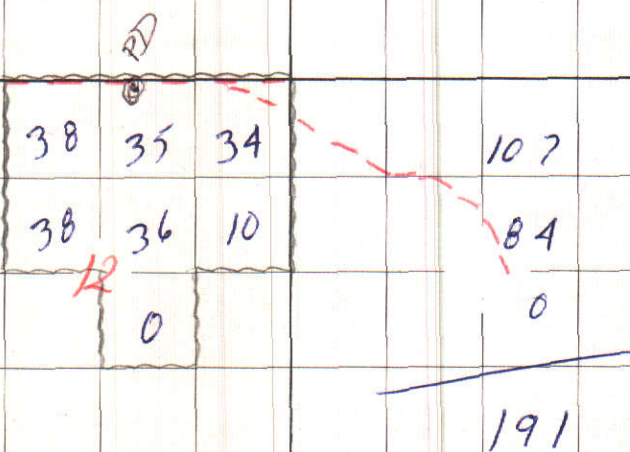


Rge 18E

← To Jerome

Trwp. 9S



Area - 191A

Subd - 6

allow Q - 2.0 cfs.

VOL - @ IRRIGATION REQUIREMENT OF
4.0 AC-FT / AC-FT / SEASON -

WATER DIVERTED SHALL NOT EXCEED

764 AC-FT / SEASON

10-10-69 DE

Ditches

P

$$\begin{array}{r} 127 \\ 131 \end{array}$$

$$\begin{array}{r} 1112 \\ 1413 \end{array}$$

AFFIDAVIT of PUBLICATION

COPY OF NOTICE
(Paste Here)

State of Idaho,
County of Jerome

SS.

RECEIVED
SEP 30 1966

Department of Reclamation

Alan P. Heene, 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 4 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication

of said advertisement was on the 21 day of July,

1966, and the date of the last publication was on the 11

day of August, 1966.

Alan P. Heene

Subscribed and sworn to before me this 4

day of August, 1966.
(SEAL)

Elise T. Hendrickson
NOTARY PUBLIC

NORTH SIDE NEWS

Jerome, Idaho

COST OF PUBLICATION

Number of Lines in Notice 51

Number of Insertions 4

51 Lines at 15c 7.65

153 Lines at 10c 15.30

TOTAL COST 22.95

TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Thomas J. Metzger
BILL TO
R.R. Jerome

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

Notice is hereby given that at 10 a.m. on the 30th day of August, 1966, at Twin Falls, County of Twin Falls, State of Idaho before Robert W. Stephan, Notary Public, at Suite 4, Twin Falls Bank & Trust Company Building, Twin Falls, Idaho, proof will be submitted of the completion of works for the diversion of 2.0 cubic feet per second of underground water from a well, and of application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-30136, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Thomas J. Metzger, Route 4, Jerome, Idaho.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 2.0 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 2.0 cubic feet per second.

4. The point of diversion of said water is NW $\frac{1}{4}$, NE $\frac{1}{4}$ of Section 12, Township 9 South, Range 18, E.B.M., County of Jerome, State of Idaho.

5. The place where said water is used is NE $\frac{1}{4}$, E $\frac{1}{2}$, NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 12, Township 9 South, Range 18, E.B.M., County of Jerome, State of Idaho.

6. The date of priority which said user is prepared to establish is September 1, 1961.

By J. R. KEITH HIGGINSON, Deputy
State Reclamation Engineer.
Notary Public, State of Idaho, No. 10187-21-4tc

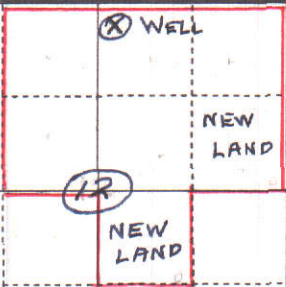
6 pt. per line, successive
insertions 10c

No 1434

30136

NAME OF APPLICANT THOMAS J. METZKER

Form No. 0



NE $\frac{1}{4}$
E $\frac{1}{2}$ NW $\frac{1}{4}$
NW $\frac{1}{4}$ SE $\frac{1}{4}$
Sec. 12
Twp. 9-S.
R. 18 EDM

Permit Map No. 30136
As Approved SEP 1 1961
GEO. N. CARTER
State Reclamation Engineer

WATER LICENSE

Water License No. G-30136/36-2513 Priority August 29, 1961 Amount 2.0 c.f.s.

THIS IS TO CERTIFY, that THOMAS J. METZLER
of Twin Falls, Idaho, made application for a permit to appropriate the public waters of
the State of Idaho, dated August 29, 1961; that Permit G-30136/36-2513 was issued pursuant
to said application; that the proposed works were completed on or about September 1, 1961,
with a storage/or carrying capacity of 2.26 c.f.s., said works consisting of well, pump,
pipe, and motor; and that on August 30, 1966,
proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 764
acre feet per season, with a maximum rate of diversion of 2.0 cubic feet per second of the waters
of ground-water, tributary of _____,
for the purpose of Irrigation from April 1 to October 31;
and for _____ from _____ to _____; and for
_____ from _____ to _____; and that the use
of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-
mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is
located in NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 12, T. 9 S, R. 18 E, B.M., and
other additional points _____, in the County of
Jerome; and that the amount of water to which such right is
entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially
used for said purposes and shall not exceed 764 acre feet per year.

Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
9 S	18 E	12	34	35	36	10	38			38									191

Total number of acres irrigated 191

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

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

17th day of November, 1969

Stephen L. Linn
Deputy State Reclamation Engineer

36 2513

36-2513
30136

plat 9ms

36-2513

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 38169
Permit No. G- 30136
District No.

1. Name of Applicant: METZLER, Thomas J.
377 Burah Av. West.
 Postoffice address: Rte. 4, Jerome County: Twin Falls State: Idaho Ida.
2. Quantity of water claimed: 2 second feet
 (a) Rate of withdrawal in cubic feet per second _____ or Idaho
 Miners' inches _____ or gallons per minute
 (b) Annual withdrawal in acre feet per annum _____
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 12
Twp. 9 S., Rge. 18 E., B.M., County of Jerome
5. Water is to be used for: irrigation
6. If for municipal, industrial or recreational purposes, give:
 (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section _____, Twp.
Rge. _____, B.M.
 (b) Waste water or sewage effluent is to be returned to
 at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section _____, Twp. _____, Rge. _____, B.M.
7. Kind of works: Deep well
8. Estimated cost of works: \$ 10,000.00
9. (a) Is reservoir to be used? No
 (b) Capacity of reservoir: _____
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:
 I. (a) Date and place of incorporation:
 (b) Amount of capital stock: \$ _____ (c) Amount paid in: \$ _____
 (d) Names and addresses of directors:
 II. The financial resources of the applicant are (a) Cash on hand: \$ _____
 (b) Treasury stock: _____ (c) Bonds to be issued: _____
 (d) Other resources: _____
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: 200 shares stock in North Side Canal Co., Ltd
 (a) 1.6 (cubic feet per second, ~~inches or gallons per minute~~) of the water herein applied for is to be supplemental to the existing water rights.
 (b) 0.4 (cubic feet per second, ~~inches or gallons per minute~~) is for new lands.

November 17, 1969

Re: Permit No. G-30136/36-2513

Mr. Thomas J. Metzler
377 Borah Ave. West
Twin Falls, Idaho 83301

Dear Mr. Metzler:

Enclosed herewith is your Water License issued on the above
numbered permit.

Also enclosed is departmental receipt No. 3835 in the amount
of \$17.00 covering the fees.

Very truly yours,

C. Stephen Allred, Deputy
State Reclamation Engineer

CSA:kh
Enclosures

36-2513
30135

Nov 7 1969

Department of Reclamation

Inclosed \$17.00 "Check"

For License and Certificate of Water right

Re. Permit No. G-30 136/36-2513

Thomas J. Metzler

36-2513
30/36

November 5, 1969

Re: Permit No. G-30136/36-2513

Mr. Thomas J. Metzler
377 Borah Ave. West
Twin Falls, Idaho 83301

Dear Mr. Metzler:

A representative of this department has made an examination of the works covered by your Permit 36-2513 and has found the following:

Quantity of water diverted: 2.26 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 2.0 c.f.s.

The maximum quantity diverted shall not exceed 784 acre feet per season.

Purpose of use: Irrigation of 191 acres within NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 12, Twp. 9 S., Rge. 18 E., B.M.

The priority date established is: August 29, 1961

A fee totaling \$ 17.00 must be received within 30 days from the date of this letter in order that we can issue you the License and Certificate of Water Right as described above.

Very truly yours,

Stephen Allred, Deputy
State Reclamation Engineer

SA:kh

36-2513
30136

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. G-30136

REPORT ON PROOF OF Completion of Works & Beneficial Use

RD

38	35	34	107
38	36	10	84
0			0
			191

Area - 191A

Subd - 6

allow Q - 2.0 cfs

VOL - @ IRRIGATION REQUIREMENT OF
4.0 AC-FT / AC OF / SEASON

WATER DIVERTED SHALL NOT EXCEED

764 AC-FT / SEASON

10-10-69 DE

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

Permit No. G-30136

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

1. Name of applicant Thomas J. Metzler

2. Source of water supply: Subterranean

3. Location of point of diversion: Is in the NW 1/4 of Section 12

T. 9 S R. 18 E, B.M. County of Jerome

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

5. Water is used for: irrigation

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

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 1/4, E 1/4 NW 1/4, NW 1/4 SE 1/4, Sec. 12, T. 9 S, R. 18 E, B.M.

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

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

Remarks: _____

Tom Boswin, renter ~~at~~ contacted & along.

Soil - sandy loam

Crops - Hay, grain, row crops

Q = 1020 gpm by Purdue U. charts

This examination was made on the 27th day of June, 1969

(Signed) Donald J. Mett
Examiner.

200 0-7149 1216 975
Thomas J. Metzler
Route #4
Jerome, Idaho
Permit No. G-30136

Examination for Completion of Works & Beneficial Use

County Jerome

Sec. 12 T. 9 S. R. 18 E

Quantity: 2 c.f.s.

Source: Subterranean

P.D.: NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 12 T. 9 S, R. 18 E, B.M.

Use: irrigation

Extension:

Protest:

Completion of Works:

Other Rights: 200 shares in North Side Canal Co., Ltd

Filed: August 29, 1961

Due: September 1, 1966

Made: August 30, 1966

Priority: August 29, 1961

INSTRUCTIONS TO EXAMINERS

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

11/12 ELP00-1-2

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30136
36-2513

12/7

12/7

June 29, 1967

Re: Permit G-30136
Thomas J. Metzler

Robert W. Stephan
Stephan and Harvey Attorneys at Law
Twin Falls Bank and Trust Co. Building
Twin Falls, Idaho 83301

Dear Mr. Stephan:

In reply to your letter of June 28, 1967, our records indicate the proof of completion of works and application of water to beneficial use have been received. A field examination of the irrigation system and the lands covered by permit G-30136 is now pending. We hope to complete this examination during the 1967 irrigation season.

Following the field examination, the permit holder will be notified of the findings and advised of any license fees due this department.

Very truly yours,

Donald W. McElowney
Water Right Clerk

DWM:ks

cc: Thomas J. Metzler

30136

ROBERT W. STEPHAN
LARRY K. HARVEY

STEPHAN AND HARVEY
ATTORNEYS AT LAW
TWIN FALLS BANK AND TRUST CO. BUILDING
TWIN FALLS, IDAHO 83301

June 28, 1967

TELEPHONE 208 733-2722
P.O. Box 83

RECEIVED
JUN 29 1967

Department of Reclamation

DEPARTMENT OF RECLAMATION
107 State House
Boise, Idaho

Re: Metzler - Permit #G 30136

Gentlemen:

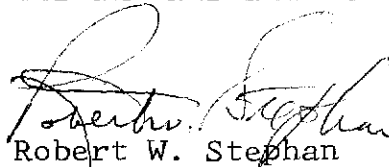
In September, 1966, we forwarded to you the necessary papers on the proof of completion of works for the above named Permit. Would you please advise either Mr. Metzler or this office what the next steps are in regard to procuring a Permit from your office. Mr. Metzler's address is:

MR. THOMAS J. METZLER
377 Borah Avenue West
Twin Falls, Idaho 83301

If you correspond with Mr. Metzler directly, would you please forward a copy of your letter to this office so that I can be advised that Mr. Metzler has been informed.

Very truly yours,

STEPHAN AND HARVEY


Robert W. Stephan

RWS:EDB:jw

30136

October 3, 1966

Re: Permit No. G-30136

Thomas J. Metzler
Route #4
Jerome, Idaho

Dear Mr. Metzler:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the Jerome North Side News all submitted in proof of completion of works and beneficial use on Permit No. G-30136.

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

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

Very truly yours,

M. Russell Bosch
Office Manager

MRB:nw

30136

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho
Permit No. 6-30136

RECEIVED
SEP 30 1966
Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Work

DEPOSITION OF HOLDER

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

Thomas J. Metzler, Farmer, Route #4, Jerome, Idaho

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

Ques. 3. State number, approval date of permit, and date of priority: 30136.

September 1, 1961, September 1, 1961

Ques. 4. State source of water supply: Subterranean

Give location of point of diversion, showing subdivision, section, township and range
NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 12, Twp. 9 South, Range 18, E.B.M., Jerome County, Idaho.

Ques. 5. Describe your works of diversion: Deep well

_____ ; state amount of water they are capable of conveying from point of diversion to place of use: 2.0 cu. ft. / per second ; Give name of canal or ditch or other works by which water is conducted to such place of use: open irrigation ditch ; if a well, state depth of well 263 ft. ; depth and size of casing 20 inch, 9 ft. deep ; depth to water 210 feet ; if pump is used, state discharge of pump: 2.0 cu. ft. / per second ; tell how it was measured or determined By
Alva Temple, well driller ; if sprinkler irrigation, give number and size of nozzles and operating pressure: _____

Ques. 6. State for what purpose water is used: irrigation
(If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water:

40 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, 40 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, 10 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, 40 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, 40 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, 40 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, 10 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ all in Sec. 12, Township 9 South, Range 18, E.B.M., Jerome County, Idaho, supplemental to North Side Canal Company water

no log

30136

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

irrigation ditches, leveling and rock removal

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: Alva Temple

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

Ques. 8: If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder:

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: _____ - Time used since first use:

September 1, 1961

Ques. 10. Describe all other water rights appurtenant to same place of use: _____
200 shares of stock in North Side Canal Company for 280 acres of land

(sign) Thomas J Metzler

I hereby certify that the foregoing testimony was read to the above subscribed, before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in

Twin Falls, County of Twin Falls

State of Idaho, on this 30th day of August, A. D. 1966.

Robert W. Stephan

My commission expires: 5-10-70

30136

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. _____

* * * * *



PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

DEPOSITION OF WITNESS

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

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

Byron L. Kleinkopp, 62, 515 East Ave. F, Jerome, Idaho, Retired Farmer

Ques. 2 Are you acquainted with Thomas J. Metzler, the holder of Permit No. 30136? How long have you known him and where does he reside?

Yes, 25 years, Route #4, Jerome, Idaho

Ques. 3. Have you read or heard said Permit No. 30136 read, and are you familiar with its provisions and conditions: Yes X No. _____

Ques. 4. State source of water supply: Subterranean Well

Give location of place of diversion, showing subdivision, section, township and range
NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 12, Twp. 9 South, Range 18, E.B.M., Jerome County, Idaho

Describe works for conveying water to place of use: open irrigation ditches

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: 2.0 cu. ft. per second How much water have you seen being so conveyed? 2.0 cu. ft. per second

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving full legal description:

40 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, 40 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, 10 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$,
40 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, 40 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, 40 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$,
~~10 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, all in Sec. 12, Township 9 South, Range 18, E.B.M.,~~
Jerome County, Idaho, supplemental to North Side Canal Company water.

30136

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

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Volcanic ash

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned? If so, in what way and to what extent? No

Ques. 10. When did you first see this water used? September 1, 1961

Other times you have seen such use: Every year up to 1965

(Signed):

Byron L. Klein

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Twin Falls

 , County of Twin Falls, State of Idaho, on this 30th day of August, A. D. 19 66

Robert W. Stephan

Notary Public for the State of Idaho

Residing at Twin Falls, Idaho.

My commission expires

5-10-1970

30136

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho
Permit No. _____

RECEIVED
SEP 30 1966
Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and Completion of Works

DEPOSITION OF WITNESS

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

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

Omer Kenneth Carter, 35, Route #4, Jerome, Idaho, Farmer

Ques. 2 Are you acquainted with Thomas J. Metzler, the holder of
Permit No. 30136? How long have you known him and where does he reside?

Yes, 10 years, Route #4, Jerome, Idaho

Ques. 3. Have you read or heard said Permit No. 30136 read, and are you familiar
with its provisions and conditions: Yes X No. _____

Ques. 4. State source of water supply: Subterranean Well

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

NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 12, Twp. 9 South, Range 18, E.B.M., Jerome County, Idaho

Describe works for conveying water to place of use: open irrigation ditches

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 2.0 cu. ft. per second How much water have you seen being so
conveyed? 2.0 cu. ft. per second

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:

40 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, 40 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, 10 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$,
40 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, 40 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, 40 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$,
10 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, all in Section 12, Township 9 South, Range 18, E.B.M.
Jerome County, Idaho, supplemental to North Side Canal Company water.

30136

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

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Volcanic ash

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned? If so, in what way and to what extent? No

Ques. 10. When did you first see this water used? Every year

Other times you have seen such use: _____

(Signed):

Ernest Pennington Carter

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Twin Falls

_____, County of Twin Falls, State of Idaho, on this 30th day of August, A. D. 19 66

Robert W. Stephen

Notary Public for the State of Idaho

Residing at Twin Falls, Idaho.

My commission expires

5-10-70

30136

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

Notice is hereby given that at 10 a.m., on the 30th day of August, 1966, at Twin Falls, County of Twin Falls, State of Idaho before Robert W. Stephan, Notary Public, at Suite 4, Twin Falls Bank & Trust Company Building, Twin Falls, Idaho, proof will be submitted of the completion of works for the diversion of 2.0 cubic feet per second of underground water from a well, and of application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-30136, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Thomas J. Metzler, Route 4, Jerome, Idaho.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 2.0 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 2.0 cubic feet per second.

4. The point of diversion of said water is NW $\frac{1}{4}$, NE $\frac{1}{4}$ of Section 12, Township 9 South, Range 18, E.B.M., County of Jerome, State of Idaho.

5. The place where said water is used is NE $\frac{1}{4}$, E $\frac{1}{4}$, NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 12, Township 9 South, Range 18, E.B.M., County of Jerome, State of Idaho.

6. The date of priority which said user is prepared to establish is September 1, 1961.

R. KEITH HIGGINSON, Deputy
State Reclamation Engineer.

7-21-4tc

30136

AFFIDAVIT of PUBLICATION

COY OF NOTICE
(Paste Here)

State of Idaho,
County of Jerome

SS.

SEP 8 1966

Alan P. Heene, 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 4 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication

of said advertisement was on the 21 day of July,

1966, and the date of the last publication was on the 11

day of August, 1966.

Alan P. Heene

Subscribed and sworn to before me this 4

day of August, 1966.
(SEAL)

Oliver T. Hendrickson
NOTARY PUBLIC

NORTH SIDE NEWS

Jerome, Idaho

COST OF PUBLICATION

Number of Lines in Notice 51

Number of Insertions 4

51 Lines at 15c 765

153 Lines at 10c 1530

TOTAL COST 2295

TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Notice is hereby given that at 10 a.m., on the 30th day of August, 1966, at Twin Falls, County of Twin Falls, State of Idaho before Robert W. Stephan, Notary Public, at Suite 4, Twin Falls Bank & Trust Company Building, Twin Falls, Idaho, proof will be submitted of the completion of works for the diversion of 2.0 cubic feet per second of underground water from a well, and of application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-30136, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Thomas J. Metzler, Route 4, Jerome, Idaho.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 2.0 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 2.0 cubic feet per second.

4. The point of diversion of said water is NW $\frac{1}{4}$, NE $\frac{1}{4}$ of Section 12, Township 9 South, Range 18, E.B.M., County of Jerome, State of Idaho.

5. The place where said water is used is NE $\frac{1}{4}$, E $\frac{1}{4}$, NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 12, Township 9 South, Range 18, E.B.M., County of Jerome, State of Idaho.

6. The date of priority which said user is prepared to establish is September 7, 1965.

6 pt. per line, successive
insertions 10c

N^o 1434

30136

ROBERT W. STEPHAN
LARRY K. HARVEY

STEPHAN AND HARVEY
ATTORNEYS AT LAW
TWIN FALLS BANK AND TRUST CO. BUILDING
TWIN FALLS, IDAHO 83301

TELEPHONE 208 733-2722
P.O. Box 83



September 29, 1966

Department of Reclamation

DEPARTMENT OF RECLAMATION
107 State House
Boise, Idaho

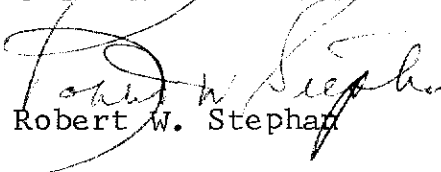
Re: Metzler - No. G30136

Gentlemen:

Enclosed please find Affidavit of Publication, Deposition of Holder and two copies of Deposition of Witness in the above captioned matter.

Very truly yours,

STEPHAN AND HARVEY


Robert W. Stephan

RWS:bn

Enclosures

30136

Re: Permit No. G-30136

July 14, 1966

**Robert W. Stephan
Attorneys at Law
Box 83
Twin Falls, Idaho 83301**

Dear Mr. Stephan:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. G-30136 in the name of Thomas J. Metzler. Final Proof is to be made before you, as Notary on the 30th day of August, 19 66, at _____ o'clock _____ at Twin Falls, Idaho.

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

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

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

Very truly yours,

**R. Keith Higginson, Deputy
State Reclamation Engineer**

Encl.

cc: Applicant

**Thomas J. Metzler
Route #4
Jerome, Idaho**

30136

July 14, 1966

Re: Permit No. G-30136

Northside News
Jerome, Idaho

Gentlemen:

Enclosed you will find a legal notice which we wish to have published for four consecutive weeks prior to August 30, 1966. The expense of the publication is to be paid by Thomas J. Metzler of Route #4, Jerome, Idaho to whom you should furnish proof of publication on or prior to the above date.

Please acknowledge receipt of this notice and furnish this office with a copy or tear sheet of the notice for checking at least one week prior to the first publication.

Very truly yours,

~~CMR/BJ/VAB/AN/~~
State Reclamation Engineer

Enclosure

30136

RECEIVED
JUL 13 1966

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

Department of Reclamation

Notice is hereby given that at ~~10:00~~ AM., on the 30th day of August,
19 66, at Twin Falls, County of Twin Falls, State of Idaho
before Robert W. Stephan, Notary Public, at (address) Suite 4, Twin
Falls Bank & Trust Company Building,
Twin Falls, Idaho, proof will be submitted of the completion
of works for the diversion of 2.0 cubic feet per second of underground water from a
well, and of the application to beneficial use of said water, in accordance with the
terms and conditions of Permit No. G-30136, heretofore issued by the Department of
Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit
is THOMAS J. METZLER, Route 4, Jerome, Idaho

2. Said works of diversion will be fully completed on the date for such completion,
and the amount of water which said works are capable of conveying to the place of
use is 2.0 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
2.0 cubic feet per second.

4. The point of diversion of said water is NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 12, Township 9
South, Range 18, E.B.M., County of Jerome, State of Idaho

5. The place where said water is used is NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 12,
Township 9 South, Range 18, E.B.M., County of Jerome, State of Idaho.

6. The date of priority which said user is prepared to establish is September 1,
1961.

State Reclamation Engineer

30136

RECEIVED
JUL 13 1966

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) July 12, 1966

(P. O.) Route #4, Jerome, 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 North Side News of
124 North Lincoln, Jerome, Idaho Published in
the county in which the works are situated.

Thomas J. Metzler

(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

30136

ROBERT W. STEPHAN
LARRY K. HARVEY

STEPHAN AND HARVEY
ATTORNEYS AT LAW
TWIN FALLS BANK AND TRUST CO. BUILDING
TWIN FALLS, IDAHO 83301

July 12, 1966

TELEPHONE 208 733-2722
P. O. Box 83

RECEIVED
JUL 19 1966

Department of Reclamation

MR. R. KEITH HIGGINSON
Deputy State Reclamation Engineer
Room 107
State House
Boise, Idaho 83701

Dear Mr. Higginson:

Re: Permit #G-30136
(Thomas J. Metzler)

Please find enclosed Form #11 signed by Mr. Metzler, the holder of the above entitled Permit, together with two (2) copies of the Notice of Proof of Completion of Works and Application of Water to Beneficial Use.

Please note that 10:00 A.M. on the 30th day of August, 1966, has been set as the date and time of the hearing on the required proof. I read the relevant statutes and found that notice must be published in the County in which the well is located but that the hearing need not be held in the same County. Pursuant to this understanding, publication is required in Jerome County and the hearing has been set for our office in Twin Falls County.

Please send to our office the forms necessary for completing proof in this case. *Note*

Please let me take this opportunity to thank you for your cooperation and consideration and that of Mr. Tappan given in the extension of Permit #G-29278 (Glen Dale Farms, Inc.) granted in April of this year.

With personal regards I remain

Very truly yours,

STEPHAN AND HARVEY

Larry K. Harvey
Larry K. Harvey

LKH:jw

Enclosures

30136

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho
July 1, 1966

Re: Permit No. G - 30136

Thomas J. Metzler
Route #4
Jerome, Idaho

Dear Mr. Metzler:

The date for proofs of Completion of Works and Application of water to beneficial use, as set out under terms of Permit No. G- 30136 are due not later than Sept. 1, 1966

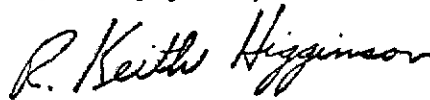
Before these proofs can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper within the county in which the land is located. In completing the Notice of proof for publication, the information should be taken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

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

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

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

Very truly yours,


Deputy
STATE RECLAMATION ENGINEER

Enc. Form 36 and 11

cc:

30136

September 25, 1961

Re: Permit No. G-30136

Mr. Thomas J. Metzler
Route #4
Jerome, Idaho

Dear Mr. Metzler:

Enclosed is Permit No. G-30136, in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

Also enclosed is departmental receipt No. G-6470 in the amount of \$5.25 which was issued covering payment for the filing fee on the above numbered permit.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

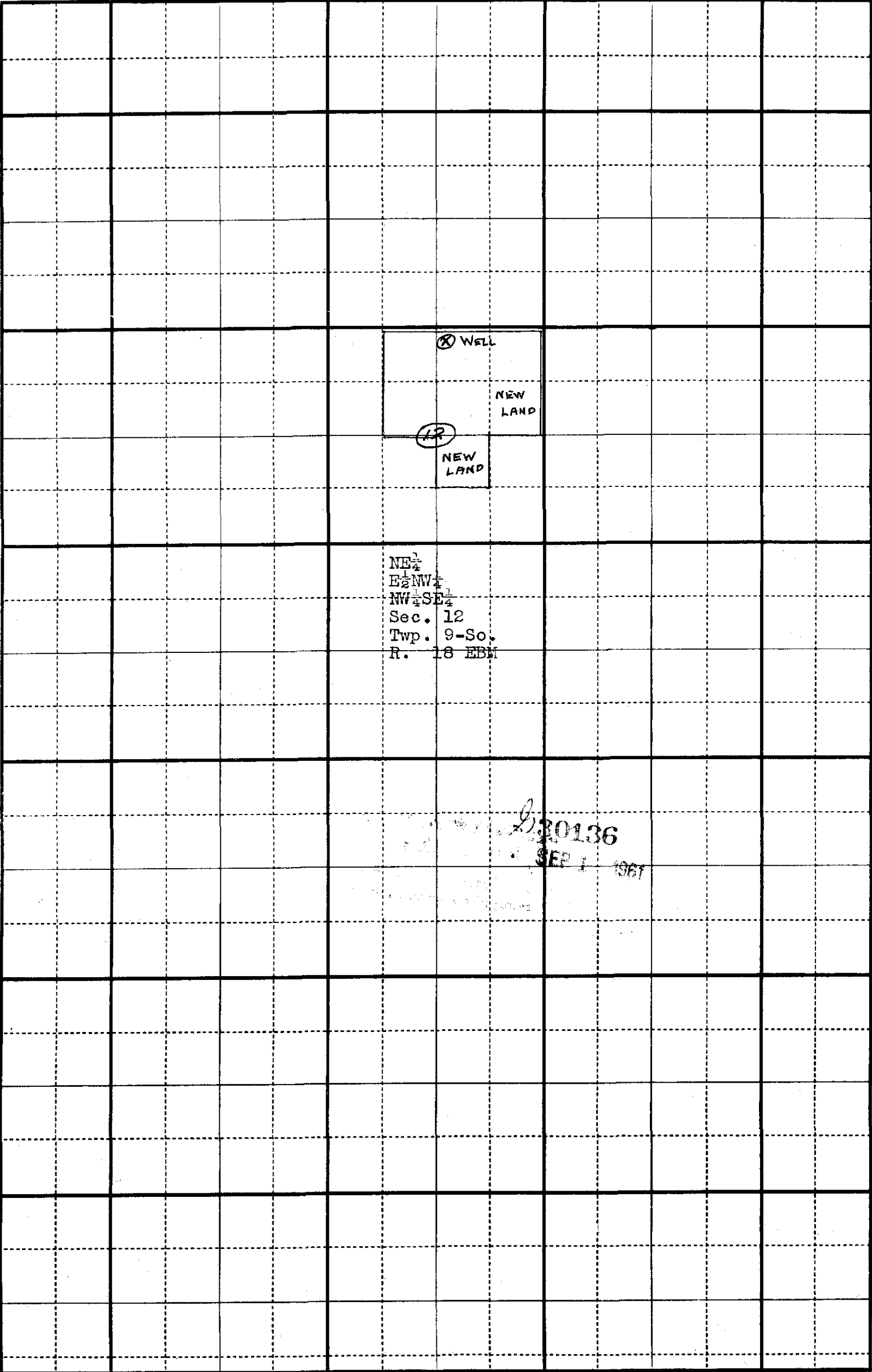
EPR:ew

Enc.

30136

NAME OF APPLICANT THOMAS J. METZGER

Form No. 0



SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

30136

August 24, 1961

Re: Application for Permit

Thomas J. Metzler
Route #4
Jerome, Idaho

Dear Mr. Metzler:

Your application for permit to divert 2 second feet of subterranean water with attached check for \$5.00 has been received.

Returned herewith is the \$5.00 check.
The filing fee is \$5.25.

Kindly return the proper filing fee and your application can be approved.

Very truly yours,

GEO. W. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

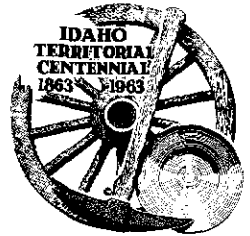
Enc. check

3010



ROBERT E. SMYLLIE
Governor

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
GEO. N. CARTER, STATE RECLAMATION ENGINEER
BOISE



August 24, 1961

Re: Application for Permit

RECEIVED

AUG 24 1961

Department of Reclamation

Thomas J. Metzler
Route #4
Jerome, Idaho

Dear Mr. Metzler:

Your application for permit to divert 2 second feet of subterranean water with attached check for \$5.00 has been received.

Returned herewith is the \$5.00 check.
The filing fee is \$5.25.

Kindly return the proper filing fee and your application can be approved.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By: *Ralph W. Thomas*

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:sw

Enc. check

Herewith - Encure it please
Shirley

30136