

State of Idaho

License and Certificate of Water Right

Water License No. 20395

Amount 0.6 second foot

Water District No.

Priority April 2, 1948

THIS IS TO CERTIFY that H. C. MATTHEWS
of Oakley, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated April 2, 1948, 19 ; that Permit No. 20395
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
one second foot, was issued thereunder on May 5, 19 50, showing that said works
were completed on the 6th day of April, 19 50; and that on the 18th
day of May, 19 50,

H. C. MATTHEWS

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
~~subterranean~~ (subterranean flow) for the purpose of irrigation and
culinary use, under Use Permit No. 20395 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
8 of Licenses at page 4739, on the 24th day of April, 1951;

The right hereby confirmed dates from April 2, 19 48;

The Point of Diversion is located

in the NW 1/4 SW 1/4, Sec. 33, Tp. 13 S., R. 22 E., B. M. Cassia County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 0.6 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.	22 E.	33	SW 1/4 NW 1/4	40	40
			NW 1/4 SW 1/4	40	40
			Number of Acres Actually Irrigated.	- - -	80

The right to the use of the waters of the well described 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 of Idaho, dated

24th day of April, 19 51,

MARK R. KULP

State Reclamation Engineer

45 2252

(Total)

Nº 20395
2/5-2252

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

APPLICATION No. 28030
PERMIT No. 20395
DISTRICT No.

1. Name of Applicant: H. C. MATTHEWS

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: 1.6

cubic feet per second.

3. Source of water supply: Drilled well supplied by sub-/ surface water 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 Southeast corner of NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33 , T. 13 S. , R. 22 E. , B.M., County of Cassia

5. Water is to be used for Irrigation and culinary purposes

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: \$ 6,000.00

8. Kind of works: Well, pump and distribution ditches

9. Height of dam

feet; length of dam at top

feet; length of dam at bottom

feet; material used in dam:

10. Size of headgate: Width

feet; height

feet.

11. Ditch: Width at bottom 2

feet; width at water line 3

feet; depth of water 2

feet;

dimensions of flume:

Diameter of pipe

inches; length of conduit

miles.

Average grade per mile

feet.

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

years.

13. The time required for the complete application of the water to the proposed use is

None

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: 40 in. Birch Creek, April 1, 1875; 17-2/3 in. Birch Creek, 1881; 22-2/3 in. Birch Creek, 1882,

16. (a) Is reservoir to be used? 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.

H. C. MATTHEWS *Applicant.*

By

Agent.

Date of first receipt at Department of Reclamation: 2:15 P. M. April 2, 1948

Returned to applicant for correction: April 5, 1948

Corrected application received: April 9, 1948

Approval of State Reclamation Engineer

The number of this permit is **20395**

Recorded in Book 73 Page 20395 Approved April 22, 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 June 22, 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 April 22, 1949

The whole of said work to be completed on or before **April 22, 1950**

Beneficial use of water appropriated in accordance herewith, to be made on or before April 22, 1950

WITNESS My hand this 22nd day of April, 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 22nd

day of April, 19 48.

STATE OF IDAHO

Countersigned:

(SEAL)

By.....C. A. ROBINS

Governor.

By J. D. "CY" PRICE

Secretary of State.

REMARKS: The water for which permission to appropriate is applied is intended for supplemental use by reason of the fact that the available water supply is inadequate and uncertain.

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	
13 S.	22 E.	33					40				40								80
			Permit No. 20395 CERTIFICATE OF COMPLETION OF WORKS																
TO ALL WHOM IT MAY CONCERN:																			
This is to certify that H.C. MATTHEWS of Oakley, County of Cassia, and State of Idaho, the holder of Permit No. 20395, issued upon Application No. 2803 bearing date of priority of April 2, 1948, authorizing the diversion of 1.6 second feet of the waters of subterranean flow from a drilled well, County of Cassia, State of Idaho, for irrigation and culinary 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 One (1) second foot of the waters of said well; that the point of diversion of said waters is in the Southeast corner of the NW¼ SW¼ Section 33, 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: SW¼ NW¼ and NW¼ SW¼ Section 33, Township 13 South, Range 22 East, B.M.																			
Witness my hand this 5th day of May, A. D. 1950.																			
Proof of Completion of Works made April 6, 1950. Certificate of Completion of Works issued May 5, 1950.																			
LICENSE ISSUED FOR 2.6 SEC. FT. Page 4 739																			
			</																

WATER RIGHT NUMBER 45-2252

OWNER LAST NAME - MATTHEWS

FIRST NAME - H. C.

ORIG OWNER -

ADDRESS LINE 1 -

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - OAKLEY

STATE - ID ZIP CODE - 83346

SOURCE - GROUNDWATER

TRIBUTARY OF -

STAGE - LICENSE

STATUS -

PRIORITY - 04-02-1948 COUNTY - CASSIA

TOTAL DIV. RATE - .6000 -CFS

TOTAL DIV. VOLUME -

.00 AFA TRFR/AMEND -

WATER DIST. -

DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - NWSW 33 13S 22E LOT

REDIV -

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 -

.6000 CFS

USE DIV. VOLUME -

.00 AFA

FROM - TO -

USE - DOMESTIC

USE DIV. RATE -

.0000 CFS

USE DIV. VOLUME -

.00 AFA

USE - IRRIGATION

PLACE OF USE - TWN 13S RNG 22E SEC 33 TRACT SNNW LOT

AC 40 TRACT NWSW LOT

AC 40

DECREE NAME -

DATE -

TOTAL ACRES

80

REMARKS -

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 20395

PROOF MADE -

FLD EXAM -

COND. OF APPROVAL -

DIVERSION MEANS -

VERIFIED 101

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 20395 145-2252
Old No. New No.

Record

1. Original Owner: H. C. Matthews

Present Owner: _____

2. Address:

3. City: Oakley State: 10 Zip: _____4. A. Source of Water: gsw

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: 4-2-1948D. County: 31E. Total Diversion Rate: .6

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>NW5W</u>	<u>33</u>	<u>13S</u>	<u>22E</u>		

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

from	_____	to	_____	for	<u>A</u>	purposes.	Amount <u>.6</u> (cfs or ~~AC-FT/yr~~)
from	_____	to	_____	for	<u>D</u>	purposes.	Amount _____
from	_____	to	_____	for	_____	purposes.	Amount _____
from	_____	to	_____	for	_____	purposes.	Amount _____
from	_____	to	_____	for	_____	purposes.	Amount _____
from	_____	to	_____	for	_____	purposes.	Amount _____

8. Use Code: *A*

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A.
B.
C.
D.
E.

11. Other Uses (Non-irrigation explanatory information):

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number: 20395

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval: _____

14. Diversion Means (brief narrative):

AKO 5-14-79

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

Notice is hereby given that at 10 A. M. on the 18th day of May, 1950, at Burley, County of Cassia, State of Idaho, before S. T. Lowe, a Notary Public, proof will be submitted of the application to beneficial use of 1 cubic foot per second of sub-terranean water in accordance with the terms and conditions of Permit No. 20395 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 H. C. Matthews, Oakley, Idaho.

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

The amount applied to beneficial use is 1 cubic foot per second.

The place where said water is used SW $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 33, Twp. 13 S., Rge. 22, E. B. M.

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

The right to take water from such works is based upon Permit No. 20395.

The source of supply from which such water is diverted is sub-terranean water, from a well in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 33, Twp. 13 S., Range 22 E., B. M.

The date of priority which said user is prepared to establish is April 4, 1948.

MARK R. KULP

State Reclamation Engineer.

First publication April 20, 1950,

Fourth publication May 11, 1950

May 4 - 1950

✓
April 24, 1951

Re: Permit No. 20395

Mr. H. C. Matthews
Oakley, Idaho

Dear Mr. Matthews:

We enclose License and Certificate of Water Right issued under Permit No. 20395, confirming your right to the use of 0.6 second foot of water from a well in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 33, Township 13 South, Range 22 East, B.M., with priority of April 2, 1948, for irrigation and culinary use on the SW $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 33.

We also enclose Departmental Receipt No. 23282, for the \$4.00 fee paid in connection with beneficial use proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encls.

20395

December 11, 1950

✓ Re: Permit No. 20395

Mr. H. C. Matthews
Oakley, Idaho

Dear Mr. Matthews:

The report of our Field Engineer on examination for Beneficial Use shows that your well in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 33, Township 13 South, Range 22 East, B.M. will deliver approximately 30 inches of water.

Therefore, upon receipt of the statutory fee of \$4.00, a License will be issued for 0.6 of a second foot (or 30 inches) of water for use on the SW $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 33.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bn

20395

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

Permit No. 20395

This proof is for Beneficial use In Water District No.

1. Name of applicant H. C. Matthews, Oakley, Idaho
2. Source of water supply: Subterranean from a well
3. Location of point of diversion: Is in the S E corner of NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33
T. 13 S. R. 22 E. County of Cassia
4. Describe works as they exist, giving dimensions and capacities of same: Well is 250' deep, 10" casing, cased down 239'. The pump sets 175', has an 8" column, 10" bowl, and 6 stages. The water, when not pumping, rises within 27' from the surface. Drawdown is 175'. There is no well house. Has a concrete curbing approximately 6' by 6'. The pump and motor rests on 4" blocks on the curbing. Has a 50 gallon tank attached for pumping purposes. The pump sometimes breaks the water column and pumps air.
5. Water is used for: Irrigation and culinary purposes.
6. State whether or not water has been turned into works of diversion:
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 $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 33, Township 13 South, Range 22 East, B. M.

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

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

Remarks: The motor is a G.E., 30 hp, 3 ph., 60 cy., 220 V., 73.9 amps, 1765 rpm., Serial # JET6797229. The pump is a Peerless pump, # 47281. The discharge is through a pipe 5 3/4 inches inside diameter by 11 1/2' long into a concrete trough approximately 7 1/2' long by 22" outside diameter. Concrete is 5 1/2" thick. From the trough it empties into an open sump. The switches and controls are Trumbull and Sq. D. The meter is a G. E., 50 amp, 240 V., 60 cy., 3 wire, 3 ph. Model AL4AAD. #25630359. T1069X. Kh - 24. The meter dials turns 11 1/2 rpm. The meter sweep arm sets at 1.7 Kw. Mult. reading by 10. Gage on the V-notch - .55'. Q - 29.225" of water. Temperature is 9.1° C or 48.4° F. Crops raised are potatoes and grain.

This examination was made on the 4th day of August, 1950.

(Signed)

E. N. Humphrey

Examiner.

20395

Trumbull ranches & Cattle
of
Square D

G. E. motor

amp 50 V. 240 cy 60

3 wire 3 ph. Model AL 4AAD

25630359

T 1069X K_A = 24

1 1/2 rpm of dial

Sweep sets at 1.7 Kw

mul. read x 10

485
714
4169
5845
50
292250

INSTRUCTIONS TO EXAMINERS

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

RECEIVED
DEC 9 1950

Department of Reclamation

H. C. Matthews
Oakley, Idaho

Permit No. 20325

Dissemination for Beneficial use

County Cassia

33

well

133 = 22 E

Q = 1.6 up

Place NW, SW, Sec 33

Land = 80 acres

gaze = .54 V notch
Q = 27.93 29.225
T = 91°C
= 48.4°F

714
455
259
4
1036
453
5586
279500

discharge = 1 1/2 x 5 3/4
into concrete trough approx 7 1/2' long
x 22" outside diameter
concrete = 5 1/2" T.
thence into open sump

250 x 10" = well

239' = csg

125' = pump setting

8' column 10" bore 6' deep

4' 27' in pumping

draw down = 175' (to bottom of pump)

G. E. 30 h.p. motor

3 ph. 60 cycle 220V 75.9 amp

1765 rpm # 5256797229

Peerless Pump

47281

no well house

Has concrete casing

approx 6' x 6'. Pump rests

on 4" blocks on casing

Has 50 gal tank for pump

Pump sometimes breaks air

H. C. Matthews
Oakley, Idaho

Permit No. 20395

Examination for Beneficial use

County Cassia

33

195 - 225

Q = 1.6 cfs

Point N 1/4 Sec. 23

Q = 800 cfs

1.55

Q = 27.75" 29.225"

T = 9100

434

714

434

269

269

269

269

269

269

269

269

269

269

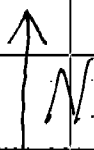
INSTRUCTIONS TO EXAMINERS

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

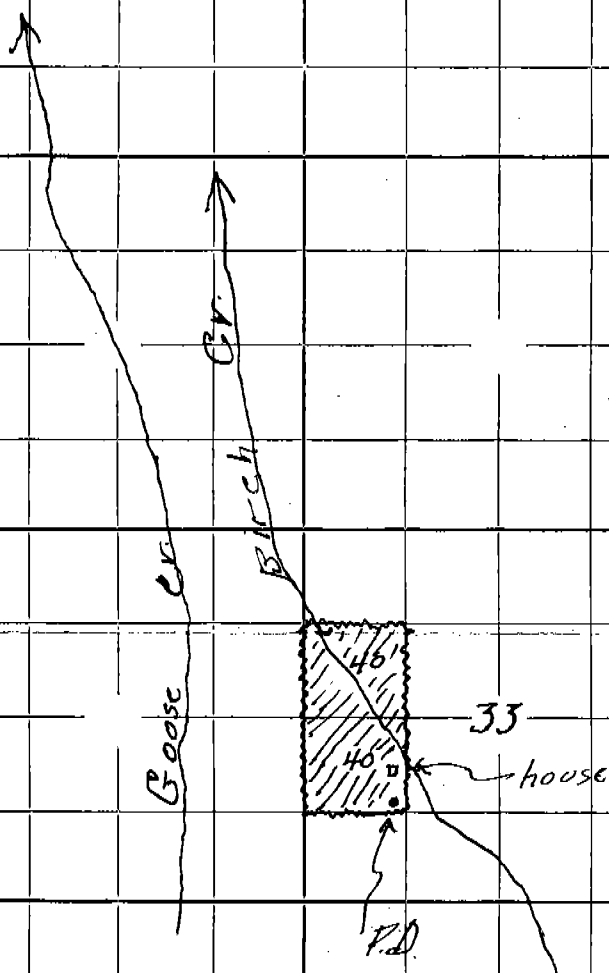
RECEIVED

DEC 9 1930

Department of Reclamation



T. 13S. R. 22E.



P.D. = 30' N. of South Fence
= 50' W. of E. Fence on opposite
side of lane.

$$Q = 29\frac{1}{4}''$$

Acres = 80

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 20395

REPORT ON PROOF OF Beneficial use

• 6 of 5
max

04p 10/2

6.0000

2.0000

✓
July 12, 1950

Re: Permit No. 20395

Mr. S. T. Lowe
Attorney at Law
Burley, Idaho

Dear Mr. Lowe:

We acknowledge receipt of corrected deposition of H. C. Matthews, which together with depositions of two witnesses and Affidavit of Publication in the Oakley Herald, previously received, completes the Proof of Beneficial Use under Permit No. 20395.

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

We are unable to say just when this examination will be made as this Department has but one Field Engineer who makes examinations all over the State.

However, the Field Engineer for this Department will try and contact Mr. Matthews at the time he makes the examination in order that he may arrange to show him over the grounds.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bn

20395

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 20395

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. H. C. Matthews, Oakley, Idaho. Occupation - farmer.
Postoffice address - Oakley, Idaho.

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

Ans. _____

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

Ans. No. 20395 - April 2, 1948.

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

Ans. Subterranean, underground water. Well in SE corner of
NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 33, Twp. 13 S., Rge. 22, E.B.M.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use.

Ans. A well 10 inches in diameter and 250 feet deep, with a
6 inch pump operated by a 30 h.p. electric motor.
Capable of conveying 4 cubic feet. Private ditch.

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. For irrigation and culinary purposes. Used on Sec. 33, Twp.
13 S., Rge. 22, E.B.M. - SW $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$. All cultivated
land. Improvements - concrete base and headgates. concrete
flume from well to private ditch.

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

Ans. -

20395

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

Ans. 1.6 cubic feet per second

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. First diverted July 1, 1948, and has been diverted each year thereafter. Diverted by means of pump and electric motor. 50 inches or 1 second foot has been diverted and used.

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

Ans. Has a decreed right to 40 inches of the waters of Birch Creek with date of priority of April 1, 1875; 17 2/3 inches of Birch Creek with date of priority of 1881; and 22 2/3 inches of Birch Creek with date of priority of 1882.

(Sign)

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 18th day of May, A. D. 1950.

Notary Public, Residing at Burley, Idaho.

My commission expires 12/14/53

20395



C. A. ROBINS
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

July 8, 1950

Re: Permit No. 20395

RECEIVED
JUL 11 1950
Department of Reclamation

Mr. S. T. Lowe
Attorney at Law
Burley, Idaho

Dear Mr. Lowe:

We acknowledge receipt of your letter of June 30, 1950, enclosing depositions of H. C. Matthews and two witnesses; also Affidavit of Publication in the Oakley Herald, all submitted in Proof of Beneficial Use under Permit No. 20395.

However, Question 5 of the Permit Holder fails to answer the question as to the amount of water the diversion works are capable of conveying to place of use, and we return the deposition for the necessary correction.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By

Jeannie L. Anderson
Chief Clerk

A:bh
Enc.

Question 5 has been completed.

S. T. Lowe

20395

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

Notice is hereby given that at 10 A. M. on the 18th day of May, 1950, at Burley, County of Cassia, State of Idaho, before S. T. Lowe, a Notary Public, proof will be submitted of the application to beneficial use of 1 cubic foot per second of sub-terranean water in accordance with the terms and conditions of Permit No. 20395 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 H. C. Matthews, Oakley, Idaho.

The use to which said water has been applied is irrigation and ~~cul-~~ nary purposes.

The amount applied to beneficial use is 1 cubic foot per second.

The place where said water is used SW $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 33, Twp. 13 S., Rge. 22, E. B. M.

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

The right to take water from such works is based upon Permit No. 20395.

The source of supply from which such water is diverted is sub-terranean water, from a well in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 33, Twp. 13 S., Range 22 E., B. M.

The date of priority which said ~~water~~ is prepared to establish is April 2, 1948.

20395 MARK R. KULP
State Reclamation Engineer.
First publication April 20, 1950,
Fourth publication May 11, 1950

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 20, 27, May 4, 11, 1950.

19

Charles Brown.

Subscribed and sworn to before me this 13th

day of May, 1950.

Ed Larson

Notary Public.

20395

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 20395**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. H. Callahan, age 45, residence Oakley, Idaho.

Occupation - Farmer. Postoffice address: Oakley, Idaho

Ques. 2. Are you acquainted with H. C. Matthews, the holder of Permit No. 20395? How long have you known him and where does he reside?

Ans. Yes. I have known him all my life. He resides at Oakley, Idaho.

Ques. 3. Have you read or heard read said Permit No. 20395, 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. Underground, subterranean water. Place of diversion - SE corner of NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 33, Twp. 13 S., Rge. 22, E.B.M. Drilled well 10" in diameter, pump operated by 30 h.p. electric motor. Concrete base for pump and motor and concrete flume from well to private ditch approximately 3' wide and 2' deep.

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

Ans. 4 second feet

Ques. 6. 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. For irrigation. Used on SW $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 33, Twp. 13 S., Rge. 22, E.B.M. Cultivated land.

20395

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. _____

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.

Ans. Black loam. It has all been reclaimed.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No.

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I have seen the water being pumped each year from 1948 to 1950, both inclusive, and being used for irrigation. Amount of water being pumped - 50" or 1 cubic foot per second.

(Signed)

J. H. Callahan

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 18 day of May

A. D. 1950

D. T. Howard

Notary Public.

My commission expires December 14, 1953. Residing at Burley, Idaho.

20395

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 20395**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. H. P. Matthews, age 64, Oakley, Idaho

Occupation - Farmer. Post office address: Oakley, Idaho

Ques. 2. Are you acquainted with H. C. Matthews, the holder of Permit No. 20395? How long have you known him and where does he reside?

Ans. Yes. I have known him all his life. He resides at Oakley, Idaho.

Ques. 3. Have you read or heard read said Permit No. 20395, 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. Underground, subterranean water. Place of diversion - SE corner of NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 33, Twp. 13 S., Rge. 22 E.B.M. Drilled well 10" in diameter, pump operated by 30 h.p. electric motor. Concrete base for pump and motor and concrete flume from well to private ditch approximately 3' wide and 2' deep.

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

Ans. 4 second feet.

Ques. 6. 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. For irrigation. Used on SW $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 33, Twp. 13 S., Rge. 22, E.B.M. Cultivated land

20395

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. _____

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.

Ans. Land is composed of black loam. It has all been reclaimed.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No.

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I have seen the water being pumped each year from 1948 to 1950, both inclusive, and being used for irrigation. Amount of water being pumped - 50" or 1 cubic foot per second.

(Signed)

H. J. Matthews

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 18 day of May,

A. D. 1950.

D. T. How

Notary Public.

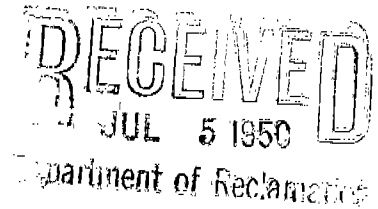
My commission expires December 14, 1953

Residing at Burley, Idaho.

20395

S. T. LOWE
ATTORNEY AND COUNSELLOR AT LAW
BURLEY, IDAHO

June 30, 1950



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

Re: Permit No. 20395

Dear Mr. Kulp:

Enclosed herewith please find affidavit of publication, depositions of two witnesses of proof of application of water to beneficial use and deposition of holder in connection with Permit No. 20395, issued to H. C. Matthews.

Yours very truly,

A handwritten signature in cursive script that reads "S. T. Lowe".

S. T. Lowe

EW

encl.

25 of 100

20395

May 8, 1950

Re: Permit No. 20395

Mr. S. T. Lowe
Attorney at Law
Burley, Idaho

Dear Mr. Lowe:

We enclose Certificate of Completion of Works issued under Permit No. 20395 in the name of H. C. Matthews for the diversion of one (1) second foot of water from a drilled well in the NW¹ SW⁴ Section 33, Township 13 South, Range 22 East, B.M. for domestic and culinary use in the SW¹ NW¹ and NW⁴ SW¹ of said Section 33.

We also enclose Departmental Receipt No. 22224 for the \$5.00 fee paid in connection with this proof.

We are also enclosing the necessary forms of deposition for making Proof of Beneficial Use under this Permit, as advertised in the Oakley Herald to be made before you as Notary Public on May 18, 1950.

Very truly yours,

MARK R. TULP
State Reclamation Engineer
By

Chief Clerk

A:bn
Enc.

20395

STATE OF IDAHO

Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Cassia

ss.

H. C. Matthews

, 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. 20395, and that his postoffice address is Oakley

State of Idaho

Second: That the name of the stream which said water is to be directed is

No stream

Third: That the point of diversion of said water is well in southeast corner of NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 33, Twp. 13 S., Rge. 22 E.B.M.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by April 22, 1950.

Fifth: That the use for which said water is intended is irrigation and culinary purposes.

Sixth: That on the date above mentioned, the works constructed under said permit were (~~substantially~~) fully completed and consisted of the following:

I. Kind of works: Drilled well and ditches

(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 ditch width at bottom 2 feet, width at water line 3 feet, depth of water 2 feet; diameter of pipe 6 inches, average grade per mile is 6 feet. Length of conduit is 1/2 miles.

(State whether ditch, flume or pipe)

Seventh: That said works are capable of conducting to the place of intended use 1 second feet of water.

Eighth: That water appropriated under said permit is available for 80

acres of land described as follows: SW $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 33, Twp. 13 S., Rge. 22 E.B.M.

Ninth: Remarks: That the ditch into which the water is pumped is used for carrying additional water. The well is 250 feet deep, 10 inches in diameter. A 6-inch pump has been installed, operated by a 30 h.p. electric motor.

(Sign Here)

Subscribed and sworn to before me this 6th day of April, 1950

My commission expires 12/14/53

Notary Public.
Residing at Burley, Idaho

20395

S. T. LOWE
ATTORNEY AND COUNSELLOR AT LAW
BURLEY, IDAHO

April 17, 1950

RECEIVED
APR 18 1950
Department of Reclamation

Mr. Mark R. Kulp
State Reclamation Engineer
Burley, Idaho

Re: Permit No. 20395

Dear Mr. Kulp:

I am returning to you herewith Proof of Completion of Works on the above permit. Under "Remarks" the information requested in your letter of April 10 has been added.

Yours very truly,

S. T. Lowe
S. T. Lowe

EW

encl.

20395

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

Notice is hereby given that at 10 A. M. on the 18th day of May, 1950,
 at Burley, County of Cassia, State of Idaho, before
S. T. Lowe, a Notary Public, proof will be submitted of the
 application to beneficial use of 1 cubic ~~feet~~ per second of ~~the water~~ sub-terranean
water in accordance with the terms and conditions of Permit No. 20395
 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

H. C. Matthews, Oakley, Idaho

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

The amount applied to beneficial use is 1 cubic foot per second

The place where said water is used (if for irrigation, give full and accurate description of the
 lands irrigated) SW $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 33, Twp. 13 S., Rge. 22, E.B.M.

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

The right to take water from such works is based upon Permit No. 20395

The source of supply from which such water is diverted is sub-terranean water, from a
well in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 33, Twp. 13 S., Range 22 E., E.B.M.

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

MARK R. KULP
 State Reclamation Engineer.

20395

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date: April 14, 1950

Re: Permit No. 20395

Oakley Herald

Oakley, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to May 18, 1950, the date set for proof, the expense of the publication to be paid by the applicant, H. C. Matthews of Oakley Idaho, to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice, and furnish this office with a copy of the first publication.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By

Chief Clerk

20395

✓
April 10, 1950

Re: Permit No. 20395

Mr. S. T. Lowe
Attorney at Law
Burley, Idaho

Dear Mr. Lowe:

We acknowledge receipt of your letter of April 6, 1950, enclosing Proof of Completion of Works on Permit No. 20395 in the name of H. C. Matthews, together with your check for the \$5.00 fee in connection therewith; also Notice of Beneficial Use Proof to be made under this Permit on May 18, 1950.

We return the Affidavit in Proof of Completion of Works in order that Mr. Matthews may describe said works a little more fully. Under "Remarks", state the depth of the well, size of casing, and also whether or not a pump has been installed, and if so, the kind and power.

Meanwhile, we shall send to the Oakley Herald, Notice in connection with Beneficial Use Proof under this Permit with instructions to publish it once a week for four consecutive weeks prior to May 18, 1950.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh
Enc.

20-395

S. T. LOWE
ATTORNEY AND COUNSELLOR AT LAW
BURLEY, IDAHO

April 6, 1950

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

Re: Permit No. 20395

Dear Sir:

Enclosed herewith is affidavit of H. C. Matthews, holder of Permit No. 20395, of completion of works, together with my check for the sum of \$5.00 in payment of your fee for a Certificate of Completion of Works.

Also enclosed is Notice of Proof of Application of Water to Beneficial Use, in duplicate, together with authorization signed by Mr. Matthews to have the same published in the Oakley Herald.

Yours very truly,

S. T. Lowe
S. T. Lowe

EW

encl.

RECEIVED
APR 7 1950
Department of Reclamation

20395

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

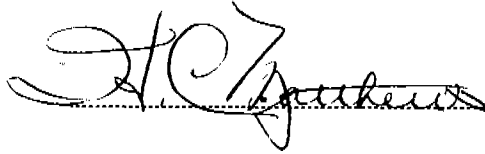
(Date) April 6, 1950
(P. O.) Burley Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho.

Dear Sir:

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



(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.

20395

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Mr. H. C. Matthews

BOISE

Oakley, Idaho

February 24, 1950

Dear Sir:

Under the terms of your permit No. 20395 you are required to complete your diversion works and make proof of beneficial use on or before

April 22, 1950

We enclose herewith a blank affidavit to be filled out, sworn to by you before a Notary Public of 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 of Works will be issued to you.

We also enclose blank notice for proof of application of water to Beneficial Use under this permit, which should be filled out and returned to this office at least forty (40) days before the date upon which you wish to make proof. The proof must be submitted before a Notary Public or other officer authorized by law to administer oaths. The date for proof as set out in your permit, is April 22, 1950, and if proof is submitted subsequent to said date, your priority will be brought down a length of time equal to the time elapsing between the date proof should have been made and the date proof is actually made.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

20395

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 20395

Date April 27, 1948

Dear Sir:

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

Mr. H. C. Matthews
c/o Kales E. Lowe
Burley, Idaho

MARK R. KULP
State Reclamation Engineer

Enc. Departmental Receipt No. 20509

20395

SCALE: 2 INCHES EQUAL 1 MILE.

FORM NO. 0

NAME OF APPLICANT-

50395

S. T. LOWE
AND
KALES E. LOWE
ATTORNEYS AND COUNSELLORS AT LAW
BURLEY, IDAHO

April 7, 1948

Department of Reclamation
Boise, Idaho

Re: Application No. 28030

Gentlemen:

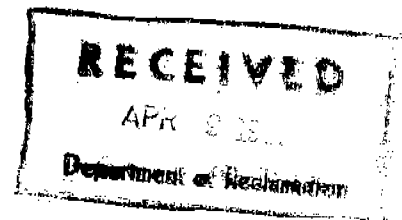
Enclosed herewith is the above numbered application for permit to appropriate public waters of the State of Idaho, with the amendment suggested in your letter of April 5, 1948.

Yours very truly,

Kales E. Lowe
KALES E. LOWE

KEL:el

Enc.



20395

✓

April 5, 1948

Re: Application No. 28030

Mr. Kales E. Lowe
Attorney At Law
Burley, Idaho

Dear Mr. Lowe:

We acknowledge receipt of your letter of March 31, 1948, enclosing two applications of H. C. Matthews for permit to appropriate subterranean water accompanied by the filing fees as noted therein.

We are returning Application No. 28030, which states that Mr. Matthews has certain existing water appurtenant to the same land.

Please have the applicant state under "remarks" why this additional water is required. If the present water is inadequate and this filing is for supplemental, please so state.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/dm
Enc.

20395

S. T. LOWE
AND
KALES E. LOWE
ATTORNEYS AND COUNSELLORS AT LAW
BURLEY, IDAHO

March 31, 1948

Mr. Mark H. Kulp
State Reclamation Engineer
Boise, Idaho

Dear Mr. Kulp:

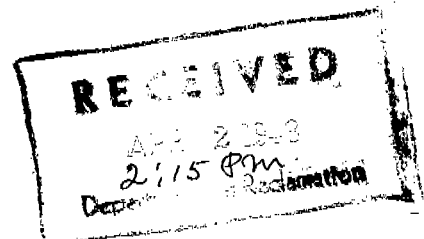
Enclosed herewith are two applications for permit to appropriate public waters of the State of Idaho, each of which is executed by H. C. Matthews, and to each of which is attached a check payable to you, one in the sum of \$5.25, and the other in the sum of \$5.50, being the filing fees for said applications.

Yours very truly,

Kales E. Lowe
KALES E. LOWE

KEL:el

Encs.



20395