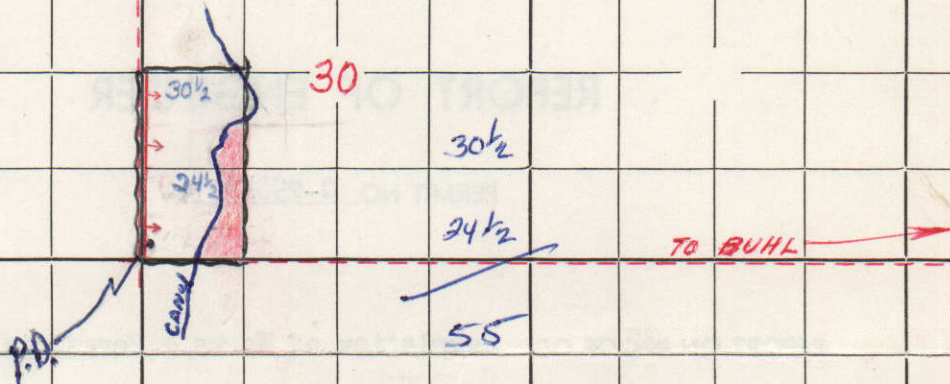


R-14E.

T.
9
S.



Subdivisions

2

AREA

55 ACRES



1.10 CFS or 55 inches

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

Notice is hereby given that 10 A. M., on the 14 day of October, 1960, at Boise, County of Ada, State of Idaho, before Harley M. McDowell, Notary Public, at 618 Idaho Bldg., Boise, Idaho, proof will be submitted of the completion of works for the diversion of 2 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-25849 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Antone Zagata, Rt. 3, Buhl, Idaho.
2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 2 cubic feet per second.
3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 2 cubic feet per second.
4. The point of diversion of said water is SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 30, T9S-R14E., B.M., Ida.
5. The place where said water is used is SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 30, T9S-R14E., B.M.
6. The date of priority which said user is prepared to establish is 7-29-55.

GEO. N. CARTER
State Reclamation Engineer
Publish: Sept. 15, 22, 29, Oct. 6, 1960

L 25849

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS }

ss.

RECEIVED
OCT 3 1960
8545
Department of Reclamation

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

oath depose and say that I am Principal Clerk of the TIMES-NEWS, published daily, except Saturday, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for four consecutive Thursday, commencing with the issue dated September 15, 1960, and ending with the issue dated October 6, 1960.

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 6th day of October, 1960.

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

NAME OF APPLICANT ANTONIO ZAGATA

Form No. 0

T 9 S - R 14 E., B.M.

Sec. 30



Permit Map No. 25849

As Approved

AUG 1 1955
MARK R. KULP
State Reclamation Engineer

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

25849

LEGAL ADVERTISEMENTS

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

Notice is hereby given that 10 A. M., on the 14 day of October, 1960, at Boise, County of Ada, State of Idaho, before Harley M. McDowell, Notary Public, at 618 Idaho Bldg., Boise, Idaho, proof will be submitted of the completion of works for the diversion of 2 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-25849 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Antone Zagata, Rt. 3, Buhl, Idaho.

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

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 2 cubic feet per second.

4. The point of diversion of said water is SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 30, T9S-R14E., B.M., Ida.

5. The place where said water is used is SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 30, T9S-R14E., B.M.

6. The date of priority which said user is prepared to establish is 7-29-55.

GEO. N. CARTER

State Reclamation Engineer

Publish: Sept. 15, 22, 29, Oct. 6, 1960

47-02292

State of Idaho
License and Certificate of Water Right

Water License No. 25890 Amount 1.94 second feet
Water District No. Priority June 21, 1955

THIS IS TO CERTIFY that WALTER H. BUSSELL and JOHN M. BARKER
of Buhl, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated June 21, 1955; that Permit No. 25890
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
2 second feet, was issued thereunder on October 28, 1955, showing that said works
were completed on the 15th day of October, 1955; and that on the 15th
day of October, 1955,

WALTER H. BUSSELL & JOHN M. BARKER
of Buhl, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Deep Creek
, a tributary of, for the purpose of irrigation use
, under Use Permit No. 25890 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
9 of Licenses at page 5676, on the 28th day of March, 1956;
The right hereby confirmed dates from June 21, 1955;

The Point of Diversion is located
in the SW 1/4 SE 1/4, Sec. 20, Tp. 9 S. R. 14 E., B. M. Twin Falls County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 1.94 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
9 S.	14 E.	20	NE 1/4 NW 1/4	30	28
			SE 1/4 NW 1/4	22	30
			NE 1/4 SW 1/4	6	20
			SE 1/4 SW 1/4	2	--
			SW 1/4 NE 1/4	8	8
			NW 1/4 SE 1/4	9	9
			SW 1/4 SE 1/4	3	2
			Total Number of Acres Actually Irrigated		97

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
28th day of March, 1956.

(SEAL) MARK R. KULP
State Reclamation Engineer.

State of Idaho
License and Certificate of Water Right

Water License No. 20534 Amount 5.2 second feet
Water District No. Priority July 9, 1948

THIS IS TO CERTIFY that Russel S. Wilson
of Rupert, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated July 9, 1948; that Permit No. 20534
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
5.2 second feet, was issued thereunder on March 27, 1956, showing that said works
were completed on the 17th day of August, 1953; and that on the 17th
day of August, 1953,

ESTATE OF RUSSEL S. WILSON
of Rupert, 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
, ~~and~~ (subterranean flow), for the purpose of irrigation use
, under Use Permit No. 20534 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
9 of Licenses at page 5675, on the 27th day of March, 1956;
The right hereby confirmed dates from July 9, 1948;

The Point of Diversion is located
in the SW 1/4 SE 1/4, Sec. 16, Tp. 8 S., R. 24 E., B. Minidoka County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 5.2 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
8 S.	24 E.	16	NE ¹ / ₄ NE ¹ / ₄	40	40
			NW ¹ / ₄ NE ¹ / ₄	40	20
			SW ¹ / ₄ NE ¹ / ₄	40	38
			SE ¹ / ₄ NE ¹ / ₄	40	40
			NE ¹ / ₄ SE ¹ / ₄	40	40
			NW ¹ / ₄ SE ¹ / ₄	40	40
			SW ¹ / ₄ SE ¹ / ₄	40	40
			SE ¹ / ₄ SE ¹ / ₄	40	40
			Total Number of Acres Actually irr.		

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
27th day of March, 1956.

MARK R. KULP

State Reclamation Engineer.

(SEAL)

APPLICATION FOR PERMIT
To Appropriate the Public Waters of the State of Idaho 47-2292

APPLICATION No. 33637 John M. Barker
PERMIT No. 25890 Box 549
DISTRICT No. Buhl, Idaho

1. Name of Applicant: WALTER H. BUSSELL & JOHN M. BARKER
Postoffice address: Route #3, Buhl 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: Two (2) cubic feet per second.

3. Source of water supply: Deep Creek - a part of the / Twin Falls Canal Co. waste water diversion, which is a tributary of -

4. Location of point of diversion: Approximately 635' North & / 120' East of
corner of SW ¹/₄ SE ¹/₄ of Section 20, T. 9 S, R. 14 E, B.M., and is in the SW ¹/₄ SE ¹/₄ of Section 20, T. 9 S, R. 14 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: \$ already installed.

8. Kind of works: Headgate & ditch. Open ditch out of Deep Creek without any dam.

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 20 inches feet; height 24 inches feet.

11. Ditch: Width at bottom 4 feet feet; width at water line feet; depth of water 10 inches 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 completed on July ~~20, 1946~~ 20, 1946.

13. The time required for the complete application of the water to the proposed use is 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: 60 shares capital stock
Twin Falls Canal Company.

February 19, 1958

Re: Permit No. 25890

Mr. John M. Barker
Box 549
Buhl, Idaho

Dear Mr. Barker:

In reply to your letter of February 12, 1958 in connection with water Permit No. 25890, you wish to know the procedure for transferring the water right under this permit from the name of John M. Barker and Walter Bussell, to John M. Barker, present owner of the property.

We wish to state that state license has been issued, which in this case, license was issued for 1.94 cubic feet per second. This water right is appurtenant to the land as described in the license and can be transferred the same as real estate, in fact, all the holder of License No. 25890 has to do is to deliver the license over to the present owner.

This office does not transfer any licenses from one owner to another after the license has been issued.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

25890

RWT:lw

RECEIVED
FEB 18 1958
Department of Reclamation

February 12, 1958

Box 549
Buhl, Idaho

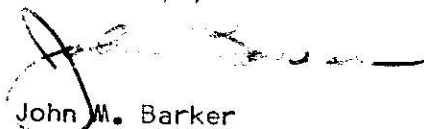
State of Idaho
Department of Reclamation
Boise, Idaho

Gentlemen:

On water permit 25890, which is under the name of John M. Barker and Walter Bussell, the latter property has been sold to a Jesse Gorman of Buhl, Idaho.

How do you go about transferring the water right for diversion of water out of Deep Creek, which is held by Mr. Bussell. Please send proper papers so that this can be done.

Very truly yours


John M. Barker

JMB:ks

Transferred 8/12 1954

25890

March 29, 1956

RE: Permit No. 25890

Messrs. Walter H. Russell & John M. Barker
Box 549
Buhl, Idaho

Dear Sirs:

We Enclose License and Certificate of Water Right issued under your Permit No. 25890 confirming your right to the use of 1.94 second feet of the waters of Deep Creek with point of diversion in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 20, Township 9 South, Range 14 East, B.M., and priority of June 21, 1955, for irrigation of land in the E $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 20, Township 9 South, Range 14 East, B.M.

We also enclose departmental receipt No. 27883 for the \$12.00 License fee, which is at the rate of \$2.00 for each 40 acre subdivision irrigated.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

hll
Enc.

25890

March 26, 1956

RE: Permit No. 25890

Messrs. Walter H. Bassell & John M. Barker
Box 549
Buhl, Idaho

Gentlemen:

We now have on file the report of our field engineer on examination for beneficial use proof on your Permit No. 25890, which shows that you have irrigated 97 acres of land in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 20, Township 9 South, Range 14 East, B.M. with the waters of Deep Creek with point of diversion in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 20.

A License can, therefore, be issued for 1.94 second feet of water upon receipt of the license fee amounting to \$12.00, being at the rate of \$2.00 for each 40 acre subdivision irrigated.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:hll

25890

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

Permit No. 25890

This proof is for Beneficial Use In Water District No. _____

1. Name of applicant Walter H. Bussell & John M. Barker, Box 549, Buhl, Idaho

2. Source of water supply: Deep Creek

3. Location of point of diversion: Is in the S W corner of SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 20
T. 9 S. R. 14 E. County of Twin Falls

4. Describe works as they exist, giving dimensions and capacities of same: Deep Creek has two channels for a short distance and the heading for this permit is out of the East Channel. Headgate is 20" by 20" by 6' long, plank construction. There is a low rock dam in the channel of Deep Creek to turn the water into ditch. The main ditch is 2' by 4' wide in the bottom and extends to the fields with ample fall.

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):

SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 20;

Twp. 9 South, Range 14 East, B. M.

See the map

(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: _____

PD is in S.W. $\frac{1}{4}$ S.E. $\frac{1}{4}$

This examination was made on the 21st day of March, 1956

(Signed) E. H. Humphrey Examiner.

25890

Walter H. Byersell & John M. Barker
Box 549, Buhl, Idaho

Permit No. 25890

Examination for Beneficial use

County Twin Falls

20-9S-14E

Q = 200 c.f.s.

S = Deep Creek

P.D. = approx. 635' N. 8 120' E. of SW. Cor.
= of SW. SE, Sec. 20, T. 9 S. - R. 14 E.

See Irrigation

Priority = June 21, 1955
Due = March 2, 1956

C/W = 10-28-55

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
MAR 22 1956

Department of Reclamation

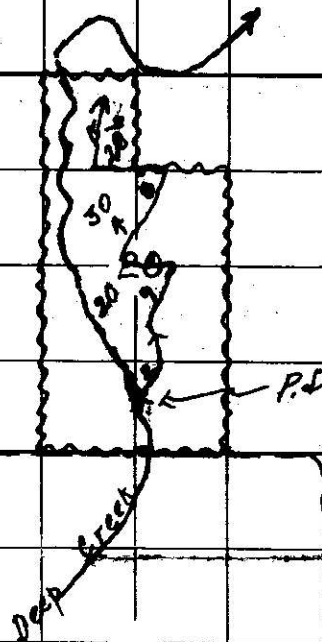
Headgate 20' x 20' x 6' 1/2
plank. all wood work
in need of some repair
low rock dam in deep
creek 2' high.
main ditch 2' to 4' wide in
bottom plenty of fall.

Keep track of a road 7' in diameter

R-14E

T.
9
S.

20. Acres in SW 1/4
30. in SW 1/4
60. in NE 1/4
90. in NW 1/4



Subdivisions = Six
Area = 97 acres.
Q = 97 inches.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 25890

REPORT ON PROOF OF Beneficial Use

WALTER H. BUSSELL & JOHN M. BARKER, Box 549, Buhl, Idaho

1.94 cfs
max

app. 2.0 cfs
Sub. - 6
Acres - 97

February 29, 1936

RE: Permits Nos. 25890 - 25891

Mr. John M. Barker
P. O. Box 549
Buhl, Idaho

Relative to your letter of February 23, 1936, we will state that through some inadvertency by this Department an error was made in sending you Notice and information on the above captioned Permits.

We wish to state that in regard to Permit No. 25890 everything is completed and all necessary proofs have been made and a License can be issued thereon after a field inspection is made by this Department.

Permit No. 25891 is somewhat mixed up as the Beneficial Use proof was published and depositions taken and furnished this Department prior to the time Completion of Works proof was filed. As you know the first step in proving up on a Permit of this kind is the proof of Completion of Works which is followed by the Beneficial Use proof, therefore, we are going to accept said proofs and will not request additional publications of Permit No. 25891. This Permit is also ready for License after an inspection has been made by the Engineer of this Department.

We cannot say just when these inspections will be made, but our field engineer will try to contact you at the time he makes the inspections in order that you may arrange to show him over the grounds.

We enclose Certificate of Completion of Works also departmental receipt No. 27652 for \$5.00 in payment of Completion of Works proof in connection with Permit No. 25891.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

T:cu
Enc.

Letter from Barker Feb 24 1936
pg 25891

25890
+
25891

S T A T E O F I D A H O

DEPARTMENT OF RECLAMATION

Boise, Idaho
January 1, 1956

Messrs. Walter H. Russell & John M. Barker
C/o John M. Barker
Box 549, Buhl, Idaho

Dear Sir:

We enclose herewith blank notice for proof of application of water to beneficial use under your Permit No. 25890. This notice should be filled out in duplicate and returned to this office at least 40 days before the date upon which you wish to make this proof, in order to allow time for the four weeks' publication required by law.

This proof must be submitted before a Notary Public or other officer authorized by law to administer oaths.

The date for proof, as set out in your permit, is not later than March 2, 1956, and if proof is submitted later than said date, your priority will be brought down a length of time equal to the time elapsing between the date the proof is due and the date proof is actually made.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

25890

October 28, 1955

RE: Permit No. 25890

Mr. John M. Barker
P. O. Box 549
Buhl, Idaho

Dear Mr. Barker:

We enclose Certificate of Completion of Works issued on Permit No. 25890 in the name of yourself and Walter H. Russell for the diversion of 2 second feet of water from Deep Creek with point of diversion in the SW¹/₄SE¹/₄ Section 20, Township 9 South, Range 14 East, B. M., for irrigation of land in the SW¹/₄NE¹/₄, E¹/₂SW¹/₄, E¹/₂SE¹/₄ of said Section.

We also enclose departmental receipt No. 27640 for the \$5.00 fee paid in connection with Completion of Works proof.

Since writing you on October 24, 1955, we have received the Affidavit of Publication in the Buhl Herald in connection with proofs of Beneficial Use on this Permit.

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

We cannot say just when this examination will be made, but our field engineer will contact you or Mr. Russell at the time he makes the examination in order that you or Mr. Russell may arrange to show him over the ground.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:cu
Enc.

25890

JOHN M. BARKER AGENCY

JOHN M. BARKER, C. P. C. U.

BOX 549

BUHL, IDAHO

October 25, 1955

RECEIVED
OCT 26 1955

Department of Reclamation

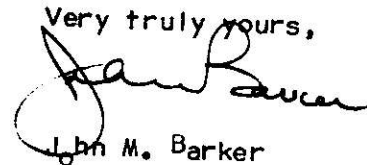
State of Idaho
Department of Reclamation
Boise, Idaho

Gentlemen:

Re: Permits #25890 and #25891

I am enclosing herewith proof of affidavit of publication
by the Buhl Herald in connection with the above mentioned permits.

Very truly yours,


John M. Barker

dw

25890

THE AETNA CASUALTY & SURETY COMPANY

Affiliate of

THE AETNA LIFE INSURANCE COMPANY
THE AUTOMOBILE INSURANCE COMPANY



THE STANDARD FIRE INSURANCE COMPANY
OF HARTFORD, CONNECTICUT, U. S. A.

AFFIDAVIT of PUBLICATION

STATE OF IDAHO
County of Twin Falls

} ss.

I, **Robert E. Bailey**, do solemnly swear that I am the printer and editor of THE BUHL HERALD, a weekly newspaper of general circulation, published once each week at Buhl, Idaho; that the notice attached hereto was published in said newspaper four consecutive weeks, the first publication having been made on the 22nd day of September, 1955, and the last publication having been made on the 13th day of October, 1955; 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

13th day of Oct, 1955

Paul H. Hesse

Notary Public.

25890

October 24, 1955

RE: Permits Nos. 25890 - 25891

Mr. John M. Barker
P. O. Box 549
Buhl, Idaho

Dear Mr. Barker:

We have your letter of October 21, 1955, enclosing Affidavit of yourself and Walter H. Bussell in proof of Completion of Works on Permit No. 25890 also your check for the \$5.00 fee in connection therewith.

Also depositions of yourself and Mr. Bussell and two witnesses in proof of Beneficial Use on this Permit.

In order to complete this proof the Affidavit of Publication is necessary and the Buhl Herald was instructed to send this to you. If you have not received it we suggest that you take the matter up with them at once.

We also acknowledge receipt of the depositions of yourself and two witnesses offered in proof of Beneficial Use on Permit No. 25891 and note your statement that the proof of Completion of Works will follow as soon as the remainder of the work is done.

Proof of Beneficial Use should not be made and cannot be accepted until the works required to convey the water to the land have been completed and until the land has been irrigated from that source.

Proof of Completion of Works and Beneficial Use are not due on this Permit until March 2, 1956. If the works are completed later on and prior to that date you may submit your proof of Completion

25890

Mr. John M. Barker

-2-

October 24, 1955

of Works, but it will be necessary to republish for proof of Beneficial Use after the water has actually been beneficially applied for the irrigation of the land described in the Permit. When this has been done you and your two witnesses may then execute new depositions describing the land upon which the water has been applied for the purpose of irrigation .

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:cu

25890

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 25890

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Walter W. Russell Rt. 3, Buhl, Idaho, Farmer and Live Stock Owner.

John M. Barker Rt. 4, Buhl, Idaho, Farm Owner.

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. None

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit. 25890 dated September 2, 1955. Date of priority is June 21, 1956. Actual

use started July 20, 1946 but this would have to be established in District Court.

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

Ans. Deep Creek. About 635 feet north and 120 feet east of the south west corner of SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 20, Township 2 South, Range 14 E. T. 2 N. Head gate and open ditch out of Deep Creek.

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. Head gate out of Deep Creek 20 inches wide and 24 inches high leading into a ditch 4 feet wide and about 16 inches deep. The latter ditch conveys the water to the land by gravity flow.

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. All water is used for irrigation purposes. In the SW $\frac{1}{4}$ NE $\frac{1}{4}$, 8 acres are in hay. In the NE $\frac{1}{4}$ NE $\frac{1}{4}$, 15 acres are in hay. The remainder of the land, 15 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, 22 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 6 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 2 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, 6 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, and 3 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, all in Section 20, Township 2 South, Range 14 E. T. 2 N. are in pasture.

25890

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. About 120 inches or 2 cu. ft. per sec.

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. Since July 1946 we have been diverting the water out of Deep Creek of approximately 120 inches through this head gate and open ditch regularly through the summer for the purpose of irrigating hay and pasture.

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. Sixty shares of the capital stock of the Twin Falls Canal Co. are available for these eighty acres. This would be about 42.5 inches of water (.85 c.f.s.)

(Sign)

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 Puhl, County of Twin Falls,

State of Idaho, on this 15th day of October, A. D. 1955.

My commission expires September 7, 1959

25890

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 25890

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. Derrell Cunningham, age 79, farmer, Rt 3, Box 180, Buhl, Idaho.

Ques. 2. Are you acquainted with Walter H. Russell, John M. Parker, the holder of Permit No. 25890? How long have you known him and where does he reside?

Yes. I have known Walter H. Russell since 1938. He lives at Rt. 3, Buhl,

Ans. Idaho. I have known John M. Parker since 1922. He lives at Rt. 4, Buhl Idaho.

Ques. 3. Have you read or heard read said Permit No. 25890, and are you familiar with its provisions and conditions?

Ans. Yes.

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. Deep Creek. About 635 feet north and 120 feet east of the south west corner of SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 20, Township 2 South, Range 14 E. T. M.
Head gate and open ditch out of Deep Creek.

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. Two cubic 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 improvements which have been made as a direct result of said use.

Ans. All water is used for irrigation purposes. In the SW $\frac{1}{4}$ NE $\frac{1}{4}$, 8 acres are in hay. In the NE $\frac{1}{4}$ NE $\frac{1}{4}$, 15 acres are in hay. The remainder of the land, 15 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, 22 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, 6 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, 2 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, 9 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, and 3 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, all in Section 20, Township 2 South, Range 14 E. T. M. are in pasture.

25890

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

Ans. Not used for power.

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. land was dry land where regular water could not reach.

Two cubic 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. no

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 helped clean the ditch in the summer of 1946 and have helped put up hay on the Russell farm continuously through 1952 and saw water diverted at the head gate on October 15, 1955. At all times more than 100 inches or two cu. ft. per sec. were diverted.

(Signed) Darrell Cunningham

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 uhl

County of Twin Falls, State of Idaho, on this 15th day of October

A. D. 1955.

Ed M. Lihness

Notary Public.

My commission expires September 7, 1959.

25896

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 25890

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. David P. Thomas, age 72, farmer, Pocatello, Idaho

Ques. 2. Are you acquainted with Walter H. Russell
John M. Barker, the
holder of Permit No. 25890? How long have you known him and where does
he reside?

Ans. Yes. I have known Mr. Russell since 1922 and he now resides at Rt. 3, Puhl,
Idaho. I have known Mr. Barker's father since 1914 and he was looking after
this place when water was diverted in 1946. I have known John M. Barker only
by reputation.

Ques. 3. Have you read or heard read said Permit No. 25890, and are you
familiar with its provisions and conditions?

Ans. Yes

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. Deep Creek. About 635 feet north and 120 feet east of the south west corner of
SW¹₄ SE¹₄ Section 20, Township 9 South, Range 14 East, P. M.

Head gate and open ditch out of Deep Creek.

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. Two cubic 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. All water is used for irrigation purposes. In the SW¹₄ NE¹₄, 8 acres are in hay.
In the NE¹₄ NE¹₄, 15 acres are in hay. The remainder of the land, 15 acres in NE¹₄ NW¹₄,
22 acres in SE¹₄ NE¹₄, 6 acres in NE¹₄ SW¹₄, 2 acres in SE¹₄ SW¹₄, 9 acres in the NW¹₄ SW¹₄,
and 3 acres in SW¹₄ SE¹₄, all in Section 20, Township 9 South, Range 14 E. S. W. are
in pasture.

25890

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

Ans. None

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. Land was dry land where regular water could not reach.

Two cubic 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. No.

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. On July 22, 1946 I helped lay out the ditch diverting this water from Deep Creek. I also observed the flow of water on October 14, 1955. At both times more than 100 inches or 2 cu. ft. per second were diverted.

(Signed) David B Thomas

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 Euhl

County of Twin Falls, State of Idaho, on this 15 day of October

A. D. 1955.

Ed M. Lienes

Notary Public.

My commission expires September 7, 1959.

25896

Permit No. 25890

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Twin Falls

ss.

Walter H. Russell and John M. Parker, 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. 25890, and that his postoffice address is Russell Rt. 3, Ruhl State of Idaho, Parker Rt. 4, Ruhl

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

Third: That the point of diversion of said water is Deep Creek, about 625 feet north and 120 feet east of the south west corner of SE 1/4 Section 20, Township 9 South, Range 14 E. S. 4.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by March 2, 1956.

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: Ditch.

(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 20 inches, height two feet.

(d) Conduit ditch width at bottom four feet, width at water line four feet, depth of water 10 inches; 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 second feet of water.

Eighth: That water appropriated under said permit is available for eighty acres of land described as follows: In the SW 1/4 NE 1/4, 8 acres are in hay. In the NE 1/4 NW 1/4, 15 acres are in hay. The remainder of the land, 15 acres in NW 1/4 NW 1/4, 22 acres in SE 1/4 NW 1/4, 6 acres in NE 1/4 SW 1/4, 2 acres in SE 1/4 SW 1/4, 9 acres in the NW 1/4 SE 1/4, and 3 acres in SW 1/4 SE 1/4, all in Section 20, Township 9 South, Range 14 E. S. 4 are in pasture.

Ninth: Remarks: That None

Walter H. Russell

John M. Parker
(Sign Here)

Subscribed and sworn to before me this 15th day of October, 1956

Geo M. Liben

My commission expires September 7, 1959

Notary Public.

25890

Permit No. 25890 + 25891

October 19, 1955

Mr. John M. Barker
123 $\frac{1}{2}$ South Broadway
Buhl, Idaho

Dear Mr. Barker:

In reply to your letter of October 18, we have no record of a filing on waste water in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 7, Township 9 South, Range 15 East, B.M.

In case your client wishes to file on this, we enclose a form of application herewith together with a pamphlet giving regulations and instructions in regard to filing same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hl1
Enc.

25890

25890

September 22, 1955

Mark H. Ford -
Boise, Idaho

Dear Sir -

The two notices for
publication for the
application of water
was received and printed
in the issue of Sept. 22.

Sincerely

Burt Herald

By
Duth Pease

RECEIVED
SEP 23 1955

Department of Reclamation

25890



JOHN M. BARKER AGENCY
123 1/2 SOUTH BROADWAY
TELEPHONE 93
BUHL, IDAHO

GENERAL INSURANCE COMPANY OF AMERICA
FIRST NATIONAL INSURANCE CO. OF AMERICA
GENERAL CASUALTY COMPANY OF AMERICA
SAFECO INSURANCE CO. OF AMERICA
HOME OFFICES—SEATTLE 5, WASHINGTON

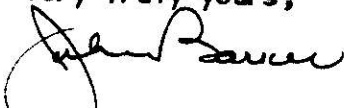
October 18, 1955

State Department of Reclamation
Statehouse
Boise, Idaho

Gentlemen:

A Mr. George Johnson who owns a small piece of ground in Section 7, Township 9 South, Range 15, E.B.M., Twin Falls County, asked me to check as to whether there had been any filing for waste water on the ground. This is in the SE 1/4 of the SE 1/4 of the above mentioned section. I don't know whose name it would be filed in but from this description no doubt you could tell if any filing had been made. 220

Very truly yours,


John M. Barker

JMB:dw

25890

RECEIVED
OCT 19 1955
Department of Reclamation

September 19, 1955

RE: Permits Nos. 25890 - 25891

Mr. John M. Barker
P. O. Box 549
Buhl, Idaho

Dear Mr. Barker:

We are sending to the Buhl Herald copies of notices of Beneficial Use to be made on the above numbered permits October 15, 1955, 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.

We enclose the forms of deposition to be executed by you and Mr. Russell on Permit No. 25890 and by yourself on Permit No. 25891 together with two disinterested witnesses each, who are familiar with the terms of the Permits and the works done thereunder.

We assume that Form 6 in proof of Completion of Works on these two Permits will also be forwarded to this Department along with the proofs of Beneficial Use.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:ou
Enc.

P. S. We enclose departmental receipt No. 27559 for the filing fees on the above numbered Permits which was overlooked in our previous correspondence.

25890

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permits Nos. 25890 and 25891

Date: September 16, 1955

Buhl Herald

Buhl, Idaho
Gentlemen:

Enclosed you will find ^{two} notice for publication once a week for four consecutive weeks prior to October 15, 1955 the date set for proof, the expense of the publication to be paid by the applicant, John M. Barker of Box 549 Buhl, Idaho, to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

MARK R. KULP

State Reclamation Engineer
By

Chief Clerk

25890

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

Notice is hereby given that at 10:00 A. M. on the 15th day of October, 1955,
at Buhl, County of Twin Falls, State of Idaho, before
George A. Likness, Notary Public, proof will be submitted of the
application to beneficial use of two cubic feet per second of the waters of Deep Creek
in accordance with the terms and conditions of Permit No. 25890
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 Walter H.
Bussell and John M. Barker, Route #3, Buhl, Idaho

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

The amount applied to beneficial use is Two cubic feet per second

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated)
~~The SW 1/4 NE 1/4 and the NW 1/4 NE 1/4 and NE 1/4 and the SE 1/4 of the SW 1/4 and the NW 1/4 and the SW 1/4 of~~
~~the SE 1/4 all in Section 20, Township 9 S, Range 14, E. B. M.~~
(80 acres in all)

SW 1/4 NE 1/4, NE 1/4 NW 1/4, SE 1/4 NW 1/4, NE 1/4 SW 1/4, SE 1/4 SW 1/4, NW 1/4 SE 1/4, SW 1/4 SE 1/4 Section 20,
Township 9 South, Range 14 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
Deep Creek and open ditch out of Deep Creek

The right to take water from such works is based upon Permit No. 25890

The source of supply from which such water is diverted is Deep Creek, a part of the Twin Falls
Canal Company waste water diversion

The date of priority which said user is prepared to establish is July 20, 1916 ~~June 21, 1955~~

25890

MARK R. KULP
State Reclamation Engineer.

September 15, 1955

RE: Permits Nos. 25890 and 25891

Mr. John M. Barker
123 $\frac{1}{2}$ South Broadway
Duhl, Idaho

Dear Mr. Barker:

We have your letter of September 14 enclosing notice for proof of beneficial use on the above numbered Permits.

However, the land description on Permit No. 25890 does not agree with the description in the Permit and with your permission, we shall correct it to show the land as being in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 20, Township 9 South, Range 11 East, B. .

We also call attention to the fact that the priority that can be established under a water Permit is the date the application is filed in this department, which, on both of these Permits, is June 21, 1955. If an earlier priority is desired or needed, it would have to be established by proving in the District Court continuous use over a period of years.

Very truly yours,

PAK B. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll

25890



JOHN M. BARKER AGENCY
123 1/2 SOUTH BROADWAY
TELEPHONE 93
BUHL, IDAHO

GENERAL INSURANCE COMPANY OF AMERICA
FIRST NATIONAL INSURANCE CO. OF AMERICA
GENERAL CASUALTY COMPANY OF AMERICA
SAFECO® INSURANCE CO. OF AMERICA
HOME OFFICES—SEATTLE 5, WASHINGTON

September 14, 1955

RECEIVED
SEP 15 1955
Department of Reclamation

State of Idaho
Department of Reclamation
Boise, Idaho

Re: Permit 25890 and 25891

Gentlemen:

Enclosed are forms 10 and 11 so that publication
can start in the Buhl Herald for the above mentioned
permits.

Very truly yours,

John M. Barker

JMB:dw

25890

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) September 14, 1955

(P. O.) Route #3, Buhl, Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
Buhl Herald of Buhl, Idaho published in
the county in which the works are situated.

Walter H. Russell
John M. Breen

(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.

25890

September 13, 1955

RE: Permits Nos. 25890 - 25891

Mr. John M. Barker
Box 549
Buhl, Idaho

Dear Mr. Barker:

We enclose Permit No. 25890 in the name of yourself and Walter H. Russell also Permit No. 25891 in your own name.

Although these Applications state that the works have been completed we have allowed six months or until March 2, 1956, within which to make the proofs of Completion of Works and Beneficial Use required to complete the Water Rights.

Completion of Works proof may be made on Form 6 enclosed executed before a Notary Public and returned to this Department with the statutory fee of \$5.00.

Beneficial Use proof requires publication of a notice once a week for four weeks in a County Newspaper before the date set for proof. 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.

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 Permit Holders 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 the Permit Holder and two witnesses in making this proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:cu
Enc.

25890
+
25891

NAME OF APPLICANT Wm. & H. Bussell & John M. Barker

Form No. 0

RANGE 14 E

Sec 20

Twp 9 South

Canal

Head gate

Deep
crack

Permit Map No. 25890
As Approved
SEP 2 1955
MARK R. KULP
State Reclamation Engineer

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

25890

State of Idaho

License and Certificate of Water Right

Water License No. G-25849

Amount 1.10 c.f.s.

Water District No.

Priority July 29, 1955

THIS IS TO CERTIFY that

ANTONE ZAGATA

of Buhl, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated July 29, 1955; that Permit No. G-25849 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 1.10 second feet, was issued thereunder on August 29, 1963, showing that said works were completed on the 14th day of October, 1960; and that on the 14th day of October, 1960,

ANTONE ZAGATA

of Buhl, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well, a tributary of subterranean flow, for the purpose of irrigation, under Use Permit No. G-25849 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 12 of Licenses at page 7685, on the 29 day of August, 1963; The right hereby confirmed dates from July 29, 1955;

The Point of Diversion is located

in the SW 1/4 SW 1/4, Sec. 30, Tp. 9 S., R. 14 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 1.10 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
9 S.	14 E.	30	NW 1/4 SW 1/4	30	30.5
			SW 1/4 SW 1/4	30	24.5
			Total number of acres to be irrigated:		55

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 29th day of August, 1963.

CARL E. TAPPAN
State Reclamation Engineer.

(SEAL)

47 2231

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 33716
Permit No. G- 25849
District No.

1. Name of Applicant: **ANTONE ZAGATA**
Postoffice address: **Rte. 3 Buhl** County: **Twin Falls** State: **Idaho**
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second. **2** or Idaho
Miners' inches **100** or gallons per minute.
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: **Subterranean, to be raised through a drilled well.**
4. Location of point of diversion or well is in the **SW** $\frac{1}{4}$ of the **SW** $\frac{1}{4}$ of Section **30**
Twp. 9 S., Rge. **14 E.**, B.M., County of **Twin Falls**
5. Water is to be used for: **Irrigation**
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: **Drilled well, to be cased and equipped with turbine type pump and motor**
8. Estimated cost of works: **\$ 6,300.00**
9. (a) Is reservoir to be used? **No**
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is **Five (5)** years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: **25 shares of Twin Falls Canal Company water.**
 - (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) (cubic feet per second, inches or gallons per minute) is for new lands.

This permit to be used for the irrigation development of 40 acres of land now under application in the Idaho District Land Office as a desert entry and for 80 acres of my own deeded land. The irrigation development of this land will also serve as the beneficial use of the water. I have my well drilled and the distribution works constructed to irrigate my deeded land and will complete this on the federal land as soon as the entry is allowed. Deeded land is described as Lots 3 and 4 (W $\frac{1}{2}$ SW $\frac{1}{4}$) Sec. 30, T 9 S-R-14 E., B.M. Land under desert entry is Lot 2 (SW $\frac{1}{4}$ NW $\frac{1}{4}$) Sec. 30, T. 9 S., R. 14 E.B.

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

ANTONE ZAGATA Applicant.

By Agent.

Date of first receipt at Department of Reclamation: 4:45 P. M. July 29, 1955

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G-25849

Recorded in Book 91 Page 25849 Approved August 1, 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 October 1, 1955 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before February 1, 1958

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before August 1, 1960

Witness my hand this 1st day of August, 1955

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, 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 1st day of August, 1955.

Countersigned:

STATE OF IDAHO

(SEAL)

By IRA H. MASTERS

Secretary of State.

By ROBERT E. SMYLIE

Governor

12.

Twp.	Range	Sec.	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	Totals
			NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	
9 S.	14 E.	30		40	30	30	100
			Permit No. G-25849				
			CERTIFICATE OF COMPLETION OF WORKS				
			TO ALL WHOM IT MAY CONCERN:				
			This is to certify that ANTONE AZGATA of Buhl, County of Twin Falls, and State of Idaho, the holder of Permit No. G-25849, issued upon Application No. G-33716, bearing date of priority of July 29, 1955, authorizing the diversion of 2.0 second feet of waters of a well, County of Twin Falls, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 1.10 second feet of the waters of a well from subterranean flow; that the point of diversion of said waters SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 30, T. 9 S., R. 14 E., B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit:				
			55 acres in the W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 30, T. 9 S., R. 14 E., B. M.				
			Witness my hand this 29th day of August, A. D., 1963.				
			S/ CARL E. TAPPAN State Reclamation Engineer				
			Proof of Completion of Works Made: October 14, 1960				
			LICENSE ISSUED FOR 1.10 SEC. FT. page 7685				

August 29, 1963

RE: Permit No. G-25849

Antone Zagata
Rt 3
Buhl, Idaho

Dear Mr. Zagata;

Enclosed are the Certificate of Completion of Works and License
and Certificate of Water Right on the above numbered permit.
Also enclosed is departmental receipt No. G-8214 in the amount
of \$9.00 covering the fees.

Very truly yours,

CARL D. TAPPAN
State Reclamation Engineer
By

(Mrs.) Edna P. Mule
Chief Clerk

T.R:mr

G 25849

State of Idaho
DEPARTMENT OF RECLAMATION

Boise, Idaho
August 20, 1963

Re: Permit No. G-25849

Antone Zagata
Rt 3
Buhl, Idaho

Dear Mr. Zagata:

Our field engineer's report on his inspection of proof of completion of works and application of water to beneficial use under the terms of Permit No. G-25849 shows the well is (~~200~~) capable of conveying 55 miner's inches, or 1.10 c.f.s. of water for the irrigation of 55 acres.

Upon receipt of the statutory fees, totaling \$ 9.00 , which consists of a Completion of Works fee of \$ 5.00 and License and Certificate of Water Right fee of \$ 4.00 - based at the rate of \$2.00 for each 40-acre subdivision - we will issue the Certificate of Completion of Works and the License and Certificate of Water Right confirming the right, with priority of July 29, 1955 to the use of 1.10 second feet of subterranean water with the point of diversion in the SW¹/₄SW¹/₄, Sec. 30, T. 9 S., R. 14 E., S. 1. . . for irrigation of 55 acres in the W¹/₂SW¹/₄, Sec. 30, T. 9 S., R. 14 E., S. 1. . .

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EIR:mr

25849

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. G-25849

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

1. Name of applicant Antone Zagata
2. Source of water supply: a well from subterranean flow
3. Location of point of diversion: Is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 30
T. 9'S. R. 14'E. County of Twin Falls
4. Describe works as they exist, giving dimensions and capacities of same: 30 H.P. U.S.
Motor # 1032177 Layne + Bowler pump # 22124 8" x 180' Column
16" x 16' casing h: 165' 20.45' Well depth 248'
8" x 2' discharge into concrete distribution box 5' x 2' x 2' into
open ditch
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):
35 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 35 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 30, T. 9'S. R. 14'E., B. M.

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

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

Remarks: Mr. Antone Zagata (owner) participated in examination

measurement was made with Cippolletti weir
.30 over 2' weir or 55 inches

This examination was made on the 13th day of August, 1963

(Signed) Ray Healy

Examiner.

G25849

Antone Zagata
Route #3, Buhl, Idaho

Permit No. G-25849

Examination for Completion of Works & Beneficial Use

County... Twin Falls

Sec. 30 T. 9S R. 14 E. B.M.

Quantity: 2.0 c.f.s.

Source: Well

P.D.: SW, Sec. 30, T. 9S. - R. 14 E. B.M.

Use: Irrigation

Filed: July 29, 1955

Due: Aug. 1, 1960

Extension: —

Completion of Works: —

Other Rights: 25 shares in
T.F. Canal Co. works

Driller's name: Jim Moore

INSTRUCTIONS TO EXAMINERS

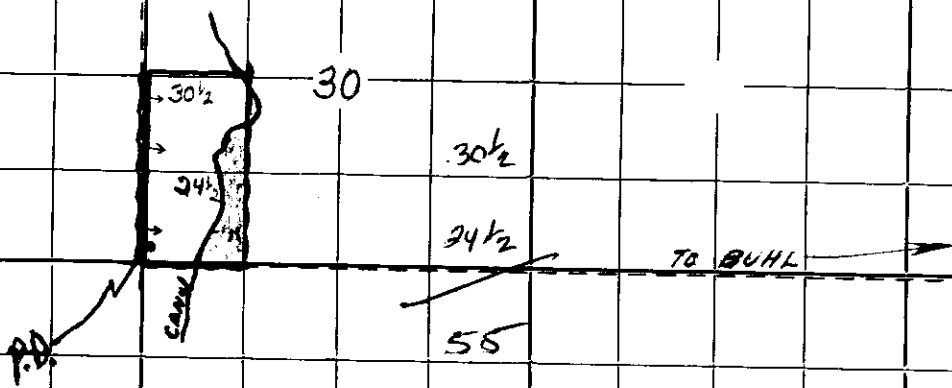
1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

RECEIVED
AUG 19 1955

Department of Reclamation

R-14E.

T.
9
S.



Subdivisions 2

AREA 55 ACRES

① 1.10 CFS or 55 inches

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-25849

REPORT ON PROOF OF Completion of Works & Beneficial Use

Antone Zagata, Rt. #3, Buhl, Idaho

~~XXXXXXXXXX~~

August 12, 1963

Re: Permit No. G-25849

Antons Zagata
Rt 3
Buhl, Idaho

Dear Mr. Zagata:

This is a follow up of the notice from the Department of Reclamation office that an inspection would be made on your water filing as soon as possible.

I will plan to inspect your permit on or about the week of August 13, 1963.

Please arrange to be on the premises so that you can accompany me over the work.

Very truly yours,
Carl E. Tappen, Acting
~~State Reclamation Engineer~~
State Reclamation Engineer
By

Field Engineer

RH:mr

825849

May 23, 1963

Re: Permit No. G-25849

Antone Zagata
Rt 3
Buhl, Idaho

Dear Mr. Zagata:

This is a follow up of the notice from the Department of Reclamation office that an inspection would be made on your water filing as soon as possible.

I will plan to inspect your permit on or about the week of May 27, 1963.

Please arrange to be on the premises so that you can accompany me over the work.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Field Engineer

LHJ:mr

25849



ROBERT E. SMYLER
Governor

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
GEO. N. CARTER, STATE RECLAMATION ENGINEER
BOISE

March 17, 1961

Re: Permit No. G-25849

Mr. Antone Zagata
Rt. # 3
Buhl, Idaho

Dear Mr. Zagata:

We would like to know the date on which you plan to start irrigation.

Due to the heavy work load of permits to be examined this year, this information would help to schedule and direct our attention to areas in which early irrigation has started.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

Loy H. Johnson
LOY H. JOHNSON
Field Engineer

GNC:LJ:ew
3 '61

25849

Permit No 25849

3-26-61

DEPARTMENT OF RECLAMATION
BUREAU OF RECLAMATION



Dear Sir:
I generally start to irrigate about
the 20th of April, ^{gives} sometimes sooner
sometimes a little later ^{depending on} moisture conditions.

Very truly yours
Antone Zagato

Mr. Antone Zagato
P.O. # 3
Bldg. # 100

RECEIVED

MAR 29 1961

Mr. W. M. ...

Department of Reclamation

We would like to know the basis on which you have to state

Due to the heavy work load of permits to be examined this
information would help to schedule and direct our attention to areas
in which early irrigation has started.

Very truly yours,

W. M. ...
State Reclamation Engineer

By:

W. M. ...
Field Engineer

W. M. ...
Id. #

25849

March 17, 1961

Re: Permit No. G-25849

Mr. Antone Zagata
Rt. # 3
Buhl, Idaho

Dear Mr. Zagata:

We would like to know the date on which you plan to start irrigation.

Due to the heavy work load of permits to be examined this year, this information would help to schedule and direct our attention to areas in which early irrigation has started.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

LOY H. JOHNSON
Field Engineer

GNC:LJ:ew
3 '61

November 2, 1960

RE: Permit No. G-25849

Antone Zagata
Route #3
Buhl, Idaho

Dear Mr. Zagata:

We acknowledge receipt of the Deposition of Halder and two witnesses, also affidavit of publication in the Times-News, all submitted in proof of completion of works and beneficial use on Permit No. G-25849.

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

G25849

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
OCT 3 11960
Department of Reclamation

Permit No. G-25849

Proof of Application of Water to Beneficial Use

and Completion of Works Deposition of Holder

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

Ans. Antone Zagata; residence, 5 miles northwest of Buhl, Idaho; occupation, farmer;
postoffice address, Rt. 3, Buhl, Idaho.

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

Ans. Individual.

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

Ans. Permit #G-25849; date of permit, 8/1/55; date of priority, 7/29/55.

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

Ans. Drilled well in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 30, T9S-R1E., B.M., Idaho.

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

Ans. Works consist of private ditch, 1/2 mile long, 1 $\frac{1}{2}$ ' deep, 2' wide which can carry
100" of water. A well is drilled 248', 12" hole, water stands at 166', produces 65" of water.
A 30 hp pump is installed and 16" of casing. Pump Company measured. All gravity irri-
gation.

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

Ans. Water is used for irrigation of 35 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ and 35 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$,
Section 30, T9S-R1E., B.M., Idaho. There is no natural meadow. All improvements
have been made as a direct result of said use.

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

Ans. James Moore, Twin Falls, Idaho.

G25849

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

Ans. Irrigation only.

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

Ans. I need all of the water now applied for the profitable irrigation of the land.

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. Original owner.

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

Ans. The well was drilled in 1955 and development of the land and water has been continuous since that time. I drilled the well immediately and have irrigated this every year over the entire area since and including 1956.

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

Ans. I also have 12" of Twin Falls Canal Company water appurtenant to these lands.

(Sign)

Antonio Zagata

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 Boise, County of Ada,

State of Idaho, on this 14 day of October, A. D. 1960.

Henry H. S. Howell

My commission expires 10/11/63

825849

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
 1968
 Department of Reclamation

Permit No. G-25849

Proof of Application of Water to Beneficial Use
and Completion of Works
Deposition of Witness

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

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

Ans. Emery E. Woodruff; age, 49; residence, Buhl, Idaho; occupation, farmer;
postoffice address, Rt. 3, Buhl, Idaho.

Ques. 2. Are you acquainted with Antone Zagata, the
 holder of Permit No. G-25849? How long have you known him and where does
 he reside?

Ans. I have known him all his life. He resides 5 miles northwest of Buhl, Idaho.

Ques. 3. Have you read or heard read said Permit No. G-25849, and are you
 familiar with its provisions and conditions?

Ans. Yes.

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

Ans. Water comes from a well drilled to depth of 248' in SW¹SW¹, Sec. 30, T9S, R14E.
This is a 12" hole and pumps from 166'. Discharge 65". Water is conveyed through
private ditch 1/2 mile long. He has a 30 hp pump.

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. 100". I have seen 65" so conveyed.

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

Ans. I have seen the pump deliver 65" of water. This is an estimate from
my past experience.

G25849

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

Ans. Water is used for irrigation of 35 acres in each subdivision of W¹/₄SW¹/₄,
Sec. 30, T9S-R14E. This is all cultivated land and improvements are made as
a direct result of said use.

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

Ans. None.

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

Ans. This is a loam soil and he needs all water now used for profitable irrigation.

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

Ans. No.

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

Ans. I have watched the development of the land and water since 1955 when
he started it as I live about two miles away and have opportunity to see this operation
often.

(Signed)

Emery E. Woodruff

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 Boise,
County of Ada, State of Idaho, on this 14 day of October,
A. D. 19 60.

Henry C. Howell

Notary Public.

My commission expires 10/11/63.

825841

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

DEPT. OF RECLAMATION
 DEPARTMENT OF RECLAMATION

Permit No. G-25849

Proof of Application of Water to Beneficial Use
and Completion of Works
Deposition of Witness

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

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

Ans. Name, M. I. McGuire; age, 77; residence, Buhl, Idaho; occupation, retired
farmer; postoffice address, Rt. 3, Buhl, Idaho.

Ques. 2. Are you acquainted with Antone Zagata, the holder of Permit No. G-25849? How long have you known him and where does he reside?

Ans. I have known him all his life and know he resides 5 miles northwest of
Buhl, Idaho.

Ques. 3. Have you read or heard read said Permit No. G-25849, and are you familiar with its provisions and conditions?

Ans. Yes.

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. Water comes from a well drilled in SW 1/4 Sec. 30, T9S-R14E. This well is 248' deep,
12" hole, 166' static water level, discharge 65". He has 1/2 mile of ditch. A
30 hp pump and motor is installed.

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. I estimate said works will safely conduct 100" of water. I have seen about
65" so conveyed.

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

Ans. I have seen the pump deliver 65" of water. This is an estimate from my
past years of experience in farming and irrigation.

25849

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

Ans. ~~This water is used for irrigation of 35 acres in each subdivision of~~
~~W₂SW₄, Section 30, T9S-R14E, B.M., Idaho.~~

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

Ans. ~~Irrigation only.~~

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

Ans. ~~This is a loam soil and he needs all water used for profitable cultivation.~~

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

Ans. ~~No.~~

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

Ans. ~~I live within 2 miles of Mr. Zagata and have watched the development of the~~
~~water and land since he started drilling in 1955.~~

(Signed)

M. J. McGuire

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 Boise,
County of Ada, State of Idaho, on this 14 day of October,
A. D. 1960.

Henry M. McDonald
Notary Public.

My commission expires 10/11/63.

825849

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

September 12, 1960

Re: Permit No. 0-25849
Antone Zagata

Mr. Harley M. McDowell,
Idaho Land & Map Service,
Box 2161,
Boise, Idaho.

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. 0-25849, in the name of Antone Zagata. Final Proof is to be made before you, as Notary on the 11th day of October, 1960, ~~1958~~, at 10:00 o'clock A.M., at 618 Idaho Bldg., Boise, 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:

Rule
(Mrs.) Edna P. ~~Rutledge~~
Chief Clerk

Encl.
EPR:Pk
cc: Applicant

025849

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G-25849
Antone Zagata

Date: Sept. 12, 1960

Times-News,
Twin Falls, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to **October 14, 1960** the date set for proof; the expense of the publication is to be paid by the applicant

Antone Zagata

of **Route #3, Buhl, 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.

825849

RECEIVED
SEP 12 1960
Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) September 9, 1960

(P. O.) Buhl, Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

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

Times-News of Twin Falls, Idaho published in
the county in which the works are situated.

Antone Zagata

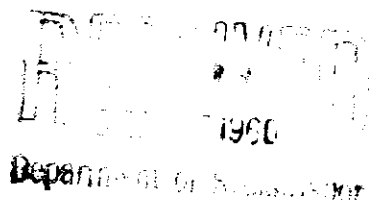
(In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well known and competent engineer.)

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

Antone Zagata

Engineer.

825849



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

Notice is hereby given that 10 A, M., on the 14 day of October, 1960, at Boise, County of Ada, State of Idaho, before Harley M. McDowell, Notary Public, at (address) 618 Idaho Bldg., Boise, Ida., proof will be submitted of the completion of works for the diversion of 2 ☒ cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 25219 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Antone Zagata, Rt. 3, Buhl, Idaho

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

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 2 cubic feet per second.

4. The point of diversion of said water is S4SW1, Sec. 30, T9S-R14E, B.M., Ida.

5. The place where said water is used is S4SW1, W1SW1, Sec. 30, T9S-R14E, B.M.

6. The date of priority which said user is prepared to establish is 7/29/55.

B25849

Geo. H. Carter
State Reclamation Engineer

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G- 25849
Antons Zagata

Date: June 1, 1960

Harley M. McDowell
P. O. Box 2161
Boise, Idaho

Dear Mr. McDowell:

The date for proofs of Completion of Works and Application of Water to Beneficial Use, as set out under the terms of Permit No. G- 25849 are due not later than August 1, 1960.

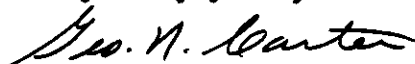
Before these proofs can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper within the county in which the land is located. In completing the Notice of proof for publication, the information should be taken from your Permit, including any amendments made in connection with a change of point of diversion or land list which has been 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.

We enclose Form 36, in duplicate, which is to be filled out and returned to this department at least forty (40) days before the mentioned date, (allowing for four weeks publication). Please give the name of the town, the address of the place where the depositions will be executed, and, the name of the notary public before whom you will appear to make the depositions of proof (this may be at any place convenient for you and your two witnesses), the quantity of water filed; for what purpose it is used; the point of, or points of diversion; and the location of use of the lands which are irrigated -- all by legal land description.

Enclosed also 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 Form 36.

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, at the place named and before the notary public, as advertised in the publication notice.

Very truly yours,



GEO. N. CARTER
State Reclamation Engineer

Enclosures **Form 36 - 11- instructions**

cc: Antons Zagata
Route #3, Buhl, Idaho

DESERT ENTRY CLOSED IN LAND OFFICE.

IDAHO

RECEIVED

JUN 7 1960

Department of Reclamation

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G- 25849
Antone Zagata

Date: June 1, 1960

Harley M. McDowell
P. O. Box 2161
Boise, Idaho

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Very truly yours,

GEO. N. CARTER

GEO. N. CARTER

State Reclamation Engineer

Enclosures Form 36 - 11- instructions

cc: Antone Zagata
Route #3, Buhl, Idaho

25849

August 16, 1955

RE: Permit No. G-25849

Mr. Harley M. McDowell
519 Idaho Building
Boise, Idaho

Dear Mr. McDowell:

We enclose Permit No. G-25849 in the name of Antone Zagata and direct his attention to the limitations and conditions as given on the fourth page under Approval of the State Reclamation Engineer.

We also enclose two copies of this Permit, one certified, to be used in connection with his Desert Land Entry.

Also departmental receipt No. G-1386 for \$7.25 which includes \$5.25 filing fee and \$2.00 for the extra copies.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:cu
Enc.

25849

NAME OF APPLICANT.....ANTONIO ZAGATA.....

Form No. 0

T 9 8 - R 14 E., B.M.

Sec. 30

Washed
road
Wheel

Permit Map No. 25849

As Approved

AUG 3 1958
MARK R. KULP

State Reclamation Engineer

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

25849

