

32
8/16

1/4 Mi. 10" steel

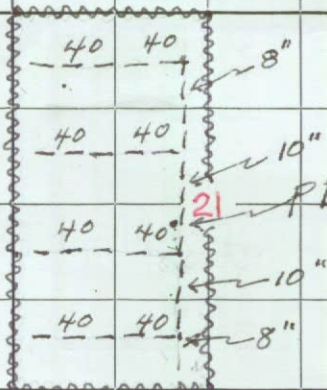
256
89mm

5840' 8" steel.
7000' 6" steel
680' 6" oil pipe.
2 mi 3" " lateral
256 nozzles $\frac{13}{64} \times \frac{1}{8}$
 $\frac{3}{16} \times \frac{1}{32}$

2048
12
13/68

R-25E.

T.
7
S.



440' 56 ft
440' 0" ft

16 - 1/8 Mi. laterals.

28

$T = 55^\circ F$
allow 213 inches.

33

for Beneficial
2000'

Subdivisions = 8

Area = 320 acres.

$Q = 213$ inches.

checked with Hanks again
on May 2-57. E.H.H.

Everything the same.

TO MINIDOKA

RECEIVED
MAR 1 2 1957

Department of Reclamation

The Minidoka County News

RUPERT, IDAHO

AFFIDAVIT OF PUBLICATION

County of Minidoka, {
STATE OF IDAHO, { ss.

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

for FOUR (4) consecutive weeks, commencing
with the issue dated FEB. 1, 1957, and
ending with the issue dated FEB. 22, 1957

Larry H. Robinson
Subscribed and sworn to before me this

9th day of March, 1957

Robert F. Balch Notary Public

Cost of Publication

Notary Fee

Total Cost

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at
10 A. M. on the 5th day of March,
1957, at Rupert, County of Mini-
doka, State of Idaho, before
Floyd Fruit, Notary Public,
proof will be submitted of the ap-
plication to beneficial use of 5
cubic feet per second of the wa-
ters of subterranean source in
accordance with the terms and
conditions of Permit No. 20328
heretofore issued by the Depart-
ment of Reclamation of the State
of Idaho.

The name and postoffice ad-
dress of the person or corpora-
tion holding said permit are
Richard A. Hanks and Howard
A. Hanks, Box 62, Minidoka, Ida-
ho.

The use to which said water
has been applied is Irrigation.

The amount applied to benefi-
cial use is 5 cubic feet per sec-
ond.

The place where said water is
used (if for irrigation, give full
and accurate description of the
lands irrigated): West One Half
(W $\frac{1}{2}$) of Section Twenty-one (21),
Township Seven (7) South,
Range Twenty-five (25) E.B.M.

The name of the canal or ditch
or other works by which said
water is conducted to such place
of use is well, pump and sprink-
ler system.

The right to take water from
such works is based upon Per-
mit No. 20328.

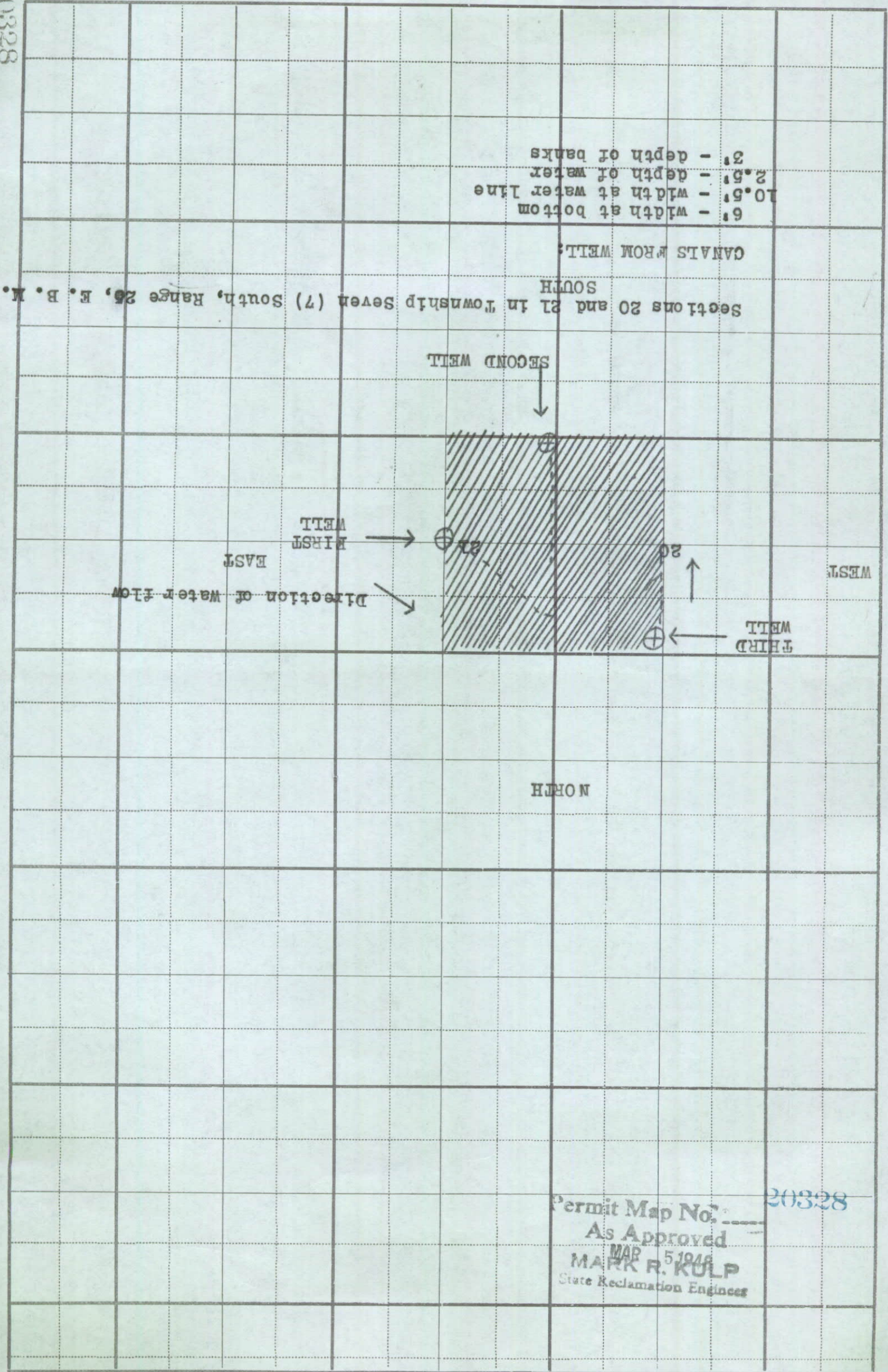
The source of supply from
which such water is diverted is
in NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21, Twp. 7
S., Rge. 25 E.

The date of priority which said
user is prepared to establish is
March 1, 1948.

MARK R. KULP,
State Reclamation Engineer
No. 910 Feb. 1-Feb. 22

20328

20328



State of Idaho

License and Certificate of Water Right

Water License No. 20328

Amount 4.26 c.f.s.

Water District No.

Priority March 1, 1948

THIS IS TO CERTIFY that Montgomery Brothers - (RICHARD A. HANKS and HOWARD A. HANKS Assignees of fifty per cent of permit of Rupert, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated March 1, 1948; that Permit No. 20328 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 5.0 second feet, was issued thereunder on August 24, 1953, showing that said works were completed on the 27th day of April, 1953; and that on the 5th day of March, 1957, RICHARD A. and HOWARD A. HANKS

of Minidoka, 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, tributary of subterranean flow, for the purpose of Irrigation and domestic use, under Use Permit No. 20328 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 5998, on the 20th day of May, 1957;

The right hereby confirmed dates from March 1, 1948;

The Point of Diversion is located

in the NE 1/4, Sec. 21, T. 2 S., R. 25 E., B. M. Minidoka 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 4.26 cubic feet per second.

Description and location of use:

Typ.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
73	25 E	21	NE 1/4	40	40
			SE 1/4	40	40
			SW 1/4	40	40
			SW 1/4	40	40
			SE 1/4	40	40
			SW 1/4	40	40
			SW 1/4	40	40
			SE 1/4	40	40
Total number of acres irrigated ---				320	320

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 20th day of May, 1957.

/s/ MARK R. KULP

State Reclamation Engineer.

(SEAL)

36 2071

N^o 20328
36-2071
unassigned portion
42-311

APPLICATION FOR PERMIT
To Appropriate the Public Waters of the State of Idaho

Application No. 27944
Permit No. 20328
District No.

CANCELLED pursuant to sec. 41-811
Idaho Code Annotated, by order of
State Reclamation Engineer
dated NOV 17 1953

1. Name of Applicant: Arlo, LaVern and Billy Montgomery, a partnership, doing business under the name
and style of Montgomery Brothers

Postoffice address: Rupert

County Minidoka

State: Idaho

I. If applicant is a corporation, give:

- (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: \$20,000.00
(b) Treasury stock:
(c) Bonds to be issued:
(d) Other resources: Real property-\$50,000.00 Personal property-\$100,000.00

Assigned to

2. Quantity of water claimed: Ten (10) cubic feet per second.
3. Source of water supply: Subterranean (three wells) which is a tributary of
4. Location of point of diversion: See Remarks feet distant from the
corner of Section , T. , R. , B.M., and is in the
of Section 20 & 21 T. 7 S. , R. 25 E. , B. M., County of Minidoka

5. Water is to be used for Irrigation

6. If for mining, milling, power or manufacturing purposes, give:

- (a) Point of use of water: feet distant from corner of Section
T. , R. , B. M., in the of Section , T. , R. , B. M.
(b) Amount of power generated: H.P., under feet head.
(c) Water is to be returned to at a point feet
distant from the corner of Section , T. , R. , B. M., in the
of Section , T. , R. , B. M.

7. Estimated cost of works: \$ 10,000.00

8. Kind of works: Wells- 14" to depth of 400'- sufficient number to furnish Ten (10) second feet
of water to area designated on map.

9. Height of dam feet; length of dam at top feet; length of dam at bottom
feet; material used in dam:

10. Size of headgate: Width Est. 21" feet; height Est. 21" feet;
11. Ditch: Width at bottom 6 feet; width at water line 10.5 feet; depth of water 2.5 feet;
dimensions of flume: None
Diameter of pipe None inches; length of conduit Three miles.
Average grade per mile Eight feet.

12. The time required for the completion of such work is Five (5) years.

13. The time required for the complete application of the water to the proposed use is Four (4) additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

- 14-A. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None

15. (a) Is reservoir to be used? No If so, fill in (b) and (c) below.
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

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

MONTGOMERY BROTHERS. .. Applicant.

By LaVern Montgomery Agent.

Date of first receipt at Department of Reclamation: 10:30 A. M. March 1, 1948

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 20328

Recorded in Book 73 Page 20328 Approved March 5, 1948

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 May 5, 1948 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before September 5, 1950

The whole of said work to be completed on or before March 5, 1953

Beneficial use of water appropriated in accordance herewith, to be made on or before March 5, 1957

Witness my hand this 5th day of March, 1948

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ...L. A. ROBINS....., Governor of the State of Idaho,
and J. D. "CY" PRICE....., 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.....5th.....
day of March....., 19..48..

STATE OF IDAHO

Countersigned:

(SEAL) By J. D. "CY" PRICE Secretary of State.

By C. A. ROBINS Governor.

14. Remarks: Wells are to be drilled in order indicated on map.

Well No. 1-	Located in	SE $\frac{1}{4}$	NW $\frac{1}{4}$	Section 21,	Twp. 7 S.,	Range 25 E.,	B.M.
Well No. 2-	"	"	SW $\frac{1}{4}$	"	21	"	"
Well No. 3-	"	"	NW $\frac{1}{4}$	NE $\frac{1}{4}$	"	20	2

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	
7 S.	25 E.	21	-	-	-	-	40	40	40	40	40	40	40	40	40	40	40	320	
		20	40	40	40	40												320	
Total Number of Acres to be Irrigated - -																		640	
ASSIGNMENT																			
FOR VALUE RECEIVED, the undersigned hereby assigns all right, title and interest in and to fifty per cent permit to appropriate the public waters of the State of Idaho No. 20328 as it pertains to the West Half of Section ship 7 South, Range 25, E.B.M., to Richard A. Hanks and Howard A. Hanks of Burley, Idaho.																			
Dated this 18th day of March, 1952.																			
STATE OF IDAHO			)																MONTGOMERY BROTHERS, A Co
			) ss																by LAVERN MONTGOMERY
County of Minidoka			)																General Partner
On this 29th day of March, 1952, personally appeared before me, the undersigned, a notary public in and for Lavern Montgomery, known to me to be one of the partners of Montgomery Brothers, a co-partnership, and being the person subscribed his name to said instrument and duly acknowledged to me that he executed the same on behalf of said co-partnership.																			
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the date and year in this certificate above written.																			
(SEAL)																			
Received and filed for record in the Department of Reclamation at Boise, Idaho, June 18, 1952.																			
MARK R. KULP																			
State Reclamation Engineer																			
LAWRENCE H. DUFFIN																			
Notary Public																			
Residing at Rupert, Idaho																			

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, NO. 20328

Comes now Howard A. Hanks 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. 20328.

That the point of diversion is described in said permit as being located in the SE corner of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 21, T. 7 S. R. 25 E.B.M.

That he now requests that the point of diversion be changed to a point 500 feet south and 400 feet west of the above-described point of diversion, which will leave the well located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 21, T. 7 S., R. 25 E.B.M.

That his reasons for desiring to make such change are as follows: Well is now located on the highest elevation on this land, enabling permit-holder to make better and more efficient use of his sprinkler system.

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

Signed at Rupert, Idaho this day of 1953.

Howard A. Hanks

Date of receipt at Department of Reclamation June 2, 1953.

APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark R. Kulp, 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. 20328. 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.

MARK R. KULP
State Reclamation Engineer

Permit No. 20328

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that Richard A. Hanks & Howard A. Hanks of Burley, County of Cassia, and State of Idaho the holders of an assigned portion of Permit No. 20328, issued upon Application No. 27944 bearing date of priority of March 1, 1948, authorizing the diversion of five (5) second feet of the waters of a well (subterranean flow) County of Minidoka, State of Idaho, for irrigation purposes, have 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 Five (5) second feet of the waters of said well; that the point of diversion of said waters is in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 21, Township 7 South, Range 25 East, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: West Half of Section 21, Township 7 South, Range 25 East, B.M.

Witness my hand this 24th day of August, A.D. 1953.

MARK R. KULP
State Reclamation Engineer

Proof of Completion of Works made April 27, 1953
Certificate of Completion of Works issued August 24, 1953

LICENSE ISSUED FOR 4.26 SEC. FT.

Page 5998

March 23, 1964

Re: Licenses No. G-24344; 20328

Lawrence H. Duffin
Attorney at Law
Box 61
Rupert, Idaho

Dear Mr. Duffin:

License No. G-24344 was issued to A. L. Hanks for 2.66 c.f.s., priority August 22, 1953, from well in NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 20, to irrigate SE $\frac{1}{4}$, Sec. 20, T. 7 S., R. 25 E.

License No. 20328 was issued to Richard A. and Howard A. Hanks, for 4.26 c.f.s., priority March 1, 1948, from well in NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21, to irrigate W $\frac{1}{2}$, Sec. 21, T. 7 S., R. 25 E.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

20328

May 20, 1957

Re: Permit No. 20328

Messrs. Richard A. and Howard A. Hanks
P. O. Box 62
Minidoka, Idaho

Gentlemen:

Enclosed is License and Certificate of Water Right issued under Permit No. 20328 confirming the right with a priority of March 1, 1948, to your use of 4.26 second feet of the water from subterranean flow with the point of diversion at a well located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21, Township 7 South, Range 25 East B.M., irrigation of the W $\frac{1}{2}$ of Section 21.

Also enclosed is departmental receipt No. 28606 for \$16.00 issued as receipt of payment of the License fee.

Very truly yours,

MARK R. KUIP
State Reclamation Engineer
By

Chief Clerk

EPR:nls
Enc:

20328

The Hanks boys want to
go ahead and bring this to
License right away.

They said to send all forms
and instructions for furnishing
to L. Steffen re. this.

20328

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 20328 (Part)

REPORT ON PROOF OF Completion of works

HOWARD A. and RICHARD A. HANKS, Route 2, Burley, Idaho

app. 5615
Sub. 8
avc - 320

5 of 5
smck

B. H. = 4.26-45
E. H. H. 7417-57

32
32

1/4 Mi. 10" steel

256

89mm

2.00

5340' 8" steel.

7000' 6" steel

670' 6" oil pipe.

2 mi. 3" " lateral

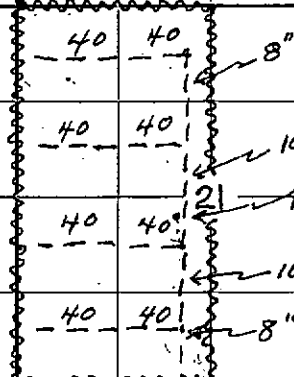
256 nozzles $\frac{1}{64} \times \frac{1}{8}$

$\frac{3}{16} \times \frac{1}{32}$

9) 2048
12
1780

R-25E.

T.
7
S.



PD = 440' 5 1/2 ft
440' 0" 0"

16 - 1/8 Mi. laterals.

28

$r = 55'$
allow 213 inches.

33

for the purpose of
2000

Subdivisions = 8

TO MINIDOKA

Area = 320 acres.

Q = 213 inches.

checked with Hanks again
on May 2-57. E.H.H.

Everything the same.

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

Permit No. 20328 (Part)

This proof is for Completion of works In Water District No. _____

1. Name of applicant Howard A. & Richard A. Hanks, Route 2, Burley, Idaho

2. Source of water supply: Subterranean from a well

3. Location of point of diversion: Is in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21

T. 7 S. R. 25 E. County of Minidoka

4. Describe works as they exist, giving dimensions and capacities of same: well = 20" x 328' csd 17
No drawdown. Lift = 258' 200 h.p. U.S. Motor. Worthington Pump
60 h.p. U.S. horizontal booster motor.
256 Nozzles $\frac{3}{16}$ " x $\frac{3}{32}$ "

Pressures were checked 32 lbs. to 34 lbs. at sprinkler head.
Three Nozzles were checked for output.

5. Water is used for: Irrigation and domestic use

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

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

West Half Section 21, Township 7 South, Range 25 East, B. M.

See Map

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

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

Remarks: This is the first established home under the new development in the Minidoka
project that I have seen. These boys are combining the home and enterprise.

This examination was made on the 24th day of June, 1953.

(Signed) E. M. Humphrey Examiner.

$3\frac{1}{16} \times \frac{3}{32} \left\{ \begin{array}{l} 3 \text{ min } 32 \text{ sec} = 5 \text{ gal.} \\ 51 \text{ " } = 5 \text{ gal.} \end{array} \right.$
 29 #
 3 min 14 sec = 5 gal
 50 sec = 5 gal
~~3 min 22 sec~~
~~53 "~~
 3 min 17 sec = 5 gal
 50 sec = 5 gal
~~3 min 22 sec~~
~~53 "~~
 3 min 17 sec = 5 gal
 50 sec = 5 gal
 3 32
 3 14
 3 17
 9 63
 3 21
 180
 21
 201 sec = 5 gal. = .0249 gal sec.
 .1 " "
 .1249 x 60 = 7.494 gpm.
 213 inches = allow.

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 17 1957
 Department of Reclamation

20328

Howard A. & Richard A. Hanks
 Rt. 2, Burley, Idaho
 Permit No. 20328 (Part)

Lawrence H. Shiffin is handling
 Examination for Completion of works

County Minidoka

S21 - 75 - 25E

Q = 10.0 c.f.s. T = 55° F

S = Well

P.D. = NE. SW. Sec. 21, T. 7 S. - R. 25 E.

Use: Irrigation

Sprinkler

Montgomery Base filing

Send papers for B/U.

Priority = March 1, 1948
 Date = March 5, 1957

20' x 328' ccd 17'
 H = 258' no drawdown.
 bowls down 277'
 14" bowls 5 stage
 12" x 270' column
 well house - concrete blocks
 14' x 20' x 8' h. wood roof
 Concrete base for pump 5' x 5'
 Worthington vert. turb.
 Size 14 Type Q H E 4
 Serial T 133 2040
 200 hp. U.S. 440V. 2400.
 1800 rpm. # 729288
 U.S. Motor 440V. 60 hp.
 78.5 g. 1800 rpm
 horizontal booster pump
 on concrete base. # 85157
 Bulldog switch
 Clark controller
 Sq. V. safety switch

May 8, 1957

Re. Permit 20328

Richard A. & Howard A. Hanks
P.O. Box 62, Minidoka, Idaho

Gentlemen:

Upon return to the office I checked and find that you were issued a certificate of Completion of Works for an amount of 5 cfs.

It is customary in amounts of less than 6.4 cfs to issue the Completion of Works certificate for the amount claimed on the affidavits and then to check the amounts at the time inspection is made for Beneficial Use Proofs. Thus even though a full and complete inspection had been made, no notice was taken of it.

In explanation will say that the inspection was made because the original amount of the permit was for 10 cfs which is an amount so large that inspection is required for both Completion of Works and Beneficial Use. Then when you stated only 5 cfs in your Completion of Works Proof that dropped the amount low enough that inspection was not required for the Completion of Works Certificate.

In as much as the inspection was complete and accurate there is no reason why it cannot be used for the Beneficial Use Proofs inspection.

At that time you were using 213 inches by sprinkler system which is all the water that was being put to beneficial use. It is also more water than many operators with the same size sprinkler system is using and has been licensed for. This is an amount of approximately .67 of an inch per acre right to the crops thru pipe line; which is an amount greater than the crop can use.

Upon payment of the customary fee prescribed by law, or \$2.00 per each forty which amounts to \$16.00, a license will be issued for that amount of water for use on the West half of Section 21, Twp. 7 S., R. 25 E.B.M. with point of diversion in the NE 1/4 SW 1/4 of S.21.

Yours truly,

Mark R. Kulp
State Reclamation Engineer
by

E. N. Humphrey, Deputy



ROBERT E. SMYLLIE
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

May 8, 1957

Approved 5/16/57

RECEIVED
MAY 16 1957
Department of Reclamation

Re. Permit 20328

Richard A. & Howard A. Hanks
P.O. Box 62, Minidoka, Idaho

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In as much as the inspection was complete and accurate there is no reason why it cannot be used for the Beneficial Use Proofs inspection.

At that time you were using 213 inches by sprinkler system which is all the water that was being put to beneficial use. It is also more water than many operators with the same size sprinkler system is using and has been licensed for. This is an amount of approximately .67 of an inch per acre right to the crops thru pipe line, which is an amount greater than the crop can use.

Upon payment of the customary fee prescribed by law, or \$2.00 per each forty which amounts to \$16.00, a license will be issued for that amount of water for use on the West half of Section 21, Twp. 7 S., R. 25 E.B.M. with point of diversion in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of S.21.

Yours truly,

Mark R. Kulp
State Reclamation Engineer
by

E. N. Humphrey
E. N. Humphrey, Deputy

20328

April 26, 1957

Re. 20328

Richard A. and Howard A. Hanks
Box 62, Minidoka, Idaho

Gentlemen:

I intend to call on you at your farm on Thursday or
Friday May 2nd or May 3rd to make inspection in con-
nection with your permit which is ready to be licensed.

Please be prepared to accompany me on the inspection.

Yours truly,

Mark R. Kulp
State Reclamation Engineer
By

Elmer N. Humphrey, Deputy

20328

March 18, 1957

RE: Permit No. 20328

Messrs. Richard A. and Howard A. Hanks
P. O. Box 62, Minidoka, Idaho

Dear Sirs:

We acknowledge receipt of the depositions of yourself and two witnesses and also affidavit of publication in The Minidoka County News, all submitted in proof of beneficial use on Permit No. 20328.

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,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR

20328

aff

ESTABLISHED 1913

A. C. DeMARY

F. J. FRUIT

R. L. BALCH

ABSTRACTS

LOANS

INSURANCE

RUPERT ABSTRACT COMPANY

TITLE INSURANCE

*Member of the American Title Association
and Idaho Title Association*

RUPERT, IDAHO March 11th 1957

RE: Permit No. 2D328

RECEIVED
MAR 12 1957

Department of Reclamation

Mark R. Kulp
State Reclamation Engineer
State Capitol
Boise, Idaho

Sir:

I am now able to transmit the following papers
in connection with the Proof of Beneficial Use on
Permit No. 20328, to-wit:

Deposition of Holder
Deposition of Two Witnesses
Affidavit of Publication

Yours very truly



Floyd J. Fruit
Rupert, Idaho

20328

RECORDED
MAR 12 1957

Department of Reclamation
The Minidoka County News
RUPERT, IDAHO

AFFIDAVIT OF PUBLICATION

County of Minidoka, {
STATE OF IDAHO, { ss.

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

for FOUR (4) consecutive weeks, commencing
with the issue dated FEB. 1, 1957, and
ending with the issue dated FEB. 22, 1957

Larry H. Robinson
Subscribed and sworn to before me this

9th day of March, 1957

Robert F. Balch Notary Public

Cost of Publication

Notary Fee

Total Cost

NOTICE OF PROOF
APPLICATION OF WATER TO
BENEFICIAL USE

Notice is hereby given that at
10 A. M. on the 5th day of March,
1957, at Rupert, County of Mini-
doka, State of Idaho, before
Floyd Fruit, Notary Public,
proof will be submitted of the ap-
plication to beneficial use of 5
cubic feet per second of the wa-
ters of subterranean source in
accordance with the terms and
conditions of Permit No. 20328
heretofore issued by the Depart-
ment of Reclamation of the State
of Idaho.

The name and postoffice ad-
dress of the person or corpora-
tion holding said permit are
Richard A. Hanks and Howard
A. Hanks, Box 62, Minidoka, Ida-
ho.

The use to which said water
has been applied is Irrigation.

The amount applied to benefi-
cial use is 5 cubic feet per sec-
ond.

The place where said water is
used (if for irrigation, give full
and accurate description of the
lands irrigated): West One Half
(W $\frac{1}{2}$) of Section Twenty-one (21),
Township Seven (7) South,
Range Twenty-five (25) E.B.M.

The name of the canal or ditch
or other works by which said
water is conducted to such place
of use is well, pump and sprink-
ler system.

The right to take water from
such works is based upon Per-
mit No. 20328.

The source of supply from
which such water is diverted is
in NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21, Twp. 7
S., Rge. 25 E.

The date of priority which said
user is prepared to establish is
March 1, 1948.

MARK R. KULP,
State Reclamation Engineer
No. 910 Feb. 1-Feb. 22

20328

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

minidoka
RECEIVED
MAR 1 2 1948
Department of Reclamation

✓
Permit No. 20328

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Richard A. Hanks and Howard A. Hanks, Box 62 Minidoka, Idaho
farming, Box 62, Minidoka 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. individuals

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

Ans. Permit No. 20328, priority to be established March 1st 1948
→ March 5, 1948

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

Ans. Subterranean well, 20 inch casing, depth 320, pump head 250 feet
well is located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21, T 7 S R 25 E B M

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. Deep well, 20 in. casing, pump 250 feet, electric pump,
overhead irrigation system, pressure head 60 #, pump capacity
5 cubic feet, 256 nozzles 3/16", operating pressure 60#

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. Irrigates W $\frac{1}{2}$ Sec. 21, T 7 S R 25 E B M, 320 acres and irrigate
all of the area is this half section; crops are sugar beets, grain,
potatoes and regular rotation of crops adaptable to this vicinity.
2 bed room dwelling, 28x 48 shop, pump house, domestic water facilities
for home.

20328

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. 5 cubic feet

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

Ans. _____

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

Ans. Water has been used to irrigation all the farm lands in the W $\frac{1}{2}$ Sec. 21, T 7 S R 25 E B M, from the past 1950, 1951, 1952, 1953, 1954 1955 & 1956 crops seasons.

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. used no other

(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 Rupert, County of Minidoka,

State of Idaho, on this 5th day of March, A. D. 19 56

My commission expires Feb. 16th 1960

Floyd J. Fruit
Notary Public

20328

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
MAR 12 1937
Department of Reclamation

Permit No. 20328

Proof of Application of Water to Beneficial Use

Deposition of Witness

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

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

Ans. J. H. May, age 51, residence Paul, Idaho,
occupation farmer, Paul, Idaho

Ques. 2. Are you acquainted with Richard A. & Howard A. Hanks, the holder of Permit No. 20328? How long have you known him and where does he reside?

Ans. Known them for 5 years and they reside at Minidoka, Idaho
about 5 or 6 miles NW of Minidoka

Ques. 3. Have you read or heard read said Permit No. 20328, and are you familiar with its provisions and conditions?

Ans. yes

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

Ans. Subterranean Well, about 350 deep, located on the NE $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 20, T 7 S R 25 E B M, pump head depth 250 feet, used for
sprinkler irrigation system on the W $\frac{1}{2}$ Sec. 20, T 7 S R 25 E B M
21

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. 5 cubic feet and have seen well in operation number of times
during each irrigation season past 5 years

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. 5 cubic feet, 250 inches, using 256 nozzles with pumping
head of about 60# pressure.

20328

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. Well is used entirely for irrigation on W $\frac{1}{2}$ Sec. 21, T 7 S R 25 E BM; land is used to raise grain, sugar beets, potatoes and rotation crops adapted to this vicinity; built dwelling house 2 story, and cement block shop and cattle yards.

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. Land is heavy soil, 320 acres W $\frac{1}{2}$ of Section 21, T 7 S R 25 E B M and I estimate minimum amount of water required to be 5 cubic feet

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 farmed adjoining land during past 5 years and have observed the use of water under this permit

(Signed)

J. N. May
J. H. May

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 Rupert
County of Minidoka, State of Idaho, on this 5th day of March
A. D. 1957.

Notary Public.

My commission expires Feb. 16th 1960

20328

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
Department of Reclamation

Permit No. 20328

Proof of Application of Water to Beneficial Use

Deposition of Witness

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

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

Ans. Dale H. Butler, age 29, residence Route # 4 Rupert, Idaho,
farmer, Route # 4, Rupert, Idaho

Ques. 2. Are you acquainted with Richard A. & Howard A. Hanks, the
holder of Permit No. 20328? How long have you known him and where does
he reside?

Ans. Have known 7 years and they reside on farm lands about
5 miles northwest of Minidoka, Idaho

Ques. 3. Have you read or heard read said Permit No. 20328, 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. Subterranean well, located upon the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21, T 7 S R
25 E B M, pumping from a depeth of approximately 250 feet, and using
an overhead sprinkler system from the well.

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. 5 cubic feet, approximately 250 inches or better.

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. 5 cubic feet, ~~mtt~~ estimate from the ~~nn~~umber of nozzels and
pressure gauge on the well.

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. Well is used for irrigation of about 320 acres or the West half of Section 21, T 7 S R 25 E B M; crops grown on the property during past 6 years are potatoes, sugar beets, grains and rotation necessary for this territory.

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. All of the West half of Section 21, T 7 S R 25 E B M has been reclaimed and estimate minimum about of irrigation water required for this area to be 250 inches, or 5 cubic feet

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. Have worked on the premises and have at various times been on the premises and observed the use of water for irrigation

(Signed)

Dale H. Butler

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 ~~Minidoka~~ Rupert, County of Minidoka, State of Idaho, on this 5th day of March, A. D. 1956.

Notary Public.

My commission expires Feb. 16th 1960

20328

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RE: Permit No. 20328
Richard A. & Howard A. Hanks

Date: January 28, 1957

Minidoka County News
Rupert, Idaho.

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **March 5th, 1957** the date set for proof, the expense of the publication to be paid by the applicant, Messrs, Richard A. & Howard A. Hanks ^{Box 62} of Minidoka 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 of the first publication, in order that we may check same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

20328

January 28, 1957

RE: Permit No. 20328

Mr. Richard A. & Howard A. Hanks
Box 62
Minidoka, Idaho

Gentlemen:

We acknowledge receipt of Notice in proof of Beneficial Use on Permit No. 20328 to be made March 5th, 1957, before Floyd Fruit, Notary Public.

We shall send a copy of the notice to the Minidoka County News with instructions to publish it once a week for four weeks prior to that date and to send you the affidavit of publication together with statement of costs.

At the time set, you should appear before Mr. Fruit, Notary Public, together with two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder for the purpose of executing the enclosed depositions.

Very truly yours,

MARK H. KULP
State Reclamation Engineer
By

Chief Clerk

MPR:vem

Enc,

cc. Floyd Fruit
Rupert, Idaho

20328

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

RECEIVED
JAN 22 1957
Department of Reclamation

(Date) January 21, 1957

(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

Minidoka County News of Rupert, Idaho published in

the county in which the works are situated.

Shaward A. Hanks
Richard A. Hanks

(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.

20328

RECEIVED
JAN 22 1948
Department of Reclamation

NOTICE FOR PUBLICATION
NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 10 A. M. on the 5th day of March, 1957,
at Rupert, County of Minidoka, State of Idaho, before
Floyd Fruit, Notary Public, proof will be submitted of the
application to beneficial use of 5 cubic feet per second of the waters of subterranean
source in accordance with the terms and conditions of Permit No. 20328
heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Richard A.
Hanks and Howard A. Hanks, Box 62, Minidoka, Idaho

The use to which said water has been applied is Irrigation

The amount applied to beneficial use is 5 cubic feet per second

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated)
West One Half (W $\frac{1}{2}$) of Section Twenty-one (21), Township Seven (7)
South, Range Twenty-five (25) E.B.M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is
well, pump and sprinkler system

The right to take water from such works is based upon Permit No. 20328

The source of supply from which such water is diverted is in NE $\frac{1}{4}$ Sec. 21, Twp. 7 S., Rge. 25 E.

The date of priority which said user is prepared to establish is March 1, 1948.

MARK R. KULP

State Reclamation Engineer.

20328

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

January 2, 1957

Richard A. & Howard A. Banks
Burley, Idaho

Dear Sir:

We enclose herewith blank notice for proof of application of water to beneficial use under your Permit No. 20328. This notice should be filled out in duplicate and returned to this office at least 40 days before the date upon which you wish to make this proof, in order to allow time for the four weeks' publication required by law.

This proof must be submitted before a Notary Public or other officer authorized by law to administer oaths.

The date for proof, as set out in your permit, is not later than 3-5-57, and if proof is submitted later than said date, your priority will be brought down a length of time equal to the time elapsing between the date the proof is due and the date proof is actually made.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

v

20328

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

IN THE MATTER OF CANCELLATION OF PER-
MIT TO APPROPRIATE THE PUBLIC WATERS } ORDER OF CANCELLATION
OF THE STATE OF IDAHO, No. 20328

the unassigned portion of
WHEREAS/Permit No. 20328 lapsed through failure of the holder to make proof of com-
pletion of works within the time specified in the Permit, to-wit: March 5, 1953
....., and

WHEREAS, due notice was given the holder of said Permit that such proof would be due on the
date above mentioned, and

WHEREAS, on July 15, 1953, notice was sent to the holder of said
Permit to appear before the State Reclamation Engineer on or before 40 days to show cause why such
Permit should not be cancelled, and

WHEREAS, the holder of said Permit has failed to comply with the said requirements, and that no
showing has been made as to completion of the works under said Permit:

IT IS THEREFORE, hereby ordered that Permit No. 20328 be and
the same is hereby cancelled and held for naught.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of this De-
partment, at Boise, Idaho, this 17th day of November 19 53.

Mark R. Kulp
State Reclamation Engineer.



20328

20328

August 24, 1953

RE: Permit No. 20328

Mr. Lawrence H. Duffin
Box 61
Rupert, Idaho

Dear Mr. Duffin:

We enclose Certificate of Completion of Works issued on an assigned portion of Permit No. 20328 in the name of Richard A. and Howard A. Hanks for the diversion of 5 second feet of water from a well in the NE¹/₄ SW¹/₄ Section 21, Township 7 South, Range 25 East, B.M., for irrigation of the W¹/₂ of said section.

We also enclose departmental receipt No. 26140 for the \$5.00 fee in connection therewith.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

20328

20328

LAW OFFICES
LAWRENCE H. DUFFIN
FISHER BUILDING
RUPERT, IDAHO

August 17, 1953

RECEIVED
AUG 18 1953
Department of Reclamation

Mr. Mark R. Kulp
State Reclamation Engineer
State House
Boise, Idaho

In re Permit No. 20328
Howard A. & Richard A.
Hanks

Dear Sir:

Enclosed herewith is my check in the amount of \$5.00 in connection with partial proof on the above-numbered permit so that a Certificate of Completion of Works can be issued for 5 second feet of water from a well in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 21, Twp. 7 South, Rge. 25 E.B.M.

Very truly yours,

Lawrence H. Duffin
#

Lawrence H. Duffin

eh
encl.

20328

20328

✓
July 30, 1953

RE: Permit No. 20328

Mr. Lawrence H. Duffin
Box 61
Rupert, Idaho

Dear Mr. Duffin:

The report of our field engineer on examination for completion of works on that portion of Permit No. 20328 assigned to Howard A. and Richard A. Hanks is now on file and upon receipt of the statutory fee of \$5.00, a Certificate of Completion of Works can be issued for 5 second feet of water from a well in the NW 1/4 SW 1/4 Section 21, Township 7 South, Range 25 East, B.M.

We are advised that the applicants are prepared to make final proof in connection with this permit and we enclose the necessary forms for notice. As you know, Form 10 must be filled out in duplicate and returned to this department together with Form 11, which is authorization for us to have the notice published at permit holders' expense in the designated county newspaper.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

cc: Howard A. and Richard A. Hanks

20328

20328

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

..... July 15, 1953, 194.....

Re: Permit No. 20328

To Montgomery Brothers
C/o LaVern Montgomery
..... Rupert, Idaho

It appearing to the State Reclamation Engineer that the terms and conditions of Permit No. 20328
to appropriate the Public Waters of the State of Idaho, have not been complied with as to
..... Completion of works, March 5, 1953, on your un-assigned portion

42-311

you are hereby notified in compliance with Sec. 41-311 Idaho Code annotated that said Permit No. 20328
is hereby held for cancellation.

You are hereby required to show cause before the State Reclamation Engineer on or before forty days from
date of this notice why said Permit should not be cancelled.

Said Permit No. 20328 claims the use of 5 cubic feet per second of the
waters of a well with point of diversion located
..... in Section 20, Twp. 7 S., Range 25 E., B.M., and
was approved March 5, 1948

In Witness Whereof, I have hereunto set my hand and affixed the seal of my office at Boise, Idaho, the
..... 15th day of July, 1953, 194.....

Mark R. Kulp
.....
State Reclamation Engineer.

By
Assistant.

See register receipt No. 20326
20328 *cancel mark in*

20328

June 17, 1953

RE: Permit No. 20328

Howard A. and Richard A. Hanks
Route 2
Burley, Idaho

Gentlemen:

Complying with state law, a Certificate of Completion of Works may not be issued until an inspection is made by a member of this department.

I would like to make the inspection on Wednesday morning, June 24, 1953.

Will you please be prepared to accompany me on the inspection.

I intend to stay overnight at a motel or hotel in Rupert, possibly the Bell Autel. You may contact me there or meet me at the place where the inspection is to be made.

I hope to start for the farm by 7:00 a.m.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

H:fg

20328

20328

June 8, 1953

RE: Permit No. 20328

Mr. Lawrence H. Duffin
Fisher Building
Dupert, Idaho

Dear Mr. Duffin:

We return Howard A. Hanks application for amendment to the point of diversion or location of the well in his assigned portion of Permit No. 20328, which has been approved by the State Reclamation Engineer, and recorded in this Department.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:cp
cc: Mr. Howard A. Hanks,

20328

20328

LAW OFFICES
LAWRENCE H. DUFFIN
FISHER BUILDING
RUPERT, IDAHO

June 1, 1953

RECEIVED
JUN 2 1953
Department of Reclamation

State Reclamation Engineer
State House
Boise, Idaho

In re: Permit #20328
Attention Jeanne L. Anderson

Dear Sir:

I am enclosing herewith Application for
Amendment to Permit No. 20328, signed by Howard
A. Hanks for the Hanks Brothers.

This is in accordance with a request from
you dated May 11, 1953.

Very truly yours,

Lawrence H. Duffin
Lawrence H. Duffin

eh/
encl.

20328

20328

May 11, 1953

RE: Permit No. 20328

Mr. Lawrence H. Duffin
Box 61
Rupert, Idaho

Dear Mr. Duffin:

This morning's mail brings us corrected deposition of Howard A. and Richard A. Hanks for proof of completion of works on Permit No. 20328.

However, we note that it locates the point of diversion or location of the well in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 21, Township 7 South, Range 25 East, B.M., but the only two wells described in the permit as being located in Section 21 are in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said section.

If this is an error in the deposition, we can correct it upon authorization from you to do so, but if there has been a change in the location of the well an application for amendment should be made on the form enclosed.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

20328

20328



LEN JORDAN
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

May 6, 1953

RE: Permit No. 20328

Mr. Lawrence H. Duffin
Fisher Building
Rupert, Idaho

Dear Mr. Duffin:

In re-checking the deposition of Howard A. Henks and Richard A. Henks in proof of completion of works on their assigned portion of Permit No. 20328, we see that Question 3 is not properly answered.

It is not sufficient to state that the location of the well is "as indicated in the Permit." It must definitely give the location by subdivision, section, township, and range.

We return it for correction.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By

Jeannie L. Anderson
Chief Clerk

A:cp
Enc.

May 9, 1953

Dear Madam:

The above-mentioned deposition is returned here-with with correction as outlined above.

Very truly yours,

Lawrence H. Duffin
E.H.

SSM
SM SMC 121-

20328

20328

May 4, 1953

RE: Permit No. 20328

Mr. Lawrence H. Duffin
Fisher Building
Rupert, Idaho

Dear Mr. Duffin:

We acknowledge receipt of your letter of April 29, 1953, enclosing depositions of Howard A. Hanks and Richard A. Hanks and two witnesses, all submitted in proof of completion of works on that portion of Permit No. 20328 assigned to them together with your check for the \$5.00 fee in connection therewith.

Before final action is taken in the matter, a field inspection will be made in connection with this proof and proof on the balance of the permit.

Meanwhile, we return your check for the \$5.00 fee and will notify either you or the permit holders later, after the inspection has been made and report filed.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

20328

20328

LAW OFFICES
LAWRENCE H. DUFFIN
FISHER BUILDING
RUPERT, IDAHO

April 29, 1953

RECEIVED
APR 30 1953
Department of Reclamation

Mr. Mark R. Kulp
State Reclamation Engineer
Capitol Building
Boise, Idaho

In re Permit #20328

Dear Sir:

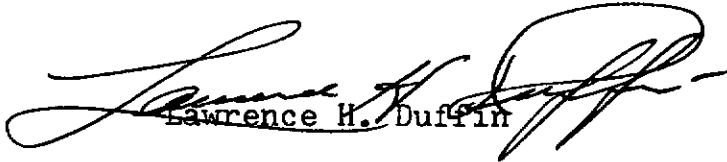
Please find enclosed herewith one completed Form #15 and two completed Forms #14 in connection with the above-numbered permit.

You will observe that we are only able to make proof of completion of works on one-half of this permit, i.e. the West half of Section Twenty-one (21), Twp. 7 S., Rge. 25 East Boise Meridian, and must therefore advise you to that effect.

Enclosed herewith is my check in the amount of \$5.00 which, I believe, is your fee for partial completion.

Thank you very much for your cooperation in this regard.

Very truly yours,


Lawrence H. Duffin

lhd/eh
encls.

20328

20328

PERMIT NO. 20328

Proof of Completion of Works

DEPOSITION OF HOLDER

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

Ans. Howard A. Hanks and Richard A. Hanks of Burley, Idaho, by occupation farmers. P. O. address is Route #2.

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business, your position with reference to same, and your authority for appearing in its behalf.

Ans. not applicable

Ques. 3. State number and date of permit, amount of water you are authorized to divert, source, and point of diversion.

Ans. #20328 dated March 5, 1948, water authorized to divert ten second feet, subterranean source, point of diversion well located ~~as indicated on permit~~ in NE 1/4 SW 1/4 of Sec. 21, Twp. 7 S., Rge. 25, E.B.M.

Ques. 4. State purpose for which water is to be used, and, if for irrigation, state the number of acres and give description of the land you intend to reclaim.

Ans. Irrigation. 320 acres. Located in the West half of Sec. 21, Twp. 7 S., Rge 25 E. B. M.

Ques. 5. State whether or not the water has been turned into your works of diversion, and, if so, when and to what extent.

Ans. 5 cubic feet of water turned into works and all of above-described land irrigated on the first day of May, 1950.

Ques. 6. State whether or not the works of diversion are fully completed, and whether or not they comply in all respects with the terms of the permit.

Ans. Works fully completed as to the W 1/2, Sec. 21, Twp. 7 S., Rge. 25 E.B. Minor differences with permit as below.

Ques. 7. If the works of diversion do not comply with all the terms of your permit, state fully those particulars in which there is any variance.

Ans. Overhead sprinkler irrigation used in lieu of canals and ditches as indicated on permit. Well is located 500 ft. south and 400 ft. west of point indicated on permit.

Ques. 8. Give description of works, state dimensions and capacity of each part, and give cost of same.

Ans. Works consist of 200 h.p. deep well turbine pump and one 60 h.p. centrifugal booster pump with overhead sprinkler system of steel main lines and aluminum lateral lines. Capacity 5 cu. ft. or 250 miner's inches.

(Sign here. *Howard A. Hanks*)

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 Rupert,

County of Minidoka, State of Idaho, on this 27th day of April, A. D. 1953.

S. B. Rogers

Notary Public.

My Commission expires Feb. 9, 1954.

20328

Permit No. 20328

Proof of Completion of Works**DEPOSITION OF WITNESS**

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

Ans. Elden C. Vawdrey. Salesman. 1648 Yale Ave., Burley, Idaho

Ques. 2. Are you acquainted with Howard A. and Richard A. Hanks, the holder of Permit No. 20328, authorizing the diversion of ten second-feet of the waters of subterranean source, at Minidoka, Ida. for irrigation purposes? How long have you known him, and where does he reside?

Ans. Five years. Both reside in the vicinity of Burley, Idaho.

Ques. 3. Have you read or heard read said Permit No. 20328, and are you familiar with its terms and conditions?

Ans. Yes.

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Yes. The land is Minidoka Fine Sandy Loam. Gentle, rolling, and the amount of water required for profitable cultivation is five cubic feet, or 250 miner's inches.

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. Yes. The works of diversion were completed May 1, 1950.

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans. The works consist of a 200 h.p. deep well turbine pump with 60 h.p. centrifugal pump and overhead sprinkler system with steel main lines and aluminum lateral lines. My estimate of the capacity of this system is five cubic feet or 250 miner's inches.

(Sign here.)

Elden C. Vawdrey

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, at my office in Rupert

County of Minidoka, State of Idaho, on this 27th day of April, A. D. 1953.

My Commission Expires
Feb. 9, 1954

J. B. Riefel

Notary Public 20328

Permit No. 20328

Proof of Completion of Works**DEPOSITION OF WITNESS**

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

Ans. Lawrence H. Duffin, Rupert, Idaho, farmer and lawyer,
P. O. Box 61

Ques. 2. Are you acquainted with Howard A. and Richard A. Hanks, the holder of Permit No. 20328, authorizing the diversion of ten second-feet of the waters of subterranean source, at Minidoka, Ida. for irrigation purposes? How long have you known him, and where does he reside?

Ans. Five years. Both reside in the vicinity of Burley, Idaho.

Ques. 3. Have you read or heard read said Permit No. 20328, and are you familiar with its terms and conditions?

Ans. Yes.

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Yes. The land is Minidoka Fine Sandy Loam. Gentle, rolling, and the amount of water required for profitable cultivation is five cubic feet, or 250 miner's inches.

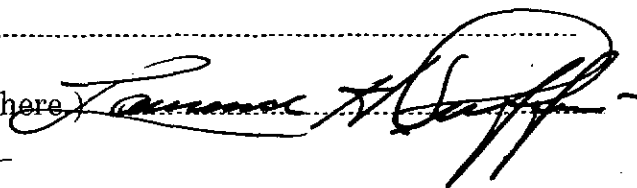
Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. Yes. The works of diversion were completed May 1, 1950.

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity.

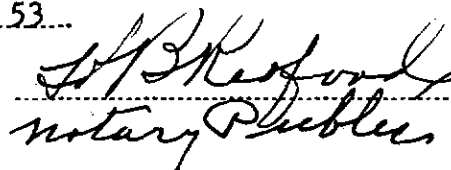
Ans. The works consist of a 200 h.p. deep well turbine pump with 60 h.p. centrifugal pump and overhead sprinkler system with steel main lines and aluminum lateral lines. My estimate of the capacity of this system is five cubic feet or 250 miner's inches.

(Sign here)



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, at my office in Rupert, Idaho.

County of Minidoka, State of Idaho, on this 27th day of April, A. D. 1953.

My Commission Expires
Feb. 9, 1954
Notary Public, 20328

✓
April 23, 1953

RE: Permit No. 20328

Mr. Howard Hanks
Burley
Idaho

Dear Mr. Hanks:

In response to your letter of April 22, 1953, in regard to completion of works proof on the 1/2 of Permit No. 20328 assigned to you by Montgomery Brothers.

We enclose a copy of a letter we addressed Mr. Duffin yesterday in regard to this matter.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

20328

20328

Burley Idaho,

April 22, 1953.

State of Idaho

Department of Reclamation

Boise , Idaho.

Dear Sirs,

With regard to permit No. 20328, will state that Mr. Lawrence Duffin was to have completed the filings on west half of section 21, Township 7 south Range 25 East , B.M.

In checking up on Mr. Duffin , I found that he had neglected to do so. We have been pumping water on west half of sec. 21 for three years. Would like the necessary papers to complete the proof on this half section.

We also would like to refile on the east half of section 20 as we expect to drill a well there as soon as possible. This well to be in the name of A.L. Hanks.

Yours Truly

Hanks Brothers.

Howard Hanks

RECEIVED
APR 23 1953

Department of Reclamation

20328

20328

✓
April 22, 1953

RE: Permit No. 20328

Mr. Lawrence H. Duffin
Fisher Building
Rupert, Idaho

Dear Mr. Duffin:

Reference is made to your letter of April 21, 1953, in regard to the above numbered permit, 1/2 of which is in the name of Montgomery Brothers and the other 1/2 under assignment to Howard A. Hanks.

Since each portion is for only 5 cubic feet per second, it will not be necessary to publish a notice before making proof of completion of works, but we can accept proof for each portion on Forms 14 and 15 enclosed, consisting of a deposition for the holder and one for each of two witnesses.

One set should be executed by Montgomery Brothers and the other by Mr. Howard A. Hanks, and all copies should be sure to state that the works were completed prior to February 2, 1953, the date set in the permits for such completion.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

20328

20328

LAW OFFICES
LAWRENCE H. DUFFIN
FISHER BUILDING
RUPERT, IDAHO

April 21, 1953

RECEIVED
APR 22 1953
Department of Reclamation

Mr. Mark R. Kulp
Department of Reclamation
Capitol Building
Boise, Idaho

Attention Jeanne L. Anderson
In re: Permit #20328

Dear Sir:

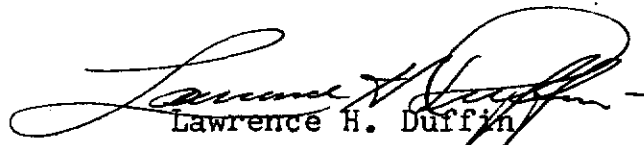
Receipt is hereby acknowledged of your letter of April 16, 1953, regarding the above-numbered permit.

In checking this through our files, we observe that we received a letter from you dated March 6, 1953, in which you informed us that we could apply for a reduction of the amount of water claimed under this permit and submit the proof on Form 6; and you also advised us that this must be done at once if the permit was to be continued in good standing. We had only the permit number in our files and were unaware of the fact that this permit covered the particular land described therein. It was not until we received your letter of April 16, 1953, that we discovered this omission.

The East one-half (E½) of Sec. 21, Twp. 7 S., Rge. 25, E.B.M. was fully developed and irrigation water applied thereon as of the first day of May, 1950. Inasmuch as this water right was established by beneficial use as of that date, we hereby request permission to submit proof on your Form 6 of such use and to apply for a reduction of the amount requested in the above-numbered permit from 10 cubic feet to 5 cubic feet. This request is made in compliance with your letter of March 6th.

Please send us a Form 6 for completion.

Very truly yours,


Lawrence H. Duffin

lhd/eh

20328

20328

April 16, 1953

RE: Permit No. 20328

Mr. Lawrence H. Duffin
Fisher Building
Rupert, Idaho

Dear Mr. Duffin:

Reference is made to your letter of April 15, 1953, requesting information as to filings for the E $\frac{1}{2}$ Section 20, and the W $\frac{1}{2}$ Section 21, Township 7 South, Range 25 East, B.M.

The records in this department show Permit No. 20328 in the name of Montgomery Brothers, filed March 1, 1948, for 10 second feet of subterranean water, for use on the W $\frac{1}{2}$ Section 21, and the E $\frac{1}{2}$ Section 20, Township 7 South, Range 25 East, B.M.

Also an assignment dated March 18, 1952, from Montgomery Brothers to Howard A. Hanks, for 50 per cent of the above numbered permit, for use on the W $\frac{1}{2}$ Section 21.

Completion of works proof was due on this permit March 5, 1953, as per notice sent to both applicants on February 2, 1953. Since the proofs were not made, the permit is subject to cancellation and it will be necessary for new applications to be filed to take the place of Permit No. 20328. No additional time for completing the works can be allowed since the statutory limit of 5 years has expired.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

20328

20328

LAW OFFICES
LAWRENCE H. DUFFIN
FISHER BUILDING
RUPERT, IDAHO

April 15, 1953

RECEIVED
APR 16 1953
Department of Reclamation

Mr. Mark R. Kulp
State Reclamation Engineer
Capitol Building
Boise, Idaho

Attention Jeanne L. Anderson

Dear Sir:

Please send me the following information regarding the East one-half of Section 20 and the West one-half of Section 21, Township 7 South, Range 25 E.B.M.:

1. The names of the permit holders (we believe these permits are in the name of the Montgomery Brothers).
2. The permit numbers.
3. The expiration dates.

In the event these original water permits have expired for failure to furnish proof of completion, is it necessary that we file new permits, or can we proceed by requesting amendment of the old permits to allow additional time for proof of completion?

Very truly yours,

Lawrence H. Duffin

Lawrence H. Duffin

lhd/ek
cc: A. L. Hanks

20328

20328

✓
March 6, 1953

RE: Permit No. 20328

Mr. Lawrence H. Duffin
Fisher Building
Rupert, Idaho

Dear Mr. Duffin:

We have your letter of March 3, 1953, in regard to Certificate of Completion of Works issued on Permit No. 20325 which is correct.

Our letter of March 3, 1953, should have referred to Permit No. 20328. On January 8, 1953, you submitted forms for notice of partial proof on Permit No. 20328 and on January 10, we wrote you that we could not accept a partial proof but that you could make proof on the part of the work that was completed.

If it is your wish to do this you may follow the form used on other permits, and apply for a reduction of the amount and submit the proof on Form 6. However, this must be done at once if the permit is to be continued in good standing.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

20328

20328

January 10, 1953

Re: Permit No. 20328

Mr. Lawrence H. Duffin
Fisher Bldg.
Rupert, Idaho

Dear Mr. Duffin:

Reference is made to your letter of January 8th, enclosing notice for proof of half completion of works under the above numbered permit, and requesting an extension on the other half.

Since the maximum of five years allowed by statute for completion of works will expire March 5, 1953, no extension can be allowed.

If the applicants wish to make proof on the part of the work that is completed that may be done, but no further proof can be accepted later on under this same permit.

The alternative will be to file a new application, for the remainder, which will, of course, take the current priority as of date of filing instead of the original priority of Permit No. 20328.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

20328

20328

LAW OFFICES
LAWRENCE H. DUFFIN
FISHER BUILDING
RUPERT, IDAHO

January 8, 1953

RECEIVED
JAN 10 1953
Department of Reclamation

Mr. Mark R. Kulp
State Reclamation Engineer
Capitol Building
Boise, Idaho

Dear Sir:

Please find enclosed herewith a request for publication of the notice required for proof of completion of works for Permit #20328.

It is the desire of the holders of said permit to furnish proof of completion of one-half of said permit at this time, and request is hereby entered for an extension of one year for the completion of works on the remaining one-half of said permit, to-wit:

The East one-half ($E\frac{1}{2}$) of Section Twenty (20), Township Seven (7) South, Range Twenty-five (25) E.B.M.

Very truly yours,

Lawrence H. Duffin

Lawrence H. Duffin

lhd/eh
enclosures

C/w due 3-5-53

no extension

20328

20328

20328

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date).....

(P. O.).....

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
Minidoka County News of Rupert published in
January 29th thru February 26th issues.
the county in which the works are situated.

Richard Hanks

(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.

20328

20328

Notice for Publication

Notice is hereby given that at 10 A. M., on the 4th day of March, 1953, at Rupert, County of Minidoka, State of Idaho, before Floyd J. Fruit, a notary public, proof will be submitted of the completion of works for the diversion of 5 cubic feet per second of the waters of ground water--- subterranean source in accordance with the terms and conditions of a certain permit heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name of the person or corporation holding said permit is (Montgomery Bros., Rupert)& Richard & Howard A. Hanks

2. The postoffice address of such person or principal place of business of such corporation is Burley, County of Cassia, State of Idaho.

3. The number of such permit is 20328, and the date set for the completion of such work is March 5, 1953

4. Said water is to be used for Irrigation purposes.

5. 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 conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 5 cubic feet per second.

6. The amount of lands for which said water is available is 320 acres, particularly described as follows:

The West one-half (W $\frac{1}{2}$) of Section Twenty-one (21), Township Seven (7) South, Range Twenty-five (25) E.B.M.

Commissioner of Reclamation.

20328

20328

Due to a request for extension of time in the accompanying letter, should Paragraph 5 be amended to read "one-half" completed, instead of "fully" completed?

Notice for Publication

Notice is hereby given that at 10 A. M., on the 4th day of March
 1953, at Rupert, County of Minidoka, State of Idaho,
 before Floyd J. Fruit, a notary public. proof will be submitted of the completion of works
 for the diversion of 5 cubic feet per second of the waters of ground water---
subterranean source

in accordance with the terms and conditions of a
 certain permit heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name of the person or corporation holding said permit is (Montgomery Bros., Rupert)&
Richard & Howard A. Hanks

2. The postoffice address of such person or principal place of business of such corporation is
Burley, County of Cassia, State of Idaho.

3. The number of such permit is 20328, and the date set for the completion of such work is
March 5, 1953

4. Said water is to be used for Irrigation purposes.

5. 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 conducting to the place of intended use, in accordance with the plans accompanying
 the application for such permit, is 5 cubic feet per second.

6. The amount of lands for which said water is available is 320 acres, particularly described as follows:
The West one-half (W $\frac{1}{2}$) of Section Twenty-one (21), Township Seven
(7) South, Range Twenty-five (25) E.B.M.

Director of Reclamation.

20328

Due to a request for extension of
 time in the accompanying letter,
 should Paragraph 5 be amended to
 read "one-half" completed, instead
 of "fully" completed?

20328

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Montgomery Brothers
& Rupert, Idaho
Richard A. & Howard A. Hanks
Dear Sirs— Burley, Idaho

Boise, Idaho, January 2, 1953

I enclose herewith blank form upon which to give notice that you are prepared and desire to submit proof of completion of works under your permit No. 20328

This form should be filled out and mailed to the Department of Reclamation, at least 60 days before the date upon which proof is to be submitted, which proof MUST be on or before March 5, 1953. Upon receipt of the blank properly filled out, notice of publication will be sent to the paper direct from this office, which notice must be published a period of four weeks prior to the date of proof.

The proof may be submitted at any place convenient to you and two witnesses, where there is a notary public or other officer authorized to administer oaths.

The certificate that shall be issued under this proof does not give you a perpetual right to the use of the water for which application is made, as it only confirms the completion of the works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

20328

20328

June 18, 1952

RE: Permit No. 20328

Messrs. Smith & Jacob
Box 426
Twin Falls, Idaho

ATT: Mr. Leonard H. Jacob

Gentlemen:

We return the assignment of one-half interest in Permit No. 20328 from Montgomery Brothers to Richard A. Hanks and Howard A. Hanks of Burley, Idaho, which has been recorded in this department.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

20328

20328

March 21, 1952

RE: Permit No. 20328

Messrs. Smith & Jacob
Box 426
Twin Falls, Idaho

ATT: Mr. Leonard H. Jacob

Dear Mr. Jacob:

We have your letter of March 20, 1952, enclosing assignment of 5 cubic feet per second of water under Permit No. 20328 from Montgomery Bros., to Richard A. Hanks and Howard A. Hanks of Burley, Idaho.

Although this permit is for 10 second feet of water and the assignment is obviously for one-half the permit, since the land described is one-half of the land included in Permit No. 20328, we cannot accept an assignment on a definite amount as the exact amount of water developed is unknown at the present time.

We suggest that the assignment be changed to convey a one-half interest in the permit and we return same herewith.

Meanwhile, we call attention to the fact that your check for \$1.00 mentioned in your letter was not enclosed, but the correct assignment fee will only amount to 50 cents.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

20328

20328

GRAYDON W. SMITH
LEONARD H. JACOB
111 SECOND STREET WEST
TELEPHONE 2990

LAW OFFICES
SMITH & JACOB
P. O. BOX 426
TWIN FALLS, IDAHO

March 20, 1952

RECEIVED
MAR 21 1952
Department of Reclamation

Department of Reclamation
State Capitol Building
Boise, Idaho

Gentlemen:

Enclosed herewith is an assignment of five cubic feet
per second of water under water permit No. 20328 from
Montgomery Bros. to Richard A. Hanks and Howard A. Hanks
of Burley, Idaho.

Please record the assignment and return to our office.
Our check in the amount of \$100 is herewith enclosed.

*no check
enc.*

Very truly yours,

SMITH & JACOB

Leonard H. Jacob

Leonard H. Jacob

J:h
Enc.

1/2

20328

20328

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

B O I S E

Permit No. 20328

Date March 10, 1948

Dear Sir:

We enclose herewith the above numbered permit. BE SURE AND
NOTE LIMITATIONS AND CONDITIONS OF SAME as given under approval of the
State Reclamation Engineer on the fourth page.

MARK R. KULP

State Reclamation Engineer

Montgomery Brothers
C/c Lawrence Duffin
Box 61, Rupert, Idaho
Enc. Receipt # 20411

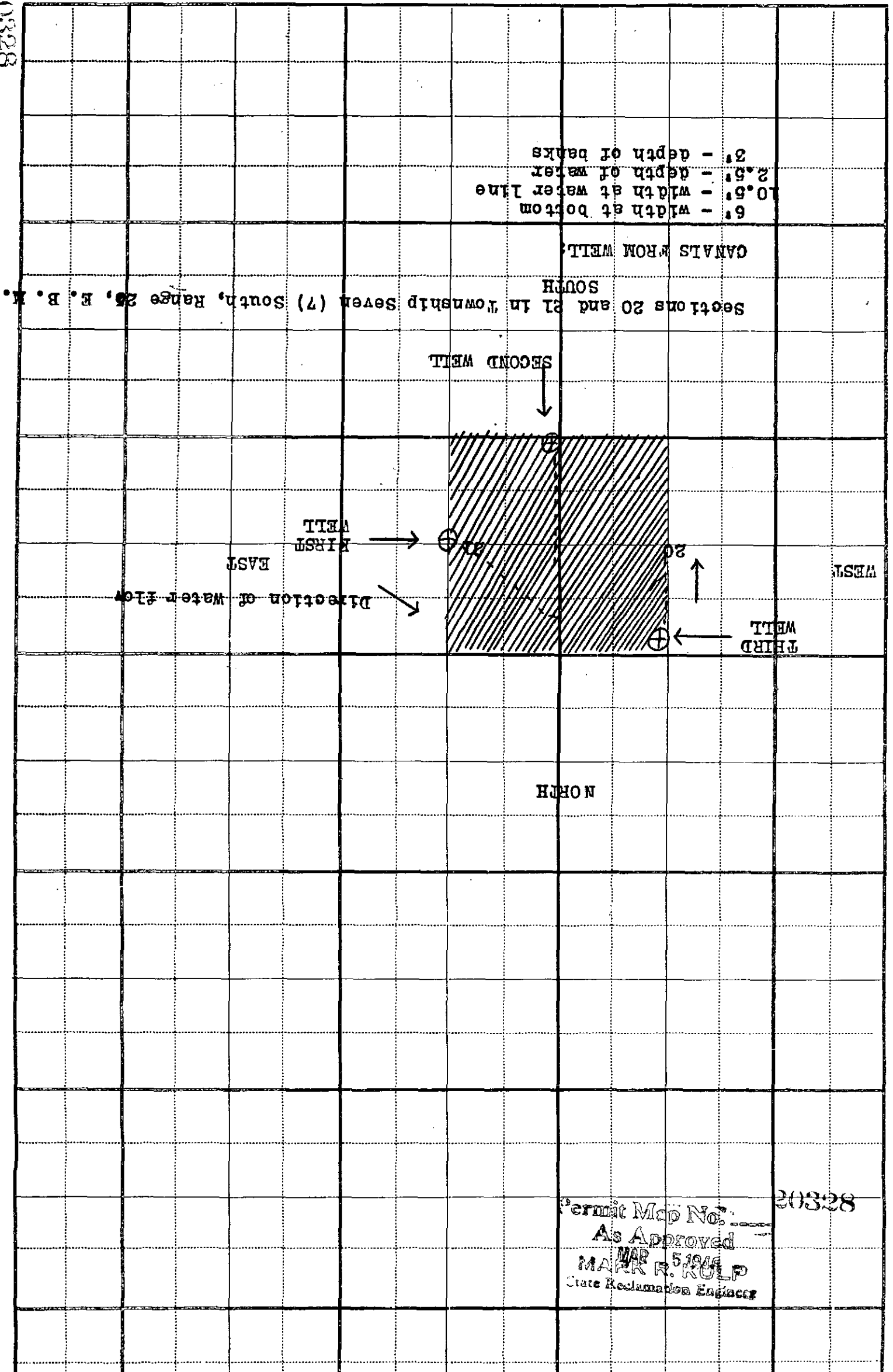
20328

20328

Arlo, Lavern and Billy Montgomery doing business
under the name and style of MONTGOMERY BROTHERS

FORM No. 0

20328



Permit Map No. 20328
As Approved
MARK R. KULP
State Reclamation Engineer

SCALE: 2 INCHES EQUAL 1 MILE. DRAW PLAN IN INK.

20328

**NOTICE OF PROOF
APPLICATION OF WATER TO
BENEFICIAL USE**

Notice is hereby given that at 10 A. M. on the 5th day of March, 1957, at Rupert, County of Minidoka, State of Idaho, before Floyd Fruit, Notary Public, proof will be submitted of the application to beneficial use of 5 cubic feet per second of the waters of subterranean source in accordance with the terms and conditions of Permit No. 20328 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Richard A. Hanks and Howard A. Hanks, Box 62, Minidoka, Idaho.

The use to which said water has been applied is Irrigation.

The amount applied to beneficial use is 5 cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated): West One Half ($W\frac{1}{2}$) of Section Twenty-one (21), Township Seven (7) South, Range Twenty-five (25) E.B.M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is well, pump and sprinkler system.

The right to take water from such works is based upon Permit No. 20328.

The source of supply from which such water is diverted is in $NE\frac{1}{4}SW\frac{1}{4}$, Sec. 21, Twp. 7 S., Rge. 25 E.

The date of priority which said user is prepared to establish is March 1, 1948.

MARK R. KULP,
State Reclamation Engineer
No. 910 Feb. 1-Feb. 22