

45-02364

State of Idaho
License and Certificate of Water Right

Water License No. 21928

Amount Two second feet

Water District No. _____

Priority February 12, 1951

THIS IS TO CERTIFY that **MORRIS W. MITCHELL**
of **Burley, Idaho**, made application for a permit to appropriate the
public waters of the State of Idaho, dated **February 12**, 19 **51**; that Permit No. 21928
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
two second feet, was issued thereunder on **July 15**, 19 **53**, showing that said works
were completed on the 27th day of **June**, 19 **53**; and that on the 22nd
day of **August**, 19 **53**,

MORRIS W. MITCHELL
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 (subterranean flow)
, a tributary of _____, for the purpose of **irrigation**
, under Use Permit No. 21928 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
8 of Licenses at page **5144**, on the **24** day of **September**, 19 **53**;

The right hereby confirmed dates from **February 12**, 19 **51**;

The Point of Diversion is located
in the **SE 1/4 NE 1/4**, Sec. **24**, Twp. **11S**, 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 **Two** cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
11 S.	22 E.	24	NE 1/4 NE 1/4	40	40
			NW 1/4 NE 1/4	40	40
			SE 1/4 NE 1/4	40	40
			NE 1/4 NW 1/4	40	40
			Number of acres actually irrigated-----		160

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
24th day of **September**, 19 **53**.

MARK R. KULP

State Reclamation Engineer

(SEAL)

2364

Nº 21928
45-2364

APPLICATION FOR PERMIT
To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 29647
PERMIT No. 21928
DISTRICT No.

1. Name of Applicant: MORRIS W. MITCHELL

Postoffice address: Route 2, Burley

County: Cassia

State: Idaho

I. If applicant is a corporation, give:

(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:

2. Quantity of water claimed: Two (2)

cubic feet per second.

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

which is a tributary of

4. Location of point of diversion:

feet distant from the

corner of Section , T. , R. , B.M., and is in the SE $\frac{1}{4}$ NE $\frac{1}{4}$

of Section 24 , T.11 S. , R. 22 E. , B.M., County of Cassia

5. Water is to be used for Irrigation

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section

T. , R. , B.M., in the of Section , T. , R. , B.M.

(b) Amount of power generated: H.P., under feet head.

(c) Water is to be returned to at a point feet

distant from the corner of Section , T. , R. , B.M., in the
of Section , T. , R. , B.M.

7. Estimated cost of works: \$11,000.00

8. Kind of works: Well, pump and ditches

9. Height of dam feet; length of dam at top feet; length of dam at bottom

feet; material used in dam:

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom feet; width at water line feet; depth of water feet;

dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

12. The time required for the completion of such work is Two (2) years.

13. The time required for the complete application of the water to the proposed use is Two (2) additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: Burley Irrigation District water right on NE $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 24.

16. (a) Is reservoir to be used? **No** If so, fill in (b) and (c) below:
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

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

MORRIS W. MITCHELL *Applicant.*

By

Agent.

Date of first receipt at Department of Reclamation: 9:00 A. M. February 12, 1951

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 21928

Recorded in Book 78 Page 21928 Approved February 17, 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 **April 17, 1951** and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before **February 17, 1952**

The whole of said work to be completed on or before **February 17, 1953**

Beneficial use of water appropriated in accordance herewith, to be made on or before **February 17, 1955**

WITNESS My hand this 17th day of February, 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 17th
day of February, 1951. STATE OF IDAHO

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

By LEN JORDAN
Governor.

REMARKS: Water will be used to supplement water received from Burley Irrigation District on the NE $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 24, Twp. 11 S., Range 22 E., B.M., and for total irrigation on remaining 160 acres of land.

14.

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
11 S.	22 E.	24	40	40		40												160	
APPROVAL OF STATE RECLAMATION ENGINEER																			
I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby extend the time for the completion of construction work under Permit to Appropriate the Public Waters of the State of Idaho, No. 21928 to February 17, 1953.																			
Witness my hand this 4th day of February, 1953.																			
Permit No. 21928																			
MARK R. KULP State Reclamation Engineer																			
CERTIFICATE OF COMPLETION OF WORKS																			
TO ALL WHOM IT MAY CONCERN:																			
This is to certify that MORRIS W. MITCHELL of Burley, County of Cassia, and State of Idaho, the holder of Permit No. 29647 bearing date of priority of February 12, 1951, authorizing the diversion of Two(2) second feet of a well (subterranean flow) County of Cassia, State of Idaho, for irrigation purposes, has fully complied with 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. The works are adequate for diverting and conveying to the place of intended use two(2) second feet of the waters of said well. The point of diversion of said waters is in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 24, Township 11 South, Range 22 East, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 24, Township 11 South, Range 22 East, B.M.																			
WITNESS MY HAND THIS 15th day of July, A.D. 1953.																			
Proof of completion of works made June 27, 1953																			
Certificate of Completion of works issued July 15, 1953																			
LICENSE ISSUED FOR 2 SEC. FT.																			
pg 5144																			

✓
March 1, 1954

RE: Permit No. 21928

Mr. Morris W. Mitchell
Route 2
Burley, Idaho

Dear Mr. Mitchell:

Reference is made to your letter of February 26 in regard to your well on which you have been granted a water right, which we assume refers to license No. 21928.

Our records show that this license is for 2 second feet of water from a well in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 24, Township 11 South, Range 22 East B.M. for use on 160 acres in the N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said section.

Since this license is for the full amount claimed under permit no. 21928, that is all that can be allowed under that permit. But if the well will produce more water, you may file another application for an additional amount and we enclose a form of application herewith together with a pamphlet giving regulations and conditions in regard to filing same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:HL1
Enc.

21928

Route 2
Burley, Idaho
February 26, 1954

Department of Reclamation
State House
Boise, Idaho

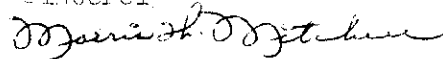
Dear Sirs:

I have an irrivational well on which I have been granted a water right by your office, and plan to increase the size of the pump to accommodate an additional 80 acres which I recently purchased. I plan to use the same well and existing works.

Is it necessary to file on the water for this additional 80 acres, or can I increase the existing water right?

Would you send me application papers necessary to file on the water if it is required?

Sincerely



Morris W. Mitchell

L-21928 (5144)

2015- SEHE 24 - 112 228

160 a - 7275 - SEHE - 7275 - 24

RECEIVED
FEB 27 1954
Department of Reclamation

21928

✓
September 25, 1953

RE: Permit No. 21928

Mr. Morris W. Mitchell
Burley
Idaho

Dear Mr. Mitchell:

We enclose License and Certificate of Water Right issued under Permit No. 21928, confirming your right to the use of 2 second feet of water from a well in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 24, Township 11 South, Range 22 East, B.M., with priority of February 12, 1951, for the irrigation of land in the N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said section.

We also enclose departmental receipt No. 26219 for the \$8.00 License fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

21928

Dear Mr. Kulp:

Inclosed is a check of \$8.00 to cover the fee for the license for the well
Permit No. 21928.

Sincerely

Morris W. Mitchell
Route 2
Burley, Idaho

RECEIVED
SEP 23 1953
Department of Reclamation

21928

✓
September 19, 1953

RE: Permit No. 21928

Mr. Morris W. Mitchell
Burley
Idaho

Dear Mr. Mitchell:

The report of our field engineer on examination for beneficial use on Permit No. 21928 shows that your well in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 24, Township 11 South, Range 22 East, B.M., will deliver 100 inches, or 2 second feet of water, and that you have irrigated 160 acres in the N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 24.

Therefore, upon receipt of the statutory fee of \$8.00, a license will be issued for 2 second feet of water from said well.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

21928

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

Permit No. 21928This proof is for Beneficial Use In Water District No. _____1. Name of applicant Morris W. Mitchell, Burley, Idaho2. Source of water supply: Subterranean from a well3. Location of point of diversion: Is in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 24T. 11 S. R. 22 E. County of Cassia

4. Describe works as they exist, giving dimensions and capacities of same: Well, 408' deep, cased with 48" tile to 50', then with 16" steel casing to 298.5' 8" column set at 320', 3 stage, 12" bowls. 276' static height, draw down unknown. Fairbanks Morse Motor # FM 9046, .75 HP, 440 V, 89 A, 60 cycle, 3 phase, 1755 RPM. Fairbanks Morse pump # FN8249, 8'x8' concrete base. 4" angle iron around edges. No cover for pump. 4" "I" beams set in base on top of 48" tile, pump mounted on these. Mongerson switch panel. GE Meter # 30 637 571, 480v, 60 cycle, 3 phase, 4.05 demand. 10 HP canal pump also uses this meter. Delivery to W thru 4' of 8" pipe, then 90 degrees into ground approx 3' to 3 way junction. Three lengths of concrete tile, 35', 40' and 15' long to ditches.

5. Water is used for: Irrigation Each comes up in bottom of ditch, and each has 14" valve at point of discharge. (in ditch bottom)

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):

N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 24, Twp. 11 South, Range 22 East, 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. Mitchell present at inspection.Water measured 100" over 2' cippoletti weir.Crop: Hay, Grain, Row Crops.Temp: 57 degrees F.

The SE $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$ irrigated exclusivly from this well. The NE $\frac{1}{4}$ NE $\frac{1}{4}$ uses the water only as a supplement to existing water right.

This examination was made on the 17th day of September, 1953.(Signed) James H. Roe, Jr. Examiner.

21928

INSTRUCTIONS TO EXAMINERS

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

RECEIVED
SEP 19 1953

Department of Reclamation

Morris W. Mitchell
Burley Idaho
Permit No. 21928

Examination for Beneficial Use

County Cassia

gravity 24 115 22E

Q = 2.

2- Well

P.D. SENE 24, 115 22E

use - irrigation

Revised to W. 4. then
90° to ground down 3'
to 3 way junction

14' valve

35' 40' W
15'

N

2 day gain low crop

T = 57°

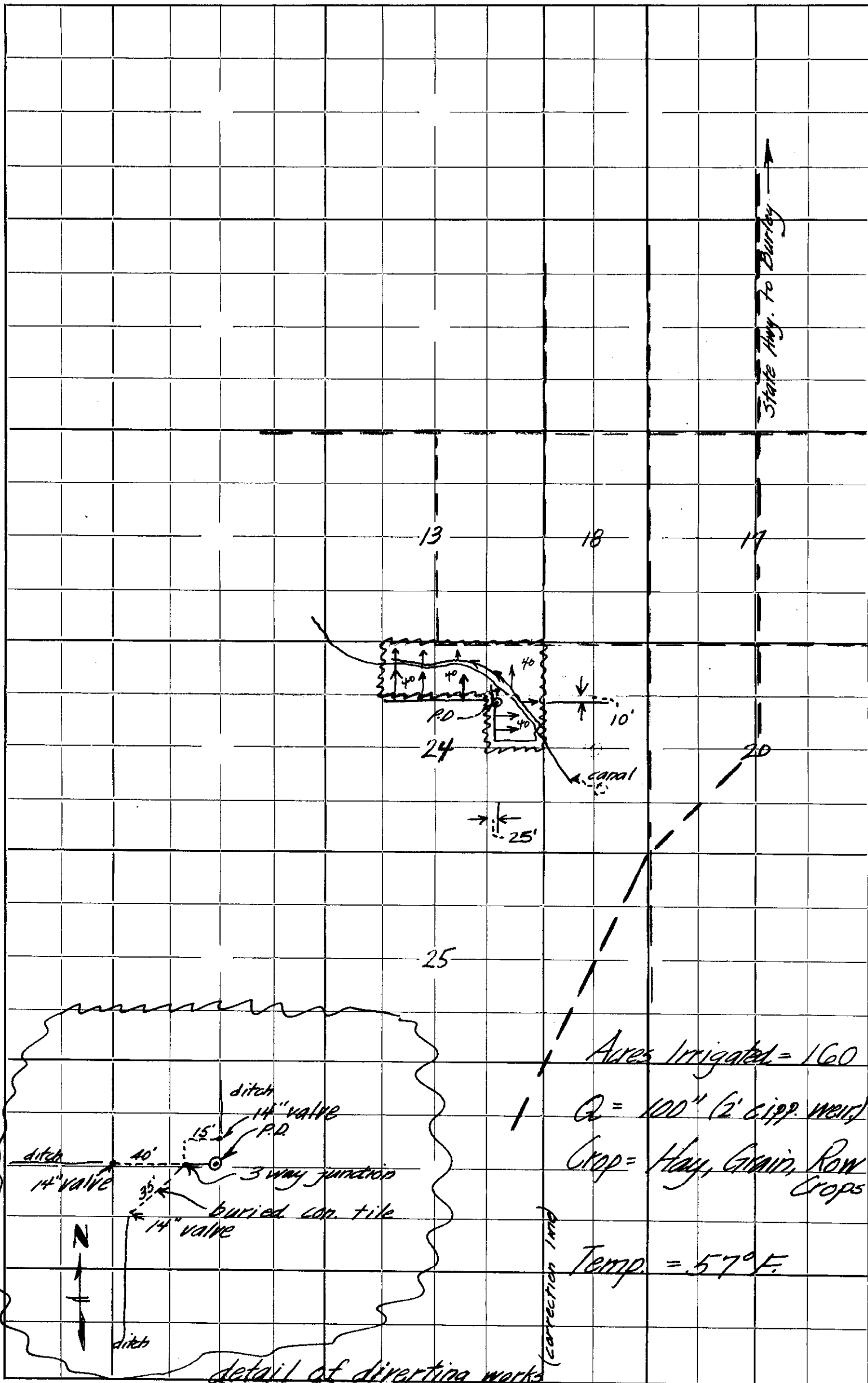
40 8' 48" 10 concrete tile
50' down, 16" steel casing to
298.5' 8" column, 32' to bottom
276' static height of water approx.
310' to water. 3 days 12" bowl.
draw down water.

Farrbanks. Murn PM 9046.
75 HP 440V, 89 A, 60
cycle, 1755 RPM. 3 phase
Farrbanks. Murn Pump
PN 8249.

8 x 8' concrete box
no cover. 4" angle
iron on edge
4" beams on top of
48" tile, pump on there

Murphy switch
Panel

GE Meter # 30 637 571
480 V 60 cycle. 4.05
demand, read 10 H.P. and
pump on this meter also.



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

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 21928

REPORT ON PROOF OF Beneficial Use

MORRIS W. MITCHELL, Burley, Idaho

2. ef

66.2 c/s

160 a.s.s
11.405

September 9, 1953

RE: Permit No. 21928

Attention- Mr. Norman H. Nielson

Nielson & Nielson
Attorneys At Law
Burley, Idaho

Gentlemen:

We acknowledge receipt of your letter of August 31, enclosing depositions of Morris W. Mitchell and two witnesses, also affidavit of publication in the Burley Bulletin, all submitted in proof of Beneficial Use on Permit No. 21928.

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

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

Very truly yours,

Mark H. Kulp
State Reclamation Engineer
By

Chief Clerk

A:rs

CC:Mr. Morris W. Mitchell

21928

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
BURLEY, IDAHO

A. H. NIELSON
N. H. NIELSON

August 31, 1953

RECEIVED
11 SEP 1 1953
Department of Reclamation

State of Idaho
Department of Reclamation
State House
Boise, Idaho

Re: Permit No. 21925

Gentlemen:

Enclosed you will find the affidavit of publication in the
above permit for Morris W. Mitchell that has been delivered to
us.

Yours very truly,

NIELSON AND NIELSON

By

Norman H. Nielson
Norman H. Nielson

NHN/kb

21928

14

NOTICE FOR PUBLICATION
NOTICE OF PROOF APPLICATION
OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A. M. on the 22nd day of August, 1953, at Burley, County of Cassia, State of Idaho, before Norman H. Nielson, Notary Public, proof will be submitted of the application to beneficial use of 2 cubic feet per second of the waters of subterranean water in accordance with the terms and conditions of Permit No. 21928 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Morris W. Mitchell, Route 2, Burley, Idaho.

The use to which said water has been applied is irrigation.

The amount applied to beneficial use is 2 cubic feet per second.

The place where said water is used:

NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$
NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 24,
Twp. 11 South, Range 22 East,
B. M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is own ditch.

The right to take water from such works is based upon Permit No. 21928.

The source of supply from which such water is diverted is subterranean flow from a well in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 24, Twp. 11 South, Range 22 East, B. M.

The date of priority which said user is prepared to establish is February 12, 1951.

MARK R. KULP
State Reclamation
Engineer
Published in Burley Herald,
July 30, Aug. 6-13-20, 1953.

Affidavit of Publication.

The Burley Herald-Bulletin

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
COUNTY OF CASSIA } ss.

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

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

Affiant further states that the printed notice attached hereto was duly published according to law, in the regular weekly editions of the said newspaper and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated July 20, 1953, and ending with the issue dated Aug. 20, 1953.

Subscribed and sworn to before me this 20th day of Aug., 1953.

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

My Commission Expires June 4, 1955

21928

NOTICE FOR PUBLICATION
NOTICE OF PROOF APPLICATION
OF WATER TO BENEFICIAL USE

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The name and postoffice address of the person or corporation holding said permit are Morris W. Mitchell, Route 2, Burley, Idaho.

The use to which said water has been applied is irrigation.

The amount applied to beneficial use is 2 cubic feet per second.

The place where said water is used:

NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 24, Twp. 11 South, Range 22 East, B. M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is own ditch.

The right to take water from such works is based upon Permit No. 21928.

The source of supply from which such water is diverted is subterranean flow from a well in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 24, Twp. 11 South, Range 22 East, B. M.

The date of priority which said user is prepared to establish is February 12, 1951.

MARK R. KULP
State Reclamation
Engineer.

Published in Burley Herald,
July 30, Aug. 6-13-20, 1953.

Affidavit of Publication.

The Burley Herald-Bulletin

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
COUNTY OF CASSIA } ss.

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

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

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Subscribed and sworn to before me this

20th day of Aug., 1953

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

My Commission Expires June 4, 1955

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will be submitted of the application
to beneficial use of 2 cubic feet per
second of the waters of subterranean
water in accordance with the
terms and conditions of Permit
No. 21928 heretofore issued by the
Department of Reclamation of the
State of Idaho.
The name and postoffice address
of the person or corporation holding
said permit are Morris W. Mitchell,
Route 2, Burley, Idaho.
The use to which said water has
been applied is irrigation.
The amount applied to beneficial
use is 2 cubic feet per second.
The place where said water is
used:
NW¼ NE¼, NW¼ NE¼, SE¼
NE¼, NW¼, NW¼ Section 24,
Twp. 11 South, Range 22 East,
B. M.
The name of the canal or ditch
or other works by which said water
is conducted to such place of use is
own ditch.
The right to take water from
such works is based upon Permit
No. 21928.
The source of supply from which
such water is diverted is subter-
ranean flow from a well in the SE¼
NE¼ Section 24, Twp. 11 South,
Range 22 East, B. M.
The date of priority which said
user is prepared to establish is
February 15, 1951.
MARK R. KULP
State Reclamation
Engineer.
Published in Burley Herald,
July 30, Aug. 6-13-20, 1953.

Affidavit of Publication.

The Burley Herald-Bulletin

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
COUNTY OF CASSIA } ss.

Junior W. Ross, first being duly sworn, deposes and
says: That he is the printer of The Burley Herald and/or The Burley Bulletin,
a weekly newspaper published at Burley, in the County of Cassia, State of Idaho;
that the said newspaper has a general circulation in said county, and that the said
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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
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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 July 30, 1953., and ending with the issue dated Aug. 20, 1953....

Subscribed and sworn to before me this 20th day of Aug., 1953.

Hazel G. Hurdall
Notary Public in and for the State of Idaho,
Residing at Burley, Idaho.
My Commission Expires June 4, 1955

21928

NOTICE FOR PUBLICATION
NOTICE OF PROOF APPLICATION
OF WATER TO BENEFICIAL USE
Notice is hereby given that at
10:00 A. M. on the 22nd day of Aug-
ust, 1953, at Burley, County of Cas-
sia, State of Idaho, before Norman
H. Nielson, Notary Public, proof
will be submitted of the application
to beneficial use of 2 cubic feet per
second of the waters of subterranean
water in accordance with the
terms and conditions of Permit
No. 21928 heretofore issued by the
Department of Reclamation of the
State of Idaho.
The name and postoffice address
of the person or corporation holding
said permit are Morris W. Mitchell,
Route 2, Burley, Idaho.
The use to which said water has
been applied is irrigation.
The amount applied to beneficial
use is 2 cubic feet per second.
The place where said water is
used:
NE¼ NE¼ NW¼ NE¼ SE¼
NE¼ NE¼ NW¼ Section 24,
Twp. 11 South, Range 22 East,
B. M.
The name of the canal or ditch
or other works by which said water
is conducted to such place of use is
own ditch.
The right to take water from
such works is based upon Permit
No. 21928.
The source of supply from which
such water is diverted is subter-
ranean flow from a well in the SE¼
NE¼ Section 24, Twp. 11 South,
Range 22 East, B. M.
The date of priority which said
user is prepared to establish is
February 12, 1951.
MARK R. KULP
State Reclamation
Engineer.
Published in Burley Herald,
July 30, Aug. 6-13-20, 1953.

Affidavit of Publication.

The Burley Herald-Bulletin

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
COUNTY OF CASSIA } ss.

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

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

Affiant further states that the printed notice attached hereto was duly published
according to law, in the regular weekly editions of the said newspaper and not in any
supplement thereof, for four consecutive weeks, commencing with the issue
dated July 29, 1953, and ending with the issue dated Aug. 21, 1953.

Subscribed and sworn to before me this 20th day of Aug., 1953.
Hazel H. Hordshell
Notary Public in and for the State of Idaho,
Residing at Burley, Idaho.
My Commission Expires June 4, 1955

21928

August 29, 1953

Messrs Nielson & Nielson
Attorneys at Law
Burley, Idaho

Attn: Mr. Norman H. Nielson

Dear Mr. Nielson:

We acknowledge receipt of your letter of August 27, 1953, in which you state that you are enclosing proofs of Beneficial Use on Permit No. 21768 (Robert Orel Hatch) and the affidavit of publication.

Your letter enclosed proofs of Beneficial Use on Permit No. 21928 of Morris Mitchell, but no affidavit.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:pj

21928

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
BURLEY, IDAHO

August 27, 1953

A. H. NIELSON
N. H. NIELSON

RECEIVED
AUG 28 1953
Department of Reclamation

Department of Reclamation
State House
Boise, Idaho

Gentlemen:

Enclosed you will find the proof of application of water to beneficial use in Permit No. 21768, together with the deposition of witnesses and the affidavit for publication.

Yours very truly,

NIELSON AND NIELSON

By

Norman H. Nielson

NHN/kt

21928 enclosed
no app. Pub.
Norman H. Nielson

21928

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 21928

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Morris Mitchell, Burley, Idaho, Farmer, 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. 21928 - Feb. 12, 1951 - Feb. 12, 1951.

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

Ans. Subterranean well - The Southeast Quarter of the Northeast Quarter of Section 24, Township 11 South, Range 22, East Boise Meridian.

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.

Ans. Diversion works are ditches leading from well. Ditches will carry 200" of water. The depth of the well is 408', concrete casing goes down 50 ft. in the well, the next 248 ft., 16" steel casing. The pump discharges 2 second feet of water and was measured by the use of a Wier.

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. The water discharged from the well is used for irrigation in the Southeast Quarter of Northeast Quarter and the Northeast Quarter of the Northwest Quarter of Section 24, Township 11 South, Range 22, E.B.M., and supplements the irrigation on the North Half of the Northeast Quarter. The land is irrigated and cultivated land and has been improved. All of the land in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 24, Township 11 South, Range 22, E.B.M. can be and has been irrigated and a portion of water from the well is used on the North Half of the Northeast Quarter of Section 24, Township 11 South, Range 22, The land has been improved by the drilling of a well on the said land at a cost of \$5,000, a pump costing \$6,000, leveling in the amount of \$1,000 and ditches valued at \$250.

21928

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. ... 2 second feet

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

Ans.

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

Ans. ... Water diverted from a well was diverted around the 1st day of May, 1953, ... 2 second feet of water has been diverted and the 2 second feet have been used on the land described in question 6.

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. This deponent has a 50" water right from the Burley Irrigation which he uses to irrigate the North Half of the Northeast Quarter, Section 24, Township 11 South, Range 22, E.R.M., and must supplement this 50" water right with the water from his well.

(Sign) *Dorris H. DeHue*

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 August, A. D. 1953,

Harman H. Nielson
Notary Public in and for Idaho, residing at
Burley therein.

My commission expires May 12, 1953.

21928

**STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO**

Permit No. 21928

Proof of Application of Water to Beneficial Use

Deposition of Witness

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

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

Ans. C. LeRoy Garner, 37, Burley, Idaho, Farmer.

Ques. 2. Are you acquainted with Morris Mitchell, the holder of Permit No. 21928? How long have you known him and where does he reside?

Ans. 20 years - Burley, Cassia County, Idaho

Ques. 3. Have you read or heard read said Permit No. 21928, and are you familiar with its provisions and conditions?

Ans. yes.

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

Ans. Subterranean well. The Southeast Quarter of the Northeast Quarter of Section 24, Township 11 South, Range 22, E.B.M. Diversion works are ditches leading from well to place of use.

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. 4 second feet of water. I have seen 2 second feet 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. 2 second feet of water. Water was measured by the use of A wier.

21928

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 Southeast Quarter of the Northeast Quarter and the Northeast Quarter of the Northwest Quarter. All of the above mentioned land is capable of being irrigated and has been irrigated. The water is also used to supplement the water used to irrigate the North Half of the Northeast Quarter. All of the above land is in Section 24, Township 11 South, Range 22, E.B.M. Land has been irrigated and cultivated and improvements in the amount of \$12,250 have been put upon the property in the form of a pump and well.

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 that was reclaimed was desert land and the 2 second feet of water is necessary to irrigate the Southeast Quarter of the Northeast Quarter and the Northeast Quarter of the Northwest Quarter and supplement the water used in the irrigation of the N¹/₂ of NE¹/₄ S. 24, T. 11 S., R. 22, E.B.M.

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. ~~This applicant has used the water from the well for numerous years and for many years.~~
This deponent has been on the land a dozen times and has witnessed the water being used upon the land; that he has observed 2 second feet of water being used and has observed the water being applied to beneficial use.

(Signed) _____

Joseph H. Hunter

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 _____ August _____,
A. D. 1953 _____.

Harman H. Wilson
Notary Public.

My commission expires _____ May 12, 1954. _____

21928

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 21928

Proof of Application of Water to Beneficial Use

Deposition of Witness

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

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

Ans. Joseph L. Hunter, 37, Burley, Idaho - Farmer

Ques. 2. Are you acquainted with Morris W. Mitchell, the holder of Permit No. 21928? How long have you known him and where does he reside?

Ans. 6 years. Burley, Cassia County, Idaho

Ques. 3. Have you read or heard read said Permit No. 21928, and are you familiar with its provisions and conditions?

Ans. yes.

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

Ans. Subterranean well. The Southeast Quarter of the Northeast Quarter of Section 24, Township 11 South, Range 22, E.B.M. Diversion works are ditches leading from well to place of use.

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. 4 second feet of water. I have seen 2 second feet 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. 2 second feet of water. Water was measured by the use of a Wier.

21928

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. (Land has been irrigated and cultivated and improvements in the amount of \$12,250 have been put upon the property in the form of a pump & well.

Ans. Water is used for irrigation and is used to irrigate the Southeast Quarter of the Northeast Quarter and the Northeast Quarter of the Northwest Quarter. All of the above mentioned land is capable of being irrigated and has been irrigated. The water is also used to supplement the water used to irrigate the North Half of the Northeast Quarter. All of the above land is in Section 24, Township 11 South, Range 22, 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 that was reclaimed was desert land and the 2 second feet of water is necessary to irrigate the Southeast Quarter of the Northeast Quarter and the Northeast Quarter of the Northwest Quarter and supplement the water used in the irrigation of the NE $\frac{1}{4}$ of S. 24, T. 11 S., R. 22, E.B.M.

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. This applicant has used the water from the well all summer as a tenant farmer. This deponent has been on the land a dozen times and has witnessed the water being used upon the land; that he has observed 2 second feet of water being used and has observed the water being applied to beneficial use.

(Signed) Joseph L. Hunter

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 August _____, A. D. 1953.

Norman H. Nelson
Notary Public.

My commission expires May 12, 1953.

21928

July 17, 1953

RE: Permit No. 21928

Burley Herald-Butletin
Burley, Idaho

Gentlemen:

On July 15, 1953, we sent you notice for publication
on Permit No. 21928 of Morris W. Mitchell.

Please change the name of the Notary Public as
given in that notice from Lester H. Piper to Norman Nielson.

Very truly yours,

MARK R. BULP
State Reclamation Engineer
By

Chief Clerk

A:pj
cc: Mr. Morris W. Mitchell

21928

July 17, 1953

RE: Permit No. 21928

Mr. Morris W. Mitchell
Route #2
Burley, Idaho

Dear Mr. Mitchell:

We have your letter of July 15, 1953, in which you name Norman Nielson as the Notary Public for making proof of Beneficial Use under Permit No. 21928.

The notice you sent had the date and the name of Notary in pencil so we typed it in for August 22, and named Lester H. Piper as Notary Public, as we wrote you yesterday. However, we are today writing the Burley Herald-Bulletin to change the name of the Notary Public to Norman Nielson and this should reach, then, in plenty of time for the first publication.

Very truly yours,

MARK R. REIP
State Reclamation Engineer
by

Chief Clerk

A:pj

21928

RECEIVED
JUL 17 1953
Department of Reclamation

Route 2

Burley, Idaho

July 16, 1953

State Of Idaho

Department Of Reclamation

Boise, Idaho

Dear Sirs:

I wrote you a letter on the 14th of this month and mailed it by mistake before it was completed. Would you please fill in the following information? Norman Nielon is the Notary and the date I would like to have it completed in the paper is by August the 22nd, if this is sufficient time for you and meets with your approval.

Sincerely

Morris W. Mitchell

21928

urley, Idaho
July 16, 1953

Dear Mr. Kulp:

This is to acknowledge the receipt
of legal for Morris W. Mitchell, which we will
print in July 30, Aug. 6-13-20 issues of the
Herald. Thanking you we remain,

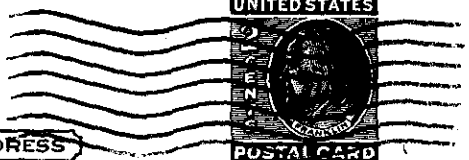
Very truly yours
The Burley Herald-Bulletin

Mrs. Hazel E. Goodall
21928

RECEIVED

JUL 17 1953

Department of Reclamation



THIS SIDE OF CARD IS FOR ADDRESS

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

21928

✓
July 16, 1953

RE: Permit No. 21928

Mr. Morris W. Mitchell
Route 2
Burley, Idaho

Dear Mr. Mitchell:

We enclose Certificate of Completion of Works issued under Permit No. 21928, for the diversion of 2 second feet of water from a well in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 24, Township 11 South, Range 22 East, B.M., for the irrigation of land in the N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 24.

We also enclose departmental receipt No. 26060 for the \$5.00 fee in connection with proof of completion of works.

We have sent to the Burley Herald Bulletin notice of beneficial use proof to be made on this permit August 22, 1953, with instructions to publish it once a week for four weeks prior to that date and to send you the affidavit of publication together with statement of costs.

At the time set, you should appear before Mr. Lester H. Piper, Notary Public, together with two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder for the purpose of executing the enclosed depositions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

21928

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. 21928

Date: July 15, 1953

Burley Herald-Bulletin

Burley, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **August 22, 1953** the date set for proof, the expense of the publication to be paid by the applicant, **Morris W. Mitchell** of **Route 2, 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 of the first publication, in order that we may check same.

Very truly yours,

MARK R. KULP

State Reclamation Engineer
BY

Chief Clerk

21928

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) July 14, 1953

(P. O.) Route 2 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
Herald Bulliten of Burley, Idaho published in
the county in which the works are situated.

Darius H. O'Leary

(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.

21928



LEN JORDAN
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

July 6, 1953

RE: Permit No. 21928

RECEIVED
JUL 15 1953

Department of Reclamation

Mr. Morris W. Mitchell
Route 2
Burley, Idaho

Dear Mr. Mitchell:

We acknowledge receipt of your letter of June 30, 1953, enclosing proof of completion of works on Permit No. 21928, together with your check for the \$5.00 fee in connection therewith.

Permit No. 21928 calls for the installation of a pump and if the pump has been installed, please so state under Question 9 giving the kind and power of same.

In order to make proof of beneficial use, the statutes require publication of a notice once a week for four weeks prior to making this proof. The notice should be made in duplicate on Form 10 enclosed, setting time and place and naming the Notary Public before whom proof is to be made.

Both copies of Form 10 to be returned to this department together with Form 11 which is your authorization for us to have the notice published at your expense in the designated county newspaper.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By *Jeanne L. Anderson*
Chief Clerk

A:fg
Enc.

21928

✓
July 6, 1953

RE: Permit No. 21928

Mr. Morris W. Mitchell
Route 2
Burley, Idaho

Dear Mr. Mitchell:

We acknowledge receipt of your letter of June 30, 1953, enclose proof of completion of works on Permit No. 21928, together with your check for the \$5.00 fee in connection therewith.

Permit No. 21928 calls for the installation of a pump and if the pump has been installed, please so state under Question 9 giving the kind and power of same.

In order to make proof of beneficial use, the statutes require publication of a notice once a week for four weeks prior to making this proof. The notice should be made in duplicate on Form 10 enclosed, setting time and place and naming the Notary Public before whom proof is to be made.

Both copies of Form 10 to be returned to this department together with Form 11 which is your authorization for us to have the notice published at your expense in the designated county newspaper.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

21928

Permit No. 21928

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Cassia

ss.

Morris W. Mitchell, being first duly sworn, upon his oath deposes and says:

First: That he is the holder and owner of Permit to Appropriate the Public Waters of the State of Idaho, No 21928, and that his postoffice address is Route #2, Burley State of Idaho

Second: That the name of the stream from which said water is to be diverted is Subterranean

Third: That the point of diversion of said water is S.E. 1/4 of N.E. 1/4 of section 24, T. 11 S. R. 22 E. B. M. Cassia County

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by Feb. 17, 1954

Fifth: That the use for which said water is intended is Irrigation

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

I. Kind of works: Well, pump & Ditch & Pipeline
(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

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

Well, 408 feet deep. Hole 16 inches. Steel casing
(State whether wood, earth, stone or concrete) & Concrete pipe

(b) Capacity of reservoir.....acre feet.

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

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

feet, depth of water.....feet; diameter of pipe 14 inches, average grade per mile is.....feet. Length of conduit is 200 feet.

Seventh: That said works are capable of conducting to the place of intended use 2.....second feet of water.

Eighth: That water appropriated under said permit is available for 160.....acres of land described as follows: S.E. 1/4 of N.E. 1/4 of sec 24, N.E. 1/4 of N.E. 1/4 of sec 24, N.E. 1/4 of N.W. 1/4 of sec 24, & N.W. 1/4 of N.E. 1/4 of sec 24, Twp. 11 Range 22 E. B. M.

Ninth: Remarks: That a 75 horsepower electric motor and Fairbanks Morse pump is installed and in operation. This is a turbine pump with a 310 foot setting

Morris W. Mitchell
(Sign Here)

Subscribed and sworn to before me this 27th day of June, 1953

My commission expires June 27, 1954

Notary Public.

21928

Route 2

Burley, Idaho

June 30, 1953

State of Idaho

Department Of Reclamation

Boise, Idaho

Dear Mr. Kulp:

Please send information on making final proof of water being placed
in beneficial use.

Sincerely

Morris W. Mitchell

RECEIVED
JUL 2 1953
Department of Reclamation

21928

✓
February 5, 1953

RE: Permit No. 21928

Mr. Morris W. Mitchell
Route 2
Burley, Idaho

Dear Mr. Mitchell:

Your application for extension of time for completion of works on Permit No. 21928, has been approved by the State Reclamation Engineer for one year or until February 17, 1954.

However, if your works are completed and you can make proof at an earlier date, you may do so.

We enclose approval of such extension which should be attached to your original permit of which it now forms a part.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

21928

Permit No.....

Application for Extension of Time FOR COMPLETION OF WORKS

Morris W. Mitchell, of Burley (R. 2)

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

He is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho
No. 21928

Under the terms and conditions of said permit, construction work thereunder was required to be
completed by Feb 17, 1953.

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

Drilling of 16" well to depth of 408 feet
setting of 16" Steel casing to 298 1/2 feet,
Main ditches are in (small distributing
ditches are in), power line and transformers
are in and pump purchased and in warehouse
and well tested for 190 inches of water for 2 hrs.
costing \$1,500.

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

I need 60 days more to complete pouring of
Concrete base and finishing of small ditch
construction. I may not be able to finish
this by Feb. 17, 1953 because of the winter
weather and wet condition of the land.

WHEREFORE, He asks that the Commissioner of Reclamation extend the time for the completion of works under said permit to April 17, 1953.

Subscribed and sworn to before me this 2 day of February, 1953

My commission expires March 1-1955.

Notary Public.

Date of receipt at office of Department of Reclamation Feb. 4-1953

STATE RECLAMATION ENGINEER
APPROVAL OF ~~COMMISSIONER OF RECLAMATION~~

1. Mark R. Kulp

State Reclamation Engineer

Commissioner of Reclamation of the State of Idaho, hereby extend the time for the completion of construction work under Permit to Appropriate the Public Waters of the State of Idaho, No. 21928 to

February 17, 1954

Witness my hand this 4th day of February

1953

Mark R. Kulp

State Reclamation Engineer

✓
January 27, 1953

RE: Permit No. 21928

Mr. Morris W. Mitchell
Route 2
Burley, Idaho

Dear Mr. Mitchell:

We have your letter of January 26, 1953 requesting additional time for completing the work described in your Permit No. 21928.

Since this permit was approved February 17, 1951, and the statutes allow a maximum of 5 years, if necessary, within which to complete the works, you may be allowed whatever additional time you require.

We enclose a form of application for such extension which should be executed by you and returned to this department for approval and record.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

21928

RECEIVED
JAN 27 1953
Department of Reclamation

Route 2
Burley, Idaho
January 26, 1953

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

Dear Mr. Kulp:

Application for permit to appropriate the public waters of the State of Idaho No. 29647 was filed February 12, 1951, and permit No. 21928 was issued February 17, 1951, to me.

I have completed drilling a well under this permit to a depth of 408 ft. and tested same in the amount of 190 inches of water from 280 feet. I yet need to pour a concrete base before a permanent setting is made on the pump. The pump is purchased and is in the warehouse ready to be installed. All main ditches are constructed and Electric Power is installed.

In the event of bad weather I may have difficulty in completing the base. I would rather not install the pump until spring unless it is necessary to meet the requirements of the permit.

If it is necessary to complete the permanent base and install the pump in order to meet the requirements of my permit by the deadline therein of February 17, 1953, would you advise me as soon as possible? However, if a two month extension of this permit is possible, it would guarantee my ability to complete this work.

Sincerely


Morris W. Mitchell

app 2-17-51

21928

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Mr. Morris W. Mitchell
Route 2
Burley, Idaho

Boise, Idaho December 1, 1952

Dear Sir:-

Under the terms of your Permit No. ~~21928~~.....you are required to complete your diversion works on or before.....~~February 17, 1953~~..... I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

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

Yours truly,

MARK R. KULP

State Reclamation Engineer

21928

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

Permit No. 21928

Date February 21, 1951

We enclose herewith the above numbered permit. BE SURE AND
NOTE LIMITATIONS AND CONDITIONS OF SAME as given under approval of the
State Reclamation Engineer, on the fourth page.

Mr. Morris W. Mitchell
Route 2
Burley, Idaho

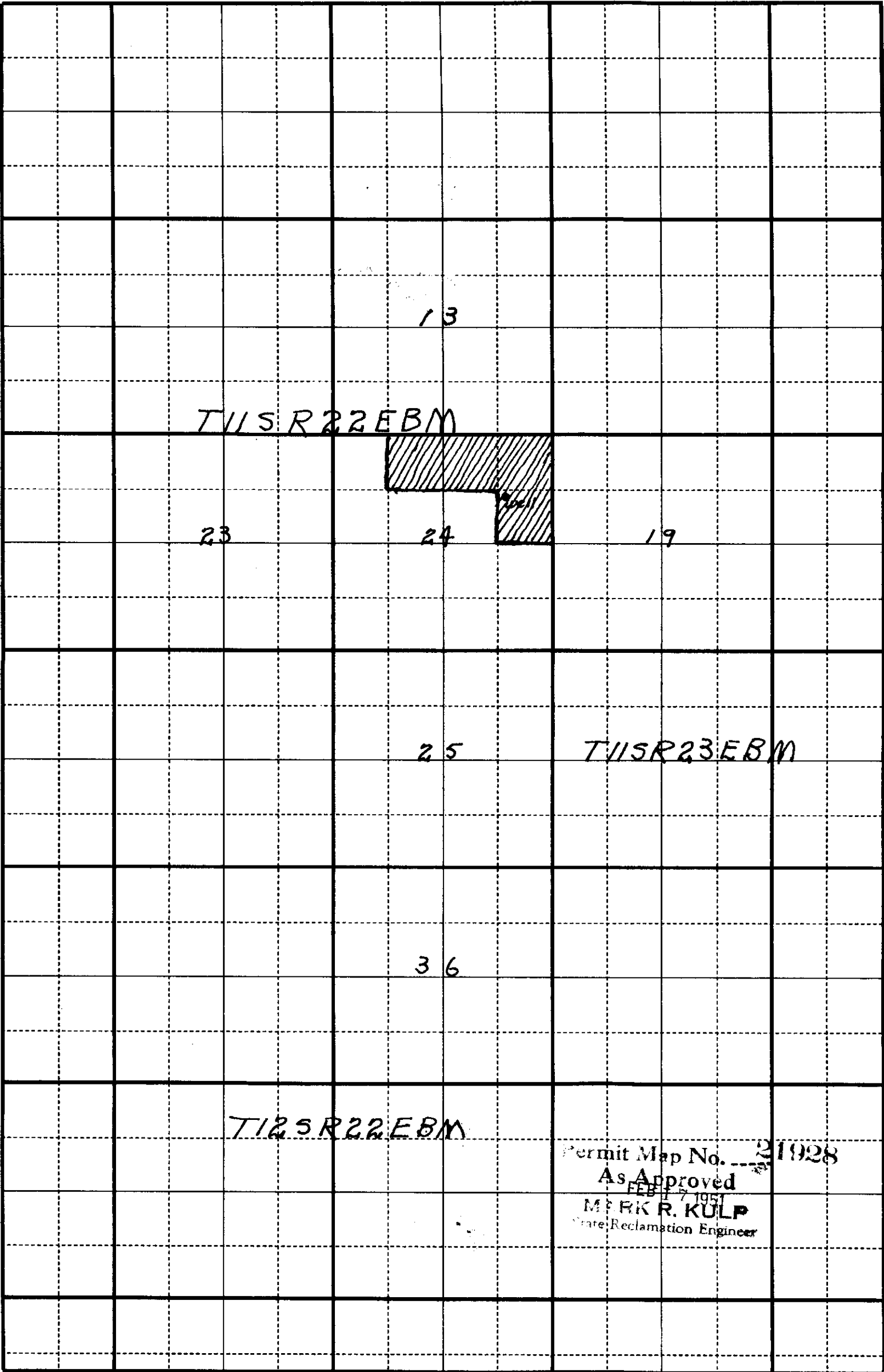
MARK R. KULP
State Reclamation Engineer

Enc. Departmental Receipt No. 23095.

21928

NAME OF APPLICANT Morris W Mitchell

Form No. 0



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

21928

January 30, 1951

Mr. Morris W. Mitchell
Route #2
Burley, Idaho

Dear Mr. Mitchell:

In reply to your letter of January 29, 1951, we enclose two forms of Application for Permit to appropriate the Public Waters of the State of Idaho, together with a pamphlet giving regulations and instructions in regard to filing same.

The same form is used for filing on a well as for surface water, but in describing the point of diversion as called for in Question 4, you should give the location of the well by subdivision, Section, Township and Range.

When an application is approved and Permit issued, the terms require that work shall commence within sixty days from the date of approval.

When this application is approved, it will be signed by the proper State Officials and sent you as a use permit under which you may proceed with the construction of the work described in the application. In order to complete your water right, two proofs are required as follows:

First, proof of completion of works which is made by affidavit before a Notary Public. The time required for making this proof should be stated under Question 12 in the application.

The final proof is made when the water has been completely applied for irrigation or whatever purpose it is intended. Notice of such proof must be published for four consecutive weeks in a county newspaper at your expense, and at the time set for proof, depositions are to be executed by yourself and two witnesses in proof of such beneficial use. The additional time required for making this proof should be stated under Question 13 of the application.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh
Enc.

21928

Route #2
Burley, Idaho
January 29, 1951

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

RECEIVED
JAN 30 1951
Department of Reclamation

Dear Sir:

Please send me two application blanks
for filing on subterranean water, together
with any other information relative to this
matter that you can. Also the maximum
length of time allowed between date of
application and date work is to start
on well drilling.

Sincerely

Morris W. Mitchell

Route #2
Burley, Idaho

21928