

Affidavit of Publication

RECEIVED
MAR 14 1961

N? 8714

STATE OF IDAHO,
COUNTY OF TWIN FALLS

ss.

Department of Reclamation

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A. M. on the 13th day of March, 1961, at Room 3, Twin Falls Bank & Trust Bldg., Twin Falls, County of Twin Falls, State of Idaho, before Edward L. Benoit, Notary Public proof will be submitted of the application to beneficial use of 1.9 cubic feet per second of the waters of McMullen Creek in accordance with the terms and conditions of Permit No. 26119 heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Lee Mathers, Route 2, Kimberly, Idaho.

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

The amount applied to beneficial use is 1.9 cubic feet per second.

The place where said water is used NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 29, Twp. 11 S., Range 18 EBM, Twin Falls County, Idaho.

The right to take water from such works is based upon Permit No. 26119.

The source of supply from which such water is diverted is McMullen Creek.

The date of priority which said user is prepared to establish is March 7, 1957.

GEO. N. CARTER
State Reclamation
Engineer.

Publish: Feb. 2, 9, 16, 23, 1961

I, Mable L. 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 Thursday days, commencing with the issue dated

February 2, 1961, and ending with the issue dated

February 23, 1961.

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 newspaper 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.

Subscribed and sworn to before me this 13th day of

March, 1961.

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

26119

**NOTICE OF PROOF APPLICATION
OF WATER TO BENEFICIAL USE**

Notice is hereby given that at 10:00 A. M. on the _____ day of March, 1961, at Room 3, _____ Falls Bank & Trust Bldg., Twin Falls, County of Twin Falls, State of Idaho, before Edward L. Benoit, Notary Public proof will be submitted of the application to beneficial use of 1.9 cubic feet per second of the waters of McMullen Creek in accordance with the terms and conditions of Permit No. 26119 heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Lee Mathers, Route 2, Kimberly, Idaho.

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

The amount applied to beneficial use is 1.9 cubic feet per second.

The place where said water is used NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 29, Twp. 11 S., Range 18 EBM, Twin Falls County, Idaho.

The right to take water from such works is based upon Permit No. 26119.

The source of supply from which such water is diverted is McMullen Creek.

The date of priority which said user is prepared to establish is March 7, 1957.

GEO. N. CARTER
State Reclamation
Engineer.

Published Feb. 2, 1961

State of Idaho
License and Certificate of Water Right

Water License No. G-24805 Amount 1.1 c.f.s.
Water District No. _____ Priority March 16, 1954

THIS IS TO CERTIFY that LYLE M. JONES - Assignee - LEE MATHERS
of Hansen, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated March 16, 19 54; that Permit No. G-24805
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.1 second feet, was issued thereunder on June 13, 19 61, showing that said works
were completed on the 16th day of July, 19 60; and that on the 16th
day of July, 19 60,

- LEE MATHERS

of Hansen, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
, a tributary of subterranean flow, for the purpose of irrigation
, under Use Permit No. G-24805 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
11 of Licenses at page 7095, on the 13 day of June, 19 61;
The right hereby confirmed dates from March 16, 19 54;

The Point of Diversion is located
in the NW 1/4 SE 1/4, Sec. 4, Tp. 12 S, R. 18E, 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 1.1 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
11 S.	18 E	33	NE $\frac{1}{4}$ SW $\frac{1}{4}$	40	40
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	40	30
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	40	25
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	40	39
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	40	30
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	40	20
12 S.	18 E	4	NW $\frac{1}{4}$ NE $\frac{1}{4}$	40	15
			NE $\frac{1}{4}$ NW $\frac{1}{4}$	40	22
			Total number of acres to be irrigated:		221

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
13th day of June, 19 61.

s/ RALPH W. THOMAS
Deputy State Reclamation Engineer.

(SEAL)

State of Idaho
License and Certificate of Water Right

Water License No. 26119 Amount .56 c.f.s.
Water District No. Priority March 7, 1957

THIS IS TO CERTIFY that LEE MATHERS
of Kimberly, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated December 22, 1955; that Permit No. 26119
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.9 second feet, was issued thereunder on November 27, 1957, showing that said works
were completed on the 15th day of November, 1957; and that on the 13th
day of March, 1961,

LEE MATHERS
of Kimberly, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of McMullen Creek
, a tributary of, for the purpose of irrigation
, under Use Permit No. 26119 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
11 of Licenses at page 7096, on the 13 day of June, 1961;
The right hereby confirmed dates from March 7, 1957;

The Point of Diversion is located
in the NW 1/4 NE 1/4, Sec. 29, Tp. 11S, R. 18E, 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 .56 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
11 S.	18 E	29	SW 1/4 NE 1/4	40	5
			SE 1/4 SE 1/4	40	39
			Total number of acres to be irrigated:		44

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
13th day of June, 1961.

s/ RALPH W. THOMAS
Deputy State Reclamation Engineer.

(SEAL)

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

Application No. 34000
Permit No. 26119
District No.

1. Name of Applicant: LEE MATHERS

Postoffice address: Route #2, Kimberly County: Twin Falls State: Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
- (b) Amount of capital stock:
- (c) Amount paid in:
- (d) Names and addresses of directors:

II. The financial resources of the applicant are:

- (a) Cash on hand:
- (b) Treasury stock:
- (c) Bonds to be issued:
- (d) Other resources:

2. Quantity of water claimed: 95 inches or 1.9 cubic feet per second.

3. Source of water supply: McMullen Creek which is a tributary of

4. Location of point of diversion: 300 feet North and 40 / feet East of the Southwest corner of the Northwest Quarter of the Northeast Quarter of Section Twenty-Nine (N¹NE¹) of Sec. 29 T 11 So, Range Eighteen (18) ~~feet distant from the~~
~~corner of Section~~ ~~==T==~~ ~~==S==~~ ~~==R==M==~~ and is in the
E.B.M. which is in the Northwest Quarter of the Northeast Quarter (N¹NE¹) of Section 29, Township 11 South,
~~of Section~~ ~~==T==~~ ~~==S==~~ ~~==R==M==~~ County of
Range 18 E.B.M., County of Twin Falls.

5. Water is to be used for Irrigation

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

- (a) Point of use of water: feet distant from corner of Section
T. , R. , B. M., in the of Section , T. , R. , B. M.
(b) Amount of power generated: H. P., under feet head.
(c) Water is to be returned to at a point feet
distant from the corner of Section , T. , R. , B. M., in the
of Section , T. , R. , B. M.

7. Estimated cost of works: \$ 3000.00

8. Kind of works: Earth dam, 1800 ft. 12" steel pipe and 1300 ft. 8" steel pipe and ditches

9. Height of dam nine feet; length of dam at top Thirty feet; length of dam at bottom thirty feet; material used in dam: Earth, steel and concrete

10. Size of headgate: Width None feet; height feet;

11. Ditch: Width at bottom 1-1/2 feet; width at water line two feet; depth of water one feet;

dimensions of flume: None

Diameter of pipe 12 & 8 inches; length of conduit See remarks miles.

Average grade per mile See remarks 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 two additional years.

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

14-A. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: 80 inches represented by Permit No. 25133 as amended and 100 inches represented by 100 shares of Twin Falls Canal Company of which, however, 95 in. represented by shares in T.F. Canal Company are in the process of being transferred to the N¹SW¹, NE¹SE¹ and SE¹SW¹, SW¹SE¹, SW¹SW¹, Sec. 33, Twp. 11 S., Range 18 E.B.M. and Lots 2 and 3 in Sec. 4, Twp. 12 S., Range 18 EBM

15. (a) Is reservoir to be used? No If so, fill in (b) and (c) below.
(b) Name of Reservoir and number of Storage Permit:
(c) Date of filing of Application for Storage Permit and Name of Applicant:

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

LEE MATHERS

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 11:30 A.M. Dec. 22, 1955

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 26119

Recorded in Book 92 Page 26119 Approved Dec. 28, 1955

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ to be filed on or before

Work to begin on or before February 28, 1956 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before December 28, 1956

The whole of said work to be completed on or before December 28, 1957

Beneficial use of water appropriated in accordance herewith, to be made on or before December 28, 1959

Witness my hand this 28th day of December, 1955

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLLIE, Governor of the State of Idaho, and IRA H. MASTERS, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 28th day of December, 1955.

Countersigned:

STATE OF IDAHO

(SEAL)

By IRA H. MASTERS
By Paula L. Fleenor
Deputy Secretary of State.

By ROBERT E. SMYLLIE
Governor

Remarks: From point of diversion water to be lifted by electric motor centrifugal pump into 12" steel pipeline and carried 1800 feet to a diversion box 30 feet higher than point of diversion. Pipe will run in SE direction from point of diversion to South line of S¹/₄ NE¹/₄ where diversion box located and then flow by gravity in ditch along said South line in an easterly direction. Water will then flow from this ditch in corrugations in a northerly direction. Water will be pumped from this ditch in a Southwesterly direction in an 8" steel pipe and then flow in ditches easterly and westerly on lands to be irrigated.

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	
11 S.	18 E.	29			20	40									40			40	180 acres.

Permit No. 26119
Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that LEE MATHERS of Kimberly, County of Twin Falls, and State of Idaho, the holder of Permit No. 26119, issued upon Application No. 34000 bearing date of priority of December 22, 1955, authorizing the diversion of 1.9 second feet of the waters of McMullen Creek County of Twin Falls, State of Idaho, for Irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 1.9 second feet of the waters of McMullen Creek that the point of diversion of said waters NW¹/₄ NE¹/₄ of Section 29, Township 11 South, Range 18 East, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 180 acres in the S¹/₂ NW¹/₄ NE¹/₄, SW¹/₄ NE¹/₄, SE¹/₄ NE¹/₄, NE¹/₄ SE¹/₄ and SE¹/₄ SE¹/₄ of Section 29, Township 11 South, Range 18 East, B.M. Proof of Completion of Works made: November 15, 1957

Witness my hand this 27th day of November, A.D. 1957

MARK R. KULP
State Reclamation Engineer
By: E. N. Humphrey
Deputy State Reclamation Engineer

Proof of Completion of Works made: November 15, 1957

Certificate of Completion of Works issued: November 27, 1957.

COPIES ISSUED FOR 156 SEC. 8.

Page 7096

June 13, 1961

RE: Permit No. G-24805
26119

Lee Mathers
Rt 2
Kimberly, Idaho

Dear Mr. Mathers:

Enclosed are Certificate of Completion of Works and License and Certificate of Water Right on Permit No. G-24805, and License and Certificate of Water Right on Permit No. 26119.

Also enclosed are departmental receipts No. G-6018 in the amount of \$21.00, and No. 30607 in the amount of \$4.00 covering fees for the Certificate and Licenses.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr
Enc. licenses 2
certificate
receipts 2

26119

June 2, 1961

Re: Permit No. 26119

Mr. Lee Mathers
Route #2
Kimberly, Idaho

Dear Mr. Mathers:

Our field engineer's report on his inspection of the application of water to beneficial use under the terms of Permit No. 26119 shows your works are capable of diverting 108 miners inches or 2.16 second feet from McMullen Creek for the irrigation of 137 acres in S¹/₄SE¹/₄, Sec. 29, T. 11 S., R. 18 E., B.M.

Water License No. 25133 shows 80 inches or 1.6 second feet from the same diversion with the same equipment to irrigate 95 acres in S¹/₄NE¹/₄, NE¹/₄SE¹/₄, Sec. 29.

Upon receipt of the statutory fee of \$4.00 based at the rate of \$2.00 for each 40 acre subdivision - we will issue the License and Certificate of Water Right, confirming the right with priority of March 7, 1957 to the use of 0.56 second feet with point of diversion in NE¹/₄SE¹/₄, Sec. 29, for irrigation of 44 acres in SW¹/₄NE¹/₄, SE¹/₄SE¹/₄, Sec. 29, T. 11 S., R. 18 E., B. M.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rula
Chief Clerk

RT:EPR:ew

26119

RT

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 26119

This proof is for Beneficial Use

In Water District No. _____

1. Name of applicant Lee Mathers

2. Source of water supply: McMullen Creek

3. Location of point of diversion: Is in the NW 1/4 of Section 29

T. 11 S R. 18 E County of Twin Falls

4. Describe works as they exist, giving dimensions and capacities of same: 30 H.P. F.M. Motor #595325, F.M. Pump # PF 8488, 6" disch to 1320' x 12" steel pipe reduced to 8" 600' Use Perma Water Lifter pump powered by tractor on re lift.

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):

NW 1/4, S 1/4, E 1/4 Sec. 29., Twp. 11 S., Rge. 18 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? Snake River.

Remarks: Mr. Bill Mathers (son) along

There are 45 shares (7/8 per share) Twin Falls ^{canal to} water on this place.

Measured by Current Meter. Ditches only capable of carrying ^{only 108" water} water. Couldn't use Spalling Meter or weir.

This examination was made on the 25 day of May, 1961.

(Signed) Leopoldman Examiner.

26119

Lee Mathers
R. #2
Kimberly, Idaho
Permit No. 26119

Examination for Beneficial Use

County Twin Falls

29-11S.-18E.

Q. 1.9 c.f.s.

S. McArthur Co.

N.D. NW, NE, Sec. 29, T. 11S. - R. 18. E. BM.

Use - Irrigation

Filed Dec. 22, 1955

Dec. 28, 1959

Dec. 11-27-51

Original: P. 22, 33, 80;
100 "in T.F. Canal Co.

Check. 32-57

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
DEC 29 1955

Department of Agriculture

R-18E

TO KINDERLEY

McMullen Cr.

P.D. Dam

Steel pipe

29

Relift Pump

8" Steel pipe

39

39

39

57

5

39

39

39

137

44

Subdivisions

Area

Q

Q

137 acres.

2.16 cfs. at 108 inches

1.6

80 "

1.56 cfs

28 "

License # 25133

Same P.D. - Pump - Motor

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 26119

REPORT ON PROOF OF Beneficial Use

Sec. 29 T. 11 S R. 18 EBM

Quantity:

Source:

P.D.:

Use:

Filed:

Due:

Extension:

Completion of Works:

Other Rights:

~~ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED~~

Lee Mothers

DISCHARGE MEASUREMENT NOTES

26119

March 20, 1961

Re: Permit No. 26119

Mr. Lee Mathews
Route #2
Kimberly, Idaho

Dear Mr. Mathews:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the Times-Star, all submitted in proof of ~~beneficial use on Permit No. 26119.~~ beneficial use on Permit No. 26119.

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

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

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:

cc: Edward L. Bennett
Bennett & Bennett
Twin Falls Bank & Trust Bldg.
Twin Falls, Idaho

26119

LAW OFFICES
BENOIT & BENOIT
TWIN FALLS BANK & TRUST BLDG.
TWIN FALLS, IDAHO

HARRY BENOIT
EDWARD L. BENOIT

RECEIVED
MAR 14 1961

Department of Reclamation

State Reclamation Engineer
State House
Boise, Idaho

Re: Permit No. 26119

Dear Sir:

Enclosed is Affidavit of Publication and
Deposition of holder and two witnesses in connec-
tion with the Proof of Application of Water to
Beneficial Use.

Very truly yours,

BENOIT & BENOIT


Edward L. Benoit

ELB:elm

Enclosures 4

26119

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS

ss.

Department of Reclamation

RECORDED
N: 8714

I, Mable L. 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 Thursday, commencing with the issue dated
February 2, 1961, and ending with the issue dated
February 23, 1961.

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 newspaper
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.

Subscribed and sworn to before me this 13th
March, 1961 day of

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

26119

RECEIVED
MAR 14 1961

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Department of Reclamation

Permit No. 26119

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Lee Mathers, Kimberly, Idaho, farmer, post office address,
Route #2, Kimberly, Idaho

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

Ans.

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

Ans. Permit No. 26119, priority date March 12-28-55, 1957

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

Ans. McMullen Creek, point of diversion 300 feet north and 40 feet east of the Southwest corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 29, Township 11 South, Range 18 E.B.M.

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

Ans. Earth Dam, 1800 feet 12" steel pipe and 1300 feet 8" steel pipe and ditches. Earth Steel and concrete dam 9 feet high and 30 feet in length.

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 used for irrigation of the following land all located in Section 29, Township 11 South, Range 18 E.B.M.: 20 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 40 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 40 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 40 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ and 40 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$.

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

Ans.

26119

JD

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. 3.5 cu feet per second

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. 1.9 cu feet per second in crop years 1955, 1956, 1957, 1958,
1959 and 1960.

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. Water represented by 45 shares of Twin Falls Canal Company,
and 1.6 cu feet per second under Permit 25133

(Sign) J. Mathers

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 ✓ 13th day of ✓ MARCH, A. D. 1961

✓ Edward L. Bernh

My commission expires June 1, 1963

26119

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Deposition of Witness

PERMIT NO. 26119

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 Hendricks, age 26, residence Kimberly, Idaho,
farmer, postoffice address, Kimberly, Idaho.

Ques. 2. Are you acquainted with Lee Mathers, the
holder of Permit No. 26119? How long have you known him and where does
he reside?

Ans. 8 years. He resides at Route #2, Kimberly, Idaho

Ques. 3. Have you read or heard read said Permit No. 26119, and are you
familiar with its provisions and conditions?

Ans. Yes. I am familiar with its provisions and 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. McMullen Creek, place of diversion 300 feet north and
40 feet east of the Southwest corner of NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 29,
Township 11 South, Range 18 E.B.M.

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. 3.5 cu feet per second

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. Water used to irrigate the following acres in the following
land all located in Section 29, Township 11 South, Range 18 E.B.M.:
20 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 40 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 40 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 40
acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ and 40 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$

26119

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

Ans. _____

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. Dry land. 3.5 cu feet per second

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

Ans. None

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

Ans. I have witnessed 1.9 cu feet per second applied to
beneficial use in crop years 1956, 1957, 1958, 1959 and 1960.

(Signed) Leonard Hendricks

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 13th day of MARCH,
A. D. 1961.

Edward L. Bonah
Notary Public.

My commission expires June 1, 1963.

26119

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 26119

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. Harley Mathers, age 48, residence, Twin Falls, Idaho, farmer
and real estate salesman, post office address, 251 Walnut, Twin Falls,
Idaho.

Ques. 2. Are you acquainted with Lee Mathers, the
holder of Permit No. 26119? How long have you known him and where does
he reside?

Ans. All my life. He resides at Route #2, Kimberly, Idaho.

Ques. 3. Have you read or heard read said Permit No. 26119, and are you
familiar with its provisions and conditions?

Ans. Yes. I am familiar with its provisions and 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. McMullen Creek, place of diversion 300 feet north and 40 feet
east of the southwest corner of NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 29, Township 11
South, Range 18, E.B.M.

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. 3.5 cu feet per second

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. Water used to irrigate the following acres in the following
land all located in Section 29, Township 11 South, Range 18 E.B.M.:
20 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 40 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 40 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 40 acres
in NE $\frac{1}{4}$ SE $\frac{1}{4}$ and 40 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$.

26119

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

Ans. _____

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. Dry land. 3.5 cu feet per second.

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

Ans. None

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

Ans. I have witnessed 1.9 cu feet per second applied to
beneficial use in crop years 1956, 1957, 1958, 1959 and 1960.

(Signed)

Narley Wechter

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 13th day of March,
A. D. 1960.

Edward L. Benah

Notary Public.

My commission expires June 1, 1963

26119

Memo

The TIMES-NEWS
TWIN FALLS, IDAHO

Jan 27, 1961

JAN 30 1961

State of Idaho
Dept. of Reclamation
Boise, Idaho

Department of Reclamation

Gentlemen:

This will acknowledge receipt of copy for Legal Publication in the matter of the Notice of Proof Application of Water to Beneficial Use, Lee Mathers, Kimberly, Idaho, Applicant.

This has been scheduled for publication on four Thursdays beginning February 2, 1961

Tear sheet of first publication will be sent to your office for checking purposes.

Sincerely,

Times-News

Mable F. Clark
Principal Clerk

26119

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

January 25, 1961

DEPOSITIONS ARE OF NO VALUE

UNLESS AFFIDAVIT OF PUBLICATION

IS ATTACHED

Re: Permit No. 26119
Lee Mathers

Benoit & Benoit,
Attorneys at Law,
Twin Falls Bank & Trust Bldg.,
Twin Falls, Idaho.

Attention: Edward L. Benoit

Gentlemen:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. 26119, in the name of

Lee Mathers. Final Proof is to be made before you, as Notary on the 13th day of March, 1961, ~~1960~~ at 10:00 o'clock A.M., at Rm. 3, Twin Falls Bank and Trust Bldg., Twin Falls, Idaho.

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

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

In returning the depositions to this office, be sure that all copies have been signed, that your Notary's seal has been placed on each and that all depositions, (Holder and two witnesses) are being returned. Also be sure to enclose the Affidavit of Publication.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. ~~Handberg~~
Chief Clerk

Rule

Encl.

EPR:Pk

cc: Applicant

26119

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. 26119
Lee Mathers

Date: Jan. 25, 1961

Times-News,
Twin Falls, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to **March 13, 1961** the date set for proof;

the expense of the publication is to be paid by the applicant

Lee Mathers

of **Route #2, Kimberly, Idaho**

to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,



GEO. N. CARTER
State Reclamation Engineer

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

Encl.

26119

HARRY BENOIT
EDWARD L. BENOIT

LAW OFFICES
BENOIT & BENOIT
TWIN FALLS BANK & TRUST BLDG.
TWIN FALLS, IDAHO

January 24, 1961

RECEIVED
JAN 25 1961
Department of Reclamation

State Reclamation Engineer
State House
Boise, Idaho

Re: Permit No. 26119
Lee Mathers

Dear Sir:

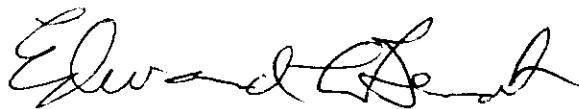
Enclosed is notice for publication of proof of application to beneficial use in duplicate and authority to publish.

9
You will note I set the date of priority as December 22, 1955, which is the original date. I was recently in your office and you stated our date of priority would be a later date. I presume that this will be taken care of when the license is issued?

I did not know what to do with the sentence starting with "The name of the canal or ditch etc." If this is not needed will you x it out? If something should be added, please phone me collect at Twin Falls, Redwood 3 5463.

Very truly yours,

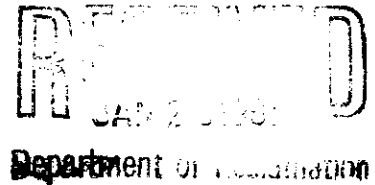
BENOIT & BENOIT



Edward L. Benoit

ELB:eap
Enc.

26119



NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) January 24, 1961

(P. O.) Route # 2, Kimberly, Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
Times-News of Twin Falls, Idaho published in
the county in which the works are situated.

T.F. Co. ✓

Joe Mathews

(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.

26119

RECEIVED
JAN 11 1961
Bureau of Reclamation

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

Notice is hereby given that at 10:00 A. M. on the 13th day of March, 1961,
at Room 3, Twin Falls / Bank & Trust Bldg., Twin Falls, County of Twin Falls, State of Idaho, before
Edward L. Benoit, Notary Public, proof will be submitted of the
application to beneficial use of 1.9 ☒ cubic feet per second of the waters of McMullen
Creek in accordance with the terms and conditions of Permit No. 26119
heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are _____
Lee Mathers, Route #2, Kimberly, Idaho

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

The amount applied to beneficial use is 1.9 cubic feet per second.

The place where said water is used ~~at the place where the water is used~~
NW1/4, S1/4, NE1/4, SE1/4, and SE1/4, Section 29, Twp. 11 S., Range 18 EBM,
Twin Falls County, Idaho.

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. 26119

The source of supply from which such water is diverted is McMullen Creek

The date of priority which said user is prepared to establish is 3-7-57
December 22, 1955.

26119
Geo. H. Carter
State Reclamation Engineer.

May 12, 1960

RE: Permit No. 26119
Lee Mathers

Ferry, Robertson & Daly
Attorneys
Fidelity Bank Building
Twin Falls, Idaho

Attention: C. G. McIntyre

Dear Mr. McIntyre:

Beneficial Use proof on Permit No. 26119 has not been made and an extension of time can not be approved now as the Beneficial Use proof date is past due. However, Beneficial Use proof can be made at a later date and the only penalty is the fact that the priority date will be advanced as many days, months and years as the proof is late.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Bule
Chief Clerk

EPR:mr

26119

PARRY, ROBERTSON & DALY

LAWYERS

FIDELITY BANK BUILDING

TWIN FALLS, IDAHO

TELEPHONE REDWOOD 3-3722

R. P. PARRY
T. M. ROBERTSON
JOHN H. DALY
CLIFFORD E. FIX
BERT LARSON
C. G. MCINTYRE

JOHN R. COLEMAN
OF COUNSEL:
HUGH A. BAKER
J. R. KEENAN

May 11, 1960

State Department of Reclamation
State House
Boise, Idaho

RE: APPLICATION FOR PERMIT #34000;
PERMIT #26119

Gentlemen:

This letter is to inquire whether proof of beneficial use of water was made on the above permit prior to the required date of December 28, 1959, or whether an extension of time has been granted.

Yours very truly,


C. G. MCINTYRE

CGMc/cjf

26119

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

RE: Permit No. 26119
Lee Mathers

Date October 1, 1959

Benoit & Benoit
Twin Falls, Idaho

Attn: Edward L. Benoit
Dear Sir:

The date for proof of application of water to beneficial use, as set out under the terms of Permit No. 26119 is due not later than Dec. 12, 1959. If by this date you are not prepared to make this proof, you may make it at a later date, however, your priority will be advanced the same length of time for which the proof is late.

Before this proof can be made, the statutory requirement is that a Notice of your intention of proof be published once a week for four consecutive weeks in a newspaper within the county.

We enclose Form 10, in duplicate, which is to be filled in and returned to this department at least forty (40) days before the above mentioned date or before the time you intend to make proof. This form, in duplicate, is to include the time of day, the date (allowing for four weeks publication), the name of the town, the address of the Notary Public before whom you will appear to make the depositions of proof (this may be at any place that is convenient for you and your two witnesses), the quantity of water, for what purpose it is used, the point or points of diversion and the location of use or lands which are irrigated--by 40-acre legal land description. Descriptions should be taken from your Permit, including any amendments thereto, as recorded in this department. If changes have been made and no amendments are on record, we advise that you request a form for this purpose before your Notice is published.

Also enclosed is Form 11, which is the authorization for us to have the Notice published in the designated county newspaper, at your expense. This is to be returned with Forms 10.

At the time we send the notice to the newspaper we will send to you the forms for the depositions of holder and two disinterested witnesses. It is important that the depositions be executed at the time, on the date set and at the place named, before the Notary Public, as advertised in the publication notice.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

Enc. Form 10
Form 11 & instructions
cc: Lee Mathers
Route #2, Kimberly.

26119

November 27, 1957

Re: Permit No. 26119
Lee Mathers

Benoit & Benoit
Twin Falls Bank & Trust Bldg.
Twin Falls, Idaho

ATTENTION: Mr. Edward L. Benoit

Dear Mr. Benoit:

Enclosed is the Certificate of Completion of Works issued under Permit No. 26119 to Lee Mathers of Kimberly, Idaho, for the diversion of 1.9 second feet of water from McMullen Creek, with the point of diversion in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 29, for irrigation of 180 acres in the S $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 29, Township 11 South, Range 18 East, B.1.

Enclosed also is departmental receipt #28881 for \$5.00, issued as receipt of the fee for the Certificate of Completion of Works.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR:nls
Enc.

26119

LAW OFFICES
BENOIT & BENOIT
TWIN FALLS BANK & TRUST BLDG.
TWIN FALLS, IDAHO

HARRY BENOIT
EDWARD L. BENOIT

RECEIVED
NOV 25 1957
Department of Reclamation

November 22, 1957

State Reclamation Engineer
State House
Boise, Idaho

Re: Permit #26119

Gentlemen:

Enclosed is Proof of Completion of Works affidavit
executed by Lee Mathers, the holder of the above
permit.

Also enclosed is a check in the sum of \$5.00 made
payable to you.

Very truly yours,

BENOIT & BENOIT


Edward L. Benoit

ELB:aw
enc:

26119

Permit No. 26119

STATE OF IDAHO

Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

RECEIVED
NOV 2 1957

Department of Reclamation

STATE OF IDAHO

County of Twin Falls

ss.

Lee Mathers, 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. 26119, and that his postoffice address is Route #2, Kimberly State of Idaho.

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

McMullen Creek

Third: That the point of diversion of said water is 300' N and 40' E of the SW corner of the NW 1/4 Sec. 29 T. 11 S., R. 18 E. 1/4, which is in the NW 1/4 Sec. 29, T. 11 S., R. 18 E. 1/4, Twin Falls County, Idaho.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by December 28, 1957.

Fifth: That the use for which said water is intended is irrigation on the date hereof and

Sixth: That on the date above mentioned, the works constructed under said permit were (XXXXXX) fully completed and consisted of the following:

I. Kind of works: Earth dam, 1800 ft. 12" steel pipe and 1300 ft. 8" steel pipe (Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

(a) Height of dam, nine feet, length of dam at top, thirty feet, length of dam at bottom, thirty feet. Material used in construction Earth, steel and concrete.

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir, acre feet. No reservoir

(c) Size of headgate: Width, None feet, height, feet.

(d) Conduit, 12" width at bottom, one feet, width at water line, 12" (State whether ditch, flume or pipe) Steel pipe

feet, depth of water, feet; diameter of pipe, inches, average grade per mile is, * feet. Length of conduit is 1800 feet.

Seventh: That said works are capable of conducting to the place of intended use 1.9 second feet of water.

Eighth: That water appropriated under said permit is available for 180 acres of land described as follows: S 1/4 NW 1/4 SW 1/4 NE 1/4, SE 1/4 NE 1/4 SE 1/4, and SE 1/4 SE 1/4.

Ninth: Remarks: That

(Sign Here)

Subscribed and sworn to before me this 15th day of November, 1957.

My commission expires June 1, 1959

Notary Public.

26119

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS

RE: Permit No. 26119

PROOF OF COMPLETION OF WORKS

Mr. Lee Mathers
Route #2
Kimberly, Idaho

Boise, Idaho October 1, 1957

Dear Sir:-

Under the terms of your permit No. 26119 you are required to complete your diversion works on or before December 28, 1957. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Yours truly,

MARK R. KULP

State Reclamation Engineer

NOTE: A copy of this notice and the forms were mailed to:
Benoit & Benoit
Attorneys at Law
Twin Falls, Bank & Trust Bldg.
Twin Falls, Idaho

26119

December 30, 1955

RE: Permit No. 26119

Messrs. Benoit & Benoit
P. O. Box 536
Twin Falls, Idaho

ATTENTION: Mr. Edward L. Benoit

Dear Mr. Benoit:

We enclose Permit No. 26119 in the name of Lee Mathers and direct his attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

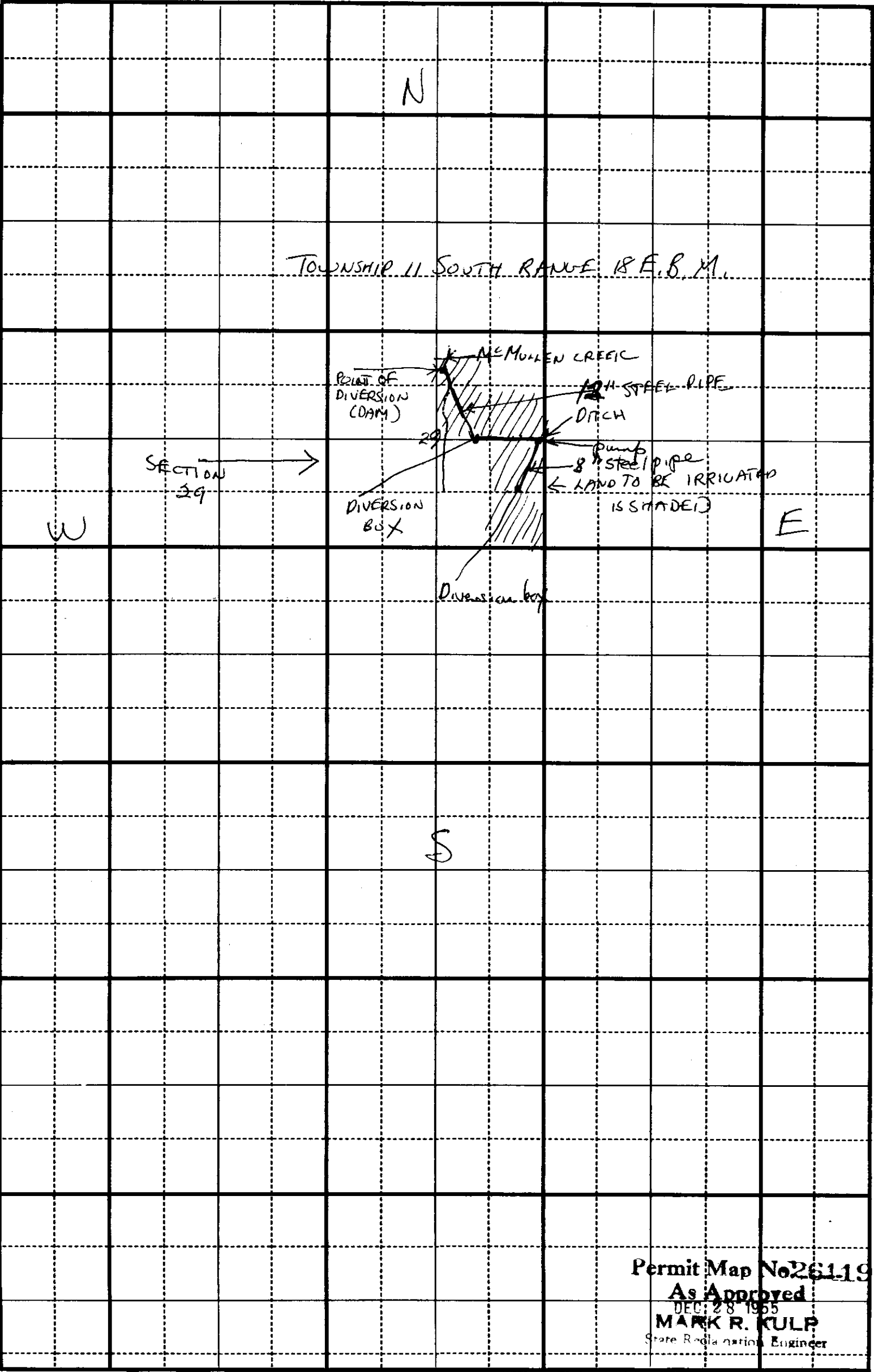
Chief Clerk

A:hll
Enc.

26119

NAME OF APPLICANT LEE MATHERS

Form No. 0



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

26119

