

45-02390

TRANSFER NO.	NAME	AMOUNT C.F.S.	BALANCE C.F.S.	RIGHT NO.
	~~Bedke, Herman E.~~	3.2		~~45-2390~~
1042	Anderson Brothers	3.2		45-2390

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STATE OF IDAHO

DEPARTMENT OF RECLAMATION

In the Matter of the Application of)

Anderson Brothers)
of)
25 Van Engelen Drive)
Burley, Idaho,)

ORDER GRANTING TRANSFER

NO. 1042

For a Transfer of Water Right)
in the County of Cassia, State)
of Idaho)

WHEREAS, On the 2nd day of February, 1965, at the Department of Reclamation of the State of Idaho at Boise, Idaho, this matter of the application of the Anderson Brothers of 25 Van Engelen Drive, Burley, Idaho, for a transfer of water right 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 efficient beneficial use and no one will be injured thereby;

NOW, THEREFORE, IT IS ORDERED, That the said application be, and the same is, HEREBY GRANTED, and that a Certificate of Transfer be issued to the applicant herein as provided by the laws of the State of Idaho.

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 15th day of March, 1965.

CARL E. TAPPAN
State Reclamation Engineer
By

(SEAL)

s/ RALPH W. THOMAS

RALPH W. THOMAS, Deputy
State Reclamation Engineer

27017

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

TRANSFER OF WATER RIGHT
TRANSFERRED RIGHT NO. 1042

THIS IS TO CERTIFY, That the Anderson Brothers, a co-partnership, of 25 Van Engelen Drive, Burley, Idaho, are the owners of and using a certain water right of 9.2 cubic feet per second of the waters of subterranean source, said water being obtained by virtue of License No. G-27017 and License No. G-22355, with priority as follows:

	<u>Issued</u>	<u>Priority</u>	<u>Amount</u>
License No. G-27017	September 23, 1964	August 2, 1957	6.0 c.f.s.
License No. G-22355	September 23, 1964	September 4, 1951	3.2 c.f.s.

for the purpose of irrigating the following described lands situate, lying and being in the County of Cassia, State of Idaho, to-wit:

All Section 13; E $\frac{1}{2}$, Section 14,
Township 12 South, Range 22 E.B.M.,
Lots 1, 2, 3 & 4, Section 18,
Township 12 South, Range 23 E. B. M.,

That said licenses have been entered in the records of the Department of Reclamation of the State of Idaho, in Volume 13 of Licenses at Pages 8000 and 8001;

And that the Anderson Brothers have become the owners of said right by purchase;

And that now, upon the application of Anderson Brothers for the transfer of 9.2 cubic feet per second, made before the State Reclamation Engineer of the State of Idaho, and said application having been granted, the right to the use of 9.2 cubic feet per second of the waters of subterranean source by well upon the above described lands is hereby abandoned, and the place of use of said water under such right is HEREBY CONFIRMED, shall by this certificate become appurtenant for irrigation purposes, is described as follows, to-wit:

All Section 13; E $\frac{1}{2}$, Section 14; NE $\frac{1}{4}$
Section 12, Township 12 South, Range 22
E.B.M., E $\frac{1}{2}$ Section 18; W $\frac{1}{2}$ S $\frac{1}{2}$, N $\frac{1}{2}$, Sec-
tion 7, Township 12 South, Range 23
E.B.M.,

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

9.2 cubic feet per second of the waters
of subterranean source with priority as
follows: 6.0 cubic feet per second,
priority August 2, 1957; 3.2 cubic feet
per second, priority September 4, 1951;

27017

And that the water right hereby transferred has heretofore been conducted from subterranean source with point of diversion in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 13, Township 12 South, Range 22 E. B. M., and the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14, Township 12 South, Range 22 E.B.M., and conducted through private ditch;

That the water right hereby transferred will hereafter be conducted to the last above described lands from subterranean source by well with points of diversion in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14, Township 12 South, Range 22 E.B.M., and the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 13, Township 12 South, Range 22 E.B.M., and the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 7, Township 12 South, Range 23 E.B.M., and conducted by private ditch;

That the right to the use of the water aforesaid, hereby described, is restricted to the lands or place of use last above described as provided by the laws of the State of Idaho;

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 15th day of March, 1965.

(SEAL)

s/

CARL E. TAPPAN
State Reclamation Engineer
By
RALPH W. THOMAS

RALPH W. THOMAS, Deputy
State Reclamation Engineer

27017

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

In the Matter of the Application of)

Anderson Brothers
of
25 Van Engelen Drive
Burley, Idaho,

For a Transfer of Water Right
in the County of Cassia, State
of Idaho)

ORDER GRANTING TRANSFER

NO. 1042

WHEREAS, On the 2nd day of February, 1965, at the Department of Reclamation of the State of Idaho at Boise, Idaho, this matter of the application of the Anderson Brothers of 25 Van Engelen Drive, Burley, Idaho, for a transfer of water right 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 efficient beneficial use and no one will be injured thereby;

NOW, THEREFORE, IT IS ORDERED, That the said application be, and the same is, HEREBY GRANTED, and that a Certificate of Transfer be issued to the applicant herein as provided by the laws of the State of Idaho.

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 15th day of March, 1965.

CARL E. TAPPAN
State Reclamation Engineer
By

(SEAL)

s/

RALPH W. THOMAS

RALPH W. THOMAS, Deputy
State Reclamation Engineer

27017

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

TRANSFER OF WATER RIGHT
TRANSFERRED RIGHT NO. 1042

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	<u>Issued</u>	<u>Priority</u>	<u>Amount</u>
License No. G-27017	September 23, 1964	August 2, 1957	6.0 c.f.s.
License No. G-22355	September 23, 1964	September 4, 1951	3.2 c.f.s.

for the purpose of irrigating the following described lands situate, lying and being in the County of Cassia, State of Idaho, to-wit:

All Section 13; E $\frac{1}{2}$ Section 14,
Township 12 South, Range 22 E.B.M.,
Lots 1, 2, 3 & 4, Section 18,
Township 12 South, Range 23 E. B. M.,

That said licenses have been entered in the records of the Department of Reclamation of the State of Idaho, in Volume 13 of Licenses at Pages 8000 and 8001;

And that the Anderson Brothers have become the owners of said right by purchase;

And that now, upon the application of Anderson Brothers for the transfer of 9.2 cubic feet per second, made before the State Reclamation Engineer of the State of Idaho, and said application having been granted, the right to the use of 9.2 cubic feet per second of the waters of subterranean source by well upon the above described lands is hereby abandoned, and the place of use of said water under such right is HEREBY CONFIRMED, shall by this certificate become appurtenant for irrigation purposes, is described as follows, to-wit:

All Section 13; E $\frac{1}{2}$ Section 14; NE $\frac{1}{4}$
Section 12, Township 12 South, Range 22
E.B.M., E $\frac{1}{2}$ Section 18; W $\frac{1}{2}$ S $\frac{1}{2}$, N $\frac{1}{2}$, Sec-
tion 7, Township 12 South, Range 23
E.B.M.,

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

9.2 cubic feet per second of the waters
of subterranean source with priority as
follows: 6.0 cubic feet per second,
priority August 2, 1957; 3.2 cubic feet
per second, priority September 4, 1951;

27017

And that the water right hereby transferred has heretofore been conducted from subterranean source with point of diversion in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 13, Township 12 South, Range 22 E. B. M., and the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14, Township 12 South, Range 22 E.B.M., and conducted through private ditch;

That the water right hereby transferred will hereafter be conducted to the last above described lands from subterranean source by well with points of diversion in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14, Township 12 South, Range 22 E.B.M., and the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 13, Township 12 South, Range 22 E.B.M., and the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 7, Township 12 South, Range 23 E.B.M., and conducted by private ditch;

That the right to the use of the water aforesaid, hereby described, is restricted to the lands or place of use last above described as provided by the laws of the State of Idaho;

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 15th day of March, 1965.

CARL E. TAPPAN
State Reclamation Engineer
By

(SEAL)

s/

RALPH W. THOMAS

RALPH W. THOMAS, Deputy
State Reclamation Engineer

27017

State of Idaho
License and Certificate of Water Right

Chron # 1042
P.L. 1042

Water License No. G-22355 / 45-2390

Amount 3.2 c.f.s.

Water District No.

Priority Sept. 4, 1951

THIS IS TO CERTIFY that HERMAN E. BEDKE - Assignee - FAYE HARSHBARGER - Assignee
of Burley, Idaho Anderson Brothers, a co-partnership, made application for a permit to appropriate the

public waters of the State of Idaho, dated September 4, 1951; that Permit No. G-22355
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
3.2 second feet, was issued thereunder on September 23, 1964, showing that said works
were completed on the 22nd day of June, 1959; and that on the 22nd
day of June, 1959,

HERMAN E. BEDKE - Assignee - FAYE HARSHBARGER - Assignee - ANDERSON BROTHERS, a
co-partnership
of Burley, 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-22355 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
13 of Licenses at page 8000, on the 23 day of September, 1964;

The right hereby confirmed dates from September 4, 1951;

The Point of Diversion is located
in the SW 1/4 SE 1/4, Sec. 13, 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 3.2 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	13	E 1/2	320	320
12 S	23 E	18	NW 1/4 NE 1/4 (Lot 1)	40	40
			SW 1/4 NE 1/4 (Lot 2)	40	40
			NW 1/4 SE 1/4 (Lot 3)	40	40
			SW 1/4 SE 1/4 (Lot 4)	40	40
Total number of acres to be irrigated:					480

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
23rd day of September, 1964.

RALPH W. THOMAS
Deputy State Reclamation Engineer.

(SEAL)

45 2390

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

45-2390

Application No. G- 30091
 Permit No. G- 22355
 District No.

1. Name of Applicant: HERMAN E. BEDKE

Postoffice address: Burley

County: Cassia

State: Idaho

2. Quantity of water claimed:

(a) Rate of withdrawal in cubic feet per second. 3.2 or Idaho
 Miners' inches 160 or gallons per minute.

(b) Annual withdrawal in acre feet per annum

3. Source of water supply: Subterranean flow from a well.

4. Location of point of diversion or well is in the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 13
 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: Well, pump and ditches

8. Estimated cost of works: \$ 10,000.00

9. (a) Is reservoir to be used?

(b) Capacity of reservoir:

10. The time required for the completion of such work and complete application of the water to the proposed use is 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.

Remarks: This application is made in conjunction with an application for Desert Land Entry, and applicant requests that time for starting works be postponed until after Desert Entry is approved by Federal Government.

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.

HERMAN E. BEDKEApplicant.

By Agent.

Date of first receipt at Department of Reclamation: 9:00 A. M. September 4, 1951

Re!urned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G-22355

Recorded in Book 80 Page 22355 Approved September 6, 1951

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 November 6, 1951 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 March 6, 1954

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before September 6, 1956

Witness my hand this 6th day of September, 1951

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 6th day of September, 19 51

Countersigned:

STATE OF IDAHO

(SEAL)
By IRA H. MASTERS
Secretary of State.

By LEN JORDAN
Governor

12.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
12 S.	22 E.	13					40	40	40	40									160
S T A T E O F I D A H O DEPARTMENT OF RECLAMATION																			
WHEREAS, Permit No. G-22355, in the name of Herman E. Bedke, requires proof of completion of works to be made on or before September 6, 1956; and,																			
WHEREAS, said Permit was issued in connection with Desert Land Entry Idaho # 02372; and,																			
WHEREAS, applicant was prevented from proceeding with construction pending allowance of said Desert Land Entry which was not allowed until June 21, 1954:																			
NOW, THEREFORE, an Extension of Time is allowed for Completion of Works on Permit No. G-22355 to June 21, 1959, or the length of time applicant was prevented from proceeding pending allowance of said desert land entry and a similar extension is allowed for every other act required under the terms and conditions of Permit No. G-22355.																			
Signed at Boise, Idaho, this 13th day of July, 1956.																			
																MARK R. KULP State Reclamation Engineer			

A S S I G N M E N T

For value received, I hereby assign all my right, title, and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. G-22355 to Faye Harshbarger of Burley, Cassia County, Idaho.

HERMAN E. BEDKE
Permit Holder
RUBY C. BEDKE
Wife of Permit Holder.

State of Idaho)
County of Cassia) ss

On this 18th day of September, 1956, before, me, a Notary Public for the State of Idaho, residing at Burley, Idaho, personally appeared Herman E. Bedke and Ruby C. Bedke, husband and wife, known to me to be the person whose name is subscribed to the within instrument, and duly acknowledged to me that they executed the same.

In witness whereof, I have hereunto set my hand and affixed my Notarial seal, the day and year in this certificate first above written.

SADIE McMURRAY
Notary Public, residing at
Burley, Idaho

(SEAL)
My commission expires Aug. 24, 1956.

Received and filed for record in the Department of
Reclamation, at Boise, Idaho, September 20, 1956.
MARK R. KULP
State Reclamation Engineer.

REQUEST FOR PERMISSION TO AMEND
PERMIT NO. G22355.

Amendment to Point of Diversion.

Comes now FAYE HARSHBARGER and makes application to the Department of Reclamation of the State of Idaho to amend Permit No. G-22355. The amendment request is to change the point of diversion or where the well was to be drilled as originally filed. The well was to be drilled in the Southeast Quarter of the Northwest Quarter of Section 13, Township 12 South, Range 22, East of the Boise Meridian.

The amendment requested is to change the place of diversion to the Southwest (SW $\frac{1}{4}$) of the Southeast (SE $\frac{1}{4}$) of Section 13, Township 12 South, Range 22, East of the Boise Meridian. This amendment is requested on the basis that the new site for drilling is much more advantageous to the irrigation of the land in that it is on a higher point and the slope of the property is more beneficial to good irrigation.

DATED This 1st day of August, 1957

/s/ Faye Harshbarger

Date of receipt at Department of Reclamation August 2, 1957

APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. G-22355. 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/ Mark R. Kulp
State Reclamation Engineer

Recorded: August 2, 1957.

APPLICATION FOR AMENDMENT TO PERMIT TO APPROPRIATE THE PUBLIC WATERS ✓ OF THE STATE OF IDAHO NO. G-22355

Comes now FAYE HARSHBARGER, and represents to the State Reclamation Engineer of the State of Idaho.

That she is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. G-22355 and requests that the list of lands to be irrigated as described in said permit, be changed to read as follows:
E $\frac{1}{2}$, Sec. 13, Twp. 11 S., Rge. 22 E.; Lots 1, 2, 3, 4, SE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 18, Twp. 11 S., Rge. 23 E., B. M., making a total of 612.64 acres.

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

Signed at Burley, this 11th day of April, 1959

s/ FAYE HARSHBARGER

Date of Receipt at office of Department of Reclamation April 14, 1959.

APPROVAL OF STATE RECLAMATION ENGINEER

I, GEO. N. CARTER, State Reclamation Engineer, of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-22355. 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/ GEO. N. CARTER
State Reclamation Engineer

Recorded: April 17, 1959

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, No. G-22355

Comes now FAYE HARSHBARGER, and represents to the State Reclamation Engineer of the State of Idaho.

That she is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-22355, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

The East Half of Section Thirteen, Township Twelve South, Range Twenty-two East Boise Meridian, and Lots 1, 2, 3 and 4, and the Southeast Quarter of the Northeast Quarter and the West Half of the Southeast Quarter, all in Section Eighteen, Township Twelve South, Range Twenty-three East of the Boise Meridian, making a total of 612.64 acres.

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

Signed at Burley, this 19th day of May, 1959.

s/ FAYE HARSHBARGER
By her Attorney, Norman H. Nielson

Date of Receipt at office of Department of Reclamation: May 19, 1959

APPROVAL OF STATE RECLAMATION ENGINEER

I, Geo. N. Carter, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-22355. 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/ GEO. N. CARTER
State Reclamation Engineer

Recorded: May 22, 1959

A S S I G N M E N T

For value received, I hereby assign my right, title and interest in and to Permit to appropriate the Public Waters of the State of Idaho, No. G-22355 to Anderson Bros., a co-partnership composed of Albert Anderson, Ray Anderson, and Vanness Anderson of Oakley, Idaho.

FAYE HARSHBARGER
Permit Holder

CLARK HARSHBARGER
Husband of Permit Holder

STATE OF IDAHO)
) ss
County of)

On this ____ day of August, 1964, before me, a Notary Public for the State of Idaho, residing at _____ personally appeared FAYE HARSHBARGER and CLARK HARSHBARGER known to me to be the persons whose names are subscribed to the within instrument and duly acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal, the day and year in this certificate first above written.

(SEAL)
My commission expires 8-1-65

CLEONE H. WHITNEY
Notary Public
Residing at Idaho Falls, Idaho

Permit No. G-22355 ✓
 CERTIFICATE OF COMPLETION OF WORKS

✓
 TO ALL WHOM IT MAY CONCERN:

This is to certify that HERMAN E. BEDKE - Assignee - FAYE HARSHBARGER - Assignee - ANDERSON BROTHERS, co-partnership of Burley, County of Cassia, and State of Idaho, the holders of Permit No. G-22355, issued upon Application No. G-30091, bearing date of priority of September 4, 1951, authorizing the diversion of 3.2 second feet of waters of a well, 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 3.2 second feet of the waters of a well from subterranean flow; that the point of diversion of said waters SW¹/₄ Sec. 13, 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:

480 acres in E¹/₂, Sec. 13, T. 12 S., R. 22 E.; Lots 1, 2, 3, 4, Sec. 18, T. 12 S., R. 23 E.

Witness my hand this 23rd day of September, A. D. 1964

s/ RALPH W. THOMAS
 Deputy State Reclamation Engineer

Proof of Completion of Works Made: June 22, 1959

LICENSE ISSUED FOR 3.2 SEC. FT.
 LICENSE PAGE NO. 8000

See Plat in G-27017

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

October 30, 1967

Mr. A. H. Nielson
Nielson & Nielson
Attorneys at Law
Burley, Idaho

Dear Mr. Nielson:

As I promised in our recent phone conversation, I am forwarding to you details relating to the water rights on file in the name of Anderson Brothers, around Section 7, T. 12 S., R. 23 E. You will recall that this is the site of a well that was drilled in the Critical Ground Water Area without a permit.

By transfer two rights were combined and this well has been authorized as one of 3 points of diversion under the 2 rights. The enclosed plat perhaps will help to illustrate the rights as we understand them.

The well in question in Section 7 is located by the red dot as close as we can tell. Section 7 and all of the sections in this tier are only a half mile wide and this leads to confusion in land descriptions. The rights that were combined by the transfer are evidenced by licenses and permits Nos. G-27017 and G-22355. On the plat I have indicated in green the areas that were originally licensed to be irrigated under Permit G-27017. The well produced 6.0 c.f.s. and is located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14, T. 12 S., R. 22 E. The water was used for the irrigation of 640 acres. The land licensed under G-22355 is indicated in red. This license allows for the diversion of 3.2 c.f.s. of water from a well in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, T. 12 S., R. 22 E., to irrigate 480 acres. The transfer application provides for the irrigation of all of the land inside of the irregular blue line from all 3 wells. The production from the 3 wells is not to exceed 9.2 c.f.s. It is our understanding that the 3 wells may produce as much as 11.0 c.f.s.

Earlier this year in our meeting here in the office, Mr. Anderson stated that he might wish to transfer a portion of a water right, established 15 years or more ago, from a well located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 25, T. 12 S. R. 22 E. Mr. Anderson did not give the total amount of acres that this well might have irrigated, but indicated at one time the production was around 3.2 c.f.s. Right to the use of water from this well could be placed on record

G22355

Page 2 - Continued - A. H. Nielson

by filing of a claim in our office and I have enclosed several claim forms for your files.

You indicated that there are two other rights which might be involved in some future transfer. It has been stated that production of water has declined since the establishing of the rights associated with a well in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 2, T. 13 S., R. 22 E. The first, License and Permit No. 21766, I have indicated in orange, and it is licensed for 3.0 second feet to irrigate 150 acres. The second Permit and License, which is in blue, has been given the No. 21767, and is for 2.2 second feet to irrigate 110 acres.

You will find also enclosed a copy of a well log for the well drilled in Section 7. You indicated that there is a feeling by your client that the water is coming from a source different from the water in other wells in the Critical Ground-Water Area. The earth material encountered and the water levels observed are what would be expected in this locality from what we have learned from other well logs and know of the hydrology of the area. We would be happy to discuss this point with you in the future.

Very briefly, I would like to mention another item we discussed over the phone. There has been action recently on a water application in the name of Matthew Brothers that may be of interest to you or your clients. They purchased a permit that has not been developed from Mr. Grover Ward to drill a well in the canyon above the new well of the North Oakly Water Company. They had attempted to amend that permit to allow the diversion of this water from two wells, many miles to the north, one existing, and one to be drilled. The existing well is owned and operated by Anderson-Martin Farms and has been the subject of our previous correspondence. Because of the hydrology of the area and the distance involved this amendment has been denied. If there is additional information concerning this you may need, please feel free to call on us.

Following my recent letter about the water rights on the Anderson-Martin Farms we received a phone call from Mr. Anderson. He ask if we would give him an opportunity to go over the use of water in the field. We have agreed to do this and expect to visit both the land included in the Anderson-Martin Farms and the Anderson farm around Section 7. We are intending to do this on the afternoon of the 14th, or the morning of the 15th of November. We will firm up the exact time as our plans for that week become more definite.

B22355

Page 3 - A. H. Nielson

Therefore the deadline in our last letter before we intended to act on some of these matters is extended . Anderson Brothers have been sent a copy of this letter for their files.

Very truly yours,


JACK A. BARNETT, Deputy
(State Reclamation Engineer

JAB:ew

cc: Anderson & Martin
Oakley, Idaho

22355

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

In the Matter of the Application of)

Anderson Brothers
of
25 Van Engelen Drive
Burley, Idaho,

ORDER GRANTING TRANSFER

NO. 1012

For a Transfer of Water Right
in the County of Cassia, State
of Idaho

WHEREAS, On the 2nd day of February, 1965, at the Department of Reclamation of the State of Idaho at Boise, Idaho, this matter of the application of the Anderson Brothers of 25 Van Engelen Drive, Burley, Idaho, for a transfer of water right 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 efficient beneficial use and no one will be injured thereby;

NOW, THEREFORE, IT IS ORDERED, That the said application be, and the same is, HEREBY GRANTED, and that a Certificate of Transfer be issued to the applicant herein as provided by the laws of the State of Idaho.

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 15th day of March, 1965.

CARL E. TAPPAN
State Reclamation Engineer
By

(SEAL)

s/

RALPH W. THOMAS

RALPH W. THOMAS, Deputy
State Reclamation Engineer

1522355

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

TRANSFER OF WATER RIGHT
TRANSFERRED RIGHT NO. 1042

THIS IS TO CERTIFY, That the Anderson Brothers, a co-partnership, of 25 Van Engelen Drive, Burley, Idaho, are the owners of and using a certain water right of 9.2 cubic feet per second of the waters of subterranean source, said water being obtained by virtue of License No. G-27017 and License No. G-22355, with priority as follows:

	<u>Issued</u>	<u>Priority</u>	<u>Amount</u>
License No. G-27017	September 23, 1964	August 2, 1957	6.0 c.f.s.
License No. G-22355	September 23, 1964	September 4, 1951	3.2 c.f.s.

for the purpose of irrigating the following described lands situate, lying and being in the County of Cassia, State of Idaho, to-wit:

All Section 13; E $\frac{1}{2}$, Section 14,
Township 12 South, Range 22 E.B.M.,
Lots 1, 2, 3 & 4, Section 18,
Township 12 South, Range 23 E. B. M.,

That said licenses have been entered in the records of the Department of Reclamation of the State of Idaho, in Volume 13 of Licenses at Pages 8000 and 8001;

And that the Anderson Brothers have become the owners of said right by purchase;

And that now, upon the application of Anderson Brothers for the transfer of 9.2 cubic feet per second, made before the State Reclamation Engineer of the State of Idaho, and said application having been granted, the right to the use of 9.2 cubic feet per second of the waters of subterranean source by well upon the above described lands is hereby abandoned, and the place of use of said water under such right is HEREBY CONFIRMED, shall by this certificate become appurtenant for irrigation purposes, is described as follows, to-wit:

All Section 13; E $\frac{1}{2}$, Section 14; NE $\frac{1}{4}$
Section 12, Township 12 South, Range 22
E.B.M., E $\frac{1}{2}$ Section 18; W $\frac{1}{2}$ S $\frac{1}{2}$, N $\frac{1}{2}$, Section 7,
Township 12 South, Range 23
E.B.M.,

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

9.2 cubic feet per second of the waters of subterranean source with priority as follows: 6.0 cubic feet per second, priority August 2, 1957; 3.2 cubic feet per second, priority September 4, 1951;

G22355

And that the water right hereby transferred has heretofore been conducted from subterranean sources with point of diversion in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 13, Township 12 South, Range 22 E. B. M., and the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14, Township 12 South, Range 22 E.B.M., and conducted through private ditch;

That the water right hereby transferred will hereafter be conducted to the last above described lands from subterranean sources by well with points of diversion in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14, Township 12 South, Range 22 E.B.M., and the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 13, Township 12 South, Range 22 E.B.M., and the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 7, Township 12 South, Range 23 E.B.M., and conducted by private ditch;

That the right to the use of the water aforesaid, hereby described, is restricted to the lands or place of use last above described as provided by the laws of the State of Idaho;

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 15th day of March, 1965.

(SEAL)

s/

CARL E. TAPPAN
State Reclamation Engineer
By
RALPH W. THOMAS

RALPH W. THOMAS, Deputy
State Reclamation Engineer

822355

October 14, 1964

Re: Permit No. G-22355; G-27017
Anderson Brothers

A. H. Nielson
Attorney at Law
P. O. Box 367
Burley, Idaho

Dear Mr. Nielson:

Enclosed are the assignments on the above numbered permits from Faye Harshberger to Anderson Bros., which have been recorded in this office.

Also enclosed are the Certificates of Completion of Works and Licenses and Certificates of Water Right issued on these permits, together with Departmental Receipt G-8862, in the amount of \$71.00 and G-3940, in the amount of \$1.50.

The refund of \$5.00 will be mailed directly from the Auditor's office.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. assignments
certificates
receipts

cc: Anderson Bros.
Oakley, Idaho

22355

September 4, 1964

Re: Permit No. G-27017
" G-22355
Paye Harshbarger
Flying C. Farms

A. H. Nielson
Attorney at Law
P. O. Box 367
Burley, Idaho

Dear Mr. Nielson:

Mr. Thomas, Deputy State Reclamation Engineer
will be out of the office until September 14th. The certifi-
cates and licenses will be issued upon his return.

There is a fee of \$0.50 for each assignment
mailed to us which would amount of \$1.50 to be mailed into this
office.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

22355-

ASSIGNMENT

For value received, I hereby assign my right, title, and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. G-22355 to Anderson Bros., a co-partnership composed of Albert Anderson, Ray Anderson and Vanness Anderson of Oakley, Idaho.

*

Faye Harshbarger
Permit Holder

Clark Harshbarger
Husband of Permit Holder

STATE OF IDAHO)
 : ss
County of)

On this _____ day of Aug, 1964, before me, a Notary Public for the State of Idaho, residing at _____ personally appeared Faye Harshbarger and Clark Harshbarger are known to me to be the persons whose name ~~has~~ subscribed to the within instrument, and duly acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal, the day and year in this certificate first above written.

My commission expires 8-1-64

Thomas L. McHenry
Notary Public
Residing at Idaho Falls, Idaho

* If fractional part of permit is assigned, the same fractional part of the land to which the assigned fraction is appurtenant should be shown.

22355

July 27, 1964

Re: Permit No. 21596 - Cancelled May 26, 1953
" " G-22355 - Faye Harshbarger
G-27017 - Flying "C" Farms

A. H. Nielson
Attorney at Law
P. O. Box 367
Burley, Idaho

Dear Mr. Nielson:

We received your letter of July 24th, in regard to various wells and well drilled by Anderson Brothers.

Permit No. 21596 was cancelled May 26, 1953.

Permit No. G-22355, Faye Harshbarger - well in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, certificates of water right will be issued upon receipt of fees totaling \$29.00, showing 3.2 c.f.s., priority September 4, 1951, for irrigation of 480 acres in E $\frac{1}{2}$, Sec. 13, T. 12 S., R. 22 E.; W $\frac{1}{2}$ E $\frac{1}{2}$, Sec. 18, T. 12 S., R. 23 E. Well production was measured at 3.66 c.f.s. on August 11, 1959. Amount of water above is amount claimed on the permit.

Permit No. G-27017, Flying "C" Farms, well in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14, certificates of water right will be issued upon receipt of fees totaling \$29.00, showing 4.0 c.f.s., priority August 2, 1957, for irrigation of 480 acres in E $\frac{1}{2}$, Sec. 14; SW $\frac{1}{4}$, Sec. 13, T. 12 S., R. 22 E., B. M. Well production was measured at 6.0 c.f.s.

Permit No. G-27017, Faye Harshbarger, well in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14, certificates of water right will be issued upon receipt of fees totaling \$13.00 showing 2.0 c.f.s., priority August 2, 1957, for irrigation of 160 acres in NW $\frac{1}{4}$, Sec. 13, T. 12 S., R. 22 E., B. M., August 2, 1957, for irrigation of 160 acres in NW $\frac{1}{4}$, Sec. 13, T. 12 S., R. 22 E.

Well #1, you mention in SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 25, T. 12 S., R. 22 E., has no recorded right and cannot be recognized by this office.

22355

July 27, 1964

Well No. 2, you mention in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, T. 12 S., R. 22 E. can be licensed upon receipt of fees.

Well No. 3, you mention in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14, T. 12 S., R. 22 E., can be licensed upon receipt of fees.

Probably the new owner would prefer to have the water rights in his name and assignments of the permits should be filed in this office with the fees shown above, plus fee of \$0.50 for recording each assignment.

All permits mentioned above are past any additional works of diversion of water and no additional wells can be allowed.

Provided water licenses are issued under Permits No. G-22355 and G-27017 for 9.2 c.f.s. of water from the two wells, Form 20 application for transfer of water right may be processed to include an additional well for a total of 9.2 c.f.s. According to your letter that would mean 0.6 c.f.s. from well in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 7, T. 12 S., R. 23 E. That well appears to be at a low elevation for irrigation of the land described in the two permits.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

22355

October 26, 1959

Re: Permits No. G-22355 - G-27017
Faye Harshbarger
Flying C Farms

Flying "C" Farms
Burley, Idaho

Dear Mr. Harshbarger:

Enclosed are forms for amending the land list and for assigning a permit.

Mr. Humphrey reported you wanted all the water from the two wells, located SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13 and SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14 to cover the entire farm, being E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 12; all Sec. 13, E $\frac{1}{2}$, Sec. 14, T. 12 S., R. 22 E. and Lots 1, 2, 3, 4, Sec. 18, T. 12 S., R. 23 E., total of 1200 acres.

Faye Harshbarger is the holder of Permit G-22355 and of 2.0 c.f.s. of the water of Permit G-27017. The Flying "C" Farms holds the balance of Permit G-27017, a total of 9.2 c.f.s. of water from the two wells.

One amendment to the land list for permit G-22355 is enclosed except for name of holder. Other amendments would be similar, depending upon any change in the name of the holder.

To an outsider it would seem preferable to have the water licenses all in one name though it is not necessary. The assignment form can be used to change the name of the holder, if you desire. As the names of the holder are now, three amendments to the land list are necessary. If assignment is made so there is one holder of Permit G-27017, only two amendments to the land list is necessary.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS
Office Engineer

RT:ew

enc: amendments
assignments

P. S. If assignments are used, there is a \$0.50 fee for each assignment

22355

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

Permit No. G-22355

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

1. Name of applicant Faye Harshbarger
2. Source of water supply: Subterranean flow from a well
3. Location of point of diversion: Is in the _____ SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 13
T. 12 S R. 22 E.B.M. County of Cassia h = 385' dd = ?
4. Describe works as they exist, giving dimensions and capacities of same: Well = 1070' x 24"
G.E. 300 hp. Motor NIT 694 9623.
Wintrouth Turbine #8973
Delivery to south into large concrete bulkhead
to fields by gravity
5. Water is used for: irrigation and domestic
6. State whether or not water has been turned into works of diversion: yes.

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

E $\frac{1}{2}$ Sec. 13., Twp. 12 S., Rge. 22 E.B.M. and Lots 1, 2, 3 and 4, and the
SE $\frac{1}{4}$ NE $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$ all in Sec. 18., Twp. 12 S., Rge. 23 E.B.M.

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

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

Remarks: _____

Mr. H. along
Crops are hay-grain-potatoes

See G-27017

This examination was made on the 11 day of Dec, 19 59

(Signed) E. H. Humphrey Examiner.

22355

Faye Harshbarger
Burley, Idaho

Permit No. G-22355

Examination for Completion of Works & Beneficial Use

County Cassia

13-125.-22E.

Q = 3.2 c.f.s.

S = Well

P.D. - SW. SE. Sec. 13, T. 12S. - R. 22E.

1070' x 24" h = 380'

h = 405' 300 hp

Use = Irrigation & Domestic

Q = 5 cfs by well

1. Make both wells appurtenant to all land.

2. Wants to file on add. water.

Filed = Sept. 4, 1951

Due = June 21, 1959 (Ext.)

no other right

1070' x 24" h = 385'
lift 10?

G.E. - 300 hp NJ56949623

8973 Visintroath

demand 3.6 x 80
346 hp

500 cf in 2 M. 108
120
1308

3.84 cfs
192" x 95% = 183"

Large G.E. Panel 6' W
of pump.

Conc. curb. 8' x 18'
no protect

B

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.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-22355

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

Faye Harsgbarger, Burley, Idaho

July 2, 1959

RE: Permit No. G-22355

Mrs. Faye Harshbarger
Burley, Idaho

Dear Mrs. Harshbarger:

We acknowledge receipt of the Deposition of Helder and two witnesses, also affidavit of publication in The Burley Herald, all submitted in proof of completion of works and beneficial use on Permit No. G-22355.

Before final action is taken on 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,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rutledge
Chief Clerk

EPR

22355

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
P. O. BOX 387
BURLEY, IDAHO

A. H. NIELSON
N. H. NIELSON

June 22, 1959

RECEIVED
JUN 23 1959

Department of Reclamation

RECEIVED
JUN 23 1959

Department of Reclamation
State House
Boise, Idaho

Dear Sir:

Enclosed you will find Proof on Permit No. G-22355.

Would you please process the same.

Very truly yours,

NIELSON & NIELSON

By

Norman H. Nielson

NHN:db

Encls.

22355

RECEIVED
JUN 26 1959
Department of Reclamation

AFFIDAVIT

COMES NOW, Norman H. Nielson, a Notary Public in and for the State of Idaho, and alleges as follows:

That on the 17th day of June, 1959, that this affiant's office was open all day on that day, which is the day that the Proof was to be submitted on Permit No. G-22355, for Faye Harshbarger.

That on that day no protests were lodged with this affiant on the Completion of Works and the Proof of Application of Water to Beneficial Use, under Permit No. G-22355.

That because of the conditions of planting and the inability to secure witnesses, proof was not made on the 17th day of June, 1959, but was made on the day set out in the proof of Application of Water for Beneficial Use.

DATED This 25th day of June, 1959.

Norman H. Nielson

Subscribed and sworn to before me this 25th day of June, 1959.

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

(SEAL)

My commission expires:

February 20, 1962

22355

NOTICE OF PROOF OF
COMPLETION OF WORKS

APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 10 A.M. on the 17 day of June, 1959, at Burley, County of Cassia, State of Idaho, before Norman H. Nielson, Notary Public at Burley, Idaho, proof will be submitted of the completion of works for the diversion of 8.2 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-22355 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Faye Harshbarger.

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 8 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 8.2 cubic feet per second.

4. The point of diversion of said water is located in the Southwest Quarter of the Southeast Quarter of Section 15, Township 12, South, Range 22, E. 1 M.

5. The place where said water is used is the East Half of Section 13, Township 12 South, Range 22, E. 1 M., Lots 1, 2, 3, 4, and the Southeast Quarter of the Northeast Quarter and the West Half of the Southeast Quarter, all in Section 18, Township 12, South Range 22, E. 1 M.

6. The date of priority which

Affidavit of Publication.

The Burley Herald-Bulletin

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
COUNTY OF CASSIA

JUN 26 1959
Department of Agriculture

JUN 23 1959
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 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 May 26, 1959, and ending with the issue dated June 16, 1959.

Subscribed and sworn to before me this 16th day of June, 1959.

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

My Commission Expires June 4, 1963

22355

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

Notice is hereby given that at 10 A.M., on the 17 day of June, 1959, at Burley, County of Cassia, State of Idaho, before Norman H. Nielsen, Notary Public, at Burley, Idaho, proof will be submitted of the completion of works for the diversion of 3.2 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 41-22355 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Faye Harshbarger.

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 8 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 3.2 cubic feet per second.

4. The point of diversion of said water is located in the Southwest Quarter of the Southeast Quarter of Section 13, Township 12, South, Range 22, E. B. M.

5. The place where said water is used is the East Half of Section 13, Township 12 South, Range 22, E. B. M. Lots 1, 2, 3, 4, and the Southeast Quarter of the Northeast Quarter and the West Half of the Southeast Quarter, all in Section 18, Township 12, South, Range 22, E. B. M.

6. The date of priority which said user is prepared to establish is September 4, 1951.

GEO. N. CARTER
State Reclamation Engineer
Published in the Burley Bulletin
May 26, June 2-9-16, 1959.

Affidavit of Publication.

The Burley Herald-Bulletin

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
COUNTY OF CASSIA

..... 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.

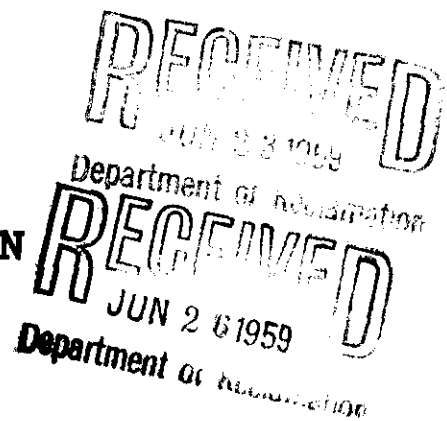
Affiant further states that the printed notice attached hereto was duly published according to law, in the regular weekly editions of the said newspaper and not in any supplement thereof, for consecutive weeks, commencing with the issue dated, 19....., and ending with the issue dated, 19.....

Subscribed and sworn to before me this 16th day of June, 1959.

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

My Commission Expires June 4, 1963

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



Permit No. G-22355

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. Faye Harshbarger, Burley, Idaho, Occupation: Housewife, Burley, Idaho

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

Ans. _____

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

Ans. Permit No. G-22355. Date of Priority, September 4, 1951 A. 9-6-51

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

Ans. Subterranean Well located in the Southwest quarter of the Southeast quarter of Section 13, Township 12 South, Range 22, E. B. M.

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

Ans. Diversion works consists of open ditches and the ditches are capable of conveying from diversion to distribution point eight (8) cubic feet per second. The well is 1070 feet deep, the size of casing 24 inches goes down 220 feet and the 22 inch casing goes down 165 feet. The water stands at 320 feet when not being pumped. When being pumped it stands at 405 feet. The well contains a windroath pump with a 300 G. E. Motor attached. The well produces approximately 250 minors inches of water. This was

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

Ans. Water is used for irrigation and is used to irrigate the East Half of Section 13, Township 12, South, Range 22, E. B. M., Lots 1, 2, 3, and 4, and the Southeast quarter of the Northeast quarter and the East Half of the Southeast quarter of Section 13, Township 12, South, Range 23, E. B. M. That all of the above described land can be used for irrigation except for some roadways. That the land has been reclaimed from desert land, **

measured by the use of a wier.

the land has been leveled and planted into crops, the well drilled, pump installed, and ditches to carry the water have all been put on the property.

22355

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

Ans. _____

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

Ans. The minimum water required for the purpose specified above is 250 inches.

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. The water has been used during the cropping season of 1957 and 1958 and is being being used during the cropping season of 1959.

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. That there is no other water available to the said land except the water produced from the land.

(Sign)

Raye Harshbarger

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

State of Idaho, on this 22nd day of June, A. D. 1959.

Harmon H. Nielson

My comamission expires May 12, 1962

22355

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



Permit No. G-22355

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

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

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

Ans. Herbert Neiwerth, 36 years of age, Occupation: Farmer, Address: Star
Route, Burley, Idaho

Ques. 2. Are you acquainted with Elye Harshbarger, the
holder of Permit No. G-22355? How long have you known him and where does
he reside?

Ans. I have known Mrs. Harshbarger for approximately three years.

Ques. 3. Have you read or heard read said Permit No. G-22355, 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. Source of water supply is a subterranean well. Diversion works consists
of open ditches which convey water from point of diversion to place of use.
The well is located in the Southwest quarter of the Southeast quarter of Section
13, Township 12 South, Range 22, E. B. N.

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. These ditches are capable of conveying approximately 8 second feet of water.
I have seen approximately this amount of water being conveyed.

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

Ans. I have observed the pump deliver approximately five second feet of water.
I have measured this by comparison with other wells in the immediate vicinity.

22355

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Water is used for irrigation and is used to irrigate the following:
The East Half of Section 13, Township 12 South, Range 22, E. B. M. Lots 1, 2, 3, 4, and the Southeast Quarter of the Northeast quarter and the West Half of the Southeast Quarter, all in Section 18, Township 12, South, Range 23, E. B. M.

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

Ans. _____

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. The land has been reclaimed from desert land and has been put into production. It is necessary that the holder have the 250 inches of water for this in addition to land.

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

Ans. None

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

Ans. I have worked on the property for the past cropping season. That I worked continuously with the water during the cropping season of 1958. That I applied the 250 minors inches of water and did so during the entire cropping season of 1958. 250 inches of water has been used on the premises.

(Signed)

Herbert Heinrich

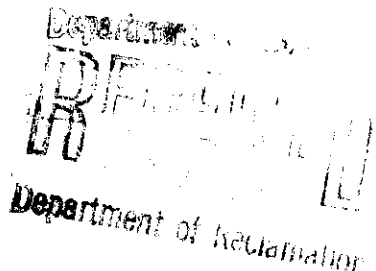
I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in _____ Burley _____, County of _____ Cassia _____, State of Idaho, on this _____ 22nd day of _____ June _____, A. D. 19____ 59__.

Marion H. Nelson
Notary Public.

My commission expires _____ May 12, 1962 _____

22355

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



Permit No. G-22355

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

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

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

Ans. C. M. Manning Age: 45 years, Occupation: Farmer, Address: Burley, Idaho

Ques. 2. Are you acquainted with Faye Harshbarger, the holder of Permit No. G-22355? How long have you known him and where does he reside?

Ans. I have known Mrs. Harshbarger for approximately four years

Ques. 3. Have you read or heard read said Permit No. G-22355, 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. Source of water supply is a subterranean well. Diversion works consists of open ditches which convey water from point of diversion to place of use.

The well is located in the Southwest quarter of the Southeast quarter of Section 13, Township 12 South, Range 22, E. B. M.

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. These ditches are capable of conveying approximately 8 second feet of water I have seen approximately this amount of water being conveyed.

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

Ans. I have observed the pump deliver approximately five second feet of water. I measured this by comparison with other wells in the immediate vicinity.

22355

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Water is used for irrigation and is used to irrigate the following:
The East Half of Section 13, Township 12, South, Range 22, E. B. M., Lots
1, 2, 3, 4, and the Southeast Quarter of the Northeast quarter and the West Half
of the Southeast Quarter, all in Section 18, Township 12, South, Range 23, E. B. M.

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

Ans. _____

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. The land has been reclaimed from desert land and has been put into production. It is necessary that the holder have the 250 inches of water for this, in addition to ^{other} land.

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. That I have been on the premises a number of times and have observed the water being applied to beneficial use. During the cropping season of 1958, I was on the property approximately 10 times. I have observed 250 miners inches of water applied to beneficial use and this was being used during the times I was on the premises.

(Signed) *H. M. Manning*

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Burley,
County of Cassia, State of Idaho, on this 22nd day of June
A. D. 1959.

Marion H. Nelson
Notary Public.

My commission expires May 12, 1962.

22355

June 21, 1959

Re: Permit G- 22355
Faye Harshbarger

Nielson and Nielson
Attorney at Law
Box 367, Burley, Idaho.

Attn: Norman H. Nielson

Dear Mr. Nielson:

Enclosed are the depositions of the holder and two witnesses with attached affidavit of publication.

The publication shows that the depositions were to have been made June 17, 1959 whereas they were made June 22, 1959. We must have the usual affidavit of the Notary Public showing reason why the date was changed, that his office was open on the advertised date and that no protests were received in regard to the proofs on Permit G-22355 were received.

Neither of the witnesses answered Question 10 and two other questions were not answered completely. Kindly have the witnesses complete the answers.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rutledge
Chief Clerk

RT:EPR:ew
Enc. depositions
holder and two witnesses

22355

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
COUNTY OF CASSIA } ss.

.....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 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 ...May 26..., 19...59..., and ending with the issue dated ...June 16..., 19...59...

Subscribed and sworn to before me this 16th day of June, 19...59...

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

My Commission Expires June 4, 1963

22355

NOTICE OF PROOF OF COMPLETION OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE
Notice is hereby given that at 10 A.M. on the 17 day of June, 1959, at Burley, County of Cassia, State of Idaho, before Norman H. Nielson, Notary Public, at Burley, Idaho, proof will be submitted of the completion of works for the diversion of 3.2 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-22355 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Faye Harsh, Burley.
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 3 cubic feet per second.
3. The use to which said water has been applied is irrigation purposes and the amount applied to beneficial use is 3.2 cubic feet per second.
4. The point of diversion of said water is located in the Southeast Quarter of the Southeast Quarter of Section 12, Township 12, South, Range 22, East 2d.
5. The place where said water is used is the East Half of Section 12, Township 12 South, Range 22, East 2d, Lots 1, 2, 3, 4, and the Southeast Quarter of the Northeast Quarter and the West Half of the Southeast Quarter, all in Section 12, Township 12, South Range 22, East 2d.

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

Notice is hereby given that at 10 A.M., on the 17 day of June, 1959, at Burley, County of Cassia, State of Idaho, before Norman H. Nielsen, Notary Public, at Burley, Idaho, proof will be submitted of the completion of works for the diversion of 3.2 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 41-22357 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Faye Harshbarger.

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 3 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use, is 3.2 cubic feet per second.

4. The point of diversion of said water is located in the Southwest Quarter of the Southeast Quarter of Section 13, Township 12, South, Range 22, E.B.M.

5. The place where said water is used is the East Half of Section 17, Township 12 South, Range 22, E. B. M., Lots 1, 2, 3, 4, and the Southeast Quarter of the Northeast Quarter and the West Half of the Southeast Quarter, all in Section 18, Township 12, South Range 23, E. B. M.

6. The date of priority which said user is prepared to establish is September 4, 1951.

CHAS. N. CARTER

State Reclamation Engineer

Published in the Burley Bulletin
May 26, June 2-9-16, 1959.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
COUNTY OF CASSIA } ss.

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

Subscribed and sworn to before me this 16th day of June, 1959

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

My Commission Expires June 4, 1963

May 22, 1959

Re: Permit No. G-22355
Faye Harshbarger

Mr. Norman H. Nielson
Nielson and Nielson
Attorneys at Law
Burley, Idaho

Dear Mr. Nielson:

Enclosed is Application for Amendment issued
on Permit No. G-22355 in the name of Faye Harshbarger which
has been recorded in this office.

Very truly yours,

GEO. W. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rutledge
Chief Clerk

RT:EPR:ew
Enc. amendment

22355

185

May 21, 1959

Re: Permit No. G-22355

Faye Harshbarger,
Burley, Idaho.

Dear Madam:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. G-22355. The proofs are to be made at 10:00 o'clock A. M., on the 17th day of June, 1959, before Norman H. Nielson, Notary Public.

As of this date, we have mailed 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 then mail the Affidavit of Publication and Statement of Costs to you.

It is important that the enclosed Depositions be executed by you and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the place, on the date, and at the time and before the Notary, as advertised. It is very important and necessary that each question be answered in detail.

In returning the Depositions to this office, be sure that all copies have been signed, the Notary's seal has been placed on each and that all Depositions (Holder and Two Witnesses) are being returned. Also be sure to enclose the Affidavit of Publication.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rutledge
Chief Clerk

Encl. (3)

cc: Norman H. Nielson

EPR/pmk

22355

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

DEPARTMENT OF RECLAMATION

Boise, Idaho

Date: **May 21, 1959**

RE: Permit No. G-22355
Faye Harshbarger

Burley Herald Bulletin
Burley, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to **June 17, 1959** the date set for proof; the expense of the publication is to be paid by the applicant

Faye Harshbarger

of

Burley, 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 or tear-sheet of the first publication.**

Very truly yours,

GEO. N. CARTER

State Reclamation Engineer

By

Chief Clerk

** 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.

22355

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
P. O. BOX 367
BURLEY, IDAHO

A. H. NIELSON
N. H. NIELSON

May 19, 1959

RECEIVED
MAY 19 1959
Department of Reclamation

Department of Reclamation
State House
Boise, Idaho

Dear Sir:

Enclosed you will find the changes in Form 36 that should be made. We wish to thank you for calling our attention to this matter as an error had been made in the application amendment to permit.

We are, therefore, enclosing a new application for amendment to Permit No. G-22355 as it appears that we made an error in making the Township 11 South, instead of 12 South.

Would you please change the same on your records and have the same published.

Very truly yours,

NIELSON & NIELSON

By

Norman H. Nielson

Norman H. Nielson

NHN:db

Enclosures

22355-

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

RECEIVED
MAY 19 1959
Department of Reclamation

(Date) May 19, 1959

(P. O.) Box 367, Burley, 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.

Faye Harsbaryas
by Norman H. Nielson

(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.

22355

RECEIVED
MAY 19 1959

Department of Reclamation

Form 36

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

Notice is hereby given that at 10 A.M., on the 17 day of June,
1959, at Burley, County of Cassia, State of Idaho,
before Norman H. Nielson, Notary Public, at (address) Burley, Idaho,
proof will be submitted of the completion of
works for the diversion of 3.2 cubic feet per second of underground water
from a well, and of the application to beneficial use of said water, in accord-
ance with the terms and conditions of Permit No. G-22355 heretofore issued
by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding
said permit is Faye Harshbarger

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 con-
veying to the place of use is 8 cubic feet per second.

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

4. The point of diversion of said water is located in the Southwest Quarter
of the Southeast Quarter of Section 13, Township 12, South, Range 22 E., B. M.
Section 13, Township 12, South, Range 22 E., B. M.

5. The place where said water is used is the East Half of Section 13, Township 12
South, Range 22 E., B. M., Lots 1,2,3,4, and the Southeast Quarter of the Northeast
Quarter and the West Half of the Southeast Quarter all in Section 18, Township 12,
South, Range 23 E., B. M.

6. The date of priority which said user is prepared to establish is
September 4, 1951.

State Reclamation Engineer

RT

MAY 19 1959

To Permit to Appropriate the Public Waters

Department of Reclamation

of the State of Idaho, No. 22355

Comes now JAYE HARSBARGER, and represents to the State Reclamation Engineer of the State of Idaho.

That she is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. 0-22355, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

The East Half of Section Thirteen, Township Twelve South, Range Twenty-two East Boise Meridian, and Lots 1, 2, 3 and 4, and the Southeast Quarter of the Northeast Quarter and the West Half of the Southeast Quarter all in Section Eighteen, Township Twelve South, Range Twenty-three East of the Boise Meridian. That is making a total of 612.64 acres.

That is 612.64 acres.

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

Signed at Butte, this 19 day of May, 19 59.

Jaye Harsbarger

By her attorney,

Norman H. Nielson

Date of receipt at office of Department of Reclamation

APPROVAL OF STATE RECLAMATION ENGINEER

I, _____, 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. _____. 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.

State Reclamation Engineer

May 14, 1959

Re: Permit 0-22355
Faye Harshbarger

Nielson and Nielson
Attorneys at Law
P. O. Box 367, Burley, Ida.

Attn: Norman H. Nielson

Dear Mr. Nielson:

Enclosed are the two Forms 36 you submitted for Notice of Proofs in connection with the permit, and blank form 11.

The form No. 11 attached to the original Forms 36 was not returned with the new set.

The point of diversion under 4 of the Notice is still a long way from the land to be irrigated, being approximately 12 miles westerly. An amendment to the point of diversion should be submitted to this office before publication, if the point has been changed from the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, T. 12 S., R. 22 E., said point being in the amendment dated August 1, 1957.

Kindly give the description of point of diversion your careful consideration. Return two forms No. 36 and one Form 11 with amendment to point of diversion if the location has been changed.

The date of June 17 would not have to be changed if published in the Burley Bulletin.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

GNC:RT:ew
Enc. 2-36
1-11
amendment form

22355

RT

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
P. O. BOX 367
BURLEY, IDAHO

A. H. NIELSON
N. H. NIELSON

May 13, 1959

RECEIVED
MAY 14 1959
Department of Reclamation

Department of Reclamation

State House

Boise, Idaho

Dear Sir:

Enclosed you will find the new Form 36 on G-22355. Would
you please process this application.

Very truly yours,

NIELSON & NIELSON

By

Norman H. Nielson
Norman H. Nielson

NHN:db

Enclosure

22355

May 7, 1959

Re: Permit G-22355
Faye Harsbarger

Nielson & Nielson
Attorneys at Law
Burley, Idaho

Attn: Norman H. Nielson

Dear Mr. Nielson:

Enclosed forms for notice of proof received today, a blank form for amendment to the point of diversion and blank forms 36.

The point of diversion shown on the Form 36 is obviously in error. The last amendment to the point of diversion for Permit No. G-22355 shows the wall to be in the SW 1/4 Sec. 13, T. 12 S., R. 22 E., B. M.

The water claimed under Permit No. G-22355 is 3.2 c.f.s. which is the maximum amount which should be shown under 3.

Kindly re-write Forms 36 and complete the amendment to point of diversion.

GEO. N. CARTER
State Reclamation Engineer

GNC:RT:ew
Enc. Blank 36-2
Amendment form
Form 36-in error

22355

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
P. O. BOX 367
BURLEY, IDAHO

A. H. NIELSON
N. H. NIELSON

May 6, 1959

MAY 7 1959
Department of Reclamation

Department of Reclamation
State House
Boise, Idaho

Dear Sir:

Enclosed you will find form No. 36, and form No. 10, on proof of permit No. G-22355.

We have set this for the 8th of June. This would not give you sufficient time probably to run the notice in the paper. So, if you desire to set this for the 15th of June, it would be all right.

Very truly yours,

NIELSON & NIELSON

By

Norman H. Nielson

Norman H. Nielson

NHN:db

Enclosures

22355

April 17, 1959

Re: Permit No. G-22355 - Flying C Farms
G-27017 - " " "

Mr. Herman H. Nielson
Nielson and Nielson
Attorneys at Law
P. O. Box 367, Burley, Ida.

Dear Mr. Nielson:

Enclosed you will find the assignment of 20 miner's inches of water from the Flying C. Farms, Inc. to Faye Harshbarger under Permit No. G-27017, which has been recorded in this office.

Also enclosed is Application for Amendment to the land list on Permit No. G-22355 which has been recorded in this office.

The fees for an assignment are \$0.50 for recording. There are no fees for amendments. The certified copy of assignment to the Bureau of Land Management will be \$1.00, making total fees of \$1.50.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
G
By:

Chief Clerk

EPR:EW
Enc. 3

22355

Application for Amendment

To Permit to Appropriate the Public Waters
of the State of Idaho, No. G-22355

RECEIVED
APR 14 1959
Department of Reclamation

Comes now FAYE HARSHBARGER, and represents to the State Reclamation Engineer of the State of Idaho.

That she is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. G-22355, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

The East Half of Section Thirteen, Township Eleven South, Range Twenty-two East Boise Meridian, and Lots 1, 2, 3 and 4, and the Southeast Quarter of the Northeast Quarter and the West Half of the Southeast Quarter all in Section Eighteen Township Eleven South, Range Twenty-three East of the Boise Meridian. That is making a total of 612.64 acres.

→ E² Sec. 13, Twp 11 S., Rge 22 E

Lots 1, 2, 3, 4, SE² NE², W² SE² Sec. 18 Twp 11 S., Rge. 23 E. BM.

That is, making a total of 612.64 acres.

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

Signed at Burley, this 11 day of April, 1959.

Faye Harshbarger

Date of receipt at office of Department of Reclamation April 14, 1959

APPROVAL OF STATE RECLAMATION ENGINEER

I, GEO. H. CARTER, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. G-22355. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

G. H. Carter

22355

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
Boise, Idaho

Re: Permit No. G- 22355
Faye Harshbarger

Date: April 1, 1959

Nielson & Nielson
Attorneys at Law
Burley, Idaho Box 267
Dear Sir:

The date for proofs of Completion of Works and Application of Water to Benefi-
cial Use, as set out under the terms of Permit No. G-22355 are due not later
than June 21, 1959.

Before these proofs can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper within the county in which the land is located. In completing the Notice of proof for publication, the information should be taken from your Permit, including any amendments made in connection with a change of point of diversion or land list which has been recorded in this department. If changes have been made and no amendments are on record, we advise that you request a form for this purpose before your Notice is published.

We enclose Form 36, in duplicate, which is to be filled out and returned to this department at least forty (40) days before the above mentioned date, (allowing for four weeks publication). Please give the name of the town, the address of the place where the depositions will be executed, and, the name of notary public before whom you will appear to make the depositions of proof (this may be at any place convenient for you and your two witnesses), the quantity of water filed; for what purpose it is used; the point of, or points of diversion; and the location of use or the lands which are irrigated -- all by legal land description.

Enclosed also is Form 11, which is the authorization for us to have the notice published in the designated county newspaper at your expense. This is to be returned with Form 36.

At the time we send the notice to the newspaper we will send to you the forms for the depositions of holder and two disinterested witnesses. It is important that the depositions be executed at the time, on the date set, at the place named and before the notary public, as advertised in the publication notice.

Very truly yours,

GEO. N. CARTER
STATE RECLAMATION ENGINEER

Enclosures
cc: Faye Harshbarger

22355

August 5, 1957

Re: Permit No. G-22355
Faye Harshbarger

Nielson & Nielson
Attorneys And Counselors At Law
P. O. Box 367
Burley, Idaho

ATTENTION: Mr. Norman H. Nielson

Dear Mr. Nielson:

Enclosed is the request for permission to amend Permit No. G-22355 which has been approved by the State Reclamation Engineer to amend the point of diversion as described in the original permit to read SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 13, Township 12 South, Range 22 East, B.M. This amendment was recorded in the Department of Reclamation in Book 80 of Permits at Page 22355. It should now be attached to the original permit to which it refers and of which it becomes a part.

For your use, we have also enclosed one-half dozen each of Application for Amendment forms (point of diversion - land list) which are the regulation forms used in this department for an amendment to a permit.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR:nls
Enc.

22355

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
P. O. BOX 367
BURLEY, IDAHO

A. H. NIELSON
N. H. NIELSON

August 1, 1957

RECEIVED
AUG 2 1957
Department of Reclamation

Department of Reclamation
State House
Boise, Idaho

Dear Sir:

Enclosed you will find a request to
amend Permit No. G-22355, together With an Application
for Permit to drill a well in the name of Flying C
Farms, Inc., together with a check in the amount of
\$6.75 for the filing of the same.

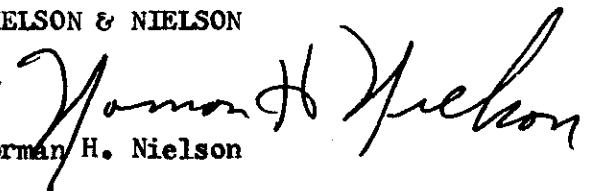
Would you please process these papers
and return them to our office?

Very truly yours,

NIELSON & NIELSON

By

Norman H. Nielson



NHN:om

Encl.

22355

RECEIVED
AUG 2 1957
Department of Reclamation

REQUEST FOR PERMISSION TO
AMEND PERMIT NO. G-22355.
Amendment to Point of Diversion
- - - o o - - -

Comes now, FAYE HARSHBARGER and makes application to the Department of Reclamation of the State of Idaho to amend Permit No. G-22355. The amendment requested is to change the point of diversion or where the well was to be drilled as originally filed. The well was to be drilled in the Southeast Quarter of the Northwest Quarter of Section 13, Township 12 South, Range 22, East of the Boise Meridian.

The amendment requested is to change the place of diversion to the Southwest/^(SW $\frac{1}{4}$) Quarter of the Southeast Quarter/^(SE $\frac{1}{4}$) of Section 13, Township 12 South, Range 22, East of the Boise Meridian. This amendment is requested on the basis that the new site for drilling is much more advantageous to the irrigation of the land in that it is on a higher point and the slope of the property is more beneficial to good irrigation.

DATED This 1st day of August, 1957.

Faye Harshbarger

Date of receipt at Department of Reclamation August 2, 1957

APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. G-22355. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

Mark R. Kulp
State Reclamation Engineer

September 27, 1956

RE: Permits Nos. G-22355 and 25189

Messrs. Nielson & Nielson
P. O. Box 357
Burley, Idaho

ATTENTION: Mr. A. H. Nielson

Dear Mr. Nielson:

We return the Assignment of Permit No. G-22355 from Herman E. Bodke and wife to Faye Harshbarger which has been recorded in this department. Also enclosed is departmental receipt No. G-2142 for the fifty cents assignment fee.

We also return Assignment of Permit No. 25189 from Grant Randall and wife to R. O. Hatch and Myrtle Hatch, which has been recorded in this department. Also enclosed is departmental receipt No. 28178 for the fifty cents recording fee.

These assignments should be attached to the original permits of which they now form a part.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:hl1
Enc.

22355

September 20, 1956

RE: Permit Nos. G-22355 & 25189

Nielson & Nielson
Attorneys and Counselors at Law
P.O. Box 367
Burley, Idaho

RE: Norman H. Nielson

Gentlemen:

We wish to acknowledge receipt of letter inclosing assignments to Permit No. G- 22355, assigned by Herman Bedke, Permit No. 25189 assigned by Grant Randall. The statutory charge for recording the assignments is 50¢, therefore upon receipt of 50¢ for each of the above stated assignments, the same will be recorded in this Department.

We also wish to acknowledge receipt of application for extension of time for beneficial use proof and completion of works on Permit No. G 22475 in the name of the Milliner Low Lift Irrigation District. Mr. Kulp is out of town, therefore upon his return the same will be drawn to his attention.

We believe we can allow four years extension on the above stated Permit. You will be notified accordingly.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

RWT:vm

22355

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
P. O. BOX 367
BURLEY, IDAHO

A. H. NIELSON
N. H. NIELSON

September 18, 1956

RECEIVED
SEP 20 1956
Department of Reclamation

Department of Reclamation

State of Idaho

Boise, Idaho

Gentlemen:

We are sending on behalf of Faye Harshbarger
assignment of permit No. G-22355.

Would you enter such assignment on your
records. Notify us of your charges. Thank you.

Very truly yours,

NIELSON & NIELSON

By *A. H. Nielson*

A. H. Nielson

AHN:om

Encl.

Mrs. R. has Letter re fee

22355

July 16, 1956

RE: Permit No. G-22355 & G-22356

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

Dear Mr. Bedke:

We enclose Extension of Time for completion of works on Permit No. G-22355, in the name of yourself, to June 21, 1959.

We also enclose Extension of Time for completion of works on Permit No. G-22356, in the name of Ed Gorringer, to June 21, 1959.

These extensions of time have been approved by the State Reclamation Engineer and recorded in this department and should be attached to the original permits of which they now form a part.

Very truly yours,

MARY R. KULP
State Reclamation Engineer
By

Chief Clerk

hll
Enc.

22355

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

RECEIVED
JUL 13 1956
Department of Reclamation

BUILDING
ORCHARD 8-2401

July 12, 1956

State Reclamation Engineer
State of Idaho
State House
Boise, Idaho

RE: Permit # G-22355
Herman E. Bedke

Gentlemen:

I received your notice of June 27 wherein the above application for water should be completed this fall. Kindly be advised that this water permit was issued in conjunction with Desert Entry # 02372 with the Bureau of Land Management. The entry was allowed June 21, 1954, and I hereby apply for an extension of time to make final proof on the above permit. This procedure has been done by your office under like cases before. Any further information that you may desire will be submitted upon request.

Yours truly,

Herman E. Bedke

HEB/c

Sept 6 - 56

22355

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

DEPARTMENT OF RECLAMATION

June 27, 1956

Mr. Herman E. Bedke
Box 208
Burley, Idaho

We enclose herewith blank notice for proof of completion of works and application of water to beneficial use under your Permit No. G-22355. 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 September 6, 1956.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

22355

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

Norman L. Dodson
2020 Conant Avenue
Boise, Idaho

Sir:

Your Resort Land Entry, Serial No. Idaho 02372
(Kind of application or entry)

Receipt No. 2688, for the

, Section 13

Township 12 N., Range 22 E., Boise Meridian, Idaho

containing 160 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.

Very respectfully,

Paul A. Shepard
Manager

cc: IRE, Burley, Idaho
State Recla. Engr., Boise, Idaho

22355

22355

✓
September 17, 1951

RE: Permit Nos. G-22355 and G-22356

Mr. Herman K. Bedke
Box 204
Burley, Idaho

Dear Mr. Bedke:

As per your request of September 14, 1951, we enclose to copies each of Permit Nos. G-22355 and G-22356, one of which has been certified.

We also enclose departmental receipt No. 23789 for the \$4.00 fee for these extra copies.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

22355

September 13, 1951

RE: Permit No. G-22355

Mr. Herman E. Bedke
Box 204
Burley, Idaho

Dear Mr. Bedke:

We enclose Permit No. G-22355, together with departmental receipt No. 27744 for the \$5.75 filing fee.

Your attention is directed to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer. The same conditions apply in regard to commencement of work under this permit as in letter addressed you on Permit No. G-22355 of Ed Gorrings.

For your information we will say that it is our understanding that the Land and Survey Office requires two copies of permits issued in connection with desert entries, one of which must be certified. It has been our practice to issue these additional copies upon request of the permit holders, upon payment of the fee of \$2.00 for the two copies.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

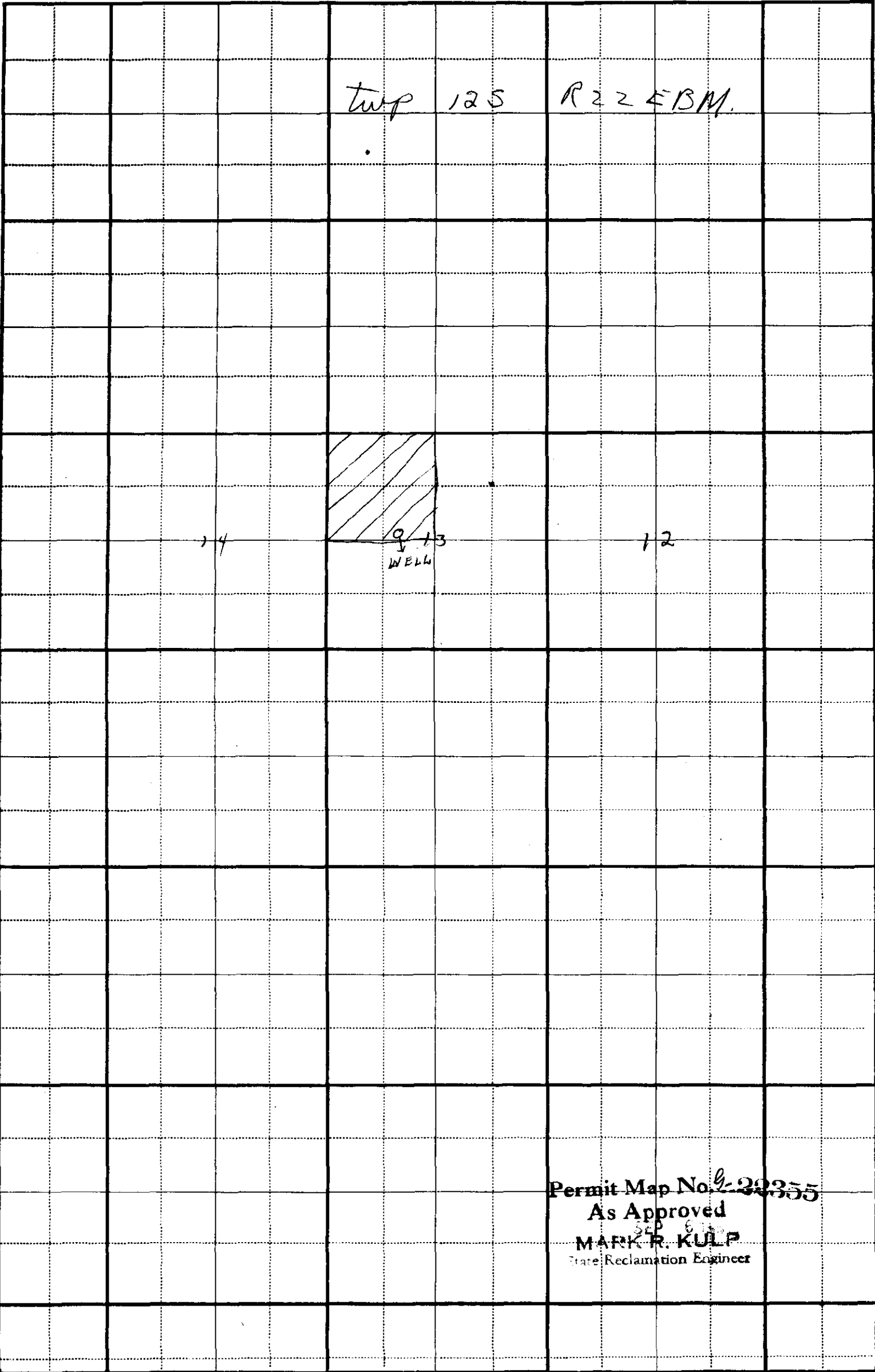
Chief Clerk

A:fg
Enc.

22355

NAME OF APPLICANT HERMAN E. BEDI, E

FORM No. 0



Permit Map No. 22355
As Approved
SEP 6 1955
MARK R. KULP
State Reclamation Engineer

22355

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

Notice is hereby given that at 10 A.M., on the 17th day of June, 1959, at Burley, County of Cassia, State of Idaho, before Norman H. Nielson, Notary Public, at Burley, Idaho, proof will be submitted of the completion of works for the diversion of 3.2 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-22355 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Faye Harshbarger.

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 8 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 3.2 cubic feet per second.

4. The point of diversion of said water is located in the Southwest Quarter of the Southeast Quarter of Section 13, Township 12, South, Range 22, E. B. M.

5. The place where said water is used is the East Half of Section 13, Township 12, South, Range 22, E. B. M., Lots 1, 2, 3, 4, and the Southeast Quarter of the Northeast Quarter and the West Half of the Southeast Quarter, all in Section 18, Township 12, South, Range 22, E. B. M.

6. The date of priority which said user is prepared to establish is September 4, 1951.

GEO. N. CARTER
 State Reclamation Engineer
 Published in the Burley Bulletin
 May 26, June 2-9-16, 1959.