

# State of Idaho

## License and Certificate of Water Right

Water License No. G-24937

Water District No. \_\_\_\_\_

Amount 7.80 c.f.s.

Priority May 14, 1954

THIS IS TO CERTIFY that ANDERSONS & WHITELEY,  
of Oakley, Idaho A co-partnership - RUBY COMPANY, Assignee  
made application for a permit to appropriate the

public waters of the State of Idaho, dated May 14, 1954; that Permit No. G-24937  
was issued under said application; that Certificate of Completion of works, with a carrying capacity of

7.80 second feet, was issued thereunder on September 16, 1957, showing that said works  
were completed on the 10th day of May, 1957; and that on the 10th

day of May, 1957, RUBY COMPANY By: Hugo E. Dal Soglio, Farm Mgr.  
Burley

of Boise, State of Idaho, made proof to the satisfaction of the  
State Reclamation Engineer of Idaho, of the right to use the waters of two wells

, a tributary of subterranean, for the purpose of Irrigation  
, under Use Permit No. G-24937 of the Department of Reclamation  
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,  
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

10 of Licenses at page 6099, on the 16th day of September, 1957;

The right hereby confirmed dates from

May 14, 1954;

The Point of Diversion <sup>are</sup> located in the NE 1/4 NW 1/4 and the  
in the SE 1/4 SW 1/4, Sec. 7, Tp. 8 S., R. 26 E., B. M. County Blaine

That the amount of water to which such right is entitled and hereby confirmed, for the purposes  
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall  
not exceed 7.80 cubic feet per second.

Description and location of use:

| Twp.            | Range | Sec. | Forty-acre Tract                                              | No. Acres<br>Described in Permit | No. Acres<br>Actually Irrigated |
|-----------------|-------|------|---------------------------------------------------------------|----------------------------------|---------------------------------|
| 8 S.            | 26 E. | 6    | SW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> | --                               | 25                              |
|                 |       |      | NE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> | --                               | 25                              |
|                 |       | 7    | NW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> | 40                               | 35                              |
|                 |       |      | SW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> | 40                               | 40                              |
|                 |       |      | SE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> | 40                               | 40                              |
|                 |       |      | NE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> | 40                               | 40                              |
|                 |       |      | NW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> | 40                               | 40                              |
|                 |       |      | SW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> | 40                               | 40                              |
|                 |       |      | SE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> | 40                               | 40                              |
|                 |       |      | NE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> | 40                               | 40                              |
|                 |       |      | NW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> | 40                               | 40                              |
|                 |       |      | SW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> | 40                               | 10                              |
|                 |       |      | SE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> | 40                               | 20                              |
|                 |       |      | NE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> | 40                               | 40                              |
|                 |       |      | NW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> | 40                               | 35                              |
|                 |       |      | SE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> | 40                               | 5                               |
| Total number of |       |      |                                                               |                                  |                                 |

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this  
16th day of September, 1957.

(SEAL)

/s/ Mark R. Kulp

State Reclamation Engineer.

36 2259

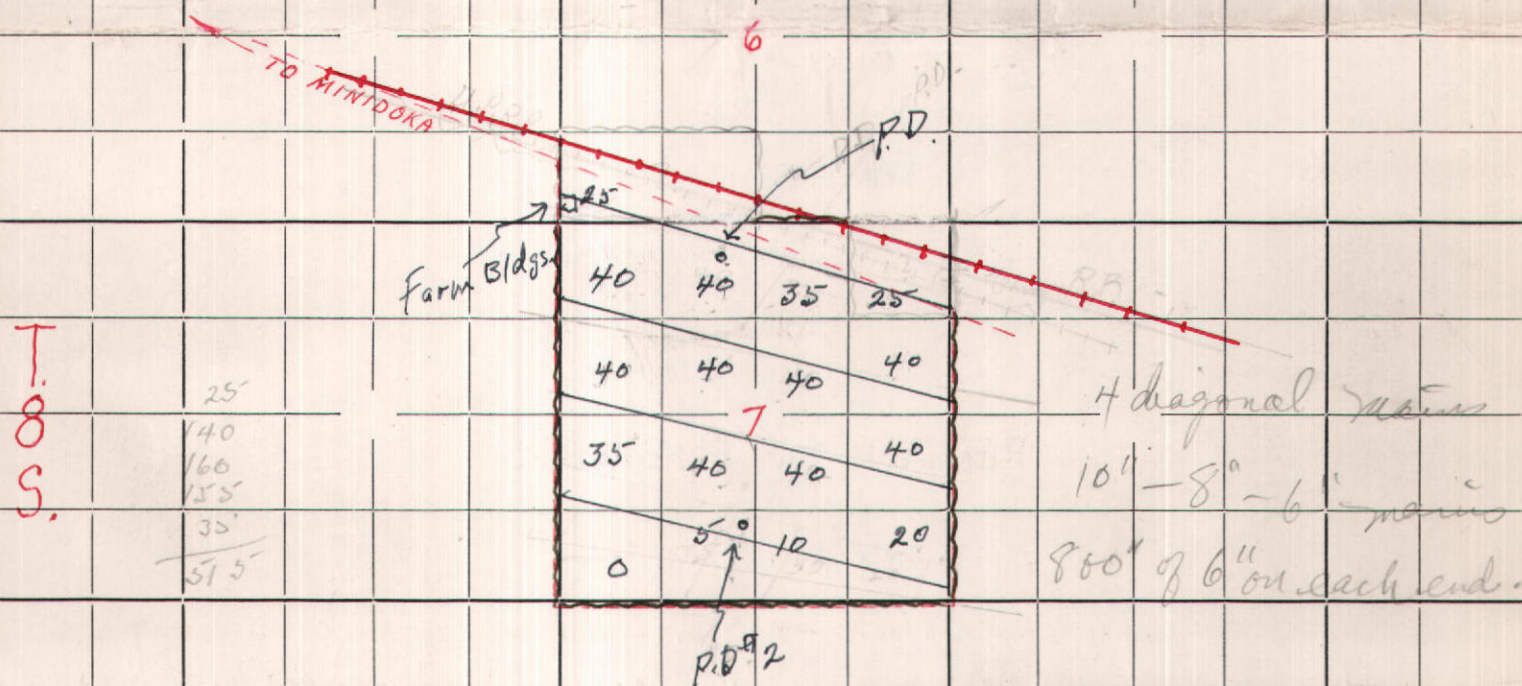
See Bank Every.

50 -  $\frac{3}{16}$  " heads

bal. =  $\frac{3}{32} \times \frac{11}{64}$

60<sup>th</sup> pres. at pump.

R-26E.



199' - lift in N. well

Demand = 242 KW.

S. Pump. Demand = 112 KW

18710 250.

125' x 108' 707558

[illegible]
$$\begin{array}{r} 138 \\ 170 \\ \hline 558 \end{array}$$
$$\begin{array}{r} 138 \\ 199 \\ \hline 337 \end{array}$$

140"

565 acres.

390<sup>H</sup>

Sub divisions = 16

Area =  $5\frac{1}{5}$  acres

$Q = 390$  inches.

by calculation

8 well = 170' columns.

125 hp U.S. 740

Can't read spec.  
to close to wall.

Layne Turb. 10" gate v.

10" ditch to west.

Wheel control panel  
all in house.

Galv. sheet metal  
house. 8'x12'x7h.

6'x6' base (concrete)

#### INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

RECEIVED  
AUG 19 1957

Department of Reclamation

(Hugo E. Dal Soglio, Farm Manager, Burely, Idaho)  
Ruby Company, Boise, Idaho

Permit No. G-24937

Examination for Completion of Works & Beneficial Use

County Blaine

7-8S.-26E.

Q = 12.0 c.f.s.

S = Wells

P.D. = SE. NW. } Sec. 7, T.8S.-R.26E.  
NE. SW. }

Sprinkler

Use = Irrigation

Filed = May 14, 1954

Due = May 14, 1956  
(Reinstated)

Archerdriller

P.C. Miller

Minidoka

Operate 24-1/2 mi lines N. Well

250 hp U.S. motor

440V. #917407 180' h.p.

1800 rpm 300 amp

Layne B. Turb. Pump.  
6'x6' cone.

No spec base

10" gate valve

10" del. to East into

closed system

operate at 60" pressure

[D] and G.F. Controls  
in house.

10" main line

## Affidavit of Publication

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

Notice is hereby given that at 9:00 A. M., on the 10th day of May, 1957, at Heyburn, County of Minidoka, State of Idaho, before C. A. Lowe, Notary Public, proof will be submitted of the completion of works for the diversion of 12 cubic feet per second of underground waters from two wells, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-24937 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 are Ruby Company, P. O. Box 2297, Boise, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 12 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 12 cubic feet per second.

4. The point of diversion of said water is Well No. 1: SE $\frac{1}{4}$ NW $\frac{1}{4}$  and Well No. 2: NE $\frac{1}{4}$ SW $\frac{1}{4}$ , both in Sec. 7, T. 8 S., R. 26 E., B.M., Blaine Co.

5. The place where said water is used is Lot 7 of Sec. 6; Lots 1 and 2, E $\frac{1}{2}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , Lots 3 and 4 E $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ , all in Sec. 7, T. 8 S., R. 26 E., B.M., Blaine County, Idaho.

6. The date of priority which said user is prepared to establish is May 14, 1954.

Mark R. Kulp  
State Reclamation Engineer  
pub. 4/11-5/2

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

11th day of April, 1957  
and ending with the last publication thereof on the

2nd day of May, 1957

Cost of this publication is \$ 24.20

Berwyn Burke  
BERWYN BURKE, Publisher.

Subscribed and sworn to before me, this 3rd day  
of May, 1957.

P. N. McLaughlin  
Notary Public for Idaho  
Residing at Hailey,  
Blaine County, Idaho.

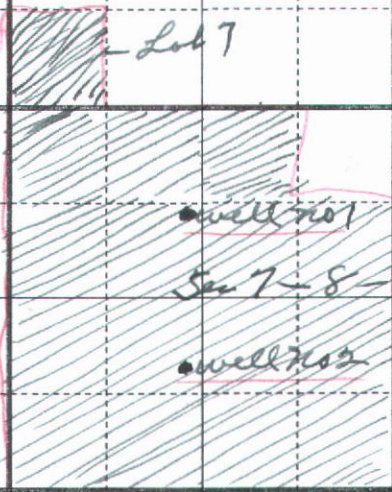
24937

NAME OF APPLICANT

*Anderson & Whitney*

Form No. 0

*Sec 6-8<sup>S</sup>-26E*



Permit Map No. *24937*  
As Approved  
MAY 14 1954  
MARK R. KULP  
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 )  
Case No. 39576 )  
\_\_\_\_\_ )

PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR  
Water Right 36-02259

1998 JAN 15 AM 10:43

DISTRICT COURT-SRBA  
TWIN FALLS CO., IDAHO  
FILED

NAME & ADDRESS: MAINLINE RANCHES INC  
RT 2 BOX 353  
RUPERT ID 83350

SOURCE: GROUNDWATER

QUANTITY: 7.8 CFS

USE OF THIS RIGHT WITH RIGHT NO. 36-10515 IS LIMITED TO A  
TOTAL COMBINED DIVERSION RATE OF 9.46 CFS, AND A TOTAL COMBINED  
ANNUAL DIVERSION VOLUME OF 2628 AF.

PRIORITY DATE: 05/14/1954

POINT OF DIVERSION: T08S R26E S07 NENENW Within BLAINE County  
NESEW

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE     | QUANTITY |
|-------------------------------|----------------|-------------------|----------|
|                               | IRRIGATION     | Irrigation Season | 7.8 CFS  |

| PLACE OF USE: | IRRIGATION                   | Within BLAINE County |         |
|---------------|------------------------------|----------------------|---------|
|               | T08S R26E S06 Lot 7 (SWSW)25 | SESW 13              | SWSE 2  |
|               | S07 NENE 26                  | NWNE 37              | SWNE 40 |
|               | NENW 40 Lot 1 (NWNW)40       | Lot 2 (SWNW)40       | SENE 40 |
|               | NESW 40 Lot 3 (NWSW)39       | Lot 4 (SWSW)39       | SESW 38 |
|               | NESE 40                      | NWSE 40              | SESE 38 |
|               | 657 ACRES TOTAL              |                      |         |

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 515 ACRES WITHIN THE  
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 36-10515 IS LIMITED TO THE  
IRRIGATION OF A COMBINED TOTAL OF 657 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. MURLBUTT, JR.  
PRESIDING JUDGE  
Snake River Basin Adjudication

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)  
Water Right 36-02259

PAGE 1  
DEC-11-1997

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 36-02259

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: 03-15 11-15

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

MAINLINE RANCHES INC  
RT 2 BOX 353  
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 36-02259. 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.

---

# State of Idaho

## License and Certificate of Water Right

Water License No. G-24937

Amount 7.80 c.f.s.

Water District No.

Priority May 14, 1954

THIS IS TO CERTIFY that ANDERSONS & MITCHELL, - RUBY COMPANY, Assignee  
A co-partnership  
of Oakley, Idaho, made application for a permit to appropriate the  
public waters of the State of Idaho, dated May 14, 1954; that Permit No. G-24937  
was issued under said application; that Certificate of Completion of works, with a carrying capacity of  
7.80 second feet, was issued thereunder on September 16, 1957, showing that said works  
were completed on the 10th day of May, 1957; and that on the 10th  
day of May, 1957, RUBY COMPANY By: Hugo E. Dal Soglio, Farm Mgr.  
Burley

of Boise, State of Idaho, made proof to the satisfaction of the  
State Reclamation Engineer of Idaho, of the right to use the waters of two wells

, a tributary of subterranean, for the purpose of Irrigation  
, under Use Permit No. G-24937 of the Department of Reclamation  
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,  
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

10 of Licenses at page 6099, on the 16th day of September, 1957;

The right hereby confirmed dates from May 14, 1954;

The Point of Diversion is located in the NE  $\frac{1}{4}$  NW  $\frac{1}{4}$  and the  
in the SE  $\frac{1}{4}$  SW  $\frac{1}{4}$ , Sec. 7, Tp. 8 S., R. 26 E., B. M. County Blaine

That the amount of water to which such right is entitled and hereby confirmed, for the purposes  
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall  
not exceed 7.80 cubic feet per second.

Description and location of use:

| Twp. | Range | Sec. | Forty-acre Tract                  | No. Acres<br>Described in Permit | No. Acres<br>Actually Irrigated |
|------|-------|------|-----------------------------------|----------------------------------|---------------------------------|
| 8 S. | 26 E. | 6    | SW $\frac{1}{4}$ SW $\frac{1}{4}$ | --                               | 25                              |
|      |       | 7    | NE $\frac{1}{4}$ NE $\frac{1}{4}$ | --                               | 25                              |
|      |       |      | NW $\frac{1}{4}$ NE $\frac{1}{4}$ | 40                               | 35                              |
|      |       |      | SW $\frac{1}{4}$ NE $\frac{1}{4}$ | 40                               | 40                              |
|      |       |      | SE $\frac{1}{4}$ NE $\frac{1}{4}$ | 40                               | 40                              |
|      |       |      | NE $\frac{1}{4}$ NW $\frac{1}{4}$ | 40                               | 40                              |
|      |       |      | NW $\frac{1}{4}$ NW $\frac{1}{4}$ | 40                               | 40                              |
|      |       |      | SW $\frac{1}{4}$ NW $\frac{1}{4}$ | 40                               | 40                              |
|      |       |      | SE $\frac{1}{4}$ NW $\frac{1}{4}$ | 40                               | 40                              |
|      |       |      | NE $\frac{1}{4}$ SE $\frac{1}{4}$ | 40                               | 40                              |
|      |       |      | NW $\frac{1}{4}$ SE $\frac{1}{4}$ | 40                               | 40                              |
|      |       |      | SW $\frac{1}{4}$ SE $\frac{1}{4}$ | 40                               | 10                              |
|      |       |      | SE $\frac{1}{4}$ SE $\frac{1}{4}$ | 40                               | 20                              |
|      |       |      | NE $\frac{1}{4}$ SW $\frac{1}{4}$ | 40                               | 40                              |
|      |       |      | NW $\frac{1}{4}$ SW $\frac{1}{4}$ | 40                               | 35                              |
|      |       |      | SE $\frac{1}{4}$ SW $\frac{1}{4}$ | 40                               | 5                               |

Total number of acres irrigated - - 515  
The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place  
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

16th day of September, 1957.

/s/ Mark R. Kulp

State Reclamation Engineer.

(SEAL)

36 2259

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

Application No. G- 32756  
Permit No. G- 24937  
District No.

Assigned to See assignment

1. Name of Applicant: **ANDERSONS & WHITELEY, A co-partnership**  
Postoffice address: **Oakley** County: **Cassia** State: **Idaho**
2. Quantity of water claimed:
  - (a) Rate of withdrawal in cubic feet per second. **Twelve** or Idaho  
Miners' inches **600** or gallons per minute.
  - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: **Subterranean from two wells**
4. Location of point of diversion or well is in the **SE 1/4** of the **No. 1** **NE 1/4** of the **No. 2** of Section **7**  
Twp. **8 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 **1/4** of the **1/4** of Section **7** , Twp.  
Rge. **26 E.** , B.M.
  - (b) Waste water or sewage effluent is to be returned to  
at a point in the **1/4** of the **1/4** of Section **7** , Twp. **8 S.** , Rge. **26 E.** , B.M.
7. Kind of works: **Two wells and pumps**
8. Estimated cost of works: **\$ 22,000.00**
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 **One**  
**year** for Well No. 2; Well No. 1 has been producing water for approximately since June 1, 1952
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. All land is arid and without water rights.**
  - (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) (cubic feet per second, inches or gallons per minute) is for new lands.

Andersons & Whiteley is a co-partnership composed of Albert Anderson, Vanness Anderson, Ray Anderson, and W. B. Whiteley. All are the owners of the property described under Twelve. Well No. 1 has been used during the cropping seasons of 1952 and 1953. Well No. 2 was dug during the year 1953 and is awaiting testing.

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

ANDERSONS & WHITELEY Applicant.

By Vanness Anderson Agent.

Date of first receipt at Department of Reclamation: 9:00 A. M. May 14, 1954

Returned to applicant for correction:

Corrected application received:

### Approval of State Reclamation Engineer

The number of this permit is G-24937

Recorded in Book 88 Page 24937 Approved May 14, 1954

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 July 14, 1954 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 May 14, 1955

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before May 14, 1956

Witness my hand this 14th day of May, 1954

MARK R. KULP

State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, LEN JORDAN, Governor of the State of Idaho, and IRA H. MASTERS, 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 14th day of May, 1954.

Countersigned:

STATE OF IDAHO

(SEAL)

By IRA H. MASTERS

By LEN JORDAN

Governor

By Paula L. Fleenor Secretary of State.

Acting Secretary of State

12.

| Twp. | Range | Sec.    | NE <sup>1</sup> / <sub>4</sub> |                                |                                |                                | NW <sup>1</sup> / <sub>4</sub> |                                |                                |                                | SW <sup>1</sup> / <sub>4</sub> |                                |                                |                                | SE <sup>1</sup> / <sub>4</sub> |                                |                                |                                | Totals    |
|------|-------|---------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|-----------|
|      |       |         | NE <sup>1</sup> / <sub>4</sub> | NW <sup>1</sup> / <sub>4</sub> | SW <sup>1</sup> / <sub>4</sub> | SE <sup>1</sup> / <sub>4</sub> | NE <sup>1</sup> / <sub>4</sub> | NW <sup>1</sup> / <sub>4</sub> | SW <sup>1</sup> / <sub>4</sub> | SE <sup>1</sup> / <sub>4</sub> | NE <sup>1</sup> / <sub>4</sub> | NW <sup>1</sup> / <sub>4</sub> | SW <sup>1</sup> / <sub>4</sub> | SE <sup>1</sup> / <sub>4</sub> | NE <sup>1</sup> / <sub>4</sub> | NW <sup>1</sup> / <sub>4</sub> | SW <sup>1</sup> / <sub>4</sub> | SE <sup>1</sup> / <sub>4</sub> |           |
| 8 S. | 26 E. | 7<br>86 | 40                             | 40                             | 40                             |                                | 40                             | 40                             | 40                             | 40                             | 40                             | 40                             | 40                             | 40                             | 40                             | 40                             | 40                             | 40                             | 600<br>40 |

Total Number of Acres to be Irrigated - - 640

STATE OF IDAHO  
Department of Reclamation

In the Matter of the Reinstatement)  
of Permit No. G-24937 Under the)  
Provisions of Section 5594, Idaho)  
Compiled Statutes.

#### ORDER REINSTATING PERMIT

WHEREAS, Permit No. G-2 4937 lapsed through failure of the holder to make proof of completion of the works of diversion within the time specified in the Permit, to-wit: May 14, 1956; and,  
WHEREAS, On the 5th day of October, 1956 notice to show cause why said permit should not be canceled, under the provisions of Section 5594 Compiled Statutes of Idaho, was duly served on the holder of said permit; and,  
WHEREAS, On the 18th day of March, 1957 the holder filed notice of appearance to offer proof to show that the works of diversion under said permit were reasonably advanced and assigned to Ruby Company, and  
WHEREAS, The time allowed could have been longer and  
WHEREAS, After examination the Commissioner of Reclamation of the State of Idaho, is fully satisfied that the works of diversion were completed as required under the terms of said Permit No. G-24937, and that the holder has acted in good faith;

IT IS, THEREFORE, Hereby Ordered that said Permit No. G-24937 be, and the same is, hereby reinstated, and that a certificate of completion of works be issued to the applicant herein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of this Department, at Boise, Idaho, this 21st day of March, 1957.

/s/ Mark R. Kulp  
State Reclamation Engineer

# ASSIGNMENT

For and in consideration of the sum of One Dollar and other good and valuable consideration, the undersigned ANDERSON & WHITELEY, a co-partnership, and the individual partners and their wives, hereby assign unto RUBY COMPANY, a Utah Corporation, qualified to do business in the State of Idaho, all of the undersigned's right, title and interest in and to Permit No. G-24937, heretofore issued by the Department of Reclamation of the State of Idaho, to the undersigned.

IN WITNESS WHEREOF, the undersigned co-partnership has caused its partnership name to be hereunto subscribed by its general partners and the individual partners and their wives have hereunto subscribed their names this 31st day of December, 1956.

ANDERSONS & WHITELEY, a co-partnership  
By -

/signatures/Vanness Anderson, Ray Anderson, Winslow B. Whiteley, Albert Anderson  
All of its general partners.

Vanness Anderson, Verda Anderson, Ray Anderson, Margene Anderson, Winslow B. Whiteley, Dorothy Whiteley, Albert Anderson, Ora Anderson

STATE OF IDAHO ) ss.  
County of Cassia )

On this 31st day of December, in the year 1956, before me, A. H. Nielson, a Notary Public in and for said State, personally appeared ALBERT ANDERSON and ORA ANDERSON, his wife, VANNESS ANDERSON and VERDA ANDERSON, his wife; RAY ANDERSON and MARGENE ANDERSON, his wife and WINSLOW B. WHITELEY and DOROTHY ANDERSON, his wife, known to me to be the persons whose names are subscribed to the within and foregoing instrument, and acknowledged to be that they 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.

(SEAL)

My commission expires:  
February 20, 1958.

/s/ A. H. Nielson  
Notary Public for the State of Idaho  
Residing at Burley, Idaho

STATE OF IDAHO ) ss.  
County of Cassia )

On this 31st day of December, in the year 1956, before me, A. H. Nielson, a Notary Public in and for said State, personally appeared ALBERT ANDERSON, VANNESS ANDERSON and RAY ANDERSON and WINSLOW B. WHITELEY, known to me to be all of the partners in this partnership of Andersons and Whiteley and the partners who subscribed said partnership name to the foregoing instrument and acknowledged to me that they executed the same in said partnership name.

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

(SEAL)

My commission expires:  
February 20, 1958.

/s/ A. H. Nielson  
Notary Public for the State of Idaho,  
Residing at Burley, Idaho.

## APPLICATION FOR AMENDMENT TO PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO, NO. G-24937

Comes now RUBY COMPANY and represents to the State Reclamation Engineer of the State of Idaho: That it is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-24937. That the point of diversion is described in said permit as being located SE $\frac{1}{4}$ NW $\frac{1}{4}$  and NE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 7, Township 8 South, Range 26 East, B.M. That it now requests that the point of diversion be changed to a point located NE $\frac{1}{4}$ NW $\frac{1}{4}$  and SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 7, Township 8 South, Range 26 E., B.M. That his reasons for desiring to make such change are as follows

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

Signed at Boise, Idaho, this 11th day of September, 1957

RUBY COMPANY

By /s/ L. E. Haight  
Secretary

Date of receipt at Department of Reclamation September 13, 1957.

## APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-24937. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

/s/ Mark R. Kulp  
State Reclamation Engineer

Approved and recorded:  
September 13, 1957.

APPLICATION FOR AMENDMENT  
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE  
STATE OF IDAHO NO. G-24937

Comes now RUBY COMPANY and represents to the State Reclamation Engineer of the State of Idaho. That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-24937. and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows: SW $\frac{1}{4}$ SW $\frac{1}{4}$  Section 6; NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ , Section 7, all in Township 8 South, Range 26 East, B. M. Making a total of 515 acres. That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.  
Signed at Boise, Idaho, this 14th day of September, 1957.

RUBY COMPANY  
By /s/ L. E. Haight  
Secretary

Date of receipt at office of Department of Reclamation September 16, 1957.

APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application ~~to Permit to appropriate~~ <sup>for amendment</sup> the Public Waters of the State of Idaho, No. G-24937. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

/s/ Mark R. Kulp  
State Reclamation Engineer

Approved and recorded:  
September 16, 1957

Permit No. G-24937

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that RUBY COMPANY (By Hugo E. Dal Soglio, Farm Manager, Burley, Idaho) of Boise, County of Ada, and State of Idaho, the holder of Permit No. G-24937, issued upon Application No. G-32756 bearing date of priority of May 14, 1954, authorizing the diversion of 12.0 second feet of the waters of two wells- subterranean flow County of Blaine, State of Idaho, for Irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use, 7.80 second feet of the waters of two wells- subterranean flow that the point of diversion of said waters NE $\frac{1}{4}$ NW $\frac{1}{4}$  and SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 7, Township 8 South, Range 26 East, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: SW $\frac{1}{4}$ SW $\frac{1}{4}$  Section 6; NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$  of Section 7, all in Township 8 South, Range 26 East, B.M. Proof of Completion of Works made: May 10, 1957.

Witness my hand this 16th day of September, A.D. 1957.

/s/ Mark R. Kulp  
State Reclamation Engineer

Proof of Completion of Works made: May 10, 1957  
Certificate of Completion of Works issued: September 16, 1957.

LICENSE ISSUED FOR 7.80 SEC. FT.

Page 6099

This  
Right has been  
Decreed in the  
SRBA.

MICROFILMED

JUN 11 2002

## MEMORANDUM

TO: FILE 36-02259  
FROM: VAULT  
RE: TRANSFER # 69465  
DATE: 12-10-01

=====

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

FILE # 36-02090A

MICROFILMED  
JUN 11 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

February 28, 1994

CECIL D. ANDRUS  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

Re: Lienholder's Interest - Water Rights

David M. Brown  
Mutual of New York  
One Mid Rivers Mall Dr., #120  
St. Peters, MO 63376

Dear Mr. Brown:

We have received your correspondence regarding The Mutual Life Insurance Company of New York's security interest in water rights appurtenant to property now owned by Mainline Ranches, Inc.

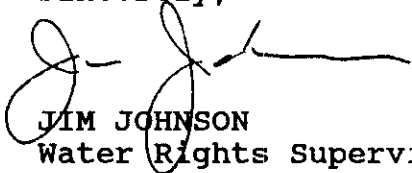
Ownership changes for claims in the Snake River Basin Adjudication must be recorded, therefore, copies of your letter and attachments have been forwarded to the Adjudication Bureau for updating of their records.

Such updates are not required in our water right processing, thus copies of your documentation have been placed in our paper files on Right Nos. 36-02097, 36-02259 and 36-02092 for future reference only. The addition of a lienholder into our computer system serves little purpose and correspondence which would be generated on these rights from our processing staff likely would have no application for a lienholder.

In the future, you can direct this type of correspondence directly to the Adjudication Bureau.

If I can be of further assistance, please feel free to contact me.

Sincerely,



JIM JOHNSON  
Water Rights Supervisor

cc: Adjudication Bureau

RECEIVED

APR 11 1994

**David M. Brown**  
Senior Counsel  
MONY Agricultural Investment

**Mutual Of New York**  
One Mid Rivers Drive, Suite 120  
St. Peters, Missouri 63376  
314 278-5555  
Telecopier - 314 278-6763



November 16, 1993

**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

Idaho Department of Water Resources  
1301 North Orchard St.  
Statehouse Mail  
Boise, ID 83720

**Re: MONY Loan No. 12045  
Idaho Ag., Inc.  
Water Rights - Lienholder's Interest**

Gentlemen:

The Mutual Life Insurance Company of New York (MONY) has closed a loan transaction with Mainline Ranches, Inc., an Idaho corporation. In connection with said loan transaction, MONY has mortgaged certain real estate owned by Mainline Ranches, Inc., an Idaho corporation, and taken a security interest in the water rights appurtenant to and used in connection with said real property.

It is my understanding that State of Idaho Department of Water Resources now has all water rights on a computer system and that a notice of MONY's security interest will be entered into that system. For your use, I now enclose duplicate copies of the legal descriptions for the real property encumbered by MONY's mortgage and the water rights appurtenant thereto. It is my understanding that one copy will be dated the day that you receive it and returned to me to acknowledge receipt, and that the second copy will be retained by your department for your file.

The lienholder's name and address to be registered in you system and used for all required notifications and correspondence is as follows:

The Mutual Life Insurance Company of New York  
One Mid Rivers Mall Drive  
Suite 120  
St. Peters, MO 63376

Copy to:  
The Mutual Life Insurance Company of New York  
1740 Broadway  
New York, NY 10019

**RECEIVED**  
11 1994

Idaho Department of Water Resources

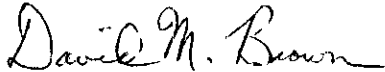
November 16, 1993

Page 2 of 2 Pages

Upon receipt of this letter I request that you return one copy of the legal description and appurtenant water rights with your date stamp attached in the enclosed self-addressed, stamped envelope, for our records. If there is anything further you require to register MONY's lienholder's interest in these water rights please contact me at your earliest convenience.

Thank you for your cooperation and assistance in this regard.

Yours very truly,



David M. Brown  
Senior Counsel  
MONY Agricultural Investment

Enclosures

RECEIVED

NOV 11 1994

EXHIBIT A

TOWNSHIP 7 SOUTH, RANGE 25 EAST OF THE BOISE MERIDIAN,  
MINIDOKA COUNTY, IDAHO

Section 27: E $\frac{1}{2}$

TOWNSHIP 8 SOUTH, RANGE 25 EAST OF THE BOISE MERIDIAN,  
MINIDOKA COUNTY, IDAHO

Section 1: That part of the S $\frac{1}{2}$ S $\frac{1}{2}$  of said Section 1, lying  
South of the Union Pacific Railroad right of way,  
SAVE AND EXCEPT the following described parcel:

Beginning at the Northwest corner of SW $\frac{1}{4}$ SW $\frac{1}{4}$  of said  
Section 1, which point shall be known as the True  
Point of Beginning;

Thence East for 700 feet;

Thence South for 300 feet;

Thence West for 700 feet;

Thence North for 300 feet to the True Point of  
Beginning.

ALSO SAVE AND EXCEPTING THE FOLLOWING DESCRIBED  
PARCEL:

Beginning at the quarter corner common to Sections  
1 and 12, Township 8 South, Range 25 East of the  
Boise Meridian, Minidoka County, Idaho; thence  
along the boundary common to said Sections 1 and  
12, South 89°59' East for 40.0 feet; thence North  
1°59' West for 45.00 feet to the True Point of  
Beginning;

Thence continuing North 1°59' West for 510.00 feet;

Thence North 88°00'36.9" East for 199.88 feet;

Thence South 1°59' East for 510.00 feet;

Thence South 88°00'36.9" West for 199.88 feet to  
the True Point of Beginning.

Section 1: That part of the NE $\frac{1}{4}$ SW $\frac{1}{4}$  of said Section 1, lying  
South of the Union Pacific Railroad right of way,  
SAVE AND EXCEPT the following described parcel:

W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$

Lot 6 in Block 9 of Sears Addition No. 1 to the City of  
Minidoka, Minidoka County, Idaho, as the same is platted in the  
official plat thereof, now of record in the office of the  
Recorder of said County.

TOWNSHIP 8 SOUTH, RANGE 25 EAST OF THE BOISE MERIDIAN,  
MINIDOKA COUNTY, IDAHO

Section 2: A portion of the NE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 2, more particu-  
larly described as follows:

Beginning at the Southeast corner of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Thence North 180 feet along the East section line  
of said Section 2;

Thence West 330 feet;

Thence South 180 feet;

Thence East 330 feet to the Point of Beginning.

APR 11 1994

EXHIBIT "A"

TOWNSHIP 8 SOUTH, RANGE 26 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

Section 6: A parcel of land in the SW 1/4 SE 1/4, described as follows:

BEGINNING at the South quarter corner of Section 6; thence North 240 feet to the South right-of-way of Roosevelt Highway; thence S. 72° 57' E. 792 feet along said right-of-way; thence West 783 feet to the TRUE POINT OF BEGINNING;

AND

A parcel of land in the SE 1/4 SW 1/4, described as follows:

BEGINNING at the South quarter corner of Section 6; thence North 240 feet to the South boundary right-of-way of Roosevelt Highway; thence N. 81° 23' W., 1325 feet; thence South 640 feet; thence East 1320 feet to the point of beginning; and Lot 7 of Section 6 South of railroad.

AND

Section 7: All except that portion of the NE 1/4 NE 1/4 lying North of the railroad.

AND

Section 8: All of that part of Section 8, lying South of the Union Pacific Railroad right-of-way."

AND

Section 9: All of that part of the SW 1/4 NW 1/4 of Section 9, lying South of the Union Pacific Railroad Company right-of-way, and the W 1/2 SW 1/4 of Section 9.

EXCEPTING therefrom the right-of-way for the Railroad and Highway right-of-way.

NOTIFICATION OF IDAHO DEPARTMENT OF WATER RESOURCES OF SECURITY  
INTEREST IN WATER RIGHTS.

LICENCE #36-02097 FOR 6.8 CFS appurtenant to 533 acres in  
Sections 8 and 9, Township 8 South, Range 26 East.

LICENSE #36-10515 for 2.0 CFS appurtenant to 157 acres in  
Sections 6 and 7, Township 8 South, Range 25 and 26 East.

LICENSE #36-02259 FOR 7.8 CFS appurtenant to 515 acres in  
Sections 6 and 7, Township 8 South, Range 25 and 26 East.

LICENSE #36-02092 FOR 4.25 CFS appurtenant to 320 acres in  
Section 27, Township 7 South, Range 25 East.

LICENSE #36-10517 FOR .09 CFS Stock and Domestic Filing.

LICENSE #36-10516 FOR .11 CFS Stock and Domestic Filing.

APR 11 1994

October 4, 1974

W. R. Nutting  
P. O. Box 288  
Twin Falls, ID 83301

Dear Mr. Nutting:

Pursuant to our telephone conversation of today, enclosed are copies of License No.'s 36-2097, 36-2258, and 36-2259.

License No. 36-2258 is the water right you were interested in with the legal description of SW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>, Sec. 1, Twp. 8S, Rge. 25E.

If you have any questions, or need any further assistance, please contact us.

Sincerely,

Jan Grover  
Secretary

js  
Enclosures



RE: Permits nos. 19451, 19617, 20454, 21279  
21323, 23903, 24937, 25137

See letter to J. N. Marshall, Assist. Loan Agent, John Hancock Mutual Life Insurance Co., regarding notification in case of cancellation of permit, letter dated November 21, 1956, in file No. 19451.

September 19, 1957

Re: Permit No. G-24937

Ruby Company  
P. O. Box 2777  
Boise, Idaho

ATTENTION: Alice D. Johnson

Dear Miss Johnson:

Enclosed are the applications for amendment to Permit No. G-24937 which changed the points of diversion under the permit to read: NE $\frac{1}{4}$ N W $\frac{1}{4}$  and SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 7, and the land list to read: SW $\frac{1}{4}$ SW $\frac{1}{4}$  Section 6, NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$  of Section 7, all in Township 8 South, Range 26, E.B.M. These were approved and recorded in the Department of Reclamation in conjunction with Permit No. G-24937.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

EPR:nls  
Enc.

24937

September 16, 1957

Re: Permit No. G-24937  
Ruby Company

Ruby Company  
P. O. Box 2777  
Boise, Idaho

ATTENTION: Alice D. Johnson

Dear Miss Johnson:

This acknowledges receipt of the applications for amendment to Permit No. G-24937, requesting changes be made in the point of diversion and the list of lands as described in the original permit. The amendment to the Point of diversion to read: NE $\frac{1}{4}$ NW $\frac{1}{4}$  and SE $\frac{1}{4}$ SW $\frac{1}{4}$  Section 7 and the amendment to the land list to read: SE $\frac{1}{4}$ SW $\frac{1}{4}$  Section 6; NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$  of Section 7, all in Township 8 South, Range 26 East, B.M. These amendments were approved by the State Reclamation Engineer and recorded in the Department of Reclamation in Book 88 of Permits at Page 24937. They will be returned under separate letter.

Enclosed is the Certificate of Completion of Works and the License and Certificate of Water Right issued under Permit No. G-24937 to The Ruby Company, confirming the right with priority of May 14, 1954, to the use of 7.80 second feet of subterranean water with the points of diversion in the NE $\frac{1}{4}$ NW $\frac{1}{4}$  and SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 7, for irrigation of 515 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$  Section 6; NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$  of Section 7, all in Township 8 South, Range 26 East, B.M.

Also enclosed is departmental receipt #G-2281 for \$37.00, issued as receipt of the five dollar fee for the Certificate of Completion of Works and thirty-two dollars for the License fee.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

24937

EPR:nls  
Enc.

RUBY COMPANY  
212 CONTINENTAL BANK BUILDING  
P. O. BOX 2297 BOISE, IDAHO

September 14, 1957

**RECEIVED**  
SEP 16 1957  
Department of Reclamation

Re: Permit No. G-24937

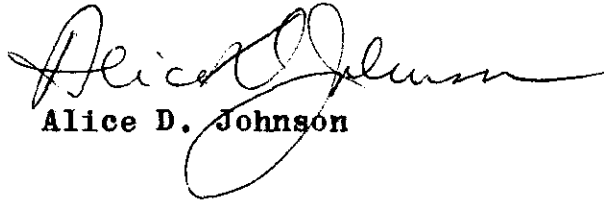
Mark R. Kulp  
State Reclamation Engineer  
Department of Reclamation  
State of Idaho  
Capitol Building  
Boise, Idaho

Attention: Edna P. Rutledge  
Chief Clerk

Dear Mrs. Rutledge:

I am returning the signed Application for Amendment to Permit No. G-24937, amending the land list described in the original permit. If there is anything further we need to do, please let us know.

Sincerely yours,

  
Alice D. Johnson

Encl.

24937

A      for Amendment

**To Permit to appropriate the Public Waters  
of the State of Idaho, No. G-24937...**

**RECEIVED**  
SEP 16 1957  
Department of Reclamation

Comes now RUBY COMPANY, and represents to the State Reclamation Engineer of the State of Idaho.

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-24937, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

SW $\frac{1}{4}$ SW $\frac{1}{4}$  Section 6; NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$  Section 7,  
all in Township 8 South, Range 26 East, B.M.

making a total of 515 acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Boise, Idaho, this 14th day of September, 19 57

RUBY COMPANY  
By [Signature] Secretary

Date of receipt at office of Department of Reclamation September 16, 1957

**APPROVAL OF STATE RECLAMATION ENGINEER**

I, MARK R. KULP, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-24937. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

G-24937

[Signature]

State Reclamation Engineer

September 13, 1957

Re: Permit No. G-24937  
Ruby Company

Ruby Company  
P. O. Box 2777  
Boise, Idaho

ATTENTION: Alice D. Johnson

Dear Miss Johnson:

Before we can issue the Certificate of Completion of Works and the License and Certificate of Water Right under Permit No. G-24937, for which we have the fees, we find it necessary to amend the land list as described in the original permit to include the NE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 7, Township 8 South, Range 26 East, B.M. We have enclosed the form "Application for Amendment" for this purpose, for signature.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

EPR:nls  
Enc.

§ 24937

*cf Enc. # 272*

RUBY COMPANY  
212 CONTINENTAL BANK BUILDING  
P. O. BOX 2297 BOISE, IDAHO

September 11, 1957

**RECEIVED**  
SEP 13 1957  
Department of Reclamation

Re: Permit No. G-24937

Mr. Mark R. Kulp  
State Reclamation Engineer  
State of Idaho  
Capitol Building  
Boise, Idaho

Attention: Edna P. Rutledge  
Chief Clerk

Dear Mrs. Rutledge:

I am enclosing Application for Amendment in connection with the above numbered permit, which has been signed by Mr. L. E. Haight, Secretary of Ruby Company, the applicant.

I am also enclosing check of Ruby Company in the amount of \$37.00, and I understand that you will now be in a position to issue the Certificate of Completion of Works and License.

Yours very truly,

  
Alice D. Johnson

Encl.

*24937*

APPLICATION FOR AMENDMENT  
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS  
OF THE STATE OF IDAHO, NO. G-24937

RECEIVED  
SEP 13 1957  
Department of Reclamation

Comes now RUBY COMPANY and represents to the State  
Reclamation Engineer of the State of Idaho:

That <sup>it</sup> ~~he~~ is the owner and holder of Permit to appropriate the Public  
Waters of the State of Idaho, No. G-24937.

That the point of diversion is described in said permit as being  
located SE  $\frac{1}{4}$  NW  $\frac{1}{4}$  and NE  $\frac{1}{4}$  SW  $\frac{1}{4}$  of Section 7, Township 8 South, Range 26 East, R.M.

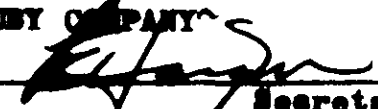
That ~~he~~ now requests that the point of diversion be changed to a  
point located NE  $\frac{1}{4}$  NW  $\frac{1}{4}$  and SE  $\frac{1}{4}$  SW  $\frac{1}{4}$  of Section 7, Township 8 South, Range 26 E., R.M.  
SE  $\frac{1}{4}$  NW  $\frac{1}{4}$       NE  $\frac{1}{4}$  SW  $\frac{1}{4}$   
NE  $\frac{1}{4}$  NW  $\frac{1}{4}$       SE  $\frac{1}{4}$  SW  $\frac{1}{4}$

That his reasons for desiring to make such change are as follows:

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

Signed at Boise, Idaho, this 11th day of September 1957

RUBY COMPANY

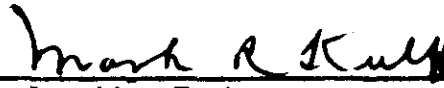
By 

Secretary

Date of receipt at Department of Reclamation September 13, 1957

APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho,  
hereby approve the above and foregoing application for amendment to Permit to  
Appropriate the Public Waters of the State of Idaho, No. G-24937. This  
approval constitutes a new permit and is issued as an amendment to the original  
permit, to which it refers and of which it becomes a part, and said application  
is approved only insofar as the rights of others will not be adversely affected  
thereby.

  
State Reclamation Engineer

24937

September 10, 1957

Re: Permit No. G-24937  
Raby Company

Raby Company  
P. O. Box ~~2302~~ 2777  
Boise, Idaho

ATTENTION: Alice D. Johnson

Dear Miss Johnson:

Our field engineer's report on the inspection of the completion of construction work and application of water to beneficial use under the terms of Permit No. G-24937 shows the wells located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$  and SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 7, Township 8 South, Range 26 East, B.M. and that they are capable of conveying 390 miner's inches (7.80 c.f.s.) of water for irrigation of 515 acres. The record of the permit shows the points of diversion to be in the SE $\frac{1}{4}$ NW $\frac{1}{4}$  and NE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 7. Therefore, it is necessary that the permit be amended to change the location of the points of diversion. We have enclosed the form "Application for Amendment" for this purpose and ask that you complete and return it.

Upon receipt of the amendment, mentioned above, and the total statutory fee of \$37.00, we will issue to the Raby Company the Certificate of Completion of Works (for which the fee is five dollars) and the License (thirty-two dollars—based at the rate of two dollars for each 40-acre subdivision) confirming the right with priority of May 14, 1954, to the use of 7.80 second feet of subterranean water with the points of diversion in the NE $\frac{1}{4}$ NW $\frac{1}{4}$  and SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 7, for irrigation of 515 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 6; and the NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$  of Section 7, Township 8 South, Range 26 East, B.M.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

24937

EPR:nls  
Enc.

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE

REPORT OF ENGINEER

PERMIT NO. G-24937

REPORT ON PROOF OF Completion of Works & Beneficial Use

Ruby Company, Boise, Idaho (Hugo E. DalSoglio, Farm Mgr.)  
Box 181, Burley, Idaho

7.80 cfs  
max

app. 12 cfs  
sub. -  
accu. -

this well 18 lanes

4" 4" laterals

See from Every.

24 - 1/8 in.

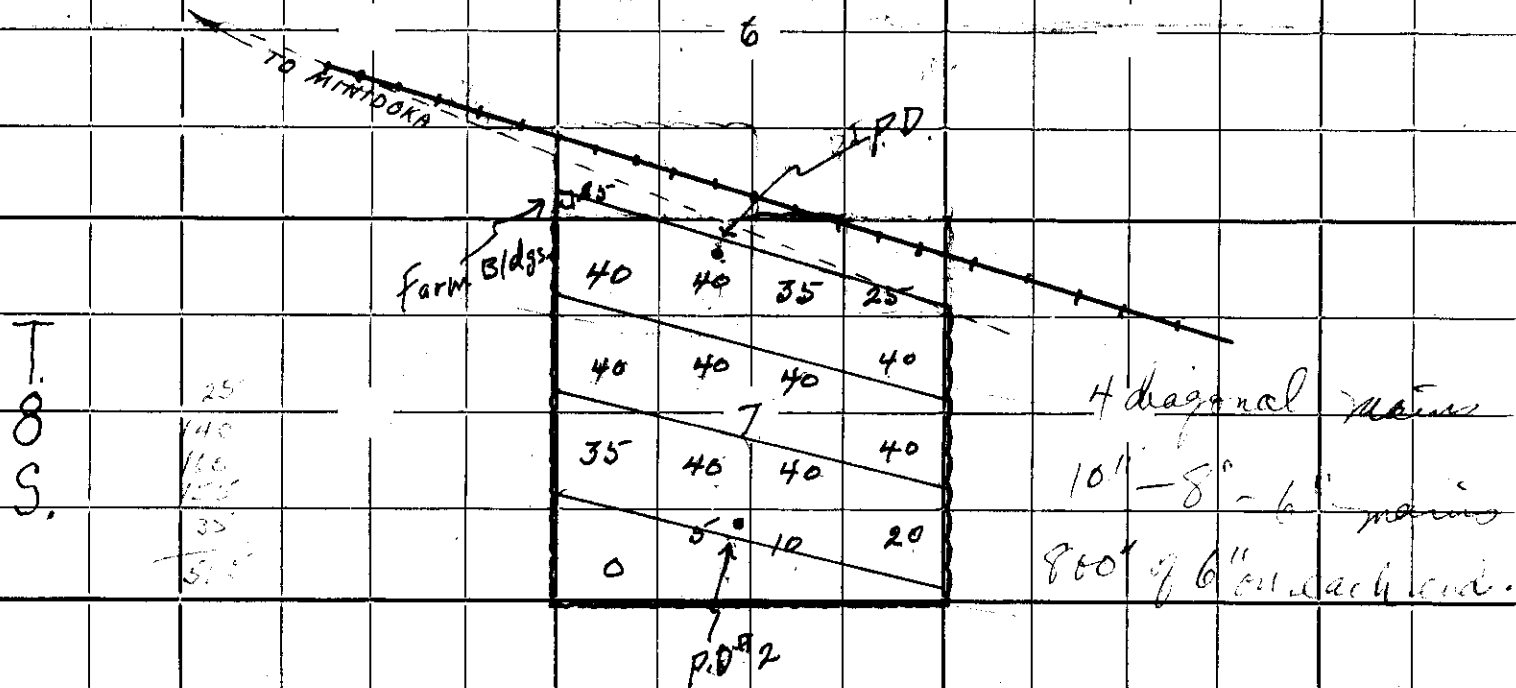
3 - 1/4 in. lat.

50 - 3/16 heads

lat = 3/32 x 11/64

60° pres. at pump.

R-26E.



199' = lift in N. well

Demand = 242 KW.

S. Pump Demand = 112 KW.

250 x 112 = 28000  
250" = 62 1/2

138  
199  
337

140"

515 gpm.

390"

Subdivisions = 16

Area = 515 acres

Q = 390 inches.

by calculation

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

Permit No. G-24937

This proof is for Completion of Works &amp; Beneficial Use In Water District No. \_\_\_\_\_

1. Name of applicant Ruby Company2. Source of water supply: Subterranean flow from two wells3. Location of point of diversion: Is in the #1-SE $\frac{1}{4}$ NW $\frac{1}{4}$ , #2 - NE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 7T. 8 S. R. 26 E., B.M. County of Blaine

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

Pump #1 = 250 hp. with Coyle B. Turb. lift = 199' fr. Idaho Power.Pump #2 = 125 hp U.S. " " " " " = 170' " operator.3 operating main lines parallel highway. Laterals are mostly 3" x  $\frac{1}{8}$  in. Sprinkler head are  $\frac{3}{4}$ " x  $\frac{1}{4}$ " with a few  $\frac{3}{16}$ " singles.5. Water is used for: Irrigation6. State whether or not water has been turned into works of diversion: yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

25 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ , 25 acres in Lot 7 both in Sec. 6., and all of Sec. 7.,All in Twp. 8 S., Rge. 26 E., B.M.See map.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks:

Crops are hay grain and potatoes.They intend to put in a large outfit for #2 and take in the rest of the section.Blal Soglio along.This examination was made on the 9 day of Aug, 19 57(Signed) E. M. Humphrey Examiner.24937

Permit No. G-24937

Examination for Completion of Works & Beneficial Use

County Blaine

7-25-265

SE 1/4 Sec. 7, T. 33N., R. 33E.

SE 1/4 Sec. 7, T. 33N., R. 33E.

SE 1/4 Sec. 7, T. 33N., R. 33E.

SE 1/4 Sec. 7, T. 33N., R. 33E.

SE 1/4 Sec. 7, T. 33N., R. 33E.

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

RECEIVED  
AUG 19 1957

Department of Reclamation

125 up U.S. 440

East road Spec.

Barlow 3 wall

Barlow 3 wall. 10 gate

10" gate. 4" wall

Barlow 3 wall. 10 gate

all in use.

Barlow 3 wall. 10 gate

Barlow 3 wall. 10 gate

6'x6" base (cont.)

P.C. Miller

Mindoka

Operate 24-48 lines.

250 up U.S. motor

440V. #917407

1800 rpm 300 amp

Layne B. Turb. Pump.

No Spec

10" gate valve

10" del. to East To

closed system

operate at 66 psi

[D] and 10" Contd.

in house.

10" main line

Re: Permit # G-24937

Hugo E. Dal Soglio, Farm Manager (Ruby Company)  
Burley, Idaho

Dear Mr. Soglio

Statutes requires a field inspection in connection with the proofs on Permit # G-24937 before license and certificate of water right can be issued.

Such inspection and report on same is required for any and all permits being brought to license within this State.

An inspecting Engineer from this Department requests that you or someone familiar with the terms of the permit and representing you be prepared to accompany him on the inspection, on Friday, August 9th

\_\_\_\_\_.

If he cannot get in touch with you by phone or otherwise he will drive to the well location or point of diversion given in the permit.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

*E. N. Humphrey*

E. N. Humphrey  
Deputy

Note: I intend to stop at the Frontier Motel in Rupert, in case you wish to contact me there.

24937

August 20, 1957

RE: Permit No. G-24937

Mr. J. N. Marshall  
Assistant Loan Agent  
John Hancock, Mutual Life Insurance Company  
Hasbrouck Building  
Idaho Falls, Idaho

Dear Mr. Marshall:

In reply to your letter of August 16, 1957, we wish to state that in connection with Permit No. G-24937, proof of application of water to beneficial use and completion of works has been filed in this Department.

Field examination has been completed and the same will soon be ready for issuance of State license.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Roy W. Thompson  
Office Manager

RWT:vhh

P24937

*John Hancock*  
MUTUAL LIFE INSURANCE COMPANY  
BOSTON, MASSACHUSETTS

RECEIVED  
AUG 19 1957  
Department of Reclamation

R. W. DORSEY, Loan Agent  
524 Old National Bank Building  
SPOKANE 1, WASH.

J. N. MARSHALL, Assistant Loan Agent  
Hasbrouck Building  
IDAHO FALLS, IDAHO

August 16th, 1957

Mr. Mark Kulp, Idaho State Reclamation Engineer,  
State Reclamation Department  
Boise, Idaho

Our loan 119262 - Re: Permit  
#G24937

Dear Sir:

We call to your attention an apparent discrepancy in information furnished us regarding the above numbered permit.

On May 29th, 1957, we were informed that proof of completion of works and proof of beneficial use of water had been made on May 14th 1957, and that field examination was pending. On July 19th, 1957, we received information indicating that completion of works certificate and beneficial use proofs are due, thus inferring that they had not been filed.

We are, of course, anxious to know the exact status of this permit since it had been reinstated and the time for filing extended to May 14th, 1957. Will you kindly advise regarding the exact status of this permit. Thanking you in advance we are,

Very truly yours,

*J. N. Marshall*  
JAN J. N. MARSHALL  
Assist. Loan Agent.

JNM:mmj

J 24937

May 16, 1957

RE: Permit No. G-24937

Ruby Company  
P. O. Box 2297  
Boise, Idaho

Gentlemen:

We acknowledge receipt of the depositions of yourselves, the holder of the Permit, signed by Mr. DalSoglio as Farm Manager, the two witnesses, also affidavit of publication in The Hailay Times, all submitted in proof of completion of works and beneficial use on Permit No. G-24937.

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

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

EPR  
cc: Hugo E. DalSoglio  
Box 181  
Burley, Idaho

24937

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

**RECEIVED**  
MAY 14 1957  
Department of Reclamation

Permit No. G 24937

## Proof of Application of Water to Beneficial Use

### and Completion of Works Deposition of Holder

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

Ans. Hugo E. DalSoglio, Burley, Idaho, Farm Manager, Box 181, Burley, Idaho.

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

Ans. ✓ Ruby Company, Boise, Idaho, Boise, Idaho, Farm Manager, agent.

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

Ans. G-24937 - May 14, 1954. Well No. 1 June 1, 1952. Well No. 2 June 1, 1954.

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

Ans. Subterranean from two wells. No. 1 SE $\frac{1}{4}$ NW $\frac{1}{4}$  and No. 2 NE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 7, Township 8 South, Range 26 EBM, County of Blaine, State of Idaho.

**Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.**

Ans. Well No 1 - 400 Feet deep - 18 inch casing - depth to water 180 feet - 350 miners inches - 9  $\frac{1}{4}$  mile lines 11/64 nozzels and 13/32 40 pounds pressure in lines  
Well No 2 - 400 feet deep - 18 inch casing - depth to water 175 feet - 175 miners inches - 8  $\frac{1}{4}$  mile lines nozzels 11/64 and 13/32 40 pounds pressure in lines

**Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.**

Ans. Wells interconnected on common line - SE $\frac{1}{4}$ SW $\frac{1}{4}$  Sec 6, 25 acres, Lot 7 Sec 6, 25 acres and All of Section 7, all in Township 8 South, Range 26 EBM.

Cultivated land. By subdivision: Lot 7 Sec 6, 25 acres; SE $\frac{1}{4}$ SW $\frac{1}{4}$  Sec. 6, 25 acr

Sec. 7, NE $\frac{1}{4}$ NE $\frac{1}{4}$  30; NW $\frac{1}{4}$ NE $\frac{1}{4}$  40; SW $\frac{1}{4}$ NE $\frac{1}{4}$  40; SE $\frac{1}{4}$ NE $\frac{1}{4}$  40; NE $\frac{1}{4}$ NW $\frac{1}{4}$  40; NW $\frac{1}{4}$ NW $\frac{1}{4}$  40; SW $\frac{1}{4}$ NW $\frac{1}{4}$  40; SE $\frac{1}{4}$ NW $\frac{1}{4}$  40; NE $\frac{1}{4}$ SW $\frac{1}{4}$  40; NW $\frac{1}{4}$ SW $\frac{1}{4}$  40; SE $\frac{1}{4}$ SW $\frac{1}{4}$  40; NE $\frac{1}{4}$ SE $\frac{1}{4}$  40; NW $\frac{1}{4}$ SE $\frac{1}{4}$  40; SW $\frac{1}{4}$ SE $\frac{1}{4}$  40; SE $\frac{1}{4}$ SE $\frac{1}{4}$  40

J 24937

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

Ans. \_\_\_\_\_

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

Ans. 3/4 inch to acre or 520 inches

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. Contract of purchase.

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

Ans. From Well No. 1 350 inches from June 1, 1952 to October 15/52 first year  
and from May 1st until October 15th subsequent years.

Well No. 2 175 inches from June 1, 1954 to October 15/54 first year  
and from May 1st until October 15th subsequent years. The works were completed  
and water applied to Beneficial Use before May 14, 1956.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. \_\_\_\_\_

(Sign) \_\_\_\_\_

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 Heyburn, County of Minidoka,

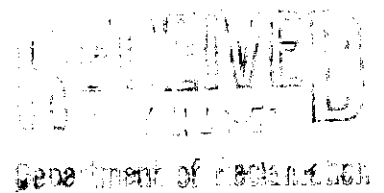
State of Idaho, on this 10th day of May, A. D. 1957.

Howe  
NOTARY PUBLIC for State of Idaho.

My commission expires February 28, 1961

24937

**STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO**



Permit No. G-24937

## Proof of Application of Water to Beneficial Use

### Deposition of Witness and Completion of Works

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.

Ans. Percy C. Miller, 41, Minidoka, Idaho, Farmer, Minidoka, Idaho

Ques. 2. Are you acquainted with Ruby Company, the holder of Permit No. G-24937 - ~~yes~~? How long have you known him and where does he reside?

Ans. Yes. Have known agent DalSoglio, year and a half. Burley, Idaho

Ques. 3. Have you read or heard read said Permit No. G-24937, and are you familiar with its provisions and conditions?

Ans. Yes.

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Subterranean from two wells. No. 1 SE  $\frac{1}{4}$  NW  $\frac{1}{4}$  and No. 2 NE  $\frac{1}{4}$  SW  $\frac{1}{4}$  of Section 7, Township 8 South, Range 26, EBM, County of Blaine, State of Idaho.

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

Ans. Ten and one-half

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. Well no 1, 350 inches. Well No. 2, 175 inches. Total - 525 inches.

#24937

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Used for irrigation. Lot 7 of Section 6, 25 acres; SE $\frac{1}{4}$ SW $\frac{1}{4}$  Sec. 6, 25 acres  
All of Section 7, Township 8 South, Range 26 EBM or by subdivision:  
NE $\frac{1}{4}$ NE $\frac{1}{4}$  30, NW $\frac{1}{4}$ NE $\frac{1}{4}$  40, SW $\frac{1}{4}$ NE $\frac{1}{4}$  40, SE $\frac{1}{4}$ NE $\frac{1}{4}$  40, NE $\frac{1}{4}$ NW $\frac{1}{4}$  40, NW $\frac{1}{4}$ NW $\frac{1}{4}$  40,  
SW $\frac{1}{4}$ NW $\frac{1}{4}$  40, SE $\frac{1}{4}$ NW $\frac{1}{4}$  40, NE $\frac{1}{4}$ SW $\frac{1}{4}$  40, NW $\frac{1}{4}$ SW $\frac{1}{4}$  40, SW $\frac{1}{4}$ SW $\frac{1}{4}$  40, SE $\frac{1}{4}$ SW $\frac{1}{4}$  40,  
NE $\frac{1}{4}$ SE $\frac{1}{4}$  40, NE $\frac{1}{4}$ SE $\frac{1}{4}$  40, SW $\frac{1}{4}$ SE $\frac{1}{4}$  40, SE $\frac{1}{4}$ SE $\frac{1}{4}$  40.

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. Used for irrigation only.

Ques. 9. (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.

Ans. Third class land. 3/4 inch per acre.

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. none.

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. Have been farming land since 1953. The works were completed and water applied to Beneficial Use before May 14, 1956.

(Signed)

*J. C. Miller*

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 Heyburn, County of Minidoka, State of Idaho, on this 10th day of May, A. D. 1961.

*C. A. Lowe*  
C. A. Lowe

Notary Public.

My commission expires February 28, 1961

24937

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

RECEIVED  
MAY 14 1957  
Department of Reclamation

Permit No. G 24937

Proof of Application of Water to Beneficial Use  
Deposition of Witness<sup>and</sup> Completion of Works

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.

Ans. Bruce Brower, 40, Heyburn, Idaho, Warehouse Manager, Heyburn, Idaho.

Ques. 2. Are you acquainted with Ruby Company (Hugo DalSoglio, agent), the holder of Permit No. G-24937? How long have you known him and where does he reside?

Ans. Ten years. Burley, Idaho

Ques. 3. Have you read or heard read said Permit No. G-24937, and are you familiar with its provisions and conditions?

Ans. Yes.

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Subterranean from two wells. No. 1 SE $\frac{1}{4}$ NW $\frac{1}{4}$  and No. 2 NE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 7, Township 8 South, Range 26 EBM, County of Blaine, State of Idaho.

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

Ans.

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. Well No. One, 350 inches. Well No. Two, 175 inches. Total - 525 inches.

24937

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Used for irrigation. Lot ~~2~~ 7 of Sec. 6, 25 acres; SE $\frac{1}{4}$ SW $\frac{1}{4}$  Sec. 6, 25 acres; of Section 7: NE $\frac{1}{4}$ NE $\frac{1}{4}$  30; NW $\frac{1}{4}$ NE $\frac{1}{4}$  40; SE $\frac{1}{4}$ NE $\frac{1}{4}$  40; SW $\frac{1}{4}$ NE $\frac{1}{4}$  40; NE $\frac{1}{4}$ NW $\frac{1}{4}$  40; NW $\frac{1}{4}$ NW $\frac{1}{4}$  40; SE $\frac{1}{4}$ NW $\frac{1}{4}$  40; SW $\frac{1}{4}$ NW $\frac{1}{4}$  40; NE $\frac{1}{4}$ SE $\frac{1}{4}$  40; NW $\frac{1}{4}$ SE $\frac{1}{4}$  40; SE $\frac{1}{4}$ SE $\frac{1}{4}$  40; SW $\frac{1}{4}$ SE $\frac{1}{4}$  40; NW $\frac{1}{4}$ SW $\frac{1}{4}$  40; NE $\frac{1}{4}$ SW $\frac{1}{4}$  40; SW $\frac{1}{4}$ SW $\frac{1}{4}$  40; SE $\frac{1}{4}$ SW $\frac{1}{4}$  40;

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. Used for irrigation only.

Ques. 9. (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.

Ans. Third class land.  $\frac{3}{4}$  inch per acre.

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. none.

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. Have had occasion to be on premises and observed water being diverted from time to time since 1953. The works were completed and water applied to Beneficial Use before May 14, 1956.

(Signed)

Bruce Brower

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 Heyburn, County of Minidoka, State of Idaho, on this 10th day of May, A. D. 1957.

C. A. Lowe

Notary Public.

My commission expires February 28, 1961

24937

*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

11th day of April, 1957  
and ending with the last publication thereof on the

2nd day of May, 1957

Cost of this publication is \$ 24.20

Berwyn Burke  
BERWYN BURKE, Publisher.

Subscribed and sworn to before me, this 3rd day  
of May, 1957.

R. J. McLaughlin  
Notary Public for Idaho  
Residing at Hailey,  
Blaine County, Idaho.

24937

April 15, 1957

RE: Permit No. G-24937  
Ruby Company, Assignee

Ruby Company  
P. O. Box 2297  
Boise, Idaho

ATTENTION: Miss Alice D. Johnson

Dear Miss Johnson:

We acknowledge receipt of your check in the amount of fifty cents, to cover payment of the recording fee for the Assignment from Andersons & Whiteley, to the Ruby Company of the Permit above captioned.

Departmental receipt No. G-2550 is inclosed for that fee.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

EPR  
Encl. - 1

24937

April 11, 1957

Re: Permit No. C-24937  
Ruby Company, Assignee

Ruby Company  
P. O. Box 2297  
Boise, Idaho

Attention: Alice D. Johnson

Dear Madam:

Enclosed is the assignment of Permit No. C-24937, in the name of Andersons & Whiteley, to the Ruby Company. This assignment was received at the Department of Reclamation March 20, 1957, and has been recorded in the department in Book 88 of Permits at page 24937.

The statutory fee for recording an assignment is 50¢ which you may remit at your earliest convenience.

Also enclosed is the "Approval of State Reclamation Engineer" for an extension of time for proofs of completion of works and beneficial use in connection with Permit No. C-24937. This extension has been recorded in the Department of Reclamation in Book 88 of Permits at Page 24937.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

FR:nls

Enc:

cc: Mr. Vanness Anderson, Agent  
Andersons & Whiteley  
Oakley, Idaho

24937

April 2, 1957

RE: Permit No. G-24937

Ruby Company  
P.O. Box 2297  
Boise, Idaho

ATT: Alice D. Johnson

Dear Madam:

We acknowledge receipt of Notice for Completion of Works and Beneficial Use proof on Permit No. G-24937, to be made May 10th, 1957, before C.A. Lowe, Notary Public.

We shall send a copy of the Notice to the Hailey Times with instructions to publish it once a week for four weeks prior to that date and to send you the affidavit of publication together with statement of costs.

At the time set, you should appear before Mr. Lowe, Notary Public, together with two disinterested witnesses who are familiar with the terms of the Permit and the work done thereunder for the purpose of executing the enclosed depositions.

Since the making of proof is late on the above captioned Permit, it will be necessary for the holder and his two witnesses to state that the works were completed and water applied to Beneficial Use on or before May 14, 1956, the date proofs were due, providing the works were completed and water applied to Beneficial Use on or before that date.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

EPR:vm  
Encl. (3)  
cc. C.A. Lowe  
Heyburn, Idaho

24937

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

Date: April 1, 1957

RE: Permit No. G-24937  
Ruby Company

Hailey Times  
Hailey, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **May 10, 1957** the date set for proof, the expense of the publication to be paid by the applicant, ~~the agent~~ Ruby Company, P.O. Box 2297 of Boise 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 of the first publication, in order that we may check same.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

EPR:vm  
Encl. (1)

24937

RUBY COMPANY  
212 CONTINENTAL BANK BUILDING  
P. O. BOX 2297 BOISE, IDAHO

RECEIVED  
MAR 28 1957

March 27, 1957

Permit No. G-24937  
Andersons & Whiteley,  
A co-partnership  
Ruby Company - Assignee

Department of Reclamation  
State of Idaho  
Boise, Idaho

Attention: Mr. Roy W. Thompson  
Office Manager

Dear Mr. Thompson:

I am returning herewith Form 11 and Forms 36 which will authorize you to publish the Notice in the Hailey Times. We understand that this paper publishes on Thursday, so we should be able to complete the four publications and be ready to take the depositions on May 3rd, the date set in the notice.

Yours very truly,

  
Alice D. Johnson

Encl.

24937

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

RECEIVED  
MAR 28 1957  
Department of Reclamation

(Date) March 27, 1957

P.O. Box 2297

Address  
Boise, Idaho

City State

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.

RUBY COMPANY

By

John W. Paul  
Vice President

(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

24937

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

Department of Reclamation

Notice is hereby given that at 9:00 A. M., on the 10<sup>th</sup> day of May, 1957, at Heyburn, County of Minidoka, State of Idaho, before C. A. Lowe, Notary Public, proof will be submitted of the completion of works for the diversion of 12 <sup>✓</sup> cubic feet per second of underground ~~waters~~ <sup>two wells</sup> from ~~xxxxx~~, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-24937 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 are Ruby Company, P.O. Box 2297, Boise, Idaho

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 12 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 12 cubic feet per second.

4. The point of diversion of said water is Well No. 1: SE $\frac{1}{4}$ NW $\frac{1}{4}$  and Well No. 2: NE $\frac{1}{4}$ SW $\frac{1}{4}$ , both in Sec. 7, T. 8 S., R. 26 E., B.M., Blaine Co.

5. The place where said water is used is Lot 7 of Sec. 6; Lots 1 and 2, E $\frac{1}{2}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , Lots 3 and 4, E $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ , all in Sec. 7, T. 8 S., R. 26 E., B.M., Blaine County, Idaho.

6. The date of priority which said user is prepared to establish is May 14, 1954  
~~Well No. 1 - June 1, 1952; Well No. 2 - June, 1954.~~

MARK R. KULP  
State Reclamation Engineer

J24937

March 26, 1957

RE: Permit No. G-24937  
Andersons & Whiteley, A Co-partnership

Ruby Company  
P.O. Box 2297  
Boise, Idaho

Attention: Mrs. Johnson

Dear Mrs. Johnson:

Confirming telephone request as of this morning, stating you are prepared to make proofs of Completion of Works and Beneficial Use on your Permit No. G-24937.

Before these proofs are made, the statutes require publication of a Notice once a week for four weeks in a county newspaper. This Notice should be made in duplicate on Form 36 enclosed, setting the time and place and naming the Notary Public before whom the proofs are to be made.

The proofs may be made at any place convenient for you and your two witnesses but the date must be set far enough ahead to allow for four weeks publication.

Both copies of Form 36 to be returned to this department together with Form 11 which is your authorization for us to have the Notice published at your expense in the designated county newspaper.

We shall then send a copy of the Notice to the newspaper with instructions in regard to publishing and shall send you the forms of depositions to be executed by yourself and two disinterested witnesses in making these proofs.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Roy W. Thompson  
Office Manager

24937

RWT:vem  
Encl. ( 3)

**STATE OF IDAHO**  
**DEPARTMENT OF RECLAMATION**

In the Matter of the Reinstatement  
of Permit No. G-24937 Under the  
Provisions of Section 5594, Idaho  
Compiled Statutes.

**ORDER REINSTATING PERMIT**

WHEREAS, Permit No. G-24937 lapsed through failure of the holder to make proof of completion of the works of diversion within the time specified in the Permit, to-wit: May 14, 1956; and,

WHEREAS, On the 5th day of October, 1956 notice to show cause why said permit should not be canceled, under the provisions of Section 5594, Compiled Statutes of Idaho, was duly served on the holder of said permit; and,

WHEREAS, On the 18th day of March, 1957 the holder filed notice of appearance to offer proof to show that the works of diversion under said permit were ~~fully completed within the time specified in the permit~~ and, reasonably advanced and assigned to Ruby Company, and

~~WHEREAS, On the 18th day of March, 1957 the holder filed notice of appearance to offer proof to show that the works of diversion under said permit were fully completed within the time specified in the permit~~ and,

WHEREAS, The time allowed could have been longer and

WHEREAS, After examination ~~of the said works~~ the Commissioner of Reclamation of the State of Idaho, is fully satisfied that the works of diversion were completed as required under the terms of said Permit No. G-24937, and that the holder has acted in good faith;

IT IS, THEREFORE, Hereby Ordered that said Permit No. G-24937 be, and the same is, hereby reinstated, and that a certificate of completion of works be issued to the applicant herein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of this Department, at Boise, Idaho, this 21st day of March, 1957.

*Mark R. Kuly*  
~~Commissioner of Reclamation~~  
State Reclamation Engineer

By \_\_\_\_\_ Assistant

24937

RUBY COMPANY  
212 CONTINENTAL BANK BUILDING  
P. O. BOX 2297 BOISE, IDAHO

March 18, 1957

**RECEIVED**  
MAR 20 1957  
Department of Reclamation

Commissioner of Reclamation  
State of Idaho  
Statehouse  
Boise, Idaho

Re: Permit No. G-24937

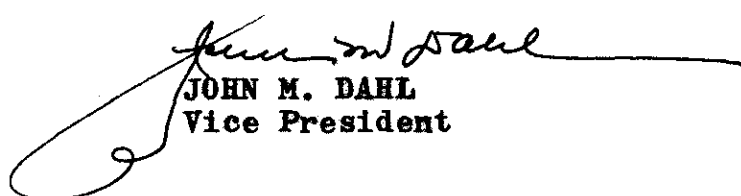
Dear Sir:

On November 16, 1956, we wrote you requesting an Extension of Time for Proof of Beneficial Use and Completion of Works in connection with the above permit. We were advised that this company should obtain a formal assignment of the water permit before an extension of time could be granted.

We have this date received from A. H. Neilson, attorney for Andersons & Whiteley, the enclosed executed assignment of Water Permit No. G-24937. The extreme delay in this case was due to the fact that it was most difficult to reach all of the parties involved in the partnership and whose names were necessary on the assignment.

We will appreciate your consideration of this matter, and your favorable action on the Application for Extension of Time. If any additional information is required in this connection, please get in touch with the undersigned. Our telephone number is 3-7545.

Yours very truly,

  
JOHN M. DAHL  
Vice President

cc: J. N. Marshall

24937

RECEIVED  
MAR 20 1957

Department of Reclamation

ASSIGNMENT

For and in consideration of the sum of One Dollar and other good and valuable consideration, the undersigned ANDERSONS & WHITELEY, a co-partnership, and the individual partners and their wives, hereby assign unto RUBY COMPANY, a Utah Corporation, qualified to do business in the State of Idaho, all of the undersigned's right, title and interest in and to Permit No. S-24937, hereto fore issued by the Department of Reclamation of the State of Idaho, to the undersigned.

IN WITNESS WHEREOF, the undersigned co-partnership has caused its partnership name to be hereunto subscribed by its general partners and the individual partners and their wives have hereunto subscribed their names this 31st day of December, 1956.

ANDERSONS & WHITELEY, a co-partnership

Norman Anderson

Levy Anderson

Andrew B. Whiteley

Albert Anderson

All of its general partners.

Norman Anderson

Ruby Anderson

Levy Anderson

Margaret Anderson

Andrew B. Whiteley

Donna Whiteley

Albert Anderson

Ara Anderson

S 24937

STATE OF IDAHO     )  
                              : ss.  
County of Cassia    )

On this 31st day of December, in the year 1956, before me, A. H. Nielson, a Notary Public in and for said State, personally appeared ALBERT ANDERSON and ORA ANDERSON, his wife; VANNESS ANDERSON and VERDA ANDERSON, his wife; RAY ANDERSON and MARGENE ANDERSON, his wife and WINSLOW B. WHITELEY and DOROTHY ANDERSON, his wife, known to me to be the persons whose names are subscribed to the within and foregoing instrument, and acknowledged to me that they 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.

(SEAL)

My commission expires:

February 20, 1958.

  
Notary Public for the State of Idaho.  
Residing at Burley, Idaho.

STATE OF IDAHO     )  
                              : ss.  
County of Cassia    )

On this 31st day of December, in the year 1956, before me, A. H. Nielson, a Notary Public in and for said State, personally appeared ALBERT ANDERSON, VANNESS ANDERSON and RAY ANDERSON and WINSLOW B. WHITELEY, known to me to be all of the partners in this partnership of Andersons and Whiteley and the partners who subscribed said partnership name to the foregoing instrument and acknowledged to me that they executed the same in said partnership name.

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

(SEAL)

My commission expires:

February 20, 1958.

  
Notary Public for the State of Idaho,  
Residing at Burley, Idaho.

24937

November 21, 1956

Re: Permit No. G-24937

J. R. Simplot Company  
P. O. Box 2297  
Boise, Idaho

ATTENTION: Alice Johnson

Dear Miss Johnson:

We acknowledge receipt of the Ruby Company check in the amount of \$1.00 which is to cover the fee for the copy of Permit No. G-24937 in the name of Anderson & Whiteley which was sent to you November 19th.

We enclose our departmental receipt No. G-2278 for the \$1.00 fee.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

EPR  
Enc.

24937

November 19, 1956

Re: Copy of Permit No.G-24937

J.R. Simplot Company  
P.O. Box 2297  
Boise, Idaho

% Mrs. Johnson

Gentleman:

We herewith enclose a copy of Permit No. G-24937, in the name of Andersons & Whiteley, a partnership, as per your request.

A statutory fee of \$1.00 for same may be remitted.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

R:vm  
Enc./

OK 9/22/02



STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
MARK R. KULP, STATE RECLAMATION ENGINEER

ROBERT E. SMYLIE  
GOVERNOR

BOISE

November 19, 1956

RECEIVED  
NOV 21 1956  
Department of Reclamation

Re: Copy of Permit No.G-24937

J.R. Simplot Company  
P.O. Box 2297  
Boise, Idaho

% Mrs. Johnson

Gentleman:

We herewith enclose a copy of Permit No. G-24937, in the name of Andersons & Whiteley, a partnership, as per your request.

A statutory fee of \$1.00 for same may be remitted.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

*Edna F. Futhledge*  
Chief Clerk

R:vm  
Enc.

We enclose check of Ruby Company in amount of \$1.00.  
Thank you very much.

*Alice Johnson*

24937

RUBY COMPANY  
212 CONTINENTAL BANK BUILDING  
P. O. BOX 2297 BOISE, IDAHO

November 16, 1956

RECEIVED  
NOV 19 1956  
Department of Reclamation

Commissioner of Reclamation  
State of Idaho  
Statehouse  
Boise, Idaho

Re: Permit No. G-24937

Dear Sir:

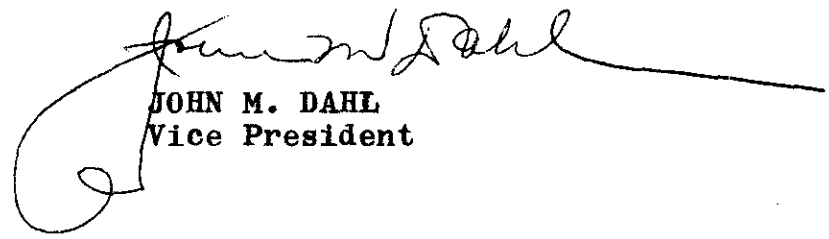
Attached you will find Application for Extension of Time for Proof of Beneficial Use and Completion of Works in connection with Permit G-24937. This application is made on behalf of Ruby Company for the reasons hereinafter stated.

The real property involved in connection with this permit is being purchased by Ruby Company from Andersons & Whiteley under an agreement dated April 7, 1956. Prior to execution of the agreement of sale, Andersons & Whiteley had been notified by the Department of Reclamation that Proof of Beneficial Use and Completion of Works were required to be made by May 14, 1956; however, Ruby Company was not notified by Andersons & Whiteley, nor was a copy of Permit G-24937 furnished to Ruby Company by Andersons & Whiteley. The fact that the time had elapsed under the permit was not brought to the attention of Ruby Company until November 16, 1956.

The wells covered by Permit G-24937 were put to beneficial use prior to May 14, 1956, and if this Application for Extension of Time is approved, Ruby Company will proceed immediately to make proof of beneficial use and completion of works.

Your consideration of this application for extension of time will be greatly appreciated.

Yours very truly,

  
JOHN M. DAHL  
Vice President

G24937

STATE OF IDAHO  
Department of Reclamation

RECEIVED  
NOV 19 1956  
Department of Reclamation

Permit No. G-24937

Application for Extension of Time for Beneficial Use Proof

and Completion of Works

STATE OF IDAHO

County of Ada } SS

John M. Dahl, Vice President of Ruby Company, a Utah corporation of Boise,

State of Idaho being first duly sworn, upon his oath deposes and says:

That ~~he~~ <sup>Andersons & Whiteley, a co-partnership</sup> is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-24937

That, under the terms and conditions of said permit, proof of beneficial use thereunder was required to be made by May 14, 1956

That ~~he~~ <sup>it</sup> has heretofore put to beneficial use 4 second feet of water and has irrigated 640 acres.

That, for the following reasons, he is unable to put to beneficial use within the required time the remainder of the water appropriated under his permit, to-wit:

Please see attached letter.

Ruby Company State Reclamation Engineer

WHEREFORE, ~~he~~ asks that the ~~Commissioner of Reclamation~~ extend the time for the making of proof of beneficial use under said permit to May 14, 1957

By John M. Dahl  
Vice President

Subscribed and sworn to before me this 16th day of November, 1956

My commission expires December 29, 1959

Date of receipt at office of Department of Reclamation November 19, 1956

STATE RECLAMATION ENGINEER  
APPROVAL OF COMMISSIONER OF RECLAMATION

I, MARK R. KULP, State Reclamation Engineer of the State of Idaho, hereby extend the time for the making of proof of Beneficial Use under Permit to appropriate the Public Waters of the State of Idaho, No. G-24937, to

May 14, 1957

Witness my hand this 21st day of March

1957

Mark R. Kulp  
Commissioner of Reclamation  
State Reclamation Engineer

G-24937

DELIVERING  
EMPLOYEE

☐

Deliver ONLY addressee

☐

Show address where delivered

Received from the Postmaster the Registered or Insured Article, the number of which appears on the face of this return receipt.

1

*Andersons & Whiteley*

(Signature or name of addressee)

2

*Robert Nelson*

(Signature of addressee's agent—Agent should enter addressee's name on line ONE above)

Date of delivery *10 - 8*, 19*56*

Form 3811  
Rev. 4-64

U. S. GOVERNMENT PRINTING OFFICE 16-72421-8

*24937*

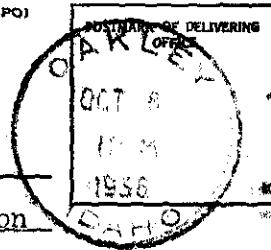
Post Office Department  
OFFICIAL BUSINESS MAIL

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

(GPO)

NO. 19467

RETURN RECEIPT REQUESTED



Return to Department of Reclamation  
(NAME OF SENDER)

Street and Number,  
or Post Office Box,

107 State House

REGISTERED ARTICLE

No. \_\_\_\_\_

INSURED PARCEL

No. \_\_\_\_\_

BOISE,

2457

IDAHO.

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

October, 1956

Re: Permit No. G-24937

To: Anderson & Whitely, A co-partnership  
Oakley, Idaho

It appearing to the State Reclamation Engineer that the terms and conditions of Permit No. G-24937  
to appropriate the Public Waters of the State of Idaho, have not been complied with as to  
Completion of Works & Beneficial Use proof were due May 14, 1956

you are hereby notified in compliance with Sec. 42-311, Idaho code that said Permit No. G-24937  
is hereby held for cancellation.

You are hereby required to show cause before the State Reclamation Engineer on or before forty days from  
date of this notice why said Permit should not be cancelled.

Said Permit No. G-24937 claims the use of 12.0 cubic feet per second of the  
waters of Subterranean flow from 2 wells with point of diversion located  
#1- SE $\frac{1}{4}$  NW $\frac{1}{4}$  and #2- NE $\frac{1}{4}$  SW $\frac{1}{4}$  both of Sec. 7., Twp. 8 S., Rge. 26 E., B.M. and  
was approved May 14, 1954

In Witness Whereof, I have hereunto set my hand and affixed the seal of my office at Boise, Idaho, the

5th day of October, 1956

Mark R. Kulp.

State Reclamation Engineer.

By Assistant.

24937

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION

March 1, 1956

Anderson & Whiteley  
Oakley  
Idaho

Dear Sir:

We enclose herewith blank notice for proof of completion of works and application of water to beneficial use under your Permit No. 24937. This notice should be filled out in duplicate and returned to this office at least 40 days before the date upon which you wish to make this proof, in order to allow time for the four weeks' publication required by law.

This proof must be submitted before a Notary Public or other officer authorized by law to administer oaths.

The date for proof, as set out in your permit, is not later than May 14, 1956.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer

24937

May 20, 1954

RE: Permit No. G-24937

Messrs. Nielson & Nielson  
Attorneys at Law  
Burley, Idaho

ATTENTION: Mr. A. H. Nielson

Dear Mr. Nielson:

We enclose Permit No. G-24937 in the name of Andersons and Whiteley together with departmental receipt No. G-553 for the \$7.75 filing fee.

You will note that we have allowed the statutory minimum of two years within which to make the proof of completion of works and beneficial use, or until May 14, 1956, but you understand, of course, that these proofs can be made at any earlier date that the applicants are prepared to make them.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A:hll  
Enc.

24937

*Arbore & Whitney**Sec 6 - 8<sup>S</sup> - 26E**Lot 7**well No. 1**Sec 7 - 8<sup>S</sup> - 26E**well No. 2*Permit Map No. *9-24937*As Approved  
MAY 14 1954

MARK R. KULP

State Reclamation Engineer

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

Notice is hereby given that at 9:00 A. M., on the 10th day of May, 1957, at Heyburn, County of Minidoka, State of Idaho, before C. A. Lowe, Notary Public, proof will be submitted of the completion of works for the diversion of 12 cubic feet per second of underground waters from two wells, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-24937 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 are Ruby Company, P. O. Box 2297, Boise, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 12 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 12 cubic feet per second.

4. The point of diversion of said water is Well No. 1: SE $\frac{1}{4}$ NW $\frac{1}{4}$  and Well No. 2: NE $\frac{1}{4}$ SW $\frac{1}{4}$ , both in Sec. 7, T. 8 S., R. 26 E., B.M., Blaine Co.

5. The place where said water is used is Lot 7 of Sec. 6; Lots 1 and 2, E $\frac{1}{2}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , Lots 3 and 4, E $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ , all in Sec. 7, T. 8 S., R. 26 E., B.M., Blaine County, Idaho.

6. The date of priority which said user is prepared to establish is May 14, 1954.

Mark R. Kulp  
State Reclamation Engineer  
pub. 4/11-5/2