberts, 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
Rigby Star of Rigby, Idaho, published in
the county in which the works are situated.

X *Lawell C. Moore*

(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.

18476

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. 18476

Date: October 8, 1948

The Rigby Star

Rigby, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **November 12, 1948** the date set for proof, the expense of the publication to be paid by the applicant, **Lowell C. Moore** of **Roberts, 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

18476

AFFIDAVIT

STATE OF IDAHO,)
) ss.
County of Bonneville.)

THURE ANDERSON, being first duly sworn, deposes and says:

That he is well acquainted with Lowell C. Moore, of Roberts, Idaho, and has known him for a number of years; that he is well acquainted with the land and use of water applied for by the said Lowell C. Moore, who has completed works and applied water as follows:

2 cubic feet per second, appurtenant to E $\frac{1}{2}$ NW $\frac{1}{4}$, and Lots 1, 2, 3 and 4, and NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21, Township 5 North, Range 37 E.B.M., with point of diversion in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said section; and 4 cubic feet per second appurtenant to N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 35, Township 5 North, Range 36 E.B.M., with point of diversion in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 36, said township and range.

That said water has been used on said land by the said Lowell C. Moore since June 20, 1948, in the amount applied for.

Thure Anderson

Subscribed and sworn to before me this 19th day of Sept., 1948.

Henry S. Martin

Notary Public,

Residing at:

18476

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33.

7 That he is well acquainted with Lowell C. Moore, of Roberts,
8 Idaho, and has known him for a number of years; that he is well
9 acquainted with the land use of water applied for by the said
0 Lowell C. Moore, who has completed works and applied water as
1 follows:

2 2 cubic feet per second, appurtenant to E $\frac{1}{2}$ NW $\frac{1}{4}$, and Lots 1, 2,
3 3 and 4, and NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21, Township 5 North, Range 37
4 E.B.M., with point of diversion in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said section;
5 and 4 cubic feet per second appurtenant to N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and
6 SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 35, Township 5 North, Range 36 E.B.M., with
7 point of diversion in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 36, said township and
8 range.

That said water has been used on said land by the said Lowell C. Moore since June 20, 1948, in the amount applied for.

✓ Herbert B. Binkman

Subscribed and sworn to before me this 14th day of August,
1948.

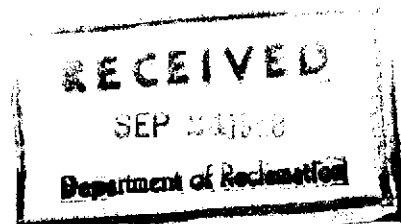
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Henry S. Martini
Notary Public,

Residing at:

HENRY S. MARTIN
ATTORNEY AT LAW
SUITE 212-213 EARL BUILDING
IDAHO FALLS, IDAHO

September 22, 1948



Department of Reclamation,
State of Idaho,
Boise, Idaho.

Re: Permit 18476 - Lowell C. Moore

Attention: Jeanne L. Anderson

Dear Mrs. Anderson:

Enclosed are affidavits of two disinterested parties, authorization for publication and two copies of a notice for publication, in the above numbered permit.

Please forward any statement of costs to this office and it will be promptly taken care of.

The matter has been set for November 12, at two o'clock P.M., at the office of E. A. Owen, in the Earl Building, at Idaho Falls, Idaho, which will give plenty of time for the required four weeks publication.

Thanking you for this and many past favors, I beg to remain

Yours very truly,

Henry S. Martin

ESM:e
Encls.

18476

August 12, 1948

Re: Permit No. 18476

Mr. Henry S. Martin
Suite 212-213 Earl Building
Idaho Falls, Idaho

Dear Mr. Martin:

Reference is made to your letter of August 5 in which you state that Mr. Lowell C. Moore is prepared to make proof of beneficial use under Permit No. 18476.

This proof requires publication once a week for four consecutive in the county in which the water is diverted, such notice is usually made out on Form 10, enclosed.

However, as this permit is from two different points of diversion with a separate place of use from each diversion, it will be necessary to prepare a little different notice following out this general form. The notice should state the amount claimed from each point of diversion and describe the land to which it is appurtenant, the amount in each case not exceeding the statutory maximum of one inch per acre.

The notice should name a time and place and the Notary Public before whom the proof is to be made, the time of this being set sufficiently far ahead to allow for the statutory four weeks publication.

Duplicate copies of the notice should be returned to this office together with Form 11 which is your authorization for us to have the notice published at the applicants expense in the designated newspaper. A copy of the notice will then be sent to the paper with instructions in regard to publishing.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

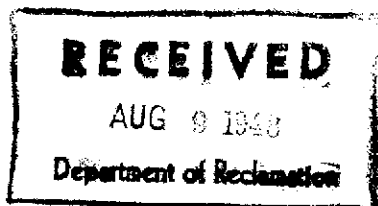
Chief Clerk

A/st
Enc.

18476

HENRY S. MARTIN
ATTORNEY AT LAW
SUITE 212-213 EARL BUILDING
IDAHO FALLS, IDAHO

August 5, 1948



Mark E. Kulp,
State Reclamation Engineer,
Boise, Idaho.

Attention: Miss Jeanne L. Anderson

Re: Lowell C. Moore - No. 18476

Dear Miss Anderson:

Mr. Moore informs me today that he is ready to complete proof of beneficial use of the waters in the above entitled permit.

In as much as this permit has resolved itself into two diversions for use on two particles of ground, I am wondering if we could not make proof so that it would show the water separately for the respective pieces of ground, in the event Mr. Moore wants to mortgage or transfer one sometime in the future.

Will you, therefore, please send over the necessary forms for proof of beneficial use and whatever is necessary to wind this matter up?

Yours very truly,

HSM:e

Henry S. Martin

18476

July 30, 1948

Re: Permit No. 18476

Mr. Henry S. Martin
Suite 212-213 Earl Building
Idaho Falls, Idaho

Dear Mr. Martin:

We return herewith applications for amendment to Permit No. 18476 in the name of Lowell C. Moore which have been duly approved by the State Reclamation Engineer and recorded in this Department. We also enclose Certificate of Completion of Works issued under this Permit authorizing the diversion of six (6) cubic feet per second of subterranean water from wells and pits with priority of June 4, 1937 for irrigation and domestic uses on E $\frac{1}{2}$ NW $\frac{1}{4}$, Lots 1, 2, 3, and 4, NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 31, Township 5 North, Range 37 East, E.M., NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 35 Township 5 North, Range 36 East, E.M.

We also enclose Departmental receipt No. 20781 for the \$5.00 fee paid in connection with completion of works proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/gt

Enc.

18476

Permit No. 18476

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Bonneville

ss.

Lowell C. Moore, 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. 18476, and that his postoffice address is Roberts

State of Idaho

Second: That the name of the stream which said water is to be ^{FROM} ~~directed~~ ^{DIVERTED} is subterranean water through pits and wells

Third: That the point of diversion of said water is 2 cu. ft. per second in the NE¹/₄ of Sec. 31 T. 5 N. Rng. 37 E. B. M. and 4 Cu. Ft. Per Second in the NW¹/₄ of Sec. 36, T. 5 N. Rng. 36 E. B. M.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by July 19th, 1948

Fifth: That the use for which said water is intended is Irrigation and Domestic

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

- I. Kind of works: 3 pumps, pipe, ditches, Sumps, headgates, diversions
(Reservoir, dam, ditch, flume, pipe or otherwise)
4.14 Miles of ditch 2 ft. Bottom 2 ft. deep 8.5 ft. top
- II. Dimensions of work: Intake 1300 ft. 6 ft. bottom, 8 ft. deep, 20 ft. top.
- (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 2 ft. feet, width at water line 8.5 feet, depth of water 2.5 feet; diameter of pipe inches, average grade per 100 ft. is 1 of 1 feet. Length of conduit is 4.14 miles.

(State whether ditch, flume or pipe)

Seventh: That said works are capable of conducting to the place of intended use 4 second feet of water, and 8 cu. ft. respectively

Eighth: That water appropriated under said permit is available for acres of land described as follows: 2 cu. ft. with 100 inches of canal water for 240 tillable acres in E¹/₂NW¹/₄, Lots 1, 2, 3, and 4, and NE¹/₄SW¹/₄ of Section 31 T. 5 N. R37 E. B. M.

and 4 Cu. Ft. per second for approximately 200 acres of ground in N¹/₂NE¹/₄, SE¹/₄, NE¹/₄SW¹/₄ and SE¹/₄NW¹/₄ of Sec. 35 Twp. 5N, Rng. 36 E. B. M.

Ninth: Remarks: That This will be approximately one miners inch to the acre of land which is generally considered the right amount here. The two points of diversion will help make the water go farther because of lack of evaporation and seepage from a longer system.

Lowell C. Moore
(Sign Here)

Subscribed and sworn to before me this 17th day of July, 1948

My commission expires Feb. 15, 1948

Henry S. Martin
Notary Public.

18476

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, No. 18476

Comes now Lowell C. Moore and represents to
the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to appropriate
the Public Waters of the State of Idaho, No. 18476;

That the point of diversion is described in said permit
as being located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 31, T. 5 N., R. 37 E.B.M.,
and conveyed to the place of use through ditch (colored orange)
as per map filed herewith.

That he now requests that the point of diversion for
2 cu. feet per second be left in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 31, Twp.
5 N., R. 37 E.B.M., as per amendment of February 17, 1945.
2 cu. feet per second to be used in connection with the irrigat-
ion of E $\frac{1}{2}$ NW $\frac{1}{4}$, Lots 1, 2, 3, and 4, and NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 31, T. 5 N.,
R. 37 E.B.M., And applicant further requests that the remaining
4 cu feet per second of said Permit No. 18476 be diverted from a
point on the slough in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 36, T. 5 N., R. 36 E.B.M.
for use on N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 35, T. 5 N.,
R. 36, E.B.M., said water to be conducted to the lands to be irri-
gated through the ditches shown in heavy ink on the map referred
to.

That his reasons for desiring to make the change are:
The lands to be irrigated are owned by the applicant and more
susceptible to irrigation; that the points of diversion as re-
quested are close to the lands to be irrigated and the water is
from the same source. That considerable distance of hard digging
will be eliminated in not having to go along the ditch line in-
dicated in orange; that the same amount of water will water more
land because of the proximity to the land and less loss from
seepage and evaporation.

That no one will be injured by such change, and that such
change is to be made at Permit Holder's own risk.

Signed at Idaho Falls Idaho this 17 day of July 1948.

Lowell C. Moore

Date of receipt at Department of Reclamation July 21, 1948

APPROVAL OF STATE RECLAMATION ENGINEER

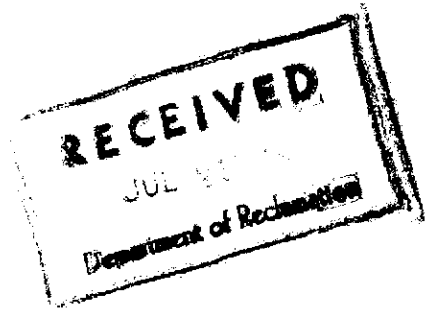
I, MARK R. KULP, State Reclamation Eng-
ineer of the State of Idaho, hereby approve the above and foregoing
application for amendment to Permit to appropriate the Public waters
of the State of Idaho, No. 18476. This approval constitutes a
new permit and is issued as an amendment to the original permit to
which it refers, and of which it becomes a part, and said application
is approved only insofar as the rights of others will not be adversely
affected thereby.

Mark R Kulp
State Reclamation Engineer

18476

HENRY S. MARTIN
ATTORNEY AT LAW
SUITE 212-213 EARL BUILDING
IDAHO FALLS, IDAHO

July 19, 1948



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

Attention: Miss Jeanne L. Anderson

Dear Miss Anderson:

I have your letter of July 16, 1948, and note the contents and have talked the matter over with Mr. Lowell C. Moore, and have, I believe, straightened the deal out.

Accordingly, I am enclosing herewith application for amendment to permit to appropriate the public waters of the state of Idaho, No. 18476, in duplicate, signed by Mr. Moore, two maps of the property showing the points of diversion, land to be irrigated, position of pumps, works, canals and so forth; application for amendment to permit to appropriate the public waters of the State of Idaho showing land to be used in connection with water, proof of completion of works signed by Lowell C. Moore.

These instruments, I believe, are self-explanatory, but I should be pleased to furnish any additional information that the department may request, in connection with this permit.

Any charges will be promptly paid upon receipt of a bill.

Thanking you for this and many past favors, I beg to remain

Yours very truly,

Henry S. Martin

HSM:e
Encl.

18476

July 16, 1948

Re: Permit No. 18476

Mr. Henry C. Martin
212-213 Earl Building
Idaho Falls, Idaho

Dear Mr. Martin:

We acknowledge receipt of your letter of July 14th, enclosing the affidavit of Lowell C. Moore, in proof of completion of works under Permit No. 18476, and also your check for the \$5.00 fee.

In checking with the permit record, however, we find some discrepancy with the descriptions given in this affidavit and the permit record itself, as follows:

The original permit gave the point of diversion as in the center of the NW $\frac{1}{4}$ Section 31, Twp. 5 N., Range 37 E., B.M. This was amended on March 27, 1940, to the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 36, Twp. 5 N., Range 36 E., B.M.; and again amended on February 17, 1945, to the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 31, Twp. 5 N., Range 37 E., B.M.

The affidavit submitted indicates that there are now two points of diversion, one in the center of the NW $\frac{1}{4}$ Section 31, and the other in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 36.

The land description in the original permit was the SW $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ Section 31, and E $\frac{1}{2}$ NE $\frac{1}{4}$ Section 36. This was amended on March 27, 1940, to the S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ Section 35, Twp. 5 N., Range 36 E., B.M.; and later again amended on January 20, 1945, to the NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 31, Twp. 5 N., Range 37 E., B.M.

As you will note, neither of these descriptions coincide with the land description given in the affidavit.

If there is to be another amendment in these descriptions, application for same may be made on the forms enclosed. If the affidavit is in error, a new one may be made on Form 6 enclosed.

Very truly yours,

MARK R. KUTP
State Reclamation Engineer
By

Chief Clerk

A
Encl.

CC to Lowell C. Moore

18476

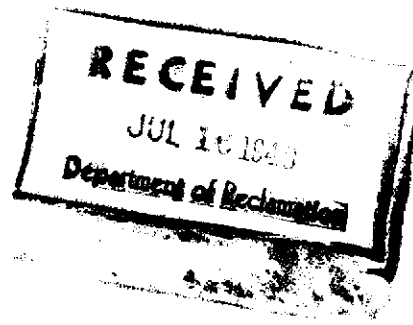
HENRY S. MARTIN

ATTORNEY AT LAW

SUITE 212-213 EARL BUILDING

IDAHO FALLS, IDAHO

July 14, 1948



Department of Reclamation,
State of Idaho,
Boise, Idaho.

Gentlemen:

Enclosed is proof of completion of works under Permit No. 18476, Lowell C. Moore, together with my check in the amount of \$5.00, for which will you please issue certificate of completion in accordance with the application?

Thanking you for this and many past favors, I
beg to remain

Yours very truly,

Henry S. Martin

HSM:e
Encl.

18476

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Mr. Lowell C. Moore

Roberts, Idaho

Boise, Idaho **May 3, 1948**

Dear Sir:-

Under the terms of your permit No. 18476-----you are required to complete your diversion works on or before July 15, 1948----- I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

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

Yours truly,

MARK R. KULP

State Reclamation Engineer

18476

Permit 18476

O. A. JOHANNESSEN
ATTORNEY AND COUNSELOR AT LAW
IDAHO FALLS, IDAHO

April 19, 1946

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

Dear Mr. Kulp:

In re: Permit No. 18476

I thank you very much for yours of April 18th. The address of Lowell C. Moore is Roberts, Idaho. Herewith please find my check for 50¢, the recording fee.

Thanking you for your kindness in the matter, I am

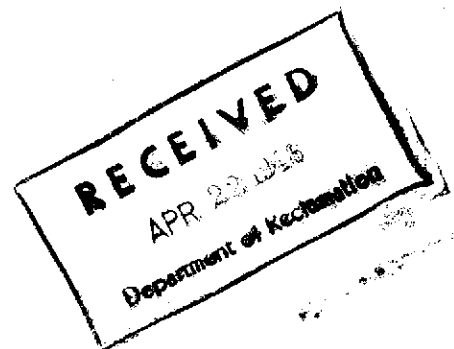
Yours very truly,



OAJ:MMN

enc.

R19402



18476

April 18, 1946

Re: Permit No. 18476

Mr. O. A. Johannesen
Attorney at Law
Idaho Falls, Idaho

Dear Mr. Johannesen:

We have duly recorded the assignment of
the above numbered permit from B. J. Moore
to Lowell C. Moore, and return same herewith.

However, the residence address of Lowell C.
Moore is not given. Please advise us as to
this, for our records.

The fee for recording this assignment is
fifty cents.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

A
Encl.

Chief Clerk

18476

O. A. JOHANNESSEN
ATTORNEY AND COUNSELOR AT LAW
IDAHO FALLS, IDAHO

April 15, 1946

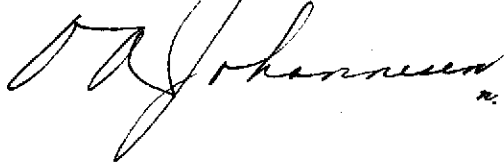
Honorable Mark R. Kulp
State Reclamation Engineer
Boise, Idaho

Dear Mr. Kulp:

In re: Permit No. 18476
B. J. Moore

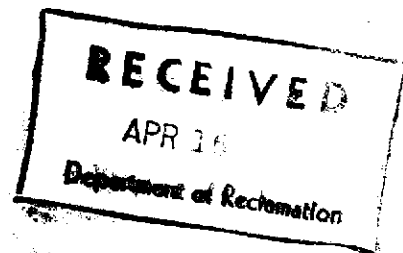
I enclose herewith Assignment from B. J. Moore to Lowell C. Moore, of Permit No. 18476, which granted B. J. Moore the right to appropriate 6 c.f.s. of water. I desire to have this recorded. Will you kindly so do and if you will advise me of the amount of the fee, I shall be glad to send check to cover.

Yours very truly,



OAJ:MMN

enc.



18476

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPROVAL OF STATE RECLAMATION ENGINEER

WHEREAS, Application for extension of time for completion of works under Permit to appropriate the Public Waters of the State of Idaho, No. 18476, has been made by the owner thereof, B. J. Moore, of Homedale, Idaho, which application was duly advertised for a period of two consecutive weeks in the Rigby Star, stating that on the 16th day of March, 1946, a hearing would be held for the purpose of receiving any protests, testimony or evidence regarding such application; and,

WHEREAS, At the time set for the hearing no protest, testimony or evidence had been presented, either orally or by affidavit; and,

WHEREAS, It appears that the owner of said permit is entitled to a further extension of time within which to complete work:

NOW, THEREFORE, I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, by virtue of authority vested in me under Chapter 12 (Senate Bill 13) of the 1945 Session Laws, hereby extend the time for completion of works under Permit to appropriate the Public Waters of the State of Idaho, No. 18476, to July 19, 1948.

WITNESS MY HAND this 19th day of March, A. D. 1946.

Mark R. Kulp
MARK R. KULP
State Reclamation Engineer

March 19, 1946

Re: Permit No. 18476

Mr. O. A. Johannesen
Attorney at Law
Idaho Falls, Idaho

Dear Mr. Johannesen:

We enclose herewith the approval of the
State Reclamation Engineer for extension of
time for completion of works under Permit
No. 18476, in the name of B. J. Moore,
to July 19, 1948.

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

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encl.

18476

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

BOISE

Date . February 20, 1946 .

Re: Permit No. 18476

The Rigby Star

Rigby, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for two consecutive weeks prior to **March 16, 1946** the date set for hearing, the expense of the publication to be paid by the applicant; **Please send the bill and affidavit of publication to Mr. O. A. Johannesen, Attorney at Law, Idaho Falls, Idaho.** ~~to whom you should furnish proof of publication on or prior to the date set for hearing.~~

Please acknowledge receipt of this notice, and furnish this office with a copy of the first publication.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By

Chief Clerk

Publication to start with your next issue

18476

NOTICE FOR PUBLICATION

NOTICE OF APPLICATION FOR EXTENSION OF TIME FOR COMPLETION OF WORKS
UNDER SENATE BILL NO. 33, SESSION LAWS OF 1943 1945

66666666666666666666

Notice is hereby given, that on the 16th day of March
1946, at 11:00 o'clock, A. M., a hearing will be held by the
State Reclamation Engineer, or his deputy, at 107 State House, Boise,
County of Ada, State of Idaho, for the purpose of
receiving any protests, testimony and evidence regarding an application for
extension of time for completion of works under Permit to appropriate the
Public Waters of the State of Idaho, No. 18476. The said protests
and evidence may be submitted either orally or by affidavits by any person
or persons owning or in possession of a right to the use of any waters of a
stream or source of supply affected by the said extension.

1. The number of said Permit is 18476
2. The name and post-office address of the person or persons
or corporation holding said permit or permits are:
B. J. Moore, Homedale, Idaho

3. The amount of water claimed by the said permit or permits is
Six (6) cubic feet per second from underground water from a well
located in the NE 1/4 Section 31, Twp. 5 North, Range 39 East, B.M.

MARK R. KULP

State Reclamation Engineer

18976

February 20, 1946

Re: Permit No. 18476
B. J. Moore

Mr. O. A. Johannesen
Attorney at Law
Idaho Falls, Idaho

Dear Mr. Johannesen:

We acknowledge receipt of the application
for extension of time for completion of works
on the above numbered permit, as provided by
Chapter 13, of the 1925 Session Laws.

Notice of hearing to be held at this Department
at 11:00 o'clock A.M., March 16th, 1946, has been
sent to the Rigby Star, with instructions to
publish it once a week for two consecutive weeks,
commencing with next week's issue; and to send you
the bill, together with affidavit of publication.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A

18476

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) February 14, 1946.

(P. O.) Homedale, 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

Rigby Star of Rigby, Idaho, published in
the county in which the works are situated.

B. J. Moore

(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.

18476

PERMIT NO. 18476

APPLICATION FOR EXTENSION OF TIME FOR COMPLETION OF WORKS
UNDER SENATE BILL NO. 13, SESSION LAWS OF 1945.

STATE OF IDAHO)

County of Canyon)

B. J. MOORE of Homedale, State of Idaho, being first duly sworn, upon his oath deposes and says:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. 18476 (as amended)

That under the terms and conditions of said Permit, completion of works thereunder is required by July 19th, 1946.

That he has heretofore in good faith performed the following work and taken the following steps to bring about the completion of the said works described under the said permit, to-wit:

The applicant has completed more than one-half of all required ditching and has on hand for installation, as soon as the weather permits one pump capable of delivering 2 1/2 c.f.s. Attempt has been made to procure another unit sufficient to deliver all of the water claimed but war conditions has prevented. To date applicant has spent more than \$1,000.00 in connection with ditching and diversion works.

That he is unable to complete the remainder of said works and submit proof of completion of works within the required time, for the following reasons, to-wit:

That war conditions during recent years prevented the purchase of proper equipment. One pump was secured a short time ago and is now on hand for installation, but no immediate hope is held out by pump makers for the other pumping unit. It will be some time in the future before this can be procured.

Therefore, he makes application to the State Reclamation Engineer to extend the time for Completion of Works under the said permit to July 1st 19, 1950, pursuant to the provisions of Senate Bill No. 13, Session Laws of 1945.

Subscribed and sworn to before me this 16 day of February, 1946

My commission expires

June 15th 1949

B. J. Moore
J. H. Reeves
Notary Public for Idaho
Residing at Caldwell, Idaho

Date of receipt at office of Department of Reclamation _____ 19____

18476

Affidavit Of Publication

The Rigby Star

STATE OF IDAHO,
County of Jefferson.

ss.

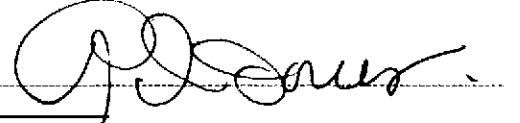
I, R. I. Jones, do solemnly swear that I am the printer of THE RIGBY STAR, a weekly newspaper as defined by Idaho Codes Annotated section 58-106 as amended, and that said newspaper is a weekly newspaper, printed and published at Rigby, in Jefferson County, Idaho, having a general circulation in said county, and that said newspaper has been printed and published as a weekly newspaper, in said county, for more than 78 consecutive weeks prior to the first publication of the attached notice.

And affiant further says that said attached notice, advertisement or publication, as per clipping attached, was published in said newspaper, in the regular and entire issue thereof, and not in any supplement issue thereof, for two consecutive issues thereof; first publication having been made on the

28 day of Feb., 1946
and last publication on the

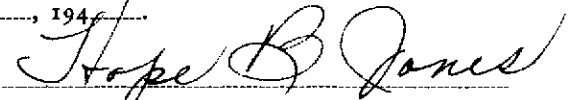
7th day of March, 1946

And affiant further says that at the times herein mentioned said newspaper was made up of at least four pages of at least five columns each, printed from type matter, of at least seventeen and three-fourths inches depth; and that there are at least two hundred bona fide subscribers in Jefferson County.



Subscribed in my presence and sworn to before me this MAR 11 1946
day of _____, 1946

(SEAL)



Notary Public for the State of Idaho, residence
and post office address: Rigby, Idaho.
My Commission expires January 30th., 1950.

Publication Fee \$ _____

NOTICE FOR PUBLICATION NOTICE OF APPLICATION FOR EX- TENSION OF TIME FOR COMPLETION OF WORKS UNDER SENATE BILL No. 13, SESSION LAWS OF 1945.

Notice is hereby given, that on the 16th day of March, 1946, at 11:00 o'clock a. m., a hearing will be held by the State Reclamation Engineer, or his deputy, at 107 State House, Boise, County of Ada, State of Idaho, for the purpose of receiving any protests, testimony and evidence regarding an application for extension of time for completion of works under Permit to appropriate the Public Waters of the State of Idaho, No. 18476. The said protests and evidence may be submitted either orally or by affidavits by any person or persons owning or in possession of a right to the use of any waters of a stream or source of supply affected by the said extension.

1. The number of said Permit is 18476
2. The name and post-office address of the person or persons or corporation holding said permit or permits are:
B. J. Moore, Homedale, Idaho.
3. The amount of water claimed by the said permit or permits is Six (6) cubic feet per second from underground water from a well located in the NE1/4NW1/4 Section 31, Twp. 5 North Range 37 East, B. M.

MARK R. KULP,
State Reclamation Engineer.

(16-17)

18476

O. A. JOHANNESSEN
ATTORNEY AND COUNSELOR AT LAW
IDAHO FALLS, IDAHO

February 18, 1946

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

Dear Mr. Kulp:

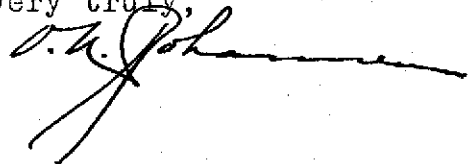
In re: Permit No. 18476
B. J. Moore

I enclose herewith application of B. J. Moore for extension of time for completion of works required under his Permit No. 18476. I hope that the application will be found in due order and will be approved by you.

I also enclose notice for publication. Will you please inform the Rigby Star to send the bill for the publication to this office and I will see that it is paid.

Thanking you for your kind attention in the matter, I am

Yours very truly,



OAJ:MMN

enclosures

Mar. 16



18476

PERMIT NO. 18476

APPLICATION FOR EXTENSION OF TIME FOR COMPLETION OF WORKS
UNDER SENATE BILL NO. 13, SESSION LAWS OF 1945.

STATE OF IDAHO)

County of Canyon)

B. J. MOORE of Homedale, State of Idaho, being first duly sworn, upon his oath deposes and says:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. 18476 (as amended)

That under the terms and conditions of said Permit, completion of works thereunder is required by July 19th, 1946.

That he has heretofore in good faith performed the following work and taken the following steps to bring about the completion of the said works described under the said permit, to-wit:

The applicant has completed more than one-half of all required ditching and has on hand for installation, as soon as the weather permits, one pump capable of delivering 2 1/2 c.f.s. Attempt has been made to procure another unit sufficient to deliver all of the water claimed but war conditions has prevented. To date applicant has spent more than \$1,000.00 in connection with ditching and diversion works.

That he is unable to complete the remainder of said works and submit proof of completion of works within the required time, for the following reasons, to-wit:

The war conditions during recent years prevented the purchase of proper equipment. One pump was secured a short time ago and is now on hand for installation, but no immediate hope is held out by pump makers for the other pumping unit. It will be some time in the future before this can be procured.

Wherefore, he makes application to the State Reclamation Engineer to extend the time for Completion of Works under the said permit to July 1st, 1950, pursuant to the provisions of Senate Bill No. 13, Session Laws of 1945.

Subscribed and sworn to before me this 16 day of February 1946

B. J. Moore
Notary Public for Idaho
Residing at Caldwell, Idaho

My commission expires

June 15th 1948

Date of receipt at office of Department of Reclamation Feb 19 1946

18476

February 11, 1946

Re: Permit No. 18476
B. J. Moore

Mr. O. A. Johannesen
Attorney at Law
Idaho Falls, Idaho

Dear Mr. Johannesen:

We acknowledge receipt of your letter of February 8th, in regard to extension of time for completion of works under the above numbered permit.

In accordance therewith we are enclosing a form of application for such extension, together with Form No. 10, which is authorization for us to publish the notice, at the permit holder's expense, in a designated newspaper, in the county where the water is located.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encls.

18476

O. A. JOHANNESSEN
ATTORNEY AND COUNSELOR AT LAW
IDAHO FALLS, IDAHO
February 8, 1946

Honorable Mark R. Kulp
State Reclamation Engineer
Boise, Idaho

Dear Mr. Kulp:

In re: Permit No. 18476
B. J. Moore

The applicant was granted until July 19, 1946, in which to make Proof of Completion of Works in connection with the above permit. Because of war conditions and the impossibility to obtain pumps, electric motors, etc., it has been absolutely impossible for the applicant to complete his works, and it looks now as though there will be still considerable delay in procuring the necessary equipment. The applicant has completed ditches and has some pumping equipment in operation, but not the works contemplated under the permit.

In view of the legislation passed by the 1945 Legislature, the war conditions resulting in inability to procure necessary equipment and materials, the applicant desires to get an extension of time in which to complete his works and make proof thereof.

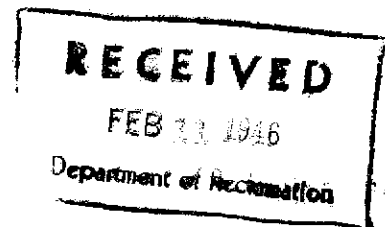
Will you kindly advise me with respect to this and send me the necessary blanks.

Thanking you for this, I am

Yours very truly,

O. A. Johannesen

OAJ:MMN



18476

April 3, 1945

Re: Permit No. 18476

Mr. C. A. Johannesen
Attorney at Law
Idaho Falls, Idaho

Dear Mr. Johannesen:

We duly received your letter of March 3rd, in further reference to affidavit for change in point of diversion and application for amendment to the land list under Permit No. 18476, in the name of B. J. Moore.

We have corrected the application for amendment of the land list by striking out the land described in Section 36, Township 5 North, Range 36 East, B.M., as requested by you, and have recorded such amended land list, and also the affidavit for change in point of diversion.

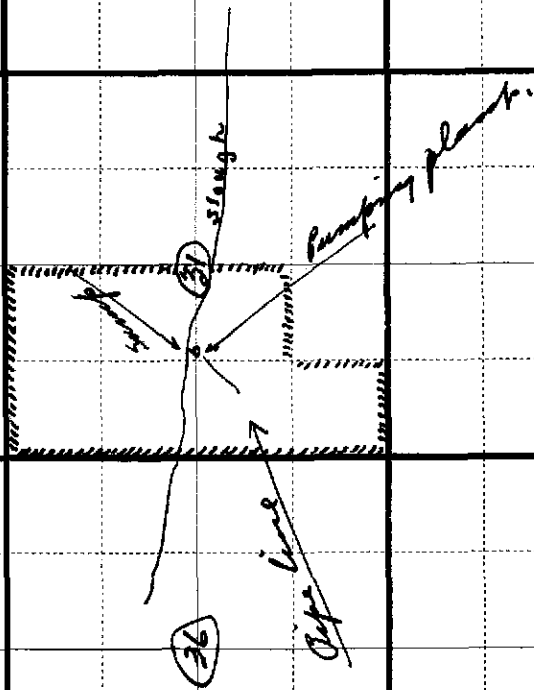
Very truly yours,

MARK R. KILP
State Reclamation Engineer
By

Chief Clerk

18476

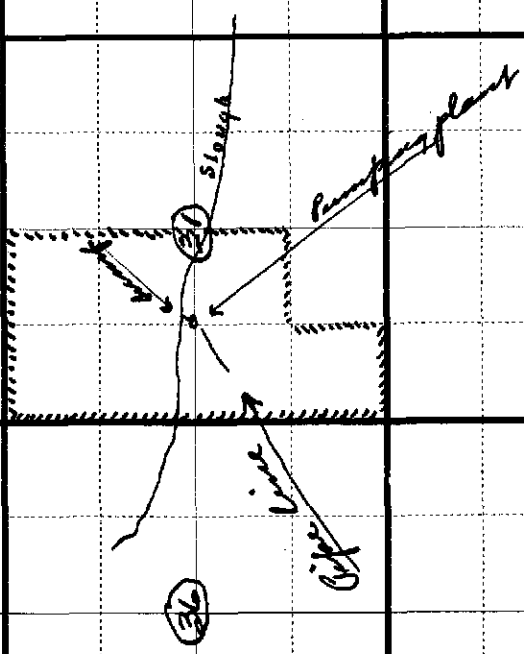
B.J. Moore



NAME OF APPLICANT B. J. Moore

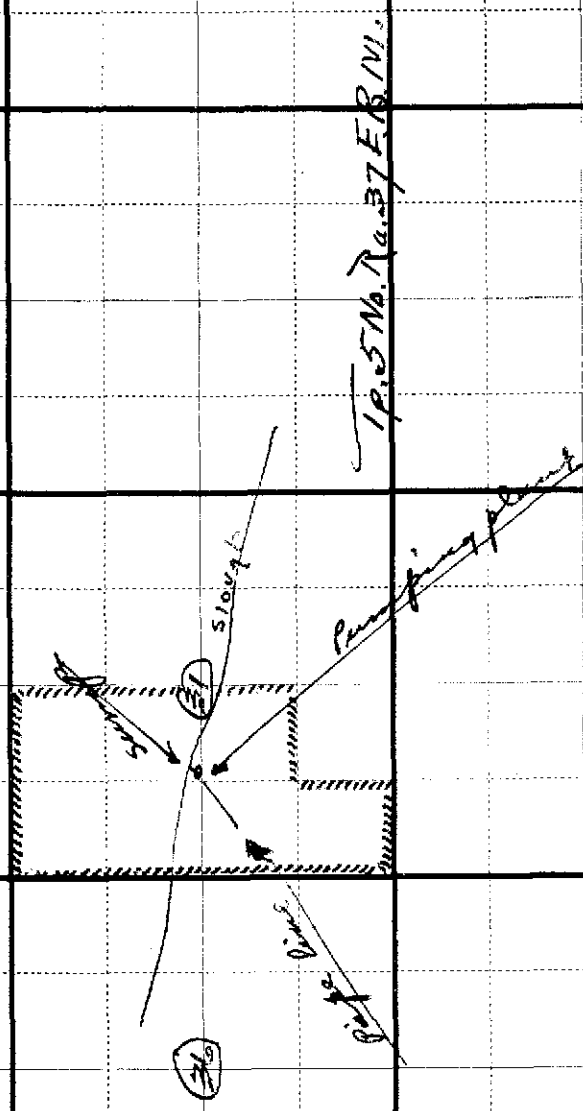
FORM No. 0

Sp. 5 No. Ra. 37 A B M.

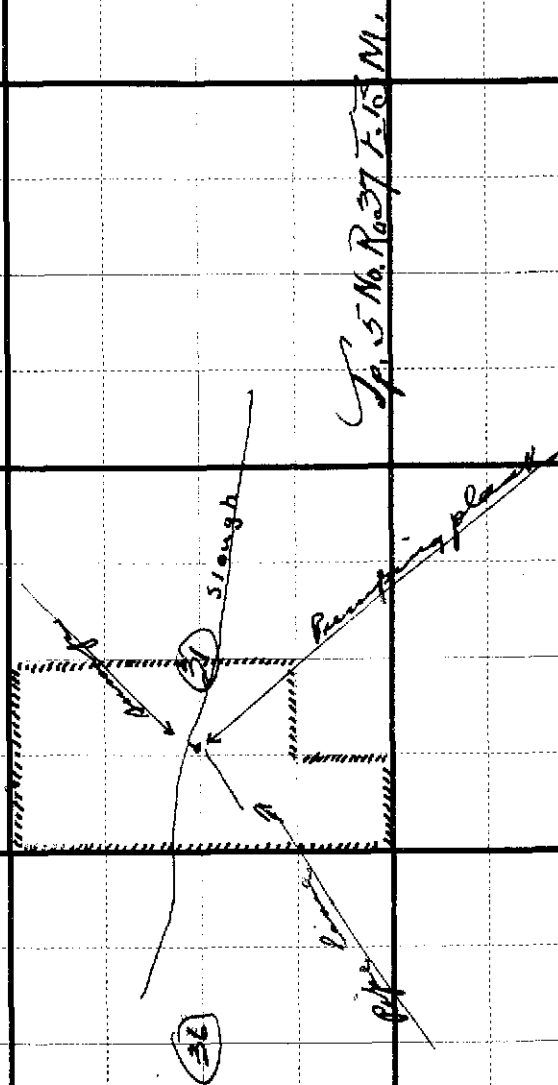


NAME OF APPLICANT B. J. Moore

FORM No. 0

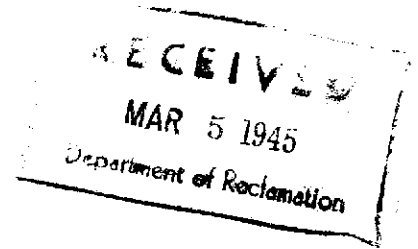


NAME OF APPLICANT. *B. J. Moore*



O. A. JOHANNESSEN
ATTORNEY AND COUNSELOR AT LAW
IDAHO FALLS, IDAHO

March 3, 1945



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

Dear Mr. Kulp:

In re: Permit No. 18476
B. J. Moore

I have your letter calling attention to the fact that the application for change in point of diversion and also the application for change in place of use included the East Half of the Northeast Quarter of Section 36, Township 5 North, Range 36 E.B.M. This is apparently a mistake on my part as this particular tract of land should not be included. The lands to be irrigated by means of water appropriated under this permit are the Northwest Quarter, North Half of the Southwest Quarter and the Southwest Quarter of the Southwest Quarter of Section 31, Township 5 North, Range 37 E.B.M. Will you, therefore, be kind enough to strike from the application for amendment the land that is included in Section 36.

work?

I note from your letter that there seems to be an overlapping in so far as the East Half of the Northwest Quarter of Section 31 is concerned. I do not understand why the Butte and Market Lake Canal Company should have included this particular 80 acres of land. The land belongs to Mr. Lowell Moore and is irrigated in the same manner as the balance of the land is irrigated. It was included in the application as originally filed and was shown on the map that was filed with the application. This was approved on July 19th, 1937.

I am enclosing herewith four plats which are practically the same as the original that was filed with the application. I trust that they are in due form.

Thanking you for your kind attention in the matter,
I am

Yours very truly,

A handwritten signature in dark ink, appearing to read "O. A. Johannesen". The signature is fluid and cursive, with a large, sweeping "J" at the end.

OAJ:MMN

enc.

18476

February 26, 1945

Re: Permit No. 18476

Mr. O. A. Johannesen
Attorney at Law
Idaho Falls, Idaho

Dear Mr. Johannesen:

We acknowledge receipt of your letter of February 23rd, enclosing applications for amendment of land list and change in point of diversion under the above numbered permit, in the name of B. J. Moore.

You will note, however, that the affidavit for change of point of diversion calls for a sketch map showing both the present and the new point of diversion applied for; also that the application for amendment of the land list calls for a similar map showing the lands to be irrigated.

We enclose herewith some blank plats to be used for that purpose.

Also, in checking the amended land list we note that it includes some lands already covered by permits in the name of the Butte & Market Lake Canal Company, namely, the E¹/₄NE¹/₄ Section 36, Twp. 5 North, Range 36 East, B.M., and the N¹/₂NW¹/₄ Section 31, Township 5 North, Range 37 East. Please explain this seeming duplication.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

18476

Affidavit for Change of Point of Diversion of Water Right

Permit No. 18476

STATE OF IDAHO,

County of Bonneville } ss.

B. J. MOORE, being first duly sworn, deposes and says: That his postoffice address is Roberts, Idaho. That he is the owner of and using a certain water right, for six cubic feet per second of the water of underground SOURCES, County of Jefferson, State of Idaho, obtained by virtue of Permit to appropriate the public waters of the State of Idaho, No. 18476, issued by the State Engineer, dated July 19th, 1937, bearing date of priority of June 4th, 1937, for the purpose of irrigating the following described lands, situate, lying and being in Water District No. 1, in the County of Jefferson and State of Idaho, to-wit: The Northwest Quarter, North Half of the Southwest Quarter and the Southwest Quarter of the Southwest Quarter of Section 31, Township 5 North, Range 37 E.B.M.; the East Half of the Northeast Quarter of Section 36, Township 5 North, Range 36 E.B.M. and is the person (or representative of the person or persons) to whom such right was so issued, (or has become the owner thereof in the following manner:)

That said waters are now diverted from said stream in the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 36, Twp. 5 North, Range 36 EBM, and conducted to the above described lands through the a ditch, as per map filed herewith and of this affidavit made a part;

That affiant desires to change the point of diversion of said waters from the point above described to a point located in NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 31, Twp. 5 N., Range 37 EBM, and thereafter conduct same to the above described land through the private ditch, as per map above referred to;

That his reasons for desiring to make such change are as follows: That the land now being irrigated is more economically irrigated from the new point of diversion.

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

Subscribed and sworn to before me this 17th day of February, 1945.

B. J. Moore
Affiant.
O. H. Johanneau
Notary Public
Idaho Falls, Idaho.

NOTE:—If this water right has heretofore been carried jointly in a ditch with other water, affiant should secure written consent of other owners or users to removal from its original carrier and file such consent with this affidavit.

3:30 P. Feb. 23 1945
Mark R. Neep
J.L.A.

18476

**Application For Amendment
To Permit to appropriate the Public Waters
of the State of Idaho, No. 18476**

Comes now B. J. MOORE, **State Reclamation Engineer**, and represents to the **Commissioner of Reclamation** of the State of Idaho,

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 18476, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

~~The Northwest Quarter (NW $\frac{1}{4}$), North Half of the Southwest Quarter (N $\frac{1}{2}$ SW $\frac{1}{4}$) and the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section Thirty-one (31), Township Five (5) North, Range Thirty-seven (37) East Boise Meridian; and the East Half of the Northeast Quarter (E $\frac{1}{2}$ NE $\frac{1}{4}$) of Section Thirty-six (36), Township Five (5) North, Range Thirty-six (36) East Boise Meridian.~~

, making a total of 360 280 acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Idaho Falls, this twentieth day of January, ~~1945~~ 1945.

B. J. Moore

Date of receipt at Office of Department of Reclamation February 23, 1945

State Reclamation Engineer

APPROVAL OF COMMISSIONER OF RECLAMATION.

I, Mark R. Kulp, **State Reclamation Engineer**, **Commissioner of Reclamation** of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 18476. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

Mark R. Kulp
Commissioner of Reclamation
State Reclamation Engineer

Over

18476

Effective April 10, 1911

Department of Reclamation

REGULATIONS AS TO AMENDED APPLICATION AND PERMIT

Section 3255 of the Revised Codes, provides for the amendment of a permit as to lands upon which the water is to be used. The permit holder, to avail himself of the provisions of this section, should fill out and file with the Commissioner of Reclamation the application blank found upon the reverse side of the sheet. If there is not sufficient room in such blank for the legal description of the amended list of lands, this may be submitted as an exhibit, proper reference thereto being made in the application.

Before amended permit will be granted applicant must file with the application two maps, showing the following details:

- (a) Name of applicant.
- (b) Section, town and range numbers, where public survey has been made.
- (c) Source or sources of supply.
- (d) Point or points of diversion.
- (e) Route of ditch or ditches, including laterals delivering water within one mile of each 160 acre tract of the lands to be irrigated.
- (f) Lands to be irrigated to be shown by cross-hatching, outlining, or coloring.

If original permit called for more than 25 cubic feet per second, the maps must be prepared from actual survey and must be certified to by engineer in charge of survey, in the following form:

I hereby certify that this map was prepared from an actual survey made by me _____
19____ and correctly shows position of points indicated thereon.

Engineer.

P. O. _____

Date _____ 19____

O. A. JOHANNESSEN
ATTORNEY AND COUNSELOR AT LAW
IDAHO FALLS, IDAHO

February 21, 1945

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

Dear Mr. Kulp:

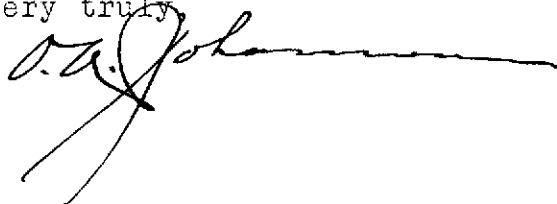
In re: Permit No. 18476,
B. J. Moore

I enclose herewith application to amend the lands to be irrigated covered by the above permit, and also affidavit for change of point of diversion. I hope that these will both be found in due order and that they will be approved by you.

The reason for these changes is that the water is being used on the lands described in the application and system of canals are now in operation and it is more practical to use these canals from the new point of diversion, which was the original point, than from the present point.

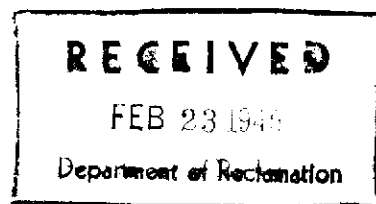
Thanking you for your kind attention in the matter, I am

Yours very truly,



OAJ:MMN

enc.



18476

APPROVAL OF STATE RECLAMATION ENGINEER

WHEREAS, Application for an extension of time for Completion of Works under Permit No. 18476 has been made by the owner thereof, B. J. Moore, of Roberts, Idaho, which application was duly advertised for a period of two consecutive weeks, stating that on the 28th day of April, 1943, a hearing would be held for the purpose of receiving any protests, testimony or evidence regarding such application; and

WHEREAS, At the time set for the hearing no protest, testimony or evidence had been presented, either orally or by affidavit; and

WHEREAS, It appears that the owner of said permit is entitled to a further extension of time within which to complete work;

NOW, THEREFORE, I, James Spofford, State Reclamation Engineer of the State of Idaho, by virtue of authority vested in me under Senate Bill No. 93, Session Laws of 1943, hereby extend the time for Completion of Works under Permit to Appropriate the Public Waters of the State of Idaho, No. 18476, to July 19, 1946.

WITNESS MY HAND this 30th day of April, A. D. 1943.


JAMES SPOFFORD
State Reclamation Engineer

18476

April 30, 1943

Re: Permit No. 18476
B. J. Moore

Mr. C. A. Johannesen
Attorney at Law
Idaho Falls, Idaho

Dear Mr. Johannesen:

We are enclosing herewith Approval of the State Reclamation Engineer of Mr. N. J. Moore's application for extension of time for completion of works under the above numbered permit until July 16, 1946, under the provisions of Senate Bill No. 193 of the 1943 session laws.

Very truly yours,

JAMES SPOFFORD
State Reclamation Engineer
By

Chief Clerk

A
Encls.

18476

Affidavit Of Publication

The Rigby Star

STATE OF IDAHO, }
County of Jefferson. } ss.

I, R. I. Jones, do solemnly swear that I am the printer of THE RIGBY STAR, a weekly newspaper as defined by Idaho Codes Annotated section 58-106 as amended, and that said newspaper is a weekly newspaper, printed and published at Rigby, in Jefferson County, Idaho, having a general circulation in said county, and that said newspaper has been printed and published as a weekly newspaper, in said county, for more than 78 consecutive weeks prior to the first publication of the attached notice.

And affiant further says that said attached notice, advertisement or publication, as per clipping attached, was published in said newspaper, in the regular and entire issue thereof, and not in any supplement issue thereof, for two consecutive issues thereof; first publication having been made on the

14th day of April, 1943

and last publication on the

15th day of April, 1943

And affiant further says that at the times herein mentioned said newspaper was made up of at least four pages of at least five columns each, printed from type matter, of at least seventeen and three-fourths inches depth; and that there are at least two hundred bona fide subscribers in Jefferson County.

R. I. Jones

Subscribed in my presence and sworn to before me this APR 23 1943

day of _____, 1943

(SEAL)

Hope B Jones

Notary Public for the State of Idaho, residence and post office address: Rigby, Idaho.
My Commission expires January 30th., 1946

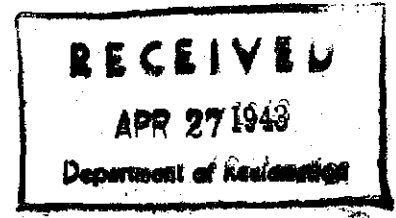
Publication Fee \$ 4.50

NOTICE OF APPLICATION FOR EXTENSION OF TIME FOR COMPLETION OF WORKS UNDER SENATE BILL NO. 93, SESSION LAWS OF 1943.
Notice is hereby given, that on the 28th day of April, 1943, at 2:00 o'clock p. m., a hearing will be held by the State Reclamation Engineer, or his deputy, at the Department of Reclamation, Boise, County of Ada, State of Idaho, for the purpose of receiving any protests, testimony and evidence regarding an application for extension of time for completion of works under Permit to appropriate the Public Waters of the State of Idaho, No. 12476. The said protests and evidence may be submitted either orally or by affidavits by any person or persons owning or in possession of a right to the use of any waters of a stream or source of supply affected by the said extension.
1. The number of said Permit is 12476.
2. The name and post-office address of the person holding said permit is B. J. Moore, Roberts, Idaho.
3. The amount of water claimed by the said permit is Six (6) second feet from wells and pits (subterranean) in the Northwest Quarter of Section 31, Township 5 North, Range 37 East, B. M. JAMES SPOFFORD, State Reclamation Engineer.
(21-22) 18474

18474

O. A. JOHANNESSEN
ATTORNEY AND COUNSELOR AT LAW
IDAHO FALLS, IDAHO

April 26, 1943



Honorable James Spofford
State Reclamation Engineer
Boise, Idaho

Dear Mr. Spofford:

In re: Permit No. 18476 B. J. Moore

I enclose herewith Affidavit of Publication on the notice for extension of time to make proof of beneficial use in connection with the above matter. I hope the same will be found in due order.

So far as I know at this time, there appears to be no objection to the granting of this extension, and I hope that none will appear by the date fixed for hearing, April 28th.

Thanking you for your kind attention in the matter,
I am

Yours very truly,

A handwritten signature in dark ink, appearing to read "O. A. Johannesen". The signature is fluid and cursive, with a long horizontal stroke at the end.

OAJ:MMN

18476

April 20, 1943

Re: Permit No. 18476

The Rigby Star
Rigby, Idaho

Gentlemen:

Under date of April 6th we sent you a notice for publication in connection with extension application of B. J. Moore, of Roberts, Idaho.

We have received no acknowledgment of this notice, nor have we received a copy of your issue containing same.

Please advise if the notice is being published, and if so, please send us a copy of the paper in which such notice appears.

Very truly yours,

JAMES SPONFORD

State Reclamation Engineer

By

Chief Clerk

A

18476

April 5, 1943

Re: Permit No. 18476

The Rigby Star
Rigby, Idaho

Gentlemen:

Enclosed you will find a notice for publication
once a week for two consecutive weeks prior to
April 28th, the date set for hearing.

The cost of the publication is to be paid by the
applicant, to whom you should furnish affidavit of
publication. His address is B. J. Moore, Roberts,
Idaho- but you may write him in care of Mr. O. A.
Johannessen, at Idaho Falls.

Please acknowledge receipt of this notice, and furnish
this office with a copy of the first publication.

Very truly yours,

JAMES SPOFFORD
State Reclamation Engineer

By

Chief Clerk

A
Encl.

18476

April 5, 1943

Re: Permit No. 18476
E. J. Moore

Mr. C. A. Johannesen
Attorney at Law
Idaho Falls, Idaho

Dear Mr. Johannesen:

We acknowledge receipt of your letter of April 3rd, enclosing authorization to publish the notice in connection with request for extension of time under the above numbered permit, in the Bigby Star.

We have made out the notice in this office, and are sending same to the Bigby Star, as per copy herewith, with instructions to publish it once a week for two consecutive weeks, and to furnish you with the affidavit of publication.

Upon its receipt in this department it will be duly filed with the application for extension, and if no protests are received, the extension will be allowed, as provided in Senate Bill No. 93.

Very truly yours,

JAMES SPOFFORD
State Reclamation Engineer
By

Chief Clerk

A
Encl.

18476

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) April 3, 1943

(P. O.) Roberts, Idaho

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

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

.....
B. J. Moore
B. J. Moore
B. J. Moore

(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)

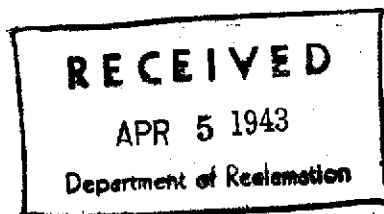
I hereby certify that the facts set forth in the attached notice are true.

.....
Engineer.

18476

O. A. JOHANNESSEN
ATTORNEY AND COUNSELOR AT LAW
IDAHO FALLS, IDAHO

April 3, 1943



Honorable James Spofford,
State Reclamation Engineer,
Department of Reclamation,
Boise, Idaho

Dear Mr. Spofford: In re: Permit No. 18476 B. J. Moore

I enclose herewith, "Request for publication of notice" in connection with the above application for extension of time. You did not enclose any form of notice, and as I do not have any copy of Senate Bill No. 93, I do not know just what form of notice to prepare. If you will advise me as to this, I shall be glad to prepare it and send to you.

I am Thanking you for your kind attention in the matter,

Yours very truly

A handwritten signature in dark ink, appearing to read "O. A. Johannesen". The signature is fluid and cursive, with a long horizontal stroke at the end.

enc.
OAJ:MMN

18476

NOTICE FOR PUBLICATION

NOTICE OF APPLICATION FOR EXTENSION OF TIME FOR COMPLETION OF WORKS
UNDER SENATE BILL NO. 93, SESSION LAWS OF 1943

06600000000000000000

Notice is hereby given, that on the 28th day of April
1943, at 2:00 o'clock, P. M., a hearing will be held by the
the Department of Reclamation,
State Reclamation Engineer, or his deputy, at Boise,
County of Ada, State of Idaho, for the purpose of
receiving any protests, testimony and evidence regarding an application for
extension of time for completion of works under Permit to appropriate the
Public Waters of the State of Idaho, No. 18476. The said protests
and evidence may be submitted either orally or by affidavits by any person
or persons owning or in possession of a right to the use of any waters of a
stream or source of supply affected by the said extension.

1. The number of said Permit is 18476
2. The name and post-office address of the person ~~or persons~~
~~or corporation~~ holding said permit ~~or permits~~ ~~are~~ is

B. J. Moore, Roberts, Idaho

3. The amount of water claimed by the said permit ~~or permits~~ is
six (6) second feet from wells and pits (subterranean)
which is tributary to in the Northwest Quarter of Section 31, Township 5 North,
Range 37 East, B. M.

JAMES SPOFFORD

State Reclamation Engineer

18476

✓
April 1, 1943

Re: Permit No. 18476

Mr. O. A. Johannessen
Attorney at Law
Idaho Falls, Idaho

Dear Mr. Johannessen:

We acknowledge receipt of your letter of March 29th, enclosing the application of B. J. Moore for extension of time for completion of works under the above numbered permit, in accordance with the terms of Senate Bill No. 93.

This application has been placed on file, and we shall proceed with the statutory publication, upon return of the enclosed authorization to have the notice published in the designated newspaper, at permit holder's expense.

Very truly yours,

JAMES SPOFFORD
State Reclamation Engineer

By

Chief Clerk

A
Encl.

18476

PERMIT NO 18476
EXTENSION OF TIME FOR COMPLETION OF WORKS UNDER SENATE BILL NO. 93
SESSION LAWS OF 1943

STATE OF IDAHO)
County of Bonneville) ss.

B. J. Moore of Roberts State of Idaho,
being first duly sworn, upon his oath, deposes and says:

That he is the owner and holder of Permit to appropriate the Public Waters
of the State of Idaho, No. 18476.

That under the terms and conditions of said Permit, Completion of Works
thereunder is required by July 19th, 1942.

That he has heretofore in good faith performed the following work and taken
the following steps to bring about the completion of the said works described
under the said Permit, to-wit:

The affiant has constructed one and one-half (1½) miles
of canal and various lateral ditches; has made all sur-
veys and completed plans and specifications for a com-
plete irrigation system. A considerable area of the land to
be used is now under cultivation. The affiant has been unable
to purchase the necessary pumping and electrical equipment because of war
That he is unable to complete the remainder of the said works and submit conditions
proof of Completion of Works within the required time for the following reasons,
to-wit:

The reasons why the affiant has been unable to complete
the works is due to the fact that he has been unable to
obtain the necessary priorities permitting him to purchase
pumping and electrical equipment; this is due to war conditions
and through no fault of the affiant. As to when such an equipment can
be purchased depends upon war conditions, and, therefore, affiant asks
that he be granted four years in which to complete the works.
Wherefore, he makes application to the State Reclamation Engineer to extend
the time for Completion of Works under the said Permit to 18476
19 46 . pursuant to the provisions of Senate Bill No. 93, Session Laws of 1943.

Subscribed and sworn to before me this 29 day of March 1943

My commission expires:

March 11th, 1946

B. J. Moore
Notary Public for Idaho,
Residing at Idaho Falls, Idaho

Date of receipt at office of Department of Reclamation March 30 1943

APPROVAL OF STATE RECLAMATION ENGINEER

WHEREAS, Application for an extension of time for Completion of Works under
Permit No. _____ has been made by the owner thereof, which application was
duly advertised in the _____ of _____
Idaho, for a period of two consecutive weeks; and

WHEREAS, A hearing in regard to the said application was then duly held at
Idaho, on _____, 19____
as specified in the said advertisement above referred to; and

WHEREAS, After taking into consideration all evidence and testimony intro-
duced at the said hearing, it appears that the owner of said Permit is entitled
to a further extension of time within which to complete work;

NOW, THEREFORE, I _____, State Reclamation Engineer of the
State of Idaho, by virtue of the authority vested in me under Senate Bill No. 93,
Session Laws of 1943, hereby extend the time for Completion of Works under
Permit to appropriate the Public Waters of the State of Idaho, No. _____ to

_____, 19____.
WITNESS my hand this _____ day of _____ 19____.

State Reclamation Engineer

18476

O. A. JOHANNESSEN
ATTORNEY AND COUNSELOR AT LAW
IDAHO FALLS, IDAHO

March 29, 1943

Honorable James Spofford
State Reclamation Engineer
Boise, Idaho

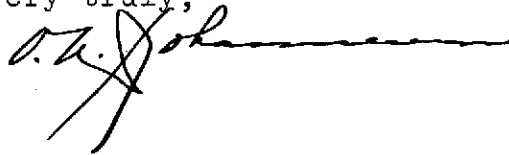
Dear Mr. Spofford:

Re: Permit No. 18476

I thank you for yours of March 18th with respect to the above. Herewith, I enclose you the application of B. J. Moore asking for the necessary extension. Mr. Moore is requesting the full four years time in as much as it cannot be determined as to how soon the necessary pumping and electrical equipment can be obtained. It is Mr. Moore's intention to complete his irrigation system at the very earliest possible.

Thanking you for your kind consideration of the matter, I am

Yours very truly,



enc.
OAJ:MMN

18476

C. A. Bottolfson
XXXXXXXXXXXX

XXXXXXXXXXXXXXXXXXXX
James Spofford, State Reclamation Engineer

March 18, 1943

Re: Permit No. 18476
B. J. Moore

Mr. O. A. Johannesen
Attorney at Law
Idaho Falls, Idaho

Dear Mr. Johannesen:

In checking over our files we find a letter which you addressed this Department on July 8, 1942, requesting an extension of time for completion of works on the above numbered permit, on account of war conditions making it impossible for the holder to make the proof.

In reply to this letter you were advised of the possibility of the incoming legislature enacting some legislation which would provide for such extension, and this was done by the passage and approval of Senate Bill No. 93, of which we enclose a summary.

We are also enclosing an application for extension, under this bill, for Mr. Moore's use if he wishes to take advantage of its provisions.

Very truly yours,

JAMES SPOFFORD
State Reclamation Engineer

By

Chief Clerk

A
Encls.

18476

July 11, 1942

Re: Permit No. 18476
Mr. E. J. Moore

Mr. O. A. Johannessen
Attorney at Law
Idaho Falls, Idaho

Dear Mr. Johannessen:

We are in receipt of your letter of July 8, relative to proof of completion of works in connection with the above stated permit.

The statutory time which is five years to complete said works according to the terms of the permit will expire on July 19, 1942.

It is not possible for this Department to extend the time for completion of works beyond the five-year statutory time limit. It may be that the legislature may enact some special legislation this winter, which will allow us to extend the time beyond the five-year period, where it is beyond the control of the applicant to purchase equipment, due to government control or freezing.

Providing it is necessary to protect filing, we would recommend that your client file a new application.

Very truly yours,

E. V. BERG
Commissioner of Reclamation

By: ROY W. THOMPSON
Deputy Commissioner

RWT:djb

18476

O. A. JOHANNESSEN
ATTORNEY AND COUNSELOR AT LAW
IDAHO FALLS, IDAHO

July 8th, 1942.

Honorable E. V. Berg,
Commissioner of Reclamation,
Boise, Idaho.

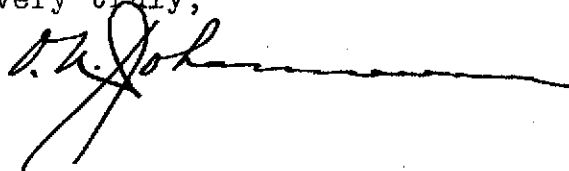
Dear Mr. Berg:-

Re. #18476, B. J. Moore.

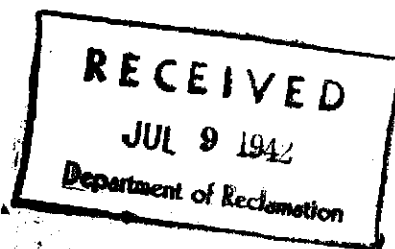
Proof of completion of works should be made this month in connection with the above Permit. However, owing to war conditions it is not possible to for the Permit holder to make such proof, as he cannot procure the necessary pump and conduit. However, most of the other work has been done, and if the pump and conduit could be obtained he would be in a position to make his proof.

Under these circumstances, I write to inquire as to what can be done in the matter, and I shall greatly appreciate hearing from you at an early date.

Yours very truly,



July 19, 1942



18476

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

May 18, 1942

Re: 18476
B. J. Moore
Roberts, Idaho

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Boise, Idaho,

Dear Sir:—

Under the terms of your permit No. 18476.....you are required to complete your diversion works on or before.....July 19, 1942..... I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

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

Yours truly,

E. V. BERG

Commissioner of Reclamation.

18476

April 24, 1940

Re: Permit No. 18476

Mr. O. A. Johannesen,
Attorney and Counselor at Law,
Idaho Falls, Idaho

Dear Mr. Johannesen:

We are enclosing herein Approval of the Commissioner of Reclamation to an extension of time for making proof of completion of works, under the above numbered permit, in the name of B. J. Moore, to July 19, 1942.

This approval should be attached to the original permit.

Very truly yours,

JAMES SPOFFORD
Commissioner of Reclamation

By

Chief Clerk

JLA
Enc.

18476

18476

Permit No. _____

Application for Extension of Time FOR COMPLETION OF WORKS

B. J. Moore

Robert^sState of Jefferson, being first duly sworn, upon his oath deposes and says:He is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho
No. 18476Under the terms and conditions of said permit, construction work thereunder was required to be
completed by July 19th, 1940That he has heretofore performed the following work described under said permit:
Have built about 160 rods of ditches; and have done much work with
respect to putting the water on the land and improving the land.costing \$ \$250.00THAT he is unable to complete the remainder of the work within the required time, for the fol-
lowing reasons, to-wit:That he has found it more advantageous to change the point of di-
version and also the place of use, both of which has been approved
by the Commissioner of Reclamation. That work is now under way in
connection with the new point of diversion, and the works can be
fully completed within two years.WHEREFORE, He asks that the Commissioner of Reclamation extend the time for the com-
pletion of construction work under said permit, to July 19th, 1942Subscribed and sworn to before me this 20th day of April, 1940My commission expires March 11th, 1942.

Notary Public.

Date of receipt at Department of Reclamation. April 22, 1940

APPROVAL OF COMMISSIONER OF RECLAMATION

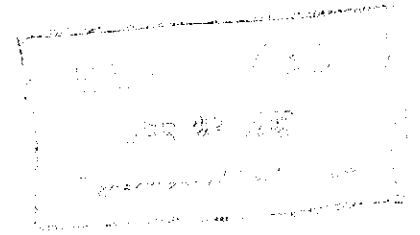
I, James Spofford, Commissioner of Reclamation of the State of Idaho, hereby extend the time for
the completion of construction work under Permit to appropriate the Public Waters of the State of Idaho, No. 18476,
to July 19, 1942Witness my hand this 23rd day of April, 1940

Commissioner of Reclamation.

By _____

18476

O. A. JOHANNESSEN
ATTORNEY AND COUNSELOR AT LAW
IDAHO FALLS, IDAHO



April 20th, 1940.

Hon. James Spofford,
Commissioner of Reclamation,
Boise, Idaho.

Dear Mr. Spofford:-

Re: Permit No. 18475, Moore.

I thank you very much for yours of the 9th inst., and can assure you that Mr. Moore greatly appreciates the extension of two years in which to make Proof of Completion of Works. Herewith, I enclose the necessary application, duly signed and sworn to.

Yours very truly,

18470

April 9, 1940

Re: Permit No. 18476

Mr. O. A. Johannesen,
Attorney and Counselor at Law,
Idaho Falls, Idaho.

Dear Mr. Johannesen:-

In reply to your letter of April 5th, we are enclosing
herewith a form of Application for Extension of Time
for Completion of Works.

This may be executed by Mr. B. J. Moore, the holder of
the permit, and may be for two additional years, or until
July 19, 1942- which will make the total of five years,
or the maximum allowed by statute.

Very truly yours,

JAMES SPOFFORD
Commissioner of Reclamation

By

Chief Clerk

JLA
Enc.

18476

O. A. JOHANNESSEN
ATTORNEY AND COUNSELOR AT LAW
IDAHO FALLS, IDAHO

April 5th, 1940.

Hon. James Spofford,
Commissioner of Reclamation,
Boise, Idaho.

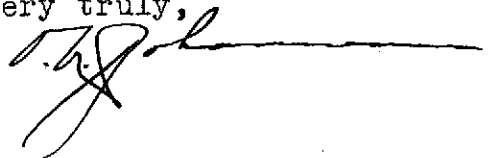
Dear Mr. Spofford:-

Re. Permit No. 18476, Moore.

In view of the fact that Mr. Moore is changing his point of diversion, and will have to re-arrange his works, he desires an extension of time in which to make proof of completion of works. I hope that there will be no objection to granting him additional time. He would appreciate it, if the extension can be arranged for two years.

Thanking you for your kind attention to this request,
I am

Yours very truly,



July 19, 1942.

18476

April 2, 1940

Re: Permit No. 18476

Mr. O. A. Johannessen,
Attorney and Counselor at Law,
Idaho Falls, Idaho.

Dear Mr. Johannessen:

We acknowledge receipt of your letter of March 27th, in which you enclose Affidavit for Change of Point of Diversion, and Application for Amendment of Land List, under the above numbered permit, in the name of B. J. Moore.

The Affidavit for Change of Point of Diversion describes the new diversion point as being in Section 36, Township 5 North, Range 35 East- but we assume that this is a typographical error, as the map shows it to be in Range 36 East- so we have made the correction accordingly.

Both these requested changes have been approved, and placed on record- and we are returning the documents themselves herein, to be attached to and made a part of the original permit- together with one copy of the amendment map, also enclosed.

Very truly yours,

JAMES SPOFFORD
Commissioner of Reclamation

By

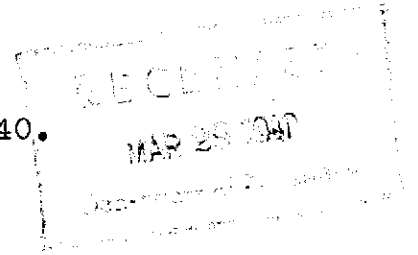
Chief Clerk

JLA
Encs.

18476

O. A. JOHANNESSEN
ATTORNEY AND COUNSELOR AT LAW
IDAHO FALLS, IDAHO

March 27th, 1940.



Hon. James Spofford,
Commissioner of Reclamation,
Boise, Idaho.

Dear Mr. Spofford:-

Re: Permit No. 18476, Moore.

Mr. Moore has found it advantageous to change both his point diversion and place of use, and I am enclosing herewith the necessary Affidavit and Application, both of which I hope will be found in due order. There is also enclosed the required maps.

Thanking you for your kind attention to these, I am

Yours very truly,

4 enc.

18476

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 18476

Boise, Idaho, **July 21, 1937**

Dear Sir:

I enclose herewith above numbered permit. BE SURE AND NOTE LIMITATIONS AND CONDITIONS OF SAME as given under approval of the Commissioner of Reclamation on the third page.

O. A. Johannessen, Agent
B. J. Moore
Idaho Falls, Idaho

R. W. FARIS
Commissioner of Reclamation.

Encl.
Office Receipt for \$0.75.

18476

SEC.

SEC.

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SEC.

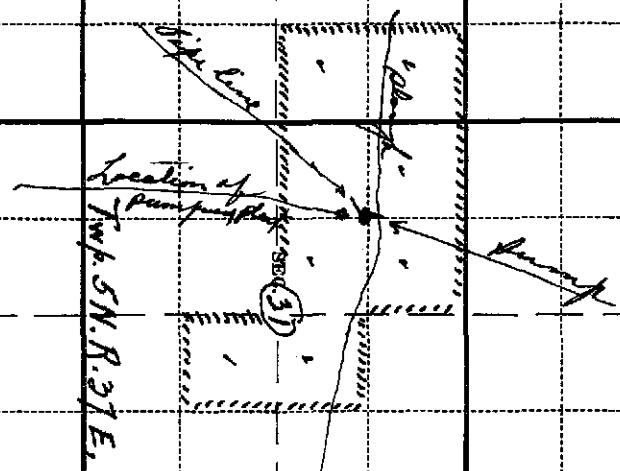
SEC.

SEC.

SEC.

SEC.

Twp. 5 N. R. 34 E.



Permit Map No. 18476

As Approved

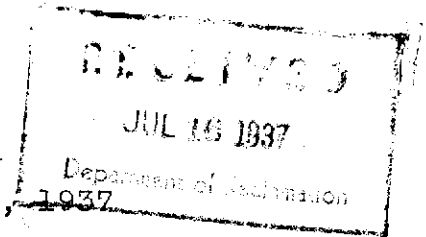
JUL 19 1937

R. W. PARIS

Commissioner of Reclamation

18476

O. A. JOHANNESSEN
ATTORNEY AND COUNSELOR AT LAW
IDAHO FALLS, IDAHO



July 15, 1937

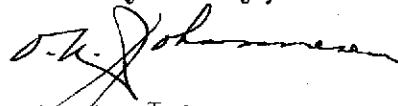
Honorable A. W. Paris
Department of Reclamation
Boise Idaho

Dear Mr. Paris:

In re: Application 25875, B.J. Moore

I return herewith the above application, corrected as per your letter of June 18th, and hope that the same will be found in due order. I also enclose herewith my check for .75, the balance of the fee required. Should there be any other corrections necessary, will you kindly return the application for such corrections.

Yours very truly,


O. A. Johannesen

oaj.r
incl.

18476

18476

June 18, 1937

Re: Application 25765,
B. J. Moore.

Mr. O. A. Johannesen
Attorney at Law
Idaho Falls, Idaho

Dear Sir:

We are herewith returning Mr. Moore's application to appropriate six second feet of water from subterranean sources for completion and a map in duplicate.

It is suggested that you give the information required under paragraph 4 under "Remarks", as there is not sufficient room to give it in the space provided for this purpose. It would be well to number each point of diversion and specify the quantity of water claimed at each point.

Under paragraph 11, kindly give the length of the pipe and ditch, and also the diameter of the pipe. A map must be submitted in duplicate, as you know.

When the application is returned, kindly submit 75¢ more filing fee, as the correct fee for six second feet of water is \$6.25 rather than the \$5.50 which you submitted.

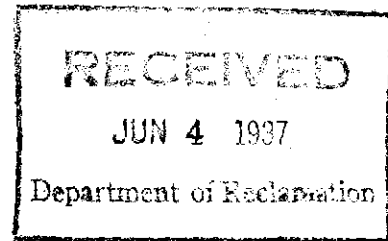
Very truly yours,

Deputy Commissioner of Reclamation

ELH:jl
Encl.
Application & Office
Receipt for \$5.50.

18476

O. A. JOHANNESSEN
ATTORNEY AND COUNSELOR AT LAW
IDAHO FALLS, IDAHO
June 3, 1937

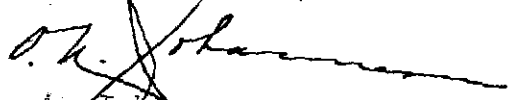


Hon. R. W. Faris
Commissioner of Reclamation
Boise, Idaho

Dear Mr. Faris:

I enclose herewith application of B. J. Moore for permit to appropriate three second feet of subteranean waters. I also enclose check for \$5.50, which I believe is the correct fee. The necessary map is not enclosed but when the application is returned for final completion the map will have been completed by the engineer.

Yours very truly,


O. A. Johannesen

OAJ:p
Encl.

18474

License appears to

have been issued for

2 ops for Sec 31

90
 75
 20
185
 370

Field Exam	Shows	SW ¹ / ₄ NE ¹ / ₄	Sec 35	30 am
		SE ¹ / ₄ NE ¹ / ₄	~~35~~	38
		SE NW	~~35~~	22
		NE SW	~~35~~	20
		NE SE		35
		NW SE		20
		SE SE		20
				<u>185</u>
	Total			

Can issue lie for 3.75 to Sec 31
 and 3.75 to Sec 35 on
 payment of fee

Dummy for Isohyetal Map

Showing Geographic Distribution of Precipitation

Figure 1

~~Ref. 1~~
**NOTICE OF PUBLICATION
NOTICE OF PROOF APPLICATION OF
WATER TO BENEFICIAL USE**

NOTICE IS HEREBY GIVEN, that at two o'clock P. M. on the 20th day of January, 1949, at Idaho Falls, County of Bonneville, State of Idaho, before E. A. Owen, a Notary Public, proof will be submitted of the application to beneficial use of six cubic feet per second of subterranean waters in accordance with the terms and conditions of Permit No. 18476 heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person holding said permit is Lowell C. Moore, Roberts, Idaho.

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

The amount applied to beneficial use is 2 cubic feet per second appurtenant to E $\frac{1}{2}$ NW $\frac{1}{4}$, and Lots 1, 2, 3, 4 and NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 31, Twp. 5 N., Rge. 37 E.B.M., with point of diversion in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said section; and 4 cubic feet per second appurtenant to S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 35, Twp. 5 N., Rge. 36 E. B. M., with point of diversion in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 36, said township and range.

The name of the canal or ditch or other works by which said water is conducted to such place of use is private ditch, pipe line and pumps.

The right to take water from such works is based upon Permit No. 18476.

The source of supply from which water is diverted is subterranean.

The date of priority which said user is prepared to establish is June 4, 1937.

MARK B. HOLP,

(52-2) State Reclamation Engineer.

~~18476~~

one
NOTICE OF APPLICATION FOR EX-
TENSION OF TIME FOR COMPLETION
OF WORKS UNDER SENATE BILL NO.

93, SESSION LAWS OF 1943.

00 Notice is hereby given, that on the 28th
day of April, 1943, at 2:00 o'clock p. m.,
55 a hearing will be held by the State Re-
clamation Engineer, or his deputy, at the
10 Department of Reclamation, Boise, County
of Ada, State of Idaho, for the purpose
72 of receiving any protests, testimony and
evidence regarding an application for ex-
tension of time for completion of works
under Permit to appropriate the Public
Waters of the State of Idaho, No. 18476.
10 The said protests and evidence may be
0 submitted either orally or by affidavits
by any person or persons owning or in
possession of a right to the use of any
waters of a stream or source of supply
10 affected by the said extension.

1. The number of said Permit is 18476.

2. The name and post-office address of
the person holding said permit is B. J.
9 Moore, Roberts, Idaho.

3. The amount of water claimed by
the said permit is Six (6) second feet
3 from wells and pits (subterranean) in
the Northwest Quarter of Section 31,
Township 5 North, Range 37 East, B. M.

JAMES SPOFFORD,

State Reclamation Engineer.

(21-22)

ANNUAL STATEMENT

Reply Star - Apr. 15

18476

**NOTICE FOR PUBLICATION
NOTICE OF APPLICATION FOR EX-
TENSION OF TIME FOR COMPLETION
OF WORKS UNDER SENATE BILL No.
13, SESSION LAWS OF 1945.**

Notice* is hereby given, that on the 16th day of March, 1946, at 11:00 o'clock a. m., a hearing will be held by the State Reclamation Engineer, or his deputy, at 107 State House, Boise, County of Ada, State of Idaho, for the purpose of receiving any protests, testimony and evidence regarding an application for extension of time for completion of works under Permit to Appropriate the Public Waters of the State of Idaho, No. 18476. The said protests and evidence may be submitted either orally or by affidavits by any person or persons owning or in possession of a right to the use of any waters of a stream or source of supply affected by the said extension.

1. The number of said Permit is 18476.
2. The name and post-office address of the person or persons or corporation holding said permit or permits are:

B. J. Moore, Homedale, Idaho.

3. The amount of water claimed by the said permit or permits is Six (6) cubic feet per second from underground water from a well located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 31, Twp. 5 North Range 37 East, B. M.

2-28 MARK R. KULP, 18476
(16-17) State Reclamation Engineer.

**NOTICE FOR PUBLICATION
NOTICE OF APPLICATION FOR EX-
TENSION OF TIME FOR COMPLETION
OF WORKS UNDER SENATE BILL No.
13, SESSION LAWS OF 1945.**

Notice is hereby given, that on the 16th day of March, 1946, at 11:00 o'clock a. m., a hearing will be held by the State Reclamation Engineer, or his deputy, at 107 State House, Boise, County of Ada, State of Idaho, for the purpose of receiving any protests, testimony and evidence regarding an application for extension of time for completion of works under Permit to Appropriate the Public Waters of the State of Idaho, No. 18476. The said protests and evidence may be submitted either orally or by affidavits by any person or persons owning or in possession of a right to the use of any waters of a stream or source of supply affected by the said extension.

1. The number of said Permit is 18476.
2. The name and post-office address of the person or persons or corporation holding said permit or permits are:

B. J. Moore, Homedale, Idaho.

3. The amount of water claimed by the said permit or permits is Six (6) cubic feet per second from underground water from a well located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 31, Twp. 5 North Range 37 East, B. M.

18476
2-28-46 **MARK R. KULP,**
(16-17) State Reclamation Engineer.

**NOTICE OF PROOF A. L.
OF WATER TO BENEFICIAL USE**

NOTICE IS HEREBY GIVEN That at two o'clock p. m. on the 12th day of November, 1948, at Idaho Falls, County of Bonneville, State of Idaho, before E. A. Owen, a Notary Public, proof will be submitted of the application to beneficial use of six cubic feet per second of subterranean waters in accordance with the terms and conditions of Permit No. 18476 heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person holding said permit is Lowell C. Moore, Roberts, Idaho.

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

The amount applied to beneficial use is 2 cubic feet per second appurtenant to E $\frac{1}{2}$ NW $\frac{1}{4}$, and Lots 1, 2, 3, 4 and

E $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 31, Twp. 5 N., Rge. 37 E. B. M., with point of diversion in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said section; and 4 cubic feet per second appurtenant to N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 35, Twp. 5 N., Rge. 36 E. B. M., with point of diversion in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 36, said township and range.

The name of the canal or ditch or other works by which said water is conducted to such place of use is private ditch, pipe line and pumps.

The right to take water from such works is based upon Permit No. 18476.

The source of supply from which the water is diverted is subterranean.

The date of priority which said user is prepared to establish is June 4, 1937.

MARK R. KULP,
State Reclamation Engineer.

Nov. 3, 1948

regulators of \$1.80 outstanding. Said assessment payable to D. B. M., or Rigby. Any assessment payable to D. B. M., or Rigby, will be so much of the assessment payable to D. B. M., or Rigby, then be added to law. of Directors. L, Secretary.

ENT H CO. on that at a meeting of Directors of the H Co., held October 1, 1948, at of \$2.50 per share outstanding capital any. Said assessment payable to Mrs. Katie R. f. d. 2, Idaho Falls, become delinquent De- at which remains unpaid at, 1948, will then be added according to law. the Board of Directors. KATIE BIDWELL, Secy.

TO CREDITORS
PROBATE COURT OF THE
OF JEFFERSON, STATE
HO
Matter of the Estates of LOUIS WAY, deceased; ANGELINE T. V, deceased.
is hereby given by the under-Administrator of the Estates of H. Jakway, deceased, Angeline T. ay, deceased, to the Creditors of all persons having claims against decedents or either of them, to ex- said claims with the proper vouchers in four months after the first publication of this notice to the said Administrator at his office, at Rigby, Jefferson county, Idaho, being the place designated for all business connected with said estates of the decedents.
Dated this 12th day of October, 1948.
PERCY GROOM,
Administrator of said estates of said Decedents, or either of them.

(42-46)

NOTICE OF PROOF APPLICATION
OF WATER TO BENEFICIAL USE
NOTICE IS HEREBY GIVEN That at two o'clock p. m. on the 12th day of November, 1948, at Idaho Falls, County of Bonneville, State of Idaho, before E. A. Owen, a Notary Public, proof will be submitted of the application to beneficial use of six cubic feet per second of subterranean waters in accordance with the terms and conditions of Permit No. 18476 heretofore issued by the State Reclamation Engineer of the State of Idaho.
The name and postoffice address of the person holding said permit is Lowell C. Moore, Roberts, Idaho.
The use to which said water has been applied is irrigation and domestic.
The amount applied to beneficial use is 2 cubic feet per second appurtenant

to E $\frac{1}{4}$ NW $\frac{1}{4}$, and Lots 1, 2, 3, 4 and NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 31, Twp. 5 N., Rge. 37 E. B. M., with point of diversion in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said section; and 4 cubic feet per second appurtenant to N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 35, Twp. 5 N., Rge. 36 E. B. M., with point of diversion in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 36, said township and range.

The name of the canal or ditch or other works by which said water is conducted to such place of use is private ditch, pipe line and pumps.

The right to take water from such works is based upon Permit No. 18476.

The source of supply from which the water is diverted is subterranean.

The date of priority which said user is prepared to establish is June 4, 1937.

MARK R. KULP,
State Reclamation Engineer.

(42-45)

WM. P. HEMMINGER

Attorney At Law

Suite 3, Edwards Hotel B'

RIGBY, IDAHO

FARMER'S CAP
FIRE, LIFE,
ACCIDENT

See TOM

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In the Matter of the Application of)

Lowell C. Moore)
of Roberts, Idaho)

ORDER GRANTING TRANSFER

For a Transfer of Water Right for)
subterranean water, in Jefferson County,)
Idaho.)

No. 889

WHEREAS, On the 10th day of April, 1957, at the Department of Reclamation of the State of Idaho, at Boise, Idaho, this matter of the application of Lowell C. Moore, of Roberts, Idaho, for a transfer of water right came on regularly for hearing, pursuant to the published notice, in due and statutory form; and,

WHEREAS, No protest has been filed against the application, and the evidence filed with the application, by the applicant, shows that the water will be put to a higher and more beneficial use, and that no one will be injured thereby:

NOW, THEREFORE, IT IS HEREBY ORDERED, That the said application be, and the same is HEREBY GRANTED, and that a Certificate of Transfer be issued to the applicant herein, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho, this 10th day of July, A. D. 1957.

Mark R. Kulp
MARK R. KULP

State Reclamation Engineer

*T-889
35-0052*

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Certificate of Water Right
Transferred Right No. 889

THIS IS TO CERTIFY, That LOWELL C. MOORE, of Roberts, Idaho, is the owner of and using a certain water right for 2.0 cubic foot per second of subterranean source from a well located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 31, Township 5 North, Range 37 East, B. M., with priority of June 4, 1937, County of Jefferson, State of Idaho

Said Water Right being obtained by virtue of License No. 18476, issued by the State Department of Reclamation of the State of Idaho, dated November 25, 1949, and being appurtenant to the following described lands, to-wit:

E $\frac{1}{2}$ NW $\frac{1}{4}$, Lots 1, 2, 3 and 4, and the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 31, Township 5 North, Range 37 East, B. M.

That said license has been entered in the records of the State Department of Reclamation in Volume 8 of Licenses, at Page 4501.

And that now, upon the application of LOWELL C. MOORE, of Roberts, County of Jefferson, Idaho, for the transfer of 2.0 cubic foot per second of said subterranean water, made before the State Reclamation Engineer of the State of Idaho; and said application having been granted the right to use of said water upon the above described lands is hereby abandoned and the lands to which said water has, "By this certificate become appurtenant for irrigation and domestic purposes are described as follows", to-wit:

S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 35, Township 5 North, Range 36 East, B. M.

That said water is to be limited to any given time to an amount actually needed and beneficially used for such purposes and shall not exceed the following amount, to-wit:

2.0 cubic foot per second of subterranean water with priority of June 4, 1937.

That the water right hereby transferred, has heretofore been conducted to the first above described lands through private ditches with point of diversion in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 31, Township 5 North, Range 37 East, B. M.

That the water right hereby described will hereafter be conducted to the last above described lands, through private ditches, with the same point of diversion.

T-889
35-2038

That the right to the use of the water aforesaid, hereby confirmed, is restricted to the lands or places of use last above described, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho, this 10th day of July, A. D., 1957.

Mark R Kulp
MARK R. KULP

State Reclamation Engineer

T-889
35-2058

October 1, 1957

Mr. Lowell C. Moore
Roberts, Idaho

Dear Mr. Moore:

We enclose herewith Transfer Certificate No. 889,
issued in accordance with your application.

We also enclose Departmental Receipt No. 28794 for the
\$1.00 recording fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

A
Encls.

T-889
35-2052

COPY

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

In the Matter of the Application of)

Lowell C. Moore)
of Roberts, Idaho)

ORDER GRANTING TRANSFER

For a Transfer of Water Right for)
subterranean water, in Jefferson County,)
Idaho.)

No. 889

WHEREAS, On the 10th day of April, 1957, at the Department of Reclamation of the State of Idaho, at Boise, Idaho, this matter of the application of Lowell C. Moore, of Roberts, Idaho, for a transfer of water right came on regularly for hearing, pursuant to the published notice, in due and statutory form; and,

WHEREAS, No protest has been filed against the application, and the evidence filed with the application, by the applicant, shows that the water will be put to a higher and more beneficial use, and that no one will be injured thereby:

NOW, THEREFORE, IT IS HEREBY ORDERED, That the said application be, and the same is HEREBY GRANTED, and that a Certificate of Transfer be issued to the applicant herein, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho, this 10th day of July, A. D. 1957.

Mark R. Kulp
MARK R. KULP

State Reclamation Engineer

7-889
35-2032

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Certificate of Water Right
Transferred Right No. 889

THIS IS TO CERTIFY, That LOWELL C. MOORE, of Roberts, Idaho, is the owner of and using a certain water right for 2.0 cubic foot per second of subterranean source from a well located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 31, Township 5 North, Range 37 East, B. M., with priority of June 4, 1937, County of Jefferson, State of Idaho

Said Water Right being obtained by virtue of License No. 18476, issued by the State Department of Reclamation of the State of Idaho, dated November 25, 1949, and being appurtenant to the following described lands, to-wit:

E $\frac{1}{2}$ NW $\frac{1}{4}$, Lots 1, 2, 3 and 4, and the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 31, Township 5 North, Range 37 East, B. M.

That said license has been entered in the records of the State Department of Reclamation in Volume 8 of Licenses, at Page 4501.

And that now, upon the application of LOWELL C. MOORE, of Roberts, County of Jefferson, Idaho, for the transfer of 2.0 cubic foot per second of said subterranean water, made before the State Reclamation Engineer of the State of Idaho; and said application having been granted the right to use of said water upon the above described lands is hereby abandoned and the lands to which said water has, "By this certificate become appurtenant for irrigation and domestic purposes are described as follows", to-wit:

S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 35, Township 5 North, Range 36 East, B. M.

That said water is to be limited to any given time to an amount actually needed and beneficially used for such purposes and shall not exceed the following amount, to-wit:

2.0 cubic foot per second of subterranean water with priority of June 4, 1937.

That the water right hereby transferred, has heretofore been conducted to the first above described lands through private ditches with point of diversion in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 31, Township 5 North, Range 37 East, B. M.

That the water right hereby described will hereafter be conducted to the last above described lands, through private ditches, with the same point of diversion.

T-889
35-2052

That the right to the use of the water aforesaid, hereby confirmed, is restricted to the lands or places of use last above described, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho, this 10th day of July, A. D., 1957.

Mark R. Kulp
MARK R. KULP

State Reclamation Engineer

T-889
35-2052

RECEIVED
MAR 13 1957

Department of Reclamation

Application For Transfer of Water Right

STATE OF IDAHO

County of Ada } ss.Lowell, C. Moore

, being first duly sworn, deposes and says:

That his name is Lowell C. Moore; that he is of lawful age, a citizen of the United States and of the State of Idaho, and that his postoffice address is Roberts, Idaho.

That he is the owner and using a certain water right, bearing date of priority of June 4, 1937, for 2.0 cubic feet per second of the waters of Subterranean Flow,

County of Jefferson, State of Idaho, decreed to

by decree of Judge _____ of the _____ Judicial District of the State of

Idaho, in and for the county of _____, in the case of _____

vs. _____, said decree bearing date of _____

(or obtained by virtue of License No. 18476, issued by the State Department of Reclamation ofthe State of Idaho, dated November 25, 1949, bearing date of June 4, 1937)

for the purpose of irrigating the following described lands situate, lying and being in Water District

No. _____ in the County of Jefferson, and State of Idaho, to-wit:E $\frac{1}{2}$ NW $\frac{1}{4}$, Lots 1-2-3-and 4 and NE $\frac{1}{2}$ SW $\frac{1}{4}$ Section 31, Twp. 5.N. Range 37.E.

_____ and is the person (or representative of the corporation) to whom such right so issued, or has become the owner thereof in the following manner, i.e. Issued to Applicant,

as per abstract of title of said water right hereto attached and made a part of this statement;

That said waters are now diverted from said stream in the NE $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 31, Township 5.N., Range 37.E., B. M., and conducted to the above described lands through private ditch,

as per map herewith and of this affidavit made a part.

CHANGE IN PLACE OF USE

That affiant and petitioner desires to abandon the use of 2.0 cubic feet per second of said water upon the above described land, and to convey and use same upon the following tract, situate, lying and being in the County of Jefferson, and State of Idaho, to-wit:

S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 35, Twp. 5.N. R. 36.E.

That reasons for desiring to make such transfer are as follows:

More economic use of water.

T-889
35-2052

That he intends to divert and convey said.....2.0.....second feet of water to the tract of land last above described in the following manner and as per map accompanying this application:

From the above stated point of diversion, into a natural channel and conveyed to the last above described lands,

Note—If this water right has heretofore been carried jointly in a ditch with other water, affiant should secure written consent of other owners or users to removal from its original carrier and file such consent with this affidavit.

CHANGE IN POINT OF DIVERSION

That affiant desires to change the point of diversion of said waters from the point above described to a point located in $\frac{1}{4}$ of $\frac{1}{4}$ of Section....., Township....., Range....., and thereafter conduct same to the above described land through the.....ditch, as per map appended. No change in point of diversion,

That his reasons for desiring to make such change are as follows:

Petitioner asserts that no one will be injured by such transfer, or change in point of diversion, and that the change will be made at petitioner's own risk.

WHEREFORE, Affiant and Petitioner prays that the State Reclamation Engineer of the State of Idaho issue to him the proper certificate authorizing such change in point of diversion and/or place of use, in accordance with the provisions of Sections 42-108 and 42-222 of the Idaho Code.

J. Lowell C. Moore
Applicant.

Subscribed and sworn to before me this.....13th.....day of.....March....., 19 57.

W. E. Ellison
Notary Public.

APPLICANT WILL ANSWER THE FOLLOWING QUESTIONS:

From what stream is the water diverted?.....Subterranean.....From well.....

Where is the diversion point located? NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 31, Twp. 5.N. R. 37.E.

Through what ditch is it now conducted?.....private ditches.....

How much land is now irrigated by the water sought to be transferred?.....2.0.....

Give the description:

What is the total amount of water in inches, or second feet, dedicated to said land?.....1 inch.....

What kind of crops are being raised?.....

How much water per acre is now required to irrigate said land?.....

What will be the effect on the land now irrigated, if the use of water on it is discontinued?.....

Water has not been used on the lands to which the water is appurtenant by license for the past three years, land from which the water is being transferred, has been watered from canal water from a different source

Give location of new point of diversion, if change is to be made.....

Through what ditch will it be conducted after transfer?.....

How much water will be required per acre to irrigate the land to which this water is transferred?.....

Do you claim any other water right for the land from which you seek to abandon the use of this water?

If so, give amount, date and source.....

Is there any other water right for the land to which you seek to make this transfer? If so, give amount, date and source.....

Signed Lawrence E. Moore
Applicant.

STATE OF IDAHO,

County of..... } ss.

I, ..., Watermaster of.....

Water District No....., County of....., State of Idaho, whose postoffice address is....., have read or heard read the foregoing affidavit and petition

of....., and, of my own knowledge, believe the same to be true as to all matters therein alleged, and that no one will be injured by the transfer prayed to be authorized; and I hereby endorse my approval of said petition, and request that the State Reclamation Engineer issue the certificate of transfer as petitioned; or (do not approve of the issuance of the certificate of transfer prayed for) for the following reasons:.....

Watermaster, District No.....

Dated at....., Idaho, this..... day of....., 19.....

T-889
35-2052

Name of Applicant.....

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

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SEC.

SEC.

SEC.

SEC.

SEC.

Off. Ltr. P/22



ROBERT E. SMYLLIE
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

RECEIVED
JUL 23 1957
Department of Reclamation

July 22, 1957

Mr. Lowell C. Moore
Roberts
Idaho

Dear Mr. Moore:

This will acknowledge receipt of a check, received in this office today, made out to Grange Mutual Life Company, in the amount of \$6.58 (six dollars and fifty-eight cents).

We trust you will rectify this error by sending the Department of Reclamation another check, made in the amount of \$1.00 (one dollar) which is the charge for issuing a certificate of transfer.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

Edna P. Rutledge

Edna P. Rutledge
Chief Clerk

Encl.

EPR:vhh

*T-889
33-2052*

July 10, 1957

Mr. Lowell C. Moore
Roberts
Idaho

Dear Mr. Moore:

We are preparing your certificate of water transfer in this Department and in checking our file we notice that we failed to request of you, a filing fee in the amount of \$1.00 (One Dollar), which is the statutory charge of this Department for issuing a certificate of transfer.

Please forward the sum of \$1.00 to this Department and said certificate will be mailed to you.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

RWT:vh

T-889
35-0052

July 1, 1957

Mr. Lowell C. Moore
Roberts
Idaho

Dear Mr. Moore:

In answer to your letter of June 19, 1957, in which you request the necessary certificate, in regard to your transfer of water right filed in this department, the certificate has not as yet been issued due to excess work in this department. However, we will have the same forwarded to you within the next week or so.

We are enclosing herewith your letter from the Bonneville National Farm Loan Association.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

Encl.

RWT:vh

T-889
35-2052

RECEIVED
JUN 24 1957
Department of Reclamation

Roberts, Idaho
June 19, 1957

Bureau of Reclamation
State House
Boise, Idaho

Dear Sir:

In reference to the enclosed letter, would you please advise me if the transfer of water, applied for some time ago, has yet been completed. If so, please forward me the necessary certificate. If not, I should appreciate it if you would give this matter your attention.

Sincerely,

Lowell C. Moore

Lowell C. Moore

LCM:gm
Inc. 1

T-889
35-2052

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

RE: Proposed Transfer of Water Right

Date: March 19, 1937

Rigby Star
Rigby, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for two consecutive weeks prior to April 10, 1937 the date set for hearing, the expense of the publication to be paid by the applicant, Lowell C. Moore of Roberts, Idaho, to whom you should furnish proof of publication on or prior to the date set for hearing.

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

Very truly yours,

MARK R. KULP

State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

T-889
35-2052

**NOTICE OF PROPOSED TRANSFER
OF WATER RIGHT**

Notice is hereby given that Lowell C. Moore, of Roberts, Idaho has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing him to change the point of diversion and/or place of use of the waters of Subterranean, by a well as follows: Amount: 2.0 cubic feet per second. Priority: June 4, 1937. Point of diversion: NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 31, Township 5 N, Range 37 E.B.M. Place of Use: E $\frac{1}{4}$ NW $\frac{1}{4}$, Lots 1-2-3 and 4 and NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 31, Twp. 5 N., Rge. 37 E. To Be Transferred To: Place of Use: S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ -SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 35, Twp. 5 N., Rge. 36 E.

And that on the 10th day of April, 1957, at 10 o'clock A. M., at Room 107, State House, Boise, Idaho before the State Reclamation Engineer, or his authorized agent, the opportunity will be given to any and all persons to appear and present, for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.

MARK R. KULP,
State Reclamation Engineer
(Publish: March 28, April 4, 1957)

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that Lowell C. Moore of
Roberts, Idaho. has applied to the State Reclamation Engineer of the
State of Idaho for a certificate authorizing Him to change the ~~point of diversion~~
~~and/or~~ place of use of the waters of Subterranean, by well, as follows:
Amount: 2.0 cubic feet per second. Priority: June 4, 1937
Point of diversion: NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 31, Township 5.N., Range 37.E, B. M.
Place of Use: E $\frac{1}{2}$ NW $\frac{1}{4}$, Lots 1-2-3-and 4 and NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 31, Twp. 5.N.
Range 37.E.

To Be Transferred To

~~Point of diversion: $\frac{1}{2}$ NW $\frac{1}{4}$, Section 31, Township 5.N., Range 37.E, B. M.~~
Place of Use: S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 35
Twp. 5.N. Range 36.E.

And that on the 10 day of April, 1957, at 10 o'clock A M.,
at Room 107 State House, Boise Idaho before the State Reclamation Engineer, or
his authorized agent, the opportunity will be given to any and all persons to
appear and present, for his consideration any reason or reasons why a certificate
should not be issued authorizing such transfer.

MARK. R. KULP.
State Reclamation Engineer

T-889
35-3052

Affidavit of Publication
THE RIGBY STAR

RECEIVED
MAY 20 1957
Department of Reclamation

STATE OF IDAHO, }
County of Jefferson } ss.

Lope Jones, do solemnly swear that I am the printer of THE RIGBY STAR, a weekly newspaper as defined by Idaho Codes Annotated section 58-106 as amended, and that said newspaper is a weekly newspaper, printed and published at Rigby, Jefferson County, Idaho, having a general circulation in said county, and that said newspaper has been printed and published as a weekly newspaper, in said county, for more than 78 consecutive weeks prior to the first publication of the attached notice.

And affiant further says that said attached notice, advertisement or publication, as per clipping attached, was published in said newspaper in the regular and entire issue thereof, and not in any supplement issue thereof, for

Two consecutive issues thereof; first publication having been made on the

28th day of March, 1957

and last publication on the

4th day of April, 1957

And affiant further says that at the times herein mentioned said newspaper was made up of at least four pages of at least five columns each, printed from type matter, of at least seventeen and three-fourths inches depth; and that there are at least two hundred bona fide subscribers in Jefferson County.

Lope Jones

Subscribed in my presence and sworn to before me this 14th

day of May, 1957

(SEAL)

[Signature]
Notary Public for the State of Idaho,
Residence and P. O. Address: Rigby, Idaho.
My commission expires _____, 19__

Publication Fee: \$ 00

My Commission Expires July 17, 1957

NOTICE OF PROPOSED TRANSFER
OF WATER RIGHT

Notice is hereby given that Lowell C. Moore, of Roberts, Idaho has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing him to change the point of diversion and/or place of use of the waters of Subterranean, by a well as follows: Amount: 2.0 cubic feet per second. Priority: June 4, 1937. Point of diversion: NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 31, Township 5 N, Range 37 E.B.M. Place of Use: E $\frac{1}{4}$ NW $\frac{1}{4}$, Lots 1-2-3 and 4 and NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 31, Twp. 5 N., Rge. 37 E. To Be Transferred To Place of Use: S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 35, Twp. 5 N., Rge. 36 E.

And that on the 10th day of April, 1957, at 10 o'clock A. M., at Room 107, State House, Boise, Idaho before the State Reclamation Engineer, or his authorized agent, the opportunity will be given to any and all persons to appear and present, for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.

MARK R. KULP,

State Reclamation Engineer

(Publish: March 28, April 4, 1957)

T-889
35-2052

RECEIVED
MAR 21 1957
Department of Reclamation

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

RE: Proposed transfer of water right

Date: March 19, 1957

Rigby Star
Rigby, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for two consecutive weeks prior to April 10, 1957 the date set for hearing, the expense of the publication to be paid by the applicant, Lowell C. Moore of Roberts, Idaho, to whom you should furnish proof of publication on or prior to the date set for hearing.

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

Very truly yours,

MARK R. KULP

State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

First publication Mar 28
Last publication Apr 4th
Received Mar 20, 1957
Rigby Star

T-889
35-2052