

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

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

Ruth Chambers, being first
duly sworn, deposes and says that she is the
Bookkeeper of the South Idaho
Press, a daily newspaper published at Bur-
ley, Idaho, in the county aforesaid and that
the paper is of general circulation therein.
Deponent further states that the printed no-
tice attached hereto was duly published
according to law in the regular editions of

The South Idaho Press for 2
consecutive weeks, commencing with the issue
dated February 20 1973, and ending
with the issue dated February 27, 1973.

Ruth Chambers

Subscribed and sworn to before me
this 2nd day of March
1973.

Edith Rasmussen Notary Public

Cost of Publication 11.52

Notary Fee

Total Cost

My commission expires October 23, 1975

RECEIVED

MAR 5 1973

Department of Water Administration
Southern District Office

73-54

**NOTICE OF CLAIM TO A WATER
RIGHT**

NO. 43-4053

Notice is hereby given that
Ben S. Paxton, Malta, ID has fil-
ed a claim to a water right es-
tablished by diversion and appli-
cation to beneficial use of .94
cubic feet per second of water
from a groundwater source with
point of diversion in the Lot 4,
T. 12S, R. 28E, B.M., Cassia
County.

The water is claimed to be
used from April 1 to Nov. 15
for the irrigation of 162 acres
with a priority of April 1961;
the place of use is within
Lots 1, 2, 3, & 4, Sec. 30, T.
12S, R. 28E, B.M.

Any exception to this claim of
water right may be filed with
the Idaho Department of Water
Administration, 1041 Blue Lakes
Boulevard North, Twin Falls,
Idaho, 83301.

R. KEITH HIGGINSON
Director

Published in the South Idaho
Press, Burley, ID on Feb. 20
and Feb. 27, 1973.

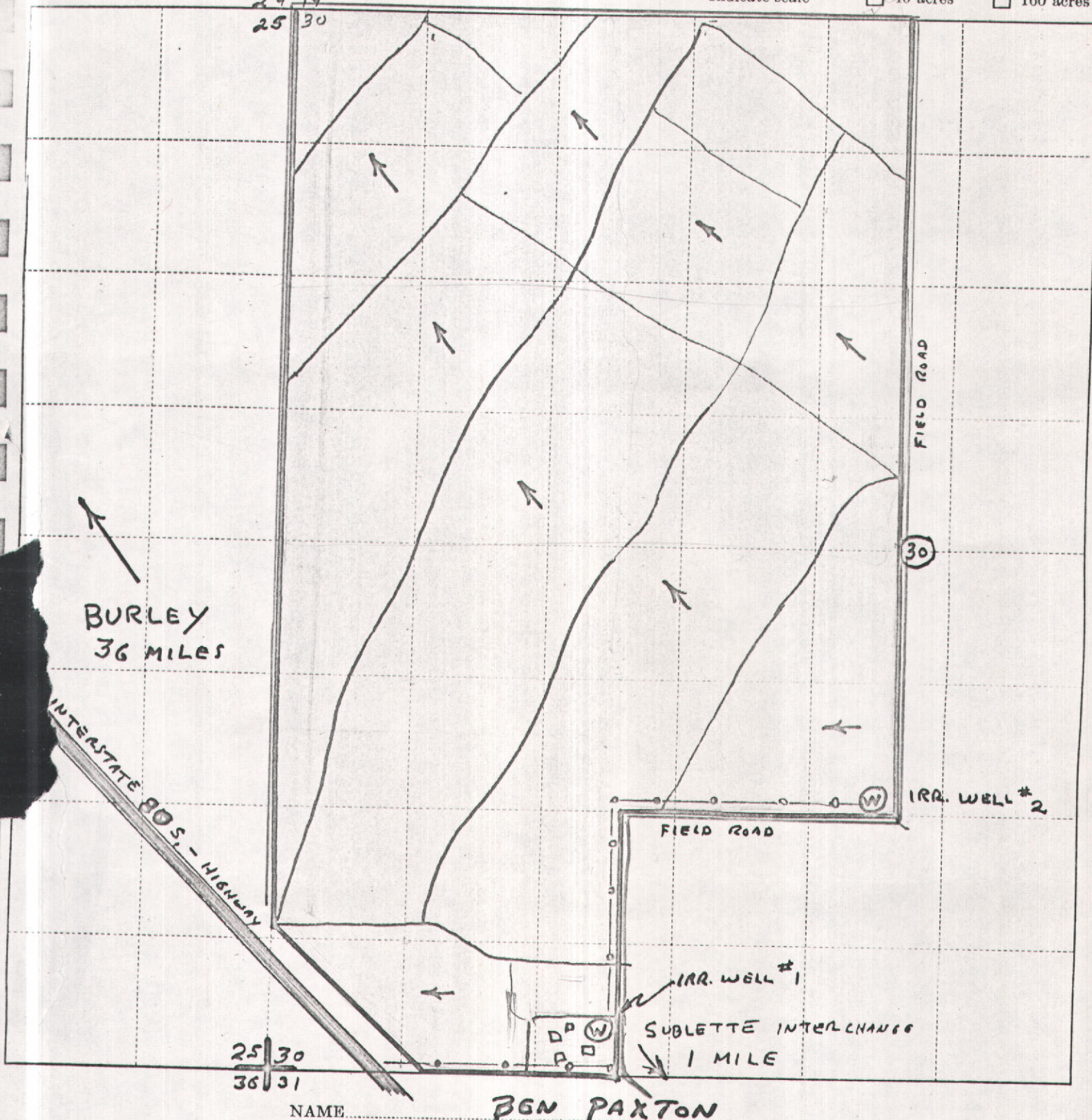
43 4053

Show center section thus — (12)
PLAT — Abrupt changes in contour should be indicated

Indicate scale

1 square inch equals:

☒ 10 acres □ 80 acres
□ 40 acres □ 160 acres



COUNTY CASSIA STATE IDAHO ACRES 321.75
DESCRIPTION LOTS 1, 2, 3, 4, (LESS HWY R/W), E 1/2 OF NW 1/4,
NE 1/4 OF SW 1/4, ALL IN SECTION 30, Twp. 12 S. R. 28 E. 0 M.

FORM 17331-ED 1-47

Printed in U. S. A. by Prudential Press

43 4053

Identification No. _____
Claim No. 43-4053
Map No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

CLAIM TO A WATER RIGHT
Established by Diversion and Application to Beneficial Use

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

(Please refer to the instructions on the back of this form)

1. Name of claimant Ben S. Paxton
post office address Malta, ID 83342
2. The point of diversion is in Lot 4 $\frac{1}{4}$ of _____ $\frac{1}{4}$ Section _____ Township 12S
Range 28E B.M. located on Groundwater
(name of source)
~~XXXXXX~~ of Raft River Basin in Cassia County.
3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.
 - a. Date of priority claimed:
April 1961 amount: .94 c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet

See Remarks Total claimed .94 c.f.s. or _____ acre feet.
 - b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:
use Irrigation period of use from April 1 to Nov. 15 (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive).
4. Description of diverting works:
 - a. Surface water diversion dam and/or headgate: material is composed of deep well, pump, and
motor for gravity irrigation; length is _____ feet; height is _____ feet;
width at bottom is _____ feet; with at top is _____ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known _____

 - b. Underground water diverting works: is well flowing or pumped pumped; depth of well is 510 feet; diameter of well is 16-14 inches; type of pump is Fairbanks-Morse
capacity of pump is 1500 g.p.m.; name and address of well driller is Frank P. Conley
Declo, ID;

43 4053

c. Conveying works: length of ditch to place of use is _____ feet; width of ditch at top is _____ feet; width of bottom of ditch is _____ feet; depth of water is _____ feet; grade of ditch per 1000 feet is _____ feet; material through which ditch passes is _____ feet; maximum length of pipe line to first place of use is _____ feet; diameter of pipe line is _____ inches; type of pipe _____; grade of pipe per 1000 feet is _____.

Please explain any changes or increase in size of conveying system since water was first appropriated, giving date and dimensions if possible.

d. If water is stored: name of reservoir

total capacity of reservoir is _____ acre feet; active capacity of reservoir is _____ acre feet;
year construction commenced _____; year completed _____; date first used _____
period of storage is from _____ to _____; is reservoir drained each year _____;
is reservoir on or off stream _____ explain _____
if feeder canal is used give maximum carrying capacity _____ c.f.s.; if reservoir is off stream, describe
location of reservoir by 40-acre subdivisions _____

has there been any enlargement of the reservoir since it was first built _____, if so, give dates and describe _____

5. a. Where water is used for irrigation, describe area irrigated by 40-acre subdivisions and give total acres:

[illegible]

Total number of acres to be irrigated 162

Explain any significant increase in area irrigated since first use, give dates and acreages if known. No increase. The well in this and accompanying claim are used to irrigate land which overlaps each others areas as needed.

b. Do you get water through a ditch owned by several users? No If yes, give the name of the ditch
_____. The other users and their respective
interests in the ditch are (if known) _____

6. Where water is used for stock watering, give number of each kind of stock watered _____

7. Where water is used for domestic or municipal purposes give number of families served _____
name of town supplied _____

8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use,
and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible,
giving dates and quantities _____

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation
When Ivan Harris Sr. allowed Application for Permit No. 22034 to be cancelled on
Oct. 5, 1967, he subsequently filed two claims to water rights (43-4040 & 43-4041).
Claim No. 43-4040 covered this well at its original pumping level of 2.4 c.f.s.
with a priority date of May 15, 1956. He omitted filing for additional water
appropriated in April 1961 when he re-engineered the wells. This claim together
with attached evidence of the April 1961 appropriation is intended to lay claim to
the additional water appropriated in April 1961 but not claimed in Mr. Harris's
filing of August 1971.

State of Idaho

County of Cassia } ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the
foregoing claim to a water right, together with all attached information, and that the matters and facts therein are
true to the best of the affiants knowledge.

Sworn to before me this 5th day of February, 1973.

Lea S. Easton
Claimant

Deth L. Jones
Notary Public

Residing at Burley, Idaho

My commission expires 9-10-1974

For Department Use Only

Received by alw Date 2-6-73

Exception filed by: _____

Forwarded to
claimant by: _____ Date _____

Prelim. check by RA Date 2-7-73 # 9555

Fee received by alw Date 2-7-73 Fee \$ 10.00

Approved for publication by RA

Published in South Idaho Press Dates 2-20 &
alw 2-27-73

43 4053

Department of Reclamation

RECEIVED

INSTRUCTIONS

Your claim should set forth all necessary information to describe your claimed right. Failure to give enough information may make your claim of little value. Some of the items in the form may not apply to your situation. Please use additional sheets if space provided is not sufficient to fully answer the questions.

Paragraph No.

1. Give full name and post office address of person or company making the claim.
2. Describe the point of diversion by 40-acre subdivision. Give the name of the source, the drainage to which it is tributary if surface water, and the county in which the point of diversion is located. If there is more than one point of diversion, list others in the remarks section.
3. Give the priority dates and the quantities of water that you claim. You should accurately list the dates that you initiated each new use of the water. List separately the dates and amounts of water involved in each enlargement of the diversion. (Example: if you diverted 0.8 c.f.s. of water for irrigation on May 18, 1871, for the first time for use on 40 acres of land, and then later you enlarged the diversion by diverting an additional 0.4 c.f.s. of water to irrigate an additional 20 acres of land on June 1, 1901, your right should be described as follows:

Date of priority claimed:	May 18, 1871	amount:	0.8 c.f.s. or	acre feet
	June 1, 1901	amount:	0.4 c.f.s. or	acre feet
	Total claimed:		1.2 c.f.s. or	acre feet

- Since the water was used for irrigation between April 1 and October 31 on that particular farm, part b. would be completed as follows:
- use irrigation period of use from April 1 to October 31 (both dates inclusive). If the water had been used for any other purpose, you would have described the priority date, amount, use, and period of use in a similar manner.
4. Describe the diversion works and explain any changes since the right was first initiated.
 5. If the water is used for irrigation, give the total acreage and list the lands irrigated by 40-acre subdivisions and complete the other questions.
 - 6, 7, & 8. Describe any other uses of water.

9. In the remarks section, give any information or details that you feel are not fully covered or that need clarifying. You might explain your operation, where the water is returned to if for an industrial or non-consumptive right, the condition and temperature of the returned water, and any other information to help explain your claim.
- You may wish to include as a part of your claim, affidavits of witnesses who are familiar with your right and who have a personal knowledge of the circumstances which you have described in your claim. You may submit maps, drawings, certified copies of posted notices which may have been filed in the county courthouse, water measurement records, or any other document which you feel will support your claim.
- Your claim will be advertised in a county newspaper for two weeks. Exceptions to your claim which dispute the water right that you have described may be received by the Department of Reclamation and you will be provided a copy of such exceptions.
- The fee for filing a claim to a Water Right is \$10.00. Your claim and fee may be submitted to one of the following offices:

Northern District
Idaho Dept. of Water Administration
401 Front Avenue, Room 209
Coeur d'Alene, Idaho 83814

Southern District
Idaho Dept. of Water Administration
1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301

Eastern District
Idaho Dept. of Water Administration
240 South Holmes
Idaho Falls, Idaho 83401

Western District
Idaho Dept. of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

SOUTH IDAHO PRESS

BURLEY, IDAHO

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

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Bookkeeper of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of

The South Idaho Press for 2

consecutive weeks, commencing with the issue

dated February 20 1973, and ending

with the issue dated February 27 1973

Ruth Chambers

Subscribed and sworn to before me

this 2nd day of March

1973

Edith Rasmussen Notary Public

Cost of Publication 11.52

Notary Fee _____

Total Cost _____

My commission expires October 23, 1975

RECEIVED

MAR 6 1973

Department of Water Administration
Boise District Office

73-54

NOTICE TO FILE
WATER RIGHT
NO. 43-4053

Notice is hereby given that Ben J. Paxton, Malta, ID has filed a claim to a water right established by diversion and application to beneficial use of 94 cubic feet per second of water from a groundwater source with point of diversion in the Lot 4 T. 12S, R. 28E, B.M., Cassia County.

The water is claimed to be used from April 1 to Nov. 15 for the irrigation of 162 acres with a priority of April 1961; the place of use is within Lots 1, 2, 3, & 4, Sec. 30, T. 12S, R. 28E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, 1041 Blue Lakes Boulevard North, Twin Falls, Idaho 83301.

R. KEITH HIGGINSON
Director
Published in the South Idaho Press
on Feb. 20 and Feb. 27, 1973.

43 4250

WELL DRILLER'S REPORT

State law requires that this report be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

1. WELL OWNER

Name Ben Paxton

Address Malta, Idaho

Owner's Permit No. 43-4053

2. NATURE OF WORK

☐ New well

☒ Deepened

☐ Replacement

☐ Abandoned (describe method of abandoning)

3. PROPOSED USE

☐ Domestic

☒ Irrigation

☐ Test

☐ Municipal

☐ Industrial

☐ Stock

4. METHOD DRILLED

☒ Cable

☐ Rotory

☐ Dug

☐ Other

5. WELL CONSTRUCTION

Diameter of hole 12 inches

Total depth 1,000 feet

Casing schedule: ☐ Steel ☐ Concrete no casing

Thickness

Diameter

From

To

_____ inches

_____ inches

_____ feet

_____ feet

_____ inches

_____ inches

_____ feet

_____ feet

_____ inches

_____ inches

_____ feet

_____ feet

_____ inches

_____ inches

_____ feet

_____ feet

_____ inches

_____ inches

_____ feet

_____ feet

Was a packer or seal used?

☐ Yes

☐ No

Perforated?

☐ Yes

☐ No

How perforated?

☐ Factory

☐ Knife

☐ Torch

Size of perforation _____ inches by _____ inches

Number

From

To

_____ perforations

_____ feet

_____ feet

_____ perforations

_____ feet

_____ feet

_____ perforations

_____ feet

_____ feet

Well screen installed?

☐ Yes

☐ No

Manufacturer's name _____

Type _____ Model No. _____

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Gravel packed?

☐ Yes

☐ No

Size of gravel _____

Placed from _____ feet to _____ feet

Surface seal?

☐ Yes

☐ No

To what depth _____ feet

Material used in seal ☐ Cement grout ☐ Puddling clay

6. LOCATION OF WELL

Sketch map location must agree with written location.

43

N

W

E

S

County Cassia 43 4053

SW 1/4 SW 1/4 Sec. 30 T. 12 N/S R. 28 E/W

7. WATER LEVEL

Static water level 200 feet below land surface

Flowing? ☐ Yes ☒ No G.P.M. flow _____

Temperature 60 ° F. Quality Good

Artesian closed-in pressure _____ p.s.i.

Controlled by ☐ Valve ☐ Cap ☐ Plug

8. WELL TEST DATA

☒ Pump ☐ Bailer ☐ Other

Discharge G.P.M.

Draw Down

Hours Pumped

225 inches

115 ft.

5 hrs.

9. LITHOLOGIC LOG

Hole Diam.

Depth

Material

Water

From

To

Yes

No

12

495

515

Brown clay

515

532

Brown clay and packeded gravel

X

532

555

Brown sandy clay

555

577

Packed gravel

X

577

590

Broken gray basalt with clay seams

590

595

Firm gray basalt

595

602

Hard gray basalt

602

615

Broken gray basalt

X

615

785

Gray sticky clay

785

800

Fine gray sand

X

800

810

Gray sticky clay

810

815

Fine gray sand

X

815

858

Gray sticky clay-gravel

858

867

Fine gray sand

X

867

918

Gray sticky clay-gravel

918

938

Dark gray sticky clay

938

947

Dark gray sticky clay and gravel-some layers of sandstone 6" thick

947

960

Fine gray sand

X

960

964

Gray sticky clay

964

970

Fine gray sand

X

970

972

Gray sticky clay

972

998

Fine gray sand

X

998

1000

Gray sticky clay

10.

Work started Mar. 15, 73 finished Apr. 7, 73

11. DRILLER'S CERTIFICATION

This well was drilled under my supervision and this report is true to the best of my knowledge.

Alexander Drilling Co.

127

Driller's or Firm's Name

Number

510-13th St., Rupert, Idaho

83350

Address

A. D. Alexander

Apr. 7, 73

Signed By

Date

March 9, 1973

RE: Claims to a Water Right Nos. 43-4053 & 43-4054 - Ben.S. Paxton

Ben S. Paxton
Malta, Idaho
83342

Dear Mr. Paxton:

The Department of Water Administration has completed the processing of your claim to a water right, and no further action is authorized under Sections 42-225a and 42-225b of the Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the court.

As you are aware, the filing of your claim does not, in itself, guarantee you a water right; it only records and preserves the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included in your claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with this office.

We are enclosing, for your records, a copy of the claim. If you have any questions or if we can be of further assistance, please feel free to call upon us.

Very truly yours,

Bob Haynes
District Engineer
Southern District

BH:alw

Enc: 2 claims

43 4053

February 8, 1973

Re: Claim Nos. 43-4053 & 43-4054 - Ben S. Paxton

South Idaho Press
Box 190
Burley, ID 83313

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Very truly yours,

Bob Haynes
District Engineer
Southern District

Bill submitted 3-5-73 by alw
43 4053

BH:alw

Enc: Legal Notices (2)

NOTICE OF CLAIM TO A WATER RIGHT

NO. 43-4053

Notice is hereby given that Ben S. Paxton,
Malta, ID

has filed a claim to a water right established by diversion and application
to beneficial use of .94 cubic feet per second ~~XXXX XXXX XXX XXXXX~~
of water from a groundwater source
with point of diversion in the Lot 4, T. 12S, R. 28E, D.M., Cassia
County

The water is claimed to be used from April 1 to Nov. 15 for
the irrigation of 162 acres
with a priority of April 1961;
the place of use is within ~~the~~ Lots 1, 2, 3, & 4, Sec. 30, T. 12S, R.
28E, D.M.

Any exception to this claim of water right may be filed with the Idaho
Department of Water Administration, 1041 Blue Lakes Boulevard North, Twin
Falls, Idaho, 83301.

R. KEITH HIGGINSON

Director

Published in the South Idaho Press, Burley, ID
on Feb. 20 and Feb. 27, 1973

43 4053

73-54

NOTICE OF CLAIM TO A WATER
RIGHT

NO. 43-4053

Notice is hereby given that Ben S. Paxton, Malta, ID has filed a claim to a water right established by diversion and application to beneficial use of .94 cubic feet per second of water from a groundwater source with point of diversion in the Lot 4, T. 12S, R. 28E, B.M., Cassia County.

The water is claimed to be used from April 1 to Nov. 15 for the irrigation of 162 acres with a priority of April 1961; the place of use is within Lots 1, 2, 3, & 4, Sec. 30, T. 12S, R. 28E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, 1041 Blue Lakes Boulevard North, Twin Falls, Idaho, 83301.

OK *clw* R. KEITH HIGGINSON
Director

Published in the South Idaho Press, Burley, ID on Feb. 20 and Feb. 27, 1973. 2-14-73

43 4053

February 7, 1973

Re: Claim Nos. 43-4053 & 43-4054 - Ben S. Paxton

Ben S. Paxton
Malta, Idaho
83342

Dear Mr. Paxton:

Attached is your Receipt No. 9555 for \$20.00 for the above referenced Claims to a Water Right which was received in this office on February 6, 1973.

Very truly yours,

Bob Haynes
District Engineer
Southern District

BH:alw

Enc.

43 4053

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2

Boise, Idaho 83707

(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

February 17, 1972

Mr. Ben Paxton
Malta, Idaho 83342

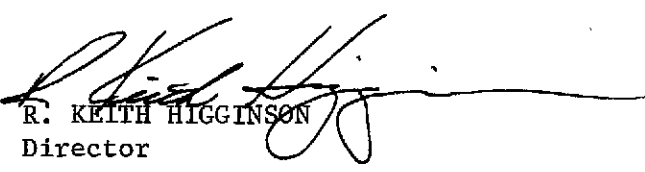
Dear Mr. Paxton:

Following your telephone call today, I have checked the files of this office concerning the two wells apparently drilled by Ivan M. Harris in 1955 and 1956 on lands in Section 30; Twp. 12S, Rge. 28E, B.M. Our records show that Permit No. 22034 was issued to Mr. Harris and he had until 1967 within which to drill the wells and apply the water to beneficial use. The Proof of Completion of Works was submitted, but it was indicated at that time, that there had been a failure of some of the pumping equipment and that he was not then using the water.

On August 10, 1967, we notified him by certified mail at his home address in Boise that the permit would be cancelled unless Proof of Beneficial Use was received before September 19, 1967. The return receipt card was signed by Mr. Harris. No further information was received from him, and therefore, on October 5, 1967, the permit was permanently cancelled. This office has no authority to reinstate a permit, except upon the finding of an error on the part of the department. You are probably aware that Mr. Harris has filed Claim Nos. 43-4040 and 43-4041 covering these two wells in which he has claimed the right to 2.4 cfs of water from the well in Lot 4 and 2.0 cfs of water from the well in the NE1/4SW1/4, Section 30; Twp. 12S, Rge. 28E, B.M.

If you desire further information concerning these wells, please let me know.

Very truly yours,


R. KEITH HIGGINSON
Director

RKH:mjl

43 4053

Mr. Keith Higgins, Administrator
Water Administration Route
State of Idaho, ~~Malta~~ Idaho
614 West State Street, Boise, Idaho
January 5, 1973

Dear Sir:

I am writing concerning the two wells originally drilled on Sec. 30, Twp 12S, R2 under permit # 22034.

When I bought the farm in 1965, I was told there was 295 inches of water being produced under "proved up" permits on the farm. When I confronted the former owner, Mr. Harris, in the spring of 1971 with your information the permits had been cancelled, in part by filing beneficial use claims # 43-4041 on 220" originally produced on his Desert Entry.

I conferred with Mr. Thompson, then of Layne and Bowler Co., who showed me the records of his having re-engineered the pumping equipment on these wells in 1961 and producing some 295". Mr. Clay of your office told me that I could legally file on the 70 or 75 inches of additional water produced if the beneficial use could be validated as of that date.

Will you please confirm Mr. Clay's advice and send me the proper claim forms?

Sincerely,
E. J. Taylor

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
SOUTHERN DISTRICT OFFICE



Cecil D. Andrus
Governor
R. Keith Higginson
Director

1041 Blue Lakes Boulevard North
Twin Falls, Idaho 83301
(208) 734-3578

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

January 23, 1973

Mr. Ben Paxton
Sublet Route
Malta, ID 83342

Dear Mr. Paxton:

Enclosed are the Claim to a Water Right forms which you requested. The information that Mr. Clay gave you on filing an additional claim is correct.

I would suggest that along with your Claim to a Water Right form you obtain an affidavit form from Mr. Thompson as to what the pump was designed to put out in 1961. This information would be valuable in substantiating your claim.

If we can be of any further assistance, please contact us at our southern district office in Twin Falls, Idaho.

Very truly yours,

Bob Haynes

Bob Haynes
District Engineer
Southern District

BH:alw

Enc.

43 4053



Verli-Line Pumps
for every vertical pump need

LAYNE & BOWLER PUMP COMPANY

1760 KIMBERLY ROAD, TWIN FALLS, IDAHO
MAIL ADDRESS: P. O. BOX 892, TWIN FALLS, IDAHO 83301

January 10, 1972

To Whom It May Concern:

In April of 1961 Layne & Bowler Pump Company of Twin Falls, Idaho performed work on two well pumps near Malta, Idaho for the Harris Brothers. The following is what was done.

Well #1: 100 H.P. Fairbanks-Morse Pump, pump was pulled and well was tested. From the results of the test, the pump was redesigned with a new bowl assembly and new 125 H.P. motor to produce 1500 G.P.M. at a pumping level of 270 ft.

Well #2: 75 H.P. Fairbanks-Morse Pump, pump was pulled and well was tested. From the results of the test, the pump was redesigned to a 100 H.P. unit with new bowl assembly and motor from well #1. This pump was designed to produce 1160 G.P.M. at a pumping level of 285 ft.

These two pumps were checked during the 1961 pumping season and found to be producing the water as above designed.

Yours truly,

Gail J. Staley
Gail J. Staley

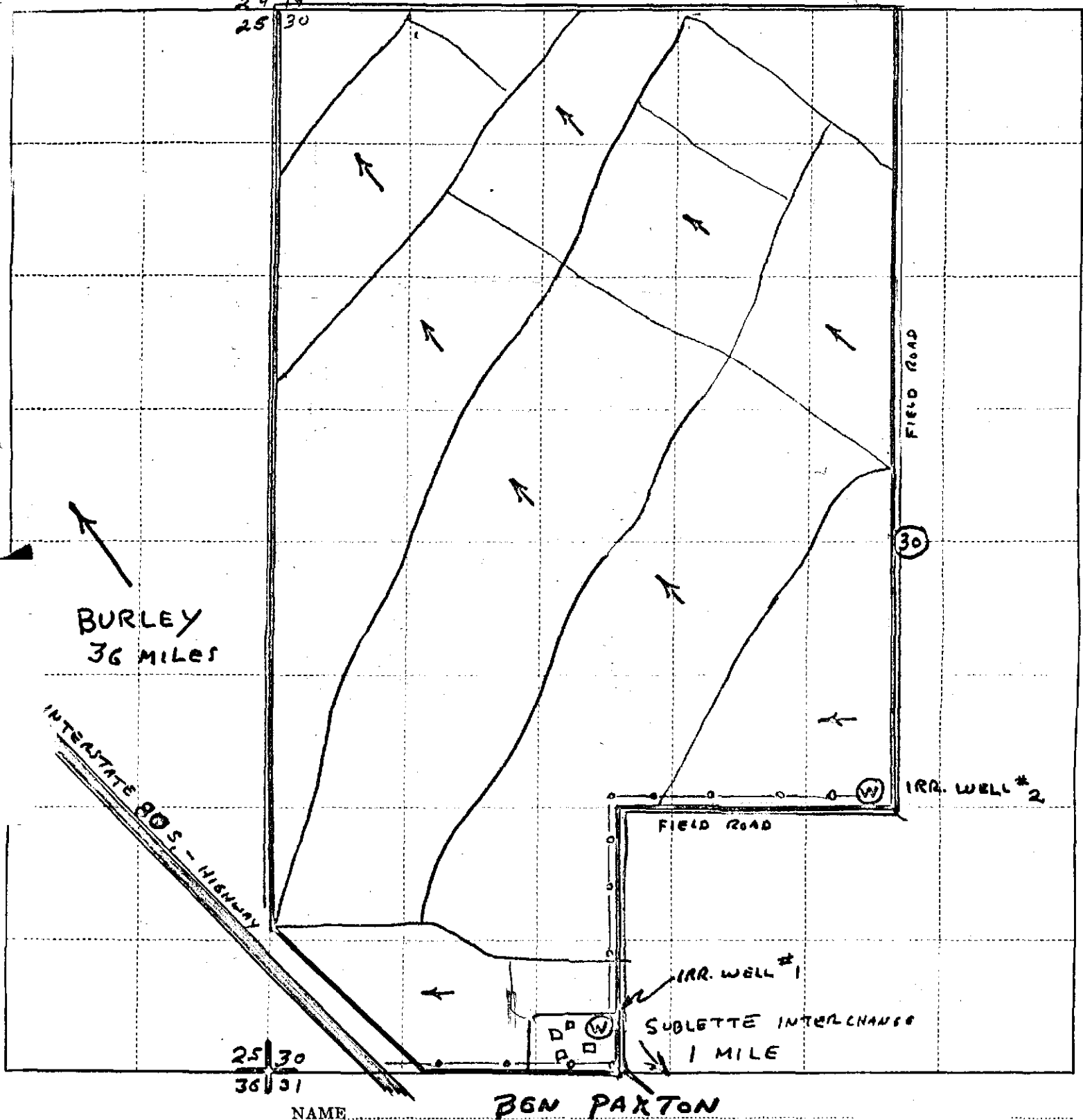
Layne & Bowler Pump Co.

43 4053

☒ 10 acres ☐ 80 acres
☐ 40 acres ☐ 160 acres

(12)

Indicate scale



COUNTY CASSIA STATE IDaho ACRES 321.75
DESCRIPTION LOTS 1, 2, 3, 4, (LESS HWY R/W), E $\frac{1}{2}$ OF NW $\frac{1}{4}$,
NE $\frac{1}{4}$ OF SW $\frac{1}{4}$, ALL IN SECTION 30, Twp. 12 S. R. 28 E. 0 M.

February 2, 1973

Ben S. Paxton
Idaho, ID
83342

Dear Mr. Paxton:

I am returning your Claims to a Water Right together with your check No. 92-146 for \$20.00 and two additional claim forms which I have taken the liberty of preparing.

My intention in preparing your new forms was to clarify the amounts claimed to protect your water rights. If you will review them and find that they are correct, please sign them before a Notary Public and return them to us with your check for \$20.00 and the additional evidence which you have collected.

If we can be of any further assistance, don't hesitate to contact us.

Very truly yours,

Rob Haynes
District Engineer
Southern District

BH:alw

Enc.

January 24, 1973

Ben Paxton
Sublet Route
Malta, ID 83342

Dear Mr. Paxton:

Enclosed are two Claim to a Water Right forms which you have requested.

If you have any questions, please feel free to contact us.

Very truly yours,

Bob Haynes
District Engineer
Southern District

BH:alw

Enc.

January 23, 1973

Mr. Ben Paxton
Sublet Route
Malta, ID 83342

Dear Mr. Paxton:

Enclosed are the Claim to a Water Right forms which you requested. The information that Mr. Clay gave you on filing an additional claim is correct.

I would suggest that along with your Claim to a Water Right form you obtain an affidavit form from Mr. Thompson as to what the pump was designed to put out in 1961. This information would be valuable in substantiating your claim.

If we can be of any further assistance, please contact us at our southern district office in Twin Falls, Idaho.

Very truly yours,

Bob Haynes
District Engineer
Southern District

BH:alw

Enc.

43 4053

I conferred with Mr. Thompson, then of Layne and Bower Co., who showed me the records of his having re-engineered the pumping equipment on these wells in 1961 and producing some 295". Mr. Clay of your office told me that I could legally file on the 70 or 75 inches of additional water produced if the beneficial use could be validated as of that date.

Will you please confirm Mr. Clay's advice and send me the proper claim forms?

Sincerely,
Ben Taplan

43 4053

RECEIVED

JAN 18 1973

Department of Water Administration
Southern District Office

Sublet Route
Malta, Idaho
January 5, 1973

RECEIVED

Department of Water Administration

Mr. Keith Haggins, Administrator
Water Administration
State of Idaho
604 West State Street
Boise, Idaho

Dear Sir:

I am writing concerning the two wells originally drilled on Sec. 30, Twn 12S, R28E, B1W under permit # 22034.

When I bought the farm in 1965, I was told there was 295 inches of water being produced under "proved up" permits or licenses. When I confronted the former owner, Mr. Ivan Harris, in the spring of 1971 with your information the permits had been cancelled, he replied in part by filing beneficial use claims 43-4040 and 43-4041 on 220 "originally proved up" on his Desert Entry.

43 4053