

5 | 14

2 | 23

14 | 13

23 | 24



Rye 17E

← To Jerome

Trg. 88

23

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PD
⊙

Area - 25A

Subd 1

allow Q - ~~.34~~ 0.50

AFFIDAVIT of PUBLICATION

COPY OF NOTICE

(Paste Here)

Proof of Comp
TITLE OF NOTICE
Frank Marshall Est.

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

BILL TO

State of Idaho,
County of Jerome

SS.

RECEIVED
DEC 8 1966

Department of Reclamation

Alvan P. Kuehn being first duly sworn,
deposes and says that he is the printer (publisher) of the Jerome
North Side News, a newspaper published every week in Jerome, County
of Jerome, State of Idaho; that said newspaper has been continuously
and uninterruptedly published for a period of seventy-eight consecu-
tive weeks prior to the first publication of the annexed notice, and is
a newspaper qualified to publish legal notices as provided by act of
the 1919 session of the legislature of the State of Idaho, known as
House Bill 145; that the annexed advertisement was published once

each week for 4 consecutive issues in said newspaper
proper and not in a supplement; that the date of the first publication
of said advertisement was on the 27 day of Oct,
1966, and the date of the last publication was on the 17
day of Nov, 1966.

Alvan P. Kuehn

Subscribed and sworn to before me this 6

day of December, 1966.
(SEAL)

Alice T. Hendrickson

NOTARY PUBLIC

NORTH SIDE NEWS

Jerome, Idaho

COST OF PUBLICATION

Number of Lines in Notice 48

Number of Insertions 4

48 Lines at 15c 720

144 Lines at 10c 1440

TOTAL COST 2160

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

Notice is hereby given that on the
2nd day of December, 1966, at Boise,
County of Ada, State of Idaho before
Laura J. Henderson, Notary Public, at
224 Idaho Building, Boise, Idaho, proof
will be submitted of the completion of
works for the diversion of 1.6 cubic
feet per second of underground water
from a well, and of the application to
beneficial use of said water, in ac-
cordance with the terms and conditions
of Permit No. G-28761, heretofore is-
sued 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 Frank Marshall Estate,
Mary Marshall, Executrix, P.O. Box
887, Jerome, Idaho 83338.

2. Said works of diversion will be
fully completed on the date for such
completion, and the amount of water
which said works are capable of con-
veying to the place of use is 1.6 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
1.6 cubic feet per second.

4. The point of diversion of said wa-
ter is SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 23, Township
8 South, Range 17 East, B.M.

5. The place where said water is us-
ed is NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 23,
Township 8 South, Range 17 East, B.M.

6. The date of priority which said
user is prepared to establish is June
1, 1960.

R. KEITH HIGGINSON,
State Reclamation Engineer
10-27-4tc

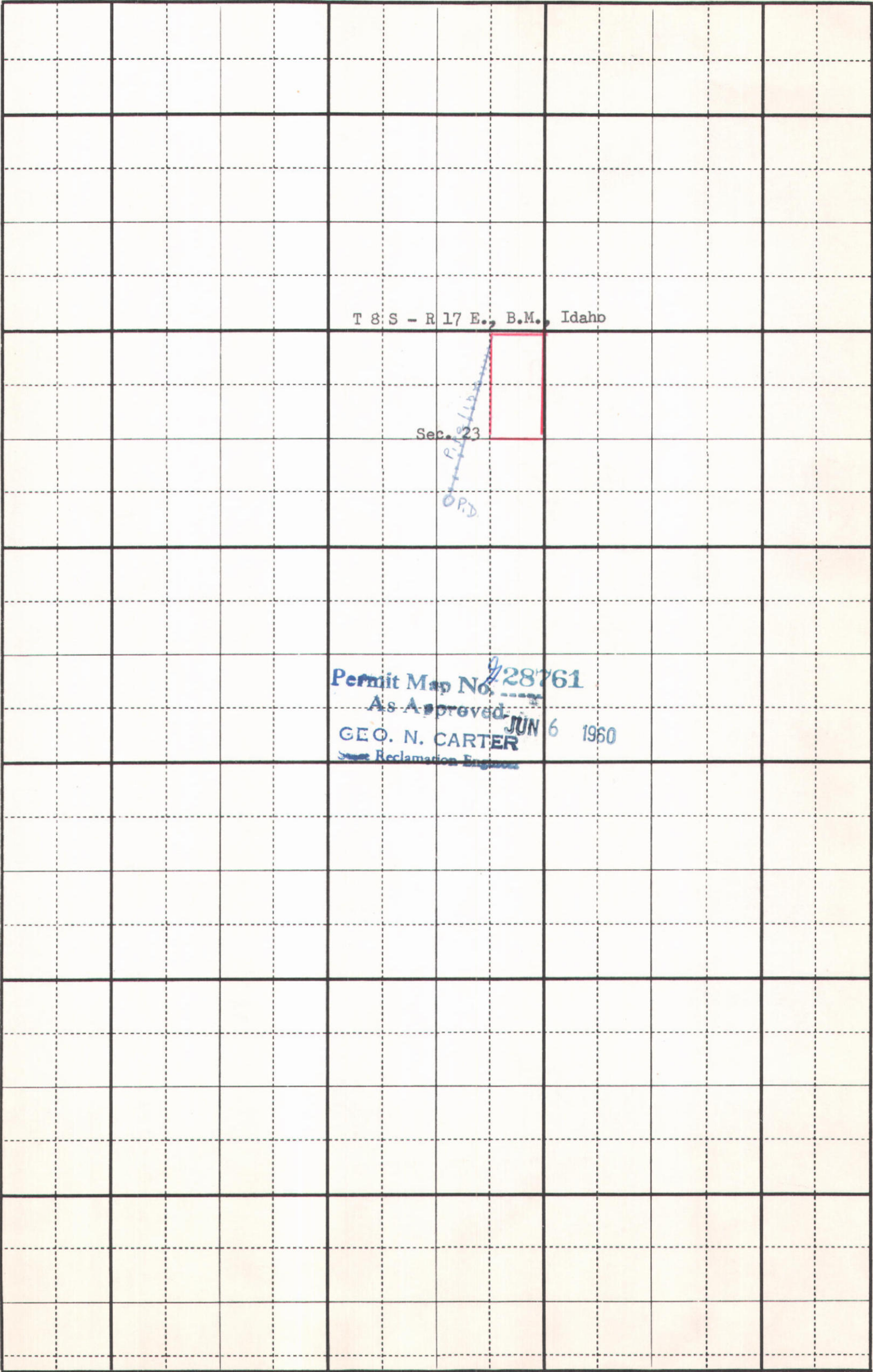
(Idaho Code, (Rev. Statutes) 1956	
7 pt. per line, straight	14c
7 pt. per line, tabular	20c
7 pt. per line, successive	
insertions	10c
6 pt. per line, straight	15c
6 pt. per line, tabular	20c
6 pt. per line, successive	
insertions	10c

Nº 1998

28761

NAME OF APPLICANT.....Frank Marshall.....

Form No. 0



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

28761

This
Right has been
Decreed in the
SRBA.

IDAHO DEPARTMENT OF WATER RESOURCES
PREFIX/SPLIT QUERY

DATE: 03/13/00

TIME: 11:47:10

PAGE: 1

WATER RIGHT NO.	NAME	OWNER	PRIORITY	DATE	STG/STS	SOURCE	USE DESC	SYSTEM
36-02439	MARSHALL, EST. OF FRANK	C		06/24/1960	L/	GROUNDWATER	IRR	WR
X36-02439	MARSHALL, C J	C		06/24/1960	L/	GROUNDWATER	IRR	WR

36-02439	MARSHALL, C J	C		06/24/1960	L/	GROUNDWATER	IRR	AJ
A36-02439	MARSHALL, CJ	C		06/24/1960	L/	GROUNDWATER	IRR	AJ
R36-02439	MARSHALL, C J	C		06/24/1960	L/	GROUNDWATER	IRR	AJ

MICROFILMED

MAR 20 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5480
WATER RIGHT NO(S). 36-02186/36-02187A/36-02187B
36-02301/36-02439

This is to certify that: **C J MARSHALL**
PO BOX 288
JEROME ID 83338

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 36-02186 :			
IRRIGATION	03/15 to 11/15	4.88 CFS	1100.0 AF
Priority: 02/06/1953			
Right No. 36-02187A :			
IRRIGATION	03/15 to 11/15	4.46 CFS	892.0 AF
Priority: 02/06/1953			
Right No. 36-02301 :			
IRRIGATION	03/15 to 11/15	5.46 CFS	1092.0 AF
Priority: 05/29/1956			
Right No. 36-02439 :			
IRRIGATION	03/15 to 11/15	0.50 CFS	100.0 AF
Priority: 06/24/1960			
	SUBTOTAL:	* 11.13 CFS	* 2988.0 AF
Right No. 36-02187B :			
STOCKWATER	01/01 to 12/31	1.10 CFS	165.0 AF
COMMERCIAL	01/01 to 12/31	1.10 CFS	165.0 AF
Priority: 02/06/1953			
	SUBTOTAL:	** 1.10 CFS	** 165.0 AF
	TOTAL:	12.23 CFS	3153.0 AF

SOURCE

GROUNDWATER

MICROFILMED
MAR 20 2000

TRANSFER NO. 5480
WATER RIGHT NO(S) . 36-02186/36-02187A/36-02187B
36-02301/36-02439

LOCATION OF POINT(S) OF DIVERSION:

Right No. 36-02186/36-02187A/36-02301/36-02439 :

SESW , Sec. 23, Township 08S, Range 17E

SWSE , Sec. 23, Township 08S, Range 17E

JEROME County

Right No. 36-02187B :

NWNE , Sec. 26, Township 08S, Range 17E

JEROME County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
08S	17E	23	NWNE 11	SWNE 33	SENE 23	
			NENW 27	NWNW 33	SWNW 23	
			SENW 38	NESW 39	NWSW 36	
			SWSW 30	SESW 25	NESE 37	
			NWSE 36	SESE 38		429
	26		NENE 19	SWNE 32	SENE 39	
			NENW 36	NWNW 37	SWNW 37	
			SENW 39	NESE 39	NWSE 40	318
Total number of acres irrigated:						747 ***

PLACE OF USE: STOCKWATER

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>			
08S	17E	23	SESW	SWSE	
	26		NENE	NWNE	SWNE

PLACE OF USE: COMMERCIAL

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>			
08S	17E	23	NWNE	SWNE	SENE
			NENW	NWNW	SWNW
			SENW	NESW	NWSW
			SWSW	SESW	NESE
			NWSE	SWSE	SESE
	26		NENE	NWNE	SWNE
			SENE	NENW	NWNW
			SWNW	SENW	NESE
			NWSE		

CONDITIONS OF APPROVAL AND REMARKS

1. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

MICROFILMED
MAR 20 2005

TRANSFER NO. 5480
WATER RIGHT NO(S). 36-02186/36-02187A/36-02187B
36-02301/36-02439

CONDITIONS OF APPROVAL AND REMARKS

3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- *** 5. Right 36-02186 is limited to the irrigation of 275.0 acres in the place of use described above in a single irrigation season.
- *** 6. Right 36-02187A is limited to the irrigation of 223.0 acres in the place of use described above in a single irrigation season.
- *** 7. Right 36-02301 is limited to the irrigation of 273.0 acres in the place of use described above in a single irrigation season.
- *** 8. Right 36-02439 is limited to the irrigation of 25.0 acres in the place of use described above in a single irrigation season.
- * 9. Rights 36-02186, 36-02187A, 36-02301 and 36-02439 when combined
*** shall not exceed a total diversion rate of 11.13 cfs, a total annual maximum diversion volume of 2988.0 af at the field headgate, and the irrigation of 747.0 acres.
10. Use of water under Right 36-02187B shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
11. The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.
- ** 12. The total instantaneous diversion of water from all points of diversion under Right 36-02187B shall not exceed 1.10 cfs, nor a total combined annual volume of 165.0 af.
13. The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized under Right 36-02187B.
14. Two points of diversion are located within NWNE, S26, T08S, R17E.
15. The dairy is located within the SESW and SWSE, S23 and NENE, NWNE and SWNE, S26, T08S, R17E.

Dated this 13th day of March, 2000


Chief, Water Allocation Bureau

MICRO FILM
MAR 20 2000

STATE OF IDAHO
License and Certificate of Water Right

Water License No. G-28761 Amount 0.5 c.f.s.
Water District No. Priority June 24, 1960
(late proof)

THIS IS TO CERTIFY that FRANK MARSHALL ESTATE - Executrix - MARY MARSHALL
of Jerome, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated June 1, 1960; that Permit No. G-28761
was issued under said application; that Certificate of Completion of Works, with a carrying capacity of
0.5 second feet, was issued thereunder on September 6, 1967, showing that said works
were completed on the 2nd day of December, 1966; and that on the 2nd
day of December, 1966, MARY MARSHALL, Executrix
of Jerome, 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-28761 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 14 of Licenses at Page 8878,
on the 6th day of September, 1967.

The right hereby confirmed dates from June 24, 1960.
The Point of Diversion is located
in the SW 1/4 SE 1/4, Sec. 23, Twp. 8 S, Rge. 17 E, B.M., County of Jerome.
That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 0.5 second feet.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
8 S	17E	23	SE 1/4 NE 1/4	40	25
			Total number of acres to be irrigated:		25

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
6th day of September, 1967.

S/ R. KEITH HIGGINSON
State Reclamation Engineer.

(SEAL)

State of Idaho

License and Certificate of Water Right

Water License No. G-28761 Priority June 24, 1960 Amount 0.5 c.f.s.
(late proof)

THIS IS TO CERTIFY that FRANK MARSHALL ESTATE - Executrix - MARY MARSHALL

of Jerome, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated June 1, 1960; that Permit No. G-28761 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 0.5 second feet, was issued thereunder on September 6, 1967, showing that said works were completed on the 2nd day of December, 1966; and that on the 2nd day of December, 1966

MARY MARSHALL, Executrix

of Jerome, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of a well,

a tributary of subterranean flow for the purpose of irrigation, under Use Permit No. G-28761 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 14 of Licenses, at Page 8878, on the 6th day of September, 1967.

The right hereby confirmed dates from June 24, 1960.

The Point of Diversion is located

in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 23, Twp. 8 S, R. 17 E, B.M. Jerome County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 0.5 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
8 S	17 E	23	SE $\frac{1}{4}$ NE $\frac{1}{4}$	40	25
			Total number of acres to be irrigated:		25

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 6th day of September, 1967.

R. Keith Higgins
State Reclamation Engineer.

28761

State of Idaho

LICENSE AND CERTIFICATE
OF WATER RIGHT

Water License No. G-28761

To Frank Marshall Estate - Executrix -
Mary Marshall
Jerome, Idaho

Source of Supply subterranean

Jerome County

Amount 0.5 Sec. Ft.

Point of Diversion SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 23,
T. 8 S, R. 17 E, B.M.

Place of Use SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 23, T. 8
S, R. 17 E, B.M.

Purpose irrigation

Date of Priority June 24, 1960
(late proof)

Recorded September 6, 1967

in Book 14 of Licenses, Page 8878

Idaho Land & Map Service
Box 2161
Boise, Idaho

LICENSE ISSUED FOR 1 SEC. FT.
LISENSE PAGE NO. 28761

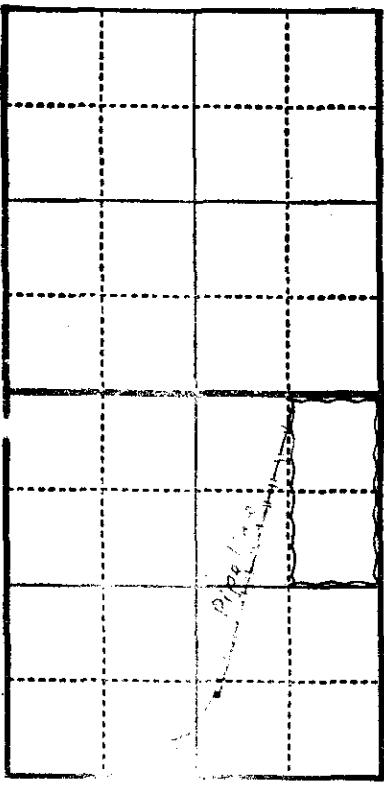
APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

36-2439

Application No. G- 36743
Permit No. G- 28761
District No.

- Name of Applicant: **Frank Marshall L. State (Mary Marshall)**
Postoffice address: **Box 133, Jerome** County: **Jerome** State: **Idaho**
- Quantity of water claimed: **80 miner's inches**
 - Rate of withdrawal in cubic feet per second **1.6** or Idaho
Miners' inches or gallons per minute
 - Annual withdrawal in acre feet per annum
- Source of water supply: **Drilled well**
- Location of point of diversion or well is in the **SW 1/4** of the **SE 1/4** of Section **23**
Twp. **8 S**, Rge. **17 E**, B.M., County of **Jerome**
- Water is to be used for: **Irrigation**
- If for municipal, industrial or recreational purposes, give:
 - Point of use of water is in the **1/4** of the **1/4** of Section **23**, Twp. **8 S**, Rge. **17 E**, B.M.
 - Waste water or sewage effluent is to be returned to
at a point in the **1/4** of the **1/4** of Section **23**, Twp. **8 S**, Rge. **17 E**, B.M.
- Kind of works: **Drilled well, to be cased and equipped with turbine type pump & motor**
- Estimated cost of works: **\$ 15,000**
- Is reservoir to be used? **no**
 - Capacity of reservoir:
- The time required for the completion of such work and complete application of the water to the proposed use is **5** years.
- If applicant is a corporation, give:
 - Date and place of incorporation:
 - Amount of capital stock: \$
 - Names and addresses of directors:
 - Cash onhand: \$
 - Treasury stock:
 - Other resources:
- The land to be irrigated is described in the following tabulation:
- Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: **none**
 - (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - 1.6** (cubic feet per second, inches or gallons per minute) is for new lands.



Remarks:

Idaho as herein set forth.

Frank Marshall Applicant.

By

Date of first receipt at Department of Reclamation:

Returned to applicant for correction:

Corrected application received:

DESERT ENTRY - Idaho Ser. No. _____

Allowed: _____

Approval of State Reclamation Engineer

The number of this permit is G— 28761

Recorded in Book **101** Page **28761** Approved **June 6, 1960**

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 6, 1962**

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 6, 1965**

Witness my hand this 6th day of June, 1960

s/ GEO. N. CARTER
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, 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 6th
day of June, 1960.

Countersigned:

STATE OF IDAHO

(SEAL)

By s/ ARNOLD WILLIAMS

By s/ ROBERT E. SMYLLIE
Governor

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	
8 S	17 E	23	40				80
STATE OF IDAHO DEPARTMENT OF RECLAMATION							
✓ WHEREAS, Permit No. G-28761, in the name of Frank Marshall requires proofs of completion of works and beneficial use to be made on or before June 6, 1965; and,							
WHEREAS, said Permit was issued in connection with Desert Land Entry Idaho Serial #011569; and,							
WHEREAS, Applicant was prevented from proceeding with construction pending allowance of said Desert Land Entry which was not allowed until November 9, 1961.							
NOW, THEREFORE, An Extension of Time is allowed for Completion of Works and Beneficial Use Proofs on Permit No. G-28761 to November 9, 1966, or the length of time applicant was prevented from proceeding pending allowance of his Desert Land Entry and a similar extension is allowed for every other act required under the terms and conditions of Permit No. G-28761.							
Signed at Boise, Idaho, this 7th day of April, 1965.							
s/ RALPH W. THOMAS Deputy State Reclamation Engineer							

Permit No. G-28761 +
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that FRANK MARSHALL ESTATE - Executrix - MARY MARSHALL of Jerome, County of Jerome, and State of Idaho, the holder of Permit No. G-28761, issued upon Application No. G-36743 bearing date of priority of June 24, 1960 (late proof), authorizing the diversion of 1.6 second feet of waters of a well, County of Jerome, 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 0.5 second feet of the waters of a well, tributary of subterranean flow; that the point of diversion of said waters is in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 23, Township 8 South, Range 17 East, Boise Meridian; and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit: SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 23, Township 8 South, Range 17 East, Boise Meridian.

Proof of Completion of Works made: December 2, 1966.

Witness my hand this 6th day of September, A.D. 1967.

S/ R. KEITH HIGGINSON
State Reclamation Engineer

LICENSE ISSUED FOR 0.5 SEC. FT.
LICENSE PAG. NO. 3378

This
Right has been
Decreed in the
SRBA.

MICROFILMED
1984 12 19

MEMORANDUM

TO: FILE 36-02439

FROM: PAM SKAGGS

RE: TRANSFER # 5480

DATE: 6/29/99

Original Transfer Application, Form and correspondence
regarding the above referenced Transfer is located within
file # 36-02106.

MICROFILMED
MAR 20 2000

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that FRANK MARSHALL ESTATE - Executrix - MARY MARSHALL
 of Jerome, County of Jerome, and State of
 Idaho, the holder of Permit No. G-28761, issued upon
 Application No. G-36743, bearing date of priority of June 24, 1960
 (late proof), authorizing the
 diversion of 1.6 second feet of waters of a well,

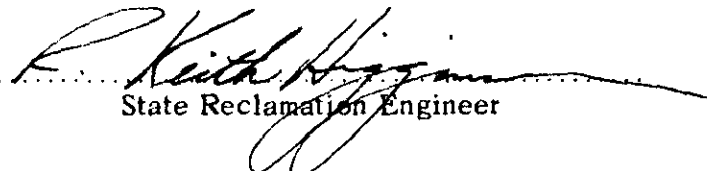
County of Jerome, State of Idaho, for irrigation
 purposes, has fully complied with the provisions of the laws of the State of Idaho
 relating to the proof of completion of the works of diversion set out and described in said
 Permit; that said works are adequate for diverting and conveying to the place of intended
 use 0.5 second feet of the waters of a well, tributary of
 subterranean flow;

that the point of diversion of said waters is in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 23, Township 8
 South, Range 17 East, Boise Meridian;

and that the lands proposed to be irrigated by the use or place of use of said water are
 described as follows, to-wit: SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 23, Township 8 South, Range 17 East,
 Boise Meridian.

Proof of Completion of Works made: December 2, 1966.

Witness my hand this 6th day of September, A. D. 19 67


 State Reclamation Engineer

Permit No. ...G-28761.....

Certificate of Completion
of Marks

Dated September 6 , 19 67

Stream ...subterranean.....

County ...Jerome.....

Amount ...0.5 c.f.s.....

Date of Priority June 24, 1960
(late proof)

Recorded in Book ...101.....

of ...Permits ... , page 28761

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c

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

Notice is hereby given that on the
2nd day of December, 1966, at Boise,
County of Ada, State of Idaho before
Laura J. Henderson, Notary Public, at
224 Idaho Building, Boise, Idaho, proof
will be submitted of the completion of
works for the diversion of 1.6 cubic
feet per second of underground water
from a well, and of the application to
beneficial use of said water, in ac-
cordance with the terms and conditions
of Permit No. G-28761, heretofore is-
sued 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 Frank Marshall holding
Mary Marshall, Executrix, P.O. Box
887, Jerome, Idaho 83338.
2. Said works of diversion will be
fully completed on the date for such
completion, and the amount of water
which said works are capable of con-
veying to the place of use is 1.6 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
1.6 cubic feet per second.
4. The point of diversion of said wa-
ter is SW 1/4 SE 1/4, Section 23, Township
8 South, Range 17 East, B.M.
5. The place where said water is us-
ed is NE 1/4 NE 1/4, SE 1/4 NE 1/4, Section 23,
Township 8 South, Range 17 East, B.M.
6. The date of priority which said
user is prepared to establish is June
1, 1962.

R. KEITH HIGGINSON, 2701
State Reclamation Engineer
10-27-4tc

September 6, 1967

Re: Permit No. G-28761

Mary Marshall
Frank Marshall Estate
Box 288
Jerome, Idaho

Dear Mrs. Marshall:

Enclosed are your Certificate of Completion of Works and License
and Certificate of Water Right on the above numbered permit.

Also enclosed is departmental receipt No. G-11787 in the amount
of \$7.00 covering the fees.

Very truly yours,

Donald W. McElowney
Water Rights Clerk

DWM:ks

Enclosures: Certificates and receipts

28761

April 7, 1965

Re: Permit No. G-28761
Frank Marshall

Idaho Land & Appraisal Service
P. O. Box 2161
Boise, Idaho

Gentlemen:

Enclosed is an Extension of Time on the above numbered
permit to November 9, 1966.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. extension

28761

August 23, 1967

Re: Permit G-28761

Mary Marshall
Frank Marshall Estate
Box 288
Jerome, Idaho

Dear Mrs. Marshall:

A representative of this department has made an examination of the works covered by your permit G-28761 and has found the following:

Quantity of water diverted: 0.34 c.f.s.
Amount of water that can be recognized as beneficially used
under Idaho Law: 0.34 c.f.s.
Purpose of use: irrigation of 25 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec.
23, T. 8 S, R. 17 E, B.M.

June 24, 1960

The priority date established is: _____.

A fee totaling \$ 7.00 must be received within 30 days from the date of this letter in order that we can issue you the Certificate of Completion of Works and the License and Certificate of Water Right as described above.

Very truly yours,

C. Stephen Allred
Assistant State Reclamation Engineer

CSA:nw

28761

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

Permit No. G-28761

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

1. Name of applicant Frank Marshall Estate (Mary Marshall)
2. Source of water supply: subterranean
3. Location of point of diversion: Is in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 23
T. 8 S R. 17 E County of Jerome

4. Describe works as they exist, giving dimensions and capacities of same: _____
A 50 HP GE Motor
B.T. Pump
3000 gpm? @ 500'
same as on G-23696 + 1 PD in G-26371

5. Water is used for: irrigation
6. State whether or not water has been turned into works of diversion: yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):
E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 23, T. 8 S, R. 17 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: _____

.88
3rd left over from G-26371
use measurements on G-26371
see G-26371
G-28761
CAF

This examination was made on the 3rd day of August, 19 67
(Signed) Don Watts Examiner.

check
plat
28761

Frank Marshall Estate (Mary Marshall)
Box 288
Jerome, Idaho
Permit No. G-28761 - H-580' - 20" 610' 71
Q-66

Examination for Comp. of Works & Beneficial Use

County Jerome

Quantity: 1.6 c.f.s. Sec. 23 T. 8S R. 17E

Source: subterranean

P.D.: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 23, T. 8 S, R. 17 E, B.M.

Use: irrigation

Extension: yes

Protest:

Completion of Works:

Other Rights:

Filed: June 1, 1960

Due: November 9, 1966

Made: December 2, 1966

Priority: June 24, 1960
State Dept.

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.

413
24

E178

5.0

18.1

12.4

F
13.1

J
9.8

I
23.0

R
18.7

S
11.0

N
14.0

P
21.6

38

X
41.4

46.5

PD

BB
19.0

AA
15.4

DD
27

CC
23.1

GG
52

HH
29.7

II
19.1

JJ
14.6

KK
17.4

LL
22.9

MM
16.9

23 24
25 26

23.7

30

31

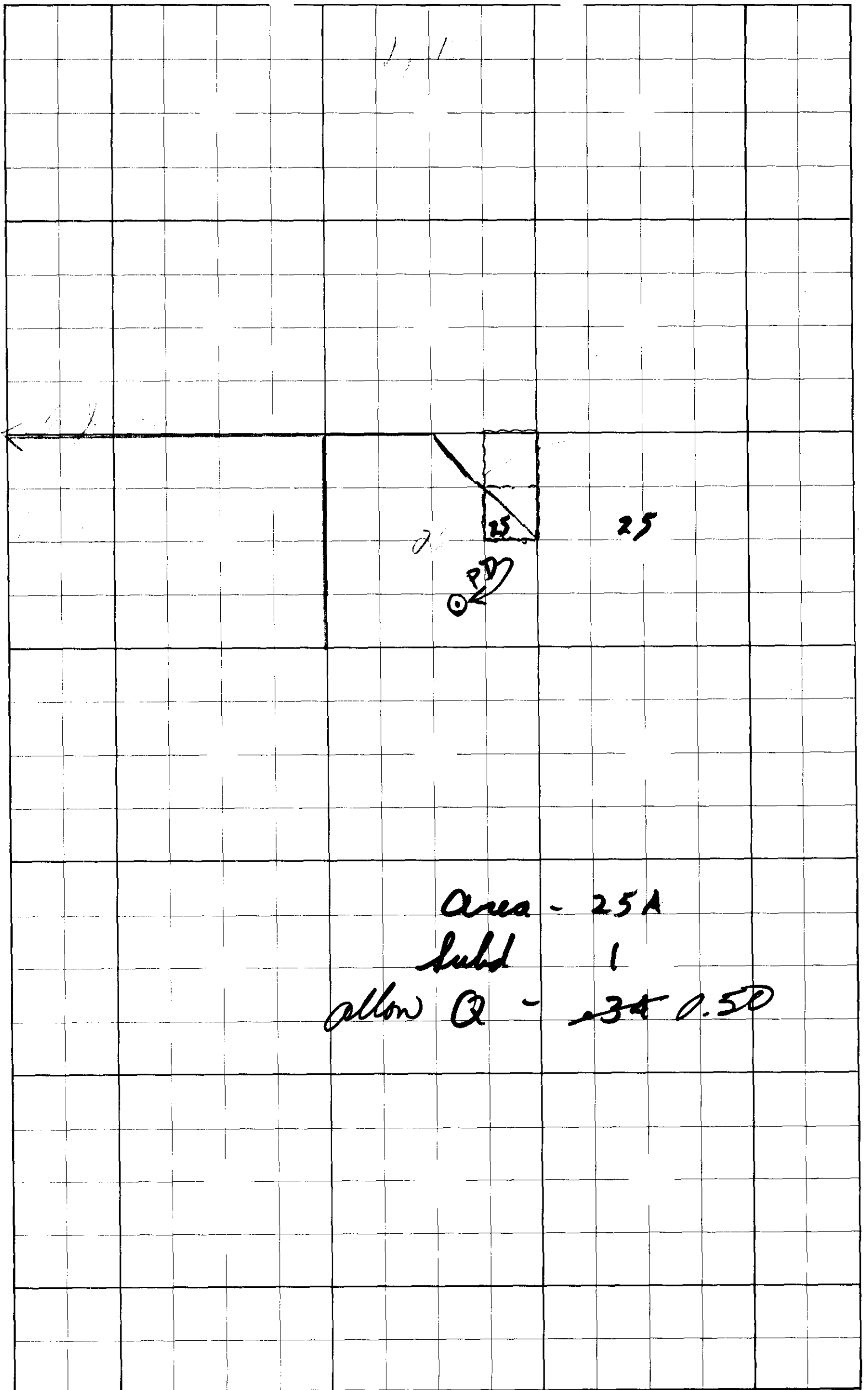
32

33

34

35

2070



Area - 25A
Subd 1
allow Q - ~~34~~ 0.50

Form 23
2M-4-65

~~6-21-37-7447~~
~~6-23-96-7212~~
~~6-23-95-6700~~

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. G-28761

REPORT ON PROOF OF Completion of Works & Beneficial Use

Jerome

January 17, 1967

Re: Permit No. G-28761

Frank Marshall Estate
Mary Marshall, Executrix
Box 288
Jerome, Idaho

Dear Mrs. Marshall:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the Jerome North Side News, all submitted in proof of completion of works and beneficial use on Permit No. G-28761.

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 to contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

M. Russell Bosch
Office Manager

MRB:rw

28761

AFFIDAVIT of PUBLICATION

COPY OF NOTICE
(Paste Here)

State of Idaho,
County of Jerome

SS.

RECEIVED
JAN 15 1967

Proof of Comp
TITLE OF NOTICE
Daniel Marshall Est.

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Account of Reclamation
Alvan P. Kuehn being first duly sworn,
deposes and says that he is the printer (publisher) of the Jerome
North Side News, a newspaper published every week in Jerome, County
of Jerome, State of Idaho; that said newspaper has been continuously
and uninterruptedly published for a period of seventy-eight consecu-
tive weeks prior to the first publication of the annexed notice, and is
a newspaper qualified to publish legal notices as provided by act of
the 1919 session of the legislature of the State of Idaho, known as
House Bill 145; that the annexed advertisement was published once

each week for 4 consecutive issues in said newspaper
proper and not in a supplement; that the date of the first publication
of said advertisement was on the 27 day of Oct,
19 66, and the date of the last publication was on the 17
day of Nov, 19 66.

Alvan P. Kuehn

Subscribed and sworn to before me this 6

day of December, 19 66
(SEAL)

Alice T. Hendrickson
NOTARY PUBLIC

NORTH SIDE NEWS

Jerome, Idaho

COST OF PUBLICATION

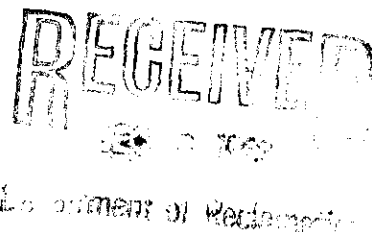
Number of Lines in Notice 48
Number of Insertions 4
48 Lines at 15c 720
144 Lines at 10c 1440
TOTAL COST 2160

4 pt. per line, successive	20c
insertions	10c
6 pt. per line, straight	15c
6 pt. per line, tabular	20c
6 pt. per line, successive	10c
insertions	10c

Nº 1998

28761

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho



Permit No. G-28761

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: CL.

Mary Marshall, Executrix of the Frank Marshall Estate, retired, Box 288, Jerome, Idaho

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

individual

Ques. 3. State number, approval date of permit, and date of priority: No. G-28671

approved - June 6, 1960; priority - June 1, 1960.

Ques. 4. State source of water supply: well

Give location of point of diversion, showing subdivision, section, township and range

SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 23, Township 8 South - Range 17 East, B.M.

Ques. 5. Describe your works of diversion: ditches, sprinkler systems, pump

_____ ; state amount of water they are capable of conveying from point of diversion to place of use: 1.6 cfs ; Give name of canal or ditch or other works by which water is conducted to such place of use: none

_____ ; if a well, state depth of well 610' ; depth and size of casing 20' x 20" ; depth to water 560' ; if pump is used,

state discharge of pump: 6.6 ; tell how it was measured or determined _____

Northside Pumping ; if sprinkler irrigation, give number and size of nozzles and operating pressure: 10/64th, 4 lines - 132 nozzles - 40 to 60 lbs.

Ques. 6. State for what purpose water is used: irrigation
(If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water:

Township 8 South - Range 17 East, Section 23 - NE $\frac{1}{4}$ NE $\frac{1}{4}$ - 40 ac., SE $\frac{1}{4}$ NE $\frac{1}{4}$ - 40 ac.

We have no reservoir here but we have one small regulatory pond.

State nature of all improvements which have been made as a direct result of said use:

All improvements are a direct result of said use.

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

Ques. 7. If for other than irrigation purposes, show full legal description of place of use and state purpose for which water is used:

irrigation only

Ques. 8: 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:

original holder

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: 1.6 - June, 1960 - Time used since first use:

Consecutively since that time.

Ques. 10. Describe all other water rights appurtenant to same place of use: _____

none

Frank Marshall, Estate

(sign)

Mary Marshall
Executrix

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

Boise

, County of

Ada

State of Idaho, on this 2nd day of December, A. D. 19 66.

Laura J. Henderson

My commission expires: 12/8/70 8/12/70

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G-28761

* * * * *

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

DEPOSITION OF WITNESS

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

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

John M. Mitani, 45, farmer, Box 57, Jerome, Idaho

Ques. 2 Are you acquainted with Mary Marshall, the holder of Permit No. G-28761? How long have you known him and where does he reside?

I have known Mrs. Marshall for 25 years and know she lives in Jerome, just north of town.

Ques. 3. Have you read or heard said Permit No. G-28761 read, and are you familiar with its provisions and conditions: Yes XXX No.

Ques. 4. State source of water supply: well

Give location of place of diversion, showing subdivision, section, township and range

Township 8 South - Range 17 East, B.M., Section 23 - SW $\frac{1}{4}$ SE $\frac{1}{4}$

Describe works for conveying water to place of use: well, pump, ditches, sprinkler system

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: 1.6 How much water have you seen being so conveyed? 80 inches

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

Township 8 South - Range 17 East, Section 23 - NE $\frac{1}{4}$ NE $\frac{1}{4}$ - 40 ac., SE $\frac{1}{4}$ NE $\frac{1}{4}$ - 40 ac.

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

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.

This is a sandy loam soil and requires 1" per acre for profitable cultivation.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned? If so, in what way and to what extent? no

Ques. 10. When did you first see this water used? June, 1960

Other times you have seen such use: Several times in each irrigation season since that time.

(Signed):

John M. Mitani

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 _____

Boise, County of Ada, State of Idaho, on this 2nd day of December, A. D. 19 66

Laura J. Henderson

Notary Public for the State of Idaho

Residing Boise, Idaho

My commission expires 12/8/70 8/2/70

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho
Permit No. G-28761

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

DEPOSITION OF WITNESS

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

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

Yoshio Aizawa, 53, Jerome, farmer, Rt. 1, Jerome, Idaho

Ques. 2 Are you acquainted with Mary Marshall, the holder of
Permit No. G-28761? How long have you known him and where does he reside?

I have known Mary Marshall 32 years and know she resides in Jerome, Idaho, just north of
town.

Ques. 3. Have you read or heard said Permit No. G-28761 read, and are you familiar
with its provisions and conditions: Yes XXX No,

Ques. 4. State source of water supply: well

Give location of place of diversion, showing subdivision, section, township and range
Township 8 South - Range 17 East, B.M., Section 23 - SW $\frac{1}{4}$ SE $\frac{1}{4}$

Describe works for conveying water to place of use: well, pump, ditches, regulatory pond,
XXXXX
sprinkler system

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 1.6 How much water have you seen being so
conveyed? 1.6 cfs

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

Township 8 South - Range 17 East, Section 23 - NE $\frac{1}{4}$ NE $\frac{1}{4}$ - 40 ac., SE $\frac{1}{4}$ NE $\frac{1}{4}$ - 40 ac.

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

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.

The soil is sandy loam in character and would require 1" per acre for top production.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned? If so, in what way and to what extent? no

Ques. 10. When did you first see this water used? June, 1960

Other times you have seen such use: Off and on during irrigation seasons each year.

(Signed):

Yoshio Aizawa

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 _____

Boise, County of Ada, State of Idaho, on this 2nd day of December, A. D. 19 66

Laure J. Henderson

Notary Public for the State of Idaho

Residing Boise, Idaho

My commission expires 8/12/70

D. 28761

RECEIVED
OCT 27 1966

Department

Information

IN THE PROBATE COURT OF JEROME COUNTY,
STATE OF IDAHO

In the Matter of the Estate of)
FRANK MARSHALL,) LETTERS TESTAMENTARY
Deceased.)

STATE OF IDAHO)
County of Jerome) ss.

THE LAST WILL OF Frank Marshall, deceased, having been
proved and recorded in the Probate Court of the County of Jerome, Idaho,
Mary Marshall, who is named therein, is hereby appointed Executrix of
said will.

WITNESS: Alene McDonald, Deputy Clerk of the Probate
Court, of the County of Jerome, with the Seal of the Court affixed, the
17th day of May, A. D., 1966, by order of the Court.

(SEAL)

/s/ ALENE McDONALD
Alene McDonald, Deputy Clerk

STATE OF IDAHO)
County of Jerome) ss.

I DO SOLEMNLY SWEAR, That I will perform according to
law, the duties of Executrix of the last Will and Testament of Frank Marshall,
deceased.

/s/ MARY MARSHALL
Mary Marshall

SUBSCRIBED and SWORN to before me, this 17th day of May,
A. D., 1966 }
State of Idaho } ss.
County of Jerome }

I hereby certify that the foregoing is a true copy of the original instrument on file in my office. /s/ RUSSELL C. SHAUD
Russell C. Shaud, Probate Judge

(SEAL)

Russell C. Shaud
Probate Judge of
Jerome County, Idaho
dated: 5-19-66 Alene McDonald
Dep Clerk

28761

Russ: D. 28761

Is this copy okay as
do you need a Certified Copy?
Call if you do.

Laura

RECEIVED
OCT 23 1966

Department of Education

28761

OCT 24 1966

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) October 21, 1966

(P. O.) P. O. Box 2161, Boise, Idaho 83701

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published
at my expense in the North Side News of

Jerome, Idaho

Published in

the county in which the works are situated. Please send statement of charges and
affidavit of publication to Idaho Land & Appraisal Service, P.O. Box 2161,
Boise, Idaho 83701.

*Harry Marshall, Executor of the
Estate of Frank Marshall*

(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

28761

RECEIVED
OCT 24 1966

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

Notice is hereby given that at 10/4 W., on the 2nd day of December
19 66, at Boise, County of Ada, State of Idaho
before Laura J. Henderson, Notary Public, at (address) 224 Idaho Building,
Boise, Idaho, proof will be submitted of the completion
of works for the diversion of 1.6 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-28761, 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 Frank Marshall Estate, Mary Marshall, Executrix, P.O. Box 887, Jerome, Idaho 83338

2. Said works of diversion will be fully completed on the date for such completion,
and the amount of water which said works are capable of conveying to the place of
use is 1.6 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
1.6 cubic feet per second.

4. The point of diversion of said water is SW 1/4, Section 23 - Township 8 South -
Range 17 East, B.M.

5. The place where said water is used is Township 8 South - Range 17 East, B.M.
Section 23 - NW 1/4, SW 1/4

6. The date of priority which said user is prepared to establish is June 1, 1960

State Reclamation Engineer 28761
W

October 24, 1966

Re: Permit No. G-28761

North Side News
Jerome, Idaho

Gentlemen:

Enclosed you will find a legal notice which we wish to have published for four consecutive weeks prior to December 2, 1966. The expense of the publication is to be paid by Idaho Land & Appraisal Service of P.O. Box 2161, Boise, Idaho 83701 to whom you should furnish proof of publication on or prior to the above date.

Please acknowledge receipt of this notice and furnish this office with a copy or tear sheet of the notice for checking at least one week prior to the first publication.

Very truly yours,

~~XXXXXXXXXXXX~~
State Reclamation Engineer

RKH:nw

28761

October 24, 1966

Re: Permit No. C-28761

Laura J. Henderson
224 Idaho Building
Boise, Idaho

Dear Mrs. Henderson:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. C-28761 in the name of Frank Marshall Estate. Final Proof is to be made before you, as Notary on the 2nd day of December, 19 66, at 224 Idaho Building, Boise, Idaho.

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

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

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

Very truly yours,

M. Russell Bosch
Office Manager

Encl.

cc: Applicant

MRB:rw

28761

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

DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G - 28761

Sept. 1, 1966

Frank Marshall
Box 133
Jerome, Idaho

Dear Mr. Marshall:

The date for proofs of Completion of Works and Application of water to beneficial use, as set out under terms of Permit No. G- 28761 are due not later than Nov. 9, 1966

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

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

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

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

Very truly yours,

R. KEITH HIGGINSON

STATE RECLAMATION ENGINEER

Enc. Form 36 and 11

cc:

28761

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

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

WHEREAS, Permit No. G-28761, in the name of Frank Marshall requires proofs of completion of works and beneficial use to be made on or before June 6, 1965; and,

WHEREAS, said Permit was issued in connection with Desert Land Entry Idaho Serial #011569; and,

WHEREAS, Applicant was prevented from proceeding with construction pending allowance of said Desert Land Entry, which was not allowed until November 9, 1961;

NOW, THEREFORE, An Extension of Time is allowed for Completion of Works and Beneficial Use Proofs on Permit No. G-28761 to November 9, 1966, or the length of time applicant was prevented from proceeding pending allowance of his Desert Land Entry and a similar extension is allowed for every other act required under the terms and conditions of Permit No. G-28761.

Signed at Boise, Idaho, this 7th day of April, 1965

Deputy State Reclamation Engineer

IDAHO LAND & APPRAISAL SERVICE

HARLEY M. McDOWELL
E. J. McDOWELL
MGR. OWNERS

MERVIN J. CHRISTENSEN
(LICENSED SURVEYOR)

JOSEPH J. THACKABERRY

224 IDAHO BLDG.

BOISE, IDAHO 83701

P. O. Box 2161

PHONE 344-2547

April 5, 1965

ALL PROPERTY APPRAISALS

CUSTOM DRAFTING, MAPPING
LAND PURCHASES
OIL AND GAS LEASES

GRAZING MANAGEMENT

FEDERAL LAND APPLICATIONS
WATER FILINGS & PROOF
STATE LAND LEASES & ASSIGNS

Mr. Carl E. Tappan
State Reclamation Engineer
State House
Boise, Idaho

Re: Permit G-28761, Frank Marshall

Dear Mr. Tappan:

With reference to the above water permit, please be advised that this was applied for in connection with my desert land entry, Idaho Serial No. 011569, which was not allowed in the Land Office until November 9, 1961.

I hereby respectfully request that you grant me an extension of time until November 9, 1966 in which to make this proof.

Very truly yours,

Frank Marshall
P. O. Box 133
Jerome, Idaho

By Harley M. McDowell
Harley M. McDowell, Agent

sld

28761

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G- 28761
Frank Marshall

April 1, 1965

Idaho Land & Appraisal Service
Box 2161
Boise, Idaho

Gentlemen:

The date for proofs of Completion of Works and Application of water to beneficial use, as set out under terms of Permit No. G- 28761 are due not later than **April 1, 1965**

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

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

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

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

Very truly yours,



State Reclamation Engineer

Enclosures Form 36 and 11

cc: Frank Marshall
Box 133
Jerome, Idaho

28761



UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Land Office
P. O. Box 2237
Boise, Idaho

IN REPLY REFER TO:

LG:CEK
Date 01/15/69

NOV 9 1961

NOTICE OF ALLOWANCE

From Nashville

Box 133

Exhibit 10

Dear Mr. Marshall:

Your Report Log Entry, Serial No. Index 011342,

Receipt No. 826723, for RENT

_____, Section 23,

Township 8 N., Range 17 E., Boise Meridian, Idaho,

containing 20 acres, has this day been allowed, subject

to any valid existing rights and your further compliance with laws

and regulations applicable thereto. In correspondence relating to

this entry, always refer to the serial number shown above.

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

(2) Subject to State Highway right-of-way approved 3-27-33. (3) Subject to Southern Idaho Tel. Co. right-of-way (11665) approved 7-26-16.

(4) SHRINK subject to Mountain States Tel. & Tel. Co. right-of-way 034348. (5) Subject to right-of-way 014971 for transmission line, 30 feet either side of centerline, withdrawn under PER 4498 7-10-15.

(6) Subject to right-of-way for transmission line including all lands within 25 feet of the centerline, withdrawn by FWP No. 400 filed 4-16-83.

(7) Subject to the right of the United States or its permittees or licensees to enter upon, occupy, and use any or all of such lands for power purposes under Sec. 24 of the Federal Power Act.

Sincerely yours,

G.C. EN 1-3

State Declaration

Spillett, Alan
Manager

ILQ-20
(Oct., 1961)

28761

June 15, 1960

Re: Permit Numbers:
G-28757 - Alice Petersen Williams
G-28758 - Golden Wise
G-28759 - Cora L. McIntire
G-28760 - Cecil Hollis
G-28761 - Frank Marshall

Mr. Harley M. McDowell,
Idaho Land & Map Service,
Box 2161,
Boise, Idaho.

Dear Mr. McDowell:

We enclose the above captioned permits 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-4863 which was issued covering payment in the amount of \$11.25 for the filing fee of the above mentioned permits.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

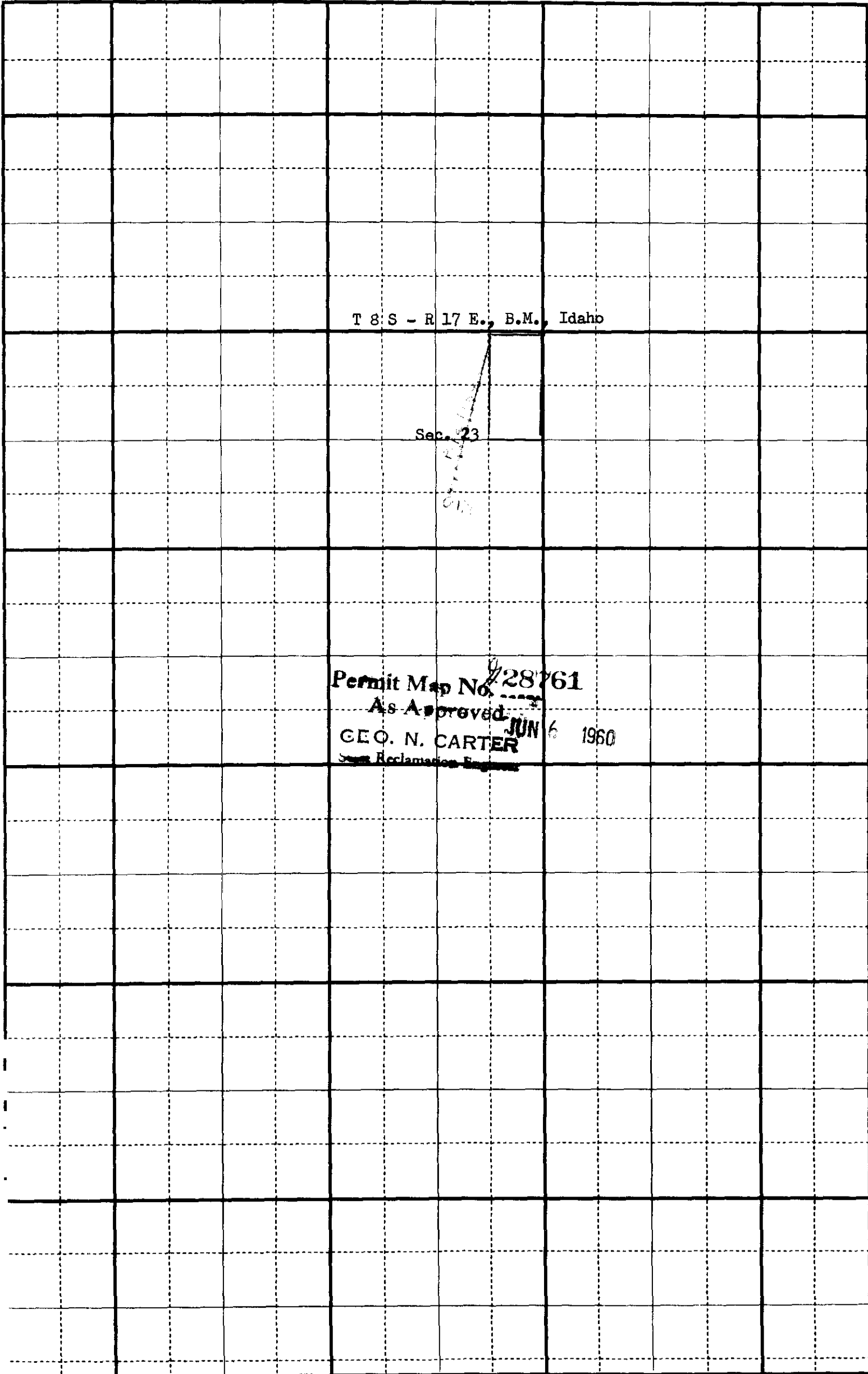
(Mrs.) Edna P. Rule
Chief Clerk

Encl.
EPR:pmk
cc: Applicants

28761

NAME OF APPLICANT.....rank Marshall.....

Form No. 0



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

28761