

Affidavit of Publication

Nº 6651

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

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

Notice is hereby given that at 2:00 o'clock P. M., on the 9th day of April, 1957, at Twin Falls, County of Twin Falls, State of Idaho, before Edward H. Heap, Notary Public, proof will be submitted of the completion of works for the diversion of .72 cubic feet per second of underground waters from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G26711 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are: Lee Atkinson, Box 186, Buhl, 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 .72 cubic feet per second.

3. The use to which said water has been applied is for irrigation purposes, and the amount applied to beneficial use is .72 cubic feet per second.

4. The point of diversion of said water is 100 feet South and 470 feet east from the Northwest corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 19, Township 9 South, Range 15 E., B.M., Twin Falls County, Idaho.

5. The place where said water is used is 36 acres of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 13, Township 9 South, Range 14 E., B.M., Twin Falls County, Idaho.

6. The date of priority which said user is prepared to establish is January 21, 1957.

MARK R. KULP

State Reclamation Engineer

Publish: Mar. 7, 14, 21, 28, 1957

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

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

consecutive Thursdays, commencing with the issue dated

March 7, 1957, and ending with the issue dated

March 28, 1957.

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

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

Mahe F. Clark

Subscribed and sworn to before me this 28th day of

March, 1957.

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

RECEIVED
APR 10 1957

Department of Reclamation

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

Notice is hereby given that at 2:00 o'clock P.M. on the 9th day of April, 1957, at Twin Falls, County of Twin Falls, State of Idaho, before Edward H. Heap, Notary Public, proof will be submitted of the completion of works for the diversion of .72 cubic feet per second of underground waters from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G26731 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are: Lee Atkinson, Box 186, Buhl, 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 .72 cubic feet per second.

3. The use to which said water has been applied is for irrigation purposes, and the amount applied to beneficial use is .72 cubic feet per second.

4. The point of diversion of said water is 100 feet South and 470 feet east from the Northwest corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 19, Township 9 South, Range 15 E., B.M., Twin Falls County, Idaho.

5. The place where said water is used is 36 acres of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 13, Township 9 South, Range 14 E., B.M., Twin Falls County, Idaho.

6. The date of priority which said user is prepared to establish is January 21, 1957.

MARK R. KULP

State Reclamation Engineer

Publish: Mar. 7, 14, 21, 28, 1957

State of Idaho
License and Certificate of Water Right

Water License No. G-26711 Amount .62 c.f.s.
Water District No. Priority January 21, 1957

THIS IS TO CERTIFY that LEE ATKINSON
of Buhl, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated January 21, 1957; that Permit No. G-26711
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
.62 second feet, was issued thereunder on September 16, 1957, showing that said works
were completed on the 9th day of April, 1957; and that on the 9th
day of April, 1957, LEE ATKINSON

of Buhl, 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, for the purpose of Irrigation
, under Use Permit No. G-26711 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
10 of Licenses at page 6103, on the 16th day of September, 1957;
The right hereby confirmed dates from January 21, 1957;

The Point of Diversion is located
in the NW 1/4 NW 1/4, Sec. 19, Tp. 9 S., R. 15 E., B. M. County Twin Falls
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 .62 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
9 S.	14 E.	13	SE 1/4	36	36
			Total number of acres irrigated	- - -	36

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
16th day of September, 1957.

(SEAL) /s/ Mark R. Kulp
State Reclamation Engineer.

State of Idaho

License and Certificate of Water Right

Water License No. G-24584Amount .46 c.f.s.

Water District No. _____

Priority November 12, 1953

THIS IS TO CERTIFY that THOMAS P. GRAY - JAMES B. KING, Assignee
 of Meridian, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated November 19, 1953; that Permit No. G-24584
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
.46 second feet, was issued thereunder on September 23, 1957, showing that said works
 were completed on the 10th day of June, 1957; and that on the 10th
 day of June, 1957, JAMES B. KING

of Meridian, 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, for the purpose of Irrigation
, under Use Permit No. G-24584 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
10 of Licenses at page 6104, on the 23rd day of September, 1957;
 The right hereby confirmed dates from November 19, 1953;

The Point of Diversion is located
 in the NE 1/4 SE 1/4, Sec. 19, Twp. 3 N., R. 1 E., B. M. County Ada

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 .46 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
3 N.	1 E.	19	NE 1/4 SE 1/4	40	23
Total number of acres irrigated					23

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

23rd day of September, 1957.

/s/ Mark R. Kulp
 State Reclamation Engineer.

(SEAL)

47-23

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 34628
Permit No. G- 26711
District No.

1. Name of Applicant: LEE ATKINSON
Postoffice address: Box 186 County: Twin Falls State: Idaho
2. Quantity of water claimed: 36 inches
 (a) Rate of withdrawal in cubic feet per second. .72 or Idaho
 Miners' inches or gallons per minute.
 (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean water from a well
4. Location of point of diversion or well is in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 19
 Twp. 9 S. , Rge. 15 E. , B.M., County of Twin Falls, State of Idaho
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: Well, pump and motor and pipeline
8. Estimated cost of works: \$1300.00
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 two 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 onhand: \$
 (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: Land was dry land prior to drilling of well for irrigation. No other water rights.
 (a) (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.

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

Applicant.

Agent.

Returned to applicant for correction:

Corrected application received:

The number of this permit is G-26711

Recorded in Book 94 Page 26711 Approved January 30, 1957

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

and to continue diligently and uninterruptedly to completion,

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

One-fifth of the work above specified to be completed on or before **January 30, 1958**

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before **January 30, 1959.**

Witness my hand this 30th day of January, 1957.

MARK R. KULP

State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLLIE, Governor of the State of Idaho,
and JAS. H. YOUNG, 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 30th
day of January, 1957.

Countersigned:

STATE OF IDAHO

(SEAL)

By ROBERT E. SMYLIE

By JAS. H. YOUNG

Governor

Secretary of State.

12.

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.	14 E.	13				36	36
CERTIFICATE OF COMPLETION OF WORKS TO ALL WHOM IT MAY CONCERN: This is to certify that Lee Atkinson of Buhl, County of Twin Falls, and State of Idaho, the holder of Permit No. G-26711, issued upon Application No. G-34628 bearing date of priority of January 21, 1957, authorizing the diversion of .72 second feet of the waters of subterranean flow from 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 .62 second feet of the waters of subterranean flow from a well that the point of diversion of said waters NW¹/₄NW¹/₄ of Section 19, Township 9 South, Range 15 East, B. M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 36 acres in the SE¹/₄SE¹/₄ of Section 13, Township 9 South, Range 14 East, B. M. Proof of Completion of Works made: April 9, 1957 Witness my hand this 16th day of September, A. D., 1957 /s/ Mark R. Kulp State Reclamation Engineer Proof of Completion of Works made: April 9, 1957 Certificate of Completion of Works issued: September 16, 1957 LICENSE ISSUED FOR <u>.62 SEC. F.F.</u> <i>Page 6103</i>							

September 16, 1957

Re: Permit No. G-26711
Lee Atkinson

Stephan, Stephan and Heap
Attorneys At Law
Twin Falls Bank and Trust Co. Bldg.
Twin Falls, Idaho

ATTENTION: Mr. Robert W. Stephan

Dear Mr. Stephan:

Enclosed is the Certificate of Completion of Works and the License and Certificate of Water Right issued under Permit No. G-26711 to Lee Atkinson, Buhl, Idaho, confirming the right with priority of January 21, 1957, to his use of .62 second foot of subterranean water, with the point of diversion in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 19, Township 9 South, Range 15 East, B.M., for irrigation of 36 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 13, Township 9 South, Range 14 East, B.M.

Also enclosed is departmental receipt #G-2886 for \$7.00, issued as receipt of the five dollar fee for the Certificate of Completion of Works and two dollars for the License fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR:nls
Enc.

26711

September 11, 1957

Re: Permit No. C-26711
Lee Atkinson

Stephan, Stephan and Heap
Attorneys At Law
Twin Falls Bank and Trust Co. Bldg.
Twin Falls, Idaho

ATTENTION: Mr. Robert W. Stephan

Dear Mr. Stephan:

Our field engineer's report on the inspection of the completion of construction work and application of water to beneficial use under the terms of Permit No. C-26711 shows that the well is capable of conveying 30 $\frac{1}{2}$ miner's inches of water for irrigation of 36 acres. This permit is now entitled to a Certificate of Completion of Works and a License and Certificate of Water Right.

Upon receipt of the statutory fees, total of \$7.00, we will issue to Mr. Atkinson the Certificate of Completion of Works (for which the fee is five dollars) and the License (two dollars) confirming the right to his use of .62 second foot of subterranean water, with the point of diversion in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 19, Township 9 South, Range 15 East, B.M., for irrigation of 36 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 13, Township 9 South, Range 14 East, B.M.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR:nls

26711

FRANK L. STEPHAN (1886-1952)
ROBERT W. STEPHAN
EDWARD H. HEAP

STEPHAN, STEPHAN AND HEAP
ATTORNEYS AT LAW
TWIN FALLS BANK AND TRUST CO. BUILDING
TWIN FALLS, IDAHO

RECEIVED
SEP 16 1957
Department of Reclamation

September 13, 1957

HONORABLE MARK R. KULP
State Reclamation Engineer
Capitol Building
Boise, Idaho

Dear Mr. Kulp:

Re: Permit No. G-26711
Lee Atkinson
Att. Edna P. Rutledge
Chief Clerk

We are pleased to learn that the above numbered Permit is now entitled to a Certificate of Completion of Works and a License and Certificate of Water Right. We are enclosing herewith our check for \$7.00 to cover your fees for the same.

Thanking you, and with kind personal regards, we are

Very truly yours,

STEPHAN, STEPHAN AND HEAP

By *Robert W. Stephan*
Robert W. Stephan

RWS:D
Enc.1

26711

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

Permit No. G-26711This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant Lee Atkinson
2. Source of water supply: Subterranean flow from a well
3. Location of point of diversion: Is in the _____ NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 19
T. 9 S R. 15 E., B.M. County of Twin Falls
4. Describe works as they exist, giving dimensions and capacities of same: Well drilled 45' x 12"
Pump: Deming #3160 - Horizontal - 3" discharge - Motor: Century - No plate
presumed to be 3 HP - 220 V. - Meter: Westinghouse #18 992 470
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):
30 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 13., Twp. 9 S., Rge. 14 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: This well is capable of supplying much more water.
Mr. Atkinson intends to put a larger pump in very soon &
it can be assumed that he will be able to pump more than
36 miners inches of water.

This examination was made on the 12th day of July, 19 57(Signed) James H. Carr

Examiner.

1-E
1-N

Lee Atkinson
Box 186, Buhl, Idaho

Permit No. G-26711

well drilled 45' x 12"
14' to water during
pumping

Examination for Completion of Works & Beneficial Use Discharge Pipe 5"

County Twin Falls

19-9S. + 15E.

Qz 0.72 c.f.s.

Sz Well

P.D. = NW. NW, Sec. 19, T.9S. - R. 15E.

Use = Irrigation

Filed Jan. 21, 1957

Dec. = Jan. 30, 1959

Q = 0.2 over 18' run

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
AUG 23 1957

Department of Reclamation

Pump Deming # 3160 (horizontal)
3" Colisum
2" discharge

Motor: Century Electric Co.
3 HP

Motor - 1/2 HP
18-992 4710

26711

R-14 E.

R-15 E.

13

T.
9
S.

36 a.

Pipe line.

R.D.

19

TO BUILT

Land subdivisions 1

SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 13-T9S-R14E-36 Acres

Subdivisions = One

Area = 36 acres

Q = 31 inches

0.62 cfs.

Quantity of water 30 1/2 Miners
Inches of water read over an
18" Cipolatti weir

Measurement = 0.25' H.

0.609 cfs

0.628

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-26711

REPORT ON PROOF OF Completion of Works & Beneficial Use

Lee Atkinson Box 186, Buhl, Idaho

• 62 of 6
max

Appl. = 0.72 a.f.s.
Sub = 1
Acres = 36

26711

April 15, 1957

RE: Permit No. G-26711

Stephan, Stephan and Heap
Attorneys at Law
Twin Falls Bank and Trust Co. Building
Twin Falls, Idaho

ATTENTION: Mr. Edward H. Heap

Dear Mr. Heap:

We acknowledge receipt of the depositions of Mr. Atkinson, the holder of the Permit, two witnesses, also affidavit of publication in the Times-News, all submitted in proof of completion of works and beneficial use on Permit No. G-26711.

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

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

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR

cc: Mr. Lee Atkinson
Box 186, Buhl, Idaho

26711

STEPHAN, STEPHAN AND HEAP

ATTORNEYS AT LAW

TWIN FALLS BANK AND TRUST CO. BUILDING

TWIN FALLS, IDAHO

FRANK L. STEPHAN (1886-1952)
ROBERT W. STEPHAN
EDWARD H. HEAP

RECEIVED
APR 10 1957

April 9, 1957 Department of Reclamation

HONORABLE MARK R. KULP
State Reclamation Engineer
Capitol Building
Boise, Idaho

Dear Mr. Kulp:

Re: Permit No. G 26711
Lee Atkinson
Att. Edna P. Rutledge
Chief clerk

Pursuant to Notice we have taken proof of completion of works and beneficial use on the above numbered Permit. We are therefore enclosing herewith in connection with such Proof:

Affidavit of Publication of Notice;

Deposition of Holder Lee Atkinson;

Deposition of Witness Claude L. Cramer, Jr.;

Deposition of Witness Solon G. Short.

No one appeared in opposition to the proof.

Very truly yours,

STEPHAN, STEPHAN AND HEAP

By


Edward H. Heap

EHH:D
Enc. 4

26711

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
APR 11 1957
Department of Reclamation

Permit No. G 26711

Proof of Application of Water to Beneficial Use

and Completion of Works
Deposition of Holder

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

Ans. Lee Atkinson, residence 2 miles North and 1/8th mile east of northeast corner of Buhl, Idaho, post office address, Box 186, Buhl, Idaho.

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

Ans.

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

Ans. Permit No. G 26711, dated January 30, 1957, priority Jan. 21, 1957

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

Ans. Water from a well located 100 feet south and 470 feet east from the Northwest corner of the NW 1/4 NW 1/4 of Section 19, Twp. 9 S., Rge. 15 E.B.M. Twin Falls County, Idaho

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

Ans. Above well is 41 feet deep, has 8 feet of 12 inch casing, depth to water averages 8 feet. Well is equipped with a Deming 3 H.P. Pump which pumps and discharges about 30 inches of water. Amount of water was determined by my experience in use of water for irrigation for many years. Water is conveyed from well in about 250 feet of 6" steel pipe, into a 10" concrete syphon under road to place of use. Pipe line and ditch are owned by the undersigned.

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

Ans. Water is used for irrigation of 30 acres of SE 1/4 SE 1/4 of Sec. 13, Twp. 9 S., Rge. 14 E.B.M., Twin Falls County, Idaho. Land is cultivated land. Prior to application of water from said well was sage brush land. Land was cleared from sage brush, leveled and ditched for irrigation and fenced.

26711

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

Ans. _____

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

Ans. Land is sandy loam and requires one inch of water to the acre for profitable cultivation and production of crops.

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

Ans. _____

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

Ans. 30 inches of water from said well has been used upon said 30 acres of SE $\frac{1}{4}$ SE $\frac{1}{4}$ 13-9-14 during irrigation seasons of 1955 and 1956.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. Land in question has no other water appurtenant. Occasionally waste water from farms above land in question is picked up and used, but waste water supply is not dependable.

(Sign)

Lee Atkinson

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

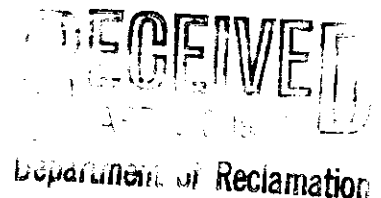
and sworn to before me, at my office in Twin Falls, County of Twin Falls,

State of Idaho, on this 9th day of April, A. D. 1957.

Edward H. Hays
Notary Public for Idaho,
Residing at Twin Falls, Idaho

My commission expires 11-23-1959

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



Permit No. G 26711

Proof of Application of Water to Beneficial Use

Deposition of Witness *and Completion of Form*

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

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

Ans. Claude L. Cramer, Jr., Age 39 years, residence and postoffice address
R. F. D. 3, Buhl, Idaho; occupation - electric motor repair man.

Ques. 2. Are you acquainted with Lee Atkinson, the
holder of Permit No. G 26711? How long have you known him and where does
he reside?

Ans. Yes, I have known him for approximately 20 years. He resides 2 miles
north, 1/8th mile east of the northeast corner of Buhl, Idaho

Ques. 3. Have you read or heard read said Permit No. G 26711, and are you
familiar with its provisions and conditions?

Ans. Yes, I have read the Permit and am familiar with its provisions.

Ques. 4. State source of water supply, place of diversion, and describe works for con-
veying water from point of diversion to place of use.

Ans. Water is from a well 100 feet south and 470 feet east from the NW
corner of the NW 1/4 Sec. 19, Twp. 9 S., Range 15 E.B.M., Twin Falls
County, Idaho. Water is conveyed from the well through 200 to 250 feet
of 6" steel pipeline and from there into a 10 inch concrete syphon under
the road to its place of use.

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

Ans. Works will conduct more than 30 inches of water and I have seen
30 inches of water being conveyed through said works.

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons
per minute have you seen the pump deliver, and how did you measure or estimate the
amount?

Ans. I have seen the pump deliver an average of 30 inches of water. I
estimated the amount from Deming Charts on the pump itself, and also from
my experience in measuring water produced by said Deming Pumps. I have
had experience in such measurement for about nine years.

26711

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Water is used for irrigation of approximately 30 acres of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 13, Township 9 South, Range 14 E.B.M., Twin Falls County, Idaho. ~~Land is now cultivated land -- before use of water in question was sagebrush rocky land.~~ Land has been levelled and improved to produce crops, and has also been fenced.

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

Ans. _____

Ques. 9. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Land is sandy loam and should have at least one inch of water per acre for irrigation and production of crops.

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

Ans. No.

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I have been on the premises in question at least thirty times during the irrigation seasons of 1955 and 1956 and I have seen the water produced from said well being applied to irrigation of approximately 30 acres of land in said SE $\frac{1}{4}$ SE $\frac{1}{4}$ 13-9-14, during said irrigation seasons of 1955 and 1956.

(Signed) _____

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 9th day of April, A. D. 1957.

Edward A. Hays
Notary Public.
Residing at Twin Falls, Idaho

My commission expires 11-23-59

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
APR 1 1951
Department of Reclamation

Permit No. G 26711

Proof of Application of Water to Beneficial Use

Deposition of Witness^{and} Completion of Works

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

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

Ans. Solon G. Short, age 62 years, residence and postoffice address
R. F. D. 4, Buhl, Idaho. Occupation - farmer.

Ques. 2. Are you acquainted with Lee Atkinson, the
holder of Permit No. G 26711? How long have you known him and where does
he reside?

Ans. Yes, I have known Mr. Atkinson since 1951. He lives 2 miles north
and 1/8th mile east of the northeast corner of Buhl, Idaho.

Ques. 3. Have you read or heard read said Permit No. G 26711, and are you
familiar with its provisions and conditions?

Ans. Yes, I have read the Permit and am familiar with its conditions.

Ques. 4. State source of water supply, place of diversion, and describe works for con-
veying water from point of diversion to place of use.

Ans. Water is from a well 100 feet south and 470 feet east from the
NW corner of the NW 1/4 NW 1/4 Sec. 19, Twp. 9 S., Range 15 E.B.M., Twin Falls
County, Idaho. Water is conveyed from the well through between 200 and 250
feet of 6" steel pipeline, into a 10 inch concrete syphon under the road
to its place of use.

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

Ans. Works will conduct more than 30 inches of water and I have seen
30 inches of water being conveyed through said works.

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons
per minute have you seen the pump deliver, and how did you measure or estimate the
amount?

Ans. I have seen the pump deliver approximately 30 inches of water. I
have been farming irrigated farms for about 45 years and estimated the
amount of water from my experience in using irrigation water.

26711

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Water is used for irrigation of about 30 acres of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 13, Twp. 9 South, Range 14 E.B.M., Twin Falls County, Idaho. Land is cultivated land and none is meadow land. Land was cleared from sagebrush, levelled and ditched for irrigation and was also fenced.

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

Ans.

Ques. 9. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Land is sandy loam and requires at least one inch of water per acre for irrigation and profitable production of crops.

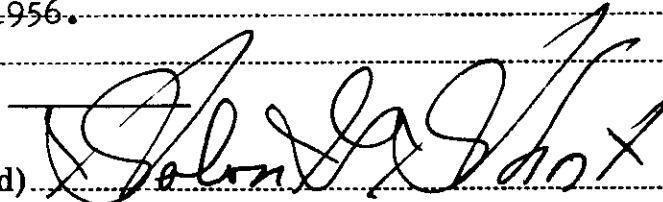
Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No.

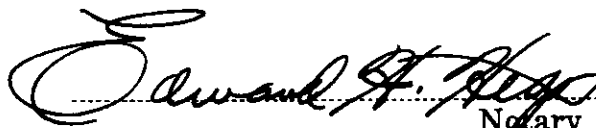
Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I saw all the water produced from said well being used on SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Sec. 13-9-14 on several different occasions during the crop season of 1955 and the crop season of 1956.

(Signed)



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 9th day of April, A. D. 1957.



Notary Public.

Residing at Twin Falls, Idaho

My commission expires 11-23-59.

26711

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS } ss.

Nº 6651

I, Mable F. Clark, being first duly sworn upon oath depose and say that I am Principal Clerk of the Times-News, published daily, except Saturday, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for four consecutive Thursdays, commencing with the issue dated March 7, 1957, and ending with the issue dated March 28, 1957.

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

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

Mable F. Clark
Subscribed and sworn to before me this 28th day of March, 1957.

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

RECEIVED
APR 10 1957

Department of Registration

Memo

one
The TIMES-NEWS
TWIN FALLS, IDAHO

March 5, 1957

Department of Reclamation
Boise, Idaho

Gentlemen:

This is to acknowledge receipt of the notice for legal publication regarding Notice of Completion of works, Lee Atkinson applicant.

This is scheduled for publication on March 7, 14, 21, 28, 1957 and a tear sheet of the first issue will be forwarded to your office.

Sincerely,

Times-News

Walter F. Clark

RECEIVED
MAR 6 1957
Department of Reclamation

26711

FRANK L. STEPHAN (1886-1952)
ROBERT W. STEPHAN
EDWARD H. HEAP

STEPHAN, STEPHAN AND HEAP
ATTORNEYS AT LAW
TWIN FALLS BANK AND TRUST CO. BUILDING
TWIN FALLS, IDAHO

RECEIVED
MAR 4 1957

Department of Reclamation

March 1, 1957

HONORABLE MARK R. KULP
State Reclamation Engineer
Capitol Building
Boise, Idaho

Dear Mr. Kulp:

Re: Permit No. G-26711
Lee Atkinson
Att. Edwin P. Rutledge
Chief Clerk

We wish to acknowledge receipt of your letter of February 26th returning to us the Permit above numbered, and also copies of Notice for publication and instructions to your Department to publish the Notice. We have taken the liberty of typing the notice over since we like to keep a copy in our files to compare with the first notice in the paper.

We notice on checking the map which we prepared and one copy of which was sent back with the Permit that the place of use on the map is incorrectly described. You, no doubt, noticed that the place of use is in a different Range than the location of the well. The place of use is the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 19, Township 9 South, Range 14 E. B. M. - the place of diversion and location of the well is in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 19, Township 9 South, Range 15, E.B.M. Will you, therefore change the map in your office file accordingly.

We are returning herewith the Notice for publication in duplicate, together with instructions signed by Mr. Atkinson to publish the same. We have set the 9th of April, 1957 as the time for submitting proof. The weekly publication day of the Times-News is Thursday. We have figured that the 1st publication could be had on March 7th if the notice is forwarded promptly to the Times-News by your Department. In the event the notice does not reach the Times-News for the 7th of March publication, then if it is published the first time on March 14, then on March 21, 28th and April 4th, there will still be time for four publications.

Thanking you for your courtesies in this regard, we are

Very truly yours,

STEPHAN, STEPHAN AND HEAP

By

Robert W. Stephan
Robert W. Stephan

RWS:D
Enc.3

26711

*This is the
Same as
our file sketch.*

March 4, 1957

RE: Permit No. G-26711
Lee Atkinson

Stephen, Stephen & Heap
P.O. Box 1127
Twin Falls, Idaho

Attention: Robert W. Stephen

Gentlemen:

We acknowledge your letter of March 1, 1957, enclosing Notice for Completion of Works and Beneficial Use proof on Permit No. G-26711, in the name of Lee Atkinson, to be made April 9th, 1957, before Edward H. Heap.

We shall send a copy of the Notice to the Times-News with instructions to publish it once a week for four weeks prior to that date and to send you the affidavit of publication together with statement of costs.

At the time set, you should contact Mr. Atkinson, the Permit holder, to appear before Mr. Heap, Notary Public, together with two disinterested witnesses who are familiar with the terms of the Permit and the work done thereunder for the purpose of executing the enclosed depositions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR:vem
Encl. (3)
cc . Lee Atkinson
Box 186
Buhl, Idaho

26711

RECEIVED
MAR 4 1957
Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) March 1, 1957

Box 186

Address

Buhl, Idaho

City

State

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the Times-News of Twin Falls, Idaho published in the county in which the works are situated. Please have bill for publication and affidavit of publication forwarded to Stephan, Stephan and Heap, Box 1127, Twin Falls, Idaho.

By Lee Atkinson

(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

26711

RECEIVED
MAR 4 1957

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

Department of Reclamation

Notice is hereby given that at 2:00 o'clock P.M., on the 9th day of April, 1957, at Twin Falls, County of Twin Falls, State of Idaho, before Edward H. Heap, Notary Public, proof will be submitted of the completion of works for the diversion of .72 cubic feet per second of underground waters from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G26711 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are: Lee Atkinson, Box 186, Buhl, 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 .72 cubic feet per second.

3. The use to which said water has been applied is for irrigation purposes, and the amount applied to beneficial use is .72 cubic feet per second.

4. The point of diversion of said water is 100 feet South and 470 feet east from the Northwest corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 19, Township 9 South, Range 15 E. B. M., Twin Falls County, Idaho.

5. The place where said water is used is 36 acres of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 13, Township 9 South, Range 14 E. B. M., Twin Falls County, Idaho.

6. The date of priority which said user is prepared to establish is January 21, 1957.

MARK R. KULP

State Reclamation Engineer

26711

1957

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

BOISE, IDAHO

RE: Permit No. G-26711
Lee Atkinson,

Times-News
Twin Falls, Idaho

Date: ~~March 4, 1957~~

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **April 9, 1957** the date set for proof, the expense of the publication to be paid by the applicant, **Att'ys Stephan, Stephan & Heap, Box 1127 of Twin Falls Idaho**, to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice, and furnish this ~~office~~ with a copy of the first publication, in order that we may check same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

KPR:vem
Encl. (1)

26711

February 26, 1957

Re: Permit No. G-26711
Lee Atkinson

Stephan, Stephan and Heap
Attorneys at Law
Twin Falls Bank and Trust Co. Bldg.
Twin Falls, Idaho

Attention: Mr. Robert W. Stephan

Dear Mr. Stephan:

In reply to your letter of January 19, 1957, we enclose permit No. G-26711 in the name of Lee Atkinson and direct his attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

You also state in your letter that the works are completed and that you desire to make Proof of Completion of Work.

Before these proofs are made, the statutes require publication of a notice once a week for four weeks in a county newspaper. This notice should be made in duplicate on Form 36 enclosed, setting the time and place and naming the notary public before whom the proofs are to be made.

The proofs may be made at any place convenient for you and your two witnesses, but the date must be set far enough ahead to allow for four weeks' publication.

Both copies of Form 36 to be returned to this Department together with Form 11 which is your authorization for us to have the notice published at your expense in the designated county newspaper.

We shall then send a copy of the notice to the newspaper with instructions in regard to publishing and shall send you the forms of deposition to be executed by yourself and two disinterested witnesses in making these proofs.

Enclosed is departmental receipt No. G-2419 covering the \$5.00 filing fee in connection with the above captioned permit No. G-26711.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

ER:ab
Enclosures (6)

Chief Clerk

26711

FRANK L. STEPHAN (1886-1952)
ROBERT W. STEPHAN
EDWARD H. HEAP

STEPHAN, STEPHAN AND HEAP
ATTORNEYS AT LAW
TWIN FALLS BANK AND TRUST CO. BUILDING
TWIN FALLS, IDAHO

RECEIVED
FEB 26 1957
Department of Reclamation

February 25, 1957

HONORABLE MARK R. KULP
State Reclamation Engineer
Capitol Building
Boise, Idaho

Dear Sir:

On January 19th, 1957 I forwarded to you Application for Permit to appropriate 36 inches of water from a well located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 19-9-15 for use on 36 acres of land in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 13-9-14, together with our check for \$5.00 to cover filing, and requested that you send the Application after approval back to this office, together with blanks for making Proof of completion of works.

Will you please check to see what has happened to the Application in question.

Thanking you, we are

Very truly yours,

STEPHAN, STEPHAN AND HEAP

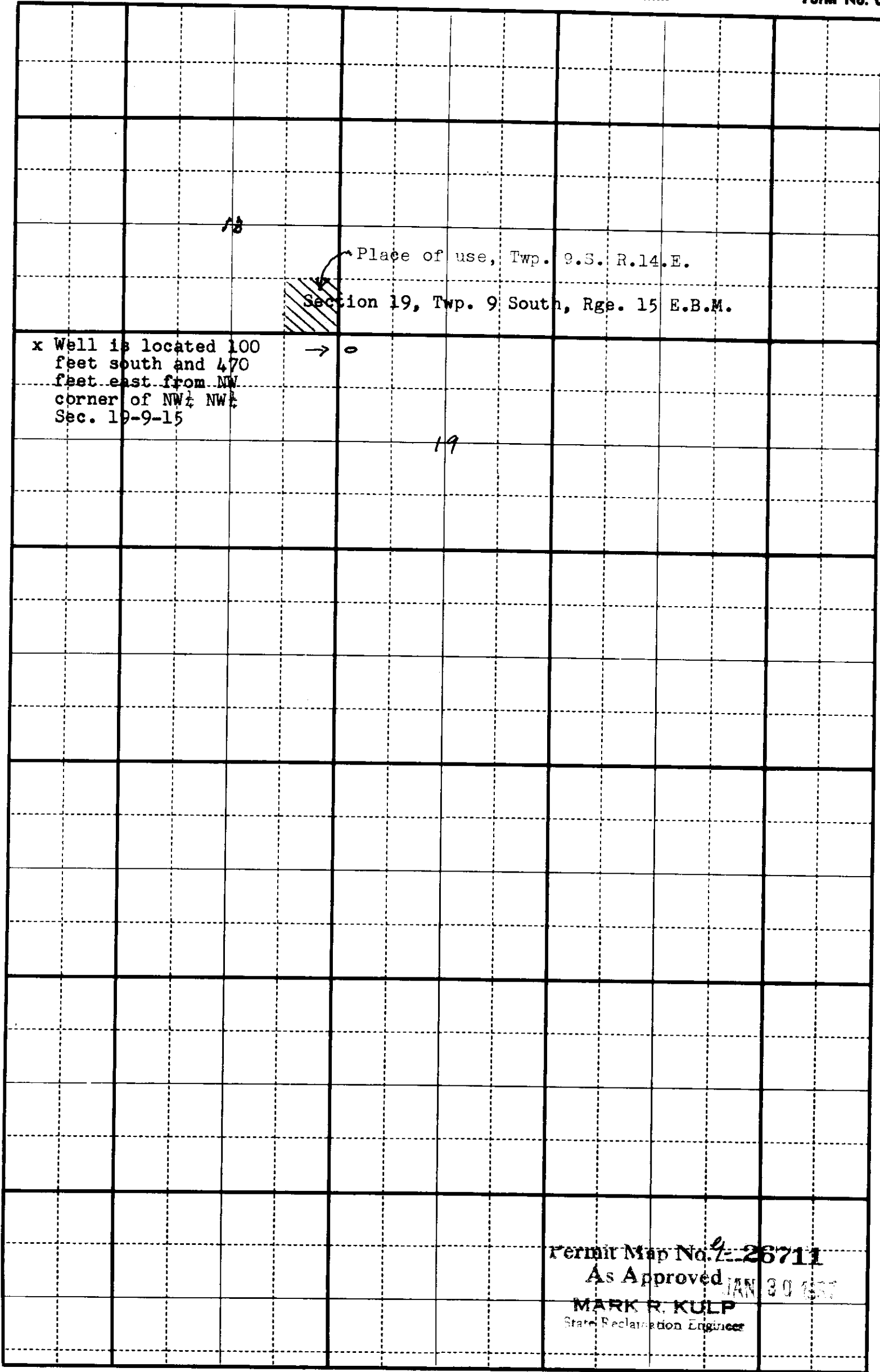
By *Robert W. Stephan*
Robert W. Stephan

RWS:D

26711

NAME OF APPLICANT.....LEE ATKINSON, Box 186, Buhl, Idaho.....

Form No. 0



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

26711

STEPHAN, STEPHAN AND HEAP

ATTORNEYS AT LAW

FRANK L. STEPHAN (1886-1952)
ROBERT W. STEPHAN
EDWARD H. HEAP

TWIN FALLS BANK AND TRUST CO. BUILDING
TWIN FALLS, IDAHO

January 19, 1957

RECEIVED
JAN 21 1957
Department of Reclamation

HONORABLE MARK R. KULP
State Reclamation Engineer
Capitol Building
Boise, Idaho

Dear Sir:

We are enclosing herewith Application for Permit signed by Lee Atkinson to appropriate water from a well located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 19-9-15 T. F. County, Idaho. He will want to use the water on the land described in the Permit which lies Northwest of the land where the well is located. We are also enclosing herewith our check for \$5.00 to cover cost of filing the Application.

The works are complete and when sending back the Application after approval, please send the blanks for making Proof of Completion of Work.

Please send Application after approval to this office.
Thanking you, we are

Very truly yours,

STEPHAN, STEPHAN AND HEAP

By *Robert W. Stephan*
Robert W. Stephan

RWS:D
Enc.2

26711

