

NAME OF APPLICANT DOUGLAS HARPER

Form No. 0



Permit Map No. 23783
As Approved
FEB 27 1953
MARK R. KULP
State Reclamation Engineer

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

23783

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION
OF THE
STATE OF IDAHO

IN THE MATTER OF DENYING Application for)
Transfer of Water Right No. 43-2388) ORDER
in the name of DOUGLAS R. HARPER)
_____)

WHEREAS, on September 4, 1958, the Department of Water Administration (formerly the Department of Reclamation) issued Water License No. 23783/43-2388 for the appropriation of 2.20 cubic feet per second of water from a ground water source within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 36, Twp. 12S, Rge. 26E, B.M., Cassia County, to be used for stock-watering and the irrigation of 110 acres within the E $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 36, Twp. 12S, B.M.; and,

WHEREAS, on December 9, 1970, the lands covered under the above subject license and other adjoining areas were included within a designated critical ground water area; this designation resulted from lowering water levels and the existence of valid permits and licensing providing for several times the withdrawal of water required for the existing level of development; and,

WHEREAS, on July 20, 1973, Douglas R. Harper filed with the Department of Water Administration an application for transfer of water right to add 40 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, and 80 acres in the E $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 36, Twp. 12S, Rge. 26E, to Water License No. 23783/43-2388; and,

WHEREAS, the Department finds that approval of the above numbered transfer, even though not changing the licensed rate of diversion, would increase the total amount of water consumptively used during the irrigation season. The increased use would cause an additional depletion of an already critical ground water resource and create an interference with prior water rights;

IT IS, THEREFORE, HEREBY ORDERED that Application for Transfer of Water Right No. 43-2388 be DENIED.

Dated this 22 day of September, 1973.


R. KEITH HIGGINSON
Director

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

DENIED

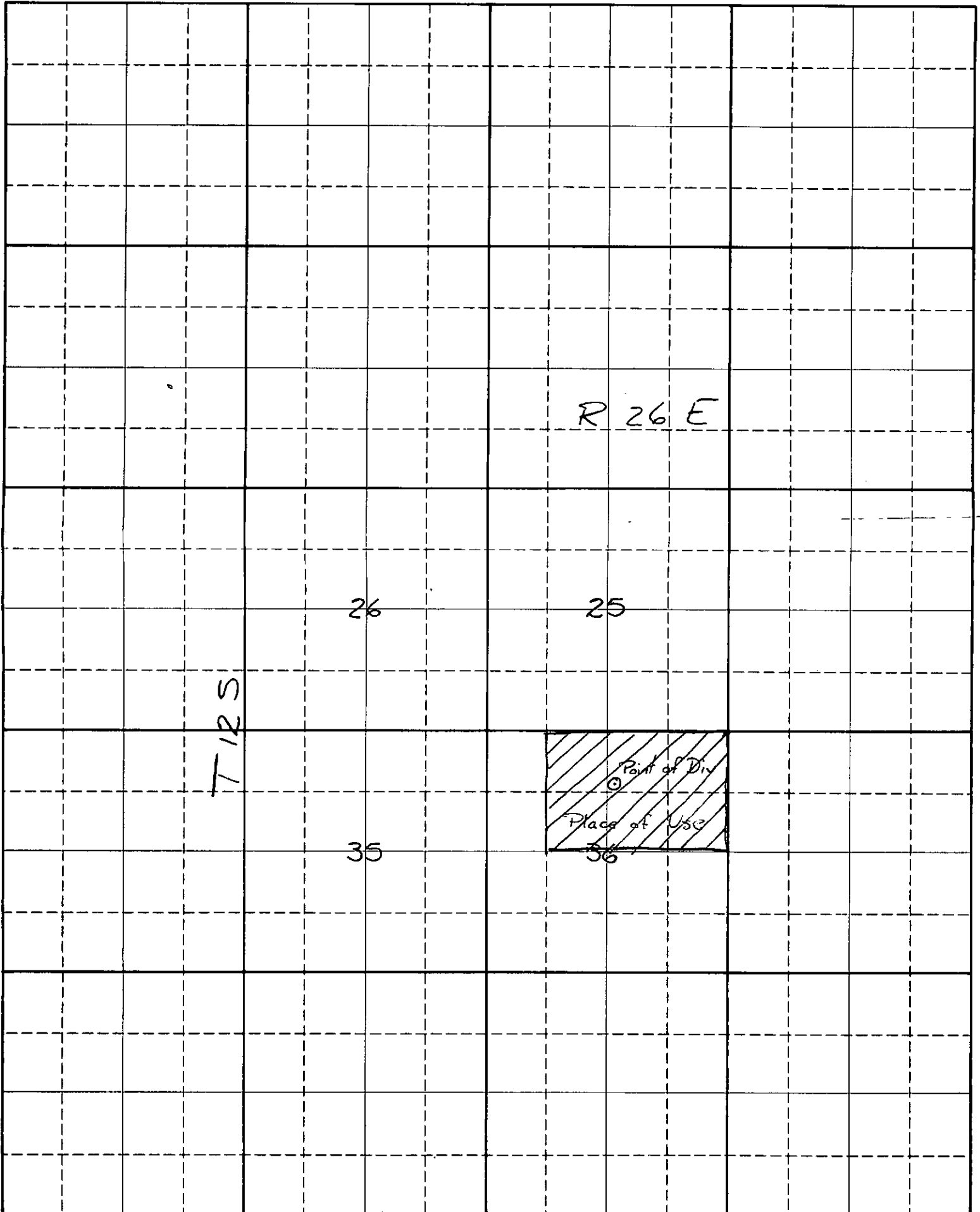
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

1. Name of Right Holder Douglas R. Harper
- Post office address Malta, Idaho 83342
2. Right obtained by:
- a. Decree to in Case of
- (Name)
- vs. , Dated in
- (Name of Court)
- Court. County of
- 23783/
- b. License No. 43-2388 issued by the State of Idaho, Department of Reclamation.
3. Source of water ground water tributary to
- (Name of stream or source)
4. Date of Priority February 23, 1953
5. Amount of water a. 2.20 cfs c.f.s. and/or
- b. acre feet/annum
6. Water is used for Irrigation from March 15 to Nov. 15
- and stockwater from Jan. 1 to Dec. 31 (Month, Day) (Month, Day)
7. Original location of point of diversion is NW ¼ NE ¼ of Section 36
- Township 12 S , Range 26 E , B.M., in Cassia County;
- Additional points of diversion, if any

8. Lands presently irrigated or place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
12 S	26 E	36	35	40		35													110

Total number of acres presently irrigated



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

9. If applicant was not the original holder of this right explain how it was acquired: _____

10. CHANGE IN POINT OF DIVERSION

- a. Quantity to be diverted at new point: _____ c.f.s. and/or _____ acre feet
- b. New point of diversion: _____ ¼ _____ ¼, Section _____, Township _____
_____, Range _____, B.M.
- c. Description of method of diversion and conveyance from new points of diversion: _____

- d. Is water to be conveyed to the lands previously irrigated? Yes _____ No _____
If not, the place of use should be changed below.
- e. Describe the reasons for applying for a change in the point of diversion: _____

- f. Do you intend to make the transfer permanent? _____
- g. Do you intend to abandon completely the old point of diversion? _____

- h. Indicate on the above plat the new point of diversion and lands to be irrigated.

11. CHANGE IN PLACE OF USE

- a. Describe the new lands on which you wish to use your right.

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
12 S	26 E	36	35	40	40	35	40			40									230

Total number of acres to be irrigated _____ 230

43 2388

- b. Do you intend to make the transfer permanent?_____
- c. Are you completely abandoning the lands previously irrigated by this right? If not, explain your plans:

I am trying to make better use of my water by going to a sprinkling system and by so doing feel I could expand the water to a little more land. This move would also complete the project started back in Feb of 1952. and make a much better family size farm -

- d. Describe any other water rights that you claim for the new ground upon which you wish to transfer this right:_____

- e. Indicate on the above plat the new land to be irrigated and the point of diversion.

I hereby assert that no one will be injured by such transfer and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

Langdon R. Harper
(signature of applicant)

Subscribed and sworn to before me this 20 day of July, 19 73

Dorinda Goldt
(notary public)

My commission expires June 15, 1977.

**ACTION OF STATE RECLAMATION ENGINEER
AND CERTIFICATE OF TRANSFER**

This is to certify that I have examined Application for Transfer of Water Rights No. 43-2388,
and said application is hereby DENIED.

1. Approval of said application is subject to the following limitations and conditions:

DENIED

2. Denial of said application is for the following reasons: Pursuant to Order of September 22, 1973.

Witness my hand this 22 day of September, 19 73.

R. Fred Higin
State Reclamation Engineer

FOR DEPARTMENT USE ONLY

Received by BDF Date 7/29/73

Protest filed by: _____ Date _____

Prelim. check by RAH Date 7-24-73

Fee received by de Date 7-20-73 Fee \$30.00 #11375

Approved for publication by RAH

Published in South Idaho Press 7-31 & 8-7-73

Hearing held _____

Watermaster Recommendation sent _____

RECEIVED

AUG 9 1973

Department of Water Administration
SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss.
STATE OF IDAHO)
Ruth Chambers being first

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

The South Idaho Press for 2
consecutive weeks, commencing with the issue
dated *July 31* 1973 and ending
with the issue dated *August 7* 1973

Ruth Chambers

Subscribed and sworn to before me
this *7th* day of *August*
1973.

Edith Rautstall Notary Public

Cost of Publication *16.45*

Notary Fee

Total Cost

My commission expires October 23, 1975

73-244

**NOTICE OF PROPOSED CHANGE
OF WATER RIGHT
NO. 43-2388**

Notice is hereby given that
Douglas R. Harper of Malta,
Idaho, has applied to the
Department of Water Ad-
ministration for a change of
place of use of a groundwater
source. The right sought to be
changed is evidenced by Licen-
se No. 23783/43-2388, and is
recorded as follows:

Amount: 2.20 c.f.s. Priority:
February 23, 1953 Point of
Diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 36,
T. 12S, R. 26E, B.M., Cassia
County.

The water is used for
irrigation purposes of 110
acres from Mar. 15 to Nov. 15
and stockwater from Jan. 1 to
Dec. 31 within the N $\frac{1}{2}$ NE $\frac{1}{4}$,
SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 36, T. 12S, R.
26E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be used for
irrigation purposes of 230
acres from Mar. 15 to Nov. 15
and stockwater from Jan. 1 to
Dec. 31 within the NE $\frac{1}{4}$,
E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 36, T. 12S, R.
26E, B.M.

Any protest against ap-
proval of the above proposed
change of water right must be
filed with the Idaho Depart-
ment of Water Administration,
1041 Blue Lakes Boulevard
North, Twin Falls, Idaho 83301,
on or before August 17, 1973.

R. KEITH HIGGINSON
Director

Published in the South Idaho
Press on July 31 and August
7, 1973.

43 2388

6412

State of Idaho
License and Certificate of Water Right

Water License No. G-23783

Amount 2.20 c.f.s.

Water District No.

Priority February 23, 1953

THIS IS TO CERTIFY that DOUGLAS R. HARPER
of Malta, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated February 23, 1953; that Permit No. G-23783
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
2.20 second feet, was issued thereunder on September 4, 1958, showing that said works
were completed on the 6th day of February, 1958; and that on the 6th
day of February, 1958, DOUGLAS R. HARPER

of Malta, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
, a tributary of subterranean, for the purpose of Irrigation and stock
water, under Use Permit No. G-23783 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

10 of Licenses at page 6412, on the 4th day of September, 1958;

The right hereby confirmed dates from February 23, 1953;

The Point of Diversion is located

in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 36, Tp. 12 S., R. 26 E., B. M. County Cassia

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 2.20 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
12 S.	26 E.	36	NE $\frac{1}{4}$ NE $\frac{1}{4}$	40	35
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	40	40
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	40	35
			Total number of acres irrigated	- -	110

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

4th day of September, 1958.

/s/ Geo. N. Carter

State Reclamation Engineer.

43 2388

(SEAL)

43-2388

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G-31558
Permit No. G- 23783
District No.

1. Name of Applicant: DOUGLAS R. HARPER
Postoffice address: Malta County: Cassia State: Idaho
2. Quantity of water claimed: 2 2/5 Second Feet (120 Miners Inches)
 - (a) Rate of withdrawal in cubic feet per second. 2.4 or Idaho
Miners' inches or gallons per minute.
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the NW 1/4 of the NE 1/4 of Section 36
Twp. 12S , Rge. 26E , B.M., County of Cassia
5. Water is to be used for: Irrigation and Stock Water
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the 1/4 of the 1/4 of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the 1/4 of the 1/4 of Section , Twp. , Rge. , B.M.
7. Kind of works: Well and Pump
8. Estimated cost of works: \$ 4,280
9. (a) Is reservoir to be used? No
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash onhand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: 20 inches of 1880 water, 100 inches of 1885 water, 30 inches of 1894 water
 - (a) 2.4 (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) (cubic feet per second, inches or gallons per minute) is for new lands.

Remarks: The water rights I have in Cassia Creek aren't enough to keep my crops growing and I need more water to go with my present water rights.

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

Applicant.

Agent.

Date of first receipt at Department of Reclamation: 9:00 A.M. February 23, 1953

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G-23783

Recorded in Book 84 Page 23783 Approved Feb. 27, 1953

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 April 27, 1953

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 August 27, 1955

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before February 27, 191

Witness my hand this 27th day of February, 1953

State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, LEN JORDAN, Governor of the State of Idaho,
and IRA H. MASTERS, Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 27th
day of February, 19 53

STATE OF IDAHO

(SEAL)

By LEN JORDAN

Governor

12.

Twp.	Range	Sec.	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	Totals
			NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	
12 S	26 E	36	40	40	40		120
<i>see file re mty to FMA</i> Total Number of Acres to be Irrigated Permit No. G-23783 Certificate of Completion of Works							120
TO ALL WHOM IT MAY CONCERN: This is to certify that DOUGLAS R. HARPER of Malta, County of Cassia, and State of Idaho, the holder of Permit No. G-23783, issued upon Application No. G-31558 bearing date of priority of February 23, 1953, authorizing the diversion of 2.4 second feet of waters of Subterranean County of Cassia, State of Idaho, for Irrigation and Stock Water purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 2.20 second feet of the waters of subterranean flow from drilled well that the point of diversion of said waters NW$\frac{1}{4}$NE$\frac{1}{4}$ Section 36, Township 12 South, Range 26 East, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 110 acres in $\frac{1}{2}$NE$\frac{1}{4}$, SE$\frac{1}{4}$NE$\frac{1}{4}$ Section 36, Township 12 South, Range 26 East, B.M. Proof of Completion of Works made: February 6, 1958 Witness my hand this 4th day of September, A.D. 1958 /s/ Geo. N. Carter State Reclamation Engineer Proof of Completion of Works made: February 6, 1958 Certificate of Completion of Works issued: September 4, 1958							
LICENSE ISSUED FOR 2.20 SEC. 11 Page 64/7							

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)

(Additional charges required for these services)

☐ Show address
☐ where delivered
☐ Deliver ONLY
☐ to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

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

CERTIFIED NO.

1

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

2

DATE DELIVERED

3

SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

13 2388

43-2388

Sept 28/73

PS Form 3811 Sep. 1972 43-16-81277-3

U.S. POSTAL SERVICE
OFFICIAL BUSINESS

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



Postmark of Delivering Office

SENDER INSTRUCTIONS

- Print in the space below your name, address, including ZIP Code.
- If special services are desired, check block(s) on other side.
 - Moistened gummed ends and attach to back of article.

 **RETURN
TO**

DEPARTMENT OF UNITED ADMINISTRATION
STATE
BOISE, IDAHO 83702

43 2388

INTER-DEPARTMENT MEMO — 1

FROM Bob Haynes

DATE August 20, 1973

TO Bob Fleenor

SUBJECT Application for Transfer No. 43-2361 and 43-2388

I have recommended denying both of the above referenced applications for transfer. Both envision an expansion of acreage with no apparent increase in rate of diversion. Even though there will be no increase in rate of diversion, the total amount of water consumptively used and therefore removed from the groundwater system would probably be increased. It is my opinion that to approve this type of transfer in an area which has been declared critical would be a dangerous precedent to set.

Deny
du f 



SIGNATURE

43 2388

September 27, 1973

Certified Mail # 24900

Re: Application for Transfer No. 43-2388

Douglas R. Harper
Malta,
Idaho 83342

Dear Mr. Harper:

Enclosed is an Order which **DENIES** your Application for Transfer No. 43-2388. Also enclosed, for your records, is a copy of the application.

If you have any questions regarding this matter, please contact this office.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:JC
Enc: Order
Copy of application
cc: Southern District Office

July 24, 1973

RE: Application Nos. 43-2361 - Elwin Kay Harper
43-2388 - Douglas R. Harper

South Idaho Press
Box 190
Burley, ID 83318

Gentlemen:

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

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

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

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

(signature of claimant)

Very truly yours,

Bob Haynes
District Engineer
Southern District

Bill submitted 8-8-73 by jm

BH:jmm

Encs. Legal Notices (2)

43 2388

73-244 OK *from 7-26-73*
NOTICE OF PROPOSED CHANGE
OF WATER RIGHT
NO. 43-2388

Notice is hereby given that Douglas R. Harper of Malta, Idaho, has applied to the Department of Water Administration for a change of place of use of a groundwater source. The right sought to be changed is evidenced by License No. 23783/43-2388, and is recorded as follows:

Amount: 2.20 c.f.s. Priority: February 23, 1953 Point of Diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 36, T. 12S, R. 26E, B.M., Cassia County.

The water is used for irrigation purposes of 110 acres from Mar. 15 to Nov. 15 and stockwater from Jan. 1 to Dec. 31 within the N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 36, T. 12S, R. 26E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be used for irrigation purposes of 230 acres from Mar. 15 to Nov. 5 and stockwater from Jan. 1 to Dec. 31 within the NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 36, T. 12S, R. 26E, B.M.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Administration, 1041 Blue Lakes Boulevard North, Twin Falls, Idaho 83301, on or before August 17, 1973.

R. KEITH HIGGINSON
Director

Published in the South Idaho Press on July 31 and August 7, 1973.

8822 37

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 43-2388

Notice is hereby given that Douglas R. Harper of Malta, Idaho, has applied to the Department of Water Administration for a change of place of use of a groundwater source. The right sought to be changed is evidenced by License No. 23783/43-2388, and is recorded as follows:

Amount: 2.20 c.f.s.

Priority: February 23, 1953

Point of Diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 36, T. 12S, R. 26E, B.M., Cassia County

The water is used for irrigation purposes of 110 acres from Mar. 15 to Nov. 15 and stockwater from Jan. 1 to Dec. 31 within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 36, T. 12S, R. 26E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be used for irrigation purposes of 230 acres from Mar. 15 to Nov. 15 and stockwater from Jan. 1 to Dec. 31 within the NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 36, T. 12S, R. 26E, B.M.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Administration, 1041 Blue Lakes Boulevard North, Twin Falls, Idaho 83301, on or before August 17, 1973.

R. KEITH HIGGINSON
Director

Published in the Southeast Idaho Press on July 31 and August 7, 1973.

43 2388

RECEIVED

OCT 28 1969

Department of Reclamation

and 23783

Answered to permit G-23783

43-2388

October 27, 1969

State of Idaho
Department of Reclamation
Room 107 State House
Boise, Idaho 83701

Dear Sir:

I am interested in using irrigation water from the well licensed under permit G-23783 on approximately seventy (70) acres of land located in the E $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 36, Township 12 South, Range 26 East, Boise Meridian. Please advise me as to what action is necessary to accomplish this.

Sincerely

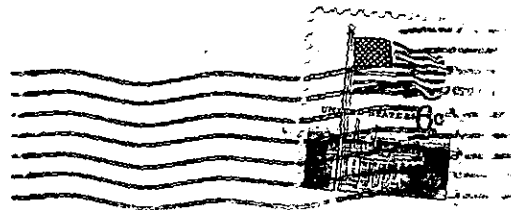
Douglas Harper

Douglas Harper

23783

43 - D388

Douglas R. Harper
Malta
Idaho 83342 •



State of Idaho
Department of Reclamation
Room 107 State House
Boise, Idaho 83701

23783
43-9388

September 4, 1958

Re: Permit No. G-23783

Mr. Douglas R. Harper
Malta
Idaho

Dear Mr. Harper:

Enclosed is the Certificate of Completion of Works and the License and Certificate of Water Right issued under Permit No. G-23783 confirming the right with priority of February 23, 1953, to the use of 2.20 second feet of subterranean water, with the point of diversion in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 36, for irrigation of 110 acres in N $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 36, Township 12 South, Range 26 East, B.M.

Enclosed also is departmental receipt #G-3552 for \$11.00, issued as receipt of the five dollar fee for Certificate of Completion of Works and six dollars license fee.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Chief Clerk

EPR:nls
Enc.

cc: Farmers Home Administration
Burley, Idaho

23783

GEO. N. CARTER
~~XXXXXXXXXX~~

July 30, 1958

Re: Permit No. G-23783

Mr. Douglas R. Harper
Malta
Idaho

Dear Mr. Harper:

Our field engineer's report on his inspection of completion of the works and beneficial use of the water filed on under Permit No.

G-23783 shows the well is capable of conveying 110 miners' inches (2.20 c.f.s.) of water for irrigation of 110 acres.

Upon receipt of the statutory fees, totaling \$11.00, we will issue the Certificate of Completion of Works (for which the fee is five dollars) and the License and Certificate of Water Right (six dollars--fee based at the rate of two dollars for each 40-acre subdivision) confirming the right with priority of February 23, 1953, to the use of 2.20 second feet of subterranean water, with the point of diversion in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 36, for irrigation of 110 acres in the N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 36, Township 12 South, Range 26 East, B.M.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Chief Clerk

EPR:nls

23783

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-23783

REPORT ON PROOF OF Completion of Works and Beneficial Use

Douglas R. Harper, Malta, Idaho

R-26E.

215 HWY. No. 30 S. - To DEULO.

25

36

B2 PD.



Subdivision = 3

Area = 110 acres

Q = 2.20 cfs

T.
12
S.

Spalling = 153"
Weir = 130"

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

Permit No. G-23783

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

1. Name of applicant Douglas R. Harper

2. Source of water supply: Drilled Well

3. Location of point of diversion: Is in the SW cor. NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 36

T. 12 S. R. 26 E. County of Cassia R.J.

4. Describe works as they exist, giving dimensions and capacities of same: Well = 168' x 16"
H = 20' Lift = 75' 8" column U.S. Motor # 2308421 30Hp
220 Volts General Electric Controls & Westinghouse motor
#19727481 mounted on board 5' southeast of pump
115' column with 3, 10" bowls Laynet-Bowler pump #
#21735 pump and Controls have no shelter

5. Water is used for: Irrigation and domestic use

6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

N $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 36; (80 acres) SE $\frac{1}{4}$, NE $\frac{1}{4}$, Sec. 36; (40 acres), Twp 12 S., R. 26 EBM
(about 20 acres natural meadow, 100 acres in grain and alfalfa) R.J.

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

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

Remarks: _____

Crops = Hay, grain & row crops

This examination was made on the 8 day of July, 19 58

(Signed) Carol R. Stevenson Examiner.

L 23783

Department of Reclamation

July 3, 1958

Re: Permit # G-23783

Douglas R. Harper
Malta, Idaho

Dear Mr. Harper:

An inspection and a report on same is required by law in connection with any permit for use of water being brought to license in the State of Idaho before same can be licensed.

An inspecting Engineer from this Department will be in your County the week of July 8, 1958 to make inspections.

He will try to contact you by telephone or otherwise at that time to make a definite appointment with you for the inspection.

Please prepared to accompany him or have someone represent you on the inspection.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
E. N. Humphrey
Deputy

A 23783

February 11, 1958

Re: Permit No. G-23783

Mr. Douglas R. Harper
Malta
Idaho

Dear Mr. Harper:

This acknowledges receipt of the depositions of holder and two witnesses and the affidavit of publication in The Burley Bulletin of proof of completion of works and beneficial use under the terms of Permit No. G-23783.

Before final action is taken the law requires that a field examination be made by an engineer from this department. We cannot say just when this examination will be made but our engineer will contact you so that you may arrange to show him over the ground.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR:nls

23783

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

Notice is hereby given that at 9:00 a.m. on the 18 day of February, 1958, at Malta, County of Cassia, State of Idaho, before J. Henry Thompson, Notary Public, proof will be submitted of the completion of works for the diversion of 2.4 cubic feet per second of underground waters from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-23783 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person holding said permit is Douglas R. Harper, Box 114, Malta, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 2.4 cubic feet per second.

3. The use to which said water has been applied is irrigation & stock water purposes, and the amount applied to beneficial use is 2.4 cubic feet per second.

4. The point of diversion of said water is NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 36, Twp 12 S., Rge. 26 E.

5. The place where said water is used is NE $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 36, Twp. 12 S., Rge. 26 E.

6. The date of priority which said user is prepared to establish is February 23, 1953.

MARK R. KULP

State Reclamation Engineer
Published in the Burley Bulletin,
Dec. 31, 1957, Jan. 7-14-21, 1958.

Affidavit of Publication.

The Burley Herald-Bulletin

AFFIDAVIT OF PUBLICATION

RECEIVED
FEB 10 1958

STATE OF IDAHO }
COUNTY OF CASSIA } ss.

Carl Jones

first being duly sworn, deposes and says: That he is the printer of The Burley Herald and/or The Burley Bulletin, a weekly newspaper published at Burley, in the County of Cassia, State of Idaho; that the said newspaper has a general circulation in said county, and that the said newspaper is published weekly and has been continuously and uninterruptedly published in said county, not less frequently than once a week, during a period of seventy-eight consecutive weeks immediately prior to the first publication of the printed notice herein referred to;

That said newspaper at all times herein mentioned, has been a newspaper of general circulation, made up of at least four pages of at least five columns each, printed from typed matter or stertyped forms of at least seventeen and three-fourths inches depth, and during the whole of said time has had at least two hundred bona-fide subscribers living within said County of Cassia.

Affiant further states that the printed notice attached hereto was duly published according to law, in the regular weekly editions of the said newspaper and not in any supplement thereof, for **four** . consecutive weeks, commencing with the issue dated **Dec. 31, 19 57** ., and ending with the issue dated **Jan. 21 19 58** .

Subscribed and sworn to before me this 21st day of January, 1958.

Harold G. Woodall
Notary Public in and for the State of Idaho,
Residing at Burley, Idaho
My Commission Expires June 4, 1959

23783

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
FEB 10 1958

Department of Reclamation

Permit No. G-23783

Proof of Application of Water to Beneficial Use

and Completion of Works Deposition of Holder

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

Ans. Douglas R. Harper, Malta, Idaho. farmer.

P.O. Malta, Idaho

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

Ans. -----

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

Ans. G-23783. February 27, 1953 Priority date of February 23, 1953

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

Ans. Drilled well.

SW cor. NW 1/4, NE 1/4, Sec 36. Twp 12 S. R. 26 E. B.M.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. private ditch.

will carry 6 second feet pf water.

158 feet deep and 16 inch steel casing.

depth to water 18 feet.

8 inch discharge pipe.- delivers 120 inches at 75 feet drawdown

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. irrigation and domestic use.

✓ N 1/4 NE 1/4, Sec 36. Twp. 12 S. R. 26 E. B.M. ----- 80 acres

✓ SE 1/4, NE 1/4, Sec 36. Twp. 12 S. R. 26 E. B.M. ---40 acres

about 20 acres natural meadow. 100 acres in grain and alfalfa.

#23783

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

Ans. -----

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

Ans. an inch to the acre continuous flow.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. -----

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

Ans. I have irrigated grain and hay crops on all the land for the last three years.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. about 150 inches of Cassia Creek decreed water, 0.4 sec. ft. or 20 in., with date of priority of April 30, 1880; 2 sec. ft. or 100 in., with date of priority of April 30, 1885; 0.6 sec. ft. or 30 in., with date of priority of April 1, 1894.

(Sign)

Douglas R. Harper

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 Malta, County of Cassia,

State of Idaho, on this 6 day of February, A. D. 1958.

My commission expires January-25-1961

Henry Thompson
MALTA, IDAHO

23783

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
FEB 1 0 1958
Department of Reclamation

Permit No. G-23783

Proof of Application of Water to Beneficial Use

Deposition of Witness and Completion of Works

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

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

Ans. J. La Vere Tracy, 37, Malta, Idaho, farmer
Malta, Idaho.

Ques. 2. Are you acquainted with Douglas R. Harper, the holder of Permit No. G-23783? How long have you known him and where does he reside?

Ans. 12 years, Malta, Idaho.

Ques. 3. Have you read or heard read said Permit No. G-23783, and are you familiar with its provisions and conditions?

Ans. yes

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

Ans. drilled well.

SW cor. NW 1/4, NE 1/4, Sec. 36, Twp 12 S. R. 26 E. B.M.
private ditch.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. 6 second feet, -- 5 second feet.

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

Ans. 120 inches of water, measured by the well driver.

23783

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. irrigation and domestic use.

N $\frac{1}{2}$, NE $\frac{1}{2}$, Sec 36. Twp 12 S. R 26 EBM. ----80 acres

SE $\frac{1}{2}$, NE $\frac{1}{2}$, Sec.36. Twp 12 S. R.26 EBM. ---- 40 acres

cultivated land. ---- 50 acres in alfalfa and the rest in grain and pasture. all irrigated.

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

Ans. -----

Ques. 9. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. light and black clay loam.

3 irrigations for grain and 4 for hay.

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

Ans. no

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. for the last three years 120 acres irrigated in hay and grain crops

(Signed) La Vere Tracy

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 Malta,
County of Cassia, State of Idaho, on this 6 day of February,
A. D. 19 58.

My commission expires January-25-1961.

Henry Thompson
Notary Public.

MALTA, IDAHO

L 23783

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
FEB 10 1958
Department of Reclamation

Permit No. G-23783

Proof of Application of Water to Beneficial Use

Deposition of Witness *and Completion of Work*

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

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

Ans. Leo. W. Beyler, 63, Malta, Idaho. farmer,
Malta, Idaho.

Ques. 2. Are you acquainted with Douglas R. Harper, the holder of Permit No. G-23783? How long have you known him and where does he reside?

Ans. 20 years, Malta, Idaho.

Ques. 3. Have you read or heard read said Permit No. G-23783, and are you familiar with its provisions and conditions?

Ans. yes

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

Ans. driven well,
SW. cor. NW 1/4, NE 1/4, Sec 36, Twp. 12 S. R. 26 E. B.M.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. 6 second feet, 6 second feet.

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

Ans. 120 inches, over a weir.

L 23783

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. irrigation and domestic use.

N $\frac{1}{2}$.NE $\frac{1}{4}$, Sec 36.Twp 12 S R 26 EBM.----- 80 acres

SE $\frac{1}{4}$, NE $\frac{1}{4}$, Sec.36 Twp 12 S .R 26 EBM.----- 40 acres

cultivated land. --- 50 acres in alfalfa and 70 acres for grain.

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

Ans. -----

Ques. 9. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. upper part light clay loam, and lower part black clay loam.

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

Ans. no

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. 1955 and 1956 and 1957 crops, which were hay and grain.

(Signed)

Leo W. Byler

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 Malta,
County of Cassia, State of Idaho, on this 6 day of February,
A. D. 19 58.

Auryn Thompson

Notary Public.

MALTA, IDAHO

My commission expires January-25-1961



23783

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

Notice is hereby given that at 9:00 a.m., on the 6th day of February, 1958, at Malta, County of Cassia, State of Idaho, before J. Henry Thompson, Notary Public, proof will be submitted of the completion of works for the diversion of 2.4 cubic feet per second of underground waters from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-23783 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person holding said permit is Douglas R. Harper Box 114, Malta, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 2.4 cubic feet per second.

3. The use to which said water has been applied is irrigation & stock water purposes, and the amount applied to beneficial use is 2.4 cubic feet per second.

4. The point of diversion of said water is NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 36, Twp 12 S., Rge. 26 E.

5. The place where said water is used is N $\frac{1}{2}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 36, Twp. 12 S., Rge. 26 E.

6. The date of priority which said user is prepared to establish is February 23, 1953.

MARK R. KULP

State Reclamation Engineer

Published in the Burley Bulletin,
Dec. 31, 1957, Jan. 7-14-21, 1958.

Affidavit of Publication.

The Burley Herald-Bulletin

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
COUNTY OF CASSIA } ss.

Carl Jones, first being duly sworn, deposes and says: That he is the printer of The Burley Herald and/or The Burley Bulletin, a weekly newspaper published at Burley, in the County of Cassia, State of Idaho; that the said newspaper has a general circulation in said county, and that the said newspaper is published weekly and has been continuously and uninterruptedly published in said county, not less frequently than once a week, during a period of seventy-eight consecutive weeks immediately prior to the first publication of the printed notice herein referred to;

That said newspaper at all times herein mentioned, has been a newspaper of general circulation, made up of at least four pages of at least five columns each, printed from typed matter or stereotyped forms of at least seventeen and three-fourths inches depth, and during the whole of said time has had at least two hundred bona-fide subscribers living within said County of Cassia.

Affiant further states that the printed notice attached hereto, was duly published according to law, in the regular weekly editions of the said newspaper and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated Dec. 31, 1957, and ending with the issue dated Jan. 21, 1958.

Subscribed and sworn to before me this 21st day of January, 1958

Hazel G. Shrodl
Notary Public in and for the State of Idaho,
Residing at Burley, Idaho.

January 3, 1950

RE: Permits Nos. G-23783, G-24029
and G-25424

Burley Bulletin
Burley, Idaho

Gentlemen:

Please mail us a copy of the Legal Publications on the following
Permits and in the names of:-

G-23783 ---- Douglas R. Harper

G-24029 ---- Jesse L. Tracy

G-25424 ---- Lorenzo L. Tracy.

The first publications were to have been in your December 31st
issue.

Some of the newspaper firms have this Department on their regular
mailing list for their convenience, if you have us on your list
please check the address, it should be - Department of Reclamation
State House, Room 177
Boise, Idaho.

Quite a few of the papers not addressed properly go to other
Departments before getting to us and no doubt a few get lost.
Your cooperation will be appreciated.

Thank you.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Edna P. Rutledge (Mrs.)
Chief Clerk

R:vm

H 23783

December 23, 1957

RE: Permit No. G-23783

Mr. Douglas R. Harper
Box 114
Malta, Idaho

Dear Mr. Harper:

This acknowledges receipt of the Notice of Completion of Works and Application of Water to Beneficial Use under Permit No. G-23783, to be made at Malta, at 9:00 A.M. on the 6th day of February, before J. Henry Thompson, Notary Public.

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

In completing the enclosed depositions, it is very important that they be executed by you and two disinterested witnesses, who are familiar with the terms and the work done thereunder, at the time, date, and place, and, before the Notary as advertised in the publication Notice, as well as all other necessary information called for. The signatures and the Notary's seal are essential.

When returning the depositions to this office, please be sure to include the affidavit of publication.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
BY

23783

Edna P. Rutledge (Mrs.)
Chief Clerk

R:vm
Encl.
cc. J. Henry Thompson

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RE: Permit No. G-23783
Douglas R. Harper

Arch Pub. Dec 31, 1957
Date: December 23, 1957

Burley Bulletin
Burley, Idaho
Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to February 6th, 1958 the date set for proof, the expense of the publication to be paid by the applicant, Douglas R. Harper, Box 114 of Malta, Idaho, to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice, and furnish this office with a copy of the first publication, in order that we may check same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Edna P. Rutledge (Mrs.)
Chief Clerk

R:vm
Encl.

23783

*note well - 12-23-57
letter of transmittal in file # 25424*

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

Notice is hereby given that at 9:00 A M., on the 6th
day of February, 19 58, at Malta, County
of Cassia, State of Idaho, before _____

J. Henry Thompson, Notary, proof will be submitted of the completion
of works for the diversion of 2.4 cubic feet per second of underground
waters from a well, and of the application to beneficial use of said water, in
accordance with the terms and conditions of Permit No. G-23783 hereto-
fore 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 Douglas R. Harper, Box 114, Malta, Idaho

2. Said works of diversion will be fully completed on the date set for
such completion, and the amount of water which said works are capable of
conveying to the place of use is 2.4 cubic feet per second.

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

4. The point of diversion of said water is NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 36, Twp. 12 S.,
Rge. 26 E.

5. The place where said water is used is N $\frac{1}{2}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 36,
Twp. 12 S., Rge. 26 E.

6. The date of priority which said user is prepared to establish is
February 23, 1953.

L 23783

MARK R. KULP
State Reclamation Engineer

DEC 13 1957
Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) 12-11.1957
Box 114
Address
Malta, Idaho.
City State

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the Burley Bulletin of Burley Idaho published in the county in which the works are situated.

Carria Co. ✓

By Douglas R. Harper
Douglas R. Harper

(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.

A 23783

Engineer

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

RECEIVED
DEC 13 1957
Department of Reclamation

Notice is hereby given that at 9 A. M., on the 6 day of February, 19 58, at Malta, County of Cassia, State of Idaho, before J. Henry Thompson, Notary, proof will be submitted of the completion of works for the diversion of 2.4 cubic feet per second of underground waters from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-23783 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Douglas R. Harper. Box 114, Malta, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 6.0 cubic feet per second.

3. The use to which said water has been applied is irrigation and stock water ~~domestic~~ purposes, and the amount applied to beneficial use is 2.4 cubic feet per second.

4. The point of diversion of said water is SW corner NW 1/4 Sec 36 Twp 12 S Range 26 E.B.M.

5. The place where said water is used is N 1/4 Sec 36 Twp 12 S R. 26 E.B.M. and SE 1/4 NE 1/4 Sec 36 Twp 12 S. Range 26 E.B.M.

6. The date of priority which said user is prepared to establish is February 27, 1953.

23783

State Reclamation Engineer

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

RE: Permit No. G-23783

Date December 1, 1957

Douglas E. Harper
Malta, Idaho

Dear Sir:

The date for proofs of completion of works and application of water to beneficial use, as set out under the terms of Permit No. G-23783 are due not later than February 27, 1958.

Before these proofs can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper with the county.

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

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

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

Very truly yours,

MARK R. KULP
State Reclamation Engineer

Enclosures

NOTE:- A copy of this Notice was mailed to:-
U.S. Dept. of Agriculture
Farm Home Administration
Burley, Idaho

H 23783

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION

Burley, Idaho
April 29, 1955

RECEIVED
APR 30 1955
Department of Reclamation

G. 23783

Mr. Mark R. Kulp
State Reclamation Engineer
State House
Boise, Idaho

Dear Mr. Kulp:

This is to advise you that we have closed a loan to Mr. Douglas R. Harper of Malta, Idaho, who holds Permit No. G23783 approved by your department under date of February 27, 1953. We are requesting that you sign and return to this office the extra attached copy of this letter which will be notification to us that you will not permit Mr. Harper to assign, transfer, or make any other change in the permit adverse to the interest of the Farmers Home Administration without our written consent.

Sincerely,

Lynn N. Bradshaw
Lynn N. Bradshaw
County Supervisor

The Above letter has been placed on file in connection with Permit No. G23783 and you will be notified accordingly.

Mark R. Kulp

Mark R. Kulp
State Reclamation Engineer

By Jeanne L. Anderson
Chief Clerk

Attachment

G 23783

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

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

R O I S E

Permit No. G-23783

Date March 13, 1953

We enclose herewith the above numbered permit. BE SURE AND
NOTE LIMITATIONS AND CONDITIONS OF SAME as given under approval of the
State Reclamation Engineer, on the fourth page.

Mr. Douglas R. Harper
Malta
Idaho

MARK R. KULP
State Reclamation Engineer

Enc. Departmental receipt No. 25582 for \$5.50 filing fee.

23783

Form No. 0

A permit map on a grid background. The grid consists of 10 columns and 10 rows of squares. Handwritten labels are present: 'R-26' in the upper right quadrant, 'P.L. 3' below it, 'T. 12 S.' in the middle left, and '36' in the center. A stamp in the bottom right corner reads: 'Permit Map No. 25783', 'As Approved', 'FEB 27 1953', 'MARK R. KULP', and 'State Reclamation Engineer'.

$\triangle 23783$

LEGAL NOTICE

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

Notice is hereby given that at 9:00 a.m., on the 6th day of February, 1958, at Malta, County of Cassia, State of Idaho, before J. Henry Thompson, Notary Public, proof will be submitted of the completion of works for the diversion of 2.4 cubic feet per second of underground waters from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-23783 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person holding said permit is Douglas R. Harper, Box 114, Malta, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 2.4 cubic feet per second.

3. The use to which said water has been applied is irrigation & stock water purposes, and the amount applied to beneficial use is 2.4 cubic feet per second.

4. The point of diversion of said water is NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 36, Twp. 12 S., Rge. 26 E.

5. The place where said water is used is N $\frac{1}{2}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 36, Twp. 12 S., Rge. 26 E.

6. The date of priority which said user is prepared to establish is February 23, 1953.

MARK R. KULP

State Reclamation Engineer
Published in the Burley Bulletin,
Dec. 31, 1957, Jan. 7-14-21, 1958.