

45-02668

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

SEP 15 1987

Transfer No. 3368

APPLICATION FOR TRANSFER OF WATER RIGHT

SEP 16 1987

PART 1

Department of Water Resources

Department of Water Resources
Southern Region OfficeName of applicant Lambert Produce Company Phone 812-2480Post Office address Attn: Mr. Cory King Route 2, Box 2434 Burley, Idaho 83318

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes To reflect a point of diversion utilized but not part of the Dept. of Water Resources' records

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount (cfs/ac-ft) | Nature of Use | Period of Use |
|-----------------|----------------|--------------------|-------------------|-----------------------------|
| <u>45-2668</u> | <u>10/6/61</u> | <u>.34 cfs</u> | <u>irrigation</u> | <u>3/15</u> to <u>11/15</u> |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
2. Total amount of water being transferred .34 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water groundwater tributary to _____
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SW		26	12S	21E	Cassia	
	SW	SW		25	12S	21E	Cassia	(Point to be added)

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
12S	21E	26									40	39	37	39	39	40	39	38	311

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PART 1**6. General Information:**

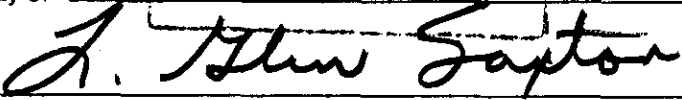
- a. Description of diversion system both points of diversion are wells
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? N/A Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
N/A
- d. Remarks:
N/A

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 45-2668
And said application is hereby APPROVED, subject to the following limitations and conditions:

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FEB 29 1988

Witness my hand this 5th day of January, 19 88
Chief, Operations Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 45-2668 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below: The deed is already on file with

☐ Tax Notice ☒ Warranty Deed with the Dept, ☐ Other _____

3. Source of water groundwater tributary to _____

4. Date or priority 10/6/61

5. Water is used for the following purpose:

amount .34 cfs for irrigation purposes from 3/15 to 11/15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right .34 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SW		26	12S	21E	Cassia	
	SW	SW		25	12S	21E	Cassia	(Point to be added)

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
12S	21E	26									40	39	37	39	39	40	39	38	311

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Total acres 311

9. Describe any other water rights used for the same purpose as described above 45-2567 and 45-7379

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount N/A for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion: Both points of diversion will be used depending on groundwater levels

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use: No change

Twp.	Rge.	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	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount N/A for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion: Both points of diversion will be used depending on groundwater levels

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use: No change

Twp.	Rge.	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	

RECORDED

FEB 29 1988

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

12 S., R21, EBM

25

26

new
well

prior
well

FILED

FEB 29 1988

PART 3

B. CHANGES IN NATURE OF USE

1.

New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
N/A			_____ to _____
			_____ to _____
2. Quantity and quality of return flows and location of discharge:
Unaffected
3. Describe effects on other water uses resulting from the proposed change:
None

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 willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 31st day of August, 1987.

Cory L. Davis
 (Signature of Applicant)

[Signature]
 (Notary Public)

My commission expires 10-5-92

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 2 attachments

Received by JJ Date 9-15-87 Protest filed by None

Prelim. check by AD Fee 50 Rec. 9/23/87

Received by M. Baldwin Date 10/1/87

Published in South Idaho Press Copies of protest forwarded by _____

Pub. dates 11/5 & 11/12/87 Hearing held by _____ Date _____

Watermaster recommendation requested on N/A Recommended for ☒ approval ☐ denial

_____ rec'd. by AD Jim G.S.

Copy of transfer sent to lien holder _____

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FEB 29 1988

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

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

MARGE BARENDREGT, being first
duly sworn, deposes and says that 5 he is the
Clerk of the South Idaho
Press, a daily newspaper published at Bur-
ley, Idaho, in the county aforesaid and that
the paper is of general circulation therein.
Deponent further states that the printed no-
tice attached hereto was duly published
according to law in the regular editions of

The South Idaho Press for two (2)
consecutive weeks, commencing with the issue
dated Nov 5 1987, and ending
with the issue dated Nov 12 1987.

Marge Barendregt

Subscribed and sworn to before me
this 23rd day of Nov
1987.

Dolores Mabey Notary Public

Cost of Publication 29.04
Notary Fee .50
Total Cost 29.54

RECEIVED

FEB 29 1988

67-377

NOTICE OF PUBLICATION OF WATER RIGHT No. 45-2668

Notice is hereby given that Lambert Produce
Company of Burley, ID has applied to the
Department of Water Resources for an addition
of diversion points for groundwater rights.

The right sought to be changed is evidenced
by License No. 45-2668 and is recorded as
follows:

Amount: .34 cfs
Priority: October 6, 1961
Point of Diversion: SW 1/4 SW 1/4, Sec. 26,
T12S, R21E.

Used for irrigation of 311 acres within SW 1/4,
SE 1/4, Sec. 26, T12S, R21E.

TO BE CHANGED AS FOLLOWS

Amount: No change
Point of Diversion: SW 1/4 SW 1/4, Sec. 26,
SW 1/4 SW 1/4, Sec. 25, T12S, R21E, Cassia Coun-
ty: 8 miles North & 4 miles West of Oakley.

Use: No change.

Any protest against approval of the proposed
change of water right application must be filed
with the Department of Water Resources,
Southern Region, 2148 4th Avenue East, Twin
Falls, ID 83301 on or before November 23,
1987.

K. Keith Hingerson,
Director

Public Notice of Water Right Change
5 and 11/25/87

RECEIVED

NOV 25 1987

Department of Water Resources
Southern Region Office

OK
MB
11/25/87

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

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

MARGE BARENDREGT being first

duly sworn, deposes and says that he is the

Clerk of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of

The South Idaho Press for two (2) consecutive weeks, commencing with the issue dated Nov 5 1987, and ending with the issue dated Nov 12 1987.

Marge Barendregt

Subscribed and sworn to before me

this 23rd day of Nov 1987.

Lyle Mabey Notary Public

Cost of Publication 29.04

Notary Fee .50

Total Cost 29.54

RECEIVED

FEB 29 1988

87-499

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

No. 45-2668

Notice is hereby given that Lambert Produce Company of Burley, ID has applied to the Department of Water Resources for an addition of diversion points for groundwater rights.

The right sought to be changed is evidenced by License No. 45-2668 and is recorded as follows:

Amount: .34 cfs
 Priority: October 6, 1961
 Point of Diversion: SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 26, T12S, R21E.

Used for irrigation of 311 acres within SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 26, T12S, R21E.

TO BE CHANGED AS FOLLOWS

Amount: No change
 Point of Diversion: SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 26; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 25, T12S, R21E, Cassia County; 8 miles North & 4 miles West of Oakley.

Use: No change.
 Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Southern Region, 2148 4th Avenue East, Twin Falls, ID 83301 on or before November 23, 1987.

R. Keith Higginson,
 Director

Published in the South Idaho Press on November 5 and 12, 1987.

RECEIVED

NOV 25 1987

Department of Water Resources
 Southern Region Office

OK MB
 11/25/87

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 30218/45-2668 Priority Oct. 6, 1961 Amount 0.34 cfs
(late proof)

THIS IS TO CERTIFY, that Phyllis C. Butterfield
of Heyburn, Idaho, has complied with the terms and conditions of Permit
No. 30218/45-2668 issued pursuant to Application for Permit dated October 5, 1961,
and has submitted proof to the Department of Water Administration on October 7, 1966,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 0.34 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:

Amount 0.34 cfs for irrigation from March 15 to Nov. 15 (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Subject, however, to the condition that no more than 0.34 cfs of water be diverted at
any one time, said waters to be diverted within the _____

SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 26, Twp. 12 S, Rge. 21 E, B.M.

in the county of Cassia; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 165.3 acre feet per year or _____
4.0 acre feet per acre.

Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
12 S	21 E	26									40	39	37	39	39	40	39	38	311

Total number of acres irrigated 311

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 23 day of

March, 19 72.


Director

65 2668

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

45- 2668

Application No. G- 38268
Permit No. G- 30218
District No.

1. Name of Applicant: Phyllis C. Butterfield
Postoffice address: Heyburn County: Minidoka State: Idaho
2. Quantity of water claimed: 320 miner's inches
 - (a) Rate of withdrawal in cubic feet per second 6.4 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 SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 26
Twp. 12 S , Rge. 21 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, 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-28893
 - (a) 6.4 (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) (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.

By s/ Harley M. McDowell Agent.
B.

Corrected application received:

12.

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	21 E	26									40	40	40	40	40	40	40	40	320

LICENSE ISSUED FOR 0.34 SEC. FT.
 LICENSE PAGE NO.



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, ~~450 W. State Street~~, Boise, Idaho

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

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

January 11, 1988

RE: Transfer of Water Right No. 45-2668

Lambert Produce Co.
Attn: Mr. Cory King
Rt. 2, Box 2434
Burley, ID 83318

Dear Mr. King:

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 3362). Please be advised that if a new well is to be drilled, a drilling permit must be obtained. A drilling permit is a separate permit that must be issued for all wells constructed after July 1, 1987.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

RECEIVED

FEB 29 1988

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 45-2668

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Amount: .34 cfs

Priority: October 6, 1961

Point of Diversion: SW1/4SW1/4, Sec. 26, T12S, R21E.

Used for irrigation of 311 acres within SW1/4, SE1/4, Sec. 26, T12S, R21E.

TO BE CHANGED AS FOLLOWS

Amount: No change

Point of Diversion: SW1/4SW1/4, Sec. 26; SW1/4SW1/4, Sec. 25, T12S, R21E, Cassia County; 8 miles North & 4 miles West of Oakley.

Use: No change.

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Southern Region, 2148 4th Avenue East, Twin Falls, ID 83301 on or before November 23, 1987.

R. Keith Higginson, Director

Published in South Idaho Press on 11/05 & 11/12/87.

MICROFILMED

FEB 29 1988

87-499

**NOTICE OF PROPOSED CHANGE
OF WATER RIGHT**

No. 45-2668

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Amount: No change

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R. Keith Higginsan,
Director

Published in the South Idaho Press on November 5 and 12, 1987.

OK
MB
10/27/87

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FEB 29 1988



State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Mailing Address:
Southern Region
2148 4th Ave. East
Twin Falls, Idaho 83301
(208) 734-3578

October 21, 1987

South Idaho Press
P.O. Box 190
Burley, ID 83318

Re: Application for Transfer, 45-2668 (Lambert Produce Company)

Gentlemen:

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

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

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary A. Baldwin
Sec/Office Coord.

Encl:

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FEB 29 1988



State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region

CECIL D. ANDRUS
Governor

October 21, 1987

Mailing Address:
Southern Region
2148 4th Ave. East
Twin Falls, Idaho 83301
(208) 734-3578

R. KEITH HIGGINSON
Director

Morgan W. Richards, Jr.
MOFFATT, THOMAS, BARRETT & BLANTON
P.O. Box 829
Boise, ID 83701

RE: Application for Transfer No. 45-2668

Dear Mr. Richards:

The Department of Water Resources acknowledges receipt of the Application for Transfer on behalf of your client, Lambert Produce Company.

This office will be advertising the application in the South Idaho Press on 11/05 and 11/12/87. The advertisement will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in about five weeks. State Office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review.

Enclosed please find your receipt No. 44250 for the amount of \$50.00.

Please feel free to contact this office if you have any questions regarding this procedure.

Very truly yours,

Loren O. Holmes, P.E.
Southern Region Manager

LOH:MB
Enclosure

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FEB 29 1988

LAW OFFICE

MOFFATT, THOMAS, BARRETT & BLANTON

CHARTERED

FIRST SECURITY BUILDING

911 WEST IDAHO

P. O. BOX 829

BOISE, IDAHO 83701

September 28, 1987

WILLIS C. MOFFATT
(1907-1980)

OFFICE ADMINISTRATOR
DONNA K. BROWN

TELEPHONE
(208) 345-2000

IDAHO WATS
1-800-422-2889

TELECOPIER
(208) 345-2340

EUGENE C. THOMAS
JOHN W. BARRETT
J. CHARLES BLANTON
R. B. ROCK
RICHARD C. FIELDS
RICHARD E. HALL
MYRON D. GABBERT, JR.
PAUL S. STREET
DONALD J. FARLEY
LOREN C. IPSEN
T. N. AMBROSE
LARRY C. HUNTER
PHILLIP S. OBERRECHT
JEFFREY A. STROTHER
GLENN M. CHRISTENSEN
MARK S. PRUSYNSKI
MORGAN W. RICHARDS, JR.
MICHAEL G. MCPHEE
STEPHEN R. THOMAS
JON S. GORSKI
ROBERT C. GRISHAM

GERALD T. HUSCH
THOMAS C. MANNSCHRECK
THOMAS V. MUNSON
KIRK R. HELVIE
RAYMOND D. POWERS
THOMAS C. MORRIS
CANDY WAGAHOFF DALE
ROBERT B. LUCE
MICHAEL E. THOMAS
DOUGLAS M. CONDE
STEVEN V. CAMPBELL
LARRY D. SPURGEON
KRISTI EMIG-MARK
MARK B. PERRY
JAMES C. DEGLEE
STEPHEN T. SHERER
CHRISTINE E. NICHOLAS
DENISE C. BAIRD
J. KEVIN WEST
NICHOLAS B. SPENCER
PATRICIA M. OLSSON

RECEIVED

SEP 29 1987

Department of Water Resources
Southern Region Office

Mr. Allen D. Merritt, P.E.
Water Resources Engineer
Idaho Department of Water Resources
Southern Region
2148 Fourth Avenue East
Twin Falls, Idaho 83301

Re: Transfer 45-2668
MTB&B File No. 14-262

Dear Mr. Merritt:

In response to your letter dated September 24, 1987, please find enclosed a corrected filing fee in the amount of \$50.00. Lambert has previously provided copies of its deeds to the Department of Water Resources establishing its ownership of the water rights.

Thank you for your cooperation.

Very truly yours,

Woody
Morgan W. Richards, Jr.

MWR/lc

Enclosure

MICROFILMED

FEB 29 1988



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Mailing Address:
Southern Region
2148 4th Ave. East
Twin Falls, Idaho 83301
(208) 734-3578

September 24, 1987

Morgan W. Richards, Jr.
MOFFATT, THOMAS, BARRETT & BLANTON
P.O. Box 829
Boise, ID 83701

Re: Transfer 45-2668

Dear Mr. Richards:

Enclosed please find your check in the amount of \$20.00. The correct filing fee for a transfer is \$50.00.

Proof of ownership is also needed in order for the Department to process the application for a transfer in behalf of your client, Lambert Produce Company.

We will continue to hold the application until the correct fee and proof of ownership are received.

If you have any questions or need additional information, please feel free to contact this office.

Very truly yours,

Allen D. Merritt, P.E.
Water Resources Engineer

AM:MB

Enclosures

MICROFILMED

FEB 29 1988

LAW OFFICE

MOFFATT, THOMAS, BARRETT & BLANTON

CHARTERED

FIRST SECURITY BUILDING

911 WEST IDAHO

P. O. BOX 829

BOISE, IDAHO 83701

September 14, 1987

WILLIS C. MOFFATT
(208) 345-2000

OFFICE ADMINISTRATOR
DONNA K. BROWN

TELEPHONE
(208) 345-2000

IDAHO WATS
1-800-422-2869

TELECOPIER
(208) 345-2340

EUGENE C. THOMAS
JOHN W. BARRETT
J. CHARLES BLANTON
R. B. ROCK
RICHARD C. FIELDS
RICHARD E. HALL
MYRON D. GABBERT, JR.
PAUL S. STREET
DONALD J. FARLEY
LOREN C. IPSEN
T. N. AMBROSE
LARRY C. HUNTER
PHILLIP S. OBERRECHT
JEFFREY A. STROTHER
GLENN M. CHRISTENSEN
MARK S. PRUSYNSKI
MORGAN W. RICHARDS, JR.
MICHAEL G. MCPECK
STEPHEN R. THOMAS
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GERALD T. HUSCH
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THOMAS V. MUNSON
KIRK R. HELVIE
RAYMOND D. POWERS
THOMAS C. MORRIS
CANDY WAGAHOFF DALE
ROBERT B. LUCE
MICHAEL E. THOMAS
DOUGLAS M. CONDE
STEVEN V. CAMPBELL
LARRY D. SPURGEON
KRISTI EMIG-MARK
MARK B. PERRY
JAMES C. DEGLEE
STEPHEN T. SHERER
CHRISTINE E. NICHOLAS
DENISE C. BAIRD
J. KEVIN WEST
NICHOLAS B. SPENCER
PATRICIA M. OLSSON

Idaho Department of Water Resources
450 West State
Boise, Idaho 83720

Re: Lambert Produce Company
MTB&B File No. 14-262

Department of Water Resources

Gentlemen:

Enclosed for filing please find our application to add a point of diversion for License No. 45-2668. Our application fee of \$20.00 is enclosed. If you should have any questions, please contact us.

Very truly yours,

Woody

Morgan W. Richards, Jr.

MWR/lc

Enclosures

cc w/o enc.: Ms. Vicki King

RECEIVED
SEP 15 1987

RECEIVED
FEB 29 1988

STAFF ANALYSIS SUPPLEMENT

1) Water District _____ Basin # 45

2) Local Description: (of one P/D)

☐

At the above street address

☒

8 miles N/S N and 4 miles E/W W
of Ozkeley (City or landmark).

☐

Other (describe) _____



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

August 29, 1985

RE: License Nos. 45-2066, 45-2109, 45-2519 (Trans. 1849), 45-2520, (Trans. 1849)
45-2526 (Trans. 1849), 45-2567, 45-2579 (Trans. 3139), 45-2611,
45-2613, 45-2614, 45-2620, 45-2629, 45-2630 (Trans. 3141),
45-2642, 45-2657, 45-2668 & 45-2254A (Trans. 3134)

Lambert Produce, Inc.
Attn: Mr. Chris Drakos
P.O. Box 793
Blackfoot, ID 83221

Gentlemen:

Our office acknowledges receipt of Assignment of the above referenced water rights. However, in reviewing the files I find that the water rights are Licenses.

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 of owning the land is proof of owning the water right license.

Therefore, I have put the Assignment into the files for future reference only and no other action will be taken. I have also enclosed copies of the Licenses for your records.

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

Sincerely,

KAY WALKER
Chief Clerk

KW:sc
Enclosures

MICROFILMED

LAW OFFICE

MOFFATT, THOMAS, BARRETT & BLANTON

EUGENE C. THOMAS
JOHN W. BARRETT
J. CHARLES BLANTON
R. B. ROCK
RICHARD C. FIELDS
RICHARD E. HALL
MYRON D. GABBERT, JR.
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DOUGLAS M. CONDE
STEVEN V. CAMPBELL
LARRY D. SPURGEON
KRISTI EMIG-MARK
MARK B. PERRY

CHARTERED
FIRST SECURITY BUILDING
P.O. BOX 829
BOISE, IDAHO 83701

WILLIS C. MOFFATT
(1907-1980)

OFFICE ADMINISTRATOR
DONNA K. BROWN

TELEPHONE
(208) 345-2334

TELECOPIER
(208) 345-2340

August 5, 1985

RECEIVED
AUG 7 1985

Department of Water Resources
450 West State
Statehouse Mail
Boise, Idaho 83720

Department of Water Resources

Re: Lambert Produce, Inc.
MTB&B File No. 14-262

Gentlemen:

Enclosed please find copies of relevant deeds which transfer water rights from First Security Bank of Idaho, N.A. to Lambert Produce, Inc. This transfer is as a result of the purchase of part of First Security Bank's real property in Cassia County, Idaho by Lambert Produce, Inc. Any future correspondence regarding the water rights set out in the two documents should be addressed to:

Lambert Produce, Inc.
Attention: Mr. Chris Drakos
Post Office Box 793
Blackfoot, Idaho 83221

Thank you for your assistance.

Sincerely,

Woody
Morgan W. Richards, Jr.

MWR/lc

Enclosures

cc w/o encl.: Mr. Chris Drakos

MICROFILMED

QUITCLAIM DEED

FOR VALUE RECEIVED, FIRST SECURITY BANK OF IDAHO, N.A.,
herein "Grantor," hereby quitclaims to LAMBERT PRODUCE COMPANY,
herein "Grantees," whose current address is Post Office Box 793,
Blackfoot, Idaho, all of Grantor's right, title and interest in
and to the following described water rights, copies of which are
attached hereto and incorporated herein by reference:

45-0166	45-2611
45-0168	45-2613
45-0169	45-2614
45-0695	45-2620
45-0696	45-2629
45-0698	45-2630
45-0701	45-2642
45-2066	45-2657
45-2109	45-2668
45-2519	45-4009
45-2520	45-4011
45-2526	45-4013
45-2567	45-4048
45-2579	45-7379

AND that portion of License No. 45-2254 which has not previously
been obligated for transfer to Vanco, Inc. and also an unnumbered
permit for appropriation of water from Land Creek and Willow Creek.

No warranty is given by Seller as to any water rights
transferred hereby or as to the quality of any water. Any other
water rights not specifically transferred herein, including but
not limited to other licenses and claims, are retained by the
Seller.

DATED this 9th day of April, 1985.

FIRST SECURITY BANK OF IDAHO, N.A.

By J. LaMar Giles
J. LaMar Giles
Senior Vice-president

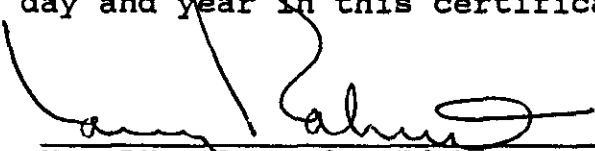
STATE OF IDAHO)

County of Cassia)

ss.

On this 9th day of April, 1985, before me, a notary public in and for said county and state, personally appeared J. LAMAR GILES, known to me to be the Senior Vice-president of FIRST SECURITY BANK OF IDAHO, N.A., the corporation named in the above instrument and acknowledged to me that he executed the same on behalf of such corporation.

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



NOTARY PUBLIC for Idaho

Residing at Burley Idaho

My Commission Expires: 6-30-85

MICROFILMED

SUPPLEMENTAL AGREEMENT

WHEREAS on April 9, 1985, FIRST SECURITY BANK OF IDAHO, N.A., ("First Security") and LAMBERT PRODUCE, INC., ("Lambert") entered into a Real Estate Purchase and Sale Agreement ("Agreement"); and

WHEREAS certain terms of the transaction and agreement between First Security and Lambert should be added and/or clarified; and

WHEREAS First Security desires to assign to Lambert all of its right to obtain easements from Vanco, Inc., ("Vanco") for pipelines or ditches to transport irrigation water; and

WHEREAS First Security desires to quitclaim to Lambert all of its rights in certain additional water rights; and

WHEREAS First Security has advised Lambert of Vanco's right to approximately 3.91 c.f.s of water from First Security and Jackson W. Allred ("Allred"); and

WHEREAS Allred has applied to the Idaho Department of Water Resources to transfer License 45-2352 to Vanco and First Security has applied to the Idaho Department of Water Resources to transfer a portion of License 45-2254 to Vanco; and

WHEREAS to facilitate the transfer of the aforementioned water rights, the place of use for certain water rights has been or will need to be reduced or transferred by First Security and/or Allred; therefore

Based upon the consideration received by First Security and Lambert in the original Agreement and also independently based upon the consideration recited herein the parties agree as follows:

1. First Security hereby assigns to Lambert all of its

right and interest in obtaining easements for transportation of irrigation water from Vanco; and

2. First Security quitclaims all of its right, title and interest in and to water rights 45-4000, 45-4001, 45-4002, 45-4005, 45-4006, 45-4007, 45-4008 and 45-4014; and

3. First Security assigns and Lambert accepts any obligation or responsibility that First Security owes to Vanco to complete the transfer of approximately 3.91 c.f.s. of water to Vanco:

DATED this 11th day of April, 1985.

FIRST SECURITY BANK OF IDAHO,
N.A.,

By J. Lamar Giles J MWR
J. LaMar Giles,
Senior Vice President

LAMBERT PRODUCE, INC.

By Chris Drakos
Chris Drakos,
President

MICROFILMED

QUITCLAIM DEED

FOR VALUE RECEIVED, ORLAND E. BATEMAN and MARY G. BATEMAN, husband and wife, [REDACTED] BANK OF ILLINOIS, [REDACTED] [REDACTED] Box 7060, [REDACTED] 11 right, title and interest in and to [REDACTED], a copy of which is attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD unto First Security Bank of Idaho,
N.A., its successors and assigns forever.

DATED this 8TH day of February, 1985.

Orland E. Bateman

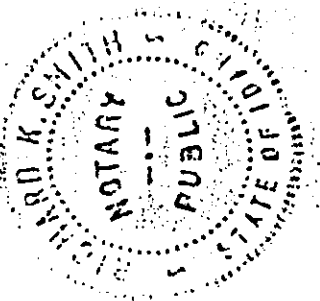
Mary G. Bateman

STATE OF IDAHO)
) ss.
County of)

On this 8TH day of February, 1985, before me, a notary public in and for said county and state, personally appeared ORLAND E. BATEMAN and MARY G. BATEMAN, husband and wife, known to me to be the persons whose names are subscribed to the within Quitclaim Deed, 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.

~~Notary Public for Idaho~~
~~Residing at~~



MICROFILMED



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

March 7, 1984

RE: Transfer of Water Right Nos. 45-2567 & 45-2668

Moffatt, Thomas, Barrett & Blanton
Attn: Morgan W. Richards, Jr.
First Security Bldg.
Box 829
Boise, ID 83701

Dear Mr. Richards:

We acknowledge receipt of the withdrawal of the transfer submitted for the above referenced water rights, per your letter of 2/16/84.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc

cc: Albert Anderson & Sons

MICROFILM

INTER-DEPARTMENT MEMO — 1

FROM

Sharla

DATE

3/7/84

TO

File 45-2668

SUBJECT

See file 45-2567 for correspondence regarding withdrawn transfer No. 2332.

MICROFILMED

SIGNATURE

October 24, 1983

RE: Application for Transfer of Water Rights Nos. 45-2567 and 45-2668

Moffatt, Thomas, Barrett & Blanton
Attn: Morgan W. Richards, Jr.
First Security Bldg.
P.O. Box 829
Boise, ID 83701

Dear Mr. Richards:

We are in receipt of your letter of September 8, 1983, in which you requested the status of an application for transfer of water rights Nos. 45-2567 and 45-2668.

A review of our records shows that this particular transfer application has been waiting for response from Alberts Anderson and Son as to proof of land ownership of Right 45-2668 or specifically, the SW $\frac{1}{4}$ of Section 26, Twp. 12S, Rge. 21E, B.M. in which a portion of Right 45-2668 is appurtenant to. Without this documentation, the Department cannot approve the said application for transfer.

We would very much like to proceed with the processing of this transfer application as the Department has made several attempts to contact the parties involved.

If no response is received, then the Department will be forced to deny the transfer application. If you can assist in this effort, it would be greatly appreciated.

If you have any questions or if we can be of any assistance on this, please let me know.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc

MICROFILMED

LAW OFFICE

MOFFATT, THOMAS, BARRETT & BLANTON

CHARTERED

FIRST SECURITY BUILDING

P.O. BOX 829

BOISE, IDAHO 83701

September 8, 1983

WILLIS C. MOFFATT
(1907-1980)

TELEPHONE
(208) 345-2334

TELECOPIER
(208) 345-2340

EUGENE C. THOMAS
JOHN W. BARRETT
J. CHARLES BLANTON
R. B. ROCK
RICHARD C. FIELDS
RICHARD E. HALL
MYRON D. GABBERT, JR.
PAUL S. STREET
DONALD J. FARLEY
LOREN C. IPSEN
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LARRY C. HUNTER
PHILLIP S. OBERRECHT
JEFFREY A. STROTHER
GLENN A. CHRISTENSEN
MARK S. PRUSYNSKI

MORGAN W. RICHARDS, JR.
MICHAEL G. McPECK
STEPHEN R. THOMAS
JON S. GORSKI
ROBERT C. GRISHAM
GERALD T. HUSCH
DONALD D. SAINT-JUST
THOMAS C. MANNSCHRECK
THOMAS V. MUNSON
KIRK R. HELVIE
RAYMOND D. POWERS
THOMAS C. MORRIS
CANDY R. WAGAHOFF
ROBERT B. LUCE
MICHAEL E. THOMAS

Idaho Department of Water Resources
450 W. State Street
Statehouse
Boise, Idaho 83720

Re: First Security Bank
License Nos. 45-2567; 45-2668
MTB&B File No. 4-620.122

Gentlemen:

Recently we provided assignments of certain water rights to the Department and in your letter acknowledging such assignments, copies of current filings made with the Department were provided to First Security Bank. According to the documentation, application was made on April 19, 1979, to transfer License Nos. 45-2567 and 45-2668. To this date, the Department has not approved the application. Would you please advise us of the status of these applications?

Thank you in advance for your consideration.

Very truly yours,

Woody
Morgan W. Richards, Jr.

MWR:jam

cc: Mr. LaMar Giles

MICROFILMED



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

August 3, 1983

RE: License Nos. 36-2412 (Transfer No. 2299), 36-2665, 36-7119, 36-7157, 36-7304, 36-7366, 36-7402, 36-7480, 36-7561, 37-7001, 37-7019, 37-7315, 37-7316, 37-7363, 37-7470, 45-2016, 45-2018, 45-2019, 45-2020, 45-2028, 45-2029, 45-2031, 45-2050, 45-2053, 45-2066, 45-2109, 45-2254 (Transfer No. 2590), 45-2299, 45-2351 (Transfer No. 2329), 45-2490, 45-2494, 45-2512, 45-2519 (Transfer No. 1849), 45-2520 (Transfer No. 1849), 45-2526 (Transfer No. 1849), 45-2556, 45-2567 (Pending Transfer No. 2332), 45-2579, 45-2611, 45-2613, 45-2614, 45-2620, 45-2628, 45-2629, 45-2630, 45-2642, 45-2657, 45-2668 (Pending Transfer No. 2332), and 45-2688

First Security Bank of Idaho
ATTN: Mr. LaMar Giles
P.O. Box 7069
Boise, ID 83730

Dear Mr. Giles:

Our office acknowledges receipt of Assignment of the above referenced water rights. However, in reviewing the files I find that the water rights are Licenses.

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 of owning the land is proof of owning the water right license.

Therefore, I have put the Assignment into the files for future reference only and no other action will be taken. I have also enclosed copies of the Licenses for your records.

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

Sincerely,

ROBYN CARLSON
Chief Clerk

RC:kw
Enclosures

100-111111

OK to process
Re 8/2/83

ASSIGNMENT OF WATER RIGHTS

The undersigned (hereinafter "Grantor"), for good and valuable consideration, receipt of which is hereby acknowledged, does hereby sell, assign, transfer, grant, convey and warrant to FIRST SECURITY BANK OF IDAHO, N.A. (hereinafter "Grantee"), all right, title and interest in the licenses, decrees, adjudications, claims, permits, written agreements and stock in water companies, listed in Exhibit J attached hereto and incorporated by reference, along with any and all interest the Grantor may have, acquire, claim or otherwise hold over any other unspecified public waters of the State of Idaho (hereinafter "Water Rights") which have been or are now used and applied to beneficial purposes upon the real property described in Exhibits A and C attached hereto and incorporated by reference.

Grantor warrants that it has performed all acts and made all filings necessary to maintain in full force and effect all of the Exhibit J Water Rights, and that there are no written or oral agreements which adversely affect or change the aforementioned Water Rights.

Grantor further covenants and warrants that a notice of claim has been or will be filed prior to June 30, 1983, pursuant to Idaho Code Section 42-243 by Grantor for the benefit of Grantee for all unspecified public waters of the State of Idaho which have been or are now used and applied to beneficial purposes upon the real property described in Exhibits A and C attached hereto and by this reference incorporated herein.

MICROFILMED

IN WITNESS WHEREOF; the Grantor has caused its corporate name to be hereunto subscribed by its President and its corporate seal to be affixed by its Assistant Secretary effective January 31, 1983.

ALBERT ANDERSON AND SONS COMPANY

By 15/
President

ATTEST:

15/
Assistant Secretary

STATE OF IDAHO)
County of Cassia) ss.

On this 17th day of May, 1983, before me, a notary public in and for said county and state, personally appeared Wm. A. Anderson and Wm. A. Parsons, known to me to be the President and Assistant Secretary, respectively, of ALBERT ANDERSON AND SONS COMPANY, the corporation named in the above instrument, and acknowledged to me that they executed the same on behalf of such corporation.

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

15/
NOTARY PUBLIC for Idaho
Residing at _____, Idaho

MICROFILMED

WATER RIGHTS

EXHIBIT J

Licenses and Permits

36-2412	37-7363	45-2066	45-2579
36-2665	37-7470	45-2109	45-2611
36-7119	✓37-7480	45-2254	45-2613
36-7157	37-7531	45-2299	45-2614
36-7304	37-7806	45-2351	45-2620
36-7366	45-2016	45-2490	45-2628
36-7402	45-2018	45-2494	45-2629
36-7480	45-2019	45-2512	45-2630
36-7561	45-2020	45-2519	45-2642
✓36-7877	45-2028	45-2520	45-2657
37-7001	45-2029	45-2526	45-2668
37-7019	45-2031	~~45-2547~~	45-2688
37-7315	45-2050	45-2556	45-7379
37-7316	45-2053	45-2567	

Decrees and Adjudications

45-0166	45-0170	45-0514	45-0698
45-0168	45-0171	45-0695	45-0701
45-0169	~~45-0425~~	45-0696	45-0702

Claims

45-4000	45-4006	45-4011	45-4023
45-4001	45-4007	45-4013	45-4026
45-4002	45-4008	45-4014	45-4048
45-4005	45-4009		

Agreements

1. "99 YEAR LEASE" dated April 1, 1954, between Albert Anderson and Sons Company and Parley C. Clark, Clarence A. Elquist and Dallon Elquist.
2. "AGREEMENT" dated April 3, 1963, between Albert Anderson and Sons Company and Parley C. Clark, Clarence A. Elquist, Bertha Elquist, Dallon C. Elquist and Norma Jean Elquist.

Stock in Water Companies

<u>Name of Company</u>	<u>Number of Shares</u>
Oakley Canal Co.	1,167.02
Northside Canal Co.	1,006.02

March 27, 1972

C
Re: Permit No. 30218/45-2668

O
Phyllis C. Butterfield
P.O. Box 750
Heyburn, Idaho 83336

Dear Mrs. Butterfield:

P
Enclosed herewith is the Water License issued on the above referenced permit.

Sincerely,

Y
BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enc: License

cc: Albert Anderson & Sons Co., Inc.
Oakley, Idaho
Enc: Copy of license
Receipt #8188 for \$21.00
licensing fee

45 2668

March 3, 1972

Phyllis C. Butterfield
P.O. Box 750
Heyburn, Idaho 83336

Dear Mrs. Butterfield:

A representative of this department has made an examination of the works covered by your Permit No. 30218/45-2668 and has found the following:

Quantity of water diverted: 0.34 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 0.34 cfs

The maximum quantity of water diverted shall not exceed 165.3 acre feet per season.

Beneficial Use: Irrigation of 311 acres within the S $\frac{1}{4}$ of Sec. 26.

Twp. 12 S, Rge. 21 E, B.M.

Point of diversion: SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 26, Twp. 12 S, Rge. 21 E, B.M.

The priority date established is : October 6, 1961

A fee totaling \$ 21.00 must be received within 30 days from the date of this letter in order that we can issue you a Water License as set forth in this letter.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

5 266

BDF:DR

cc: Idaho Land & Appraisal

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

Permit No. G-30218. **45-268**

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

1. Name of applicant Phyllis C. Butterfield Ray Anderson Oakley Idaho

2. Source of water supply: Subterranean

3. Location of point of diversion: Is in the SW 1/4 of Section 26

T. 12 S R. 21 E County of Cassia

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

**75 HP U.S. HOLLOW SHAFT ELEC MOTOR
1245192
1/2" B.V.T.P. # D28F82 540 gpm @ 450'
8" DISCHARGE - GATE VALVE 25' INTO
EARTH DITCH.**

5. Water is used for: Irrigation

6. State whether or not water has been turned into works of diversion: At one time most

ALL OF THE GROUND WAS BENEFICIALLY IRRIGATED.

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):

S 1/2, Sec. 26, T. 12 S, R. 21 E, B.M.

Mr Anderson said the well pumped more than 320 gpm in the spring. The well when proof was made on the desert entry 150 inches of water was measured all around only 140 acres on the desert entry. E 1/2 SE 1/4, NW 1/4 SE 1/4; NE 1/4 SW 1/4 SEC 26 T 12 S R 21 E.

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

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

Remarks: PHYLLIS BUTTERFIELD & RAY ANDERSON CONTACTED

- DESIGN DATA SHOW 1.21 cfs @ 450'

- DESIGNATIONS CLAIM

POWER CUL #305

- PRESENTLY ONLY .34 cfs (EXTREME)

75 - 80 gpm - SUCCESS - PEAK = 150 gpm 8-16-68 DE

IRRIGATION REQUIREMENT = 4.0 AC-FT / ACRE / SEASON
SEE NOTE

This examination was made on the 16 day of Aug, 19 68 DE

(Signed) William J. Schuman
Examiner.

850 N
500 W
Vand. Ave. to 800
inter
E

6789471 OFFICE

FOUR

Sept 6

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.

45 2668

Phyllis C. Butterfield meter, pump
P.O. Box 750 gravity
Heyburn, Idaho 20" 1000' H-540

Permit No. G-30218 - not on 5/18

Examination for Completion of Works & Beneficial Use

County Cassia

Quantity: 6.4 c.f.s. Sec. 26 T. 12S R. 21E

Source: Subterranean -

P.D.: SW1/4SW1/4, Sec. 26, T. 12 S, R. 21 E, B.M. was

Use: Irrigation

Extension:

Protest:

Completion of Works:

Other Rights: G-28893 relinquished

Filed: October 5, 1961

Due: October 6, 1966

Made: October 7, 1966

Priority: October 6, 1961

6783319

PA - 678727
DECAT ENTRY
CALL RAY ANDERSON - SHELLEY
HE IS DOING THE WORKING.
8623278

(TRV 1968) Pump
POSSIBLE CAUSE IN

MR. ANDERSON CONTRACTED

6783319

OLF - 1DA

OFFICE

628-943

628-5843

P. 1/2

39	40	40	39
39	39	39	38

158

153

311

Island

Imp. 125

Q measured .34 OKD
 Q recommended .34
 Volume 628 del
 Acreage - 752 311
 Found 752 311
 recommended 752 311
 Subdv. 8

Amendments

- ☐ None
- ☐ P.D.
- ☐ Place of use
- ☐ del

Area

Subd.

Q

Vol

PRIORITY

OCT 6 1961

$2 \times .34 \times 244 = 165.9 \text{ AF}$

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. G-30218-

~~REPORT ON PROOF OF Completion of Works & Beneficial Use~~

NOTE.

The well water is actually combined with well water from Sec 25 to irrigate land in Sec 26. Somewhere when this exam was made there was no crop growing on the land though it is evident that the land was tilled previously. *W.S.H.*

26

2

F298
2-8

GG
303.3
308.3

W³⁹
72.0
- 6.5

V⁴⁰
76.3
76.3

U⁴¹
81.0 81.0

F210
T
74.3

37

39

38

26

26

35

35

148
155
303

15.2008

April 22, 1970

Mr. Albert Anderson
25 Van Engelen Drive
Burley, Idaho 83318

Dear Mr. Anderson:

I appreciated the opportunity of visiting with you the other day concerning your water rights problems related to the Anderson-Martin farm south of Burley.

As I promised, we have reviewed the Phyllis C. Butterfield Permit No. 45-2668. As you know, this provides for diversion of 6.4 second feet of water from a well in Section 26, T. 12 S., R. 21 E., for irrigation of 320 acres of land. This location is outside of the presently designated critical ground water area. We feel that we must restrict the development of new water rights within the critical ground water area because of the possible impact upon existing uses and water levels within the area.

I therefore am sorry that we must inform you that we would not be able to favorably consider a request to change the point of diversion of the Butterfield water permit to the fourth well on the Anderson-Martin farm. If we can be of further assistance to you in this matter, please let me know.

Very truly yours,

R. KEITH HIGGINSON
State Reclamation Engineer

RKH/j1b

30218

45-2662

No Answer to letter

For Permit

February 3, 1969

Re: Permit No. G-30218 45-2668

Phyllis C. Butterfield
P. O. Box 750
Heyburn, Idaho

Dear Mrs. Butterfield:

Be advised that the Department has conducted a field examination of the land and works covered by the above referenced permit. The well located within the SW-~~SW~~, Sec. 26, T. 12 S, R. 21 E, B.M. was found producing 0.34 c.f.s. for the irrigation of 311 acres within the SW, Sec. 26, T. 12 S, R. 21 E, B.M.

Due to the apparent poor production of the well, it is suggested that you advise the Department of your future plans regarding a possible change of the well. It is noted that on your deposition of proof of beneficial use that the well produced 160 miner's inches as was determined by an engineer.

If you could supply the Department with a certified measurement made by a registered Professional Engineer, the Department could issue a water license for that amount. Please contact the Department if we can be of any assistance.

Very truly yours,

Dean R. Reynolds
Field Examiner

DRR:dfj

30218
45-2668

No Answer to letter

For Permit

February 3, 1969

Re: Permit No. G-30218- 45-2668

Phyllis C. Butterfield
P. O. Box 750
Heyburn, Idaho

Dear Mrs. Butterfield:

Be advised that the Department has conducted a field examination of the land and works covered by the above referenced permit. The well located within the SW-1/4, Sec. 26, T. 12 S, R. 21 E, B.M. was found producing 0.34 c.f.s. for the irrigation of 311 acres within the SW-1/4, Sec. 26, T. 12 S, R. 21 E, B.M.

Due to the apparent poor production of the well, it is suggested that you advise the Department of your future plans regarding a possible change of the well. It is noted that on your deposition of proof of beneficial use that the well produced 160 minor's inches as was determined by an engineer.

If you could supply the Department with a certified measurement made by a registered Professional Engineer, the Department could issue a water license for that amount. Please contact the Department if we can be of any assistance.

Very truly yours,

Dean R. Reynolds
Field Examiner

DRR:dj

30218
45-2668

Re: Permit No. G-30218

October 17, 1966

Phyllis C. Butterfield
P.O. Box 750
Burley, Idaho

Dear Mrs. Butterfield:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the ~~Burley Herald Bulletin~~ all submitted in proof of completion of works and beneficial use on Permit No. ~~G-30218~~.

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 to contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

M. Russell Bosch
Office Manager

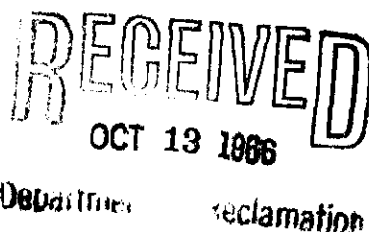
MRB:nw

30218

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G-30218



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: _____

Phyllis C. Butterfield, Heyburn, Idaho, secretary, P. O. Box 750, Burley, 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:

individual

Ques. 3. State number, approval date of permit, and date of priority: Permit # G-30218,
approved 10/6/61, priority date - 10/5/61

Ques. 4. State source of water supply: well

Give location of point of diversion, showing subdivision, section, township and range

SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 26, Township 12 South - Range 21 East, B.M.

Ques. 5. Describe your works of diversion: electric motor and centrifugal pump

_____ ; state amount of water they are capable of conveying from point of diversion to place of use: 3.2 cfs ; Give name of canal or ditch

or other works by which water is conducted to such place of use: none

_____ ; if a well, state depth of well 1,000' ; depth and size of

casing 350' 20" ; depth to water 540' ; if pump is used,

state discharge of pump: 160" ; tell how it was measured or determined _____

by an engineer ; if sprinkler irrigation, give number and size

of nozzles and operating pressure: gravity irrigated

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:

Township 12 South - Range 21 East, B.M.

Section 26 - NE $\frac{1}{4}$ SE $\frac{1}{4}$ - 40 ac., NW $\frac{1}{4}$ SE $\frac{1}{4}$ - 40 ac., SE $\frac{1}{4}$ SE $\frac{1}{4}$ - 40 ac., NE $\frac{1}{4}$ SW $\frac{1}{4}$ - 40 ac.

30218

76/19

18

State nature of all improvements which have been made as a direct result of said use:
All improvements have been 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: Verl Chesley, Burley, Idaho 200 S. 100 W. PH-6789659

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:

original holder

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: spring, 1962 - Time used since first use:

each consecutive irrigation season since

Ques. 10. Describe all other water rights appurtenant to same place of use: none

(sign)

Phyllis C. Butterfield

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 7th day of October, A. D. 1966.

My commission expires: June 12, 1969

Ross D. Nelson

30218

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G-30218

* * * * *

RECEIVED
OCT 13 1966
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:

C. Robert Lynch, 48, automobile dealer, Box 748, Burley, Idaho

Ques. 2 Are you acquainted with Phyllis Butterfield, the holder of Permit No. G-30218? How long have you known him and where does he reside?

I have known Phyllis Butterfield 11 years and she lives on Rt. 1, Heyburn, Idaho

Ques. 3. Have you read or heard said Permit No. G-30218 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
SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 26, Township 12 South - Range 21 East, B.M.

Describe works for conveying water to place of use: a centrifugal pump and electric motor

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: 160" How much water have you seen being so conveyed? I would estimate about 160"

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

Section 26 - NE $\frac{1}{4}$ SE $\frac{1}{4}$ - 40 ac., NW $\frac{1}{4}$ SE $\frac{1}{4}$ - 40 ac., SE $\frac{1}{4}$ SE $\frac{1}{4}$ - 40 ac., NE $\frac{1}{4}$ SW $\frac{1}{4}$ - 40 ac.

Township 12 South - Range 21 East, B.M.

30218

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.

This is a sandy silt loam soil and would require 1" per acre for productive 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? 1962

Other times you have seen such use: several times in the irrigation seasons since that date.

(Signed):

C. R. Lymond

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 7th day of October, A. D. 1966

Ross Nielson

Notary Public for the State of Idaho

Residing Burley, Idaho

My commission expires June 12, 1969

30218

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho
Permit No. G-30218

RECEIVED
JUN 13 1966
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:

Wilbur Haxby, 60, Heyburn, Idaho, farm foreman, Heyburn, Idaho

Ques. 2 Are you acquainted with Phyllis Butterfield, the holder of Permit No. G-30218? How long have you known him and where does he reside?

I have known Phyllis 15 years and she lives at Rt. 1, Heyburn, Idaho

Ques. 3. Have you read or heard said Permit No. G-30218 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
Township 12 South - Range 21 East, B.M. - Section 26 - SW $\frac{1}{4}$ SW $\frac{1}{4}$

Describe works for conveying water to place of use: The well has an electrical motor and a centrifugal 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? 150"

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

NE $\frac{1}{4}$ SE $\frac{1}{4}$ - 40 ac., NW $\frac{1}{4}$ SE $\frac{1}{4}$ - 40 ac., SE $\frac{1}{4}$ SE $\frac{1}{4}$ - 40 ac., NE $\frac{1}{4}$ SW $\frac{1}{4}$ - 40 ac. in Section 26
Township 12 South - Range 21 East, B.M.

30218

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 is sandy, silt, loam soil and requires 1" per acre for economical production.

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? spring, 1962

Other times you have seen such use: every irrigation season since that time

(Signed):

Wilbur Hays

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 7th day of October, A. D. 1966

Russ Nelson

Notary Public for the State of Idaho

Residing Burley, Idaho

My commission expires

June 12, 1969

30218

RECEIVED
OCT 13 1966

Department of Reclamation

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

four (4) consecutive weeks, commencing
with the issue dated September 7, 1966 and
ending with the issue of September 26, 1966.

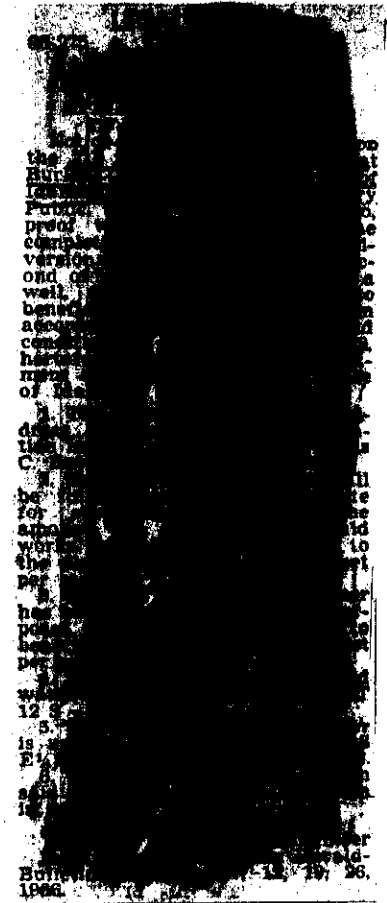
Walter W. Schramm
Subscribed and sworn to before me this

28th day of September, 1966

Ruth Chambers Notary Public
My Commission Expires Feb. 18, 1969
Cost of Publication _____

Notary fee _____

Total Cost _____



30218

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

four (4) consecutive weeks, commencing

with the issue date September 7, 1966 and

ending with the issue date September 26, 1966.

Subscribed and sworn to before me this

28th day of September 1966

Notary Public

Cost of Publication

Notary fee

Total Cost

LEGAL NOTICES

66-275

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

Notice is hereby given that on the 7th day of October 1966, at Burley, County of Cassia, State of Idaho before Ross Neilson, Notary Public, at Box 337, Burley, Idaho, proof will be submitted of the completion of works for the diversion of 3.2 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. C-30218, 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 Phyllis C. Butterfield, Heyburn, 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 3.2 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 3.2 cubic feet per second.

4. The point of diversion of said water is SW 1/4 SW 1/4, Section 26, T 12 S - R 21 E, B.M.

5. The place where said water is used is NE 1/4 SW 1/4, N 1/4 SE 1/4, S 1/4 SE 1/4, Sec. 26, T 12 S - R 21 E.

6. The date of priority which said user is prepared to establish is October 5, 1961.

R. KEITH HIGGINSON

State Reclamation Engineer

Published in the Burley Herald-Bulletin September 7, 12, 19, 26, 1966.

August 31, 1966

Re: Permit No. **G-30218**

Phyllis C. Butterfield
Mayburn, Idaho

Dear Mrs. Butterfield:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. **G-30218**. The proofs are to be made ~~at xxxxxxxxxxxxxxxxx~~ on the **7th** day of **October**, 19 **66**, before **Ross Neilson** **Burley, Idaho** Notary Public.

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 then mail the Affidavit of Publication and statement of costs to ~~XXXX~~ **Idaho Land & Appraisal Service.**

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,

M. Russell Bouch
Office Manager

Encl.

cc: Notary

30218

xxxxxxx

Re: Permit No. G-30218

August 31, 1966

Burley Herald Bulletin
Burley, Idaho

Gentlemen:

Enclosed you will find a legal notice which we wish to have published for four consecutive weeks prior to **October 7, 1966**. The expense of the publication is to be paid by Idaho Land & Appraisal Service of Box 2161, Boise, Idaho to whom you should furnish proof of publication on or prior to the above date.

Please acknowledge receipt of this notice and furnish this office with a copy or tear sheet of the notice for checking at least one week prior to the first publication.

Very truly yours,

~~XXXXXXXXXXXXX~~

CARL E. TAPPAN
State Reclamation Engineer

RKH:mr

Enc. legal notice

30218

RECEIVED
AUG 30 1966

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

Department of Reclamation

Notice is hereby given that ~~W.C. Edwards~~ on the 7th day of October 1966, at Burley, County of Cassia, State of Idaho before Ross Neilson, Notary Public, at (address) Box 367, Burley, Idaho, proof will be submitted of the completion of works for the diversion of 3.2 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-30218, 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 Phyllis C. Butterfield, Mayburn, 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 3.2 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 3.2 cubic feet per second.

4. The point of diversion of said water is SW1/4, Section 26, T 12 S - R 21 E., B.M.

5. The place where said water is used is NE1/4, N1/2, SE1/4, Sec. 26, T 12 S - R 21 E.

6. The date of priority which said user is prepared to establish is October 3, 1961

State Reclamation Engineer

30218

D

RECEIVED
AUG 30 1966
Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) August 23, 1966

(P. O.) P. O. Box 2161, Boise, Idaho 83701

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 statement of charges
and affidavit of publication to Idaho Land & Appraisal Service, P.O. Box 2161,
Boise, Idaho 83701.

Phyllis C. Butterfield
Phyllis C. Butterfield

(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

30218

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G - 1228 - Phyllis C. Butterfield

Idaho Land & Reclamation Service
Box 1151
Boise, Idaho

Gentlemen:

The date for proofs of Completion of Works and Application of water to beneficial use, as set out under terms of Permit No. G-1228 are due not later than ~~April 1, 1951~~

Before these proofs can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper within the county in which the land is located. In completing the Notice of proof for publication, the information should be taken from your Permit, including any amendments made in connection with a change of point of diversion or land list, which has been recorded in this department. If changes have been made and no amendments are on record, we advise you request a form for this purpose before your Notice is published.

We enclose Form 36, in duplicate, which is to be filled out and returned to this department at least FORTY (40) DAYS BEFORE THE MENTIONED DATE, (allowing for four weeks publication). Please give the name of the town, the address of the place where the depositions will be executed, and, the name of the notary public before whom you will appear to make the depositions of proof (this may be at any place convenient for you and your two witnesses), the quantity of water filed; for what purpose it is used; the point, or points, of diversion; and the location of use or the lands which are irrigated - - all by legal land description.

Enclosed also is Form 11, which is the authorization for us to have the notice published in the designated county newspaper at your expense. This is to be returned with two Forms 36.

At the time we send the notice to the newspaper we will send to you the forms for the depositions of holder and two disinterested witnesses. It is important that the depositions be executed at the time, on the date set, at the place named, and before the notary public, as advertised in the publication notice.

Very truly yours,


STATE RECLAMATION ENGINEER

Enc. Form 36 and 11

cc: Phyllis C. Butterfield
Heyburn, Idaho

30218

October 13, 1961

Re: Permit No. G-30218
Phyllis C. Butterfield

Mr. Harley M. McDowell,
Idaho Land & Appraisal Service,
Box 261,
Boise, Idaho.

Dear Mr. McDowell:

We enclose Permit No. G-30218 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-6594 which was issued covering payment in the amount of \$6.50 for the filing fee of the above mentioned permit.

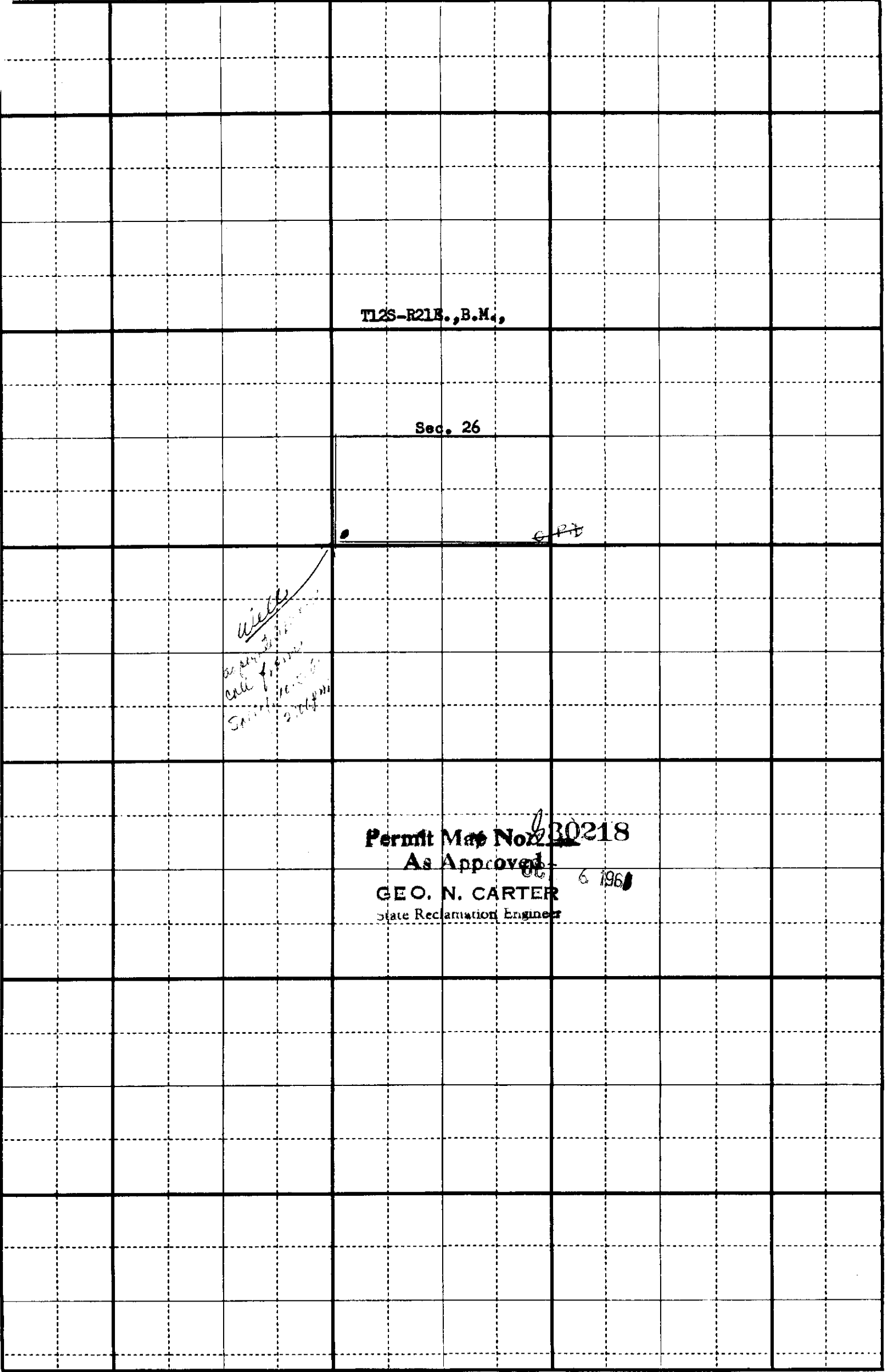
Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

Encl.
EPR:pmk
cc: Phyllis C. Butterfield
Heyburn, Idaho

30218



30218

**NOTICE OF PROOF OF
COMPLETION OF WORKS**

**and
APPLICATION OF WATER
TO BENEFICIAL USE**

Notice is hereby given that on the 7th day of October 1966, at Burley, County of Cassia, State of Idaho before, Ross Neilson, Notary Public, at Box 367, Burley, Idaho, proof will be submitted of the completion of works, for the diversion of ~~3.2~~ 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-30213, 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 Phyllis C. Butterfield, Herburn, 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 ~~3.2~~ 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 ~~3.2~~ cubic feet per second.

4. The point of diversion of said water is SW ~~1/4~~ SW ~~1/4~~, Section 26; T 12 S - R 21 E - B.M.

5. The place where said water is used is NE ~~1/4~~ SW ~~1/4~~, N 43 E, S E ~~1/4~~ SE ~~1/4~~, Sec. 28, T 12 S - R 21 E.

6. The date of priority which said user is prepared to establish is October 5, 1961.

R. KEITH HIGGINSON

State Reclamation Engineer
Published in the Burley Herald-Bulletin September 7, 12, 19, 26, 1966.