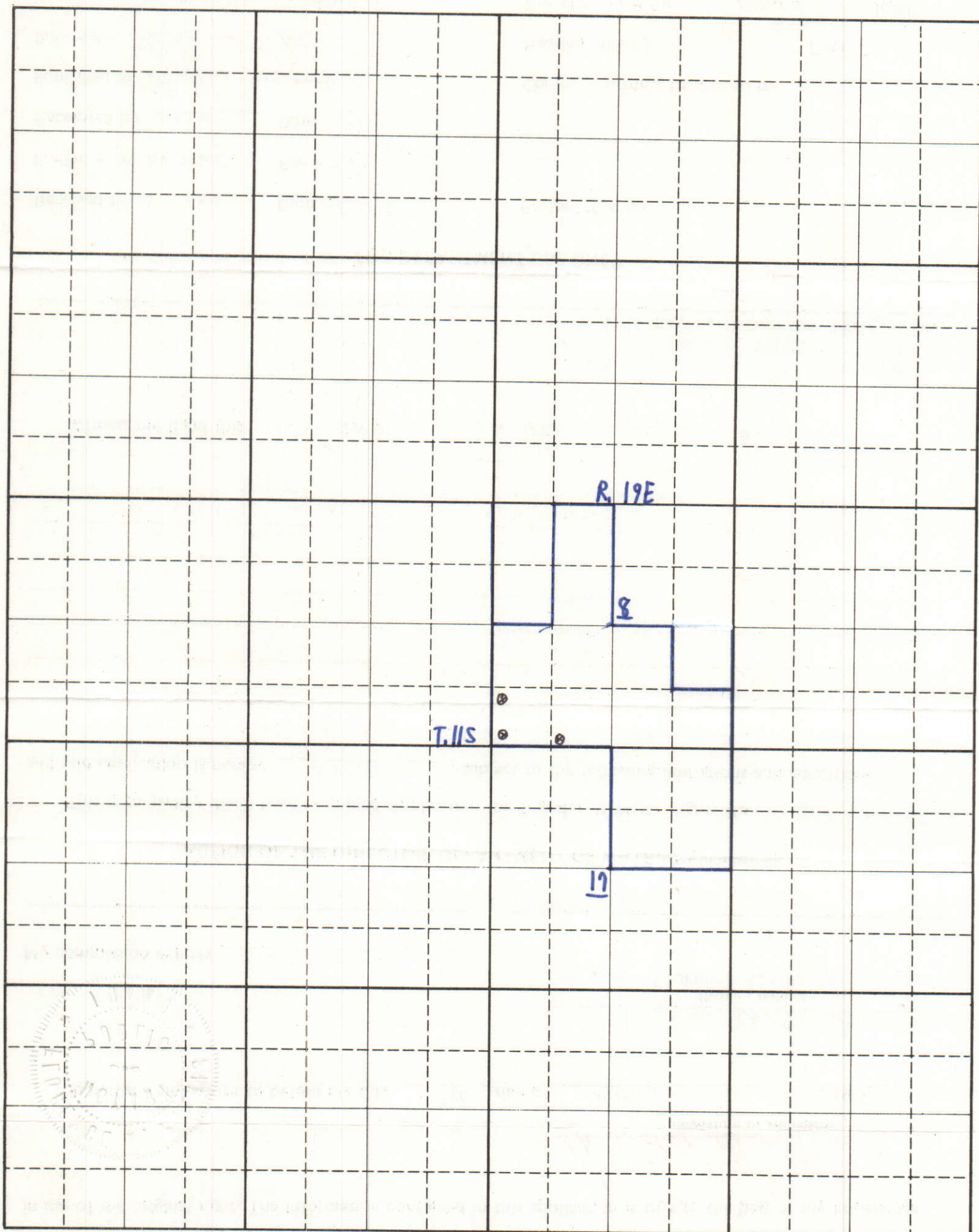


3. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

**NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
NO. 47-2547
47-7534**

Notice is hereby given that Joe Dille Farms, Inc., has applied to the Department of Water Resources to add a diversion point to two rights to the use of groundwater. The rights sought to be changed are evidenced by Licenses No. 47-2547 and 47-7534 and are recorded as follows:

Amount: 2.0 cfs
Date of Priority: October 16, 1951

Point of Diversion:
SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 8, T11S,
R19E, B.M., Twin Falls
County

The water is used for irrigation purposes of 100 acres from March 15 to November 15, within the NE $\frac{1}{4}$, Sec. 17, T11S, R19E, B.M.

47-7534
Amount: 4.2 cfs
Date of Priority: January 10, 1974

Point of Diversion: 2 Points
— SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 8, T11S, R. 19E.

The water is used for irrigation purposes of 520 acres from March 15 to November 15, within the E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8; NE $\frac{1}{4}$, Sec. 17 T11S, R19E, B.M., Twin Falls County.

RIGHTS TO BE CHANGED:
Amount: 47-2547 - 2.0 cfs;
47-7534 - 4.2 cfs

Point of Diversion:
SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ (2 points), Sec. 8, T11S, R19E, B.M., Twin Falls County.

Place of Use: No Change

Any protest against the approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho 83301, on or before January 12, 1981.

C. STEPHEN ALLRED
Director

PUBLISH: Thursday, Dec. 25, 1980, and Jan. 1, 1981.

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS }

ss.

N^o 9864

I, Linda Capps McGuire being first duly sworn upon oath, depose and say that I am Print Clerk of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for Two consecutive Weeks, commencing with the issue dated December 25, 1980, and ending with the issue dated January 1, 1981.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

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

Subscribed and sworn to before me on this 2 day of

January, 1981.

Nelba Rowlett Smith
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

R-19E.

8

R.D.

T.
11
S.

40 a 5 a.

40 a 15 a.

17

TO HANSEN.

Land subdivisions 4 as shown on map.
above = 100 Acres

21 Quantity of water 121.5 Miners Inches.
a portion of which applies to
permit # G-22577

Measurement: 300 cfs. in 133 sec. through
spalling meter + an estimated (Liberal)
4 Miners inches around structure that did not
pass through the meter.

2.25 cfs =

Subdivisions = 4

Area = 100 acres

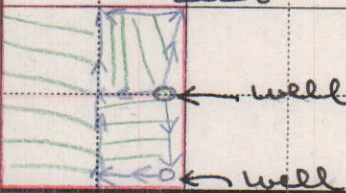
Q = 2 cfs.

NAME OF APPLICANT Walter H. Butler

Form No. 0

T 11 S R 19 E

Sec 8



Permit Map No. 9-22422
As Approved
Oct. 30 - 1951
MARK R. KULP
State Reclamation Engineer

45-2393

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 30161
Permit No. G- 22422
District No.

1. Name of Applicant: **HOMER H. BUTLER**
Postoffice address: **Rt. 2, Kimberly** County: **Twin Falls** State: **Idaho**
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second. **3.2** or Idaho
Miners' inches **160** or gallons per minute.
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: **Subterranean from two drilled wells**
and
4. Location of point of diversion or well is in the **NE $\frac{1}{4}$ SW $\frac{1}{4}$ ~~of the~~ SE $\frac{1}{4}$ SW $\frac{1}{4}$** 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 $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: **Two drilled wells, to be cased and equipped with turbine type pumps**
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) **All** (cubic feet per second, inches or gallons per minute) is for new lands.

SCANNED
JAN 22 2002

Remarks: 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 beneficial use proof of the water.

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 *Applicant.*

By Harley M. McDowell Agent.

Date of first receipt at Department of Reclamation: 4:30 P. M. October 16, 1951

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G-22422

Recorded in Book 80 Page 22422 Approved October 30, 1951

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 **December 30, 1951** 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 April 30, 1954

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before **October 30, 1956**

Witness my hand this 30th day of October, 1951

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 30th
day of October, 1951.

Countersigned:

STATE OF IDAHO

(SEAL)

By **IRA H. MASTERS**

By LEN JORDAN

Governor

Secretary of State.

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	40	40					160
APPLICATION FOR AMENDMENT TO PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO, NO. G-22422 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-22422. That the point of diversion is described in said permit as being located NE¹/₄SW¹/₄ and SE¹/₄SW¹/₄ 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 NE¹/₄SW¹/₄ and SE¹/₄SW¹/₄ Section 8, T 11 S - R 19 E, B.M. That his reasons for desiring to make such change are as follows: this is a more economical site in pumping water from subterranean sources and distributing it over the surface for beneficial use. 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, this 27 day of July 1954. HOMER H. BUTLER, SR. Date of receipt at Department of Reclamation August 3, 1954. 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-22422. 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																			

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

WHEREAS, Permit No. G- 22422, in the name of Homer H Butler, requires proof of Completion of Works to be made on or before October 30, 1956; and,

WHEREAS, said Permit was issued in connection with desert land entry, Idaho Serial #02425; 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-22422 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-22422.

Signed at Boise, Idaho, this 23rd day of August, 1956.

MARK R. KULP
State Reclamation Engineer

Application for Amendment
To Permit to Appropriate the Public Waters
of the State of Idaho, No. G-22422

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-22422, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows: SW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 8; NE $\frac{1}{4}$, Section 17, T 11 S - R 19 E., B.M., making a total of 360 acres.

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

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

/s/ Homer H. Butler, Sr.

Date of receipt at office of 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-22422. 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-22422
Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that HOMER H. BUTLER of Kimberly, County of Twin Falls, and State of Idaho, the holder of Permit No. G-22422, issued upon Application No. G-30161 bearing date of priority of October 16, 1951, authorizing the diversion of 3.2 second feet of waters of Subterranean from two drilled wells 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 2.0 second feet of the waters of Subterranean from one well that the point of diversion of said waters SW $\frac{1}{4}$ SW $\frac{1}{4}$ 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: 100 acres in the NE $\frac{1}{4}$ of Section 17, Township 11 South, Range 19 East, B.M. Proof of Completion of Works made: June 24, 1957

Witness my hand this 10th day of June, A.D. 1958

/s/ E. N. Humphrey
Deputy State Reclamation Engineer

Proof of Completion of Works made: June 24, 1957
Certificate of Completion of Works issued: June 10, 1958

PERMIT ISSUED FOR 2.0 SEC. FT.
Page 6341

State of Idaho License and Certificate of Water Right

Water License No. G-22422 Amount 2.0 c.f.s.
Water District No. Priority October 16, 1951

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 October 16, 1951; that Permit No. G-22422
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
2.0 second feet, was issued thereunder on June 10, 1958, showing that said works
were completed on the 24th day of June, 1957; and that on the 24th
day of June, 1957, 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-22422 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 6341, on the 10th day of June, 1958;

The right hereby confirmed dates from October 16, 1951;

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 2.0 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.	17	NE 1/4 NE 1/4 NW 1/4 NE 1/4 SW 1/4 NE 1/4 SE 1/4 NE 1/4	-- -- -- --	5 40 40 15
Total number of acres irrigated				-- --	100

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
10th day of June, 1958.

(SEAL)

/s/ E. M. Humphrey
Deputy State Reclamation Engineer.

45-2393
47-2547

State of Idaho

License and Certificate of Water Right

Water License No. 21962

Amount 1.7 c.f.s.

Water District No.

Priority February 27, 1951

THIS IS TO CERTIFY that FRED W. KIEFER, JR.
 of Blackfoot, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated February 27, 1951; that Permit No. 21962
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
 4. second feet, was issued thereunder on August 30, 1956, showing that said works
 were completed on the 10th day of June, 1956; and that on the 27th
 day of February, 1958, FRED W. KIEFER, Jr.

of Blackfoot, 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. 21962 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 6342, on the 10th day of June, 1958;
 The right hereby confirmed dates from February 27, 1951;

The Point of Diversion is located
 in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 14, Tp. 4 S., R. 33 E., B. M. County Bingham

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
 aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
 not exceed 1.7 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
4 S.	33 E.	14	SW $\frac{1}{4}$ SW $\frac{1}{4}$	--	15
		15	SE $\frac{1}{4}$ SE $\frac{1}{4}$	--	30
		22	NE $\frac{1}{4}$ NE $\frac{1}{4}$	--	40
			Total number of acres irrigated - - -		85

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.

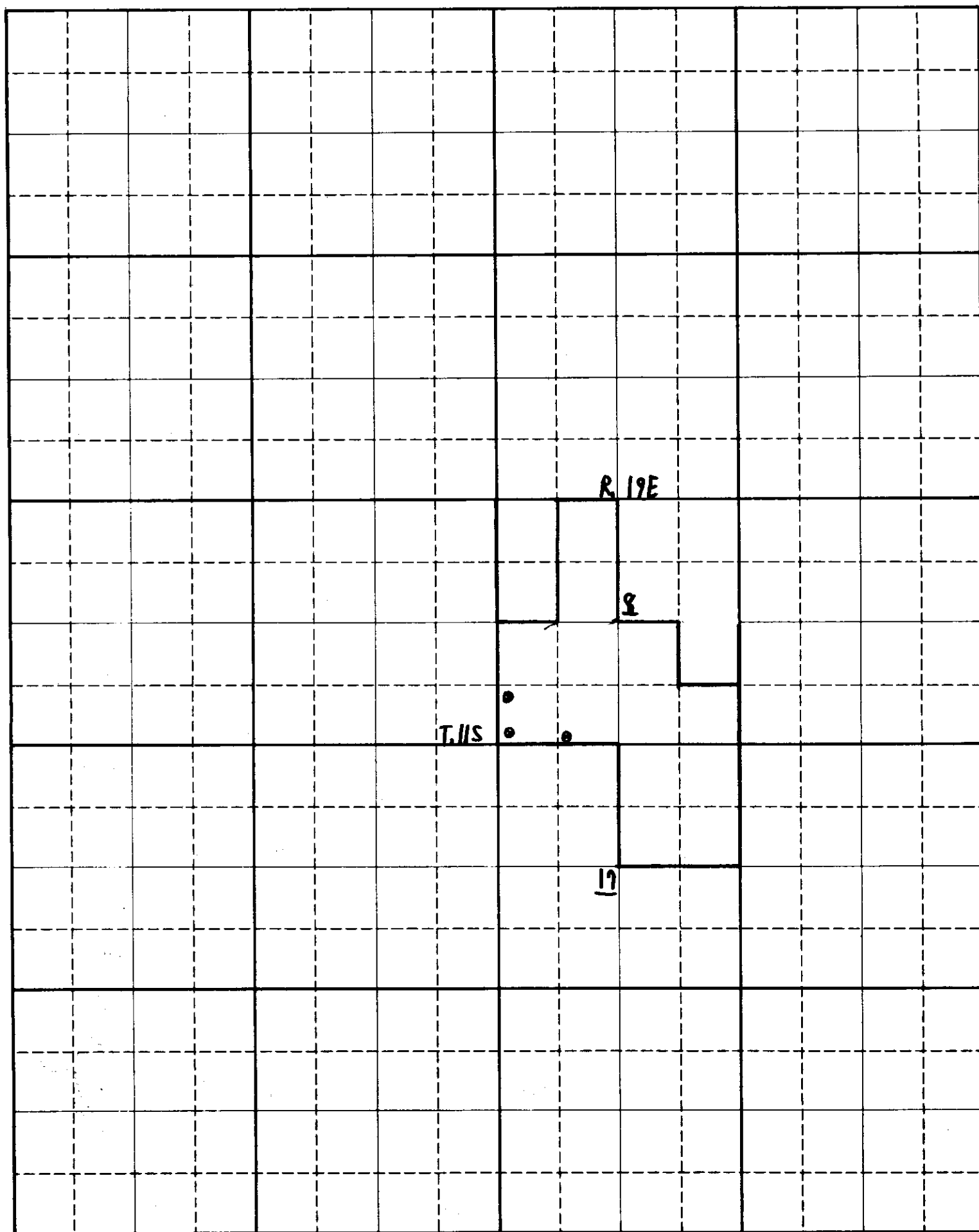
WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

10th day of June, 1958.

/s/ E. N. Humphrey
 Deputy State Reclamation Engineer.

(SEAL)

3. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

4. Remarks _____

I hereby assert that no one will be injured by such change and the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

J. Carl Rille
(Signature of applicant)

Subscribed and sworn to before me this 13th day of November, 19 80.

Florence A. Pharis
(Notary public)
Florence A. Pharis

My commission expires 5/16/81

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 47-2547 & 47-7534 and said application is hereby approved, subject to the following limitations and conditions:

Witness my hand this 28th day of February, 19 81.

Norman C. Young
NORMAN C. YOUNG
Administrator, Resources Admin. Div.

FOR DEPARTMENT USE ONLY

Received by marpa Date 11/20/80
Prelim. check by TGB Fee 50.⁰⁰ # 16690
Receipted by marpa Date 11/21/80
Published in Times news
Pub. dates 12/25/80 + 1/1/81
Watermaster recommendation requested on _____
_____ rec'd. _____

Protest filed by _____

Copies of protest forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial
by TGB Jim DRT

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

RECEIVED
APPROVED
JUN 21 1980
Idaho Department of Water Resources
Southern District Office

Name of applicant Joe Dille Farms, Inc. Phone 423-5048

Post office address Box 875, Kimberly, Idaho 83341

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree to _____ (Name)
in case of _____ vs _____
dated _____ in _____ county of _____ (Name of court)

b. License No. 1)47-2547 2)47-7534 issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____

3. Source of water Groundwater tributary to _____

4. Date of priority 1) 10-16-1951 2) 1-10-1974

5. Water is used for the following purposes:

1) amount 2.0 cfs for irrigation purposes from Mar 15 to Nov 15 *

2) amount 4.2 cfs for irrigation purposes from Mar 15 to Nov 15

amount _____ for _____ purposes from _____ to _____

* Not specified on license, but is the standard irrig. (month/day – both dates inclusive) season.

6. Total amount of water under right: a. 6.2 cubic feet per second
b. 2080 acre feet per annum

7. Location of original point of diversion is 1) SW ¼ of SW ¼ of Section 8
Township 11S Range 19E, B.M., in Twin Falls County
- Additional points of diversion, if any 2) 2 points SW¼SW¼ Sec. 8 T. 11S R. 19E

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1)	11S	19E	17	5	40	40	15												100
2)	11S	19E	8				40			40	40	40	40	40		40	40	40	360
			17	40	40	40	40												160

Total number of acres to be irrigated 520

9. Describe any other water rights used for the same purposes as described above _____
- Permit 47-7539 from same wells on adjacent lands

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion

a. Amount of water to be diverted 6.2 c.f.s. &/or 2080 acre feet

b. Point(s) of diversion SE ¼ SW ¼, Section 8 Township 11S
Range 19E, B.M., Twin Falls County
Additional points 2 points SW¼SW¼ Sec. 8 T. 11S R. 19E

c. Description of diverting works Three wells and pumps to handlines & wheel lines

d. Describe the reasons for applying for a change in the point(s) of diversion
Add a third well to the system & to correct an error in licensing of 47-7534
(field exam included the new well, but license did not).

2. Change in place of use No Change

- a. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

Affidavit of Publication

Nº 9864

STATE OF IDAHO,
COUNTY OF TWIN FALLS } ss.

I, Linda Capps McGuire being first duly sworn upon oath, depose and say that I am Print Clerk of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for Two consecutive Weeks, commencing with the issue dated December 25, 1980, and ending with the issue dated January 1, 1981.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

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

Linda Capps McGuire
Subscribed and sworn to before me on this 2 day of

January, 1981

Dorla Rowlett Smith
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

March 5, 1981

Joe Dille Farms, Inc.
Box 875
Kimberly, Idaho 83341

Dear Sirs,

RE: Transfer of Water Right No.'s 47-2547 & 47-7534

Enclosed is a copy of your approved Application for Transfer of the above referenced water rights (Transfer No. 2493). Be sure to note the conditions of approval as listed on the fourth page.

Sincerely,

L GLEN SAXTON
Chief, Operations Bureau

LGS:mr
Enclosure

SCANNED
JAN 22 2002

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 47-2547
47-7534

Notice is hereby given that Joe Dille Farms, Inc., has applied to the Department of Water Resources to add a diversion point to two rights to the use of groundwater. The rights sought to be changed are evidenced by Licenses No. 47-2547 and 47-7534 and are recorded as follows:

47-2547

Amount: 2.0 cfs

Date of Priority: October 16, 1951

Point of Diversion: SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec.8, T11S, R19E, B.M., Twin Falls County

The water is used for irrigation purposes of 100 acres from March 15 to November 15 within the NE $\frac{1}{4}$, Sec. 17, T11S, R19E, B.M.

47-7534

Amount: 4.2 cfs

Date of Priority: January 10, 1974

Point of Diversion: 2 Points - SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 8, T11S, R.19E.

The water is used for irrigation purposes of 520 acres from March 15 to November 15 within the E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec.8; NE $\frac{1}{4}$, Sec. 17, T11S, R19E, B.M., Twin Falls County.

RIGHTS TO BE CHANGED:

Amount: 47-2547 - 2.0 cfs; 47-7534 - 4.2 cfs

Point of Diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ (2 points), Sec. 8, T11S, R19E, B.M., Twin Falls Coun

Place of Use: No change

Any protest against the approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho 83301, on or before January 12, 1981.

C. STEPHEN ALLRED
Director

1980

Published in the Times News, December 25,/and January 1, 1981.

**NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
NO. 47-2547
47-7534**

Notice is hereby given that Joe Dille Farms, Inc., has applied to the Department of Water Resources to add a diversion point to two rights to the use of groundwater. The rights sought to be changed are evidenced by Licenses No. 47-2547 and 47-7534 and are recorded as follows:

47-2547

Amount: 2.0 cfs

Date of Priority: October 16, 1951

Point of Diversion:
SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 8, T11S,
R19E, B.M., Twin Falls
County

The water is used for irrigation purposes of 100 acres from March 15 to November 15, within the NE $\frac{1}{4}$, Sec. 17, T11S, R19E, B.M.

47-7534

Amount: 4.2 cfs

Date of Priority: January 10, 1974

Point of Diversion: 2 Points
— SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 8
T11S, R. 19E.

The water is used for irrigation purposes of 520 acres from March 15 to November 15, within the E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8; NE $\frac{1}{4}$, Sec. 17 T11S, R19E, B.M., Twin Falls County.

RIGHTS TO BE CHANGED:

Amount: 47-2547 - 2.0 cfs;
47-7534 - 4.2 cfs

Point of Diversion:
SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ (2
points), Sec. 8, T11S,
R19E, B.M., Twin Falls
County.

Place of Use: No Change

Any protest against the approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho 83301, on or before January 12, 1981.

C. STEPHEN ALLRED
Director

PUBLISH: Thursday, Dec. 25, 1980, and Jan. 1, 1981.

*ok
maga
12/19/80*

December 11, 1980

Times News
P. O. Box 548
Twin Falls, Idaho 83301

Re: Notice of Proposed Change of Water Right No. 47-2547 - 47-7534

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Sincerely,

Mary A. Hill
Secretary

for

Loren O. Holmes
Southern Region Supervisor

Encl:

Bill submitted: _____



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

December 11, 1980

J. Carl Dille
Joe Dille Farms, Inc.
Box 875
Kimberly, Idaho 83341

Re: Application for Transfer of Water Right 47-2547 - 47-7534

Dear Mr. Dille:

Enclosed is your receipt No. 16690 for check No. 92-160 in the amount of \$50.00 for the above referenced application which was received in this office November 21, 1980.

If you have any questions concerning this matter, please feel free to contact this office.

Sincerely,

Mary A. Hill
Secretary

for

Loren O. Holmes
Southern Region Supervisor

Encl:

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 33301

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, .

E. Woods
(Mrs.) ELEANOR J. WOODS
Records Supervisor

EJW:e

Enclosures

45 2393

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 2393

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 2393

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 \$1000 which you may remit to this office at your convenience.

If we may be of further assistance, please advise.

Sincerely,

D. Darlene Reich
D. DARLENE REICH
Water Rights Supervisor

DDR/bjg

Enc: (2) copies of license

RECEIVED
AUG 29 1973

Department of Water Administration

Enclosed please find \$1.00

Rich #12008

J. Carl Dille

45 3293

June 10, 1958

Re: Permit No. G-22422
Homer H. Butler

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

Dear Mr. McDowell:

Enclosed is the Certificate of Completion of Works and the License and Certificate of Water Right issued to Homer H. Butler under Permit No. G-22422 confirming the right with priority of October 16, 1951, to the use of 2.0 second feet of subterranean water, with the point of diversion in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8, for irrigation of 100 acres in the NE $\frac{1}{4}$ of Section 17, Township 11 South, Range 19 East, B.M.

Enclosed also is departmental receipt #G-3337 for \$13.00, issued as receipt of the five dollar fee for the Certificate of Completion of Works and eight dollars for the license fee.

E. N. HUMPHREY
Deputy State Reclamation Engineer
By

Chief Clerk

EPR:nls
Enc.

G-22422

May 22, 1958

Re: Permit No. G-22422

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

Dear Mr. McDowell:

Under date of September 24, 1957, we wrote you the following letter -
" 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-22422, Homer H. Butler, Rt. # 2, Kimberly, Idaho, shows that his well is capable of conveying 100 miner's inches (2.0 c.f.s.) of water for irrigation of 100 acres. This permit is now entitled to a Certificate of Completion of Works and License and Certificate of Water Right.

Upon receipt of the statutory fees, total of \$13.00, we will issue to Mr. Butler, the Certificate of Completion of Works (for which the fee is five dollars) and the License and Certificate of Water Right (eight dollars--based at the rate of two dollars for each 40-acre subdivision) confirming the right with priority of October 16, 1951, to his use of 2.0 second feet of subterranean water with the point of diversion in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8, for irrigation of 100 acres in the NE $\frac{1}{4}$ of Section 17, all in Township 11 South, Range 19 East, B. M."

This is to remind you that to date, we have not received the statutory fees in this department.

Very truly yours,

MARK R. MUIP
State Reclamation Engineer
By

Mrs. Edna P. Rutledge
Chief Clerk

E-R:lw

G-22422

September 24, 1957

Re: Permit No. G-22422
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-22422, Homer H. Butler, Route # 2, Kimberly, Idaho, shows that his well is capable of conveying 100 miner's inches (2.0 c.f.s.) of water for irrigation of 100 acres. This permit is now entitled to a Certificate of Completion of Works and a License and Certificate of Water Right.

Upon receipt of the statutory fees, total of \$13.00, we will issue to Mr. Butler the Certificate of Completion of Works (for which the fee is five dollars) and the License and Certificate of Water Right (eight dollars--based at the rate of two dollars for each 40-acre subdivision) confirming the right with priority of October 16, 1951, to his use of 2.0 second feet of subterranean water with the point of diversion in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 8, for irrigation of 100 acres in the NE $\frac{1}{4}$ of Section 17, all in Township 11 South, Range 19 East, B.M.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR:nls

4-22422

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

Permit No. G-22422

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: Same as for

permit G-22577

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):

80 acres in NE $\frac{1}{4}$ of Sec. 17., 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: More water will be developed for this land area

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

(Signed) James H. Mark

Examiner.

G-22422

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

Permit No. G-22422

Examination for Completion of Works & Beneficial Use

County Twin Falls

8-11S. - 18E.

Q2 3.2 c.f.s.

S - Well

P.D. = SW.SW., Sec. 8, T. 11S. - R. 18E.

Use = Irrigation

Filed = Oct. 16, 1951

Use = Oct. 30, 1958 (Exp.)

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.

8

P.D.

T.
H.
S.



40a 51a.

40a 151a.

17

TO HANSEN.

Land subdivisions 4 as shown on map.
above = 100 Acres

21 Quantity of water 121.5 Miners Inches.
a portion of which applies to
permit # G-22577

Measurement: 300 cfs. in 133 sec. through
Spurling meter + an estimated (Liberal)
4 Miners inches around structure that did not
pass through the meter.
 $2.25 \text{ cfs} =$

Subdivisions = 4

Area = 100 acres

$Q = 2 \text{ cfs.}$

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-22422

REPORT ON PROOF OF Completion of Works & Beneficial Use

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

app. 3.2 cfs
but 4
actual 100

2.0 cfs.
SURK

July 2, 1957

RE: Permit No. G-22422

Mr. Homer H. Butler
Route 2
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-22422.

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

G-22422

KIMBERLY ADVERTISER

PRINTERS -- PUBLISHERS

ROBERT and EDITH RAUSTADT, Publishers

PHONE GARfield 3-5381

Kimberly, Idaho

April 22, 1957

Mark R. Kulp

State Reclamation Engineer

Room 107, State House

Boise, Idaho

RECEIVED
APR 23 1957
BUREAU OF RECLAMATION

Dear Mr. Kulp:

This will acknowledge receipt of the following:

1. RE. Permit No. G-22577, notice for publication, Homer H. Butler, Sr.
2. RE. permit No. G-22422, Homer H. Butler, notice for publication.
3. Permit No. G-22578, Orion S. Butler, notice for publication.

A copy of the first publication will be furnished immediately upon its publication.

Yours truly,

Robert P. Raustadt
Robert P. Raustadt

4-22-57

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Lwin
JUN 27 1957
Department of Reclamation

Permit No. G-22422

Proof of Application of Water to Beneficial Use

and Completion of Works

Deposition of Holder

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

Ans. My name is Homer H. Butler, residence is Kimberly, Idaho, occupations is farming
P. O. Address is Rt. 2, 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. As an individual

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

Ans. The number of my permit is G-22422, October 30th, 1951, and the date I propose to establish for priority is October 16th, 1951

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

Ans. Drilled well, 432', and lifts 290' with a discharge of 150". I have a sump in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 17, with 500' pipeline of 8" steel. My well is in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 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. I have one big sump at the well, then I have another sump in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 17, with 500' pipeline, 8" steel. One the first sump pump it has a 40 h.p motor and raises it 35' and on the second sump it is 7 $\frac{1}{2}$ h.p. motor and raises it about 9' lift. This was measured by Mr. Humphrey of the Department of Reclamation and these works are capable of conveying this much water. This is all gravity irrigated.

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, 20 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 20 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 5 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ and 35 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 17, T 11 S - R 19 E. This is cultivated land, and I figure my proportionate share would be about \$12,000.00

G-22422

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. This is the minimum amount of water that should be used for this land. It is repumped and reused

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 person who applied for this permit.

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

Ans. Water has actually been used on the land for the first time in 1956-57, but I started these works immediately after issuance of the permit, and have been working toward this all the time.

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 only other waters that are delivered or diverted here would be in the S $\frac{1}{2}$ SW $\frac{1}{4}$, Section 8, Permit G-22422. On the NE $\frac{1}{4}$ Section 17, and the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 8, my wife has a filing here G-22450. All of the water together will not nearly reach 1 miner's inch to the acre. All of 440 acres are available for irrigation out of the one well along with the one I intend to drill under Mrs. Butler's permit #G-22450

(Sign) James 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. 19 57.

Harley M. L. Howell

My commission expires 10-11-59

Notary Public for Idaho.

G-22422

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G-22422

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, and
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-22422? How long have you known him and where does
he reside?

Ans. Yes. I have known him all my 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-22422, 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. Drilled well in SW 1/4 Section 8 and sump in NE 1/4 Section 8, T. 11 S. - R. 19 E.
The works consist of well and sump, The well is drilled 432' and discharges 150".
This is brought through a 6" steel pipe for 500', and is gravity distributed.

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 the works will conduct 150".

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 deliver around 150" and I estimate this by seeing water
measured.

G-22422

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation. On the S $\frac{1}{2}$ SW $\frac{1}{4}$, between 30-35 acres. This is in Section 8. In Section 17, NW $\frac{1}{4}$ NE $\frac{1}{4}$, 20 acres, SW $\frac{1}{4}$ NE $\frac{1}{4}$, 35 acres, SE $\frac{1}{4}$ NE $\frac{1}{4}$, 20 acres and NE $\frac{1}{4}$ NE $\frac{1}{4}$ 5 acres. There is no natural meadow here, and I figure he has spent around \$12,000.00

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 irrigation. I figure it needs between 5/8 and 1 miner's inch per acre here.

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 seen this almost every week since it was first started and have seen the whole development.

(Signed) _____

Orion 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 W. C. Donnell

Notary Public.

My commission expires 10-11-59

G-22422

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G-22422

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 59, residence Twin Falls, Idaho, occupation 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-22422? 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-22422, 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. From a drilled well in SW 1/4 SW 1/4 and a sump in the NE 1/4 SW 1/4, Section 8, T. 11 S - R 19 E. The works consist of 500' pipeline, 8", and this is equipped with 100 h.p. motor on the well. This is conveyed onto the land through the pipeline and gravity ditches.

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 figure 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 estimate to be 150" and I estimate this by having seen water measured.

G-22422

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation. On S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 8 around 30 acres. In NW $\frac{1}{4}$ NE $\frac{1}{4}$, 20 acres, SW $\frac{1}{4}$ NE $\frac{1}{4}$ 35 acres, SW $\frac{1}{4}$ NE $\frac{1}{4}$, 20 acres and NE $\frac{1}{4}$ NE $\frac{1}{4}$, 5 acres, all in Section 17. This is all cultivated land, and I figure he spent around \$10,000.00 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. My farming operation is over on the Jerome Tract, but I have seen this at least 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. Howell

Notary Public.

My commission expires 10-11-59

8-22422

AFFIDAVIT OF PUBLICATION

COMPLETION OF WORKS and APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10 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 3.2 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-22422 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, 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 3.2 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 3.2 cubic feet per second.

4. The point of diversion of said water is NE $\frac{1}{4}$ SW $\frac{1}{4}$, 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 SW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 8; NE $\frac{1}{4}$, Section 17, T 11 S - R 19 E. B.M.

6. The date of priority which said user is prepared to establish is October 16, 1961.

MARK R. KULP

State Reclamation Engineer

(4-25, 5-2, 9, 16)

KIMBERLY ADVERTISER

KIMBERLY, IDAHO

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
Frederick Harder
Notary Public for the State of Idaho.

(My commission expires Jun 15, 1961)

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

RE: Permit No. G-22422
Homer H. Butler

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 24, 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)

P-22422

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 H. KULP
State Reclamation Engineer
By

Chief Clerk

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

Handwritten signature/initials

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 SW $\frac{1}{4}$ SW $\frac{1}{4}$, 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 SW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 17, Township 11 South, Range 19 E.B.M. *NEED SECTION 8*

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:

Handwritten note:
"Permit G-22422, amended to read
in land list SW 1/4, SE 1/4 SE 1/4
Section 17, T11S, R19E, B.M."

Handwritten:
G-22422

22422

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

RECEIVED
APR 5 1957

(Date) April 5, 1957

Department of Reclamation

(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.

Horner H Butler Esq.

(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.

22422

RECEIVED
JUN 27 1957

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

Department of Reclamation

Notice is hereby given that at 10 A. 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 3.2 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-22422 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, 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 3.2 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
3.2 cubic feet per second.

4. The point of diversion of said water is NE 1/4, 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, SE 1/4, Section 8; NE 1/4,
Section 17, T 11 S - R 19 E., B.M.

6. The date of priority which said user is prepared to establish is
10/1/57/1 Oct 15, 1951

G-22422

MARK R. KULP
State Reclamation Engineer

447

Application for Amendment **Department of Reclamation**
To Permit to Appropriate the Public Waters
of the State of Idaho, No. G-22422

Comes now Homer M. 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-22422, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

SW¹, SE¹, Section 8; NE¹, Section 17, T. 11 S. - R. 19 E., B.M.

....., making a total of 360 acres.

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

Signed at Boise, this 3rd day of April, 19 57

Homer M. Butler, Sr.

Date of receipt at office of Department of Reclamation April 5, 1957

APPROVAL OF STATE RECLAMATION ENGINEER

I, MARK R. KULF, 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-22422. 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. Kulf

State Reclamation Engineer

August 28, 1956

RE: Permit No. G-22422

Mr. Homer H. Butler
Route 2
Kimberly, Idaho

Dear Mr. Butler:

We enclose Approval of the State Reclamation Engineer of your Application for Extension of Time for Completion of Works on Permit No. G-22422, to August 18, 1958, which has been recorded in this Department.

This Approval 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

R:hll
Enc.

G-22422

RECEIVED
AUG 7 1956
Department of Reclamation

August 4, 1956

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

Re: Permit No. G-22422

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

Homer H. Butler
Rt. 2
Kimberly, Idaho

Approved

Butler

G-22422

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

DEPARTMENT OF RECLAMATION

August 1, 1956

Mr. Homer H. Butler
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. G-22422. 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 October 30, 1956.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

Handwritten:
G-22422

✓
August 5, 1954

RE: Permit No. G-22422

Mr. Harley M. McDowell
519 Idaho Building
Boise, Idaho

Dear Mr. McDowell:

We return Homer H. Butler's application for amendment to the point of diversion in Permit No. G-22422, which has been approved by the State Reclamation Engineer and recorded in this department.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll
Enc.

G-22422

November 7, 1951

RE: Permit No. G-22422

Mr. Harley M. McDowell
Idaho Building
Boise, Idaho

Dear Mr. McDowell:

We enclose Permit No. G-22422 in the name of Homer H. Butler 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 this permit, one of which has been certified, to be used in connection with his desert filing.

We also enclose departmental receipt No. 23864 for \$7.75 which includes \$5.75 filing fee and \$2.00 for the additional copies.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

G-22422

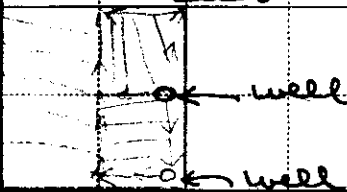
NAME OF APPLICANT

omer H. Butler

Form No. 0

T 11 S R 19 E

Sec 8



Permit Map No. ~~9-22422~~

As Approved
Dec. 30 - 1951
MARK R. KULP
State Reclamation Engineer

* * *

**NOTICE OF PROOF OF
COMPLETION OF WORKS
and**

**APPLICATION OF WATER
TO BENEFICIAL USE**

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5. The place where said water is used is SW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 8; NE $\frac{1}{4}$, Section 17, T 11 S - R 19 E. B.M.

6. The date of priority which said user is prepared to establish is October 16, 1961.

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