

5' 18 yds North

25

P.O.#1

Rapt River

10 acres
Not owned

48' small well

471' between Wells & Drill

Area = 150 acres.

32" 2 " well #2 10 gal. can't stop water

E. N. 7

License to be from well #1

NAME OF APPLICANT

N. R. J. Harper

Form No. 0

Twp. 12.S. R. 26.E.

25

E



Points of Diversion-Wells.

21959
21959
Permit Map No. _____
As Approved
MAR 3 1951
MARK R. KULP
State Reclamation Engineer

NOTICE FOR PUBLICATION
NOTICE OF PROOF APPLICATION
OF WATER TO BENEFICIAL USE

Notice is hereby given that at 9 A.M. on the 11th of March, 1953, at Malta, County of Cassia, State of Idaho, before J. Henry Thompson, Notary Public, proof will be submitted of the application to beneficial use of 3 cubic feet per second of the waters of Wells in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 25, Twp. 12 S., Rge. 26 E., B.M. in accordance with the terms and conditions of Permit No. 21959 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person holding said permit are R. J. Harper, Malta, Idaho.

The use to which said water has been applied is Irrigation and Stock water.

The amount applied to beneficial use is 3 second feet.

The place where said water is used is South East $\frac{1}{4}$ Sec. 25 (except the east 10 acres) Twp 12 S. Range 26 E.B.M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is

wells, pumps and farm ditches.

The right to take water from such works is based upon Permit No. 21959.

The source of supply from which such water is diverted is Subterranean.

The date of priority which said user is prepared to establish is Feb. 24, 1951.

MARK R. KULP

State Reclamation Engineer

Published in the Burley Bulletin,
Feb. 10-17-24, March 3, 1953.

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION

OF THE

STATE OF IDAHO

IN THE MATTER OF DENYING Application for)
Transfer of Water Right No. 43-2361)
in the name of ELWIN KAY HARPER)

ORDER

WHEREAS, on June 12, 1953, the Department of Water Administration (formerly the Department of Reclamation) issued Water License No. 21959/43-2361 for the appropriation of 3.0 cubic feet per second of water from a ground water source within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 25, Twp. 12S, Rge. 26E, B.M., Cassia County, to be used for the irrigation of 150 acres and stockwater purposes within the SE $\frac{1}{4}$, Sec. 25, Twp. 12S, Rge. 26E, B.M.; and,

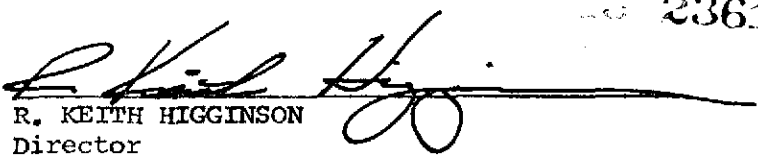
WHEREAS, on December 9, 1970, the lands covered under the above subject license and other adjoining areas were included within a designated critical ground water area; this designation resulted from lowering water levels and the existence of valid permits and licensing providing for several times the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

WHEREAS, on July 20, 1973, Elwin Kay Harper filed with the Department of Water Administration an application for transfer of water right to add 80 acres in the W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 36, Twp. 12S, Rge. 26E, to Water License No. 21959/43-2361; 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. 43-2361 be DENIED.

Dated this 22 day of September, 1973.


R. KEITH HIGGINSON
Director

43-2361

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

DENIED

1. Name of Right Holder Elwin Kay 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

21959/

b. License No. 43-2361 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 24, 1951

5. Amount of water a. 3.0 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 SW ¼ SE ¼ of Section 25

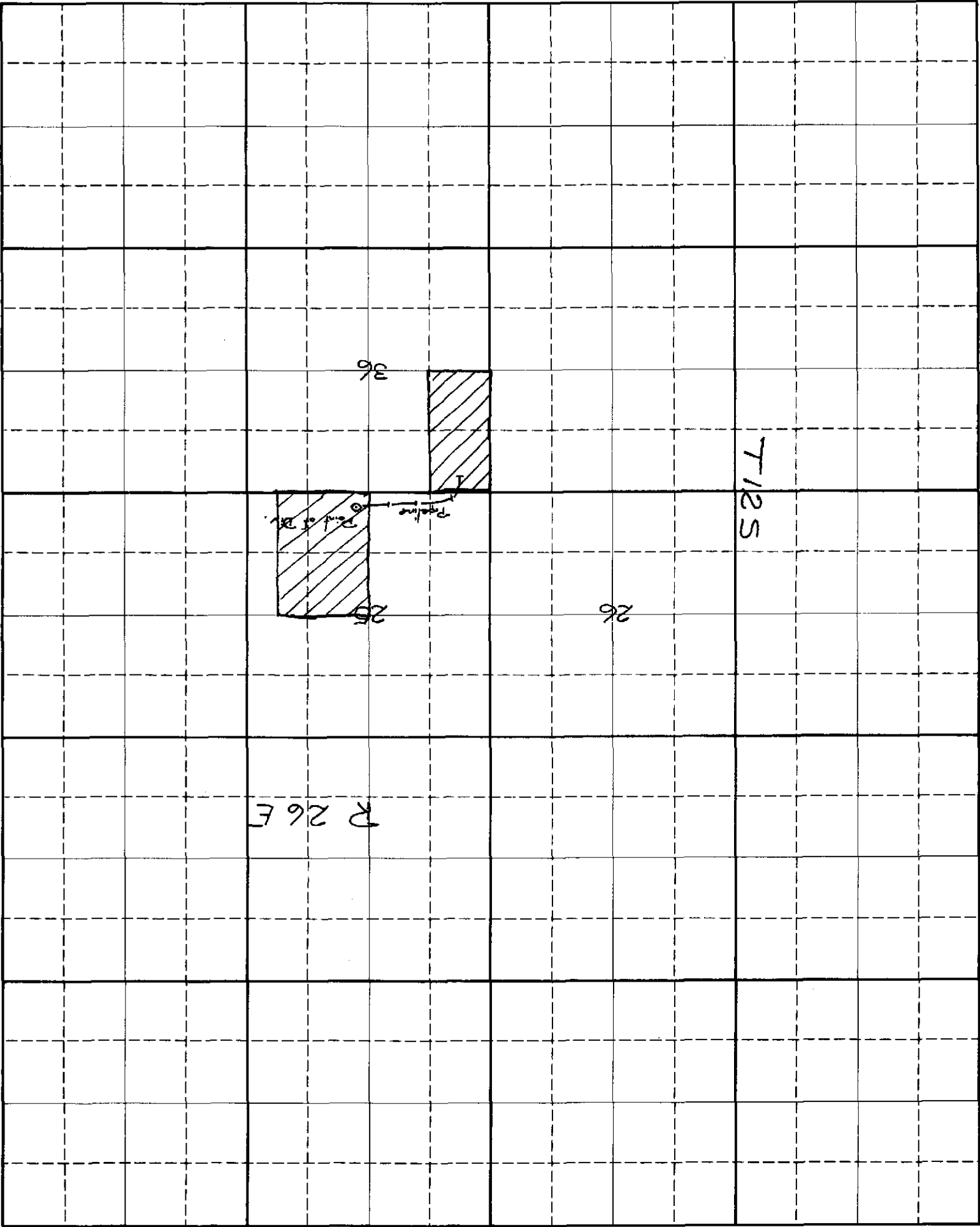
Township 12 S , Range 26 E , B.M., in Cassia County;

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	
12S	26E	25													X	X	X	X	150

Total number of acres presently irrigated



43 2361

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: _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, 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.	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	25													X	X	X	X	150
		36						X	X										80

Total number of acres to be irrigated 230

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 intend like to change my method of irrigating from flood irrigation to a sprinkling system to make better use of my water, this will be same amount of water I could irrigate & complete my living water in 1951 to irrigate the rest of my land 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.

Subscribed and sworn to before me this 20 day of July, 1973

(signature of applicant)
E. J. Hays
(notary public)
E. J. Hays

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. 43-2361 and said application is hereby **DENIED**

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

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, 1973

DENIED

State Reclamation Engineer
E. J. Hays

FOR DEPARTMENT USE ONLY

Received by DDF Date 7/20/73

Prelim. check by MAN Date 7-24-73

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

Approved for publication by MAN

Published in South Idaho Dates 7-31 + 8-7-73

Hearing held

Watermaster Recommendation sent

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

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

Ruth Chambers being first

duly sworn, deposes and says that she is the

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

The South Idaho Press for 2 consecutive weeks, commencing with the issue

dated 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 Raustott Notary Public

Cost of Publication 15.75

Notary Fee

Total Cost

My commission expires October 23, 1975

73-243

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 43-2361

Notice is hereby given that Elwin Kay Harper of Malta, Idaho, has applied to the Department of Water Administration for a change of use of the waters of a groundwater source. The right sought to be changed is evidenced by License No. 21959/43-2361, and is recorded as follows:

Amount: 3.0 c.f.s. Priority: February 24, 1951 Point of Diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 25, T. 12S, R. 26E, B.M., Cassia County.

The water is used for irrigation purposes of 150 acres from Mar. 15 to Nov. 15 within the SE $\frac{1}{4}$, Sec. 25, 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 within the SE $\frac{1}{4}$, Sec. 25; W $\frac{1}{2}$ 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.

73-2361

State of Idaho

License and Certificate of Water Right

Water License No. 21959

Amount Three (3) second feet

Water District No.

Priority February 24, 1951

THIS IS TO CERTIFY that R. J. HARPER of Malta, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated February 24, 1951; that Permit No. 21959 was issued under said application; that Certificate of Completion of works, with a carrying capacity of three second feet, was issued thereunder on January 10, 1953, showing that said works were completed on the 7th day of January, 1953; and that on the 11th day of March, 1953,

R. J. 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 ~~underground~~ (subterranean flow), for the purpose of irrigation and stock water use, under Use Permit No. 21959 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 8 of Licenses at page 5088, on the 12th day of June, 1953;

The right hereby confirmed dates from February 24, 1951;

The Point of Diversion is located

in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 25, Tp. 12 S., R. 26 E., B. M. 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 Three (3) 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.	25	E $\frac{1}{2}$ SE $\frac{1}{4}$	70	70
			W $\frac{1}{2}$ SE $\frac{1}{4}$	80	80
			Number of Acres Actually irrigated	- - -	150

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 12th day of June, 1953.

MAKR R. KUMP

State Reclamation Engineer

(SEAL)

State of Idaho
License and Certificate of Water Right

Water License No. 21924 Amount 0.56 second foot
Water District No. Priority December 23, 1950

THIS IS TO CERTIFY that ROY I. STROSCHEIN
of Sterling, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated December 23, 1950; that Permit No. 21924
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.5 second feet, was issued thereunder on March 1, 1951, showing that said works
were completed on the 27th day of February, 1951; and that on the 10th
day of April, 1951,

ROY I. STROSCHEIN
of Sterling, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a natural
drainage channel, ~~affiliated~~ (an un-named stream), for the purpose of irrigation and stock
water, under Use Permit No. 21924 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
8 of Licenses at page 5087, on the 12th day of June, 1953;
The right hereby confirmed dates from December 23, 1950;

The Point of Diversion is located
in the SE 1/4 SW 1/4, Sec. 19, Tp. 4 S., R. 32 E., B. M. Bingham
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 0.56 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
4 S.	32 E.	19	SW 1/4 SW 1/4	40	8
			SE 1/4 SW 1/4	40	20
			Number of Acres Actually Irrigated - -		28

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
12th day of June, 1953.

(SEAL) MARK R. KULP
State Reclamation Engineer

N^o 21959
43-2361

APPLICATION FOR PERMIT
To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 29681
PERMIT No. 21959
DISTRICT No.

1. Name of Applicant: R. J. HARPER

Postoffice address: Malta - Box 115

County: Cassia

State: Idaho

I. If applicant is a corporation, give:

- (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:

- (b) Treasury stock:
- (d) Other resources:

(a) Cash on hand:

(c) Bonds to be issued:

2. Quantity of water claimed: 150 miners inches or 3 cubic feet per second.

3. Source of water supply: Subterranean (2 wells) which is a tributary of

4. Location of point of diversion: feet distant from the

corner of Section , T. , R. , B. M., and is in the SW $\frac{1}{4}$ SE $\frac{1}{4}$

of Section 35 , T. 12 S. , R. 26 E. , B.M., County of Cassia

5. Water is to be used for Irrigation and stock water.

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section

T. , R. , B.M., in the of Section , T. , R. , B.M.

(b) Amount of power generated: H.P., under feet head.

(c) Water is to be returned to at a point feet

distant from the corner of Section , T. , R. , B.M., in the

of Section , T. , R. , B.M.

7. Estimated cost of works: \$ Well # 1-Drilling \$1920x- Pump \$2--- Well # 2- \$400.00 . xThis pump yet to buy

8. Kind of works: Ditches already in use. Wells and pumps.

9. Height of dam feet; length of dam at top feet; length of dam at bottom

feet; material used in dam:

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom feet; width at water line feet; depth of water feet;

dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

12. The time required for the completion of such work is Two (2) years.

13. The time required for the complete application of the water to the proposed use is Two (2) additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: 70 inches of 1880 water-
60 inches of 1885, and 60 inches of 1894

16. (a) Is reservoir to be used? No If so, fill in (b) and (c) below:
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

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

R. J. HARPER *Applicant.*

By _____ *Agent.*

Date of first receipt at Department of Reclamation: 3:00 A. M. February 24, 1951

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is **21959**
Recorded in Book **78** Page **21959** Approved **March 3, 1951**

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 May 3, 1951 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before March 3, 1952

The whole of said work to be completed on or before **March 3, 1953**

Beneficial use of water appropriated in accordance herewith, to be made on or before March 3, 1955

WITNESS My hand this 3rd day of March, 1951

MARK H. KULP
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 3rd.....

day of March 19 51

STATE OF IDAHO

Countersigned:

(SEAL)

By LEN JORDAN

Governor.

By **IRA H. MASTERS**

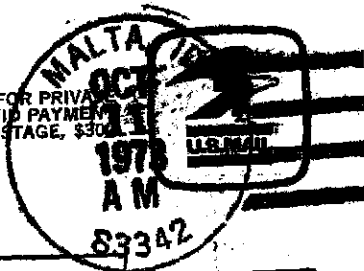
Secretary of State.

REMARKS: The well No. 2 is dug, with a pump and motor in use since 1939 delivering 30 inches of water.

14. Well No. 1 has been drilled since 1944, and is 565 feet deep. No 3 phase power was available until this year, so now if I can locate a pump it will be in use this year. Our R E Acan furnish me with power now.

For stock water I just start the pump as needed.

For stock water I just start the pump as needed.																			
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.	25													Pt. 40 40 Pt.				150
CERTIFICATE OF COMPLETION OF WORKS																			
TO ALL WHOM IT MAY CONCERN:																			
This is to certify that R. J. HARPER OF Malta, County of Cassia, and State of Idaho, the holder of Permit 21959, issued upon Application No. 29681 bearing date of priority of February 24, 1951, authorizing the diversion (3) second feet of the waters of subterranean flow from wells, County of Cassia, State of Idaho, for irrigation and water purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying the place of intended use Three (3) second feet of the waters of two wells; that the points of diversion of said water in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 25, Township 12 South, Range 26 East, B.M., and that the lands proposed to be irrigated by said water are described as follows, to-wit: Southeast Quarter Section 25, Township 12 South, Range 26 East, B.M.																			
Witness my hand this 19th day of January, A.D. 1953.																			
Proof of completion of works made January 7, 1953. Certificate of completion of works issued January 19, 1953.																			
PERMITS ISSUED FOR <u>3</u> SEC. FT.																			
Age 5088																			
MARK R. KULP State Reclamation Engineer																			

U.S. POSTAL SERVICE
OFFICIAL BUSINESSPENALTY 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
TODEPARTMENT OF WATER ADMINISTRATION
STATEHOUSE - ANNEX #2
BOISE, IDAHO 83707

2361

43-2361
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

Elmer Kay Harper

INSURED NO.

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

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

3

10-11-73

43 2361

September 27, 1973

Certified Mail # 24899

Re: Application for Transfer No. 43-2361

Elwin K. Harper
Malta,
Idaho 83342

Dear Mr. Harper:

Enclosed you will find an Order which **DENIES** your Application for Transfer No. 43-2361. Also enclosed, for your records, is a copy of the application.

If you have any questions concerning this matter, please do not hesitate to contact us.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BF:JC

Enc: Order

Copy of application

bc: Southern District Office

43 2361

43 2361

INTER-DEPARTMENT MEMO — 1

DATE August 20, 1973

FROM Bob Haynes

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.

Bob Haynes
df

[Signature]
43 2361 SIGNATURE

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

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

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

(signature of claimant)

Very truly yours,

Bob Haynes
District Engineer
Southern District

Bill submitted 8-8-73 by jmm

BH:jmm

43 2361

Encs. Legal Notices (2)

OK jmm

73-243

7-26-73

NOTICE OF PROPOSED CHANGE
OF WATER RIGHT

NO. 43-2361

Notice is hereby given that Elwin Kay Harper of Malta, Idaho, has applied to the Department of Water Administration for a change of use of the waters of a groundwater source. The right sought to be changed is evidenced by License No. 21959/43-2361, and is recorded as follows:

Amount: 3.0 c.f.s. Priority: February 24, 1951 Point of Diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 25, T. 12S, R. 26E, B.M., Cassia County.

The water is used for irrigation purposes of 150 acres from Mar. 15 to Nov. 15 within the SE $\frac{1}{4}$, Sec. 25, 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 within the SE $\frac{1}{4}$, Sec. 25; W $\frac{1}{2}$ 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.

43 2361

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 43-2361

Notice is hereby given that Elwin Kay Harper of Malta, Idaho, has applied to the Department of Water Administration for a change of place of use of the waters of a groundwater source. The right sought to be changed is evidenced by License No. 21959/43-2361, and is recorded as follows:

Amount: 3.0 c.f.s.

Priority: February 24, 1951

Point of Diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 25, T. 12S, R. 26E, B.M., Cassia County

The water is used for irrigation purposes of 150 acres from Mar. 15 to Nov. 15 within the SE $\frac{1}{4}$, Sec. 25, 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 within the SE $\frac{1}{4}$, Sec. 25; W $\frac{1}{2}$ NE $\frac{1}{4}$, 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 Southern Idaho Press on July 31 and August 7, 1973.

43-2361

July 18, 1973

Re: Water License No. 43-²³⁶¹~~2446~~

Elwin K. Harper
Malta,
Idaho 83342

Dear Mr. Harper:

A license has been issued on Permit No. 43-2446 mentioned in your July 11 letter. A copy of that license is enclosed.

Here is a transfer form that should be completed if you intend to change the place of use from that shown on the license, to the land shown in your letter. A transfer cannot be approved that would cause an expansion of an existing water right.

If you have any questions, or need assistance, it may be more convenient for you to contact our Southern District Office at 1041 Blue Lakes Blvd. North, Twin Falls, Idaho.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

EDF:jc

43 2361

Malta, Idaho
July 11, 1973

R. Keith Higginson
State of Idaho
Department of Water Administration
Statehouse -- Annex 2
Boise, Idaho

RECEIVED

JUL 16 1973

Department of Water Administration

Dear Sir:

I would like to make application to further and complete my
transaction of Well Permit No. ~~43-2361~~ ⁴³⁻²³⁶¹, drilled for supplementary
water for our Cassia Creek decree appurtenant to the parcel of land
described as follows, to-wit:

The Southeast Quarter of Section 25, in Township 12
South, Range 26 East of the Boise Meridian.

The completion of this transaction would be to apply for bene-
ficial use of said water to property described as:

The West Half of the Norwest Quarter (W $\frac{1}{2}$ NW $\frac{1}{4}$) of
Section thirty-six (36), Township Twelve (12)
South, Range Twenty-six (26) East of the Boise
Meridian,

consisting of 75 acres. The form of irrigation would be a hand-
line sprinkling system which would be pumped directly from the
described well in the portion which would be applied to it.

Would you please consider this proposal and send me necessary forms
and information to complete legal application? If more information
is needed or it is necessary for me to meet with you I will be
happy to do so at your convenience.

Thank you for your consideration.

Sincerely yours,

Elwin Kay Harper
Elwin Kay Harper

43 2361

June 17, 1953

RE: Permit No. 21959

Mr. R. J. Harper
Malta
Idaho

Dear Mr. Harper:

We enclose License and Certificate of Water Right issued under Permit No. 21959, confirming your right to the use of 3 second feet of water from a well in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 25, Township 12 South, Range 26 East, B.M., with priority of February 24, 1951, for irrigation and stock water uses on the SE $\frac{1}{4}$ of said section.

We also enclose departmental receipt No. 25973 for the \$8.00 license fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

21959



LEN JORDAN
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

May 29, 1953

RE: Permit No. 21959

Mr. R. J. Harper
Malta
Idaho

Dear Mr. Harper:

The report of our field engineer on examination for beneficial use under Permit No. 21959, shows that your wells in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 25, Township 12 South, Range 26 East, B.M., will deliver 150 inches, or 3 second feet of water and that you have irrigated 150 acres in the SE $\frac{1}{4}$ of said section.

Therefore, upon receipt of the statutory fee of \$8.00, a license will be issued for 3 second feet of water from said well.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By

Jeannette L. Anderson
Chief Clerk

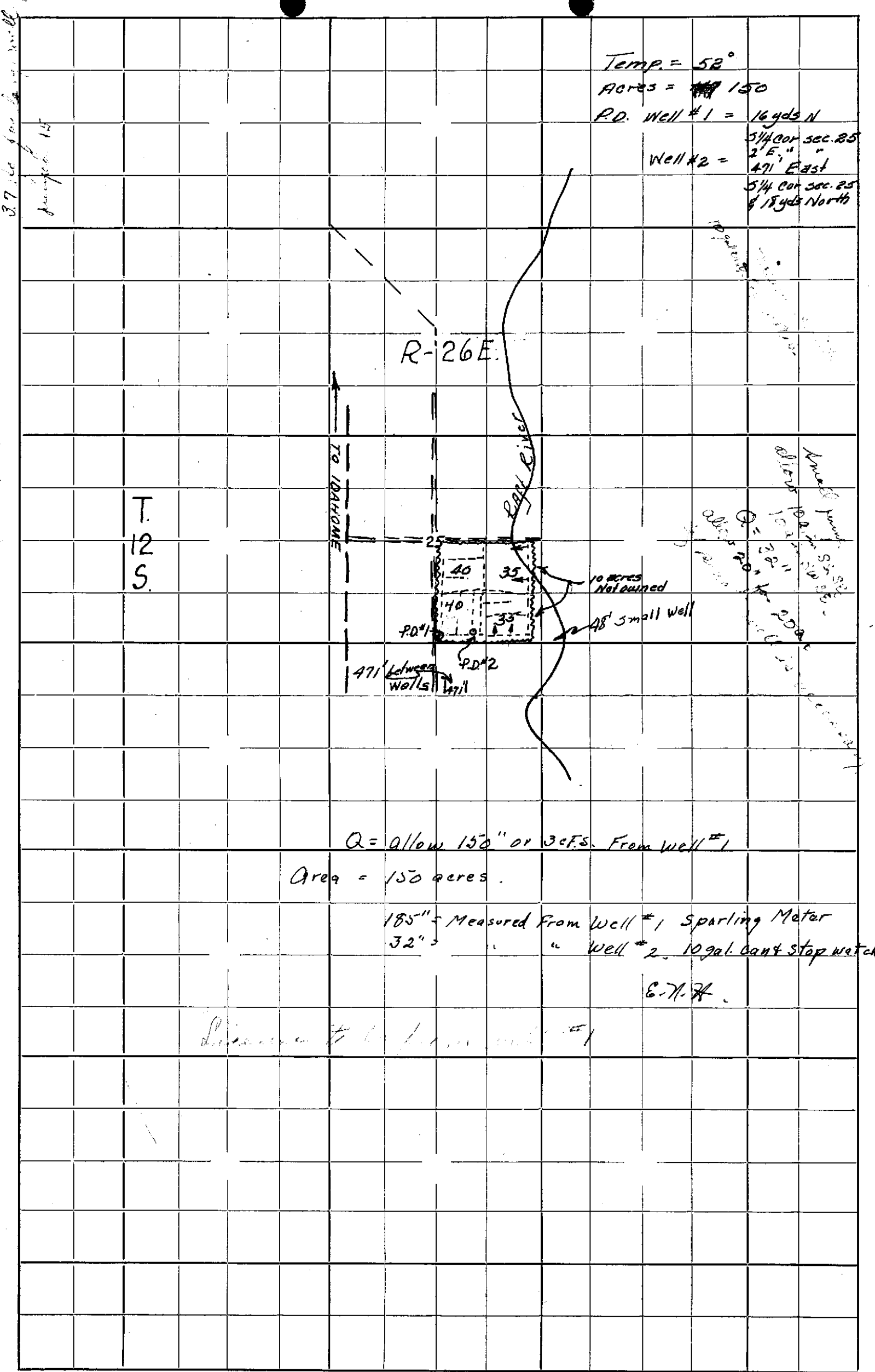
A:fg

*Enclosed find check requested.
R. J. Harper*

RECEIVED
JUN 9 1953

Department of Reclamation

21959



37.6 ft from well
pumped 15

Temp. = 52°
Acres = 150
P.D. Well #1 = 16 yds N
Well #2 = 5 1/4 cor sec. 25
2' E. 471' East
5 1/4 cor sec. 25
18 yds North

T.
12
S.

TO IDAHO

R-26E

471' between Wells
PD#1 PD#2

10 acres Not owned

48' Small Well

Q = allow 150" or 3 c.f.s. From Well #1
Area = 150 acres.

185" Measured From Well #1 Sparling Meter
32" Well #2. 10 gal. can't stop watch.

E. 71.74

Distance to be from well #1

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 21959

This proof is for Beneficial use

In Water District No. _____

1. Name of applicant R. J. Harper, Malta, Idaho

2. Source of water supply: Subterranean flow from wells

3. Location of point of diversion: Is in the SW¹/₄ SE¹/₄ of Section 25

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

4. Describe works as they exist, giving dimensions and capacities of same:
Well #1 -- U S motor # 900308, 25 hp; 3 phase; 60 cycle; 1800 rpm's
220 volts; 62 amps; Layne Bowler pump #18222; E M panel #6854, 6x6 concrete
foundation with 8" curb and frame house for protection. Well is 565' deep;
220' - 16" casing, column 10" x 70', pump set at 74'; 2 stages with 12" bowls,
S height 17'-3" draw down -? Delivery from pump to South thru 5' of 10" pipe.
Well #2 -- 30 feet deep; open well, with 42" diam conc. tile pipe; 3" deliver
pipe to south, pump down 10'; S height 15'; drawdown 3'; G E motor; 5 hp,
1 phase, 110 volts, 45 amps, Deming horz. pump # 107177. Flow from this well
was checked with 10 gal. can: 5.6 gals per second. Covered by small (wood) house.

5. Water is used for: Irrigation and domestic purposes (also stock)

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

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

SE¹/₄ Section 25, Twp. 12 S., Range 26 East, B.M. (Except East 10 acres)

150 acres (see map)

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

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

Remarks: _____

Well #1 was checked with Sparling meter and shows a discharge of
3.7 c f s

This examination was made on the 26 day of May, 1953

(Signed) _____

Examiner.

21959

R. J. Harper

Malta, Idaho

Permit No. 21959

Examination for Beneficial use

County Cassia

S. 25-12S-26E.

Q = 3.00 A's

S = McEl's (2)

P.A. = SW. SE. Sec. 25, T. 12S. - R. 26E
(2 miles)

See - Irrigation & Stock notes

RECEIVED
MAY 29 1953

Department of Reclamation

Priority - March 3, 1951
Due - March 3, 1955

C/W: 1-19-53

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

live fall right from
large well.

May 21, 1953

RE: Permit No. 21959

Mr. R. J. Harper
Malta
Idaho

Dear Mr. Harper:

Your Permit No. 21959 is ready for license. State law requires an inspection by a member of this department before license can be issued.

I intend to make the inspection on Tuesday, May 26, 1953. Please be prepared to accompany me on the inspection.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

H:fg

21959

March 17, 1953

RE: Permit No. 21959

Mr. R. J. Harper
Malta
Idaho

Dear Mr. Harper:

We acknowledge receipt of the depositions of yourself and two witnesses, also affidavit of publication in the Burley Bulletin, all submitted in proof of beneficial use under Permit No. 21959.

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

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

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

21959

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
MAR 13 1953
Department of Reclamation

Permit No. 21959

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. R. J. Harper, Malta, Idaho. farming. 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. 21959. March 3, 1951

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

Ans. Subterranean wells- Well No.1. In SW corner of SE $\frac{1}{4}$ Sec 25, Twp 12 S R 26 EBM. Well No 2.-500 feet east of above well.

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.

Ans. private ditch. 6 second feet.- private ditch. Well No. 1, 565 feet deep, 220 feet of 16 inch casing. (10 inch- 146 inches- by weir. -discharge)

Well No 2. 30 feet deep concrete curb, open well- with 4 inch centrifugal pump, delivers 35 inches of water.- by weir.

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.

SE $\frac{1}{4}$ Sec. 25. Twp 12 S. Range 26 E. B.M.

150 acres in SE $\frac{1}{4}$ Sec 25 Twp 12 S. R 26 E. B.M.

60 acres of meadow and 90 of cultivated land.

This furnishes water to mature crops and pasture, which otherwise would fail, if dependent upon creek water, which is short in later part of season.

21959

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

Ans. -----

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

Ans. -----

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

Ans. -----

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

Ans. Season of 1952. watered 150 acres of hay grain and pasture.

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. 70 inches of 1880 decreed water- 60 inches of 1885 and 60 inches of 1894 decreed water-of Cassia Creek.

(Sign) *R. J. 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 11 day of March, A. D. 19 53,

My commission expires January-25-1957.

Henry Thompson

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 21959

Proof of Application of Water to Beneficial Use
Deposition of Witness

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

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

Ans. Jesse L. Tracy, 32, Malta, Idaho. farming, Malta, Idaho.

Ques. 2. Are you acquainted with R. J. Harper, the holder of Permit No. 21959? How long have you known him and where does he reside?

Ans. yes- 7 years. Malta, Idaho.

Ques. 3. Have you read or heard read said Permit No. 21959, and are you familiar with its provisions and conditions?

Ans. yes

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

Ans. subterranean wells
SW corner SE $\frac{1}{4}$ Sec 25 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, 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. I estimate 175 inches.

21959

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.

SE 1/4 Sec 25. Twp 12 S Range 26 E.B.M.

60 acres of natural meadows and 90 acres cultivated land.

furnishes additional water to mature crops and grow fall pasture.

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. clay and sandy loam.

5 irrigations for most crops

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. season of 1952

150 hay grain and pasture

(Signed)

June L. 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 11 day of March,
A. D. 1953.

Henry Thompson
Notary Public.

My commission expires January-25-1957.

21959

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 21959

Proof of Application of Water to Beneficial Use

Deposition of Witness

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

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

Ans. W. E. Williams, 69, Malta, Idaho. farming, Malta, Idaho.

Ques. 2. Are you acquainted with R. J. Harper, the holder of Permit No. 21959? How long have you known him and where does he reside?

Ans. 30 years, Malta, Idaho.

Ques. 3. Have you read or heard read said Permit No. 21959, and are you familiar with its provisions and conditions?

Ans. yes

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

Ans. subterranean wells, SW corner SE $\frac{1}{4}$ Section 25, Twp 12 S. Range 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. 4 second feet. 4 $\frac{1}{2}$ 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. 175 inches- estimate by flow of water in ditch.

21959

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.

SE 1/4 Section 25, Twp 12 S., R. 26 E.B.M.

60 acres natural meadow, 190 acres cultivated.

furnishes additional water to mature crops and grow fall pasture.

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

Ans. _____

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

Ans. sandy and clay loam,

5 irrigations

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. season of 1952.

150 acres of hay and grain and pasture.

(Signed) _____

W. E. Williams

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 11 day of March,
A. D. 19 53.

Henry Thompson
Notary Public.

My commission expires January-25-1957

21959

February 9, 1953

RE: Permit No. 21959

Mr. R. J. Harper
Malta
Idaho

Dear Mr. Harper:

We have sent to the Burley Herald Bulletin notice of beneficial use proof to be made on Permit No. 21959, on March 11, 1953, with instructions to publish it once a week for four weeks prior to that date and to send you the affidavit of publication together with statement of costs.

We enclose the necessary forms of deposition to be used in connection with this proof and at the time set you should appear before Mr. J. Henry Thompson, Notary Public, together with two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder for the purpose of executing the depositions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. 21959

Date: February 7, 1953

Burley Herald-Bulletin

Burley, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to March 11, 1953, the date set for proof, the expense of the publication to be paid by the applicant, R. J. Harper 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.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

By -

Chief Clerk

21959

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) 2 / 2 / 53
(P. O.) Malta Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho.

Dear Sir:

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

R. J. 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.

Engineer.

21957

NOTICE FOR PUBLICATION
NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 9 A. M. on the 11 day of March, 1953
 at Malta County of Cassia State of Idaho, before
J. Henry Thompson, Notary Public proof will be submitted of the
 application to beneficial use of 3 cubic feet per second of the waters of Wells
Top. 12 S., Rge. 26 E., B.M.
 in the SW 1/4 Sec. 25, 1 in accordance with the terms and conditions of Permit No. 21959
 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or ~~corporation~~ holding said permit are
R. J. Harper, Malta, Idaho

The use to which said water has been applied is Irrigation and Stock water

The amount applied to beneficial use is 3 Second feet

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated)
South East 1/4 Section 25 (except the east
10 acres) Top. 12 S. Range 26 E. B.M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is
Wells, Pumps and farm ditches

The right to take water from such works is based upon Permit No. 21959

The source of supply from which such water is diverted is Subterranean

The date of priority which said user is prepared to establish is Feb 24, 1951

MARK E. KULP

State Reclamation Engineer.

21959

January 26, 1953

RE: Permit No. 21959

Mr. R. J. Harper
Malta
Idaho

Dear Mr. Harper:

When we wrote you on January 22, enclosing Certificate of Completion of Works on Permit No. 21959, we overlooked your request for information in regard to making final proof on these wells.

The statutes require that before beneficial use proof is made, notice must be published once a week for four weeks in a county newspaper. The notice should be made in duplicate on Form 10 enclosed setting time and place and naming the Notary Public before whom proof is to be made. Both copies of Form 10 to be returned to this department together with Form 11 which is authorization for us to have the notice published at your expense in the designated county newspaper.

We shall then send a copy of the notice to the newspaper with instructions in regard to publishing and shall send you the necessary forms of deposition to be used in making this proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

21959

✓
January 22, 1953

RE: Permit No. 21959

Mr. R. J. Harper
Malta
Idaho

Dear Mr. Harper:

We enclose Certificate of Completion of Works issued under Permit No. 21959, for the diversion of 3 second feet of water from wells in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 25, Township 12 South, Range 25 East, B.M., for irrigation and stock watering in the SE $\frac{1}{4}$ of said section.

We also enclose departmental receipt No. 25404 for the \$5.00 fee paid in connection with proof of completion of works.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

21959

Matta, Ida.

Jan. 15, 1953

Dept. of Reclamation
Boise, Ida.

Dear Sirs:

Please send me
additional information so
I can finish proving up
on these wells.
Thanks

yours truly
R. J. Harper

RECEIVED
JAN 16 1953
Department of Reclamation

21959

January 12, 1953

RE: Permit No. 21959

Mr. R. J. Harper
Malta
Idaho

Dear Mr. Harper:

We are in receipt of your affidavit in proof of completion of works on Permit No. 21959, accompanied by your check for the \$5.00 fee in connection therewith.

However, you failed to state the depth of the wells, and also the kind and power of the pumps, and we return same for such completion.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

21959

Permit No. 21959STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Cassia } ss.R. J. Harper, being first duly sworn, upon his oath deposes and says:First: That he is the holder and owner of Permit to appropriate the Public Waters of the State of Idaho, No. 21959, and that his postoffice address is Malta
State of IdahoSecond: That the name of the stream from which said water is to be diverted is SubterraneanThird: That the point of diversion of said water is Well No 1 - S W corner of S. E 1/4
Well No 2 - 500 ft west of above wellFourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by March 5, 1953.Fifth: That the use for which said water is intended is Irrigation and Stock waterSixth: That on the date above mentioned, the works constructed under said permit were (~~or were not~~) fully completed and consisted of the following:I. Kind of works: Well No 1 - Drilled well 16" case 220' deepWell No 2 - (Reservoir, dam, ditch, flume, pipe or otherwise)II. Dimensions of work: concrete case 42" 30' deep(a) Height of dam feet, length of dam at top feet, length of dam at bottom feet. Material used in construction

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir acre feet.(c) Size of headgate: Width feet, height feet.(d) Conduit width at bottom feet, width at water line
(State whether ditch, flume or pipe)feet, depth of water feet; diameter of pipe inches, average grade per mile is feet. Length of conduit is miles.Seventh: That said works are capable of conducting to the place of intended use 5 second feet of water.Eighth: That water appropriated under said permit is available for 150 acres of land described as follows: S. E 1/4 of Sec 25 T 12 S.R 26 E. B. M.No 2 well has a 3" centrifugal pump, 27' sitting with a 5 horse electric motor, belt drivenNinth: Remarks: That Wells are complete, Pumps
enter in use in 1952 irrigating season.
I would like to make final proof.No 1 well has a 10" Turbine pump with (83' sitting)
a 25 horse direct drive with electric motor.R. J. Harper
(Sign Here)Subscribed and sworn to before me this 7 day of January, 1953My commission expires January 25, 1953Henry Thompson
Notary Public.

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Mr. R. J. Harper
Box # 115
Malta, Idaho

Boise, Idaho January 2, 1953

Dear Sir:-

Under the terms of your Permit No. ~~21959~~ you are required to complete your diversion works on or before ~~March 3, 1953~~. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Yours truly,

MARK R. KULP

State Reclamation Engineer

21959

March 9, 1951

Re: Permits Nos. 21959 and 21960

Mr. R. J. Harper
Box 115
Malta, Idaho

Dear Mr. Harper:

We enclose Permits Nos. 21959 and 21960, together with Departmental Receipt No. 23143 for the \$10.75 filing fees.

Your attention is directed to the limitations and conditions of these Permits as given on the fourth page under approval of the State Reclamation Engineer.

As your Application for Permit No. 21960 states that the works are all completed and the water has been used, we have allowed three months or until June 3, 1951, within which to make the two statutory proofs required to complete the water right.

The first proof, or proof of completion of works, should be made on Form 8 enclosed, executed before a Notary Public, and returned to this Department with the statutory fee of \$5.00.

The statutes require publication of a notice in a county newspaper for four consecutive weeks prior to making proof of beneficial use. This notice should be made in duplicate on Form 10, setting time and place, and naming the Notary Public before whom the proof is to be made. The time, of course, should be set sufficiently far ahead to allow for the four weeks' publication.

Both copies of Form 10 to be returned to this Department, together with Form 11, which is your authorization for us to have the notice published at your expense in the designated newspaper. We shall then send a copy of the notice to the newspaper with instructions in regard to publishing.

Very truly yours,

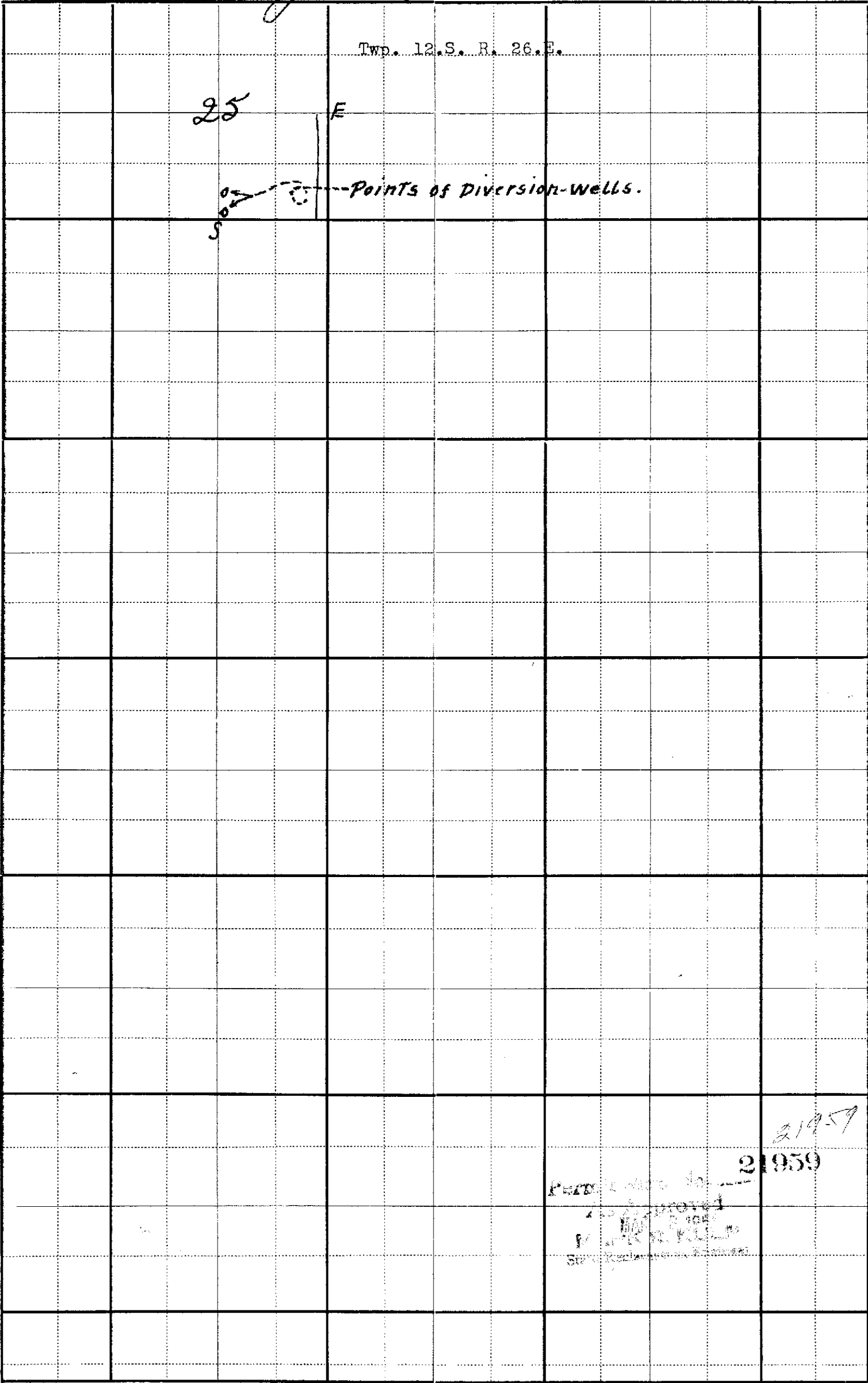
MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hh
Enc.

NAME OF APPLICANT *N. R. Harper*

Form No. 0



NOTICE FOR PUBLICATION
NOTICE OF PROOF APPLICATION
OF WATER TO BENEFICIAL USE

Notice is hereby given that at 9 A.M. on the 11th day of March, 1953, at Malta, County of Cassia, State of Idaho, before J. Henry Thompson, Notary Public, proof will be submitted of the application to beneficial use of 3 cubic feet per second of the waters of Wells in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 25, Twp. 12 S., Rge. 26 E., B.M. in accordance with the terms and conditions of Permit No. 21959 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person holding said permit are R. J. Harper, Malta, Idaho.

The use to which said water has been applied is Irrigation and Stock water.

The amount applied to beneficial use is 3 second feet.

The place where said water is used is South East $\frac{1}{4}$ Sec. 25 (except the east 10 acres) Twp 12 S. Range 26 E.B.M.

The name of the canal or ditch or other works by which said water is

conducted to such place of use is wells, pumps and farm ditches.

The right to take water from such works is based upon Permit No. 21959.

The source of supply from which such water is diverted is Subterranean.

The date of priority which said user is prepared to establish is Feb. 24, 1951.

MARK R. KULP

State Reclamation Engineer

Published in the Burley Bulletin,
Feb. 10-17-24, March 3, 1953.

Affidavit of Publication.

The Burley Herald-Bulletin

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
COUNTY OF CASSIA } ss.

Glenn Gilchrest

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 Feb. 10, 1953, and ending with the issue dated Mar. 3, 1953.

Subscribed and sworn to before me this 3rd day of March, 1953

Hazel W. Woodall
Notary Public in and for the State of Idaho,
Residing at Burley, Idaho.

My Commission Expires April 1

21959

**NOTICE FOR PUBLICATION
NOTICE OF PROOF APPLICATION
OF WATER TO BENEFICIAL USE**

Notice is hereby given that at 9 A.M. on the 11th day of March, 1953, at Malta, County of Cassia, State of Idaho, before J. Henry Thompson, Notary Public, proof will be submitted of the application to beneficial use of 3 cubic feet per second of the waters of Wells in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 25, Twp. 12 S., Rge. 26 E., B.M. in accordance with the terms and conditions of Permit No. 21959 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person holding said permit are R. J. Harper, Malta, Idaho.

The use to which said water has been applied is Irrigation and Stock water.

The amount applied to beneficial use is 3 second feet.

The place where said water is used is South East $\frac{1}{4}$ Sec. 25 (except the east 10 acres) Twp 12 S. Range 26 E.B.M.

The name of the canal or ditch or ~~other works by which said water is~~ conducted to such place of use is

~~Canals, ditches and farm ditches.~~

The right to take water from such works is based upon Permit No. 21959.

The source of supply from which such water is diverted is Subterranean.

The date of priority which said user is prepared to establish is Feb. 24, 1951.

MARK R. KULD
State Reclamation Engineer
Published in the Burley Bulletin,
Feb. 19-24, March 3, 1953.



P# 21959

R.J. Harper

P.D. #1 SW Cor SE 1/4 Sec 35
#2 500 Dwe East of #1

Well #1 = 565' deep
220' of casing @ 16"
7' x 10" delivery South

Well #2 = 30' deep
Conc. curb open well

Irrigation & domestic use

150 acres irrigable

#1 Water stand @ 17'-3"
Sparging Meter Test 100 CF every
2 secs.

1100

2' 1" 5'

L. S. Motor # 900308

25 h.p.

3 phase

60 cycle

1800 R.P.M.

220 volts

62 amps.

Layne Boulder Pump # 11222

E M Panel # 6854

Well # 1 565' deep

220' of 16" casing

Column = 10' x 10'

Pump sets @ 74'

Stages = 8

Bowls = 12"

S = 17'

D.O. =

6' x 6' concrete foundation

with 3" curb & frame

house for protection

RECEIVED
FEB 10 1953

Department of Reclamation



THIS SIDE OF CARD IS FOR ADDRESS

Mark R. Kulp
State Reclamation Engineer
Boise, Idaho



Burley, Idaho
Feb 9, 1953

21959
Mr. Kulp:

This is to acknowledge the receipt of legal notice for R. J. Harner, which we have placed in the Burley Bulletin, running Feb. 10-17-24, Mar. 3, 1953, four consecutive issues prior to March 11, 1953. Thanking you, we are,

Very truly yours

The Burley Herald-Bulletin

Mrs. Hazel G. Woodall

By Hazel G. Woodall
Associate Editor

21959