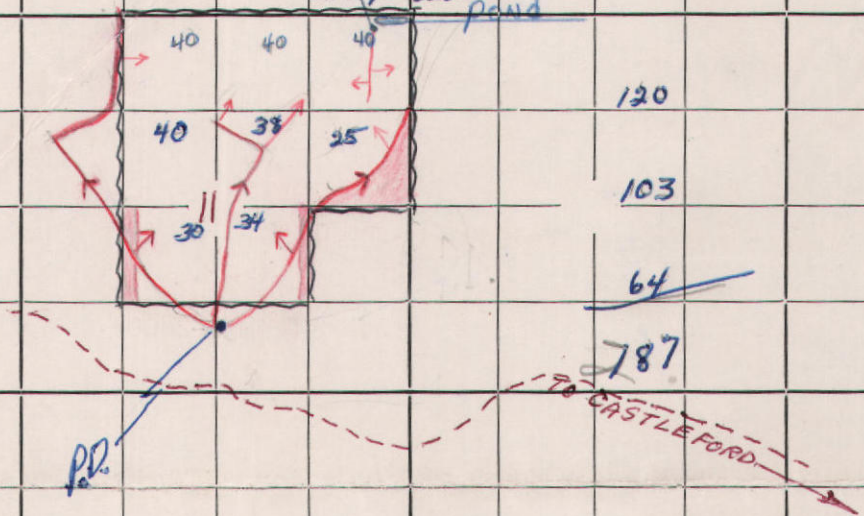


R-12E.

Sump Pump
10 HP 2 S. motor # 3096485
Lump & double pump # 003652
6" gate valve into 6" x 2600' of mainline
into open ditch
pond

T.
10
S.



Subdivisions 8

AREA 2187 ACRES

⑦ 3.61 CFS OR 180 1/2 inches

Affidavit of Publication

No. 9508

NOV 13 1962

STATE OF IDAHO,
COUNTY OF TWIN FALLS

ss.

I, Marion L. Clark, being first duly sworn upon

oath depose and say that I am Principal Clerk of the TIMES-News, published daily, except Saturday, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for one

consecutive Thursdays, commencing with the issue dated September 27, 19 62, and ending with the issue dated October 18, 19 62

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-News, since such consolidation, has been published as a daily newspaper except Saturday, under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

Subscribed and sworn to before me this 18 day of

October, 19 62

Notary Public
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho.

28003

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

Notice is hereby given that at 10 a.m. on the 1st day of November 1962, at Twin Falls, County of Twin Falls, State of Idaho, before John C. Hepworth, Notary Public, at Buhl, Idaho, proof will be submitted of the completion of works for the diversion of 6.4 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-28008, 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 Anton Potucek, Route 2, Buhl, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 6.4 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 6.4 cubic feet per second.

4. The point of diversion of said water is SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 11, T. 10 S., R. 12 E., B. M., Idaho.

5. The place where said water is used is NE $\frac{1}{4}$, E $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 11, T. 10 S., R. 12 E., B. M., Idaho.

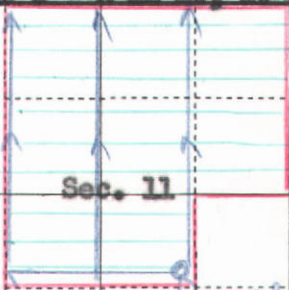
6. The date of priority which said user is prepared to establish is June 28, 1959.

GEO. N. CARTER
State Reclamation Engineer
Publish: Sept. 27, Oct. 4, 11, 18, 1962.

NAME OF APPLICANT.....Antone A. Potucok.....

Form No. 0

T 10 S - R 12 E., B.M.



Permit Map No. 28003
As Approved JUN 26 1959
GEO. N. CARTER
State Reclamation Engineer

RECEIVED

FEB 4 1974

Department of Water Administration
Southern District Office

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Identification No. 1949
51-2260 51-2261 51-2262
Transfer No. 47-2314, 47-2320, 47-2324

APPROVED

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

- 1 Name of Right Holder Richard L. &/or Patricia M. Kerbs
Post office address 1340 York Drive, Blackfoot, Idaho 83221
- 2 Right obtained by
a Decree to _____ in Case of _____
(Name)
vs _____, Dated _____ in _____
(Name of Court)
Court County of _____
b License No (1) 47-2314 (2) 47-2320 (3) 47-2324 issued by the State of Idaho, Department of Reclamation
- 3 Source of water ground water tributary to _____
(Name of stream or source)
- 4 Date of Priority (1) April 8, 1966 (2) June 23, 1959 (3) August 3, 1959
- 5 Amount of water a _____ c f.s. and/or (1) 5.68 cfs
(2) 3.61 cfs
b _____ acre feet/annum (3) 1.20 cfs
- 6 Water is used for irrigation from April 1 to Oct. 31
(Month, Day) (Month, Day)
- 7 Original location of point of diversion is _____ 1/4 _____ 1/4 of Section _____,
Township _____, Range _____, B M, in Twin Falls County;
Additional points of diversion, if any (1) NW 1/4 SW 1/4 Sec. 2; (2) SW 1/4 SE 1/4 Sec. 11;
(3) SW 1/4 SE 1/4 Sec. 11; all in Twp. 10 S, Rge. 12 E, B.M.

- 8 Lands presently irrigated or place of use:

TWP	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
10 S	12 E	2										20	38						58
		3									19 1/2			19 1/2	39		39 1/2	39 1/2	157
		10	30	19		2													51
		11	40	40	38	25	40	33	2	40	30	32		4		34	3		361
		12						5											5

Total number of acres presently irrigated 632

51-2261
~~47-2320~~

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

10. CHANGE IN POINT OF DIVERSION

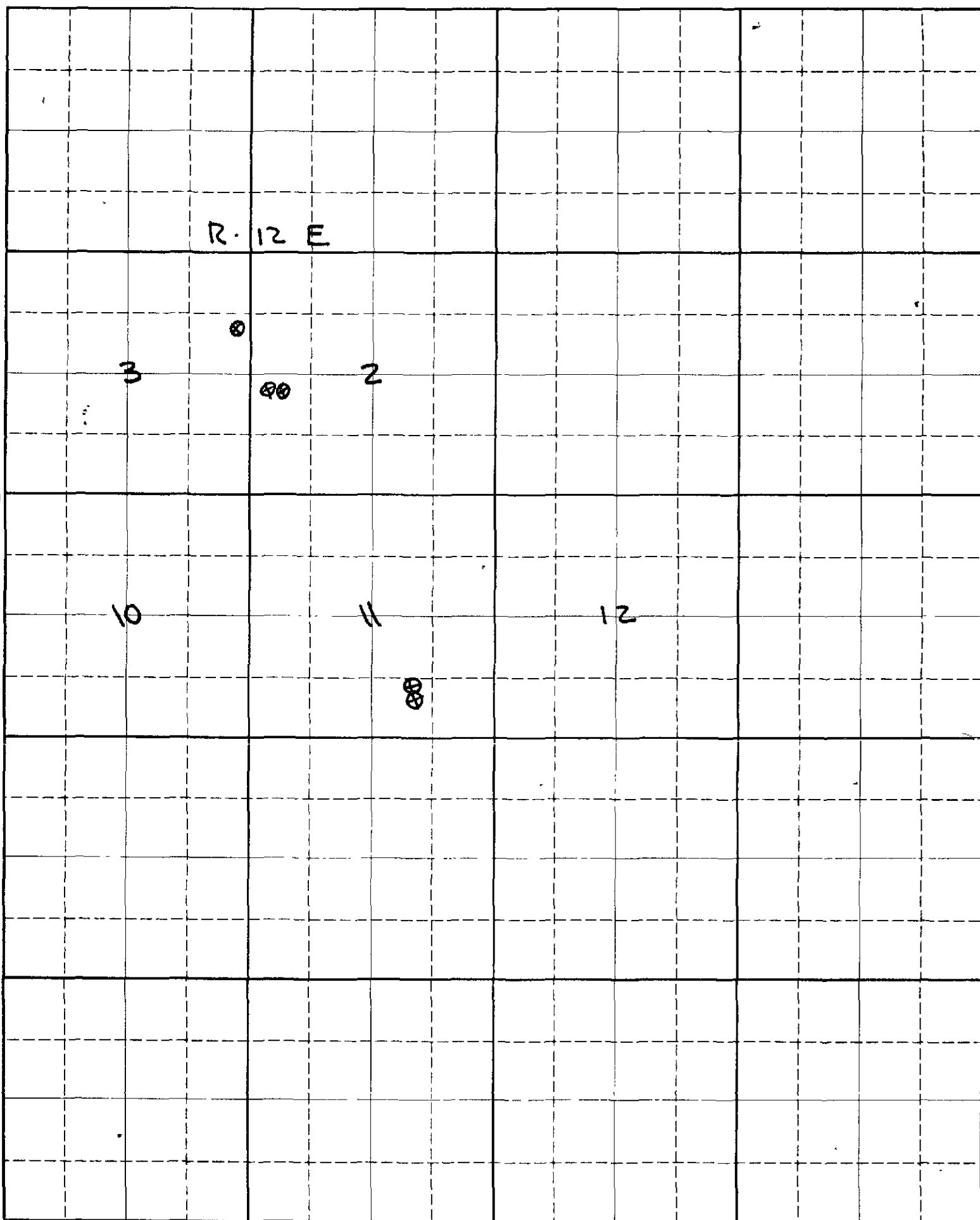
- a. Quantity to be diverted at new point: 10.49 cfs c.f.s. and/or _____ acre feet
- b. New point of diversion: SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 3, Township 10 S
_____, Range 12 E, B.M. NWSW (2 points) Sec. 2; SWSE (2 points) Sec. 11;
all in Twp. 10 S, Rge. 12 E, B.M.
- c. Description of method of diversion and conveyance from new points of diversion: _____
Pipeline and sprinkler system
- d. Is water to be conveyed to the lands previously irrigated? Yes X No _____
If not, the place of use should be changed below.
- e. Describe the reasons for applying for a change in the point of diversion: _____
Desire to combine all five wells under one irrigation project.
- 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 $\frac{1}{4}$	

Total number of acres to be irrigated 17 2320



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

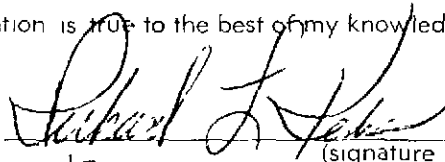
b. Do you intend to make the transfer permanent? _____

c. Are you completely abandoning the lands previously irrigated by this right? If not, explain your plans:

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

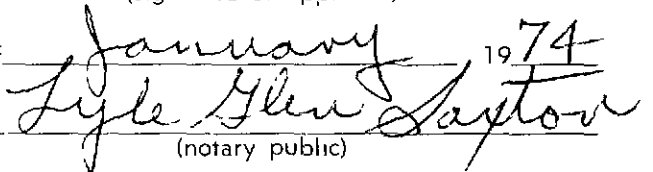
e. Indicate on the above plat the new land to be irrigated and the point of diversion

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



(signature of applicant)

Subscribed and sworn to before me this 31st day of January 1974


(notary public)

My commission expires 14 July 1974

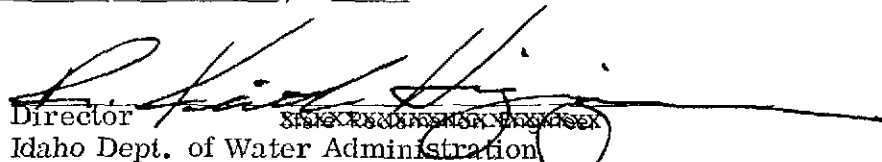
**ACTION OF STATE RECLAMATION ENGINEER
AND CERTIFICATE OF TRANSFER**

This is to certify that I have examined Application for Transfer of Water Rights No 47-2314, 47-2320 and 47-2324 and said application is hereby APPROVED

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

2. Denial of said application is for the following reasons

Witness my hand this 19 day of March, 1974


Director
Idaho Dept. of Water Administration

FOR DEPARTMENT USE ONLY

Received by de Date 1-31-74

Protest filed by _____ Date _____

Prelim check by de Date 1-31-74

Fee received by de Date 1-31-74 Fee \$ 30.00 Receipt # 13647

Approved for publication by 1-31-74

Published in Buhl Herald Dates 2-14 & 2-21-74

17 2320

Hearing held _____

Watermaster Recommendation sent _____

7771+

State of Idaho
License and Certificate of Water Right

Water License No. G-28003

Amount 3.61 c.f.s.

Water District No. _____

Priority June 23, 1959

THIS IS TO CERTIFY that ANTON A. POTUCEK
of Buhl, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated June 23, 19 59; that Permit No. G-28003
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
3.61 second feet, was issued thereunder on November 1, 19 63, showing that said works
were completed on the 31st day of October, 19 62; and that on the 31st
day of October, 19 62,

ANTON A. POTUCEK

of Buhl, 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
, under Use Permit No. G-28003 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 7771, on the 1st day of November, 19 63;

The right hereby confirmed dates from June 23, 19 59;

The Point of Diversion is located
in the SW 1/4 SE 1/4, Sec. 11, Tp. 10 S, R. 12 E, B. M. County Twin Falls

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 3.61 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
10 S.	12 E.	11	N $\frac{1}{2}$ NE $\frac{1}{4}$	80	80
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	40	38
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	40	25
			E $\frac{1}{2}$ NW $\frac{1}{4}$	80	80
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	40	30
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	40	34
			Total number of acres to be irrigated:		287

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

1st day of November, 19 63.

RALPH W. THOMAS
Deputy State Reclamation Engineer.

(SEAL)

~~17-2320~~
51-2261

+ 7772 ✓

State of Idaho
License and Certificate of Water Right

Water License No. 24599 Amount .24 c.f.s.
Water District No. Priority March 18, 1954

THIS IS TO CERTIFY that GEORGE A. STEWART
of Arbon, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated December 4, 1953; that Permit No. 24599
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
.80 second feet, was issued thereunder on February 20, 1959, showing that said works
were completed on the 17 day of February, 1959; and that on the 24th
day of March, 1959,

GEORGE A. STEWART
of Arbon, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Muddy Creek
, a tributary of sinks, for the purpose of irrigation
, under Use Permit No. 24599 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 7772, on the 1st day of November, 1963;
The right hereby confirmed dates from March 18, 1954;
The Point of Diversion is located 3 points in
in the SE 1/4 NE 1/4, Sec. 13, Tp. 9 S, R. 34 E., B. M. County Power
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 .24 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
9 S.	34 E.	13	SE 1/4 NE 1/4	18	12

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
1st day of November, 1963.

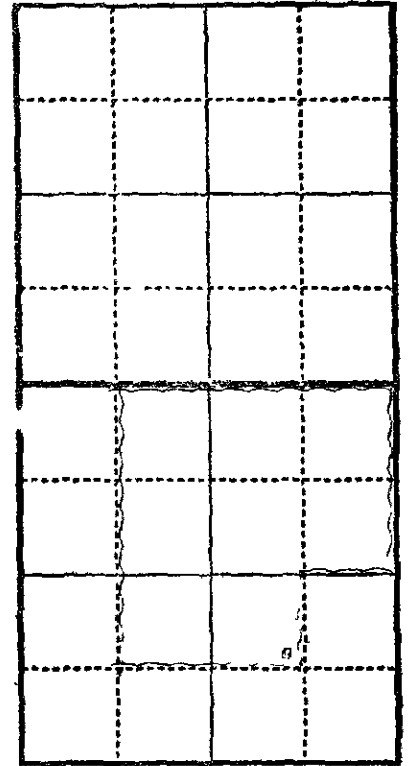
(SEAL) RALPH W. THOMAS
Deputy State Reclamation Engineer.

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 35962
Permit No. G- 28003
District No.

1. Name of Applicant: Anton A. Potucek
Postoffice address: Rt. 2, Buhl County: Twin Falls State: Idaho
2. Quantity of water claimed: 320 miner's inches
(a) Rate of withdrawal in cubic feet per second 6.4 or Idaho
Miners' inches or gallons per minute
(b) Annual withdrawal in acre feet per annum
3. Source of water supply: Drilled well
4. Location of point of diversion or well is in the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 11
Twp. 10 S , Rge. 12 E , B.M., County of Twin Falls
5. Water is to be used for: Irrigation
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: Drilled well, to be cased and equipped with turbine type pump and motor
8. Estimated cost of works: \$ 15,000
9. (a) Is reservoir to be used? no
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:
I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
II. The financial resources of the applicant are (a) Cash on hand: \$
(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) 6.4 (cubic feet per second, inches or gallons per minute) is for new lands.



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

By s/ Harley M. McDowell Agent.

Returned to applicant for correction:

DESERT ENTRY - Idaho Ser. No. _____

Corrected application received:

Allowed: _____

The number of this permit is G— 28003

Recorded in Book 99 Page 28003 Approved June 26, 1959

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before _____ and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before December 26, 1961

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before June 26, 1964

Witness my hand this 26th day of June, 1959

S/ GEO. N. CARTER
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, W. E. DREVLLOW, Acting, Governor of the State of Idaho,
and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 26th
day of June, 1959

Countersigned:

STATE OF IDAHO

(SEAL)

By s/ ARNOLD WILLIAMS

By S/ W. E. DREVLLOW,
Acting Governor

Secretary of State.

12.

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
10 S	12 E	11	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	320	
APPLICATION FOR AMENDMENT TO PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO, NO. G-28003 Comes now Anton A. Potucek and represents to the State Reclamation Engineer of the State of Idaho: That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-28003. That the point of diversion is described in said permit as being located NW¹/₄SE¹/₄, Section 11, T 10 S - R 12 E. B. M., Idaho That he now requests that the point of diversion be changed to a point located SW¹/₄NW¹/₄, Section 11, T 10 S - R 12 E., B.M. That the reason for desiring to make such change is as follows: This is a more feasible well site. That no one will be injured by such change, and that such change will be made at Permit Holder's own risk. Signed at Boise, Idaho, this 8 day of March, 1960 /s/ Anton A. Potucek Date of receipt at Department of Reclamation: March 11, 1960 Recorded: March 11, 1960																			

APPROVAL OF STATE RECLAMATION ENGINEER.

I, Geo. N. Carter, State Reclamation Engineer of the State of Idaho, HEREBY APPROVE the above and foregoing application for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. G-28003. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

/s/ GEO. N. CARTER
State Reclamation Engineer

Recorded: March 11, 1960

Application for Amendment ✓
POINT OF DIVERSION
Permit No. G-28003

Comes now ANTON A. POTUCEK and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. G-28003.

That the point of diversion is described in said Permit as being located: SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 11, T. 10 S., R. 12 E. B. M., Ida.

That he now requests that the point of diversion be changed to a point located: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 11, T. 10 S., R. 12 E., B. M., Ida.

That the reason for desiring to make such change is as follows: More feasible well site.

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

Signed at Boise, Idaho, this 15th day of June, 1962.

s/ ANTON POTUCEK

Date of Receipt at Department of Reclamation: June 20, 1962

APPROVAL OF STATE RECLAMATION ENGINEER

I, RALPH W. THOMAS, Deputy State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. G-28003. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

s/ RALPH W. THOMAS, Deputy
State Reclamation Engineer

Recorded: June 21, 1962

Permit No. G-28003
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that ANTON A. POTUCEK of Buhl, County of Twin Falls, and State of Idaho, the holder of Permit No. G-28003, issued upon Application No. G-35962, bearing date of priority of June 23, 1959, authorizing the diversion of 6.4 second feet of waters of a well, County of Twin Falls, State of Idaho, for irrigation 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 3.61 second feet of the waters of a well from subterranean flow; that the point of diversion of said waters SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 11, T. 10 S., R. 12 E., B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit:

NE $\frac{1}{4}$ SW $\frac{1}{4}$
287 acres in NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 11, T. 10 S., R. 12 E., B. M.

Witness my hand this 1st day of November A. D. 1963.

s/ RALPH W. THOMAS
Deputy State Reclamation Engineer

Proof of Completion of Works Made: October 31, 1962

LICENSE ISSUED FOR 3.61 SEC. FT.

Page 7771



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

July 27, 1993

Reagon Hatch
Harry Hoogland
1780 E. 3800 N.
Buhl, ID 83316

Re: Water Rights for L&M Farms

Dear Reagon,

You and I spoke about the above mentioned water rights earlier this month. This letter should serve as an outline of that discussion.

There are four licensed rights apputenant to the land in question. Three of these rights (51-02260, 51-2261 and 51-02262) were combined under Transfer #1949 in 1974. According to the terms of that Transfer, the three rights were tied together for a combined diversion rate of 10.49 cfs (cubic feet per second). When license 51-07200 was finalized, it was determined that no new water had been developed from the existing wells and the diversion rate under this right is not additive. To summarize: five wells are licensed under these four rights for the delivery of 10.49 cfs on lands currently owned by L&M Farms.

Please let me know if I can be of further assistance. If you have any questions, please contact me at 327-7925 in Boise.

Sincerely,

A handwritten signature in cursive script that reads 'Roxanne McCarthy'.

Roxanne McCarthy
Senior Water Resource Agent
Adjudication Bureau

RM:rm:state:tf



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address
Statehouse
Boise, Idaho 83720
(208) 334-4440

MEMORANDUM

TO: Files 51-2260, 51-2261, 51-2262 and 51-7200

FROM: Glen Saxton *ms*

DATE: February 26, 1985

A question recently arose questioning the effect of the limiting condition shown on License No. 51-7200 and on the three other above-referenced transferred rights.

Transfer No. 1947 provides that any or all of the 10.49 cfs can be diverted from one or more wells approved on the transfer, with 10.49 cfs being the maximum total combined rate.

License No. 41-7200, issued later in time than the transfer, essentially limits the rate of diversion from wells in NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 2, to the measured capacity of the wells (from prior exams) to 5.68 cfs. No additional rate of diversion was created by License No. 51-7200.

The effect of the condition on License No. 51-7200 is not to reduce the maximum of 10.49 cfs which can be diverted under the transfer, but to show that the rate licensed under 51-7200 is not additive to the rates diverted from ~~some~~ *the same* wells under the transfer.

Another way to consider the effect of the condition shown on License No. 51-7200 on Transfer No. 1949 can be described in the following scenario:

If all four licensed water rights were considered together for the irrigation of all the land described under the four licenses, the maximum rate of diversion could not exceed 10.49 cfs.

MAILED

MAR 10 1988

SEE FILE 47-2314 FOR TRANSFER CORRESPONDENCE

47 2326

December 15, 1970

Re: Permit No's. 28003/47-2320
28075/47-2324

Anton A. Potucek
Route #2
Buhl, Idaho 83316

Dear Mr. Potucek:

This letter is to notify you as a permit holder in the Blue Gulch area that a portion of the land west of Salmon Falls Creek has been declared a critical ground-water area and closed to further appropriation of ground water. This designation went into effect December 9, 1970 and will remain until it is shown that ground-water withdrawals do not exceed the estimated natural recharge to the area.

A public hearing will be held at the Buhl Senior High School, January 7, 1971 at 8:00 P.M., to accept any testimony or comment regarding the closure. A copy of the notice and hearing and description of the area is enclosed for your information.

Very truly yours,

Sherl L. Chapman
Acting Assistant Director

SLC:rh
Enc.

2320

WELL LOG AND REPORT

Log No. _____

Rec. _____, 19____

Well No. _____

Permit No. 9 28003

(DO NOT FILL IN)

Owner Anton Patueck Driller Rocco Harluf
Address Castelford Idaho Address Truque Ida Lic. No. 75
Location of Wells. 1/4 NW 1/4 Sec. 11E, T. 10 N, R. 12 E Truque Falls County.
and _____ feet N/S, and _____ feet E/W from _____ corner of _____ 1/4 _____ 1/4 Sec.
Filing date _____
Water will be used for irrigation Total depth of well 365
Size of drilled hole 2 1/2"
Thickness of casing _____ Casing material _____
Diameter, length and location of casing 6 ft of 2 1/2 inch casing
Number and size of perforations 2 1/2" located _____ feet to _____ feet
from surface of ground.
Other perforations: _____
If flowing well, give flow in c.f.s. _____ or g.p.m. _____ and shut in pressure _____
If non-flowing well, give depth of standing water from surface 310
On pumping test delivery was 170 g.p.m. or _____ c.f.s. Drawdown was _____ feet
Length of time pumped during check was _____ hr. _____ min. Water temp. _____ * Fahrenheit.
Date of commencement of well Sept 17 60 Date of completion of well Nov. 19/1960
Type of well rig 1 5/8" kellystone

GENERAL INFORMATION - Pumping Test, Quality of Water, Etc.

WELL LOG

[illegible]

The information above is correct and true to the best of my knowledge.

Signed Resco Harley

By _____

License No. 75

28003

500 - June 20-62

State of Idaho
DEPARTMENT OF RECLAMATION

Boise, Idaho

August 20, 1963

Re: Permit No. G-28003

Anton A. Potucek
Rt 2
Buhl, Idaho

Dear Mr. Potucek:

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-28003 shows the well is (are) capable of conveying 180.5 miner's inches, or 3.61 c.f.s. of water for the irrigation of 287 acres.

Upon receipt of the statutory fees, totaling \$ 21.00 , which consists of a Completion of Works fee of \$ 5.00 and License and Certificate of Water Right fee of \$ 16.00 - 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 June 23, 1959 to the use of 3.61 second feet of subterranean water with the point of diversion in the SW 1/4, Sec. 11 for irrigation of 287 in the NE 1/4, E 1/2 NW 1/4, NE 1/4 SW 1/4, NW 1/4 SW 1/4, Sec. 11, T. 10 S., R. 12 E., B.M.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(Mrs.) Edna F. Bule
Chief Clerk

EPR:mr

28003 p1

September 10, 1963

RE: Permit No. G-28003

Anton Potucek
Lot 2
Buhl, Idaho

Dear Mr. Potucek:

We acknowledge receipt of your check in the amount of \$16.00.

We refer you to our letter of August 20, 1963 in which we stated that the fees were a Certificate of Completion of Works fee of \$5.00, and License and Certificate of Water Right fee of \$16.00, based at the rate of \$2.00 for each 40-acre subdivision, making a total of \$21.00.

Upon receipt of another check in the amount of \$5.00 we will issue the Certificate of Completion of Works and License and Certificate of Water Right.

Very truly yours,

CARL E. TAPLIN
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

ELR:mr

28003

October 30, 1965

Anton A. Potucek
Rt 2
Buhl, Idaho

Dear Mr. Potucek:

We received a check for \$5.00 signed by Letta Potucek and noted it was for certificate of completion of works fee.

The only such fees due this office also include the fee for the Certificate and License of Water Right for water from a well.

Kindly notify us the number of the permit or some other description in order that the payment may be credited to the proper permit.

Very truly yours,

RALPH W. THOMAS
Deputy State Reclamation Engineer

RTT:r

November 1, 1963

Re: Permit No. G-28003

Anton A. Potucek
Route #2
Buhl, Idaho

Dear Mr. Potucek:

Enclosed are Certificate of Completion of Works
and License and Certificate of Water Right issued on Permit
No. G-28003.

Also enclosed is departmental receipt No. G-8348
in the amount of \$21.00 covering fees.

Very truly yours,

CARL W. TAPPAN
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

ELR:ew

Enc. certificates
receipt

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-28003

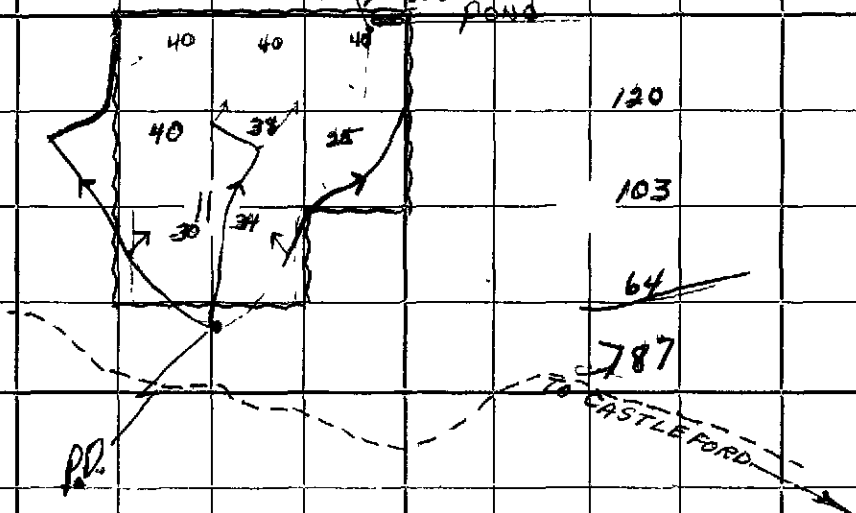
REPORT ON PROOF OF Completion of Works & Beneficial Use

Anton A. Potucek, Rt. #2, Buhl, Idaho

R-12E.

Sump Pump
10 HP 2 S. motor # 3096495
dumps water pump # 003652
16 gal. water into 6" x 2600' of mainline
into open ditch pond

T.
10
S.



Subdivisions 8

AREA 2187 ACRES

⑦ 3.61 CFS OR 180 1/2 inches

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

Permit No. G-28003This proof is for Completion of Works & Beneficial Use In Water District No. _____1. Name of applicant Anton A. Potucek2. Source of water supply: Subterranean3. Location of point of diversion: Is in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 11T. 10 S. R. 12 E.B.M. County of Twin Falls4. Describe works as they exist, giving dimensions and capacities of same: 150 H.P. H.C.

Motor # 0VJ 210003 pump # 23494 8" x 330' Column
20" x 6' Caseing h: 324' D.O. well depth 374'
10" discharge V'S 10" x 48' into open ditch west 9 3/4" x 15' discharge pipe with
9" gate valve into concrete distribution box 6' x 7' x 2' into open ditch

5. Water is used for: Irrigation6. 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):

NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 11., Twp. 10 S., Rge. 12 E.B.M.

(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. Anton A. Potucek (owner) participated in examination

Measurement was made with Cippolletti weir
.66 over 2' weir or 180 1/2 inches

This examination was made on the 14th day of August, 1963(Signed) Ron Ulberg Examiner.

28003

Anton A. Potucek
Route #2
Buhl, Idaho

Permit No. G-28003

Examination for Completion of Works & Beneficial Use

County Twin Falls

Quantity: 6.4 c.f.s. Sec. 11 T. 10S R. 12 EBM

Source: Well

P.D.: June 25, 1904

Use: Irrigation

Filed: June 23, 1904

Due: June 26, 1904

Extension: —

Protest: —

Completion of Works:

Other Rights: none

Driller - L. H. Drilling (Jerome)

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

Department of the Interior

~~XXXXXXXXXX~~

August 12, 1963

Re: Permit No. G-28003

Anton A. Potucek
Rt 2
Buhl, Idaho

Dear Mr. Potucek:

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 August 13, 1963.

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

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

Field Engineer

RH:mr

28'003

1M April 1962

November 15, 1962

Re: Permit No.

C-28003

**Anton A. Potunsek
Route #2
Buhl, Idaho**

Dear Mr. Potunsek:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the ~~Times-Herald~~, all submitted in proof of completion of works and beneficial use on Permit No. **C-28003.**

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: Wm. L. Huester
% Hopworth and Huester
Farmers National Bank Building
Buhl, Idaho**

28003

Affidavit of Publication

No 9508

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

Notice is hereby given that at 10 a m. on the 1st day of November 1962, at Twin Falls, County of Twin Falls, State of Idaho, before John C. Hepworth, Notary Public, at Buhl, Idaho, proof will be submitted of the completion of works for the diversion of 6.4 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-28403, 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 Anton Potucek, Route 2, Buhl, Idaho

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 6.4 cubic feet per second

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 6.4 cubic feet per second.

4. The point of diversion of said water is SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 11, T. 10 S., R. 12 E., B. M., Idaho.

5. The place where said water is used is NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 11, T. 10 S., R. 12 E., B. M., Idaho

6. The date of priority which said user is prepared to establish is June 23, 1959.

GEO. N. CARTER

State Reclamation Engineer

Publish. Sept 27, Oct. 4, 11, 18, 1962.

STATE OF IDAHO,
COUNTY OF TWIN FALLS

ss.

I, Marion J. Clark, being first duly sworn upon

oath depose and say that I am Marion J. Clark of the TIMES-NEWS, published daily, except Saturday, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for

consecutive 11 days, commencing with the issue dated September 27, 1962, and ending with the issue dated October 18, 1962

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

Subscribed and sworn to before me this 15th day of

October, 1962

Al Westgren
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho.

28, 10, 2

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G-28003

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. Anton Potucek, Route # 2 Buhl, Idaho Farmer

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. Not a corporation

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

Ans. Permit No. G-28003, dated June 23, 1959 Date of priority June 23, 1959

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

Ans. Well in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 11 Township 10 South Range 12, E.B.M.
Twin Falls County, Idaho

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. Well 360 feet, no casing, water is 324 feet. Pump discharged
178 miner's inches of water Tested by Layne & Bowler Pump Co.
Ditches are capable of conveying water to land under cultivation.
Gravity flow irrigation.

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. Water is used to irrigate agricultural land. It is used on the
NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 11, Township 10, South
Range 12, E.B.M., Twin Falls County, Idaho for a total of 288 $\frac{1}{2}$
acres. All is cultivated land, cleared brush, leveled land,
constructed ditches, grown two years crops

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

Ans. G & H Drilling Co., Jerome, Idaho

28003

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

Ans. Only for irrigation purposes

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

Ans. None, since not to generate power, all 178 miner's inches required for irrigation.

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. I am the original person to whom permit was issued.

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

Ans. During crop years of 1961 and 1962 for irrigation of crops grown on lands herein described.

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. Only used this wells water. Have placed sump pump to reuse waste water from this well and reapply to beneficial use on lands above described

(Sign)^r

Anton Potuck

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 Buhl, County of Twin Falls,

State of Idaho, on this 7 31 day of October, A. D. 1962.

John C. Higworth

My commission expires 12-11-64

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
Permit No. G-28003

* * * * *

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

DEPOSITION OF WITNESS

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:

Art Glander, age 53, Route # 2, Buhl, Idaho Farming

Ques. 2. Are you acquainted with Anton Potucek, the holder of
Permit No. G-28003? How long have you known him and where does he reside:

Thirty years, Castleford, Idaho, Mailing address Route 2, Buhl, Idaho

Ques. 3. Have you read or heard said Permit No. G-28003 read, and are you familiar
with its provisions and conditions: Yes: x No: _____

Ques. 4. State source of water supply: Well

State place of diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 11, Township 10, South Range 12, E.B.M.

Describe works for conveying water to place of use: Pump, two main ditches,

corrugations

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 260 miner's inches How much water have you seen being so
conveyed: 170 miner's inches

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

NE $\frac{1}{4}$ NE $\frac{1}{4}$ (38 acres) SE $\frac{1}{4}$ NE $\frac{1}{4}$ (15 acres) W $\frac{1}{2}$ NE $\frac{1}{4}$ (80 acres) NW $\frac{1}{4}$ SE $\frac{1}{4}$ (31 acres)

NE $\frac{1}{4}$ SW $\frac{1}{4}$ (26 $\frac{1}{2}$ acres) E $\frac{1}{2}$ NW $\frac{1}{4}$ (79 acres) and the SW $\frac{1}{4}$ NW $\frac{1}{4}$ (9 $\frac{1}{2}$ acres)

SE $\frac{1}{4}$ SW $\frac{1}{4}$ (4 acres) SW $\frac{1}{4}$ SE $\frac{1}{4}$ (5 $\frac{1}{2}$ acres) all in Sec. 11, Township 10, South

Range 12, E. B. M.

Ques. 7. If for power or other purposes than irrigation, state how water has been used:

Only for irrigation

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

Was sagebrush land 200 inches

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent: None

Ques. 10. When did you first see this water used: Spring of 1961

Other times you have seen such use: Several times throughout crop years of 1961 and 1962

(Signed)

Art. E. Lander

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 Buhl

 , County of Twin Falls, State of Idaho, on this 31 day of October,

A. D., 1962.

John C. Hester
Notary Public for State of Idaho

Residing: Buhl, Idaho

My commission expires: 12-11-64

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
Permit No. G-28003

* * * * *

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Department 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:

Fred L. Jarrett, age 49 428 2nd Ave. North, Twin Falls, Idaho

Whittaker Drilling Co.

Ques. 2. Are you acquainted with Anton Potucek, the holder of
Permit No. G-28003? How long have you known him and where does he reside:

1½ years Castleford, Idaho Mailing address Buhl, Idaho

Ques. 3. Have you read or heard said Permit No. G-28003 read, and are you familiar
with its provisions and conditions: Yes: x No: _____

Ques. 4. State source of water supply: Well water

State place of diversion: SW¼ SE¼, Section 11, Twnp. 10, South Range 12, E.B.M.

Describe works for conveying water to place of use: pump, two main ditches and
corrugations

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 250 miner's inches How much water have you seen being so
conveyed: 200 miner's inches

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

NE¼ NE¼ (38 acres) SE¼ NE¼ (15 acres) W¼ NE¼ (80 acres) NW¼ SE¼ (31 acres)

NE¼ SW¼ (26½ acres) E¼ NW¼ (79 acres) and the SW¼ NW¼ (9½ acres)

SE¼ SW¼ (4 acres) SW¼ SE¼ (5½ acres) all in Sec. 11, Township 10, South
Range 12, E. B. M.

Ques. 7. If for power or other purposes than irrigation, state how water has been used:

For irrigation only

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

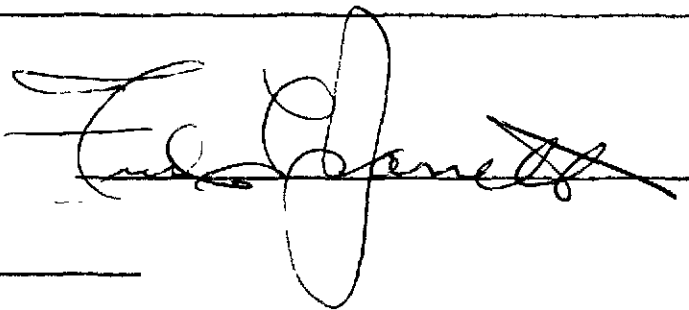
Cleared sage brush land, payette formation, needs as much
water as well now delivers and could use a little more

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent: None

Ques. 10. When did you first see this water used: May, 1961, numerous times

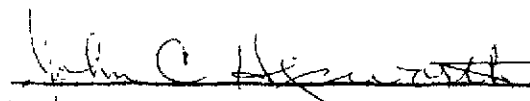
Other times you have seen such use: 1961 and 1962 Numerous times

(Signed)



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 Buhl

 , County of Twin Falls, State of Idaho, on this 31 day of October,
A. D., 1962.


Notary Public for State of Idaho

Residing: Buhl, Idaho

My commission expires: 12-11-64

September 21, 1962

Re: Permit No. G-28003

Anton Potucek,
Route 2,
Buhl, Idaho.

Dear Mr. Potucek:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. G-28003. The proofs are to be made at 10:00 o'clock A.M. on the 1st day of November, 19 62, before John C. Reynolds, Buhl, Idaho, Notary Public.

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

It is important that the enclosed depositions be executed by you and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the place, on the date, and at the time and before the Notary, as advertised. 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, the 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
Chief Clerk

Enc.
EPR:pmk
cc: Notary

28003

LAW OFFICES
HEPWORTH AND NUNGESTER
FARMERS NATIONAL BANK BUILDING
BUHL, IDAHO

JOHN C. HEPWORTH
WM. L. NUNGESTER

PHONE 54 3-4368

November 9, 1962

Mr. Geo. N. Carter
State Reclamation Engineer
Room 106, Statehouse
Boise, Idaho

Dear Mr. Carter:

Enclosed please find affidavit of publication and a
depositions of the holder and two witnesses in regard to permit
No. G-28003 held by Anton Potucek, Buhl, Idaho.

Very truly yours,

HEPWORTH & NUNGESTER


Wm. L. Nungester

WLN:jl

Encls. 4

28. 10. 12

1200
6-28-61

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G-28003
Anton Potucek

Date: Sept. 21, 1962

Times News,
Twin Falls, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to **November 1, 1962** the date set for proof; the expense of the publication is to be paid by the applicant

Anton Potucek

of **Rt. 2, Buhl, 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.

28003

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

SEP 21 1959
DEPARTMENT OF RECLAMATION

Notice is hereby given that at 10 a.m. M., on the 1st day of November, 1962, at Twin Falls, County of Twin Falls, State of Idaho, before John C. Heyworth, Notary Public, at (address) Buhl, Idaho, proof will be submitted of the completion of works for the diversion of 6.4 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. G28003, 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 Anton Potucek, Route 2, Buhl, Idaho

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 6.4 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 6.4 cubic feet per second.

4. The point of diversion of said water is SW¹/₄ SE¹/₄, Sec 11, T. 10 S., R. 12 E., B. M., Idaho

5. The place where said water is used is NE¹/₄, E¹/₂ NW¹/₄, NE¹/₄ SW¹/₄, NW¹/₄ SE¹/₄, Sec 11, T. 10 S., R. 12 E., B. M., Idaho

6. The date of priority which said user is prepared to establish is June 23, 1959.

State Reclamation Engineer

18003

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) September 21, 1962
(P. O.) Route 2nd, Buhl, 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

Times News of Twin Falls, Idaho published in

the county in which the works are situated.

Anton Potucek
by: Getta Potucek

(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.

Application for Amendment

POINT OF DIVERSION

Permit No. G-28003

RECEIVED
JUN 20 1962

Department of Reclamation

Comes now Anton A. Potucek and
represents to the State Reclamation Engineer of the State of Idaho:

That he is (~~was~~) the owner and holder of Permit to Appropriate the Public
Waters of the State of Idaho, No. G-28003.

That the point of diversion is described in said Permit as being located:

SW 1/4 Sec. 11, T10S-R12E, B.M., Ida.

That he now requests that the point of diversion be changed to a point
located: SW 1/4 Sec. 11, T10S-R12E, B.M., Ida.

That the reason for desiring to make such change is as follows:

More feasible well site.

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

Signed at Boise, Idaho, this 15th day of June 19 62

Anton Potucek

Date of Receipt at Department Of Reclamation: June 20, 1962

APPROVAL OF STATE RECLAMATION ENGINEER

RAIPH W. THOMAS, Deputy
I, ~~State Reclamation Engineer~~, State Reclamation Engineer of the State of Idaho, HEREBY APPROVE
the above and foregoing application for amendment to Permit to Appropriate the Public
Waters of the State of Idaho, No. G-28003. This approval constitutes a new
permit and is issued as an amendment to the original permit, to which it refers and of
which it becomes a part, and said application is approved only insofar as the rights of
others will not be adversely affected thereby.

Recorded in Book 99 of
Permits, at Page 28003
June 21, 19 62

Ralph W. Thomas
Deputy State Reclamation Engineer

IDAHO LAND & MAP SERVICE
P. O. Box 2161 BOISE, IDAHO

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, NO. G-28003

MAR 1 11960

Department of Reclamation

Comes now Anton A. Potucek and
represent, to the State Reclamation Engineer of the State of Idaho: - - - - -

That he is ~~(owner)~~ the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-28003.

That the point of diversion is described in said permit as being located ;

NW1/4, Section 11, T 10 S - R 12 E., B.M., Idaho

That he now requests that the point of diversion be changed to a point

located SW1/4, Section 11, T 10 S - R 12 E., B.M., Idaho

That the reason for desiring to make such change is as follows:

This is a more feasible well site.

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

Signed at Boise, Idaho, this 8 day of March, 1960

Anton A. Potucek

Date of receipt at Department of Reclamation March 11, 1960

APPROVAL OF STATE RECLAMATION ENGINEER

I, Geo. N. Carter, State Reclamation Engineer of the State of Idaho, HEREBY APPROVE the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-28003. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

Recorded in Book 99 of
Permits, at Page 28003
March 11, 1960

Geo. N. Carter
State Reclamation Engineer

28003T

July 7, 1959

Re: Permit No. G-28003
Anton A. Potucek

Mr. Harlsey M. McDowell,
Idaho Land & Map Service,
P. O. Box 2161,
Boise, Idaho.

Dear Mr. McDowell:

We enclose Permit No. G-28003 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. G-4104 which was issued covering payment in the amount of \$6.50 for the filing fee of the above mentioned permit.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rutledge
Chief Clerk

Encl.
EPR/pmk

cc: Anton A. Potucek
Rt. #2,
Buhl, Idaho.

28003

March 14, 1960

RE: Permit No. G-28003
Anton A. Potucek
G-28075
Venceslaus Potucek

Harley M. McDowell
Box 2161
Boise, Idaho

Dear Mr. McDowell:

Enclosed are amendments to the points of diversion under Permit No. G-28003 and G-28075 which have been recorded in this office.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr
Enc. amendments

June 21, 1962

Re: Permit No. G-28003
Anton Potucek

Harley M. McDowell:

Enclosed is the Application for Amendment to the point of diversion issued on Permit No. G-28003, which has been recorded in this office.

Also enclosed is departmental receipt No. G-7061 in the amount of \$1.00 covering the fee.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

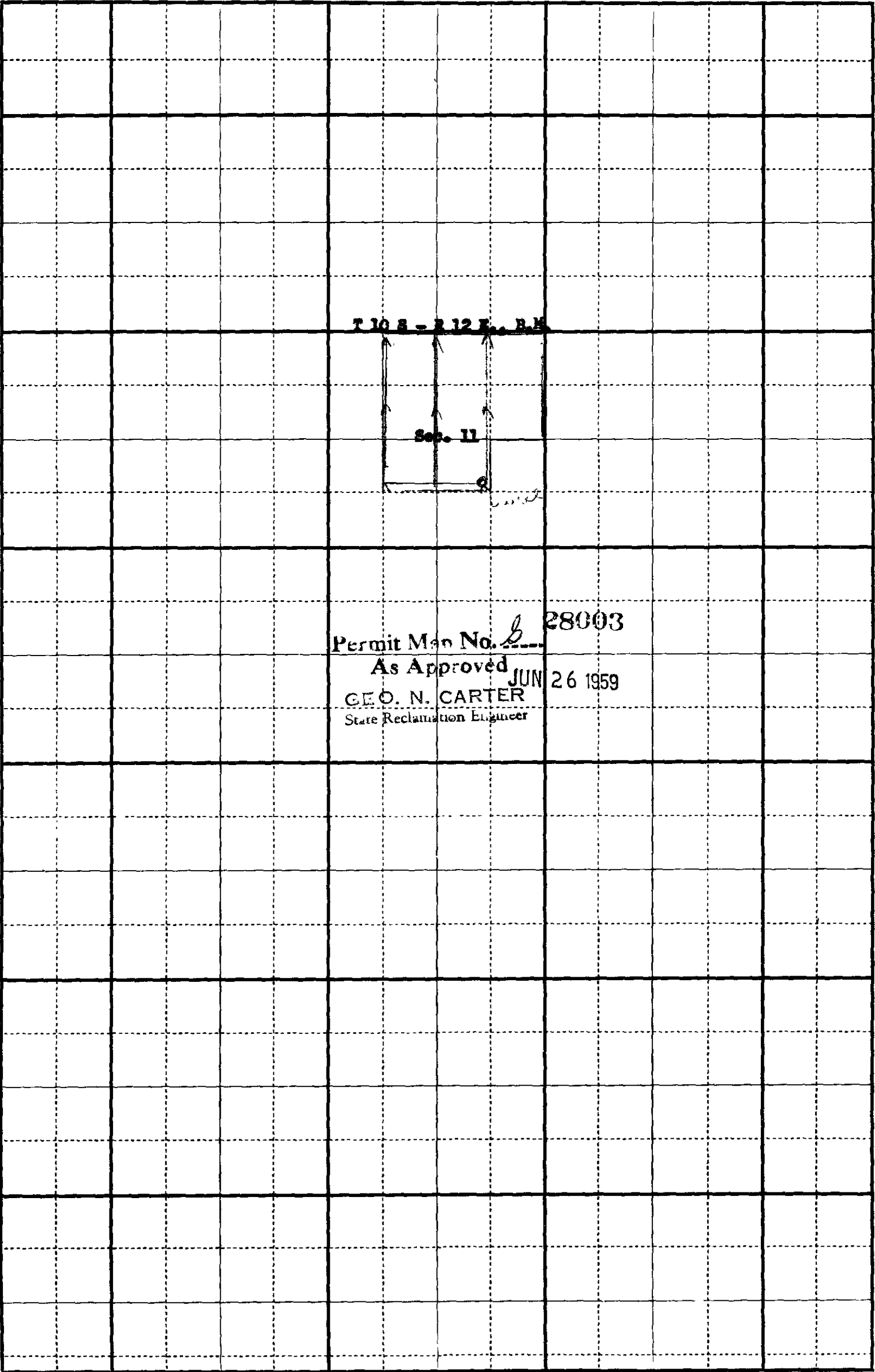
(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

inc. amendment
receipt

NAME OF APPLICANT..... **Antone A. Potunok**

Form No. 0



Permit Map No. *b* 28003
As Approved JUN 26 1959
GEO. N. CARTER
State Reclamation Engineer

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

Notice is hereby given that at 10 a.m. on the 1st day of November 1962, at Twin Falls, County of Twin Falls, State of Idaho, before John C. Hepworth, Notary Public, at Buhl, Idaho, proof will be submitted of the completion of works for the diversion of 6.4 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-28003, 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 Anton Potucek, Route 2, Buhl, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 6.4 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 6.4 cubic feet per second.

4. The point of diversion of said water is SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 11, T. 10 S., R. 12 E., B. M., Idaho.

5. The place where said water is used is NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 11, T. 10 S., R. 12 E., B. M., Idaho.

6. The date of priority which said user is prepared to establish is June 23, 1959.

GEO. N. CARTER

State Reclamation Engineer

Publish: Sept. 27, Oct. 4, 11, 18, 1962.