

45-02437

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

TRANSFER NO. 4419
WATER RIGHT NO. 45-02437

This is to certify that: **LAURELL ADAMS**
KYLE R ADAMS
RT 1 BOX 90
OAKLEY ID 83346

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	2.00 CFS	432.0 AF

SOURCE

GROUNDWATER

Priority: 02/16/1953

LOCATION OF POINT(S) OF DIVERSION: NESE , Sec. 7, Township 13S, Range 22E
CASSIA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
13S	22E	19	NENE 37	NWNE 39	SWNE 40	
			NENW 39	Lot 2(SWNW) 10	SENE 39	
			NESW 40	Lot 3(NWSW) 43	Lot 4(SWSW) 40	
			SESW 39	NWSE 10	SWSE 10	386
	30		NENW 39	Lot 1(NWNW) 44	Lot 2(SWNW) 38	
			SENE 40	Lot 3(NWSW) 14		175
				Total number of acres irrigated:		561

CONDITIONS/REMARKS:

1. A totalizing measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
2. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.

RECORDED

MAY 18 1995

TRANSFER NO. 4419
WATER RIGHT NO. 45-02437

CONDITIONS/REMARKS:

3. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
4. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
5. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
7. The right holder shall use the full allotment of appurtenant surface water rights, to the extent they are available, in conjunction with groundwater diverted pursuant to this right.
8. Right No. 45-02437 is limited to the irrigation of 108 acres in the place of use described above in a single irrigation season.

Dated this 8th day of

May, 1995.

J. Glen Saylor

Chief, Water Alloc. Bureau

MAY 18 1995

Page 1 of 6

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 4419

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

RECEIVED

MAY 2 1995

Department of Water Resources

Name of applicant Kyle R. &/or Laurell Adams Phone 862-3406
Post Office address Rt. 1 Box 90, Oakley, ID 83346

A. PURPOSE OF TRANSFER

- ☐ Change point of diversion
 ☐ Add diversion point(s)
 ☒ Change place of use
 ☐ Change nature of use
 ☐ Change period of use
 ☒ Other Create permissible place of use
- Describe the reason for the proposed changes I bought the water rights (both groundwater & Oakley Canal shares), both from the 108 acres in Sec. 7. I am moving both rights about 2 miles south to lands that I now irrigate only with canal water. Well will supplement canal water as needed.

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

- | Right Number | Priority | Amount (cfs/ac-ft) | Nature of Use | Period of Use |
|-----------------|------------------|--------------------|---------------|---------------------------|
| <u>45-02437</u> | <u>2-16-1953</u> | <u>2.0 cfs</u> | <u>Irrig.</u> | <u>4-1</u> to <u>11-1</u> |
| | | | | to |
| | | | | to |
| | | | | to |
- Total amount of water being transferred 2.0 cubic feet per second and/or 432 acre-feet per annum.
- Source of water Groundwater tributary to
- Point(s) of Diversion: No change in P/D

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

- Lands irrigated or place of use: permissible place of use not to exceed *108 acres per annum

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>13S</u>	<u>22E</u>	<u>19</u>	<u>37</u>	<u>39</u>	<u>40</u>		<u>39</u>		<u>10</u>	<u>39</u>	<u>40</u>	<u>43</u>	<u>40</u>	<u>39</u>		<u>10</u>	<u>10</u>		<u>386</u>
									<u>142</u>			<u>143</u>	<u>144</u>						
		<u>30</u>					<u>39</u>	<u>44</u>	<u>38</u>	<u>40</u>		<u>14</u>							<u>175</u>
								<u>141</u>	<u>142</u>			<u>143</u>							

MAY 18 1995

Total acres * 561

PART 1

6. General Information:

a. Description of diversion system Well, larger motor & pump to be installed (if transfer of Rt. 45-02262 is approved), 75 hp booster pump, buried inline about 2 miles to sprinklers on new P/U. Co-mingles w/canal water.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? ? Yes No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

Land is owned by someone else. I think they plan to transfer other water to the property

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

MAY 18 1995

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 45-02437

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	to	2.00 CFS

SOURCE

GROUNDWATER

Priority: 02/16/1953

LOCATION OF POINT(S) OF DIVERSION:NESE , Sec. 7, Township 13S, Range 22E
CASSIA CountyPLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
13S	22E	7	SWNE 28	SENE 40	NESE 40	108
Total number of acres irrigated:						108

CONDITIONS/REMARKS:RECORDED
MAY 18 1995

PART 2**A. DESCRIPTION OF RIGHT AS RECORDED:**

Water Right No. 45-02437

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	to	2.00 CFS

SOURCE

GROUNDWATER

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LOCATION OF POINT(S) OF DIVERSION:NESE , Sec. 7, Township 13S, Range 22E
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<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
13S	22E	7	SWNE 28	SENE 40	NESE 40	108
Total number of acres irrigated:						108

CONDITIONS/REMARKS:APPROVED
MAY 18 1995

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 45-02437 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

☐ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 2-16-1953

5. Water is used for the following purpose:

amount 2.0 cfs for Irrig. purposes from 3-1 to 11-1
(cfs/ac-ft) _____
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____

6. Total amount of water under right 2.0 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SE	7	13S	22E	Cassia	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
13S	22E	7			28	40									40				108

Total acres 108

9. Describe any other water rights used for the same purpose as described above Oakley Canal Co. shares

PART 2

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

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

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

2. Point(s) of Diversion:

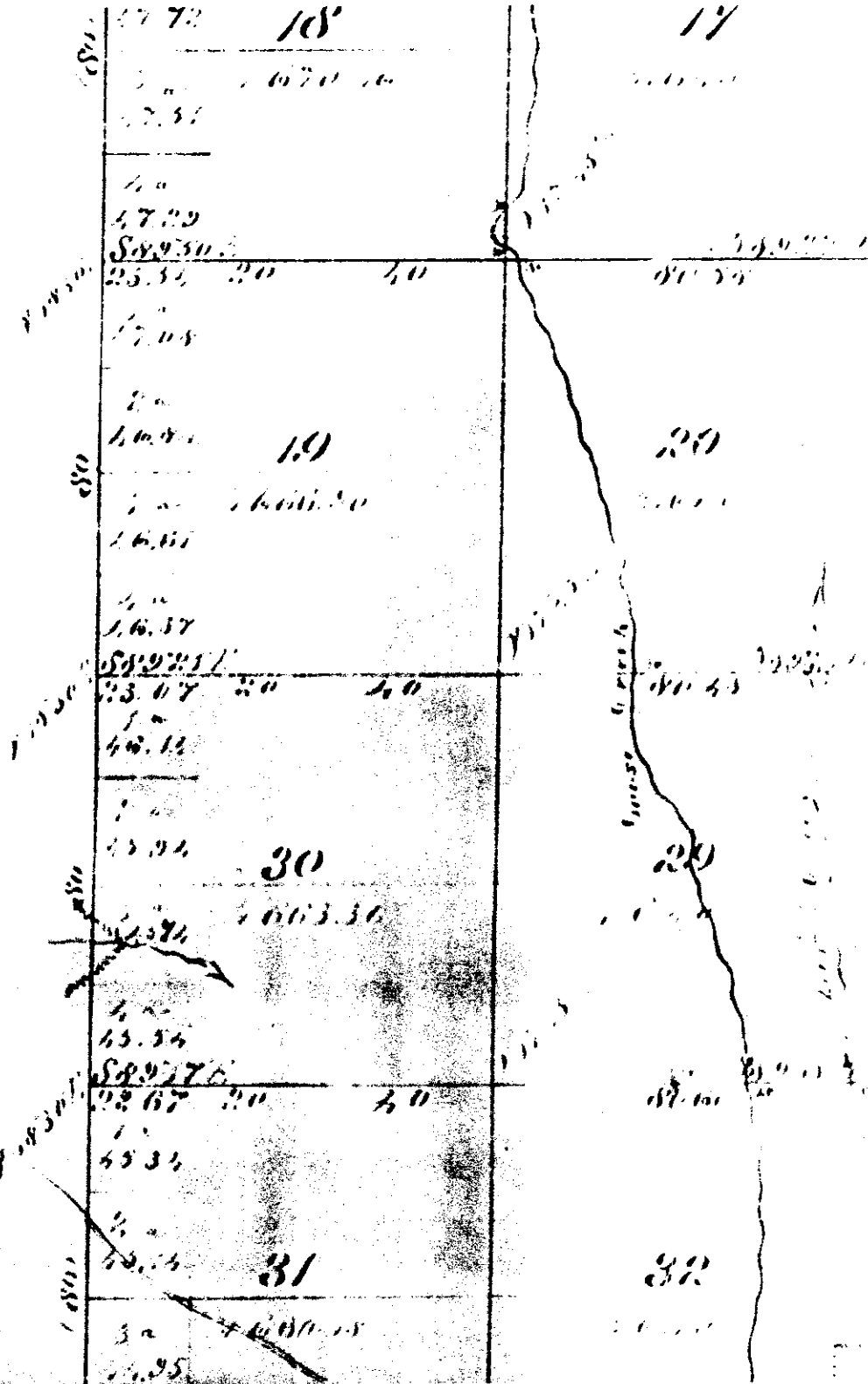
Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

MAY 18 1995



MAY 1 8 1995
 44419

T # 4419

6174 #1

Tro

Island Cemetery

Wen

8

Gravel Pit
4454

Gravel Pit

Marion

P/D

13

18

Marion

Marion Cemetery

4488

995

UNION

Trens # 4419

L-26
S-19
T-13
R-22

1994

6
36.6

HEL

35.5

HEL

1319.4

2
1215

3
23.5

9.1
34.0

2347
T134

2347
T163

1
63

2
37.5

703
T164

3
60.2

2347
T162

3
63.6

4
13.1

36.7

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OUT

3
31.2

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T166

MISSOURI
MAX 18 1995

T#4419

3
6.7

4
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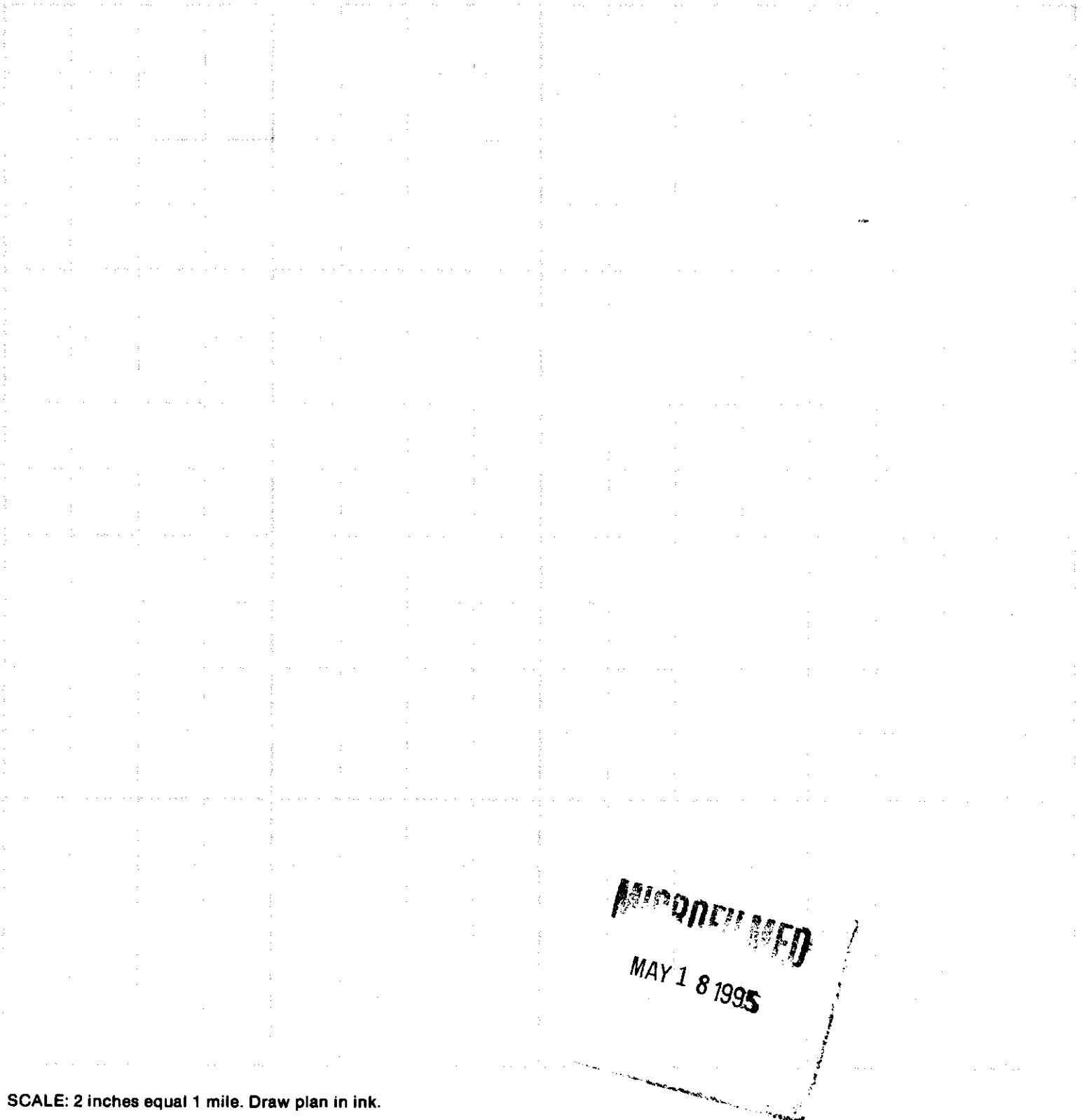
34.4

HEL

30 2347

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

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



A large grid of dashed lines for drawing a map. The grid is composed of horizontal and vertical dashed lines forming a series of squares. The grid is intended for the applicant to draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. The grid is intended for the applicant to draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1.

RECEIVED
MAY 18 1995

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

PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				_____ to _____
				_____ to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

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

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

Subscribed and sworn to before me this 3rd day of May, 19 94.

My commission expires 10/16/1998

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 3 attachments

Received by J. E. Stanton Date 5-3-94 Protest filed by None

Prelim. check by MTS Fee \$50.00 5016850

Receipted by [Signature] Date 5-3-94

Published in So. Ind. Press Copies of protest forwarded by _____

Pub. dates 8/22 + 8/29/94 Hearing held by _____ Date _____

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

_____ rec'd. _____ by ADM

Copy of transfer sent to lien holder _____

RECORDED**MAY 18 1995**

234672

QUITCLAIM DEED

For Value Received

RANDY L. HARDY and KARLENE HARDY, husband and wife

Hereinafter called the grantor, hereby remises, releases, and forever Quitclaims unto

KYLE R. ADAMS and LAURELL ADAMS, husband and wife

Address: Route 1, Box 90

Oakley ID 83346

Hereinafter called the grantee, the following described premises, in Cassia County, Idaho to-wit:

Water License No. 45-02437 Priority Date February 16, 1953 for a well located on:

TOWNSHIP 13 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN, CASSIA COUNTY, IDAHO

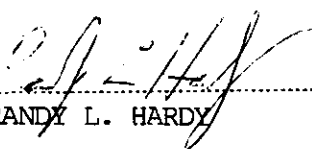
Section 7: Part of the NE $\frac{1}{4}$ SE $\frac{1}{4}$, described as follows:Beginning at the Southeast corner of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 7, said corner marked by a P.K. Nail which shall be the Point of Beginning.Thence North 88°51'19" West along the 1/16th section line for 77.89 feet to a $\frac{1}{2}$ inch rebar;Thence North 0°07'30" East for 51.97 feet to a $\frac{1}{2}$ inch rebar;

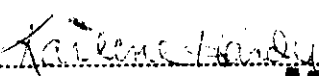
Thence South 88°51'59" East for 77.89 feet to a P.K. Nail on section line;

Thence South 0°07'30" West along section line for 51.97 feet to the Point of Beginning.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto said Grantee, and the grantee's heirs and assigns forever.

Dated: January 4, 1995


 RANDY L. HARDY


 KARLENE HARDY

RECORDED

MAY 18 1995

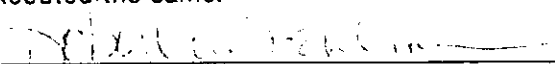
Individual

STATE OF IDAHO, COUNTY OF CASSIA

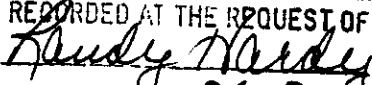
On this 4th day of January, 1995, before me, a Notary Public in and for said State, personally appeared

RANDY L. HARDY and KARLENE HARDY

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


 Notary Public
 , Idaho
Residing at Oakley
Commission expires

RECORDED AT THE REQUEST OF


 FILM 262

1995 JAN 11 A 11:50

234672

FEE: 300

DE: 1818 So. 500 W.

Oakley, ID

WARRANTY DEED

For Value Received

RANDY L. HARDY and KARLENE HARDY, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

KYLE R. ADAMS and LAURELL ADAMS, husband and wife

ADDRESS: Rt. 1, Box 90

Oakley, Idaho 83346

Hereinafter called the Grantee, the following described premises situated in Cassia County, Idaho, to-wit:

TOWNSHIP 13 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHOSection 7: Part of the NE~~X~~SE~~X~~, described as follows:Beginning at the Southeast corner of the NE~~X~~SE~~X~~ of said Section 7, said corner marked by a P.K.

Nail which shall be the Point of Beginning;

Thence North 88°51'19" West along the 1/16th section line for 77.89 feet to a 1/4 inch rebar;

Thence North 0°07'30" East for 51.97 feet to a 1/4 inch rebar;

Thence South 88°51'59" East for 77.89 feet to a P.K. Nail on section line;

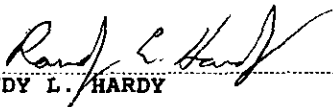
Thence South 0°07'30" West along section line for 51.97 feet to the Point of Beginning.

SUBJECT TO a 25 foot wide county road right of way along the East side.

SUBJECT TO: Accruing taxes, levies and assessments; easements and rights-of-ways of record if any.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: May _____, 1990


 RANDY L. HARDY


 KARLENE HARDY

MICROFILMED

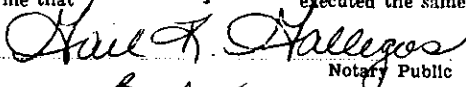
STATE OF IDAHO, COUNTY OF Cassia) ss.
On this _____ day of May, 19 90

before me, a notary public in and for said State, personally appeared

RANDY L. HARDY
KARLENE HARDY

MAY 18 1995

known to me to be the person whose name s are
 subscribed to the within instrument, and acknowledged
 to me that they executed the same.


 Notary Public

Residing at _____, Idaho.

State of Idaho
License and Certificate of Water Right

Water License No. G-23754

Amount 2.0 second feet

Water District No. _____

Priority February 16, 1953

THIS IS TO CERTIFY that MARTIN W. CRANNEY
of Oakley, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated February 16, 1953; that Permit No. G-23754
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
2.0 second feet, was issued thereunder on September 20, 1956, showing that said works
were completed on the 3rd day of February, 1956; and that on the 3rd
day of February, 1956,

MARTIN W. CRANNEY
of Oakley, 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
~~contribution of~~ (subterranean flow), for the purpose of irrigation

, under Use Permit No. G-23754 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

9 of Licenses at page 5808, on the 20th day of September, 1956;

The right hereby confirmed dates from February 16, 1953;

The Point of Diversion is located

in the NE 1/4 of 1/4 Sec. 7, Tp. 13 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 2.0 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
13 S.	22 E.	7	SW ¹ / ₄ NE ¹ / ₄	40	28
			SE ¹ / ₄ NE ¹ / ₄	40	40
			NE ¹ / ₄ SE ¹ / ₄	40	40
			Total Number	of Acres Actually Irrigated	108

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
20th day of September, 1956.

MARK R. KULP

State Reclamation Engineer.

(SEAL)

15 2487

45-2437

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

Application No. G- 31533
Permit No. G- 23754
District No.

1. Name of Applicant: MARTIN W. CRANNEY
Postoffice address: Rt. 1, Oakley County: Cassia State: Idaho
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second. 2.4 or Idaho
Miners' inches 120 or gallons per minute.
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean by use of a drilled well
4. Location of point of diversion or well is in the NE 1/4 of the SE 1/4 of Section 7
Twp. 13 S. , Rge. 22 E. , B.M., County of Cassia
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the 1/4 of the 1/4 of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the 1/4 of the 1/4 of Section , Twp. , Rge. , B.M.
7. Kind of works: Drilled well, 10" diameter or less, with 25 H.P. turbine pump
8. Estimated cost of works: \$ 6,000.00
9. (a) Is reservoir to be used? No
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 1 to 3 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: 100 shares of water in Oakley Reservoir
 - (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.

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

By

Agent.

Returned to applicant for correction:

Corrected application received:

The number of this permit is G-23754

Recorded in Book 84 Page 23754 Approved February 20, 1953

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

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

Work to begin on or before April 20, 1953

and to continue diligently and uninterruptedly to completion,

unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before August 20, 1954

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before February 20, 1956

Witness my hand this 20th day of February, 1953

MARK R. KULP

State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, LEN JORDAN, Governor of the State of Idaho,
and IRA H. MASTERS, Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 20th
day of February, 1953.

Countersigned:

STATE OF IDAHO

(SEAL)

By LEN JORDAN

By IRA H. MASTERS

Governor

Secretary of State.

12.

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
13 S.	22 E.	7			40	40										40		120	
Permit No. G-23754 CERTIFICATE OF COMPLETION OF WORKS																			
TO ALL WHOM IT MAY CONCERN:																			
This is to certify that MARTIN W. CRANNEY of Oakley, County of Cassia, and State of Idaho, the holder of Permit No. G-23754, issued upon Application No. G-31533 bearing date of priority of February 16, 1953, authorizing the diversion of 2.4 second feet of the waters of a well (subterranean flow), County of Cassia, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying the waters of said well to the place of intended use 2.0 second feet of the waters of said well; that the point of diversion of said waters is in the NW ¹ / ₄ of Section 7, Township 13 South, Range 22 East, B.M.; and that the lands proposed to be irrigated by the use of said waters are described as follows, to-wit: S ¹ / ₂ NE ¹ / ₄ and NE ¹ / ₄ SE ¹ / ₄ Section 7, Township 13 South, Range 22 East, B.M.																			
Witness my hand this 20th day of September, A. D. 1956.																			
MARK R. KULP State Reclamation Engineer																			
Proof of completion of works made February 3, 1956. Certificate of Completion of Works issued September 20, 1956.																			
70.91 5808																			



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

MAY 8, 1995

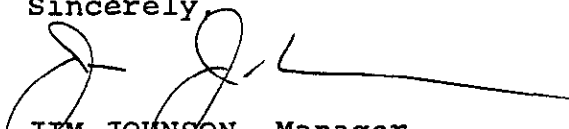
LAUREL ADAMS
KYLE R ADAMS
RT 1 BOX 90
OAKLEY ID 83346

Transfer of Water Right No. 45-02437

Dear Water Right Holder(s):

Enclosed is a copy of your approved Transfer of Water Right for the above referenced water right (Transfer No. 4419). Please be sure to thoroughly review the "Conditions/Remarks:" as listed on the transfer.

Sincerely,


JIM JOHNSON, Manager
Water Right Permits Section

JJ:rl

Enclosure

MICROFILMED

MAY 18 1995

MEMORANDUM

TO: FILE NO. 45-02437

FROM: PAM SKAGGS²⁸/STATE OFFICE

SUBJECT: TRANSFER NO. 4419

DATE: May 4, 1995

=====

This is one of two transfers (4418 and 4419) being processed concurrently resulting with both Right Nos. 45-02262 and 45-02437 being diverted from the same well, but delivered to separate places of use. Transfer No. 4419 was filed to change the place of use under Right No. 45-02262 and create a permissible place of use.

Both the original and transfer place of use have multiple surface water rights from canal companies appurtenant to the same lands. This groundwater right is for supplemental use and use will be limited to use after surface shares have been used.

Season of use and diversion volume have been adjusted to current standards. Other recommended conditions include totalizing measuring device, irrigation overlap and standard transfer conditions.

RECEIVED

MAY 18 1995

FROM: Allen Merritt

DATE: March 23, 1995

TO: Transfer files # 4418 & 4419 in the name of Kyle Adams

SUBJECT: Review and Recommendation

The two subject transfers involve the same existing well located in the SE1/4NE1/4SE1/4 of Section 7 T13S, R22E. The well currently serves license 45-02437 subject of Transfer # 4419.

TRANSFER #4419

This transfer proposes to remove the license from its present place of use located in the area of the well and place the 108 licensed acres into a PPU of 561 acres. The original P/U has Oakley Canal Company shares and the new PPU is also covered by Oakley Canal Company shares. A review of the AJ claims finds that the acres claimed by Oakley Canal Co. may be short 55 acres in the PPU from full coverage for the 561 acres but this is an estimate. The lands of the original P/U is short approximately 4 acres short from full coverage for the original 108 licensed acres; again, this is an estimate. This shortage of full coverage has the potential to allow this supplemental well to become a primary right if all acres in the proposed PPU are allowed to be irrigated at one time or it may be an indication that the Oakley Canal Co.'s AJ claims do not correctly correspond to actual acres irrigated. In reviewing NAPP CC77SE it appears that all acres have been cultivated in the PPU but it is not evident that all are watered at the same time.

TRANSFER #4418

This transfer proposes to change the point of diversion from its present location to the well described above which currently serves 45-02437. This license subject to this transfer is license 45-02262. The P/U of this license is also served by Oakley Canal Co. shares and is supplemental in nature. In the transfer process the applicant admits the acres have been reduced from the original licensed acres.

RECOMMENDATION

I recommend that both transfers be approved subject to the following conditions:

1. Measuring device with totalizing meter be maintained at the subject well.
2. The rights involved are subject to SRBA review.
3. The subject rights are supplemental in nature and the lands served or irrigated in any particular year must have Oakley Canal Company shares as the primary source of water. Trans. #4419 is limited to 108 acres use in any one season and these lands must have shares delivered.

MAY 18 1995

3/23/95 memo
page 2

4. When the rights are combined under both transfers the total capacity of the well is limited to 2.97 cfs and the annual volume pumped in any one season is 4.0 afa at the field headgate when combined with Oakley Canal Co. shares. The maximum number of acres served in any one season is to be 176 acres. (108 in the PPU under trans. #4419 and 68 on the adjacent land in section 20 under trans. #4418)

MICROFILMED
MAY 18 1995

well

Gravel
Pit
X 4454

Gravel
Pit

Marion
Sealing

T13S
R22E

Trans 4419

Trans 4418

Marion

Well

39	39	37
39	40	
40		
39		
44	39	
38	40	

36

UNION

MISSOURI

MAY 18 1935

PACIFIC

OAKLE

WEST

Ozelle, Cruz 60 Acres.

Gravel
Pit
4454

Gravel
Pit

Marion
Swing

T13S
R22E

Trans 4419

Trans 4418

Marion

30

37

39

39

30

40

39

40

31

40

38

39

38

40

44

40

39

40

40

40

MAY 18 1995

OAKLEY

WEST

31

32

Acres based on Orkley Canal Co
AJ Claims

10. Place of Use: Continued

Township Range Section 1/4 of 1/4 Lot Use Acres

19

1/4	of 1/4	Lot	Use
NE	NE		IRR
NW	NE		IRR
SW	NE		IRR
SE	NE		IRR
NE	NW		IRR
SE	NW		IRR
NE	SW		IRR
NW	SW	3	IRR
SW	SW	4	IRR
SE	SW		IRR
NE	SE		IRR
NW	SE		IRR
SW	SE		IRR
SE	SE		IRR

Section Acres

603.0

Lackins Extn

59.0
57.0 - 2
40.0
40.0
30.0 - 9
30.0 - 9
31.0 - 10 - SWNW insert
30.0 - 9
38.0 - 13
38.0 - 2
38.0 - 1
37.0
39.0
38.0
35.0

Section Acres

502.0

20

1/4	of 1/4	Lot	Use
NE	NE		IRR
NW	NE		IRR
SW	NE		IRR
SE	NE		IRR
NE	NW		IRR
NW	NW		IRR
SW	NW		IRR
SE	NW		IRR
NE	SW		IRR
NW	SW		IRR
SW	SW		IRR
SE	SW		IRR
NE	SE		IRR
NW	SE		IRR
SW	SE		IRR
SE	SE		IRR

38.0
38.0
38.0
38.0
37.0
25.0
37.0
37.0
37.0
37.0
38.0
39.0
30.0
37.0
38.0
37.0
32.0

Note for
truss 4418

Section Acres

576.0

21

1/4	of 1/4	Lot	Use
NE	NE		IRR
NW	NE		IRR
SW	NE		IRR
SE	NE		IRR
NE	NW		IRR
NW	NW		IRR
SW	NW		IRR
SE	NW		IRR

39.0
38.0
39.0
37.0
40.0
40.0
38.0
38.0

RECORDED

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
----------	-------	---------	------------	-----	-----	-------

Section Acres 455.0

28	NE	NE	IRR	39.0
	NW	NE	IRR	38.0
	SW	NE	IRR	37.0
	SE	NE	IRR	35.0
	NE	NW	IRR	37.0
	NW	NW	IRR	40.0
	SW	NW	IRR	40.0
	SE	NW	IRR	38.0
	NE	SW	IRR	38.0
	NW	SW	IRR	39.0
	SW	SW	IRR	37.0
	SE	SW	IRR	37.0
	NE	SE	IRR	40.0
	NW	SE	IRR	40.0
	SW	SE	IRR	33.0
	SE	SE	IRR	34.0

Section Acres 602.0

29	NE	NE	IRR	37.0
	NW	NE	IRR	40.0
	SW	NE	IRR	40.0
	SE	NE	IRR	37.0
	NE	NW	IRR	39.0
	NW	NW	IRR	32.0
	SW	NW	IRR	40.0
	SE	NW	IRR	39.0
	NE	SW	IRR	39.0
	NW	SW	IRR	38.0
	SW	SW	IRR	38.0
	SE	SW	IRR	40.0
	NE	SE	IRR	38.0
	NW	SE	IRR	39.0
	SW	SE	IRR	38.0
	SE	SE	IRR	38.0

Section Acres 612.0

30	NE	NE	IRR	39.0
	NW	NE	IRR	40.0
	SW	NE	IRR	40.0
	SE	NE	IRR	38.0
	NE	NW	IRR	40.0
	NW	NW	IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13S	22E	30	SW	NW	2	IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	37.0
			NW	SW	3	IRR	40.0
			SW	SW	4	IRR	38.0
			SE	SW		IRR	38.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	38.0
			SE	SE		IRR	38.0

Section Acres 626.0

31	NE	NE	IRR	30.0
	NW	NE	IRR	40.0
	SW	NE	IRR	40.0
	SE	NE	IRR	40.0
	NE	NW	IRR	40.0
	SE	NW	IRR	40.0
	NE	SW	IRR	35.0
	SE	SW	IRR	8.0
	NE	SE	IRR	40.0
	NW	SE	IRR	40.0
	SW	SE	IRR	20.0
	SE	SE	IRR	36.0

Section Acres 409.0

32	NE	NE	IRR	11.0
	NW	NE	IRR	40.0
	SW	NE	IRR	35.0
	SE	NE	IRR	35.0
	NE	NW	IRR	40.0
	NW	NW	IRR	37.0
	SW	NW	IRR	37.0
	SE	NW	IRR	40.0
	NE	SW	IRR	40.0
	NW	SW	IRR	38.0
	SW	SW	IRR	38.0
	SE	SW	IRR	37.0
	NE	SE	IRR	38.0
	NW	SE	IRR	40.0
	SW	SE	IRR	40.0
	SE	SE	IRR	24.0

RECEIVED
MAY 18 1995

Dukley Creek Co.
 Claimed 2005

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13S	22E	6	NW	NW	4	IRR	40.0
			SW	NW	5	IRR	39.0
			SE	NW		IRR	39.0
			NE	SW		IRR	40.0
			NW	SW	6	IRR	40.0
			SW	SW	7	IRR	40.0
			SE	SW		IRR	40.0
			NE	SE		IRR	32.0
			NW	SE		IRR	39.0
			SW	SE		IRR	40.0
			SE	SE		IRR	38.0

Section Acres 618.0

7	NE	NE	IRR	39.0	
	NW	NE	IRR	39.0	
	SW	NE	IRR	30.0	28
	SE	NE	IRR	35.0	40
	NE	NW	IRR	40.0	
	NW	NW	IRR	22.0	
	SW	NW	IRR	22.0	
	SE	NW	IRR	40.0	
	NE	SW	IRR	40.0	
	NW	SW	IRR	40.0	
	SW	SW	IRR	40.0	
	SE	SW	IRR	40.0	
	NE	SE	IRR	39.0	40
	NW	SE	IRR	40.0	
	SW	SE	IRR	39.0	
	SE	SE	IRR	37.0	

Section Acres 582.0

8	NE	NE	IRR	32.0	
	SE	NE	IRR	32.0	
	NE	NW	IRR	40.0	
	NW	NW	IRR	37.0	
	SW	NW	IRR	37.0	
	SE	NW	IRR	29.0	
	NE	SW	IRR	29.0	
	NW	SW	IRR	38.0	
	SW	SW	IRR	39.0	
	NE	SE	IRR	38.0	

Section Acres 351.0

9	NE	NE	IRR	40.0	
---	----	----	-----	------	--

Lands where
 Lic 45-02437
 is being removed



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Kyle R. Adams
Rt. 1 Box 90
Oakley, ID
83346

September 30, 1994

RE: Application for Transfer of Water Right #4419

Dear Mr. Adams;

There is a problem with your proof of ownership for this transfer, which covers the well on the Randy Hardy property. Although we have a deed from Mr. Hardy to you for the well site, the deed says nothing about the water license. Mr. Hardy has also assigned the SRBA claim on this license to you, but this does not convey the license itself. We need some document, such as a warranty deed, that conveys the water license from Mr. Hardy to you. We will hold your transfer application until this item is received.

Thank You,

James E. Stanton
Sr. Water Resource Agent

RECEIVED

MAY 18 1995

INTER-DEPARTMENT MEMO

TO: Jim Stanton

SUBJECT: Ownership of water.

FROM: Adm

DATE: 9/27/92

I do not find in the file a clear indication about Adm's owning the water right. ⁽⁴⁵⁻⁰²⁴³⁷⁾ There is a deed showing ownership of the well site but nothing clear about the water right. Please document ownership of the water right.

Trms #4419 & Trms #4418

RECORDED

MAY 18 1995

() For your information

() Response required

Adm

signature

**SOUTH IDAHO PRESS
BURLEY, IDAHO
AFFIDAVIT OF PUBLICATION**

15 16 17 18 19

SEP - 2' 1994

County of Cassia)
STATE OF IDAHO) ss

Department of Water Resources
Northern Region Office

Kary D. Miller, being first duly sworn, deposes and says that she is the General Manager of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of The South Idaho Press for Two consecutive week(s), commencing with the issue dated Aug 22 19 94, and ending with the issue dated Aug 29 19 94.

Kary D Miller

STATE OF IDAHO)
COUNTY OF Cassia)

On this 1st day of September in the year of 1994 before me, a Notary Public, personally appeared Kary Miller, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

OK
MB
9/5/94

Kelly Blommon
Notary Public for Idaho
Residing at Burley, ID
My commission expires: May 23, 1997

Cost of Publication 39.96
Notary Fee 50
Total Cost 40.46

MICROFILMED

MAY 18 1995

94-312

**NOTICE OF PROPOSED CHANGE OF
WATER RIGHT NO. 45-02437
TRANSFER #4419**

Notice is hereby given that Kyle R. &/or Laurell Adams of Oakley, ID have applied to the Department of Water Resources to change the place of use for the following described water right pursuant to Section 42-222 or IDAHO CODE.

WATER RIGHT AS RECORDED:

License No. 45-02437

Source: Groundwater

Priority: 2/16/1953

Amount: 2.0 cfs

Use: Irrigation (4/1 - 11/1)

Point of Div: NESE, S7, T13S, R22E,
Cassia County

Place of Use: 108 acres in S1/2NE, NESE,
S7, T13S, R22E

A claim has been filed in the Snake River
Basin Adjudication.

**WATER RIGHT TO BE CHANGED AS
FOLLOWS:**

Place of Use: 561 acres in W1/2NE,
NENE, E1/2NW, SWNW, SW1/4, W1/2SE,
S19; NW1/4, NWSW, S30; T13S, R22E (right
limited to irrigation of 108 acres in a single
irrigation season)

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 on or before September 9, 1994. The protestant must also send a copy of the protest to the applicant.

/s/ R. Keith Higginson, Director
Published in the South Idaho Press on
August 22 and 29, 1994.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

12-Aug-1994

R. KEITH HIGGINSON
Director

KYLE R &/OR LAURELL ADAMS
RT 1 BOX 90
OAKLEY ID 83346

Re: Application for Transfer No. 4419 (45-02437)

Dear Applicants:

The Department of Water Resources acknowledges receipt of your Application for Transfer.

This office has scheduled advertising the application in the South Idaho Press for 8/22 and 8/29/94. The advertisement will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

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

State Office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review.

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

Very truly yours,

Mary Baldwin
Sr. Secretary

RECEIVED

MAY 18 1995

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 45-02437
TRANSFER #4419

Notice is hereby given that Kyle R. &/or Laurell Adams of Oakley, ID have applied to the Department of Water Resources to change the place of use for the following described water right pursuant to Section 42-222 of IDAHO CODE.

WATER RIGHT AS RECORDED:

License No. 45-02437
Source: Groundwater
Priority: 2/16/1953
Amount: 2.0 cfs
Use: Irrigation (4/1 - 11/1)
Point of Div: NESE, S7, T13S, R22E, Cassia County
Place of Use: 108 acres in S1/2NE, NESE, S7, T13S, R22E

A claim has been filed in the Snake River Basin Adjudication.

WATER RIGHT TO BE CHANGED AS FOLLOWS:

Place of Use: 561 acres in W1/2NE, NENE, E1/2NW, SWNW, SW1/4, W1/2SE, S19; NW1/4, NWSW, S30; T13S, R22E (right limited to irrigation of 108 acres in a single irrigation season)

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 on or before September 9, 1994. The protestant must also send a copy of the protest to the applicant.

R. Keith Higginson, Director

Published in South Idaho Press on 8/22 and 8/29/94.

MAY 18 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

August 12, 1994

South Idaho Press
PO Box 190
Burley, ID 83318

Gentlemen:

Enclosed you will find legal notices which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the required publication dates. If time allows, please submit a galley proof for review before publication.

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

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

Very truly yours,

Mary Baldwin
Sr. Secretary

Enclosures

MAY 18 1994

INTER-DEPARTMENT MEMO

TO: Kyle Adams Transfer Apps.

SUBJECT: Field Inspection

FROM: Jim Stanton

DATE: 6-20-94

In early May I inspected the Adams property and the irrigation well involved in these
transfer apps. Rc. 45-02262 presently irrigates about 58 acres under 2 pivots and some
handlines; the app. says that 68 acres are irrigated. The license is for 76 acres. I don't
think that Mr. Adams plans to put in more ground under this transfer, but there are definitely
less acres now irrigated than what the transfer shows.

The other Adams transfer also appears to cover about 10 acres that are not now irrigated.
I put these transfers together for Mr. Adams, so I may not have understood his system
descriptions totally. I think he just plans to mix this water into the existing system,
not to increase what is now being irrigated.

☒ (X) For your information

MAY 18 1995

signature

☐ () Response required

RECEIVED

JAN 12 1990

CHANGE IN OWNERSHIP OF NOTICE OF CLAIM Department of Water Resources
Southern Region Office

- [X] Water Right Number(s): A 45-02437
- [X] Name and Address of
Former Claimant: Cranney Daughters Trust, Lloyd A. Drury, trustee
Box 327, 152 West Center
Providence, Utah 84332
- [X] New Claimant(s): Randy L. Hardy and Karlene Hardy
- [X] New Mailing Address: Route #1 Box 28A
Oakley, Idaho 83346

New Telephone Number: (208) 678- 3681

- [] Does the change in ownership result in a splitting of the
water right claimed? yes X no

If yes, then describe the portion of the water right that is
now claimed by the new owner:

- [X] Attach proof of ownership
Describe proof attached: Copy of the recorded Warranty Deed

- [] Signature of New Claimant(s): ✓ Randy L. Hardy
✓ Karlene Hardy

Date: January 3, 1990

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

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MAY 18 1995

MICROFILMED

MAR 08 1993



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s) Assigned by IDWR: A 45 - 02437

☒ Name and Address of Former Owner/Claimant(s)(Seller): Randy L Hardy
Rt. 1 Box 28-A
Oakley, Idaho 83346

☒ New Owner/Claimant (Purchaser): Kyle R Adams or Luanell Adams

☒ New Mailing Address: Rt #1 Box 90
Oakley Idaho

☒ New Telephone Number: () 862-3446

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of ownership, describe proof attached: _____

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☒ Signature of New Owner/Claimant(s): Kyle R Adams Date 5 May 93
Luanell Adams Date 5 May 93
☒ Signature of Former Owner/Claimant(s): Randy L Hardy Date 4-28-93
Karlene Hardy Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 4-29-94 By: SCC

Further Action Needed: None

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

This property and water right were sold to Kyle Adams in May 1993

MAY 18 1993

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

September 27, 1956

RE: Permit No. G-23754

Mr. Martin W. Cranney
Oakley
Idaho

Dear Mr. Cranney:

We enclose Certificate of Completion of Works also License and Certificate of Water Right issued under Permit No. G-23754 confirming your right to the use of 2.0 second feet of water from a well located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 7, Township 13 South, Range 22 East, B.M., with priority of February 16, 1953, for irrigation of land in the S $\frac{1}{2}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 7, Township 13 South, Range 22 East, B.M.

We also enclose departmental receipt No. G-2122 for the \$11.00 completion of works and license fees.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

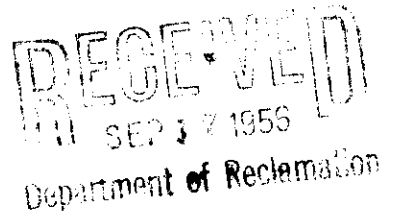
hll
Enc.

23754

Oakey, Idaho

Sept 13-56

Mr. Mark R. Kulp -
Boise Idaho.



Dear Mr. Kulp -

I am enclosing check for \$11.00,
for fee and license for completion of
works on my well, permit no. G-23754.

I appreciate the help and cooperation
that has been given me by your office.

Sincerely yours -

Martin H. Cranney

H 23754

September 4, 1956

RE: Permit No. G- 23754

Mr. Herman E. Bedke
P.O. Box 204
Burley, Idaho

Dear Mr. Bedke:

We enclose the decision of the State Reclamation Engineer of the protest of Eugene Pickett against the issuance of a license to Martin W. Cranney under Permit No. G- 23754.

A Certificate of Completion of Works and License can, therefore, be issued for 2.0 second feet of waters of a well located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 7, Township 13 South, Range 22 East, B. M., for irrigation of land in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 7, same Township and Range, upon receipt of the statutory fees amounting to \$5.00 for completion of works and \$6.00 license fee or a total of \$11.00.

Very truly yours,

MARK R. KUTZ
State Reclamation Engineer
By

Chief Clerk

R: vm
cc: Martin W. Cranney

Enc: -

23754

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

In the Matter of the Protest)
of Eugene Pickett against (DISMISSAL OF
issuance of a license to)
Martin W. Cranney under (PROTEST
Permit No. G-23754)

On February 16, 1953, Martin W. Cranney made application for permit to appropriate 2.4 cubic feet per second of the public underground waters of the State of Idaho with the point of diversion in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 7, Township 13 South, Range 22 East, B.M., for the irrigation of 40 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, 80 acres in the S $\frac{1}{2}$ NE $\frac{1}{4}$ Section 7, Township 13 South, Range 22 East, B.M.

The application was approved and Permit No. G-23754 was issued.

The Applicant, Martin W. Cranney, proposed to make proof of Completion of Works and Application to Beneficial Use and Notice was published in the Oakley Herald setting the time and place where the proofs would be submitted.

Protest was filed by Eugene Pickett alleging:-

1. That said applicant has not applied to beneficial use 2.4 cubic feet per second of the waters of the well; and
2. that the lands described in the notice do not exceed 107 acres of arable land and that additional water rights are appurtenant to the said lands; and
3. That the applicant has wasted, sold or rented part of the water and used it on other lands; and
4. That applicant by withdrawal of water from a common ground water source substantially interfered with the full use of prior rights and the water was withdrawn through trespass and other unlawful means.

The protestant further prayed that a hearing be held and that the license sought be denied or restricted to such amounts and such uses as are consistent with the law and the public policy of the State of Idaho.

The State Reclamation Engineer of the State of Idaho caused a statutory examination to be made and finds:-

- a. That the yield of the well with the existing pump and motor was measured as 2 cubic feet per second or 100 Miner's inches; and
- b. That the land irrigated measured 108 acres; and
- c. That any waste, sale or rental of water or its use on other lands was not a pertinent part of the proofs and examination; and
- d. That interference with existing rights is not a part of the proofs and examination and the matter of trespass is beyond the authority of the State Reclamation Engineer to determine.

23754

The protest is dismissed as not pertinent except for items 1 and 2 which are partially confirmed and the license will be modified accordingly.

License will be issued for 2.0 cubic feet per second with priority of February 16, 1953.

Anyone feeling himself aggrieved by this dismissal of protest may appeal to the District Court for Cassia County as outlined in Section 42-224 Idaho Code.

Given under my hand and the seal of the State Department of Reclamation of the State of Idaho, this 4th day of September, 1956.



MARK R. KULP
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

In the Matter of the Protest)
of Eugene Pickett against (DISMISSAL OF
issuance of a license to)
Martin W. Cranney under (PROTEST
Permit No. G-23754)

On February 16, 1953, Martin W. Cranney made application for permit to appropriate 2.4 cubic feet per second of the public underground waters of the State of Idaho with the point of diversion in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 7, Township 13 South, Range 22 East, R. ., for the irrigation of 40 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, 80 acres in the S $\frac{1}{2}$ NE $\frac{1}{4}$ Section 7, Township 13 South, Range 22 East, R. ..

The application was approved and Permit No. G-23754 was issued.

The Applicant, Martin W. Cranney, proposed to make proof of Completion of Works and Application to Beneficial Use and Notice was published in the Oakley Herald setting the time and place where the proofs would be submitted.

Protest was filed by Eugene Pickett alleging:-

1. That said applicant has not applied to beneficial use 2.4 cubic feet per second of the waters of the well; and
2. that the lands described in the notice do not exceed 107 acres of arable land and that additional water rights are appurtenant to the said lands; and
3. That the applicant has wasted, sold or rented part of the water and used it on other lands; and
4. That applicant by withdrawal of water from a common ground water source substantially interfered with the full use of prior rights and the water was withdrawn through trespass and other unlawful means.

The protestant further prayed that a hearing be held and that the license sought be denied or restricted to such amounts and such uses as are consistent with the law and the public policy of the State of Idaho.

The State Reclamation Engineer of the State of Idaho caused a statutory examination to be made and finds:-

- a. That the yield of the well with the existing pump and motor was measured as 2 cubic feet per second or 100 Miner's inches; and
- b. That the land irrigated measured 108 acres; and
- c. That any waste, sale or rental of water or its use on other lands was not a pertinent part of the proofs and examination; and
- d. That interference with existing rights is not a part of the proofs and examination and the matter of trespass is beyond the authority of the State Reclamation Engineer to determine.

The protest is dismissed as not pertinent except for items 1 and 2 which are partially confirmed and the license will be modified accordingly.

License will be issued for 2.0 cubic feet per second with priority of February 16, 1953.

Anyone feeling himself aggrieved by this dismissal of protest may appeal to the District Court for Cassia County as outlined in Section 42-224 Idaho Code.

Given under my hand and the seal of the State Department of Reclamation of the State of Idaho, this 4th day of September, 1956.



MARK R. KULP
State Reclamation Engineer

September 4, 1956

RE: Permit No. G-23754

Messrs. Parry, Robertson & Daly
Fidelity Bank Building
Twin Falls, Idaho

ATTENTION: Mr. T. M. Robertson

Dear Mr. Robertson:

We are enclosing the decision of the State Reclamation Engineer
of the protest of Eugene Pickett against the issuance of a license to
Martin W. Cranney under Permit No. G-23754.

Very truly yours,

MARY R. KULP
State Reclamation Engineer
By

Chief Clerk

R:hll
Enc.

23754

September 4, 1956

RE: Permit No. G-23754

Mr. Eugene Pickett
Oakley
Idaho

Dear Mr. Pickett:

We are enclosing the decision of the State Reclamation Engineer
of the protest of Eugene Pickett against the issuance of a license
to Martin W. Cranney.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:hll
Enc.

23754

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. G-23754

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

1. Name of applicant Martin W. Cranney, Route # 2, Oakley, Idaho
2. Source of water supply: Subterranean from a well.
3. Location of point of diversion: Is in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 7
T. 13 S. R. 22 E. B.M. County of Cassia
4. Describe works as they exist, giving dimensions and capacities of same: Well is 350 deep by 16" diameter, cased to the bottom. H=82' Lift is 171'. 50 hp U. S. Motor, serial No. 1017358. Layne Bowler Turbine serial No. 21507. Water is delivered through an 8" by 10' pipe to the fields by gravity.

5. Water is used for: Irrigation
6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

S $\frac{1}{2}$ SE $\frac{1}{4}$ 70 Acres

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 38 acres

all in Section 7, Township 13 S., Range 22 E., B.M.

See the Map.

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

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

Remarks: _____

Pickett told me that he did not object to Cranney getting a license but they wanted it cut down to actual usage

This examination was made on the 16 day of Aug., 19 56

G23754

(Signed) E. M. Humphrey Examiner.

50 hp. U.S. mfg 4-
61a, 1800-
101735
21507 Rayne B. Turb

G.E. Controls on
Post 6' N.

G.E. meter 480V
53075-312

Conc. base 6'x6'
no pierce

1963-3491-50' x
90" = Q by {checking in
relation to 6" pipe
by calculation

The first check was made
with the short sleeve
inaccurate.

Rechecked with long
sleeve on spalling duct
150d. for 300 of or 100"

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.

Martin W. Cranney

Route # 2

Oakley, Idaho

Permit No. G-23754

Oakley 2841

Examination for Completion of Works and Beneficial Use

County Cassia

7-13S-22E.

Q = 2.4 c.f.s.

S = Well.

P.D. = NE SE, Sec. 7, T. 13S-R. 22E.

Use = Irrigation

300 = 1 m. 488.

108

Pumped 138"

Filed = Feb. 16, 1953

Due = Feb. 20, 1956

350' x 16" csd to bottom

h = 82' l = 171'

last ck.

250' x 8" col.

6 stage 10"

50 hp.

440V.

Rayne Bowler Turb.

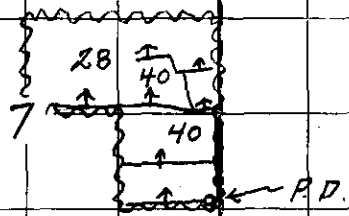
10' x 8" dish.

274. 25. S.
150. 30. E.

6
R-22E.

5 TO BURLEY

T.
13
S.



TO OAKLEY

Subdivisions = 3

Area = 108 acres.

Q = 100 inches.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-23754

~~REPORT ON PROOF OF COMPLETION OF WORKS AND BENEFICIAL USE~~

Martin W. Cranney, Route # 2, Oakley, Idaho

2.0 cfs

app.	2.4
Sub	3
allow	108

August 7, 1956

Re: Permit No. G-23754

Martin W. Cranney
Route #2
Oakley, Idaho

Dear Mr. Cranney:

State law requires that a field inspection be made on any Permit being brought to license within the State of Idaho.

I intend to make inspection in connection with your Permit on Thursday August 16, 1956, in the afternoon.

Please be prepared to accompany me on the inspection.

I will drive to the place where the well is located if I do not contact you before the time of our meeting.

I will be at the Frontier Motel in Rupert, Idaho, the evening before if you wish to contact me.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

ELIN. Humphrey
Deputy State Reclamation Engineer

ELH:er

cc: Eugene Pickett (Protestant)
Oakley, Idaho

23754

July 18, 1956

Re: Permit No. 23754

Mr. Herman E. Bedke
Attorney at Law
P.O. Box 204
Burley, Idaho.

Dear Mr. Bedke:

Please accept our apologies for the error in sending
our Form letter No. 24 to you on July 10, 1956.

Your Completion of Works & Beneficial Use Proofs
are in the file and you will be contacted before our field
Engineer makes his inspection on same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By

Chief Clerk

R:vm

c.c : Martin W. Crenney
Rt. P I
Oakley, Idaho

23754

DELIVERING
EMPLOYEE

- ☐ Deliver ONLY to addressee
☐ Show address where delivered

Received from the Postmaster the Registered or Insured Article, the number of which appears on the face of this return receipt.

1

Martin W. Lawrence
(Signature or name of addressee)

2

Mrs. M. W. Lawrence
(Signature of addressee's agent—Agent should enter addressee's name on line ONE above)

Date of delivery *7/14*, 19*56*

Form 3811
Rev. 4-54

U. S. GOVERNMENT PRINTING OFFICE 16-12421-3

23754

Post Office Department
CERTIFIED MAIL
OFFICIAL BUSINESS
NO. 19379
RETURN RECEIPT REQUESTED

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

(GPO)

POSTMARK OF DELIVERY
OFFICE

Return to

STATE OF IDAHO

Street and Number,
or Post Office Box,

DEPARTMENT OF RECLAMATION

REGISTERED ARTICLE

BOISE, IDAHO

No.

INSURED PARCEL

BOISE,

No.

423754

IDAHO.

HERMAN E. BEDKE
ATTORNEY AT LAW
POST OFFICE BOX 204
BURLEY, IDAHO

GEM BUILDING
TELEPHONE ORCHARD 8-2401

July 17, 1956

RECEIVED
JUL 18 1956
Department of Reclamation

State of Idaho
Department of Reclamation
Boise, Idaho

RE: Permit # 23754
Martin W. Cranney

Gentlemen:

Mr. Martin W. Cranney delivered to me a notice from your office dated July 10, 1956, calling for the forfeiting and cancellation of the above named permit for failure to file completion of works and beneficial use proofs which were due February 20, 1956. Please be advised that you must have overlooked some records in your office, for the above matter was all taken care of on February 14, 1956, and I have your letter so dated whereby you acknowledge receipt of the depositions of Mr. Cranney and the two witnesses and the affidavit of the Oakley Herald. Would you kindly check through your files again and advise both me and Mr. Cranney concerning this matter as we are certain that we have complied with all requirements of law in this matter.

Yours truly,


Herman E. Bedke

HEB/c

23754

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

July 10, 1956

Re: Permit No. 23754

To Martin W. Cranney
Route #1, Oakley, Idaho

It appearing to the State Reclamation Engineer that the terms and conditions of Permit No. 23754
to appropriate the Public Waters of the State of Idaho, have not been complied with as to
Completion of Works & Beneficial Use Proofs were due February 20, 1956

you are hereby notified in compliance with Sec. 42-311, Idaho code that said Permit No. 23754
is hereby held for cancellation.

You are hereby required to show cause before the State Reclamation Engineer on or before forty days from
date of this notice why said Permit should not be cancelled.

Said Permit No. 23754 claims the use of 2.4 cubic feet per second of the
waters of Subterranean flow from a well with point of diversion located
NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 7., Twp. 13 S., Rge. 22 E., B.M., and
was approved February 20, 1953

In Witness Whereof, I have hereunto set my hand and affixed the seal of my office at Boise, Idaho, the
13th day of July, 1956

Mark R. Kulp

State Reclamation Engineer.

By _____ Assistant.

#23754

February 14, 1956

RE: Permit No. G-23754

Messrs. Parry, Robertson & Daly
Fidelity Bank Building
Twin Falls, Idaho

ATTENTION: Mr. T. M. Robertson

Dear Mr. Robertson:

I will make the inspection in connection with Permit No. G-23754 sometime in the summer of this year, 1956.

The water flow will be measured and the place of use checked as usual in cases of irrigation wells.

At that time, I will, if possible, contact all parties concerned in order to get detailed information and be able to make a full and accurate report.

All interested parties will be notified in advance of the time of inspection and each will be given opportunity to point out any and all facts that have a bearing on the case.

The status of the permit will remain as is until the inspection is made and the report on same submitted to the State Reclamation Engineer.

Yours truly,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

H:hl1
cc - Mr. Hermann E. Bedke

H 23754

February 14, 1956

RE: Permit No. G-23754

Mr. Herman E. Bedke
P. O. Box 204
Burley, Idaho

Dear Mr. Bedke:

We acknowledge receipt of the depositions of Mr. Martin W. Cranney and two witnesses, also affidavit of publication in the Oakley Herald, all submitted in proof of completion of Works and beneficial use on Permit No. G-23754.

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

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

Rshll
cc - Mr. Martin W. Cranney
Route # 2
Oakley, Idaho

23754

PARRY, ROBERTSON & DALY

LAWYERS

FIDELITY BANK BUILDING

TWIN FALLS, IDAHO

TELEPHONE 884

R. P. PARRY
T. M. ROBERTSON
JOHN H. DALY
CLIFFORD E. FIX
BERT LARSON

BEN SHUEY

OF COUNSEL:

J. R. KEENAN

February 10, 1956

RECEIVED
FEB 13 1956

Department of Reclamation

Honorable Mark R. Kulp,
State Reclamation Engineer,
Boise, Idaho.

Re: Protest against Permit No.
G-23754 Martin W. Cranney

Dear Mr. Kulp:

I have your letter of February 6, 1956, on the above matter in which you acknowledged receipt of the protest that we filed on behalf of Mr. Pickett, and in which you state that the next step in your procedure will be a field examination.

I understand that if the matters set forth in the protest are found to be substantially correct when the field examination is made, there is no need for a hearing before the State Reclamation Engineer. If the facts set forth in the protest are not substantiated by the field examination, however, am I correct in believing at that time we will be given an opportunity to present them to you in a hearing procedure? In order that I may properly and fully advise my client in his proceeding, will you also give us timely notice with respect to any action that is taken on the application for license or on our protest?

If the person making the field examination for your office intends to contact Mr. Pickett in the course of the examination, please let me know the approximate time that the contact will be made, and I will arrange to have Mr. Pickett in the community and available to your examiner.

Mr. Bedke, the attorney for the applicant, furnished me a copy of his letter to you of February 3, 1956, together with copies of the affidavits taken before him on February 3rd. We feel that the issue of application of water to beneficial use is clearly tendered by the notice of hearing and that we have some real evidence to submit on that subject.

Very truly yours,


T. M. ROBERTSON

23754

TMR;pb
cc: Mr. Bedke

Affidavit of Publication

I, Charles Brown, being first duly sworn on oath, say:

That I am the publisher and printer of THE OAKLEY HERALD, which is a newspaper of general circulation in Cassia County, Idaho, and which has been continuously and uninterruptedly published at said place during a period of more than 78 consecutive weeks prior to the final publication of the Notice of Proof

herein mentioned; that a Notice of Proof

of which the attached clipping is a copy, was published in the regular issue of said newspaper for 4 consecutive weeks, to-wit, on

Jan. 5, 12, 19, 26, 1956

18

Charles Brown,

Subscribed and sworn to before me this 28th

day of Jan., 1956

Earl Whiteley

Notary Public.

Comm. Exp
4/12/1956

\$ 23754

PUBLICATION OF WATER FOR BENEFICIAL USE
is hereby given that on the 3rd day of February, 1956, before me, Notary Public, proof was made of the completion of the diversion of 2.4 cubic feet per second of the waters of a stream and of the application of said water, in accordance with the terms and conditions of Permit No. G-23754, before issued by the Department of Reclamation of the State of Idaho.
1. The name and postoffice address of the person or corporation holding said permit are Martin W. Cranney, Oakley, Idaho.
2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use, in accordance with the plans accompanying the application for such permit, is 2.4 cubic feet per second.
3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 2.4 cubic feet per second.
4. The place where said water is used is $6\frac{1}{2}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ of Section 7, Twp. 13 S., Rg. 22 E.M.B. in Cassia County, Idaho, and the well is located in the NE $\frac{1}{4}$ of said Section.
5. The date of priority which said user is prepared to establish is February 16, 1956.
MARK R. KULP
State Reclamation Engineer
First publication Jan. 5, 1956
Fourth publication Jan. 26, 1956

Affidavit of Publication

I, Charles Brown, being first duly sworn on oath, say:

That I am the publisher and printer of THE OAKLEY HERALD, which is a newspaper of general circulation in Cassia County, Idaho, and which has been continuously and uninterruptedly published at said place during a period of more than 73 consecutive weeks prior to the final publication of the Notice of Proof

hereto mentioned; that a Notice of Proof

of which the attached clipping is a copy, was published in the regular issue of said newspaper for 4 consecutive weeks, to-wit, on Jan. 5, 12, 19, 26, 1956

19

Charles Brown,

Subscribed and sworn to before me this 28th

day of Jan. 19: 56

Earl E. Whiteley

Notary Public.

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

Notice is hereby given that at 2:00 P.M., on the 3rd day of February, 1956, at Burley, County of Cassia, State of Idaho, before Herman E. Bedke, Notary Public, proof will be submitted of the completion of works for the diversion of 2.4 cubic feet per second of the waters of a subterranean well and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-23754 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Martin W. Cranney, Oakley, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use, in accordance with the plans accompanying the application for such permit, is 2.4 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 2.4 cubic feet per second.

4. The place where said water is used is S $\frac{1}{2}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 7, Twp. 13 S., Rg. 22 E.M.B. in Cassia County, Idaho, and the well is located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section.

5. The date of priority which said user is prepared to establish is February 16, 1953.

MARK R. KULP

State Reclamation Engineer

First publication Jan. 5, 1956,

Fourth publication Jan. 26, 1956

Doc E
Hansen

23754

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G-23754

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

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

Ans. Martin W. Cranney, Cakley, Idaho, Farmer, Route # 2, Cakley, Ida.

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

Ans. None

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

Ans. Permit No. G-23754 dated February 16, 1953, date of priority February 16, 1953.

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

Ans. Subterranean well located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 7, Twp. 13 S., Range 22, E.B.M. in Cassia County, Idaho.

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. Well depth, 355 ft.; cased with 16 in casing 355 feet, depth to water, 171 ft. pump colum 250 ft.; Pumped by electric motor 50 h.p. with 8 inch discharge; 90 miners inches measured by an orifice by pump installer.

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

Ans. Irrigation: S $\frac{1}{2}$ NE $\frac{1}{4}$ - 70 acres; NE $\frac{1}{4}$ SE $\frac{1}{4}$ - 38 acres, all in Section 7 Twp. 13 S. Rge. 22, E.B.M.; 103 cultivated acres and 5 acres seeded pasture. This water was used as substitution for water from the Cakley Canal Co. which was transferred to other lands, all land in Cassia County, Idaho

23754

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

Ans. None

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

Ans. I inch per acre for irrigation.

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

Ans. Original Holder

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

Ans. Cropping season of 1955.

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. Prior to drilling of well irrigated from water of the Oakley Canal Co. and after well was put in operation the Oakley Canal Co. water was transferred to other land owned where needed.

(Sign)

Martin L. Lanning

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 3rd day of February, A. D. 1956

Herman E. Bedke

My commission expires June 23, 1957

#23754

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

Permit No. G-23754

**Proof of Application of Water to Beneficial Use
Deposition of Witness ^{and Completion of Works}**

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. Kay Wake, 35, Oakley, Idaho, Farmer, Route # 2, Oakley, Idaho.

Ques. 2. Are you acquainted with Martin W. Cranney, the holder of Permit No. G-23754? How long have you known him and where does he reside?

Ans. 25 years, Oakley, Idaho.

Ques. 3. Have you read or heard read said Permit No. G-23754, 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. Subterranean well located in the NE¹/₄ SE¹/₄ of Sec. 7, Twp. 13, S. Range 22, E.B.M., water pumped into concrete box and taken to land by open ditches, well/located in Cassia County, Idaho.

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. 200 inches; 90 inches

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. 90 Idaho Miners Inches; observed being measured when test pumped and estimated from past experience of irrigating with measured streams.

J 23754

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.

Ans. Irrigation: S¹/₄NE¹/₄ - 70 acres; NE¹/₄SE¹/₄ - 38 acres, all in Section 7, Twp. 18 S. Rge. 22, E.B.M.; 103 cultivated acres and 5 acres seeded pasture. This water was used as substitution for water from the Oakley Canal Co. which was transferred to other lands.

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

Ans. None

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. No land was reclaimed by water was substituted. 1 inch per acre required for profitable cultivation.

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

Ans. None

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. Irrigating crops during cropping season of 1955.

(Signed)

Kay Thake

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, Idaho, County of Cassia, State of Idaho, on this 3rd day of February, A. D. 1956.

Herman E. Becker

Notary Public.

My commission expires June 23, 1957.

4 23754

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

Permit No. G-23754

**Proof of Application of Water to Beneficial Use
and Completion of Works
Deposition of Witness**

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

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

Ans. Rulon Price, 43, Oakley, Idaho, Farmer, Route # 2, Oakley, Idaho

Ques. 2. Are you acquainted with Martin W. Cranney, the holder of Permit No. G-23754? How long have you known him and where does he reside?

Ans. 12 years, Oakley, Idaho

Ques. 3. Have you read or heard read said Permit No. G-23754, 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. Subterranean well located in the NE 1/4 of Sec. 7, Twp. 13 S. Range 22. E.B.M. water pumped into concrete box and taken to a land by open ditches. Well and all land located in Cassia County, Idaho.

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. 200 inches; 90 inches

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. 90 inches, based on comparison of other water which I knew the amount of and also upon report of the Pump testers

L 23754

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.

Ans. Irrigation; S $\frac{1}{2}$ NE $\frac{1}{4}$ - 70 acres; NE $\frac{1}{4}$ SE $\frac{1}{4}$ - 38 acres, all in Section 7, Twp. 13 S., Rge. 22, E.B.M.; 103 cultivated acres and 5 acres seeded pasture. This water was used as substitution for water from the Oakley Canal Co. which was transferred to other lands.

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

Ans. None

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. No land was reclaimed by water was substituted, 1 inch per acre required for profitable cultivation.

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

Ans. None

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 witnessed crops growing and irrigation done during the cropping season of 1955.

(Signed)

Rubon J. Price

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, Idaho, County of Cassia, State of Idaho, on this 3rd day of February, A. D. 1956.

Herman E. Beck

Notary Public.

My commission expires June 23, 1957

A 23754

February 9, 1956

RE: Permit No. G-23754

Mr. Herman E. Bedke
P. O. Box 204
Burley, Idaho

Dear Mr. Bedke:

I had already notified Mr. Robinson that a Protest did not vacate the statutory procedure in making proofs as advertised.

No further action will be taken until after the statutory field inspection by an engineer from this department which may not be made until a convenient time during the coming irrigation season.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

K:hll

23754

HERMAN E. BEDKE

ATTORNEY AT LAW
POST OFFICE BOX 204
BURLEY, IDAHO

GEM BUILDING
TELEPHONE ~~XXXX~~

ORchard 8-2401

February 3, 1956

RECEIVED
FEB 6 1956

Department of Reclamation

Honorable Mark R. Kulp
State Reclamation Engineer
State House
Boise, Idaho

RE: Martin W. Cranney
Permit No. G-23754

Attention: Mr. Roy Thompson:

Dear Sir:

Please find enclosed a Deposition of Holder for Proof of Application of Water to Beneficial Use and Completion of Works and the depositions of two witnesses, pursuant to law and a hearing lawfully noticed for this afternoon, together with Affidavit of Publication of Notice.

I received today also, a copy of the protest of Mr. Eugene Pickett of Oakley to the above permit and a carbon copy of a letter from Mr. Robertson, one of his attorneys. I do not concur with Mr. Robertson that the hearing is automatically vacated by the filing of the protest for such is not contemplated nor provided for in the Idaho Code 42-224. My interpretation of such procedure is that proofs will be submitted along with the protests to your office and then your office is to make a determination of whether or not the permit should be issued based upon the records and files therein and the investigation of your engineers, which investigations, of course, may provide for further hearings, but not a substitution of the hearing before the Notary Public scheduled for today.

I further wish to point out that Paragraphs 3 and 4 of the protest filed are wholly irrelevant, sham, and immaterial. Idaho Code 42-224 provides in part, as follows: "Such protests shall be based solely upon the statements of such notice and shall be sworn to by such protestant". Paragraphs 3 and 4 are not directed in any respect to any statements contained in the notice. It is an attempt upon the protestant to adjudicate a conflict of water rights of different priorities in a proceeding for a license to use water. As I view the statutes in this case, such objections cannot be raised at this time and any conflict of water rights must be raised and adjudicated under other procedures set up by law.

B 23754

Mark R. Kulp

-2-

February 3, 1956

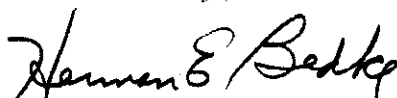
You will note in the depositions of the owner and witnesses the amount claimed is 1.8 cubic feet of water rather than the 2.4 cubic feet as contained in the permit and in this respect I wish to call your attention to my letter dated December 29, 1955 wherein I requested that the 1.8 cubic feet per second be inserted in the notice as the amount which Mr. Cranney claims to have put to beneficial use, and not the 2.4 which was the amount asked in the original application and apparently inserted in the notice.

I believe with these corrections made that there is no substantial conflict in the issues of this permit and that the permit be issued to Mr. Cranney for the amount of 1.8 cubic feet per second.

I am sending to Mr. Robertson, copies of the depositions together with a copy of your letter of December 19, 1955 to me and a copy of my letter of December 29, 1955 to you.

Please send any further notices to me.

Yours truly,


Herman E. Bedke

HEB/c

enc.

23754

Jch
February 6, 1956

Messrs. Parry, Robertson & Daly
Fidelity Bank Building
Twin Falls, Idaho

ATTENTION: Mr. T. M. Robertson

RE: Protest against Permit No. G-23754
Martin W. Cranney

Dear Mr. Robertson:

We have the protest of Eugene Pickett against the issuance of a License under Permit No. G-23754 in the amounts stated in a published notice.

A protest against the issuance of a license does not vacate the statutory hearing in which a Permit Holder and his two disinterested witnesses submit their affidavits of proof before the Notary named in the published notice.

The next step will be a field examination by an engineer from the department at which the amount of water and the land irrigated are determined by the department.

If the field examination shows the statement in the protest to be substantially correct there is no need for a hearing before the State Reclamation Engineer.

The protest will be considered after the proofs of completion of works and application to beneficial use are received by the department and kept in mind during the field examination.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

K:hll

J 23754

PARRY, ROBERTSON & DALY

LAWYERS

FIDELITY BANK BUILDING

TWIN FALLS, IDAHO

TELEPHONE 884

R. P. PARRY
T. M. ROBERTSON
JOHN H. DALY
CLIFFORD E. FIX
BERT LARSON

BEN SHUEY

OF COUNSEL:

J. R. KEENAN

February 2, 1956

RECEIVED
FEB 3 1956
Department of Reclamation

**Honorable Mark R. Kulp
State Reclamation Engineer
State House
Boise, Idaho**

Attention: Mr. Roy Thompson

**Re: Protest of Martin W. Cranney permit
No. G-23754.**

Dear Mr. Kulp:

Enclosed herewith is the Protest of Mr. Eugene Pickett of Oakley, Idaho, with respect to the above named application.

We understand when the Protest is filed in your office the hearing on the application which has been set before Mr. Bedke, Notary Public in Burley, for February 3 at 2:00 P.M. will be vacated and the matter will be heard by a representative of your office.

If convenient we would like to have about two weeks notice in advance of the hearing when it is scheduled.

A copy of the Protest together with a copy of this letter is being sent to Mr. Bedke.

Very truly yours,


T. M. ROBERTSON

TMR:pb
encls.
cc: Mr. Bedke

H 23754

1 BEFORE THE HONORABLE MARK R. KULP, STATE RECLAMATION ENGINEER

2 STATE OF IDAHO

3 IN THE MATTER OF MARTIN W. CRANNEY,)

4 PERMIT NUMBER G-23754.)

P R O T E S T

5
6 TO THE HONORABLE MARK R. KULP, STATE RECLAMATION ENGINEER, STATE
7 OF IDAHO:

8 The Protest of Eugene Pickett of Oakley, Idaho, respect-
9 fully shows:

10 I.

11 That Martin W. Cranney of Oakley, Idaho, has heretofore
12 drilled a well on the Northeast Quarter Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$)
13 of Section Seven (7), Township Thirteen (13) South, Range Twenty-
14 two (22) East, Boise Meridian in Cassia County, Idaho, and has
15 applied to the State Reclamation Engineer of the State of Idaho
16 to make proof of completion of works with respect to such well and
17 application of water therefrom in the amount of 2.4 cubic feet per
18 second to beneficial use on the South Half Northeast Quarter (S $\frac{1}{2}$ NE $\frac{1}{4}$)
19 and the Northeast Quarter Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$) of said Sec-
20 tion Seven (7), Township Thirteen (13) South, Range Twenty-two (22)
21 East, Boise Meridian, with a proposed priority date of February 16,
22 1953, and said applicant seeks a water license for the use of said
23 waters pursuant to the provisions of Chapter 2 Title 42 Idaho Code.

24 II.

25 That Eugene Pickett hereby makes protest against the
26 issuance of said license on the following grounds and for the follow-
27 ing reasons:

28 (1) That said applicant has not applied to beneficial
29 use 2.4 cubic feet per second of the waters of the well above
30 mentioned, but the waters of said well have been put to use on said
31 lands in an actual amount not to exceed 1.5 cubic feet per second.

1 (2) That the lands above described where applicant
2 claims to have used said waters do not exceed more than 107 acres
3 of arable land and that there are now appurtenant to said land other
4 and additional water rights adequate for at least half of the water
5 required for the normal irrigation of the same.

6 (3) That a substantial part of the water taken from
7 said well and claimed by applicant to have been beneficially used
8 on the lands above described have not in fact been so beneficially
9 used but applicant has wasted much of said water for no purpose
10 whatsoever, has caused said water to be used on other lands and
11 has sold or rented said water in violation of the laws of the State
12 of Idaho.

13 (4) That your protestant and other persons are owners
14 of irrigation wells located near to the well of the applicant above
15 mentioned and drawing water from the same ground water area and
16 the same ground water sources that serve the well of said applicant
17 and that the priority to the use of such ground waters held by
18 protestant and such other persons are dated earlier than February 16,
19 1953 and are superior to any priority claimed by the applicant.
20 That during the irrigation season of 1955 the applicant by use of
21 his said well, for which use he now seeks to obtain said license,
22 substantially diminished the flow of the wells of said protestant
23 and said other persons to the extent that said protestant and said
24 other persons were unable to obtain water from said wells in amounts
25 sufficient to permit the full use of their said prior ground water
26 rights. That by reason of the facts stated in this sub-paragraph
27 an applicant is seeking to establish the application of water to
28 beneficial use which water was obtained by trespass against and
29 in derogation of the prior water rights of this protestant and others.
30 That water obtained through trespass or other unlawful means cannot
31 be put to such beneficial use as will justify the issuing of a water
32

1 license under the laws of the State of Idaho establishing any vested
2 right in law for the continued use thereof.

3 WHEREFORE, your protestant prays that a hearing may be
4 had on this protest and the water license sought by the applicant
5 be denied or restricted to such amounts and such uses as are con-
6 sistent with the law and the public policy of the State of Idaho.

7 DATED This 2nd day of February, 1956.

8
9 PARRY, ROBERTSON & DALY
10 Residing at Twin Falls, Idaho
11 Attorneys for Protestant.

Eugene Pickett
Protestant

12 By J M Robertson
13 STATE OF IDAHO)
14) ss.
15 County of Twin Falls)

16 EUGENE PICKETT, being first duly sworn on oath, says:

17 That he is the protestant in the above entitled action;
18 that he has read the above and foregoing Protest, knows the con-
19 tents thereof; and believes that the facts stated therein are true.

20 Eugene Pickett

21 SUBSCRIBED and SWORN to before me this 2 day of
22 February, 1956.

23 J M Robertson
24 Notary Public
25 Residing at Twin Falls, Idaho.

RECEIVED
JAN 9 1956

Department of Reclamation

Mark R. Kulp
State Reclamation Engineer
Boise, Idaho

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

Notice is hereby given that at 2:00 P.M., on the 3rd day of February, 1956, at Burley, County of Cassia, State of Idaho, before Herman E. Bedke, Notary Public, proof will be submitted of the completion of works for the diversion of 2.4 cubic feet per second of the waters of a subterranean well and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-23754 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Martin W. Cranney, Oakley, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use, in accordance with the plans accompanying the application for such permit, is 2.4 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 2.4 cubic feet per second.

4. The place where said water is used is S $\frac{1}{2}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 7, Twp. 13 S., Rg. 22 E.M.B. in Cassia County, Idaho, and the well is located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section.

5. The date of priority which said user is prepared to establish is February 16, 1953.

MARK R. KULP
State Reclamation Engineer
First publication Jan. 5, 1956,
Fourth publication Jan. 26, 1956

23754

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. G-23754

Date: December 30, 1955

Oakley Herald

Oakley, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to February 3, 1956 the date set for proof, the expense of the publication to be paid by the applicant, Martin W. Cranney of Oakley 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 of the first publication, in order that we may check same.

Very truly yours,

MARK R. KULP

State Reclamation Engineer
By

Chief Clerk

23754

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

Notice is hereby given that at 2:00 P.M., on the 3rd day of February, 1956, at Burley, County of Cassia, State of Idaho, before Herman E. Bedke, Notary Public, proof will be submitted of the completion of works for the diversion of ~~xxxx~~ 2.4 cubic feet per second of the waters of a subterranean well and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-23754 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Martin W. Cranney, Oakley, Idaho

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use, in accordance with the plans accompanying the application for such permit, is 2.4 cubic feet per second.
~~120 in. x 120 in. x 120 in. x 120 in. x 120 in.~~

3. The use to which said water has been applied is Irrigation purposes, and the amount applied to beneficial use is 2.4 cubic feet per second.
~~90 inches x 90 inches x 90 inches x 90 inches x 90 inches.~~

4. The place where said water is used is S $\frac{1}{2}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 7, Twp. 13 S., Rg. 22 E.B.M. in Cassia County, Idaho. and the well is located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section.

5. The date of priority which said user is prepared to establish is February 16, 1953.

16

MARK R. KULP

State Reclamation Engineer

23754

December 30, 1955

RE: Permit No. G-23754

Mr. Herman E. Bedke
Box 204
Burley, Idaho

Dear Mr. Bedke:

We have corrected the notice for proof of completion of works and beneficial use on Permit No. G-23754 of Martin W. Cranney to show 2.4 second feet as described in the application and Permit.

A copy of the notice is being sent to the Oakley Herald with instructions to publish it once a week for four weeks prior to February 3, 1956, and to send Mr. Cranney the affidavit of publication together with statement of costs.

We enclose the forms of deposition to be used in making this proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hl1
Enc.

23754

HERMAN E. BEDKE

ATTORNEY AT LAW
POST OFFICE BOX 204
BURLEY, IDAHO

GEM BUILDING
TELEPHONE ORCHARD 8-2401

December 29, 1955

RECEIVED
DEC 30 1955
Department of Reclamation

State of Idaho
Department of Reclamation
Boise, Idaho

RE: Permit No. G-23754

Gentlemen:

In reply to your letter of December 19, 1955, please be advised that the Notice submitted to you for publication of Completion of Works and Beneficial Use in the above permit should be changed to 2.4 as to the amount called for in the permit, but however, the well constructed only pumps 1.8 cubic feet per second and that is all which Mr. Cranney has put to beneficial use and is the full extent of the water which he can prove up on.

Yours truly,


Herman E. Bedke

HEB/c

23754

✓
December 19, 1955

RE: Permit No. G-23754

Mr. Herman E. Bedke
Box 204
Burley, Idaho

Dear Mr. Bedke:

We acknowledge receipt of duplicate notice for proof of completion of works and beneficial use to be made February 3, 1956, on Permit No. G-23754 in the name of Martin W. Cranney.

In checking this notice we find that in one place you state the amount as 1.8 cubic feet per second and in another 2.2 cubic feet per second while the Permit calls for 2.4 cubic feet per second.

Please advise which amount Mr. Cranney is prepared to make proof on.

Meanwhile, we return your check for \$5.25 as no fees are due in connection with these proofs until after the proofs have been submitted and a field inspection by an engineer from this department.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hl1
Enc.

23754

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) December 16, 1955

(P. O.) Oakley, Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the

Oakley Herald of Oakley, Idaho published in

the county in which the works are situated.



(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.

#23754

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

DEPARTMENT OF RECLAMATION

December 1, 1955

Mr. Martin W. Cranney
Route 1
Oakley, Idaho

Dear Sir:

We enclose herewith blank notice for proof of completion of works and application of water to beneficial use under your Permit No. G-23754. This notice should be filled out in duplicate and returned to this office at least 40 days before the date upon which you wish to make this proof, in order to allow time for the four weeks' publication required by law.

This proof must be submitted before a Notary Public or other officer authorized by law to administer oaths.

The date for proof, as set out in your permit, is not later than February 20, 1956.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

23754

✓
23754

March 22, 1955

Mr. Martin W. Cranney
Oakley
Idaho

Dear Mr. Cranney:

In reply to your letter of March 21 in regard to priorities on certain well filings in Township 13 South, Range 22 East, B.M.

License No. 21057 in the name of Eugene Pickett for water from wells in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 17 and the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 18, has a priority of May 10, 1949.

License No. 21006 of Albert Anderson and Sons Company, from a well in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 7 has a priority of April 7, 1949.

Permit No. 20563 also in the name of Albert Anderson and Sons Company from a well also in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 7 has a priority of March 8, 1948.

Your Permit No. 23754 from a well in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 7 has a priority of February 16, 1953.

We hope this gives you the desired information.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll

H 23754

Oskay Lake -
Mar 21 - 1955

RECEIVED
MAR 22 1955

Department of Reclamation

Mark Kuep-

State Engineer of Reclamation.

Dear Sir:-

I would like to know the rate of
filing for underground water on the following
described property.

The well located in the S.E. corner of
the N. $\frac{1}{2}$ of the N.E. $\frac{1}{4}$ of the N.E. $\frac{1}{4}$ of Sec 18.
T. 13. R. 22 E. B.M. I think the property is
in the name of Eugene Pickett.

Also the well located in the S.E. corner
of the N.E. $\frac{1}{4}$ of the N.E. $\frac{1}{4}$ of Sec. 7. T. 13. R. 22 E. B.M.
in the name of Ray Anderson.

Also the well located in the S.E. corner of the
N.E. $\frac{1}{4}$ of the S.E. $\frac{1}{4}$ of Sec. 7. T. 13 R. 22 E. B.M.
in the name of M.W. Crumney.

If your office cannot supply me
with this information will you please
tell me where I can get it.

Sincerely yours

Martin W. Crumney

J23754

March 10, 1953

RE: Permit No. G-23754

Messrs. Nielson & Nielson
Attorneys at Law
Burley, Idaho

ATT: Mr. A. H. Nielson

Dear Mr. Nielson:

We enclose Permit No. G-23754 in the name of Martin W. Cranney and direct his attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose departmental receipt No. 25561 for the \$5.50 filing fee.

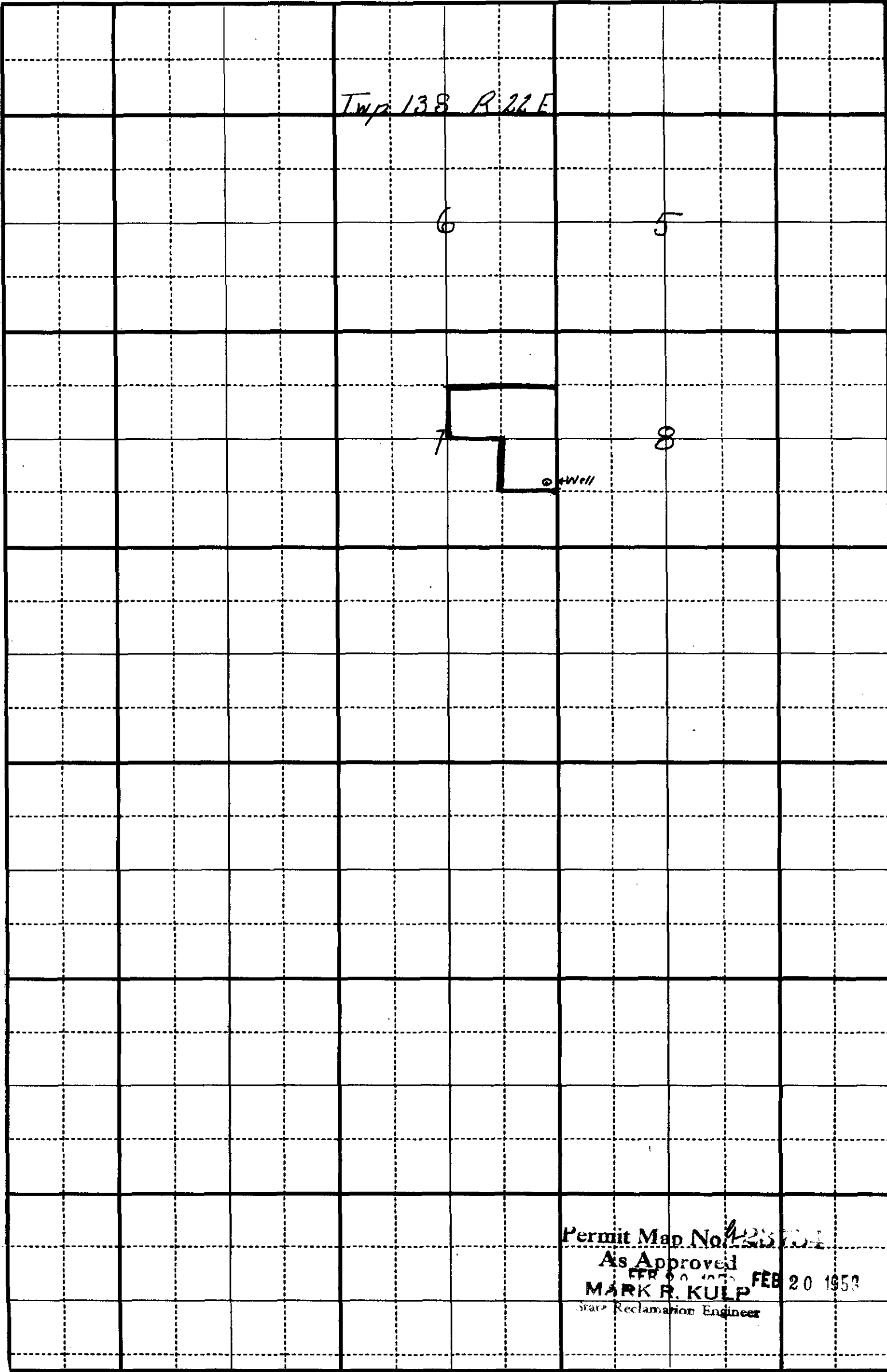
Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

23754



Permit Map No. 423751
As Approved
FEB 20 1953
MARK R. KULP
State Reclamation Engineer

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
BURLEY, IDAHO

February 14, 1953

RECEIVED
FEB 16 1953
7 am
Department of Reclamation

A. H. NIELSON
N. H. NIELSON

State Reclamation Engineer
State of Idaho
Boise, Idaho

Gentlemen:

We are sending, at the request of Martin W. Cranney,
application for permit, together with a check for \$5.50. If this
meets with your approval, would you return the application to us?

This is a renewal of the application heretofore made by
Mr. Cranney.

Yours very truly,

NIELSON AND NIELSON

B.

A. H. Nielson
A. H. Nielson

AHN/lr

20481

123754

LEGAL NOTICES

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

Notice is hereby given that at 2:00 P.M., on the 3rd day of February, 1956, at Burley, County of Cassia, State of Idaho, before Herman E. Bedke, Notary Public, proof will be submitted of the completion of works for the diversion of 2.4 cubic feet per second of the waters of a subterranean well and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-23754 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Martin W. Cranney, Oakley, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use, in accordance with the plans accompanying the application for such permit, is 2.4 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 2.4 cubic feet per second.

4. The place where said water is used is S $\frac{1}{2}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 7, Twp. 13 S., Rg. 22 E.M.B. in Cassia County, Idaho, and the well is located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section.

5. The date of priority which said user is prepared to establish is February 16, 1953.

MARK R. KULP
State Reclamation Engineer
First publication Jan. 5, 1956,
Fourth publication Jan. 26, 1956