

Affidavit of Publication

County of Caribou }
State of Idaho } ss.

Mark Steele

being first duly sworn on his
oath, states:

Publisher

That he is of the Caribou County Sun, a newspaper of general circulation in Caribou County, Idaho, published weekly at Soda Springs in said County that said newspaper has been published in said County uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement;

That the annexed notice was published as per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof

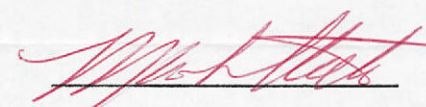
for 2 successive weekly
issues thereof, the date of the
first publication being the

15th day of
October, 1987

The date of the last publication

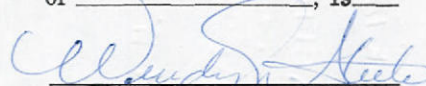
being the 22nd day of

October, 1987


Subscribed and sworn to be-

fore me this 3rd day

of November, 1987


Notary Public, residing
at Soda Springs, Idaho
(SEAL)

My Commission expires the

1st day of March

1988.

PUBLIC NOTICE

First Time Published

NOTICE OF APPLICATION FOR EXTENSION OF TIME TO AVOID FORFEITURE OF WATER RIGHT

Notice is hereby given that Albert O. Butterfield, Soda Springs, Idaho, has filed an application for extension of time to avoid forfeiture of a License No. 11-2110.

The license was issued for 1.236 cfs of water from a groundwater source with the point of diversion within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 12, T. 8S, R. 41E, B.M., Caribou County, for irrigation purposes of 100 acres, with a priority of July 24, 1954, to be used within the N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 12, T. 8S, R. 41E., B.M.

Sec. 42-222, Idaho Code provides that a water right shall be lost and forfeited and the water revert to the state upon failure to apply water to beneficial use for a period of five years. The State may allow an additional five year period of non-use without forfeiture upon a showing of reasonable cause. The license holder has applied for an extension until December, 1996, while the land is temporarily in the Federal C.R.P. Program.

Any protest against the granting of this extension may be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before November 2, 1987.

R. KEITH HIGGINSON,
Director

Published Oct. 15 and 22, 1987 in the
Caribou County Sun.

MICROFILMED

FEB 24 1988

RECEIVED

NOV 9 1987

Department of Water Resources
Eastern District Office

11.00
August 2, 1956

RE: Permit No. G-23061 & G-25079

Messrs. Caldwell and Whittier
Suite 309
Carlson Building
Pocatello, Idaho

ATTENTION: Mr. Callis A. Caldwell

Dear Mr. Caldwell:

We now have on file the reports of our field engineer on examination for completion of works and beneficial use on Permits Nos. G-23061 and G-25079 in the name of Vernal Hopkins and O. S. Bybee which show as follows:

The report on Permit No. G-23061 shows that 100 inches or 2 second feet of water has been used, from the well in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 12, Township 8 South, Range 41 East, B.M., to irrigate 100 acres of land in the W $\frac{1}{2}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 12.

However, since the original permit described the well as being located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ instead of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 12, the enclosed application for amendment to the point of diversion should be completed, signed and returned to this department for record.

A Certificate of Completion of Works and License can, then be issued for 2 second feet of water upon receipt of the statutory fees amounting to \$5.00 for completion of works and \$6.00 license fee.

The report on Permit No. G-25079 shows that 136 inches or 2.72 second feet of water has been used, from the well in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 12, Twp. 8 S., Rge. 41 E.B.M., to irrigate 220 acres of land in the N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 12.

However, since the original permit described the well as being located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ instead of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 12, the enclosed application for amendment to the point of diversion should be completed, signed and returned to this department for record.

G25079

$$\begin{array}{r} 38 \\ 8 \\ \hline 264 \\ \hline 12 \\ \hline 247 \\ 8.62 \end{array}$$

				8-1/4 in. lateral			
264.	—		10 gal. no. 100				

R-41E.

Present readings

Corrugated Steel man

T.
8
S.

660' x 6" main	} buried Steel.
1320' x 8" "	
1320' x 8" "	
1980' x 10" "	

TO SODA SPRINGS

Subdivisions = 6
Area = 220 acres
Q = 136 inches.

See permit G 23061

Between this and Permit G-23061 all the N¹/₂ of the section is covered.

RECEIVED
MAR 13 1956

Department of Reclamation

LEGAL NOTICES

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

Notice is hereby given that at 2:00 p. m., on the 29th day of February, 1956, at Soda Springs, County of Caribou, State of Idaho, before Stan Matthews, Notary Public, proof will be submitted of the completion of works for the diversion of 6.40 cubic feet per second of waters of subterranean and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-25079 and G-23061 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 are Vernal Hopkins and O. S. Bybee (partnership) Soda Springs, Idaho.

2. 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, in accordance with the plans accompanying the application for such permit, is 6.40 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 6.40 cubic feet per second.

4. The place where said water is used is Northeast quarter and the Northwest quarter of Section 12, Township 8 South, Range 41 E. B. M., County of Caribou.

5. The date of priority which said user is prepared to establish is July 24, 1954 and September 19, 1952.

MARK R. KULP

State Reclamation Engineer
(Pub. Feb. 2, 9, 16, 23, 1956)

Affidavit of Publication

County of Caribou
State of Idaho, SS.

..Katherine Martin..being first duly
sworn on h.er.. oath, states:

That she is...owner.....of the
(Printer, Foreman or Principal Clerk)
Caribou County Sun, a newspaper of general circulation in Caribou County, Idaho, published weekly at Soda Springs in said County, that said newspaper has been published in said county uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

That the annexed notice was published as per clipping attached in the regular and entire edition of said newspaper and not in any supplement there-

of for.....4.....successive weekly
issues thereof, the date of the first publication being the...2nd..... day of Feb.....,
19..56., the date of the last publication being the
..23rd..day of ..Feb....., 1956..

Subscribed and sworn to before me this.....
8th

day of March..... 1956
(SEAL)

Notary Public, residing at
Soda Springs, Idaho.

My Commission expires the

1st day of July.....

19..56

COST:..54.....lines at 13..cents a line for
first insertion and..10...cents a line for each of
...3.....subsequent insertions. Total \$23.22.

25079

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Application for Extension of Time to Avoid Forfeiture
of a Water Right

Section 42-222 of the Idaho Code provides that a water right shall be lost and forfeited and the water revert to the state upon the failure of a water user to apply the water to beneficial use for a period of five (5) years. The Director may allow an additional five (5) year period of non-use without forfeiture upon a showing of reasonable cause.

Complete fully the following application and submit it to the Department of Water Resources, Statehouse, Boise, Idaho, 83720, with the statutory fee of \$30.00 if the application involves 0.2 cfs or 20 acre feet or \$50.00 if in excess of these amounts.

1. Name of water right holder Albert O. Butterfield
Post office address P.O. Box 444, Soda Springs, ID 83276
2. The right was obtained or is evidenced by:
 - a. Decree to _____ in Case of _____
(Name)
vs. _____, Dated _____ in _____
(Name of Court)
Court, County of _____. Fully describe decree _____
 - b. License No. 11-2110 issued by the Department of Water Resources.
 - c. Claim No. _____ on file with the Department of Water Resources.
3. Source of water groundwater tributary to _____
(Name of stream or source)
4. Date of priority of right July 24, 1954
5. Amount of water a. 1.236 c.f.s. and/or
b. _____ acre feet/annum
6. Water is used for irrigation from April 1 to November 1

from _____ to _____

from _____ to _____
(Purpose) (Month-Day) (Month-Day)
7. Location of point of diversion is NW 1/4 NE 1/4 of Section 12
Township 8S, Range 41E, B.M., in Caribou County;
Additional points of diversion, if any _____
8. Lands irrigated or place of use:

Twp.	Rge.	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	
8S	41E	12	40	20		40													100

Total number of acres irrigated 100

9. Give last date when water was applied to beneficial use 1986
Length of extension of time requested ten years, or until December 31, 1996
(Date)

10. Explain fully your reasons for requesting an extension of time within which to resume the use of your water right and reasons for non-use Land listed in item 8 has been placed in C.R.P. Program for 10 years.. Land was farmed in 1986.

This request does not affect 1,484 cfs appurtenant to 120 acres in N1/2NW1/4, Sec. 12. This land is owned by Andrew R. Bybee.

I hereby assert that no one will be injured by such extension. The information contained in this application is true to the best of my knowledge.

Albert O. Rutherford
(Signature of Applicant)

Subscribed and sworn to before me this 5th day of October, 19 87.

Valerie Wray
(Notary Public)

My commission expires 5/29/1991

Residing at Idaho Falls

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined this application for extension of time within which to resume the use of a water right and I hereby Approve said application subject to the following conditions or reasons.

Beneficial use of water under this right shall resume on or before November 1, 1997.

Witness my hand this 27th day of November, 19 87.

J. New Saxon
Chief, Operations Bureau

For Department Use Only

Received by ENC Date 5 Oct 87 Time 2:00 P.m. Preliminary check by EW
Fee \$ 50⁰⁰ Received by da ^{#42044} Date 10-5-87 Publication prepared by da
Published in Caribou County ID ^{protest date} 11-2-87 Dates 10-15 + 10-22-87
Publication approved by da Date 11-19-87 Protests filed 11-2-87

Copies of protests forwarded by _____ Hearing held by _____ Date FEB 24 1988
Recommended for // Approval // Denial by ENC Jim

Affidavit of Publication

County of Caribou }
State of Idaho } ss.

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The license was issued for 1.236 cfs of water from a groundwater source with the point of diversion within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 12, T. 8S, R. 41E, B.M., Caribou County, for irrigation purposes of 100 acres, with a priority of July 24, 1954, to be used within the N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 12, T. 8S, R. 41E., B.M.

Sec. 42-222, Idaho Code provides that a water right shall be lost and forfeited and the water revert to the state upon failure to apply water to beneficial use for a period of five years. The State may allow an additional five year period of non-use without forfeiture upon a showing of reasonable cause. The license holder has applied for an extension until December, 1996, while the land is temporarily in the Federal C.R.P. Program.

Any protest against the granting of this extension may be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before November 2, 1987.

R. KEITH HIGGINSON,
Director

Published Oct. 15 and 22, 1987 in the
Caribou County Sun.

Mark Steele

being first duly sworn on his
oath, states:

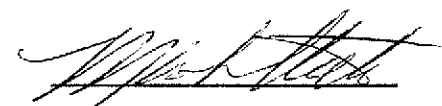
That he is Publisher
of the Caribou County Sun, a newspaper of general circulation in Caribou County, Idaho, published weekly at Soda Springs in said County that said newspaper has been published in said County uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement;

That the annexed notice was published as per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof

for 2 successive weekly
issues thereof, the date of the
first publication being the

15th day of
October, 1987

The date of the last publication
being the 22nd day of
October, 1987



Subscribed and sworn to be
fore me this 3rd day
of November, 1987

Clarence S. Steele
Notary Public, residing
at Soda Springs, Idaho
(SEAL)

My Commission expires the
1st day of March
1988.

MICROFILMED

FEB 24 1988

NOV 9 1987

Department of Water Resources
Eastern District Office

State of Idaho
License and Certificate of Water Right

Water License No. G-25079 Amount 2.72 second feet
Water District No. _____ Priority July 24, 1954

THIS IS TO CERTIFY that VERNAL HOPKINS and O. S. BYBEE, a Partnership
of Soda Springs, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated July 24, 1954; that Permit No. G-25079
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
2.72 second feet, was issued thereunder on September 10, 1956, showing that said works
were completed on the 29th day of February, 1956; and that on the 29th
day of February, 1956,
VERNAL HOPKINS and O. S. BYBEE

of Soda Springs, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well,
~~subterranean flow~~ (subterranean flow), for the purpose of irrigation
under Use Permit No. G-25079 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
9 of Licenses at page 5790, on the 10th day of September, 1956;
The right hereby confirmed dates from July 24, 1954;

The Point of Diversion is located
in the NW 1/4 NE 1/4, Sec. 12, Tp. 8 S., R. 41 E., B. M. Caribou 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 2.72 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
8 S.	41 E.	12	NE 1/4 NE 1/4	40	40
			NW 1/4 NE 1/4	40	20
			SW 1/4 NE 1/4	40	--
			SE 1/4 NE 1/4	40	40
			NE 1/4 NW 1/4	40	40
			NW 1/4 NW 1/4	40	40
			SW 1/4 NW 1/4	40	40
			SE 1/4 NW 1/4	40	--
			Total Number of Acres Actually Irrigated -- 220		

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
10th day of September, 1956.

(SEAL) _____ MARK R. KILP
State Reclamation Engineer.

State of Idaho
License and Certificate of Water Right

Water License No. 24398 Amount 2 second feet
Water District No. Priority January 14, 1954

THIS IS TO CERTIFY that M. J. PURCELL
of Menan, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated August 25, 19 53 ; that Permit No. 24398
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
5.0 second feet, was issued thereunder on October 3, 19 55, showing that said works
were completed on the 12th day of September, 19 55 ; and that on the 21st
day of January, 19 56 ,
M. J. PURCELL
of Menan, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of an un-named
slough, a tributary of (sub-water), for the purpose of irrigation
, under Use Permit No. 24398 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
9 of Licenses at page 5789, on the 7th day of September, 19 56 ;
The right hereby confirmed dates from January 14, 19 54 ;

The Point of Diversion is located
in the NE 1/4 SW 1/4, Sec. 16, Tp. 5 N., R. 38 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 2.0 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.	38 E	16	SW $\frac{1}{4}$ NW $\frac{1}{4}$	40	30
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	40	30
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	40	40
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	5	--
			Total 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
7th day of September, 19 56 .

(SEAL) MARK R. KULP
State Reclamation Engineer.

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 32906
Permit No. G- 25079
District No.

1. Name of Applicant: VERNAL HOPKINS AND O. S. BYBEE, a partnership
Postoffice address: Soda Springs County: Caribou State: Idaho
2. Quantity of water claimed: 4.40 cubic feet
 - (a) Rate of withdrawal in cubic feet per second. ~~2 cubic feet~~ or Idaho
Miners' inches 220 or gallons per minute. 1980
 - (b) Annual withdrawal in acre feet per annum 1100
3. Source of water supply: Well
4. Location of point of diversion or well is in the NE 1/4 of the NW 1/4 of Section 12
Twp. 8 South, Rge. 41 E., B.M., County of Caribou
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: Drilled well cased with pump
8. Estimated cost of works: \$ 5,000.00
9. (a) Is reservoir to be used?
(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
Five 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: Permit No. G-23061
 - (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) 4.40 (cubic feet per second, inches or gallons per minute) is for new lands.

Remarks:

Applicant.

Agent.

Returned to applicant for correction:

Corrected application received:

The number of this permit is G-25079

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 30, 1954, 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 30, 1957

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before July 30, 1959

Witness my hand this 30th day of July, 1954

State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, LEN JORDAN, Governor of the State of Idaho,
and IRA H. MASTERS, Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 30th
day of July, 19 54

Countersigned:

STATE OF IDAHO

(SEAL)

By IRA H. MASTERS
Secretary of State.

By LEN JORDAN
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	
8 S.	41 E.	12	40	40	40	40	40	40	40	40								320	
APPLICATION FOR AMENDMENT TO PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO, NO. G-25079																			
G-25079.	Comes now Vernal Hopkins & O. S. Bybee and represents to the State Reclamation Engineer of the State of Idaho: That they are the owners and holders of Permit to appropriate the Public Waters of the State of Idaho, No.																		
Range 41 East, B.M.	That the point of diversion is described in said permit as being located NE ¹ / ₄ NW ¹ / ₄ Section 12, Township 8 South,																		
8 South, Range 41 East, B.M.	That they now request that the point of diversion be changed to a point located in the NW ¹ / ₄ NE ¹ / ₄ Section 12, Township																		
been located in the NW ¹ / ₄ NE ¹ / ₄ of Sec. 12, Twp. 8 S., R. 41 E.B.M.	That his reasons for desiring to make such change are as follows: Original permit in error - Well always has																		
	That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.																		
	Signed at Soda Springs, Ida., this 10th day of August, 1956.																		
	VERNAL HOPKINS O. S. BYBEE																		
Date of receipt at Department of Reclamation August 17, 1956.																			
	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. G-25079. 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																		

Permit No. G-25079
 CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that VERNAL HOPKINS and O. S. BYBEE, a Partnership, of Soda Springs, County of Caribou, and State of Idaho, the holders of Permit No. G-25079, issued upon application No. G-32906 bearing date of priority of July 24, 1954, authorizing the diversion of 4.40 second feet of the waters of a well (subterranean flow) County of Caribou, State of Idaho, for irrigation purposes, have 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 2.72 second feet of the waters of said well; that the point of diversion of said waters is in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 12, Township 8 South, Range 41 East, B.M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit:
 N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ E $\frac{1}{4}$ Section 12, Township 8 South, Range 41 East, B.M.

Witness my hand this 10th day of September, A. D. 1956.

MARK R. KULP
 State Reclamation Engineer

Proof of completion of works made February 29, 1956
 Certificate of Completion of Works issued September 10, 1956.

LICENSE ISSUED FOR 2.72 SEC FT.
 Page 5790



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

December 11, 1997

Albert O Butterfield
PO Box 444
Soda Springs ID 83276

RE: Water Right No. 11-02110

Dear Mr. Butterfield:

On October 27, 1997, I received your correspondence regarding the status of the above referenced water right. Section 42-222(2), Idaho Code, only allows the department to grant one extension of Time to Avoid Forfeiture of a water right. However, it also provides that a water right cannot be lost if the lands associated with the right are in a federal cropland set aside program. In order to prevent forfeiture of the right in the future, you will need to resume use of the water as soon as the land comes out of the CRP Program.

If you have any questions or concerns regarding this matter, please contact me directly at (208)327-7953.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary, Water Allocation Bureau

c: IDWR - Eastern Region

MICROFILMED

JAN 06 1998

RECEIVED

OCT 27 1997

Department of Water Resources

Julie,

Just a note to tell
you that water right #11-02110
will be in retirement for
10 more years as land is
back in CRP

Thank you,
Albert O. Buttenfield

MICROFILMED

JAN 06 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

August 20, 1997

ALBERT O. BUTTERFIELD
P.O. BOX 444
SODA SPRINGS ID 83276

NOTICE TO RESUME WATER USE

RE: Water Right No. 11-02110

Dear Mr. Butterfield:

One of the conditions of department's approval of the application for Extension of Time to Avoid Forfeiture of a Water Right for the above referenced water right, was that beneficial use of water be resumed on or before **November 1, 1997**.

Enclosed is a form, which when submitted, will notify the department that you have again established beneficial use of water as authorized by the water right.

Failure to resume the use of water for the water right and to notify the department of resumed use, will be cause for the water to revert back to the state and again be available for appropriation.

Please fill out and return the resumption of beneficial use form within **sixty (60) days** of receipt of this letter. Please address your correspondence to my attention.

Please contact me at (208)327-7953, if you have any questions concerning this matter.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary, Water Allocation Bureau

Enclosure

MICROFILMED
JAN 06 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

CECIL D. ANDRUS

Governor

R. KEITH HIGGINSON

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

November 27, 1987

RE: Water Right Nos. 11-2105 & 11-2110

Albert O. Butterfield
Box 444
Soda Springs, ID 83276

Dear Mr. Butterfield:

Enclosed are copies of the approved Applications for Extension of Time to Avoid Forfeiture of the above referenced water rights. Note that beneficial use of water must resume on or before November 1, 1997.

If you have any questions, please let us know.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosures

MICROFILMED

FEB 24 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

OCTOBER 7, 1987

Caribou County Sun
P. O. Box 815
Soda Springs, Idaho 83276

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before NOVEMBER 2, 1987.

Yours truly,

Deena Green
Office Secretary

Encl.

RECEIVED

FEB 24 1988

RECEIVED

NOV 23 1987

Department of Water Resources

**NOTICE OF APPLICATION FOR
EXTENSION OF TIME TO AVOID
FORFEITURE OF WATER RIGHT**

Notice is hereby given that Albert O. Butterfield, Soda Springs, Idaho, has filed an application for extension of time to avoid forfeiture of a License No. 11-2110.

The license was issued for 1.236 cfs of water from a groundwater source with the point of diversion within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 12, T. 8S, R. 41E, B.M., Caribou County, for irrigation purposes of 100 acres, with a priority of July 24, 1954, to be used within the N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 12, T. 8S, R. 41E., B.M.

Sec. 42-222, Idaho Code provides that a water right shall be lost and forfeited and the water revert to the state upon failure to apply water to beneficial use for a period of five years. The State may allow an additional five year period of non-use without forfeiture upon a showing of reasonable cause. The license holder has applied for an extension until December, 1996, while the land is temporarily in the Federal C.R.P. Program.

Any protest against the granting of this extension may be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before November 2, 1987.

R. KEITH HIGGINSON,
Director

Published Oct. 15 and 22, 1987 in the
Caribou County Sun.

RECEIVED

FEB 24 1988

NOTICE OF APPLICATION FOR EXTENSION OF TIME
TO AVOID FORFEITURE OF WATER RIGHT

Notice is hereby given that Albert O. Butterfield, Soda Springs, Idaho, has filed an application for extension of time to avoid forfeiture of a License No. 11-2110.

The license was issued for 1.236 cfs of water from a groundwater source with the point of diversion within the NW1/4NE1/4, Sec. 12, T. 8S, R. 41E, B.M., Caribou County, for irrigation purposes of 100 acres, with a priority of July 24, 1954, to be used within the N1/2NE1/4, SE1/4NE1/4, Sec. 12, T. 8S, R. 41E., B.M.

Sec. 42-222, Idaho Code provides that a water right shall be lost and forfeited and the water revert to the state upon failure to apply water to beneficial use for a period of five years. The State may allow an additional five year period of non-use without forfeiture upon a showing of reasonable cause. The license holder has applied for an extension until December, 1996, while the land is temporarily in the Federal C.R.P. Program.

Any protest against the granting of this extension may be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before November 2, 1987.

R. Keith Higginson
Director

Published October 15 & 22, 1987

RECEIVED

FEB 24 1988

WATER RIGHT
DATA ENTRY LOG

[illegible]

September 13, 1956

RE: Permits Nos. G-23061 and G-25079

Messrs. Caldwell and Whittier
P. O. Box 105
Pocatello, Idaho

ATTENTION: Mr. Callis A. Caldwell

Dear Mr. Caldwell:

We enclose approval of the State Reclamation Engineer of application for amendment to the point of diversion in Permit No. G-23061 of Vernal Hopkins and O.S. Bybee which has been recorded in this department. We also enclose Certificate of Completion of Works also License and Certificate of Water Right confirming their right to the use of 2.0 second feet of the waters of a well located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 12, Twp. 8 S., Range 41 East, B.M., with priority of September 19, 1952, for irrigation of land in the W $\frac{1}{2}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 12.

Departmental receipt No. G-2106 for the \$11.00 completion of works and license fee is also enclosed.

We also enclose approval of the State Reclamation Engineer of application for amendment to the point of diversion in Permit No. G-25079 of Vernal Hopkins and O. S. Bybee which has been recorded in this department. We also enclose Certificate of Completion of Works also License and Certificate of Water Right confirming their right to the use of 2.72 second feet of the waters of a well located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 12, Twp. 8 South, Range 41 East, B.M., with priority of July 24, 1954, for irrigation of land in the N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 12.

Also enclosed is departmental receipt No. G-2107 for \$7.50 to O. S. Bybee and No. G-2108 for \$7.50 to Vernal Hopkins for the \$15.00 completion of works and license fee on this Permit.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

25079

T:hll

Roy W. Thompson
Office Manager

CALLIS A. CALDWELL
SUITE 309
CARLSON BUILDING

CALDWELL AND WHITTIER
ATTORNEYS AND COUNSELORS AT LAW
POCATELLO, IDAHO

R. M. WHITTIER
P. O. BOX 105
PHONE 5300

August 28, 1956

4/28, Enc. # 7.50
\$ 7.50

RECEIVED
SEP 6 1956
Department of Reclamation

Vernal Hopkins and O.S. Bybee
Soda Springs,
Idaho

Dear Sirs:

We have just received a letter from the State of Idaho, Department of Reclamation stating that we still owe \$15 on the permit for water.

I hope this is all and will complete it.

If you wish you can mail the \$15 directly to Mark R. Kulp, State Reclamation Engineer, Department of Reclamation, or if you prefer you can send it to us and we will forward it.

Sincerely,

CALDWELL & WHITTIER

By Callis A. Caldwell
Callis A. Caldwell

CAC:grg

825079

August 17, 1956

RE: Permit Nos. G-23061 & G-25079

Messrs. Caldwell and Whittier
Suite 309
Carlson Building
Pocatello, Idaho

ATTENTION: Mr. Callis A. Cadlwell

Dear Mr. Caldwell:

We acknowledge receipt of your letter of August 16, 1956, with the two Applications for Amendments and your check in the amount of \$11.00 enclosed.

We refer you to our letter of August 2, 1956, in which we state the statutory fee on Permit No. G-23061 is \$5.00 for completion of works and \$6.00 for license fee.

We continue by stating that the statutory fee on Permit No. G-25079 is \$5.00 for completion of works and \$10.00 for license fee.

Therefore, your check in the amount of \$11.00 covers the fee on Permit No. G-23061 but there is an additional fee of \$15.00 to cover Permit No. G-25079.

We will hold your check in the sum of \$11.00 until we have a reply from you.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR

25079

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, NO. G-25079

Comes now Vernal Hopkins & O. S. Bybee and represents to the State Reclamation Engineer of the State of Idaho:

they are ^s ^s
That ~~he~~ the owner/and holder/ of Permit to appropriate the Public Waters of the State of Idaho, No. G-25079.

That the point of diversion is described in said permit as being located NE¹/₄ NW¹/₄ Section 12, Township 8 South, Range 41 East, B.M.

they
That ~~he~~ now requests that the point of diversion be changed to a point located in the NW¹/₄ NE¹/₄ Section 12, Township 8 South, Range 41 East, B.M.

That his reasons for desiring to make such change are as follows:

Original permit in error - Well always has been located in the
NW¹/₄ NE¹/₄ of Sec. 12, Twp. 8 S., R. 41 E.B.M.

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

Signed at Soda Springs, Ida., this 10th day of August 1956

VERNAL HOPKINS O. S. BYBEE

Date of receipt at Department of Reclamation August 17, 1956

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. G-25079. 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

C O P Y

25079

11,00
August 2, 1956

RE: Permit No. G-23061 & G-25079

Messrs. Caldwell and Whittier
Suite 309
Carlson Building
Pocatello, Idaho

ATTENTION: Mr. Callis A. Caldwell

Dear Mr. Caldwell:

We now have on file the reports of our field engineer on examination for completion of works and beneficial use on Permits Nos. G-23061 and G-25079 in the name of Vernal Hopkins and O. S. Bybee which show as follows:

The report on Permit No. G-23061 shows that 100 inches or 2 second feet of water has been used, from the well in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 12, Township 8 South, Range 41 East, S.M., to irrigate 100 acres of land in the W $\frac{1}{2}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 12.

However, since the original permit described the well as being located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ instead of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 12, the enclosed application for amendment to the point of diversion should be completed, signed and returned to this department for record.

A Certificate of Completion of Works and License can, then be issued for 2 second feet of water upon receipt of the statutory fees amounting to \$5.00 for completion of works and \$6.00 license fee.

The report on Permit No. G-25079 shows that 136 inches or 2.72 second feet of water has been used, from the well in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 12, Twp. 8 S., Rge. 41 E.B.M., to irrigate 220 acres of land in the N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 12.

However, since the original permit described the well as being located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ instead of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 12, the enclosed application for amendment to the point of diversion should be completed, signed and returned to this department for record.

P25079

Caldwell & Whittier

-2-

August 2, 1956

A Certificate of Completion of Works and License can, then be issued for 2.72 second feet of water upon receipt of the statutory fees amounting to \$5.00 for completion of works and \$10.00 license fee. The latter is at the rate of \$2.00 for each forty acre subdivision irrigated. In this Permit No. G-25079, six subdivisions are irrigated but the NW¹/₄NE¹/₄ was included under permit No. G-23061 and no charge will be made under Permit No. G-25079.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:hll
Enc.

825079

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 25079

REPORT ON PROOF OF Completion of Works & Beneficial Use

Appl 4.40 cfs
Sub 8
acres 220

2.72 cfs
max

$\frac{235}{247}$
 $\frac{247}{247}$
 $\frac{247}{247}$

264 waffles $\frac{3}{32} \times \frac{3}{16}$

264 — 10pt. waffles
 8-14 mic. lathe

Pressure readings

45	39
47	38
45	38
39	39
180	167
40	40
40	47
40	47
4047	—
120-191	87

500

141
 87
 180
 157
 129.5

500 SPRINGS

29 lead
 12
 660 x 6" main
 1520 x 8"
 1520 x 8"
 1980 x 10" } lined steel main
 4 1/2"

Subdivision of
 Area = 320 acres
 Q = 136 inches

See Permit G 23061

Between this and Permit G-23061 all the
 1 1/2 of the section is covered.

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

Permit No. G-25079This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant Vernal Hopkins & O. S. Bybee
2. Source of water supply: Subterranean flow from a drilled well
3. Location of point of diversion: Is in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 12
T. 8 S. R. 41 E. County of Caribou
4. Describe works as they exist, giving dimensions and capacities of same: Well is 114' deep by 18" diameter cased down 20'. H=27', draw down=3'. Layne Bowler Turbine No. 20421. Operated by 125 hp G. M. Diesel. Water is delivered into 10" to 8" mains to the fields by sprinkler system.

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):

NE $\frac{1}{4}$ and the NW $\frac{1}{4}$ of Sec. 12., Twp. 8 S., Rge. 41 E., B.M.Approximately 160 acresSee the map.

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

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

Remarks: _____

Hopkins & Bybee alongAn excellent system - well designed.This examination was made on the 12 day of July, 1956

(Signed)

E. M. Humphrey

Examiner.

25079

520
236
74

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.

RECEIVED
JUL 23 1956
Department of Reclamation

Vernal Hopkins & O. S. Bybee
Soda Springs, Idaho

Permit No. G-25079

Examination for Completion of Works & Beneficial Use

County Caribou

12-8S.-41E.

Q = 4.4 c.f.s.

S = Well

P.D. = NE.NW., Sec. 12, T.8S.-R.41E

Use = Irrigation

Want two copies of
license when issued

Filed = July 24, 1954
Due = July 30, 1959

Layne Bowler Turb
20421

General Motors Diesel
125hp. 1000 gal
fuel tank

6 gal. pr hr. used

Amarillo rot angle
drive Ratio 1:1

hp 110 Serial 3BL 27083

Conc base 4'x4'

T = 45°F

July 3, 1956

RE: Permit No. G-23061 & G-25079

Messrs. Vernal Hopkins & O. S. Rybee
Soda Springs
Idaho

Gentlemen:

State Law requires that a field inspection be made in connection with any permit being brought to license within the State of Idaho.

I intend to make inspection in connection with the two above numbered permits on July 12, 1956, sometime in the afternoon.

Please be prepared to accompany me on the inspections.

Yours truly,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

H:hll
P.S. I will be in Soda Springs the night before and will try to contact you. Otherwise, I will drive to the farm.

G 25079

March 13, 1956

Re: Permits Nos. G-23061 & G-25079

Messrs. Caldwell and Whittier
Suite 309, Carlson Building
Pocatello, Idaho

ATTENTION: Mr. Callis A. Caldwell

Dear Mr. Caldwell:

We acknowledge receipt of the depositions of Mr. Vernal Hopkins and Mr. O. S. Bybee, the holders of the above captioned Permits and also the two witnesses, also affidavit of publication in the Caribou County Sun, all submitted in proof of completion of works and beneficial use on Permits Nos. G-23061 and G-25079.

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,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR
cc:Vernal Hopkins

P25079

RECEIVED
MAR 13 1956

Department of Reclamation

LEGAL NOTICES

NOTICE OF PROOF OF COMPLETION OF WORKS and

APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 2:00 p. m., on the 29th day of February, 1956, at Soda Springs, County of Caribou, State of Idaho, before Stan Matthews, Notary Public, proof will be submitted of the completion of works for the diversion of 6.40 cubic feet per second of waters of subterranean and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-25079 and G-23061 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 are Vernal Hopkins and O. S. Bybee (partnership) Soda Springs, Idaho.

2. 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, in accordance with the plans accompanying the application for such permit, is 6.40 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 6.40 cubic feet per second.

4. The place where said water is used is Northeast quarter and the Northwest quarter of Section 12, Township 8 South, Range 41 E. B. M., County of Caribou.

5. The date of priority which said user is prepared to establish is July 24, 1954 and September 19, 1952.

MARK R. KULP

State Reclamation Engineer
(Pub. Feb. 2, 9, 16, 23, 1956)

Affidavit of Publication

County of Caribou
SS.
State of Idaho,

Katherine Martin being first duly

sworn on her oath, states:

That she is owner of the (Printer, Foreman or Principal Clerk) Caribou County Sun, a newspaper of general circulation in Caribou County, Idaho, published weekly at Soda Springs in said County, that said newspaper has been published in said county uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

That the annexed notice was published as per clipping attached in the regular and entire edition of said newspaper and not in any supplement there-

of for 4 successive weekly issues thereof, the date of the first publication be-

ing the 2nd day of Feb.,

1956, the date of the last publication being the

23rd day of Feb., 1956.

Katherine Martin
8th
Subscribed and sworn to before me this

day of March 1956
(SEAL)

Notary Public, residing at
Soda Springs, Idaho.
My Commission expires the

1st day of July,

1956

COST: 54 lines at 13 cents a line for

first insertion and 10 cents a line for each of

3 subsequent insertions. Total \$23.22.

25079

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
MAR 8 1956
Department of Reclamation

Permit No. G-25079

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.

Ans. Vernal Hopkins and O. S. Bybee, a partnership
both live in Soda Springs and are farmers.

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. _____

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

Ans. Permit #G-25079; July 24, 1954

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

Ans. Subterranean waters contacted by drilling on the North-South
Center Line of Section 12, in Township 8 South of Range 41 E., B. M., in
Garibou County, Idaho at a point approximately 1/4th of a mile South of
the North Boundary line of said Section Twelve (12), Township & Range aforesaid.

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. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. Drilled well cased with pump, 211 ft deep; the casing
goes 22 feet deep to solid rock and is 18 inch casing. 26 feet to water.
A sprinkler irrigation system is used with 264 nozzles 3/16 in
at 45 lbs pressure (through) 8 & 10 inch main lines

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. Water is used for irrigation of hay and grain. It is
being used on the NE 1/4 and the NW 1/4 of Sec 12, Twp. 8 S.
Range 41 E. B. M. (This whole area is irrigated.)

G 25079

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

Ans. _____

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

Ans. 6.40 cubic feet 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. _____

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

Ans. The full amount requested in the permit (3.20 cu. ft. on each 160 acres) has been used for two years (1954 + 1955) during the irrigating 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. _____

(Sign) Yurnal Hopkins

(Sign) [Signature]

Partners.

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 Soda Springs, County of Caribon,

State of Idaho, on this 29th day of February, A. D. 1956.

[Signature]
Notary Public.

My commission expires July 1, 1956

825079

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G-25079

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.

Ans. Harold Haggerty, over the age of 21 years, residing at Soda Springs, Idaho, a farmer. Postoffice Address: Soda Springs, Idaho.

Ques. 2. Are you acquainted with Vernal Hopkins and O. S. Bybee, the holder of Permit No. G-25079? How long have you known him and where does he reside?

Yes.

Ans. Over 20 years; each resides on Section 12, T. 8 S., Range 41 E., B.M., in Caribou County, Idaho - approximately 8 miles North of Soda Springs, Idaho, by highway.

Ques. 3. Have you read or heard read said Permit No. G-23061, and are you familiar with its provisions and conditions?

Ans. Yes.

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

Ans. Drilled well on North Half of Section 12, Twp. 8 S., R. 41 E., B. M., in Caribou County, Idaho. One buried pipe line runs East from Well 1/2 mile, consisting of 10", 8" & 6" Main; One buried pipe line runs West from Well 1/2 mile, consisting of 10" & 8" Main. Water is pumped by GMC 60y. 150 HP Diesel Engine on 14" pump. Water is diverted from Well located on North-South Center Line of Sec. 12, T. 8 S., R. 41 E., B.M., approximately 1/4th mile South of the North Boundary Line of said Section 12, Township & Range aforesaid.

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. 6.40 cubic feet per second.

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. Pump has delivered 6.40 cubic feet per second. Estimated by counting number of nozzles in laterals.

G-25079

Ques. 7. 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. Water is used for irrigation on the North half of Sec. 12, T. 8 S., R. 41 E., B. M., in Caribou County, Idaho; each 40 acre subdivision in said N¹/₂ of Sec. 12, T. 8 S., R. 41 E., B. M., is being irrigated.
All is cultivated land.

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. _____

Ques. 9. (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. All of said lands have been previously cultivated as DRY FARM LAND; 1" to the acre will make profitable irrigated land out of said former dry farm land.

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No.

Ques. 11. 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 made personal observations; 1" of water per acre has been delivered at various times; my observations extend over a period of more than one year.

(Signed) Harold Haggerty

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 Soda Springs, County of Caribou, State of Idaho, on this 29th day of February, A. D. 19 56.

L. E. Rauhens

Notary Public.

My commission expires July 1st, 1956.

825079

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G-25079

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.

Ans. Earl T. Gunnell, age 47, residing at Soda Springs, Idaho;
Grain Buyer; Postoffice Address: Soda Springs, Idaho

Ques. 2. Are you acquainted with Vernal Hopkins and O. S. Bybee, the holder of Permit No. G-25079? How long have you known him and where does he reside?

Yes.

Ans. Over 20 years; each resides on Section 12, T. 8 S., Range 41 E., B.M., in Caribou County, Idaho - approximately 8 miles North of Soda Springs, Idaho, by highway.

Ques. 3. Have you read or heard read said Permit No. G-23061, and are you familiar with its provisions and conditions?

Ans. Yes.

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

Ans. Drilled well on North Half of Section 12, Twp. 8 S., R. 41 E., B. M., in Caribou County, Idaho. One buried pipe line runs East from Well 1/2 mile, consisting of 10", 8" & 6" Main; One buried pipe line runs West from Well 1/2 mile, consisting of 10" & 8" Main. Water is pumped by GMC 6Cy. 150 HP Diesel Engine on 14" pump. Water is diverted from Well located on North-&-South Center Line of Sec. 12, T. 8 S., R. 41 E., B.M., approximately 1/4th mile South of the North Boundary Line of said Section 12, Township & Range aforesaid.

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. 6.40 cubic feet per second.

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. Pump has delivered 6.40 cubic feet per second. Estimated by counting number of nozzles in laterals.

825079

Ques. 7. 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. Water is used for irrigation on the North half of Sec. 12, T. 8 S., R. 41 E., B. M., in Caribou County, Idaho; each 40 acre subdivision in said N $\frac{1}{2}$ of Sec. 12, T. 8 S., R. 41 E., B. M., is being irrigated.
All is cultivated land.

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. _____

Ques. 9. (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. All of said lands have been previously cultivated as DRY FARM LAND; 1" to the acre will make profitable irrigated land out of said former dry farm land.

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No. _____

Ques. 11. 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 made personal observations; 1" of water per acre has been delivered at various times; my observations extend over a period of more than one year.

(Signed) Earl J. Gummell

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 Soda Springs, County of Caribou, State of Idaho, on this 29th day of February, A. D. 19 56.

St. Paul
Notary Public.

My commission expires July 1st, 1956.

825079

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

January 30, 1956

RE: Permits Nos. G-25079 & G-23061

Date:

Caribou County Sun
Soda Springs
Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to February 29, 1956 the date set for proof, the expense of the publication to be paid by the applicant, Vernal Hopkins & O. S. Bybee (Partnership) Soda Springs, 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

925079

January 30, 1956

RE: Permits Nos. G-25079 & G-23061

Messrs. Caldwell and Whittier
Suite 309
Carlson Building
Pocatello, Idaho

ATTENTION: Mr. Callis A. Caldwell

Dear Mr. Caldwell:

We have your letter of January 24, 1956, enclosing notice for publication for completion of works and beneficial use proof on Permits Nos. G-25079 and G-23061 in the name of Vernal Hopkins & O. S. Bybee (partnership) to be made before Stan Matthews, Notary Public, on February 29, 1956.

We shall send a copy of the notice to the Caribou County Sun with instructions to publish it once a week for four weeks prior to that date and to send Messrs. Hopkins and Bybee the affidavit of publication together with statement of costs.

At the time set, they should appear before Mr. Matthews together with two disinterested witnesses who are familiar with the terms of the Permits and the work done thereunder for the purpose of executing the enclosed depositions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:hll
Enc.
cc - Mr. Stan Matthews
Soda Springs
Idaho

G 25079

CALLIS A. CALDWELL
SUITE 309
CARLSON BUILDING

CALDWELL AND WHITTIER
ATTORNEYS AND COUNSELORS AT LAW
POCATELLO, IDAHO

R. M. WHITTIER
P. O. BOX 105
PHONE 5300

January 24, 1956

RECEIVED
JAN 26 1956
Department of Reclamation

Department of Reclamation
State House
Boise, Idaho

Dear Sirs:

Please find enclosed the necessary papers for proof of completion of works and beneficial use on permits G-23061 and G-25079.

Sincerely,

CALDWELL & WHITTIER

By Callis A. Caldwell
Callis A. Caldwell

CAC:grg
Enclosure

G25079

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) January 24, 1956

(P. O.) P.O. Box 105 Pocatello, Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
Caribou County Sun of Soda Springs, Idaho published in
the county in which the works are situated.

Caldwell & Whittier

CALDWELL & WHITTIER
Attorneys for Vernal Hopkins and O. S.
Bybee

(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.

S25079

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) January 24, 1956

(P. O.) P.O. Box 105 Pocatello, Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the Caribou County Sun of Soda Springs, Idaho published in the county in which the works are situated.

Caldwell & Whittier
Caldwell & Whittier
Attorneys for Vernal Hopkins and
O. S. Bybee

(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

B25079

January 19, 1956

RE: Permits Nos. G-23061 & G-25079

Mr. Callis A. Caldwell
P. O. Box 105
Carlson Building
Pocatello, Idaho

Dear Mr. Caldwell

We acknowledge receipt of your letter of January 18,
enclosing your check in the amount of \$2.00 for fees for making
one copy of each of the above numbered Permits.

We enclose these two copies along with departmental
receipt No. G-1627 for the \$2.00 fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

T:hll
Enc.

G25079

August 23, 1954

RE: Permits Nos. G-23061 and G-25079

Mr. Callis A. Caldwell
Box 87
Pocatello, Idaho

Dear Mr. Caldwell:

In reply to your letter of August 20, stating that Messrs. Vernal Hopkins and O. S. Bybee are prepared to make proof of completion of works on the above numbered Permits.

Although your letter states that they are prepared to make proof of completion of works, we assume that they are prepared to make proof of beneficial use also as both are required at the same time under the terms of these permits.

As you know, notice must be published once a week for four weeks in a county newspaper prior to the date set for proof and this notice must be made in duplicate on Form 36 for each Permit, setting the time and place and naming the Notary Public before whom the proof is to be made.

Both copies of Form 36 to be returned to this department together with Form 11 which is authorization for us to have the notice published in the designated county newspaper at Permit Holder's expense.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll
Enc.

G25079

August 7, 1954

RE: Permit No. G-25079

Messrs Clarke, Holladay, and Caldwell
Itex Building
Pocatello, Idaho

ATTENTION: Mr. Callis A. Caldwell

Dear Mr. Caldwell:

We enclose Permit No. G-25079 in the name of Vernal Hopkins and
O. S. Bybee, and direct their 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-708 for the \$6.00
filing fee.

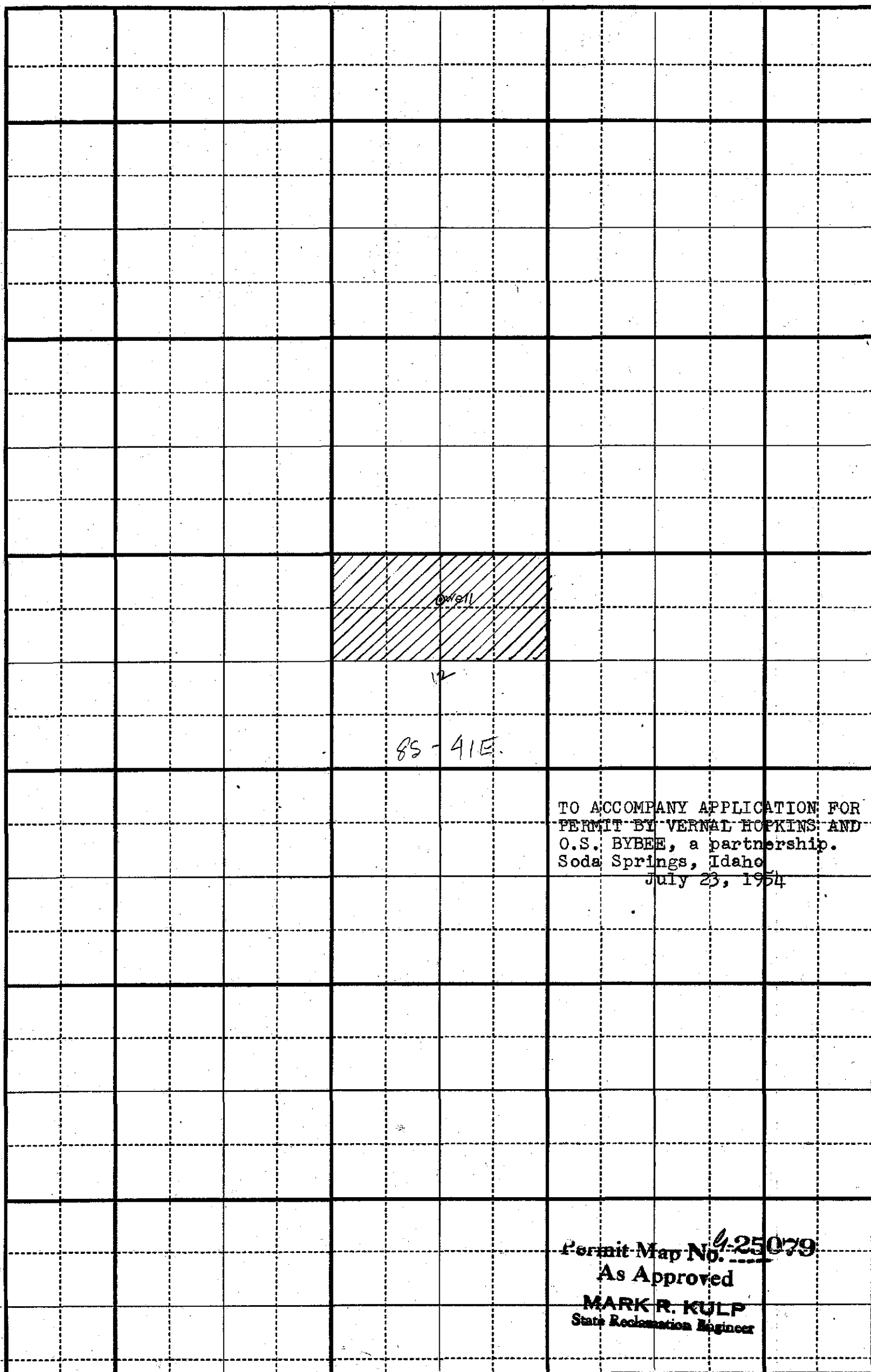
Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:br
Encls.

25079

Form No. 0

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

825079



LEN JORDAN
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
MARK R. KULP, RECLAMATION ENGINEER

BOISE

July 24, 1954

RECEIVED
JUL 28 1954
Department of Reclamation

Messrs. Clarke, Holladay, and Caldwell
Itex Building
Pocatello, Idaho

ATTENTION: Mr. Callis A. Caldwell

Dear Mr. Caldwell:

We acknowledge receipt of the application of Vernal Hopkins and O. S. Bybee to appropriate 4.40 second feet of water from a well in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 12, Township 8 South, Range 41 East B.M.

However, the envelope in which this was enclosed as well as the check for the \$6.00 filing fee, is in the name of the State Recommendation Department.

We therefore, return the check with the request that you substitute it for one in the name of the State Department of Reclamation

Very truly yours,

MARK R. KULP
STATE RECLAMATION ENGINEER

By

Jeannie L. Anderson
Chief Clerk

A:hll
Enc.

f25079

**NOTICE OF PROOF OF
COMPLETION OF WORKS**

**APPLICATION OF WATER TO
BENEFICIAL USE**

Notice is hereby given that at 2:00 p. m., on the 29th day of February, 1956, at Soda Springs, County of Caribou, State of Idaho, before Stan Matthews, Notary Public, proof will be submitted of the completion of works for the diversion of 6.40 cubic feet per second of waters of subterranean and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-25079 and G-23061 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 are Vernal Hopkins and O. S. Bybee (partnership) Soda Springs, Idaho.

2. 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, in accordance with the plans accompanying the application for such permit, is 6.40 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 6.40 cubic feet per second.

4. The place where said water is used is Northeast quarter and the Northwest quarter of Section 12, Township 8 South, Range 41 E. B. M., County of Caribou.

5. The date of priority which said user is prepared to establish is July 24, 1954 and September 19, 1952.

MARK R. KULP
State Reclamation Engineer
(Pub. Feb. 2, 1956)

**NOTICE OF PROOF OF
COMPLETION OF WORKS**

**APPLICATION FOR WATER TO
BENEFICIAL USE**

Notice is hereby given that at 2:00 p. m., on the 29th day of February, 1956, at Soda Springs, County of Caribou, State of Idaho, before Stan Matthews, Notary Public, proof will be submitted of the completion of works for the diversion of 6.40 cubic feet per second of waters of subterranean and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-25079 and G-23061 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 are Vernal Hopkins and O. S. Bybee (partnership) Soda Springs, Idaho.

2. 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, in accordance with the plans accompanying the application for such permit, is 6.40 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 6.40 cubic feet per second.

4. The place where said water is used is Northeast quarter and the Northwest quarter of Section 12, Township 8 South, Range 41 E. B. M., County of Caribou.

5. The date of priority which said user is prepared to establish is July 24, 1954 and September 19, 1952.

MARK R. KULP
State Reclamation Engineer
(Pub. Feb. ~~29, 1955~~, 23, 1956)