

# AFFIDAVIT of PUBLICATION

RECEIVED  
JUL 23 1956

Department of Reclamation

STATE OF IDAHO  
County of Twin Falls

ss.

**Notice of Publication  
NOTICE OF PROOF APPLICATION  
OF WATER TO BENEFICIAL USE**

Notice is hereby given that at 11:00 a.m. on the 29th day of June, 1956, at Twin Falls, Idaho, County of Twin Falls, State of Idaho, before J. A. Vandenbark, Notary Public, proof will be submitted of the application to beneficial use of .84 cubic foot per second of the waters of natural drainage course in accordance with the terms and conditions of Permit No. 26156 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Beryl Kunkel, Star Route, Twin Falls, Idaho.

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

The amount applied to beneficial

use is .84 cubic foot per second.

The place where said water is used SE $\frac{1}{4}$  Section 21, Twp. 13 South, Range 16 East, B. M.

Point of Diversion: SE $\frac{1}{4}$  SE $\frac{1}{4}$ , Sec. 21, Township 13 South, Range 16 East, B. M.

The right to take water from such works is based upon Permit No. 26156.

The source of supply from which such water is diverted is natural drainage coulee.

The date of priority which said user is prepared to establish is January 18, 1956.

MARK R. KULP  
State Reclamation  
Engineer.

(17t5)

I, **Robert E. Bailey**, do solemnly swear that I am the printer and editor of **THE BUHL HERALD**, a weekly newspaper of general circulation, published once each week at Buhl, Idaho; that the notice attached hereto was published in said newspaper five consecutive weeks, the first publication having been made on the 24th day of May, 1956, and the last publication having been made on the 21st day of June, 1956; that said notice was published in the regular and entire issue of every number of the paper during the period and time of publication, and that the said notice was published in the newspaper proper, and not in the supplement thereof.

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

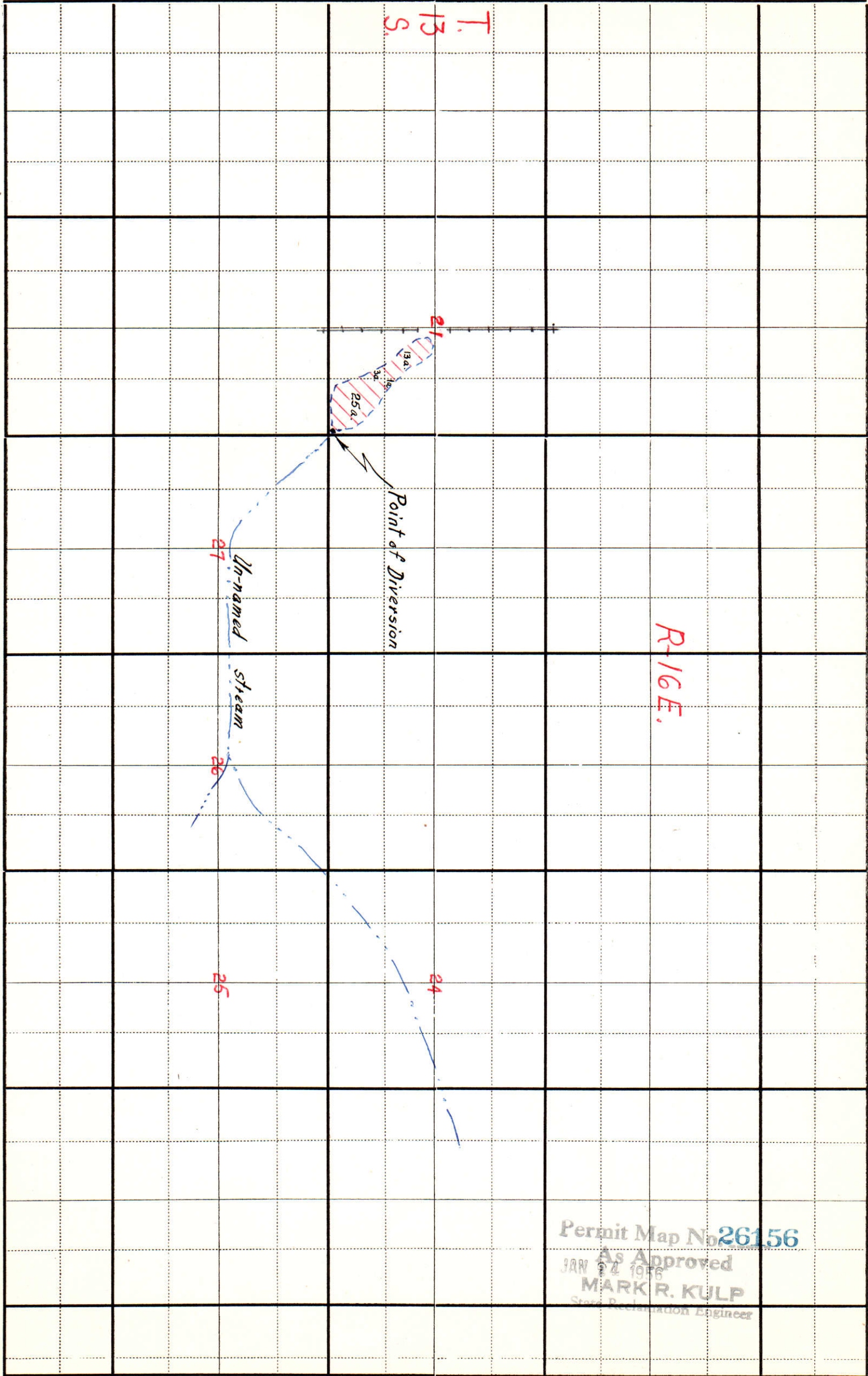
Subscribed and sworn to before me this

21st day of June, 1956

James  
Notary Public.

Residing at Buhl, Idaho  
My commission expires 1-1-1960

26156



Notice of Publication  
**NOTICE OF PROOF APPLICATION  
OF WATER TO BENEFICIAL USE**

Notice is hereby given that at 11:00 a.m. on the 2<sup>nd</sup> day of June, 1956, at Twin Falls, Idaho, County of Twin Falls, State of Idaho, before J. A. Vandembark, Notary Public, proof will be submitted of the application to beneficial use of .84 cubic foot per second of the waters of natural drainage course in accordance with the terms and conditions of Permit No. 26156 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Beryl Kunkel, Star Route, Twin Falls, Idaho.

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

The amount applied to beneficial

use is .84 cubic foot per second.

The place where said water is used SE $\frac{1}{4}$  Section 21, Twp. 13 South, Range 16 East, B. M.

Point of Diversion: SE $\frac{1}{4}$  SE $\frac{1}{4}$ , Sec. 21, Township 13 South, Range 16 East, B. M.

The right to take water from such works is based upon Permit No. 26156.

The source of supply from which such water is diverted is natural drainage coulee.

The date of priority which said user is prepared to establish is January 18, 1956.

MARK R. KULP  
State Reclamation  
Engineer.

State of Idaho  
License and Certificate of Water Right

Water License No. 26156 Amount .84 c.f.s.  
Water District No. Priority January 18, 1956

THIS IS TO CERTIFY that BERYL KUNKEL  
of Star Route, Twin Falls, Idaho, made application for a permit to appropriate the  
public waters of the State of Idaho, dated January 18, 1956; that Permit No. 26156  
was issued under said application; that Certificate of Completion of works, with a carrying capacity of  
.84 second feet, was issued thereunder on July 19, 1956, showing that said works  
were completed on the 29th day of June, 1956; and that on the 31st  
day of July, 1956, BERYL KUNKEL

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 an un-named  
stream ~~permitted~~ natural drainage source, for the purpose of Irrigation  
, under Use Permit No. 26156 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 5967, on the 2nd day of May, 1957;  
The right hereby confirmed dates from January 18, 1956;

The Point of Diversion is located  
in the SE 1/4 SE 1/4, Sec. 21, Tp. 13 S., R. 16 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 .84 cubic feet per second.

Description and location of use:

| Twp.  | Range | Sec. | Forty-acre Tract                  | No. Acres<br>Described in Permit | No. Acres<br>Actually Irrigated |
|-------|-------|------|-----------------------------------|----------------------------------|---------------------------------|
| 13 S. | 16 E. | 21   | NE 1/4 SE 1/4                     | 1                                | 1                               |
|       |       |      | NW 1/4 SE 1/4                     | 13                               | 13                              |
|       |       |      | SW 1/4 SE 1/4                     | 3                                | 3                               |
|       |       |      | SE 1/4 SE 1/4                     | 25                               | 25                              |
|       |       |      | Total number of acres irrigated - | - - - -                          | 42                              |

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  
2nd day of May, 1957.

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

State of Idaho  
License and Certificate of Water Right

Water License No. 25260

Amount .60

Water District No.

Priority September 29, 1954

THIS IS TO CERTIFY that HARRY E. WILLSON  
of Route # 2, Caldwell, Idaho, made application for a permit to appropriate the  
public waters of the State of Idaho, dated September 29, 1954; that Permit No. 25260  
was issued under said application; that Certificate of Completion of works, with a carrying capacity of  
0.60 second feet, was issued thereunder on May 14, 1956, showing that said works  
were completed on the 11th day of May, 1956; and that on the 16th  
day of June, 1956, HARRY E. WILLSON

of Caldwell, State of Idaho, made proof to the satisfaction of the  
State Reclamation Engineer of Idaho, of the right to use the waters of an un-named  
stream - Drain<sup>age</sup> tributary of District # 6, for the purpose of Irrigation  
, under Use Permit No. 25260 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 5968, on the 2nd day of May, 1957;  
The right hereby confirmed dates from September 29, 1954;

The Point of Diversion is located  
in the NW 1/4 NW 1/4, Sec. 13, T4 N., R. 4 W., B. M. County Canyon  
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 .60 cubic feet per second.

Description and location of use:

| Twp.                                | Range | Sec. | Forty-acre Tract | No. Acres<br>Described in Permit | No. Acres<br>Actually Irrigated |
|-------------------------------------|-------|------|------------------|----------------------------------|---------------------------------|
| 4 N.                                | 4 W.  | 13   | NW 1/4 NW 1/4    | 30                               | 30                              |
| Total number of acres irrigated - - |       |      |                  |                                  | 30                              |

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  
2nd day of May, 1957.

/s/ Mark R. Kulp  
State Reclamation Engineer.

(SEAL)

47-2299  
No. 26156

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

Application No. 34031  
Permit No. 26156  
District No.

Beryl Kunkel  
Star Rte.  
Twin Falls, Idaho

1. Name of Applicant: BERYL KUNKEL

Postoffice address: ~~Star Route - Twin Falls~~  
~~Amsterdam~~

County:

Twin Falls

State: Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation: none
- (b) Amount of capital stock:
- (c) Amount paid in:
- (d) Names and addresses of directors:

II. The financial resources of the applicant are:

- (b) Treasury stock:
- (d) Other resources:

(a) Cash on hand:

(c) Bonds to be issued:

2. Quantity of water claimed: 42 inches or .84 cubic feet per second.

3. Source of water supply: Un-named stream (Natural drainage <sup>course</sup> / which is a tributary of No stream

4. Location of point of diversion:

~~feet distant from the~~ at the SouthEast

corner of Section 21, T. 13 S., R. 16 E., B. M., and is in the SE<sup>1</sup> SE<sup>1</sup>

of Section 21, T. 13 S., R. 16 E., B. M., County of Twin Falls

5. Water is to be used for Irrigation

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section

T., R., B. M., in the of Section, T., R., B. M.

(b) Amount of power generated: H. P., under feet head.

(c) Water is to be returned to at a point feet

distant from the corner of Section, T., R., B. M., in the  
of Section, T., R., B. M.

7. Estimated cost of works: \$ None

8. Kind of works: No works required

9. Height of dam feet; length of dam at top feet; length of dam at bottom  
feet; material used in dam:

10. Size of headgate: Width feet; height feet;

11. Ditch: Width at bottom feet; width at water line feet; depth of water feet;

dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

12. The time required for the completion of such work is Two years.

13. The time required for the complete application of the water to the proposed use is None additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:



May 2, 1957

Re: Permit No. 26156

Mr. Beryl Kunkel  
Star Route  
Twin Falls, Idaho

Dear Mr. Kunkel:

Enclosed is License and Certificate of Water Right issued under Permit No. 26156 confirming the right to the use of .84 second feet of the water from an un-named stream with a priority of January 18, 1956, with the point of diversion in the SE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 21, Township 13 South, Range 16 East B.M., for irrigation of the SE $\frac{1}{4}$  of Section 21, (42 acres).

Also enclosed is departmental receipt No. 28556 for \$8.00 issued as receipt of the \$8.00 fee for the License.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

ER:nls  
Enc:

26156

April 22, 1957

Re: Permit No. 26156

Mr. Beryl Kunkel  
Star Route  
Twin Falls, Idaho

Dear Mr. Kunkel:

We have the Report made by our Field Engineer of proof of beneficial use of the water filed on under Permit No. 26156. This permit is now entitled to a License and Certificate of Water Right.

Upon receipt of the statutory fee of \$8.00 (based at a rate of \$2.00 for each 40-acre subdivision) we can issue a License with a priority of January 18, 1956, for the right to your use of .84 second feet of the waters from an un-named stream with point of diversion in the SE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 21, Township 13 South, Range 16 East B.M., irrigating the SE $\frac{1}{4}$  of Section 21, (42 acres).

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

ER:nls

26156

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

Permit No. 26156This proof is for Beneficial Use In Water District No. \_\_\_\_\_1. Name of applicant Beryl Kunkel2. Source of water supply: Un-named Stream3. Location of point of diversion: Is in the SE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 21T. 13 S., R. 16 E., B.M. County of Twin Falls

4. Describe works as they exist, giving dimensions and capacities of same: This is a diversion of spring run off and flood waters. Delivery is thru regular system that delivers Salmon Falls water. Some season there is considerable water and at other times very little.

5. Water is used for: Irrigation6. 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):

SE $\frac{1}{4}$  of Sec. 21., Twp. 13 S., Rge. 16 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 filing is to prevent any one else from taking this flood water.

This examination was made on the 6<sup>th</sup> day of March, 1957(Signed) E. N. Humphrey Examiner.

26156

Beryl Kunkel,  
Star Route, Twin Falls, Idaho  
Permit No. 26156

Examination for Beneficial Use

County Twin Falls

21-13 S - 16 E

0.84 a. f. s.

Un-irrigated

distance

SE, SE, SE, Ser. 21, T. 13 S. - R. 16 E.

W. C. - Irrigation

Jan. 18, 1956

Jan. 24, 1958

7-19-56

## 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.

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MAR 8 1957

Department of Reclamation

T.  
13  
S.

R-16E.

TO HOLLISTER

U.S. HWY. No. 93

21  
20  
15  
10  
5  
0  
P.D.

3-15" concrete pipe head gates.  
24" culvert  
18" culvert  
all steel culverts.

Subdivisions = four  
Area = 42 acres  
Q = 42 inches.

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE

REPORT OF ENGINEER

PERMIT NO. 26156

REPORT ON PROOF OF Beneficial Use

Beryl Kunkel, Star Route, Twin Falls, Idaho

.84 cfs  
DNK

|       |         |
|-------|---------|
| app.  | .84 cfs |
| cpw   | .84 cfs |
| sub.  | 4       |
| acres | 42      |

RECEIVED  
MAR 1 1957

Department of Reclamation

Feb 28 1957

Mr. E. M. Cunningham  
Quise, Idaho

Permit #  
26156

Dear Sir, Your letter at hand -

Will be expecting you on the  
6th or 7th of March -

I have to make a trip to  
Seattle next week, but I do,  
not intend to go before the evening  
of the 7th.

In any case if I should not  
be here my son will be, and he  
can help you with the work.

We do not have a telephone, but  
you can find the place, 2.5 miles  
~~at~~ south of Twin Falls on #93

Most any one in Twin can tell  
you how to get here

Very Resp.

Beryl J. Smith

Star Route

Twin Falls Idaho

26156

February 25, 1957

Re: PERMIT NO. 26156

Mr. Beryl Kunkel  
Star Route  
Twin Falls, Idaho

Dear Mr. Kunkel:

The State Law requires an inspection on any water permit being brought to license in the State of Idaho.

If the roads and weather permit, I intend to make inspection on Wednesday or Thursday, March 6th or 7th, and I will contact you when I arrive in that area. In case you wish to get in touch with me, I will probably stop at the Park Hotel at Twin Falls, Idaho.

Yours truly,

MARK R. KULP  
State Reclamation Engineer  
By

E. N. Humphrey  
Deputy State Reclamation Engineer

ENH:ab

26156

August 17, 1956

Re: Permit No. 26156

Beryl Kunkel  
Star Route  
Twin Falls, Idaho

Dear Mr. Kunkel:

We have your letter of August 16, 1956, in reply to our letter acknowledging receipt of your depositions made in connection with your Permit No. 26156.

In this letter we inadvertently stated we had not received the affidavit of publication, which we do have in our files.

Very truly yours

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

R:vem

26156

Dept of Reclamation  
Boise Idaho

Aug 16, '956

Dear Sir. your letter of Aug 14 at hand stating  
you have not received the affidavit from the  
Boise Herald -

It will say that I sent this publication to you  
some little time ago. It must be in your office somewhere.  
I at first thought that I should keep it  
with my papers. Then you wrote for it and I sent  
it on the next mail. In case you cannot find  
it, I suppose a duplicate could be gotten.  
It could have been misrout in the mail.

Very Resp

Beryl Grunkel  
Star Route  
Twin Falls Ida.

RECEIVED  
AUG 17 1956  
Department of Reclamation

26156

August 14, 1956

Re: Permit No. 26156

Mr. Beryl Kunkel  
Star Route  
Twin Falls, Idaho

Dear Mr. Kunkel:

We acknowledge receipt of the depositions of yourself, the holder of the Permit and also the two witnesses, but to date we have not received the affidavit of publication from the Buhl Herald. If you have not already received it will you please get it and forward to us as we need it to complete this file.

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,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

R:ven

26156

August 6, 1956

Re: Permit No. 26456

Mr. Beryle Kunkel  
Star Route  
Twin Falls, Idaho.

Dear Mr. Kunkel:-

We are in receipt of your check in the amount of \$5.00 and the depositions of yourself and two witnesses.

On July 20, 1956, we mailed you certificate of Completion of Works receipt # 28054 for the amount of \$ 5.00 for the same. Therefore, we are returning your \$5.00 received in today's mail. After inspection is made by our field engineer you will then be notified of the fee for the License.

Very truly yours

MARK R. KULP  
State Reclamation Engineer

By

Chief Clerk

R:vm  
Inc.

26156

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

RECEIVED  
AUG 6 1956  
Department of Reclamation

Permit No. 26156

## Proof of Application of Water to Beneficial Use

### Deposition of Holder

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

Ans. Beryl Kunkel, 6 $\frac{1}{2}$  miles south of Hollister, farmer, my former address was Amsterdam, but has now been changed to Twin Falls, Star Route but my place of residence has not been changed.

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 #26156 and the date of priority is ~~March 1918~~ <sup>1-24-56</sup> <sup>1-18-56</sup>

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

Ans. Unknown stream, natural drainage course. The point of diversion is at the Southeast corner of the Southeast quarter of Sec. 21-13-16E

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. I placed some gates at the point of diversion and made ditches to carry the water to the different points for spreading it on the land. These ditches are large enough to carry ten second feet of water.

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

Ans. The water is used for the growing of cultivated crops and the acres supplied are as follows: 25 acres in the Southeast quarter of the SE $\frac{1}{4}$ ; 1 acre in the NE $\frac{1}{4}$  of the SE $\frac{1}{4}$ ; 13 acres in the NW $\frac{1}{4}$  of the SE $\frac{1}{4}$ , and 3 acres in the SW $\frac{1}{4}$  of the SE $\frac{1}{4}$ , all in Section 21-T.13S. Range 16 E.B.M. There are no buildings on this land as it is a part of the home place, but the clearing of the land, ditches and fences are all improvements.

26156

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

Ans. None.

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

Ans.

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

Ans. I am the same person.

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

Ans. I have used this water every year since 1916 for the irrigation of crops and have used all of the water that has come down the ditch.

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. I use the waters of the Salmon River Canal Co. to supplement the water diverted under this permit to grow a crop, as this diverted stream is not sufficient to mature a crop.

(Sign)

*Bryj. Kim Kil*

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 31st day of July, A. D. 1956.

*L. A. Vandenberg*  
Notary Public for State of Idaho.

My commission expires March 9th, 1960.

26156

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

RECEIVED  
AUG 6 1956  
Department of Reclamation

PERMIT NO. 26156

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

**Deposition of Witness**

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

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

Ans. Leonard B. Peters, age 53, live four miles south of Hollister,  
and postoffice address is Routel, Twin Falls, Idaho. Farmer.

Ques. 2. Are you acquainted with Beryl Kunkel, the  
holder of Permit No. 26156? How long have you known him and where does  
he reside?

Ans. Have known Mr Kunkel since 1912, and he lives a mile and a half  
south of my home.

Ques. 3. Have you read or heard read said Permit No. 26156, and are you  
familiar with its provisions and conditions?

Ans. Yes, I have read it and am familiar with its provisions & 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. The water supply comes down the water course of an unnamed stream  
and the place of diversion is at the SE corner of Section 21-13 S.-16 E.  
where the stream runs through Mr Kunkel's land. Some gates to divert said  
water into ditches to water his land and large ditches for carrying same.

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. The ditches will safely carry 9 to 10 second feet of water and I  
have seen a great deal more water than that coming down in flood season.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give  
each subdivision in which water has been used and number of acres irrigated in each  
subdivision.) State whether cultivated or natural meadow land and the nature of all im-  
provements which have been made as a direct result of said use.

Ans. The water is used to irrigate cultivated crops and a total of about  
42 acres is the amount of land irrigated by this stream, and all lies  
in the Southeast Quarter of said Section 21-13 S.- Range 16 East, B.M.

26156

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

Ans. Used for irrigation only.

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

Ans. ~~This is deep, productive volcanic ash soil, and I estimate it requires at least 3 second feet per acre to grow a profitable crop.~~

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

Ans. None whatever.

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

Ans. I have lived at the same place since 1912 and have seen the land in question put in cultivation and irrigated each year since Mr Kunkel first started to develop the same.

(Signed) Leonard B. Peters

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 3rd day of August,  
A. D. 1956.

My commission expires Mar 9, 1960 For State of Idaho, residing J. A. Vandenberg Notary Public.  
at Twin Falls, Idaho.

26156

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

RECEIVED  
AUG 6 1956  
Department of Reclamation

PERMIT NO. 26156

## Proof of Application of Water to Beneficial Use

### Deposition of Witness

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

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

Ans. John Lanting, age 73 years, retired farmer, live at  
619 Second Ave. North, Twin Falls, Idaho.

Ques. 2. Are you acquainted with Beryl Kunkel, the holder of Permit No. 26156? How long have you known him and where does he reside?

Ans. Have known Mr Kunkel for over 40 years, and he lives some six  
miles south of Hollister, Idaho, where he has resided since 1918.

Ques. 3. Have you read or heard read said Permit No. 26156, and are you familiar with its provisions and conditions?

Ans. Have read the Permit and am well acquainted with the provisions  
and conditions required by it.

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

Ans. The source of water supply is an unknown stream and the place  
of diversion is at the Southeast corner of the Southeast quarter of  
Sec 21-13-16. Gates are in the stream and a fair size ditch carries  
the water to irrigate the land in question.

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

Ans. This a large ditch, and I should judge that it will carry at  
least nine second feet of water, and I have seen the ditch nearly full.

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

Ans. This water is used for the growing of cultivated crops, and the  
number of acres watered by this diverted stream is approximately  
42 acres, all in the Southeast quarter of Section 21, -T. 13 S.-  
Range 16 East, Boise Meridian.

26156

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

Ans. This water is used only for irrigation.

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

Ans. ~~All of the land under cultivation irrigated by this diverted stream is deep volcanic ash soil and requires and about 3 acre feet per acre to grow a fair crop.~~

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

Ans. I have no interest whatever in the water or the land above mentioned.

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

Ans. I lived a close neighbor to Beryl Kunkel for about 35 years so saw the land irrigated each year, many times.

(Signed) John L. Lanning

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, Idaho  
County of Twin Falls, State of Idaho, on this 31st day of July  
A. D. 19 56.

John A. Lanning  
For State of Idaho. Notary Public.  
My commission expires Mar 9th, 1960.

26156

Aug 4 1956 Keweenaw 5-15

Dept of Reclamation  
Besse, Idaho,

Gentlemen. I am enclosing the papers  
you sent for finishing broof on  
water filed on river permit # 26156 -

I was unable to get Mr Peters  
paper completed until yesterday -

I do not think there is any money  
due on this, but I am enclosing a check  
for \$5.00 just in case I am mistaken -

If no money is due you may return  
the check in your next letter.

Thank you -

Boyd Kunkel

State

Twine Falls, Idaho

Rec 28054  
July 27 1956

26156

July 26 1956

Dept of Reclamation

State House, Boise, Id.

RECEIVED  
JUL 27 1956

Department of Reclamation

Dear Sirs - Your letter of July 23 with proof papers to be executed, at hand. Will say that I have never received any papers of this kind, and will have them filled out at the earliest possible time.

We are in wheat harvest and very busy, and cannot do it this week, but will do it soon.

There were no protests at the time I appeared with my witnesses before Mr Vandenberg on June 29.

Very Res p

Boyle Emmett

Star Route

Warm Wells, Idaho

26156

July 23, 1956

RE: Permit No. 26156

Mr. Beryl Kunkel  
Star Route  
Twin Falls, Idaho

Dear Mr. Kunkel:

In reply to your letter of July 20, 1956, in which you state that you did not appear before or sign any depositions for Beneficial Use proof on the above stated Permit which was advertised and published for the date of June 29, 1956.

Your letter states that you cannot remember of receiving the blank forms upon which your depositions should have been taken before Mr. Vanderbaek on the date mentioned in the publication. On May 18, 1956, we wrote you a letter stating that we send a Notice to the Buhl Herald with instructions to publish it once a week for four weeks and enclosed in said letter forms for taking your depositions for Beneficial Use proof.

We are enclosing herewith additional forms for making Beneficial Use proof and will accept same at this later date providing you appear before Mr. Vanderbaek, Notary Public, with two disinterested witnesses and have the forms properly filled out and return them to this Department as soon as possible together with the Affidavit from the Notary stating that his Office was open on the 29th day of June, as stated in the publication notice and that no Protests were received in his Office against Notice of proof of Application as published in the Buhl Herald.

Please attend to this at once or it will be necessary to republish your intent to make proof of application of water to Beneficial Use.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

26156

Enc. Enc.

Roy L. Thompson  
Supervisor of Water Distribution

State Reclamation Engineer  
State House, Boise

July 20 1956

RECEIVED  
JUL 23 1956  
Department of Reclamation

Dear Sir - Your letter of July 19 at hand -

In reply will say that I had no instructions to send copy of publication from Paul Verall to our office, and decided that they sent you one, and one to me for my records. I am enclosing this paper.

In regard to other papers concerning Benjamin the proof, will say that I do not have in my possession any such papers, and do not remember ever receiving them. All the one I ever received was form 6 which was signed by me and the two witnesses and returned to you with the 5<sup>00</sup> fee.

If there are other papers to sign other than form 6 would be glad to fix them up and return to you.  
Hoping that we can get this straightened out

I am Very Resp

Paul Kunkel

Star Route

Prin Falls, Idaho

26156

# AFFIDAVIT of PUBLICATION

RECEIVED  
JUL 28 1956

Department of Reclamation

STATE OF IDAHO  
County of Twin Falls

} ss.



I, **Robert E. Bailey**, do solemnly swear that I am the printer and editor of **THE BUHL HERALD**, a weekly newspaper of general circulation, published once each week at Buhl, Idaho; that the notice attached hereto was published in said newspaper five consecutive weeks, the first publication having been made on the 24th day of May, 1956, and the last publication having been made on the 21st day of June, 1956; that said notice was published in the regular and entire issue of every number of the paper during the period and time of publication, and that the said notice was published in the newspaper proper, and not in the supplement thereof.

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

*Robert E. Bailey*

Subscribed and sworn to before me this

21st day of June, 1956

*V. E. ...*  
Notary Public.

Residing at Buhl, Idaho  
My commission expires 1-1-1960

26156

July 20, 1956

RE: Permit No. 26156

Mr. Beryl Kunkel  
Star Route  
Twin Falls, Idaho

Dear Mr. Kunkel:

We enclose Certificate of Completion of Works issued under Permit No. 26156 for the diversion of .84 second foot of water from an Unnamed Stream with point of diversion in the ~~SE 1/4~~ Section 21, Township 13 South, Range 16 East, B. M., with priority of January 18, 1956, for irrigation of land in the SE  $\frac{1}{4}$  Section 21, Township 13 South, Range 16 East, B. M.

We also enclose department receipt No. 28054 for the \$5.00 Completion of Works fee.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

R:eu  
Enc.

26156

July 19, 1956

RE: Permit No. 26156

Mr. Burl Kunkel  
Star Route  
Twin Falls, Idaho

Dear Mr. Kunkel:

Under date of May 19, 1956, we received from you Notice for Beneficial Use proof on Permit No. 26156 to be made June 29, 1956, before Mr. J. H. Vanderback, Notary Public.

Publication Notice was mailed to the Buhl Herald on May 18, 1956, with the instructions to publish said Notice once a week for four consecutive weeks in their newspaper.

You were to appear before Mr. Vanderback, Notary Public, and make your Beneficial Use proof at 11:00 A. M., June 29, 1956.

To date we have not received these proofs. Will you kindly look into the matter and see that these proofs are sent in to this Department as soon as possible together with an Affidavit of Publication from the Buhl Herald.

We wish to acknowledge receipt of your proof of Completion of Works together with your check for \$5.00, however, please note that the Beneficial Use proof is also necessary that the same be filed with this Department.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Roy W. Thompson  
Supervisor of Water Distribution

T:eu

26156

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

RE: permit No. 26156

Date:

Buhl Herald  
Buhl  
Idaho

May 18, 1956

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **June 29, 1956,** the date set for proof, the expense of the publication to be paid by the applicant, **Beryl Kunkel,** of **Star Route, 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 E. KULP  
State Reclamation Engineer  
By

Roy W. Thompson  
Office Manager

26156

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

Notice is hereby given that at 11:00 A. M. on the 29th day of June, 1956,  
at Twin Falls, Idaho, County of Twin Falls, State of Idaho, before  
J. A. Vandemark, Notary Public,, proof will be submitted of the  
application to beneficial use of .84 cubic feet per second of the waters of natural drainage  
course in accordance with the terms and conditions of Permit No. 26156  
heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are \_\_\_\_\_

Beryl Kunkel, Star Route, Twin Falls, Idaho.

The use to which said water has been applied is Irrigation

The amount applied to beneficial use is .84 cubic feet per second.

The place where said water is used (~~for irrigation, give full and accurate description of the lands irrigated~~)

SE 1/4 Section 21, Twp. 13 South, Range 16 East, B. M.

Point of Diversion: SE 1/4 Sec. 21, Township 13 South, Range 16 East, B. M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is \_\_\_\_\_

The right to take water from such works is based upon Permit No. 26156

The source of supply from which such water is diverted is natural drainage coulee.

The date of priority which said user is prepared to establish is January 18 - 1956  
~~March, 1956.~~

MARK R. KULP  
State Reclamation Engineer.

26156

July 13 1956

Dept of Reclamation  
Pine Bluffs

RECEIVED  
JUL 16 1956  
Department of Reclamation

Gentlemen, I am enclosing Form # 6  
as per your request, together with check for  
\$5.00 as proof of use of water for  
irrigation under permit No 26156.  
If any <sup>thing</sup> further is needed please  
write me -

Very Resd -  
Beryl Trunkel  
Star route  
Pine Bluffs  
Ark

26156

RECEIVED  
MAY 18 1956

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) May 17 1956  
(P. O.) Star Route, 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

Buhl Herald of Buhl Idaho published in

the county in which the works are situated.

Boyle Tunkel

(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.)

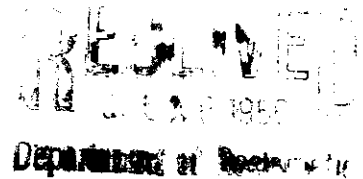
I hereby certify that the facts set forth in the attached notice are true.

Engineer.

26156

Permit No. 26156

STATE OF IDAHO  
Department of Reclamation



# Proof of Completion of Works

## AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Twin Falls

ss.

Beryl Kunkel

being first duly sworn, upon his oath deposes and says:

First: That he is the holder and owner of Permit to appropriate the Public Waters of the State of Idaho, No. 26156, and that his postoffice address is Twin Falls, Star Route, State of Idaho.

Second: That the name of the stream from which said water is to be diverted is Unnamed stream, (Natural drainage course.)

Third: That the point of diversion of said water is at the Southeast corner of Sec. 21, Township 13 S., Range 16 E. Boise Meridian.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by January 24th, 1958.

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

Sixth: That on the date above mentioned, the works constructed under said permit were (or were not) fully completed and consisted of the following:

I. Kind of works: Two culverts crossing Hiway 93, ditches in field.  
(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

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

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir acre feet.

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

(d) Conduit width at bottom feet, width at water line  
(State whether ditch, flume or pipe)

feet, depth of water feet; diameter of pipe inches, average grade per mile is feet. Length of conduit is miles.

Seventh: That said works are capable of conducting to the place of intended use ~~ten~~ <sup>410</sup> second feet of water.

Eighth: That water appropriated under said permit is available for ~~forty-two~~ acres of land described as follows: All the land is located in the Southeast Quarter of Section 21-13 S - 16 E. B.M.

Ninth: Remarks: That the work has been completed for some time and that the two witnesses, namely John Lanting and Leonard Peteras have lived in that vicinity for a great many years and have seen the work done and completed. Witnesses: John Lanting, Leonard Peteras

(Sign Here)

Subscribed and sworn to before me this 29th day of June, 1958.

My commission expires March 9th, 1960

For the State of Idaho, Notary Public.  
Residing at Twin Falls, Idaho.

26156

RMT

May 18, 1956

RE: Permit No. 26156

Mr. Beryl Kunkel  
Star Route  
Twin Falls, Idaho  
†

Dear Mr. Kunkel:

We acknowledge receipt of Notice for beneficial use proof on Permit No. 26156 to be made June 29, 1956, before Mr. J. A. Vandenberg, Notary Public.

We shall send a copy of the notice to the Buhl Herald 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 appear before Mr. Vandenberg, 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

Roy W. Thompson  
Office Manager

T: cu  
Enc.  
CC: Mr. J. A. Vandenberg

26156

May 18, 1956

RE: Permit No. 26156

Mr. Beryl Kunkel  
Star Route  
Twin Falls, Idaho

Dear Mr. Kunkel:

We acknowledge receipt of Notice for beneficial use proof on Permit No. 26156 to be made June 29, 1956, before Mr. J. A. Vandembark, Notary Public.

We shall send a copy of the notice to the Buhl Herald 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 appear before Mr. Vandembark, 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

Roy W. Thompson  
Office Manager

T:cu  
Enc.  
CC: Mr. J. A. Vandembark

26156

~~XXXXXX~~

Application for Amendment

LAND LIST

Permit No. G-25837

Comes now Producers Irrigation Company

and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. G-25837, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

SE $\frac{1}{4}$  Section 1, S $\frac{1}{2}$  Section 11, all of Section 12, NE $\frac{1}{4}$ , W $\frac{1}{2}$  Section 14, E $\frac{1}{2}$  Section 22, and W $\frac{1}{2}$  S  
Section 23, all in Township 8 North, Range 33, East Boise Meridian; S $\frac{1}{2}$  Section 6,  
NW $\frac{1}{4}$ , S $\frac{1}{2}$  Section 7, and SW $\frac{1}{4}$  Section 8, all in Township 8 North, Range 34, East Boise  
Meridian.

making a total of 3200 acres.

Signed at Idaho Falls this 22nd day of June

<sup>60</sup>  
~~1960~~

PRODUCERS IRRIGATION COMPANY  
BY /s/ Ralph L. Albaugh  
President

Date of Receipt at office of Department of Reclamation June 24, 1960

APPROVAL OF STATE RECLAMATION ENGINEER

I, GEO. N. CARTER, State Reclamation Engineer of the State of Idaho  
the above and foregoing application for amendment to Permit to Appropriate the Public  
Waters of the State of Idaho, No. G-25837. 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/ Geo. N. Carter

State Reclamation Engineer

Recorded in Book \_\_\_\_\_ of  
Permits, at Page \_\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_

*825837*

February 24, 1956

RE: Permit No. 26156

Mr. Beryl Kunkel  
Star Route  
Twin Falls, Idaho

Dear Mr. Kunkel:

We have your letter of February 23, stating that you are prepared to make proof of completion of works and beneficial use on the above numbered Permit.

Proof of completion of works should be made on Form 6 enclosed and returned to this department with the fee of \$5.00 required in connection therewith.

Proof of beneficial use requires publication once a week for four weeks in a county newspaper. This notice should be made in duplicate on Form 10 enclosed, setting the time and place and naming the Notary Public before whom the proof is to be made.

The proof may be made at Twin Falls or any place convenient for you and your two witnesses and the time must be set far enough ahead to allow for four weeks publication.

Both copies of Form 10 to be returned to this department together with form 11 which is 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 the proof.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

R:hll  
Enc.

26156

Febr 2, 1956

Mr Mark R. Zulp,  
State Reclamation Engineer,  
Boise, Idaho.

RECEIVED  
FEB 24 1956  
Department of Reclamation

Dear Sir. Referring to My permit <sup>#</sup>26156  
granting the right to me to use flood water from  
an unnamed stream or canal, will say  
that I am now ready to submit proof of works  
and use of water from this source since 1918.

If you will kindly send me the necessary  
blank's ect. for advertising, and instructions  
for proceeding with this proof I shall  
be obliged -

Very Resp

Beryl Kunkel  
Star Route  
Rain Falls  
Idaho

26156

February 1, 1956

RE: Permit No. 26156

Mr. Beryl Kunkel  
Star Route  
Twin Falls, Idaho

Dear Mr. Kunkel:

We enclose Permit No. 26156 and direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose departmental receipt No. 27793 for the \$5.00 filing fee.

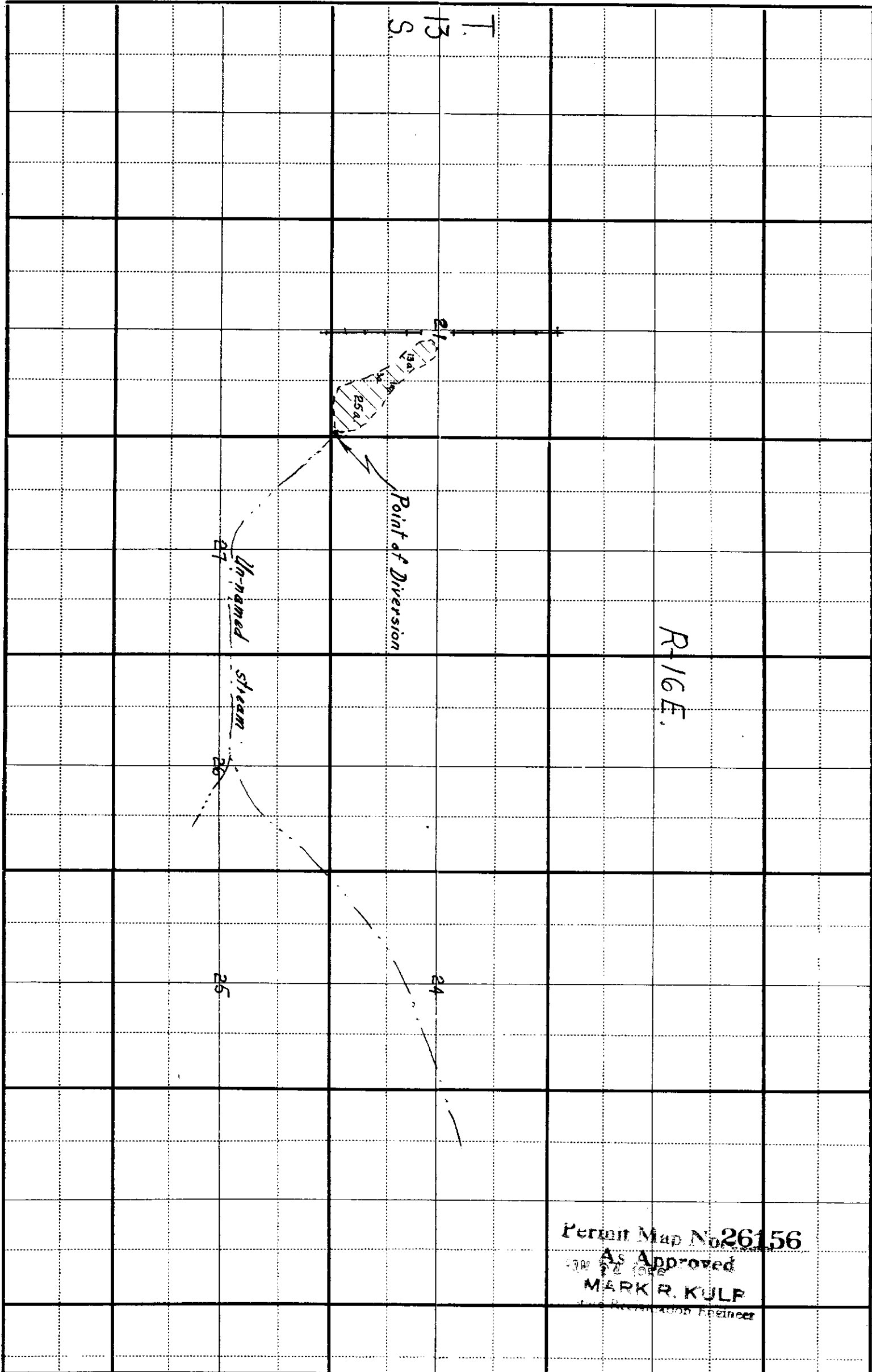
Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

R:hl1  
Enc.

26156



SCALE: 2 INCHES EQUAL 1 MILE. DRAW PLAN IN INK.

26156

