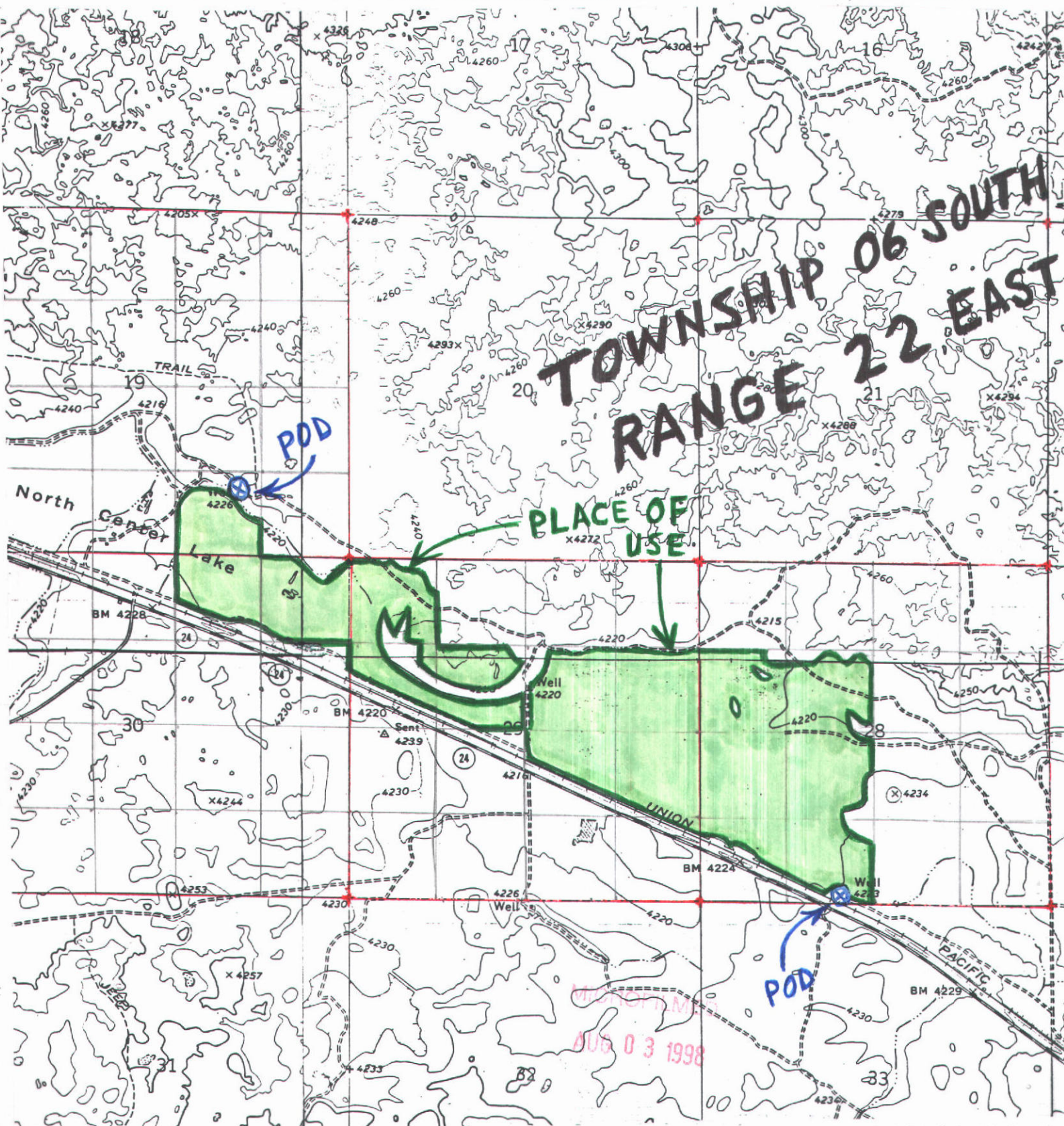


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

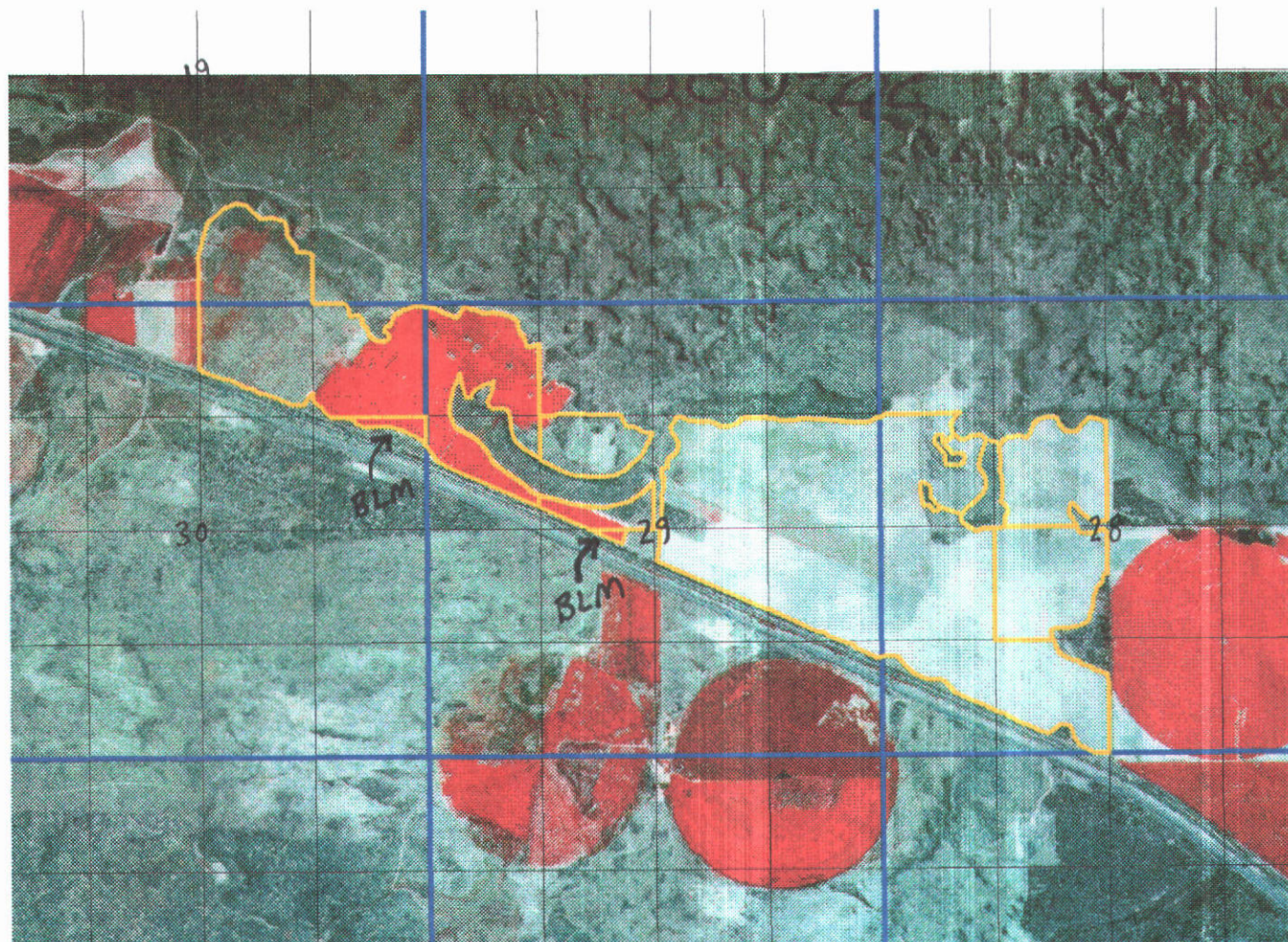
AFTER TRANSFER



IDAHO DEPARTMENT OF WATER RESOURCES

36-002207, 36-02567, 36-02674, 36-10197 & 36-15179

MICHAEL WOODLAND



1320 0 1320 2640 3960 5280 6600 Feet

**PLACE OF USE BEFORE
PROPOSED TRANSFER**

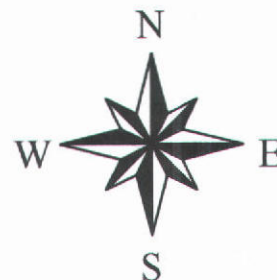
TNS 6S, RNG 22E,
SEC 19, 28, 29 & 30

● Recommended Point of Diversion

□ Recommended Place of use

▬ Section lines

□ Quarter/Quarter Lines



GIS PLACE OF USE PRESENTATION
1987 and/or 1988 NAPP PHOTOGRAPHY
DATA ENTRY OCTOBER 3, 1997
BY KELLY K CHRISTENSEN

MICROFILMED

AUG 03 1998

06S22E

[illegible]

no Lots
MICROFILMED

AUG 03 1998

T# 5179

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho }
County of Lincoln } ss.

DEC 26 1997

Department of Water Resources
Southern Region

Patty Nance

, being first duly sworn, deposes and says that she is the printer (publisher) of the Lincoln County Journal, a newspaper published every week in Shoshone, County of Lincoln, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for

2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the

17th day of December, 1997,

and the date of the last publication was on the 24th day of

December, 1997

Patty Nance

On this 24th day of December

in the year of 1997, before me, a Notary Public, personally appeared

Patty Nance, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Storme DeVoe

Notary Public for Idaho

Residing at Jerome, Id

My commission expires: 3/6/01

LINCOLN COUNTY JOURNAL

Shoshone, Idaho

#18829

#6376

COST OF PUBLICATION

Number of Picas per Line _____

Number of Lines in Notice _____

Number of Insertions 2x

affidavit fee 2.25

705.38 Lines tabular at _____ 7¢/Pica

705.38 Lines straight at 42.32 6¢/Pica

705.38 Subsequent lines at 35.27 5¢/Pica

TOTAL COST 79.84

COPY OF NOTICE

(Paste Here)

Water Right - #75179

TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Resources

BILL TO

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

No. T# 5179

Notice is hereby given that Michael & Patricia Woodland, 800 West Highway 24, PAUL ID 83347 have applied to the Department of Water Resources for changes to the rights listed below.

The purpose of Transfer No. 5179 is to move 8 acres of a 491.0 acre permissible place of use from BLM land to different ground owned by the applicants.

PRESENTLY, the following Licensed &/or Snake River Basin Adjudication Beneficial Use Claims (a combined total of 8.60 cfs) are diverted from wells located within SW1/4SE1/4, S19, T06S, R22E & SE1/4SW1/4, S28, T06S, R22E; Lincoln County for irrigation of a 491 acre permissible place of use within parts of Sections 19, 28, 29, & 30, T06S, R22E; Lincoln County.

Rt No.*Priority*Amt(cfs)

License 36-02207*03/30/1953*3.44

License 36-02567*03/07/1963*3.40

License 36-02674*08/25/1966*1.04

SRBA Claim No.

36-10197*08/11/1959*0.72

SRBA Claim No.

36-15179*03/15/1975*1.07

PROPOSED CHANGE

The applicant wishes to divert a combined total of 8.60 cfs of water from the same wells listed above to irrigate a 491 acre permissible place of use. Four acres will be moved from the NE1/4SW1/4, S29 and four acres will be moved from the SE1/4NE1/4, S30, both T06S, R22E. A total of eight acres will be added to the place of use within S28, T06S, R22E; Lincoln County. Any protest against the proposed changes must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before January 6, 1998 to be considered by the Department in its decision to grant or deny any part of the proposed change. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

MICROFILMED

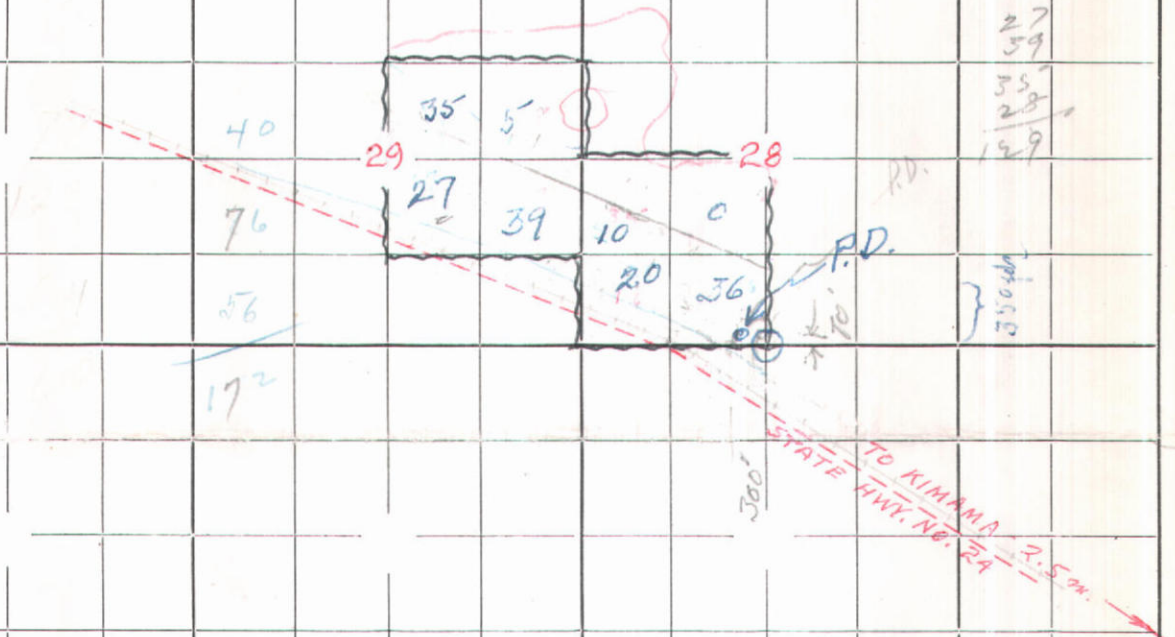
AUG 03 1998

Strasser = Driller

135 acres = acf. acres

R-22E.

T.
6
S.



Sub-divisions = 7

Area = 172 acres

125			
+75	$\times 70$	$\times 550$	
			= 900
190	$\times 62\frac{1}{2}$		

Q = 190" rays from
200" : sluffing
172" or 3.44 of

See C.C.P. in Shoshone
for land area.

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. 22 1959
Department of Reclamation

8 2651

R. Tom Church
1535 Oakley Avenue
Burley, Idaho

Permit No. G-23935

11 A.M. Kimama
Examination for Completion of Works &
Beneficial Use Proof

County Lincoln

28-6 S.-22 E.

Qz 6.4 c.f.s.

S- Well

P.D. = SE. SW, Sec. 28, T. 6 S. - R. 22 E

Walter Ascom - Ruben,
He 63081

The Irrigation
Quality can not be sure.

Filed = March 30, 1953

Due = April 20, 1959 (Ext.)

20'x
240' = D. h = 190'

say 250' - 190'

173 hp. usable.

no other right

Walter Ascom

190' = h.

Pentane Motor
Seroi V-8 210 hp.

2000 a wing.

Worthington Turb.
16" bowls

NOTICE

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

Notice is hereby given that 10:00 A.M., on the 4th day of April, 1959, at Boise, County of Ada, State of Idaho, before Harley M. McDowell, Notary Public, at 618 Idaho Bldg., Boise, Idaho, proof will be submitted of the completion of works for the diversion of 6.4 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-23953 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Tom Church, Burley, 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 6.4 cubic feet per second.

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

4. The point of diversion of said water is SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 28, Twp. 6 So., Rge. 22 E. B. M.

5. The place where said water is used is S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ Sec 29, SW $\frac{1}{4}$ Sec. 28; Twp. 6 S., Rge. 22 E. B. M.

6. The date of priority which said user is prepared to establish is 3-30-53.

George N. Carter
State Reclamation Engineer
(F26-M19)

RECEIVED
APR 20 1959

Department of Reclamation

AFFIDAVIT OF PUBLICATION

LINCOLN COUNTY JOURNAL SHOSHONE, IDAHO

Helen Love

being first duly sworn, says that he is the

Business Manager

of the Lincoln County Journal, a newspaper published weekly at Shoshone, Idaho, having legal publication rights within the State of Idaho, and that the notice, a true copy which is thereto attached, was

published in said newspaper for *4*
consecutive weeks, beginning with the issue of

Feb 26, 19*59*

and ending with the issue of

March 19, 19*59*

Helen Love

Subscribed and sworn to before me this

23rd day of *Mar*, 19*59*

Harvey M. Thadock

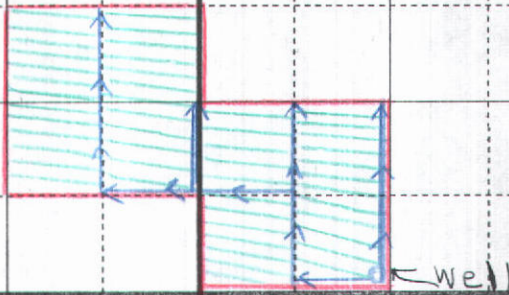
Notary Public, Shoshone, Idaho

H23953

T 6 S - R 22 E

Section 29

Section 28



Permit Map No. 23953
As Approved
ADD 2 10 53
MARK R. KULP
State Reclamation Engineer

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5179
WATER RIGHT NO(S). 36-02207/36-02567/36-02674
36-10197/36-15179

This is to certify that: MICHAEL D WOODLAND
PATRICIA WOODLAND
800 W HWY 24
PAUL ID 83347

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 36-02207 : IRRIGATION Priority: 03/30/1953	04/01 to 10/31	3.44 CFS	688.0 AF
Right No. 36-02567 : IRRIGATION Priority: 03/07/1963	04/01 to 10/31	3.40 CFS	808.0 AF
Right No. 36-02674 : IRRIGATION Priority: 08/25/1966	04/01 to 10/31	1.04 CFS	439.0 AF
Right No. 36-10197 : IRRIGATION Priority: 08/11/1959	04/01 to 10/31	0.72 CFS	144.0 AF
* Right No. 36-15179 : IRRIGATION Priority: 03/15/1975	04/01 to 10/31	1.07 CFS	244.0 AF
TOTAL:		** 8.60 CFS	** 1964.0 AF

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 19, Township 06S, Range 22E
SESW , Sec. 28, Township 06S, Range 22E
LINCOLN County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06S	22E	19	SWSE 28	SENW 35	NESW 36	28
		28	SWNW 34	SWSW 17	SESW 29	191
			NWSW 40			

MICROFILMED

AUG 03 1988

TRANSFER NO. 5179
WATER RIGHT NO(S). 36-02207/36-02567/36-02674
36-10197/36-15179

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
	29		SWNE 37	SENE 37	NWNW 29	
			SWNW 15	SENE 24	NESE 38	
			NWSE 22	SESE 2		204
	30		NENE 37	NWNE 31		68
Total number of acres irrigated:						*** 491

CONDITIONS OF APPROVAL AND REMARKS

1. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- *** 5. Right 36-02207 is limited to the irrigation of 172.0 acres in the place of use described above in a single irrigation season.
- *** 6. Right 36-02567 is limited to the irrigation of 202.0 acres in the place of use described above in a single irrigation season.
- *** 7. Right 36-02674 is limited to the irrigation of 222.0 acres in the place of use described above in a single irrigation season.
- *** 8. Rights 36-02567 and 36-02674 when combined are limited to the irrigation of 222.0 acres and an annual diversion volume of 888.0 af.
- *** 9. Right 36-10197 is limited to the irrigation of 36.0 acres in the place of use described above in a single irrigation season.
- *** 10. Right 36-15179 is limited to the irrigation of 61.0 acres in the place of use described above in a single irrigation season.
- ** 11. Rights 36-02207, 36-02567, 36-02674, 36-10197 and 36-15179 when combined shall not exceed a total diversion rate of 8.60 cfs, a total annual maximum diversion volume of 1964.0 af at the field headgate, and the irrigation of 491.0 acres.
- * 12. Right 36-15179 is an enlargement of Rights 36-02207, 36-02567, 36-02674 and 36-10197 pursuant to Section 42-1426, Idaho Code.

Dated this 23 day ofJuly, 1998.

[Signature]
 Chief, Water Allocation Bureau

AUG 03 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 5179**RECEIVED****APPLICATION FOR TRANSFER OF WATER RIGHT****MAR 09 1998****PART 1**

Department of Water Resources
 Southern Region

Department of Water Resources

Name of applicant MICHAEL D. AND PATRICIA WOODLAND Phone (208) 532-4215Post Office address 800 WEST HIGHWAY 24 PAUL, ID 83347**A. PURPOSE OF TRANSFER**

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes MOVE RECOMMENDED ACRES OFF OF
BUREAU OF LAND MANAGEMENT LAND ONTO LAND THAT
I ACTUALLY OWN. (SEE ATTACHED BLM LETTER
AUTHORIZING THE TRANSFER OF THOSE ACRES)

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number _____ Priority _____ Amount (cfs/ac-ft) _____ Nature of Use _____ Period of Use _____

SEE ATTACHMENT A

2. Total amount of water being transferred 8.60 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water GROUNDWATER tributary to _____

4. Point(s) of Diversion: NO CHANGE

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	SW	SE	19	06S	22E	LINCOLN	
	SE	SE	SW	28	06S	22E	LINCOLN	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
06S	22E	19															28		28
06S	22E	28							34	35	36	40	17	29					191
06S	22E	29			37	37		29	15	24					38	22		2	204
06S	22E	30	37	31															68

MICROFILMED

AUG 03 1998

Total acres 491

PART 1

6. General Information:

a. Description of diversion system TWO WELLS, COMMON MAINLINE(S)
AND SPRINKLER SYSTEM

* b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

ACRES MOVED OFF OF BLM GROUND WILL NO
LONGER BE IRRIGATED

d. Remarks:

* LAND INVOLVED WITH THIS TRANSFER IS BUREAU OF
LAND MANAGEMENT LAND, SEE AUGUST 5, 1997 LETTER
FROM BLM. CONSENTING TO PROPOSED CHANGE

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19____.

MICROFILMED

AUG 03 1998

ATTACHMENT

A

B. DESCRIPTION OF RIGHT(S) AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs)	Nature of use	Period of Use
36-02207	03/30/1953	3.44	irrigation	04/01 to 10/31
36-02567	03/07/1963	3.40	irrigation	04/01 to 10/31
36-02674	08/25/1966	1.04	irrigation	04/01 to 10/31
36-10197	08/11/1959	0.72	irrigation	04/01 to 10/31
36-15179	03/15/1975	1.07*	irrigation	04/01 to 10/31

Total = 8.60 cfs

* Right # 36-15179 is an expansion claim post 1963 (no actual diversion rate is allowed) therefore the total for all rights involved with this transfer is 8.60 cfs.

MICROFILMED

AUG 03 1998

Attachment A

T# 5179

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. 36-02207

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 10/31	3.44 CFS

SOURCE

GROUNDWATER

Priority: 03/30/1953

LOCATION OF POINT(S) OF DIVERSION:

NESWSE , Sec. 19, Township 06S, Range 22E
 SESESW , Sec. 28, Township 06S, Range 22E
 LINCOLN County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06S	22E	19	SWSE 28				28
		28	SWNW 30	SENE 33	NESW 36		
			NWSW 38	SWSW 17	SESW 29		183
		29	SWNE 37	SENE 37	NWNW 29		
			SWNW 15	SENE 24	NESW 4		
			NESE 38	NWSE 22	SESE 2		208
		30	NENE 37	NWNE 31	SENE 4		72
Total number of acres irrigated:							491

CONDITIONS/REMARKS:

1. RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 172 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
4. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 8.60 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1964 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 1473 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 491 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 36-02567, 36-02674, 36-10197, AND 36-15179.
5. RIGHT NO. 36-15179 IS AN EXPANSION OF THIS RIGHT PURSUANT TO IDAHO CODE 42-1416(2).
6. RIGHTS NO. 36-02567, 36-02674, 36-10197, AND 36-15179 ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

MICROFILMED

AUG 03 1983

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. 36-02567

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 10/31	3.40 CFS

SOURCE

GROUNDWATER

Priority: 03/07/1963

LOCATION OF POINT(S) OF DIVERSION:

NESWSE , Sec. 19, Township 06S, Range 22E
 SESESW , Sec. 28, Township 06S, Range 22E
 LINCOLN County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06S 22E 19	SWSE 28			28
28	SWNW 30	SENW 33	NESW 36	
	NWSW 38	SWSW 17	SESW 29	183
29	SWNE 37	SENE 37	NWNW 29	
	SWNW 15	SENW 24	NESW 4	
	NESE 38	NWSE 22	SESE 2	208
30	NENE 37	NWNE 31	SENE 4	72
Total number of acres irrigated:				491

CONDITIONS/REMARKS:

- RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
- RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
- THIS RIGHT IS LIMITED TO THE IRRIGATION OF 202 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
THIS RIGHT WHEN COMBINED WITH 36-02674 IS LIMITED TO THE IRRIGATION OF 222 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
- USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 8.60 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1964 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 1473 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 491 ACRES IN A SINGLE IRRIGATION SEASON.
- COMBINED NOS.: 36-02674, 36-02207, 36-10197, AND 36-15179.
- RIGHTS NO. 36-02674, 36-02207, 36-10197, AND 36-15179 ARE ALSO DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE.

MICROFILM

AUG 03 1983

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. 36-02674

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 10/31	1.04 CFS

SOURCE

GROUNDWATER

Priority: 08/25/1966

LOCATION OF POINT(S) OF DIVERSION:

NESWSE , Sec. 19, Township 06S, Range 22E
 SESESW , Sec. 28, Township 06S, Range 22E
 LINCOLN County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06S	22E	19	SWSE 28				28
		28	SWNW 30	SENE 33	NESW 36		
			NWSW 38	SWSW 17	SESW 29		183
		29	SWNE 37	SENE 37	NWNW 29		
			SWNW 15	SENE 24	NESW 4		
			NESE 38	NWSE 22	SESE 2		208
		30	NENE 37	NWNE 31	SENE 4		72
Total number of acres irrigated:							491

CONDITIONS/REMARKS:

- RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
- RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
- THIS RIGHT IS LIMITED TO THE IRRIGATION OF 222 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
THIS RIGHT WHEN COMBINED WITH 36-02567 IS LIMITED TO THE IRRIGATION OF 222 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
- USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 8.60 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1964 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 1473 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 491 ACRES IN A SINGLE IRRIGATION SEASON.
- COMBINED NOS.: 36-02567, 36-02207, 36-10197, AND 36-15179.
- RIGHTS NO. 36-02567, 36-02207, 36-10197, AND 36-15179 ARE ALSO DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE.

AUG 03 1966

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. 36-10197

STAGE: BENEFICIAL USE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 10/31	0.72 CFS

SOURCE

GROUNDWATER

Priority: 08/11/1959

LOCATION OF POINT(S) OF DIVERSION:

NESWSE , Sec. 19, Township 06S, Range 22E
 SESESW , Sec. 28, Township 06S, Range 22E
 LINCOLN County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06S	22E	19	SWSE 28			28
		28	SWNW 30	SENE 33	NESW 36	
			NWSW 38	SWSW 17	SESW 29	183
		29	SWNE 37	SENE 37	NWNW 29	
			SWNW 15	SENE 24	NESW 4	
			NESE 38	NWSE 22	SESE 2	208
		30	NENE 37	NWNE 31	SENE 4	72

Total number of acres irrigated: 491

CONDITIONS/REMARKS:

1. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 36 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
3. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 8.60 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1964 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 1473 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 491 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 36-02567, 36-02207, 36-15179, AND 36-02674.
4. RIGHTS NO. 36-02567, 36-02207, 36-15179, AND 36-02674 ARE ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE.

APPROVED

AUG 03 1983

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. 36-15179

STAGE: BENEFICIAL USE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 10/31	1.07 CFS

expansion claim
post 1963 is no
additional diversion
rate allowance

SOURCE

GROUNDWATER

Priority: 03/15/1975

LOCATION OF POINT(S) OF DIVERSION:

NESWSE , Sec. 19, Township 06S, Range 22E
SESESW , Sec. 28, Township 06S, Range 22E
LINCOLN County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06S	22E	19	SWSE 28 ✓			28
		28	SWNW 30 ³⁴	SESW 33 ³⁵	NESW 36 ✓	
			NWSW 38 ⁴⁰	SWSW 17 ✓	SESW 29 ✓	183
		29	SWNE 37 ✓	SENE 37 ✓	NWNW 29 ✓	
			SWNW 15 ✓	SESW 24 ✓	NESW 4	
			NESE 38 ✓	NWSE 22 ✓	SESE 2 ✓	208
		30	NENE 37 ✓	NWNE 31 ✓	SENE 4	72

Total number of acres irrigated: 491

CONDITIONS/REMARKS:

1. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 61 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
2. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 8.60 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1964 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 1473 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 491 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 36-02567, 36-02207, 36-10179, AND 36-02674.
3. THIS RIGHT IS AN EXPANSION OF RIGHT NO. 36-02207, 36-02567, 36-02674 AND 36-10197 PURSUANT TO IDAHO CODE 42-1416(2).
4. RIGHTS NO. 36-02567, 36-02207, 36-10197, AND 36-02674 ARE ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE.

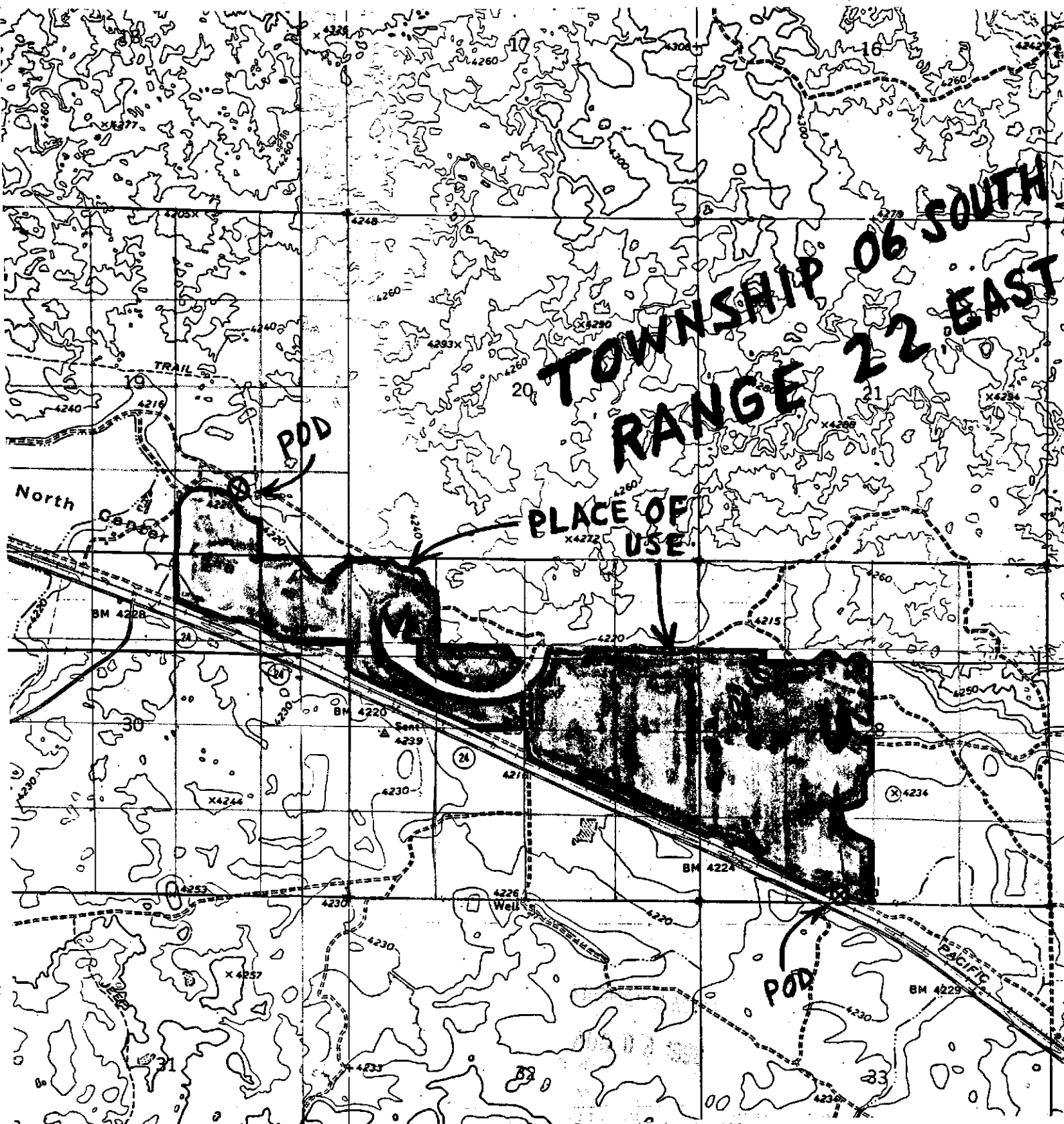
RECORDED

AUG 03 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

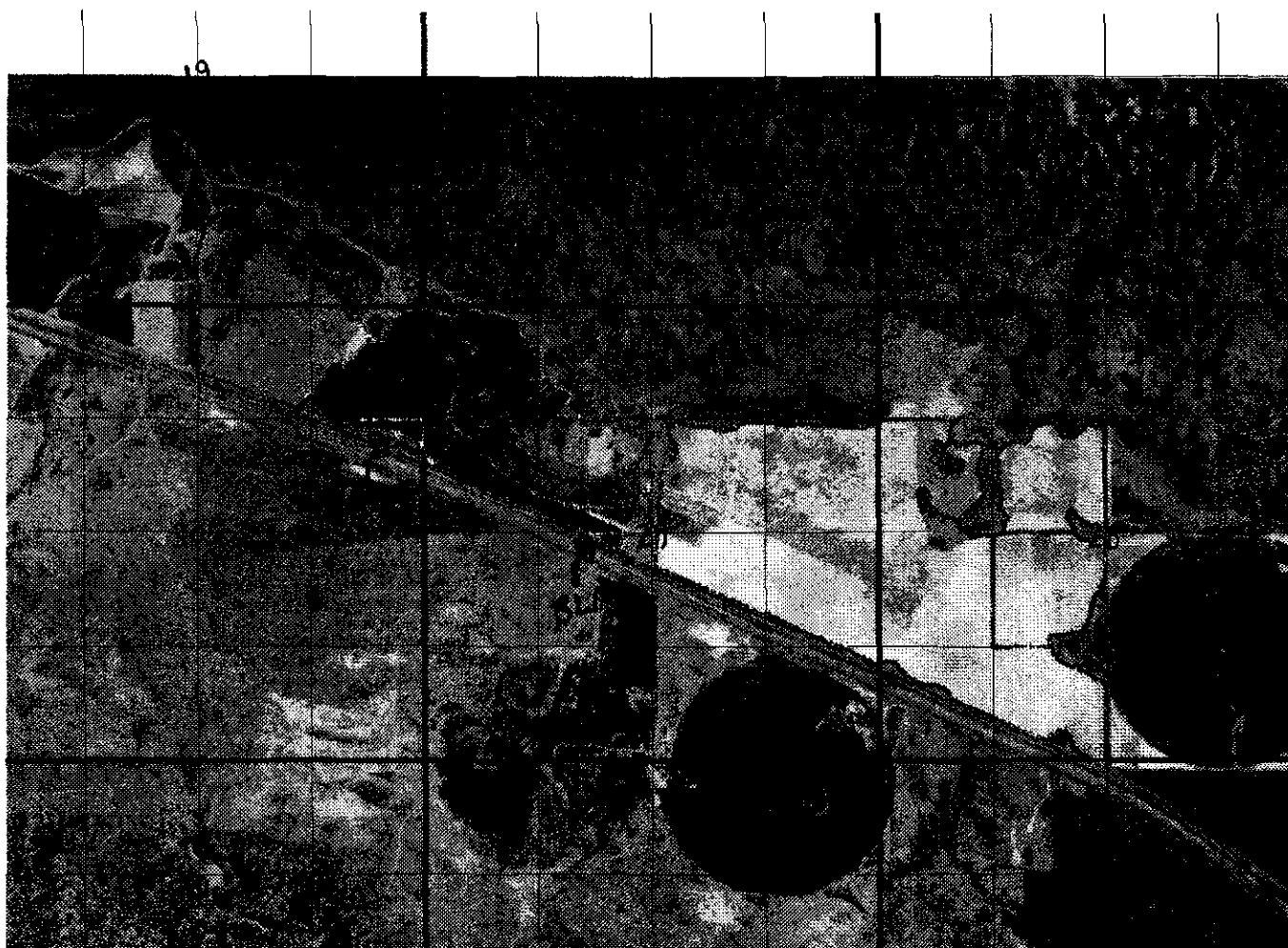
AFTER TRANSFER



IDAHO DEPARTMENT OF WATER RESOURCES

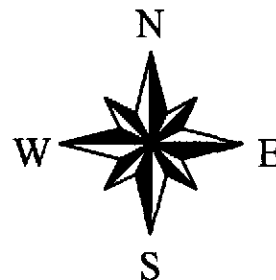
36-002207, 36-02567, 36-02674, 36-10197 & 36-15179

MICHAEL WOODLAND



1320 0 1320 2640 3960 5280 6600 Feet

PLACE OF USE BEFORE
PROPOSED TRANSFER

TNS 6S, RNG 22E,
SEC 19, 28, 29 & 30

● Recommended Point of Diversion

 Recommended Place of use

 Section lines

 Quarter/Quarter Lines

GIS PLACE OF USE PRESENTATION
 1987 and/or 1988 NAPP PHOTOGRAPHY
 DATA ENTRY OCTOBER 3, 1997
 BY KELLY K CHRISTENSEN

AUG 3 1997

PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Michael D Woodard & Patricia M Woodard
(Signature of Applicant)

Subscribed and sworn to before me this 31st day of October, 1997.

Roger W. Ring
(Notary Public)

My commission expires 10/30/2000

FOR DEPARTMENT USE ONLY

Transfer contains 10 pages and 2 attachments

Received by P. SKINNER Date 11/03/97 Protest filed by None

Prelim. check by P. SKINNER Fee \$100.00 5020675

Receipted by P. SKINNER Date 11/03/97

Published in Lincoln Co. Journal Copies of protest forwarded by _____

Pub. dates 12/17 & 12/24/97 Hearing held by _____ Date _____

Watermaster recommendation requested on N/A Recommended for ☒ approval ☐ denial

_____ rec'd. _____ by AO

Copy of transfer sent to lien holder _____

RECEIVED

NOV 03 1997

Department of Water Resources
Southern Region

06S22E

[illegible]

no lots

44 00 250

T#5179

State of Idaho
License and Certificate of Water Right

Water License No. G-23953

Amount 3.44 c.f.s.

Water District No. _____

Priority March 30, 1953

THIS IS TO CERTIFY that **COLLEEN L. KERBS - Assignee - R. TOM CHURCH**
of **Burley, Idaho**, made application for a permit to appropriate the
public waters of the State of Idaho, dated **March 30, 1953**; that Permit No. **G-23953**
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
3.44 second feet, was issued thereunder on **November 9, 1959**, showing that said works
were completed on the **4** day of **April, 1959**; and that on the **4th**
day of **April, 1959**, **R. TOM CHURCH**

of **Burley**, State of **Idaho**, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
, a tributary of subterranean flow, for the purpose of irrigation
, under Use Permit No. **G-23953** 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
11 of Licenses at page **6808**, on the **9** day of **November, 1959**;
The right hereby confirmed dates from **March 30, 1953**;

The Point of Diversion is located
in the **SE 1/4 SW 1/4, Sec. 28, Twp. 6 S., R. 22 E., B. M. Lincoln 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 **3.44** cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
6 S.	22 E.	28	NW 1/4 SW 1/4	40	10
			SW 1/4 SW 1/4	40	20
			SE 1/4 SW 1/4	40	36
		29	SE 1/4 NE 1/4	40	5
			SW 1/4 NE 1/4	40	35
			NE 1/4 SE 1/4	40	39
			NW 1/4 SE 1/4	40	27
			Total number of acres to be irrigated:		172

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
9 day of **November, 1959**

S. (OFF.) N. CARTER

State Reclamation Engineer.

(SEAL)

36-240

36-2207

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 31735
Permit No. G- 23953
District No.

1. Name of Applicant: COLLEEN L. KERBS
Postoffice address: 210 2nd St., Rupert County: Minidoka State: Idaho
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second. 6.4 or Idaho
Miners' inches 320 or gallons per minute. Assigned to R. Tom Church
Burley - Idaho
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean, to be raised through a drilled well
4. Location of point of diversion or well is in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 28
Twp. 6 S., Rge. 22 E., B.M., County of Lincoln
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: Drilled well, to be cased and equipped with turbine type pump
8. Estimated cost of works: \$ 15,500.00
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(5) years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None
 - (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) (cubic feet per second, inches or gallons per minute) is for new lands.

Remarks:

COLLEEN L. KERBS *Applicant.*

By

Harley M. McDowell Agent.

Date of first receipt at Department of Reclamation: 1:45 P. M. March 30, 1953

Returned to applicant for correction:

Corrected application received:

The number of this permit is G-23953

Recorded in Book 85 Page 23953 Approved April 2, 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 June 2, 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 **October 2, 1955**

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before **April 2, 1958**

Witness my hand this 2nd day of April, 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 2nd
day of April, 1953.

Countersigned:

STATE OF IDAHO

(SEAL)

By IRA H. MASTERS

By LEN JORDAN

Governor

Secretary of State.

12.

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
6 S.	22 E.	29 28			40	40					40	40	40	40		40	40	160 160	
																		320	
			S T A T E O F I D A H O D E P A R T M E N T O F R E C L A M A T I O N																
			WHEREAS, Permit No. G-23953, in the name of COLLEEN L. KERBE, requires proofs of completion of works and beneficial use to be made on or before April 2, 1958; and, WHEREAS, said Permit was issued in connection with Desert Land Entry Idaho Serial #04112; and, WHEREAS, applicant was prevented from proceeding with construction pending allowance of said Desert Land Entry, which was not allowed until April 20, 1954;; NOW, THEREFORE, an Extension of Time is allowed for Completion of Works and Beneficial Use Proofs on Permit No. G-23953 to April 20, 1959, or the length of time applicant was prevented from proceeding pending allowance of his Desert Land Entry and a similar extension is allowed for every other act required under the terms and conditions of Permit No. G-23953.																
			Signed at Boise, Idaho, this 17th day of February, 1958.																
			/s/ Mark R. Kulp State Reclamation Engineer																
			Approved and recorded: February 17, 1958.																

A S S I G N M E N T

For value received, I hereby assign all my right, title, and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. G-23953 to Tom Church, of Burley, Idaho

s/ Colleen L. Kerbs
Permit Holder
s/ William Kerbs,
Husband, Permit Holder

STATE OF IDAHO)
) ss
County of Ada)

On this 9th day of January 1959, before me, a Notary Public for the State of Idaho, residing at Boise, Idaho, personally appeared Colleen L. & William Kerbs, husband and wife, known to me to be the person whose name is subscribed to the within instrument, and duly acknowledged to me that they executed the same.

In Witness whereof, I have hereunto set my hand and affixed my Notarial Seal the day and year in this certificate first above written.

s/ Harley W McDowell
Notary Public, Residing at Boise, Idaho

My commission expires 10/11/59

Permit No. G-23953

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that COLLEEN L. KERBS - Assignee - R. TOM CHURCH of Burley, County of Cassia, and State of Idaho, the holder of Permit No. G-23953, issued upon Application No. G-31735 bearing date of priority of March 30, 1953, authorizing the diversion of 6.4 second feet of the waters of a well County of Lincoln, 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 3.44 second feet of the waters of a well from subterranean flow; that the point of diversion of said waters SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 28, T. 6 S., R. 22 E., B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 172 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 28; S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 29, T. 6 S., R. 22 E., B.M.

Witness my hand this 9 day of November, A.D. 1959

/s/ GEO. N. CARTER
State Reclamation Engineer

Proof of Completion of Works Made: April 4, 1959
Certificate of Completion of Works Issued: November 9, 1959

COPIES ISSUED FOR 3.44 SEC. F
Page 6808

This
Right has been
Decreed in the
SRBA.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

July 24, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

MICHAEL D WOODLAND
PATRICIA WOODLAND
800 W HWY 24
PAUL ID 83347

RE: Water Rights 36-02207/36-02567/36-02674/36-10197/
36-15179(Transfer 5179)

Dear Mr. & Mrs. Woodland:

Enclosed is the copy of your approved Transfer of Water Right for the above referenced water rights (Transfer 5179). Please be sure to thoroughly read the Conditions and Remarks listed on the transfer. Also, please be advised that the accompanying transfer approval should be considered and treated as a **preliminary order** of the department issued pursuant to section 67-5243, Idaho Code. Enclosed are instructions for responding to **Preliminary Orders** if you are in disagreement with the approved transfer.

As of July 1, 1996, all water right owners are required to report any change in water right ownership and any change of mailing address to the department.

If you have acquired any other water right or have changed your mailing address **PRIOR TO** July 1, 1996, you have until July 30, 1998, to record the ownership and/or address change with the department.

If you acquired other water rights or changed your mailing address **AFTER** July 1, 1996, you must notify the department within 120 days of the change.

Failure to report these changes in a timely manner could result in a \$100 late filing fee. You can contact any office of the department for more information. If you have any questions concerning your water right listed above you can contact me at (208) 327-7947.

Sincerely,


JIM JOHNSON, Manager
Water Right Permits Section

JJ:klt
Enclosures

MAILED

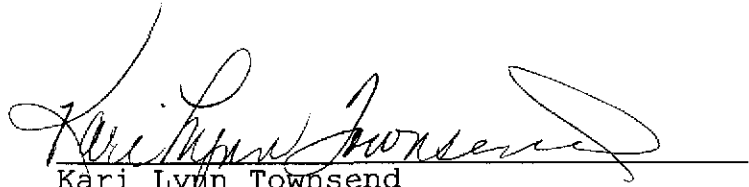
AUG 03 1998

CERTIFICATE OF MAILING

I hereby certify that on the **24th** day of **July, 1998**, I mailed a true and correct copy, postage prepaid, of the foregoing **TRANSFER APPROVAL** to the person(s) listed below:

WATER RIGHTS 36-02207/36-02567/36-02674/36-10197/36-15179
(Transfer 5179)

MICHAEL D WOODLAND
PATRICIA WOODLAND
800 W HWY 24
PAUL ID 83347


Kari Lynn Townsend
Secretary

RECEIVED

AUG 03 1998

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of the order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from a preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with a preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

FILED
AUG 03 1997

MEMORANDUM

TO: Files 36-02207, 36-02567, 36-02674, 36-10197 & 36-15179

FROM: Pam Skaggs^{CS}/State Office

SUBJECT: Transfer 5179

DATE: July 17, 1998

Transfer 5179 changes the place of use under Rights 36-02207, 36-02567, 36-02674, 36-10197 and 36-15179. These rights as recommended in the SRBA Basin 36 Director's Report identified 8 irrigated acres located on BLM land. The transfer moves the 8 acres to privately owned land. BLM has provided a letter of agreement to the transfer.

Recommended conditions include permissible place of use, measuring/annual reporting requirements, irrigation overlap, combined right limits and standard transfer conditions.

AUG 03 1998

TRANSFER REVIEW SHEET

(07-98)

Transfer # 5179

Date Reviewed 7-16-98

Right(s) 36-02207 36-10197 } SRBA Recommendations
36-02567 36-15179 } ("R" records/reformatted)
36-02674 _____

☒ WRQ/Split Summary ☒ SRBA Status ☒ Run POU Comparison Report

B:Change P/D C:Add P/D ☒ D:Change P/U E:Change Nature of Use
F:Change Period of Use G:Other H:Change P/D & Add P/D
I:Change P/D & P/U J:Add P/D & Change P/U

Proof of Ownership BLM approval letter - Federal BLM land.

Transfer ☒ All of Right _____ Portion of Right
Resulting Split(s) NONE

Check Transfer Against Recorded Right Season/Vol. C/4.0

(1) ☒ Priority (2) ☒ Use (3) ☒ Season (4) ☒ Rate (5) _____ Volume
(6) ☒ Source (7) ☒ P/D (8) _____ P/U (9) ☒ Proof/Owner (10) ☒ Map
Magic Valley GWD Dist. / West ESPA WM Dist.
(11) NA Water District (12) Yes Pertinent Conditions (13) No Expansion
Per Recommendation w/limits intact.
(5) Standard Vol. each ct 4.0 ac/aere
(8) Move 8 acres of BLM land

Transfer Remarks (W35) Combined Limits / P/P/U
Conditions 067, R64, T07, T08, T09
already recommended.

Database/Processing Notes Edit T3602207 Standard _____ Non-Standard ☒
Copy approved T files to an "X" prefix when approved. T3 deleted.
Comment to base WRs.
"T" Files Update Complete ☒ Approval Form ☒ Transfer Memo ☒
Database Updated Following Approval ☒ Memo/Form Files Deleted ☒

7-24-98 38
WR Overlap Summary on Back

36-02207	3.44 cts	172.0 acres	688 afa	< VDR	
{ 36-02567	3.40 cts	202.0 acres	808 afa	< VDR	
	36-02674	1.04 cts	222.0 acres	439 afa	< VDR
				222.0	888 afa

36-10197	.72 cts	36 acres	144 afa	< VDR
----------	---------	----------	---------	-------

Enlargement Claim - 36-15179 ^{No Add.} 9.07 cts 61 acres 244 afa < VDR

8.40 cts = 491 acres = 1964 afa

IDWR TRANSFER ANALYSIS SHEET

APPLICANT Michael H. Woodcock TRANSFER NO. 5179

1. Right number(s) 36-02207 et al

2. Type of right ☐ Decree ☒ License ☐ Statutory Claim
☒ SRBA Beneficial Use Claim 36-10197, 36-15179

3. Purpose of transfer ☐ Change P/D ☐ Add P/D ☒ Change P/U
☐ Change N/U ☐ Change Source ☐ Split Right
☐ Other: _____

4. Check Existing Right: ☒ Source ☒ Priority ☒ Amount ☒ Purpose
☒ Period ☒ SRBA Claim
☒ Description of original point(s) of diversion
☒ Description of original place of use
☒ Overlapping rights on original place of use

BASE RIGHTS FOR
TRANSFER ARE SRBA

RECOMMENDATIONS

Comments: _____

NONE OTHER THAN

APPLICATION FOR PERMIT 36-08687 OVERLAPS PLACE
OF USE BUT IS HELD UP IN THE MORATORIUM

5. Check Proposed Right for amount of land &/or water transferred:

Also see attached memo for more analysis information

- a. ☒ All of right
- b. ☐ Part of right (NOTE! Part B should be filled in only if part of right is owned by the applicant)
- c. ☒ Description of point(s) of diversion
- d. ☒ Description of place of use
- e. ☒ Map showing P/D & P/U after transfer
- f. ☒ Correct notarized signature and \$100 fee
- g. ☒ Proof of ownership of right &/or land from which water is transferred BLM LAND, SEE 08/05/97 CONSENT LETTER
- h. ☒ Expansion in use of right - Comments: _____

NONE APPARENT

RECEIVED
MAR - 9 1998
Department of Water Resources

FROM
BLM

- i. X Existing rights from same source, on land water is being transferred to; right number(s): JUST RIGHTS INVOLVED
- WITH THIS TRANSFER AND APPLICATION FOR PERMIT 36-09687 (HELD UP IN MORATORIUM)
- j. X SRBA claim(s) - Comments (NOTE! Approved transfer amends SRBA claim; differences between existing water right and SRBA claim? any ownership or other outstanding issues? Explain) BASE RIGHTS FOR TRANSFER ARE SRBA RECOMMENDATIONS,
- TRANSFER FILED TO MOVE RECOMMENDED ACRES OFF BLM LAND TO
- k. X Comment letters _____ Yes X No _____
If yes _____ Water District # _____ ~~OBJECT~~ TO SRBA
_____ Lienholder, others, see #2 RECOMMENDATION
_____ below for name and address

INITIAL ALLOCATION REVIEW BY
SRBA SUPERVISOR REVIEW BY
PUBLICATION REVIEW BY

DATE 11/07/97
DATE 3/6/98
DATE _____

1. Legal Notice electronically sent to DWR03::VAULT ✓ Yes @ 5:24 pm (12/10/97)
2. COMMENT LETTERS copy of pg 1 to AJ ✓ yes 12/10/97

Watermaster recommendation requested on _____, Received on _____

Other comments letters - send to the following name(s) & address(es):

3. Transfer published correctly? X Yes ___ No
4. Affidavit of publication received? X Yes ___ No
5. Protests received? ___ Yes X No; Acknowledgement sent? ___ Yes
6. Copies made for Region file (see attached supplemental page)? ___ Yes

RECOMMENDED ACTION

1. X Approve
2. Deny due to _____

3. Conditions (special conditions in Water Districts) _____

4. By Al Also see attached memo for recommendation dated: 1/13/98
Date 1/13/98

FROM: Allen Merritt

DATE: January 13, 1998

TO: Transfer File No. 5179
Water Right(s): 36-02207
36-02567
36-02674
36-10197
36-15179

In the Name of: Michael & Patricia Woodland

SUBJECT: Review and Recommendation

This transfer was precipitated as a result of objections filed in the SRBA since the recommendations for these rights included use on 8 acres of BLM land. To resolve the objections this transfer was applied for to remove the irrigation from BLM and move it to other lands of the applicant.

The transfer was processed without protest.

RECOMMENDATION

I recommend the transfer be approved subject to the following conditions:

- Subject to SRBA.
- Measure and report use of well as required.
- When rights combined shall not exceed 8.60 cfs nor 1964 afa for irrigation of 491 acres.

RECEIVED

MAR - 9 1998

Department of Water Resources

MICROFILMED

AUG 03 1998

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho } ss.
County of Lincoln }

DEC 26 1997

Department of Water Resources
Southern Region

Patty Rance

, being first duly sworn, deposes and says that she is the printer (publisher) of the Lincoln County Journal, a newspaper published every week in Shoshone, County of Lincoln, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for

2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the

17th day of December, 1997

and the date of the last publication was on the 24th day of

December, 1997

On this 24th day of December in the year of 1997, before me, a Notary Public, personally appeared

Patty Rance, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Norma De Vore
Notary Public for Idaho

Residing at Jerome, Id

My commission expires: 3/6/01

LINCOLN COUNTY JOURNAL

Shoshone, Idaho

COST OF PUBLICATION

Number of Picas per Line _____

Number of Lines in Notice _____

Number of Insertions 24

Lines tabular at _____ 7¢/Pica

705.38 Lines straight at 42.32 6¢/Pica

705.38 Subsequent lines at 35.27 5¢/Pica

TOTAL COST 79.84

COPY OF NOTICE

(Paste Here)

Water Right #75179
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept of Water Resources
BILL TO

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

No. T# 5179

Notice is hereby given that Michael & Patricia Woodland, 800 West Highway 24,; PAUL ID 83347 have applied to the Department of Water Resources for changes to the rights listed below.

The purpose of Transfer No. 5179 is to move 8 acres of a 491.0 acre permissible place of use from BLM land to different ground owned by the applicants.

PRESENTLY, the following Licensed &/or Snake River Basin Adjudication Beneficial Use Claims (a combined total of 8.60 cfs) are diverted from wells located within SW1/4SE1/4, S19, T06S, R22E & SE1/4SW1/4, S28, T06S, R22E; Lincoln County for irrigation of a 491 acre permissible place of use within parts of Sections 19, 28, 29, & 30, T06S, R22E; Lincoln County.

Rt No.*Priority*Amt(cfs)

License 36-02207*03/30/1953*3.44

License 36-02567*03/07/1963*3.40

License 36-02674*08/25/1966*1.04

SRBA Claim No.

36-10197*08/11/1959*0.72

SRBA Claim No.

36-15179*03/15/1975*1.07

PROPOSED CHANGE

The applicant wishes to divert a combined total of 8.60 cfs of water from the same wells listed above to irrigate a 491 acre permissible place of use. Four acres will be moved from the NE1/4SW1/4, S29 and four acres will be moved from the SE1/4NE1/4, S30, both T06S, R22E. A total of eight acres will be added to the place of use within S28, T06S, R22E; Lincoln County. Any protest against the proposed changes must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before January 6, 1998 to be considered by the Department in its decision to grant or deny any part of the proposed change. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Lincoln County
12/17 * 12/4/97

**NOTICE OF PROPOSED CHANGE
OF WATER RIGHT**

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Karl J. Dreher, Director

Published in the Lincoln County
Journal on 12/17 & 12/24/97.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

December 11, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

LINCOLN COUNTY JOURNAL
PO BOX 468
JEROME ID 83338

Gentlemen:

Enclosed you will find a legal notice which we wish to have published in your newspaper. We have inserted the required publication dates.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Sr. Secretary

Enclosure

747-1-13

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
No. T# 5179

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<u>Water Right No.</u>	<u>Priority Date</u>	<u>Amount (cfs)</u>
License 36-02207	03/30/1953	3.44
License 36-02567	03/07/1963	3.40
License 36-02674	08/25/1966	1.04
SRBA Claim 36-10197	08/11/1959	0.72
SRBA Claim 36-15179	03/15/1975	1.07

PROPOSED CHANGE

The applicant wishes to divert a combined total of 8.60 cfs of water from the same wells listed above to irrigate a 491 acre permissible place of use. Four acres will be moved from the NE1/4SW1/4, S29 and four acres will be moved from the SE1/4NE1/4, S30, both T06S, R22E. A total of eight acres will be added to the place of use within S28, T06S, R22E; Lincoln County.

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Karl J. Dreher, Director

Published in the Lincoln County Journal on 12/17 & 12/24/97.

December 9, 1997

MICHAEL WOODLAND &
PATRICIA WOODLAND
800 WEST HIGHWAY 24
PAUL ID 83347

Re: Application for Transfer No. 5179 (36-02207, et al)

Dear Applicants:

The Department of Water Resources acknowledges receipt of your Application for Transfer.

This office has scheduled advertising the application in The Lincoln County Journal for 12/17 and 12/24/97.

The advertisement(s) will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If an application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

State Office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely yours,

Corey Skinner, E.I.T.
Safety of Dams Engineer

cs:mb

MEMORANDUM

TO: Woodland Transfer (36-02207 et. al.) File

FROM: Corey Skinner /CS

DATE: November 7, 1997

SUBJECT: Staff Review

The enclosed transfer application, filed by Michael & Patricia Woodland, is pretty straight forward. The transfer application proposes changing (moving) 8.0 acres of a 491.0 acre permissible place of use to new ground.

The 8.0 acres will be moved off of Bureau of Land Management ground, in order to help resolve the BLM's objection(s) to the SRBA recommendations for the rights involved in the permissible place of use. The BLM has authorized the transfer of these recommended acres in a 08/05/1997 letter that is enclosed with the transfer.

The base rights for the transfer are all recommended licenses or beneficial use claims. The only potential overlap is an Application for Permit (36-08687) that has been held up in the Snake River Basin Moratorium.

I see no reason why the enclosed transfer application can not be approved as proposed as long as the appropriate approval conditions (overlap, total acres, total diversion rate, etc.) are implemented.

2025/11/07

77/5179



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

October 23, 1997

Michael Woodland
800 West Highway 24
Paul, ID 83347

Dear Mr. Woodland:

Please find enclosed a **partially** completed Application for Transfer of Water Right(s). The application has been prepared to remove the recommended irrigated acres off of Bureau of Land Management Land onto your property. This is the change in location of irrigated acres we discussed with Kelly Christensen during your recent visit to our office.

Carefully review the enclosed application, and if you agree with the proposed application, you and Patricia Woodland should sign the application, have your signatures notarized, and return it to this office along with the \$100.00 filing fee. Submitting this application as soon as possible will enable our office to begin processing it in a most timely manner.

If you have any questions, or if I can be of any assistance, feel free to contact me at your convenience.

Sincerely,

Corey Skinner, EIT
Dam Safety Section

Enclosures

T-# 5174



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Idaho State Office
1387 South Vinnell Way
Boise, Idaho 83709-1657

In Reply Refer To:

7250 (SRWR) (931)

August 5, 1997

Douglas Jones, P.E.
Southern Regional Office
Idaho Department of Water Resources
State of Idaho
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301-3380

**RE: Snake River Basin Adjudication (SRBA) Claim
Michael & Patricia Woodland Transfer:
36-02207, 36-02567, 36-02674, 36-10197 and 36-15179.**

Dear Mr. Jones:

By this letter I state that I have the authority to act on behalf of the United States, Dept. of Interior, Bureau of Land Management (U.S.D.I., BLM), with myself as its agent, to the matters discussed herein. I understand that Michael & Patricia Woodland wishes to transfer water under rights 36-02207, 36-02567, 36-02674, 36-10197 and 36-15179 from the federal public property to land which the Woodlands own as private property. The federal public property legal descriptions are as follows:

T06S R22E S29 NESW	4.0 acres; and
T06S R22E S29 SENE	<u>4.0 acres</u>
	8.0 acres TOTAL to be transferred off of public land.

30
FWP

I understand that the Idaho Dept. of Water Resources (I.D.W.R.) cannot complete such a transfer of water under a water right without the notarized consent of the landowner where the water right describes land not owned by the transfer applicant.

On behalf of the United States and the U.S.D.I., BLM, my notarized signature below provides the necessary consent to facilitate the transfer.

Woodland Transfer

REDISCOVER YOUR PUBLIC LANDS



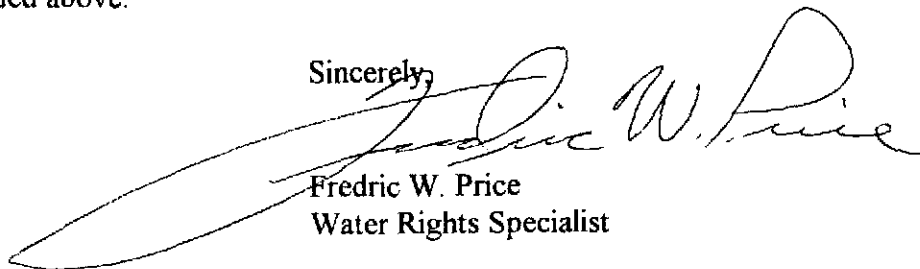
RECEIVED
AUG 11 1997

36-15179

XZ

If there are questions regarding any statements above, please do not hesitate to contact me at 373-3831 or at the address provided above.

Sincerely,



Fredric W. Price
Water Rights Specialist

cc:

Michael and Patricia Woodland; Rt. 2 Box 2542; Paul, Idaho 83347
P. Fritz Holleman, Dept. of Justice, ENRD
CACI, Boise

Woodland Transfer

REDISCOVER YOUR PUBLIC LANDS



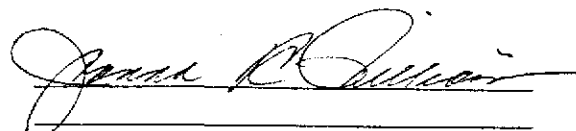
X3

SUBSCRIBED and SWORN to before me this 5th day of August, 1997.

STATE OF IDAHO)
) ss:
COUNTY OF ~~ADA~~ MINIDOKA)

On this 5th day of August, 1997, personally came before me, a notary public in and for said County and State, the within-named FREDRIC W. PRICE, to me personally known to be the identical person(s) described in and who executed the within and foregoing instrument and acknowledged to me that they executed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

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



Notary public in and for the
State of Idaho,
County of Minidoka
Residing at Casper
My commission expires: 2-12-2000

Seal



UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION
P.O. Box 684
Shoshone, Idaho 83352

• State of Idaho
Department of Water Resources
Southern District Office
1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301

• May 11, 1977

• Dear Sirs:

This is to inform you that on February 11, 1977 Mr. and Mrs. Lester E. Dozier has given a mortgage to the United States of America, Farmers Home Administration.

This mortgage encumbers well permit # G23953/36-2207.

As a covenant of this mortgage, the mortgagor agrees that he will not assign, encumber, or amend this permit and or license without the consent of FmHA.

Please acknowledge the receipt of this letter by signing and returning a copy to this office.

Thank you.

Sincerely,

for *Harold R. Turner*
Harold R. Turner
COUNTY SUPERVISOR

Encl:

Synn Bradshaw
Paul - 438-5061

Kay Warner

November 9, 1959

Re: Permit No. G-23953

Mr. R. Tom Church
1535 Oakley Avenue
Burley, Idaho

Dear Mr. Church:

We enclose Certificate of Completion of Works and
License and Certificate of Water Right issued on Permit No.
G-23953.

We also enclose departmental receipt No. G-4444
in the amount of \$19.00 covering fees.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rutledge
Chief Clerk

BPR:ew
Enc. certificate
license
receipt

4 23953

R7

October 23, 1959

Re: Permit No. G-23953

R. Tom Church
1535 Oakley Avenue
Burley, Idaho

Dear Mr. Church:

Our field engineer's report on his inspection of proof of completion of works and application of water to beneficial use under the terms of Permit No. G-23953 shows the well is ~~(xxx)~~ capable of conveying 172 miner's inches, or 3.44 c.f.s. of water for the irrigation of 172 acres.

Upon receipt of the statutory fees, totaling \$ 19.00 , we will issue the Certificate of Completion of Works (fee \$5.00) and the License and Certificate of Water Right (fee \$ 14.00 , based at the rate of \$2.00 for each 40-acre subdivision) confirming the right, with priority of March 30, 1953 to the use of 3.44 second feet of subterranean water with the point of diversion in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 28 for irrigation of 172 acres in the SW $\frac{1}{4}$ of Section 28; S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 29, all in Township 6 South, Range 22 East, Boise Meridian.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rutledge
Chief Clerk

EPR:mr

23953

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-23953

REPORT ON PROOF OF Completion of Works & Beneficial Use

R. Tom Church
1535 Oakley Avenue
Burley, Idaho

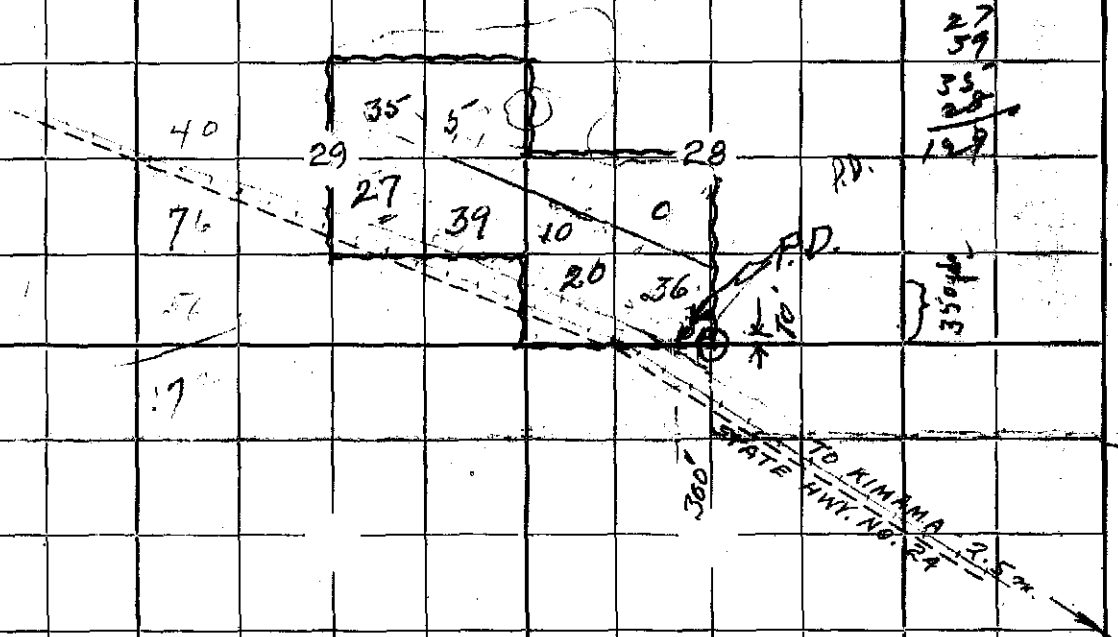
190"

Straw = driller

135 acres = A.C.P. acres

R-22E.

T.
6
S.



1802.
200
2000. 7000 ft
27
59
35
20
129
350 ft

Sub-divisions = 7

Area = 172 acres

$$\frac{125 \times 70 \times 550}{190 \times 62 \frac{1}{2}} = 900$$

Q = 190" rayon
200" " Duffin
172" " 309 ft

See A.C.P. in Spokane
for land area.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. G-23953

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

1. Name of applicant E. Tom Church
2. Source of water supply: Subterranean flow from a well
3. Location of point of diversion: Is in the SE 1/4 SW 1/4 of Section 28
T. 6 So., R. 22 E., B. M. County of Lincoln
4. Describe works as they exist, giving dimensions and capacities of same: 20" x 2 1/2'
h = 190" Leroy V-8 Pentane Motor Hydraulic hp = 180
B.H.P. = 110 to 115
Worthington Turbine, 16" bowls
Gravity irrigation
5. Water is used for: Irrigation
6. State whether or not water has been turned into works of diversion: yes
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

SW 1/4, SE 1/4, NE 1/4, NW 1/4 Sec. 29; SW 1/4 Sec. 28, all in Township 6 South,
Range 22 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: Talked to Mr. Asson. Saw farm with Mr. Church.
Talked to Alan Ruffin who furnished outfit.

Pump and motor are out of the well (sold)
Farm is in the soil bank.

No opportunity to see it in operation.
Land area was rechecked carefully on
the ground and determined to be 172 acres
A.C.P. was 135a, which seemed to be too low.

This examination was made on the 11 day of August, 1959

(Signed)

E. H. Humphrey
Examiner.

recheck land area Oct 1, 59

E. H. H.

G-23953

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. 22 1959
Department of Reclamation

R. Tom Church
1535 Oakley Avenue
Burley, Idaho
Permit No. 0-23935

11 A.M. Kinama
Examination for Completion of Works &
Beneficial Use Proof

County Lincoln
28-6 S.-22 E.

Q = 6.4 c.f.s.

S = Well

Plat SE. SW, Sec. 28, T. 6 S. - R. 22 E.

Walt A. Coon - Engineer
He. 63881

The Reclamation

Quantity of water - 140"

Filed - March 20, 1953

Rec'd - April 20, 1959 (20)

140"

173 hp. usable.

Walter Treon
190' = h.

Butane Motor
Leroy V-8 210 hp.

2000' = h.

Worthington Turb.
16' bowls

April 21, 1959

Re: Permit No. G-23953

Mr. R. Tom Church
1535 Oakley Avenue
Burley, Idaho

Dear Mr. Church:

We acknowledge receipt of the Deposition of Holder and two witnesses, also affidavit of publication in the Lincoln County Journal, all submitted in Proof of Completion of Works and Application of Water to Beneficial Use on Permit No. G-23953.

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

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

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rutledge
Chief Clerk

EPR/LW

23953

NOTICE

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

Notice is hereby given that 10:00 A.M., on the 21st day of April 1959, at Boise, County of Ada, State of Idaho, before Harley M. MacDowell, Notary Public, at 618 Idaho Bldg., Boise, Idaho, proof will be submitted of the completion of works for the diversion of 6.4 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-23953 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Tom Church, Burley, 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 6.4 cubic feet per second.

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

4. The point of diversion of said water is SE 1/4 SW 1/4 Sec. 28, Twp. 9 S., Rge. 22 E. B. M.

5. The place where said water is used is the same as in Sec. 28, Twp. 9 S., Rge. 22 E. B. M.

6. The date of priority which said user is prepared to establish is 3-30-53.

George N. Carter
State Reclamation Engineer
(F28-M19)

RECEIVED
APR 20 1959

Department of Reclamation

AFFIDAVIT OF PUBLICATION

LINCOLN COUNTY JOURNAL

SHOSHONE, IDAHO

Helena Love

being first duly sworn, says that he is the

Business Manager

of the Lincoln County Journal, a newspaper published weekly at Shoshone, Idaho, having legal publication rights within the State of Idaho, and that the notice, a true copy which is thereto attached, was

published in said newspaper for ⁴

consecutive weeks, beginning with the issue of

Feb. 26, 19 *59*

and ending with the issue of

March 19, 19 *59*

Helena Love

Subscribed and sworn to before me this

23rd day of *Mar*, 19 *59*

Nancy M. Laddock
Notary Public, Shoshone, Idaho

H 23953

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
APR 13 1959
Department of Reclamation

RECEIVED
APR 20 1959
Department of Reclamation

Permit No. G-23953

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. My name is Tom Church; residence, Burley, Idaho; occupation, wholesale business and farmer; postoffice address, 1535 Oakley Ave., 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. Individual.

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

Ans. Permit #G23953; date of permit, 4/2/53; date of priority, 3/30/53.

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

Ans. The source of water is a drilled well in the SE¹SW¹, Sec. 28, T6S-R22E.

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 is drilled to a depth of 240' and water is lifted from 190'. This is a 20" hole, cased approximately 20'. Irrigation distribution is all by a gravity system. There is no sprinkler. The distribution is by a private ditch and the ditch is capable of carrying 200" each. There is a Butane pump on this works. I have never had the well measured but from my experience in seeing wells tested, I think it ought to be pumping 250". If I put on more motor, it will pump 300" or almost an unlimited amount through this big a hole.

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. Water is used for irrigation. The following subdivisions are irrigated: 39 acres in SW¹NE¹; 38 acres in SE¹NE¹; 27 acres in NW¹SE¹; 39 acres in NE¹SE¹, Section 29; 39 acres in NW¹SW¹; 28 acres in NE¹SW¹; 18 acres in SW¹SW¹; 36 acres in SE¹SW¹, Section 28, T 6 S - R 22 E., B.M.

G 23953

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

Ans. Irrigation only.

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

Ans. The amount being used is the minimum I can get along with for proper irrigation.

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. This was assigned to me from Colleen Kerbs.

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

Ans. Work started immediately after the desert entry was allowed and carried right through continuously.

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. None.

(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 Boise, County of Ada,

State of Idaho, on this 4th day of April, A. D. 1959.

Notary Public for the State of Idaho

My commission expires 10/11/59

23953

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
APR 20 1959
Department of Reclamation

Permit No. G-23953

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. W. Rasmussen; age, 45; residence, Burley, Idaho; occupation, insurance and real estate, Box 408, Burley, Idaho.

Ques. 2. Are you acquainted with R. Tom Church, the holder of Permit No. G-23953? How long have you known him and where does he reside?

Ans. I have known him 15 years and know that he lives at 1535 Oakley Ave., Burley, Idaho.

Ques. 3. Have you read or heard read said Permit No. G-23953, 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. The source of water supply is a drilled well 240' deep. It is a 20" hole and is cased about 20'. A private ditch is used to convey the water to the land. Pt. of diversion is in SE 1/4 SW 1/4, Sec. 28, T 6 S - R 22 E., B.M.

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. I would estimate the works would convey safely 300" of water. I would estimate that I have seen around 250" so conveyed.

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. I have seen the pump deliver about 250". This is an estimate from having seen other pumps and irrigation systems.

23953

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. Water is used for irrigation as follows: T 6 S - R 22 E., B.M., Sec. 28, NE $\frac{1}{4}$ SW $\frac{1}{4}$, 28 acres; NW $\frac{1}{4}$ SW $\frac{1}{4}$, 35 acres; SW $\frac{1}{4}$ SW $\frac{1}{4}$, 18 acres; SE $\frac{1}{4}$ SW $\frac{1}{4}$, 36 acres; Section 29, SW $\frac{1}{4}$ NE $\frac{1}{4}$, 39 acres; SE $\frac{1}{4}$ NE $\frac{1}{4}$, 38 acres; NW $\frac{1}{4}$ SE $\frac{1}{4}$, 27 acres; NE $\frac{1}{4}$ SE $\frac{1}{4}$, 39 acres.

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

Ans. 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. This is a volcanic ash soil. It needs all the water he has for proper irrigation.

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

Ans. No.

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 saw this for the first time during the year of 1958.

(Signed)

W. R. Remison

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Boise, County of Ada, State of Idaho, on this 4th day of April, A. D. 1959.

Harley C. C. S. Donnell
Notary Public.

My commission expires 10/11/59

23953

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
Department of Reclamation

Permit No. G-23953

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. L. D. Anderson; age, 46 residence, 8 miles west of Paul, Idaho; occupation, farming; postoffice address, Rt. 1, Hazelton, Idaho.

Ques. 2. Are you acquainted with R. Tom Church, the holder of Permit No. G-23953? How long have you known him and where does he reside?

Ans. I have known him 20 years and know that he lives in Burley.

Ques. 3. Have you read or heard read said Permit No. G-23953, 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. Water comes from a drilled well in the SE 1/4 SW 1/4, Sec. 28, T6S R22E, B.M. Works consist of this 20" hole drilled to a depth of 240'. Distribution is by gravity ditch.

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. I think the works would convey at least 300". I have seen about 250" so conveyed.

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. I have seen the pump deliver about 250" of water. This is an estimated from my past experience.

G-23953

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. Water is used for irrigation. The following subdivisions are irrigated:
SE $\frac{1}{4}$ NE $\frac{1}{4}$, 38 acres; SW $\frac{1}{4}$ NE $\frac{1}{4}$, 39 acres; NE $\frac{1}{4}$ SE $\frac{1}{4}$, 39 acres; NW $\frac{1}{4}$ SE $\frac{1}{4}$, 39 acres, Section 29;
NW $\frac{1}{4}$ SW $\frac{1}{4}$, 35 acres; NE $\frac{1}{4}$ SW $\frac{1}{4}$, 28 acres; SW $\frac{1}{4}$ SW $\frac{1}{4}$, 18 acres; SE $\frac{1}{4}$ SW $\frac{1}{4}$, 36 acres, Section 28,
all in T. 6 S. - R. 22 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 is volcanic ash. I would say it needs all the water now being produced for profitable cultivation.

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

Ans. I saw this land before it was irrigated and have watched it during the entire period of development. I have property right to the south of this. No interest.

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 seen this land before it was irrigated and have watched it during the entire period of development.

(Signed) L. D. Anderson

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Boise,
County of Ada, State of Idaho, on this 4th day of April,
A. D. 1952.

Harley M. L. Howell
Notary Public.

My commission expires 10/11/59.

23953

February 18, 1959

Re: Permit No. G-23953
Tom Church

Mr. Harley M. McDowell
P. O. Box 2161
Boise, Idaho

Dear Mr. McDowell:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. G-23953, under the name of Tom Church. Final proofs are to be made before you, as Notary, on the 4th day of April, 1959, at 10:00 A. M., at 618 Idaho Building, Boise, Idaho.

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

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

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

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rutledge
Chief Clerk

EPR/lw
Encls. (3)
cc: Tom Church
Burley, Idaho

423953

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

DEPARTMENT OF RECLAMATION
Boise, Idaho

Date: February 18, 1959

Re: Permit No. G-23953
Tom Church

Lincoln County Journal
Shoshone, Idaho

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to **April 4, 1959** the date set for proof;

the expense of the publication is to be paid by the applicant's Agent,

Harley M. McDowell

of **P. O. Box 2161, 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 or tear-sheet of the first publication.**

Very truly yours,

Gen. N. Carter

State Reclamation Engineer

By

(Mrs.) Edna P. Rutledge

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

23953

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

Notice is hereby given that at 10:00 4th April
1959, at Boise, County of Ada, State of Idaho,
before Harley M. McDowell, Notary Public, at (address) 618 Idaho Bldg.
Boise, Idaho, proof will be submitted of the completion of
works for the diversion of 6.4 cubic feet per second of underground water
from a well, and of the application to beneficial use of said water, in accord-
ance with the terms and conditions of Permit No. G-23953 heretofore issued
by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding
said permit is Tom Church, Burley, 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 con-
veying to the place of use is 6.4 cubic feet per second.

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

4. The point of diversion of said water is SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 28, Twp. 6 So.,
Rge. 22 E.B.M.

5. The place where said water is used is SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 29,
SW $\frac{1}{4}$ Sec. 28; Twp. 6 S., Rge. 22 E.B.M.

6. The date of priority which said user is prepared to establish is
3/30/53

A 23953

GEO. N. CARTER
State Reclamation Engineer

RECEIVED
FEB 17 1959
Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) January 9, 1959

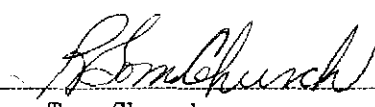
(P. O.) Rupert, Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
Lincoln County Journal of Shoshone, Idaho published in
the county in which the works are situated.


Tom Church

(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.

23953

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

Notice is hereby given that at 10 A M., on the 24th ^{day} of April ~~March~~, 1959, at Boise, County of Ada, State of Idaho, before Harley M. McDowell, proof will be submitted of the completion of works for the diversion of 6.4 cubic feet per second of underground waters from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-23953 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 Tom Church, Burley, 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 6.4 cubic feet per second.

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

4. The point of diversion of said water is SE¹/₄ SW¹/₄, Section 28, T6S-R22E., B.M.

5. The place where said water is used is S¹/₄ NE¹/₄, N¹/₂ SE¹/₄, Sec. 29;

SW¹/₄, Sec. 28; T 6 S - R 22 E., B.M.

6. The date of priority which said user is prepared to establish is

3/30/53

23953

State Reclamation Engineer

Feb. 12, 1959

Permit No. G-23953
Colleen L. Kerbs

Mr. Harley M. McDowell
P. O. Box 2161
Boise, Idaho

Dear Mr. McDowell:

We enclose the assignment of Permit No. G-23953
Colleen L. Kerbs to Tom Church, Burley, Idaho, which has
been recorded in this office.

We also enclose departmental receipt No. G-3866
for 50¢ assignment fee.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

Chief Clerk

EPR:ew
Enc. 2

23953

21

THIS PERMIT BEING ASSIGNED AND PROOF WILL BE TAKEN WHEN
ASSIGNMENT APPROVED.

IDAHO LAND & MAP SERVICE
P. O. Box 2161 BOISE, IDAHO

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

DEPARTMENT OF RECLAMATION

Boise, Idaho

RE: Permit No. G-23953

Date February 1, 1959

Colleen Kerbs
210 2nd Street
Rupert, Idaho

Dear Sir: Mrs. Kerbs:

The date for proofs of completion of works and application of water to beneficial use, as set out under the terms of Permit No. G-23953 are due not later than April 20, 1959.

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

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

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

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

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

NOTE:

Enclosures AND copy of this notice sent to:
Harley M. McDowell
P. O. Box 2161
Boise, Idaho

423954

February 17, 1958

Re: Permit No. G-23953
Colleen L. Kerbs

Mr. Harley M. McDowell
P. O. Box 2161
Boise, Idaho

Dear Mr. McDowell:

Enclosed is the extension of time to April 20, 1959, for the completion of works and application of water to beneficial use proofs under the terms of Permit No. G-23953. This was approved by the State Reclamation Engineer and recorded in the Department of Reclamation in Book 85 of Permits at Page 23953 and should now be attached to the original permit to which it refers and of which it becomes a limitation.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR : nls
Enc.

23953

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

DEPARTMENT OF RECLAMATION

WHEREAS, Permit No. G-23953, in the name of COLLEEN L. KERBE, requires proofs of completion of works and beneficial use to be made on or before April 2, 1958; and,

WHEREAS, said Permit was issued in connection with Desert Land Entry Idaho Serial #04112; and,

WHEREAS, applicant was prevented from proceeding with construction pending allowance of said Desert Land Entry, which was not allowed until April 20, 1954;

NOW, THEREFORE, an Extension of Time is allowed for Completion of Works and Beneficial Use Proofs on Permit No. G-23953 to April 20, 1959, or the length of time applicant was prevented from proceeding pending allowance of his Desert Land Entry and a similar extension is allowed for every other act required under the terms and conditions of Permit No. G-23953.

Signed at Boise, Idaho, this 17th day of February, 1958.

MARK R. KULP
State Reclamation Engineer

23953

RECEIVED
FEB 13 1958
Department of Reclamation

February 7, 1958

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

Re: G-23953

Dear Sir:

With regard to the above water permit, please be advised that this was applied for in connection with my desert land entry, Idaho Serial #04112 which was not allowed in the Land Office until April 20, 1954.

I hereby respectfully request that an extension of time be granted allowing five years from the date of allowance or until April 20, 1959.

Very truly yours,

Colleen L. Kerbs
210 2nd St.
Rupert, Idaho

By

Harley M. McDowell
Harley M. McDowell, Agent

23953

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

RE: Permit No. G-23953

Date February 3, 1958

Mr. Colleen L. Kerts
210 2nd Street
Rupert, Idaho

Dear Sir:

The date for proofs of completion of works and application of water to beneficial use, as set out under the terms of Permit No. G-23953 are due not later than April 2, 1958.

Before these proofs can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper with the county.

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

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

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

Very truly yours,

MARK R. KULP
State Reclamation Engineer

Enclosures

P.S. A copy of this Notice and the Forms are being mailed to:
Harley M. McQuinn
P.O. Box 2161
Boise, Idaho

23953

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

Idaho District Land Office

P. O. Box 237

Boise, Idaho

(PLACE)

April 20, 1954

(DATE)

RECEIVED
APR 29 1954
Department of Reclamation

NOTICE OF ALLOWANCE

Mrs. Colleen L. Kerbs,
Mrs. Colleen L. Kerbs,
210 - 2nd Street,
Boise, Idaho

Sir:

Your Desert Land Entry
Desert Land Entry, Serial No. Idaho 04112
(Kind of application or entry) the SW $\frac{1}{4}$ sec. 28; S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$
6210 the SW $\frac{1}{4}$ sec. 28; S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$
Receipt No. 6210, for the SW $\frac{1}{4}$ sec. 28; S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$
29
Section 29
Township 6 S., Range 22 E., Boise Meridian,

containing 320 acres, has this day been allowed, subject to
your further compliance with law and regulations applicable thereto.

In correspondence relating to this entry, always refer to the serial number.

The above entry is allowed subject to any existing

rights-of-way and to any valid existing rights.

Very respectfully,

Paul A. Shepard

cc: BLM, Shoshone, Idaho
State Rec. Engr., Boise, Idaho

23953

Permit No. G-23953

See letter of transmittal with Permit No. 23948.

A 23953

Permit Map No. 23953

Section 28

29 Section

768 - R 22 E