

9840-9E
28736

75-25 E

23 24
26 25
175

ESOI 1-3

78.5

152.2

XPD

E316

Xno

70
CRCL

24.8

84.2
CR-CL

135.8

2419 A
2530

19.2

35.9

60.7

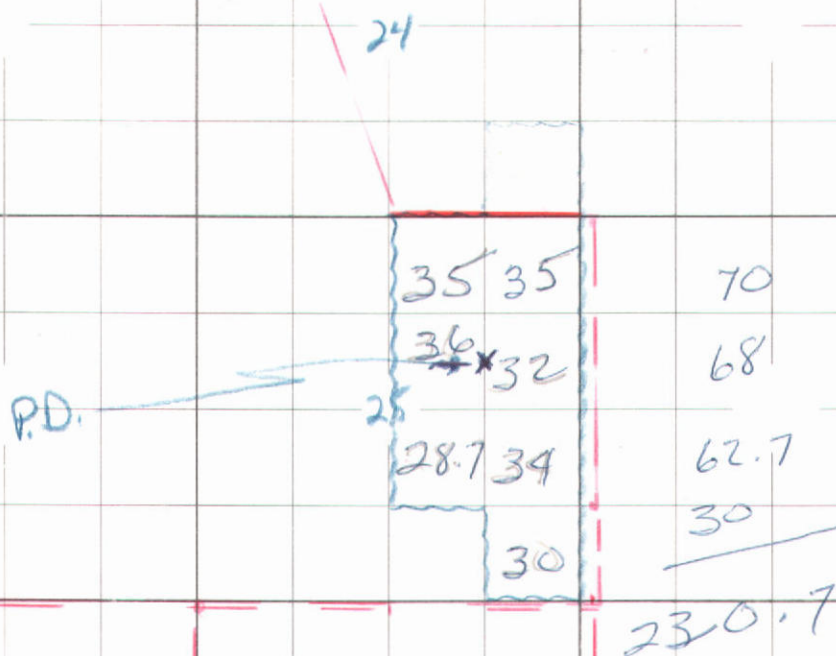
37.8

45.3

36.4

36.4

Twp-7S Rge 25E



Minidoka

$$A = 230.7$$

$$\text{Subd.} = 7$$

$$Q = 4.6$$

$$230''$$

$$\text{Vol} = 924 \text{ AC-FT/Season}$$

$$\text{Priority} = (\text{LATE PROOF})$$

9-2-60

**NOTICE OF PROOF
COMPLETION OF WORK**

**and
APPLICATION OF WATER
TO BENEFICIAL USE**

Notice is hereby given that at 10 A. M., on the 19th day of August 1965, at Twin Falls, County of Twin Falls, State of Idaho before John A. Doerr, Notary Public, at 1227 Lynwood Mall, Twin Falls, Idaho, proof will be submitted of the completion of works for the diversion of 6.4 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-28736, 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 William O. Russell, 1227 Lynwood Mall, Twin Falls, Idaho.

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 6.4 cubic feet per second.

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

4. The point of diversion of said water is SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 25, Twp. 7 South, Rge. 25 E.B.M., Minidoka County, Idaho.

5. The place where said water is used is NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 25 and the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 24, Twp. 7 South, Rge. 25 E.B.M.

6. The date of priority which said user is prepared to establish is May 4, 1960.

CARL E. TAPPAN
State Reclamation Engineer

No. 399 July 22 - August 12

The Minidoka County News

RUPERT, IDAHO

AFFIDAVIT OF PUBLICATION

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

Vern A. Miller, being first
duly sworn, deposes and says that he is the
Gen. Mana. of The Minidoka County
News, a weekly newspaper published at Rupert,
Idaho, in the county aforesaid, and that the paper
is of general circulation therein. Deponent further
states that the printed notice attached hereto was
duly published according to law in the regular
weekly editions of The Minidoka County News

for four consecutive weeks, commencing
with the issue dated July 22, 1965, and
ending with the issue dated Aug. 12, 1965.

Subscribed and sworn to before me this

30th day of Aug, 1965
Vern A. Miller
Vern Hunter Notary Public

Cost of Publication _____

Notary Fee _____

Total Cost _____

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

Notice is hereby given that
at 10 A. M., on the 19th day of
August 1965, at Twin Falls,
County of Twin Falls, State of
Idaho, before John A. Doerr,
Notary Public, at 1227 Lyn-
wood Mall, Twin Falls, Idaho,
proof will be submitted of the
completion of works for the di-
version of 6.4 cubic feet per sec-
ond 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-28736, heretofore issued by
the Department of Reclamation
of the State of Idaho.

1. The name and post-office
address of the person or corpora-
tion holding said permit is
William O. Russell, 1227 Lyn-
wood Mall, Twin Falls, Idaho.

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 6.4
cubic feet per second.

3. The use to which said wa-
ter has been applied is irriga-
tion, purposes and the amount
applied to beneficial use is 6.4
cubic feet per second.

4. The point of diversion of
said water is SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec.
25, Twp. 7 South, Rge. 25
E.B.M., Minidoka County, Ida-
ho.

5. The place where said wa-
ter is used is NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$,
SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 25 and the SE $\frac{1}{4}$
SE $\frac{1}{4}$ Sec. 24, Twp. 7 South,
Rge. 25 E.B.M.

6. The date of priority which
said user is prepared to estab-
lish is May 4, 1960.

CARL E. TAPPAN
State Reclamation Engi-
neer

No. 399 July 22 - August 12

See File Folder G-28736

for Copy of Abstract

May 28, 1905

Re: License No. G-25216 - Roger Dean
Permit No. - G-28732; G-28733;
G-28734; G-28736 - Wm. O. Russell.

William O. Russell, M. E.
6723 Bertner Ave.
Houston, Texas 77025

Dear Mr. Russell:

Enclosed is abstract of water rights for land shown on
your land list enclosed with letter dated May 20th.

Very truly yours,

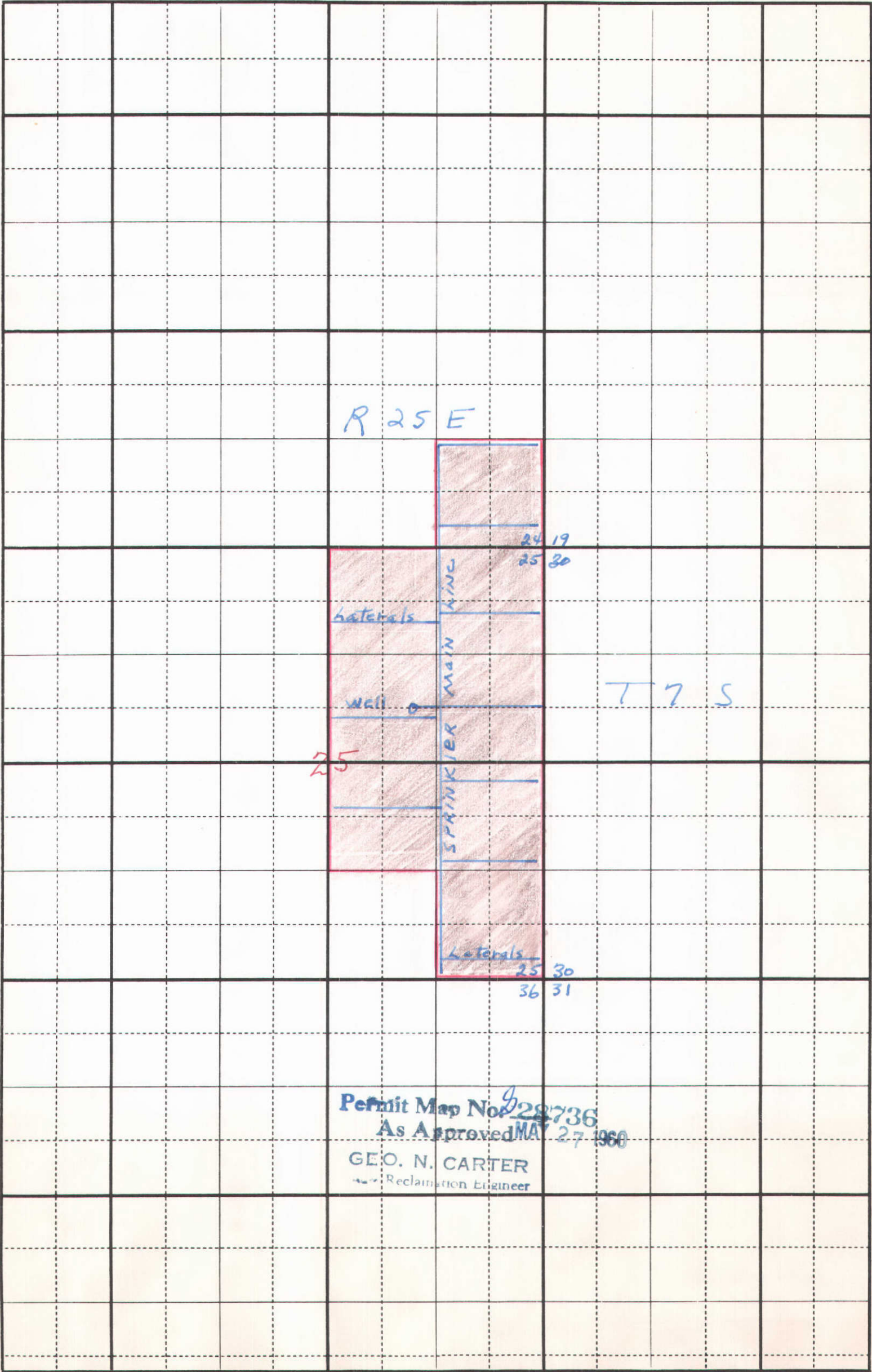
MILTON A. THOMAS, Deputy
State Reclamation Engineer

BT:es

cc: Murphy, Schwartz & Cunningham
313 Shoshone St. E.
Twin Falls, Idaho

Attn: Fred Schwartz
Attorney at Law

28736



District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls, ID 83303-2707

Important Information About Your Water Right

August 27, 2001

MARIA A MALDONADO
ROGELIO O MALDONADO
302 S A ST
PO BOX 138
RUPERT, ID 83350

Dear Water Right Claimant(s):

The reverse side of this letter contains a copy of an *Order Amending Irrigation Period of Use Element in Partial Decree and Incorporating into Partial Decree An Express Statment Regarding General Provisions, Nunc Pro Tunc* (hereinafter "*Order*") for water right number 36-02436. According to Idaho Department of Water Resources (IDWR) records, you are the current owner of this water right. If you are not the current owner, please contact IDWR immediately at:

Idaho Department of Water Resources
1301 North Orchard
Boise, ID 83706
800-451-4129

The Purpose of the *Order* is to set forth beginning and ending dates for the irrigation period of use for this water right. As stated in the face of the *Order*, this action was necessary following the decision of the Idaho Supreme Court in *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998). This *Order* also incorporates into the *Partial Decree* an express statement that the *Partial Decree* is subject to such general provisions necessary for the definition or for the efficient administration of the water right. This express statement is necessary to comply with the requirements of Idaho Code section 42-1412(6). This *Order* in combination with the *Partial Decree* that was issued for this water right on January 15, 1998, sets forth all of the elements of your water right. The Snake River Basin Adjudication (SRBA) Court suggests that you keep this document in a safe location together with a copy of the *Partial Decree* to show evidence of the water right. The original of this *Order* and the original of the *Partial Decree* for this water right are on file with SRBA Court. If you do not have a copy of the original *Partial Decree*, one can be obtained by contacting the SRBA Court at (208) 736-3011. Please note that the *Order* is entered *Nunc Pro Tunc*, meaning that the *Order* will be treated as if it were issued the same date that the *Partial Decree* was originally issued.

Sincerely,



Diana Delaney
Case Administrator

MICROFILMED
AUG 1 2 2004

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
)
)
Case No. 39576)
_____)

Water Right 36-02436

ORDER AMENDING IRRIGATION PERIOD OF USE ELEMENT
IN PARTIAL DECREE AND INCORPORATING INTO PARTIAL
DECREE AN EXPRESS STATEMENT REGARDING GENERAL
PROVISIONS, *NUNC PRO TUNC*

A *Partial Decree* was entered for the above-captioned irrigation water right on January 15, 1998. The period of use element was decreed as "irrigation season." In *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), the Idaho Supreme Court remanded with the directive to include specific dates for the period of use element. Following remand, IDWR filed a *Supplemental Director's Report, Reporting Area 3, IDWR Basin 36, Regarding Revision of Period of use (For Irrigation Water Uses) and Conjunctive Management General Provisions*, which included an irrigation period of use recommendation for this water right. No objections were filed to this recommendation and the time period for filing objections has now expired.

THEREFORE, IT IS ORDERED that the period of use for the irrigation element of the above-captioned water right is hereby amended and decreed as:

PERIOD OF USE: 04-01 10-31

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.***

IT IS FURTHER ORDERED that the *Partial Decree* for the above-captioned water right is hereby amended and decreed to contain the following:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the court at a point in time no later than the entry of a final unified decree. I.C. section 42-1412(6).

This order is being entered *nunc pro tunc* as of the date the *Partial Decree* was issued and is not intended to modify any subsequent administrative changes for the water right, if any, which occurred following entry of the *Partial Decree*.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Dated August 27, 2001

Roger Burdick
ROGER BURDICK
Presiding Judge
Snake River Basin Adjudication

MICROFILMED
JAN 12 2004

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 36-02436

1998 JAN 15 AM 11:24

FILED
TWIN FALLS, IDAHO
JAN 15 1998

NAME & ADDRESS: ROGELIO O MALDONADO JR
602 18TH ST
RUPERT ID 83350

SOURCE: GROUNDWATER

QUANTITY: 4.6 CFS

USE OF THIS RIGHT WITH RIGHT NO. 36-15200 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.60 CFS AND A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 1184 AF.

PRIORITY DATE: 10/09/1960

POINT OF DIVERSION: T07S R25E S25 SESWNE Within MINIDOKA County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	4.6 CFS

PLACE OF USE:	IRRIGATION	Within MINIDOKA County
	T07S R25E S24	SESE 20
	S25	NENE 39
		NESE 39
		NWNE 39
		NWSE 40
		SWNE 40
		SESE 40
		SENE 39
	296 ACRES TOTAL	

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 231 ACRES IN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 36-15200 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 296 ACRES IN A SINGLE
IRRIGATION SEASON.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

This
Right has been
Decreed in the
SRBA.

WATER LICENSE

Water License No. G-28736 Priority October 9, 1960 Amount 4.6 c.f.s.
(late proof)

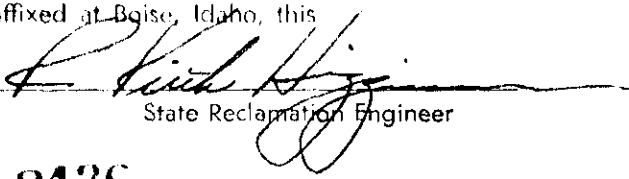
THIS IS TO CERTIFY, that WILLIAM O. RUSSELL
of Houston, Texas, made application for a permit to appropriate the public waters of
the State of Idaho, dated May 24, 1960; that Permit G-28736 was issued pursuant
to said application; that the proposed works were completed on or about Spring 1960,
with a storage/or carrying capacity of 4.6 c.f.s., said works consisting of well,
pump, and sprinkler system; and that on October 11, 1965,
proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 924
acre feet per season, with a maximum rate of diversion of 4.6 cubic feet per second of the waters
of ground water, tributary of _____,
for the purpose of Irrigation from April 1 to October 31;
and for _____ from _____ to _____; and for
_____ from _____ to _____; and that the use
of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-
mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is
located in SW 1/4 NE 1/4, Sec. 25, T. 7 S., R. 25 E., B.M., and
other additional points _____, in the County of
Minidoka; and that the amount of water to which such right is
entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially
used for said purposes and shall not exceed 924 acre feet per year.

Description and location of 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	
7 S	25 E	25	35	35	36	32									34	28.7		30	230.7

Total number of acres irrigated 230.7

The right to the use of the water 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
4th day of August, 19 69.

State Reclamation Engineer

36 2436

28736
36-2436

36-2436

APPLICATION FOR PERMIT To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 36717
Permit No. G- 28736
District No.

1. Name of Applicant: **William O. Russell**
Postoffice address: ~~Box 426~~ **Twin Falls** County: **Twin Falls** State: **Idaho**

2. Quantity of water claimed:

(a) Rate of withdrawal in cubic feet per second **6.4** or Idaho
Miners' inches **320** or gallons per minute
(b) Annual withdrawal in acre feet per annum

3. Source of water supply: **Subterranean from a drilled well**

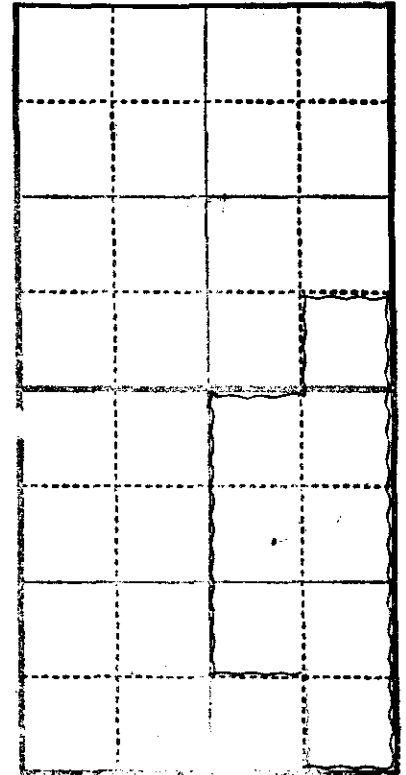
4. Location of point of diversion or well is in the **SW** $\frac{1}{4}$ of the **NE** $\frac{1}{4}$ of Section **25**
Twp. **7 S**, Rge. **25 E**, B.M., County of **Minidoka**

5. Water is to be used for: **Irrigation**

6. If for municipal, industrial or recreational purposes, give:

(a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.

(b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.



7. Kind of works: **Submersible pump, main line, sprinkler laterals**

8. Estimated cost of works: **\$ 60,000.00**

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 **five** years.

11. If applicant is a corporation, give:

I. (a) Date and place of incorporation:

(b) Amount of capital stock: \$

(c) Amount paid in: \$

(d) Names and addresses of directors:

II. The financial resources of the applicant are (a) Cash on hand: \$

(b) Treasury stock:

(c) Bonds to be issued:

(d) Other resources:

12. The land to be irrigated is described in the following tabulation:

13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: **None**

(a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.

(b) **6.4** (cubic feet per second, inches or gallons per minute) is for new lands.

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

Applicant.

By s/ Fred A. Schwartz, Attorney Agent.

Returned to applicant for correction:

Corrected application received:

The number of this permit is G— 28736

Recorded in Book **101** Page **28736** Approved **May 27, 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 **November 27, 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 May 27, 1965

Witness my hand this 27th day of May, 1960

s/ GEO. N. CARTER
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, W. E. DREWLOW, Acting, Governor of the State of Idaho,
and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 27th
day of May, 1960.

Countersigned:

STATE OF IDAHO

(SEAL)

By s/ ARNOLD WILLIAMS

By s/ W. E. DREVLLOW,
Acting Governor

Secretary of State.

12.

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7 S	25 E	24 25	40	40	40	40										40	40	40	40 280
																			320

LICENSE ISSUED FOR 4.6 SEC. F1.
LICENSE PAGE NO. _____

LICENSE ISSUED FOR H. C SEC. FI.
 LICENSE PAGE NO. _____.

This
Right has been
Decreed in the
SRBA.

MICROFILMED
JAN 17 1981



Connecticut Mutual Life INSURANCE COMPANY, SINCE 1846

140 Garden Street, Hartford, Connecticut 06115 Tel: (203) 249-0631

Mortgages - Agricultural

February 11, 1972

AIR MAIL

Department of Reclamation
State of Idaho
Boise, Idaho

Re: Loan No. 94591-H, Klinger

Gentlemen:

This loan has been paid in full. Therefore, we wish to inform you that we are no longer interested in water permit numbers G 28734, G28732, G 28733, G 28736, and G 32461 as described in Mortgage Deed dated August 6, 1965 given by William O. Russell and Marolyn Russell.

36-2436

Said mortgage was recorded in the Public Records of Blaine and Minidoka Counties, in Book 179, Film No. 45, Page 528, Reception No. 179956.

Sincerely,

AGRICULTURAL LOAN DEPARTMENT

By: *Jean Wright*

jw

cc: Utah Mortgage Loan Corp.

36 2436



November 19, 1971

Re: Permit No. 36-2618 - William O. Russell
License Nos. 36-2433 - " " "
36-2434 - " " "
36-2435 - " " "
36-2436 - " " "

CHURCH, CHURCH & SNOW
Attorneys at Law
1354 Albion Avenue
Burley, Idaho 83318

ATTENTION: T. H. Church

Dear Mr. Church:

Pursuant to your request when you were in our office on Wednesday, November 17, 1971, please find enclosed a copy of each of the above referenced licenses and permit.

If we may be of any further assistance to you in this, or any other matter, please feel free to contact this office.

Very truly yours,

James Booker
Appropriation Examiner

JB:CS

Enclosures

36 2436

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

August 24, 1971

Re: Permit No. 36-2618 - William O. Russell
License No. 36-2433 - " " "
" " 36-2434 - " " "
" " 36-2435 - " " "
" " 36-2436 - " " "

Church, Church & Snow
Attorneys at Law
1354 Albion Avenue
Burley, Idaho 83318

ATTENTION: T. H. Church

Dear Mr. Church:

Pursuant to your letter of August 10, 1971, please find enclosed copies of the above referenced licenses. Permit No. 36-2618 has not been licensed yet. However, the field examination has been conducted and the license is forth-coming.

If you should have any further questions in reference to this matter, please feel free to contact us.

Very truly yours,

Dorian Clay
Appropriation Examiner

DC/bb

Enc: Copies

36 2436

CHURCH, CHURCH & SNOW

THOMAS H. CHURCH
PETER K. CHURCH
PETER G. SNOW

ATTORNEYS AT LAW
1354 ALBION AVENUE
BURLEY, IDAHO 83318

P. O. BOX 216
TELEPHONE 878-9088
AREA CODE 208

August 10, 1971

Mr. Keith R. Higginson
State of Idaho Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

Re: Water Permits Numbers:

G28732 - 36-2436
G28733 - 36-2436
G28734 - 36-2436
G28736 - 36-2436
G32461 - 36-2436

Gentlemen:

The water licenses for the above-mentioned water permits have been mislaid and we need to get a copy thereof as well as a well log for each well. Would you please forward me a copy of each licenses and well log for each well and send your bill for the same and we will return your charges forthwith.

Thank you in advance for your prompt attention to this matter.

Very truly yours,

CHURCH, CHURCH & SNOW

T. H. Church
T. H. Church

THC/rmd

36 2436

August 4, 1969

Re: Permit No. G-28736

Mr. William O. Russell
6723 Bertner Avenue
Houston, Texas

Dear Mr. Russell:

Enclosed you will find your Water License issued on the
above numbered permit.

Also enclosed is departmental receipt No. 3346 in the
amount of \$19.00 covering the fees.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kh

Enclosures

28736
21. 2421

IDAHO FARMS ACCOUNT
WILLIAM O. RUSSELL, M.D.
HOUSTON, TEXAS

PLEASE DETACH AND KEEP THIS STATEMENT
RECEIPT NOT REQUIRED. RETURN BOTH PARTS IF ERROR IS FOUND.
BY ENDORSEMENT THE CHECK IS ACCEPTED IN FULL PAYMENT OF FOLLOWING.

PERIOD ENDING	TIME WORKED		EARNINGS			DEDUCTIONS (see explanation of A, B and C above)						AMOUNT NET PAY
	REG- ULAR	OVER TIME	REGULAR	OVER TIME AND OTHER	TOTAL	F.I.C.A. TAX	W'HOLD'G INC. TAX	A	B	C	TOTAL	

CODE	INV. No. OR DATE	EXPLANATION	GROSS AMOUNT	DEDUCTIONS	AMOUNT PAID
		Fee for license and Certificate of Water Right on Permit G-28736			19.00
					28736
					36-2436

LAW OFFICES OF
SCHWARTZ & DOERR

FRED A. SCHWARTZ
JOHN A. DOERR

TWIN FALLS, IDAHO 83301
1227 LYNWOOD MALL
733-4961

July 18, 1969

M. Russell Bosch
Administrative Assistant
State of Idaho
Department of Reclamation
Boise, Idaho 83707

Re: Permit G-32461

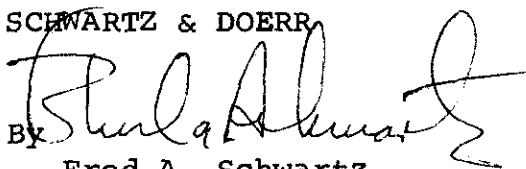
Dear Mr. Bosch:

Enclosed please find completed Proof of Application of Water to Beneficial Use in the name of William O. Russell as per your letter of June 11, 1969.

I am also enclosing check No. 1209 of William O. Russell, M.D. for license and certificate fee of water right on Permit G-28736.

Very truly yours,

SCHWARTZ & DOERR

By 

Fred A. Schwartz

FAS/jms

Encls.

28736
36-2436

June 26, 1967

Re: Permit No. G-28736

Dr. William D. Russell
6723 Bertner Avenue
Houston, Texas

28736

A representative of this department has made an examination of the works covered by your Permit G-28736 and has found the following:

Quantity of water diverted: 4.6 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 4.6 c.f.s.

The maximum quantity diverted shall not exceed 724 acre feet per season.

Purpose of use: Irrigation of 230.7 acres in NE 1/4 NE 1/4, N 1/4 NE 1/4, SE 1/4 NE 1/4, Sec. 25, T. 7 S, R. 25 E.

The priority date established is: September 2, 1960 (late proof)

A fee totaling \$ 19.00 must be received within 30 days from the date of this letter in order that we can issue you the License and Certificate of Water Right as described above.

Very truly yours,

Dean R. Reynolds
Field Examiner

DRR/wh

28736

36-2436

June 26, 1969

Re: Permit No. G-28736

Dr. William D. Russell
6723 Bertner Avenue
Houston, Texas

A representative of this department has made an examination of the works covered by your Permit G-28736 and has found the following:

Quantity of water diverted: 4.6 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 4.6 c.f.s.

The maximum quantity diverted shall not exceed 324 acre feet per season.

~~Purpose of use:~~ Irrigation of 230.7 acres in NE 1/4 NE 1/4, N 1/4 NE 1/4, SW 1/4 NE 1/4, SE 1/4 NE 1/4, Sec. 25, T. 7 S, R. 25 E.

The priority date established is: September 2, 1960 (late proof)

A fee totaling \$ 19.00 must be received within 30 days from the date of this letter in order that we can issue you the License and Certificate of Water Right as described above.

Very truly yours,

Dean R. Reynolds
Field Examiner

DRR/mh

*Has Paid
7-22-69
Reimer*

28736
36-2436

2419 A
2530

E 501 1-3

78.5

152.2

VPD

ENG
X70

70
CRCL 24.0

84.2
CR-CL

35.9

36.4

192

75-25 E

28736
36-2436

$$38 \times 66$$

$$43 \times 66$$

$$45 \times 33$$

$$42\frac{1}{2} \times 33$$

$$45\frac{1}{2} \times 66$$

$$42 \times 66$$

$$39 \times 33$$

$$2508$$

$$2838$$

$$1485$$

$$1402.5$$

$$3003.0$$

$$2772$$

$$1287$$

$$\text{Sum} \Rightarrow \frac{15295.5}{363} = 42.1$$

$$28736$$

$$36 - 2436$$

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

Permit No. G-28736

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

1. Name of applicant William O. Russell

2. Source of water supply: Subterranean

3. Location of point of diversion: Is in the SW 1/4 NE 1/4 of Section 25

T. 7 S R. 25 E.B.M. County of Minidoka

4. Describe works as they exist, giving dimensions and capacities of same: _____

WINDROOST Pump #9684 10" discharge with
a 10" Gate valve
Sprinkler system 30 Rainbirds with 5/32 nozzles

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):

SE 1/4 SE 1/4 Sec. 24., NE 1/4, N 1/2 SE 1/4, SE 1/4 SE 1/4 Sec. 25., Twp. 7 S., Rge. 25 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: are pressure for 363 nozzles is 421

$$\frac{5.27 \times 363}{448.8} = 4.6 \text{ CF/S}$$

Longer the cattle for man was with me

IRRIGATION REQUIREMENT = 4.0 AC-FT/ACRE/SEASON

This examination was made on the _____ day of June, 1968

(Signed) Jan Arnold Examiner.

28736
36-2436

William O. Russell
6723 Bertner Avenue
Houston, Texas

Permit No. G-28736

Examination for Completion of Works & Beneficial Use

County Minideka

Quantity: 6.4 cfs. Sec.25 T.7S R25 EBM

Source: Subterranean - well

P.D.: SW NE, Sec.25 Twp.7S Rge,25E

Use: Irrigation

Extension:

Protest:

Completion of Works:

Other Rights: None

Filed: May 24, 1960

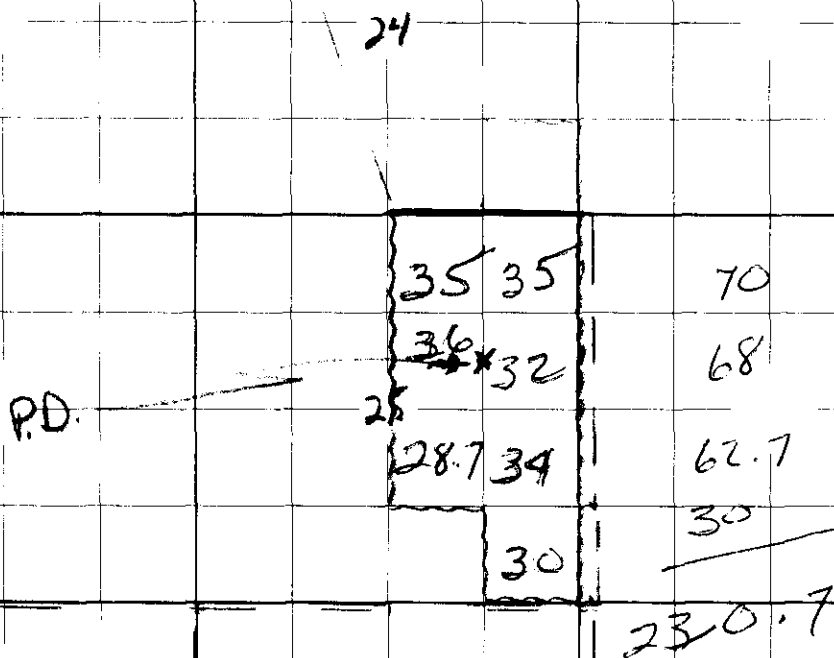
Due: May 27, 1965

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.
-

Made - 10-4-65

Twsp-75 Rge 25 E



min. depth

$$A = 230.7$$

$$\text{Subd.} = 7$$

$$Q = 4.6$$

230"

$$\text{VOL} = 924 \text{ AC-FT / SEASON}$$

$$\text{PRIORITY} = (\text{LATE PROOF})$$

Form 23
2M-4-65

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. G-28736

REPORT ON PROOF OF Completion of Works & Beneficial Use

28736
36-2436

November 5, 1968

RE: Various permits of Harvey K. Walker

Mr. Frank E. Chalfant, Sr.
Attorney at Law
401 Idaho Building
Boise, Idaho 83701

Dear Mr. Chalfant:

The information requested by our phone conversation of yesterday is as follows:

28475 - for 1.0 c.f.s. from an open ditch with the point of diversion SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 36, T 4 N., R 26 E., B.M. for use on 520 acres in Sections 6, 7 & 8, T 3 N., R 27 East. Will be licensed in the near future. All complete except requesting the fees.

G-30244 - for 4.5 c.f.s. from a well, point of diversion SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 6, T 3 N., R 27 East, for use on 225 acres in Section 6, 7, & 8. Proof submitted.

G-32376 - for 6.0 c.f.s. from a well, point of diversion SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 6, T 3 N., R 27 E., B.M. for use on 400 acres in Section 6, 7, & 8. Proof due May 28, 1970.

G-29736 - for 8.0 c.f.s. from a well in SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 31, T 4 N., R 27 East, for use on 660 acres on Section 3, 4, 6, 7, & 9, T 3 N., R 27 East. Cancelled for failure to submit proof.

G-28736 - for 8.0 c.f.s. from a well in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 23, T 4 N., R 26 East, for 400 acres in Sections 4, 6 & 9. Relinquished May 26, 1965.

29061 - for 6.0 c.f.s. from two springs in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6, T 3 N., R 27 East, for use on 80 acres in Section 6. Cancelled February 10, 1966, failure to make proof.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

28736

DRILL RECORD

COMMONS DRILLING COMPANY

Phone HE 6-3831

Rupert, Idaho

P. O. Box 126

Drilled For Dr. William Russell Address Minidoka, Idaho

Date Started March 29- 1961 Date Finished May 12 - 1961 Well # 5

Size and Depth of Well Drilled 20" hole to 320'

Section _____ Township _____ Range _____

Drilled By Ivan Smith Helper _____

Struck Water at 236' Ft., and it stands at 226' Ft.

Used Casing as Follows: 6" 6" of 22" OD

From	Depth	To	Formation
0	6	6	Clay & hard pan
6	10	10	Light gray lava - broken
10	24	24	Dark gray lava - loose
24	29	29	Red lava - loose
29	47	47	Dark brown lava - broken
47	52	52	Red lava - loose
52	107	107	Brown lava - caving
107	113	113	Gray lava - solid
113	133	133	Brown lava - loose
133	142	142	Dark gray lava - broken
142	146	146	Red lava - loose
146	151	151	dark gray lava - broken
151	158	158	Red lava - loose
158	171	171	Dark gray lava - solid
171	179	179	Brown lava - broken
179	186	186	Dark gray lava - solid
186	194	194	Red lava - loose
194	208	208	Dark gray lava - very hard
208	226	226	Light gray lava - very, very hard
226	235	235	Brown sandy clay - soft
235	242	242	Cinders & water - lost 50% cuttings
242	249	249	Black lava - broken
249	252	252	Cinders - loose
252	265	265	Black lava - loose
265	273	273	Cinders - lost 75% of cuttings
273	280	280	Black lava - loose
280	291	291	Cinders - lost 75% of cuttings
291	309	309	Black lava - loose
309	320	320	Red Cinders - lost all cuttings

Signature

R. Common

28736

September 30, 1965

RE: Permit Nos. G-28732; G-28733, G-28734;
G-28736
William O. Russell, M.D.

John A. Doerr
Attorney at Law
1227 Lynwood Mall
Twin Falls, Idaho

Dear Mr. Doerr:

Enclosed is a supply of depositions of holder and witnesses.

As we explained to you in our telephone conversation earlier today we must receive the depositions, power of attorney, and the affidavit from the notary stating that his office was open on the day the proofs were to have been made, and that no one appeared to protest, promptly. Otherwise these permits will have to be cancelled.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(Mrs.) Edna P. Hale
Chief Clerk

EPR:mr

Enc. depositions

28736

October 12, 1965

Re: Permit No.S. G-28732,
G-28733,G-28734 and
G-28736

Dr. William O. Russell
6723 Bertner Avenue
Houston, Texas

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the HAILEY TIMES, all submitted in proof of completion of works and beneficial use on Permit No G-28732,G-28734,G-28733 and G-28736

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

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

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:

28736

POWER OF ATTORNEY

Depa

KNOW ALL MEN BY THESE PRESENTS: That I, William O. Russell, of Houston, County of Harris, State of Texas, do hereby appoint Fred A. Schwartz, of Twin Falls, County of Twin Falls, State of Idaho, my attorney, for me and in my name, to bargain, contract, agree for, buy, sell, mortgage, hypothecate, and in any and every way and manner deal in and with pumps, irrigation equipment, and farm machinery that may be necessary for the operation of my real property located in Minidoka, ^{Blaine} and Bingham Counties, Idaho, and also to bargain, contract, agree for, lease, sublet all of my real estate located in Minidoka and Bingham Counties, Idaho, upon such terms and conditions, and under such covenants as he shall see fit, and also for me and in my name and as my act and deed to sign, sell, execute, deliver, acknowledge such leases and assignments of leases, covenants, indentures, agreements, mortgages, or such other instruments in writing of whatever kind or nature as may be necessary or proper for the operation of my farms and real estate in Minidoka and Bingham Counties, Idaho. Giving and granting unto said Fred A. Schwartz, my attorney, full power and authority to do and perform every act and thing whatsoever requisite and necessary to be done in and about the premises as fully and to all intents and purposes as I might or could do if personally present.

I hereby ratify and confirm all that said Fred A. Schwartz, my attorney, shall lawfully do or cause to be done by virtue of this power.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 8 day of April, 1960.

William O. Russell

County of Harris)
State of Texas) ss.

On this 4th day of April, 1960, before me, the undersigned, a Notary Public in and for said County and State, personally appeared WILLIAM O. RUSSELL, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Wilma Bay
Notary Public for Harris County, Texas
Residing at Houston, Harris County, Texas

My Commission Expires 6/1/61

LAW OFFICES OF
MURPHY, SCHWARTZ & CUNNINGHAM

JACK M. MURPHY
FRED A. SCHWARTZ
JAMES M. CUNNINGHAM
JOHN A. DOERR
LARRY D. HANSON

Twin Falls, Idaho

October 7, 1965

TWIN FALLS, IDAHO
1227 LYNWOOD MALL
733-4961

SHOSHONE, IDAHO
JOURNAL BUILDING
886-2289

RECEIVED
OCT 8 1965

Department of Reclamation

Department of Reclamation
State House
Boise, Idaho

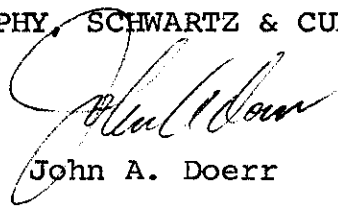
Gentlemen:

We enclose herewith Deposition of Holder and Witnesses
re water Permits Nos. G-28732, G-28733, G-28734 and
G-28736, Power of Attorney of Fred A. Schwartz, and
Affidavit of John A. Doerr as set forth in your letter
of September 30, 1965.

Very truly yours,

MURPHY, SCHWARTZ & CUNNINGHAM

By-


John A. Doerr

JAD:m
Encl.

28736

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

RECEIVED
OCT 8 1965
Department of Reclamation

Permit No. G-28736

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: WILLIAM O.

RUSSELL, PHYSICIAN, 6723 BEATNER AVE HOUSTON, TEXAS

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:

Ques. 3. State number, approval date of permit, and date of priority: G-28736

APPROVED MAY 27 1960 PRIORITY MAY 24 1960

Ques. 4. State source of water supply: SUBTERRANEAN WELL

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

SW⁴ NE⁴ - SEC. 25, TWP. 7S, R 25E

Ques. 5. Describe your works of diversion: SUBMERSIBLE PUMP, MAINLINES,

SPRINKLER LATERALS; state amount of water they are capable of con-

veying from point of diversion to place of use: 6.4 CFS; Give name of canal or ditch

or other works by which water is conducted to such place of use: -

-; if a well, state depth of well 317; depth and size of

casing SURFACE; depth to water 241; if pump is used,

state discharge of pump: 1680 GPM; tell how it was measured or determined WINTROATH

AT DISCHARGE; if sprinkler irrigation, give number and size

of nozzles and operating pressure: 352 - 11/64 - 50 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:

SEC. 25, R 25E, T 7S - NW⁴NE⁴-40, NE⁴NE⁴-40, SW⁴NE⁴-40, SE⁴NE⁴-40,

NW⁴SE⁴-40, NE⁴SE⁴-40, SE⁴SE⁴-40

D

Handwritten signature

28736

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

GROUND CLEARED, ROCKED & LEVELED, CROPS PLANTED & HARVESTED

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

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:

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: SPRING 1960 6.4 CFS - Time used since first use:

EACH CROP YEAR SINCE

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

NONE

(sign) William J. Russell
By David A. Schuyler
***** attorney in fact

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

TWIN FALLS, County of TWIN FALLS

State of Idaho, on this 4th day of OCT., A. D. 1965.

John A. Brown

My commission expires: 12-1-67

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G-28736

* * * * *

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:

PALE KUNOLER, 37, RURAL RUPERT, EDWARD, FARMER
RTE. 3, RUPERT, EDWARD

Ques. 2 Are you acquainted with WILLIAM O. RUSSELL, the holder of
Permit No. G-28736? How long have you known him and where does he reside?

6723 BELTNER AVE. HOUSTON, TEXAS - 5 YEARS

Ques. 3. Have you read or heard said Permit No. G-28736 read, and are you familiar
with its provisions and conditions: Yes ☒ No. ☐

Ques. 4. State source of water supply: SUBTERRANEAN WELL

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

SW¹NE⁴ - SECTION 25 - TWP. 7S, R. 25E BM

Describe works for conveying water to place of use: SUBMERSIBLE PUMP, MAIN

LINE AND SPRINKLER LATERALS

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 6.4 C/F/S How much water have you seen being so
conveyed? 6.4 C/F/S

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

SEC. 25, R25E, T7S - NW¹NE⁴-40, NE¹NE⁴-40, SW¹NE⁴-40, SE¹NE⁴-40,
NW¹SE⁴-40, NE¹SE⁴-40, SE¹SE⁴-40

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

NONE

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.

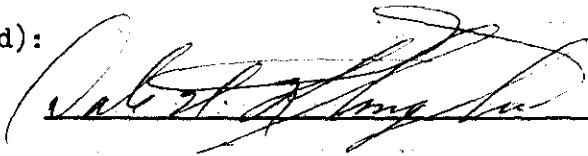
DESERT, PORTNEUE SILT LOAM - 6.4 cfs

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

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

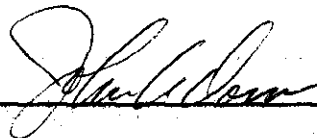
Other times you have seen such use: EACH CROP YEAR SINCE

(Signed):



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

 , County of TWIN FALLS, State of Idaho, on this 28 day of SEPT, A. D. 1965



Notary Public for the State of Idaho

Residing TWIN FALLS

My commission expires 12-1-67

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

RECEIVED
OCT 8 1965
Department of Reclamation

Permit No. G-28736

* * * * *

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and ~~CONTINUATION OF PERMIT~~

DEPOSITION OF WITNESS

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

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

FRED A SCHWARTZ, 39, TWIN FALLS, IDAHO, LAWYER,
1227 LYWOOD MALL, TWIN FALLS, IDAHO

Ques. 2 Are you acquainted with WILLIAM O. RUSSELL, the holder of
Permit No. YES? How long have you known him and where does he reside?

6723 BERTNER AVE, HOUSTON TEXAS - 10 YEARS

Ques. 3. Have you read or heard said Permit No. G-28736 read, and are you familiar
with its provisions and conditions: Yes ☒ No. ☐

Ques. 4. State source of water supply: SUBTERRANEAN WELL

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

SW⁴NE⁴ IN SECTION 25, TWP. 7S, RGE 25 EBM

Describe works for conveying water to place of use: SUBMERSIBLE PUMP, MAIN

LINE AND SPRINKLER LATERALS

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 6.4 C/F/S How much water have you seen being so
conveyed? 6.4 C/F/S

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

SEC. 25, R 25E, T 7S - NW⁴NE⁴-40, NE⁴NE⁴-40, SW⁴NE⁴-40, SE⁴NE⁴-40,
NW⁴SE⁴-40, NE⁴SE⁴-40, SE⁴SE⁴-40

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

NONE

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.

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

Ques. 10. When did you first see this water used? 1960 CROP YEAR
Other times you have seen such use: EACH CROP YEAR SINCE

(Signed):

Ernest A. Belmont

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 TWIN FALLS

 , County of TWIN FALLS, State of Idaho, on this 17th day of AUGUST, A. D. 1965

John A. Jones
Notary Public for the State of Idaho
Residing TWIN FALLS

My commission expires 12-1-67

**NOTICE OF PROOF
COMPLETION OF WORK**

**and
APPLICATION OF WATER
TO BENEFICIAL USE**

Notice is hereby given that at 10 A. M., on the 10th day of August 1965, at Twin Falls, County of Twin Falls, State of Idaho before John A. Doerr, Notary Public, at 1227 Lynwood Mall, Twin Falls, Idaho, proof will be submitted of the completion of works for the diversion of 6.4 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-28736, 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 William O. Russell, 1227 Lynwood Mall, Twin Falls, Idaho.

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 6.4 cubic feet per second.

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

4. The point of diversion of said water is SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 25, Twp. 7 South, Rge. 25 E.B.M., Minidoka County, Idaho.

5. The place where said water is used is NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 25 and the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 24, Twp. 7 South, Rge. 25 E.B.M.

6. The date of priority which said user is prepared to establish is May 4, 1960.

CARL E. TAPPAN

State Reclamation Engineer

No. 399 July 22 - August 12

The Minidoka County News

RUPERT, IDAHO

AFFIDAVIT OF PUBLICATION

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

Vern A. Miller, being first
duly sworn, deposes and says that he is the

Gen. Mgr. of The Minidoka County
News, a weekly newspaper published at Rupert,
Idaho, in the county aforesaid, and that the paper
is of general circulation therein. Deponent further
states that the printed notice attached hereto was
duly published according to law in the regular
weekly editions of The Minidoka County News

for four consecutive weeks, commencing
with the issue dated July 22, 1965, and
ending with the issue dated Aug. 12, 1965.

Subscribed and sworn to before me this

5th day of Aug., 1965

Notary Public

Cost of Publication

Notary Fee

Total Cost

COMPLETION OF WORKS

and APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that
at 10 A. M. on the 19th day of
August 1965, at Twin Falls,
County of Twin Falls, State of
Idaho before John A. Doerr,
Notary Public, at 1227 Lyn-
wood Mall, Twin Falls, Idaho,
proof will be submitted of the
completion of works for the di-
version of 6.4 cubic feet per sec-
ond 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-28736, heretofore issued by
the Department of Reclamation
of the State of Idaho.

1. The name and postoffice
address of the person or corpora-
tion holding said permit is
William O. Russell, 1227 Lyn-
wood Mall, Twin Falls, Idaho.

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 6.4
cubic feet per second.

3. The use to which said wa-
ter has been applied is irriga-
tion, purposes and the amount
applied to beneficial use is 6.4
cubic feet per second.

4. The point of diversion of
said water is SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec.
25, Twp. 7 South, Rge. 25
E.B.M., Minidoka County, Ida-
ho.

5. The place where said wa-
ter is used is NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$,
SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 25 and the SE $\frac{1}{4}$
SE $\frac{1}{4}$ Sec. 24, Twp. 7 South,
Rge. 25 E.B.M.

6. The date of priority which
said user is prepared to estab-
lish is May 4, 1960.

CARL E. TAPPAN

State Reclamation Engi-
neer

No. 38

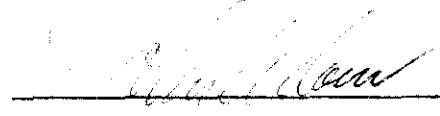
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AFFIDAVIT

STATE OF IDAHO)
) ss.
County of Twin Falls)

JOHN A. DOERR, being first duly sworn, deposes and says:

That he was commissioned by the Department of Reclamation to take the depositions of the holder and witnesses on water Permits Nos. G-28732, G-28733, G-28734 and G-28736, said depositions to be taken before him on the 11th day of August, 1965, at 10 o'clock A. M., at 1227 Lynwood Mall, Twin Falls, Idaho. That on said day he was in his office between the hours of 10 A. M. and 12 o'clock noon. That during said hours no persons appeared to protest or to give evidence contrary to that propounded by the holder and witnesses.



SUBSCRIBED AND SWORN to before me this 7th day of October, 1965.


Notary Public for Idaho
Residing at Twin Falls, Idaho

WINTROATH PUMPS—DIVISION OF WORTHINGTON CORPORATION
vertical turbine pumps

1100 SOUTH MERIDIAN AVENUE ☆ ALHAMBRA, CALIFORNIA

PUMP FIELD TEST REPORT

OWNER Dr. W.O. Russell DATE SEPT. 11, 1961
LOCATION Rancho Minidoka TESTED BY Witherspoon
PLANT No. Unit #5

PLANT EQUIPMENT

PUMP:

MFR. Johnston JOB No. _____ SERIAL No. _____
STAGES _____ SIZE _____ FT. COLUMN 240 HEAD _____
GEAR MFR. _____ SIZE _____ RATIO _____ SERIAL No. _____
PULLEY DIA. _____ PULLEY FACE _____

DRIVER:

MFR. U S MODEL Fr 587 P HP. 200 RPM 1800
VOLTS 460/460/465 AMPS 260/260/255 CYCLE 60 PHASE 3 SERIAL No. 1245550

PULLEY DIA. _____ PULLEY FACE _____ BELT WIDTH _____

Meg. reading 50 M.

METER:

MFR. _____ TYPE _____ SERIAL No. _____
VOLTS _____ AMPS _____ CYCLE _____ DISK K _____ G.T. RATIO _____
P.T. RATIO _____ POWER CO. _____ CO. METER No. _____

PERFORMANCE

STANDING WATER LEVEL _____ FEET 213' - 5"
STANDING AIR LINE PRESSURE _____ FEET None
RUNNING AIR LINE PRESSURE _____ FEET None
DRAW DOWN _____ FEET 1' - 8"
RUNNING WATER LEVEL _____ FEET 220' - 1"
SURFACE LIFT _____ FEET _____
TOTAL LIFT _____ FEET _____
RATE OF DISCHARGE _____ GPM _____

RATE OF DISCHARGE --- MINERS INCHES Unable to properly measure running water level due to lack of measuring device hole in discharge fitting.

HP TO METER _____

HP TO PUMP _____

EFFICIENCY OF PUMP Could not check water amounts because pump was attached to sprinkler system with no means of putting measuring device in discharge. PERCENT

RPM OF PUMP _____

RPM OF DRIVER _____

WHEREVER LIQUID NEEDS A LIFT

August 30, 1965

Re: Permits No. G-28732; G-28733; G-28734
G-28736

William C. Russell, M. D.

Murphy, Schwartz & Cunningham
Attorneys at Law
1227 Lynwood Mall
Twin Falls, Idaho

Attn: John A. Doerr

Dear Mr. Doerr:

Mr. Russell was to have made proof of completion of works and beneficial use of the water before you on August 19, 1965. To date we have not received the depositions and affidavits of publication.

The above noted permits should be cancelled pursuant to notices sent June 21st, however the legal notices were published and the cancellation will be postponed for one month, pending receipt of the depositions.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ev

Re: Permit No. **G-28736**
William O. Russell

Date: **July 13, 1965**

Minidoka County News,
Rupert, Idaho.

Gentlemen:

Enclosed you will find Notice for Publication, once a week for four consecutive weeks prior to August 19, 1965 the date set for proof; the expense of the publication is to be paid by the applicant's attorney, John A. Doerr, Murphy, Schwartz & Cunningham, of 1227 Lynwood Mall, Twin Falls, Idaho to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

Carl E. Tappan
CARL E. TAPPAN
State Reclamation Engineer

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

28736

Re: Permit No. **G-28736**
William O. Russell

July 13, 1965

**Mr. John A. Doerr,
Murphy, Schwartz & Cunningham,
Attorneys at Law,
1227 Lynwood Mall,
Twin Falls, Idaho.**

Dear Mr. Doerr:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. **G-28736**, in the name of **William O. Russell** as Notary on the **19th** day of **August**, 19 **65**, at **10:00** o'clock **A.M.**, at **1227 Lynwood Mall, Twin Falls**, Idaho. Final Proof is to be made before you,

Minidoka County News

As of this date, we have mailed the Notice to the **Rupert, Idaho**, 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,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) **EDNA P. RULE**
Chief Clerk

Encl.
EPR:pmk
cc: Applicant

28736

RECEIVED
JUL 12 1965

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) July 8, 1965

(P. O.) 1227 Lynwood Mall, Twin Falls, Idaho

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published
at my expense in the Minidoka County News of
Rupert, Idaho, Published in
the county in which the works are situated.

MURPHY, SCHWARTZ & CUNNINGHAM

By- *W. A. Brown*

Attorneys for Holder

(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

28736

RECEIVED
JUL 12 1965

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

Department of Reclamation

Notice is hereby given that at 10 A. M., on the 19th day of August
1965, at Twin Falls, County of Twin Falls, State of Idaho
before John A. Doerr, Notary Public, at (address) 1227 Lynwood
Mall, Twin Falls, Idaho, proof will be submitted of the completion
of works for the diversion of 6.4 cubic feet per second of underground water from a
well, and of the application to beneficial use of said water, in accordance with the
terms and conditions of Permit No. G-28736, 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 William O. Russell, 1227 Lynwood Mall, Twin Falls, Idaho

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 6.4 cubic feet per second.

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

4. The point of diversion of said water is SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 25, Twp. 7 South,
Rge. 25 E.B.M., Minidoka County, Idaho

5. The place where said water is used is NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 25 and the
SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 24, Twp. 7 South, Rge. 25 E.B.M.

6. The date of priority which said user is prepared to establish is May 2⁴, 1960

State Reclamation Engineer

28736

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

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

POSTMARK OF
DELIVERING OFFICE



INSTRUCTIONS: Fill in items below and complete instructions on other side, if applicable. Moisten gummed ends, attach and hold firmly to back of article. Print on front of article RETURN RECEIPT REQUESTED.

REGISTERED NO.	NAME OF SENDER Department of Reclamation
CERTIFIED NO. 19688	STREET AND NO. OR P. O. BOX Room 107 Statehouse
INSURED NO.	CITY, STATE, AND ZIP CODE Boise, Idaho 83701

CSS-16-71948-6-7

9-28732-33-34 + 36 28736

POD Form 3811 Sep. 1963

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

June 21, 1965

Re: Permit No. G- 28736

To William O. Russell
Box 426,
Twin Falls, Idaho

It appearing to the State Reclamation Engineer that the terms and conditions of Permit No. G- 28736 to appropriate the Public Waters of the State of Idaho, have not been complied with as to _____

Completion of Works and Beneficial Use Proofs which were due May 27, 1965

YOU ARE HEREBY notified in compliance with Sec. 42-234, Idaho Code that said Permit No. G- 28736 is hereby held for cancellation.

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

SAID PERMIT NO. G- 28736 claims the use of 6.4 cubic feet per second of the Subterranean Waters of a well with point of diversion located SW 1/4, Sec. 25, Twp. 7 S., Rge. 25 E. B. M., Minidoka County and was approved May 27, 1960.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of my office at Boise, Idaho, the 21st day of June, 1965.



State Reclamation Engineer

28736

June 8, 1965

RE: Permits G28732, G28733,
G28734, G28736

See

William O. Russell M.D.
6723 Burtner Avenue
Houston, Texas 77025

Dear Doctor Russell:

Enclosed herewith are forms for making application for subterranean water of the State of Idaho. The application number is not assigned until we receive the application; it is checked for accuracy and approved then it is assigned a number.

Also enclosed are forms for publication of proofs for the above numbered permits. First of all, these forms must be completed and sent to this office for checking and mailing to the newspaper in the county in which the major portion of the land is located. This legal notice is run once each week for four consecutive weeks. Then the holder of the permit along with two disinterested witnesses go before a notary and make notarized proof of completion of works and application of water to beneficial use. Forms for the holder and the witnesses will be forwarded upon receipt of the notice of publication forms 36 & 11.

These proofs must be taken in the State of Idaho, so if you cannot be here for the date of the proofs as set out in the publication, you will have to have someone with "power of attorney" to act for you as your agent.

The date for making proof must be 40 days subsequent to the date the notice of publication is received in this office.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

M. RUSSELL BOSCH, Assistant
State Water Rights & Records

MRB:et
Enc. application forms

28736

WILLIAM O. RUSSELL, M. D.
6723 BERTNER AVE.
HOUSTON, TEXAS 77025

June 2, 1965

Mr. Ralph W. Thomas, Deputy
State Reclamation Engineer
State of Idaho
Department of Reclamation
107 State House
BOISE,
Idaho 83701

Dear Mr. Thomas:

Thank you for your letter of May 28th.

The information contained is helpful, but it does reflect that apparently we had not applied for a permit on one of our deep wells. The Roger E. Dean license is of no concern of mine, and was given by you since he is currently farming a small piece of my land contained in Sections 5 and 8. In 1961, a well was drilled in Section 4, Township 8 South; a copy of the well log is enclosed.

This was an over-sight on our part in not requesting the permit, and I would like to make application at this time. Would you send the appropriate forms and application number? Also, please advise what is required for the proofs mentioned in your abstract that are due on May 27th.

With kind regards,

Sincerely yours,

William O. Russell
William O. Russell, M. D.

WOR/pn

cc: Mr. Fred Schwartz

28/36

A B S T R A C T

License No. G-25216 - Roger E. Dean

Priority October 7, 1954 - 3.4 c.f.s., wells NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 5, T. 8 S., R. 26 E., to irrigate 170 acres - NE $\frac{1}{4}$ SE $\frac{1}{4}$ 10 acres; W $\frac{1}{2}$ SE $\frac{1}{4}$ 50 acres; NE $\frac{1}{4}$ SW $\frac{1}{4}$, 25 acres; S $\frac{1}{2}$ SW $\frac{1}{4}$ 20 acres; Sec. 5; NW $\frac{1}{4}$ NE $\frac{1}{4}$ 40 acres; N $\frac{1}{2}$ NW $\frac{1}{4}$ 25 acres, Sec. 8, T. 8 S., R. 26 E.

Mr. William O. Russell - Proofs all due May 27, 1965

Permit No. G-28732

Priority May 23, 1960 - 6.4 c.f.s., well, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 29, to irrigate S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 29; N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 32, T. 7 S., R. 26 E.

Permit No. G-28733

Priority May 23, 1960 - 7.2 c.f.s., well NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28, to irrigate SE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 28; N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33, T. 7 S., R. 26 E.

Permit No. G-28734

Priority May 23, 1960, 6.4 c.f.s., well NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, to irrigate S $\frac{1}{2}$, Sec. 32, T. 7 S., R. 26 E.

Permit No. G-28736

Priority May 24, 1960, 6.4 c.f.s., well SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 25, to irrigate SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 24; NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 25, T. 7 S., R. 23 E., B. M.

See File Folder C-28736

for Copy of Abstract

May 28, 1943

Mr. William W. Russell, Esq.
Federal Bldg. - 625732; C-28733;
C-28734; C-28735 - Mr. W. Russell.

William W. Russell, Esq.
625732 Federal Bldg.
Houston, Texas 77002

Dear Mr. Russell:

Enclosed is statement of Walter Russell for same as two on
your last list enclosed with letter dated May 1943.

Very truly yours,

William W. Russell, Deputy
State Examination Engineer

Office:

Mr. Murphy, Roberts & Cunningham
113 Sherman St. N.
Twin Falls, Idaho

Attn: Fred Roberts
Attorney at law

May 28, 1965

Re: License No. G-25216 - Roger Dean
Permit Nos. - G28732; G-28733;
G-28734; G-28736 - Wm. O. Russell

William O. Russell, M. D.
6723 Bertner Ave.
Houston, Texas 77025

Dear Mr. Russell:

Enclosed is abstract of water rights for land shown on
your land list enclosed with letter dated May 26th.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

cc: Murphy, Schwartz & Cunningham
313 Shoshone St. N.
Twin Falls, Idaho

Attn: Fred Schwartz
Attorney at Law

28736

LEGAL DESCRIPTION OF PROPERTIES

1. Blaine County

Township 7 South, Range 26 EBM:

Section 20 - $NE\frac{1}{4}$; $W\frac{1}{2}SE\frac{1}{4}$; $SW\frac{1}{4}$; $S\frac{1}{2}NW\frac{1}{4}$

Section 21 - $E\frac{1}{2}$; $NW\frac{1}{4}$

Section 22 - $NE\frac{1}{4}$; $N\frac{1}{2}SE\frac{1}{4}$; $W\frac{1}{2}$

Section 27 - $W\frac{1}{2}$

Section 28 - $E\frac{1}{2}$; $N\frac{1}{2}SW\frac{1}{4}$; $SE\frac{1}{4}SW\frac{1}{4}$

Section 29 - $W\frac{1}{2}NE\frac{1}{4}$; $SE\frac{1}{4}$; $SW\frac{1}{4}$; $S\frac{1}{2}NW\frac{1}{4}$; $NE\frac{1}{4}NW\frac{1}{4}$

Section 31 - $W\frac{1}{2}SE\frac{1}{4}$

Section 32 - $E\frac{1}{2}$; $N\frac{1}{2}NW\frac{1}{4}$; $SE\frac{1}{4}NW\frac{1}{4}$; $SE\frac{1}{4}SW\frac{1}{4}$

Section 33 - All

Section 34 - $W\frac{1}{2}$

Section 16 - All (State Land Purchased on 40-year Contract)

Township 8 South, Range 26 EBM:

Section 4 - Lots 1, 2, 3; Lot 4 except 0.46 acres in the
Northwest corner; $S\frac{1}{2}N\frac{1}{2}$; $N\frac{1}{2}SE\frac{1}{4}$; $SW\frac{1}{4}SE\frac{1}{4}$; $E\frac{1}{2}SW\frac{1}{4}$

Section 5 - Lots 1, 2, 3; $SE\frac{1}{4}NE\frac{1}{4}$; $NE\frac{1}{4}SE\frac{1}{4}$

Section 8 - $NE\frac{1}{4}NE\frac{1}{4}$; $SE\frac{1}{4}NE\frac{1}{4}$ less right-of-way for Roosevelt
Highway and Union Pacific Railroad.

Section 9 - $N\frac{1}{2}NW\frac{1}{4}$; $NW\frac{1}{4}NE\frac{1}{4}$; $SE\frac{1}{4}NW\frac{1}{4}$ less right-of-way for
Roosevelt Highway and Union Pacific Railroad.

II. Minidoka County:

Township 7 South, Range 25 EBM:

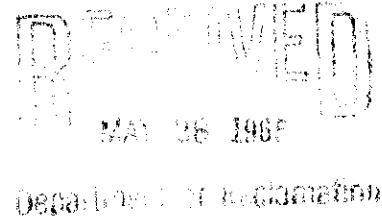
Section 24 - $SE\frac{1}{4}SE\frac{1}{4}$

Section 25 - $NE\frac{1}{4}$; $N\frac{1}{2}SE\frac{1}{4}$; $SE\frac{1}{4}SE\frac{1}{4}$

WILLIAM O. RUSSELL, M. D.
6723 BERTNER AVE.
HOUSTON, TEXAS 77025

May 26, 1965

Reclamation Engineer
State House
BOISE,
Idaho



Gentlemen:

I would appreciate information relative to well permits on five deep well pumps that I have in Blaine and Minidoka Counties which are located on the property of William O. Russell. Information necessary on each unit is as follows:

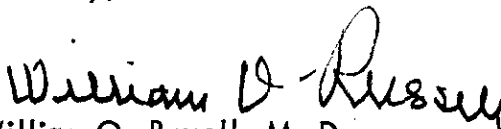
1. Application number
2. Permit number
3. Amount of water allocated

Four of these units are located in Blaine County and one in Minidoka County. One of the wells in Blaine County was drilled in 1961, with the other three in 1960. The well in Minidoka County was drilled in 1960.

Legal description of the properties mentioned are attached; however, I am unable to give you the exact location of the well sites in Township 7 and 8 of Blaine County.

I enclose a stamped, self-addressed envelope for your convenience and I would appreciate having this information as soon as possible.

Sincerely,


William O. Russell, M. D.

WOR/ck
Enclosure
cc: Mr. Fred Schwartz

28736

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G- 28732; G-28733; G-28734
G- ~~28732~~ 28736

March 1, 1965

William O. Russell
Box 426
Twin Falls, Idaho

Dear Mr. Russell:

The date for proofs of Completion of Works and Application of water to beneficial use, as set out under terms of Permit No. G- 28732 are due not later than **May 27, 1965**

G-28733

G-28734 - G-28736

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
Forms 36 and 11 (4 sets)

28736

June 6, 1960

Re: Permit No. G-28736
William O. Russell

Murphy, Schwartz & Cunningham,
Attorneys at Law,
313 Shoshone Street North,
Twin Falls, Idaho.

Attention: Fred A. Schwartz

Gentlemen:

We enclose Permit No. G-28736 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-4846 which was issued covering payment in the amount of \$6.50 for the filing fee of the above mentioned permit.

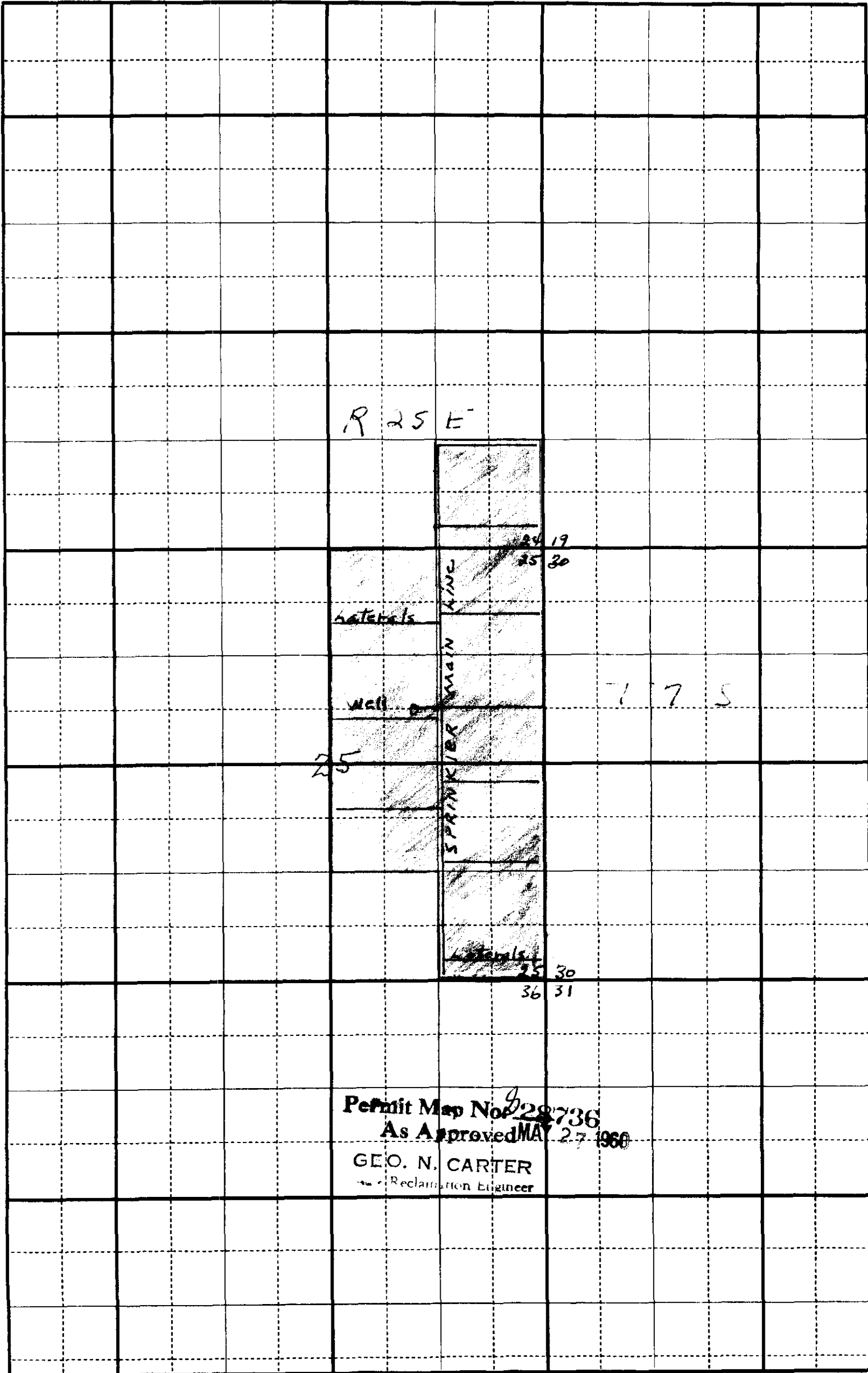
Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

Encl.
EPR:pmk
cc: William O. Russell
Box 426
Twin Falls, Idaho

28736



LAW OFFICES OF
MURPHY, SCHWARTZ & CUNNINGHAM

JACK M. MURPHY
FRED A. SCHWARTZ
JAMES M. CUNNINGHAM

RECEIVED
MAY 24 1960

Department of Reclamation

TWIN FALLS, IDAHO
SHOSHONE STREET NORTH
REDWOOD 3-4961

SHOSHONE, IDAHO
JOURNAL BUILDING
TUCKER 6-7602

HAILEY, IDAHO
111 EAST CROY
TELEPHONE 47

Twin Falls, Idaho

May 23, 1960

Department of Reclamation
Statehouse
Boise, Idaho

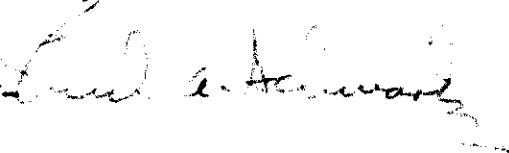
Gentlemen:

Please find enclosed Application for Water
Permit by William O. Russell and our check
in the amount of \$6.50.

If you need any additional information, will
you kindly advise.

Very truly yours,

MURPHY, SCHWARTZ & CUNNINGHAM

By 

FAS:m
Encl.

28736