

Page 13 EBM

Lot 2
10

Lot 1
40

20

2

40

40

40

30

70

50

35

75

205

Twp. 9 S.

For License

A = 205

SURD = 7

Q = 2.36 cfs.

VOL = 820 AC-FT / SEASON
(when combined with all other rights)

PRIORITY = 12-9-63

1-14-66

To Castleford

AFFIDAVIT of PUBLICATION

RECEIVED
APR 25 1966
8:00 A.M.
Department of Reclamation

STATE OF IDAHO
County of Twin Falls

ss.

I, **Robert E. Bailey**, do solemnly swear that I am the printer and editor of **THE BUHL HERALD**, a weekly newspaper of general circulation, published once each week at Buhl, Idaho; that the notice attached hereto was published in said newspaper four consecutive weeks, the first publication having been made on the 24th day of March, 1966, and the last publication having been made on the 14th day of April, 1966; that said notice was published in the regular and entire issue of every number of the paper during the period and time of publication, and that the said notice was published in the newspaper proper, and not in the supplement thereof.

That said newspaper has been printed and published continuously in **Buhl, Twin Falls County, Idaho**, for a period of more than 78 weeks prior to the first publication of the attached notice.

Subscribed and sworn to before me this

15th day of April, 1966

Carolyn D. Matthews
Notary Public.

Buhl, Idaho

Residing at

January 1, 1969

My Commission Expires

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION
OF WATER TO BENEFICIAL USE

Notice is hereby given that on the 21st day of April, 1966, at Buhl, County of Twin Falls, State of Idaho, before Ralph Assendrup, 128 1/2 Bdwy. No., proof will be submitted of the application to beneficial use of 6.12 cubic feet per second of the waters of Salmon Falls Creek in accordance with the terms and conditions of Permit No. 31585 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and post office address of the person or corporation holding said permit, Betty Jeane Herzinger, 408 11th Ave. No., Buhl, Idaho.

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

The amount applied to beneficial use is 6.12 cfs.

The point of diversion of said water is NE 1/4 SW 1/4 Section 1 twp 9S. R 13E BM.

The place where said water is used (Legal Description) W 1/2 SW 1/4, Sec. 1, Lots 1, 2, SE 1/4 NE 1/4, E 1/2 SE 1/4, Section 2, Township 9S. Range 13E.

State Reclamation Engineer
CARL E. TAPPAN
(1014)

No
Priority
ok per Rth.

31585

331585
RECEIVED

Application for Amendment

POINT OF DIVERSION

Permit No.

Comes now Betty Jessie Herzinger and represent to the State Reclamation Engineer of the State of Idaho:

That she is (are) the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 31585

That the point of diversion is described in said Permit as being located:

SE 1/4 SW 1/4 Section 23 Twp 9S Rge 13E BM

That she now requests that the point of diversion be changed to a point

located: NE 1/4 SW 1/4 Section 1 Twp 9S Rge 13E BM

That the reason for desiring to make such change is as follows:

To tie in holder's original lands with this permit.

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

Signed at Boise, Idaho, this 14 day of January 1966
Betty Jessie Herzinger

Date of Receipt at Department of Reclamation: January 14, 1966.

APPROVAL OF STATE RECLAMATION ENGINEER

R. Keith Higginson, Assistant

I, XXXXXXXXXXXX, State Reclamation Engineer of the State of Idaho, HEREBY APPROVE the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 31585. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

Recorded in Book 110 of
Permits, at Page 31585

January 21, 1966

R. Keith Higginson
State Reclamation Engineer

31585

NAME OF APPLICANT Betty Jean Herzinger

Form No. 0

R 13 E

S 3a 13a
L 2 L 1

T
9
S

3

2

1

10

11

15

Permit Map No. 31585
As Approved
CARL E. TAPPAN
State Reclamation Engineer

DEC 11 1963

22

23

52/304

Point of
Diversion

Falls Creek

office copy

31585

WATER LICENSE

Water License No. 31585 Priority January 14, 1966 Amount 2.36 c.f.s.

THIS IS TO CERTIFY, that BETTY JEANE HERZINGER
of Buhl, Idaho, made application for a permit to appropriate the public waters of
the State of Idaho, dated December 9, 1963; that Permit 31585 was issued pursuant
to said application; that the proposed works were completed on or about 1966,
with a storage or carrying capacity of 5.0 c.f.s., said works consisting of
2 pumps and open ditch, and that on April 21, 1966,
proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 820
acre feet per season, with a maximum rate of diversion of 2.36 cubic feet per second of the waters
of Salmon Falls Creek, tributary of Snake River,
for the purpose of irrigation from April 1 to October 31;
and for _____ from _____ to _____; and for
_____ from _____ to _____; and that the use
of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-
mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is
located in NE 1/4 SW 1/4, Sec. 1, T. 9 S, R. 13 E, B.M., and
other additional points _____, in the County of
Twin Falls; and that the amount of water to which such right is
entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially
used for said purposes and shall not exceed 820 acre feet per year.

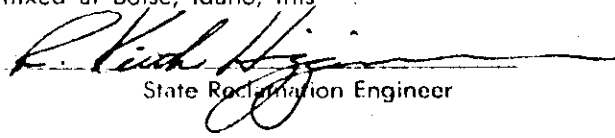
Description and location of place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
9 S	13 E	1										30	35						65
		2	L1 10	L2 10		10									40			40	140

Total number of acres irrigated 205

The right to the use of the water 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

25th day of February, 19 69

State Reclamation Engineer
31585

47 2384

WATER LICENSE

Water License No. 31585 Priority December 9, 1963 Amount 2.36 c.f.s.

THIS IS TO CERTIFY, that BETTY JEANE HERZINGER
of Buhl, Idaho, made application for a permit to appropriate the public waters of
the State of Idaho, dated December 9, 1963; that Permit 31585 was issued pursuant
to said application; that the proposed works were completed on or about 1966,
with a storage/or carrying capacity of 5.0 c.f.s., said works consisting of 2 pumps
and open ditch; and that on April 21, 1966,
proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 820
acre feet per season, with a maximum rate of diversion of 2.36 cubic feet per second of the waters
of Salmon Falls Creek, tributary of Snake River,
for the purpose of irrigation from April 1 to October 31;
and for _____ from _____ to _____; and for
_____ from _____ to _____; and that the use
of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-
mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is
located in NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 1, T. 9 S, R. 13 E, B.M., and
other additional points _____, in the County of
Twin Falls; and that the amount of water to which such right is
entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially
used for said purposes and shall not exceed 820 acre feet per year.

Description and location of 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 $\frac{1}{4}$	
<u>9 S</u>	<u>13 E</u>	<u>1</u>									<u>30</u>	<u>35</u>							<u>65</u>
		<u>2</u>	<u>L 1</u> <u>10</u>	<u>L 2</u> <u>10</u>		<u>40</u>									<u>40</u>			<u>40</u>	<u>140</u>

Total number of acres irrigated 205

The right to the use of the water 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

30th day of January, 1969.

R. Keith Higgins
State Reclamation Engineer

31585

47- 0004

Application For Permit To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 39693
PERMIT No. 31585
DISTRICT No.

1. Name of Applicant: **Betty Jeans Herzinger**
Postoffice address: **408 11th N.,
Twin Falls, Idaho** **543-5641** 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) Bond to be issued:
 (d) Other resources:
2. Quantity of water claimed: **6.12** cubic feet per second.
3. Source of water supply: **Salmon Falls Creek** which is a tributary of **Snake River**
4. Location of point of diversion: **SE $\frac{1}{4}$ SW $\frac{1}{4}$** feet distant from the corner of Section **23**, T. **9 S**, R. **13 E**, B.M., and is in the 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: **SE $\frac{1}{4}$ SW $\frac{1}{4}$** feet distant from corner of Section **23**, T. **9 S**, R. **13 E**, B.M., in the County of **Twin Falls**
 (b) Amount of power generated: **1.5** H.P., under **1.5** feet head.
 (c) Water is to be returned to **Snake River** at a point **1.5** feet distant from the corner of Section **23**, T. **9 S**, R. **13 E**, B.M., in the County of **Twin Falls**
7. Estimated cost of works: **\$18,000**
8. Kind of works: **Pump Pipe Ditches**
9. Height of dam **1.5** feet; length of dam at top **6** feet; length of dam at bottom **6** feet; material used in dam: **Concrete**
10. Size of headgate: Width **3** feet; height **1.5** feet.
11. Ditch: Width at bottom **3** feet; width at water line **6** feet; depth of water **1.5** feet; dimensions of flume:
 Diameter of pipe **20** inches; length of conduit **5.0** miles.
 Average grade per mile **1.5** feet.
12. The time required for the completion of such work is **5** years.
13. The time required for the complete application of the water to the proposed use is **6** 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 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.

s/ Betty Jeane Herzinger Applicant.

By Vernon L. Herzinger Agent.

Date of first receipt at Department of Reclamation: 11:30 A.M. December 9, 1963

Returned to applicant for correction: 1-14-66

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 31585
Recorded in Book 110 Page 31585 Approved December 11, 1963
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 February 11, 1964 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 June 11, 1966
The whole of said work to be completed on or before December 11, 1968
Beneficial use of water appropriated in accordance herewith, to be made on or before December 11, 1974

WITNESS My hand this 11th day of December, 1963

s/ CARL E. TAPPAN
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, ROBERT E. SMYLLIE, Governor of the State of Idaho, and ARNOLD WILLIAMS, 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 11th day of December, 1963.

(SEAL) By s/ ARNOLD WILLIAMS Secretary of State. By s/ ROBERT E. SMYLLIE Governor.

REMARKS: Desert Land Entry

14.

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 $\frac{1}{4}$	
9 S	13 E	2 1	Lot 1 53	Lot 2 53		40						40	40		40			40	226 80 306
Application for Amendment POINT OF DIVERSION Permit No. 31585																			
Comes now Betty Jeane Herzinger and represents to the State Reclamation Engineer of the State of Idaho: That she is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 31585. That the point of diversion is described in said permit as being located: SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 23, T 9 S., R 13 E., B.M. That she now request that the point of diversion be changed to a point located: NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 1, T 9 S., R 13 E., B.M. That the reason for desiring to make such change is as follows: to tie in holder's original lands with this permit. That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.																			
Signed at Boise, Idaho, this 14th day of January 1966.																			
Date of Receipt at Department of Reclamation January 14, 1966.																			
APPROVAL OF STATE RECLAMATION ENGINEER																			
I, R. Keith Higginson, Assistant State Reclamation Engineer of the State of Idaho, Hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 31585. This approval constitutes a new permit and is issued as an amendment to the original permit to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.																			
Recorded in book 110 of permits at page 31585, January 21, 1966.																			
/s/ R. KEITH HIGGINSON Assistant State Reclamation Engineer																			

priority advanced to 1/14/66 D. Watts

XXXXXXXXXXXXXXXXXXXX
430 W. State Street

XXXXXXXX
334-4440

February 6, 1980

Mr. Pat Connolly
Route 3, Box 301 A
Buhl, ID 83316

Dear Mr. Connolly:

In researching our records for water rights appurtenant to lands described as the NE $\frac{1}{4}$ Sec. 30, T. 8 S., R. 14 E., in addition to Permit No. 47-7451, I located licensed right Nos. 47-2400 and 47-2159. Enclosed is a copy of transfer No. 1044 for license No. 47-2159 and license No. 47-2400.

I did not locate any decreed water rights appurtenant to the above described lands.

If you have any questions or need additional assistance, please feel free to contact us.

Sincerely,

Roberta Garrett
Records Supervisor

RG:ab

Enclosures

June 24, 1969

Re: Permit No. 32240

Robert W. Rings
Route #3
Buhl, Idaho 83316

Dear Mr. Ring:

Enclosed herewith is your Water License issued
on the above numbered permit.

Also enclosed is departmental receipt No. 3091
in the amount of \$15.00 covering the fees.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA/mh

Enclosures

C
O
P
Y

April 20, 1969

Re: Permit No. 32240

Mr. Robert W. Ring
Route 3
Buhl, Idaho 83316

32240

Dear Mr. Ring:

A representative of this department has made an examination of the works covered by your Permit 32240 and has found the following:

Quantity of water diverted: 0.65058 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 0.65058 c.f.s.

The maximum quantity diverted shall not exceed 284 acre feet per season, when combined with all other rights appurtenant to the same land and shall not exceed that amount.

Purpose of use: Irrigation of 71 acres in NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 30, T. 8 E., R. 14 E., B.M.

The priority date established is: February 17, 1965

A fee totaling \$ 15.00 must be received within 30 days from the date of this letter in order that we can issue you the License and Certificate of Water Right as described above.

Very truly yours,

Dean R. Reynolds
Field Examiner

DRR:kh

April 29, 1969

Re: Permit No. 32240

Mr. Robert W. Ring
Route 3
Buhl, Idaho 83316

Dear Mr. Ring:

A representative of this department has made an examination of the works covered by your Permit 32240 and has found the following:

Quantity of water diverted: 0.65058 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 0.65058 c.f.s.

The maximum quantity diverted shall not exceed 284 acre feet per season, ~~when combined with all other rights appurtenant to the same land and shall not exceed that amount.~~

Purpose of use: Irrigation of 71 acres in NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 30, T. 8 S., R. 14 E., B.M.

The priority date established is: February 17, 1965

A fee totaling \$ 15.00 must be received within 30 days from the date of this letter in order that we can issue you the License and Certificate of Water Right as described above.

Very truly yours,

Dean R. Reynolds
Field Examiner

DRR:kh

32240

March 9, 1967

Re: Permit No. 32240

Robert W. Ring
Route 3
Buhl, Idaho 83316

Dear Mr. Ring:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the Buhl Herald, all submitted in proof of completion of works and beneficial use on Permit No. 32240.

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 to contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

M. Russell Bosch
Office Manager

MRB:nw

32240

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

Permit No. 31585

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

1. Name of applicant Betty Jeane Herzinger
2. Source of water supply: Salmon Falls Creek, tributary of Snake River
3. Location of point of diversion: Is in the NEXSW of Section 1
T. 9 S R. 13 E., B.M. County of Twin Falls
4. Describe works as they exist, giving dimensions and capacities of same: _____

5. Water is used for: Irrigation
6. State whether or not water has been turned into works of diversion: _____

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):

W/2SW/4, Sec. 1; Lot 1, 2, (N/2NE/4), SE/4NE/4, E/4SE/4, Sec. 2,
T. 9 S., R. 13 E., B.M.

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

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

Remarks:

SPARKING METER USED 300 c.f. in 60 Sec = 5.0 cfs.
IRRIGATION REQUIREMENT = 7.0 A-Ft/ACRE/Season
NOTE PERMIT 29605 (PT)

Point of diversion not marked on map. Subdivisions not marked on quantity.

This examination was made on the _____

(Signed) _____

day of July, 1968

Examiner. AS

12-26-68

31585

Plat
11

Betty Jeane Herzinger
408 11th Ave., N.
Buhl, Idaho

Permit No. 31585

Examination for Completion of Works & Beneficial Use

County Twin Falls

Sec. 1 T. 9 S. 13 E., B.M.

Quantity: 6.12 c.f.s.

Source: Salmon Falls Creek

P.D.: NEWSWA, Sec. 1, T. 9 S., R. 13 E., B.M.

Use: Irrigation

Filed: 12/9/63

Due: 12/11/74

Made: 4/21/66

Extension:

Protest:

Completion of Works:

Other Rights: none

Priority = 12-9-63

Bill Dixon contacted
1967 - UNABLE TO GET TO
Pumps (ROAD WASHED OUT)

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.

31585

Prop. 13 EOM

Lot 10	Lot 20	
2	40	20
	40	40
	40	70
	30	75
	35	
		<u>205</u>

Top 950

For License

$$A = 205'$$

$$SUBD = 7$$

$$Q = 2.36 \text{ cfs.}$$

$$VOL = 820 \text{ AC-FT / SEASON}$$

(taken combined with all other rights)

PRIORITY = ~~2963~~

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 31585

REPORT ON PROOF OF Completion of Works & Beneficial Use

February 26, 1969

Re: Permit No. 31585

Betty Jeane Herzinger
408 11th Avenue North
Buhl, Idaho 83316

Dear Mrs. Herzinger:

Enclosed you will find your corrected Water License issued
on the above numbered permit.

We are very sorry for the inconvenience we have caused you.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kh

Enclosure

31585

February 4, 1969

Re: Permit No. 31585

Betty Jeane Herzinger
408 11th Avenue North
Buhl, Idaho 83316

Dear Mrs. Herzinger:

Upon checking your Water License we find a typographical error. If you would be so kind as to return your license to this office we will correct this mistake. Sorry for the inconvenience.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kh

31585

January 30, 1969

Re: Permit No. 31585

Betty Jeane Herzinger
408 11th Avenue North
Buhl, Idaho 83316

Dear Mrs. Herzinger:

Enclosed you will find your Water License issued on the
above numbered permit.

Also enclosed is departmental receipt No. 2589 in the
amount of \$19.00 covering the fees.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kh

Enclosures

31585

January 14, 1969

Re: Permit No. 31585

Betty Jean Herzinger
408 11th Avenue North
Buhl, Idaho 83316

Dear Mrs. Herzinger:

A representative of this department has made an examination of the works covered by your permit 31585 and has found the following:

Quantity of water diverted: 5.0 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 2.36 c.f.s.*

Purpose of use: Irrigation of 205 acres in W¹SW¹, Sec. 1;
Lot 1, Lot 2 (M¹NE¹), SE¹NE¹, E¹SE¹, Sec. 2, T. 9 S, R. 13
E, R. 14.

The priority date established is: January 14, 1966 (late proof).

A fee totaling \$ 19.00 must be received within 30 days from the date of this letter in order that we can issue you the Certificate of Completion of Works and the License and Certificate of Water Right as described above.

Very truly yours,

Dean R. Reynolds
Field Examiner

DRP:dj

*The maximum quantity diverted shall not exceed 820 acre feet per season.

31585

January 14, 1969

Re: Permit No. 31585

Betty Jeane Herzinger
408 11th Avenue North
Buhl, Idaho 83316

Dear Mrs. Herzinger:

A representative of this department has made an examination of the works covered by your permit 31585 and has found the following:

31585

Quantity of water diverted: 5.0 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 2.36 c.f.s.*

Purpose of use: Irrigation of 205 acres in W¹/₂SW¹/₄, Sec. 1;
Lot 1, Lot 2 (N¹/₂NE¹/₄), SE¹/₂NE¹/₄, E¹/₂SE¹/₄, Sec. 2, T. 9 S, R. 13
E, B.M.

The priority date established is: January 14, 1966 (late proof).

A fee totaling \$ 19.00 must be received within 30 days from the date of this letter in order that we can issue you the Certificate of Completion of Works and the License and Certificate of Water Right as described above.

Very truly yours,

Dean R. Reynolds
Field Examiner

DRR:dj

*The maximum quantity diverted shall not exceed 820 acre feet per season.

31585

November 12, 1968

RE: Permits 29605 and 31585

W. R. Nutting
Manager
Federal Land Bank Assoc.
P. O. Box 288
Twin Falls, Idaho 83301

Dear Mr. Nutting:

This is in reply to your November 7th letter, regarding the above referenced permits. Our department tentatively plan to license 230 acres under Permit 29605 and 205 acres under Permit 31585, for a total of 5.0 cubic feet per second from 1 point of diversion in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 1, T 9 S., R 12 E., B.M.

This license will not be issued within the next 60 days unless there is an urgent need. We could, if required, issue the license however at this time we have 300 other licenses to issue ahead of these two.

These permits are in good standing and the owner has completed all his proofs. If you need other information please let us know.

The priority date was advanced since the point of diversion was moved over a great distance and involved waters other than that originally applied for.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

31585

FEDERAL LAND BANK ASSOCIATION OF TWIN FALLS

P. O. BOX 288 249 THIRD AVENUE EAST TWIN FALLS, IDAHO 83301

TELEPHONE: 733-2577



RECEIVED

W. R. NUTTING, MANAGER

NOV 8 1968

November 7, 1968

Department of Reclamation

State Department of Reclamation
107 State House
Boise, Idaho 83701

Gentlemen:

Vernon L. Herzinger and Betty Jeane Herzinger have made an application for a loan on the land described as: W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 1, Lots 1 and 2, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 2, W $\frac{1}{2}$ NW $\frac{1}{4}$, Section 11, Twp. 9S, Rng. 13EBM. According to information provided by them, it appears that Mrs. Herzinger has permit No. 31585 for 6.12 C.F.S. with date of priority 1/14/66 from Salmon Falls Creek. Vernon Herzinger claims 3.4 C.F.S. priority 1/14/66 under permit No. 29605 from the same source. It is my understanding that a representative of your office has inspected the installation, (pump, pipeline, and ditches), but the licenses have not been issued. Will the licenses be issued soon? Are there any further requirements to be met before the licenses are issued? For how much water will they provide?

As a point of interest, why was the priority set up to 1/14/66 from 12/9/63 when the point of diversion was changed? This gives seniority of several permits or licenses which had been junior to 31585. I am not questioning the action taken. Frequently I am asked why certain things are done and I like to be in a position to give an answer.

Very truly yours,


W. R. Nutting
Manager

WRN:fk



"OWNED BY FARMERS : FOR FARMERS"

31585

11-8-63

Russ,

ADVISE LAD W. R. NUTTING
THAT TENTATIVELY THE DAPT
IS PREPARED TO LIC 230 ACRES
UNDER PERMIT # 29605

€ 205 ACRES UNDER PERMIT
31585 WITH A TOTAL OF
5478 FROM ONE POINT
IN THE NGSW SECU
95 134.

the lic is not expected to
be issued WITHIN THE NEXT
60 DAYS UNLESS THERE IS AN
URGENT NEED. (THERE ARE SOME 300 GALS
AHEAD OF THESE TWO IN QUESTION)

Regarding last question concerning
advancement of priority - inform W.R.N.
of JAN 1, 1966 correspondence with
31585,

31585
Dean

April 27, 1966

Re: Permit No. 31585

Betty Jeane Herzinger
408 11th N.
Buhl, Idaho

Dear Mrs. Herzinger:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the Buhl Herald, all submitted in proof of completion of works and beneficial use on Permit No. 31585.

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

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

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
XXXXXXXXXXXXXXXXXXXX
Chief Clerk
XXXXXXXXXXXXXXXXXXXX

M. Russell Bosch
Office Manager

XXX
EPP:mr
MRB:mr

31585

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. 31585

R-10
APR 25 1966
8:00 A.M.
Department of Reclamation

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: Farmers Wife

Betty Jeane Herzinger, 408 11th Ave. North Buhl, Idaho

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

Ques. 3. State number, approval date of permit, and date of priority: Permit No. 31585

January 14, 1966, (priority)--(Permit date) April 21, 1966

Ques. 4. State source of water supply: Salmon Falls Creek

Give location of point of diversion, showing subdivision, section, township and range

NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 1 twp 9S. R 13E BM

Ques. 5. Describe your works of diversion: 900 Ft. of steel pipe (14 in.) with

350 HP Electric Motor; state amount of water they are capable of con-

veying from point of diversion to place of use: 6.12 cfs.; Give name of canal or ditch

or other works by which water is conducted to such place of use: open ditch

_____; if a well, state depth of well _____; depth and size of

casing _____; depth to water _____; if pump is used,

state discharge of pump: _____; tell how it was measured or determined _____

_____; if sprinkler irrigation, give number and size

of nozzles and operating pressure: _____

Ques. 6. State for what purpose water is used: irrigation

(If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water:

W $\frac{1}{2}$ SW $\frac{1}{4}$, Section 1; Lots 1, 2, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Section 2, Township 9S.

Range 13E 13M.

31585

State nature of all improvements which have been made as a direct result of said use:

900 ft. of steel pipe installed and 350 HP Motor (electric) installed.

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: _____

Ques. 7. If for other than irrigation purposes, show full legal description of place of use and state purpose for which water is used:

Ques. 8: 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:

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: 1966 Irrigation Season - Time used since first use:

Ques. 10. Describe all other water rights appurtenant to same place of use: Permit
No. 29605 @ 3.cfs

(sign) Billy Jeanne Heringer

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

128 1/2 North Broadway, Buhl, County of Twin Falls

State of Idaho, on this 21st day of April, A. D. 19 66.

Ralph W. Blundrup

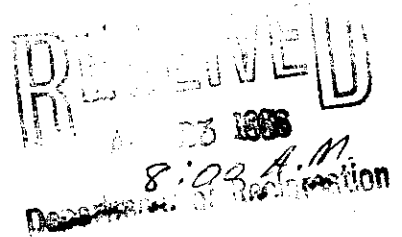
My commission expires: April 22, 1967

31585

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

Permit No. 31585

* * * * *



PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and Completion of Works

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:

Charles R. Brown, Age 45, 827 Aiken Ave. Buhl, Idaho--Occupation
Custom Farming

Ques. 2 Are you acquainted with Betty Jeane Herzinger--Yes, the holder of
Permit No. 31585? How long have you known ^{her} ~~him~~ and where does ^{she} ~~he~~ reside?

15 Years-- 408 11th Ave. North, Buhl, Idaho

Ques. 3. Have you read or heard said Permit No. 31585 read, and are you familiar
with its provisions and conditions: Yes x No.

Ques. 4. State source of water supply: Salmon Falls Creek

Give location of place of diversion, showing subdivision, section, township and range

NE¹ SW¹, Section 1 twp 9S. R 13 EBM

Describe works for conveying water to place of use: 900 ft. of steel pipe with
350 HP Electric Motor.

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 6.12 cfs. How much water have you seen being so
conveyed? Possible 6.12 cfs.

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:

307.09 Acres- W¹ SW¹, Section 1; Lots 1, 2, SE¹ NE¹, E¹ SE¹, Section 2
Township 9S. Range 13 E. B. M.

31585

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

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.

6.12 cfs

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned? If so, in what way and to what extent? None

Ques. 10. When did you first see this water used? 1966 Irrigation Season

Other times you have seen such use: No

(Signed):

Charles R Brown

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 128 N. Broadway

Buhl, County of Twin Falls, State of Idaho, on this 21st day of April, A. D. 1966

Ralph H Allen Sapp

Notary Public for the State of Idaho

Residing Buhl, Idaho

My commission expires April 22, 1967

31585

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. 31585

* * * * *

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Description of Works

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:

J. K. Patterson, Age 52, Route #2, Buhl, Idaho--Occupation-farming and
Real Estate Salesman.

Ques. 2 Are you acquainted with Betty Jeane Herzinger--Yes, the holder of
Permit No. 31585? How long have you known ^{her} ~~him~~ and where does ^s he reside?

408 11th Ave. North, Buhl, Idaho Known her 8 Years

Ques. 3. Have you read or heard said Permit No. 31585 read, and are you familiar
with its provisions and conditions: Yes x No.

Ques. 4. State source of water supply: Salmon Falls Creek

Give location of place of diversion, showing subdivision, section, township and range

NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 1 twp 9S. R 13E BM

Describe works for conveying water to place of use: 900 ft. of steel pipe with
350 HP Electric Motor.

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 6.12 cfs. How much water have you seen being so
conveyed? Possible 6.12 cfs.

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:

307.09 Acres-W $\frac{1}{2}$ SW $\frac{1}{4}$, Section 1; Lots 1, 2, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Section 2
Township 9S. Range 13 E. B. M.

31585

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

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.

6.12 cfs

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned? If so, in what way and to what extent? None

Ques. 10. When did you first see this water used? 1966 Irrigation Season.

Other times you have seen such use: no

(Signed):

J. K. Patterson

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 28th N. Broadway

Buhl, County of Twin Falls, State of Idaho, on this 21st day of April, A. D. 19 66.

Ralph W. Menzies
Notary Public for the State of Idaho
Residing Buhl, Idaho

My commission expires April 22, 1967

31585

Permit No. _____

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Twin Falls }

ss.

Betty Jeane Herzinger, 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. 31585, and that his postoffice address is 408 11th Ave. North, Buhl State of Idaho.

Second: That the name of the stream from which said water is to be diverted is Salmon Falls Creek

Third: That the point of diversion of said water is NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 1 twp
9S. R 13E BM

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by April 21, 1966.

Fifth: That the use for which said water is intended is irrigation

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: 900 ft. of steel pipe with a 350 HP Motor (electric)
(RESERVOIR, DAM, DITCH, FLUME, PIPE OR OTHERWISE)

II. Dimensions of work: _____

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

(STATE WHETHER WOOD, EARTH STONE OR CONCRETE)

(b) Capacity of reservoir _____ acre feet.

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

(d) Conduit _____ width at bottom _____ feet, width at water line _____
(STATE WHETHER DITCH, FLUME OR PIPE)
feet, depth of water _____ feet; diameter of pipe 14 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 6.12 cu. second feet of water.

Eighth: That water appropriated under said permit is available for 307.09 acres of land described as follows: W $\frac{1}{2}$ SW $\frac{1}{4}$, Section 1; Lots 1, 2, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Section 2, Township 9S. Range 13E. EBM.

Ninth: Remarks:—That _____

Betty Jeane Herzinger
(SIGN HERE)

Subscribed and sworn to before me this 21st day of April, 1966

Ralph H. McAndrews
NOTARY PUBLIC

My commission expires April 22, 1967

31585

Legal Department

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that on the 21st day of April, 1968, at Buhl, County of Twin Falls, State of Idaho, before Ralph Assendrup, 1st Bdwy. No., proof will be submitted of the application to beneficial use of 6.12 cubic feet per second of the waters of Salmon Falls Creek in accordance with the terms and conditions of Permit No. 31585 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and post office address of the person or corporation holding said permit, Betty Jeane Herzinger, 408 11th Ave. No., Buhl, Idaho.

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

The amount applied to beneficial use is 6.12 cfs.

The point of diversion of said water is NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 1 twp 9S, R 13E BM.

The place where said water is used (Legal Description) W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 1; Lots 1, 2, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Section 2, Township 9S, Range 13E.

State Reclamation Engineer
CARL E. TAPPAN

(10t4)

AFFIDAVIT of PUBLICATION

STATE OF IDAHO
County of Twin Falls

ss.

I, **Robert E. Bailey**, do solemnly swear that I am the printer and editor of **THE BUHL HERALD**, a weekly newspaper of general circulation, published once each week at Buhl, Idaho; that the notice attached hereto was published in said newspaper four consecutive weeks, the first publication having been made on the 24th day of March, 1966, and the last publication having been made on the 11th day of April, 1966; that said notice was published in the regular and entire issue of every number of the paper during the period and time of publication, and that the said notice was published in the newspaper proper, and not in the supplement thereof.

That said newspaper has been printed and published continuously in **Buhl, Twin Falls County, Idaho**, for a period of more than 78 weeks prior to the first publication of the attached notice.

Subscribed and sworn to before me this

15th day of April, 1966

Notary Public.

Buhl, Idaho

Residing at

January 1, 1969

My Commission Expires

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

Notice is hereby given that on the 21st day of April, 1966, at Buhl, County of Twin Falls, State of Idaho, before me, a Notary Public, 128 1/2 Bwy. N.E., was submitted of the application for beneficial use of 6.12 cubic feet per second of the waters of Salmon Falls Creek in accordance with the terms and conditions of Permit No. 31585 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and post office address of the person or corporation holding said permit, Betty Jeanne Henniger, 408 11th Ave. No., Buhl, Idaho.

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

The amount applied to beneficial use is 6.12 cfs.

The point of diversion of said water is NE 1/4 SW 1/4 Section 1 twp 9S. R. 13E. S. 12.

The place where said water is used (Legal Description) W 1/2 SW 1/4, Sec. 1, Lots 1 & 2, SE 1/4 NE 1/4, E 1/2 SE 1/4, Section 2, Township 9S, Range 13E.

State Reclamation Engineer

(1014)

ACKNOWLEDGEMENT



Date: 14 January 1966

Re: Application No. 39693

Department of Reclamation

I hereby acknowledge that, even though I was assisted by employees of the Idaho State Department of Reclamation in the preparation of Application No. 39693 31585, all responsibility with regard to the accuracy and completeness of the information contained therein rests with me.

Signed:

A handwritten signature in cursive script, appearing to read "Eugene Heringer".

Applicant

31585 Done

RECEIVED

POINT OF DIVERSION

Permit No.

Witness Billy Jeanne Herzinger and
represent State Reclamation Engineer of the State of Idaho:

That he is (was) the owner and holder of Permit to Appropriate the Public
Waters of the State of Idaho, No. 3158.

That the point of diversion is described in said Permit as being located:

SE 1/4 Sec 7 Section 3 Twp 9S Rge 13E BM

That he now requests that the point of diversion be changed to point

located: NE 1/4 Sec 7 Section 3 Twp 9S Rge 13E BM

To the same land as the point of diversion in the permit.

That he is now the owner and holder of said Permit, and the same shall be made
at Permit holder's expense.

Signed at Boise Idaho this 14 day of January 1966
Billy Jeanne Herzinger

Date of receipt at the office of the State Reclamation Engineer: January 14, 1966.

STATE RECLAMATION ENGINEER

F. Keith Higginson, Assistant
1; ~~XXXXXX~~ ~~XXXXXX~~, State Reclamation Engineer of the State of Idaho, DO NOT REMOVE
the above and following application for change of Permit to appropriate the Public
Waters of the State of Idaho, No. 3158. This approval constitutes a new
permit and is issued as a replacement of the old permit, and all rights and of
which it becomes a part, shall be approved only insofar as the rights of
others will not be adversely affected thereby.

Recorded in Book 110 of
Permits, at Page 31585
January 21, 1966

F. Keith Higginson
State Reclamation Engineer

31585

January 21, 1966

RE: Permit No. 29605
✓ 31585, Betty J. Herzinger

Vernon L. Herzinger
408 - 11th North
Buhl, Idaho

Dear Mr. Herzinger:

Enclosed is your amendment for point of diversion on the above referenced permit. Also enclosed is amendment to point of diversion on Permit No. 31585 in the name of Betty Jeane Herzinger.

Departmental receipt No. 33073 in the amount of \$2.00 was given to you at the time you were in our office.

Very truly yours,

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ejw
Encl: Amendment (2)

31585



IN REPLY REFER TO:

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

Land Office
P. O. Box 2237
Boise, Idaho

L:VSS
Idaho 014901

RECEIVED
JUL 21 1964

JUL 20 1964

NOTICE OF ALLOWANCE

Betty Jean Herzinger
408 11th Avenue North
Buhl, Idaho

Department of Reclamation

Dear Mrs. Herzinger:

Your Desert Land Entry, Serial No. Idaho 014901,
Receipt No. 63498, for W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 1; Lots 1, 2,
SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Section 2,
Township 9 S., Range 13 E., Boise Meridian, Idaho,
containing 307.09 acres, has this day been allowed, subject
to any valid existing rights and your further compliance with laws
and regulations applicable thereto. In correspondence relating to
this entry, always refer to the serial number shown above.

Subject to the Act of July 17, 1914 which may require the
reservation of all oil and gas deposits to the United States.

Subject to easement to the United States, 50 feet wide
running parallel and adjacent to the east boundary of Lot 2, Sec. 2.

Sincerely yours,
(Signed) Orval G. Hadley

Orval G. Hadley
Land Office Manager

c.c. State Recl. Engr.

December 30, 1963

Re: Permit No. **31585**
Betty Jeane Herzinger

Bureau of Land Management,
P. O. Box 2237,
Boise, Idaho.

Gentlemen:

We enclose two copies of Permit No. **31585**, one
of which has been certified, to be used in connection with
Desert Land Entry filed in your office by permit holder
Betty Jeane Herzinger of
408 11th N., Twin Falls, Idaho.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk
cc: Applicant

31585

December 30, 1963

Re: Permit No. **31585**

Betty Jeane Hersinger,
408 11th N.,
Twin Falls, Idaho.

Dear Mrs. Hersinger:

We enclose Permit No. **31585** in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

By this same mail, we have sent to the Bureau of Land Management two copies of this permit, one of which has been certified, to be used in connection with the Desert Land Entry filed in that office. A copy of that letter is enclosed.

~~Enclosed~~ Departmental Receipt No. **31971** which was issued covering payment in the amount of \$ **8.50**, which includes \$ **6.50** for the filing fee and \$ **2.00** for the copies sent to the Bureau of Land Management, **was given to you while in our office.**

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk

31585

ROBERT E. SMYLLIE
Governor



CARL E. TAPPAN
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

December 20, 1963

Re: Permit No. 31585
Betty Jeane Herzinger

Vernon L. Herzinger
408 11th North
Twin Falls, Idaho

Dear Sir:

Upon review of the above noted application we discovered a discrepancy which will have to be corrected before we can issue the permit.

Enclosed are copies of your sketch map and the second page of the application. You will note in Item 15, the total number of acres to be irrigated are 320. In Item 14 the irrigable acreage only adds up to 280. The sketch map also indicates 280 acres.

As you probably know, the number of acres to be irrigated affects the quantity of water that may be allowed under permit. It is very important that we have accurate information.

Please notify us immediately in this matter.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

A handwritten signature in cursive script, appearing to read "D. L. Rhodes".

D. L. RHODES, Assistant
State Water Rights Clerk

DLR:ew

Enclosure

(over)

31585

Mr Rhodes,

The actual acreage in item number 14 is 307 acres - 2 of the subdivisions or lots as they are referred to are 53 acres apiece. Their description is as follows.

NE $\frac{1}{4}$ NE $\frac{1}{4}$ — NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec - 2

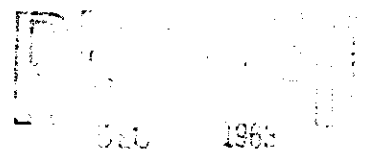
of 9 S - 13 E -

no 15 should be 307 acres. If I had the 8th subdivision (40 acres) I would be over the 320 acres & BLM informed me that this was not permissible -

If there are any other questions concerning this let me know -

Thank You

Dean L. Jenzinger



Department of Reclamation

306
2
— 6.12

315 85

December 20, 1963

Re: Permit No. 31585
Betty Jean Hertzinger

Vernon L. Hertzinger
408 11th North
Twin Falls, Idaho

Dear Sir:

Upon review of the above noted application we discovered a discrepancy which will have to be corrected before we can issue the permit.

Enclosed are copies of your sketch map and the second page of the application. You will note in Item 15, the total number of acres to be irrigated are 320. In Item 14 the irrigable acreage only adds up to 280. The sketch map also indicates 280 acres.

As you probably know, the number of acres to be irrigated affects the quantity of water that may be allowed under permit. It is very important that we have accurate information.

Please notify us immediately in this matter.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

D. L. RHODES, Assistant
State Water Rights Clerk

DLR:ew

Enclosure

31585

March 16, 1966

Re: Permit No. 31585

Billy Jeane Herzinger
408 11th Ave., No.
Buhl, Idaho

Dear Miss Herzinger:

This acknowledges the Notice of Proof of ~~Completion of Work~~ and Application of water to Beneficial Use under Permit No. ~~31585~~. The proofs are to be made at ~~xxxxxxx~~ 'clock ~~xxxxxxx~~, on the 21st day of April, 1966, before Ralph Assendrup, 126 1/2 Broadway No., Buhl, Idaho Notary Public.

As of this date, we have mailed the Notice to the _____, with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof then mail the Affidavit of Publication and statement of costs to you.

It is important that the enclosed depositions be executed by you and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the place, on the date, and at the time and before the Notary, as advertised. It is very important and necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been signed, the Notary's seal has been placed on each and that all depositions, (holder and two witnesses) are being returned. Also be sure to enclose the AFFIDAVIT OF PUBLICATION.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk
cc: Notary

31585

Re: Permit No. 31585
Billy Jeane Herzinger

March 16, 1966

Buhl Herald
Buhl, Idaho

Gentlemen:

Enclosed you will find a legal notice which we wish to have published for four consecutive weeks prior to April 21, 1966. The expense of the publication is to be paid by Billy Jeane Herzinger of Buhl, Idaho to whom you should furnish proof of publication on or prior to the above date.

Please acknowledge receipt of this notice and furnish this office with a copy or tear sheet of the notice for checking at least one week prior to the first publication.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

31585

RECEIVED
MAR 15 1966

NOTICE FOR PUBLICATION

Department of Reclamation

NOTICE OF PROOF APPLICATION OF WATER

TO BENEFICIAL USE

Notice is hereby given that ~~at~~ 2:12 P.M. on the 21st day of April, 1966
at Buhl, County of Laramie, State of Idaho, before
Ralph Assendrup 128 1/2 Body N., proof will be submitted of the
application to beneficial use of 6.12 cubic feet per second of the waters of Salmon
Falls Creek in accordance with the terms and conditions of
Permit No. 31585 heretofore issued by the Department of Reclamation of the State of
Idaho.

The name and post office address of the person or corporation holding said permit

Bill James Herzinger 408 11th Ave. N. Buhl, Idaho.

The use to which said water has been applied is

irrigation

The amount applied to beneficial use is

6.12 cfs

The point of diversion of said water is

NE 1/4 SW 1/4 Section 1 Twp 9 S. R. 13 E 8 M.

The place where said water is used (LEGAL DESCRIPTION)

W 1/2 SW 1/4, Sec. 1; Lots 1, 2, SE 1/4 NE 1/4,
E 1/2 SE 1/4 Section 2, Township 9 S.
Range 13 E

The date of priority which said user is prepared to establish is

January 14, 1966

State Reclamation Engineer

31585

RECEIVED
MAR 15 1966

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) March 11, 1966
(P. O.) Buhl, 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 Buhl Herald of
Buhl, Idaho Published in
the county in which the works are situated.

Eilly Jeanne Huzinger

(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

31585

January 21, 1966

RE: Permit No. 29605, Edward Herzinger
31585, Betty Jeanne Herzinger

Vernon L. and Betty Jeanne Herzinger
408 - 11 N
Buhl, Idaho

Dear Mr. and Mrs. Herzinger:

Upon reviewing the point of diversion amendments filed by you in this office January 14 pertaining to Permits 29605 and 31585 we find that the move is of such distance that some different waters become involved. Due to this situation the change can only be allowed if the priority date on the transferred water is advanced to the date of the amendment, January 14, 1966.

Under Idaho law we find no justification for allowing additional time for the completion of your project.

Perhaps your best alternative would be to file for a new permit. This would give additional time to complete your project and the priority would be only slightly inferior to the January 14, 1966 date that would result from amending the point of diversion. Application forms, with instructions, are enclosed should you wish to pursue this course. If a new filing is made please relinquish the earlier permit(s) by completing the enclosed relinquishment form(s).

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

Donald J. Watts
Office Engineer

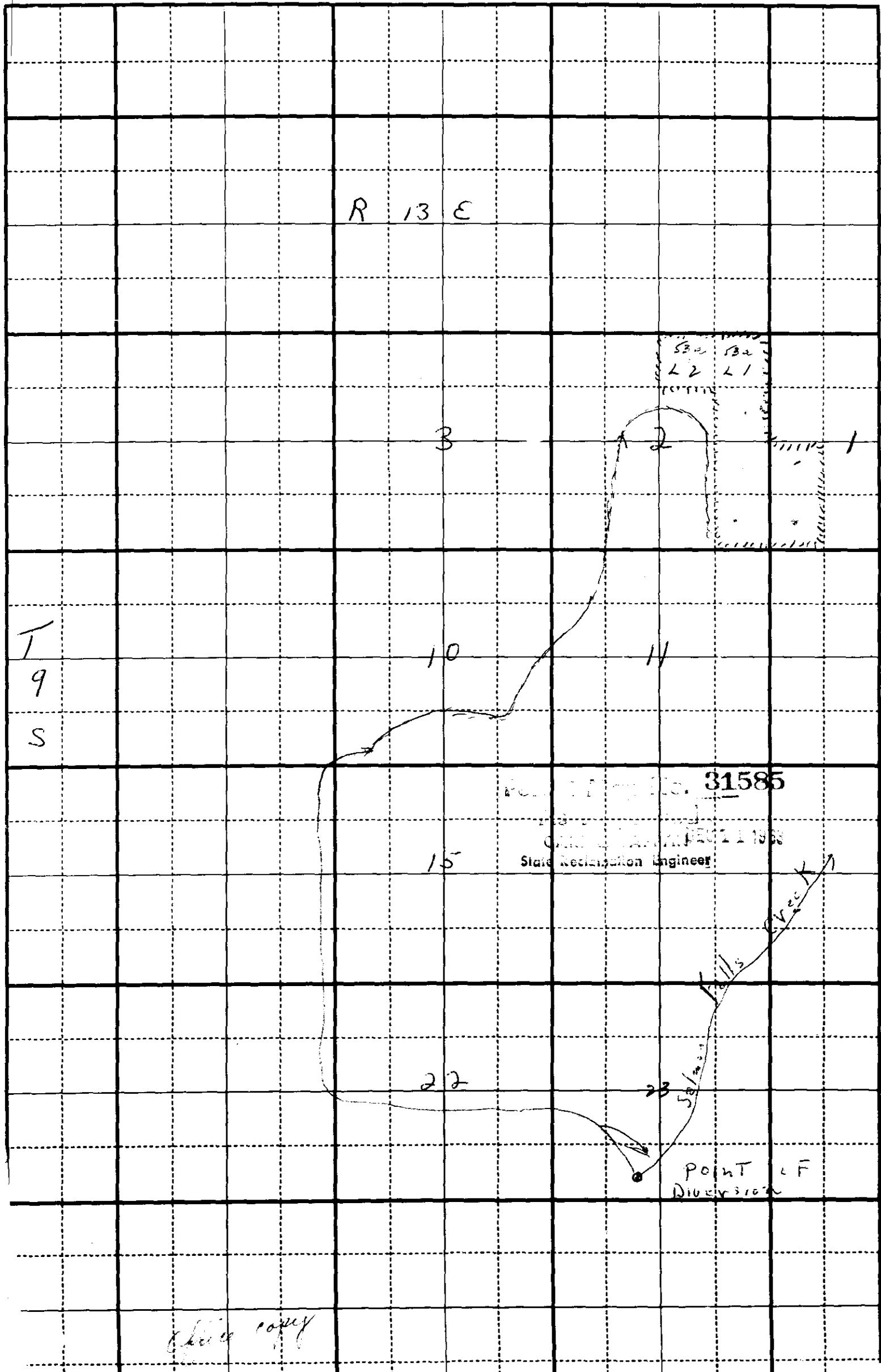
DJW:mr

Enc. Form 1, Instructions, Relinquishment Forms, 2

31585

NAME OF APPLICANT Betty Jean Herzinger

Form No. 0



Hand copy

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

31585