

AFFIDAVIT of PUBLICATION

RECEIVED

FEB 22 1974

STATE OF IDAHO
County of Twin Falls

ss. Department of Water Administration
Southern District Office

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

Nos. 47-2314, 47-2320, 47-2324

Notice is hereby given that Richard L. &/or Patricia M. Kerbs, 1340 York Drive, Blackfoot, Idaho, have applied to the Department of Water Administration for a change of point of diversion and place of use of the waters of a ground-water source. The right sought to be changed is evidenced by License Nos. (1) 47-2314, (2) 47-2320, and (3) 47-2324 and recorded as follows:

Amount:	Priority:
(1) 5.68 cfs	April 8, 1966
(2) 3.61 cfs	June 23, 1959
(3) 1.20 cfs	Aug. 3, 1959

Point of Diversion: (1) NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 2; (2) SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 11; (3) SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 11; all in T 10S, R 12E, B.M., Twin Falls County. The water is used for irrigation of 632 acres from April 1 to Oct. 31, within the W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 2; E $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3; N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10; NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 11; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 12, T 10S, R 12E, B.M.

TO BE CHANGED AS FOLLOWS:
Amount: 10.49 cfs
Points of diversion: SE $\frac{1}{4}$ NE $\frac{1}{4}$,

Sec. 3; NW $\frac{1}{4}$ SW $\frac{1}{4}$ (2 points) Sec. 2; SW $\frac{1}{4}$ SE $\frac{1}{4}$ (2 points) Sec. 11; all in T 10S, R 12E, B.M., Twin Falls County.

Any protests against approval of the proposed change of water right must be filed with the Idaho Department of Water Administration, 1041 Blue Lakes Blvd. N., Twin Falls, Idaho, on or before March 4, 1974.

R. KEITH HIGGINSON
Director

Published in the Buhl Herald
Feb. 14 and Feb. 21, 1974.
(6t2)

I, **Robert E. Bailey**, do solemnly swear that I am the printer and editor of **THE BUHL HERALD**, a weekly newspaper of general circulation, published once each week at Buhl, Idaho; that the notice attached hereto was published in said newspaper two consecutive weeks, the first publication having been made on the 11th day of February, 1974, and the last publication having been made on the 21st day of February, 1974; that said notice was published in the regular and entire issue of every number of the paper during the period and time of publication, and that the said notice was published in the newspaper proper, and not in the supplement thereof.

That said newspaper has been printed and published continuously in **Buhl, Twin Falls County, Idaho**, for a period of more than 78 weeks prior to the first publication of the attached notice.

Subscribed and sworn to before me this

21st day of February, 1974

Robert E. Bailey
Notary Public.

Buhl, Idaho
Residing at

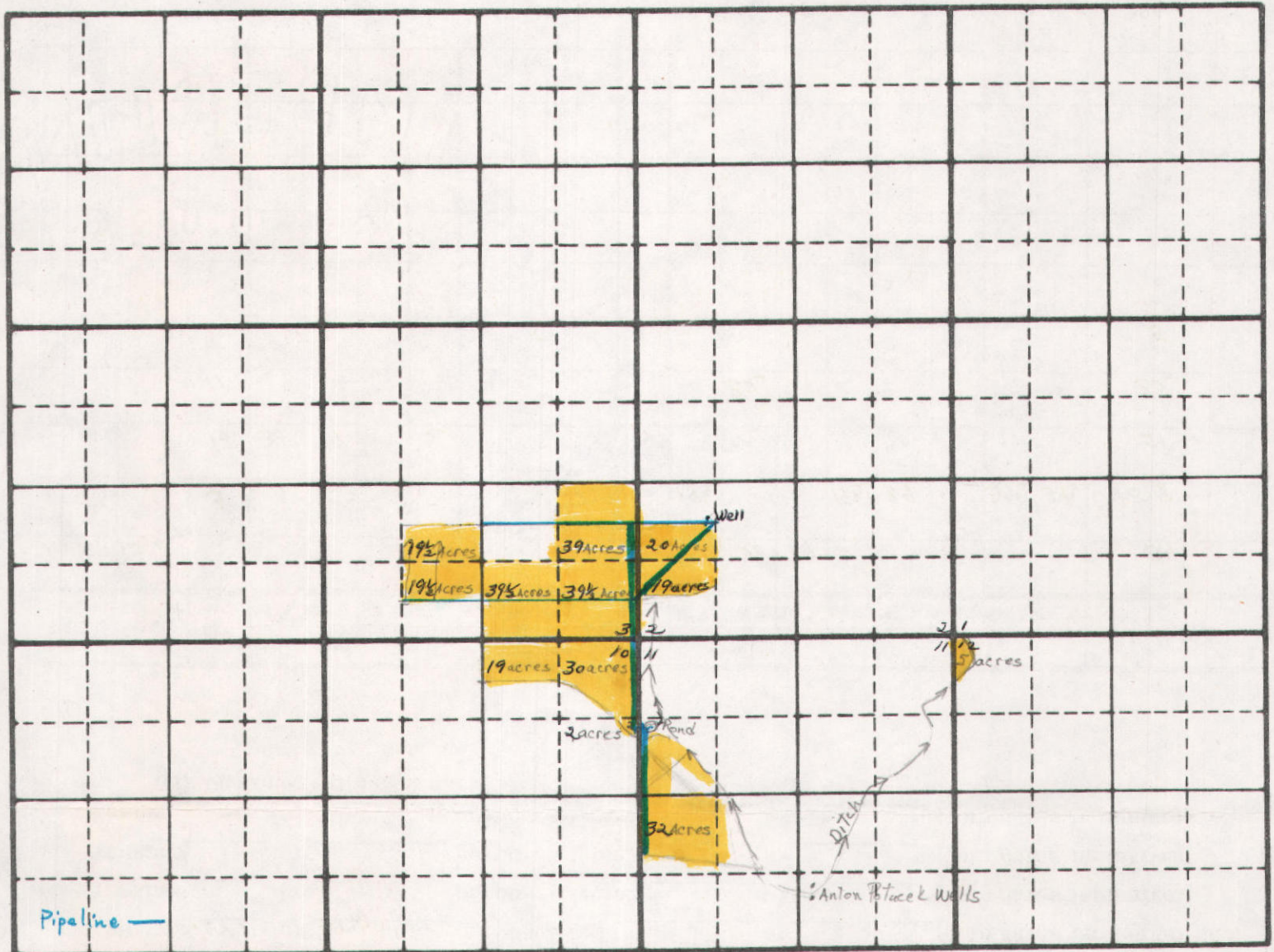
April 17, 1977

My Commission Expires

47 2314

47 2314

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



Scale: 2 inches equal 1 mile

T. 10 S R. 12 E B. M. Sections 2, 3, 10, 11, 12

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

Signed at Letta Potucek, this 15 day of March, 19 73.
Buhl, Idaho

Letta Potucek
(signature)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

I, R. KEITH HIGGINSON, Director of the Department of Water Administration,
hereby approve the above application for amendment for Permit No. 47-2314.

Witness my hand this 23 day of March, 19 73.

R. Keith Higginson
Director

RECEIVED

FEB 25 1971

AFFIDAVIT of PUBLICATION

Department of Water Administration

STATE OF IDAHO

County of Twin Falls

ss.

I, **Robert E. Bailey**, do solemnly swear that I am the printer and editor of **THE BUHL HERALD**, a weekly newspaper of general circulation, published once each week at Buhl, Idaho; that the notice attached hereto was published in said newspaper two consecutive weeks, the first publication having been made on the 28th day of January, 1971, and the last publication having been made on the 4th day of February, 1971; that said notice was published in the regular and entire issue of every number of the paper during the period and time of publication, and that the said notice was published in the newspaper proper, and not in the supplement thereof.

That said newspaper has been printed and published continuously in **Buhl, Twin Falls County, Idaho**, for a period of more than 78 weeks prior to the first publication of the attached notice.

Subscribed and sworn to before me this

5th day of February, 1971

Garry D. Matthews
Notary Public.

Buhl, Idaho

Residing at

January 1, 1973

My Commission Expires

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Retta Potucek, Route # 2, Buhl, Idaho, has received an approved Permit No. G-32822/47-2314 issued by the Idaho Department of Water Administration authorizing the diversion of 5.68 cubic feet per second of water from a ground water source. The priority to be established under this permit is April 8, 1966, and the permit was approved April 12, 1966.

Water is to be diverted by well and pump from a point within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 2, T. 10 S. R. 12 E, B. M., Twin Falls County to be used for irrigation in the W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 2; E $\frac{1}{2}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3; N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10; NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 11; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 12, T. 10 S. R. 12 E, B. M.

Proof of the application of the water to beneficial use is to be submitted to the Department on or before April 12, 1971. Any protests against the issuance of the license for the above referenced permit should be filed with the Idaho Department of Water Administration within ten (10) days of the last date of publication of this notice or prior to the licensing of the per-

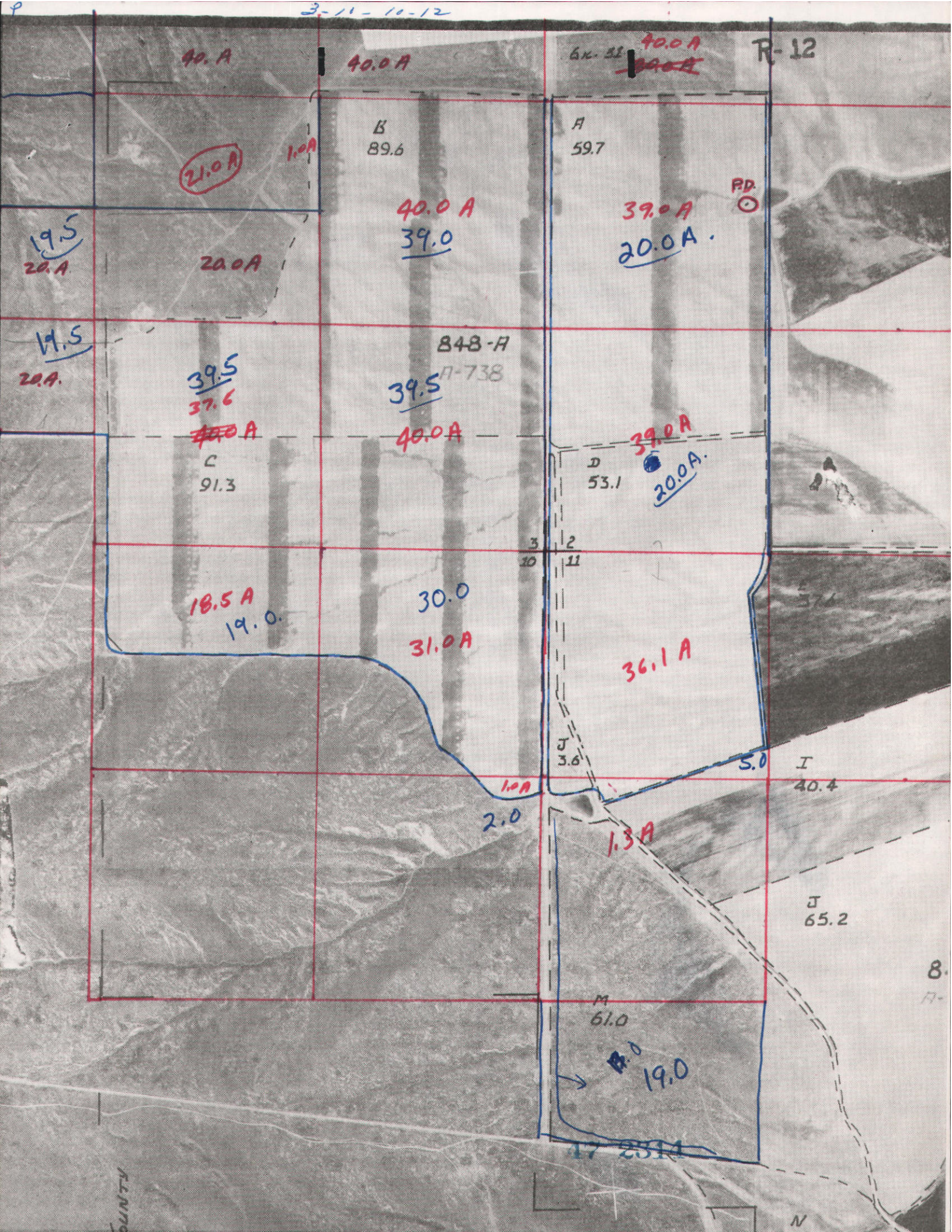
Without further notice.

R. KEITH HIGGINSON, Director
Idaho Dept. of Water Administration

Published in the Buhl Herald,
Buhl, Idaho, on January 28, 1971
and February 4, 1971.
(312)

47 2314

3-11-10-12



R - 12 - 12

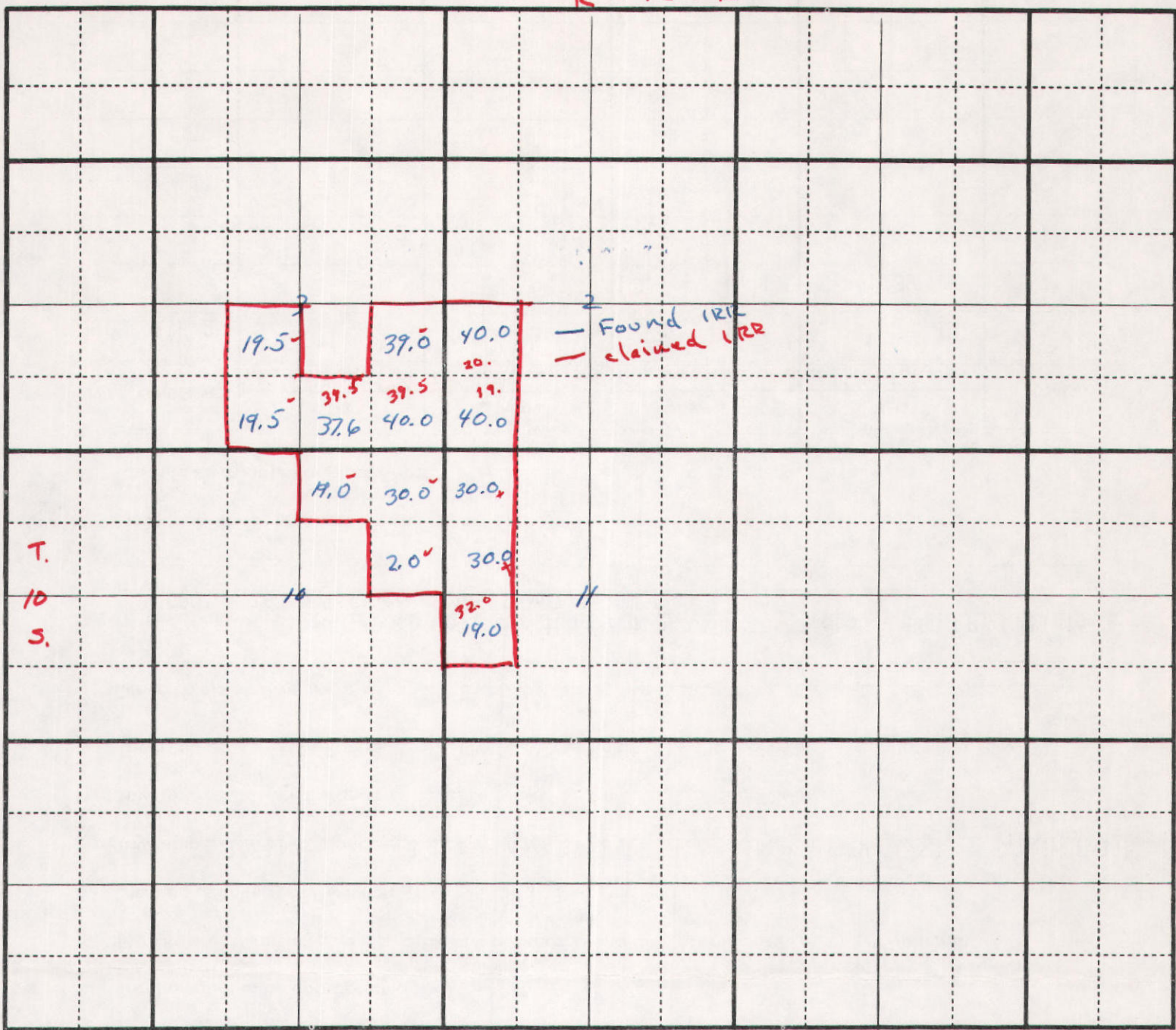


Diagram of System

See amendment of 3-23-73

R. 12 E.

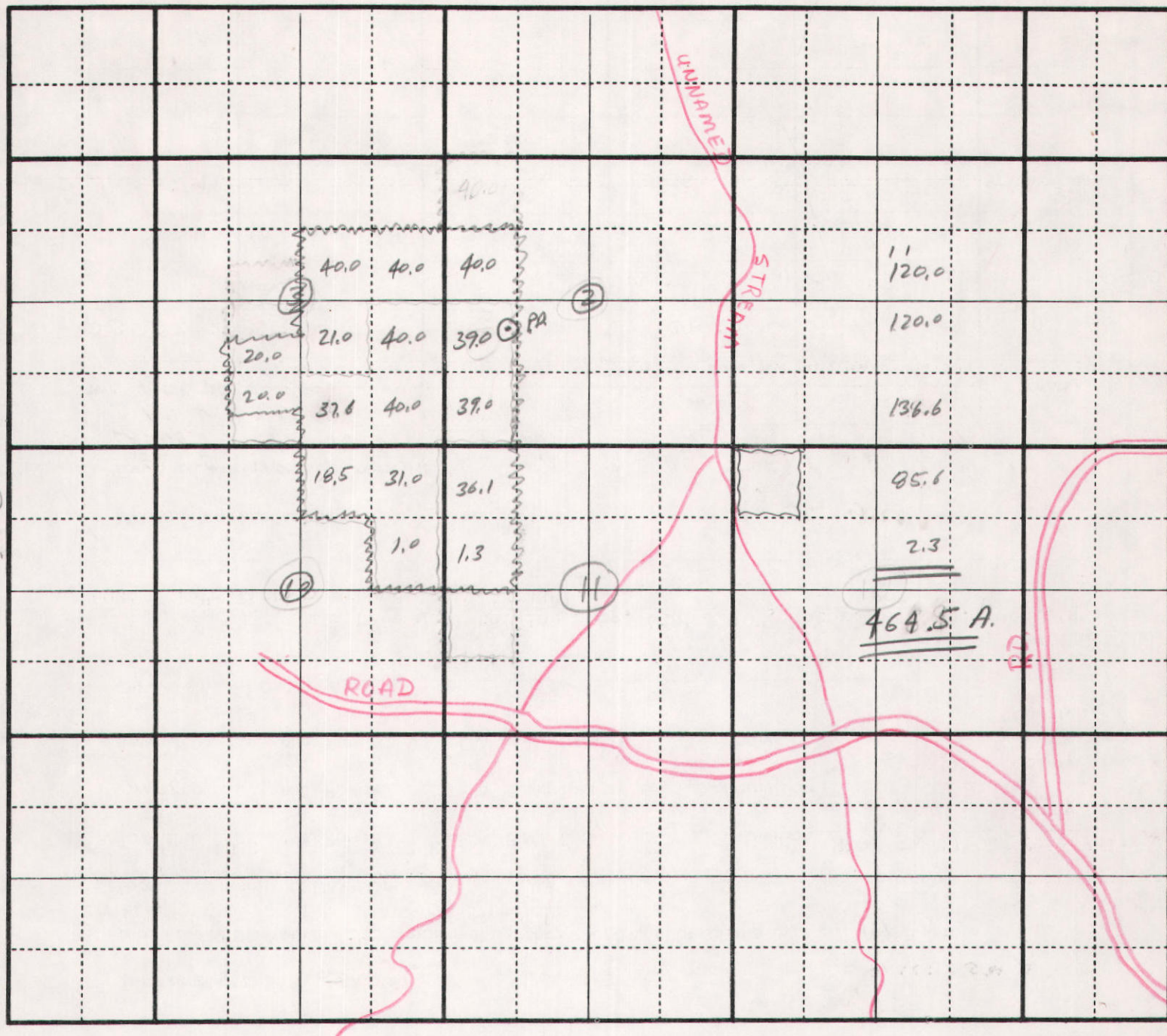
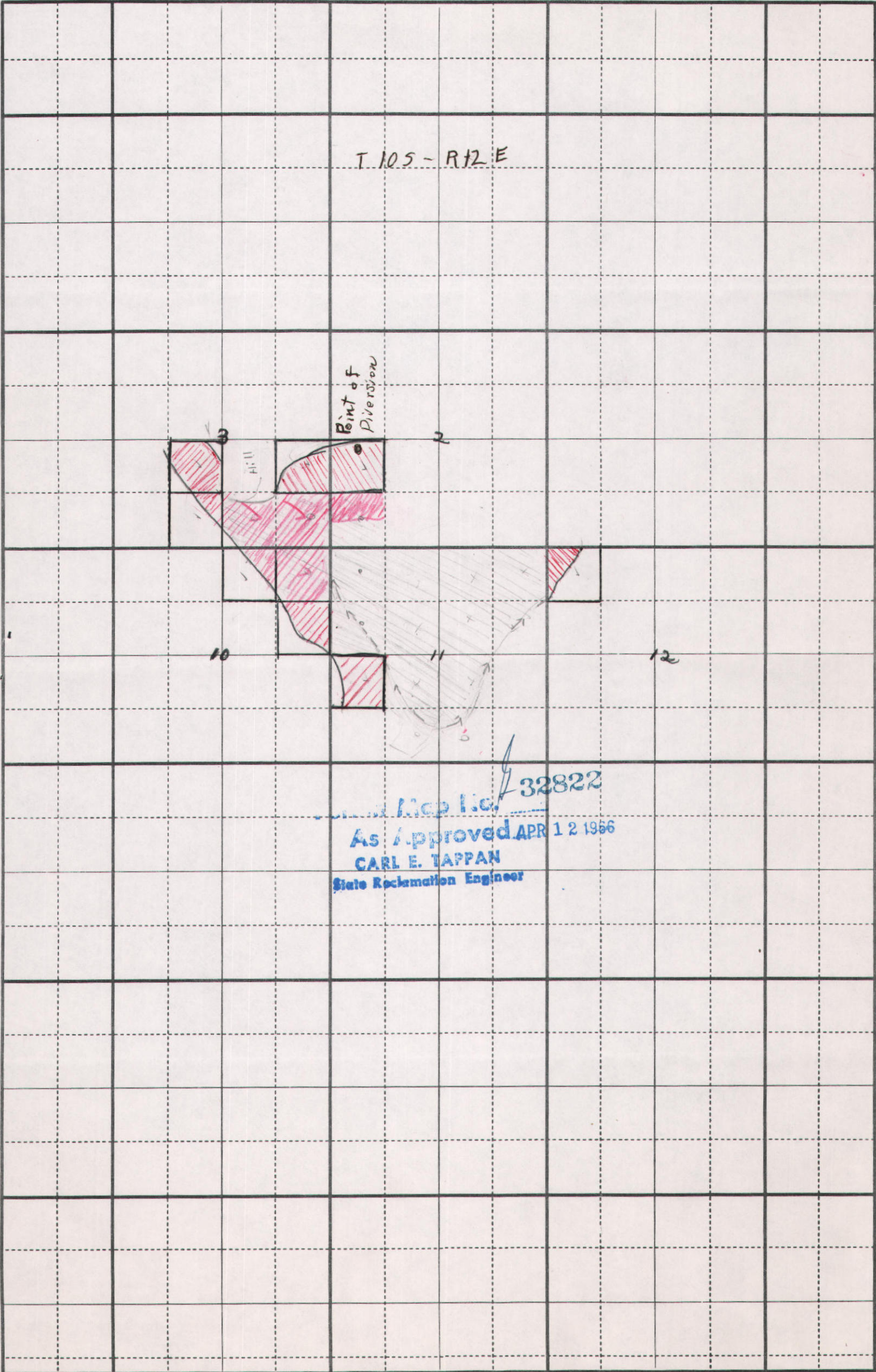


Diagram of System



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FEB 2 1974

Department of Reclamation
Southwest District Office

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPROVED

Identification No. 1947
51-2260 51-2261 51-2262
Transfer No. 47-2314 47-2320 47-2324

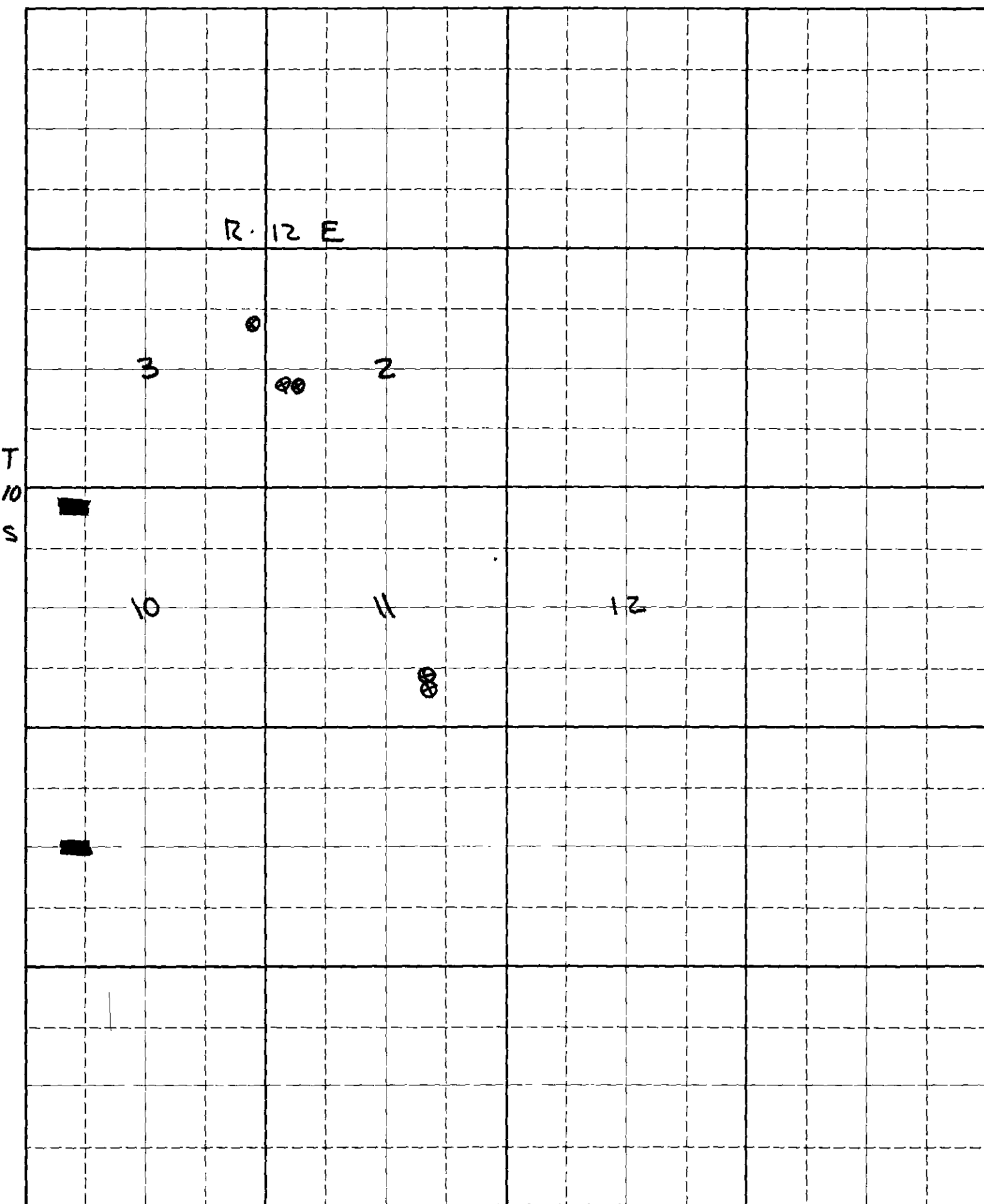
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

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 _____
(1) 47-2314 (2) 47-2320 (3) 47-2324
b. License No. _____ 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

~~47-2314~~
51-2260



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

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

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.

Richard L. Fiske
 (signature of applicant)

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

Lyle Glen Saxton
 (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

R. Keith Higgins
 Director ~~State Reclamation Engineer~~
 Idaho Dept. of Water Administration

FOR DEPARTMENT USE ONLY

Received by du Date 1-31-74 Protest filed by: _____ Date _____

Prelim check by du Date 1-31-74 _____

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

Approved for publication by LT 2-11-74 _____

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

Hearing held _____

Watermaster Recommendation sent _____

AFFIDAVIT of PUBLICATION

RECEIVED

FEB 22 1974

STATE OF IDAHO
County of Twin Falls

ss.

Department of Water Administration
Sanitizing District Office

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

Nos. 47-2320, 47-2320, 47-2324
Notice is hereby given that Richard L. & Patricia M. Kerbs, 1340 York Drive, Blackfoot, Idaho, have applied to the Department of Water Administration for a change of point of diversion and place of use of the waters of a ground-water source. The right sought to be changed is evidenced by License Nos. (1) 47-2314, (2) 47-2320, and (3) 47-2324 and recorded as follows:

Amount: Priority:
(1) 5 cfs April 8, 1966
(2) 5 cfs June 23, 1959
(3) 5 cfs Aug. 3, 1959

Point of diversion: (1) NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 2, T 10S, R 12E, B.M., Twin Falls County. The water is used for irrigation of 632 acres from April 1 to Oct. 31, within the W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 2; E $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3; N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10; NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 11; NW $\frac{1}{4}$, Sec. 12, T 10S, R 12E, B.M.
TO BE CHANGED AS FOLLOWS:

Amount: 10.49 cfs
Points of diversion: SE $\frac{1}{4}$ NE $\frac{1}{4}$,

Sec. 3; NW $\frac{1}{4}$ SW $\frac{1}{4}$ (2 points) Sec. 2; SW $\frac{1}{4}$ SE $\frac{1}{4}$ (2 points) Sec. 11; all in T 10S, R 12E, B.M., Twin Falls County.

Any protests against approval of the proposed change of water right must be filed with the Idaho Department of Water Administration, 1041 Blue Lakes Blvd. N., Twin Falls, Idaho, on or before March 4, 1974.

R. KEITH HIGGINSON
Director

Published in the Buhl Herald
Feb. 14 and Feb. 21, 1974.
(6t2)

I, **Robert E. Bailey**, do solemnly swear that I am the printer and editor of THE BUHL HERALD, a weekly newspaper of general circulation, published once each week at Buhl, Idaho; that the notice attached hereto was published in said newspaper consecutive weeks, the first publication having been made on the 11th.....day of February....., 19.....74....., and the last publication having been made on the 21st.....day of February....., 19.....74.....; that said notice was published in the regular and entire issue of every number of the paper during the period and time of publication, and that the said notice was published in the newspaper proper, and not in the supplement thereof.

That said newspaper has been printed and published continuously in **Buhl, Twin Falls County, Idaho**, for a period of more than 78 weeks prior to the first publication of the attached notice.

Subscribed and sworn to before me this

.....21st.....day of February, 19.....74.....

Robert E. Bailey
Notary Public.

Buhl, Idaho

Residing at

April 17, 1977

My Commission Expires

47 2314

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 51-2260
32822/47-2314 Priority April 8, 1966 Amount 5.68 cfs

THIS IS TO CERTIFY, that RETTA POTUCEK
of Buhl, Idaho, has complied with the terms and conditions of Permit
No. 32822/47-2314 issued pursuant to Application for Permit dated April 8, 1966,
and has submitted proof to the Department of Water Administration on February 25, 1971,
that he has applied water to a beneficial use, an examination by the Department indicates that the
works have a capacity of 5.92 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:
Amount 5.68 cfs for Irrigation from April 1 to Oct. 31 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 5.68 cfs of water be diverted at
any one time, said waters to be diverted within the _____

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

in the county of Twin Falls; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 1,136 acre feet per year or _____
4.0 acre feet per acre.

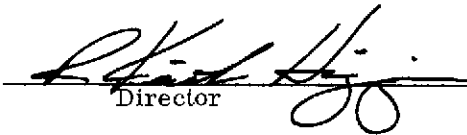
Description and location of place of use:

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 $\frac{1}{4}$	
10 S	12 E	2										20	19						39
		3									19 $\frac{1}{2}$			19 $\frac{1}{2}$	39		39 $\frac{1}{2}$	39 $\frac{1}{2}$	157
		10	30	19		2													51
		11									32								32
		12					5												5

Total number of acres irrigated 284

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 3 day of
October, 19 73.


Director

47-2314
51-2260

RECEIVED

Department of Water Administration

47-2314

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. G 32822, and requests that the permit and permit map be changed as follows:

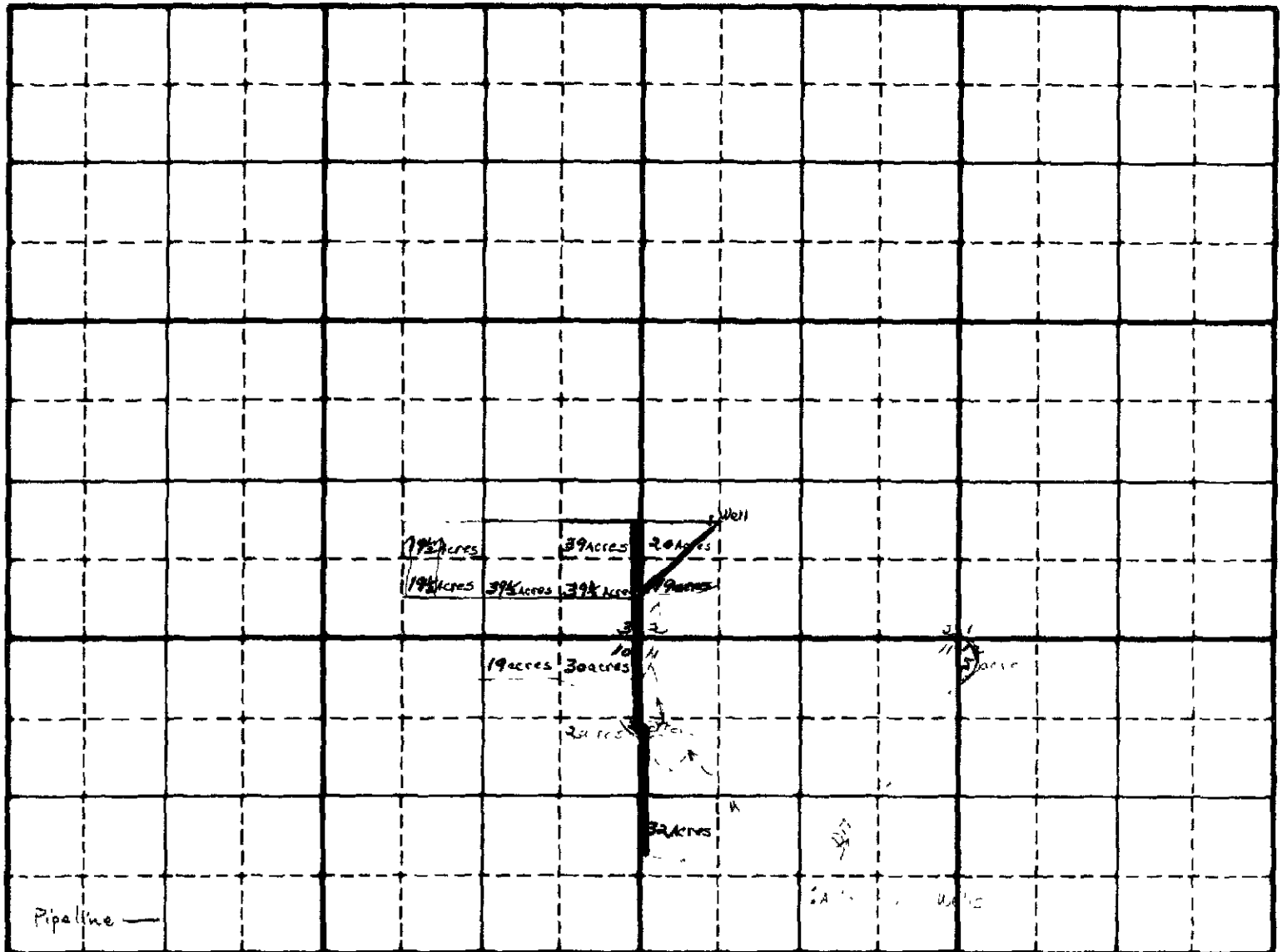
Amount 5.68 cfs for irrigation purposes from 7/1 to 10/31 (both dates inclusive)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre feet per annum)

[illegible]

17 2314

47 2314

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



Scale 2 inches equal 1 mile

T 10 S R. 12 E B M Sections 2, 3, 10, 11, 12

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

Signed at Betha Potucek, this 15 day of March, 19 73.
Buhl, Idaho

Betha Potucek
(signature)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

I, R. KEITH HIGGINSON, Director of the Department of Water Administration, hereby approve the above application for amendment for Permit No. 47-2314.

Witness my hand this 23 day of March, 19 73.

R. Keith Higgins
Director

Identification No. _____

Permit No. _____

**STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION**

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Retta Potucek
 b) Post Office Address Route 2, Buhl, Idaho
2. Permit Number G-32822/47-2314
3. Date of Priority that you are prepared to establish April 8, 1966
4. a) Source from which water was appropriated well
 b) Location of the point of diversion: Nat 1/4 SW 1/4, Section 2
 Township 10 S., Range 12 E Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
 amount 300 gpm for irrigation purposes from May 1 to Sept 30 incl.
 (cfs and/or acre feet per annum) (Month-Day) (Month-Day)
 amount _____ for _____ purposes from _____ to _____ incl.
 (cfs and/or acre feet per annum) (Month-Day) (Month-Day)
 amount _____ for _____ purposes from _____ to _____ incl.
 (cfs and/or acre feet per annum) (Month-Day) (Month-Day)
 b) Total amount appropriated _____ cfs and/or acre feet per annum
 c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Tommy Thompson, manager of
Hayes and Bauer Pump Co., Twin Falls, Idaho; tested well.
- 6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
 a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____
 b) Describe the agreement or understanding by which you take water from the works: _____
- ✓ 7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) Deep well turbine pump,
4.20' x 10", motor - 500 HP; well is 600' x 16"; lift
to ground level is 380'
 b) Describe the type and size of measuring device which you have installed at your point of diversion: None
 c) Give well drillers name and address and date the well was completed Arnold Elsing,
Filer Ave. W. Twin Falls, Idaho
July 29, 1966

Exam Typed 4-2-71 (K)

17 2314

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use _____

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
10 S	12 E	2										40	40						80
		3									20			20	40		40	40	160
		10	20	25		7													62
		11									35								35
		12					8												8

Total number of acres irrigated 385

10. Remarks: _____

The above information is a true statement of the extent to which the above numbered permit has been developed.

Feb. 23, 1971
(Date)

Peter Potuck
(Signature)

State of Idaho
County of Twin Falls ss.

On this 23 day of Feb, 1971, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

[Signature]
Notary Public residing at Buhl, Idaho

My commission expires 10-17-71

AFFIDAVIT of PUBLICATION

STATE OF IDAHO

County of Twin Falls

ss.

I, **Robert E. Bailey**, do solemnly swear that I am the printer and editor of **THE BUHL HERALD**, a weekly newspaper of general circulation, published once each week at Buhl, Idaho; that the notice attached hereto was published in said newspaper two consecutive weeks, the first publication having been made on the 28th day of January, 1971, and the last publication having been made on the 4th day of February, 1971; that said notice was published in the regular and entire issue of every number of the paper during the period and time of publication, and that the said notice was published in the newspaper proper, and not in the supplement thereof.

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Robert E. Bailey

Subscribed and sworn to before me this 5th day of February, 1971

George L. Matthews

Notary Public.

Buhl, Idaho

Residing at

January 1, 1973

My Commission Expires

NOTICE OF EXISTING

WATER PERMIT

No. [redacted] at Buhl, Idaho
Potable water permit
has been issued by the
No. [redacted] the
Idaho Department of Ad-
ministration, Division
of Water, and is valid
source of water for
Buhl, Idaho, from 8,
1966, to 8,
April, 1971.
Well
and [redacted] the
NW 1/4 of [redacted] E,
B. M. [redacted] be
used for [redacted]
Sec. [redacted]
SE 1/4 of [redacted]
S. [redacted]
N. [redacted] E,
B. M. [redacted]
Proof of the application of the
water to beneficial use is to be
submitted to the Department on or
before [redacted] its
agreement [redacted]
for [redacted]
Buhl, Idaho, last
day of the notice
on the licensing of the per-

0 4304 at [redacted] SHOS. OMI

Are subject to further notice

[redacted]

[redacted]

Published in Buhl Herald,

Buhl, Idaho, January 28, 1971

and [redacted]

(3t2)

47 2314

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. G-32822/47-2314)

in the name of Retta Potucek)

ORDER MODIFYING REQUIREMENTS
FOR COMPLETION OF PERMIT TO
APPROPRIATE WATER

WHEREAS, the 39th Idaho Legislature made certain amendments to the Idaho Water Law; and,

WHEREAS, these changes raised questions as to the procedures to be followed by holders of permits issued prior to the effective date of the amendments, May 31, 1967; and,

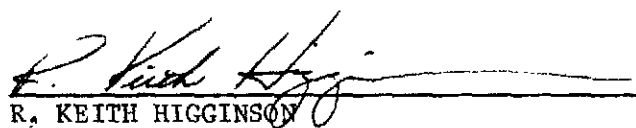
WHEREAS, on August 1, 1968, the Department of Water Administration adopted Rules of Practice and Procedure for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. G-32822 was issued previous to that date;

NOW THEREFORE, the requirements for completion of the above numbered permit are hereby modified to conform to the adopted Rules of Practice and Procedure as follows:

1. The above numbered permit will be completed under the terms of Title 42, Chapter 2, Idaho Code, as amended by the 39th Idaho Legislature.
2. The conditions of the above numbered permit are modified as follows:
 - a. Notice of the issuance of the permit will be published at the permit holders expense for two weekly issues in the official newspaper of the county in which the point of diversion lies.

Dated this 17th day of July, 1970.


R. KEITH HIGGINSON
Director

RKH/DG

47-2314
32822

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 40991
Permit No. G- 32822
District No.

1. Name of Applicant: **Retta Potucek**
Postoffice address: **Route #2 Buhl** County: **Twin Falls** State: **Idaho**
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second **5.68** or Idaho
Miners' inches **or gallons per minute**
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: **subterranean well**
4. Location of point of diversion or well is in the **NW 1/4 of the SW 1/4 of Section** **Section 2**
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 **1/4 of the 1/4 of Section** , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the **1/4 of the 1/4 of Section** , Twp **, Rge. , B.M**
7. Kind of works: **well and pump**
8. Estimated cost of works: \$ **20,000.00**
9. (a) Is reservoir to be used? **no**
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is
years **five**
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: **no**
 - (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) **5.68** (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

By

Agent

Date of first receipt at Department of Reclamation: 3:30 P.M. April 8, 1966

Returned to applicant for correction

Corrected application received.

Approval of State Reclamation Engineer

The number of this permit is G— 32822

Recorded in Book 115 Page 32822 Approved April 12, 1966

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 **October 12, 1968**

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 **April 12, 1971**

Witness my hand this 12th day of April 1966

/s/ CARL E. TAPPAN by KEITH HIGGINSON
STATE RECLAMATION ENGINEER Assistant,

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, Governor of the State of Idaho,
and LOUIS E. CLAPP, 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
day of April 12, 1966.

Countersigned.

STATE OF IDAHO

(SEAL)

By /s/ ROBERT E. SMYLIE
Governor

By . . . /s/ LOUIS E. CLAPP
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	
10S	12E	2										20	20					40	
		3								32				10	20	40	40	142	
		10	40	10		12												62	
		11									35							35	
		12					5											5	
																Total	284		

LICENSE ISSUED FOR 48 SEC. FT.
 LICENSE PAGE NO. 1



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 *VS*

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.

MICROFILMED

MAR 10 1988

RECEIVED

March 11, 1974

1340 York Drive
Blackfoot, Idaho 83221
March 11, 1974

STATE OF IDAHO
Department of Water Administration
1041 Blue Lakes Boulevard - North
Twin Falls, Idaho 83301

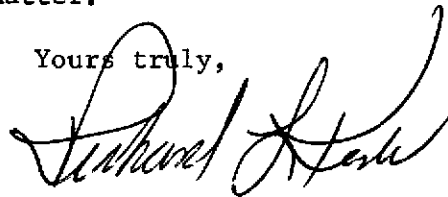
Attention: Bob Haynes
Southern District Engineer

Dear Mr. Haynes:

Enclosed please find copies of warranty deeds for the property involved in transfer of 47-2314, 47-2320 and 47-2324.

Thank you for consideration on this matter.

Yours truly,



Richard L. Kerbs

RLK:as

Enclosures

cc: File

17 2314

WARRANTY DEED

For Value Received

Anton A. Potucek and Retta Potucek, husband and wife,

Hereinafter called the grantor, hereby grants, bargains, sells and conveys unto

Richard L. Kerbs and Patricia M. Kerbs, husband & wife,
1340 York Drive Blackfoot, Idaho 83221

Hereinafter called the grantee, the following described premises, in Owyhee County, Idaho,
to-wit:

The following property located in Town 12N, R. 12E, S. 34, Range 12, East of the Boise Meridian; Section 3; that portion of the East half (E $\frac{1}{2}$) Southwest Quarter (SW $\frac{1}{4}$) located in Owyhee County, together with all appurtenant water rights.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: July 30, 1973

Anton A. Potucek

STATE OF IDAHO, COUNTY OF TWIN FALLS

On this 30th day of July, 19 73
before me, a notary public in and for said State, personally appeared

Anton A. Potucek and Retta Potucek,
husband and wife,

known to me to be the persons whose names are
subscribed to the within instrument, and acknowledged to
me that they executed the same.

[Signature]
Notary Public

Residing at 1340 York Drive, Idaho
Comm Expires 12-15-75

STATE OF IDAHO, COUNTY OF

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

at _____ minutes past _____ o'clock m.,
this _____ day of _____,
19 _____, in my office, and duly recorded in Book
of Deeds at page _____

Ex-Officio Recorder

By _____

Deputy.

Fees \$

Mail to:

INSTRUMENT NO.

17 2314

WARRANTY DEED

For Value Received

Anton A. Potucek and Retta Potucek, husband and wife,

Hereinafter called the grantor, hereby grants, bargains, sells and conveys unto

Richard L. Kerbs and Patricia M. Kerbs, husband and wife,
1340 York Drive Blackfoot, Idaho 83222

Hereinafter called the grantee, the following described premises, in Twin Falls County, Idaho, to-wit:

The following property located in Township 10 South, Range 12 East of the Boise Meridian;

Section 2: SW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$:
Section 3: S $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, that portion of the East half (E $\frac{1}{2}$) Southwest Quarter (SW $\frac{1}{4}$) lying in Twin Falls County:
Section 10: NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$:
Section 11: N $\frac{1}{2}$, excepting therefrom the Southeast quarter (SE $\frac{1}{4}$) Southeast quarter (SE $\frac{1}{4}$) Northeast quarter (NE $\frac{1}{4}$), E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$:
Section 12: NW $\frac{1}{4}$ NW $\frac{1}{4}$

together with all water rights appurtenant thereto which shall include water license No. G-23003, water license No. G-23004, and water permit application No. G-23005.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: July 24, 1973

Anton A. Potucek

Retta Potucek

STATE OF IDAHO, COUNTY OF Twin Falls

On this 24 day of July, 1973 before me, a notary public in and for said State, personally appeared

Anton A. Potucek and Retta Potucek, husband and wife,

known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Notary Public

Residing at _____, Idaho
Comm. Expires _____

STATE OF IDAHO, COUNTY OF

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

at _____ minutes past _____ o'clock m.,
this _____ day of _____,
19 _____, in my office, and duly recorded in Book _____ of Deeds at page _____

Ex-Officio Recorder

By _____ Deputy.

Fees \$ _____
Mail to: _____

INSTRUMENT NO.

QUITCLAIM DEED

For Value Received Carolyn Potucek, a single woman

do hereby convey, release, remise and forever quit claim
unto Patricia M. Kerbs, 1340 York Drive, Blackfoot, Idaho 83221

the following described premises, to-wit:

Township 10 South, Range 12, East of the
Boise Meridian Idaho, section 2, Lot 4,
SW $\frac{1}{4}$ NW $\frac{1}{4}$; section 3, lot 1, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$.

together with their appurtenances.

Dated: June 22, 1973

Carolyn Potucek

STATE OF IDAHO, COUNTY OF TWIN FALLS

On this 22nd day of June, 1973,
before me, a notary public in and for said State, per-
sonally appeared Carolyn Potucek, a single
woman.

known to me to be the person whose name is
subscribed to the within instrument, and acknowledged
to me that she executed the same.


Notary Public

STATE OF IDAHO, COUNTY OF

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

at _____ minutes past _____ o'clock m.,
this _____ day of _____
19 _____, in my office, and duly recorded in Book
of Deeds at page _____

Ex-Officio Recorder

By _____

2314 Deputy.

February 6, 1974

RE: Application No. 47-2314, 47-2320, 47-2324 - Richard L. &/or Patricia M. Kerbs

Buhl Herald
P.O. Box 312
Buhl, Idaho 83316

Gentlemen:

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

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

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

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

(signature of claimant)

Very truly yours,

Bob Haynes
District Engineer
Southern District

Bill submitted 2-22-74 - LT

47 2314

**NOTICE OF PROPOSED CHANGE
OF WATER RIGHT**

Nos. 47-2314, 47-2320, 47-2324

Notice is hereby given that Richard L. &/or Patricia M. Kerbs, 1310 York Drive, Blackfoot, Idaho, have applied to the Department of Water Administration for a change of point of diversion and place of use of the waters of a ground-water source. The right sought to be changed is evidenced by License Nos. (1) 47-2314, (2) 47-2320, and (3) 47-2324 and recorded as follows:

Amount:	Priority:
(1) 5.68 cfs	April 8, 1966
(2) 3.61 cfs	June 23, 1959
(3) 1.20 cfs	Aug. 3, 1959

Point of Diversion: (1) NW¹/₄, SW¹/₄, Sec. 2; (2) SW¹/₄, SE¹/₄, Sec. 11; (3) SW¹/₄, SE¹/₄, Sec. 11; all in T 10S, R 12E, B.M., Twin Falls County. The water is used for irrigation of 632 acres from April 1 to Oct. 31 within the NW¹/₄, SW¹/₄, Sec. 2, E¹/₂ SW¹/₄, S¹/₂ SE¹/₄, NE¹/₄ SE¹/₄, Sec. 3, N¹/₂ NE¹/₄, SE¹/₄ NE¹/₄, Sec. 10, NE¹/₄, NW¹/₄, N¹/₂ SW¹/₄, SE¹/₄ SW¹/₄, W¹/₂ SE¹/₄, Sec. 11 NW¹/₄, NW¹/₄, Sec. 12, T 10S, R 12E, B.M., Twin Falls County.

TO BE CHANGED AS FOLLOWS:
Amount: 10.49 cfs
Point of diversion: SE¹/₄ NE¹/₄, Sec. 3 NW¹/₄ SW¹/₄ (2 points) Sec. 1 SW¹/₄ SE¹/₄ (2 points) Sec. 11; all in T 10S, R 12E, B.M., Twin Falls County.

Any protests against approval of the proposed change of water right must be filed with the Idaho Department of Water Administration, 1041 Blue Lakes Blvd. N., Twin Falls, Idaho, on or before March 4, 1974.

R. KEITH HIGGINSON
Director

Published in the Buhl Herald
Feb. 14 and Feb. 21, 1974.
(612)

ok 49
2-11-74

47-2314

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

Nos. 47-2314, 47-2320, 47-2324

Notice is hereby given that Richard L. &/or Patricia M. Kerbs, 1340 York Drive, Blackfoot, Idaho, have applied to the Department of Water Administration for a change of point of diversion and place of use of the waters of a groundwater source. The right sought to be changed is evidenced by License Nos. (1) 47-2314, (2) 47-2320, and (3) 47-2324 and recorded as follows:

Amount:	(1) 5.68 cfs	Priority:	April 8, 1966
	(2) 3.61 cfs		June 23, 1959
	(3) 1.20 cfs		August 3, 1959

Point of Diversion: (1) NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 2; (2) SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 11; (3) SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 11; all in T 10S, R 12E, B.M., Twin Falls County.

The water is used for irrigation of 632 acres from April 1 to Oct. 31, within the ^WSW $\frac{1}{4}$, Sec. 2; E $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3; NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10; NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 11; NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 12, T 10S, R 12E, B.M.

TO BE CHANGED AS FOLLOWS:

Amount: 10.49 cfs

Points of diversion: SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 3; NW $\frac{1}{4}$ SW $\frac{1}{4}$ (2 points) Sec. 2; SW $\frac{1}{4}$ SE $\frac{1}{4}$ (2 points) Sec. 11; all in T 10S, R 12E, B.M., Twin Falls County.

Any protest against approval of the proposed change of water right must be filed with the Idaho Department of Water Administration, 1041 Blue Lakes Blvd. N., Twin Falls, Idaho, on or before March 4, 1974.

R. KEITH HIGGINSON
Director

Published in the Buhl Herald Feb. 14 and Feb. 21, 1974.

March 4, 1974

Mr. and Mrs. Richard Kerbs
1340 York Drive
Blackfoot, Idaho 83221

Dear Mr. and Mrs. Kerbs:

Before we can complete processing your application for transfer, 47-2314, 47-2320, 47-2324, we will need a copy of the warranty deed for the property listed. As soon as we receive the copy, we can complete the processing.

If you have any questions, please don't hesitate to call on us.

Sincerely,

Bob Haynes
Southern District Engineer

BH:lt

March 19, 1974

Re: Application for Transfer of Water Right
No. 47-2314, 47-2320, 47-2324

Richard L. &/or Patricia M. Kerbs
1340 York Drive
Blackfoot, Idaho 83221

Dear Mr. & Mrs. Kerbs:

Enclosed is a copy of the above referenced application for transfer which has been
APPROVED by this Department.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

ddr
Enclosure

bc: Southern District Office

17 2314

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION



Cecil D. Andrus
Governor
R. Keith Higginson
Director

Statehouse — Annex 2
Boise, Idaho 83707
(208) 384-2215

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

October 15, 1973

Re: Permit No. 32822/47-2314

Retta Potucek
Route 2
Buhl, Idaho 83316

Dear Mr. Potucek:

Enclosed herewith is a copy of the Water License issued on the above referenced permit.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

jfr

Enclosure

47 2314

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

September 14, 1973

Re: Permit No. 32822/47-2314

Mrs. Retta Potucek
Route 2
Buhl, Idaho 83316

Dear Mr. Potucek:

A representative of the Department has made a re-examination of the works covered by the above referenced permit and the Department is prepared to issue a water license as follows:

Quantity of water diverted: 5.92 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 5.68 cfs

The maximum quantity diverted shall not exceed 1,136 acre feet per year.

Beneficial use: Irrigation of 284 acres within the W1/2SW1/4 Sec. 2; E1/2SW1/4, NE1/4SE1/4, S1/2SE1/4 Sec. 3; N1/2NE1/4, SE1/4NE1/4, Sec. 10; NW1/4SW1/4, Sec. 11; NW1/4NW1/4 Sec. 12; all in Twp. 10 S, Rge. 12 E, B.M.

Point of diversion: NW1/4SW1/4 Sec. 2, Twp. 10 S, Rge. 12 E, B.M.

Priority date established: April 8, 1966

Pursuant to your letter of September 5th, we have reviewed the filings you mention and find two wells in the SW1/4SE1/4 of Sec. 11 licensed under numbers 28003/47-2320 and 28075/47-2324; one well in the NW1/4SW1/4 of Sec. 2 under proposed license 32822/47-2314; and two proposed wells in the NW1/4SW1/4 of Sec. 2 under Permit 47-7036.

In order to combine these filings so that water from any of these wells could be used on your land as described in said licenses and permits, we would suggest that Permit 47-7036 be amended to include all five wells as points of diversions. After Permit 32822/47-2314 has been licensed then applications for transfer could be filed along with transfers on the other two licenses (47-2320 & 47-2324) to include all five wells under each license. You should review your project before filing the transfers and determine which wells irrigate the land under each license and only those wells should be included on the transfer application.

47 2314

We wish to remind you that Permit 47-7036 has been assigned to Patricia M. Kerbs, therefore, Mrs. Kerbs would need to submit the amendment on this permit to include the five wells in question.

We have, on this date, asked our accounting department to refund the \$10.00 filing fee paid at Southern District Office in July of this year. This procedure will take approximately 30 days and the refund will be mailed directly to you.

If you do not concur with the findings of our re-examination, please contact us within 10 days; otherwise a water license will be issued as set forth in this letter. If you have any questions, please feel free to contact us within the 10 day-period.

Sincerely,

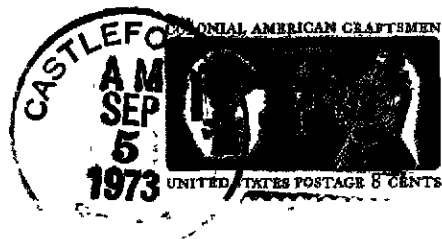
D. DARLENE REICH
Water Rights Supervisor

DDR/bjg

bc: Southern District Office

47 2314

Retta Potucok
Route 2
Buhl, Idaho 83316



State of Idaho
Department of Water Administration
State house - Office 2
Boise, Idaho 83707

D. Parlone Reich

47 2314

Sept. 6 1973
RECEIVED
SEP 6 1973
Department of Water
Resources

Dear Ms. Lorraine Reich

I have one more question concerning Permit No. 32822/47-2314. We want to be sure before the license is issued on this permit that the water can be used on the other land in the farm. There are four filings farmed as one unit, and it is impossible to farm it without transferring water from all wells from one filing to another.

The other permit numbers are G 28003, G 28075, and 47-7036.

We have sold the farm to Richard Herbs of Blackfoot. But will not transfer the water permit until the license is issued.

Thank you,

Patricia Potucek

32822-2314

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A
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40.0 A
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20.0 A

PR
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11-738

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1.3 A

J
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61.0

19.0

B.

DEPARTMENT OF WATER ADMINISTRATION

FIELD REPORT

1. Name of permit holder Retta Potucek
 Post office address Buhl, Idaho 83316 Phone _____
 Person to contact _____ Phone _____

2. Source of water supply. Groundwater ☒ Surface water ☐ _____
 (name spring, stream, etc.)
 Tributary to _____

3. Water will be used for the following purposes.

Amount 5.68 c.f.s. for Irrigation
 _____ AF/Annum (nature of use)

Period of Use from Apr. 1 to Nov. 31
 (mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
 (mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use from _____ to _____
 (mo.-day) inclusive (mo.-day)

Other uses. _____

Permit No. 47-2314
 Re-Examination for b/u

4. Total amount to be appropriated.

Max Rate of Diversion 5.68 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 10S N/S, Range 12E E/W, B.M., Section 2, Subdivision NW 1/4 SW 1/4 Twin Falls County
 Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____ County
 Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____ County

Other Points of Diversions: _____

Description of diverting works: Deep well turbine pump, 420' x 10", motor - 500 HP: Well is 600' x 16" ; lift to ground level is 380'

Measuring device required: yes ☐ no ☒

6. Lands to be 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	
10S	12E	2										20	19						39
		3									19 1/2			19 1/2	39	39 1/2	39 1/2		157
		10	30	19		2													51
		11									32								32
		12					5												5

47 2314

TOTAL ACREAGE

284

R - 12 - 12

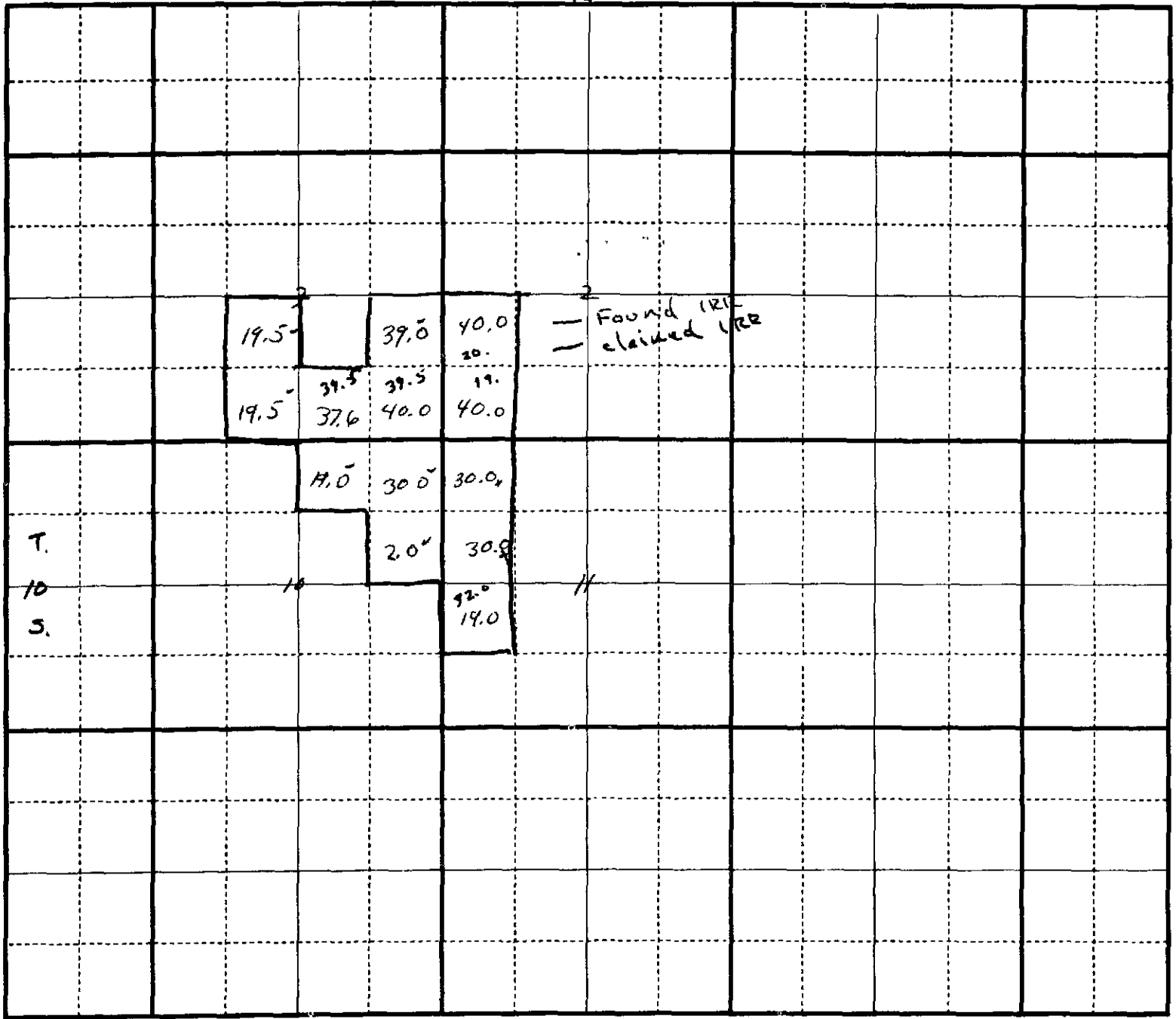


Diagram of System

In accordance of 3-23-73

DATE OF EXAM 8-28-73

ACREAGE
Found 365.6
Recommended 284.0

Irrigation Requirement 4.0 Ac Ft/Ac

USE
Irrigation Q = 5.92 c.f.s. V = 1136 AF/Ann. from March-15 to Nov-15
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ☒

Name source: _____
twp _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County

Exchange? yes _____ no ☒

Name source exchanged with: _____
twp _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County

Point of injection
twp _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County

Point of exchange
twp _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County

Total Q measured 5.92 c.f.s. Method of measurement See Previous Exam.

Total Q recommended 5.92 cfs Meter No _____ Type _____ Condition _____

Total V recommended 1136 AF/Ann.

Recommended Amendments

P D _____ NO
Place of Use _____ NO
Other _____ NO
None _____ NO

MEASUREMENT CALCULATION.

Q = 5.92 cfs from previous Examined
V =

SYSTEM DESCRIPTION:

6R. 500 Hp. # FB1601006 Hayne Bowler Verti-linx Pump.

REMARKS:

There is some of this land FRR by
a Separate Lic. ReExam finds other lands IRR than
what Recommended or claimed.

Examiner's Signature [Signature] Date 8-28-73

Checked by _____ Date _____

Approved by _____ Date _____

March 23, 1973

Re: Permit No. 32822/47-2314

Retta Potucek
Route # 2
Buhl, Idaho 83316

Dear Mrs. Potucek:

Enclosed please find a copy of the approved application for amendment in connection with the above referenced permit.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enclosure

47 2314

June 25, 1973

Permit # 11327

John A. Rosholt
Attorney at Law
P. O. Box 525
Twin Falls, Idaho 83301

Dear John:

Per your telephone conversation with Bob Fleenor of this Department, enclosed are copies of two of the filings made by the Potucek Family. These copies pertain to Sections 2, 3 and 11, T 10 S., R 12 E., B.M. You inquired about the status of Permit No. 47-2314 (G-32822). Mrs. Potucek didn't agree with the findings of our examiner, therefore a re-exam is pending.

The fee for the copies is \$1.75 which you may remit at your convenience.

Very truly yours,

(Mrs.) ELEANOR J. WOODS
Records Supervisor

Permit # 11327

EJW:e

Enclosure

17 2314

July 17, 1973

Re: Permit No. 32822/47-2314

Mrs. Retta A. Potucek
Route #2
Buhl, ID 83316

Dear Mrs. Potucek:

Our Southern District Office at Twin Falls, Idaho, has forwarded an application for amendment and proof affidavit in connection with the above referenced permit.

In reviewing the permit file, we find that an amendment was approved in March of this year and, therefore, the amendment recently submitted will not be necessary.

We are also returning the proof of beneficial use affidavit. Proof was made under this permit in February, 1971, and a field examination conducted. We are enclosing a copy of our letter of December 6, 1972 for your review. Pursuant to your request in January of 1973, the Department has scheduled a re-examination to be made during the 1973 irrigation season.

Unless we hear otherwise from you within ten days, your \$10.00 fee paid at our Southern District Office on July 9, 1973 will be refunded. You will be notified of the findings of the re-examination before issuance of the water license.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:cd

Enc: Application for Amendment
Beneficial Use Affidavit
Copy of December 6, 1972 letter

cc: Southern District Office

17 2314

INTER-DEPARTMENT MEMO — 1

FROM

Darlene

DATE

3/23/73

TO

Mike Steele

SUBJECT

Permit 47-2314 - Retta Potucek

Pursuant to our phone conversation of this date, am attaching a copy of the approved application for amendment in connection with the above subject permit.

Please change your field exam report accordingly.

Am also forwarding the 'old exam' for your review.

~~17 2314~~

SIGNATURE

1

RECEIVED

Dec. 13 1912

Department of Water Administration

Dear Mr. Flenor,

We received your letter of Dec 16. Concerning water permit no. 32822/47-2314.

We have several questions and would like to come into Boise next week and talk to you about them. If the roads are alright we will come Dec. 20th or 21st. Could you postpone issuing a license until then?

We have another water permit but plan on drilling another well if we get an extension on our desert entry. If we don't we could use it to cover the remainder of the water from this well. We should know fairly soon about that.

Petta Potucek

47 2314

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 6, 1972

Retta Potucek
Route # 2
Buhl, Idaho 83316

Dear Ms. Potucek:

A representative of this Department has made an examination of the works covered by your Permit No. 32822/47-2314 and has found the following:

Quantity of water diverted: 5.92 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 5.68 cfs

The maximum quantity diverted shall not exceed 1,136 acre feet per season.

Beneficial use: Irrigation of 284 acres within the W $\frac{1}{2}$ SW $\frac{1}{4}$ (78), Sec. 2; E $\frac{1}{2}$ SW $\frac{1}{4}$ (40), NE $\frac{1}{4}$ SE $\frac{1}{4}$ (40), S $\frac{1}{2}$ SE $\frac{1}{4}$ (75.5), Sec. 3; N $\frac{1}{2}$ NE $\frac{1}{4}$ (49.5), SE $\frac{1}{4}$ NE $\frac{1}{4}$ (1.0), Sec. 10; Twp. 10S, Rge. 12E, B.M.

Point of diversion: NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 2, Twp. 10S, Rge. 12E, B.M.

The priority date established is: April 8, 1966

If you do not concur with these findings, please advise us within 10 days; otherwise, a license will be issued as set forth in this letter.

You should be aware that any ground water development after March 25, 1963, must be by means of a valid permit. Our records fail to indicate that you have a right to irrigate the balance of the 199.5 acres our field examiner found that you are irrigating from this well. Please review the matter and if you do not have another valid permit, please file an application for permit before the next irrigation season. We have enclosed a partially completed application for permit form for your consideration.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enc: Application w/ins.

RE-Exam typed 1-17-73 BY [signature]

17 2314

DEPARTMENT OF WATER ADMINISTRATION

FIELD REPORT

1 Name of permit holder Retta Potucek
 Post office address Buhl, Idaho Phone _____
 Person to contact _____ Phone _____

2 Source of water supply Groundwater ☒ Surface water ☐ Subterranean well
 (name spring, stream, etc.)
 Tributary to _____

3. Water will be used for the following purposes:

Amount 5.68 c.f.s. for Irrigation
 _____ AF/Annum (nature of use)

Period of Use. from May 1 to Sept. 30
 (mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use. from _____ to _____
 (mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use from _____ to _____
 (mo.-day) inclusive (mo.-day)

Other uses: _____

Permit No G-32822/47-2314
 Examination for B U

4. Total amount to be appropriated.

Max Rate of Diversion 5.68 cubic feet per second and annual volume _____ AF/Annum.

5 Location of Point(s) of Diversion

Township 10 S N/S, Range 12 E E/W, B.M., Section 2, Subdivision NW $\frac{1}{4}$ SW $\frac{1}{4}$, Twin Falls
 County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____
 County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____
 County

Other Points of Diversions: _____

Description of diverting works. Deep well turbine pump, 420' x 10", motor, 500 h.p.; well is 600' x 16"; lift to ground level is 380'.

Measuring device required yes ☐ no ☒

6 Lands to be irrigated or place of use.

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 $\frac{1}{4}$	
10 S	12 E	2										20	20						40
		3									32			10	20		40	40	142
		10	40	10		12													62
		11									35								35
		12					5												5

TOTAL ACREAGE 284

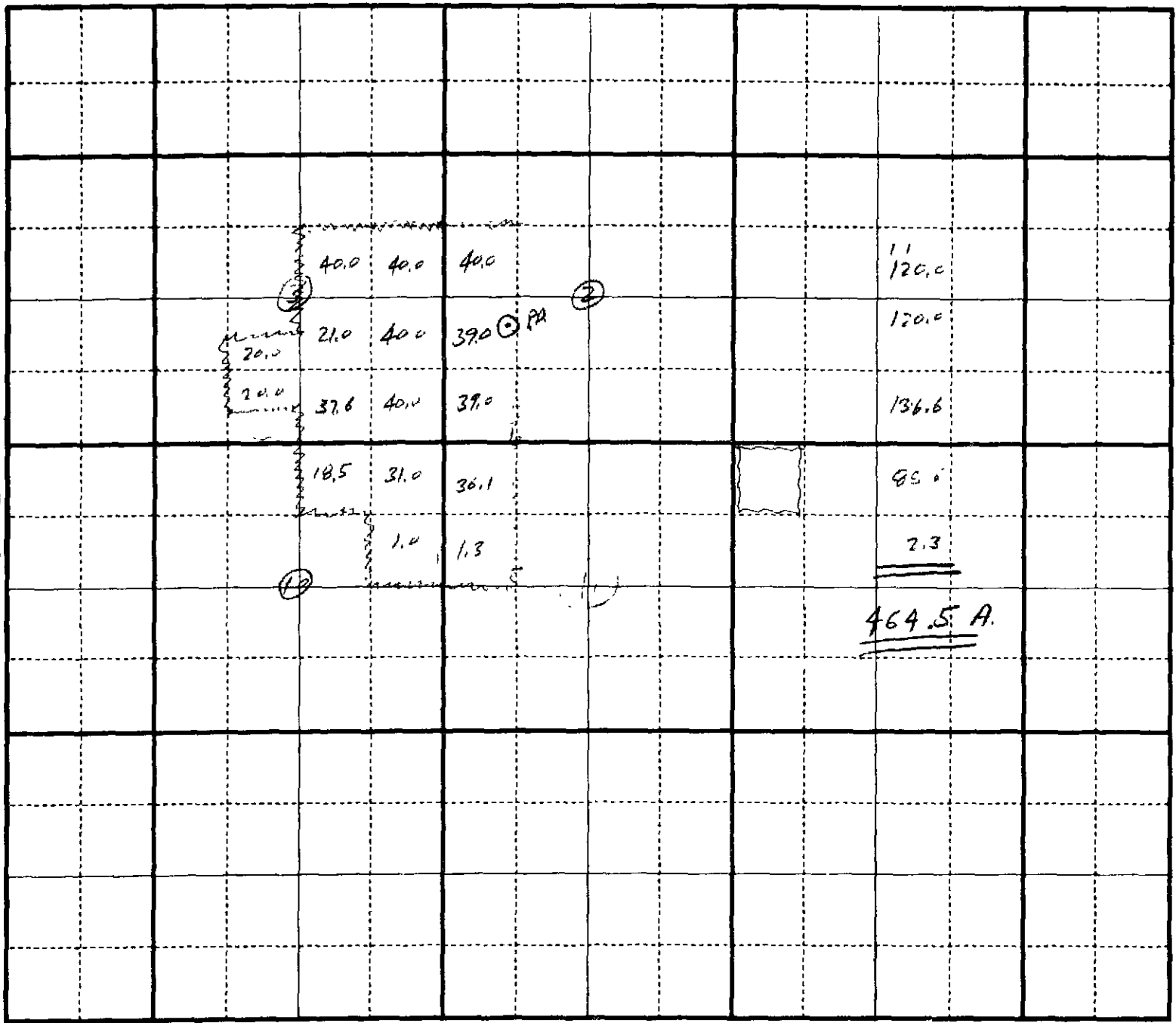


Diagram of System

DATE OF EXAM JUNE 15, 1971

ACREAGE
Found 464.5 A
Recommended 464.5 A

Irrigation Requirement 4.0 Ac Ft/Ac

USE
Irrigation Q = 5.92 c.f.s. V = 2890 AF/Ann. from MAR. 15 to NOV. 15
Domestic Q = — c.f.s. V = — AF/Ann. from — to —
Livestock Q = — c.f.s. V = — AF/Ann. from — to —

Is water co-mingled? yes — no X

Name source: —
twp. — N/S, Rge — E/W, B.M., Sec. —, Sub. — 1/4 — 1/4 — County

Exchange? yes — no X

Name source exchanged with: —
twp. — N/S, Rge — E/W, B.M., Sec. —, Sub. — 1/4 — 1/4 — County

Point of injection.
twp. — N/S, Rge — E/W, B.M., Sec. —, Sub. — 1/4 — 1/4 — County

Point of exchange:
twp. — N/S, Rge — E/W, B.M., Sec. —, Sub. — 1/4 — 1/4 — County

Total Q measured 5.92 cfs Method of measurement PRESS GAUGE

Total Q recommended 5.92 Meter No. — Type — Condition —

Total V recommended 1858 AF/SEASON

Recommended Amendments:

P D —
Place of Use SEE ATTACHED YELLOW SHEET
Other Additional acreage under other license (see)
None —

MEASUREMENT CALCULATION:

SEE OVER —

SYSTEM DESCRIPTION:

GE. 500HP, 460V, 1770 RPM, MOTOR # FBT 601006
LAYNE + BOWLER VERT. LINE PUMP 2300 GPM, # D153 59
16" DIA PIPE 600' FT DEEP
16' DISCHARGE

REMARKS.

ENCOUNTER SOME DIFFICULTY IN DETERMINING LAND AREAS
SINCE AERIAL PHOTOS DO NOT SHOW NEW LAND
IN SEC. 2 + 3. TALKED TO TONY POTUCK & USED
THEIR MAPS.

Examiner's Signature Garret A. Chilton Date JUNE 24, 1971

Checked by — Date —

Approved by — Date —

9/64 110-22LES

2 lines)	66 heads @	60 psi	=	(4.38 gpm) 66	=	⁴⁰ 289
(2 lines)	66 heads @	30 psi	=	(3.16 gpm) 66	=	208
(1 line)	33 heads @	35 psi	=	(3.40 gpm) 33	=	112
(2 line)	62 heads @	45 psi	=	(3.84 gpm) 62	=	238
(1 line)	32 heads @	55 psi	=	(4.22 gpm) 32	=	135
* 5 lines)	160 heads @	50 psi	=	(4.04 gpm) (160)	=	646
(1 line)	17 heads @	55 psi	=	(4.22 gpm) (17)	=	72
(4 lines)	134 heads @	65 psi	=	(4.65 gpm) (134)	=	623
(2 lines)	68 heads @	75 psi	=	(5.00 gpm) (68)	=	340
						<u>2663 gpm</u>

* FARMER EXPLAINED THAT 5 MORE LINES ARE NORMALLY USED.

$$\frac{2663}{450} = \underline{\underline{5.92 cfs}}$$

$$(5.92 cfs) (2 AF/cfs-day) (244 DAYS/SEASON) = \underline{\underline{2890 AF/ANN.}}$$

$$(464.5 AKRES) (4 AF/A-SEASON) = \underline{\underline{1858 AF/ANN}} \checkmark$$

47 2314

REPORT OF WELL DRILLER
State of Idaho

RECEIVED
NOV 21 1966

Department of Reclamation

State law requires that this report shall be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

WELL OWNER: Anton
Name Anthony Potucek
Address Castleford Blvd
RR 2, Idaho
Owner's Permit No. 432822
NATURE OF WORK (check): Replacement well ☐
New well ☒ Deepened ☐ Abandoned ☐
Water is to be used for: _____
METHOD OF CONSTRUCTION: Rotary ☐ Cable ☒
Dug ☐ Other _____
(explain) _____
CASING SCHEDULE: Threaded ☐ Welded ☒
24" Diam. from 1 ft. to 13 ft.
"Diam. from _____ ft. to _____ ft.
"Diam. from _____ ft. to _____ ft.
"Diam. from _____ ft. to _____ ft.
Thickness of casing: _____ Material: _____
Steel ☒ concrete ☐ wood ☐ other ☐

(explain) _____
PERFORATED? Yes ☐ No ☐ Type of
perforator used: _____

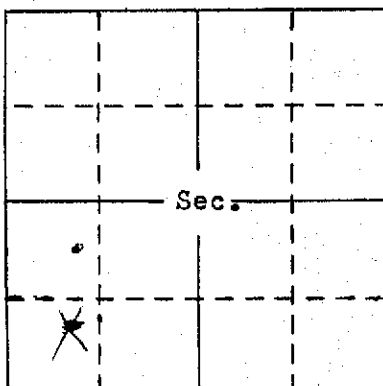
Size of perforations: _____" by _____"
_____ perforations from _____ ft. to _____ ft.
_____ perforations from _____ ft. to _____ ft.
_____ perforations from _____ ft. to _____ ft.
_____ perforations from _____ ft. to _____ ft.
WAS SCREEN INSTALLED? Yes ☐ No ☐

Manufacturer's name _____
Type _____ Model No. _____
Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.
Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.
CONSTRUCTION: Well gravel packed? Yes ☐
No. ☐ size of gravel _____ Gravel
placed from _____ ft. to _____ ft. Surface seal
provided? Yes ☐ No ☐ To what depth?
_____ ft. Material used in seal: _____

Did any strata contain unusable water? Yes ☐
No. ☐ Type of water: _____
Depth of strata _____ ft. Method of sealing
strata off: _____

Surface casing used? Yes ☐ No. ☐
Cemented in place? Yes ☐ No ☐

Locate well in section



Twin Falls

LOCATION OF WELL: County Sec 2
NW 1/4 SW 1/4 Sec. 2 T. 10 N/S R. 12 E/W

NW 1/4 SW 1/4

Use other side for additional remarks

Size of drilled hole: 12 in. to 6 in. Total
depth of well: 600 Standing water
level below ground: 330 Temp. _____
Fahr. _____ Test delivery: 3250 gpm
or _____ cfs Pump? ☒ Bail ☐
Size of pump and motor used to make test:
300 HP

Length of time of test: 10 Hrs. _____ Min.
Drawdown: 35 ft. Artesian pressure: ft. _____
above land surface _____ Give flow _____ cfs
or _____ gpm. Shutoff pressure: _____
Controlled by: Valve ☐ Cap ☐ Plug ☐
No control ☐ Does well leak around casing?
Yes ☐ No ☐

DEPTH FROM TO FEET FEET	MATERIAL	WATER YES OR NO
0 3	Soil & hardpan	
3 7	Boulders	
7 130	Red rhyolite (Broken)	
130 228	Brown rhyolite	
228 265	Light grey rhyolite	
265 426	Light brown rhyolite	
426 430	Grey rhyolite (broken)	
430 490	Grey rhyolite (Hard)	
490 517	Broken rhyolite some water to 4' sand	
517 586	Grey rhyolite (broken)	
586 600	Brown rhyolite	

Work started: June 17
Work finished: Sept 28
Well Driller's Statement: This well was
drilled under my supervision and this report
is true to the best of my knowledge.
Name: Arnold Elser
Address: 1980 Shays Ave E
Signed by: Arnold Elser
License No. 291 Date: Oct 6

32822

March 8, 1971

Re: Permit No. G-32822/47-2314

Retta Potucek
Route 2
Buhl, Idaho 83316

Dear Mrs. Potucek:

We acknowledge receipt of your affidavit submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative from this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

We also acknowledge receipt of the affidavit of publication. If we may be assistance at any time, please contact us.

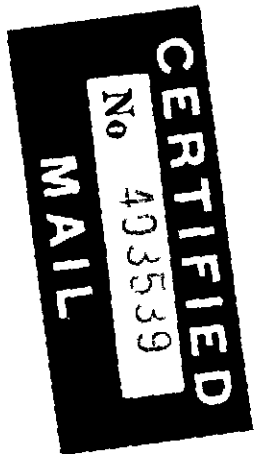
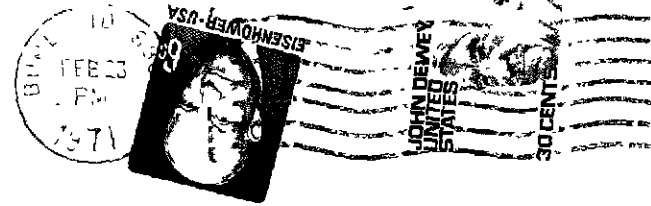
Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR

17 2314

Getta Noticek
Route 2,
Buhl, Idaho, 83316



State of Idaho
Department of Water Administration
Statehouse - Room 2
 Boise Idaho 83707

1

1

17 2314

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

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



POSTMARK OF
DELIVERING OFFICE



INSTRUCTIONS: Show name and address below and complete instructions on other side, where applicable. Moisten gummed ends, attach and hold firmly to back of article. Print on front of article **RETURN RECEIPT REQUESTED**.

**RETURN
TO**

NAME OF SENDER

DEPARTMENT OF WATER ADMINISTRATION

STREET AND NO. OR P.O. BOX

STATEHOUSE - ANNEX 12
BOISE, IDAHO 83707

POST OFFICE, STATE, AND ZIP CODE

17 2314

INSTRUCTIONS TO DELIVERING EMPLOYEE



Show to whom, date, and
address where delivered



Deliver **ONLY**
to addressee

(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

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

CERTIFIED NO.

1

22471

INSURED NO.

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

Betta Potucek

DATE DELIVERED

3

SHOW WHERE DELIVERED *(only if requested)*

17

2344

January 29, 1971

CERTIFIED MAIL

#22471

Re: Permit No. G-32822/47-2314

Retta Potucek
Route 2
Buhl, Idaho 83316

Dear Mrs. Potucek:

One of the conditions of the approval of your Permit No. G-32822/47-2314 was that proof of application of the water to beneficial use be submitted to this office on or before April 12, 1971.

Enclosed is an affidavit form which must be used to submit proof of beneficial use. You may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended.

Either the proof affidavit or a request for extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.

Director

Enc: Proof affidavit
dr

67 2314

January 19, 1971

Re: Permit No. G-32822/47-2314

Mrs. Retta Potucek
Route # 2
Buhl, Idaho 83316

Dear Mrs. Potucek:

The legal notice for the above-referenced permit is being published in the

~~Buhl Herald, Buhl, Idaho~~ on January 28, 1971
and February 4, 1971.

You will be required to submit an affidavit of publication to this department.
The affidavit may be obtained from the above-mentioned newspaper upon payment of
the bill of publication.

Thank you for your cooperation in this matter.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:CM

January 19, 1971

Re: Permit No. G-32822/47-2314

The Buhl Herald
Post Office Box # 312
Buhl, Idaho 83316

Gentlemen:

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

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

The expense of the publication is to be paid by ~~Mrs. Retta Potucek,~~
~~Route # 2, Buhl, Idaho~~, to whom you should furnish
an affidavit of publication.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:CM

Enc: Legal Notice

47 2314

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Retta Potucek, Route #2, Buhl, Idaho
has received an approved Permit No. G-32822/47-2314 issued by the Idaho Department of Water Administration authorizing the diversion ~~abkake~~ of 5.68 cubic feet per second ~~per/annum~~ of water from a ground water source.
The priority to be established under this permit is April 8, 1966
and the permit was approved April 12, 1966.

Water is to be diverted by well and pump
from a point within the NW1SW1, Sec. 2, T. 10 S, R. 12 E, B. M., Twin Falls County
to be used for irrigation
in the W1SW1, Sec. 2; E1SW1, E1SE1, SW1SE1, Sec. 3; N1NE1, SE1NE1, Sec. 10; NW1SW1, Sec. 11; NW1NW1, Sec. 12, T. 10 S, R. 12 E, B. M.

Proof of the application of the water to beneficial use is to be submitted to the Department on or before April 12, 1971. Any protests against the issuance of the license for the above referenced permit should be filed with the Idaho Department of Water Administration within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON, Director
Idaho Dept. of Water Administration

Published in the Buhl Herald, Buhl, Idaho
on January 28, 1971 and February 4, 1971.

Permit No. 47-2314

Director:

You are hereby authorized to have the above notice published at my expense in the Buhl Herald of Buhl, Idaho; published in the county in which the works are situated.

Retta Potucek
(Signature)

Jan 11, 1971
(Address)

Jan 11, 1971
(Date)

Rt 2, Buhl, Idaho, 83316

REPORT OF WELL DRILLER
State of Idaho

RECEIVED
NOV 31 1968

Department of Reclamation

State law requires that this report shall be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

11.7.68

you

July 31, 1970

Re: Permit No. G-32822/47-2314

Mrs. Retta Potucek
Route #2
Buhl, Idaho

Dear Mrs. Potucek:

During the 1967 session of the Idaho Legislature, certain amendments were made in the law pertaining to the procedures for making proof of beneficial use of water. In order for the Department to comply with these changes, Rules of Practice and Procedure were adopted on August 1, 1968. Generally, these procedures and the amended law make it simpler for a person to make proof and relieve the permit holder from making separate proofs of completion of works and beneficial use of water.

The enclosed order modifies your permit to comply with these rules and regulations. As a part of the new procedure, you will be required to publish a notice at your expense for two consecutive weeks in a paper as prescribed by the Department; previously, a permit holder had to publish a notice for four weeks when he submitted proof under his permit.

If you will complete the enclosed forms, we will cause the notice to be published. Should you require additional forms or information, we will be glad to supply them upon request at any time.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG
Enc: order
advertising package

32822
47-2314

DWM/SLC Sec. 2 T. 10 N/S R. 12 E/W

Use other side for additional remarks

32822



UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

L:VSS
Idaho 016429

Idaho Land Office
P.O. Box 2237
Boise, Idaho 83701

92-2822

NOTICE OF ALLOWANCE

APR 27 1966

APR 26 1966

Department of Reclamation

Mrs. Retta A. Potucek
Route #2
Buhl, Idaho 83316

Dear Mrs. Potucek:

Your Desert Land Entry, Serial No. Idaho 016429,
Receipt No. 103188, for NW1/4, Sec. 2; NE1/4, E1/4, Sec. 3;
NW1/4, SE1/4, Sec. 10; NW1/4, Sec. 11; NW1/4 Section 12,
Township 10 S., Range 12 E., Boise Meridian, Idaho, containing
320 acres, is hereby allowed, subject to any valid existing rights and
your further compliance with laws and regulations applicable thereto. The
acceptability of final proof is contingent upon development and reclamation
of the land in accordance with your plan of development which is on file in
the Boise Land Office. Any substantial change in source of water or deviation
in the construction of the irrigating facilities must have the approval of the
Bureau of Land Management. The irrigable acreage of this entry has been deter-
mined to be approximately 150 acres. In correspondence relat-
ing to this entry, always refer to the serial number shown above.

Subject to the Act of July 17, 1914, which may require the reservation of all
oil and gas deposits to the United States.

NW1/4, Sec. 2, subject to C. W. McClain right-of-way, Idaho 013803.

Sincerely yours,

/s/ ORVAL G. HADLEY

Orval G. Hadley
Manager, Land Office

cc: State Reclamation Engineer ✓

932822

April 14, 1966

Re: Permit No. **G-32822**

Bureau of Land Management,
P. O. Box 2237,
Boise, Idaho.

Gentlemen:

We enclose two copies of Permit No. **G-32822**, one
of which has been certified, to be used in connection with
Desert Land Entry filed in your office by permit holder

Retta Potucek of
Route #2, Buhl, Idaho.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(~~RECEIVED~~)
~~RECEIVED~~

M. RUSSELL BOSCH
Office Manager

Encl 2 copies permit G-32822

~~RECEIVED~~

cc: Applicant

832822

April 14, 1966

Re: Permit No. G-32822

Retta Potucek
Route #2
Buhl, Idaho

Dear Mrs. Potucek:

We enclose Permit No. G-32822 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

By this same mail, we have sent to the Bureau of Land Management two copies of this permit, one of which has been certified, to be used in connection with the Desert Land Entry filed in that office. A copy of that letter is enclosed.

~~XXXXXXXXXXXX~~ Departmental Receipt No. G-10261 which was issued covering payment in the amount of \$ 8.25, which includes \$ 6.25 for the filing fee and \$ 2.00 for the copies sent to the Bureau of Land Management.

Very truly yours,

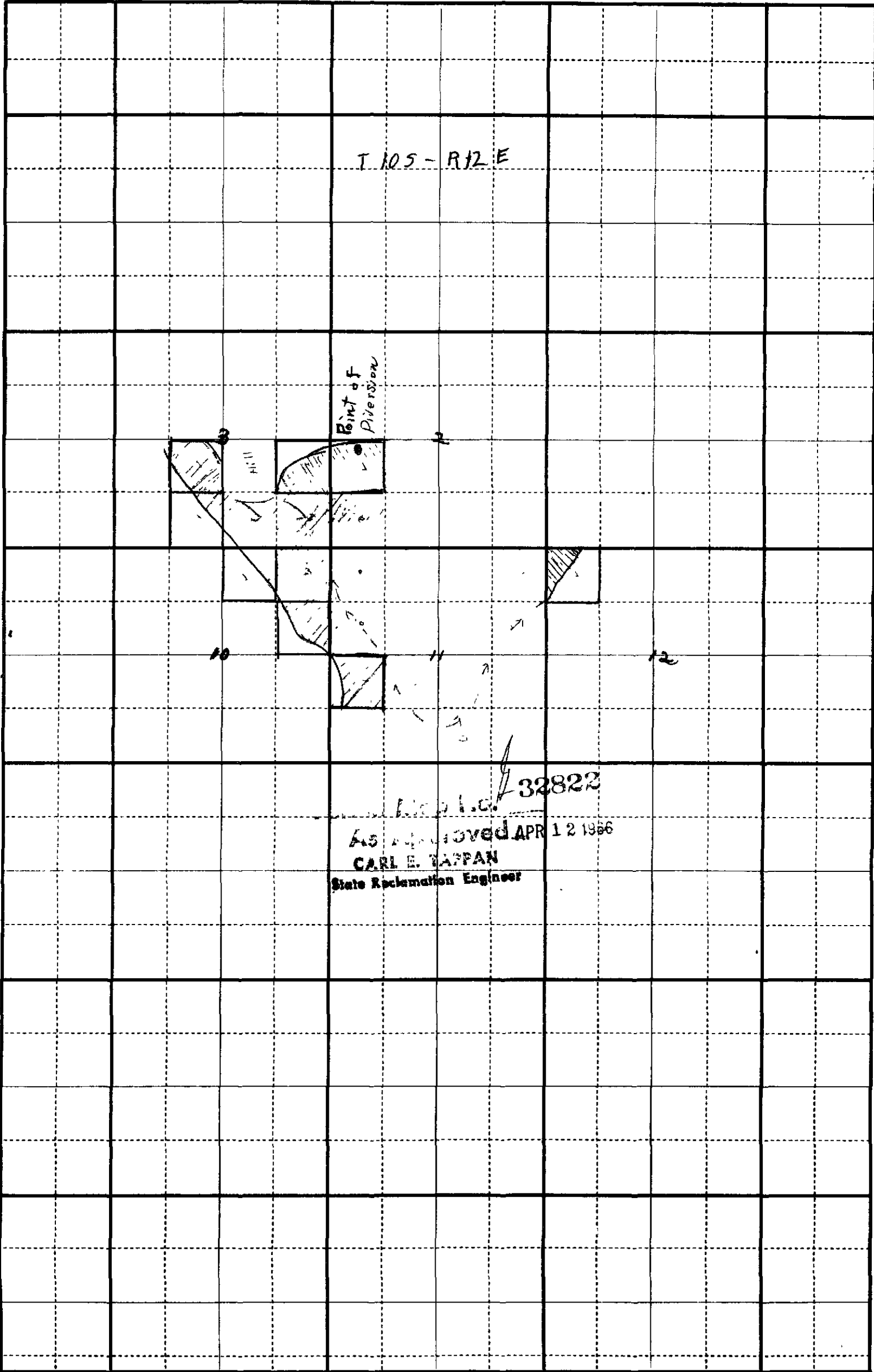
CARL E. TAPPAN
State Reclamation Engineer
By

~~XXXXXXXXXXXX~~
~~XXXXXXXXXX~~

M. RUSSELL BOSCH
Office Manager

Encl. Permit
~~XXXXXXXXXX~~
MRB:ejw

G 32822



As approved APR 12 1966
CARL E. TAPPAN
State Reclamation Engineer

ACKNOWLEDGEMENT

32822

Date:

4/8/66

Re:

~~Application No.~~ Application

I hereby acknowledge that, even though I was assisted by employees of the Idaho State Department of Reclamation in the preparation of Application No. _____, all responsibility with regard to the accuracy and completeness of the information contained therein rests with me.

Signed:

Getta Potucek

Applicant

32822