

Shirley
Farm to
Madison Co.

A167
A-1

X Division - New Well
Red Line Boundary of Farm
Green - Land New Well
Can Water
Berth Over the Well

New Well
New Well
New Well

Water
Water
Water

MICROFILMED

STATE LAND
(O.E. Peterson Leas

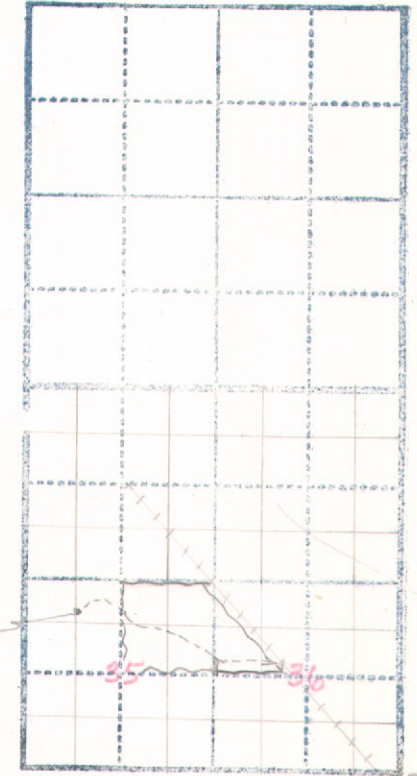
31-2385
assigned

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 37197
Permit No. G- 29204
District No.

1. Name of Applicant: Merl Park & Sons
Postoffice address: Hamer County: Jefferson State: Idaho
2. Quantity of water claimed: 3.20 cubic feet per second
(a) Rate of withdrawal in cubic feet per second or Idaho
Miners' inches 160 or gallons per minute
(b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean flow (well)
4. Location of point of diversion or well is in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 35
Twp. 7 N , Rge. 36 E , B.M., County of Jefferson
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 $\frac{1}{4}$ 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: \$
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 5 years.
11. If applicant is a corporation, give:
I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: none
(a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
(b) 3.2 (cubic feet per second, inches or gallons per minute) is for new lands.



State of Idaho

License and Certificate of Water Right

Water License No. G-27751 Priority January 26, 1959 Amount 2.65 c.f.s.

THIS IS TO CERTIFY that MERL PARK & SONS

of Shelley, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated January 26, 1959; that Permit No. G-27751 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 2.65 second feet, was issued thereunder on March 21, 1968, showing that said works were completed on the 30 day of April, 1962; and that on the 30 day of April, 1962 MERL PARK & SONS by Ray Park

of Shelley, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of a well

a tributary of subterranean flow for the purpose of irrigation under Use Permit No. G-27751 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 11, on the 21 day of March, 1968.

The right hereby confirmed dates from January 26, 1959.

The Point of Diversion is located in the SW 1/4 NE 1/4, Sec. 35, Twp. 7 N, R. 36 E, B.M. Jefferson County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 2.65 cubic feet per second.

Description and location of use:

Twp	Range	Section	Forty Acres Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
7 N	36 E	35	NE NE	40	26
			W NE	80	80
			SE NE	10	36
			SW NW	40	22
			NE SW	40	23
		36	NW SW	40	32
			SW SW	40	8
			SE SW	40	10

Total number of acres irrigated: 297

MICROFILMED

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place

Yellow copy

August 28, 1963

Re: Permits G-27751
G-29204

Merl Park & Sons
Hamer, Idaho

Attention Mr. Roy Park:

Dear Mr. Park:

In reply to your note on the bottom of our letter of August 16 it is necessary to point out that there are two permits involved with both covering the same lands, or 158 acres.

Permit G-27751 well in the SW¹/₄NE¹/₄, Sec. 35, T. 7 N., R. 36 E., B. M. was measured on July 17, 1963 by our examiner and produced 132.5 miner's inches. The well in the NE¹/₄NW¹/₄, Sec. 35, T. 7 N., R. 36 E., B.M. under permit G-29204 was measured on the same date and produced 117 inches of water.

Summary: Statuterial amount of water per acre is one miner's inch, applied beneficially. The area of land under irrigation has been determined to be 158 acres.

Allowed under G-27751	132.5 miner's inches
-----------------------	----------------------

Balance to G-29204	<u>25.5 miner's inches</u>
--------------------	----------------------------

Total allowed:	158.0 miner's inches
----------------	----------------------

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

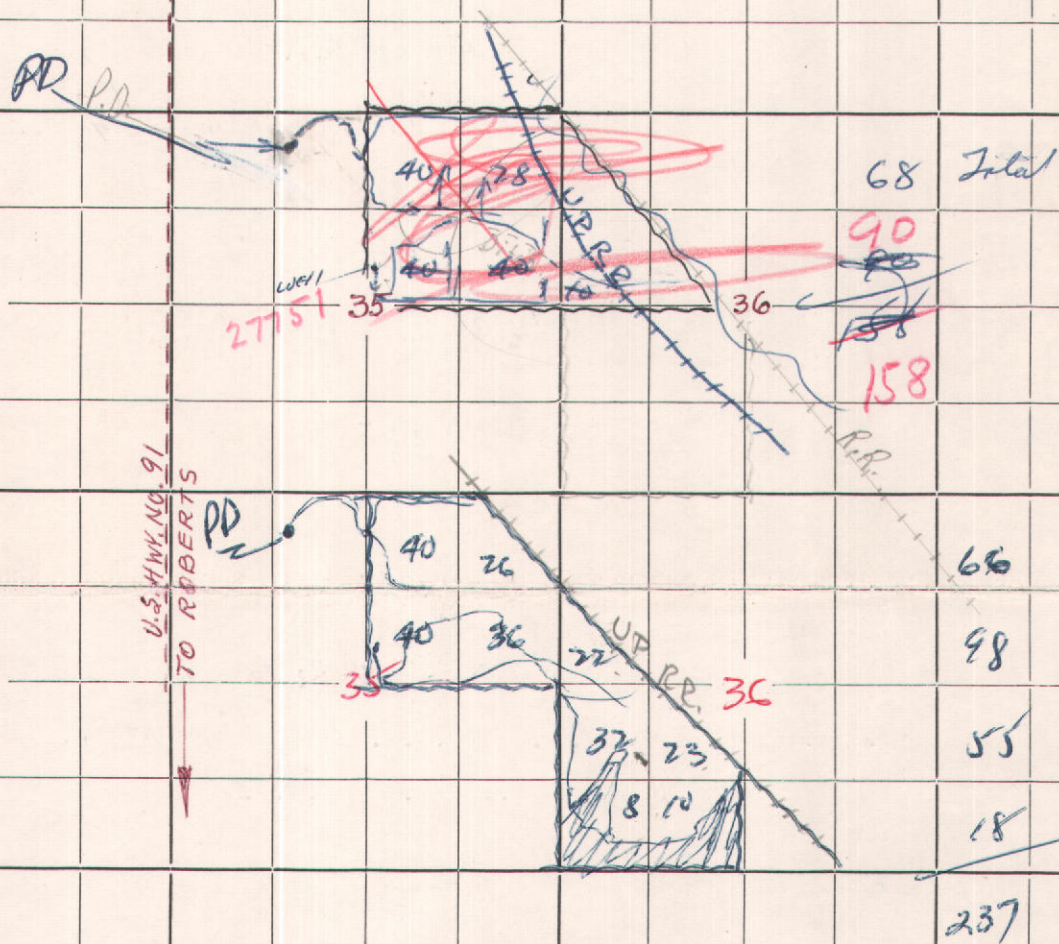
H. PETRI
State Water Rights Clerk

RECEIVED

29204

R-36 E.

T.
7
N.



c/w. 234 cfs

Subdivisions

AREA

237 acres

~~158~~ ~~68~~ ~~108~~ acres

2.09 cfs $\approx$ 104 1/2 inches

~~0.57 cfs of 25 1/2 inches~~

7/31/42

See
27751
G-27751

2.65 cfs

Allow

Q

~~158~~
~~132 1/2~~
~~25 1/2~~

237 acres
~~132 1/2~~
104 1/2

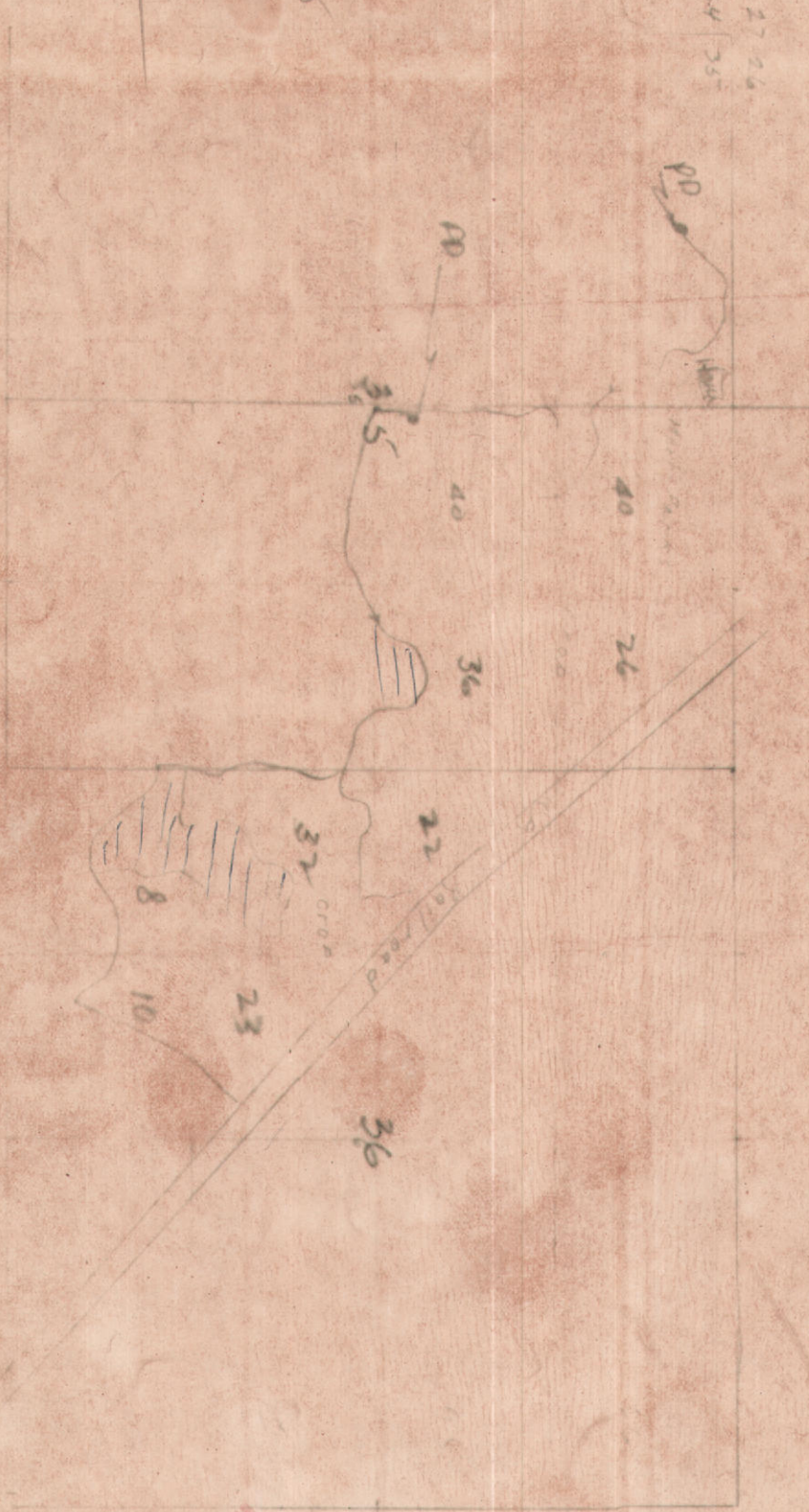
Scale 4" = 1 mile

18
237

27 26
34 35
66

98

55

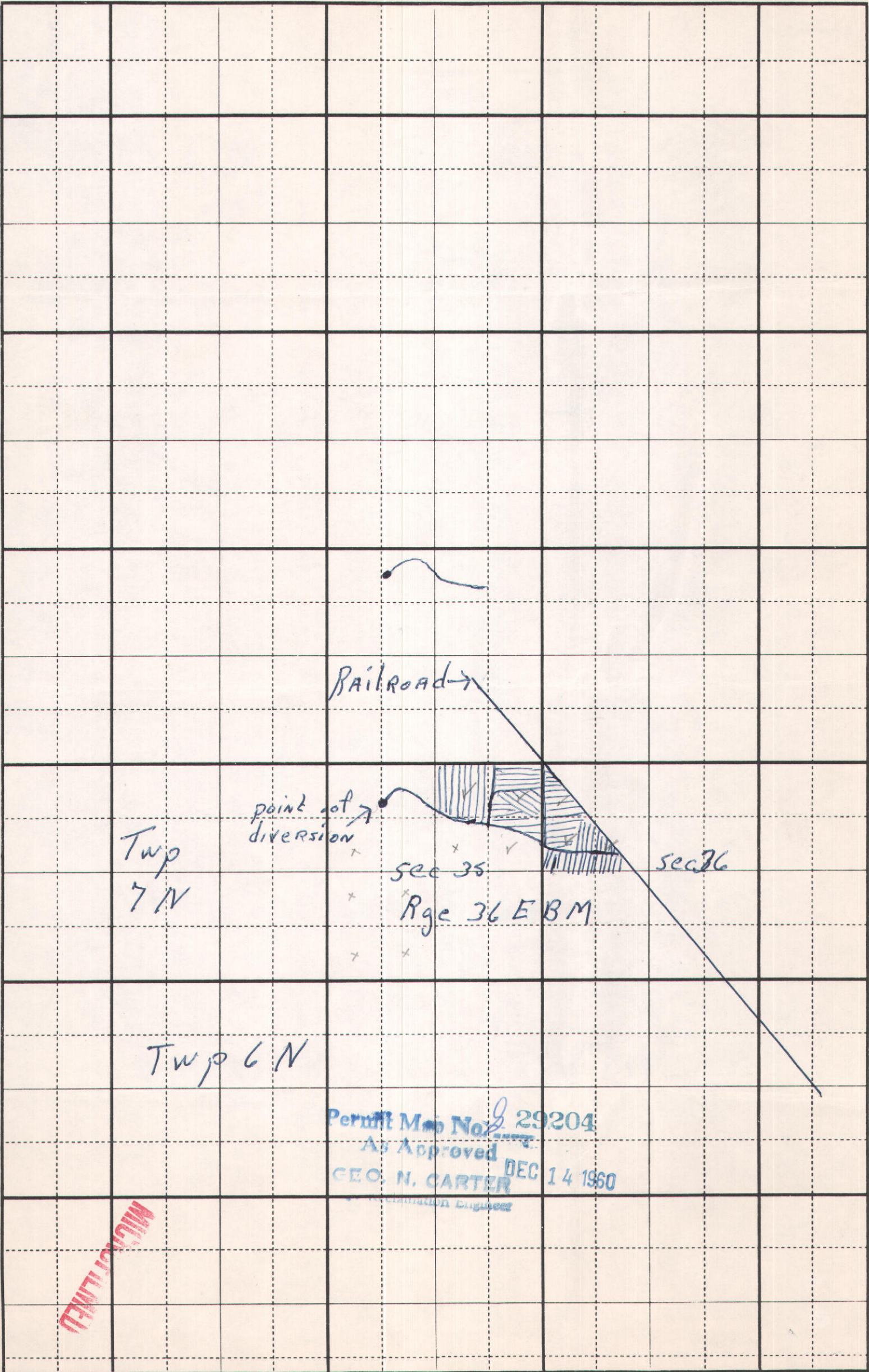


MICROFILMED

NAME OF APPLICANT

Merl PARK & SONS

Form No. 0



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

29204

Transfer No. 2611
31 2385
Water Right No. _____STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROVED
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of UseName of applicant E.W. and/or Reva Ward Phone 662-5263
Post Office address Hamer, Idaho

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____ (Name)
in case of _____ vs _____
dated in _____ in _____ county of _____
(Name of court)G29204
b. License No. 31-2385 issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____
Warranty deed3. Source of water Groundwater tributary to _____4. Date of priority 12/13/60

5. Water is used for the following purposes:

amount 2.09 cfs for Irrigation purposes from not specified to _____
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)6. Total amount of water under right: a. 2.09 cfs cubic feet per second
&/or
b. _____ acre feet per annum7. Location of original point of diversion is NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 35
Township 7N Range 36E, B.M., in Jefferson County
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
7N	36E	35	26	40	40	36													142
		36							22		23	32	8	10					95

Total number of acres to be irrigated 2379. Describe any other water rights used for the same purpose as described above 31-2370

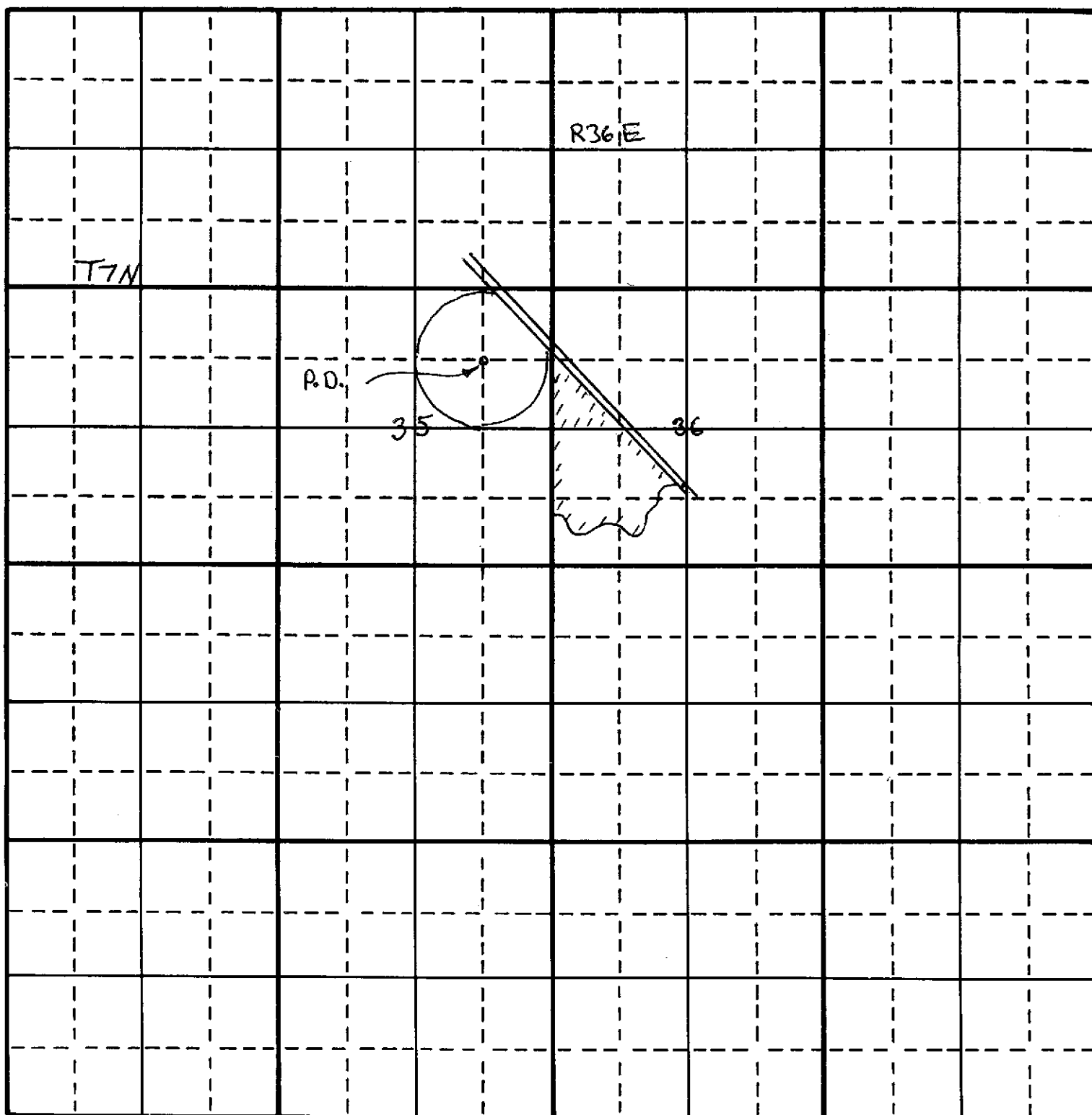
10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use? _____ If yes, describe in item D, REMARKS.

c. Describe the lands or point of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

- Describe any other water rights used for the same purpose as described above. NONE
- Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willfull misrepresentations made in this application may result in voiding its approval.

(Signature of Applicant)

Subscribed and sworn to before me this 26th day of October, 19 81

(Notary Public)

My commission expires 8-10-84

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 31-2385

APPROVED

and said application is hereby subject to the following limitations and conditions:

1. The maximum volume of water diverted under this transfer when combined with

License 31-2370 shall not exceed three (3) acre feet per acre.

Witness my hand this

28th day of

April

19 82

J. Allen Taylor
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by

(w)
(w)

Prelim. check by

HUS

Fee

50.00

Date

11-03-81
10-3-81

Received by

(w)

Date

11-04-81

Published in

Pub. dates 12-19, 1981
19144

Watermaster recommendation requested on

WV

recd.

Recommended for

approval

denial

Hearing held by

Date

Copies of protest forwarded by

**NOTICE OF PROPOSED
CHANGE OF WATER RIGHT**

No. 31-2385

Notice is hereby given that E.W. & Jor Reva Ward, Hamer, Idaho have applied to the Department of Water Resources for a change in the point of diversion of the waters of a groundwater source. The right sought to be changed is evidenced by License No. 31-2385 and is recorded as follows:

Amount: 2.09 cfs

Priority: Dec. 13, 1960

Point of Diversion:

NE 1/4 NW 1/4, Sec. 35, T 7N, R 36E, B.M., Jefferson County.

The water is used to irrigate 237 acres within the NE 1/4, Sec. 35, SW 1/4 NW 1/4, SW 1/4, Sec. 36, T 7N, R 36E, B.M.

**TO BE CHANGED AS
FOLLOWS:**

The water will be diverted within the SW 1/4 NE 1/4, Sec. 35, T 7N, R 36E, B.M. Jefferson County.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup, Idaho Falls, Idaho, 83402, on or before November 30, 1981.

A. KENNETH DUNN

Director

Published November 12 and 19, 1981.

Affidavit of Publication

JEFFERSON COUNTY STAR

STATE OF IDAHO,

County of Jefferson

ss

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

And affiant further says that at the times herein mentioned said publication as per clipping attached, was published in said newspaper in the regular and entire issue thereof, and not in any supplement issue thereof, for 2 consecutive issues thereof; first publication having been made on the

Twelfth day of November, 19 81

and the last publication on the

Twenty-sixth day of November, 19 81

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

Marie B. Nye
Publisher

Subscribed in my presence and sworn to before me this Twenty-sixth day of November, 19 81.

[SEAL]

Adrian O. Nye
Notary Public for the State of Idaho
Residence and P. O. Address, Rigby, Idaho.

My commission expires Life, 19

Publication Fee: \$ 19.95

Deposited in the
State of Idaho

State of Idaho

License and Certificate of Water Right

Water License No. G-29204 Priority December 13, 1960 Amount 2.09 c.f.s.

THIS IS TO CERTIFY that MERL PARK & SONS

of Hamer, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated December 13, 1960; that Permit No. G-29204 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 2.09 second feet, was issued thereunder on March 4, 1968, showing that said works were completed on the 30 day of April, 1962; and that on the 30 day of April, 1962 MERL PARK & SONS

of Hamer, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of a well

a tributary of subterranean flow for the purpose of irrigation, under Use Permit No. G-29204 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 License~~ ~~at Rex~~, on the 4 day of March, 1968.

The right hereby confirmed dates from December 13, 1960.

The Point of Diversion is located

in the NE 1/4 NW 1/4, Sec. 35, Twp. 7 N, R. 36 E, B.M. Jefferson County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 2.09 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 N	36 E	35	NE $\frac{1}{4}$	NE $\frac{1}{4}$	40	26
			W $\frac{1}{2}$	NE $\frac{1}{4}$	80	80
			SE $\frac{1}{4}$	NE $\frac{1}{4}$	40	36
		36	SW $\frac{1}{4}$	NW $\frac{1}{4}$	40	22
			NE $\frac{1}{4}$	SW $\frac{1}{4}$	40	23
			NW $\frac{1}{4}$	SW $\frac{1}{4}$	40	32
			SW $\frac{1}{4}$	SW $\frac{1}{2}$	40	8
			SE $\frac{1}{4}$	SW $\frac{1}{4}$	40	10
Total number of acres irrigated:					237	

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 4 day of March, 1968.

R. Keith Higgins
State Reclamation Engineer.

31 2385

29264

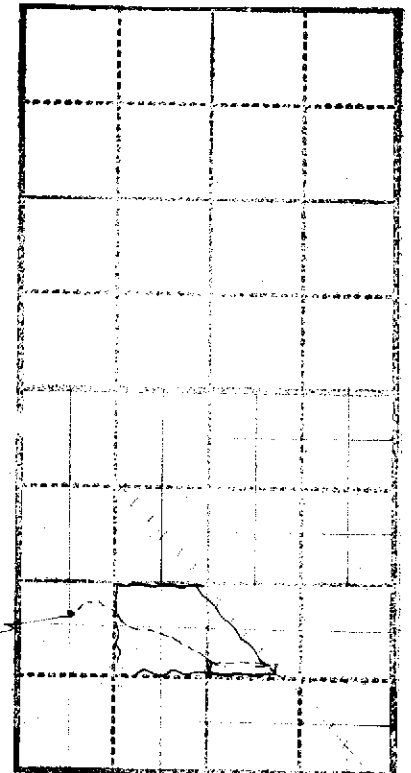
31-2385
assigned

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 37197
Permit No. G- 29204
District No.

1. Name of Applicant: Merl Park & Sons
Postoffice address: Hamer County: Jefferson State: Idaho
2. Quantity of water claimed: 3.20 cubic feet per second
(a) Rate of withdrawal in cubic feet per second or Idaho
Miners' inches 160 or gallons per minute
(b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean flow (well)
4. Location of point of diversion or well is in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 35
Twp. 7 N , Rge. 36 E , B.M., County of Jefferson
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 $\frac{1}{4}$ 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: \$
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 5 years.
11. If applicant is a corporation, give:
I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: none
(a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
(b) 3.2 (cubic feet per second, inches or gallons per minute) is for new lands.



Remarks:

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

s/ Merl Park & Sons Applicant.

By s/ Ray Park Agent.

Date of first receipt at Department of Reclamation: 9:00 A.M. December 13, 1960

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G-29204

Recorded in Book 103 Page 29204 Approved December 14, 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 14, 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 14, 1965

Witness my hand this 14th day of December, 1960

s/ GEO. N. CARTER

STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLLIE, Governor of the State of Idaho, and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 14th day of December, 1960.

Countersigned:

STATE OF IDAHO

(SEAL)

By s/ ARNOLD WILLIAMS

By s/ ROBERT E. SMYLLIE

Governor

Secretary of State.

12.

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7 N	36 E	35	40	40	20														100
7 N	36 E	36					20	40	5										65
																		TOTAL	165

Application for Amendment
LAND LIST
Permit No. G-29204

Comes now MERL PARK and Sons, Hamer, Idaho, and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. G-29204, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

W 1/2 NW 1/4, SW 1/4, Sec. 36, Twp. 7 N., Rge. 36 E., B. M., all of this that lays west of the Union Pacific Railroad, making a total of 197 acres.

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

Signed at Hamer, Idaho, this 25 day of February, 1962.

s/MERL PARK & SONS,

By: Ray Park

Date of Receipt at office of Department of Reclamation: February 28, 1962

APPROVAL OF STATE RECLAMATION ENGINEER

I, RALPH W. THOMAS, Deputy 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-29204. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

s/ RALPH W. THOMAS
Deputy State Reclamation Engineer

Recorded: March 1, 1962

A S S I G N M E N T

For value received, I hereby assign all of my right, title and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, Permit No. G-29204 to Ammon Benson of 1597 Kearney, Idaho Falls, Idaho.

/s/ MERL PARK, Permit Holder

/s/ GENEVA PARK, Wife of Permit Holder

State of Idaho)
 : ss
County of Fremont)

On this _____ day of February, 1968, before me, a Notary Public for the State of Idaho, residing at St. Anthony, Idaho personally appeared Merle Park _____ known to me to be the persons whose names are subscribed to the within instrument and duly acknowledged to me that they executed the same. In witness whereof, I have hereunto set my hand and affixed my Notarial Seal the day and year in this certificate first above written.

/s/ GRANT F. CHANDLER,
Notary Public residing at St. Anthony, Idaho

My commission expires: 10-15-71

(S E A L)

Application for Amendment
LAND LIST
Permit No. G-29204

Comes Now Merl Park & Sons and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-29204, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

NE $\frac{1}{4}$, Sec. 35, Twp. 7 N., Rge. 36 E.; all land lying west of Union Pacific Railroad in Sec. 36, T. 7 N., Rge. 36 E., making a total of 320 acres.

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

Signed at Hamer, Idaho, this 20 day of February, 1963.

s/ MERL PARK & SONS
By Ray Park

Date of Receipt at office of Department of Reclamation Feb. 25, 1963

APPROVAL OF STATE RECLAMATION ENGINEER

I, RALPH W. THOMAS, Deputy 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-29204. This approval constitutes a new permit, and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

s/ RALPH W. THOMAS
Deputy State Reclamation Engineer

Recorded April 3, 1963

PERMIT NO. G-29204

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that MERL PARK & SONS of Hamer, County of Jefferson, and State of Idaho, the holders of Permit No. G-29204, issued upon Application No. G-37197 bearing date of priority of December 13, 1960, authorizing the diversion of 3.2 second feet of waters of a well County of Jefferson, 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 2.09 second feet of the waters of a well, from subterranean flow, that the point of diversion of said waters is in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 35, Township 7 North, Range 36 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: NE $\frac{1}{4}$ Section 35; SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ Section 36, Township 7 North, Range 36 East, Boise Meridian.

Proof of Completion of Works made: April 30, 1962

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

s/ R. KEITH HIGGINSON
State Reclamation Engineer

LICENSE ISSUED FOR 2.09 SEC. FT.
LICENSE PAGE NO. 29204

dj

April 30, 1982

RE: Application for Transfer of Water Right No. 31-2385

E. W. &/or Reva Ward
Hamer,
Idaho 83425

Dear Mr. and Mrs. Ward:

Enclosed is a copy of the approved application for transfer of the above referenced water right (Transfer No. 2611). Be sure to note the conditions of approval on the fourth page.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Supervisor, Water Allocation Section

DRT:kw
Enclosure

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

31 2385

INITIAL REVIEW BY: HLWJ

1. Right number 31-2385 Applicant E.W. Ward
2. Type of right: ☐ Decree ☒ License ☐ Claim
3. Purpose of transfer: ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Other _____
4. Check:
 - a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
 - b. ☒ Description of original point of diversion.
 - c. ☒ Description of original place of use.
5. Amount of land &/or water transferred:
 - a. ☒ All of right.
 - b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
 - c. ☒ Check description of point(s) of diversion.
 - d. ☒ Check description of place of use.
 - e. ☒ Check map (shows p.d. and p.u. after transfer).
 - f. ☒ Check for correct signature, notarization, and fee.
 - g. ☒ Check proof of ownership of right &/or land from which water is transferred.
 - h. ☒ Check for expansion in use of right. Comments _____
 - i. ☒ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) N.A.
 - j. ☒ Is use within a Watermaster District? ☐ Yes ☐ No NA
If yes, what district? _____

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on NA Received on _____
2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve

2. ☐ Deny OK

3. Conditions* The maximum volume of water diverted under this transfer when combined with license 31-2370 shall not exceed three (3) acre feet per acre.

4. By Ernest Carlson Date 12-3-81

Jan 2-10-82 Rec'd by DWR 4/27/82
* All uses within Watermaster Districts require special conditions.

RECEIVED

DEC 07 1981

474

Department of Water Resources

December 4, 1981

Reva Ward
Hamer
Idaho 83425

RE: Application for transfer 31-2385

Dear Mrs. Ward:

Attached herewith is Departmental receipt No.19144 in the amount of \$50 for the above referenced application.

Very truly yours

BOBBIE R. STEPHENS
Principal Clerk

attachment

State of Idaho

License and Certificate of Water Right

Water License No. G-29204 Priority December 13, 1960 Amount 2.09 c.f.s.

THIS IS TO CERTIFY that MERL PARK & SONS

of Hamer, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated December 13, 1960; that Permit No. G-29204 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 2.09 second feet, was issued thereunder on March 4, 1968, showing that said works were completed on the 30 day of April, 1962; and that on the 30 day of April, 1962 MERL PARK & SONS

of Hamer, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of a well

a tributary of subterranean flow for the purpose of irrigation under Use Permit No. G-29204 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~~ on the 4 day of March, 1968

The right hereby confirmed dates from December 13, 1960.

The Point of Diversion is located

in the NE 14 NW 14, Sec. 35, Twp. 7 N, R. 36 E, B.M. Jefferson County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 2.09 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 N	36 E	35	NE	NE	40	26
			W	NE	40	40
			SE	NE	40	36
		36	SW	NW	40	22
			NE	SW	40	23
			NW	SW	40	32
			SW	SW	40	8
			SE	SW	40	10

Total number of acres irrigated: 237

RECEIVED

State of Idaho

License and Certificate of Water Right

Water License No. G-27751 Priority January 26, 1959 Amount 2.65 c.f.s.

THIS IS TO CERTIFY that MERL PARK & SONS

of Shelley, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated January 26, 1959; that Permit No. G-27751 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 2.65 second feet, was issued thereunder on March 21, 1968, showing that said works were completed on the 30 day of April, 1962; and that on the 30 day of April, 1962 MERL PARK & SONS by Ray Park

of Shelley, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of a well

a tributary of subterranean flow for the purpose of irrigation under Use Permit No. G-27751 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 the Department of Reclamation~~, on the 21 day of March, 1968.

The right hereby confirmed dates from January 26, 1959.

The Point of Diversion is located in the SW 1/4 NE 1/4, Sec. 35, Twp. 7 N, R. 36 E, B.M. Jefferson County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 2.65 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 N	36 E	35	NE NE	40	26
			W NE	80	80
			SE NE	10	36
		36	SW NW	40	22
			NE SW	40	23
			NW SW	40	32
			SW SW	40	8
			SE SW	40	10

Total number of acres irrigated: 237

MICROFILMED

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 31-2385

Notice is hereby given tht E. W. &/or Reva Ward, Hamer, Idaho have applied to the Department of Water Resources for a change in the point of diversion of the waters of a groundwater source. The right sought to be changed is evidenced by License No. 31-2385 and is recorded as follows:

AMOUNT: 2.09 cfs

PRIORITY: Dec. 13, 1960

POINT OF DIVERSION: NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 35, T. 7N, R. 36E, B.M.,
Jefferson County.

The water is used to irrigate 237 acres within the NE $\frac{1}{4}$, Sec. 35, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 36, T. 7N, R. 36E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be diverted within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 35, T. 7N, R. 36E, B.M., Jefferson County.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup, Idaho Falls, Idaho, 83402, on or before November 30, 1981.

A. KENNETH DUNN

Director

Published in the Rigby Star, Rigby, Idaho, on November 12 and 19, 1981





STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

150 Shoup
Idaho Falls, Idaho 83401
(208) 525-7161

A. Kenneth Dunn
Director

October 29, 1981

E.W. Ward
Hamer
Idaho 83425

Dear Mr. Ward:

Enclosed you will find your application for transfer and check #351 for \$50. Please fill in line C-4 and complete C-5, the map on the area designated. Each 16 block square outlined in heavy black is a section. Please put an "X" or circle where the new point of diversion will be and shade in the 40-acre squares indicating the places of use. Please refer to the example enclosed.

When the items have been completed, send them back to this office for processing.

Sincerely,

HAROLD W. JONES
Sr. Resource Agent

HWJ:brs

enc: as stated

	L-Z RANCH E. W. OR REVA WARD HAMER, IDAHO 83425	351
	Pay to the order of <u>State of Idaho Dept. of Water Resources</u>	92-135/1241
<u>Fifty and no/100</u>		Dollars
	IDAHO FIRST NATIONAL BANK REXBURG OFFICE Rexburg, Idaho 83440	
For <u>Water Diversion</u>		<u>Reva Ward</u>
⑈124101351⑈1047 41024 6⑈ 3510		

100 OWNER LAST NAME - MERL PARK & SONS
CITY - HAMER
STATE - ID

4 SURGE - GROUNDWATER
PRIORITY - 12-13-1960 COUNTY - JEFFERSON TOTAL DIV. RATE - 2.0900CFS

3 STAGE - LICENSE
DIVERSION POINT - NEW 35 07N 36E

2 USE - IRRIGATION
USE - IRRIGATION
PLACE OF USE - TOWN 07N RNC 36E SEC 35 TRACT NENE
AC 26 TRACT NENE AC 40

1 USE - IRRIGATION
PLACE OF USE - TOWN 07N RNC 36E SEC 36 TRACT SENE
AC 40 TRACT SENE AC 36

USE - IRRIGATION
PLACE OF USE - TOWN 07N RNC 36E SEC 36 TRACT SENE
AC 22 TRACT SENE AC 23

TRACT NWSN AC 32 TRACT SWSN AC 08

TRACT SESW AC 10

UID NO. - 29204

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 29204 131-2385
Old No. New No.

Record

1, 2 & 3 Original Owner: Merb Park & Sons

Address: Harmer, ID

Present Owner:

Address:

4. A. Source of Water groundwater

B. Tributary of:

5. A. Stage (A,P,L,D,S,J): L

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date: 12-13-1960

D. County: 51

E. Total Diversion Rate: 2.09

F. Total Diversion Volume:

G. Transfer/Amendment (P,T of A or blank):

H. Water District:

I. DLE/Carey Act (D,C or blank):

J. Right Basis (for adjudication claims A,B,C only):

6. A. Point of Diversion

Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
<u>NENW</u>	<u>35</u>	<u>7N</u>	<u>36E</u>		

7. Period of Use, Use, Diversion Rate/Volume:

from _____ to _____ for A purposes. Amount 2.09
(cfs or ~~AC-FT/yr~~)

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

3-21-79

E. Old Number: 79204/10268

12. Other Rights for Same Use:

11. Other Uses (Non-irrigation explanatory information):

9. A. Decree Name:
B. Decree Date:

[illegible]

July 1, 1968

RE: Permit No. G-29204 and G-27751

Ammon Benson
1597 Kearney
Idaho Falls, Idaho 83401

Dear Mr. Benson:

Enclosed herewith are copies of the assignments submitted to this office for recording. The originals have been placed in our files and our records have been marked accordingly.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MBB:ejw

Enclosures

RECEIVED

29204

C
O
P
Y

ASSIGNMENT

For value received, I hereby assign all of my right, title and interest in and to Permit to appropriate the Public Waters of the State of Idaho, Permit No. G-29204 to Ammon Benson, of 1597 Kearney, Idaho Falls, Idaho

Address: _____

* _____

Merle Park

Permit Holder

Geneva Park

Wife of Permit Holder

STATE OF IDAHO)
 : ss
County of Fremont)

On this _____ day of February, 1968, before me, a Notary Public for the State of Idaho, residing at St. Anthony, Idaho personally appeared Merle Park and known to me to be the person s whose name s ^{are} _{is} subscribed to the within instrument and duly acknowledged to me that t he y executed the same.

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

Grant F. Chandler

Notary Public
Residing at St. Anthony, Idaho

My commission expires: 10-15-71

Note:

* If fractional part of permit is to be assigned, the fractional part of the land to which the assigned fraction is appurtenant should be described by legal subdivisions.

29204

Merl Park & Sons.

Permit 9-29204-Originally filed for 3.2 c.f.s. from a well in NENW
Sec 35, T. 7N. - R. 36 EBM. Land list was NE⁴ Sec 35, and W²NW⁴, SE⁴NW
Sec 36, all in T. 7N - R 36 EBM, Jefferson Co. Total of 165 acres
On 2-25-62 land list was amended to read: W²NW⁴, SW⁴,
Sec 36, T. 7N - R. 36 EBM, all of this that lies west of U.P.R.R., total 197 ac.
On 2-20-63 land list was amended to read: NE⁴ Sec 35
T. 7N - R 36 EBM.; all land lying west of Union Pacific Railroad
in SW⁴, Sec 36 EBM. making a total of 320 acres.

MICROFILMED

29204

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

February 5, 1968

RECEIVED

JUN 17 1968

Department of Reclamation

Re: Permit No. G-27751

Mr. Ammon Benson
1597 Kearney
Idaho Falls, Idaho

Dear Mr. Benson:

Thank you for your letter of January 29, 1968 on the above referenced permit. We have received your check in the amount of \$23.00 and have processed the same. As indicated in earlier conversations, we have received your check for \$5.00 submitted in connection with Permit No. G-29204.

We are enclosing two assignment forms for your use in changing the ownership of the permits in question from Merl Park and Sons to your name. Please complete the assignment forms and return them to this office so that we may issue the license to you as you have requested.

Please forgive our delay in responding to your earlier correspondence.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Donald W. McElDowney".
Donald W. McElDowney
Water Rights Clerk

DWM:ks

Enclosure: Assignment forms

29204

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that MERL PARK & SONS
 of Hamer , County of Jefferson , and State of
 Idaho , the holder S of Permit No. G-29204 , issued upon
 Application No. G-37197, bearing date of priority of December 13 1960, authorizing the
 diversion of 3.2 second feet of waters of a well

County of Jefferson , 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 2.09 second feet of the waters of a well, from subterranean
 flow, ...

that the point of diversion of said waters is in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 35, Township
 7 North, Range 36 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: NE $\frac{1}{4}$ Section 35; SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ Section 36, Township
 7 North, Range 36 East, Boise Meridian, ...

Proof of Completion of Works made: April 30, 1962

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

R. Keith Higgins
 State Reclamation Engineer

29204

March 4, 1968

Re: Permit No. G 29204

Merl Park & Sons
Hamer,
Idaho 83425

Gentlemen:

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

Also enclosed is departmental receipt No. 290 in the amount
of \$5.00 covering the fees.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kd

Enclosures: Certificates
Receipt

MICROFILMED

29204

State of Idaho

DEPARTMENT OF RECLAMATION

Boise, Idaho

August 11, 1964

Re: Permit No. G-29204

Merl Park & Sons
Hamer, Idaho

Dear Sirs:

Our field engineer's report on his inspection of proof of completion of works and application of water to beneficial use under the terms of Permit No. G-29204 shows the well is (are) capable of conveying 117 miner's inches, or 2.34 c.f.s. of water for the irrigation of 237 acres.

Upon receipt of the statutory fees, totaling \$5.00, which consists of a Completion of Works fee of \$----- and License and Certificate of Water Right fee of \$----- based at the rate of \$2.00 for each 40-acre subdivision - we will issue the Certificate of Completion of Works and the License and Certificate of Water Right confirming the right, with priority of December 13, 1960 to the use of 2.09 second feet of subterranean water with the point of diversion in the NE1/4, Sec. 35 for irrigation of 237 acres in the NE1/4, Sec. 35; SW1/4, Sec. 36, T. 7 N., R. 36 E., B.M.

The amount to be shown on License No. G-27751, 2.65 c.f.s., plus this amount, 2.09 c.f.s., totals 4.74 c.f.s., maximum allowable for 237 acres of land. You can make later proof of beneficial use of the water on additional land for the balance of 0.25 c.f.s. if you desire.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

RECEIVED
AUG 12 1964

29204

29204

500 - June 20-62

State of Idaho
DEPARTMENT OF RECLAMATION

Boise, Idaho
August 11, 1964

Re: Permit No. G-29204

Merl Park & Sons
Hamer, Idaho

Dear Sirs:

Our field engineer's report on his inspection of proof of completion of works and application of water to beneficial use under the terms of Permit No. G-29204 shows the well is (are) capable of conveying 117 miner's inches, or 2.34 c.f.s. of water for the irrigation of 237 acres.

Upon receipt of the statutory fees, totaling \$5.00, which consists of a Completion of Works fee of \$----- and License and Certificate of Water Right fee of \$----- based at the rate of \$2.00 for each 40-acre subdivision - we will issue the Certificate of Completion of Works and the License and Certificate of Water Right confirming the right, with priority of December 13, 1960 to the use of 2.09 second feet of subterranean water with the point of diversion in the NE 1/4, Sec. 35 for irrigation of 237 acres in the NE 1/4, Sec. 35; SW 1/4, Sec. 36, T. 7 N., R. 36 E., B.M.

The amount to be shown on License No. G-27751, 2.65 c.f.s., plus this amount, 2.09 c.f.s., totals 4.74 c.f.s., maximum allowable for 237 acres of land. You can make later proof of beneficial use of the water on additional land for the balance of 0.25 c.f.s. if you desire.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

BPR:mr

29204

1597 Kearney,
Idaho Falls, Idaho,
Dec. 24, 1967.

RECEIVED

DEC 27 1967

Department of Reclamation

Dept. of Reclamation,
107 State House,
Boise, Idaho.

Dear Mr. McEldowney:

Please enclosed find my check in the amount of five dollars to cover the Completion of works fee for water on my farm at Hamer, Idaho.

The original application was made by Merle Park & sons, who were going to purchase this farm from me, however they never did purchase it, and all entries should be in my name, as you can see by the enclosure from Mr. Parks to me.

We have improved and reclaimed additional ground and farmed it over the last five years and wish to make claim or application for the additional 0.25 c.f.s. allowed.

Very truly yours,

Ammon Benson

Ammon Benson,
1597 Kearney, Idaho Falls, Idaho.

12-29-67
Called
Park &
Benson

RECEIVED

29204

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

December 5, 1967

RECEIVED

DEC 27 1967

Department of Reclamation

Re: Permits G-27751 & G-29204

Merl Park & Sons
Route #1
Shelley, Idaho

Gentlemen:

Attached are copies of the results of the field examination conducted by our department on the above referenced permits.

You are requested to submit the fees indicated within 30 days of the date of this letter.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:nw

Enclosure

Anthony Ida
Dec. 14. 67.

Dear Ammon,
How are you getting
along fine I hope, which
leaves us the same.
I just got these papers

29204

in the mail today so I thought
that I had better send them
down to you so that you
could get your water rights
fixed up.

Have you sold the
ranch or are you still
renting it out.

Well I will close for
today, Wishing you all
a Merry Xmas and a Happy
New Year from all of us.

Yours Truly
Merl Park

637 W. 1st No.
St Anthony
Ida.

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

December 5, 1967

Re: Permits G-27751 & G-29204

Merl Park & Sons
Route #1
Shelley, Idaho

Gentlemen:

Attached are copies of the results of the field examination conducted by our department on the above referenced permits.

You are requested to submit the fees indicated within 30 days of the date of this letter.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:nw

Enclosure

RECEIVED
DEC 11 1967
STATE OF IDAHO

29204

Yellow copy

August 28, 1963

Re: Permits G-27751
G-29204

Merl Park & Sons
Hamer, Idaho

Attention Mr. Roy Park:

Dear Mr. Park:

In reply to your note on the bottom of our letter of August 10 it is necessary to point out that there are two permits involved with both covering the same lands, or 158 acres.

Permit G-27751 well in the SW 1/4, Sec. 35, T. 7 N., R. 36 E., P. M. was measured on July 17, 1963 by our examiner and produced 132.5 miner's inches. The well in the NE 1/4, Sec. 35, T. 7 N., R. 36 E., B.M. under permit G-29204 was measured on the same date and produced 117 inches of water.

Summary: Statuterial amount of water per acre is one miner's inch, applied beneficially. The area of land under irrigation has been determined to be 158 acres.

Allowed under G-27751	132.5 miner's inches
-----------------------	----------------------

Balance to G-29204	<u>45.5 miner's inches</u>
--------------------	----------------------------

Total allowed:	158.0 miner's inches
----------------	----------------------

Very truly yours,

CARL L. TAPPAN
State Reclamation Engineer

By:

H. BETRI
State Water Rights Clerk

RECEIVED
STATE RECLAMATION ENGINEER
AUG 29 1963

29204

State of Idaho
DEPARTMENT OF RECLAMATION

Boise, Idaho
August 16, 1963

Re: Permit No. G-29204

Merl Park & Sons
Hamor, Idaho

Dear Mr. Park:

Our field engineer's report on his inspection of proof of completion of works and application of water to beneficial use under the terms of Permit No. G-29204 shows the well is (25.5) capable of conveying 25.5 miner's inches, or 0.51 c.f.s. of water for the irrigation of 68 acres.

Upon receipt of the statutory fees, totaling \$5.00, which consists of a Completion of Works fee of \$5.00 and License and Certificate of Water Right fee of \$ - based at the rate of \$2.00 for each 40-acre subdivision - we will issue the Certificate of Completion of Works and the License and Certificate of Water Right, confirming the right, with priority of December 13, 1960 to the use of 0.51 second feet of subterranean water with the point of diversion in the NE 1/4, Sec. 35 for irrigation of 68 acres in the NE 1/4, Sec. 35, T. 7 N., R. 36 E., B.M.

Very truly yours,

CARL E. TAPPAN
Acting State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

ERR:mf

MICROFILMED

29204
R1

G-27751

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO G-29204

REPORT ON PROOF OF Completion of Works & Beneficial Use

Merl Park & Sons, Hamer, Idaho

164
132
4

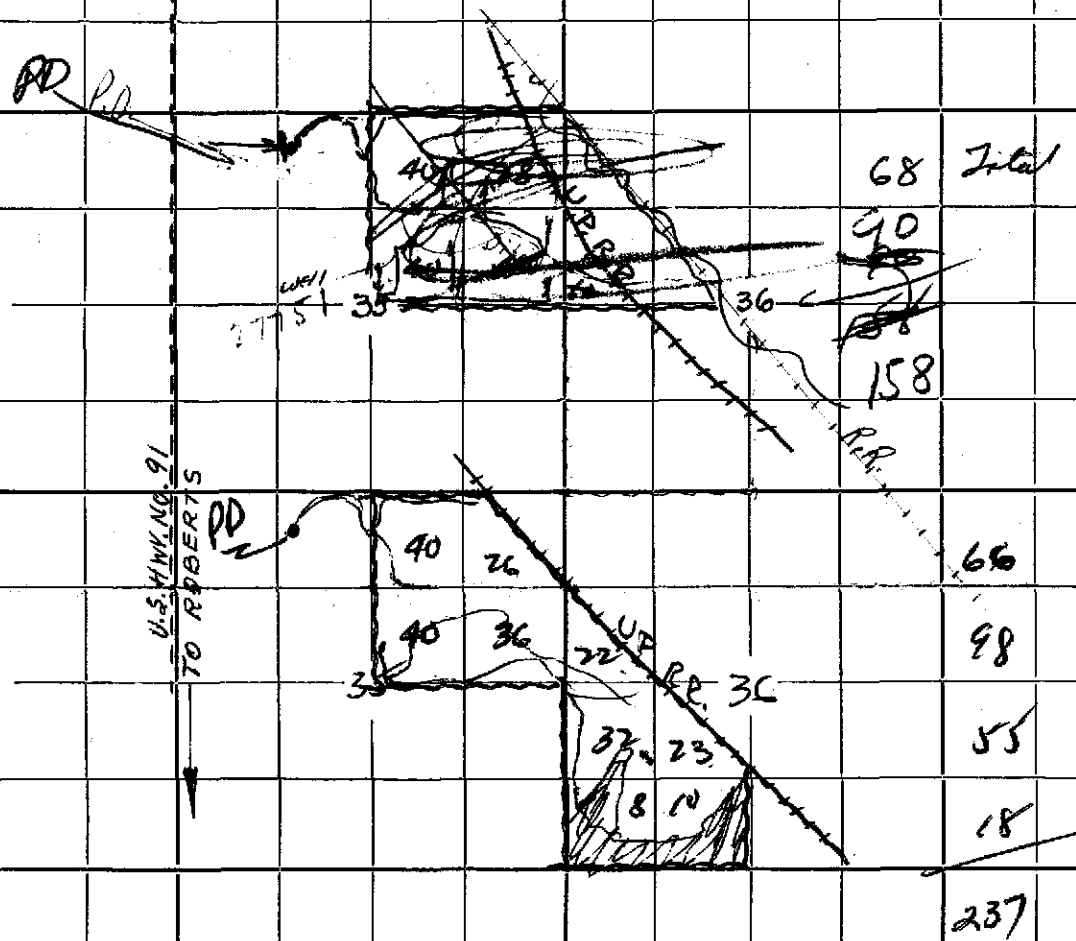
16.5
22
330
330
3630

RECEIVED

2024

R-36E.

T
7
N.



c/w. 234 1/2

Subdivisions

AREA

237 acres

2.09 sq ft or 10 1/2 inches

see
6-27751

ALLOW

Q

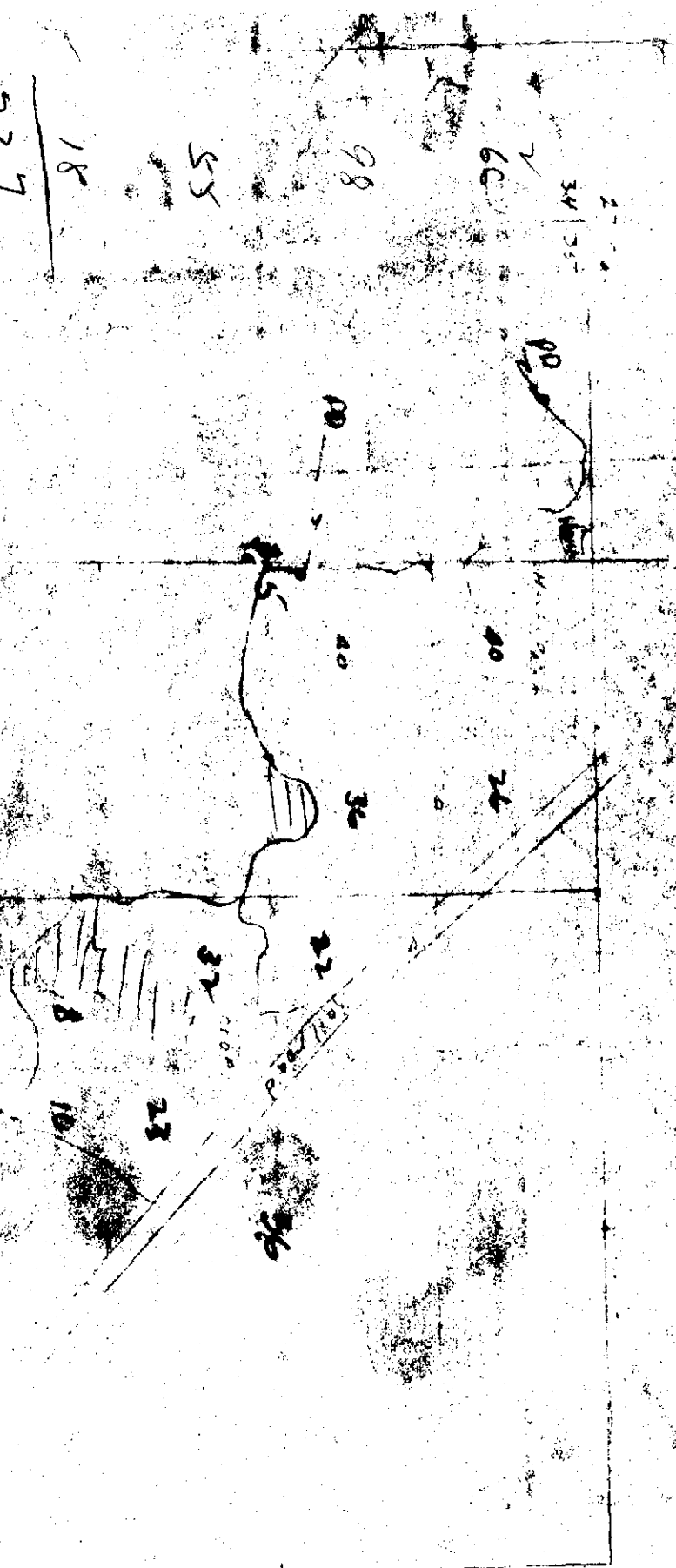
26.5 cfs

18 1/2
13 1/2
25 1/2

237 acres
132 1/2
10 1/2

Scale 4" = 1 mile

18
237



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

Permit No. G-29204This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant: Merl Park & Sons
2. Source of water supply: Subterranean
3. Location of point of diversion: Is in the NE 1/4 NW 1/4 of Section 35
T. 7N R. 36 E.B.M. County of Jefferson
4. Describe works as they exist, giving dimensions and capacities of same: 25 HP US Motor # 454279, Peerless pump # 24589, 80' x 8" Column, 8" x 12" discharge pipe into open ditch Well - 100' x 12" - 6' x 12" casing hi 60' reported
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 1/4 Sec. 35., Twp. 7 N., Rge. 36 E.B.M. All land lying west of Union Pacific Railroad in Sec. 36., Twp. 7 N., Rge. 36 E.B.M.

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

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

Remarks: M. Merl Parks along

(See G-27751)

Measured by Sparling Motor 5 Rev. 3 Min. 31 Sec. = 237 x .985 = 2.34 cfs

This examination was made on the 17th day of July, 19 63Rechecked 7/31/64
among JTB

(Signed)

Loyd Johnson

Examiner.

DW
pla
29204

DP
10' x 10'
6' x 12' 1/2"

Merl Park & Sons
Hammer, Idaho

Permit No. G-29204
7-15-62

Examination for Completion of Works & Beneficial Use

County: Jefferson
Quantity: 3.2 c.f.s.
Sec. 35 T. 7 N. R. 36 E. B. M.

Source: Wall

P. D.: NE. 1/4, Sec. 35, T. 7 N. - R. 36 E. B. M.

Use: Irrigation

Filed: Dec. 13, 1960

Due: Dec. 14, 1965

Extension: —

Protest: —

Completion of Works: —

Other Rights: none
made 4-30-62
priority 12-15-60

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
AUG 15 1963

Department of Reclamation

Affidavit of Publication
THE RIGBY STAR

STATE OF IDAHO, }
County of Jefferson } ss.

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

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

Four consecutive issues thereof; first publication having been made on the
5th day of April, 1962
and the last publication on the

26th day of April, 1962

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

Hope B Jones

Subscribed in my presence and sworn to before me this 8th

day of April, 1963
(SEAL)

R. H. Hamme
Notary Public for the State of Idaho,
Residence and P.O. Address, Rigby, Idaho.
My commission expires _____, 19____

Publication Fee: \$-----

My Commission Expires July, 15 1965

**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 30th day of April, 1962, at Idaho Falls, County of Bonneville, State of Idaho, before Jesse Tremelling, Notary Public, at (address) 633 N. Capitol, Idaho Falls, Idaho, proof will be submitted of the completion of works for the diversion of 3.20 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-29204, 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 Merl Park and Sons, Hamer, 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 3.20 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 3.20 cubic feet per second.

4. The point of diversion of said water is NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 35, Twp. 7 N., Rge. 36 E. B. M.

5. The place where said water is used is W $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 36, Twp. 7 N., Rge. 36 E.B.M. all of this lying west of Union Pacific Railroad.

6. The date of priority which said user is prepared to establish is Dec. 13, 1960.

GEO. N. CARTER,
State Reclamation Engineer
(Pub: Apr. 6-12-19-26, 1963)

RECORDED

29204

April 3, 1963

Re: Permit No. G-27751
G-29204
Merl Park & Sons

Merl Park & Sons
Hamer, Idaho

Attn: Ray Park

Dear Mr. Park:

Enclosed are the Applications for Amendment to the land list on the above numbered permits, which have been recorded in this office.

Also enclosed is departmental receipt No. G-7829 in the amount of \$2.00 covering fees.

Very truly yours,

GEO. H. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

RPR:ew

Enc. amendments
receipt

RECEIVED
APR 10 1963

29204

April 2, 1963

RE: Permit Nos. G-27751 & G-29204

Merl Park & Sons
Hamer, Idaho

Gentlemen:

We acknowledge receipt of the depositions of the holder of the Permit and the two witnesses, but to date we have not received the affidavit of publication from the Market Lake Citizen. If you have not already received it will you please get it and forward to us as we need it to complete this file. Without this affidavit of publication the proofs are of no value.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR

RECEIVED

29204

APR 2 1955

Application for Amendment

Department of Public Health

LAND LIST

Permit No. 6 - 29204 Department of Reclamation

RECEIVED

FEB 25 1963

Comes now Merck & Co., and represents

to the STATE RECLAMATION ENGINEER of the State of Idaho:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. G-29207 and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

~~Top 1/4 NW 1/4 20 Acres, NE 1/4 NW 1/4 20 Acres~~
~~SW 1/4 NW 1/4 40 Acres, SE 1/4 NW 1/4 20 Acres~~
~~NW 1/4 SW 1/4 20 Acres, NE 1/4 SW 1/4 20 Acres~~

~~Twp 7 N~~ Rge ~~36 E~~ S ~~35~~
NE 1/4 sec 35 Twp 7N Rge 36 E
All land lying west of Union Pacific Railroad
in sec 36 Twp 7N Rge 36 E)

~~1/2~~ ¹/₂ ~~will water 1/60 Acres of this~~, making a total of 320 acres.
land is permit G 37751 with ~~water~~

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

Signed at Hamer, Idaho this 20 day of February, 1963

Mal Park & Jones
By Ray Park

Date of receipt at office of Department of Reclamation Feb. 25, 1963

APPROVAL OF STATE RECLAMATION ENGINEER

Ralph W. Thomas, Deputy

I, ~~GEORGE W. CHAFFIN~~, 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-29204. 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.

Recorded in Book 103 of
Permits, Page 29204
April 3, 1963

Robert Thomas
Deputy
State Reclamation Engineer

29204

RECEIVED
FEB 15 1963STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Department of Reclamation

RECEIVED
FEB 25 1963

Department of Reclamation

Permit No. G-29204

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. Merl Park & Sons, Hamer, Idaho & Shelley, Idaho
Framing & Trucking - Hamer or Shelley, Idaho

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

Ans. _____

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

Ans. G-29204 - Dec. 14, 1960 - Dec. 13, 1960

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

Ans. Subterranean Flow - NE 1/4 NW 1/4 Sec 35
Twp 7N Rge 36 EBM Jefferson County

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. Water is carried by ditch from well
to fields. Well is 100 ft deep with water
standing at 60 feet. Casing depth is 6 feet
is 12".

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. For Irrigation Twp 7N Rge 36 E
Sec 35 - SW 1/4 NE 1/4 40 A., SE 1/4
NE 1/4 NW 1/4 20 A., Sec 36 NW 1/4 SW 1/4 20 A.,
NE 1/4 SW 1/4 40 A., SW 1/4 SW 1/4 20 A., SE 1/4 SW 1/4 20 A.
Total irrigated 160 A. cultivated

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

Ans. UNKNOWN

29204

See amendment

RT

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. _____

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.

Ans. _____

160 inches have been pumped each summer for approximately 5 months each year.

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. _____

The water from the well in Permit # G-27751 is used on the same land.

(Sign) _____

Merl Park & Sons
By Gray Park

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in ^{Idaho Falls, Idaho} ~~Bonnetville~~, County of ~~Bonnetville~~ ^{Bonnetville}, State of Idaho, on this ✓ 30 day of April, A. D. 1962

✓ Jesse Trumbling

My commission expires

Oct. 1-1965

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G-29204

Proof of Application of Water to Beneficial Use
Deposition of Witness and Completion of Works

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. W. B. Sessions - 73 - 2430 2nd St
Retired Idaho Falls, Ida.

Ques. 2. Are you acquainted with Merl Park & Sons, the holder of Permit No. G-29204? How long have you known him and where does he reside?

Ans. 30 years Hamer, Ida.

Ques. 3. Have you read or heard read said Permit No. G-29204, 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. Subterranean flow NC 1/4 NW 1/4
Sec 35 Twp 7N Rge 36 EBM Jefferson Co.
ditches

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. 160 inches

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. 160 inches

MICROFILMED

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.

irrigation NE 1/4 Sec 35
Twp 7N Rge 36 EBM & all west
of Railroad Sec 36 Twp 7N Rge 36 EBM
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.

Sandy loam

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.

2-3 times each summer

(Signed)

P. J. Sessions

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Idaho Falls, Idaho County of Bannock, State of Idaho, on this 30 day of April, A. D. 1962.

Jesse L. Lummery

Notary Public.

My commission expires 10-1-65

**STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO**

Permit No. G 29204

**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. Mrs. P. L. Sessions 72 243 22nd St
Boise Idaho Falls, Idaho

Ques. 2. Are you acquainted with Mer Park & Sons, the holder of Permit No. G-29204? How long have you known him and where does he reside?

Ans. 30 years Hamer, Ida.

Ques. 3. Have you read or heard read said Permit No. G-29204, 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. subterranean flow NE 1/4 NW 1/4
Sec 35 Twp 17N Rge 36 EBM Jefferson Co.
ditches

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. 160 inches

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. 160 inches

RECEIVED

29204

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.

irrigation NE 1/4 Sec 35
Twp 7N Rge 36 EBM & all west
of Railroad Sec 36 Twp 7N Rge 36 EBM
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.

Sandy loam

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.

2-3 times each year

(Signed)

Max P. Sessions

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Idaho Falls, Idaho, County of Bennett, State of Idaho, on this 30 day of April, A. D. 1962.

Notary Public.

My commission expires

10-1-62

Ray Park
Mild Park & Sons
Hamer, Idaho

Dear Sirs:

I am sorry I got the land descriptions on the wrong proofs. I made the amendments so both permits cover all the land. I hope this is all right.

Yours truly,
Ray Park

RECEIVED

Department of Reclamation

29204

February 25, 1963

Re: Permits No. G-27751; G-29204
Merl Park & Sons

Ray Park
Hamor, Idaho

Dear Mr. Park:

Returned herewith are the two applications for amendment to the land list under the two permits with the \$2.00 check for recording. Also enclosed are blank forms.

The description shows all of the land to be irrigated under each permit however you qualify each description by showing that the water from each well would be used to irrigate separate parts of the total land. Such an amendment can not be accepted.

You may cross out qualification and return with the \$2.00 check or complete the blank forms showing under Permit No. G-27751, NW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 35; W $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 36, T. 7 N., R. 36 E. and under Permit No. G-29204, SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 35; SW $\frac{1}{4}$, Sec. 36, T. 7 N., R. 36 E., as you showed on your depositions. The SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 35, under No. G-29204 may have been an error in your deposition.

Kindly return the amendments as you desire, however do not have them qualified as these being returned, also enclosed the \$2.00 check for recording.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew
Enc. applications for amendment
blank forms - \$2.00 check

29204

February 25, 1963

Re: Permits No. G-27751; G-29204
Merl Park & Sons

Ray Park
Hamer, Idaho

Dear Mr. Park:

Returned herewith are the two applications for amendment to the land list under the two permits with the \$2.00 check for recording. Also enclosed are blank forms.

The description shows all of the land to be irrigated under each permit however you qualify each description by showing that the water from each well would be used to irrigate separate parts of the total land. Such an amendment can not be accepted.

You may cross out qualification and return with the \$2.00 check or complete the blank forms showing under Permit No. G-27751, N¹/₄NE¹/₄, SE¹/₄NE¹/₄, Sec. 35; W¹/₄NW¹/₄, SE¹/₄NW¹/₄, Sec. 36, T. 7 N., R. 36 E. and under Permit No. G-29204, SW¹/₄NE¹/₄, SE¹/₄NW¹/₄, Sec. 35; SW¹/₄, Sec. 36, T. 7 N., R. 36 E., as you showed on your depositions. The SE¹/₄NW¹/₄, Sec. 35, under No. G-29204, may have been an error in your deposition.

Kindly return the amendments as you desire, however do not have them qualified as these being returned, also enclosed the \$2.00 check for recording.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew
Enc. applications for amendment
blank forms - \$2.00 check

29204

February 18, 1963

RE: Permit Nos. G-27751, G-29204
Merl Park & Sons

Ray Park
Hamor, Idaho

Dear Mr. Park:

Returned herewith are the depositions of holder and two witnesses in regard to the above noted permits. Also enclosed are two forms, application to amend the land list.

The land list of irrigation is not according to our record of the permits.

Permit No. G-29204, by amendment, is for irrigation of parts of the W¹/₄ NW¹/₄, Sec. 36, T. 7 N., R. 36 E., B.M. lying west of the U. P. R.R.

Permit No. G-27751 is for irrigation of the NE¹/₄, Sec. 35, T. 7 N., R. 36 E., B.M.

2
SE NW 1/4
You may amend your permits so both are to irrigate all of your land, or you can change to agree with your depositions. Do not show the same land under both permits unless all of the land is so shown.

There is a fee of \$1.00 for recording any amendment to a permit.

Kindly correct the land lists as you desire and return with amendments as necessary, also affidavit of publication, at your earliest convenience.

Very truly yours,

RALPH W. THOMAS
Deputy State Reclamation Engineer

RWT:mr
Enc. depositions, amendment forms

29204

Merl Park & Sons
Hamer, Ida.

Dear Sirs:

Here are the depositions
on proof of completion of
works on permits no-

G-27751 & G-29204.

The affidavit of publication
will be sent in a separate
letter. Thank you

Yours truly
Ray Park

RECORDED
INDEXED

29204

Re: Permits No. R-27751; G-29204
Merl Park & Sons

Hope B. Jones, Editor
The Rigby Star
Rigby, Idaho

Dear Miss Jones:

Your letter received in regard to non-payment of fees for legal notices published in April, 1962.

We have a letter from Ray Park authorizing the publication in the Rigby Star at their expense.

The depositions of proof noted in the legal notices have not been received in this office. If the depositions are received, we will demand the Affidavits of Publication, to complete the file. I do not know of any other way we could assist in collecting the fees.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

From the desk of
HOPE B. JONES
Editor

The Rigby Star
Rigby, Idaho

RECEIVED
FEB 8 1906

Department of Reclamation

Department of Reclamation,
Boise, Idaho

Gentlemen:

Almost a year ago we published two publications
(Notice of Proof of Application) for Merle Park and Sons,
whose post office address now in ^{Idaho}amer, Idaho.

We billed Mr. Parks and was later informed that
they could not pay the fee at that time, however, they
have made no further attempt at payment. Bills have been
sent them.

There have been no affidavits of publication
issued on either notice. What would you suggest we do to
collect publication fees, authorized by your department,
in the amount of \$38.25?

Respectfully,

Hope B. Jones

G. 27204

G. 27751

RECEIVED

29204

February 8, 1963

Re: Permits No. G-27751; G-29204

Merl Park & Sons
Hamer, Idaho

Dear Mr. Park:

According to our records, you were to make proof of completion of works and beneficial use of the water at 10:00 A. M., April 30, 1962, before Jesse Tremelling, Notary Public, under the noted permits.

Apparently the depositions and the Affidavit of Publication has not been received in this office.

Kindly advise at your earliest convenience.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

RECEIVED
FEB 11 1963
STATE RECLAMATION ENGINEER

29204

March 29, 1962

Re: Permits No. G-27751; G-29204

Merl Park & Sons
Hamer, Idaho

Attn: Ray Park

Dear Mr. Park:

We have mailed the notice of publication to the to
the Rigby Star of intention to make proofs on April 30th.

If that date is not acceptable to you, or the Notary
Public, you will have a short time to change the date in the
Rigby paper. Kindly notify this office if you do change the date.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

CARL E. TAPPAN, Assistant
State Reclamation Engineer

CET:ew

RECEIVED

29204

1200
6-28-61

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

Re: Permit No. G-29204
Merl Parks & Sons

Date: March 29, 1962

Rigby Star,
Rigby, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to **April 30, 1962** the date set for proof; the expense of the publication is to be paid by the applicant

Merl Park & Sons of **Hamer, Idaho**
to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice and furnish this office with a copy or tear sheet of the first publication.**

Very truly yours,

GEO. N. CARTER
GEO. N. CARTER
State Reclamation Engineer

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

Encl.

29204

Re C29204

March 23, 1962

Market Lake Citizen
P. O. Box 1881
Idaho Falls, Idaho

Dear Sir:

State Statute 42-235 relating to proof of completion of works and beneficial use of the water from subterranean source refers to 42-217 which shows "Upon receipt of such notice by the department of reclamation the department shall order its publication in some newspaper designated by such user and published in the county in which the major portion of such land is situated, for a period of four weeks,"

State Statute 60-106 also shows that the paper must be published in the county for any legal notice.

As the Market Lake Citizen is published in Dubois, Clark County, it appears that your publication of the legal notice is not valid, as the Rigby Star is published in Rigby, Jefferson County.

By copy of this letter we are notifying the applicant Merl Parks & Sons, Hamer, Idaho that the notice must be in a paper published in Jefferson County. We regret that we did not discover the location of publication earlier. Our records, previously, showed the paper was printed in Roberts, Jefferson County.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

CARL E. TAPPAN, Assistant
State Reclamation Engineer

CET:RT:ew

cc: Merl Parks & Sons
Hamer, Idaho

29204

March 15, 1962

Re: Permits G-27751; G-29204
Merl Park & Sons

Market Lake Citizen
Box 1881
Idaho Falls, Idaho

Dear Sir:

We noticed that the legal notice of proof of completion of works and beneficial use of the water under the permits noted above were published in the Clark County Enterprise. We trust that the same was in the Market Lake Citizen. The Idaho law requires publication in a paper published in the county wherein the point of diversion is located.

We presume that the notice of change in address does not mean that the papers will not be published in Jefferson and Clark counties.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

CARL E. TAPPAN, Assistant
State Reclamation Engineer

CET:ew

29204

ROBERT E. SMYLIE
Governor



GEO. N. CARTER
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE

Section 60-106

March 15, 1962

Re: Permits G-27751; G-29204
Merl Park & Sons

Market Lake Citizen
Box 1881
Idaho Falls, Idaho

Dear Sir:

We noticed that the legal notice of proof of completion of works and beneficial use of the water under the permits noted above were published in the Clark County Enterprise. We trust that the same was in the Market Lake Citizen. The Idaho law requires publication in a paper published in the county wherein the point of diversion is located.

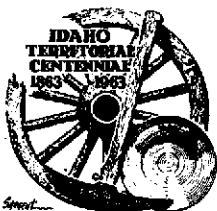
We presume that the notice of change in address does not mean that the papers will not be published in Jefferson and Clark counties.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By: *Carl E. Tappan*
CARL E. TAPPAN, Assistant
State Reclamation Engineer

CET:ew



Gentlemen: Enclosed is a copy of our "Market Lake Citizen". It is printed in Clark County but distributed as noted on the ownership certificate. (Page # 2)
Phyppin

29204

March 1, 1962

Re: Permit No. G-29204

Merl Park & Sons
Hammer, Idaho

Attn: Ray Park

Dear Mr. Park:

We enclose the Application for Amendment to the
land list issued on the above numbered permit.

Also enclosed is departmental receipt No. G-6839
in the amount of \$1.00 covering fees.

Very truly yours,

GEO. W. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

ER:ew

Enc. amendment
receipt

7777777777

29204

February 28, 1962

Re: Permit No. G-29204

Merl Park & Sons,
Hammer, Idaho.

Gentlemen:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. G-29204. The proofs are to be made at 10:00 o'clock A.M., on the 2nd day of April, 1962, before Jesse Tremelling, 683 N. Capital, Idaho Falls, Idaho, Notary Public.

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

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

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

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

Enc.
EPR:pmk
cc: Notary

29204

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G-29204
Merl Park & Sons

Date: February 28, 1962

Market Lake Citizen
Roberts, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to **April 2, 1962** the date set for proof; the expense of the publication is to be paid by the applicant

Merl Park & Sons

of

Hamer, Idaho

to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice and furnish this office with a copy or tear sheet of the first publication**

Very truly yours,



GEO. N. CARTER
State Reclamation Engineer

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

Encl.

RECEIVED
FEB 29 1962
STATE RECLAMATION ENGINEER
BOISE, IDAHO

29204

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 30th day of April
1962, at Idaho Falls, County of Bonneville, State of Idaho,
before Jesse Tremelling, Notary Public, at (address) 683 N. Capitol
Idaho Falls, Ida., proof will be submitted of the completion of works for
the diversion of 3.20 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-29204, 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 Merl Park & Sons, Hamer, Idaho

2. Said works of diversion will be fully completed on the date set for such com-
pletion, and the amount of water which said works are capable of conveying to the place of
use is 3.20 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 3.20
cubic feet per second.

4. The point of diversion of said water is NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 35, Twp. 7 N., Rge. 36 E.B.M.

5. The place where said water is used is W $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 36, Twp. 7 N., Rge. 36 E.B.M.
all of this lying west of Union Pacific Railroad.

6. The date of priority which said user is prepared to establish is Dec. 13, 1960

GEO. N. CARTER

State Reclamation Engineer

RECEIVED

FEB 23 1962

NOTICE OF PROOF OF COMPLETION OF WORKS
and

APPLICATION OF WATER TO BENEFICIAL USE Department of Reclamation

Notice is hereby given that at 10 A M., on the 30th day of April, 1962, at Idaho Falls, County of Bonneville, State of Idaho, before Jesse Fremelling, Notary Public, at (address) 683 N. Capital Idaho Falls, Ida., proof will be submitted of the completion of works for the diversion of 3.20 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-29204, 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 Merl Park & Sons Hamer, Ida.

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 3.20 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 3.20 cubic feet per second.

4. The point of diversion of said water is NE 1/4 NW 1/4 Sec 35
Twp 7N Rge 36 EBM

5. The place where said water is used is W 1/2 NW 1/4, SW 1/4
Sec 36, Twp 7N, Rge 36 EBM - all of
this lying west of Union Pacific Railroad

6. The date of priority which said user is prepared to establish is Dec 13, 1960

Jesse Fremelling
State Reclamation Engineer

RECEIVED

See G-27751
for authority to Publish

29204 RT

Application for Amendment

LAND LIST

Permit No. G29204

Comes now Merl Park & Son Hamer, Ida, and represents to the STATE RECLAMATION ENGINEER of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G29204, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

W 1/2 NW 1/4, SW 1/4 Sec. 36 Twp 7N
Rge 36 EBM - all of this that lays
West of Union Pacific Railroad

, making a total of 197 acres.

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

Signed at Hamer, Ida this 25 day of Feb, 1962

Merl Park & Son By
Ray Park

Date of receipt at office of Department of Reclamation February 28, 1962

APPROVAL OF STATE RECLAMATION ENGINEER
Ralph W. Thomas, Deputy

I, ~~Geo. W. Carter~~, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-29204. 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.

Recorded in Book 103 of
Permits, at Page 29204
March 1, 1962

Ralph W. Thomas
Deputy
State Reclamation Engineer

office copy

extra copy not needed.

MICROFILMED

29204

RECEIVED

APR 18 1961

Department of Reclamation

Ray, Earl
Mud Park & Sons
Hamer, Ida.

Dear Sirs:

I am writing for
some information. We
have a well permit No.
G-29204 & the well
is a well that has
been pumping for years.

I was wondering if
we had anything else
to do or if the permit
was a permanent right?

Yours truly,
Ray Park

29204

February 23, 1962

RE: Permits No. G-27751
G-29204

Merl Park & Sons
Hammer, Idaho

Attention: Ray Park

Dear Mr. Park:

Returned herewith are the two sets of forms you submitted to this office. Also enclosed are new forms with two forms to amend the land list.

All check except the land to be irrigated and the total amount of water on which you can prove beneficial use.

Permit No. G-27751 shows the NE $\frac{1}{4}$ of Section 35, Township 7 North, Range 36 East to be irrigated. Permit No. G-29204 shows the NE $\frac{1}{4}$, SE $\frac{1}{4}$ of Section 35; W $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 36, Township 7 North, Range 36 East.

You may amend the land list on one or both permits. There is a fee of \$1.00 for recording any amendment to a permit.

Kindly complete the new forms, showing the proper land to be irrigated as shown on your permit or amendment. The total amount of water should not total over one miners inch per acre of irrigated land. The date for making the proofs will probably have to be advanced.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Ralph W. Thomas
Deputy State Reclamation Engineer

RWT:mr

Enc. Form 36 8
amendment 2

29204

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G- 29204
Merl Park & Sons

Date: April 18, 1961

Mr. Ray Park
Hamer, Idaho

Dear Mr. Park:

The date for proofs of Completion of Works and Application of Water to Beneficial Use, as set out under the terms of Permit No. G- 29204 are due not later than **December 14, 1965**

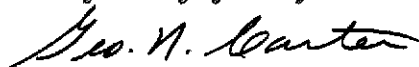
Before these proofs can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper within the county in which the land is located. In completing the Notice of proof for publication, the information should be taken 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 that 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 of, or points of diversion; and the location of use of 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 Form 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,



GEO. N. CARTER
State Reclamation Engineer

Enclosures Forms 36 - 11

P. S. As per your request of recent date, we are mailing you the forms necessary to make proof on your well, which makes it a permanent right.

MICROFILMED

29204

December 21, 1960

Re: Permit No. G-29204

Merl Park & Sons,
Hamer, Idaho.

Gentlemen:

We enclose Permit No. G-29204 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-5436 which was issued covering payment in the amount of \$5.75 for the filing fee of the above mentioned permit.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

Encl.
EPR:pmk

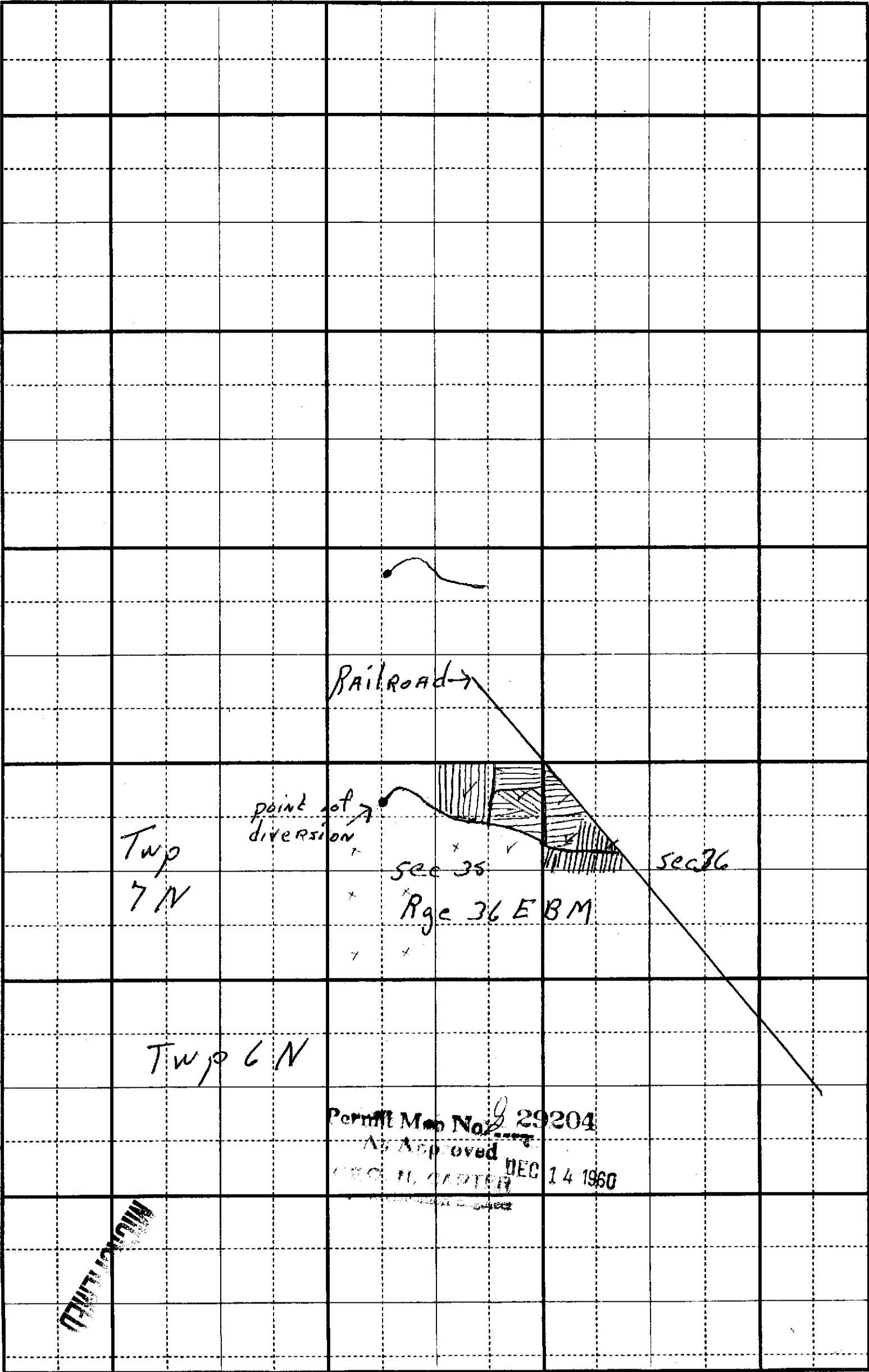
RECEIVED
DEC 22 1960
STATE RECLAMATION ENGINEER
WASHINGTON, D. C.

29204

NAME OF APPLICANT

MERL PARK & SONS

Form No. 0



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

29204

LEGAL NOTICE

NOTICE OF PROOF OF COMPLETION OF WORKS

and

APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10 a. m., on the 2 day of April 1962, at Idaho Falls, County of Bonneville, State of Idaho, before Jesse Tremelling, Notary Public, at (address) 983 N. Capital, Idaho Falls, Idaho, proof will be submitted of the completion of works for the diversion of 3.20 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-29204, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and post office address of the person or corporation holding said permit is Merl Park & Sons, Hamer, 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 3.20 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 3.20 cubic feet per second.

4. The point of diversion of said water is NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 35, Twp. 7 N., Rge. 36 E.M.

5. The place where said water is used is W $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 36, Twp. 7 N., Rge. 36 E.M. — All of this lying west of the Union Pacific Railroad.

6. The date of priority which said user is prepared to establish is December 13, 1960.

GEO. N. CARTER
State Reclamation Engineer
Publish: March 8, 15, 22, 29, 1962

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 28th day of April, 1962, at Idaho Falls, County of Bonneville, State of Idaho, before Jesse Tremelling, Notary Public, at (address) 983 N. Capital, Idaho Falls, Idaho, proof will be submitted of the completion of works for the diversion of 3.20 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-29204, 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 Merl Park and Sons, Hamer, 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 3.20 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 3.20 cubic feet per second.

4. The point of diversion of said water is NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 35, Twp. 7 N., Rge. 36 E. B. M.

5. The place where said water is used is W $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 36, Twp. 7 N., Rge. 36 E.B.M. all of this lying west of Union Pacific Railroad.

6. The date of priority which said user is prepared to establish is Dec. 13, 1960.

GEO. N. CARTER,
State Reclamation Engineer
(Pub: Apr. 5-12-19-26, 1962) 29204