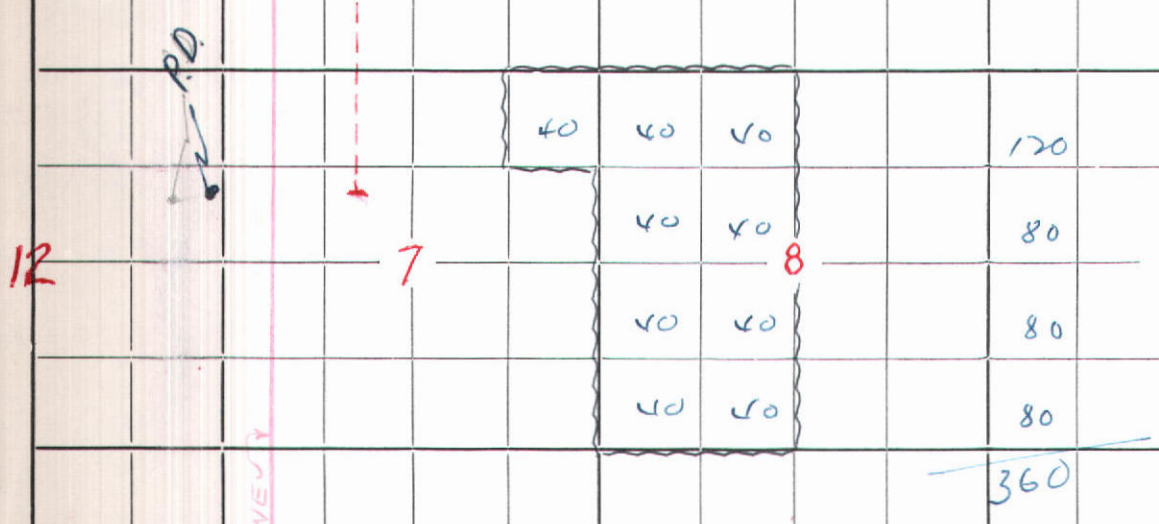


TO STATE HWY. 22
 1/8 Sect. State 28.

T. 8 N - R. 33 E.



Subdivisions

9

AREA

360

Q

5.42 or 271 inches

Ben R. Wilding
Dubois, Idaho

Permit No. G-26818

Examination for Completion of Works & Beneficial Use

County Jefferson

Sec. 12 T. 8 N R. 32 E.B.M.

Quantity: 7.2 c.f.s.

Source: Well

P.D.: SE. NE., Sec. 12, T. 8 N. - R. 32 EBM.

Use: Irrigation

Filed: March 12, 1957

Due: March 22, 1962

Extension:

Completion of Works:

Other Rights: none

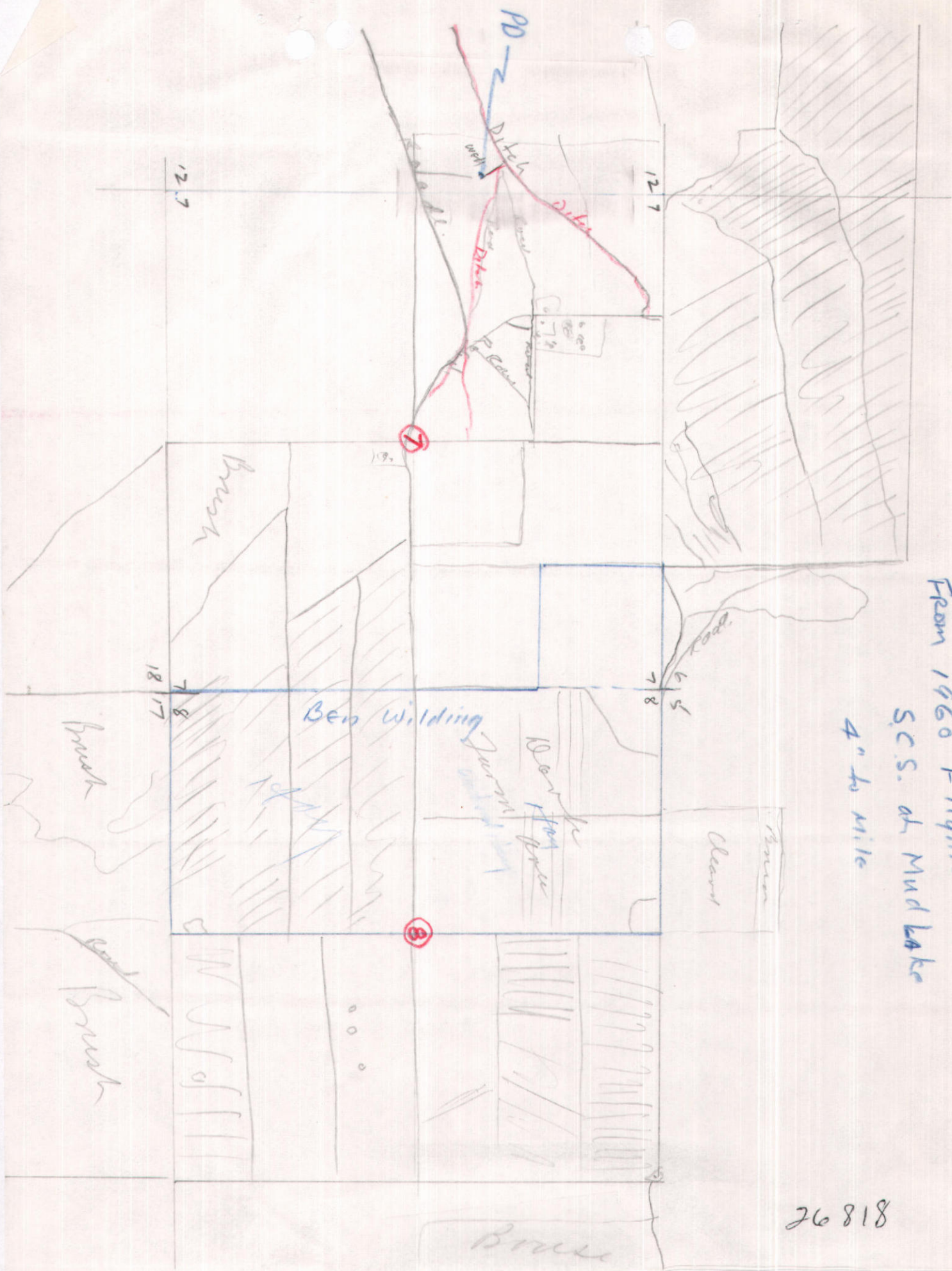
INSTRUCTIONS TO EXAMINERS

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
JUN 26 1962

Department of Reclamation

From 1960 Flight
 S.C.S. at Mud Lake
 4" to mile



26818

Affidavit of Publication
THE RIGBY STAR

RECEIVED
JAN 29 1962
Department of Reclamation

STATE OF IDAHO, }
County of Jefferson } ss.

I, R. I. Jones, do solemnly swear that I am the printer of THE RIGBY STAR, a weekly newspaper as defined by Idaho Codes Annotated section 58-106 as amended, and that said newspaper is a weekly newspaper, printed and published at Rigby, Jefferson County, Idaho, having a general circulation in said county, and that said newspaper has been printed and published as a weekly newspaper, in said county, for more than 78 consecutive weeks prior to the first publication of the attached notice.

And affiant further says that said attached notice, advertisement or publication, as per clipping attached, was published in said newspaper in the regular and entire issue thereof, and not in any supplement issue thereof, for

Four consecutive issues thereof; first publication having been made on the

21st day of *December*, 19*61*

and last publication on the

11th day of *January*, 19*62*

And affiant further says that at the times herein mentioned said newspaper was made up of at least four pages of at least five columns each, printed from type matter, of at least seventeen and three-fourths inches depth; and that there are at least two hundred bona fide subscribers in Jefferson County.

Rope B Jones

Subscribed in my presence and sworn to before me this *24th*

day of *January*, 19*62*.

(SEAL)

John L. Bloom
Notary Public for the State of Idaho,
Residence and P. O. Address: *Rigby, Idaho*.
My commission expires *11-9*, 19*63*

Publication Fee: \$(*Paid*)

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

Notice is hereby given that at 2:00 p.m., on the 26th day of January 1962, at Idaho Falls, County of Bonneville, State of Idaho, before John L. Bloom, Notary Public, at (address) Suite 201-5 Rogers Bldg., Idaho Falls, Idaho, proof will be submitted of the completion of works for the diversion of 6 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-26818, 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 Ben R. Wilding, Star Route, Dubois, 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 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 cubic feet per second.

4. The point of diversion of said water is SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 12, TWP. 8 N., R. 32, E. B. M.

5. The place where said water is used is NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, all of the W $\frac{1}{2}$ of Section 8, TWP. 8 N., R. 33, E.B.M.

6. The date of priority which said user is prepared to establish is March 12, 1957.

GEO. N. CARTER,
State Reclamation Engineer
(Pub. Dec 21-28, 1961, Jan 4-11, 1962.)

26818

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 32-02100

NAME AND ADDRESS: LA VAR NEWMAN
 2941 N 800 E
 MONTEVIEW, ID 83435

SOURCE: GROUNDWATER

QUANTITY: 5.42 CFS
 1260.00 AFY

USE OF THIS RIGHT WITH RIGHT NO. 32-10154 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 5.42 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 1935 AF.

USE OF THIS RIGHT WITH RIGHT NO. 32-10154 AND THE RENO DITCH
COMPANY INCORPORATED RIGHTS IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 13.6 CFS.

PRIORITY DATE: 03/12/1957

POINT OF DIVERSION: T08N R32E S12 NWSENE Within Jefferson County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	5.42 CFS 1260.00 AFY

PLACE OF USE:	Irrigation		Within Jefferson County
	T08N R33E S07	NENE 40.0	NWNE 40.0
		SWNE 40.0	SENE 40.0
		NENW 40.0	NESE 40.0
		NWSE 40.0	SWSE 40.0
		SESE 40.0	
	S08	NENW 40.0	NWNW 40.0
		SWNW 40.0	SENW 40.0
		NESW 40.0	NWSW 40.0
		SWSW 40.0	SESW 40.0
	680.0 Acres Total		

USE OF THIS RIGHT WITH RIGHT NO. 32-10154 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 680 ACRES IN A SINGLE
IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 360 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

A handwritten signature in black ink, appearing to read "B Wood", is written over a horizontal line.

Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

A handwritten signature in black ink, appearing to read "B. Wood", is written over a horizontal line.

Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

**THIS
RIGHT HAS BEEN
DECREED IN THE
SRBA**

State of Idaho
Department of Water Administration

WATER RIGHT LICENSE

License of Water Right No 26818/32-2100 Priority March 12, 1957 Amount 5.42 cfs

THIS IS TO CERTIFY, that BEN R. WILDING
of Dubois, Idaho, has complied with the terms and conditions of Permit
No. 26818/32-2100 issued pursuant to Application for Permit dated March 12, 1957,
and has submitted proof to the Department of Water Administration on January 26, 1962,
that he has applied water to a beneficial use, an examination by the Department indicates that the works have a
capacity for the diversion of 5.42 cfs of water from a ground water source,
tributary to _____, and that the permit holder has applied to a beneficial use &
established a right to use water as follows.

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u> from <u>April 1</u> to <u>Nov. 1</u> at <u>5.42</u> cfs and <u>1,080 acre feet or</u> <u>3.0 af per acre</u>			
_____ from _____ to _____ at _____ cfs and _____			
_____ from _____ to _____ at _____ cfs and _____			

(both dates inclusive)

Subject, however, to the condition that no more than 5.42 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1,080 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 12,
Twp. 8 N, Rge. 32 E, B.M. in the County of Jefferson

Description and location of place of use.

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
8 N	33 E	7	40																40
		8					40	40	40	40	40	40	40						320

Total number of acres irrigated 360

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

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 4 day of
April, 19 74.

Director

32-2100

G-2681E
MTG. LEWIS HANSEN
32--2100

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G-34724
Permit No. G- 26818
District No.

1. Name of Applicant: BEN R. WILDING
Postoffice address: Dubois County: Clark State: Idaho
2. Quantity of water claimed: 7.20 Cubic feet per second
 - (a) Rate of withdrawal in cubic feet per second. 7.20 or Idaho
Miners' inches 360 or gallons per minute.
 - (b) Annual withdrawal in acre feet per annum 2,700
3. Source of water supply: Subterranean Waters or underground water
4. Location of point of diversion or well is in the SE $\frac{1}{4}$ of the Ne $\frac{1}{4}$ of Section 12
Twp. 8 N. , Rge. 32 E. , B.M., County of Jefferson
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Well - pump and ditches
8. Estimated cost of works: \$ 8,000.00
9. (a) Is reservoir to be used?
(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) $\frac{1}{360}$ inch per acre (cubic feet per second, inches or gallons per minute) is for new lands.

Remarks:

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

/s/ BEN R. WILDING

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 8:00 A.M. March 12, 1957

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G-26818

Recorded in Book 95 Page 26818 Approved March 22, 1957

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

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

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

One-fifth of the work above specified to be completed on or before September 22, 1959

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before **March 22, 1937**

Witness my hand this 22nd day of March, 1957

MARK R. KULP
State Reclamation Engineer

IN TESTIMONY WHEREOF, We _____ ROBERT E. SMYLLIE _____, Governor of the State of Idaho,
and _____ JAS. H. YOUNG _____, Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this. 22nd _____
day of _____ March _____, 1957 _____

Countersigned

STATE OF IDAHO

(SEAL)

By JAS. H. YOUNG
Secretary of State.

By ROBERT E. SMYLIE
Governor

12.

Twp.	Range	Sec	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
8 N.	33 E.	7 8	40				40 40 40 40				40 40 40 40								40 320

**THIS
RIGHT HAS BEEN
DECREED IN THE
SRBA**

April 5, 1974

Re: Permit No. 26818/32-2100

Mr. Ben R. Wilding
Dubois,
Idaho 83423

Dear Mr. Wilding:

Enclosed herewith is a copy of the Water License issued on the above referenced permit.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enclosure

32-2100

INTER-DEPARTMENT MEMO — 1

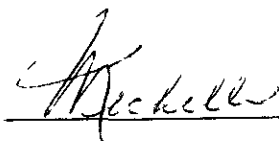
FROM Mechelle

TO Darlene

SUBJECT LICENSING FEE

DATE **RECEIVED** APR 11 1974
Department of Water Administration

Today we received the licensing fee for Permit No. 32-2100 from Ben R. Wilding,
\$23.00, receipt No. 12813.


SIGNATURE

32-2100

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)

(Additional charges required for these services)

☐

Show address
where delivered

☐

Deliver ONLY
to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

CERTIFIED NO.

31871

①

BEN WILDING

②

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

James X. C.

DATE DELIVERED

SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

MAR 29 1974

③

32-2100

U S POSTAL SERVICE
OFFICIAL BUSINESS

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$200

MAR 23

Postmark of Delivering Office



SENDER INSTRUCTIONS

Print in the space below your name, address, including ZIP Code.



- If special services are desired, check block(s) on other side
- Moisten gummed ends and attach to back of article.

**RETURN
TO**



PS Form 3811
June 1973

**DEPARTMENT OF WATER ADMINISTRATION
STATEHOUSE - ANNEX #2
BOISE, IDAHO 83707**

32-2100

March 27, 1974 CERTIFIED MAIL

#31871

Re: Permit No. 26818 (New No. 32-2100)

Ben R. Wilding
Dubois,
Idaho 83423

Dear Mr. Wilding:

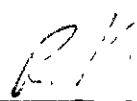
It appearing to the Department of Water Administration that the terms and conditions of Permit No. 26818/32-2100 to appropriate the public waters of the State of Idaho have not been complied with as to failure to submit licensing fee in the amount of \$23.00

_____, you are hereby notified that under the provisions of Section 42-311, Idaho Code, as amended, said permit is hereby held for cancellation, and you are required to show cause before the Director of the Department of Water Administration on or before May 6, 1974, why said permit should not be cancelled.

Permit No. 26818/32-2100 claims the use of 7.2 cubic feet per second of water from a ground water source

the point of diversion was to be located within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 12, Twp. 8 N, Rge. 32 E, B.M.

_____ and the permit was approved March 22, 1957


R. KEITH HIGGINSON
Director

32-2100

June 27, 1962

Re: Permit No. G-26818

Ben R. Wilding
Dubois, Idaho

Dear Mr. Wilding:

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-26818 shows the well is (are) capable of conveying 271 miner's inches, or 5.12 c.f.s. of water for the irrigation of 360 acres.

Upon receipt of the statutory fees, totaling \$ 23.00 , we will issue the Certificate of Completion of Works (fee \$5.00) and the License and Certificate of Water Right (fee \$ 18.00 , based at the rate of \$2.00 for each 40-acre subdivision) confirming the right, with priority of March 12, 1957 to the use of 5.12 second feet of subterranean water with the point of diversion in SE¹/₄NE¹/₄, Sec. 12, T. 8 N., R. 32 E., D.M. for irrigation of 360 acres in the NE¹/₄NE¹/₄, Sec. 7; W¹/₂, Sec. 8, T. 8 N., R. 33 E., B.M.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

26818

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-26818

REPORT ON PROOF OF Completion of Works & Beneficial Use

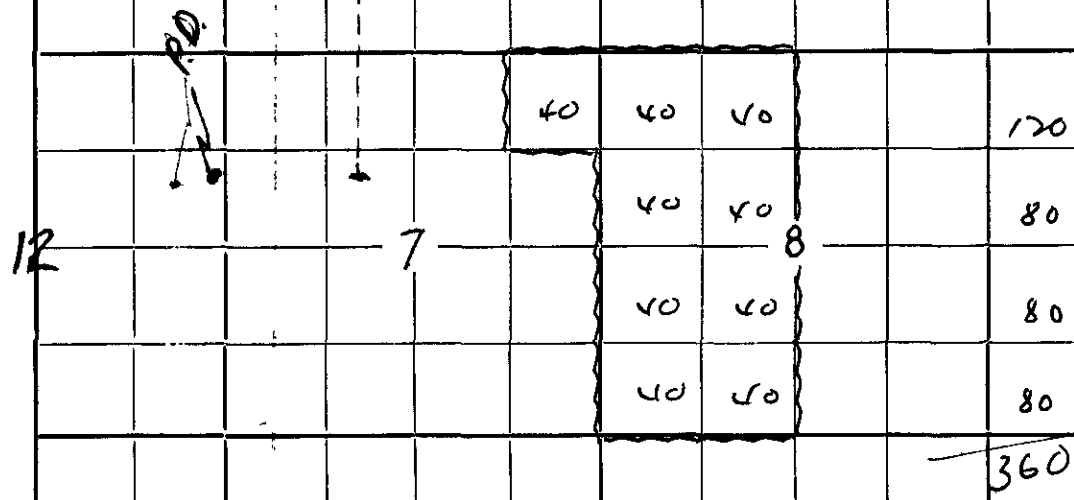
Ben R. Wilding, Dubois, Idaho

51-1110

26818

TO STATE HWY. 22
S. 1st. State 28.

T. 8 N - R. 33 E.



Subdivisions 9

AREA 360

Q 5.42 or 271 inches

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

Permit No. G-26818

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

1. Name of applicant Ben R. Wilding
2. Source of water supply: Subterranean
3. Location of point of diversion: Is in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 12
T. 8 N R. 32 E.B.M. County of Jefferson
4. Describe works as they exist, giving dimensions and capacities of same: 200 HP GE Motor
YD 6749570, Wintreath Pump #8411 - Column 7' x 12"
Well 20' x 17' deduced to 18' x 3' 8" - Total depth 335' h: 261' - dd. 8'
5. Water is used for: irrigation
6. State whether or not water has been turned into works of diversion: yes.
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):
NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 7., W $\frac{1}{2}$ Sec. 8., Twp. 8 N., Rge. 33 E.B.M. (360 acres)

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

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

Remarks: No no present at time of inspection
Called Ben at noon and made date for 2:00 to 2:30 PM at well
was at well at 2:00 PM no one showed up.

Measured with Current Meter - 5.42 cfs.

This examination was made on the 22nd day of June, 1962

(Signed) _____

Loren Johnson

Examiner.

26818

Ben R. Wilding
Dubois, Idaho

Permit No. G-26818

Examination for Completion of Works & Beneficial Use

County Jefferson

Sec. 12 T. 8 N R. 32 E B.M.

Quantity: 7.2 acres

Source: 1/16/12

P.D.: SE 1/4, Sec 12, T. 8 N. R. 32 E B.M.

Use:

Filed: 11-22-1952

Due: 11-22-1952

Extension:

Completion of Works:

Other Rights:

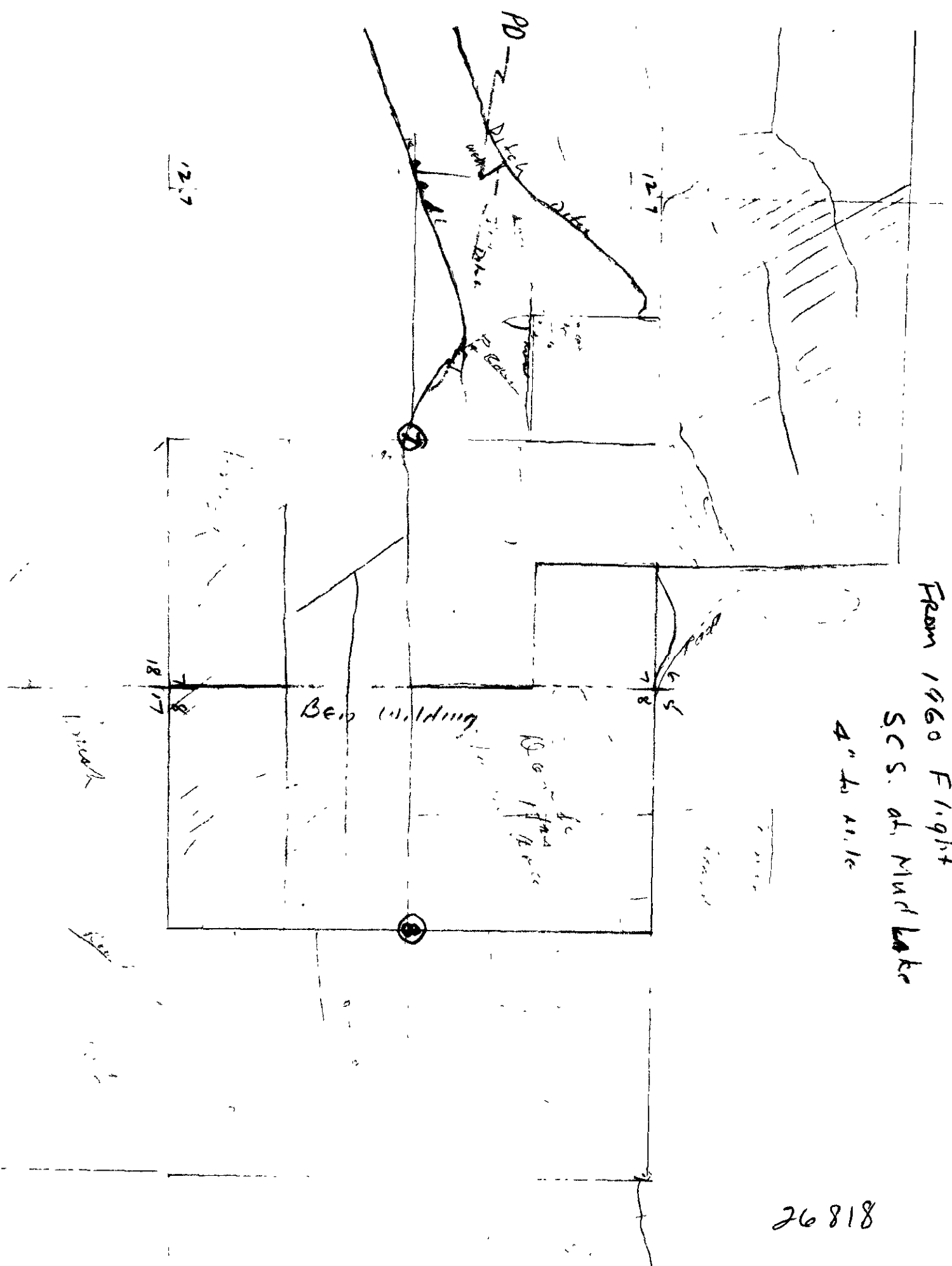
INSTRUCTIONS TO EXAMINERS

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
JUN 26 1962

Department of Reclamation

From 1960 Flight
 SCS. at Mud Lake
 4" to 11.16



UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY
WATER RESOURCES DIVISION

Date _____

Date 9/22, 1968 **DISCHARGE MEASUREMENT NOTES**

Ben Wildine River at Point # G-26811

[illegible]

No. _____ of _____ Sheets. Comp. by _____ Chk. by _____

January 29, 1962

Re: Permit No. G-26818

Ben R. Wilding
Dubois, Idaho

Dear Mr. Wilding:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the Right Star, all submitted in proof of completion of works and beneficial use on Permit No. G-26818.

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: John L. Bloom
% Albough, Bloom, Smith & Pike
P. O. Box 428
Idaho Falls, Idaho

26818

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
MAY 13 1957
Department of Reclamation

Permit No. G-26818

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Ben R. Wilding, Dubois, Idaho, farmer, P.O. Dubois, Idaho.

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

Ans. ==

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

Ans. Permit No. G-26818, dated March 22, 1957. Priority March 12, 1957.

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

Ans. Underground water diverted through well in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 12, Twp. 8 N.R. 32 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. 20" well, 330 feet deep, 200 feet to water; 17 feet of 20" casing; 200 hp electric motor on turbine pump; pump discharges 300 miner's inches into private ditch; water is carried through ditch to land irrigated.

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

Ans. Irrigation of NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 7, W $\frac{1}{2}$ Section 8, Twp. 8 N.R. 33 E.B.M. 360 acres of ground, all irrigated. Land is cultivated and has been improved from desert grazing land.

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

Ans. R. P. Cope, Idaho Falls, Idaho.

26818

JB

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

Ans. ==

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

Ans. 1 miners inch per acre

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

Ans. ==

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

Ans. The well was drilled and pump installed in July, 1957, and has been used to supply water for said lands during each irrigation season since.

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. Water from well is commingled with Birch Creek water which is appurtenant to adjoining lands.

(Sign)

Ben R. Wilding

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 Idaho Falls, County of Bonneville

State of Idaho, on this 26th day of January, A. D. 1962,

John L. Bloom
NOTARY PUBLIC - Idaho Falls, Idaho

My commission expires Nov. 9, 1963.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G-26818

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. Glenn F. Zweifel, 38, Montevieu, Idaho, farmer; Montevieu, Idaho.

Ques. 2. Are you acquainted with Ben R. Wilding, the holder of Permit No. G-26818? How long have you known him and where does he reside?

Ans. Yes. I have known him since 1930. He resides at Dubois, Idaho.

Ques. 3. Have you read or heard read said Permit No. G-26818, 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. Well located in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 12, Twp. 8 N.R. 32, E.B.M.

Underground water is pumped from well and conveyed through a private ditch to place of use.

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. I estimate 30 cfs; I have seen in excess of 20 cfs 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 about 300 miners inches. My estimate is based on

a comparison of the discharge from this pump and from my own pump.

26818

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

Ans. Irrigation. NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 7, W $\frac{1}{2}$ Section 8, Twp. 8 N.P. 33, E.B.M. 360 acres, all irrigated. Land is cultivated and has been improved into productive farming lands from sagebrush grazing land.

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

Ans. ==

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

Ans. Sandy loam, arid. Requires 1 miners inch of water per acre for profitable cultivation.

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 live within six miles of this place and make two to three trips to the Wilding place each year. I have seen the pump in operation and the land being irrigated since 1952.

(Signed) Glenn F. Zweifel

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 Idaho Falls, County of Bonneville, State of Idaho, on this 26th day of January, A. D. 1962.

John L. Bloem
Notary Public.

My commission expires Nov. 9, 1963 Residing at Idaho Falls, Idaho

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

Permit No. G-26818

**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. Joe H. Zweifel. 50. Montevieu, Idaho, farmer. Montevieu, Idaho.

Ques. 2. Are you acquainted with Ben R. Wilding, the holder of Permit No. G-26818? How long have you known him and where does he reside?

Ans. Yes. I have known him 32 years; he resides at Dubois, Idaho.

Ques. 3. Have you read or heard read said Permit No. G-26818, 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 water, diverted through well in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 12, Twp. 8 N., R. 32, E.B.M., and conveyed by private ditch to place of use.

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. 30 cfs. I have seen in excess of 20 cfs 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. About 300 inches. I estimated this by comparing the discharge with the discharge from other pumps with known discharge.

26818

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. Water is used for irrigation of 360 acres of ground described as NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 7, W $\frac{1}{2}$ Section 8, Twp. 8 N.R. 33, E.B.M. Land is cultivated and has been converted from sparse grazing or sagebrush land to productive farming land.

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

Ans. ==
.
.
.

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

Ans. Land is naturally arid and requires at least 1 miners inch per acre for profitable cultivation. It is a sandy, loam soil.

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 been farming within a few miles of this place, and have been to this project at least once or twice each summer since 1957, and have seen the pump in operation and the land being irrigated.

(Signed)

Joe H. Zweifel

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 Idaho Falls, County of Bonneville, State of Idaho, on this 26th day of January, A. D. 1962.

John L. Bloom

Notary Public.

My commission expires Nov. 9, 1963 Residing at Idaho Falls, Idaho.

Affidavit of Publication

THE RIGBY STAR

STATE OF IDAHO, }
County of Jefferson } ss

I, R I Jones, do solemnly swear that I am the printer of THE RIGBY STAR, a weekly newspaper as defined by Idaho Codes Annotated section 58-106 as amended, and that said newspaper is a weekly newspaper, printed and published at Rigby, Jefferson County, Idaho, having a general circulation in said county, and that said newspaper has been printed and published as a weekly newspaper, in said county, for more than 78 consecutive weeks prior to the first publication of the attached notice

And affiant further says that said attached notice, advertisement or publication, as per clipping attached, was published in said newspaper in the regular and entire issue thereof, and not in any supplement issue thereof, for

Four consecutive issues thereof, first publication having been made on the

21st day of *December*, 19*61*

and last publication on the

11th day of *January*, 19*62*

And affiant further says that at the times herein mentioned said newspaper was made up of at least four pages of at least five columns each, printed from type matter, of at least seventeen and three-fourths inches depth, and that there are at least two hundred bona fide subscribers in Jefferson County

Hope B Jones

Subscribed in my presence and sworn to before me this *21st*

day of *December*, 19*61*

(SEAL)

Thos L Green

Notary Public for the State of Idaho
Residence and P O Address *Idaho Falls*
My commission expires *11-9*, 19*63*

Publication Fee, \$ *Red*

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

Notice is hereby given that at 2:00 p.m., on the 26th day of January 1962, at Idaho Falls, County of Bonneville, State of Idaho, before John L. Bloom, Notary Public, at (address) Suite 201-5 Rogers Bldg, Idaho Falls, Idaho, proof will be submitted of the completion of works for the diversion of 6 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-26818, 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 Ben R Wilding, Star Route, Dubois, 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 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 cubic feet per second

4 The point of diversion of said water is SE1/4 NE1/4 of Section 12 TWP. 8 N., R. 32, E B M

5 The place where said water is used is NE1/4 NE1/4 of Section 7, all of the W1/4 of Section 8 TWP. 8 N., R. 33, E B M.

6 The date of priority which said user is prepared to establish is March 12, 1957

GEO N CARTER,
State Reclamation Engineer
(Pub Dec 21-28, 1961, Jan 4-11 1962)

26818

LAW OFFICES OF
ALBAUGH, BLOEM, SMITH & PIKE
P O Box 428

IDAHO FALLS, IDAHO

SUITE 201-5 ROGERS BLDG
TELEPHONE JACKSON 2-6291

RALPH L. ALBAUGH
JOHN L. BLOEM
ARTHUR L. SMITH
EDWARD W. PIKE

January 26, 1962

Re: Permit No. G-26818
Gen R. Wilding

26818

MR. GEO. M. CARTER
State Reclamation Engineer
State House
Boise, Idaho

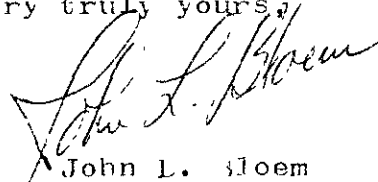
Dear Mr. Carter:

In connection with the Proof of Completion of works
and Application of water to Beneficial Use under the above
numbered permit, I enclose herewith:

Affidavit of Publication of The Rigby Star
deposition of Holder, Gen R. Wilding
Depositions of witnesses, Glenn E. Zweifel and
Joe H. Zweifel.

If there is any further information or documents you
will need, please advise us.

Very truly yours,



John L. Bloem

JLB:s

encs-4

26818

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

Notice is hereby given that at 2:00 P. M., on the 26th da. of January
1962, at Idaho Falls, County of Bonneville, State of Idaho,
before John L. Bloem, Notary Public, at (address) Suite 201-5 Rogers
Bldg., Idaho Falls, Idaho. proof will be submitted of the completion of works for
the diversion of 6 cubic feet per second of under round 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-26818, 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 Ben R. Wilding, Star Route, Dubois, 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 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
cubic feet per second.

4. The point of diversion of said water is SE¹/₄NE¹/₄ of Section 12, TWP. 8 N. R. 32,
E.B.M.

5. The place where said water is used is NE¹/₄NE¹/₄ of Section 7, all of the W¹/₄
of Section 8, TWP. 8 N.R. 33, E.B.M.

6. The date of priority which said user is prepared to establish is March ¹²~~28~~, 1957.

State Reclamation Engineer

26818

1200
6-28-61

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G-26818
Ben R. Wilding

Date: Dec. 11, 1961

Rigby Star,
Rigby, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to **January 26, 1962** the date set for proof;

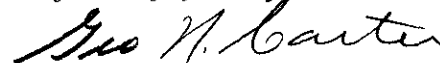
the expense of the publication is to be paid by the applicant's attorney

Albaugh, Bloom, Smith & Pike of **Box 428, Idaho Falls, 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.

26818

Encl.

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

December 11, 1961

Re: Permit No. G-26818
Ben R. Wilding

Albaugh, Bloom, Smith & Pike,
Attorneys at Law,
Box 428,
Idaho Falls, Idaho.

Attention: Ralph L. Albaugh

Gentlemen:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. G-26818, in the name of Ben R. Wilding. Final Proof is to be made before you, as Notary on the 26th day of January, 1962, ~~xxxx~~ at 2:00 o'clock P.M., at 201-5 Rogers Bldg., Idaho.
Idaho Falls,

As of this date we have mailed the Notice to the Rigby Star, Rigby, Idaho 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:

Rule

(Mrs.) Edna P. ~~xxxxxx~~
Chief Clerk

Encl.

EPR:Pk
cc: Applicant

26818

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) December 8, 1961
(P. O.) Idaho Falls, 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

RIGBY STAR of RIGBY, IDAHO published in

the county in which the works are situated

BEN R. WILDING

By

Ralph L. Albany
His Agent and Attorney

(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

26818

See letter in File - Permit No. 30002

December 6, 1961

Re: Permit No. G-26811 - Ben A. Hilding
G-30002 - Producers Irrigation Co.

Albaugh, Bloem, Smith & Pike
Attorneys at Law
P. O. Box 428
Idaho Falls, Idaho

Attn: Ralph L. Albaugh

Dear Mr. Albaugh:

We enclose the forms for making proofs on the
above numbered permits, as per your request of December 5, 1961.

Very truly yours,

Geo. A. CARTER
State Reclamation Engineer

W:

(Mrs.) Edna P. Kule
Chief Clerk

EPR:ew

Enc. forms

26818

July 27, 1959

Re: Application for Permit

Mr. Ben H. Wilding
Dubois, Idaho

Dear Mr. Wilding:

Enclosed is your check in the amount of \$5.00 which you sent with your letter of request for an application blank to appropriate subterranean water.

The fee for the permit depends upon the amount of water claimed and is shown on the folded instruction sheet enclosed. The fee for two copies of the permit to be sent to the Bureau of Land Management is \$2.00.

Be sure and sign the application on page three of the application after completing the answers on the form, and return with your check for the filing fee and fee for the two copies.

Very truly yours,

Geo. W. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rutledge
Chief Clerk

RT:L.R:ew
Enc. check

26818

April 17, 1957

RE: Permit No. G-26818

Mr. Ben R. Wilding
Dubois, Idaho

Dear Mr. Wilding:

We enclose Permit No. G-26818 in which we direct you attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

Departmental receipt No. G-2518 enclosed, covering payment of the \$6.75 filing fee in connection with the above captioned Permit.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

ER:vm
Encl. (3)

26818

NAME OF APPLICANT

Geo. J. Melting

Form No. 0

Twp. 8 N., R. 3 E. 3 M.

Section 12

Section 7

Section 8

Drainage
40

140 140

WELL

40 40

140 40

140 140

Permit Map No. 9-26818

As Approved MAR 22 1957

MARK R. KULP

State Registration Engineer

SCALE: 2 inches Equal 1 Mile. Draw Plan in Ink.

26818

February 27, 1957

RE: Application for Permit

Mr. Ben R. Wilding
Dubois, Idaho

Dear Mr. Wilding:

In reply to your letter of February 25, 1957, we enclose a form of application for Permit to appropriate subterranean water from a well together with a pamphlet giving regulations and instructions in regard to filing same.

When this application is approved, it will be signed by the proper State Officials and sent you as a use permit under which you may proceed with the construction of the work described in the application.

In order to complete your water right, proofs of completion of works and application of the water to beneficial use are required. The time required for making these proofs should be indicated under Question 10.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR:vem
Encl. - 4

26818

February 25, 1957
Dubois, Idaho

RECEIVED
FEB 27 1957

Department of Reclamation

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

Dear Sir:

I would like to have a permit to drill a well
for irrigation purposes on land description: S.E.
1/4 of the N.E. 1/4 of section 12-Township 8,
North Range 32. E.B.M. to irrigate N.W. 1/4 of
section 8, Township 8- North Range 33 East, E.B.M..
S.W. 1/4 of section 8-Township 8- North Range 33
E.B.M.. N.E. 1/4 of N.E. 1/4 of section 7-Township 8
North Range 33 E.B.M..

This well is approximately three miles from any
other well.

Very truly yours,

Ben R. Wilding
Ben R. Wilding

BRW/ds

26818