

45-02680

RECEIVED

Transfer No. 3173

JUN 18 1985

Water Right No.

RECEIVED

MAY 22 1985

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

## APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

Department of Water Resources  
Sawtooth District OfficeName of applicant M & G Farms Phone (208) 678-2850Post Office address Star Route, Box 4; Burley, Idaho 83318

## A. DESCRIPTION OF RIGHT AS RECORDED

## 1. Right evidenced by:

- a. Decree No. \_\_\_\_\_ Decreed to \_\_\_\_\_ (Name)  
in case of \_\_\_\_\_ vs \_\_\_\_\_  
dated in \_\_\_\_\_ in \_\_\_\_\_ county of \_\_\_\_\_  
(Name of court)
- b. License No. 45-2586 issued by the Idaho Department of Water Resources
- c. Claim No. \_\_\_\_\_ on file with the Idaho Department of Water Resources

## 2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquired \_\_\_\_\_

3. Source of water Groundwater tributary to \_\_\_\_\_4. Date of priority 7-22-59

## 5. Water is used for the following purposes:

amount 5.19 cfs for irrigation purposes from April 1 to Nov. 1  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(month/day — both dates inclusive)

6. Total amount of water under right: a. 5.19 cubic feet per second  
b. \_\_\_\_\_ or  
\_\_\_\_\_ acre feet per annum

7. Location of original point of diversion is NE  $\frac{1}{4}$  of SW  $\frac{1}{4}$  of Section 16  
Township 12 S. Range 22 E., B.M., in Cassia County  
Additional points of diversion, if any SW  $\frac{1}{4}$  SW  $\frac{1}{4}$ , Sec. 16, T 12 S, R 22 EBM

## 8. Lands 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 $\frac{1}{4}$ |        |
| 12S  | 22 E  | 16   |                  | 5                | 31               | 15               |                  |                  | 4                | 22               | 40               | 25               | 35               | 40               | 40               | 40               | 40               | 40               | 377    |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |

MICROFILMED

Total number of acres to be irrigated 3779. Describe any other water rights used for the same purpose as described above 45-2595, 45-2680

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No If yes, describe in item D, REMARKS.

4. An increase in number of acres irrigated would result in an additional volume of depletion from the aquifer with a resulting enlargement of use.

5. The place of use of Licensed Right Nos. 45-2586, 45-2595 and 45-2680 as well as the place of use proposed on the transfer are within the boundaries of the Oakley-Kenyon Critical Groundwater Area which was designated on January 19, 1962.

6. The Director may not approve an Application for Transfer which will result in an enlargement in use of the original right.

ORDER

THEREFORE, IT IS ORDERED THAT the applicant show cause as follows on or before February 20, 1986.

1. Why Application for Transfer No. 3173 should not be denied.
2. Why the applicant should not cease the irrigation of land for which the applicant has no water right.

Dated this 16<sup>th</sup> day of January, 1986.



L. GLEN SAXTON  
Chief, Operations Bureau

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3. License No. 30537/45-2680 issued by the DWR bears a date of priority of May 14, 1962 and provides for the diversion of 3.05 cfs of groundwater from a well located in SE1/4SW1/4, Sec. 10, Twp. 12S, Rge. 22E B.M. for the irrigation of 480 acres in the W1/2, SE1/4, Sec. 10, Twp. 12S, Rge. 22E B.M.

4. The Oakley-Kenyon Critical Groundwater Area which includes Twp. 12S, Rge. 22E B.M. was closed to further groundwater appropriation on January 19, 1962 by a predecessor of the DWR.

5. Application for Transfer No. 3173 was filed with the Department of Water Resources on May 21, 1985 by M & G Farms which proposed to change the place of use of Licensed Right Nos. 45-2586, 45-2595 and 45-2680 from the irrigation of 857 acres within Sections 10 & 16, Twp. 12S, Rge. 22E B.M. to 1254 acres within Sections 9, 10 and 16, Twp. 12S, Rge. 22E B.M.

6. Provisions of Section 42-222, Idaho Code, requires the Director of the DWR to review all evidence and available information and to not approve Applications for Transfer of water rights if approval would result in injury to other water rights or would result in an enlargement in use of the original right.

#### CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Department makes the following Conclusions of Law:

1. A review of Right Nos. 45-2595 and 45-2680 shows that both rights were licensed for use on the same 480 acres.

2. The purpose of the junior Right No. 45-2680 was to supplement the water supplied by the senior Right No. 45-2595 for the same 480 acres.

3. The said transfer application proposes to increase the number of acres irrigated by the two rights.

BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE  
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR  
TRANSFER NO. 3173 OF WATER RIGHT  
NOS. 45-2586, 45-2595 AND 45-2680  
IN THE NAME OF M & G FARMS

---

)  
) SOURCE: GROUNDWATER  
)  
) COUNTY: CASSIA  
)

ORDER TO SHOW CAUSE  
WHY TRANSFER APPLICATION NO. 3173  
SHOULD NOT BE DENIED

On May 21, 1985, M & G Farms filed with the Department of Water Resources (DWR) an Application for Transfer of water right Nos. 45-2586, 45-2595 and 45-2680 to change the place of use of said rights from irrigation of 857 acres within Sections 10 and 16, Twp. 12S, Rge. 22E B.M. to 1254 acres within Sections 9, 10 and 16, Twp. 12S, Rge. 22E B.M. The staff of the Director of the Department of Water Resources having reviewed the application together with other available information in the files and records of the department, the Director finds as follows:

FINDINGS OF FACT

1. License No. 28056/45-2586 issued by the DWR bears a date of priority of July 22, 1959 and provides for the diversion of 5.19 cubic feet per second (cfs) of groundwater from wells located in the NE1/4SW1/4 and SW1/4SW1/4, Sec. 16, Twp. 12S, Rge. 22E B.M.

2. License No. 28360/45-2595 issued by the DWR bears a date of priority of December 31, 1959 and provides for the diversion of 4.31 cfs of groundwater from a well located in SW1/4SW1/4, Sec. 10, Twp. 12S, Rge. 22E B.M. for the irrigation of 480 acres in the W1/2, SE1/4, Sec. 10, Twp. 12S, Rge. 22E B.M.

10-11-87

D. REMARKS

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willfull misrepresentations made in this application may result in voiding its approval.

Mr & Mrs. Mary W. Mori  
(Signature of Applicant)

Subscribed and sworn to before me this 15 day of May, 19 85.

John D. Fugli  
(Notary Public)

My commission expires Life

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. \_\_\_\_\_ and said application is hereby \_\_\_\_\_, subject to the following limitations and conditions:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

FOR DEPARTMENT USE ONLY

Received by manyc Date 5/23/85 Protest filed by \_\_\_\_\_  
Prelim. check by J Fee 50.00 # 35365 \_\_\_\_\_  
Receipted by manyc Date 5/23/85 \_\_\_\_\_  
Published in South id press Copies of protest forwarded by \_\_\_\_\_  
Pub. dates 7/1 + 7/18/85 Hearing held by \_\_\_\_\_ Date \_\_\_\_\_  
Watermaster recommendation requested on \_\_\_\_\_ Recommended for approval denial  
\_\_\_\_\_ rec'd. \_\_\_\_\_ by \_\_\_\_\_

**EXHIBITED**

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**APPLICATION FOR TRANSFER OF WATER RIGHT**  
To Change the Point of Diversion and/or the Place of Use

Name of applicant M & G Farms Phone (208) 678-2850

Post Office address Star Route, Box 4; Burley, ID 83318

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. \_\_\_\_\_ Decreed to \_\_\_\_\_ (Name)

in case of \_\_\_\_\_ vs \_\_\_\_\_

dated in \_\_\_\_\_ in \_\_\_\_\_ county of \_\_\_\_\_  
(Name of court)

b. License No. 45-2680 issued by the Idaho Department of Water Resources

c. Claim No. \_\_\_\_\_ on file with the Idaho Department of Water Resources

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquired \_\_\_\_\_

3. Source of water groundwater tributary to \_\_\_\_\_

4. Date of priority 5-14-62

5. Water is used for the following purposes:

amount 3.05 cfs for irrigation purposes from April 1 to Oct 31 94  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(month/day — both dates inclusive)

6. Total amount of water under right: a. 3.05 cubic feet per second  
&/or  
b. \_\_\_\_\_ acre feet per annum

7. Location of original point of diversion is SE  $\frac{1}{4}$  of SW  $\frac{1}{4}$  of Section 10  
Township 12 S. Range 22 E., B.M., in Cassia County  
Additional points of diversion, if any \_\_\_\_\_

8. Lands 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 $\frac{1}{4}$ |        |
| 12 S | 22 E  | 10   |                  |                  |                  |                  | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 480    |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |

Total number of acres to be irrigated 480

9. Describe any other water rights used for the same purpose as described above 45-2586, 45-2595

**MICROFILMED**

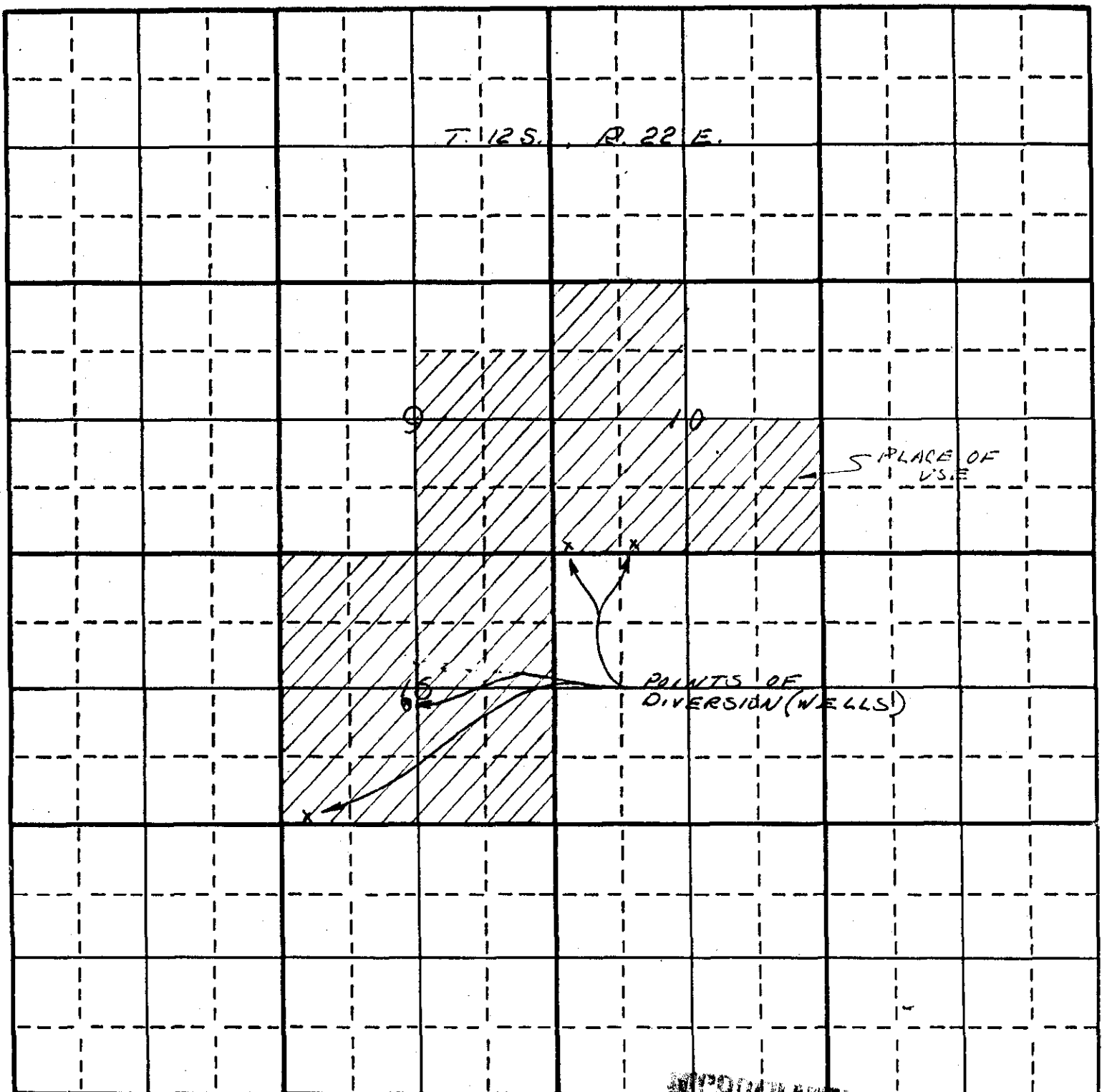
10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? NO If yes, describe in item D. REMARKS.

c. Describe the lands or place of use to which the right will be transferred:

| 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 $\frac{1}{4}$ |        |
| 12S  | 22E   | 9    |                  |                  | 15               | 20               |                  |                  |                  |                  |                  |                  |                  |                  | 37.<br>5         | 37.<br>5         | 40               | 40               | 190    |
|      |       | 10   |                  |                  |                  |                  | 37.<br>5         | 37.<br>5         | 37.<br>5         | 37.<br>5         | 37.<br>5         | 37.<br>5         | 40               | 40               | 37.<br>5         | 40               | 40               | 37.<br>5         | 460    |
|      |       | 16   | 40               | 40               | 37.<br>5         | 40               | 35               | 40               | 35               | 40               | 37               | 35               | 35               | 37               | 40               | 37.<br>5         | 37.<br>5         | 37.<br>5         | 604    |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |

Total number of acres to be irrigated 1254

4. Describe any other water rights used for the same purpose as described above. \_\_\_\_\_
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

WATER LICENSE

Water License No. 45-2680 ( G-30537 ) Priority May 14, 1962 Amount 3.05 c.f.s.

THIS IS TO CERTIFY, that 4W Farms of Oakley, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated May 14, 1962; that Permit 45-2680 (G-30537) was issued pursuant to said application; that the proposed works were completed on or about 1962, with a storage/or carrying capacity of 3.05 c.f.s., said works consisting of well, pump, motor, and open ditch; and that on November 9, 1962, proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 1,281 acre feet per season, with a maximum rate of diversion of 3.05 cubic feet per second of the waters of ground-water, tributary of, for the purpose of Irrigation from April 1 to October 31; and for from to; and for from to; and that the use of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is located in SE ¼ SW ¼, Sec. 10, T. 12 S, R. 22 E, B.M., and other additional points, in the County of Cassia; and that the amount of water to which such right is entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes and shall not exceed 1,281 acre feet per year.

Description and location of place of use:

| TWP. | RANGE | SEC. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTALS |
|------|-------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|      |       |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
| 12 S | 22 E  | 10   |     |     |     |     | 40  | 40  | 40  | 40  | 40  | 40  | 40  | 40  | 40  | 40  | 40  | 40  | 480    |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

Total number of acres irrigated 480

The right to the use of the water 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 11th day of May, 19 70. State Reclamation Engineer

45 2680

45-2680  
30537

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**APPLICATION FOR TRANSFER OF WATER RIGHT**  
To Change the Point of Diversion and/or the Place of Use

Name of applicant M & G Farms Phone (208) 678-2850  
Post Office address Star Route, Box 4; Burley, ID 83318

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. \_\_\_\_\_ Decreed to \_\_\_\_\_ (Name)  
in case of \_\_\_\_\_ vs \_\_\_\_\_  
dated in \_\_\_\_\_ in \_\_\_\_\_ county of \_\_\_\_\_  
(Name of court)
- b. License No. 45-2595 issued by the Idaho Department of Water Resources
- c. Claim No. \_\_\_\_\_ on file with the Idaho Department of Water Resources

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquired \_\_\_\_\_

3. Source of water groundwater tributary to \_\_\_\_\_

4. Date of priority 12-31-59

5. Water is used for the following purposes:

amount 4.31 cfs for irrigation purposes from April 1 to Nov. 1  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(month/day — both dates inclusive)

6. Total amount of water under right: a. 4.31 cubic feet per second  
&/or  
b. \_\_\_\_\_ acre feet per annum

7. Location of original point of diversion is SW 1/4 of SW 1/4 of Section 10  
Township 12 S. Range 22 E., B.M., in Cassia County  
Additional points of diversion, if any \_\_\_\_\_

8. Lands irrigated or place of use:

| TWP. | RANGE | SEC. | NE% |     |     |     | NW% |     |     |     | SW% |     |     |     | SE% |     |     |     | TOTALS |
|------|-------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|      |       |      | NE% | NW% | SW% | SE% | NE% | NW% | SW% | SE% | NE% | NW% | SW% | SE% | NE% | NW% | SW% | SE% |        |
| 12S  | 22E   | 10   |     |     |     |     | 40  | 40  | 40  | 40  | 40  | 40  | 40  | 40  | 40  | 40  | 40  | 40  | 480    |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

Total number of acres to be irrigated 480

9. Describe any other water rights used for the same purpose as described above 45-2586, 45-2680

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No If yes, describe in item D, REMARKS.

B. DESCRIPTION OF PORT OF RIGHT OWNED BY APPLICANT (If entire right is owned by the applicant, omit part B).

1. Amount of water: a. \_\_\_\_\_ cubic feet per second  
&/or  
b. \_\_\_\_\_ acre feet per annum
2. Point of diversion \_\_\_\_\_  $\frac{1}{4}$  \_\_\_\_\_  $\frac{1}{4}$ , Section \_\_\_\_\_ Township \_\_\_\_\_  
Range \_\_\_\_\_, B.M., \_\_\_\_\_ County  
Additional points \_\_\_\_\_

3. 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 $\frac{1}{4}$ |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |

Total number of acres to be irrigated \_\_\_\_\_

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information

- a. Amount of water to be diverted 12.55 c.f.s. &/or \_\_\_\_\_ acre feet
- b. Description of diverting works Four existing wells w/pumps
- c. Describe the reasons for the proposed changes To conform recrods to actual practice.

2. Change in point of diversion - No change

Point of diversion NE  $\frac{1}{4}$  SW  $\frac{1}{4}$ , Section 16 Township 12 S.  
Range 22 E., B.M., Cassia County  
Additional points SW  $\frac{1}{4}$  SW  $\frac{1}{4}$ , Sec. 16, SW  $\frac{1}{4}$  SW  $\frac{1}{4}$ , SE  $\frac{1}{4}$  SW  $\frac{1}{4}$ , Sec. 10  
all in T. 12 S., R. 22 E.B.M.

3. Change in place of use

- a. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? \_\_\_\_\_ Yes \_\_\_\_\_ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed change.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer  
None

MICROFILMED

45-2680

# APPLICATION FOR PERMIT To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 38561  
Permit No. G- 30537  
District No.

1. Name of Applicant: LW FARMS  
Postoffice address: Oakley County: Cassia State: Idaho
2. Quantity of water claimed: 275 miner's inches
  - (a) Rate of withdrawal in cubic feet per second 5.5 or Idaho  
Miners' inches or gallons per minute
  - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Drilled well
4. Location of point of diversion or well is in the SE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 10  
Twp. 12 S , Rge. 22 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: Drilled well, to be cased and equipped with turbine type pump & motor
8. Estimated cost of works: \$ 15,000
9. (a) Is reservoir to be used? No  
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:
  - I. (a) Date and place of incorporation:  
(b) Amount of capital stock: \$ (c) Amount paid in: \$  
(d) Names and addresses of directors:
  - II. The financial resources of the applicant are (a) Cash onhand: \$  
(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: G-28360 - W $\frac{1}{2}$ ,  
Sec.10, T12S - R22E.
  - (a) 2.3 (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) 3.2 (cubic feet per second, inches or gallons per minute) is for new lands.

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

*Applicant.*

*Agent.*

Returned to applicant for correction:

Corrected application received:

The number of this permit is G— 30537

Recorded in Book 107 Page 30537 Approved June 29, 1962

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

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

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

One-fifth of the work above specified to be completed on or before **December 29, 1964**

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before **June 29, 1967**

Witness my hand this                    29th                    day of                    June, 1962                    s/                    CARL E. TAPPAN, Assistant  
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, W. E. DREVLLOW, Acting, Governor of the State of Idaho,  
and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to  
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 29th  
day of June, 19 62

Countersigned:

STATE OF IDAHO

(SEAL)

By s/ ARNOLD WILLIAMS  
Secretary of State.

By s/ W. E. DREVLLOW,  
Acting Governor

12.

| Twp.                                                              | Range | Sec. | NE <sup>1</sup> / <sub>4</sub> |                                |                                |                                | NW <sup>1</sup> / <sub>4</sub> |                                |                                |                                | SW <sup>1</sup> / <sub>4</sub> |                                |                                |                                | SE <sup>1</sup> / <sub>4</sub> |                                |                                |                                | Totals |
|-------------------------------------------------------------------|-------|------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------|
|                                                                   |       |      | NE <sup>1</sup> / <sub>4</sub> | NW <sup>1</sup> / <sub>4</sub> | SW <sup>1</sup> / <sub>4</sub> | SE <sup>1</sup> / <sub>4</sub> | NE <sup>1</sup> / <sub>4</sub> | NW <sup>1</sup> / <sub>4</sub> | SW <sup>1</sup> / <sub>4</sub> | SE <sup>1</sup> / <sub>4</sub> | NE <sup>1</sup> / <sub>4</sub> | NW <sup>1</sup> / <sub>4</sub> | SW <sup>1</sup> / <sub>4</sub> | SE <sup>1</sup> / <sub>4</sub> | NE <sup>1</sup> / <sub>4</sub> | NW <sup>1</sup> / <sub>4</sub> | SW <sup>1</sup> / <sub>4</sub> | SE <sup>1</sup> / <sub>4</sub> |        |
| 12 S                                                              | 22 E  | 10   |                                |                                |                                |                                | 40                             | 40                             | 40                             | 40                             | 40                             | 40                             | 40                             | 40                             | 40                             | 40                             | 40                             | 480                            |        |
| LICENSE ISSUED FOR <u>3.05</u> SEC. FT.<br>LICENSE PAGE NO. _____ |       |      |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |        |

INTER-DEPARTMENT MEMO — 1

FROM Sharla

DATE 11/17/86

TO Files 45-2595/2680

SUBJECT Trans. 3173

See file 45-2586 for all further correspondence regarding the above referenced application for transfer including acknowledgement of withdrawal.

SIGNATURE

LAW OFFICES  
HOLDEN, KIDWELL, HAHN & CRAPO  
IDAHO FIRST NATIONAL BANK BUILDING  
P.O. BOX 129  
IDAHO FALLS, IDAHO 83402

TELEPHONE 523-0620  
AREA CODE 208

ARTHUR W. HOLDEN (1877-1967)  
ROBERT B. HOLDEN (1911-1971)  
TERRY L. CRAPO (1939-1982)

WILLIAM S. HOLDEN  
R. VERN KIDWELL, P.A.  
FRED J. HAHN  
KENT W. FOSTER  
ROBERT E. FARNAM  
WILLIAM D. FALER  
STEPHEN E. MARTIN  
CHARLES A. HOMER  
GARY L. MEIKLE  
CURT R. THOMSEN  
MICHAEL D. CRAPO  
JAMES D. HOLMAN  
GAYLE A. SORENSON  
DONALD L. HARRIS  
GREGOR S. CHVISUK  
RANDALL B. REED  
G. LANCE NALDER  
J. MICHAEL WHEELER

RECEIVED  
NOV 10 1986

November 7, 1986

Department of Water Resources

*WJS*  
Mr. L. Glen Saxton  
Chief Operations Bureau  
Idaho Department of Water Resources  
State House  
Boise, Idaho 83720

RE: Application for transfer no. 3173 for water right  
numbers 45-2595/2586/2680(M & G Farms).

Dear Mr. Saxton:

Pursuant to your recent requests we have communicated with our clients in this matter and have learned that while they are still engaged in the effort to find and clarify additional factual information relative to the above referenced application for transfer, they have found that their time has been limited.

They have requested that we formally withdraw the application for transfer at this time. In the meantime they will continue to try to gather the documentation and information that is relevant and perhaps the matter can eventually be clarified in the coming adjudication proceeding.

Thank you for your assistance and cooperation in this matter.

Very truly yours,

*Kent W. Foster*  
Kent W. Foster

KWF;tdm  
3378e/p2

cc: Gary Martin



State of Idaho

## DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:  
Statehouse  
Boise, Idaho 83720  
(208) 334-4440

September 9, 1986

Kent Foster  
HOLDEN, KIDWELL, HAHN & CRAPO  
P. O. Box 129  
Idaho Falls, ID 83402

Dear Kent:

Re: Application for Transfer No. 3173 for Water Right Nos.  
45-2595/2586/2680 (M & G Farms)

On February 20, 1986, you requested that the department delay action on the above-referenced transfer in order to allow time for your clients to search for factual information relative to irrigation of land involved in the transfer. In my response to you dated February 25, 1986, the department agreed to delay action for an unspecified time, but advised that within six (6) months the department would inquire of progress.

Please update me relative to this matter.

Sincerely,

A handwritten signature in cursive script, reading "L. Glen Saxton", is written over the typed name.

L. GLEN SAXTON  
Chief, Operations Bureau

cc: Eastern Region

**RECEIVED**



State of Idaho

## DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:  
Statehouse  
Boise, Idaho 83720  
(208) 334-4440

February 25, 1986

Kent Foster  
Holden, Kidwell, Hahn & Crapo  
Idaho First National Bank Building  
P.O. Box 129  
Idaho Falls, ID 83402

Re: Application for Transfer No. 3173 for  
Water Right Nos. 45-2595/2586/2680

Dear Kent:

I have received and reviewed your letter dated February 20, 1986 in connection with the above-referenced application for transfer.

Your letter provides a reasonable explanation why additional time is needed. I plan to inquire within approximately six months of the progress made in your search for additional information relative to the pending transfer, unless I hear from you prior to that time.

Please feel free to contact me relative to this matter.

Sincerely,

L. GLEN SAXTON  
Chief, Operations Bureau

ls

cc: Southern Region

RECEIVED

May 15, 1970

Re: Permit No. 45-2680 ( C-30537 )

Mr. Willis Whittle  
4 W Farms  
Oakley, Idaho 83346

Dear Mr. Whittle:

Enclosed herewith is your Water License issued on the above  
numbered permit.

Also enclosed is departmental receipt No. 4612 in the amount  
of \$29 covering the licensing fees.

Very truly yours,

C. Stephen Allred, Deputy  
State Reclamation Engineer

CSA:kh

Enclosures

45-2680  
30537

DON SAMUELSON  
GOVERNOR



R. KEITH HIGGINSON  
State Reclamation Engineer

## STATE OF IDAHO

DEPARTMENT OF RECLAMATION  
STATEHOUSE - ANNEX 2  
BOISE, IDAHO 83707

April 21, 1970

RECEIVED  
MAY 11 1970  
Department of Reclamation

Re: Permit No. G-30537/45-2680

Mr. Willis Whittle  
4 W Farms  
Oakley, Idaho 83346

Dear Mr. Whittle:

Enclosed is a copy of a fee letter which was issued on June 25, 1963. Please be advised that if the Department does not receive the required fees within 30 days from the date of this letter, we shall proceed to cancel the permit. Please contact us if you have any questions.

Very truly yours,

A handwritten signature in cursive script, reading "Donald W. McEldowney".

Donald W. McEldowney  
Appropriation Supervisor

DWM:TG

Enc: copy of 6-25-63 letter

cc: Idaho Land and Appraisal Service  
P. O. Box 1603  
Boise, Idaho

Enc: copy of letter of 6-25-63

45-2680  
30537

April 21, 1970

Re: Permit No. G-30537/45-2680

Mr. Willis Whittle  
4 W Farms  
Oakley, Idaho 83346

Dear Mr. Whittle:

Enclosed is a copy of a fee letter which was issued on June 25, 1963. Please be advised that if the Department does not receive the required fees within 30 days from the date of this letter, we shall proceed to cancel the permit. Please contact us if you have any questions.

Very truly yours,

Donald W. McEldowney  
Appropriation Supervisor

DWM:TG

Enc: copy of 6-25-63 letter

cc: Idaho Land and Appraisal Service  
P. O. Box 1603  
Boise, Idaho

Enc: copy of letter of 6-25-63

45-2680  
30537

Please do not remove this correspondence.

I have gone through the folder and placed  
it in the correct order.

4-21-70

Terry

State of Idaho  
DEPARTMENT OF RECLAMATION

Boise, Idaho  
June 25, 1963

Re: Permit No. G-30537

Willis Whittle  
L W Farms  
Oakley, Idaho

Dear Mr. Whittle:

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-30537 shows the well is (~~325~~) capable of conveying 152.5 miner's inches, or 3.05 c.f.s. of water for the irrigation of 480 acres.

Upon receipt of the statutory fees, totaling \$ 29.00, which consists of a Completion of Works fee of \$ 5.00 and License and Certificate of Water Right fee of \$ 24.00 - based at the rate of \$2.00 for each 40-acre subdivision - we will issue the Certificate of Completion of Works and the License and Certificate of Water Right confirming the right, with priority of May 14, 1962 to the use of 3.05 second feet of subterranean water with the point of diversion in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 10, for irrigation of 480 acres in the W $\frac{1}{2}$ , SE $\frac{1}{4}$ , Sec. 10, T. 12 S., R. 22 E., B.M.

Very truly yours,

CARL E. TAPPAN  
Acting State Reclamation Engineer  
By

(Mrs.) Edna P. Rule  
Chief Clerk

EPR:mr

30537

This Application  
was APPROVED  
under the provisions  
of the law set forth  
on this page.

(42-233a and 42-233b)

This law was  
revoked March  
25, 1963

42-233a. NOTICE OF APPLICATION.—Within a period of ten days after the filing of any application for permit with the state reclamation engineer, as hereinafter provided, the state reclamation engineer in a critical ground water area, as hereinafter defined in this section, shall issue a notice of such application stating the name of the applicant, the location of the well or wells, the amount of the flow of water proposed to be used, and the description of the premises upon which the water is proposed to be used. Such notice shall also state that all persons having an interest in the critical ground water area desiring to oppose the issuance of a permit pursuant to such application, must within a period of thirty days from the first publication of such notice file in the office of the state reclamation engineer a protest in such application. A copy of the notice shall be furnished to the applicant, who shall cause the same to be published in a newspaper published in the county where the well described in said application is proposed to be located; or if no newspaper is published in such county, then in a newspaper of general circulation in such county. Publication of such notice shall be made two times, once each week for two consecutive weeks, and proof of such publication shall be furnished by the applicant to the state reclamation engineer. "Critical ground water area" means any ground water basin, or designated part thereof, not having sufficient ground water to provide a reasonable supply for irrigation of cultivated lands in the basin at the then current rates of withdrawal, as may be determined, from time to time, by the State Reclamation Engineer.

In the event the application for permit is made with respect to an area that has not been designated as a critical ground water area the State Reclamation Engineer shall forthwith issue a permit in accordance with the provisions of Section 42-234 without requiring compliance with the provisions of the preceding paragraph of this section or the provisions of Section 42-233b.

42-233b. PROTEST AND HEARING.—All persons desiring to be heard in protest of the granting of a permit pursuant to an application made under this act must file with the state reclamation engineer within thirty days after the first publication of the notice of such application as hereinabove provided, a protest against such application; provided, that for good cause shown the state reclamation engineer may permit protests to be filed any time prior to the completion of the hearing on such application. After the lapse of thirty days following the first publication as hereinabove provided, the state reclamation engineer shall, if any protests against the application have been filed, fix a time and place for the hearing of such application. The time for holding such hearing shall not be more than fifty days from the first publication of said notice. Notice of the hearing shall be given by registered mail to the applicant and to all protestants.

The hearing shall be conducted before the state reclamation engineer under reasonable rules and regulations of procedure promulgated by him. Technical rules of pleading and evidence need not be applied. The state reclamation engineer may adjourn said hearing from time to time and place to place within the reasonable exercise of his discretion. All parties to the hearing as well as the state reclamation engineer shall have the right to subpoena witnesses, who shall testify under oath at such hearing. The state reclamation engineer shall have authority to administer oath to such witnesses as appear before him to give testimony. A full and complete record of all proceedings had before the state reclamation engineer on any hearing held and all testimony shall be taken down by a reporter appointed by the state reclamation engineer and all parties to the hearing shall be entitled to be heard in person or by attorney.

If no person protests an application within the period of thirty days following the first publication of notice thereof as hereinabove provided, and if the state reclamation engineer has determined from investigation that there probably is ground water subject to appropriation at the location of the proposed well, the state reclamation engineer may issue a permit pursuant to such application forthwith and for an amount of water not to exceed the amount of water determined to be there subject to appropriation; but if the state reclamation engineer, from the investigation made by him on said application as herein provided or from other information that has been officially brought to his attention has reason to believe that said application is not made in good faith, is made for delay, or that there is no water subject to appropriation at the location of the proposed well in said application described, then the state reclamation engineer shall issue a citation to the applicant to appear and show cause, if any there be, why such application should not be denied for any of those reasons. The hearing on said citation shall be fixed, noticed and conducted in the same manner as hearings on protest of application as in this section hereinabove provided.

If, at the conclusion of any hearing held pursuant to this section the state reclamation engineer finds that there is ground water available for appropriation at the location of the proposed well described in the application, and that said application is made in good faith and not for delay, then the state reclamation engineer shall issue a permit pursuant to such application; otherwise, the application shall be denied; provided, however, that if ground water at such location is available in a larger amount than that applied for, the state reclamation engineer may issue a permit for the use of such water to the extent that such water is available for appropriation.

36537

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

## REPORT OF ENGINEER

Permit No. G-30537

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

1. Name of applicant L. W. Farms

2. Source of water supply: Subterranean flow from a drilled well

3. Location of point of diversion: Is in the \_\_\_\_\_ SE 1/4 SW 1/4 of Section 10

T. 12 S. R. 22 E.B.M. County of Cassia

4. Describe works as they exist, giving dimensions and capacities of same: 250 H.P. H.E.

Motor # S.P. 527001 Layne + Bowler pump # 25132 12" x 425' column  
16" x 209' casing h: 410' Well depth 880' 10" x 50' discharge into  
open ditch

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):

W 1/2, SE 1/4 Sec. 10., Twp. 12 S., Rge. 22 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: Mr Willis Whittle (foreman) participated in examination

Measurement was made with Cippolletti weir

.59 over 2' weir or 152.5 inches

This examination was made on the 21<sup>st</sup> day of June, 1963

(Signed)

Ron Dekey

Examiner.

30537

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 24 1963

Department of Reclamation

07  
880' 116" 11:410' dd 15'  
209' 116" 11:410' dd 15'  
200'  
250' P  
Willis Whittle, Partner  
& W Farns  
Oakley, Idaho  
Permit No. G-30537

862 3220  
Examination for Completion of Works & Beneficial Use

County Cassia

Quantity: 5.5 a. p. s. Sec. 10 T. 12S R. 22 E

Source: Well.

P. D.: SE. 1/4, Sec. 10, T. 12S. - R. 22E.

Use: Irrigation

Filed: May 14, 1962

Due: June 29, 1967

Extension: —

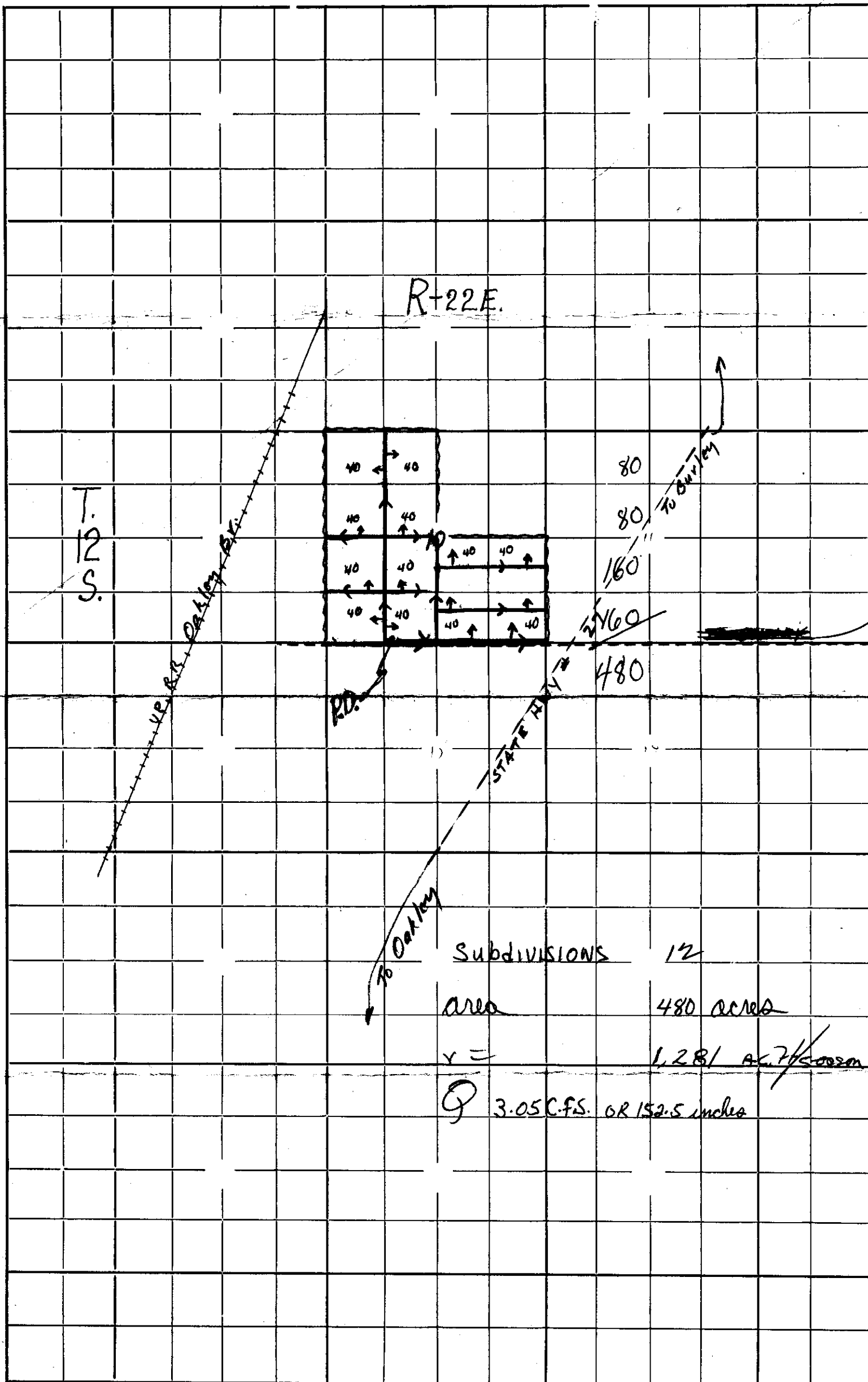
Protest: —

Completion of Works: 1

Other Rights: G-28360-W<sup>2</sup>, Sec. 10,  
12S. - 22E.

Driller - Gene Barnes

30537



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

30537

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE

REPORT OF ENGINEER

PERMIT NO. ~~G-30537~~

REPORT ON PROOF OF Completion of Works & Beneficial Use

Willis Whittle, Partner  
L W Farms  
Oakley, Idaho

XXXXXXXXXX

June 14, 1963

Re: Permit No. G-30537

Willis Whittle  
4 W Farms  
Oakley, Idaho

Dear Mr. Whittle:

This is a follow up of the notice from the Department of Reclamation office that an inspection would be made on your water filing as soon as possible.

I will plan to inspect your permit on or about the week of June 17, 1963.

Please arrange to be on the premises so that you can accompany me over the work.

Very truly yours,

Carl E. Tappan, Acting  
~~Geo. N. Carter~~  
State Reclamation Engineer  
By

---

Field Engineer

RH:mr

30537

1M April 1962

November 14, 1962

Re: Permit No.

G-30537

Willis Whittle, Partner  
L W Farms  
Oakley, Idaho

Dear Mr. Whittle:

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-30537.

Before final action is taken in the matter, the law requires that a field examination be made by an engineer from this department.

We cannot tell just when this examination will be made, but our field engineer will try and contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

GEO. N. CARTER  
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule  
Chief Clerk

EPR:

cc: Harley M. McDowell

30537

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

Permit No. G-30537

**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. W. Farms by Willis Whittle, partner; residence, Oakley, Ida; occupation,  
farming; postoffice address, Oakley, Ida.

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. Partnership.

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

Ans. Permit G-30537; date of permit 6/29/62; date of priority, 5/14/62.

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

Ans. A well in SE<sup>1</sup>/<sub>4</sub>, Sec. 10, T12S-R22E.

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 consist of a 16" well, cased 209', total depth of well, 880'; static water level 410'; pumping level 425'. This well produces approx. 200". It is equipped with 250 hp Layne-Bowler turbine type pump, having 14" bowls with 10" column. Distribution is by private ditches.

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

Ans. Water is used for the irrigation of all of SE<sup>1</sup>/<sub>4</sub>, E<sup>1</sup>/<sub>2</sub>SW<sup>1</sup>/<sub>4</sub>, E<sup>1</sup>/<sub>2</sub>NW<sup>1</sup>/<sub>4</sub>, Sec. 10,  
T12S-R22E. This is cultivated land and all improvements were made as 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.

Ans. W. B. Whiteley, Oakley, Ida.

30537

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

Ans. None.

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

Ans. All the water being used is necessary for the purpose specified.

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

Ans. Original applicant.

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

Ans. Well was drilled in 1962 and use of the water has been for the past irrigation season.

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. Permit G-28360 also irrigates E<sup>1</sup>/<sub>4</sub>WA, Sec. 10, T12S-R22E. Licensed for 4.31 cfs.

(Sign) <sup>AW Farms</sup> *Walter Whittle*

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 9 day of November, A. D. 1962.

*Joan W. Bain*  
Notary Public for the State of Idaho.

My commission expires 6/20/65

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO  
Permit No. G-30537

\* \* \* \* \*

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:

Hy Fairchild; age, 52; residence, Oakley, Ida.; occupation, bookkeeper;  
postoffice address, Oakley, Ida.

Ques. 2. Are you acquainted with AW Farms by Willis Whittle, the holder of  
Permit No. G-30537? How long have you known him and where does he reside:

I have known Willis Whittle 10 years and know that he resides at Oakley, Ida.

Ques. 3. Have you read or heard said Permit No. G-30537 read, and are you familiar  
with its provisions and conditions: Yes: X No:                     

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

State place of diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 10, T12S-R22E., B.M., Ida.

Describe works for conveying water to place of use: Works consist of well drilled 830', cased  
209'; 16" hole, equipped with 250 hp pump.

Ques. 5. How many second feet of water do you estimate said works will safely conduct  
to place of use: 200" How much water have you seen being so  
conveyed: 200".

Ques. 6. If for irrigation, show number of acres irrigated in each subdivision, giving  
full legal description:  
Land irrigated by this water is all of SE $\frac{1}{4}$ , E $\frac{1}{2}$ W $\frac{1}{2}$ , Sec. 10, T12S-R22E.

30537

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

This is a sandy loam soil. All water being used is necessary.

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: 1962

Other times you have seen such use: During the irrigation season of 1962.

(Signed)

Ly. Fairchild

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 9 day of November,  
A. D., 1962.

Joan H. Bain

Notary Public for State of Idaho

Residing: Boise, Ida.

My commission expires: 6/20/65

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO  
Permit No. G-20537

\* \* \* \* \*

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:

Lou Matthews; age, 36; residence, Oakley, Ida; occupation, clerk; postoffice  
address, Oakley, Ida.

Ques. 2. Are you acquainted with AW farms by Willis Whittle, the holder of  
Permit No. G-30537? How long have you known him and where does he reside:

I have known Willis Whittle for 10 years and know he resides at Oakley, Ida.

Ques. 3. Have you read or heard said Permit No. G-30537 read, and are you familiar  
with its provisions and conditions: Yes: X No:                     

Ques. 4. State source of water supply: A drilled well

State place of diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 10, T12S-R22E.

Describe works for conveying water to place of use: Works consist of 16" well drilled to  
880', equipped with 250 hp pump.

Ques. 5. How many second feet of water do you estimate said works will safely conduct  
to place of use: 200" How much water have you seen being so  
conveyed: 200"

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

This is for irrigation of the following: all of SE $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , Sec. 10,  
T12S-R22E.

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

Sandy loam soil. He needs all the water being used.

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: 1962.

Other times you have seen such use: Since well was drilled in 1962.

(Signed)

Lon Matthews

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 9 day of November,  
A. D., 1962.

Joan H. Bain

Notary Public for State of Idaho

Residing: Boise, Ida.

My commission expires: 6/20/65

## AFFIDAVIT OF PUBLICATION

STATE OF IDAHO  
COUNTY OF CASSIA

NOV 13 1962

Department of Reclamation

*Dean Stanley Fisher II* 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 week, 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 last 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 4 consecutive weeks, commencing with the issue dated Oct 5, 1962 and ending with the issue dated Oct 26, 1962

Subscribed and sworn to before me this 26 day of Oct, 1962

*Veracity Nelson*  
Notary Public in and for the State of Idaho

Residing at Burley, Idaho

MY COMMISSION EXPIRES

APRIL 2, 1963 30537

## LEGAL NOTICE

### NOTICE OF PROOF OF COMPLETION OF WORKS

#### and APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 11 A.M., on the 9th day of November, 1962, at Boise, County of Ada, State of Idaho, before Joan H. Bain, Notary Public, at 329 Idaho Bldg., Boise, Idaho, proof will be submitted of the completion of works for the diversion of 5.5 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-30537, 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 4W Farms, Oakley, 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 5.5 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 5.5 cubic feet per second.

4. The point of diversion of said water is SE  $\frac{1}{4}$  SW  $\frac{1}{4}$ , Sec. 10, T12S-R22E., B. M., Idaho.

5. The place where said water is used is W  $\frac{1}{2}$ , SE  $\frac{1}{4}$ , Sec. 10, T12S-R22E., B. M., Idaho.

6. The date of priority which said user is prepared to establish is May 14, 1962.

GEO. N. CARTER

State Reclamation Engineer  
Published in Burley Herald-Bulletin on October 5, 12, 19, and 26, 1962.

## AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

COUNTY OF CASSIA

SS.

*Dean Stantegislur II*  
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 week, 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 4 consecutive weeks, commencing with the issue dated Feb 5, 1962 and ending with the issue dated Feb 22, 1962

Subscribed and sworn to before me this 26 day of Feb, 1962

*Notary Public*  
Notary Public in and for the State of Idaho  
Residing at Burley, Idaho.

30537

October 3, 1962

Re: Permit No. G-30537  
hW Farms

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

Dear Mr. McDowell:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. G-30537, in the name of hW Farms. Final Proof is to be made before you, as Notary on the 9th day of November, 19 62, at 11:00 o'clock A.M., at 329 Idaho Building, Boise, Idaho.

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

It is important that the enclosed depositions be executed by the permit holder and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the time, on the date and before you, as Notary, as stated in the publication notice. It is very important and necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been signed, that your Notary's seal has been placed on each and that all depositions, (holder and two witnesses) are being returned. Also be sure to enclose the Affidavit of Publication.

Very truly yours,

GEO. N. CARTER  
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule  
Chief Clerk

EPR:pmk  
Enc.  
cc: Applicant

30537

1200  
6-28-61

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
Boise, Idaho

Re: Permit No. G-30537  
LW Farms

Date: October 3, 1962

The Herald,  
Burley, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to **November 9, 1962** the date set for proof; the expense of the publication is to be paid by the ~~applicant~~

**Idaho Land and 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,

  
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.

30537

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

OCT 3 1962  
Department of Reclamation

Notice is hereby given that at 11 A. M., on the 9th day of November, 1962, at Boise, County of Ada, State of Idaho, before Jean H. Bain, Notary Public, at (address) 329 Idaho Bldg., Boise, Idaho, proof will be submitted of the completion of works for the diversion of 5.5 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-30537, 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 ✓ AM Farms, Oakley, 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 5.5 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 5.5 cubic feet per second.

4. The point of diversion of said water is SE 1/4, Sec. 10, T12N-R22E., B.M., Ida.

5. The place where said water is used is W 1/2, SE 1/4, Sec. 10, T12N-R22E., B.M., Ida.

6. The date of priority which said user is prepared to establish is 5/14/62

*Geo. H. Carter*

State Reclamation Engineer

30537

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) 10/1/62  
(P. O.) Burley, 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 of Burley, Idaho published in  
the county in which the works are situated.

*4 W Farms*  
*H. R. Whitely*

IDAHO LAND & APPRAISAL SERVICE WILL GUARANTEE PAYMENT FOR ADVERTISING. PLEASE SEND STATEMENT AND AFFIDAVIT OF PUBLICATION TO US AT PO BOX 2161, BOISE, IDA.

(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.

30537

July 6, 1962

Re: Permit No. G-30535  
and No. G-30536  
W. B. Whitelaw

Permit No. G-30537 ✓  
LW Farms

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

Dear Mr. McDowell:

We enclose Permit Nos. G-30535, G-30536 and G-30537, 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-6967 which was issued covering payment in the amount of \$17.25 for the filing fee of the above mentioned permits.

Very truly yours,

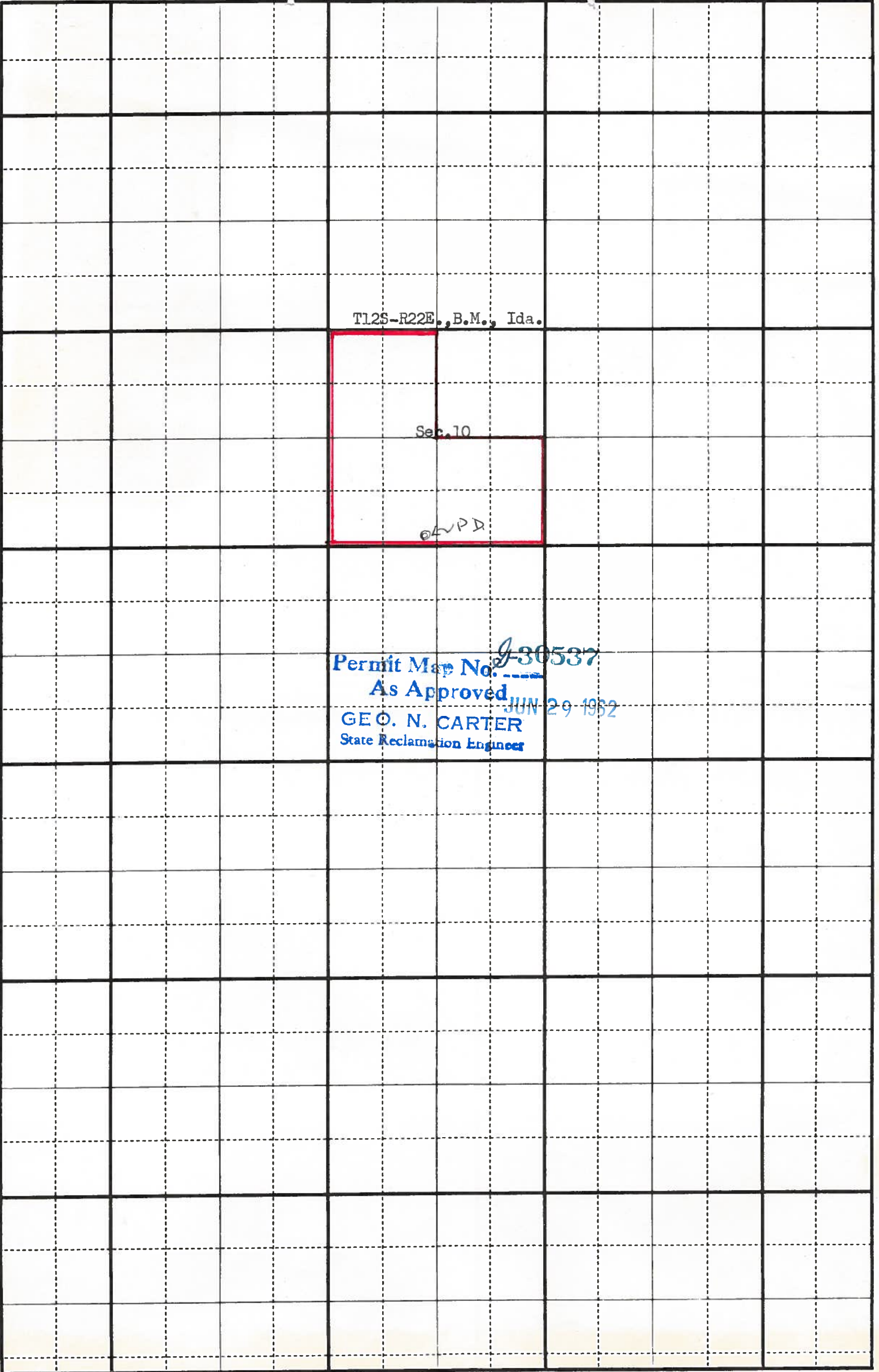
GEO. N. CARTER  
State Reclamation Engineer  
By

(Mrs.) Edna P. Rule  
Chief Clerk

Encl.  
EPR:pmk  
cc: W. B. Whitelaw  
Oakley, Idaho

LW Farms  
Oakley, Idaho

30537



## AFFIDAVIT OF PUBLICATION

RECEIVED  
The Herald-Bulletin

STATE OF IDAHO

COUNTY OF CASSIA

ss.

Department of Reclamation

Deane Stearns Fisher, 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 thirty consecutive weeks, commencing with the issue dated May 24, 1962 and ending with the issue dated May 31, 1962

Subscribed and sworn to before me this 31 day of May, 1962  
Harley M. McDowell  
 Notary Public in and for the State of Idaho, SIGN EXPIRES  
 Residing at Burley, Idaho. APRIL 2, 1963  
 38537

On the 15th day of May, 1962, to appropriate 5.5 cubic feet per second of subterranean water for irrigation purposes. That any protests against the approval of this application must be filed in the Department of Reclamation at Boise Idaho, within thirty (30) days from the date of first publication of this notice and such protest shall state the name and address of the protestant, and shall clearly set forth his objection to the approval of said application. Dated this 15th day of May, 1962.

s/ Ralph W. Thomas  
 Idaho State Reclamation  
 Engineer

Date of First Publication:

Date of Last Publication:

Last Date for Protest: June 23, 1962

SERVICES OF THE FOREGOING, by copy is hereby acknowledged this 15th day of May, 1962.  
 4 W. Evans

by Harley M. McDowell  
 Applicant Harley M. McDowell, Agent

Published in the Herald-Bulletin May 24, 1962

NOTICE OF APPLICATION FOR  
PERMIT TO APPROPRIATE  
SUBTERRANEAN WATERS  
OF THE STATE OF IDAHO  
IN ACCORDANCE WITH THE  
PROVISIONS OF THE SECTION  
42-23a, IDAHO CODE

NOTICE IS HEREBY GIVEN,  
That J. W. FARMS, of Oakley,  
Idaho, has made application No.  
G-38561 on the 14th day of May,  
1962, to appropriate 5.5 cubic  
feet per second of subterranean  
water for irrigation purposes.  
That the point of diversion of  
said water is located in SE1/4  
SW1/4, Section 10, T. 12 S., R. 22  
E., B. M., and that the lands to  
be irrigated are NW1/4, S1/2, Sec.  
10, T. 12 S., R. 22 E., B. M.  
That any protests against the  
approval of this application must  
be filed in the Department of  
Reclamation at Boise Idaho, with  
in thirty (30) days from the date  
of first publication of this notice  
and such protest shall state the  
name and address of the pro-  
testant, and shall clearly set  
forth his objection to the approval  
of said application.

Dated this 14th day of May,  
1962.

s/ Ralph W. Thomas  
Deputy State Reclamation  
Engineer

Date of First Publication:  
May 21, 1962.

Date of Last Publication:  
May 31, 1962.

Last Date for Protest: June  
23, 1962.

SERVICE OF THE FOREGO-  
ING, by copy is hereby acknow-  
ledged this 15th day of May, 1962.  
J. W. Farms

by Harley M. McDowell  
Applicant Harley M. Mc-  
Dowell, Agent

Published Herald Bulletin May  
24 and May 31, 1962.

Affidavit of Publication.

The Herald-Bulletin

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

COUNTY OF CASSIA

ss.

Harley M. McDowell, 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 seventy-eight consecutive weeks, commencing with the issue  
dated May 21, 1962, 1962 and ending with the issue dated May 27, 1962, 1962.

Subscribed and sworn to before me this 23 day of May, 1962.  
Harley M. McDowell  
Notary Public in and for the State of Idaho,  
Residing at Burley, Idaho.

30537

158

NOTICE OF APPLICATION FOR PERMIT TO APPROPRIATE SUBTERRANEAN  
WATERS OF THE STATE OF IDAHO, IN ACCORDANCE WITH THE PROVISIONS  
OF THE SECTION 42-233a, IDAHO CODE

NOTICE IS HEREBY GIVEN, That L W FARMS, of Oakley, Idaho, has made application No. G-38561 on the 14th day of May, 1962, to appropriate 5.5 cubic feet per second of subterranean water for irrigation purposes.

That the point of diversion of said water is located in SE $\frac{1}{4}$ SW $\frac{1}{4}$ , Section 10, T. 12 S., R. 22 E., B. M., and that the lands to be irrigated are NW $\frac{1}{4}$ , S $\frac{1}{2}$ , Sec. 10, T. 12 S., R. 22 E., B. M.

That any protests against the approval of this application must be filed in the Department of Reclamation at Boise, Idaho, within thirty (30) days from the date of first publication of this notice, and such protest shall state the name and address of the protestant, and shall clearly set forth his objection to the approval of said application.

Dated this 14th day of May, 1962.

Ralph Thomas

Deputy State Reclamation Engineer

Date of First Publication: May 24, 1962

Date of Last Publication: May 31, 1962

Last Date for Protest June 23, 1962

SERVICE OF THE FOREGOING, by copy is hereby acknowledged this

15th day of May, 1962.

L W Farms

By Harley M. McDowell  
Applicant

Harley M. McDowell, Agent

PUBLISHED HERALD BULLETIN MAY 24 and MAY 31, 1962

30537

RECEIVED

MAY 16 1962

Department of Reclamation

NOTICE OF APPLICATION FOR PERMIT TO APPROPRIATE SUBTERRANEAN  
WATERS OF THE STATE OF IDAHO, IN ACCORDANCE WITH THE PROVISIONS  
OF THE SECTION 42-233a, IDAHO CODE

NOTICE IS HEREBY GIVEN, That L W FARMS, of Oakley, Idaho, has made  
application No. G-38561 on the 14th day of May, 1962, to appropriate  
5.5 cubic feet per second of subterranean water for irrigation purposes.

That the point of diversion of said water is located in SE1/4 SW1/4,  
Section 10, T. 12 S., R. 22 E., B. M., and that the lands to be irrigated  
are NW1/4, S1/4, Sec. 10, T. 12 S., R. 22 E., B. M.

That any protests against the approval of this application must  
be filed in the Department of Reclamation at Boise, Idaho, within thirty  
(30) days from the date of first publication of this notice, and such  
protest shall state the name and address of the protestant, and shall  
clearly set forth his objection to the approval of said application.

Dated this 14th day of May, 1962.

Deputy State Reclamation Engineer

Date of First Publication: May 24, 1962

Date of Last Publication: May 31, 1962

Last Date for Protest June 23, 1962

SERVICE OF THE FOREGOING, by copy is hereby acknowledged this  
15th day of May, 1962.

L W Farms  
By Harley M. McDowell  
Applicant Harley M. McDowell, Agent

30537

May 14, 1962

Re: Applications No. G-38559; G-38560  
W. B. Whiteley

Application No. G-38561 - W. B. Whiteley

Idaho Land & Appraisal Service  
Box 2161, Boise, Idaho

Attn: Harley M. McDowell

Dear Mr. McDowell:

Enclosed are three sets of legal notices of application for permit to appropriate subterranean water in the Goose Creek-Rock Creek Critical Ground Water Area.

The original of each set is for a paper published in Cassia County for two successive weekly issues, first publication to be not later than ten days after you acknowledge receipt. One carbon copy is for your file, one for the applicant and return one to this office. The dates of publication must be inserted in all copies as well as your acknowledgement of receipt.

Be sure and send the affidavits of publication to this office as soon as obtainable.

Very truly yours,

GEO. N. CARTER  
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy  
State Reclamation Engineer

RT:ow

Enc. 3 sets of  
application notices

30537

NOTICE OF APPLICATION FOR PERMIT TO APPROPRIATE SUBTERRANEAN  
WATERS OF THE STATE OF IDAHO, IN ACCORDANCE WITH THE PROVISIONS  
OF THE SECTION 42-233a, IDAHO CODE

NOTICE IS HEREBY GIVEN, That L W FARNS, of Oakley, Idaho, has made  
application No. 0-38561 on the 11th day of May, 1962, to appropriate  
5.5 cubic feet per second of subterranean water for irrigation purposes.

That the point of diversion of said water is located in SE1/4, Sec. 10, T. 12 S., R. 22 E., B. M., and that the lands to be irrigated  
are NW1/4, SE1/4, Sec. 10, T. 12 S., R. 22 E., B. M.

That any protests against the approval of this application must  
be filed in the Department of Reclamation at Boise, Idaho, within thirty  
(30) days from the date of first publication of this notice, and such  
protest shall state the name and address of the protestant, and shall  
clearly set forth his objection to the approval of said application.

Dated this 11th day of May, 1962.

\_\_\_\_\_  
Deputy State Reclamation Engineer

Date of First Publication: \_\_\_\_\_

Date of Last Publication: \_\_\_\_\_

Last Date for Protest: \_\_\_\_\_

SERVICE OF THE FOREGOING, by copy is hereby acknowledged this  
\_\_\_\_\_ day of \_\_\_\_\_, 1962.

\_\_\_\_\_  
Applicant

March 8, 1962

Re: Applications for Permits  
LW Farms - W. B. Whiteley (two)

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

Dear Mr. McDowell:

Returned herewith are the three applications for permit with attached check for \$17.25 filing fees.

Application in the name of LW Farms shows a slight error under 2 which has been corrected in pencil.

Application in the name of W. B. Whiteley, for 1.6 c.f.s. showed an error in township under 12 which has been corrected in ink. The maps show the name Noy Brackett.

Application in the name of W. B. Whiteley for 3.5 c.f.s. showed incomplete range under 4 which has been corrected in ink.

Kindly check and correct as necessary.

These applications are for subterranean water in an area which is included in the Goose Creek-Rock Creek Critical Ground Water Area. You have a choice of two methods for treatment of these applications.

When you return these applications kindly state whether they should be held in suspense until the State Reclamation Engineer has decided

that there is unappropriated water available at the locations. Or this office will prepare a legal notice of the applications to be published in a Cassia County paper in two consecutive weekly issues, cost of publication to be paid by the applicant. The notice will allow thirty (30) days from the first publication within which to protest issuance of a permit.

In case of protests, a hearing will be held.

Very truly yours,

GEO. N. CARTER  
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy State  
Reclamation Engineer

RT:ew

Enc. 3 applications

30537

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

Notice is hereby given that at 11 A.M., on the 9th day of November, 1962, at Boise, County of Ada, State of Idaho, before Joan H. Bain, Notary Public, at 329 Idaho Bldg., Boise, Idaho, proof will be submitted of the completion of works for the diversion of 5.5 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-30537, 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 4W Farms, Oakley, 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 5.5 cubic feet per second.

3. The place to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 5.5 cubic feet per second.

4. The point of diversion of said water is SE  $\frac{1}{4}$ , Sec. 10, T12S, R22E, B. M., Idaho.

5. The place where said water is used is W  $\frac{1}{2}$ , SE  $\frac{1}{4}$ , Sec. 10, T12S, R22E, B. M., Idaho.

6. The date of priority which said user is prepared to establish is May 14, 1962.

GEO. N. CARTER  
State Reclamation Engineer  
Published in Burley Herald-Bulletin on October 5, 12, 19, and 26, 1962.

30537