

45-02436

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 3694

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

APPROVED

Name of applicant L. Ray Stanger Trust Phone 432-5349

Post Office address Rt. 1, Murtaugh, ID 83344

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Wells are tied together via common mainline for use
anywhere on this farm. Recorded water rights need to be changed accordingly.

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

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|---|-----------|-----------------------|------------------|------------------|
| 45-02221 | 7-3-1946 | 1.52 cfs | Irrig. | Mar 15 to Nov 15 |
| 45-02244 | 1-23-1948 | 1.5 cfs | " | " to " |
| 45-02274 | 9-21-1948 | 1.2 cfs | " | " to " |
| 45-02436 | 2-11-1953 | 1.16 cfs | " | " to " |
| 2. Total amount of water being transferred <u>4,725.38</u> cubic feet per second and/or _____ acre-feet per annum | | | | |
| 3. Source of water <u>Groundwater</u> tributary to _____ | | | | |
| 4. Point(s) of Diversion: _____ | | | | |

[illegible]

5. Lands irrigated or place of use: No Change

[illegible]

Total acres _____

PART 1

6. General Information:

a. Description of diversion system 3 connected wells & pumps, sprinklers

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

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

N/A.

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 45-2221/2244/2274/2436

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

The combined annual volume of water under these rights shall not exceed 1560.0 afa.

MICROFILMED

AUG 15 1990

Witness my hand this

2nd

day of

August

19 90

J. Glen Saxton
Chief, Water Alloc. Bureau

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 45-2221 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 7-3-1946

5. Water is used for the following purpose:

amount 1.52 cfs for Irrigation purposes from _____ to _____
(cfs/ac-ft)
amount _____ for Domestic purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 1.52 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SW	35	11S	19E	Twin Falls	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
11S	19E	35									40	40	40	40					160

Total acres 160

9. Describe any other water rights used for the same purpose as described above 45-2274

PART 2

Transfer No. _____

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	

MICROFILMED
AUG 15 1990

Total acres _____

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. 45-2244 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 1-23-1948

5. Water is used for the following purpose:

amount 1.5 cfs for Irrigation purposes from _____ to _____
(cfs/ac-ft)
amount _____ for Domestic purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 1.5 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SW	26	11S	19E	Twin Falls	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
11S	19E	26									35	40	40	35					150

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AUG 15 1990

Total acres 150

9. Describe any other water rights used for the same purpose as described above

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				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	

Total acres _____

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 AUG 15 1990

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. 45-2274 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 9-21-1948

5. Water is used for the following purpose:

amount 1.2 cfs for Irrigation purposes from _____ to _____

(cfs/ac-ft) _____ for Domestic purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____

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

amount _____ for _____ purposes from _____ to _____

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

6. Total amount of water under right 1.2 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SW	35	11S	19E	Twin Falls	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
11S	19E	35									40	40	40	40					160

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AUG 15 1990

Total acres 160

9. Describe any other water rights used for the same purpose as described above 45-2221

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	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

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	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

MICROFILMED
 AUG 15 1990

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. 45-02436 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 2-11-1953

5. Water is used for the following purpose:

amount 1.16 cfs for Irrigation purposes from _____ to _____
(cfs/ac-ft)
amount _____ for Domestic purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 1.16 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SW	35	11S	19E	Twin Falls	
		SE	SW	35	"	"	"	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
11S	19E	34	40			40													80

MICROFILMED

AUG 15 1990

Total acres 80

9. Describe any other water rights used for the same purpose as described above _____

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:

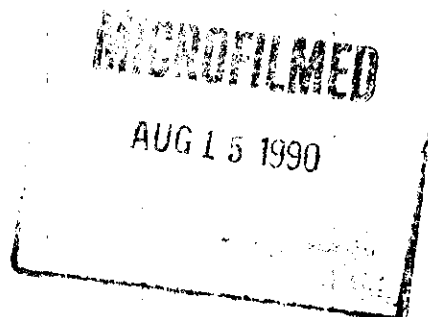
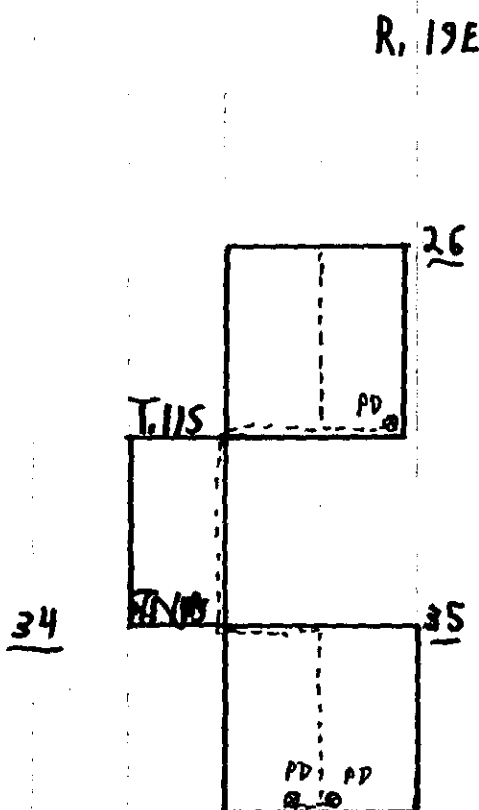
Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

MICROFILMED
AUG 15 1990

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.



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.

Tracy Stanger (trustee)
(Signature of Applicant)

Subscribed and sworn to before me this 19th day of April, 19 90.

Mary A. Baldwin
(Notary Public)

My commission expires 10/16/1992

FOR DEPARTMENT USE ONLY

Transfer contains 12 pages and 2 attachments

Received by J. E. Linton Date 4-19-90 Protest filed by _____

Prelim. check by DR1 Fee \$50. 50/2/34

Receipted by JA Date 4-19-90

Published in Times News Copies of protest forwarded by _____

Pub. dates 3/17 & 3/24/90 Hearing held by _____ Date _____

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

_____ rec'd. _____ by Gay S.

Copy of transfer sent to lien holder _____

MICROFILMED

AUG 15 1990

0006

State of Idaho

License and Certificate of Water Right

Water License No. G-23733

Amount 1.16 second feet

Water District No.

Priority February 11, 1953

THIS IS TO CERTIFY that J. D. CLAIBORN, W. L. CLAIBORN & JACK D. CLAIBORN, JR.
of Kimberly, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated February 11, 19 53 ; that Permit No. G-23733
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.16 second feet, was issued thereunder on November 10, 19 55, showing that said works
were completed on the 10th day of February, 19 55 ; and that on the 10th
day of February, 19 55 ,

J. D. CLAIBORN, W. L. CLAIBORN & JACK D. CLAIBORN, JR.
of Kimberly, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of two wells
~~subterranean~~ (subterranean flow), for the purpose of irrigation and domestic
use, under Use Permit No. G-23733 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 5606, on the 10th day of November, 19 55 ;

The right hereby confirmed dates from February 11, 19 53 ;

The Points of Diversion ^{are} located in the SW¹/₄ SW¹/₄ and SE¹/₄ SW¹/₄
~~Tracts~~ ~~34~~ ~~34~~ Sec. 35, Tp. 11 S., R. 19 E., B. M. / Twin Falls 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 1.16 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
11 S.	19 E.	34	NE ¹ / ₄ NE ¹ / ₄ SE ¹ / ₄ NE ¹ / ₄	40 40	40 40
Number of Acres Actually Irrigated -				80	

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
10th day of November, 19 55 .

MARK R. KULP

State Reclamation Engineer.

(SEAL)

45 2436

45-2436

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 31509
Permit No. G- 23733
District No.

Benoit & Benoit
Box 536
Twin Falls, Idaho

1. Name of Applicant: J. D. CLAIBORN, W. L. CLAIBORN and JACK D. CLAIBORN, JR.
Postoffice address: Kimberly County: Twin Falls State: Idaho
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second. 1.6 or Idaho
Miners' inches or gallons per minute.
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: subterranean flow
4. Location of point of diversion or well is in the SW 1/4 of the SW 1/4 of Section 35, and well in the SE 1/4 of the SW 1/4 of Section 35, Twp. 11 S, Rge. 19 E, B.M., County of Twin Falls, State of Idaho
5. Water is to be used for: Irrigation and domestic purposes
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the 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: Larger pump and motor on one well, and additional column and larger bowl on one well.
8. Estimated cost of works: \$ 3600.00
9. (a) Is reservoir to be used?
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is one years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: none
 - (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) (cubic feet per second, inches or gallons per minute) is for new lands.

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.

W. L. CLAIBORN, JACK D. CLAIBORN
and J. D. CLAIBORN *Applicant.*

By J. D. Claiborn Agent.

Date of first receipt at Department of Reclamation: 9:00 a.m. February 11, 1953

Returned to applicant for correction:

Corrected application received:

The number of this permit is G-23733

Recorded in Book 84 Page 23733 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 February 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, 1955.

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 IRA H. MASTERS
Secretary of State.

By LEN JORDAN
Governor

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	
11S	19 E	34	40		40													80	
Permit No. G-23733 CERTIFICATE OF COMPLETION OF WORKS																			
TO ALL WHOM IT MAY CONCERN:																			
This is to certify that J. D. CLAIBORN, W. L. CLAIBORN & JACK D. CLAIBORN, JR. of Kimberly, County of Twin Falls, and State of Idaho, the holders of Permit No. G-23733, issued upon Application No. G-31509 bearing date of priority of February 11, 1953, authorizing the diversion of 1.6 second feet of the waters of two wells (subterranean flow) County of Twin Falls, State of Idaho, for irrigation and domestic purposes, have fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 1.16 second feet of the waters of said wells; that the points of diversion of said waters are in the SW ¹ / ₄ SW ¹ / ₄ and SE ¹ / ₄ SW ¹ / ₄ Section 35, Township 11 South, Range 19 East, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: E ¹ / ₂ NE ¹ / ₄ Section 34, Township 11 South, Range 19 East, B.M.																			
Witness my hand this 10th day of November A. D. 1955.																			
MARK R. KULP State Reclamation Engineer																			
Proof of completion of works made February 10, 1955 Certificate of Completion of Works issued November 10, 1955.																			
hl																			
LICENSE ISSUED FOR 1.16 SEC. FL P. 5606																			

FROM Sharla

DATE 8/2/90

TO Files 45-2244/2274/2436

SUBJECT Trans. 3694

See file 45-2221 for all correspondence regarding the above referenced transfer.

SIGNATURE

MICROFILMED

AUG 15 1990

ANDERSON & KELLY
CONSULTANTS IN ENGINEERING AND GEOLOGY
6700 EMERALD STREET
BOISE, IDAHO 83704

RECEIVED

SEP 9 1970

Department of Water Administration

September 3, 1970

Steven Allred
Deputy Director
Department of Water Administration
Box 8008
Boise, Idaho

Dear Steve:

We would very much appreciate your allowing us until October 1 to respond to your letters of August 21 and August 24 concerning the licensing of permits 43-2437, 43-2436, and 43-2438. This involves the land and the feed lots on the property of Vista Land Company at Malta and because I have Power of Attorney on two of the permits here in Idaho, and the principles are in Salt Lake, it may take us a little longer to concur or comment on your measurements and findings than you have allowed. Although I do not have Power of Attorney on permit #43-2437, I would appreciate your also delaying on this one because they have employed me to make a water measurement check to verify the flow amount. Should there be any questions on withholding action until that time, I would appreciate your notifying me directly.

Sincerely,

ANDERSON & KELLY

Jack
(re)

Jack A. Barnett

JAB/rl

45 2436

✓

November 16, 1955

RE: Permit No. G-23733

Mr. J. D. Claiborn
Kimberly
Idaho

Dear Mr. Claiborn:

We enclose Certificate of Completion of Works also License and Certificate of Water Right issued on Permit No. G-23733 confirming the right of yourself, W. L. Claiborn & Jack D. Claiborn, Jr. to the use of 1.16 second feet of water from two wells in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 35, Township 11 South, Range 19 East, B.M. with priority of February 11, 1953, for irrigation and domestic use on the E $\frac{1}{2}$ NE $\frac{1}{4}$ Section 34, same Township and Range.

We also enclose departmental receipt No. 27678 for the \$9.00 fees for Certificate of Completion of Works and License.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll
Enc.

23733

October 27, 1955

RE: Permit No. G-23733

Mr. W. L. Claiborn
Kimberly
Idaho

Dear Mr. Claiborn:

We now have on file the report of our field engineer on examination for completion of works and beneficial use on Permit No. G-23733 in the name of yourself and J. D. Claiborn and Jack D. Clairborn.

According to the records on file in this department, license No. 19872 was issued for 76 inches or 1.52 second feet of water from the well in the S¹/₄SW¹/₄ Section 35, Township 11 South, Range 19 East, B.M.

Also that License No. 20861 was issued for 1.2 second feet of water from the well in the S¹/₄SW¹/₄ of said Section.

The present report on Permit No. G-23733 shows additional water from these two wells in the amount of 58 inches or 1.16 second feet which has been used to irrigate 80 acres in the E¹/₂NE¹/₄ Section 34, Township 11 South, Range 19 East, B.M.

A Certificate of Completion of Works and License can, therefore, be issued for Permit No. G-23733 for that amount upon receipt of the statutory fee of \$5.00 for the Certificate of Completion of Works and \$4.00 license fee, or a total of \$9.00.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

23733

Chief Clerk

A:hll

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

Permit No. G-23733.....

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

1. Name of applicant J.D.Claiborn, W.L.Claiborn and Jack D. Claiborn, Kimberly, Idaho

2. Source of water supply: Subterranean from wells

3. Location of point of diversion: Is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35

T. 11 S. R. 19 E. County of Twin Falls

4. Describe works as they exist, giving dimensions and capacities of same: West well: Well is 900' deep by 16" diameter to 12". lift is 240'. H is 141'. 60 hp G. E. Motor serial No. TEJ 6789801. Peerless Pump serial No. 85308. Delivery is to the South into open ditch to fields by gravity. East Well: 907' deep by 12" diameter, cased 235', 250' 8" column, H is 120', lift is 219'. 75 hp U. S. Motor, serial no. 950536. Layne Bowler Turbine Pump serial No. 19745. Concrete base 6' by 6'. Canvas roof over a wood frame over the pump no other protection. Water for both wells is delivered to the South through 8" pipes into a concrete head box to fields by gravity.

5. Water is used for: Irrigation and domestic purposes

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):

E $\frac{1}{2}$ NE $\frac{1}{4}$ Section 34, Township 11 South, Range 19 East, 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: Crops are hay, grain & Potatoes.

This examination was made on the 28 day of July, 1955

(Signed) E. M. Humphrey Examiner.

23733

2 m. 215.5 300ef-
 $\frac{12}{1413}$ 107"

T=83°F East well

907' x 12" cut 205'

250' x 8" col. h=120'
l=219'

75 hp. W.S. motor
#956536

220/440 90/1100
1800 rpm.

Layne B. Pump.
19745

Cone base 6' x 3'

Canvas on wood frame
over pump.

G.E. Controls

Entr. 24.
Del. to S. three 8' x 12'
3 1/2' x 4' x 2 1/2' h. sump.
open ditches.

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

RECEIVED
SEP 13 1955
Department of Reclamation

J.D.Claiborn, W.L.Claiborn & Jack D.Claiborn
Kimberly, Idaho

Permit No. G-23733

Garfield 35780

Examination for Completion of works
and Beneficial Use

County Twin Falls

35-115-19E.

Q = 1.6 c.f.s.

S = Wells

P.D. = SW. SW. 8 SE. SW., Sec. 35,
T. 11 S. - R. 19 E

Use = Irrigation & Domestic

Priority = Feb. 11, 1953
Due = Feb. 20, 1955

West well T=83°F

2 m. 562 = 200
 $\frac{12}{176}$ 85"
87"

del to S. 8' x 12' pipe into cone base

900' x 16" & 605' 12" (2' inc)
505' to 605' has cone
l = 240' h = 141'

60 hp. G.E. motor
440 V. 1725 rpm. 739
TET 6989801

4800 Whse meters
#25415840

Pierless Pump.

85308

Good wood pump house
6' x 6' x 8' h. Cone floor

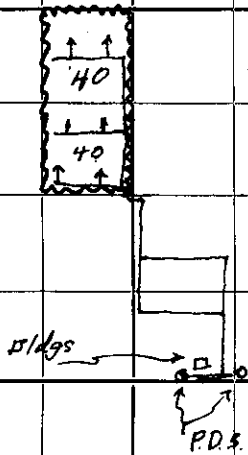
G.E. Controls in house
meter on pole 60' west
by road

R-19E.

T.
II
S.

34

35



Subdivisions = Two

Area = 80 acres.

$Q = 58''$

West well measured $87''$ - $T \approx 83^\circ F.$

East well " $\frac{107''}{194 \text{ miles}}$ - " $83^\circ F.$

License 19872 = 1.52 cf. $\frac{1.56}{58''}$

" 20661 = 1.2
2.72 cf

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-23733

REPORT ON PROOF OF Completion of Works & Beneficial Use

J,D,CLAIBORN, W.L.CLAIBORN, and JACK D. CLAIBORN, Kimberly, Idaho

1.16 ex
max

app. 1.16 ex

Scanned
2-21-84

July 22, 1955

RE: Permit No. G-23733

Messrs. J. D., W. L., and Jack D. Clairborn
Kimberly
Idaho

Gentlemen:

I intend to make inspection in connection with the
above numbered Permit about 10:00 A.M. on Thursday, July
28.

Please be prepared to accompany me on this inspection.

I intend to make inspection after I have completed
the inspection on a well for Mr. Kunkle. In case I do not
get there exactly on time, please do not be too impatient.
I will drive to the well from Kunkle's.

I hope to contact you by telephone the evening
before.

Yours truly,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

H:hll

23733

February 12, 1955

RE: Permit No. C-23733

Messrs. Benoit & Benoit
Bank and Trust Building
Twin Falls, Idaho

ATTENTION: Edward L. Benoit

Dear Mr. Benoit:

We have your letter of February 10 enclosing depositions of W. L. Claiborn and two witnesses in proof of Completion of Works and Beneficial Use on Permit No. C-23733.

This completes the work but before final action is taken the law requires that a field examination be made by an engineer from this Department.

We cannot say just when this examination will be made, but our field engineer will contact one of the applicants at the time he makes the examination in order that he may arrange to show him over the ground.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:eu

23733

C
O
P
Y

LAW OFFICES
BENOIT & BENOIT
TWIN FALLS BANK & TRUST BLDG.
TWIN FALLS, IDAHO

HARRY BENOIT
EDWARD L. BENOIT

February 10, 1955

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

RECEIVED
FEB 11 1955
Department of Reclamation

Re: Permit No. G23733

Dear Sir:

Enclosed is deposition of holder and two witnesses
and affidavit of publication in the proof of completion
of water to beneficial use in connection with the above
permit.

Very truly yours,

BENOIT & BENOIT


Edward L. Benoit

ELB:sa
Enclosures

23733

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
COUNTY OF TWIN FALLS } ss.

Nº 5584

NOTICE OF PROOF OF COMPLETION
OF WORKS AND APPLICATIONS OF
WATER TO BENEFICIAL USE

Notice is hereby given that at two o'clock
P. M. on the 12th day of February, 1955,
at Twin Falls, County of Twin Falls, State
of Idaho, Edward L. Benoit, Notary
Public, Bank & Trust Company
Building, will be submitted to the
completeness of works for the diversion of
1.6 cubic feet per second of the waters of
subterranean wells in the SW1/4, SW1/4 and
SE1/4, Section 35, Township 11 South,
Range 19 East E. M. and of the application
to beneficial use of said water, in accord-
ance with the terms and conditions of
Permit No. G-22711, heretofore issued by
the Department of Reclamation of the
State of Idaho:

1. The name and postoffice address of
the persons holding said permit are J. D.
Claborn, Will. Claborn and Jack D.
Claborn, all of Kimberly, Idaho.
2. Said works of diversion will be fully
completed on the date set for subcomple-
tion, 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 1.6 cubic feet per second.
3. The use to which said water has been
applied is irrigation and domestic purposes,
and the amount applied to beneficial use is
1.6 cubic feet per second.
4. The place where said water is used
is East Half (E1/2) of Northeast Quarter
(NE1/4) of Section 35, Township 11 South,
Range 19 E.B.M., Twin Falls County,
Idaho.
5. The date of priority which said user
is prepared to establish is February 11,
1953.

MARK E. KULP,
State Reclamation Engineer
Publish: Jan. 12, 19, 26, Feb. 2, 1955

23733

I, Mable F. Clark, being first duly sworn upon
oath depose and say that I am Principal Clerk of the TIMES-News, published
daily, except Saturday, at Twin Falls, Idaho, and do solemnly swear that a copy of the
notice or advertisement, as per clipping attached, was published in the regular and entire
issue of said newspaper, and not in any supplement thereof, for
four consecutive Wednesdays commencing with the issue
dated January 12, 1955, and ending with the issue dated
February 2, 1955.

And I do further certify that said newspaper is a consolidation, effective February 16,
1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin
Falls News, published theretofore daily except Monday, both of which newspapers prior
to consolidation had been published under said names in said city and county continuously
and uninterruptedly during a period of more than twelve consecutive months, and said
TIMES-News, since such consolidation, has been published as a daily paper, except Saturday,
under said name in said city and county continuously, and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code Thursday of each
week has been designated as the day on which legal notice required by law or by order of
any court of competent jurisdiction within the state of Idaho, to be published weekly, will
be published; and that at the head of the editorial column of said combined newspapers,
and in each issue thereof, Thursday is announced as the day on which said legal notices
will be published.

Mable F. Clark
Subscribed and sworn to before me this 2nd day of
February, 1955.
W. E. Williams
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
COUNTY OF TWIN FALLS } ss.

Nº 5584

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

Notice is hereby given that at two o'clock P. M., on the 10th day of February, 1955, at Twin Falls, County of Twin Falls, State of Idaho, before Edward J. Benoit, Notary Public, ~~Twin Falls Bank & Trust Company Building~~, proof will be submitted of the completion of works for the diversion of 1.6 cubic feet per second of the waters of subterranean wells in the SW¼SW¼ and SE¼SW¼, Section 35, Township 11 South, Range 19 East R. M. and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-22733 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the persons holding said permit are J. D. Claiborn, W. L. Claiborn and Jack D. Claiborn, all of Kimberly, 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 1.6 cubic feet per second.

3. The use to which said water has been applied is irrigation and domestic purposes, and the amount applied to beneficial use is 1.6 cubic feet per second.

4. The place where said water is used is East Half (E½) of Northeast Quarter (NE¼) of Section 34, Township 11 South, Range 19 E., B.M., Twin Falls County, Idaho.

5. The date of priority which said user is prepared to establish is February 11, 1953.

MARK R. KULP,
State Reclamation Engineer

Published Jan. 12, 19, 26, Feb. 2, 1955

A 23733

I, Timothy H. Clark, being first duly sworn upon oath depose and say that I am Timothy H. Clark of the TIMES-NEWS, published daily, except Saturday, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice or advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for four consecutive Thursdays commencing with the issue dated January 12, 1955, and ending with the issue dated January 20, 1955.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily paper, except Saturday, under said name in said city and county continuously, and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code Thursday of each week has been designated as the day on which legal notice required by law or by order of any court of competent jurisdiction within the state of Idaho, to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

Subscribed and sworn to before me this 12 day of January, 1955.



E. J. Benoit
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G23733

Proof of Application of Water to Beneficial Use

Deposition of Holder and Completion of Works

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

Ans. W. L. Claiborn, Kimberly, Idaho, farmer.

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

Ans. _____

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

Ans. G-23733, dated February 11, 1953 and date of priority to be established is February 11, 1953.

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

Ans. Water from two subterranean wells, one of which is located 10 ft. north and 700 ft. east of the Southwest corner of the Southwest quarter of the SW $\frac{1}{4}$ and the other 10 ft E. & 10 Ft. N. of the SW corner of SE $\frac{1}{4}$ of SW $\frac{1}{4}$ in Sec. 35, Twp. 11 S. Range 19 EBM

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure. Well in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 862 ft deep with 15" hole to 605 ft & 12" hole to 862', 12" liner between 505' and 605' using Layne Bowler 5 stage 12" pump with 60hp G.E. motor with 300' of 8" column and 10' of 8" suction. Well in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 905' deep with 12" hole to 435' & 10" hole to 905; 12" casing from pumpbase to 230' using Layne Bowler 8 stage 10" pump with 75hp U.S. Motor with 250' of 8" column & 10' of 8" suction. Discharge of two wells 4.32 cfs measured by Orifice. Water then carried to place of use by gravity flow in open ditches. Ditch capable of carrying water to place of use. (Note: Of the 4.32 CFS license already issued for 1.52 cfs under Permit #19872 and for 1.2 CFS under permit #20661)

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

Ans. Water is used to irrigate 80 acres in the E half of the N.E. Quarter of Sec. 34, Twp. 11 S., R. 19 EBM. It is cultivated land and has been so cultivated and crops raised thereon as a direct result of the use of this water.

G23733

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

Ans.

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

Ans. 1.6 cu. ft. per second

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

Ans.

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

Ans. 1.6 cu. ft. per second actually diverted and used under the above mentioned permit upon the East Half of the Northeast Quarter Section 34, Twp. 11 S., R. 19, EBM, in the crop years 1953 and 1954.

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

Ans. None

12. I make this deposition for and on behalf of myself, J. D. Claiborn and Jack D. Claiborn, the joint owners of Permit No. G23733.

(Sign) W. L. Claiborn

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 Twin Falls, County of Twin Falls,

State of Idaho, on this 10th day of February, A. D. 1955.

Edward L. Bernal
Notary Public for Idaho
Residing at Twin Falls

My commission expires 6/1/55

N 23733

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G23733

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. Robert G. High, 34, 1887 Sigrid Avenue, Twin Falls, Idaho
well driller and farmer

Ques. 2. Are you acquainted with W. L. Claiborn, J. D. Claiborn, and/^{Jack D. Claiborn} the holders of Permit No. G23733? How long have you known him and where does he reside?

Ans. Yes. I know all three of them and have known them for about
five years.

Ques. 3. Have you read or heard read said Permit No. G23733, and are you familiar with its provisions and conditions?

Ans. I have read Permit No. G23733 and am familiar with its provisions
and conditions.

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. _____

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. 1.6 cu ft per second

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

Ans. I have seen the pumps for the two wells deliver a total of 4.32
cu. ft. per second measured by Orifice measuring device.

23733

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. Water is used for irrigation of 80 acres of land in the East Half of the Northeast Quarter of Section 34, Twp. 11 South, Range 19 E.B.M.
Said land has been cultivated as a direct result of said use.

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

Ans. _____

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

Ans. Dry land reclaimed and I estimate 1.6 cu. ft. per second of water required for its 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 have witnessed the application to beneficial use of water diverted under said permit in the crop years 1953 and 1954

(Signed) _____

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Twin Falls, County of Twin Falls, State of Idaho, on this 10th day of February, A. D. 1955.

Edward L. Benish
Notary Public.

My commission expires 6/1/55

823233

Water from two subterranean wells, one of which is located 10 ft north and 700 ft. east of the Southwest corner of the Southwest quarter of the SW $\frac{1}{4}$ and the other 10ft E & 10 ft. N. of the SW corner of SE $\frac{1}{4}$ SW $\frac{1}{4}$ in Sec. 35, Twp. 11 S. Range 19 E.B.M. Well in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 862 ft deep with 15" hole to 605 ft & 12" hole to 862', 12" liner between 505' and 605' using Layne Bowler 5 stage 12" pump with 60 hp G.E. motor with 300' of 8" column and 10' of 8" suction. Well in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 905' deep with 12" hole to 435' & 10" hole to 905; 12" casing from pumpbase to 230' using Layne Bowler 8 stage 10" pump with 75hp U.S. Motor with 250' of 8" column & 10' of 8" suction. Water then carried to place of use by gravity flow in open ditches. Ditches capable of carrying water to place of use.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G23733

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. Kenneth M. Kennedy, 38, 1984 11th Avenue E., Twin Falls, Idaho,
farmer

Ques. 2. Are you acquainted with W. L. Claiborn, J. D. Claiborn and/^{Jack D. Claiborn}....., the holder of Permit No. G23733.....? How long have you known him and where does he reside?

Ans. Yes. I know all three of them and have known them for about
five years.

Ques. 3. Have you read or heard read said Permit No. G23733....., and are you familiar with its provisions and conditions?

Ans. I have read Permit No. G23733 and am familiar with its provisions
and conditions

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use. (99032)

Ans.

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. 1.6 cu. ft. per second

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

Ans. I have seen the pumps for the two wells deliver a total of 4.32
cu. ft. per second measured by Orifice measuring device.

23733

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. Water is used for irrigation of 80 acres of land in the East Half of the Northeast Quarter of Section 34, Twp. 11 South, Range 19 E.B.M. Said land has been cultivated as a direct result of said use.

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

Ans.

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

Ans. Dry land reclaimed and I estimate 1.6 cu. ft. per second of water required for its 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 have witnessed the application to beneficial use of water diverted under said permit in the crop years 1953 and 1954.

(Signed)

Kenneth B. Kennedy

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 Twin Falls, County of Twin Falls, State of Idaho, on this 10th day of February, A. D. 1955.

Edward L. Bush

Notary Public.

My commission expires 6/1/55

23733

Water from two subterranean wells, one of which is located 10 ft north and 700 ft. east of the Southwest corner of the Southwest quarter of the SW $\frac{1}{4}$ and the other 10ft E & 10 ft. N. of the SW corner of SE $\frac{1}{4}$ SW $\frac{1}{4}$ in Sec. 35, Twp. 11 S. Range 19 E.B.M. Well in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 862 ft deep with 15" hole to 605 ft & 12" hole to 862', 12" liner between 505' and 605' using Layne Bowler 5 stage 12" pump with 60 hp G.E. motor with 300' of 8" column and 10' of 8" suction. Well in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 905' deep with 12" hole to 435' & 10" hole to 905; 12" casing from pumpbase to 230' using Layne Bowler 8 stage 10" pump with 75hp U.S. Motor with 250' of 8" column & 10' of 8" suction. Water then carried to place of use by gravity flow in open ditches. Ditches capable of carrying water to place of use.

January 20, 1955

RE: Permit No. G-23733

Twin Falls Times News
Twin Falls
Idaho

Gentlemen:

This mornings mail brings us tear sheet from your issue of January 19 containing notice for proof of Floyd and Marlen Stanger.

However, we have not yet received copy of notice on Permit No. G-23733 of J. D. Claiborn and others which you stated would start in your issue of January 12, 1955.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:eu

23733

Memo

7
The TIMES-NEWS
TWIN FALLS, IDAHO

January 7, 1954

State of Idaho
Department of Reclamation
Boise, Idaho

Gentlemen:

This is to acknowledge receipt of the notice for legal publication in the matter of the Application of Water to Beneficial Use, etc., naming J. D. Claiborn of Kimberly as applicant.

This is to be set up for four Wednesdays beginning January 12, 1955.

Thank you.

Times - News

(Mr.) M. Clark
RECEIVED
JAN 10 1955

Department of Reclamation

23733

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. G-23733

Date: January 5, 1955

Twin Falls Times News

Twin Falls, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **February 10, 1955** the date set for proof, the expense of the publication to be paid by the applicant, **J. D. Claiborn** of **Kimberly Idaho**, to whom you should furnish proof of publication on or prior to the date set for proof. **in care of Benoit & Benoit, Bank & Trust Building, Twin Falls, Idaho.** 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

23733

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

Notice is hereby given that at two o'clock P. M., on the 10th day of February, 1955, at Twin Falls, County of Twin Falls, State of Idaho, before Edward L. Benoit, Notary Public, Twin Falls Bank & Trust Company Building, proof will be submitted of the completion of works for the diversion of 1.6 cubic feet per second of the waters of Section 35, Township 11 South, Range 19 East B.M. subterranean wells in the SW 1/4 and SE 1/4 SW 1/4 and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 23733 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the persons ~~or corporation~~ holding said permit are J. D. Claiborn, W. E. Claiborn and Jack D. Claiborn, all of Kimberly, 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 1.6 cubic feet per second.

3. The use to which said water has been applied is irrigation and domestic purposes, and the amount applied to beneficial use is 1.6 cubic feet per second.

4. The place where said water is used is East Half (E 1/2) of Northeast Quarter (NE 1/4) of Section 34, Township 11 South, Range 19, E.B.M., Twin Falls County, Idaho.

5. The date of priority which said user is prepared to establish is February 11, 1953.

MARK R. KULP

State Reclamation Engineer

23733

✓
December 24, 1954

RE: Permit No. G-23733

Messrs. Benoit & Benoit
Bank and Trust Building
Twin Falls, Idaho

ATTENTION: Mr. Harry Benoit

Dear Mr. Benoit:

In accordance with your letter of December 22 we are sending to the Twin Falls Times-News notice for proof of completion of works and beneficial use on Permit No. G-23733 of the Claiborn Brothers with instructions to publish it once a week for four weeks prior to February 10, 1955, and to send you the affidavit of publication together with statement of costs.

We enclose the forms of deposition to be used by the Permit Holders and two witnesses in making these proofs.

You are right in assuming that one of the three can execute the depositions in behalf of all the Permit Holders.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hl1
Enc.

23733

LAW OFFICES
BENOIT & BENOIT
TWIN FALLS BANK & TRUST BLDG.
TWIN FALLS, IDAHO

HARRY BENOIT
EDWARD L. BENOIT

December 22, 1954

RECEIVED
DEC 23 1954
Department of Reclamation

Mr. Mark R. Culp
State Reclamation Engineer
Boise, Idaho

Re: Permit No. 23733

Dear Mr. Culp:

Enclosed herewith you will find authorization for publication of notice signed by J. D. Claiborn, one of the holders of said permit. Also herewith you will find two copies of notice of proof of completion of works and beneficial use. We will appreciate if you will advise the Times-News to mail to us the Affidavit of Publication, together with their bill which we will pay.

Also, kindly send the necessary forms for taking depositions. I observe that three of the parties are owners of the permit, and assume that the deposition of one is sufficient.

Very truly yours,

BENOIT & BENOIT

by

Harry Benoit

Harry Benoit

HB:sa
Enclosures

23733

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) December 22, 1955

(P. O.) Kimberly, Idaho

TO THE STATE RECLAMATION ENGINEER:

Re: Permit No. 23733

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
Times-News of Twin Falls, 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.

23733

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

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

Boise, Idaho

December 1, 1954

RE: Permit No. C-23733

Messrs. J. D., W. L., & Jack B. Claiborn Jr.
Kimberly, 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. C-23733. 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, 1955.

Very truly yours,

MARK A. K L P
State Reclamation Engineer

23733

March 4, 1953

RE: Permit No. G-23733

Messrs. Benoit & Benoit
Box 536
Twin Falls, Idaho

ATT: Mr. Harry Benoit

Dear Mr. Benoit:

In reply to your letter of March 3, 1953, we enclose Permit No. G-23733 in the names of J. D., W. L., and Jack D. Claiborn, Jr., and direct their 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. 25549 for the \$5.25 filing fee.

We are sorry that there has been some delay in completing this permit, but this department has been simply swamped with applications for the last few months and it has been difficult to get them processed and recorded in the usual time.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

H 23733

LAW OFFICES
BENOIT & BENOIT
TWIN FALLS BANK & TRUST BLDG.
TWIN FALLS, IDAHO

HARRY BENOIT
EDWARD L. BENOIT

March 3, 1953

RECEIVED
31 MAR 4 1953
Department of Reclamation

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

Dear Mr. Kulp:

Under date of February 10th we forwarded to you application for permit of J. E. Claiborn, W. L. Claiborn and Jack D. Claiborn, Jr. and our check for \$5.25 in payment of your fee.

I have not yet received the permit and am wondering if there is any particular reason for the delay.

Very truly yours,

BENOIT & BENOIT

by

Harry Benoit
Harry Benoit.

hb:ec

423733

423733

Form No. 0[illegible]

23733

LAW OFFICES
BENOIT & BENOIT
TWIN FALLS BANK & TRUST BLDG.
TWIN FALLS, IDAHO

HARRY BENOIT
EDWARD L. BENOIT

February 10, 1953

RECEIVED
FEB 11 1953
9 am
Department of Reclamation

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

Dear Mr. Kulp:

We are enclosing herewith application for permit of J. D. Claiborn, W. L. Claiborn and Jack D. Claiborn, Jr. Also, our check for \$5.25 in payment of your fee.

You will observe that the application is for subterranean water from two wells which are now in existence. One of these wells is covered by Water License No. 19872 issued by you for 1.52 cubic feet per second, and the other is covered by Water License No. 20661 for 1.2 cubic feet per second.

The applicants are of the opinion that by increasing the size of the pump and motor and increasing the column and using a larger bowl on the other, that they can get sufficient water from both wells to irrigate the eighty acres of land described in the enclosed application.

We hope that we have followed the proper procedure and that the application is properly prepared.

Very truly yours,

BENOIT & BENOIT

by

Harry Benoit

Harry Benoit.

H 23733

HB:ec
Encs

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

Notice is hereby given that at two o'clock P. M., on the 16th of February, 1955, at Twin Falls, County of Twin Falls, State of Idaho, before Edward L. Benoit, Notary Public, Twin Falls Bank & Trust Company Building, proof will be submitted of the completion of works for the diversion of 1.6 cubic feet per second of the waters of subterranean wells in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 35, Township 11 South, Range 19 East B. M. and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-23733 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the persons holding said permit are J. D. Claiborn, W. L. Claiborn and Jack D. Claiborn, all of Kimberly, 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 1.6 cubic feet per second.

3. The use to which said water has been applied is irrigation and domestic purposes, and the amount applied to beneficial use is 1.6 cubic feet per second.

4. The place where said water is used is East Half (E $\frac{1}{2}$) of Northeast Quarter (NE $\frac{1}{4}$) of Section 34, Township 11 South, Range 19 E., B.M., Twin Falls County, Idaho.

5. The date of priority which said user is prepared to establish is February 11, 1953.

MARK R. KULP,

State Reclamation Engineer

Published: Jan. 12, 20, 26, Feb. 9, 1955