

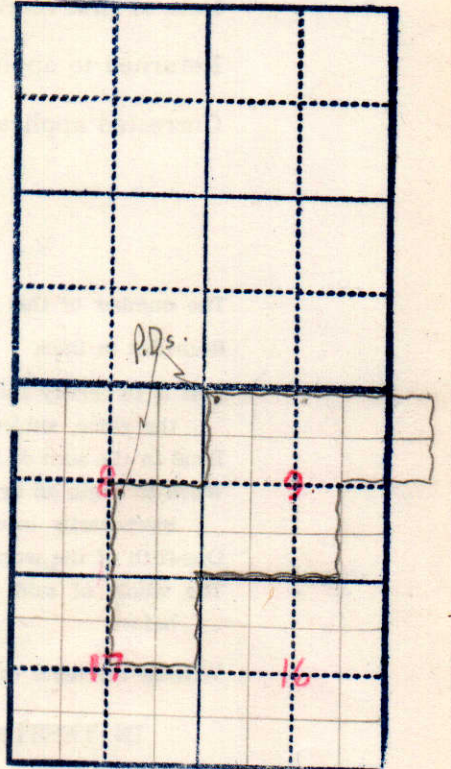
Idaho Land & Appraisal
Box 2161
Boise, Idaho

36-2480

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

Application No. G- 37651
Permit No. G- 29646
District No.

Assigned to William Krebs
514 S. "D" St.
Rupert - Idaho



1. Name of Applicant: MacRae Sheep Co.
Postoffice address: Paul County: Minidoka State: Idaho
2. Quantity of water claimed: 960 Miner's inches
(a) Rate of withdrawal in cubic feet per second 19.2 or Idaho
Miners' inches or gallons per minute
(b) Annual withdrawal in acre feet per annum
3. Source of water supply: 2 drilled wells
4. Location of point of diversion or well is in the NW SE 8
NW 1/4 of the NW 1/4 of Section 9
Twp. 8 S , Rge. 22 E , B.M., County of Minidoka
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:
(a) Point of use of water is in the 1/4 of the 1/4 of Section , Twp.
Rge. , B.M.
(b) Waste water or sewage effluent is to be returned to
at a point in the 1/4 of the 1/4 of Section , Twp. , Rge. , B.M.
7. Kind of works: 2 drilled wells, to be cased and equipped with turbine type pumps & mtrs.
8. Estimated cost of works: \$30,000
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: none
(a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
(b) 19.2 (cubic feet per second, inches or gallons per minute) is for new lands.

מחזורי

56-7976

36-2979

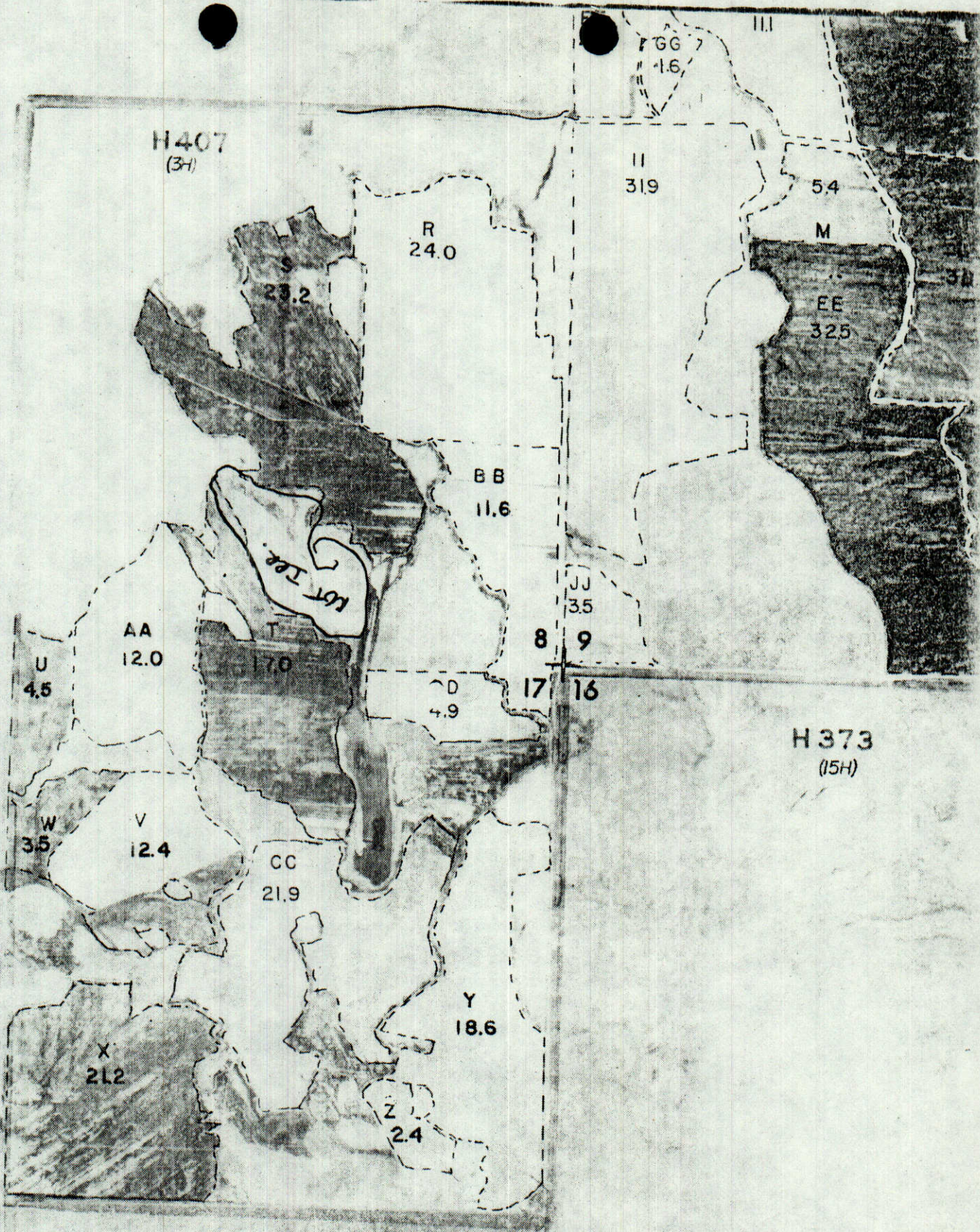
36-2980

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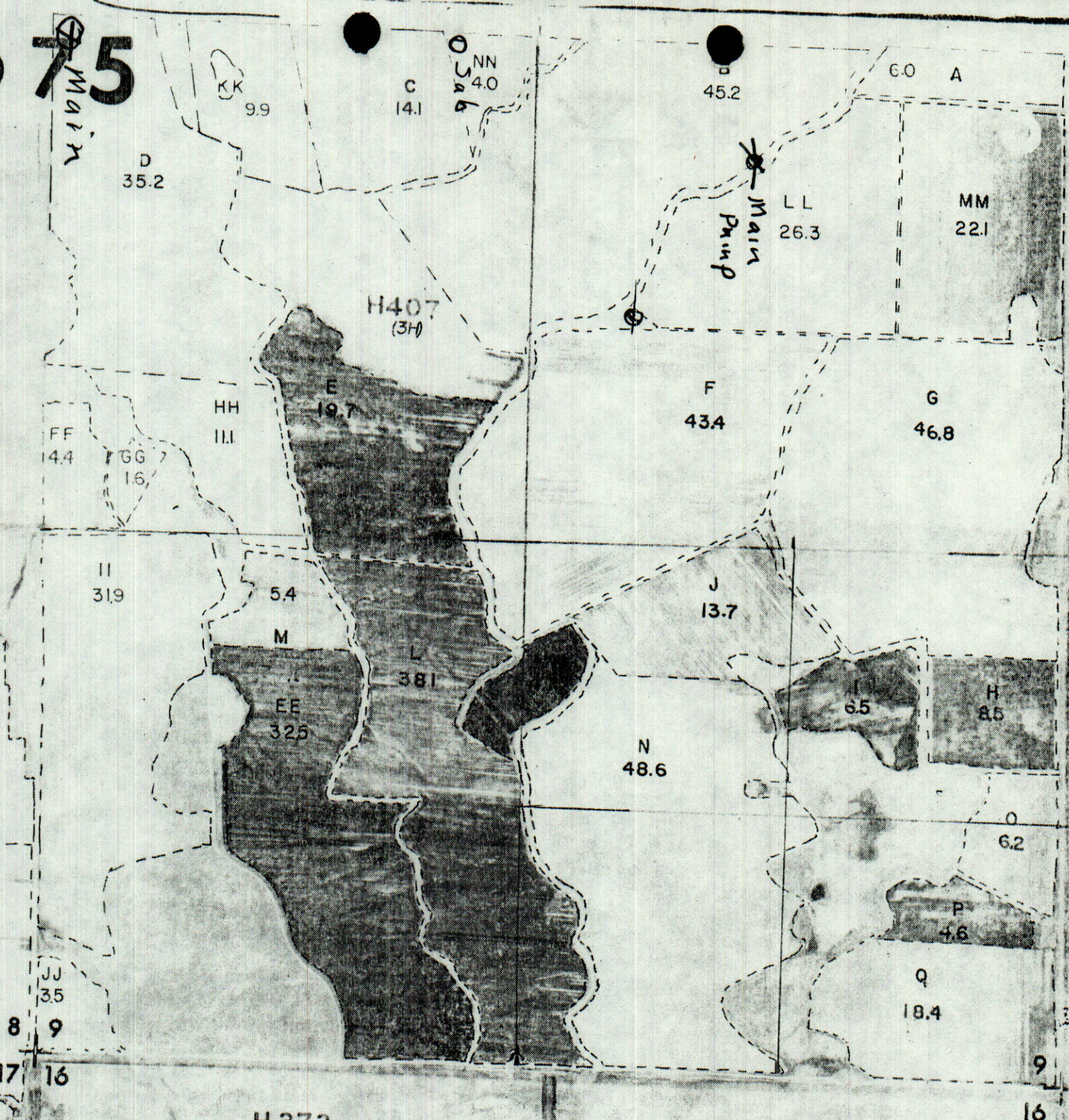
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88

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75
Main



MICROFILMED

Rge 22 E.

Minidoka

approx. 15 mi to

Trp. 8 S.

		P.D. 36	39	P.D. 39	38	152	
		38	40	40	39	157	
8							
	25	39	40	40	39	183	
	20	40	40	40	40	39	219
	35	20				55	
	40	40				80	
17						846	

A- ~~848~~ 846

Q: ~~4.08~~ 4.08 16.00 = 10.08 c.f.s.

Subd. 23

Volume not to exceed $(4.0 \times 846) = 3384$ AF/season

Confirm Priority date, I don't get it. 12/27/68

FOR LICENSE → PRIORITY JULY 19TH, 1966 0222

AREA = 846 acres

SUBD = 23

VOL = 3384 AC-FT / SEASON

Q = 8.08 c.f.s.

Allow 10.08 c.f.s. R.H. 10.08 c.f.s. 26-70 A.F.

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

Permit No. G-29646

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

1. Name of applicant William Kerbs

2. Source of water supply: 2 wells

3. Location of point of diversion: Is in the NW1/4NW1/4, NW1/4NE1/4 of Section 9
T. 8 S R. 22 E., B.M. County of Minidoka

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

PD #1 (NW NW SEC 9) 500 HP US ELEC MOTOR
1377882, L & B VERTICAL TURBINE PUMP #58387
12" DISCHARGE INTO CONCRETE DIVERSION WORKS - CONCRETE DITCHES.
PD #2 (NW NE SEC 9) 450 HP US HORIZONTAL ELEC MOTOR #1392197
WESTERN VERTICAL TURBINE PUMP, 12" DISCHARGE INTO CONCRETE DIVERSION
WORKS - THROUGH EARTH DITCHES

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):

SE1/4, Sec. 8; all Sec. 9; NE1/4, Sec. 17, T. 8 S., R. 22 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:

MR. WILLIAM KERBS CONTACTED

PD #2 PUMPY CURRENT WATER USED: Q = 4.05 C.F.S.

PD #1 SPARKING MOTOR 300 IN 50 SEC
IRRIGATION REQUIREMENT = 4.0 AC-FT / ACRE / SEASON
check file 32499 (supplemental application) same land. Extra for 68 W.S.

This examination was made on the 15th day of May, 1968
(Signed) Dean Reynolds 1-2-69
Examiner.

29646 Plat #4

690
RECEIVED
AUG 12 1966

Department of Reclamation

The Minidoka County News

RUPERT, IDAHO

AFFIDAVIT OF PUBLICATION

County of Minidoka,)
STATE OF IDAHO,) ss.
Ruth DeThomas

_____, being first
duly sworn, deposes and says that s/he is the
Editor _____ of The Minidoka County
News, a weekly newspaper published at Rupert,
Idaho, in the county aforesaid, and that the paper
is of general circulation therein. Deponent further
states that the printed notice attached hereto was
duly published according to law in the regular
weekly editions of The Minidoka County News

for four consecutive weeks, commencing
with the issue dated July 7, 1966, and
ending with the issue dated July 28, 1966

Ruth DeThomas

Subscribed and sworn to before me this

7th day of Aug., 1966

Bern Hunter Notary Public

Cost of Publication _____

Notary Fee _____

Total Cost _____

**NOTICE OF PROOF
OF COMPLETION
OF WORKS**

**and
APPLICATION OF WATER
TO BENEFICIAL USE**

Notice is hereby given that
on the 26th day of July 1966, at
Boise, County of Ada, State of
Idaho before Sharron Derooin,
Notary Public, at 224 Idaho
Building, proof will be submit-
ted to the completion of works
for the diversion of 19.2 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-29646, heretofore
issued by the Department of
Reclamation of the State of
Idaho.

1. The name and postoffice
address of the person or cor-
poration holding said permit is
William Kerbs, 514 South
"D" Street, Rupert, 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 con-
veying to the place of use is
19.2 cubic feet per second.

3. The use to which said
water has been applied is ir-
rigation purposes and the a-
mount applied to beneficial use
is 19.2 cubic feet per second.

4. The point of diversion of
said water is NW $\frac{1}{4}$ NE $\frac{1}{4}$,
NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 9, T8S-R22E,
B.M.

5. The place where said wa-
ter is used is T8S-22E, B.M.,
Sec. 9-All; Sec. 8-SE $\frac{1}{4}$; Sec.
17-NE $\frac{1}{4}$, a total of 960.

6. The date of priority which
said user is prepared to estab-
lish is 4-21-61.

R. KEITH HIGGINSON,
Deputy State Reclama-
tion Engineer.

No. 690 July 7-July 28

29646

Application for Amendment

POINT OF DIVERSION

Permit No. G-29646

Comes now William Kerbs and represent to the State Reclamation Engineer of the State of Idaho:

That he is (are) the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-29646.

That the point of diversion is described in said Permit as being located:

NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 8; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 9, T8S-R22E, B.M.

That he now requests that the point of diversion be changed to a point located: NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 8; NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 9, T8S-R22E, B.M.

That the reason for desiring to make such change is as follows:

I just purchased this place and in checking over the water permits, it came to my attention that the well was actually drilled in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 9, instead of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ and I desire this change so my permit will cover the actual location of the well.

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

Signed at Boise, Idaho, this 25th day of August, 1965

William Kerbs

By Harley M. McDowell
Harley M. McDowell, Agent

Date of Receipt at Department Of Reclamation:

APPROVAL OF STATE RECLAMATION ENGINEER

I, GEO. N. CARTER, 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. . 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.

Recorded in Book of
Permits, at Page , 1965

Ralph Thomas
State Reclamation Engineer

29646

PREPARED BY
IDAHO LAND & APPRAISAL SERVICE
BOX 2161, BOISE, IDAHO
PLEASE NOTIFY OF ANY DECISIONS
OR IF FURTHER INFORMATION IS NEEDED

A S S I G N M E N T

For value received, I hereby assign all of my right, title and
interest in and to Permit to appropriate the Public Waters of the State of Idaho,
No. G-29646 to William Kerbs of
514 South "D" Street, Rupert, Idaho

MAC RAE SHEEP CO.

BY: Russell G. Lindstrom
Permit Holder

STATE OF IDAHO)

: ss

County of Minidoka)

On this 24th day of August, 1967, before me, a Notary Public
for the State of Idaho, residing at Paul, Idaho
personally appeared Russell G. Lindstrom
known to me to be the person whose name is subscribed to the within instrument
and duly acknowledged to me that he executed the same.

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

Russell G. Lindstrom
Notary Public
Residing at Paul, Idaho My Commission expires November 3, 1967
Notary Public of Idaho
Residing at Paul, Idaho

My commission expires: _____

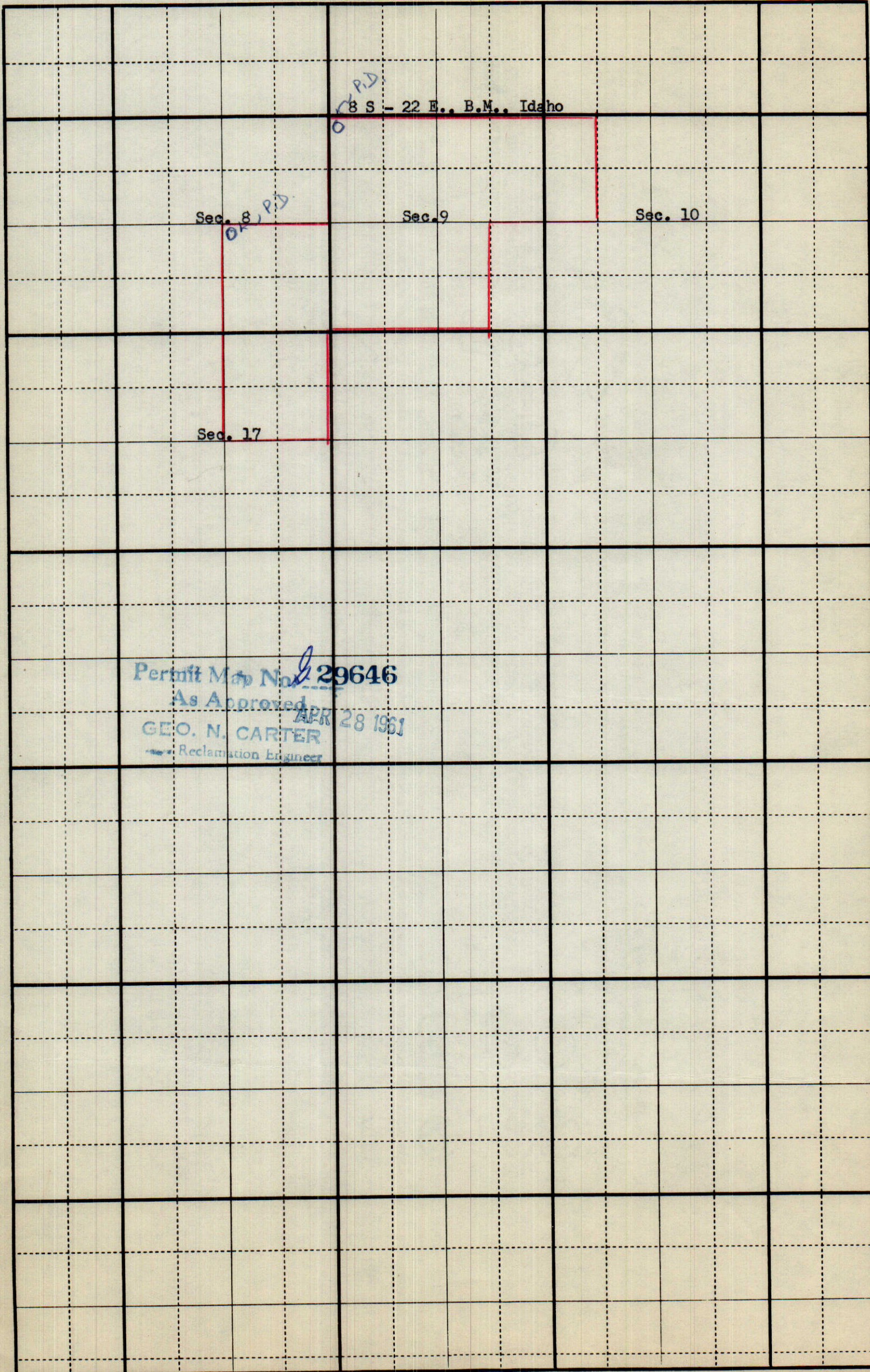
* If fractional part of permit is to be assigned, the fractional part of the land to
which the assigned fraction is appurtenant should be described by legal subdivisions

29646

NAME OF APPLICANT

MacRae Sheep Company

Form No. 0



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

29646

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4015 (PART)
WATER RIGHT NO(S). 36-02479A/36-02480/36-07476B

This is to certify that: RUSTIC AG INC
PO BOX 539
PAUL ID 83347

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 36-02479A :			
IRRIGATION	04/01 to 10/31	1.20 CFS	240.0 AF
Priority: 06/09/1961			
Right No. 36-02480 :			
IRRIGATION	04/01 to 10/31	12.50 CFS	3384.0 AF
Priority: 07/19/1961			
Right No. 36-07476B :			
IRRIGATION	04/01 to 10/31	1.80 CFS	360.0 AF
Priority: 05/22/1974			

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

NWNE , Sec. 9, Township 08S, Range 22E
NWNW , Sec. 9, Township 08S, Range 22E
NWSW , Sec. 9, Township 08S, Range 22E
MINIDOKA County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
08S 22E 3	NESW 40	NWSW 30	SWSW 40	150
	SESW 40			
8	NESE 39	NWSE 40	SWSE 40	158
	SESE 39			
9	NENE 38	NWNE 39	SWNE 40	
	SENE 39	NENW 39	NWNW 38	
	SWNW 38	SENW 40	NESW 40	
	NWSW 39	SWSW 40	SESW 40	
	NESE 39	NWSE 40	SWSE 40	
	SESE 39			
17	NENE 40	NWNE 40	SWNE 40	

AUG 31 1993

TRANSFER NO. 4015 (PART)
WATER RIGHT NO(S). 36-02479A/36-02480/36-07476B

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
		SENE	40			160
Total number of acres irrigated:						1096

CONDITIONS/REMARKS:

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
3. This right when combined with all other rights shall provide no more than 4.0 afa per acre for the lands above.
4. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
5. The change approved by this transfer is subject to the terms of the court's final decree of this right in the ongoing Snake River Basin Adjudication.
6. Right Nos. 36-02479A, 36-02480, 36-07476B and Snake River Basin Adjudication (SRBA) Claim No. 36-15234 are limited to a total combined diversion rate of 12.5 cfs, a total combined annual diversion volume of 4384 af, a total combined annual consumptive use volume of 3288 af, and the irrigation of a combined total of 1096 acres in a single irrigation season.
7. Right No. 36-02479A is limited to the irrigation of 60 acres in the place of use described above in a single irrigation season.
8. Right No. 36-02480 is limited to the irrigation of 846 acres in the place of use described above in a single irrigation season.
9. Right No. 36-07476B is limited to the irrigation of 90 acres in the place of use described above in a single irrigation season.
10. Snake River Basin Adjudication Claim No. 36-15234 is also changed under Transfer No. 4015 and is represented on a separate transfer approval.

Dated this 17th day ofAugust, 1993.

J. Glen Saxton
Chief, Water Alloc. Bureau

AUG 1 1993

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF:

Correcting Licenses No. 29645/
36-2479 and 29646/36-2480 in the
name of WILLIAM KERBS

ORDER

WHEREAS, in March, 1969, the Department of Water Resources (formerly the Department of Reclamation) issued the above numbered licenses as follows: License No. 29645/36-2479 for 2.0 cubic feet of water per second from a well within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 9, Twp. 8 S, Rge. 22 E, B.M. covering 210 acres in Sections 2 and 3, Twp. 8 S, Rge. 22 E, B.M. and License No. 29646/36-2480 for 8.08 cubic feet of water per second from two wells in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 9, Twp. 8 S, Rge. 22 E, B.M. covering 846 acres in Sections 8, 9 and 17, Twp. 8 S, Rge. 22 E, B.M.; and

WHEREAS, in August, 1970, the Department recalled said licenses to correct the quantity of water allowable to 4.08 cfs under 29645/36-2479 and 10.08 cfs under 29646/36-2480; and

WHEREAS, the second point of diversion was inadvertently omitted from the amended license issued on July 16, 1971, under 29646/36-2480; and

WHEREAS, in August, 1974, Mr. William Kerbs petitioned the Department to re-issue the licenses in question in order to include the previously omitted point of diversion under 29646/36-2480; and

WHEREAS, Mr. Kerbs also requested in his petition that the quantity of water allowable under the licenses again be reviewed, claiming that a gate valve was partly shut during the original field examination prior to issuance of the licenses in 1969; and

WHEREAS, a representative of the Department has conducted a field examination and determined that the system has not changed from that shown in the earlier report and is capable of producing 12.50 cubic feet of water per second rather than the 10.08 cubic feet of water per second shown in the 1968 field report; and

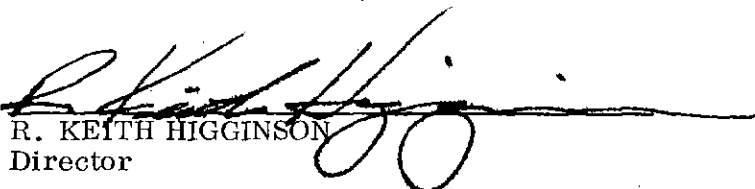
WHEREAS, the Director of the Department of Water Resources has reviewed the matter and finds that said licenses should be corrected by issuance of amended licenses;

IT IS, THEREFORE, HEREBY ORDERED that amended licenses be issued as follows:

License No. 29645/36-2479 for 4.20 cfs of water from a well within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 9 for the irrigation of 210 acres within the N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ -SW $\frac{1}{4}$, Sec. 2; NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 3; all in Twp. 8 S, Rge. 22 E, B.M.

License No. 29646/36-2480 for 12.50 cfs of water from 2 wells within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 9 for the irrigation of 846 acres within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 8; all of Sec. 9; NE $\frac{1}{4}$, Sec. 17; all in Twp. 8 S, Rge. 22 E, B.M.

Dated this 12 day of August, 1975


R. KEITH HIGGINSON
Director

State of Idaho
Department of Water Resources
AMENDED
WATER RIGHT LICENSE

License of Water Right No. 29646/36-2480 Priority July 19, 1961 Amount 12.50 cfs

THIS IS TO CERTIFY, that WILLIAM KERBS
of Rupert, Idaho, has complied with the terms and conditions of Permit
No. 29646/36-2480 issued pursuant to Application for Permit dated April 21, 1961,
and has submitted proof to the Department of Water Resources on July 26, 1966 (late proof),
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 12.50 cfs of water from a ground water source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u> from <u>April 1</u> to <u>Oct. 31</u> at <u>12.50</u> cfs and			<u>3,384 acre feet or</u>
			<u>4.0 af per acre</u>

(both dates inclusive)

Subject, however, to the condition that no more than * 12.50 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
3,384 acre feet per year, said waters to be diverted within the NW¹/₄ NW¹/₄ -and- NW¹/₄ NE¹/₄ of
Sec. 9, Twp. 8 S, Rge. 22 E, B.M. in the County of Minidoka

Description and location of place of use:

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
8 S	22 E	8													25		20	40	85
		9	38	39	40	39	39	36	38	40	40	39	40	40	39	40	40	39	626
		17	20	35	40	40													135

Total number of acres irrigated 846

* Subject to the condition that the maximum rate of diversion shall not exceed
12.50 cfs when combined with License No. 29645/36-2479.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 12 day of

August, 19 75.

Director

WATER LICENSE

Water License No. G-29646 Priority July 19, 1961 Amount 8.08 c.f.s.
(late proof)

THIS IS TO CERTIFY, that MacRae Sheep Co. - Assignee - WILLIAM KERBS

of Rupert, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated April 21, 1961; that Permit G-29646 was issued pursuant to said application; that the proposed works were completed on or about 1966, with a storage/or carrying capacity of 10.08 c.f.s., said works consisting of 2 wells, 2 pumps, 2 motors, concrete diversion works, and that on July 26, 1966, proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 3384 acre feet per season, with a maximum rate of diversion of 8.08 cubic feet per second of the waters of 2 ground water sources, tributary of by 2480, for the purpose of irrigation from April 1 to October 31; and for from #36 to 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 Reclamation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is located in NW 1/4 NW 1/4, Sec. 9, T. 8 S., R. 22 E., B.M., and other additional points NW NE 1/4 Sec. 9, T. 8 S., R. 22 E. B.M., in the County of Minidoka; 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 3384 acre feet per year.

Description and location of place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
8 S	22 E	8													25		20	40	85
		9	38	39	40	39	39	36	38	40	40	39	40	40	39	40	40	39	626
		17	20	35	40	40													135

Total number of acres irrigated 846

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 March, 1969.

F. Keith Hagg
State Reclamation Engineer

36 2480

36 2480



Water License No. G-29646

STATE OF IDAHO
office of the
DEPARTMENT OF RECLAMATION

[Handwritten signature]

State of Idaho
Department of Water Administration
AMENDED
LICENSE OF WATER RIGHT

License of Water Right No. 36-2480 Priority 7-19-61 Amount 10.08 cfs

THIS IS TO CERTIFY, that MacRae Sheep Co. - Assignee - WILLIAM KERBS
of Rupert, Idaho, has complied with the terms and conditions of Permit
No. 36-2480 issued pursuant to Application for Permit dated April 21, 1961,
and has submitted proof to the Department of Water Administration on August 12, 1966,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 10.08 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from two ground water sources
tributary of _____, is hereby confirmed in the following amounts:

Amount 10.08 cfs for Irrigation from April 1 to Oct. 31 (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Subject, however, to the condition that no more than 10.08 cfs of water be diverted at
any one time, said waters to be diverted within the NW¹/4 NW¹/4, Sec. 9, T. 8S, R. 22E, B.M.

in the county of Minidoka, and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 3384 acre feet per year or _____
4.0 acre feet per acre.

Description and location of place of use:

TWP.	RANGE	SEC.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				TOTALS
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
8 S	22 E	8													25		20	40	85
		9	38	39	40	39	39	36	38	40	40	39	40	40	39	40	40	39	626
		17	20	35	40	40													135

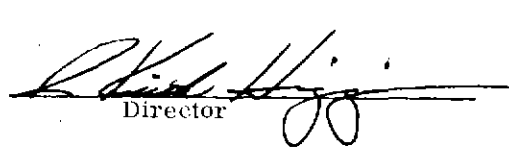
Total number of acres irrigated 846

The rate of diversion under this license and License No. 36-2479 may not
exceed 10.08 cubic feet per second when combined.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 16th day of

July, 1971.


Director

36 2480

Idaho Land & Appraisal
Box 2161
Boise, Idaho

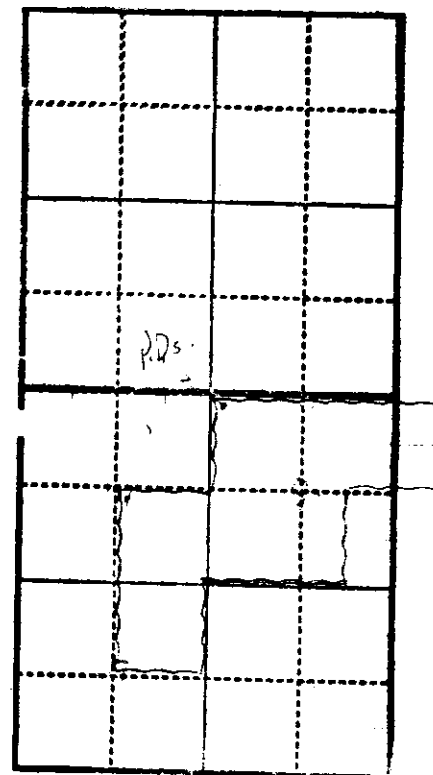
APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 37651
Permit No. G- 29646
District No.

Assigned to William Kuhn
517 S. 8th St
Rupert - Idaho

1. Name of Applicant: MacRae Sheep Co.
Postoffice address: Paul County: Minidoka State: Idaho
2. Quantity of water claimed: 960 Miner's inches
(a) Rate of withdrawal in cubic feet per second 19.2 or Idaho
Miners' inches or gallons per minute
(b) Annual withdrawal in acre feet per annum
3. Source of water supply: 2 drilled wells
4. Location of point of diversion or well is in the NW SE 8
NW 1/4 of the NW 1/4 of Section 9
Twp. 8 S , Rge. 22 E , B.M., County of Minidoka
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:
(a) Point of use of water is in the 1/4 of the 1/4 of Section , Twp.
Rge. , B.M.
(b) Waste water or sewage effluent is to be returned to
at a point in the 1/4 of the 1/4 of Section , Twp. , Rge. , B.M.
7. Kind of works: 2 drilled wells, to be cased and equipped with turbine type pumps & mtrs.
8. Estimated cost of works: \$30,000
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: none
(a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
(b) 19.2 (cubic feet per second, inches or gallons per minute) is for new lands.



Application for Amendment ✓
POINT OF DIVERSION
Permit No. G-29646

Comes now WILLIAM KERBS and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-29646.

That the point of diversion is described in said Permit as being located: NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 8; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 9, T. 8 S., R. 22 E., B. M.

That he now requests that the point of diversion be changed to a point located: NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 8; NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 9, T. 8 S., R. 22 E., B. M.

That the reason for desiring to make such change is as follows: I just purchased this place and in checking over the water permits, it came to my attention that the well was actually drilled in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 9, instead of the NW $\frac{1}{4}$ NW $\frac{1}{4}$, and I desire this change so my permit will cover the actual location of the well.

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

Signed at Boise, Idaho, this 25th day of August, 1965.

s/ WILLIAM KERBS
By: Harley M. McDowell, Agent

Date of receipt at Department of Reclamation: August 26, 1965

APPROVAL OF STATE RECLAMATION ENGINEER

I, RALPH W. THOMAS, Deputy State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to the Permit to appropriate the Public Waters of the State of Idaho, No. G-29646. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

s/ RALPH W. THOMAS, Deputy
State Reclamation Engineer

Recorded: August 26, 1965

POINT OF DIVERSION AMENDMENT ✓

Comes now William Kerbs and represents to the State Reclamation Engineer of the State of Idaho, That he is the owner and holder of permit to appropriate the Public Waters of the State of Idaho, No. G-29646. That the points of diversion is described in said permit as being located: NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 8, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 9, T 8 S., R 22 E., B.M. That he now requests that the points of diversion be changed to a point located: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 9, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 9, T 8 S., R 22 E., B.M. That the reason for desiring to make such change is as follows: Because I want to make proof on this permit and in order for the advertising to show the exact subdivision in which the wells are located, this amendment is requested. That no one will be injured by such change and that such change will be made at Permit Holder's own risk. Signed at Boise, Idaho this 26th day of April, 1966.

/s/ WILLIAM KERBS By
Harley M. McDowell

Date of Receipt at Department of Reclamation: April 27, 1966.

APPROVAL OF STATE RECLAMATION ENGINEER

I, R. Keith Higginson, Deputy State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-29646. This approval constitutes a new permit and is issued as an amendment to the original permit to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

/s/ R. KEITH HIGGINSON,
Deputy State Reclamation Engineer

Recorded in book 104 of permits at page G-29646, April 27, 1966.

LAND LIST AMENDMENT ✓

Comes now William Kerbs and represents to the State Reclamation Engineer of the State of Idaho; That he is the owner and holder of permit to appropriate the Public Waters of the State of Idaho, No. G-29646, and requests that the list of lands to be irrigated, as described in said Permit, be changed to read as follows: T 8 S., R 22 E., B.M. Section 8, SE $\frac{1}{4}$; Section 9, all; Section 17, NE $\frac{1}{4}$, making a total of 960 acres. That an additional amount is not asked for and that the rights of others will not be adversely affected by such change. Signed at Boise, Idaho this 17th day of June, 1966.

/s/ HARLEY M. McDOWELL for WILLIAM KERBS

Date of Receipt at Department of Reclamation: June 21, 1966

APPROVAL OF STATE RECLAMATION ENGINEER

I, R. Keith Higginson, Deputy State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-29646, ~~and requests that the list of lands to be irrigated, as described in said Permit, be changed to read as follows:~~ 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.

LICENSE ISSUED FOR 2.08 SEC. FT.
LICENSE PAGE NO. 10.

/s/ R. KEITH HIGGINSON, Deputy
State Reclamation Engineer

LICENSE ISSUED FOR 10.08 SEC.
LICENSE PAGE NO. _____

WR0749NP
No. T36-02480

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

DATE: 08/06/93
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RUSTIC AG INC PO BOX 539 PAUL ID 83347 (208) 438-8764	07/19/1961	IRRIGATION	04-01 10-31	12.50 CFS	3384.0 AFA
TOTAL DIVERSION:					12.50 CFS	3384.0 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T08S R22E S09 NW NE NW NW NW SW

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE								
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
08S	22E	3	:																	150.0
08S	22E	8	:																	158.0
08S	22E	9	:		38	39	40	39		39	38	38	40		40	39	40	40	39	628.0
08S	22E	17	:		40	40	40	40												160.0
TOTAL ACRES																				1096.0

Pou County: MINIDOKA

Other Rights: SEE REMARKS

Other Water Rights with Same Point(s) of Diversion and Source:
36-02479A 36-02480 36-07476B T36-02479A T36-15234

Other Water Rights Listing Overlapping Place(s) of use:
36-02479A 36-02480 36-07476B T36-02479A T36-07476B T36-15234

Conditions of Approval:

- 046 - Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- R01 - A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
- R26 - This right when combined with all other rights shall provide no more than 4.0 afa per acre for the lands above.
- T08 - Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
- T16 - The change approved by this transfer is subject to the terms of the court's final decree of this right in the ongoing Snake River Basin Adjudication.

Remarks: Right No. 36-02480 is limited to the irrigation of 846 acres in the place of use described above in a single irrigation season. Right Nos. 36-02479A, 36-02480, 36-07476B and Snake River Basin Adjudication No. 36-15234 are limited to a total combined diversion rate of 12.5 cfs, a total combined annual diversion volume of 4384 af, a total combined annual consumptive use volume

Copy to X on WR database when approved.

WR0749NP
No. T36-02480

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

DATE: 08/06/93
PAGE: 2

Remarks: of 3288 af, and to the irrigation of a combined total of 1096
acres in a single irrigation season.

Dates: App. Received: Priority Date: 07/19/1961
Proof Due Date: Proof Made Date:
Exam Made Date: 06/24/1991 Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee:

Comments: Date: 07/19/1991 User-ID: SOUTH1 Subject: COPIED FROM REMARKS
NOT TO EXCEED 12.5 CFS.
FARMABLE ACREAGE=846.0
LIC. AMENDED.

Date: 09/04/1992 User-ID: CHRISTEN Subject: CHANGE IN PROPOSED RECOMMENDATION
BASED UPON INFORMATION SUPPLIED BY JIM STANTON AND THE NAPP PHOTO
IT WAS DETERMINED THAT THREE OF THE FOUR CLAIMS WITH THE SAME P/D
WERE WRONG. I HAVE CHANGED THE P/D TO THE NENWNE OF SEC 9. NO
NOTICE OF ERROR WAS SUBMITTED AS THE CLIENT WAS NOT AWARE OF THE
DISCREPANCY DURING HIS OFFICE VISIT WITH JIM. KKC 9-4-92.

Date: 09/09/1992 User-ID: SCHULTZ Subject: NOTICE OF ERROR (NOE)
RECEIVED NOE 9/8/92. CHANGED NOE FLAG FROM D TO A.
CLAIM VERIFIED 9/4/92. DID NOT REVERIFY ANY PART OF CLAIM.

Date: 09/22/1992 User-ID: GIVENS Subject: OWNERSHIP CHANGE
CHANGE OF OWNERSHIP RECEIVED 9/4/92 ORIGINAL OWNER C & B FARMS
INC. NEW OWNER RUSTIC AG. INC. COPY OF CONTRACT OF SALE OF REAL
AND PERSONAL PROPERTY.

Date: 10/10/1992 User-ID: CHRISTEN Subject: RESPONSE TO NOE
REQUEST TO ADD 9 ACRES TO P-P/U IN NWSW OF SEC 9 APPEARS VALID.
THEREFORE, I HAVE ADDED THOSE ACRES TO THE P-P/U. THEY ARE
INCLUDED WITHIN THE K06 TOTAL OF EXPANSION CLAIM 36-15234. REMARK
E03 UPDATED TO REFLECT THE ADDITIONAL 8 ACRES. KKC 10-10-92.

Date: 08/06/1993 User-ID: SKAGGS Subject: TRANSFER NO. 4015
Transfer No. 4015 was filed to add a point of diversion to Right
Nos. 36-02479A/02480/07476B and Snake River Basin Adjudication
Claim No. 36-15234. The transfer was processed on the SRBA
claims as recommended to the court. Water rights will be stored

WR0749NP
No. T36-02480

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

DATE: 08/06/93
PAGE: 3

Comments: Date: 08/06/1993 User-ID: SKAGGS Subject: TRANSFER NO. 4015
under an X prefix on the WR database and the SRBA claim will be
stored under an X prefix on the AJ database, pending the
conclusion of the adjudication.

Audit: 08/06/93 SKAGGS

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources
within 30 days after the completion or abandonment of the well.

1. WELL OWNER

Name Rustic Ag, Inc. (Ken Patterson)
Address P.O. Box 539 Paul, ID 83347
Drilling Permit No. 36-93-S-0091-000
Water Right Permit No. 36-7476B, 2480 2479A

2. NATURE OF WORK

- ☒ New well ☐ Deepened ☐ Replacement
☐ Well diameter increase ☐ Modification
☐ Abandoned (describe abandonment or modification procedures
such as liners, screen, materials, plug depths, etc. in lithologic
log, section 9.)

3. PROPOSED USE

- ☐ Domestic ☒ Irrigation ☐ Monitor
☐ Industrial ☐ Stock ☐ Waste Disposal or Injection
☐ Other _____ (specify type)

4. METHOD DRILLED

- ☒ Rotary ☒ Air ☐ Auger ☐ Reverse rotary
☐ Cable ☐ Mud ☐ Other _____
(backhoe, hydraulic, etc.)

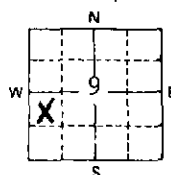
5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____
Thickness Diameter From To
.250 inches 16 inches + 2 feet 18 feet
_____ inches _____ inches _____ feet _____ feet
_____ inches _____ inches _____ feet _____ feetWas casing drive shoe used? ☐ Yes ☒ No
Was a packer or seal used? ☐ Yes ☒ No
Perforated? ☐ Yes ☒ No
How perforated? ☐ Factory ☐ Knife ☐ Torch ☐ GunSize of perforation? _____ inches by _____ inches
Number From To
_____ perforations _____ feet _____ feet
_____ perforations _____ feet _____ feet
_____ perforations _____ feet _____ feetWell screen installed? ☐ Yes ☒ No
Manufacturer _____ Type _____
Top Packer or Headpipe _____
Bottom of Tailpipe _____Diameter _____ Slot size _____ Set from _____ feet to _____ feet
Diameter _____ Slot size _____ Set from _____ feet to _____ feet
Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____
Placed from _____ feet to _____ feetSurface seal depth 18' Material used in seal: ☐ Cement grout
☒ Bentonite ☐ Puddling clay ☐ _____Sealing procedure used: ☐ Slurry pit
☐ Temp. surface casing ☒ Overbore to seal depth
Method of joining casing: ☐ Threaded ☐ Welded
☐ Solvent Weld ☐ Cemented between strata

Describe access port _____ Well cap _____

6. LOCATION OF WELL

Sketch map location must agree with written location.



Subdivision Name _____

Lot No. _____ Block No. _____

County MinidokaAddress of Well Site 1150 West 850 North
(give at least name of road)NW 1/4 SW 1/4 Sec. 9, T. 8 N ☐ or S ☒
R. 22 E ☒ or W ☐

7. WATER LEVEL

Static water level 534 feet below land surface.
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature _____ °F. Quality _____
Describe artesian or temperature zones below.

8. WELL TEST DATA

☐ Pump ☐ Bailer ☐ Air ☐ Other _____

Discharge G.P.M.	Pumping Level	Hours Pumped

9. LITHOLOGIC LOG

Bore Diam.	Depth		Material	Water	
	From	To		Yes	No
22"	0	2	Topsoil		x
	2	18	Gray lava		x
17 1/2"	18	41	Gray lava		x
	41	51	Reddish brown lava		x
	51	79	Broken lava, lost circulation		
	79	135	Solid lava		x
	135	138	Broken lava		x
	138	164	Solid lava		x
	164	195	Reddish brown lava		x
	195	438	Solid lava		x
	438	497	Soft lava		x
	497	520	Brown lava, crevice		x
	520	536	Solid lava		x
	536	551	Broken lava	x	
	551	612	Solid lava		x
	612	628	Broken lava, cinders	x	
	628	636	Solid lava		x
	636	648	Broken lava, cinders	x	
	648	710	Solid lava		x
	710	720	Cinders	x	

RECEIVED

APR 01 1993

Department of Water Resources
Southern Region Office

AUG 31 1993

10.

Work started 3-25-93 finished 4-2-93

11. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were
complied with at the time the rig was removed.Firm Name Elsing Drilling Firm No. 31
P.O. Box 919
Address Twin Falls, Id 83301 Date 4-9-93Signed by Drilling Supervisor Arnold Elsing
and
(Operator) Lloyd Elsing
(If different than the Drilling Supervisor)

WR# 36-7476 B, 2480, 2479A

RECEIVED

MAR 26 1993

Department of Water Resources
Southern Region OfficeState of Idaho
Department of Water Resources

APPLICATION FOR DRILLING PERMIT

RECEIVED

MAR 29 1993

Department of Water Resources

1. Applicant (please print) Rustic Ag Inc.
2. Mailing Address P.O. Box 839 Paul, Idaho 83347
Telephone (208) 438-8764 office

☒ Well Owner () Well Operator () Other, specify _____

3. Proposed well location NW 1/4 SW 1/4, or Gov't Lot No. _____
Sec. 9, Twp. 8 South, Rge. 22 East, County Minidoka
Street Address of Well Site 1150 West 850 North
Lot, block and subdivision _____

4. Proposed use of well:

- () Domestic: The use of water for homes, organization camps, public campgrounds, livestock and for any other purpose in connection therewith, including irrigation of up to 1/2 acre of land, if the total use is not in excess of 13,000 gpd; or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

Domestic does not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments, unless the use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

- ☒ Non-Domestic: Any beneficial use not included within the definition of domestic.

- () Injection

- () Monitoring - A well bore schematic and map is required for each well.
No. of proposed wells: _____

5. Well construction information:

- A. ☒ New well () Deepen () Replace - See Condition 9

B. Proposed Surface Diameter 18" Proposed Maximum Depth 600'

C. Anticipated bottom hole temperature:

- () 85°F or less (Cold water well)
() 85°F to 212°F (Low temp. geothermal well)
() 212° or more (Geothermal well)

6. Construction Start Date 3-26-93

7. Anticipated Well Driller Elsing Drilling
NOTE: The actual well driller must be identified prior to drilling.

8. Applicant's signature Ken Patterson Date 3-26-93

Title Owner
(Owner, Firm Representative, Other)

AUG 31 1993

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This Permit is Approved

Date 3/26/93

If approved, this permit authorizes the construction or modification of a well subject to the following conditions. READ CAREFULLY!

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
3. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Approval of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
8. If a bottom hole temperature of 85° or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
9. If this permit is for a replacement well, the well being replaced must be abandoned in accordance with Department Rules and Regulations.

SPECIFIC CONDITIONS:

RECEIVED

AUG 31 1993

Loren O'Halloran
Signature of Authorized Department Representative

Mgt. Southern Region
Title

Receipt No. 5015554 Received by JP Fee \$200.00 Date 3-26-93

EXTENSION OF DRILLING PERMIT

Extension approved by _____ Approval Date _____

This extension is good for 60 days beyond the above extension approval date.

August 14, 1975

Re: Permit Nos. 29645/36-2479 & 29646/36-2480

Mr. William Kerbs
P. O. Box 425
Rupert, ID 83350

Dear Mr. Kerbs:

Enclosed herewith are copies of the amended water licenses issued on the above referenced permits.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:rb

Enc.

INTER-DEPARTMENT MEMO — 1

DATE July 17, 1975

FROM Mike Steele

TO Darlene

SUBJECT Application For Transfer

Dear Darlene:

Enclosed are copies of the proposed application for transfer of the 90 acres referred to and the letter dated June 28, 1974 to Mr. Bill Kerbs. Also enclosed is a letter correcting the problems between application no. 36-2479 and 36-2480. Also, I have on the rough draft forms enclosed.

Mike Steele

SIGNATURE

56-7976

36-2479

36-2980

h.s.D

6-8-2

7

July 24, 1975

Re: Licenses No. 29645/36-2479 & 29646/36-2480
Application for Permit No. 36-7476

Mr. William Kerbs
P.O. Box 425
Rupert, Idaho 83350

Dear Mr. Kerbs:

A representative from our Twin Falls office has re-examined the works under Licenses 29645/36-2479 and 29646/36-2480 and the Department is prepared to issue Amended Water Licenses as follows:

29645/36-2479

Quantity of water diverted: 6.50 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 4.20 cfs

The maximum quantity diverted shall not exceed 840 acre feet, or 4.0 acre feet per acre, per year.

Point of diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 9, Twp. 8 S, Rge. 22 E, B.M.

Beneficial use: Irrigation of 210 acres within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 2; NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3, Twp. 8 S, Rge. 22 E, B.M.

Priority date established: June 9, 1961

29646/36-2480

Quantity of water diverted: 12.50 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 12.50 cfs

The maximum quantity diverted shall not exceed 3,384 acre feet, or 4.0 acre feet per acre, per year.

Point of diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$ -and- NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 9, Twp. 8 S, Rge. 22 E, B.M.

Beneficial use: Irrigation of 846 acres within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8; all of Sec. 9; NE $\frac{1}{4}$, Sec. 17; Twp. 8 S, Rge. 22 E, B.M.

Priority date established: July 19, 1961

We have enclosed a rough sketch indicating the acreage licensed under the licenses in question and also the land proposed to be irrigated under your Application No. 36-7476.

You will note that 90 acres under the new application is already covered for an inch of water per acre under proposed Amended License 29645/36-2479, therefore, the Department could only approve Application 36-7476 in the amount of 6.20 cfs.

There are two alternatives to the reduction in amount of the pending application. First, the water on the overlapping 90 acres could be changed to other land not presently irrigated by filing a transfer to change the place of use under an existing license. Second, the pending application could be amended to cover other land that does not presently have a water right.

Which of the two alternatives you choose depends upon what land you plan to irrigate from the new well. If you wish to irrigate the land outlined in blue on the sketch, then the place of use on the license (36-2479) must be changed by completing the enclosed Application for Transfer. However, if you wish to irrigate the acreage shown by the green numerals, then the amended application we have enclosed should be signed and returned along with a \$10.00 fee.

Please advise us regarding this matter at your earliest convenience.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:DR
Enc: Copy of App 36-7476
Sketch
Proposed Amended App
App for Transfer

NOTED
JUL 27 1975
WATER RIGHTS

FILED

14-1974

Department

Boise

August 13, 1974

Mr. Keith Higginson, Director
Department of Water Resources
Statehouse -- Annex 2
Boise, Idaho 83720

Dear Mr. Higginson:

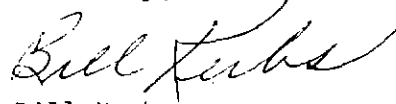
I am writing in regard to a problem I have with my water licenses 36-2479 and 36-2480. It is my understanding after discussing the matter with the Southern District Office in Twin Falls, the amended application was not issued correctly from the Boise office and the second point of diversion was omitted. When the examiner made the field examination, he omitted approximately 300 acres in Section 9. He also failed to include a second point of diversion listed in 36-2480.

In addition to these problems, a gate valve was partly shut during the field examination which reduced the amount of water measured.

As a result of the problems with these licenses, I would like to petition the Department of Water Resources for reconsideration of my problems and issue a corrected license. Also, I understand that I should send in the original license which was issued, but approximately five years ago, I was burglarized and most of my records were lost.

Any assistance you could offer in this matter would be greatly appreciated.

Sincerely,



Bill Kerbs
P.O. Box 425
Rupert, Idaho 83350

Pump information
450 H.P. U.S. Hollowshaft
MOTOR. SER# 139217
WESTERN VERTICAL
TURBINE Pump
12" Discharge

7-17-75 mls

SINGER



LAYNE PUMPS, INC

February 27, 1975

Mr. Wm Kerbs
C & B Farms, Inc.
P. O. Box 425
Rupert, Idaho 83350

Subject: Repair Work on Western Pump - 500 HP

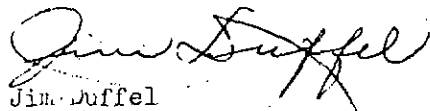
Dear Bill:

Attached please find our Invoice #6941, in the amount of \$6036.00, including a new set of our 14T bowls, fitted 12" x 2 3/16" x 3 1/2", S/N 45498. These bowls are designed for the same head and capacity as the Western bowls, which are no longer available.

We thank you for this business.

Sincerely,

SINGER-Layne Pumps Division


Jim Duffel
District Manager

JD:m

LAYNE PUMPS, INC., BOX 640, TWIN FALLS, IDAHO 83301

RECEIVED

August 13, 1974

Mr. Keith Higginson, Director
Department of Water Resources
Statehouse -- Annex 2
Boise, Idaho 83720

Dear Mr. Higginson:

I am writing in regard to a problem I have with my water licenses 36-2479 and 36-2480. It is my understanding after discussing the matter with the Southern District Office in Twin Falls, the amended application was not issued correctly from the Boise office and the second point of diversion was omitted. When the examiner made the field examination, he omitted approximately 300 acres in Section 9. He also failed to include a second point of diversion listed in 36-2480.

In addition to these problems, a gate valve was partly shut during the field examination which reduced the amount of water measured.

As a result of the problems with these licenses, I would like to petition the Department of Water Resources for reconsideration of my problems and issue a corrected license. Also, I understand that I should send in the original license which was issued, but approximately five years ago, I was burglarized and most of my records were lost.

Any assistance you could offer in this matter would be greatly appreciated.

Sincerely,

Bill Kerbs
P.O. Box 425
Rupert, Idaho 83350

RECEIVED
AUG 14 1974
DEPT. OF WATER RESOURCES

August 27, 1970

Re: Permit Nos. 36-2479 and 36-2480

C
Mr. William Kerbs
514 South "D" Street
Rupert, Idaho 83350

Dear Mr. Kerbs:

P We have reviewed the above referenced water licenses, as you requested. We find that both licenses show sufficient error to justify being recalled and reissued. Please return the original licenses mailed to you on March 17 and March 21, 1969, and we will issue new licenses for a higher rate of diversion and a larger volume of water. Water License 36-2479 will be issued for 4.08 c.f.s. of water and Water License 36-2480 will be issued for 10.08 c.f.s. of water. No more water may be diverted under the two wells at any one time than a maximum of 10.08 c.f.s.

If we can be of further assistance, please contact us.

Y Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:kh

RECEIVED

36-2480

29646

RECEIVED

FEB 20 1969

35-15196
50 P. 58
Rupert, Idaho

Mr. R. Keith Higgins
Department of Reclamation
State Reclamation Engineer
Boise, Idaho

✓	RECEIVED
	DATE
	TIME
	BY
	ADJ.
	INVESTIGATION
	LES
	PLANS
	RECORDS

Dear Sir,

Enclosed please find my check
in the amount of \$51.00 covering licensing
fee for my permit No. G-29646. Also
a check in the amount of \$19.00 for
permit # G-29645.

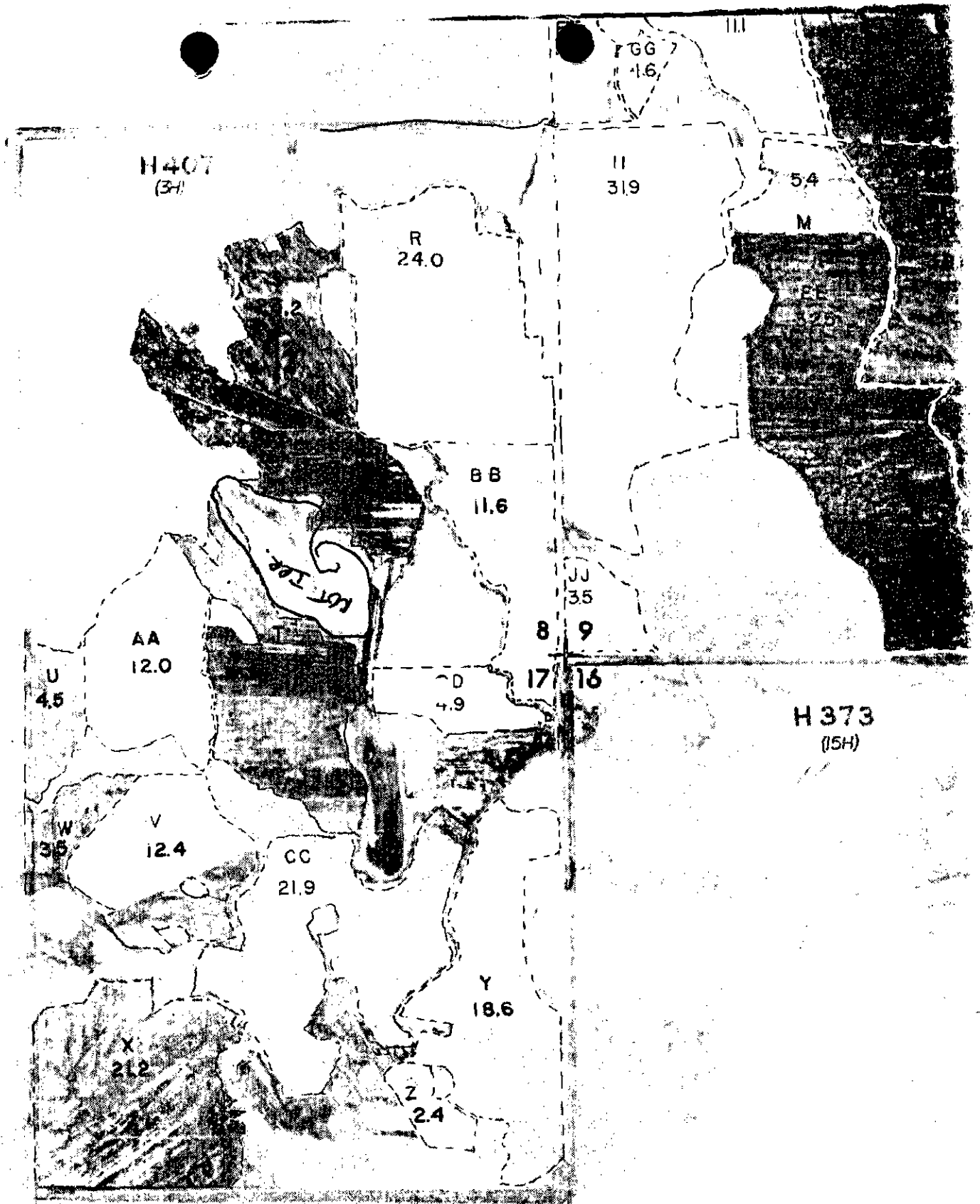
I am sorry these checks are late,
but was unable to get funds released
until now. I would greatly
appreciate it if you will accept
these checks and issue the license.

Thank you for your consideration

Yours truly
William Keith

29646

RECEIVED



75

Main

KK 9.9

C 14.1

NN 4.0

45.2

6.0 A

D 35.2

Main Pump

LL 26.3

MM 22.1

H407 (3H)

HH 11.1

FF 14.4

GG 1.6

F 43.4

G 46.8

II 31.9

5.4

M

J 13.7

N 48.6

6.5

8.8

O 6.2

Q 18.4

JJ 3.5

8 9

17 16

H373 (15H)

C 423 (14H)

check on flight

9 16

ENCLOSURE

Form 23
2M-4-65

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. G-29646

36-2480

REPORT ON PROOF OF Completion of Works & Beneficial Use

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

Permit No. G-29646

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

1. Name of applicant William Kerbs

2. Source of water supply: 2 wells

3. Location of point of diversion: Is in the NW1/4, NW1/4 of Section 9
T. 8 S R. 22 E., B.M. County of Minidoka

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

PD #1 (NW NW SEC 9) 500 HP US ELEC MOTOR
1377882, 1 1/2" VERTICAL TURBINE PUMP #58387

12" DISCHARGE INTO CONCRETE DIVERSION WORKS - CONCRETE DITCHES.

PD #2 (NW NE SEC 9) 450 HP US HOOVER CO ELEC MOTOR #1392497
WESTERN VERTICAL TURBINE PUMP, 12" DISCHARGE INTO CONCRETE DIVERSION
WORKS - THROUGH EARTH DITCHES

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):

SE1/4, Sec. 8; all Sec. 9; NE1/4, Sec. 17, T. 8 S., R. 22 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: _____

Mr. William Kerbs CONTACTED

PD #2 PUMPY CURRENT WATER USED: Q = 4.08 C.F.S.

PD #1 SPARKING MOTOR 300 IN 50 SEC 6.00 C.F.S
IRRIGATION REQUIREMENT = 4.0 AC-FT / ACRE / SEASON
check file 32499 (my record of work) signed June 68 D.S.

This examination was made on the 15TH day of May, 1968

(Signed)

Dean Reynolds

Examiner.

29646 Plat
KT

William Kerbs
514 South "D" Street
Rupert, Idaho

2 wells, pump
ditches, sprinkler
41 90 672 546
42 20 540 240

20 PHOTO

Permit No. G-29646

Examination for Completion of Works & Beneficial Use

County Minidoka

Quantity: 19.2 c.f.s. Sec. 9 T. 8S R. 22 E., B.M.

36-

Source: 2 wells

P.D.: NW1/4NW1/4, NW1/4NE1/4, Sec. 9;
T. 8 S., R. 22 E., B.M.

Use: Irrigation

Extension:

Protest:

Completion of Works:

Other Rights: none

Filed: April 21, 1961

Due: April 28, 1966

Made: July 26, 1966

Priority: July 19, 1966

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.

29646

Re: Permit No. G-29646

August 18, 1966

William Kerbs
514 South "D" Street
Rupert, Idaho

Dear Mr. Kerbs:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the ~~Minidoka County News~~ all submitted in proof of completion of works and beneficial use on Permit No. G-29646.

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:mr

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho
Permit No. G-29646

RECEIVED
AUG 12 1966
Department of Reclamation

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: William Kerbs,
514 South "D" Street, Rupert, Idaho, Farmer, Rupert, 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:

Acting as an individual

Ques. 3. State number, approval date of permit, and date of priority: Np: G-29646

Approved: 4/28/61; Priority: 4/21/61

Ques. 4. State source of water supply: Two Drilled wells

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

1 - NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 9, T8S-R22E, B.M.; # 2 - NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 9, T8S-R22E, B.M.

#1 - well, casing, 500 hp motor & pump, ditches,

Ques. 5. Describe your works of diversion: 100 hp booster pump & Sprinkler system

#2 - well, casing, 450 hp pump & motor, ditches,

10 hp recover pump in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 9, & pipe state amount of water they are capable of con-

veying from point of diversion to place of use: #1 - 350" part of which is applicable to
land under Permit G-29646

or other works by which water is conducted to such place of use: Private works

#1 - 672'

#1 - 7'-20"; if a well, state depth of well #2 - 542'; depth and size of

casing #2 - 13'-20"; depth to water #1 - 566'

state discharge of pump: #1 & #2 - 12"; tell how it was measured or determined #2 - weir

#1 - estimated & pump company chart.; if sprinkler irrigation, give number and size

of nozzles and operating pressure: Land in Sec. 8 & Sec. 17 irrigated by sprinkler system

528 nozzles 5/32" - 70# 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:

T8S-R22E, B.M., Sec. 9

Under Well No. 1/- NE $\frac{1}{4}$ NW $\frac{1}{4}$ - 40 ac; NW $\frac{1}{4}$ NW $\frac{1}{4}$ - 40 ac; SW $\frac{1}{4}$ NW $\frac{1}{4}$ - 40 ac; SE $\frac{1}{4}$ NW $\frac{1}{4}$ - 40 ac;

NE $\frac{1}{4}$ SW $\frac{1}{4}$ - 35 ac; NW $\frac{1}{4}$ SW $\frac{1}{4}$ - 15 ac; SW $\frac{1}{4}$ SW $\frac{1}{4}$ - 20; SE $\frac{1}{4}$ SW $\frac{1}{4}$ - 20 ac. Under Well No. 1 by

sprinkler system T8S-R22E, B.M., Sec. 8 - SE $\frac{1}{4}$ - 160 ac; Section 17 - NE $\frac{1}{4}$

Under Well No. 2 - T8S-R22E, B.M., Sec. 9 - E $\frac{1}{2}$ - 320 ac.

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

~~XXXX~~ All improvements are a direct result of said use.

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: R. J. Strasser Drilling Co., Box 155, Rupert, Idaho

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

Irrigation Only.

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:

Assigned to me by MacRae Sheep Co.

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used #1 - 5/15/66; #2 - 5/10/66 - Time used since first use:

Continuously since.

Ques. 10. Describe all other water rights appurtenant to same place of use: _____

~~XXXX~~ G-32499

(sign) William Kuba

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 26th day of July, A. D. 19 66.

My commission expires: 9/28/68

Shannon Deson

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G-29646

* * * * *

RECEIVED
MAY 12 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:

Clarence H. Mayall, 51, 2236 Hansen Drive, Burley, Idaho, Farmer, Burley, Idaho

Ques. 2 Are you acquainted with William Kerbs, the holder of
Permit No. G-29646? How long have you known him and where does he reside?

I have known Bill about 13 years and he lives at Rupert, Idaho

Ques. 3. Have you read or heard said Permit No. G-29646 read, and are you familiar
with its provisions and conditions: Yes xxx No.

Ques. 4. State source of water supply: Two deep wells

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

NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 9, T8S-R22E, B.M. NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 9, T8S-R22E, B.M.

Describe works for conveying water to place of use: wells, ditches & sprinkler system

for conveying water to direct points of diversion

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 350" from each well How much water have you seen being so
conveyed? 350" from each well

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

T8S-R22E, B.M., Sec. 9 - E $\frac{1}{4}$ - 320 ac; NW $\frac{1}{4}$ - 160 ac; NE $\frac{1}{4}$ SW $\frac{1}{4}$ - 35 ac; NW $\frac{1}{4}$ SW $\frac{1}{4}$ - 15 ac;
SW $\frac{1}{4}$ SW $\frac{1}{4}$ - 20 ac; SE $\frac{1}{4}$ SW $\frac{1}{4}$ - 20 ac., Sec. 8 - SE $\frac{1}{4}$ - 160 ac; Sec. 17 - NE $\frac{1}{4}$ - 160 ac.

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

Irrigation only

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.

Desert lava ash soil and all of the water used is required for profitable irrigation.

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? May 15 on 1st well & May 20 on 2nd well 1966

Other times you have seen such use: Once or twice a week every week since.

(Signed):

Clarence H. Mayall

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 26th day of July, A. D. 1966



Sharon Deason

Notary Public for the State of Idaho

Residing Boise, Idaho

My commission expires 9/28/68

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
AUG 12 1966

Department of Reclamation

Permit No. G-29646

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:

Mervin J. Christensen, 54, 1803 Larch Street, Boise, Idaho, Surveyor-appraiser

1803 Larch Street, Boise, Idaho

Ques. 2. Are you acquainted with William Kerbs, the holder of
Permit No. G-29646? How long have you known him and where does he reside:

Yes, I have known Mr. Kerbs about 5 years and he resides at Rupert, Idaho.

Ques. 3. Have you read or heard said Permit No. G-29646 read, and are you familiar
with its provisions and conditions: Yes: xxx No:

Ques. 4. State source of water supply: drilled wells

State place of diversion: NW1/4NW1/4, NW1/4NE1/4, Sec. 9, T8S-R22E, B.M.

Describe works for conveying water to place of use: wells, pumps, motor, relift pump, ditches,
pipeline, booster pump & sprinkler system

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 7 cfs from each well How much water have you seen being so
conveyed: 7 cfs from each well

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

T8S-R22E, B.M., Sec. 9 - E1/4 - 320 ac; NW1/4 - 160 ac; NE1/4SW1/4 - 35 ac; NW1/4SW1/4 - 15 ac;

SW1/4SW1/4 - 20 ac; SE1/4SW1/4 - 20 ac; Sec. 8 - SE1/4 - 160 ac; Sec. 17 - NE1/4 - 160 ac.

Ques. 7. If for power or other purposes than irrigation, state how water has been used:

Irrigation Only

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:

Lava Ash Soil and all of the water used is required for productive cultivation

Ques. 9. Have you any 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: May 19, 1966

Other times you have seen such use: A couple of times since then to date.

(Signed)

Murray J. Peterson

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 26th day of July,

A. D., ~~1967~~ 1966.

Sharon Desoin

Notary Public for State of Idaho

Residing: Boise, Idaho

My commission expires: 9/28/68

RECEIVED
AUG 12 1966

Department of Reclamation
The Minidoka County News
RUPERT, IDAHO

AFFIDAVIT OF PUBLICATION

County of Minidoka,)
STATE OF IDAHO,) ss.
Ruth DeThomas

_____, being first
duly sworn, deposes and says that s/he is the
Editor of The Minidoka County
News, a weekly newspaper published at Rupert,
Idaho, in the county aforesaid, and that the paper
is of general circulation therein. Deponent further
states that the printed notice attached hereto was
duly published according to law in the regular
weekly editions of The Minidoka County News

for four consecutive weeks, commencing
with the issue dated July 7, 1966, and
ending with the issue dated July 28, 1966

Ruth DeThomas

Subscribed and sworn to before me this

7th day of Aug., 1966
Bern Hunter Notary Public

Cost of Publication _____

Notary Fee _____

Total Cost _____

APPLICATION OF WATER
TO BENEFICIAL USE
Notice is hereby given that on the 11th day of August, 1966, at Boise, County of Ada, State of Idaho, before me, Notary Public, at the Idaho Building, proof will be submitted to the completion of works for the diversion of water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 123456789 issued by the Department of Reclamation of the State of Idaho.

1. The name and residence address of the person or corporation making application is William A. Smith, 511 West "D" Street, Rupert, Idaho.

2. Said works of diversion will be fully completed by the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 19.2 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 19.2 cubic feet per second.

4. The point of diversion of said water is Northwest 1/4 NW 1/4, Sec. 9, T22N, R12E, B.M.

5. The place where said water is to be applied is B.M. Sec. 9, T22N, R12E, Sec. 17, NE 1/4, a total of 880.

6. The date of publication of this notice is 8-21-66.

R. KEITH HIGGINSON
Notary Public

7-9646

Re: Permit No. G-29646

June 28, 1966

Sharron Deroin
Box 2161
Boise, Idaho

Dear Mrs. Deroin:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. G-29646 in the name of William Kerbs. Final Proof is to be made before you, as Notary on the 26th day of July, 1966, at ~~xxxxxxxxxxxxx~~ 224 Idaho Bldg., Boise, Idaho, Idaho.

As of this date, we have mailed the Notice to the Minidoka County 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,

M. Russell Bosch
Office Manager

Encl.

cc: Applicant William Kerbs

29646

Re: Permit No. G-29646

June 28, 1966

Minidoka County News
Rupert, Idaho

Gentlemen:

Enclosed you will find a legal notice which we wish to have published for four consecutive weeks prior to July 26, 1966. The expense of the publication is to be paid by Idaho Land & Appraisal Service of Box 2161, Boise, 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,

CARL E. TAPPAN
State Reclamation Engineer

CET:mr

Enc. legal notice

29646

1/65

RECEIVED

JUN 21 1966

Department of Reclamation

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

Notice is hereby given that at ~~10:00 A.M.~~²⁹ on the ~~25th~~ day of July 19 66, at Boise, County of Ada, State of Idaho before Sharron Deroin, Notary Public, at (address) 224 Idaho Building, proof will be submitted of the completion of works for the diversion of 19.2 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-29646, 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 William Kerbs, 514 South "D" Street, Rupert, 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 19.2 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 19.2 cubic feet per second.
4. The point of diversion of said water is NW1/4, NW1/4, Sec. 9, T8S-R22E, B.M.
5. The place where said water is used is T8S-R22E, B.M., Sec. 9 - All; Sec. 8 - SE1/4; Sec. 17 - NE1/4; A total of 960 acres
6. The date of priority which said user is prepared to establish is 4/21/61

State Reclamation Engineer

29646

RECEIVED
JUN 21 1966

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) June 17, 1966

(P. O.) Box 2161, Boise, Idaho 83701

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published ✓
at my expense in the Minidoka County News of
Rupert, Idaho published in the
county in which the works are situated. Please send statement of charges
and Affidavit of Publication to Idaho Land & Appraisal Service, P. O. Box
2161, Boise, Idaho 83701

William K. Kuba

(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

Application for Amendment

LAND LIST

Permit No. G-29646

RECEIVED
JUN 21 1966
Department of Reclamation

Comes now William Kerbs, and represents
to the STATE RECLAMATION ENGINEER of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public Waters of the
State of Idaho, No. G-29646, and requests that the list of lands to be irrigated,
as described in said permit, be changed to read as follows:

T8S-R22E, B.M., Sec. 8 - SE $\frac{1}{4}$; Sec. 9 - All; Sec. 17 - NE $\frac{1}{4}$

_____, making a total of 960 acres.

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

Signed at Boise, Idaho this 17th day of June, 1966
WILLIAM KERBS

BY: Harley M. McDowell
Harley M. McDowell

Date of receipt at office of Department of Reclamation June 21, 1966

APPROVAL OF STATE RECLAMATION ENGINEER

R. Keith Higginson, Deputy
I, ~~XXXXXXXXXXXXXXXXXX~~, State Reclamation Engineer of the State of Idaho, hereby approve
the above and foregoing application for amendment to Permit to appropriate the Public
Waters of the State of Idaho, No. G-29646. 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.

R. Keith Higginson
Deputy, State Reclamation Engineer

29646

June 21, 1966

RE: Permit No. G-28213 - Mabel J. Phillips
G-29646 - William Kerbs ✓

Idaho Land and Appraisal Service
P.O. Box 2161
Boise, Idaho 83701

Gentlemen:

Enclosed are the amendments to land list which we
have recorded under the above numbered permits.

Also enclosed is departmental receipt No. G-10488
in the amount of \$2.00 which covers the recording fee.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw

Encl: Amendment to Land List
Receipt

29646

Re: Permit No. G-29646

April 27, 1966

Sharron Derooin
Box 2161
Boise, Idaho

Dear Mrs. Derooin:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. G-29646, in the name of William Kerbs. Final Proof is to be made before you, as Notary on the 16th day of June, 19 66, at 8 o'clock, at 224 Idaho Bldg., Boise, Idaho.

As of this date, we have mailed the Notice to the Minidoka County 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,

CARL E. TAPPAN
State Reclamation Engineer
By

XXXXXXXXXXXXXXXXXXXX
CHIEF CLERK
M. Russell Bosch
Office Manager

Encl.
EPR:pmk
cc: Applicant

29646

Re: Permit No. G-29646

April 27, 1966

Minidoka County News
Rupert, Idaho

Gentlemen:

Enclosed you will find a legal notice which we wish to have published for four consecutive weeks prior to June 16, 1966. The expense of the publication is to be paid by Idaho Land & Appraisal Service of Box 2161, Boise, 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,

CARL E. TAPPAN
State Reclamation Engineer

CET:mr

Enc. legal notice

29646

RECORDED
8:00 A.M.

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

Notice is hereby given that at 10:00 A.M., on the 16th day of June
19 66, at Boise, County of Ada, State of Idaho
before Sharron Deroin, Notary Public, at (address) 224 Idaho
Building, proof will be submitted of the completion
of works for the diversion of 19.2 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-29646, 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 William Kerbs, 514 South "D" Street, Rupert, 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 19.2 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
19.2 cubic feet per second.

4. The point of diversion of said water is NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 9, T8S-R22E, B.M.

5. The place where said water is used is SE $\frac{1}{4}$, Sec. 8; N $\frac{1}{2}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 9; W $\frac{1}{2}$ NW $\frac{1}{4}$,
Sec. 10; NE $\frac{1}{4}$, Sec. 17, T8S-R22E, B.M.

6. The date of priority which said user is prepared to establish is 4/21/61

State Reclamation Engineer

29146

RECEIVED
APR 27 1966
8:30 A.M.
Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) April 26, 1966

(P. O.) Box 2161, Boise, Idaho 83701

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published
at my expense in the Minidoka County News of
Rupert, Idaho published in the
county in which the works are situated. Please send Statement of Charges and
Affidavit of Publication to Idaho Land & Appraisal Service, P. O. Box 2161,
Boise, Idaho 83701

X Bill Kuba

(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

29646

April 27, 1966

RE: Permits No. G-29645 and G-29646
William Kerbs of Rupert, Idaho

Idaho Land and Appraisal Service
P.O. Box 2161
Boise, Idaho 83701

Gentlemen:

Enclosed are the amendments to points of diversion and
land list on the above numbered permits which have been re-
corded in this office.

Also enclosed is departmental receipt No. G-10300 in
the amount of \$3.00 which covers the recording fees.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw
Encl: Amendments (3)
Receipt

C
O
P
Y

cc 46-

Application for Amendment

POINT OF DIVERSION

Permit No. G-29646

RECEIVED
MAY 1 1966
2:55 P.M.
Department of Reclamation

Comes now William Kerbs and represent to the State Reclamation Engineer of the State of Idaho:

That he is (~~was~~) the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. G-29646.

That the points of diversion is described in said Permit as being located:

NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8; NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 9, T8S-R22E, B.M.

That he now requests that the points of diversion be changed to a point located: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 9; NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 9, T8S-R22E, B.M.

That the reason for desiring to make such change is as follows:

Because I want to make proof on this permit and in order for the advertising to show the exact subdivision in which the wells are located, this amendment is requested.

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

Signed at Boise, Idaho, this 26th day of April 1966

WILLIAM KERBS

By: Harley M. McDowell

Date of Receipt at Department Of Reclamation: April 27, 1966

APPROVAL OF STATE RECLAMATION ENGINEER

R. Keith Higginson, Deputy

I, ~~XXXXXXXXXXXX~~, State Reclamation Engineer of the State of Idaho, HEREBY APPROVE the above and foregoing application for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. G-29646. 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.

Recorded in Book 104 of
Permits, at Page G-29646
April 27, 1966

R. Keith Higginson
Deputy State Reclamation Engineer

29646

RECEIVED

APR 27 1966

8:00 AM

Department of Reclamation

STATE OF IDAHO
OFFICE OF STATE RECLAMATION ENGINEER
POWER OF ATTORNEY

The undersigned owner ~~XXXX~~ of Permits (~~XXXXXXXXXX~~) No. G-32499, G-29645 & G-29646 of the State Reclamation Engineer of the State of Idaho hereby nominates and appoints "Idaho Land & Appraisal Service", whose address is P. O. Box 2161, Boise, Idaho 83701, as attorney-in-fact, with full authority to act for and on behalf of the undersigned in all matters pertaining to Application or Permit. Such acts shall include, but not be limited to the filing of applications, receiving ^{copies} of all notices, the signing and filing of applications for extension of time and for amendment of said Permit, ~~and the submission of reports of completion of works and beneficial use of water~~

Dated this 20th day of April, 1966.

X William Kerbs
William Kerbs

STATE OF IDAHO)
County Ada) ss

On this 20th day of April, 1966, personally appeared before me the signer (ss) of the above instrument, who duly acknowledged to me that he (~~she~~) executed the same.

Sharon Desain
Notary Public

My Commission expires:
9/28/68

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G - ~~29643~~; G-29646
William Kerbs

Feb. 1, 1966

Idaho Land & Appraisal Service
Box 2161
Boise, Idaho

Gentlemen:

The date for proofs of Completion of Works and Application of water to beneficial use, as set out under terms of Permit No. G- ~~29643~~ are due not later than **April 28, 1966**
G- 29646

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,

CARL E. TAPPAN

STATE RECLAMATION ENGINEER

Enc. Form 36 and 11 (2 sets)

cc: William Kerbs
514 South "D" St.
Rupert, Idaho

POINT OF DIVERSION

PERMIT NO. 12042

I, William Harris, State Reclamation Engineer of the State of Idaho, do hereby approve and

grant to the owner of said Permit to appropriate the Public Waters of the State of Idaho, No. 12042

the point of diversion of said Permit is located:

Section 8, NW1/4, Section 9, T38-R2E, S.M.

and the point of diversion of said Permit is located:

Section 8, NW1/4, Section 9, T38-R2E, S.M.

and the point of diversion of said Permit is located:

I have purchased this place and I hereby over the water permits, it came to my attention that the well was actually drilled in the NW1/4, Sec. 9, instead of Sec. 8, and I desire this change so my permit will cover the actual location of the well. No one will be injured by this change and that such change will be made at Permit holder's expense.

Signed at Boise, Idaho, this 10th day of August, 1965

William Harris

By Harley M. X, Agent

Date of receipt at State of Idaho of permit

APPROVAL OF THE RECLAMATION ENGINEER

I, Harley M. X, State Reclamation Engineer of the State of Idaho, DO HEREBY APPROVE the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 12042. 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 other water users are not adversely affected thereby.

Witness my hand and seal of the State of Idaho, this 10th day of August, 1965

Harley M. X
State Reclamation Engineer

89646

PREPARED BY
IDAHO LAND & APPRAISAL SERVICE
2131 BOISE, IDAHO
PLEASE NOTIFY OF ANY CHANGES
OR IF FURTHER INFORMATION IS NEEDED

ASSIGNMENT

For value received, I hereby assign _____ of my right, title and
interest in and to Parcel No. _____ to appropriate the Public Waters of the State of Idaho,
No. _____ to _____ of _____
_____ of _____, _____, _____

*

SEAL HERE

Notary Public

~~Notary Public~~

STATE OF IDAHO

County of _____

On this _____ day of _____, 19____, before me, a Notary Public

for the State of Idaho, residing at _____

personally appeared _____

known to me to be the person whose name is subscribed to the foregoing instrument,
and duly acknowledged to me as such person.

WITNESSETH that I have hereunto set my hand and official seal at _____
Seal _____ in this certificate first above written.

Notary Public
Residing at _____

My commission expires _____

* If fractional part of an acre is to be assigned, the fractional part of the land
which the fractional fraction is appurtenant should be described in the assignment.

79646

September 1, 1965

RE: Permits No. G-29645; ~~G-29646~~ - Wm. Kerbs
G-26894; G-26895 - Wintroath Operations

Harley M. McDowell
Idaho Land & Appraisal Service
Box 2161, Boise, Idaho

Dear Mr. McDowell:

Enclosed are the following:

Permit No. G-29645 - Assignment to William Kerbs from MacRae Sheep Co.

Permit No. G-29646 - Assignment to William Kerbs from MacRae Sheep Co.
and application for amendment to the point of diversion.

Permit No. G-26894 - Assigned from Carlos Gordon Walters to Wintroath
Operations and from Wintroath Operations to E. S. Harper Co., Inc.

Permit No. G-26895 - Assigned from Dorothy H. Walters to Wintroath
Operations and from Wintroath Operations to E. S. Harper Co., Inc.

Departmental Receipt No. G-9582 in the amount of \$11.50 covering fees
for assignments and one amendment.

Also departmental receipt No. 9591 in the amount of \$2.00 covering
fees for assignments and one amendment. The amendment covered by this
receipt (G-28145) is not being forwarded to you at this time. We cannot
record the amendment until we receive the affidavit of publication.
Once we have received the affidavit and have recorded the amendment, we
will forward it on to you.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

(Mrs.) EDNA P. RULE
Chief Clerk

EPR:ct

Enc. 4 assignments of the above numbers
departmental receipt G-9582, \$11.50
departmental receipt G-9591, \$2.00

May 2, 1961

Re: Permit Nos.
G-29645 and G-29646
MacRae Sheep Co.

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

Dear Mr. McDowell:

We enclose Permit Nos. G-29645 and G-29646 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. G-5864 which was issued covering payment in the amount of \$17.50 for the filing fee of the above mentioned permits.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

Encl.
EPR:spk

cc: MacRae Sheep Co.,
Paul, Idaho

MacRae Sheep Company

A grid map of a section of land, likely a survey, with handwritten and printed labels. The grid is 10 units wide and 10 units high. The top row is labeled 'P.D.' and 'S.S. - 22 E., B.M., Idaho'. The second row is labeled 'Sec. 8, P.D.' and 'Sec. 9'. The third row is labeled 'Sec. 10'. The fourth row is labeled 'Sec. 17'. The bottom row is labeled 'Permit No. 29646' and 'As A...'. There are also some handwritten notes and a date 'APR 16 1911'.

29646