

45-02363

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4263
WATER RIGHT NO. 45-02363

This is to certify that: **HOWARD DUTCH ROBINSON**
2288 WILLIAMSBURG CIRCLE
WEST JORDAN UT 84088

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	1.00 CFS	424.5 AF

SOURCE

GROUNDWATER

Priority: 02/06/1951

LOCATION OF POINT(S) OF DIVERSION:

NWSW , Sec. 27, Township 13S, Range 22E
CASSIA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
13S	22E	27	NESW 39	NWSW 36	SWSW 20	115
			SESW 20			115
Total number of acres irrigated:						115

CONDITIONS/REMARKS:

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
3. The right holder shall use the full allotment of his surface water right, to the extent it is available, in conjunction with groundwater diverted pursuant to this right.
4. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Handwritten signature

APR 12 1994

TRANSFER NO. 4263
WATER RIGHT NO. 45-02363

CONDITIONS/REMARKS:

6. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.

Dated this 9th day of March, 1994.


Chief, Water Alloc. Bureau

RECEIVED

APR 12 1994

Page 1 of 6STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 4263

RECEIVED

APPLICATION FOR TRANSFER OF WATER RIGHT

OCT 22 1993

PART 1

Department of Water Resources
Name of applicant Howard Dutch Robinson
Southern Region OfficePhone 801-255-1623Post Office address 2288 Williamsburg Circle, West Jordan Ut 84088

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes Well owner sold some of his irrigated land but kept the canal shares, so he now has enough water without the well. I don't have enough canal water, so I do need the supplemental well.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>45-02363</u>	<u>2-6-1951</u>	<u>1.0 cfs</u>	<u>Irrig.</u>	<u>4-1</u> to <u>10-31</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 1.0 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Groundwater tributary to _____

4. Point(s) of Diversion: * See Attached letter received 11-12-93.

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	<u>NE</u>	<u>NE</u>	<u>SW</u>	<u>27</u>	<u>13S</u>	<u>22E</u>	<u>Cassia</u>	
	<u>NW</u>	<u>NW</u>						

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>13S</u>	<u>22E</u>	<u>27</u>									<u>39</u>	<u>26</u>	<u>20</u>	<u>20</u>					<u>115</u>

APR 1 2 1994

Total acres 115

PART 1**6. General Information:**

a. Description of diversion system Wells pump to be installed & tied in to existing sprinkler system.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? ✓ Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

Land will continue to be irrigated, but with canal shares only.

d. Remarks:

No new land will be irrigated as a result of this transfer

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____.

FILED

APR 12 1994

PART 2**A. DESCRIPTION OF RIGHT AS RECORDED:**

Water Right No. 45-02363

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	to	1.00 CFS

SOURCE

GROUNDWATER

Priority: 02/06/1951

LOCATION OF POINT(S) OF DIVERSION:SESE , Sec. 28, Township 13S, Range 22E
CASSIA CountyPLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
13S 22E 28	NESE 40	NWSE 40	SWSE 40	160
	SESE 40			160
		Total number of acres irrigated:		160

CONDITIONS/REMARKS:

APR 12 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 45-02363 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority _____

5. Water is used for the following purpose:

amount 1.0 cfs for Irrig. purposes from 4-1 to 10-31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 1.0 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SE	28	13S	22E	Cassia	

8. Lands irrigated or place of use: Same

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
13S	22E	28													40	40	40	40	160

Total acres 160

9. Describe any other water rights used for the same purpose as described above Oakley Canal Co. shares
(well supplements shares as needed)

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

_____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

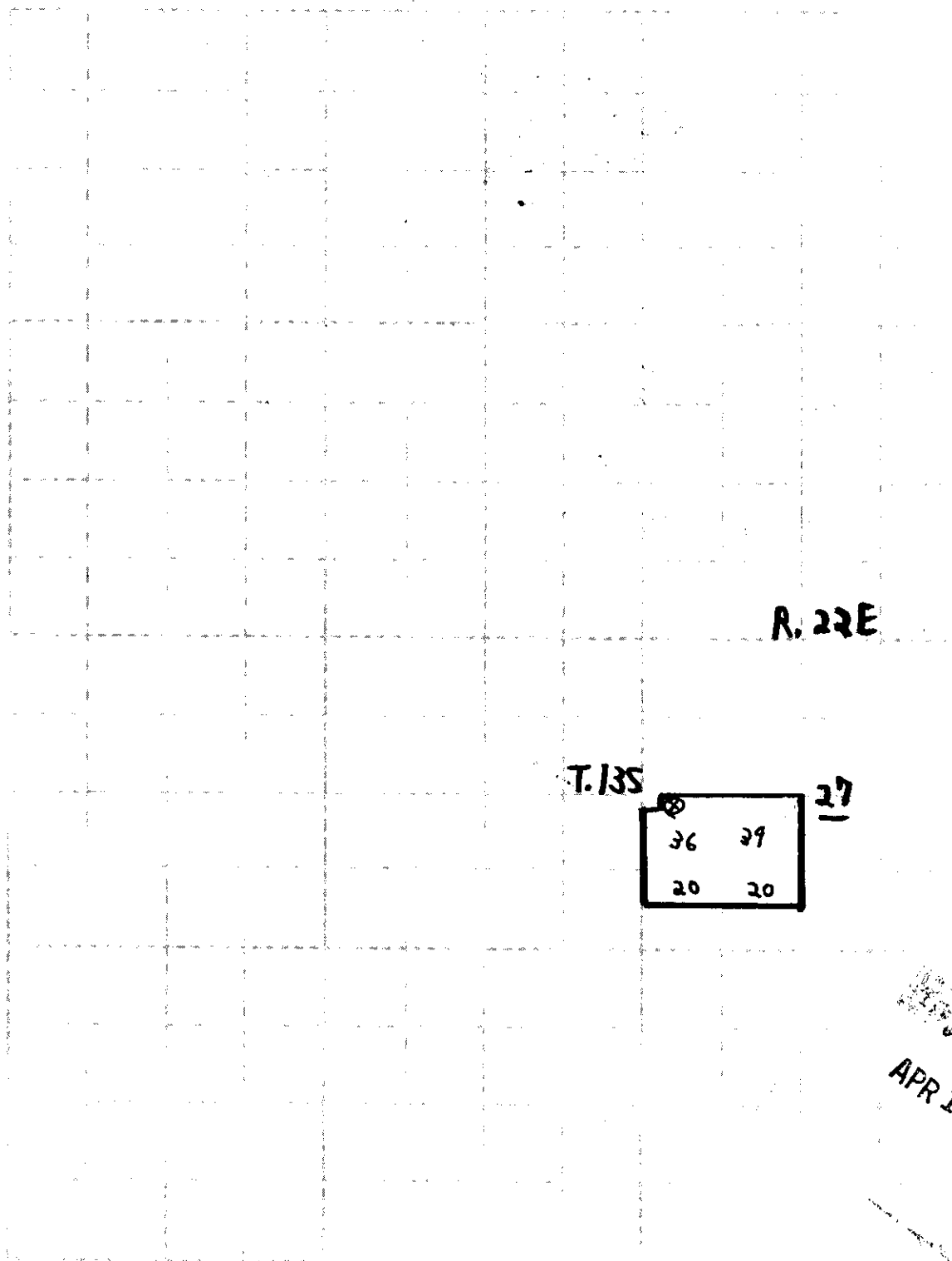
Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

WATER RIGHT
 APR 12 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



APR 12 1994

PART 3**B. CHANGES IN NATURE OF USE**

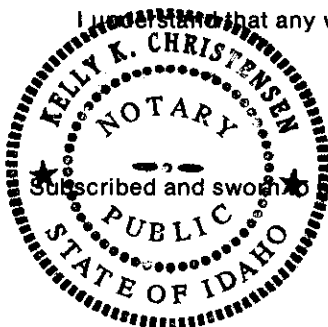
1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

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

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

H. Dutch Robinson

(Signature of Applicant)

Subscribed and sworn to before me this 22 day of Oct, 19 93.Kelly K. Christensen

(Notary Public)

My commission expires 3-2-98**FOR DEPARTMENT USE ONLY**Transfer contains 6 pages and 2 attachmentsReceived by JF. Stanton Date 10-22-93

Protest filed by _____

Prelim. check by MTS Fee \$50. 50/63/7Receipted by JF Date 10-22-93Published in So. Id. Press

Copies of protest forwarded by _____

Pub. dates 12/20 + 12/27/93

Hearing held by _____ Date _____

Watermaster recommendation requested on N/ARecommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

APR 12 1994

TO : IDAHO DEPARTMENT OF WATER RESOURCES

SHARES OF WATER ON THE 160 ACRES WHERE WELL NOW EXISTS ARE WITH
THE OAKLEY CANAL COMPANY NUMBERING 419.1 . cent # 3042
3043

SHARES OF WATER ON THE 120 ACRES WHERE WELL WOULD BE MOVED ARE WITH
THE OAKLEY CANAL COMPANY NUMBERING 119 1/2 .

SIGNED EXISTING OWNER

John R. Adams
JOHN R. ADAMS

PURCHASER

Howard D. Robinson
HOWARD D. ROBINSON

APR 12 1994

T # 4263

AGREEMENT FOR SALE OF IRRIGATION WELL

THIS AGREEMENT ENTERED THE FIRST DAY OF OCT. 1993 BY AND BETWEEN JOHN R. ADAMS AND EULENE ADAMS, HUSBAND AND WIFE OF OAKLEY, IDAHO AND HOWARD DUTCH ROBINSON AND KAREN ROBINSON OF 2288 WILLIAMSBURG CIRCLE, WEST JORDAN, UTAH 84088.

THE PARTIES MUTUALLY AGREE AS FOLLOWS:

THE SELLERS JOHN AND EULENE ADAMS AGREE TO SELL THE FOLLOWING DESCRIBED PROPERTY IN CASSIA COUNTY, IDAHO TO HOWARD DUTCH AND KAREN ROBINSON ON THE TERMS AND CONDITIONS CONTAINED IN THIS AGREEMENT. THE PROPERTY IS DESCRIBED AS FOLLOWS:

AN IRRIGATION WELL: WATER RIGHT NUMBER A45-02363
LOCATED IN REGION 17 SOUTHERN, PRIORITY DATE 2/6/51
TOWNSHIP 13 S., RANGE 22 E., SEC 28, TRACT SE SE

SIMPLE LOCATION: ONE MILE NORTH OF OAKLEY, 1/2 MILE EAST
NORTH WEST SIDE OF INTERSECTION.

DESCRIPTION: (1CFS) OR 50 INCHES CONTINUOUS FLOW FROM 4/1 TO 10/1
EACH YEAR.

THE PURCHASE PRICE OF THE ABOVE DESCRIBED PROPERTY IS THE SUM OF (30,000) TO BE PAID OVER A THREE YEAR PERIOD OF TIME JANUARY 15TH OF EACH YEAR. STARTING IN 1994 RUNING THROUGHT JAN OF 1996.

PAYMENT SCHEDULE AS FOLLOWS	SEPT. 15, 1993	1,000.00
	JAN. 15, 1994	9,000.00
	JAN. 15, 1995	11,200.00
	JAN. 15, 1996	10,600.00

THIS PAYMENT INCLUDE AND FACTOR OF 6 % SIMPLE INTEREST.

THIS CONTRACT ALSO DEPENDS ON THE APPROVAL OF THE IDAHO DEPT. OF WATER RESOURCES APPROVING THE TRANSFER OF WELL SITE.

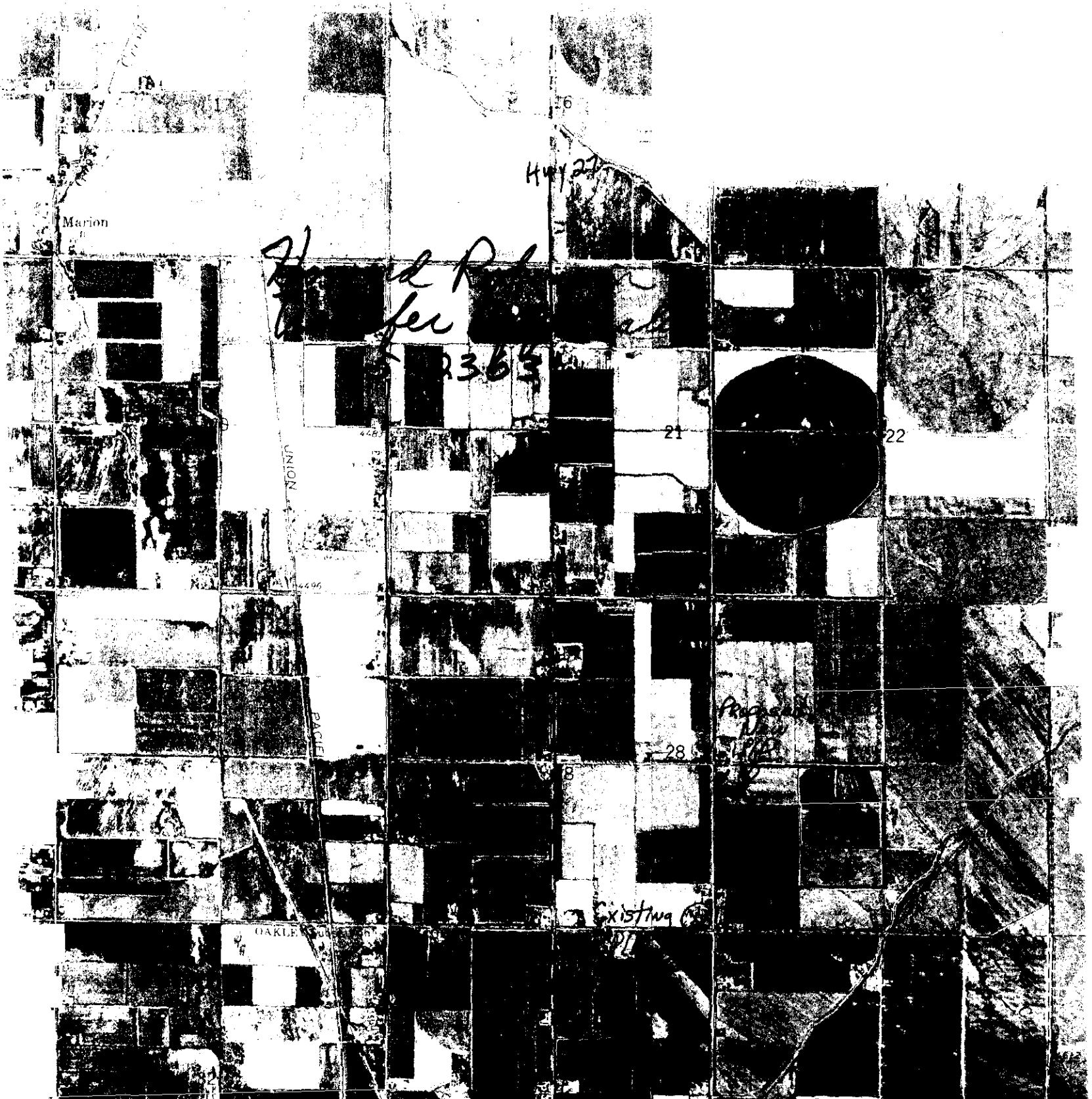
SELLER: John R. Adams
JOHN R. ADAMS
Eulene Adams
EULENE ADAMS

BUYER: Howard Dutch Robinson
HOWARD DUTCH ROBINSON
Karen Robinson
KAREN ROBINSON

Cassia County Assessor confirms John Adams
is the current owner of SE, S28, T13S, R22E.
28 03-08-94

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T# 4263



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Produced by the Geological Survey
in cooperation with the Soil Conservation Service

Orthophotograph prepared from 1:78 000-scale
aerial photographs taken August 20, 1976

Projection and 10,000-foot grid ticks: Idaho coordinate
system, central zone (transverse Mercator)
1000-meter Universal Transverse Mercator grid ticks,
zone 12. 1927 North American datum

Photoimagery transformed by scanning techniques
which may produce double or mismatched images;
use the mean of image positions for map point.

T # 4263

733
T280

71
T279

2345
T847

1608
T847

2509
T460

2 HEL
32

2473 27
T8655
T # 4263

50

4.0

17.3

NW
2
45

1110
T278
19.3

2249
T296

3
4.0

2

4
2.8

35.0

3
17.5

51.6

HEL

5
48.1

HEL

4 NE
25.3

7
103.1

HEL

39.6

2249
T296

2432
T462

18.0

HEL

2509
T464

2
38.6

HEL

2473
T8655

3
29.1

4
10.0

5
23.6

38.9

HEL

HEL

2473
T8489

9.7

2
67

3
85

HEL

4

50

HEL

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HEL

2
78.4

27

Existing location

New location

S. 27, T. 13,
R. 22

13, R. 22

1065
T214

20.5

8.3

6.2

7
17.3

8
15.7

State of Idaho
License and Certificate of Water Right

Water License No. 21909 Amount One second foot
Water District No. Priority February 6, 1951

THIS IS TO CERTIFY that ROSS ADAMS
of Oakley, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated February 6, 1951; that Permit No. 21909
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 8, 1952, showing that said works
were completed on the 3rd day of September, 1952; and that on the 29th
day of August, 1953,

ROSS ADAMS
of Oakley, 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 (sub-
terranean flow), a tributary of, for the purpose of Irrigation
, under Use Permit No. 21909 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 5147, on the 1st day of October, 1953;
The right hereby confirmed dates from February 6, 1951;

The Point of Diversion is located
in the SE 1/4 SE 1/4, Sec. 28, Tp. 13 S., R. 22 E., B. M. County Cassia
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 One cubic feet per second.

Description and location of use:

Twsp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
13 S.	22 E.	28	NE $\frac{1}{4}$ SE $\frac{1}{4}$	40	40
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	40	40
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	40	40
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	40	40
			Number of Acres Actually Irrigated		

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
1st day of October, 1953.

(SEAL) MARK R. KULP
State Reclamation Engineer.

45 2263

State of Idaho

License and Certificate of Water Right

Water License No. 20547

Amount 1.7 second feet

Water District No.

Priority July 20, 1948

THIS IS TO CERTIFY that MRS. LAWRENCE S. BLEI
of Murtaugh, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated July 20, 1948; that Permit No. 20547
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
2.5 second feet, was issued thereunder on June 4, 1953, showing that said works
were completed on the 1st day of June, 1953; and that on the 9th
day of July, 1953,

MRS. LAWRENCE S. BLEI
of Murtaugh, 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 (sub-
terranean flow), a tributary of, for the purpose of irrigation
, under Use Permit No. 20547 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 5148, on the 1st day of October, 1953;

The right hereby confirmed dates from July 20, 1953;

The Point of Diversion is located

In the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 4, Tp. 12 S, R. 20 E., B. M. County Cassia

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 1.7 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.	20 E.	3	N ¹ / ₂ NE ¹ / ₄	80	80
			S ¹ / ₂ NE ¹ / ₄	80	--
			NE ¹ / ₄ NW ¹ / ₄	40	40
			NW ¹ / ₄ NW ¹ / ₄	40	15
			SW ¹ / ₄ NW ¹ / ₄	40	10
			SE ¹ / ₄ NW ¹ / ₄	40	20
			N ¹ / ₂ SW ¹ / ₄	80	--
			SE ¹ / ₄	160	--
		4	NE ¹ / ₄ SE ¹ / ₄	40	24
			NW ¹ / ₄ SE ¹ / ₄	40	30
Number of Acres Actually Irrigated					219

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

1st day of October, 1953.

MARK R. KULP

State Reclamation Engineer.

(SEAL)

APPLICATION FOR PERMIT 45-2363

To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 29630
 PERMIT No. 21909
 DISTRICT No.

1. Name of Applicant: **ROSS ADAMS**

Postoffice address: **Oakley**

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:

- (b) Treasury stock:
- (d) Other resources:

(a) Cash on hand:

(c) Bonds to be issued:

2. Quantity of water claimed: **3.2**

cubic feet per second.

subterranean source by means of a well

3. Source of water supply: **Water to be pumped from a /** which is a tributary of

4. Location of point of diversion: **50 ft. in a Northwesterly/** ^{direction} ~~feet distant~~ from the **Southeast**
 corner of Section **28**, T. **13 S.**, R. **22 E.**, B.M., and is in the **SE corner SE $\frac{1}{4}$ SE $\frac{1}{4}$**
 of Section **28**, T. **13 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: \$ **10,000.00**

8. Kind of works: **Well and pump. All ditches are now constructed.**

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 **100 days** years.

13. The time required for the complete application of the water to the proposed use is **six months** 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: Applicant now has 579.10 shares of stock in the Oakley Canal Co. Unless it is an unusual year this does not give to applicant sufficient water to irrigate his 160 acres above described, and in order to grow the crops that could be grown on the land, there should be an additional water right which the well would provide.

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.

ROSS ADAMS

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 9:00 A. M. February 6, 1951

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 21909

Recorded in Book 78

Page 21909

Approved February 10, 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 10, 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 **May 10, 1951**

The whole of said work to be completed on or before **August 10, 1951**

Beneficial use of water appropriated in accordance herewith, to be made on or before February 10, 1952

WITNESS My hand this 10th day of February, 1951

MARK R. KULB
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 10th.....

day of February, 19 51.

STATE OF IDAHO

Countersigned:

(SEAL)

By **LEN JORDAN**

Bv IRA H. MASTERS

Governor.

Secretary of State.

REMARKS: Applicant is the owner of all of the Southeast Quarter of Section 28, Twp. 13 South, Range 22 East, B.M., located in Cassia County, Idaho. The well that the applicant contemplates drilling in the Southeast corner of this quarter section would furnish water to the entire 160 acres. There is a gentle slope from the well in a Northwesterly direction. Applicant can use the ditches now upon the premises and does not have to cross any lands belonging to any other person.

14.

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
13 S.	22 E.	28												40	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. 21909 to August 21, 1952.																			
Witness my hand this 22nd day of December, 1951.																			
MARK R. KULP State Reclamation Engineer																			

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that ROSS ADAMS of Oakley, County of Cassia, and State of Idaho, the holder of Permit No. 21909, issued upon Application No. 29639 bearing date of priority of February 6, 1951, authorizing the diversion of 3.2 second feet of the waters of a well (subterranean flow) County of Cassia, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 3.2 second feet of the waters of said well; that the point of diversion of said waters is in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 28, Township 13 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: Southeast Quarter Section 28, Township 13 South, Range 22 East, B.M.

Witness my hand this 8th day of September, A.D. 1952.

MARK R. KULP
State Reclamation Engineer

Proof of completion of works made September 3, 1952.
Certificate of completion of works issued September 8, 1952.

LICENSE ISSUED FOR 1 SEC. FT.
Pge. 5147



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 10, 1994

HOWARD DUTCH ROBINSON
2288 WILLIAMSBURG CIRCLE
WEST JORDAN UT 84088

RE: Transfer of Water Right No. 45-02363

Dear Water Right Holder(s):

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 4263). Please be sure to thoroughly review the "CONDITIONS/REMARKS:" as listed on the transfer.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

APR 12 1994

MEMORANDUM

TO: FILE 45-02363

FROM: PAM SKAGGS / STATE OFFICE *ok jmi*

SUBJECT: TRANSFER NO. 4263

DATE: March 8, 1994

=====

Transfer No. 4263 was filed to change the point of diversion and place of use under Right No. 45-02363.

The current owner, as confirmed by the Cassia County Assessors office, has sold part of his irrigated acres and retained the canal shares from Oakley Canal Company. He no longer requires the supplemental groundwater source, so he has sold the right to the transfer applicant pending transfer approval.

The new place of use also has canal shares, but needs supplemental groundwater. The transfer reduces the total acres from 160 to 115, retains the same diversion rate and results in less consumptive use. No expansion occurs through this transfer.

Conditions recommended include overlap, supplemental use and standard transfer conditions.

APR 12 1994

Cutfield - 200 HP 4.5
SESE NW, S27, 13S, 22E, 27

* 80'-100' from proposed new well in NE NESW

Plans -

GE - 50 HP

Model 51405X1A1C

Jayne & Bowler pump - ~~Model~~ # 19248

Driv volume:

$$160 \times 4 = 640 \text{ gfa}$$

$$113 \times 4 = 460 "$$

$$1. \times 1.9835 \times 214 = 424.5 \text{ gfa}$$

RECEIVED

APR 12 1994

T # 4263

Notice is hereby given that
to change the following
described water right(s)
pursuant to Section 42-222 of
IDaho Code, and further
described as Transfer No. 4263.

SOUTH IDAHO PRESS BURLEY, IDAHO AFFIDAVIT OF PUBLICATION

WATER RIGHT AS RECORDED:

of Cassia) ss
F IDAHO)

Water Right No. 45-02363

Basin: License

Date of Priority: 02/06/1951

Source: groundwater

Amount: 1.0 cfs

Use: Irrigation 4/01 to 10/31

Point of Diversion: SESE, S28,

T138, R22E; Cassia County.

Place of Use: 115 acres within
SE, S28, T138, R22E; Cassia
County.

A claim has been filed in the
Snake River Basin Adjudication.

TO BE CHANGED AS FOLLOWS

Point of Diversion: NUNNU,

S27, T138, R22E; Cassia County.

Place of Use: 115 acres within
SW, S27, T138, R22E; Cassia
County.

This change is for the purpose
of changing the Point of
Diversion and Place of Use to
allow the applicant to purchase
Right 45-02363, move it to land
he owns, drill a new well and
use the right to supplement a
shortage of canal share water.

IDAHO)
OF CASSIA)

Any protest against approval of
the proposed change of water
right application must be filed
with the Applicant and the
Department of Water Resources,
Southern Region, 222 Shoshone
Street East, Twin Falls, ID
83301 on or before January 6,
1994.

R. Higginson, Director

Published in South Idaho Press
on 12/20 & 12/27/93.

Kary D. Miller, being first duly sworn, deposes and says that she is the General
of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the
resaid and that the paper is of general circulation therein. Deponent further
the printed notice attached hereto was duly published according to law in
editions of the South Idaho Press for two consecutive week(s),
ng with the issue dated Dec 20 1993, and ending with the issue

Dec 27 1993.

KARY D. MILLER

this 28th day of December in the year of 1993 before me, a
lic, personally appeared Kary Miller
identified to me to be the person whose name is subscribed to the within
and acknowledged to me that he/she executed the same.

Notary Public for Idaho

Residing at Burley, ID

My commission expires: May 23, 1997

Cost of Publication 52.92

Notary Fee .50

Total Cost 53.42

OK
MB
12-29-93

RECORDED

APR 12 1994

NOTICE OF PROPOSED CHANGE OF
WATER RIGHT NO. 45-02363

Notice is hereby given that
HOWARD DUTCH ROBINSON of West
Jordan, UT has applied to the
Department of Water Resources
to change the following
described water right(s)
pursuant to Section 42-222 of
IDAHO CODE, and further
described as Transfer No. 4263.

SOUTH IDAHO PRESS BURLEY, IDAHO AFFIDAVIT OF PUBLICATION

WATER RIGHT AS RECORDED:

of Cassia) ss
F IDAHO)

Water Right No. 45-02363

Basis: License

Date of Priority: 02/06/1951

Source: groundwater

Amount: 1.0 cfs

Use: irrigation 4/01 to 10/31

Point of Diversion: SESE, S28,
T13S, R22E; Cassia County.Place of Use: 160 acres within
SE, S28, T13S, R22E; Cassia
County.

Kary D. Miller, being first duly sworn, deposes and says that she is the General
Manager of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the
resaid and that the paper is of general circulation therein. Deponent further
deposes that the printed notice attached hereto was duly published according to law in
the editions of the South Idaho Press for two consecutive week(s),
beginning with the issue dated Dec 20 1993, and ending with the issue
Dec 27 1993.

A claim has been filed in the
Snake River Basin Adjudication.

TO BE CHANGED AS FOLLOWS

Point of Diversion: NW/4SW,
S27, T13S, R22E; Cassia County.
Place of Use: 115 acres within
SW, S27, T13S, R22E; Cassia
County.

Kary D. Miller
KARY D. MILLER

This change is for the purpose
of changing the Point of
Diversion and Place of Use to
allow the applicant to purchase
Right 45-02363, move it to land
he owns, drill a new well and
use the right to supplement a
shortage of canal share water.

IDAHO)
OF CASSIA)

Any protest against approval of
the proposed change of water
right application must be filed
with the Applicant and the
Department of Water Resources,
Southern Region, 222 Shoshone
Street East, Twin Falls, ID
83301 on or before January 6,
1994.

this 28th day of December in the year of 1993 before me, a
Notary Public, personally appeared Kary D. Miller,
identified to me to be the person whose name is subscribed to the within
and acknowledged to me that he/she executed the same.

R. Higginson, Director

Published in South Idaho Press
on 12/20 & 12/27/93.

Nelly Johnson
Notary Public for Idaho

Residing at Burley, IDMy commission expires: May 23, 1997Cost of Publication 52.92Notary Fee .50Total Cost 53.42

OK
MJS
12-29-93

APR 12 1994

NOTICE OF PROPOSED CHANGE OF
WATER RIGHT NO. 45-02363

Notice is hereby given that
HOWARD DUTCH ROBINSON of West
Jordan, UT has applied to the
Department of Water Resources
to change the following
described water right(s)
pursuant to Section 42-222 of
IDAHO CODE, and further
described as Transfer No. 4263.

WATER RIGHT AS RECORDED:

Water Right No. 45-02363
Basis: License
Date of Priority: 02/06/1951
Source: groundwater
Amount: 1.0 cfs
Use: irrigation 4/01 to 10/31
Point of Diversion: SESE, S28,
T13S, R22E; Cassia County.
Place of Use: 160 acres within
SE, S28, T13S, R22E; Cassia
County.

A claim has been filed in the
Snake River Basin Adjudication.

TO BE CHANGED AS FOLLOWS

Point of Diversion: NWNWSW,
S27, T13S, R22E; Cassia County.
Place of Use: 115 acres within
SW, S27, T13S, R22E; Cassia
County.

This change is for the purpose
of changing the Point of
Diversion and Place of Use to
allow the applicant to purchase
Right 45-02363, move it to land
he owns, drill a new well and
use the right to supplement a
shortage of canal share water.

Any protest against approval of
the proposed change of water
right application must be filed
with the Applicant and the
Department of Water Resources,
Southern Region, 222 Shoshone
Street East, Twin Falls, ID
83301 on or before January 6,
1994.

R. Higginson, Director

Published in South Idaho Press
on 12/20 & 12/27/93.

RECEIVED

APR 1 2 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

15-Dec-1993

R. KEITH HIGGINSON
Director

SOUTH IDAHO PRESS
PO BOX 190
BURLEY ID 83318

Gentlemen:

Enclosed you will find a legal notice which we wish to have published in your newspaper. We have inserted the required publication dates. If time allows, please submit a galley proof for review before publication.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

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

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

Very truly yours,

Mary Baldwin
Sr. Secretary

Enclosure

APR 12 1994

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 45-02363

Notice is hereby given that HOWARD DUTCH ROBINSON of West Jordan, UT has applied to the Department of Water Resources to change the following described water right(s) pursuant to Section 42-222 of IDAHO CODE, and further described as Transfer No. 4263.

WATER RIGHT AS RECORDED:

Water Right No.	45-02363
Basis:	License
Date of Priority:	02/06/1951
Source:	groundwater
Amount:	1.0 cfs
Use:	irrigation from 04/01 to 10/31
Point of Diversion:	SESE, S28, T13S, R22E;Cassia County.
Place of Use:	160 acres within SE, S28, T13S, R22E; Cassia County.

A claim has been filed in the Snake River Basin Adjudication.

TO BE CHANGED AS FOLLOWS

Point of Diversion: NWNWSW, S27, T13S, R22E; Cassia County.
Place of Use: 115 acres within SW, S27, T13S, R22E; Cassia County.

This change is for the purpose of changing the Point of Diversion and Place of Use to allow the applicant to purchase right 45-02363, move it to land he owns, drill a new well and use the right to supplement a shortage of canal share water.

Any protest against approval of the proposed change of water right application must be filed with the Applicant and the Department of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 on or before January 6, 1994.

R. Higginson, Director

Published in South Idaho Press on 12/20 & 12/27/93.

APR 12 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

14-Dec-1993

R. KEITH HIGGINSON
Director

HOWARD DUTCH ROBINSON
2288 WILLIAMSBURG CIRCLE
WEST JORDAN UT 84088

Re: Application for Transfer No. 4263 (ER-02363)

Dear Mr. Robinson:

The Department of Water Resources acknowledges receipt of your Application for Transfer.

This office has scheduled advertising the application in the South Idaho Press for 12/20 and 12/27/93. The advertisement will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

Before we can forward your application to our state office for approval we must include in the file evidence of ownership of the land to which the water is appurtenant such as copies of deeds, tax records, etc. and/or a notarized statement from any lien holder on the property.

State Office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review.

Please feel free to contact this office if you have any questions regarding this procedure.

Very truly yours,

Mel Schulte
Water Right Agent

MS:MB

RECEIVED
APR 12 1994

TRANSFER APPLICATION--45-02363
HOWARD DUTCH ROBINSON
NOVEMBER 12, 1993

1. The purpose of the application is to change the P/D & P/U to allow the applicant to purchase right 45-02363, move it to land he owns, drill a new well and use the right to supplement a shortage of canal share water.
2. The existing P/U would be irrigated only with canal shares if this application is approved. John Adams, the current owner, indicated he is selling the pumping system with the water right and plans to abandon the well.
3. A field examination was conducted on 10-28-1993 with the assistance of John Adams.
4. The original P/D proposed in the application was changed by the applicant by letter to minimize or avoid any impact on an existing irrigation well. The amended proposed P/D is near several existing homes but according to the applicant they are all serviced by a municipal domestic system.
5. There will be no expansion. Less acres will be irrigated, the diversion volume will be the same and the consumptive use volume will be less.
6. The pumping system currently used that should also be used at the new P/D is as follows:

Motor: GE 50 hp, Model #5K405XA1C
Pump: Layne & Bowler Ser. #19248

MTS

APR 12 1994

T # 4263

RECEIVED

NOV 12 1993

Department of Water Resources
Southern Region Office

H. Dutch Robinson
2288 williamsburg circle
West Jordan, Utah 84088

Attention: Mel Schulte
Department of Water Resources
222 shoshone st. East
Twin Falls, Idaho 83301

Dear Mr. Schulte:

In regards to the well site in the transaction of John R. Adams and H. Dutch Robinson. The alternate location would be straight west of the propose site 1/2 mile to locate the well by the house and buildings on the northwest corner of the 120 acre block instead of the northeast corner of same block.

sincerely,

H. Dutch Robinson
H. Dutch Robinson

APR 12 1994

4263
T # ~~4263~~

To Me1
Date 11/10/93 Time 8:10 ^{PM}_{P.M.}

WHILE YOU WERE OUT

Dutch Robinson

of _____

Phone 1-801-363-3466
AREA CODE NUMBER EXTENSION

Telephoned	☒	Please call	☐
Called to see you	☐	Will call again	☐
Wants to see you	☐	Returned your call	☐

Message Called from SZC
is putting a letter in
mail to you today

Will site is not on
the N/E corner - it is
on the N W corner of

Signed _____

the same beach



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

29-Oct-1993

Mr. Howard Dutch Robinson
2288 Williamsburg Circle
West Jordan UT 84088

Dear Mr. Robinson:

On October 28, 1993 I completed a field exam with John Adams to confirm the the place of use and site you propose to drill the replacement well for the water right you are purchasing from him.

There could be a potential problem with the new proposed well site due to an existing irrigation well near that location. Whether another well at the location you have chosen would impact the adjacent well is difficult to know. I merely want to let you know that the potential for a conflict with the other well owner is possible.

We are obligated to process your application as it is currently written if you do not choose to change the point of diversion. You can amend the application to move the proposed well site to a different point of diversion if you so choose.

I would appreciate your written reply by November 12, 1993 as to whether you want to proceed with the current application or amend it. If I do not hear from you by that date we will process your application in it's current form. Please call me at 208-736-3033 if you want to discuss this matter in more detail.

Cordially,

A handwritten signature in cursive script that reads "Mel Schulte".

Mel Schulte
Sr. Water Resource Agent

RECEIVED

APR 12 1994

T# 4263



Farm Credit Services

1305 Albion Avenue
P.O. Box 1168
Burley, Idaho 83318
208/678-3516 FAX 208/678-1302

October 12, 1993

State of Idaho
Department of Water Resources
Attn: Jim Stanton
222 Shoshone St. East
Twin Falls, ID 83301

Re: John R. Adams - Application for Transfer of Water Right
Number A45-02363 (License)

Dear Jim:

As first mortgage holder on real estate included in the
above transfer application, the Farm Credit Bank of Spokane does
hereby consent to said transfer.

Sincerely,

Thomas E. Steele
Credit Officer

CC: Mr. John R. Adams
TS:ts

APR 12 1994

✓
October 2, 1953

RE: Permit No. 21909

Mr. Ross Adams
Oakley
Idaho

Dear Mr. Adams:

We enclose License and Certificate of Water Right issued under Permit No. 21909, confirming your right to the use of 1 second foot of water from a well in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 28, Township 13 South, Range 22 East, B.M., with priority of February 6, 1951, for the irrigation of land in the SE $\frac{1}{4}$ of said section.

We also enclose departmental receipt No. 26236 for the \$8.00 license fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

21909

✓.

September 21, 1953

Re: Permit No. 21909

Mr. Ross Adams
Oakley, Idaho

Dear Mr. Adams:

The report of our Field Engineer upon examination for Beneficial Use on Permit No. 21909 shows that you have irrigated 160 acres in the SE $\frac{1}{4}$ Section 28, Township 13 South, Range 22 East, B.M.

Therefore, upon receipt of the statutory fee of \$8.00, a license will be issued for one second foot of water from your well in the SE $\frac{1}{4}$ of said Section.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/re

21909

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

Permit No. 21909

This proof is for Beneficial Use In Water District No.

1. Name of applicant Ross Adams, Oakley Idaho

2. Source of water supply: Subterranean from a well

3. Location of point of diversion: Is in the SE¹/₄ SE¹/₄ of Section 28

T. 13 S. R. 22 E. County of Cassia

4. Describe works as they exist, giving dimensions and capacities of same. Well, 400' deep, cased to bottom. 1 1/4" casing to 200', balance 12" casing. 8" column, set at 230'. Number of stages unknown, size unknown. Static Height 160', approx. 20' draw down. GE Motor # NKJ1113003, 440 V, 61 A 50 HP, 60 cycle, 1765 RPM. Layne Bowler Pump # 19248. Westinghouse Meter # T1780X, 480 V, 60 cycle, 3 phase. 2.0 demand. GE switch Panel; Delivery to S by SE thru 8" pipe 4' long to control valve, then thru 8" pipe 10' to concrete sump, 6'X6'X2 1/2' deep. Pump sets on top of casing, no cover.

5. Water is used for: Irrigation

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

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

Southeast Quarter Section 28, Twp. 13 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: Accompanied on inspection by Mr. Adams.

Water Temp. 51.5 degrees F.

Hay, Grain, Row Crops.

This examination was made on the 17th day of September, 1953

(Signed) Juan H. Rose, Jr. Examiner.

21909

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

Ross Adams

Oakley, Idaho

Permit No. 21909

Examination for Beneficial Use

County Cassia
28-135-22E

gravity

Q = 3.2

S = Well

PD. SE cor SE, 28, 135, 22E.

Use - Irrigation

T = 51.5° F.

60
5
308
308
77/100
77
230
221
1.3
300
65.0
1.25
300
62.5

400' - cased to bottom
with 14" for 200, 12" below
8" column, 230' down,
stagnant and single under 180'
static height, draw down
unknown, near 20'.

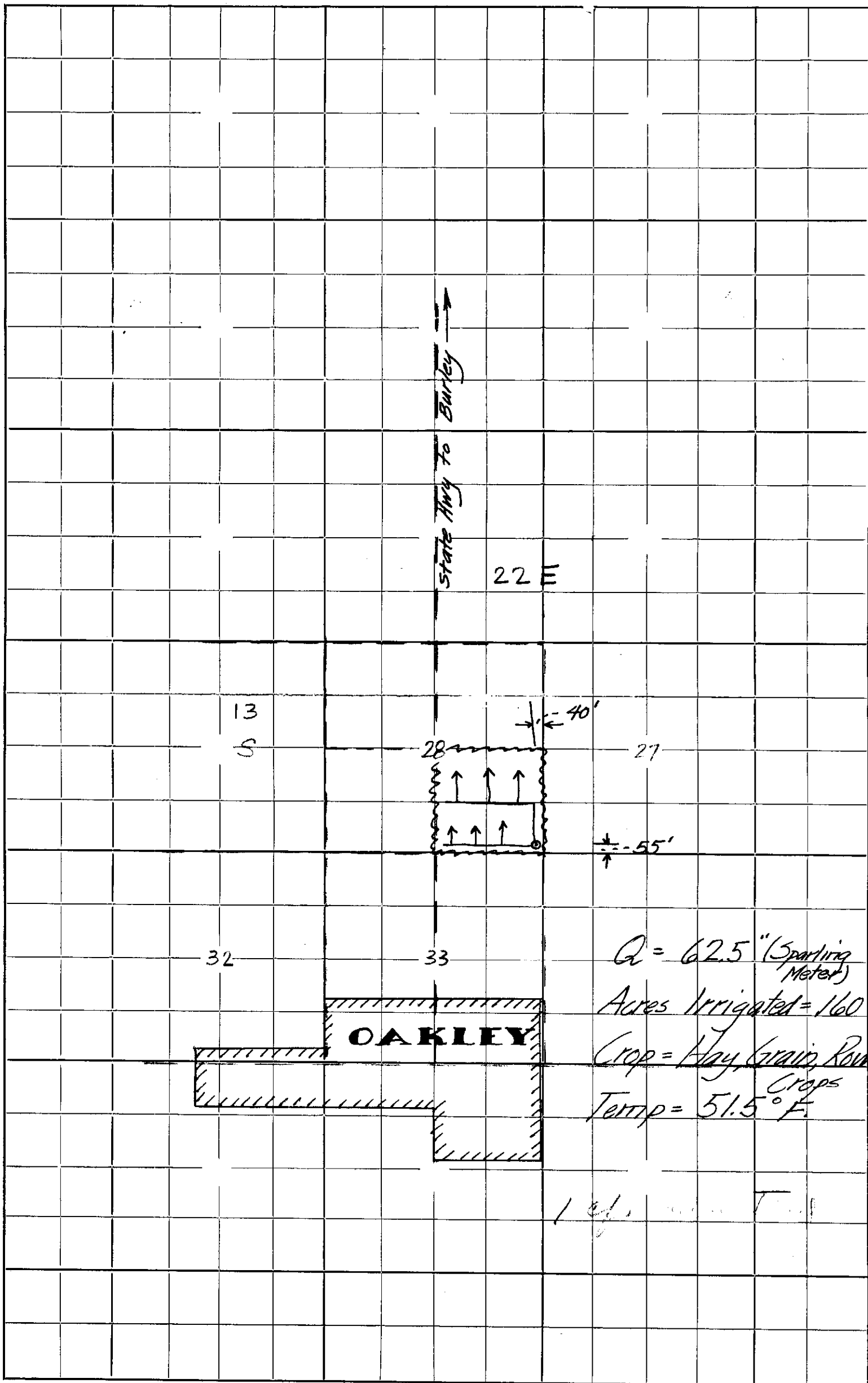
G.E. Motor # NKJ1113003
440V 61 A, 1765 R.P.M.
50 HP, 60 cycle, 3 phase
Layne Bowler Pump
19248

Westinghouse Meter # T1780X
480 V, 3 phase, 60 cycle
2.0 demand

G.E. Switch Panel.
Delivery to 5" then 8" pipe
4' to control valve, 17' then
16' of 8" pipe to concrete
subp. 6'x6'x2 1/2' deep.

Pump sitting on casing,
no cover.

Growing Hay, Row Crops.



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

21909

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 21909

REPORT ON PROOF OF Beneficial Use

ROSS ADAMS, Oakley, Idaho

app. 3.2 cfs
within one cfs

1. cfs
SMR

16.0 cfs

4-408

September 9, 1953

RE: Permit No. 21909

Nielson & Nielson
Attorneys At Law
Burley, Idaho

Att: Mr. A. H. Nielson

Gentlemen:

We acknowledge receipt of your letter of September 2, enclosing depositions of Ross Adams and two witnesses, also affidavit of publication in the Oakley Herald, all submitted in proof of Beneficial Use on Permit No. 21909.

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. Adams at the time he makes the examination in order that he may arrange to show him around the ground.

Very truly yours,

Mark R. Kulp
State Reclamation Engineer
By

Chief Clerk

A:rs
CC:Mr. Ross Adams

21909

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
BURLEY, IDAHO

September 2, 1953

A. H. NIELSON
N. H. NIELSON

RECEIVED
SEP 3 1953
Department of Reclamation

State of Idaho
Department of Reclamation
Boise, Idaho

Gentlemen:

At the request of Ross Adams, we are sending the affidavit of the publishers of the Oakley Herald, the deposition of Mr. Adams and the depositions of the two witnesses in regard to permit no. 21909. We believe you will find all these in order. If they are not, would you notify us of any additional requirements.

We are also sending, in regard to permit no. 20799, the deposition of holder and the depositions of two witnesses taken before Charles H. Creason of Rupert, Idaho. Mr. Anderson, the President of Minidoka Farms, Inc. was to bring to our office the affidavit of publisher of the Minidoka County News and we expect this affidavit any day.

If there is any additional information in regard to these forms, would you let us know?

Yours very truly,

NIELSON AND NIELSON

By



A. H. Nielson

JK

ALN/kb

21909

Affidavit of Publication

I, Charles Brown, being first duly sworn on oath, say:

That I am the publisher and printer of THE OAKLEY HERALD, which is a newspaper of general circulation in Cassia County, Idaho, and which has been continuously and uninterruptedly published at said place during a period of more than 78 consecutive weeks prior to the final publication of the Notice

herein mentioned; that a Notice

of which the attached clipping is a copy, was published in the regular issue of said newspaper for 4 consecutive weeks, to-wit, on July 30, August 6, 13, 20, 1953

19

Charles Brown

Subscribed and before me this 28th day of August, 1953

A. H. Heekin

Notary Public

my Comm. Expires Feb. 20, 1954.

21909

Affidavit of Publication

I, Charles Brown, being first duly sworn on oath, say:

That I am the publisher and printer of THE OAKLEY HERALD, which is a newspaper of general circulation in Cassia County, Idaho, and which has been continuously and uninterruptedly published at said place during a period of more than 78 consecutive weeks prior to the final publication of the

herein mentioned; that a

of which the attached clipping is a copy, was published in the regular issue of said newspaper for consecutive weeks, to-wit, on

19

Charles Brown.

Subscribed and sworn to before me this 28th day of August, 1953

A. H. Nielsen

Notary Public.

My Comm. Expires Feb 20, 1954.

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

Notice is hereby given that at 10 A. M. on the 29th day of August, 1953, at Burley, County of Cassia, State of Idaho, before A. H. Nielsen, Notary Public, proof will be submitted of the application to beneficial use of one cubic foot per second of the waters of one certain well in accordance with the terms and conditions of Permit No. 21969 heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Ross Adams, Oakley, Idaho.

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

The amount applied to beneficial use is one second foot.

The place where said water is used Southeast Quarter, Section 28, Township 13 South, Range 22, B.R.M., Cassia County, Idaho.

The name of the canal or ditch or other works by which said water is conducted to such place of use is none.

The right to take water from such works is based upon Permit No. 29639.

The source of supply from which such water is diverted is a well in the Southeast corner of the Southeast Quarter of Section 28, Township 13 South, Range 22, East Boise Meridian, in Cassia County, Idaho.

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

MARK R. KILP

State Reclamation Engineer

First publication July 30, 1953,
Fourth publication August 20, 1953

21409

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

SEP 31 1951
Department of Reclamation

Permit No. 21909

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Ross Adams, Oakley, Idaho. Farmer and Stock Raiser.

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

Ans. I am acting on behalf of myself only. No one else has any interest in the well or my property.

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

Ans. Permit No. 21909 - Permit dated Feb. 6, 1951, Date of Priority, Feb. 6, 1951.

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

Ans. Water is produced from a well located in the Southeast corner of the Southeast Quarter of Section 28, Township 13 South, Range 22, E.B.M. Cassia County, Idaho.

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. A well in which a pump has been placed. All diversion works upon the land of Ross Adams. The said well is 400 feet deep, casing is 14" and 12". The well is pumping from a 300 foot level. The discharge from the pump is one second foot, the same being determined by the said Ross Adams and others who are well acquainted with the measurement of water. The pump cost \$6,000, and in addition, the well cost another \$6,000.

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. It has been used on the entire 160 acres, the same being the Southeast Quarter of the said Section 28. The land prior to the digging of the well, has been irrigated and all cultivated. Ross Adams has been using on the said land 200 shares of stock in the Oakley Canal Company, the water acquired under the said 200 shares; that said 200 shares are not sufficient to provide water for the entire irrigation for the said Southeast Quarter. The only nature of improvements made because of said well is that more water has been available for the irrigation of said property.

21909

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

Ans. None

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

Ans. In order to properly irrigate the said land, it is necessary to have an inch of water to the acre.

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

Ans. XX

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

Ans. Since the 15th day of August, 1952, the said well has been producing 1 second foot of water. The said water has been diverted, used under said Permit, on the said Southeast Quarter of said Section 28, that during the irrigation season since August 15th, 1952, said water has been so used.

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.

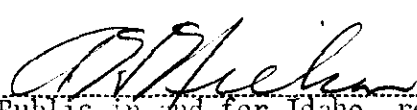
Ans. That for years last past, the said Southeast Quarter of said Section 28, has been receiving water from the Oakley Canal Co. and there has been used the water represented by 200 shares of stock in the Oakley Canal Co. which amount is not sufficient to properly irrigate the said Southeast Quarter of said Section 28. The share of water represented by said shares of stock is dependent upon the run-off which the reservoir receives, and (Sign) Ross Adams used by the Oakley Canal Co.

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 29th day of August

A. D. 1953,

My commission expires Feb. 20, 1954.


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

21909

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 21909

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. Chester M. Babbitt, 35 years of age, Oakley, Idaho. Common worker on farm property.

Ques. 2. Are you acquainted with Ross Adams, the holder of Permit No. 21909? How long have you known him and where does he reside?

Ans. I have known Ross Adams for more than 19 years.

Ques. 3. Have you read or heard read said Permit No. 21909, 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. The water is supplied from a well, located in the Southeast Quarter of the Southeast Quarter of Section 28, Township 13 South, Range 22, E.B.M. produced by a pump and the water is conveyed from the well by ditches to the 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. 1 second foot.

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

Ans. 1 second foot. I estimated the amount the pump produces. I am well acquainted with handling water and I would say that there was 1 second foot of water produced.

21909

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

Ans. Irrigation. The water has been used on the entire 160 acres, the same being the Southeast Quarter of Section 28, Township 13 South, Range 22, E.B.M. This 160 acres has been irrigated for years and was irrigated many years before the well was dug.

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

Ans.

Ques. 9. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Land has not been reclaimed, but the water is being placed on property that has been irrigated for years. This well, together with other water, in order to properly irrigate the property would take an inch to the acre.

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

Ans. no

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

Ans. Since the 15th day of August, 1952, I have seen the water used during the irrigation season; after that time in 1952, and all during 1953, used on the premises described herein from the said pump.

(Signed) Chester M. Babbitt

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 29th day of August, A. D. 19 53.

[Signature]

Notary Public.

My commission expires Feb. 20, 1954. in and for Idaho, residing at Burley therein.

21909

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

Permit No. 21909

**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. J. T. Robinson, 48 years of age, Oakley, Idaho. Farmer and Stock Raiser.

Ques. 2. Are you acquainted with Ross Adams, the holder of Permit No. 21909? How long have you known him and where does he reside?

Ans. I have known Ross Adams for more than 25 years. Ross Adams resides at Oakley, Idaho.

Ques. 3. Have you read or heard read said Permit No. 21909, 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. The water is supplied from a well, located in the Southeast Quarter of the Southeast Quarter of Section 28, Township 13 South, Range 22, E.B.M. produced by a pump and the water is conveyed from the well by ditches to the 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. 1 second foot.

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

Ans. 1 second foot. I estimated the amount the pump produces. I am well acquainted with handling water, and I would say that there was 1 second foot of water produced.

21909

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

Ans. Irrigation. The water has been used on the entire 160 acres, the same being the Southeast Quarter of Section 28, Township 13 South, Range 22, E.B.M. This 160 acres has been irrigated for years and was irrigated many years before the well was dug.

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

Ans. _____

Ques. 9. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Land has not been reclaimed, but the water is being placed ^{on property} that has been irrigated for years. This well, together with other water, in order to properly irrigate the property would take an inch to the acre.

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

Ans. No _____

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

Ans. Since the 15th day of August, 1952, I have seen the water used during the irrigation season; after that time in 1952, and all during 1953, used on the premises described herein from the said pump.

(Signed) J. J. Robinson

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 29th day of August, A. D. 1953.

D. H. Hicken
Notary Public.

My commission expires Feb. 20, 1954 in and for Idaho, residing at Burley therein.

21909

✓
July 24, 1953

RE: Permit No. 21909

Messrs. Nielson & Nielson
Attorneys at Law
Burley, Idaho

ATT: Mr. A. H. Nielson

Dear Mr. Nielson:

We have sent to the Oakley Herald notice for Beneficial Use proof to be made August 29, 1953, on Permit No. 21909 of Ross Adams with instructions to publish it once a week for four weeks prior to that date and to send Mr. Adams the affidavit of publication.

We enclose the necessary forms of deposition to be used in making this proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:pj
Enc.

21909

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. 21909

Date: July 24, 1953

Oakley Herald

Oakley, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to August 29, 1953 the date set for proof, the expense of the publication to be paid by the applicant, Ross Adams of Oakley, 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

21909

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

Notice is hereby given that at 10 A. M. on the 29th day of August, 1953,
at Burley, County of Cassia, State of Idaho, before
A. H. Nielson, Notary Public, proof will be submitted of the
application to beneficial use of one cubic foot per second of the waters of one certain well
in accordance with the terms and conditions of Permit No. ~~29639~~ 21909
heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are _____

Ross Adams, Oakley, Idaho

The use to which said water has been applied is irrigation

The amount applied to beneficial use is one second foot

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated)

Southeast Quarter, Section 28, Township 13 South, Range 22, E.B.M., Cassia County, Idaho.

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

none

The right to take water from such works is based upon Permit No. 29639

a well in the Southeast corner of

The source of supply from which such water is diverted is / the Southeast Quarter of Section 28,
Township 13 South, Range 22, East Boise Meridian, in Cassia County, Idaho.

The date of priority which said user is prepared to establish is July 1, 1952 ~~February 6, 1951~~

MARK R. KULP

State Reclamation Engineer.

21909



LEN B. JORDAN
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

July 22, 1953

RE: Permit No. 21909

RECEIVED
JUL 24 1953
DEPT. OF RECLAMATION

Messrs. Nielson & Nielson
Attorneys and Counselors at Law
Burley, Idaho

Attn: Mr. A. H. Nielson

Dear Mr. Nielson:

We have your letter of July 21, 1953, enclosing notice for Beneficial Use on Permit No. 21909 (application 29839) in the name of Ross Adams.

We note that this notice is for Beneficial Use of one (1) second foot of water for use on the Southeast Quarter, Section 28, Township 13 South, Range 22, East, ~~or~~ 160 acres. The permit is for 160 inches or three and two-tenths (3.2) second feet. Is it then your intention to only make proof on one (1) second foot or 50 inches.

We shall await your further advice before sending the notice to the newspaper for publication.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By

Jeannie L. Anderson
Chief Clerk

A:pj

In the above matter, all Mr. Adams has been able to produce from the well is 50 inches. It is for that reason that the notice was so constructed.

Very truly yours,

A. H. Nielson
A. H. Nielson

AHN/kb

21909

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
BURLEY, IDAHO

RECEIVED
JUL 22 1953
Department of Reclamation

July 21, 1953

A. H. NIELSON
N. H. NIELSON

State Reclamation Engineer
State of Idaho
Boise, Idaho

Re: Permit No. 29639 21909

Gentlemen:

At the request of Ross Adams of Oakley, Idaho, we are sending Form No. 10 in duplicate and Form No. 11.

You will notice we've set the hearing before me as Notary Public on the 29th of August. If this does not meet with your approval, would you change the date so that it does?

Would you send us the necessary depositions?

Thank you.

Yours very truly,

NIELSON AND NIELSON

By

A. H. Nielson
A. H. Nielson

AHN/kb

21909

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) July 20, 1953

(P. O.) Oakley, 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
Oakley Herald of Oakley, Cassia County, Idaho published in
the county in which the works are situated.

Ross Adams

(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.

21909

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

DEPARTMENT OF RECLAMATION

Mr. Ross Adams
Oakley
Idaho

Boise, Idaho

June 1, 1953

Dear Sir:

We enclose herewith blank notice for proof of application of water to beneficial use under your Permit No. 21909. 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 August 21, 1953, and if proof is submitted later than said date, your priority will be brought down a length of time equal to the time elapsing between the date the proof is due and the date proof is actually made.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

21909

✓
September 13, 1952

RE: Permit No. 21909

Mr. Ross Adams
Oakley
Idaho

Dear Mr. Adams:

We enclose Certificate of Completion of Works issued under Permit No. 21909, for the diversion of 3.2 second feet of water from a well in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 28, Township 13 South, Range 22 East, B.M., for the irrigation of land in the SE $\frac{1}{4}$ of said section.

We also enclose departmental receipt No. 24857 for the \$5.00 fee paid in connection with proof of completion of works.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.
cc: Mr. A. H. Nielson

21909

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
BURLEY, IDAHO

RECEIVED
SEP 8 1952
Department of Reclamation

A. H. NIELSON
N. H. NIELSON

September 3, 1952

State of Idaho
Department of Reclamation
Boise, Idaho

Re: Permit No. 21909

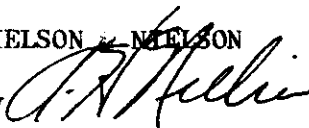
Gentlemen:

In the above matter, we are sending Proof of Completion of Works, your Form No. 6, signed by Ross Adams, together with his check for the sum of \$5.00.

If you find the Affidavit of the holder in due form, would you file it? If you find that there is other information you require, would you let us know?

Very truly yours,

NIELSON & NIELSON

By 

A. H. Nielson

AHN/kb

Enc.

21909

Permit No.

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Cassia

ss.

Ross Adams

, 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. 21909, and that his postoffice address is Oakley

State of Idaho

Second: That the name of the stream which said water is to be ~~directed~~ ^{DIVERTED} is subterranean well located as hereinafter described.

Third: That the point of diversion of said water is 50 feet northeasterly from the southeast corner of the SE $\frac{1}{4}$ of Section 28, Twp. 13 S., R. 22, E.B.M.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by August 10, 1951 and extended to August 21, 1952.

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: Pump in well dug at the point above mentioned
(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

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

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir acre feet.

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

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

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

Seventh: That said works are capable of conducting to the place of intended use 160 inches second foot of water.

Eighth: That water appropriated under said permit is available for acres of land described as follows: The Southeast Quarter of Section Twenty-eight, Township Thirteen South, Range Twenty-two, East Boise Meridian.

Ninth: Remarks: That

Ross Adams
(Sign Here)

Subscribed and sworn to before me this 3rd day of September, 19 52

My commission expires February 20, 1954

A. H. Hickman
Notary Public.

21909

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Mr. Ross Adams

Boise, Idaho

June 2, 1952

Oakley, Idaho

Dear Sir:-

Under the terms of your permit No.----~~21909~~---you are required to complete your diversion works on or before--~~August 21, 1952~~----. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

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

Yours truly,

MARK R. KULP

State Reclamation Engineer

21909

✓
December 24, 1951

RE: Permit No. 21909

Mr. Ross Adams
Box 166
Oakley, Idaho

Dear Mr. Adams:

We enclose approval of the State Reclamation Engineer of your application for extension of time for completion of works on Permit No. 21909 to August 31, 1952.

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

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

21909

Permit No.

Application for Extension of Time FOR COMPLETION OF WORKS

Ross Adams, of Oakley,

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. 21909

Under the terms and conditions of said permit, construction work thereunder was required to be
completed by August, 1951

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

That he has purchased \$1500.00 worth of casings preparatory to putting the well
down.

costing \$.

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

That this affiant had set up a program to enable him to dig the well and to carry
on other financial operations; that because of the poor agricultural returns on
affiant's place during the years 1950 and 1951 he was unable to carry out his pro-
gram for farm operations and, consequently, was not able to get the well started
as he had planned to do.

WHEREFORE, He asks that the Commissioner of Reclamation extend the time for the comple-
tion of works under said permit to August 31, 1952.

Subscribed and sworn to before me this 14th day of December, 1951.

My commission expires February 20, 1954

Notary Public.

Date of receipt at office of Department of Reclamation Dec. 19, 1951

STATE RECLAMATION ENGINEER
APPROVAL OF COMMISSIONER OF RECLAMATION
State Reclamation Engineer

I, MARK R. KULP, Commissioner of Reclamation of the State of Idaho, hereby extend the time for the com-
pletion of construction work under Permit to Appropriate the Public Waters of the State of Idaho, No. 21909 to

August 31, 1952

Witness my hand this 22nd day of December

1951
21909
Mark R. Kulp
State Reclamation Engineer

✓
December 11, 1951

RE: Permit No. 21909

Mr. Ross Adams
Box 166
Oakley, Idaho

Dear Mr. Adams:

In reply to your letter of December 9, 1951, we enclose a form of application for extension of time for completion of works. This should be executed before a Notary Public and returned to this department for consideration.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

21909

Oakley Idaho.
12/9/51

Mark R. Kulp.

State of Idaho Dept of Reclamation,

Boise Idaho,

Dear Sir,

In regards to your letter
of Dec. 6 of water permit 21909.

Due to unforeseen financial
difficulties this work has not as
yet been started, but still plan to
do same this coming year, & would
appreciate an extension on permit.

Please advise as to proper procedure.

Thanking you kindly.

Very Truly yours,

Ross Adams.

Oakley Idaho.

Box 166.

RECEIVED
DEC 11 1951

Department of Reclamation

21909

RETURN RECEIPT

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

1 Ross Adams
(Signature or name of addressee)

2 Reed Boren
(Signature of addressee's agent—Agent should enter addressee's name on line ONE above)

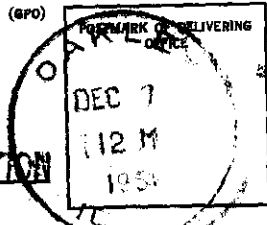
Date of delivery _____, 19 21909

Post Office Department
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, \$300
(GPO)

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

BOISE, IDAHO



Return to

(NAME OF SENDER)

Street and Number,
or Post Office Box,

107 State House

REGISTERED ARTICLE

NO.

87122

INSURED PARCEL

BOISE,

IDAHO.

21909

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

December 6 1951

Re: Permit No. 21909

To: Mr. Ross Adams
Oakley, Idaho

It appearing to the State Reclamation Engineer that the terms and conditions of Permit No. 21909
to Appropriate the Public Waters of the State of Idaho, have not been complied with as to
Completion of works August 10, 1951

you are hereby notified in compliance with Section 42-311, Idaho Code ~~amended~~ that said Permit No. 21909
is hereby held for cancellation.

You are hereby required to show cause before the State Reclamation Engineer on or before forty days from
date of this notice why said Permit should not be cancelled.

Said Permit No. 21909 claims the use of 3.2 cubic feet per second of the
waters of a well with point of diversion located
in the SE¹/₄ SE¹/₄ Section 28, Twp. 13 South, Range 22 East, B. M., and
was approved February 10, 1951

In Witness Whereof, I have hereunto set my hand and affixed the seal of my office at Boise, Idaho, the
6th day of December 1951

Mark R. Kulp
State Reclamation Engineer.

By Assistant.

21909

✓
November 29, 1951

RE: Permit No. 21909

Mr. Ross Adams
Oakley
Idaho

Dear Mr. Adams:

In checking permits on which proof of beneficial use is due in February, 1952, we find your permit No. 21909.

However, our records show that your proof of completion of works which was due August 19, 1951, has not been made.

For that reason your permit is subject to cancellation unless your works actually have been completed, although you have failed to make the proof.

Before proceeding with the matter, we would like to hear from you regarding whether these works have actually been completed within the required time.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

21909

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Mr. Ross Adams

Boise, Idaho **June 1, 1951**

Oakley, Idaho

Dear Sir:-

Under the terms of your Permit No. 21909.....you are required to complete your diversion works on or before.....August 10, 1951..... 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

21909

February 15, 1951

Re: Permit No. 21909

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

Dear Mr. Nielson:

We enclose Permit No. 21909 in the name of Ross Adams, together with Departmental Receipt No. 23066 for the \$5.75 filing fee.

Mr. Adams' attention is directed to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh
Enc.

21909

Form No. 0

23

Point of Diversion, Well,

Permit Map No.	2	1909
As Approved		
FEB 10 1951		
MARK R. KULP		
State Reclamation Engineer		

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

21909

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
BURLEY, IDAHO
February 2, 1951

RECEIVED
FEB 6 1951
9 am
Department of Reclamation

A. H. NIELSON
N. H. NIELSON

Department of Reclamation
State of Idaho
Boise, Idaho

Attention: Mark R. Kulp
State Reclamation Engineer

Dear Sir:

At the request of Ross Adams of Oakley, Idaho, we are sending Application for Permit, together with a check of Mr. Adams in the amount of \$5.75.

We believe you will find all the application in order. Would you notify us, if it is not.

Very truly yours,

NIELSON & NIELSON

By 

A. H. Nielson

AHN:ew
Enclosures

21909

**NOTICE FOR PUBLICATION
NOTICE OF PROOF 'APPLICATION
OF WATER TO BE 'ICIAL USE**

Notice is hereby given that at 10 A. M. on the 29th day of August, 1953, at Burley, County of Cassia, State of Idaho, before A. H. Nielson, Notary Public, proof will be submitted of the application to beneficial use of one cubic foot per second of the waters of one certain well in accordance with the terms and conditions of Permit No. 21909 heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Ross Adams, Oakley, Idaho.

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

The amount applied to beneficial use is one second foot.

The place where said water is used Southeast Quarter, Section 28, Township 13 South, Range 22, E.B.M., Cassia County, Idaho.

The name of the canal or ditch or other works by which said water is conducted to such place of use is none.

The right to take water from such works is based upon Permit No. 29339.

The source of supply from which such water is diverted is a well in the Southeast corner of the Southeast Quarter of Section 28, Township 13 South, Range 22, East Boise Meridian, in Cassia County, Idaho.

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

MARK R. KULP
State Reclamation Engineer

First publication July 30, 1953,
Fourth publication August 20, 1953.