

45-024 14

Identification No. 45-2414

Transfer No. 1578

STATE OF IDAHO
DEPARTMENT OF RECLAMATION **APPROVED**

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

1. Name of Right Holder De Los Lusk
Post office address Sugar City, Idaho

2. Right obtained by:
a. Decree to _____ in Case of _____
(Name)
vs. _____, Dated _____ in _____
(Name of Court)
Court. County of _____.

b. License No. G-22725 issued by the State of Idaho, Department of Reclamation.

3. Source of water Subterranean flow tributary to _____
(Name of stream or source)

4. Date of Priority April 16, 1952

5. Amount of water a. 4.0 c.f.s. and/or

b. _____ acre feet/annum

6. Water is used for Irrigation from April 1st to October 15th
(Month, Day) (Month, Day)

7. Original location of point of diversion is NE NW $\frac{1}{4}$ of Section 6

Township 12S, Range 22E, B.M., in Cassia County;

Additional points of diversion, if any none

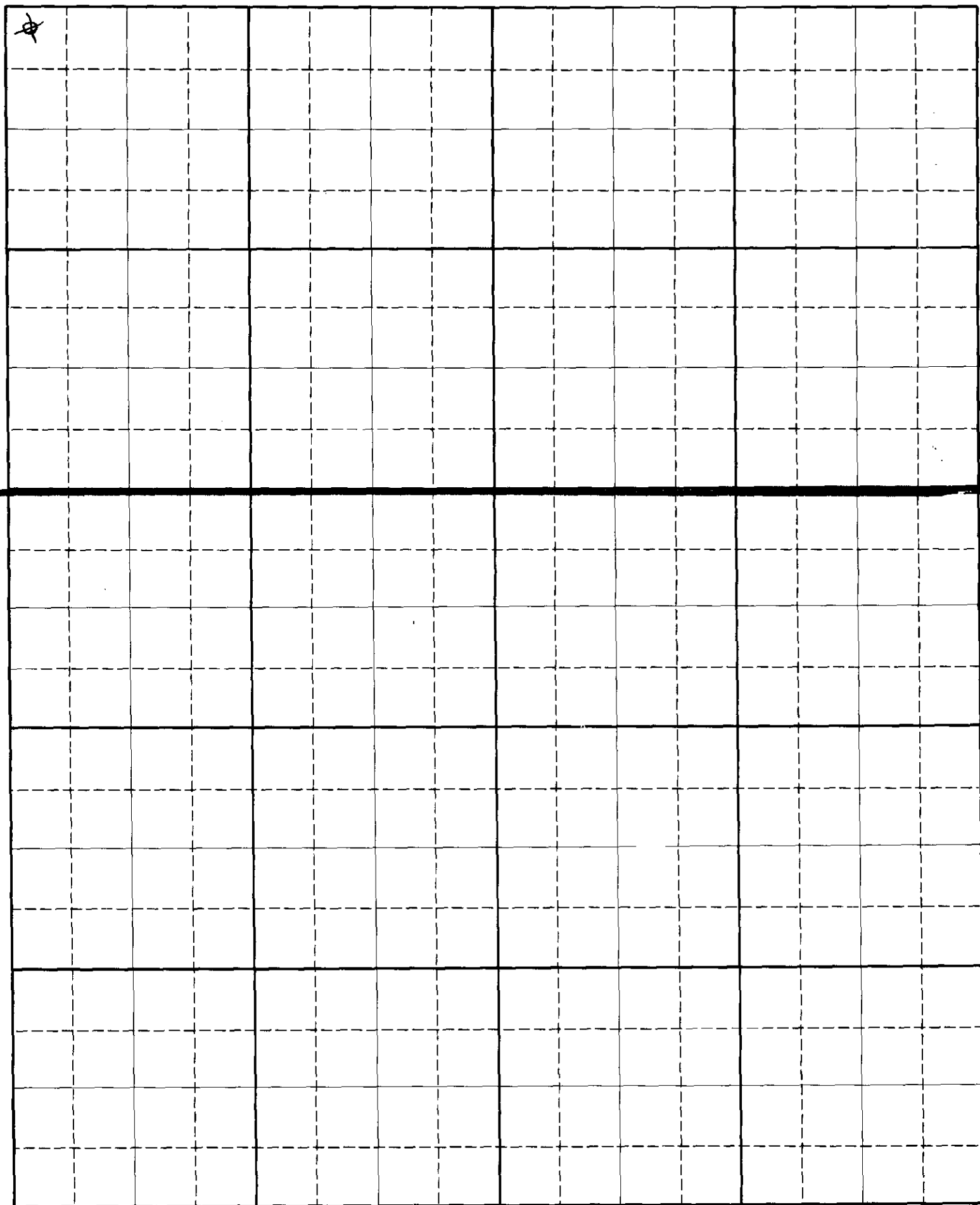
8. Lands presently irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
12S	22E	6	-	-	-	-	-	-	-	-									318.

Total number of acres presently irrigated 290

22725
45-2414

North half of Sec. 6



SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

9. If applicant was not the original holder of this right explain how it was acquired: _____

I am the original owner

10. CHANGE IN POINT OF DIVERSION

a. Quantity to be diverted at new point: 4.0 c.f.s. and/or _____ acre feet

b. New point of diversion: NW ¼ NW ¼, Section 6, Township 22 S
Range 22 E, B.M.

c. Description of method of diversion and conveyance from new points of diversion:_____

Deep well and ditch

d. Is water to be conveyed to the lands previously irrigated? Yes No .

If not, the place of use should be changed below.

e. Describe the reasons for applying for a change in the point of diversion:

B.L.M. cancelled the special land use permit on the well.

f. Do you intend to make the transfer permanent? yes

g. Do you intend to abandon completely the old point of diversion? yes

h. Indicate on the above plat the new point of diversion and lands to be irrigated.

11. CHANGE IN PLACE OF USE

a. Describe the new lands on which you wish to use your right.

No Change

[illegible]

Total number of acres to be irrigated _____

2272.5
45-2414

b. Do you intend to make the transfer permanent?_____

c. Are you completely abandoning the lands previously irrigated by this right? If not, explain your plans:

d. Describe any other water rights that you claim for the new ground upon which you wish to transfer this right:_____

e. Indicate on the above plat the new land to be irrigated and the point of diversion.

I hereby assert that no one will be injured by such transfer and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

Lemo Doherty De Los Lusk **ACTING DISTRICT MANAGER** bht
(signature of applicant)

Subscribed and sworn to before me this 20 day of June, 1968

Edith M. Wright
(notary public)

My commission expires 12-2-70.

NOTARY PUBLIC RESIDING AT BURLEY, IDAHO.
MY COMMISSION EXPIRES DECEMBER 2, 1970.

APPROVED

**ACTION OF STATE RECLAMATION ENGINEER
AND CERTIFICATE OF TRANSFER**

This is to certify that I have examined Application for Transfer of Water Rights No. 1578,
and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

2. Denial of said application is for the following reasons:_____

Witness my hand this 4 day of October, 1968.

R. Keith Higgins
State Reclamation Engineer

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss.
STATE OF IDAHO)

Ruth Chambers, being first

Boatkeeper

Blackfeet of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of

The South Idaho Press for 2.....
consecutive weeks, commencing with the issue

dated July 5 1968, and ending

with the issue dated July 11, 1968

Ruth Chambers

Subscribed and sworn to before me

this 12th day of July

19 68

Edith Raustadt Notary Public

Cost of Publication \$10.00

Notary Fee _____

Total Cost _____

My commission expires October 23, 1971

RECEIVED
JUL 28 1968
Department of Reclamation

[illegible]

২২৭৯৫

45-2414

SOUTH IDAHO PRESS
BURLEY, IDAHO
AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss.
STATE OF IDAHO)

Keith Chambers being first

duly sworn, deposes and says that he is the
Bookkeeper of the South Idaho
Press, a daily newspaper published at Bur-
ley, Idaho, in the county aforesaid and that
the paper is of general circulation therein.
Deponent further states that the printed no-
tice attached hereto was duly published
according to law in the regular editions of

The South Idaho Press for 2
consecutive weeks, commencing with the issue
dated July 5, 1968, and ending
with the issue dated July 11, 1968.

Keith Chambers

Subscribed and sworn to before me
this 12th day of July
1968.

Edith Faust Notary Public

Cost of Publication \$10.00
Notary Fee _____
Total Cost _____

My commission expires October 23, 1971

RECEIVED
JUL 29 1968
Department of Reclamation

No. 68.87

**NOTICE OF PROPOSED
TRANSFER OF WATER RIGHT**

Notice is hereby given that
DeLos Lustig of Sugar City, Idaho,
has applied to the State Reclama-
tion Engineer of the State of
Idaho for a certificate authoriz-
ing him to change the point of
diversion of the waters of a sub-
terranean source as follows:
Amount: 4.0 cubic feet per second.
Priority: April 16, 1952. Point of
diversion: NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 1,
Township 12 S, Range 21 E.B.M.
and NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 6, T. 12 S,
R. 22 E.B.M. Place of Use: N $\frac{1}{2}$
Sec. 6, T. 12 S, R. 22 E.B.M.

To Be Transferred To
Point of diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$,
Section 6, Township 12 S, Range
22 E.B.M. Place of Use: N $\frac{1}{2}$, Sec.
6, T. 12 S, R. 22 E.B.M.

And that on the 22nd day of
July, 1968, at 10:30 o'clock A.M.,
at Department of Reclamation,
Statehouse Annex 2, 614 State St.,
Boise, Idaho, before the State Rec-
lamation Engineer, or his author-
ized agent, the opportunity will
be given to any and all persons
to appear and present, for his
consideration any reason or rea-
sons why a certificate should not
be issued authorizing such trans-
fer.

R. KEITH HIGGINSON
State Reclamation Engineer
Published in the South Idaho
Press July 5, 11, 1968.

22725
45-2414

Identification No. 45-2114

Transfer No. 1578

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPROVED

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

1. Name of Right Holder De Los Lush
Post office address Sugar City, Idaho

2. Right obtained by:

a. Decree to _____ in Case of _____
(Name)
vs. _____, Dated _____ in _____
(Name of Court)
Court, County of _____

b. License No. G-22725 issued by the State of Idaho, Department of Reclamation.

3. Source of water Subterranean flow tributary to _____
(Name of stream or source)

4. Date of Priority April 16, 1952

5. Amount of water a. 4.0 c.f.s. and/or

b. _____ acre feet/annum

6. Water is used for Irrigation from April 1st to October 15th
(Month, Day) (Month, Day)

7. Original location of point of diversion is NE NW NE NW 1/4 of Section 6
(Month, Day) (Month, Day)

Township 12S, Range 22E, B.M., in Cassia County;

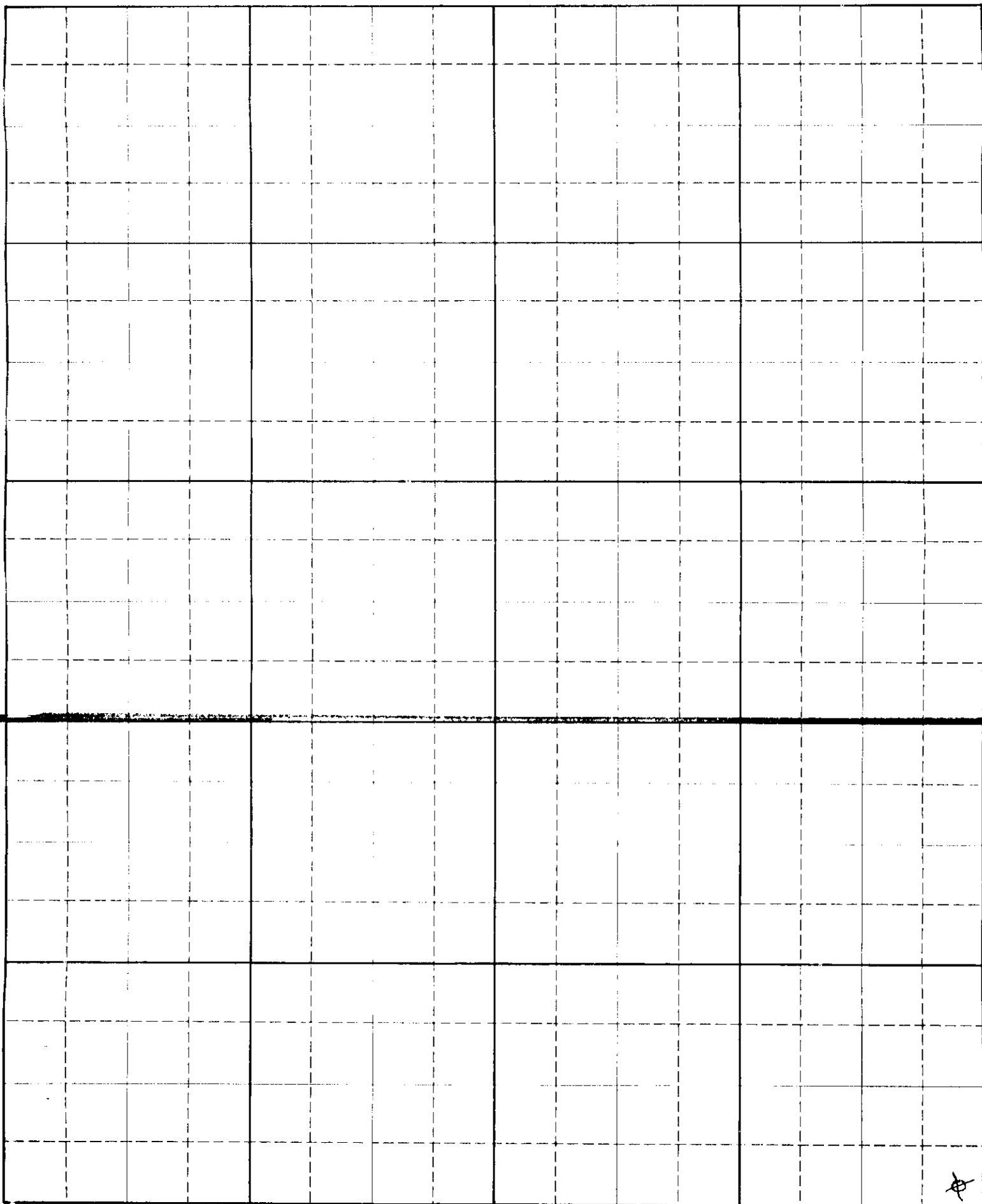
Additional points of diversion, if any none

8. Lands presently irrigated or place of use:

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	
12S	22E	6	-	-	-	-	-	-	-	-									318.

Total number of acres presently irrigated 290

SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.



North half of Area 6

9. If applicant was not the original holder of this right explain how it was acquired: _____

I am the original owner.

10. CHANGE IN POINT OF DIVERSION

a. Quantity to be diverted at new point: 1.7 c.f.s. and/or _____ acre feet

b. New point of diversion: N 1/4 N 1/4, Section 6, Township 25
Range 25 E, B.M.

c. Description of method of diversion and conveyance from new points of diversion:_____

Deep well and ditch

d. Is water to be conveyed to the lands previously irrigated? Yes No

If not, the place of use should be changed below.

e. Describe the reasons for applying for a change in the point of diversion:

Bk M. cancelled the special land use permit on the mill.

f. Do you intend to make the transfer permanent? Yes

g. Do you intend to abandon completely the old point of diversion? Yes

h. Indicate on the above plat the new point of diversion and lands to be irrigated.

11. CHANGE IN PLACE OF USE

a. Describe the new lands on which you wish to use your right.

776 Change

[illegible]

Total number of acres to be irrigated _____

b. Do you intend to make the transfer permanent?.....

c. Are you completely abandoning the lands previously irrigated by this right? If not, explain your plans:

.....
.....
.....

d. Describe any other water rights that you claim for the new ground upon which you wish to transfer this right:.....

.....
.....

e. Indicate on the above plat the new land to be irrigated and the point of diversion.

I hereby assert that no one will be injured by such transfer and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

[Signature]
ACTING DISTRICT MANAGER
(signature of applicant)

Subscribed and sworn to before me this 20 day of

June 1968
[Signature]
(notary public)

My commission expires 12-2-70

NOTARY PUBLIC RESIDING AT BURLEY, IDAHO
MY COMMISSION EXPIRES DECEMBER 2, 1970.

APPROVED

**ACTION OF STATE RECLAMATION ENGINEER
AND CERTIFICATE OF TRANSFER**

This is to certify that I have examined Application for Transfer of Water Rights No. 1978,
and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

.....
.....

2. Denial of said application is for the following reasons:.....

.....

Witness my hand this 4 day of October, 1968

[Signature]
State Reclamation Engineer

S T A T E O F I D A H O
DEPARTMENT OF RECLAMATION

In the Matter of the Application of	)	
	)	
DeLos Lusk	)	ORDER GRANTING CHANGE
Sugar City, Idaho	)	IN POINT OF DIVERSION
	)	
For a Change in Point of Diversion,	)	NO. 285
County of Cassia, State of Idaho	)	

WHEREAS, On the 26th day of July, 1965, at the Department of Reclamation of the State of Idaho at Boise, Idaho, this matter of the application of DeLos Lusk of Sugar City, Idaho, for a change in point of diversion, came on regularly for hearing, pursuant to the published notice, in due and statutory form, and

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

NOW, THEREFORE, IT IS HEREBY ORDERED, That the said application be, and the same is, HEREBY GRANTED, and that a Certificate of Change in Point of Diversion be issued to the applicant, herein.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 27th day of July, 1965.

CARL E. TAPPAN
State Reclamation Engineer

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

C E R T I F I C A T E N O . 2 8 5 O F A U T H O R I Z E D C H A N G E I N
P O I N T O F D I V E R S I O N O F L I C E N S E D W A T E R R I G H T

THIS IS TO CERTIFY, That DeLos Lusk of Sugar City, Idaho is the owner of and using a certain water right of 4.0 cubic feet per second of the waters of subterranean flow, said water being obtained by virtue of License No. G-22725, issued by the State of Idaho, dated September 21, 1961, bearing priority date of April 16, 1952, for the purpose of irrigating the following described lands situate, lying and being in the County of Cassia, State of Idaho, to-wit:

North ¼, Section 6,
Township 12 South,
Range 22 E.B.M.,

That said license has been entered in the records of the Department of Reclamation of the State of Idaho in Volume 11 of Licenses at Page 7167 thereof;

That said DeLos Lusk has become the owner of said water right by appropriation, and by virtue of License No. G-22725;

And that now, upon the application of DeLos Lusk for Certificate of Change in Point of Diversion of 4.0 cubic feet per second of the waters of subterranean flow made before the State Reclamation Engineer of the State of Idaho, and said application having been granted, the right to change said point of diversion is HEREBY GRANTED;

That said change of point of diversion will not modify in effect said water right or place of use;

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

4.0 cubic feet per second of the
waters of subterranean flow with
priority of April 16, 1952;

That said water right is appurtenant to the following described lands:

North ¼, Section 6,
Township 12 South,
Range 22 E. B. M.,

That the water right hereby described has heretofore been diverted from a well with point of diversion in the NW~~1~~NW~~4~~, Section 6, Township 12 South, Range 22 E. B. M.,

That the water right hereby described will hereafter be diverted through private ditch with point of diversion in the NE~~1~~NE~~4~~, Section 1, Township 12 South, Range 21 E.B.M., NW~~1~~NW~~4~~, Section 6, Township 12 South, Range 22 E. B. M.,

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 27th day of July, 1965.

CARL E. TAPPAN
State Reclamation Engineer

The Burley Herald-Bulletin

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
STATE OF IDAHO) ss.

Vern A. Miller, being first

duly sworn, deposes and says that he is the

General Manager of Burley Herald-Bulletin, a weekly newspaper published at Burley, Idaho, in the county aforesaid, and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular weekly editions of Burley Herald-Bulletin for

two (2) consecutive weeks, commencing

with the issue dated July 7, 1965 and

ending with the issue dated July 12, 1965

Vern A. Miller

Subscribed and sworn to before me this

14th day of July, 1965

Ruth Chambers Notary Public

Cost of Publication My Commission Expires Feb. 18, 1969

Notary Fee _____

Total Cost _____

RECEIVED
JUL 15 1965

Department of Reclamation

65-185

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that De Los Lusk of Sugar City, Idaho, has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing him to change the point of diversion of use of the waters of subterranean source as follows:

Amount: 4.0 cubic feet per second. Priority: April 16, 1952. Point of diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 6, Township 12 S Range 22 E. B.M. Place of Use: N $\frac{1}{4}$, Sec. 6, Twp. 12 S., Rge. 22 E.B.M.

To Be Transferred To
Point of Diversion: NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 3, Township 12 S., Range 21 E.B.M. and NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 6, Township 12 S., Range 22 E.B.M. Place of Use: Range.

And that on _____ day of July, 1965, at _____ P.M., at Room 107 _____ Boise, Idaho, before _____ Reclamation Engineer, _____ agent, the opposer _____ given to any and _____ to appear and present _____ consideration any reasons _____ why a certificate should not be issued authorizing such transfer.

CARL E. TAPPAN
State Reclamation Engineer
Published in the Burley Herald-Bulletin July 7, 12, 1965.

The Burley Herald-Bulletin

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss.
STATE OF IDAHO)

Vern A. Miller, being first

duly sworn, deposes and says that he is the

General Manager of Burley Herald-Bulletin, a weekly newspaper published at Burley, Idaho, in the county aforesaid, and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular weekly editions of Burley Herald-Bulletin for

two (2) consecutive weeks, commencing

with the issue dated July 7, 1965 and

ending with the issue dated July 12, 1965

Vern A. Miller
Subscribed and sworn to before me this

14th day of July, 1965

_____, Notary Public

Cost of Publication _____

Notary Fee _____

Total Cost _____

Department of Reclamation

65-185

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that De-
Los Lusk of Sugar City, Idaho,
has applied to the State Reclama-
tion Engineer of the State of Ida-
ho for a certificate authorizing
him to change the point of diver-
sion of use of the waters of sub-
terranean source as follows:

Amount: 4.0 cubic feet per sec-
ond. Priority: April 16, 1952. Point
of diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section
6, Township 12 S Range 22 E. B.M.
Place of Use: N $\frac{1}{4}$ Sec. 6, Twp. 12
S., Rge. 22 E.B.M.

To Be Transferred To

Point of Diversion: NE $\frac{1}{4}$ NE $\frac{1}{4}$,
Section 1, Township 12 S., Range
21 E.B.M. and NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section
6, Township 12 S., Range 22 E.B.
M. Place of Use: No change.

And that on the 26th day of
July, 1965, at 2:00 o'clock P.M.,
at Room 107 State of Boise
Idaho, before the State Reclama-
tion Engineer, or his authorized
agent, the opportunity will be
given to any and all persons to
appear and present, for his con-
sideration any reason or reasons
why a certificate should not be
issued authorizing such transfer.

CARL E. TAPPAN

State Reclamation Engineer

Published in the Burley Herald-
Bulletin July 7, 12, 1965.

RECEIVED

JUN 9 1965

Department of Reclamation.

Application For Transfer of Water

RECEIVED

JUN 15 1965

Department of Reclamation

STATE OF IDAHO

County of Cassia

} ss.

, being first duly sworn, deposes and says:

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

Sugar City, Idaho

That he is the owner and using a certain water right, bearing date of priority of 4/16, 1952, for 4.0 second feet cubic feet per second of the waters of a well

County of Cassia, State of Idaho, decreed to

by decree of Judge _____ of the _____ Judicial District of the State of Idaho, in and for the county of _____, in the case of _____

vs. _____, said decree bearing date of _____

(or obtained by virtue of License No. 622725, issued by the State Department of Reclamation of the State of Idaho, dated Sept. 21, 1961, bearing date of Sept 21, 1961)

for the purpose of irrigating the following described lands situate, lying and being in Water District No. _____ in the County of _____ and State of Idaho, to-wit:

N2-6-12S-22E

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

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

That said waters are now diverted from said stream in the NWNW Section 6, Township 12S, Range 22E, B. M., and conducted to the above described lands through _____

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

CHANGE IN PLACE OF USE

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

That reasons for desiring to make such transfer are as follows:

my well loses much of its water because of other wells pumping from same underground water source. I need additional water to mature my crops.

That he intends to divert and convey said.....second feet of water to the tract of land last above described in the following manner and as per map accompanying this application:

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

CHANGE IN POINT OF DIVERSION

That affiant desires to change the point of diversion of said waters from the point above described to a point located in NE 1/4 of NE 1/4 of Section 1, Township 12 S, Range 21 E, and thereafter conduct same to the above described land through the and NW 1/4 of NW 1/4 of Sec 6 Township 12 S Range 22 E ditch, as per map appended.

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

The water table in my well has dropped because of other recently improved wells and I do not have enough water from my well to irrigate my farm

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

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

De Laa Lust
Applicant.

Subscribed and sworn to before me this 8th day of June, 1965.

Dennis D. Smith
Notary Public.
Residing at Burley, Idaho

APPLICANT WILL ANSWER THE FOLLOWING QUESTIONS:

From what stream is the water diverted? underground water by a well
Where is the diversion point located? NE 1/4 of NE 1/4 Sec 1 Twp 12 S R 21 E
Through what ditch is it now conducted? to be constructed
How much land is now irrigated by the water sought to be transferred? 286 acres
Give the description: N 1/2 Sec 6 Twp 12 S R 22 E

What is the total amount of water in inches, or second feet, dedicated to said land? 4.0 c.f.s.

What kind of crops are being raised? Grains Potatoes Alfalfa Peas

How much water per acre is now required to irrigate said land? 1 inch per acre

What will be the effect on the land now irrigated, if the use of water on it is discontinued?

It will be of little use for agricultural purposes

Give location of new point of diversion, if change is to be made NE 1/4 of NE 1/4 Sec. 1 T. 12 R. 31

Through what ditch will it be conducted after transfer? An Irrigation ditch to be constructed

How much water will be required per acre to irrigate the land to which this water is transferred? 1 inch per acre

Do you claim any other water right for the land from which you seek to abandon the use of this water?

If so, give amount, date and source no

Is there any other water right for the land to which you seek to make this transfer? If so, give amount,

date and source no

Signed De Lee Lusk Applicant.

STATE OF IDAHO, }
County of _____ } ss.

I, _____, Watermaster of _____

Water District No. _____, County of _____, State of Idaho, whose postoffice address

is _____, have read or heard read the foregoing affidavit and petition

of _____, and, of my own knowledge, believe the same to be true

as to all matters therein alleged, and that no one will be injured by the transfer prayed to be authorized;

and I hereby endorse my approval of said petition, and request that the State Reclamation Engineer

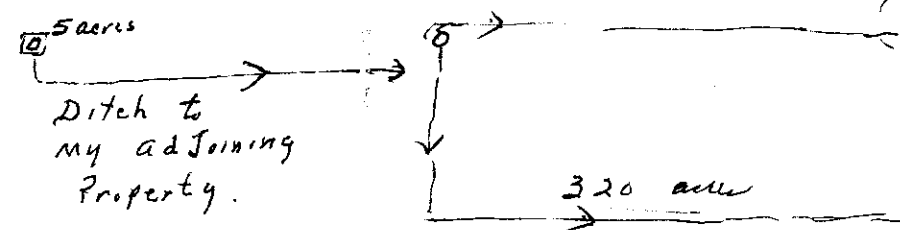
issue the certificate of transfer as petitioned; or (do not approve of the issuance of the certificate of

transfer prayed for) for the following reasons: _____

Watermaster, District No. _____

Dated at _____, Idaho, this _____ day of _____, 19 _____

Name of Applicant *Debra J. Smith*

SEC.	SEC.	SEC.	SEC.	SEC.	SEC.	SEC.
SEC.	SEC.	SEC.	SEC. 1 <i>July 12 5 Pm 21</i>	SEC. 6 <i>Tw 5 1/2 Pm 21</i>	SEC.	SEC.
SEC.	SEC.	SEC.				
SEC.	SEC.	SEC.	SEC.	SEC.	SEC.	SEC.

Scale: 2 Inches—1 Mile. Draw Map in Ink.

State of Idaho

License and Certificate of Water Right

7167
+

change in Point of
Diversion #285

Water License No. G-22725

Amount 4.0 c.f.s.

Water District No.

Priority April 16, 1952

THIS IS TO CERTIFY that DeLOS LUSK
of Sugar City, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated April 16, 1952; that Permit No. G-22725
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
4.0 second feet, was issued thereunder on September 21, 1961, showing that said works
were completed on the 10th day of September, 1957; and that on the 10th
day of September, 1957,

DeLOS LUSK

of Sugar City, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
, a tributary of subterranean flow, for the purpose of irrigation & domestic
use, under Use Permit No. G-22725 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 7167, on the 21 day of September, 1961;

The right hereby confirmed dates from April 16, 1952;

The Point of Diversion is located

in the NW 1/4 NW 1/4, Sec. 6, Tp. 12 S., R. 22 E., B. M. Cassia County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 4.0 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
12 S	22 E.	6	NE 1/4 NE 1/4	40	30
			NW 1/4 NE 1/4	40	38
			SW 1/4 NE 1/4	40	40
			SE 1/4 NE 1/4	40	37
			NE 1/4 NW 1/4	40	38
			NW 1/4 NW 1/4	40	30
			SW 1/4 NW 1/4	40	35
			SE 1/4 NW 1/4	40	38
			Total number of acres to be irrigated:		286

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 September, 1961.

RALPH W. THOMAS

Deputy State Reclamation Engineer.

(SEAL)

45 3414

State of Idaho
License and Certificate of Water Right

Water License No. 20037 Amount 1.04 c.f.s.
Water District No. Priority March 24, 1947

THIS IS TO CERTIFY that J. D. and MABLE E. STEVENSON
of Marsing, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated March 24, 1947; that Permit No. 20037
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.60 second feet, was issued thereunder on March 26, 1952, showing that said works
were completed on the 25th day of March, 1952; and that on the 25th
day of March, 1958,

J. D. and MABLE E. STEVENSON
of Marsing, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Poison Creek
, a tributary of Jump Creek, for the purpose of irrigation & domestic
use, under Use Permit No. 20037 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 7168, on the 21 day of September, 1961;
The right hereby confirmed dates from March 24, 1947;
The Point of Diversion is located NW¹/₄SE¹/₄, SW¹/₄SE¹/₄
in the -- 1/4 -- 1/4, Sec. 16, Tp. 2 N, R. 5 W., B. M. Owyhee County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 1.04 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
2 N.	5 W.	16	SE ¹ / ₄ NE ¹ / ₄	40	12
			NE ¹ / ₄ SE ¹ / ₄	20	20
			NW ¹ / ₄ SE ¹ / ₄	20	20
			Total number of acres to be irrigated:		52

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
21 day of September, 1961.

s/ RALPH W. THOMAS
Deputy State Reclamation Engineer.

(SEAL)

9-22725

45-2414

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 30470
Permit No. G- 22725
District No.

1. Name of Applicant: DELOS D. LUSK
Postoffice address: Sugar City County: Madison State: Idaho
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second. 6.4 or Idaho
Miners' inches 320 or gallons per minute.
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean flow from two wells
and
4. Location of point of diversion or well is in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 6
Twp. 12 S. , Rge. 22 E. , B. M., County of Cassia
5. Water is to be used for: Irrigation and domestic purposes.
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B. M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B. M.
7. Kind of works: Two wells, two pumps and ditches.
8. Estimated cost of works: \$ 22,000.00
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 Five(5)
years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None
 - (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) (cubic feet per second, inches or gallons per minute) is for new lands.

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

$$\mathbf{B}_v$$

Agent.

Re'urned to applicant for correction:

Corrected application received:

The number of this permit is G-22725

Recorded in Book 81 Page 22725 Approved April 22, 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 June 22, 1952 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 October 22, 1954

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before April 22, 1957

Witness my hand this 22nd day of April, 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 22nd
day of April, 1952

Countersigned:

STATE OF IDAHO

(SEAL)

By LEN JORDAN

Governor

By IRA H. MASTERS
Secretary of State.

12.

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
12 S.	22 E.	6	40	40	40	40	40	40	40									320	
STATE OF IDAHO DEPARTMENT OF RECLAMATION																			
WHEREAS, Permit No. G-22725, in the name of Delos D. Lusk, requires proofs of Completion of Works and Beneficial Use to be made on or before April 22, 1957; and,																			
WHEREAS, said Permit was issued in connection with Desert Land Entry Idaho Serial #02634; and,																			
WHEREAS, applicant was prevented from proceeding with construction pending allowance of said Desert Land Entry, which was not allowed until July 21, 1954;																			
NOW, THEREFORE, an Extension of Time is allowed for Completion of Works and Beneficial Use Proofs on Permit No. G-22725 to July 21, 1959, or the length of time applicant was prevented from proceeding pending allowance of his Desert Land Entry and a similar extension is allowed for every other act required under the terms and conditions of permit No. G-22725.																			
Signed at Boise, Idaho, this 18th day of March, 1957,																			
(SEAL)																			
/s/ Mark R. Kulp State Reclamation Engineer																			
Approved and recorded in the Department of Reclamation March 18, 1957.																			

Application for Amendment ✓
POINT OF DIVERSION
Permit No. G-22725

Comes now DeLOS LUSK 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-22725

That the point of diversion is described in said Permit as being located: SW $\frac{1}{4}$ NE $\frac{1}{4}$, and SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 6, Township 12, Range 22 East.

That he now requests that the point of diversion be changed to a point located: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 6, Township 12, Range 22 East.

That the reason for desiring to make such change is as follows: Obtaining a more adequate supply of water and to service more land under irrigation more efficiently.

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

Signed at Sugar City, Idaho, this 19 day of September, 1961.

DeLos Lusk

Date of Receipt at Department of Reclamation Sept. 21, 1961

APPROVAL OF STATE RECLAMATION ENGINEER

I, RALPH W. THOMAS, Deputy 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-22725. 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.

s/ RALPH W. THOMAS
Deputy State Reclamation Engineer

Recorded: September 21, 1961

Permit No. G-22725
CERTIFICATE OF COMPLETION OF WORKS ✓

TO ALL WHOM IT MAY CONCERN:

This is to certify that DeLOS LUSK of Sugar City, County of Madison, and State of Idaho, the holder of Permit No. G-22725, issued upon Application No. G-30470 bearing date of priority of April 16, 1952, authorizing the diversion of 6.4 second feet of waters of two wells, County of Cassia, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 4.0 second feet of the waters of a well from subterranean flow; that the point of diversion of said waters is NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 6, T. 12 S., R. 22 E., B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit:

286 acres in N $\frac{1}{2}$, Sec. 6, T. 12 S., R. 22 E., B. M.

Witness my hand this 21 day of September, A. D. 1961.

RALPH W. THOMAS
Deputy State Reclamation Engineer

Proof of Completion of Works Made: September 10, 1957

LICENSE ISSUED FOR 4.0 SEC. FT.

page 7/67

*Change in
Point
of diversion to 285*

REPORT OF WELL DRILLER
State of Idaho

RECEIVED

State law requires that this report shall be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

WELL OWNER:

Name (D. Lusk) D. Lusk

Address Sugar City, Idaho

45-2414

Owner's Permit No. _____

NATURE OF WORK (check): Replacement well ☐
New well ☐ Deepened ☒ Abandoned ☐

Water is to be used for: Irrigation

METHOD OF CONSTRUCTION: Rotary ☐ Cable ☒
Dug ☐ Other _____

(explain)

CASING SCHEDULE: Threaded _____ Welded ☒
12" Diam. from 660 ft. to 770 ft.
8" Diam. from 924 ft. to 968 ft.
"Diam. from _____ ft. to _____ ft.
"Diam. from _____ ft. to _____ ft.

Thickness of casing: 250 wall Material:

Steel ☒ concrete ☐ wood ☐ other ☐

(explain)

PERFORATED? Yes ☐ No ☒ Type of
perforator used: _____

Size of perforations: _____" by _____"
_____ perforations from _____ ft. to _____ ft.
_____ perforations from _____ ft. to _____ ft.
_____ perforations from _____ ft. to _____ ft.
_____ perforations from _____ ft. to _____ ft.

WAS SCREEN INSTALLED? Yes ☐ No ☒

Manufacturer's name _____

Type _____ Model No. _____

Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.

Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.

CONSTRUCTION: Well gravel packed? Yes ☐
No. ☒ size of gravel _____ Gravel
placed from _____ ft. to _____ ft. Surface seal
provided? Yes ☐ No ☐ To what depth?
_____ ft. Material used in seal: _____

Did any strata contain unusable water? Yes ☐

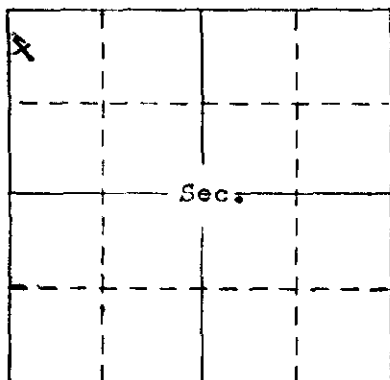
No. ☒ Type of water: _____

Depth of strata _____ ft. Method of sealing
strata off: _____

Surface casing used? Yes ☐ No. ☐

Cemented in place? Yes ☐ No ☐

Locate well in section



LOCATION OF WELL: County BLASSIA

NW 1/4 NW 1/4 Sec. 6 T. 12 N. R. 21 E. 14

Use other side for additional remarks

Size of drilled hole: 16"-770'-10"-968'
depth of well: 8"-1025' Total
level below ground: _____ Temp. _____
Fahr. _____ ° Test delivery: _____ gpm
or _____ cfs Pump? ☐ Bail ☐
Size of pump and motor used to make test: _____

Length of time of test: _____ Hrs. _____ Min.
Drawdown: _____ ft. Artesian pressure: ft. _____
above land surface _____ Give flow _____ cfs
or _____ gpm. Shutoff pressure: _____
Controlled by: Valve ☐ Cap ☐ Plug ☐
No control ☐ Does well leak around casing?
Yes ☐ No ☐

DEPTH		MATERIAL	WATER YES OR NO
FROM	TO		
FEET	FEET		
630	674	Sand clay and gravel.	
674	695	Gray basalt - solid.	
695	707	Gray basalt - broken.	
707	765	Light brown sand & clay - some small gravel.	
765	795	Rhyolite, redish brown and gray hard.	
795	835	Rhyolite, redish brown and gray. Solid - drills good.	
835	845	Rhyolite, redish brown and gray - loose. Probably has water in it. Loosing cuttings - lots of white and brown soapy talc.	
845	895	Rhyolite, loose and covey - lots of cuttings, lots of talc. (Gray)	
895	938	Rhyolite - redish - good drilling.	
938	955	Clay - orange.	
955	970	Gray rhyolite - loose.	
970	980	Red rhyolite - solid. Good drilling.	
980	999	Red Rhyolite loose and cindery. Cuttings washed away.	
999	1025	Red Rhyolite - solid	

Work started: April 15-1969

Work finished: May 21-1969

Well Driller's Statement: This well was
drilled under my supervision and this report
is true to the best of my knowledge.

Name: Commons Drilling Co.

Address: Box 126 - Rupert, Idaho

Signed by: Ray L. Commons

License No. 46 Date: June 10-1969

22725

45-2414

October 7, 1968

Re: Transfer No. 1578

DeLos Lusk
Sugar City,
Idaho

Dear Mr. Lusk:

Enclosed you will find a copy of your approved transfer of water
right no. 1578.

Also enclosed are departmental receipts nos. 1022 and 2059
amounting to \$21.00 covering the fees.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kh

Enclosures

22725
45-2414

file in

22725
45-2414

September 11, 1968

DeLos Lusk
Sugar City,
Idaho 83448

Dear Mr. Lusk:

Please excuse the delay in answering your letter of August 19, 1968. It took some time to check on the location of your property. It is my understanding that you own property in the Buck Horn area of Cassia County.

As you are probably aware, on January 16, 1962, the State Reclamation Engineer designated the area in which you are located as a Critical Ground Water Area and prohibited further appropriation of ground-water from being made. At the time of that order only those people who still had valid permits to drill wells could complete their appropriation.

On September 6, 1967, the State Reclamation Engineer amended the boundaries, due to additional information being available. I am enclosing a map of the area presently within the critical ground water area designation.

The objective of the designation is to prevent additional water from being withdrawn from the basin and to attempt to hold the water level high enough so that it can be economically pumped. The area in which you are located is one of the areas most affected by pumping.

We hope that the designation will stop the ground water level from declining in the near future. As of 1962, the only wells that should be drilled in the area are replacement wells for a then existing

22725
45-2414

Page Two
September 11, 1968
DeLos Lusk

water right or wells being drilled to complete a permit issued prior to that date.

It may be that if the present steps are not effective we may have to begin regulating the rights which existed prior to the designation. The only way we can do this would be if a suit to determine ground water rights in the basin was instituted in the District Court. As soon as the rights were established by the court, we would then under-take administration of those rights.

If you have any further questions, please contact me.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kh

Enclosure: map

22725
45-2414

Sugar City, Idaho
August 19, 1968

RECEIVED

AUG 20 1968

Department of Reclamation

Mr. R. Keith Higginson
State Reclamation Engineer
State House
Boise, Idaho

Dear Mr. Higginson:

I appreciated discussing the situation of my well with your field representative, Mr. Dean Reynolds. August 1, 1968. He has written to me in a letter dated August 7 suggesting I correspond with you concerning the problem involved.

At the time it was established in 1957 until 1963, this was a high producing unit with no variance whatsoever in output of water. At about this time (1962-1963) a great many wells were drilled along the south hills by the Anderson Brothers and K. C. Barlow and perhaps a number of other people not known to me which caused my well to drop sharply and begin to surge within a week after the pump was turned on. It is my understanding from people I have conversed with that natural springs that existed for many years prior to these wells along the south hills also went dry and a shortage of water for earlier water rights was created by these wells that were drilled by these men in the above mentioned period.

A few days ago, August 13, it was necessary for me to turn my pump off because it was doubtful whether it was producing 40 inches of water at the time.

The Bureau of Land Management in Burley has a letter on file that I sent to them several years ago on this identical situation. I have been very concerned about it but unable to get anyone's attention directed to this matter. I hope your interest may be of such that something can be done to make our water rights valid as they are designed to be.

Mr. Higginson, I will be most willing to meet with you personally to discuss this matter further if you desire it. I will come to your office or meet at any other designated place with you or any group or committee for I feel this matter is so serious that we are all faced with a greater water deficiency unless measures are taken immediately to stop this excessive drainage of underground water.

Thank you for your interest in this very serious matter.

Very truly yours,

DeLos Lusk

DeLos Lusk

22725

45-2414

August 7, 1968

C
O
P
Y
Re: Permit No. G-22725

Mr. Delos Lusk
Sugar City, Idaho 83448

Dear Mr. Lusk:

Regarding our conversation of August 1, 1968, I would like to inform you that we have had an opportunity to discuss your general well interference situation with Mr. Jack Barnett, Deputy State Reclamation Engineer, and would like to advise you that there is a definite course of action.

As it would be rather impractical to continue a lengthy explanation of procedure, we recommend that you file a specifically detailed written complaint against the interference well or wells. The complaint should be addressed to the State Reclamation Engineer, Mr. R. Keith Higginson. You could also contact by phone, letter, or in person Mr. Higginson, Mr. Barnett, or Mr. Steve Allred, Assistant State Reclamation Engineer.

Very truly yours,

Dean R. Reynolds
Field Examiner

DRR:dj

22725
45-2414

	NOTE	INSPECTION WITH	G-22725
	AVERAGE	APPROXIMATELY	THE SAME.

Source of supply SUBTERRANEAN

a tributary of _____

Location of P.D.(s) NW NW Sec 6 12S 22E

Water is used for IRRIGATION

Quantity of water found 67" or 1.34 cfs

How was the measurement made? METER

Measurement calculations _____

Diversion works description and diagram

250 HP 65 FEE MOTOR
WINDMILL VERT TURBINE PUMP
10" DISCHARGE WENT INTO WOODEN
CONVEYANCE BOX - THROUGH EARTH DITCHES.

Indicate area irrigated in each subdivision on the map.

Total acreage irrigated _____

ACREAGE DOES NOT EXCEED 286 ACRES

If water is used for purposes other than irrigation, fully describe how the water is used and what is done with it after the use.

Who represented the permit holder at the examination?

MR DELOS LUSK CONTACTED

Recommended allowance for licensing _____

Description of required amendments. Comments.

NOTE - THE WELL IN THE NE NE SEC 1 12S 21E
PRODUCES APPROX 35" - IS NOT BEING USED
- GROUND THAT IT SERVES (820 ACRES N 1/2
SEC 1 12S 21E) IS BEING SOLD BY MR
DELLOS LUSK AS SOON AS TRANSFER IS COMPLETED.
THE WELL IN THE NW NW SEC 6 12S 22E HAS
DROPPED PRODUCTION SINCE 20-25 WELLS WERE
COMPLETED WITHIN THE LAST 6 YEARS SE APPROX
5 MILES AWAY.

Report checked? _____

Examination date 8-1-68

Signature Dean Reynolds

hine-sh
see

June 25, 1968

C
O
P
Y

Re: Application for Transfer

DeLos Lusk
Sugar City, Idaho 83448

Dear Mr. Lusk:

We have mailed the notice of proposed transfer of water right to the South Idaho Press, Burley, Idaho, to be published once a week for two consecutive weekly issues, July 4 (or 5) and July 11, 1968.

Please furnish the Department of Reclamation with an affidavit of publication on or prior to July 22, 1968.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:dj

22725
45-2414

June 25, 1968

C
Re: Application for Transfer
DeLos Lusk

O
South Idaho Press
Burley, Idaho 83318

Gentlemen:

P
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.

Y
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 date. If you cannot publish the notice on the proposed dates, please contact us immediately.

The expense of the publication is to be paid by DeLos Lusk, Sugar City, Idaho, to whom you should furnish an affidavit of publication on or prior to July 22, 1968.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:dj

Enc: legal notice

22725
45-2414

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that DeLos Lusk of
Sugar City, Idaho, has applied to the State Reclamation Engineer of the
State of Idaho for a certificate authorizing him to change the point of diversion
~~and/or place of use~~ of the waters of a subterranean source as follows:
Amount: 4.0 cubic feet per second. Priority: April 16, 1952
Point of diversion: NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 1, Township 12 S Range 21 E, B.M.
~~Place of Use~~ and NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 6, T. 12 S, R. 22 E, B.M.
Place of Use: N $\frac{1}{2}$, Sec. 6, T. 12 S, R. 22 E, B.M.

To Be Transferred To

Point of diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 6, Township 12 S, Range 22 E B. M.
Place of Use: N $\frac{1}{2}$, Sec. 6, T. 12 S, R. 22 E, B.M.

And that on the 22nd day of July, 19 68, at 10:30 o'clock A.M.,
Department of Reclamation, Statehouse
at Annex 2, 614 State St. Boise, Idaho, before the State Reclamation Engineer,
or his authorized agent, the opportunity will be given to any and all persons to
appear and present, for his consideration any reason or reasons why a certificate
should not be issued authorizing such transfer.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the South Idaho Press on July 4 and 11, 1968.

(5)

22726
45-2414

May 20, 1968

Re: Transfer No. 285 - Point of Diversion

Mr. Delos Lusk
Sugar City,
Idaho

Dear Mr. Lusk:

Thank you for your letter of May 6, 1968 on the above referenced items. We have taken the matter of your water right under advisement and have determined that in order for you to proceed in reclaiming water under Water License No. G-22725, you will be required to file a transfer, transferring the water away from the NE $\frac{1}{4}$ NW $\frac{1}{4}$, sec. 1, T. 12 S, R. 21 E, B.M. The only problem rising is that under existing Idaho Statutes, the Bureau of Land Management and yourself may both have controlling interests in that portion of the water right in the well in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, sec. 1, T. 12 S, R. 21 E, B.M. Therefore, a transfer, in order to be completely acceptable, must be signed by both yourself and the Bureau of Land Management.

We have contacted Mr. Del Waddoups of the Bureau of Land Management in Burley Idaho and he has agreed to sign the transfer with you, enabling you to re-obtain the total of your water right. Therefore, you should proceed at once to complete the transferring process. We have enclosed transfer forms for your use in this matter.

Please be advised that our procedure has changed somewhat. Now there is a fee totalling \$21.00 required to complete a transfer. However, initially you are required to submit only \$20.00. Should the transfer be approved we will request a \$1.00 certificate fee.

Your prompt attention to this matter is appreciated.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

22725
45-2414

C
O
P
Y

Mr. Donald Mc Eldowney.
Dept. of Reclamation
107 State House
Boise, Idaho

Sugar City, Idaho
May 6, 1968
RECEIVED

MAY 7 1968

Department of Reclamation

Dear Mr. Mc Eldowney.

Thank you for your letter of April 25th relative to two wells I have been using for Pumping Purposes.

Please be advised that the well located on the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 1; T12S, R. 21E BM which I had leased from the Bureau of Land Management has been cancelled and the property has been sold to another party.

I would estimate that the total output of both wells would not exceed 2.0 inches as an average because of the low water table.

22725

45-2414

Both wells mentioned in your letter, will have to be deepened for a new flow of water or abandoned for new wells in order to obtain the amount of water specified in the permit.

When I leased the above mentioned well, I transferred part of my right to it, but now that the lease has been cancelled I will need your action to return the complete right to my well.

In the event I decide to abandon my well, and drill a new one, what permission will I need from your office?

Thank you for your interest

Yours truly,
De los Zuech

22725
45-2414

April 25, 1968

Re: Point of diversion transfer #285

Mr. Delos Lusk
Sugar City,
Idaho

Dear Mr. Lusk:

We are writing in connection with Permit No. 22725 covering your lands in T. 12 S, R. 22 E, B.M., sec. 6 and covering a well in the NW1/4, sec. 6, T. 12 S, R. 22 E, B.M. and a well in the NE1/4, sec. 1, T. 12 S, R. 21 E, B.M.

The department has been advised that the wells in question produce water in excess of that 4.0 cubic feet per second licensed under Permit No. G-22725. Information states that the water has been used for irrigation purposes and has from time to time been leased by yourself.

You should be advised that your only authority to divert water from the two wells in question is within the 4.0 cubic feet per second licensed under G-22725 and to irrigate the 286 acres licensed under this permit. Would you please advise us by return mail as to the total production of the two wells in question.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

C
O
P
Y

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

April 25, 1968

30h

Re: Point of diversion transfer #285

Mr. Delos Lusk
Sugar City,
Idaho

Dear Mr. Lusk:

We are writing in connection with Permit No. 22725 covering your lands in T. 12 S, R. 22 E, B.M., sec. 6 and covering a well in the NW1/4, sec. 6, T. 12 S, R. 22 E, B.M. and a well in the NE1/4, sec. 1, T. 12 S, R. 21 E, B.M.

The department has been advised that the wells in question produce water in excess of that 4.0 cubic feet per second licensed under Permit No. G-22725. Information states that the water has been used for irrigation purposes and has from time to time been leased by yourself.

You should be advised that your only authority to divert water from the two wells in question is within the 4.0 cubic feet per second licensed under G-22725 and to irrigate the 286 acres licensed under this permit. Would you please advise us by return mail as to the total production of the two wells in question.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

B.L.M. Barley Idaho
Mr. Del Waddoups
678-5514

22725
45-2414

5-10-68 Del will transfer right back to
Mr. Lusk, if he will pay costs. DWM

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

April 25, 1968

Re: Point of diversion transfer #285

Mr. Delos Lusk
Sugar City,
Idaho

Dear Mr. Lusk:

We are writing in connection with Permit No. 22725 covering your lands in T. 12 S, R. 22 E, B.M., sec. 6 and covering a well in the NW¹/₄NE¹/₄, sec. 6, T. 12 S, R. 22 E, B.M. and a well in the NE¹/₄NE¹/₄, sec. 1, T. 12 S, R. 21 E, B.M.

The department has been advised that the wells in question produce water in excess of that 4.0 cubic feet per second licensed under Permit No. G-22725. Information states that the water has been used for irrigation purposes and has from time to time been leased by yourself.

You should be advised that your only authority to divert water from the two wells in question is within the 4.0 cubic feet per second licensed under G-22725 and to irrigate the 286 acres licensed under this permit. Would you please advise us by return mail as to the total production of the two wells in question.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

22725
45-2414

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

RECEIVED

SEP 5 1968

Department of Reclamation

August 30, 1967

Re: Application for Transfer

DeLos Luskth
Sugar City, Idaho 83448

Dear Mr. Lusk:

Before we can issue a certificate for the transfer of a water right, we must have a \$1.00 fee. Please submit this to the Department of Reclamation, so we can finish processing your transfer of a water right.

Very truly yours,

A handwritten signature in cursive script that reads "Donald W. McEldowney".

Donald W. McEldowney
Appropriation Examiner

DWM:tg

D.R.

20725

45-2414

August 30, 1967

Re: Application for Transfer

DeLos Lusk
Sugar City, Idaho 83448

Dear Mr. Lusk:

Before we can issue a certificate for the transfer of a water right, we must have a \$1.00 fee. Please submit this to the Department of Reclamation, so we can finish processing your transfer of a water right.

Very truly yours,

Donald W. Macdonney
Appropriation Examiner

DWM:tg

July 27, 1965

Re: Change in Point of
Diversien No. 285

Mr. DeLes Lusk,
Sugar City, Idaho.

Dear Mr. Lusk:

Enclosed is Order Granting Change in
Point of Diversien, and Certificate of Authorized
Change in Point of Diversien No. 285.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

Encl.
CET:jmk

C
O
P
Y

Harold F Brown
498 Taylor & Twin Falls

Delos Lusk G 22725

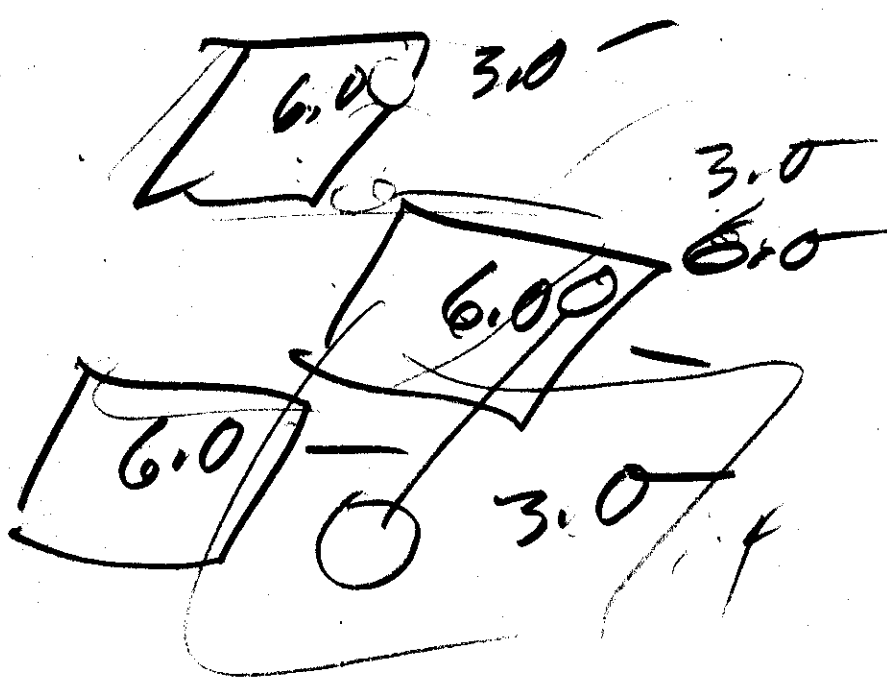
N $\frac{1}{2}$ 6 - 12S 22E

NNW-6 PD. Copy here

~~and DWS Report.~~

NENE Sec 1 12S-21E

GWA Mr Smith DE Aberdeen Md.
Lusk used well



Letter for Dave

From the desk of:- Who cares

G-22725

Lic PG-7167 4.0 cfs

Q.D. Trans 285

Production from both wells excessive
& has been leased to Bureau of Reclamation:

NENE Sec 1 T12S-R21E

NW NW 6 T12S R22E

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that Delos Lusk of

Sugar City, Idaho has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing him to change the point of diversion

~~and/or change~~ of use of the waters of subterranean source as follows:

Amount: 4.0 cubic feet per second. Priority: April 16, 1952

Point of diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 6, Township 12 S Range 22 E, B.M.

Place of Use: NW, Sec. 6, Twp. 12 S., Rge. 22 E.B.M.

To Be Transferred To

Point of Diversion: NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 1, Township 12 S., Range 21 E.B.M., B.M.

Place of Use: No change

And that on the 26th day of July, 19 65, at 2:00 o'clock P. M.
at Room 107 Statehouse, Boise, Idaho, before the State Reclamation Engineer,
or his authorized agent, the opportunity will be given to any and all persons to
appear and present, for his consideration any reason or reasons why a certificate
should not be issued authorizing such transfer.

CARL E. TAPPAN

State Reclamation Engineer

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that DeLos Lusk of
Sugar City, Idaho has applied to the State Reclamation Engineer of the
State of Idaho for a certificate authorizing him to change the point of diversion
~~and/or place of use~~ of the waters of Subterranean Source as follows:
Amount: 4.0 cubic feet per second. Priority: 4-16-1952
Point of diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 6, Township 12S Range 22E, B.M.
Place of Use: N²-6-42S-22E

NE NE To Be Transferred To
Point of Diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 1, Township 12S, Range 21E, B.M.
Place of Use: No Change

And that on the 26th day of July, 1965, at 2:00 o'clock P. M.
at Room 107 State house Boise, Idaho, before the State Reclamation Engineer,
or his authorized agent, the opportunity will be given to any and all persons to
appear and present, for his consideration any reason or reasons why a certificate
should not be issued authorizing such transfer.

State Reclamation Engineer

July 15, 1965

Re: Transfer of Water Right
Delos Lusk

C
O
P
Y

Herald Bulletin,
Box 750,
Burley, Idaho.

Gentlemen:

Returned herewith is your certified bill in connection
with the Notice for Transfer of Water for Delos Lusk.

You will note the certification is not signed. Please
sign and return promptly.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

M. RUSSELL BOSCH
State Water Rights & Records Clerk

Encl. - Statement
MRB:pmk

**NOTICE OF PROPOSED
TRANSFER OF WATER RIGHT**

Notice is hereby given that ~~De~~
~~Los Lusk~~ of Sugar City, Idaho,
~~has applied~~ to the State Reclama-
tion Engineer of the State of Ida-
ho for a certificate authorizing
him to change the point of diver-
sion of use of the waters of sub-
terranean source as follows:

Amount: 4.0 cubic feet per sec-
ond. Priority: April 16, 1932. Point
of diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section
6, Township 12 S Range 22 E. B.M.
Place of Use: N $\frac{1}{4}$, Sec. 6, Twp. 12
S., Rgc. 22 E.B.M.

To Be Transferred To
Point of Diversion: NE $\frac{1}{4}$ NE $\frac{1}{4}$,
Section 1, Township 12 S., Range
21 E.B.M. and NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section
6, Township 12 S., Range 22 E.B.
M. Place of Use: No change.

And that on the 26th day of
July, 1965, at 2:00 o'clock P.M.,
at Room 107 Statehouse, Boise,
Idaho, before the State Reclama-
tion Engineer, or his authorized
agent, the opportunity will be
given to any and all persons to
appear and present, for his con-
sideration any reason or reasons
why a certificate should not be
issued authorizing such transfer.

CARL E. TAPPAN
State Reclamation Engineer
Published in the Burley Herald-
Bulletin July 7, 12, 1965.

July 1, 1965

Re: DeLos Lusk Hearing

Burley Herald Bulletin,
Burley, Idaho.

Gentlemen:

We find it necessary to re-publish the Notice of Proposed Transfer of Water Right in the name of DeLos Lusk.

Idaho Code requires a five day lapse in time from the last date of publication of the notice to the hearing date. Due to your change of publication date, we have only a four day time lapse in time.

Please re-publish the enclosed notice at the Department of Reclamation's expense.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

ROBERT W. HAMILTON
Supervisor of Water Distribution

Encl.
RWH:pmk

C
O
P
Y

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that Delos Lusk of
Sugar City, Idaho has applied to the State Reclamation Engineer of the
State of Idaho for a certificate authorizing him to change the point of diversion
~~and/or place of use~~ of the waters of Subterranean Source as follows:
Amount: 4.0 cubic feet per second. Priority: April 16, 1952
Point of diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 6, Township 12 S Range 22 E, B.M.
Place of Use: N²-6'-12 S-22 E.

To Be Transferred To
NE NE 1 12 S 21 E
Point of Diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 6, Township 12 S, Range 22 E, B.M.
Place of Use: No Change

And that on the 1st day of July, 19 65, at 2:00 o'clock P. M.
at Room 107, Hatch House Boise, Idaho, before the State Reclamation Engineer,
or his authorized agent, the opportunity will be given to any and all persons to
appear and present, for his consideration any reason or reasons why a certificate
should not be issued authorizing such transfer.

State Reclamation Engineer

July 1, 1965

Re: Transfer of Water Right

Mr. DeLos Lusk,
Sugar City, Utah.

Dear Mr. Lusk:

We find it necessary to re-publish your notice of transfer of water right, therefore, a new hearing date of July 26, will be set.

This publication will be at our expense.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

ROBERT W. HAMILTON
Supervisor of Water Distribution

RWH:pmk

C
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NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that De-
los Lusk of Sugar City, Idaho has
applied to the State Reclamation
Engineer of the State of Idaho for
a certificate authorizing him to
change the point of diversion of
the waters of subterranean source
as follows:

Amount: 40 cubic feet per second.

Priority: April 16, 1952 ~~Point of~~

diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 6,

Township 12 S., Range 22 E., B.M.

Place of Use: N $\frac{1}{2}$ Sec. 6, Twp. 12

S., Rge. 22 E.B.M.

To Be Transferred To

Point of Diversion: NE $\frac{1}{4}$ NE $\frac{1}{4}$,

Section 1, Township 12 S., Range

21 E.B.M.

Point of Diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$,

Section 6, Township 12 S., Range

22 E.B.M.

Place and Use: No Change.

And that on the 1st day of
July, 1965, at 2:00 o'clock P.M. at
Room 107 Statehouse, Boise, Ida-
ho, before the State Reclamation
Engineer, or his authorized agent
the opportunity will be given to
any and all persons to appear and
present, for his consideration any
reason or reasons why a certifi-
cate should not be issued author-
izing such transfer.

CARL E. TAPPAN

State Reclamation Engineer

Published in the Burley Herald-
Bulletin June 21, 28, 1965.

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

DEPARTMENT OF RECLAMATION

Boise, Idaho

June 15, 1965

Re: Change in Point of Diversion

Burley Herald Bulletin,
Burley, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for two consecutive weeks prior to **July 1, 1965** the date set for hearing; the expense of the publication is to be paid by the applicant **Delos Lusk** of **Sugar City, Idaho** to whom you should furnish proof of publication on or prior to the date set for hearing.

Please acknowledge receipt of this notice and furnish this office with a copy or tear-sheet of the first publication.**

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

ROBERT W. HAMILTON
Supervisor of Water Distribution

** If the first copy is not received in this office for checking purposes and errors appear in subsequent issues, it is possible that re-publication of corrected copy will be at your own expense.

Encl.

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that Delos Lusk of
Sugar City, Idaho has applied to the State Reclamation Engineer of the
State of Idaho for a certificate authorizing him to change the point of diversion
~~and place of use~~ of the waters of subterranean source as follows:
Amount: 4.0 cubic feet per second. Priority: April 16, 1952
Point of diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 6, Township 12 S., Range 22 E., B.M.
Place of Use: N $\frac{1}{2}$ Sec. 6, Twp. 12 S., Rge. 22 E.B.M.

To Be Transferred To
Point of Diversion: NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 1, Township 12 S., Range 21 E.B.M.
NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 6, Township 12 S., Range 22 E., B.M.
Place of Use: No change

And that on the 1st day of July, 19 65, at 2:00 o'clock P. M.
at Room 107 Statehouse, Boise, Idaho, before the State Reclamation Engineer,
or his authorized agent, the opportunity will be given to any and all persons to
appear and present, for his consideration any reason or reasons why a certificate
should not be issued authorizing such transfer.

CARL E. TAPPAN
State Reclamation Engineer

ROBERT E. SMYLIE
Governor



CARL E. TAPPAN
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

June 9, 1965

RECEIVED
JUN 15 1965

Department of Reclamation

Re: Application for
Change in Point of
Diversion

Mr. Delos Lusk,
Sugar City, Idaho.

Dear Mr. Lusk:

We have received your application for change in point of diversion.

Correspondence from Mr. Thomas of this Department indicates that you would use both wells to obtain the 4.0 c.f.s. to which you are entitled to pump. According to your application, you plan to use only the well in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 1, Twp. 12 S., Rge. 21 E. If both wells are to be used, both points of diversion should be shown on page two of the application.

We are returning your application for this change if you so desire to make it and also that you may check the penciled in portion of page one to see if it is correct.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

Robert W. Hamilton
ROBERT W. HAMILTON
Supervisor of Water Distribution

Thank you for your suggestions. I have made the change you recommended and hope it is correct now. Thanks - Delos Lusk

June 9, 1965

Re: Application for
Change in Point of
Diversion

Mr. Delos Lusk,
Sugar City, Idaho.

Dear Mr. Lusk:

We have received your application for change in point of diversion.

Correspondence from Mr. Thomas of this Department indicates that you would use both wells to obtain the 4.0 c.f.s. to which you are entitled to pump. According to your application, you plan to use only the well in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 1, Twp. 12 S., Rge. 21 E. If both wells are to be used, both points of diversion should be shown on page two of the application.

We are returning your application for this change if you so desire to make it and also that you may check the penciled in portion of page one to see if it is correct.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

ROBERT W. HAMILTON
Supervisor of Water Distribution

Encl. - Application
RWH:pak

C
O
P
Y

April 19, 1965

Re: Permit No. G-27145 - Elwin Smith
License No. G-22725

DeLos Lusk
Sugar City, Idaho

Dear Mr. Lusk:

Enclosed is Form 20, Transfer of Water Right.

January 20th I wrote you in regard to the well drilled under Permit No. G-27145.

We have received information that the well was pumped only about four days in 1963. If that is true the permit is of little value.

If you get control of the well from the Bureau of Land Management, you can complete Form 20, changing the point of diversion under your Water License No. G-22725 from the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 6, T. 12 S., R. 22 E. to that well and the Smith well in Section 1, T. 12 S., R. 21 E. We have conflicting information about the location of the well in Section 1. The permits shows NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 1, and your communication with the Bureau of Land Management shows NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 1.

Upon receipt of completed Form 20 this office will send a short legal notice to the County paper for two successive weekly issues at your expense. If there are no valid protests against the transfer, the the certificate of transferred water right will be issued upon receipt of the affidavit of publication with the \$1.00 fee charged by this office.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. Form 20

22725

January 20, 1965

Re: Permit No. G-27145 - Elwin Smith
License No. G-22725

Mr. DeLos Lusk
Sugar City, Idaho

Dear Mr. Lusk:

We received your letter in regard to well drilled by Mr. Smith in NW1/4, Sec. 1, T. 12 S., R. 21 E., under Permit No. G-27145. Mr. Smith made proof of completion of works and beneficial use of the water, however the field investigation has not been completed.

The Bureau of Land Management suggested that you see their District Manager in Burley in regard to your use of the well drilled by Mr. Smith. You may or may not be granted use of the well.

Provided you obtain use of the well, you can request a transfer of water right, point of diversion, to your well and the Smith well under your License No. G-22725. That involves publication of a legal notice in two issues of the county paper and \$1.00 fee to this office. The transfer would probably be approved if there is no valid protest in regard to the transfer. This would allow you use of both wells up to the limit of your license, 4.0 c.f.s., with priority of April 16, 1952.

You can obtain an assignment of Permit No. G-27145 from Mr. Smith and change the place of use by amendment. This would be good only if the well is equipped and the pump is being operated, to obtain amount of water when inspection is made for this office. That means a legal notice of proof of beneficial use of the water on your land. The priority under Permit No. G-27145 would be advanced the length of time the proof of beneficial use of the water was late.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

22725

June 11, 1962

Mr. W. R. Nutting, Appraiser
P. O. Box 288
Twin Falls, Idaho

Dear Mr. Nutting:

Your letter of June 13th has been received in regard to water rights on certain lands.

Water License No. G-22725, issued to DeLos Lusk for 4.0 c.f.s. priority April 6, 1952, from well in NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 6, to irrigate 286 acres in N $\frac{1}{2}$, Sec. 6, T. 12 S., R. 22 E. Report dated July 10, 1958, shows water at 380 feet.

Water License No. 21315 issued to C. T. Mathews for 6.0 c.f.s. priority December 17, 1949, from well in NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 12, to irrigate 320 acres in S $\frac{1}{2}$, Sec. 12, T. 11 S., R. 26 E. Report dated June 1, 1956, shows that 40 acres in E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 11 were also irrigated.

Water License No. 21738 issued to J. E. Peterson for 4.0 c.f.s. priority September 30, 1950, from two wells in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 16, to irrigate 200 acres being 60 acres in S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 16; 80 acres in N $\frac{1}{2}$ NE $\frac{1}{4}$; 60 acres in N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 21, T. 1 S., R. 21 E., S. M. Report dated August 5, 1954, shows west well 96' deep, 20" casing, water level 39', produced 150 inches; East well 101' deep, 18" casing, water level 41', produced 123 inches.

Water License No. 21839, issued to Chandler C. Griffin, for 3.79 c.f.s., priority December 23, 1950, from well in SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 2, to irrigate S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 2; E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 10; E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 11, T. 2 S., R. 21 E. Report dated August 14, 1952, shows well 200' deep - static water 50' drawdown 30' to 40'.

No mention of sand in any of the reports.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

227-25

June 14, 1962

Mr. W. R. Nutting, Appraiser
P. O. Box 288
Twin Falls, Idaho

Dear Mr. Nutting:

Your letter of June 13th has been received in regard to water rights on certain lands.

Water License No. G-22725, issued to DeLos Lusk for 4.0 c.f.s. priority April 6, 1952, from well in NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 6, to irrigate 286 acres in N $\frac{1}{4}$, Sec. 6, T. 12 S., R. 22 E. Report dated July 10, 1958, shows water at 380 feet.

Water License No. 21315 issued to C. T. Mathews for 6.0 c.f.s. priority December 17, 1949, from a well in NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 12, to irrigate 320 acres in S $\frac{1}{2}$, Sec. 12, T. 11 S., R. 26 E. Report dated June 1, 1956, shows that 40 acres in E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 11 were also irrigated.

Water License No. 21738 issued to J. E. Peterson for 4.0 c.f.s. priority September 30, 1950, from two wells in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 16, to irrigate 200 acres being 60 acres in S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 16; 80 acres in N $\frac{1}{2}$ NE $\frac{1}{4}$; 60 acres in N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 21, T. 1 S., R. 21 E., B. M. Report dated August 5, 1954, shows west well 96' deep, 20" casing, water level 39', produced 150 inches; East well 101' deep, 18" casing, water level 41', produced 123 inches.

Water License No. 21839, issued to Chandler C. Griffin, for 3.79 c.f.s., priority December 23, 1950, from well in SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 2, to irrigate S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 2; E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 10; W $\frac{1}{2}$ W $\frac{1}{2}$, Sec. 11, T. 2 S., R. 21 E. Report dated August 14, 1952, shows well 200' deep - static water 50' drawdown 30' to 40'.

No mention of sand in any of the reports.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

22725

22725

September 21, 1961

Re: Permit No. G-22725

Mr. DeLos Lusk
Sugar City, Idaho

Dear Mr. Lusk:

We enclose Application for Amendment to the point of diversion, Certificate of Completion of Works and License and Certificate of Water Right issued on Permit No. G-22725.

Also enclosed is departmental receipt No. G-6562 in the amount of \$21.00 for issuing certificates and \$1.00 for recording the amendment, making a total of \$22.00.

Very truly yours,

GEO. H. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. certificates
amendment
receipt

22725

Notice of proof and completion of works and Application of water to Beneficial use papers have been ~~and~~ filled out before me, A Notary Public in and for the State of Idaho, on this 30th day of July, 1957.

My commission expires Jan. 10, 1959 .

Marine Hare

Sugar City, Idaho



CF 000025200

Application for Amendment

POINT OF DIVERSION

Permit No. G-22725

RECEIVED
SEP 21 1961

Department of Reclamation

Comes now De Los Lusk and
represent to the State Reclamation Engineer of the State of Idaho:

That he is (are) the owner and holder of Permit to appropriate the Public
Waters of the State of Idaho, No. G-22725.

That the point of diversion is described in said Permit as being located:

SW 1/4 NE 1/4 and SW 1/4 NW 1/4 Section 6 township 12 Range 22 East

That he now requests that the point of diversion be changed to a point
located: NW 1/4 NW 1/4 Section 6 township 12 Range 22 East

That the reason for desiring to make such change is as follows:

Obtaining a more adequate supply of water and
to serve more ~~irrigation~~ land under irrigation more efficiently

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

Signed at De Los Lusk, this 19 day of September
1961.
Sugar City, Idaho
De Los Lusk

Date of Receipt at Department of Reclamation Sept. 21, 1961

APPROVAL OF STATE RECLAMATION ENGINEER

Ralph W. Thomas, Deputy

I, ~~GEOFFREY COOPER~~, 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-22725. 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.

Ralph W. Thomas
Deputy
State Reclamation Engineer

Recorded in Book 81 of
Permits, at Page 22725
September 21, 1961

22725

September 13, 1961

Re: Permit No. G-22725

Mr. Delos Lusk
Sugar City, Idaho

Dear Mr. Lusk:

You have not completed your obligation for a water right under the permit. You were notified August 13, 1958, that the certificates of water right could be prepared upon payment of \$21.00, showing 1.0 cubic feet per second, diverted from a well in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 6, for irrigation of 286 acres in the North Half of Section 6, Township 12 South, Range 22 East. The permit shows wells located in SW $\frac{1}{4}$ NE $\frac{1}{4}$ and SW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 6. As the well was drilled in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 6, it is necessary for you to complete the enclosed amendment to the point of diversion. There is a fee of \$1.00 for recording any amendment to a permit.

Return the completed amendment with the total fee of \$22.00, and the evidence of water right will be prepared.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. amendment form

22725

RECEIVED
SEP 13 1961

Department of Reclamation

Sugar City Idaho
Sept 12, 1961

Dept. of Reclamation
State House
Boise, Idaho

Dear Sir.

Would your office please advise
me whether or not I have
completed my obligation for a
water right for my land in
Cassia county. my permit number
is G-22725.

North 1/2 sec 6. TWP. 12 S
Range 22 E BM.

Thank you.

DeLoe Lusk

Proofs due - July 21, 1959

22725

~~GEO. N. CARTER~~
~~XXXXXXXXXX~~

August 13, 1958

Re: Permit No. G-22725

Mr. DeLos Lusk
Sugar City
Idaho

Dear Mr. Lusk:

Our field engineer's report on his inspection of the completion of works and application of water to beneficial use under the terms of Permit No. G-22725 shows the well located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 6, Township 12 South, Range 22 East, B.M., and that it is capable of conveying 200 miners' inches (4 c.f.s.) of water for irrigation of 286 acres. The record of the permit describes the well (measured) to be in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 6, therefore, it is necessary that the permit be amended to show the change of location. We enclose an Application for Amendment to point of diversion, for this purpose.

Upon receipt of the amendment, mentioned above, and the statutory fees, totaling \$21.00, we will issue the Certificate of Completion of Works (for which the fee is five dollars) and the License and Certificate of Water Right (sixteen dollars--fee based at the rate of two dollars for each 40-acre subdivision) confirming the right with priority of April 11, 1922, to the use of 4 second feet of subterranean water, with the point of diversion in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 6, for irrigation of 286 acres in the N $\frac{1}{2}$ of Section 6, Township 12 South, Range 22 East, B.M.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Chief Clerk

EPR:nls
Enc.

22725

July 3, 1958

Re: Permit # G-22725

Delos Lusk
Sugar City,
Idaho

Dear Mr. Lusk:

An inspection and a report on same is required by law in connection with any permit for use of water being brought to license in the State of Idaho before same can be licensed.

An inspecting Engineer from this Department will be in your County the week of July 10, 1958 to make inspections.

He will try to contact you by telephone or otherwise at that time to make a definite appointment with you for the inspection.

Please prepared to accompany him or have someone represent you on the inspection.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
E. N. Humphrey
Deputy

September 24, 1957

Re: Permit No. G-22725

Mr. DeLos Lusk
Sugar City
Idaho

Dear Mr. Lusk:

We acknowledge receipt of the Deposition of Holder and two witnesses, also affidavit of publication in the Burley Herald, all submitted in proof of Completion of Works and application of water to Beneficial Use on Permit No. G-22725.

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

22725



IN REPLY REFER TO:

LO;EEB

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Land Office
P. O. Box 2237
Boise, Idaho

4-22725

SEP 12 1957

State of Idaho
Department of Reclamation
Capitol Building
Boise, Idaho

RECEIVED
SEP 13 1957
Department of Reclamation

Dear Sir:

The enclosed Proof of Application of Water to
Beneficial Use and Completion of Works was erroneously
sent to this office by the permittee.

Very truly yours,

Nolan F. Keil
Nolan F. Keil
Manager

Enclosure

22725

RECEIVED
BUREAU OF RECLAMATION
SEP 12 8 47 AM 1952

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
LAND OFFICE

RECEIVED
DEPARTMENT OF RECLAMATION

Permit No. G-22725

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. DeLos Lusk- Sugar City, Idaho- Farmer

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

Ans.

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

Ans. G-22725 April 22, 1952 date of priority is April 22, 1952

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

Ans. Deep well 325 feet south from the N.W. Corner of Section 6

T.12 S Range 22 E.B.M. and thence 64 Feet East dropped into and irrigation ditch and conveyed to various parts of farm.

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 .580 feet deep-379 Ft. to water 16" casing for first 306 Feet
Balance of hole-15". Amount of water capable of being produced is 350 "
Present output is 250 " -Amount of water determined by instruments employed
by Bureau of Reclamation. Water directed by irrigation ditch to place of use.

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 purposes. NW $\frac{1}{4}$ NW $\frac{1}{4}$ 18 Acres; NE $\frac{1}{4}$ NW $\frac{1}{4}$ 13 acres; SW $\frac{1}{4}$ NW $\frac{1}{4}$ 20 acres;
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 37 Acres; NW $\frac{1}{4}$ NE $\frac{1}{4}$ 20 Acres; NE $\frac{1}{4}$ NE $\frac{1}{4}$ 30 acres; SW $\frac{1}{4}$ NE $\frac{1}{4}$ 37 acres;
NE $\frac{1}{4}$ NE $\frac{1}{4}$ 35 acres; 210 acres cultivated land, another 90 acres to be
cultivated as soon as improvements are made,

22725

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. Three Quarters inch per acre

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. Water was pumped from June 9, 1957 to the present date for the irrigation of grain and potatoes.

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)

W. L. Lusk

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 *Reeling* County of *Madison*

State of Idaho, on this *10th* day of *September*, A. D. 19*57*

Mafie Hare

My commission expires

Jan. 10, 1959

22725

RECEIVED

BOISE, IDAHO

SEP 12 8 23 AM 1957

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
SEP 13 1957
Department of Reclamation

RECEIVED
LAND OFFICE

Permit No. G-22725

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. Verdale E. Hill, Age 24; Rigby, Idaho Rt. 2; farmer

Ques. 2. Are you acquainted with DeLos D. Lusk ; yes, the holder of Permit No. G-22725? How long have you known him and where does he reside?

Ans. 7 years he resides at Sugar City, Idaho

Ques. 3. Have you read or heard read said Permit No G-22725, 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, place of diversion 325 feet south from the NW corner Section 6, T 12 S. R22 E.B.M. and thence 64 East Dropped into an irrigation ditch and conveyed to various parts of farm.

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. 7 second feet. It is putting out about 5 second 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. By observing pump and estimating the full capacity of the pump to be 250 inches per second.

22725

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. 210 acres cultivated land for irrigation purposes.
NW $\frac{1}{4}$ NW $\frac{1}{4}$ 18 acres; NE $\frac{1}{4}$ NW $\frac{1}{4}$ 13 acres; SW $\frac{1}{4}$ NW $\frac{1}{4}$ 20 Acres; SE $\frac{1}{4}$ NW $\frac{1}{4}$ 37 acres
NW $\frac{1}{4}$ NE $\frac{1}{4}$ 20 acres; NE $\frac{1}{4}$ NE $\frac{1}{4}$ 30 acres; SW $\frac{1}{4}$ NE $\frac{1}{4}$ 37 acres; NE $\frac{1}{4}$ NE $\frac{1}{4}$ 35 Acres.

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. Land is generally level with few slopes and ravines.
three quarters inch per 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. none

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

Ans. June 13, 1957. Saw the pump in operation, with a flow of 250 inches per second.

(Signed)

Verdale E. Hill

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 Rexburg
County of Madison, State of Idaho, on this 10th day of September
A. D. 1957.

Marie Hare
Notary Public.

My commission expires January 10, 1959

22725

RECEIVED

DEPARTMENT OF RECLAMATION
BOISE, IDAHO

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

SEP 12 8 44 AM 1937

BOISE, IDAHO

FEDERAL
LAND OFFICERECEIVED
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. Rudger V. Ricks, 435 W. 4th South Rexburg, Idaho Age-36
FarmerQues. 2. Are you acquainted with DeLos D. Lusk, yes, the
holder of Permit No. G-22725? How long have you known him and where does
he reside? I have known him 10 years. He resides at Sugar City, Idaho

Ans. _____

Ques. 3. Have you read or heard read said Permit No. G-22725, 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 con-
veying water from point of diversion to place of use.Ans. Deep Well, place of Diversion 325 feet south from the N.W.
Corner of Section 6 T.12 R22, and thence 64 East

Dropped into an irrigation ditch and conveyed to various parts of farm.

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

Ans. 7 second feet. It is putting out about 5 second 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. By observing pump and estimating the full capacity of the
pump to be 250 inches per minute, second.

22725

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. 200 Acres Cultivated land for irrigation purposes.
NW 1/4 of NW 1/4 18 acres; NE 1/4 of NW 1/4 - 13 Acres; SW 1/4 of NW 1/4 20 Acres; SE 1/4 NW 1/4 37 Acres; NW 1/4 NE 1/4 20 Acres; NE 1/4 NE 1/4 30 Acres; SW 1/4 NE 1/4 37 acres; NE 1/4 NE 1/4 35 Acres. 210 acres

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. Land is generally level with few slopes and ravines
Three Quarters inch per 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. none

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

Ans. 20th of July, 1957 Saw the pump in operation, with a flow of
250 inches per second.

(Signed) Rodger V. Pinka

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 Madison City, County of Madison, State of Idaho, on this 1st day of September, A. D. 1957.

Marie Hane
Notary Public.

My commission expires Jan 10 1959

22725

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-22725

REPORT ON PROOF OF Completion of Works & Beneficial Use

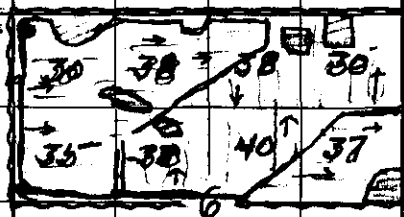
DeLos Lusk
Sugar City
Idaho

R-22E.

T.
12
S.

35
38
40
37
150

P.D. →



136

150
286

Subdivisions 8

Area = 286

Q = 200"

4 cfs.

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

Permit No. G-22725

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

1. Name of applicant DeLos Lusk

2. Source of water supply: Deep Well

3. Location of point of diversion: Is in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ and SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 6
T. 12 South R. 22 East County of Cassia ER

4. Describe works as they exist, giving dimensions and capacities of same: Well = 320' x 21" d.
h = 380' l = 400' 250 hp. U.S. Motor #1106977
Wintreath Turbine #8774
10' x 10' delivery to West end open ditch. To fields by
gravity.

5. Water is used for: Irrigation

6. State whether or not water has been turned into works of diversion: yes.

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

NW $\frac{1}{4}$ - ¹⁶⁰~~80~~ Acres; NE $\frac{1}{4}$ - ¹⁶⁰~~122~~ Acres, Section 6, Township 12 South, Range 22 East.
ER

app. 6.4 cfs

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

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

Remarks:

This examination was made on the 10 day of July, 1928

(Signed) E. J. Humphrey Examiner.

22725

DeLos Lusk
Sugar City, Idaho

Permit No. G-22725

Examination for Completion of Works &
Beneficial Use Proofs

County Cassia

6-125.-22E.

Q = 6.4 c.f.s.

S = Wells

P.L. = SW. NE. & SW. NW., Sec. 6

County claim 250"
210 now in use.

Use = Irrigation & Domestic

300 = 1M 138

6
73

196"

Filed = April 16, 1952

Done = July 21, 1959 (B.H.)

500 in 1M 58

6
118

200"

250 hp. U.S. Motor
#1106977

440V 300 amps.

Wentworth Pump
#8774

Cone. curb 5' x 5'

No protect

10" x 10' del. to west
into open ditch.

G.E. Control Panel

From bull safety

to north 7 feet

520' x 21" to 16"

old 300' h = 380'

col 10" x 430' L = 420'

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
AUG 1 1958

Depo. of Reclamation

AFFIDAVIT OF PUBLICATION

RECEIVED
SEP 8 1957STATE OF IDAHO }
COUNTY OF CASSIA } ss.

Department of Agriculture

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

That said newspaper at all times herein mentioned, has been a newspaper of general circulation, made up of at least four pages of at least five columns each, printed from typed matter or 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 Aug. 8..., 1957..., and ending with the issue dated Aug. 29, 1957...

Subscribed and sworn to before me this 29th day of Aug 1957

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

My Commission Expires June 4, 1959

22725

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

Notice is hereby given that at 11:00 A.M., on the 10th day of September, 1957, at Rexburg, County of Madison, State of Idaho, before Maxine Nave, Notary Public, proof will be submitted of the completion of works for the diversion of 6.4 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-22725 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 Delos D. Lusk, Sugar City, 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 6.4 cubic feet per second.

3. The use to which said water has been applied is irrigation and domestic purposes, and the amount applied to beneficial use is 6.4 cubic feet per second.

4. The point of diversion of said water is NW corner of N½ Sec. 6, Twp. 12 S, Rge 22 E.

5. The place where said water is used is N½ Sec. 6, Twp. 12 S., Rge. 22 E.B.M.

6. The date of priority which said user is prepared to establish is April 16, 1957.

MARK R. KULP
State Reclamation Engineer
Published in the Burley Herald,
Aug. 3-15-22-29, 1957.

At **Wit of Publication.**

The Burley Herald-Bulletin

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
COUNTY OF CASSIA } ss.

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

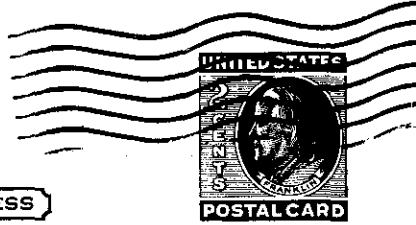
That said newspaper at all times herein mentioned, has been a newspaper of general circulation, made up of at least four pages of at least five columns each, printed from typed matter or stereotyped forms of at least seventeen and three-fourths inches depth, and during the whole of said time has had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

Affiant further states that the printed notice attached hereto was duly published according to law, in the regular weekly editions of the said newspaper and not in any supplement thereof, for ...**FOUR**... consecutive weeks, commencing with the issue dated **AUG. 3...**, 1957..., and ending with the issue dated **AUG. 29, 1957...**

Subscribed and sworn to before me this **29th** day of **Aug.**, 19**57**.

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

22725



THIS SIDE OF CARD IS FOR ADDRESS

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

22725

Burley, Idaho
Aug. 8, 1957

Dear Mr. Kulp:

The legal for Delos D. Lusk
received this morning and have marked it to
run in the Burley Herald, Aug. 8-15-22-29, 1957
Thanks.

Very truly yours

RECEIVED
AUG 9 1957

The Burley Herald-Bulletin

Department of Reclamation

By

22725
Wm. H. H. Shedd
associate editor.

August 7, 1957

RE: Permit No. G-22725

Mr. DeLos D. Lusk
Sugar City, Idaho

Dear Mr. Lusk:

This acknowledges receipt of the Notice of proofs of completion of works and application of water to beneficial use under permit No. G-22725, to be made at Rexburg, at 11:00 A.M. September 10th, before Maxine Nave, Notary Public.

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

At 11:00 A.M. September 10th, at Rexburg, you and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder must appear before Maxine Nave, 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

EPR:vm

Encl.

cc. Maxine Nave
Rexburg, Idaho

22725

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RE: Permit No. G-22725
DeLos D. Lusk

Date: August 7, 1957

Burley Herald Bulletin
Burley, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to September 10, 1957 the date set for proof; the expense of the publication is to be paid by the applicant, DeLos D. Lusk of Sugar City 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.

Very truly yours,

MARK R. KULP

State Reclamation Engineer
By

Chief Clerk

EPR:vm
Encl.

22725

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

Notice is hereby given that at 11:00 A.M., on the 10th
day of September, 19 57, at Baxburg, County of
Madison, State of Idaho, before Marina Nava,
Notary Public, proof will be submitted of the completion of
works for the diversion of 6.4 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-22725 heretofore issued by
the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person ~~of the person~~ holding said
permit ~~is~~ DeLos D. Lusk, Sugar City, 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 6.4 cubic feet per second.

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

4. The point of diversion of said water is NE corner of N₁, Sec. 6,
Twp. 12 S., Rge. 22 E.

5. The place where said water is used is N₁ Sec. 6, Twp. 12 S., Rge. 22 E.B.M

6. The date of priority which said user is prepared to establish is
April 16, 1957.

MARK R. KUIP
State Reclamation Engineer

22725

RECEIVED
JUL 3 11 57

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) July 30 1967

(P. O.) Sugar City, Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

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

Burley Herald Bulletin of Burley Idaho published in

the county in which the works are situated.

De L. D. Lusk

(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.

22725

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

WHEREAS, Permit No. G-22725, in the name of Delos D. Lusk, requires proofs of Completion of Works and Beneficial Use to be made on or before April 22, 1957; and,

WHEREAS, said Permit was issued in connection with Desert Land Entry Idaho Serial #02634; and,

WHEREAS, applicant was prevented from proceeding with construction pending allowance of said Desert Land Entry, which was not allowed until July 21, 1954;

NOW, THEREFORE, an Extension of Time is allowed for Completion of Works and Beneficial Use Proofs on Permit No. G-22725 to July 21, 1959, or the length of time applicant was prevented from proceeding pending allowance of his Desert Land Entry and a similar extension is allowed for every other act required under the terms and conditions of Permit No. G-22725.

Signed at Boise, Idaho, this 18th day of March, 1957.

MARK R. KULP
State Reclamation Engineer

22725

March 18, 1957

Re: Permit No. C-22725

Mr. Delos D. Lusk
Sugar City
Idaho

Dear Mr. Lusk:

Enclosed is an Extension of Time for Permit No. C-22725 for completion of works and beneficial use proofs in connection with Permit No. C-22725, to July 31, 1959.

This extension was approved by the State Reclamation Engineer and recorded in the Department of Reclamation in Book 81 of Permits at Page 22725. It should now be attached to the original permit to which it refers and of which it becomes a part.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

ER:nls
Enclosure

22725

RECEIVED
MAR 8 1957
Department of Reclamation

Sugar City, Idaho
March 7, 1957

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

Dear Mr. Kulp;

I received your letter dated Feb. 1, 1957,
asking proof of the development of water on my
desert entry land.

I would like to petition for an extension of
time for this development, because the date granted
me by the government to begin this work was July 21,
1954.

Because I was delayed in this development program,
I hope it will meet your approval to extend my develop-
ment date. The development of water on this land is
at this time in process but may not be completed until
a distant future date.

Yours truly,

Dr. Lee Lusk

2 2725

XX

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

DEPARTMENT OF RECLAMATION

RE: Permit NoG-22725

February 1, 1957

Mr. Delos D. Lusk
Sugar City, 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-22725. 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 April 22, 1957.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

v

22725

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

~~Idaho District~~ Land Office

P. O. Box 2237

Boise, Idaho

(PLACE)

July 21, 1954

(DATE)

RECEIVED
JUL 22 1954
Department of Reclamation

NOTICE OF ALLOWANCE

Boise Drainage Lash

Sugar City, Idaho

Sir:

Your Desert Land Entry, Serial No. Idaho 62634
(Kind of application or entry)

Receipt No. 2942, for N¹

_____, Section 6

Township 12 S., Range 33 E., Boise Meridian, Idaho

containing 318.72 acres, has this day been allowed, subject to
your further compliance with law and regulations applicable thereto.

In correspondence relating to this entry, always refer to the serial number.

The above entry is allowed subject to any existing
rights-of-way and to any valid existing rights.
rights-of-way and to any valid existing rights.

cc: Wm. Hurley, Idaho
State Recla. Engr., Boise, Idaho

Very respectfully,

Paul A. Shepard

Manager

22725

22725

April 24, 1952

RE: Permit No. G-22725

Mr. Delos D. Lusk
Sugar City
Idaho

Dear Mr. Lusk:

We enclose Permit No. G-22725, together with two copies thereof, one of which has been certified.

We direct your attention to the limitations and conditions of this permit as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose departmental receipt No. 24366 for \$8.50 which includes \$6.50 filing fee and \$2.00 for the extra copies.

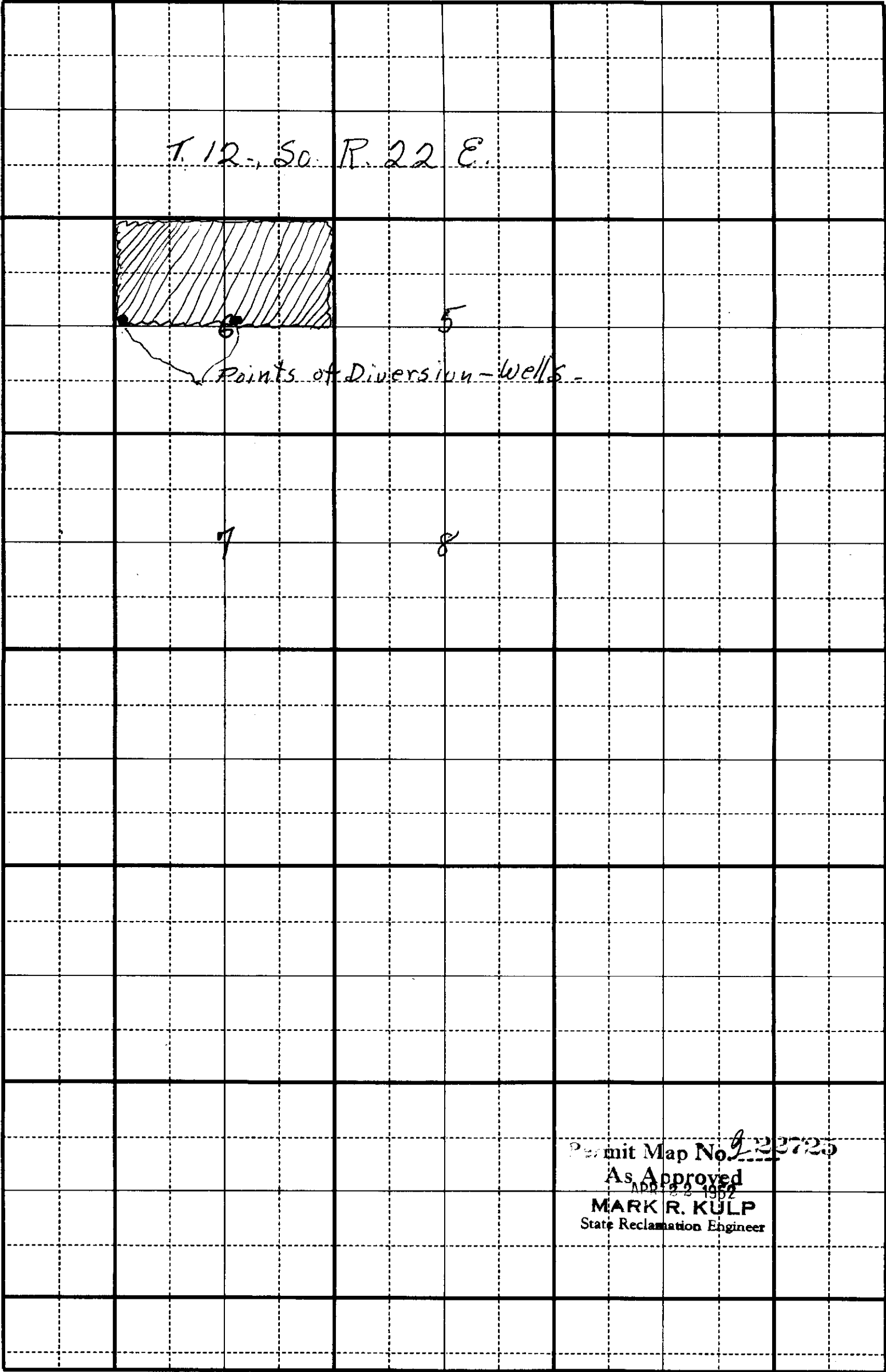
Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

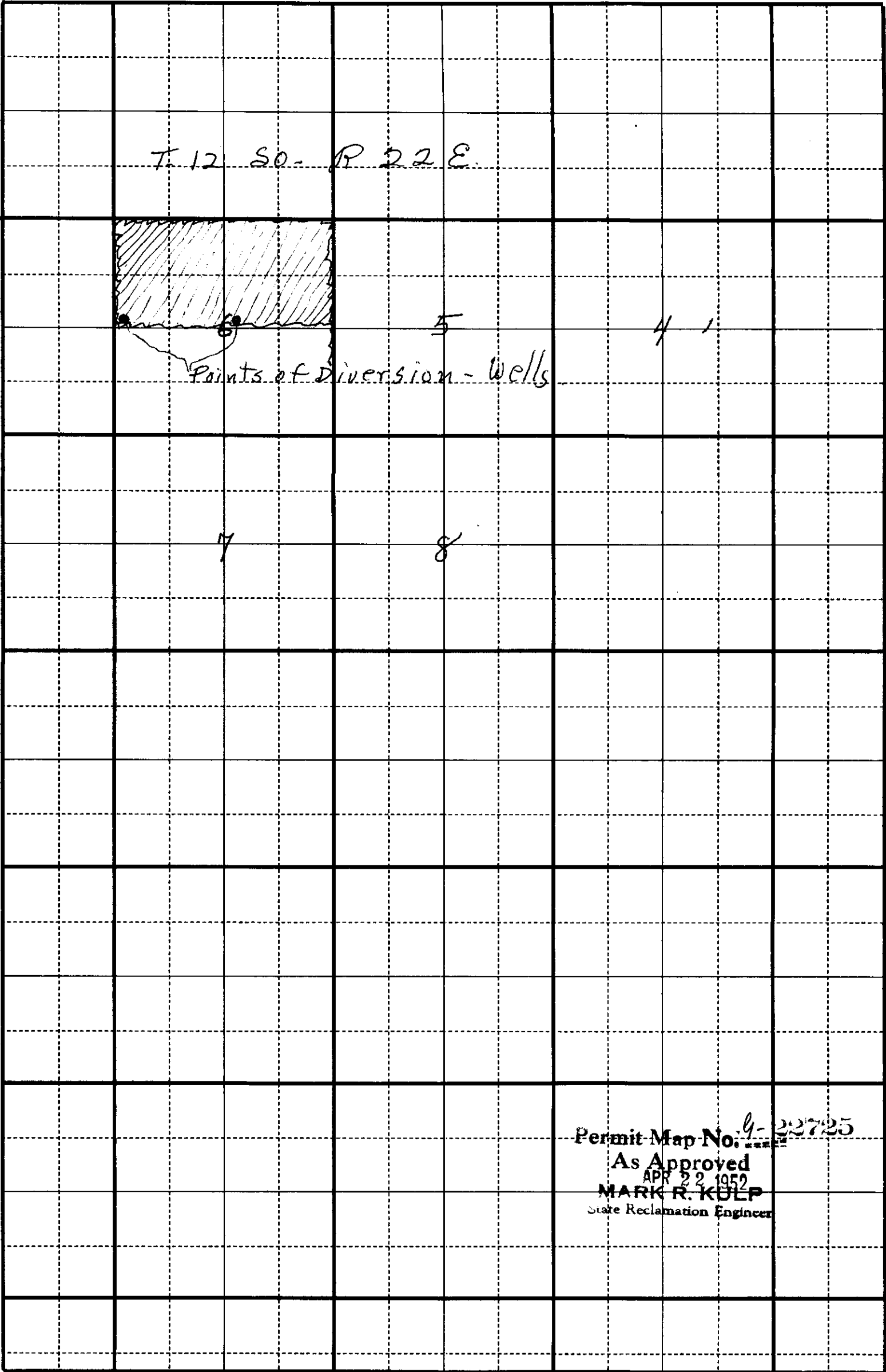
Chief Clerk

A:fg
Enc.

22725



Permit Map No. 22725
As Approved
APR 12 2 1952
MARK R. KULP
State Reclamation Engineer



Permit Map No. 4-22725
As Approved
APR 22 1952
MARK R. KULP
State Reclamation Engineer

Sugar City Idaho
April 14, 1952

Mr. Mark Kulp
State Reclamation Engr.
State House
Boise, Idaho

RECEIVED
APR 16 1952
9 am
Department of Reclamation

Dear Mr. Kulp;

Enclosed are two copies of
applications for land under desert
entry. I would like both
forms completed and returned to
me as soon as possible.

Thank you.

Yours truly,

Alvin Lusk

P.S. Also enclosed is a check for \$8.50
for your services.

22725

**NOTICE OF PROOF OF
COMPLETION OF WORKS**

**APPLICATION FOR WATER
TO BENEFICIAL USE**

Notice is hereby given that at 11:00 A.M., on the 10th day of September, 1957, at Rexburg, County of Madison, State of Idaho, before Maxine Nave, Notary Public, proof will be submitted of the completion of works for the diversion of 6.4 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. ~~6-22725~~ 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 DeLos D. Lusk, Sugar City, 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 6.4 cubic feet per second.

3. The use to which said water has been applied is irrigation and domestic purposes, and the amount applied to beneficial use is 6.4 cubic feet per second.

4. The point of diversion of said water is NW corner of N $\frac{1}{2}$, Sec. 6, Twp. 12 S., Rge. 22 E.

5. The place where said water is used is N $\frac{1}{2}$ Sec. 6, Twp. 12 S., Rge. 22 E.B.M.

6. The date of priority which said user is prepared to establish is April 16, 1957.

MARK R. KULP

State Reclamation Engineer
Published in the Burley Herald,
Aug. 8-15-22-29, 1957.