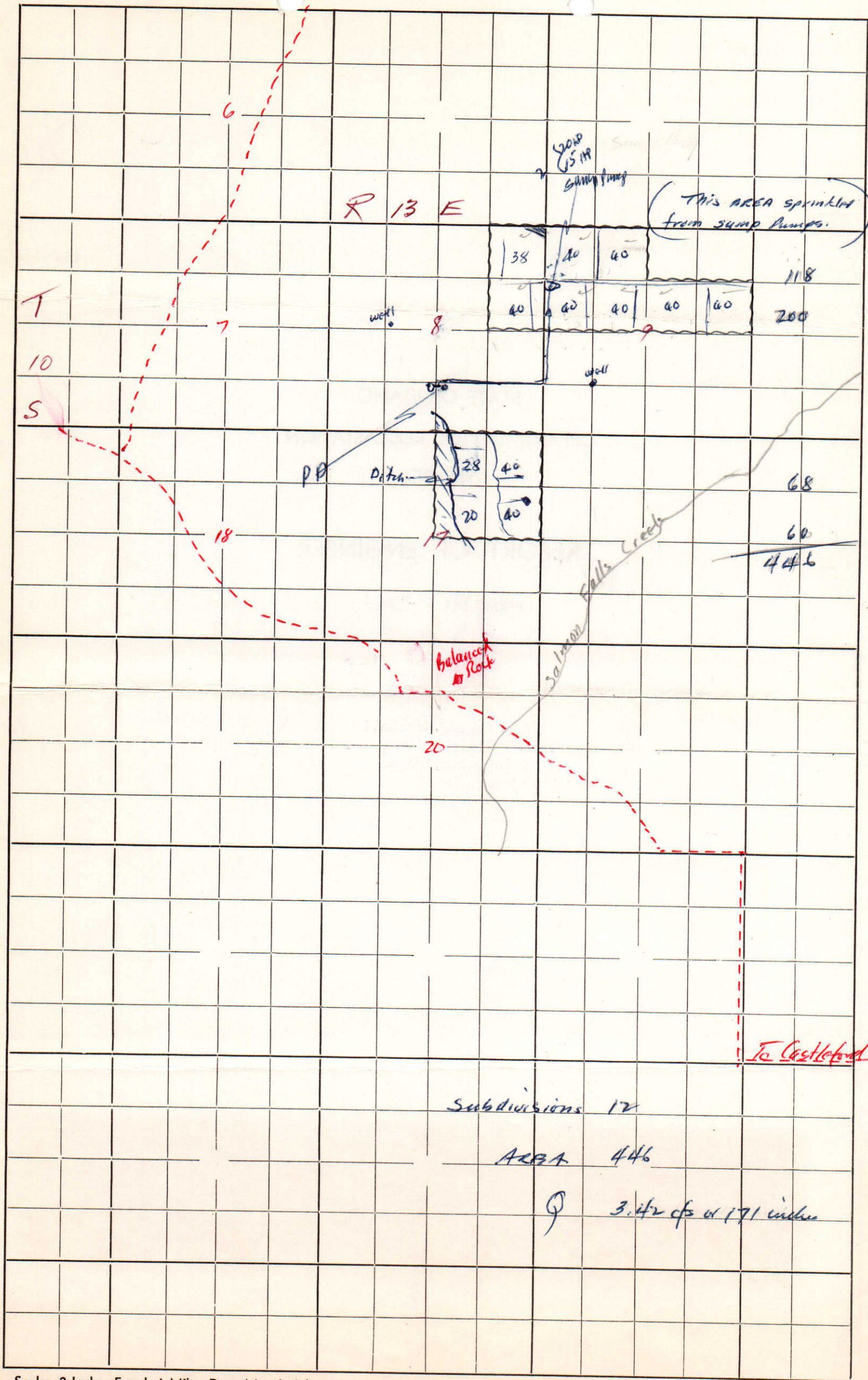




**NOTICE OF PROOF OF
COMPLETION OF WORKS**

**and
APPLICATION OF WATER
TO BENEFICIAL USE**

Notice is hereby given that at 10:00 A.M., on the 19th day of December, 1963, at Twin Falls, County of Twin Falls, State of Idaho, before James M. Cunningham, Notary Public, at 313 Shoshone North, proof will be submitted of the completion of works for the diversion of 4.0, 4.0 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-29009, G-29010, 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 is Kenneth W. Marshall, 185 Blair Drive, Twin Falls, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 4.0, 4.0 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 4.0, 4.0 cubic feet per second.

4. The point of diversion of said water is SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 8; Twp. 10 S; Rge. 13 E.B.M. Approximate center SW $\frac{1}{4}$ Sec. 9; Twp. 10S; Rge. 13 E.B.M.

5. The place where said water is used is E $\frac{1}{2}$ NE $\frac{1}{4}$; Sec. 8; NW $\frac{1}{4}$ & S $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 9; S $\frac{1}{2}$ Sec. 9., Twp. 10 S., Rge. 13 E.B.M. NE $\frac{1}{4}$ Sec. 17; Twp. 10 S; Rge. 13 E.B.M.

6. The date of priority which said user is prepared to establish is September 12, 1960 and September 12, 1960.

CARL E. TAPPAN
State Reclamation
Engineer
(Pub. Nov. 21, 28, Dec. 5, 12)

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Twin Falls }

ss.

I, Aileen Hill being first duly sworn on oath, say:

That I am Co. owner 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 four consecutive weeks, commencing with the issue dated Nov. 21, 1963, and ending with the issue dated Dec. 12, 1963.

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.

Aileen Hill

Subscribed and sworn to before me this 19th
day of Dec, 1963

Fred W. Harder
Notary Public for the State of Idaho.

(My commission expires 1-15-65, 1965)

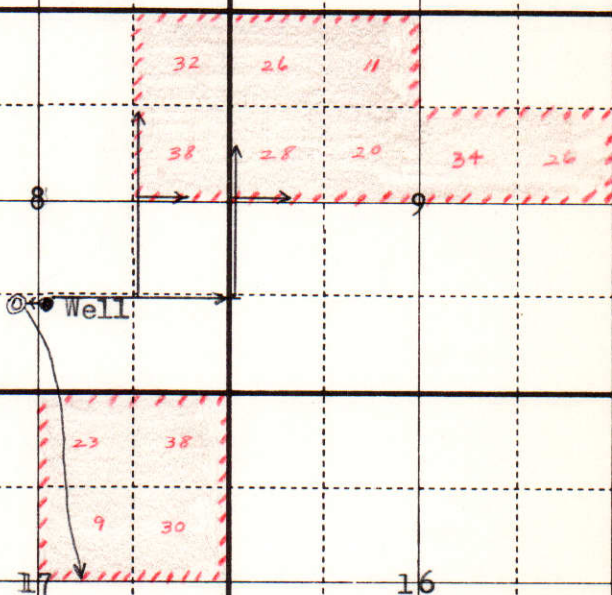
29009

NAME OF APPLICANT Harry L. Thomas

Form No. 0

T.
10
South

Range 13 ~~EBM~~



NAME OF APPLICANT

Mary Thomas

Form No. 0

R. 13 E.

T.

10.

South

8

9

Well

17

35

30

15

16

12

Little

Salmon Falls Creek

Permit Map No. 29009

As Approved

GEO. N. CARTER

Reclamation Engineer

SEP 13 1960

State of Idaho

License and Certificate of Water Right

Water License No. G-29009

Amount 3.42 c.f.s.

Water District No.

Priority September 12, 1960

THIS IS TO CERTIFY that MARY L. THOMAS - Assignee - KENNETH W. MARSHALL of Twin Falls, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated September 12, 1960; that Permit No. G-29009 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 3.42 second feet, was issued thereunder on August 12, 1964, showing that said works were completed on the 19th day of December, 1963; and that on the 19th day of December, 1963, KENNETH W. MARSHALL

of Twin Falls, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well, a tributary of subterranean flow, for the purpose of irrigation, under Use Permit No. G-29009 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 13 of Licenses at page 7939, on the 12 day of August, 1964;

The right hereby confirmed dates from September 12, 1960;

The Point of Diversion is located

in the SW 1/4 SE 1/4, Sec. 8, Tp. 10S, R. 13E, B. M. 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 3.42 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
10S	13E	8	NE 1/4 NE 1/4	32	38
			SE 1/4 NE 1/4	38	40
			NE 1/4 NW 1/4	11	40
			NW 1/4 NW 1/4	26	40
			SW 1/4 NW 1/4	28	40
			SE 1/4 NW 1/4	20	40
		17	SE 1/4 NE 1/4	26	40
			SW 1/4 NE 1/4	34	40
			E 1/2 NE 1/4	68	80
			SW 1/4 NE 1/4	9	20
			NW 1/4 NE 1/4	23	28
			Total number of acres to be irrigated:		446

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 August, 1964.

/s/ RALPH W. THOMAS (Deputy)
State Reclamation Engineer.

(SEAL)

17 2341

47-2241

Mary L. Thomas
c/o Fred A. Schwartz
P.O. Box 426
Twin Falls, Idaho

29009

47-2241

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 36999
Permit No. G- 29009
District No.

Assigned to

Kenneth V. Marshall
195 Blaine Dr
Twin Falls, Idaho

1. Name of Applicant: **Mary L. Thomas**Postoffice address: **Twin Falls**County: **Twin Falls**State: **Idaho**

2. Quantity of water claimed:

(a) Rate of withdrawal in cubic feet per second **7.60** or Idaho
Miners' inches **380** or gallons per minute

(b) Annual withdrawal in acre feet per annum **1900**

3. Source of water supply: **Subterranean from a drilled well**

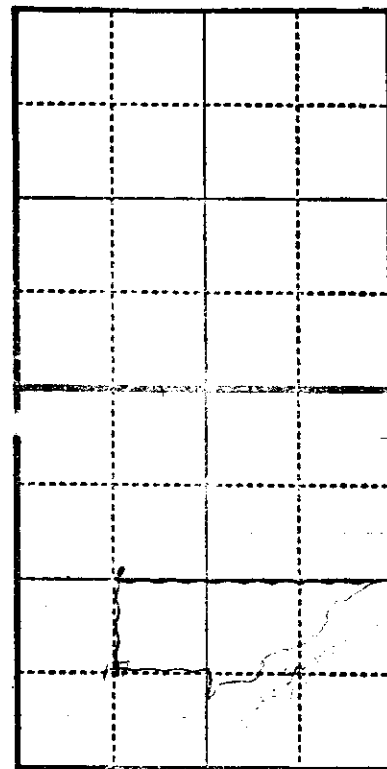
4. Location of point of diversion or well is in the **SW** $\frac{1}{4}$ of the **SE** $\frac{1}{4}$ of Section **8**
Twp. **10 S**, Rge. **13 E**, B.M., County of **Twin Falls**

5. Water is to be used for: **irrigation**

6. If for municipal, industrial or recreational purposes, give:

(a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.

(b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.

7. Kind of works: **Drilled well, electric turbine pump, ditch system**8. Estimated cost of works: **\$23,000**9. (a) Is reservoir to be used? **no**

(b) Capacity of reservoir:

10. The time required for the completion of such work and complete application of the water to the proposed use is **5** years.

11. If applicant is a corporation, give:

I. (a) Date and place of incorporation:

(b) Amount of capital stock: \$

(c) Amount paid in: \$

(d) Names and addresses of directors:

II. The financial resources of the applicant are (a) Cash on hand: \$

(b) Treasury stock:

(c) Bonds to be issued:

(d) Other resources:

12. The land to be irrigated is described in the following tabulation:

13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: **Permit No. 27711**

(a) **380 inches** (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.

(b) (cubic feet per second, inches or gallons per minute) is for new lands.

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	
10 S	13 E	17 16	40 15	40 35	40 8	40	40	40	30	12							160 220 380		
Application for Amendment ✓ LAND LIST Permit No. 29009 Comes now Mary L. Thomas, 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. 29009, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows: Township 10 South, Range 13 EBM: Section 8 - NE¹/₄NE¹/₄ (32 acres); SE¹/₄NE¹/₄ (38 acres); Section 9 - NE¹/₄NW¹/₄ (11 acres); NW¹/₄NW¹/₄ (26 acres); SW¹/₄ NW¹/₄ (28 acres); SW¹/₄ NE¹/₄ (34 acres); SE¹/₄ NE¹/₄ (26 acres); SE¹/₄ NW¹/₄ (20 acres). Section 17 - NE¹/₄ NE¹/₄ (38 acres); NW¹/₄ NE¹/₄ (23 acres); SW¹/₄ NE¹/₄ (9 acres); SE¹/₄ NE¹/₄ (30 acres), making a total of 315 acres. That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change. Signed at Twin Falls, Idaho, this 8th day of February, 1962. /s/ Mary L. Thomas Date of receipt at office of Department of Reclamation: February 9, 1962																			

APPROVAL OF STATE RECLAMATION ENGINEER

I, Ralph W. Thomas, Deputy 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. 29009. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

/s/ RALPH W. THOMAS
Deputy State Reclamation Engineer

Recorded: February 16, 1962

ASSIGNMENT

✓ For value received, I hereby assign two-thirds of my right, title, and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. 29009 to Mary C. Hershberger of Route 1, Nampa, Idaho, appurtenant to E $\frac{1}{2}$ NE $\frac{1}{4}$, Section 8; NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, Section 9, Township 10 South, Range 13 E.B.M.

/s/ Mary L. Thomas
Per mit Holder
/s/ Russell S. Thomas
Husband of Permit Holder

STATE OF IDAHO)
County of Twin Falls) ss.

On this 13th day of February, 1962, before me, a Notary Public for the State of Idaho, residing at Twin Falls, Idaho, personally appeared Russell S. Thomas and Mary L. Thomas, husband and wife, known to me to be the persons whose names are subscribed to the within instrument and duly acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal, the day and year in this certificate first above written.

My commission expires May 1, 1964

/s/ Fred A. Schwartz (SEAL)
Notary Public
Residing at Twin Falls, Idaho

ASSIGNMENT

✓ For value received, I hereby assign all of my right, title, and interest in and to Permit to Appropriate the public waters of the State of Idaho, No. G-29009 to KENNETH W. MARSHALL of 185 Blair Drive, Twin Falls, Idaho

s/ MARY L. THOMAS
Permit Holder

STATE OF IDAHO)
County of Twin Falls) ss

s/ RUSSELL S. THOMAS
Husband of Permit Holder

On this 11th day of November, 1963, before me, a Notary Public for the State of Idaho, residing at Twin Falls, Idaho, personally appeared Mary L. Thomas, and Russell S. Thomas, husband and wife, known to me to be the persons whose names are subscribed to the within instrument and duly acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I Have hereunto set my hand and affixed my Notarial Seal, the day and year in this certificate first above written.

(Seal)
My commission expires May 27, 1964

s/ JAMES M. CUNNINGHAM
Notary Public
Residing at Twin Falls, Idaho

ASSIGNMENT

✓ For value received, I hereby assign all of my right, title, and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. G-29009 to KENNETH W. MARSHALL of 185 Blair Drive, Twin Falls, Idaho.

STATE OF IDAHO)
County of Canyon) ss

s/ MARY C. HERSHBERGER
Permit Holder (a single person)

On this 13th day of November, 1963, before me, a Notary Public for the State of Idaho, residing at Nampa, Idaho, personally appeared MARY C. HERSHBERGER, known to me to be the person whose name is subscribed to the within instrument and duly acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I Have hereunto set my hand and affixed my Notarial Seal, the day and year in this certificate first above written.

My commission expires 1-4-67

R. BAKER YOUNG
Notary Public
Residing at Nampa, Idaho

Permit No. G-29009 ✓

CERTIFICATE OF COMPLETION OF WORKS

✓
TO ALL WHOM IT MAY CONCERN:

This is to certify that MARY L. THOMAS - Assignee - KENNETH W. MARSHALL of Twin Falls, County of Twin Falls, and State of Idaho, the holder of Permit No. G-29009, issued upon Application No. G-36999 bearing date of priority of September 12, 1960, authorizing the diversion of 7.6 second feet of waters of a well 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 3.42 second feet of the waters of a well from subterranean flow; that the point of diversion of said waters SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8, T. 10S., R. 13E., B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 446 acres in the E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 8; S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, Sec. 9; NE $\frac{1}{4}$, Sec. 17, T. 10S., R. 13 E., B.M.

Witness my hand this 12th day of August, A. D. 1964.

/s/ RALPH W. THOMAS
Deputy State Reclamation Engineer

Proof of Completion of Works Made: December 19, 1963

LICENSE ISSUED FOR 3.42 SEC. FT.
LICENSE PAGE NO. 7939

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5588
WATER RIGHT NO(S). 47-02316B/47-02316C/47-02331/47-02341
47-02342/47-02381/47-02402/47-02417/47-07642

This is to certify that: VISSER HOLSTEINS
DBA EAGLE VIEW FARM
6851 BICKMORE
CHINO CA 91790

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 47-02316B :			
Priority: 01/12/1959			
IRRIGATION	04/01 to 10/31	3.33 CFS	1166.4 AF
Right No. 47-02316C :			
Priority: 01/12/1959			
IRRIGATION	03/15 to 11/15	6.92 CFS	2324.0 AF
Right No. 47-02402 :			
Priority: 04/05/1965			
IRRIGATION	03/15 to 11/15	6.40 CFS	1280.0 AF
Right No. 47-02417 :			
Priority: 04/19/1966			
IRRIGATION	03/15 to 11/15	16.89 CFS	6640.0 AF
Right No. 47-07642 :			
Priority: 04/30/1980			
IRRIGATION STORAGE	04/01 to 10/31		140.0 AF
IRRIGATION FROM ST	04/01 to 10/31		140.0 AF
DIVERSION TO STORA	04/01 to 10/31	12.00 CFS	
		* 24.71 CFS	7374.0 AF
Right No. 47-02331 :			
Priority: 03/22/1960			
IRRIGATION	03/15 to 11/15	3.91 CFS	1244.0 AF
Right No. 47-02341 :			
Priority: 09/12/1960			
IRRIGATION	03/15 to 11/15	3.42 CFS	1662.0 AF
Right No. 47-02342 :			
Priority: 09/12/1960			
IRRIGATION	03/15 to 11/15	3.10 CFS	1240.0 AF
Right No. 47-02381 :			
Priority: 11/13/1963			
IRRIGATION	04/01 to 10/31	2.31 CFS	1122.6 AF
		** 12.74 CFS	5548.0 AF **
TOTAL:		*** 37.45 CFS	7374.0 AF ***

MICROFILMED

111 27 2000

TRANSFER NO. 5588
 WATER RIGHT NO(S). 47-02316B/47-02316C/47-02331/47-02341
 47-02342/47-02381/47-02402/47-02417/47-07642

SOURCETRIBUTARY OF

Right Nos. 47-02316B/47-02316C/47-02402/47-02417/47-07642 :
 SALMON FALLS CREEK SNAKE RIVER

Right Nos. 47-02331/47-02341/47-02342/47-02381 :
 GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

Right Nos. 47-02316B/47-02316C/47-02402/47-02417/47-07642 :
 SENE , Sec. 20, Township 10S, Range 13E
 TWIN FALLS County

Right Nos. 47-02331/47-02341/47-02342/47-02381 :
 NWSW , Sec. 5, Township 10S, Range 13E
 SENW , Sec. 8, Township 10S, Range 13E
 SESW , Sec. 8, Township 10S, Range 13E
 NENE , Sec. 9, Township 10S, Range 13E
 NWSW , Sec. 9, Township 10S, Range 13E
 NWNW , Sec. 10, Township 10S, Range 13E
 TWIN FALLS County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
10S	13E	3	SWSW 39.4	SESW 39.0		78.4
		5	NWNW 25.0	SWNW 39.2	NWSW 39.2	
			SWSW 37.8			141.2
		6	SESE 37.8			37.8
		7	NENE 29.7			29.7
		8	NENE 37.6	NWNE 38.6	SWNE 39.2	
			SENE 37.6	NENW 38.6	NWNW 37.6	
			SWNW 38.5	SESW 35.1	NESW 33.7	
			NWSW 39.2	SESW 40.0		415.7
		9	NENE 39.3	NWNE 39.3	SWNE 39.3	
			SENE 39.3	NENW 39.3	NWNW 38.6	
			SWNW 38.6	SESW 39.3	NESW 39.3	
			NWSW 38.6	SWSW 38.6	SESW 39.3	
			NESE 39.3	NWSE 39.3	SWSE 39.3	
			SESE 38.2			624.9
		10	NWNE 31.8	NENW 39.3	NWNW 39.3	
			SWNW 39.3	SESW 36.7	NWSW 40.0	
			SWSW 29.0			255.4
		16	NENE 3.2	NWNE 25.2	NENW 40.0	
			NWNW 39.0	SWNW 34.0	SESW 24.5	165.9
		17	NENE 33.4	SWNE 27.1	SENE 34.0	94.5
Total number of acres irrigated:						1843.5 ****

MICROFILMED

JUL 27 2000

TRANSFER NO. 5588
WATER RIGHT NO(S). 47-02316B/47-02316C/47-02331/47-02341
47-02342/47-02381/47-02402/47-02417/47-07642

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this right may be affected by an agreement between the protestant and the right holder.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
6. The period of use for the irrigation described under Rights 47-02316B, 47-02381 and 47-07642 may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
7. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this approval.
8. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
9. Use of water under Rights 47-02316B, 47-02316C, 47-02402, 47-02417 and 47-07642 will be regulated by the watermaster of State Water District No. 47-G, Salmon Falls Creek.
10. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the Salmon Falls Creek diversion.
- * 11. Rights 47-02316B, 47-02316C, 47-02402, 47-02417 and 47-07642 when combined with Rights 47-07565, 47-07569, 47-07615 and 47-07618 shall not exceed the 24.71 cfs diversion capacity of the Salmon Falls Creek diversion system.

MICROFILMED

JUL 27 2000

TRANSFER NO. 5588

WATER RIGHT NO(S). 47-02316B/47-02316C/47-02331/47-02341
47-02342/47-02381/47-02402/47-02417/47-07642CONDITIONS OF APPROVAL AND REMARKS

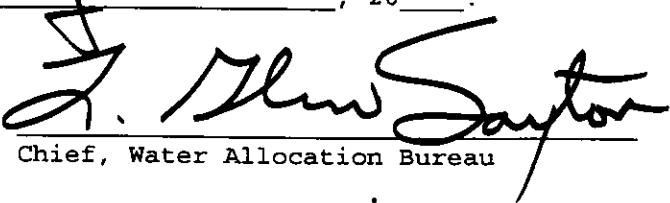
12. Prior to diversion of ground water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized ground water points of diversion which will allow determination of the total rate of diversion of ground water.
- ** 13. The total instantaneous diversion of ground water from all ground water points of diversion under Rights 47-02331, 47-02341, 47-02342 and 47-02381 shall not exceed 12.74 cfs, nor a total combined annual volume of 5548.0 af for the irrigation of 1387.0 acres.
- *** 14. The total instantaneous diversion of water from all points of diversion under Transfer 5588 shall not exceed 37.45 cfs, nor a total combined annual volume of 7374.0 af for the irrigation of 1843.5 acres.
- **** 15. Right 47-02316B is limited to the irrigation of 291.6 acres in the place of use described above in a single irrigation season.
- **** 16. Right 47-02316C is limited to the irrigation of 581.0 acres in the place of use described above in a single irrigation season.
- **** 17. Right 47-02331 is limited to the irrigation of 311.0 acres in the place of use described above in a single irrigation season.
- **** 18. Right 47-02341 is limited to the irrigation of 446.0 acres in the place of use described above in a single irrigation season.
- **** 19. Right 47-02342 is limited to the irrigation of 310.0 acres in the place of use described above in a single irrigation season.
- **** 20. Right 47-02381 is limited to the irrigation of 320.0 acres in the place of use described above in a single irrigation season.
- **** 21. Right 47-02402 is limited to the irrigation of 320.0 acres in the place of use described above in a single irrigation season.
- **** 22. Right 47-02417 is limited to the irrigation of 1660.0 acres in the place of use described above in a single irrigation season.
23. The storage of water under Right 47-07642 is contingent upon continued certification by the Department of Water Resources under the dam safety provisions of the Idaho Code, authorizing storage.

Dated this 14th day of

July

, 20

00


Chief, Water Allocation Bureau

MICROFILMED

JUL 27 2000

Memorandum

To: Water Right Files Nos. 47-2316C, 47-2402, 47-2417, 47-7642, 47-2331,
47-2341, 47-2342, and 47-2381

From: Deborah Gibson

Date: Oct. 22, 2003

Re: **Holsteins' Water Supply Bank Leases Extended**

See water right file no. 47-2316B for the Application to Sell or Lease A Water Right to the Water Supply Bank for Visser Holsteins, dba Eagle View Farms, regarding the above-referenced water rights. The application, received August 19, 2003, extends the term of the lease until December 31, 2006.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

October 22, 2003

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

CHARLES E BROCKWAY
BROCKWAY ENGINEERING
2016 N WASHINGTON ST
TWIN FALLS ID 83301

**RE: APPLICATION TO LEASE WATER RIGHT NOS. 47-2316B, 47-2316C,
47-2402, 47-2417, AND 47-7642 FROM SALMON FALLS CREEK AND
47-2331, 47-2341, 47-2342, AND 47-2381 FROM GROUND WATER TO
THE WATER SUPPLY BANK**

Dear Mr. Brockway:

The department received your request, submitted on behalf of Visser Holsteins, to extend the term the Water Supply Bank ("bank") lease for the above referenced water rights from December 31, 2003 to December 31, 2006. Please consider that the offered water rights will remain leased to the bank.

Several items to keep in mind in connection with the lease of a water right to the bank are as follows:

1. There is no rental payment to the owner of the water right if the right or a part thereof is not rented from the bank.
2. While a right is in the bank, the owner of the right may not use the right even if the right is not rented.
3. A right accepted into the bank stays in the bank until the Board releases it or until the lease term expires.
4. While a water right is in the bank, forfeiture provisions are stayed.
5. Acceptance of a right into the bank does not, in itself, confirm the validity of the right or any elements of the water right.
6. The lessor may be required to provide evidence of availability of the surface water source prior to rental of the right.

Upon receipt of an application to rent water under the Salmon Falls rights, the

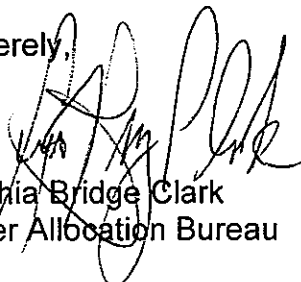
MICROFILMED

OCT 29 2003

department will seek comment from Charlie Runyon, the water master on Salmon Falls Creek, relative to water availability.

Additionally, the documentation of Limited Power of Attorney submitted with the application does not recognize right nos. 47-2316B and 47-2316C. If you will provide documentation of power of attorney with respect to these rights, department records will be updated accordingly. If you have questions, please feel free to contact me.

Sincerely,



Cynthia Bridge Clark
Water Allocation Bureau

c: Allen Merritt – IDWR Southern Region
Charlie Runyon – Watermaster

MICROFILMED

OCT 29 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY - 6 2002

Department of Water Resources

CHANGE IN ADDRESS

This form can be used to notify the Department of a change in
address of the owners of record for the listed water rights.

(Please print or type)

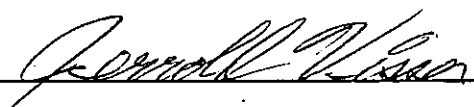
[] Water Right Number(s): 47-11872 47-02371 47-02331
47-02316B 47-02316C 47-02341
47-02342 47-02381 47-02402
47-02417 47-07642

[] Name(s): VISSER HOLSTEINS DBA EAGLE VIEW FARM

[] Old Mailing Address: 6851 BICKMORE
CHINO CA 91790

[] New Mailing Address: PO BOX 665
CASTLEFORD ID 83321-0665

Telephone Number: (208) 537 - 0918

[] Signature(s) of Owner(s) 

(Include your title if on behalf of company or organization)

MICROFILMED
Date:
OCT 29 2003

4-30-02

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Security Interest in a Water Right

And Request for Notification of a Change in Ownership or Any Proposed
Or Final Action to Amend, Transfer, or Otherwise Modify a Water Right

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

RECEIVED
MAY 25 2001
Department of Water Resources
Southern Region

RECEIVED
JUN 08 2001
Department of Water Resources
Southern Region

1. Water Right No(s).: _____ (see attached) 47-02341
Adjudication Claim No(s).: _____
2. The following **REQUIRED** information must be submitted with this form:
 - A) Evidence of the security interest. This may be a copy of a **DEED of TRUST, MORTGAGE, CONTRACT OF SALE** or other legal document indicating your interest in the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**
 - B) A **FEE** of \$25.00 per water right or adjudication claim.
3. Name and Mailing Address of Person or Company holding Security Interest

RECEIVED
JUN 15 2001
Department of Water Resources

American AgCredit, FLCA
P.O. Box 1120
Santa Rosa, California 95402-1120
4. Name of Water Right Owner/Claimant(s) Visser Holsteins, a General Partnership dba Eagle View Farms
5. Expiration Date of Notification Period May 1, 2031
6. Is this a Renewal of Request for Notification? YES X NO
7. Signature(s) (and title if applicable) American AgCredit, FLCA
By: [Signature]

For Office Use Only

Received by [Signature] Date 5/22/01 Fee \$250.00
 Received by [Signature] Date 5/22/01 Receipt No. 5024051
 Processed by [Signature] AJ Date _____ WR _____ Date _____

MICROFILMED

AUG 08 2001

ATTACHMENT

RECEIVED

JUN 08 2001

Department of Water Resources
Southern Region

Idaho Department of Water Resources License Number 47-02371, Priority Date March 4, 1963, 2.02 CFS.
Idaho Department of Water Resources License Number 47-02316B, Priority Date January 12, 1959, 3.33 CFS.
Idaho Department of Water Resources License Number 47-02316C, Priority Date January 12, 1959, 6.92 CFS.
Idaho Department of Water Resources License Number 47-02402, Priority Date April 5, 1965, 6.40 CFS.
Idaho Department of Water Resources License Number 47-02417, Priority Date April 19, 1966, 16.89 CFS.
Idaho Department of Water Resources License Number 47-07642, Priority Date April 30, 1980, 12.00 CFS.
Idaho Department of Water Resources License Number 47-02331, Priority Date March 22, 1960, 3.91 CFS.
Idaho Department of Water Resources License Number 47-02341, Priority Date September 12, 1960, 3.42 CFS.
Idaho Department of Water Resources License Number 47-02342, Priority Date September 12, 1960, 3.10 CFS.
Idaho Department of Water Resources License Number 47-02381, Priority Date November 13, 1963, 2.31 CFS.

MICROFILMED

AUG 08 2001

MEMORANDUM

TO: 47-02316C, 47-02402, 47-02417, 47-07642 from Salmon Falls Creek and 47-02331, 47-02341, 47-02342, 47-02381 from groundwater to the Water Supply Bank.

FROM: Sunny Healey

DATE: 5-21-2001

SUBJECT: Application to lease water right numbers listed above.

All information regarding the Application to Lease these water rights listed above, is located within:

FILE # 47-02316B

MICROFILMED

AUG 08 2001

MEMORANDUM

TO: FILE 47-02341
FROM: VAULT
RE: TRANSFER # 5588
DATE: 12/17/99

=====

**Original Transfer Application, Form and correspondence regarding the above
referenced Transfer is located within:**

FILE # ~~47-02334~~
47-02316B

MICROFILMED
JUL 27 2000

December 15, 1970

Permit No's. 29009/47-2341
29010/47-2342
47-7058

Kenneth W. Marshall
185 Blair Drive
Twin Falls, Idaho 83301

Dear Mr. Marshall:

This letter is to notify you as a permit holder in the Blue Gulch area that a portion of the land west of Salmon Falls Creek has been declared a critical ground-water area and closed to further appropriation of ground water. This designation went into effect December 9, 1970 and will remain until it is shown that ground-water withdrawals do not exceed the estimated natural recharge to the area.

A public hearing will be held at the Buhl Senior High School, January 7, 1971 at 8:00 P.M., to accept any testimony or comment regarding the closure. A copy of the notice and hearing and description of the area is enclosed for your information.

Very truly yours,

Sheri L. Chapman
Acting Assistant Director

SLC:rh
Enc.

47 2341

August 13, 1914

Re: Permit No. 27711 (part)
G-29009, G-29010

Kenneth W. Marshall
135 Blair Drive
Twin Falls, Idaho

Dear Mr. Marshall:

Enclosed are the Certificates of Completion of Works and
Licenses and Certificates of Water Right on the above
numbered permits.

Also enclosed are departmental receipts No. G-8793, in the
amount of \$50.00, and 32384, in the amount of \$34.00,
covering the fees.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(Mrs.) Edna P. Baile
Chief Clerk

BR:mr

Enc. certificates 6
receipts 2

29009

State of Idaho
DEPARTMENT OF RECLAMATION

Boise, Idaho

July 20, 1964

Re: Permit No. G-29009

Kenneth W. Marshall
185 Blair Drive
Twin Falls, Idaho

Dear Mr. Marshall:

Our field engineer's report on his inspection of proof of completion of works and application of water to beneficial use under the terms of Permit No. G-29009 shows the well is (~~171~~) capable of conveying 171 miner's inches, or 3.42 c.f.s. of water for the irrigation of 446 acres.

Upon receipt of the statutory fees, totaling \$ 29.00, which consists of a Completion of Works fee of \$ ---- and License and Certificate of Water Right fee of \$ ----- based at the rate of \$2.00 for each 40-acre subdivision - we will issue the Certificate of Completion of Works and the License and Certificate of Water Right confirming the right, with priority of September 12, 1960 to the use of 3.42 second feet of subterranean water with the point of diversion in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8 for irrigation of 446 acres in the E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 8; NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 9; NE $\frac{1}{4}$, Sec. 17, T. 10 S., R. 13 E., B.M.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

29009

4 photo copies
to BLM. of land
amendment,
for 2 desert entries

photo -	3.00
~~Assign~~	
Assign -	1.50
~~2 copies assign~~	~~1.00~~
	\$ 3.50

27
2341

29009

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

Permit No. G-29009

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

1. Name of applicant Kenneth W. Marshall 185 Blair Drive Twin Falls, Idaho

2. Source of water supply: Well

3. Location of point of diversion: Is in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 8

T. 10S R. 13E. B.M. County of Twin Falls

4. Describe works as they exist, giving dimensions and capacities of same: 250 HP US Holbrook
#127519D, Layne & Bowler Pump # D00167 (1750 GPM @ 480' @ 1720 RPM), 516" x 10'
Column, h: 445' - d: 7" Well 590" x 20", 10" discharge to a 10" x 200'
steel pipe to a 100' Dia. 6' deep pond. Has portable aluminum pipe
connection at end to extend another 175' to a upper ditch
or extend aluminum pipe for sprinkler system to west. Pump Pond

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):

TWP. 10 South RGE. 13E. B.M. Sec. 8--NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 9--NE $\frac{1}{4}$ NW $\frac{1}{4}$
NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 17--NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$
SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$

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

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

Remarks: Mr. Kenneth Marshall along

② has 1-20 HP and 1-15 HP pump to sprinkler system that irrigates
this land in sec. 8 and 9. (actually waste water from his
surrounding land drains into this pond also.) (There is a
small reclaim pond with a 5 HP Pump in SE NE Sec. 17)

Measured by Sparling Meter 5 Rci. 2 min. 20 sec. = 3.42 cfs

This examination was made on the 8th day of July, 1964

(Signed) Layne Johnson

Examiner.

29009

S. 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100
Kenneth W. Marshall

185 Blair Drive

Twin Falls, Idaho

Permit No. G-29009

Examination for Completion of Works and Beneficial Use

County... Twin Falls

Sec. 8 T. 10S R. 13E, B.M.

Quantity: 7.6 CFS

Source: Well

P.D.: SWSE, 8-10S-13E

Use: Irrigation

Filed: 9-12-60

Due: 9-13-65

Extension:

Completion of Works:

Other Rights: #27711

380 inches

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
JUL 15 1964

Department of Reclamation

29009

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G -29009

REPORT ON PROOF OF Completion of Works and Beneficial Use

Kenneth W. Marshall
185 Blair Drive
Twin Falls, Idaho

1M April 1962

December 24, 1963

Re: Permit No. G-29009, G-29010

Kenneth W. Marshall
185 Blair Drive
Twin Falls, Idaho

Dear Mr. Marshall:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the Kimberly Advertiser, all submitted in proof of completion of works and beneficial use on Permit No. G-29009, G-29010.

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 ,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:

29009

AFFIDAVIT OF PUBLICATION

COMPLETION OF WORKS and APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A.M., on the 19th day of December, 1963, at Twin Falls, County of Twin Falls, State of Idaho, before James M. Cunningham, Notary Public, at 313 Shoshone North, proof will be submitted of the completion of works for the diversion of 4.0, 4.0 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-29009, G-29010, 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 is Kenneth W. Marshall, 185 Blair Drive, Twin Falls, Idaho.
2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 4.0, 4.0 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 4.0, 4.0 cubic feet per second.
4. The point of diversion of said water is SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 8; Twp. 10 S; Rge. 13 E.B.M. Approximate center SW $\frac{1}{4}$ Sec. 9; Twp. 10S; Rge. 13 E.B.M.
5. The place where said water is used is E $\frac{1}{2}$ NE $\frac{1}{4}$; Sec. 8; NW $\frac{1}{4}$ & S $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 9; S $\frac{1}{2}$ Sec. 9, Twp. 10 S, Rge. 13 E.B.M. NE $\frac{1}{4}$ Sec. 17; Twp. 10 S; Rge. 13 E.B.M.
6. The date of priority which said user is prepared to establish is September 12, 1960 and September 12, 1960.

CARL E. TAPPAN
State Reclamation
Engineer
(Pub. Nov. 21, 28, Dec. 5, 12)

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

I, William F. Hill being first duly sworn on oath, say:

That I am William F. Hill 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 four consecutive weeks, commencing with the issue dated December 1, 1963, and ending with the issue dated Dec. 12, 1963.

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.

William F. Hill

Subscribed and sworn to before me this 19th
day of Dec, 1963.
Frank W. Harsh
Notary Public for the State of Idaho.
(My commission expires 1-15-65, 1965.)

29009

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO ✓

Permit No. G-29009

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: _____

Kenneth W. Marshall, 185 Blair Drive, Twin Falls, Idaho - Farmer

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:

Ques. 3. State number, approval date/of permit, and date of priority you propose to establish under the permit; G-29009; September 13, 1960; September 12, 1960

Ques. 4. State source of water supply: Subterranean
Give location of point of diversion, showing subdivision, section, township and range:

~~SW 1/4 SE 1/4~~ of Section 8, Township 10 South, Range 13 E.B.M.

Ques. 5. Describe your works of diversion: Drilled well, 250 HP pump, + 300'

of 10" pipeline; ditches; state amount of water they are capable of conveying from point of diversion to place of use 4 c.f.s.; Give name of canal or ditch or other works by which water is conducted to such place of use: own ditch system

_____ ; if a well, state depth of well 590'; depth and size of casing: 80' of 20" casing; depth to water 445'; if pump is used, state discharge of pump: 4 c.f.s.; tell how it was measured or determined: by Layne + Bowler Pump Co.; if sprinkler irrigation, give number and size of nozzles and operating pressure: The 240 acres in Sect. 9 is sprinkled - 198 sprinklers - 1/64" 40 #

_____ ; if a well, state depth of well 590'; depth and size of casing: 80' of 20" casing; depth to water 445'; if pump is used, state discharge of pump: 4 c.f.s.; tell how it was measured or determined: by Layne + Bowler Pump Co.; if sprinkler irrigation, give number and size of nozzles and operating pressure: The 240 acres in Sect. 9 is sprinkled - 198 sprinklers - 1/64" 40 #

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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: T. 10 S., R. 13 E.B.M.:

Section 8: NE 1/4 NE 1/4 - 34 acres; SE 1/4 NE 1/4 - 39 acres. Section 9: NW 1/4 NW 1/4 - 38 acres;

SW 1/4 NW 1/4 - 38 acres; NE 1/4 NW 1/4 - 30 acres; SE 1/4 NW 1/4 - 30 acres; SW 1/4 NE 1/4 - 39 acres;

SE 1/4 NE 1/4 - 39 acres. Section 17 - SE 1/4 NE 1/4 - 39 acres; NE 1/4 NE 1/4 - 39; NW 1/4 NE 1/4 - 29 ac. SW 1/4 NE 1/4 - 39 ac.

State nature of all improvements which have been made as a direct result of said use: Improved irrigation system + leveling of fields.

No crop

OK
29009

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

Ques. 7. If for other than irrigation purposes, state purpose and how used:

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

4 c.f.s.

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:

Assignment of Permit

Ques. 10. State when and in what amount the water diverted under above mentioned permit has been first used: June, 1962 - 4 c.f.s. Time used since first use:

2 Crop Seasons - 1962 & 1963

Ques. 11. Describe all other water rights appurtenant to same place of use:

Permit # 27711 covering NE 1/4 Sec. 17-105. - 13E - & other land.

(sign)

Kenneth W. Marshall

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

Twins Falls

County of

Twins Falls

State of Idaho, on this 19 day of December, A.D. 1963.

James M. Cunningham

My Commission expires:

5-24-⁶⁴~~63~~

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
Permit No. 829009

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:

Thomas M Thompson 57 481 Taylor St Twin Falls Idaho
Branch Manager Lague & Bowler Pump Co PO Box 892 Twin Falls Idaho

Ques. 2. Are you acquainted with Kenneth W Marshall, the holder of
Permit No. 829009? How long have you known him and where does he reside: 10 years

185 Blair Dr. Twin Falls Idaho

Ques. 3. Have you read or heard said Permit No. 829009 read, and are you familiar
with its provisions and conditions: Yes: yes No: _____

Ques. 4. State source of water supply: Deep Well

State place of diversion: SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 8 - T10 R13 E B1M

Describe works for conveying water to place of use: Deep Well Pump
& Sprinkler Irrigation System & Sump Pump.

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 4 C.F.S. How much water have you seen being so
conveyed: 4 C.F.S.

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

Section 8 NE $\frac{1}{4}$ NE $\frac{1}{4}$ - 34 acrs SE $\frac{1}{4}$ NE $\frac{1}{4}$ - 39
Section 9 NW $\frac{1}{4}$ NW $\frac{1}{4}$ - 38 acrs SW $\frac{1}{4}$ NW $\frac{1}{4}$ - 38 NE $\frac{1}{4}$ NW $\frac{1}{4}$ - 30 SE $\frac{1}{4}$ NW $\frac{1}{4}$ - 30 acrs
SW $\frac{1}{4}$ NE $\frac{1}{4}$ - 39 acrs SE $\frac{1}{4}$ NE $\frac{1}{4}$ - 39 acrs Section 17 SE $\frac{1}{4}$ NE $\frac{1}{4}$ - 39 acrs
NE $\frac{1}{4}$ NE $\frac{1}{4}$ - 39 acrs NW $\frac{1}{4}$ NE $\frac{1}{4}$ - 29 acrs SW $\frac{1}{4}$ NE $\frac{1}{4}$ - 10 acrs

Ques. 7. If for power or other purposes than irrigation, state how water has been 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:

Desert Land Put under Cultivation for Irrigation
total of Water Pump thru sprinkler 200 inches

Ques. 9. Have you any 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: May 1962

Other times you have seen such use: Several times each year through

(Signed)

Thomas M. Thompson

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 Turn Falls

Turn Falls, County of Turn Falls, State of Idaho, on this 19 day of December,

A. D., 1963.

James E. Cunningham
Notary Public for State of Idaho

Residing: Turn Falls, Idaho

My commission expires: 5-27-64

29009

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Permit No. 6-29009

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:

Arthur T. Duncan - 35 yrs. - 170 Blair Dr
Land Appraiser - Twin Falls, Idaho

Ques. 2. Are you acquainted with Kenneth W. Marshall, the holder of
Permit No. 6-29009? How long have you known him and where does he reside:

10 yrs - 185 Blair Dr Twin Falls, Idaho

Ques. 3. Have you read or heard said Permit No. 6-29009 read, and are you familiar
with its provisions and conditions: Yes: ✓ No:

Ques. 4. State source of water supply: SUBTERRANEAN WATER

State place of diversion: SW¹ SE¹ - Section 8 - T. 10 South, Range 13 E. B. M.

Describe works for conveying water to place of use: Well - 250 H.P. Pump
+ motor - 300' - steel pipe line - Gravity ditch - 20 H.P. pump + motor -
+ sprinkler system -

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 4 CFS How much water have you seen being so

conveyed: 4 CFS

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

NE¹ NE¹ - 34 Acs - SE¹ NE¹ - 39 Acs. of Section 8; NW¹ NW¹ - 38 Acs
SW¹ NW¹ - 38 Acs - NE¹ NW¹ - 30 Acs - SE¹ NW¹ - 30 Acs - SW¹ NE¹ - 39 Acs
SE¹ NE¹ - 39 Acs of Section 9; SE¹ NE¹ - 39 Acs; NE¹ NE¹ - 39 Acs
NW¹ NE¹ - 29 Acs; SW¹ NE¹ - 10 Acs of Section 17; All
in Township 10 S.; Range 13 E. B. M.

29009

Ques. 7. If for power or other purposes than Irrigation, state how water has been 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:

Desert Land put under Cultivation + Irrigation
5/8 acres now - Cult. Land. Other water provided from Salmon
Falls Creek on another permit.

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

Ques. 10. When did you first see this water used: 1962

Other times you have seen such use: Various Times during Growing
Season - 1962 + 1963

(Signed)

Arthur J. Duncan

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

 , County of Twin Falls, State of Idaho, on this 19 day of December,
A. D., 1963.

James M. Cunningham
Notary Public for State of Idaho
Residing: Twin Falls, Idaho

My commission expires: 5-24-64

29009

LAW OFFICES OF
MURPHY, SCHWARTZ & CUNNINGHAM

JACK M. MURPHY
FRED A. SCHWARTZ
JAMES M. CUNNINGHAM

TWIN FALLS, IDAHO
313 SHOSHONE STREET NORTH
733-4961

SHOSHONE, IDAHO
JOURNAL BUILDING
886-7602

Twin Falls, Idaho

December 20, 1963

Department of Reclamation
State of Idaho
State House
Boise, Idaho

Attention: Mrs. Edna P. Rule
Chief Clerk

Re: Permit No. G-28546
Ernestine A. Marshall

Permit Nos. G-29009 and G-29010
Kenneth W. Marshall

Dear Mrs. Rule:

Enclosed herewith are Deposition of Holder and Depositions of Witnesses in connection with Proof of Application of Water to Beneficial Use and Completion of Works together with Affidavit of Publication concerning each of the above permits.

We trust you will find them in proper form.

Very truly yours,

MURPHY, SCHWARTZ & CUNNINGHAM

By- *James M. Cunningham*

JMC:m
Encl.

29009

November 21, 1963

Re: Permit No. G-29009; G-29010
Kenneth W. Marshall

Kimberly Advertiser
Kimberly, Idaho

Gentlemen:

We received the proof on the above numbered permits for publication and find the following corrections:

We must show 4.0 twice in the opening paragraph, in paragraph 2, and paragraph 3, as there is 4.0 cubic feet per second of water for each permit. Also in paragraph 6 it should read September 12, 1960, for each permit.

When these corrections have been made, would you please send us a copy for our files of the corrected notice?

Thank you.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

H. PETRI
State Water Rights Clerk

HP:ew

29009

November 19, 1963

Re: Permit No. 27711; G-29009
G-29010 - Kenneth W. Marshall

Kenneth W. Marshall
185 Blair Drive
Twin Falls, Idaho

Dear Sir:

Enclosed are the the assignments on Permit No. G-29009
and G-29010 to you from Mary L. Thomas and Mary C. Hershberger
Also from Lorene M. Cuents, Permit No. G-29010.

Also enclosed are the two amendments to the point of
diversion on Permit No. 27711.

Receipt No. G-8381 was given in the amount of \$1.50
for the assignments, herewith enclosed and Receipt No. 31924
enclosed for amendment fees in the amount of \$2.00.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. assignments (3)
amendments (2)
receipts (2)

29009

November 13, 1963

Re: Permit No. G-29009 and G-29010

Mr. Kenneth W. Marshall,
185 Blair Drive,
Twin Falls, Idaho.

Dear Mr. Marshall:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. G-29009 and G-29010. The proofs are to be made at 10:00 o'clock A.M., on the 19th day of December, 1963, before James M. Cunningham, III Shoshone North, Twin Falls, Idaho, Notary Public.

As of this date we have mailed the Notice to the Kimberly Advertiser Kimberly, Idaho, 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,

~~STATE RECLAMATION ENGINEER~~

State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

Enc.
EPR:pmk
cc: Notary

29009

Re: Permit No. G-29009 ✓
G-29010
Kenneth W. Marshall

Date: November 13, 1963

Kimberly Advertiser,
Kimberly, Idaho.

Gentlemen:

Enclosed you will find Notice for Publication, once a week for four consecutive weeks prior to December 19, 1963 the date set for proof; the expense of the publication is to be paid by the applicant Kenneth W. Marshall of 185 Blair Drive, Twin Falls, Idaho to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice and furnish this office with a copy or tear sheet of the first publication.**

Very truly yours,

Carl E. Tappan

CARL E. TAPPAN
State Reclamation Engineer

** If the first copy is not received in this office for checking purposes and errors appear in subsequent issues, it is possible that re-publication of corrected copy will be at your own expense.

CET:pmk

29009

NOTICE OF PROOF OF COMPLETION OF WORKS

and
APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A.M., on the 19th day of December 1963, at Twin Falls, County of Twin Falls, State of Idaho, before James M. Cunningham, Notary Public, at (address) 313 Shoshone North, proof will be submitted of the completion of works for the diversion of XX 4.0 4.0 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-29009 G-29010, 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 is Kenneth W. Marshall, 185 Blair Drive, Twin Falls, Idaho

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 4.0 4.0 cubic feet per second.

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

4.0 4.0, purposes, and the amount applied to beneficial use is 4.0 4.0 cubic feet per second.

4. The point of diversion of said water is SW 1/4 Sec. 8; Twp. 10 S; Rge. 13 E.B.M. Approximate center SW 1/4 Sec. 9; Twp. 10 S; Rge. 13 E.B.M.

5. The place where said water is used is SE 1/4 Sec. 8; NW 1/4 & SE 1/4 Sec. 9; NE 1/4 Sec. 17; Twp. 10 S; Rge. 13 E.B.M.

6. The date of priority which said user is prepared to establish is September 12, 1960 September 12, 1960

CARL E. TAPPAN

State Reclamation Engineer

29009

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date)

November 13, 1963

(P. O.)

185 Blain Drive, Twin Falls, Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the

Kimberly Advertiser

of

Kimberly, Idaho

published in

the county in which the works are situated.

Kenneth W. Marshall

(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.

29009

February 16, 1962

RE: Permit No. G-29009
Mary L. Thomas

Murphy Schwartz & Cunningham
Attorneys at Law
313 Shoshone Street N
Twin Falls, Idaho

Attention: Fred A. Schwartz

Dear Mr. Schwartz:

Enclosed is the amendment to the land list on Permit No. G-29009,
which has been recorded in this office.

Also enclosed is departmental receipt No. G-6811 in the amount of
\$1.00 covering the recording fee.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

Enc. amendment
receipt

29009

February 16, 1962

RE: Permit No. G-29009
Mary L. Thomas

Bureau of Land Management
Box 2237
Boise, Idaho

Gentlemen:

Enclosed are four copies of the assignment of a portion of Permit No. G-29009 from Mary L. Thomas, Desert Land Entry Idaho No. 04014, to Mary C. Hershberger, Desert Land Entry Idaho No. 03460, two copies for each Entry, and four copies of amendment to the land list.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

BR:mr

Enc. copies of amendment 4
copies of assignment 4

cc: Kenneth W. Marshall

29009

February 16, 1962

RE: Permit No. G-29009
Mary L. Thomas

Kenneth W. Marshall
185 Blaine Drive
Twin Falls, Idaho

Dear Mr. Marshall:

Enclosed is the assignment of a portion of Permit No. G-29009 to Mary C. Hershberger which has been recorded in this office.

Also enclosed is departmental receipt No. G-6822 in the amount of \$3.50 covering the fees for recording the assignment, and for four copies of the amendment to the land list which have been sent to the Bureau of Land Management. The amendment has been mailed to Murphy, Schwartz & Cunningham.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

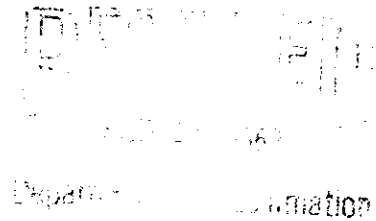
(Mrs.) Edna P. Rule
Chief Clerk

EHR:mr
Enc. assignment
receipt

29009

185 Blain Drive
Twin Falls, Idaho
Feb. 14, 1962

Mr. Ralph W. Thomas
State Reclamation Dept.
State House
Boise, Idaho



Dear Mr. Thomas:

Enclosed is an original and 4 copies of an assignment of the Mary L. Thomas Water Permit which we discussed the other day.

After you approve the assignment, I would appreciate it if you would forward the four copies to the BLM Land office and designate that two of these pertain to the Mary C. Hershberger filing, Idaho 03460 and that the other two pertain to the Mary L. Thomas filing, Idaho 04014.

Thanks very much.

Yours truly,

Kenneth W. Marshall

LAW OFFICES OF
MURPHY, SCHWARTZ & CUNNINGHAM

JACK M. MURPHY
FRED A. SCHWARTZ
JAMES M. CUNNINGHAM

TWIN FALLS, IDAHO
313 SHOSHONE STREET NORTH
TWIN FALLS, IDAHO 3-4961
SHOSHONE, IDAHO
JOURNAL BUILDING
TUCKER 6-7602

Twin Falls, Idaho
February 9, 1962

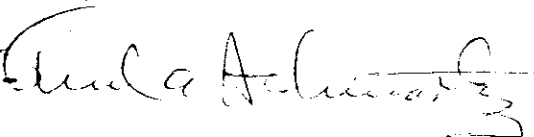
Department of Reclamation
107 State House
Boise, Idaho

Gentlemen:

By our letter of February 8, 1962, we forwarded
an Application for Amendment of Permit No. 29009.
I neglected to enclose the amended maps for the
application which I am enclosing herewith.

Very truly yours,

MURPHY, SCHWARTZ & CUNNINGHAM

By 

FAS:ik
Encls.

29009

Application for Amendment

LAND LIST

Permit No. 29009

RECEIVED
FEB 9 1962
Department of Reclamation

Comes now Mary L. Thomas, 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. 29009, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

Township 10 South, Range 13 E&M:

Section 8 - NE $\frac{1}{4}$ NE $\frac{1}{4}$ (32 acres); SE $\frac{1}{4}$ NE $\frac{1}{4}$ (38 acres)

Section 9 - NE $\frac{1}{4}$ NW $\frac{1}{4}$ (11 acres); NW $\frac{1}{4}$ NW $\frac{1}{4}$ (26 acres); SW $\frac{1}{4}$ NW $\frac{1}{4}$ (28 acres);
SW $\frac{1}{4}$ NE $\frac{1}{4}$ (34 acres); SE $\frac{1}{4}$ NE $\frac{1}{4}$ (26 acres); SE $\frac{1}{4}$ NW $\frac{1}{4}$ (20 acres).

Section 17 - NE $\frac{1}{4}$ NE $\frac{1}{4}$ (38 acres); NW $\frac{1}{4}$ NE $\frac{1}{4}$ (23 acres); SW $\frac{1}{4}$ NE $\frac{1}{4}$ (9 acres);
SE $\frac{1}{4}$ NE $\frac{1}{4}$ (30 acres),

making a total of 315 acres.

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

Signed at Twin Falls, Idaho, this 8th day of February, 1962.

Mary L. Thomas
Mary L. Thomas

Date of receipt at office of Department of Reclamation: February 9, 1962

APPROVAL OF STATE RECLAMATION ENGINEER

I, Ralph W. Thomas, Deputy 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. 29009. 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.

Ralph W. Thomas
Deputy State Reclamation Engineer

Recorded: February 16, 1962

29009

LAW OFFICES OF
MURPHY, SCHWARTZ & CUNNINGHAM

JACK M. MURPHY
FRED A. SCHWARTZ
JAMES M. CUNNINGHAM

TWIN FALLS, IDAHO
313 SHOSHONE STREET NORTH
REDWOOD 3-4961

SHOSHONE, IDAHO
JOURNAL BUILDING
TUCKER 6-7602

Twin Falls, Idaho

February 8, 1962

RECEIVED
FEB 9 1962
Reclamation

Department of Reclamation
107 State House
Boise, Idaho

Gentlemen:

Please find enclosed Application for Amendment
of Permit No. 29009. Also find enclosed our
check in the amount of \$1.00 for filing fees.

Very truly yours,

MURPHY, SCHWARTZ & CUNNINGHAM

By *Fred A. Schwartz*

FAS:m
Encl.

29009

September 21, 1960

Re: Permit No. G-29009
Mary L. Thomas

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

Gentlemen:

We enclose two copies of Permit No. G-29009, one
of which has been certified, to be used in connection with
Desert Land Entry filed in your office by permit holder
Mary L. Thomas, Twin Falls, Idaho.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

Encl.
EPR:pmk
cc: Mary L. Thomas
c/o Fred Schwartz
Box 426,
Twin Falls, Idaho.

29009

September 21, 1960

Re: Permit No. G-29009

Mary L. Thomas,
c/o Fred A. Schwartz
Box 426,
Twin Falls, Idaho.

Dear Mrs. Thomas:

We enclose Permit No. G-29009 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.

We also enclose Departmental Receipt No. G-5204 which was issued covering payment in the amount of \$8.75, which includes \$6.75 for the filing fee and \$2.00 for the copies sent to the Bureau of Land Management.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

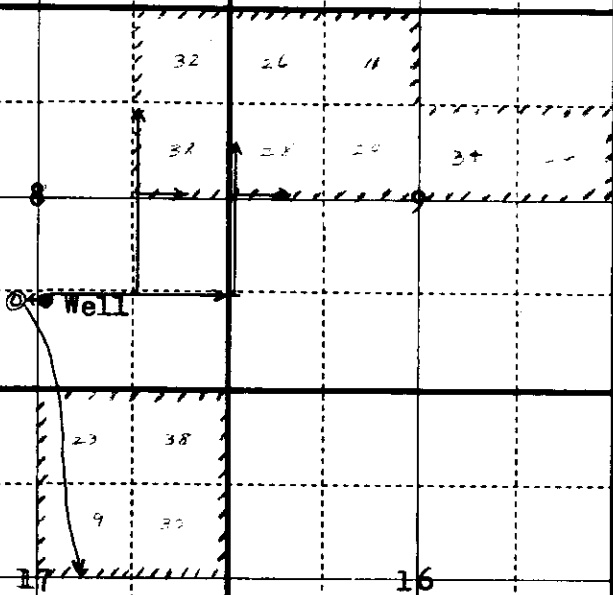
(Mrs.) Edna P. Rule
Chief Clerk

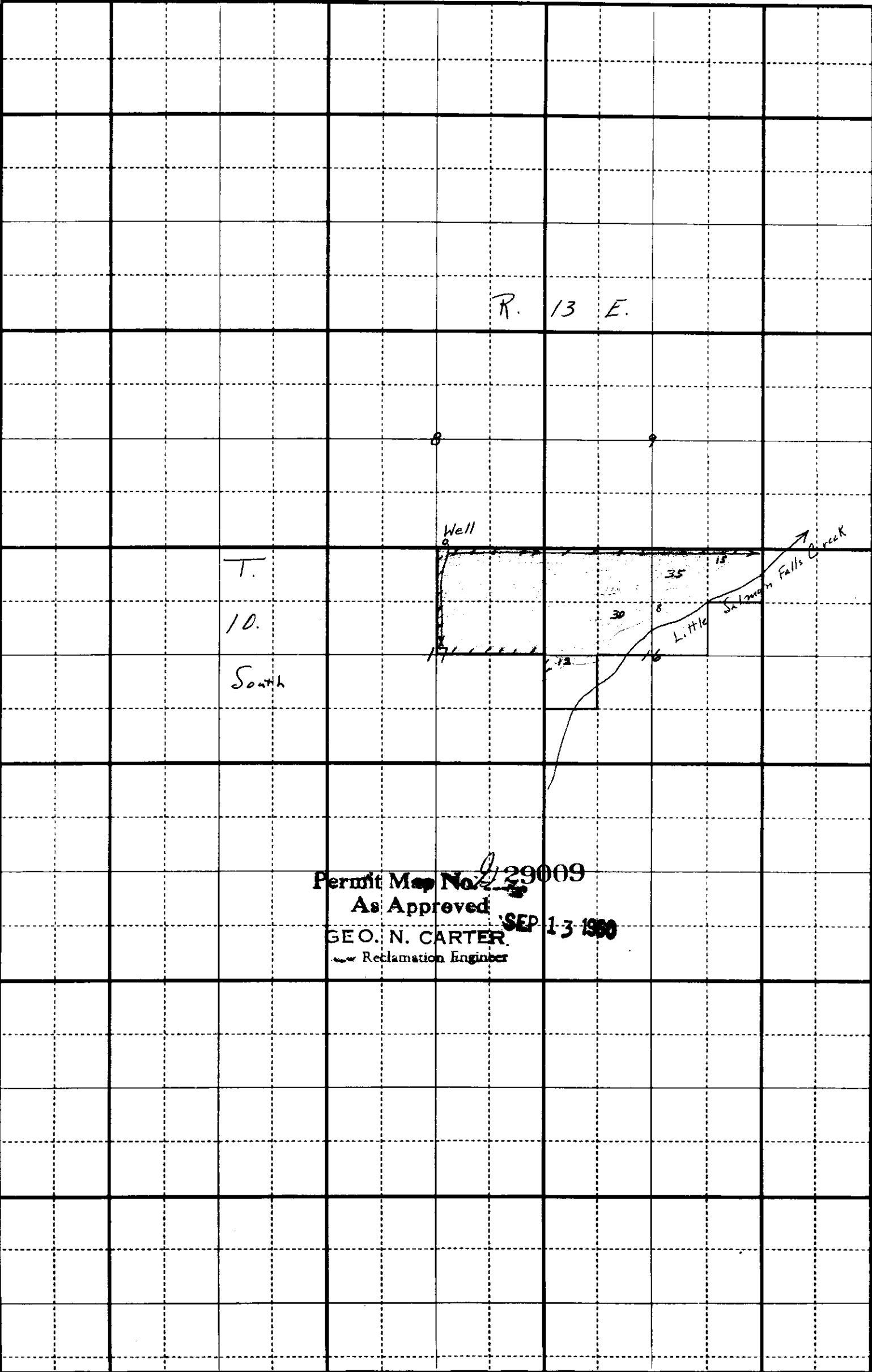
Encl.
EPR:pmk

29009

T.
10
South

Range 13 SEM





Permit Map No. 29009
As Approved
GEO. N. CARTER
Reclamation Engineer
SEP 13 1900

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

Notice is hereby given that at 10:00 A.M., on the 19th day of December, 1963, at Twin Falls, County of Twin Falls, State of Idaho, before James M. Cunningham, Notary Public, at 313 Shoshone North, proof will be submitted of the completion of works for the diversion of 4.0, 4.0 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-29009, G-29019, 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 is Kenneth W. Marshall, 185 Blair Drive, Twin Falls, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 4.0, 4.0 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 4.0, 4.0 cubic feet per second.

4. The point of diversion of said water is SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 8; Twp. 10 S; Rge. 13 E.B.M. Approximate center SW $\frac{1}{4}$ Sec. 9; Twp. 10S; Rge. 13 E.B.M.

5. The place where said water is used is E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 8; NW $\frac{1}{4}$ & S $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 9; S $\frac{1}{2}$ Sec. 9., Twp. 10 S., Rge. 13 E.B.M. NE $\frac{1}{4}$ Sec. 17; Twp. 10 S; Rge. 13 E.B.M.

6. The date of priority which said user is prepared to establish is September 12, 1960 and September 12, 1960.

CARL E. TAPPAN
State Reclamation
Engineer

(Pub. Nov. 21, 28, Dec. 5, 12)

29009