

R-22E.

T.
6
S.

P.D.

27

Sump
pump
60

15 HP US motor # 21596,
Wintroath pump # 5066354
10" suction pipe - 10" gate valve
into 10" x 100' discharge into open
ditch - measured 152 inches

ditch 37

32

20

15

34

20

35

35

55

Subdivisions

14

area

344 acres

5.78 CFS or 289 inches

60 William Kerbs
514 S. D Street
Rupert, Idaho
8 O'clock Permit No. G-26381

Examination for Completion of Works & Beneficial Use

County..... Lincoln
Sec. 27 T. 6 S R. 22 E. B.M.

Quantity: 6.4 acs.

Source: Wells

P.D.: SWNW } Sec. 27, T. 6 S. - R. 22 E. B.M.
SW. SW

Use: Irrigation

Filed: June 4, 1956

Due: June 4, 1961

Extension: —

Completion of Works: —

Other Rights: none

Driller—Ted Haynes

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.

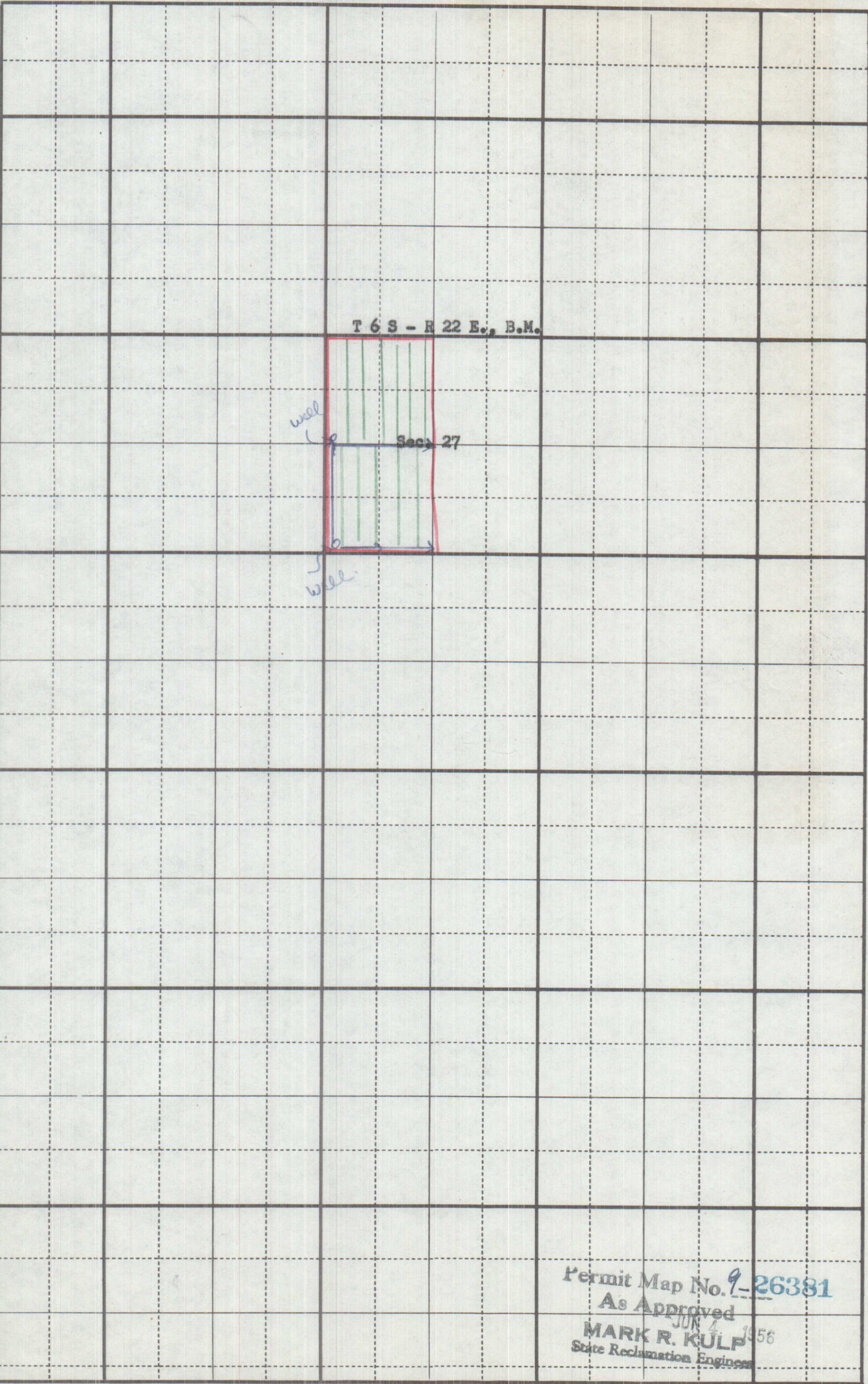
RECEIVED

AUG 27 1962

Department of Reclamation

NAME OF APPLICANT.....William Kerbs.....

Form No. 0



Permit Map No. 9-26381
As Approved
JUN 4 1956
MARK R. KULP
State Reclamation Engineer

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

26381

State of Idaho

License and Certificate of Water Right

Water License No. G-26381

Amount 5.78 c.f.s.

Water District No.

Priority June 4, 1956

THIS IS TO CERTIFY that WILLIAM KERBS of Rupert, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated June 4, 1956; that Permit No. G-26381 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 5.78 second feet, was issued thereunder on September 26, 1962, showing that said works were completed on the 19th day of May, 1961; and that on the 19th day of May, 1961,

WILLIAM KERBS

of Rupert, 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-26381 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 12 of Licenses at page 7459, on the 26 day of September, 1962;

The right hereby confirmed dates from June 4, 1956;

The Point of Diversion is located in the SW 1/4 SW 1/4, Sec. 27, Tp. 6 S., R. 22 E., B. M. Lincoln 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 5.78 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
6 S.	22 E.	27	NE 1/4 NW 1/4	40	8
			NW 1/4 NW 1/4	40	10
			SW 1/4 NW 1/4	40	32
			SE 1/4 NW 1/4	40	27
			NE 1/4 SW 1/4	40	40
			NW 1/4 SW 1/4	40	40
			SW 1/4 SW 1/4	40	30
			SE 1/4 SW 1/4	40	30
		34	NE 1/4 NE 1/4	5	5
			NW 1/4 NE 1/4	32	32
			SW 1/4 NE 1/4	20	20
			SE 1/4 NE 1/4	15	15
			NE 1/4 SE 1/4	35	35
			NW 1/4 SE 1/4	20	20
			Total number of acres to be irrigated:		344

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 26th day of September, 1962.

RALPH W. THOMAS
Deputy State Reclamation Engineer.

(SEAL)

*Trans. # 1053
No further transfer
of this license
check the file.*

36 2302

Use for, should not be used for

G-26381
19 - 2302

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 34278
Permit No. G- 26381
District No.

1. Name of Applicant: WILLIAM KERBS
Postoffice address: ~~210~~ Second St., Rupert County: Minidoka State: Idaho
2. Quantity of water claimed: 320 Miner's inches.
 - (a) Rate of withdrawal in cubic feet per second. 6.4 or Idaho
Miners' inches or gallons per minute.
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean, to be raised through 2 drilled wells.
4. Location of point of diversion or well is in the $\frac{SW}{SW}$ $\frac{1}{4}$ of the $\frac{NW}{SW}$ $\frac{1}{4}$ of Section 27
Twp. 6 S. , Rge. 22 E. , B.M., County of Lincoln
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: 2 drilled wells to be cased and equipped with turbine type pumps and motor.
8. Estimated cost of works: \$ 25000
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) (cubic feet per second, inches or gallons per minute) is for new lands.

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	
6 S.	22 E.	27		40	40	40	40	40	40	40	40		320
Application for Amendment LAND LIST Permit No. G-26381													
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-26381 and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:													
W ¹ / ₂ , Sec. 27; E ¹ / ₂ , Sec. 34, Twp. 6 S., R. 22 E., B. M., making a total of 320 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 Rupert, Idaho, this 21 day of September, 1962.													
s/ WILLIAM KERBS													
Date of receipt at office of Department of Reclamation: September 24, 1962													
APPROVAL OF STATE RECLAMATION ENGINEER													
RALPH W. THOMAS, Deputy													
I, ~~State Reclamation Engineer~~ Assistant State Reclamation Engineer of the State of Idaho, hereby approve the above and for application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-26381. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it is 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: September 26, 1962													

Permit No. G-26381
 CERTIFICATE OF COMPLETION OF WORKS

ALL WHOM IT MAY CONCERN:

This is to certify that WILLIAM KERBS of Rupert, County of Minidoka, and State of Idaho, the holder of Permit No. G-26381, issued upon Application No. G-34278 bearing date of priority of June 4, 1956, authorizing the diversion of 1.4 second feet of waters of two wells, County of Lincoln, 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 1.78 second feet of the waters of a well from subterranean flow; that the point of diversion of said waters SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 27, T. 6 S., R. 22 E., B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit:

344 acres in W $\frac{1}{2}$, Sec. 27; NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 34, T. 6 S., R. 22 E., B. M.

Witness my hand this 26th day of September A. D. 1962

s/ RALPH W. THOMAS, Deputy
 State Reclamation Engineer

Proof of Completion of Works Made: May 19, 1961

LICENSE ISSUED FOR 5.78 SEC. EL.
 page 7459

*Trans #1053
 See file upon
 further completion
 of this right.
 H*

● **Connecticut Mutual Life** INSURANCE COMPANY, SINCE 1846

140 Garden Street, Hartford, Connecticut 06115 Tel: (203) 549-4111

AUG 20 1973
RECEIVED
Mortgages - Agricultural
Investment Administration

August 17, 1973

AIR MAIL

Department of Reclamation
State of Idaho
Boise, Idaho

Re: Water Permit No. G-26381
Loan No. 93089-H, Kerbs

Gentlemen:

This loan has been paid in full. Therefore, we wish to inform you that we are no longer interested in water permit number G-26381 as described in Mortgage Deed dated January 3, 1963, given by William and Colleen Kerbs.

Said mortgage was recorded in the Public Records of Lincoln County, in Film No. 113702.

Sincerely,

AGRICULTURAL INVESTMENT DIVISION

By: *Jean Wright*

jw

cc: Ag-Land Mortgage Company
Rodney Moore

36 2302



RECEIVED
NOV 17 1966

Department of Reclamation

November 16, 1966

Mr. Robert D. Barbour
Idaho Savings and Loan Association
9th and Jefferson Street
Boise, Idaho

Dear Mr. Barbour:

We are writing to you as correspondent for The Connecticut Mutual Life Insurance Company of Hartford, Connecticut to notify you that they are holder of the Mortgage Deed dated January 1, 1963 between William Karbe and Colleen Karbe, also known as Colleen L. Karbe, husband and wife, for a loan of \$19,500 and there is an unpaid principal balance as of March 1, 1966 of \$16,575. The farm land offered as security for this loan is described as follows:

The Southwest Quarter of Section 27, the Northeast Quarter, the North Half of the Southeast Quarter, Lot 1, 44 acres, Lot 2, 44 acres, located in Township 6 South, Range 22 East of the Boise Meridian and Lincoln County, Idaho.

The Mortgage includes all pumps, motors and equipment essential to make a complete irrigation system to utilize the underground water under Permit No. G-26381. The water under this license is described as 289 inches, which has been placed as collateral security for this loan.

We have been informed by Mr. Dave R. Head of our Twin Falls Office that this farm, with other security, is now under the ownership of the Idaho Savings and Loan Association who is having financial difficulties and is in the process of a reorganization by the State of Idaho through Attorney General's office and the Grand Jury, who are trying to unscramble the status of the holdings of the Idaho Savings and Loan Association. This communication is to give you notice of the interest of The Connecticut Mutual Life Insurance Company in the security described herein and the underground water and in the event that anything should develop that might involve the security or other holdings of this company, we would appreciate your prompt notification of the circumstances to our investor, with a copy of your communication to our office at 15 South Main, Logan, Utah.

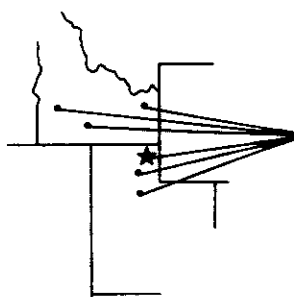
Very truly yours,

Cecil B. Kenner
Assistant Secretary
CHK:eo

cc: IRM - GAJ

cc: Idaho Department of Reclamation

26381



UTAH MORTGAGE LOAN CORPORATION

Twin Falls, Idaho, Office: 233 Shoshone Street North
Mortgage Bankers Since 1892

In Reply Refer to No.
William Kerbs
41-49759

P. O. Box No. 385
Phone: 733-7680

RECEIVED
NOV 3 1966

Department of Reclamation

526381
November 2, 1966
"Our 74th Year"

Idaho State Department
Department of Reclamation
State House
Boise, Idaho

Gentlemen:

This is to inform you that we hold a mortgage on the following described real estate in the name of Mr. William Kerbs. This mortgage was made in 1963.

→ Please do not allow any transfer of water, assignment of water or sale of water off of the land described below as part of our mortgage includes the water from the irrigation wells on said lands:

Township 6 South, Range 22 East:

Section 27: SW $\frac{1}{4}$

Section 34: NE $\frac{1}{4}$, NE $\frac{1}{2}$ SE $\frac{1}{4}$, Lot 1 & 2

The mortgage was actually made in the name of our investor, The Connecticut Mutual Life Insurance Company, Hartford, Connecticut and we serve as their Mortgage-Bankers in this area.

Any questions that may arise on the water rights, should be directed to Utah Mortgage Loan Corporation, Box 488, Logan, Utah or our Twin Falls office.

Sincerely,


David R. Head

Asst. Vice President and Manager

DRM:cmc

CC: Cecil Kenner

526381

Mortgage Loans
Insurance
Real Estate Sales
Land Development



November 28, 1962

RE: Permit No. G-26381

William Kerbs
514 S. D. Street
Rupert, Idaho

Dear Mr. Kerbs:

We acknowledge receipt of your check in the amount of \$34.00 to replace one returned by the State Treasurer for "no date on check."

Returned herewith is your original check.

Thank you for your prompt attention to this matter.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

Enc. check

D26381

October 4, 1962

RE: Permit No. G-26381

William Kerbs
514 S. D Street
Rupert, Idaho

Dear Mr. Kerbs:

On September 18, 1962 we received a check from you in the amount of \$34.00, written on the Cassia National Bank of Burley, Idaho and departmental receipt No. G-7413 was issued to cover the statutory fees for the Certificate and License and also \$1.00 for the recording of an amendment on the Permit listed above.

This check was deposited on September 24, 1962 and returned by the State Treasurer marked, " no date on check."

Will you please send us another check in the same amount, at your earliest convenience, to replace the undated one.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR

ROBERT E. SMYLYE
Governor



GEO. N. CARTER
State Reclamation Engineer

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE

October 4, 1962

RE: Permit No. G-26381

William Kerbs
514 S. D Street
Rupert, Idaho

Dear Mr. Kerbs:

On September 18, 1962 we received a check from you in the amount of \$34.00, written on the Cassia National Bank of Burley, Idaho and departmental receipt No. G-7413 was issued to cover the statutory fees for the Certificate and License and also \$1.00 for the recording of an amendment on the Permit listed above.

This check was deposited on September 24, 1962 and returned by the State Treasurer marked, "no date on check."

Will you please send us another check in the same amount, at your earliest convenience, to replace the undated one.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

Edna P. Rule
(Mrs.) Edna P. Rule
Chief Clerk



*Enclosed is a new check for 34.00. Please
return my Original check to me.*

*Thank you
William Kerbs*

B26381

CK rec'd Oct 4, 1962

September 26, 1962

Re: Permit No. G-26381

William Kerts
514 S. D Street
Rupert, Idaho

Dear Mr. Kerts:

Enclosed are Certificate of Completion of Works and
License and Certificate of Water Right issued on Permit No. G26381
and amendment to the land list which has been recorded in this office.

Also enclosed is departmental receipt No. G-7413
in the amount of \$34.00 covering fees for the certificates and
amendment.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. certificates
amendment
receipt

26381

Application for Amendment

LAND LIST

Permit No. G-26381

SEP 24 1962
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-26381, and requests that the list of lands to be irrigated,
as described in said permit, be changed to read as follows:

W $\frac{1}{2}$, Sec. 27, E $\frac{1}{2}$, Sec. 34, T. 6 S., R. 22 E., B. M.

_____, making a total of 344 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 Rupert, Idaho this 21 day of September, 1962

William Kerbs

Date of receipt at office of Department of Reclamation September 24, 1962

APPROVAL OF STATE RECLAMATION ENGINEER

RALPH W. THOMAS, Deputy
I, ~~GEORGE C. GIBSON~~, 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-26381. 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 93 of
Permits, at page 26381
September 26, 1962

Ralph W. Thomas, Deputy
State Reclamation Engineer

G-26381

September 19, 1962

Re: Permit No. G-26381

William Kerbs
514 S. D. Street
Rupert, Idaho

Dear Mr. Kerbs:

Enclosed is an amendment to the land list, which includes all the land our field examiner found under irrigation at the time of his inspection. The W₂, Sec. 27 was included in your permit, but when you mailed in the amendment to this office you included only the SW₄.

We feel sure you would wish all the land on your certificates, and ask that you sign the enclosed amendment and return to this office at once so that the certificates can be issued.

Thank you.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. amendment

26381

State of Idaho
DEPARTMENT OF RECLAMATION

Boise, Idaho

August 28, 1962

Re: Permit No. G-26381

William Kerbs
514 S. D. Street
Rupert, Idaho

Dear Mr. Kerbs:

Our field engineer's report on his inspection of proof of completion of works and application of water to beneficial use under the terms of Permit No. G-26381 shows the well is ~~(sane)~~ capable of conveying 289 miner's inches, or 5.78 c.f.s. of water for the irrigation of 344 acres.

Upon receipt of the statutory fees, totaling \$ 33.00 , which consists of a Completion of Works fee of \$ 5.00 and License and Certificate of Water Right fee of \$ 25.00 - based at the rate of \$2.00 for each 40-acre subdivision - we will issue the Certificate of Completion of Works and the License and Certificate of Water Right confirming the right, with priority of June 4, 1956 to the use of 5.78 second feet of subterranean water with the point of diversion in the S¹/₄SW¹/₄, Sec. 27 for irrigation of 344 acres in W¹/₂, Sec. 27; NE¹/₄, N¹/₂SE¹/₄, Sec. 34, T. 6 S., R. 22E., B.M.

Since your permit does not include the E¹/₂, Sec. 34 it will be necessary to amend the land list on the permit if you want the extra land included in the license. Complete the enclosed form, submit it with the above mentioned fees, plus an additional fee of \$1.00 for recording the amendment, to this office and the Certificate of Completion of Works and License and Certificate of Water Right will be issued as shown above.

If you do not want the extra land included, the statutory fees will total \$21.00 and the land list will be restricted to the lands shown on the permit which are actually irrigated.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

Enc. amendment form

826381

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In the Matter of the Application of	)	
	)	
William Kerba	)	
of	)	ORDER GRANTING TRANSFER
514 East D Street	)	
Rupert, Idaho	)	NO. 1053
	)	
For a Transfer of Water Right in	)	
the County of Lincoln, State of	)	
Idaho	)	

WHEREAS, On the 26th day of August, 1965, at the Department of Reclamation of the State of Idaho, at Boise, Idaho, this matter of the application of William Kerba of 514 East D Street, Rupert, Idaho, for a transfer of water right came on regularly for hearing, pursuant to the published notice in due and statutory form, and,

WHEREAS, No protest has been filed against the application, and the evidence filed by the applicant with the application shows that the water will be put to a higher and more efficient beneficial use and no one will be injured thereby.

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

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho, this 27th day of August, 1965.

CARL E. TAPPAN
State Reclamation Engineer
By

(SEAL)

s/ RALPH W. THOMAS
RALPH W. THOMAS, Deputy
State Reclamation Engineer

T 1053

Aug 31 1965

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

CERTIFICATE OF WATER RIGHT
TRANSFERRED RIGHT NO. 1053

THIS IS TO CERTIFY, That William Kerbs of 514 East D Street, Rupert, Idaho, is the owner of and using a certain water right of 5.78 cubic feet per second of the waters of subterranean source, said water being obtained by virtue of License No. G-26381, issued by the State of Idaho, Department of Reclamation, dated September 26, 1962, bearing priority date of June 4, 1956, for the purpose of irrigating the following described lands situate, lying and being in the County of Lincoln, State of Idaho, to-wit:

W½, Section 27; NE¼, NW¼ SE¼,
Section 34, Township 6 South,
Range 22 E. B. M.,

That said license has been entered in the records of the Department of Reclamation of the State of Idaho, in Volume 12, Page 7459 thereof;

And that William Kerbs has become the owner of said right by appropriation;

And that now, upon the application of William Kerbs for the transfer of 5.78 cubic feet per second, made before the State Reclamation Engineer of the State of Idaho, and said application having been granted, the right to the use of 5.78 cubic feet per second of the waters of subterranean source by well upon the above described lands is hereby abandoned, and the place of use of said water under such right is HEREBY CONFIRMED, shall by this certificate become appurtenant for irrigation purposes, is described as follows, to-wit:

SW¼, Section 27; NE¼, NW¼ SE¼,
Lots 1 and 2, Section 34,
Township 6 South, Range 22 E.B.M.,

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

5.78 cubic feet per second of the
waters of subterranean source with
priority of June 4, 1956;

And that the water right hereby transferred has heretofore been conducted from subterranean source with point of diversion in the SW¼ SW¼, Section 27; Township 6 South, Range 22 E. B. M., and delivered through private ditches;

T 1053

1962

That the water right hereby transferred will hereafter be conducted to the last above described lands from subterranean source by well with no change in point of diversion;

That the right to the use of the water aforesaid, hereby described, is restricted to the lands or place of use last above described as provided by the laws of the State of Idaho;

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 27th day of August, 1965.

CARL E. TAPPAN
State Reclamation Engineer
By

(SEAL)

s/

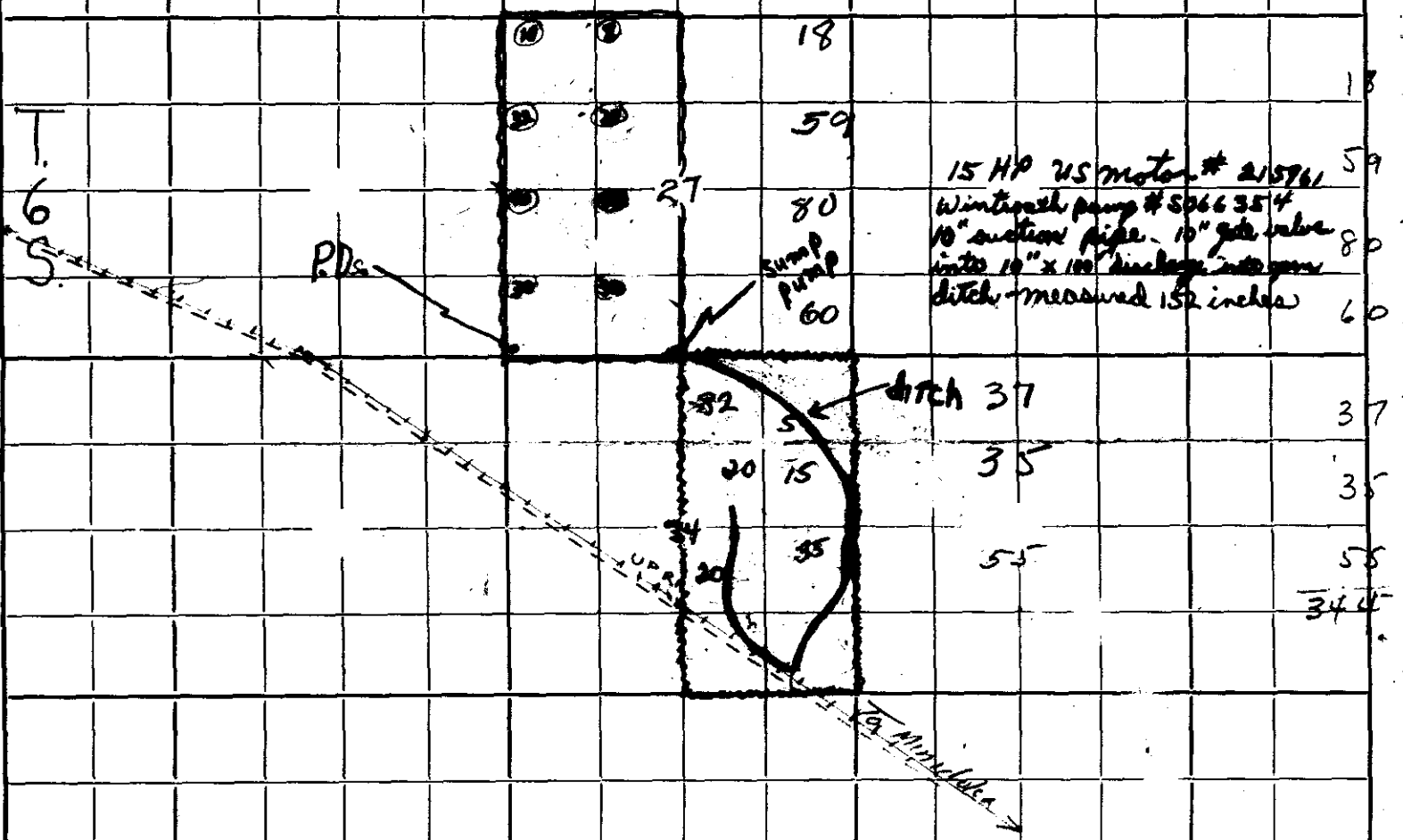
RALPH W. THOMAS

RALPH W. THOMAS, Deputy
State Reclamation Engineer

T-1053

36-2302

R-22E.



Subdivisions 14

area 344 acres

3.78 CES or 388 inches

D26381

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-26381

REPORT ON PROOF OF Completion of Works & Beneficial Use

William Kerbs, 514 S. D Street, Ruoert, Idaho

00

County.....Lincoln.....

Quantity: 6.41 lbs.

P.D.: 000500
000000 } Sec. 97, 7-1-31, 6-22-33

Filed: June 14, 1956

Extension:

Other Rights: _____

Driller - Ted Hayes

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.

Aug 2, 1964

Department of Rock and Soil Engineering

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

Permit No. G-26381

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

1. Name of applicant William Kerbs2. Source of water supply: Subterranean, to be raised through 2 wells.3. Location of point of diversion: Is in the SW 1/4, SW 1/4 of Section 27T. 6 S R. 22 E.B.M. County of Lincoln4. Describe works as they exist, giving dimensions and capacities of same: 200 HP G.E.

motor # U.P.J. 826003 Wintworth # 9290 12" discharge into
concrete distribution pond 20' x 6' x 3' into open ditch
12" x 220' column 18" x 10' casing h: 198' 00 none
well depth 265'

5. Water is used for: irrigation6. 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 1/2 Sec. 27., Twp. 6 S., Rge. 22 E.B.M. 320 acres.

AMEND LAND list to include NE 1/4 SE 1/4 OF SEC. 34

(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. Bill Kerbs along

Two measurements were made with Cippolletti weir
.56 over 2' weir = 140 1/2 inches
.58 over 2' weir = 148 1/2 inches
289

This examination was made on the 23rd day of August, 1962

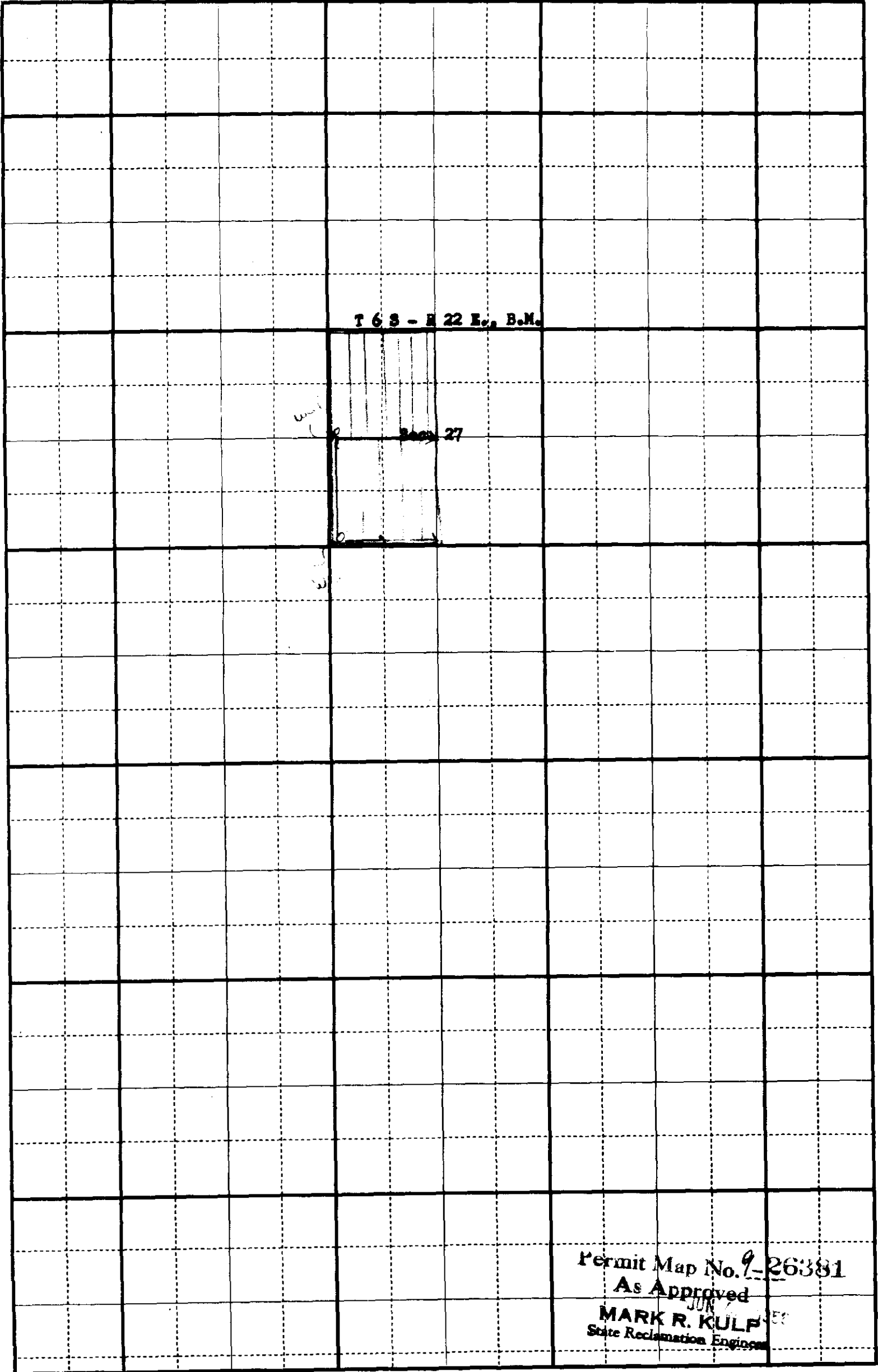
G-26381

(Signed)

Ron Weber
Examiner.

NAME OF APPLICANT.....William Kerbs.....

Form No. 0



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

926381

May 31, 1961

Re: Permit No. 0-26381

William Karts
514 S. D Street
Rupert, Idaho

Dear Mr. Karts:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the Lincoln County Journal, all submitted in proof of completion of works and beneficial use on Permit No. 0-26381.

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. Rule
Chief Clerk

EPR:

cc: Harley M. McDowell
P. O. Box 2161
Boise, Idaho

26381

RECEIVED
MAY 31 1961

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Department of Reclamation

Permit No. G-26381

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. William Kerbs; residence, Rupert, Idaho; occupation, farmer; postoffice address, 514 S. D St., Rupert, Idaho.

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

Ans. Individual.

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

Ans. Permit #G-26381; date of permit, 6/4/56; date of priority, 6/4/56.

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

Ans. Water is from a well drilled in SW¹/₄SW¹/₄, Sec. 27, T6S-R22E. This is 260' deep, cased 6' with 16" casing. Well pumps from 198' and is a 16" hole. This is equipped with 200 hp motor. Ditches convey the water to the place of use. They are 3' bottom, 6' top, 3' deep.

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. See Ques. 4. Works are capable of conveying 350" of water. The pump was tested by Wintroath Pump Co. for over 400".

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 is used for irrigation of the following land: NW¹/₄NW¹/₄, 10 acres; NE¹/₄NW¹/₄, 8 acres; SW¹/₄NW¹/₄, 32 acres; SE¹/₄NW¹/₄, 27 acres; NW¹/₄SW¹/₄, 40 acres; NE¹/₄SW¹/₄, 40 acres; SW¹/₄SW¹/₄, 30 acres; SE¹/₄SW¹/₄, 30 acres, all in Section 27, T6S-R22E, S.M., Idaho. This is all cultivated land and all improvements have been made as a direct result of said use. I have spent some \$13,000 on this development.

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

Ans. Ted Haynes, Rupert, Idaho

G26381

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

Ans. Irrigation only.

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

Ans. I have assigned half of this water to Dall Asson and need all the rest for profitable irrigation.

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. Original holder.

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

Ans. This well was drilled in 1958 and the water has been used ever since as noted above.

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

Ans. None.

(Sign)

William Keels

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 19th day of May, A. D. 1961

Nathan L. Edwards
Notary Public for the State of Idaho

My commission expires 10/11/63

26381

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G-26381

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.

Ans. Elyda J. Kendall; age, 34; residence, Rupert, Idaho; occupation, farmer;
postoffice address, Rt. 5, Rupert, Idaho.

Ques. 2. Are you acquainted with William Kerbs, the
holder of Permit No. G-26381? How long have you known him and where does
he reside?

Ans. I have known him five years. He resides in Rupert at 514 S. D St.

Ques. 3. Have you read or heard read said Permit No. G-26381, 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 con-
veying water from point of diversion to place of use.

Ans. Water is from a well drilled to 260' in SW 1/4, Sec. 27. This is a 16" hole,
is cased part way and is equipped with a 200 hp pump. Private ditches convey
the water to the land.

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

Ans. 350". I have seen about this much so conveyed.

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

Ans. Pump will deliver at least 300" of water. I have had experience with wells
and irrigation and this is an estimate from my past experience.

D26381

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. This water is used for the irrigation of the W $\frac{1}{2}$ Section 27, T6S-R22E. There is 10 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$; 8 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$; 32 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$; 27 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$; 40 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$; 40 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$; 30 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$; 30 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$.

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

Ans. Irrigation only.

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

Ans. This is a combination silt loam and lava ash soil. He has assigned part of this water to Dell Asson and needs all the rest for this land.

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. I have driven by here every week at least and have witnessed the application to beneficial use of the water since the well was drilled in 1958.

(Signed)

Clyde J. Kendall

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 19 day of May, A. D. 19 61.

Harley M. McDaniel

Notary Public.

My commission expires 10/11/63.

826381

RECEIVED
MA 30 1961STATE OF IDAHO
DEPARTMENT OF RECLAMATION Department of Reclamation
BOISE, IDAHOPermit No. G-26381Proof 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.

Ans. Verna Kendall; age, 26; residence, Rupert, Idaho; occupation, housewife;
postoffice address, Rt. 5, Rupert, Idaho.Ques. 2. Are you acquainted with William Kerbs, the
holder of Permit No. G-26381? How long have you known him and where does
he reside?Ans. I have known him five years and know that he resides at 512 S. D. St.
Rupert, Idaho.Ques. 3. Have you read or heard read said Permit No. G-26381, 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 con-
veying water from point of diversion to place of use.Ans. The source of the water is a well drilled in SW1/4 Sec. 27. This well
is 260' deep and is equipped with a 200 hp motor. Private ditches carry the
water onto the land.Ques. 5. How many second feet of water do you estimate said works will safely con-
duct to place of use, and how much water have you seen being so conveyed?Ans. I would say the works will safely carry 350" of water. I have seen
about 300" so conveyed.Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons
per minute have you seen the pump deliver, and how did you measure or estimate the
amount?Ans. I estimate the pump delivers 300" of water. This is just an estimate.

J26381

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. This is all cultivated land and he has made all the improvements as a result of said use. He irrigates the following lands: SW $\frac{1}{4}$ SW $\frac{1}{4}$, 30 acres; SE $\frac{1}{4}$ SW $\frac{1}{4}$, 30 acres; NE $\frac{1}{4}$ SW $\frac{1}{4}$, 40 acres; NW $\frac{1}{4}$ SW $\frac{1}{4}$, 40 acres; SE $\frac{1}{4}$ NW $\frac{1}{4}$, 27 acres; SW $\frac{1}{4}$ NW $\frac{1}{4}$, 32 acres; NW $\frac{1}{4}$ NW $\frac{1}{4}$, 10 acres; NE $\frac{1}{4}$ NW $\frac{1}{4}$, 8 acres, Section 27, T6S-R22E, B.M., Idaho.

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

Ans. Only irrigation.

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

Ans. The soil is partly silt loam and partly lava ash. He needs all this water for profitable irrigation.

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. I have driven by this place frequently and have watched the development since the well was drilled in 1958.

(Signed)

Thomas Kinsell

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 19 day of May, A. D. 19 61.

Harley G. Gifford

Notary Public.

My commission expires 10/11/63

826381

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

April 12, 1961

Re: Permit No. G-26381
William Kerbs

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

Dear Mr. McDowell:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. G-26381, in the name of William Kerbs. Final Proof is to be made before you, as Notary on the 19th day of May, 1961, ~~1959~~, at 10:00 o'clock ~~A.M.~~, at 618 Idaho Bldg., Boise Idaho.

As of this date we have mailed the Notice to the Lincoln County Journal 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. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. ~~Rule~~ Edge
Chief Clerk

Encl.

EPR:Pk

cc: Applicant

826381

S T A T E O F I D A H O
D E P A R T M E N T O F R E C L A M A T I O N

Boise, Idaho

Re: Permit No. G-26381
William Kerbs

Date: April 12, 1961

Lincoln County Journal,
Shoshone, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to **May 19, 1961** the date set for proof; the expense of the publication is to be paid by the applicant

William Kerbs of **514 E. D St., Rupert, Idaho**
to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,


GEO. N. CARTER
State Reclamation Engineer

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

Encl.

826381

RECEIVED
APR 12 1961

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) April 7, 1961
(P. O.) Rupert, 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

Lincoln County Journal of Shoshone, Idaho published in
the county in which the works are situated.

William Kerbs
William Kerbs

(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.

D26381

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

Notice is hereby given that at 10 A M., on the 19th day of May
19 61, at Boise, County of Ada, State of Idaho,
before Harley M. McDowell, Notary Public, at (address) _____
618 Idaho Bldg., Boise, Idaho, proof will be submitted of the completion of
works for the diversion of 6.4 ☒ 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-26381, 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 E. D St., Rupert, Idaho.

2. Said works of diversion will be fully completed on the date set for such com-
pletion, and the amount of water which said works are capable of conveying to the
place of use is 6.4 cubic feet per second.

3. The use to which said water has been applied is irrigation
_____ purposes, and the amount applied to beneficial use is
6.4 cubic feet per second.

4. The point of diversion of said water is SW¹/₄, SW¹/₄, Sec. 27, T6S-R22E., B.M., Idaho

5. The place where said water is used is W¹/₂, Section 27, T6S-R22E., B.M., Idaho.

6. The date of priority which said user is prepared to establish is 6/14/56

826381

Geo. A. Carter
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G- 26381

Date: March 31, 1961

William Kerbs
210 2nd St.
Rupert, Idaho

Dear Mr. Kerbs:

The date for proofs of Completion of Works and Application of Water to Beneficial Use, as set out under the terms of Permit No. G-26381 are due not later than June 4, 1961.

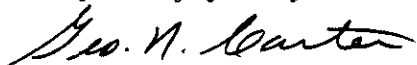
Before these proofs can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper within the county in which the land is located. In completing the Notice of proof for publication, the information should be taken 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 that 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 of, or points of diversion; and the location of use of 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 Form 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,



GEO. N. CARTER
State Reclamation Engineer

Enclosures Forms 36 - 11

26381

**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 19th day of May, 1961, at Boise, County of Ada, State of Idaho, before Harley M. McDowell, Notary Public at 618 Idaho Bldg., Boise, Idaho, proof will be submitted of the completion of works for the diversion of 6.4 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-26381, 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 E., D St., Rupert, 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 6.4 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 6.4 cubic feet per second.

4. The point of diversion of said water is SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 27, T. 6 S., R. 22 E., B. M., Idaho.

5. The place where said water is used is W $\frac{1}{2}$, Section 27, T. 6 S., R. 22 E., B. M., Idaho.

6. The date of priority which said user is prepared to establish it 6/4/56.

GEO. N. CARTER,
State Reclamation Engineer
(A20-M11)

AFFIDAVIT OF PUBLICATION

**LINCOLN COUNTY JOURNAL
SHOSHONE, IDAHO**

Helen Lane
being first duly sworn, says that ⁵he is the
Business Manager
of the Lincoln County Journal, a newspaper published weekly at Shoshone, Idaho, having legal publication rights within the State of Idaho, and that the notice, a true copy which is thereto attached, was

published in said newspaper for ⁴
consecutive weeks, beginning with the issue of
April 20, 1961
and ending with the issue of

May 11, 1961
Helen Lane

Subscribed and sworn to before me this
26 day of May, 1961

Harley M. McDowell
Notary Public, Shoshone, Idaho

G26381

From

Lincoln County Journal
Shoshone, Idaho

**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 19th day of May, 1961, at Boise, County of Ada, State of Idaho, before Harley M. McDowell, Notary Public at 618 Idaho Bldg., Boise, Idaho, proof will be submitted of the completion of works for the diversion of 6.4 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-26381, 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 E. D St., Rupert, 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 6.4 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 6.4 cubic feet per second.

4. The point of diversion of said water is SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 27, T. 6 S., R. 22 E., B. M., Idaho.

5. The place where said water is used is W $\frac{1}{2}$, Section 27, T. 6 S., R. 22 E., B. M., Idaho.

6. The date of priority which said user is prepared to establish is 6/4/56.

GEO. N. CARTER,
State Reclamation Engineer
(A20-M11)

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In the Matter of the Application of	)	
	)	
William Kerbs	)	
of	)	ORDER GRANTING TRANSFER
514 East D Street	)	
Rupert, Idaho	)	NO. 1053
	)	
For a Transfer of Water Right in	)	
the County of Lincoln, State of	)	
Idaho	)	

WHEREAS, On the 26th day of August, 1965, at the Department of Reclamation of the State of Idaho, at Boise, Idaho, this matter of the application of William Kerbs of 514 East D Street, Rupert, Idaho, for a transfer of water right came on regularly for hearing, pursuant to the published notice in due and statutory form, and,

WHEREAS, No protest has been filed against the application, and the evidence filed by the applicant with the application shows that the water will be put to a higher and more efficient beneficial use and no one will be injured thereby.

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

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho, this 27th day of August, 1965.

CARL E. TAPPAN
State Reclamation Engineer
By

(SEAL)

s/ RALPH W. THOMAS

RALPH W. THOMAS, Deputy
State Reclamation Engineer

T-1053

1965 AUG 27

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

CERTIFICATE OF WATER RIGHT
TRANSFERRED RIGHT NO. 1053

THIS IS TO CERTIFY, That William Kerbs of 514 East D Street, Rupert, Idaho, is the owner of and using a certain water right of 5.78 cubic feet per second of the waters of subterranean source, said water being obtained by virtue of License No. G-26581, issued by the State of Idaho, Department of Reclamation, dated September 26, 1962, bearing priority date of June 4, 1956, for the purpose of irrigating the following described lands situate, lying and being in the County of Lincoln, State of Idaho, to-wit:

W $\frac{1}{2}$, Section 27; NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$,
Section 34, Township 6 South,
Range 22 E. B. M.,

That said license has been entered in the records of the Department of Reclamation of the State of Idaho, in Volume 12, Page 7459 thereof;

And that William Kerbs has become the owner of said right by appropriation;

And that now, upon the application of William Kerbs for the transfer of 5.78 cubic feet per second, made before the State Reclamation Engineer of the State of Idaho, and said application having been granted, the right to the use of 5.78 cubic feet per second of the waters of subterranean source by well upon the above described lands is hereby abandoned, and the place of use of said water under such right is HEREBY CONFIRMED, shall by this certificate become appurtenant for irrigation purposes, is described as follows, to-wit:

SW $\frac{1}{4}$, Section 27; NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$,
Lots 1 and 2, Section 34,
Township 6 South, Range 22 E.B.M.,

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

5.78 cubic feet per second of the
waters of subterranean source with
priority of June 4, 1956;

And that the water right hereby transferred has heretofore been conducted from subterranean source with point of diversion in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 27; Township 6 South, Range 22 E. B. M., and delivered through private ditches;

T-1053
36-2302

That the water right hereby transferred will hereafter be conducted to the last above described lands from subterranean source by well with no change in point of diversion;

That the right to the use of the water aforesaid, hereby described, is restricted to the lands or place of use last above described as provided by the laws of the State of Idaho;

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 27th day of August, 1965.

CARL E. TAPPAN
State Reclamation Engineer
By

(SEAL)

s/

RALPH W. THOMAS

RALPH W. THOMAS, Deputy
State Reclamation Engineer

T 1003
10-0310

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Land Office
P. O. Box 2237
Boise, Idaho

Idaho 07261

RECEIVED
DEC 15 1958

Department of Reclamation

William Kerbs

210 Second St.

Rupert, Idaho

Your Desert Land Entry, Serial No. Idaho 07261,

Receipt No. 375056, for W.

_____, Section 27

Township 6 S., Range 22 E., Boise Meridian, Idaho,

containing 320 acres, has this day been allowed, subject to any valid existing rights, and your further compliance with laws and regulations applicable thereto. In correspondence relating to this entry, always refer to the serial number.

Sincerely yours,

Donald I. Bailey
Manager

cc: DM, 1-5

L

State Recl. Engr., Boise

R.M.

826381

June 13, 1956

RE: Permits Nos. G-26361, G-26362, G-26371 and G-26381

Mr. Harley M. McDowell
519 Idaho Building
Boise, Idaho

Dear Mr. McDowell:

We enclose the following Permits together with departmental receipts for the filing fee and the fee for the two extra copies of each of these Permits, one certified, and direct attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer:

Permit No. G-26361 of Frank Howard Davis
Departmental receipt No. G-1902 for \$8.50, which includes \$6.50 filing fee and \$2.00 for the extra copies.

Permit No. G-26362 of Guy W. Shillington
Departmental receipt No. G-1901 for the \$7.75 fee, which includes \$5.75 filing fee and \$2.00 for the extra copies.

Permit No. G-26371 of Marjorie W. Marshall
Departmental receipt No. G-1903 for the \$8.50 fees, which includes \$6.50 filing fee and \$2.00 for the extra copies.

Permit No. G-26381 of William Kerbs
Departmental receipt No. G-1916 for the \$8.50 fees, which includes \$6.50 filing fee and \$2.00 for the extra copies.

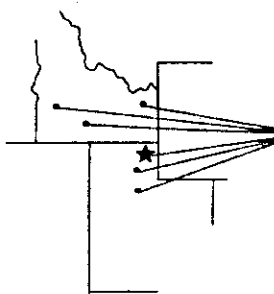
Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

Rshll
Enc.

26381



UTAH MORTGAGE LOAN CORPORATION

Twin Falls, Idaho, Office: 233 Shoshone Street North
Mortgage Bankers Since 1892

In Reply, Refer to No.
William Kerbs
41-49759

P.O. Box No. 385
Phone: 733-7680

RECEIVED
NOV 3 1966

Department of Reclamation

November 2, 1966
"Our 74th Year"

Idaho State Department
Department of Reclamation
State House
Boise, Idaho

Gentlemen:

This is to inform you that we hold a mortgage on the following described real estate in the name of Mr. William Kerbs. This mortgage was made in 1963.

Please do not allow any transfer of water, assignment of water or sale of water off of the land described below as part of our mortgage includes the water from the irrigation wells on said lands:

Township 6 South, Range 22 East:

Section 27: SW 1/4

Section 34: NE 1/4, NW 1/4, Lot 1 & 2

The mortgage was actually made in the name of our investor, The Connecticut Mutual Life Insurance Company, Hartford, Connecticut and we serve as their Mortgage-Bankers in this area.

Any questions that may arise on the water rights, should be directed to Utah Mortgage Loan Corporation, Box 488, Logan, Utah or our Twin Falls office.

Sincerely,

David R. Head
Asst. Vice President and Manager

DRM:cmc
CC: Cecil Kenner

Mortgage Loans
Insurance
Real Estate Sales
Land Development



T-1053
36-2302

August 31, 1965

Re: Transfer of Water Right No. 1053
William Korte

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

Dear Mr. McDowell:

We enclose Order Granting Transfer and Certificate of Transfer of Water Right No. 1053, together with Departmental Receipt No. G-9585, which was issued in the amount of \$1.00 covering the recording fee in connection with the captioned matter.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

ROBERT W. HAMILTON
Supervisor of Water Distribution

Encl. - Certificate No. 1053
Receipt

RWH:pmk

cc: William Korte
514 East D St.,
Bupert, Idaho

T-1053
36-2302

Application For Transfer of Water Right

STATE OF IDAHO

County of Lincoln

ss.

Deposited

William Kerbs

, being first duly sworn, deposes and says:

That his name is William Kerbs; that he is of lawful age, a citizen of the United States and of the State of Idaho, and that his postoffice address is 514 East D Street, Rupert, Idaho

That he is the owner and using a certain water right, bearing date of priority of June 4, 1956, for 5.78 cubic feet per second of the waters of a well

County of Lincoln, State of Idaho, decreed to ---

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

vs. ---, said decree bearing date of --- (or obtained by virtue of License No. G-26381, issued by the State Department of Reclamation of the State of Idaho, dated Sept. 26, 1962, bearing date of June 4, 1956)

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

W $\frac{1}{2}$, Sec. 27; NE $\frac{1}{2}$, N $\frac{1}{2}$ SE $\frac{1}{2}$, Sec. 34, T6S-R22E, B.M.

--- and is the person (or representative of the corporation) to whom such right so issued, or has become the owner thereof in the following manner, i.e. being the original applicant on water permit issued for drilling this well, as per abstract of title of said water right hereto attached and made a part of this statement;

That said waters are now diverted from said stream in the --- SW SW of Section 47, Township 6E, Range 22E, B. M., and conducted to the above described lands through private ditches, as per map herewith and of this affidavit made a part.

CHANGE IN PLACE OF USE

That affiant and petitioner desires to abandon the use of 5.78 cubic feet per second of said water upon the above described land, and to convey and use same upon the following tract, situate, lying and being in the County of Lincoln and State of Idaho, to-wit:

SW $\frac{1}{2}$, Sec. 27; NE $\frac{1}{2}$, N $\frac{1}{2}$ SE $\frac{1}{2}$, Lots 1, 2, Sec. 34, T6S-R22E, B.M.

That reasons for desiring to make such transfer are as follows: The NW $\frac{1}{2}$, Sec. 27 is vacant Federal land and not being irrigated. Also, Lots 1, 2, Sec. 34 are being irrigated with water from the above mentioned well but have no water right on them.

T-1053

76-2307

That he intends to divert and convey said 5.78 second feet of water to the tract of land last above described in the following manner and as per map accompanying this application:

Through private ditches.

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

CHANGE IN POINT OF DIVERSION

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

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

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

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

X William Kerbs
William Kerbs Applicant.

Subscribed and sworn to before me this 30 day of July, 1965

John J. Balch
Notary Public.

APPLICANT WILL ANSWER THE FOLLOWING QUESTIONS:

From what stream is the water diverted? ---

Where is the diversion point located? Drilled well in the SW1/4SW1/4, Sec. 27, T6S-R22E, B.M.

Through what ditch is it now conducted? private ditch

How much land is now irrigated by the water sought to be transferred? 400 ac.

Give the description: T6S-R22E, B.M., SW1/4, Sec. 27; NE1/4, N1/2SE1/4, Sec. 34.

What is the total amount of water in inches, or second feet, dedicated to said land? 289"

What kind of crops are being raised? Grain & Potatoes

How much water per acre is now required to irrigate said land? 5/8"

What will be the effect on the land now irrigated, if the use of water on it is discontinued? None. I

just want to get the water right transferred off the land belonging to the Federal Government, that at one time I had under application for desert entry but which I relinquished.

Give location of new point of diversion, if change is to be made. No change.

Through what ditch will it be conducted after transfer? Same as now.

How much water will be required per acre to irrigate the land to which this water is transferred? 5/8"

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

If so, give amount, date and source. No.

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

date and source. Surface water permit 32170 for 6.4 cfs, priority 1/13/65, source, waste water, However no more than 1" per acre will be used on this land.

PREPARED BY
IDAHO LAND & APPRAISAL SERVICE
BOX 2161, BOISE, IDAHO 83721
PLEASE NOTIFY OF ANY CHANGES
OR IF FURTHER INFORMATION IS NEEDED

Signed X William Kerbs
William Kerbs Applicant.

STATE OF IDAHO,
County of } ss.

I, , Watermaster of

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

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

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

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

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

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

transfer prayed for) for the following reasons:

Watermaster, District No.

Dated at , Idaho, this day of , 19

T-1053
36-2302

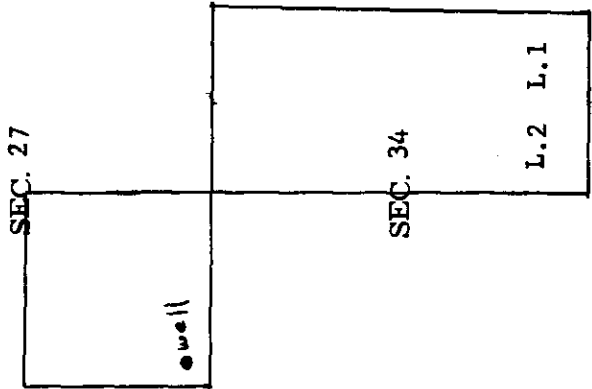
Name of Applicant. William Kerbs

Township 6 South - Range 22 East, B.M.

SEC. SEC. SEC. SEC. SEC.

SEC. SEC. SEC. SEC. SEC.

SEC. SEC. SEC. SEC. SEC.



Notice of Proposed Transfer of Water Right

Notice is hereby given that William Kerbs of Rupert, Idaho, has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing him to change the place of use of the waters of subterranean source as follows: Amount: 5.78 cubic feet per second. Priority: June 4, 1956. Point of diversion: SW 1/4 SW 1/4, Section 27, Township 6 S., Range

22 E., B.M. Place of Use: W 1/2, Sec. 27; NE 1/4, N 1/2 SE 1/4, SEC. 34, Twp. 6 S., Rge. 22 E.B.M.

To Be Transferred To

Place of Use: SW 1/4, Sec. 27; NE 1/4, N 1/2 SE 1/4, Lots 1 & 2, Sec. 34, Twp. 6 S., Rge. 22 E.B.M.

And that on the 26th day of August, 1965, at 2:00 o'clock P.M. at Room 107 Statehouse, Boise, Idaho, before the State Reclamation Engineer, or his authorized agent, the opportunity will be given to any and all persons to appear and present, for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.

CARL E. TAPPAN

State Reclamation Engineer
At12-19

AFFIDAVIT OF PUBLICATION

LINCOLN COUNTY JOURNAL SHOSHONE, IDAHO

John H. George,
being first duly sworn, says that he is the

Publisher of
the Lincoln County Journal, a newspaper published weekly at Shoshone, Idaho, having legal publication rights within the State of Idaho, and that the notice, a true copy of which is hereto attached, was

published in said newspaper for 2
consecutive weeks, beginning with the issue of

Aug. 12, 1965
and ending with the issue of

Aug. 19, 1965
John H. George

Subscribed and sworn to before me this

20th day of August, 1965
E. W. Miller
Notary Public, Shoshone, Idaho

T-1053
36-2300

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

August 4, 1965

Re: Transfer of Water Right
William Kerbs

Lincoln County Journal,
Shoshone, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for two consecutive weeks prior to **August 26, 1965** the date set for hearing; the expense of the publication is to be paid by the applicant **William Kerbs** of **Boise, Idaho** to whom you should furnish proof of publication on or prior to the date set for hearing.

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

Very truly yours,

CARL E. TAPPAN

State Reclamation Engineer
By

ROBERT W. HAMILTON

Supervisor of Water Distribution

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

Encl.

T-1053
36-2302

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that William Kerbs of Boise, Idaho has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing him to change the ~~point of diversion~~ ~~and~~ place of use of the waters of subterranean source as follows:
Amount: 5.78 cubic feet per second. Priority: June 4, 1956
Point of diversion: SW 1/4, Section 27, Township 6 S., Range 22 E., B.M.
Place of Use: W1/2, Sec. 27; NW1/4, NE1/4, Sec. 34, Twp. 6 S., Rge. 22 E.B.M.

To Be Transferred To

~~Point of Diversion: NW 1/4, Section 27, Township 6 S., Range 22 E., B.M.~~
Place of Use: SW1/4, Sec. 27; NW1/4, NE1/4, Lots 1 & 2, Sec. 34, Twp. 6 S., Rge. 22 E.B.M.

And that on the 26th day of August, 1965, at 2:00 o'clock P. M.
at Room 107 Statehouse, Boise, Idaho, before the State Reclamation Engineer,
or his authorized agent, the opportunity will be given to any and all persons to
appear and present, for his consideration any reason or reasons why a certificate
should not be issued authorizing such transfer.

CARL E. TAPPAN
State Reclamation Engineer

T-1053
36-2302

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that William Kerbs of
Reper, Idaho has applied to the State Reclamation Engineer of the
State of Idaho for a certificate authorizing him to change the ~~point of diversion~~
~~and/or~~ place of use of the waters of Subterranean Source as follows:
Amount: 5.78 cubic feet per second. Priority: June 4, 1956
Point of diversion: SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 27, Township 6S Range 22E, B.M.
Place of Use: W², -27, NE⁴, N²SE⁴, Sec. 34, T.6S, R.22E B.M.

To Be Transferred To

No Change
Point of Diversion: $\frac{1}{4}$ $\frac{1}{4}$, Section , Township , Range , B.M.
Place of Use: SW⁴, -27, NE⁴, N²SE⁴, Lots 142, Sec 34, T.6S, R.22E, S.M.

And that on the 26th day of August, 1965, at 2:00 o'clock P. M.
at Room 107 Statehouse Boise Idaho, before the State Reclamation Engineer,
or his authorized agent, the opportunity will be given to any and all persons to
appear and present, for his consideration any reason or reasons why a certificate
should not be issued authorizing such transfer.

State Reclamation Engineer

T-1053
36-2302