

Homer H. Butler
Kimberly, Idaho

Permit No. G-22577

Well - 435' x 16"
292' intake

8" x 8' discharge

Examination for Completion of Works & Beneficial Use

County Twin Falls

8-11S.-19E.

Q = 1.6 c.f.s.

S = Well.

P.D. = SW. 1/4, Sec. 8, T. 11 S. - R. 19 E.

Pump. Layne & Bowler
20478
300' setting x 8"
out pump Thompson - Twin Falls

Motor G.E. 1/2 P.M.J. 308002
P 100
V 440
Amps = 120.5
RPM = 1765

Use = Irrigation

Meter: GE 30,489,052
Demand - 3,175 x 40

Filed = Febr. 1, 1952.

Due = Aug. 18, 1958 (ext.)

Q = Bowers estimate 150"
claims - Humphrey Measured
before at a strong
140 Miners inches.

Q - on 7-8-57
= 300 Cf. in 133 sec
+ est 5" leakage around
discharge chamber
= 121.5 Miners inches.

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
AUG 22 1957
Department of Reclamation

R-19E.

T.
11
S.



18

17

Land Subdivisions 2 as shown in map above
Total 80 Acres *

TO HANSEN

Quantity of water ^{118"}~~121.5~~ Miners Inches
including an estimated 5" leakage around
structure that did not go through meter

Measurement 300 C.F. in 133 seconds
passing through Sparling meter.

* A part of this water belongs to permit
G-22 422

Subdivisions = 2.

Area = 80 acres.

Q = 18 inches

36 cfs

NAME OF APPLICANT.....Home H. Butler, Sr......

Form No. 0

T 11 S - R 19 E



Section 8

Permit Map No. 9-22577
As Approved
FEB 6 1952
MARK R. KULP
State Reclamation Engineer

NAME OF APPLICANT.....

Form No. 0

Homer Butler.

Application P.D. site

8

Amended P.D. site proposed

Harold Bulcher

P-20718

Licensed for 2.0 c.f.s.

8

22577

5151

State of Idaho License and Certificate of Water Right

Water License No. G-22577

Amount .36 c.f.s.

Water District No. _____

Priority February 1, 1952

THIS IS TO CERTIFY that HOMER H. BUTLER
of Kimberly, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated February 1, 19 52; that Permit No. G-22577
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
.36 second feet, was issued thereunder on October 22, 19 57, showing that said works
were completed on the 24th day of June, 19 57; and that on the 24th
day of June, 19 57, HOMER H. BUTLER

of Kimberly, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
, a tributary of subterranean, for the purpose of Irrigation
, under Use Permit No. G-22577 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
10 of Licenses at page 6151, on the 22nd day of October, 19 57;
The right hereby confirmed dates from February 1, 19 52;

The Point of Diversion is located
in the SW 1/4 SW 1/4, Sec. 8, Tp. 11 S., R. 19 E., B. M. County Twin Falls.

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 .36 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.	19 E.	8	NE $\frac{1}{4}$ NW $\frac{1}{4}$	40	40
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	40	40
			Total number of acres irrigated	- - - -	80

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
22nd day of October, 19 57.

/s/ Mark R. Kulp
State Reclamation Engineer.

(SEAL)

SCANNED
JAN 22 2002

45-2484
47-2549

45-2404

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 30319
Permit No. G- 22577
District No.

1. Name of Applicant: HOMER H. BUTLER, SR.
Postoffice address: Rt. 2, Kimberly County: Twin Falls State: Idaho
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second. 1.6 or Idaho
Miners' inches 80 or gallons per minute.
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean to be raised through a drilled well.
4. Location of point of diversion or well is in the SE 1/4 of the NW 1/4 of Section 8
Twp. 11 S. , Rge. 19 E. , B.M., County of Twin Falls
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the 1/4 of the 1/4 of Section , Twp.
Rge. , B.M
 - (b) Waste water or sewage effluent is to be returned to
at a point in the 1/4 of the 1/4 of Section , Twp. , Rge. , B.M.
7. Kind of works: Drilled well, to be cased and equipped with turbine type pump, and sprinkler system.
8. Estimated cost of works: \$5,000.00
9. (a) Is reservoir to be used? No
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is Five(5) years.
11. If applicant is a corporation, give:
 - I. (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:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None
 - (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) (cubic feet per second, inches or gallons per minute) is for new lands.

This application is to be used for irrigation of vacant federal land now under application in the Idaho Land & Survey Office as a desert entry. The irrigation development of the land will also serve as the beneficial use of the water.

Remarks:

BE IT KNOWN THAT The undersigned hereby makes appli cation for permit to appropriate the public waters of the State of Idaho as herein set forth.

HOMER H. BUTLER, SR. *Applicant.*

By

Agent.

Date of first receipt at Department of Reclamation: 4:45 P. M. February 1, 1952

Re'turned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G-22577

Recorded in Book 80 Page 22577 Approved February 6, 1952

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 April 6, 1952

and to continue diligently and uninterruptedly to completion,

unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before August 6, 1954

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before February 6, 1957

Witness my hand this 6th day of February, 1952

MARK R. KULP

State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, LEN JORDAN, Governor of the State of Idaho, and IRA H. MASTERS, 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 6th day of February, 1952.

Countersigned:

STATE OF IDAHO

(SEAL)

By IRA H. MASTERS

Secretary of State.

By LEN JORDAN

Governor

12.

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.	19 E.	8		40	40		80
STATE OF IDAHO DEPARTMENT OF RECLAMATION							
WHEREAS, Permit No. G-22577, in the name of Homer H. Butler, Sr., requires proof of Completion of Works to be made on or before February 6, 1957; and, WHEREAS, said Permit was issued for use of water of vacant federal land under application in the Idaho Land & Survey Office, as a desert entry; and, WHEREAS, applicant was prevented from proceeding with construction pending allowance of said Desert Land Entry, which was not allowed until August 18, 1953; NOW, THEREFORE, an Extension of Time is allowed for Completion of Works on Permit No. G-22577 to August 18, 1958, or the length of time applicant was prevented from proceeding pending allowance of his Desert Land Entry and a similar extension is allowed for every other act required under the terms and conditions of Permit No. G-22577. Signed at Boise, Idaho, this 26th day of December, 1956.							
(SEAL)			Mark R. Kulp /s/ State Reclamation Engineer				
Recorded December 31, 1956 Extension of Time to August 18, 1958.			(())				

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, NO. G-22577

Comes now Homer H. Butler, Sr. and represents to the State Reclamation Engineer of the State of Idaho: That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-22577. That the point of diversion is described in said permit as being located SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 8, T 11 S - R 19 E., B.M. That he now requests that the point of diversion be changed to a point located SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 8, T 11 S - R 19 E., B.M. That his reasons for desiring to make such change are as follows: This well is already drilled and has sufficient water for the irrigation of the land in this permit. That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.

Signed at Boise, Idaho, this 3rd day of April 1957.

/s/ Homer H. Butler, Sr.

Date of receipt at Department of Reclamation
April 5, 1957

APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-22577. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

/s/ Mark R. Kulp
State Reclamation Engineer

Received and recorded in the Department
of Reclamation April 5, 1957.

Permit No. G-22577

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that HOMER H. BUTLER, SR. of Kimberly, County of Twin Falls, and State of Idaho, the holder of Permit No. G-22577, issued upon Application No. G-30319 bearing date of priority of February 1, 1952, authorizing the diversion of 1.6 second feet of the waters of subterranean flow from 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 .36 second feet of the waters of subterranean flow from a well that the point of diversion of said waters SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8, 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: 80 acres in the E $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 8, Township 11 South, Range 19 East, B.M. Proof of Completion of Works made: June 24, 1957.

Witness my hand this 22nd day of October, A.D. 1957

/s/ Mark R. Kulp
State Reclamation Engineer

Proof of Completion of Works made: June 24, 1957
Certificate of Completion of Works issued: October 22, 1957

LICENSE ISSUED FOR .36 SEC. FT.
Page 6/51

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION



Cecil D. Andrus
Governor
R. Keith Higginson
Director

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

October 23, 1973

RE: Water Licenses 45-2393 and 45-2404

Daniel A. Slavin
Attorney at Law
P. O. Box 83
Twin Falls, Idaho 83301

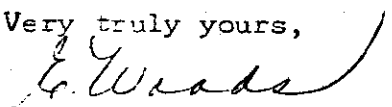
Dear Mr. Slavin:

Enclosed are the certified copies of the above referenced licenses you requested per letter of October 18th. The fee for these copies is \$3.00 which you may remit at your earliest convenience.

After a permit is licensed it becomes appurtenant to the lands thereof and therefore an assignment is not required.

If we can help you further please feel free to contact us.

Very truly yours,


(Mrs.) ELEANOR J. WOODS
Records Supervisor

EJW:e

Enclosures

SCANNED
JAN 22 2002

45 2404

October 23, 1973

RE: Water Licenses 45-2393 and 45-2404

Daniel A. Slavin
Attorney at Law
P. O. Box 83
Twin Falls, Idaho 83301

*Rec'd
#125-90*

Dear Mr. Slavin:

Enclosed are the certified copies of the above referenced licenses you requested per letter of October 18th. The fee for these copies is \$3.00 which you may remit at your earliest convenience.

After a permit is licensed it becomes appurtenant to the lands thereof and therefore an assignment is not required.

If we can help you further please feel free to contact us.

Very truly yours,

(Mrs.) ELEANOR J. WOODS
Records Supervisor

EJW:e

Enclosures

45 2404

ROBERT W. STEPHAN
ROBERT N. W. BALLEISEN
DANIEL A. SLAVIN

STEPHAN, BALLEISEN AND SLAVIN
ATTORNEYS AT LAW
TWIN FALLS BANK AND TRUST CO. BUILDING
TWIN FALLS, IDAHO 83301
October 18, 1973

TELEPHONE 208 733-2722
P.O. Box 83

OCT 19 1973

Department of Water Administration

Mr. R. Keith Higginson, Director
Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

Re: Water Permits
45-2393 and 45-2404

Dear Mr. Higginson:

We would very much appreciate receiving certified copies of Water Permits numbered 45-2393 and 45-2404. We would also appreciate knowing the procedure, if any, for the transfer of these two water permits. The owners of the permits are selling the land to which the permits appertain, and wish to arrange for the transfer of these permits with the land.

Upon receipt of your bill for certified copies, your required fees will be immediately returned.

Sincerely,

STEPHAN, BALLEISEN AND SLAVIN

Daniel A. Slavin
Daniel A. Slavin

DAS/ic

45 2404

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
NORTHERN DISTRICT OFFICE



Cecil D. Andrus
Governor
R. Keith Higginson
Director

401 Front Ave., Rm. 209
Coeur D'Alene, Idaho 83814
(208) 667-6484

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

August 27, 1973

Mr. Carl Dille
6623 Ustick
Boise, Idaho 83704

Dear Mr. Dille:

Pursuant to our phone conversation of this date, please find enclosed a copy of Water License No. G-22577/45-2404 and G-22422/45-2393.

The fee for these copies is \$1.00 which you may remit to this office at your convenience.

If we may be of further assistance, please advise.

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR/bjg

Enc: (2) copies of license

bc: E.J.

45 2404

October 22, 1957

Re: Permit No. G-22577
Homer H. Butler

Mr. Harley M. McDowell
P. O. Box 2161
Boise, Idaho

Dear Mr. McDowell:

Enclosed is the License and Certificate of Water Right issued to Homer H. Butler, Kimberly, Idaho, under Permit No. G-22577 confirming the right with priority of February 1, 1952, to his use of .36 second foot of subterranean water with the point of diversion in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6, for irrigation of 80 acres in the E $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 6, Township 11 South, Range 19 East, B.M.

Enclosed also is departmental receipt #G-2927 for \$9.00, issued as receipt of the five dollar fee for the Certificate of Completion of Works and four dollars for the License fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR:nls
Enc.

22577

September 27, 1957

Re: Permit No. G-22577
Homer H. Butler

Mr. Harley M. McDowell
P. O. Box 2161
Boise, Idaho

Dear Mr. McDowell:

Our field engineer's report on the inspection of the completion of construction work and application of water to beneficial use under the terms of Permit No. G-22577, Homer H. Butler, Kimberly, Idaho, shows that his well is capable of conveying 18 miner's inches (.36 c.f.s.) of water for irrigation of 80 acres. This permit is now entitled to the Certificate of Completion of Works and the License and Certificate of Water Right.

Upon receipt of the statutory fees, total of \$9.00, we will issue to Mr. Butler the Certificate of Completion of Works (for which the fee is five dollars) and the License (four dollars) confirming the right with priority of February 1, 1952, to his use of .36 second foot of subterranean water, with the point of diversion in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8, for irrigation of 80 acres in the E $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 8, Township 11 South, Range 19 East, B.M.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR:nls

22577

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

Permit No. G-22577

This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant Homer H. Butler
2. Source of water supply: Subterranean flow from a well
3. Location of point of diversion: Is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8
T. 11 S. R. 19 E., B.M. County of Twin Falls
4. Describe works as they exist, giving dimensions and capacities of same: Drilled 435' x 16" -
Static Water level 222' - Pump: Layne + Bowler #21478 - Setting 300 x 8' - Motor: GE #P.M.J. 308002
P 100, 440 V, Amps 120.5, R.P.M. 1765 - Meter: G.E. #30 489052 - Demand 3175 x 40
5. Water is used for: Irrigation
6. State whether or not water has been turned into works of diversion: Yes
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

E $\frac{1}{2}$ NW $\frac{1}{4}$ of Sec. 8., Twp. 11 S., Rge. 19 E., B.M.

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

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

Remarks: _____

This is remnant from G-22422

This examination was made on the 8th day of July, 1957

(Signed) _____

James Marx

Examiner.

22577

Homer H. Butler
Kimberly, Idaho

Wad - 435, 120
202, 012

Permit No. G-22577.....

Examination for Completion of Works & Beneficial Use

County.....Twin Falls

8-18-19E.

Q2 1.6 c.f.s.

S- Well.

P.L. - SW 1/4 Sec. 8, T. 11 S. - R. 10 E.

Net Irrigation

1000 ft. 1002

1000 ft. 1002

Pump 1
5
300' 10" 8"
Sub pump

Motor 30' 10" 8"
Fl 100
V 100
Amper 1700
1000 1700

1000 ft. 1002

Q Pump 1
1000 ft. 1002

1000 ft. 1002
133 500
+ est 5000
disc 1000
= 1215 1000

INSTRUCTIONS TO EXAMINERS

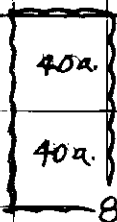
1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated 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
AUG 22 1957

Department of Reclamation

R-19E.

T.
H.
S.



18

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Land subdivisions 2 as shown in map above
Total 80 Acres *

TO HANSEN

Quantity of water ^{118"} ~~121.5~~ Miners Inches
including an estimated 5" leakage around
structure that did not go through meter

Measurement 300 C.F. in 133 seconds
passing through spalling meter.

* A part of this water belongs to permit
G-22 422

Subdivisions = 2.

Area = 80 acres.

Q = 18 inches

.36 cfs

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-22577

REPORT ON PROOF OF Completion of Works & Beneficial Use

Homer H. Butler, Kimberly, Idaho

app. 1.6 lbs
Sub 2
Acres 80

36 cfs
max

July 2, 1957

RE: Permit No. G-22577

Mr. Homer H. Butler
Kimberly
Idaho

Dear Mr. Butler:

We acknowledge receipt of the deposition of holder and two witnesses, also affidavit of publication in the Kimberly Advertiser, all submitted in proof of completion of works and beneficial use on Permit No. G-22577.

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

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

Very truly yours,

MARK R. KULP
State Reclamation Engineer

Chief Clerk

ER:vh

25577

AFFIDAVIT OF PUBLICATION

NOTICE OF PROCEEDINGS COMPLETION OF WORKS

and

APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:30 A.M., on the 24th day of June, 1957, at Boise, County of Ada, State of Idaho, before Harley M. McDowell, Notary Public, proof will be submitted of the completion of works for the diversion of 1.6 cubic feet per second of underground waters from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-22577 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Homer H. Eutler, Sr., Rt. 2, Kimberly, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 1.6 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 1.6 cubic feet per second.

4. The point of diversion of said water is SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 8, T 11 S - R 19 E., B.M.

5. The place where said water is used is E $\frac{1}{2}$ NW $\frac{1}{4}$, Section 8, T 11 S - R 19 E., B.M.

6. The date of priority which said user is prepared to establish is 2-1-52.

MARK R. KULP
State Reclamation Engineer
(4-25, 5-2, 9, 16)

KIMBERLY ADVERTISER
KIMBERLY, IDAHO

22577

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

County of Twin Falls

SS.

I, Edith Raustadt, being first duly sworn on oath, say:

That I am publisher of the Kimberly Advertiser, a newspaper of general circulation in Twin Falls County, Idaho, published weekly in Kimberly in said county and state; that a true copy of the annexed notice was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for 4 consecutive weeks, commencing with the issue dated April 25, 1957, and ending with the issue dated May 16, 1957.

And I do further swear that said newspaper has been so published as a weekly newspaper in said city and county, continuously and uninterruptedly during a period of more than seventy-eight consecutive weeks prior to the first publication of said above mentioned legal advertisement.

Edith Raustadt

Subscribed and sworn to before me this 17th day of May, 1957.
Fred D. Harder
Notary Public for the State of Idaho.

(My commission expires Jan 15, 1961.)

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
JUN 27 1957
Department of Reclamation

Permit No. G-22577

Proof of Application of Water to Beneficial Use

Deposition of Holder and Completion of Works

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

Ans. My name is Homer H. Butler, age 61, occupation is farming and P. O. Address is Kimberly, 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. Acting as an individual

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit. The number of my permit is G-22577, date of permit is February 6th, 1952 and the date of priority I propose to establish is Feb. 1, 1952.

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

Ans. Drilled well in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 8, T 11 S - R 19 E.

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

Ans. The works consist of a drilled well, drilled 432' deep and lifts 290' and a discharge of around 150". This is not cased, but have a 10" discharge here. The water here stands at 290' and there is no drawdown. This was measured by Mr. Humphrey's of the Department of Reclamation about 1 year ago. No sprinkler, this is all gravity, but I do use a 10" steel pipe to pump out of my original pond, then I use a 8" steel pipe to repump this onto the 80 where it is siphoned across and goes up onto the top land that I have in this application. This is about 400' long where I have the siphon part in. This has 100 h.p. motor and 8" pump. Turbine type, electric.

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. This water is used for irrigation on NE $\frac{1}{4}$ NW $\frac{1}{4}$, 40 acres and SE $\frac{1}{4}$ NW $\frac{1}{4}$, 40 acres, in Section 8, T 11 S - R 19 E. This is all diversified row crop land and as a direct result of this I have spent probably a proportionate share on this between \$10,000. and \$12,000.

I have pumped 180 to 200 inches out of this well after the waste water goes back into the pond. The first sump pump has a 40 h.p. motor and on the north sump pump I have 15 h.p. motor there to repump. Both of these pumps are Centrifical pumps. There is a 35' vertical lift on the first pipeline and 85' at the extreme top on the second or north pipeline.

22577

ant

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

Ans. Irrigation only.

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

Ans. I figure that the water here is the minimum that could be put on this land, in fact I repump it and use it over and over, or I couldn't get by with this little.

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. I am the same person that applied for this.

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

Ans. I started this water from the well in 1954. I started doing my work immediately upon allowance of the permit. This water was used for the first time on this 80 acres in 1957, but I started the work and had other works going, beginning in 1953 and 1954. This is the only water right I have on this 80 acres.

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. There are no other waters or permits appurtenant to this land.

(Sign) Homer H Butler

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 Boise, County of Ada,

State of Idaho, on this 24th day of June, A. D. 1957,

Harley H. Duff

My commission expires 10-11-59

Notary Public for Idaho.

22577

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G-22577

Proof of Application of Water to Beneficial Use

Deposition of Witness ^{and Completion of Works}

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. My name is John E. Anderson, age is 59, residence is Twin Falls, Idaho,
occupation is farming and P.O. Address is 157 Filer Ave. West, Twin Falls, Idaho.

Ques. 2. Are you acquainted with Homer H. Butler, the
holder of Permit No. G-22577? How long have you known him and where does
he reside?

Ans. I have known him 4 years and know that he lives 5 miles south, 2 miles east
1/2 mile north of Hansen, Idaho.

Ques. 3. Have you read or heard read said Permit No. G-22577, 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 con-
veying water from point of diversion to place of use.

Ans. From drilled well in SW¹/₄SW¹/₄ Section 8, T 11 S - R 19 E. This well is drilled
to a depth of 432' and water stands at 290' and there is no drawdown. This discharges around
150", has a 100 h.p. motor, turbine type, electric, and 8" pump. This is all gravity irri-
gation. He has 2300' of 10" steelpipe and 8" pipe of 3000'.

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

Ans. I estimate this will conduct 150" of water to the place of use.

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons
per minute have you seen the pump deliver, and how did you measure or estimate the
amount?

Ans. I have seen this pump discharge what I would figure to be 150", and I estimate
this by having seen water measured.

22577

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. On NE $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres and on SE $\frac{1}{4}$ NW $\frac{1}{4}$, 40 acres. There is no natural meadow land here, and all the improvements have been as a direct result of this use.

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

Ans. Irrigation only.

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 portneuf silt loam, and I figure it will take at least 5/8" per acre

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

Ans. No.

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I have my actual farming operation over on the Jerome Tract, but I have seen this probably once a month during the crop season since it was developed and I know the operation very well.

(Signed)

John E. Anderson

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 Boise

County of Ada, State of Idaho, on this 24th day of June, A. D. 1957.

Harley M. S. Dowell

Notary Public.

My commission expires 10-11-59

22577

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G-22577

Proof of Application of Water to Beneficial Use

Deposition of Witness ^{and} Completion of Works

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. My name is Orion S. Butler, age is 67, residence is Kimberly, Idaho, occupation is farming and livestock and P. O. Address is Kimberly, Idaho.

Ques. 2. Are you acquainted with Homer H. Butler, the holder of Permit No. G-22577? How long have you known him and where does he reside?

Ans. I have known him all his life and know he lives 5 miles south, 2 miles east and 1/2 mile north from Hansen, Idaho.

Ques. 3. Have you read or heard read said Permit No. G-22577, 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. Drilled well in SW 1/4 Sec. 8, T 11 S - R 19 E., and the works consist of drilled well 432' deep, 8" pump, lifts 290' and discharges about 150". This is all by gravity and there is a 10" steel pipe out of the original pond, and a 8" steel pipe to repump on the 80 acres. This well is equipped with 100 h.p. turbine type electric motor.

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. I estimate it will pump at least 3 sec. ft., as I have seen a lot of water measured before, and I understand that is what the Reclamation actually measured.

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. Although this well was measured at only 142 or 150" when the waste water goes back into the pond and the well, and it has pumped around 200" out of it. I estimate this by seeing water measured.

22577

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. This is all cultivated land. This has been used on NE $\frac{1}{4}$ NW $\frac{1}{4}$, 40 acres and SE $\frac{1}{4}$ NW $\frac{1}{4}$, 40 acres. All improvements have been made as a direct result of said use.

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

Ans. Irrigation only.

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. Good clay loam soil, very fertile when irrigated, and it requires water, and this could even use more water for good cultivation and more diversity of crops.

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

Ans. No interest.

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. I have seen this every few weeks since it was first started and have witnessed the whole development

(Signed)

Union S. Butler

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 Boise, County of Ada, State of Idaho, on this 24th day of June, A. D. 1957.

Harley H. Edmunds

Notary Public.

My commission expires 10-11-59

22577

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
ROOM 107, STATE HOUSE
BOISE, IDAHO

RE: Permit No. G-22577
Homer H. Butler, Sr.

Date: April 19, 1957

The Kimberly Advertiser
Kimberly, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **June 24th, 1957** the date set for proof, the expense of the publication to be paid by the applicant; **Agent- Harley M. McDowell, P.O. Box 2161 of Boise 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, in order that we may check same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

ER:vm
Encl. (1)

ack received 4/23/57

filed in file G-22577

22577

April 19, 1957

RE: Permits Nos. G-22422 & G-22577
Homer H. Butler

Mr. Harley M. McDowell
P.O. Box 2161
Boise, Idaho

Dear Mr. McDowell:

We acknowledge receipt of Notice for Completion of Works and Beneficial Use proof on Permits Nos. G-22422 and G-22577 in the name of Homer H. Butler and Homer H. Butler, Sr., to be made June 24th, 1957, before you as Notary Public.

We shall send a copy of the Notice to the Kimberly Advertiser with instructions to publish it once a week for four weeks prior to that date and to send you the affidavit of publication together with statement of costs.

At the time set, you should contact Messrs. Butler, the Permit holders, to appear before you together with two disinterested witnesses who are familiar with the terms of the Permit and the work done thereunder for the purpose of executing the enclosed depositions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

ER:vm
Encl. (6)
cc. Homer H. Butler.

22577

RECEIVED
APR 11 1957
DEPARTMENT OF RECLAMATION

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) April 5, 1957

(P. O.) Kimberly, Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the

THE KIMBERLY ADVERTISER of KIMBERLY, IDAHO published in
the county in which the works are situated.

Thomas H. Butler Jr.

(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.

22577

NOTICE OF PROOF OF COMPLETION OF WORKS
and
APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:30 M., on the 24
day of June, 1957, at Boise, County
of Ada, State of Idaho, before Harley M. McDowell, Notary Public,
proof will be submitted of the completion
of works for the diversion of 1.6 cubic feet per second of underground
waters from a well, and of the application to beneficial use of said water, in
accordance with the terms and conditions of Permit No. G-22577 heretofore
issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding
said permit are Homer H. Butler, Sr., Rt. 2, Kimberly, Idaho

2. Said works of diversion will be fully completed on the date set for
such completion, and the amount of water which said works are capable of
conveying to the place of use is 1.6 cubic feet per second.

3. The use to which said water has been applied is irrigation
purposes, and the amount applied to beneficial use is
1.6 cubic feet per second.

4. The point of diversion of said water is SW 1/4, Section 8, T 11 S - R 19 E.,
B.M.

5. The place where said water is used is SW 1/4, Section 8, T 11 S
R 19 E., B.M.

6. The date of priority which said user is prepared to establish is
2/1/52.

MARK R. KULP
State Reclamation Engineer

22577

Rtr

April 10, 1957

Re: Permit Nos. G-22577 and G-22422
Homer H. Butler, Sr.

Mr. Harley M. McDowell
P. O. Box 2161
Boise, Idaho

Dear Mr. McDowell:

We have enclosed the following amendments:

Application for Amendment to Permit No. G-22577, in the name of Homer H. Butler, Sr., which changes the point of diversion as described in the original permit to read SW¹₄SW¹₄, Section 8, Township 11 South, Range 19 East B.M.

Application for Amendment to Permit No. G-22422, in the name of Homer H. Butler, Sr., which changes the land list as described in the original permit to read SW¹₄, SE¹₄SE¹₄, Section 17, Township 11 South, Range 19 E.B.M.

These amendments have been approved by the State Reclamation Engineer and recorded in the Department of Reclamation in conjunction with their respective permit. They should be attached to the original permit to which they refer and of which they now become a part.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

ER;nls
Enc:

22577

NAME OF APPLICANT.....Homer A. Butler, Sr.

Form No. 0

T 11 S - R 19 E



Well
Section 8

Permit Map No. 2-22577

As Approved

MAR 6 1952
MARKER KULP

State Reclamation Engineer

6 1952

22577

NAME OF APPLICANT

Form No. 0

22577

7162
RECEIVED
APR 5 1957

Department of Reclamation

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, NO. G-22577

Comes now Homer H. Butler, Sr. and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-22577.

That the point of diversion is described in said permit as being located SW 1/4, Section 8, T 11 S R 19 E, B.M.

That he now requests that the point of diversion be changed to a point located SW 1/4, Section 8, T 11 S R 19 E, B.M.

That his reasons for desiring to make such change are as follows:

This well is already drilled and has sufficient water for the irrigation of the land in this permit.

That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.

Signed at Boise, Idaho, this 3rd day of April 1957

Homer H. Butler Sr.

Date of receipt at Department of Reclamation April 5, 1957

APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-22577. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

Mark R. Kulp
State Reclamation Engineer

22577

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

WHEREAS, Permit No. G-22577, in the name of Homer H. Butler, Sr., requires proof of Completion of Works to be made on or before February 6, 1957; and,

WHEREAS, said Permit was issued for use of water of vacant federal land under application in the Idaho Land & Survey Office, as a desert entry; and,

WHEREAS, applicant was prevented from proceeding with construction pending allowance of said Desert Land Entry, which was not allowed until August 18, 1953;

NOW, THEREFORE, an Extension of Time is allowed for Completion of Works on Permit No. G-22577 to August 18, 1958, or the length of time applicant was prevented from proceeding pending allowance of his Desert Land Entry and a similar extension is allowed for every other act required under the terms and conditions of Permit No. G-22577.

Signed at Boise, Idaho, this 26th day of December, 1956.

State Reclamation Engineer

22577

December 31, 1956

Re: Permit No. G-22577
Homer H. Butler, Sr.

Mr. Harley M. McDowell, Agent
P. O. Box 2161
Boise, Idaho

Dear Mr. McDowell:

Herewith is approval of the State Reclamation Engineer
for extension of time for Completion of Works on Permit G-22577,
to August 18, 1958, which has been recorded in this department.

This extension should be attached to the original Permit
of which it now forms a part.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

ER:nls
Encl:

22577

December 13, 1956

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

Re: G-22577, Homer H. Butler, Sr.

Dear Sir:

With regard to the above water permit, please be advised that this was applied for in connection with my desert land entry, Idaho Serial #02425 which was not allowed in the Land Office until August 18, 1953.

I hereby respectfully request that an extension of time be granted allowing five years from the date of allowance or until August 18, 1958.

Very truly yours,

Homer H. Butler, Sr.
Rt. 2
Kimberly, Idaho

By Harley M. McDowell
Harley M. McDowell, Agent

22577

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

DEPARTMENT OF RECLAMATION

December 1, 1956

Homer H. Butler, Sr.
Route #2
Kimberly, Idaho
Dear Sir:

We enclose herewith blank notice for proof of completion of works and application of water to beneficial use under your Permit No. 0-22577. This notice should be filled out in duplicate and returned to this office at least 40 days before the date upon which you wish to make this proof, in order to allow time for the four weeks' publication required by law.

This 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 not later than February 6, 1957.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

22577

February 7, 1952

RE: Permits Nos. 22576 and G-22577

Mr. Harley M. McDowell
Idaho Building
Boise, Idaho

Dear Mr. McDowell:

We enclose Permits Nos. 22576 and G-22577 in the name of Homer H. Butler, Sr. and direct his attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose two copies of Permit No. G-22577, one of which has been certified, to be used in connection with his desert claim filed in the Bureau of Land Management.

We also enclose departmental receipt No. 24137 for \$12.50 which includes \$10.50 filing fees on the two permits and \$2.00 for the additional copies.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

22577

**NOTICE OF PROOF OF
COMPLETION OF WORKS**

an

**APPLICATION F WATER
TO BENEFICIAL USE**

Notice is hereby given that at 10:30 A.M., on the 24th day of June, 1957, at Boise, County of Ada, State of Idaho, before Harley M. McDowell, Notary Public, proof will be submitted of the completion of works for the diversion of 1.6 cubic feet per second of underground waters from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-22577 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Homer H. Butler, Sr., Rt. 2, Kimberly, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 1.6 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 1.6 cubic feet per second.

4. The point of diversion of said water is SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 8, T 11 S - R 19 E., B.M.

5. The place where said water is used is E $\frac{1}{2}$ NW $\frac{1}{4}$, Section 8, T 11 S - R 19 E., B.M.

6. The date of priority which said user is prepared to establish is 2-1-52.

MARK R. KULP
State Reclamation Engineer
(4-25; 5-2, 9, 16)

READ THE WANT ADS