

State of Idaho
License and Certificate of Water Right

Water License No. 18043
Water District No. _____

Amount 2 Sec. Ft.
Priority October 13, 1934

THIS IS TO CERTIFY that **BERT R. WOLFE**
of **Burley, Idaho**, made application for a permit to appropriate the
public waters of the State of Idaho, dated **October 13**, 19**34**; that Permit No. **18043**
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
2 second feet, was issued thereunder on **March 18**, 19**35**, showing that said works
were completed on the **14th** day of **March**, 19**35**; and that on the **16th**
day of **May**, 19**35**,

BERT R. WOLFE

of **Burley**, State of **Idaho**, made proof to the satisfaction of the
Commissioner of Reclamation of Idaho, of the right to use ~~the waters of~~ subterranean water
~~in the~~, for the purpose of **irrigation**
, under Use Permit No. **18043** of the Commissioner 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 Commissioner of Reclamation of Idaho and entered of record in Volume **7**
of Licenses, at page **3825**, on the **21st** day of **March**, 19**36**;
The right hereby confirmed dates from **October 13**, 19**34**;

The Point of Diversion is located
in the **S2 1/4 NE 1/4**, Sec. **3**, Tp. **11 S.**, R. **23 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 **2**
cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
11 S	23 E	3	SW 1/4 NE 1/4	40	40
			SE 1/4 NE 1/4	40	40
			NE 1/4 SE 1/4	30	31
			NW 1/4 SE 1/4	30	40

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

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho,
this **21st** day of **March**, 19**36**.

R. W. FARIS
Commissioner of Reclamation

(SEAL)

45 2180

APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHOApplication No. 25238
Permit No. 18043
District No.

1. Name of Applicant: BERT R. WOLFE

Postoffice address: Burley 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:

- (a) Cash on hand:
(b) Treasury stock:
(c) Bonds to be issued:
(d) Other resources:

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

3. Source of water supply: Subterranean 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 SE $\frac{1}{4}$ NE $\frac{1}{4}$
of Section 3 , T. 11 S. , R. 23 E. , B. M., County of Cassia

5. Water is to be used for: Irrigation

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section

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

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

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

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

7. Estimated cost of works: \$ 2,000.00

8. Kind of works: Ditches and headgate

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 1 $\frac{1}{2}$ feet; height 2 feet.11. Ditch: Width at bottom 3 feet; width at water line 3 $\frac{1}{2}$ feet; depth of water 10 inches.

feet; dimensions of flume:

Diameter of pipe inches; length of conduit Approx. 1 $\frac{1}{2}$ miles.

Average grade per mile feet.

12. The time required for the completion of such work is 6 months. years.

13. The time required for the complete application of the water to the proposed use is no additional years.

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

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.

Bert R. Wolfe

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 9:00 A. M. October 13, 1934

Returned to applicant for correction: October 23, 1934

Corrected application received: October 30, 1934

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 18043

Recorded in Book 65 Page 18043 Approved November 16, 1934

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 **January 15, 1935** 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 **February 16, 1935**

The whole of said work to be completed on or before May 16, 1935

Beneficial use of water appropriated in accordance herewith, to be made on or before May 16, 1935

Witness my hand this 16th day of November, 1934.

R. W. FARIS
Commissioner of Reclamation.

Remarks:

14.

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
11 S	23 E	3			40	40									30	30	140		
Total Number of Acres to be Irrigated.....																	140		
PERMIT NO. 18043																			
CERTIFICATE OF COMPLETION OF WORKS																			
TO ALL WHOM IT MAY CONCERN:																			
This is to certify that BERT R. WOLFE of Burley, County of Cassia, and State of Idaho, the holder of Permit No. 18043, issued upon Application No. 25238, bearing date of priority of October 13, 1934, authorizing the diversion of 2 second feet of subterranean water, County of Cassia, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 2 second feet of subterranean water; that the point of diversion of said waters is in the SE ¹ / ₄ NE ¹ / ₄ Sec. 3, T. 11 S., R. 23 E., B. M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 140 acres; S ¹ / ₂ NE ¹ / ₄ ; NE ¹ / ₂ SE ¹ / ₄ , 30 acres; NW ¹ / ₂ SE ¹ / ₄ , 30 acres, Sec. 3, T. 11 S., R. 23 E.																			
Witness my hand this 18th day of March, A. D. 1935.																			
R. W. FARIS Commissioner of Reclamation																			
Proof of Completion of Works made March 14, 1935. Certificate issued March 18, 1935.																			
LICENSE ISSUED... 2 SEC. 11. Vol. 7 Page 3825																			

WATER RIGHT NUMBER 45-2180

OWNER LAST NAME - WOLFE FIRST NAME - BERT R. ORIG OWNER -
ADDRESS LINE 1 - ADDRESS LINE 2 -
ADDRESS LINE 3 - CITY - BURLEY STATE - ID ZIP CODE - 83318
SOURCE - GROUNDWATER TRIBUTARY OF -
STAGE - LICENSE STATUS - PRIORITY - 10-13-1934 COUNTY - CASSIA TOTAL DIV. RATE - 2.0000 -CFS
TOTAL DIV. VOLUME - .00 AFA TRFR/AMEND - WATER DIST. - DLE/CAREY ACT - RIGHT BASIS -
DIVERSION POINT - SENE 03 11S 23E 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 - 2.0000 CFS USE DIV. VOLUME - .00 AFA
USE - IRRIGATION PLACE OF USE - TWN 11S RNG 23E SEC 03 TRACT SWNE LOT AC 40 TRACT SENE LOT AC 40
TRACT NESE LOT AC 31 TRACT NWSE LOT AC 40
DATE - TOTAL ACRES 151
DECREE NAME -
REMARKS -
NON IRRIG USE -
OTHER RIGHTS FOR SAME USE -
PROOF DUE - PERMIT/DENIED - PROTESTED - HEARING - OLD NO. - 18043
PROOF MADE - FLD EXAM - COND. OF APPROVAL -
DIVERSION MEANS -

VERIFIED DDL
3/22/85

IDENT. NO. 45-2130

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

WATER RIGHT
DATA ENTRY LOG

[illegible]

March 24, 1936

Re: Permit No. 18043

MR. BERT R. WOLFE
Burley,
Idaho

Dear Sir:

We are enclosing herewith Water License No. 18043,
issued under the above numbered permit, together with our
office receipt in the amount of \$8.00 which was the fee due in
connection with final proof.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____
Assistant Chief Clerk

G
Encl.

18043

11343
Burley Idaho,

March 12 1936

R, W, Faris,
Commissioner Of Reclamation,

Boise Idaho,

Dear Sir;

Find enclosed cashers check fore \$8.00 statutory fee,
on Re; Permit No 18043

Yours Truly,

Bert R. Wolfe,

RECEIVED

MAR 16 1936

Department of Reclamation

18043

March 7, 1936

Re: Permit No. 18043

MR. BERT R. WOLFE
Burley, Idaho
Route # 2

Dear Sir:

We now have the field engineer's report covering his examination made in connection with the above permit.

He gives you credit for having applied the water developed to a total of 151 acres which entitles you to all of the water claimed in your permit.

Therefore, upon receipt of a statutory fee of \$8.00 we shall issue a license for 2 second feet.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engr.

PLH/rg

18043

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 18043

This proof is for Beneficial Use

In Water District No.

1. Name of applicant Bert R. Wolfe

2. Source of water supply: Subterranean

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

T. 11 S. R. 23 E. County of Cassia

4. Describe works as they exist, giving dimensions and capacities of same: Drilled well 101 ft deep cased 85 ft from surface, 16" diameter, Pomona deep well turbine pump with 8" outlet driven by Westinghouse motor, 15 HP @ 1700 R.P.M. Capacity 2. Sec Ft.

5. Water is used for: Irrigation

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

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, & NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3, T. 11 S., R. 23 E., B. M.

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

8. What large stream would the water here appropriated finally reach? None

Remarks: Pump delivers 2. Sec Ft. to ditch thru 20 ft of 8" pipe. Normal water table 17 ft down and 10 ft draw down at pump

This examination was made on the 13th day of June, 1935

(Signed)

Fred A. Tolman
Examiner.

BERT R. WOLFE
R # 2, Burley, Idaho

20

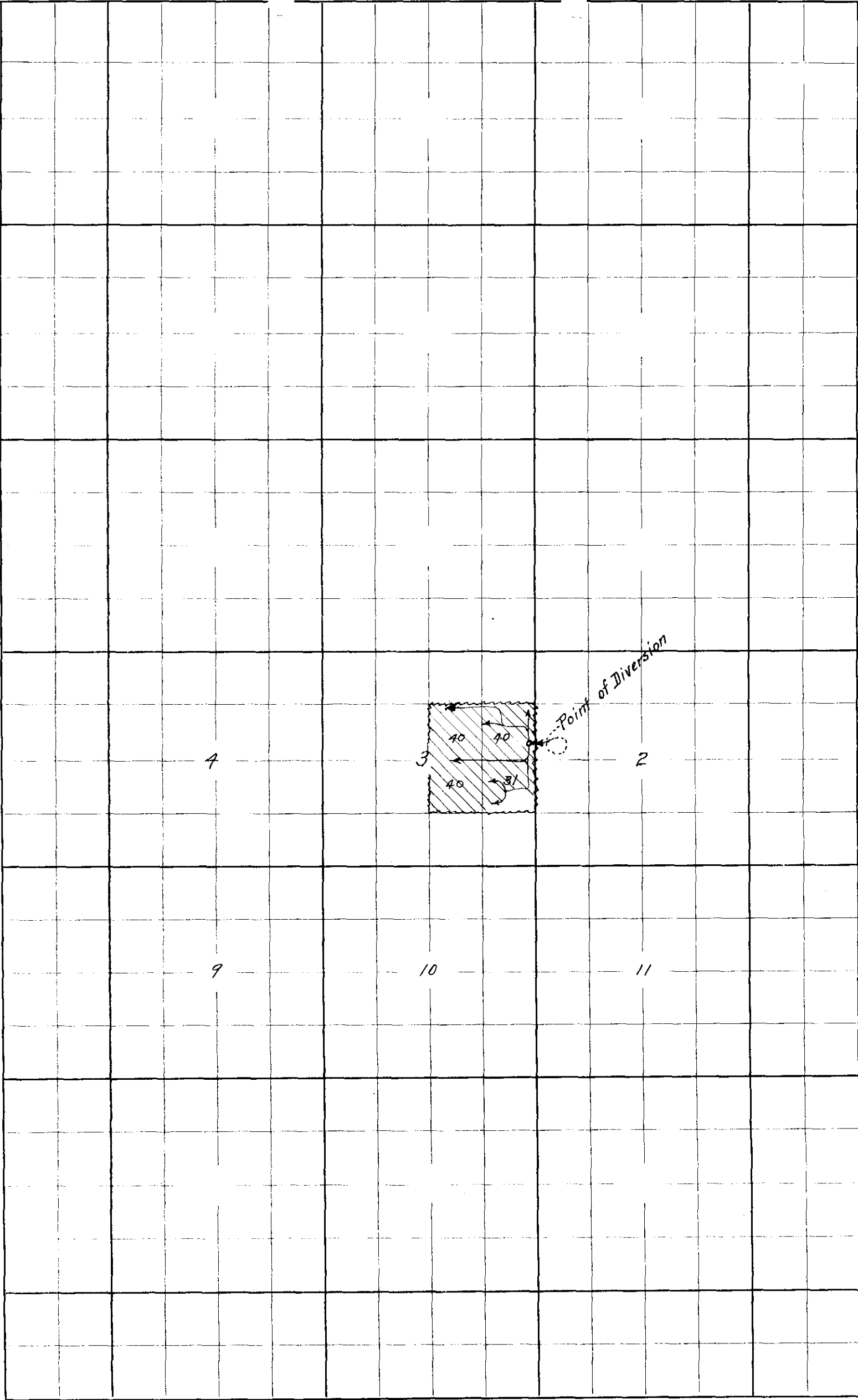
Permit No. 18043

Examination for BENEFICIAL USE

County Cassia

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 a 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.
-



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 18043

REPORT ON PROOF OF BENEFICIAL USE

November 20, 1935

Re: Permit No. 18043
Bert R. Wolfe

MR. CLARENCE W. THOMAS,
Attorney at Law,
Burley, Idaho

Dear Sir:

In reply to your letter dated November 13th, we wish to advise you that Mr. Wolfe has fully complied with all of the provisions of the above permit except as to the payment of the fee due this office in connection with final proof.

The Field Engineer has made his examination but has not, as yet, filed his report. However, we expect this report to be completed shortly and we can then advise Mr. Wolfe as to the amount of the fee due before the issuance of his license. Any delay caused by this office in the issuance of his license certainly will not in any way affect the right.

Very truly yours,

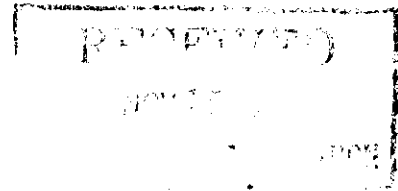
R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engr.

PLH/rg

18043

Clarence W. Thomas
ATTORNEY AT LAW
IDAHO BANK & TRUST COMPANY BUILDING
BURLEY, IDAHO



November 13, 1935.

Commissioner of Reclamation,
Boise, Idaho.

Gentlemen: In Re: Application No. 25238
 Permit No. 18043 Bert R. Wolfe,
 Burley, Idaho.

Does there remain anything further in the
above entitled matter to be done before the issuance
of license?

Will you please advise either myself or
Mr. Wolfe, at your earliest convenience?

Sincerely yours,

Clarence W. Thomas

CWT:b

18043

May 22, 1935

Re: Permit No. 18043

MR. BERT R. WOLFE
R. F. D. # 2,
Burley, Idaho

Dear Sir:

This will acknowledge receipt of the deposition of the holder and depositions of two witnesses, in connection with beneficial use proof under the above permit. The affidavit of publication did not accompany these papers. Will you kindly contact the editor of the newspaper, in which publication was made, and request him to furnish this office with such affidavit at his earliest convenience.

Before final action can be taken in this 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 since the department has but one field engineer who makes examinations all over the state. However, Mr. Tolman, Field Engineer for this department, will contact you at the time set for examination so that you may show him over the grounds. After his report is on file in this office, you will be further notified as to fees due before the issuance of your license.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engr.

PLH/rg

18043

urley Idaho,

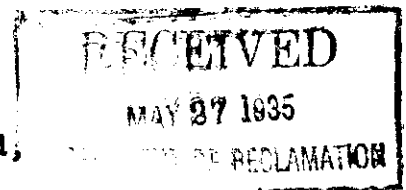
May 24, 1 935

D. V. Harris

Boise Idaho,

Dear Sir.

Find Enclosed affidavit of publication as requested,



Yours Truly,

Bert Wolfe,

18043

18043

MAY 27 1935

AFFIDAVIT OF PUBLICATION

County of Cassia }
State of Idaho, } ss.

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

Notice is hereby given that at 10:00 a. m. on the 16th day of May, 1935, at Burley, County of Cassia, State of Idaho, before C. W. Thomas, Notary Public, proof will be submitted of the application to beneficial use of two cubic feet per second of subterranean waters in accordance with the terms and conditions of Permit No. 18043 heretofore issued by the Commissioner of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Bert R. Wolfe, Burley, Idaho.

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

The amount applied to beneficial use is Two Cubic Feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated): South Half of the Northeast Quarter, and approximately sixty acres of the North Half of the Southeast Quarter, of Section three, Township 11 South, Range 23, E. B. M.

The name of the canal or ditch or other works by which said wa-

ter is conducted to such place of use is ditches, leading from pump to and upon the premises above described.

The right to take water from such works is based upon Permit No. 18043.

The source of supply from which such water is diverted is subterranean.

The date of the priority which said user is prepared to establish is October 13, 1934.

R. W. FARIS,
Commissioner of Reclamation.
March 21-23, April 4-11, 2

Henry C. Dworshak, being first duly sworn, deposes and says that he is the publisher of The Burley Bulletin, which is a newspaper printed regularly, issued and published weekly at Burley, in Cassia County, Idaho, and having a general circulation therein, and which has been continuously and uninterruptedly so printed and published as a weekly newspaper in said city and county during the period of 18 months prior to the first publication of said notice hereto attached, and at all times since, and during the period of more than 78 consecutive weeks prior to said publication and that the notice of which the annexed is a true copy, was published in the regular edition of said Burley Bulletin for four consecutive weeks, the first publication having been made on the 21st day of March, 1935, and the last publication on the 11th day of April, 1935.

Henry C. Dworshak

Subscribed and sworn to before me this 12th day of April, 1935

F. P. Dolson

Notary Public for Idaho,
Residing at Burley, Idaho.

My commission expires Jan. 16, 1939

18043

Clarence W. Thomas
ATTORNEY AT LAW
IDAHO BANK & TRUST COMPANY BUILDING
BURLEY, IDAHO

off 18043
18043
May 17, 1935.

Department of Reclamation,
State of Idaho,
Boise, Idaho.

Gentlemen:

Enclosed herewith please find Deposition
of Holder, duly executed by Bert R. Wolfe, R. F. D. #2,
Burley, Idaho, together with Deposition of Witness M. F.
Rapp, and T. C. Gummerson.

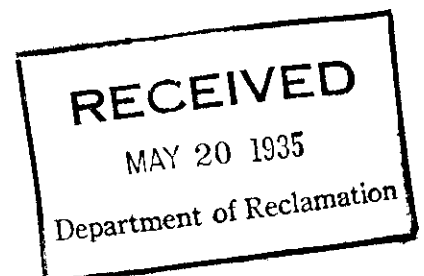
Will my fees be collected through your
office, or shall I collect the same from Mr. Wolfe?

May I not please have your advice at your
earliest convenience?

Sincerely yours,

C. W. Thomas

CWT:b
Encls.



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 18043

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Bert R. Wolfe, Burley, Idaho, R.F.D. # 2. Farmer

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

Ans. Not a corporation

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

Ans. 18043, November 16th. 1934; October 13, 1934.

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

Ans. Subterranean; Southeast of the Northeast Quarter of Section 3, Township 11, S.R. 23, 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 100 feet in depth; sixteen inch hole, equipped with pump and motor capable of developing 100 cubic inches per second; with necessary ditches from well to all points of use; said ditches of sufficient size and so located as to carry this amount of water

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

Ans. Irrigation. For the irrigation of and now being used upon, 140 acres lying in and being a part of the South One-Half of the Northeast Quarter and the North Half of the Southeast Quarter, of Section 3, T.11, S.R. 23, E.B.M. All in cultivation; by virtue of better water right have grown more crop

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

Ans. none

18043

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

Ans. for irrigation purposes need at least 3 1/2 acre feet per acre per season

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. original owner

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

Ans. During the year 1934 between June 25th. and September 15th. practically continually used delivering and using on said lands, 2 cubic feet per second

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. The land lies within Burley Irrigation District, and entitled to water from said District ~~according to~~; this right entitled holder of said permit to approximately one-half cubic foot continuous flow per forty acres; but this amount is not dependable, and ordinarily this amount is not available

(Sign)

Bert R. Wolfe

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 16th day of May, A. D. 19 35.

W. B. Lawrence
Notary Public, in and for the State of
Idaho, residing at Burley, Idaho.

My commission expires June 14th. 1937

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. _____

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.

T. L. Gummerson, 52, Burley Idaho
RTD # 21, farmer

Ques. 2. Are you acquainted with Bert R. Wolfe, the holder of Permit No. 18043? How long have you known him and where does he reside?

Ans. Twelve years, He resides on SE 1/4 of NE 1/4, Sec. 3, T. 11, S. R. 23, E. B. M.

near Burley, Idaho

Ques. 3. Have you read or heard read said Permit No. 18043, 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. Subterranean. SE 1/4 of NE 1/4, Sec. 3, T. 11, S. R. 23, E. B. M. well and

pump, together with necessary and proper ditches sufficient in size and so
located as to carry one hundred miner's inches continuous flow to place
of user

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.

100 miner's inches

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each sub-division 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 improvement which have been made as a direct result of said use.

Ans. irrigation. For the irrigation of and being used upon, 140 acres
lying and being in and a part of the SE 1/4 NE 1/4 and NE 1/4 SE 1/4, of Sec. 3, T. 11,
S. R. 23, E. B. M. all in cultivation; by virtue of better water right
more and better crops can be and have been grown and produced.

18043

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

Ans. **irrigation only**

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. **cultivated lands and water right hereunder is supplemental; three ~~acres~~ and one-half acre feet per season is required for profitable cultivation.**

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. **During the year 1934, between June 25th, and September 15th. practically continually there was delivered and used upon the herein before mentioned lands, 2 cubic feet per second continuous flow.**

(Signed) *T. L. Gunnerson*

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 ~~xxx~~ **16th. day of May**, A. D. 19**35**.

W. H. Thomas
Notary Public.

My commission expires **June 14th, 1937**

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED

MAY 20 1935

Department of Reclamation

PERMIT NO. _____

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. *M. F. Kaff, 45 yrs, Burley Idaho R.F.D. #2*
farmer.

Ques. 2. Are you acquainted with Bert R. Wolfe, the holder of Permit No. 18043? How long have you known him and where does he reside?

Ans. Twelve years. He resides on SE 1/4 of NE 1/4, Sec. 3, T.11, S.R. 23, E.B.M. near Burley, Idaho

Ques. 3. Have you read or heard read said Permit No. 18043, 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. Subterranean. SE 1/4 of NE 1/4, Sec. 3, T.11, S.R. 23, E.B.M. well and pump, together with necessary and proper ditches sufficient in size and so located as to carry one hundred miner's inches continuous flow to place of user

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. 100 miner's inches

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each sub-division 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 improvement which have been made as a direct result of said use.

Ans. Irrigation. For the irrigation of and being used upon, 140 acres lying and being in and a part of the SE 1/4 of NE 1/4 and NE 1/4 of SE 1/4, of Sec. 3, T.11, S.R. 23, E.B.M. all in cultivation; by virtue of better water right more and better crops can be and have been grown and produced.

18043

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

Ans. irrigation only

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. cultivated lands and water right hereunder is supplemental; three ~~xxxxxx~~ and one-half acre feet per season is required for profitable cultivation.

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. During the year 1934, between June 25th. and September 15th. practically continually there was delivered and used upon the herein before mentioned lands, 2 cubic feet per second continuous flow.

(Signed)

M F Rapp

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 16th. day of May, A. D. 1935.

W. L. Louisa
Notary Public.

My commission expires June 14th. 1937

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE
INSTRUCTIONS
PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO, May 11, 1935

Re: Permit No. 18043

MR. C. W. THOMAS, Notary Public
Burley,
Idaho

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 18043.

DEPOSITION OF PERMIT HOLDER,
DEPOSITIONS OF TWO WITNESSES.

In submitting this proof the following instructions should be CAREFULLY followed out, since failure to do so may result in the loss of rights:

1. On May 16, 1935, the date set for proof, the enclosed forms (one for permit holder and one each for two disinterested witnesses) should be filled out and sworn to, at Burley, Idaho before C. W. Thomas, Notary Public.

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice.

When these have been received, together with report of the examining engineer, if everything is properly executed, you will be further advised as to fees due, etc., before certificate is issued.

Yours truly,

R. N. FARRIS
Commissioner of Reclamation.

18043

THE BURLEY BULLETIN

HENRY C. DWORSHAK, Publisher

RECEIVED

MAR 23 1935

Date March 21, 1935 Department of Reclamation

Mr. R. W. Faris, Commissioner of Reclamation,
Boise, Idaho.

We are sending you herewith proof of legal notice, which you have ordered published in The Burley Bulletin, as it appears in first publication. If there are any errors, will you kindly advise us at once?

We thank you for this business.

Very truly yours,

THE BURLEY BULLETIN.

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

Notice is hereby given that at 10:00 a. m. on the 16th day of May, 1935, at Burley, County of Cassia, State of Idaho, before C. W. Thomas, Notary Public, proof will be submitted of the application to beneficial use of two cubic feet per second of subterranean waters in accordance with the terms and conditions of Permit No. 18043 heretofore issued by the Commissioner of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Bert R. Wolfe, Burley, Idaho.

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

The amount applied to beneficial use is Two Cubic Feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated): South Half of the Northeast Quarter, and approximately sixty acres of the North Half of the Southeast Quarter, of Section three, Township 11 South, Range 23, 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 ditches, leading from pump to and upon the premises above described.

The right to take water from such works is based upon Permit No. 18043.

The source of supply from which such water is diverted is subterranean.

The date of the priority which said user is prepared to establish is October 13, 1934.

R. W. FARIS,
Commissioner of Reclamation.
March 21-23, April 4-11, 2

18043

March 21, 1935

Re: Permit No. 18043

MR. BERT R. WOLFE
Burley,
Idaho

Dear Sir:

We are enclosing herewith Certificate of Completion of Works issued under the above numbered permit, together with our office receipt in the amount of \$5.00. This certificate confirms the completion of your works to a capacity of 2 second feet.

Very truly yours,

R. W. PARIS
Commissioner of Reclamation

By _____
Assistant Chief Clerk

G
Encl.

18043

March 18, 1935

Re: Permit No. 18043

MR. BERT R. WOLFE
Burley,
Idaho

Dear Sir:

This will acknowledge receipt of your affidavit for proof of completion of works, notice in duplicate for publication relative to beneficial use proof and also your authorization to have the notice published in the Burley Bulletin.

We have designated C. W. Thomas as the person before whom your proof will be offered at 10:00 A. M. on the 16th day of May. We shall mail the proper forms to Mr. Thomas in ample time for the proof. On the date designated you should appear at Mr. Thomas's office with two disinterested witnesses for the purpose of executing the depositions.

A copy of the Notice is today being mailed to the newspaper with proper instructions for its publication.

Your certificate of completion of works has been issued and will be mailed to you within a few days.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engr.

PLH:RG

18043

Burley Idaho.

March 14, 1935

Department of Reclamation

Boise Idaho,

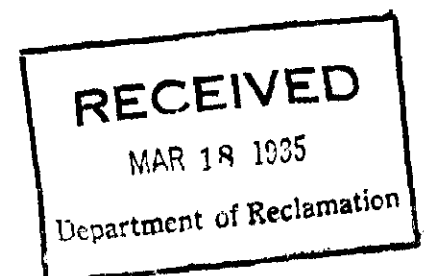
Dear Sir,

Find enclosed check fore \$5.00 as fee to make proof on permit
No 18043 I forgot to put check in with other papers,

Yours Truly,

Bert, R, Wolfe

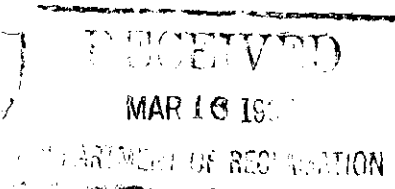
18043



18043

Permit No.

STATE OF IDAHO
Department of Reclamation



Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO, }
County of Cassia } SS

Bert R. Wolfe, 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. 18043, and that his postoffice address is Burley, Idaho State of

Second: That the name of the stream from which said water is to be diverted is.....
subterranean waters

Third: That the point of diversion of said water is South East Quarter of the North-
east Quarter (SE 1/4) of Section 3, T. 11, S. R. 23, E. B. M., Cassia Co.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by May 16th, 1935.

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

Sixth: That on the date above mentioned, the works constructed under said permit were (~~or were not~~) fully completed and consisted of the following:

I. Kind of works: ditches and headgate, pump, motor and electrical power
(Reservoir, dam, ditch, flume, pipe or otherwise.)
of capacity of 100 inches constant flow

II. Dimensions of work: 2 and 1/2 mile of ditches

(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 12 1/2 feet, height 2 feet.

(d) Conduit Ditch width at bottom 3 feet, width at water line 3 1/2
(State whether ditch, flume or pipe.)

feet, depth of water 10 inches; diameter of pipe.....inches, average grade per mile is three feet. Length of conduit is.....miles.

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

Eighth: That water appropriated under said permit is available for 140 acres of land described as follows: the South Half of the Northeast Quarter, and approximately 60 acres of the North Half of the Southeast Quarter, of Section Three, Township 11 S. R. 23, E. B. M.

Ninth: Remarks: That

Bert R. Wolfe
(Sign here)

Subscribed and sworn to before me this 14th day of March, 1935

My commission expires June 14th, 1937

W. Thomas
Notary Public.

18043

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date March 18, 1935

Re: Permit No. 18043

EDITOR, BURLEY BULLETIN
Burley,
Idaho

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to May 16, 1935, the date set for proof, the expense of the publication to be paid by the applicant,

Bert R. Wolfe, Burley, Idaho
to whom you should furnish proof of publication on or prior to the date set for proof.

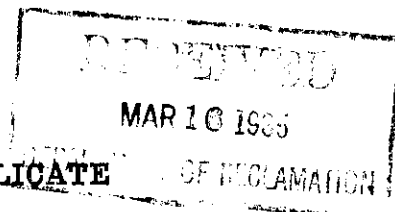
Please acknowledge receipt of this notice and furnish this office with a copy of the first publication.

Very truly yours,

R. W. FARIS

Commissioner of Reclamation

18043



NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) March 14th. 1935

(P. O.) Burley, Idaho

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the Burley Bulletin of Burley, Idaho, published in the county in which the works are situated. You will place in the said notice the place and person at which and before whom proof will be submitted.

Bert R. Wolfe

(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.

18043

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 a. m. on the 16th day of May, 1935,
at Burley, County of Cassia, State of Idaho,
before C. W. Thomas, Notary Public, proof will be submitted
of the application to beneficial use of two cubic feet per second of ~~the~~
~~waters of subterranean waters~~ in accordance with the terms and conditions of
Permit No. 18043 heretofore issued by the ~~Commissioner of Reclamation~~
of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are.....
Bert R. Wolfe, Burley, Idaho

The use to which said water has been applied is irrigation

The amount applied to beneficial use is Two Cubic feet per second

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) South Half of the Northeast Quarter, and approximately
sixty acres of the North Half of the Southeast Quarter, of Section
three, Township 11, South, Range 23, 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 ditches, leading from pumps and upon ~~the premises~~ above described

The right to take water from such works is based upon Permit No. 18043

The source of supply from which such water is diverted is subterranean

The date of the priority which said user is prepared to establish is Oct. 13, 1934
~~May 16th, 1935~~

R. W. FARIS

Commissioner of Reclamation.

18043

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

ELIOT R. WOLFEL
Burley,
Idaho

Boise, Idaho, March 9, 1935

Dear Sir:—

Under the terms of your permit No. 18043 you are required to complete your diversion works on or before May 16, 1935. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

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

Yours truly,
R. W. FARIS

Commissioner of Reclamation.

18043

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

BERT F. WOLFE
Burley,
Idaho

March, 9, 1935

Dear Sir:—

I enclose herewith blank notice of proof of application of water to beneficial use under your permit No. **18043**, which should be filled out and returned to this office at least 60 days before the date upon which you wish to make proof. The date for proof, as set out in your permit, is ~~May 16,~~ **1935**, 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.

Yours truly,

R. W. FARIS ~~GEORGE N. CARTER~~
Commissioner of Reclamation.

18043

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 18043

Boise, Idaho, December 21, 1934

Dear Sir:

I enclose herewith above numbered permit. BE SURE AND NOTE LIMITATIONS AND CONDITIONS OF SAME as given under approval of the Commissioner of Reclamation on the third page.

W. H. HARRIS
Burley,
Idaho

18043
R. C. HARRIS
Commissioner of Reclamation.

October 24, 1934

18043

Re: Application for Permit

MR. BERT R. WOLFE
Burley,
Idaho

Dear Sir:

Your application for permit to appropriate 2 cubic feet per second of subterranean water, in Township 11 S., Range 23 E., is herewith being returned for a map in duplicate and answers to paragraphs 7 to 11, inclusive. The plat which you submitted will serve the purpose, therefore, if you will make another the same as this one the two will serve to meet the map requirements.

We note what you say to the effect that your ditches have been completed. In spite of this fact the dimensions of them should be given and whatever other works you have, such as a headgate or dam.

When you have completed the application and plat, kindly return them to this office with a fee of \$5.25 which is the amount due for 2 second feet of water.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engr.

PLH:RG
Encl.

18043