

FROM

Glen Saxton

DATE

10-1-84

TO

File 45-2260

SUBJECT

- The source of this right should be considered as a spring (surface water).

- This right should not be administered together w/ the groundwater rts in the case of Briggs et al. v. S. Higginson et al Case No. 9818

MICROFILMED

SIGNATURE

FROM Jim, Southern

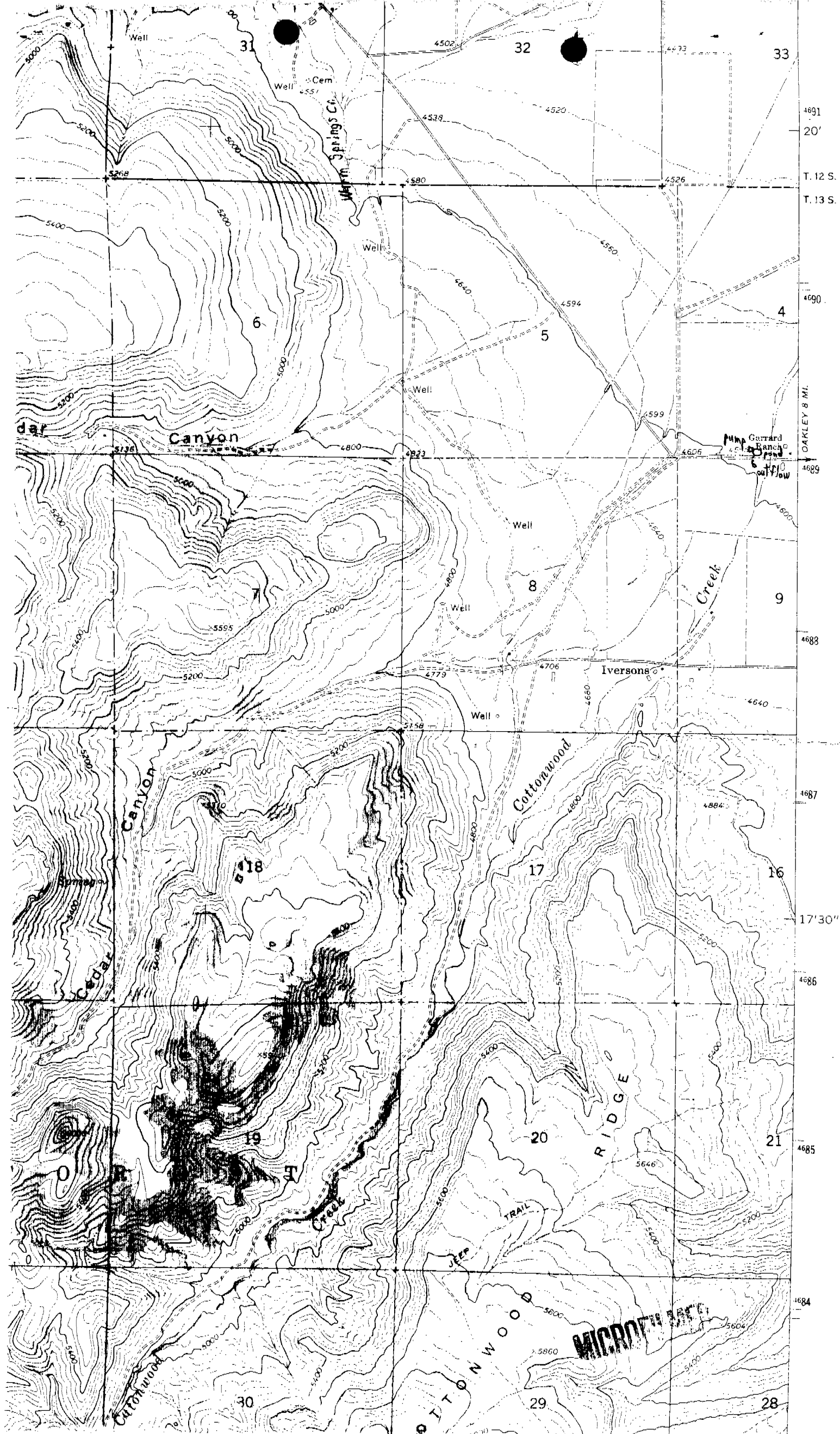
DATE 9-18-84

to *ms* Glen Saxton thru Loren Holmes *fst*

SUBJECT License 45-2260, Hyrum Poulton

I inspected the P. D. & P. U. yesterday, and discussed the system with Mike Cranney (farm operator). The source is a tiled spring, not a well; even the original field report said this. The old ditch was covered up a long time ago, so that the water now comes to the surface just south of the Golden Valley Road along the north edge of Section 9. The water (maybe 10" during my visit) flows under the road & into a large pond, where it comingles with Cottonwood Creek decreed rights (none flowing now). A pump in the pond moves the water into a sprinkler system; I noticed a pivot on the land under the license. So this license is still used, but the source is not groundwater (at least not by normal definition). The spring flow varies from vary little to maybe 60", depending on upstream irrigation and natural moisture conditions. The pump is used when the pond has stored enough water to operate it.

*RECEIVED**JP*
SIGNATURE



17816 +

State of Idaho License and Certificate of Water Right

Water License No. 20494

Amount 1.2 c.f.s.

Water District No.

Priority June 2, 1948

THIS IS TO CERTIFY that **HYRUM FOULTON**

of Oakley, Idaho

, made application for a permit to appropriate the

public waters of the State of Idaho, dated June 2,

1948

; that Permit No. 20494

was issued under said application; that Certificate of Completion of works, with a carrying capacity of

1.6 second feet, was issued thereunder on September 4

1953

, showing that said works

were completed on the 1st day of May

1953

and that on the

day of June

1959

HYRUM FOULTON

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 quantity of subterranean flow

, for the purpose of

water right No. 20494

of the

that said right to the use of said waters has been perfected in accordance with the laws of

Idaho and the State Reclamation Engineer of Idaho and the laws of the United States

The right hereby confirmed dates from June 2

The point of Diversion is located

in the NW 1/4 NW 1/4, Sec. 9, Tp. 13 S. R. 21 E., B. M. Cassia County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall

not exceed 1.2 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
13 S	21 E	4	NB 1/4 SW 1/4	40	30
			NW 1/4 SW 1/4	40	15
			SW 1/4 SW 1/4	40	5
			SE 1/4 SW 1/4	40	10
			Total number of acres to be irrigated:		60

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

8 day of October

1959

/s/ GEO. N. CARTER

State Reclamation Engineer.

(SEAL)

45 2260

State of Idaho
License and Certificate of Water Right

Water License No. 20494

Amount 1.2 c.f.s.

Water District No.

Priority June 2, 1948

THIS IS TO CERTIFY that **HERB POULTON**
of Oakley, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated June 2, 1948; that Permit No. 20494
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.6 second feet, was issued thereunder on September 4, 1953, showing that said works
were completed on the 1st day of May, 1953; and that on the 5
day of June, 1959,

HERB POULTON

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
, a tributary of subterranean flow, for the purpose of irrigation
, under Use Permit No. 20494 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
11 of Licenses at page 6782, on the 8 day of October, 1959;

The right hereby confirmed dates from June 2, 1948;

The Point of Diversion is located

in the NW 1/4 NW 1/4, Sec. 9, Tp. 13 S. R. 21 E., B. M. Cassia County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 1.2 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
13 S	21 E	4	NW 1/4 SW 1/4	40	30
			NW 1/4 SW 1/4	40	15
			SW 1/4 SW 1/4	40	5
			SE 1/4 SW 1/4	40	10
			Total number of acres to be irrigated:		60

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
8 day of October, 1959.

/s/ GEO. N. CARTER

State Reclamation Engineer.

(SEAL)

45 2260

N^o 20494
45-2260

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

APPLICATION No. 28134
PERMIT No. 20494
DISTRICT No.

1. Name of Applicant: HYRUM POULTON

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: Seven (7)

cubic feet per second.

3. Source of water supply: Well about 20' deep

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 NW $\frac{1}{4}$ NW $\frac{1}{4}$

of Section 9 , T. 13 S. , R. 21 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: \$ 2,000.00

8. Kind of works: Well, pump and motor

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 Five (5) years.

13. The time required for the complete application of the water to the proposed use is Six (6) 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: Direct flow from Cottonwood Creek
(Water District # 4)

MICROFILMED

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.

HYRUM POULTON Applicant.

By Agent.

Date of first receipt at Department of Reclamation: 9:30 A. M: June 2, 1948

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 20494
Recorded in Book 73 Page 20494 Approved June 7, 1948
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 7, 1948 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 7, 1950
The whole of said work to be completed on or before June 7, 1953
Beneficial use of water appropriated in accordance herewith, to be made on or before June 7, 1959

WITNESS My hand this 7th day of June, 1948

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 7th day of June , 19 48 STATE OF IDAHO
Countersigned:
(SEAL) By J. D. "CY" PRICE Secretary of State. By C. A. ROBINS Governor.

REMARKS: Water to be pumped from well after direct flow from Cottonwood Creek is insufficient to irrigate the land. Well to be on my own land.

14.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
12 S.	21 E.	26													40	40	40	40	160
13 S.	21 E.	4									40	40	40	40					160
		9					40	40		40	40								160
Total Number of Acres to be Irrigated -																			480
Permit No. 20494 CERTIFICATE OF COMPLETION OF WORKS																			
TO ALL WHOM IT MAY CONCERN: This is to certify that Hyrum Poulton of Oakley, County of Cassia, and State of Idaho, the holder of Permit No. 20494, issued upon Application No. 28134 bearing date of priority of June 2, 1948, authorizing the diversion of Seven (7) 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 1.6 second feet of the waters of said well; that the point of diversion of said waters is in the NW¼ Section 9, TP 13 South, R 21 East, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: Eighty (80) acres in the Southwest Quarter Section 4, Township 13 South, Range 21 East, B.M.																			
Witness my hand this 4th day of September, A.D. 1953.																			
Proof of Completion of Works made May 1, 1953 Certificate of Completion of Works issued September 4, 1953																			
																MARK R. KULP State Reclamation Engineer			
																LICENSE ISSUED FOR 1.2 SEC. FT. Page 6782			

WATER RIGHT NUMBER 45-2260

OWNER LAST NAME - POULTON FIRST NAME - HYRUM ORIG OWNER -
ADDRESS LINE 1 - ADDRESS LINE 2 -
ADDRESS LINE 3 - CITY - OAKLEY STATE - ID ZIP CODE - 83346
SOURCE - SPRING TRIBUTARY OF - SINKS
STAGE - LICENSE STATUS - PRIORITY - 06-02-1948 COUNTY - CASSIA TOTAL DIV. RATE - 1.2000 -CFS
TOTAL DIV. VOLUME - .00 AFA TRFR/AMEND - WATER DIST. - DLE/CAREY ACT - RIGHT BASIS -
DIVERSION POINT - NWNW 09 13S 21E LOT REDIV - 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0
FROM - TO - USE - IRRIGATION USE DIV. RATE - 1.2000 CFS USE DIV. VOLUME - .00 AFA
USE - IRRIGATION PLACE OF USE - TWN 13S RNG 21E SEC 04 TRACT NESW LOT AC 30 TRACT NWSW LOT AC 15
TRACT SWSW LOT AC 05 TRACT SESW LOT AC 10
DATE - TOTAL ACRES 60
DECREE NAME -
REMARKS -
NON IRRIG USE -
OTHER RIGHTS FOR SAME USE -
PROOF DUE - PERMIT/DENIED - PROTESTED - HEARING - OLD NO. - 20494
PROOF MADE - FLD EXAM - COND. OF APPROVAL -
DIVERSION MEANS -

J00 03/21/85

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

WATER RIGHT
DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 20494 145-2260
Old No. New No.

Record

1. Original Owner: Lynn Poulton

Present Owner: _____

2. Address:

3. City: Oakley State: 10 Zip: _____

4. A. Source of Water: gw

B. Tributary of: _____

5. A. Stage (A,P,L,D,S,J): L

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date: 6-2-1948

D. County: 31

E. Total Diversion Rate: 1.2

F. Total Diversion Volume:

G. Transfer/Amendment (P,T of A or blank):

H. Water District:

I. DLE/Carey Act (D,C or blank):

J. Right Basis (for adjudication claims A,B,C only):

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>NWNW</u>	<u>9</u>	<u>13S</u>	<u>21E</u>		

7. Period of Use, Use, Diversion Rate/Volume:

from _____ to _____ for 17 purposes. Amount 1.2
(cfs or AC-FT/yr)

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

June 21, 1967

RE: License 20494
Hyrum Poulton

John A. Rosholt
Attorney at Law
P.O. Box 525
Twin Falls, Idaho 83301

Dear John:

As requested by your letter of June 20th, please find enclosed a copy of the water license.

Our weather has been rather sticky also, of course now it should get real warm and bright. Still have the umbrella but just can't leave the first tee in the rain. Once on the course, fine!

Sincerely,

M. RUSSELL BOSCH
Office Manager

✓ MRB:ejw

P.S. You can send the 50¢ copy fee at your convenience.

net
~~25286~~

PARRY, ROBERTSON & DALY

LAWYERS

FIDELITY BANK BUILDING

P. O. BOX 525

TWIN FALLS, IDAHO 83301

TELEPHONE
(208) 733-3722

R. P. PARRY
T. M. ROBERTSON
JOHN H. DALY
BERT LARSON
C. G. MCINTYRE
JOHN R. COLEMAN
THOMAS G. NELSON
JOHN A. ROSHOLT
FRED D. DECKER

June 20, 1967

RECEIVED
JUN 21 1967
Department of Reclamation

Mr. M. Russell Bosch
Office Manager
Department of Reclamation
107 State House
Boise, Idaho

Re: Permit No. 20494

Dear Russ:

Would you please send me any information that you might have in regard to the above-numbered permit. A copy of the permit, the license if there is one, or the date upon which the permit was canceled if it was so canceled, would be appreciated.

This would probably save me a trip to Boise, so please send me a statement for your time and charges and we will remit by return mail.

I trust that you have purchased an umbrella so that you can continue playing golf in southern Idaho. It seems there is a big, black cloud hanging over Twin Falls every time I look out the window. Hopefully, southwestern Idaho is being blessed.

Sincerely,

John A. Rosholt
JOHN A. ROSHOLT

JAR:dp

Lee

6782

net

~~25786~~

October 8, 1959

Re: Permit No. 20494

Mr. Hyrum Poulton
Oakley, Idaho

Dear Mr. Poulton:

We enclose the License and Certificate of Water Right issued on Permit No. 20494.

We also enclose departmental receipt No. 29806 in the amount of \$8.00 covering fees.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rutledge
Chief Clerk

EPR:ew
Enc. license
receipt

20494

September 22, 1959

Re: Permit No. 20494

Mr. Hyrum Poulton
Oakley, Idaho

Dear Mr. Poulton:

Our field engineer's report on his inspection of the application of water to beneficial use under the terms of Permit No. 20494, shows the well is capable of conveying 60 miner's inches (1.2 c.f.s.) of water for the irrigation of 60 acres.

Upon receipt of the statutory fees of \$8.00 - based at the rate of \$2.00 for each 40-acre subdivision - we will issue the License and Certificate of Water Right confirming the right, with priority of June 2, 1948, to the use of 1.2 second feet of subterranean water, with the point of diversion in the SW 1/4, Sec. 9, for the irrigation of 60 acres in the SW 1/4, Sec. 4, T. 13 S., R. 21 E., S. 1.

Very truly yours,

GEO. E. CARTER
State Reclamation Engineer

By:

(Mrs.) Anna E. Rutledge
Chief Clerk

EW:ew

20494

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 20494

REPORT ON PROOF OF Beneficial Use

Hyrum Poulton, Oakley, Idaho

8" x 10"

R-21E.

26

34

35

T. 12 S.

T. 13 S.

18" cross trench

16"

DITCH

50 acres

30

bldgs.

Pool

Bo.

Cottonwood Creek

Subdivisions = 4

Area = 60 acres

Q = 1.2 cfs.

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 20494

This proof is for Beneficial Use

In Water District No. _____

1. Name of applicant Hyrum Poulton2. Source of water supply: Subterranean flow from a well3. Location of point of diversion: Is in the NW 1/4 of Section 9T. 13 S R. 21 E. B. M. County of Cassia

4. Describe works as they exist, giving dimensions and capacities of same: There is a large trench 400' long x 30' w. x 20' deep. There is 18" perforated concrete pipe (covered) in the East West trench on well. There is 16" cons. pipe line leads to the road near the bldgs. There is a vertical control valve at the P.D. This water is dumped in with his regular stream flow for irrigation and irrigates on west side of creek.

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):

SE 1/4 Sec. 26., Twp. 12 S., Rge. 21 E. B. M. SW 1/4 Sec. 4., N 1/4 NW 1/4, SE 1/4 NW 1/4 and NE 1/4 SW 1/4 Sec. 9 in Twp. 13 S., Rge. 21 E. B. M.

On dry years there is not very much water - more on good water years.

It is as dry at present they haul water for the house from this pipe line.

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

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

Remarks: Line is laid on grade and flows free.

Today flows 15' to 20"

This examination was made on the 12 day of Aug., 19 59

(Signed) E. N. Humphrey Examiner.

20494

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 2 11 1959

Department of Reclamation

Permit No. 20494

Examination for Beneficial Use

County Cassia

Q9 7.0 c.f.s.

S₂ Well

P. D. 2 NW. NW. Sec. 9, T. 138. - R. 21E

Me = Irrigation

6 of actual water

Filed 2 June 2, 1948

Due = June 7, 1959

c/w = 9-4-53

Direct flow from Cottonwood

June 17, 1959

RE: Permit No. 20494

Mr. Hyrum Poulton
Oakley, Idaho

Dear Mr. Poulton:

We acknowledge receipt of the Deposition of Holder and two witnesses, also affidavit of publication in The Oakley Herald, all submitted in proof of beneficial use on Permit No. 20494.

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

We cannot tell just when this examination will be made, but our field engineer will try and contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rutledge
Chief Clerk

EPR

cc: Bedke & Smith
Attorneys At Law
1116 Overland
Burley, Idaho

20494

HERMAN E. BEDKE
RICHARD K. SMITH

BEDKE & SMITH
ATTORNEYS AT LAW
1416 OVERLAND
BURLEY, IDAHO
June 11, 1959

P.O. BOX 249
TEL. OR 8-2401

RECEIVED
JUN 12 1959
Department of Reclamation

Mr. George N. Carter
State Reclamation Engineer
Department of Reclamation
Boise, Idaho

Re: Permit No. 20494
Hyrum Poulton

Dear Mr. Carter:

Please find enclosed two Depositions of Witnesses and one
Deposition of Holder together with the Affidavit of Publication in
the above entitled matter.

Yours truly,


HERMAN E. BEDKE

HEB:dg
Enclosures

20494

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
JUN 1 1948
Department of Reclamation

Permit No. 20494

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Hyrum Poulton, Oakley, Idaho, Farmer

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

Ans. _____

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

Ans. No. 20494, June 2, 1948, Date of priority June 2, 1948

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

Ans. Tile Spring; subterranean, in NW 1/4 NW 1/4 of Sec. 9, Twp. 13 S. Rge. 21 E. B. M.

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

Ans. All water is conveyed through a tile pipe from the tile spring. There is 35 inches of water conveyed to place of use through a concrete conduit.

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

Ans. Irrigation of cultivated land.

20494

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

Ans. _____

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

Ans. 35 inches

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

Ans. _____

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

Ans. For the last four years 35 inches of water has been diverted to irrigate 70 acres of cultivated land.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. None

(Sign) Wynn Doulton

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 5th day of June, A. D. 1959.

Herman E. Sedke

My commission expires 6-13-61

20494

RECEIVED
JUN 14 1910

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 20494

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. J. McLaws, 31 years old, Oakley, Idaho, Farmer and Auctioneer

Ques. 2. Are you acquainted with Hyrum Poulton, the holder of Permit No. 20494? How long have you known him and where does he reside?

Ans. Yes. I have known him 20 years, he resides at Oakley, Idaho.

Ques. 3. Have you read or heard read said Permit No. 20494, and are you familiar with its provisions and conditions?

Ans. YES

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

Ans. Source is a tile spring, it is conveyed through a 16 in. tile.

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

Ans. 7/100 a 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. No pump

20494

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. 70 acres of cultivated land.

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. farm land

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

Ans. 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. 1956 - 1957 - 1958, 35 in. of water through the tile pipe.

(Signed)

J. J. Mc Lows

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 5th day of June, A. D. 1959.

Herman E. Bedke

Notary Public.

My commission expires 6-13-61

20494

RECEIVED
JUN 12 1959

STATE OF IDAHO
DEPARTMENT OF RECLAMATION Department of Reclamation
BOISE, IDAHO

Permit No. 20494

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. Clyde H. Bell, 42 years old, Oakley, Idaho, Farmer

Ques. 2. Are you acquainted with Hyrum Poulton, the holder of Permit No. 20494? How long have you known him and where does he reside?

Ans. Yes, I have known him 20 years, he resides at Oakley, Idaho

Ques. 3. Have you read or heard read said Permit No. 20494, and are you familiar with its provisions and conditions?

Ans. YES

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

Ans. Source is a tile spring, it is conveyed through a 16 in. tile.

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

Ans. 7/100 a 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. No pump

20494

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 70 acres of cultivated land.

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. farm land.

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

Ans. 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. 1956 - 1957 - 1958, 35 inches of water through the tile pipe.

(Signed)

Clyde H. Bell

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 5th day of June, A. D. 1959.

Herman E. Bell

Notary Public.

My commission expires 6-13-61

20494

RECEIVED
JUN 1 2 1959
Department of Reclamation

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

April 30, May 7, 14, 21

19 59

Subscribed and sworn to before me this 23

day of May, 19 59

Wallace A Hale

Notary Public.

NOTICE
ON WATER TO BENEFICIAL
USE is hereby given that
on the 5th day of June
1959, at Burley, County of Cassia,
State of Idaho, before Herman
Baker, Notary Public, proof was
submitted of the application to the
use of 7.0 cubic feet per second
of the waters of a well in accordance
with the terms and conditions of
Permit No. 20494 heretofore
issued by the State Reclamation
Department of the State of Idaho.
The name and postoffice address of
the person or corporation holding the
permit are Hyrum Poulton, Burley,
Idaho.
The use to which said water
has been applied is irrigation.
The amount applied to
use is .6 cubic foot per second.
The place where said water is used
(if for irrigation, give from ac-
curate description of the irrigated
land) 70 acres in the Southwest
Quarter of Section Four (4), Town-
ship Thirteen (13) South, Range
Twenty-one (21) East of the
Idaho Meridian.
The source of the water is subter-
ranean, in NW 1/4 NW 1/4 Sec. 9, Twp.
13 S., Rge. 21 E. B. M.
The date of priority which said
user is prepared to establish is June
2, 1948.
GEO. N. CARTER
State Reclamation Engineer
First publication April 30, 1959,
Fourth publication May 21, 1959

20494

60

April 22, 1959

Re: Permit No. 20494

Mr. Hyrum Poulton
Oakley, Idaho

Dear Mr. Poulton:

We enclose departmental receipt No. 29579, which was issued covering payment in the amount of \$1.50 for a copy of Permit No. 20494 which was sent to you under date of April 9, 1959.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rutledge
Chief Clerk

EPR/lw
Enclosure - Departmental receipt

20494

April 21, 1959

Re: Permit No. 20494

Mr. Hyrum Poulton
Oakley, Idaho

Dear Mr. Poulton:

This acknowledges the Notice of Proof of Application of Water to Beneficial Use under Permit No. 20494. The proof is to be made at 2:00 P. M. on the 5th day of June, 1959, before Herman E. Bedke, Notary Public, at Burley, Idaho.

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

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

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

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rutledge
Chief Clerk

EPR/lw
Encls.(3)
cc: Herman E. Bedke
Notary Public

20494

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

DEPARTMENT OF RECLAMATION
Boise, Idaho

Date: April 21, 1959

Re: Permit No. 20494
Hyrum Poulton

Oakley Herald
Oakley, Idaho

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to June 5, 1959 the date set for proof;

the expense of the publication is to be paid by the applicant

Hyrum Poulton

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 or tear-sheet of the first publication.**

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

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

20494

Application for Amendment
To Permit to appropriate the Public Waters
of the State of Idaho, No.

Comes now Hyrum Poulton, 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. 20494, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

The Southwest Quarter of Section Four (4), Township Thirteen (13) South,
Range Twenty-one (21), East of the Boise Meridian

....., making a total of 160 acres.

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

Signed at Burley, this 16th day of April, 19 59.

Hyrum Poulton

Date of receipt at office of Department of Reclamation

APPROVAL OF STATE RECLAMATION ENGINEER

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

State Reclamation Engineer

Not needed

20494

RECEIVED
APR 20 1959
Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) April 16, 1959

(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, Idaho published in
the county in which the works are situated.

Dwight Doulton

(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.

20494

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

RECEIVED
JUN 20 1969
Department of Reclamation

P.

Notice is hereby given that at 2:00 ~~X~~ M. on the 5th day of June, 1969,
at Burley, County of Cassia, State of Idaho, before
Herman E. Bedke, Notary Public, proof will be submitted of the
application to beneficial use of 7.0 cubic feet per second of the waters of a well
in accordance with the terms and conditions of Permit No. 20494
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 _____
Hyrum Poulton, Oakley, Idaho

The use to which said water has been applied is irrigation

The amount applied to beneficial use is .6 cubic foot per second

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated)
70 acres in the Southwest Quarter of Section Four (4), Township Thirteen (13)
South, Range Twenty-one (21) East of the Boise Meridian.

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

The right to take water from such works is based upon Permit No. 20494

The source of supply from which such water is diverted is subterranean, percolating,
and sub-surface in NW¹ & NW², S. 9, T. 13 S. - R. 21 E. B. M.

The date of priority which said user is prepared to establish is June 2, 1948

State Reclamation Engineer.

20494

RT

April 9, 1959

Re: Permit 20494
Hyrum Poulton

Mr. Hyrum Poulton
Oakley, Idaho

Dear Mr. Poulton:

Enclosed is a copy of Permit No. 20494, for which there is a fee of \$1.50 due this office, and a form for change in land description.

You were allowed the full five years to prove completion of works and an additional six years to prove beneficial use of the water. An extension of time for proof of beneficial use cannot be given. If you make your proof of beneficial use after June 7, 1959, the same length of time will be added to the priority date. The date of priority of your permit is June 2, 1948. Provided you delayed until December 7, 1959 to make your proof the date of priority of the Water License would be advanced six months to December 2, 1948.

Your certificate of completion of works was issued for 1.6 cubic feet per second which cannot be increased, however the land description to which the water is appurtenant can be changed by completing the enclosed form for amendment.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
by

RALPH THOMAS
Office Engineer

RT:ew

20494

Oakley Idaho

April 7 '59

Idaho State Comm. of Rec.

Boise Idaho.

Dear Sir, I received your letter
of April first notifying me that
I had until June 7 to make proof
of Permit No 20494.

This is a very busy time of the year
for me, and I'd like to know if I
could have the time extended six
months to Dec. 7 '59. Witnesses wouldn't
be so busy then and neither would I.
And another thing I had my wife
looking for that Permit for a couple
of days and so far we haven't found
it. I would like a copy of it as I don't
know what descriptions I had on it.

I may want to change it as I think
at that time I was trying to file
in land from the B.L.M., which they
wouldn't allow.

RECEIVED

APR 9 1959

Gloss

Styrum Porcelain

20494

STATE OF IDAHO
DEPARTMENT OF RECLAMATIONRE: Permit No. 20494Date April 1, 1959Mr. Hyrum Poulton
Oakley, Idaho

Dear Sir:

The date for proof of application of water to beneficial use, as set out under the terms of Permit No. 20494 is due not later than June 7, 1959. 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

Enc.

20494

✓
September 5, 1953

RE: Permit No. 20494

Mr. Hyrum Poulton
Oakley
Idaho

Dear Mr. Poulton:

We enclose Certificate of Completion of Works on Permit No. 20494, for the diversion of 1.6 second feet of water from a well in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 9, Township 13 South, Range 21 East, B.M., for the irrigation of 80 acres in the SW $\frac{1}{4}$ Section 4, Township 13 South, Range 21 East, B.M.

We also enclose departmental receipt No. 26167 for the \$5.00 fee paid in connection therewith.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

20494

Oakley, Idaho

RECEIVED
SEP 4 1953

Sept 1 '53 Department of Reclamation

Mark R Dulp

State Engineer

Dear Sir; Received your letter of Aug 29 asking for more information. I thought I had sent you this (Proof of Completion of Works) or did I have two copy's? Anyway I have tried to draw a small map of 40 acres with the approximate location of the tiled spring with a cross trench of 400 ft and an outlet trench of 1300 ft. The 40 acres upon which this tiled spring is located is the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec 9, T13 E B.M. The map I sent you with explanations is also fairly accurate.

Yours truly

Styrum Poulton

204 94

August 29, 1953

RE: Permit No. 20494

Mr. Hyrum Poulton
Oakley
Idaho

Dear Mr. Poulton:

Your explanation regarding works in connection with Permit No. 20494 just received.

In order to keep your permit from being cancelled, it is still necessary that the forms for Completion of Works which were returned to you be properly filled out and returned to this office at the earliest possible moment.

Your description is quite clear, but it will be necessary for you to also submit a map showing it's exact location on same, or tell in writing the exact location.

The law regarding these procedures is clear and definite and something over which we have no control.

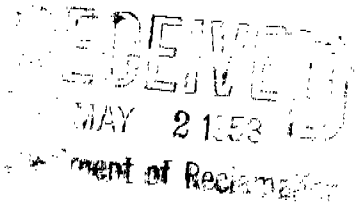
Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:pj

20494

Permit No. 20494STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

ss.

County of CassiaHyrum Poulton

, 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. 20494, and that his postoffice address is OakleyState of IdahoSecond: That the name of the stream from which said water is to be diverted is well.Third: That the point of diversion of said water is NW¹/₄ NW¹/₄ of Section 9, Twp 13 South, Range 21 E. B. M.Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by June 7, 1953.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: Trench and tiled spring
(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 18 inches, average grade per mile is feet. Length of conduit is 3/8 miles.Seventh: That said works are capable of conducting to the place of intended use 1.6 second feet of water.Eighth: That water appropriated under said permit is available for 80 acres of land described as follows: irregular shaped 80 acres in the following:Situated in Cassia County, SW¹/₄ of Section 4, Twp. 13 South, Range 21 EBMLocation of tiled spring is NW¹/₄ of NW¹/₄ of 9 & 13 E.B.M.

Ninth: Remarks: That

Hyrum Poulton
(Sign Here)Subscribed and sworn to before me this 1st day of May, 1953My commission expires 6-23-53Herman E. Beck
Notary Public.

20494

SOUTH

This 400 foot trench I want to extend on out west about another 500 feet making it about 700 feet in all.

-----400 foot trench-----

This 400 foot cross trench is about 18 feet deep and layed with 18 inch neferated tile.

This outlet trench is about 1300 feet long and runs from 18 feet deep on the south to nothing on the north end. In other words I run the water out on top and don't have to pump. This trench is layed with 16 inch sealed tile. The engineer in charge said this kind of a deal was called a tile spring.

-----extension-----

40402

ROAD

NORTH



LEN JORDAN
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

June 20, 1953

RE: Permit No. 20494

RECEIVED
AUG 28 1953
Department of Reclamation

Mr. Hyrum Poulton
Oakley
Idaho

Dear Mr. Poulton:

We acknowledge receipt of your letter of June 19, 1953, enclosing your check for \$5.00 completion of works fee on Permit No. 20494.

However, your affidavit in proof of completion of works is incomplete in several details.

Your application described a pump and motor. If these have been installed, please state the kind and power of the pump. This can be done under remarks.

Also describe in more detail the trench and tiled spring as to size, depth, etc.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By *Jeanne L. Anderson*
Chief Clerk

A:fg
Enc.

Dear Sirs:

I am sending a map with all the information I can think of. I was a little in doubt as to just what or how I would word it in my affidavit in proof of completion of works. I didn't want to mess up the affidavit so would you fill it in with what you think is necessary. Thank you

Yours truly,

Signature

LEP

20494

✓
August 21, 1953

RE: Permit No. 20494

Mr. Hyrum Poulton
Oakley
Idaho

Dear Mr. Poulton:

We have written you several times in regard to proof of Completion of Works on Permit No. 20494 which was returned to you on June 20, 1953, for certain corrections.

This proof is long past-due and unless the matter is given your early attention, it will be necessary for us to list same for cancellation and return your check for \$5.00 submitted in payment of Completion of Works fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:pj

20494

July 14, 1953

RE: Permit No. 20494

Mr. Hyrum Poulton
Oakley
Idaho

Dear Mr. Poulton:

On June 20, 1953, we returned your affidavit submitted in proof of completion of works on Permit No. 20494 for certain corrections.

To date, this has not been returned and it is important that you give the matter your prompt attention.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

20494

June 20, 1953

RE: Permit No. 20494

Mr. Hyrum Poulton
Oakley
Idaho

Dear Mr. Poulton:

We acknowledge receipt of your letter of June 19, 1953, enclosing your check for \$5.00 completion of works fee on Permit No. 20494.

However, your affidavit in proof of completion of works is incomplete in several details.

Your application described a pump and motor. If these have been installed, please state the kind and power of the pump. This can be done under remarks.

Also describe in more detail the trench and tiled spring as to size, depth, etc.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

20494

Oakley Idaho

June 19 '53

Dept of Rec
Boise Idaho

Inclosed please find check for \$5.00
that you asked for in your letter of
may 6th on Permit No 20494

Yours

Harlem Poulton

RECEIVED
JUN 20 1953

Department of Reclamation

20494

May 6, 1953

RE: Permit No. 20494

Mr. Hyrum Poulton
Oakley, Idaho

Dear Mr. Poulton:

We acknowledge receipt of your application for amendment to reduce the amount of water applied for from 7 to 1.6 a.f., also your affidavit in proof of completion of works on said Permit.

The amendment will be approved and certificate of completion of works issued upon receipt of the statutory fee of \$5.00.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:op

20494

Oakley, Idaho
May 1, 1953

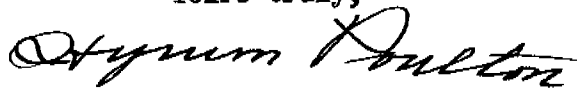
RECEIVED
MAY 2 1953
Department of Reclamation

Department of Reclamation
Boise, Idaho

Gentlemen:

I hereby make application to amend permit No. 20494
changing the amount of water applied for from 7 second ft.
to 1.6 second ft.

Yours truly,



Hyrum Poulton

20494

April 23, 1953

Mr. Herman E. Bedke
Box 204
Burley, Idaho

Dear Mr. Bedke:

In reply to your request of April 17, 1953, we are sending you, under separate cover, several forms of application for permit to appropriate public water.

Form 1 is used for filing on surface water, and Form 3 for subterranean water.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

20494

✓
April 21, 1953

RE: Permit No. 20494

Mr. Herman E. Bedke
Box 204
Burley, Idaho

Dear Mr. Bedke:

We have your letter of April 17, 1953, enclosing notice for publication for proof of completion of works on 1.6 second feet of water on the above numbered permit in the name of Hyrum Poulton.

Permit No. 20494 is for 7 second feet of water for the irrigation of 480 acres of land. If only 1.6 second feet have been developed for the irrigation of only 80 acres, it will not be necessary to publish the notice for proof of completion of works, but the proof can be made on Form 6 enclosed.

However, if this is to be done it will be necessary for Mr. Poulton to make formal application by letter for the amendment of Permit No. 20494 to reduce the amount from 7 second feet to 1.6 second feet.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

20494

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date).....April 17, 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,.....published in
the county in which the works are situated.

Ogden Pontton

(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.

20494

● Notice for Publication ●

Notice is hereby given that at 1:30 P. M., on the 5th day of June, 1953, at Burley, County of Cassia, State of Idaho, before Herman E. Bedke, Notary Public, proof will be submitted of the completion of works for the diversion of 1.6 cubic feet per second of the waters of a well

in accordance with the terms and conditions of a certain permit heretofore issued by the State Reclamation Engineer of the State of Idaho.

1. The name of the person or corporation holding said permit is Hyrum Poulton

2. The postoffice address of such person or principal place of business of such corporation is Oakley, County of Cassia, State of Idaho.

3. The number of such permit is 20494, and the date set for the completion of such work is June 7, 1953

4. Said water is to be used for Irrigation purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 1.6 cubic feet per second.

6. The amount of lands for which said water is available is 80 acres, particularly described as follows:

East Half of the Southwest Quarter of Section Four, Township 13 South,
Range 21 East of Boise Meridian, all in Cassia County, Idaho.

Commissioner of Reclamation.

20494

Notice for Publication

Notice is hereby given that at 1:30 P. M., on the 5th day of June, 1953, at Burley, County of Cassia, State of Idaho, before Herman E. Bedke, Notary Public, proof will be submitted of the completion of works for the diversion of 1.6 cubic feet per second of the waters of a well in accordance with the terms and conditions of a certain permit heretofore issued by the State Reclamation Engineer of the State of Idaho.

1. The name of the person or corporation holding said permit is Hyrum Poulton
2. The postoffice address of such person or principal place of business of such corporation is Oakley, County of Cassia, State of Idaho.
3. The number of such permit is 20494, and the date set for the completion of such work is June 7, 1953
4. Said water is to be used for Irrigation purposes.
5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 1.6 cubic feet per second.
6. The amount of lands for which said water is available is 80 acres, particularly described as follows:
East Half of the Southwest Quarter of Section Four, Township 13 South,
Range 21 East of Boise Meridian, all in Cassia County, Idaho.

Commissioner of Reclamation.

HERMAN E. BEDKE

ATTORNEY AT LAW

P. O. BOX 204

BURLEY, IDAHO

April 17, 1953

PHONE 585

RECEIVED
APR 20 1953
Department of Reclamation

State Reclamation Engineer
Boise, Idaho

Dear Sir:

Find inclosed NOTICE FOR PUBLICATION and authority to publish the same in connection with permit No. 20494, in the name of Hyrum Poulton.

Also please send me a few copies of APPLICATION FOR PERMIT.

Yours truly,


Herman E. Bedke

P.S.

According to permit there was to be a pump, but it has proven that the same is not necessary now. Furthermore, Mr. Poulton does not own all the land that was described in the permit, but the land that is shown in the notice is the land to which he wishes the water to become appurtenant, and is owned by him.

20494
4/20/53

20494

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

April 1, 1953

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Mr. Hyrum Poulton
Oakley, Idaho

Boise, Idaho,

Dear Sir:—

I enclose herewith blank form upon which to give notice that you are prepared and desire to submit proof of completion of works under your permit No. 20494.

This form should be filled out and mailed to the Department of Reclamation, at least 60 days before the date upon which proof is to be submitted, which proof MUST be on or before June 7, 1953. Upon receipt of the blank properly filled out, notice of publication will be sent to the paper direct from this office, which notice must be published a period of four weeks prior to the date of proof.

The proof may be submitted at any place convenient to you and two witnesses, where there is a notary public or other officer authorized to administer oaths.

The certificate that shall be issued under this proof does not give you a perpetual right to the use of the water for which application is made, as it only confirms the completion of the 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.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

20494

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 20494

Date June 10, 1948

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

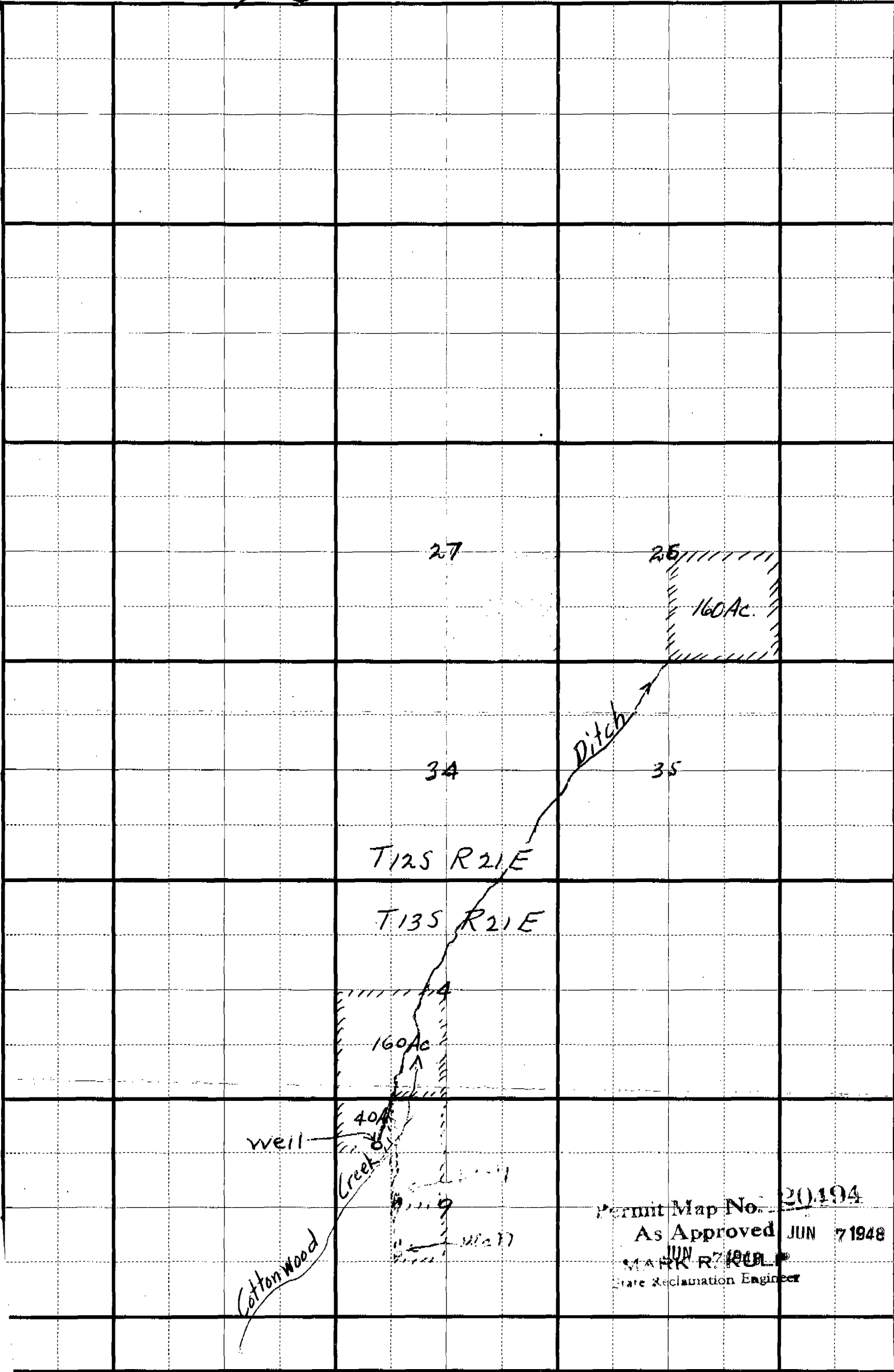
MARK R. KULP
State Reclamation Engineer

Mr. Hyrum Poulton
Oakley, Idaho

Enc: Departmental Receipt No. 20666

20494

Othman Roulton



Permit Map No. 20494
As Approved JUN 7 1948
MARK R. RULF
State Reclamation Engineer

Our reports show SW⁴, S. 4, T. 13 S. - R. 21 E.
included in original applic. - no amendment
needed.

Original Q is 7.0 c.f.s. - Notice says 0.6
c.f.s. - quite a change. Should records be
amended to show the lesser amount to
avoid future complications?

Afterward checks.

Due: 6-7-59.

Q was for
0.6 cfs RT

NOTICE TO BENEFICIARIES
OF WATER TO BE USED FOR
Irrigation. Notice is hereby given that a
Permit No. 20454, for the purpose of using
water for irrigation, was issued to Hyrum
Foster, Caldwell, Idaho, on April 30, 1959.
Proof will be submitted of the application of bene-
ficial use of 7.0 cubic feet per second
of the waters of a well in accor-
dance with the terms and conditions
of Permit No. 20454 heretofore is-
sued by the State Reclamation Engi-
neer of the State of Idaho.

The name and postoffice address of
the person or corporation holding said
permit are Hyrum Foster, Caldwell,
Idaho.

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

The amount applied to beneficial
use is 7.0 cubic feet per second.

The place where said water is used
(if for irrigation, give full and ac-
curate description of the lands irri-
gated) 70 acres in the Southwest
Quarter of Section Four (4), Town-
ship Thirteen (13) South, Range
Twenty-one (21) East of the Boise
Meridian.

The name of the canal or ditch
or other works by which water is
conveyed to said place of use is
Caldwell Canal.

The right to take water from such
works is based upon Permit No.
20454.

The source of supply from which
such water is taken is the Boise
River in NW¹/4 NW¹/4, T. 13 S., R. 21 E. B. M.

The date of priority which said
user is entitled to is April 30, 1959.

State Reclamation Engineer.

First publication April 30, 1959.

Fourth publication May 21, 1959.

Our records show SW¹/₄, S. 4, T. 13 S., - R. 21 E.
included in original applic. - no amendment
needed.

Original Q is 7.0 c.f.s. - Notice says 0.6
c.f.s. - quite a change. Should records be
amended to show the lesser amount to
avoid future complications?

Otherwise alright.

June 6-7-59.

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 2:00 P.M. on the 5th day of June 1959, at Burley, County of Cassia State of Idaho, before Herman E. Becke, Notary Public, proof will be submitted of the application to beneficial use of 7.0 cubic feet per second of the waters of a well in accordance with the terms and conditions of Permit No. 20494 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 Hyrum Poulton, Oakley, Idaho.

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

The amount applied to beneficial use is .6 cubic foot per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) 70 acres in the Southwest Quarter of Section Four (4), Township Thirteen (13) South, Range Twenty-one (21) East of the Boise Meridian.

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

The right to take water from such works is based upon Permit No. 20494.

The source of supply from which such water is diverted is subterranean, in NW¹/₄NW¹/₄ Sec. 9, Twp. 13 S., Rge. 21 E. B. M.

The date of priority which said user is prepared to establish is June 2, 1948.

GEO. N. CARTER

State Reclamation Engineer.

First publication April 30, 1959,

Fourth publication May 21, 1959