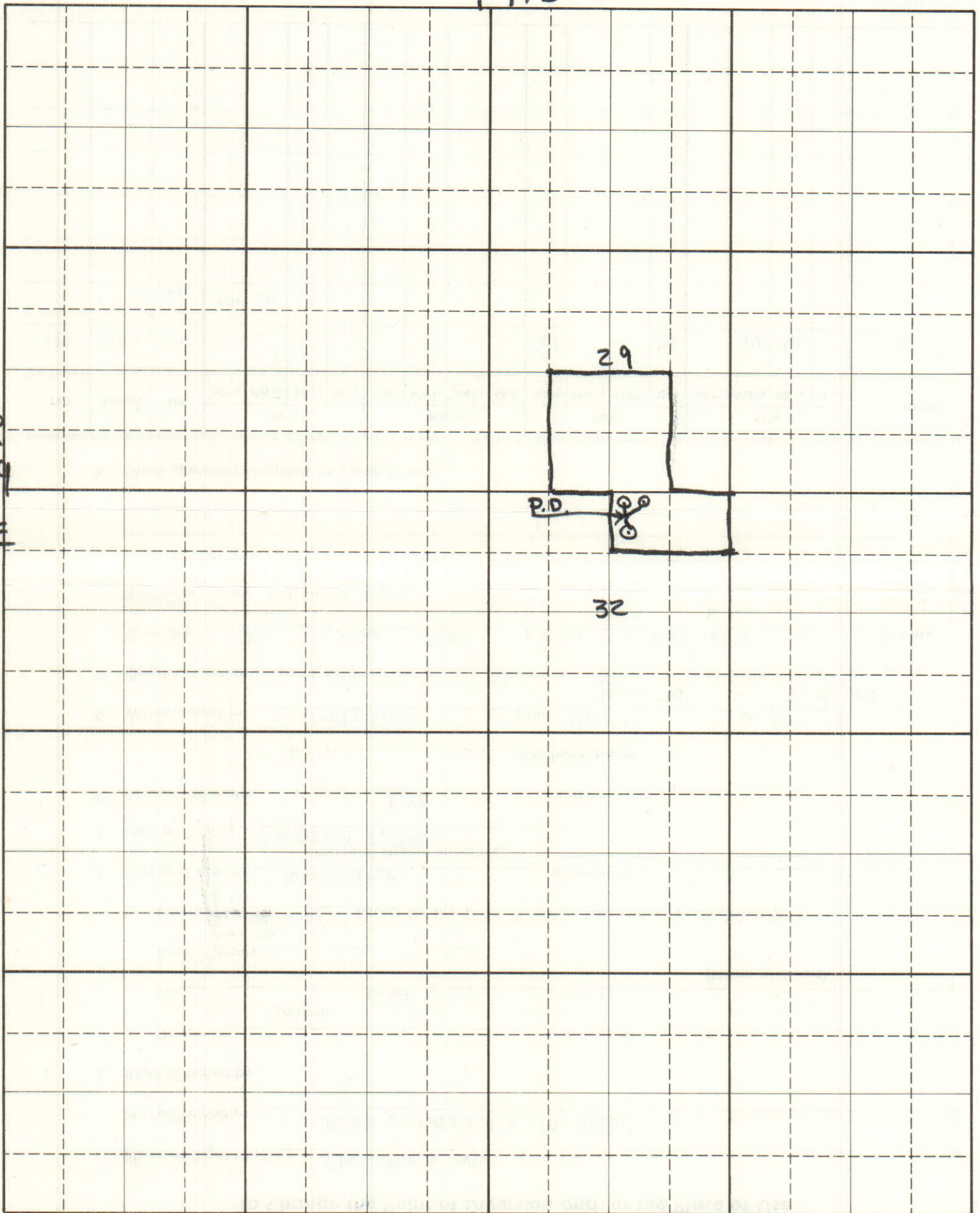


45 2347

174 15 305

RECEIVED

T IIS



SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

DEPARTMENT OF RECEPTION

STATE OF IDAHO

RECEIVED

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS }

ss.

N^o 2542

I, Kay MABEY being first duly sworn upon

oath, depose and say that I am Princ. 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 Two

consecutive Thursdays, commencing with the issue dated
Oct 11, 1973, and ending with the issue dated
Oct 18, 1973.

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 con-
tinuously 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, 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.

Kay Mabey
Subscribed and sworn to before me on this 19th day of

October, 1973.

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

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 45-2347

NOTICE IS HEREBY GIVEN that
Claiborn & Sons, of Route 3, Twin
Falls, Idaho, has applied to the
Department of Water Ad-
ministration for a change of the
point of diversion of the waters of a
groundwater source. The right
sought to be changed is evidenced by
License No. 45-2347 and is recorded
as follows:

Amount: 1.32 c.f.s.
Priority: September 9, 1950.
Point of diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$,
Sec. 32, T. 11S, R. 19E, B.M., Twin
Falls County

The water is used for irrigation
purposes of 230 acres from Mar. 15 to
Nov. 15 within the E $\frac{1}{2}$ SW $\frac{1}{4}$,
W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 29; N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 32;
T. 11S, R. 19E, B.M.

TO BE CHANGED AS FOLLOWS

Point of diversion: (3 points) —
NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 32, T. 11S, R. 19E,
B.M., Twin Falls County.

Any protest against approval of
the above proposed change of water
right must be filed with the Idaho
Department of Water Ad-
ministration, 1041 Blue Lakes
Blvd. North, Twin Falls, Idaho
83301, on or before October 29, 1973.
R. Keith Higginson
Director

PUBLISH: October 11 and 18,
1973.

OCT 23 1973

Department of Water Administration
Southern District Office

45 2347

45-2347

State of Idaho

License and Certificate of Water Right

Water License No. 21700

Amount 1.32 second feet

Water District No.

Priority September 9, 1950

THIS IS TO CERTIFY that U. E. COUBERLY of Twin Falls, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated September 9, 1950; that Permit No. 21700 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 1.5 second feet, was issued thereunder on May 17, 1952, showing that said works were completed on the 15th day of May, 1952; and that on the 25th day of June, 1952,

U. E. COUBERLY of Twin Falls, 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, ~~tributary~~ (subterranean flow), for the purpose of irrigation, under Use Permit No. 21700 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 8 of Licenses at page 4983, on the 29th day of August, 1952;

The right hereby confirmed dates from September 9, 1950;

The Point of Diversion is located

in the NW 1/4 NE 1/4, Sec. 32, 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 1.32 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.	29	NE 1/4 SW 1/4	40	40
			SE 1/4 SW 1/4	40	40
			NW 1/4 SE 1/4	40	40
			SW 1/4 SE 1/4	40	40
		32	NE 1/4 NE 1/4	40	30
			NW 1/4 NE 1/4	40	40
			Number of Acres Actually Irrigated	-	230

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

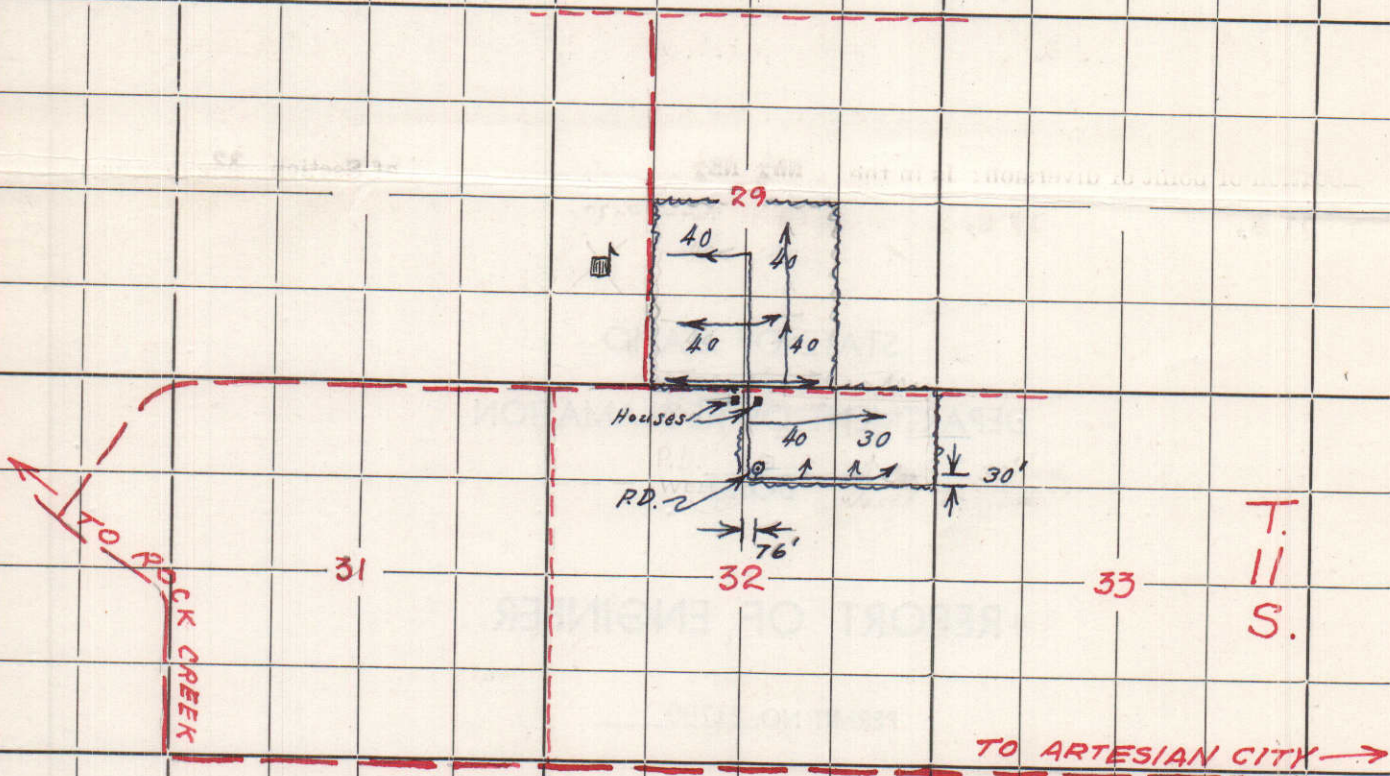
29th day of August, 1952.

MARK R. KULP
State Reclamation Engineer

(SEAL)

45-2347
47-2535

R. 19E.



Total Area Irrigated = 230 Acres

H. = .34' over 2' cip. Weir

Q. = 1.32 cfs. or 66 inches

T. = 74° F.

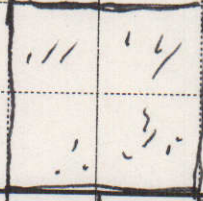
NAME OF APPLICANT

U.S. Canberly

Form No. 0

June 11 S - R 19 E.

sec 29



*3rd well will
reach all of this land.
sec 32*

Permit Map No. *21700*
As Approved
SEP 21 1950
MARK R. KULP
State Reclamation Engineer

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS } ss.

N^o 4320

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10 A.M. on the 25th day of June, 1952, at Twin Falls, County of Twin Falls, State of Idaho, before Leonard H. Jacob, Notary Public, proof will be submitted of the application to beneficial use of 75 inches or 1.5 cubic feet per second of the waters of underground flow in accordance with the terms and conditions of Permit No. 21700 heretofore issued by the Dept. of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are U. E. Couberly, P.O. Box 843, Twin Falls, Idaho.

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

The amount applied to beneficial use is 75 inches.

The place where said water is used: The North Half of the Northeast Quarter (N $\frac{1}{2}$ NE $\frac{1}{4}$) of Section 32 and the East Half of the Southwest Quarter (E $\frac{1}{2}$ SW $\frac{1}{4}$) and the West Half of the Southeast Quarter (W $\frac{1}{2}$ SE $\frac{1}{4}$) of Section 29, all in Township 11S, Range 19 E.B.M. Twin Falls County, Idaho.

The name of the canal or ditch or other works by which said water is conducted to such place of use is Ditch from well.

The right to take water from such works is based upon Permit No. 21700.

The source of supply from which such water is diverted is Drilled well in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 32, Twp. 11 S., Range 19 E., B. M.

The date of priority which said user is prepared to establish is September 9, 1950.

MARK R. KULP

State Reclamation Engineer.

Publish May 20, 27, June 3, 10, 1952

I, Lisa Malony, being first duly sworn upon

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

4 consecutive Tuesdays, commencing with the issue dated May 20, 1952, and ending with the issue dated June 10, 1952.

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

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

Subscribed and sworn to before me this 17th day of

June, 1952.

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

Identification No. 45-2347Transfer No. 1856

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPROVED

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

1. Name of Right Holder Claiborn & SonsPost office address Route 3, Twin Falls, ID 83301

2. Right obtained by:

a. Decree to _____ in Case of _____
(Name)vs. _____, Dated _____ in _____
(Name of Court)

Court. County of _____.

b. License No. 45-2347 issued by the State of Idaho, Department of Reclamation.3. Source of water Groundwater tributary to _____

(Name of stream or source)

4. Date of Priority September 9, 19505. Amount of water a. 1.32 c.f.s. and/or

b. _____ acre feet/annum

6. Water is used for Irrigation from Mar. 15 to Nov. 15
(Month, Day) (Month, Day)7. Original location of point of diversion is NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 32,Township 11S, Range 19E, B.M., in Twin Falls County;

Additional points of diversion, if any _____

8. Lands presently irrigated or place of use:

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 $\frac{1}{4}$	
11S	19E	29									40			40		40	40		160
		32	30	40															70

SCANNED

Total number of acres presently irrigated 230

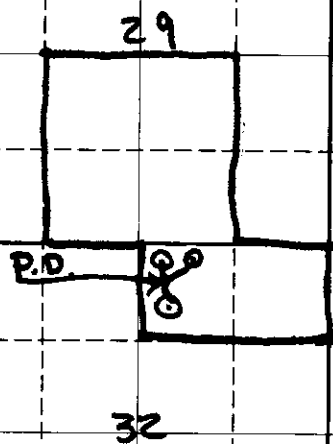
JAN 22 2002

~~45-2347~~

47-2535

T 115

R
19
E



SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

W. J. B. 1917

9. If applicant was not the original holder of this right explain how it was acquired:_____

By right of purchase

10. CHANGE IN POINT OF DIVERSION

- a. Quantity to be diverted at new point: 1.32 c.f.s. and/or _____ acre feet
- b. ^{3 points} New point of diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 32, Township 11S
_____, Range 19E, B.M.
- c. Description of method of diversion and conveyance from new points of diversion: _____
wells and pumps
- d. Is water to be conveyed to the lands previously irrigated? Yes X No _____
If not, the place of use should be changed below.
- e. Describe the reasons for applying for a change in the point of diversion: _____

- f. Do you intend to make the transfer permanent? Yes
- g. Do you intend to abandon completely the old point of diversion? No
- h. Indicate on the above plat the new point of diversion and lands to be irrigated.

11. CHANGE IN PLACE OF USE

- NO CHANGE
- a. Describe the new lands on which you wish to use your right.

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 $\frac{1}{4}$	

Total number of acres to be irrigated _____

- b. Do you intend to make the transfer permanent?_____
- c. Are you completely abandoning the lands previously irrigated by this right? If not, explain your plans:

- d. Describe any other water rights that you claim for the new ground upon which you wish to transfer this right:_____

- e. Indicate on the above plat the new land to be irrigated and the point of diversion.

I hereby assert that no one will be injured by such transfer and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

Shelburn & Sons Inc
Shelburn
(signature of applicant)

Subscribed and sworn to before me this FIRST day of OCTOBER, 19 73
Janet M Messersmith
(notary public)
My commission expires JUNE 15, 1977

**ACTION OF STATE RECLAMATION ENGINEER
AND CERTIFICATE OF TRANSFER**

This is to certify that I have examined Application for Transfer of Water Rights No. 45-2347,
and said application is hereby APPROVED

- 1. Approval of said application is subject to the following limitations and conditions:
A measuring device of a type approved by this department shall be
permanently installed and maintained as part of the diverting works.
- 2. Denial of said application is for the following reasons:_____

Witness my hand this 1st day of November, 19 73

A. Kenneth Penn
Director ~~State Reclamation Engineer~~
Department of Water Administration

FOR DEPARTMENT USE ONLY

Received by <u>mks</u>	Date <u>Oct-1-73</u>	Protest filed by:	Date
Prelim. check by <u>PJA</u>	Date <u>10-1-73</u>		
Fee received by <u>mm</u>	Date <u>10-1-73</u> Fee \$ <u>30.00</u>		
Approved for publication by <u>PJA</u>			
Published in <u>Times News</u>	Dates <u>10-11 & 10-18-73</u>		
Hearing held _____			
Watermaster Recommendation sent _____			

49-50

WARRANTY DEED

THIS INDENTURE, Made this 12th day of November, 1955, between

U. E. COUBERLY and MABEL COUBERLY, husband and wife,

of Twin Falls, County of Twin Falls, State of Idaho

the parties of the first part, hereinafter called the grantor, and

J. D. CLAIBORN and EMILY WALL CLAIBORN, husband and wife;
JACK D. CLAIBORN, JR. and BETTE ALLEN CLAIBORN, husband
and wife, and W. L. CLAIBORN and MERLAINE CLAIBORN, husband
and wife,
of Twin Falls, County of Twin Falls, State of Idaho

the parties of the second part, hereinafter called the grantee,

WITNESSETH, that the grantor, for and in consideration of the sum of

SIXTY-FIVE THOUSAND AND 00/100 ----- DOLLARS,

in lawful money of the United States of America, to the grantor in hand paid by the grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents does grant, bargain, sell, convey and confirm unto the grantee, and to the grantee's heirs and assigns forever, all of the following described real estate, situated in Twin Falls County, State of Idaho:

The East Half of the Southwest Quarter (E $\frac{1}{2}$ SW $\frac{1}{4}$) and the West Half of the Southeast Quarter (W $\frac{1}{2}$ SE $\frac{1}{4}$) of Section Twenty-nine (29) and the North Half of the Northeast Quarter (N $\frac{1}{2}$ NE $\frac{1}{4}$) of Section 32, all in Township Eleven (11) South, Range Nineteen (19) E.B.M., together with all water rights and improvements thereon and appurtenant thereto.

Subject to mortgage to Utah Mortgage and Loan Company in the principal amount of \$20,000.00.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity, of the grantor.

TO HAVE AND TO HOLD, all and singular the above mentioned and described premises, together with the appurtenances, unto the grantee, and to the grantee's heirs and assigns forever. And the grantor, and the grantor's heirs, the said premises in the quiet and peaceable possession of the grantee, and the grantee's heirs and assigns, against the grantor, and the grantor's heirs, and against all and every person and persons whomsoever lawfully claiming the same, shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, the grantor has subscribed this deed the day and year first above written.

U. E. Couberly
Mabel Couberly

WARRANTY DEED

THIS INDENTURE, made this 19th day of February, 1958, between

J. D. CLAIBORN and EMILY WALL CLAIBORN, husband and wife;
JACK D. CLAIBORN, JR. and BETTY ALLEN CLAIBORN, husband and wife; and
W. L. CLAIBORN and MERLAINE CLAIBORN, husband and wife

of Kimberly, County of Twin Falls, State of Idaho

the parties of the first part, hereinafter called the grantor, and

CLAIBORN & SONS, INC., an Idaho corporation

of Kimberly, County of Twin Falls, State of Idaho

the party of the second part, hereinafter called the grantee.

WITNESSETH, that the grantor, for and in consideration of the sum of

Ten & no/100 - - - - - (\$10.00) - - - - - DOLLARS
and other valuable consideration

in lawful money of the United States of America, to the grantor in hand paid by the grantee, the re-

ceipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents does grant,

bargain, sell, convey and confirm unto the grantee, and to the grantee's ~~heirs~~ ^{successors} and assigns forever, all the

following described real estate, situated in Twin Falls County, State of Idaho:

The East Half of the Southwest Quarter ($E\frac{1}{2}SW\frac{1}{4}$) and the West Half of the Southeast Quarter ($W\frac{1}{2}SE\frac{1}{4}$) of Section Twenty-Nine (29) and the North Half of the Northeast Quarter ($N\frac{1}{2}NE\frac{1}{4}$) of Section 32, all in Township Eleven (11) South, Range Nineteen (19) E.B.M., together with all water rights and improvements thereon and appurtenant thereto.

Subject to Agreement of Sale wherein U. E. Coberly and Mabel Coberly, husband and wife, sold to the grantors the above described property and upon which there is an unpaid balance of \$18,800.00 together with interest at the rate of 5% per annum from May 1, 1957.

Subject, also, to mortgage to Utah Mortgage and Loan Company upon which there is an unpaid balance of \$17,000.00 bearing interest at the rate of 5% per annum from January 1, 1958.

Subject to the taxes for the year 1958.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto, be longing or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity, of the grantor.

TO HAVE AND TO HOLD, all and singular the above mentioned and described premises, together with appurtenances, unto the grantee, and to the grantee's ~~heirs~~ ^{successors} and assigns forever. And the grantor, and the grantor's heirs, the said premises in the quiet and peaceable possession of the grantee, and the grantee's ~~heirs~~ ^{successors} and assigns, against the grantor, and the grantor's heirs, and against all and every person and persons whomsoever, lawfully claiming the same, shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, the grantor has subscribed this deed the day and year first above written.

J.D. Claiborn
Emily Wall Claiborn
Jack D. Claiborn, Jr.
Betty Allen Claiborn
W.L. Claiborn
Merlaine Claiborn

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	<u>mm</u>	<u>10-3-73</u>	<u>Transfer</u>
(2)	<u>RUN</u>	<u>10-1-73</u>	Application No. <u>45-2347</u> <u>Claborn & Sons</u>
			☒ Source
			☒ Point of Diversion
			☒ County
			☒ Quantity of Water and Period of Use
			☐ Description of Diverting Works
			☐ Time required for B/U of water
			☒ Place of Use or Acres Irrigated
			☒ Map
			☒ Signature
			☒ Fee
(3)	<u>RA</u>	<u>10-1-73</u>	In form to receipt
	—	—	Send Copies to:
			☐ Idaho State Health Department
			☐ Idaho Fish and Game Department
			☐ Bureau of Land Management
(4)	—	—	☐ Request Special Use Permit from U.S.F.S.
			☐ Request Easement from B.L.M.
			☐ Request Information from Applicant
(5)	<u>RA</u>	<u>10-1-73</u>	In form for advertising
(6)	<u>KDT</u>	<u>10-29-73</u>	Located within Water District No. <u>45-J</u>
(7)	<u>KDT</u>	<u>10-29-73</u>	Critical groundwater area: yes ☒ no ☐
(8)	<u>KDT</u>	<u>10-29-73</u>	Groundwater levels:
			☐ Decline (comment) _____
			☐ Stable (comment) _____
			☒ Increasing (comment) <u>1972 indicates +13 ft. over 1971</u>
(9)	<u>KDT</u>	<u>10-29-73</u>	Comments: <u>Check logs to ensure this transfer does not constitute an expansion of right</u>
(10)	<u>mm</u>	<u>10-23</u>	Affidavit of Publication received (date) _____
(11)	<u>KDT</u>	<u>10-29-73</u>	Final date for protests <u>October 29, 1973</u>
			Protests received: yes ☐ no ☒
(12)	—	—	Date and Place of hearing _____
			Decision reached at hearing _____
(13)	<u>NA</u>	—	All requested information received from agencies or applicant
			yes ☐ no ☐
(14)	<u>KDT</u>	<u>10-29-73</u>	Action recommended:
			☒ Approve Priority _____
			☐ Deny Reason for Reduction _____
			☒ Measuring device required
			☒ See attached sheet for additional conditions of approval
			☐ No additional conditions for approval
(15)	District <u>Southern</u>	By <u>KD Flanagan</u>	Date <u>10-29-73</u>
			<u>45 2347</u>

RECOMMENDED

CONDITIONS OF APPROVAL

☐ A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

☐ Measuring devices of a type approved by this Department shall be permanently installed and maintained at the point of diversion and the point of effluent discharge.

☐ Use of water under this permit is supplemental to all existing water rights with the same purpose and place of use.

☒ Maximum rate of diversion shall not exceed 1.32 c.f.s. No

☐ Settling ponds shall be installed which are capable of reducing the silt load in the return water to such a level that the quality of the waters of _____ Creek will not be impaired for other beneficial uses.

☐ Return water shall be treated to insure that the effluent meets (interstate) (intrastate) stream water quality standards.

☐ Use of water under this permit is subject to control by the watermaster of State Water District No. _____, _____ River.

☐ The proposed well shall not be drilled within _____ feet of another well.

☐ The issuance of this permit in no way grants any right-of-way or easement across the land of another person.

☐ The permit shall not be assigned or sold without first securing the written approval of the Department of Water Administration.

☐ This permit cannot be assigned, mortgaged, or conveyed without complying with Section 42-208, Idaho Code.

☐ Other: _____

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS }

ss.

Nº 2542

I, Kay MABEY being first duly sworn upon
oath, depose and say that I am Princ. Clark 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 Two
consecutive Thursdays
Oct 11, 19 73, commencing with the issue dated
Oct 18, 19 73, and ending with the issue dated

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 con-
tinuously 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, 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.

Kay Mabey
Subscribed and sworn to before me on this 19th day of
October, 19 73.

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

45 2542

45-234

State of Idaho

License and Certificate of Water Right

Water License No. 21700

Amount 1.32 second feet

Water District No.

Priority September 9, 1950

THIS IS TO CERTIFY that U. E. COURSELY
of Twin Falls, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated September 9, 1950; that Permit No. 21700
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.5 second feet, was issued thereunder on May 17, 1952, showing that said works
were completed on the 15th day of May, 1952; and that on the 15th
day of June, 1952,

U. E. COURSELY
of Twin Falls, 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
tributary of (subterranean flow), for the purpose of irrigation
under Use Permit No. 21700 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
E of Licenses at page 4983, on the 29th day of August, 1952;

The right hereby confirmed dates from September 9, 1950;

The Point of Diversion is located
in the NW 1/4 NE 1/4, Sec. 32, Twp. 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 1.32 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.	29	NE 1/4 SW 1/4	40	40
			SE 1/4 SW 1/4	40	40
			NW 1/4 SE 1/4	40	40
			SW 1/4 SE 1/4	40	40
		32	NE 1/4 NE 1/4	40	30
			NW 1/4 NE 1/4	40	40
			Number of Acres Actually Irrigated	-	250

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

29th day of August, 1952.

MARK R. KULP
State Reclamation Engineer

(SEAL)

45-234
47-250

N^o 21700
45- 2347

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

APPLICATION No. 29407
PERMIT No. 21700
DISTRICT No.

1. Name of Applicant: U. E. COUBERLY
Postoffice address: Box 843, Twin Falls 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: \$1,500.00
(b) Treasury stock:
(c) Bonds to be issued:
(d) Other resources: Land, home and crops \$40,000.00
2. Quantity of water claimed: 75 inches or 1.5 cubic feet per second.
3. Source of water supply: Drilled well which is a tributary of
4. Location of point of diversion: 60 ft. E. and 20 ft. N. ~~feet distant from the Southwest~~
of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ corner of Section 32, T. 11 S., R. 19 E., B.M., and is in the NW $\frac{1}{4}$ NE $\frac{1}{4}$
of Section 32, T. 11 S., R. 19 E., B.M., County of Twin Falls
5. Water is to be used for Irrigation
6. If for mining, milling, power or manufacturing purposes, give:
(a) Point of use of water: feet distant from corner of Section
T., R., B.M., in the of Section, T., R., B.M.
(b) Amount of power generated: H.P., under feet head.
(c) Water is to be returned to at a point feet
distant from the corner of Section, T., R., B.M., in the
of Section, T., R., B.M.
7. Estimated cost of works: \$ 4,000.00
8. Kind of works: Drilling well.
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 Two (2) years.
13. The time required for the complete application of the water to the proposed use is Two (2) 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: Flood right from Rock Creek
and two wells.

16. (a) Is reservoir to be used? If so, fill in (b) and (c) below:
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

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

U. E. COUBERLY *Applicant.*

By

Agent.

Date of first receipt at Department of Reclamation: ~~2430 A.M. September 9, 1950~~ 2430 A.M. September 9, 1950

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 21700

Recorded in Book 77

Page 21700

Approved September 21, 1950

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 **November 21, 1950**

and to continue diligently and uninterruptedly to completion,

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

One-fifth of the work above specified to be completed on or before September 21, 1951

The whole of said work to be completed on or before **September 21, 1952**

Beneficial use of water appropriated in accordance herewith, to be made on or before **September 21, 1954**

WITNESS My hand this 21st day of September, 1950

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, C. A. ROBINS, Governor of the State of Idaho,

and J. D. "CY" PRICE, Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 21st

day of September, 1950.

STATE OF IDAHO

Countersigned:

(SEAL)

By.....C. A. ROBINS

Governor.

By J. D. "CY" PRICE

Secretary of State.

REMARKS: This well will reach practically all of the entire 240 acres described in this application, enabling me to use land that is now waste.

14.

Twp.	Range	Sec.	NE1/4				NW1/4				SW1/4				SE1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
11 S.	19 E.	29 32	40	40						40			40			40	40	160 80 240	
			Total Number of Acres to be Irrigated - -																
TO ALL WHOM IT MAY CONCERN:			CERTIFICATE OF COMPLETION OF WORKS																
This is to certify that U. E. COUBERLY of Twin Falls, County of Twin Falls, and State of Idaho, the holder of Permit No. 21700, issued upon Application No. 29407 bearing date of priority of September 9, 1950, authorizing the diversion of 1.5 second feet of the waters of a drilled well (subterranean flow) 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 1.5 second feet of the waters of said well; that the point of diversion of said waters is in the NW1/4 NE1/4 Section 32, 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: N1/2 NE1/2 Section 32; E1/2 SW1/4 and W1/2 SE1/4 Section 29; All in Township 11 South, Range 19 East, B.M.																			
Witness my hand this 17th day of May, A.D. 1952.			MARK R. KULP State Reclamation Engineer																
Proof of completion of works made May 15, 1952. Certificate of completion of works issued May 17, 1952.																			
LICENSE ISSUED FOR 1.52 SEC. FT. 031. 1953																			

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

[illegible]

USE ADDITIONAL SHEETS IF NECESSARY — FORWARD THE WHITE COPY TO THE DEPARTMENT

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION



Cecil D. Andrus
Governor
R. Keith Higginson
Director

614 State Street
Statehouse - Annex 2
Boise, Idaho 83720
(208) 384-2190

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

November 5, 1973

Re: Transfer No. 45-2347 & 45-2199

Renumbered to 47-2535

Claiborn & Sons, Inc.
Route #3
Twin Falls, Idaho 83301

Gentlemen:

Enclosed are copies of your approved Transfer of Water Right Nos. 45-2347 and 45-2199. We direct your attention to the conditions of approval as listed on the fourth page of each transfer.

Be sure to note that a special condition requiring you to install and maintain a measuring device as part of the diverting works has been placed on your transfers.

We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF/bjg

Enclosures

45 2347

October 3, 1973

RE: Transfer Nos. 45-2199 - Claiborn & Sons, Inc.
45-2347 - Claiborn & Sons

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

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.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Very truly yours,

Bob Haynes
District Engineer
Southern District

BH:jmm

Enc.: Legal Notice

Bill submitted 10-23-73 by jmm

45 2347

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 45-2347

Notice is hereby given that Claiborn & Sons, of Route 3, Twin Falls, Idaho, has applied to the Department of Water Administration for a change of the point of diversion of the waters of a groundwater source. The right sought to be changed is evidenced by License No. 45-2347 and is recorded as follows:

Amount: 1.32 c.f.s.

Priority: September 9, 1950

Point of diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 32, T. 11S, R. 19E, B.M., Twin Falls County

The water is used for irrigation purposes of 230 acres from Mar. 15 to Nov. 15 within the E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 29; N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 32; T. 11S, R. 19E, B.M.

TO BE CHANGED AS FOLLOWS

Point of diversion: (3 points) -- NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 32, T. 11S, R. 19E, B.M.,
Twin Falls County

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Administration, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301, on or before October 29, 1973.

R. KEITH HIGGINSON
Director

Published in the Times News on October 11, and October 18, 1973.

45 2347

September 5, 1952

RE: Permit No. 21700

Mr. U. E. Couberly
Box 843
Twin Falls, Idaho

Dear Mr. Couberly:

We enclose License and Certificate of Water Right issued under Permit No. 21700, confirming your right to the use of 1.32 second feet of water from your well in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 32, Township 11 South, Range 19 East, B.M., with priority of September 9, 1950, for irrigation of land in the E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 29, and N $\frac{1}{2}$ NE $\frac{1}{4}$ Section 32, Township 11 South, Range 19 East, B.M.

We also enclose departmental receipt No. 24817 for the \$12.00 license fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

21700

August 22, 1952

RE: Permit No. 21700

Mr. U. E. Couberly
Box 843
Twin Falls, Idaho

Dear Mr. Couberly:

The report of our field engineer on examination for beneficial use under Permit No. 21700 shows that your well in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 32, Township 11 South, Range 19 East, B.M., will deliver 66 inches or 1.32 cubic feet per second, and that you have irrigated 230 acres in the E $\frac{1}{2}$ SW $\frac{1}{4}$ and W $\frac{1}{2}$ SW $\frac{1}{4}$ Section 29, and N $\frac{1}{2}$ NE $\frac{1}{4}$ Section 32.

Therefore, upon receipt of the statutory fee of \$12.00 which is at the rate of \$2.00 for each 40 acre subdivision in which the land is located, a license will be issued for 1.32 second feet of water from said well.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

21700

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

Permit No. 21700This proof is for Beneficial use In Water District No. _____

1. Name of applicant U. E. (Bill) Couberly, P.O.Box 843, Twin Falls, Idaho
2. Source of water supply: Subterranean from a well
3. Location of point of diversion: Is in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 32
T. 11 S. R. 19 E. County of Twin Falls
4. Describe works as they exist, giving dimensions and capacities of same: Drilled well 537' deep, 20" diameter to 300' deep then 16" diameter to 537' deep. No casing. Static water level 137', drawdown 88'. Depth of pump is 280'. Water column 6" diameter. Six stages of (10"?) diameter bowls. 21' of 6" discharge to the South into 2'x 5' concrete dividing box. Fairbanks Morse turbine pump # PL 9706. Fairbanks Morse induction motor # F 93156, 50 HP., 440 V., 61 amps., 60 cycle, 3 phase, 1770 rpm. EM switch board # 3609, 50 HP., 440V., 60 cycle, 3 phase. G.E. meter # 30 033 030, 50 amp., 480V., 60 cycle, 3 phase, demand 5.38 x 10. Concrete pump base 6'x 9'.
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):

N $\frac{1}{2}$ NE $\frac{1}{4}$ Section 32;E $\frac{1}{2}$ SW $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 29;All in Twp. 11 South, Range 19 East, B. M.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: beans, peas, grain, potatoes, and hay.This examination was made on the 5 th day of August, 1952(Signed) Alfred G. Larson Examiner.

21700

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.

U. E. (BILL) Couberly

Box 843, Twin Falls, Idaho

Permit No. 21700

512 5TH N

Examination for Beneficial use

County Twin Falls

S. 32 - 11S - 19E

Q = 1.5 cfs.

S = Well

P.L. = N.W. NE, Sec. 32, T. 11S - R. 19E.

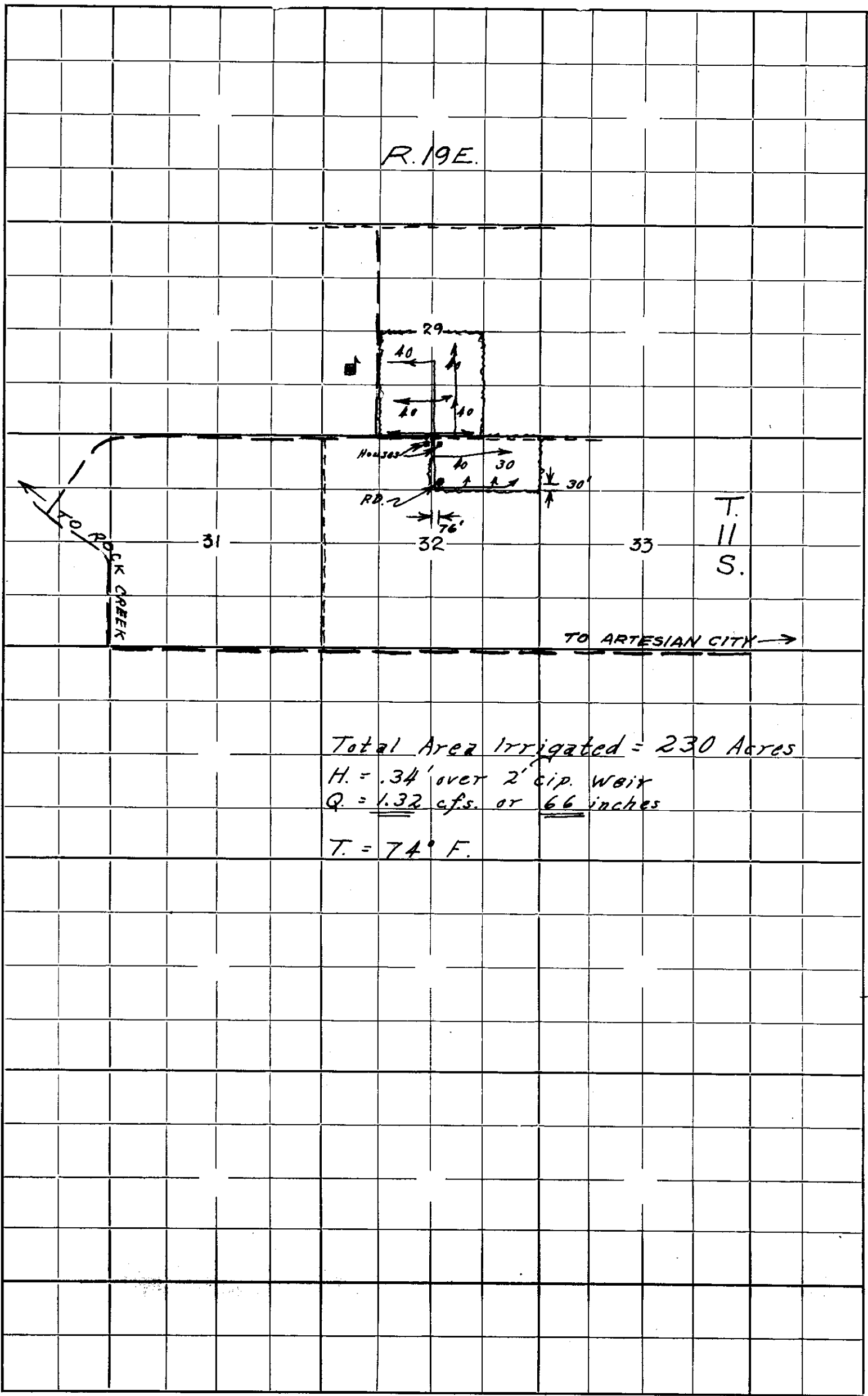
Use = Irrigation

RECEIVED
AUG 11 1952

Department of Reclamation

Priority = Sept. 9, 1950
Due = Sept. 21, 1954

Depth of well 537'
20" to 300' then 16" cast iron
casing - none
Static Water level 137'
Drawdown 88'
Depth of pump 280'
Column 6" dia. (6 stages 10" dia?)
6" discharge 21' to south into
2' x 5' concrete dividing box
Fairbanks Morse pump
PL 9706 turbine.
Fairbanks Morse induction
motor # F 93156, 50 HP
440 V, 61 amps. 60 cps.
3 phase 1770 RPM
EM switch board # 3609
50 HP, 440 V., 60 cps. 3 ph.
G.E. meter # 30 033 030
50 amps. 480 V., 60 cps, (3
phases, demand 5.38 x 10
concrete base 6' x 9'
T = 74° F
H = .34' over 2' cap. weir
Q = 1.32 cfs or 6.6 inches
beans, peas, grain, potatoes,
and hay



R. 19 E.

T.
11
S.

ROCK CREEK

Houses

RD. 2

TO ARTESIAN CITY →

Total Area Irrigated = 230 Acres
H. = .34' over 2' cip. Weir
Q. = 1.32 cfs. or 66 inches
T. = 74° F.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 21700

REPORT ON PROOF OF Beneficial use

U. E. (BILL) COUBERLY, Twin Falls, Idaho

app, 1.5 c/s.

*1.32 cfs
max*

*235 acres
6-40's*

✓
July 8, 1952

RE: Permit No. 21700

Messrs. Smith & Jacob
Box 426
Twin Falls, Idaho

ATT: Mr. Leonard H. Jacob

Dear Mr. Jacob:

We acknowledge receipt of your letter of July 1, 1952, enclosing affidavit of publication in the Twin Falls Times News in connection with Permit No. 21700, U. E. Couberly.

This completes the proof but before final action is taken in the matter, the law requires that an examination be made by an engineer from this department.

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

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

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

21700

GRAYDON W. SMITH
LEONARD H. JACOB
111 SECOND STREET WEST
TELEPHONE 2990

LAW OFFICES
SMITH & JACOB
P. O. BOX 426
TWIN FALLS, IDAHO

July 1, 1952

RECEIVED
JUL 2 1952
Department of Reclamation

Department of Reclamation
State Capitol
Boise, Idaho

Re: Permit No. 21700 - U. E. Couberly

Gentlemen:

Enclosed herewith is the affidavit of publication relative to subject permit.

I am sorry we failed to include this along with the other papers.

Very truly yours,

SMITH & JACOB

Leonard H. Jacob

Leonard H. Jacob

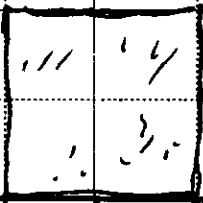
J:h
Enc.

21700

U.S. Cumberly

June 11 8 - R 19 E.

sec 29



3rd well will
reach all of this land.
sec 32

21700

Permit Map No. ~~21700~~
As Approved
SEP 21 1950
MARK R. KULP
State Reclamation Engineer

✓
June 30, 1952

RE: Permit No. 21700

Messrs. Smith & Jacob
Box 486
Twin Falls, Idaho

ATT: Mr. Leonard H. Jacob

Dear Mr. Jacob:

We acknowledge receipt of your letter of June 27, 1952, enclosing depositions of U. E. Couberly and two witnesses in proof of beneficial use under Permit No. 21700. However, the affidavit of publication is also an essential part of this proof, and the Twin Falls Times News was instructed to send this to Mr. Couberly. If he has not received it, we suggest the matter be taken up with them at once.

Meanwhile, we return Permit No. 21700 and the Certificate of Completion of Works issued thereunder which were enclosed in your letter.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

21700

GRAYDON W. SMITH
LEONARD H. JACOB
111 SECOND STREET WEST
TELEPHONE 2990

LAW OFFICES
SMITH & JACOB
P. O. BOX 426
TWIN FALLS, IDAHO

June 27, 1952

RECEIVED
JUN 28 1952
Department of Reclamation

Department of Reclamation
State Capitol Building
Boise, Idaho

Re: U. E. Couberly
Permit No. 21700

Gentlemen:

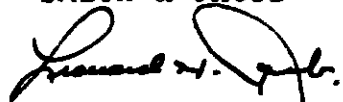
Enclosed herewith are the following papers relative
to subject permit:

Permit No. 21700
Certificate of Completion of Works
Deposition of Holder
two Depositions of Witnesses

After inspection has been made and the license issued,
we would appreciate your sending the same to our
office.

Very truly yours,

SMITH & JACOB


Leonard H. Jacob

J:h

Inner Files

21700

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 21700

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. U.E.Couberly, Twin Falls, Idaho. Real Estate Broker & Farmer,
/Feb/ P.O.Box 843, Twin Falls, Idaho.

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

Ans.

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

Ans. Permit # 21700 September 21st, 1950. Priority September 9th, 1950

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

Ans. Drilled Well, Sixty(60) feet East and 20 feet North of the S.W.
corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 32 Twn 11S Range 19 E.B.M.

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

Ans. Drilled well to open ditch well is 535 feet deep water level is
140 feet draws down to 200 feet .pump is driven by a 50 HP electric
motor 270 foot of 6 in. column. pumps the pipe completely full with
pressure throwing out 2 feet.

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. Water reaches all of the N $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 32 and the W $\frac{1}{2}$ of the SE $\frac{1}{4}$
of Sec. 29 and the E $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Sec 29 all in Twn 11S Range 19 E.
B.M.

21700

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

Ans.

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

Ans. 75 inches.

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.

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

Ans. Water was used for irrigation purposes during the entire 1951 crop season and the 1952 season to-date. Water has been covering all the land specified in the permit. Open ditches for surface irrigation.

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. Have flood right on Rock Creek, a 1911 right--flood right only. Have owned this property August 1948. There is Water License No. 19476 in existence which is for 100 inches of water, with right dated in year 1944.

(Sign)

W. E. Conboy

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that

said testimony was subscribed and sworn to before me, at my office in Twin Falls,

County of Twin Falls, State of Idaho, on this 25th day of June,

A. D. 1952.

Richard H. Paul
Notary Public for Idaho

My commission expires May 15, 1956.

21706

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 21700

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. Charles M. Heppler, age 68, Twin Falls city and County,
Real estate broker. Address: 227 5th Avenue East.

Ques. 2. Are you acquainted with U. E. Couberly, the
holder of Permit No. 21700? How long have you known him and where does
he reside?

Ans. Since 1928. Twin Falls City and County, Idaho.

Ques. 3. Have you read or heard read said Permit No. 21700, 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. Subterranean water from well located in NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 32,
Twp 11 S, R 19 E.B.M. Water is surfaced by well driven by electric
pump and water is spread over surface of area by open ditches. Water
irrigates NE $\frac{1}{2}$ NE $\frac{1}{4}$ of Sec 32 and W $\frac{1}{2}$ SE $\frac{1}{4}$ and E $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 29, all
in Twp 11S, R. 19 E.B.M.

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. 1 $\frac{1}{2}$ cubic feet per second of water and have seen that much water
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. 1 $\frac{1}{2}$ Cubic feet per second, which I judged by sight and from
years experience in so judging.

21700

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. Water used for irrigation purposes in N $\frac{1}{2}$ NE $\frac{1}{4}$ of Sec. 32 and W $\frac{1}{2}$ SE $\frac{1}{4}$ and E $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 29--40 acres in each quarter of quarter section. Cultivated crops in N $\frac{1}{2}$ NE $\frac{1}{4}$ of Sec 32 and about 70 acres in W $\frac{1}{2}$ SE $\frac{1}{4}$ of Sec. 29 with alfalfa in E $\frac{1}{2}$ SW $\frac{1}{4}$ and about 10 acres in W $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 29.

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

Ans. _____

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. All land has been reclaimed and under cultivation. Before present well was drilled there were 45 acres under sagebrush. In addition to flood water from rock creek, 3.5 cubic inches of water is required.

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 been out on the property at various times from the time crops were planted through harvest time, during the past four years.

(Signed) Charles M. Hoyle

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Twin Falls, County of Twin Falls, State of Idaho, on this 25th day of June, A. D. 19 52.

Leonard J. Paul
Notary Public.

My commission expires May 15, 1956.

21700

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 21700.

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. Thomas E. Shouse, age 31, of Route 2, Hansen, Twin Falls County,
Idaho. I am presently a farmer.

Ques. 2. Are you acquainted with U. E. Couberly, the
holder of Permit No. 21700? How long have you known him and where does
he reside?

Ans. yes, and he resides in Twin Falls City and County, Idaho.

Ques. 3. Have you read or heard read said Permit No. 21700, and are you
familiar with its provisions and conditions?

Ans. yes and I know of the provisions.

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. Subterranean with source by well located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section
32, twp 11 s, R 19 E.B.M. Well is presently 530 feet more or less with
pump driven by electric motor. Water covers N $\frac{1}{2}$ NE $\frac{1}{4}$ of Sec 32, and W $\frac{1}{2}$ SE $\frac{1}{4}$
and E $\frac{1}{2}$ SW $\frac{1}{4}$ of Sec. 29, twp 11, R 19 E.B.M. Water is diverted over area
by means of open 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. 1 $\frac{1}{2}$ cubic feet of water per second. I have been farming the
land for the past two years.

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. 1 $\frac{1}{2}$ Cubic feet per second. I have been farming the place for
the past two years, I have farmed all my life, and from such
experience with irrigated farms arrive at the above figure.

21700

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. Water used for irrigation purposes. E¹/₄SW¹/₄ of Sec. 29 is presently in alfalfa with W¹/₂SE¹/₄ of Sec 29 in alfalfa-10 acres and rest or 70 acres in cultivated grain. N¹/₂NE¹/₄ in cultivated grain, with 75 acres under cultivation. 45 acres were cleared at the time this well went into production.

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

Ans. _____

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. 45 acres cleared at time well went into operation. All ~~xx~~ land under permit is under cultivation including hay crops. Present well is needed to augment other sources of water.

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

Ans. I have only as a tenant of U.E. Couberly. I do not own any of the place or works however.

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 farmed the place during the 1951 and 1952 season and live on the premises.

(Signed) Thomas E. Shouse

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Twin Falls, County of Twin Falls, State of Idaho, on this 25th day of June, A. D. 1952.

Louise A. Galt
Notary Public.

My commission expires May 15, 1956.

May 20, 1952

RE: Permit No. 21700

Mr. U. E. Couberly
Box 843
Twin Falls, Idaho

Dear Mr. Couberly:

We enclose Certificate of Completion of Works issued under Permit No. 21700, for the diversion of 1.5 second feet of water from a well in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 32, Township 11 South, Range 19 East, B.M., for the irrigation of land in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 32, and the E $\frac{1}{2}$ SW $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 29, Township 11 South, Range 19 East, B.M.

We also enclose departmental receipt No. 24454 for the \$5.00 fee paid in connection with proof of completion of works.

We have sent to the Times News of Twin Falls, notice of beneficial use proof to be made under this permit on June 25, 1952, with instructions to publish it once a week for four consecutive weeks prior to that date and to send you the affidavit of publication together with statement of costs.

At the time set, you should appear before Mr. Leonard H. Jacob, Notary Public, together with two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder for the purpose of executing depositions on the forms enclosed.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

21700

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. 21700

Date: May 17, 1952

Times-News

Twin Falls, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to June 25, 1952 , the date set for proof, the expense of the publication to be paid by the applicant, U. E. Couberly of Box 843, Twin Falls, Idaho , to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

MARK R. KULP

State Reclamation Engineer

By

Chief Clerk

21700

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

Notice is hereby given that at 10 A. M. on the 25th day of June, 1952
at Twin Falls, County of Twin Falls, State of Idaho, before
Leonard H. Jacob Notary Public, proof will be submitted of the
or 1.5
application to beneficial use of 7.5 inches cubic feet per second of the waters of underground
flow in accordance with the terms and conditions of Permit No. 21700
heretofore issued by the ~~State of Idaho~~ Dept. of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are U. E. Couberly
P.O. Box 843, Twin Falls, Idaho

The use to which said water has been applied is Irrigating

The amount applied to beneficial use is 7.5 inches

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated)
~~the place where said water is used~~
The North Half of the Northeast Quarter (N $\frac{1}{2}$ NE $\frac{1}{4}$) of Section 32 and the
East Half of the Southwest Quarter (E $\frac{1}{2}$ SW $\frac{1}{4}$) and Section 20 and the West
Half of the Southeast Quarter (W $\frac{1}{2}$ SE $\frac{1}{4}$) of Section 29, all in Township 11S
Range 19 E., B.M. Twin Falls County, Idaho.

The name of the canal or ditch or other works by which said water is conducted to such place of use is Ditch from well.

The right to take water from such works is based upon Permit No. 21700

The source of supply from which such water is diverted is Drilled well in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 32,
Twp. 11 S., Range 19 E., B.M.

The date of priority which said user is prepared to establish is September 9th 1950

MARK R. KULP

State Reclamation Engineer.

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) May 15th. 1951

(P. O.) Box 843, Twin Falls, Idaho.

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho.

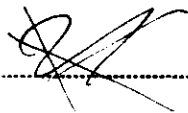
Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
Twin Falls, Times News of Twin Falls, Idaho. published in
the county in which the works are situated.

U. E. Conberly

(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.

21700

Permit No. 21700

STATE OF IDAHO
Department of Reclamation

RECEIVED
MAY 16 1952
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Twin Falls

ss.

U. E. Couberly

, 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. 21700, and that his postoffice address is Box 843 Twin Falls, State of Idaho.

Second: That the name of the stream which said water is to be ^{FROM} ~~directed~~ ^{DIVERTED} is
A drilled well

Third: That the point of diversion of said water is 60 feet East and 20 feet North of the of thw Southwest corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 32 Twn 11S Range 19 EBM

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by Sept. 21, 1952.

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

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: Drilled well and installed pump.

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

II. Dimensions of work: 20 inch well 535 feet deep

(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 none acre feet.

(c) Size of headgate: Width ditch 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 100 inches second feet of water.

Eighth: That water appropriated under said permit is available for 240 acres of land described as follows: The North $\frac{1}{2}$ of the NE $\frac{1}{4}$ Sec 32 Twn 11 S Range 19 E.B.M. and the East half of the SW $\frac{1}{4}$ and the West Half of the SE $\frac{1}{4}$ in Section 29, Twn. 11S Range 19 E.B.M. Twin Falls County, Idaho.

Ninth: Remarks: That This water all runs in a Northerly direction and the head ditch runs East from the well reaching practically all of the 240 acres.

U. E. Couberly
(Sign Here)

Subscribed and sworn to before me this 15th day of May, 1952.

My commission expires May 15, 1952

Notary Public.

Y

April 28, 1952

RE: Permit No. 21700

Mr. Bill Couberly
P. O. Box 843
Twin Falls, Idaho

Dear Mr. Couberly:

In reply to your letter of April 26, 1952, in regard to proofs on your Permit No. 21700.

Proof of completion of works should be made on Form 6 enclosed, executed before a Notary Public and returned to this department with the statutory fee of \$5.00.

Before making proof of beneficial use, the law requires publication of a notice in a local newspaper once a week for four weeks prior to making the proof. This notice should be made in duplicate on Form 10 enclosed, setting time and place and naming the Notary Public before whom proof is to be made. Both copies of Form 10 to be returned to this department together with Form 11 which is your authorization for us to have the notice published in the designated county newspaper.

We shall then send a copy of the notice to the newspaper with instructions in regard to publishing, and shall send you the forms of deposition to be executed by yourself and two witnesses in proof of beneficial use.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

21700

BILL COUBERLY

Real Estate — Loans — Insurance.

PHONE 1090

109 MAIN AVENUE EAST

P. O. BOX 843

TWIN FALLS, IDAHO

April 26th. 1952

RECEIVED
APR 28 1952

Department of Reclamation

State Reclamation Engineer
Boise, Idaho.

Dear Sir;

I would like to establish final proof of my
Permit #21700 for underground water for irrigating.

Will you please send me the necessary blanks
to fill out, and establish proof.

Yours Very Truly

W. E. Couberly.
W E (Bill) Couberly.

Form 6 + 16 - 11

21700

September 26, 1950

Re: Permit No. 21700

Mr. Bill Couberly
109 Main Avenue East
Twin Falls, Idaho

Dear Mr. Couberly:

We enclose Permit No. 21700 in the name of U. E. Couberly, 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 Departmental Receipt No. 22647 for the \$5.25 filing fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh
Enc.

21700

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS } ss.

N^o 4320

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10 A.M. on the 26th day of June, 1952, at Twin Falls, County of Twin Falls, State of Idaho, before Leonard E. Jantz, Notary Public, proof will be submitted of the application to beneficial use of 75 inches or 1.5 cubic feet per second of the waters of underground flow in accordance with the terms and conditions of Permit No. 21700 heretofore issued by the Dept. of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are U. E. Gentry, P.O. Box 545, Twin Falls, Idaho.

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

The amount applied to beneficial use is 75 inches.

The place where said water is used: The North Half of the Northeast Quarter (NE¹/₄) of Section 32 and the East Half of the Southwest Quarter (E¹/₂ SW¹/₄) and the West Half of the Southwest Quarter (W¹/₂ SW¹/₄) of Section 29, all in Township 11S, Range 19 E. E.M. Twin Falls County, Idaho.

The nature of the canal or ditch or other works by which said water is conducted to such place of use is Ditch from well.

The right to take water from such works is based upon Permit No. 21700.

The source of supply from which such water is diverted is drilled well in NW¹/₄ NE¹/₄ Section 22, Twp. 11 S., Range 19 E., E. M.

The date of priority which said user is requested to establish is September 2, 1950.

MAK E. EULP

State Reclamation Engineer.
Published May 20, 21, June 2, 10, 1952

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

4 consecutive Tuesdays, commencing with the issue dated May 20, 1952, and ending with the issue dated June 10, 1952

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

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

Subscribed and sworn to before me this 17th day of

June, 1952

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



C. A. ROBINS
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

September 7, 1950

Mr. Bill Couberly
109 Main Avenue East
Twin Falls, Idaho

Dear Mr. Couberly:

We acknowledge receipt of the application of U. E. Couberly to appropriate 75 inches of water from a well for the irrigation of the $E\frac{1}{2}SW\frac{1}{4}$ and $W\frac{1}{2}SE\frac{1}{4}$ Section 29 and the $N\frac{1}{2}NE\frac{1}{4}$ Section 32, Township 11 South, Range 19 East, B.M.

In checking this application, we note that Question 4 describes the location of the point of diversion as being 60 feet east and 20 feet North of the Southwest corner of the Northwest quarter of Section 32, although the sketch map shows it in the Southwest corner of the $NW\frac{1}{4}NE\frac{1}{4}$ ✓ of this Section.

Doubtless this is an error in Question 4, but we return the application and sketch map in order that they may be reconciled.

The filing fee of \$5.25 should accompany the application.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By

Jeannie L. Anderson
Chief Clerk

A:bh
Enc.

The Map is Correct.

U. E. Couberly

RECEIVED
SEP 9 1950
Department of Reclamation

August 29, 1950

Mr. Bill Couberly
Box 843
Twin Falls, Idaho

Dear Mr. Couberly:

In reply to your request of August 18, 1950, we enclose a form of Application for Permit to Appropriate the Public Waters of the State of Idaho, together with a pamphlet giving regulations and instructions in regard to filing same.

We are sorry not to have been able to send this application sooner but we have been temporarily out of the forms. This form is used for filing on subterranean water from a well the same as from any other source. The point of diversion called for under Question 4 should be the legal subdivision in which the well is located.

When this application is approved it will be signed by the proper State Officials and sent you as a use permit under which you may proceed with the construction of the work described in the application. In order to complete your water right, two proofs are required as follows:

First, proof of completion of works which is made by affidavit before a Notary Public. The time required for making this proof should be stated under Question 12 in the application.

The final proof is made when the water has been completely applied for irrigation or whatever purpose it is intended. Notice of such proof must be published for four consecutive weeks in a county newspaper at your expense and at the time set for proof, depositions are to be executed by yourself and two witnesses in proof of such beneficial use. The additional time required for making this proof should be stated under Question 13 of the application.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh
Enc.

21700

BILL COUBERLY

109 Main Avenue East
Telephone 1090

Real Estate and Insurance
TWIN FALLS, IDAHO.....

August 18th. 1950

RECEIVED
AUG 19 1950
Department of Reclamation

Department of Reclamation
Boise, Idaho.

Dear Sirs;

Will you please send me an Application Blank
for drilling a well for irrigating purposes, in Twin Falls
County.

Yours Very Truly

Bill Couberly

Bill Couberly
Box 843
Twin Falls, Idaho.

21500