

45-02334

Transfer No. 2640
45-2334
Water Right No. 45-2635

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

APPROVED

Name of applicant Robert T. ^{AND} Margaret Robinson Phone 862-3458
Post Office address Oakley, Idaho 83346

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____ (Name)
in case of _____ vs _____
dated in 45-2334 in _____ county of _____
(Name of court)

b. License No. 45-2635 issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant Applicant was Co-owner of original rights he is now sole owner of rights. See Attached document

3. Source of water Groundwater tributary to _____
Oct. 12, 1957

4. Date of priority Jan 31 1961

5. Water is used for the following purposes:

amount 2.0 cfs for Irrigation purposes from April to Oct 31
amount 1.67 cfs for Irrigation purposes from March 15 to Nov 15
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 2.0 cubic feet per second
&/or
b. 1.67 acre feet per annum

7. Location of original point of diversion is NW ¼ of NE ¼ of Section 10
Township 13 S Range 22 E, B.M., in Cassia County
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
① 13S	22E	3									39	38	38	40					155
"	"	10	38	39	39	37													153
																			308
② 13S	22E	3									39	39	39	39					156
"	"	10	38	39			39	38											154
																			310

Total number of acres to be irrigated 310

9. Describe any other water rights used for the same purpose as described above 45-2537

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? _____ If yes, describe in item D, REMARKS.

MICROFILMED

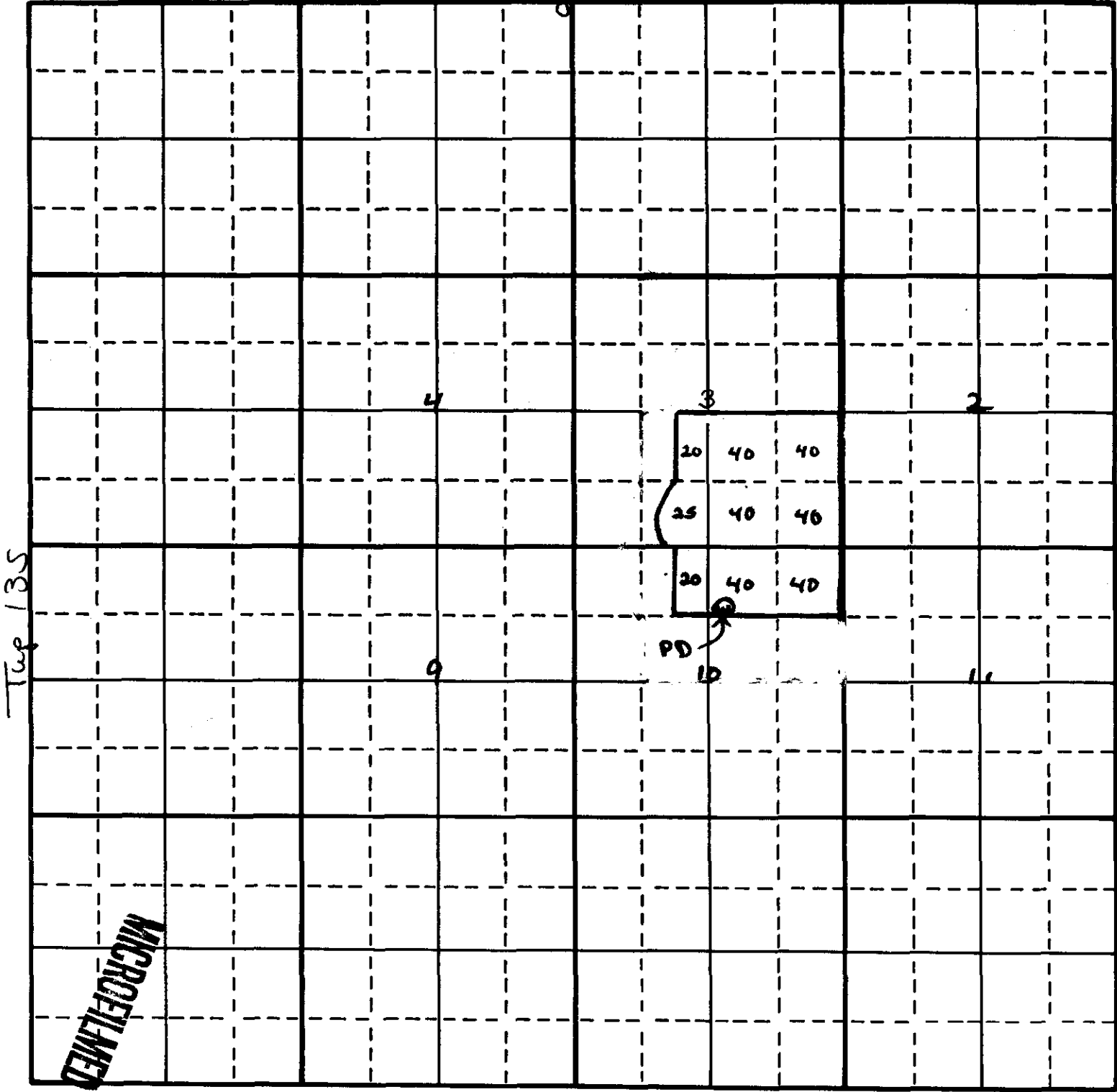
c. Describe the land or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
13S	22E	3									20			25	40	40	40	40	205
		10	40	40			20												100

Total number of acres to be irrigated 305

4. Describe any other water rights used for the same purpose as described above. 45-2537
Will be transferred off by Transfer filed at the same time.
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.

Range 22E



D. REMARKS

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 willfull misrepresentations made in this application may result in voiding its approval.

Robert T. Robinson
(Signature of Applicant)

Subscribed and sworn to before me this 7 day of January, 19 82.

Loren O Halverson
(Notary Public)

My commission expires life

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 45-2334 and 45-2635 and said application is hereby APPROVED, subject to the following limitations and conditions:

- 1. No more than 714 acres shall be irrigated under Rights 45-2537, 45-2635 and 45-2334.
- 2. The rights identified herein when combined with 45-2537 shall provide no more than 4.0 afa per acre.

Witness my hand this 25th day of March, 19 82.

J. Glen Saylor
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by <u>TGB</u>	Date <u>1-7-82</u>	Protest filed by _____
Prelim. check by <u>J</u>	Fee <u>50⁰⁰/100</u>	_____
Received by <u>TGB</u>	Date <u>1-7-82</u>	_____
Published in <u>South ida press</u>	Copies of protest forwarded by _____	
Pub. dates <u>1/21 & 1/28/82</u>	Hearing held by _____ Date _____	
_____	_____	Recommended for _____ approval _____ denial
_____	rec'd. _____	by _____

MICROFILMED

BURLEY, IDAHO

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

duly sworn, deposes and says that ~~S.~~ he is the

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

The South Idaho Press for Two
consecutive weeks, commencing with the issue
dated January 21 st. 1982, and ending

with the issue dated January 28, 1981

Mary Sumner

Subscribed and sworn to before

this 9th day of Jul

1982

Theresa Petersen Notary Public

Cost of Publication \$ 17.55

Notary Fee

Total Cost \$27.30.....

NOTARY PUBLIC RESIDING AT
RUPERT, IDAHO. MY COMMISSION
EXPIRES JUNE 21, 1985.

MICROFILMED

W. Murphy

SOUTH IDAHO PRESS
BURLEY, IDAHO
AFFIDAVIT OF PUBLICATION

County of Cassia,)
STATE OF IDAHO) ss.

Mary Summers, being first

duly sworn, deposes and says that he is the

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

The South Idaho Press for Two consecutive weeks, commencing with t

dated January 21 st. 19 82, and ending

with the issue dated January 28, 19 8

Subscribed and sworn to before

this day of

19 82.

Notary Public
Cost of Publication \$ 17.55

Notary Fee

Total Cost \$ 27.50

NOTARY PUBLIC
RUPERT, IDAHO. MY COMMISSION
EXPIRES JUNE 21, 1985

82-18

NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
No. 45-2334
No. 45-2635

Notice is hereby given that Robert T. and/or Margaret Robinson of Oakley, Idaho, have applied to the Department of Water Resources for a change of place of use of a groundwater source. The rights sought to be changed are evidenced by Licenses No. 45-2334 and 45-2635, and are recorded as follows:

45-2334

Amount: 2.0 cfs. Priority: October 12, 1957, Point of Diversion: NW 1/4 NE 1/4, Sec. 10 T 13S, R22E, B.M., Cassia County. The water is used for irrigation of 308 acres from April 1 to October 31 within the SW 1/4, Sec. 3; NW 1/4 NE 1/4, N 1/2 NW 1/4, Sec. 10, T13S, R22E.

45-2635

Amount: 1.67 cfs. Priority: March 31, 1961. Point of Diversion: NW 1/4 NE 1/4, Sec. 10, T13S, R22E, B.M., Cassia County. The water is used for irrigation of 310 acres from March 15 to November 15 within the SW 1/4, Sec. 3; N 1/2 NE 1/4, N 1/2 NW 1/4, Sec. 10, T13S, R22E.

TO BE CHANGED AS FOLLOWS:

45-2334

Amount: 2.0 cfs. Point of Diversion: No change. Place of Use: E 1/2 SW 1/4, SE 1/4, Sec. 3; N 1/2 NE 1/4, NE 1/4 NW 1/4, Sec. 10, T13S, R22E. The water is used for irrigation of 305 acres.

Any protest against approval of the above proposed change of water right must be filed with the Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 on or before February 8, 1982.

A. KENNETH DUNN
Director

Published in the South Idaho Press on January 21 and 28, 1982.

WATER LICENSE

Water License No. G-21560/45-2334 Priority October 12, 1957 Amount 2.0 c.f.s.
(late proof)

THIS IS TO CERTIFY, that Jesse R. Bedke - Assignee - J. T. ROBINSON & SONS
of Burley, Idaho, made application for a permit to appropriate the public waters of
the State of Idaho, dated June 26, 1950; that Permit G-21560/45-2334 was issued pursuant
to said application; that the proposed works were completed on or about June 26, 1960,
with a storage/or carrying capacity of 4.16 c.f.s., said works consisting of well, pump,
motor, concrete diversion works and concrete ditches, and that on September 29, 1967,
proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 840
acre feet per season/with a maximum rate of diversion of 2.0 cubic feet per second of the waters
of ground water, tributary of _____,
for the purpose of Irrigation from April 1 to October 31;
and for _____ from _____ to _____; and for
_____ from _____ to _____; and that the use
of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-
mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is
located in NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10, T. 13 S, R. 22 E, B.M., and
other additional points _____, in the County of
Cassia, and that the amount of water to which such right is
entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially
used for said purposes and shall not exceed 840 acre feet per year., or when combined with all other
rights shall not exceed 1232 acre feet per season.

Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
13 S	22 E	3									39	38	38	40					155
		10	38	29			39	37											153

Total number of acres irrigated 308

The right to the use of the water 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

18th day of August, 1969.

Jack A. Bennett
Deputy State Reclamation Engineer

45 2334

21560

45-2334

45-2334

Nº 21560

Nielson & Niel
Att. Counselor
P.O. Box 367
Burley, Idaho

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

APPLICATION No. 29271
PERMIT No. 21560
DISTRICT No.

Assigned to J. I. Robinson & Sons
416 West 18th Street
Burley Idaho 8331

1. Name of Applicant: JESSE R. BEDKE

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: 320 inches or 6.4

cubic feet per second.

3. Source of water supply: Drilled 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 Southwest corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$
of Section 10 , 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: \$ 3,000.00

8. Kind of works: 24" cased well drilled 360 to 400 feet, and pump.

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 3 feet; width at water line 2 $\frac{1}{2}$ feet; depth of water 2 feet;

dimensions of flume:

Diameter of pipe inches; length of conduit Some 1 to 1 $\frac{1}{2}$ miles of ditch will be/ constructed.
miles.

Average grade per mile feet.

12. The time required for the completion of such work is Five (5) years.

13. The time required for the complete application of the water to the proposed use is Five (5) 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: None

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.

JESSE R. BEDKE *Applicant.*

By Harley M. McDowell Agent.

Date of first receipt at Department of Reclamation: 9:30 A. M. June 26, 1950

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 21560

Recorded in Book 77 Page 21560 Approved June 26, 1950

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 August 26, 1950 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 December 26, 1952

The whole of said work to be completed on or before June 26, 1955

Beneficial use of water appropriated in accordance herewith, to be made on or before June 26, 1960

WITNESS My hand this 26th day of June, 1950

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, C. A. ROBINS, Governor of the State of Idaho,
and J. D. "CY" PRICE, 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 26th
day of June, 1950.
STATE OF IDAHO

day of June, 1950.
 Countersigned:
 (SEAL) By J. D. "CY" PRICE
Secretary of State.

STATE OF IDAHO
 By C. A. ROBINS
Governor.

REMARKS: This central well is to be used in connection with my Desert Entry filing, and also that of Marguerite V. Bedke, Allene Hayden, and Howard Hayden.

14. Individual filings are being made for these other interests.

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 $\frac{1}{4}$	
13 S.	22 E.	3 10	40	40			40	40			40	40	40	40				160 160	
Total Number of Acres to be Irrigated - -																		320	
APPLICATION FOR AMENDMENT TO PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO, NO. 21560																			
<u>Bedke</u> Comes now Jesse/and represents to the State Reclamation Engineer of the State of Idaho:																			
That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 21560																			
That the point of diversion is described in said permit as being located SW corner of NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 10, Tp 13 S. Rge 22 E.																			
That he now requests that the point of diversion be changed to a point SW corner of NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 10, Tp 13 S. Rge. 22 E.																			
That his reasons for desiring to make such change are as follows: Upon complete survey of the land to be irrigated it was found the amended well site will more efficiently distribute the water, over the land to be irrigated and is a better well site																			
That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.																			
Signed at Oakley, Idaho this 28th day of August, 1953.																			
Date of Receipt at Department of Reclamation August 31, 1953.																			
APPROVAL OF STATE RECLAMATION ENGINEER																			
I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application and amendment to Permit to appropriate the Public waters of the State of Idaho, No. 21560. This approval constitutes a new permit which is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.																			
MARK R. KULP State Reclamation Engineer																			

Permit No. 21560
 CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that JESSE R. BEDKE of Oakley, County of Cassia, and State of Idaho, the holder of Permit No. 21560, issued upon Application No. 29271 bearing date of priority of June 26, 1950, authorizing the diversion of 6.4 second feet of the waters of subterranean flow from a well, 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 Two (2) second feet of the waters of said well; that the point of diversion of said waters is in the Southwest corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 10, 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: SW $\frac{1}{4}$ Section 3; N $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$ Section 10; Township 13 South, Range 22 East, B.M.

Witness my hand this 27th day of April, A. D. 1955.

MARK R. KULP
 State Reclamation Engineer

Proof of completion of works made April 8, 1955
 Certificate of Completion of Works issued April 27, 1955

✓
 ASSIGNMENT OF WATER PERMITS

For and in Consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, we, Jess E. Bedke and Margarite Bedke, husband and wife, of Oakley, County of Cassia State of Idaho, hereby assign all of our right title and interest in and to Idaho Water Application Permit No. 21560, issued for 2.0 cubic feet per second with point of diversion on the Southwest Corner of the Northwest Quarter of the Northeast Quarter of Section Ten, to irrigate the Southwest Quarter of Section three; the North Half of the North Half of Section Ten, Township 13 South, Range 22 E., B. M., all located in Cassia County, Idaho, to J. T. Robinson & Sons, a partnership, composed of J. T. Robinson, Jay L. Robinson and Robert T. Robinson.

Dated at Oakley, Cassia County, Idaho, this 27th day of December, 1960.

s/ Jesse R. Bedke

Marguerite Bedke

STATE OF IDAHO)
) ss
 County of Cassia)

On this 27th day of December, 1960, before me, the undersigned, a Notary Public in and for said State personally appeared Jess R. Bedke and Margarite Bedke, husband and wife, known to me to the persons whose names are subscribed to the within and foregoing instrument and acknowledged to me that they executed the same.

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

(Seal

s. ROSS T. NIELSON
 Notary Public for Idaho
 Residing at Oakley, Idaho

My commission expires 7/12/61

PERMIT ISSUED FOR 2.0 SEC. FT.
 LICENSE PAGE NO. _____

March 25, 1982

RE: Application for Transfer of Water Right No. 45-2537 and
Application for Transfer of Water Rights Nos. 45-2334 and 45-2635

Robert T. &/or Margaret Robinson
Oakley,
Idaho 83346

Dear Mr. and Mrs. Robinson:

Enclosed herewith are copies of your approved applications for transfer of the above referenced water rights (Transfer No. 2640 and Transfer No. 2641). Be sure to note the conditions of approval on the fourth pages.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosures

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J.J 3/25/82

TRANSFER APPS. 45-2334, 45-2635, 45-2537

RIGHTS 45-2334 & 45-2635

HAVE SAME P/4 EXCEPT 45-2635 IS FOR
2 MORE ACRES.

RIGHTS: 45-2537 OVERLAPS THE ABOVE TWO
RIGHTS IN THE FOLLOWING AREA:

SEC 3, SW ⁴	160 AC
SEC 10, N ² NE ⁴	80 AC
N ² NW ⁴	<u>80 AC</u>
	320 AC

RATE PER ACRE:

45-2334 = 2.0 cfs / 308 AC = 0.006 cfs/AC

45-2635 = 1.67 cfs / 310 AC = 0.005 cfs/AC

45-2537 = 4.52 cfs / 714 AC = 0.006 cfs/AC

COMBINED RATE = 0.017 cfs/AC

LANDS IRRIGATED BEFORE AND AFTER TRANSFER
OF ALL THREE RIGHTS.

BEFORE:

45-2334 } 310 AC 45-2537 = 714 - less overlap
45-2635 } = 714 - 320 = 394 AC
TOTAL = 394 AC. + 320 = 714 AC

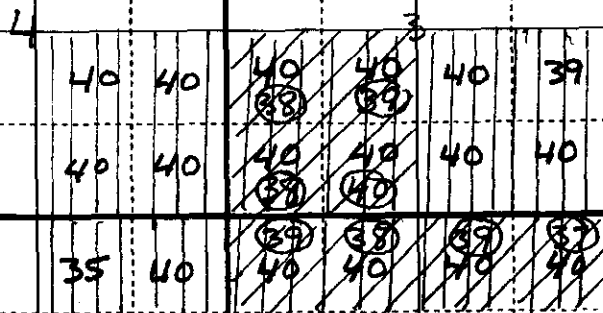
AFTER:

45-2334 } 305 45-2537 = 415 - less overlap
45-2635 } = 415 - 5 (SE⁴SW⁴)
 = 410
TOTAL = 305 + 410 = 715 AC.

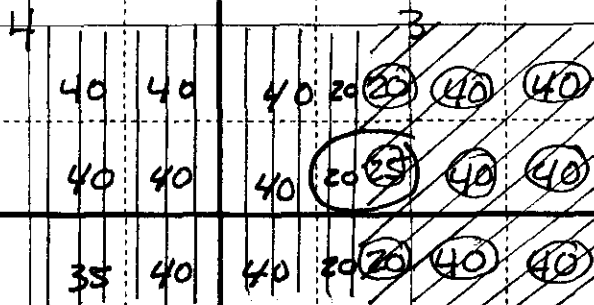
CONCLUSION:

APPROVAL OF THE TWO TRANSFER WILL ALLOW 1 ADDITIONAL
ACRE TO BE IRRIGATED.

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$TOTAL = 714$
 $45-2537 = 714$
 $45-2334 \neq 45-2635 = (310)$



$45-2334 \neq 45-2635 = (305 AC)$

$45-2537 = 415 AC$

$720 AC TOTAL$
 $- 5 AC overlap$

MICROFILMED

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 45-2334
45-2635

Notice is hereby given that Robert T. and/or Margaret Robinson of Oakley, Idaho, have applied to the Department of Water Resources for a change of place of use of a groundwater source. The rights sought to be changed are evidenced by Licenses No. 45-2334 and 45-2635, and are recorded as follows:

45-2334

Amount: 2.0 cfs Priority: October 12, 1957

Point of Diversion:

NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10, T13S, R22E, B.M., Cassia County

The water is used for irrigation of 308 acres from April 1 to October 31 within the SW $\frac{1}{4}$, Sec. 3; N $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 10, T13S, R22E

45-2635

Amount: 1.67 cfs Priority: January 31, 1961

Point of Diversion:

NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10, T13S, R22E, B.M., Cassia County

The water is used for irrigation of 310 acres from March 15 to November 15 within the SW $\frac{1}{4}$, Sec. 3; N $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 10, T13S, R22E

TO BE CHANGED AS FOLLOWS:

45-2334

Amount: 2.0 cfs

Point of Diversion: No change

Place of Use:

E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 3; N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 10, T13S, R22E

The water is used for irrigation of 305 acres.

Any protest against approval of the above proposed change of water right must be filed with the Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 on or before February 8, 1982.

A. KENNETH DUNN
Director

Published in the South Idaho Press on 1/21 and 1/28/82

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RECEIVED
MAR 05 1982

Department of Water Resources

**NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
No. 45-2334
No. 45-2635**

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45-2334

Amount: 2.0 cfs. Priority: October 12, 1957.
Point of Diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10 T 13S, R22E, B.M., Cassia County. The water is used for irrigation of 308 acres from April 1 to October 31 within the SW $\frac{1}{4}$, Sec. 3; N $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 10, T13S, R22E.

45-2635

Amount: 1.67 cfs. Priority: January 31, 1961.
Point of Diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10, T13S, R22E, B.M., Cassia County. The water is used for irrigation of 310 acres from March 15 to November 15 within the SW $\frac{1}{4}$, Sec. 3; N $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 10, T13S, R22E.

TO BE CHANGED AS FOLLOWS:

45-2334

Amount: 2.0 cfs
Point of Diversion: No change. Place of Use: E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 3; N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 10, T13S, R22E. The water is used for irrigation of 305 acres.

45-2635

Amount: 1.67 cfs

Point of Diversion: No change. Place of Use: E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 3; N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 10, T13S, R22E. The water is used for irrigation of 305 acres.

Any protest against approval of the above proposed change of water right must be filed with the Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 on or before February 8, 1982.

A. KENNETH DUNN

Director

Published in the South Idaho Press on January 21 and 28, 1982.

*ok
mace
1/19/82*

January 14, 1982

South Idaho Press
Box 190
Burley, Idaho 83318

Re: Notice of Proposed Change of Water Right No. 45-2334 - 45-2635
Notice of Proposed Change of Water Right No. 45-2537

Gentlemen:

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

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

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

Sincerely,

Mary A. Hill
Sr. Secretary

Encl:

Bill submitted: _____

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: J. F. Stanton

1. Right number 45-2334, 45-2635 . Applicant ROBINSON, Robert T. &/or Margaret
2. Type of right: ☐ Decree ☒ License ☐ Claim
3. Purpose of transfer: ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Other _____
4. Check:
 - a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
 - b. ☒ Description of original point of diversion.
 - c. ☒ Description of original place of use.
5. Amount of land &/or water transferred:
 - a. ☒ All of right.
 - b. ☒ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
 - c. ☒ Check description of point(s) of diversion. See attached summary
 - d. ☒ Check description of place of use.
 - e. ☒ Check map (shows p.d. and p.u. after transfer).
 - f. ☒ Check for correct signature, notarization, and fee.
 - g. ☐ Check proof of ownership of right &/or land from which water is transferred.
 - h. ☒ Check for expansion in use of right. Comments no expansion 1 additional acre irrigated
 - i. ☒ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) 45-2537 (small overlap after pending transfer) - S AC SE SW 4 sec 3 3.5
 - j. ☒ Is use within a Watermaster District? ☐ Yes ☒ No
If yes, what district? _____

FINAL PROCESSING REVIEW BY: _____

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

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny
3. Conditions* all combined with other rights shall not exceed 202 cfs peak, etc

4. By ADM Date 3/3/82

Jan 2/25/82

* All uses within Watermaster Districts require special conditions.

MICROFILMED

August 18, 1969

Re: Permit No. 45-2334

J. T. Robinson & Sons
416 West 18th Street
Burley, Idaho 83318

Dear Sirs:

Enclosed you will find your Water License issued on the above numbered permit.

Also enclosed is departmental receipt No. 3504 in the amount of \$21.00 covering the fees.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kh

Enclosures

21560
45-2334

C
O
P
Y

July 3, 1969

Re: Permit No. 21560

J. T. Robinson & Sons
416 West 18th Street
Burley, Idaho 83318

Gentlemen:

A representative of this department has made an examination of the works covered by your Permit 21560 and has found the following:

Quantity of water diverted: 4.16 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 2.0 c.f.s.

The maximum quantity diverted shall not exceed 840 acre feet per season, when combined with all other rights appurtenant to the same land and shall not exceed that amount.

Irrigation of 308 acres in NE¹/₄SW¹/₄, NW¹/₄SW¹/₄, SW¹/₄SW¹/₄, Sec. 5, T. 13S, R. 22E, NE¹/₄NE¹/₄, NW¹/₄NE¹/₄, NW¹/₄NW¹/₄, Sec. 10, T. 13S, R. 22E.

The priority date established is: September 29, 1957

A fee totaling \$ 21.00 must be received within 30 days from the date of this letter in order that we can issue you the License and Certificate of Water Right as described above.

Very truly yours,

Dean R. Reynolds
Field Examiner

DRR/mh

21560

45-2334

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

July 3, 1969

Re: Permit No. 21560

J. T. Robinson & Sons
416 West 18th Street
Burley, Idaho 83318

RECEIVED

JUL 10 1969

Department of Reclamation

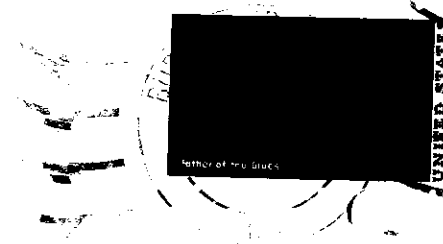
21560

45-2334

J. T. Robinson & Sons
416 WEST 18TH ST.
BOISE, IDA. 83318

45-2334
01560

State of Idaho
Department of Reclamation
Statehouse - annex 2
Boise
Idaho 83707



July 3, 1969

Re: Permit No. 21560

J. T. Robinson & Sons
416 West 18th Street
Burley, Idaho 83318

Gentlemen:

A representative of this department has made an examination of the works covered by your Permit 21560 and has found the following:

Quantity of water diverted: 4.16 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 840

The maximum, ~~quantity diverted shall not exceed~~ 840 acre-feet per season and shall not exceed that amount.

Irrigation of 308 acres in NE 1/4 SW 1/4, NW 1/4 SW 1/4, SW 1/4 SW 1/4, NE 1/4 SE 1/4, T. 13S, R. 22E, NE 1/4 NE 1/4, NW 1/4 NE 1/4, NE 1/4 SE 1/4, Sec. 10, T. 13S, R. 22E.

The priority date established is: September 29, 1957
21.00

A fee totaling \$ 21.00 must be received within 30 days from the date of this letter in order that we can issue you the License and Certificate of Water Right as described above.

Very truly yours,

Dean R. Reynolds
Field Examiner

DRR/wh

21560
45-2334

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

Permit No. 21560

This proof is for Beneficial Use

In Water District No.

1. Name of applicant J. T. Robinson & Sons

2. Source of water supply: subterranean

3. Location of point of diversion: Is in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 10

T. 13 S R. 22 E County of Cassia

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

250 HP G.E. ELEC MOTOR # 5T553012
L.B. V.T.P. # 27346 1900 gpm
140' 10" DISCHARGE 20' INTO
CONCRETE DIVERSION WORKS - THROUGH
CONCRETE DITCHES - GRAVITY IRRIGATION

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):

SW $\frac{1}{4}$, Sec. 3; N $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 10, T. 13 S, R. 22 E, B.M.

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

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

Remarks:

4' concrete - 200 c.f. in 18 sec
 $Q = \frac{200 \text{ c.f.}}{18 \text{ sec}} = 11.1 \text{ c.f.s.}$

IRRIGATION REQUIREMENT = 4.0 AC-FT/ACRE/SEASON

This examination was made on the 16TH day of Dec, 1968 DR

21560/season

(Signed)

Jan Reynolds

Examiner.

21560
45-2334

J. T. Robinson & Sons
416 West 18th Street
Burley, Idaho 83318

well, pump, head & side ditch

16" - 8x5'
H - 290'
Q - 252"

Permit No. 21560

Examination for Beneficial Use

County Cassia

Quantity: 2.0 c.f.s. Sec. 10 T. 13S R. 22E

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.

Source: subterranean

P.D.: NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10, T. 13 S., R. 22 E, B.M.

Use: irrigation

Extension:

Protest:

Completion of Works: April 8, 1955

Other Rights:

Filed: June 26, 1950

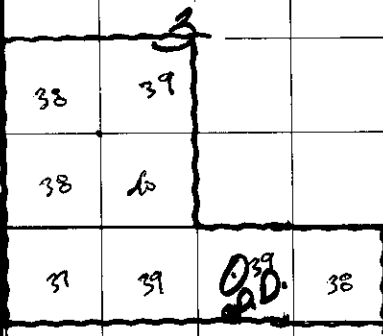
Due: b/u - June 26, 1960

Made: September 29, 1967

Priority: September 29, 1957

R-22E

T-13S



77

78

153

308

10

AREA - 308 ACRES

SUBD - 8

Q - ALLOW 20 CFS.

VOL = 840 AC-FT / SEASON OR WHEN COMBINED WITH ALL OTHER RIGHTS SHALL NOT EXCEED 123.

PRIORITY = SEP 27, 1957

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. 21560

REPORT ON PROOF OF Beneficial Use

21560
45-2034

Robinson

34 | 35

3 | 2

F320
4-14

V

78.7

W

84.0

158.0

54.0

20.3

Grain
(38)

↑

(39)

I
Pasture
97.8

F317
1-2

19.6

↑ K

Grain

L

95.9

↑

(38)

(40)

3 | 2
10 | 11

Pasture
(38)

I

42.6

↑

8.7

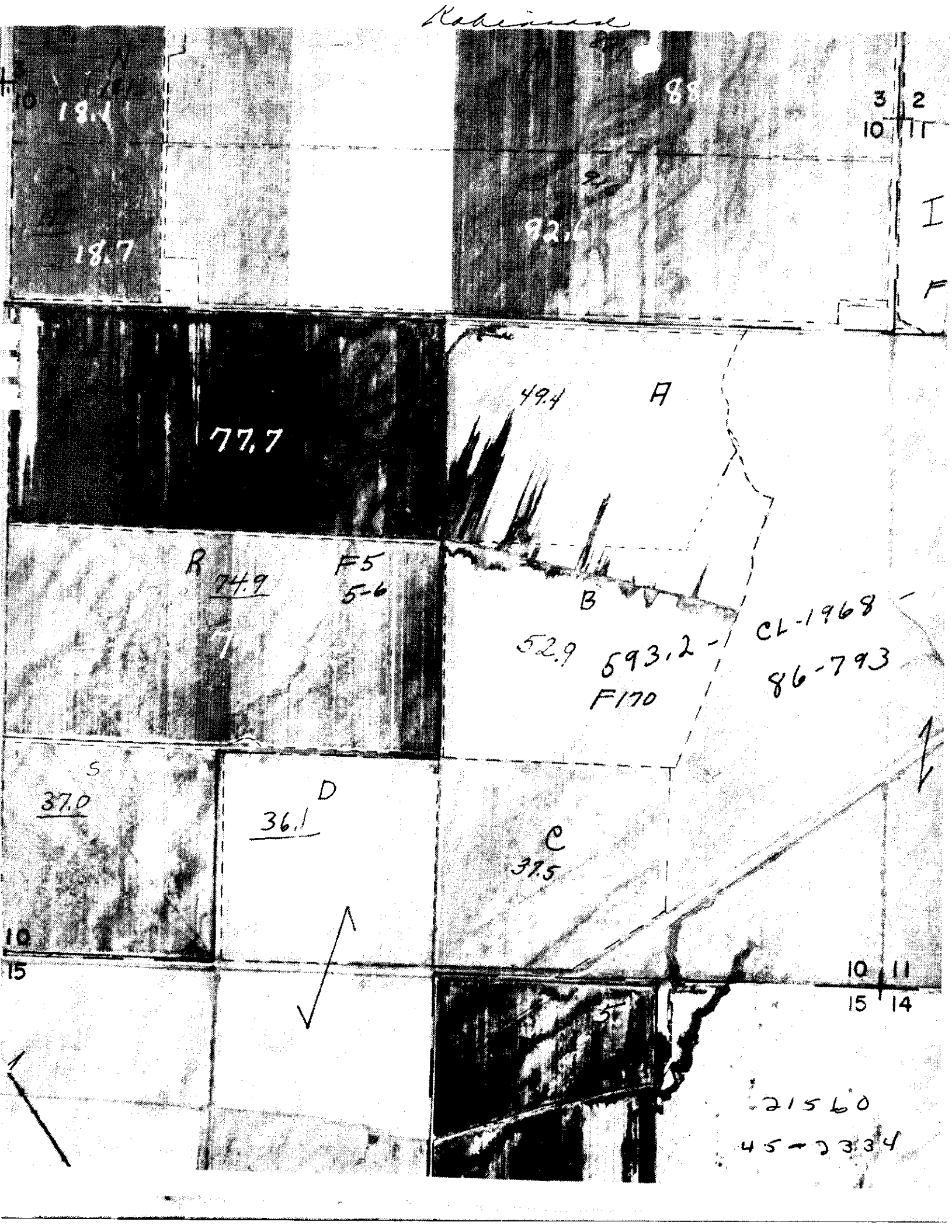
↑

(39) Grain

2156.0

48-3334

Koblenz



18.1

88

3 2
10 11

18.7

92.6

I

77.7

49.4

A

R 74.9

F5
5-6

B

52.9

593.2 -
F170

CL-1968
86-793

S
37.0

36.1 D

C
37.5

10
15

10 11
15 14

21560
45-2334

October 13, 1967

Re: Permit No. 21560

J. T. Robinson & Sons
416 West 18th Street
Burley, Idaho 83318

Gentlemen:

We acknowledge receipt of the depositions and affidavit of publication in the
World of Idaho submitted as proof of ~~com-~~
~~pletion of works and~~ beneficial use on Permit 21560.

Before a certificate and license of water right can be issued, a field examination must be made by a representative from this department. We cannot tell just when this examination will be made, but our field examiner will try to contact you at the time he makes the examination so that you may show him the system.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:dj

21560
45-2334

NIELSON, NIELSON & NIELSON

ATTORNEYS AND COUNSELORS AT LAW

P. O. BOX 367

BURLEY, IDAHO 83318

ADONIS H. NIELSON

NORMAN H. NIELSON

GORDON S. NIELSON

AREA CODE 208

TELEPHONE 678-5574

October 11, 1967

Department of Reclamation
State of Idaho
107 State House
Boise, Idaho

Re: Permit No. 21560, J. T. Robinson & Sons

Gentlemen:

In the above matter we are sending the Affidavit of Publication of The World of Idaho of Burley, Idaho, the deposition of the holder and the depositions of the witnesses.

We think you will find them all in order.

Very truly yours,

NIELSON, NIELSON & NIELSON



A. H. Nielson

AHN:nw

Encl.

21560

45-2334

Boise, Idaho

* * * * *

and Completion of Works

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

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

Approval date, January 7, 1961, priority June 26, 1960

Twntp 13 S. Rge. 22, E.B.M, Cassia County, Idaho

_____ ; if a well, state depth of well 865 ; depth and size of casing 16 in casing to 600' depth to water 290 ft. ; if pump is used, state discharge of pump: ²⁵⁰
~~10~~ inches ; tell how it was measured or determined by the State and by applicant ; if sprinkler irrigation, give number and size of nozzles and operating pressure: no sprinkler system

Irrigation, this water is used on approximately 320 acres including the following

All the land above described has been irrigated from said pump.

45-2334

State nature of all improvements which have been made as a direct result of said use:

This was sagebrush land before the water had been placed on it, it is now producing agricultural crops.

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: Boley & Weech, Murtaugh, Idaho drilled the well

Ques. 7. If for other than irrigation purposes, show full legal description of place of use and state purpose for which water is used:

Ques. 8: 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:

Applicant is the owner and has been for the 100 in. of water.

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: June 26, 1960 - Time used since first use: continuously upon the lands above described.

Ques. 10. Describe all other water rights appurtenant to same place of use: _____

There is no other water right to most of the lands above described.

(sign) *J. T. Robinson*

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 September, A. D. 1967.

My commission expires: 2-20-70

R. A. Nelson
Notary Public for Idaho
Residing at Burley, Idaho

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

Permit No. _____

* * * * *

OCT 12 1967
Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and Completion of Works

DEPOSITION OF WITNESS

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

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

My name is William F. Speckman, I am 69 years of age, I reside at Oakley, Idaho

I am a retired farmer and rancher.

Ques. 2 Are you acquainted with J. T. Robinson & Sons, the holder of

Permit No. 21560? How long have you known him and where does he reside? I have known J. T. Robinson for 40 years and I have known his sons since they were born

Ques. 3. Have you read or heard said Permit No. 21560 read, and are you familiar with its provisions and conditions: Yes xxx No. _____

Ques. 4. State source of water supply: A well located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of

Give location of place of diversion, showing subdivision, section, township and range

Sec. 10, Twp. 13 S., Rge 22, E.B.M., Cassia County, Idaho

Describe works for conveying water to place of use: Water is produced from the well and through head ditches and side ditches is used to irrigate the land.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: 250 in. How much water have you seen being so conveyed? I have seen many times approximately 200 in. being conveyed through the well and for irrigation.

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving full legal description: Water has been used from the well in irrigating the following described property located in Cassia County, Idaho, SW $\frac{1}{4}$ of Sec. 3; N $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$ of Sec. 10, all in Twp. 13 S., Rge. 22, E.B.M.

21560

45-2334

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

The land was sagebrush land and because of the water the well and the use of water the soil being good, crops can now be grown.

Ques. 8. (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.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned? If so, in what way and to what extent? I do not have any interest of any kind or nature in the water right or in the land.

Ques. 10. When did you first see this water used? I have been interested in this expetment

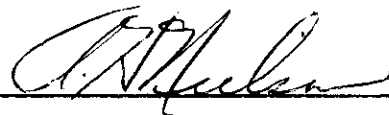
Other times you have seen such use: every since the well was drilled and have been on the place many times. I have land within a mile from the Robinson land and have been interested in producing water and one of the Robinson boys lives just across the road from us now.

(Signed):

William F. Speckman

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 September, A. D. 19 67



Notary Public for the State of Idaho

Residing Burley, Idaho

My commission expires 2-20-70

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

Permit No. _____

RECEIVED
JUN 13 1967
Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
~~and Completion of Works~~

DEPOSITION OF WITNESS

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

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

My name is Phillip S. Martin, I am 49 years of age, I reside at 307 W. 24th St.,
Burley, Idaho, I am a retired farmer, retired because of health.

Ques. 2 Are you acquainted with J. T. Robinson & Sons, the holder of

Permit No. 21560? How long have you known him and where does he reside? I have
known J. T. Robinson for 40 years and have known his sons for all of their lives.

Ques. 3. Have you read or heard said Permit No. 21560 read, and are you familiar
with its provisions and conditions: Yes xxx No. _____

Ques. 4. State source of water supply: A well located in

Give location of place of diversion, showing subdivision, section, township and range
NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 10, Twp. 13 S., Rge 22, E.B.M., Cassia County, Idaho

Describe works for conveying water to place of use: Water is pumped from the well
and carried to the land by head ditches and side ditches.

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 250 in. How much water have you seen being so

conveyed? I have seen approximately 200 in. of water pumped from the well and
conveyed to the land by the ditches.

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving

full legal description: Water is used on the SW $\frac{1}{4}$ of Sec. 3, N $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$
of Sec. 10, all in Twp. 13 S., Rge 23, E.B.M.

21560
45-2334

Because the land is good, the use of the water on it has turned what was formerly sagebrush land into productive farming land.

Ques. 10. When did you first see this water used? My land is just 4 miles from the
Robinson land and I have been interested in the project every since the well
Other times you have seen such use: _____ was drilled and have been on the land many
times and have seen the well and water being pumped every since the well was
drilled.

Philip Martin

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 September, A. D. 19 67

B. Melin

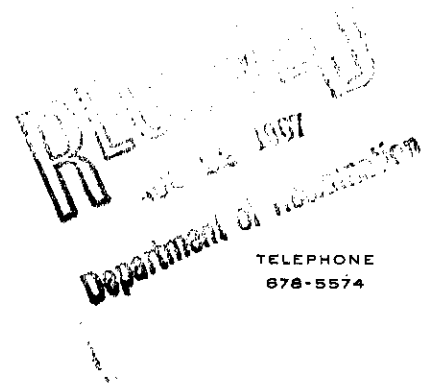
Residing Burley, Idaho

My commission expires 2-20-70

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
BURLEY, IDAHO

A. H. NIELSON
N. H. NIELSON

August 21, 1967



Department of Reclamation
State of Idaho
107 State House
Boise, Idaho 83701

Re: Permit No. 21560

Gentlemen:

In the above matter we are sending you Form No. 36 and Form No. 11
to comply with your request.

Very truly yours ,

NIELSON & NIELSON,

A handwritten signature in cursive script, appearing to read 'A. H. Nielson', is written over the typed name.

A. H. Nielson

AHN:nb
Enc.

31560
45-2334

AFFIDAVIT OF PUBLICATION

Gary L. Fernau

..., being first

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

four (4) consecutive weeks, commencing
with the issue dated 8/28, 1967 and
ending with the issue dated 9/18, 1967

Subscribed and sworn to before me this
9th day of Oct. 1967

Ruth Chambers Notary Public

My Commission Expires Feb. 18 1904

Notary fee _____

Total Cost

LEGAL NOTICE

67-231

Notice is hereby given that on September 29, 1967 at Burley, County of Cassia, State of Idaho, before notary public A. H. Nelson, Route Building, Burley, Idaho.

1. The date of priority which said user is prepared to establish is June 26, 1953.
 R. KEITH HIGGINSON
 State Reclamation Engineer
 Parkersburg in the Hurley Project
 August 22, September 1, 1953.

RE

177

BURLEY, IDAHO

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

Gary L. Fernau

Gary D. Fernau, being first

duly sworn, deposes and says that ...he is the

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

four (4) consecutive weeks, commencing
with the issue dated 8/28, 1967 and
ending with the issue dated 9/18, 1967

Subscribed and sworn to before me this
9th day of Oct. 1967

Heidi Kopp Notary Public

Cost of Publication _____

Notary fee

Total Cost _____

LEGAL NOTICE

67-231

**NOTICE OF PROOF OF
APPLICATION OF WATER
TO BENEFICIAL USE**

TO BENEFICIAL USE
Notice is hereby given that on September 29, 1967 at Burley, County of Cassia, State of Idaho, before notary public, A. H. Melson, Fouts Building, Burley, Idaho, proof will be submitted of the diversion of 20 cfs of the waters of a well in the application to beneficial use of said water, in accordance with the terms and conditions of permit 21560, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and address of permit holder is J. T. Robinson & Sons, 416 West 18th, Burley, Idaho.

2. Said works of diversion will be fully completed on the date for such completion and the amount of water which said works are capable of conveying to the place of use is 20 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 2.0 c.f.s.

4. The point of diversion of said water is NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10, T. 13' S., R. 22' E., B.M., Cassia County.

5. The place where said water is used is SW $\frac{1}{4}$, Sec. 3, N $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 10, T. 13 S, R. 22 E B.M.

6. The date of priority which said user is prepared to establish is June 26, 1950.

is June 26, 1930.
R. KEITH HIGGINSON,
State Reclamation Engineer
Published in the Burley Herald-
Bulletin August 28, September 4,
11, 18, 1967.

**NOTICE OF PROOF OF
APPLICATION OF WATER
TO BENEFICIAL USE**

Notice is hereby given that on September 29, 1967, at Burley, County of Cassia, State of Idaho, before notary public A. H. Nelson, Fouts Building, Burley, Idaho, proof will be submitted of the diversion of 2.0 c.f.s. of the waters of a well and the application to beneficial use of said water, in accordance with the terms and conditions of permit 21560, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and address of permit holder is J. T. Robinson & Sons, 416 West 18th, Burley, Idaho.

2. Said works of diversion will be fully completed on the date for such completion and the amount of water which said works are capable of conveying to the place of use is 2.0 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 2.0 c.f.s.

4. The point of diversion of said water is NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10, T. 13 S., R. 22 E., B.M., Cassia County.

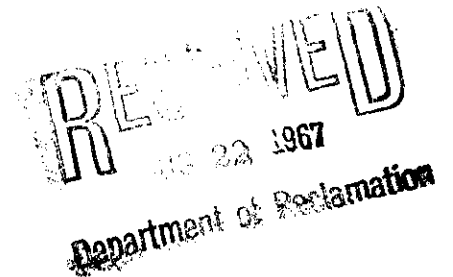
5. The place where said water is used is SW $\frac{1}{4}$, Sec. 3, N $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 10, T. 13 S., R. 22 E., B.M.

6. The date of priority which said user is prepared to establish is June 26, 1950.

R. KEITH HIGGINSON

State Reclamation Engineer

Published in the Burley Herald-Bulletin August 28, September 4, 11, 18, 1967.



(This completed form authorizes the Department of Reclamation to publish the required notice at your expense.)

State Reclamation Engineer:

You are hereby authorized to have the attached notice published at my expense in the Burley Herald-Bulletin of Burley, Idaho; published in the county in which the works are situated.

J. T. Robinson & Son's
(signature)

By J. T. Robinson

(address)
416 West 18th

8-14-67 (date) Burley Ida

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 when proof is for completion of works.

I hereby certify that the facts set forth in the attached notice are true.

Engineer

21560

45-2334

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

Notice is hereby given that on September 29, 1967 at Burley,
County of Cassia, State of Idaho, before notary public (name & address) A. H. Nielson, Fouts Building, Burley, Idaho, proof will be
submitted of ~~the completion of works for~~ the diversion of 2.0 c.f.s. of the waters
of a well, and the application to beneficial use of said water,
in accordance with the terms and conditions of permit 21560, heretofore issued by
the Department of Reclamation of the State of Idaho.

1. The name and address of permit holder is J. T. Robinson & Sons,
416 West 18th, Burley, Idaho.
2. Said works of diversion will be fully completed on the date for such completion,
and the amount of water which said works are capable of conveying to the place of use is
2.0 cubic feet per second.
3. The use to which said water has been applied is irrigation
purposes, and the amount applied to beneficial
use is 2.0 c.f.s.
4. The point of diversion of said water is NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10, T. 13 S,
R. 22 E, B.M., Cassia County.
5. The place where said water is used is SW $\frac{1}{4}$, Sec. 3; N $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 10,
T. 13 S, R. 22 E, B.M.
6. The date of priority which said user is prepared to establish is _____
June 26, 1950.

R. KEITH HIGGINSON

State Reclamation Engineer

21560

45-2334

August 22, 1967

Re: Permit No. 21560

The Herald-Bulletin
Burley, Idaho 83318

Gentlemen:

Enclosed is a legal notice which we wish to have published for four consecutive weeks prior to September 29, 1967. The expense of the publication is to paid by J. T. Robinson & Sons. J. T. Robinson, 416 West 18th, Burley, Idaho,

to whom you should furnish the affidavit of publication on or before the above date. Please acknowledge receipt of this notice by furnishing this office with a tear sheet for checking prior to the first publication.

Very truly yours,

C. Stephen Allred
Assistant State Reclamation Engineer

CSA:dj

Enc: Legal Notice

21560
45-2334

August 22, 1967

Re: Permit No. 21560

J. T. Robinson & Sons
416 West 18th
Burley, Idaho 83318

Gentlemen:

This acknowledges receipt of the notice of intent to make proof of completion of works and application of water to beneficial use for permit 21560.

We have mailed the notice to the Herald-Bulletin to be published once a week for four consecutive weeks prior to September 29, 1967, which is the hearing date when the permit holder

J. T. Robinson & Sons

and two disinterested witnesses must appear before A. M. Nielson, Fouts Building, Burley, Idaho, notary public, to complete the enclosed depositions. The witnesses must be familiar with the works and permit.

After the hearing, the depositions and an affidavit of publication must be submitted to this office. The affidavit may be obtained from the newspaper when the advertising bill is paid by J. T. Robinson & Sons.

Be sure all the forms have the notary's seal and are signed.

Please feel free to contact us if we may be of any assistance.

Very truly yours,

Donald W. McEldevney
Water Rights Clerk

DWN:dj

Enc: Depositions

cc: Notary

21560

45-2334

Re: Permit No. 21560 (J. T. Robinson & Sons)

August 9, 1967

Nielsen and Nielsen
Attorneys At Law
P. O. Box 367
Burley, Idaho 83318

Gentlemen:

Proof of ~~completion of works~~ and application of water to beneficial use for the above referenced permit is due not later than June 26, 1960.

Under the terms of your permit, it is required that a notice be published once a week for four consecutive weeks in a local newspaper showing your intent to submit proof. The proof will consist of depositions which the permit holder and two disinterested witnesses must complete before the listed notary public, and must be accompanied by an affidavit of publication of the legal notice.

We have prepared the enclosed notice from the information on your permit. The complete name and address of a notary public of the State of Idaho must be entered together with a date for you to appear before the notary. Allow at least 40 days from the date the notice is mailed to this department for your appearance before the notary.

If you find any discrepancy in the notice or have made any changes, please advise this department and we will assist you in doing whatever may be necessary to assure correct publication.

If the enclosed notice is correct, complete the blank spaces and sign the form authorizing us to publish the notice at your expense and return all forms. At the time we send the notice to the newspaper, you will be supplied with further instructions.

If you do not desire to complete the proofs and obtain a license of water right, you are requested to complete the relinquishment portion of this form below and return it to the Department of Reclamation.


State Reclamation Engineer

RELINQUISHMENT

I hereby relinquish to the State of Idaho, all my right, title and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. _____.

Dated _____.

permit holder

21560

45-2334

Form 36A

January 4, 1961

Re: Permit No. 21560
J. T. Robinson & Sons

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

Attn: A. H. Nielson

Dear Mr. Nielson:

We enclose forms for notice of Beneficial Use
Proof.

The assignment of Permit No. 21560 has been recorded
from Jesse R. Bedke to Robinson and Sons on the permanent record.
The fee for recording is \$0.75 which you may remit to this office.

The Certificate of Completion of Works issued under
this permit showed 2.0 cubic feet per second and so limits the water
license which can be issued.

The additional water obtained from the well will
have to be covered by a new application.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

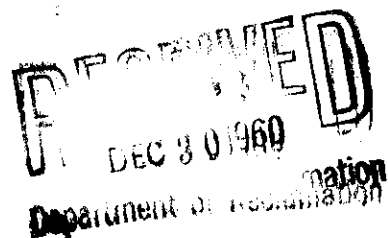
RT:ew

Enc. forms 10 - 11 - instructions
assignment

21560

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

A. H. NIELSON
N. H. NIELSON



December 29, 1960

State Reclamation Engineer
State of Idaho
Capitol Bldg.
Boise, Idaho

Gentlemen:

At the request of J. T. Robinson & Sons, we are enclosing the Assignment of Water Permit No. 21560.

This partnership tells us that the well described in the permit during 1960 has been pumping 211 inches of water since the first part of April, 1960. They would like to make proof of beneficial use for the purpose of amending the permit and requesting additional water.

What would the requirements be under the circumstances. Is it necessary to file a new application?

Would you please file the assignment and bill our office for any charge.

Very truly yours,

NIELSON & NIELSON

By 
A. H. Nielson

AHN/fgf

Encl.

~~21560~~

21560

December 16, 1960

Re: Permits No. 21368 - 21560 - 0-24906
0-26652 - 0-26986
License No. 21591

David R. Mead, Assistant Manager
Twin Falls Branch
Utah Mortgage Loan Corporation

Dear Mr. Mead:

See G-26986
Your letter of December 14 requesting water right information for the J. T. Robinson & Sons property has been received. You should get together with Mr. A. N. Nielsen, Attorney.

Permit No. 21386 - Jesse Bedke, Certificate of Completion of Works issued for 1.26 cubic feet per second, amount on permit, with point of diversion SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 9 to irrigate SW $\frac{1}{4}$, Sec. 3; NE $\frac{1}{4}$, Sec. 10; SE $\frac{1}{4}$ Sec. 9, T. 13 S., R. 22 E. Proof of beneficial use of the water is due February 11, 1961

Permit No. 21560 - Jesse A. Bedke, Certificate of Completion of Works issued for 2.0 cubic feet per second, point of diversion NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10, to irrigate SW $\frac{1}{4}$, Sec. 3; NE $\frac{1}{4}$, Sec. 10, T. 13 S., R. 22 E., B. M. Proof of beneficial use of the water was due June 26, 1960.

License No. 0-24906 - Vern S. Hoifbahr, priority April 26, 1954 for 4.0 cubic feet per second, point of diversion SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 22, to irrigate 320 acres in NE $\frac{1}{4}$, Sec. 22, T. 12 N., R. 22 E. License is now being prepared for full production of well as above.

Permit No. 0-26652 - J. T. Robinson, filed December 10, 1956, for 4.52 cubic feet per second, point of diversion NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 9, to irrigate SE $\frac{1}{4}$, Sec. 4; NE $\frac{1}{4}$, Sec. 9; SE $\frac{1}{4}$, Sec. 3; NE $\frac{1}{4}$, Sec. 10, T. 13 S., R. 22 E.

Permit No. 0-26986 - J. T. Robinson, filed July 10, 1957, for 2.0 cubic feet per second, point of diversion and land same as on Permit 0-26652.

License 21591 - Fred S. Bedke, priority July 6, 1950, for 1.8 cubic feet per second, point of diversion NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 9, to irrigate NE $\frac{1}{4}$ SE $\frac{1}{4}$,

21560

Page Two - Continued

David H. Mead

Dec. 16, 1960

S&SR1, Sec. 4; N&SR1, Sec. 9, T. 13 S., R. 22 E., B. M. This well on August 14, 1956 produced 316 miners inches as measured through a meter.

There will be a fee charged for future abstracts of permits.

Very truly yours,

SEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

215600

Re: Permits 21368 - 21560
Jesse R. Bedke

Nielson & Nielson
Attorneys at Law
Burley, Idaho

Attn: A. H. Nielson

Dear Mr. Nielson:

see 21560

Your letter of December 13 has been received in regard to water for certain lands.

Permit #21368 - Jesse Bedke, certificate of completion of works has been issued for 1.26 c.f.s., amount on permit; point of diversion SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 9 to irrigate SW $\frac{1}{4}$, Sec. 3; N $\frac{1}{2}$ N $\frac{1}{2}$, Sec. 10; SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 9, T. 13 S., R. 22 E. Proof of Beneficial Use of water due February 11, 1961.

Permit #21560 - Jesse R. Bedke, certificate of completion of works has been issued for 2.0 cubic feet per second, point of diversion SW corner NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10, to irrigate SW $\frac{1}{4}$, Sec. 3; N $\frac{1}{2}$ N $\frac{1}{2}$, Sec. 10, T. 13 S., ~~R. 22 S.~~, R. 22 E. Proof of Beneficial Use due June 26, 1960.

Permit No. 25015 was cancelled October 31, 1960. Other permits were checked without finding any more valid permits. If water is used from a well outside of the area, you should give us the point of diversion.

- The requirements of this office would be met if Mr. Bedke assigned the above permits to the present owners, using our forms. Beneficial use of the water should be proven as soon as possible.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

21560

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

RE: Permit No. 21560

Date April 1, 1960

Jesse R. Becke
Oakley, Idaho
Dear Sir:

The date for proof of application of water to beneficial use, as set out under the terms of Permit No. 21560 is due not later than June 26, 1960. If by this date you are not prepared to make this proof, you may make it at a later date, however, your priority will be advanced the same length of time for which the proof is late.

Before this proof can be made, the statutory requirement is that a Notice of your intention of proof be published once a week for four consecutive weeks in a newspaper within the county.

We enclose Form 10, in duplicate, which is to be filled in and returned to this department at least forty (40) days before the above mentioned date or before the time you intend to make proof. This form, in duplicate, is to include the time of day, the date (allowing for four weeks publication), the name of the town, the address of the Notary Public before whom you will appear to make the depositions of proof (this may be at any place that is convenient for you and your two witnesses), the quantity of water, for what purpose it is used, the point or points of diversion and the location of use or lands which are irrigated--by 40-acre legal land description. Descriptions should be taken from your Permit, including any amendments thereto, as recorded in this department. If changes have been made and no amendments are on record, we advise that you request a form for this purpose before your Notice is published.

Also enclosed is Form 11, which is the authorization for us to have the Notice published in the designated county newspaper, at your expense. This is to be returned with Forms 10.

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

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

21560
Enc. Form 10 - 11 in instructions

✓
April 28, 1955

RE: Permit No. 21560

Mr. Jesse Bedke
Oakley
Idaho

Dear Mr. Bedke:

We enclose Certificate of Completion of Works issued on Permit No. 21560 for the diversion of 2 second feet of water from a well in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 10, Township 13 South, Range 22 East B.M. for irrigation of land in the SW $\frac{1}{4}$ Section 3; N $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$ Section 10, same Township and Range.

We also enclose departmental receipt No. 27293 for the \$5.00 fee in connection with completion of works proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll
Enc.
cc - Mr. Harley M. McDowell

21560

Permit No. 21560

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Ada

SS.

Jesse R. Bedke, 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. 21560, and that his postoffice address is Oakley
State of Idaho

Second: That the name of the stream from which said water is to be diverted is subterranean water to be pumped through a drilled well.

Third: That the point of diversion of said water is SW corner NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 10, T. 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 June 26, 1955.

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: drilled well, turbine type pump and motor and gravity surface distribution works. (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 Gravity ~~Ditch~~ width at bottom 2 feet, width at water line 2 $\frac{1}{2}$
(State whether ditch, flume or pipe)

feet, depth of water 18" ~~20"~~; diameter of pipe inches, average grade per mile is feet. Length of conduit is 2 $\frac{1}{2}$ miles.

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 320 acres of land described as follows: SW $\frac{1}{4}$, Section 3, N $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, Section 10, T. 13. S. - R. 22. E., B.M. all of the above land being included in desert land application Idaho #01248 and beneficial use on this land will serve as the agricultural development on the land.

Ninth: Remarks: That this well was drilled to a depth of some 350 ft., cased with 16" casing, will produce 2 second ft or possibly more under ideal conditions approx. 140'. Cost of this development \$8,000.

Jesse R. Bedke
(Sign Here)

Subscribed and sworn to before me this 8th day of April, 1955

My commission expires 10-11-55

Harley M. McDaniel
Notary Public.

21560

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

April 1, 1955

RE: Permit No. 21560

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Mr. Jesse H. Bedke
Oakley
Idaho

Boise, Idaho

Dear Sir:-

Under the terms of your permit No. 21560 you are required to complete your diversion works on or before June 26, 1955. 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

215600

✓
September 3, 1953

RE: Permit No. 21560

Mr. Harley M. McDowell
Idaho Building
Boise, Idaho

Dear Mr. McDowell:

We return the application of Jesse R. Bedke for amendment to the point of diversion in Permit No. 21560 which has been approved by the State Reclamation Engineer and recorded in this department.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

21560

June 29, 1950

Re: Permits Nos. 21560, 21561, 21562, and 21563.

Mr. Harley M. McDowell
Building

Dear Mr. McDowell:

We enclose herewith, the following Permits,
together with two certified copies of each, to be used
in connection with the several desert entries.

Permit No. 21560 - Jesse R. Bedke.

Permit No. 21561 - Marguerite V. Bedke.

Permit No. 21562 - Allene Hayden

Permit No. 21563 - Howard C. Hayden.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

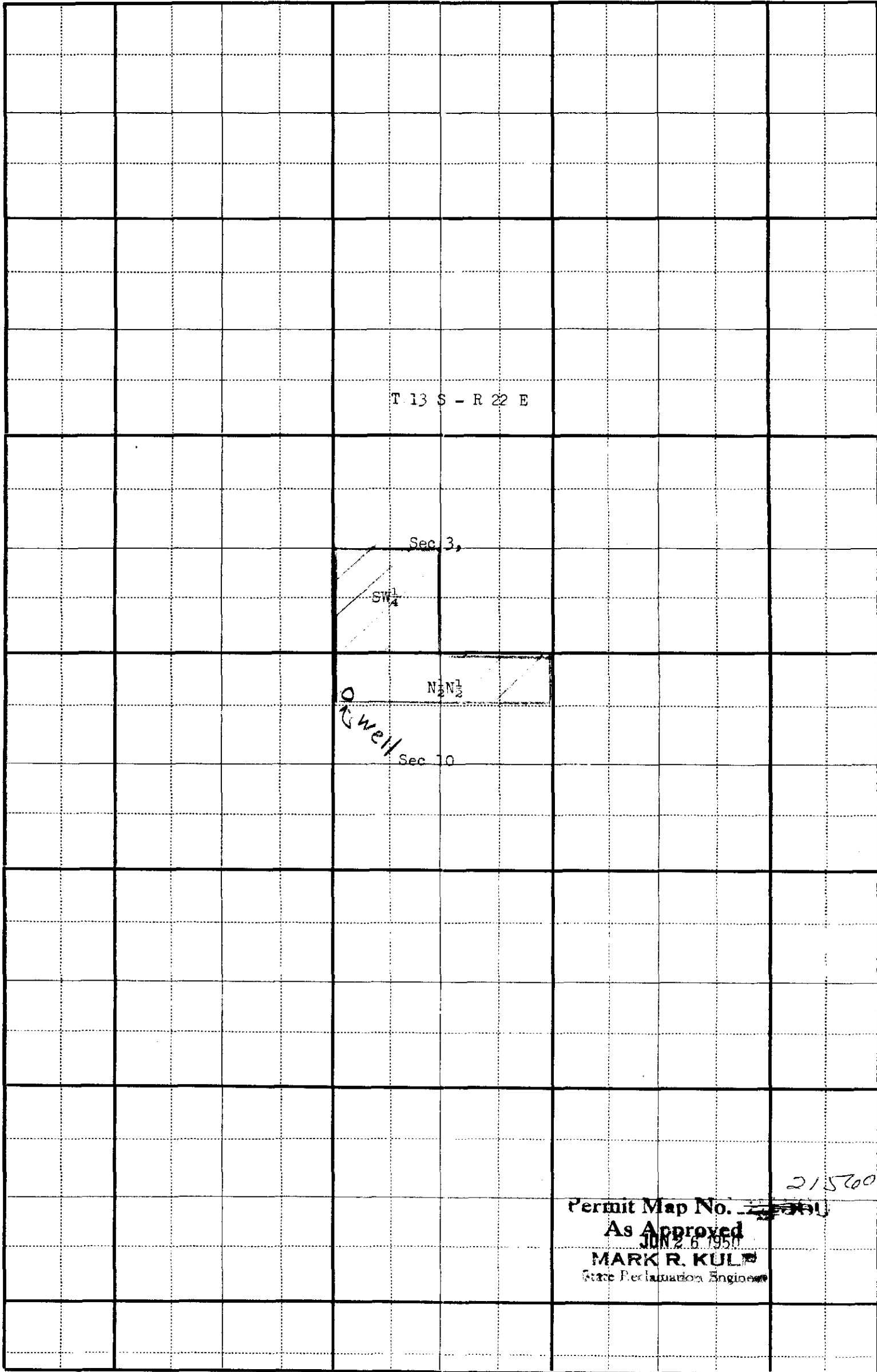
Chief Clerk

A:bh
Enc.

21560

NAME OF APPLICANT Jess. R. Bedke

Form No. 0



215700
Permit Map No. ~~215700~~
As Approved
JUN 26 1950
MARK R. KULP
State Reclamation Engineer