

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

In the Matter of the Application of )

Fred E. Evans  
of  
1726 Miller Avenue  
Burley, Idaho )

ORDER GRANTING TRANSFER

NO. 987

For a Transfer of Water Right,  
Cassia County, Idaho. )

WHEREAS, on the 1st day of June, 1962, at the Department of Reclamation of the State of Idaho, at Boise, Idaho, this matter of the application of Fred E. Evans of 1726 Miller Avenue, Burley, Idaho, for a transfer of water right, came on regularly for hearing, pursuant to the published notice, in due and statutory form, and;

WHEREAS, No protest has been filed against the application, and the evidence filed by the applicant, with the application, shows that the water will be put to a higher and more beneficial use, and that no one will be injured thereby.

NOW, THEREFORE, IT IS HEREBY ORDERED, That the said application be, and the same is HEREBY GRANTED, and that a Certificate of Transfer be issued to the applicant herein, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 5th day of June, 1962.

GEO. N. CARTER  
State Reclamation Engineer  
By

CARL E. TAPPAN, Assistant  
State Reclamation Engineer

T-987  
45-2509

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

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Certificate of Water Right  
Transferred Right No. 987

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THIS IS TO CERTIFY, That Fred E. Evans of 1726 Miller Avenue, Burley, Idaho, is the owner of and using a certain water right of 4.24 cubic feet per second of the waters of a subterranean well, said water being obtained by virtue of License No. G-26099, issued by the State of Idaho, Department of Reclamation, dated July 29, 1959, bearing date of priority of November 30, 1955, for the purpose of irrigating the following described lands situate, lying, and being in the County of Cassia, State of Idaho, to-wit:

NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , Section 32,  
Township 10 South, Range 22,  
E. B. M.,

That said License has been entered in the records of the Department of Reclamation of the State of Idaho, in Volume 11 of Licenses at Page 6705 thereof;

And that Fred E. Evans of 1726 Miller Avenue, Burley, Idaho, has become the owner of said right by appropriation;

And that now, upon the application of Fred E. Evans for a transfer of 1.0 cubic feet per second, made before the State Reclamation Engineer of the State of Idaho, and said application having been granted the right to the use of 1.0 cubic feet per second of the waters of subterranean source by well, upon the above described lands is hereby abandoned, and the place of use of said water under such right is HEREBY CONFIRMED, shall by this Certificate become appurtenant for irrigation and domestic purposes is described as follows, to-wit:

N $\frac{1}{2}$ SE $\frac{1}{4}$ , Section 31, Township 10  
South, Range 22 E. B. M.,

That said water is to be limited at any given time to an amount actually needed and beneficially used for such purposes and shall not exceed the following amount, to-wit:

1.0 cubic feet per second of  
the waters of subterranean  
source with priority of  
November 30, 1955;

And that the water right hereby transferred has heretofore been conducted from subterranean source with point of diversion in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ , Section 32, Township 10 South, Range 22 E. B. M., and conducted through ditches;

T-987  
45-2609

That the water right hereby transferred will hereafter be conducted to the last above described lands from subterranean source by well, with no change in point of diversion;

That the right to the use of the water aforesaid, hereby confirmed, is restricted to the lands or place of use last above described, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 5th day of June, 1962.

GEO. N. CARTER  
State Reclamation Engineer  
By

CARL E. TAPPAN, Assistant  
State Reclamation Engineer

T-987  
45-2509

State of Idaho  
License and Certificate of Water Right

Water License No. G-26099

Amount 4.24 c.f.s.

Water District No.

Priority Nov. 30, 1955

THIS IS TO CERTIFY that FRED E. EVANS  
of Burley, Idaho, made application for a permit to appropriate the  
public waters of the State of Idaho, dated November 30, 1955; that Permit No. G-26099  
was issued under said application; that Certificate of Completion of works, with a carrying capacity of  
4.24 second feet, was issued thereunder on July 29, 1959, showing that said works  
were completed on the 16 day of March, 1959; and that on the 16  
day of March, 1959,

FRED E. EVANS

of Burley, State of Idaho, made proof to the satisfaction of the  
State Reclamation Engineer of Idaho, of the right to use the waters of a well  
, a tributary of subterranean flow, for the purpose of irrigation & domestic  
use, under Use Permit No. G-26099 of the Department of Reclamation  
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,  
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume  
11, of Licenses at page 6705, on the 29 day of July, 1959;

The right hereby confirmed dates from November 30, 1955;

The Point of Diversion is located

in the NW 1/4 SW 1/4, Sec. 32, Tp. 10 S., R. 22 E., B. M. Cassia County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes  
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall  
not exceed 4.24 cubic feet per second.

Description and location of use:

| Twp.                                   | Range | Sec. | Forty-acre Tract | No. Acres<br>Described in Permit | No. Acres<br>Actually Irrigated |
|----------------------------------------|-------|------|------------------|----------------------------------|---------------------------------|
| 10S                                    | 22 E. | 32   | NE 1/4 NW 1/4    | 40                               | 35                              |
|                                        |       |      | NW 1/4 NW 1/4    | 40                               | 35                              |
|                                        |       |      | SW 1/4 NW 1/4    | 40                               | 35                              |
|                                        |       |      | SE 1/4 NW 1/4    | 40                               | 37                              |
|                                        |       |      | NE 1/4 SW 1/4    | 40                               | 30                              |
|                                        |       |      | NW 1/4 SW 1/4    | 40                               | 30                              |
|                                        |       |      | NE 1/4 SE 1/4    | 40                               | 35                              |
|                                        |       |      | NW 1/4 SE 1/4    | 40                               | 33                              |
| Total number of acres to be irrigated: |       |      |                  |                                  | 270                             |

Trans 389

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

29 day of July, 1959.

GEO. N. CARTER

State Reclamation Engineer.

(SEAL)

45 2509

State of Idaho  
License and Certificate of Water Right

Water License No. G-22549 Amount 4.86 c.f.s.  
Water District No. Priority Jan. 9, 1952

THIS IS TO CERTIFY that WILLIAM J. COX  
of Montevue, Idaho, made application for a permit to appropriate the  
public waters of the State of Idaho, dated January 9, 1952; that Permit No. G-22549  
was issued under said application; that Certificate of Completion of works, with a carrying capacity of  
4.86 second feet, was issued thereunder on July 29, 1959, showing that said works  
were completed on the 24 day of February, 1959; and that on the 24  
day of February, 1959,

WILLIAM J. COX  
of Montevue, State of Idaho, made proof to the satisfaction of the  
State Reclamation Engineer of Idaho, of the right to use the waters of a well  
, a tributary of subterranean flow, for the purpose of irrigation  
, under Use Permit No. G-22549 of the Department of Reclamation  
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,  
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume  
11 of Licenses at page 6706, on the 29 day of July, 1959;  
The right hereby confirmed dates from January 9, 1952;  
The Point of Diversion is located

in the NW 1/4 SW 1/4, Sec. 20, Twp. 8 N., R. 33 E., B. M. County Jefferson  
That the amount of water to which such right is entitled and hereby confirmed, for the purposes  
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall  
not exceed 4.86 cubic feet per second.

Description and location of use:

| Twp. | Range | Sec. | Forty-acre Tract                       | No. Acres<br>Described in Permit | No. Acres<br>Actually Irrigated |
|------|-------|------|----------------------------------------|----------------------------------|---------------------------------|
| 8 N. | 33 E. | 20   | NE 1/4 SE 1/4                          | 40                               | 40                              |
|      |       |      | NW 1/4 SE 1/4                          | 40                               | 35                              |
|      |       |      | SW 1/4 SE 1/4                          | 40                               | 40                              |
|      |       |      | SE 1/4 SE 1/4                          | 40                               | 40                              |
|      |       |      | NE 1/4 SW 1/4                          | 40                               | 40                              |
|      |       |      | NW 1/4 SW 1/4                          | 40                               | 30                              |
|      |       |      | SW 1/4 SW 1/4                          | 40                               | 40                              |
|      |       |      | SE 1/4 SW 1/4                          | 40                               | 35                              |
|      |       |      | Total number of acres to be irrigated: |                                  | 300                             |

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this  
29 day of July, 1959.

GEO. N. CARTER  
State Reclamation Engineer.

(SEAL)

# APPLICATION FOR PERMIT

## To Appropriate the Subterranean Waters of The State of Idaho

48-2509

Application No. G- 33979  
 Permit No. G- 26099  
 District No.

1726 Miller Ave.  
 Burley, Idaho

1. Name of Applicant: FRED E. EVANS  
 Postoffice address: Burley County: Cassia State: Idaho
2. Quantity of water claimed: 5.60 cubic feet per second
  - (a) Rate of withdrawal in cubic feet per second. 5.60 or Idaho  
 Miners' inches 280 or gallons per minute.
  - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean Flow (Wells)
4. Location of point of diversion or well is in the  $\frac{1}{4}$  of the  $\frac{1}{4}$  of the  $\frac{1}{4}$  of the  $\frac{1}{4}$  of Section 32  
 In the SW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  and NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 32  
 Twp. 10 S. , Rge. 22 E. , B.M., County of Cassia
5. Water is to be used for: Irrigation and domestic purposes
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: Wells, pumps and ditches
8. Estimated cost of works: \$ 28,000.00
9. (a) Is reservoir to be used?  
 (b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is Five years.
11. If applicant is a corporation, give:
  - I. (a) Date and place of incorporation:  
 (b) Amount of capital stock: \$ (c) Amount paid in: \$  
 (d) Names and addresses of directors:
  - II. The financial resources of the applicant are (a) Cash on hand: \$  
 (b) Treasury stock: (c) Bonds to be issued:  
 (d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None
  - (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
  - (b) (cubic feet per second, inches or gallons per minute) is for new lands.

| Twp.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Range | Sec. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | Totals |     |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|-----|
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |       |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |     |
| 10 S.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | 22 E. | 32   |     |     |     |     | 40  | 40  | 40  | 40  | 40  |     |     |     |     | 40  | 40  |     |        | 280 |
| <p style="text-align: center;">APPLICATION FOR AMENDMENT<br/>TO PERMIT TO APPROPRIATE THE PUBLIC WATERS<br/>OF THE STATE OF IDAHO, NO. G-26099</p> <p>Comes now Fred E. Evans, and represents to the State Reclamation Engineer of the State of Idaho:<br/>That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-26099.<br/>That the point of diversion is described in said permit as being located SW¼NW¼ and NE¼SW¼ Section 32,<br/>Twp. 10 S., Range 22 E.<br/>That he now requests that the point of diversion be changed to a point located SW¼NW¼ and NW¼SW¼ Section 32, Twp. 10 S., Range 22 E.<br/>That his reasons for desiring to make such change are as follows: Applicant added the NW¼SW¼ by amendment,<br/>to the land use, therefore better location for well.<br/>That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.<br/>Signed at Boise, Idaho, this 11 day of June, 1956.</p> <p style="text-align: right;">Fred E. Evans<br/>By GLEN A SUITER</p> <p>Date of receipt at Department of Reclamation June 11, 1956.</p> <p style="text-align: center;">APPROVAL OF STATE RECLAMATION ENGINEER</p> <p>I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing<br/>application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-26099. This approval<br/>constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes<br/>a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.</p> <p style="text-align: right;">MARK R. KULP<br/>State Reclamation Engineer</p> |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |     |

APPLICATION FOR AMENDMENT  
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS  
OF THE STATE OF IDAHO, NO. G-26099

Comes now Fred E. Evans, and represents to the State Reclamation Engineer of the State of Idaho.

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-26099, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows: NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$  Section 32, Twp. 10 S., Range 22 E., making a total of 320 acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Boise, Idaho, this 11 day of June, 1956.

Fred E. Evans  
By GLEN A. SUITER

Date of receipt at office of Department of Reclamation June 11, 1956

APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-26099. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

MARK R. KULP  
State Reclamation Engineer

Permit No. G-26099  
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that FRED E. EVANS, of Burley, County of Cassia, and State of Idaho, the holder of Permit No. G-26099, issued upon Application No. G-33979 bearing date of priority of November 30, 1955, authorizing the diversion of 5.60 second feet of the waters of a well, County of Cassia, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 4.24 second feet of the waters of a well from subterranean flow that the point of diversion of said waters is NW $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 32, T. 10 S., R. 22 E., B. M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit:

270 acres in the NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , Sec. 32, T. 10 S., R. 22 E., B. M.

Witness my hand this 29th day of July, A. D. 1959

s/ GEO. N. CARTER  
State Reclamation Engineer

PROOF OF COMPLETION OF WORKS MADE: March 16, 1959

LICENSE ISSUED FOR 4.24 SEC. FT.  
Page 6705

July 20, 1965

RE: Permit No. G-28106  
License No. G-26099

Gladys B. Evans  
1726 Miller Avenue  
Burley, Idaho

Dear Mrs. Evans:

The field examination of the works under the above noted permit has been received. The well in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 32, T. 10 S., R. 22 E., B.M. produced 3.96 c.f.s. on July 12, 1965, and you were irrigating 55 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 31, T. 10 S., R. 22 E., B.M.

License No. G-26099 has been issued to Fred E. Evans for 4.24 c.f.s. from the same well, and by Transfer of Water Right No. 987, 1.0 c.f.s. of that right was transferred to the NE $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 31, T. 10 S., R. 22 E., B.M.

There is no excess water produced from the well for this permit, however you have a water right from the former license.

This permit is of no value. Kindly complete the enclosed relinquishment form and return to this office.

Thank you for your courtesy.

Very truly yours,

RALPH W. THOMAS  
Deputy State Reclamation Engineer

RWT:mr

Enc. relinquishment form

B26099

July 10, 1962

Re: License No. G-26099  
Fred E. Evans

Mr. W. R. Nutting,  
Land Bank Appraiser,  
Box 288,  
Twin Falls, Idaho.

Dear Mr. Nutting:

Your letter of July 9th has been received.

Water License No. G-26099 has been issued to  
Fred E. Evans for 4.24 CFS from a well in NW $\frac{1}{4}$ SW $\frac{1}{4}$ ,  
Sec. 32, to irrigate 270 acres in NW $\frac{1}{4}$ , N $\frac{1}{2}$ S $\frac{1}{2}$ , Sec. 32,  
T. 10 S., R. 22 E.B.M.

By Transfer of Water Right No. 967, 1.0 CFS  
has been transferred from the above described land to  
the N $\frac{1}{2}$ SE $\frac{1}{4}$ , Sec. 31, T. 10 S., R. 22 E.B.M.

Depth to water reported as 412 feet without  
drawdown.

Very truly yours,

GEO. N. CARTER  
State Reclamation Engineer  
By

G26099

RALPH W. THOMAS, Deputy  
State Reclamation Engineer

RWT:pmk

**LEGAL NOTICE**

**NOTICE FOR PUBLICATION  
NOTICE OF PROOF  
APPLICATION OF WATER  
TO BENEFICIAL USE**

Notice is hereby given that 10:00 a.m. on the 16 day of March, 1959, at Burley, County of Cassia, State of Idaho, before Norman H. Nielson, proof will be submitted of the application to beneficial use of 5.6 cubic feet per second of the waters of subterranean well in accordance with the terms and conditions of Permit No. G-26099 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Fred E. Evans, Burley, Idaho.

The use to which said water has been applied is irrigation and domestic.

The amount applied to beneficial use is 5.6.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) NW 1/4, the N 1/2 of the SW 1/4 and the N 1/2 of the SE 1/4 all in Section 32, Township 10 South, Range 22, E.B.M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is open ditches.

The right to take water from such works is based upon Permit No. G-26099.

The point from which such water is diverted is The NW 1/4 of the SW 1/4 of Sec. 32, Township 10 South, Range 22, E.B.M.

The date of priority which said user is prepared to establish is November 30, 1955.

Geo. N. Carter  
State Reclamation Engineer  
Published in the Burley Bulletin  
Feb. 17-24, Mar. 3-10, 1959.

**NOTICE FOR PUBLICATION  
NOTICE OF PROOF  
APPLICATION OF WATER  
TO BENEFICIAL USE**

Notice is hereby given that 10:00 a.m. on the 16 day of March, 1959, at Burley, County of Cassia, State of Idaho, before Norman H. Nielson, proof will be submitted of the application to beneficial use of 5.6 cubic feet per second of the waters of subterranean well in accordance with the terms and conditions of Permit No. G-26099 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Fred E. Evans, Burley, Idaho.

The use to which said water has been applied is irrigation and domestic.

The amount applied to beneficial use is 5.6.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) NW 1/4, the N 1/2 of the SW 1/4 and the N 1/2 of the SE 1/4 all in Section 32, Township 10 South, Range 22, E.B.M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is open ditches.

The right to take water from such works is based upon Permit No. G-26099.

The point from which such water is diverted is The NW 1/4 of the SW 1/4 of Sec. 32, Township 10 South, Range 22, E.B.M.

The date of priority which said user is prepared to establish is November 30, 1955.

Geo. N. Carter  
State Reclamation Engineer  
Published in the Burley Bulletin  
Feb. 17-24, Mar. 3-10, 1959.

NOTICE OF THE TIME

RECEIVED

JUL 10 1962

Department of Reclamation

Box 288  
Twin Falls, Idaho  
July 9, 1962

Mr. George N. Carter  
Reclamation Engineer  
State Department of Reclamation  
Boise, Idaho.

Dear Mr. Carter:

I need some information on Fred Evans' well situated in the southwest corner of Nw¼Sw¼ of Section 32, Twp 10 S., Range 22 E., B.M., Cassia County, Idaho.

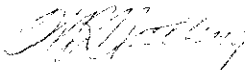
License or permit number  
Amount of water  
Date of Priority  
Number of acres to be irrigated.  
Has proof of beneficial use been made?

If this well has been tested, I would like to know:

Depth of well  
Static water level  
Pumping level  
Amount of water it will produce.

I sincerely appreciate your assistance .

Very truly yours,



W. R. Nutting  
Land Bank Appraiser

826099

July 15, 1959

Re: Permit No. G-26099

Mr. Fred E. Evans  
1726 Miller Avenue  
Burley, Idaho

Dear Mr. Evans:

Our field engineer's report on his inspection of proof of completion of works and application water to beneficial use under the terms of Permit No. G-26099 shows the well is capable of conveying 212 miner's inches ( 4.24 c.f.s. ) of water for irrigation of 270 acres.

Upon receipt of the statutory fees totaling \$21.00, we will issue the Certificate of Completion of Works ( fee \$5.00 ) and the License and Certificate of Water Right ( fee \$16.00 - based at the rate of \$2.00 for each 40 acre subdivision ) confirming the right, with priority of November 30, 1955, to the use of 4.24 second feet of subterranean water, with the point of diversion in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 32, for the irrigation of 270 acres in the NW $\frac{1}{4}$ , N $\frac{1}{2}$ Sec. 32, T. 10 S., R. 22 E., B. N.

Very truly yours,

Geo. H. CARTER  
State Reclamation Engineer

By:

(Mrs.) Edna P. Rutledge  
Chief Clerk

EPR:ew

B26099

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE

REPORT OF ENGINEER

PERMIT NO. G-26099

REPORT ON PROOF OF Completion of Works & Beneficial Use

Fred E. Evans, 1726 Miller Avenue, Burley, Idaho

$$\frac{250 \times 110 \times 70 \times 550}{412 \times 62 \frac{1}{2}} =$$

$$\frac{0.7}{40} \times 276.0 = 292$$

$$\frac{1}{12}''$$

282  
27  
27

R-22 E.

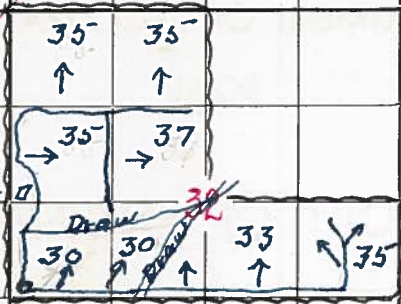
U.S. ARMY NO. 30  
TO BURLEY

T.  
10  
S.

P.D.

house

P.D.



73

70

75

72

141

689

270

126

270

Subdivisions = 8

Area = 270 acres

Q = 212"

4.24 cfs

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

Permit No. G-26099

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

1. Name of applicant Fred E. Evans
2. Source of water supply: Subterranean flow from 2 wells
3. Location of point of diversion: Is in the SW 1/4 & NW 1/4 of Section 32  
T. 10 S R. 22 E B. M. County of Cassia
4. Describe works as they exist, giving dimensions and capacities of same: h = 412' no. dd.  
250 hp. U.S. Motor #1046146  
Winthrop Turbine 9028.  
Delivery to South thru 10" pipe into concrete  
basin to ditches to field by gravity.  
Used at small house in summer time.
5. Water is used for: irrigation and domestic
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):  
N 1/4, N 1/4 SW 1/4, N 1/4 SE 1/4 Sec. 32., Twp. 10 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: .....

Q = by Calculation. Checked by observation

Mr Evans along.

This examination was made on the 6 day of July, 1957

(Signed) E. M. Humphrey  
Engineer.

826099

# 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  
JUL 14 1959  
Department of Reclamation

Fred E. Evans  
1726 Miller Avenue  
Burley, Idaho  
Permit No. G-26099

## Examination for Completion of Works & Beneficial Use

County Cassia

32-10S.-22E.

Q<sub>2</sub> 5.6 c.f.s.

S<sub>2</sub> Wells.

P.E. = <sup>SW. NW.</sup> } Sec. 32, T. 10S. - R. 22E.  
NW. SW

Use = Irrigation & Domestic

Filed = Nov. 30, 1955  
Dec = Dec. 6, 1960

no other rights

498' x 20' esd 117'  
1 = 412' 1 = dd.

250 hp H.S.

1046146

Wintroat 9028

Conc. base. 7' x 9'

GE. & EM.

Controls on West  
3'

No protect.

10' x 10' del. to S.  
into Conc box.  
To fields by gravity

March 25, 1959

RE: Permit No. G-26099

Mr. Fred E. Evans  
1726 Miller Avenue  
Burley, Idaho

Dear Mr. Evans:

We acknowledge receipt of the Deposition of Holder and two witnesses, also affidavit of publication in The Burley Herald, all submitted in proof of completion of works and beneficial use on Permit No. G-26099.

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

Chief Clerk

EPR

26099

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

RECEIVED  
MAR 23 1959  
Department of Reclamation

Permit No. G-26099

## Proof of Application of Water to Beneficial Use

### Deposition of Holder

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

Ans. ✓ Fred E. Evans, 1726 Miller Avenue, Farmer, Burley, Idaho

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

Ans. \_\_\_\_\_

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

Ans. G-26099, date of priority, Nov. 30, 1955. Date of Permit-Feb. 3, 1955.

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

Ans. ✓ A subterranean well. Point of diversion is NW $\frac{1}{4}$  of SW $\frac{1}{4}$  of Sec. 32, Township 10 South, Range 22, E.B.M.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. The works of diversion consist of open ditches; that the open ditches are capable of conveying from the well 6 cubic feet per second; the ditches are smaller as they get to where the water is used upon the crops; there are no underground pipes and the only means of diversion from the well is through these ditches. That the well is 497 feet deep; size of casing is 20 inch casing which runs down 117 feet; depth of water is 412 feet; there has been installed a Wintroath Pump and U.S. Motor, on pump, having 250 hsp. capacity. That the discharge of the pump is 5.6 cubic feet per second and was measured by the use of a weir.

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 irrigation and is used to irrigate all but 3 acres of the NW $\frac{1}{4}$  and the NE $\frac{1}{4}$  of the SW $\frac{1}{4}$  and the NE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Sec. 31, Township 10 S. Range 22, E.B.M. All of this area has been irrigated with the exception of 3 acres in the SW corner of the NW $\frac{1}{4}$ . The land has been reclaimed from desert land; improvements put on the land consist of drilling of a well, cost of \$8,500.00; a pump and motor at a cost of \$18,042.00; leveling work done in the amount of \$3000.00; ditches at a cost of \$1500.00; and the land was cleared at \$2000.00.

26099

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

Ans. -----

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

Ans. 5.6 cubic feet per second.

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

Ans. -----

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.  
Ans. The water was first used in May of 1958 and was used during the cropping season of 1958.

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. There is no other water available to this land except the water that is diverted from the well.

(Sign) *Paul E. Evans*

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 16th day of March, A. D. 1959.

*Harmon H. Nielson*  
Notary Public for Idaho,  
Residing at Burley, Idaho.

My commission expires May 12, 1962.

826099

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

RECEIVED  
MAR 23 1958  
Department of Reclamation

Permit No. G-26099

**Proof of Application of Water to Beneficial Use**

**Deposition of Witness**

The deposition of two witnesses, on this form, taken separately, required in each case.

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

Ans. Chester Thompson, 70 years of age; Burley, Idaho; retired;  
Burley, Idaho.

Ques. 2. Are you acquainted with Fred E. Evans, the holder of Permit No. G-26099? How long have you known him and where does he reside?

Ans. Yes, I have known Mr. Evans for approximately 45 years and he resides at Burley, Idaho.

Ques. 3. Have you read or heard read said Permit No. G-26099, and are you familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. A subterranean well. Point of diversions is NW $\frac{1}{4}$  of SW $\frac{1}{4}$  of Sec. 32, Township 10 South, Range 22, East Boise Meridian. Open ditches are used for conveying water to place of use.

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

Ans. The diversion works will carry approximately 6 cubic feet per second,

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. I have seen the well deliver 5.6 cubic feet per second of water. I have measured this amount by an estimate and comparison with other wells in the immediate vicinity.

*G26099*

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

The water is used for irrigation and is used to irrigate the NW $\frac{1}{4}$ ; the N $\frac{1}{2}$  of Ans. SW $\frac{1}{4}$  and the N $\frac{1}{2}$  of SE $\frac{1}{4}$ ; of Sec. 31, Township 10 South, Range 22, E.B.M., The land has been reclaimed from desert land and has been put into cultivation that all of the land described herein can be irrigated with the exception of three acres in the NW $\frac{1}{4}$ . Improvements consist of a well; a pump and motor placed in the well; land has been leveled; has been cleared and ditches constructed.

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

Ans. -----  
-----  
-----

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

Ans. The land has been reclaimed from desert land and has been put into cultivation; the amount of water required for profitable cultivation is 5.6 cubic feet per second.

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. I have no interest whatsoever in the water, works or land described in this permit.

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I have been on the land several times and have seen the water being applied to beneficial use to irrigate the crops thereon.

(Signed)

*Chester Thompson*

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 16 day of March, A. D. 1959.

*Harmon H. Nelson*  
Notary Public.  
Residing at Burley, Idaho.

My commission expires May 12, 1962.

B26099

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

RECEIVED  
Department of Reclamation

Permit No. G-26099.....

## Proof of Application of Water to Beneficial Use

### Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

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

Ans. Earl Evans, age 52; bartender, Burley, Idaho.

Ques. 2. Are you acquainted with Fred E. Evans, the holder of Permit No. G-26099? How long have you known him and where does he reside?

Ans. Yes, I have known him for 45 years and six months, he resides at Burley, Cassia County, Idaho.

Ques. 3. Have you read or heard read said Permit No. G-26099, and are you familiar with its provisions and conditions?

Ans. Yes.

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. The source of water supply is a subterranean well; place of diversion is NW $\frac{1}{4}$  of SW $\frac{1}{4}$  of Sec. 31, Township 10 S., Range 22, E.B.M.; works for conveying water from point of diversion to place of use consists of open ditches.

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

The diversion works will carry approximately 6 cubic feet per second.

Ans.

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

I have seen the well deliver 5.6 cubic feet per second of water and I measured this by an estimate and comparison with other wells in the immediate vicinity.

G26099

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

2 The water is used for irrigation and is used to irrigate the NW $\frac{1}{4}$ ; the N $\frac{1}{2}$  of Ans. SW $\frac{1}{4}$  and the N $\frac{1}{2}$  of SE $\frac{1}{4}$  of Sec. 31, Township 10 S., Range 22, E.B.M. The land has been reclaimed from desert land and has been put into cultivation; that all of the land described herein can be irrigated with the exception of 3 acres in the NW $\frac{1}{4}$ . Improvements consist of a well; a pump and motor placed in the well; land has been leveled; has been cleared and ditches constructed.

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

Ans. -----

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

Ans. The land has been reclaimed from desert land and has been put into cultivation and is excellent land; the amount of water required for profitable cultivation is 5.6 cubic feet per second.

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. I have no interest whatsoever in the water, works or land described herein.

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I have been on the land on numerous occasions and have observed the the water being diverted from the well into the ditches and applied to beneficial use to irrigate the crops.

(Signed)

Earl Evans

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 16 day of March, A. D. 1959.

Harmon H. Nielson  
Notary Public.  
Residing at Burley, Idaho.

My commission expires May 12, 1962.

826099

**NOTICE FOR PUBLICATION  
NOTICE OF PROOF  
APPLICATION OF WATER  
TO BENEFICIAL USE**

Notice is hereby given that 10:00 a.m. on the 16 day of March, 1959, at Burley, County of Cassia, State of Idaho, before Norman H. Nielson, proof will be submitted of the application to beneficial use of 5.6 cubic feet per second of the waters of subterranean well in accordance with the terms and conditions of Permit No. G-26099 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Fred E. Evans, Burley, Idaho.

The use to which said water has been applied is irrigation and domestic.

The amount applied to beneficial use is 5.6.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) NW $\frac{1}{4}$ , the N $\frac{1}{2}$  of the SW $\frac{1}{4}$ , and the N $\frac{1}{2}$  of the SE $\frac{1}{4}$  all in Section 32, Township 10 South, Range 22, E.B.M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is open ditches.

The right to take water from such works is based upon Permit No. G-26099.

The point from which such water is diverted is The NW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Sec. 32, Township 10 South, Range 22, E.B.M.

The date of priority which said user is prepared to establish is November 30, 1955.

**Affidavit of Publication.**

**The Burley Herald-Bulletin**

**AFFIDAVIT OF PUBLICATION**

STATE OF IDAHO }  
COUNTY OF CASSIA } ss.

..... Carl Jones....., first being duly sworn, deposes and says: That he is the printer of The Burley Herald and/or The Burley Bulletin, a weekly 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 weekly 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 ..four... consecutive weeks, commencing with the issue dated ..Feb...17 19...59, and ending with the issue dated Mar...10, 19.59..

Subscribed and sworn to before me this 10th day of March, 1959.

*Carl Jones*

*Hazel G. Woodall*

RECEIVED  
MAR 11 1959  
Department of Reclamation

RECEIVED

FEB 18 1959

BURLEY  
FEB 12  
8-PM.  
1959



THIS SIDE OF CARD IS FOR ADDRESS

Mr. George N. Carter  
State Reclamation Engineer,  
Dept. of Reclamation,  
Boise, Idaho.

S26099

Burley, Idaho  
Feb 12, 1959

Dear Mr. Carter:-

This acknowledges  
receipt of legal for  
Fred E. Evans, Burley  
& we're marking it  
to run Feb 17-24,  
Mar 3-10, 1959 in  
Bulletin. Thanks

Very truly yours,  
The Burley Herald-Bulletin  
Hazel G. Roddall

26099

J26099

NIELSON & NIELSON  
ATTORNEYS AND COUNSELORS AT LAW  
P. O. BOX 367  
BURLEY, IDAHO

A. H. NIELSON  
N. H. NIELSON

March 20, 1959

RECEIVED  
MAR 23 1959  
Department of Reclamation

Department of Reclamation  
State House  
Boise, Idaho

Gentlemen:

Enclosed you will find the depositions of the holder and witnesses on permit No. G-26099 in the name of Fred E. Evans, together with the affidavit from the paper of publication.

Would you please process this proof?

Very truly yours,

NIELSON & NIELSON

By

*Norman H. Nielson*  
Norman H. Nielson

NHN/ord

Encl.

26099

George Carter  
State Department  
Published in the  
For 17-28 Mar 13-14

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

Mr. Clegg's letter of June 6, 1934.

NOTICE FOR PUBLICATION  
NOTICE OF PROOF  
APPLICATION OF WATER  
TO BENEFICIAL USE

Notice is hereby given that 10:00 a.m. on the 16 day of March, 1959, at Burley, County of Cassia, State of Idaho, before Norman H. Nielson, proof will be submitted of the application to beneficial use of 5.6 cubic feet per second of the waters of subterranean well in accordance with the terms and conditions of Permit No. G-26099 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Fred E. Evans, Burley, Idaho.

The use to which said water has been applied is irrigation and domestic.

The amount applied to beneficial use is 5.6.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) NW $\frac{1}{4}$ , the N $\frac{1}{2}$  of the SW $\frac{1}{4}$ , and the N $\frac{1}{2}$  of the SE $\frac{1}{4}$ , all in Section 32, Township 10 South, Range 22, E.B.M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is open ditches.

The right to take water from such works is based upon Permit No. G-26099.

The point from which such water is diverted is The NW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Sec. 32, Township 10 South, Range 22, E.B.M.

The date of priority which said user is prepared to establish is November 30, 1955.

Geo. N. Carter  
State Reclamation Engineer  
Published in the Burley Bulletin  
Feb. 17-24, Mar. 3-10, 1959.

Affidavit of Publication.

The Burley Herald-Bulletin

## AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }  
COUNTY OF CASSIA } ss.

..... Carl Jones ..... first being duly sworn, deposes and says: That he is the printer of The Burley Herald and/or The Burley Bulletin, a weekly 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 weekly 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 ..four... consecutive weeks, commencing with the issue dated Feb. 17, 1959., and ending with the issue dated ..Mar. 10, 1959..

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

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

February 12, 1959

Re: Permit No. G-26099  
Fred E. Evans

Norman H. Nielson  
Attorney At Law  
P. O. Box 367  
Burley, Idaho

Dear Mr. Nielson:

We enclose departmental receipt No. G-3863 which was issued covering your payment in the amount of \$2.00 for a certified copy of Permit No. G-26099, sent to you under date of December 26, 1958.

Very truly yours,

GEO. N. CARTER  
State Reclamation Engineer

GNC/lw  
Enclosure (1)

B26099

February 10, 1959

Re: Permit No. G-26099  
Fred E. Evans

Mr. Norman H. Nielson  
Attorney At Law  
P. O. Box 367  
Burley, Idaho

Dear Mr. Nielson:

This acknowledges the Notice of Proof of Application of Water to Beneficial Use under Permit No. G-26099, in the name of Fred E. Evans. Final proof is to be made at 10:00 A. M. on the 16th day of March, 1959, before you, as Notary, at Burley, Idaho.

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

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

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

Very truly yours,

GEO. N. CARTER  
State Reclamation Engineer

GNC/lw  
Encls. (3)  
cc: Fred E. Evans  
Burley, Idaho

G26099

S T A T E O F I D A H O

DEPARTMENT OF RECLAMATION  
Boise, Idaho

Re: Permit No. G 26099  
Fred E. Evans

Date February 10, 1959

Burley Herald Bulletin  
Burley, Idaho

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to **March 16, 1959** the date set for proof; the expense of the publication is to be paid by the applicant's Attorney **Norman H. Nielson** of **P. O. Box 367, Burley, 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  
By

\*\* 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.

26099

NIELSON & NIELSON  
ATTORNEYS AND COUNSELORS AT LAW  
P. O. BOX 367  
BURLEY, IDAHO

A. H. NIELSON  
N. H. NIELSON

February 6, 1959

RECEIVED  
FEB 9 1959  
Department of Reclamation

Department of Reclamation  
State House  
Boise, Idaho

Gentlemen:

Enclosed you will find Notice of Publication of Application of Water to Beneficial Use for Fred E. Evans, set for the 16th of March, Would you please process this application.

Also enclosed is our check for \$2.00 for the certified copy of the proof which you sent to us in this Fred E. Evans matter.

Very truly yours,

NIELSON & NIELSON

By

*Norman H. Nielson*

Norman H. Nielson

*ord*

NHN/ord

Encl.

826099

**RECEIVED**  
FEB 9 1950  
Department of Reclamation

**NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE**

(Date) \_\_\_\_\_

(P. O.) \_\_\_\_\_

**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.

*Arvid E. Evans*

(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.

*D26099*

NOTICE FOR PUBLICATION  
NOTICE OF PROOF APPLICATION OF WATER  
TO BENEFICIAL USE

**RECEIVED**  
FEB 9 1959  
Department of Reclamation

Notice is hereby given that at 10:00 A. M. on the 16<sup>th</sup> day of March, 1959  
at Burley, County of Cassia, State of Idaho, before  
Norman H. Nielson, proof will be submitted of the  
application to beneficial use of 5.6 cubic feet per second of the waters of subterranean well  
in accordance with the terms and conditions of Permit No. G-26099  
heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are  
Fred E. Evans, Burley, Idaho.

The use to which said water has been applied is irrigation and domestic use

The amount applied to beneficial use is 5.6

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated)

N<sup>1</sup>/<sub>2</sub>, the N<sup>1</sup>/<sub>2</sub> of the SW<sup>1</sup>/<sub>4</sub> and the N<sup>1</sup>/<sub>2</sub> of the SE<sup>1</sup>/<sub>4</sub> all in Section  
32, Township 10 South, Range 22, E. B. M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is

open ditches

The right to take water from such works is based upon Permit No. G-26099

The ~~point~~ <sup>point</sup> from which such water is diverted is The N<sup>1</sup>/<sub>2</sub> of the SW<sup>1</sup>/<sub>4</sub> of Sec. 32,  
Township 10 South, Range 22, E. B. M.

The date of priority which said user is prepared to establish is November 30, 1955

State Reclamation Engineer.

G26099

December 26, 1958

Re: Permit No. G-26099  
Fred E. Evans

Norman H. Nielson  
Nielson & Nielson  
Attorneys And Counselors At Law  
P. O. Box 367  
Burley, Idaho

Dear Mr. Nielson:

Enclosed is a certified copy of Permit No. G-26099, as you requested  
in your letter of December 23, 1958. Please remit two dollars fee  
for same.

Very truly yours,

GEO. N. CARTER  
State Reclamation Engineer  
By

Chief Clerk

EPR:nls  
Enc.

G-26099

RT

NIELSON & NIELSON  
ATTORNEYS AND COUNSELORS AT LAW  
P. O. BOX 367  
BURLEY, IDAHO

A. H. NIELSON  
N. H. NIELSON

December 23, 1958

RECEIVED  
DEC 26 1958  
Department of Reclamation

Department of Reclamation  
State House  
Boise, Idaho

Gentlemen:

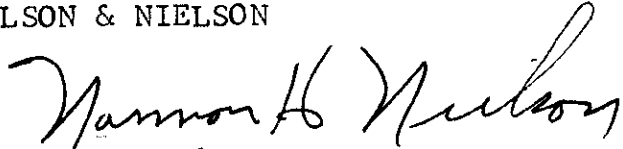
Could you send us a certified copy of  
Permit No. G-26099?

Send us your bill for the same and we will  
mail you our check.

Very truly yours,

NIELSON & NIELSON

By

  
Norman H. Nielson

NHN/ord

G26099

United States  
Department of the Interior  
Bureau of Land Management  
Land Office  
P.O. Box 2237  
Boise, Idaho

LO:MBP

Idaho 05709

NOTICE OF ALLOWANCE

RECEIVED  
APR 2 1958

Department of Reclamation

Fred E. Evans

APR 18 1958

1726 Miller Avenue

Burley, Idaho

Sir:

Your Desert Land Entry, Serial No. Idaho 05709  
Receipt No. 235631, for nw 1/4, n 1/2 SW 1/4, n 1/2 SE 1/4  
235631, for NE 1/4, NW 1/4, SE 1/4  
Section 32  
Township 10 S., Range 22 E., Boise Meridian, Idaho, containing  
320 acres, has this day been allowed, subject to any

valid existing rights, and your further compliance with laws and regulations  
applicable thereto. In correspondence relating to this entry, always  
refer to the serial number.

Subject to right-of-way, Idaho 0602, Salt Lake Pipeline Co. over NE 1/4.

NE 1/4 subject to State Highway right-of-way, 049404.

Very respectfully,

Nolan F. Keil  
Manager

cc: BM, 1-2

LSM

State Recl. Engr., Boise ✓  
R.M.

26099

June 18, 1956

RE: Permit No. G-26099

Mr. Fred E. Evans  
1726 Miller Avenue  
Burley, Idaho

Dear Mr. Evans:

We enclose application for amendment to the point of diversion and application for amendment to the land list in Permit No. G-26099, which have been approved by the State Reclamation Engineer and recorded in this department.

By this same mail we are sending two copies of each of these amendments to the Idaho District Land Office to be used in connection with a desert land entry filing filed in that office.

We also enclose departmental receipt No. G-1928 for the \$3.00 fee for making the two extra copies of each and certifying.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

R:hll  
Enc.

B26099

June 18, 1956

RE: Permit No. G-26099

Idaho District Land Office  
Box 2237  
Boise, Idaho

Gentlemen:

We enclose two copies each, one certified, of two Amendments  
(one to the point of diversion and one to the land list) in permit No.  
G-26099, of Fred E. Evans, to be used in connection with his desert  
land entry filing filed in your office.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

Rshll  
Enc.  
cc - Mr. Fred E. Evans  
1726 Miller Avenue  
Burley, Idaho

G26099

Proposed point No. 26099  
Amendment to land claim  
Amendment to one additional point of  
division

Traps 10.25. R. 22.2

Well - 0

Well - 0

✓ ✓  
✓ ✓  
32  
✓ ✓ ✓ ✓

**Application for Amendment**  
**To Permit to Appropriate the Public Waters**  
**of the State of Idaho, No. G-26099**

Comes now Fred E. Evans, and represents to the State Reclamation Engineer of the State of Idaho.

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. G-26099, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$  Section 32, Twp. 10.S. Range 22.E.

making a total of 320 acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Boise Idaho., this 11, day of June, 19 56  
Fred E. Evans  
by GLEN A. SUITER

Date of receipt at office of Department of Reclamation June 11, 1956

**APPROVAL OF STATE RECLAMATION ENGINEER**

I, MARK. R. KULP., State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. G-26099. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

MARK R. KULP

State Reclamation Engineer

*Office Copy*

*G26099*

APPLICATION FOR AMENDMENT  
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS  
OF THE STATE OF IDAHO, NO. C-26099

Comes now Fred E. Evans, and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. C-26099.

That the point of diversion is described in said permit as being located SW $\frac{1}{4}$ NW $\frac{1}{4}$  and NE $\frac{1}{4}$ SW $\frac{1}{4}$  Section 32, Twp. 10.S. Range 22.E.

That he now requests that the point of diversion be changed to a point located SW $\frac{1}{4}$ NW $\frac{1}{4}$  and NW $\frac{1}{4}$ SW $\frac{1}{4}$  Section 32, Twp. 10.S. Range 22.E.

That his reasons for desiring to make such change are as follows:

Applicant added the NW $\frac{1}{4}$ SW $\frac{1}{4}$  by amendment, to the land use, therefor better location for well.

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

Signed at Boise Idaho., this 11 day of June, 19 56

Fred E. Evans,

By- GLEN A. SUITER

Date of receipt at Department of Reclamation June 11, 1956

APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. C-26099. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

MARK R. KULP

State Reclamation Engineer

Office  
COPY

26099

✓  
December 13, 1955

RE: Permit No. G-26099

Mr. Fred E. Evans  
1726 Miller Avenue  
Burley, Idaho

Dear Mr. Evans:

The enclosed letter addressed to you seems to have been sent by mistake to the Idaho District Land Office.

We are wondering whether the letter addressed to the land office with the copies of your Permit were sent to you.

If so, please either return them to us or send them directly to the Land Office and advise us accordingly.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A:hl1  
Enc.

26099

December 8, 1955

RE: Permit No. G-26099

Mr. Fred E. Evans  
1726 Miller Avenue  
Burley, Idaho

Dear Mr. Evans:

We enclose Permit No. G-26099 and direct your attention to the limitations and conditions as given on page four under approval of the State Reclamation Engineer.

By this same mail, we are sending two copies of this Permit, one of which has been certified, to the Idaho District Land Office to be used in connection with your desert land entry.

We also enclose departmental receipt No. G-1571 for the \$8.25 fees which include \$6.25 filing fee and \$2.00 for the extra copies.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A:hl  
Enc.

G26099

December 8, 1955

RE: Permit No. G-26099

Idaho District Land Office  
Box 2237  
Boise, Idaho

Gentlemen:

We enclose two copies of Permit No. G-26099 in the name of Fred E. Evans, one of which has been certified, to be used in connection with his desert land entry filed in your office.

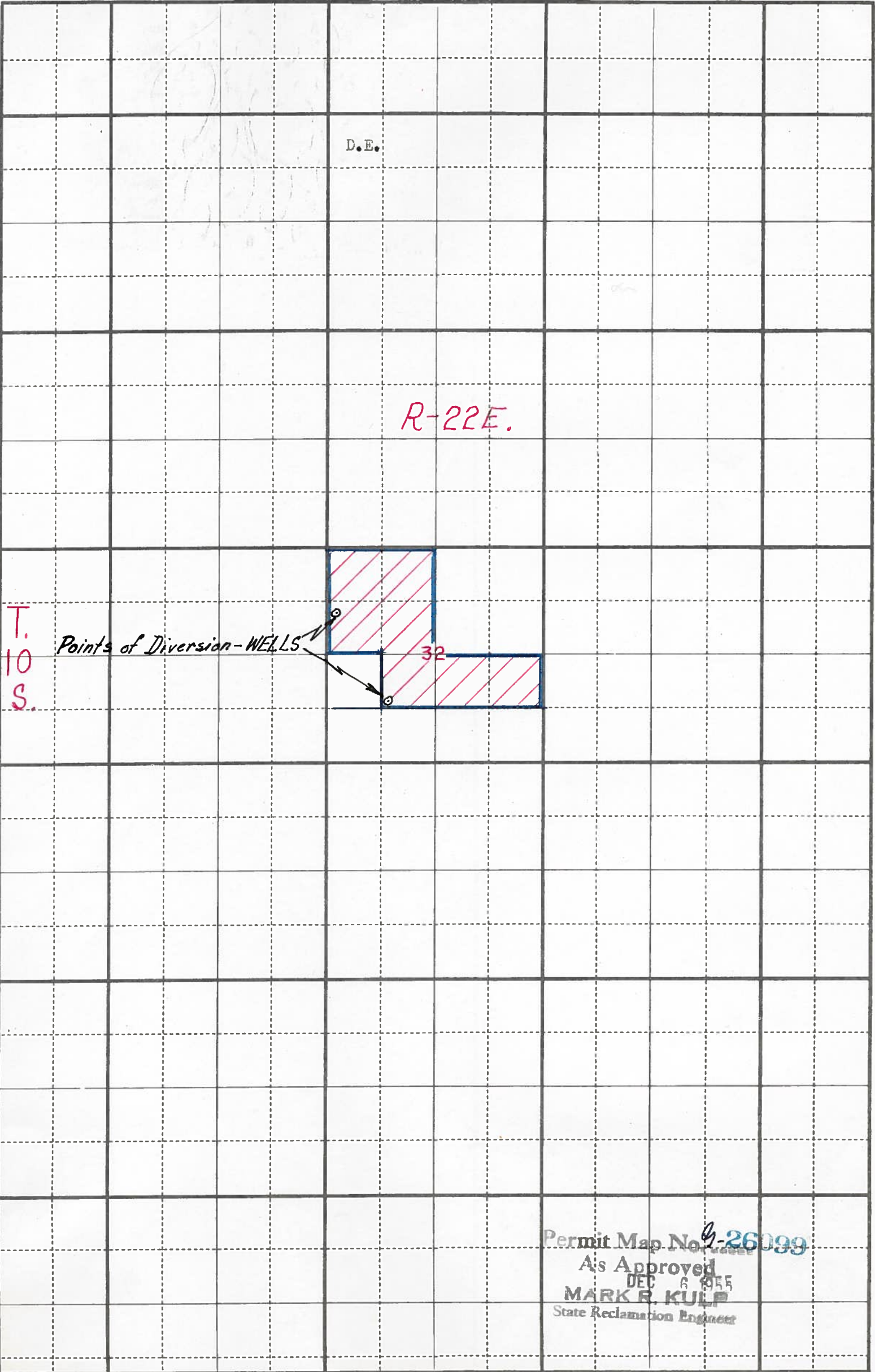
Very truly yours,

MARK E. KULP  
State Reclamation Engineer  
By

Chief Clerk

A:hll  
Enc.  
cc - Mr. Fred E. Evans

G26099



Permit Map No. 9-26099  
As Approved  
DEC 6 1955  
MARK R. KULP  
State Reclamation Engineer

June 5, 1962

Re: Transfer of Water Right  
Transferred Right No. 987

Mr. Fred E. Evans,  
1726 Miller Avenue,  
Burley, Idaho.

Dear Mr. Evans:

We enclose Certificate of Transfer of Water Right  
Transferred Right No. 987.

By this same mail, we have sent to the Bureau of  
Land Management two copies of this Certificate, one of which  
has been certified, to be used in connection with the Desert  
Land Entry filed in that office. A copy of that letter is  
enclosed.

Departmental Receipt No. 31061, which was issued  
covering payment in the amount of \$3.00, which includes \$1.00  
for the recording fee of the Transfer of Water Right, and  
\$2.00 for the copies sent to the Bureau of Land Management,  
was given to you at the time you were in the office.

Very truly yours,

GEO. N. CARTER  
State Reclamation Engineer  
By

RALPH W. THOMAS, Deputy  
State Reclamation Engineer

Encl.  
RWT:spk

F-987  
45-2509

June 5, 1962

Re: Transfer of Water Right  
Transferred Right No. 987  
Fred E. Evans

Bureau of Land Management,  
P. O. Box 2237,  
Boise, Idaho.

Gentlemen:

We enclose two copies of Transfer of Water Right  
No. 987, one of which has been certified, to be used in  
connection with Desert Land Entry filed in your office  
by Fred E. Evans, 1726 Miller Avenue, Burley, Idaho.

Very truly yours,

GEO. N. CARTER  
State Reclamation Engineer  
By

RALPH W. THOMAS, Deputy  
State Reclamation Engineer

Encl.  
RWT:pmk  
cc: Fred E. Evans

T-987  
45-2509

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Certificate of Water Right

Transferred Right No. 987

THIS IS TO CERTIFY That Fred E. Evans of 1726 Miller Avenue, Burley, Idaho, is the owner of and using a certain water right of 4.24 cubic feet per second of the waters of a subterranean well, said water being obtained by virtue of License No. G-26099, issued by the State of Idaho, Department of Reclamation, dated July 29, 1959, bearing date of priority of November 30, 1955, for the purpose of irrigating the following described lands situate, lying, and being in Water District No. \_\_\_\_\_,

, in the County of Cassia, State of Idaho, to-wit:

NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ ,  
Section 32, Township 10 South  
Range 22 E. B. M.,

That said License has been entered in the records of the Department of Reclamation of the State of Idaho, in Volume 11 of Licenses, at Page 6705 thereof;

And that Fred E. Evans of 1726 Miller Avenue, Burley, Idaho, has become the owner of said right by Assignment:

1.0 And that now, upon the application of Fred E. Evans for a transfer of ~~4.24~~ cubic feet per second, made before the State Reclamation Engineer of the State of Idaho, and said application having been granted the right to the use of ~~4.24~~ cubic feet per second of the waters of subterranean source by well, ~~x~~ upon the above described lands is hereby abandoned, and the place of use of said water under such right is HEREBY CONFIRMED, shall by this Certificate become appurtenant for irrigation and domestic purposes, is described as follows, to-wit:

N $\frac{1}{2}$ SE $\frac{1}{4}$ , Section 31,  
Township 10 South,  
Range 22 E. B. M.,

That said water is to be limited at any given time to an amount actually needed and beneficially used for such purposes and shall not exceed the following amount, to-wit:

~~4.24~~ cubic feet per second of  
the waters of subterranean  
source with priority of  
November 30, 1955;

And that the water right hereby transferred has heretofore been conducted from subterranean source with point of diversion in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ , Section 32, Township 10 South, Range 22, E. B. M., and conducted through ditches;

That the water right hereby transferred will hereafter be conducted to the last above described lands from subterranean source by well, with no change in point of diversion;

That the right to the use of the water aforesaid, hereby confirmed, is restricted to the lands or place of use last above described, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 5<sup>th</sup> day of May, 1962.

G.N.C.  
State Rec. Eng.  
By

C. E. T.

(This was approved by Fred E. Evans at time he was in the office)

(5/17/1962)

6K.  
T-987  
45-2509

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

In the Matter of the Application of )

Fred E. Evans  
of  
1726 Miller Avenue  
Burley, Idaho )

ORDER GRANTING TRANSFER

NO. 987

For a Transfer of Water Right,  
Cassia County, Idaho. )

WHEREAS, on the 1st day of June, 1962, at the Department of Reclamation of the State of Idaho, at Boise, Idaho, this matter of the application of Fred E. Evans of 1726 Miller Avenue, Burley, Idaho, for a transfer of water right, came on regularly for hearing, pursuant to the published notice, in due and statutory form, and;

WHEREAS, No protest has been filed against the application, and the evidence filed by the applicant, with the application, shows that the water will be put to a higher and more beneficial use, and that no one will be injured thereby.

NOW, THEREFORE, IT IS HEREBY ORDERED, That the said application be, and the same is HEREBY GRANTED, and that a Certificate of Transfer be issued to the applicant herein, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 5th day of June, 1962.

GEO. N. CARTER  
State Reclamation Engineer  
By

CARL E. TAPPAN, Assistant  
State Reclamation Engineer

T-987  
45-2509

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

---

Certificate of Water Right  
Transferred Right No. 987

---

THIS IS TO CERTIFY, That Fred E. Evans of 1726 Miller Avenue, Burley, Idaho, is the owner of and using a certain water right of 4.24 cubic feet per second of the waters of a subterranean well, said water being obtained by virtue of License No. G-26099, issued by the State of Idaho, Department of Reclamation, dated July 29, 1959, bearing date of priority of November 30, 1955, for the purpose of irrigating the following described lands situate, lying, and being in the County of Cassia, State of Idaho, to-wit:

NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , Section 32,  
Township 10 South, Range 22,  
E. B. M.,

That said License has been entered in the records of the Department of Reclamation of the State of Idaho, in Volume 11 of Licenses at Page 6705 thereof;

And that Fred E. Evans of 1726 Miller Avenue, Burley, Idaho, has become the owner of said right by appropriation;

And that now, upon the application of Fred E. Evans for a transfer of 1.0 cubic feet per second, made before the State Reclamation Engineer of the State of Idaho, and said application having been granted the right to the use of 1.0 cubic feet per second of the waters of subterranean source by well, upon the above described lands is hereby abandoned, and the place of use of said water under such right is HEREBY CONFIRMED, shall by this Certificate become appurtenant for irrigation and domestic purposes is described as follows, to-wit:

N $\frac{1}{2}$ SE $\frac{1}{4}$ , Section 31, Township 10  
South, Range 22 E. B. M.,

That said water is to be limited at any given time to an amount actually needed and beneficially used for such purposes and shall not exceed the following amount, to-wit:

1.0 cubic feet per second of  
the waters of subterranean  
source with priority of  
November 30, 1955;

And that the water right hereby transferred has heretofore been conducted from subterranean source with point of diversion in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ , Section 32, Township 10 South, Range 22 E. B. M., and conducted through ditches;

T-987  
45-2509

That the water right hereby transferred will hereafter be conducted to the last above described lands from subterranean source by well, with no change in point of diversion;

That the right to the use of the water aforesaid, hereby confirmed, is restricted to the lands or place of use last above described, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 5th day of June, 1962.

GEO. N. CARTER  
State Reclamation Engineer  
By

CARL E. TAPPAN, Assistant  
State Reclamation Engineer

T-987  
45-2509

NIELSON & NIELSON  
ATTORNEYS AND COUNSELORS AT LAW  
P. O. BOX 367  
BURLEY, IDAHO

A. H. NIELSON  
N. H. NIELSON

April 28, 1962

RECEIVED  
DEPARTMENT OF RECLAMATION

Department of Reclamation  
State House  
Boise, Idaho

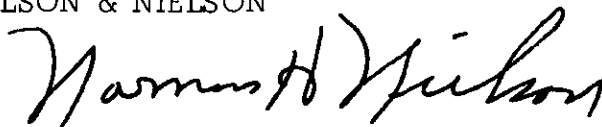
Gentlemen:

Enclosed is the application for transfer of water right which we thought had been enclosed in the letter which was mailed to your office on Friday, April 28, 1962.

Very truly yours,

NIELSON & NIELSON

By

  
Norman H. Nielson

NHN:nw

T-987  
45-2509

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that Fred E. Evans of Idaho  
1726 Miller Avenue, Burley, has applied to the State Reclamation Engineer of the  
State of Idaho for a certificate authorizing him to change the ~~point of diversion~~  
~~and/or~~ place of use of the waters of subterranean well as follows:  
Amount: 1 cubic feet per second. Priority: November 30, 1955  
Point of diversion: NW  $\frac{1}{4}$  SW  $\frac{1}{4}$ , Section 32, Township 10 S., Range 22 E., B. M.  
Place of Use: NW  $\frac{1}{4}$ , N  $\frac{1}{2}$  SW  $\frac{1}{4}$ , N  $\frac{1}{2}$  SE  $\frac{1}{4}$ , Section 32, Twp. 10 S., R. 22 E. B. M.

To Be Transferred To

~~Point of diversion: NW  $\frac{1}{4}$  SW  $\frac{1}{4}$ , Section 32, Township 10 S., Range 22 E., B. M.~~  
Place of Use: N  $\frac{1}{2}$  SE  $\frac{1}{4}$ , Sec. 32, Twp. 10 S., R. 22 E. B. M.

And that on the 1st day of June, 1962, at 10:00 o'clock A. M.,  
at Room 107 Statehouse, Boise, Idaho, before the State Reclamation Engineer, or  
his authorized agent, the opportunity will be given to any and all persons to  
appear and present, for his consideration any reason or reasons why a certificate  
should not be issued authorizing such transfer.

GEO. N. CARTER

State Reclamation Engineer

T-987  
45-2509

S T A T E O F I D A H O

DEPARTMENT OF RECLAMATION

Boise, Idaho

May 10, 1962

Re: Transfer of Water Right  
Fred E. Evans

Burley-Herald Bulletin,  
Burley, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for two consecutive weeks prior to **June 1, 1962** the date set for hearing; the expense of the publication is to be paid by the applicant's attorney, **Nielson & Nielson** of **Box 367, Burley, Idaho** to whom you should furnish proof of publication on or prior to the date set for hearing.

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  
By

**ROY W. THOMPSON**

**Supervisor of Water Distribution**

\*\*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.

T-987  
45-2509

May 17, 1962

Re: License No. 26099  
Fred E. Evans

Mr. Michael T. Solan, Manager,  
Bureau of Land Management,  
P. O. Box 2237,  
Boise, Idaho.

Dear Mr. Solan:

This is to certify that Mr. Fred E. Evans has received  
License No. 26099 for 4.24 cubic feet per second from a subterranean  
well in Cassia County;

Place of Use: NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ ,  
Section 32, Township 10 South,  
Range 22 E. B. M.

and that on April 30, 1962, application for transfer of water right  
was received in this Department requesting the transfer of water  
right from the Fred E. Evans property to the N $\frac{1}{2}$ SE $\frac{1}{4}$ , Section 31,  
Township 10 South, Range 22 E. B. M., to be applied to the Gladys B.  
Evans Entry No. Idaho-010799.

You will be furnished with a copy of the Certificate  
of Transfer for one second foot of water from said well as evidence  
of a water right. Due to the publication notice, we cannot deliver  
this certificate to you until after June 1, 1962, which we will for-  
ward to you immediately subsequent to that date.

Very truly yours,

GEO. N. CARTER  
State Reclamation Engineer  
By

ROY W. THOMPSON  
Supervisor of Water Distribution

RWT:pmk

T-987  
45-2509

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION

May 17, 1962

Re: License No. 26099  
Fred E. Evans

Mr. Michael T. Solan, Manager,  
Bureau of Land Management,  
P. O. Box 2237,  
Boise, Idaho.

Dear Mr. Solan:

This is to certify that Mr. Fred E. Evans has received  
License No. 26099 for 4.24 cubic feet per second from a subterranean  
well in Cassia County;

Place of Use: NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ ,  
Section 32, Township 10 South,  
Range 22 E. B. M.

and that on April 30, 1962, application for transfer of water right  
was received in this Department requesting the transfer of water  
right from the Fred E. Evans property to the N $\frac{1}{2}$ SE $\frac{1}{4}$ , Section 31,  
Township 10 South, Range 22 E. B. M., to be applied to the Gladys B.  
Evans Entry No. Idaho-010799.

You will be furnished with a copy of the Certificate  
of Transfer for one second foot of water from said well as evidence  
of a water right. Due to the publication notice, we cannot deliver  
this certificate to you until after June 1, 1962, which we will for-  
ward to you immediately subsequent to that date.

Very truly yours,

GEO. N. CARTER  
State Reclamation Engineer  
By

ROY W. THOMPSON  
Supervisor of Water Distribution

RWT:pmk

C  
O  
P  
Y

T-987  
45-3509

May 7, 1962

RECEIPT NO. 31061, dated May 17, 1962, in the amount of \$3.00 -  
\* covering recording fee of \$1.00 for transfer of water right, #987  
and \$2.00 for certified copies for the BLM, was given to  
Fred E. Evans at time he was in the office.

T-987  
45-2509

## AFFIDAVIT OF PUBLICATION

RECEIVED  
709  
S

JUN 5 1962

STATE OF IDAHO

COUNTY OF CASSIA

ss.

*Deane Stanley Lecher*

Deputy Secretary of Reclamation

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

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

Affiant further states that the printed notice attached hereto was duly published according to law, in the regular weekly editions of the said newspaper and not in any supplement thereof, for *four* consecutive weeks, commencing with the issue dated *May 18*, 19*62* and ending with the issue dated *May 25*, 19*62*.

Subscribed and sworn to before me this *25* day of *May*, 19*62*

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

MY COMMISSION EXPIRES  
APRIL 2, 1963



T-987  
45-2509

# Application For Transfer of Water Right

RECEIVED

APR 30 1962

Department of Reclamation

STATE OF IDAHO

County of Cassia

ss.

Fred E. Evans

, being first duly sworn, deposes and says:

That his name is Fred E. Evans

; that he is of lawful age, a citizen of the United States and of the State of Idaho, and that his postoffice address is

1726 Miller Ave., Burley, Idaho

That he is the owner and using a certain water right, bearing date of priority of Nov. 30, 1955,

for 4.24 cubic feet per second of the waters of a subterranean well

County of Cassia, State of Idaho, decreed to

by decree of Judge \_\_\_\_\_ of the \_\_\_\_\_ Judicial District of the State of

Idaho, in and for the county of \_\_\_\_\_, in the case of

vs. \_\_\_\_\_, said decree bearing date of

(or obtained by virtue of License No. 26099, issued by the State Department of Reclamation of

the State of Idaho, dated July 29, 1959, bearing date of July 29, 1959.)

for the purpose of irrigating the following described lands situate, lying and being in Water District

No. \_\_\_\_\_ in the County of \_\_\_\_\_ and State of Idaho, to-wit:

NW<sup>4</sup>, NE<sup>4</sup>SW<sup>4</sup>, NE<sup>4</sup>SE<sup>4</sup>, Sec. 32, T. 10 S., R. 22 E.

\_\_\_\_\_ and is the person (or representative of the corporation) to whom such right so issued, or has become the owner thereof in the following manner, i.e.

as per abstract of title of said water right hereto attached and made a part of this statement;

That said waters are now diverted from said ~~stream~~ <sup>well</sup> in the NW<sup>1</sup> of the SW<sup>1</sup> of

Section 32, Township 10 South, Range 22, B. M., and con-

ducted to the above described lands through ditches

as per map herewith and of this affidavit made a part.

## CHANGE IN PLACE OF USE

That affiant and petitioner desires to abandon the use of 1 cubic feet per second of said water upon the above described land, and to convey and use same upon the following tract, situate, lying and being in the County of Cassia and State of Idaho, to-wit:

The North half of the SE<sup>1</sup> of Section 31, Township 10 South, Range 22 E.B.M.

That reasons for desiring to make such transfer are as follows: To make the water available

to Desert Land Entry No. Idaho 010799 in the name of Gladys B. Evans

1-987  
45-2509

That he intends to divert and convey said.....1.....second feet of water to the tract of land last above described in the following manner and as per map accompanying this application:  
By placing a culvert under the said road between Sections 31 and 32 and diverting the water through a ditch in the SE corner of the NE quarter of the SE quarter which carries the water through ditches to the point of use.

Note—If this water right has heretofore been carried jointly in a ditch with other water, affiant should secure written consent of other owners or users to removal from its original carrier and file such consent with this affidavit.

#### CHANGE IN POINT OF DIVERSION

That affiant desires to change the point of diversion of said waters from the point above described to a point located in ..... $\frac{1}{4}$  of ..... $\frac{1}{4}$  of Section....., Township....., Range....., and thereafter conduct same to the above described land through the.....ditch, as per map appended. **There will be no change in point of diversion as shown under License No. G-26099**

That his reasons for desiring to make such change are as follows:.....

**There will be no change made**

Petitioner asserts that no one will be injured by such transfer, or change in point of diversion, and that the change will be made at petitioner's own risk.

WHEREFORE, Affiant and Petitioner prays that the State Reclamation Engineer of the State of Idaho issue to him the proper certificate authorizing such change in point of diversion and/or place of use, in accordance with the provisions of Sections 42-108 and 42-222 of the Idaho Code.

*Fred E. Evans*

Applicant.

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

Notary Public.

#### APPLICANT WILL ANSWER THE FOLLOWING QUESTIONS:

From what stream is the water diverted?.....None.....

Where is the diversion point located? NW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 32, Township 10 South, Range 22, E.B.M.

Through what ditch is it now conducted? Through ditches constructed in the SE $\frac{1}{4}$  as per the attached map.

How much land is now irrigated by the water sought to be transferred?.....70 acres.....

Give the description: North half SE $\frac{1}{4}$ , Section 31, Township 10 South, Range 22, E.B.M.

What is the total amount of water in inches, or second feet, dedicated to said land? 1 cu. ft.

What kind of crops are being raised? Potatoes and grain

How much water per acre is now required to irrigate said land? 1 Sec. ft.

What will be the effect on the land now irrigated, if the use of water on it is discontinued? The Desert Land Entry Idaho No. )10799 in the name of Gladys B. Evans will not be allowed by the Bureau of Land Management

Give location of new point of diversion, if change is to be made None

Through what ditch will it be conducted after transfer? Through ditches as appears on map

How much water will be required per acre to irrigate the land to which this water is transferred? 5/7ths of an inch

Do you claim any other water right for the land from which you seek to abandon the use of this water? If so, give amount, date and source None

Is there any other water right for the land to which you seek to make this transfer? If so, give amount, date and source None

Signed Gladys B. Evans  
Applicant.

STATE OF IDAHO, }  
County of \_\_\_\_\_ } ss.

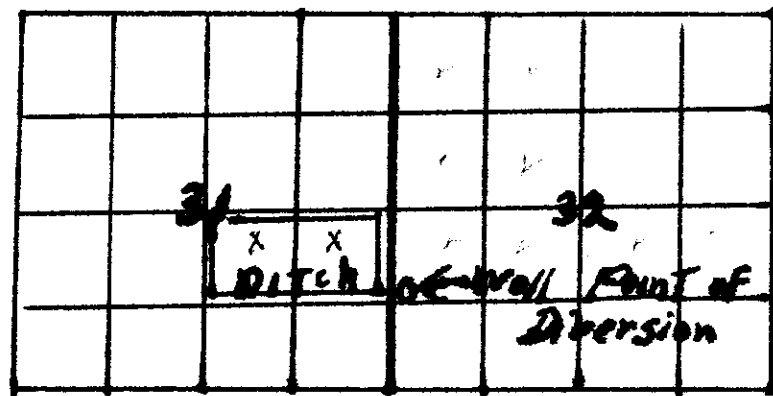
I, \_\_\_\_\_, Watermaster of \_\_\_\_\_  
Water District No. \_\_\_\_\_, County of \_\_\_\_\_, State of Idaho, whose postoffice address is \_\_\_\_\_, have read or heard read the foregoing affidavit and petition of \_\_\_\_\_, and, of my own knowledge, believe the same to be true as to all matters therein alleged, and that no one will be injured by the transfer prayed to be authorized; and I hereby endorse my approval of said petition, and request that the State Reclamation Engineer issue the certificate of transfer as petitioned; or (do not approve of the issuance of the certificate of transfer prayed for) for the following reasons: \_\_\_\_\_

Watermaster, District No. \_\_\_\_\_

Dated at \_\_\_\_\_, Idaho, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

T-987  
45-2504

696.87  
1867



Section 31 and 32, Township 10 South, Range 22, E.B.M.

NIELSON & NIELSON  
ATTORNEYS AND COUNSELORS AT LAW  
P. O. BOX 387  
BURLEY, IDAHO

A. H. NIELSON  
N. H. NIELSON

April 26, 1962

**RECEIVED**  
APR 30 1962  
Department of Reclamation

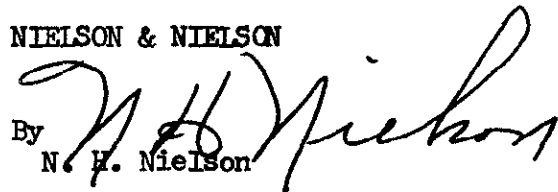
Department of Reclamation  
State House  
Boise, Idaho

Gentlemen:

Enclosed you will find the application for transfer of water rights under License G-26099. Also, enclosed you will find a map showing the point of diversion, which is a well and which well is in the Northwest Quarter of the Southeast Quarter of Section 32, Township 10 South, Range 22 E.B.M, that the water is taken for the said well in an open ditch to a culvert under the roadway and is then transported in ditches to the place of use. Would you please process this transfer of water right, as Mr. Evans desires to use it in connection with his wife's desert land entry.

Very truly yours,

NIELSON & NIELSON

By   
N. H. Nielson

NHN/mf  
Encls.

T-987  
H5-2509

July 29, 1959

Re: Permit No. G-26099

Mr. Fred E. Evans  
1726 Miller Ave.  
Burley, Idaho

Dear Mr. Evans:

We enclose Certificate of Completion of Work and  
License and Certificate of Water Right issued on Permit No.  
G-26099.

We also enclose departmental receipt No. G-4245  
in the amount of \$21.00 covering fees.

Very truly yours,

W. N. CARTER  
State Reclamation Engineer

By:

(Mrs.) Edna P. Rutledge  
Chief Clerk

EPR:ew

POST OFFICE  
BUTTE

T-987  
45-2509

RT

**NOTICE FOR PUBLICATION  
NOTICE OF PROOF  
APPLICATION OF WATER  
TO BENEFICIAL USE**

Notice is hereby given that 10:00 a.m. on the 16 day of March, 1959, at Burley, County of Cassia, State of Idaho, before Norman H. Nielson, proof will be submitted of the application to beneficial use of 5.6 cubic feet per second of the waters of subterranean well in accordance with the terms and conditions of Permit No. G-26099 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Fred E. Evans, Burley, Idaho.

The use to which said water has been applied is irrigation and domestic.

The amount applied to beneficial use is 5.6.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) NW $\frac{1}{4}$ , the N $\frac{1}{2}$  of the SW $\frac{1}{4}$  and the N $\frac{1}{2}$  of the SE $\frac{1}{4}$  all in Section 32, Township 10 South, Range 22, E.B.M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is open ditches.

The right to take water from such works is based upon Permit No. G-26099.

The point from which such water is diverted is The NW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Sec. 32, Township 10 South, Range 22, E.B.M.

The date of priority which said user is prepared to establish is November 30, 1955.

Geo. N. Carter  
State Reclamation Engineer  
Published in the Burley Bulletin  
Feb. 17-24, Mar. 3-10, 1959.

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Geo. N. Carter  
State Reclamation Engineer  
Published in the Burley Bulletin  
Feb. 17-24, Mar. 3-10, 1959.

**NOTICE OF PROPOSED  
TRANSFER OF WATER RIGHT**

Notice is hereby given that Fred E. Evans of 1726 Miller Avenue, Burley, Idaho has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing him to change the place of use of the waters of subterranean well as follows:

Amount: 1 cubic feet per second. Priority: November 30, 1955. Point of diversion: NW $\frac{1}{4}$ SW $\frac{1}{4}$ , Section 32, Township 10 S, Range 22 E. R. M. Place of Use: NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , Section 32, Twp. 10 S., R. 22 E. R. M.

To be transferred to MRDLUF To Be Transferred To Place of Use: N $\frac{1}{2}$ SE $\frac{1}{4}$ , Sec. 31, Twp. 10 S., R. 22 E.B.M.

And that on the 1st day of June, 1962, at 10:00 o'clock a.m., at Room 107 Statehouse, Boise, Idaho, before the State Reclamation Engineer, or his authorized agent, the opportunity will be given to any and all persons to appear and present, for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.

Geo. N. CARTER  
State Reclamation Engineer  
Published Herald Bulletin May 18 and 25, 1962.