

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4583
WATER RIGHT NO(S). 45-02234/45-02247/45-02559
45-02581/45-02826

This is to certify that: LARRY M ADAMS
KATHY S ADAMS
RT 1
MURTAUGH ID 83344

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 45-02234 : IRRIGATION	04/01 to 10/31	1.60 CFS	640.0 AF
Right No. 45-02247 : IRRIGATION	04/01 to 10/31	0.88 CFS	371.8 AF
Right No. 45-02559 : IRRIGATION	04/01 to 10/31	2.67 CFS	1120.0 AF
Right No. 45-02581 : IRRIGATION	04/01 to 10/31	1.27 CFS	536.6 AF
Right No. 45-02826 : IRRIGATION	04/01 to 10/31	0.72 CFS	304.2 AF
TOTAL:		* 7.14 CFS	* 1776.0 AF

DATE OF PRIORITY:

Right No. 45-02234 : 08/11/1947
Right No. 45-02247 : 12/27/1950
Right No. 45-02559 : 10/31/1957
Right No. 45-02581 : 06/09/1959
Right No. 45-02826 : 12/27/1948

SOURCE

GROUNDWATER

AUG 08 1995

LOCATION OF POINT(S) OF DIVERSION:

SWNE , Sec. 26, Township 11S, Range 19E
SWSE , Sec. 26, Township 11S, Range 19E
TWIN FALLS County

TRANSFER NO. 4583
WATER RIGHT NO(S). 45-02234/45-02247/45-02559
45-02581/45-02826

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
11S	19E	23	NESE 38	NWSE 37	SWSE 40	154
			SESE 39			
	26		NENE 38	NWNE 38	SWNE 40	
			SENE 38	NESW 5	SESW 5	
			NESE 39	NWSE 40	SWSE 39	
			SESE 37			319
Total number of acres irrigated:						** 473

CONDITIONS/REMARKS:

1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
2. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under to this right.
3. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
4. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- *7. The total instantaneous diversion of water from all points of diversion under Transfer No. 4583 shall not exceed 7.14 cfs, nor total combined annual volume of 1,776.0 af.
8. This right to divert groundwater shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use without the approval of the Department.
- *9. Combined Right Nos. 45-00498, 45-02234, 45-02247, 45-02559, 45-02581 and 45-02826 are limited to a total combined rate of diversion of 8.88 cfs, a total combined annual diversion volume of 1,776 af and the irrigation of a combined total of 444.0 acres in the place of use described above in a single irrigation season.

AUG 6 8 1985

TRANSFER NO. 4583
WATER RIGHT NO(S). 45-02234/45-02247/45-02559
45-02581/45-02826

CONDITIONS/REMARKS:

- **10. Right No. 45-02234 is limited to the irrigation of 160 acres in the place of use described above in a single irrigation season.
- **11. Right No. 45-02247 is limited to the irrigation of 170 acres in the place of use described above in a single irrigation season.
- **12. Right No. 45-02559 is limited to the irrigation of 280 acres in the place of use described above in a single irrigation season.
- **13. Right No. 45-02581 is limited to the irrigation of 170 acres in the place of use described above in a single irrigation season.
- **14. Right No. 45-02826 is limited to the irrigation of 170 acres in the place of use described above in a single irrigation season.
- 15. Two points of diversion are located within SWSE, S26, T11S, R19E.

Dated this 2nd day of

August, 1995

Z. Glen Saylor
Chief, Water Alloc. Bureau

RECEIVED

AUG 08 1995

State of Idaho
License and Certificate of Water Right

e No. 20334 Amount .88 c.f.s.
t No. Priority December 27, 1950

TO CERTIFY that V. L. McINTURF DENNEY R. HOGUE
Assignee
umberly, Idaho , made application for a permit to appropriate the
of the State of Idaho, dated March 6 , 19 48 ; that Permit No. 20334
nder said application; that Certificate of Completion of works, with a carrying capacity of
nd feet, was issued thereunder on July 5 , 19 49 , showing that said works
ed on the 24th day of June , 19 49 ; and that on the 7th
January , 19 52 , DENNEY R. HOGUE

n Falls , State of Idaho , made proof to the satisfaction of the
ation Engineer of Idaho, of the right to use the waters of a well
, a tributary of subterranean , for the purpose of Irrigation and domestic
, under Use Permit No. 20334 of the Department of Reclamation
right to the use of said waters has been perfected in accordance with the laws of Idaho,
confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
f Licenses at page 6359 , on the 20th day of June , 19 58 ;
t hereby confirmed dates from December 27 , 19 50 ;

at of Diversion is located

¼ SE ¼, Sec. 26 , Tp.11 S. , R. 19 E. , B. M. County Twin Falls

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

.88 cubic feet per second.

ion and location of use:

Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
19 E.	26	NE¼ SE¼	40	40
		NW¼ SE¼	40	40
		SW¼ SE¼	40	40
		SE¼ SE¼	40	40
		NE¼ SW¼	2.5	5
		SE¼ SW¼	2.5	5
Total number of acres irrigated - - -			170	

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

SS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
day of June , 19 58 .

/s/ E. N. Humphrey, Deputy
and Acting State Reclamation Engineer.

45 2247

APPLICATION FOR PERMIT To Appropriate the Public Waters of the State

Application No. 27958

Permit No. 20334

District No.

1. Name of Applicant: V. L. McINTURF

Postoffice address: Kimberly

County: Twin Falls

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:

Assign

II. The financial resources of the applicant are:

(a) Cash on hand

(b) Treasury stock:

(c) Bonds to be issued

(d) Other resources:

2. Quantity of water claimed: Two cubic feet per second

3. Source of water supply: Well and pump which is a tributary

4. Location of point of diversion: feet distant from the

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

of Section 26 , T. 11 S., R. 19 E. , B.M., County of Twin Falls

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 corn

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

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

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

distant from the corner of Section , T. , R. ,

of Section , T.

7. Estimated cost of works: \$4,000.00

8. Kind of works: Well, pump and 100 feet of pipe

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

feet; material used in dam:

10. Size of headgate: Width feet; height

11. Ditch: Width at bottom The ditch/ now constructed would carry 200 inches of water
feet; width at water line feet

dimensions of flume:

Diameter of pipe inches; length of conduit

Average grade per mile feet.

12. The time required for the completion of such work is Less than one year.

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

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

Application No. 27958
Permit No. 20334
District No.

1. Name of Applicant: V. L. McINTURF

Postoffice address: Kimberly

County: Twin Falls

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:

Assigned to

Glenn P. Heg
Twin Falls - ID

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: Two

cubic feet per second.

3. Source of water supply: Well and pump

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 SW $\frac{1}{4}$ SW $\frac{1}{4}$

of Section 26 , T. 11 S., R. 19 E. , B.M., County of Twin Falls

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

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

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

7. Estimated cost of works: \$4,000.00

8. Kind of works: Well, pump and 100 feet of pipe

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

11. Ditch: Width at bottom The ditch/ now constructed would carry 200 inches of water

feet; width at water line feet; depth of water

dimensions of flume:

Diameter of pipe inches; length of conduit

Average grade per mile feet.

12. The time required for the completion of such work is Less than one year years.

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

None

additional year

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

14-A. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: Murtaugh Irrigation Di

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

45-2247

Application No. 27958
Permit No. 20334
District No.

1. Name of Applicant: V. L. McINTURF

Postoffice address: Kimberly

County: Twin Falls

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:

Assigned to

James P. Hogue
Twin Falls, Ida

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: Two

cubic feet per second.

3. Source of water supply: Well and pump

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 SW $\frac{1}{4}$ SW $\frac{1}{4}$

of Section 26 , T. 11 S., R. 19 E. , B.M., County of Twin Falls

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: \$4,000.00

8. Kind of works: Well, pump and 100 feet of pipe

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 The ditch/ now constructed would carry 200 inches of water 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 Less than one year 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.

14-A. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: Murtaugh Irrigation District

15. (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 waters of the State of Idaho as herein set forth.

V. L. McINTURE Applicant.

By Agent.

Date of first receipt at Department of Reclamation:10:15 A. M. March 6, 1948

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 20334
Recorded in Book 73 Page 20334 Approved March 16, 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 May 16, 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 September 16, 1948
The whole of said work to be completed on or before March 16, 1949
Beneficial use of water appropriated in accordance herewith, to be made on or before March 16, 1949

Witness my hand this 16th day of March, 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 16th day of March, 1948.

Countersigned: STATE OF IDAHO
(SEAL) By J. D. "CY" PRICE Secretary of State. By C. A. ROBINS Governor.

Remarks: The well is about completed, and in testing it is pumping between 75 and 80 miners inches. The water will be pumped about 100 feet to the South line of the 160 acres and will flow East in the ditch and irrigate North.

14.

Twp.	Range	Sec.	NE1/4				NW1/4				SW1/4				SE1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
11 S.	19 E.	26									2 1/2	2 1/2	2 1/2	2 1/2	40	40	40	40	170
STATE OF IDAHO DEPARTMENT OF RECLAMATION																			
In the Matter of the Reinstatement of Permit No. 20334 Under the Provisions of Section 41-311, I. C. A.			ORDER REINSTATING PERMIT																
WHEREAS, Permit No. 20334 lapsed through failure of the holder to make proof of completion of the works of diversion within the time specified in the Permit, to-wit: March 16, 1949; and																			
WHEREAS, On the 16th day of May, 1949, notice to show cause why said permit should not be canceled, under the provisions of Section 41-311, Idaho Code Annotated, was duly served on the holder of said permit; and,																			
WHEREAS, On the 10th day of June, 1949, the holder filed notice of appearance to offer proof to show that the works of diversion under said permit were fully completed within the time required; and,																			
WHEREAS, On the 5th day of July, 1949 depositions of the holder and two witnesses were received at the Department of Reclamation showing that the said works of diversion were completed within the time required in the permit; and																			
WHEREAS, After examination of the said depositions, the State Reclamation Engineer of the State of Idaho, is fully satisfied that the works of diversion were completed as required under the terms of said Permit No. 20334, and that the holder has acted in good faith;																			
IT IS, THEREFORE, Hereby Ordered that said Permit No. 20334 be, and the same is hereby reinstated, and that a certificate of completion of works be issued to the applicant herein.																			
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of this Department, at Boise, Idaho, this 5th day of July, 1949.																			
MARK R. KULP State Reclamation Engineer																			

ASSIGNMENT

For value received, I hereby assign all my right, title, and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. 20334 to Denney R. Hogue of Twin Falls, Idaho.

V. L. McInturf
Permit Holder

Emma McInturf
Wife of Permit Holder

State of Idaho)
County of Twin Falls)ss

On this 13th day of June, 1949, before me, a Notary Public for the State of Idaho, residing at Twin Falls, Idaho, personally appeared V. L. & Emma McInturf known to me to be the person whose name is subscribed to the within instrument, and duly acknowledged to me that he executed the same.

In witness whereof, I have hereunto set my hand and affixed my Notarial seal, the day and year in this certificate first above written.

C. WARNER HOWARD
Notary Public, residing at (SEAL)

My commission expires 12/1/51.

Received and filed for record in the Department
of Reclamation at Boise, Idaho, at
9:00 A. M. July 5, 1949.

MARK R. KULP
State Reclamation Engineer
A.

Permit No. 20334
CERTIFICATE OF COMPLETION OF WORKS.

TO ALL WHOM IT MAY CONCERN:

This is to certify that DENNEY R. HOGUE of Twin Falls, County of Twin Falls, and State of Idaho, the holder of Permit No. 20334, issued upon Application No. 27958 bearing date of priority of March 6, 1948, authorizing the diversion of Two (2) second feet of the waters of a well, County of Twin Falls, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use Two (2) second feet of the waters of said well; that the point of diversion of said waters is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 26, Township 11 South, Range 19 East, B. M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: SE $\frac{1}{4}$ and part of SW $\frac{1}{4}$ Section 26, Twp. 11 South, Range 19 East, B. M.

Witness my hand this 5th day of July, A. D. 1949.

MARK R. KULP
State Reclamation Engineer

Proof of Completion of Works made June 24, 1949.
Certificate of Completion of Works issued July 5, 1949.

LICENSE ISSUED FOR 22 SEC. FT.
Page 6359



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

AUGUST 2, 1995

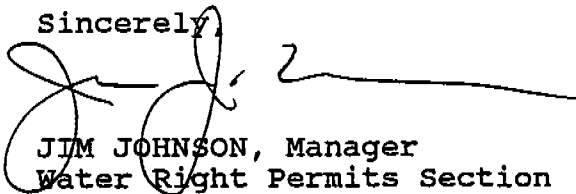
LARRY M ADAMS
KATHY S ADAMS
RT 1
MURTAUGH ID 83344

Transfer of Water Right Nos. 45-02234/45-02247/45-02559
45-02581/45-02826

Dear Water Right Holder(s):

Enclosed is a copy of your approved Transfer of Water Right for the above referenced water right (Transfer No. 4583). Please be sure to thoroughly review the "Conditions/Remarks:" as listed on the transfer.

Sincerely,



JIM JOHNSON, Manager
Water Right Permits Section

JJ:rl

Enclosure

AUG 08 1995

~ Celebrating Our Centennial Year of Service to Idaho 1895-1995 ~

MEMORANDUM

TO: FILE 45-02247

FROM: PAM SKAGGS

RE: TRANSFER # 4583

DATE: 4/5/95

=====

Original Transfer Application, Form and correspondence
regarding the above referenced Transfer is located within
File # 45-02234.

RECEIVED
AUG 08 1995

June 20, 1958

Re: Permit^s No. 20334 and 20769

Mr. Danney R. Hogue
Long Valley Farms Co.
P. O. Box 990
Twin Falls, Idaho

Dear Mr. Hogue:

We have enclosed the following:

License and Certificate of Water Right issued under Permit No. 20334 confirming the right with priority of December 27, 1950, to the use of .88 second foot of subterranean water, with the point of diversion in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 26, for irrigation of 170 acres in the E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ of Section 26, Township 11 South, Range 19 East, B.M.

License and Certificate of Water Right issued under Permit No. 20769 confirming the right with priority of December 27, 1948, to the use of .72 second foot of subterranean water, with the point of diversion in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 26, for irrigation of 170 acres in the E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ of Section 26, Township 11 South, Range 19 East, B.M.

Departmental receipt #29149 for \$12.00, issued as receipt of fee for licenses.

Also, as you requested, we herewith return our letters to you dated October 19, 1955.

Very truly yours,

E. N. HUMPHREY
Deputy State Reclamation Engineer
By

Chief Clerk

EPR:nls
Enc.

20334



LONG VALLEY FARMS Co.

VEGETABLE AND SEED GROWERS

BRANCH OFFICE

P. O. Box 546

MCCALL, IDAHO

DENNEY R. HOGUE, OWNER

MAIN OFFICE: TWIN FALLS, IDAHO. P. O. Box 990

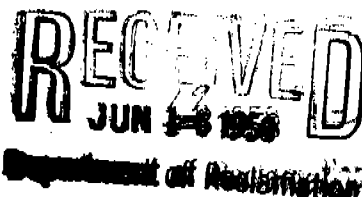
PHONE L.D. RE 3-4382

OFFICE RE 3-4381

RESIDENCE RE 3-2158

Address Reply to:

Box 990
Twin Falls, Idaho
June 17 1958

CERTIFIED SEEDS

IDAHO RUSSET POTATOES

WHITE DUTCH CLOVER

ALSIKE CLOVER

WHEAT

BARLEY

VEGETABLES

POTATOES

ONIONS

State of Idaho
Department of Reclamation
Boise, Idaho

Gentlemen:

Enclosed is \$12.00 for our license fees
on Permits Numbered 20334 and 20769 per
the enclosed letters.

We dont know how we overlooked this, but
we did.

Please return the enclosed letters.

Respectfully yours,


Long Valley Farms Co.

20334

All quotations subject to confirmation. We make no guarantee either express or implied on any seeds as to their germination, yield, variety or quality or any other matter.

October 19, 1955

RE: Permit No. 20334

Mr. Denny R. Hogue
Box 990
Twin Falls, Idaho

Dear Mr. Hogue:

The report of our field engineer on examination for beneficial use on your Permit No. 20334 shows that your well in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 26, Township 11 South, Range 19 East, B.M. will deliver 44 inches of water which has been used to irrigate 170 acres in the SE $\frac{1}{4}$ and E $\frac{1}{2}$ SW $\frac{1}{4}$ of said Section.

A License can, therefore, be issued for 44 inches or .88 second foot of water upon receipt of the statutory fee amounting to \$12.00 being at the rate of \$2.00 for each 40 acre subdivision in which the land is located.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll

20334

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

Permit No. 20334 Beneficial UseThis proof is for Beneficial Use In Water District No. _____1. Name of applicant Denny R. Hogue, Box 990, Twin Falls, Idaho2. Source of water supply: Subterranean from a well3. Location of point of diversion: Is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 26T. 11 S. R. 19 E. County of Twin Falls

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

Well specifications not known by Mr. Henry Peterson, the renter. 50 hp
U. S. Motor, serial No. 924273. Fairbanks Morse Turbine Pump, No. PH 7356.
~~Concrete base, no protection. Water measured at 44" through Sparling Meter.~~
Irrigation is by gravity.

5. Water is used for: Irrigation and domestic purposes6. 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 $\frac{1}{4}$ and E $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 26, Twp. 11 South, Range 19 East, B. M.

See the map

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

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

Remarks: _____

This examination was made on the 19 day of July, 1923(Signed) E. N. Humphrey Examiner.

20334

INSTRUCTIONS TO EXAMINERS

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

RECEIVED
SEP 12 1955
Department of Reclamation

Denny R. Hegus
Box 990, Twin Falls, Idaho

Permit No. 20334

Examination for Beneficial Use

County Twin Falls

26-115-19E.

Q = 2.0 c.f.s.

S = Well.

P.D. = SW. 1/4, Sec. 26, T. 11S. - R. 19E

Use = Irrigation

Priority: March 6, 1948
Decl: Re-instated 7-5-49

C/W = 7-5-49

50 hp. U.S. motor

924 273

~~480V~~ + ~~1800~~ 1800 rpm

F.M. Turbine

PH 7356

Cone. base 8' x 8'

no protect

E.M. Switch

7417

G.E. motor 480V.

30474 833

5 m. 46 sec for 300 g.
346 L.

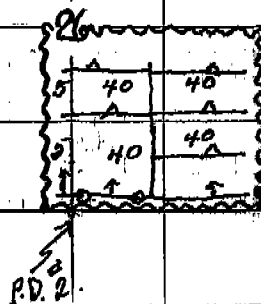
44"

36

R-19 E.

T.
11
S.

← TO HANSEN



Subdivisions = 6

Area = 170 acres.

Q = 44"

T = 69° F.

measured three Spaulding meter

Henry Peterson = renter along

unable to contact Hoguen

ck well, well location

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 20334

REPORT ON PROOF OF Beneficial Use

DENNY R. HOGUE, Box 990, Twin Falls, Idaho

app. 2075

*• 88 cfs
max*

*170 acres
6-40's*

✓
February 28, 1955

RE: Permits Nos. 20334
20769

Mr. Denney R. Hogue
Long Valley Farms Co.
Twin Falls, Idaho

Dear Mr. Hogue:

I can find no record of an inspection having been made on your wells nor a license having been issued, though you made your proofs quite a while ago.

Unless we can find an Engineer's report it will be necessary to make an inspection before license can be issued. I will do it during irrigation season and will get in touch with you at the time.

If you drill another well close to the old one and make it the same size and depth, normally there is no trouble arises. Presumably you are in the same body of water and taking the same amount of water as formerly.

When you make a change it should not do any other water right an injury otherwise the injured party would be the one in position to question your right.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

H:cu

20334

LONG VALLEY FARMS CO.

VEGETABLE AND SEED GROWERS

DENNEY R. HOGUE, OWNER

MAIN OFFICE: TWIN FALLS, IDAHO, P.O. Box 990

BRANCH OFFICE
P.O. Box 546
MCCALL, IDAHOCERTIFIED SEEDS

Address Reply to:

IDAHO RUSSET POTATOES

Box 990
Twin Falls, Idaho
Feb 22 1955RECEIVED
FEB 24 1955
Department of Reclamation

WHITE DUTCH CLOVER

ALSIKE CLOVER

Mr. Mark Kulp
Idaho Dept. of Reclamation
State House
Boise, Idaho

WHEAT

Dear Mr. Kulp:

BARLEY

I have a well that is giving me a little trouble.

It has always been a "cavey" well and when I drilled it I had to slip liners down etc.

VEGETABLES

POTATOES

I want to clean it all out but with all that liner down there I am afraid it may be very difficult and expensive to do.

ONIONS

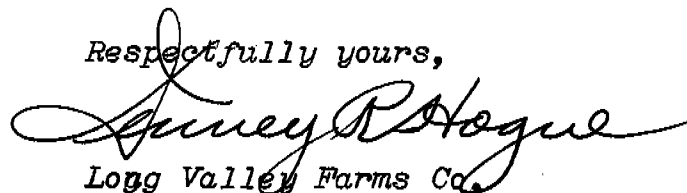
CARROTS

It could be that it would be cheaper and better for me to go alongside the old one and drill a new one.

However, what does that do to my filing priority? I have a good priority on it and I do not want to lose it.

I will appreciate your letting me know on this.

Respectfully yours,


Long Valley Farms Co.

20334

20769

20334

All quotations subject to confirmation. We make no guarantee either express or implied on any seeds as to their germination, yield, variety or quality or any other matter.

June 25, 1952

RE: Permits Nos. 20268 and 20334

Mr. Ray A. Assendrup
Murtaugh
Idaho

Dear Mr. Assendrup:

Under normal procedure, a water right initiated and completed under Permit No. 20268 would have a priority over No. 20334.

The question as to what that priority consists of other than an amount of water has not been specified in the statutes, and, although there are some implications that the priority might include the pumping lift, it has not been defined by statute and there is some question as to the application of some decisions of the Supreme Court to the question, especially when there are more than two appropriators from the same subterranean source.

Strict priority which, if it included the original pumping lift, (supposing the annual withdrawal to be less than the annual recharge) would limit the full development of a subterranean source as to number of wells and the amount of water pumped that would sooner or later affect the pumping lift of the first well.

On the other hand, successive lowering of pump settings to get the original amount of water can be carried to absurdity, or way beyond the heights to which water can be lifted economically.

Priority of some kind is desirable to conform with our established principles of appropriation of water, but this department is not certain enough of a correct solution to make any recommendation.

Among the proper solutions may be:

1. The setting of a maximum pumping lift beyond which the prior appropriator would be protected.
2. The adjudication of an entire basin and operation of all wells in a common pool, pro-rating the cost and the water.

20334

June 25, 1952

If something is not done soon, either by legislation or court decision, your experience will be repeated in many places.

Some of the difficulties in arriving at a proper solution are:

1. Lack of adequate knowledge of the ground water geology of an area with the annual recharge and safe annual withdrawal, not only from a basin, but from the different aquifers of the basin.
2. The economic lift under which a reasonably good farmer can make a fair profit over a period of years, plus a good guess as to what historical period of years to select as a guide.

Our aim is to develop our subterranean water resources as fully as possible within economic limits. The individual appropriator without resources other than the production of his farm should not be frozen out by those with external resources.

My personal preference for an administrative procedure would be one with a maximum of local control and local determination of such things as economic lift and duty of water.

I would like to have opinions and suggestions from appropriators of ground water as to what additions there should be to our ground water code, both as to principles that should govern in the appropriation and in the administration.

Answering your specific question as to what your prior filing entitles you, I do not know.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

K:fg

20334

January 8, 1952

RE: Permits Nos. 20334 and 20769

Mr. Denney R. Hogue
Box 990
Twin Falls, Idaho

Dear Mr. Hogue:

We acknowledge receipt of the depositions of yourself and two witnesses, also affidavit of publication in the Twin Falls Times News, all submitted in proof of beneficial use under the above numbered permits.

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

We cannot say just when this examination will be made as this department has but one field engineer who makes examinations all over the State.

However, he will try to contact you at the time the examination is made so that arrangements may be made to show him over the grounds.

We return your receipted bill for this publication which you will doubtless wish to keep in your own files.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

Aifg
Enc.

20334

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS } ss.

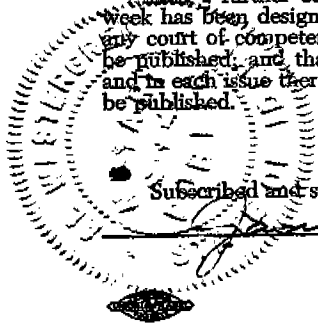
Nº 4119

I, Lisa Molony, being first duly sworn upon oath depose and say that I am Principal Clerk of the TIMES-News, published daily, except Saturday, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice or advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for

4 consecutive Thursdays, commencing with the issue dated December 13, 1951, and ending with the issue dated January 3, 1952

And I do further certify that said newspaper is a consolidation, effective Feb. 16, 1942, the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-News, since such consolidation, has been published as a daily paper except Saturday, under said name in said city and county continuously, and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code Thursday of each week has been designated as the day on which legal notice required by law or by order of any court of competent jurisdiction within the state of Idaho, to be published weekly, will be published, and that at the head of the editorial column of said combined newspapers, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.



Lisa Molony
Subscribed and sworn to before me this 3rd day of

January, 1952
W. W. Waterman

Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho.

20334

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS } ss.

Nº 4119

Notice for Publication
NOTICE OF PROOF OF APPLICATION
OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A. M. on the 6th day of January, 1952, at Twin Falls, County of Twin Falls, and State of Idaho, before E. W. McRoberts, Notary Public, proof will be submitted of the application to beneficial use of 1.4 cubic feet per second of subterranean water, in accordance with the terms and conditions of Permit No. 20769, and of 2 cubic feet per second of subterranean water in accordance with the terms and conditions of Permit No. 20334, heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person holding said permits are Denney R. Hogue, Box 990, Twin Falls, Idaho.

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

The amount applied to beneficial use is 3.4 cubic feet per second.

The place where said water is used is 170 acres in the SE $\frac{1}{4}$ and E $\frac{1}{4}$ E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 26, Twp. 11 South, Range 19 East, B. M.

The right to take water from said wells is based upon, Permits Nos. 20769 and 20334.

The source of supply from which such water is diverted is three wells located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 26, Twp. 11 South, Range 19 East, B. M.

The date of priority which said user is prepared to establish under Permit No. 20769 is December 26, 1948, and under Permit No. 20334 is December 27, 1950.

20334 MARK R. KULP,
State Reclamation Engineer
Publish: Dec. 13, 20, 27, 1951, Jan. 3, 1952.

I, Lisa Molony, being first duly sworn upon oath depose and say that I am Principal Clerk of the TIMES-NEWS, published daily, except Saturday, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice or advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for

4 consecutive Thursdays, commencing with the issue dated December 13, 1951, and ending with the issue dated January 3, 1952.

And I do further certify that said newspaper is a consolidation, effective Feb. 16, 1942, the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily paper except Saturday, under said name in said city and county continuously, and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code Thursday of each week has been designated as the day on which legal notice required by law or by order of any court of competent jurisdiction within the state of Idaho, to be published weekly, will be published, and that at the head of the editorial column of said combined newspapers, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

Subscribed and sworn to before me this 3rd day of

January, 1952

Lisa Molony
Notary Public

Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho.

20334

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
JAN 8 1952
Department of Reclamation

Permit No. 20334

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Armeny R. Hoque, Farmer and Produce Dealer, Box 990, Twin Falls 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. Permit # 20334 date of priority Dec 27, 1950

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

Ans. From a well in the SW 1/4 SW 1/4 and SW 1/4 SE 1/4 Section 26 Twp 11 S. Range 19 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.

Ans. A well 74.2 feet deep 14 inch casing 20.6 feet and 14 feet 12" perforated casing with depth to water 155 feet. 2 cubic feet per second over a weir

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 purposes. Irrigates 100 acres cultivated ground. Rebuilt a house, built a barn ditches etc. All on a 170 ranch in the SE 1/4 and E 1/2 E 1/2 SW 1/4 Sec 26 Twp 11 S. R 19 E. B. M.

20334

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

Ans. ✓

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

Ans. 2 cu feet per sec.

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. Purchase of the ranch from V. L. McInturf

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

Ans. used all the water all summer the past 2 years for irrigation of growing crops of potatoes, peas, wheat, and clover.

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. 100 mi. flood right in Dry creek which runs a short time in the spring.

(Sign)

Shirley R. Hogan

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 Twin Falls

County of Twin Falls, State of Idaho, on this 7 day of January, 1952

A. D. 1952,

My commission expires

Sept 1, 1952

Shirley R. Hogan

20334

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 20334

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. William B. Savage, Kimberley, Idaho, a Farmer.

Ques. 2. Are you acquainted with Denney R. Hogue, the holder of Permit No. 20334? How long have you known him and where does he reside?

Ans. Yes. I have known him for fifteen years. He resides in Twin Falls, Idaho.

Ques. 3. Have you read or heard read said Permit No. 20334, 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.

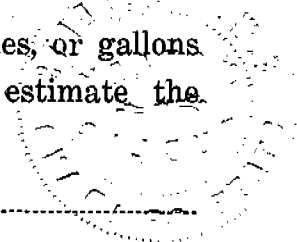
Ans. A well in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 26 Twp 11 S. Range 19 EBM with sufficient ditches to handle the discharge of the well.

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. 2 cubic feet per second and it is all being conveyed and used.

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? 2 cubic feet per second over weir.

Ans. _____



20334

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. For irrigation purposes. Irrigates 100 acres cultivated ground and the house has been rebuilt, a barn built, ditches put in, land levelled, etc. all on a 170 acre ranch in the SE $\frac{1}{4}$ and E $\frac{1}{2}$ Section 26 Twp 11 South, Range 19 EBM

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

Ans. None. But later on he may use some of it for stock water.

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. This is a good ranch, with deep soil, and level land. Well suited for cultivated crops. Estimates needs 2 cubic feet for this 100 acres.

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

Ans. none at all, other than the interest of a neighbor who is familiar with it from the start of drilling.

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. all summer the past two years, all the water has been used to irrigate potatoes, grain, clover, and peas.

(Signed)

W. B. Savage

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 Twinn Falls,

County of Twinn Falls, State of Idaho, on this 7 day of January 10 am A. D. 1952

Wm. C. Bandy
Notary Public.

My commission expires

Sept 1 1952

20334

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 20334

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. Max Durk, 36, Hansen, Idaho Farmer.

Ques. 2. Are you acquainted with Denney R. Hogue, the holder of Permit No. 20334? How long have you known him and where does he reside?

Ans. Yes. 3 years. He resides in Twin Falls, Idaho

Ques. 3. Have you read or heard read said Permit No. 20334, 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. A well in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 26 TWP 11 S. Range 19 EBM with sufficient ditches to handle the dscharge of the well.

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. 2 cubic feet per second, and it is all being conveyed and used.

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?

2 cubic feet per second over weir.

Ans. _____

20334

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. For irrigation purposes. Irrigates 100 acres cultivated ground and the house has been rebuilt, a barn built, ditches put in, land levelled, etc. all on a 170 acres ranch in the SE $\frac{1}{4}$ and E $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 26 Twp 11 S. Range 19 EBM

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

Ans. none. However believe eventually some will go for stock water.

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. This is good level land. Well suited for cultivated crops. Figure it needs 2 cubic feet per second.

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

Ans. I farmed the ranch. I have no interest in the works, water, or lands.

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. allsummer the past two years, all the water has been used to irrigate potatoes, grain, clover, and peas.

(Signed) Max Luck

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 Twin Falls,

County of Twin Falls, State of Idaho, on this 7 day of January 1952

A. D. 1952

Harold B. Burt
Notary Public.

My commission expires Sept 1 1952

20334

December 10, 1961

RE: Permit Nos. 20769 and 20334

Mr. Denney R. Hogue
Box 990
Twin Falls, Idaho

Dear Mr. Hogue:

We enclose certificate of completion of works issued under Permit No. 20769, for the diversion of 1.4 second feet of water from wells in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 26, Township 11 South, Range 19 East, B.M., for irrigation and domestic use on the SE $\frac{1}{4}$ and the E $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$ of said section.

We also enclose departmental receipt No. 24013 for the \$5.00 fee paid in connection with this proof.

We have sent to the Twin Falls Times News, notice of beneficial use proof to be made under Permit Nos. 20769 and 20334 at 10:00 a.m., January 6, 1962 with instructions to publish it once a week for four consecutive weeks and to send you the affidavit of publication together with statement of costs.

We enclose two sets of forms for making these proofs as a separate proof must be made on each permit. At the time set, you should appear before E. W. McRoberts, Notary Public, together with two disinterested witnesses who are familiar with the terms of the permits and the work done thereunder for the purpose of executing the depositions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

Aifg
Enc.

20334

July 13, 1949

Re: Permit No. 20334

Mr. Denny R. Hogue
Box 990
Twin Falls, Idaho

Dear Mr. Hogue:

We return the Assignment of Permit No. 20334 from V. L. McInturf and wife to you, which has been duly recorded.

We also enclose Certificate of Completion of Works issued under this Permit for the diversion of two (2) second feet of water from a well in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 26, Township 11 South, Range 19 East, B.M. for the irrigation of the SE $\frac{1}{4}$ and part of the SW $\frac{1}{4}$ of said Section.

We also enclose Departmental Receipt No. 21633 for the \$5.50 which includes \$5.00 fee in connection with Proof of Completion of Works and fifty (50) cents for recording the Assignment.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bb
Enc.

20334

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In the Matter of the Reinstatement)
of Permit No. 20334 Under the)
Provisions of Section 5594, Idaho)
Compiled Statutes. 41-311, I. C. A.)
_____)

ORDER REINSTATING PERMIT

WHEREAS, Permit No. 20334 lapsed through failure of the holder to make proof of completion of the works of diversion within the time specified in the Permit, to-wit: March 16, 1949; and,

WHEREAS, On the 16th day of May, 1949 notice to show cause why said permit should not be canceled, under the provisions of Section 5594, 41-311 ~~Code Annotated~~ ~~Compiled Statutes of Idaho~~ was duly served on the holder of said permit; and,

WHEREAS, On the 10th day of June, 1949 the holder filed notice of appearance to offer proof to show that the works of diversion under said permit were fully completed within the time required; and,

WHEREAS, On the 5th day of July, 1949 depositions of the holder and two witnesses were received at the Department of Reclamation showing that the said works of diversion were completed within the time required in the permit; and,

~~Engineer~~ WHEREAS, After examination of the said depositions, the ~~Commissioner of~~ ~~State~~ Reclamation/ of the State of Idaho, is fully satisfied that the works of diversion were completed as required under the terms of said Permit No. 20334, and that the holder has acted in good faith;

IT IS, THEREFORE, Hereby Ordered that said Permit No. 20334 be, and the same is, hereby reinstated, and that a certificate of completion of works be issued to the applicant herein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of this Department, at Boise, Idaho, this 5th day of July, 1949.

Mark R. Kulp

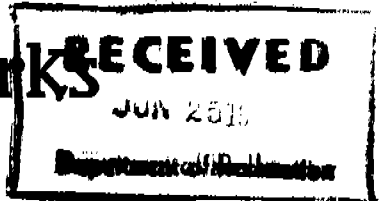
Commissioner of Reclamation
State Reclamation Engineer

By _____
Assistant

20334

PERMIT NO. 20334

Proof of Completion of Works



DEPOSITION OF HOLDER

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

Ans. Denney R. Hogue, Box 990, Twin Falls, Idaho. Farmer

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business, your position with reference to same, and your authority for appearing in its behalf.

Ans. no

Ques. 3. State number and date of permit, amount of water you are authorized to divert, source, and point of diversion.

Ans. Number 20334 March 16, 1948 for two cubic feet per second from subterranean flow from well with point of diversion in the SW $\frac{1}{4}$ Section 26, TWP 11 S Range 19 E BM

Ques. 4. State purpose for which water is to be used, and, if for irrigation, state the number of acres and give description of the land you intend to reclaim.

Ans. for irrigation on the 170 acres

SE $\frac{1}{4}$ Sec 26 T-11-S R-19-E B.M. Part SW $\frac{1}{4}$ Sec 26 T-11-S R-19-E BM

Ques. 5. State whether or not the water has been turned into your works of diversion, and, if so, when and to what extent.

Ans. Yes it was turned on May 15th, 1948.

Ques. 6. State whether or not the works of diversion are fully completed, and whether or not they comply in all respects with the terms of the permit.

Ans. Yes and they do comply with the terms of the permit

Ques. 7. If the works of diversion do not comply with all the terms of your permit, state fully those particulars in which there is any variance.

Ans. none

Ques. 8. Give description of works, state dimensions and capacity of each part, and give cost of same.

Ans. 1 pumped well, pipe and ditch 2 $\frac{1}{2}$ feet wide at bottom and 4 feet wide at top diameter of pipe 8 inches. Length of pipe and ditch approximately 1 mile. Approximate cost \$6000.00

(Sign here)

Denney R. Hogue

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

County of Twin Falls, State of Idaho, on this 24 day of June A. D. 1949

C. Warner
Notary Public.

My Commission expires Dec 1, 1951

20334

June 27, 1949

Re: Permit No. 20334

Mr. Denney R. Hogue
Box 990
Twin Falls, Idaho

Dear Mr. Hogue:

We acknowledge receipt of the depositions of yourself and two witnesses, submitted in proof of completion of works under Permit No. 20334.

However, we are returning your own deposition in order that you may give the legal description of the land as called for under question 4.

It is also necessary that you return the assignment of this Permit from Mr. McInturf to you.

The fee for recording the Assignment is fifty (50) cents and there is a fee of \$5.00 in connection with Completion of Works Proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bb
Enc.

20334

The Depositions of Witnesses, in this form, taken separately, required in each case.

PERMIT No. 20334.

Proof of Completion of Works

DEPOSITION OF WITNESS

In compliance with Sec. 5594, Compiled Statutes of Idaho.

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

Ans. W. B. Savage, Kimberly, Idaho, Farmer, Kimberly, Idaho

Ques. 2. Are you acquainted with.... Denney R. Hogue, the

holder of Permit No. 20334.... authorizing the diversion of..... 2 second-feet of the waters of Subterranean flow from pumped well on SW $\frac{1}{4}$ SW $\frac{1}{4}$, at Sec. 26, 11-19 for irrigation purposes? How long have you known him, and where does he reside?

Ans. Yes. Have known him for about 15 years. He resides at Twin Falls, Idaho.

Ques. 3. Have you read or heard read said Permit No. 20334....., and are you familiar with its terms and conditions?

Ans. Yes

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Yes... Land is Lava Ash Loam, has been in dry land cultivation for several years. Soil is of excellent quality, lays good, and requires about an inch of water to the acre for profitable cultivation.....

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use? If so, when were they so completed?

Ans. ... Yes... They were so completed May 15, 1948

Ques. 6. Describe the works of diversion as they existed on the date stated in answer to Question 5, and give your estimate of their capacity on that date.

Ans. Consisted of pumped well, pipe and ditches. Pipe was 8 inches in diameter and led to ditches that were 2 $\frac{1}{2}$ ft. wide at bottom, and four feet wide at top. Ditches were sufficient to convey the entire amount of water pumped.

(Sign here)

W. B. Savage

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, at my office in

Twin Falls..... County of

June..... State of Idaho, on this *24* day of

My Commission expires *12/1/51*..... A. D. 19*49*.....

C. Warner.....
Notary Public.

20334

The Depositions of Witnesses, in this form, taken separately, required in each case.

PERMIT No. 20334

Proof of Completion of Works

DEPOSITION OF WITNESS

In compliance with Sec. 5594, Compiled Statutes of Idaho.

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

Ans. Floyd Lilly, Twin Falls, Idaho, Water Pump Dealer

Ques. 2. Are you acquainted with Denney R. Hogue, the

holder of Permit No. 20334 authorizing the diversion of 2 second-feet of the waters of subterranean flow from pumped well on SW $\frac{1}{4}$ SW $\frac{1}{4}$, at Sec. 26-11-19 for irrigation purposes? How long have you known him, and where does he reside?

Ans. Yes, have known him for about three years. He lives in Twin Falls, Idaho.

Ques. 3. Have you read or heard read said Permit No. 20334, and are you familiar with its terms and conditions?

Ans. yes

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Yes. The soil is a good soil and the land has been under dry farming for several years. The land lays very well for irrigation, there are no rocks on it and it is very fertile. Would take about an inch of water to the acre for irrigated crops.

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use? If so, when were they so completed?

Ans. Yes. They were finished on May 15, 1948

Ques. 6. Describe the works of diversion as they existed on the date stated in answer to Question 5, and give your estimate of their capacity on that date.

Ans. the pipe from pump to ditch is 8 inch diameter, and the ditch is four feet wide at the top and about 2 $\frac{1}{2}$ feet wide at the bottom. The ditches and pipe are large enough to carry the whole amount of the water pumped from the well.

(Sign here.)

Floyd Lilly

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, at my office in Twin Falls, County of

Twin Falls, State of Idaho, on this 27 day of June, A. D. 1949.

My Commission expires Dec 1, 1951.

O. Warner Howard
Notary Public.

20334

✓
June 10, 1949

Re: Permit No. 20334

Mr. Denny R. Hogue
Box 990
Twin Falls, Idaho

Dear Mr. Hogue:

As per our telephone conversation, we are enclosing a Form of Assignment to be executed by Mr. V. L. McInturf, on Permit No. 20334, assigning same to you.

We also enclose Forms of Deposition for yourself and two witnesses in proof that the construction of works under said Permit was completed on or before the date called for in the Permit, namely, March 16, 1949. These depositions should state definitely that the works were completed prior to that date.

Very truly yours,

MARK H. KULP
State Reclamation Engineer
By

Chief Clerk

A:hh
Enc.

20334

RETURN RECEIPT

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

1 V. L. McInturf
(Signature or name of addressee)

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

Date of delivery

May 25, 1949

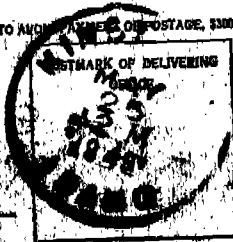
U. S. GOVERNMENT PRINTING OFFICE

16-12421

203341

Post Office Department
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO ADDITIONAL POSTAGE, \$300
(GPO)



Return to

Street and Number,
or Post Office Box,

REGISTERED ARTICLE

No. 87813
INSURED PARCEL

No.

BOISE,

20334

IDAHO.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

May 16, 1949

Re: Permit No. 20334

To Mr. V. L. McInturf

Kimberly, Idaho

It appearing to the State Reclamation Engineer that the terms and conditions of Permit No. 20334 to appropriate the Public Waters of the State of Idaho, have not been complied with as to

Completion of work March 16, 1949

you are hereby notified in compliance with Sec. 41-311, Idaho Code annotated that said Permit No. 20334 is hereby held for cancellation.

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

Said Permit No. 20334 claims the use of two cubic feet per second of the waters of subterranean flow from well with point of diversion located in the SW¹/₄ SW¹/₄ Section 26, Twp. 11 S., Range 19 E., B.M., and was approved March 16, 1948

In Witness Whereof, I have hereunto set my hand and affixed the seal of my office at Boise, Idaho, the

16th day May, 1949

Mark R. Kulp
State Reclamation Engineer.

By

Assistant.

20334

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

January 3, 1949

Mr. V. L. McInturf
Kimberly, Idaho

Dear Sir:

Under the terms of your permit No. 20334 you are required to complete your diversion works and make proof of beneficial use on or before March 16, 1949.

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 March 16, 1949, 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

20334

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

Permit No. 20334

Date March 18, 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. V. L. McInturf
O/c Mr. F. C. Shenberger
Fidelity National Bank Bldg.
Twin Falls, Idaho
Enc. Receipt # 20429

MARK R. KULP

State Reclamation Engineer

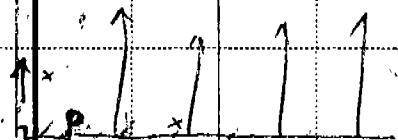
20334

26-11-19

NAME OF APPLICANT V. L. McInturf

FORM No. O

26-11-19



Permit Map No. 20334
As Approved
MAR 16 1948
MARK R. KULP
State Reclamation Engineer

SCALE: 2 INCHES EQUAL 1 MILE. DRAW PLAN IN INK.

20334

20334

F. C. SHENEBERGER
ATTORNEY AT LAW
FIDELITY NATIONAL BANK BLDG.
TWIN FALLS, IDAHO

March 5, 1948

Idaho Commissioner of Reclamation
Boise, Idaho.

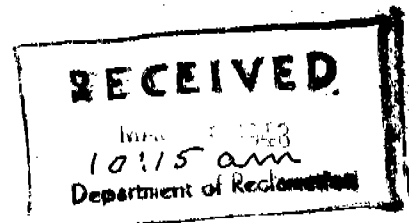
Dear Sir;

I am enclosing application of V. L. McInturf for water permit together with his check for \$5.25. Will you please return the approval to me?

Very respectfully,

FCS:s

F. C. Sheneberger



20334

March 1, 1948

Mr. F. C. Sheneberger
Attorney At Law
Fidelity National Bank Bldg.
Twin Falls, Idaho

Dear Mr. Sheneberger:

In reply to your request of February 28, 1948, we enclose three forms of application for permit to appropriate the public waters of the State of Idaho, together with pamphlet giving regulations and instructions in regard to filing same.

You no doubt understand that one-fifth of the work described in the application is required by statute to be completed within one-half of the entire time required for making proof of completion of works. However, no proof of such partial completion is required by this Department.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/dm
Enc.

20 334

F. C. SHENEGER
ATTORNEY AT LAW
FIDELITY NATIONAL BANK BLDG.
TWIN FALLS, IDAHO

February 28, 1948

Commissioner of Reclamation
State of Idaho
Boise, Idaho.

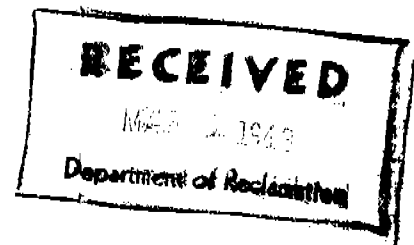
Dear Sir;

Will you please send me three sets of applications for water permits on well waters. Also will advise me if it is necessary to make any showing at end of first year on partial completion of works.

Very respectfully,

FCS:s

F C Sheneberger



20334