

Identification No. _____

Transfer No. 43-2442, 43-4006, 43-2437

1681

Should questions arise during the processing of this application please contact:

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

JACK A. BARNETT
520 Idaho Bldg.
Boise, Idaho 83702
344-1541

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

APPROVED

1. Name of Right Holder Vista Land Company

Post office address Malta, Idaho

2. Right obtained by: **Two licensed and one constitutional use right.**

a. Decree to N/A in Case of _____
(Name)

vs. _____, Dated _____ in _____
(Name of Court)

Court, County of _____

Well #16=43-2442; Well #17=43-4006 (T-1570); and Well #18=43-2437
b. License No. _____ issued by the State of Idaho, Department of Reclamation.

3. Source of water Underground water tributary to _____
(Name of stream or source)

4. Date of Priority Well #16=3-5-56; Well #17=4-29-52; and Well #18=3-5-56

5. Amount of water a. 15.77 c.f.s. and/or Well #16=7.21 cfs; Well #17=3 cfs; and Well #18=5.56 cfs
b. _____ acre feet/annum

6. Water is used for _____ from _____ to _____

(Well #16) (Month, Day) (Month, Day)
7. Original location of point of diversion is SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 16

Township 13S, Range 27E, B.M., in Cassia County;

Additional points of diversion, if any Well #17, NE $\frac{1}{4}$, SE $\frac{1}{4}$, Section 17, T13S, R 27E;

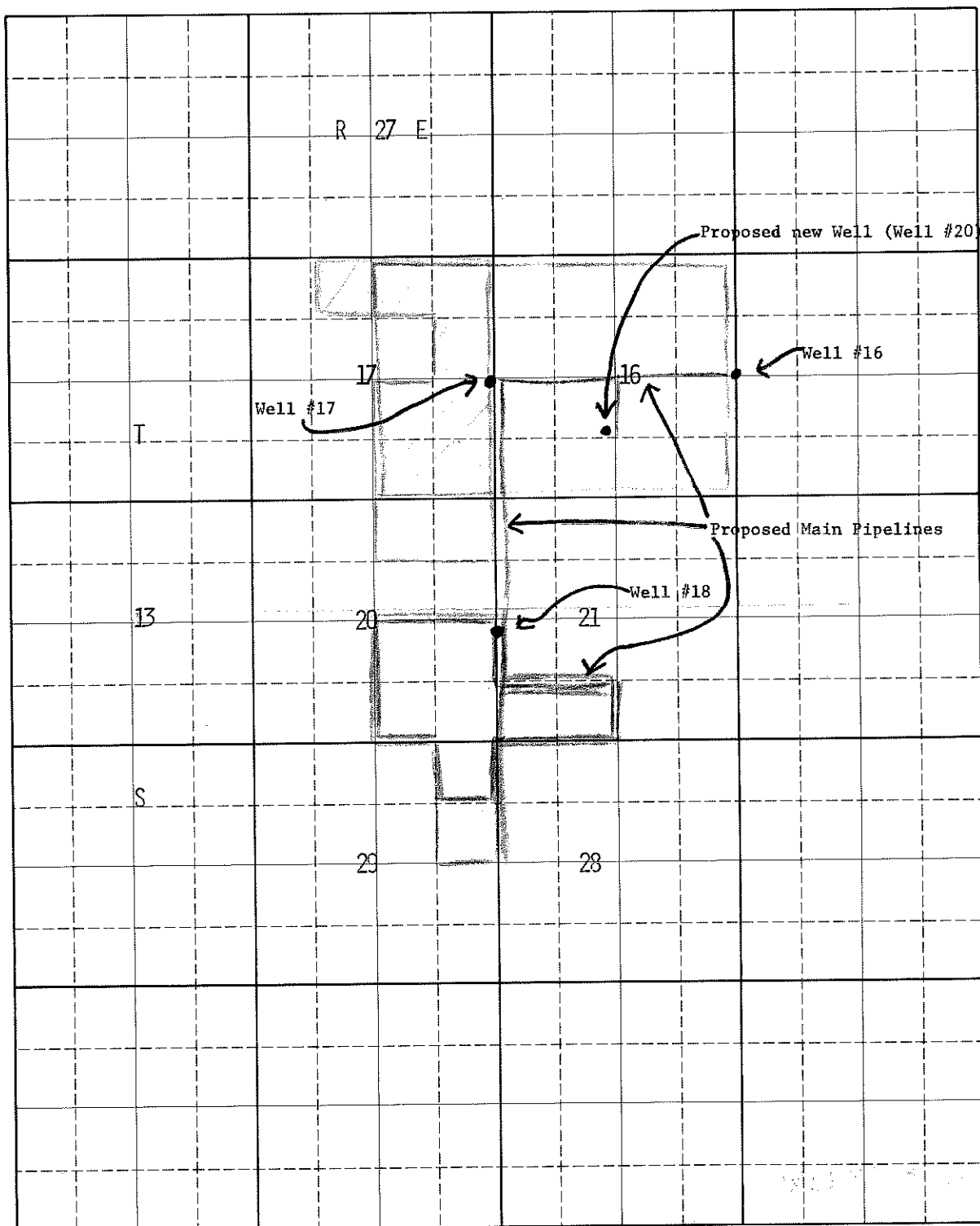
Well #18, NE $\frac{1}{4}$, SE $\frac{1}{4}$, Section 20, T 13S, R 27E.

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	
Well #16																			
13S	27E	16	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
Well #17																			
13S	27E	20	40	40															80
13S	27E	17	40	40		40	40								40	40	40	40	320
Well #18																			
13S	27E	20													40	40	40	40	160
13S	27E	21											40	39					79
13S	27E	29	39																39

Total number of acres presently irrigated 1318

43 2442



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

43-4006 - Lands to be irrigated as right is presently on file. (Well #17)

43-2442 - Lands to be irrigated as right is presently on file. (Well #16)

43-2437 - Lands to be irrigated as right is presently on file. (Well #18)

Location of lands to be irrigated in the future by all three rights.

Appendix A

water from various wells to various lands at the time of purchase. Within the last few weeks, Vista Land Co. has sold all of the company's irrigated land holdings (more than 3,000 acres) except the land listed in this transfer application. This means an additional loss of ability to move water from various wells to various lands.

In addition, Vista Land Company recognizes that, in the past, there has been an important amount of water lost in long dirt ditch and long irrigation runs in flood irrigation practices.

With the remaining irrigated land owned by Vista Land Co., and described herein, it is proposed to significantly improve the irrigation efficiencies. This will be done in part with the purchase of sprinkler systems and the use of gated pipe and shorter irrigation runs. It will also be done, in part, with the advantages of tying 4 wells together in a pipe-system, so that water can be diverted quickly and without loss to any of the lands from any of the wells when the crops demand water. To accomplish this, it will be necessary to drill the new, 4th well, which is proposed herein.

It is proposed by this transfer to merge, so to speak, all of the rights so that water from 1, 2, 3, or 4 wells can be used on any of the land as water is required.

This is not intended to be an enlargement over existing rights. There will not be more acres irrigated than present rights allow. We expect that less water will be needed, or water diverted will be placed to a more productive or efficient use. (The application calls for the irrigation of 1,280 acres, and existing rights

Appendix A

Page 2

are to irrigate 1,318 acres. Vista Land Co. is not intending to loose the right to irrigate the additional 38 acres by this transfer application and may in the future, make addition transfer applications that will include the use of this additional 38 acres of water right).

9. If applicant was not the original holder of this right explain how it was acquired: All lands and
rights have been aquired by purchase.

10. CHANGE IN POINT OF DIVERSION

- a. Quantity to be diverted at new points: 15.77 c.f.s. and/or _____ acre feet
- b. New points of diversion: NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 16, Township 13S
 _____, Range 27E, B.M. and the three existing wells described in
Paragraph 7.
- c. Description of method of diversion and conveyance from new points of diversion: Deep well, vert-
ical turbine pump and pipelines.

- d. Is water to be conveyed to the lands previously irrigated? Yes X No _____
 (For the most part) _____
 If not, the place of use should be changed below.

- e. Describe the reasons for applying for a change in the point of diversion:

This land was first developed by PEWITT-THOMPSON, INC. as a part of a much
larger farm. There were many wells on the larger farm that could be diverted
to most of the land that are the subject of this transfer. Several years ago,
VISTA LAND CO. bought most of the PEWITT-THOMPSON holdings in the immediate
area, but not all of the holdings. Some ability to move (Con't on Appendix A)

- f. Do you intend to make the transfer permanent? Yes

- g. Do you intend to abandon completely the old point of diversion? No

- 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 $\frac{1}{4}$	
13S	27E	16	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		17	40	40	40	40									40	40	40	40	320
		20													40	40	40	40	160
		21											40	40					80
		29	40		40	40													80

Total number of acres to be irrigated 1280

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- b. Do you intend to make the transfer permanent? Yes
- c. Are you completely abandoning the lands previously irrigated by this right? If not, explain your plans:
No. Only the NE 1/4, NE 1/4, Section 17, which has been traded for the SW 1/4, NE 1/4, Section 17 with the BLM and the N 1/4, NE 1/4, Section 20, which has been converted to a feed lot.
- d. Describe any other water rights that you claim for the new ground upon which you wish to transfer this right: None
- 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.

Robert P. Smith
(signature of applicant)
A DIRECTOR JAB H-30-23

Subscribed and sworn to before me this 8th day of November, 19 73.

Clarence O. Clauson
(notary public)

My commission expires July 1, 1974.
Residing at Hyrum, Cache County, Utah.

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

This is to certify that I have examined Application for Transfer of Water Rights No. 43-2442, 43-4006 & 43-2437,
and said application is hereby APPROVED.

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

Subject to the condition that this approval does not validate the water right as claimed under 43-4006. Measuring devices of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 3 day of January, 19 74.

R. Karl Higin
Director ~~State Reclamation Engineer~~
Idaho Dept. of Water Administration

FOR DEPARTMENT USE ONLY

Received by du Date 11-21-73 Protest filed by: _____ Date _____

Prelim. check by du Date 11-21-73 _____

Fee received by du Date 11-21-73 Fee \$ 31.00 ^{#13355} _____

Approved for publication by _____

Published in South Idaho Press Dates 12-11 & 12-18-73 _____

Hearing held _____

Watermaster Recommendation sent _____

RECEIVED

SOUTH IDAHO PRESS DEC 21 1973

BURLEY, IDAHO Department of Water Administration
Southern District Office

AFFIDAVIT OF PUBLICATION

County of Cassia,)
STATE OF IDAHO) ss.

Ruth Chambers being first

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

The South Idaho Press for 2
consecutive weeks, commencing with the issue
dated December 11, 1973, and ending
with the issue dated December 18, 1973.

Ruth Chambers

Subscribed and sworn to before me
this 20th day of December
1973.

Edith Raustadt Notary Public

Cost of Publication 18.20

Notary Fee

Total Cost

My commission expires October 23, 1975

NOTICE OF PROPOSED CHANGE OF
WATER RIGHTS
NOS. 43-2442, 43-4006, 43-2437

Notice is hereby given that Vista
Land Company, Malto, Idaho, has ap-
plied to the Department of Water Ad-
ministration for a change of the point
of diversion and place of use of the
waters of a groundwater source. The
rights sought to be changed are
evidenced by (a) License 43-2442, (b)
Claim 43-4006, (c) License 43-2437 and
are recorded as follows:

Amount: (a) 7.21 cfs (b) 3.0 cfs (c)
5.56 cfs
Priority: (a) 3-5-1956 (b) 4-29-1952
(c) 3-5-1956

Point of diversion: (a) SE $\frac{1}{4}$ NE $\frac{1}{4}$,
Sec. 16, (b) NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, (c)
NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 20, all in T. 13S, R.
27E, B.M., Cassia County

The water is used for the irrigation
of 1,318 acres within the (a) all of
Sec. 16, (b) N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$,
NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 17; N $\frac{1}{2}$ NE $\frac{1}{4}$,
Sec. 20; (c) SE $\frac{1}{4}$, Sec. 20; S $\frac{1}{2}$ SW $\frac{1}{4}$,
Sec. 21; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 29, all in T.
13S, R. 27E, B.M.

TO BE CHANGED AS FOLLOWS

Amount: 15.77 cfs
Point of diversion: NE $\frac{1}{4}$ SW $\frac{1}{4}$,
SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 16; NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17;
NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 20; T. 13S, R. 27E,
B.M.

The water will be used for the
irrigation of 1,280 acres within all of
Sec. 16, E $\frac{1}{2}$, Sec. 17; SE $\frac{1}{4}$, Sec. 20;
S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 21; E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 29,
all in T. 13S, R. 27E, B.M.

Any protest against the approval of
the above proposed change in water
right must be filed with the Idaho
Department of Water Administration,
1041 Blue Lakes Blvd. North, Twin
Falls, Idaho, on or before December
28, 1973.

R. KEITH HIGGINSON
Director

Published in the South Idaho Press
on December 11 and December 18,
1973.

43 2442

DEPARTMENT OF WATER ADMINISTRATION

- STAFF ANALYSIS -

Transfer

Item	Initial	Date	
(1)	imm	11-30-	Application No. 43-2442, 43-4006, 43-2443 <i>Wista Land Co.</i>
(2)	KOT	11-30-73	☒ Source ☒ Point of Diversion ☒ County ☒ Quantity of Water and Period of Use ☒ Description of Diverting Works ☒ Time required for B/U of water ☒ Place of Use or Acres Irrigated ☒ Map ☒ Signature ☒ Fee
(3)	KOT	11-30-73	In form to receipt
			Send Copies to: ☐ Idaho State Health Department ☐ Idaho Fish and Game Department ☐ Bureau of Land Management
(4)	KOT	11-26-73	☐ Request Special Use Permit from U.S.F.S. ☐ Request Easement from B.L.M. ☒ Request Information from Applicant <i>power of attorney town meeting of land. (letter enclosed)</i>
(5)	KOT	11-30-73	In form for advertising
(6)	KOT	11-30-73	Located within Water District No. <u>43-13</u>
(7)	KOT	11-30-70	Critical groundwater area: yes ☒ no ☐
(8)			Groundwater levels: <u>Decline (comment) _____</u> <u>Stable (comment) _____</u> <u>Increasing (comment) _____</u>
(9)	KOT	11-30-73	Comments: <i>Note stipulation on page 2 of appendix A regarding the 38 acres</i>
(10)	imm	12-21	Affidavit of Publication received (date) _____
(11)			Final date for protests <u>December 28</u> Protests received: yes ☐ no ☒
(12)			Date and Place of hearing _____ Decision reached at hearing _____
(13)	mls	12-31-73	All requested information received from agencies or applicant yes ☒ no ☐
(14)	mls	12-31-73	Action recommended: ☐ Approve Priority _____ ☐ Deny Reason for Reduction _____ ☐ Measuring device required ☒ See attached sheet for additional conditions of approval ☐ No additional conditions for approval
(15)	District	<i>Southern</i>	By <i>Michael Stueb</i> Date <i>12-31-73</i>

RECOMMENDED

CONDITIONS OF APPROVAL

☒ A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

☐ Measuring devices of a type approved by this Department shall be permanently installed and maintained at the point of diversion and the point of effluent discharge.

☐ Use of water under this permit is supplemental to all existing water rights with the same purpose and place of use.

☐ Maximum rate of diversion shall not exceed _____ c.f.s.

☐ Settling ponds shall be installed which are capable of reducing the silt load in the return water to such a level that the quality of the waters of _____ Creek will not be impaired for other beneficial uses.

☐ Return water shall be treated to insure that the effluent meets (interstate) (intrastate) stream water quality standards.

☐ Use of water under this permit is subject to control by the watermaster of State Water District No. _____, _____ River.

☐ The proposed well shall not be drilled within _____ feet of another well.

☐ The issuance of this permit in no way grants any right-of-way or easement across the land of another person.

☐ The permit shall not be assigned or sold without first securing the written approval of the Department of Water Administration.

☐ This permit cannot be assigned, mortgaged, or conveyed without complying with Section 42-208, Idaho Code.

☒ Other: Subject to the condition that this approval does not validate the water
right as ~~is~~ claimed under 43-4006.

State of Idaho
License and Certificate of Water Right

Water License No. G-26235

Amount 7.21 c.f.s.

Water District No. _____

Priority March 5, 1956

THIS IS TO CERTIFY that

LESTER THOMPSON

of Malta, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated March 5, 1956; that Permit No. G-26235 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 7.21 second feet, was issued thereunder on August 12, 1963, showing that said works were completed on the 20th day of December, 1961; and that on the 20th day of December, 1961,

LESTER THOMPSON

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 flow, for the purpose of irrigation & domestic use, under Use Permit No. G-26235 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 12 of Licenses at page 7654, on the 12 day of August, 1963;

The right hereby confirmed dates from March 5, 1956;

The Point of Diversion is located

in the SE 1/4 NE 1/4, Sec. 16, Tp. 13 S, R. 27 E., B. M. Cassia County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 7.21 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
13 S.	27 E	16	All	640	640

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 August, 1963.

RALPH W. THOMAS

Deputy State Reclamation Engineer.

4. 26235
73-2442

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 34129
Permit No. G- 26235
District No.

1. Name of Applicant: LESTER THOMPSON
Postoffice address: Malta County: Cassia State: Idaho
2. Quantity of water claimed: 22.4 cubic feet per second
 - (a) Rate of withdrawal in cubic feet per second. 22.4 or Idaho
Miners' inches 1120 or gallons per minute.
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean Flow (Wells)
4. Location of point of diversion or well is in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 28
In the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 9, SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 16; SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 21 and
Twp. 13 S. , Rge. 27 E. , B.M., County of Cassia
5. Water is to be used for: Irrigation and domestic purposes
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Wells, Pumps and Ditches
8. Estimated cost of works: \$ 28,000.00
9. (a) Is reservoir to be used?
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is Five 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: None
 - (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) (cubic feet per second, inches or gallons per minute) is for new lands.

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.

Corrected application received:

The number of this permit is G-26235

Recorded in Book 93 Page 26235 Approved Mar. 8, 1956

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 8, 1956 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before September 8, 1958

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before March 8, 1961.

Witness my hand this 8th day of March, 1956

MARK R. KULP
State Reclamation Engineer

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, Governor of the State of Idaho,
and JAS. H. YOUNG, 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 8th
day of March, 1956.

Countersigned:

STATE OF IDAHO

(SEAL)

By JAS. H. YOUNG

By ROBERT E. SMYLLIE

Governor

Secretary of State.

12.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
13 S.	27 E.	16	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640	
		17	40	40		40	40							40	40	40	40	320	
		20	40	40														80	
		21					40	40										80	
Total Number of Acres to be Irrigated																	1120		
Permit No. G-26235																			
CERTIFICATE OF COMPLETION OF WORKS																			
TO ALL WHOM IT MAY CONCERN:																			
This is to certify that LESTER THOMPSON of Malta, County of Cassia, and State of Idaho, the holder of Permit No. G-26235, issued upon Application No. G-34129, bearing date of priority of March 5, 1956, authorizing the diversion of 22.4 second feet of waters of wells, County of Cassia, State of Idaho, for irrigation and domestic 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 7.21 second feet of the waters of a well from subterranean flow; that the point of diversion of said waters is Section 16, T. 13 S., R. 27 E., B. M.; and that the lands proposed to be irrigated by the use of water are described as follows, to-wit:																			
640 acres in Section 16, Twp. 13 S., Rge. 27 E., B. M.																			
Witness my hand this 12th day of August, A. D. 1963.																			
s/ RALPH W. THOMAS																			
Deputy State Reclamation Engineer																			
Proof of Completion of Works Made: December 20, 1961.																			
LICENSE ISSUED FOR 7.21 SEC. FT.																			
page 7654																			

AGRIVEST, INC.

P.O. BOX 996, 500 WINDING BROOK DRIVE, GLASTONBURY, CONNECTICUT 06033 (203) 659-3701

BUREAU OF PUBLIC AFFAIRS OFFICIAL RECORDS	ACTION BY 3701
OCT - 9 1986	
TO : [] DATE : []	

September 30, 1986

RECEIVED

OCT 14 1986

Department of Reclamation
State of Idaho
Boise, ID 83720

Department of Water Resources

Re: Loan No. 95974-H, VIM
Permit #'s 43-4026, 43-4001,
43-4027, 43-4028, 43-4029,
43-2368, 43-4030, 43-4030,
43-4031, 43-4032, 43-2438,
43-2436, 43-2442, 43-4006,
43-2437

Gentlemen:

This loan has been paid in full. Therefore, we wish to inform you that we are no longer interested in water permit numbers referenced above, as described in Mortgage Deed dated November 9, 1970, given by Vista Land Company, et al.

Said mortgage was recorded in the Public Records of Cassia County in File #67, as Instrument #53715.

Sincerely,

Jean Wright

Jean Wright
Administrative Assistant

jw
cc: Ag-Land Mortgage

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION



Cecil D. Andrus
Governor
R. Keith Higginson
Director

614 State Street
Statehouse - Annex 2
Boise, Idaho 83720
(208) 384-2190

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

January 4, 1974

Re: Transfer Nos. 43-2442, 43-4006, 43-2437

Vista Land Company
Malta,
Idaho 83342

Gentlemen:

Enclosed is a copy of your approved Application for Transfer of Water Right as referenced above. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your transfer. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF/bjg

Enclosures

cc: Jack A. Barnett
520 Idaho Bldg.
Boise, Idaho 83702

43 2442

JACK A. BARNETT
CONSULTANT
201 IDAHO BUILDING - BOISE, IDAHO
Phone 344-1541

GROUND-WATER HYDROLOGY • WATER RIGHTS • GEOLOGIC ENGINEERING

RECEIVED
DEC 17 1973

RECEIVED
DEC 20 1973
Department of Water Administration
Southern District Office

December 14, 1973
BDF

Mr. Bob Fleenor
Assistant Director
Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83720

Dear Bob:

Recently I filed with the Idaho Department of Water Administration a Transfer Application in behalf of the Vista Land Company. That application is being advertised, it is my understanding, in the Burley paper by your Twin Falls office with the last publication date being December 18. This would mean that the protest period will end on December 28. If there does not seem to be any problem or controversy on this transfer, we would appreciate immediate approval as a driller is getting ready to commence the construction of the well for the next irrigation season.

You will find enclosed a copy of two tax notices, which indicate that Vista Land Company is the owner and the payer of the taxes on the lands in question. Also enclosed is a copy of the Power of Attorney, giving Robert L. Miller, the signer of the application, the power to act for the Vista Land Company.

Sincerely,

Jack (b.)

Jack A. Barnett
Consultant

JAB:bls
Enclosures: 3
cc: Lamond Keller

43 2442

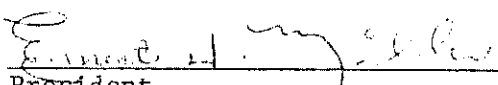
POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, that Vista Land Company, whose business address is Malta, Idaho, does hereby nominate, constitute and appoint Robert L. Miller, a director of said company, and whose mailing address is Hyrum, Utah, its true and lawful attorney in fact to draw, make, and sign any and all documents pertaining to an application to the State of Idaho, Department of Reclamation, for the transfer of water rights or to change the point of diversion and/or place of use.

And the corporation does hereby give and grant unto said attorney in fact full power and authority to do and perform every act necessary, requisite or proper to be done in and about the premises as fully as the President of said corporation might or could do if he were personally present.

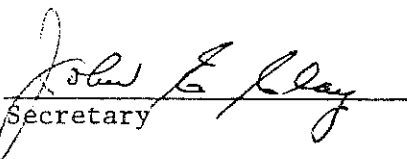
Dated this 30th day of October, 1973.

VISTA LAND COMPANY



President

Attest:



Secretary

43 2442

Tax Collectors Notice

CASSIA COUNTY, IDAHO

Burley, Idaho

No. 03451

The full amount of all State, County, City, Town, School, Road and other taxes for the full year, 1973 upon the following described property situated in Cassia County, Idaho, as shown by the Assessment Rolls of said county for said year, is:

VISTA LAND CO
MALTA, ID. 83342

PERSONAL CHECKS ACCEPTED
SUBJECT TO BANK CLEARANCE

ALL CHECKS AND DRAFTS
SHOULD BE MADE PAYABLE TO

SHIRLEY POVLSEN

Cassia County Tax Collector

County Court House

Burley, Idaho

83318

E1/2 N 1/2NW PT
S1/2SW 16-13-27
N1/2NE SENE PT SE1/4
17-13-27

1972 3408.12
530.58
15.57

1973

TAX COLLECTOR SHIRLEY POVLSEN

DEPUTY

16

NUMBER OF ACRES 789.69

FULL MARKET VALUE 305,833

ASSESSED VALUE LAND 21,514

ASSESSED VALUE
IMPROVEMENTS

ASSESSED VALUE
PERSONAL PROPERTY 24,963

LESS: EXEMPTIONS

TOTAL FOR TAXATION 46,432

19
SECOND IN
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ON C
JUN

or it will beco
ALTY of 2%
interest at the
from January 1
NOT be accept
the fourth Mon

No.

RETURN THIS P

DISTRIBUTION OF CODE AREA TAX					ASSESSED VALUATION	TOTAL TAXES		FINAL
STATE	COUNTY	GENERAL SCHOOL FUND	CITY	AIRPORT		AMOUNT	COMPLETE PAYMENT	
23.24	327.38	336.34		15.76	46,482			
65.54	2,132.13	73.44	464.82			3,938.70	3,938.70	
CEMETERY	JOINT SCHOOL DIST.	FIRE PROT. DISTRICT	HIGHWAY DISTRICT				Special Tax Code	

LESS: OVER 65 EXEMPTION

SUB TOTAL

NOTICE TO TAXPAYERS:

1- YOU ARE HEREBY NOTIFIED THAT
THE PROPERTY DESCRIBED IN THIS NOTICE
HAS BEEN ASSESSED IN YOUR NAME AND
CERTAIN TAXES LEVIED ON SAID PROP-
ERTY AS SHOWN.

2- THE FACT THAT YOU DID NOT
RECEIVE A TAX NOTICE ON
ANY PROPERTY YOU MAY
OWN DOES NOT EXCUSE
YOU FROM PENALTY FOR
NONPAYMENT.

3- PROPERTY UPON WHICH THERE ARE
DELINQUENT 1970 TAXES WILL BE
DEEDED TO THE COUNTY IN JANUARY 1974. 43 2442

4- PLEASE NOTIFY OF ANY CHANGE IN
ADDRESS.

TOTAL TAX

3,938.70** 3,938.70**

SPECIAL CODES

70. DECLO IRRIGATION

71. FOREST PROTECTION

72.

73.

PENALTY

PENALTY

INTEREST

INTEREST

AMT. PAID

AMT. PAID

☐ CASH

DATE _____

NAME _____

DELINQUENT TAXES

1970

1971

1972

Tax Collectors Notice

No. 03452

CASSIA COUNTY, IDAHO

Burley, Idaho

19

The full amount of all State, County, City, Town, School, Road and other taxes for the full year, 1973 upon the following described property situated in Cassia County, Idaho, as shown by the Assessment Rolls of said county for said year, is:

VISTA LAND CO
MALTA, ID. 83342

PERSONAL CHECKS ACCEPTED
SUBJECT TO BANK CLEARANCE

ALL CHECKS AND DRAFTS
SHOULD BE MADE PAYABLE TO

SHIRLEY POVLSEN

Cassia County Tax Collector

County Court House

Burley, Idaho

83318

PT N1/2SW PT S1/2NW
16-13-27 SW1/4NE1/4
17-13-27 S1/2NE
20-13-27

16

NUMBER OF ACRES 278.50

FULL MARKET VALUE 47,085

ASSESSED VALUE LAND 7,157

ASSESSED VALUE
IMPROVEMENTS

ASSESSED VALUE
PERSONAL PROPERTY

LESS: EXEMPTIONS

TOTAL FOR TAXATION 7,157

19
SECOND INS
BE PAID O
ON O
JUNE

or it will become
ALTY of 2% W
interest at the
from January 1,
NOT be accepted
the fourth Mond

No.
RETURN THIS PC

TAX COLLECTOR SHIRLEY POVLSEN

DEPUTY

DISTRIBUTION OF CODE AREA TAX

STATE	COUNTY	GENERAL SCHOOL FUND	CITY	AIRPORT
3.58	127.39	51.79		2.43
10.09	328.30	11.31	71.57	
CEMETERY	JOINT SCHOOL DIST.	FIRE PROT. DISTRICT	HIGHWAY DISTRICT	

ASSESSED
VALUATION

TOTAL TAXES

FINAL II

AMOUNT

COMPLETE
PAYMENT

7,157

606.46

606.46

Special
Tax
Code

LESS: OVER 65 EXEMPTION

SUB TOTAL

SPECIAL TAX

SPECIAL TAX

SPECIAL TAX

SPECIAL TAX

TOTAL TAX

606.46**

606.46**

SPECIAL CODES

70. DECLO IRRIGATION

71. FOREST PROTECTION

72.

73.

PENALTY

PENALTY

INTEREST

INTEREST

AMT. PAID

AMT. PAID

NOTICE TO TAXPAYERS:

1- YOU ARE HEREBY NOTIFIED THAT
THE PROPERTY DESCRIBED IN THIS NOTICE
HAS BEEN ASSESSED IN YOUR NAME AND
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ERTY AS SHOWN.

2- THE FACT THAT YOU DID NOT
RECEIVE A TAX NOTICE ON
ANY PROPERTY YOU MAY
OWN DOES NOT EXCUSE
YOU FROM PENALTY FOR
NONPAYMENT.

3- PROPERTY UPON WHICH THERE ARE
DELINQUENT 1970 TAXES WILL BE
DEEDED TO THE COUNTY IN JANUARY 1974.

DELINQUENT TAXES

1970
1071

☐ CASH

DATE _____

NAME _____

48 2442

November 30, 1973

RE: Application No. 43-2442, 43-4006, 43-2437 - Vista Land Company

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

BH:jmm

Bill submitted 12-21-73 by jmm

Enc.: Legal Notice

43 2442

73-379 *mm OK*
12-5-73
NOTICE OF PROPOSED CHANGE OF
WATER RIGHTS

NOS. 43-2442, 43-4006, 43-2437

Notice is hereby given that Visto Land Company, Malta, Idaho, has applied to the Department of Water Administration for a change of the point of diversion and place of use of the waters of a groundwater source. The rights sought to be changed are evidenced by (a) License 43-2442, (b) Claim 43-4006, (c) License 43-2437 and are recorded as follows:

Amount: (a) 7.21 cfs (b) 3.0 cfs (c) 5.56 cfs

Priority: (a) 3-5-1956 (b) 4-29-1952 (c) 3-5-1956

Point of diversion: (a) SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 16; (b) NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17; (c) NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 20; all in T. 13S, R. 27E, B.M., Cassia County

The water is used for the irrigation of 1,318 acres within the (a) all of Sec. 16; (b) N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 17; N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 20; (c) SE $\frac{1}{4}$, Sec. 20; S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 21; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 29; all in T. 13S, R. 27E, B.M.

TO BE CHANGED AS FOLLOWS

Amount: 15.77 cfs

Point of diversion: NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 16; NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17; NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 20; T. 13S, R. 27E, B.M.

The water will be used for the irrigation of 1,280 acres within all of Sec. 16; E $\frac{1}{2}$, Sec. 17; SE $\frac{1}{4}$, Sec. 20; S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 21; E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 29; all in T. 13S, R. 27E, B.M.

Any protest against the approval of the above proposed change in water right must be filed with the Idaho Department of Water Administration, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, on or before December 28, 1973.

R. KEITH HIGGINSON
Director

Published in the South Idaho Press on December 11 and December 18, 1973.

43 2442

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS

NOS. 43-2442, 43-4006, 43-2437

Notice is hereby given that Vista Land Company, Malta, Idaho, has applied to the Department of Water Administration for a change of the point of diversion and place of use of the waters of a groundwater source. The rights sought to be changed are evidenced by (a) License 43-2442, (b) Claim 43-4006, (c) License 43-2437 and are recorded as follows:

Amount: (a) 7.21 cfs (b) 3.0 cfs (c) 5.56 cfs

Priority: (a) 3-5-1956 (b) 4-29-1952 (c) 3-5-1956

Point of diversion: (a) SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 16; (b) NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17; (c) NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 20; all in T. 13S, R. 27E, B.M., Cassia County

The water is used for the irrigation of 1,318 acres within the (a) all of Sec. 16; (b) NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 17; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 20; (c) SE $\frac{1}{4}$, Sec. 20; S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 21; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 29; all in T. 13S, R. 27E, B.M.

TO BE CHANGED AS FOLLOWS

Amount: 15.77 cfs

Point of diversion: NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 16; NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17; NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 20; T. 13S, R. 27E, B.M.

The water will be used for the irrigation of 1,280 acres within all of Sec. 16; E $\frac{1}{2}$, Sec. 17; SE $\frac{1}{4}$, Sec. 20; S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 21; E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 29; all in T. 13S, R. 27E, B.M.

Any protest against the approval of the above proposed change of water right must be filed with the Idaho Department of Water Administration, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, on or before December 28, 1973.

R. KEITH HIGGINSON

Director

Published in the South Idaho Press on December 11 and December 18, 1973.

43 2442

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS
NO. 43-2442, 43-4006, 43-2437

Notice is hereby given that Vista Land Company, Malta, Idaho, has applied to the Dept. of Water Administration for a change of the point of diversion and place of use of the waters of a ground water source. The rights sought to be changed are evidenced by (a) License 43-2442, (b) Claim 43-4006, and (c) License 43-2437 and are recorded as follows:

Amount: (a) 7.21 cfs (b) 3.0 cfs (c) 5.56 cfs
Priority: (a) 3/5/1956 (b) 4/29/1952 (c) 3/5/1956
Point of diversion: (a) SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 16; (b) NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 17;
(c) NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 20; all in Twp. 13 S, Rge. 27 E, B.M., Cassia County
The water is used for the irrigation of 1,318 acres within the (a) all of Sec. 16; (b) N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 17; N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 20;
(c) SE $\frac{1}{4}$, Sec. 20; S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 21; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 29; all in Twp. 13 S, Rge. 27 E, B.M.

TO BE CHANGED AS FOLLOWS:

Amount: 15.77 cfs
Point of diversion: NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 16; NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17;
NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 20; Twp. 13 S, Rge. 27 E, B.M.
The water/^{is}to be used for the irrigation of 1,280 acres within ~~the~~ all of
Sec. 16; E $\frac{1}{2}$ of Sec. 17; SE $\frac{1}{4}$ of Sec. 20; S $\frac{1}{2}$ SW $\frac{1}{4}$ of Sec. 21; ~~NE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$~~
~~SW $\frac{1}{4}$ NE $\frac{1}{4}$~~ , Sec. 29; all in Twp. 13 S, Rge. 27 E, B.M.

Any protest against the approval of the above proposed change of water right must be filed with the Idaho Dept. of Water Administration, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, on or before _____.

R. KEITH HIGGINSON
Director

November 26, 1973

Mr. Jack A. Barnett
520 Idaho Building
Boise, Idaho 83702

Dear Mr. Barnett:

We are returning the application for transfer of a water right for the Vista Land Co. and Receipt No. 13355 for the filing fee.

We need clarification of the lands to be irrigated. Item 11a shows the NE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 29, T. 13S, R. 27E. The map indicates that the E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 29, T. 13S, R. 27E, is to be irrigated. Could you please get this discrepancy clarified.

We will also require verification of Mr. Robert L. Miller's position with Vista Land Co. and also proof of ownership of the deleted acreage.

Our Boise office has contacted us and I understand they have informed your by phone conversation of this last requirement.

If you have any further questions, please don't hesitate to contact our office.

Very truly yours,

Kenneth Flowerdew
Water Resource Technician II
Southern District

KF:jmm

Enc.

43 2442

MEMO

TO: Bob Haynes

FROM: Darlene

SUBJECT: Application for transfer - Vista Land Co.

DATE: November 21, 1973

Herewith forwarding the above subject transfer application along with Receipt #13355. Have reviewed this application to the best of my knowledge, however, have attached copies of said licenses & claim for your review.

We will require verification of Mr. Robert L. Miller's position with Vista Land and also proof of ownership of the deleted acreage.

Am also sending a "sample" legal notice for advertising along with a proposed condition of approval for your review.

If I may be of any further assistance, please advise.

Sincerely,



Darlene Reich

Attachments:

43 2442

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2

Boise, Idaho 83707

(208) 384-2215



R. Keith Higginson
Director

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

December 16, 1970

Re: Your Number 6847

Mr. Vern Roberts, Manager
LAND TITLE AND ESCROW, INC.
P.O. Box 177
Burley, Idaho 83318

Dear Mr. Roberts:

Please be advised that we have received and recorded your assignments filed in connection with claims to a water right nos. 43-4026, 43-4027, 43-4028, 43-4029, 43-4030, 43-4031, 43-4032, and 43-4006. We have also placed a copy of your letter of November 25, 1970 with the following water licenses: 43-2368 and 43-2442.

Please be advised that permit nos. 43-2436, 43-2437, and 43-2438 are, as of this date, not yet licensed and valid permits. In order to control these permits, it will be necessary for you to file a formal assignment in connection with these documents. A copy of your letter of November 25, 1970 will also be placed in these files for whatever purpose it may serve, and we will make every attempt to contact you in case of a major problem. However, the only way that you can be certain of receiving this type of assurance is by means of a formal assignment on the non-perfected permits.

If we can assist you further, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG

Enc: two copies of the assignment

43 2442

Land Title and Escrow, Inc.

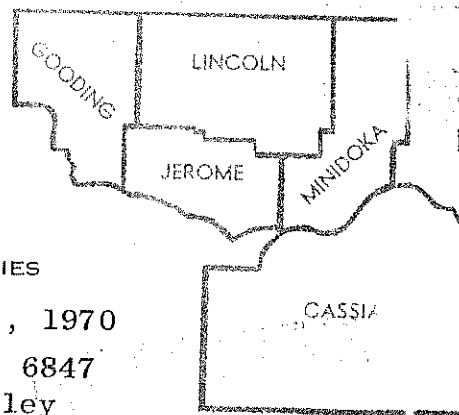
COMPLETE SERVICE

5 IDAHO COUNTIES

November 25, 1970

REFER TO: # 6847

OFFICE: Burley



State of Idaho
Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

Re: Malta Milling Company;
Vista Land Company; and
Interstate Feeders, Inc.

Gentlemen:

You will find enclosed Assignment of Claim of Use Permit Nos. 43-4026, 43-4027, 43-4028, 43-4029, 43-4030, 43-4031, 43-4032 and 43-4006 executed by the above referred to corporations to be filed in your office.

Will you please return two copies of the enclosed Assignment to this office. These copies should show that this assignment has been filed with your office.

Also given as collateral security in connection with this loan to Connecticut Mutual Life Insurance Company under their loan No. 95974-H, are the following Water License Nos: 43-2436, 43-2437, 43-2438, 43-2368 and 43-2442.

If for any reason these water licenses should become in jeopardy of being canceled or forfeited, would you please notify the Connecticut Mutual Life Insurance Company whose address is: 140 Garden Street, Hartford, Connecticut 06115.

Thank you for your courtesy in this matter.

Very truly yours,

LAND TITLE AND ESCROW, INC.

Vern Roberts
Vern Roberts, Manager

43 2442

VR/bv
encls.

cc: Salvatore J. Mastandrea
Connecticut Mutual Life Ins. Co.

BOX 177, BURLEY, IDAHO 83318
PHONE 678-3524
BOX 36, JEROME, IDAHO 83338
PHONE 324-4842

August 12, 1963

Re: Permit No. G-26235

Lester Thompson
Malta, Idaho

Dear Mr. Thompson:

Enclosed are Certificate of Completion of Works
and License and Certificate of Water Right issued on Permit No.
G-26235.

Also enclosed is departmental receipt No. G-8167
in the amount of \$37.00 covering fees.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. certificates
receipt

G26235

J - June 20-62

State of Idaho
DEPARTMENT OF RECLAMATION

Boise, Idaho
June 25, 1963

Re: Permit No. G-26235

Lester Thompson
Malta, Idaho

Dear Mr. Thompson:

Our field engineer's report on his inspection of proof of completion of works and application of water to beneficial use under the terms of Permit No. G-26235 shows the well is (are) capable of conveying 360.5 miner's inches, or 7.21 c.f.s. of water for the irrigation of 640 acres.

Upon receipt of the statutory fees, totaling \$ 37.00, which consists of a Completion of Works fee of \$ 5.00 and License and Certificate of Water Right fee of \$ 32.00 - based at the rate of \$2.00 for each 40-acre subdivision - we will issue the Certificate of Completion of Works and the License and Certificate of Water Right confirming the right, with priority of March 5, 1956 to the use of 7.21 second feet of subterranean water with the point of diversion in the SE 1/4, Sec. 16 for domestic use and irrigation of 640 acres in Sec. 16, T. 13 S., R. 27 E., B.M.

Very truly yours,

CARL E. TAPPAN
Acting State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

G26235

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

Permit No. G-26235

This proof is for Completion of Works & Beneficial Use In Water District No. 1. Name of applicant Lester Thompson2. Source of water supply: Subterranean3. Location of point of diversion: Is in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 9; SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 16; SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 21; SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 28T. 13 S R. 27 E.B.M. County of Cassia4. Describe works as they exist, giving dimensions and capacities of same: 200' P.O.S. Note

#1091459, Layne-Boswell Pump #23742, 12" discharge x 10' into 8' x 9' x 4' spill box to open ditches. Well 1017' x 20" - 10", Cased 126' x 20", 200' x 18", 200' x 14", 200' x 12", 300' x 10" open hole.

5. Water is used for: irrigation and domestic purposes6. 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):

All Sec. 16; N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 17; N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 20, N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 21, Twp. 13 S., Rge. 27 E., B. M.

only irrigating Section 16 now other ground not in

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

8. What large stream would the water here appropriated finally reach? ✓Remarks: Mr. Kent Holtman, senior-law along

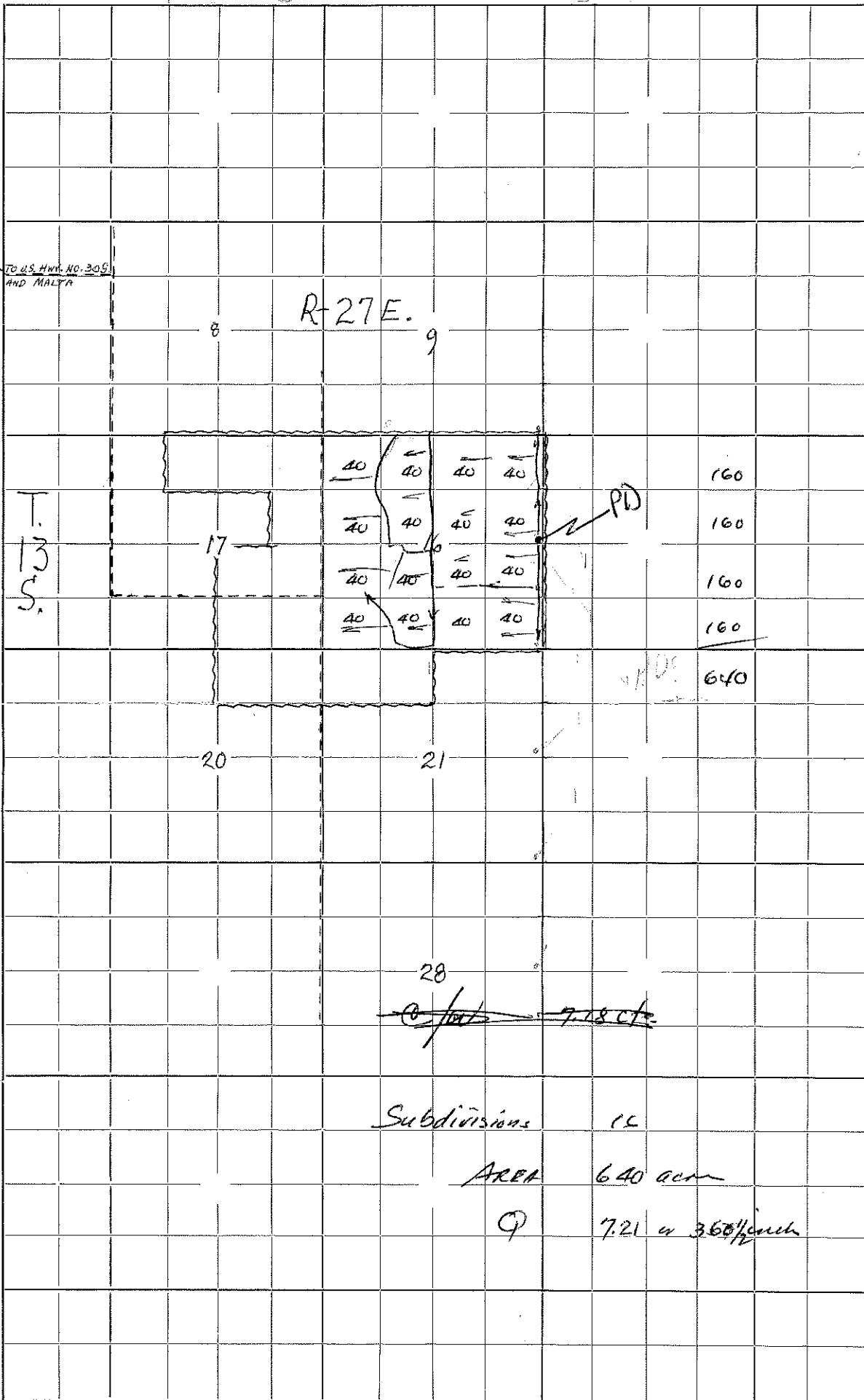
Holtman worked on most of the well drilling

(The other P.D.'s not drilled.)

Measured with Current Meter #822 G = 7.21 cfs.

This examination was made on the 19th day of June, 1963(Signed) Lloyd Johnson Examiner.

26235



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

B26235

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

Permit No. G-26235

This proof is for Completion of Works & Beneficial Use In Water District No. 1. Name of applicant: Lester Thompson2. Source of water supply: Subterranean3. Location of point of diversion: Is in the SE $\frac{1}{4}$ Sec. 9; SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 16; SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 21; SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 20T. 13 S. R. 27 E. B.M. County of Cassia4. Describe works as they exist, giving dimensions and capacities of same: 200 HP US Motor

#1091459, Layne-Borsel Pump #23742, 12" discharge x 10' into 8' x 9' x 4' spill box to open ditches. Well 1017' x 20" - 10", Cased 120' x 20", 200' x 18", 200' x 14", 200' x 12", 300' x 10" open hole.

5. Water is used for: irrigation and domestic purposes6. 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):

All Sec. 16; N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 17; N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 20, N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 21, Twp. 13 S., Rge. 27 E., B. M.

only irrigating Section 16 now other ground not in

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

8. What large stream would the water here appropriated finally reach? ✓Remarks: Mr. Kent Holtman, owner, law along

Holtman worked on most of the well drilling

(The other P.D.'s not drilled.)

Measured with Current Meter #822 Q = 7.21 cfs

This examination was made on the 19th day of June, 1963(Signed) Lester Thompson

Examiner.

G26235

Lester Thompson
Malta, Idaho

Permit No. G-26235

July 6-17-65

Examination for Completion of Works & Beneficial Use

County: Cassia

Quantity: 22.4 a. f. s. Sec. 16 T. 13S R. 27 E BM 28

Source: Wells

P. D.: SE 1/4, SE 1/4, Sec. 9, T. 13S, R. 27E, B. 16
SE 1/4, SE 1/4, " 21
SE 1/4, SE 1/4, " 28

Use: Irrigation and Domestic

Filed: March 5, 1956

Due: March 8, 1961

Extension: —

Protest: —

Completion of Works: —

Other Rights: none

INSTRUCTIONS TO EXAMINERS

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

RECEIVED

JUN 25 1963

Department of Reclamation



#1 40 HP US Motor #653264, F.M. Pump # PR 2190
8" discharge 3' x 12' steel tank with top cut out slide gates in each
end for distribution to open ditch ~~(not estimated Motor off pump)~~
~~(waiting new bearing)~~
8/27/63 3 Rev 2 min 44 sec = $183 \times 1.005 = 184$

#2 125 HP F-M Motor # F1 48280, FM Pump # PS2348
12" discharge into 6' x 9' x 4' concrete distribution box to open
ditch $Q = 5 \text{ Rev } 1 \text{ Min } 7 \text{ sec.} = 7.45 \times 1.005 = 7.48 \text{ cfs.}$

#3 125 HP US Motor 1044508, F-M Pomona Pump # PT8753
12" discharge into old 500 Gal oil tank to open ditch (62°F)
 $Q = 5 \text{ Rev } 1 \text{ Min } 8 \text{ sec.} = 7.34 \times 1.005 = 7.37 \text{ cfs.}$

#4 75 HP US Motor #587248 FM Pump # PS1210 8" discharge
into 550 gal steel tank to open ditch.
 $Q = 5 \text{ Rev } 2 \text{ Min } 26 \text{ sec.} = 342 \times .96 = 328 \text{ cfs.}$

#5 75 HP FM Motor F288001, FM Pump # PS1715-8" discharge
to $3\frac{1}{2}' \times 12' \times 2'$ concrete distribution box to open ditch
 $Q = 5 \text{ Rev } 2 \text{ Min } 32 \text{ sec.} = 328 \times .965 = 314 \text{ cfs.}$

#6

#7 125 HP US Motor #1052117, Wintrowth Pump # 8329
12" discharge to $3\frac{1}{2}' \times 12'$ concrete distribution box to open ditch
 $Q = 5 \text{ Rev } 1 \text{ Min } 27 \text{ sec.} = 5.74 \times .96 = 5.52 \text{ cfs.}$

D26235

- # 1 ~~40 HP~~ 40 HP US Motor #653264, F-M Pump # PR 2190
8" discharge into a 3'x12' steel tank with top cut out and slide gates in each end for distribution to open ditches. (Pump out of wall at time of examination 6/19/63). This PD reinspected and measured 8/27/63 $Q = 3 \text{ Rev. 2 Min, 44 Sec.} = 1.83 \times 1005 = 1.84 \text{ cfs.}$
Well 235'x14", cased 180'x14", rest open hole.
- # 2 125 HP F-M. Motor # F148280, F-M Pump # PS 2348, 12" discharge into 6'x9'x4' Concrete distribution box to open ditches. Well - 625'x20"-12". Cased 250'x20" - 200'x16" ^{with} 175'x12" open hole. $Q = 5 \text{ Rev 1 Min, 7 Sec.} = 7.45 \times 1005 = 7.48 \text{ cfs.}$
- # 3 125 HP US Motor #1044508, F-M. Pomona Pump # PT 8753
12" discharge into old 500 gal oil tank to open ditch. Well 800'x20"-10". Cased - 160'x20" - 150'x16" - 162'x12" - with 328'x10" open hole. $Q = 5 \text{ Rev - 1 Min 8 Sec.} = 7.34 \times 100 = 7.34 \text{ cfs. (Temp 62°F.)}$
- # 4 75 HP US Motor #587248, F-M. Pump # PS1210 - 8" discharge into 500 gal steel tank to open ditch. Well - 500'x20"-12". Cased 160'x20" - 240'x16" with 100'x12" open hole.
 $Q = 5 \text{ Rev 2 Min, 26 Sec.} = 3.42 \times .96 = 3.28 \text{ cfs.}$
- # 5 75 HP F-M Motor # F288001, F-M. Pump # PS1715, 8" discharge to a 3 1/2'x12'x2' Concrete distribution box to open ditch. Well - 600'x24"-12" - Cased 96'x24" - 200'x20" - 202'x16" with 88'x12" open hole. $Q = 5 \text{ Rev - 2 Min, 32 Sec.} = 3.28 \times .965 = 3.14 \text{ cfs.}$
- # 7 125 HP US Motor #1052117, Wintreath Pump # 8329, 12" discharge to 3 1/2'x12'x2 1/2' Concrete distribution box to open ditch
#26235 (over)

#7 (Cont.)

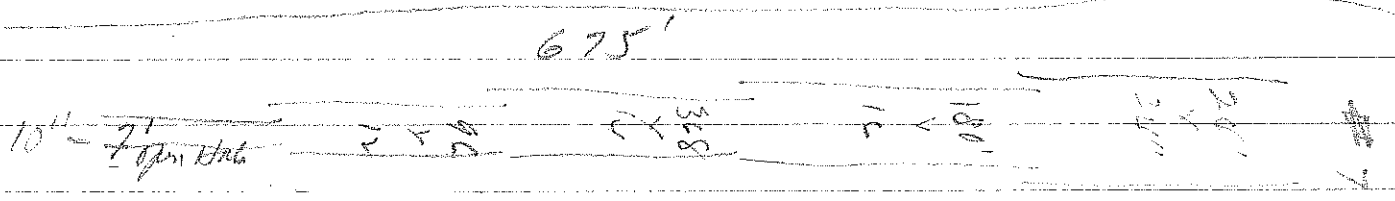
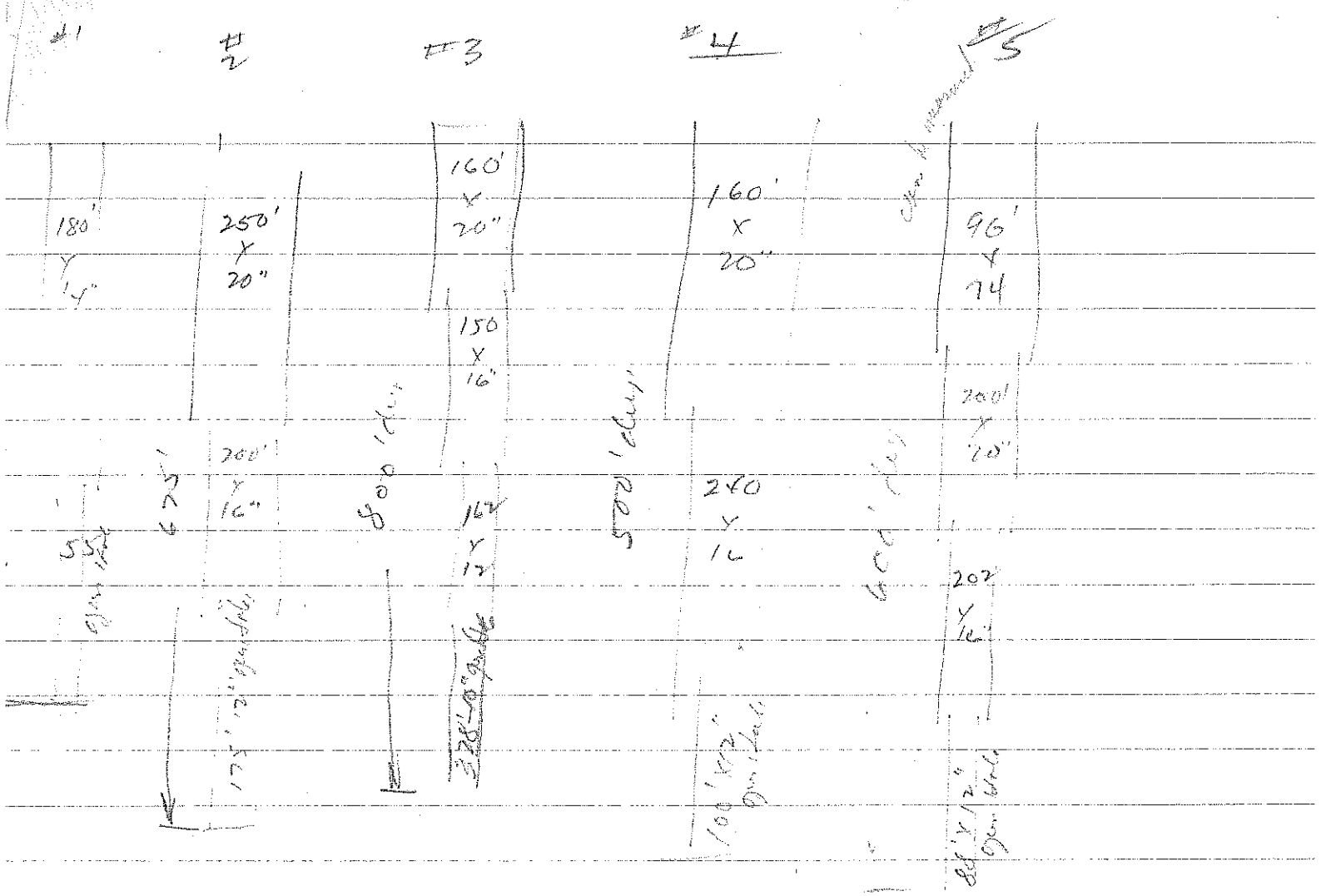
Well - 675' x 24" - 10" - Cased 24' x 24" - 180' x 16" - 368' x 14" 96' x 12" with 7' x 10" open hole.

$$Q = 5 \text{ Rev 1 Min} - 27 \text{ sec} = 5.74 \times 96 = 552 \text{ cfs. (Temp } 60^\circ \text{ F)}$$

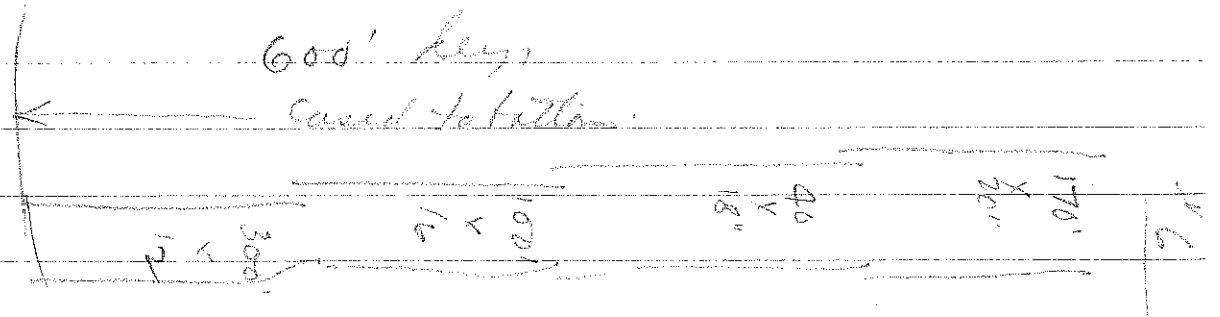
S26235

8'00" - 1:85 - 100' dd.

7.21 (to)



87.05



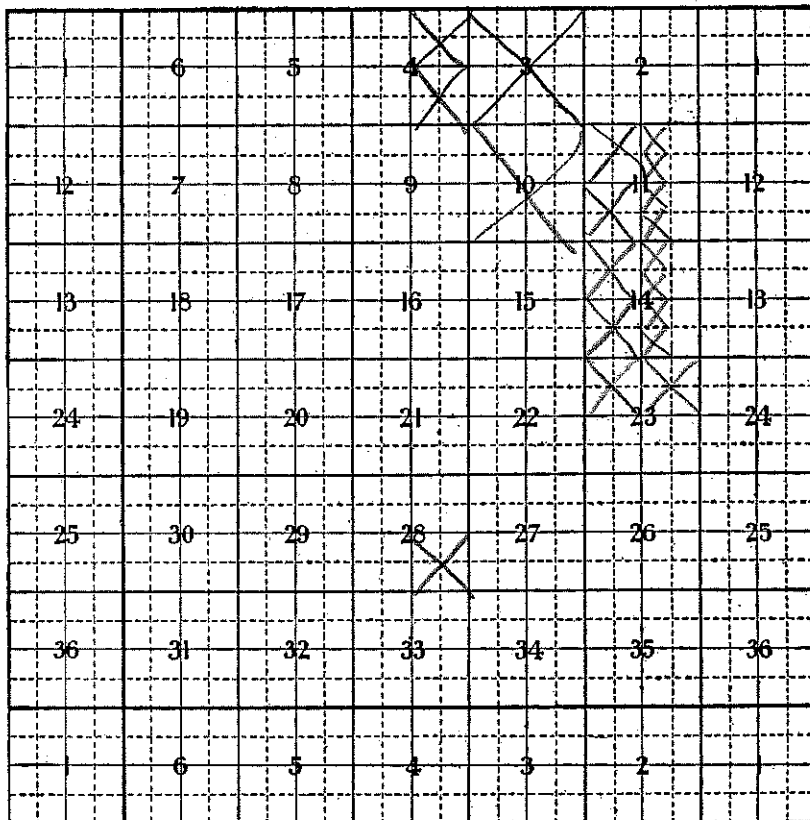
26235

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

SMALL TOWNSHIP AND ADJOINING SECTIONS DIAGRAM

Land Office

Township 13S	Range 27E	Meridian
-----------------	--------------	----------



Private Exchange (date-08/13)
P.H. Pewitt
Stephens Hotel
Mt. Pleasant, Texas
Patent to above lands
issued 12/11/57
J26235

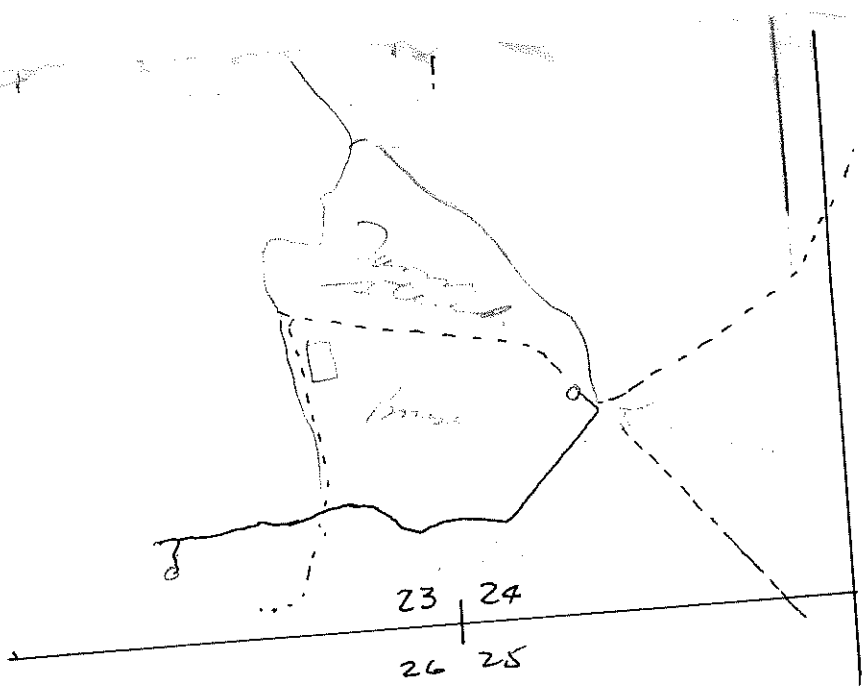
Salmon

1 6 0
2 4 0
1 6 0
1 2 0
3 2
9 0 7 *

#1 1 8 4
2 7 4 8
3 7 3 4
4 3 2 8
5 3 1 4
7 5 5 2

2 8 6 0 *

D26235



D26235

LJ-200
1-63

STATE OF IDAHO DEPARTMENT OF RECLAMATION

Pump #8

Date 19 DISCHARGE MEASUREMENT NOTES

Lester Thompson River at G-26235

Angle coef. fluent	Dist. from initial point	Width	Depth	Observa- tion depth	Revo- lutions	Time in sec- onds	VELOCITY		Adjust- ed for hor. angle or	Area	Discharge
							At point	Mean in ver- tical			
	1	5	0		0	0					
	2	.75	.50		3	53	.15			.38	.06
	2.5	5	.83		7	43	.38			.42	.16
	3	5	1.12		10	40	.57			.56	.32
	3.5	5	1.35		10	41	.56			.68	.38
	4	5	1.42		15	52	.66			.71	.47
	4.5	5	1.43		15	48	.71			.72	.51
	5	5	1.43		20	55	.82			.71	.58
	5.5	5	1.43		15	44	.77			.72	.53
	6	5	1.43		15	46	.74			.71	.53
	6.5	5	1.42		15	45	.75			.72	.54
	7	5	1.50		15	52	.66			.75	.50
	7.5	5	1.47		15	48	.71			.74	.53
	8	5	1.45		15	49	.69			.73	.50
	8.5	5	1.40		15	50	.68			.70	.48
	9	5	1.50		15	52	.66			.65	.43
	9.5	5	1.14		15	56	.61			.57	.35
	10	5	.90		10	55	.42			.45	.19
	10.5	8	.53		5	40	.30			.42	.13
	11.6	.55	0		0	0					
											7.21
	10.0										

No. 26235 of 26235 Sheets, Comp. by 26235 Chk. by 26235

Lester Thompson Son-in-Law

NAME OF APPLICANT

12-5 R 27 5M

Form No. 0

Edward John
Holtman
012265

Reta Holtman
012264

Helen
Pappas
012268

James
Annest
012269

Sarah
Rochelle
Holtman
012266

Edward Kent
Holtman
012267

26235

XXXXXXXXXX

June 14, 1963

Re: Permit No. G-26234, G-26235

Lester Thompson
Malta, Idaho

Dear Mr. Thompson:

This is a follow up of the notice from the Department of Reclamation office that an inspection would be made on your water filing as soon as possible.

I will plan to inspect your permit on or about the week of June 17, 1963.

Please arrange to be on the premises so that you can accompany me over the work.

Very truly yours,
Carl E. Tappan, Acting
~~GEO. W. CARTER~~
State Reclamation Engineer
By

Field Engineer

LHJ:mr

D26235

1M April 1962

April 4, 1963

Re: Permit No. S. 0-26234 & 0-26235

Lester Thompson
Malta, Idaho

Dear Mr. Thompson:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the Herald-Bulletin, all submitted in proof of completion of works and beneficial use on Permit No. S. 0-26234 and 0-26235.

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 ,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:
cc: James Ernest
Attorney
P. O. Box 107
Burley, Idaho

26235

LAW OFFICES OF
KALES E. LOWE & JAMES ANNEST
ATTORNEYS AND COUNSELLORS AT LAW
PHONE 678-5512

RECEIVED
MAY 15 1963
Department of Reclamation
1337 ALBION AVENUE
POST OFFICE BOX 107
BURLEY, IDAHO

April 2, 1963

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

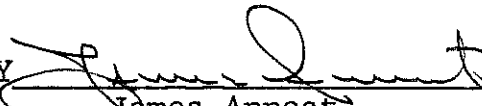
Dear Sir:

Enclosed please find Affidavits of Publication
on Permits number G-26234 and number G-26235, as requested
in your letter of March 27, 1963.

Will you please complete proof and issue the
license and Certificate of Water Right accordingly.

Yours very truly,

KALES E. LOWE & JAMES ANNEST

BY 
James Annest

JA rl os

G26235

LEGAL NOTICE

NOTICE OF PROOF OF COMPLETION OF WORKS

and

APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10 A.M., on the 28th day of November, 1961, at Burley, County of CASSIA, State of Idaho before Rales E. Lowe, Notary Public, at 1337 Albion Ave., Burley, Idaho, proof will be submitted of the completion of works for the diversion of 8.5 cubic feet per second of underground water from a well and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-26235, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Lester Thompson, Malta, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water said works are capable of conveying to the place of use is 8.5 cubic feet per second.

3. The use to which said water has been applied is irrigation and domestic purposes, and the amount applied to beneficial use is 8.5 cubic feet per second.

4. The point of diversion of said water is the SE 1/4 of Sec. 16, Twp. 13 S., Rge. 27, E.B.M.

5. The place where said water is used is all of Sec. 16, Twp. 13 S., Rge. 27, E.B.M.

6. The date of priority which said user is prepared to establish is March 6, 1956.

GEO. N. CARTER,

State Reclamation Engineer

Published in Herald-Bulletin Oct. 27, Nov. 3, 10, 17, 1961.

Affidavit 1 Publication.

The Herald-Bulletin

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

COUNTY OF CASSIA

ss.

Department of Reclamation

Ray Stanley Lehu, first being duly sworn, deposes and says: That he is the printer of The Herald-Bulletin, a daily 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 daily and has been continuously and uninterruptedly published in said county, not less frequently than once a day, 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 4 consecutive weeks, commencing with the issue dated Oct 27, 1961, and ending with the issue dated Mar 17, 1962.

Subscribed and sworn to before me this 26 day of March, 1962
Pauline A. Foxworth
Notary Public in and for the State of Idaho,
Residing at Burley, Idaho.

826235

June 11, 1957

Re: Permit No. G-25853
Edward S. Evans and
A. J. Maimer

Mr. F. E. Tydeman
Attorney at Law
Dietrich Building
Pocatello, Idaho

Dear Mr. Tydeman:

We have your letter of June 11, 1957 enclosing notice of Completion of works and Beneficial Use on Permit No. G-25853, to be made July 30, 1957 before you.

We shall send a copy of the notice to the newspaper, the Idaho State Journal, 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.

At the time set, you should contact Mr. Evans and Mr. Maimer to appear before you 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 enclosed depositions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR:lw
cc: Edward S. Evans
A. J. Maimer
Encls.

25853

March 27, 1963

Re: Permits No. G-26234; G-26235
Lester Thompson

S. T. Lowe & Kales Lowe
Attorneys at Law
Box 107, Burley, Idaho

Attn: James Annest

Dear Mr. Annest:

Precancellation notices were sent in regard to the above noted permits April 20, 1961, allowing 60 days within which to show cause why the permit should not be cancelled. The proofs were eventually made December 20, 1961, whereas the legal notice showed the proofs were to be made November 28, 1961.

My letter of January 10, 1962, requested an affidavit from the Notary Public, Kales E. Lowe, that his office was open on November 28, 1961 and that no protests were received in regard to said proofs. I also requested the affidavit of publication for each permit. There was also a question about irrigation of land not shown under Permit No. G-26234.

The affidavit of the Notary Public, Kales E. Lowe, was received and acknowledged by letter dated January 25, 1962, in which you were notified that the affidavits of publication were not received.

The proofs of completion of works and beneficial use of the water are not complete.

Permits No. G-26234 and No. G-26235 must be cancelled if the proofs are not completed on or before April 10, 1963, or good cause is shown why they should not be cancelled.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

cc: Lester Thompson
Malta, Idaho

f26234
f26235

March 27, 1963

Re: Permits No. G-26234; G-26235
Lester Thompson

S. T. Lowe & Kales Lowe
Attorneys at Law
Box 107, Burley, Idaho

Attn: James Arnest

Dear Mr. Arnest:

PreCancellation notices were sent in regard to the above noted permits April 20, 1961, allowing 60 days within which to show cause why the permit should not be cancelled. The proofs were eventually made December 20, 1961, whereas the legal notice showed the proofs were to be made November 28, 1961.

My letter of January 10, 1962, requested an affidavit from the Notary Public, Kales E. Lowe, that his office was open on November 28, 1961 and that no protests were received in regard to said proofs. I also requested the affidavit of publication for each permit. There was also a question about irrigation of land not shown under Permit No. G-26234.

The affidavit of the Notary Public, Kales E. Lowe, was received and acknowledged by letter dated January 25, 1962, in which you were notified that the affidavits of publication were not received.

The proofs of completion of works and beneficial use of the water are not complete.

Permits No. G-26234 and No. G-26235 must be cancelled if the proofs are not completed on or before April 10, 1963, or good cause is shown why they should not be cancelled.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

cc: Lester Thompson
Malta, Idaho

March 11, 1962

Re: Permits No. G-26234; G-26235

Mr. Lester Thompson
Malta, Idaho

Dear Mr. Thompson:

On January 25, 1962, we wrote to S. T. Lowe and
Kales E. Lowe, attorneys requesting that the affidavits of
publication be mailed in on both permits listed above.
We must have these to make the proofs complete.

To date we have not received these affidavits
and ask at this time you mail these in as soon as possible.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

D 26235

February 9, 1962

Re: Permits No. G-26233; G-26234
G-26235 - Gordon D. Thompson
& Lester Thompson

S. T. Lowe & Kales E. Lowe
Attorneys at Law
Box 107, Burley, Idaho

Dear Mr. Lowe:

We enclose departmental receipt No. G-6807
in the amount of \$4.50 covering the fees for photo copies
in connection with the above numbered permits.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. receipt

G26235

January 25, 1962

RE: Permits No. G-26234, G-26235
Lester Thompson

S. T. Lowe & Kales E. Lowe
Attorneys at Law
Box 107
Burley, Idaho

Attention: James Annest

Dear Mr. Annest:

Enclosed is a supply of form to amend the land list on a permit.

Thanks for the affidavit by Mr. Kales Lowe in regard to the office being open and that depositions were taken on the advertised date. Possibly in such cases when typing the depositions is delayed, the true date of making the depositions could be used instead of the date they are typed.

The "amended" application form enclosed cannot be used. Kindly show the total land list on one of the enclosed forms and return to this office with the \$1.00 recording fee. You may sign as attorney, or have Mr. Thompson sign the application. We believe you have a supply of these forms in your office.

The affidavits of publication for each permit were not included. Kindly send us the affidavits.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Ralph W. Thomas
Deputy State Reclamation Engineer

Enc. amendment forms

G26235

January 11, 1962

Re: Permits No. G-26233; G-26234
G-26235 - Gordon D. Thompson &
Lester Thompson

S. T. Lowe & Kalas E. Lowe
Attorneys at Law
Box 107
Burley, Idaho

Dear Mr. Lowe:

September 18, 1961, we sent you photo copies of
records in regard to the above mentioned permits. You were
notified that the fee was \$4.50 which has not been received.

Kindly remit.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

HT:ew

J26234
J26235

January 10, 1962

RE: Permits No. G-26234, G-26235
Lester Thompson

S. T. Lowe & Kales Lowe
Attorneys at Law
Box 107
Burley, Idaho

Dear Mr. Lowe:

Returned herewith is the copy of the depositions in regard to Permit No. G-26234. We require only one copy. Under Question 6, lands in Sections 8 and 9 are shown whereas our record of the permit does not show such lands. The permit must be amended if it is desired to include such lands.

Affidavit of Publication did not arrive with the depositions. Kindly send us a copy for each permit.

The depositions were signed December 20, 1961 whereas the legal notice showed the proofs were to be made November 28, 1961. We must have an affidavit from the Notary Public that his office was open November 28, 1961 and that no protests were received, and also show reason why the date was changed.

The depositions in regard to Permit No. G-26235 are adequate, provided the above requirements are met.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Ralph W. Thomas
Deputy State Reclamation Engineer

RWT:mr

Enc. copy of depositions

G26235

S.T. LOWE 1881-1954
KALES E. LOWE
THOMAS H. CHURCH
JAMES ANNEST
PETER K. CHURCH, ASSOCIATE

S. T. LOWE
&
KALES E. LOWE
ATTORNEYS AND COUNSELLORS AT LAW

1337 ALBION AVENUE
P. O. BOX 107
TELEPHONE: OR 8-5512

BURLEY, IDAHO
January 8, 1962

RECEIVED
JAN 9 1962

Department of Reclamation

Mr. Roy Thompson
State of Idaho
Department of Reclamation
Boise, Idaho

Re: Permits No. G 26235 and No. G 26234

Dear Roy:

Enclosed herewith please find the Proof of Application of Water to Beneficial Use on the above permits. These depositions are made pursuant to the Notice which was heretofore published by your office and establish the completion of works on said permits prior to the expiration dates of said permits.

Very truly yours,

S. T. LOWE & KALES E. LOWE

James Annest

James Annest

JA:kh

Encls.

B26235

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
JAN 9 1962
Department of Reclamation

Permit No. G. 26235

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. Lester Thompson, Malta, Idaho, Farm Manager and Operator, 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. None

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

Ans. G. 26235 date--March 8, 1956. Priority Date--March 8, 1956 all work re-
quired under the terms and conditions of said permit was completed prior to the

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

Ans. Source of water supply is deep irrigation wells. The place of diver-
ion is in the Southeast corner of the Southeast Quarter of the Northeast Quarter
of Section 16, Twp. 13 South, Range 27, 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. A well located on the Southeast Quarter of the Northeast Quarter of
Section 16, Township 13 South, Range 27, E.B.M. It is 1012 Feet deep
with telescoped casing (20,18,16) to 500 ft. It is 85 feet to water and
has a discharge of 440 inches and is measured by orifice.

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. All of Section 16, in Township 13 South, Range 27, E.B.M.

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

Ans. Wayman D. Varbrough, Box 766, Malta, Idaho

See app. of attorney in G-26234

M26235

RT

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

Ans. None

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

Ans. 5/8 of an inch is the amount of water required.

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. Full use throughout the period of development of water produced from said wells has been entirely diverted and applied to the production of agricultural crops on all the land described above.

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. None

(Sign)

Lester Thompson

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

and sworn to before me, at my office in Burley, County of Cassia

State of Idaho, on this 20th day of December, A. D. 1961.

Notary Public for Idaho, Residing at Burley, Idaho.

My commission expires

26235

RECEIVED

JAN 9 1962

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Department of Reclamation

Permit No. G. 26235

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

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

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

Ans. Wayman D. Yarbrough, age 36, Malta, Idaho, Well Driller, P. O. Box 766, Malta, Idaho.

Ques. 2. Are you acquainted with Lester Thompson, the holder of Permit No. 26235? How long have you known him and where does he reside?

Ans. Yes, I am acquainted with him. I have known him since 1956 and he resides five (5) miles South of Malta, Idaho.

Ques. 3. Have you read or heard read said Permit No. G. 26235, and are you familiar with its provisions and conditions?

Ans. Yes, I have heard it read and am familiar with its provisions.

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. Source of Water Supply is Deep irrigation wells. Places of diversion is in the Southeast Corner of the Southeast Quarter of the Northeast Quarter of Section 16, Township 13 South, Range 27 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. Approximately 500 to 600 miners ins. and I have seen this amount being used.

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 have seen the pump deliver approximately 450 miners inches and this was measured with an orifice test.

N26235

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. All of Section 16 in Township 13 South. Range 27.
E.B.M.

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

Ans. None

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. The land is sandy loam with a gravel base.

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. I have no interest in the works, water or lands above mentioned.

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. At various times I have performed work either in the drilling of the wells throughout the past five years or in rentivation of wells and I have had an opportunity to examine each of the wells individually and to also examine the method and manner of the diversion and application to beneficial use of the waters upon the lands described above. I have seen the water applied to all of the land above referred to except those areas excluded and I have also seen the crops growing as a result of the application of (Signed) Wagoner
that water. (Continued Below)

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Burley,
County of Cassia, State of Idaho, on this 20th day of December,
A. D. 19 61.

Kales & Howe
Notary Public

My commission expires Residing at Burley, Idaho

11. (Continuation) The water applied to a beneficial use under this permit and the work required for its application to a beneficial use was done prior to March 8, 1956.

826235

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G. 26235

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

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

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

Ans. Edward Kent Holtman, Age 25, Malta, Idaho, Farmer, Malta,
Idaho

Ques. 2. Are you acquainted with Lester Thompson, the
holder of Permit No. G. 26235? How long have you known him and where does
he reside?

Ans. Yes, I am acquainted with him. I have known him since 1955
and he resides at Malta, Idaho.

Ques. 3. Have you read or heard read said Permit No. G. 26235, and are you
familiar with its provisions and conditions?

Ans. Yes, I have read Permit No. G. 26235 and I am familiar with it.

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

Ans. Source of Water Supply is Deep irrigation wells. Place of diversion
is in the Southeast Corner of the Southeast Quarter of the Northwest Quarter
of Section 16, Township 13 South, Range 27, E.B.M.

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

Ans. Approximately 500 to 600 inches, and I have seen this amount
being used.

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 have seen the pump deliver approximately 450 inches and this
was measured with an orifice test.

G26235

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 All of Section 16 in Township 13 South, Range 27,
E.B.M.

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

Ans. None

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. The land is sandy loam with a gravel base.

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, I have no interest in the works, water or lands above mentioned.

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. I have been employed during the irrigation season by the Pewitt-Thompson Corporation and the owner and operator of the lands and have irrigated with water produced from said wells and have had a thorough opportunity to witness the application of the water produced from said wells to a beneficial use upon all of the land except those areas specifically excluded.

(Continued Below)

(Signed)

Edward K. Holman

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Burley, County of Cassia, State of Idaho, on this 20th day of December, A. D. 1961.

James E. Focare
Notary Public.

My commission expires Residing at Burley, Idaho

11. (Continuation) The water applied to a beneficial use under this permit and the work required for its application to a beneficial use was done prior to March 8, 1956

B26235

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
JAN 9 1962
Department of Reclamation

Permit No. G. 26235

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. Lester Thompson, Malta, Idaho, Farm Manager and Operator, 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. None

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

Ans. G. 26235 date--March 8, 1956. Priority Date--March 8, 1956, all work required under the terms and conditions of said permit was completed prior to the completion date set forth in said permit.

Ques. 4. State source of water supply and give exact location of point of diversion, completion date, set forth in said permit.

Ans. Source of water supply is deep irrigation wells. The place of diversion is in the Southeast corner of the Southeast Quarter of the Northeast Quarter of Section 16, Twp. 13 South, Range 27, 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. A well located on the Southeast Quarter of the Northeast Quarter of Section 16, Township 13 South, Range 27, E.B.M. It is 1012 Feet deep with telescoped casing (20,18,16) to 500 ft. It is 85 feet to water and has a discharge of 440 inches and is measured by orifice.

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. All of Section 16, in Township 13 South, Range 27, E.B.M.

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

Ans. Wayman D. Yarbrough, Box 766, Malta, Idaho

Ques. 7. If for other than irrigation purposes; state how applied, amo of horse power gener-
ated, etc.

Ans. None

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

Ans. 5/8 of an inch is the amount of water required.

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. Full use throughout the period of development of water produced
on said wells has been entirely diverted and applied to the production of
agricultural crops on all the land described above.

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. None

(Sign)

Lester Thompson

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

and sworn to before me, at my office in Burley, County of Cassia,

State of Idaho, on this 20th day of December, A. D. 1961.

Notary Public for Idaho, Residing
at Burley, Idaho.

My commission expires

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
 JAN 9 1960
 Department of Reclamation

Permit No. G. 26235

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. Wayman D. Yarbrough, age 36, Malta, Idaho, Well Driller, P. O.
Box 766, Malta, Idaho.

Ques. 2. Are you acquainted with Lester Thompson, the
 holder of Permit No. 26235? How long have you known him and where does
 he reside?

Ans. Yes, I am acquainted with him. I have known him since 1956 and he
resides five (5) miles South of Malta, Idaho.

Ques. 3. Have you read or heard read said Permit No. G. 26235, and are you
 familiar with its provisions and conditions?

Ans. Yes, I have heard it read and am familiar with its provisions.

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

Ans. Source of Water Supply is Deep irrigation wells. Places of diversion
is in the Southeast Corner of the Southeast Quarter of the Northeast
Quarter of Section 16, Township 13 South, Range 27 E.B.M.

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

Ans. Approximately 500 to 600 miners ins. and I have seen this amount
being used.

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 have seen the pump deliver approximately 450 miners inches and
this was measured with an orifice test.

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. All of Section 16 in Township 13 South, Range 27,
E.B.M.

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

Ans. None

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. The land is sandy loam with a gravel base.

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. I have no interest in the works, water or lands above mentioned.

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. At various times I have performed work either in the drilling of the wells throughout the past five years or in reactivation of wells and I have had an opportunity to examine each of the wells individually and to also examine the method manner of the diversion and application to beneficial use of the waters upon the lands described above. I have seen the water applied to all of the land above referred to except those areas excluded and I have also seen the crops growing as a result of the application of (Signed) *Wagon H. Brough*
at water. (Continued Below)

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Burley
County of Cassia, State of Idaho, on this 20th day of December
A. D. 1961.

Notary Public.

My commission expires Residing at Burley, Idaho

11. (continuation) The water applied to a beneficial use under this permit and the work required for its application to a beneficial use was done prior to March 8, 1956.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
JAN 8 1962

Department of Reclamation

Permit No. G 26235

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

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

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

Ans. Edward Kent Holtman, Age 25, Malta, Idaho, Farmer, Malta, Idaho

Ques. 2. Are you acquainted with Lester Thompson, the holder of Permit No. G 26235? How long have you known him and where does he reside?

Ans. Yes, I am acquainted with him. I have known him since 1955 and he resides at Malta, Idaho.

Ques. 3. Have you read or heard read said Permit No. G 26235, and are you familiar with its provisions and conditions?

Ans. Yes, I have read Permit No. G 26235 and I am familiar with it.

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. Source of Water Supply is Deep irrigation wells. Place of diversion is in the Southeast Corner of the Southeast Quarter of the Northwest Quarter of Section 16, Township 13 South, Range 27, 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. Approximately 500 to 600 inches, and I have seen this amount being used.

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 have seen the pump deliver approximately 450 inches and this was measured with an orifice test.

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. All of Section 16 in Township 13 South, Range 27, E.B.M.

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

Ans. None

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. The land is sandy loam with a gravel base.

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, I have no interest in the works, water or lands above mentioned.

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. I have been employed during the irrigation season by the Pewitt-Thompson Corporation and the owner and operator of the lands and have irrigated with water produced from said wells and have had a thorough opportunity to witness the application of the water produced from said wells to a beneficial use upon all of the land except those areas specifically excluded.

(Continued Below)

(Signed)

Edward K. Holman

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Burley, County of Cassia, State of Idaho, on this 20th day of December, A. D. 1961.

Notary Public.

My commission expires Residing at Burley, Idaho

11. (Continuation) the water applied to a beneficial use under this permit and the work required for its application to a beneficial use was done prior to March 8, 1956.

November 13, 1961

Re: Permit No. G-26234; G-26235
Lester Thompson

Permit No. G-29723-Martin & Anderson Farms

Burley Herald Bulletin
Burley, Idaho

Gentlemen:

On October 24th Notices of Publication were mailed to you on the permits of Lester Thompson, and on October 31st a Notice of Publication on the permit of Martin and Anderson Farms, requesting a copy or tear sheet for proofing.

To date we have not received such copy and ask that one be mailed on each publication mentioned above as soon as possible.

Very truly yours,

GEO. W. CARTER
State Reclamation Engineer

By:

H. PETRI
Water Rights Clerk

HP:ew

G26235

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

October 24, 1961

DEPOSITIONS ARE OF NO VALUE

UNLESS AFFIDAVIT OF PUBLICATION

IS ATTACHED

Re: Permit No. G-26235
Lester Thompson

S. T. Lowe and Kales E. Lowe,
Attorneys at Law,
Box 107,
Burley, Idaho.

Attention: James Arnest

Gentlemen:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. G-26235, in the name of Lester Thompson. Final Proof is to be made before you, as Notary on the 28th day of November, 1961, ~~1959~~, at 10:00 o'clock A.M., at 1337 Albion Avenue, Idaho.
Burley,

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

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

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

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. ^{Rule} ~~Arnest~~
Chief Clerk

Encl.

EPR:Pk
cc: Applicant

826235

1200
6-28-61

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G-26235
Lester Thompson

Date: Oct. 24, 1961

The Burley Herald-Bulletin
Burley, Idaho.

Gentlemen:

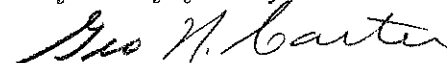
Enclosed you will find notice for publication, once a week for four consecutive
weeks prior to November 28, 1961 the date set for proof;

the expense of the publication is to be paid by the applicant's attorney

S. T. Lowe and Kales E. Lowe of Box 107, Burley, Idaho
to whom you should furnish proof of publication on or prior to the date set for
proof.

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

Very truly yours,


GEO. N. CARTER
State Reclamation Engineer

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

Encl.

B26235

October 23, 1961

Re: Permit No. G-26235
Lester Thompson

S. T. Lowe & Kales E. Lowe
Attorneys at Law
Box 107, Burley, Idaho

Attn: Kales E. Lowe

Dear Mr. Lowe:

We acknowledge receipt of Form 10, Notice
of Publication and Form 11, Authority for Publication, and
also Completion of Works.

We are returning the original permit which
was received with the Forms 10 and 11.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. original permit

cc. Lester Thompson
Malta, Idaho

G26235

S.T. LOWE 1881-1954
KALES E. LOWE
THOMAS H. CHURCH
JAMES ANNEST
PETER K. CHURCH, ASSOCIATE

S.T. LOWE
&
KALES E. LOWE
ATTORNEYS AND COUNSELLORS AT LAW
BURLEY, IDAHO

1337 ALBION AVENUE
P. O. BOX 107
TELEPHONE: OR 8-5512

October 19, 1961

RECEIVED
OCT 20 1961

Department of Reclamation

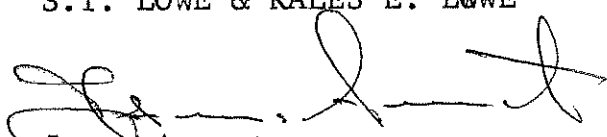
Mr. George N. Carter
State Reclamation Engineer
Boise, Idaho

Dear Mr. Carter:

Enclosed herewith is Proof of Completion of Works on Permit
No. G26234 and G26235.

Very truly yours,

S.T. LOWE & KALES E. LOWE


James Annest

/mh

Enclosures

G26235

RECEIVED
OCT 20 1931
Department of Reclamation

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

Notice is hereby given that at 10 M., on the 28th day of November,
1961, at Burley, County of Cassia, State of Idaho,
before Kales E. Lowe, Notary Public, at (address) 1337 Albion Ave.
Burley, Idaho, proof will be submitted of the completion of works for
the diversion of 8.5 cubic feet per second of underground water from a well, and of
the application to beneficial use of said water, in accordance with the terms and
conditions of Permit No. G-26235, heretofore issued by the Department of Reclamation
of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit
is Lester Thompson, Malta, Idaho.
2. Said works of diversion will be fully completed on the date set for such com-
pletion, and the amount of water which said works are capable of conveying to the place of
use is 8.5 cubic feet per second.
3. The use to which said water has been applied is irrigation and culinary
purposes, and the amount applied to beneficial use is 8.5
cubic feet per second.
4. The point of diversion of said water is the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 16, Twp. 13 S.,
Rge. 27, E.B.M.
5. The place where said water is used is all of Sec. 16, Twp. 13 S., Rge. 27, EBM.
6. The date of priority which said user is prepared to establish is March 8, 1956

B26235

GEORGE N. CARTER
State Reclamation Engineer

Form No. 11

2M - 10/60

RECEIVED
OCT 20 1961

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) September 28, 1961
(P. O.) S. T. Lowe & Kales E. Lowe, Attorneys at Law,
P. O. Box 107, Burley, 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
Burley Herald-Bulletin of Burley, Idaho published in
the county in which the works are situated.

Lester Thompson
Lester Thompson

(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.

B26235

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

RECEIVED
OCT 20 1961
Department of Reclamation

Notice is hereby given that at 10 M., on the 28th day of November,
19 61, at Burley, County of Cassia, State of Idaho,
before Kales E. Lowe, Notary Public, at (address) 1337 Albion Ave.

Burley, Idaho, proof will be submitted of the completion of works for
the diversion of 8.5 cubic feet per second of underground water from a well, and of
the application to beneficial use of said water, in accordance with the terms and
conditions of Permit No. G-26235, heretofore issued by the Department of Reclamation
of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit
is Lester Thompson, Malta, Idaho.

2. Said works of diversion will be fully completed on the date set for such com-
pletion, and the amount of water which said works are capable of conveying to the place of
use is 8.5 cubic feet per second.

3. The use to which said water has been applied is irrigation and ^{domestic} culinary
purposes, and the amount applied to beneficial use is 8.5
cubic feet per second.

4. The point of diversion of said water is the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 16, Twp. 13 S.,
Rge. 27, E.B.M.

5. The place where said water is used is all of Sec. 16, Twp. 13 S., Rge. 27, EBM.

6. The date of priority which said user is prepared to establish is March 8, 1956

26235

GEORGE N. CARTER

State Reclamation Engineer

PERMIT No. G-26235

Proof of Completion of Works

RECEIVED
OCT 20 1961

DEPOSITION OF HOLDER

Department of Reclamation

In compliance with Sec. 5594, Compiled Statutes of Idaho.

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

Ans. ... Lester Thompson, Malta, Idaho, Manager for Pewitt-Thompson, Inc., a corporation, Post office address: Malta, Idaho.

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business, your position with reference to same, and your authority for appearing in its behalf.

Ans.

Ques. 3. State number and date of permit, amount of water you are authorized to divert, source, and point of diversion.

Ans. ... Permit No. G-26235, March 8, 1956, 22.4 c.f.s., well in the SE 1/4 Sec. 16, Twp. 13 S., Rge. 27, E.B.M.

Ques. 4. State purpose for which water is to be used, and, if for irrigation, state the number of acres and give description of the land you have reclaimed or intend to reclaim.

Ans. ... Irrigation and culinary purposes--1120 acres--Sec. 16, Twp. 13 S., Rge. 27, E.B.M.

Ques. 5. State whether or not the water has been turned into your works of diversion, and, if so, when and to what extent.

Ans. ... Yes, on May 25, 1956, 8.5 c.f.s.

Ques. 6. State whether or not the works of diversion are fully completed, if so on what date, and whether or not they comply in all respects with terms of the permit.

Ans. ... Yes, works are fully completed with regard to Section 16. Completed May 25, 1956

Ques. 7. If the works of diversion do not comply with all the terms of your permit, state fully those particulars in which there is any variance. The works of diversion do not comply

Ans. with all terms of permit in that the permit covered some desert entry land.

Ques. 8. Give description of works and state dimensions and capacity of each part as they existed on May 25, 1956, and give cost of same.

Ans. 14 and 24-inch headgates, carrying 8.5 c.f.s. of water, at a cost of \$32,500.00.

(Sign here.)

Lester Thompson

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, in Burley, County of Cassia, State of Idaho, on this September 6, 1961.

My Commission expires 8-17-65

Notary Public.

B26235

The Depositions of Witnesses, in this form, taken separately, required in each case.

PERMIT No. G-26235

Proof of Completion of Works

DEPOSITION OF WITNESS

In compliance with Sec. 5594, Compiled Statutes of Idaho.

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

Ans. ...Orville Udy... farmer-rancher, Malta, Idaho.....

Ques. 2. Are you acquainted with..... Lester Thompson....., the

holder of Permit No. G-26235, authorizing the diversion of.. 22.4.....second-feet of the waters
of subterranean sources....., at Malta, Idaho..
irrigation and
for.....culinary.....purposes? How long have you known him, and where does he reside?

Ans. ...I have known him for nine years.... He resides at Malta, Idaho.

Ques. 3. Have you read or heard read said Permit No. G-26235..., and are you familiar with its terms and conditions?

Ans. ...Yes, I am familiar with its terms and conditions.....

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. ...Yes, it was arid land, suitable for the development and.....
production of crops by the application of irrigation water.....
.1 miner's inch continuous flow per acre.....

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use? If so, when were they so completed? Yes, works are fully completed as to Sec. 16, the rest
being desert entry land. Deep well is of sufficient capacity to

Ans. ...convey 8.5 c.f.s. of water... Completed May 25, 1956.....

Ques. 6. Describe the works of diversion as they existed on the date stated in answer to Question 5, and give your estimate of their capacity on that date.

Ans. Well located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 16, Twp. 13 S., Rge. 27.,
E.B.M. Capacity 8.5 c.f.s.....

(Sign here.) Orville Udy

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, at my office in Burley....., County of

.....Cassia....., State of Idaho, on this day of
September..... A. D. 19 61

My Commission expires..... 8-17-65.....

Notary Public.

G-26235

The Depositions of Witnesses, in this form, taken separately, required in each case.

PERMIT No. G-26235

RECEIVED
OCT 20 1961
Department of Reclamation

Proof of Completion of Works

DEPOSITION OF WITNESS

In compliance with Sec. 5594, Compiled Statutes of Idaho.

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

Ans. Wayman D. Yarbough, farmer-rancher, Malta, Idaho

Ques. 2. Are you acquainted with.....Lester Thompson....., the

holder of Permit No. G-26235 authorizing the diversion of...22.4....second-feet of the waters of subterranean sources....., at...Malta, Idaho...
irrigation and
for.....culinary.....purposes? How long have you known him, and where does he reside?

Ans. ...I have known him for seven years... He resides at Malta, Idaho.

Ques. 3. Have you read or heard read said Permit No...G-26235..., and are you familiar with its terms and conditions?

Ans. ...Yes, I am familiar with its terms and conditions.....

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. ...Yes...it was arid land, suitable for the development and.....
production of crops by the application of irrigation water.....
1 miner's inch continuous flow per acre.....

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use? If so, when were they so completed? Yes, works are fully completed as to Sec. 16, the rest

Ans. being desert entry land... Deep well is of sufficient capacity to convey 8.5 c.f.s. of water. Completed May 25, 1956.

Ques. 6. Describe the works of diversion as they existed on the date stated in answer to Question 5, and give your estimate of their capacity on that date.

Ans. ...Well located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec...16, Twp...13 S., Rge...27,...
E.B.M. Capacity 8.5 c.f.s.....

(Sign here.)

Wayman D. Yarbough

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, at my office in Burley....., County of

.....Cassia....., State of Idaho, on this day of
September..... A. D. 1961..

My Commission expires.....8-17-65.....

[Signature]

Notary Public.

G26235

The Depositions of Witnesses, in this form, taken separately, required in each case.

PERMIT No. **G-26235**

RECEIVED
OCT 20 1961
Department of Reclamation

Proof of Completion of Works

DEPOSITION OF WITNESS

In compliance with Sec. 5594, Compiled Statutes of Idaho.

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

Ans. **Wayman D. Yarbough, farmer-rancher, Malta, Idaho.**

Ques. 2. Are you acquainted with **Lester Thompson**, the

holder of Permit No. **G-26235** authorizing the diversion of **22.4** second-feet of the waters of **subterranean sources** at **Malta, Idaho** for **irrigation and culinary** purposes? How long have you known him, and where does he reside?

Ans. **I have known him for seven years. He resides at Malta, Idaho.**

Ques. 3. Have you read or heard read said Permit No. **G-26235**, and are you familiar with its terms and conditions?

Ans. **Yes, I am familiar with its terms and conditions.**

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. **Yes, it was arid land, suitable for the development and production of crops by the application of irrigation water. 1 miner's inch continuous flow per acre.**

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use? If so, when were they so completed? **Yes, works are fully completed as to Sec. 16, the rest**

Ans. **being desert entry land. Deep well is of sufficient capacity to convey 8.5 c.f.s. of water. Completed May 25, 1956.**

Ques. 6. Describe the works of diversion as they existed on the date stated in answer to Question 5, and give your estimate of their capacity on that date.

Ans. **Well located in the SE 1/4 of Sec. 16, Twp. 13 S., Rge. 27, E.B.M. Capacity 8.5 c.f.s.**

(Sign here.)

Wayman D. Yarbough

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, at my office in **Burley**, County of

Cassia

State of Idaho, on this

September

A. D. 19 **61**

My Commission expires **8-17-65**

[Signature]

Notary Public.

September 19, 1961

Permits No. G-26233; G-26234; G-26235

S. T. Lowe & Kales E. Lowe
Attorneys at Law
Box 107, Burley, Idaho

Attn: Kales E. Lowe

Dear Mr. Lowe:

Enclosed are 3 Forms Deposition of Holder and 6 Forms
Depositions of Witness, also Forms 36 and 11.

These forms have been used in cases where proof of completion
of works had not been made within 10 days of the due date shown on the
permit to divert surface water. Note date requested under Question 6
of the holder and Question 5 of the witness.

As noted on the forms, these forms were used in compliance with
Section 5594, Compiled Statutes of Idaho. I have not tried to check
through from that section to see if it is in our present statutes.

Have these forms completed for each of the permits if you
believe that will give sufficient protection to the holder. Upon receipt
of the forms, properly completed, we will hold the permits in active
status and can reinstate the permits upon final inspection of the works.

It will also be necessary to make the regular proofs at your
earliest convenience.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. Forms - depositions
" 36 & 11

J 26234
B 26235

September 19, 1961

Permits No. G-26233; G-26234; G-26235

S. T. Lowe & Kales E. Lowe
Attorneys at Law
Box 107, Burley, Idaho

Attn: Kales E. Lowe

Dear Mr. Lowe:

Enclosed are 3 Forms Deposition of Holder and 6 Forms
Deposition of Witness, also Forms 36 and 11.

These forms have been used in cases where proof of completion
of works had not been made within 10 days of the due date shown on the
permit to divert surface water. Note date requested under Question 6
of the holder and Question 5 of the witness.

As noted on the forms, these forms were used in compliance with
Section 559h, Compiled Statutes of Idaho. I have not tried to check
through from that section to see if it is in our present statutes.

Have these forms completed for each of the permits if you
believe that will give sufficient protection to the holders. Upon receipt
of the forms, properly completed, we will hold the permits in active
status and can reinstate the permits upon final inspection of the works.

It will also be necessary to make the regular proofs at your
earliest convenience.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. Forms - depositions
" 36 & 11

September 18, 1961

Re: Permit Numbers:

G-26233

G-26234

G-26235/

S. T. Lowe & Kales E. Lowe,
Attorneys at Law,
Box 107,
Burley, Idaho.

Attention: Kales E. Lowe

Gentlemen:

Enclosed is photo copy of our office letter dated February 16, 1961; also photo copies of Order of Cancellation and attached thereto are 60 day notice in compliance with Idaho Code, Section 42-234, on the above permits as shown in the above caption of this letter.

The fee for producing photo copies is \$4.50 for which you may remit your check in favor of the Department of Reclamation.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

ROY W. THOMPSON
Supervisor of Water Distribution

Encl.
RWT:pmk

26235

May 1, 1961

Re: Permits No. G-26234; G-26235
Lester Thompson

S. T. Lowe & Kales E. Lowe
Attorneys at Law
P. O. Box 107
Burley, Idaho

Attn: James Annest

Dear Mr. Annest:

Enclosed are two sets of forms, legal notice of intention to make proofs and authorization for publication as requested by letter dated May 1, 1961.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. Form 36-11 (2 sets)

826235

S.T. LOWE 1881-1954
KALES E. LOWE
THOMAS H. CHURCH
JAMES ANNEST
PETER K. CHURCH, ASSOCIATE

S. T. LOWE
&
KALES E. LOWE
ATTORNEYS AND COUNSELLORS AT LAW
BURLEY, IDAHO
May 1, 1961

1337 ALBION AVENUE
P. O. BOX 107

RECEIVED
MAY 2 1961

Department of Reclamation

State of Idaho
Department of Reclamation
State House
Boise, Idaho

Attention: Mr. George N. Carter
State Reclamation Engineer

Dear Mr. Carter:

Could you please mail me the necessary forms for the submission of Proof of Completion of Works & Beneficial Use for Permits, Numbers G-26234 and G-26235, which permits were issued to Mr. Lester Thompson and cover the drilling of a total of twelve (12) wells.

→ Mr. Thompson also asked me to advise you that the permit, No. G-26233, could be cancelled since the desert land application of Gordon Thompson has been dropped.

The request for forms to submit proof is made pursuant to your notification of cancellation dated April 20, 1961.

Very truly yours,

S. T. LOWE & KALES E. LOWE


James Annest

JA:vw

B26235

AFFIDAVIT OF ROY W. THOMPSON

STATE OF IDAHO)
) ss.
County of Ada)

ROY W. THOMPSON, being first duly sworn upon his oath,
deposes and states:

That he is Supervisor of Water Distribution, Department
of Reclamation, State of Idaho, and as such is in charge of field
inspection of water installations made by the permittees. That he
is personally familiar with the Raft River Valley and the water
resource development of the area, and of the general location
of the lands applied for by the following applicants:

Reta Holtman
Edward K. Holtman
Edward J. Holtman
Sarah Rochelle Holtman
James Annett
Helen Pappas.

II.

That the land of the applicants is adjacent to and in
character with other lands of the area which have been developed
and reclaimed with subterranean water and applied to the pro-
duction of agricultural crops. That your affiant believes the
production of agricultural crops is the highest and most proper use
to which said land should be applied; that he has personally
observed crops growing upon adjacent reclaimed land; that said
crops were indicative of the high productivity of lands in said
areas; that it is your affiant's opinion that the said land is
the most productive soil in Raft River Valley.

III.

That there are eleven producing irrigation wells in the
vicinity of said entry. That there has been no evidence of any
diminution of the water table in any of said wells, and it is your
affiant's best information and belief that the water table in said
area has remained constant.

26235

Your affiant further states as pointed out in the abstract and summary of "U.S. Department of Interior Geological Survey Water Resources of Raft River Basin" studies:

"Ground water underflow in all the subbasins is generally parallel to surface streamflow. The Raft River Valley is the master subbasin and collecting ground for the entire water yield of the basin. Runout from the valley moves northward to the Snake River Plain through a broad area at least 12 miles wide."

Fluctuations of groundwater levels in the Raft River lowland generally are moderate. The annual range being about 5 to 6 feet. During the 5 year period, 1948-1952, there was little net change in water levels, despite increased pumping of ground water, and water levels actually rose in a few increased wells during these years. After mid 1953, there was a small but steady net lowering of the water levels in most observed wells amounting to 1 to 2.5 feet at corresponding times of successive years. "Much of the lowering probably would have occurred without ground water pumping, owing to subnormal precipitation records and by the low water yield of springs and streams in uplands where there has been no pumping of ground water."

That your affiant concurs in the findings of the U.S. Department of Interior Geological Survey findings above set forth and also: "That 1955 pumping rate of 87,000 acre fee of ground water per year probably could be safely increased sufficiently to irrigate 25,000 to 30,000 additional acres.

"The preliminary general conclusion is reached that sufficient uncommitted water is available and recoverable in the Raft River Basin to irrigate about 25,000 to 30,000 additional acres of properly situated land."


ROY W. THOMPSON
Supervisor of Water Distribution

Subscribed and sworn to this 24 day of
April, 1961.

M. L. Franklin
Notary Public for Idaho,
Residing at Boise, Idaho

A26235

AFFIDAVIT OF GEO. N. CARTER

STATE OF IDAHO }
 } ss.
County of Ada }

GEO. N. CARTER, being first duly sworn upon his oath,
deposes and states:

I.

That he is the State Reclamation Engineer, Department of Reclamation, State of Idaho, and as such has general supervision of awarding of water rights as by state laws prescribed. That he is personally familiar with the Raft River Valley and the water resource development of the area, and of the general location of the lands applied for by the following applicants:

Reta Holtman
Edward K. Holtman
Edward J. Holtman
Sarah Rochelle Holtman
James Annett
Helen Pappas.

II.

That the land of the applicants aforementioned is adjacent to and in character with other lands of the area which have been developed and reclaimed with subterranean water and applied to the production of agricultural crops. That your affiant believes the production of agricultural crops is the highest and most proper use to which said land should be applied; that he has personally observed crops growing upon reclaimed land in the vicinity thereof; that said crops were indicative of the high productivity of lands in said areas; that it is your affiant's opinion that said lands are among the most productive soils in Raft River Valley.

26235

III.

That there are eleven producing irrigation wells in the vicinity of said entry. That there has been no evidence of any diminution of the water table in any of said wells, and it is your affiant's best information and belief that the water table in said area has remained constant.

Your affiant further states as pointed out in the abstract and summary of "U.S. Department of Interior Geological Survey Water Resources of Raft River Basin" studies:

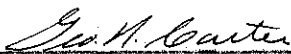
"Ground water underflow in all the subbasins is generally parallel to surface streamflow. The Raft River Valley is the master subbasin and collecting ground for the entire water yield of the basin. Runout from the valley moves northward to the Snake River Plain through a broad area at least 12 miles wide."

Fluctuations of groundwater levels in the Raft River lowland generally are moderate. The annual range being about 5 to 8 feet. During the 5 year period, 1948-1952, there was little net change in water levels, despite increased pumping of ground water, and water levels actually rose in a few wells during these years. After mid 1953, there was a small but steady net lowering of the water levels in most observed wells amounting to 1 to 2.5 feet at corresponding times of successive years. "Much of the lowering probably would have occurred without ground water pumping, owing to subnormal precipitation records and by the low water yield of springs and streams in uplands where there has been no pumping of ground water."

That your affiant concurs in the finding of the U.S. Department of Interior Geological Survey findings above set forth, and also:

"The preliminary general conclusion is reached that sufficient uncommitted water is available and recoverable in the Raft River Basin to irrigate about 25,000 to 30,000 additional acres of properly situated land."

That the Department of Reclamation of the Sovereign State of Idaho, is keenly interested and it is the policy of the Department to promote the full development of the water resources of the State.


GEO. N. CARTER
State Reclamation Engineer

Subscribed and sworn to this 24 day of April, 1961.


Notary Public for Idaho,
Residing at Boise, Idaho

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

April 20, 1961

Re: Permit No. G- 26235

To Lester Thompson
Malta, Idaho

It appearing to the State Reclamation Engineer that the terms and conditions of Permit No. G- 26235 to Appropriate the Public Waters of the State of Idaho, have not been complied with as to Completion of Works & Beneficial Use Proofs which were due March 8, 1961

YOU ARE HEREBY notified in compliance with Sec. 42-234, Idaho Code that said Permit No. G- 26235 is hereby held for cancellation.

YOU ARE HEREBY required to show cause before the State Reclamation Engineer on or before sixty days from date of this notice why said Permit should not be cancelled.

SAID PERMIT NO. G- 26235 claims the use of 22.4 cubic feet per second of the Subterranean Waters of 6 wells with points of diversion located SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 9; SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 16; SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 21; SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 28; Twp. 13 S/ ^{Rge. 27 E.B.M.} and was approved March 8, 1956.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of my office at Boise, Idaho, the 20th day of April, 1961.

Geo. H. Carter
State Reclamation Engineer

Return Receipt on 9-26234

826235

February 16, 1961

Re: Permit Nos. G-26221, G-26222, G-26223, G-26224, G-26225,
G-26226, G-26227, G-26228, G-26229, G-26230,
G-26231, G-26232, G-26234, G-26235, G-26400,
G-26482, G-26484, G-26485

S. T. Lowe & Kalas E. Lowe
Attorneys at Law
Burley, Idaho

Attn: James Amnest

Dear Mr. Amnest:

We enclose Extensions of Time for an indefinite period on all permits listed above, which are in connection with desert land entries. Permits G-26234 and G-26235, in the name of Lester Thompson, are permits for the appropriation of water to decedent lands, and for this reason no extension can be granted beyond the five years allowed under the law.

This office should be notified promptly of final action in regard to the desert land entries.

Very truly yours,

GEO. H. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RW:ew

Enc. 17 extension

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

DEPARTMENT OF RECLAMATION
Boise, Idaho

Re: Permit No. G- 26234
26235

Date: Jan 3, 1961

Lester Thompson
Malta, Idaho

Dear Sir:

The date for proofs of Completion of Works and Application of Water to Benefi-
cial Use, as set out under the terms of Permit No. G- 26234 are due not later
than March 8, 1961. 26235

Before these proofs can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper within the county in which the land is located. In completing the Notice of proof for publication, the information should be taken from your Permit, including any amendments made in connection with a change of point of diversion or land list which has been recorded in this department. If changes have been made and no amendments are on record, we advise that you request a form for this purpose before your Notice is published.

We enclose Form 36, in duplicate, which is to be filled out and returned to this department at least forty (40) days before the 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 notary public before whom you will appear to make the depositions of proof (this may be at any place convenient for you and your two witnesses), the quantity of water filed; for what purpose it is used; the point of, or points of diversion; and the location of use 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 Form 36.

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

Very truly yours,

GEO. N. CARTER
STATE RECLAMATION ENGINEER

J26235

Enclosures Form 36 - 11 - 2 sets

Permit No. *B-26235*

Mr. Lester Thompson
Malta
Idaho

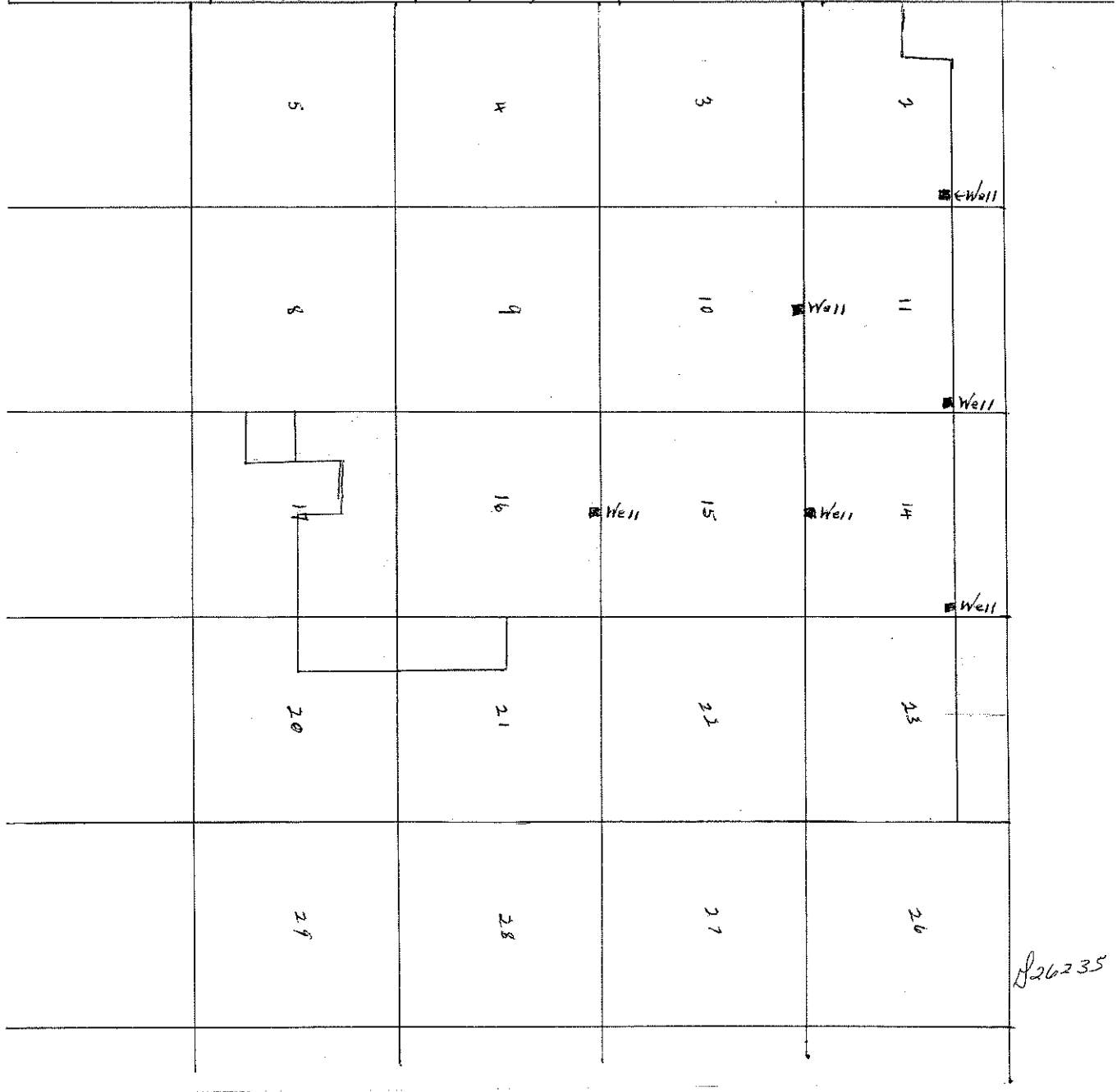
See letter of Transmittal under File No. C-26221 under
date of March 12, 1956.

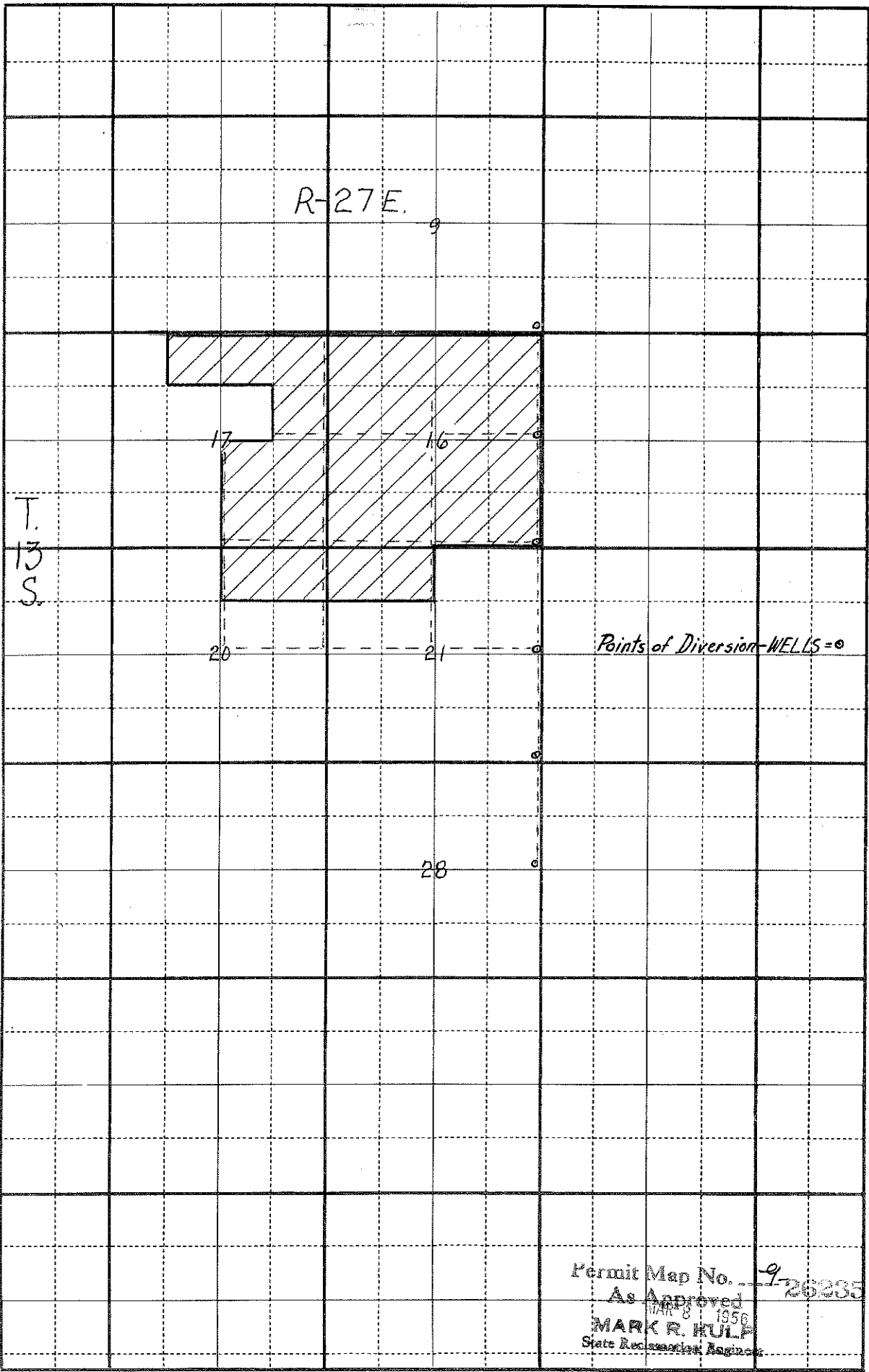
Also see letter to the Idaho District Land Office under
same date and file number.

B-26235

US 4 1/2 Private La 1/2

TWP 13 S. R 27 EBM





B26235

**NOTICE OF PROOF OF COM-
PLETION OF WORKS
and
APPLICATION OF WATER TO
BENEFICIAL USE**

Notice is hereby given that at 10 A.M. on the 28th day of November, 1961, at Burley, County of CASSIA, State of Idaho, before Kalss E. Lowe, Notary Public, at 1337 Albion Ave., Burley, Idaho, proof will be submitted of the completion of works for the diversion of 8.5 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-28225, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Lester Thompson, Malta, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water said works are capable of conveying to the place of use is 8.5 cubic feet per second.

3. The use to which said water has been applied is irrigation and domestic purposes, and the amount applied to beneficial use is 8.5 cubic feet per second.

4. The point of diversion of said water is the SE 1/4 NE 1/4 of Sec. 16, Twp. 13 S., Rge. 27, E.B.M.

5. The place where said water is used is all of Sec. 16, Twp. 13 S., Rge. 27, E.B.M.

6. The date of priority which said user is prepared to establish is March 5, 1956.

**GEO. N. CARTER,
State Reclamation En-
gineer**

Published in Herald-Bulletin
Oct. 27, Nov. 3, 10, 17, 1961.