

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 45-7167 Priority Feb. 13, 1974 Amount 0.055 cfs

THIS IS TO CERTIFY, that ZION LUTHERAN CHURCH
of Burley, Idaho, has complied with the terms and conditions of Permit
No. 45-7167 issued pursuant to Application for Permit dated February 13, 1974,
and has submitted proof to the Department of Water Resources on March 21, 1975,
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 0.055 cfs of water from a ground water source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>Nov. 15</u> at <u>0.055</u> cfs and	<u>11</u> acre feet or	
	from _____ at _____ cfs and	<u>4.0</u> af per acre	
	from _____ at _____ cfs and		

(both dates inclusive)

Subject, however, to the condition that no more than 0.055 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
11 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 29,
Twp. 10 S, Rge. 23 E, B. M. in the County of Cassia

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 $\frac{1}{4}$	
10 S	23 E	29									2.75								2.75

Total number of acres irrigated 2.75

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 28 day of
July, 19 75.

Director

Identification No. _____

Application No. 45-7167

STATE OF IDAHO

LICENSE ISSUED FOR 0.055 SEC. FT. DEPARTMENT OF WATER ADMINISTRATION
LICENSE PAG NO. _____

APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho

(TYPE OR PRINT IN INK)

1. Name of applicant Zion Lutheran Church
post office address 24th and Miller, Burley, Idaho
2. Source of water supply groundwater which is a tributary of _____
3. a. Location of point of diversion is NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 29 Township 10S
Range 23E B.M. Cassia County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 0.055 ~~cfs~~ for irrigation purpose from Mar. 15 to Nov. 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 0.055 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Pump, 2" - 14 gallons per
minute at 50 psi suction at 25 foot depth,

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is 6 inches; proposed depth of well is 60 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 1 years.
b. Estimated construction cost is \$ 650.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____.
(5) If water is to be used for other purposes describe: _____

1997

[illegible]

Total number of acres to be irrigated 2.75

c. Describe any other water rights used for the same purposes as described above. none

9. a. Who owns the property at the point of diversion applicant

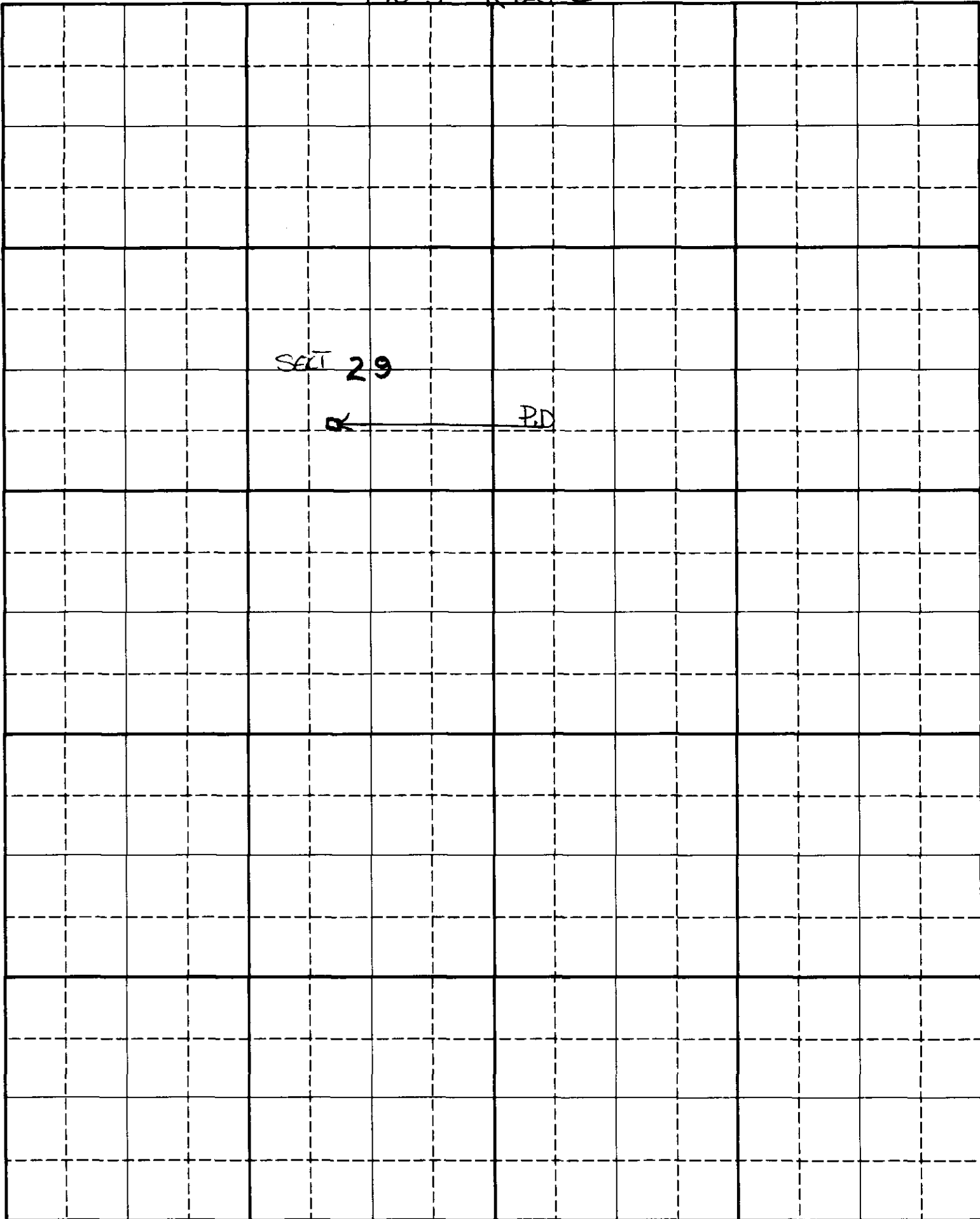
b. Who owns the land to be irrigated or place of use _____ applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks ~~We are presently sprinkling the lawn with Burley City Water. This~~
~~area is not on low pressure irrigation water. We are planning~~
~~to put the remainder of property in lawn and need well to irrigate~~
~~the additional area along with present area.~~

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

T-10-S R-23-E



Scale: 2 inches equal 1 mile

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.

Zion Lutheran Church
by Ralph A. Baul President
(Applicant)

Proposed Priority 2-13-1974Received by MB Date 2-13-74 Time 4:30Preliminary check by KOT Fee \$ 10.00Receipted by LT Date 2-13-74 (13810)~~KOT~~ Publication prepared by LT Date 2-14-74Published in South Idaho PressPublication dates 2-19 & 2-26-74Publication approved LT Date 2-14-74

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by in 30F

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 45-7167, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before April 1, 19 75.

c. Other: _____

2. Denial of said application is for the following reasons: _____

Witness my hand this 13 day of March 19 74.

R. Karl Higin
Director

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item Initial Date

- (1) _____ Application No. 45-7167 Zion Lutheran Church
- (2) KDF 2-14-74 ☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee
- (3) KDF 2-14-74 In form to receipt
KDF 2-14-74 Send Copies to:
_____ Idaho State Health Department
_____ Idaho Fish and Game Department
_____ Bureau of Land Management
- (4) KDF 2-14-74 _____ Request Special Use Permit from U.S.F.S.
_____ Request Easement from B.L.M.
_____ Request Information from Applicant
- (5) MLF 2-14-74 In form for advertising
- (6) _____ Located within Water District No. _____
- (7) mls 3-8-74 Critical groundwater area: yes _____ no ☒
- (8) mls 3-8-74 Groundwater levels:
_____ Decline (comment) _____
☒ Stable (comment) _____
_____ Increasing (comment) _____
- (9) _____ Comments: _____
- (10) LG _____ Affidavit of Publication received (date) 2-28-74
- (11) _____ Final date for protests 3-8-74
Protests received: yes _____ no _____
- (12) _____ Date and Place of hearing _____
Decision reached at hearing _____
- (13) _____ All requested information received from agencies or applicant
yes _____ no _____
- (14) mls 3-8-74 Action recommended:
☒ Approve Priority _____
_____ Deny Reason for Reduction _____
No Measuring device required
_____ See attached sheet for additional conditions of approval
☒ No additional conditions for approval
- (15) District Southern By Michael Steh Date 3-8-74

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss.
STATE OF IDAHO)

Ruth Chambers, being first

duly sworn, deposes and says that ^She is the

B. H. Hays of the South Idaho Press, a daily newspaper published at Burley, 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 editions of

The South Idaho Press for 2

consecutive weeks, commencing with the issue

dated February 19 1974, and ending

with the issue dated February 26, 1974.

Ruth Chambers

Subscribed and sworn to before me

this 27th day of February

1974.

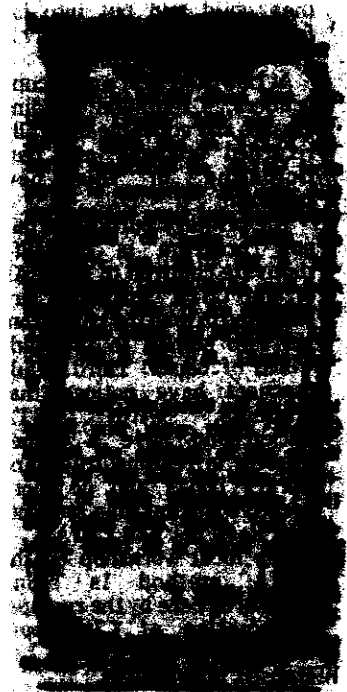
Edith Ravestadt Notary Public

Cost of Publication 9.80

Notary Fee

Total Cost

My commission expires October 23, 1975



RECEIVED

FEB 28 1974

Department of Water Administration
Southern District Office

45 7167

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss.
STATE OF IDAHO)

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Bookkeeper of the South Idaho Press, a daily newspaper published at Burley, 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 editions of

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Subscribed and sworn to before me

this 27th day of February

1974

Edith Raustadt Notary Public

Cost of Publication 9.80

Notary Fee

Total Cost

My commission expires October 23, 1975

74-53

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Zion Lutheran Church, 24th and Miller, Burley, Idaho has on 2-13-74 submitted Application No. 45-7167 for a permit to appropriate .055 cubic feet per second of water from groundwater by means of pump within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29, T 10S, R. 23E, B.M., Cassia County to be used from Mar. 15 to Nov. 15 for irrigation of 2.75 acres within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29, T 10S, R. 23E, B.M., Cassia County.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301 on or before March 8, 1974.

R. KEITH HIGGINSON
Director

Published in the South Idaho Press
on Feb. 19 and Feb. 26, 1974.

74-53

16 7417

July 28, 1975

Re: Permit No. 45-7167

Zion Lutheran Church
24th & Miller
Burley, ID 83318

Gentlemen:

Enclosed herewith is a copy of the water license issued on the above referenced permit.

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:rb

Enc.

RECEIVED

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

RECEIVED

1. Name of permit holder Zion Lutheran Church
Postoffice address 24th & Miller, Burley, ID Phone APR 4 1975
Person to contact Bill Jones at Burley Auto Parts Department of Water Administration
Phone 253-0112

2. Source of water supply: Groundwater ☒ Surface water ☐
(name spring, stream, etc.)
Tributary to _____

3. Water will be used for the following purposes:

Amount 0.055 c.f.s. for irrigation
AF/Annum (nature of use)

Period of Use: from Mar. 15 to Nov. 15
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

Permit No. 45-7167
Examination for b/u

4. Total amount to be appropriated:

Max Rate of Diversion 0.055 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 10S N/S, Range 23E E/W, B.M., Section 29, Subdivision NE $\frac{1}{4}$ SW $\frac{1}{4}$, Cassia
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____
County

Other Points of Diversions: _____

Description of diverting works: 2 hp, 6" well, 60' deep.

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or 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 $\frac{1}{4}$	
10S	23E	29									2.75								2.75

TOTAL ACREAGE

2.75

Rge - 23E

2 9
2.75
*

Diagram of System

DATE OF EXAM 5-14-75

ACREAGE
Found 2.75
Recommended 2.75

Irrigation Requirement 4.0 Ac Ft/Ac

USE
Irrigation Q = .055 c.f.s. V = 11.0 AF/Ann. from March 15 to Nov 15
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ☒

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no ☒

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured ☒ Method of measurement ☒

Total Q recommended .055 Meter No. ☒ Type ☒ Condition ☒

Total V recommended 11.0 Acre Feet/ANN.

Recommended Amendments:

P.D. ☒
Place of Use ☒
Other ☒
None ☒

MEASUREMENT CALCULATION:

$Q = .055 \text{ c.f.s.}$ Amount Applied for.
 $V = 11.0 \text{ AcFt/ANN.} = (\text{Irr Reg } 4.0)(2.75 \text{ Acres})$

SYSTEM DESCRIPTION:

Franklin Electric Submersible Motor & Pump.
Motor 2Hp. M 2821011-201 Under ground Sprinkler System.
Pop up Sprinkler Heads.

REMARKS:

Examiner's Signature Sary Tunderburg Date 5-14-75
Checked by Michael Steele Date 7-7-75
Approved by _____ Date _____

April 2, 1975

Re: Permit No. 45-7167

Zion Lutheran Church
24th & Miller
Burley, ID 83318

Gentlemen:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell during which part of the irrigation season this examination will be made, however, our examiner will try to contact you at the time he makes the exam so that you may show him the system.

If you have any questions concerning the field exam, please contact our District Office in **Twin Falls.**

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG

MICROFILMED

Identification No. _____
Permit No. 45-7167

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

RECEIVED
MAR 21 1975
Department of Water Resources

1. a) Name of Permit Holder Zion Lutheran Church
b) Post Office Address 24th and Miller Burley Idaho
2. Permit Number 45-7167
3. Date of Priority that you are prepared to establish 2-13-74
4. a) Source from which water was appropriated Groundwater
b) Location of the point of diversion: NE 1/4 SW 1/4, Section 29
Township 10S, Range 23E Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
Amount 0.055 cfs for Irrigation purposes from March 15 to Nov 15 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 0.055 cfs and/or acre-feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: _____
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:
NA
b) Describe the agreement or understanding by which you take water from the works:
NA
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) 2 hp 6" well 60ft
b) Describe the type and size of measuring device which you have installed at your point of diversion:
None
c) Give well driller's name and address and the date the well was completed:
R.O Denton Paul Idaho
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: _____

Exam typed 4/2/25 by ja

RECEIVED

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
105	3E	29									2.75								2.75

Total number of acres irrigated 2.75

10. Remarks: Contact Bill Jones at Burley Auto Parts
when exam is made

The above information is a true statement of the extent to which the above numbered permit has been developed.

3-21-75
(Date)

Robert G. Beal
(Signature)

State of Idaho)
County of Twin Falls) ss.

On this 21 day of March, 19 75, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Robert D. Haynes
Notary Public residing at Twin Falls

My commission expires 11-20-78

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

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

- Complete items 1 and 2 on reverse side.
- Moisten gummed ends and attach to back of article.

**PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300**



**RETURN
TO**

DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

PS Form 3811, Nov. 1973

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1 and 2.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).

- ☐ Show to whom and date delivered..... 15¢
- ☐ Show to whom, date, & address of delivery.. 35¢
- ☐ DELIVER ONLY TO ADDRESSEE and show to whom and date delivered..... 65¢
- ☐ DELIVER ONLY TO ADDRESSEE and show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:

3. ARTICLE DESCRIPTION:

REGISTERED NO. CERTIFIED NO. INSURED NO.

26484

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE *G. J. Frickner - Chuck*
Madeline Archer, Jr.

4. DATE OF DELIVERY

2-3-75

POSTMARK

1975 FEB 3

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

January 31, 1975

CERTIFIED MAIL

26484

Re: Permit No. 45-7167

Zion Lutheran Church
24th and Miller
Burley, Idaho 83318

Gentlemen:

One of the conditions of approval of your water Permit No. 45-7167 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before April 1, 1975. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.



R. KEITH HIGGINSON
Director

RKH:jg
Enc: Proof affidavit

RECORDED

March 14, 1974

Re: Permit No. 45-7167

Zion Lutheran Church
24th and Miller
Burley, Idaho 83318

Gentlemen:

Enclosed is a copy of your approved Application for Permit No. 45-7167 . We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLENNOR
Assistant Director

BDF/bjg

Enclosure

45 7167

February 14, 1974

RE: Application No. 45-7167 - Zion Lutheran Church

South Idaho Press
Box 190
Burley, Idaho 83318

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Very truly yours,

Bob Haynes
District Engineer
Southern District

Bill submitted 2-28-74 - LT

45 7167

45 7167

74-53

**NOTICE OF APPLICATION FOR
WATER PERMIT**

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If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301 on or before March 8, 1974.

R. KEITH HIGGINSON
Director

Published in the South Idaho Press
on Feb. 19 and Feb. 26, 1974.

2-19-74
mk LT

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to be used from Mar. 15 to Nov. 15
for irrigation of 2.75 acres

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Director

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45 7167