

Rge. 16 E.

Twp 25.

21	16	33	PPD	49
	34	35		69
	50	68		<u>118</u>

Area - 118A

Subd - A

Allow Q = 100 cfs

2021

H26

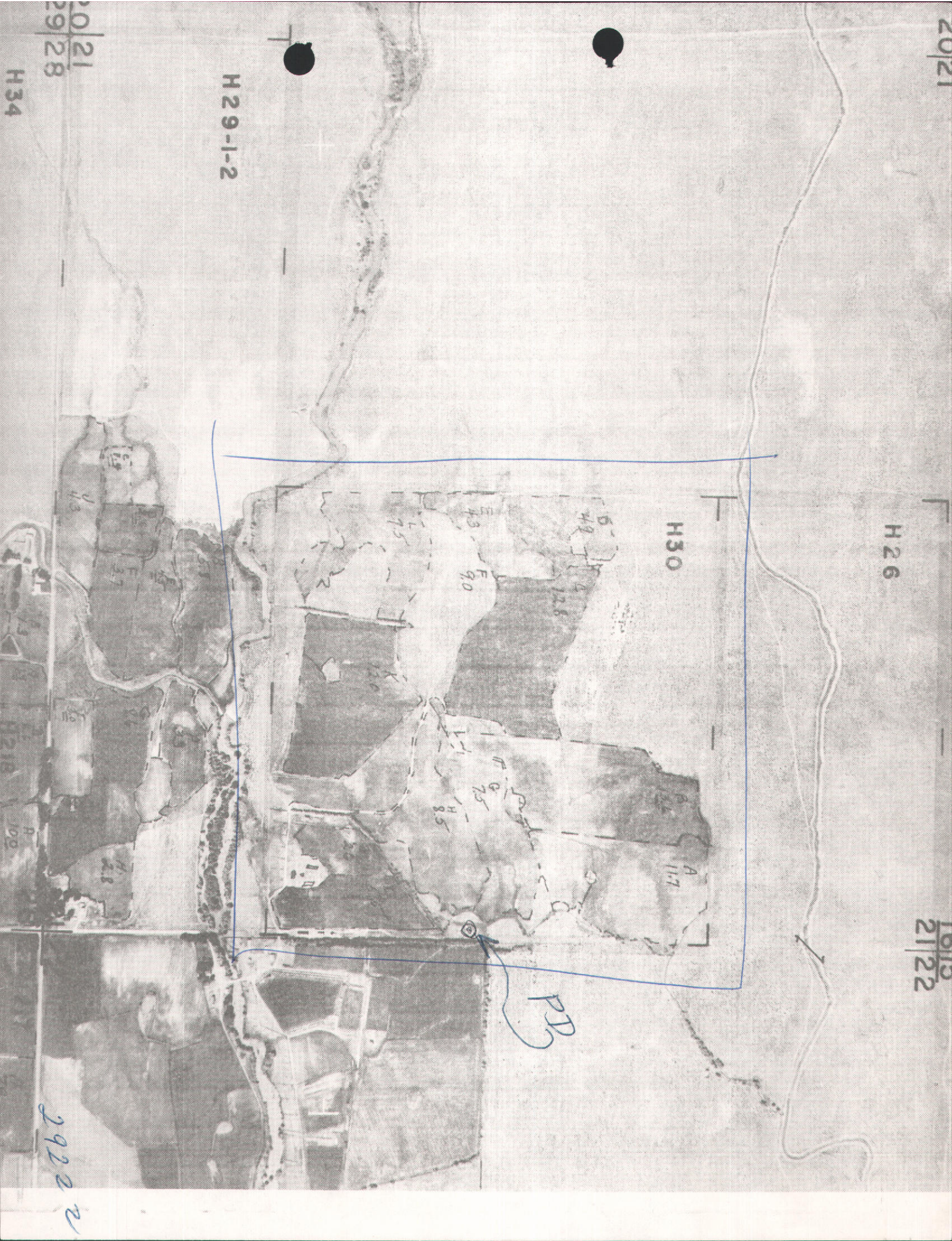
1913
2122

H30

H29-1-2

2021
2928

H34



29222

AFFIDAVIT of PUBLICATION

COPY OF NOTICE

(Paste Here)

State of Idaho,
County of Jerome

SS.

OCT 11 1966

Department of Reclamation

Alan P. Mencher, being first duly sworn, deposes and says that he is the printer (publisher) of the Jerome North Side News, a newspaper published every week in Jerome, County of Jerome, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 4 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 1 day of Sept, 1966 and the date of the last publication was on the 22 day of Sept, 1966

Alan P. Mencher

Subscribed and sworn to before me this 30

day of September, 1966.
(SEAL)

Alice T. Hendrickson
NOTARY PUBLIC

NORTH SIDE NEWS

Jerome, Idaho

COST OF PUBLICATION

Number of Lines in Notice 48

Number of Insertions 4

48 Lines at 15c 7.20

144 Lines at 10c 14.40

TOTAL COST 21.60

TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

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

Notice is hereby given that on the 4th day of October 1966, at Shoshone, County of Lincoln, State of Idaho before Stephen W. Boller, Notary Public, at Journal Building, proof will be submitted of the completion of works for the diversion of 1.0 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-29222, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person for corporation holding said permit is, Jess C. Leertua, Shoshone, Idaho.
2. Said works of diversion will be fully completed on the date for such completion and the amount of water which said works are capable of conveying to the place of use is 1.03 cubic feet per second.
3. The use to which said water has been applied is irrigation and stock water, purposes and the amount applied to beneficial use is 1.0 cubic feet per second.
4. The point of diversion of said water is NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21, T. 7 S., R. 16 E., B.M.
5. The place where said water is used is SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21, T. 7 S., R. 16, E., B.M.
6. The date of priority which said user is prepared to establish is Dec. 16, 1961.

R. KEITH HIGGINSON,
State Reclamation Engineer.

9-1-4tc

PUBLICATION RATES:

(Idaho Code, (Rev. Statutes) 1956	
7 pt. per line, straight	14c
7 pt. per line, tabular	20c
7 pt. per line, successive	
insertions	10c
6 pt. per line, straight	15c
6 pt. per line, tabular	20c
6 pt. per line, successive	
insertions	10c

Nº 1963

29222

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

Notice is hereby given that on the 4th day of October 1966, at Shoshone, County of Lincoln, State of Idaho before Stephen W. Boller, Notary Public, at Journal Building, proof will be submitted of the completion of works for the diversion of 1.0 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-29222, 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 Jess C. Lecertua, Shoshone, Idaho.
2. Said works of diversion will be fully completed on the date for such completion and the amount of water which said works are capable of conveying to the place of use is 1.03 cubic feet per second.
3. The use to which said water has been applied is irrigation and stock water, purposes and the amount applied to beneficial use is 1.0 cubic feet per second.
4. The point of diversion of said water is NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21, T. 7 S., R. 16 E., B.M..
5. The place where said water is used is SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21, T. 7 S., R. 16, E., B.M.
6. The date of priority which said user is prepared to establish is Dec. 16, 1961.

R. KEITH HIGGINSON,
State Reclamation Engineer.
9-1-4tc

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

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1. The name and postoffice address of the person or corporation holding said permit is Jess C. Lecertua, Shoshone, Idaho.
2. Said works of diversion will be fully completed on the date for such completion and the amount of water which said works are capable of conveying to the place of use is 1.03 cubic feet per second.
3. The use to which said water has been applied is irrigation and stock water, purposes and the amount applied to beneficial use is 1.0 cubic feet per second.
4. The point of diversion of said water is NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21, T. 7 S., R. 16 E., B.M..
5. The place where said water is used is SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21, T. 7 S., R. 16, E., B.M.
6. The date of priority which said user is prepared to establish is Dec. 16, 1961.

R. KEITH HIGGINSON,
State Reclamation Engineer.
9-1-4tc

Probate Judge.

9-1-3tc

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

Notice is hereby given that on the 4th day of October 1966, at Shoshone, County of Lincoln, State of Idaho before Stephen W. Boller, Notary Public, at Journal Building, proof will be submitted of the completion of works for

Prescott and Vicki Parker.

the diversion of 1.0 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-29222, 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 Jess C. Lecertua, Shoshone, Idaho.
2. Said works of diversion will be fully completed on the date for such completion and the amount of water which said works are capable of conveying to the place of use is 1.03 cubic feet per second.
3. The use to which said water has been applied is irrigation and stock water, purposes and the amount applied to beneficial use is 1.0 cubic feet per second.
4. The point of diversion of said water is NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21, T. 7 S., R. 16 E., B.M..
5. The place where said water is used is SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21, T. 7 S., R. 16, E., B.M.
6. The date of priority which said user is prepared to establish is Dec. 16, 1961.

R. KEITH HIGGINSON,
State Reclamation Engineer.
9-1-4tc

State of Idaho

License and Certificate of Water Right

Water License No. G-29222 Priority September 29, 1961 Amount 1.0 c.f.s.
(late proof)

THIS IS TO CERTIFY that JESS C. LECERTUA

of Shoshone, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated December 16, 1960; that Permit No. G-29222 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 1.0 second feet, was issued thereunder on January 19, 1968, showing that said works were completed on the 4 day of October, 1966; and that on the 4 day of October, 1966 JESS C. LECERTUA

of Shoshone, 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 and livestock watering, under Use Permit No. G-29222 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 of Idaho on the 19 day of January, 1968.

The right hereby confirmed dates from September 29, 1961. (late proof)

The Point of Diversion is located

in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21, Twp. 7 S, R. 16 E, B.M. Jerome 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 1.0 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
7 S	16 E	21	SE $\frac{1}{4}$	40	33
			SW $\frac{1}{4}$	40	16
			NE $\frac{1}{4}$	40	35
			NW $\frac{1}{4}$	40	34
			Total number acres 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 19 day of January, 1968.

R. Keith Higgins
State Reclamation Engineer.

36-2457

APPLICATION FOR PERMIT

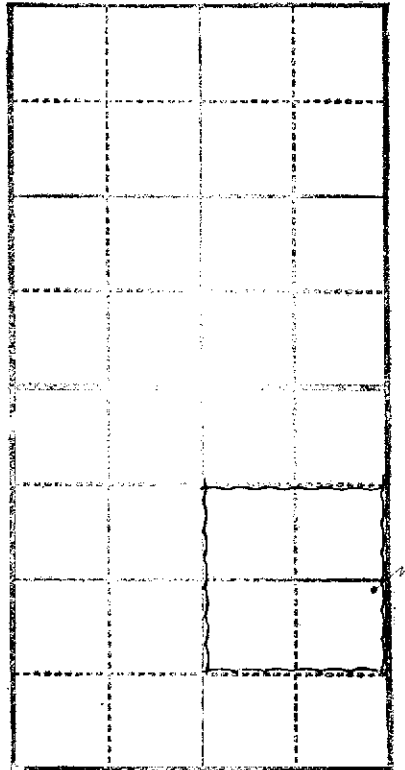
To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 37216
Permit No. G- 29222
District No.

CANCELLED pursuant to sec 42-311
Idaho Code Annotated, by order of
State Reclamation Engineer
dated March 31, 1966

Reinstated 4-19-66
See file folder

1. Name of Applicant: Jess C. Lecertua
Postoffice address: Shoshone County: Lincoln State: Idaho
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second One (1) second foot or Idaho
Miners' inches 50 or gallons per minute 450
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Drilled well
4. Location of point of diversion or well is in the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 21
Twp. 7 So , Rge. 16 E , B.M., County of Jerome
5. Water is to be used for: Irrigation and live stock watering
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Well, pump and ditches
8. Estimated cost of works: \$ 8,700.00
9. (a) Is reservoir to be used? no
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: 90 shares in the American Falls Res.
 - (a) one ft. (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) (cubic feet per second, inches or gallons per minute) is for new lands.



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

s/ Jess Lecertua *Applicant.*

By _____ Agent.

Date of first receipt at Department of Reclamation: 8:00 A.M. December 16, 1960

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G— 29222

Recorded in Book 103 Page 29222 Approved December 21, 1960

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

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

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

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

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

Witness my hand this 21st day of December, 1960

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 21st
day of December, 1960.

Countersigned:

STATE OF IDAHO

(SEAL)

By s/ ARNOLD WILLIAMS

By s/ ROBERT E. SMYLIE
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	
7 S.	16 E	21			X	X									X	X			160 A
PERMIT NO. G-29222 CERTIFICATE OF COMPLETION OF WORKS TO ALL WHOM IT MAY CONCERN: This is to certify that JESS C. LECERTUA of Shoshone, County of Lincoln, and State of Idaho, the holder of Permit No. G-29222, issued upon Application No. G-37216 bearing date of priority of September 29, 1961 (late proof), authorizing the diversion of 1.0 second feet of waters of a well County of Jerome, State of Idaho, for irrigation and livestock watering 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 1.0 second feet of the waters of a well, from subterranean flow, that the point of diversion of said waters is in the NE¹/₄SE¹/₄, Section 21, Township 7 South, Range 16 East, Boise Meridian; and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit: S¹/₂NE¹/₄, N¹/₂SE¹/₄, Section 21, Township 7 South, Range 16 East, Boise Meridian. Proof of Completion of Works made: October 4, 1966 Witness my hand this 19 day of January, A.D. 1968 S/ R. KEITH HIGGINSON State Reclamation Engineer LICENSE ISSUED FOR <u>1.0</u> SEC. FT. LICENSE PAGE NO. <u>29222</u>.																			

MAR 05 1997

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources
Southern Region

APPLICATION FOR AMENDMENT OF A PERMIT

Applicant E.F. Gunning and/or C.C. Gunning Phone 853-5556
Address P.O. Box 821 Wendell, ID 83355

I am the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 36-08063A, and request that the permit and permit map be amended and/or changed as follows:

Purpose of Amendment: ☒ Change point of diversion ☐ Add point of diversion
☒ Change place of use ☒ Change nature of use ☒ Change period of use Split Other

1. Point of diversion: SW 1/4 NE 1/4 NE 1/4, Section 34, Township 1S, Range 15E, B.M.,
County of Gooding. Other points of diversion SE 1/4 NE 1/4 NE 1/4 Sec 34 town
1S Rng 15E

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 0.02/3.29/a for Commercial purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre feet per annum) (water use) (Begin month) (End month)
Amount 0.19/34.4/a for Stockwater purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre feet per annum) (water use) (Begin month) (End month)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum) (water use) (Begin month) (End month)

3. Place of use or land to be irrigated:

T w p	R g e	S e c	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
<u>7S</u>	<u>15E</u>	<u>34</u>	<u>2/S</u>																

Total number of acres to be irrigated = _____

4. a. Who owns the property at the point of diversion? Farm Credit Union Holder
b. Who owns the land to be irrigated at the place of use? " "
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: See Attached Earnest Money Agreement dated 10/27/94 ✓

Note: See Attached Dairy water System Design dated 12-23-94 ✓

MICROFILMED

NOV 12 1993

Show 1/4 1/4, section, township, range and ditches. (the smallest subdivision represents 40 acres)

See Attached Disc Map

Scale: 2 inches equal 1 mile

I hereby request approval of this change subject to the fact that no one will be injured by the change, and that the change

Signed this 5 day of March, 1997.

Permit Holder

ACTION OF THE DEPARTMENT OF WATER RESOURCES

Preliminary check by _____

Publication prepared by

Date _____

Published in	Publication dates
--------------	-------------------

of the Department of Water Resources hereby

556 2 1 109

Witness my hand this

day of

61

SYNOPSIS

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resource

Receipt No: 8019994

Date: 4/ 3/1997
Time: 16:02:23

Received LUNNING, G D
From:

Type of Payment	Program A cct	Amount
50% TRANSFER FEE/50% 8019904	64106 229 21 1155	50.00

CHECK

001381

Total

\$ 50.00

Region: SOUTHERN

Signature: George Satterlee

MICROFILMED

NOV 12 1999

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resource

Receipt No: 5019904

Date: 3/ 5/1997
Time:

Received DUNNING FF AND/OR GC
From:

	Type of Payment	Program A cct	Amount
AMENDMENT OF PERMIT 36-08063A	24104	229 21 1155	50.00
CHECK	1342		
		Total	\$ 50.00

Region: SOUTHERN

Signature: _____

14070 211111
NOV 12 1997

January 19, 1968

Re: Permit No. G-29222

Jess C. Lecertua
Shoshone,
Idaho

Dear Mr. Lecertua:

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

Also enclosed is departmental receipt No. 33943 in the amount of \$13.00 covering the fees.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kd

Enclosures: Certificates
Receipt

29222

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that JESS C, LECERTUA
 of Shoshone, County of Lincoln, and State of
 Idaho, the holder of Permit No. G-29222, issued upon
 Application No. G-37216, bearing date of priority of September 29, 1961, authorizing the
 diversion of 1.0 second feet of waters of (late proof) a well

County of Jerome, State of Idaho, for irrigation and livestock watering
 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 1.0 second feet of the waters of a well, from subterranean
 flow,

that the point of diversion of said waters is in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 21, Township
 7 South, Range 16 East, Boise Meridian;

and that the lands proposed to be irrigated by the use or place of use of said water are
 described as follows, to-wit: S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Section 21, Township 7 South,
 Range 16 East, Boise Meridian.

Proof of Completion of Works made: October 4, 1966

Witness my hand this 19 day of January, A. D. 1968

R. Keith Higgins
 State Reclamation Engineer

29222

Sept. 5-1967

Re: - Permit G-29222

RECEIVED

SEP 7 1967

Jess Leertus

DEPARTMENT OF AGRICULTURE

Box 185

Shishone - Idaho

29222

29222

August 21, 1967

Re: Permit G-29222

JOSE C. LECERTUA
Shoshone, Idaho

Dear Mr. Lecertua:

A representative of this department has made an examination of the works covered by your permit G-29222 and has found the following:

Quantity of water diverted: 1.0 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 1.0 c.f.s.

Purpose of use: live stock and irrigation of 118 acres in
S₄NE₄, N₂SE₄, Sec. 21, T. 7 S, R. 16 E, B.M.

The priority date established is: September 29, 1961.

A fee totaling \$ 13.00 must be received within 30 days from the date of this letter in order that we can issue you the Certificate of Completion of Works and the License and Certificate of Water Right as described above.

Very truly yours,

A. Stephen Allred
Assistant State Reclamation Engineer

ASA:nw

D
29222

August 21, 1967

Re: Permit G-29222

Jess C. Lecertua
Shoshone, Idaho

Dear Mr. Lecertua:

A representative of this department has made an examination of the works covered by your permit G-29222 and has found the following:

Quantity of water diverted: 1.0 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 1.0 c.f.s.

Purpose of use: live stock and irrigation of 118 acres in
S₉NE₁, N₁SE₁, Sec. 21, T. 7 S, R. 18 E, B.M.

The priority date established is: September 29, 1961

A fee totaling \$ 13.00 must be received within 30 days from the date of this letter in order that we can issue you the Certificate of Completion of Works and the License and Certificate of Water Right as described above.

Very truly yours,

A. Stephen Allred
Assistant State Reclamation Engineer

ASA:rw

*fee paid
9-7-67*

29222

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. G-29222

REPORT ON PROOF OF Completion of Works & Beneficial Use

16	33		
34	35	PD	49
50	60		69
			118

Area - 118A

Subd - A

Allow Q = 1.0 cfs

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

Permit No. G-29222

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

1. Name of applicant. Jess C. Lecertua

2. Source of water supply: Subterranean

3. Location of point of diversion: Is in the NE $\frac{1}{4}$ of Section 21

T. 7 S R. 16 E County of Jerome

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

40 HP 21 Motor # 1215981
Byron Jackson Pump # 378529
6" discharge to concrete trough & earth
ditches

5. Water is used for: Irrigation and live stock

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):

S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 21, T. 7 S, R. 16 E, B.M.

160 acres

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

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

Remarks: 1. if

no method available to measure Q estimated @ 1 cfs

This examination was made on the 2nd day of August, 1967

(Signed) Don Watts Examiner.

29222 DW Plat ✓

Jess C. Lecertua pump, ditch
Shoshone, Idaho 13" 285'
4-240'

Permit No. G-29222

Examination for Completion of Works & Beneficial Use

County Jerome

Sec. 21 T. 7S R. 16E

Quantity: 1 c.f.s.

Source: Subterranean

P.D.: NE1/4, Sec. 21, T. 7S, R. 16 E, B.M.

Use: Irrigation and live stock

Extension:

Protest:

Completion of Works:

Other Rights: 90 shares in Am Falls Res.

Filed: December 16, 1960

Due: December 21, 1965

Made: October 4, 1966

Priority: September 29, 1961

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.

H26

211 2

H30

PD

H29-1-2

021
928

H34

2922 2

October 17, 1966

Re: Permit No. G-29222

Jess C. Lecertua
Shoshone, Idaho

Dear Mr. Lecertua:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the ~~Jerome North Side News~~ all submitted in proof of completion of works and beneficial use on Permit No. G-29222.

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

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

Very truly yours,

M. Russell Bosch
Office Manager

MRB:nw

29222

MURPHY & BOLLER
ATTORNEYS AT LAW
SHOSHONE, IDAHO

RECEIVED
OCT 11 1966

JACK M. MURPHY
STEPHEN W. BOLLER

October 10, 1966

Box 508
83352
208-886-2289

Department of Reclamation
107 State House
Boise, Idaho 83701

Re: Lecertua Water Permit
No. G 29222

Gentlemen:

Please find enclosed herewith
Proof of Application of Water to Beneficial Use
and Completion of Works by Jess C. Lecertua,
together with the Deposition of Witnesses,
J. Emmett Smith and Thomas M. Huber and the
Affidavit of Publication of Notice of Proof.

Should there be any further
information needed, please advise.

Yours very truly,

MURPHY & BOLLER

By 
Stephen W. Boller

SWB/ems

Encls.

29222

AFFIDAVIT of PUBLICATION

COPY OF NOTICE
(Paste Here)

State of Idaho,
County of Jerome

SS.

Alan P. Mencher, being first duly sworn, deposes and says that he is the printer (publisher) of the Jerome North Side News, a newspaper published every week in Jerome, County of Jerome, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 4 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 1 day of Sept, 1966 and the date of the last publication was on the 22 day of Sept, 1966

Alan P. Mencher

Subscribed and sworn to before me this 30

day of September, 1966.
(SEAL)

Alice T. Hendrickson
NOTARY PUBLIC

NORTH SIDE NEWS

Jerome, Idaho

COST OF PUBLICATION

Number of Lines in Notice 48

Number of Insertions 4

48 Lines at 15c 7.20

144 Lines at 10c 14.40

TOTAL COST 21.60

TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Notice is hereby given that on the 4th day of October 1966, at Shoshone, County of Lincoln, State of Idaho before Stephen W. Boller, Notary Public, at Journal Building, proof will be submitted of the completion of works for the diversion of 1.0 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms of the order of the court.

The works of diversion will be fully completed on the date for such completion and the amount of water which said works are capable of conveying to the place of use is 1.00 cubic feet per second.

3. The use to which said water has been applied is irrigation and stock water, purposes and the amount applied to beneficial use is 1.0 cubic feet per second.

4. The point of diversion of said water is NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21, T. 7 S., R. 16 E., B.M.

5. The place where said water is used is SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21, T. 7 S., R. 16, E., B.M.

6. The date of priority which said user is paramount is

PUBLICATION RATES:

(Idaho Code, (Rev. Statutes) 1956
7 pt. per line, straight 14c
7 pt. per line, tabular 20c
7 pt. per line, successive
insertions 10c
6 pt. per line, straight 15c
6 pt. per line, tabular 20c
6 pt. per line, successive
insertions 10c

N^o 1963

29232

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

Permit No.

29222

Department of Reclamation

RECEIVED
OCT 11 1960

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: _____

JESS C. LECERTUA, Shoshone, Idaho, Rancher-Sheep Man -

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

Ques. 3. State number, approval date of permit, and date of priority: _____

G 29222, December 21, 1960, Dec. 16, 1960.

Ques. 4. State source of water supply: Drilled well located in: NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21, T. 7 S., R. 16 E., B.M.

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

NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21, T. 7 S., R. 16 E., B.M.

Ques. 5. Describe your works of diversion: Byron-Jackson Turbine Pump,

40 horsepower

_____ ; state amount of water they are capable of conveying from point of diversion to place of use: 1.03 cu. ft. Give name of canal or ditch

or other works by which water is conducted to such place of use: Existing ditch.

_____ ; if a well, state depth of well 285 ft. ; depth and size of

casing 60 ft., 12 in. ; depth to water 240 ft. ; if pump is used,

state discharge of pump: 450 gpm ; tell how it was measured or determined It was

measured by Oroface Weir ; if sprinkler irrigation, give number and size

of nozzles and operating pressure: _____

Ques. 6. State for what purpose water is used: Irrigation and stock purposes.

(If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water:

SW $\frac{1}{4}$ NE $\frac{1}{4}$, 40 acres; SE $\frac{1}{4}$ NE $\frac{1}{4}$, 40 acres; NE $\frac{1}{4}$ SE $\frac{1}{4}$, 40 acres; NW $\frac{1}{4}$ SE $\frac{1}{4}$,

40 acres; Section 21, T. 7 S., R. 16 E., B.M.

no log

29222

Rowster

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

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

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

Ques. 8: If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder:

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: (April, 1961 (irrigation) Time used since first use:

(December, 1960 (stock)
1.0 c.f.s. for irrigation - 1.0 c.f.s for stock water

Ques. 10. Describe all other water rights appurtenant to same place of use: _____

90 shares North Side Canal Company

(sign) James Lee Latta

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

Shoshone, County of Lincoln
State of Idaho, on this 4th day of October, A. D. 1966.

My commission expires: 9/20/69

Stephen D. Baller

29222

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho
Permit No. G 29222

RECEIVED
OCT 11 1966
Department of Reclamation

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

DEPOSITION OF WITNESS

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

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

THOMAS M. HUBER, 26, Route # 2, Jerome, Idaho, farmer- same.

Ques. 2 Are you acquainted with Jess Lecertua, the holder of
Permit No. G 29222? How long have you known him and where does he reside?

5 years. Shoshone, Idaho.

Ques. 3. Have you read or heard said Permit No. G 29222 read, and are you familiar
with its provisions and conditions: Yes Yes No.

Ques. 4. State source of water supply: Subterranean

Give location of place of diversion, showing subdivision, section, township and range
NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21, T. 7 S., R. 16 E., B.M.

Describe works for conveying water to place of use: Existing ditch.

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 1.0 c.f.s. How much water have you seen being so
conveyed? 1.0 c.f.s.

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

SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, 40 acres; NE $\frac{1}{4}$ SE $\frac{1}{4}$, 40 acres; NW $\frac{1}{4}$ SE $\frac{1}{4}$, 40 acres;

Section 21, T. 7 S., R. 16 E., B.M.

29222

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is 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.
Had existing surface water and the water from this permit is for stock water and supplemental irrigation.

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

Ques. 10. When did you first see this water used? For stock purposes, December, 1960; For irrigation purposes, April, 1961.
Other times you have seen such use:

(Signed):

Thomas M. Kibler

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 Boise

_____, County of Lincoln, State of Idaho, on this 4th day of October, A. D. 1966

Stephen W. Baller
Notary Public for the State of Idaho
Residing Boise Idaho

My commission expires 9/30/69

29222

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho
Permit No. G 29222

RECEIVED
OCT 11 1966
Department of Reclamation

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

DEPOSITION OF WITNESS

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

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

J. Emmett Smith, 63, Jerome, Idaho, well drilling contractor.

Ques. 2 Are you acquainted with Jess Lecertua, the holder of
Permit No. G 29222? How long have you known him and where does he reside?

Ten years, Shoshone, Idaho.

Ques. 3. Have you read or heard said Permit No. G 29222 read, and are you familiar
with its provisions and conditions: Yes Yes. No. _____

Ques. 4. State source of water supply: Subterranean

Give location of place of diversion, showing subdivision, section, township and range
NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21, T. 7 S., R. 16 E., B.M.

Describe works for conveying water to place of use: Existing ditch.

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 1.0 c.f.s. How much water have you seen being so
conveyed? 1.0 c.f.s.

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

SW $\frac{1}{4}$ NE $\frac{1}{4}$, 40 acres; SE $\frac{1}{4}$ NE $\frac{1}{4}$, 40 acres; NE $\frac{1}{4}$ SE $\frac{1}{4}$, 40 acres; NW $\frac{1}{4}$ SE $\frac{1}{4}$, 40
acres; Section 21, T. 7 S., R. 16 E., B.M.

29222

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is 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.
Had existing surface water and the water from this permit is for stock water and supplemental irrigation.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned?
If so, in what way and to what extent? No.

Ques. 10. When did you first see this water used? For stock purposes, December, 1960,
For irrigation purposes, April, 1961.
Other times you have seen such use:

(Signed): J. Emmett Smith

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 Shoshone, County of Lincoln, State of Idaho, on this 4th day of October, A. D. 1966

Stephen W. Boller
Notary Public for the State of Idaho
Residing Shoshone Idaho

My commission expires 7/30/69

29222

36-2457

September 6, 1966

RE: Permit No. G-29222
Jess C. Lecertua

Northside News
Jerome, Idaho

Gentlemen:

In the legal notice of the above numbered permit will you please make the following correction in subsequent publications?

..... in accordance with the terms and conditions of Permit No. G-29222...

Very truly yours,

M. Russell Bosch
Office Manager

MRB:mr

MICROFILMED

29422

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

Notice is hereby given that on the 4th day of October 1966, at Shoshone, County of Lincoln, State of Idaho before Stephen W. Boller, Notary Public, at Journal Building, proof will be submitted of the completion of works for the diversion of 4.0 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-28222, 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 Jess C. Lecertus, Shoshone, Idaho.

2. Said works of diversion will be fully completed on the date for such completion and the amount of water which said works are capable of conveying to the place of use is 4.03 cubic feet per second.

3. The use to which said water has been applied is irrigation and stock water, purposes and the amount applied to beneficial use is 1.0 cubic feet per second.

4. The point of diversion of said water is NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21, T. 7 S., R. 16 E., B.M.

5. The place where said water is used is SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21, T. 7 S., R. 16 E., B.M.

6. The date of priority which said user is prepared to establish is Dec. 16, 1961.

R. KEITH HIGGINSON,
State Reclamation Engineer.

9-1-4tc

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

Notice is hereby given that on the 4th day of October 1966, at Shoshone, County of Lincoln, State of Idaho before Stephen W. Boller, Notary Public, at Journal Building, proof will be submitted of the completion of works for the diversion of 1.0 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-28222, 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 Jess C. Lecertus, Shoshone, Idaho.

2. Said works of diversion will be fully completed on the date for such completion and the amount of water which said works are capable of conveying to the place of use is 1.03 cubic feet per second.

3. The use to which said water has been applied is irrigation and stock water, purposes and the amount applied to beneficial use is 1.0 cubic feet per second.

4. The point of diversion of said water is NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21, T. 7 S., R. 16 E., B.M.

5. The place where said water is used is SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21, T. 7 S., R. 16 E., B.M.

6. The date of priority which said user is prepared to establish is Dec. 16, 1961.

R. KEITH HIGGINSON,
State Reclamation Engineer.
Legal notary

Probate Judge.

9-1-3tc

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

Notice is hereby given that on the 4th day of October 1966, at Shoshone, County of Lincoln, State of Idaho before Stephen W. Boller, Notary Public, at Journal Building, proof will be submitted of the completion of works for the diversion of 1.0 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-28222, 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 Jess C. Lecertus, Shoshone, Idaho.

2. Said works of diversion will be fully completed on the date for such completion and the amount of water which said works are capable of conveying to the place of use is 1.03 cubic feet per second.

3. The use to which said water has been applied is irrigation and stock water, purposes and the amount applied to beneficial use is 1.0 cubic feet per second.

4. The point of diversion of said water is NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21, T. 7 S., R. 16 E., B.M.

5. The place where said water is used is SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21, T. 7 S., R. 16 E., B.M.

6. The date of priority which said user is prepared to establish is Dec. 16, 1961.

Prescott and Vicki Parker.

the diversion of 1.0 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-28222, 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 Jess C. Lecertus, Shoshone, Idaho.

2. Said works of diversion will be fully completed on the date for such completion and the amount of water which said works are capable of conveying to the place of use is 1.03 cubic feet per second.

3. The use to which said water has been applied is irrigation and stock water, purposes and the amount applied to beneficial use is 1.0 cubic feet per second.

4. The point of diversion of said water is NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21, T. 7 S., R. 16 E., B.M.

5. The place where said water is used is SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21, T. 7 S., R. 16 E., B.M.

6. The date of priority which said user is prepared to establish is Dec. 16, 1961.

R. KEITH HIGGINSON,
State Reclamation Engineer.

9-1-4tc

Re: Permit No. G-29222

August 24, 1966

Northside News
Jerome, Idaho

Gentlemen:

Enclosed you will find a legal notice which we wish to have published for four consecutive weeks prior to October 4, 1966. The expense of the publication is to be paid by Stephen W. Boller, Attorney of Shoshone, Idaho to whom you should furnish proof of publication on or prior to the above date.

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

Very truly yours,

XXXXXXXXXXXXXXXXXXXX
CARL E. TAPPAN
State Reclamation Engineer

RKH:mr

Enc. legal notice

MICROFILMED

29922

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

Notice is hereby given that ~~XXXXXXXXXX~~ on the 4th day of October
19 66, at Shoshone,, County of Lincoln, State of Idaho
before Stephen W. Boller, Notary Public, at (address) _____
Journal Building, proof will be submitted of the completion
of works for the diversion of 1.0 cubic feet per second of underground water from a
well, and of the application to beneficial use of said water, in accordance with the
terms and conditions of Permit No. G-29222, 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 Jess C. Lecertua, Shoshone, Idaho
2. Said works of diversion will be fully completed on the date for such completion,
and the amount of water which said works are capable of conveying to the place of
use is 1.03 cubic feet per second.
3. The use to which said water has been applied is irrigation & stock water
_____, purposes and the amount applied to beneficial use is
1.0 cubic feet per second.
4. The point of diversion of said water is NE~~1~~/~~4~~SE~~1~~/~~4~~, Sec. 21, T. 7 S., R. 16 E., B.M.
5. The place where said water is used is SW~~1~~/~~4~~NE~~1~~/~~4~~, SE~~1~~/~~4~~NE~~1~~/~~4~~, NE~~1~~/~~4~~SE~~1~~/~~4~~, NW~~1~~/~~4~~SE~~1~~/~~4~~,
Sec. 21, T. 7 S., R. 16 E., B.M.
6. The date of priority which said user is prepared to establish is Dec. 16, 1961

R. KEITH HIGGINSON

MICROFILMED

State Reclamation Engineer

29922

Re: Permit No. **G-29222**

August 24, 1966

**Stephen W. Boller
Attorney at Law
Shoshone, Idaho**

Dear Mr. Boller:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. **G-29222** in the name of **Jess C. Lecertua**. Final Proof is to be made before you, as Notary on the **4th** day of **October**, 19 **66**, ~~Shoshone, Idaho~~ at **Shoshone, Idaho**, Idaho.

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

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

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

Very truly yours,

**M. Russell Bosch
Office Manager**

Encl.

cc: Applicant **Jess C. Lecertua**

29222

RECEIVED

AUG 11 1966

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

Department of Reclamation

NOTICE is hereby given that at 10:00 A. M., on the 4 day of October
1966 at Shoshone, Idaho, County of Lincoln, State of Idaho, before
Stephen W. Boller, Notary Public, at (address) Journal Building
proof will be submitted of the completion of works for the diversion of
1.0 cubic feet per second of the waters of subterranean
and of the application to beneficial use of said water, in accordance with
the terms and conditions of Permit No. 29222, 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: Jess C. Recertua, Shoshone, 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 is
1.03 cubic feet per second.

3. The use to which said water has been applied is irrigation stock water
purposes, and the amount applied to beneficial use is 1.0 cubic
feet per second.

4. The point of diversion of said water is NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 21, Twp. 7 S, Range
16E, BM

5. The place where said water is used is SW $\frac{1}{4}$ of the NE $\frac{1}{4}$, SE $\frac{1}{4}$ of the NE $\frac{1}{4}$,
NE $\frac{1}{4}$ of the SE $\frac{1}{4}$, and NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ Twp 7S, Range 16E, Section 21

Total 160 acres.

6. The date of priority which said user is prepared to establish is Dec. 16, 1960

State Reclamation Engineer

retype *ck* *form*
accept *29922*
MICROFILMED

RECEIVED

OCT 11 1966

Department of Reclamation

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

NOTICE is hereby given that at 10:00 A. M., on the 4 day of October
1966 at Shoshone, Idaho, County of Lincoln, State of Idaho, before
Stephen W. Boller, Notary Public, at (address) Journal Building
_____, proof will be submitted of the completion of works for the diversion of
1.0 cubic feet per second of the waters of subterranean
_____, and of the application to beneficial use of said water, in accordance with
the terms and conditions of Permit No. 29222, 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: Shoshone, 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 is
1.03 cubic feet per second.

3. The use to which said water has been applied is irrigation
_____, purposes, and the amount applied to beneficial use is 1.0 cubic
feet per second.

4. The point of diversion of said water is NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 21, Twp. 7 S, Range
16E, BM

5. The place where said water is used is SW $\frac{1}{4}$ of the NE $\frac{1}{4}$, SE $\frac{1}{4}$ of the NE $\frac{1}{4}$,
NE $\frac{1}{4}$ of the SE $\frac{1}{4}$, and NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ Twp 7S, Range 16E, Section 21

Total _____ acres.

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

State Reclamation Engineer

MICROFILMED

29922

RECEIVED
AUG 11 1966

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) August 18, 1966

(P. O.) SHOSHONE, 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 NORTH SIDE NEWS of
JEROME, IDAHO published in the
county in which the works are situated.

JESS LECERTUA
MURPHY & BOLLER

By [Signature]

(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

29422
MICROFILMED

INSTRUCTIONS TO DELIVERING EMPLOYEE



Show to whom and
when delivered



Show to whom, when, and
address where delivered



Deliver **ONLY**
to addressee

(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

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

CERTIFIED NO.

19103

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

DATE DELIVERED

SHOW WHERE DELIVERED *(only if requested)*

JUL 12 1966

655-16-71548-7

29222

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

RECEIVED
JAN 19 1966

PENALTY FOR PRIVATE USE 10c
PAYMENT OF POSTAGE, \$30

POSTMARK OF
DELIVERING OFFICE

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

**RETURN
TO**

NAME OF SENDER

Department of Reclamation

STREET AND NO. OR P.O. BOX

Room 107 Statehouse

CITY, STATE, AND ZIP CODE

Boise, Idaho 83701

29222

8-29222

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

July 11, 1966

Re: Permit No. G- 29222

To Jess Lecertus
Shoshone, Idaho

It appearing to the State Reclamation Engineer that the terms and conditions of Permit No. G- 29222 to Appropriate the Public Waters of the State of Idaho, have not been complied with as to _____
Completion of Works and Beneficial Use which was due June 21, 1966
by extension granted June 15, 1966

YOU ARE HEREBY notified in compliance with Sec. 42-234, Idaho Code that said Permit No. G- 29222 is hereby held for cancellation.

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

SAID PERMIT NO. G- 29222 claims the use of 1.0 cubic feet per second of the Subterranean Waters of a well with point of diversion located NW 1/4 Sec. 21, T. 7 S., R. 16 E., B. 1. Jerome County and was approved Dec. 21, 1960.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of my office at Boise, Idaho, the 11th day of June, 1966.

cc: Mr. Stephen W. Boller
Attorney at Law
Shoshone, Idaho

R. Keith Higginson Deputy
State Reclamation Engineer

29222

June 15, 1966

Re: Permits G-28895
" G-29222

Mr. Stephen W. Boller
Murphy & Boller
Attorneys at Law
Shoshone, Idaho

Dear Steve:

Our records show that proof of completion of works and use of water was due on Permit No. G-28895 on July 26, 1965, and was submitted on October 14, 1965. It is now waiting for field examination by this department.

Permit G-29222 was cancelled but was reinstated on April 19, 1966, pursuant to your request. Time for submitting proof of completion was extended to June 21, 1966. If proof is not submitted by that date it will again be subject to cancellation.

Very truly yours,

R. KEITH HIGGINSON, Deputy
State Reclamation Engineer

RKH:ew

29222

MURPHY & BOLLER
ATTORNEYS AT LAW
SHOSHONE, IDAHO

JACK M. MURPHY
STEPHEN W. BOLLER

BOX 506
83352
208-886-2289

June 13, 1966

RECEIVED
JUN 15 1966

Department of Reclamation

R. Keith Higginson
Assistant State
Reclamation Engineer
State House
Boise, Idaho

Dear Keith:

I wonder if you might give me the present status of water permits No. G-28895 and G-29222. Our file does not reflect that G-28895 has ever gone to license, and I see that G-29222 was up for cancellation but we made some kind of a pleading that apparently stopped it.

Tell Carl I appreciate his letter to Judge Webb and hope that we can get some movement out of Gene Anderson.

Very truly yours,

MURPHY & BOLLER

By Stephen W. Boller
Stephen W. Boller

SWB:zp

Proof made 10/14/65
7/26/65
P.D.
12/21/65
CANC
REINSTATED

P.D.
6/21/66

29222

BEFORE THE STATE RECLAMATION ENGINEER OF
STATE OF IDAHO

IN THE MATTER OF)
)
Permit No. G-29222) ORDER OF REINSTATEMENT
)
)

WHEREAS, Permit G-29222 was issued by the State Reclamation Engineer on December 21, 1960, and the date for submitting proof of completion of works and application of water to beneficial use was set for December 21, 1965; and,

WHEREAS, Applicant failed to notify this department of the Completion of Works and his intention to submit proof of beneficial use of the water on or before said date, or within thirty (30) days thereafter; and,

WHEREAS, Notice was sent to the applicant under the provisions of Section 42_234, on January 31, 1966, that Permit G-29222 was subject to cancellation and would be cancelled unless he showed cause within sixty (60) days from that date; and,

WHEREAS, Applicant's Attorney requested an Extension of Time by letter received February 2, 1966, for the purpose of allowing sufficient time to prepare and make proof as required; and,

WHEREAS, Permit G-29222 was inadvertently cancelled by this Department without properly considering said request for further time;

NOW, THEREFORE, It is ordered and the cancellation of Permit G-29222 is hereby rescinded and said permit is in all respects reinstated and time for submitting proof of completion of works and beneficial use of water is hereby extended to June 21, 1966.

Dated This 19th, day of April, 1966


State Reclamation Engineer

29222

R

APR 11 1966

J. W. A. M.

Department of Game and Fish

A F F I D A V I T

STEPHEN W. BOLLER, being first duly sworn on oath,
deposes and says:

I.

That he is informed and believes that Permit No. G-29222
is subject to cancellation under Section 42-234, Idaho Code.

II.

That he is informed and believes that the holder of
said permit, Jess C. Lecertua, did not fully understand the
formal requirements of the statutes with regard to notice and
proof in connection with the time limited for completion of
works under said permit.

III.

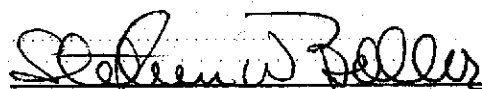
That your affiant informally asks for an extension of
time on said Permit on behalf of the permit holder and that he
will make a formal request for extension of time in conformance
with the provisions of the Idaho Code relating to extensions
of time on ground water permits.

IV.

That this Affidavit is made in support of a Motion
that said Permit not be cancelled.

FURTHER, your affiant sayeth not.

Respectfully submitted,


STEPHEN W. BOLLER

29222

1 STATE OF IDAHO)
2 County of Lincoln) ss.

3
4 On this 1st day of April, 1966, before me, the
5 undersigned Notary Public in and for said County and State,
6 personally appeared STEPHEN W. BOLLER, known to me to be the
7 person whose name is subscribed to the within instrument,
8 and acknowledged to me that he executed the same.

9 IN WITNESS WHEREOF, I have hereunto set my hand and
10 seal the day and year first above written.

11
12 *Ellen M. Miller*
13 _____
14 Notary Public for Idaho
15 Residence: Shoshone, Idaho
16
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29222

VED

APR 11 1966

8:00 A.M.

Department of Reclamation

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

IN THE MATTER OF:)
)
Permit No. G-2922)
Jess C. Lecertua)

M O T I O N

COMES NOW the holder of Permit No. G-29222,
Jess C. Lecertua, by and through his attorneys of record,
Murphy & Boller of Shoshone, Idaho, and move the State
Reclamation Engineer that permit No. G-29222 not be cancelled.

THIS MOTION is made and based upon the records
and correspondence on file and the Affidavit of Stephen W.
Boller submitted herewith.

DATED April 1st, 1966.

MURPHY & BOLLER

By Stephen W. Boller
Of the Firm
Attorneys for Permit Holder
Residence: Shoshone, Idaho

29222

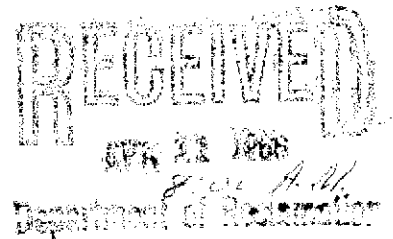
LAW OFFICES OF
MURPHY, SCHWARTZ & CUNNINGHAM

JACK M. MURPHY
FRED A. SCHWARTZ
JAMES M. CUNNINGHAM
JOHN A. DOERR
STEPHEN W. BOLLER

TWIN FALLS, IDAHO
1227 LYNWOOD MALL
733-4961

SHOSHONE, IDAHO
JOURNAL BUILDING
886-2289

Shoshone, Idaho
April 7, 1966



R. Keith Higginson
Assistant State Reclamation Engineer
State House
Boise, Idaho

Dear Keith:

Enclosed is something which may or may not be in conformance with 42-234, but in this business you call them as you see them. I hope this arrives in time since I forgot to send it off last Friday.

This points up some of the things you are trying to do with the Code. I would think that 42-234 is a good subject for revision and clarification.

If you need any further "pleadings", please let me know.

Very truly yours,

MURPHY & BOLLER

By Steve
Stephen W. Boller

SWB:ch

Encls.

29222

February 7, 1966

RE: Permit No. G-29222
Jess C. Lecertua

Jack M. Murphy
Murphy, Schwarts & Cunningham
Attorneys
Shoshone, Idaho

Dear Mr. Murphy:

In reply to your request of February 2, an extension of time for completing Mr. Lecertua's proofs will not be required if action has been started or will be started soon. It is not the policy of this department to cancel a permit if our Forms 36 and 11 are returned to this office prior to the date set for cancellation.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

Donald J. Watts
Office Engineer

DJW:mr

29222

LAW OFFICES OF
MURPHY, SCHWARTZ & CUNNINGHAM

JACK M. MURPHY
FRED A. SCHWARTZ
JAMES M. CUNNINGHAM
JOHN A. DOERR
LARRY D. HANSON

Shoshone, Idaho
February 2, 1966

TWIN FALLS, IDAHO
1227 LYNWOOD MALL
733-4961

SHOSHONE, IDAHO
JOURNAL BUILDING
886-2289

RECEIVED
FEB 7 1966

Department of Reclamation
Boise, Idaho

Department of Reclamation

Re: Permit No. G - 29222
Jess C. Lecertua
Shoshone, Idaho

Attention: Mr. Carl E. Tappan
State Reclamation Engineer

Dear Mr. Tappan:

With reference to the captioned permit number, please be advised that the permit holder, Mr. Jess C. Lecertua, brought to our attention your letter of January 31, 1966.

Due to inadvertence on the part of the applicant and his failure to understand the notice and proof, he has failed to file same. May we have an extension of ninety days for the issuance of the necessary notices, publication and proof?

I might advise that the well has been dug and is in place and in use, and has been for many years.

I would be hopeful that you could be of assistance in this matter.

Yours very truly,

MURPHY, SCHWARTZ & CUNNINGHAM

By

JMM/es

Jack M. Murphy
29222
Held cancellation
B M

INSTRUCTIONS TO DELIVERING EMPLOYEE



Deliver *ONLY* to
addressee



Show address where
delivered

(Additional charges required for these services)

RECEIPT

Received the numbered article described on other side.

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

Jessie Roberts

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

Rosita Roberts

DATE DELIVERED

FEB 1 - 1965

SHOW WHERE DELIVERED (only if requested)

29222

POST OFFICE DEPARTMENT OF COMMERCE
 OFFICIAL BUSINESS
 AT POST OFFICE FOR PRIVATE MAIL TO AVOID
 PAYMENT OF POSTAGE, \$300

POSTMARK OF
 DELIVERING OFFICE



RETURN
 TO



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



REGISTERED NO. NAME OF SENDER

CERTIFIED NO. DEPARTMENT OF Reclamation

STREET AND NO. OR P. O. BOX

Room 107 Statehouse

CITY, STATE, AND ZIP CODE

Boise, Idaho 83701

CSS-16-71548-B-F

POD Form 3811 Sep. 1963

9222

9222

10/1/63

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

January 31, 1966

Re: Permit No. G- 29222

To Jess C. Lecertua
Shoshone, Idaho

It appearing to the State Reclamation Engineer that the terms and conditions of Permit No. G- 29222 to Appropriate the Public Waters of the State of Idaho, have not been complied with as to Completion of Works and Beneficial Use due December 12, 1965.

YOU ARE HEREBY notified in compliance with Sec. 42-234, Idaho Code that said Permit No. G- 29222 is hereby held for cancellation.

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

SAID PERMIT NO. G- 29222 claims the use of 1.0 cubic feet per second of the Subterranean Waters well with point of diversion located: NE 1/4, Section 21, T 7 S., R 16 E., B.M.
Jerome, County and was approved Dec. 12, 1960.

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

Carl E. Tappan

State Reclamation Engineer

29222

S T A T E O F I D A H O

D E P A R T M E N T O F R E C L A M A T I O N

* * * * *

IN THE MATTER OF CANCELLATION OF PERMIT)
TO APPROPRIATE THE PUBLIC WATERS OF THE)
STATE OF IDAHO NO. G-29222)

ORDER OF CANCELLATION

WHEREAS, Permit No. G-29222 lapsed through failure of the holder to make proof of completion of works within the time specified in the Permit, to-wit: Completion of Works & Beneficial Use Proofs which were due December 12, 1965, and

WHEREAS, due notice was given the holder of said Permit that such proof would be due on the date above mentioned, and

WHEREAS, on January 31, 1966 notice was sent to the holder of said Permit to appear before the State Reclamation Engineer on or before 60 days to show cause why such Permit should not be cancelled, and

WHEREAS, the holder of said Permit has failed to comply with the said requirements, and that no showing has been made as to completion of the works under said Permit.

IT IS THEREFORE, hereby ordered that Permit No. G-29222 be and the same is hereby cancelled and held for naught.

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

Carl P. Hapman
STATE RECLAMATION ENGINEER

29222

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G - 29222

Oct. 1, 1965

Jess C. Lecertua
Shoshone, Idaho

Dear Mr. Lecertua:

The date for proofs of Completion of Works and Application of water to beneficial use, as set out under terms of Permit No. G- 29222 are due not later than **Dec. 12, 1965.**

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

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

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

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

Very truly yours,

STATE RECLAMATION ENGINEER

Enc.

cc:

29222

December 28, 1960

Re: Permit No. G-29222

Mr. Jess C. Lecertua,
Shoshone, Idaho.

Dear Mr. Lecertua:

We enclose Permit No. G-29222 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-5444 which was issued covering payment in the amount of \$5.00 for the filing fee of the above mentioned permit.

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

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

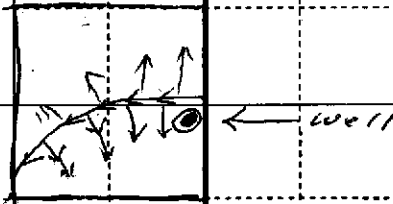
Encl.
EPR:pmk

29222

NAME OF APPLICANT..... *Locertia*
ESS C. *LOCERTIA*

Form No. 0

Sec. 21, T7S0 R16BBA.



Permit Map No. *29222*
As Approved *DEC 21 1960*
GEO. N. CARTER
Reclamation Engineer



ROBERT E. SMYLLIE
Governor

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
GEO. N. CARTER, STATE RECLAMATION ENGINEER
BOISE

Handwritten: K. E. 5-2

Stamp: RECEIVED
DEC 14 1960
Department of Reclamation

December 12, 1960

Re: Application for Permit

Mr. Jess C. Lecertna
Shoshone, Idaho

Dear Mr. Lecertna:

Your application for permit to appropriate subterranean water has been received.

The application can be approved upon payment of the \$5.00 filing fee.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By: *Edna P. Rule*
(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

*Enclosed my check for
above filing fee.*
Jess Lecertna
al.

29222

December 12, 1960

Re: Application for Permit

Mr. Jess C. Lecertna
Shoshone, Idaho

Dear Mr. Lecertna:

Your application for permit to appropriate subterranean water has been received.

The application can be approved upon payment of the \$5.00 filing fee.

Very truly yours,

GEO. R. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

KPR:ew

29222

RT