

45-02427

State of Idaho

License and Certificate of Water Right

Water License No. G-23366Amount Four (4)

Water District No. _____

Priority December 12, 1952

THIS IS TO CERTIFY that RICHARD GUZMAN
 of Burley, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated November 20, 1952; that Permit No. G-23366
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
 Four second feet, was issued thereunder on January 4, 1956, showing that said works
 were completed on the 15th day of March, 1955; and that on the 7th
 day of April, 1955,

HOWARD ALLEN, Assignee of Richard Guzman

of Baker, State of Oregon, made proof to the satisfaction of the
 State Reclamation Engineer of Idaho, of the right to use the waters of a well
~~contributing~~ (subterranean flow), for the purpose of Irrigation
 , under Use Permit No. G-23366 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 5648, on the 4th day of January, 1956;

The right hereby confirmed dates from December 12, 1952;

The Point of Diversion is located

in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 28, Tp. 11 S., R. 23 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 Four (4) 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.	23 E.	28	NW $\frac{1}{4}$ NE $\frac{1}{4}$		10
			SW $\frac{1}{4}$ NE $\frac{1}{4}$		40
			SE $\frac{1}{4}$ NE $\frac{1}{4}$		40
			NE $\frac{1}{4}$ NW $\frac{1}{4}$		30
			NW $\frac{1}{4}$ NW $\frac{1}{4}$		40
			SW $\frac{1}{4}$ NW $\frac{1}{4}$		40
			SE $\frac{1}{4}$ NW $\frac{1}{4}$		40
			Number of Acres Actually Irrigated		240

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

4th day of January, 1956.

MARK R. KULP

State Reclamation Engineer.

(SEAL)

45-2427

State of Idaho

License and Certificate of Water Right

Water License No. 21759

Amount 3.2 second feet

Water District No.

Priority April 26, 1951

THIS IS TO CERTIFY that JOHN F. LUNDQUIST

of Horseshoe Bend, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated October 23, 1950; that Permit No. 21759 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 4.5 second feet, was issued thereunder on August 5, 1952, showing that said works by Oliver H. Emerson & Dennis H. Russell, assignees of J. F. Lundquist were completed on the 5th day of August, 1952; and that on the 2nd day of May, 1955, Lue Ihrig, assignee of Emerson & Russell

of Horseshoe Bend, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of Payette River, a tributary of Snake River, for the purpose of Irrigation, under Use Permit No. 21759 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 5647, on the 4th day of January, 1956;

The right hereby confirmed dates from April 26, 1951, 1951;

The Point of Diversion is located

in the NW 1/4 SE 1/4, Sec. 23, Tp. 7 N., R. 2 E., B. M. Boise 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 3.2 cubic feet per second.

Description and location of use:

Twsp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
7 N.	2 E.	23	Lot 5		35
			SE 1/4 SE 1/4		2
			NE 1/4 NE 1/4		15
			NW 1/4 NE 1/4		40
			SW 1/4 NE 1/4		38
			NW 1/4 SE 1/4		10
			Lot 1		30
			Lot 2		30
			Lot 3		15
			Number of Acres Actually Irrigated	-	215

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

4th day of January, 1956.

MARK R. KULP

State Reclamation Engineer.

(SEAL)

APPLICATION FOR PERMIT 45-2427 To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 31139
Permit No. G- 23366
District No.

Assigned to

Howard Allen Baker
Oregon

1. Name of Applicant: **RICHARD GUZMAN**
Postoffice address: **Burley** County: **Cassia** State: **Idaho**
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second. **Four (4)** or Idaho
Miners' inches or gallons per minute.
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: **Deep well (subterranean flow)**
4. Location of point of diversion or well is in the **SW** $\frac{1}{4}$ of the **SW** $\frac{1}{4}$ of Section **29**
Twp. **11 S.**, Rge. **23 E.**, B. M., County of **Cassia**
5. Water is to be used for: **Irrigation**
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section, Twp.
Rge., B. M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section, Twp., Rge., B. M.
7. Kind of works: **Deep well, pump, ditches (or sprinkler system)**
8. Estimated cost of works: **\$20,000.00**
9. (a) Is reservoir to be used?
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is **Two(2)** years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash onhand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: **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.

Remarks: There are no water rights to the property described in this application

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.

RICHARD D. GUZMAN *Applicant.*

Bv

Agent.

Date of first receipt at Department of Reclamation: 9:00 A. M. November 20, 1952

Returned to applicant for correction: November 20, 1952

Corrected application received: **December 10, 1952**

Approval of State Reclamation Engineer

The number of this permit is G-23366

Recorded in Book 83 Page 23366 Approved December 17, 1952

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 **February 17, 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 **December 17, 1953**

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before **December 17, 1954**

Witness my hand this 17th day of December, 1952

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 17th
day of December, 1952

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	
11 S.	23 E.	29									40	40	40	40		40	40	240	
A S S I G N M E N T																			
For value received, I hereby assign all my right, title, and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. G-23366 to J. Howard Allen of Baker, Oregon																			
State of Cal.) County of Sacramento) ss			RICHARD D. GUZMAN Permit holder. JOYCE GUZMAN Wife of Permit Holder																
On this 16th day of Dec., 1954, before me, a Notary Public for the State of Idaho, residing at Sacramento, Cal. personally appeared Richard D. Guzman and Joyce Guzman, known to me to be the person whose name is subscribed to the within instrument, and duly acknowledged to me that they executed the same.																			
In witness whereof, I have hereunto set my hand and affixed my Notarial seal, the day and year in this certificate first above written.																			
(SEAL)			Notary Public																
My commission expires Feb. 16, 1958.																			
Received and filed for record in the Department of Reclamation, at Boise, Idaho, January 7, 1955. MARK R. KULP State Reclamation Engineer																			

APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby extend the time for the completion of construction work under Permit to appropriate the Public Waters of the State of Idaho, No. G-23366 to March 15, 1955.

Witness my hand this 17th day of January, 1955.

MARK R. KULP
State Reclamation Engineer

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, NO. G-23366.

Comes now Howard Allen, and represents to the State Reclamation Engineer of the State of Idaho.

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-23366, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

That portion of the N $\frac{1}{2}$ of Section 28, Township 11 South, Range 23, E.B.M. that lies South of the Third Lift Canal of the Burley Irrigation District, all in Cassia County, Idaho, containing approximately 240 acres. Also West Half of the Southeast Quarter of Section 29, Township 11 South, Range 23 E B M containing 80 acres.

making a total of 320 acres.

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

Signed at Baker, Oregon, this 10th day of January, 1955.

HOWARD ALLEN

Date of receipt at Office of Department of Reclamation Jan. 17, 1955

APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-23366. This approval constitutes a new permit and is issued as an amendment to the original Permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

MARK R. KULP
State Reclamation Engineer

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, NO. G-23366

Comes now J. Howard Allen and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-23366.

That the point of diversion is described in said permit as being located SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 28, Twp. 11 S. Range 23, East, Boise, Meridian.

That he now requests that the point of diversion be changed to a point located SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 28, Twp 11 S., Range 23, East, Boise Meridian.

That his reasons for desiring to make such change are as follows: That the well is closer to the ground to be irrigated and has already been constructed in that place.

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

Signed at Burley, Idaho, this 19th day of February, 1955.

HERMAN E. BEDKE
Attorney for J. Howard Allen

Date of receipt at Department of Reclamation _____.

APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public waters of the State of Idaho, No. G-23366. This approval constitutes a new permit and is issued as an amendment to the original Permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

MARK R. KULP
State Reclamation Engineer

Permit No. G-23366
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that J. Howard Allen of Baker, County of _____, and State of Oregon, the holder of Permit No. G-23366, issued upon Application No. G-31139 bearing date of priority of December 12, 1952, authorizing the diversion of Four (4) second feet of the waters of subterranean from a well 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 to the place of intended use Four (4) second feet of the waters of said well that the point of diversion of said waters is in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 28, Township 11 South, Range 23 East, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: The portion of the N $\frac{1}{2}$ of Section 28, Township 11 South, Range 23 East, B.M. that lies south of the Third Lift Canal of the Burley Irrigation District, all in Cassia County Idaho, containing 240 acres; the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ Section 29, Township 11 South, Range 23 East, B.M.

Witness my hand this 4th day of January, A.D. 1956.

MARK R. KULP
State Reclamation Engineer

Proof of completion of works made April 7, 1955
Certificate of Completion of Works issued January 4, 1956

4.0
Pg - 5648

July 14, 1971

Re: License No. G-23366/45-2427 - Howard Allen

Mr. Larry W. Baker
600 So. 150 East
P.O. Box 248
Burley, Idaho 83318

Dear Mr. Baker:

Pursuant to your phone call on this date, please find enclosed a copy of the above referenced license.

The fee for this copy is \$.50, which you may remit to the Department at your convenience. If we may be of further assistance, please feel free to contact us at any time.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR
Enclosure

45-2427

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

DEPARTMENT OF RECLAMATION

107 Statehouse
Boise, Idaho 83701

January 13, 1967

Dear Water User:

As you are aware a large area in Twin Falls and Cassia Counties was designated as a critical ground water area in 1962. Since that time the State Reclamation Department has entered into a cooperative agreement with the U. S. Geological Survey to study the ground-water resources of the area. That study is now completed, and a report is being prepared. The state reclamation engineer is reviewing the hydrology and water level changes while considering the possibility of modifying the area that is designated as critical and closed to additional water development.

With regard to this the State Reclamation Engineer, R. Keith Higginson, will conduct a public meeting in the Murtaugh High School Auditorium at 7:30 P.M. on January 25, 1967. The locations and amounts of present water rights will be reviewed, and alternatives for modification of the area will be presented. In addition U. S. Geological Survey personnel will be present to relate what is now known of the ground water resources of the area.

Water users are encouraged to participate in the discussion, and all interested parties are urged to attend.

Very truly yours,

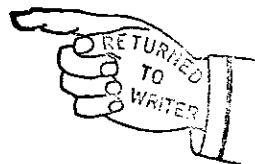


Jack A. Barnett
Assistant State Reclamation Engineer

JAB:mr

23364

AFTER FIVE DAYS RETURN TO
DEPARTMENT OF RECLAMATION
ROOM 107, STATE HOUSE
BOISE, IDAHO 83701



RECEIVED
JAN 17 1967

Department of Reclamation

A 23366

Mr. Richard Guzman
Burley, Idaho

- G-23366
1/16 - C5
JH
- ☐ Moved, left no address
 - ☐ No longer in area
 - ☐ Moved, not forwardable
 - ☒ Addressee unknown
- JH

January 6, 1956

Re: Permit O-23366

J. Howard Allen
Baker, Oregon

Dear Mr. Allen:

We are enclosing herewith License and Certificate of Water Rights O-23366, your Certificate of Completion of Works on the above stated Permit and the Departmental Receipt No. O-1610 for \$19.00 in payment of the Completion of Works and the Beneficial Use Proofs on the same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By:

Chief Clerk

R
Encl. 3

23366

October 31, 1956

RE: Permit No.G-23366

Mr. R. H. Griffin
Route 2
Burley, Idaho

Dear Mr. Griffin:

We wish to state that the records in this department do not show that a log of the well on the Howard Allen place was ever received in this department. Evidently, the well driller failed to submit a log to this department.

We are enclosing, herewith, a photostatic copy of the Department of Reclamation's Engineers report on the well which may be of some value to you. Sorry we cannot furnish you with a log of the well.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

T:hll
Enc.

23366

INDEPENDENT COAL & COKE COMPANY

General Office
607 Judge Building
Salt Lake City

OCT 30 1956

Department of Reclamation

Department of Reclamation
Boise Idaho

Dear sir.

Would you please send
me the log and figures
that were taken when
the well on the Howard
allen Place was taken
When the well was
proved up on. The
Howard allen place Burley
Idaho, ~~see~~ north $\frac{1}{2}$ sec 28
6 miles south Burley
your truly.

ORANGE H. WHITE, District Representative

214 Broadway Building, Co. 1st and 2nd Sts.

Boise, Idaho

R. H. Luffin
P. O. Box 2 Burley Idaho

823366

✓
June 22, 1955

RE: Permit No. G-23366

Mr. J. Howard Allen
Baker
Oregon

Dear Mr. Allen:

The report of our field engineer on examination for completion of works and beneficial use on your Permit No. G-23366 shows that your well in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 28, Township 11 South, Range 23 East, B.M. will deliver $\frac{1}{4}$ second feet or 200 inches of water which has been used to irrigate 240 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ of said Section.

A Certificate of Completion of Works and License can, therefore, be issued for that amount upon receipt of the statutory fees. These amount to \$5.00 for completion of works and \$14.00 license fee, the latter being at the rate of \$2.00 for each 40 acre subdivision in which the land is located.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll



ROBERT E. SMYLLIE
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER
BOISE

RECEIVED
JAN 03 1955
Department of Reclamation

June 22, 1955

RE: Permit No. G-23366

Mr. J. Howard Allen
Baker
Oregon

Dear Mr. Allen:

The report of our field engineer on examination for completion of works and beneficial use on your Permit No. G-23366 shows that your well in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 28, Township 11 South, Range 23 East, B.M. will deliver 4 second feet or 200 inches of water which has been used to irrigate 240 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ of said Section.

A Certificate of Completion of Works and License can, therefore, be issued for that amount upon receipt of the statutory fees. These amount to \$5.00 for completion of works and \$14.00 license fee, the latter being at the rate of \$2.00 for each 40 acre subdivision in which the land is located.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Jeannie L. Anderson
Chief Clerk

A:hll

*Please find enclosed check for \$19.00 which pays for the completion of works & license - you can now send me the Certificate Now yours Truly
Howard Allen*

23366

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

Permit No. G-23366

This proof is for Beneficial Use In Water District No.

1. Name of applicant J. Howard Allen, Baker, Oregon
2. Source of water supply: Subterranean from a well.
3. Location of point of diversion: Is in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 28
T. 11 S. R. 23 E. County of Cassia
4. Describe works as they exist, giving dimensions and capacities of same: Worthington Pump serial No. T 1402572, 150 HP U. S. Motor, serial No. 917418. 10" discharge to the South into a surge column 3' diameter by 14' high, to the fields by gravity. No protection. Pump and well specifications not known. Lift estimated at 200'. Water was measured through a Sparling Meter at 200". Temperature 55° F.

Pipe line from pump to high point in ditch.

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

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):
28

That portion of the N $\frac{1}{2}$ Section 8 lying South of the Third Lift Canal of the Burley Irrigation District;

W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 29;

All in Twp. 11 South, Range 23 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: Row crops, hay and grain.

This examination was made on the 8 day of June, 1955

(Signed) E. M. Humphrey Examiner.

23366

INSTRUCTIONS TO EXAMINERS

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

RECEIVED
JUN 21 1955
Department of Reclamation

J. Howard Allen
Baker, Oregon

Permit No. G-23366

Examination for Ben. Use.

County Linn
28-11S-23E.

Q - 4.0 c.f.s.

S - Well

P.D. = SE. NW, Sec. 28, T. 11S - R. 23E

Use = Irrigation

Priority = Nov. 20, 1952
Due = Dec. 17, 1954
(c/w extension to 3-15-55)

Rulon Griffin

400 in 1 m. 47 sec.

500 in 2 m. 6 sec

126) 500 4
500

55°F. allow 200 in.

U.S. motor 150 hp.
* 917418 440V. 1800 rpm.
1800 rpm.

lift 140'?

10" col

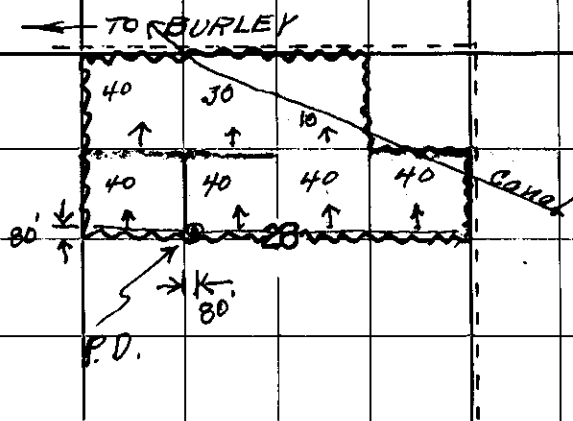
10" dish. to S. into
large column 3' x 14"

Worthington

size & type 14 QFE 6
T1402572

lift = 180 to 200'

R-23E



Subdivisions = 7

Area = 240 a.

Q - 200 inches

T = 55°F

Measured thru Sparling Meter

Weatherhouse
Re Cox Circuit Breaker

Whse. Cent. Starter
Type I. Style 1532889-2
Mtd on iron post 8' high
6'

Heavy Conc. base
5'w x 10'long
no house
no protest

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-23366

~~REPORT ON PROOF OF Beneficial Use and Completion of Work~~

J. HOWARD ALLEN, Baker, Oregon

app. 4 cfs.

1 cfs
min

240 ams

7-40's

✓
April 14, 1955

RE: Permit No. G-23366

Mr. Herman E. Bedke
Box 204
Burley, Idaho

Dear Mr. Bedke:

We have your letter of April 12 and note that the W¹/₂SE¹/₄ Section 29, Township 11 South, Range 23 East B.M. should not be included in proof of beneficial use on Permit No. G-23366 in the name of J. Howard Allen.

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. Allen or someone on the premises 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

A:hl1
cc - Mr. J. Howard Allen

23366

HERMAN E. BEDKE

ATTORNEY AT LAW
POST OFFICE BOX 204
BURLEY, IDAHO

GEM BUILDING
TELEPHONE 585-W

April 12, 1955

Department of Reclamation
State of Idaho
State House
Boise, Idaho

RE: Permit No. G-23366

Gentlemen:

In answer to your inquiry of April 11, 1955 as to the omission of the West Half of the Southeast Quarter of Section 29, please be advised that this omission was intentional for the reason that upon interrogation of the witnesses and Mr. Allen, the holder, it was ascertained by me that no water has yet actually been placed or used on this 80 acre tract, but is only a contemplated use in the future and since there was sufficient land already irrigated to absorb all of the water of the well, I deemed it advisable to omit this 80 acres from the proof.

I trust this clarifies the record.

Yours truly,


Herman E. Bedke

HEB/c

RECEIVED
APR 13 1955
Department of Reclamation

423366

✓
April 11, 1955

RE: Permit No. G-23366

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

Dear Mr. Bedke:

We acknowledge receipt of your letter of April 9 enclosing depositions of J. Howard Allen and two witnesses also Affidavit of Publication in the Burley Herald Bulletin and your own Affidavit all in proof of Beneficial Use on Permit No. G-23366.

However, in checking these depositions we note that none of them include land in the W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 29, Township 11 South, Range 23 East, B. M., which is included in the Permit and in the published notice. Was this omitted intentionally or should it be included in the proofs?

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:cu

D 23366

HERMAN E. BEDKE

ATTORNEY AT LAW
POST OFFICE BOX 204
BURLEY, IDAHO

GEM BUILDING
TELEPHONE 585-W

April 9, 1955

APR 11 1955
Department of Reclamation

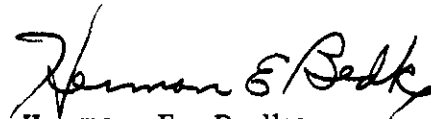
State Reclamation Engineer
State House
Boise, Idaho

RE: Permit No. G-23366

Dear Sir:

Enclosed please find Deposition of Holder and two
Witnesses, Proof of Publication and Affidavit of Postponement
by the Notary in the above Permit No.

Yours truly,


Herman E. Bedke

HEB/c

23366

A F F I D A V I T

STATE OF IDAHO)
) ss.
County of Cassia)

Herman E. Bedke, being first duly sworn, deposes and says:

That he is the Notary Public before whom J. Howard Allen advertised to submit Proof of Beneficial Use of a well constructed pursuant to Permit No. G-23366; that the said date and time for proof to be submitted was the 5th day of March, 1955 at the hour of 11:00 o'clock A.M. at Burley, Idaho; that the said affiant had his office open and was present at the said office at the said place and time; that no persons appeared before the Notary at the said time and place to offer or submit any protest to the hearing of Proof of Beneficial Use; that by reason of poor health, the applicant, J. Howard Allen of Baker, Oregon, was unable to attend the hearing at the said time and place and that the affiant continued the hearing of Proof of Beneficial Use until the hour of 11:00 o'clock A.M. on the 7th day of April, 1955; that at no time from the 5th day of March, 1955 until the 7th day of April, 1955 did anyone appear before the said Notary to protest the proof of beneficial use of said permit; that at the continued date the hearing was had and J. Howard Allen appeared in person and Byron G. Wayment and Reed W. Jensen appeared as witnesses.

Herman E. Bedke

Subscribed and sworn to before me this 9th day of April, 1955.

Geo. J. Smith
Notary Public for Idaho,
Residing at Burley, Idaho

SEAL

23366

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G 23366

Proof of Application of Water to Beneficial Use

Deposition of Witness

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

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

Ans. Reed W. Jensen, 25, Burley, Idaho, Farmer, Burley, Idaho

Ques. 2. Are you acquainted with J. Howard Allen, the holder of Permit No. G 23366? How long have you known him and where does he reside?

Ans. one and one half years; Baker, Oregon

Ques. 3. Have you read or heard read said Permit No. G 23366, 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, SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 28, Township 11 South, Range 23 E.B.M.
Pump with electric motor; 16" casing in well 12" column, 485' Deep
open ditches and underground pipe.

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. 5 sec. feet

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. 5 sec. feet by comparison with other streams of known amounts.

J 23366

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, Cultivated use, Reclaimed Arid Ground: 40 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$; 40 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$; 30 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$; 40 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$; 28 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$; 40 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$; 40 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 28, Township 11 South Range 23, E.B.M.

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. Sagebrush arid ground. One inch to the acre

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

Ans. No

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. Cropping season 1953-1954, irrigating crops; saw all land under cultivation.

(Signed)

Reed W. Jensen

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Burley, County of Cassia, State of Idaho, on this 7th day of April, A. D. 1955.

Herman E. Basky

Notary Public.

My commission expires June 23, 1957

23366

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G. 23366

Proof of Application of Water to Beneficial Use

Deposition of Witness

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

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

Ans. BYRON WAYMENT, 49, BURLEY, IDAHO, FARMER,
Rt # 2 BURLEY

Ques. 2. Are you acquainted with HOWARD ALLEN, the holder of Permit No. H-23366? How long have you known him and where does he reside?

Ans. YES, 16 yrs, BAKER, OREGON

Ques. 3. Have you read or heard read said Permit No. G 23366, 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, SE 1/4 NW 1/4 SEC 28, TWP 11 S. R 9 23 E. B.M.
PUMP WITH ELECTRIC MOTOR, 16" INCH CASING IN WELL
15' COLUMN, 485' DEEP, OPEN DITCHES AND UNDERGROUND
PIPE,

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. 5 sec ft.

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. 5 sec ft. saw MEASURED OVER WIER.

H 23366

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
CULTIVATED USE, RECLAIMED ARID GROUND
40 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$; 40 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$; 20 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$; 40 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
28 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$; 40 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$; 40 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 28
Township 11 South, Range 23, E.B.M.

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

Ans. No.

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. SAGE BRUSH ARID GROUND, ONE INCH TO THE ACRE

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

Ans. No.

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. CROPPING SEASON 1952, 1953, & 1954, IRRIGATING
CROPS, SAW ALL LAND UNDER CULTIVATION.

(Signed) Byron T. Tamm

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Burley,
County of Cassia, State of Idaho, on this 7th day of April,
A. D. 19 55.

Herman E. Beck

Notary Public.

My commission expires June 23, 1957.

423366

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G 23366

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. J. Howard Allen, Baker, Oregon, Farmer., Baker, Oregon

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. Not a corporation

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

Ans. G 23366; December 17, 1952; November 20, 1952

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

Ans. Subterrean; SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 28, Township 11 South, Range 23, E.B.M.

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

Ans. A well cased with 16" casing 485 feet deep equipped with a pump with 12" column and electric motor; depth to water 162 feet; discharge of the pump 5 second feet measured over a weir; open ditches and underground pipe.

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; 40 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$; 40 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$; 30 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$; 40 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$; 28 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$; 40 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$; 40 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 28, Township 11 South, Range 23, E.B.M. Cultivated use, Reclaimd aris ground

23366

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. None

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. By purchase and assignment approved by the State Reclamation Engineer.

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 1952-1953-and 1954, irrigating crops by gravity type of irrigation.

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. No other waters have been used upon the land

(Sign)

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Burley, County of Cassia,

State of Idaho, on this 7th day of April, A. D. 1955,

Herman E. Becky

Notary Public residing at Burley, Idaho

My commission expires June 23, 1957

H 23366

March 29, 1955

RE: Permit No. G-23366

Mr. J. Howard Allen
Baker
Oregon

Dear Mr. Allen:

We have your letter of March 25 and note that the proofs were not made on your Permit No. G-23366 because you were not able to go to Burley and appear before the Notary Public, Mr. Bedke on March 5 in accordance with the published notice.

It will be alright for you to make the proof at a later date, but in that case the proofs must be accompanied by an Affidavit from Mr. Bedke stating that his office was open on March 5, 1955, the date set for proof, that no Protests were filed (if such was the case) and that the making of the proofs was postponed to a later date.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

23366

A:eu
cc- Mr. Herman E. Bedke

Salem, Oregon
March 25 - 1955

Mr Mark R. Kulp -
State Reclamation Engineer
Boise Idaho

RE Permit X C 23366

Dear Mr Kulp.

I was not able to go to Beaverton, and appear
before Mr Bedke the Notary, on Mar-5. But I
will be able to go, about April-1- and will take
care of the Matter at that time.

Yours Very Truly
Howard Allen

RECEIVED
MAR 26 1955
Department of Reclamation

23366

✓
March 17, 1955

RE: Permit No. G-23366

Mr. Herman E. Bedke
Attorney at Law
Burley, Idaho

Dear Mr. Bedke:

We do not seem to have received the proofs of completion of works and beneficial use which were advertised to be made March 5, 1955, before you as Notary Public, on Permit No. G-23366 of J. Howard Allen.

If these proofs were made as scheduled, they should be promptly transmitted to this Department.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll
cc - Mr. J. Howard Allen

23366

**NOTICE OF PROOF OF
COMPLETION OF WORKS**

**and
APPLICATION OF WATER
TO BENEFICIAL USE**

Notice is hereby given that at 11:30 A. M. on the 5th day of March, 1955, at Burley, County of Cassia, State of Idaho, before Herman B. Beards, Notary Public proof will be submitted of the completion of works for the diversion of 4 cubic feet per second of the waters of a well in the SE 1/4 NW 1/4 Section 18, T. 11 S., R. 27 E., B. 1 M. and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-23366, 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 J. Howard Allen, Baker, Oregon.

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 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 4 cubic feet per second.

4. The place where said water is used is that portion of the NW 1/4 of Section 28 that lies South of the Third Lift Canal of the Burley Irrigation District, also the W 1/2 SE 1/4 Section 29, all in Township 11 South, Range 23 E.B.M.

5. The date of priority which said user is prepared to establish is November 20, 1952.

MARK R. KULP

Professional Engineer
Residing in the Burley Herald.

Affidavit of Publication.

The Burley Herald-Bulletin

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
COUNTY OF CASSIA } ss.

Junior W. Ross

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

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

Affiant further states that the printed notice attached hereto was duly published according to law, in the regular weekly editions of the said newspaper and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated Feb. 3, 1955, and ending with the issue dated Feb. 24, 1955.

Junior W. Ross
Subscribed and sworn to before me this 28th day of Feb, 1955.
Angel G. Woodall

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

My Commission Expires June 4, 1958

G 23366

NOTICE OF PROOF OF
COMPLETION OF WORKS

and
APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 11 o'clock A. M., on the 5th day of March, 1955, 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 4 cubic feet per second of the waters of a well in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 28, T 11 S., Rgt. 23 E.B.M. and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-23366 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 J. Howard Allen, Baker, Oregon.

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 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 4 cubic feet per second.

4. The place where said water is used is that portion of the N $\frac{1}{2}$ of Section 28 that lies South of the Third Lift Canal of the Burley Irrigation District, also the W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 29, all in Township 11 South, Range 23 E.B.M.

5. The date of priority which said user is prepared to establish is November 20, 1952.

MARK R. KULP
State Reclamation Engineer
Published in the Burley Herald,
Feb. 3-10-17-24, 1955.

Affidavit of Publication.

The Burley Herald-Bulletin

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
COUNTY OF CASSIA } ss.

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

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

Affiant further states that the printed notice attached hereto was duly published according to law, in the regular weekly editions of the said newspaper and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated Feb. 3, 1955, and ending with the issue dated Feb. 24 1955.

Junior W. Ross
Subscribed and sworn to before me this 23rd day of Feb., 1955.

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

My Commission Expires June 4, 1958

NOTICE OF PROOF OF
COMPLETION OF WORKS

and

APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 11 o'clock A. M. on the 5th day of March, 1955, 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 4 cubic feet per second of the waters of a well in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 28, T 11 S., Rgt. 23 E.B.M. and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. C-23366 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 J. Howard Allen, Baker, Oregon.

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 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 4 cubic feet per second.

4. The place where said water is used is that portion of the N $\frac{1}{2}$ of Section 28 that lies South of the Third Lift Canal of the Burley Irrigation District, also the W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 29, all in Township 11 South, Range 23 E.B.M.

5. The date of priority which said user is prepared to establish is November 20, 1952.

MARK R. KULP

State Reclamation Engineer

Affidavit of Publication.

The Burley Herald-Bulletin

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
COUNTY OF CASSIA } ss.

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

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

Affiant further states that the printed notice attached hereto was duly published according to law, in the regular weekly editions of the said newspaper and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated Feb. 13, 1955, and ending with the issue dated Feb. 24, 1955.

Subscribed and sworn to before me this 25th day of Feb., 1955.

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

My Commission Expires June 4, 1955

February 22, 1955

RE: Permit No. G-23366

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

Dear Mr. Bedke:

We return the application of J. Howard Allen for amendment to the point of diversion, or location of the well, in Permit No. G-23366 which has been approved by the State Reclamation Engineer and recorded in this department.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll
Enc.

D 23366

HERMAN E. BEDKE
ATTORNEY AT LAW
P. O. BOX 204
BURLEY, IDAHO

GEM BUILDING
PHONE 585

February 19, 1955

RECEIVED
FEB 21 1955
Department of Reclamation

State Department of Reclamation
State of Idaho
Boise, Idaho

RE: Permit No. G23366

Attention: Jeanne L. Anderson, Chief Clerk

Dear Mrs. Anderson:

Enclosed you will find an Application for Amendment
of the above permit. I trust that this will satisfactoryily
clear the matter up.

Yours truly,


Herman E. Bedke

HEB/c

enc. 1

23366

February 14, 1955

C
O
P
Y

RE: Permit No. G-23366

Burley Herald-Bulletin
Burley
Idaho

Gentlemen:

Mr. Herman E. Bedke has no doubt requested that you change the location of the well as described in notice in the name of J. Howard Allen, to show the well located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 28, Township 11S, Range 23 East, B. M. instead of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 29, Township 11 South, Range 23 East, B.M.

As we understand it this notice has now been published in your issues of February 3 and 10 and the corrected notice should appear February 17 and 24.

Please be sure that the Affidavit of Publication describe the corrected location.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:cu
cc-Herman E. Bedke

23366

February 14, 1955

RE: Permit No. G-23366

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

Dear Mr. Bedke:

Following our telephone conversation in regard to the above numbered Permit in the name of J. Howard Allen;

We enclose a form of application for Amendment to the point of diversion of location of the well. This should be returned as soon as possible for approval and record.

Assuming that the Burley Herald-Bulletin has made the necessary correction it is important that their Affidavit of Publication should contain a clipping of the corrected notice and we are writing them today as per copy of letter enclosed.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:cu
Enc.

23366

HERMAN E. BEDKE
ATTORNEY AT LAW
P. O. BOX 204
BURLEY, IDAHO

GEM BUILDING
PHONE 585 W

February 12, 1955

FEB 14 1955

Department of Reclamation

State of Idaho
Department of Reclamation
Boise, Idaho

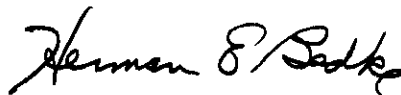
RE: Permit No. G-23366

Gentlemen:

Please find enclosed my check in the sum of \$1.00 in payment for a copy of the above permit. I have written for the name of the notary who notarized the assignment, but have not as yet received it.

The advertising on this matter is now in process and Mr. Allen has called it to my attention that the well is actually constructed under the permit is located in the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 28, Township 11 South, Range 23, E.B.M. It would be greatly appreciated if the owner of the above said permit could amend the permit to change the point of diversion to the last description without re-advertising for the proof. If such can be done, would you please send me the forms necessary so that I can get them executed and returned to your office prior to the time Beneficial Proof is submitted? If not, please send the forms in any event and we will change the point of diversion and if necessary re-advertise the notice.

Yours truly,


Herman E. Bedke

HEB/c

d 23366

✓
February 4, 1955

RE: Permit No. G-23366

C
Mr. Herman E. Bedke
Box 204
Burley, Idaho

Dear Mr. Bedke:

O
On January 19 we wrote you returning the assignment of Permit No. G-23366 from Richard Guzman and wife to J. Howard Allen and also enclosing a copy of this Permit as requested.

P
In that letter we asked you to inform us as to the name of the Notary Public who acknowledged the assignment and also mentioned the fact that there was a \$1.00 fee for the copy of the Permit.

To date we have received no reply to this letter.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

Y
R27191
A:hl1

H 23366

~~XXXXXXXXXX~~
ROBERT E. SITLE

January 19, 1955

RE: Permit No. G-23366

Mr. Herman E. Bedke
Box 204
Burley, Idaho

Dear Mr. Bedke:

We return the assignment of Permit No. G-23366 from Richard Guzman and wife to J. Howard Allen which has been recorded in this Department.

However, we are unable to read the name of the Notary Public and this is an important part of the record. Will you please advise us in regard to this.

We enclose departmental receipt No. 27145 for the fifty cents recording fee.

We also return Mr. Allen's application for Extension of Time for Completion of Works proof on this Permit which has been approved to March 15, 1955. Also enclosed is application for amendment to the land list which has been approved and recorded in this department.

We also enclose a copy of Permit No. G-23366 in accordance with your request. The fee for making this is \$1.00 for which you may send us your check.

We have sent to the Burley Herald-Bulletin notice for completion of works and beneficial proof to be made on this Permit March 5, 1955, with instructions to publish it once a week for four weeks prior to that date and to send Mr. Allen the affidavit of publication together with statement of costs.

We enclose the forms of deposition to be executed by Mr. Allen and two disinterested witnesses in making this proof.

Y 23366

Burley, Idaho
Jan. 20, 1955

Dear Mr. Kulp:

We are in receipt of your
legal to run for J. Howard Allen and have
marked it to run Feb. 3-10-17-24, 1955
which is prior to March 5, date set for
proof. THANKS

Very truly yours
Burley Herald-Bulletin

By

Hazel G. Woodall

823366



THIS SIDE OF CARD IS FOR ADDRESS

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

RECEIVED
JAN 21 1955

23366

Mr. Herman E. Bedke

2

January 19, 1955

Under separate cover, we are sending you a small supply of Forms 10 and 11 as requested.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hl1
Enc.
USC

23366

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. G-23366

Date: January 19, 1955

Burley Herald-Bulletin

Burley, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to March 5, 1955 the date set for proof, the expense of the publication to be paid by the applicant, J. Howard Allen of Baker Oregon, 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 E. KULP

State Reclamation Engineer

By

Chief Clerk

23366

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

Notice is hereby given that at 11 o'clock A. M., on the 5th day of March, 1955, 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 4 ^{Reg. 23 E.B.M.} cubic feet per second of the waters of a well in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 29, T 11 S., / and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 023366 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 J. Howard Allen, Baker, Oregon

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 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 4 cubic feet per second.

4. The place where said water is used is that portion of the N $\frac{1}{2}$ of Section 28 that lies South of the Third Lift Canal of the Burley Irrigation District, also the W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 29, all in Township 11 South, Range 23 E.B.M.

5. The date of priority which said user is prepared to establish is November 20, 1952.

MARK R. KULP

State Reclamation Engineer

023366

HERMAN E. BEDKE

ATTORNEY AT LAW

P. O. BOX 204

BURLEY, IDAHO

January 14, 1955

GEM BUILDING
PHONE 585

RECEIVED
JAN 17 1955
Department of Reclamation

State Department of Reclamation
State House
Boise, Idaho

Gentlemen:

Enclosed please find an Application for Amendment of
Permit No. G-23366 properly signed.

Will you please send me a copy of the original application
on the above permit No.? Also send your statement and I will
remit the same directly to you.

I also would like to have you send me a supply of blank
forms 10 and 11.

Yours truly,


Herman E. Bedke

HEB/c
enc.

23366

✓
January 7, 1955

RE: Permit No. G-23366

Mr. Herman E. Bedke
Box 204
Burley, Idaho

Dear Mr. Bedke:

We have your letter of January 6 with enclosures as stated.

In checking notice for proof of completion of works and beneficial use, we note that the place of use is described as "that portion of the N $\frac{1}{2}$ of Section 28, Township 11 South, Range 23, E.B.M. that lies South of the Third Lift Canal of the Burley Irrigation District all in Cassia County Idaho, containing 240 acres."

The Permit gives the place of use as the SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 29, Township 11 South, Range 23 East B.M. containing 240 acres.

If there is an error in the notice, we can change the land description upon your authorization to do so but if the applicant desires to amend the Permit to include other lands, an application for such amendment should be made on the form enclosed.

Very truly yours,

MARK R. FULP
State Reclamation Engineer
By

Chief Clerk

A:hll
Enc.

23366

HERMAN E. BEDKE

ATTORNEY AT LAW

P. O. BOX 204

BURLEY, IDAHO

January 6, 1955

GEM BUILDING
PHONE 585

RECEIVED
JAN 7 1955
Department of Reclamation

State of Idaho
Department of Reclamation
Boise, Idaho

RE: Permit No. G-23366

Gentlemen:

Please find enclosed an Assignment of the above permit number by Rihhard D. Guzman and wife, Joyce Guzman to Howard Allen. Also find enclosed an Application for Extension of Time signed by Mr. Howard Allen.

Would you kindly forward to me the necessary forms to submit proof of completion of work and proof of beneficial use on the above entitled well.

Find also enclosed my check in the sum of \$0.50 to cover the charge of recording the assignement.

Will you please fill in the priority date on the Proof of Completion of Works, paragraph 5? I do not know what this date is.

Yours truly,


Herman E. Bedke

HEB/c

enc.

23366

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) January 6, 1955

(P. O.) Baker, Oregon

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

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

Herald-Bulletin

of Burley, 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.

H 23366

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

Notice is hereby given that at 11 o'clock A. M., on the 5th day of March, 1955, at Burley, County of Cassia, State of Idaho, before Herman E. Bedke, Notary Publ. proof will be submitted of the completion of works for the diversion of 4 cubic feet per second of the waters of a well and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 23366 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 J. Howard Allen, Baker, Oregon

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 4.4 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 4.4 cubic feet per second.

4. The place where said water is used is that portion of the N $\frac{1}{2}$ of Section 28, Township 11 South, Range 23, E.B.M. that lies South of the Third Lift Canal of the Burley Irrigation District all in Cassia County, Idaho, containing 240 acres.

5. The date of priority which said user is prepared to establish is

11-20-52

State Reclamation Engineer

23366

Permit No. **G 23366**

Application for Extension of Time FOR COMPLETION OF WORKS

Howard Allen, of **Baker, Oregon**

State of **Oregon**, being first duly sworn, upon his oath deposes and says:

He is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho
No. **G 23366**

Under the terms and conditions of said permit, construction work thereunder was required to be
completed by **December 17, 1954**

That he has heretofore performed the following work described under said permit:

**has fully completed the construction of the well and putting
the water to beneficial use, costing \$17000.00**

costing \$

That he is unable to complete the remainder of the work within the required time, for the following reasons, to-wit:

**That he did not receive the Assignment of Permit from Richard
Guzman until January 3, 1955, and that it will be necessary
for the time elapse for the preparation of the papers of the
publication thereof before Final Proof can be submitted.**

State Reclamation Engineer

WHEREFORE, He asks that the ~~Commissioner of Reclamation~~ extend the time for the completion of works under said permit to **March 15, 1955**

Subscribed and sworn to before me this **6th** day of **Jan**, 19**55**

Howard Allen
Herman E. Bedke
Notary Public.

My commission expires **6/23/57**

Date of receipt at office of Department of Reclamation **Jan. 7 - 1955**

APPROVAL OF ~~STATE RECLAMATION ENGINEER~~
~~Commissioner of Reclamation~~
State Reclamation Engineer

I, **Mark R. Kulp**, ~~Commissioner of Reclamation~~ of the State of Idaho, hereby extend the time for the completion of construction work under Permit to Appropriate the Public Waters of the State of Idaho, No. **G-23366** to

March 15, 19**55**

Witness my hand this **17th** day of **January**, 19**55**

G 23366

Mark R. Kulp
State Reclamation Engineer

RE: Permit No. G-23366

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

DEPARTMENT OF RECLAMATION

Boise, Idaho

October 1, 1954

Mr. Richard Guzman
Burley
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-23366~~. 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 ~~December 17, 1954~~.

Very truly yours,

MARK E. KULP
State Reclamation Engineer

23366

December 30, 1952

RE: Permit No. G-23366

Messrs. Nielson & Nielson
Attorneys at Law
Burley, Idaho

ATT: Mr. Norman H. Nielson

Dear Mr. Nielson:

We enclose Permit No. G-23366 in the name of Richard Guzman 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. 25250 for \$5.75 filing fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

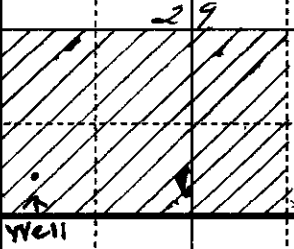
fg
Enc.

23366

NAME OF APPLICANT Richard Izman

Form No. 0

Trp. 11 S. Rge. 23 E. 19 M.



Permit Map No. 23366
As Approved
DEC 17 1952
MARK R. KULP
State Reclamation Engineer

December 5, 1952

Mr. Norman H. Nielson
Attorney at Law
Burley, Idaho

Dear Mr. Nielson:

We acknowledge receipt of your letter of December 4, 1952, enclosing two applications of the Independence Ranch and also returning the application of Richard Guzman.

We again return Mr. Guzman's application for the following corrections:

1. The one sketch map enclosed shows the location of the well in the ~~SE¹ SW¹~~ of Section 29, township and range not stated, whereas, Question 4 of the application gives it in the ~~SW¹ SW¹~~ Section 29, Township 11 South, Range 23 East, B.M.

2. Although Question 4 locates Section 29 in Township 11 South, Range 23 East, B.M., Question 12 locates the land in Township 11, Range 29.

Please clarify these descriptions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

23366

November 20, 1952

Mr. Norman H. Nielson
Attorney at Law
Burley, Idaho

Dear Mr. Nielson:

We acknowledge receipt of your letter of November 19, 1952, enclosing application of Richard Guzman, together with his check for the \$5.75 filing fee.

However, this application is made on the form used for surface water, and we return it with the request that you refile on Form 3, for subterranean water.

Also in Paragraph 12, please give the acreage to be irrigated in each subdivision, and answer Question 13 in regard to other water rights appurtenant to the same land.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

23366

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
BURLEY, IDAHO

November 19, 1952

A. H. NIELSON
N. H. NIELSON

RECEIVED
NOV 20 1952
2 am
Department of Reclamation

Department of Reclamation
Boise, Idaho

Gentlemen:

Enclosed you will find the check of Mr. Richard Guzman
in the amount of \$5.75.

Will you please file the application and return it to this
office, together with any corrections made?

Yours very truly,

NIELSON & NIELSON

By *Norman H. Nielson*

Norman H. Nielson

NHN/kv

Enc.

123366

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

Notice is hereby given that at 11 o'clock A. M., on the 5th day of March, 1955, 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 4 cubic feet per second of the waters of a well in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 29, T 11 S., Rge. 23 E.B.M. and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-23366 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 J. Howard Allen, Baker, Oregon.

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 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 4 cubic feet per second.

4. The place where said water is used is that portion of the N $\frac{1}{2}$ of Section 28 that lies South of the Third Lift Canal of the Burley Irrigation District, also the W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 29, all in Township 11 South, Range 23 E.B.M.

5. The date of priority which said user is prepared to establish is November 20, 1952.

MARK R. KULP

State Reclamation Engineer

Published in the Burley Herald,
Feb. 3-10-17-24, 1955. 2-3-55