

No 1120

AFFIDAVIT OF PUBLICATION

RECEIVED
SEP 21 1966

Department of Reclamation

STATE OF IDAHO,

ss.

County of Franklin

Wayne D. Bell
being duly sworn,

deposes and says:

That he is the Co. Publisher of

THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for

Two consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

Sept-8, 1966, and ending
with the issue of Sept 15, 1966.

Fees, \$ 10.12

Subscribed and sworn to before me this 20th day
of September, 1966.

Dorothy W. Mortensen

Notary Public, Residing at Preston, Idaho

My Commission Expires Dec, 1968.

NOTICE
OF CORRECTION
OF LEGAL NOTICE
PUBLISHED UNDER THE
PROVISIONS OF
SECTION 42-214, 42-217,
IDAHO CODE

Notice is hereby given that the legal notice printed in the Preston Citizen on April 30, through May 21, 1964, showing that Dennis C. Ralphs was to make proof of completion of works and beneficial use of water May 27th, 1964, on Permit G-28865 was in error, and that the place of use was given as NW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 22, T 14 S., R 38 E., B.M., whereas the actual place of use is the NW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 22, T 14 S., R 38 E., B.M.

That any protests against the approval of the depositions, made May 27, 1964, must be filed in the Department of Reclamation, at Boise, Idaho, within forty (40) days from the date of this notice and such protest shall state the name and address of the protestant and shall clearly set forth his objection to the approval of said proof of completion of works and beneficial use of water.

Dated this 18th day of August, 1966.

R. Keith Higginson,
Deputy State
Reclamation Engineer

Date of First Publication
September 8, 1966

Date of Last Publication
September 15, 1966

Last Date for Protest
September 27, 1966

Legal No. 1120

28865

T

14

S

R 38 E

PD



PD

6

22

10

38

64

13

26

103

206

SEE G-27967

Subdivisions

5

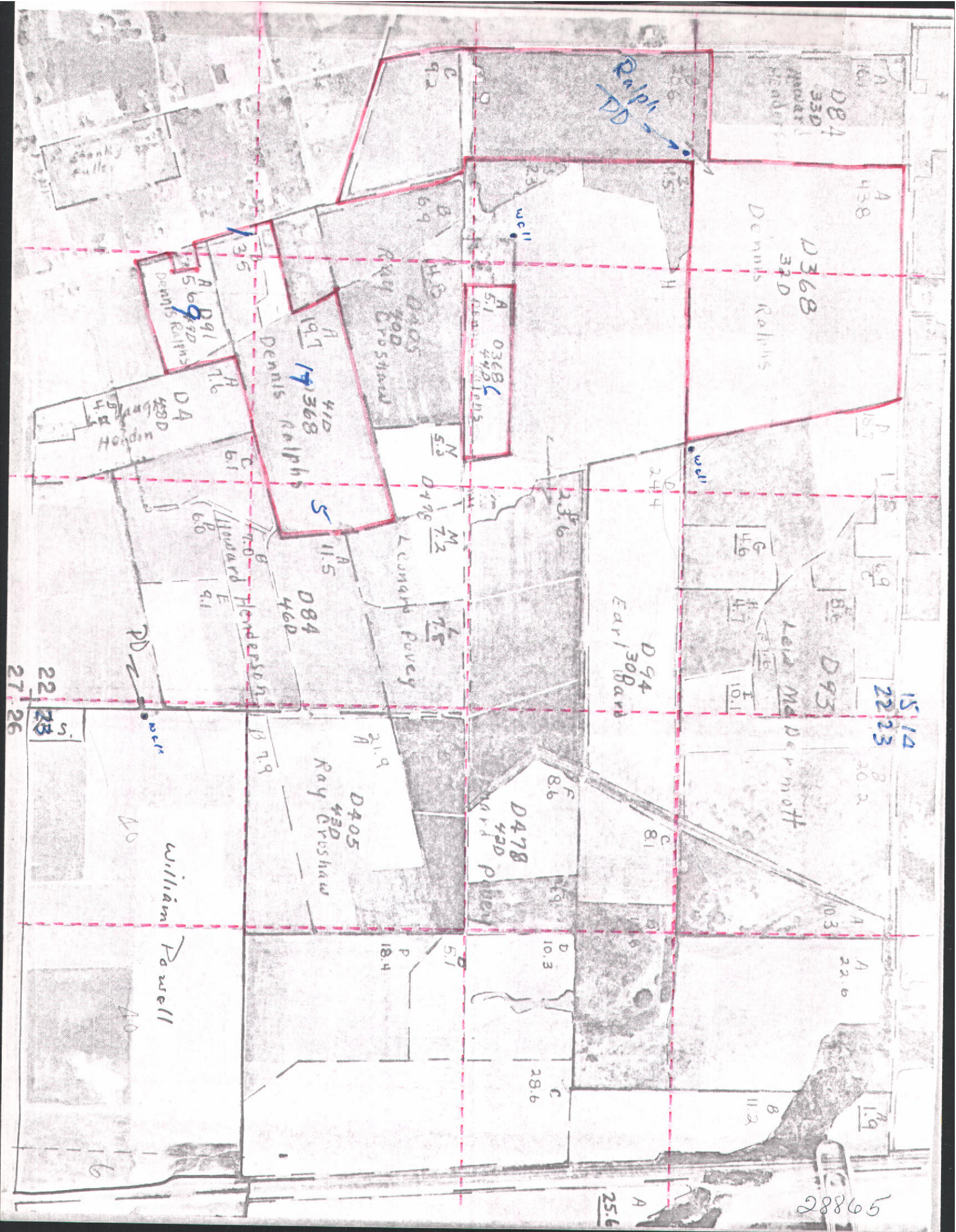
AREA

38 ac

Allow

Q

~~70~~ ³⁵ ~~76~~ or 38 acres



AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

County of Franklin

Wayne A. Bell

being duly sworn,

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That he is the

Co-publisher

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THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for

four consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

April 30, 19 *64*, and ending

with the issue of

May 21, 19 *64*Fees, \$ *26.66*Subscribed and sworn to before me this *1st* dayof *June*, 19 *64*, at *Preston*, IdahoMy Commission Expires *June 1, 1965*

Department of Reclamation

Public Notices

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

Notice is hereby given that at 2 p. m., on the 27th day of May, 1964, at Preston, County of Franklin, State of Idaho, before J. P. Garner, Notary Public, at Preston, Idaho, proof will be submitted of the completion of works for the diversion of 2.2 cubic feet per second of of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit Nos. G-27967; G-29918; and G-28865, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Dennis C. Ralphs, Clifton, Idaho.

Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 2.2 cubic feet per second.

3. The use to which said

water has been applied is irrigation purposes, and the amount applied to beneficial use is 2.2 cubic feet per second.

4. The point of diversion of said water is NE corner of the W $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 22, Twp. 14 S., Range 38, EBM.

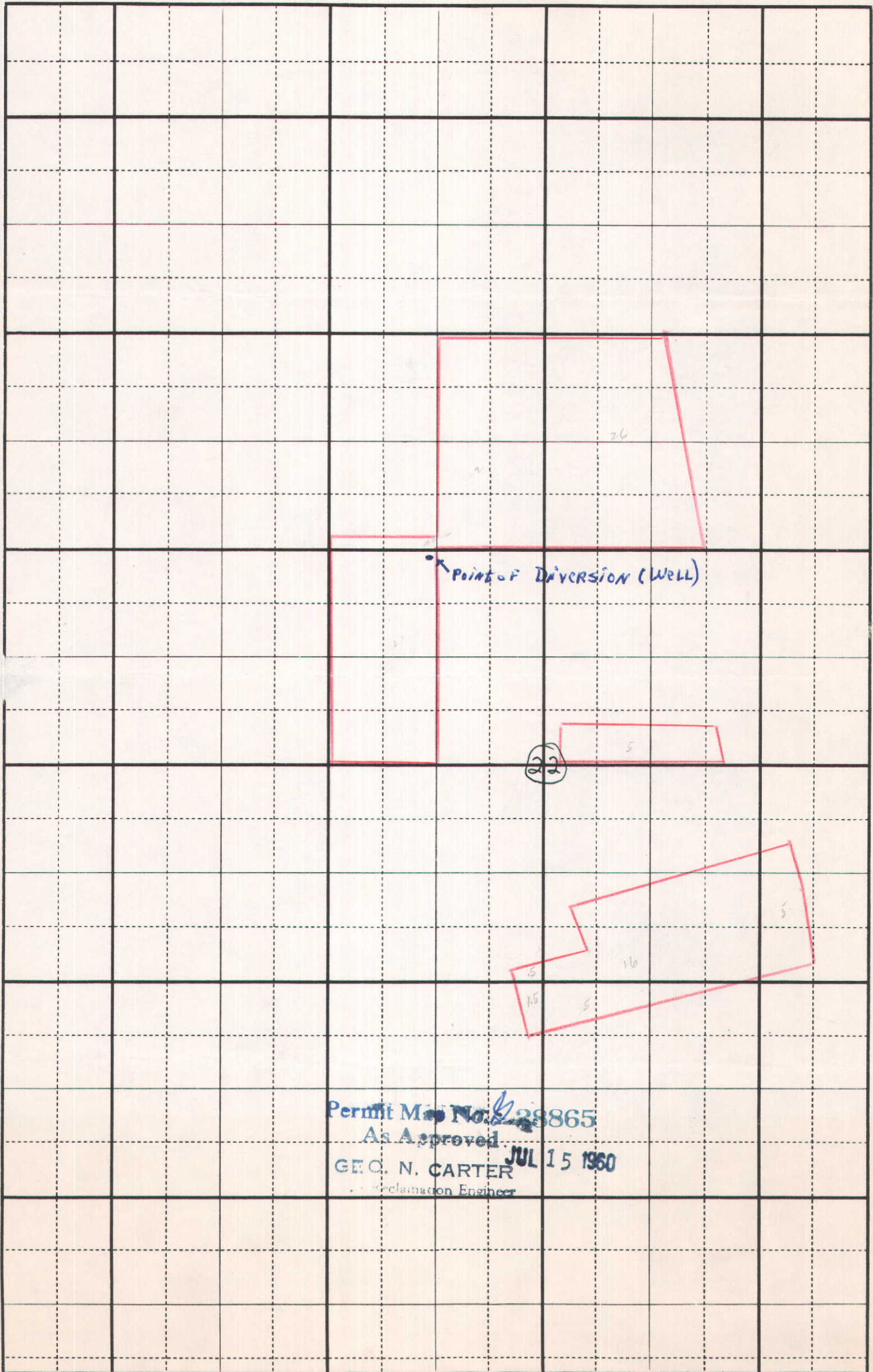
5. The place where said water is used is 50 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 45 acres in E $\frac{1}{2}$ NW $\frac{1}{4}$, 5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, and 10 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ in Section 22, Twp. 14 S., Range 38 EBM.

6. The date of priority which said user is prepared to establish is: G-27967, 6-5-59; G-28865, 7-12-60; G-29918, 7-10-61.

CARL E. TAPPAN
State Reclamation Engineer
No. 683 — Pub. April 30, 1964
through May 21, 1964

NAME OF APPLICANT Dennis C. Ralphs

Form No. 0



Permit Map No. 28865
As Approved
JUL 15 1960
GEO. N. CARTER
Reclamation Engineer

SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

28865

State of Idaho

License and Certificate of Water Right

Water License No. G-28865 Priority July 12, 1960 Amount 0.70 c.f.s.

THIS IS TO CERTIFY that

DENNIS C. RALPHS

of **Clifton, Idaho**, made application for a permit to appropriate the public waters of the State of Idaho, dated **July 12, 1960**; that Permit No. G-28865 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of **0.70** second feet, was issued thereunder on **January 24, 1967**, showing that said works were completed on the **3rd** day of **June, 1964**; and that on the **3rd** day of **June, 1964**

DENNIS C. RALPHS

of **Clifton, 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 **a well**

a tributary of **subterranean flow** for the purpose of **irrigation** under Use Permit No. **G-28865** 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 **14** of Licenses, at Page **8647**, on the **24th** day of **January, 1967**.

The right hereby confirmed dates from **July 12, 1960**.

The Point of Diversion is located

in the **SE 1/4 NW 1/4, Sec. 22, Twp. 14 S R. 38 E, B.M. Franklin 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 **0.70** cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
14 S	38 E	22	SW¼ NE¼	5	6
			SE¼ SW¼	1.5	1
			NE¼ SE¼	5	5
			NW¼ SE¼	46	17
			SW¼ SE¼	5	<u>9</u>
Total number of acres to be irrigated:					38

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 **24th** day of **January, 1967**.

R. Keith Higgins
State Reclamation Engineer.

State of Idaho

LICENSE AND CERTIFICATE
OF WATER RIGHT

Water License No.	G-28865
To	Dennis C. Ralphs Clifton, Idaho
Source of Supply	a well
County	Franklin
Amount	0.70
Sec. Ft.	
Point of Diversion	SE $\frac{1}{4}$ N $\frac{1}{2}$ W $\frac{1}{4}$, Sec. 22, T. 14 S., R. 38 E., B.M.
Place of Use	SW $\frac{1}{4}$ N $\frac{1}{2}$ W $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, T. 14 S., R. 38 E., B.M.
Purpose	irrigation
Date of Priority	July 12, 1960
Recorded	January 24, 1967
In Book	14 of Licenses, Page 8646

13-2214

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

Application No. G- 36848
Permit No. G- 28865
District No.

1. Name of Applicant: Dennis G. Ralphs

Postoffice address: Clifton

County: Franklin

State: Idaho

2. Quantity of water claimed:

(a) Rate of withdrawal in cubic feet per second .70 or Idaho
Miners' inches or gallons per minute

(b) Annual withdrawal in acre feet per annum

3. Source of water supply: Well - the same well as described in Permit Number G-27967

4. Location of point of diversion or well is in the SE 1/4 of the NW 1/4 of Section 22
Twp. 14 S , Rge. 38 E , B.M., County of Franklin

5. Water is to be used for: Irrigation

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

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

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

7. Kind of works: Well - drilled

8. Estimated cost of works: \$ 2500

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

(b) Capacity of reservoir:

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

11. If applicant is a corporation, give:

I. (a) Date and place of incorporation:

(b) Amount of capital stock: \$

(c) Amount paid in: \$

(d) Names and addresses of directors:

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

(b) Treasury stock:

(c) Bonds to be issued:

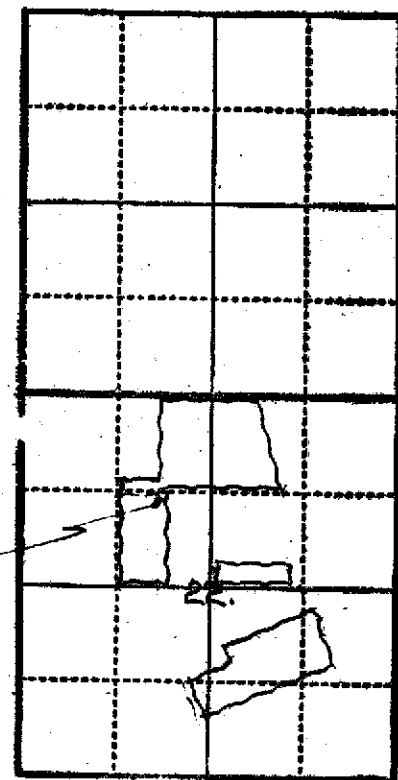
(d) Other resources:

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

13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: See Permit G-27967

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

(b) .70 (cubic feet per second, ~~inches or gallons per minute~~) is for new lands.



Remarks:

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.

s/ Dennis C. Ralphs Applicant.

By Agent.

Date of first receipt at Department of Reclamation: 1:00 P.M. July 12, 1960

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is ~~20~~ 28865

Recorded in Book 101 Page 28865 Approved July 15, 1960

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ to be filed on or before

Work to begin on or before

and to continue diligently and uninterruptedly to completion, unless

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

One-fifth of the work above specified to be completed on or before January 15, 1963

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before July 15, 1965

Witness my hand this 15th day of July, 1960

s/ GEO. N. CARTER
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLLIE, Governor of the State of Idaho, and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 15th day of July, 1960.

Countersigned:

STATE OF IDAHO

(SEAL)

By s/ ARNOLD WILLIAMS

Secretary of State.

By s/ ROBERT E. SMYLLIE
Governor

12.

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
14 S	38 E	22	5				2				.5		1.5		5	16	5		35

LAND LIST AMENDMENT ✓

Comes now Dennis C. Ralphs, 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. G-28865, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows: NW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 22, T. 14 S., R. 38 E.B.M., making a total of 35 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 Preston, Idaho this 3rd day of September, 1966.

/s/ DENNIS C. RALPHS

Date of receipt at office of Department of Reclamation September 6, 1966.

APPROVAL OF STATE RECLAMATION ENGINEER

I, R. KEITH HIGGINSON, 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. G-28865. 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.

/s/ R. KEITH HIGGINSON
State Reclamation Engineer

Recorded: September 7, 1966

Permit No. G-28865
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that DENNIS C. RALPHS of Clifton, County of Franklin, and State of Idaho, the holder of Permit No. G-28865, issued upon Application No. G-36848 bearing date of priority of July 12, 1960, authorizing the diversion of 0.7 second feet of waters of a well, County of Franklin, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 0.7 second feet of the waters of a well from subterranean flow; that the point of diversion of said waters SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 22, T. 14 S, R. 38 E, B.M. and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit: SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, T. 14 S, R. 38 E, B.M.

Proof of Completion of Works made: June 3, 1964.

Witness my hand this 24th day of January, A.D. 1967.

S/ R. KEITH HIGGINSON
State Reclamation Engineer

LICENSE ISSUED FOR 0.7 SEC. FT.
LICENSE PAGE NO. 8647

August 18, 1966

RE: Permit G-28865

Dennis C. Ralphs
Clifton, Idaho

Dear Mr. Ralphs:

Our field examiner has been out and examined your proofs on your permit. He finds that the place of use as listed and published does not agree with the actual place of use. Therefore, this requires that an amendment be completed and the enclosed notice published in the newspaper on your county for two (2) consecutive weeks.

Please complete the amendment form to agree with the legal notice, which is enclosed, and return to our department along with \$1.00 for the recording fee. Next, take the legal notice to the newspaper and have it published. Upon completion of the publication return the publication affidavit from the newspaper to this department and we will issue your license for this permit.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:efw

Encl: Amendment form
Notice of Correction

28865

January 31, 1967

RE: Permits No. G-27967, G-28865, G-29918

Dennis C. Ralphs
Clifton, Idaho 83228

Dear Mr. Ralphs:

Enclosed are the Certificates of Completion of Works and
Licenses & Certificates of Water Right on the above
numbered permit.

Also enclosed is departmental receipt No G-11145 in
the amount of \$35.00 covering the fees.

Very truly yours,


M. Russell Bosch
Office Manager

MRB:mr

Enc. certificates, receipt

28865

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that DENNIS C. RALPHS
 of Clifton , County of ... Franklin , and State of
 Idaho , the holder, ... of Permit No. G-28865, issued upon
 Application No. G-36848, bearing date of priority of ... July 12, 1960, authorizing the
 diversion of 0.70 second feet of waters of a well

County of Franklin , State of Idaho, for ... Irrigation
 purposes, has fully complied with the provisions of the laws of the State of Idaho
 relating to the proof of completion of the works of diversion set out and described in said
 Permit; that said works are adequate for diverting and conveying to the place of intended
 use 0.70 second feet of the waters of ... a well from
 subterranean flow;

that the point of diversion of said waters ... SE1/4NW1/4, Sec. 22, T. 14 S., R. 38
 E. B.M.

and that the lands proposed to be irrigated by the use or place of use of said water are
 described as follows, to-wit: ... SW1/4NE1/4, SE1/4SW1/4, NW1/4SE1/4, SW1/4SE1/4, Sec. 22, ...
 T. 14 S., R. 38 E., B.M.

Proof of Completion of Works Made: June 3, 1964

Witness my hand this 24th day of January, A. D. 1967...

R. Keith Higgins
 State Reclamation Engineer

28865

Permit No. G-28865.....

**Certificate of Completion
of Works**

Dated .. January 24 .., 19 67 ..

Stream a well

County Franklin

Amount 0.70 c.f.s.

Date of Priority .. July 12, 1960 ..

Recorded in Book 101

of Permits , page 28865

September 29, 1966

RE: Permit No. G-28865

Dennis C. Ralphs
Clifton, Idaho

Dear Mr. Ralphs:

Our field examiner's report on his inspection of proof of completion of works and application of water to beneficial use under the terms of Permit No. G-28865 shows the well ~~is~~ is ~~capable~~ capable of conveying 38 miner's inches, or 0.76 c.f.s. However, due to the limitations of your permit, we can only allow the amount of water originally requested, the amount of water actually used beneficially, or 1 (one) miner's inch per irrigated acre.

Upon receipt of the statutory fees, totaling \$ 15.00 , we will issue the Certificate of Completion of Works for 0.76 c.f.s. and the License and Certificate of Water Right for 0.76 c.f.s. confirming the right, with priority of July 12, 1960 , to the use of subterranean water with the point of diversion in SE $\frac{1}{4}$ NW $\frac{1}{4}$ for irrigation of 38 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, T. 14 S, R. 38 E, B.M.

Very truly yours,

M. Russell Bosch
Office Manager

MRB:nw

28865

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

ss.

County of Franklin

Wayne D. Bell
being duly sworn,

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Two consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

Sept. 8, 1966, and ending with the issue of Sept. 15, 1966.

Fees, \$ 10.12

Subscribed and sworn to before me this 20th day of September, 1966.

Dorothy W. J. Jorgensen

Notary Public, Residing at Preston, Idaho

My Commission Expires Dec, 1968.

NOTICE OF CORRECTION OF LEGAL NOTICE PUBLISHED UNDER THE PROVISIONS OF SECTION 42-214, 42-217, IDAHO CODE

Notice is hereby given that the legal notice printed in the Preston Citizen on April 30, through May 21, 1964, showing that Dennis C. Ralphs was to make proof of completion of works and beneficial use of water May 27th, 1964, on Permit G-28865 was in error, and that the place of use was given as NW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 22, T 14 S., R 38 E., B.M., whereas the actual place of use is the NW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 22, T 14 S., R 38 E., B.M.

That any protests against the approval of the depositions, made May 3, 1964, must be filed in the Department of Reclamation, at Boise, Idaho, within forty (40) days from the date of this notice and such protest shall state the name and address of the protestant and shall clearly set forth his objection to the approval of said proof of completion of works and beneficial use of water. It has

Dated this 10th day of Aug, 1966. ago I to

R. Kette Higginson,

Deputy State

Reclamation Engineer

Date of First Publication
September 3, 1966 ago

Date of Last Publication
September 15, 1966 ago

Last Date for Protest
September 27, 1966

Legal No. 1120

September 7, 1966

RE: Permit G-28865

Dennis C. Ralphs
Clifton, Idaho

Dear Mr. Ralphs:

Enclosed is amendment to land list which has been recorded in this office under the above referenced permit.

Also enclosed is departmental receipt No. G-10825 in the amount of \$1.00 which covers the recording fee.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:efw
Encl: Amendment
Receipt

28865

#1 00 received

Application for Amendment

LAND LIST

Permit No. G-28865

RECEIVED
SEP 6 1966

Department of Reclamation

Comes now Dennis C. Ralphs, 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. G-28865, and requests that the list of lands to be irrigated,
as described in said permit, be changed to read as follows:

NW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 22, T. 14 S., R
38 E., B.M.

, making a total of 35 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 Preston, Idaho this 3rd day of September, 1966

Dennis C. Ralphs

Date of receipt at office of Department of Reclamation September 6, 1966

APPROVAL OF STATE RECLAMATION ENGINEER

R. KEITH HIGGINSON

I, ~~GEO. W. CARTER~~, 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. G-28865. 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.

R. Keith Higginson
State Reclamation Engineer

Recorded: September 7, 1966

28865

NOTICE OF CORRECTION OF LEGAL NOTICE PUBLISHED UNDER THE
PROVISIONS OF SECTION 42-214, 42-217, IDAHO CODE

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That any protests against the approval of the depositions, made May 27, 1964, must be filed in the Department of Reclamation, at Boise, Idaho within forty (40) days from the date of this notice and such protest shall state the name and address of the protestant and shall clearly set forth his objection to the approval of said proof of completion of works and beneficial use of water.

Dated this 18th day of August, 1966.


R. KEITH HIGGINSON, Deputy
State Reclamation Engineer

Date of First Publication _____
Date of Last Publication _____
Last Date for Protest September 27, 1966

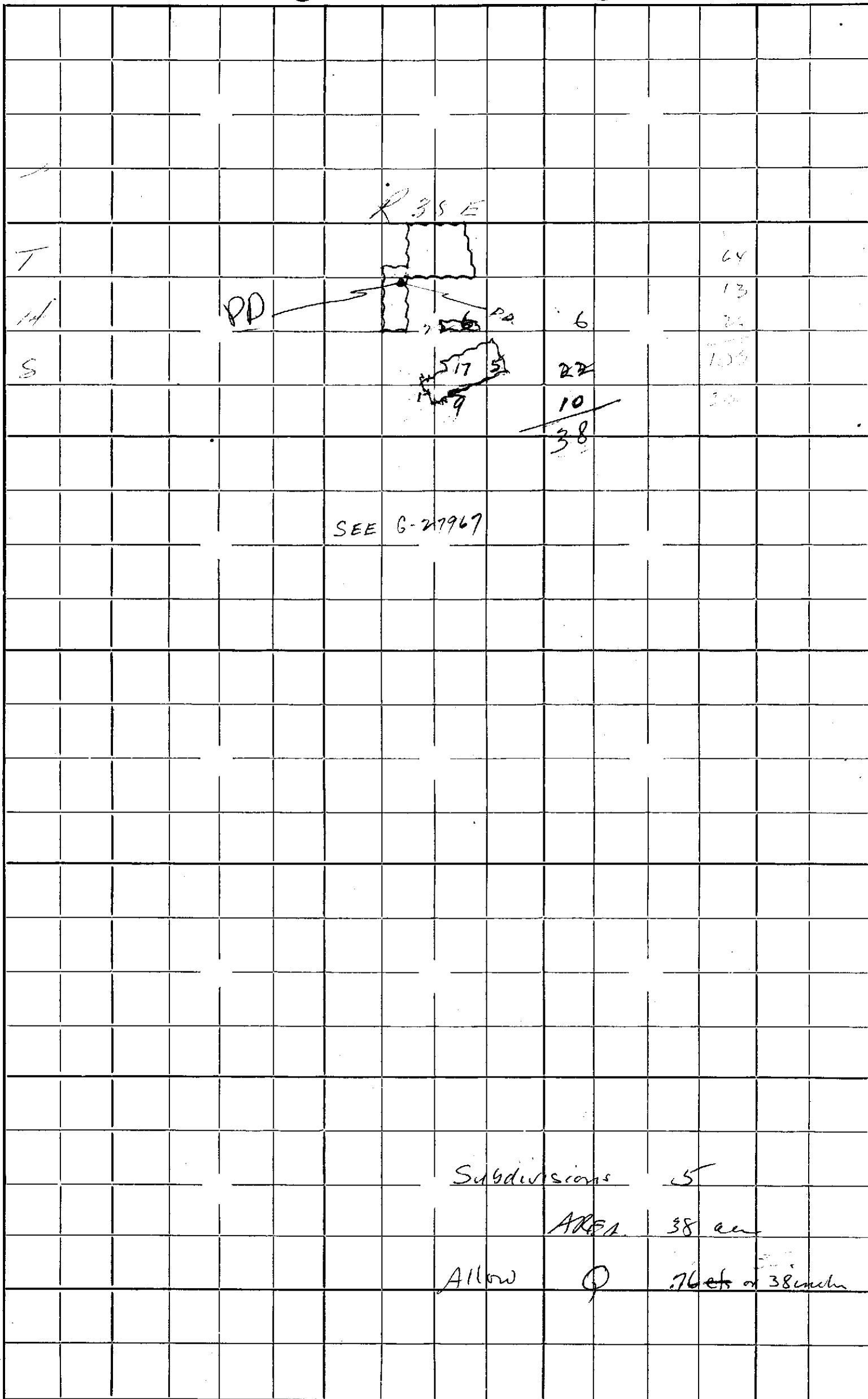
STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

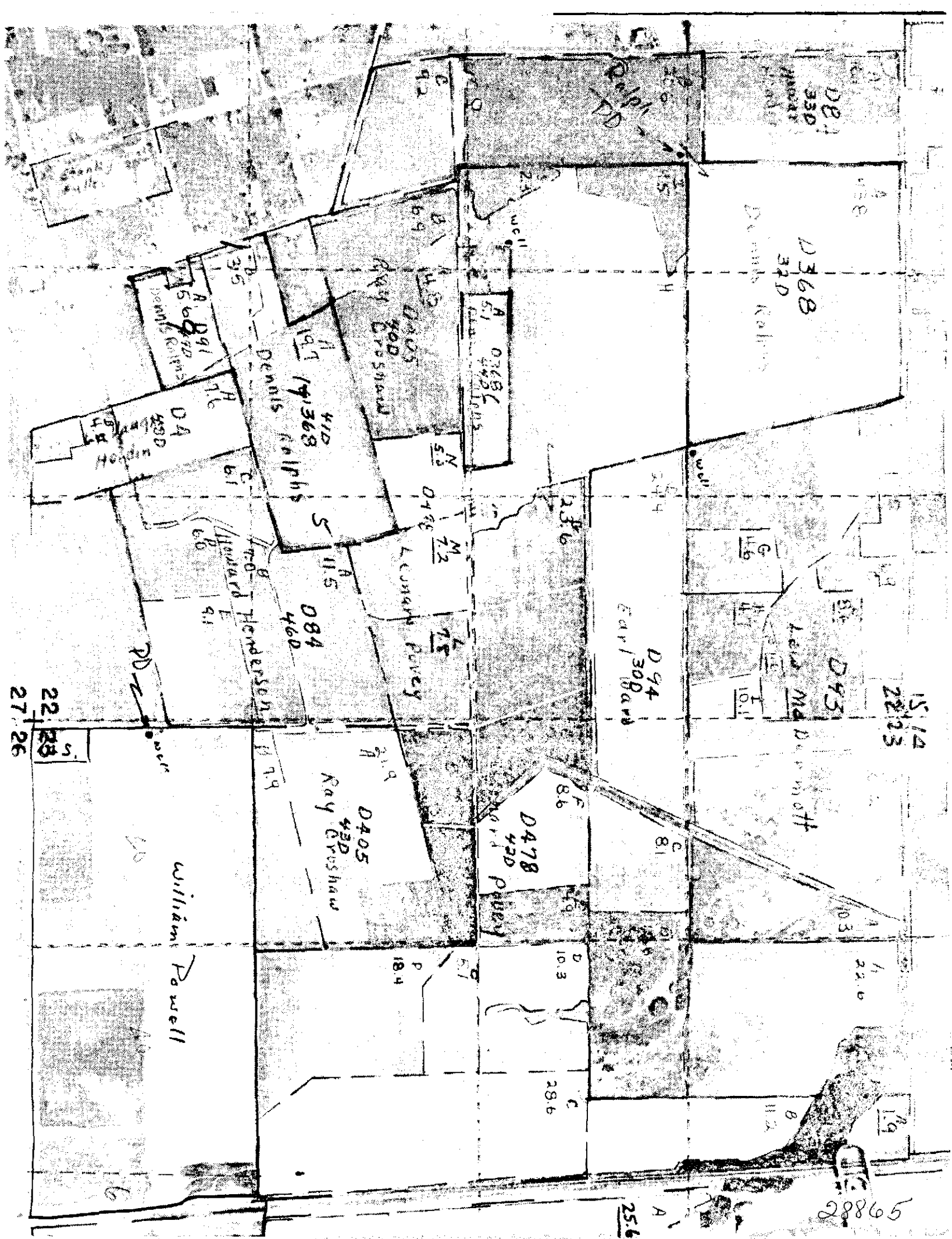
REPORT OF ENGINEER

PERMIT NO G-28865

REPORT ON PROOF OF Completion of Works & Beneficial Use

Dennis C. Ralphs, Clifton, Idaho





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

Permit No. G-28865

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

1. Name of applicant Dennis C. Ralphs

2. Source of water supply: Subterranean (Same well as Permit No. G-27967)

3. Location of point of diversion: Is in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 22
T. 14 S R. 38 E.B.M. County of Franklin

4. Describe works as they exist, giving dimensions and capacities of same: Same as in Permit # G-27967

5. Water is used for: irrigation

6. State whether or not water has been turned into works of diversion: yes

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

5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 2 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, 2 acres in E $\frac{1}{2}$ SW $\frac{1}{4}$, 5 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$,
21 acres in W $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 22., Twp. 14 S., Rge. 38 E.B.M.

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

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

Remarks: See Ralphs. along

Measured by Spinning Meter 5 Per 3'-3" = 296 cfs.
Granted to land in Permits G-27967, G-28865 and G-29918

This examination was made on the 17th day of July, 1966
(Signed) Larry Johnson Examiner.

DP 177 v. 18 7 4:33
Dennis C. Ralphs
172-177 Clifton, Idaho
40-2-2-2

Permit No. C-28865

Examination for Completion of Works & Beneficial Use

County Franklin

Quantity: .7 cfs Sec 22 T.11S R. 38 EBM

Source: well

P.D.: SE NW, 22-145-38E

Use: Irrigation

Filed: 7-12-60

Due: 7-15-65 Prints - 7-12-60

Made: June 3, 1964
Extension:

Protest:

Completion of Works:

Other Rights:

See E-27967

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.

7
31
132
233

2865

1M April 1962

June 2, 1964

Re: Permit No. 27967,
C-28865 & C-29918

Dennis C. Ralphs
Clifton, Idaho

Dear Mr. Ralphs:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the PRESTON CITIZEN, all submitted in proof of completion of works and beneficial use on Permit No. C-27967, C-28865 & C-29918.

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

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

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:

28865

RECEIVED
JUN 4 1934

AFFIDAVIT OF PUBLICATION

Department of Reclamation

STATE OF IDAHO,

County of Franklin

Walter S. Bell

deposes and says:

That he is the

THE PRESTON CITIZEN, a weekly newspaper published in Preston, in the County of Franklin, and State of Idaho; that said paper has been and is in general circulation in the county and in the vicinity of Preston; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for

four

and entire issue of said paper during the period and time of publication, and was published in the newspaper once a week for the period; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the first publication of said advertisement.

Such notice was published in the issue of said paper with

April 26, 1934

with the issue of

Fees of

Subscribed and sworn to

of

My Commission Expires

Public Notices

Notice is hereby given that the water has been applied to the land for irrigation purposes, and the amount applied to beneficial use is 2.5 cubic feet per acre.

The point of distribution of water is at the junction of the main canal and the branch canal, and the water is applied to the land for irrigation purposes.

The point of distribution of water is at the junction of the main canal and the branch canal, and the water is applied to the land for irrigation purposes.

The point of distribution of water is at the junction of the main canal and the branch canal, and the water is applied to the land for irrigation purposes.

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A F F I D A V I T

RECEIVED
JUN 4 1964
Department of Reclamation

STATE OF IDAHO

:SS

County of Franklin

I, J. P. Garner, do hereby declare that no one appeared before me at 2 O'clock P.M. on the 27th day of May, 1964, in protest of the notice of proof of completion of works and application of water to beneficial use under Permits No. G-27967, G-29918 and G-28865 all in the name of Dennis C. Ralphs, Clifton, Idaho.

Dated: June 3, 1964.

J. P. Garner

Subscribed and sworn to before me this 3rd day of June, 1964.

Helma Hansen
Notary Public, Preston, Idaho

28865

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Permit No. 528865

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

DEPOSITION OF HOLDER

Ques. 1. State your name, residence, occupation and postoffice address: Dennis C. Repke

Clifton Farmer Clifton 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:

Ques. 3. State number, approval date of permit, and date of priority you propose to establish under the permit: 528865 Jul. 15 - 1960, July 12, 1960

Ques. 4. State source of water supply: Underground Well
Give location of point of diversion, showing subdivision, section, township and range: N.E. Corner of the NW 1/4 SE 1/4 NW 1/4 of Section 22 Twp 14S Range 38 EBM

Ques. 5. Describe your works of diversion: 50 horsepower electric deep well turbine pump; state amount of water they are capable of conveying from point of diversion to place of use 2.2 Cubic ft. Give name of canal or ditch or other works by which water is conducted to such place of use: Private ditches & pipeline; if a well, state depth of well 172 ft.; depth and size of casing: 172 ft. 16 in Casing; depth to water 33 ft.; if pump is used, state discharge of pump: 2.2 Cubic ft. tell how it was measured or determined: weir & water gauge; if sprinkler irrigation, give number and size of nozzles and operating pressure:

Ques. 6. State for what purpose water is used: irrigation
If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water: 50 Acres in NW 1/4 NE 1/4 45 Acres in E 1/2 NW 1/4 5 Acres in SW 1/4 NE 1/4 and 10 Acres in NE 1/4 SW 1/4 in Section 22 Twp 14S Range 38 EBM

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

33 1/2 Cement ditches 2230 Steel & Cement pipe installed 66 acres land levelled assured of adequate water supply on 110 Acres

3a SWNE, 2a NENE, 1a ESW, 21a NSE, 5a SWSE, 22 NWSE 38E
no log

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: Bus Cushman Blackfoot, Idaho

Ques. 7. If for other than irrigation purposes, state purpose and how used:

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

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:

Ques. 10. State when and in what amount the water diverted under above mentioned permit has been first used: May 20, 1960 Time used since first use:

2.2 Cusec ft.

Ques. 11. Describe all other water rights appurtenant to same place of use:

Twin Lakes Canal & Clinton Irrigation

(sign) Dennis C. Roberts

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

Preston, County of Franklin

State of Idaho, on this 3rd day of June, A.D. 19 64.

J. P. Garner

My Commission expires: 6-11-67

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

BOISE, IDAHO
Permit No. 128865

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:

Howard Henderson SS CLIFTON, Farmer
CLIFTON Idaho

Ques. 2. Are you acquainted with Dennis C. Ralphs, the holder of
Permit No. 128865? How long have you known him and where does he reside:

34 yrs - CLIFTON, Idaho -

Ques. 3. Have you read or heard said Permit No. 128865 read, and are you familiar
with its provisions and conditions: Yes: ✓ No:

Ques. 4. State source of water supply: Well 1/4 Sec 38 E B 1
~~N.E. Corner of the W 1/2 Sec 4 NW 1/4 of Section 22~~

State place of diversion: N.E. Corner of the W 1/2 Sec 4 NW 1/4 of Section 22 Twp 14 S

Describe works for conveying water to place of use: Pipe & Cement Ditches Range 38 E B 1

Ques. 5. How many second feet of water do you estimate said works will safely conduct

to place of use: 2.2 Cubic Ft. How much water have you seen being so

conveyed: Same -

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

50 Acres in N.W. 1/4 NE 1/4 45 acres in E 1/2 NW 1/4
5 Acres in S.W. 1/4 NE 1/4 and 10 acres in N.E. 1/4
S.W. 1/4 in Section 22 Twp. 14 S Range 38 E B.M.

Ques. 7. If for power or other purposes than irrigation, state how water has been used:

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:

Medium Loam gravel trace
1.5 inches 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: Yes

Ques. 10. When did you first see this water used: May 20 - 1960

Other times you have seen such use: Almost Daily during
irrigation Season

(Signed)

Harold Thompson

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 _____

Preston, County of Franklin, State of Idaho, on this 3rd day of June,

A. D., 1960.

J. P. Garner

Notary Public for State of Idaho

Residing: Preston, Idaho

My commission expires: 6-11-67

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 28865

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

DEPOSITION OF WITNESS

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

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

Joseph Ward 27 Clifton. Farmer - Salesman -
Clifton Idaho -

Ques. 2. Are you acquainted with Dennis C. Ralphs, the holder of
Permit No. 28865? How long have you known him and where does he reside:

15 yrs - Clifton Idaho -

Ques. 3. Have you read or heard said Permit No. 28865 read, and are you familiar
with its provisions and conditions: Yes: ✓ No:

Ques. 4. State source of water supply: Well

State place of diversion: N.E. Corner of the W $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 22 Twp 14S

Describe works for conveying water to place of use: Pipe & Cement Ditches ^{Range 38 - EBM}

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 2.2 Cubic Ft - How much water have you seen being so
conveyed: Same

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

50 Acres in NW $\frac{1}{2}$ NE $\frac{1}{4}$ 45 Acres in E $\frac{1}{2}$ NW $\frac{1}{4}$
5 Acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ and 10 Acres in NE $\frac{1}{4}$
SW $\frac{1}{4}$ in Section 22 Twp 14S Range 38 EBM

Ques. 7. If for power or other purposes than irrigation, state how water has been used:

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:

Medium Loam Gravel Tract -
1.5 inches 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: No

Ques. 10. When did you first see this water used: May 20 - 1960

Other times you have seen such use: Almost daily during
irrigation season -

(Signed)

Joseph L. Ward

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 _____

Preston, County of Franklin, State of Idaho, on this 3rd day of June,

A. D., 1962.64.

J. P. Garner

Notary Public for State of Idaho

Residing: Preston, Idaho

My commission expires: 6-11-67

AFFIDAVIT

STATE OF IDAHO

County of Franklin - - -ss

I, Dennis C. Ralphs, applicant on water permit No's G-27967, C 28865 and G 29918, do hereby declare that I was to appear before J.P. Garner, a Notary Public, at 2:00 P.M., May 27, 1964, and also to have two witnesses appear to give depositions with me for the purpose of giving notice of completion of water works. Because of working conditions on the farm, I became too involved in farming and forgot to appear as of the above time stated.

Dated June 2, 1964.

Dennis C. Ralphs

Subscribed and sworn to before me this 2nd day of June, 1964.

Del B. Larsen
Notary Public, Preston, Idaho.

Re: Permit No. G-27967, G-29918
and G-28865
Dennis C. Ralphs

Date: April 7, 1964

Preston Citizen,
Preston, Idaho.

Gentlemen:

Enclosed you will find Notice for Publication, once a week
for four consecutive weeks prior to May 27, 1964
the date set for proof; the expense of the publication is to be paid
by the applicant Dennis C. Ralphs
of Clifton, 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 or tear sheet of the first publication. **

Very truly yours,

Carl E. Tappan
CARL E. TAPPAN
State Reclamation Engineer

** If the first copy is not received in this office for checking
purposes and errors appear in subsequent issues, it is possible
that re-publication of corrected copy will be at your own expense

28865

April 7, 1964

Re: Permit No. ~~C-27967, C-29918~~
and ~~C-28865~~

Mr. Dennis C. Ralphs,
Clifton, Idaho.

Dear Mr. Ralphs:

This acknowledges the Notice of Proof of Completion of Works and Application of water to Beneficial Use under Permit No. ~~C-27967, C-29918~~ and ~~C-28865~~. The proofs are to be made at 2:00 o'clock P.M., on the 27th day of May, 1964, before J. P. Garner, Preston, Idaho, Notary Public.

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

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

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

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk
cc: Notary

28865

See G-27967
For Notice

April 27, 1964

Re: Permit No. G-27967, G-29918

G-28865

Dennis C. Ralphs

Preston Citizen
Preston, Idaho

Gentlemen:

On April 7th, we mailed you a Notice of Publication on the above numbered permits, requesting a tear sheet or copy as soon as possible for checking purposes.

To date we have not received such copy, and ask that one be mailed to this office as soon as possible for proofing purposes.

Also one was mailed to you on the 22nd of April, and we would appreciate a proof on that as soon as it is published.

Thank you

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

H. PETRI
State Water Rights Clerk

28865

July 26, 1960

Re: Permit No. G-28865
Dennis C. Ralphs

Gee and Hargraves,
Attorneys at Law,
746 East Center St.,
Pocatello, Idaho.

Attention: Merrill K. Gee

Gentlemen:

We enclose Permit No. G-28865 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. G-5037 which was issued covering payment in the amount of \$5.00 for the filing fee of the above mentioned permit.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

Encl.
EPR:pak
cc: Dennis C. Ralphs
Clifton, Idaho

28865

DENNIS C. RALPHS

[illegible]

• Point of Diversion (Well)

Permit Map No. 28865

As Approved

GEO. N. CARTER

Information Engineer

JUL 15 1960

28865

LAW OFFICES
GEE & HARGRAVES
NO. 4, PARKVIEW COURT
746 EAST CENTER
POCATELLO, IDAHO

RECEIVED
JUL 15 1960
Department of Reclamation

July 14, 1960

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

Re: Application for permit,
Dennis C. Ralphs

Attention: Edna P. Rule
Chief Clerk

Dear Mrs. Rule:

We are returning a corrected application for permit for supplemental water from Mr. Ralphs. We have made the corrections and amendments suggested and trust that the application is now in appropriate form.

Very truly yours,

GEE & HARGRAVES

BY: *Merrill K. Gee*

28865

July 13, 1960

Re: Application for Permit
Dennis C. Ralphs

Gee and Hargraves
Attorneys at Law
746 East Center
Pocatello, Idaho

Attn: Merrill K. Gee

Dear Mr. Gee:

Returned herewith is the application for permit for correction or further explanation, with attached check for \$5.00.

Application No. G-35923 and Permit No. G-27967 have been typed in blanks which should be blank as this is a new application and will receive other numbers.

The quantity of water claimed is 2.02 cubic feet per second for 101 acres. That is proper except Permit No. G-27967 covers part of this land with a full miners inch per acre. The quantity and the acres under 12 should be reduced by the amounts shown in Permit No. G-27967.

Your letter mentions supplemental water from wells. Is this the same well as described in Permit G-27967, or are there two wells?

Approval of the application in the present form would be approval of over one miners inch per acre of land.

Kindly correct and return at your earliest convenience.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

RT:EPH:ew
Enc. application
attached check

2886521

LAW OFFICES
GEE & HARGRAVES
NO. 4, PARKVIEW COURT
746 EAST CENTER
POCATELLO, IDAHO

RECEIVED
JUL 11 1960
DEPARTMENT OF RECLAMATION

July 11, 1960

Department of Reclamation
Statehouse
Boise, Idaho

Re: Permit No.
G 27967 Dennis Ralphs
Clifton, Idaho

Gentlemen:

We are enclosing Mr. Ralphs's application for supplemental water from the wells which he has previously constructed. We are also sending Mr. Ralphs's check for the sum of \$5.00.

We hope that the application has been properly completed and that there will be no difficulty in issuing the permit for the supplemental water.

Respectfully yours,

GEE & HARGRAVES

BY: *Merrill K. Gee*

LAW OFFICES
GEE & HARGRAVES
No. 4, PARKVIEW COURT
746 EAST CENTER
POCATELLO, IDAHO

RECEIVED
JUL 12 1960
Department of Reclamation

July 11, 1960

Department of Reclamation
Statehouse
Boise, Idaho

Gentlemen:

We have received a copy of Mr. Smith's letter, July 6, 1960, relating to the permit of Dennis C. Ralphs.

We are certain that by now you have advised Mr. Smith and his client that Mr. Ralphs does have a permit for the well which he is operating.

We would like to clear up one misapprehension that appears from a letter written on behalf of Mr. Perkins. Mr. Ralphs is not pumping from Mr. Perkin's well but from his own well. Furthermore, Mr. Perkins has advised our client that he is able to use his own well; the fact being that there has been some diminution in its flow.

Perkins's well is an artesian. Many of such wells in that area have dropped their output, particularly during the recent dry years.

We cannot feel that there is any connection whatever between the operation of Mr. Ralphs's well and the fact that there is some diminution in the flow of a nearby artesian which may be in an entirely different strata.

If there are any problems in connection with this matter, we will be pleased to hear from you.

Sincerely yours

GEE & HARGRAVES

BY: *Merrill K. Gee*

cc. Dell W. Smith
Attorney at Law
Preston, Idaho

28865