

30 up G.E. 220V

125' x 12" 6-63'

156"

10" x 95' ed

Payee B. Trust

6x6' Core Case

no protect

G.E. Controls on Each 4'

Conc. Dist. box

10" Del. to S.

30x110x70x530

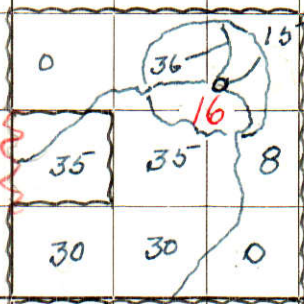
65

R-14E.

TO WENDELL

T.
8
S.

15
8
36
65
65
189



15
8
101
65
159 acres.
15

Subdivisions - 7

Area - 189 acres.

Q = 156 inches.

by calculation

See Permit # G-26979

Needs land list amendment

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

Notice is hereby given that at 2:00 P. M., on the 14th day of September, 1957, at Wendell, County of Gooding, State of Idaho, before Loretta M. Strickling, Notary Public, office of Sand Springs Ranch, proof will be submitted of the completion of works for the diversion of 4.0 cubic feet, Permit No. G-26979, and 4.0 cubic feet, Permit No. G-26980, per second of underground waters from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-26979 and Permit No. G-26980 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person holding said permits is H. C. Berkowitz, Sand Springs Ranch, Wendell, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is: Permit No. G-26979, 4.0 cubic feet per second; and Permit No. G-26980, 4.0 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is: Permit No. G-26979, 4.0 cubic feet; and Permit No. G-26980, 4.0 cubic feet, per second.

4. The point of diversion of said water is Permit No. G-26979—SE $\frac{1}{4}$ -SW $\frac{1}{4}$, Sec. 10, Twp. 8 S., Rge. 14 E.; Permit No. G-26980—SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 16, Twp. 8 S., Rge. 14 E.B.M.

5. The place where said water is used is For Permit No. G-26979—SW $\frac{1}{4}$, Sec. 10; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 15; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 16, all in Twp. 8 S., Rge. 14 E. For Permit No. G-26980—SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ W $\frac{1}{2}$ SE $\frac{1}{4}$, all in Section 16, Twp. 8 S., Rge. 14 E. B. M.

6. The date of priority which said user is prepared to establish is July 8, 1957.

MARK R. KULP
State Reclamation Engineer
Pub. Aug. 15, 22, 29, Sept. 5, 1957

Affidavit of Publication

STATE OF IDAHO

County of Gooding

SS

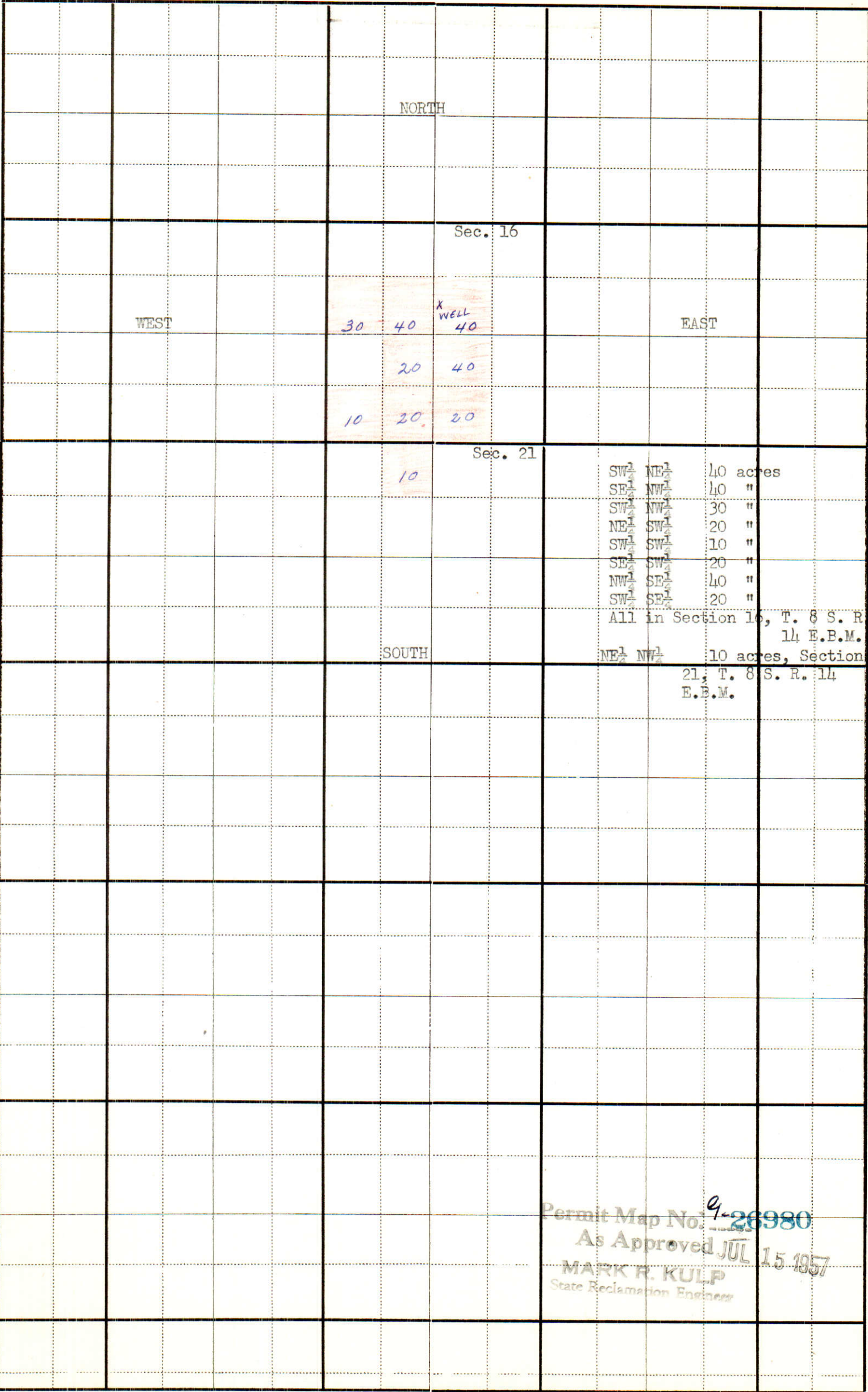
Richard S. Eaton
~~MURLEN R. LANCASTER~~

being duly sworn, says that he is of lawful age and is 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 15 day of Aug and ending on the 5 day of Sept, 1957
Richard S. Eaton Editor

Subscribed and sworn before me this 14 day of Sept, 1957

Loretta M. Strickling
Notary Public in and for the County of Gooding
State of Idaho

My commission expires 3/1/59, 19



Permit Map No. 9-26980
As Approved JUL 15 1957
MARK R. KULP
State Reclamation Engineer

State of Idaho

License and Certificate of Water Right

Water License No. G-26980Amount 3.16 c.f.s.

Water District No. _____

Priority July 8, 1957THIS IS TO CERTIFY that **H. C. BERKOWITZ**

of **Wendell, Idaho**, made application for a permit to appropriate the public waters of the State of Idaho, dated **July 8**, 19 **57**; that Permit No. **G-26980** was issued under said application; that Certificate of Completion of works, with a carrying capacity of **3.16** second feet, was issued thereunder on **July 16**, 19 **58**, showing that said works were completed on the **14th** day of **September**, 19 **57**; and that on the **14th** day of **September**, 19 **57**, **H. C. BERKOWITZ**

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**, for the purpose of **Irrigation**, under Use Permit No. **G-26980** 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 **10** of Licenses at page **6374**, on the **16th** day of **July**, 19 **58**;
The right hereby confirmed dates from **July 8**, 19 **57**;

The Point of Diversion is located

in the **SW 1/4 NE 1/4, Sec. 16**, Tp. **8 S.**, R. **14 E.**, B. M. County **Gooding**

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed **3.16** 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.	14 E.	16	SW NE	15	15
			SE NW	36	36
			NE SW	35	35
			NW NW	35	35
			SW SW	30	30
			SE SW	30	30
			NW SE	8	8
			Total number of acres irrigated - - - 189		

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 **16th** day of **July**, 19 **58**.

/s/ **Geo. W. Carter**

State Reclamation Engineer.

(SEAL)

36-26980
36-2335

APPLICATION FOR PERMIT

To appropriate the Subterranean Waters of The State of Idaho

Application No. G- 34894
Permit No. G- 26980
District No.

H. C. Berkowitz
Sand Springs Ranch
Wendell, Idaho

1. Name of Applicant: H. C. BERKOWITZ
Postoffice address: Wendell County: Gooding State: Idaho
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second. 4 cu. ft. or Idaho
Miners' inches or gallons per minute.
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Underground
4. Location of point of diversion or well is in the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 16
Twp. 8 S. , Rge. 14 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 $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Well, pump and ditches
8. Estimated cost of works: \$ 3,500.00
9. (a) Is reservoir to be used? No
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is Five 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 onhand: \$
(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: North Side Canal Co.
water appurtenant to portion of above land.
 - (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) (cubic feet per second, inches or gallons per minute) is for new lands.

Remarks: Property is in the name of H. C. Berkowitz

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

/s/ H. C. Berkowitz
Applicant.

By Agent.

Date of first receipt at Department of Reclamation: 8:00 A. M. July 8, 1957

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G-26980

Recorded in Book 95 Page 26980 Approved July 15, 1957

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 January 15, 1960

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before July 15, 1962

Witness my hand this 15th day of July, 1957

/s/ MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, Governor of the State of Idaho, and JAS. H. YOUNG, 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 15th day of July, 1957

Countersigned:

STATE OF IDAHO

(SEAL)

By JAS. H. YOUNG

By /s/ ROBERT E. SMYLIE
Governor

/s/ By Ann M. Nielsen Deputy, Secretary of State.

12.

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
8 S.	14 E	16	40				30 40				20 10 20				40 20				220
8 S.	14 E	21					10												10

Application for Amendment
To Permit to appropriate the Public Waters
of the State of Idaho, No. G-26980

Comes now Paul Berkowitz, and represents to the State Reclamation Engineer of the State of Idaho. That he is acting on behalf of the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-26980, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows: SW¹/₄NE¹/₄(15a)SE¹/₄NW¹/₄(36a)NW¹/₄SE¹/₄(8)NE¹/₄SW¹/₄(35)NW¹/₄SW¹/₄(35)SW¹/₄SW¹/₄(30)SE¹/₄SW¹/₄(30) Sec. 16, Township 8 South, Range 14 East, B.M., making a total of 189 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 Boston, Mass., this 2nd day of June, 1958

/s/ Paul Berkowitz

Date of receipt at office of Department of Reclamation
July 11, 1958

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. G-26980. 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/ Geo. N. Carter
State Reclamation Engineer

Approved and recorded:
July 11, 1958.

Permit No. G-26980
Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that H. C. BERKOWITZ of Wendell, County of Gooding, and State of Idaho, the holder of Permit No. G-26980, issued upon Application No. G-34894 bearing date of priority of July 8, 1957, authorizing the diversion of 4. second feet of waters of Underground 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 3.16 second feet of the waters of subterranean from a well that the point of diversion of said waters SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 16, Township 8 South, Range 14 East, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 189 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 16, Township 8 South, Range 14 East, B.M. Proof of Completion of Works made: September 14, 1957.

Witness my hand this 16th day of July, A.D. 1958

/s/ Geo. N. Carter
State Reclamation Engineer

Proof of Completion of Works made: September 14, 1957
Certificate of Completion of Works issued: July 16, 1958

LICENSE ISSUED FOR 3.16 SEC. FT.
Page 6374

GEO. N. CARTER
XXXX XXXXXX

July 16, 1958

Re: Permit No. G-26980
H. C. Berkowitz

Mr. Branch Bird
Attorney At Law
Gooding, Idaho

Dear Mr. Bird:

Mrs. Loreta Strickling, Secretary Sand Springs Ranch, Wendell, Idaho, ask that the final papers in connection with Permit No. G-26980, H. C. Berkowitz, be sent to you. Enclosed are the following:

Application for Amendment to Permit No. G-26980 to the State Reclamation Engineer and recorded in the Register in Book 95 of Permits at Page 26980 and the list of sections to be added as follows: "SW $\frac{1}{4}$ NE $\frac{1}{4}$ (15a)SE $\frac{1}{4}$ NW $\frac{1}{4}$ (36a)NW $\frac{1}{4}$ SW $\frac{1}{4}$ (35a)NE $\frac{1}{4}$ SW $\frac{1}{4}$ (35a)NW $\frac{1}{4}$ SW $\frac{1}{4}$ (35)SW $\frac{1}{4}$ SW $\frac{1}{4}$ (30)SW $\frac{1}{4}$ SW $\frac{1}{4}$ (30)Section 16, Township 8 South, Range 14 East, B.M." This amendment should now be attached to the original permit to which it refers and of which it becomes a part.

Certificate of Completion of Works and the License and Certificate of Water Right issued under Permit No. G-26980 covering the right with priority of July 8, 1957, to the use of 3.16 cfs of subterranean water, with the point of diversion in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of section 16, for irrigation of 189 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, NW $\frac{1}{4}$ of section 16, Township 8 South, Range 14 East, B.M.

Enclosed also is departmental receipt #G-3460 for \$19.40, issued as receipt of the five dollar fee for the Certificate of Completion of Works and fourteen dollars for the license fee.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Chief Clerk

EPR:nls
Enc.

26980

**To Permit to Appropriate the Public Waters
of the State of Idaho, No. G-26980....**

Comes now Paul Berkowitz, and represents to the State
Reclamation Engineer of the State of Idaho.

acting on behalf of
That he is the owner and holder of Permit to Appropriate the Public Waters of the State of
Idaho, No. G-26980, and requests that the list of lands to be irrigated, as described in said
permit, be changed to read as follows:

SW $\frac{1}{4}$ NE $\frac{1}{4}$ (15a)SE $\frac{1}{4}$ NW $\frac{1}{4}$ (36a)NW $\frac{1}{4}$ SE $\frac{1}{4}$ (8)NE $\frac{1}{4}$ SW $\frac{1}{4}$ (35)NW $\frac{1}{4}$ SW $\frac{1}{4}$ (35)SW $\frac{1}{4}$ SW $\frac{1}{4}$ (30)SE $\frac{1}{4}$ SW $\frac{1}{4}$ (30) Sec.16,
Township 8 South, Range 14 East, B.M.

making a total of 189 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 Boston, Mass., this 2nd day of June, 19 58

Paul Berkowitz

Date of receipt at office of Department of Reclamation July 11, 1958

APPROVAL OF STATE RECLAMATION ENGINEER

I, Geo. H. 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. G-26980. 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 appli-
cation is approved only insofar as the rights of others will not be adversely affected thereby.

Geo. H. Carter

State Reclamation Engineer

26980

May 14, 1958

Re: Permits No. G-26979 and G-26980
H. C. Berkowitz

Mr. Sam Berke
c/o Mr. Boston Distiller
1010 Mass. Avenue
Boston 18, Mass.

Dear Mr. Berke:

On July 8, 1957, Mr. H. C. Berkowitz, Sand Springs Ranch, Wendell, Idaho, filed with the Department of Reclamation of the State of Idaho application for two permits to appropriate eight cubic feet per second of the subterranean waters of the State of Idaho from two underground wells. Permit No. G-26979 for 4. cubic feet per second and Permit No. G-26980 for 4. cubic feet per second of water were approved and sent to him as "Use Permits".

Depositions of H. C. Berkowitz, as holder of the permits, Walter Kelley and Nephil Hansen, two witnesses, were submitted September 24, 1957, in proof of completion of works and application of water to beneficial use under the terms of the permits.

By statute, before these permits could be brought to license, an engineer from this department made inspection of the completion of works and application of water to beneficial use on May 1, 1958. His report is as follows:

Permit No. G-26979: The well is located in the $SE\frac{1}{4}SW\frac{1}{4}$ of Section 10, Township 8 South, Range 14 East of the Boise Meridian, and is capable of conveying 195 miners' inches (3.9 c.f.s.) of water for irrigation of 208 acres: 15 acres in the $NW\frac{1}{4}SE\frac{1}{4}$, 120 acres in the $NE\frac{1}{4}SW\frac{1}{4}$ and $S\frac{1}{4}SW\frac{1}{4}$ of Section 10; 18 acres in the $SE\frac{1}{4}SE\frac{1}{4}$ of Section 9; 40 acres in the $NW\frac{1}{4}NW\frac{1}{4}$ of Section 15; and 15 acres in the $NE\frac{1}{4}NE\frac{1}{4}$ of Section 16; in Township 8 South, Range 14 East, B.M.

Permit No. G-26980: The well is located in the $SW\frac{1}{4}NE\frac{1}{4}$ of Section 16, Township 8 South, Range 14 East, B.M. and is capable of conveying 156 miners' inches (3.16 c.f.s.) of water for irrigation of 189 acres in the $SW\frac{1}{4}NE\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}$, $NW\frac{1}{4}SE\frac{1}{4}$ and the $SW\frac{1}{4}$ of Section 16, Township 8 South, Range 14 East, B.M.

26980

Mr. Sam Berke
Page 2

May 14, 1958

The record of Permit No. G-26979 lists the land in the SW $\frac{1}{4}$ of Section 10; NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 15; NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 16. It is necessary that the permit be amended to include the land in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 10 and the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 9, Township 8 South, Range 14 East, B.M. We have enclosed an application for amendment to the Land list for this purpose.

The record of Permit No. G-26980 lists the land in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 16 and does not include the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said section. Therefore, we have enclosed an application for amendment to the land list.

Upon receipt of the amendments, mentioned above, and the statutory fees, totaling \$38.00, we will issue the Certificate of Completion of Works (for which the fee is five dollars for each certificate) and the License and Certificate of Water Right (fee is fourteen dollars for each--based at the rate of two dollars for each 40-acre subdivision inspected) confirming the priority right of July 8, 1957, to appropriate 3.9 second feet of subterranean water by virtue of Permit No. G-26979 and 3.16 second feet by Permit No. G-26980.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR:nls
Enclosures (2)

26980

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 2-26980

REPORT ON PROOF OF Completion of Appleton Tunnel for

H. S. Appleton
2nd Spring River
Gardell, Idaho

5/2/11

3.16 e
-M.R.

app 4 0.00
7
189

26980

12" x 16" 6.6'

1/2" = 1 mile
K. T. T. T.

6.6' = 1/2" = 1 mile

1/2" = 1 mile

1/2" = 1 mile

1/2" = 1 mile

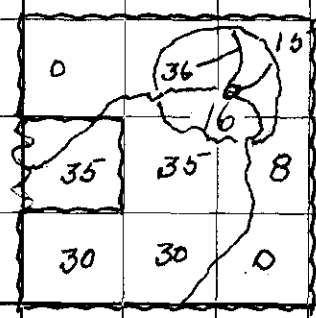
1/2" = 1 mile

R-14E.

TO WENDELL

T
8
S.

36
60
60
60



15

Subdivisions - 7

Area - 189 acres.

Q = 156 inches.

by calculation

See Permit # C-26979

7.6' = 1/2" = 1 mile

Permit No. 1-2000

Examination for General Use

County Butte

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
MAY 2 1958

Department of Reclamation

26980

September 25, 1957

Re: Permit No. G-26979
Permit No. G-26980

Mr. H. C. Berkowitz
Sand Springs Ranch
Wendell, Idaho

Dear Mr. Berkowitz:

We acknowledge receipt of the Deposition of Holder and two witnesses also affidavit of publication in the Wendell Irrigationist, all submitted in proof of Completion of Works and application of water to Beneficial Use on Permit No. G-26979 and Permit No. G-26980.

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 your ranch foreman, Mr. F. W. Gates, at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

MARK R. KULF
State Reclamation Engineer
By

Edna P. Rutledge (Mrs.)
Chief Clerk

EPR:lw

26980

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
SEP 24 1957

Department of Reclamation

Permit No. 26980

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. H. C. Berkowitz, Wendell, Idaho, rancher
Post office address: Sand Springs Ranch, 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. -----

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

Ans. Permit No. 26980, dated July 15, 1957, date of priority July 8, 1957.

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

Ans. underground well located in the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 16, Twp. 8 S. R. 14 E.B.M., County of Gooding, State of Idaho.

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

Ans. Well 117 feet, 6 feet of 18 inch casing, depth to water 57 feet. Pump discharge is 1800 gallons per minute, measured at time of installation (also guaranteed delivery of pump by manufacturer). Ditches are capable of conveying amount of water pumped.

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

Ans. Water used for irrigation and has been used on all of the SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, 30 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, 20 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$, 10 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$, 20 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$, 40 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$, and 20 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$, all in Section 16, Tp. 8 S. R. 14 E.B.M. The land is alfalfa and pasture land. Improvements have been headgates, seeding new land, new ditches, etc.

26980

K229

Ans.

Ans. At least the capacity of the pump.

Ans.

Ans. The water from said well, 1800 gallons per minute, have been used since and during the irrigation season of 1951, through irrigation ditches. Used every irrigation season since 1951.

Ans. Shares of water in the North Side Canal Company of Jerome, Idaho, have
also been used on the above described land.

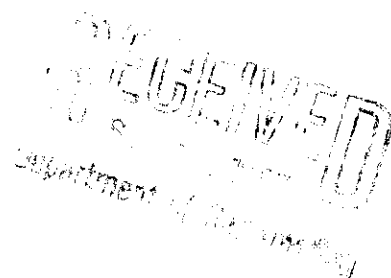
(Sign) _____

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Wendell, County of Gooding, State of Idaho, on this 14th day of September, A. D. 19 57.

Loretta M. Strickling
Notary Public--Wendell, Idaho

My commission expires 3/1/59

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



Permit No. 26980

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. Walter Kelley, age 65, residence Wendell, Idaho, farmer, post office address, Wendell, Idaho, Rt. 1

Ques. 2. Are you acquainted with H. C. Berkowitz, the holder of Permit No. 26980? How long have you known him and where does he reside?

Ans. Yes. I have known him for 13 years and he resides near Wendell, Idaho.

Ques. 3. Have you read or heard read said Permit No. 26980, 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. Underground well, located SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 16, Twp. 8 S. R. 14 E.B.M., Gooding County, Idaho. Water carried from well by irrigation ditches.

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. At least four second feet of water

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. 1800 gallons per minute. Measured at time of installation of pump, and that is manufacturer's guarantee.

26980

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 and has been used on all of the SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, 30 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, 20 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$, 10 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$, 20 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$, 40 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$, and 20 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$, all in Section 16, Twp. 8 S. R. 14 E. B.M. The land is alfalfa and pasture land. Improvements have been headgates, seeding new land, new ditches, etc.

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

Ans. -----

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 land, and needs at least the amount of water being used, the capacity of the pump.

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

Ans. none

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

Ans. I have seen the water from said well, 1800 gallons per minute, being used on all of the above described land since and during the irrigation season of 1951. Used during every irrigation season since 1951, through irrigation ditches.

(Signed)

Halter Kuller

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 Wendell, County of Gooding, State of Idaho, on this 14th day of September, A. D. 1957.

Loretta M. Strickling
Wendell, Idaho Notary Public

My commission expires 3/1/59

**STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO**

RECEIVED
SEP 24 1957
Department of Reclamation

Permit No. 26980

**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. Nephi Hansen, Wendell, Idaho, farmer, Rt. 1, Wendell, Idaho, Age 44.

Ques. 2. Are you acquainted with H. C. Berkowitz, the holder of Permit No. 26980? How long have you known him and where does he reside?

Ans. yes. He resides near Wendell, Idaho, and I have known him ten years.

Ques. 3. Have you read or heard read said Permit No. 26980, 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. Underground well, located SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 16, Twp. 8 S. R. 14 E. B.M., Gooding County, Idaho. Water carried from well by irrigation ditches.

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. At least four second feet of water.

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. 1800 gallons per minute. Measured at time of installation of pump, and that is manufacturer's guarantee.

26980

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 and has been used on all of the $SW\frac{1}{4}NE\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}$, 30 acres in the $SW\frac{1}{4}NW\frac{1}{4}$, 20 acres $NE\frac{1}{4}SW\frac{1}{4}$, 10 acres $SW\frac{1}{4}SW\frac{1}{4}$, 20 acres $SE\frac{1}{4}SW\frac{1}{4}$, 40 acres $NW\frac{1}{4}SE\frac{1}{4}$, and 20 acres $SW\frac{1}{4}SE\frac{1}{4}$, all in Section 16, Twp. 8 S. R. 14 E.B.M. The land is alfalfa and pasture land. Improvements have been headgates, seeding new land, new ditches, etc.

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

Ans. -----

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 land, and needs at least the amount of water being used, the capacity of the pump.

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

Ans. none

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

Ans. I have seen the water from said well, 1800 gallons per minute, being used on all of the above described land during the irrigation season of 1951 and every irrigation season since that time through the irrigation ditches.

(Signed)

Nephi Hansen

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 Wendell, County of Gooding, State of Idaho, on this 14th day of September, A. D. 1957.

Loretta M. Strickling
Wendell, Idaho Notary Public.

My commission expires 3/1/59

RECEIVED
SEP 24 1957
Dept. of Recreation

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

Notice is hereby given that at 8:00 P. M., on the 14th day of September, 1957, at Wendell, County of Gooding, State of Idaho, before Loretta M. Strickling, Notary Public, Office of Sand Springs Ranch, proof will be submitted of the completion of works for the diversion of 4.0 cubic feet, Permit No. G-28879, and 4.0 cubic feet, Permit No. G-28880, per second of underground waters from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-28879 and Permit No. G-28880 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person holding said permits is H. C. Berkowitz, Sand Springs Ranch, Wendell, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is: Permit No. G-28879, 4.0 cubic feet per second; and Permit No. G-28880, 4.0 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is: Permit No. G-28879, 4.0 cubic feet; and Permit No. G-28880, 4.0 cubic feet, per second.

4. The point of diversion of said water is Permit No. G-28879—SW $\frac{1}{4}$, Sec. 10, Twp. 8 S., Rge. 14 E.; Permit No. G-28880—SW $\frac{1}{4}$, NE $\frac{1}{4}$, Sec. 16, Twp. 8 S., Rge. 14 E.B.M.

5. The place where said water is used is For Permit No. G-28879—SW $\frac{1}{4}$, Sec. 10, NW $\frac{1}{4}$, NW $\frac{1}{4}$, Sec. 15; NE $\frac{1}{4}$, NE $\frac{1}{4}$, Sec. 16, all in Twp. 8 S., Rge. 14 E. For Permit No. G-28880—SW $\frac{1}{4}$, NE $\frac{1}{4}$, NW $\frac{1}{4}$, NE $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$, Sec. 12, all in Section 16, Twp. 8 S., Rge. 14 E. B. M.

6. The date of priority which said user is required to establish is July 2, 1952.

W. H. H. H. H.
Reclamation Engineer
Pub. Aug. 12, 22, 29, Sept. 5, 1957

Affidavit of Publication

STATE OF IDAHO

County of Gooding

ss

Richard S. Eaton

Richard S. Eaton being duly sworn, says that he is of lawful age and is 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 15 day of Aug and ending on the 5 day of Sept, 1957.

Richard S. Eaton Editor

Subscribed and sworn before me this 14 day of Sept, 1957.

Notary Public
Notary Public in and for the County of Gooding
State of Idaho

My commission expires 3/1/59, 1959

26 980



July 10, 1958

RECEIVED
JUL 11 1958

Department of Reclamation

State of Idaho
Department of Reclamation
Boise, Idaho

Attention of Edna P. Rutledge, Chief Clerk

Gentlemen:

You will find enclosed Application for Amendment to Permit to Appropriate the Public Waters of the State of Idaho for Permits No. G-26980 and G-26979, also check to cover charges in connection with issuing the final papers on these two permits.

Since this estate is being probated, will you please send these final papers to Mr. Branch Bird, Attorney at Law, Gooding, Idaho, who is handling the affairs for the estate in Idaho.

All correspondence should now be addressed to Mr. Bird.

Thank you.

Sincerely,

Loretta Strickling
Mrs. Loretta Strickling
Secretary

ls
Encs.

26980

August 12, 1957

RE: Permit Nos. G-26979 & G-26980

Mr. H. C. Berkowitz
Sand Springs Ranch
Wendell, Idaho

ATT: Mrs. Loretta Strickling

Dear Mrs. Strickling:

This acknowledges receipt of the Notice of proof of completion of works and application of water to beneficial use under Permit Nos. G-26979 and G-26980. Final proof is to be made before you at 2:00 P.M. September 14th.

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 that date set for final proof and to then mail the affidavit of publication and statement of costs to Mr. Berkowitz.

Before the time set, will you please notify Mr. Berkowitz, that he and two disinterested witnesses who are familiar with the terms of the Permit and the work done thereunder, are to appear before you at 2:00 P.M. September 14th, 1957, for the purpose of executing the enclosed depositions.

When returning the depositions to this office please, be sure to include the affidavit of publication.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

KPR:vm

Encl.

cc. Mrs. Loretta Strickling

Noted by Mr. H. C. Berkowitz 8-21-57

26980

August 6, 1957

RE: Permit Nos. G-26979 and G-26980

Mr. H. C. Berkowitz
Sand Springs Ranch
Wendell, Idaho

Dear Mr. Berkowitz:

We have your letter of July 31, stating that you are prepared to make the proofs of completion of works and beneficial use on Permit Nos. G- 26979 and G-26980. These proofs may be combined in one publication.

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 the County newspaper. For this required information, we have enclosed Form 36, in duplicate, which you are to complete and return. In filling out this form be sure to include the time of day, the date (allowing for four weeks publication), the name of the town, the address of the place where the depositions will be taken, and the name of the notary public before whom you will appear to make the depositions of proof (any place convenient for you and your two witnesses), the quantity of water filed on, for what purpose it is used, the point of diversion and the lands which are irrigated - by legal land description.

Also enclosed is Form 11, which is the authorization for us to have the Notice of proof published in the designated county newspaper, at your expense. This is to be returned with Form 36.

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

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR:vm
Encl.

26980

*Letter of Transmittal
enc file G-26979*

July 18, 1957

Re: Permit Nos. G-26979 - G-26980

Mr. H. C. Berkowitz
Sand Springs Ranch
Wendell, Idaho

Dear Mr. Berkowitz:

We enclose Permit Nos. G-26979 and G-26980 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.

We also enclose departmental receipt No. G-2751 which was issued covering payment in the amount of \$11.50 for the filing fees of the above captioned permits.

Very truly yours,

MARK R. JULE
State Reclamation Engineer
By

Chief Clerk

EPR:lw
Encls.

26980

[illegible]

26980



July 3, 1957

Mr. Mark R. Kulp
State Reclamation Engineer
Department of Reclamation
Boise, Idaho

Dear Sir:

You will find enclosed two Applications for two wells
in Gooding County, also my check to cover filing fees.

After you have approved the applications will it be
necessary to wait until next season to prove up? These
wells have been in use for several years. If we may now
prove up will you please send the necessary forms for
completion and publication in the Wendell Irrigationst.
Would it be better to make two separate publications on
these two wells or could they be combined in one publi-
cation of four weeks?

Would also like to know the earliest priority date we may
use on each of the wells.

Thank you.

Very truly yours,

H. C. BERKOWITZ

By *Loretta Strickling*
Loretta Strickling
Secretary

ls
Encs.

26980