

45-02421

Transfer No. 2801

Water Right No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPROVED

APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

Name of applicant Barlow Kay Biggers Phone 423-5917
Post Office address RT#1 Box 380, Hansen, Id. 83334

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____ (Name)
in case of _____ vs _____
dated in _____ in _____ county of _____ (Name of court)

b. License No. 45-2421 issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources
2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant Acquired by Purchase
3. Source of water Groundwater tributary to _____
4. Date of priority July 17, 1952
5. Water is used for the following purposes:

amount 0.9cfs for Irrigation purposes from mar 15 to Nov. 15

amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____ (month/day — both dates inclusive)
6. Total amount of water under right: a. 0.9cfs cubic feet per second &/or
b. _____ acre feet per annum
7. Location of original point of diversion is SE ¼ of SW ¼ of Section 23
Township 11 S Range 19 E, B.M., in Twin Falls County
Additional points of diversion, if any _____
8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
<u>11S</u>	<u>19E</u>	<u>23</u>									<u>35</u>	<u>25</u>	<u>10</u>	<u>40</u>					<u>110</u>

Total number of acres to be irrigated 110

9. Describe any other water rights used for the same purpose as described above Claim on wastewater
10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No If yes, describe in item D, REMARKS.

RECORDED

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
- ✓ Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____
3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

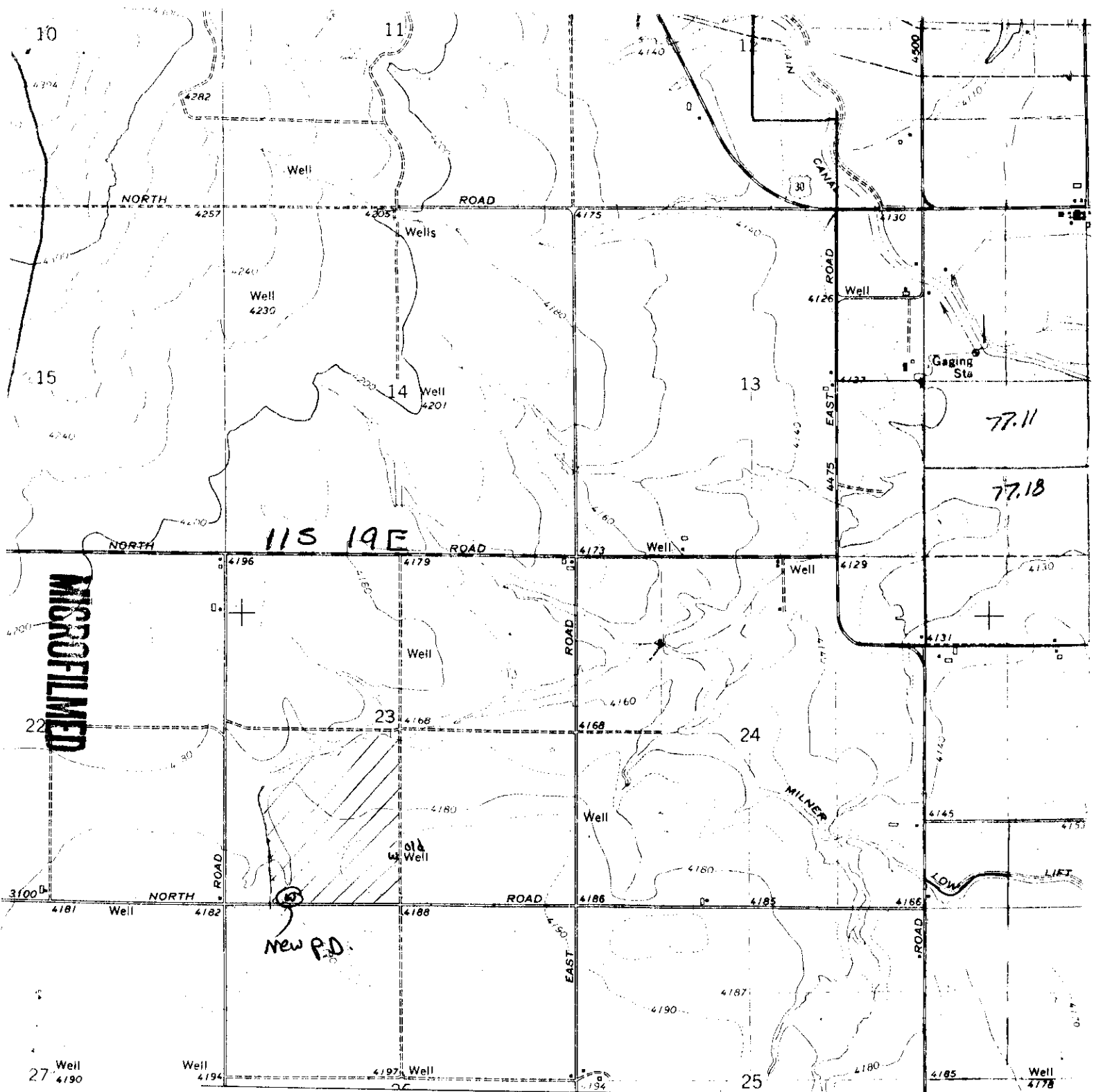
1. General Information
- a. Amount of water to be diverted 0.9 c.f.s. &/or _____ acre feet
- b. Description of diverting works Well, with 60 hp pump to Sprinkler System.
- c. Describe the reasons for the proposed changes New well drilled to replace original well which went bad.
2. Change in point of diversion
- Point of diversion SW ¼ SW ¼, Section 23 Township 11 S
Range 19 E, B.M., Twin Falls County
Additional points _____
3. Change in place of use No Change
- a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No X. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer None

c. Describe the land or place of use to which the right will be transferred: No change

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
11S	19E	23									35	25	10	40					110

Total number of acres to be irrigated 110

4. Describe any other water rights used for the same purpose as described above. Claim to waste water
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



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

D. REMARKS

RECEIVED

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

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

Barlow Key & Siggers
(Signature of Applicant)

Subscribed and sworn to before me this 8th day of February, 19 83

Bernard Green
(Notary Public)

My commission expires 01-83

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 45-2421
and said application is hereby APPROVED, subject to the following limitations and conditions:

Witness my hand this 16th day of June, 19 83

L. GLEN SAXTON, Chief Operations Bureau

FOR DEPARTMENT USE ONLY

Received by TC Blau Date 2-8-83 Protest filed by None
Prelim. check by JA Fee 50⁰⁰ 23927
Receipted by TC Blau Date 2-8-83
Published in Times News Copies of protest forwarded by _____
Pub. dates 3/24 & 3/31/83 Hearing held by _____ Date _____
Watermaster recommendation requested on N/A Recommended for approval denial
_____ rec'd. by Adm. ginn

NOTICE OF
PROPOSED CHANGE OF
WATER RIGHT
NO. 45-2421

Notice is hereby given that Bertha K. Hansen of Hansen, Idaho has applied to the Department of Water Resources for a change in point of diversion of a right from a ground water source. The right sought to be changed is evidenced by license No. 45-2421 and is recorded as follows:

Amount: 0.3 cfs
Priority: July 17, 1962
Point of Diversion:
SE 1/4 SW 1/4, Sec. 23, T11S
R 19E, B.M., Twin Falls
County. The water is
used for irrigation of 110
acres from March 15 to
November 15 within the
SW 1/4, Sec. 23, T11S,
R19E

TO BE CHANGED AS
FOLLOWS:

Amount: Same
Point of Diversion:
SW 1/4 SW 1/4, Sec. 23,
T11S, R19E, B.M., Twin
Falls County
Place of Use: No
Change

Any protest against
the approval of the above
proposed change of the
portion of the right de-
scribed above must be
filed with the Idaho De-
partment of Water Re-
sources at 1001 Blue

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS } ss.

Nº 12517

I, Sherry Kesler being first duly sworn u,
oath, depose and say that I am Print. Clerk of the TIMES-NEWS,
published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of
the notice of advertisement, as per clipping attached, was published in the regular and
entire issue of said newspaper, and not in any supplement thereof, for two
consecutive publications, commencing with the issue dated
March 24, 1983, and ending with the issue dated
March 31, 1983.

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 newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication 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 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 on this 31st day of
March, 1983.

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

MICROFILMED

APR 2 1983
Department of Water Resources
Sawtooth State Office

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
NO. 45-2421

Notice is hereby given that Barlow Kay Biggers of Hansen, Idaho has applied to the Department of Water Resources for a change in point of diversion of a right from a ground water source. The right sought to be changed is evidenced by license No. 45-2421 and is recorded as follows:

Amount: 0.9 cfs
Priority: July 17, 1952
Point of Diversion: SE 1/4 SW 1/4, Sec 23, T11S R 19E, B.M., Twin Falls County. The water is used for irrigation of 110 acres from March 15 to November 15 within the SW 1/4, Sec. 23, T11S, R19E

TO BE CHANGED AS FOLLOWS:

Amount: Same
Point of Diversion: SW 1/4 SW 1/4, Sec. 23, T11S, R19E, B.M., Twin Falls County
Place of Use: No Change

Any protest against the approval of the above proposed change of the portion of the right described above must be filed with the Idaho Department of Water Resources 1041 Blue

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS } ss.

Nº 12517

I, Merry Kewler being first duly sworn u,
oath, depose and say that I am Proc. Clerk of the TIMES-NEWS,
published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of
the notice of advertisement, as per clipping attached, was published in the regular and
entire issue of said newspaper, and not in any supplement thereof, for two
consecutive publications, commencing with the issue dated
March 24, 1983, and ending with the issue dated
March 31, 1983.

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 newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication 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 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 on this 31 day of

March

1983.

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

State of Idaho
License and Certificate of Water Right

Water License No. G-22919
Water District No. _____

Amount .9 c.f.s.
Priority July 17, 1952

THIS IS TO CERTIFY that MALCOLM SAWYER and (CHARLES R. McWILLIAMS, Assignor-- JAMES WOODSON CREED, Assignee) of Twin Falls, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated July 17, 1952; that Permit No. G-22919 was issued under said application; that Certificate of Completion of works, with a carrying capacity of .9 second feet, was issued thereunder on November 21, 1958, showing that said works were completed on the 28th day of August, 1957; and that on the 28th day of August, 1957, J. WOODSON CREED

of Twin Falls, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well, a tributary of subterranean, for the purpose of Domestic and Irrigation, under Use Permit No. G-22919 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 11 of Licenses at page 6545, on the 21st day of November, 1958; The right hereby confirmed dates from July 17, 1952;

The Point of Diversion is located in the SE 1/4 SW 1/4, Sec. 23, Tp. 11 S., R. 19 E., B. M. County Twin Falls

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 .9 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.	23	NE $\frac{1}{4}$ SW $\frac{1}{4}$	35	35
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	25	25
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	10	10
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	40	40
			Total number of acres irrigated -		

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 21st day of November, 1958.

/s/ Geo. N. Carter
State Reclamation Engineer.

(SEAL)

45 2421

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

45-2421

Application No. G- 30668
 Permit No. G- 22919
 District No.

Benoit & Benoit
 Box 536, Twin Falls, Idaho

1. Name of Applicant: **MALCOLM SAWYER and CHARLES R. McWILLIAMS**
 Twin Falls
 Postoffice address: **1515 Addison Ave., East, County: Twin Falls** State: **Idaho**
2. Quantity of water claimed:
 (a) Rate of withdrawal in cubic feet per second. **Two** or Idaho
 Miners' inches **100** or gallons per minute.
 (b) Annual withdrawal in acre feet per annum
3. Source of water supply: **Subterranean water from well**
4. Location of point of diversion or well is in the **SE 1/4 of the SW 1/4 of Section 23**
Twp. 11 S., Rge. 19 E., B.M., County of Twin Falls
5. Water is to be used for: **Domestic and irrigation 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: **Well, electric pump and ditches**
8. Estimated cost of works: **\$ 10,000.00**
9. (a) Is reservoir to be used? **No**
 (b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is **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 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**
See Permit No. 22920
 (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.

Assigned to *James Woodman*
Child
194 Tyler St.
Twin Falls
Idaho

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.

MALCOLM SAWYER and
CHARLES R. McWILLIAMS *Applicant.*
Malcolm Sawyer *Agent.*

Corrected application received:

MARK R. KULP
State Reclamation Engineer.

By LEN JORDAN
Governor

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.	19 E,	23								40	30		40					120	
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-22919 to July 29, 1957. Witness my hand this 3rd day of October, 1955. MARK R. KULP State Reclamation Engineer <u>ASSIGNMENT</u> 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. 22919, No. 22920 to James Woodson Creed of 194 Tyler Street, Twin Falls, Idaho. C. R. McWILLIAMS Permit Holder. DOROTHY McWILLIAMS Wife of Permit Holder. State of Idaho) : ss. County of Idaho) On this 29th day of Aug., 1955, before me, a Notary Public for the State of Idaho, residing at Twin Falls, Idaho, personally appeared C. R. McWilliams, Dorothy McWilliams, 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 Notorial seal, the day and year in this certificate first above written. (SEAL) My commission expires Jan. 15, 1957 . MARIAN TURNER Notary Public, residing at Received and filed for record in the Department of Reclamation at Boise, Idaho, Nov. 4, 1955.																			

MARK R. KULP
State Reclamation Engineer



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 17, 1996

BARLOW KAY BIGGERS
3100 N 4248 E
HANSEN ID 83334

RE: Water Right Nos. 45-02421, 45-04165, A45-02421, A45-04165, and A45-12435

Dear Mr. Biggers:

I am writing in response to your inquiry this morning about water rights appurtenant to the SW $\frac{1}{4}$, Section 23, Township 11 South, Range 19 East. Department records show the following water rights to be associated with that place of use.

- Licensed right 45-02421 for the irrigation of 110 acres from groundwater.
- Statutory claim 45-04165 filed to claim a water right based on the beneficial use of wastewater for irrigation purposes.

Please note that statutory claims, unlike licensed or decreed water rights, have not been verified or confirmed as water rights by IDWR or by a court of law. Statutory claims represent the water user's belief that he or she established a water right by diverting the water and using it for a beneficial purpose.

In addition, you have filed the following claims to water rights in the Snake River Basin Adjudication, which is a court action intended to define and decree water rights throughout the Snake River Basin in Idaho.

- Claim A45-02421 for licensed right 45-02421.
- Claim A45-04165 for statutory claim 45-04165.
- Claim A45-12435 filed to claim a right based on the beneficial use of groundwater for irrigation since 1952.

As part of the adjudication effort, IDWR investigates the claims and compiles its findings and recommendations in a series of Director's Reports. The Director's Reports are submitted to the SRBA court in Twin Falls for judicial review and decree. A Director's Report for your area has not yet been compiled.

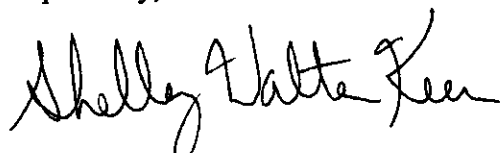
MICROFILMED
MAY 22 1996

Barlow Kay Biggers
May 17, 1996
Page 2

When IDWR investigates the claims in your area, you will be required to submit evidence to substantiate the priority dates you have claimed for A45-04165 and A45-12435. Based on our conversation, I believe you may have supplied some evidence already. Claim A45-12435 cannot be recommended for decree unless you clearly demonstrate that the use of groundwater represented by the claim commenced prior to March, 1963, and has continued in use at least once every five years since that time. Claim A45-04165 cannot be recommended for decree unless you clearly demonstrate that the use of wastewater represented by the claim commenced prior to May, 1971, and has continued in use at least once every five years since that time.

For your reference, I have enclosed printouts showing the elements of the rights and claims I have discussed above. If you have any questions, please contact me at 208-327-7946.

Respectfully,



Shelley Walter Keen
Water Rights Supervisor

SWK

RECEIVED
MAY 22 1996

June 17, 1983

Re: Transfer of Water Right No. 45-2421

Barlow Kay Biggers
Rt. 1, Box 380
Hansen, ID 83334

Dear Mr. Biggers:

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 2801). Be sure to note the conditions of approval as listed on the fourth page.

Sincerely,

DAVID R. TUTHILL, JR., POE.
Supervisor, Water Allocation Section

DRT:sc
Enclosure

27

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 45-2421

Notice is hereby given that Barlow Kay Biggers of Hansen, Idaho has applied to the Department of Water Resources for a change in point of diversion of a right from a groundwater source. The right sought to be changed is evidenced by License No. 45-2421 and is recorded as follows:

Amount: 0.9 cfs

Priority: July 17, 1952

Point of Diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 23, T11S, R19E, B.M., Twin Falls County

The water is used for irrigation of 110 acres from March 15 to November 15 within the SW $\frac{1}{4}$, Sec. 23, T11S, R19E

TO BE CHANGED AS FOLLOWS:

Amount: Same

Point of Diversion: SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 23, T11S, R19E, B.M., Twin Falls County

Place of Use: No change

Any protest against the approval of the above proposed change of the portion of the right described above must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, on or before April 11, 1983.

A. KEN DUNN
Director

Published in Time News on March 24 and March 31, 1983.

MICROFILMED

G-22919

February 27, 1968

C
O
P
Y

C. G. McIntyre
Attorney at Law
P.O. Box 525
Twin Falls, Idaho 83301

Dear Mr. McIntyre:

One of the two permits covered by your letter of February 28, 1968, has been licensed. Permit G-29041 was cancelled on January 14, 1966. Both were to cover the SW¹/₄, Section 23.

License G-22919 is for .9 c.f.s. with a priority of July 17, 1952.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

22919
45-2421

T

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: JF Stanton

1. Right number 45-2421 Applicant BIGGERS, Barlow Kay
2. Type of right: ☐ Decree ☒ License ☐ Claim
3. Purpose of transfer: ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Other _____

4. Check:

- ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
- ☒ Description of original point of diversion.
- ☒ Description of original place of use.

5. Amount of land &/or water transferred:

- ☒ All of right.
- N/A ☒ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
- OK ☒ Check description of point(s) of diversion.
- N/A ☒ Check description of place of use.
- OK ☒ Check map (shows p.d. and p.u. after transfer).
- OK ☒ Check for correct signature, notarization, and fee.
- N/A ☒ Check proof of ownership of right &/or land from which water is transferred.
- N/A ☒ Check for expansion in use of right. Comments no expansion
- N/A ☒ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) N/A
- OK ☒ Is use within a Watermaster District? ☐ Yes ☒ No
If yes, what district? _____

FINAL PROCESSING REVIEW BY: ADM

- N/A 1. Watermaster recommendation requested on N/A Received on _____
2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

- ☒ Approve
☐ Deny

Conditions* none

4. By ADM Date 4/12/83 **RECEIVED** APR 14 1983

June 6-7-83 No special condition Required
* All uses within Watermaster Districts require special conditions.

Department of Water Resources



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN DISTRICT

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

March 16, 1983

Times News
Box 548
Twin Falls, Idaho 83301

Re: Notice of Proposed Change of Water Right No. 47-2288; 02-2268; 47-2421
Notice of Amended Application for Permit No. 47-7825
Notice of Amendment to a Water Permit No. 47-7562

Gentlemen:

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

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

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

Sincerely,

Mary A. Newby
Sec/Office Coord

Encl:

RECEIVED

PARRY, ROBERTSON & DALY

LAWYERS

FIDELITY BANK BUILDING

P. O. BOX 525

TWIN FALLS, IDAHO 83301

TELEPHONE
(208) 733-3722

R. P. PARRY
T. M. ROBERTSON
JOHN H. DALY
BERT LARSON
C. G. MCINTYRE
JOHN R. COLEMAN
THOMAS G. NELSON
JOHN A. ROSHOLT
FRED D. DECKER
CRAIG H. NEILSEN

February 28, 1968

Idaho Bureau of Reclamation
State House
Boise, Idaho

Re: Water Permit Numbers G 22919 and G 29041

Gentlemen:

This letter is to inquire whether the above two permits have ripened into water licenses? We will appreciate your advice. Also we would appreciate being advised of the amount of water authorized under each permit or license and the priority dates.

We understand that the permits are appurtenant to the SW 1/4 of Section 23, Township 11 South, Range 19 East, Boise Meridian, Twin Falls County, Idaho.

Sincerely,



C. G. MCINTYRE

CGMc:ems

G 22919 - .9 C.F.S. - 7/17/62 110 Acres SW 1/4
G 29041 - CANCELLED. 1/14/66 - 160 Acres SW 1/4

RECEIVED
JAN 30 1968

Department of Reclamation

22919
45-2421

April 6, 1962

RE: License No. G-22919
Permit No. G-29041

Noma M. Creed
550 Cindy Drive
Twin Falls, Idaho

Dear Mrs. Creed:

The Water License and the Certificate of Completion of Works on Permit No. G-22919 were mailed to Mr. Edward L. Benoit, Attorney at Law, Twin Falls Bank & Trust Building on November 21, 1958. The inspection was made August 26, 1958 and only one well, being in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, was measured at 0.9 cubic feet per second to irrigate 110 acres in the SW $\frac{1}{4}$ of Section 23, Township 11 South, Range 19 East.

Permit No. G-29041 issued to J. Woodson Creed claims 2.0 cubic feet per second from a well in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 23 to irrigate 160 acres in the SW $\frac{1}{4}$ of Section 23, Township 11 South, Range 19 East. Application was filed September 16, 1960 and the proofs are due on or before September 28, 1965.

This covers the same information as sent to Mr. Creed in a letter yesterday.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Carl E. Tappan
Assistant State Reclamation Engineer

CET:RWT:mr

22919

April 5, 1962

RE: Permit No. G-22919
J. Woodson Creed & Malcolm Sawyer

Mr. J. Woodson Creed
Travelers Insurance Company
Box 101h
Twin Falls, Idaho

Dear Mr. Creed:

In response to your telephone call today we offer the following information from records on file in this office.

Permit No. G-22919 was licensed to J. Woodson Creed on November 21, 1958, for 0.9 c.f.s. for irrigation of lands in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ (35a); NW $\frac{1}{4}$ SW $\frac{1}{4}$ (25a); SW $\frac{1}{4}$ SW $\frac{1}{4}$ (10a); SE $\frac{1}{4}$ SW $\frac{1}{4}$ (40a); Section 23, Township 11 South, Range 19 East B.M. Point of diversion is the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 23.

The only other water filing in the SW $\frac{1}{4}$ of Section 23, Township 11 South, Range 19 East B.M. is G-29041, J. Woodson Creed, for 2.0 c.f.s., due September 28, 1965. Point of diversion is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 23; land in the SW $\frac{1}{4}$ of Section 23.

If you can supply the name of the person reported to have drilled a new well in the SW $\frac{1}{4}$, Section 23, Township 11 South, Range 19 East, B.M. and give us the location of the well by legal subdivision we will make further search should you so desire.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Carl E. Tappen
Assistant State Reclamation Engineer

CET:HP:mr

22919

November 21, 1958

Re: Permit No. G-22919
Malcolm Sawyer and James Woodson Creed

Mr. Edward L. Benoit
Benoit & Benoit
Attorneys At Law
Twin Falls Bank & Trust Building
Twin Falls, Idaho

Dear Mr. Benoit:

In connection with Permit No. G-22919 we enclose the following:

1. Amendment to land list.
2. Certificate of Completion of Works
3. License and Certificate of Water Right
4. Departmental receipt #G-3711, for fees.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Chief Clerk

EPR:nls
Enc. (4)

22919

RT

A. Application for Amendment
To Permit to appropriate the Public Waters
of the State of Idaho, No. G-22919

NOV 18 1958
Department of Reclamation

Comes now J. WOODSEN CREED, 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-22919, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

NE 1/4 SW 1/4 (35a), NW 1/4 SW 1/4 (25a), SW 1/4 SW 1/4 (10a), SE 1/4 SW 1/4 (40a), Section 23, Township

11 South, Range 19 East, B.M.

making a total of 110 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 Twin Falls, Idaho, this 17th day of November, 19 58

J. Woodson Creed

Date of receipt at office of Department of Reclamation November 18, 1958

APPROVAL OF STATE RECLAMATION ENGINEER

I, GEO. W. CARTER, 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-22919. 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.

G. W. Carter 92919

October 2, 1958

Re: Permit No. G-22919
Malcolm Sawyer and J. Woodson Creed

Mr. Edward L. Benoit
Benoit & Benoit
Attorneys At Law
Twin Falls Bank & Trust Building
Twin Falls, Idaho

Dear Mr. Benoit:

Our field engineer's report on his inspection of the completion of works and beneficial use of the water under the terms of Permit No. G-22919 shows that the well is capable of conveying 45 miners inches (.9 c.f.s.) of water for irrigation of 110 acres in the SW $\frac{1}{4}$ of Section 23, Township 11 South, Range 19 East, B.M. The record of the permit does not list the land in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 23, therefore it is necessary that the permit be amended to include it. We enclose an Application for Amendment to the land list for this purpose.

Upon receipt of the amendment, mentioned above, and the statutory fees, totaling \$13.00, we will issue the Certificate of Completion of Works (for which the fee is five dollars) and the License and Certificate of Water Right (eight dollars--fee based at the rate of two dollars for each 40-acre subdivision) confirming the right with priority of July 17, 1952, to the use of .9 second foot of subterranean water, with point of diversion in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 23, for irrigation of 110 acres in the SW $\frac{1}{4}$ of Section 23, Township 11 South, Range 19 East, B.M.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Chief Clerk

EPR:nls
Enc.

22919

BW

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

Permit No. G-22919This proof is for Completion of Works for Beneficial Use In Water District No. _____1. Name of applicant J. Woodson Creed2. Source of water supply: Deep Well3. Location of point of diversion: Is in the 600 ft. North of S.E. Corner of Section 23,T. 11 S., R. 19 East County of Twin Falls

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

40 hp. M.S. Motor #1017816.
Layne B. Turbine #21666.
6" del. to vent into conc. pipe on end to ditches
to field by gravity.

5. Water is used for: Irrigation6. 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):

SE¹ of SW¹ - 40 acres; 1/2 of NW¹ of SW¹ - 20 acres; 1/2 of NE¹ of SW¹ - 20 acres;
all Section 23, Township 11 S., Range 19 East, T. N.

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

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

Remarks: _____

measured with 1 1/2 foot Cip. weir close to pump.
Van Nebeker & D. Stevenson along

This examination was made on the 26 day of Aug, 1958(Signed) E. M. Humphrey Examiner.22919

$\frac{40 \times 110 \times 70 \times 55}{290} = \frac{47}{62\frac{1}{2}} = \text{max.}$

391152
150
150
30
11 8 22
20

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
OCT 11958
Department of Reclamation

38910
38990
J. Woodson Creed
194 Tyler Street,
Twin Falls, Idaho
Permit No. G-22919
Roy Stanger
Examination for Completion of Works &
Beneficial Use Proofs
County Twin Falls, Idaho

Van Nebeker Co. 23-11 S.-19 E.
Q = 2.0 c.f.s.
G = 2.0 c.f.s.

S = Well

P.D. = SE, SW, Sec. 23, T. 11 S. - 19 E.
claims 1.2 cfs gravity H = 290'

Use Domestic & Irrigator
gravity 55' est.

Filed = July 17, 1952
Due = July 29, 1954

40 hp. H.S. Motor
1017816

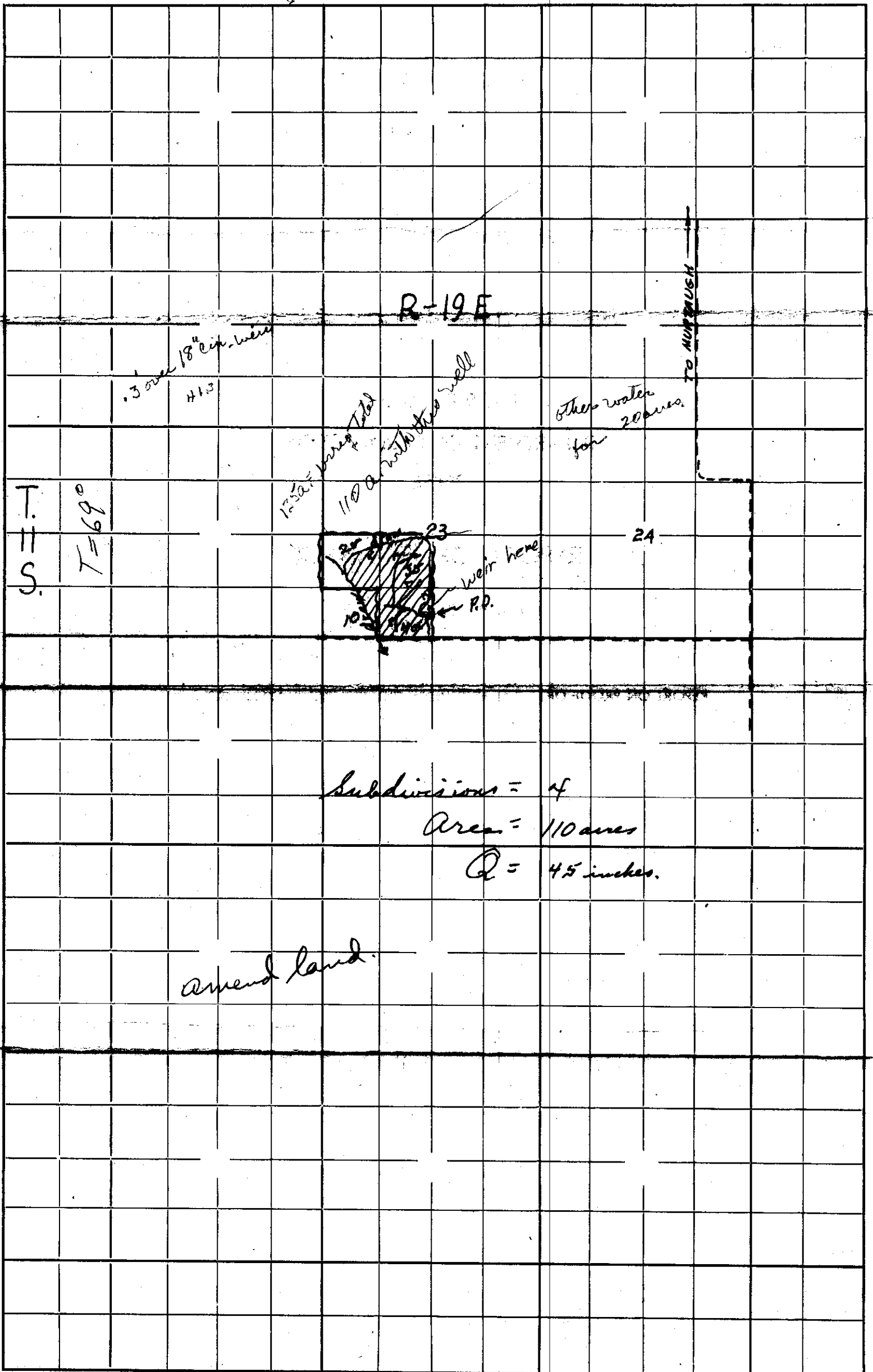
Layne B. Lumb
21666

Con. base 6'x6'
No protect
GE Control on Post NE 4'

3.65x10 = KW,
480V GE Meter
T 2109X 33095028

6"x10" del. to West
open ditches to field
by gravity

This is Stanger #1.



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

22919

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-22919

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

J. Woodson Creed
194 Tyler Street,
Twin Falls, Idaho

RECEIVED

SEP 5 1957

Affidavit of Publication

Department of

STATE OF IDAHO,
COUNTY OF TWIN FALLS

ss.

Nº 6905

Notary Public, County of Twin Falls, Idaho, do hereby certify that on the 10th day of August, 1957, at Twin Falls, County of Twin Falls, State of Idaho, before me, C. E. Matt, Notary Public, there was submitted for the consolidation of the Idaho Evening Times, published daily except Saturday, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of 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 Thursday, commencing with the issue dated August 1, 1957, and ending with the issue dated August 22, 1957.

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 newspaper 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 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.

Mark F. Clark
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho.

22919

I, Mark 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 of 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 Thursday, commencing with the issue dated August 1, 1957, and ending with the issue dated August 22, 1957.

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 newspaper 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 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 22nd day of

August, 1957.

Mark F. Clark
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho.

22919

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS }

ss.

No 6905

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

Notice is hereby given that at 10:00 a.m., on the 28th day of August, 1952, at Twin Falls, County of Twin Falls, State of Idaho, before C. D. Hiatt, Notary Public, proof will be submitted of the completion of works for the diversion of 1.2 cubic feet per second of underground waters from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-22919 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person holding said permit is Messrs. James Woodson Creed, Malcolm Sawyer, 194 Tyler St., Twin Falls, 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 is 1.2 cubic feet per second.

3. The use to which said water has been applied is Domestic and Irrigation purposes, and the amount applied to beneficial use is 1.2 cubic feet per second.

4. The point of diversion of said water is SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 23, Twp. 11 S., Rge. 19 E., B. M.

5. The place where said water is used is NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 23, Twp. 11 S., Rge. 19 E., B. M.

6. The date of priority which said user is prepared to establish is July 17, 1952.

MARK R. KILLIP

State Reclamation Engineer

Published Aug 15, 1952, at Twin Falls

I, _____, being first duly sworn upon oath depose and say that I am _____ of the TIMES-News, published daily, except Saturday, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for _____

consecutive _____, commencing with the issue dated _____, 19_____, and ending with the issue dated _____, 19_____.

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 newspaper 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 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 _____ day of _____,

19____.

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

22919

September 23, 1957

Re: Permit No. G-22919

Mr. J. Woodson Creed
194 Tyler Street
Twin Falls, Idaho

Dear Mr. Creed:

We acknowledge receipt of the Deposition of Holder and two witnesses, also affidavit of publication in the Times-News, all submitted in proof of Completion of Works and water to beneficial use on Permit No. G-22919.

Before final action is taken in the matter, the law requires that a field examination be made by an engineer from this department.

We cannot tell just when this examination will be made, but our field engineer will try and contact you at the time he makes the examination, so that arrangements may be made to show him over the grounds.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Edna P. Rutledge (Mrs.)
Chief Clerk

EPR:lw

22919

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
JUL 5 1957
Department of Reclamation

Permit No. 2-22919

Proof of Application of Water to Beneficial Use

and Completion of Works

Deposition of Holder

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

Ans. J. Woodson E Reed, 194 Tyler St., Twin Falls, Idaho.
Physician & Farmer - 194 Tyler St., Twin Falls, Idaho

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

Ans. I have purchased this land from Malcolm Sanger, am acting with his authority. He is overseas with Armed Forces.

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

Ans. G-22919 July 29, 1952; priority July 17, 1952

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

Ans. Deep well 600 ft. North of S.E. corner of S.W. 1/4 of Sec 23, T. 11, R. 19 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. Deep well - with lateral ditches - concrete checks. well is 1100 ft. deep - NO CASING - pumps from 290 ft. Pump - 40 HP with overload pumps 1.2 cu. ft. (by test)

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 - cultivated - concrete checks - LAND IRRIGATED - SE 1/4 & SW 1/4 - 40 A; (1/2 of SW 1/4 & SW 1/4 - 20 A) - 1/2 of N.W. 1/4 & S.W. 1/4 - 20 A - 1/2 of NE 1/4 & SW 1/4 - 20 A - all Sec. 23, T. 11, R. 19 E. B. M. -

22919

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. 1.2 cu. ft. ; 1.2 cu. ft. additional Needed (for entire 160A)

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. 1954 - 1.2 cu. ft. - to subdivisions of
LAND listed IN (6) Above

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

(Sign) J. W. Woodson Creed

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 28 day of August, A. D. 1957.

✓ [Signature]

My commission expires 2/4/58

22919

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
SEP 5 1957
Department of Reclamation

Permit No. _____

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. CHARLIE GROVE, age 57, Retired FARMER,
KIMBERLY, Idaho

Ques. 2. Are you acquainted with J. Woodson Freed, the holder of Permit No. G-22919? How long have you known him and where does he reside? Yes

Ans. 6 YR. 194 Tyler St. Twin Falls, Idaho

Ques. 3. Have you read or heard read said Permit No. G-22919, 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. Deep well, located 600 ft. north of S.E
CORNER of SW 1/4 of Sec 23, T. 11, R. 19 E B M -
Ditches with concrete checks.

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. 1.2 cu. ft. ; 1.2 cu. 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. 1.2 cu. ft. - Test - Layne - Bowler Pump Co.
TWIN FALLS, IDAHO - MEASUREMENT by weir

22919

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 - SE $\frac{1}{4}$ of SW $\frac{1}{4}$ - 40 A, ^{1/2} SW $\frac{1}{4}$ of SW $\frac{1}{4}$ - 20A
NE $\frac{1}{4}$ of SW $\frac{1}{4}$ - 20A and NE $\frac{1}{4}$ of SW $\frac{1}{4}$ - 20A all Sec 23, T 11, R 5 E 8 M
all cultivated

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.

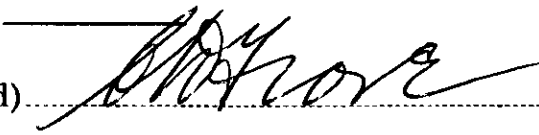
Ans. Excellent soil, lays well - 60 more inches or 1.2 cu. ft.
additional needed for entire 160 A

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

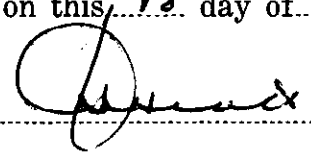
Ans. No

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. 1954, 1.2 cu. ft. - distributed in lateral
ditches with checks as indicated in (7) above

(Signed) 

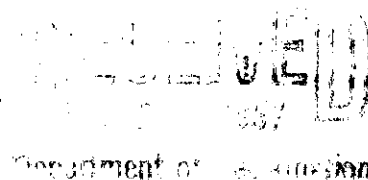
I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Twin Falls,
County of Twin Falls, State of Idaho, on this 78 day of August,
A. D. 1957.


Notary Public.

My commission expires 2/4/58

22919

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



Permit No. _____

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. Thomas M. Thompson, 481 TAYLOR ST.,
TWIN FALLS, Idaho - Age 51 - Br. Mgr. - Layne & Bowler

Ques. 2. Are you acquainted with J. Woodson Reed, the holder of Permit No. G-22919? How long have you known him and where does he reside? Yes

Ans. 3 yr 194 Tyler St., TWIN FALLS, IDAHO

Ques. 3. Have you read or heard read said Permit No. G-22919, 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. Deep Well, located 600 ft NORTH of S.E
CORNER of SW 1/4 of Sec 23, T. 11, R. 19 E. B.M. -
Ditches with concrete checks

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. 1.2 cu. ft.; 1.2 cu. 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. 1.2 cu. ft. Test - LAYNE - Bowler Pump Co.
TWIN FALLS, Idaho; MEASUREMENT by Weir

22919

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 - SE 1/4 of SW 1/4 - 40 A, SW 1/4 of SW 1/4 - 20 A, N. W 1/4 of SW 1/4 - 20 A, and 1/2 of NE 1/4 of SW 1/4 - 20 A - all Sec 23, T. 11, R. 19 E B. M. - all cultivated

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. EXCELLENT SOIL - lays well - 1.2 cu. ft. additional needed for entire 160 A.

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. 1954, 1.2 cu. ft. distributed in lateral ditches with checks indicated in (7) above.

(Signed) Thomas M. Thompson

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in June Tapes, County of June Tapes, State of Idaho, on this 28 day of August, A. D. 1957.

D. Head

Notary Public.

My commission expires 3/4/58

22919

Memo

from
The TIMES-NEWS
TWIN FALLS, IDAHO

July 26, 1957

Department of Reclamation

Gentlemen: This is to acknowledge receipt of two notices for Legal Publication: Nial Bradshaw of Hansen and J. Woodson Creed, Malcolm Sawyer of Twin Falls.

These publications are scheduled for four consecutive Thursdays: August 1, 8, 15 & 22, 1957.

Tear Sheet of the first publication will be sent to your office as requested.

Sincerely,

Times-News

Maude F. Clark

RECEIVED
JUL 29 1957
Department of Reclamation

22919

July 25, 1957

RE: Permit No. G-22919

Messrs James Woodson Creed, Malcolm Sawyer
194 Tyler St.
Twin Falls, Idaho

ATT: Mrs. Nona Creed

Dear Mrs. Creed:

This acknowledges receipt of the notice of proofs of completion of works and application of water to beneficial use under Permit No. G-22919, to be made at Twin Falls at 10:00 A.M. August 28th, before Mr. C.D. Hiatt, Notary Public.

As of this date, we have sent the notice to the Times-News with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof and to then send the affidavit of publication and statement of costs to you.

At 10:00 A.M. August 28th at Twin Falls, Idaho, you and two disinterested witnesses who are familiar with the terms of the Permit and the work done thereunder must appear before Mr. Hiatt, Notary Public to execute the enclosed depositions.

When returning the depositions to this office, please be sure to include the affidavit of publication.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

MR:vm
Encl.
cc. C.D. Hiatt
Malcolm Sawyer

22919



STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER

ROBERT E. SMYLLIE
GOVERNOR

BOISE

July 25, 1957

RE: Permit No. G-22919

Messrs James Woodson Creed, Malcolm Sawyer
194 Tyler St.
Twin Falls, Idaho

ATT: Mrs. Norma Creed

Dear Mrs. Creed:

This acknowledges receipt of the notice of proofs of completion of works and application of water to beneficial use under Permit No. G-22919, to be made at Twin Falls at 10:00 A.M. August 28th, before Mr. C.D. Hiatt, Notary Public.

As of this date, we have sent the notice to the Times-News with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof and to then send the affidavit of publication and statement of costs to you.

At 10:00 A.M. August 28th at Twin Falls, Idaho, you and two disinterested witnesses who are familiar with the terms of the Permit and the work done thereunder must appear before Mr. Hiatt, Notary Public to execute the enclosed depositions.

When returning the depositions to this office, please be sure to include the affidavit of publication.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Edna F. Rutledge
Chief Clerk

EPR:vm
Encl.
cc. C.D. Hiatt
Malcolm Sawyer

22919

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Room 107 State House
BOISE, IDAHO

RE: Permit No. G-22919
James Woodson Creed
Malcolm Sawyer

-Must be published Aug 1 - 1957
Date: July 25, 1957

Times News
Twin Falls, Idaho
Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **August 28th, 1957** the date set for proof, the expense of the publication to be paid by the applicant, **James Woodson Creed** **Tyler St.** **Twin Falls,** **Idaho**, ~~Messers-Malcolm Sawyer~~ 194/ of **Idaho**, to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice, and furnish this office with a copy of the first publication, in order that we may check same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR:vm
Encl.

22919

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

Notice is hereby given that at 10:00 A.M., on the August 28th
day of August, 19 57, at Twin Falls, County of
Twin Falls, State of Idaho, before C. D. Hiatt,
Notary Public, proof will be submitted of the completion of
works for the diversion of 1.2 cubic feet per second of underground waters
from a well, and of the application to beneficial use of said water, in accordance
with the terms and conditions of Permit No. G-22919 heretofore issued by
the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person ~~for~~ holding said
permit ~~is~~ is Messrs James Woodson Creed, Malcolm Sawyer, 194 Tyler St. Twin Falls,
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 is 1.2 cubic feet per second.

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

4. The point of diversion of said water is SE¹/₄ SW¹/₄, Sec. 23, Twp. 11 S.,
Rge. 19 E.B.M.

5. The place where said water is used is N¹/₄ SW¹/₄, SE¹/₄ SW¹/₄, Sec. 23, Twp. 11 S.,
Rge. 19 E.

6. The date of priority which said user is prepared to establish is
July 17, 1952.

22919

MARK R. KULP
State Reclamation Engineer

RECEIVED
JUL 18 1957

Department of Reclamation

194 Tyler Street
Twin Falls Idaho
July 16, 1957

Mr Mark R Kulp
Boise Idaho

Dear Sir;

As is stated in the affidavit, I am in the process of buying the second half of this place from Malcolm Sawyer and was instructed to act for him.

On form 36 - you will note question b is not answered. Does that mean earliest water permit date or earliest date when water was used on the land? No doubt you have the permit date. Water was first used to 'water up' for the 1955 crop, April 15 - Please fill in the required answer for us.

Also left blank the date on Form 36 as I assume it is at end of the advertising period. Thank you.

#G 22920 is on waste water so we will not complete it. Sincerely

J. Woodson Creed

by Norma Creed (wife) 22 9/19

Permit No. 22919STATE OF IDAHO
Department of ReclamationRECEIVED
JUL 19 1957Proof of Completion of Works
Department of Reclamation

AFFIDAVIT OF HOLDER

STATE OF IDAHO

ss.

County of Twin FallsJ. Woodson Creed

, being first duly sworn, upon his oath deposes and says:

First: That he is the holder and owner of Permit to appropriate the Public Waters of the State of Idaho, No. 22919, and that his postoffice address is 194 Tyler St.
State of Twin Falls, IdahoSecond: That the name of the stream from which said water is to be diverted is Deep wellThird: That the point of diversion of said water is SE 1/4 SW 1/4 of Section 23
N 15 19 E (600 ft north of South boundary - 100 ft west of E line)Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by July 29, 1957.Fifth: That the use for which said water is intended is Agricultural

Sixth: That on the date above mentioned, the works constructed under said permit were (or were not) fully completed and consisted of the following:

I. Kind of works: Deep well and ditches
(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

(a) Height of dam _____ feet, length of dam at top _____ feet, length of dam at bottom _____ feet. Material used in construction _____

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir _____ acre feet.

(c) Size of headgate: Width _____ feet, height _____ feet.

(d) Conduit _____ width at bottom _____ feet, width at water line _____
(State whether ditch, flume or pipe)

feet, depth of water _____ feet; diameter of pipe _____ inches, average grade per mile is _____ feet. Length of conduit is _____ miles.

Seventh: That said works are capable of conducting to the place of intended use 1.2 _____ second feet of water.Eighth: That water appropriated under said permit is available for 100 acres acres of land described as follows: _____Ninth: Remarks: That I am buying the place from my partner, Malcolm Sawyer and act in his behalf while he is overseas on active army duty.J. Woodson Creed
(Sign Here)Subscribed and sworn to before me this 17th day of July, 1957My commission expires 2/4/58

Notary Public.

22919

RECEIVED
JUL 15 1957

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE **Department of Reclamation**

(Date) July 15, 1957
194 Tylev Street
Twin Falls Idaho
City State

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

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

By J. Warden Creed

(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

22919

RECEIVED
JUL 19 1957

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

Department of Reclamation

Notice is hereby given that at 10 AM., on the 28th,
day of August, 1957, at Twin Falls, County
of Twin Falls, State of Idaho, before
C.D. Hiatt, Notary, proof will be submitted of the completion
of works for the diversion of 1.2 cubic feet per second of underground
waters from a well, and of the application to beneficial use of said water, in
accordance with the terms and conditions of Permit No. G22919 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 Messrs. James Woodson Creed 194 Tyler Street
Malcolm Sawyer Twin Falls 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 is 1.2 cubic feet per second.

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

4. The point of diversion of said water is SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 23
11 $\frac{1}{2}$ South - 19 $\frac{1}{2}$ E BM (600 feet N of S boundary - 100 ft W of E line)

5. The place where said water is used is SW $\frac{1}{4}$ of Section 23 11S 19E BM
N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 23, Twp. 11.S Range 19.E.

6. The date of priority which said user is prepared to establish is
July 17, 1952.

State Reclamation Engineer

22919

1227

July 9, 1957

RE: Permit Nos. 22919 and 22920

Mrs. J. Woodson Creed
194 Tyler Street
Twin Falls, Idaho

Dear Mrs. Creed:

We wish to reply to your letter of July 1, 1957, in which you request an extension of time on Permit No. 22919. We are in doubt as to the wording of your letter, whether you wish an extension of time on Permit No. 22920, or not.

However, we wish to state that proofs on the above captioned permits are due on July 29, 1957, and as this is the maximum time allowed, we cannot grant you an extension of time.

We wish also to state that on July 2, 1957, we wrote Benoit and Benoit, Attorneys at Law, Twin Falls Bank & Trust Building, Twin Falls, Idaho, giving them the same information.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

CC: Benoit & Benoit, Attorneys at Law
Twin Falls Bank & Trust Bldg.,
Twin Falls, Idaho

RST:vh

22919

RECEIVED

Department of Reclamation

Mrs. J. Woodson Creed
194 Tyler Street
Twin Falls, Idaho

July 1, 1957

Dear Sir;

We have been unable to finance the second well on Permit # G-22919. Present well pumps only 60 inches of our permitted 160 inches. May we, please, have extended time to complete need? Is 3 years possible?

Sincerely,

Mr and Mrs James Woodson Creed
for Malcolm Sawyer, also.

G-22920 is on this same place and applies to waste water.

22919

July 2, 1957

RE: Permit Nos. G-22919 & G-22920

Benoit & Benoit, Attorneys at Law
Twin Falls Bank & Trust Building
Twin Falls, Idaho

Attention: Mr. Edward L. Benoit

Dear Mr. Benoit:

In reply to your letter of June 29, 1957, in which you request an extension of time of one (1) year on both the above captioned permits.

Since these permits have had the maximum time of five (5) years in which completion of works and beneficial use was given, we can not extend this any additional time on said permits. However, if the works are completed and the water applied to beneficial use in compliance with each of the two above named permits, you have plenty of time, or at least we will give you plenty of time to make your proofs without an extension, providing said publication notices are returned to this department immediately.

Very truly yours,

MARK R. SULLP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

RWT:vhh

22919

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

HARRY BENOIT
EDWARD L. BENOIT

RECEIVED
JUL 1 1957
Department of Reclamation

June 29, 1957

State of Idaho
Department of Reclamation
Boise, Idaho

Gentlemen:

On May 1, you furnished James Woodson Creed with blank notice of completion of works and application of water to beneficial use under Permit No. G-22919 and on the same date furnished the same blanks to Malcolm Sawyer and James Woodson Creed in re Permit No. G-22920.

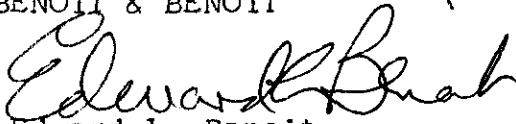
It is now impossible to give 40 days' notice as required by law. Can the time for this proof be extended one year? If so, please send the necessary forms. If it can't be extended for one year we do need enough extension to properly publish our proof.

I might add that James Woodson Creed is a doctor here in Twin Falls and apparently in the rush of his business delayed contacting us about this.

Thank you for your cooperation.

Very truly yours,

BENOIT & BENOIT


Edward L. Benoit

ELB:sa

2 2919

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

RE: Permit No. G-22919

May 1, 1957

Mr. James Woodson Creed
194 Tyler St.
Twin Falls, Idaho

We enclose herewith blank notice for proof of completion of works and application of water to beneficial use under your Permit No. G-22919. 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 July 29, 1957.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

Forms and a copy of this Notice mailed to:-
Benoit & Benoit
Attorneys at Law
Box 536
Twin Falls, Idaho

22919

November 7, 1955

RE: Permits Nos. 22919 & 22920

Mrs. Creed called in the office personally and was handed the recorded Assignments on Permits Nos. 22919 and 22920.

She stated that in as much as extensions had been allowed on both these permits, nothing further would be done in regard to making proofs at this time.

Chief Clerk

22919

October 3, 1955

RE: Permit No. 22919

Mrs. J. Woodson Creed
194 Tyler Street
Twin Falls, Idaho

Dear Mrs. Creed:

We enclose Approval of the State Reclamation Engineer of
Extension of Time for Completion of Works on Permit No. 22919 to July
29, 1957.

This should be attached to the original Permit of which it
now forms a part.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:ou
Enc.

22919

Permit No.

Application for Extension of Time FOR COMPLETION OF WORKS

James Woodson Creed, of Twin Falls, Idaho

State of Idaho, 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. 22919

Under the terms and conditions of said permit, construction work thereunder was required to be
completed by July 29, 1954.

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

Well drilled 1100 feet - 12" hole - pump -
ditches etc to water 80 acres, grain.

costing \$ 6500 for well.

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

Above was expensive well but produced
only 55" inches of water, thus we
desire to drill another well. Secondly,
there has been a change of ownership
and one owner is serving in the
Air Force, thus J. Woodson Creed is acting as Agent

WHEREFORE, He asks that the Commissioner of Reclamation extend the time for the completion of works under said permit to July 29, 1957

Subscribed and sworn to before me this 1st day of December, 1955

Deshaud, Twin Falls, Idaho
Notary Public.

My commission expires 2/4/58

Date of receipt at office of Department of Reclamation October 3-1955

STATE RECLAMATION ENGINEER
APPROVAL OF 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. 22919 to

July 29, 1957

Witness my hand this 3rd day of October, 1955

Mark R. Kulp
State Reclamation Engineer

✓
September 8, 1955

RE: Permits Nos. 22919 and 22920

Mrs. J. Woodson Creed
194 Tyler Street
Twin Falls, Idaho

Dear Mrs. Creed:

In reply to your letter of August 24 in regard to the above numbered Permits which are now in the name of Malcolm Sawyer and Charles McWilliams but on which Mr. McWilliams is to Assign his interest to you.

Proof of completion of work was due on both these Permits July 29, 1954 but an extension has been allowed on Permit No. 22920 to July 29, 1957.

No extension has been applied for on Permit No. 22919 and this Permit is technically subject to cancellation for failure to make the proof when due on or before July 29, 1954. However, as we wrote you, we can allow an extension even at this late date but the matter must be taken care of at once if the Permit is to be continued in good standing.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hl1
Enc.

22919

RECEIVED
AUG 26 1955
Department of Reclamation

194 Tyler Street
Twin Falls Idaho
August 24 1955

Dear Miss Anderson;

We wish to assure you that we are still working on Permit # 22919 and 22920 on land now owned by J Woodson Creed and Malcolm Sawyer.

The first step was to assign Water Rights from former owners Charles M. Williams and wife to us. When my husband was able to return to work the M. Williams were out of town on vacation!

Will also then fill out Application for Extension of time on # 22919 and have it notarized.

Will show completion of works on # 22920 which is on waste water.

Thank you for your patience during these delays due to illness here.

Sincerely

Norma Creed

22919

(over)

22919

due 7-29-54 (app 7-29-52)

July 26, 1955

RE: Permits Nos. 22919 & 22920

Dr. J. Woodson Creed
194 Tyler Street
Twin Falls, Idaho

Dear Dr. Creed:

In reply to your letter of July 19th in regard to the above numbered Permits.

We note that you will transmit Assignment of Permit No. 22920 and then show proof of completion of works.

An extension can be allowed on Permit No. 22919 to July 29, 1957 and we enclose a form of application for such extension, herewith.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hl1
Enc.

22919

✓
July 14, 1955

RE: Permits Nos. 22919 and 22920

Dr. J. Woodson Creed
194 Tyler Street
Twin Falls, Idaho

Dear Dr. Creed:

We have your letter of July 12th stating that the above numbered Permits, formerly owned by Malcolm Sawyer and Charles R. McWilliams, are now owned by Malcolm Sawyer and J. Woodson Creed.

There is no record in this Department of an Assignment from Mr. McWilliams of his interest to you and this should have been done at the time the transfer was made.

The records in this department show that Permit No. 22919 was for 2 second feet of water from a well in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 23, Township 11 South, Range 19 East, B.M. for use on the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section.

Proof of completion of works was due on this Permit on or before July 29, 1954 and as the proofs were not made, this Permit is subject to cancellation.

Permit No. 22920 is for 1 second foot of waste water with point of diversion in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 23, Township 11 South, Range 19 East, B.M. for use on the W $\frac{1}{2}$ SW $\frac{1}{4}$ of said Section.

Completion of works proof is not due on this until July 29, 1957, and we enclose a form of assignment which you may have Mr. McWilliams execute and return to this department with a fee of fifty cents for recording. When that has been done, you may proceed to make proof of completion of works if you wish to do so although the proof is not actually due until July 29, 1957, as mentioned above.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll
Enc.

22919

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

DEPARTMENT OF RECLAMATION

Boise, Idaho

May 1, 1954

Malcolm Sawyer & Charles R. McWilliams,
C/o Malcolm Sawyer
1515 Addison Ave., East,
Twin Falls, 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-22919. 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 July 29, 1954.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

22919

State of Idaho
DEPARTMENT OF RECLAMATION

BOISE

MAY 1, 1953

INSTRUCTIONS

Malcolm Sawyer & Chas. R. McWilliams
Box 536
Twin Falls, Idaho

PROOF OF COMPLETION OF WORKS

Boise, Idaho

Dear Sir:-

Under the terms of your Permit No. G-22919.....you are required to complete your diversion works on or before.....July 29, 1953..... I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Yours truly,

MARK R. KULP

State Reclamation Engineer

22 919

August 1, 1952

RE: Permits Nos. G-22919 and 22920

Messrs. Benoit & Benoit
Box 536
Twin Falls, Idaho

ATT: Mr. Edward L. Benoit

Dear Mr. Benoit:

We enclose Permit No. G-22919 and 22920 in the names of Malcolm Sawyer and Charles R. McWilliams 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. 24689 for the \$10.25 filing fees on these two permits.

We received your letter of July 30, 1952, but it was not necessary to make any correction on the application for subterranean water as you had not included the notation referred to.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

22919

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

HARRY BENOIT
EDWARD L. BENOIT

RECEIVED
JUL 31 1952
Department of Reclamation

July 30, 1952

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

Dear Sir:

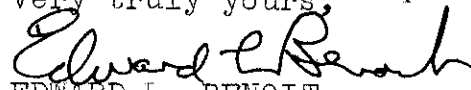
On July 16th I forwarded to you two applications to appropriate water, one covering waste water and the other covering subterannean waters.

I believe that on the application to appropriate subterannean water I inadvertently filled in the line asking for place of use without realizing that this line should only be filled in if the water was to be used for municipal or industrial purposes. Such is not the case. The use will be domestic and irrigation.

Would it be possible for you to erase or strike from this application the immaterial information? I would hate to have my error in any way hold up this application.

Thank you.

Very truly yours,


EDWARD L. BENOIT

22919

NAME OF APPLICANT.....

Form No. 0

Township 11 South, Range 19 E. B. M.											
Section 23											
X X											
X O											
O indicates well X indicates land to be irrigated											
Permit Map No. 22919 As Approved JUL 29 1959 MARK R. KULP Reclamation Engineer											

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

HARRY BENOIT
EDWARD L. BENOIT

RECEIVED
JUL 17 1952
Department of Reclamation

July 16, 1952

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

Dear Sir:

Enclosed you will find two applications
for permit to appropriate the public waters of the
State of Idaho, submitted by Malcolm Sawyer and
Charles R. McWilliams, 1550 Addison Ave. E., Twin
Falls, Idaho.

Also enclosed is our check for \$10.25
to cover the necessary fee.

Very truly yours,

BENOIT & BENOIT

by

Edward L. Benoit

eb/v

22919

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

Notice is hereby given at at 10:00 a.m., on the 28th day of 1st, 1957, at Twin Falls, County of Tw. alls, State of Idaho, before C. D. Hiatt, Notary Public, proof will be submitted of the completion of works for the diversion of 1.2 cubic feet per second of underground waters from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-22919 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person holding said permit is Messrs. James Woodson Creed, Malcolm Sawyer.

194, Tyler St., Twin Falls, 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 is 1.2 cubic feet per second.

3. The use to which said water has been applied is Domestic and irrigation purposes, and the amount applied to beneficial use is 1.2 cubic feet per second.

4. The point of diversion of said water is SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 23, Twp. 11 S., Rge. 19 E., B. M.

5. The place where said water is used is N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 23, Twp. 11 S., Rge. 19 E., B. M.

6. The date of priority which said user is prepared to establish is July 17, 1952.

MARK R. KULP
State Reclamation Engineer

Publish: Aug. 1, 8, 15, 22, 1957

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

Notice is hereby given at at 10:00 a.m., on the 28th day of 1st, 1957, at Twin Falls, County of Tw. alls, State of Idaho, before C. D. Hiatt, Notary Public, proof will be submitted of the completion of works for the diversion of 1.2 cubic feet per second of underground waters from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-22919 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person holding said permit is Messrs. James Woodson Creed, Malcolm Sawyer, 194, Tyler St., Twin Falls, 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 is 1.2 cubic feet per second.

3. The use to which said water has been applied is Domestic and irrigation purposes, and the amount applied to beneficial use is 1.2 cubic feet per second.

4. The point of diversion of said water is SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 23, Twp. 11 S., Rge. 19 E., B. M.

5. The place where said water is used is N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 23, Twp. 11 S., Rge. 19 E., B. M.

6. The date of priority which said user is prepared to establish is July 17, 1952.

MARK R. KULP
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