

Homer H. Butler
Route # 2, Kimberly, Idaho

Permit No. 21932

B.A. 35893

Examination for Beneficial Use

County Twin Falls

33-11S.-19E.

Q = 3.2 c.f.s.

S = Well = h = 168' dd to 250' Q = 100"

P.D. = SE. NE., Sec. 33, T. 11S. - R. 19E.

Use = Irrigation & Domestic

Filed = Feb. 14, 1951

Due = Feb. 17, 1957

C/W = 2-9-56

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
MAY 28 1956

Department of Reclamation

8.55' x 16" 10' cap.

h = 235' lift = 250

7 stage 10" 78°F

300' col.

400 cf in 4 m = 240

84"

75 hp. G.E. motor

X H.T. 6949181

440V 90.5A 1785 rpm

Layne B. Turb 17096

Cone. bar 6' x 6' sagga

no protect

One single control

Panel on 2. 4' on wood

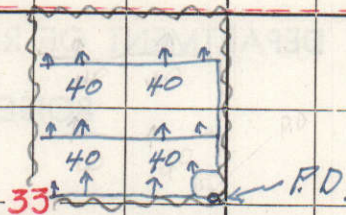
8" x 10' del. to W. with

Spec ditch

R-19 E.

← TO ROCK CREEK

T.
11
S.



Subdivisions = Four

Area = 160 acres

Q = 84 inches.

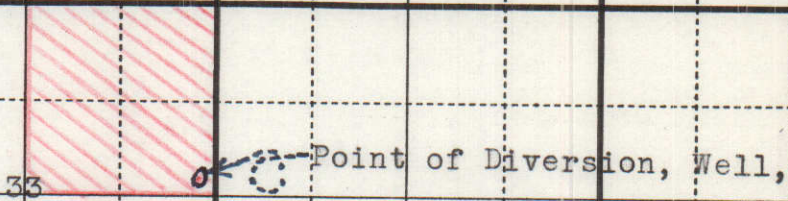
T = 78° F.

Sparling meter used.

NAME OF APPLICANT Home. Butler,

Form No. 0

Twp. 11.S. R.19.E



21932
21032
Permit Map No. 21032
As Approved
FEB 17 1951
MARK R. KULP
State Reclamation Engineer

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

Notice is hereby given that at 2 P. M. on the 15th day of March, 1956, at Kimberly, County of Twin Falls, State of Idaho, before A. L. Blandford, Notary, Kimberly, Idaho, proof will be submitted of the application to beneficial use of 2.0 cubic feet per second of the waters of Subterranean Source in accordance with the terms and conditions of Permit No. 21932 heretofore issued by the Department of Reclamation of the State of Idaho.

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

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

The amount applied to beneficial use is 2.0 cubic feet per second.

The place where said water is used NE 1/4 Section 33, Twp. 11 S., Range 19 E.

The right to take water from such works is based upon Permit No. 21932.

The source of supply from which such water is diverted is Subterranean flow.

The date of priority which said user is prepared to establish is February 1, 1951.

MARK R. KULP,

State Reclamation Engineer

Publish: Feb. 16, 23, March 1, 2, 1956

RECEIVED
MAR 19 1956
Department of Reclamation

Affidavit of Publication

STATE OF IDAHO, }
COUNTY OF TWIN FALLS } ss.

No 6131

I, Mable F. Clark, being first duly sworn upon

oath depose and say that I am Principal Clerk of the Times-News, published daily, except Saturday, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire

issue of said newspaper, and not in any supplement thereof, for four

consecutive Thursdays, commencing with the issue dated

February 16, 1955, and ending with the issue dated

March 8, 1956.

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 paper except Saturday, under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice 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.

Mable F. Clark

Subscribed and sworn to before me this 8th day of

March, 1956.

A. C. Williams

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

21932

State of Idaho

License and Certificate of Water Right

Water License No. 21932

Amount 1.68 second feet

Water District No.

Priority February 14, 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 February 14, 1951; that Permit No. 21932
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
 2.0 second feet, was issued thereunder on February 9, 1956, showing that said works
 were completed on the 9th day of February, 1956; and that on the 15th
 day of March, 1956,

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

~~subterranean~~ (subterranean flow), for the purpose of irrigation and domestic
 use, under Use Permit No. 21932 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
 9 of Licenses at page 5738, on the 8th day of June, 1956;

The right hereby confirmed dates from February 14, 1951;

The Point of Diversion is located

in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33, Tp. 11 S., R. 19 E., B. M. Twin Falls County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
 aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
 not exceed 1.68 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.	33	NE $\frac{1}{4}$ NE $\frac{1}{4}$	40	40
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	40	40
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	40	40
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	40	40
Total Number of Acres Actually Irrigated				- - -	160

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

8th day of June, 1956.

MARK R. KULP

State Reclamation Engineer.

(SEAL)

SCANNED

JAN 22 2002

45-2365
 47-2539

State of Idaho

License and Certificate of Water Right

Water License No. 21575

Amount 4.2 second feet

Water District No.

Priority June 30, 1950.

THIS IS TO CERTIFY that WESLEY CHRISTENSEN of Shelley, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated June 30, 1950; that Permit No. 21575 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 4.2 second feet, was issued thereunder on June 8, 1956, showing that said works were completed on the 31st day of March, 1956; and that on the 31st day of March, 1956,

WESLEY CHRISTENSEN (Holder of 5/6 interest)

of Shelley, 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

~~in the~~ (subterranean flow) for the purpose of irrigation use

, under Use Permit No. 21575 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 9 of Licenses at page 5737, on the 8th day of June, 1956;

The right hereby confirmed dates from June 30, 1950;

The Point of Diversion is located

in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 30, Twp. 1 S., R. 36 E., B. M. Bingham County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 4.2 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
1 S.	36 E.	30	NW ¹ / ₄ NW ¹ / ₄	40	16
			SW ¹ / ₄ NW ¹ / ₄	40	35
			SE ¹ / ₄ NW ¹ / ₄	40	40
			SW ¹ / ₄ NE ¹ / ₄	40	20
			NE ¹ / ₄ SW ¹ / ₄	--	35
			NW ¹ / ₄ SW ¹ / ₄	--	15
			NW ¹ / ₄ SE ¹ / ₄	40	40
			SW ¹ / ₄ SE ¹ / ₄	40	9
			Total Number of Acres Actually Irrigated-		

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 8th day of June, 1956.

MARK R. KULP
State Reclamation Engineer.

(SEAL)

N^o 21932
45-2365

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

APPLICATION No. 29651
PERMIT No. 21932
DISTRICT No.

1. Name of Applicant: HOMER BUTLER

Postoffice address: Kimberly

County: Twin Falls

State: Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
- (b) Amount of capital stock:
- (c) Amount paid in:
- (d) Names and addresses of directors:

II. The financial resources of the applicant are:

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

2. Quantity of water claimed: 3.20 cubic feet per second.

3. Source of water supply: Subterranean flow (well) which is a tributary of

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

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

of Section 33 , T. 11 S. , R. 19 E. , B.M., County of Twin Falls

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

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

(a) Point of use of water: feet distant from corner of Section
T. , R. , B.M., in the of Section , T. , R. , B.M.

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

(c) Water is to be returned to at a point feet
distant from the corner of Section , T. , R. , B.M., in the
of Section , T. , R. , B.M.

7. Estimated cost of works: \$ 11,000.00

8. Kind of works: Well, pump and ditches

9. Height of dam feet; length of dam at top feet; length of dam at bottom
feet; material used in dam:

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom feet; width at water line feet; depth of water feet;
dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

12. The time required for the completion of such work is One (1) years.

13. The time required for the complete application of the water to the proposed use is Five (5) additional years.

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

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None

- BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public water of the State of Idaho as herein set forth.

By

Agent.

Corrected application received:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
S.	19 E.	33	40	40	40	40	APPLICATION FOR AMENDMENT TO PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO, NO. 21932 Comes now Homer Butler 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. 21932. That the point of diversion is described in said Permit as being located in the SE$\frac{1}{4}$ NE$\frac{1}{4}$ Section 33, Range 19 E., B.M. That he now requests that an additional point of diversion be added to a point located in the SW$\frac{1}{4}$ NE$\frac{1}{4}$ Section 33, Twp. 11 S., Range 19 E., B.M. That his reasons for desiring to make such change are as follows: A sufficient amount of water could be obtained from the first well or point of diversion. That no one will be injured by such change, and that such change will be made at Permit Holder's own expense. Signed at Boise, Idaho, this 11th day of October, 1951. HOMER BUTLER Date of receipt at Department of Reclamation Oct. 11, 1951. APPROVAL OF STATE RECLAMATION ENGINEER I, E. N. Humphrey Deputy State Reclamation Engineer of the State of Idaho, hereby approve the above application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 21932. This is a new permit and is issued as an amendment to the original permit to which it refers, and of which it becomes a part. Said application is approved only insofar as the rights of others will not be adversely affected thereby. E. N. HUMPHREY Deputy State Reclamation Engineer								160				

APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby extend the time for the completion of construction work under Permit to Appropriate the Public Waters of the State of Idaho, No. 21932 to February 17, 1956.

Witness my hand this 20th day of March, 1952.

MARK R. KULP
State Reclamation Engineer

Permit No. 21932
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. 21932, issued upon Application No. 29651 bearing date of priority of February 14, 1951, authorizing the diversion of 3.2 second feet of the waters of a well (subterranean flow) County of Twin Falls, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use two (2) second feet of the waters of said well; that the point of diversion of said waters SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 33, 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: NE $\frac{1}{4}$ Section 33, Township 11 South, Range 19 East, B.M.

Witness my hand this 9th day of February, A. D. 1956.

MARK R. KULP
State Reclamation Engineer

Proof of completion of works made February 9, 1956
Certificate of Completion of Works issued February 9, 1956.

LICENSE ISSUED FOR 1.68 SEC. FT.

Page 5738

September 24, 1957

Re: Permit No. 21932

Mr. H. H. Butler
Route 2,
Kimberly, Idaho

Dear Mr. Butler:

We are returning your check dated December 6, 1955 in the amount of \$5.00 which was submitted on Completion of Works made December 7, 1955, on Permit No. 21932, but later withdrawn and a new Completion of Works Proof and another check was submitted February 9, 1956.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Edna P. Rutledge (Mrs.)
Chief Clerk

EPR:lw
Encl. (1) - *check*

SCANNED

JAN 22 2002

21932

June 11, 1956

RE: Permit No. 21932

Mr. H. H. Butler
Route 2
Kimberly, Idaho

Dear Mr. Butler:

We enclose Herewith License and Certificate of Water Right issued under Permit No. 21932 confirming your right to the use of 1.68 second feet of water from a well located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 33, Township 11 South, Range 19 East, B.M., with priority of February 14, 1951, for irrigation and domestic use on the NE $\frac{1}{4}$ Section 33.

We also enclose departmental receipt No. 28004 for the \$8.00 license fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:hll
Enc.

21932

May 29, 1936

RE: Permit No. 21932

Mr. Homer H. Butler
Route # 2
Kimberly, Idaho

Dear Mr. Butler:

We now have on file the report of our field engineer on examination for beneficial use on your Permit No. 21932 which shows that you have used 84 inches or 1.68 second feet of the waters of a well for the irrigation of 160 acres of land in the NE¹/₄ Section 33, Township 11 South, Range 19 East, B. M., said well being located in the SE¹/₄ NE¹/₄ Section 33.

A License can, therefore, be issued for 1.68 second feet of water upon receipt of the statutory license fee of \$8.00.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:hll

21932

W. E. Smith, Jr.



ROBERT E. SMYLIE
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

May 29, 1956

RE: Permit No. 21932

Mr. Homer H. Butler
Route # 2
Kimberly, Idaho

Dear Mr. Butler:

We now have on file the report of our field engineer on examination for beneficial use on your Permit No. 21932 which shows that you have used 84 inches or 1.68 second feet of the waters of a well for the irrigation of 160 acres of land in the NE¹/₄ Section 33, Township 11 South, Range 19 East, B. M., said well being located in the SE¹/₄ NE¹/₄ Section 33.

A License can, therefore, be issued for 1.68 second feet of water upon receipt of the statutory license fee of \$8.00.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Edna P. Rutledge

Chief Clerk

R:hll

21932

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

Permit No. 21932

This proof is for 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 SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 33
T. 11 S. R. 19 E., B.M. County of Twin Falls
4. Describe works as they exist, giving dimensions and capacities of same: 75 hp. G. E. Motor
#X.H.T. 6949181. Layne Bowler Turbine 17096.
Concrete base 6'x6'. No protection. 8" x 10' delivery
pipe to west into open ditch. To fields by gravity.
5. Water is used for: Irrigation and Domestic purposes
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):

NE $\frac{1}{4}$, Section 33, Twp. 11 S., Rge. 19 E., B.M.

160 acres

See map.

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

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

Remarks:

Crops are hay, grain, row crops

This examination was made on the 21 day of May, 1956

(Signed) E. M. Humphrey Examiner.

21932

Permit No. 21932

County.....Twin Falls

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
MAY 28 1956
Department of Reclamation

3.2. c.f.s.

S. W. H. H. H.

18. SEINE, S. 12. 18. - R. 12.

Usher, Emory & Son

Filed: Feb. 14, 1951

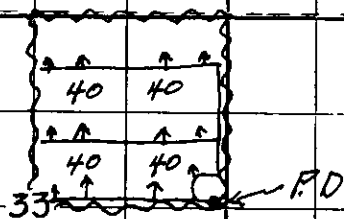
Date: Feb 17, 1957

2-9-56

R-19E.

← TO ROCK CREEK

T.
H.
S.



Subdivisions = Four

Area = 160 acres

Q = 84 inches.

T = 78° F.

Sparling meter used.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 21932

REPORT ON PROOF OF Beneficial Use

168042
1/10/44

app. 3.20 cfs
4
assn. 160

May 16, 1956

RE: Permit No. 21932

Mr. Homer L. Butler
Route 2
Kimberly, Idaho

Dear Mr. Butler:

State Law requires an inspection on any permit being brought to license in the State of Idaho.

I intend to make inspection in connection with your Permit on Monday, May 21, at 1:00 P.M.

Please be prepared to accompany me on the inspection.

Very truly yours,

MARK E. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

hll

21932

March 20, 1956

Re: Permit No. 21932

Mr. Homer H. Butler
Route # 2
Kimberly, Idaho

Dear Mr. Butler:

We acknowledge receipt of the depositions of yourself and two witnesses, also affidavit of publication in the Times-News, all submitted in proof of beneficial use on the above captioned Permit.

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
By

Chief Clerk

21932

BLANDFORD & BLANDFORD
LAWYERS

J. H. BLANDFORD
TWIN FALLS, IDAHO

March 16, 1956

A. L. BLANDFORD
KIMBERLY, IDAHO

RECEIVED
MAR 19 1956
Department of Reclamation

State of Idaho
Department of Reclamation
Boise, Idaho

Gentlemen:

I am enclosing the deposition of holder and the deposition of two witnesses with respect to proof of application of water to beneficial use under Permit No. 21932 in the name of Homer H. Butler. Also enclosed is the affidavit of publication for the notice.

I have advised Mr. Butler that you will let him know the amount of the final fees due prior to issue of the license, and after your inspection has been made.

Yours very truly,

BLANDFORD & BLANDFORD

By



cc: Homer H. Butler
Route 2
Kimberly, Idaho

21932

NAME OF APPLICANT Home Butler,

Form No. 0

Twp. 11.S. R.19.E

33

Point of Diversion, Well,

Permit Map No. 21932
As Approved
FEB 17 1951
MARK R. KULP
State Reclamation Engineer

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 21932

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Homer H. Butler; farmer, residence and post office address, Route 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.

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

Ans. Permit No. 21932, dated February 14, 1951, date of priority of February 14, 1951.

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

Ans. Deep well located in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 33, Township 11 South, Range 19 E. B. M., Twin Falls County, Idaho.

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. Deep well, pump and ditches capable of conveying 160 inches of water. Well is 835 feet deep and depth to water is 168 feet, with a draw-down to 250 feet. No casing is installed. Pump discharges 100 inches, and was measured through a six inch orifice.

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. Domestic purposes and irrigation of NE $\frac{1}{4}$, Section 33, Township 11 South, Range 19 E. B. M. Twin Falls County, Idaho, consisting of 160 acres of cultivated land. This land was reclaimed from sagebrush as a direct result of the use of this water.

21932

**STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO**

Permit No. 21932

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

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

Ans. J. E. Anderson; age 58; farmer, residence, Rt. 3, Jerome, Idaho;
P. O. address, 157 Filer Avenue West, Twin Falls, Idaho.

Ques. 2. Are you acquainted with Homer H. Butler, the
holder of Permit No. 21932? How long have you known him and where does
he reside?

Ans. I have known him for 40 years. He resides at Route 2, Kimberly,
Idaho.

Ques. 3. Have you read or heard read said Permit No. 21932, 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. Deep well in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 33, Township 11 South, Range 19,
E. B. M., Twin Falls County, Idaho. Water is conveyed to place of use
by ditches.

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. Capable of 3.2 second feet. I have seen two second feet being
conveyed.

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 the pump deliver 100 miner's inches of water. I
estimated the same by means of an eight inch orifice.

21932

**STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO**

Permit No. 21932

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

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

Ans. Howard C. Sievers; age 29; farmer; residence and postoffice address, Route 2, Hansen, Idaho.

Ques. 2. Are you acquainted with Homer H. Butler, the holder of Permit No. 21932? How long have you known him and where does he reside?

Ans. I have know him for twenty years. He resides at Route 2, Kimberly, Idaho.

Ques. 3. Have you read or heard read said Permit No. 21932, 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. Deep well in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 33, Township 11 South, Range 19, E.B.M., Twin Falls County, Idaho. Water is conveyed to place of use by 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. Capable of 3.2 second feet. I have seen two second feet being conveyed.

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 the pump deliver 100 miner's inches of water. I estimated the same by means of an eight inch orifice. I have irrigated with said water during the past two years.

21932

Memo

From
The TIMES-NEWS
TWIN FALLS, IDAHO

February 10, 1956

Department of Reclamation
Boise, Idaho

Gentlemen: We are in receipt of Notice for Legal Publication regarding the Proof of Application of Water, etc. , naming Homer H. Butler of Kimberly as applicant.

We have scheduled this publication for four Thursdays - February 16 & 23 & March 1 & 8, 1956.

Tear Sheet of the first insertion will be forwarded to your office.

Sincerely,

Times-News

M. Clark

21932

RECEIVED
FEB 13 1956
Department of Reclamation

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date: February 9, 1956

Re: Permit No. 21932

Pines News
Twin Falls, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **March 15, 1956** the date set for proof, the expense of the publication to be paid by the applicant, **Homer H. Butler** of **Kimberly, 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

21932

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

Notice is hereby given that at 2 P.M. on the 15th day of March, 1956
at Kimberly Idaho, County of Twin Falls, State of Idaho, before
A.L. Blandford, Notary, Kimberly, Idaho, proof will be submitted of the
application to beneficial use of 2.0 cubic feet per second of the waters of Subterranean Source.
in accordance with the terms and conditions of Permit No. 21932
heretofore issued by the Department of Reclamation of the State of Idaho.

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

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

The amount applied to beneficial use is 2.0 cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated)

NE 1/4 Section 33, Twp. 11.S. Range 19.E.

~~The name of the water right or other works by which said water is conducted to such place of use is~~

The right to take water from such works is based upon Permit No. 21932

The source of supply from which such water is diverted is Subterranean flow

The date of priority which said user is prepared to establish is February 11, 1951

MARK. R. KULP.

State Reclamation Engineer.

21932

February 10, 1956

RE: Permit No. 21932

Mr. Homer H. Butler
Kimberly
Idaho

Dear Mr. Butler:

We enclose Certificate of Completion Of Works issued under Permit No. 21932 for the diversion of 2 second feet of water from a well in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 33, Township 11 South, Range 19 East, B.M., with priority of February 14, 1951, for irrigation and domestic use on the NE $\frac{1}{4}$ of said Section 33.

We also enclose departmental receipt No. 27824 for the \$5.00 completion of works fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

T:hll
Enc.

21932

Permit No. 21932

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

ss.

County of TWIN FALLS

Homer H. Butler, being first duly sworn, upon his oath deposes and says:

First: That he is the holder and owner of Permit to appropriate the Public Waters of the State of Idaho, No. 21932, and that his postoffice address is KIMBERLY

State of IDAHO

Second: That the name of the stream from which said water is to be diverted is DEEP WELL PUMP

Third: That the point of diversion of said water is IN THE SE $\frac{1}{4}$ NE $\frac{1}{4}$ SECTION 33
TWP. 11, S., RANGE 19 E.B.M.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by FEBRUARY 17, 1956.

Fifth: That the use for which said water is intended is IRRIGATION AND DOMESTIC

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

I. Kind of works: WELLS, PUMPS AND DITCHES

(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

(a) Height of dam feet, length of dam at top feet, length of dam at bottom feet. Material used in construction

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir acre feet.

(c) Size of headgate: Width feet, height feet.

(d) Conduit width at bottom feet, width at water line

(State whether ditch, flume or pipe)

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

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

Eighth: That water appropriated under said permit is available for acres of land described as follows: NE $\frac{1}{4}$ SECTION 33, TWP. 11 S., RANGE 19 E.B.M.

All of the NE $\frac{1}{4}$ Sect. 33, irrigated and under cultivation.

Ninth: Remarks: That THE IRRIGATION WELL IS 16" IN DIAMETER AND IS DRILLED TO A DEPTH OF 835 FEET, NO CASING. IT IS EQUIPPED WITH A LAYNE & BOWLER DEEP WELL 50 H.P. ELECTRIC DRIVEN PUMP. TO DATE WE HAVE NOT COMPLETED INSTALLATION OF THE SECOND WELL. Ditches all completed, average farm ditches.

Homer H. Butler
(Sign Here)

Subscribed and sworn to before me this 9th day of FEBRUARY, 1956

My commission expires 12/13/58

Notary Public.

2/9/56
20210

21932

not

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date).....Feb. 9, 1955.....

(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
Times News, at Twin Falls, Idaho. published in
the county in which the works are situated.

Homer Butler

(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.

December 7, 1955

RE: Permit No. 21932

Mr. Homer H. Butler
Kimberly,
Idaho

Dear Mr. Butler:

We acknowledge receipt of your affidavit in proof of Completion of Works on Permit No. 21932 accompanied by your check for the \$5.00 fee in connection therewith.

In checking your affidavit, we note your statement that you are only proving up on one well and that you have not completed installation of the second well.

Completion of works proof is not actually due until February 17, 1956, and if your other well will be completed by that time and the pump installed, we suggest that you withhold making proof of completion of works until that time; because when a Certificate of Completion of Works is once issued no further proof of completion of works can be made on any further development.

On the other hand, if the second well will not be completed within that time, we can issue Certificate of Completion of Works on the one well and you may thereafter file a new application for permit on the other well if you so desire.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

*Proof of CW. withdrawn
and returned to Homer Butler
on Feb 9, 1956
A:hl1
Mark R Kulp*

21932

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

December 1, 1955

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Mr. Homer Butler
Kirberly
Idaho

Boise, Idaho

Dear Sir:-

Under the terms of your permit No. 21932 you are required to complete your diversion works on or before February 17, 1956. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

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

Yours truly,

MARK R. KULP

State Reclamation Engineer

21932

✓
March 20, 1952

RE: Permit No. 21932

Mr. Homer H. Butler
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. 21932, to February 17, 1956.

This 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

A:fg
Enc.

21932

Permit No. 21932

Application for Extension of Time FOR COMPLETION OF WORKS

HOMER H. BUTLER

of KIMBERLY

State of IDAHO

, being first duly sworn, upon his oath deposes and says:

He is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 21932

Under the terms and conditions of said permit, construction work thereunder was required to be completed by FEBRUARY 17, 1952

That he has heretofore performed the following work described under said permit:

DRILLED ONE IRRIGATION WELL WHICH IS 16" IN DIAMETER AND IS DRILLED TO A DEPTH OF 835 FEET, NO CASING. IT IS EQUIPPED WITH A LAYNE & BOWLER DEEP WELL, 50 HP ELECTRIC DRIVEN PUMP.

costing \$6,500.00.

That he is unable to complete the remainder of the work within the required time, for the following reasons, to-wit:

THE SECOND WELL HAS NOT BEEN DRILLED AND HE WANTS TO COMPLETE IT BEFORE FILING HIS "PROOF OF COMPLETION OF WORKS" AFFIDAVIT.

WHEREFORE, He asks that the Commissioner of Reclamation extend the time for the completion of works under said permit to FEBRUARY 17, 1956

Subscribed and sworn to before me this 14TH day of MARCH, 1952

X

My commission expires 2/4/54

Notary Public.

Date of receipt at office of Department of Reclamation March 20, 1952

STATE RECLAMATION ENGINEER
APPROVAL OF ~~COMMISSIONER OF RECLAMATION~~
State Reclamation Engineer

1. Mark R. Kulp

of the State of Idaho, hereby extend the time for the completion of construction work under Permit to Appropriate the Public Waters of the State of Idaho, No. 21932 to

February 17, 1956

Witness my hand this 20th day of March

1952

Mark R. Kulp
State Reclamation Engineer

21932

March 17, 1952

RE: Permit No. 21932

Mr. Homer H. Butler
Kimberly
Idaho

Dear Mr. Butler:

We are sorry to have to return your application for extension of time for completion of works on Permit No. 21932, but you have failed to describe the works already done under this permit, and the approximate cost thereof, and since your affidavit in proof of completion of works has been returned, we are unable to complete this for you.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

21932

ROUTE # 2
KIMBERLY, IDAHO
MARCH 14, 1952

STATE OF IDAHO
DEPT. OF RECLAMATION
BOISE, IDAHO

RECEIVED
MAR 17 1952
Department of Reclamation

ATTENTION: JEANNE L. ANDERSON
CHIEF CLERK

RE: PERMIT NO. 21932

GENTLEMEN:

THANK YOU FOR YOUR LETTER OF MARCH 11 IN WHICH YOU ENCLOSED MY
AFFIDAVIT IN PROOF OF COMPLETION OF WORKS AND AN APPLICATION FOR
AN EXTENSION OF TIME FOR COMPLETION OF WORKS.

I HAVE COMPLETED THIS APPLICATION FOR AN EXTENSION OF TIME AND
AM SUBMITTING IT TO YOUR OFFICE FOR APPROVAL.

YOURS VERY TRULY,

Homer H. Butler

HOMER H. BUTLER

KT

21932

March 11, 1952

RE: Permit No. 21932

Mr. Homer H. Butler
Route 2
Kimberly, Idaho

Dear Mr. Butler:

We are in receipt of your letter of March 10, 1952, and note that you wish to withdraw the proof of completion of works recently submitted and apply for an extension of time for completion of works.

We return your affidavit in proof of completion of works and also enclose an application for extension of time. This application should be executed before a Notary Public and returned to this department for approval and record.

Since receipt has already been issued for the \$5.00 fee in connection with proof of completion of works, we cannot refund the fee at this time, but we shall hold it to your credit until such time as the proof is made.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

21932

RECEIVED
MAR 11 1952
Department of Reclamation

ROUTE # 2
KIMBERLY, IDAHO
MARCH 10, 1952

STATE OF IDAHO
DEPT. OF RECLAMATION
BOISE, IDAHO

ATTENTION: JEANNE L. ANDERSON
CHIEF CLERK

RE: PERMIT NO. 21932

GENTLEMEN:

IN REPLY TO YOUR LETTER OF MARCH 3, 1951, REGARDING THE PROOF OF COMPLETION OF WORKS ON PERMIT NO. 21932, IT IS MY DESIRE TO COMPLETE BOTH WELLS UNDER THIS PERMIT. I WOULD THEREFORE LIKE TO WITHDRAW THE PROOF OF COMPLETION WHICH I RECENTLY SUBMITTED TO YOUR OFFICE AND OBTAIN AN EXTENSION OF TIME AS SUGGESTED IN THE LAST PARAGRAPH OF YOUR LETTER UNDER THE ABOVE DATE.

IF THERE ARE CERTAIN FORMS NECESSARY TO APPLY FOR THIS EXTENSION, WILL YOU PLEASE SEND THEM TO ME.

YOURS VERY TRULY,

Homer H Butler

H. H. BUTLER, SR.

KT

21932

Permit No. 21932

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that HOMER BUTLER
 of Kimberly, County of Twin Falls, and State of
Idaho, the holder of Permit No. 21932, issued upon Application
 No. 29651 bearing date of priority of February 14, 1951, authorizing the diversion of
3.2 second feet of the waters of a well (subterranean flow)

County of Twin Falls, State of Idaho, for irrigation and domestic
 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 2.5
 second feet of the waters of said well;

that the point of diversion of said waters is in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 33, 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:
Northeast Quarter Section 33, Twp. 11 South, Range 19 East, B. M.

Witness my hand this 4th day of March, A. D. 1952.

State Reclamation Engineer

21932

March 3, 1952

RE: Permit No. 21932

Mr. Homer H. Butler
Route 2
Kimberly, Idaho

Dear Mr. Butler:

We are writing you again in connection with your offered proof of completion of works on Permit No. 21932, as we want to be sure you understand the situation before accepting this proof and issuing certificate of completion of works.

In office letter of February 27, 1952, we asked if you intended to prove up on only one well and for 2.5 second feet of water instead of 3.2 second feet from the two wells included in this permit.

In returning your affidavit, you did not answer this question directly, but did state that "to date we have not completed the installation of the second well."

If your present proof of completion of works is accepted, certificate of completion of works can only be issued for 2.5 second feet from the one well, and no further completion of works proof can be made under this permit and when license is issued, it cannot be for more than 2.5 second feet. Any additional developments would have to be under a new permit and with a later priority date.

On the other hand, if you intend to proceed with the second well under the terms and with the priority of Permit No. 21932, you may withdraw the proof of completion of works now submitted and obtain an extension of time for making such proof for an additional four years or such portion thereof as may be necessary to complete installation of the second well.

We shall withhold further action in this matter until we hear from you as to just what you wish to do.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

21932

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

21932

No 24231

Boise, Idaho,

7 March 1

, 1952

RECEIVED
FROM

Norman H. Butler

of

Idaho, Idaho \$5.00

Five + 00/100

DOLLARS

FOR

Carey Act Trust Fund - - - \$

Application for Permit No. - - - \$

Proofs *CM 21932* - - - \$

Certified Copy - - - - - \$

Recording Deed - - - - - \$

Certificate - - - - - \$

TOTAL - - - - - \$

5.00

Mark R. Kuehl

State Reclamation Engineer

By

Jeanne L. Anderson

February 27, 1952

Re: Permit No. 21932

Mr. Homer H. Butler
Route 2
Kimberly, Idaho

Dear Mr. Butler:

We return your affidavit in proof of completion of works under Permit No. 21932, received this morning, for completion as follows:

Question 3 only describes one well in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 33, Twp. 11 S., Range 19 E., whereas an amendment to the permit also includes a well in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of this section. Is it your intention to only prove up on the one well, and for 2 $\frac{1}{2}$ second feet instead of 3.20 second feet as applied for?

Under Remarks, please give the size and depth of the well, or wells, and casing, also the kind and power of the pumps.

There is a statutory fee of \$5.00 required in connection with proof of completion of works.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

21932

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Mr. Homer Butler

Kimberly, Idaho

Boise, Idaho December 1, 1951

Dear Sir:-

Under the terms of your permit No. ~~21932~~-----you are required to complete your diversion works on or before February 17, 1952. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

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

Yours truly,

MARK R. KULP

State Reclamation Engineer

21932

✓
October 15, 1951

RE: Permit No. 21932

Mr. Homer Butler
Kimberly
Idaho

Dear Mr. Butler:

We enclose your application for amendment to
Permit No. 21932, which has been approved and duly
recorded.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

A:fg
Enc.

21932

Affidavit of Publication

STATE OF IDAHO, }
COUNTY OF TWIN FALLS } ss.

Nº 6131

NOTICE OF PROPOSED APPLICATION OF WATER RIGHTS

Notice is hereby given that on 2 P. M. on the 15th day of March, 1956, at Kimberly, County of Twin Falls, State of Idaho, before A. L. Blandford, Notary, Kimberly, Idaho, proof will be submitted of the application to beneficial use of 2.0 cubic feet per second of the waters of Subterranean Source in accordance with the terms and conditions of Permit No. 21822 issued by the Department of Reclamation of the State of Idaho.

The names and addresses of the person or persons making said permit are Herbert H. Blandford, Kimberly, Idaho.

The land to which said water has been applied is located in the County of Kimberly, Idaho.

The purpose of the application is to 2.0 cubic feet per second of water.

The place where said water is used NE1/4 Section 33, Twp. 11 N., Range 19 E.

The right to take water from such works is based upon Permit No. 21822.

The source of water from which such water is diverted is Subterranean flow.

The date of proof which said user is prepared to establish is February 16, 1956.

Witness my hand and seal at Kimberly, Idaho, this 15th day of March, 1956.

Published: Feb. 15, 1956, March 1, 1956

RECEIVED
MAR 19 1956
Department of Reclamation

I, Mable F. Clark, being first duly sworn upon oath depose and say that I am Principal Clerk of the Times-News, published daily, except Saturday, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for four consecutive Thursdays, commencing with the issue dated February 16, 1956, and ending with the issue dated March 8, 1956.

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 paper except Saturday, under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice 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.

Mable F. Clark
Subscribed and sworn to before me this 8th day of March, 1956.

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

21732

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

Notice is hereby given that at 2 P. M. on the 15th day of March, 1956, at Kimberly, County of _____ Falls, State of Idaho, before A. J. _____ andford, Notary, Kimberly, Idaho, prox., will be submitted of the application to beneficial use of 2.0 cubic feet per second of the waters of Subterranean Source in accordance with the terms and conditions of Permit No. 21932 heretofore issued by the Department of Reclamation of the State of Idaho.

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

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

The amount applied to beneficial use is 2.0 cubic feet per second.

The place where said water is used NE $\frac{1}{4}$ Section 33, Twp. 11 S., Range 19 E.

The right to take water from such works is based upon Permit No. 21932.

The source of supply from which such water is diverted is Subterranean flow.

The date of priority which said user is prepared to establish is February 11, 1951

MARK R. KULP,

State Reclamation Engineer

Publish: Feb. 16, 1956. ~~March 1, 1956~~

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

Permit No. 21932

Date February 21, 1951

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

Mr. Homer Butler
Kimberly, Idaho

MARK E. KULP
State Reclamation Engineer

21932