

45-02752

State of Idaho

License and Certificate of Water Right

Water License No. G-28591 Priority April 7, 1960 Amount 4.72 c.f.s.

THIS IS TO CERTIFY that FLORENCE L. ROBINSON - Assignee - ALENE J. SMITH

of Rupert, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated April 7, 1960; that Permit No. G-28591 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 4.72 second feet, was issued thereunder on April 13, 1966, showing that said works were completed on the 18th day of June, 1963; and that on the 18th day of June, 1963

ALENE J. SMITH - Assignee - Farm Development Corp., made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of a well

a tributary of subterranean flow for the purpose of irrigation under Use Permit No. G-28591 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 13 of Licenses, at Page 8458, on the 13th day of April, 1966.

The right hereby confirmed dates from April 7, 1960.

The Point of Diversion is located

in the SE 1/4, Sec. 31, Twp. 9 S, R. 25 E, B.M. CASSIA 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 4.72 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
9 S	25 E	31	SE 1/4	160	160
		32	SW 1/4	160	160
Total number of acres to be irrigated:				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 13th day of April, 1966.

Carl P. Tappan
State Reclamation Engineer.

State of Idaho

LICENSE AND CERTIFICATE
OF WATER RIGHT

Water License No. G-28591

To Farm Development Corp.
Boise, Idaho

Source of Supply a well

Cassia County

Amount 4.72 Sec. Ft.

Point of Diversion SE¹/₄ Sec. 31,
T. 9 S., R. 25 E., B.M.

Place of Use SE¹/₄ Sec. 31; SW¹/₄ Sec. 32,
T. 9 S., R. 25 E., B.M.

Purpose Irrigation

Date of Priority April 7, 1960

Recorded April 13, 1966

in Book 13 of Licenses, Page 8452

28591

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 36572
Permit No. G- 28591
District No.

Handwritten notes:
43-2493
45-2752
No. 10. 100 ft. deep
turn 100 ft. deep
400 S. 100 ft. deep
100 ft. deep

1. Name of Applicant: Florence L. Robinson

Postoffice address: 923 "I" St., Rupert County: Minidoka

State: Idaho

2. Quantity of water claimed: 6.4 cubic feet per second

(a) Rate of withdrawal in cubic feet per second
Miners' inches

or Idaho

or gallons per minute

(b) Annual withdrawal in acre feet per annum

3. Source of water supply: Subterranean source. Irrigation wells and pumps

4. Location of point of diversion or well is in the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 31

Twp. 9 South, Rge. 25 E, B.M., County of Cassia

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: Turbine pump and sprinkler system

8. Estimated cost of works: \$ 20,000.00

9. (a) Is reservoir to be used? no

(b) Capacity of reservoir:

10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.

11. If applicant is a corporation, give: Not applicable

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:

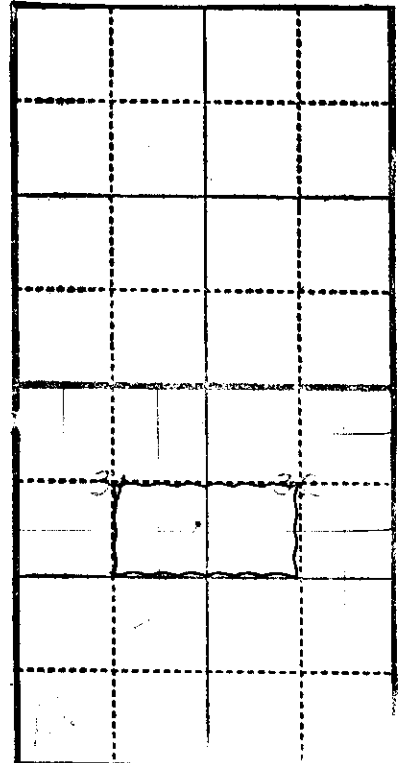
(d) Other resources:

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) 6.4 (cubic feet per second, inches or gallons per minute) is for new lands.



Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
9 S	25 E	31 32											40	40	40	40	40	40	160 160
A S S I G N M E N T																			
For value received, I hereby assign all of my right, title and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. G-28591, to ALENE J. SMITH, of Rigby, Idaho.																			
s/ FLORENCE L. ROBINSON Permit Holder																			
s/ LAWRENCE H. ROBINSON Husband of Permit Holder																			
STATE OF IDAHO																			
County of Minidoka																			
On this 25th day of April, 1963, before me, a Notary Public for the State of Idaho, residing at Rupert, Idaho, personally appeared FLORENCE L. ROBINSON and LAWRENCE H. ROBINSON, known to me to be the persons whose names are subscribed to the within instrument and duly acknowledged to me that they executed the same.																			
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal, the day and year in this certificate first above written.																			
s/ LAWRENCE H. DUFFIN Notary Public, Residing at Rupert, Idaho																			
(SEAL) My commission expires, Dec. 23, 1965																			

ASSIGNMENT

See Quit Clain Deed in file transferring this property from Alene J. Smith and L. Grant Smith to Farm Development Corporation.

Application for Amendment ✓✓
POINT OF DIVERSION
Permit No. G-28591

Comes now Farm Development Corp. and represents to the State Reclamation Engineer of the State of Idaho: That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. G-28591. That the point of diversion is described in said Permit as being located: NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 31, T. 9 S., R. 25 E., B.M.

That he now requests that the point of diversion be changed to a point located: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 31, T. 9 S., R. 25 E., B.M.

That the reason for desiring to make such change is as follows: The well is actually located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 31. The permit was advertised, proof was taken and when examined by the Reclamation Engineer it was discovered that the point of diversion was listed wrong. That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.

Signed at Boise, Idaho this 29th day of December, 1965

FARM DEVELOPMENT CORP.
By: W.P. Reser, Assistant Secretary

Date of Receipt at Department of Reclamation January 6, 1966

APPROVAL OF STATE RECLAMATION ENGINEER

I, Ralph W. Thomas, Deputy State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. G-28591. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

/s/ RALPH W. THOMAS
Deputy State Reclamation Engineer

Recorded January 11, 1966

Permit No. G-28591
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that Florence L. Robinson - Assignee - Alene J. Smith - Assignee - Farm Development Corp. of Rupert, County of Minidoka, and State of Idaho, the holder of Permit No. G-28591, issued upon Application No. G-36572 bearing date of priority of April 7, 1960, authorizing the diversion of 6.4 second feet of waters of wells County of Cassia, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 4.72 second feet of the waters of a well from subterranean flow; that the point of diversion of said waters SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 31, T. 9 S., R. 25 E., B.M. and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit: SE $\frac{1}{4}$, Sec. 31; SW $\frac{1}{4}$, Sec. 32, T. 9 S., R. 25 E., B.M.

Witness my hand this 13th day of April, A.D. 1966

/s/ CARL E. TAPPAN
State Reclamation Engineer

Proof of Completion of Works Made: June 18, 1963

LICENSE ISSUED FOR 472 SEC. FL.
LICENSE PAGE NO. 845-8

September 16, 1982

RE: License No. 45-2752

H2O Farms
c/o Bill Hepworth
Route #1
Rupert, ID 83350

Dear Mr. Hepworth:

Our office acknowledges receipt of Assignment of Permit for the above referenced water right. However, in reviewing the file I find that the Permit has been licensed.

In Idaho, a licensed water right is considered real property and is acquired when the property to which it is appurtenant to is purchased. Proof to owning the property is proof of owning the water right license.

Therefore, I have put the Assignment of Permit into the file for future reference only and no other action will be taken. I have also enclosed a copy of the license for your records.

If you have any questions please feel free to contact our office.

Sincerely,

ROBYN CARLSON
Chief Clerk

RC:k
Enclosure

Wayne Brown
P.O. Box 45
Paul, ID 83347

State of Idaho
Department of Water Resources
ASSIGNMENT OF PERMIT

RECEIVED
no (initials)
SEP 8 1982
Department of Water Resources

I, Wayne Brown, hereby assign to H2O Farms
of 7. Bill Hepworth Rt. 1, Rupert, Id. 83350
Address

CHECK ONE

☒ All my right, title, and interest in and to Permit No. #45-2752 & #45-7459
to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 26 day of July, 19 82.

Wayne Brown
Permit Holder

Laverne Brown
Spouse of Permit Holder

State of Idaho)
County of Minidoka) ss.

On this 26th day of July, 19 82, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

Kathleen A. Brown
Notary Public residing at
Burley, Idaho

My commission expires:

Aug 6th 1985

Note: original Assignment is in 45-7459 Rc 9-14-82

A.S.G. RANCHES
Cassia County, Idaho
April 25, 1972

LEGAL DESCRIPTION:

Township 9 South, Range 25 East, Boise Meridian:

Section 28: W1/2SW1/4;

Section 29: E1/2; Beginning at the North Quarter Marker of Section 29, Township 9 South, Range 25 East, E.B.M.; thence West approximately 900 feet to the center of the Minidoka Project Main South Side Canal; thence Southerly approximately 2640 feet on a line identical with the Center of said canal to the Southern Boundary Line of the Northwest Quarter of Section 29; thence East approximately 900 feet to a point identical to the center of said Section 29; thence North 2640 feet to the Point of Beginning.

Section 31: SE1/4;

Section 32: SW1/4; NE1/4; E1/2NW1/4;

Section 33: NW1/4NW1/4;

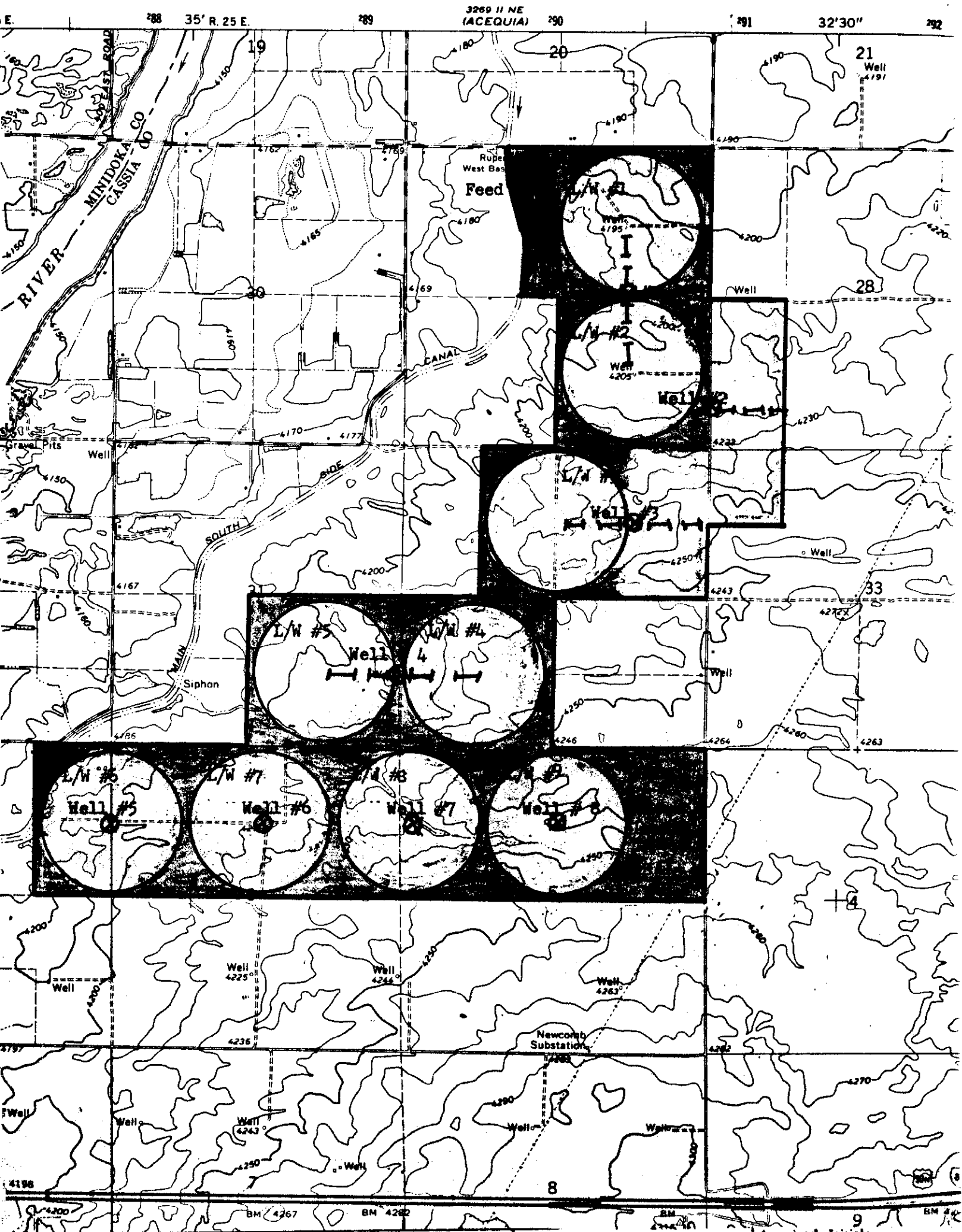
Township 10 South, Range 24 East, Boise, Meridian:

Section 1: E1/2NE1/4;

Township 10 South, Range 25 East, Boise, Meridian:

Section 5: N1/2;

Section 6: N1/2;



Applicant A. S. G. RANCHES		Acreage 1760 ACRES	Appraiser's Initials LL
State IDAHO		County CASSIA	Date 25 April 1972
Scale 2 5/8" Per Mile			

LEGEND Cult. Land & Rot. Pasture Irr. in the past. Native Hay Permanent Pasture Groves, Orchards & Vineyards Buildings	Rivers, Streams, etc. (Blue) Roads (Red) Barbed Wire Woven Wire Well and Windmill Well and Pump Drainage Pumps Drainage Ditches	Circles Irrigation Wells Concrete Irrigation Canals Dry Irrigation Ditches Underground Irrigation Pipes Railroad Lines
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Designate other features, i.e. open or trees & vines by black, and tank farm, machine located near water tank, windmill, pump, etc., telephone lines, etc.

FARM PLAT **CONNECTICUT GENERAL LIFE INSURANCE COMPANY**

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that Florence L. Robinson, Assignee, Alene J. Smith, assignee of Rupert Farm Development Corp., County of Minidoka and State of Idaho the holder of Permit No. G-28591, issued upon Application No. G-36522, bearing date of priority of April 7, 1960, authorizing the diversion of 6.4 second feet of waters of wells

County of Cassia State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 4.72 second feet of the waters of a well from subterranean flow;

that the point of diversion of said waters SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 31, T. 9 S., R. 25 E., B.M.

and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit: SE $\frac{1}{4}$, Sec. 31; SW $\frac{1}{4}$, Sec. 32, T. 9 S., R. 25 E., B.M.

Proof of Completion of Works Made: June 18, 1963

Witness my hand this 13th day of April, A.D. 1966

Carl E. Tappan
State Reclamation Engineer

Permit No. 28591.....

**Certificate of Completion
of Works**

Dated April 13, 19 66

Stream ... a well

County ... Cassia

Amount ... 4.72 c.f.s.

Date of Priority ... April 7, 1960

Recorded in Book 100

of Permits ... , page 28591

April 13, 1966

RE: Permit No. G-28591
Farm Development Corp.

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

Dear Mr. McDowell:

Enclosed are the Certificate of Completion of Works and
License and Certificate of Water Right on the above
numbered permit.

Also enclosed is departmental receipt No. G-10259 in the
amount of \$21.00 covering the fees.

Very truly yours,

M. Russell Bosch
Office Manager

MRB:mr

Enc. certificates
receipt

28591

500 - July 8, 1964

March 9, 1966

RE: Permit No. G-28591
Farm Development Corp.

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

Dear Mr. McDowell:

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-28591 shows the well is (~~are~~) capable of conveying 236 miner's inches, or 4.72 c.f.s. of water for the irrigation of 320 acres.

Upon receipt of the statutory fees, totaling \$ 21.00 , we will issue the Certificate of Completion of Works and the License and Certificate of Water Right confirming the right, with priority of April 7, 1960 , to the use of 4.72 second feet of subterranean water with the point of diversion in the SE~~1~~SE~~4~~, Sec. 31 for irrigation of 320 acres in the SE~~1~~, Sec. 31; SW~~1~~, Sec. 32, T. 9 S., R. 25 E., B.M.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

28591

LEGAL NOTICES

66-24

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

Notice is hereby given that at 10:00 A.M., on the 18th day of January 1966, at Boise, County of Ada, State of Idaho before Sharon Deroin, Notary Public, at 224 Idaho Building, proof will be submitted of the completion of works for the diversion of 6.4 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-18591, 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 Farm Development Corp., P.O. Box 1201, Boise, Idaho.

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

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

4. The point of diversion of said water is SE $\frac{1}{4}$ Sec. 31, T9S-R25E, B.M.

5. The place where said water is used is SE $\frac{1}{4}$ Sec. 31, SW $\frac{1}{4}$ Sec. 32, T9S-R25E, B.M.

6. The date of priority which said user is prepared to establish is April 7, 1960.

CARL E. TAPPAN
State Reclamation Engineer
published in the Burley Herald-Bulletin January 24, 31, February 7, 1966.

63-125

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

NOTICE is hereby given that at 2 P.M., on the 18th day of June, 1963, at Burley, County of Cassia, State of Idaho, before DEAN KLOEPFER, Notary Public, at SNOW BUILDING, BURLEY, IDAHO, proof will be submitted of the completion of works for the diversion of 6.4 cubic feet per second of the waters of Subterranean source, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-28591, 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: ALENE J. SMITH, RIGBY, IDAHO.

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

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

4. The point of diversion of said water is a well located 50 feet west and 5 feet north of the Southeast corner of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31, Twp. 9 South, Range 25 EBM.

5. The place where said water is used is the SE $\frac{1}{4}$ of Section 31, SW $\frac{1}{4}$ of Section 32, Township 9 South, Range 25 EBM, Total 320 acres.

6. The date of priority which said user is prepared to establish is April 7, 1960.

GEO. N. CARTER,
State Reclamation Engineer
published in the Burley Herald-Bulletin on May 17, 24, 31, and June 7, 1963.

28591

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

Permit No. G-28591.....

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

1. Name of applicant. Farm Development Corporation

2. Source of water supply: well

3. Location of point of diversion: Is in the SE¹SE¹₄ of Section 31

T. 9 S. R. 25 E., B.M. County of Cassia

4. Describe works as they exist, giving dimensions and capacities of same:.....

5. Water is used for: Irrigation

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

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):

N $\frac{1}{2}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Section 31; SW $\frac{1}{4}$, Section 32, T 9 S., R 25 E., B.M.

(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 examination was made on the _____ day of _____, 19____.

(Signed) _____

28591

26-00 41 11'
Farm Development Corp. 131' 4' x 18' 4"
P.O. Box 1201
Boise, Idaho
W.P. Resor 407 S. 1st St.
Permit No. G-28591 264-3/4" @ 80 p.

Examination for Completion of Works and
Beneficial Use

County Cassia

Sec. 31 T. 9S R. 25E., B.M.

Quantity: 6.4 cfs.

Source: Well

P.D.: SE 1/4 SE 1/4 Section 31
Twp. 9S. Range 25E. B.M.
Use: Irrigation

Extension:

Protest:

Completion of Works:

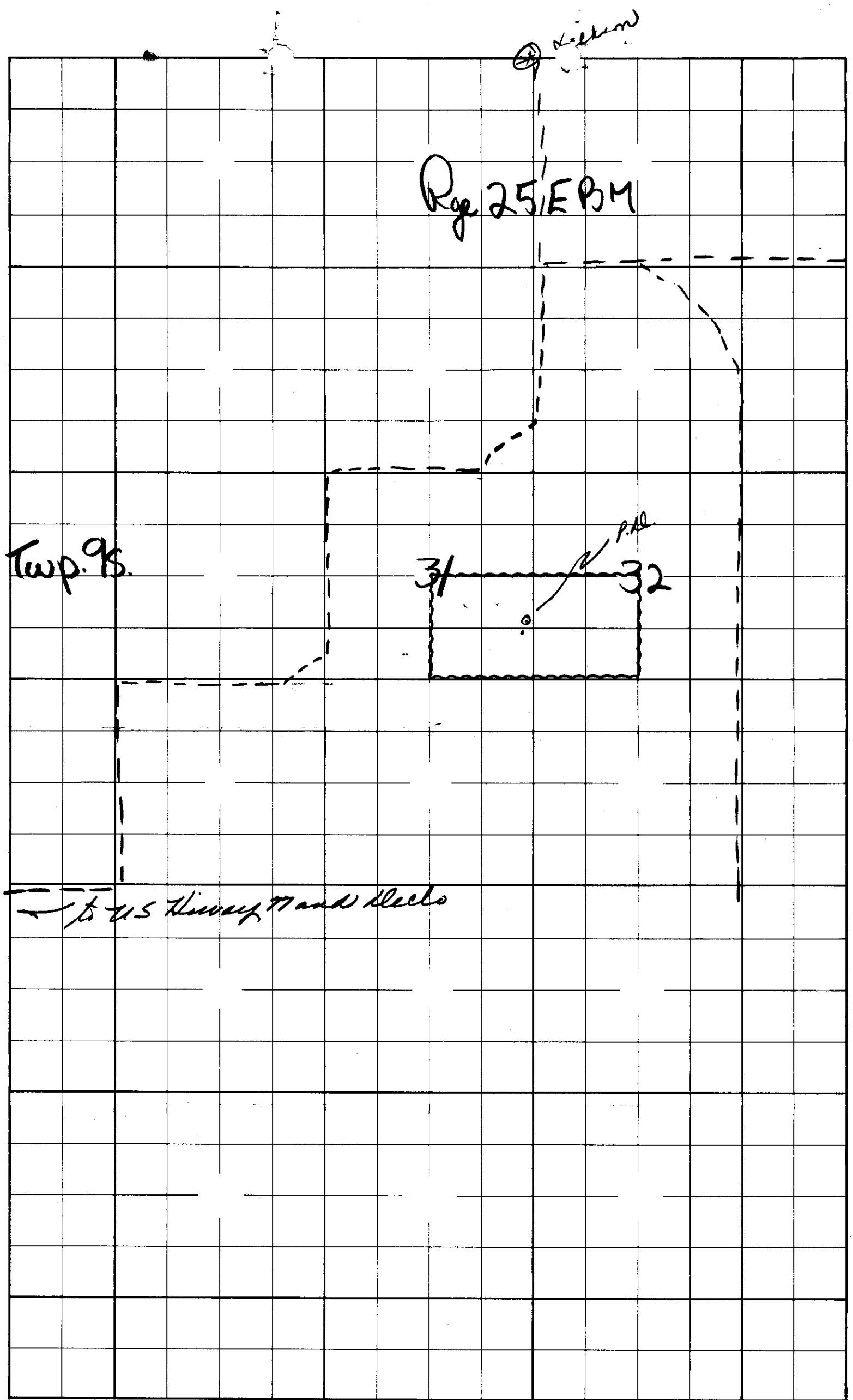
Other Rights: None

Filed: April 3, 1960

Due: April 14, 1965

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.



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. G-28591

REPORT ON PROOF OF Completion of Works and Beneficial Use

February 23, 1966

Re: Permit No. **G-28591**
Farm Development Corp.

Idaho Land and Appraisal Service
P.O. Box 2161
Boise, Idaho

Gentlemen:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the **Boise-Herald** **Bulletin**, all submitted in proof of completion of works and beneficial use on Permit No. **G-28591**.

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,

CARL E. TAPPAN
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR: **ejw**
cct Farm Development Corp.
P.O. Box 1201
Boise, Idaho

28591

RECEIVED

The Burley Herald-Bulletin

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

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

Walter W. Schramm, being first

duly sworn, deposes and says that he is the

Editor of Burley Herald-Bulletin, a weekly 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 weekly editions of Burley Herald-Bulletin for

five (5) consecutive weeks, commencing

with the issue dated January 17, 1966, and

ending with the issue dated February 13, 1966

[Signature of Walter W. Schramm]

Subscribed and sworn to before me this

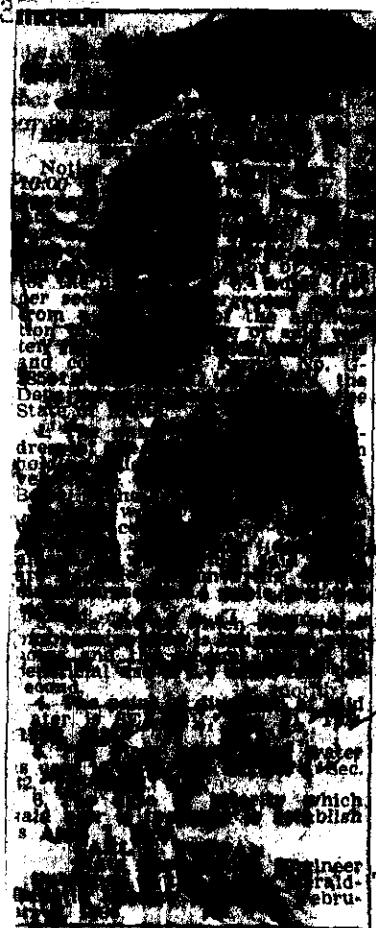
9th day of February, 19 66

[Signature of Ruth K. Chambers]
Notary Public

Cost of Publication My Commission Expires Feb. 18, 1969

Notary fee _____

Total Cost _____



The Burley Herald-Bulletin

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

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

Walter W. Schramm, being first
duly sworn, deposes and says that he is the

Editor of Burley Herald-Bulletin, a weekly 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 weekly editions of Burley Herald-Bulletin for

five (5) consecutive weeks, commencing
with the issue dated January 17, 1966, and
ending with the issue dated February 13, 1966

Subscribed and sworn to before me this

9th day of February, 1966

Notary Public

Cost of Publication

Notary fee

Total Cost

1111111111

LEGAL NOTICES

66-24

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

Notice is hereby given that at 10:00 A.M. on the 18th day of January 1966, at Boise, County of Ada, State of Idaho before Sharon Devoin, Notary Public, at 224 Idaho Building, proof will be submitted of the completion of works for the diversion of 6.4 cubic feet per second of underground water from a well and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-28591 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 Farm Development Corp., P.O. Box 1201, Boise, Idaho.

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

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

4. The point of diversion of said water is SE1/4 Sec. 31, T9S, R25E, B.M.

5. The place where said water is used is SE1/4 Sec. 31, SW1/4 Sec. 32, T9S, R25E, B.M.

6. The date of priority which said user is prepared to establish is April 7, 1960.

CARL E. TAPPAN
State Reclamation Engineer
Published in the Burley Herald-Bulletin January 17, 24, 31, February 7, 1966.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho
Permit No. G-28591

REC
FEB 21 1966
Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

DEPOSITION OF HOLDER

Ques. 1. State your name, residence occupation and postoffice address: W. P. Reser.
407 South Cole Road, Boise, Idaho, Corporate Officer, P. O. Box 1201, Boise, Idaho

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf: Farm Development Corporation, Boise, Idaho, Vice President and Assistant Secretary, Instructions from the Board of Directors.

Ques. 3. State number, approval date of permit, and date of priority: No: G-28591; Approved: April 14, 1960; Priority: April 7, 1960

Ques. 4. State source of water supply: well
Give location of point of diversion, showing subdivision, section, township and range SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 31, Township 9 South - Range 25 East, B.M.

Ques. 5. Describe your works of diversion: well, casing, 125 hp, pump & electric motor, mainline & sprinkler laterals; state amount of water they are capable of conveying from point of diversion to place of use: 2000 GPMs; Give name of canal or ditch or other works by which water is conducted to such place of use: Private Works
; if a well, state depth of well 131'; depth and size of casing 4'-18"; depth to water 71'; if pump is used, state discharge of pump: 2,000 GPMs; tell how it was measured or determined State Engineer & Pump company; if sprinkler irrigation, give number and size of nozzles and operating pressure: 264 - 3/16" nozzles under 80# of pressure

Ques. 6. State for what purpose water is used: irrigation
(If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water:
NE $\frac{1}{4}$ SE $\frac{1}{4}$ - 40 ac; NW $\frac{1}{4}$ SE $\frac{1}{4}$ - 40 ac; SW $\frac{1}{4}$ SE $\frac{1}{4}$ - 40 ac; SE $\frac{1}{4}$ SE $\frac{1}{4}$ - 40 ac, Section 31;
NE $\frac{1}{4}$ SW $\frac{1}{4}$ - 40 ac; NW $\frac{1}{4}$ SW $\frac{1}{4}$ - 40 ac; SW $\frac{1}{4}$ SW $\frac{1}{4}$ - 40 ac; SE $\frac{1}{4}$ SW $\frac{1}{4}$ - 40 ac, Section 32;
Township 9 South - Range 25 East, B.M.

28591

State nature of all improvements which have been made as a direct result of said use:

All improvements are a direct result of said use.

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

Ques. 7. If for other than irrigation purposes, show full legal description of place of use and state purpose for which water is used:

Irrigation only.

Ques. 8: 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:

Deed for consideration

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: 5/24/61 - Time used since first use:

5 cropping seasons or about 25 months.

Ques. 10. Describe all other water rights appurtenant to same place of use: _____

NONE

FARM DEVELOPMENT CORPORATION

(sign) BY: W. P. Person Vice Pres.

I hereby certify that the foregoing testimony was read to the above subscribed, before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in

Boise, County of Ada

State of Idaho, on this 18th day of February, A. D. 1966.

Shannon Person

My commission expires: 9/28/68

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

Permit No. G-28591

RECEIVED
FEB 21 1965

Department of Reclamation

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:

W. H. Reynolds, 31, 1315 North 10th Street, Boise, Idaho, Corporate Officer,
1315 North 10th Street, Boise, Idaho

Ques. 2 Are you acquainted with W. P. Reser ✓, the holder of
Permit No. G-28591 ? How long have you known him and where does he reside?

I have known him about 3 years and he lives in Boise, Idaho.

Ques. 3. Have you read or heard said Permit No. G-28591 ✓ read, and are you familiar
with its provisions and conditions: Yes xx ✓ No.

Ques. 4. State source of water supply: well ✓

Give location of place of diversion, showing subdivision, section, township and range
SE¼SE¼, Section 31, Township 9 South - Range 25 East, B.M.

Describe works for conveying water to place of use: well, casing, pump, motor, mainline
and sprinkler laterals

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 4.5 cfs How much water have you seen being so
conveyed? 2,000 GPMs

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:
Township 9 South - Range 25 East, B.M., Section 31 - SE¼ - 160 acres; Section 32
SW¼ - 160 acres.

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

Irrigation Only.

Ques. 8. (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.

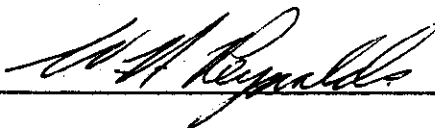
Fine Sandy Loam and all of the water used is required for profitable cultivation.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned? If so, in what way and to what extent? No. ✓

Ques. 10. When did you first see this water used? KXX June, 1961.

Other times you have seen such use: Irrigation seasons of 1962, 1963 and 1964

(Signed):

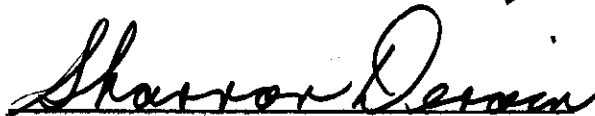


* * * * *

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Boise

_____, County of Ada, State of Idaho, on

this 18th day of February, A. D. 19 66



Notary Public for the State of Idaho

Residing Boise, Idaho

My commission expires 9/28/68

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G-28591

RECEIVED
FEB 21 1966

* * * * *

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:

B. G. Miller, 46, Boise, Idaho, Corporate Officer, P. O. Box 1201, Borah Station,
Boise, Idaho 83701.

Ques. 2 Are you acquainted with W. P. Reser ✓, the holder of
Permit No. G-28591 ? How long have you known him and where does he reside?

I have known Mr. Reser 3 years and he lives in Boise, Idaho.

Ques. 3. Have you read or heard said Permit No. G-28591 ✓ read, and are you familiar
with its provisions and conditions: Yes xxx No.

Ques. 4. State source of water supply: well

Give location of place of diversion, showing subdivision, section, township and range
SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 31, Township 9 South - Range 25 East, B.M.

Describe works for conveying water to place of use: well, pump, electric motor, panel
aluminum mainline, $\frac{1}{4}$ mile sprinkler lateral for 140 ac, can be sprinkled with addition-
al portable sprinklers, and brass nozzles.

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 4.5 How much water have you seen being so
conveyed? All 8 lines operating at one time.

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:

320 acres described as Township 9 South - Range 25 East, B.M., Section 31 - SE $\frac{1}{4}$;
Section 32 - SW $\frac{1}{4}$.

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

Irrigation only.

Ques. 8. (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.

It was desert, it has sandy soil with some rock and I would estimate it takes about 4 acre feet per acre per year for profitable cultivation.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned?

If so, in what way and to what extent? Yes. I am a minor stockholder of corporation that acquired land and is proving up on permit. At the time well was completed and of my first observation, I had no ownership interest in this well, water or lands.

Ques. 10. When did you first see this water used? April, 1962

Other times you have seen such use: Summer of 1965

(Signed):

B. Blum

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in

Boise, County of Ada, State of Idaho, on this 18th day of February, A. D. 19 66

Sharon Deson

Notary Public for the State of Idaho

Residing Boise, Idaho

My commission expires 9/28/68

February 15, 1966

RE: Permit No. G-28591 - Smith to Farm Development Corp ✓
G-31331 - Winchester to Winchester to Morse
G-32225 - Herzinger to Martin

Harley M. McDowell
Idaho Land and Appraisal Service
P.O. Box 2161
Boise, Idaho

Dear Mr. McDowell:

Enclosed are assignments on the above numbered permit excluding Permit No. G-28591 which was sent to you at a earlier date.

Also enclosed are departmental receipts No. G-10152 and G-10153 in the amount of \$.50 and \$1.50 respectively. This covers the fee for recording the assignments as listed above.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw
Encl: Assignments (3)
Receipts (2)

28591

January 12, 1966

RE: Permit Nos. G-28591, G-28592
Farm Development Corporation

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

Dear Mr. McDowell:

Enclosed are the Amendment to the Point of Diversion on Permit No. G-28591, and the Certificates of Completion of Works and Licenses and Certificates of Water Right on Permit No. G-28592.

Also enclosed is Departmental Receipt No. G-10073 in the amount of \$40.00 covering the fees for Application No. G-40843, Certificates of Water Right and recording the assignments on Permit No. G-28592.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

Enc. amendment, certificates, receipt

28591 3w

RECEIVED
JAN 9 1966

DEPARTMENT OF RECLAMATION

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) December 29, 1965

(P. O.) Box 2161, Boise, 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 Burley Herald-Bulletin of
Burley, Idaho Published in

the county in which the works are situated. Please send the statement of
charges and Affidavit of Publication to Idaho Land & Appraisal Service,
P. O. Box 2161, Boise, Idaho 83701

FARM DEVELOPMENT CORP.

By: W. G. Reser
Assistant Secretary

(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

28591

RECEIVED
JAN 6 1966

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

Department of Reclamation

Notice is hereby given that at 10:00 A.M., on the 18th day of February
19 65⁶, at Boise, County of Ada, State of Idaho
before Sharon Deroia, Notary Public, at (address) 224 Idaho
Building, proof will be submitted of the completion
of works for the diversion of 6.4 cubic feet per second of underground water from a
well, and of the application to beneficial use of said water, in accordance with the
terms and conditions of Permit No. G-28591, 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 Farm Development Corp., P. O. Box 1201, Boise, Idaho.

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

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

4. The point of diversion of said water is SEk, Sec. 31, T9S-R25E, B.M.

5. The place where said water is used is SEk, Sec. 31; SWk, Sec. 32, T9S-R25E, B.M.

6. The date of priority which said user is prepared to establish is April 7, 1960 OK

State Reclamation Engineer

28591

Re: Permit No. G-28591

Date: 1/7/66

Burley Herald-Bulletin
Burley, Idaho

Gentlemen:

Enclosed you will find Notice for Publication, once a week for four consecutive weeks prior to February 18, 1966 the date set for proof; the expense of the publication is to be paid by ~~the applicant~~ Idaho Land & Appraisal Service of Box 2161, Boise, 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,

Carl E. Tappan
CARL E. TAPPAN
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

28591

Re: Permit No. G-28591

January 7, 1966

Sharron Deroin
Box 2161
Boise, Idaho 83701

Dear Mrs. Deroin:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. G-28591, in the name of Farm Development Corp., Boise, Idaho. Final Proof is to be made before you, as Notary on the 18th day of February, 19 66, at 10 00 o'clock A.M., at 224 Idaho Building, Boise, Idaho.

As of this date, we have mailed the Notice to the Burley Herald-Bulletin, 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,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk
cc: Applicant

28591

Application for Amendment

POINT OF DIVERSION

Permit No. G-28591

PREPARED BY
IDAHO LAND & APPRAISAL SERVICE
BOISE, IDAHO
FOR THE DEPARTMENT OF AGRICULTURE
OR IF FURTHER INFORMATION IS NEEDED

Comes now Farm Development Corp.
and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. G-28591.

That the point of diversion is described in said Permit as being located:

NE 1/4 Sec. 31, T9S-R25E, B.M.

That he now requests that the point of diversion be changed to a point located: SE 1/4 Sec. 31, T9S-R25E, B.M.

That the reason for desiring to make such change is as follows:

The well is actually located on the SE 1/4 Sec. 31. The permit was advertised, proof was taken, when examined by the Reclamation Engineer it was discovered that the point of diversion was listed wrong.

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

Signed at Boise, Idaho this 29th day of December, 1965

FARM DEVELOPMENT CORP.

By: W. F. Reser
Assistant Secretary

Date of Receipt at Department of Reclamation: January 6, 1966

APPROVAL OF STATE RECLAMATION ENGINEER

I, Ralph W. Thomas, Deputy, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. G-28591. 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.

Ralph W. Thomas
Deputy State Reclamation Engineer

Recorded in Book 100 of
Permits, at Page 28591
January 11, 1966

PREPARED BY
IDAHO LAND & APPRAISAL SERVICE
BOISE, IDAHO
FOR THE DEPARTMENT OF AGRICULTURE
OR IF FURTHER INFORMATION IS NEEDED

28591

RECEIVED
JAN 8 1966

Department of Reclamation

27370

INDEXED

QUIT CLAIM DEED

THIS INDENTURE, made the 14th day of December in the year of our Lord, one thousand nine hundred and 65, between ALENE J. SMITH and L. GRANT SMITH, her husband of the County of Jefferson and State of Idaho, the parties of the first part, and FARM DEVELOPMENT CORPORATION of the County of _____ and State of Idaho, party of the second part.

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of Ten Dollars consideration----- DOLLARS, lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, does by these presents demise, release and forever quit claim unto the said party of the second part, and to _____ heirs and assigns all the certain lot, piece, or parcel of land situate, lying and being in the County of Cassia and State of Idaho, and bounded and described as follows, to-wit:

Boise Meridian, Idaho.

T. 9 S., R. 25 E.,

Sec. 31, SE 1/4;

Sec. 32, SW 1/4;

Cassia County, Idaho

The area described contains 320 acres.

Together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in any way appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereto incident, unto the said party of the second part and to _____ heirs and assigns forever.

IN WITNESS WHEREOF, the said party of the first part hereunto set hand and seal the day and year first above written.

Signed, sealed and delivered in the presence of

Aleene J. Smith (SEAL)
L. Grant Smith (SEAL)

(SEAL)
(SEAL)

STATE OF IDAHO,
County of Sonneville } ss.

I DO HEREBY CERTIFY,

on this 14th day of December in the year 1965, before me

A. A. Merrill, a Notary Public

in and for said County and State, personally appeared Alene J. Smith and L. Grant
Smith, her husband

known to me to be the persons whose names are subscribed to the within and foregoing
instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal,
the day and year in this certificate first above written.

[Signature]
Notary Public.

Residing at Idaho Falls, Idaho

My Commission expires 3-17-, 1967

No. 27370

QUIT CLAIM DEED

TO

Dated DEC 14 1965, 19

Recorded at the request of

LAND TITLE AND ESCROW, INC.

December 17, 1965

47 minutes past 1 o'clock

3:35 P. M., in Record

County of CASSIA

State of Idaho.

FRANK R. REYNOLDS

Recorder.

[Signature]
Deputy Recorder.

1966
1966

IDAHO LAND & APPRAISAL SERVICE

HARLEY M. McDOWELL
E. J. McDOWELL
MGR. OWNERS

224 IDAHO BLDG.

BOISE, IDAHO 83701

P. O. Box 2161
PHONE 344-2547

MERVIN J. CHRISTENSEN
(LICENSED SURVEYOR)

JOSEPH J. THACKABERRY

January 4, 1966

ALL PROPERTY APPRAISALS
CUSTOM DRAFTING, MAPPING
LAND PURCHASES
OIL AND GAS LEASES

GRAZING MANAGEMENT
FEDERAL LAND APPLICATIONS
WATER FILINGS & PROOF
STATE LAND LEASES & ASSIGNS

RECEIVED
JAN 6 1966

Department of Reclamation

Idaho Department of Reclamation
State House
Boise, Idaho

Gentlemen:

Please find enclosed copies of Quit Claim Deeds 27370, 27371, and 27372 recorded in Cassia County. These deeds are the assignments of Permits No. G-28591 and G-28592 to Farm Development Corp.

Also enclosed is our check in the amount of \$32.00 for the license fees on Permit G-28592. This license should be issued to Farm Development Corp.

You will notice that Quit Claim Deed 27370 pertains to Permit No. G-28591 and the other deeds pertain to Permit No. G-28592.

If you have any questions, please do not hesitate to call us.

Very truly yours,

IDAHO LAND & APPRAISAL SERVICE

Harley M. McDowell

Harley M. McDowell

sld

Enclosures

28591

July 23, 1965

RE: Permit No. G-28591
Alene J. Smith

Mr. Emery G. McCarty
Box 535
Rupert, Idaho

Dear Mr. McCarty:

Our field examiner, Don McEldowney, has reported that you have a question on the above mentioned permit.

I made the inspection June 16, 1964. No one was present.

A letter was mailed to Alene J. Smith, Rigby, Idaho, June 23, 1964. A copy is enclosed. We have not received an answer.

The certificates of water right cannot be issued until the requirements as outlined are completed.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

Loy H. Johnson
Field Engineer

LHJ:mr

Enc. copy of letter
notice
Forms 36, 11
Amendment Form

28591

June 23, 1964

RE: Permit No. G-28591

Alene J. Smith
Rigby, Idaho

Dear Mrs. Smith:

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-28591 shows the well is capable of conveying 236 miner's inches, or 4.72 c.f.s. for irrigation of 320 acres.

The engineer found the point of diversion to be in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 31, rather than in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 31 as shown on your proof and in the legal notice. Before the certificates of water right can be issued it will be necessary for you to amend the point of diversion, readvertise and again make proof on this permit. See the enclosed notice.

Complete the enclosed amendment form, and Forms 36 and 11; return them, with \$1.00 for recording the amendment, to this office.

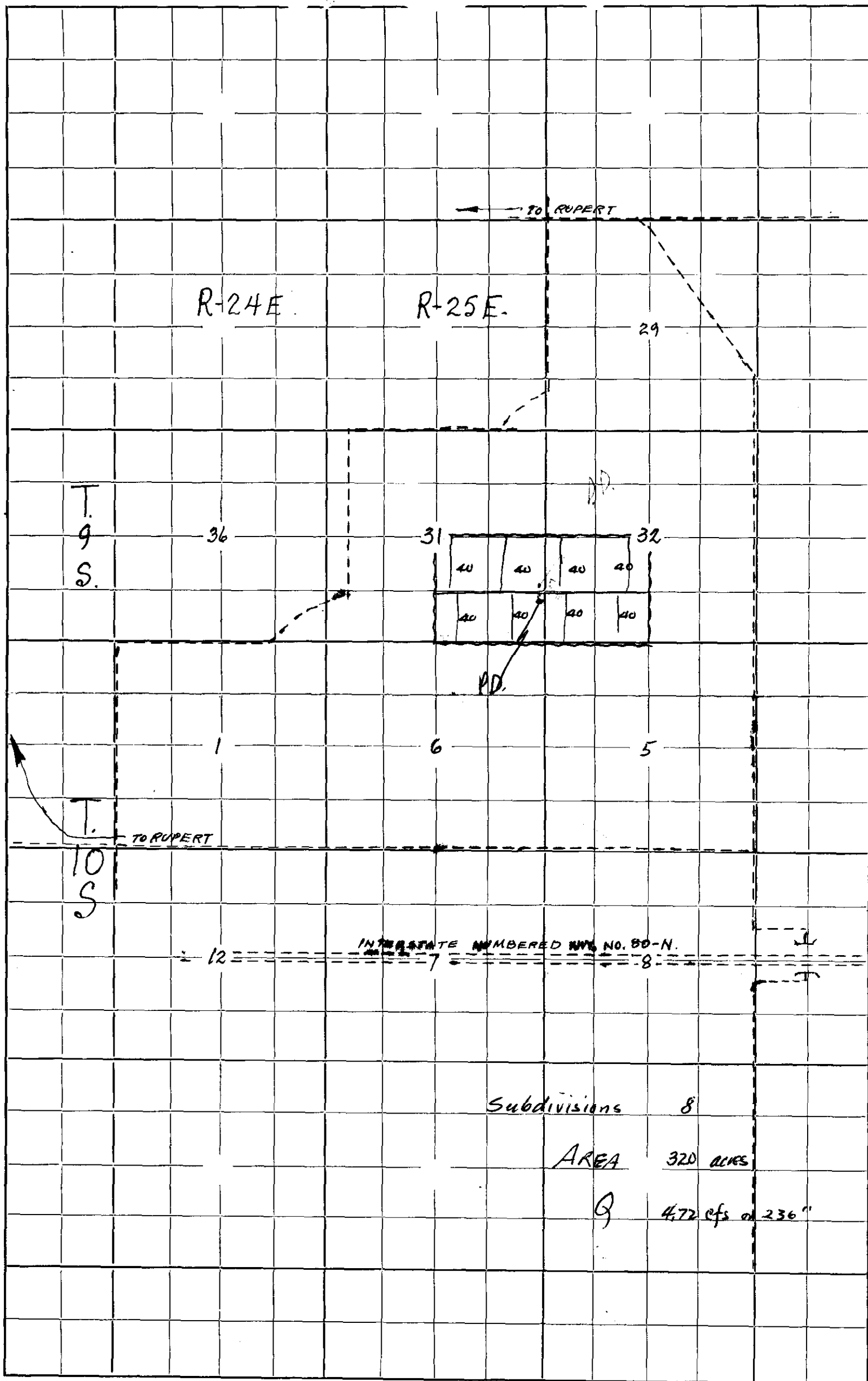
Very truly yours,

RALPH W. THOMAS
Deputy State Reclamation Engineer

RWT:mr

Enc. Form 36, 11
amendment form
notice

28591



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-28591

REPORT ON PROOF OF Completion of Works & Beneficial Use

Alene J. Smith, Rigby, Idaho

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Motor Pole #454

Permit No. G-28591

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

1. Name of applicant Alene J. Smith
2. Source of water supply: Subterranean
3. Location of point of diversion: Is in the NE 1/4 Sec 31 of Section 31
T. 9 S R. 25 E.B.M. County of Cassia
4. Describe works as they exist, giving dimensions and capacities of same: 125 HP GE Motor
NVS 127115, Layne Pump 27723, 10" discharge North 80' and 1/2 into
10" aluminum main line, 8 1/4 mile wheel move laterals with 32 3/4" x 8' angle
each.
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):

SE 1/4 Sec. 31, SW 1/4 Sec. 32, Twp. 9 S., Rge. 25 E.B.M.

(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 more water

P.D. is located in the SESE Sec 31

Pump & motor has a lot of vibration

Pressure gage reading along laterals

This examination was made on the 16th day of June, 19 64

(Signed)

Layne Johnson

Examiner.

28591

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 22 1964

Department of Reclamation

S
134 x 18" 20' 118" 10-8-6
1500 P.E.K.
Article number 10-8-6
8 lines white work
The 48" 10-8-6
Alene J. Smith
Rigby, Idaho
Permit No. G-28591
Not on 6/6/64

Examination for Completion of Works & Beneficial Use

County Cassia

Quantity: 6.4 c.f.s. Sec. 31 T. 9S R. 25 EBM

Source: Well

P.D.: NE, SE, Sec. 31, T. 9S. - R. 25 EBM

Use: Irrigation

Filed: April 7, 1960

Due: April 14, 1960

Extension: —

Protest: —

Completion of Works: —

Other Rights: none

1M April 1962

June 26, 1963

Re: Permit No.

G-28591

**Mrs. Alene J. Smith
Rigby, Idaho**

Dear Mrs. Smith:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the **Herald-Bulletin**, all submitted in proof of completion of works and beneficial use on Permit No. **G-28591.**

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:

28591

Affidavit of Publication.

The Herald-Bulletin

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

COUNTY OF CASSIA

ss.

Department of Reclamation

Warren L. McWhorter, first being duly sworn, deposes and says: That he is the printer of The Herald-Bulletin, a daily newspaper published at Burley, in the County of Cassia, State of Idaho; that the said newspaper has a general circulation in said county, and that the said newspaper is published daily and has been continuously and uninterruptedly published in said county, not less frequently than once a day, during a period of seventy-eight consecutive weeks immediately prior to the first publication of the printed notice herein referred to;

That said newspaper at all times herein mentioned, has been a newspaper of general circulation, made up of at least four pages of at least five columns each, printed from typed matter or stereotyped forms of at least seventeen and three-fourths inches depth, and during the whole of said time has had at least two hundred bona-fide subscribers living within said County of Cassia.

Affiant further states that the printed notice attached hereto was duly published according to law, in the regular weekly editions of the said newspaper and not in any supplement thereof, for four (4) consecutive weeks, commencing with the issue dated May 17, 1963, and ending with the issue dated June 7, 1963.

Subscribed and sworn to before me this 18 day of June, 1963

Warren L. McWhorter
Notary Public in and for the State of Idaho,
Residing at Burley, Idaho.

28591

NOTICE OF PROOF OF COMPLETION OF WORKS

and APPLICATION OF WATER TO BENEFICIAL USE

NOTICE is hereby given that at 2 P.M., on the 18th day of June, 1963, at Burley, County of Cassia, State of Idaho, before DEAN KLOEPFER, Notary Public at SNOW BUILDING, BURLEY, IDAHO, proof will be submitted of the completion of works for the diversion of 6.4 cubic feet per second of the waters of Subterranean source, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-28591, 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: ALENE J. SMITH, RIGBY, IDAHO.

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

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

4. The point of diversion of said water is a well located 50 feet west and 5 feet north of the Southeast corner of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31, Twp. 9 South, Range 25 EBM.

5. The place where said water is used is the SE $\frac{1}{4}$ of Section 31; SW $\frac{1}{4}$ of Section 32, Township 9 South, Range 25 EBM, Total 320 acres.

6. The date of priority which said user is prepared to establish is April 7, 1960.

GEO. N. CARTER,

State Reclamation Engineer
Published in the Burley Herald-Bulletin on May 17, 24, 31, and June 7, 1963.

City Clerk

Affidavit of Publication.

The Herald-Bulletin

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

COUNTY OF CASSIA

ss.

Walter J. McIntosh, first being duly sworn, deposes and says: That he is the printer of The Herald-Bulletin, a daily newspaper published at Burley, in the County of Cassia, State of Idaho; that the said newspaper has a general circulation in said county, and that the said newspaper is published daily and has been continuously and uninterruptedly published in said county, not less frequently than once a day, during a period of seventy-eight consecutive weeks immediately prior to the first publication of the printed notice herein referred to;

That said newspaper at all times herein mentioned, has been a newspaper of general circulation, made up of at least four pages of at least five columns each, printed from typed matter or stereotyped forms of at least seventeen and three-fourths inches depth, and during the whole of said time has had at least two hundred bona-fide subscribers living within said County of Cassia.

Affiant further states that the printed notice attached hereto was duly published according to law, in the regular weekly editions of the said newspaper and not in any supplement thereof, for fourteen consecutive weeks, commencing with the issue dated May 17, 1963 and ending with the issue dated June 7, 1963

Subscribed and sworn to before me this 18th day of June, 1963

Walter J. McIntosh
Notary Public in and for the State of Idaho,
Residing at Burley, Idaho.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
JUN 10 1960

DEPARTMENT OF RECLAMATION

Permit No. G-28591

Proof of Application of Water to Beneficial Use and Completion of Works

Deposition of Holder

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

Ans. ALENE J. SMITH, Rigby, Idaho; housewife; Postoffice Address, Rigby, 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. Not applicable.

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

Ans. G-28591; Date of Permit, 4/14/60; priority date, 4/7/60.

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

Ans. Subterranean source; well located 50' West and 5' North of the Southeast corner of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 31, Twp. 9 South, Range 25 EBM.

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. Works of diversion consist of one 18" irrigation well drilled 184 feet deep; static water level 72'; water level shows no appreciable drawdown when tested up to 5 second feet water delivery; 20 feet 18" casing; deep-well turbine pump; 150 hp electric motor; 2,000 gpm; sprinkler system is portable aluminum mainline, 10" reduced to 8" reduced to 6"; wheel-type motor-moved 4" lateral line, for each 40 acres; 3/16 x 1/8 nozzle designed to apply 2" water every 8-hr set at 60 lbs. operating pressure at pump.

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. NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec 31-9-25; NW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 32-9-25; land is cultivated and following crops have been grown: 1961, potatoes 40 acres; barley 240 acres. 1962, 220 acres barley & 40 acres wheat. 1963, 240 acres potatoes and 40 acres barley.

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

Ans. Raymond Commons, Rupert, Idaho

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

Ans. Not applicable.

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

Ans. 5/8ths of a miner's 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. Assignment.

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

Ans. Irrigation for the years 1961, 1962 and 1963

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

Ans. None

(Sign)

Wesley J. Smith

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 Burley, County of Cassia,

State of Idaho, on this 18th day of June, A. D. 1963.

Wesley J. Klopper
Notary Public

My commission expires 6/23/64

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
Permit No. G-28591

* * * * *

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:

Alan C. Duffin, age 41, 1101 I St., Turbine Pumps & Electric Motors;
1101 I St., Rupert, Idaho

Ques. 2. Are you acquainted with Alene J. Smith, the holder of
Part of
Permit No. G-28591 ? How long have you known him and where does he reside:

Yes - three years; Rigby, Idaho

Ques. 3. Have you read or heard said Permit No. G-28591 read, and are you familiar
with its provisions and conditions: Yes: xx No: _____

Ques. 4. State source of water supply: Subterranean

State place of diversion: Well about 50' west and 5' north of SE corner of NE $\frac{1}{4}$ SE $\frac{1}{4}$
of Sec. 31, Twp. 9 South, Range 25 EBM

Describe works for conveying water to place of use: Deep-well turbine pump and
sprinkler system.

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 4.4 How much water have you seen being so
conveyed: 4.4

Ques. 6. If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:

40 acres in each of the following subdivisions irrigated: NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$,
SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 31, Twp. 9 South, Range 25 EBM; NW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$,
SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 32, Twp. 9 South, Range 25 EBM

Ques. 7. If for power or other purposes than irrigation, state how water has been used:

Not applicable.

Ques. 8. (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:

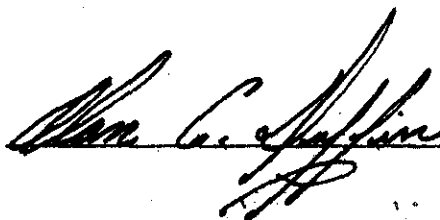
Land is gently-rolling fine Minidoka sandy loam; about half inch per acre.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent: no

Ques. 10. When did you first see this water used: 1961

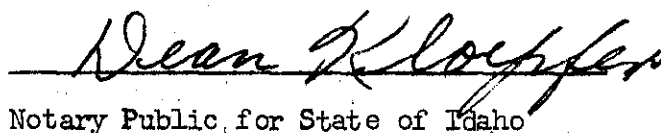
Other times you have seen such use: 1962 and 1963

(Signed)



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 Burley

_____, County of Cassia, State of Idaho, on this 18th day of June,
A. D., 196³2.



Notary Public for State of Idaho

Residing: Burley, Idaho

My commission expires: June 23, 1964

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
Permit No. G-28591

* * * * *

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:

C. J. Hendricks, 53 years of age, 1701 Schodde Ave, Burley, Idaho; Mgr.

Seed and Feed, Burley, Idaho

Ques. 2. Are you acquainted with Alene J. Smith, the holder of
Permit No. G-28591 ? How long have you known him and where does he reside:

Approximately three years acquaintance, she resides in Rigby, Idaho

Ques. 3. Have you read or heard said Permit No. G-28591 read, and are you familiar
with its provisions and conditions: Yes: x No:

Ques. 4. State source of water supply: Subterranean

State place of diversion: Well located approx. 50' west & 5' north of SE corner
of NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 31, Twp. 9 South, Range 25 EBM

Describe works for conveying water to place of use: Deep-well turbine pump and
sprinkler system.

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 4.4 How much water have you seen being so
conveyed: 4.4

Ques. 6. If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:

40 acres in each of the following subdivisions irrigated: NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$,
SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 31, Twp. 9 South, Range 25 EBM; NW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$,
SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 32, Twp. 9 South, Range 25 EBM.

Ques. 7. If for power or other purposes than irrigation, state how water has been used:

Ques. 8. (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:

Sandy loam - gently rolling. About half inch per acre.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent: no.

Ques. 10. When did you first see this water used: 1961

Other times you have seen such use: 1962 and 1963

(Signed)

O. Hendricks

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 Burley

_____, County of Cassia, State of Idaho, on this 18th day of June,

A. D., 1963.

Dean Klopfer
Notary Public for State of Idaho

Residing: Burley, Idaho

My commission expires: 6/23/64

May 10, 1963

Re: Permit No. G-28591 - Alene J. Smith
G-28592 - E. G. & Gladys McCarty

Lawrence H. Duffin
Attorney at Law
Rupert, Idaho

Dear Mr. Duffin:

Enclosed are the three assignments as follows:

Permit No. G-28591 from Florence L. Robinson to
Alene J. Smith.

Permit No. G-28592 - Lois S. Stephenson assigned
5 cubic feet to E. G. McCarty and Myrtle Larson assigned all her
right in the same permit to Gladys Azalia McCarty.

Departmental Receipt No. G-7886 in the amount of
\$1.50 is enclosed.

Very truly yours,

GEO. W. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

SPR:ew

Enc. assignments
receipt

28591

A S S I G N M E N T

For value received, I hereby assign all of my right, title and interest in and to Permit to Appropriate the Public Waters of the State of Idaho,

No. 28591 to ALENE J. SMITH

of Rigby, Idaho

*

Lawrence L. Robinson
Permit Holder

Lawrence H. Robinson
~~Wife~~ of Permit Holder
Husband

STATE OF IDAHO)

County of Malden)

On this 25th day of April, 1963, before me, a Notary Public for the State of Idaho, residing at Rupert, Idaho personally appeared Florence L. Robinson and Lawrence H. Robinson, are known to me to be the persons whose names ~~is~~ subscribed to the within instrument, and duly acknowledged to me that ~~they~~ executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal, the day and year in this certificate first above written.

My Commission expires Dec 23, 1965

Lawrence H. Robinson
Notary Public, Residing at
Rupert, Idaho

* If fractional part of permit is to be assigned, the fractional part of the land to which the assigned fraction is appurtenant should be described by legal subdivisions.

28591

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) May 2, 1963

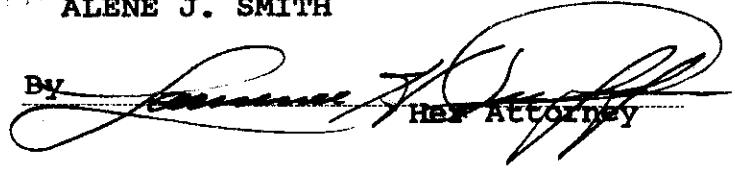
(P. O.) Rigby, Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
Herald-Bulletin of Burley published in
the county in which the works are situated, ALENE J. SMITH

By  Her 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.

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

NOTICE IS HEREBY given that at 2 P.M., on the 18th day of June, 1963, at Burley, County of Cassia, State of Idaho, before DEAN KLOEPFER, Notary Public, at (address) SNOW BUILDING, BURLEY, IDAHO, proof will be submitted of the completion of works for the diversion of 6.4 cubic feet per second of the waters of Subterranean Sources, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-28591, 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: ALENE J. SMITH, RIGBY, IDAHO.

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

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

4. The point of diversion of said water is a well located 50 feet west and 5 feet north of the Southeast corner of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31, Twp. 9 South, Range 25 EBM.

5. The place where said water is used is the SE $\frac{1}{4}$ of Section 31, SW $\frac{1}{4}$ of Section 32, Township 9 South, Range 25 EBM Total 320 acres.

6. The date of priority which said user is prepared to establish is April 7, 1960.

Geo. H. Carter

State Reclamation Engineer

28591

1200
6-28-61

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

Boise, Idaho

Re: Permit No. G-28591
Alene J. Smith

Date: May 8, 1963

Herald-Bulletin,
Burley, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive
weeks prior to June 18, 1963 the date set for proof;

the expense of the publication is to be paid by the applicant

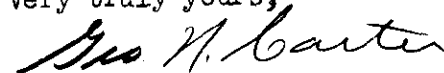
Alene J. Smith

of Rigby, Idaho

to whom you should furnish proof of publication on or prior to the date set for
proof.

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

Very truly yours,



GEO. N. CARTER
State Reclamation Engineer

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

Encl.

May 8, 1963

Re: Permit No. G-28591

Alene J. Smith,
Rigby, Idaho.

Dear Mrs. Smith:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. G-28591. The proofs are to be made at 2:00 o'clock P.M., on the 18th day of June, 19 63, before Dean Klopfer, Snow Building, Burley, Idaho, Notary Public.

As of this date we have mailed the Notice to the Harald Bulletin Burley, Idaho, with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof then mail the affidavit of publication and statement of costs to you.

It is important that the enclosed depositions be executed by you and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the place, on the date, and at the time and before the Notary, as advertised. 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, the Notary's seal has been placed on each and that all depositions, (holder and two witnesses) are being returned. Also be sure to enclose the Affidavit of Publication.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

Enc.
EPR:pmk
cc: Notary

28591

May 8, 1963

Re: Permits No. G-28591; G-28592

SEE LETTER IN G-28592

Duffin and Duffin
Attorneys at Law
Box 61, Rupert, Idaho

Attn: Lawrence H. Duffin

Dear Mr. Duffin:

Returned herewith is your check for \$3.50, also;

Returned herewith are assignments of Permit No. G-28592 from Myrtle B. Larson to Gladys Anale McCarty and from Lois S. Stephenson to E. G. McCarty; also application for amendments to points of diversion for both permits, one in the name of Emery G. McCarty and one in the name of Alene J. Smith.

Myrtle B. Larson assignment is for all her right to Mrs. McCarty, shows NW $\frac{1}{4}$ NW $\frac{1}{4}$ of NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 33, with other land. That land appears to be in error. Mrs. Larson was originally assigned 5 c.f.s. of water of the original total of 10 c.f.s. of water. The assignment from Lois S. Stephenson shows 9/17ths of her right to E. G. McCarty to cover the balance of the land after deducting land shown on the assignment to Mrs. Larson. Where is the 8/17 of 5 c.f.s. to be used?

The amendments appear to describe the points of diversion shown on the permit and are not necessary.

The legal notice for Mr. McCarty will be held pending return of the assignments with the \$1.00 recording fee.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew
Enc. assignments,
amendments, check

28591

May 3, 1963

Re: Permit No. G-28591 - Florence L. Robinson
G-28592 - Myrtle B. Larson

Duffin and Duffin
Attorneys at Law
Box 61, Rupert, Idaho

Attn: Lawrence H. Duffin

Dear Mr. Duffin:

Returned herewith are three sets of legal notices and authority to publish in regard to noted permits.

The legal notice shows different holders of the permit than our records show. The points of diversion are shown differently than described on the notice. The one well is described as being in NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 29, instead of 660 feet west of the NE corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 29. The location described in the notice could be in either the NE $\frac{1}{4}$ SE $\frac{1}{4}$, or SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 29.

Kindly obtain assignments of the permits and return these forms with corrected location of well or an amendment to the point of diversion. There is a fee of \$0.50 for recording an assignment on our forms, on other forms the fee depends upon length of the assignment. There is a fee of \$1.00 for recording an amendment to a permit.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. forms

28591



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

IN REPLY REFER TO:

LO:CRK
Idaho 011490

OCT 13 1961

NOTICE OF ALLOWANCE

Florence L. Robinson

c/o Lawrence H. Duffin, Attorney

Expert, Idaho

Dear ~~Mrs.~~ **Mrs. Robinson:**

Your Desert Land Entry, Serial No. Idaho 011490,
Receipt No. 834489, for SW $\frac{1}{4}$, Sec. 31; SW $\frac{1}{4}$
, Section 32,
Township 9 N., Range 25 E., Boise Meridian, Idaho,
containing 320 acres, has this day been allowed, subject
to any valid existing rights and your further compliance with laws
and regulations applicable thereto. In correspondence relating to
this entry, always refer to the serial number shown above.

Subject to the Act of July 17, 1914, which may require
the reservation of all oil and gas deposits to the United States.

c.c. LAM
RM I-2
L State Recs.

Sincerely yours,

Michael T. Solan
Michael T. Solan
~~XXXXXXXXXXXXXX~~
 Manager

April 18, 1960

Re: Permit No. G-28591
Florence L. Robinson

Permit No. G-28592
Lois S. Stephenson

Mr. Lawrence H. Duffin,
Attorney at Law,
Fremont and "G" Streets,
Rupert, Idaho.

Dear Mr. Duffin:

We enclose Permit Nos. G-28591 and G-28592 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. G-4742 which was issued covering payment in the amount of \$13.75, which includes \$6.50 for Permit No. G-28591 and \$7.25 for Permit No. G-28592 for the filing fee, together with \$1.75 refund.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

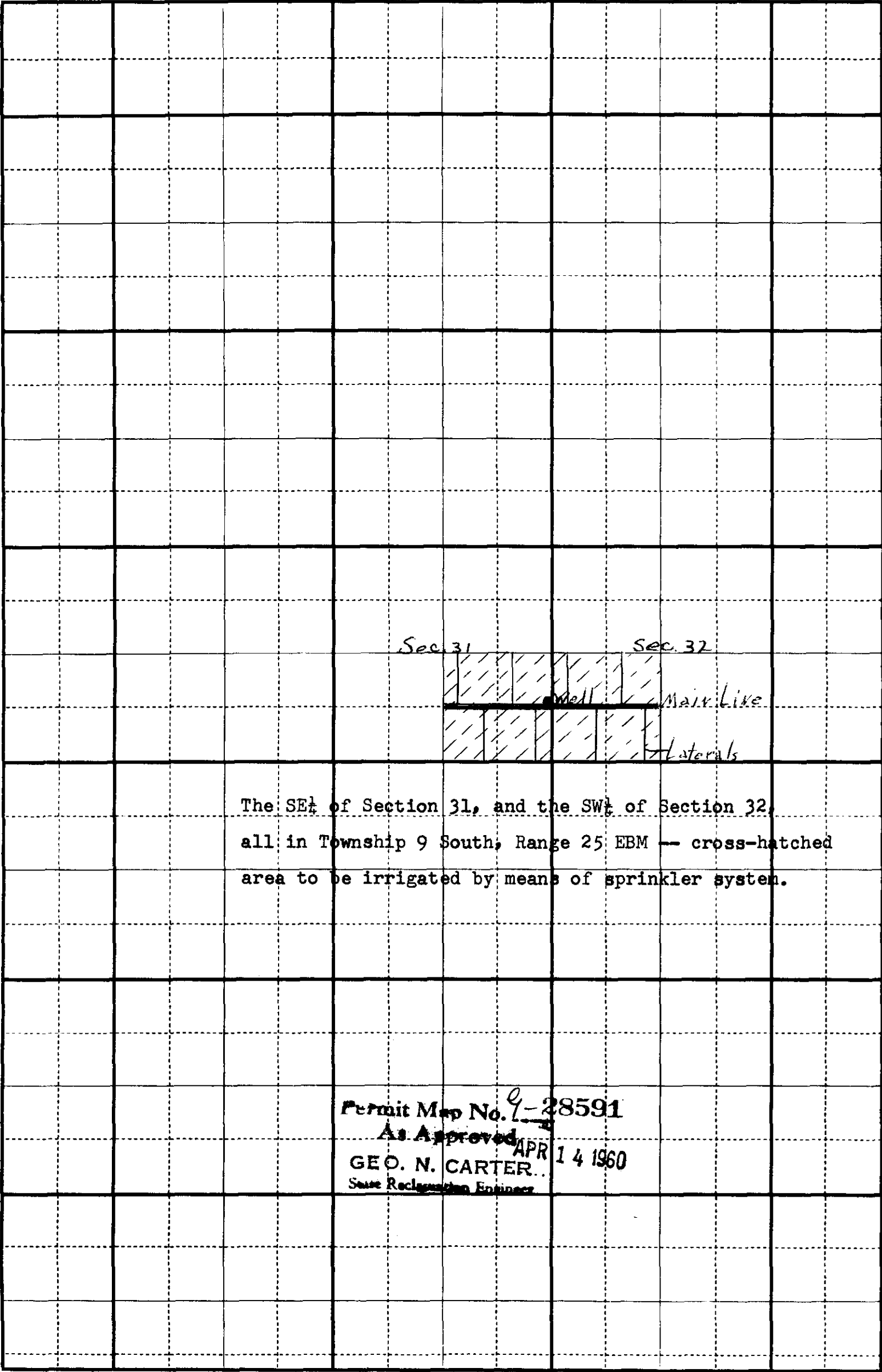
(Mrs.) Edna P. Rule
Chief Clerk

Encl.
EPR:spk

cc: Florence L. Robinson
923 "I" St., Rupert, Idaho

Lois S. Stephenson
Route #3, Rupert

2400



LAW OFFICES
LAWRENCE H. DUFFIN
Corner Fremont & "G" Streets
RUPERT, IDAHO

April 6, 1960

RECEIVED
APR 7 1960
Department of Reclamation

State Reclamation Engineer
Statehouse
Boise, Idaho

Dear Sir:

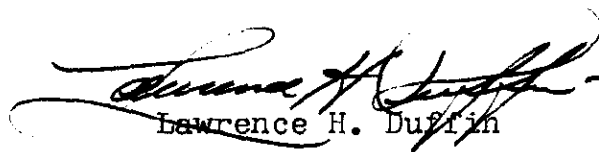
Please find enclosed herewith the following-listed applications to appropriate the subterranean waters of the State of Idaho:

Lois S. Stephenson, for 10 cubic feet per second;

Florence L. Robinson, for 6.4 cubic feet per second.

My check, in the amount of \$15.50 filing fees is also enclosed.

Very truly yours,


Lawrence H. Duffin

LHD:LS
Encl.

28591