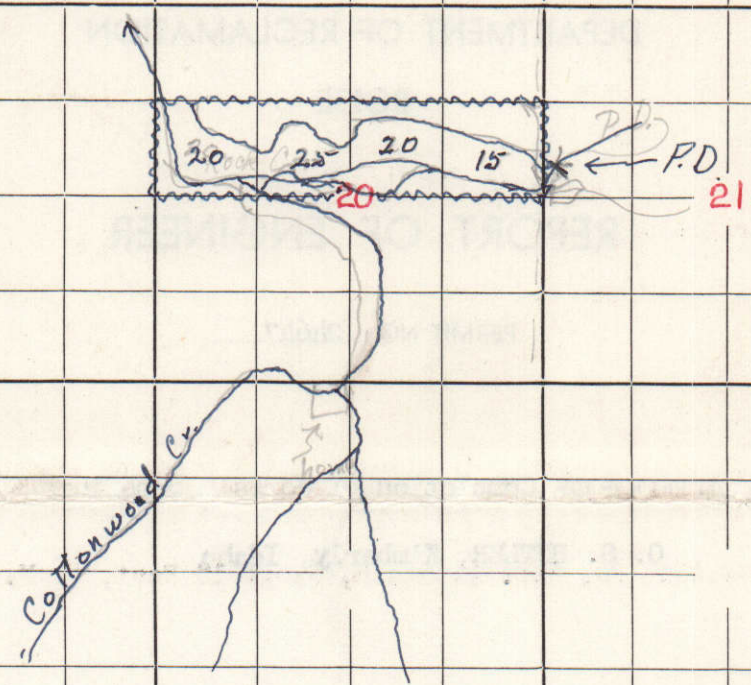


TO KIMBERLY

Mr B. says 80 acres irrig.

R-18E.

T.  
11  
S.



Subdivisions = 4

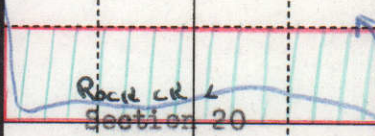
Area = 80 acres

Q = 80 inches.

NAME OF APPLICANT J. S. Butler

Form No. 0

T 11 S - R 18 E.



Permit Map No. 24647  
As Approved  
JAN 9 1954  
MARK R. KULP  
State Reclamation Engineer

**State of Idaho**  
**License and Certificate of Water Right**

**45-2471**

Water License No. 24647

Amount 1.6 second feet

Water District No. \_\_\_\_\_

Priority January 6, 1954

THIS IS TO CERTIFY that O. S. BUTLER  
of Kimberly, Idaho, made application for a permit to appropriate the  
public waters of the State of Idaho, dated January 6, 19 54; that Permit No. 24647  
was issued under said application; that Certificate of Completion of works, with a carrying capacity of  
1.6 second feet, was issued thereunder on December 12, 19 55, showing that said works  
were completed on the 13th day of September, 19 54; and that on the 13th  
day of September, 19 54,

O. S. 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 Rock  
Creek, a tributary of SNAKE RIVER, for the purpose of Irrigation  
, under Use Permit No. 24647 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 5635, on the 12th day of December, 19 55;

The right hereby confirmed dates from January 6, 19 54;

The Point of Diversion is located  
in the SW 1/4 NW 1/4, Sec. 21, Tp. 11 S R. 18 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 1.6 cubic feet per second.

Description and location of use:

| Twp.  | Range | Sec. | Forty-acre Tract                                              | No. Acres<br>Described in Permit | No. Acres<br>Actually Irrigated |
|-------|-------|------|---------------------------------------------------------------|----------------------------------|---------------------------------|
| 11 S. | 18 E. | 20   | SW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> | 40                               | 20                              |
|       |       |      | SE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> | 40                               | 15                              |
|       |       |      | SW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> | 40                               | 20                              |
|       |       |      | SE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> | 40                               | 25                              |
|       |       |      | 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  
12th day of December, 19 55.

MARK R. KULP

State Reclamation Engineer.

(SEAL)

~~45-2471~~  
47-2467

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

APPLICATION No 32454  
PERMIT No. 24647  
DISTRICT No.

1. Name of Applicant: **O. S. 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: **160 miner's inches, or 3.2** cubic feet per second.
3. Source of water supply **Rock Creek** which is a tributary of **Snake River**
4. Location of point of diversion: **200 feet Northeast** ~~feet distant~~ from the **1/4**  
**between Secs. 20 and 21**  
corner ~~of~~ Section **, T. 11 S. , R. 18 E. , B. M., and is in the SW 1/4 NW 1/4**  
of Section **21** , T. **11 S. , R. 18 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: **\$1,000.00**
8. Kind of works: **Rock diversion dam and gravity canal onto the land**
9. Height of dam **3** feet; length of dam at top **20** feet; length of dam at bottom **15**  
feet; material used in dam: **Rock and earth**
10. Size of headgate: Width **3** feet; height **3** feet.
11. Ditch: Width at bottom **18 inches** ~~feet~~ width at water line **2** feet; depth of water **16 inches** ~~feet~~;  
dimensions of flume: **None**  
Diameter of pipe **inches; length of conduit** **miles.**  
Average grade per mile **feet.**
12. The time required for the completion of such work is **Three (3)** years.
13. The time required for the complete application of the water to the proposed use is **Three (3)** 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**

16. (a) Is reservoir to be used? **No-only diversion** /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.

O. S. BUTLER      Applicant.

By \_\_\_\_\_ Agent.

Date of first receipt at Department of Reclamation: 3:45 P. M. January 6, 1954

Returned to applicant for correction:

**Corrected application received:**

### Approval of State Reclamation Engineer

The number of this permit is 24647

Recorded in Book 87 Page 24647 Approved January 9, 1954

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 **March 9, 1954** 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 **July 9, 1955**

The whole of said work to be completed on or before **January 9, 1957**

Beneficial use of water appropriated in accordance herewith, to be made on or before **January 9, 1960**

WITNESS My hand this 9th day of January, 1954

**MARK R. KULP**  
*State Reclamation Engineer.*

IN TESTIMONY WHEREOF, WE, LEN JORDAN, Governor of the State of Idaho,

and IRA H. MASTERS, Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 9th

day of January, 1954.

STATE OF IDAHO

Countersigned:

By **LEN JORDAN**

Governor.

(SEAL) By **IRA H. MASTERS**

By Paula L. Fleenor *Secretary of State.*  
Acting Secretary of State

REMARKS: This is to divert gravity water from Rock Creek onto my deeded lands as per the attached maps. This water has been used on this land for irrigation since 1924 and I am prepared to show beneficial use and completion of works on the land within the time applied for in this permit. All of the water will be used for irrigation purposes on the land as described, and I am the owner of the land and am prepared to carry out the provisions of this permit when allowed.

| 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 $\frac{1}{4}$ |        |
| 11 S.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 18 E. | 20   |                  |                  | 40               | 40               |                  |                  | 40               | 40               |                  |                  |                  |                  |                  |                  |                  | 160              |        |
| Permit No. 24647<br>CERTIFICATE OF COMPLETION OF WORKS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
| TO ALL WHOM IT MAY CONCERN:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
| This is to certify that O. S. BUTLER of Kimberly, County of Twin Falls, and State of Idaho, the holder of Permit No. 24647, issued upon application No. 32454 bearing date of priority of January 6, 1954, authorizing the diversion of 3.2 second feet of the waters of Rock Creek, a tributary of Snake River, 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 1.6 second feet of the waters of Rock Creek; that the point of diversion of said waters is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 21, Township 11 South, Range 18 East, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: S $\frac{1}{2}$ NE $\frac{1}{4}$ and S $\frac{1}{2}$ NW $\frac{1}{4}$ Section 20, Township 11 South, Range 18 East, B.M. |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
| Witness my hand this 12th day of December, A. D. 1955.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
| MARK R. KULP<br>State Reclamation Engineer                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
| Proof of completion of works made September 13, 1954<br>Certificate of Completion of Works issued December 12, 1955.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
| LICENSE ISSUED FOR 1.6 SEC. FT.<br>p. 5635                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |

September 15, 1971

Re: License Nos. 45-2471  
47-2274  
Permit No. 47-2401

PARRY, ROBERTSON, DALY & LARSON  
Post Office Box #525  
The Idaho First National Bank Building  
Twin Falls, Idaho 83301

ATTENTION: John R. Coleman:

Dear Mr. Coleman:

In reference to your letter of August 24, 1971, please find enclosed the Department's application for beneficial use form to be used to complete Permit No. 32251/47-2401. Permit No. 24643 has been re-numbered to 47-2274 and is licensed in the amount of 1.6 cubic feet per second. The source of water supply under this license is Rock Creek, tributary to the Snake River. The point of diversion is described as being in the SW $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 21, Township 11S, Range 18E. The license is appurtenant to 80 acres located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$  and the SW $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 20, Township 11S, Range 18E.

Permit No. 24646 has been re-numbered to 45-2471 and is also licensed. It is in the amount of 1.0 cubic feet per second and the source of water is a ground water source. The point of diversion is described as the SW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 20, Township 11S, Range 18E and the license is appurtenant to 55 acres located in the W $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 20, Township 11S, Range 18E. The priority for this license is January 6, 1954 and the priority for License No. 47-2274 is January 6, 1954.

If you should have any further questions in reference to this matter, please feel free to contact this Department.

Very truly yours,

Dorian Clay  
Appropriation Examiner

DC:cs

Enclosures

75 10121

PARRY, ROBERTSON, DALY & LARSON

LAWYERS

THE IDAHO FIRST NATIONAL BANK BUILDING

P. O. BOX 525

TWIN FALLS, IDAHO 83301

TELEPHONE  
(208) 733-3722

R. P. PARRY  
T. M. ROBERTSON  
JOHN H. DALY (1913-1968)  
BERT LARSON  
C. G. MCINTYRE  
JOHN R. COLEMAN  
THOMAS G. NELSON  
JOHN A. RUSHOLT  
FRED D. DECKER  
ROBERT C. PAINE

August 24, 1971

Department of Water Administration  
State House Annex No. 2  
Boise, Idaho

Re: Permit No. 32251

45-2471

Gentlemen:

Our client, Mr. William G. Allen, has completed all of the works necessary for the application of water to beneficial use with regard to the above permit. Would you please send to me the necessary documents to complete this filing for him so that a license may be granted.

Mr. Allen has also requested that we learn from you the priority dates of permit numbers 24647 and G-24646. I do not have any information concerning the names of the parties to which these permits were issued and would appreciate your brief description of these permits showing name of holder, priority, source of water and whether or not these permits have been licensed.

Your cooperation and assistance is greatly appreciated.

Sincerely yours,

*John R. Coleman*  
JOHN R. COLEMAN

JRC:sh

45-2471

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

Notice is hereby given that at 10 A.M., on the 13th day of September, 1954, at Boise, County of Ada, State of Idaho, before Harley M. McDowell, Notary Public, proof will be submitted of the completion of works for the diversion of 3.2 cubic feet per second of the waters of Rock Creek and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 24647 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are O. S. Butler, Kimberly, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use, in accordance with the plans accompanying the application for such permit, is 3.2 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 3.2 cubic feet per second.

4. The place where said water is used is S $\frac{1}{2}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ , Section 20, T 11 S-R 18 E, B. M.

5. The date of priority which said user is prepared to establish is January 6, 1954.

**MARK R. KULP**

State Reclamation Engineer  
(Publish Aug. 12, 19, 26; Sept. 2.)

1954

December 14, 1955

RE: Permit No. 24647

Mr. O. S. Butler  
Kimberly  
Idaho

Dear Mr. Butler:

We enclose Certificate of Completion of Works also License and Certificate of Water Right issued under Permit No. 24647 confirming your right to the use of 1.6 second feet of water from Rock Creek with point of diversion in the SW $\frac{1}{4}$ NE $\frac{1}{4}$  Section 21, Township 11 South, Range 18 East, B.M. with priority of January 6, 1954 for the irrigation of land in the S $\frac{1}{4}$ NE $\frac{1}{4}$  and S $\frac{1}{4}$ W $\frac{1}{4}$  Section 20, Township 11 South, Range 18 East, B.M.

We also enclose departmental receipt No. 27737 for the \$13.00 completion of works and License fees.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A:hl  
Enc.

45-2471  
~~24647~~

October 19, 1955

RE: Permit No. 24647

Mr. O. S. Butler  
Kimberly  
Idaho

Dear Mr. Butler:

The report of our field engineer on examination for completion of works and beneficial use on your Permit No. 24647 shows that you have irrigated 80 acres in the S<sub>2</sub>NW<sub>4</sub>, S<sub>1</sub>NE<sub>4</sub> Section 20, Township 11 South, Range 18 East, B.M.

A Certificate of Completion of Works and License can, therefore, be issued for 80 inches or 1.6 second feet of water from Rock Creek upon receipt of the statutory fees amounting to \$5.00 for completion of works and \$8.00 license fee, or a total of \$13.00.

Very truly yours,

MARK R. KILP  
State Reclamation Engineer  
By

Chief Clerk

A:hll

24647

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

Permit No. 24647

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

1. Name of applicant O. S. Butler, Kimberly, Idaho
2. Source of water supply: Rock Creek SW
3. Location of point of diversion: Is in the SE 1/4 NW 1/4 of Section 21  
T11 S. R. 18 E. County of Twin Falls
4. Describe works as they exist, giving dimensions and capacities of same: There is a rock and manure dam in Rock Creek at the point of diversion approximately 4' high by 20' long on the top by 4' wide. The spillway is through and over the rocks in the center of the dam. Diversion ditch is 4' wide in the bottom. Irrigation is from a large ditch on the north side of the field. All irrigation by gravity. The source of this water is Rock Creek.
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):  
S 1/2 NW 1/4, S 1/2 NE 1/4 Section 20, Twp. 11 South, Range 18 East, B. M.  
See the 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: NOTE: Mr. Butler has canal water out of the Twin Falls Highline and has made a deal with the Canal Company whereby a 14" pipe extends across under the canal from the point of delivery in the South to a sump where he uses a 50 hp Westinghouse Motor and Pump to take all of his canal water to the South to high ground where he has developed a good farm. The water under Permits Nos. G-24646 G-24644 and 24647 actually replaces the canal water which has been moved to the higher ground to the South.

This examination was made on the 19 day of July, 1953

(Signed)

E. N. Humphrey  
Examiner.

24647

Rock & masonry dam  
in Rock Cr. 20' l. x 4' h,  
x 4' w. Spills over rock  
in center

ditch 4' w. in bottom  
fast flowing - est.  
6" deep x 2' w.  
est. 125" flowing now.  
Partly off for hayens.

#### 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**  
SEP 12 1955  
Department of Reclamation

<sup>Carried 35315</sup>  
O. S. Butler Kimberly  
Kimberly, Idaho

Permit No. 2447

Examination for Completion of Works  
and Beneficial Use

County Twin Falls

21-11S.-18E.

Q = 3.2 c.f.s.

S = Rock Creek

P.D. = SW.NW., Sec. 21, T.11S.-R.18E.

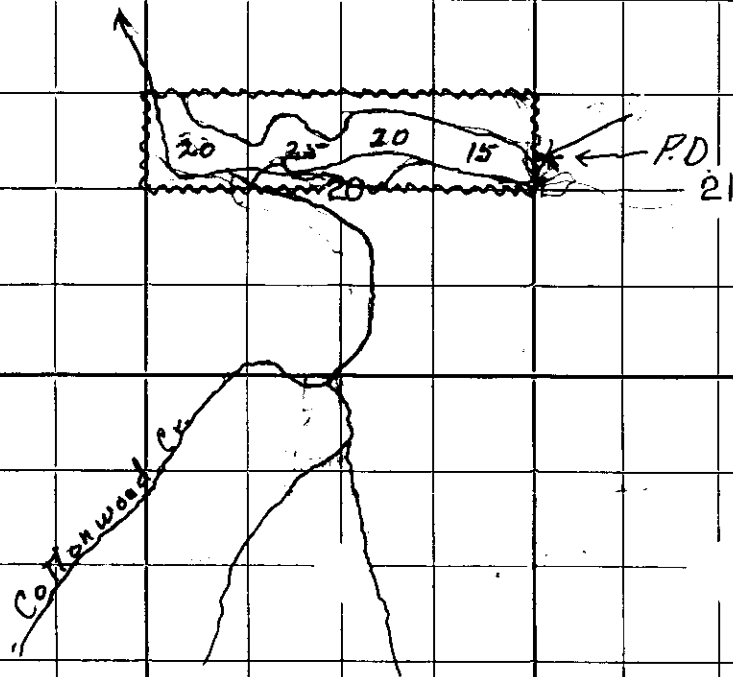
Use - Irrigation

Priority = Jan. 6, 1954  
Due = Jan. 9, 1960

Use 50 hp. wheel motor  
1300' x 14" pipe line.  
total lift 35'  
10" ditch to S,  
del. fr. canal is to N.  
Piped under canal back to  
pump. 14" pipe (steel)  
Exchange water.

R-18E.

T.  
11  
S.



Subdivisions = 4

Area = 80 acres

Q = 80 inches.

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE

REPORT OF ENGINEER

PERMIT NO. 21617

REPORT ON PROOF OF Completion of Works & Beneficial Use

O. S. BUTLER, Kimberly, Idaho

*166fs  
me*

*app 3.20/5*

*80 acres  
H-40'S*

September 24, 1954

RE: Permits Nos. 24644, ~~24645~~, 24647

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

Dear Mr. McDowell:

We have filed the depositions of O. S. Butler and two witnesses also affidavit of publication in the Kimberly Advertiser, all submitted in proof of completion of works and beneficial use on the above numbered Permits.

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 Mr. Butler 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

A:hll  
cc

Mr. O. S. Butler  
Kimberly  
Idaho

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

**RECEIVED**  
SEP 23 1954  
Department of Reclamation

Permit No. 24647

## Proof of Application of Water to Beneficial Use and Completion of Works Deposition of Holder

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

Ans. My name is O.S. Butler; residence, Kimberly, Idaho; occupation, agriculture and livestock; postoffice address, 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. Individual.

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

Ans. The number of my permit is 24647; date of permit, January 9, 1954; date of priority, January 6, 1954.

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

Ans. The source of this water is Rock Ck. a tributary of Snake River and diversion is approx. 240' NE from the 1/4 corner between sections 20 and 21 and is in SW1/4, Sec. 21, T11S-R18E., 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. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. The works for diversion consist of a rock and earth dam about 3' high, 20' long, 15' at bottom which diverts the water into a ditch with approx. 18" bottom, 2' wide at water line and 16-18" deep. These works and ditches are capable of conducting and diverting 200" of water.

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

Ans. This water is used for irrigation. In the SW1/4, 30 acres; SE1/4, 30 acres; SW1/4, 30 acres; SE1/4, 30 acres have actually been irrigated by the use of this water. The land has been cultivated. There is no natural meadow here. I have raised hay but this is very good bottomland capable of raising row crop, potatoes, beets or any other crop. This land is exceptionally fertile and productive. We have grown turnips, and other vegetable products on this land also but it is absolutely necessary that a person have a good head of water to irrigate this land. It requires more than an average amount of water for irrigation but if the right amount of water is available, any crop can be grown. I have spent about \$1000 in the diversion and distribution works here and approx. \$3000 on land. All this development was in connection with the use made for irrigation.

45-2471  
~~24647~~

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

Ans. Only for irrigation.

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

Ans. The 160 inches I applied for here is the absolute minimum that I can profitably irrigate this land with.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. I am the person who applied for this permit.

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

Ans. This land has actually been irrigated since the 1880s. I started this development in 1924 and have farmed it continuously since that time raising all types of crop with irrigation water. There are no other waters appurtenant to this land and it should be made clear that this is not any water originating from natural creek flow. This is all percolation water and return flow water which is available at my point of diversion.

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. No other waters appurtenant to this land.

(Sign)

*O. S. Butler*

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Boise, County of Ada,

State of Idaho, on this 13 day of September, A. D. 1954,

*Harley H. McDaniel*  
Notary Public for the State of Idaho

My commission expires 10/11/55

24647

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

PERMIT NO. 24647

**Proof of Application of Water to Beneficial Use**

**Deposition of Witness and Completion of Works**

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

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

Ans. My name is Alvie L. Johnson; age, 30; residence, 6½ miles south and 1½ miles west of Kimberly, Idaho; occupation, farming; postoffice address, Rt. 2, Kimberly, Idaho.

Ques. 2. Are you acquainted with O.S. Butler, the holder of Permit No. 24647? How long have you known him and where does he reside?

Ans. I have known him 15 years and know that he now resides in Kimberly, Idaho.

Ques. 3. Have you read or heard read said Permit No. 24647, and are you familiar with its provisions and conditions?

Ans. Yes, I have read this permit and am familiar with its provisions and conditions.

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. The source of the water supply is Rock Creek, tributary of Snake River; place of diversion 240' NE from 1/4 corner between sections 20 and 21 and is in the SW¼NW¼, Sec. 21, T 11 S - R 18 E, B.M. The works for conveying water from pt. of diversion to place of use consist of a rock and earth dam, 3' high, 20' long, 15' bottom leading into a ditch with an 18" bottom, 2' wide and 16-18" deep.

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

Ans. I would estimate said works will safely conduct to place of use 200" and have seen this amount so conveyed.

Ques. 6. 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. This water is used for irrigation. The subdivisions irrigated are as follows: SW¼NE¼, 30 acres; SW¼NW¼, 30 acres; SE¼NE¼, 30 acres; SE¼NW¼, 30 acres. All land is cultivated and the improvements listed above were as a direct result of this use.

24647

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

Ans. Irrigation only.

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. This land will produce any type of row crop and also hay and grain. I would say that at least 160 inches is required for profitable cultivation. It is necessary to have this to provide an adequate head for irrigation.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. None.

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. The first time I viewed this land and saw the water put on it for irrigation was in 1937; however, I know it was under irrigation for many years before that time and have seen it irrigated regularly since 1937. I have irrigated on this land myself since 1945.

(Signed)

Alvie L. Johnson

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

County of Ada, State of Idaho, on this 13 day of September,

A. D. 19 54.

Harley M. L. F. Daniel

Notary Public.

My commission expires 10/11/55

24647

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

PERMIT NO. 24647

**Proof of Application of Water to Beneficial Use**

**Deposition of Witness and Completion of Works**

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

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

Ans. My name is Homer H. Butler; age, 58; residence, 2½ miles east of Kimberly, Idaho; occupation, agriculture; postoffice address, Rt. 2, Kimberly, Idaho.

Ques. 2. Are you acquainted with O.S. Butler, the holder of Permit No. 24647? How long have you known him and where does he reside?

Ans. I have known him all my life and know that he now resides in Kimberly, Idaho.

Ques. 3. Have you read or heard read said Permit No. 24647, 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. The source of this water is from Rock Creek which is a tributary of the Snake River; place of diversion about 240' NE from 1/4 corner between sections 20 and 21 and is in the SW¼NW¼, Sec. 21, T 14N R 18E, B.M. Works consist of a rock and earth dam, 3' high, 20' long, 15' at bottom which diverts into a ditch 18" bottom, 2' wide and 16-18" deep.

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

Ans. I estimate said works will safely conduct 200" to the place of use and have seen this amount so conveyed.

Ques. 6. 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. This water is used for irrigation in the SW¼NE¼, 30 acres; SW¼NW¼, 30 acres; SE¼NE¼, 30 acres; SE¼NW¼, 30 acres. This is cultivated land and all improvements listed above are a direct result of this use.

24647

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

Ans. Irrigation only.

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. This is good land to produce any type of row crop, hay or grain and requires at least 160 inches for profitable irrigation to have sufficient head and amount of water to adequately irrigate this land.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. I have no interest in the lands mentioned whatever.

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I have had occasion to irrigate on this property and visit it and have been regularly acquainted with it since 1934 and know it was in production and being irrigated by this source and over these works to beneficial use of this land even prior to this time. I know that this is all return flow percolation water.

(Signed) Homer H. Butler

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

County of Ada, State of Idaho, on this 13 day of September

A. D. 19 54

Harley L. C. Daniel

Notary Public.

My commission expires 10/11/55

24647

# **AFFIDAVIT OF PUBLICATION**

---

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

Notice is hereby given that at 10 A.M., on the 13th day of September, 1954, at Boise, County of Ada, State of Idaho, before Harley M. McDowell, Notary Public, proof will be submitted of the completion of works for the diversion of 3.2 cubic feet per second of the waters of Rock Creek and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 24647 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are O. S. Butler, Kimberly, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use, in accordance with the plans accompanying the application for such permit, is 3.2 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 3.2 cubic feet per second.

4. The place where said water is used is S $\frac{1}{2}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ , Section 20, T 11 S-R 18 E, B. M.

5. The date of priority which said user is prepared to establish is January 6, 1954.

**MARK R. KULP**

State Reclamation Engineer  
(Published Aug. 12, 19, 26; Sept 2.)

---

KIMBERLY ADVERTISER

KIMBERLY, IDAHO

# AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }  
County of Twin Falls } ss.

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

That I am publisher of the Kimberly Advertiser, a newspaper of general circulation in Twin Falls County, Idaho, published weekly in Kimberly in said county and state; that a true copy of the annexed notice was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for 4 consecutive weeks, commencing with the issue dated August 12, 1954, and ending with the issue dated September 2, 1954.

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

Edith Raustadt

Subscribed and sworn to before me this 13<sup>th</sup> day of September, 1954  
Lawrence H. Haddock  
Notary Public for the State of Idaho.

(My commission expires February 15, 1957.)

24647

✓

\_\_\_\_\_

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

Dear Mr. McDowell:

We have sent to the Kimberly Advertiser, notices for completion of works and beneficial use proof on the above numbered Permits in the name of O. S. Butler to be made September 13, 1954, before you as Notary Public.

We enclose the necessary forms of deposition to be used in making these proofs.

Very truly yours,

MARK R. KLP  
State Reclamation Engineer  
By

**Chief Clerk**

A:hll  
Enc.

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) June 22, 1954

(P. O.) Kimberly, Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the  
The Kimberly Advertiser of Kimberly, Idaho published in  
the county in which the works are situated.



(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.

24647

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

Notice is hereby given that at 10 A. M., on the ~~IX~~ 13 th day of September, 1954, at Boise, County of Ada State of Idaho, before Harley M. McDowell, Notary Publ proof will be submitted of the completion of works for the diversion of 3.2 cubic feet per second of the waters of Rock Creek and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 24647 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are O.S. Butler, Kimberly, Idaho
2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use, in accordance with the plans accompanying the application for such permit, is 3.2 cubic feet per second.
3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 3.2 cubic feet per second.
4. The place where said water is used is S1 NW 1, S1 NE 1, Section 20, T 11 S - R 18 E, B.M.
5. The date of priority which said user is prepared to establish is January 6, 1954.

MARK R. KULP

State Reclamation Engineer

24647

January 14, 1954

RE: Permits Nos. G-24644, G-24645, G-24646 & 24647

Mr. Harley M. McDowell  
Idaho Building  
Boise, Idaho

Dear Mr. McDowell:

We enclose herewith, the above numbered permits in the name of O. S. Butler and direct his attention to the limitations and conditions as given on the fourth page under Approval of the State Reclamation Engineer.

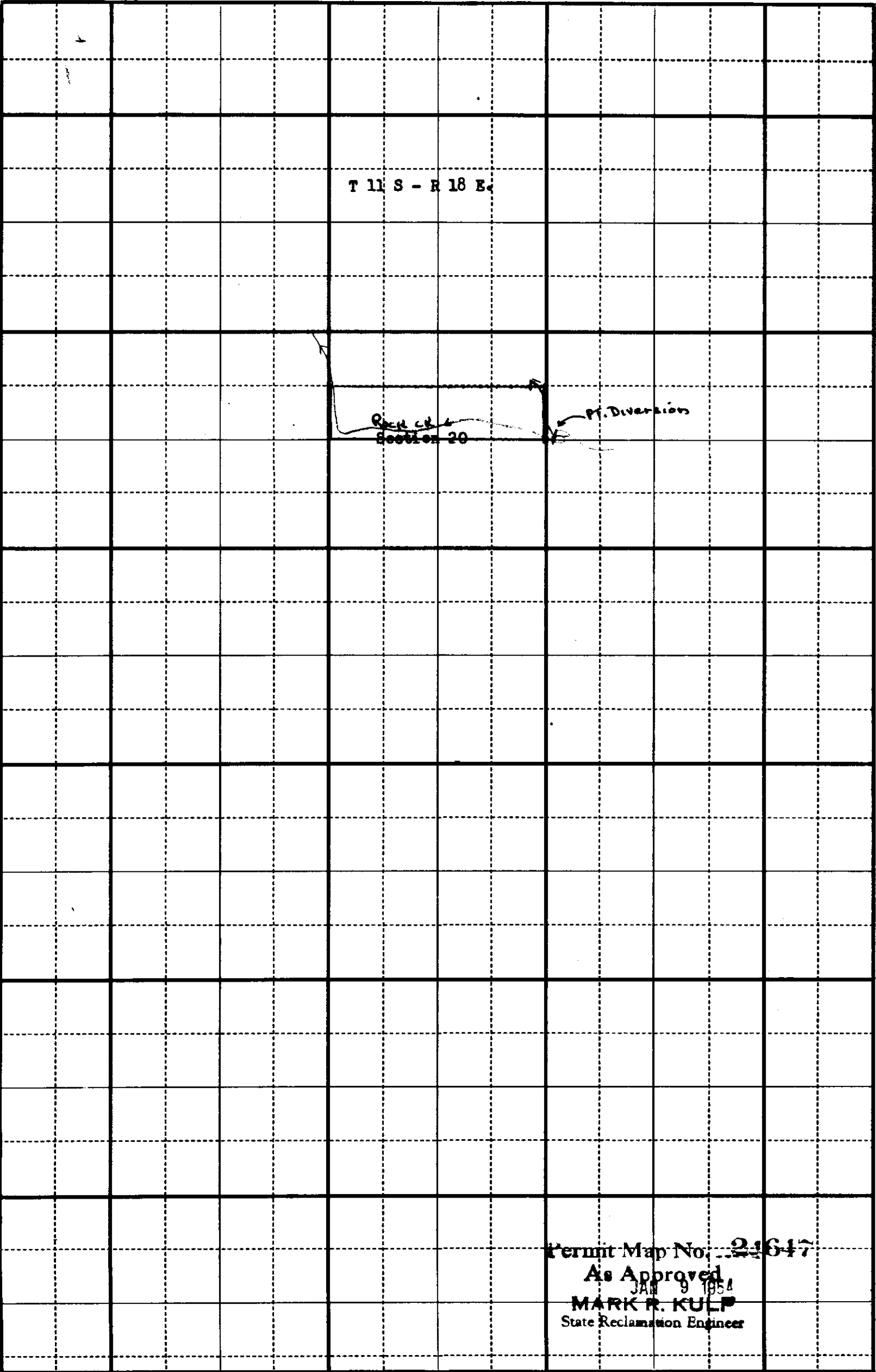
We also enclose departmental receipts No. G-386 for the \$15.00 filing fees on Permits Nos. G-24644, G-24645 & G-24646, also departmental receipt No. 26425 for the \$5.75 filing fee on Permit No. 24647.

Very truly yours,

MARK R. EULP  
State Reclamation Engineer  
By

Chief Clerk

A/re  
Encls.



SCALE: 2 inches Equal 1 Mile. Draw Plan In Ink.

Permit Map No. 24647  
As Approved  
JAN 9 1954  
MARK R. KULP  
State Reclamation Engineer

24647