

36-2433

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

Application No. G- 36713
Permit No. G- 28732
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**

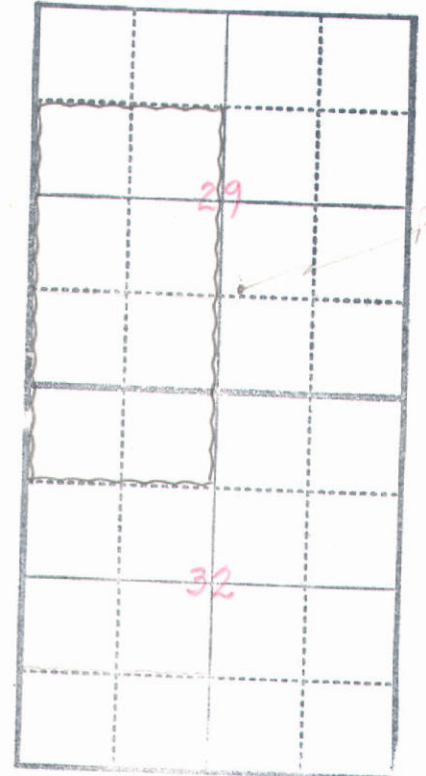
4. Location of point of diversion or well is in the **NW** $\frac{1}{4}$ of the **SE** $\frac{1}{4}$ of Section **29**
Twp. **7 S**, Rge. **26 E.**, B.M., County of **Blaine**

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 **5** years.

11. If applicant is a corporation, give:

I. (a) Date and place of incorporation:

(b) Amount of capital stock: \$

(c) Amount paid in: \$

(d) Names and addresses of directors:

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

(b) Treasury stock:

(c) Bonds to be issued:

(d) Other resources:

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

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

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

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

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

Permit No. G-28732

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 NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 29

T. 7 S R. 26 E.B.M. County of Blaine

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

Worthington Pump # VTP-9668 10" discharge to main line
200 HP motor # 1365927

4000-gal motor

Sprinkler System 30 Rain birds with
 $\frac{5}{32}$ 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):

S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ Sec. 29., N $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 32, Twp. 7 S., Rge. 26 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: Water also used in SW NE & NW SE Sec 29

396 NOZ 5.719 gpm
5.71 x 396 = 5.04 c.f.s.
4488

IRRIGATION REQUIREMENT = 4.0 AC-FT / ACRE / SEASON

This examination was made on the 24th day of June, 1966

(Signed) Don Watts not completed
Examiner.

late proof

Priority - Oct 1, 1960

28732

19 20
30 29

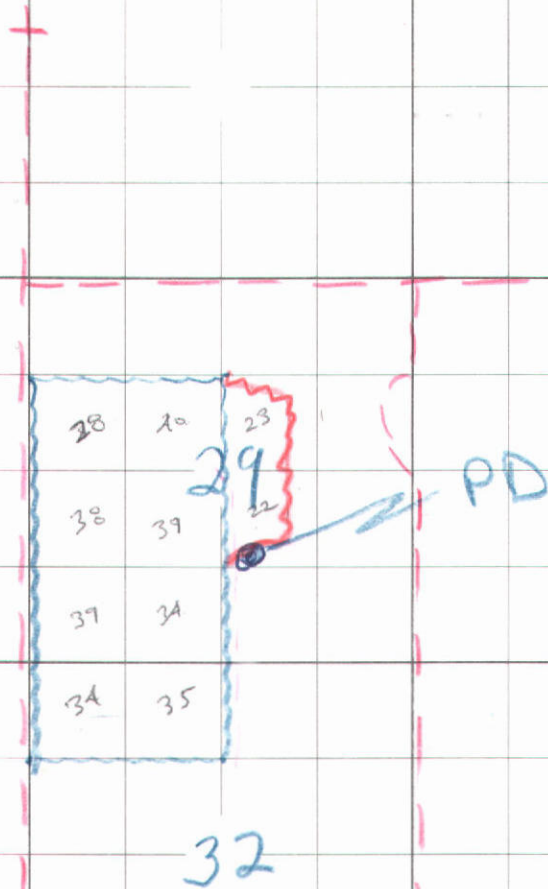
20
29

E 316



28732

Twp 7s Rge 26 EBM



A = 287 Acres

Q = 5.04 C.F.S.

Subd. = 18

VOL = 1/18 AC-FT / SEASON

PRIORITY = Oct 18, 1960 (LATE PROOF)

Like land 4/41

To Minidoka

RECEIVED
OCT 8 1965
Department of Reclamation

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 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-28732, 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 NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 29, Twp. 7 South Rge. 26 E.B.M., Blaine County, Idaho.

5. The place where said water is used is S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ Sec. 29, and the N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 32, all in Twp. 7 South, Rge. 26, E.B.M.

6. The date of priority which said user is prepared to establish is May 23, 1960.

CARL E. TAPPAN
State Reclamation Engineer
Pub. July 22, 29, and Aug. 5, 1965

Affidavit of Publication

STATE OF IDAHO, } ss.
County of Blaine,

BERWYN BURKE, being first duly sworn deposes and says that he is now and at all times herein mentioned has been the publisher of The Hailey Times, which is now, and at all times herein mentioned has been a newspaper as defined in Section 58-106 of the Idaho Code Annotated as amended by Chapter 38 of the Laws of 1939, and printed, regularly issued and published weekly at Hailey, in Blaine County, Idaho, and having a general circulation in said county, and not less than 200 bona fide subscribers living within said county, and that said newspaper has been continuously and uninterruptedly so printed and published as a weekly newspaper in said county during the period of 78 consecutive weeks prior to the first publication of the annexed true copy and at all times since, and that said annexed true copy was so published in the regular edition of said newspaper, The Hailey

Times, and not in any supplement thereof, for four consecutive weeks commencing with the first publication thereof on the

twenty-second day of July, 1965
and ending with the last publication thereof on the

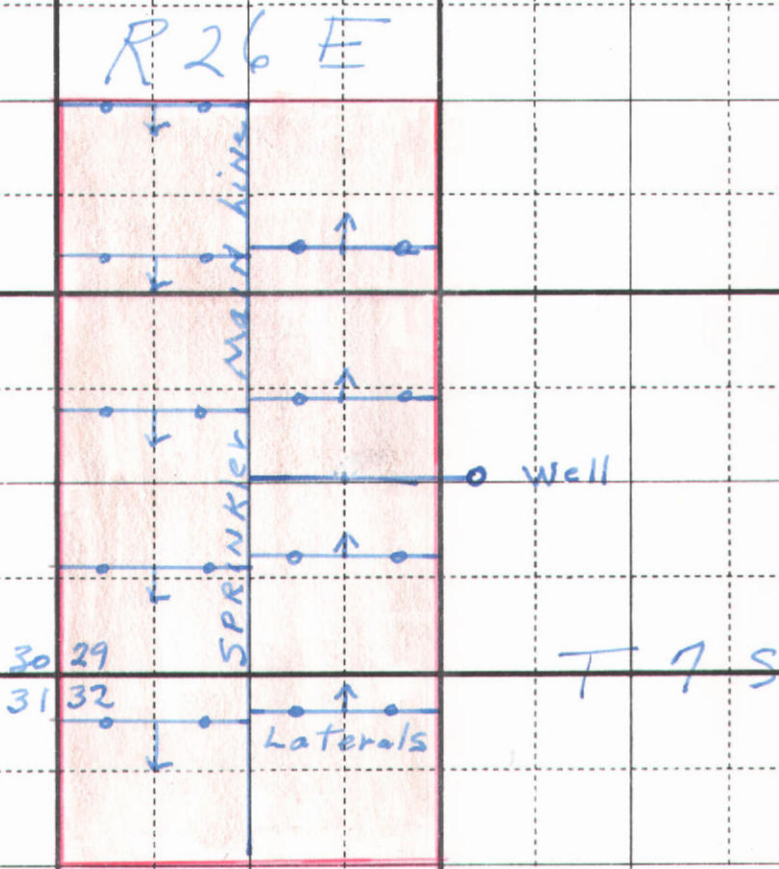
twelfth day of August, 1965

Cost of this publication is \$22.88

Berwyn Burke
BERWYN BURKE, Publisher.

Subscribed and sworn to before me, this 13th day
of August, 19 65.

[Signature]
Notary Public for Idaho
Residing at Hailey,
Blaine County, Idaho.



Permit Map No. 28732
As Approved MAY 27 1960
GEO. N. CARTER
State Reclamation Engineer

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 36-02433

1999 JAN 15 AM 10:45

FILED
JAN 15 1999
TWIN FALLS, IDAHO
CLERK OF DISTRICT COURT

NAME & ADDRESS: DALE H KLINGLER
4567 FEDERAL BLVD
SAN DIEGO CA 92102

SOURCE: GROUNDWATER

QUANTITY: 5.04 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 5.04 CFS AND A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 1544 AF.
COMBINED RIGHT NOS.: 36-15264A AND 36-15264B.

PRIORITY DATE: 10/01/1960

POINT OF DIVERSION: T07S R26E S29 SWNWSE Within BLAINE County

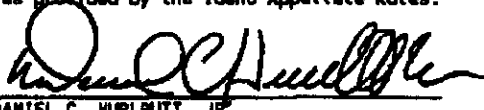
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION NONE	Irrigation Season	5.04 CFS

PLACE OF USE:	IRRIGATION	Within BLAINE County			
	T07S R26E S29	NENE 4	NWNE 35	SWNE 29	NENW 35
		SWNW 31	SENE 34	NESW 31	NWSW 31
		SWSW 31	SESW 32	NWSE 30	
	S32	NENW 32	NWNW 31		
	386 ACRES TOTAL				

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 287 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 386 ACRES IN A SINGLE
IRRIGATION SEASON.
COMBINED RIGHT NOS.: 36-15264A AND 36-15264B.

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

MICROFILMED
JUN 11 2002

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)

Water Right 36-02433

Case No. 39576)

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. ccc

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
JUN 11 2002

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

Important Information About Your Water Right

August 27, 2001

REBECCA HUNSAKER
BLAINE COOK
DEON COOK
BRUCE HUNSAKER
501 RIVERSIDE DR
BURLEY, ID 83318

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 36-02433. 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

JUN 11 2002

This
Right has been
Decreed in the
SRBA.

WATER LICENSE

Water License No. G-28732 Priority October 1, 1960 Amount 5.04 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 23, 1960; that Permit G-28732 was issued pursuant
to said application; that the proposed works were completed on or about 1960
with a storage/or carrying capacity of 5.04 c.f.s., said works consisting of
well, pump, motor and sprinkler system; and that on October 4, 1965
proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 1148
acre feet per season, with a maximum rate of diversion of 5.04 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 NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 29, T. 7 S., R. 26 E., B.M., and
other additional points, in the County of
Blaine; 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 1148 acre feet per year.

Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
<u>7 S</u>	<u>26 E</u>	<u>29</u>							<u>28</u>	<u>40</u>	<u>39</u>	<u>38</u>	<u>39</u>	<u>34</u>					<u>218</u>
		<u>32</u>					<u>35</u>	<u>34</u>											<u>69</u>

Total number of acres irrigated 287

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
16th day of May, 19 69.
State Reclamation Engineer

36-2433

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

Application No. G- 36713
Permit No. G- 28732
District No.

1. Name of Applicant: **William O. Russell**
Postoffice address: ~~Box 426, Twin Falls~~ **6713 Center Ave. Houston Texas** 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

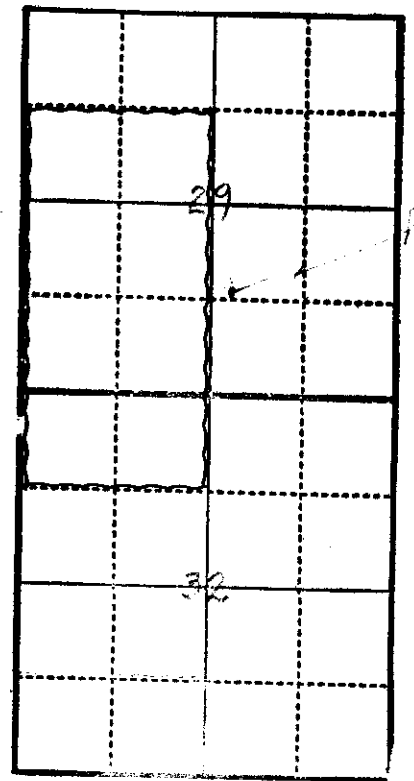
3. Source of water supply: **Subterranean from a drilled well**

4. Location of point of diversion or well is in the **NW** $\frac{1}{4}$ of the **SE** $\frac{1}{4}$ of Section **29**
Twp. **7 S**, Rge. **26 E.**, B.M., County of **Blaine**

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 **5** years.

11. If applicant is a corporation, give:

I. (a) Date and place of incorporation:

(b) Amount of capital stock: \$

(c) Amount paid in: \$

(d) Names and addresses of directors:

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

(b) Treasury stock:

(c) Bonds to be issued:

(d) Other resources:

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

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

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

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

Remarks:

BE IT KNOWN TH
Idaho as herein set forth.

William O. Russell

By **s/ Fred A. Schwartz**

Date of first receipt at Department of Reclamation: 8:00 A.M. May 23, 1960

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G— 28732

Recorded in Book **101** Page **28732** 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. DREYFELW.
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	26 E	29 32							40	40			40	40	40	40			240 80 320
LICENSE ISSUED FOR 5.04 SEC. FL LICENSE PAGE NO. _____																			

This
Right has been
Decreed in the
SRBA.

MICROFILMED

JUN 11 2002

MEMORANDUM

TO: FILE 36-02433
FROM: VAULT
RE: TRANSFER # 69465
DATE: 69465

=====

**Original Transfer Application, Form and correspondence regarding the above
referenced Transfer is located within:**

FILE # 36-02090A

MICROFILMED

JUN 11 2002

WELL DRILLER'S REPORT

1. DRILLING PERMIT NO. 2-6-955-01348 11. WELL TESTS:

Other IDWR No. 36-02433

2. OWNER:

Name Dale Kinsley. 40 Blaine Look

Address Rt 4 Box 4233

City Rosent State GA Zip 83210

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

N
 Twp. 7 North ☐ or South ☒
 Rge. 24 East ☒ or West ☐
 Sec. 29 SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$
 Gov't Lot _____ County BLA, NC
 S

Address of Well Site KJ 4 Box 4233

BEAR TRAP 5M. City MINILAKA
(Give at least name of road + Distance to Road or Landmark)

Lt. _____ Blk. _____ Sub. Name _____

4. PROPOSED USE:

☐ Domestic ☐ Municipal ☐ Monitor ☒ Irrigation
☐ Thermal ☐ Injection ☐ Other

5. TYPE OF WORK *Research*

☐ New Well ☒ Modify or Repair ☐ Replacement ☐ Abandonment

6. DRILL METHOD

☐ Mud Rotary ☐ Air Rotary ☒ Cable ☐ Other _____

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT	METHOD
Material	From	To	Sacks or Pounds	

Was drive shoe used? ☐ Y ☐ N Shoe Depth(s) _____

Was drive shoe seal tested? Y ☐ N ☐ How? _____

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
					☐	☐	☐	☐
					☐	☐	☐	☐
					☐	☐	☐	☐

Length of Headpipe _____ Length of Tailpipe _____

9. PERFORATIONS/SCREENS

Perforations	Method
--------------	--------

☐ Screens Screen Type _____

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
						☐	☐
						☒ MICROFILMED	☐
						☐	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

ft. below ground Artesian pressure _____ lb.

Depth flow encountered _____ ft. Describe access port or control devices:

11. WELL TESTS:

☐ Pump ☐ Bailer ☐ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time

Water Temp. _____ Bottom hole temp. _____

Water Quality test or comments:

12. LITHOLOGIC LOG: (Describe repairs or abandonment) Water

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Y	N
20	326	356	BROKEN LAUB	✓	
RECEIVED AUG 31 1995 Department of Water Resources Southern Region					
RECEIVED OCT 23 1995 Department of Water Resources					
Completed Depth <u>356</u> (Measurable) Date: Started <u>7-9-95</u> Completed <u>7-10-95</u>					

13. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed. *BP*

Firm Name Harman International Co. Firm No. 383

Firm Official Frank Hall Date 40920, 95

and
Supervisor or Operator Elgin Simon Date 7-25-93

(Sign once if Firm Official & Operator)

WATER RIGHT NUMBER 36-2433/

OWNER LAST NAME - RUSSELL /
ADDRESS LINE 1 - 6723 BERTNER AVE. /
ADDRESS LINE 3 -
SOURCE - GROUNDWATER /
STAGE - LICENSE /
TOTAL DIV. VOLUME - 1148.00 AFA TRFR/AMEND -
DIVERSION POINT - NWSE 29 07S 26E LOT REDIV -
FROM - 04-01 TO 10-31 /
USE - IRRIGATION /
USE - IRRIGATION /

FIRST NAME - WILLIAM O. /
ADDRESS LINE 2 -
CITY - HOUSTON /
STATE - TX /
ZIP CODE -
TRIBUTARY OF -

ORIG OWNER -

PRIORITY - 10-01-1960 /
COUNTY - BLAINE /
TOTAL DIV. RATE - 5.0400 /-CFS
WATER DIST. -
DLE/CAREY ACT -
RIGHT BASIS -
0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0
USE DIV. RATE - 5.0400 /CFS
USE DIV. VOLUME - 1148.00 AFA /
PLACE OF USE - TWN 07S RNG 26E SEC 32 /TRACT NENW LOT AC 35 /TRACT NWNW LOT AC 34 /
PLACE OF USE - TWN 07S RNG 26E SEC 29 /TRACT SNNW LOT AC 28 /TRACT SENW LOT AC 40 /
TRACT NESW LOT AC 39 /TRACT NWSW LOT AC 38 /
TRACT SWSW LOT AC 39 /TRACT SESW LOT AC 34 /
DATE -
TOTAL ACRES 287 /

DECREE NAME -
REMARKS -
NON IRRIG USE -
OTHER RIGHTS FOR SAME USE -
PROOF DUE -
PROOF MADE -
DIVERSION MEANS -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 28732 /

3/1/85

IDENT. NO. 36-2433

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG[illegible]

THE **Connecticut Mutual Life** INSURANCE COMPANY, SINCE 1846

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

RECEIVED
Mortgages - Agricultural

February 11, 1972

1972

Department of Water Administration

AIR MAIL

Department of Reclamation
State of Idaho
Boise, Idaho

Re: Loan No. 94591-H, Klinger

Gentlemen:

36-2433
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, G 28732, G 28733, G 28736, and G 32461 as described in Mortgage Deed dated August 6, 1965 given by William O. Russell and Marolyn Russell.

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 2433

SM

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 2433



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

36-2433

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 678-9088
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 - 36-2483
G28733 - 36-2434
G28734 - 36-2435
G28736 - 36-2436
G32461 - 36-2415

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 2433

May 16, 1969

Re: Permit Nos. G-28732 & G-28734

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

Dear Mr. Russell:

Enclosed you will find your Water Licenses issued on
the above numbered permits.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kh
Enclosures

cc. Schwartz & Doerr
Twin Falls,
Idaho 83301

28732

LAW OFFICES OF
SCHWARTZ & DOERR

FRED A. SCHWARTZ
JOHN A. DOERR

TWIN FALLS, IDAHO 83301
1227 LYNWOOD MALL
733-4961

May 13, 1969

RECEIVED

MAY 14 1969

Department of Reclamation

Department of Reclamation
Statehouse - Annex 2
Boise, Idaho 83707

Attention: Mr. Dean R. Reynolds
Field Examiner

Re: Permits G-28734 and G-28732
William O. Russell

Gentlemen:

Enclosed is check for \$42.00, being your
fee for issuing License and Certificate of Water
Right on the above Permits. Please send the Licenses
and Certificates to this office and we will forward
them to Dr. Russell.

Very truly yours,

SCHWARTZ & DOERR

By

Fred A. Schwartz

FAS:NH
Encl.

28732

May 5, 1969

Re: Permit No. G-28732

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

Dear Mr. Russell:

A representative of this department has made an examination of the works covered by your Permit G-28732 and has found the following:

Quantity of water diverted: 5.04 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 5.04 c.f.s.

The maximum quantity diverted shall not exceed 1148 acre feet per season.

Purpose of use: Irrigation of 287 acres located within the 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., B.M.

The priority date established is: October 1, 1960 (late proof)

A fee totaling \$ 21.00 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:kh

cc. Murphy, Schwartz & Cunningham
1227 Lynwood Mall
Twin Falls, Idaho 83301

28732

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

Permit No. G-28732

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 NE 1/4 of Section 29

T. 7 S R. 26 E.B.M. County of Blaine

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

Northington Pump # VTP-9168 10" discharge to main line
200 HP motor # 1365977
4010 shaft motor
Sprinkler System 30 Rain birds 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):

SW 1/4, SE 1/4 Sec. 29., NE 1/4 Sec. 32, Twp. 7 S., Rge. 26 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: Water also used in SW NE + NW SE Sec 29

396 NOZ 5.719 PM

5.71 X 396 = 2278.8

2278.8 / 448.8 = 5.04 C.F.S.

IRRIGATION REQUIREMENT = 4.0 AC-FT/ACRE/SEASON

This examination was made on the 24th day of June, 1966

(Signed) Don Matthe not completed
Examiner.

late proof

Priority - Oct 1, 1960

28732

William O. Russell
6723 Bertner Avenue
Houston, Texas
Permit No. G-28732

h: 273'
5
330' S' x 20" eq
1920 RPM
375-1/2" x 55' x 1" x 1"

Examination for Completion of Works & Beneficial Use

County Blaine

Quantity: Sec. 29 T.7S R.26 EBN
6.4 cfs. or 320 inches

Source: 38-
Subterranean well

P.D.: NW SE Sec.29 Twp.7 S Rge. 26 E

Use: Irrigation

Extension:

Protest:

Completion of Works:

Other Rights: None

Filed: May 23, 1960

Due: May 27, 1965

No Log
Commence Drilling Report
Made - Oct 4, 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.

28732

19 20
30 29

E 316

2856.7

11.8

40

64.4

39

23

45

12

22

OPB

39

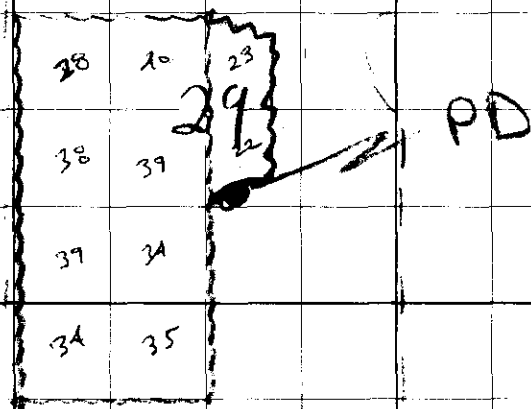
69.0

64.3

35

28732

Top 75 1/2 26 4 1/2



32

A = 287 Acres ✓

Q = 5.04 C.S.S.

Subd. = 8

VOL = 1/48 AC-FT / SEASON

PRIORITY = OCT 13, 1960 (LATE PROOF)

Form 23
2M-4-65

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. G-28732

REPORT ON PROOF OF Completion of Works & Beneficial Use

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

Dear Dr. Russell:

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

28732

RECEIVED
OCT 8 1965

Department of Reclamation

Affidavit of Publication

STATE OF IDAHO, }
County of Blaine, } ss.

BERWYN BURKE, being first duly sworn deposes and says that he is now and at all times herein mentioned has been the publisher of The Hailey Times, which is now, and at all times herein mentioned has been a newspaper as defined in Section 58-106 of the Idaho Code Annotated as amended by Chapter 38 of the Laws of 1939, and printed, regularly issued and published weekly at Hailey, in Blaine County, Idaho, and having a general circulation in said county, and not less than 200 bona fide subscribers living within said county, and that said newspaper has been continuously and uninterruptedly so printed and published as a weekly newspaper in said county during the period of 78 consecutive weeks prior to the first publication of the annexed true copy and at all times since, and that said annexed true copy was so published in the regular edition of said newspaper, The Hailey

Times, and not in any supplement thereof, for four consecutive weeks commencing with the first publication thereof on the twenty-second day of July, 1965 and ending with the last publication thereof on the twelfth day of August, 1965

Cost of this publication is \$22.88

Berwyn Burke
BERWYN BURKE, Publisher.

Subscribed and sworn to before me, this 13th day of August, 19 65

[Signature]
Notary Public for Idaho
Residing at Hailey,
Blaine County, Idaho.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G-28732

RECEIVED
OCT 8 1965
Department of Reclamation

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, 4723 BERTNER 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-28732

APPROVED MAY 27, 1960, PRIORITY MAY 23, 1960

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

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

NW⁴ SE⁴ - SEC. 29, TWP. 7S, R 26E

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 330; depth and size of

casing 5' - 20" O.D.; depth to water 273; if pump is used,

state discharge of pump: 1920 GPM; tell how it was measured or determined WINTROATH

CO. AT DISCHARGE; if sprinkler irrigation, give number and size

of nozzles and operating pressure: 375 11/64 55-60 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:

SEC. 29, T7S, R26E BM - SW⁴NW⁴-40, SE⁴NW⁴-40, NW⁴SW⁴-40, NE⁴SW⁴-40,

SW⁴SW⁴-40, SE⁴SW⁴-40

SEC. 32, T7S, R26E BM - NW⁴NW⁴-40, NE⁴NW⁴-40

See affidavits in file # G-28736
No eng

D

28732

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

GROUND CLEARED + 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. ROBERT EDWARDS

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 A. Russell
By Paul A. Delaney
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.

My commission expires: 12-1-67

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

RECEIVED
OCT 3 1965

Permit No. G-28732

Department of Reclamation

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:

DALE KUNGLER, 37, RURAL RUPERT, IDAHO, FARMER
RT. 3, RUPERT, IDAHO

Ques. 2 Are you acquainted with WILLIAM O. RUSSELL, the holder of

Permit No. G-28732? How long have you known him and where does he reside?

6723 BERTNER AVE HOUSTON TEXAS - 5 YEARS

Ques. 3. Have you read or heard said Permit No. G-28732 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

NW⁴ SE⁴ - SEC. 29 - TWP. 7S, RGE 26 RBM.

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

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. 29, T 7S, R 26 RBM - SW⁴NW⁴-40, SE⁴NW⁴-40, NW⁴SW⁴-40, NE⁴SW⁴-40,
SW⁴SW⁴-40, SE⁴SW⁴-40

SEC. 32, T 7S, R 26 RBM - NW⁴NW⁴-40, NE⁴NW⁴-40

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

NOT APPLICABLE

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 - PORTNEU SALT LEAN - 6.4 C/F/S

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? SPRING - 1940

Other times you have seen such use: EACH CRAP 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 28th 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

Permit No. G-28732

RECEIVED
OCT 8 1965

Department of Reclamation

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:

FRED A. SCHWARTZ, 39, TWIN FALLS, IDAHO, LAWYER, 1227 LYNNWOOD HALL,
TWIN FALLS, IDAHO

Ques. 2 Are you acquainted with WILLIAM O. RUSSELL, the holder of
Permit No. G-28732? How long have you known him and where does he reside?

6723 BERTNER AVE, HOUSTON, TEXAS - 8 YEARS

Ques. 3. Have you read or heard said Permit No. G-28732 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
NW4SE4-SEC. 29, TWP. 7S, R. 26 EBM

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

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. 29, T 7S, R. 26 EBM - SW4NW4-40, SE4NW4-40, NW4SW4-40, NE4SW4-40
SW4SW4-40, SE4SW4-40

SEC. 32, T 7S, R. 26 EBM - NW4NW4-40, NE4NW4-40

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

NOT APPLICABLE

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? NO

Ques. 10. When did you first see this water used? SPRING - 1940
Other times you have seen such use: EACH COLD YEAR SINCE

(Signed):

Paul 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 19th day of AUGUST, A. D. 1965

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

My commission expires 12-1-67

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. Rule
Chief Clerk

EPR:mr

Enc. depositions

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:ew

28732

**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 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-28732, 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 NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 29, Twp. 7 South Rge. 26 E.B.M., Blaine County, Idaho.

5. The place where said water is used is S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ Sec. 29, and the N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 32, all in Twp. 7 South, Rge. 26, E.B.M.

6. The date of priority which said user is prepared to establish is May 23, 1960.

28732
CARL E. TAPPAN
State Reclamation Engineer
Pub. July 22, 29, and Aug. 5, 12

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
Hailey Times of Hailey, Idaho, published in
the county in which the works are situated.

MURPHY, SCHWARTZ & CUNNINGHAM

By-

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.

Not 36 - 4M
1/65

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,
19 65, 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-28732, 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 ~~flood~~ 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 NW¹SE¹ Sec. 29, Twp. 7 South,
Rge. 26 E.B.M., Blaine County, Idaho

5. The place where said water is used is S¹NW¹, SW¹ Sec. 29 and the N¹NW¹
Sec. 32, all in Twp. 7 South, Rge. 26 E.B.M.,

6. The date of priority which said user is prepared to establish is May 27, 1960

Carl E. Lappan

State Reclamation Engineer

28732

Re: Permit No. G-28732
William O. Russell

Date: July 13, 1965

Hailey Times,
Hailey, 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

Re: Permit No. G-28732
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-28732, 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.

As of this date, we have mailed the Notice to the HAILEY TIMES Hailey, 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

28732

LAW OFFICES OF
MURPHY, SCHWARTZ & CUNNINGHAM

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

TWIN FALLS, IDAHO
1227 LYNWOOD MALL
733-4961

SHOSHONE, IDAHO
JOURNAL BUILDING
886-2289

Twin Falls, Idaho

July 8, 1965

State of Idaho
Department of Reclamation
State House
Boise, Idaho

Gentlemen:

We are enclosing herewith Notice of Proof of Completion of Works and Application of Water to Beneficial Use relative to Permit Nos. G-28734, G-28732, G-28736 and G-28733.

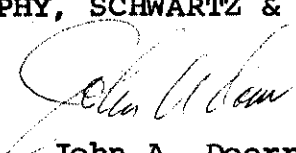
Since we are running to the dead line, we would appreciate you immediately forwarding the same to the Hailey Times and the Minidoka County News requesting immediate publication of the same.

If there are any problems connected herewith, we would appreciate you calling us collect immediately.

Very truly yours,

MURPHY, SCHWARTZ & CUNNINGHAM

By-


John A. Doerr

JAD:m
Encl.

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Deliver ONLY to
addressee

☐ Show address where
delivered

(Additional charges required for these services)

RECEIPT

Received the numbered article described on other side.

SIGNATURE OR NAME OF ADDRESSEE (must always be filled in)

William D. Russell

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

JUN 25 1965

SHOW WHERE DELIVERED (only if requested)

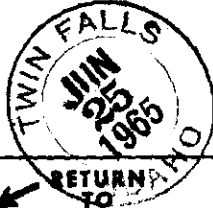
CS5-16-71548-5-F SPD

28132

AK 1. VT
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

C55-16-71548-1

8-28732-33-34 & 36 28732

POD Form 3811 Sep. 1963

INSTRUCTIONS TO DELIVERING EMPLOYEE

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addressee

☐ Show address where
delivered

(Additional charges required for these services)

RECEIPT

Received the numbered article described on other side.

SIGNATURE OR NAME OF ADDRESSEE (must always be filled in)

Rev. H. E. Lewis

JUL 1

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

JUL 1

DATE DELIVERED

SHOW DATE DELIVERED (only if requested)

JUL 1

JUL 1

C55-16-71548-5-F GPO

28732

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

1965

NO POSTAGE
NECESSARY
IF MAILED
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UNITED STATES
PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE, \$300

BETTER BUSINESS SERVICE

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RETURN
TO

REGISTERED NO.

NAME OF SENDER

Department of Reclamation

CERTIFIED NO.

STREET AND NO. OR P. O. BOX

Room 107 Statehouse

INSURED NO.

CITY, STATE, AND ZIP CODE

Boise, Idaho 83701

CS5-16-71548-6

28732

POD Form 3811 Sep. 1963

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

June 21, 19 65

Re: Permit No. G- 28732

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- 28732 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- 28732 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- 28732 claims the use of 6.4 cubic feet per second of the Subterranean Waters of a well with point of diversion located NW 1/4 Sec. 29, Twp. 7 S., Rge. 26 E.B.M., Blaine 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, 19 65.



State Reclamation Engineer

28732

June 8, 1965

RE: Permits ~~028732~~, 028733,
028734, 028736

See letter in
C-28736

William O. Russell M.D.
6723 Bertner 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:ct
Enc. application forms

28732

See File Folder G-28736

for Copy of Abstract

May 28, 1965

Re: License No. G-25216 - Roger Dean
Permit Nos. - G-28732; 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

28732

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)

28732

June 3, 1960

Re: Permit Nos. G-28732,
G-28733 & G-28734
William O. Russell

C
O
P
Y

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

Attention: Fred A. Schwartz

Gentlemen:

We enclose Permits Nos. G-28732, G-28733 and G-28734, 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-4844, which was issued covering payment in the amount of \$19.75 for the filing fee of the above mentioned permits.

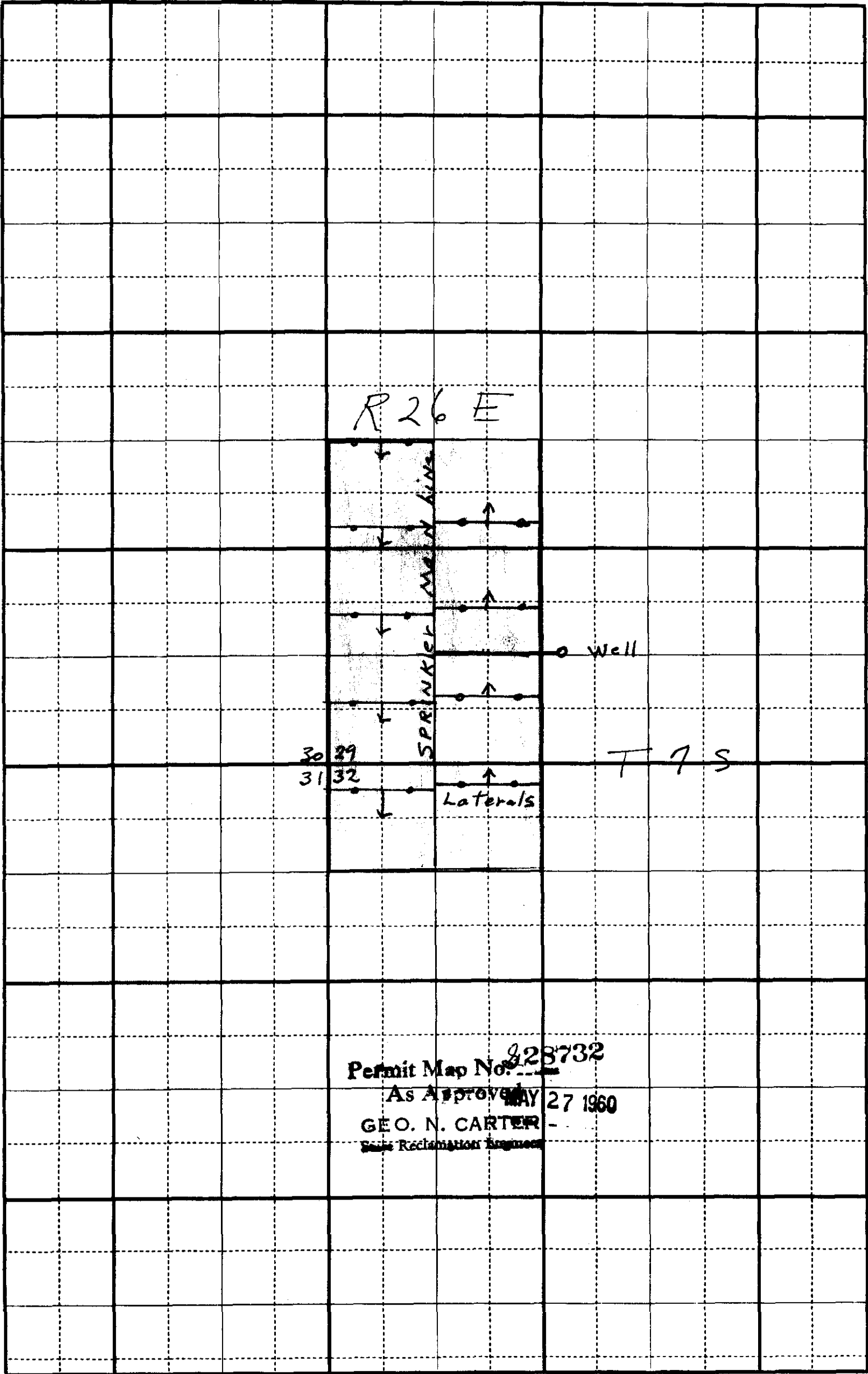
Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

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

28732



LAW OFFICES OF
MURPHY, SCHWARTZ & CUNNINGHAM

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

RECEIVED
MAY 23 1960
Department of Reclamation

TWIN FALLS, IDAHO
313 SHOSHONE STREET NORTH
REDWOOD 3-4961

SHOSHONE, IDAHO
JOURNAL BUILDING
TUCKER 6-7602

HAILEY, IDAHO
111 EAST CROY
TELEPHONE 47

Twin Falls, Idaho

May 20, 1960

Department of Reclamation
Statehouse
Boise, Idaho

Gentlemen:

Please find enclosed three Application for Water
Permit by William O. Russell and our check in the
amount of \$19.50.

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

Very truly yours,

MURPHY, SCHWARTZ & CUNNINGHAM

By- *Fred A. Schwartz*

FAS:m
Encl.

28732