

November 1, 1956

RE: Permit No. G-24078

Messrs. Creason & Creason
Box 98
Rupert, Idaho

ATTENTION: Mr. H. V. Creason

Dear Mr. Creason:

We enclose Application for Amendment to the Point of diversion in Permit No. G-24078 of the Idaho Realty & Investment, Inc., which has been approved by the State Reclamation Engineer and Recorded in this Department. This approval should be attached to the original permit of which it now forms a part.

We also enclose Certificate of Completion of Works also License and Certificate of Water Right issued under Permit No. G-24078 confirming the right of the Idaho Realty Investment, Inc. to the use of 3.04 second feet of the waters of a well located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 18, Township 7 South, Range 25 East, B.M., with priority of May 2, 1953, for irrigation of land in the S $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ Section 18, same Township and Range.

We also enclose departmental receipt No. G-2209 for the \$17.00 completion of works and license fees.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:hll
Enc.

24078

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, NO. G-24078

RECEIVED
OCT 29 1956
Department of Reclamation

Comes now Idaho Realty & Investment, Inc. and represents to the State Reclamation Engineer of the State of Idaho:

it

That ~~he~~ is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-24078.

That the point of diversion is described in said permit as being located : One well in the center of NW 1/4 and another well in the center of SW 1/4 Section 18, Township 7 South, Range 25 East, B.M.

That ~~he~~ now requests that the point of diversion be changed to a point located one well in the NE 1/4 SW 1/4 Section 18, Twp. 7 S., Rge. 25 E.B.M.

That his reasons for desiring to make such change are as follows:
Re-location of well was made by recommendation of Engineer so as to make better distribution of irrigation waters.

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

Signed at Rupert, Idaho, this 25th day of October 1956

IDAHO REALTY & INVESTMENT, INC.

By

Max Herhold
President

Date of receipt at Department of Reclamation October 29, 1956

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-24078. 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.

Mark R. Kulp
State Reclamation Engineer

24078

October 24, 1956

RE: Permit No. G-24078

Messrs. Creason & Creason
Box 98
Rupert, Idaho

ATTENTION: Mr. H. V. Creason

Dear Mr. Creason:

We now have on file the report of our field engineer on examination for completion of works and beneficial use on Permit No. G-24078 in the name of Idaho Realty and Investment, Inc. which shows that the well in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 18, Township 7 South, Range 25 East, B.M. will deliver 200 inches of water and a Certificate of Completion of works can be issued for that amount or 4 second feet of water. The report also shows that 152 acres of land have been irrigated in the SW $\frac{1}{4}$ and S $\frac{1}{2}$ NW $\frac{1}{4}$ Section 18 same Township and Range, with the waters of this well, and a license can, therefore, be issued for 152 inches or 3.04 second feet.

You will note that our field engineer found the well to be located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 18 instead of in the center of the NW $\frac{1}{4}$ and in the center of the SW $\frac{1}{4}$ Section 18. Therefore, the enclosed Application for Amendment to the Point of Diversion should be completed and returned to this department for record,

Upon receipt of this Amendment together with the statutory fees amounting to \$5.00 for completion of works and \$12.00 license fee, the latter being at the rate of \$2.00 for each 40 acre subdivision in which the land is located, a Certificate of Completion of Works and License can be issued.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:hll
Enc.

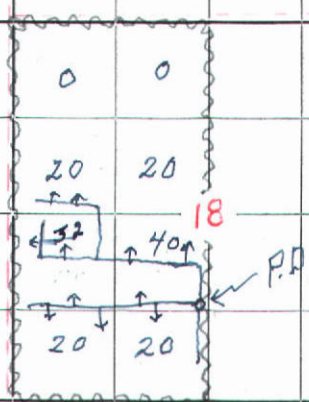
24078

Lot 1	= 32.63
2	= 32.71
3	= 32.79
4	= 32.87

R-25E.

TO MINIDOKA -

T.
7
S.



Subdivisions - Six

Area = 152 acres

$$Q = 152 \text{ miles}$$
$$C/w = 200 \text{ inches}$$

belongs to Buick Dealer
in Rupert
and

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
OCT 19 1956

Department of Reclamation

Idaho Realty & Investment, Inc.

Rupert, Idaho

Permit No. G-24078

66956

Examination for Completion of works

and Beneficial use

County Minidoka

Washers 66396 18-75.-25E.

Q = 6.4 c.f.s.

S = Well

l = 272' }
Q = 175' }
Q = 150' }

P.D. = Center NW⁴, Center SW⁴, Sec. 18,
T. 7 S. - R. 25 E

Use = Irrigation

Oliver Hansen.

Priority = May 2, 1953

Due = May 12, 1958

340' x 20" h = 265' no dd.

150 hp. U.S. motor

440V. 180 amps. 1800 rpm

#1025270

Worthington Turb.

140 FE #1508429

Conc. house 9' x 10'

Conc. block coast

Open N & S.

E.M. Panel in house on
NW. Cor.

10" pipe x 10' ditch to N.
into open pond.

$$\frac{70 \times 150 \times 580}{272'} = \frac{Q}{62\frac{1}{2}} = 170''$$

The Minidoka County News

RUPERT, IDAHO

AFFIDAVIT OF PUBLICATION

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

Larry H. Robinson, being first
duly sworn, deposes and says that he is the

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

for Four (4) consecutive weeks, commencing
with the issue dated Nov. 10, 1955, and
ending with the issue dated Dec. 1, 1955

Larry H. Robinson

Subscribed and sworn to before me this

1st day of Dec, 1955

W. H. Creason Notary Public

Cost of Publication

Notary Fee

Total Cost

NOTICE OF PROOF OF COMPLETION OF WORKS and

APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at
10:00 A. M., on the 14th day of
December, 1955, at Rupert,
County of Minidoka, State of Ida-
ho, before H. V. Creason, Not-
ary Public proof will be sub-
mitted of the completion of works
for the diversion of 6.4 cubic
feet per second of the waters of

two wells and of the application
to beneficial use of said water,
in accordance with the terms
and conditions of Permit No.
G-24078 heretofore issued by the
Department of Reclamation of
the State of Idaho.

1. The name and postoffice
address of the person or cor-
poration holding said permit are
Idaho Realty and Investment,
Inc., Rupert, 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, in accord-
ance with the plans accompany-
ing the application for such per-
mit, is 6.4 cubic feet per second.

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

4. The place where said wa-
ter is used is W $\frac{1}{2}$ of Section 18,
Township 7 South, Range 25 E.,
B.M., Minidoka County, Idaho
and the wells are located in the
center of the NW $\frac{1}{4}$ and the cen-
ter of the SW $\frac{1}{4}$ of said Section.

5. The date of priority which
said user is prepared to estab-
lish is May 2, 1953.

MARK R. KULP

State Reclamation Engineer
No. 592 Nov. 10 - Dec. 1

24078

August 5, 1955

RE: Permits Nos. 20315 - G-24078

Messrs. Creason & Creason
P. O. Box 98
Rupert, Idaho

ATTENTION: H. V. CREASON

Dear Mr. Creason:

Reference is made to your letter of August 3, 1955, in regard to the above numbered Permits in the name of Lawrence H. Duffin.

We have no record in this Department of an Assignment of these Permits to the Idaho Realty & Investment, Inc..

On Permit No. 20315 two Licenses have been issued one for 3.2 second feet and one for 1.8 second feet from a well in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 18, Township 7 South, Range 25 East, B. M., with priority of February 20, 1948, for use on the E $\frac{1}{2}$ of said Section 18.

Permit No. G-24078 is for 6.4 second feet of water from two wells in the center of the NW $\frac{1}{4}$ and the center of the SW $\frac{1}{4}$ of Section 18 for use on the W $\frac{1}{2}$ of said Section 18. The proofs are not due on this Permit until May 12, 1958, but, of course, can be made at any earlier date.

We enclose the form of notice for Completion of Works and Beneficial Use proof on this Permit which should be completed in duplicate and returned to this Department together with Form 11 which is authorization for us to have the notice published at Permit Holders expense in the designated county newspaper.

We suggest, however, that if the Idaho Realty & Investment, Inc. are to make these proofs an Assignment to them from Mr. Duffin should be recorded in this Department.

Forms of Assignment are enclosed herewith.

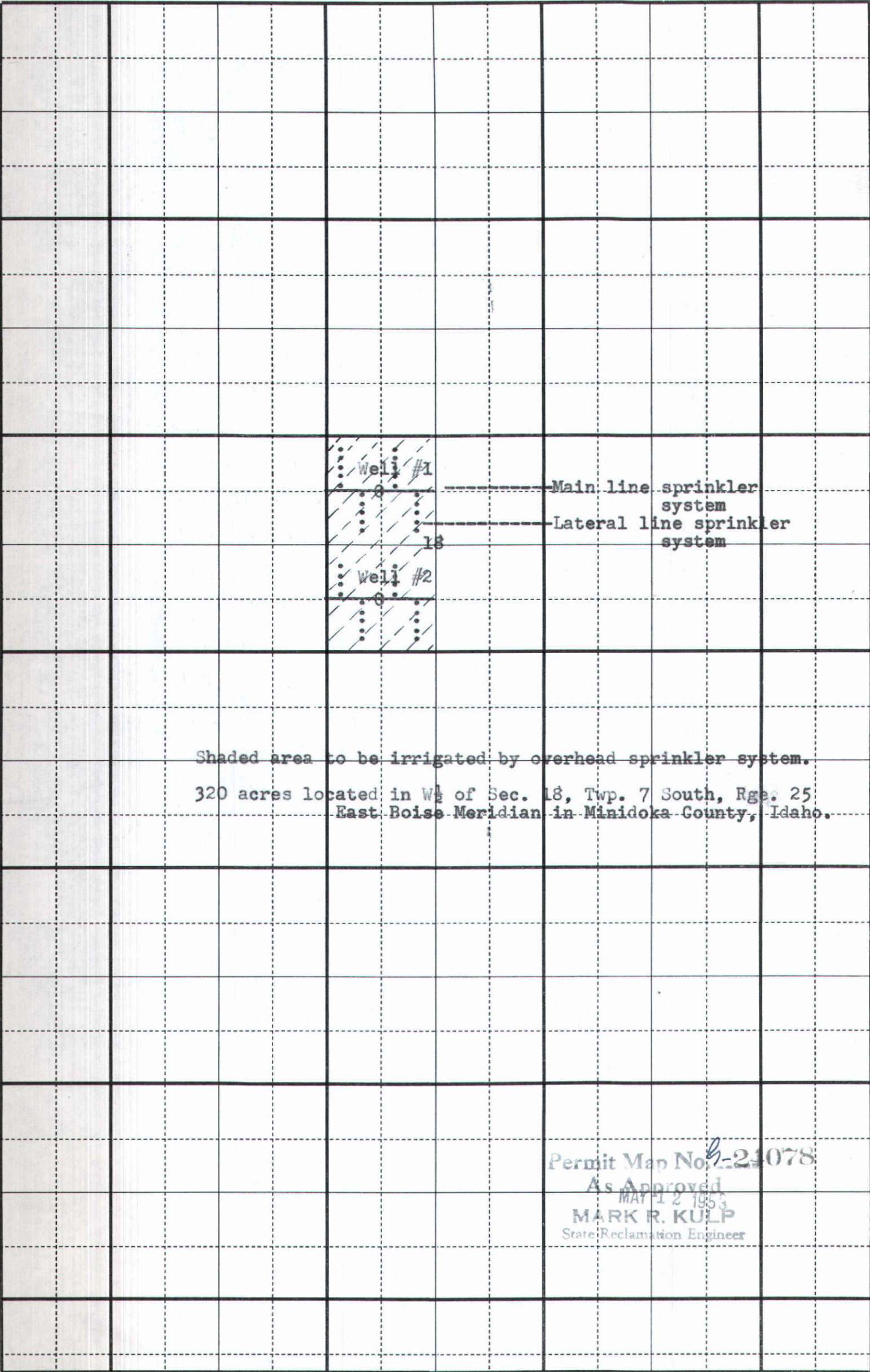
Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

A:cu
Enc.
CC: Mr. Lawrence H. Duffin

Chief Clerk

24078



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

Notice is hereby given that at 10:00 A. M., on the 14th day of December, 1955, at Rupert, County of Minidoka, State of Idaho, before H. V. Creason, Notary Public proof will be submitted of the completion of works for the diversion of 6.4 cubic feet per second of the waters of

two wells and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-24078 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 Idaho Realty and Investment, Inc., Rupert, 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, in accordance with the plans accompanying the application for such permit, is 6.4 cubic feet per second.

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

4. The place where said water is used is W $\frac{1}{2}$ of Section 18, Township 7 South, Range 25 E., B.M., Minidoka County, Idaho and the wells are located in the center of the NW $\frac{1}{4}$ and the center of the SW $\frac{1}{4}$ of said Section.

5. The date of priority which said user is prepared to establish is May 2, 1953.

MARK R. KULP

State Reclamation Engineer

No. 592 Nov. 10 - Dec. 1 55

State of Idaho

License and Certificate of Water Right

Water License No. G-24078Amount 3.04 second feet

Water District No. _____

Priority May 2, 1953

THIS IS TO CERTIFY that LAWRENCE H. DUFFIN
 of Rupert, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated May 2, 19 53; that Permit No. G-24078
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
4 second feet, was issued thereunder on October 30, 19 56, showing that said works
 were completed on the 14th day of December, 19 55; and that on the 14th
 day of December, 19 55,

IDAHO REALTY & INVESTMENT, INC., (Assignee of Lawrence H. Duffin)
 of Rupert, State of Idaho, made proof to the satisfaction of the
 State Reclamation Engineer of Idaho, of the right to use the waters of a well
tributary of (subterranean flow), for the purpose of irrigation
under Use Permit No. G-24078 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

9 of Licenses at page 5847 on the 30th day of October, 19 56;

The right hereby confirmed dates from May 2, 19 53;

The Point of Diversion is located

in the NE 1/4 SW 1/4, Sec. 18, Tp. 7 S. R. 25 E., B. M. Minidoka County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
 aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
 not exceed 3.04 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
7 S.	25 E.	18	SW $\frac{1}{4}$ NW $\frac{1}{4}$	40	20
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	40	20
			NE $\frac{1}{4}$ NW $\frac{1}{4}$	40	--
			NW $\frac{1}{4}$ NW $\frac{1}{4}$	40	--
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	40	40
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	40	32
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	40	20
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	40	<u>20</u>
Total Number of Acres Actually Irrigated					152

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

30th day of October, 19 56.

MARK R. KILP

State Reclamation Engineer.

(SEAL)

State of Idaho
License and Certificate of Water Right

Water License No. 23169 Amount .28 second foot
Water District No. Priority October 3, 1952

THIS IS TO CERTIFY that MR. and MRS. A. KUCZYNSKI
of Coeur d'Alene, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated October 3, 19 52 ; that Permit No. 23169
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.0 second foot, was issued thereunder on September 24, 19 55, showing that said works
were completed on the 13th day of September, 19 55 ; and that on the 15th
day of May, 19 56,
MR. and MRS. A. KUCZYNSKI
of Coeur d'Alene, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Wolf Lodge
Creek, a tributary of Coeur d'Alene Lake, for the purpose of irrigation
, under Use Permit No. 23169 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
9 of Licenses at page 5848, on the 30th day of October, 19 56 ;
The right hereby confirmed dates from October 3, 19 52 ;
The Point of Diversion is located in the SW 1/4 NW 1/4 Section 28 and
in the SE 1/4 NE 1/4, Sec. 29, Tp. 50 N., R. 2 W., B. M. Kootenai County
That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed .28 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
50 N.	2 W.	28	NW $\frac{1}{4}$ NW $\frac{1}{4}$	--	20
		29	SE $\frac{1}{4}$ NE $\frac{1}{4}$	25	25
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	25	<u>15</u>
		Total Number of Acres Actually Irrigated - - -			60

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
30th day of October, 19 56.

(SEAL) MARK R. KULP
State Reclamation Engineer.

36-2220

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 31858
Permit No. G- 24078
District No.

1. Name of Applicant: LAWRENCE H. DUFFIN
Postoffice address: Box 61, Rupert County: Minidoka State: Idaho
2. Quantity of water claimed: 6.4 cubic feet per second
 (a) Rate of withdrawal in cubic feet per second. 6.4 or Idaho
 Miners' inches --- or gallons per minute. ---
 (b) Annual withdrawal in acre feet per annum ---
3. Source of water supply: Subterranean
4. Location of point of diversion or well: #1 is in the center of the NW $\frac{1}{4}$ and Well #2 is in the center of the SW $\frac{1}{4}$ of Section 18
 Twp. 7 S. , Rge. 25 E. , B.M., County of Minidoka
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
 Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
 at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Deep well turbine pumps and overhead sprinkling systems.
8. Estimated cost of works: \$ 50,000.00
9. (a) Is reservoir to be used? no
 (b) Capacity of reservoir: ---
10. The time required for the completion of such work and complete application of the water to the proposed use is five years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
 (b) Amount of capital stock: \$ (c) Amount paid in: \$
 (d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash onhand: \$ 1000.00
 (b) Treasury stock: (c) Bonds to be issued:
 (d) Other resources: Other Property \$175,000.00; Personal Property \$100,000.00
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: none
 - (a) none (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) 6.4 (cubic feet per second, inches or gallons per minute) is for new lands.

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

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 9:00 a.m. May 2, 1953

Returned to applicant for correction:

Corrected application received:

The number of this permit is G-24078

Recorded in Book 85 Page 24078 Approved May 12, 1953

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 12, 1953

and to continue diligently and uninterruptedly to completion,

unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before November 12, 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 12, 1958.

Witness my hand this 12th day of May, 1953

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 12th
day of May, 1953.

Countersigned:

STATE OF IDAHO

(SEAL)

By LEN JORDAN

By IRA H. MASTERS

Secretary of State.

Governor

12.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7 S.	25 E.	18					x	x	x	x	x	x	x	x				320	
ASSIGNMENT OF WATER PERMITS																			
KNOW ALL MEN BY THESE PRESENTS:																			
That we Lawrence H. Duffin and Doris E. Duffin, husband and wife now and always since the below described water permits were acquired, of the City of Rupert, County of Minidoka, State of Idaho, have, for Ten Dollars and other valuable consideration, this date granted, bargained, sold, conveyed, assigned and set over all of our interest and title in and to Water Permits numbered Idaho - 20315 and Idaho - 24078, to the Idaho Realty and Investment Inc., an Idaho Corporation. These water permits were issued to the undersigned by the Department of Reclamation, State of Idaho and appertain to the following described real property:																			
All of Section Eighteen (18), Township Seven (7) South, Range Twenty-five (25), E. B. M.																			
Dated this 1st day of May, 1955.																			
LAWRENCE H. DUFFIN DORIS E. DUFFIN																			
STATE OF IDAHO) ss. County of Minidoka)																			
On this 1st day of May in the year 1955, before me George E. Redford, a Notary Public in and for said State personally appeared Lawrence H. Duffin and Doris E. Duffin, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.																			
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.																			
GEORGE E. REDFORD Notary Public residing at Rupert, Idaho																			
My commission expires July 15, 1957 (SEAL)																			
Received and filed for record in the Department of																			

Received and filed for record in the Department of Reclamation, at Boise, Idaho, October 27, 1955.

MARK R. KULP
State Reclamation Engineer

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, NO. G-24078

Comes now Idaho Realty & Investment, Inc. 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-24078.

That the point of diversion is described in said permit as being located: One well in the center of NW $\frac{1}{4}$ and another well in the center of SW $\frac{1}{4}$ Section 18, Township 7 South, Range 25 East, B.M.

That it now requests that the point of diversion be changed to a point located one well in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 18, Twp. 7 S., Rge. 25 E.B.M.

That his reasons for desiring to make such change are as follows: Re-location of well was made by recommendation of Engineer so as to make better distribution of irrigation waters.

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

Signed at Rupert, Idaho, this 25th day of October, 1956.

IDAHO REALTY & INVESTMENT, INC.
By MAX HERBOLD
President

Date of receipt at Department of Reclamation October 29, 1956.

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-24078. 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.

MARK R. KULP
State Reclamation Engineer

Permit No. G-24078
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that IDAHO REALTY & INVESTMENT, INC., of Rupert, County of Minidoka, and State of Idaho, the holder of Permit No. G-24078, issued upon Application No. G-31858 bearing date of priority of May 2, 1953, authorizing the diversion of 6.4 second feet of the waters of two wells; County of Minidoka, 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 4.0 second feet of the waters of one well; that the point of diversion of said waters is in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 18, Township 7 South, Range 25 East, B.M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: S $\frac{1}{2}$ NW $\frac{1}{4}$ Section 18; SW $\frac{1}{4}$ Section 18, all in Township 7 South, Range 25 East, B.M.

Witness my hand this 30th day of October, A D 1956.

MARK R. KULP
State Reclamation Engineer

Proof of completion of works made December 14, 1955
Certificate of Completion of Works issued October 30, 1956.

RECEIVED FOR 3.04 SEC. FI.

Page 5847

This
Right has been
Decreed in the
SRBA.

November 1, 1956

RE: Permit No. G-24078

Messrs. Creason & Creason
Box 98
Rupert, Idaho

ATTENTION: Mr. H. V. Creason

Dear Mr. Creason:

We enclose Application for Amendment to the Point of diversion in Permit No. G-24078 of the Idaho Realty & Investment, Inc., which has been approved by the State Reclamation Engineer and Recorded in this Department. This approval should be attached to the original permit of which it now forms a part.

We also enclose Certificate of Completion of Works also License and Certificate of Water Right issued under Permit No. G-24078 confirming the right of the Idaho Realty Investment, Inc. to the use of 3.04 second feet of the waters of a well located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 18, Township 7 South, Range 25 East, B.M., with priority of May 2, 1953, for irrigation of land in the S $\frac{1}{2}$ NE $\frac{1}{4}$ and SW $\frac{1}{4}$ Section 18, same Township and Range.

We also enclose departmental receipt No. G-2209 for the \$17.00 completion of works and license fees.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:hll
Enc.

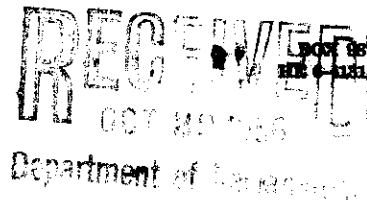
J 24078

Oct 17 1956

Creason & Creason
ATTORNEYS AT LAW
RUPERT, IDAHO

H. V. CREASON
C. H. CREASON

October 26, 1956



State of Idaho
Department of Reclamation
Boise, Idaho

Re: Permit No. G-24078

Attention: Edna P. Rutledge
Chief Clerk

Dear Miss Rutledge

Enclosed herewith Application for Amendment to Permit to
Appropriate the Public Waters of The State of Idaho,
No. G-24078 which has been signed by Max Herbold, President
of Idaho Realty & Investment, Inc., together with check
in the sum of \$17.00.

Trusting this is in order, I beg to remain,

Yours very truly

CREASON & CREASON

A handwritten signature in cursive script, appearing to read "H. V. Creason".

H. V. Creason

HVC:hc

e

G 24078

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, NO. G-24078

RECEIVED
OCT 29 1956

Department of Reclamation

Comes now Idaho Realty & Investment, Inc. and represents to the State Reclamation Engineer of the State of Idaho:

it

That ~~he~~ is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-24078.

That the point of diversion is described in said permit as being located : One well in the center of NW $\frac{1}{4}$ and another well in the center of SW $\frac{1}{4}$ Section 18, Township 7 South, Range 25 East, B.M.

That ~~he~~ now requests that the point of diversion be changed to a point located one well in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 18, Twp. 7 S., Rge. 25 E.B.M.

That his reasons for desiring to make such change are as follows:
Re-location of well was made by recommendation of Engineer so as to make better distribution of irrigation waters.

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

Signed at Rupert, Idaho, this 25th day of October 1956

IDAHO REALTY & INVESTMENT, INC.

By

Max Herhold
President

Date of receipt at Department of Reclamation October 29, 1956

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-24078. 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.

Mark R. Kulp
State Reclamation Engineer

G-24078

October 24, 1956

RE: Permit No. G-24078

Messrs. Creason & Creason
Box 98
Rupert, Idaho

ATTENTION: Mr. H. V. Creason

Dear Mr. Creason:

We now have on file the report of our field engineer on examination for completion of works and beneficial use on Permit No. G-24078 in the name of Idaho Realty and Investment, Inc. which shows that the well in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 18, Township 7 South, Range 25 East, B.M. will deliver 200 inches of water and a Certificate of Completion of works can be issued for that amount or 4 second feet of water. The report also shows that 152 acres of land have been irrigated in the SW $\frac{1}{4}$ and S $\frac{1}{2}$ NW $\frac{1}{4}$ Section 18 same Township and Range, with the waters of this well, and a license can, therefore, be issued for 152 inches or 3.04 second feet.

You will note that our field engineer found the well to be located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 18 instead of in the center of the NW $\frac{1}{4}$ and in the center of the SW $\frac{1}{4}$ Section 18. Therefore, the enclosed Application for Amendment to the Point of Diversion should be completed and returned to this department for record,

Upon receipt of this Amendment together with the statutory fees amounting to \$5.00 for completion of works and \$12.00 license fee, the latter being at the rate of \$2.00 for each 40 acre subdivision in which the land is located, a Certificate of Completion of Works and License can be issued.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:hll
Enc.

24078

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-24078

REPORT ON PROOF OF Completion of works & Beneficial use

IDAHO REALTY & INVESTMENT, INC., Rupert, Idaho

*Ch 4. cfr.
Rev. 3.04 of
max*

*Ch. 4. cfr.
Rev. 3.04 of
max*

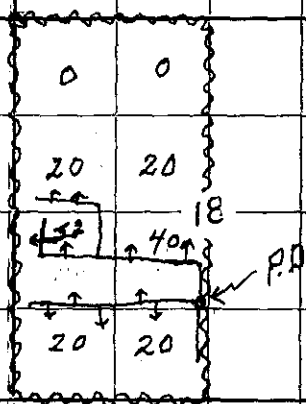
*6
152*

Areas
 Lot 1 = 32.63
 2 = 32.71
 3 = 32.79
 4 = 32.87

R-25E.

TO MINIDOKA

T.
 7
 S.



Subdivisions = Six
 Area = 152 acres
 Q = 152 miles
 C/W = 200 inches

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

Permit No. G-24078

This proof is for Completion of works & Beneficial use In Water District No. _____

1. Name of applicant Idaho Realty & Investment, Inc., Rupert, Idaho

2. Source of water supply: Subterranean from wells

3. Location of point of diversion: Is in the Center of NW $\frac{1}{4}$ and center of SW $\frac{1}{4}$ of Section 18
T. 7 S. R. 25 E. County of Minidoka

4. Describe works as they exist, giving dimensions and capacities of same: 150 hp. U.S. Motor
1025270 Worthington Turbine T 1508429
10" x 10' discharge to North into open pond
lift 272'

5. Water is used for: Sprinkler irrigation

6. State whether or not water has been turned into works of diversion: Yes

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

West Half Section 18,

Twp. 7 South, Range 25 East, B. M.

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

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

Remarks: This pump was discharging a full stream
water was not measured due to discharging into
a large deep pond
water delivery estimated at not less
than 200 inches.

This examination was made on the 6 day of September, 1956

(Signed) E. M. Humphrey Examiner.

24078

Idaho Realty & Investment, Inc.

Rupert, Idaho

Permit No. G-24078

Examination for Completion of works

and Beneficial use

County Minidoka

Warren 66-796 18-75-25E

G. 6.4 c.f.s.

Well 1172

1. 1/2 Sec. 14, T. 7 S., R. 25 E.

Diversion

Glenn Hansen

1/2 Sec. 14, T. 7 S., R. 25 E.

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
OCT 19 1956

Department of Reclamation

340 x 20 1722' 2011'

150 hp. U.S. motor

440V. 180 ampe

#1015270

Washington, D.C.

140-5E #1501429

Casa, House 9x10'

10' Black coat

10' W & S

10' M. P. 10' 10' 10'

10' 10' 10'

10' 10' 10' 10' 10'

10' 10' 10' 10' 10'

10' 10' 10' 10' 10'

10' 10' 10' 10' 10'

August 31, 1956

RE: Permit No. G-24078

Idaho Realty & Investment, Inc.
Rupert
Idaho

Gentlemen:

Inspection is required in connection with any permit for the use of water being brought to license within the State of Idaho.

I intend to make inspection in connection with Permit No. G-24078 on Thursday, September 6, early in the morning. Will you please contact me at the Frontier Motel in Rupert the evening before so that we may complete arrangements.

In case I do not hear from you, I will drive to the farm where the well is located. Please be prepared to accompany me on the inspection or have someone there to represent you.

Yours truly,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

H:hll

24078

December 19, 1955

RE: Permit No. G-24078

Messrs. Creason & Creason
Box 98
Rupert, Idaho

ATTENTION: Mr. H. V. Creason

Dear Mr. Creason:

We acknowledge receipt of your letter of December 16 enclosing corrected depositions for proof of completion of works and beneficial use on Permit No. G-24078 of the Idaho Realty and Investment, Inc.

This completes the proof but before final action is taken 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. Herbold 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

A:hll
cc - Mr. Max V. Herbold
C/o Idaho Realty and Investment, Inc.
Rupert, Idaho

24078

CREASON & CREASON

ATTORNEYS AT LAW
RUPERT, IDAHO

H. V. CREASON
C. H. CREASON

December 16, 1955

Box 98
PHONE 35

RECEIVED
DEC 19 1955
Department of Reclamation

State of Idaho
Department of Reclamation
Boise, Idaho

Re: Permit No. G-24078

Gentlemen:

Enclosed herewith the depositions in the above matter.

Trusting the necessary corrections have been made,
I beg to remain,

Yours very truly

CREASON & CREASON


H. V. Creason

HVC:hc

G-24078

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G-24078

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. Max V. Herbold, President of the corporation Idaho Realty and
Inv., Inc., Rupert, 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. President of the corporation being Idaho Realty and Investment,
Inc. of Rupert, Idaho

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

Ans. Permit No. G-24078, dated May 12, 1953, priority May 12, 1953

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

Ans. Subterranean water. Well # 1 is in the center of the NW $\frac{1}{4}$ and
Well # 2 is in the center of the SW $\frac{1}{4}$ of Section 18,
Township 7 S., Range 25 E., B.M., Minidoka County, 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 # 1 400 ft. deep ; water stands at 272 feet; 15 foot of 22 inch
casing; used pump 200 hp electric motor, discharges 175 inches of
water; checked by pump man.

Well # 2 - 400 feet deep; water stands at 272 feet; 15 foot 22 inch
casing; used pumps 150 hp electric motor, discharges 150 miners
inches of water which was checked by pump man.

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. complete irrigation of Section 18, Township 7 South, Range

25 East, Boise Meridian, Minidoka County, Idaho, all being
cultivated land as shown by crops produced thereon. And being
used more particularly on the W $\frac{1}{2}$ of said Section 18.

24078

Ans. None

Ans. None

Ans. By assignment from Lawrence H. Duffin to Idaho Realty and Inv. Inc

Ans. Fully used for irrigation of crops

Ans.

None

By

(Sign)

Max Herbold. Pro

and sworn to before me, at my office in Rupert, County of Minidoka

State of Idaho, on this 14 day of December, A. D. 1955

18 M. reason

My commission expires March 3, 1958

24028

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G-24078

**Proof of Application of Water to Beneficial Use
and Completion of Works
Deposition of Witness**

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

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

Ans. Arthur H. Stapleman, age 34; residence Rupert, Idaho, Laborer.

Ques. 2. Are you acquainted with Idaho Realty & Investment Inc. and, the holder of Permit No. G-24078 Max V. Herbold, personally? How long have you known him and where does he reside?

Ans. 5 years and resides at Rupert, Idaho

Ques. 3. Have you read or heard read said Permit No. G-24078, 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. From two deep wells pumping from subterreanean water,

Well 1 located in the East Half of Section 18; Well 2 in the
West Half of Section 18, 7-25. Water conveyed in open ditches,
laterals and canals, irrigating the entire section.

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. 6.4 and 6.4 cu. ft. per second

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. 6.4 cu. ft. based on estimate as per capacity.

J 24078

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 on entire tract for irrigation of crops consisting of
potatoes, wheat and beets and peas, approximately all land in each
sub-division was irrigated, all land being cultivated and direct
result being the crops grown thereon, and which said irrigation water
is used particularly on the W $\frac{1}{2}$ of Section 18, Twp. 7 S., rge. 25 E.

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

Ans. There wasn't any other

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. arid land by pumping and placing of water on it and made the
land productive. 6.4 cu. ft.

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. I did irrigation work during the crop season of 1955.

(Signed) Arthur H. Stefelsman

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 Rupert,
County of Minidoka, State of Idaho, on this 14 day of December,
A. D. 19 55.

Mearow

Notary Public.

My commission expires March 3, 1958

824078

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G-24078

Proof of Application of Water to Beneficial Use
and Completion of Works
Deposition of Witness

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

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

Ans. Henry Stark, age 33; residence Heyburn, Idaho, occupation farmer

Ques. 2. Are you acquainted with Idaho Realty & Investment Inc. and
Max V. Herbold, President, the
holder of Permit No. G-24078? How long have you known him and where does
he reside?

Ans. 7½ years. Max Herbold resides at Rupert, Idaho and the
corporation has its principal place of business in Rupert, Idaho

Ques. 3. Have you read or heard read said Permit No. G-24078, 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 con-
veying water from point of diversion to place of use.

Ans. From two deep wells pumping from subterreanean water. Well No. 1
is located in the East Half of Section 18; Well No. 2 is in the
West Half of Section 18, Township 7 South, Range Twenty-five
E. B. M., Minidoka County, Idaho. Water is conveyed to the land
in open ditches, laterals and canals, irrigating the entire
section.

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

Ans. 6.4 cu. ft.

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. 6.4 cu. ft. which would be my estimate as per capacity.

J 24078

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. The water is used on the entire tract of land for irrigation of crops consisting of peas, beets, wheat and potatoes and I would say most of the land in each sub-division was irrigated. All land is cultivated and direct result being the irrigation and crops grown thereon. Being used on the W $\frac{1}{2}$ of Section 18, Township 7 South, Range 25 E., B.M.

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

Ans. None

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. The land was arid and water was placed thereon by pumping and placing of water on it and made the land productive. 6.4 cu. ft.

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. I have observed the pumping and irrigation of the crops on said land and did so several times during the irrigation season.

(Signed) Henry Stark

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 Rupert, County of Minidoka, State of Idaho, on this 14 day of December, A. D. 1955.

18 Peterson
Notary Public.

My commission expires March 3, 1958

24078

December 15, 1955

RE: Permit No. G-24078

Messrs. Creason & Creason
Box 98
Rupert, Idaho

ATTENTION: Mr. H. V. Creason

Dear Mr. Creason:

We have your letter of December 14 enclosing depositions of Max V. Herbold and two witnesses also affidavit of publication in the Minidoka County News all in proof of completion of works and beneficial use on Permit No. G-24078 of the Idaho Realty and Investment, Inc.

Mr. Herbold's deposition describes the place of use as Section 18, Township 7 South, Range 25 East, B.M. but the depositions of the two witnesses in Question 7 do not give the legal description of the lands irrigated.

The Permit itself as well as the published notice give the place of use as the W $\frac{1}{2}$ of Section 18 and we return the depositions for what ever corrections are necessary.

Field inspections are not ordinarily made until after proofs have been submitted and no fees will be due until after this inspection and a report from our field engineer.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

J 24078

A:hl1
Enc.

CREASON & CREASON

ATTORNEYS AT LAW
RUPERT, IDAHO

H. V. CREASON
C. H. CREASON

December 14, 1955

Box 98
PHONE 35

RECEIVED
DEC 15 1955
Department of Reclamation

Department of Reclamation
Boise, Idaho

Re: Idaho Realty Inv., Inc.
Permit No. G-24078

Dear Mr. Kulp

Enclosed herewith affidavit of publication, deposition of witnesses and application for Proof of Application of Water to Beneficial Use and Completion of Works.

Would you kindly check this and advise if the same be in order.

I do not know if an inspection has been made.

Upon approval of this will you kindly advise us and also as to the fees.

Yours very truly

CREASON & CREASON

H. V. Creason

H. V. Creason

HVC:hc

encl.

24078

The Minidoka County News

RUPERT, IDAHO

AFFIDAVIT OF PUBLICATION

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

Larry H. Robinson, being first
duly sworn, deposes and says that he is the

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

for Four (4) consecutive weeks, commencing

with the issue dated Nov. 10, 1955 and

ending with the issue dated Dec. 1, 1955

Larry H. Robinson

Subscribed and sworn to before me this

1st day of Dec, 1955

H. V. Creason Notary Public

Cost of Publication

Notary Fee

Total Cost

APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at
10:00 A. M., on the 14th day of
December, 1955, at Rupert,
County of Minidoka, State of Ida-
ho, before H. V. Creason, Not-
ary Public proof will be sub-
mitted of the completion of works
for the diversion of 6.4 cubic
feet per second of the waters of

two wells and of the waters of
to beneficial use of said water,
in accordance with the terms
and conditions of Permit No.
G-24078 heretofore issued by the
Department of Reclamation of
the State of Idaho.

1. The name and postoffice
address of the person or cor-
poration holding said permit are
Idaho Realty and Investment,
Inc., Rupert, 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, in accord-
ance with the plans accompan-
ing the application for such per-
mit, is 6.4 cubic feet per second.

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

4. The place where said wa-
ter is used is W $\frac{1}{2}$ of Section 18,
Township 7 South, Range 25 E.,
R.M., Minidoka County, Idaho
and the wells are located in the
center of the NW $\frac{1}{4}$ and the center
of the SW $\frac{1}{4}$ of said Section.

5. The date of priority which
said user is prepared to estab-
lish is May 2, 1953.

MARK R. KULP
State Reclamation Engineer
No. 592 Nov. 10 - Dec. 1

G-24078

Form 36

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

Notice is hereby given that at 10:00 A. M., on the 14th day of December, 1955, at Rupert, County of Minidoka, State of Idaho, before H. V. Creason, Notary Public proof will be submitted of the completion of works for the diversion of 6.4 cubic feet per second of the waters of two wells and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-24078 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 Idaho Realty and Investment, Inc., Rupert, 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, in accordance with the plans accompanying the application for such permit, is 6.4 cubic feet per second.

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

4. The place where said water is used is W½ of Section 18, Township 7 South, Range 25 E., B.M., Minidoka County, Idaho and the wells are located in the center of the NW¼ and the center of the SW¼ of said Section.

5. The date of priority which said user is prepared to establish is May 2, 1953.

MARK R. KULP

State Reclamation Engineer

No. 592 ~~Nov. 19~~ - Dec. 1

A Brief
MESSAGE from **The Minidoka County News**

11-8-55

We have received notice of proof for
Idaho Realty & Investment Co--Permit No.
G-24078. First publication will be
11-10, finishing on 12-1.

THE NEWS

24078

The News

RECEIVED
NOV 10 1955

THIS SIDE OF CARD IS FOR ADDRESS

Department of Reclamation

State Reclamation Engineer

Attn: Jeanne L. Anderson

Boise, Idaho



24078

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. G-24078

Date: November 7, 1955

Minidoka County News

Rupert, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to December 14, 1955 the date set for proof, the expense of the publication to be paid by the applicant, Idaho Realty & Investment, Inc. of Rupert, 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

G 24078

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

Notice is hereby given that at 10:00 A. M., on the ~~28th~~ 11th
day of ~~December~~, 19 55, at Rupert, County of
Minidoka, State of Idaho, before H. V. Cresson, Notary Public
proof will be submitted of the completion of works for the diversion of
6.4 cubic feet per second of the waters of ~~xxxxxxx~~ two wells
and of the application to beneficial use of said water, in accordance with
the terms and conditions of Permit No. 24078 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 Idaho Realty & Investment, Inc.
Rupert, 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, in accordance with the plans accompanying the
application for such permit, is 6.4 cubic feet per second.

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

4. The place where said water is used is W $\frac{1}{2}$ of Section 18,
Township 7 South, Range 25 E., B.M., Minidoka County, Idaho
and the wells are located in the center of the NW $\frac{1}{4}$ and the center of the
SW $\frac{1}{4}$ of said Section.

5. The date of priority which said user is prepared to establish is
~~March 28, 1955~~ May 2, 1953.

MARK R. KULP

State Reclamation Engineer

24078

✓
November 4, 1955

RE: Permit No. G-24078

Messrs. Creason & Creason
P. O. Box 98
Rupert, Idaho

ATTENTION: Mr. H. V. Creason

Dear Mr. Creason:

In accordance with your letter of November 3, we have set the date for making proof on the above numbered Permit of the Idaho Realty & Investment, Inc., for 10:00 A.M., December 14, 1955, and have shown two wells as described in the Permit.

A copy of the notice will be sent to the Minidoka County News with instructions to publish it once a week for four weeks prior to December 14, 1955, and to send the Idaho Realty and Investment, Inc., the affidavit of publication together with statement of costs.

We enclose the forms of deposition to be executed by a representative of the Permit Holder and two disinterested witnesses.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll
Enc.

24078

CREASON & CREASON

ATTORNEYS AT LAW
RUPERT, IDAHO

H. V. CREASON
C. H. CREASON

November 3, 1955

Box 98
PHONE 35

RECEIVED
NOV 4 1955
Department of Reclamation

State of Idaho
Department of Reclamation
Boise, Idaho

Attention: Jeanne L. Anderson,
Chief Clerk

Re: Permit No. G-24078
Idaho Realty & Investment, Inc.

Dear Madam

We thank you for your letter of November 2 in the above matter and wish to advise that it was our error in not stating that the intention is to prove up on both wells. We do wish to prove up on both wells under the above permit.

Also we have set the hearing for Wednesday, December 14, 1955. This should give sufficient time for publication.

Thank you very kindly for your consideration in this matter, I beg to remain,

Yours very truly

CREASON & CREASON

H. V. Creason

H. V. Creason

HVC:hc

24078

✓
November 2, 1955

RE: Permit No. G-24078

Messrs. Creason & Creason
Attorneys At Law
P. O. Box 98
Rupert, Idaho

ATTENTION: Mr. H. V. Creason

Dear Mr. Creason:

We have your letter of November 1, 1955, enclosing duplicate notice for publication on proofs of Completion of Works and Beneficial Use on Permit No. G-24078 of the Idaho Realty & Investment, Inc.

This Permit claims water from two wells, one in the center of the NW $\frac{1}{4}$ and one in the center of the SW $\frac{1}{4}$ of Section 18, Township 7 South, Range 25 East, B. M. Is it the intention to prove up on both of these wells?

The Notice sets the date for November 28, 1955, but it is too late to reach the newspaper in time for four weeks publication prior to that date so we suggest that you set a later date four weeks after November 10, 1955, which will be the date of the first publication.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By

Chief Clerk

A:cu

24078

CREASON & CREASON

ATTORNEYS AT LAW
RUPERT, IDAHO

H. V. CREASON
C. H. CREASON

November 1, 1955

Box 98
PHONE 35

RECEIVED
NOV 2 1955
Department of Reclamation

State Reclamation Engineer
Boise, Idaho

Dear Sir:

Enclosed herewith Notice of Proof of Completion of Works
and Application of Water to Beneficial Use of Idaho Realty
& Investment, Inc. under permit No. 24078.

Kindly file the same and advise us of the fees.

Yours very truly

CREASON & CREASON

H. V. Creason
H. V. Creason

HVC:hc

Encl.

24078

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) November 1, 1955

(P. O.) Rupert, Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the

Minidoka County News of Rupert, Idaho published in

the county in which the works are situated.

IDAHO REALTY & INVESTMENT, INC.

By

Max Herbold
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.

A 24078

✓
October 28, 1955

RE: Permit No. G-24078

Mr. Leonard H. Jacob
111 2nd Street West
Twin Falls, Idaho

Dear Mr. Jacob:

The enclosed Assignment from Lawrence H. Duffin and wife to the Idaho Realty and Investments, Inc., has been recorded on Permit No. G-24078.

We enclose departmental receipt No. 27652 for the fifty cents recording fee and since your check was for seventy-five cents, we enclose twenty-five cents by way of refund.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll
Enc.

#24078

October 27, 1955

RE: Permits Nos. 20315 and G-24078

Mr. Leonard H. Jacob
111 2nd Street West
Twin Falls, Idaho

Dear Mr. Jacob:

We have your letter of October 25 enclosing an Assignment of the above numbered Permits from Lawrence H. Duffin and wife to the Idaho Realty and Investments, Inc., accompanied by your check for seventy-five cents to cover recording fees.

We can record the Assignment so far as it relates to Permit No. G-24078, which is for 6.4 second feet of water from two wells for use on the W $\frac{1}{2}$ of Section 18, Township 7 South, Range 25 East, B.M.

So far as Permit No. 20315, two licenses have been issued on this Permit to Lawrence H. Duffin, totaling 5 second feet of water for use on the E $\frac{1}{2}$ of Section 18, Township 7 South, Range 25 East, B.M.

Where a Permit has gone to license, a transfer of title is made by deed the same as real estate and not by an Assignment of record in this Department.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hl1

24078

LEONARD H. JACOB
ATTORNEY AT LAW
111 2ND STREET WEST
TWIN FALLS, IDAHO

RECEIVED
OCT 28 1955
Department of Reclamation

October 25, 1955.

Department of Reclamation
State Capitol
Boise, Idaho

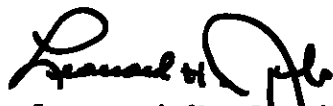
Dear Sirs:

Enclosed herewith is an assignment of water permits
Nos. 20315 and 24078 from Lawrence H. Duffin and wife
to The Idaho Realty & Investment, Inc., of Rupert,
Idaho.

My check in the amount of 75 cents to cover recording
costs is enclosed.

With best regards, I remain

Very truly yours,


Leonard H. Jacob

LHJ:m
Encl.

24078

October 14, 1955

RE: Permits Nos. 20315- G-24078

Messrs. Creason & Creason
P. O. Box 98
Rupert, Idaho

Gentlemen:

Reference is made to your letter of October 13, 1955, in regard to making proof on the above numbered Permits.

Our records show that two Licenses have been issued on Permit No. 20315 in the name of Lawrence H. Duffin totaling 5 second feet of water from a well in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 18, Township 7 South, Range 25 East, B. M., for use on the E $\frac{1}{2}$ of said Section.

Permit No. G-24078 in the name of Lawrence H. Duffin has no record of an Assignment. This is for 6.4 second feet of water from two wells in the center of the NW $\frac{1}{4}$ and the center of the SW $\frac{1}{4}$, Section 18, Township 7 South, Range 25 East, B. M., for use on the W $\frac{1}{2}$ of said Section 18.

If this is the Permit on which your client wishes to make proof, you may use the forms enclosed, but first there should be an Assignment to the present owners. This Assignment may be made on the form enclosed and there is a 50¢ recording fee.

Before making the proof, both copies of Form 36 are to be completed and returned to this Department together with Form 11.

Very truly yours,

MARK E. KULP
State Reclamation Engineer
By

Chief Clerk

A:cu
Enc.

24078

CREASON & CREASON

ATTORNEYS AT LAW
RUPERT, IDAHO

H. V. CREASON
C. H. CREASON

October 13, 1955

Box 98
PHONE 35

RECEIVED
OCT 14 1955
Department of Reclamation

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

In re: Permit No. 20315
Permit No. G 24078

Dear Mr. Kulp

Will you kindly send us the necessary application forms for making proof of completion of wells of the above-numbered permits.

We have been advised that assignments of these permits have been made by Lawrence Duffin to Idaho Realty & Investment, Inc. of Rupert, Idaho, and said assignments are now on file and recorded in your office.

Thanking you kindly for information on record of these assignments and necessary information for application for completion of works.

Yours very truly

CREASON & CREASON

H. V. Creason

H. V. Creason
e

HVC:hc

24078

✓
August 15, 1955

RE: Permit No. G-24078

Messrs. Creason & Creason
Attorneys at Law
Box 98
Rupert, Idaho

ATTENTION: Mr. H. V. Creason

Dear Mr. Creason:

In reply to your letter of August 12 we enclose forms *of notice*
for proof of completion of works and beneficial use on Permit No.
G-24078 which were inadvertently omitted from our letter of
August 5, 1955.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll
Enc.

24078

CREASON & CREASON

ATTORNEYS AT LAW
RUPERT, IDAHO

August 12, 1955

H. V. CREASON
C. H. CREASON

Box 98
PHONE 35

State of Idaho
Department of Reclamation
Boise, Idaho

Re: Permits Nos. 20315 - G-24078

Gentlemen:

We have your letter of August 5 in the above matter and wish to advise that due to some oversight, the forms of notice for Completion of Works and Beneficial Use were not included in your letter.

Would you kindly forward same at your convenience.

Yours very truly

CREASON & CREASON



H. V. Creason

HVC:hc

RECEIVED
AUG 15 1955
Department of Reclamation

24078

August 5, 1955

RE: Permits Nos. 20315 - G-24078

Messrs. Creason & Creason
P. O. Box 98
Rupert, Idaho

ATTENTION: H. V. CREASON

Dear Mr. Creason:

Reference is made to your letter of August 3, 1955, in regard to the above numbered Permits in the name of Lawrence H. Duffin.

We have no record in this Department of an Assignment of these Permits to the Idaho Realty & Investment, Inc.,

On Permit No. 20315 two Licenses have been issued one for 3.2 second feet and one for 1.8 second feet from a well in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 18, Township 7 South, Range 25 East, B. M., with priority of February 20, 1948, for use on the E $\frac{1}{2}$ of said Section 18.

Permit No. G-24078 is for 6.4 second feet of water from two wells in the center of the NW $\frac{1}{4}$ and the center of the SW $\frac{1}{4}$ of Section 18 for use on the W $\frac{1}{2}$ of said Section 18. The proofs are not due on this Permit until May 12, 1958, but, of course, can be made at any earlier date.

We enclose the form of notice for Completion of Works and Beneficial Use proof on this Permit which should be completed in duplicate and returned to this Department together with Form 11 which is authorization for us to have the notice published at Permit Holders expense in the designated county newspaper.

We suggest, however, that if the Idaho Realty & Investment, Inc. are to make these proofs an Assignment to them from Mr. Duffin should be recorded in this Department.

From of Assignment are enclosed herewith.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:cu
Enc.
CC: Mr. Lawrence H. Duffin

24078

Application for Amendment

LAND LIST

Permit No. G-23924

Comes now B. L. Bybee

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-23924, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 36 Twp. 7 N., Rge. 35 E. PM.

making a total of 400 acres.

Signed at Rabbit, Idaho this 17th day of October

58
1958.

/s/ B. L. Bybee

Date of Receipt at office of Department of Reclamation October 22, 1958

APPROVAL OF STATE RECLAMATION ENGINEER

I, GEO. N. CARTER, State Reclamation Engineer of the State of Idaho the above and foregoing application for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. G-23924. 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/ Geo. N. Carter

Recorded in Book 85 of
Permits, at Page 23924
October 22, 19 58

State Reclamation Engineer

M. 23924

August 5, 1955

RE: Permits Nos. 20315 - G-24078

Messrs. Creason & Creason
P. O. Box 98
Rupert, Idaho

ATTENTION: H. V. CREASON

Dear Mr. Creason:

Reference is made to your letter of August 3, 1955, in regard to the above numbered Permits in the name of Lawrence H. Duffin.

We have no record in this Department of an Assignment of these Permits to the Idaho Realty & Investment, Inc..

On Permit No. 20315 two Licenses have been issued one for 3.2 second feet and one for 1.8 second feet from a well in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 18, Township 7 South, Range 25 East, B. M., with priority of February 20, 1948, for use on the NE $\frac{1}{4}$ of said Section 18.

Permit No. G-24078 is for 6.4 second feet of water from two wells in the center of the NW $\frac{1}{4}$ and the SW $\frac{1}{4}$ of Section 18 for use on the NE $\frac{1}{4}$ of said Section 18. The proofs are not due on this Permit until May 12, 1958, but, of course, can be made at any earlier date.

We enclose the form of notice for Completion of Works and Beneficial Use proof on this Permit which should be completed in duplicate and returned to this Department together with Form 11 which is authorization for us to have the notice published at Permit Holders expense in the designated county newspaper.

We suggest, however, that if the Idaho Realty & Investment, Inc. are to make these proofs an Assignment to them from Mr. Duffin should be recorded in this Department.

Forms of Assignment are enclosed herewith.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

A:cu
Rms.
cc: Mr. Lawrence H. Duffin

Chief Clerk

24078

CREASON & CREASON

ATTORNEYS AT LAW
RUPERT, IDAHO

H. V. CREASON
C. H. CREASON

August 3, 1955

Box 98
Phone 35

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

RECEIVED
AUG 4 1955
Department of Reclamation

In re: Permit No. 20315
Permit No. G 24078

Dear Mr. Kulp

I have been advised by Mr. Leonard H. Jacob that the original applications under the above permits issued to Lawrence H. Duffin have been assigned to the Idaho Realty & Investment, Inc. of Rupert, Idaho.

It is my understanding that under Permit No. G 24078, while the same is set up for 6.4 cubic feet, at the time the same was inspected the pump was only throwing 3.2 cubic feet, however the same has now been corrected and has been increased to the full amount under the original permit.

Also the well under permit 20315 has been completed.

It is the desire of Idaho Realty & Investment, Inc. to make proof under these two permits.

Would you kindly forward us the necessary application blanks and advise.

Yours very truly

CREASON & CREASON

H. V. Creason

H. V. Creason

HVC:hc

20315 - 2 permits 3.2 (5204) 2-20-44 5218
1.4 (5513)

Lawrence H. Duffin

24078, 2 - done 5-12-55

2 wells 2 1/2" x 5W" 18
use #2 24078

May 22, 1953

RE: Permits Nos. G-24078 and G-24079

Mr. Lawrence H. Duffin
Box 61
Rupert, Idaho

Dear Mr. Duffin:

We enclose Permits Nos. G-24078 and G-24079 and direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose departmental receipt No. 25879 for the \$13.00 filing fees on these two permits.

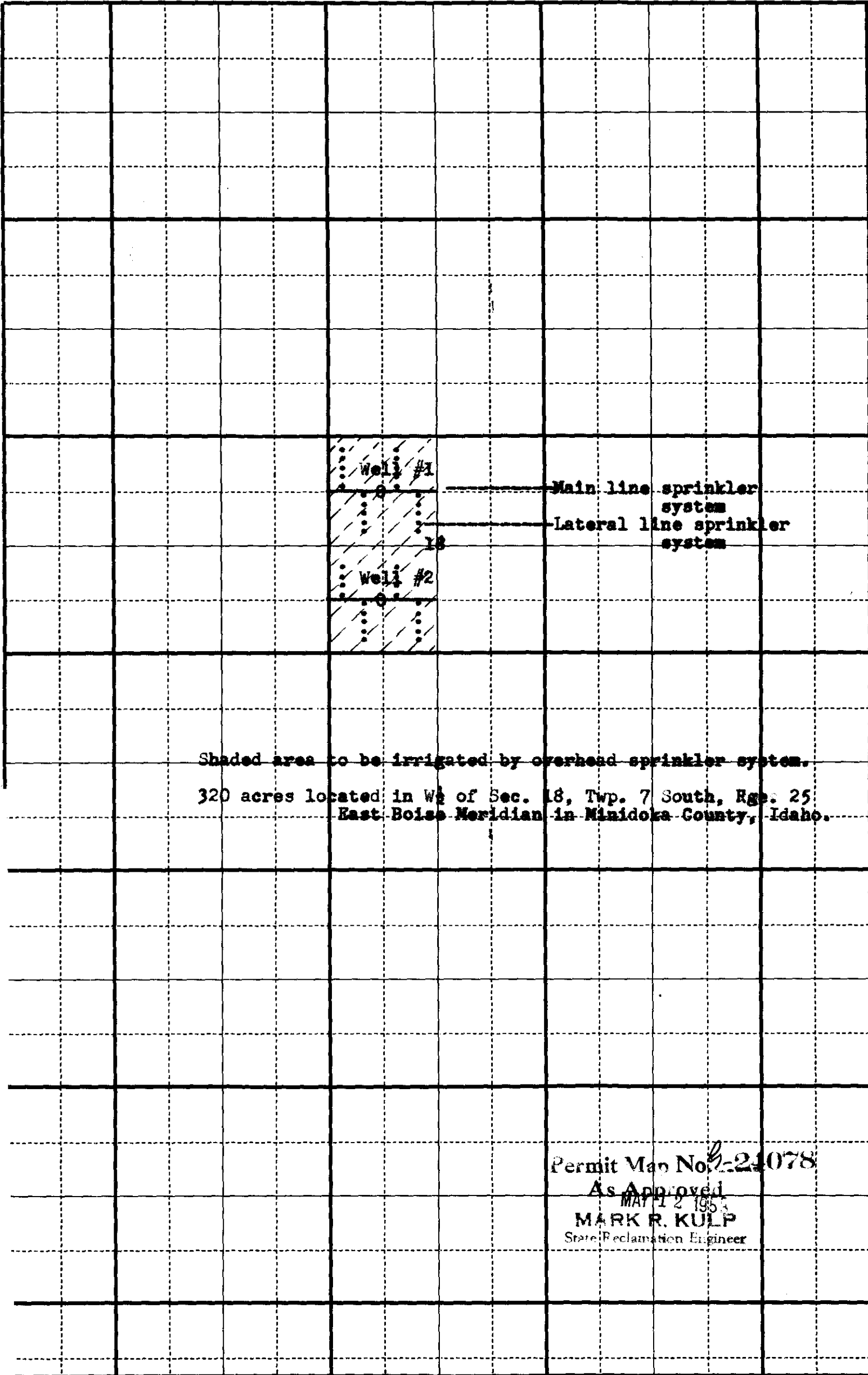
Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

fg
Enc.

24078



LAW OFFICES
LAWRENCE H. DUFFIN
FISHER BUILDING
RUPERT, IDAHO

May 1, 1953

RECEIVED
MAY 2 1953
Department of Reclamation

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

Dear Sir:

Enclosed herewith are two Applications for Permit to Appropriate Subterranean Waters, Form No. 3, in the name of Lawrence H. Duffin, applicant, and accompanied by my check in the amount of \$13.00, filing fees.

Also enclosed is your Form No. 3 in the name of W. F. Schneider, applicant, and check in the amount of \$7.25, filing fee.

If you have not already sent me some Forms #1, will you forward ten copies at once.?

Very truly yours,

Lawrence H. Duffin

Lawrence H. Duffin

eh
encls.

24078

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

Notice is hereby given that at 10:00 A. M., on the 14th day of December, 1955, at Rupert, County of Minidoka, State of Idaho, before H. V. Creason, Notary Public proof will be submitted of the completion of works for the diversion of 6.4 cubic feet per second of the waters of

two wells and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-24078 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 Idaho Realty and Investment, Inc., Rupert, 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, in accordance with the plans accompanying the application for such permit, is 6.4 cubic feet per second.

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

4. The place where said water is used is W $\frac{1}{2}$ of Section 18, Township 7 South, Range 25 E., B.M., Minidoka County, Idaho and the wells are located in the center of the NW $\frac{1}{4}$ and the center of the SW $\frac{1}{4}$ of said Section.

5. The date of priority which said user is prepared to establish is May 2, 1953.

MARK R. KULP

State Reclamation Engineer
No. 592 Nov. 10 - Dec. 1