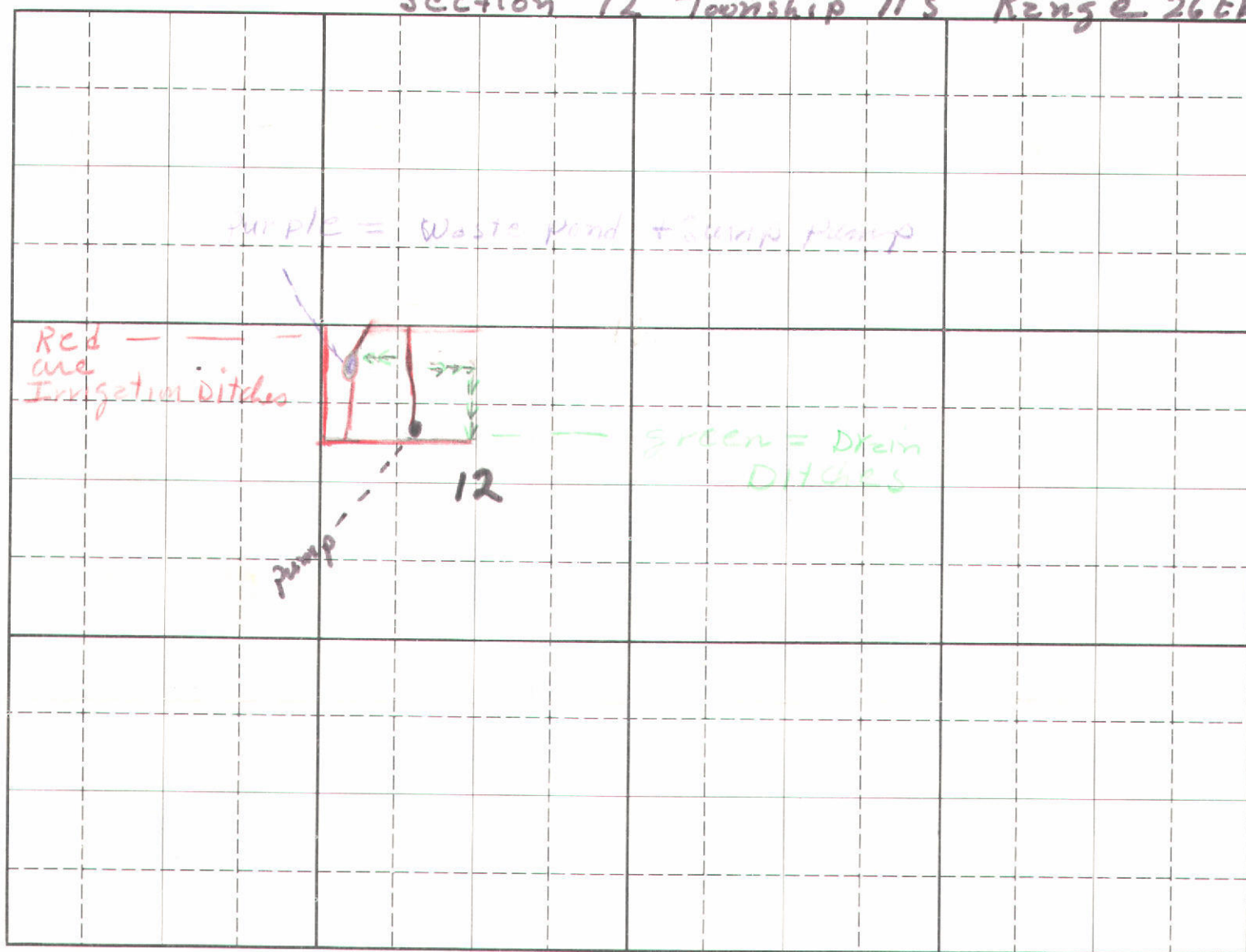


Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40 acre subdivisions, sections, townships, ranges, and ditches.

Section 12 Township 11 S Range 26 E PM



Scale: 2 inches equal 1 mile

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

Signed at Burley Idaho, this 7th day of July, 1969.

SOUTHERN IDAHO PRODUCTION CREDIT ASSOCIATION

By: Curtis L. Lickins (signature)

ACTION OF STATE RECLAMATION ENGINEER

I, R. KEITH HIGGINSON, State Reclamation Engineer of the State of Idaho, hereby approve the above application for amendment for permit G-29585.

Witness my hand this 16th day of July, 19 69.

R. Keith Higgins
State Reclamation Engineer

Assigned to

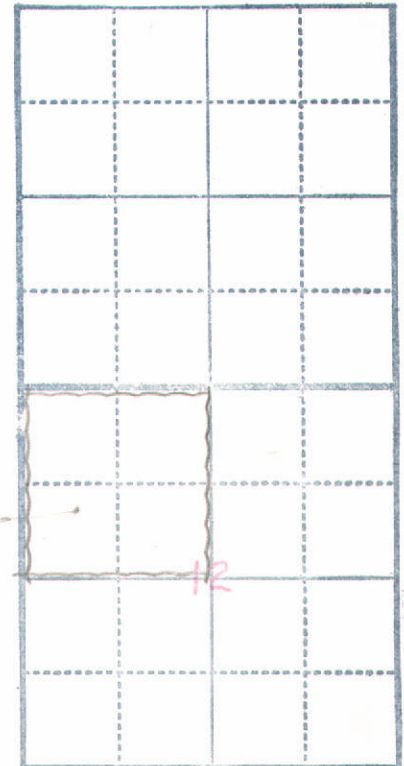
Clyde Smith
% Gene Anderson
Atty - Boise - Idaho43-2517
Assigned

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 37590
Permit No. G- 29585
District No.

1. Name of Applicant: Yale Farms Co.
Postoffice address: Malta County: Cassia State: Idaho
2. Quantity of water claimed: 160 inches
 (a) Rate of withdrawal in cubic feet per second 3.2 or Idaho
 Miners' inches or gallons per minute
 (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean waters
4. Location of point of diversion or well is in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 12
 Twp. 11 S , Rge. 26 E , B.M., County of Cassia
5. Water is to be used for: Irrigation and domestic purposes
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: Deep drilled well, electric driven pump, open ditches and/or sprinkling system
8. Estimated cost of works: \$ 10,000.00
9. (a) Is reservoir to be used? no
 (b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:
 I. (a) Date and place of incorporation: April 30, 1958 - Idaho
 a par value of \$100.00 per share
 (b) Amount of capital stock: \$ 2,500 shares at / (c) Amount paid in: \$ 100,000.00
 (d) Names and addresses of directors: Melvin J. Bailey, President, Malta, Idaho, Dr. John R. Moritz, Vice-President, Sun Valley, Idaho; LeGrand Johnson, Secretary-Treasurer, Logan, Utah
 II. The financial resources of the applicant are (a) Cash on hand: \$
 (b) Treasury stock: Nil (c) Bonds to be issued: Nil
 (d) Other resources: Other farm land in Cassia
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.



SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

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

Lloyd L. Hollinger, being first
duly sworn, deposes and says that...he is the

publisher 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 4
consecutive weeks, commencing with the issue

dated May 29 1969, and ending
with the issue dated June 19, 1969.

Lloyd L. Hollinger

Subscribed and sworn to before me

this 19th day of June

1969.

Edith Raustadt Notary Public

Cost of Publication \$ 22.50

Notary Fee

Total Cost

My commission expires October 23, 1971

JUL 1 1969

Department of Reclamation

69-134 NOTICE OF PROOF OF COMPLETION OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that on
June 30, 1969 in the County of
Cassia, State of Idaho, before
notary public Thomas H. Church,
1354 Albion Ave., Burley, Idaho,
proof will be submitted of the
completion of works for the
diversion of 3.2 c.f.s. of the waters
of a ground water source, and the
application to beneficial use of
said water, in accordance with the
terms and conditions of permit
G-29585, heretofore issued by the
Department of Reclamation of the
State of Idaho.

1. The name and address of
permit holder is Southern Idaho
Production Credit Association,
1358 Albion Ave., Box D, Burley,
Idaho.

2. Said works of diversion will
be fully completed on the date for
such completion, and the amount
of water which said works are
capable of conveying to the place
of use is 3.2 cubic feet per second.

3. The use to which said water
has been applied is irrigation
purposes, and the amount applied
to beneficial use is 3.2 c.f.s.

4. The point of diversion of said
water is SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 12, T. 11
S, R. 26 E, B.M.

5. The place where said water is
used is NW $\frac{1}{4}$, Sec. 12, T. 11 S, R.
26 E, B.M.

6. The date of priority which
said user is prepared to establish is
3/21/61.

R. KEITH HIGGINSON
State Reclamation Engineer
Published in South Idaho Press,
Burley, Idaho on May 29th, June
5th, June 12th and June 19th,
1969.

RECEIVED

JUL 1 1960

Department of Reclamation

DIVISION OF RECLAMATION

gravel road

Plat of South Unit

Clyde E. Smith Property

Plat of Sec 12.
(NW 1/4) T11S.
Range 26 E BM



Scale

NAME

660 feet or 10 chains
or 40 rods
= 1 acre

Yellow - Crop land and tillable pasture
Red - waste land, roads & ditches
general direction of slope

29585
43-2517

Permit # 29585

CORPORATION WARRANT

15888

RECEIVED

JUL 22 1964

THIS INSTRUMENT, made this

day of

June

one thousand nine hundred and sixty-two

between

in the year of our Lord

YALE FARMS CO.

a corporation duly organized and existing under the laws of the State of

Idaho

and having its principal office in Idaho at

Malta

in the County of

Cassia

party of the first part, and

CLYDE E. SMITH,

P. O. Box 366

Marion, Oregon,

County of

Riverside

State of

California,

party of the second part.

WITNESSETH: That the said party of the first part, having been heretofore duly authorized by resolution of its Board of Directors, for and in consideration of the sum of **Ten Dollars (\$10.00) and other valuable consideration,**

Ten and no/100-

--- DOLLARS,

lawful money of the United States of America, to it in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents does grant, bargain, sell, convey and confirm unto the said party of the second part, and to

his

heirs and assigns forever, all

the following described real estate situated in

County of Cassia

State of Idaho, to wit:

The Northwest Quarter (NW $\frac{1}{4}$) of Section Twelve (12) in Township Eleven (11) South, Range Twenty-six (26) East of the Boise Meridian, SAVE AND EXCEPTING the following: Commencing at the Northwest corner of Section Twelve (12) in Township Eleven (11) South, Range Twenty-six (26) East of the Boise Meridian, running thence South 50 feet, thence East on a line parallel with the North boundary line of the said Section and 50 feet South therefrom to the East boundary line of the Northwest Quarter of said Section Twelve (12), thence North 50 feet to the North boundary line of said Section Twelve (12), thence West 2640 feet along the North boundary line of said Section to the point of beginning.

EXCEPTING, an undivided one-half interest in and to all mineral, oil and gas, and mineral, oil, and gas rights, in, to and under the above described property.



TOGETHER With all and singular the tenements, hereditaments and appurtenances thereto belonging to in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all rights, right, title and interest in and to the said property, as well in law as in equity, of the said party of the first part.

To HAVE AND TO HOLD, all and singular, the above mentioned and described premises, together with the appurtenances, unto the party of the second part, and to his heirs and assigns forever. And the said party of the first part, and its successors, the said premises in the quiet and peaceable possession of the said party of the second part, his heirs and assigns, against the said party of the first part, and its successors, and against all and

G-29585

any person and person whosoever, lawfully claiming or to claim the same, shall and will warrant and by those persons
beaver defined.

By Witness Whereof, The party of the first part has caused its corporate name to be hereunto subscribed by its
President and its corporate seal to be affixed by its Secretary in presence
to said resolution the day and year first above written.

SIGNED, SEALED AND DELIVERED IN PRESENCE OF

Valley Supply Co. Corp.
By *Alfred Lindberg Pres.*

Its President.

Attest

Its Secretary.

STATE OF UTAH

County of *CACHE*

On this *11th* day of *June* in the year 19 *62*, before me

Larry L. Garding
personally appeared *Alfred Lindberg and LeGrand Johnson*
known to me to be the *President and Secretary respectively* of the corporation that executed this instrument
or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation
executed the same.

In Witness Whereof, I have hereunto set my hand and affixed my official seal, the day and year in this certificate
first above written.

Larry L. Garding

Notary Public for the State of Idaho, UTAH
Residing at *Logan*, Idaho, UTAH

My Commission Expires Aug. 27, 1964

15883

Corporation Warranty Deed

TO

6 6 1962

STATE OF UTAH

County of *CACHE*

I hereby certify that this instrument was
filed for record at the request of

VALLEY SUPPLY CO. CORP.

at *Logan*, Idaho, UTAH, on this *11th* day of *June*, 1962.

Witness my hand and official seal at *Logan*, Idaho, UTAH, on this *11th* day of *June*, 1962.

Larry L. Garding

Notary Public for the State of Idaho, UTAH

Residing at *Logan*, Idaho, UTAH

My Commission Expires Aug. 27, 1964

15883

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at *Logan*, Idaho, UTAH, on this *11th* day of *June*, 1962.

Witness my hand and official seal at *Logan*, Idaho, UTAH, on this *11th* day of *June*, 1962.

Larry L. Garding

Notary Public for the State of Idaho, UTAH

Residing at *Logan*, Idaho, UTAH

My Commission Expires Aug. 27, 1964

15883

WATER LICENSE

Water License No. G-29585/43-2517 Priority March 21, 1961 Amount 3.0 c.f.s.

THIS IS TO CERTIFY, that Yale Farms Co. - Assignee - Southern Idaho Production Credit Assn. of Burley, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated March 21, 1961; that Permit G-29585/43-2517 was issued pursuant to said application; that the proposed works were completed on or about 1963, with a storage/or carrying capacity of 7.75 c.f.s., said works consisting of well, pump, and motor; and that on June 30, 1969, proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 525 acre feet per season, with a maximum rate of diversion of 3.0 cubic feet per second of the waters of ground-water, tributary of , for the purpose of Irrigation from March 1 to November 30; and for from to ; and for from to ; and that the use of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is located in SE 1/4 NW 1/4, Sec. 12, T. 11 S, R. 26 E, B.M., and other additional points , in the County of Cassia; and that the amount of water to which such right is entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes and shall not exceed 525 acre feet per year.

Description and location of place of use:

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	
11 S	26 E	12					38	37	37	38									150

Total number of acres irrigated 150

The right to the use of the water 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

4th day of November, 19 69.

R. Keith Higgins
State Reclamation Engineer

43 251

29585

43-2517

RECEIVED
JUN 2 1957
Department of Education

Comes now Southern Idaho Production Credit Association of (address) _____

No. G-29585, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 12, T. 11 S,
R. 26 E, B.M. Other points of diversion _____

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

mo. ~ day mo. - day

For Irrigation purposes from march 1 to November 30 (both dates incl.)

For _____ purposes from _____ to _____ (both dates incl.)

For _____ purposes from _____ to _____ (both dates incl.)

For _____ purposes from _____ to _____ (both dates incl.)

3. Place of use or land to be irrigated:

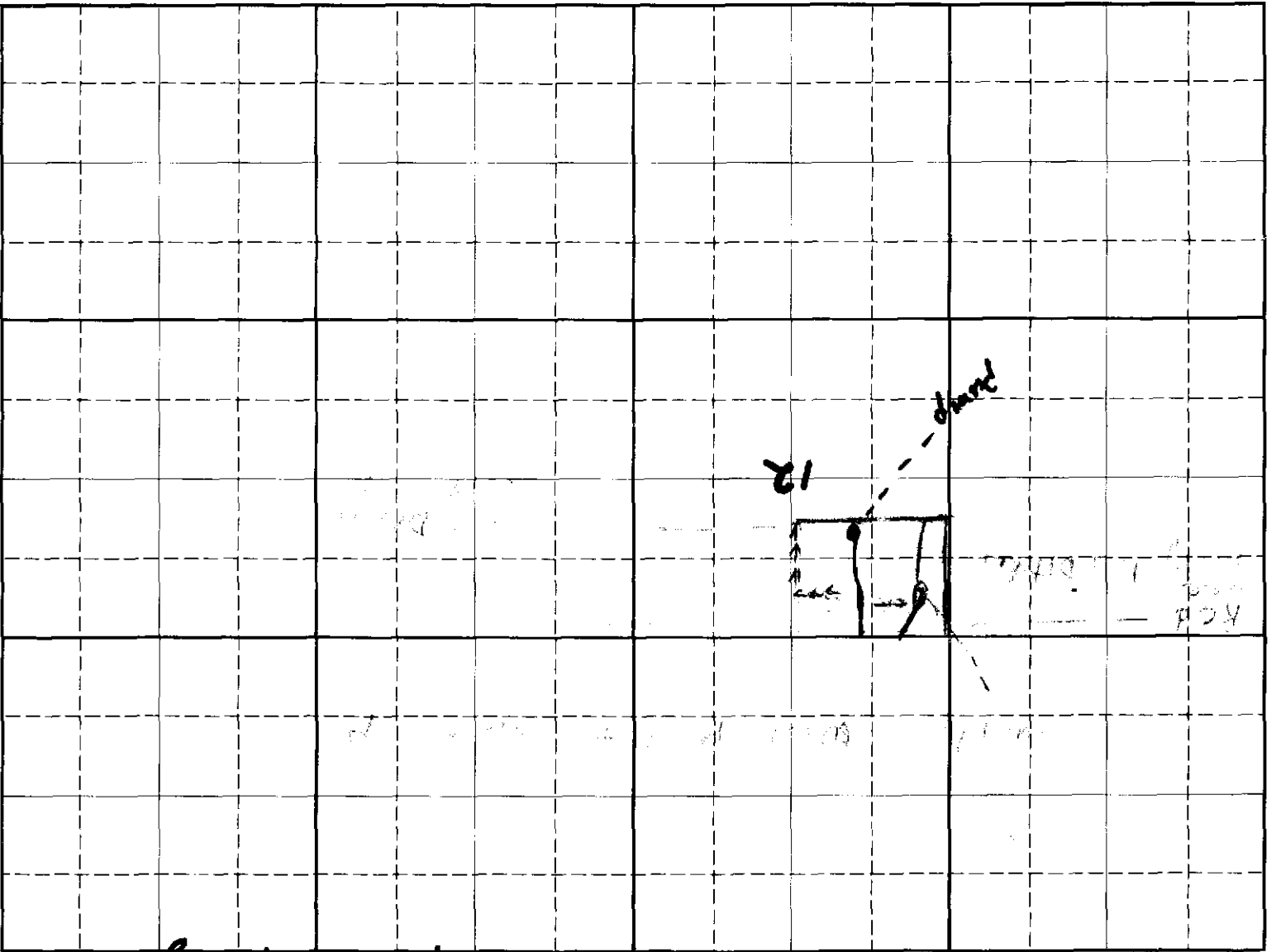
[illegible]

Total number of acres to be irrigated

29585
43-2517

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40 acre subdivisions, sections, townships, ranges, and ditches.

Section 12 Township 11 S Range 26 E 2N



Scale: 2 inches equal 1 mile

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

Signed at Burley Idaho this 7th day of July, 1969
By: [Signature] (signature)
SOUTHERN IDAHO PRODUCTION CREDIT ASSOCIATION

ACTION OF STATE RECLAMATION ENGINEER

I, R. KEITH HIGGINSON, State Reclamation Engineer of the State of Idaho, hereby approve the above application for amendment for permit G-29585.

Witness my hand this 16th day of July, 1969

State Reclamation Engineer

[Signature]

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
ASSIGNMENT OF PERMIT

RECEIVED

JUN 6 1969

I, CLYDE E. SMITH, hereby assign to SOUTHERN IDAHO PRODUCTION
Name CREDIT ASSOCIATION, a Corporation, with one of its principal
places of business at Burley, Idaho, Address

CHECK ONE

☒ All my right, title, and interest, in and to Permit No. G-29585
to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in and to
Permit No. _____ to appropriate the public waters of the State
of Idaho. (Give that portion of the permit being assigned by describing
the land list and the point of diversion - describe by acreage within each
40-acre subdivision.)

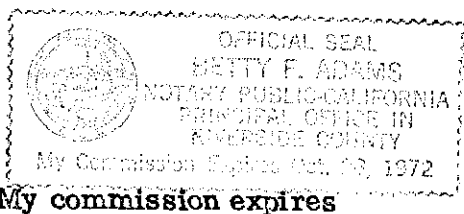
Made this 3rd day of June May, 19 69.

Clyde E. Smith
Clyde E. Smith
Permit Holder

Bonnie M. Smith
Bonnie M. Smith
Wife of Permit Holder

State of California
County of Riverside)
SS.

On this 3rd day of June May, 19 69, personally ap-
peared before me the signer(s) of the above instrument, who duly acknowledged to me
that he ~~(she)~~ (they) executed the same.



My commission expires _____

Betty F. Adams
Notary Public residing at _____

29585

Assigned to

Clyde Smith
% Gene Anderson
Atty - General
Idaho
43-2517
Assigned

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

Application No. G- 37590
 Permit No. G- 29585
 District No.

1. Name of Applicant: Yale Farms Co.

Postoffice address: Malta County: Cassia State: Idaho

2. Quantity of water claimed: 160 inches

(a) Rate of withdrawal in cubic feet per second 3.2 or Idaho
 Miners' inches or gallons per minute

(b) Annual withdrawal in acre feet per annum

3. Source of water supply: Subterranean waters

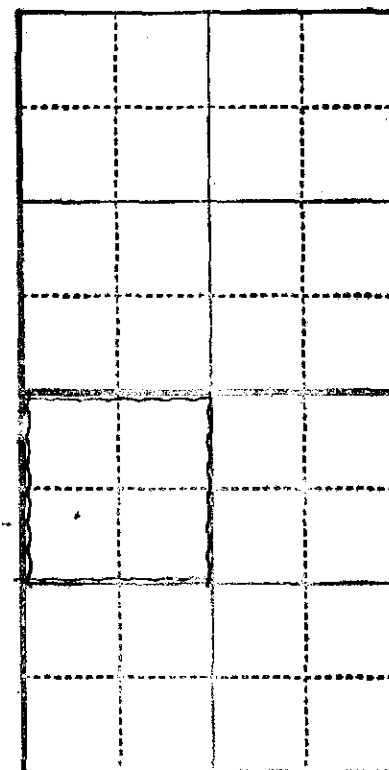
4. Location of point of diversion or well is in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 12
 Twp. 11 S , Rge. 26 E , B.M., County of Cassia

5. Water is to be used for: Irrigation and domestic purposes

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: Deep drilled well, electric driven pump, open ditches and/or sprinkling system

8. Estimated cost of works: \$ 10,000.00

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

(b) Capacity of reservoir:

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

11. If applicant is a corporation, give:

I. (a) Date and place of incorporation: April 30, 1958 - Idaho
 a par value of \$100.00 per share
 (b) Amount of capital stock: \$ 2,500 shares at / (c) Amount paid in: \$ 100,000.00

(d) Names and addresses of directors: Melvin J. Bailey, President, Malta, Idaho, Dr. John R. Moritz, Vice-President, Sun Valley, Idaho; LeGrand Johnson, Secretary-Treasurer, Logan, Utah

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

(b) Treasury stock: Nil (c) Bonds to be issued: Nil

(d) Other resources: Other farm land in Cassia

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.

Yale Farms Co.

Applicant.

By s/ C. G. McIntyre

Agent.

Date of first receipt at Department of Reclamation: 8:00 A.M. March 21, 1961

of Parry, Robertson & Daly
Attorneys for Yale Farms Co.
Residing at Twin Falls, Idaho

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G— 29585

Recorded in Book 104 Page 29585 Approved March 24, 1961

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 September 24, 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 March 24, 1966

Witness my hand this 24th day of March, 1961

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 24th day of March, 1961.

Countersigned:

STATE OF IDAHO

(SEAL)

By ARNOLD WILLIAMS

By s/ ROBERT E. SMYLLIE
Governor

s/ By: Paula L. Fleenor Secretary of State.
Deputy 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	
11 S	26 E	12					40	40	40	40									160
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, No. G-29585 to Clyde Smith of Malta, Idaho.																			
/s/ YALE FARMS, CO. Wilford Lundberg Permit Holder, Its President																			
State of Utah) County of Cache)																			
On this _____ day of December, 1963, before me, a Notary Public for the State of Utah, residing at Logan personally appeared Wilford W. Lundberg, known to me to be the President of Yale Farms co., the corporation that executed the foregoing instrument and duly acknowledged to me that such corporation 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.																			
My commission expires Feb 16, 1967.																			
/s/ PERCY QUINNEY Notary Public residing at Logan, Utah																			
Recorded: April 4, 1966.																			

GENERAL OFFICES
J.R. SIMPLOT COMPANY

805 IDAHO STREET

BOX 2777

BOISE, IDAHO

83701

TEL. (208) 343-7545
TELEX. 368432

February 6, 1975

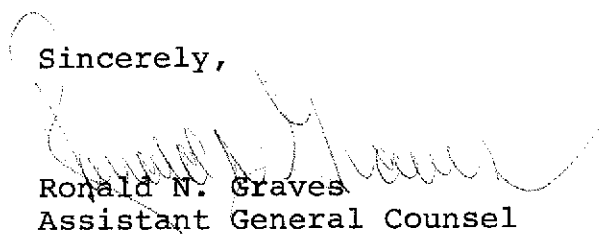
State of Idaho
Department of Water Resources
State Office
373 West Franklin
Boise, Idaho 83702

SUBJECT: Water License G29585/43-2517

Gentlemen:

Enclosed is J. R. Simplot Company's check in the amount of \$1.00 covering the fee for a copy of the above referenced water license which was recently submitted to this office.

Sincerely,


Ronald N. Graves
Assistant General Counsel

jh

Enclosure

RECEIVED
FEB 10 1975

Receipt
#762



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

February 5, 1975

Re: License No. 43-2517 (Old #G-29585)

J. R. Simplot
Attn: Jean Hulit
P. O. Box 2777
Boise, ID 83701

Dear Ms. Hulit:

Enclosed is a copy of the above referenced license as you requested in our telephone conversation yesterday.

The fee for this copy is \$1.00 which you may remit to this office at your earliest convenience.

Sincerely,

Jan Grover
Secretary

JG
Enclosure

cc. E.J.

MICROFILMED

WATER RESOURCE BOARD:

John F. Straiff
Chairman
Franklin Jones
Member

George L. Yost
Vice-Chairman
M. Reed Hansen
Member

Donald R. Kramer
Secretary
Scott W. Reed
Member

Edwin C. Schlender
Member
Joseph H. Nettleton
Member

February 5, 1975

Re: License No. 43-2517 (Old #G-29585)

J. R. Simplot
Attn: Jean Hulit
P. O. Box 2777
Boise, ID 83701

Dear Ms. Hulit:

Enclosed is a copy of the above referenced license as you requested in our telephone conversation yesterday.

The fee for this copy is \$1.00 which you may remit to this office at your earliest convenience.

Sincerely,

Jan Grover
Secretary

JG
Enclosure

RECEIVED
FEB 10 1975

October 21, 1969

Re: Permit No. 29585/43-2517

Southern Idaho Production Credit Assn.
1358 Albion Avenue
Burley, Idaho 83318

Gentlemen:

A representative of this department has made an examination of the works covered by your Permit 43-2517 and has found the following:

Quantity of water diverted: 7.75 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho law: 3.0 c.f.s.

The maximum quantity diverted shall not exceed 525 acre feet per season.

Beneficial Use: for domestic and irrigation of 150 acres in NW 1/4, Section 12, T. 11S, R. 26E, B.M.

The priority date established is: March 21, 1961

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

Very truly yours,

Dean R. Reynolds
Field Examiner

DRR:mh

29585
43-2517

SPECIAL EXAM

Permit No. G-29585

Name of Applicant	Organization
Southern Idaho Production Credit Assn., 1358 Albion Ave., Burley, Idaho	Coastal Station

Source of Water	Ground water
1. Name of the water source	
2. Location of the water source	
3. Type of water source	
4. Depth of the water source	
5. Quantity of water available	
6. Quality of water	
7. Use of water	
8. Other information	

a tributary of .

location of P.D. SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 12, T. 11 S., R. 26 E., B.M.,

Cassia County

Water is used for irrigation and domestic purposes

Quantity of water claimed; Permit 3.2 Depositions 4.0

Type of measuring device installed or method of measurement and general description of diversion works

[Faint, illegible text from bleed-through]

- and to be irrigated or place of use:

TWP,	RGE,	SEC,	Description
------	------	------	-------------

11 S	26 E	12	NE-NW ¹	38.5
------	------	----	--------------------	------

38.5	WW ¹ WW ²
------	---------------------------------

		$\chi^2_{\text{MN}}/\chi^2_{\text{MS}}$	40.0
--	--	---	------

		SE 1 NW 1/4	40-0
--	--	-------------	------

Filed - March 21, 1961

Due - March 24, 1966

Due March 24, 1969
Made - June 30, 1969

Made - June 30, 1909

157.0

Other rights and acreage covered: (Indicate amounts, source, licensed or decreed, and acreage covered by subdivision: also show and covered on the map.

29585

43-2517

Source of supply Substation
a tributary of _____

Location of P.D.(s) See NW Sec 12 115266

Water is used for irrigation

Quantity of water found 7.75

How was the measurement made? flowmeter

Measurement calculations _____

I based upon Gaging flow measurements as indicated upon proof.

Diversion works description and diagram

See LA B letter of June 24, 1969 in File

If water is used for purposes other than irrigation, fully describe how the water is used and what is done with it after the use.

Who represented the permit holder at the examination?
Mr. Wilkins Connected

Recommended allowance for licensing _____

Description of required amendments. Comments. _____

Report checked? _____

Examination date 10-21-69

Signature [Signature]

Approved of June 16, 1969

Indicate area irrigated in each subdivision on the map.

Total acreage irrigated 150 Acres 3000 used

November 5, 1969

Re: Permit No. G-29585/43-2517

Southern Idaho Production Credit Assn.
1358 Albion Avenue
Burley, Idaho 83318

Gentlemen:

Enclosed you will find an order authorizing the issuance of a Water License for Permit 43-2517 without any reduction in the date of priority.

Also enclosed is your Water License issued on the above numbered permit and departmental receipt no. 3753 in the amount of \$13.00 covering the licensing fees.

If you have any questions regarding the order or license, please feel free to contact me.

Very truly yours,

C. Stephen Allred, Deputy
State Reclamation Engineer

CSA:kh
Enclosures

29585
43-2517

BEFORE THE STATE RECLAMATION ENGINEER
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. G-29585/43-2517,)
in the name of SOUTHERN IDAHO PRODUCTION)
CREDIT ASSOCIATION)

ORDER

WHEREAS, application for permit G-29585/43-2517 was received by the Department of Reclamation from the Yale Farms Company on March 21, 1961, calling for the diversion of 3.2 cubic feet per second of ground-water from a well within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 12, Twp. 11 S., Rge. 26 E., B.M., in Cassia County. The water was to be used for irrigation of 160 acres within NW $\frac{1}{4}$ Sec. 12, Twp. 11 S., Rge. 26 E., B.M., and;

WHEREAS, said application was approved and issued on March 24, 1961, requiring that Proof of Application of the Water to Beneficial Use be submitted on or before March 24, 1966, and;

WHEREAS, on April 4, 1966, the permit was assigned to Clyde Smith of Malta, Idaho, and;

WHEREAS, on March 14, 1966, Clyde Smith notified the Department of Reclamation of his intent to make proof of application of the water to beneficial use, and;

WHEREAS, on March 30, 1966, the Department of Reclamation advised Mr. Smith that further action on his permit would be delayed until litigation concerning the permit, then pending in the District Court, Cassia County, had been settled, and;

WHEREAS, that litigation has been settled, and;

WHEREAS, permit G-29585/43-2517 has been assigned to Southern Idaho Production Credit Association, Burley, Idaho, and;

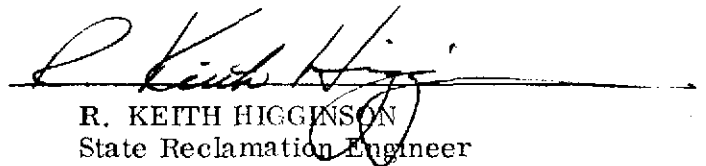
WHEREAS, on July 1, 1969, the assignee has submitted said Proof of Application of the Water to Beneficial Use, and;

29585
43-2517

IT APPEARING that the permit holder was prohibited from completing the requirements of his permit by action of the Department of Reclamation;

IT IS THEREFORE HEREBY ORDERED, that permit G-29585/43-2517 be licensed according to the findings of the Department of Reclamation with no reduction in the date of priority because of late proof.

Dated this 4TH day of November, 1969.


R. KEITH HIGGINSON
State Reclamation Engineer

RKH:CSA:kh

29585
43-2517

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

October 21, 1969

REGISTERED

Department of Reclamation

Re: Permit No. 29585/43-2517

Southern Idaho Production Credit Assn.
1358 Albion Avenue
Burley, Idaho 83318

Gentlemen:

A representative of this department has made an examination of the works covered by your Permit 43-2517 and has found the following:

Quantity of water diverted: 7.75 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho law: 3.0 c.f.s.

The maximum quantity diverted shall not exceed 525 acre feet per season.

Beneficial Use: for domestic and irrigation of 150 acres in NW¼, Section 12, T. 11S, R. 26E, B.M.

The priority date established is: March 21, 1961

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

Very truly yours,

Dean R. Reynolds
Dean R. Reynolds
Field Examiner

DRR:mh

29585
43-2517

July 16, 1969

Re: Permit No. G-29585

Southern Idaho Production Credit Assn.
1358 Albion Ave., Box D
Burley, Idaho 83318

Gentlemen:

Enclosed please find a copy of the APPROVED application for amendment for permit G-29585. Also enclosed is departmental receipt #3324 in the amount of \$5.00 covering the amendment fee.

You will be contacted in the near future by a field examiner from this department, in order that you may show him the system when he makes the field examination.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR

Enc: Copy of amendment
Receipt #3324

29585
43-2517

July 3, 1969

Re: Permit No. G-29585

Southern Idaho Production Credit Assn.
1358 Albion Ave., Box D
Burley, Idaho

Gentlemen:

We acknowledge receipt of your affidavits submitted as proof of beneficial use for permit G-29585.

As the permit lists the point of diversion as being in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 12 instead of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 12, we are enclosing an application for amendment for your use in amending the point of diversion. The application for amendment must be accompanied by a \$5.00 filing fee when submitted to the Department.

Upon receipt of the amendment and fee we can proceed with the licensing of permit G-29585.

We also acknowledge receipt of the affidavit of publication submitted in connection with the above referenced permit.

Before a license can be issued a field examination must also be made by a representative from this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination. If someone other than yourself should be contacted, please advise.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR

Enc: Application for amendment

29585
43-2517

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G-29585

* * * * *

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: CURTIS L. WILKINS, 1927 Burton Ave., Burley, Idaho 83318; Assistant Secretary and Branch Manager of the Burley Branch of Southern Idaho Production Credit Association, a Corporation;

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf: Southern Idaho Production Credit Association, a Corporation, Burley, Idaho; Branch Manager and Assistant Secretary.

Ques. 3. State number, approval date of permit, and date of priority G-29585; Approved March 24, 1961; Date of Priority, March 21, 1961

Ques. 4. State source of water supply: Subterranean flow
Give location of point of diversion, showing subdivision, section, township and range
SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 12, Twp. 11 South, Range 26 EBM

Ques. 5. Describe your works of diversion: Deep well with pump & motor; with ditches for transporting water to place of use.
; state amount of water they are capable of conveying from point of diversion to place of use: 300 inches; Give name of canal or ditch or other works by which water is conducted to such place of use: no name; just a ditch.
; if a well, state depth of well 408'; depth and size of casing 408'; 20" casing reduced to 16"; depth to water 145'; if pump is used, state discharge of pump: 7.75 c.f.s.; tell how it was measured or determined Collins flow meter; if sprinkler irrigation, give number and size of nozzles and operating pressure: none

Ques. 6. State for what purpose water is used: Irrigation
(If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water:
NW $\frac{1}{4}$ NW $\frac{1}{4}$ 38 $\frac{1}{2}$ acres; NE $\frac{1}{4}$ NW $\frac{1}{4}$ 38 $\frac{1}{2}$ acres; SW $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres; SE $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres.

RECEIVED
JUL 1 1969
Department of Reclamation

29585
43-2517

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

Land just hereinbefore described has been converted into good, producing farmland.

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

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

None

Ques. 8: If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder: The permit was originally issued to Yale Farms, Inc. and assigned by it to Clyde E. Smith and subsequently assigned by Clyde E. & Bonnie Smith, his wife, to the present holder.

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: _____ - Time used since first use: In the irrigation season of the year 1963 and during the irrigation season of each year thereafter up to and including the year 1969.

Ques. 10. Describe all other water rights appurtenant to same place of use: None

SOUTHERN IDAHO PRODUCTION CREDIT
ASSOCIATION, a Corporation

(sign) By: Arthur L. Perkins
Assistant Secretary

* * * * *

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

Burley, County of Cassia

State of Idaho, on this 30th day of June, A. D. 19 69.

My commission expires: 6-12-72

Thomas H. Church
Notary Public
Residing at Burley, Idaho

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho
Permit No. G-29585

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:

TERRY G. SMITH, age 27; Route #4, Rupert, Idaho 83350; Farmer.

Ques. 2 Are you acquainted with SOUTHERN IDAHO PRODUCTION CREDIT ASSOCIATION, the holder of Permit No. G-29585? How long have you known him and where does he reside? I have been acquainted with the PCA for over five years; it has a place of business at Burley, Idaho.

Ques. 3. Have you read or heard said Permit No. G-29585 read, and are you familiar with its provisions and conditions: Yes Yes No.

Ques. 4. State source of water supply: Subterranean flow or well.

Give location of place of diversion, showing subdivision, section, township and range
SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 12, Township 11 South, Range 26 EBM ✓

Describe works for conveying water to place of use: Ditches

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: 6 How much water have you seen being so conveyed? approximately 200 inches or 4 c.f.s.

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving full legal description: The NW $\frac{1}{4}$ of Section 12, Township 11 South, Range 26 EBM
NW $\frac{1}{4}$ NW $\frac{1}{4}$, 38 $\frac{1}{2}$ acres; NE $\frac{1}{4}$ NW $\frac{1}{4}$, 38 $\frac{1}{2}$ acres; SW $\frac{1}{4}$ NW $\frac{1}{4}$, 40 acres; SE $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres.

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

Used for irrigation.

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

The soil is silt loam; amount of water needed is 1 inch to the acre.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned?

If so, in what way and to what extent? No.

Ques. 10. When did you first see this water used? In the irrigation season of 1963, commencing on or about April 15;

Other times you have seen such use: Each year throughout the irrigation season of every year since and including 1963.

(Signed):

Tommy S. Smith

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in _____

Burley, County of Cassia, State of Idaho, on this 30th day of June, A. D. 19 69

Thomas A. Clund

Notary Public for the State of Idaho
Residing Burley, Idaho

My commission expires 6-17-72 ✓

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G-29585

* * * * *

RECEIVED
JUL 1 1965
Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

DEPOSITION OF WITNESS

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

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

CLINE PRESTON; Age 67; 1234 Conant, Burley, Idaho 83318; Self Employed.

ASSOCIATION

Ques. 2 Are you acquainted with SOUTHERN IDAHO PRODUCTION CREDIT /, the holder of

Permit No. G-29585 ? How long have you known him and where does he reside? I have been acquainted with the PCA For twenty-five years; it is a place of business at Burley, Idaho.

Ques. 3. Have you read or heard said Permit No. G-29585 read, and are you familiar with its provisions and conditions: Yes Yes No.

Ques. 4. State source of water supply: Subterranean flow or well.

Give location of place of diversion, showing subdivision, section, township and range
SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 12, Township 11 South, Range 26 EBM ✓

Describe works for conveying water to place of use: Ditches

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: 4 How much water have you seen being so conveyed? approximately 200 inches or 4 c.f.s.

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

NW $\frac{1}{4}$ NW $\frac{1}{4}$, 38 $\frac{1}{2}$ acres; NE $\frac{1}{4}$ NW $\frac{1}{4}$, 38 $\frac{1}{2}$ acres; SW $\frac{1}{4}$ NW $\frac{1}{4}$, 40 acres, SE $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres.

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43-2517

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

Used for irrigation

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

The soil is silt loam; amount of water needed is 1 inch to the acre.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned?

If so, in what way and to what extent? No.

Ques. 10. When did you first see this water used? In the irrigation season of 1963,
commencing on or about April 15;

Other times you have seen such use: Each year throughout the irrigation season of
every year since and including 1963.

(Signed):

Cline Prestor

* * * * *

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 Burley

 , County of Cassia, State of Idaho, on
this 30th day of June, A. D. 19 69

Thomas H. Church

Notary Public for the State of Idaho

Residing Burley Idaho

My commission expires 6-12-72

AFFIDAVIT

State of Idaho)
County of Twin Falls) ss.

I, Harold F. Brown, having duly sworn upon oath, do hereby depose and say that on March 1, 1968, I made inspection of the following described land for purpose of making an appraisal:

The Northwest Quarter (NW $\frac{1}{4}$) Section 12, Township 11 South, Range 26 E.B.M. in Cassia County, Idaho, excepting the following parcel: Beginning at the Northwest corner of Section 12, Township 11 South, Range 12 E.B.M. and running thence South 50.0 feet; thence East on a line parallel with the north line of said Section 12 and fifty feet therefrom to the east boundary line of the Northwest Quarter (NW $\frac{1}{4}$) said Section 12; thence North 50.0 feet to the north boundary line of Section 12; thence West along the north boundary line of said Section 12 to the northwest corner and point of beginning, containing 157 acres, more or less.

My inspection determined that all of the above described land was irrigable by water produced from a deep well situated in the Southeast Quarter Northwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 12, Township 11 South, Range 26 E.B.M. and reportedly water appropriated under state engineer's permit No. 29585. The net irrigated crop acres, after deduction for public and private roads and irrigation ditches, was estimated at 150 acres.


Harold F. Brown
Farm and Ranch Appraiser

Dated at Twin Falls, Idaho
this 16th day of June, 1969.

Subscribed and sworn to before me this 16th day of June, 1969.


Notary Public
Residing at Twin Falls, Idaho

(SEAL)

29585
43-2517

THOMAS H. CHURCH
PETER K. CHURCH
PETER G. SNOW

CHURCH, CHURCH & SNOW
ATTORNEYS AT LAW
1354 ALBION AVENUE
BURLEY, IDAHO 83318

RECEIVED
JUL 1 1969

P. O. BOX 216
TELEPHONE 678-9088
CODE 208

June 30, 1969

Department of Reclamation

Mr. R. Keith Higginson
State Reclamation Engineer
Statehouse -- Annex 2
Boise, Idaho 83707

Re: Water Permit No. G-29585

Gentlemen:

I am enclosing Proof of Application of Water to Beneficial Use and Completion of Works in regard to the above-numbered permit, which said proof consists of Deposition of Holder of Permit, Southern Idaho Production Credit Association, and two witnesses, to-wit, Terry G. Smith and Cline Preston. I am also enclosing an Affidavit of inspection by Harold F. Brown, showing the number of acres irrigated in the NW $\frac{1}{4}$ of Section 12, Twp. 11 South, Range 26 EBM; the Affidavit of Publication; and a statement by Tommy Thompson of Layne & Bowler Pump Company, showing that a test was made of the well situated on the said premises.

I am also enclosing a plat of the land, showing the contour of the ground, the location of the well, and the ditches which plat was drawn by Mr. Harold Brown. If there are any other papers or documents needed, please advise me and if there is any fee that should have been sent to your office at this time of which we're unaware, please advise me so that the same can be forwarded to you.

Very truly yours,

CHURCH, CHURCH & SNOW


T. H. Church

THC:LS
Encl.

29585
43-2517

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

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

Lloyd L. Hallinger, being first

duly sworn, deposes and says that....he is the

publisher 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 4

consecutive weeks, commencing with the issue

dated May 29 1969, and ending

with the issue dated June 19, 1969.

Lloyd L. Hallinger

Subscribed and sworn to before me

this 19th day of June

1969.

Edith Raustadt Notary Public

Cost of Publication \$ 22.50

Notary Fee

Total Cost

My commission expires October 23, 1971

69.134
NOTICE OF PUBLICATION
COMPLETION OF WORKS AND
APPLICATION OF WATER TO
BENEFICIAL USE

Notice is hereby given that on June 30, 1969 in the County of Cassia, State of Idaho, before notary public Thomas H. ... 1354 Albion Ave., Burley, Idaho, proof will be submitted of the completion of works for the diversion of 3.2 c.f.s. of the waters of a ground water source, and the application to beneficial use of said water, in accordance with the terms and conditions of permit G-20885, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and address of permit holder is Southern Idaho Production Credit Association, 1358 Albion Ave., Box D, Burley, Idaho.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 3.2 cubic feet per second.

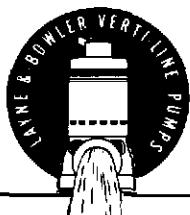
3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 3.2 c.f.s.

4. The point of diversion of said water is SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 12, T. 11 S., R. 26 E., B.M.

5. The place where said water is used is NW $\frac{1}{4}$, Sec. 12, T. 11 S., R. 26 E., B.M.

6. The date of priority which said user is prepared to establish is 3/21/61.

R. KEITH HIGGINS
State Reclamation Engineer
Published in South Idaho Press, Burley, Idaho on May 29th, June 5th, June 12th and June 19th, 1969.



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

June 24, 1969

Southern Idaho Production Credit Association
1358 Albion Avenue
Burley, Idaho 83318

ATTN: Curt Wilkens

Dear Curt:

Following is a test report on the pump capacity of a well located on what was Clyde E. Smith property on the SE 1/4 of NW 1/4 of Section 12 Township 11 South Range 26 EBM. Well permit number 29585.

Well was drilled to a depth of 408 feet with both 20 inch and 16 inch casing and cased from top to bottom. Static water level: 145 feet. Pump was set in to 190 feet plus bowls and suction with 10 inch column pipe. This pump is a Worthington; serial number 11508937 and 150 horsepower motor with reduced voltage starter. Motor serial number is 817986.

The method of measuring the water capacity was through a Collins Flow Meter. The results are as follows:

Pump discharge: 10.250. Six readings were taken across pipe.

8.4	-	8.5
8.2	-	8.3
8.0	-	8.1
7.5	-	7.6
7.3	-	7.4
7.1	-	7.2

This would figure out at approximately 7.75 on the average reading or 1900 gallons per minute or 211 Miners Inches of water.

Yours truly,

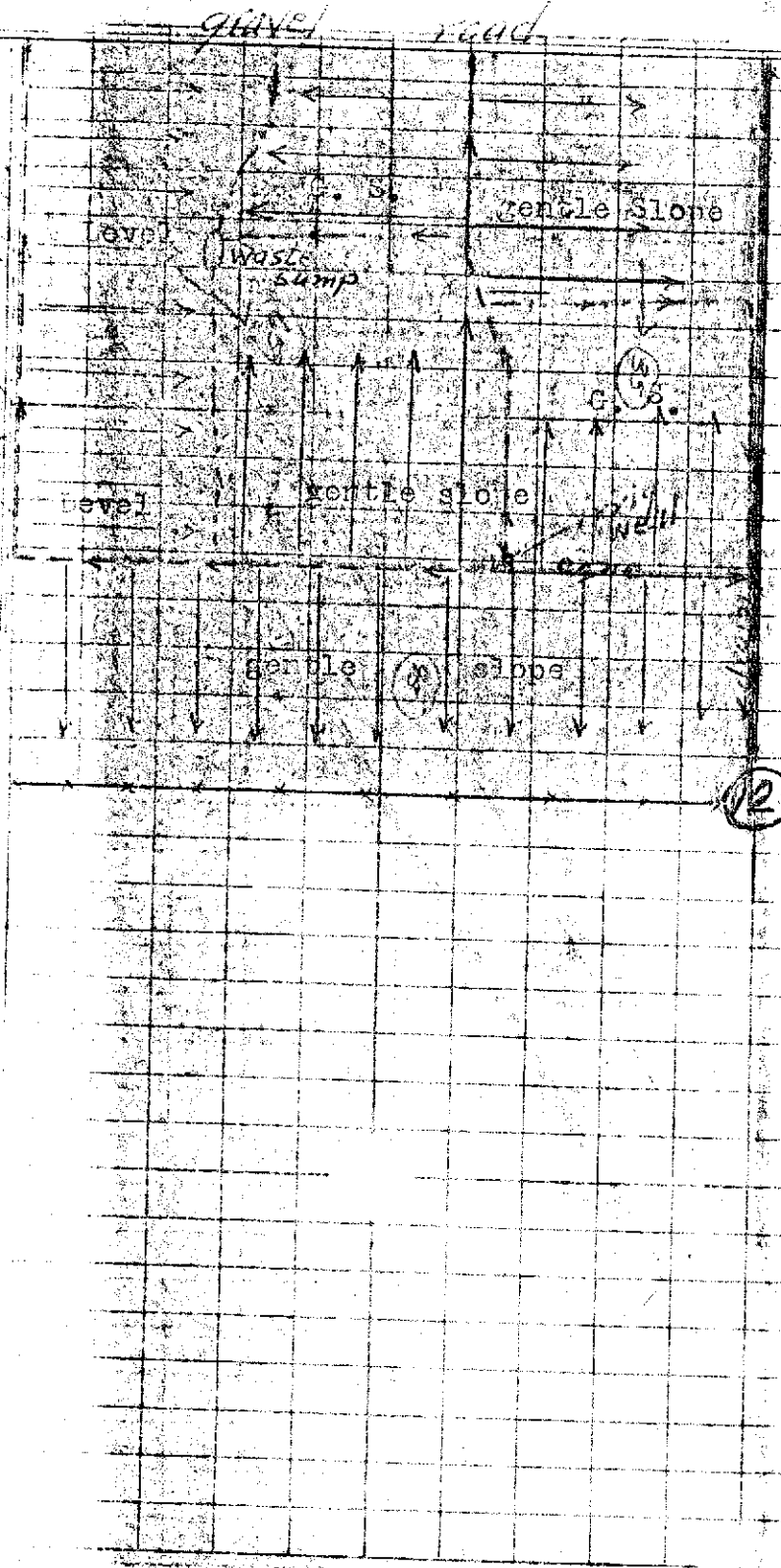
Tommy Thompson
Layne & Bowler Pump Co.
P.O. Box 892
Twin Falls, Idaho 83301

TMT/tt

RECEIVED

JUL 1 1939

Department of Reclamation



Plot of Sec 12.
(NW 1/4) T11S
Range 26 E BM

Scale

660 feet or 10 chains
or 40 rods
angle = 1 acre

NAME

Yellow - Crop land and tillable
pasture
Red - waste land, roads & ditches
general direction of slope

585

2517

NW NW 12-11-26
appears from field
investigation to be
owned by a Mr. Clyde
Smith.

The well was drilled
& put in operation in
1963. Some crops were
raised.

Well is actually located
in SE NW of 12-11-26

H/H

29585

G-29585

Record

Assignment

See photocopy of deed
from Yale Farms Co. to
Clyde E. Smith in file.

See warranty deed next item.

29585

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

Notice is hereby given that on June 30, 1969 ~~at~~ in the _____,
County of Cassia, State of Idaho, before notary public (name & address) _____
Thomas H. Church, 1354 Albion Ave., Burley, Idaho, proof will be
submitted of the completion of works for the diversion of 3.2 c.f.s. of the waters
of a ground water source, and the application to beneficial use of said water,
in accordance with the terms and conditions of permit G-29585, heretofore issued by
the Department of Reclamation of the State of Idaho.

1. The name and address of permit holder is Southern Idaho Production
Credit Association, 1358 Albion Ave., Box D, Burley, Idaho.
2. Said works of diversion will be fully completed on the date for such completion,
and the amount of water which said works are capable of conveying to the place of use is
3.2 cubic feet per second.
3. The use to which said water has been applied is irrigation
_____ purposes, and the amount applied to beneficial
use is 3.2 c.f.s.
4. The point of diversion of said water is SW¹/₄ Sec. 12, T. 11 S, R. 26 E,
B. M.
5. The place where said water is used is NW¹/₄ Sec. 12, T. 11 S, R. 26 E, B.M.

6. The date of priority which said user is prepared to establish is 3/21/61

R. KEITH HIGGINSON

State Reclamation Engineer

June 9, 1969

Re: Permit No. G-29585

Southern Idaho Production Credit Association
1358 Albion Avenue, Box D
Burley, Idaho

Gentlemen:

Enclosed is a copy of the Assignment of Permit, the original has
been recorded and placed in our files.

Very truly yours,

Gary L. Page
Survey Examiner

GLP:DR
Enc: Copy of assignment

29584

THOMAS H. CHURCH
PETER K. CHURCH
PETER G. SNOW

CHURCH, CHURCH & SNOW
ATTORNEYS AT LAW
1354 ALBION AVENUE
BURLEY, IDAHO 83318

RECEIVED

JUN 6 1969

P. O. BOX 216
TELEPHONE 678-9088
FAX CODE 208
Department of Reclamation

June 6, 1969

State of Idaho
Department of Reclamation
614 State Street
Boise, Idaho 83702

Re: Assignment of Water Permit # G-29585

Gentlemen:

Enclosed herewith, please find Assignment of Water Permit # G-29585 from Clyde E. Smith, the permit holder, to Southern Idaho Production Credit Association. I trust with this that the file will be complete so that proof may be submitted on the completion of works and application of water to beneficial use under the said permit.

Very truly yours,

CHURCH, CHURCH & SNOW

T.H. Church
T.H. Church

THC:bjm
Enc.

29585

May 21, 1969

Re: Permit No. G-29585

C
O
P
Y
Southern Idaho Production Credit Association
1358 Albion Ave., Box D
Burley, Idaho 83318

Gentlemen:

Enclosed you will find a copy of the letter to the newspaper in which we caused a legal notice to be published for four consecutive weeks at your expense. You will be required to submit an affidavit of publication to the Department which may be obtained from the South Idaho Press, Box 190, Burley, Idaho, upon payment of the bill of publication.

We have also enclosed, for your convenience, forms to be used in submitting proof on the above referenced permit.

If we may be of further service, please advise.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR

Enc: Copy of letter to newspaper
Proof forms

29585

69-134

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

Notice is hereby given that on June 30, 1969 in the County of Cassia, State of Idaho, before notary public Thomas H. Church, 1354 Albion Ave., Burley, Idaho, proof will be submitted of the completion of works for the diversion of 3.2 c.f.s. of the waters of a ground water source, and the application to beneficial use of said water, in accordance with the terms and conditions of permit G-29585, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and address of permit holder is Southern Idaho Production Credit Association, 1358 Albion Ave., Box D, Burley, Idaho.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 3.2 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 3.2 c.f.s.

4. The point of diversion of said water is SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 12, T. 11 S., R. 26 E., B.M.

5. The place where said water is used is NW $\frac{1}{4}$, Sec. 12, T. 11 S., R. 26 E., B.M.

6. The date of priority which said user is prepared to establish is 3/21/61.

R. KEITH HIGGINSON

State Reclamation Engineer
Published in South Idaho Press,
Burley, Idaho on May 29th, June
5th, June 12th and June 19th,
1969.

May 21, 1969

Re: Permit No. G-29585
Southern Idaho Production Credit Association

South Idaho Press
Box 190
Burley, Idaho 83318

Gentlemen:

Enclosed is a legal notice which we wish to have published for four consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for our 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 date. If you cannot publish the notice on the proposed dates, please contact the Department of Reclamation immediately.

The expense of the publication is to be paid by Southern Idaho Production Credit Association, 1358 Albion Ave., Box D, Burley, Idaho, to whom you should furnish an affidavit of publication.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR

Enc: Legal notice

cc: Southern Idaho Production Credit Association

NOTE: The permit holder is required to obtain an affidavit of publication from the above referenced newspaper and to submit it to the Department at once.

29585

RECEIVED
MAR 25 1966

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

Department of Reclamation

Notice is hereby given that at ~~10:00 A.M.~~, on the 30th day of June
1966, at Burley, County of Ada, State of Idaho
before THOMAS H. CHURCH, Notary Public, at (address) 1334 Albion
Ave, proof will be submitted of the completion
Building
of works for the diversion of 3.2 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-29585, 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 GLYDE E. SMITH, P. O. Box 366, Roseland, California Box D, Burley, Idaho
SOUTHERN IDAHO PRODUCTION CREDIT ASSOCIATION, 1358 ALBION AVE

2. Said works of diversion will be fully completed on the date for such completion,
and the amount of water which said works are capable of conveying to the place of
use is 3.2 cubic feet per second.

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

4. The point of diversion of said water is SW1/4, Section 12, T11S-R26E, B.M.

5. The place where said water is used is NW1/4, Section 12, T11S-R26E, B.M.

6. The date of priority which said user is prepared to establish is 3/21/61

State Reclamation Engineer

Hold
29585

(This completed form authorizes the Department of Reclamation to publish the required notice at your expense.)

State Reclamation Engineer:

You are hereby authorized to have the attached notice published at my expense in the South IDAHO PRESS of Burley IDAHO; published in the county in which the works are situated.

Stephen Idaho Production Credit Assn.
(signature)

Dr. Curtis L. Wilkins
1358 Allison Ave.
(address)

May 21, 1969
(date)

In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well known and competent engineer when proof is for completion of works.

I hereby certify that the facts set forth in the attached notice are true.

Engineer

29585

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

Notice is hereby given that at 10:00 AM., on the 6th day of May
1966, at Boise, County of Ada, State of Idaho
before Sharron Deroin, Notary Public, at (address) 224 Idaho
Building, proof will be submitted of the completion
of works for the diversion of 3.2 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-29585, 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 Clyde E. Smith, P. O. Box 366, Romoland, California

2. Said works of diversion will be fully completed on the date for such completion,
and the amount of water which said works are capable of conveying to the place of
use is 3.2 cubic feet per second.

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

4. The point of diversion of said water is SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 12, T11S-R26E, B.M.

5. The place where said water is used is NW $\frac{1}{4}$, Section 12, T11S-R26E, B.M.

6. The date of priority which said user is prepared to establish is 3/21/61

State Reclamation Engineer

29585

Boise, Idaho

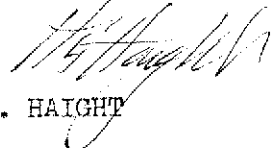
Re: Clyde Smith Well
NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 11, T. 11 S., R. 26 E.

Mr. Carl E. Tappan
State Reclamation Engineer
Boise, Idaho

Dear Mr. Tappan:

An inspection visit to the subject well on May 31, 1965, disclosed that it was being pumped for irrigation of lands in Section 11, T. 11 S., R. 26 E. The Clyde Smith well in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 12, T. 11 S., R. 26 E. was also being pumped and the water diverted for irrigation in above said Section 11, T. 11 S., R. 26 E.

Very truly yours, (


HORTON G. HAIGHT

HGH:ew

March 30, 1966

RE: Permit No. G-29585

Mr. Clyde Smith
Malta, Idaho

Dear Mr. Smith:

Receipt is hereby acknowledged of the assignment of permit number G-29585 from Yale Farms Company to Clyde Smith, also, the notice of publication forms 36 and 11.

Please be advised further action on this permit will be delayed until we receive the final decree from the District Court of Cassia County wherein this permit is in litigation.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw

cc: Steve Boller
Eugene Anderson

29585

RECEIVED
MAR 25 1966

A S S I G N M E N T

Declaration of declaration

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,
No. G29585 to Clyde Smith of
Malta, Idaho.

*

YALE FARMS, CO.

By Wilford W. Lundberg
Permit Holder Its President

Wife of Permit Holder

STATE OF ~~XXXX~~ UTAH)
: ss
County of Cache)

On this Utah day of December, 19 63, before me, a Notary Public
for the State of ~~Utah~~, residing at Logan

personally appeared Wilford W. Lundberg, known to me to be the President of Yale Farms Co.,
the corporation that executed the foregoing ~~xxx~~ instrument

~~xxxxxx~~
and duly acknowledged to me that SUCH corporation executed the same.
~~xxxxxx~~

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

Percy J. Gunn
Notary Public
Residing at Logan, Utah

My commission expires: _____

* 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

Noted
recorded
3-31-66

29586

RECEIVED
MAR 25 1966

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE
Department of Reclamation

(Date) March 14, 1966

(P. O.) Box 2161, Boise, Idaho 83701

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published
at my expense in the Herald-Bulletin of
Burley, Idaho Published in

the county in which the works are situated. Please send Statement of Charges
and Affidavit of Publication to Idaho Land & Appraisal Service, P. O. Box 2161,
Boise, Idaho 83701. Thank you.

X Clyde E. Smith
CLYDE E. SMITH

(In case of canals or other works designed to divert and
carry more than 50 cubic feet of water per second, the following certificate
must be signed by a well known and competent engineer)

I hereby certify that the facts set forth in the attached
notice are true.

Engineer

RECEIVED

Application for Amendment

AUG 18 1964

LAND LIST

Department of Reclamation

Permit No. G-29585

RECEIVED

AUG 5 1964

Department of Reclamation

Comes now Clyde E. Smith, 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-29585, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

~~This permit calls for use of water on NW¹/₄, Sec. 12, T. 11 S., R. 26 E.~~

~~Beise, Meridian, to, extend to be used on section 12~~

NW 4 Sec. 12, All Sec. 11 T 11 S R 26 E BM

, making a total of 800 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 Clyde E. Smith this 4th day of August, 1964

Date of receipt at office of Department of Reclamation _____

APPROVAL OF STATE RECLAMATION ENGINEER

I, GEO. N. 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. _____. 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.

Ralph W. Thomas

State Reclamation Engineer

Not valid
Signed but never
sent. - Consider
that we have approval
according to RCH
art

29585

Application for Amendment

LAND LIST

Permit No. G-29585

1964

Department of Reclamation

Comes now Clyde E. Smith, 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-29585, and requests that the list of lands to be irrigated, as described in said permit, be changed as follows:

~~This permit calls for use of water on NW 1/4, Sec. 12, T. 11 S., R. 26 E.~~

~~Beise, Meridian, to, extend to be used on section 12.~~

NW 1/4, Sec. 12; All Sec. 11, T. 11 S. - R. 26 EBM.

, making a total of 800 acres.

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

Signed at Clyde E. Smith this 4th day of August, 1964

Date of receipt at office of Department of Reclamation: _____

APPROVAL OF STATE RECLAMATION ENGINEER

I, GEO. R. 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. _____. This approval constitutes a new permit and is issued in amendment of the original permit, to which it refers, and of which it becomes a part, and said application is approved insofar as the rights of others will not be adversely affected thereby.

State Reclamation Engineer

(over)

29585

STATE OF IDAHO)
 : ss
County of Ada)

I, RALPH W. THOMAS, Deputy State Reclamation Engineer of the State of Idaho, do hereby certify that this is a photo copy of Application for Amendment to the Land List on Permit No. G-29585 received on August 5, 1964, and returned August 13, 1964.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the State Department of Reclamation, at Boise, Idaho, this 13th day of August, 1964.


Deputy State Reclamation Engineer

Permit # 29585

1985

RECEIVED

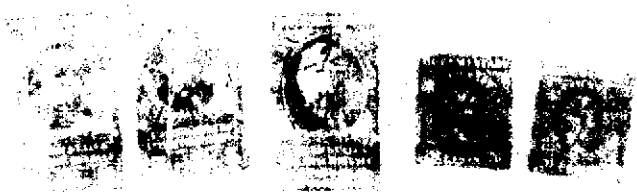
22 1964

ALL PARTS
Cousins
California,
Winnipeg
consideration, Ten Dollars (\$10.00), and valuable
Ten and no/190-
his

Section Twenty-six (NW 1/4) of Township
AND ENTERING the
Section Twelve (SE 1/4) of Township
North 12th line of said Section
West 12th line of said Section
to the point of beginning.

SECTION Twenty-six (NW 1/4) of Township
AND ENTERING the
Section Twelve (SE 1/4) of Township
North 12th line of said Section
West 12th line of said Section
to the point of beginning.

SECTION Twenty-six (NW 1/4) of Township
AND ENTERING the
Section Twelve (SE 1/4) of Township
North 12th line of said Section
West 12th line of said Section
to the point of beginning.



6-29585

...shall and will have: ...

...the party of the first part has caused its corporate name ... subscribed by its

President and its corporate seal to be affixed by its ... Secretary in presence

...the day and year first above written.

...AND WITNESSES IN PRESENCE OF

[Handwritten signature]
[Handwritten signature]

Attest

STATE OF KANSAS

County of *CACHE*

on the *11th* day of *June* 19*62*

Walter L. Dardinger
personally appeared *St. Leonard St. Harding and*

known to me to be the *President* and *Secretary* respectively

of the person who executed the instrument and of said corporation and acknowledged that they executed the same.

Witness my hand and seal of office this *11th* day of *June* 19*62*.

Notary Public for the State of Kansas

[Handwritten signature]

Residing at *[Handwritten address]*

My Commission Expires Aug. 21, 1964

[Vertical text and stamps, including "STATE OF KANSAS" and "NOTARY PUBLIC"]

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

RECEIVED
JUL 7 1964

Department of Reclamation

July 3, 1964

Mr. Clyde E. Smith
P. O. Box 366
Romoland, California

Dear Sir:

Referring to the well you are now in the process of having drilled or constructed in the center of section 11, T11S-R26EEM and our conversation of July 1, 1964:

Please note that the Idaho Code does not define test wells or indicate that any irrigation well may be drilled without permit. Idaho Law provides that the State Reclamation Engineer may "prohibit the withdrawal of water from any well during any period that he determines that water to fill any water right in said well is not there available." In accordance with this directive also your verbal declaration and premise that you would not attempt to use water from the said well, therefore, it is hereby ordered that no water be withdrawn from said well at center of section 11, T11S-R26EEM at any time until further notice by this office. This is by virtue of the authority of Idaho Code, 42-237g.

Also be advised that use of water from other wells located on adjoining property, must be in compliance with Idaho Law in such cases provided.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

CET:ct

cc Steve Boller
H. G. Haight
Clyde E. Smith
Richard K. Smith

29585

STATE OF IDAHO

Department of Reclamation

NO. G-8820

Boise, Idaho August 18, 1964

RECEIVED
FROMClyde E. Smith of Romoland, Calif. \$150
Amended 450
DOLLARS

FOR

Well Driller's License Fee - \$

Application for Permit No. - \$

Proofs - - - - - \$

Certified Copy #929585 \$

Recording Assignment - \$

" " Amended 429585 \$

TOTAL - - - \$

Carl E. Lappan

STATE RECLAMATION ENGINEER

By

Adna P. Lyle

29585

Mr. Clyde E. Smith
P.O. Box 366
Romoland, California
R

Dear Mr. Smith:

The Field Engineer for the Department of Reclamation found by personal inspection on August 19 and 20, 1964, that you were pumping ground water from a well in the center of Section 11, Township 11 South, Range 26 East, ~~of the~~ Boise Meridian, and were diverting water from your well in Section 12, Township 11 South, Permit G-29585, onto Section 11, Township 11 South Range 26 East of the Boise Meridian. You were also diverting water from a well in Section 2, Township 11, South Range 26 E of the Boise Meridian onto Section 11.

The well in Section 2, Township 11, South Range 26 E.B.M. is under a permit (G-25258) held by Ivan Schrenk ^{but} ~~by~~ a claim ^{ad} assignment to ^{one} Clark exists. The land list for Permit G-25258 includes only the East 1/2 of the Southeast 1/4, Section 35, Township 10 South, Range 26 East; the East 1/2 of the Northeast 1/4, the Northeast 1/4, Northeast 1/4 of the Southeast 1/4, South 1/2 of the Southeast 1/4, the Southeast 1/4 of the Southwest 1/4, Section 2, Township 11 South, Range 26 E.B.M. with the point of diversion at the Southwest 1/4 of the Southeast 1/4, Section 2 Township 11 South, Range 26 E.B.M. There is no requested amendment to this land list nor any assignment of this permit to you so that water could legally be placed upon Section 11, Township 11 South Range 26 E.B.M.

This is, therefore, an unlawful diversion.

Permit G-29585 includes in its land list only the Northwest 1/4 of Section 12, Township 11 South, Range 26, E.B.M. You have requested an amendment to the land list, lands to be irrigated, to include all of Section 11, as well as the Northwest 1/4 of Section 12.

29585

Until this amendment is allowed any use of water from this well upon Section 11 is also unlawful.

The well in the center of Section 11 ~~XXXX~~, Township 11 South, Range 26 E.B.M. is an ^{unlicensed} ~~unlisted~~ well. As you know, the Raft River Basin is a critical ground water area and further withdrawals of ground water from this basin are limited.

I sent you a letter on July 3, 1964, ordering you to ~~not~~ ^{to} withdraw water from this well.

I reiterate this order.

No water can be withdrawn from the well in the center of Section 11, Township 11 South Range 26 E.B.M. at any time until further notice, pending determination of the ground water resources of the Raft River Basin.

Unless you act in accordance with the law and cease withdrawal of ground water from the well in the center of Section 11, Township 11 South Range 26 E.B.M. and cease to use the ground water from ~~this~~ ^{the} well in Section 2 and the ^{well in the} Northwest 1/4 of Section 12 upon the land in Section 11 by ~~August~~ ^{Sept 1} 31, 1964, an action will be brought against you in the District Court for Cassia County enjoining you from said unlawful use of water.

For violation of this order and of the order of July 3, 1964, you are subject to the penalties of Section 42-237G, Idaho Code, which makes any violation of the ground water code or decision of the state Reclamation Engineer a misdemeanor, and any continued violation which constitutes a separate offense for each day during which such violation occurs.

Very truly yours,

C.E.T.

CC to Rich Smith Prosecuting Atty
.. Steve Butler Atty Gen's Office

August 25, 1964

Re: Clyde Smith File

Mr. Clyde E. Smith
P. O. Box 366
Romoland, California

Dear Mr. Smith:

The Field Engineer for the Department of Reclamation found by personal inspection on August 19 and 20, 1964, that you were pumping ground water from a well in the center of Section 11, Township 11 South, Range 26 East, Boise Meridian, and were diverting water from your well in Section 12, Township 11 South, Permit G-29585 onto Section 11, Township 11 South, Range 26 East of the Boise Meridian. You were also diverting water from a well in Section 2, Township 11 South, Range 26 E of the Boise Meridian on to Section 11.

The well in Section 2, Township 11 South, Range 26 E. B. M. is under a permit (G-25258) held by Ivan Schrenk but a claimed assignment to one Clark exists. The land list for Permit G-25258 includes only the East 1/2 of the Southeast 1/4 Section 35, Township 10 South, Range 26 East; the East 1/2 of the Northeast 1/4, the Northeast 1/4, the ~~North-east 1/4~~, Northeast 1/4 of the Southeast 1/4, South 1/2 of the Southeast 1/4, the Southeast 1/4 of the Southwest 1/4, Section 2, Township 11 South, Range 26 E., B. M., with the point of diversion at the Southwest 1/4 of the Southeast 1/4, Section 2, Township 11 South, Range 26 E. B. M. There is no requested amendment to this land list nor any assignment of this permit to you so that water could legally be placed upon Section 11 Township 11 South, Range 26 E. B. M.

This is, therefore, an unlawful diversion.

Permit No. G-29585 includes in its land list only the Northwest 1/4 of Section 12, Township 11 South, Range 26 E. B. M. You have requested an amendment to the land list, lands to be irrigated, to include all of Section 11, as well as the Northwest 1/4 of Section 12.

Until this amendment is allowed any use of water from this well upon Section 11 is also unlawful.

29585

August 25, 1964

The well in the center of Section 11, Township 11 South, Range 26 E. B. M. is an unlicensed well. As you know, the Raft River Basin is a critical ground water area and further withdrawals of ground water from this basin are limited.

I sent you a letter on July 3, 1964, ordering you to withdraw no water from this well.

I reiterate this order.

No water can be withdrawn from the well in the center of Section 11, Township 11 South, Range 26 E. B. M. at any time until further notice, pending determination of the ground water resources of the Raft River Basin.

Unless you act in accordance with the law and cease withdrawal of ground water from the well in the center of Section 11, Township 11 South, Range 26 E. B. M. and cease to use the ground water from the well in Section 2, and the well in the Northwest 1/4 of Section 12, upon the land in Section 11, by September 5, 1964, an action will be brought against you in the District Court for Cassia County enjoining you from said unlawful use of water.

For violation of this order and of the order of July 3, 1964, you are subject to the penalties of Section 42-237G, Idaho Code which makes any violation of the ground water code or decision of the State Reclamation Engineer a misdemeanor, and any continued violation which constitutes a separate offense for each day during which such violation occurs.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

CET:ew

cc: Richard K. Smith
Prosecuting Attorney
Burley, Idaho

Stephan Boller
Attorney General's office

REGISTERED MAIL

Mr. Horton G. Haight
c/o Sun Motel
Malta, Idaho

ABSTRACT of CLYDE SMITH'S PERMITS NOS. G-29585 and 21806

PERMIT: 21806 - Loren D. Anderson

PRIORITY: November 22, 1950

LAND LIST: E $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, S28, W $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, Section 27, T10S-R26E

POINT OF DIVERSION: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 28, T10S-R26E

QUANTITY OF WATER: 6.4 c.f.s.

April 30, 1959 Proofs received

Assigned to Clyde E. Smith by Warranty Deed July 22, 1964

Field Engineer's Report shows well capable of only 2.9 c.f.s.

License issued for 2.9 c.f.s. on 18 April, 1959

POINT OF DIVERSION: (as licensed) SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 28, T10S-R26E

LAND LIST: NW $\frac{1}{4}$ SW $\frac{1}{4}$ - 40 acres, SW $\frac{1}{4}$ SW $\frac{1}{4}$ - 40 acres, Section 27, SE $\frac{1}{4}$ NE $\frac{1}{4}$
10 acres, E $\frac{1}{2}$ SE $\frac{1}{4}$ - 80 acres, Section 28

TOTAL number of acres to be irrigated: 170

See letters of Field Engineer, August 10, 1964 and August 14, 1964.

PERMIT: G-29585 - Yale Farms Co., Malta, Idaho

PRIORITY: 24 March, 1961

LAND LIST: NW $\frac{1}{4}$, Section 12, T11S-R26E

POINT OF DIVERSION: SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 12, T11S-R26E

QUANTITY OF WATER: 3.2 c.f.s.

Warranty deed of June 11, 1962 this Permit assigned to Clyde E. Smith

Received requested Assignment 18 August, 1964

Received requested Amendment 8/16/64 to the land list reading as follows: NW $\frac{1}{4}$, Section 12, all of Section 11, T11S-R26E pending action.

29585

8/19/64

MATERIAL HELD BY STEPHEN BOLLER ON TRIP TO CASSIA COUNTY 8/20/64

Permit G-29585

1. Our receipt G-8820 for \$1.50
2. Application for Amendment Land List
3. Warranty Deed # 15889
4. Our letter of August 13, 1964
5. Clyde Smith letter of August 4, 1964
6. Our letters December 18, 1963 to July 22, 1964 (4 letters)
7. Attorney Bedke etc. December 13, 1963
8. Our letter of July 3, 1961
9. Attorney Parry, Robertson & Daly letter June 29, 1961
10. Attorney Parry, Robertson & Daly letter June 27, 1961
11. Our letter March 31, 1961
12. Ownership map

Returned

29585

THIS INDENTURE, Made this

11th

day of

June

, in the year of our Lord

one thousand nine hundred and **Sixty-two**

between

YALE FARMS CO.

a corporation duly organized and existing under the laws of the State of

Idaho

and having its principal office in Idaho at

Malta

in the County of

Cassia, party of the first part, and**CLYDE E. SMITH,****P. O. Box 366**

of

~~records~~ **Romoland,**

, County of

Riverside

, State of

California, party of the second part.

WITNESSETH, That the said party of the first part, having been hereunto duly authorized by resolution of its Board of Directors, for and in consideration of the sum of **Ten Dollars (\$10.00) and other valuable consideration,**
Ten and no/100- - - - - DOLLARS,

lawful money of the United States of America, to it in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents does grant, bargain, sell, convey and confirm unto the said party of the second part, and to **his** heirs and assigns forever, all the following described real estate situated in , County of **Cassia**

State of Idaho, to-wit:

The Northwest Quarter (NW $\frac{1}{4}$) of Section Twelve (12) in Township Eleven (11) South, Range Twenty-six (26) East of the Boise Meridian, SAVE AND EXCEPTING the following: Commencing at the Northwest corner of Section Twelve (12) in Township Eleven (11) South, Range Twenty-six (26) East of the Boise Meridian, running thence South 50 feet, thence East on a line parallel with the North boundary line of the said Section and 50 feet South therefrom to the East boundary line of the Northwest Quarter of said Section Twelve (12), thence North 50 feet to the North boundary line of said Section Twelve (12), thence West 2640 feet along the North boundary line of said Section to the point of beginning.

EXCEPTING, an undivided one-half interest in and to all mineral, oil and gas, and mineral, oil, and gas rights, in, to and under the above described property.



TOGETHER With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said party of the first part.

To HAVE AND TO HOLD, all and singular, the above mentioned and described premises, together with the appurtenances, unto the party of the second part, and to **his** heirs and assigns forever. And the said party of the first part, and its successors, the said premises in the quiet and peaceable possession of the said party of the second part **his** heirs and assigns, against the said party of the first part, and its successors, and against all and

every person and persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, The party of the first part has caused its corporate name to be hereunto subscribed by its President and its corporate seal to be affixed by its Secretary in pursuance to said resolution the day and year first above written.

SIGNED, SEALED AND DELIVERED IN PRESENCE OF

By

Its

President.

Attest

X Its

Secretary.

STATE OF ~~MAHO~~ UTAH

ss.

COUNTY OF

~~Cassia~~ CACHE

On this

11th

day of

June

in the year 19 62 , before me

Larry L. Garding

a Notary Public in and for the said State,

personally appeared

Alford H. Lindberg and LeGrand Johnson

known to me to be the

President & Secretary respectively

of the corporation that executed this instrument

or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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

Larry L. Garding

Notary Public for the State of ~~Idaho~~ UTAH
Residing at *Logan*, ~~Idaho~~ UTAH

My Commission Expires Aug. 29, 1964

Presented to and plotted by me

this 13th day of Jan 1964

Alfred H. Lindberg
Assessor Cassia County

By

Deputy

for

— TO —

Dated

6-11, 1962

COUNTY OF

STATE OF IDAHO,

Cassia

ss.

I hereby certify that this instrument was filed for record at request of

LAND TITLE AND ESCROW, INC

at

45 minutes past

o'clock

A. M., this

9

day

of

Dec. A.D. 1963.

in my office, and duly recorded in book

at as last #15889 at page.

FRANK B. KEARNS

Ex-Officio Recorder.

By

Betty R. Beall

Deputy.

Fees, \$

1.00

Mail to

LAND TITLE AND ESCROW, INC

SYMS-YORK CO. BOISE

August 13, 1964

RE: Permit No. G-29585
Yale Farms Co.
License No. 21306

Clyde E. Smith
Box 366
Romoland, California

Dear Mr. Smith:

We received a Postal Money Order for \$1.50, application to amend the point of diversion under Permit No. 21306 and application to amend the land list under Permit No. G-29585.

Returned herewith are the two applications for amendments. Water License No. 21306 cannot be amended by the form enclosed. There is a statutory method to change the point of diversion under a water license or a decreed water right; however, as previously explained, the point of diversion cannot be approved from the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28 to the Center of Sec. 11, both T. 10 S., R. 26 E., B.M.

The amendment to the land list under Permit No. G-29585 appears to be in error. I have pencilled the description which I believe is as you desire. You may X out the description now on the form and type in the correct description and return.

We received the photo copy of a deed of a portion of the NW $\frac{1}{4}$, Sec. 12, T. 11 S., R. 26 E., B.M., however it appears to have been misfiled or returned to you with the letter dated July 22, 1964. Kindly return the copy of the deed with the corrected amendment of the land list under Permit No. G-29585 or send this office another copy to complete the file.

The Postal Money Order will be retained pending return of the land amendment and the photo copy of the deed.

Very truly yours,

RALPH W. THOMAS
Deputy State Reclamation Engineer

RWT:mr
Enc. amendments 2

29585

Clyde E. Smith

GROWER, PACKER, SHIPPER OF POTATOES AND ONIONS

Office Phone Perris 657-2195

P.O. BOX 366, ROMOLAND, CALIF.

August 4, 1964

RECEIVED
AUG 5 1964

Department of Reclamation

State of Idaho
Department of Reclamation
107 State St
Boise, Idaho

Dear Mr. Thomas,

Enclosed is a form application for amendment, I am also
sending \$1.50 for recording the assignment as stated in
your letter of July 22, 1964

Yours truly

Clyde E. Smith

29585

July 22, 1964

Re: Permit No. G-29585
Yale Farms Co.
Permit No. 21806

Clyde E. Smith
P. O. Box 366
Romoland, California

Dear Mr. Smith:

We received the check for \$15.50 with photo copy of deed to land in W¹/₄ NW¹/₄, Sec. 27; E¹/₂ E¹/₂, Sec. 28, T. 10 S., R. 26 E. The certificates of water right under Permit No. 21806 will be issued in regular office routine. Also received photo copy of deed to fraction of NW¹/₄, Sec. 12, T. 11 S., R. 26 E., without fee for assignment of Permit No. G-29585.

Enclosed is form to amend land list under a permit. This can be used in connection with Permit No. G-29585. Kindly enclose \$1.50, fee of \$0.50 for recording the assignment, and fee of \$1.00 for recording the amendment when you return the completed amendment.

We cannot consider changing the point of diversion under License No. 21806 when it is issued, as previously explained.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. Enc. amendment form

29585

January 24, 1964

Re: Permit No. G-29585
Yale Farms

Herman E. Bedke
Attorney at Law
Box 249
Burley, Idaho

Dear Mr. Bedke:

Returned herewith are Forms 36 and 11, we received
December 17th.

The date for making proofs will have to be changed.
The assignment of the permit to Mr. Smith has not been received.

Our information indicates that the well may not be in
the SW¹/₄NW¹/₄, Sec. 12, T. 11 S., R. 26 E.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. Forms 36 and 11

29585

January 3, 1964

RE: Permit No. G-29585

Mr. Wilford Lundberg
119 W 3rd N
Logan, Utah

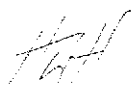
Dear Mr. Lundberg:

Our present study of ground water conditions in Raft River Valley, Idaho indicates that Clyde Smith is the owner of the NW 1/4, Section 12, T. 11 N., R. 26 E., B.M. A new well was placed in operation on the above property during 1963, and no doubt was drilled under Permit No. G-29585, issued in the name of Yale Farms.

Would you please advise us if Mr. Smith has purchased this property, or is he leasing? This information is wanted in order to show actual ownership of this property in our ground water report. If Yale Farms, or Mr. Smith, does not own this property, can you tell us the name of the owner?

Very truly yours,

CARL W. TAPPAN
State Reclamation Engineer
By


H. G. Haight
Field Engineer

HGH:mr

29585

December 18, 1963

Re: Permit No. G-29585
Yale Farms

Herman E. Bedke
Attorney at Law
Burley, Idaho

Dear Mr. Bedke:

There is no record of subject permit having been assigned to any one. It is in the name of Yale Farms. The application for permit was signed by C. G. McIntire of Parry, Robertson and Daly, Attorneys at Twin Falls.

Enclosed are the forms necessary for making the assignment. We will hold your Notice of Proof until the assignment and the fee of \$0.50, necessary for recording, is received.

Also enclosed are a supply of Deposition of Witnesses forms you requested.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

D. L. RHODES, Assistant
State Water Rights Clerk

DLR:ew

Enc. assignment forms
deposition of witnesses

29585

HERMAN E. BEDKE
ATTORNEY AT LAW
POST OFFICE BOX 249
BURLEY, IDAHO

TEL. 678-2401

1416 OVERLAND

December 13, 1963

State Reclamation Engineer
State House
Boise, Idaho

Dear Sir:

We understand that this application and permit have been assigned to Clyde Smith. If this is true, please send us a copy of the Assignment. If not assigned of record, please send us the proper blanks so we can get this accomplished.

Yours truly,

Herman E. Bedke
HERMAN E. BEDKE

HEB/cb
Enc

Please send us a supply of Witness statements also.

Thankyou

*Yale Farmer
of C. G. Mc Intyre
of Parry, Robertson + Saly, attorneys + Twin Falls.*

29585

July 3, 1961

Re: Permit Nos. G-29584 & G-29585
Yale Farms Co.

Parry, Robertson & Daly
Attorneys at Law
Fidelity Bank Bldg.,
Twin Falls, Idaho

Att: C. G. McIntyre

Dear Mr. McIntyre:

We are herewith returning Permits Nos. G-29584 and G-29585,
Yale Farms Co. These have been checked and now conform
with the copies in this office.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs. Edna P. Rule)
Chief Clerk

no
encls.

29585

R. P. PARRY
T. M. ROBERTSON
JOHN H. DALY
CLIFFORD E. FIX
BERT LARSON
C. G. MCINTYRE
JOHN R. COLEMAN

PARRY, ROBERTSON & DALY

LAWYERS

FIDELITY BANK BUILDING

TWIN FALLS, IDAHO

TELEPHONE REDWOOD 3-3722

June 29, 1961

RECEIVED
JUN 30 1961

Department of Reclamation
OF COUNSEL

HUGH A. BAKER
J. R. KEENAN

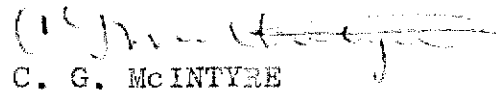
Mr. Ralph W. Thomas
Deputy State Reclamation Engineer
State House
Boise, Idaho

RE: PERMITS #G-29584 AND G-29585; YALE FARMS CO.

Dear Mr. Thomas:

Thank you for your letter of June 28 and we are enclosing herewith our carbon copies of the two permits and it would be appreciated if you would conform them according to the information you have in your office and return them to this office.

Very truly yours,


C. G. MCINTYRE

CGMc/cjf

Enclosures

*complete back of C.G. of application
to show conditions of permit.*

29585

PARRY, ROBERTSON & DALY

LAWYERS

FIDELITY BANK BUILDING

TWIN FALLS, IDAHO

TELEPHONE REDWOOD 3-3722

R. P. PARRY
T. M. ROBERTSON
JOHN H. DALY
CLIFFORD E. FIX
BERT LARSON
C. G. McINTYRE
JOHN R. COLEMAN

JUN 28 1961

Department of Reclamation

OF COUNSEL:

HUGH A. BAKER
J. R. KEENAN

June 27, 1961

Mrs. Edna P. Rule, Chief Clerk
Idaho Department of Reclamation
State House
Boise, Idaho.

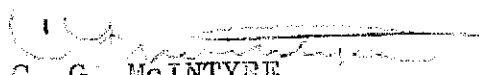
RE: PERMITS G-29584 and G-29585
YALE FARMS CO.

Dear Mrs. Rule:

The above permits were forwarded with your letter of March 31; however, we apparently received the copy of your letter and the original of your letter and the permits went to Yale Farms Co. at Malta, Idaho. We wish to conform our office copies of the applications for permit and since Yale Farms Co. appears to have mislaid the original permits, it would be appreciated if you could advise us which permit is applicable to the 160 inches of water claimed to irrigate the NW $\frac{1}{4}$ of Section 12 and which permit is applicable for 300 inches to irrigate the N $\frac{1}{2}$ of Section 9 and the S $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 4, all in Township 11 South, Range 26 East, Boise Meridian.

Your assistance in this matter will be appreciated and if the original permits cannot be found, can we submit our carbon copies of them for the approval of the State Reclamation Engineer.

Very truly yours,


C. G. McINTYRE

CGMc/cjf

G-29584 Yale Farms Inc.

300" to irr. S $\frac{1}{2}$ SE $\frac{1}{4}$ 4 - N $\frac{1}{2}$ 9-115-27E

G-29585 Yale Farms Inc.

160" to irr. NW $\frac{1}{4}$ 12-115-26E

29585

March 31, 1961

Re: Permit Nos. G-29584 and G-29585
Yale Farms Co.

Parry, Robertson & Daly,
Attorneys at Law,
Fidelity Bank Bldg.,
Twin Falls, Idaho.

Gentlemen:

We enclose Permit Nos. G-29584 and G-29585 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-5800 which was issued covering payment in the amount of \$12.00 for the filing fee of the above mentioned permits.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

Encl.
EPR:mk
cc: Yale Farms Co.
Malta, Idaho

29585

NAME OF APPLICANT YALE FARMS CO.

Form No. 0

Section 12, Township 11 South, Range 26 East,
Boise Meridian.

WELL

29585

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

29585