

R-15 E.

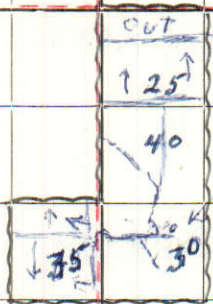
TO WENDELL

25' x 558' x 70'

3491:1985

S.S.

30



29

25
40
65
130

Subdivisions = 4

Area = 130 acres

Q = 90"

RECEIVED
JUL 17 1959

Department of Reclamation

LEGAL NOTICES

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 July, 1959, at Gooding, County of Gooding, State of Idaho, before Cecil D. Hobdey, Notary Public, at First Security Bank Building, proof will be submitted of the completion of works for the diversion of two 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. G27867 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 Paul W. Kearley.

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

4. The point of diversion of said water is NW1/4SW1/4, Sec. 29, Twp. 8 S., Rge. 15 E.B.M.

5. The place where said water is used is W1/2NW1/4; NW1/4 SW1/4, Sec. 29; NE1/4SE1/4, Sec. 30, all in Twp. 8 S., R. 15 E.B.M.

6. The date of priority which said user is prepared to establish is April 3, 1959.

Published in the Wendell Irrigationist May 14, 21, 28; June 4, 1959.

AFFIDAVIT OF PUBLICATON

STATE OF IDAHO }

County of Gooding }

SS

I, Larry M. Rae, being duly sworn, say that I am the editor of THE WENDELL IRRIGATIONIST, a weekly newspaper of general circulation published at Wendell, in the County of Gooding, State of Idaho; that the attached printed copy hereto annexed was published in THE WENDELL IRRIGATIONIST, in the regular edition thereof and not in a supplement, for consecutive weeks, commencing on the 14 day of May and ending on the 4 day of June 1959

Larry M. Rae, Editor

Subscribed and sworn to before me this 4th day of June, 1959.

B. B. McCulloch
Notary Public in and for the County of
Gooding, State of Idaho

My commission expires 8-1 1961

27867

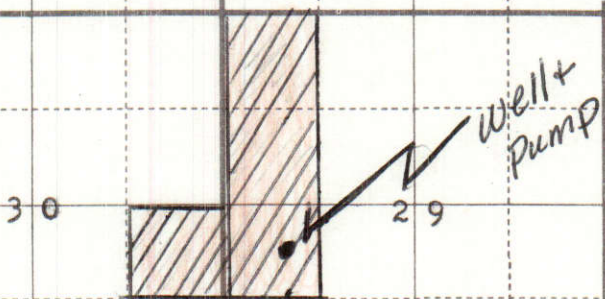
NAME OF APPLICANT

W. L. KEARLEY, WENDELL, I. O.

Form No. 0

Map submitted in support
of Application for
Permit to appropriate
Subterranean Water

Twp. 8 S., R. 15 E., B.M., Gooding County



Permit Map No. 27867
As Approved APR 8 1959
GEO. N. CARTER
State Recl. Engr.

6822
7

State of Idaho
License and Certificate of Water Right

Water License No. G-27867 Amount 1.8 c.f.s.
Water District No. _____ Priority April 3, 1959

THIS IS TO CERTIFY that PAUL W. KEARLEY
of Wendell, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated April 3, 19 59; that Permit No. G-27867
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.8 second feet, was issued thereunder on November 17, 19 59, showing that said works
were completed on the 16 day of July, 19 59; and that on the 16
day of July, 19 59,
PAUL W. KEARLEY

of Wendell, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
, a tributary of subterranean flow, for the purpose of irrigation
, under Use Permit No. G-27867 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
11 of Licenses at page 6823, on the 17 day of November, 19 59;
The right hereby confirmed dates from April 3, 19 59;
The Point of Diversion is located
in the NW 1/4 SW 1/4, Sec. 29, Tp. 8 S., R. 15 E., B. M. Gooding County
That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 1.8 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
8 S.	15 E.	29	NW $\frac{1}{4}$ NW $\frac{1}{4}$	25	25
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	40	40
		30	NW $\frac{1}{4}$ SW $\frac{1}{4}$	40	30
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	40	<u>35</u>
			Total number of acres to be irrigated:		

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
17 day of November, 19 59.

s/ GEO. N. CARTER
State Reclamation Engineer.

(SEAL)

36 2380

State of Idaho
License and Certificate of Water Right

Water License No. 26551

Amount .5 c.f.s.

Water District No.

Priority August 20, 1956

THIS IS TO CERTIFY that ARTHUR J. FAGNANT
of Lava Hot Springs, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated August 20, 1956; that Permit No. 26551
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
.5 second feet, was issued thereunder on August 28, 1958, showing that said works
were completed on the 21 day of August, 1958; and that on the 2nd
day of October, 1958,

ARTHUR J. FAGNANT

of Lava Hot Springs, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a spring
, a tributary of irrigation canal, for the purpose of irrigation
, under Use Permit No. 26551 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
11 of Licenses at page 6824, on the 18 day of November, 1959;

The right hereby confirmed dates from August 20, 1956;

The Point of Diversion is located
in the NE 1/4 SW 1/4, Sec. 29, Tp. 9 S., R. 38 E., B. M. Bannock County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed .5 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
9 S.	38 E.	29	NE 1/4 SW 1/4	40	15
			SE 1/4 SW 1/4	40	10
			Total number of acres to be irrigated:		25

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
18 day of November, 1959.

s/ GEO. N. CARTER
State Reclamation Engineer.

(SEAL)

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

36-2380

Application No. G- 35808
 Permit No. G- 27867
 District No.

Bird & Mobley
 Attorneys At Law
 1st Security Bank Bldg.
 Gooding, Idaho

1. Name of Applicant: PAUL W. KEARLEY

Postoffice address: Wendell

County: Gooding

State: Idaho

2. Quantity of water claimed:

(a) Rate of withdrawal in cubic feet per second 2 cu. ft. or Idaho
 Miners' inches 100 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 1/4 of the SW 1/4 of Section 29
 Twp. 8 S., Rge. 15 E., B.M., County of Gooding

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: deep well and pump and ditches

8. Estimated cost of works: \$ 3200.00

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: 65 shares of North side Canal Company, Ltd.

(a) 60 inches (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) 40 inches (cubic feet per second, inches or gallons per minute) is for new lands.

Remarks: Well and pump installed in 1953 and used for five successive irrigation seasons on a minimum of 115 acres.

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

/s/ Paul W. Kearley
Applicant.

By Agent.

Date of first receipt at Department of Reclamation: 9:00 A. M. April 3, 1959

Returned to applicant for correction: April 3, 1959

Corrected application received: April 6, 1959

Approval of State Reclamation Engineer

The number of this permit is G— 27867

Recorded in Book 98 Page 27867 Approved April 8, 1959

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ to be filed on or before

Work to begin on or before and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before October 8, 1961

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before April 8, 1964

Witness my hand this 8th day of April, 1959

/s/ GEO. N. CARTER
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLLIE, Governor of the State of Idaho, and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 8th day of April, 1959.

Countersigned:

(SEAL)

By /s/ ARNOLD WILLIAMS

Secretary of State.

STATE OF IDAHO

By /s/ ROBERT E. SMYLLIE

Governor

12.

Twp.	Range	Sec.	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	Totals
			NE ¹ / ₄ NW ¹ / ₄ SW ¹ / ₄ SE ¹ / ₄	NE ¹ / ₄ NW ¹ / ₄ SW ¹ / ₄ SE ¹ / ₄	NE ¹ / ₄ NW ¹ / ₄ SW ¹ / ₄ SE ¹ / ₄	NE ¹ / ₄ NW ¹ / ₄ SW ¹ / ₄ SE ¹ / ₄	
8 S.	15 E.	29		25 40	40		105
8 S.	15 E.	30				40	40
✓ TO ALL WHOM IT MAY CONCERN:			Permit No. G-27867 CERTIFICATE OF COMPLETION OF WORKS ✓				
			This is to certify that PAUL W. KEARLEY, of Wendell, County of Gooding, and State of Idaho, the holder of Permit No. G-27867, issued upon Application No. G-35808, bearing date of priority of April 3, 1959, authorizing the diversion of 2.0 second feet of the waters of a well, County of Gooding, State of Idaho, for irrigation purposes has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 1.8 second feet of the waters of a well from subterranean flow; that the point of diversion of said waters is NW ¹ / ₄ SW ¹ / ₄ , Sec. 29, T. 8 S., R. 15 E., B. M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit:				
			130 acres in W ¹ / ₂ NW ¹ / ₄ , NW ¹ / ₄ SW ¹ / ₄ , Sec. 29; NE ¹ / ₄ SE ¹ / ₄ , Sec. 30, T. 8 S., R. 15 E., B. M.				
			Witness my hand this 17 day of November, 1959.				
Proof of Completion of Works Made: July 16, 1959			s/ GEO. N. CARTER State Reclamation Engineer				
			LICENSE ISSUED FOR 1.8 SEC. FT. Page 6823				

November 3, 1961

Re: License No. G-27867
Paul W. Kearly

Hunter Produce
1976 Floral Avenue
Twin Falls, Idaho

Dear Mr. Hunter:

The water rights under Permit No. G-27867 have been licensed. The rights are appurtenant to the land and are transferred in ownership as any other real property.

There is no need for a change in ownership in this office.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

27867

HUNTER PRODUCE

1976 FLORAL AVE.
TWIN FALLS, IDAHO

Oct. 25, 1961

RECEIVED
OCT 26 1961

Department of Reclamation

Mr. George N. Carter
State Reclamation Engineer
Gooding, Idaho

Dear Mr. Carter:

Mr. Herbert C. Hunter has just purchased the land and well from Mr. Paul W. Kearly that he filled water rights for. (Permit No. G 27867) ✓

Should Mr. Hunter have these Rights and Well transferred to his name?

Licensed

Sincerely yours,

HUNTER PRODUCE

H. C. Hunter
Bookkeeper

Form for assign Permit

November 18, 1959

Re: Permit No. G-27867

Mr. Paul Kearley
Wendell, Idaho

Dear Mr. Kearley:

We enclose Certificate of Completion of Works and
License and Certificate of Water Right issued on Permit No. G-27867.

We also enclose departmental receipt No G-4440 in
the amount of \$13.00 covering fees.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rutledge
Chief Clerk

EP:ew
Enc. certificate
license
receipt

27867RT

September 28, 1959

RE: Permit No. G-27867

Paul W. Kearley
Wendell, Idaho

Dear Mr. Kearley:

Our field engineer's report on his inspection of the completion of works and beneficial use of the water under the terms of Permit No. G-27867 shows that the well is capable of conveying 90 miner's inches (1.8 c.f.s.) of water for irrigation of 130 acres.

Upon receipt of the statutory fees, totaling \$13.00, we will issue the Certificate of Completion of Works (for which the fee is \$5.00) and the License and Certificate of Water Right (\$8.00 at the rate of \$2.00 for each 40-acre subdivision), confirming the right with priority of April 3, 1959, to the use of 1.8 second feet of subterranean water, with point of diversion in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 29, for irrigation of 130 acres in the W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 29; NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 30, all in Township 8 South, Range 15 East, Boise Meridian.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rutledge
Chief Clerk

EPR:mr

cc to Bird & Hobday, Attorneys
Gooding, Idaho

27869RT

July 24, 1959

RE: Permit No. G-27867

Mr. Paul W. Kearley
Wendell, Idaho

Dear Mr. Kearley:

We acknowledge receipt of the Deposition of Holder and two witnesses, also affidavit of publication in The Wendell Irrigatorist, all submitted in proof of completion of works and beneficial use on Permit No. G-27867.

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

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

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rutledge
Chief Clerk

EPR

cc: Bird & Hobday
Cooding, Idaho
Att: Cecil D. Hobday

27867

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-27867

REPORT ON PROOF OF Completion of Works & Beneficial Use

Paul W. Kearley, Wendell, Idaho

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

Permit No. G-27867This proof is for Completion of Works & Beneficial Use In Water District No. _____1. Name of applicant Paul W. Kearley2. Source of water supply: Subterranean flow from a well3. Location of point of diversion: Is in the NW 1/4 SW 1/4 of Section 29T. 8 S R. 15 E.B.M. County of Gooding4. Describe works as they exist, giving dimensions and capacities of same: 100' x 12" h = 70'

old = 200' 8" x 8.5' col, 2.5 hp 74.3, Motor # 985717
Rayne B. Turb, 2.05 BZ, Cone base 5' x 5'
pole fence enclosure 16' x 16' no protection
Control panel on West 7' 8" x 5' pipe delivery to North
into a small concrete box in ditch head.

5. Water is used for: irrigation 8" pipe exactly full.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):

W 1/4 NW 1/4, NW 1/4 SW 1/4 of Sec. 29., NE 1/4 SE 1/4 of Sec. 30 all in Twp. 8 S., Rge. 15 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. Kearley along
water not measured. Mr K. feels that
90" is correct and all he wants
There is 90" flowing without any question
maybe a little more.

This examination was made on the 1 day of Sept, 1959(Signed) E. N. Humphrey Examiner.

Paul W. Kearley
Wendell, Idaho

W-62149
Permit No. G-27867

SS - W-3/4 m

Examination for Completion of Works & Beneficial Use

County Gooding

29-85-15E

Q2 2.0 c. f. s.

S2 Well

P.L. = NW, SW, Sec. 29, T. 8 S., R. 15 E.

Irrigation

Filed April 3, 1959

Due April 8, 1964

B

65 Shares in North Side Canal Co.

INSTRUCTIONS TO EXAMINERS

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

RECEIVED
SEP 23 1959
Department of Reclamation

h=70' well=100'x12"

RECEIVED
JUL 17 1959

Department of Reclamation

AFFIDAVIT OF PUBLICATON

STATE OF IDAHO }

County of Gooding }

ss

I, Larry M. Rae, being duly sworn, say that I am the editor of THE WENDELL IRRIGATIONIST, a weekly newspaper of general circulation published at Wendell, in the County of Gooding, State of Idaho; that the attached printed copy hereto annexed was published in THE WENDELL IRRIGATIONIST, in the regular edition thereof and not in a supplement, for consecutive weeks, commencing on the 14 day of May and ending on the 4 day of June 1959

Larry M. Rae, Editor

Subscribed and sworn to before me this 4th day of

June, 1959

S. B. McCulloch
Notary Public in and for the County of
Gooding, State of Idaho

My commission expires 8-1 1961

27867

RECEIVED
JUL 7 1955

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G 27867

Proof of Application of Water to Beneficial Use

and Completion of Works Deposition of Holder

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

Ans. ✓ Paul W. Dearley, Wendell, farmer, Wendell, Idaho

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

Ans. not applicable

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

Ans. ✓ G 27867, April 8, 1959; April ³ 8, 1959

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

Ans. subterranean; point of diversion is in the NW¹SW¹, Section 29, Twp. 8 S., R. 15 E.B.M., Gooding County

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. earthen ditches used to convey water from deep well and pump-capable of conducting over 100 inches; depth of well-over 100 feet; 85 feet of casing; lifted about 70 feet; 8 inch casing ; 100 inches -from the well and pump specifications and the advice of the men who installed the system

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. ✓ Irrigation -NW¹NW¹- 25 acres; SW¹NW¹-39 acres; and the NW¹SW¹-17 acres, Sec. 29; and NE¹SE¹, Sec. 30- 18 acres, all in Twp. 8 S., R. 15 E.B.M., Gooding County; mostly all cultivated at one time or another and the balance in pasture.

27867RT

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

Ans. Not applicable

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

Ans. one inch to the acre for irrigation-sandy soil

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans.

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

Ans. The well, pump and system was installed in 1953; I have used 100 inches for irrigation every season continuously

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. I have 65 shares of North Side Canal Co., Ltd.
in addition to the above water which is appurtenant to the
described land.

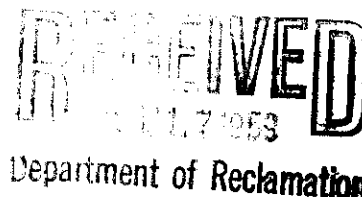
(Sign)

Paul W. Kearley

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 Gooding, County of Gooding, State of Idaho, on this 16th day of July, A. D. 1959.

My commission expires 10-9-62

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



Permit No. G-27867

Proof of Application of Water to Beneficial Use

Deposition of Witness and Completion of Works

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

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

Ans. Fester Andersen, Wendell, Idaho - R# 2 - farmer

Ques. 2. Are you acquainted with Paul W. Kearley, the holder of Permit No. G 27867? How long have you known him and where does he reside?

Ans. I have known him 17 years; he resides in Wendell, Idaho.

Ques. 3. Have you read or heard read said Permit No. G 27867, and are you familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. subterranean; diverted in NW 1/4, Sec. 29, Twp. 8 S. R. 15 E.B.M. earthen ditches for conveyance.

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

Ans. 2 second feet can be conveyed; I have seen 2 second feet being conveyed.

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. 2 second ft; was present when measured by an official of the Government.

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation; NW $\frac{1}{4}$ NW $\frac{1}{4}$ -25 acres; SW $\frac{1}{4}$ NW $\frac{1}{4}$ -40 acres; NW $\frac{1}{4}$ SW $\frac{1}{4}$ -17 acres; and NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 30 - 18 acres--all in Twp. 8 S., R. 15 E., B.M. all Sec. 29
Some pasture and mostly cultivated.

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

Ans. Not applicable

Ques. 9. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. sandy loam; one inch to the acre is minimum

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

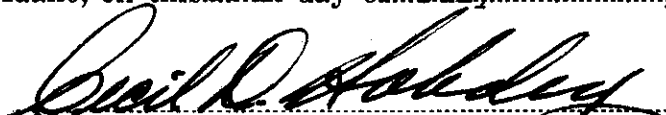
Ans. No.

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

Ans. at least six years ago I first saw the water being used and have seen it ever year since; I have seen the full amount of the water being applied to the crops.

(Signed) 

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 Gooding County of Gooding, State of Idaho, on this 16th day of July, A. D. 1959.


Notary Public.

My commission expires 10-9-62

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
JUL 17 1959
Department of Reclamation

Permit No. G 27867

Proof of Application of Water to Beneficial Use

Deposition of Witness and Completion of Works

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

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

Ans. Merlin Loosli, 44, Wendell, farmer, Wendell, Idaho

Ques. 2. Are you acquainted with Paul W. Kearley, the holder of Permit No. G 27867? How long have you known him and where does he reside?

Ans. I have known him 9 years; he resides in Wendell, Idaho

Ques. 3. Have you read or heard read said Permit No. G 27867, and are you familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. subterranean ; diverted in NW 1/4 SW 1/4, Sec. 29, Twp. 8 S., R. 15 EBM;
earthen ditches for conveyance

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

Ans. 2 second feet ^{can} be conveyed; I have seen 2 second feet being conveyed

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. 2 second ft.; was present when measured by an official of the government.

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation; NW $\frac{1}{4}$ NW $\frac{1}{4}$ - 25 acres; SW $\frac{1}{4}$ NW $\frac{1}{4}$ - 40 acres; NW $\frac{1}{4}$ SW $\frac{1}{4}$ - 17 acres; and all Sec. 29. NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 30 - 18 acres --all in Twp. 8 S., R. 15 E.B.M.
Some pasture and mostly cultivated.

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

Ans. not applicable

Ques. 9. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. sandy loam; one inch to the acre is minimum

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

Ans. no

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

Ans. at least six years ago I first saw the water being used and have seen it ever year since; I have seen the full amount of the water being applied to the crops

(Signed)

Merlin L. Loe

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 Gooding County of Gooding, State of Idaho, on this 16th day of July, A. D. 1959.

Carl D. Ashley

Notary Public.

My commission expires 10-9-62

LAW OFFICES
BIRD & HOBDEY
1ST. SECURITY BANK BLDG.
GOODING, IDAHO

BRANCH BIRD
CECIL D. HOBDEY

PHONE WEST 4-4271
P. O. BOX 905

RECEIVED
JUL 17 1959
Department of Reclamation

July 16, 1959

Department of Reclamation
State Of Idaho
Boise, Idaho

Re: Permit G 27867

Gentlemen:

In connection with the above permit number we inclose
herewith the following:

- (1) Deposition of holder.
- (2) Deposition of witness, Loosli.
- (3) Deposition of witness, Andersen.
- (4) Affidavit of publication.

If the papers are not in order in any manner please advise
this office.

- Sincerely yours,

BIRD & HOBDEY

By:



CDH:fm
Encls.

27867

July 6, 1959

Re:
Permit No. G-27867
Paul W. Kearley

Wendell Irrigationist
Wendell, Idaho

Gentlemen:

On May 11, 1959 we sent you Notice of Publication
giving instructions for publishing for

Paul W. Kearley, of Wendell, on Permit No.
G-27867

We also requested acknowledgment of receipt of above
notice and copy or tear sheet of the first publication. Neither
have been received in this office and prompt attention to these
requests will be appreciated.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

HENRY PETRI
Water Rights Clerk

HP:ew
cc: Cecil D. Hobday
First Security Bank Bldg.
Gooding, Idaho

RECEIVED
MAY 1 11959
Department of Reclamation

Form 36

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

Notice is hereby given that at 10:00^{A.}M., on the 16th day of July, 1959, at Gooding, County of Gooding, State of Idaho, before Cecil D. Mobley, Notary Public, at (address) First Security Bank Building, proof will be submitted of the completion of works for the diversion of two 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. 27867 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 Paul W. Kearley

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

4. The point of diversion of said water is NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29, Twp. 8 S., Rge 15 E.B.M.

5. The place where said water is used is NW $\frac{1}{4}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ NW $\frac{1}{4}$; NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29; NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 30, all in Twp. 8 S., R. 15 E.B.M.

6. The date of priority which said user is prepared to establish is April 3, 1959.

State Reclamation Engineer

27867

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

DEPARTMENT OF RECLAMATION
Boise, Idaho

Date: May 11, 1959

Re: Permit No. G-27867
Paul W. Kearley

Wendell Irrigationist,
Wendell, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to July 16, 1959 the date set for proof; the expense of the publication is to be paid by the applicant

Paul W. Kearley of Wendell
to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

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

RECEIVED
MAY 1 1959
Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) April 27, 1959
(P. O.) Wendell, 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
Wendell Irrigationist of Wendell, Idaho published in
the county in which the works are situated.

Barclay W. Kearsley

(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.

May 11, 1959

Re: Permit No. G-27867
Paul W. Kearley

Bird & Hobday,
Attorneys at Law,
1st Security Bank Bldg.,
Gooding, Idaho.

Attention: Mr. Cecil D. Hobday

Gentlemen:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. 27867, in the name of Paul W. Kearley. Final proof is to be made before you, as Notary, on the 16th day of July, 1959, at 10:00 o'clock A.M., at Gooding, Idaho.

As of this date we have mailed the Notice to the Wendell Irrigationist 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,

GEO. M. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rutledge
Chief Clerk

Encl. (3)

EPR/pak

cc: Paul W. Kearley

27867

April 13, 1959

Re: Permit No. G-27867
Paul W. Kearley

Bird & Hobday
Attorneys At Law
1st Security Bank Building
Coeding, Idaho

Attention: Cecil D. Hobday

Dear Mr. Hobday:

We enclose Permit No. G-27867, in the name of Paul W. Kearley, in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

You will note under Question 10 that we have changed the required time for completion of works and complete application of the water to the proposed use to five years, however, you may make the required proofs at any time you are prepared to do so within that time. As per your request, we are also enclosing preliminary instructions for making proofs, and the required forms to fill out.

We also enclose departmental receipt No. G-3954, which was issued covering payment in the amount of \$5.25, for the filing fee of the above mentioned permit.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rutledge
Chief Clerk

EPR/lw

Encls.

cc: Paul W. Kearley
Wendell, Idaho

27867

LAW OFFICES
BIRD & HOBDEY

1ST. SECURITY BANK BLDG.

GOODING, IDAHO

BRANCH BIRD
CECIL D. HOBDEY

PHONE WEST 4-4271
P. O. BOX 905
GOODING, IDAHO

May 8, 1959

RECEIVED
MAY 11 1959

Department of Reclamation

Department of Reclamation
Boise
Idaho

Re: Permit No. G-27867

Gentlemen:

We enclose herewith notice of proof of completion
of works and notice of authorization to publish
in connection with above permit number.

Sincerely yours,

BIRD & HOBDEY

BY:



CDH:gr
Enclosure

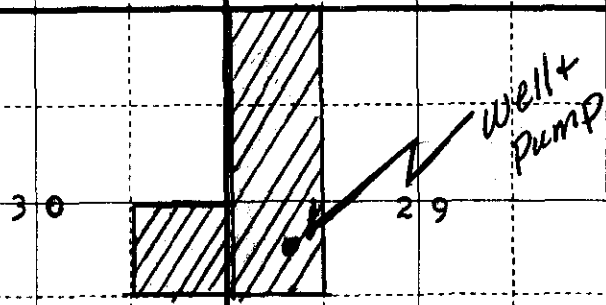
27867

NAME OF APPLICANT.....W. L. KEARLEY, WENDELL, I. IO

Form No. 0

Map submitted in support
of Application for
Permit to appropriate
Subterranean Water

Twp. 8 S., R. 15 E. B.M., Gooding County



Permit Map No. 27867
Approved APR 8 1959

LAW OFFICES
BIRD & HOBDEY

1ST. SECURITY BANK BLDG.

GOODING, IDAHO

BRANCH BIRD
CECIL D. HOBDEY

RECEIVED
APR 6 1959

PHONE WEST 4-4444
P. O. BOX 905 Department of Reclamation

April 4, 1959

Department of Reclamation
Boise, Idaho

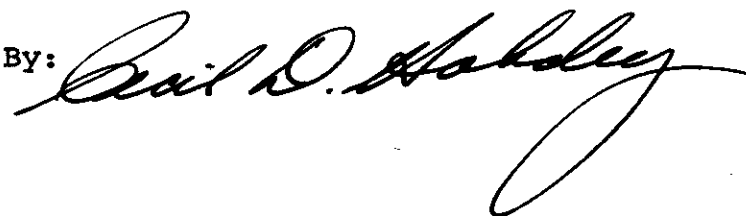
Gentlemen:

We thank you for your letter of April 3d and
note the corrections made. We inclose our check for
\$5.25 as requested.

Sincerely yours,

BIRD & HOBDEY

By:



CDH:fm
Encl. 1

27867

April 3, 1959

Re; Application for Permit
Paul W. Kearley

Cecil D. Hobday
Bird and Hobday
Attorney at Law
Gooding, Idaho

Dear Mr. Hobday:

Enclosed is \$5.00 check attached to the application for 2 cubic feet per second of underground water in the name of Paul W. Kearley.

The fee for 2. c.f.s. is \$5.25 being \$5.00 for the first c.f.s. and 0.25 for each additional c.f.s or fraction thereof.

On the application under "2" we have crossed out 1900 gallons per minute as being in error. Under "10" we have inserted 5 years. Some time is required to offer proofs.

You will be sent forms for offering proofs with the approved permits.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

GNC:RT:EW
Enc.

27867RT

LAW OFFICES
BIRD & HOBDEY

1ST. SECURITY BANK BLDG.

GOODING, IDAHO

BRANCH BIRD
CECIL D. HOBDEY

PHONE WEST 4-4271
P. O. BOX 905

RECEIVED
APR 3 1959
Department of Reclamation

April 2, 1959

Department of Reclamation
State of Idaho
Boise, Idaho

Gentlemen:

On behalf of Mr. Paul Kearley, Wendell, Idaho we inclose herewith application for permit to appropriate subterranean waters together with map, in duplicate.

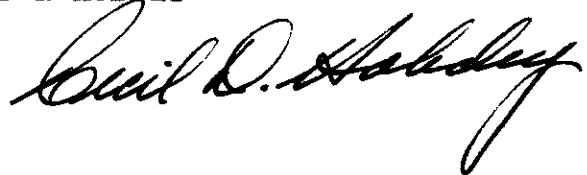
As you will note the works have been completed and the waters beneficially applied. We would like to move along with the application as promptly as is advisable and proper and will appreciate it if you will send us the appropriate forms of proof etc.

We inclose filing fee in the amount of \$5.00.

Sincerely yours,

BIRD & HOBDEY

By:



CDH:fm
Encls.

Note - Notice Forms to
accompany Permit to
Lawyer

27867

Excess