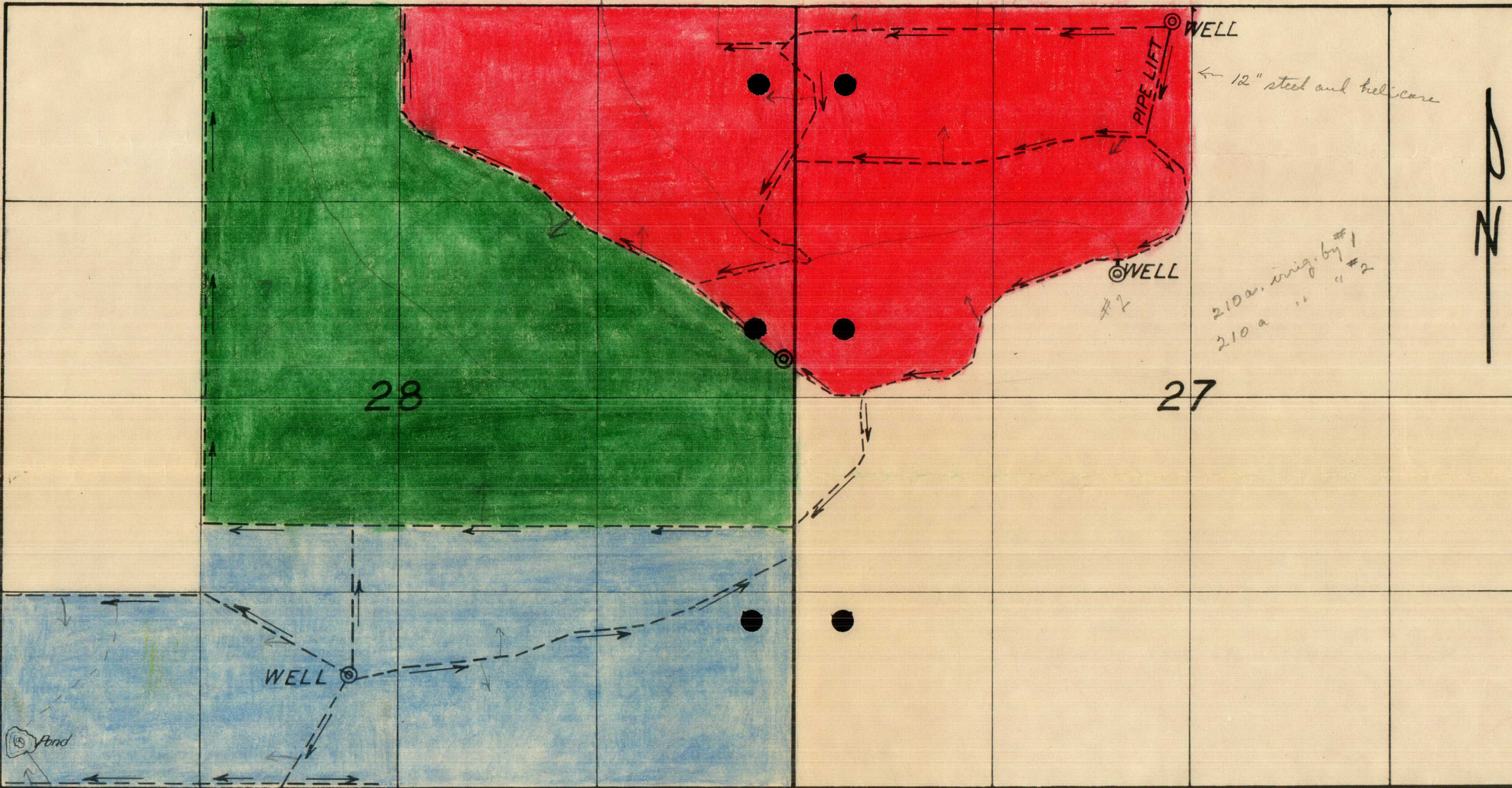




LEGEND

- FARM LAND
- MAIN DITCHES

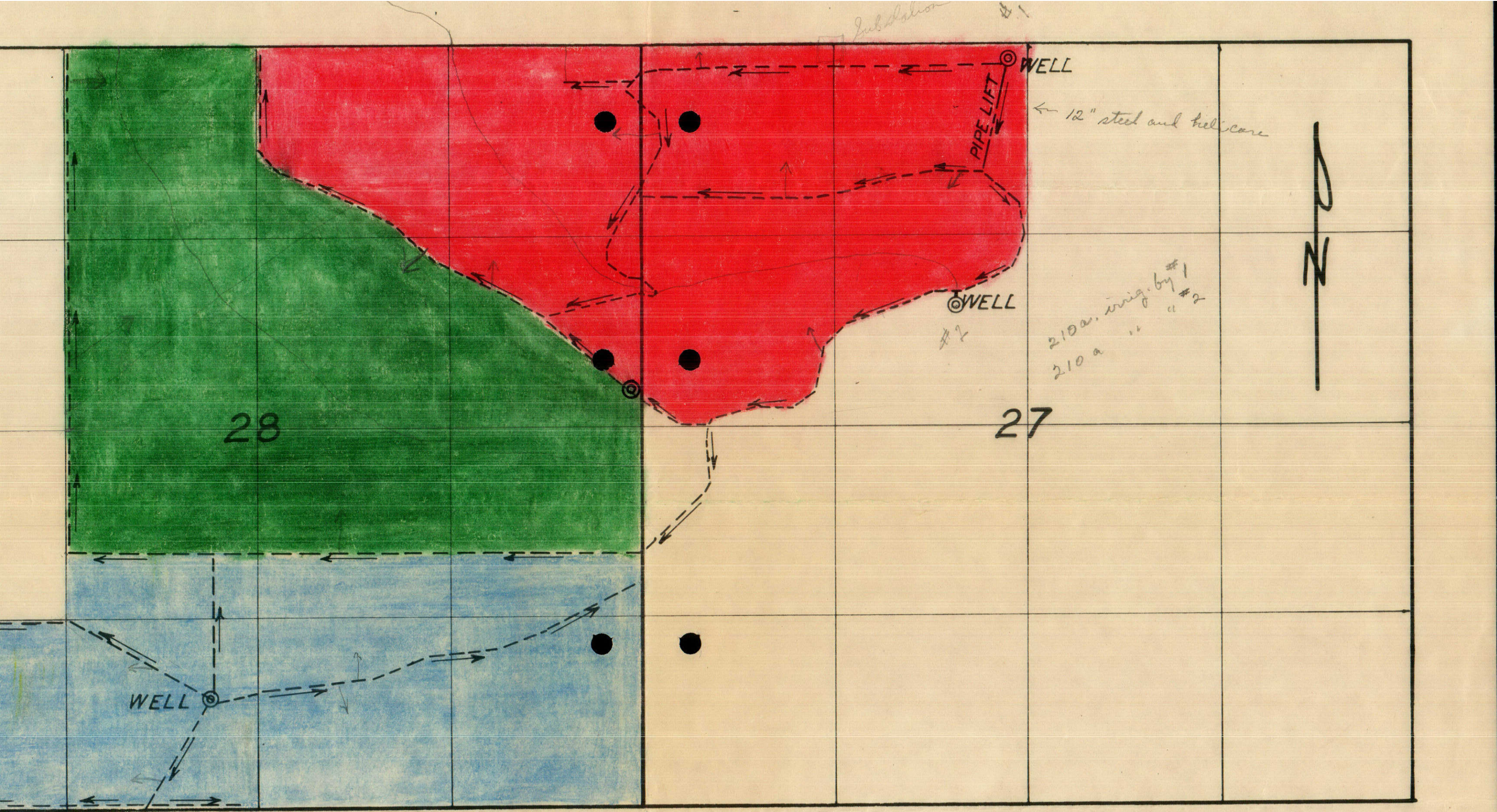
DURK RANCH
T.10S, R.20E, BM.
1"=600'

I hereby certify that this map correctly represents the Durk Lands located sections 27 and 28, T.10S, R.20E, BM., Jerome County, Idaho. Location of the irrigation wells and the main ditches leading therefrom are shown.

J. S. Han

Trin Falls,

June 18,



DURK RANCH
 T.10S, R.20E, BM.
 1"=600'

I hereby certify that this map correctly represents the Durk Lands located in sections 27 and 28, T.10S, R.20E, BM., Jerome County, Idaho. Location of the irrigation wells and the main ditches leading therefrom are shown.

J. S. Harrison
 J. S. Harrison
 Twin Falls, Idaho.
 June 18, 1954.

D
 FARM LAND
 MAIN DITCHES

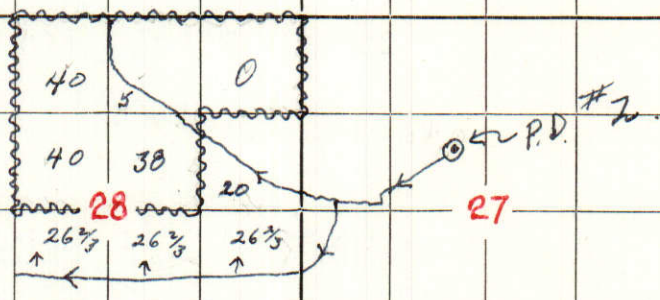
175
 125
 125
 525

16
 40
 560

6/18/54

R-20E.

T.
10
S.



Sub-divisions = 8 change for 5-
Area = 223a. claim 210a irrig.
Q = 197"
T = 61°F

Applicant Eldon Owens Dark for Amend to 21861 Serial No. _____
Township 10S, Range 20E, County Jerome

36	31	32	33	34	35	36	31
1	6	5	4	3	2	1	6
12	7	8	9	10	11	12	7
13	18	17	16	15	14	13	18
24	19	20	21	22	23	24	19
25	30	29	28	27	26	25	30
36	31	32	33	34	35	36	31
1	6	5	4	3	2	1	6

Eldon Dark

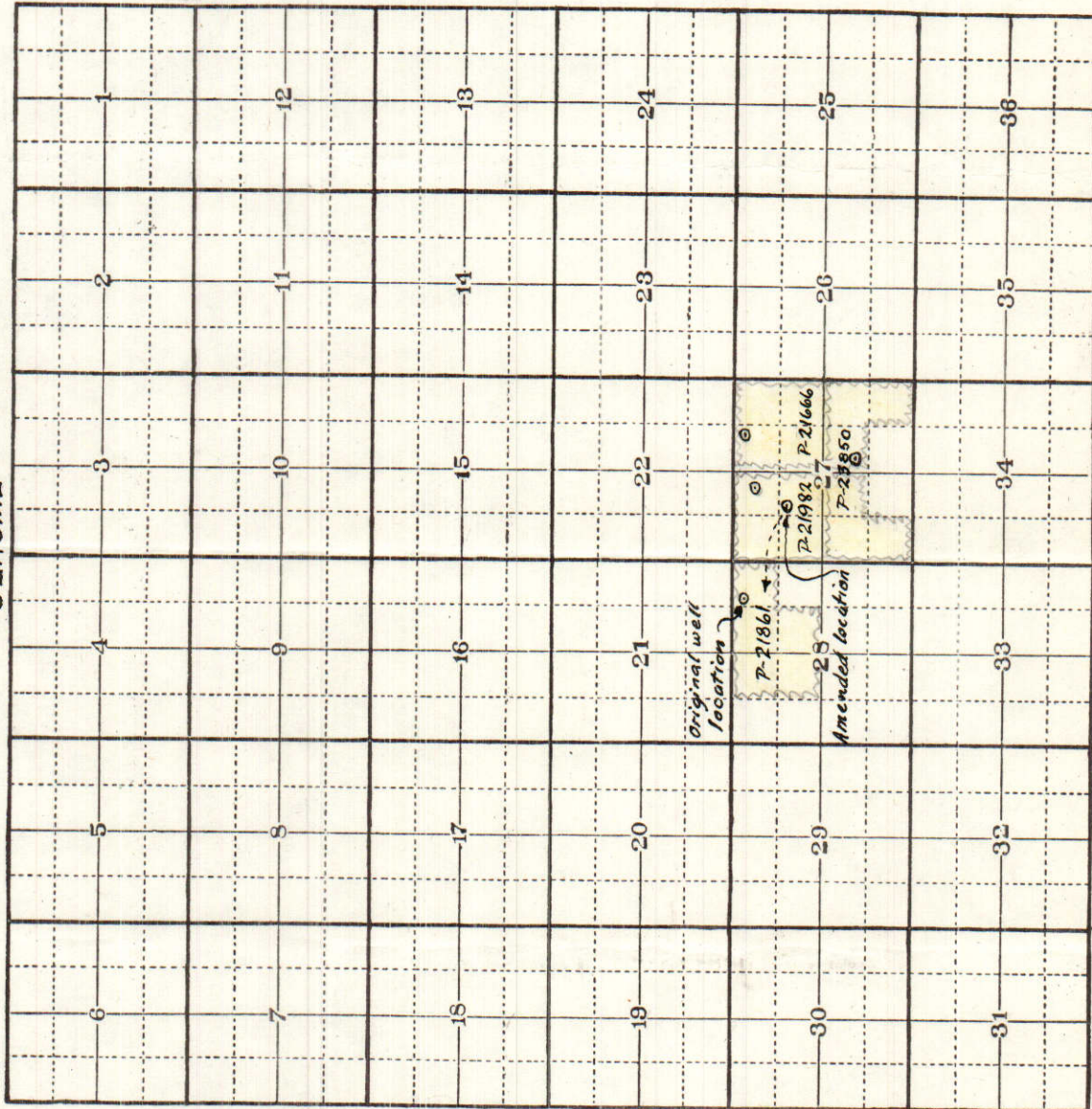
Amended Well Site
(located on Max Dark land)

IDAHO LAND & MAP SERVICE
BOX 2161, BOISE, IDAHO

21861

SCALE: ONE INCH TO ONE MILE

Township 10 S. Range 20 E. **JEROME**



P-21666
Howard Choot
Priority: 8-18-50

P-21861
Eldon Owens Dork
Priority: 1-12-51

P-21982
Max Dork.
Priority: 3-8-51

P-23850
Pauline McClure
Priority: 3-4-53

0" = Not completed

21861

Priority = Jan 10-57 begin Mar 12-57 1/2 done by 12-53 all done Jan 12-56
by 27-53.

Eldon Owens Dork
Hansen, Ida.

This well is already in operation.

Can't see that the change does any harm.
Talked only to hired man.

NAME OF APPLICANT

Eldo Owens Durk.

FORM No. 0

Twp. 10.S. R. 20.E.

21 Point of Diversion, Well

28 Point of Diversion, Well

21861
Permit Map No. 21861

As Approved

JAN 12 1951

MARK R. KULP

State Reclamation Engineer

Application For Transfer of Water Right

RECEIVED
JUN 3 1959
Department of Reclamation

STATE OF IDAHO

County of Ada

ss.

Max Durk

, being first duly sworn, deposes and says:

That his name is Max Durk; that he is of lawful age, a citizen of the United States and of the State of Idaho, and that his postoffice address is

Murtaugh, Idaho

That he is the owner and using a certain water right, bearing date of priority of March 8, 1951, for 3.7 cubic feet per second of the waters of subterranean source.

County of Jerome, State of Idaho, decreed to

by decree of Judge of the Judicial District of the State of

Idaho, in and for the county of, in the case of

vs. said decree bearing date of

(or obtained by virtue of License No. 21982, issued by the State Department of Reclamation of the State of Idaho, dated October 1, 1954, bearing date of March 8, 1951)

for the purpose of irrigating the following described lands situate, lying and being in Water District

No. in the County of Jerome and State of Idaho, to-wit:

Sec. 27

N $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 28, T 10 S - R 20 E., B.M.

and is the person (or representative of the corporation) to whom such right so issued, or has become the owner thereof in the following manner, i.e. Original.

as per abstract of title of said water right hereto attached and made a part of this statement;

That said waters are now diverted from said stream in the NENW of Section 27, Township 10 S., Range 20 E., B. M., and conducted to the above described lands through

as per map herewith and of this affidavit made a part.

CHANGE IN PLACE OF USE

That affiant and petitioner desires to abandon the use of 3.7 cubic feet per second of said water upon the above described land, and to convey and use same upon the following tract, situate, lying and being in the County of Jerome and State of Idaho, to-wit:

NE $\frac{1}{4}$ NW $\frac{1}{4}$, 40 acres; NW $\frac{1}{4}$ NW $\frac{1}{4}$, 40 acres; SW $\frac{1}{4}$ NW $\frac{1}{4}$, 39 acres; SE $\frac{1}{4}$ NW $\frac{1}{4}$, 23.5 acres, Sec. 27;
NE $\frac{1}{4}$ NE $\frac{1}{4}$, 40 acres; NW $\frac{1}{4}$ NE $\frac{1}{4}$, 40 acres; SW $\frac{1}{4}$ NE $\frac{1}{4}$, 10 acres; SE $\frac{1}{4}$ NE $\frac{1}{4}$, 20 acres; NE $\frac{1}{4}$ NW $\frac{1}{4}$, 30 acres;
SE $\frac{1}{4}$ NW $\frac{1}{4}$, 5 acres; T 10 S - R 20 E., B.M.

That reasons for desiring to make such transfer are as follows:

More feasible and economical operation.

T-927
36-2112

T-926
45-2361

Name of Applicant

SEC.

SEC. 28

SEC. 27

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

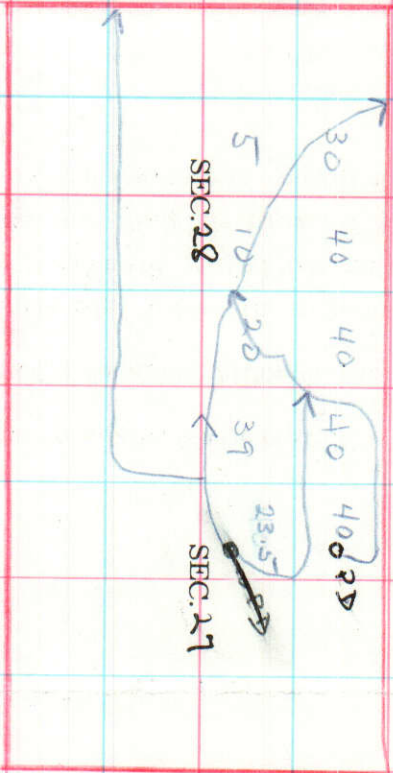
SEC.

SEC.

SEC.

SEC.

SEC.



21861

JUN 3 1959
Department of Reclamation

Application For Transfer of Water Right

STATE OF IDAHO

County of Ada Falls

} ss.

Eldon Owens Durk

, being first duly sworn, deposes and says:

That his name is Eldon Owens Durk; that he is of lawful age, a citizen of the United States and of the State of Idaho, and that his postoffice address is

Hansen, Idaho

That he is the owner and using a certain water right, bearing date of priority of Jan. 10, 1951, for 3.94 cubic feet per second of the waters of subterranean source

County of Jerome, State of Idaho, decreed to

by decree of Judge _____ of the _____ Judicial District of the State of

Idaho, in and for the county of _____, in the case of

vs. _____, said decree bearing date of

(or obtained by virtue of License No. 21861, issued by the State Department of Reclamation of the State of Idaho, dated October 1, 1954, bearing date of January 10, 1951)

for the purpose of irrigating the following described lands situate, lying and being in Water District No. _____ in the County of Jerome and State of Idaho, to-wit:

SE 1/4, W 1/4, E 1/4, NE 1/4, NW 1/4, Sec. 28, T10S-R20E, B.M.

_____ and is the person (or representative of the corporation) to whom such right so issued, or has become the owner thereof in the following manner, i.e. Original.

as per abstract of title of said water right hereto attached and made a part of this statement;

That said waters are now diverted from said stream in the subterranean waters SE NW of Section 27, Township 10 S., Range 20 E, B. M., and conducted to the above described lands through _____

as per map herewith and of this affidavit made a part.

CHANGE IN PLACE OF USE

That affiant and petitioner desires to abandon the use of 3.94 cubic feet per second of said water upon the above described land, and to convey and use same upon the following tract, situate, lying and being in the County of Jerome and State of Idaho, to-wit:

NE 1/4, Sec. 28, 10 acres; SE 1/4, Sec. 28, 35 Acres; NE 1/4, Sec. 28, 26.6 acres; NW 1/4, Sec. 28, 26.7 acres; NE 1/4, Sec. 28, 26.7 acres; SE 1/4, Sec. 28, 20 acres; SW 1/4, Sec. 28, 30 acres; SW 1/4, Sec. 27, 1 acre; NW 1/4, Sec. 27, 4.6 acres; SE 1/4, Sec. 27, 16.5 acres.

That reasons for desiring to make such transfer are as follows:

More feasible and economical operations.

T-927
36-2112

T-926
45-2361

SEC.

SEC. 27

SEC.

SEC.

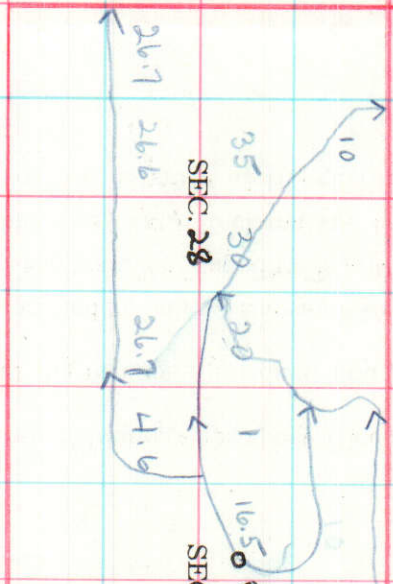
SEC.

SEC.

SEC.

SEC.

SEC.



AFFIDAVIT of PUBLICATION

State of Idaho,
County of Jerome

SS.

RECEIVED
AUG 25 1959

Department of Reclamation

W. J. MacKnight, being first duly sworn, deposes and says that he is the printer (publisher) of the Jerome North Side News, a newspaper published every week in Jerome, County of Jerome, 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 11 day of June, 1959, and the date of the last publication was on the 18 day of June, 1959

W. J. MacKnight

Subscribed and sworn to before me this 24TH

day of AUGUST, 1959
(SEAL)

L. N. Strickland
NOTARY PUBLIC

JEROME NORTH SIDE NEWS COST OF PUBLICATION

Number of Lines in Notice 30

Number of Insertions 2

30 Lines at 15c

30 Lines at 10c

TOTAL COST

4.50

3.00

7.50

1-927
36-2112

COPY OF NOTICE

(State Here)
Nat. of proposed transfer of water right
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Max Durk
BILL TO
Murtaugh, Idaho

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that Max Durk of Murtaugh, Idaho has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing him to change the place of use of the waters of subterranean source by well as follows: Amount: 3.7 cubic feet per second. Priority: March 8, 1951. Point of diversion: NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 27, Township 10 S, Range 20 E, B.M. Place of Use: NW $\frac{1}{4}$ Sec. 27, NE $\frac{1}{4}$ Sec. 28, T. 10 S. R. 20 E. B. M.

To Be Transferred To
Place of Use: NW $\frac{1}{4}$ Sec. 27 NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 28, T. 10 S. R. 20 E. B. M.

And that on the 7th day of July, 1959, at 10:00 o'clock a.m., at Room 107, State House, Boise, Idaho, before the State Reclamation Engineer, or his authorized agent, the opportunity will be given to any and all persons to appear and present, for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.

GEO. N. CARTER,
State Reclamation Engineer.
6-11-2tc

PUBLICATION RATES:

(Idaho Code, (Rev. Statutes) 1955)
7 pt. per line, straight 14c
7 pt. per line, tabular 20
7 pt. per line, successive
insertions 10c
6 pt. per line, straight 15c
6 pt. per line, tabular 20c
6 pt. per line, successive
insertions 10c

Duplicate Copy
of 1117
N^o 1161

1-926
45-2361

AFFIDAVIT of PUBLICATION

State of Idaho,
County of Jerome

SS.

RECEIVED
AUG 25 1959
Department of Reclamation

W. F. MacKnight being first duly sworn, deposes and says that he is the printer (publisher) of the Jerome North Side News, a newspaper published every week in Jerome, County of Jerome, 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 11 day of June

1959, and the date of the last publication was on the 18

day of June, 1959

W. F. MacKnight

Subscribed and sworn to before me this 24TH

day of AUGUST, 1959
(SEAL)

L. M. Stichter
NOTARY PUBLIC

JEROME NORTH SIDE NEWS COST OF PUBLICATION

Number of Lines in Notice 33

Number of Insertions 2

33 Lines at 15c

33 Lines at 10c

TOTAL COST ... 8.25

COPY OF NOTICE

(State Here)
Notice of proposed transfer of water right
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Eldon Owen Durk
Hansen, Idaho
BILL TO

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT
Notice is hereby given that Eldon Owen Durk of Hansen, Idaho, has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing him to change the place of use of the waters of subterranean source by well as follows: Amount: 3.94 cubic feet per second. Priority: January 10, 1951. Point of diversion: SE 1/4 NW 1/4, Section 27, Township 10 S, Range 20 E, B. M. Place of Use: W 1/2 NE 1/4, SE 1/4 NE 1/4, E 1/2 NW 1/4, NE 1/4 SW 1/4, N 1/2 SE 1/4, Sec. 28, T. 10 S. R. 20 E. B. M.
To Be Transferred To
Place of Use: S 1/2 NW 1/4, NW 1/4 SW 1/4, Sec. 27, and S 1/2 NE 1/4, E 1/2 NW 1/4, NE 1/4 SW 1/4, N 1/2 SE 1/4, Sec. 28, T. 10 S. R. 20 E. B. M.
And that on the 7th day of July, 1959, at 10:00 o'clock a.m., at Room 107, State House, Boise, Idaho before the State Reclamation Engineer, or his authorized agent, the opportunity will be given to any and all persons to appear and present, for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.
GEO. N. CARTER,
State Reclamation Engineer.
6-11-2tc

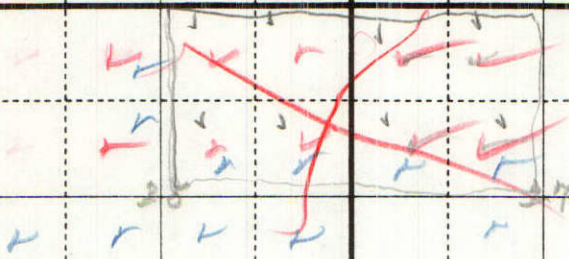
(Idaho Code, (Rev. Statutes) 1955)
7 pt. per line, straight 14c
7 pt. per line, tabular 20
7 pt. per line, successive
insertions 10c
6 pt. per line, straight 15c
6 pt. per line, tabular 20c
6 pt. per line, successive
insertions 10c

No 1162

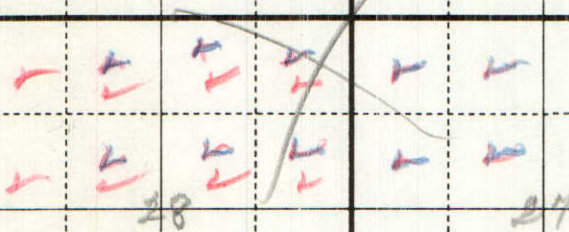
T-926
45-2361

T-927
36-2112

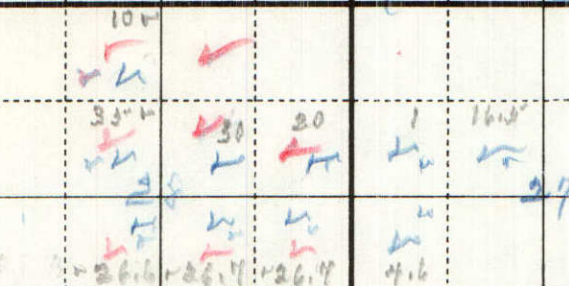
Eldon Carson Drake



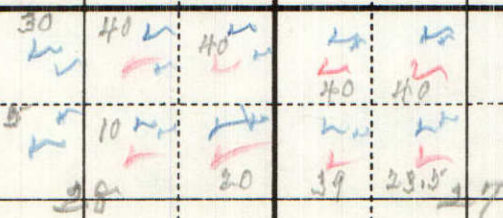
Map Durn



Eldon



Map Drake



T-927
36-2112 T-926
45-2361

**NOTICE OF PROPOSED TRANSFER
OF WATER RIGHT**

Notice is hereby given that Eldon Owens Durk of Hansen, Idaho, has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing him to change the place of use of the waters of subterranean source by well as follows: Amount: 3.94 cubic feet per second. Priority: January 10, 1951. Point of diversion: SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 27, Township 10 S, Range 20 E, B. M. Place of Use: W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 28, T. 10 S. R. 20 E. B. M.

To Be Transferred To

Place of Use: S $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 27, and S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 28, T. 10 S. R. 20 E. B. M.

And that on the 7th day of July, 1959, at 10:00 o'clock a.m., at Room 107, State House, Boise, Idaho before the State Reclamation Engineer, or his authorized agent, the opportunity will be given to any and all persons to appear and present, for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.

GEO. N. CARTER,
State Reclamation Engineer.

6-11-2tc

**NOTICE OF PROPOSED TRANSFER
OF WATER RIGHT**

Notice is hereby given that Max Durk of Murtagh, Idaho has applied to the State Reclamation Engineer of the State

Of Idaho for a certificate authorizing him to change the place of use of the waters of subterranean source by well as follows: Amount: 3.7 cubic feet per second. Priority: March 8, 1951. Point of diversion: NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 27, Township 10 S, Range 20 E, B. M. Place of Use: NW $\frac{1}{4}$ Sec. 27, NE $\frac{1}{4}$ Sect. 28, T. 10 S. R. 20 E. B. M.

To Be Transferred To

Place of Use: NW $\frac{1}{4}$ Sec. 27 NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 28, T. 10 S. R. 20 E. B. M.

And that on the 7th day of July, 1959, at 10:00 o'clock a.m., at Room 107, State House, Boise, Idaho, before the State Reclamation Engineer, or his authorized agent, the opportunity will be given to any and all persons to appear and present, for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.

GEO. N. CARTER,
State Reclamation Engineer.

6-11-2tc

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Certificate of Water Right
Transferred Right No. 926

THIS IS TO CERTIFY, That Eldon Owens Durk, of Hansen, Idaho, is the owner of and using a certain water right for 3.94 cubic feet per second of subterranean flow from a well located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 27, Township 10 South, Range 20 East, B.M.

That said water being evidenced by virtue of License and Certificate of Water Right No. 21861, issued by the State Reclamation Engineer of the State of Idaho, dated October 1, 1954 for 3.94 cubic feet per second, with priority of January 10, 1951, and being appurtenant to the following described lands, to-wit:

SE $\frac{1}{4}$ NE $\frac{1}{4}$ and the W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$,
NE $\frac{1}{4}$ SW $\frac{1}{4}$, and the N $\frac{1}{2}$ SE $\frac{1}{4}$, of
Section 28, Township 10 South,
Range 20 East, B. M.

That said License has been entered in the records of the Department of Reclamation of the State of Idaho, in Volume 9 of Licenses at Page 5367.

And that now, upon the application of Eldon Owens Durk of Hansen, Idaho, for a transfer of 3.94 cubic feet per second of said subterranean water made before the State Reclamation Engineer of the State of Idaho and said application having been granted the right to the use of said water upon the lands described above, is hereby abandoned and the lands to which said water shall, by this certificate, become appurtenant for irrigation and domestic purposes described as follows, to-wit:

Section 27, Twp. 10 S., Rge. 20 E.B.M.

SW $\frac{1}{4}$ NW $\frac{1}{4}$	-	1 acre
NW $\frac{1}{4}$ SW $\frac{1}{4}$	-	4.6 acres
SE $\frac{1}{4}$ NW $\frac{1}{4}$	-	16.5 acres

Section 28, Twp. 10 S., Rge. 20 E.B.M.

NE $\frac{1}{4}$ NW $\frac{1}{4}$	-	10 acres
SE $\frac{1}{4}$ NW $\frac{1}{4}$	-	35 acres
NE $\frac{1}{4}$ SW $\frac{1}{4}$	-	26.6 acres
NW $\frac{1}{4}$ SE $\frac{1}{4}$	-	26.7 acres
NE $\frac{1}{4}$ SE $\frac{1}{4}$	-	26.7 acres
SE $\frac{1}{4}$ NE $\frac{1}{4}$	-	20 acres
SW $\frac{1}{4}$ NE $\frac{1}{4}$	-	30 acres

That said water is to be limited at any given time to an amount actually needed and beneficially used for such purposes and shall not exceed the following amount, to-wit:

3.94 cubic feet per second, with
priority of January 10, 1951.

T-927
36-2118

T-926
45-2361
36-2717

That the water right hereby transferred has heretofore been conducted to the first above described lands through private ditches from a well located with point of diversion in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 27, Township 10 South, Range 20 East B. M.

That the said water right hereby transferred will hereafter be conducted to the last above described lands through private ditches with no change in point of diversion.

That the right to the use of the aforesaid hereby confirmed, is restricted to the land or place of use last above described as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho, to be hereunto affixed, at Boise, Idaho, this 1st day of September, 1959.



GEO. N. CARTER
State Reclamation Engineer

T-927
36-2118

T-926
4-0-2717

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

In the Matter of the Application of)

Eldon Owens Durk)
of)
Hansen, Idaho)

ORDER GRANTING TRANSFER

NO. 926

For a Transfer of Water Right for)
Subterranean Water in the County)
of Jerome, Idaho.)

WHEREAS, on the 7th day of July, 1959, at the Department of Reclamation of the State of Idaho, at Boise, Idaho, this matter of the application of Eldon Owens Durk, of Hansen, Idaho, for a transfer of water right, came on regularly for hearing, pursuant to the published notice, in due and statutory form; and,

WHEREAS, No protest has been filed against the application and the evidence filed by the applicant, with the application, shows that the water will be consolidated on lands of the applicant for more efficient beneficial use and that no one will be injured thereby.

NOW, THEREFORE, IT IS HEREBY ORDERED, That the said application be, and the same is HEREBY GRANTED, and that a Certificate of Transfer be issued to the applicant herein, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho, this 1st day of September, 1959.


GEO. N. CARTER
State Reclamation Engineer

7-921
3-2118

7-926
40-2561
36-2717

State of Idaho
License and Certificate of Water Right

Water License No. 21861

Amount 3.94 second feet

Water District No.

Priority January 10, 1951

THIS IS TO CERTIFY that ELDON OWENS DURK
of Hansen, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated January 10, 1951; that Permit No. 21861
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
3.94 second feet, was issued thereunder on October 1, 1954, showing that said works
were completed on the 26th day of June, 1954; and that on the 26th
day of June, 1954,

ELDON OWENS DURK
of Hansen, 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
~~contributing~~ (subterranean flow), for the purpose of irrigation and domestic
use, under Use Permit No. 21861 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
9 of Licenses at page 5367, on the 1st day of October, 1954;

The right hereby confirmed dates from January 10, 1951;

The Point of Diversion is located
in the SE 1/4 NW 1/4, Sec. 27, Tp. 10 S., R. 20 E., B. M. Jerome 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 3.94 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
10 S.	20 E.	28	SE $\frac{1}{4}$ NE $\frac{1}{4}$	40	20
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	40	5
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	40	38
			NE $\frac{1}{4}$ NW $\frac{1}{4}$	40	40
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	40	40
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	40	26-2/3
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	40	26-2/3
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	40	26-2/3
Number of Acres Actually Irrigated				223	

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
1st day of October, 1954.

MARK R. KULP

State Reclamation Engineer. 36 2717

(SEAL)

N^o 21861
~~45-2361~~

APPLICATION FOR PERMIT
To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 29583
PERMIT No. 21861
DISTRICT No.

36-277

1. Name of Applicant: ELDON OWENS DURK

Postoffice address: Hansen

County: Twin Falls

State: Idaho

I. If applicant is a corporation, give:

(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:

2. Quantity of water claimed: 6.40 cubic feet per second.

3. Source of water supply: Subterranean flow from a well which is a tributary of

4. Location of point of diversion: feet distant from the

corner of Section , T. , R. , B.M., and is in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 2, and NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 28 , T. 10 S. , R. 20 E. , B.M., County of Jerome

5. Water is to be used for Irrigation and domestic purposes.

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section

T. , R. , B.M., in the of Section , T. , R. , B.M.

(b) Amount of power generated: H.P., under feet head.

(c) Water is to be returned to at a point feet

distant from the corner of Section , T. , R. , B.M., in the of Section , T. , R. , B.M.

7. Estimated cost of works: \$10,000.00

8. Kind of works: Wells, pumps and ditches

9. Height of dam feet; length of dam at top feet; length of dam at bottom

feet; material used in dam:

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom feet; width at water line feet; depth of water feet;

dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

12. The time required for the completion of such work is Five (5) years.

13. The time required for the complete application of the water to the proposed use is Six (6) additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

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

16. (a) Is reservoir to be used? If so, fill in (b) and (c) below:
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

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

ELDON OWENS DURK *Applicant.*

By *Agent.*

Date of first receipt at Department of Reclamation: 10:00 A. M. January 10, 1951

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 21861
 Recorded in Book 78 Page 21861 Approved January 12, 1951
 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 March 12, 1951 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.
 One-fifth of the work above specified to be completed on or before July 12, 1953
 The whole of said work to be completed on or before January 12, 1956
 Beneficial use of water appropriated in accordance herewith, to be made on or before January 12, 1962

WITNESS My hand this 12th day of January, 1951

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, LEN JORDAN, Governor of the State of Idaho, and IRA H. MASTERS, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 12th day of January, 1951.
 Countersigned:
 (SEAL) By IRA H. MASTERS, Secretary of State.
 By LEN JORDAN, Governor.

REMARKS: Water filing in connection with desert filing with Bureau of Land Management.

14.

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
10 S.	20 E.	21 28	40	40	40		40		40		40		40						120 200
Total Number of Acres to be Irrigated - - -																			320
RELINQUISHMENT																			
TO WHOM IT MAY CONCERN:																			
I hereby relinquish to the State of Idaho, all my right, title and interest in and to Permit to appropriate the Public Waters of the State of Idaho, No. 21861. Insofar as it included the following described land: T10S - R20E.B.M. Sec. 21, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, and the well applied for on this part only. I am retaining all the remaining part of this permit. (includes T10S - R20E -Sec. 28, E $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$) And the well thereon, as applied for.																			
/s/ MARYBELL HOWARD Witness										/s/ ELDON OWENS DURK Permit Holder.									
Received and filed for record in the Department of Reclamation October 26, 1951.																			MARK R. KULP State Reclamation Engineer

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, NO. 21861

Comes now ELDON OWENS DURK and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 21861

That the point of diversion is described in said permit as being located NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 28, T 10 S, R 20 E., B.M.

That he now requests that the point of diversion be changed to a point SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 27, T 10 S, R 20 E., B.M.

That his reasons for desiring to make such change are as follows: This well site is preferable and will locate my well on my brother's entry from whom I have an easement.

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

Signed at Hansen this 13 day of May 1953.

ELDON OWENS DURK

Date of receipt at Department of Reclamation July 15, 1953

APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 21861. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

MARK R. KULP
State Reclamation Engineer

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, NO. 21861

Comes now Eldon Owens Durk, and represents to the State Reclamation Engineer of the State of Idaho.

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 21861, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows: SE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and N $\frac{1}{2}$ SE $\frac{1}{4}$ Section 28, Township 10 South, Range 20 East, B. M., making a total of 223 acres.

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

Signed at Hansen, Idaho, this 23 day of September, 1954.

/s/ ELDON OWENS DURK

Date of receipt at Office of Department of Reclamation Sept. 28, 1954.

APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 21861. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

MARK R. KULP
State Reclamation Engineer

Permit No. 21861
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that ELDON OWENS DURK of Hansen, County of Twin Falls, and State of Idaho, the holder of Permit No. 21861, issued upon Application No. 29583 bearing date of priority of January 10, 1951, authorizing the diversion of 6.4 second feet of the waters of a well (subterranean flow) county of Jerome, State of Idaho, for irrigation and domestic 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 3.94 second feet of the waters of said well, that the point of diversion of said waters is in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 27, Township 10 South, Range 20 East, B. M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: SE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and N $\frac{1}{2}$ SE $\frac{1}{4}$ Section 28, Township 10 South, Range 20 East, B. M.

Witness my hand this 1st day of October, A. D. 1954.

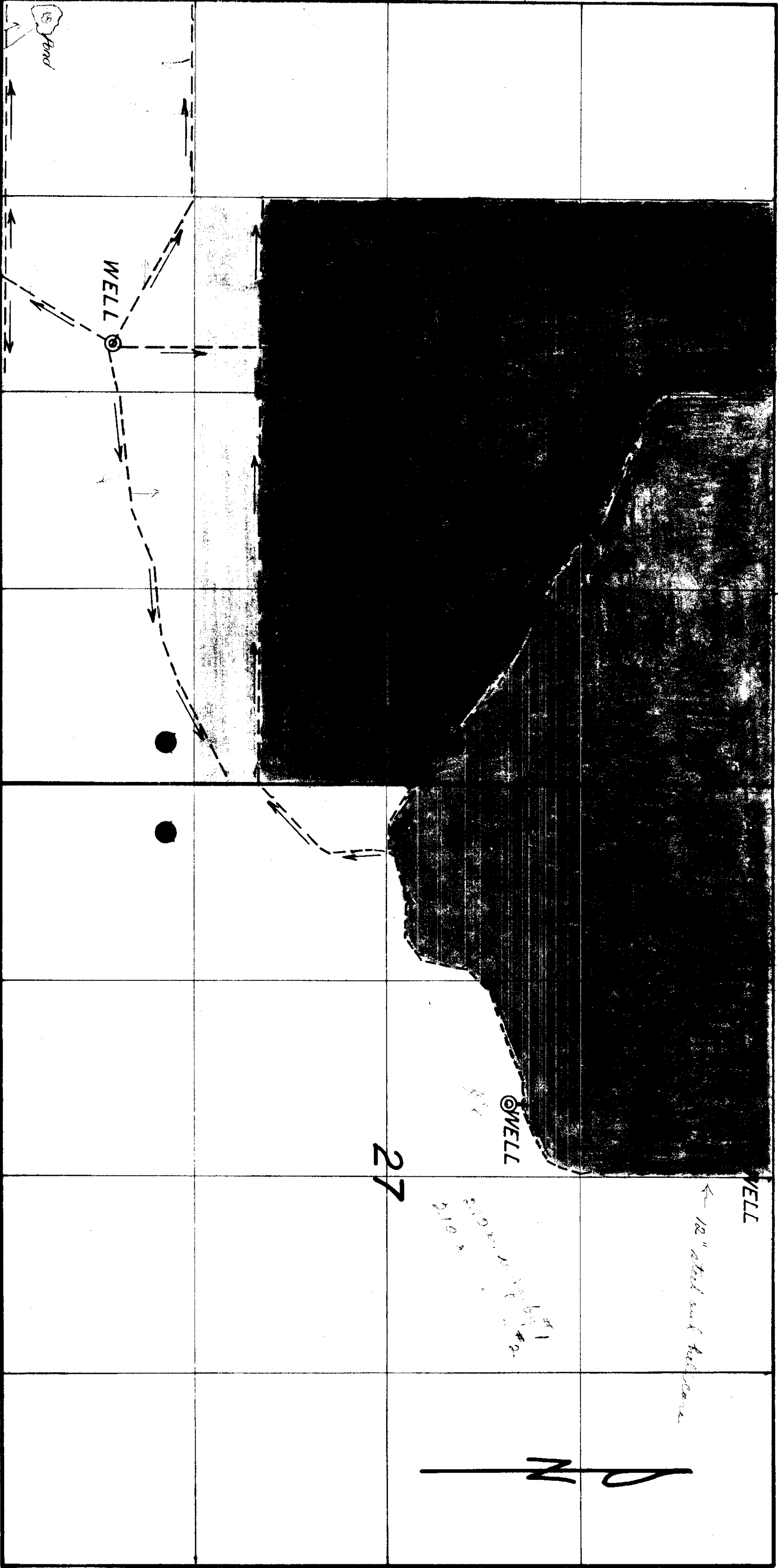
MARK R. KULP
State Reclamation Engineer

LICENSE ISSUED FOR 3.94 SEC. FT.

Pg. 5367

Proof of Completion of Works was made June 26, 1954.
Certificate of Completion of Works issued October 1, 1954.

All correspondence
from Transfers 926 and
927 has been placed
in T-926 or file
45-2361. A copy of
the order granting
transfer for T-927 is
in 36-2112.



LEGEND

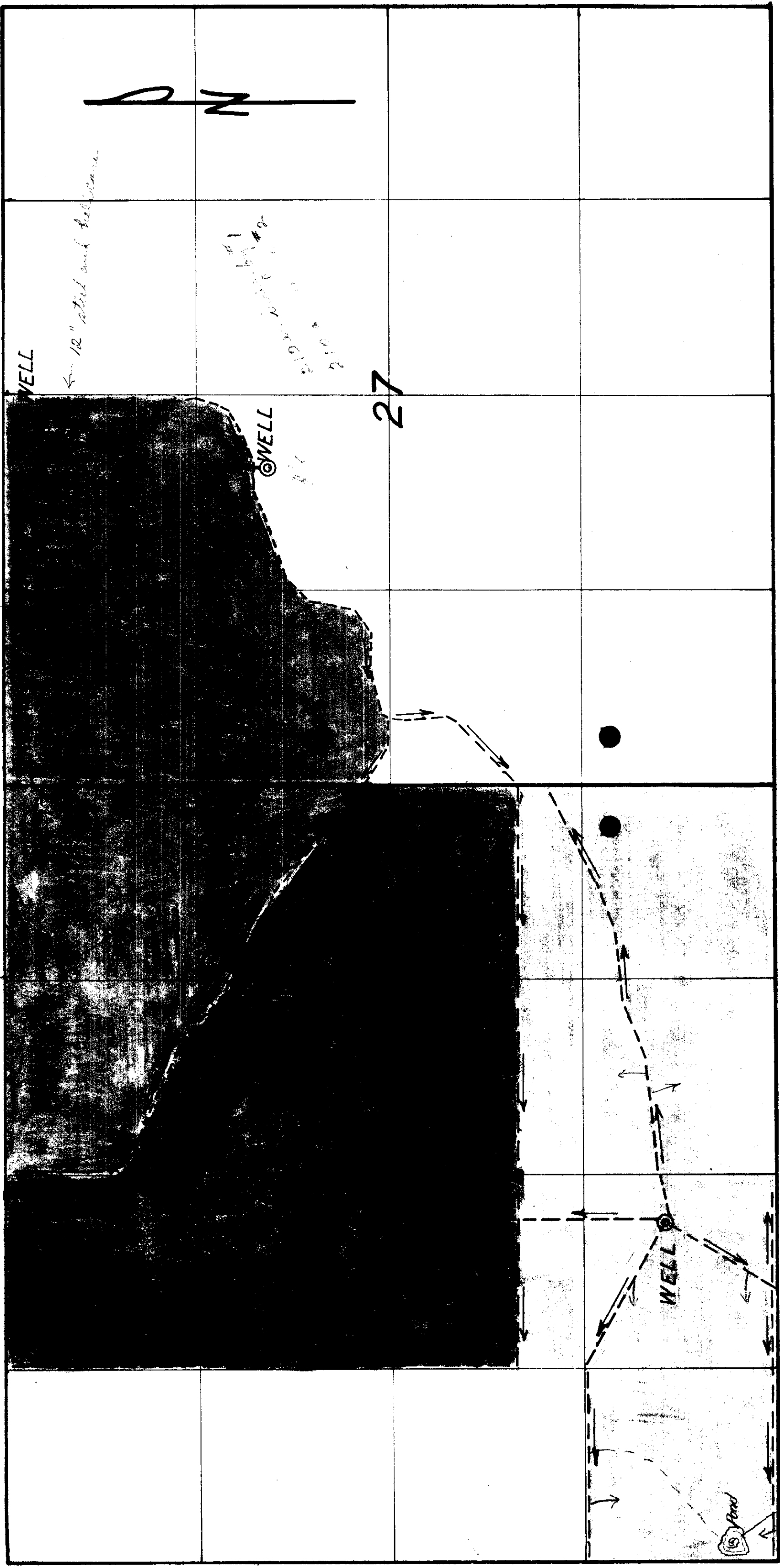
FARM LAND

MAIN DITCHES

DURK RANCH
T10S, R20E, BM.
1"=600'

I hereby certify that this map correctly represents the Durk Ranch located in sections 27 and 28, T10S, R20E, BM, Jerome County, Idaho. The location of the irrigation wells and the main ditches leading therefrom are shown.

W. S. Thompson
Farm Falls, Idaho.
June 18, 1954.



DURK RANCH **T.10S., R.20E., BM.** 1"=600'

LEGEND

- FARM LAND
- MAIN DITCHES

Hereby certify that this map correctly represents the Durk Ranch located in sections 27 and 28, T.10S., R.20E., BM., Jerome County, Idaho. Location of the irrigation wells and the main ditches leading therefrom are shown.

J. S. Langmuir
 June 18, 1954.

17
 18
 19

17
 18
 19

WELL

← 12" steel and hose line

WELL

27

WELL

Pond

October 5, 1954

RE: Permit No. 21861

Mr. Eldon Owens Durk
Hansen
Idaho

Dear Mr. Durk:

We return your application for amendment to the land list in Permit No. 21861 which has been approved by the State Reclamation Engineer and recorded in this department.

We also enclose Certificate of Completion of Works and License and Certificate of Water Right issued under this Permit, confirming your right to the use of 3.94 second feet of water from a well in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 27, Township 10 South, Range 20 East B.M. with priority of January 10, 1951, for irrigation and domestic use on the SE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ and N $\frac{1}{2}$ SE $\frac{1}{4}$ of said Section 28.

We also enclose departmental receipt No. 26951 for the \$15.00 paid in connection with completion of works and beneficial use proofs.

Very truly yours,

CLARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll
Enc.

21 Oct

September 21, 1954

RE: Permit No. 21861

Mr. Eldon Owens Durk
Hansen
Idaho

Dear Mr. Durk:

We now have on file the report of our field engineer on examination for completion of works and beneficial use on your Permit No. 21861. This report shows that your well in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 27, Township 10 South, Range 20 East B.M. will deliver 197 inches or 3.94 second feet of water which has been used to irrigate 223 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 28, same Township and Range.

A Certificate of Completion of Works and License can therefore be issued for that amount upon receipt of the statutory fees. These amount to \$5.00 for Certificate of Completion of Works and \$10.00 license fee. This is at the rate of \$2.00 for each of the five North 40's and there will be no additional fee for the 80 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and N $\frac{1}{2}$ SE $\frac{1}{4}$ of the Section which are also included in Permit No. 21860.

However, it will be necessary to amend the land description and we enclose a form of application for such amendment herewith, which should be signed by you and returned to this department for record.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll
Enc.

21861

Well log states location as:

SE, SW. Ser. 28, 105-20E.

Log is in Well Log File

RECEIVED: 1961 FEB 12 10 11 AM
U.S. AIR FORCE
OFFICE OF THE JUDGE ADVOCATE GENERAL
WASHINGTON, D.C.

21861

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 21861

REPORT ON PROOF OF Completion of Works & Beneficial Use

ELDON OWENS DURK, Hansen, Idaho

39465
enr

app 4 c/s

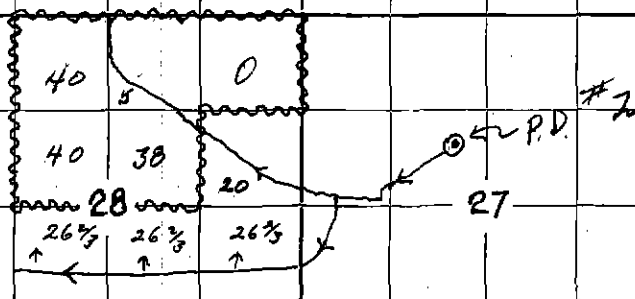
223 acres

8-40's

1 per for 5 >

R-20E.

T.
10
S.



Sub-divisions = 8 charge for 5-
 Area = 223a. claim 210a. irrig.
 Q = 197"
 T = 61°F

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

Permit No. 21861

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

1. Name of applicant Eldon Owens Durk, Hansen, Idaho
2. Source of water supply: Well
3. Location of point of diversion: Is in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 27
T. 10 S. R. 20 E. County of Jerome
4. Describe works as they exist, giving dimensions and capacities of same: Well is 16" diameter by 490' deep. 309' of 10" column. 9 Stage, 12" bowls. H=344', Lift is 348'. 8'x8' concrete curb, wooden fram roof. Layne Bowler Pump No. 19482. 200 hp. G. E. Morot Serial No. XJJ 1024006. 10" by 90' pipe delivery to the North to ditches to fields by gravity.

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):

NE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ Section 28, Twp. 10 S., Range 20 East.

Proof describes: In Section 28, Twp. 10 S., Rge. 20 E., B.M.

SE $\frac{1}{4}$ NE $\frac{1}{4}$ (20 acres); SW $\frac{1}{4}$ NE $\frac{1}{4}$ (35 acres); E $\frac{1}{2}$ NW $\frac{1}{4}$ (80 acres); NE $\frac{1}{4}$ SW $\frac{1}{4}$ (27 acres)

NW $\frac{1}{4}$ SE $\frac{1}{4}$ (27 acres); NE $\frac{1}{4}$ SE $\frac{1}{4}$ (27 acres)

See the map

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

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

Remarks: See report in Permits Nos. 21860 and 21982 also colored map made by

J. E. Hayes.

This examination was made on the 12 day of Aug, 1934

(Signed)

E. N. Humphrey

Examiner.

21861

20. 12. 25

2

Department of Reclamation

See map with 21860

Form 16.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
JUL 8 1954
Department of Reclamation

Permit No. 21861

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 Elden Owens Durk; I reside 3/4 mile west of Hansen, Idaho; my occupation is farming; postoffice address, Hansen, 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. The number of my water permit is 21861; date of permit, January 12, 1951; date of priority which I propose to establish is January 10, 1951.

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

Ans. Source of this water is subterranean with pt. of diversion in SE 1/4, Sec. 27, T2S-R20E, B.M.

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. My works consist of well drilled to a depth of 510 ft., 18" hole which tapers to a 14" hole below the casing. ^{and a 200 h.p. pump} This involves a water lift of 360'. The water will raise to 345' and draws down to approx. 360'. This was measured by a Collins Flometer. The water is distributed through a gravity system, 18" bottom, 3' deep and 7' top on the main distribution ditches. This water is used irrigation and place of use is as follows: SE 1/4, 20 acres; SW 1/4, 35 acres; NE 1/4, 40 acres; SE 1/4, 40 acres; NE 1/4, 27 acres; NW 1/4, 27 acres; NE 1/4, 27 acres. Section 28, T 10 S - R 20 E, B.M. The entire area has been cultivated, developed, irrigated for irrigation. There was no natural meadow land here.

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. The entire area has been cultivated, developed for irrigation. There was no natural meadowland and all improvements made including breaking, levelling, clearing, ditching preparation of seed bed have all been made as a direct result of the use of this water.

21861

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

Ans. None.

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

Ans. This is the minimum amount of water which could be used to irrigate this much land. In fact, if I raised intensive row crops it would require more water.

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. I am the person who originally made this application.

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

Ans. I started work on this immediately after issuance of the permit and in 1952 we had about 175 acres of wheat irrigated. In 1953, I had the entire area irrigated and in 1954 the entire area irrigated and planted to an agricultural crop.

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)

Eldon Amos Durb

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 Idaho 26 day of June, A. D. 19 54.

My commission expires 10/11/55

21861

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 21861

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. My name is Harold O. Hove; age, 44; residence, Kimberly, Idaho; occupation, farming, banking, advertising business; postoffice address, Kimberly, Idaho.

Ques. 2. Are you acquainted with Eldon Owens Durk, the holder of Permit No. 21861? How long have you known him and where does he reside?

Ans. I have known him 8 years and know he resides 3/4 mile west of Hansen, Idaho.

Ques. 3. Have you read or heard read said Permit No. 21861, and are you familiar with its provisions and conditions?

Ans. Yes, and I am familiar with its provisions and conditions.

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. Source of water is subterranean, raised through a well drilled 510' deep and equipped with 200 h.p. turbine type motor. The hole is 18" in diameter and tapers to 14" below the casing. Ditches have dimensions of 18" bottom, 3' deep, 7' top. Place of diversion SE 1/4, Sec. 27, T 2 S. - R 20 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 estimate said works will safely conduct 174 miner's inches of water and have this this amount being 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 174 Miner's inches and this was measured by a Collins Flowmeter.

21861

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: SE $\frac{1}{4}$ NE $\frac{1}{4}$, 20 acres; SW $\frac{1}{4}$ NE $\frac{1}{4}$, 35 acres; NE $\frac{1}{4}$ NW $\frac{1}{4}$, 40 acres; SE $\frac{1}{4}$ NW $\frac{1}{4}$, 40 acres; NE $\frac{1}{4}$ SW $\frac{1}{4}$, 27 acres; NW $\frac{1}{4}$ SE $\frac{1}{4}$, 27 acres; NE $\frac{1}{4}$ SE $\frac{1}{4}$, 27 acres, Section 28, T 10 S - R 20 E, B.M. This is cultivated and all works and preparation for planting and raising of crops are a direct result of said use.

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. Character of land is volcanic ash and I estimate the amount of water required for profitable cultivation to be the amount applied for in this permit.

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

Ans. None.

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

Ans. I own land adjacent this on the north and have had occasion to see it almost every day during the entire time of development.

(Signed)X

Harold A. Howe

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 26 day of June, A. D. 1954.

Notary Public.

My commission expires 10/11/55

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 21861

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. My name is Helen Louise Baily; age, 36; residence, 5 miles east and north of Hansen, Idaho; occupation, housewife; postoffice address, Hansen, Idaho.

Ques. 2. Are you acquainted with Elden Owens Dark, the holder of Permit No. 21861? How long have you known him and where does he reside?

Ans. Yes. I have known him all of my life and he now resides 3/4 mile west of Hansen, Idaho.

Ques. 3. Have you read or heard read said Permit No. 21861, and are you familiar with its provisions and conditions?

Ans. I have read Permit No. 21861 and am familiar with its provisions and conditions.

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. Source of water, subterranean raised through well 510' deep, equipped with 200 h.p. turbine type motor. This is an 18" hole, tapering to 14" below the casing. Distribution ditches are 18" bottom, 3' deep, 7' top. Place of diversion, SE 1/4, Sec. 27, T. 2 S. - R. 20 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 have seen 174 miner's inches delivered from these works and conducted to the place of use through gravity ditches and I saw this measured through a Collins Flometer.

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 174 Miner's inches and this was measured on the ground by a Collins Flometer.

21861

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 on SE $\frac{1}{4}$ NE $\frac{1}{4}$, 20 acres; SW $\frac{1}{4}$ NE $\frac{1}{4}$, 35 acres; NE $\frac{1}{4}$ NW $\frac{1}{4}$, 40 acres; SE $\frac{1}{4}$ NW $\frac{1}{4}$, 40 acres; NE $\frac{1}{4}$ SW $\frac{1}{4}$, 27 acres; NW $\frac{1}{4}$ SE $\frac{1}{4}$, 27 acres; NE $\frac{1}{4}$ SE $\frac{1}{4}$, 27 acres, Section 28, T 10 S - R 20 E. b.M. This is all cultivated and above improvements listed plus preparing land for crops and planting have been as a direct result of said use.~~

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

Ans. ~~Irrigation.~~

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 reclaimed is a lava ash or volcanic ash soil, deep, easily tilable very productive and in my estimation would take all of the water which is delivered to harvest a profitable crop.~~

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, I have not.~~

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 live just on the south side of the river and have had occasion to view this at regular intervals, possibly every three or four months since the project was first developed and I have seen it farmed in 1952, 1953 and 1954.~~

(Signed) Helen Louise Bailey

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 26 day of June, A. D. 19 54.

Notary Public.

My commission expires 10/11/55

Affidavit of Publication

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

Notice is hereby given that at 11 A. M., on the 26th day of June, 1954, at Boise, County of Ada, State of Idaho, before Harley M. McDowell, Notary Public, proof will be submitted of the completion of works for the diversion of 4 cubic feet per second of the waters of a well located in SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 27, T 10 S, R 20 E, B. M., and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 21861 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person holding said permit are Eldon Owens Durk, Hansen, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use, in accordance with the plans accompanying the application for such permit, is 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 4 cubic feet per second.

4. The place where said water is used is NE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 28, T 10 S, R 20 E, B. M.

5. The date of priority which said user is prepared to establish is January 10, 1951.

MARK R. KULP,
State Reclamation Engineer.
(Pub. May 27; June 3, 10, 17, '54)

Eldon E. Pyne being first duly sworn according to law, says he is the Publisher—Manager of the FIRST SEGREGATION NEWS published weekly at Hazelton, Idaho; that said newspaper is of general circulation and had been published more than seventy-eight consecutive weeks prior to the first publication of attached notice; that notice attached hereto and made a part of this affidavit, was published in said newspaper for 4 consecutive weeks: that the first publication was on the 27 day of May, 1954 and the last publication was on the 17 day of June, 1954, that said notice was published in the entire issue of said newspaper each week during said period of time; that said notice was published in the said newspaper proper, and not in a supplement thereto.

Subscribed and sworn to before me this 18th day of June, 1954

G. C. Leary
Notary Public in and for the State of
Idaho, residing at Hazelton, Idaho.

21861

June 7, 1954

RE: Permit No. 21861

First Segregation News
Hazelton
Idaho

Gentlemen:

Paragraph 1 of the notice on Permit No. 21861 appearing in your issue of June 3rd, is incomplete. Please check your copy and you will see that the last two lines should read, Eldon Owens Durk, Hansen, Idaho.

Please make this correction in your subsequent issues and send us a copy of your June 10th issue containing the corrected notice.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:br

21861

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Re: Permit No. 21861

BOISE, IDAHO

Date: May 21, 1954

First Segregation News

Hazelton, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **June 26, 1954** the date set for proof, the expense of the publication to be paid by the applicant, **Eldon Owens Durk** of **Hansen Idaho**, to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice, and furnish this office with a copy of the first publication, in order that we may check same.

Very truly yours,

MARK R. KULP

State Reclamation Engineer
By

Chief Clerk

21861

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

Notice is hereby given that at 11 A. M., on the 26th day of June, 19 54, at Boise, County of Ada State of Idaho, before Harley M. McDowell, Notary Public, proof will be submitted of the completion of works for the diversion of 4 cubic feet per second of the waters of a well located SE 1/4, Section 27, T 10 S - R 20 E, B.M. and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 21861 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person ~~XXXXXXXXXX~~ holding said permit are Elden Owens Durk, Hansen, Idaho

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use, in accordance with the plans accompanying the application for such permit, is 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 4 cubic feet per second.

4. The place where said water is used is NE 1/4, W 1/4, E 1/4, Sec. 28, T 10 S - R 20 E, B.M.

5. The date of priority which said user is prepared to establish is January 10, 1951.

MARK R. KULP

State Reclamation Engineer

21861

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date)..... May 13, 1954

(P. O.)..... Boise, 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
..... First Segregation News of Hazelton, Idaho published in
the county in which the works are situated.

Eldon O. Durk

(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.

21861

✓
August 1, 1953

RE: Permit No. 21861

Mr. Eldon Owens Durk
Hansen
Idaho

Dear Mr. Durk:

We return your Application for Amendment to the point of diversion or location of the well in Permit No. 21861 which has been approved by the State Reclamation Engineer and recorded in this Department.

Very truly yours,

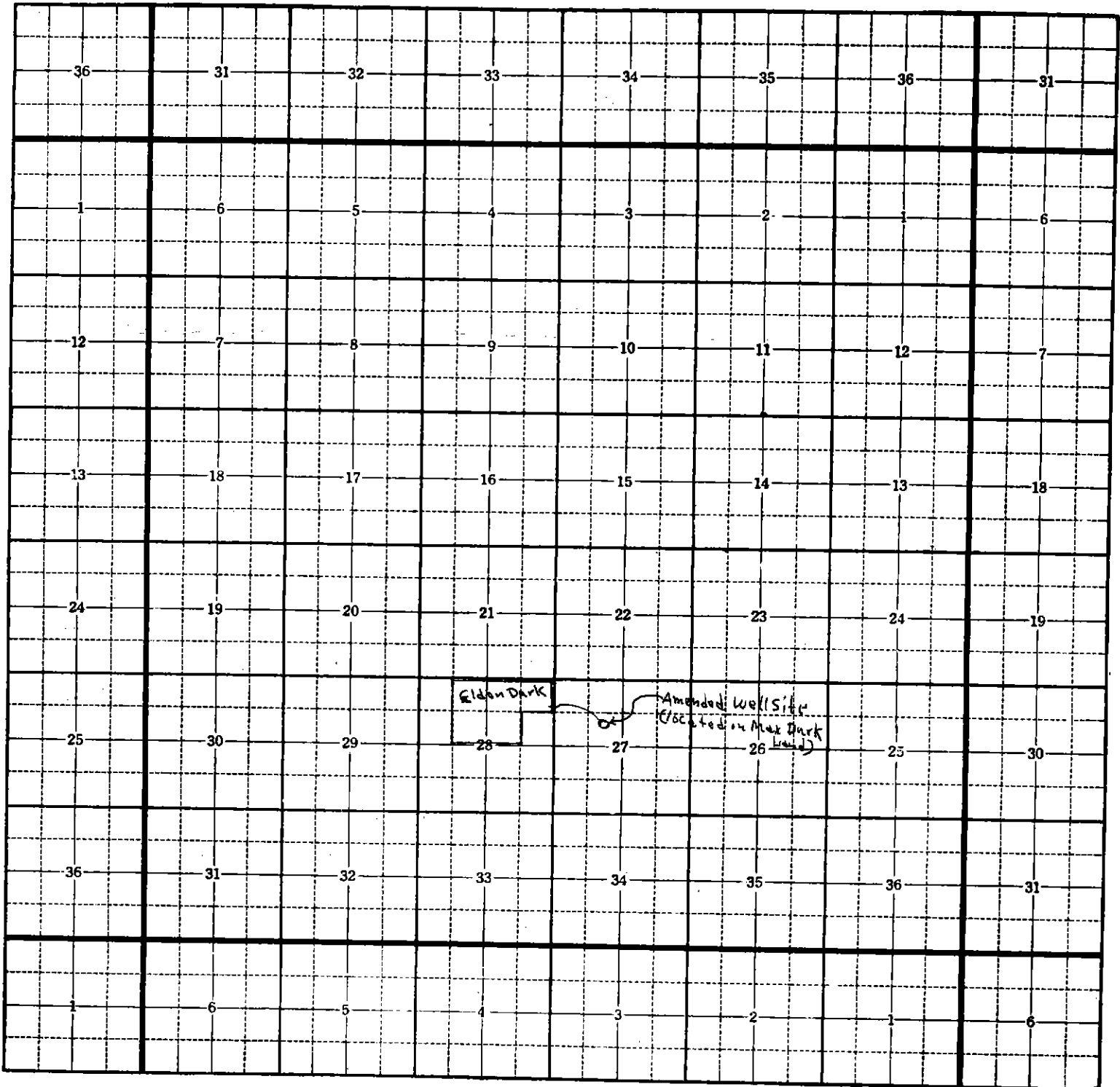
MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:pj
Enc.

21861

Applicant Eldon Owens Dark for Amend to 2186 Serial No. _____
Township 10S, Range 20E, County Jerome



IDAHO LAND & MAP SERVICE
BOX 2161, BOISE, IDAHO

21861

INTER-DEPARTMENT MEMO--1

DATE July 31, 1953

FROM E. N. Humphrey

TO Mark R. Kulp

SUBJECT Permit No. 21861 - Change in point of diversion.

This change in point of diversion has been an accomplished fact for a considerable time. The pump is in operation and this year's crops that are covered by this pump are well advanced toward maturity.

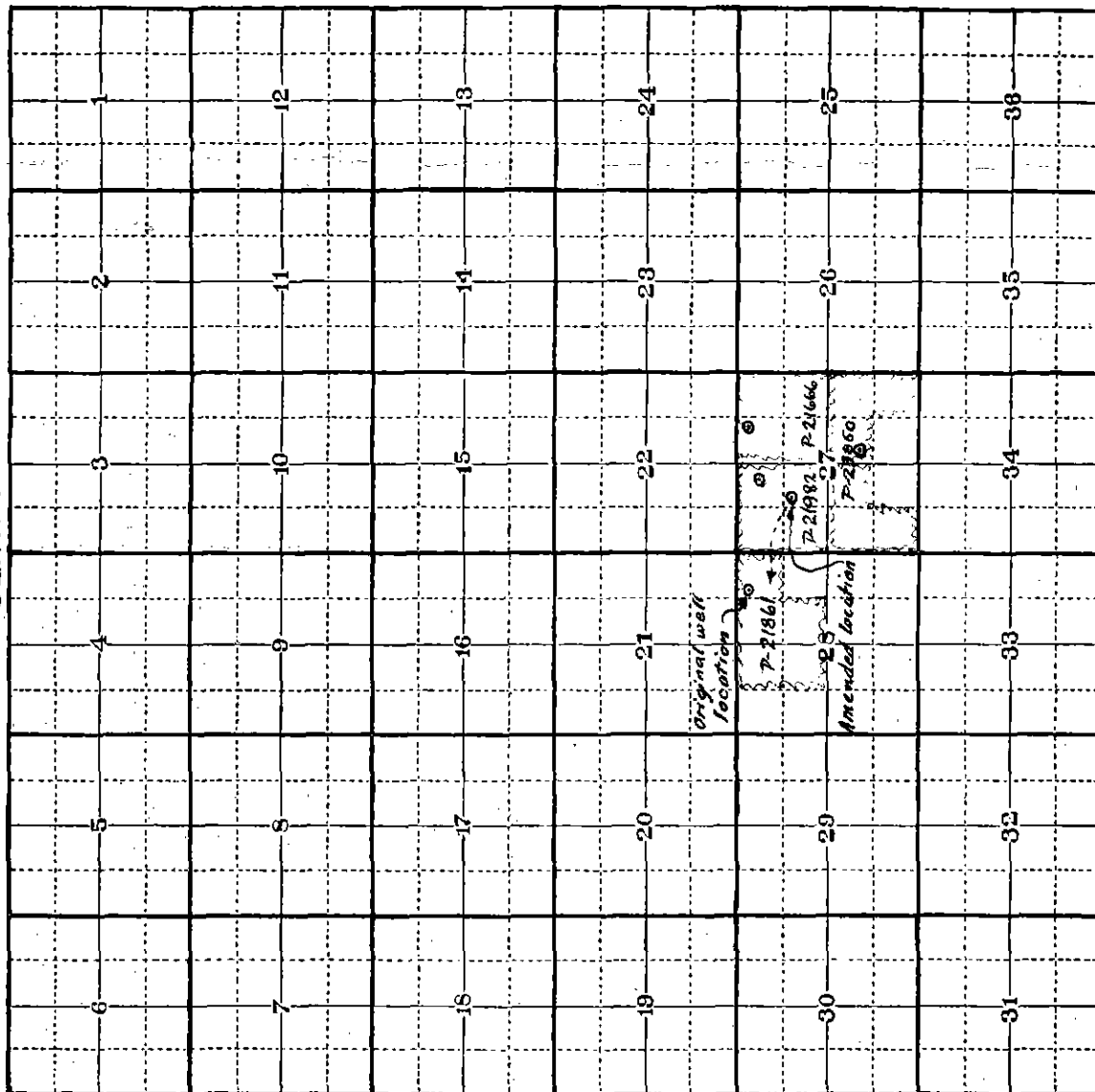
This change in point of diversion does not appear to affect any other well.

21861

SIGNATURE

SCALE: ONE INCH TO ONE MILE

Township 10 S. Range 20 E. JEROME



P-21666
Howard Choot
Priority: 8-18-50

P-21861
Eldon Owens Dork
Priority: 1-12-51

P-21982
Max Dork
Priority: 3-8-51

P-23850
Pauline McClone
Priority: 3-4-53

21861

This well is already in operation.

Can't see that the change does any harm,
Talked only to hired man.

By 27-53

RELINQUISHMENT

TO WHOM IT MAY CONCERN:

I hereby relinquish to the State of Idaho, all my right,
title and interest in and to Permit to appropriate the Public

Waters of the State of Idaho, No. 21861. Insofar as it includes
the following described land: T10S-R20E, M. Sec. 21, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$,
Signed at _____ this _____ day
and the well applied for on this part only.
of _____ 19____.

I am retaining all the remaining part of this permit.
(includes T10S-R20E -Sec. 28, E $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$)
And the well thereon, as applied for.

Eldon Owens Dusk
Permit Holder.

Mary Nell Howard
Witness.

Received and filed for record in the Department of Reclamation
October 26, 1951.

MARK R. KULP
State Reclamation Engineer

21861

The following permits, and two copies thereof delivered to
Harley McDowell January 15, 1951

No. 21856- Harold O. Hove and Arlene W. Hove

No. 21860- Raymond P. Dark

No. 21861- Eldon Owens Dark

21861

Twp. 10.S. R. 20.E.

21 Point of Diversion, Well

Point of Diversion, Well.

28

Permit Map No. 21861

As Approved JAN 12 1951

MARK R. KULP
State Reclamation Engineer

**NOTICE OF PROOF OF
COMPLETION OF WORKS
AND
APPLICATION (WATER
TO BENEFICIAL USE**

Notice is hereby given that at 11 A. M., on the 26th day of June, 1954, at Boise, County of Ada, State of Idaho, before Harley M. McDowell, Notary Public, proof will be submitted of the completion of works for the diversion of 4 cubic feet per second of the waters of a well located in ~~SE 1/4 NW 1/4~~ Section 27, T 10 S, R 20 E, B. M., and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 21861 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person holding said permit are Eldon Owens Durk, Ham-Durk, ~~Idaho~~

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use, in accordance with the plans accompanying the application for such permit, is 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 4 cubic feet per second.

4. The place where said water is used is NE 1/4 NE 1/4, W 1/2 NE 1/4, E 1/2 NW 1/4, Sec. 28, T 10 S, R 20 E, B. M.

5. The date of priority which said user is prepared to establish is January 10, 1951.

MARK R. KULP,
State Reclamation Engineer.
(Pub. May 27; June 2, 10, 17, '54)

June 2, 1954

June 25, 1963

Re: Permit No. G-27526 -
Transfer of Water Right
Nos. 926 and 927

Eldon Owens Durk and
Max Durk

Mr. Harry Turner,
Twin Falls Bank & Trust Bldg.,
Twin Falls, Idaho.

Dear Mr. Turner:

We enclose Departmental Receipt No. G-7986, which
was issued covering payment in the amount of \$8.75, which
includes \$2.75 for the certified copy of Permit No. G-27526,
and \$6.00 for the certified copies of Transfer of Water
Rights Nos. 926 and 927.

Very truly yours,

CARL E. TAPPAN, Acting
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

Encl. - Receipt No. G-7986
EPR:pmk

T-927
36-2112

T-926
45-2361

June 14, 1963

Re: Permit No. G-27526
Transfer of Water Right
Nos. 926 and 927

Eldon Owens Durr and
Max Durr

Mr. Harry Turner,
Twin Falls Bank & Trust Bldg.,
Twin Falls, Idaho.

Dear Mr. Turner:

In accordance with your telephone request of this date, we are enclosing certified copy of Permit No. G-27526. We are also enclosing certified copy of Transfer of Water Right No. 926 and 927 in lieu of the license.

The transfers had been issued as an amendment to the place of use and, therefore, the land list of the license would be incorrect.

The fee for the certified copy of permit is \$2.75, and \$3.00 each for the certified copy of the transfers, making a total of \$8.75.

You may make check payable to the Department of Reclamation.

Very truly yours,

CARL E. TAPPAN, Acting
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

Encl.
EPR:pmk

T-927
36-2112 T-926
45-2361

June 14, 1963

Re: Permit No. G-27526
Transfer of Water Right
Nos. 926 and 927

Eldon Owens Durr and
Max Durr

Mr. Harry Turner,
Twin Falls Bank & Trust Bldg.,
Twin Falls, Idaho.

Dear Mr. Turner:

In accordance with your telephone request of this date, we are enclosing certified copy of Permit No. G-27526. We are also enclosing certified copy of Transfer of Water Right No. 926 and 927 in lieu of the license.

The transfers had been issued as an amendment to the place of use and, therefore, the land list of the license would be incorrect.

The fee for the certified copy of permit is \$2.75, and \$3.00 each for the certified copy of the transfers, making a total of \$8.75.

You may make check payable to the Department of Reclamation.

Very truly yours,

CARL E. TAPPAN, Acting
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

Encl.
EPR:pmk

T-927
36-2118

T-926
45-2361

September 3, 1959

Re: Transfer of Water Right #926
Eldon Owens Durk
Transfer of Water Right #927
Max Durk

Mr. Harley McDowell,
Idaho Land & Map Service,
Box 2161,
Boise, Idaho.

Dear Mr. McDowell:

We are enclosing copy of Order Granting Transfer and Certificate of Water Right No. 926 in the name of Eldon Owens Durk, and Order Granting Transfer and Certificate of Water Right No. 927 in the name of Max Durk.

We are also enclosing Departmental Receipt No. 29758 which was issued covering payment in the amount of \$2.00 for the recording fee of the above mentioned Transfers, together with copies of letters sent to Eldon Owens Durk and Max Durk.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

Encl.
RWT:pmk

927
36-2112
926
45-2361

September 3, 1959

Re: Transfer of Water Right #927

Mr. Max Durk,
Murtaugh, Idaho.

Dear Mr. Durk:

We are enclosing herewith Order and Certificate of Transfer of Water Right #927, which we hope will meet with your approval.

Copy of this letter and unsigned copy of the Certificate of Transfer of Water Right #927, also Departmental Receipt No. 29758 for \$2.00 covering recording fee for the above mentioned Certificate, and for Certificate of Transfer of Water Right #926 in the name of Eldon Owens Durk, are being sent to Harley McDowell of Boise.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

Encl.
RWT:pmk

cc: Harley McDowell

T-927
36-2112

T-926
45-2361

September 3, 1959

Re: Transfer of Water Right #926

Mr. Eldon Owens Durk,
Hansen, Idaho.

Dear Mr. Durk:

We are enclosing herewith Order and Certificate of Transfer of Water Right #926, which we hope will meet with your approval.

Copy of this letter and unsigned copy of the Certificate of Transfer of Water Right #926, also Departmental Receipt No. 29758 for \$2.00 covering recording fee for the above mentioned Certificate, and for Certificate of Transfer of Water Right #927 in the name of Max Durk, are being sent to Harley McDowell of Boise.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

Encl.
RWT:pmk

cc: Harley McDowell

T-927
36-2112

T-926
45-2361

Application For Transfer of Water Right

RECEIVED
JUN 3 1959
Department of Reclamation

STATE OF IDAHO

County of Ada

ss.

Max Durk, being first duly sworn, deposes and says:

That his name is Max Durk; that he is of lawful age, a citizen of the United States and of the State of Idaho, and that his postoffice address is

Murtaugh, Idaho

That he is the owner and using a certain water right, bearing date of priority of March 8, 1954, for 3.7 cubic feet per second of the waters of subterranean source.

County of Jerome, State of Idaho, decreed to

by decree of Judge _____ of the _____ Judicial District of the State of Idaho, in and for the county of _____, in the case of _____

vs. _____, said decree bearing date of _____

(or obtained by virtue of License No. 21982, issued by the State Department of Reclamation of the State of Idaho, dated October 1, 1954, bearing date of March 8, 1951.)

for the purpose of irrigating the following described lands situate, lying and being in Water District No. _____ in the County of Jerome and State of Idaho, to-wit:

Sec. 27
N $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 28, T 10 S - R 20 E., B.M.

_____ and is the person (or representative of the corporation) to whom such right so issued, or has become the owner thereof in the following manner, i.e. Original.

as per abstract of title of said water right hereto attached and made a part of this statement;

That said waters are now diverted from said stream in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 27, Township 10 S, Range 20 E, B. M., and conducted to the above described lands through _____

as per map herewith and of this affidavit made a part.

CHANGE IN PLACE OF USE

That affiant and petitioner desires to abandon the use of 3.7 cubic feet per second of said water upon the above described land, and to convey and use same upon the following tract, situate, lying and being in the County of Jerome and State of Idaho, to-wit:

NE $\frac{1}{4}$ NW $\frac{1}{4}$, 40 acres; NW $\frac{1}{4}$ NW $\frac{1}{4}$, 40 acres; SW $\frac{1}{4}$ NW $\frac{1}{4}$, 39 acres; SE $\frac{1}{4}$ NW $\frac{1}{4}$, 23.5 acres, Sec. 27;
NE $\frac{1}{4}$ NE $\frac{1}{4}$, 40 acres; NW $\frac{1}{4}$ NE $\frac{1}{4}$, 40 acres; SW $\frac{1}{4}$ NE $\frac{1}{4}$, 10 acres; SE $\frac{1}{4}$ NE $\frac{1}{4}$, 20 acres; NE $\frac{1}{4}$ NW $\frac{1}{4}$, 30 acres;
SE $\frac{1}{4}$ NW $\frac{1}{4}$, 5 acres; T 10 S - R 20 E., B.M.

That reasons for desiring to make such transfer are as follows:

More feasible and economical operation.

T-927
36-2112

T-926
45-2361

That he intends to divert and convey said.....3.7.....second feet of water to the tract of land last above described in the following manner and as per map accompanying this application:
.....by private ditch.....
.....
.....

Note—If this water right has heretofore been carried jointly in a ditch with other water, affiant should secure written consent of other owners or users to removal from its original carrier and file such consent with this affidavit.

CHANGE IN POINT OF DIVERSION

That affiant desires to change the point of diversion of said waters from the point above described to a point located in 1/4 of 1/4 of Section....., Township....., Range....., and thereafter conduct same to the above described land through the.....ditch, as per map appended.

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

Petitioner asserts that no one will be injured by such transfer, or change in point of diversion, and that the change will be made at petitioner's own risk.

WHEREFORE, Affiant and Petitioner prays that the State Reclamation Engineer of the State of Idaho issue to him the proper certificate authorizing such change in point of diversion and/or place of use, in accordance with the provisions of Sections 42-108 and 42-222 of the Idaho Code.

Max Shank

Applicant.

Subscribed and sworn to before me this.....26.....day of.....May....., 1959.....

Harley M. W. Donnell

Notary Public.

My Commission expires 10/11/59

APPLICANT WILL ANSWER THE FOLLOWING QUESTIONS:

From what stream is the water diverted?.....Subterranean source.....

Where is the diversion point located? NE 1/4 NW 1/4, Sec. 27, T 10 S - R 20 E., B.M.

Through what ditch is it now conducted?.....private ditch.....

How much land is now irrigated by the water sought to be transferred?.....222 acres.....

Give the description: NW 1/4, Section 27; NE 1/4, Section 28, T 10 S - R 20 E., B.M.
.....
.....

What is the total amount of water in inches, or second feet, dedicated to said land?.....3.7.....

What kind of crops are being raised?.....Alfalfa.....

How much water per acre is now required to irrigate said land?.....3 acre ft./acre.....

What will be the effect on the land now irrigated, if the use of water on it is discontinued?.....

Water will not be discontinued. Other water is being transferred to said land.....

Give location of new point of diversion, if change is to be made.....None.....

Through what ditch will it be conducted after transfer?.....private ditch.....

How much water will be required per acre to irrigate the land to which this water is transferred?.....

3 acre ft./acre.....

Do you claim any other water right for the land from which you seek to abandon the use of this water?

If so, give amount, date and source Will transfer water under License #21861 for this land, 3.94 ft., 1/10/51, Subterranean.

Is there any other water right for the land to which you seek to make this transfer? If so, give amount,

date and source Will transfer water under License #21861 for this land. No.

Signed Max Slusk Applicant.

STATE OF IDAHO, }
County of } ss.

I, _____, Watermaster of.....

Water District No....., County of....., State of Idaho, whose postoffice address

is....., have read or heard read the foregoing affidavit and petition

of....., and, of my own knowledge, believe the same to be true

as to all matters therein alleged, and that no one will be injured by the transfer prayed to be authorized;

and I hereby endorse my approval of said petition, and request that the State Reclamation Engineer

issue the certificate of transfer as petitioned; or (do not approve of the issuance of the certificate of

transfer prayed for) for the following reasons:.....

.....

.....

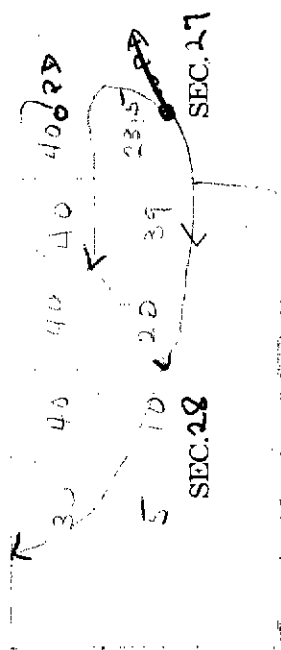
.....

Watermaster, District No.....

Dated at....., Idaho, this..... day of....., 19.....

T-927
362112
T-926
45-2361

Name of Applicant



SEC.

SEC. 28

SEC. 27

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

21861

RECEIVED
JUN 3 1959
Department of Reclamation

Application For Transfer of Water Right

STATE OF IDAHO

County of Ada Falls

ss.

Eldon Owens Durk

, being first duly sworn, deposes and says:

That his name is Eldon Owens Durk; that he is of lawful age, a citizen of the United States and of the State of Idaho, and that his postoffice address is

Hansen, Idaho

That he is the owner and using a certain water right, bearing date of priority of Jan. 10, 1951, for 3.94 cubic feet per second of the waters of subterranean source

County of Jerome, State of Idaho, decreed to

by decree of Judge _____ of the _____ Judicial District of the State of Idaho, in and for the county of _____, in the case of _____

vs. _____, said decree bearing date of _____

(or obtained by virtue of License No. 21861, issued by the State Department of Reclamation of the State of Idaho, dated October 1, 1954, bearing date of January 10, 1951)

for the purpose of irrigating the following described lands situate, lying and being in Water District No. _____ in the County of Jerome and State of Idaho, to-wit:

SE 1/4, W 1/4, E 1/4, NE 1/4, S 1/4, Sec. 28, T10S-R20E, B.M.

_____ and is the person (or representative of the corporation) to whom such right so issued, or has become the owner thereof in the following manner, i.e. Original.

as per abstract of title of said water right hereto attached and made a part of this statement;

That said waters are now diverted from said stream in the subterranean waters of Section 27, Township 10 S, Range 20 E, B. M., and conducted to the above described lands through _____

as per map herewith and of this affidavit made a part.

CHANGE IN PLACE OF USE

That affiant and petitioner desires to abandon the use of 3.94 cubic feet per second of said water upon the above described land, and to convey and use same upon the following tract, situate, lying and being in the County of Jerome and State of Idaho, to-wit:

NE 1/4, Sec. 28, 10 acres; SE 1/4, Sec. 28, 10 acres; NE 1/4, Sec. 28, 26.6 acres; NW 1/4, Sec. 28, 26.7 acres; NE 1/4, Sec. 28, 26.7 acres; SE 1/4, Sec. 28, 20 acres; SW 1/4, Sec. 28, 20 acres; SE 1/4, Sec. 27, 1 acre; NW 1/4, Sec. 27, 4.6 acres; SE 1/4, Sec. 27, 16.5 acres.

That reasons for desiring to make such transfer are as follows:

More feasible and economical operations.

T-927
36-2112

T-926
45-2361

What is the total amount of water in inches, or second feet, dedicated to said land? 3.94

What kind of crops are being raised? alfalfa

How much water per acre is now required to irrigate said land? 3 acre ft./acre.

What will be the effect on the land now irrigated, if the use of water on it is discontinued?

Water will not be discontinued but transferred from some other source.

Give location of new point of diversion, if change is to be made. None.

Through what ditch will it be conducted after transfer? private ditch.

How much water will be required per acre to irrigate the land to which this water is transferred?

3 acre ft./acre.

Do you claim any other water right for the land from which you seek to abandon the use of this water?

If so, give amount, date and source. Will transfer water under License #21982 for this land.

3.7 sec. ft., 10/1/54, subterranean source.

Is there any other water right for the land to which you seek to make this transfer? If so, give amount,

date and source. No.

Signed Eldon Owens Dunk
Applicant.

STATE OF IDAHO,

County of } ss.

I, _____, Watermaster of _____

Water District No. _____, County of _____, State of Idaho, whose postoffice address

is _____, have read or heard read the foregoing affidavit and petition

of _____, and, of my own knowledge, believe the same to be true

as to all matters therein alleged, and that no one will be injured by the transfer prayed to be authorized;

and I hereby endorse my approval of said petition, and request that the State Reclamation Engineer

issue the certificate of transfer as petitioned; or (do not approve of the issuance of the certificate of

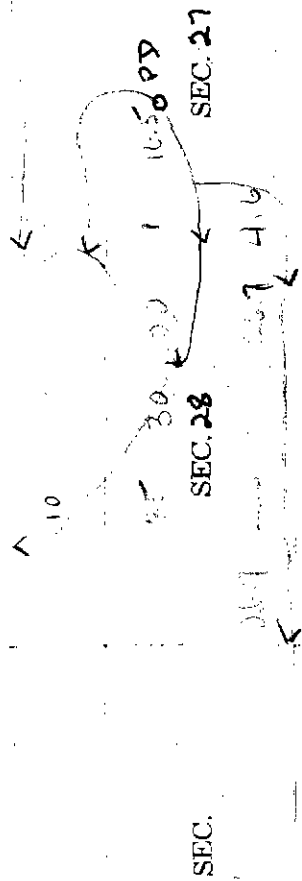
transfer prayed for) for the following reasons:

Watermaster, District No. _____

Dated at _____, Idaho, this _____ day of _____, 19 _____.

T-927
36-2112
T-924
45-2361

Name of Applicant



AFFIDAVIT of PUBLICATION

State of Idaho,
County of Jerome

SS.

RECEIVED
AUG 25 1959

Idaho State Reclamation Engineer

W. J. MacKnight, being first duly sworn, deposes and says that he is the printer (publisher) of the Jerome North Side News, a newspaper published every week in Jerome, County of Jerome, 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 11 day of June

1959, and the date of the last publication was on the 18

day of June, 1959

W. J. MacKnight

Subscribed and sworn to before me this 24TH

day of AUGUST, 1959

(SEAL)

L. N. Strickland
NOTARY PUBLIC

JEROME NORTH SIDE NEWS COST OF PUBLICATION

Number of Lines in Notice 30

Number of Insertions 2

30 Lines at 15c 4.50
30 Lines at 10c 3.00

TOTAL COST 7.50

COPY OF NOTICE

(State Here)
Not. of proposed transfer
of water right
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Max Burk
BILL TO
Murtaugh, Idaho

Notice is hereby given that Max Burk of Murtaugh, Idaho has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing him to change the place of use of the waters of subterranean source by well as follows: Amount: 8.7 cubic feet per second. Property: Section 27, Township 10 S, Range 20 E, B. M. Point of diversion: NE 1/4 NW 1/4, Section 27, Township 10 S, Range 20 E, B. M. Place of Use: NW 1/4, Sec. 27, NW 1/4, Sec. 28, T. 10 S. R. 20 E. B. M. To Be Transferred To: Place of Use: NW 1/4, Sec. 27, NW 1/4, Sec. 28, T. 10 S. R. 20 E. B. M. And that on the 7th day of July, 1958, at 10:00 o'clock a.m., at Room 307, State House, Boise, Idaho, before the State Reclamation Engineer, or his authorized agent, the opportunity will be given to any and all persons to appear and present, for his consideration, any reason or reasons why a certificate should not be issued authorizing such transfer.

Geo. M. Carter
State Reclamation Engineer

PUBLICATION RATES:

(Idaho Code, (Rev. Statutes) 1955)
7 pt. per line, straight 14c
7 pt. per line, tabular 20
7 pt. per line, successive
insertions 10c
6 pt. per line, straight 15c
6 pt. per line, tabular 20c
6 pt. per line, successive
insertions 10c

Duplicate Copy
of 1117

N^o 1161

1-926
45-2361

AFFIDAVIT of PUBLICATION

State of Idaho,
County of Jerome

SS.

AUG 25 1959

RECEIVED

Department of Reclamation

W. F. MacKnight, being first duly sworn, deposes and says that he is the printer (publisher) of the Jerome North Side News, a newspaper published every week in Jerome, County of Jerome, 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 11 day of June

1959, and the date of the last publication was on the 18

day of June, 1959

W. F. MacKnight

Subscribed and sworn to before me this 24TH

day of AUGUST, 1959

(SEAL)

L. M. Street

NOTARY PUBLIC

JEROME NORTH SIDE NEWS

COST OF PUBLICATION

Number of Lines in Notice 33

Number of Insertions 2

33 Lines at 15c 4.95

33 Lines at 10c 3.30

TOTAL COST 8.25

COPY OF NOTICE

(State Here)

Not proposed transfer of water right

TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Eldon Owen Durr
Hansen, Idaho

BILL TO

Notice is hereby given that Eldon Owen Durr of Hansen, Idaho, has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing him to change the place of use of the waters of subterranean source by well as follows: Amount: 3.84 cubic feet per second. Priority: January 10, 1958. Point of diversion: SW 1/4 NW 1/4, Section 27, Township 10 S, Range 20 E, T. 10 S, R. 20 E, M. 20 E.B.M. Place of Use: SW 1/4 NE 1/4, E 1/4 NW 1/4, NE 1/4 SW 1/4, N 1/4 SE 1/4, Sec. 28, T. 10 S, R. 20 E.B.M.

To Be Transferred To
Place of Use: SW 1/4 NW 1/4, NW 1/4 SW 1/4, Sec. 27, and SW 1/4 NE 1/4, E 1/4 NW 1/4, NE 1/4 SW 1/4, N 1/4 SE 1/4, Sec. 28, T. 10 S, R. 20 E.B.M.

And that on the 7th day of July, 1959, at 10:00 o'clock a.m., at Room 107, State House, Boise, Idaho before the State Reclamation Engineer, or his authorized agent, the opportunity will be given to any and all persons to appear and present, for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.

GEO. N. CARTER,
State Reclamation Engineer.

(Idaho Code, (Rev. Statutes) 1955)

7 pt. per line, straight	14c
7 pt. per line, tabular	20
7 pt. per line, successive insertions	10c
6 pt. per line, straight	15c
6 pt. per line, tabular	20c
6 pt. per line, successive insertions	10c

Duplicate copy
7/11/8

No 1162

T-926
45-2361
T-927
36-2112

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

June 5, 1959

**North Side News,
Jarome, Idaho.**

Gentlemen:

Enclosed you will find notice for publication, once a week for two consecutive weeks prior to **July 7, 1959** the date set for hearing; the expense of the publication is to be paid by the applicant **Eldon Owens Dark** of **Hansen, Idaho** to whom you should furnish proof of publication on or prior to the date set for hearing.

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

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

**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.

Encl.

T-927
36-2112 T-926
45-2361

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that Klidan Owens Dark of
Hansen, Idaho has applied to the State Reclamation Engineer of the
State of Idaho for a certificate authorizing him to change the ~~point of diversion~~
~~and/or~~ place of use of the waters of subterranean source by well as follows:
Amount: 3.94 cubic feet per second. Priority: January 10, 1951
Point of diversion: SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 27, Township 10 S, Range 20 E, B. M.
Place of Use: W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 28, T. 10 S. R. 20 E.B.M.

To Be Transferred To

~~Point of diversion: NW $\frac{1}{4}$ Sec. 27, Township 10 S, Range 20 E, B. M.~~
Place of Use: SW $\frac{1}{4}$, NW $\frac{1}{4}$, Sec. 27, and SW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$,
Sec. 28, T. 10 S. R. 20 E.B.M.

And that on the 7th day of July, 19 59, at 10:00 o'clock A. M.,
at Room 107, State House, Boise, Idaho before the State Reclamation Engineer, or
his authorized agent, the opportunity will be given to any and all persons to
appear and present, for his consideration any reason or reasons why a certificate
should not be issued authorizing such transfer.

GEO. N. CARTER

State Reclamation Engineer

T-927
36-2112

T-926
45-2361

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

DEPARTMENT OF RECLAMATION

Boise, Idaho

June 5, 1959

**North Side News,
Jerome, Idaho.**

Gentlemen:

Enclosed you will find notice for publication, once a week for two consecutive weeks prior to **July 7, 1959** the date set for hearing; the expense of the publication is to be paid by the applicant **Max Durk** of **Murtaugh, Idaho** to whom you should furnish proof of publication on or prior to the date set for hearing.

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

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

**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.

Encl.

T-927
36-2112 T-926
45-2361

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that Max Durk of Murtaugh, Idaho has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing him to change the ~~point of diversion~~ ~~and/or~~ place of use of the waters of subterranean source by well as follows:
Amount: 3.7 cubic feet per second. Priority: March 8, 1951
Point of diversion: NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 27, Township 10 S, Range 20 E, B. M.
Place of Use: NW $\frac{1}{4}$ Sec. 27, NE $\frac{1}{4}$ Sect. 28, T. 10 S. R. 20 E.B.M.

To Be Transferred To

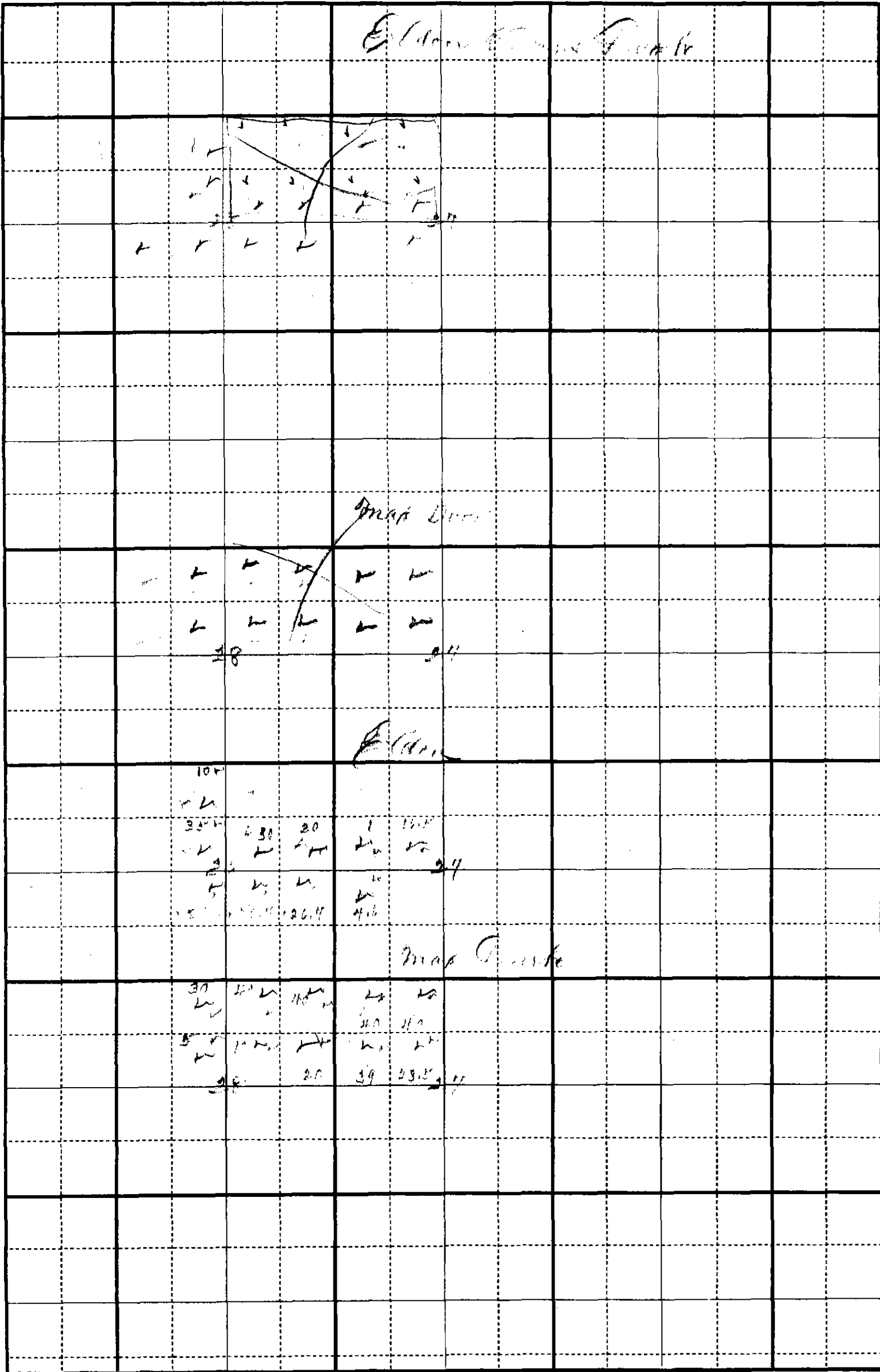
~~Point of diversion, Section, Township, Range, B. M.~~
Place of Use: NW $\frac{1}{4}$ Sec. 27, NE $\frac{1}{4}$ E NW $\frac{1}{4}$, Sec. 28, T. 10 S. R. 20 E.B.M.

And that on the 7th day of July, 19 59, at 10:00 o'clock A. M., at Room 107, State House, Boise, Idaho, before the State Reclamation Engineer, or his authorized agent, the opportunity will be given to any and all persons to appear and present, for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.

GEO. N. CARTER

State Reclamation Engineer

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T-927
36-2112 T-926
45-2361

Joan Durk.
Page 3-368-1009 -

T-927
36-2112 T-926
45-2361

Mr. Thompson:

Joan called and said that Mr. Durk was in town and while he is here they would like to get this transfer completed. I checked for the affidavit of publication but could not find it in the jacket. Do you have it elsewhere? Joan also said she would check for it in their file.

EPR
11:30 A.M.
8/24/59

T-927
36-2112 T-926
45-2361

**NOTICE OF PROPOSED TRANSFER
OF WATER RIGHT**

Notice is hereby given that Eldon Owens Durk of Hansen, Idaho, has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing him to change the place of use of the waters of subterranean source by well as follows: Amount: 3.94 cubic feet per second. Priority: January 10, 1951. Point of diversion: SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 27, Township 10 S, Range 20 E, B. M. Place of Use: W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 28, T. 10 S. R. 20 E. B. M.

To Be Transferred To
Place of Use: S $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 27, and S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 28, T. 10 S. R. 20 E. B. M.

And that on the 7th day of July, 1959, at 10:00 o'clock a.m., at Room 107, State House, Boise, Idaho before the State Reclamation Engineer, or his authorized agent, the opportunity will be given to any and all persons to appear and present, for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.

GEO. N. CARTER,
State Reclamation Engineer.

6-11-2tc

**NOTICE OF PROPOSED TRANSFER
OF WATER RIGHT**

Notice is hereby given that Max Durk of Murtaugh, Idaho has applied to the State Reclamation Engineer of the State

of Idaho for a certificate authorizing him to change the place of use of the waters of subterranean source by well as follows: Amount: 3.7 cubic feet per second. Priority: March 8, 1951. Point of diversion: NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 27, Township 10 S, Range 20 E, B. M. Place of Use: NW $\frac{1}{4}$ Sec. 27, NE $\frac{1}{4}$ Sect. 28, T. 10 S. R. 20 E. B. M.

To Be Transferred To

Place of Use: NW $\frac{1}{4}$ Sec. 27 NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 28, T. 10 S. R. 20 E. B. M.

And that on the 7th day of July, 1959, at 10:00 o'clock a.m., at Room 107, State House, Boise, Idaho, before the State Reclamation Engineer, or his authorized agent, the opportunity will be given to any and all persons to appear and present, for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.

GEO. N. CARTER,
State Reclamation Engineer.

6-11-2tc