

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
COUNTY OF TWIN FALLS } ss.

N^o 5643

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

Notice is hereby given that at 10:00 A. M., on the 23rd day of March, 1955, at Twin Falls, County of Twin Falls, State of Idaho, before T. M. Robertson, Notary Public, proof will be submitted of the completion of works for the diversion of 1½ cubic feet per second of unnamed ground waters and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-25438 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 James B. Brennan, Filer, 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, in accordance with the plans accompanying the application for such permit, is 1½ 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 1½ cubic feet per second.

4. The place where said water is used is the NE¼ of Section 34, Township 9 South, Range 16 E.B.M., and the well is located in the SE¼NE¼ of said Section.

5. The date of priority which said user is prepared to establish is February 10, 1955.

MARK R. KULP,
State Reclamation Engineer

Publish: Feb. 24, March 3, 10, 17, 1955

I, Marion 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 or advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for four consecutive Thursdays, commencing with the issue dated February 24, 1955, and ending with the issue dated March 17, 1955.

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

And I further certify that pursuant to Section 60-108 Idaho Code Thursday of each week has been designated as the day on which legal notice required 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 17th day of March, 1955.

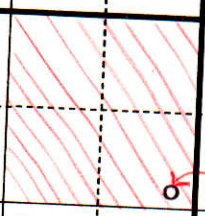
Al Westgren
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho.



NAME OF APPLICANT.....JAMES W. RENNAN.....

Form No. 0

Twp. 9S. R 16 EBM



Point of Diversion Well.

34

Permit Map No. 25438
As Approved
FEB 11 1955
MARK R. KULP
State Reclamation Engineer

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

25438

State of Idaho
License and Certificate of Water Right

Water License No. G-25438 Amount 1.0 c.f.s.
Water District No. Priority February 10, 1955

THIS IS TO CERTIFY that JAMES B. BRENNAN
of Filer, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated February 10, 1955; that Permit No. G-25438
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.0 second feet, was issued thereunder on October 8, 1957, showing that said works
were completed on the 23rd day of March, 1955; and that on the 23rd
day of March, 1955, JAMES B. BRENNAN

of Filer, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
, a tributary of subterranean, for the purpose of Irrigation
, under Use Permit No. G-25438 of the Department of Reclamation

and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
10 of Licenses at page 6113, on the 8th day of October, 1957;
The right hereby confirmed dates from February 10, 1955;

The Point of Diversion is located
in the SE 1/4 NE 1/4, Sec. 34, Tp. 9 S., R. 16 E., B. M. County Twin Falls

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 1.0 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.	16 E.	34	NE 1/4 NE 1/4 NW 1/4 NE 1/4 SW 1/4 NE 1/4 SE 1/4 NE 1/4	40 40 40 40	40 40 40 40
Total number of acres irrigated -				- - -	160

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
8th day of October, 1957.

/s/ Mark R. Kulp
State Reclamation Engineer.

(SEAL)

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

47-2284

Application No. G-33310
Permit No. G-25438
District No.

1. Name of Applicant: JAMES B. BRENNAN
Postoffice address: Filer County: Twin Falls State: Idaho
2. Quantity of water claimed: One and one-half cu. feet per second of time.
 (a) Rate of withdrawal in cubic feet per second. one and one-half or Idaho
 Miners' inches 75 or gallons per minute.
 (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Unnamed Ground Water in place or flowing under the well
4. Location of point of diversion or well is in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 34
 Twp. 9 S , Rge. 16 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: Well
8. Estimated cost of works: \$750.00
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 now completed ~~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: 160 Shares Stock Twin Falls Canal Co..
 (a) $1\frac{1}{2}$ feet (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 (b) (cubic feet per second, inches or gallons per minute) is for new lands.

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

JAMES W. BRENNAN *Applicant.*

By PARRY, KEENAN, ROBERTSON & DALY, BPS. *Agent.*

Date of first receipt at Department of Reclamation: 9:00 A.M. Feb. 10, 1955

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G-25438

Recorded in Book 90 Page 25438 Approved Feb. 11, 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 _____ Completed _____ 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

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before February 11, 1957

Witness my hand this 11th day of February, 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 11th
day of February, 19 55

Countersigned:

STATE OF IDAHO

(SEAL)

By IRA H. MASTERS

By ROBERT E. SMYLLIE

Governor

Secretary of State.

12.

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
9S	16E	34	X	X	X	X	STATE OF IDAHO DEPARTMENT OF RECLAMATION ORDER REINSTATING PERMIT												160
In the Matter of the Reinstatement) of Permit No. G-25438 Under the) Provisions of Section 5594, Idaho) Compiled Statutes.)																			
WHEREAS, Permit No. G-25438 lapsed through failure of the holder to make proof of completion of the works of diversion within the time specified in the Permit, to-wit: February 11, 1957; and, WHEREAS, On the 3rd day of April 1957 notice to show cause why said permit should not be canceled, under the provisions of Section 5594, Compiled Statutes of Idaho, was duly served on the holder of said permit; and, WHEREAS, On the 14th day of June, 1957 the holder filed notice of appearance to offer proof to show that the works of diversion under said permit were fully completed within the time required; and, WHEREAS, On the 14th day of June, 1957 depositions of the holder and two witnesses were received at the Department of Reclamation showing that the said works of diversion were completed within the time required in the permit; and, WHEREAS, After examination of the said depositions, the State Reclamation/Engineer of the State of Idaho, is fully satisfied that the works of diversion were completed as required under the terms of said Permit No. G-25438, and that the holder has acted in good faith; IT IS, THEREFORE, Hereby Ordered that said Permit No. G-25438 be, and the same is, hereby reinstated, and that a certificate of completion of works be issued to the applicant herein. IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of this Department, at Boise, Idaho, this 5th day of July, 1957.							/s/ Mark R. Kulp State Reclamation Engineer												

Permit No. G-25438
Certificate of Completion of Works

✓
TO ALL WHOM IT MAY CONCERN:

This is to certify that JAMES B. BRENNAN of Filer, County of Twin Falls, and State of Idaho, the holder of Permit No. G-25438, issued upon Application No. G-33310 bearing date of priority of February 10, 1955, authorizing the diversion of 1.5 second feet of the waters of subterranean flow from a well County of Twin Falls, State of Idaho, for Irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho, relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 1.0 second feet of the waters of subterranean flow from a well that the point of diversion of said waters SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 34, Township 9 South, Range 16 East, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 160 acres in the NE $\frac{1}{4}$ of Section 34, Township 9 South, Range 16 East, B.M. Proof of Completion of Works made: March 23, 1955.

Witness my hand this 8th day of October, A.D. 1957

/s/ Mark R. Kulp
State Reclamation Engineer

Proof of Completion of Works made: March 23, 1955
Certificate of Completion of Works issued: October 8, 1957.

PERMIT ISSUED FOR 1.0 SEC. FT.
Page - 6113

October 8, 1957

Re: Permit No. G-25438
James B. Brennan

Parry, Robertson & Daly
Lawyers
Fidelity Bank Building
Twin Falls, Idaho

ATTENTION: Mr. T. M. Robertson

Dear Mr. Robertson:

Enclosed is the Certificate of Completion of Works and the License and Certificate of Water Right issued to James B. Brennan, Filer, Idaho, under the terms of Permit No. G-25438, confirming the right with priority of February 19, 1955, to his use of 1.0 second foot of subterranean water with the point of diversion in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 34, for irrigation of 160 acres in the NE $\frac{1}{4}$ of Section 34, Township 9 South, Range 16 East, B.M.

Enclosed also is departmental receipt #G-2903 for \$13.00, issued as receipt of the five dollar fee for the Certificate of Completion of Works and eight dollars for the License fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EFB:nls
Enc.

25438

PARRY, ROBERTSON & DALY

LAWYERS

FIDELITY BANK BUILDING

TWIN FALLS, IDAHO

TELEPHONE 884

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

W. H. CHURCHILL
OF COUNSEL:
J. R. KEENAN

September 24, 1957

RECEIVED
SEP 25 1957
Department of Reclamation

Department of Reclamation
Mark R. Kulp
State Reclamation Engineer
Boise, Idaho

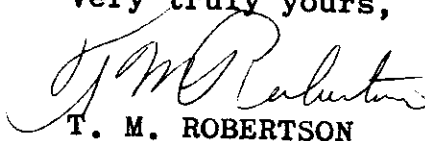
Attention: Edna P. Rutledge,
Chief Clerk

Re: James E. Brennan
Permit No. G-25438

Dear Madam:

Pursuant to your letter of September 20, 1957,
we enclose, herewith, our check in the amount of \$13.00
covering statutory fees.

Very truly yours,


T. M. ROBERTSON

TMR:bsl
Enclosure

B25438

September 20, 1957

Re: Permit No. G-25438
James E. Brennan

Parry, Robertson & Daly
Lawyers
Fidelity Bank Building
Twin Falls, Idaho

ATTENTION: Mr. T. M. Robertson

Dear Mr. Robertson:

Our field engineer's report on the inspection of the completion of construction work and application of water to beneficial use under the terms of Permit No. G-25438, James E. Brennan, Filer, Idaho, shows that his well is capable of conveying 50 miner's inches (1.0 c.f.s.) of water for irrigation of 160 acres. This permit is now entitled to a Certificate of Completion of Works and a License and Certificate of Water Right.

Upon receipt of the statutory fees, total of \$13.00, we will issue to Mr. Brennan, a Certificate of Completion of Works (for which the fee is five dollars) and a License (eight dollars--based at the rate of two dollars for each 40-acre subdivision) confirming the right with priority of February 10, 1955, to his use of 1.0 second foot of subterranean water with the point of diversion in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 34, for irrigation of 160 of the NE $\frac{1}{4}$ of Section 34, all in Township 9 South, Range 16 East, B.M.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR:nls

825438

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

Permit No. G-25438

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

1. Name of applicant James E. Brennan
2. Source of water supply: Subterranean flow from a well
3. Location of point of diversion: Is in the SE 1/4 of Section 34
T. 9 S. R. 16 E., B.M. County of Twin Falls
4. Describe works as they exist, giving dimensions and capacities of same: 20 hp. West line motor
Pomona Turbine 3' x 3' Concrete base, no protection
Delivers thru 6" steel pipe to NE into case. head box
rings with Twin Falls tract water. To fields
by gravity.
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):

Water is used as supplemental water for irrigation of 140 acres in the NE 1/4 of
Sec. 34., Twp. 9 S., Rge. 16 E., B.M.

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

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

Remarks: Head gate chained - no way to measure
Pipe is flowing full.

Q = One cfs

This examination was made on the 10 day of Decr, 19 57

(Signed) E. N. Humphrey Examiner.

G25438

12.5 KW = demand

240 V. meter G. E.

30741022

17 X 70 X 550

50'

62 1/2

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 1957

Department of Reclamation

James E. Brennan
Filer, Idaho

Permit No. G-25438

0294 R T. Falls.

Examination for Completion of Works & Beneficial Use

County Twin Falls

34-98-16E.

Q2 1.5 c.f.s.

S = Well

P.D. = SE. NE, Sec. 34, T. 9 S. - R. 16 E.

Use = Irrigation

Filed = Feb. 10, 1955

Sec. = Feb. 11, 1957 (Filer, Idaho)

draws 10 hp.
Westhse 20 hp.

220V, #39EM1828

49a.

Hamona Lurb.

110' x 12" well. h. = 4 1/2'

del = 2 in

6" x 80' Col.

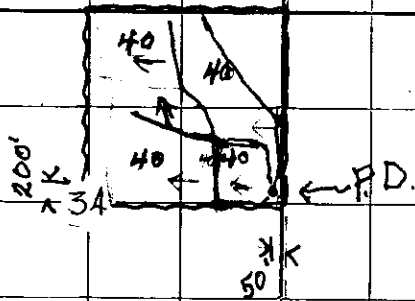
36" x 36" Conc. base -
no protect

del. to SE thru 6" x 10' pipe
into concrete headbox
nipples with regular
delivery.

Controls = Westhse & G.E.
on panel to S.

R-16E.

T.
9
S.



TO TWIN FALLS

Subdivisions = 4

Area = 160 acres

Q = 1 cfs.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-25438

REPORT ON PROOF OF Completion of Works & Beneficial Use

James E. Brennan, Filer, Idaho

*app. 1.5 cfs
sub. 4
av. 160*

*1.0 cfs
sub. 4*

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In the Matter of the Reinstatement
of Permit No. G-25438 Under the
Provisions of Section 5594, Idaho
Compiled Statutes.

ORDER REINSTATING PERMIT

WHEREAS, Permit No. G-25438 lapsed through failure of the holder to make proof of completion of the works of diversion within the time specified in the Permit, to-wit: February 11, 1957; and,

WHEREAS, On the 3rd day of April, 19257 notice to show cause why said permit should not be canceled, under the provisions of Section 5594, Compiled Statutes of Idaho, was duly served on the holder of said permit; and,

WHEREAS, On the 11th day of June, 19257 the holder filed notice of appearance to offer proof to show that the works of diversion under said permit were fully completed within the time required; and,

WHEREAS, On the 11th day of June, 19257 depositions of the holder and two witnesses were received at the Department of Reclamation showing that the said works of diversion were completed within the time required in the permit; and,

WHEREAS, After examination of the said depositions, the ~~Commissioner of~~ ^{Engineer} State Reclamation/ of the State of Idaho, is fully satisfied that the works of diversion were completed as required under the terms of said Permit No. G-25438, and that the holder has acted in good faith;

IT IS, THEREFORE, Hereby Ordered that said Permit No. G-25438 be, and the same is, hereby reinstated, and that a certificate of completion of works be issued to the applicant herein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of this Department, at Boise, Idaho, this 5th day of July, 19257.

Mark R. Kulp
~~Commissioner of Reclamation~~
State Reclamation Engineer
By _____ Assistant

J25438

July 11, 1957

Re: Permit No. G-25438

Mr. James E. Brennan
Piler, Idaho

Dear Mr. Brennan:

We acknowledge receipt of the deposition of Holder 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-25438.

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,

LEON D. KUTZ
State Reclamation Engineer
By

Chief Clerk

EPR:ls

G25438

PARRY, ROBERTSON & DALY

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

LAWYERS
FIDELITY BANK BUILDING
TWIN FALLS, IDAHO
—
TELEPHONE 884

W. H. CHURCHILL
—
OF COUNSEL:
J. R. KEENAN

June 28, 1957

RECEIVED
JUL 1 1957
Department of Reclamation

Mark R. Kulp
State Reclamation Engineer
Boise, Idaho

Attention: Mr. Roy Thompson

Re: Permit No. G-25438
James E. Brennan

Dear Roy:

Enclosed herewith is the affidavit requested
in your letter of June 19, on the above matter. I
trust it is sufficient.

With many thanks for your past considerations,

Very truly yours,


T. M. ROBERTSON

TMR:zaw
Enclosure

825438

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 9-25438

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. My name is James E. Brennan. My residence and postoffice address is Filer, Idaho. I am a farmer.

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

Ans. _____

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

Ans. I hold permit number G 25438, dated February 11, 1955, which is the date of priority I propose to establish.

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

Ans. Ground water in place or flowing under the well located in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 34, T. 9 $\frac{1}{2}$ S., R. 16 E., Boise Meridian.

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.

Ans. The well described in the above paragraph and the pump located therein are the works. The water is used on the farm where the well is located. The well is 110 feet deep, 48 feet to water and is 12 inches in diameter and cased approximately 12 feet to rock. Pump discharges 75 miners inches of water. Measured by square over end of pipe.

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 as supplemental water for irrigation of the following acreages in the following subdivisions:

NE $\frac{1}{4}$	NE $\frac{1}{4}$	40
NW $\frac{1}{4}$	NE $\frac{1}{4}$	30
SW $\frac{1}{4}$	NE $\frac{1}{4}$	30
SE $\frac{1}{4}$	NE $\frac{1}{4}$	40

Part of the Twin Falls Canal water right on the foregoing acreages is now used on the Northwest Quarter of said Section 34. Hence the well benefits the whole North Half of said Section 34.

J25438

AND

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. _____

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. 75 inches of water was used for late irrigation of new seed alfalfa on the above described land in fall of 1954.

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. Other waters used on the above described lands accrue from the Twin Falls Canal Company water right of one share of stock per acre for each acre above described, which water has been used in 1954 and for many years prior thereto.

(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 Twin Falls, County of Twin Falls, State of Idaho, on this 23rd day of March, A. D. 1955.

T M Robertson
Notary Public for Idaho
Residing at Twin Falls, Idaho

My commission expires January 4, 1958

825438

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No.

Proof of Application of Water to Beneficial Use

Deposition of Witness and Completion of Works

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

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

Ans. **Fred L. Wilson, age over 21, residence/Filer, Idaho, occupation Farmer.**

Ques. 2. Are you acquainted with **James E. Brennan**, the holder of Permit No. **G 25438**? How long have you known him and where does he reside?

Ans. **I have known James E. Brennan for approximately twenty-five (25) years and he resides in Filer, Idaho.**

Ques. 3. Have you read or heard read said Permit No. **G25438**, 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 supply and place of diversion and works consist of 12 inch well in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of 34-9-16 E.B.M. Water is used on farm where produced.**

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. **1 $\frac{1}{2}$ second feet.**

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. **1 $\frac{1}{2}$ second feet (75 inches) was delivered from pump. I estimated discharge from long experience of handling irrigation water.**

B25438

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 as supplemental water for irrigation of the following acreages in the following subdivisions:

<u>NE $\frac{1}{4}$ NE $\frac{1}{4}$</u>	<u>40</u>	<u>Part of the Twin Falls Canal water right on the foregoing acreages is now used on the NW $\frac{1}{4}$ of said Sec. 34. Hence the well benefits the/</u>
<u>NW $\frac{1}{4}$ NE $\frac{1}{4}$</u>	<u>30</u>	
<u>SW $\frac{1}{4}$ NE $\frac{1}{4}$</u>	<u>30</u>	
<u>SE $\frac{1}{4}$ NE $\frac{1}{4}$</u>	<u>40</u>	

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

Ans. _____

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

Ans. Land is arid and very heavily manured annually. 10 acre feet could be used beneficially on this kind of soil annually.

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

Ans. None

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. 75 inches of water was used for late irrigation of new seed alfalfa on the above described land in fall of 1954.

(Signed) _____

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Twin Falls, County of Twin Falls, State of Idaho, on this 23rd day of March, A. D. 1957.

Notary Public.

My commission expires January 4, 1958 Residing at Twin Falls, Idaho

825438

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No.

Proof of Application of Water to Beneficial Use

Deposition of Witness and Completion of Works

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

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

Ans. Lorn Mitchell, age over 21, residence and postoffice address
Twin Falls, Idaho, occupation Ditch Rider.

Ques. 2. Are you acquainted with James E. Brennan, the holder of Permit No. G-25438? How long have you known him and where does he reside?

Ans. I have known James E. Brennan for approximately three (3) years
and he resides in Filer, Idaho.

Ques. 3. Have you read or heard read said Permit No. G-25438, 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 supply and place of diversion and works consist of 12
inch well in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of 34-9-16 E.B.M. Water is used on farm
where produced.

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. 1 $\frac{1}{2}$ second feet.

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. 1 $\frac{1}{2}$ second feet (75 inches) was delivered from pump. I estimated
discharge from long experience of handling irrigation water.

G-25438

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 as supplemental water for irrigation of the following~~
~~acres in the following subdivisions: NE $\frac{1}{4}$ NE $\frac{1}{4}$ - 40, NW $\frac{1}{4}$ NE $\frac{1}{4}$ - 30~~
~~SW $\frac{1}{4}$ NE $\frac{1}{4}$ - 30, SE $\frac{1}{4}$ NE $\frac{1}{4}$ - 40. Part of the Twin Falls Canal water right~~
~~on the foregoing acreages is now used on the NW $\frac{1}{4}$ of said Sec. 34.~~
~~Hence the well benefits the whole N $\frac{1}{2}$ of said Sec. 34.~~

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

Ans. _____

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

Ans. ~~Land is arid and very heavily manured annually. 10 acre feet~~
~~could be used beneficially on this kind of soil annually.~~

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

Ans. ~~Nothing~~ None

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. ~~75 inches of water was used for late irrigation of new seed~~
~~alfalfa on the above described land in fall of 1954.~~

(Signed) *Lom Mitchell*

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 ¹³~~23~~rd day of March,
A. D. 19 57.

J. M. Robertson

Notary Public.

Residing at Twin Falls, Idaho

My commission expires January 4, 1958

f25438

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
COUNTY OF TWIN FALLS } ss.

N^o 5643

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

Notice is hereby given that at 10:00 A. M. on the 23rd day of March, 1955, at Twin Falls, County of Twin Falls, State of Idaho, before T. M. Robertson, Notary Public, proof will be submitted of the completion of works for the diversion of 1½ cubic feet per second of unnamed ground waters and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-25438 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 James B. Brennan, Filer, 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, in accordance with the plans accompanying the application for such permit, is 1½ 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 1½ cubic feet per second.

4. The place where said water is used is the NE¼ of Section 34, Township 3 South, Range 16 E., B.M., and the well is located in the SE¼NE¼ of said Section.

5. The date of priority which said user is prepared to establish is February 10, 1955.

MARK E. KULP,

State Reclamation Engineer

Publish: Feb. 24, March 3, 10, 17, 1955

I, James B. Brennan, being first duly sworn upon oath depose and say that I am Principal of the TIMES-News, published daily, except Saturday, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice or advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for
_____ consecutive _____, commencing with the issue dated _____, 1955, and ending with the issue dated _____, 1955.

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

And I further certify that pursuant to Section 60-108 Idaho Code Thursday of each week has been designated as the day on which legal notice required 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 _____ day of

_____, 1955

Mark E. Kulp
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho.

RECEIVED
JUL 1 1957
Department of Reclamation

BEFORE MARK R. KULP, STATE RECLAMATION
ENGINEER, STATE OF IDAHO.

IN THE MATTER OF PERMIT NO. G-25438,)
JAMES E. BRENNAN.)

AFFIDAVIT OF
T.M. ROBERTSON

STATE OF IDAHO)
COUNTY OF TWIN FALLS) ss.

T. M. ROBERTSON, being duly sworn, deposes and says:

That he is and at all times mentioned herein, has been a notary public for the State of Idaho, residing at Twin Falls, Idaho.

That pursuant to notice duly given and published by Mark R. Kulp, State Reclamation Engineer, this affiant was designated to take the depositions of James E. Brennan, holder of Permit No. 25438, issued by the State Reclamation Engineer of the State of Idaho, and such other witnesses as such permit holder might produce in making proof of construction of works and application of water to beneficial use under the terms of said permit. That pursuant to said notice, said depositions were to be taken at the office of the affiant in Twin Falls, Idaho, on the 23rd day of March, 1955; that at no time before, on, or after said 23rd day of March, 1955, did any person appear before this affiant or otherwise notify this affiant directly or indirectly of any objections to the taking of said depositions, the completion of said irrigation works, or the application of water to beneficial use pursuant to said permit, proof or depositions, or appear or request to appear to offer any evidence in connection with any of said matters, or to cross-examine said permit holder or any persons produced by said permit holder for the purpose of giving testimony by deposition with respect to said matters.

That on said 23rd day of March, 1955, at the hour designated in said notice, James E. Brennan, the holder of said permit appeared before this affiant and made his deposition, which deposition has been duly filed with the State Reclamation Engineer; that

25438

upon the completion of said deposition, the permit holder stated that he would have to go out into the country to obtain the persons of Lorn Mitchell and Fred L. Wilson to appear as witnesses and give depositions on the subject of completion of works and application of water to beneficial use under said permit. Whereupon, the matter was by affiant continued until such witnesses could be produced; that said witnesses did not appear before the affiant for the purpose of giving such depositions until the 13th day of June, 1957, at which time said depositions were taken and forwarded to the State Reclamation Engineer.

That affiant has been informed and believes that the delay in producing such witnesses was caused by the fact that after the permit holder left the office of affiant on March 23, 1955, he was involved in an automobile accident in which he and his minor son sustained severe and painful injuries, causing the matter to be forgotten and neglected by said permit holder until the matter was called to his attention by this affiant on or about June 12, 1957.

J M Robertson

SUBSCRIBED AND SWORN to before me this 28th day of June, 1957.

Lara May Brown
Notary Public for State of Idaho
Residing at Twin Falls, Idaho

25438

June 19, 1957

Re: Permit No. C-25438
James E. Brennan

Barry, Robertson & Daly
Lawyers
Fidelity Bank Building
Twin Falls, Idaho

Attention: Mr. T. M. Robertson

Dear Mr. Robertson:

In reference to your letter of June 14, 1957 enclosing Deposition of Proof of Completion of Works and Beneficial Use in connection with the above captioned permit.

Said proofs will be accepted upon the receipt of an affidavit stating the reasons why depositions were not taken before you on the date set in the publication notice. Affidavit should also state that no protests were received on said June 1, or before, in connection with said proofs.

An affidavit is required by this department when there is a variance from the statutory requirements. The reason stated in your letter of June 14 will suffice if in affidavit form. Sorry to bother you, however, we need the affidavit to support the proofs.

Very truly yours,

MARK R. KUIP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

RWT:lw

cc: James C. Brennan

25438

PARRY, ROBERTSON & DALY

LAWYERS

FIDELITY BANK BUILDING

TWIN FALLS, IDAHO

TELEPHONE 884

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

W. H. CHURCHILL
OF COUNSEL:
J. R. KEENAN

June 14, 1957

RECEIVED
JUN 18 1957
Department of Reclamation

Mr. Mark R. Kulp
State Reclamation Engineer
Department of Reclamation
Boise, Idaho

Re: Permit No. G-25438
James E. Brennan

Dear Mr. Kulp:

Thank you for your letter of June 11th on the
above matter.

I enclose, herewith, the following items: Deposition of Permit Holder, Deposition of Witnesses Lorn Mitchell and Fred L. Wilson, Affidavit of Publication of Notice. The unusual delay in this matter is accounted for by reason of the following facts:

On March 23, 1955, Mr. Brennan appeared for the making proof of his application of water for beneficial use under the above permit. His witnesses were not with him, however, at the time I took his deposition, and he gave me the names of the witnesses that he proposed to produce. I asked him to have the witnesses come in later that day, and he agreed to have them present as soon as possible.

Later that day Mr. Brennan and his six year old son were involved in an automobile accident at a country intersection in which Mr. Brennan suffered some broken bones and his son sustained a skull fracture of a serious nature. Needless to say, the witnesses were not contacted and did not arrive here at my office, and I think the matter was wholly forgotten by Mr. Brennan. After receipt of your letter of June 11th, I called him and the witnesses came up, and I took their depositions which are enclosed herewith.

25438

Mr. Mark R. Kulp
State Reclamation Engineer
June 14, 1957
Page 2

At no time was any objection or protest against the appropriation received by me or made by anyone as far as I know.

I trust the foregoing facts together with the enclosures will be sufficient for the granting of a water license on this matter.

Very truly yours,


T. M. ROBERTSON

TMR:bsl
Enclosures

825438

June 11, 1957

RE: Permit No. G-25438
James W. Brennan

Mr. Ben Shuey
Fidelity Bank Building
Twin Falls, Idaho

Dear Mr. Shuey:

We have sent to Mr. Brennan two notices in connection with making of Proofs on Permit No. G-25438 and to date have not had a reply.

This Application for Permit was submitted by you, together with duplicate notice of proof of completion of works and also an authorization to publish the same at the expense of the applicant.

This Notice was published in The Times-News as required but the depositions which were to have been made before Mr. T. M. Robertson, Notary Public, was never forwarded to this Department, therefore this Permit is being held for cancellation.

There is a possibility that this Permit could be reinstated at this late date providing, either that the Proofs have already been made and have been set aside or if they have not been made it will be necessary to furnish this Department with an affidavit from the Notary Public stating the reasons why said proofs were not submitted to this Department and why proofs were not made on the date stated in the publication notice. Also that no protests were received by the Notary prior to or on March 23, 1955, against the appropriation of this water right.

Please attend to this matter at once. If not, it will be necessary for this Department to cancel your water Permit.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

825438

Chief Clerk

EPR

CC: Mr. James B. Brennan
Filer, Idaho

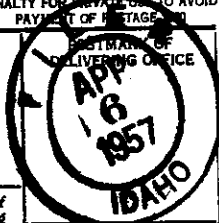
INSTRUCTIONS TO DELIVERER EMPLOYEE	
☐	DELIVER ONLY TO ADDRESSEE (20¢ additional)
☐	SHOW ADDRESS WHERE DELIVERED IN ITEM 4 BELOW (31¢ additional)
RECEIPT	
Received from the Postmaster the Registered, Certified, or Insured Article, the number of which appears on the face of this return receipt.	
1. SIGNATURE OR NAME OF ADDRESSEE	
X	<i>James E. Burman</i>
2. SIGNATURE OF ADDRESSEE'S AGENT (Agent should enter addressee's name in item 1 above)	
3. DELIVERY DATE	
, 19	
4.	

010-71548-3 GPO

25438

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE \$10



INSTRUCTIONS.—Show name, address and number of article below. Complete "Instructions to Delivering Employee" on other side, when applicable. Moisten gummed ends and securely attach to back of article. Endorse front of article RETURN RECEIPT REQUESTED.

RETURN TO
▼

REGISTERED NO.	NAME OF SENDER Department of Reclamation
CERTIFIED NO. 19751	STREET AND NO. OR P. O. BOX Room 107 State House
INSURED NO.	CITY, ZONE, AND STATE Boise, Idaho

POD Form 3811, Dec. 1955

516-71548-3

25438

XX

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

DEPARTMENT OF RECLAMATION

December 1, 1956

Mr. James B. Brennan
Fiber, Idaho

Dear Sir:

We enclose herewith blank notice for proof of completion of works and application of water to beneficial use under your Permit No. G- 25438. 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 February 11, 1957.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

25438

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G- 25438

April 3, 1957

To James E. Brennan

Filer, Idaho

It appearing to the State Reclamation Engineer that the terms and conditions of Permit No. G- 25438 to appropriate the Public Waters of the State of Idaho, have not been complied with as to _____

Completion of Works & Beneficial Use Proofs were due February 11, 1957

YOU ARE HEREBY notified in compliance with Sec. 42-234, Idaho Code that said Permit No. G- 25438 is hereby held for cancellation.

YOU ARE HEREBY required to show cause before the State Reclamation Engineer on or before sixty days from date of this notice why said Permit should not be cancelled.

Said PERMIT NO. G- 25438 claims the use of 1.5 cubic feet per second of the Subterranean Waters a well with point of diversion located SE 1/4 NE 1/4 of Sec. 34., Twp. 9 S., Rgs. 16 E., B.M., was approved February 11, 1955.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of my office at Boise, Idaho, the 3rd day of April, 19 57

Mark R. Kulp.
State Reclamation Engineer

25438

Memo

To
The TIMES-NEWS
TWIN FALLS, IDAHO

February 19, 1955

Department of Reclamation
Boise, Idaho

Gentlemen: Re: Permit No. G-25438

This is to acknowledge receipt of Notice for Legal
Publication regarding the Proof of Completion of Works,
etc. naming James B. Brennen of Filer, Idaho as applicant.

We have this ad scheduled to run Feb 24, Mar 3, 10 & 17,
and shall send a tear sheet of the first publication.

Thank you.

Sincerely,

Times-News

M. Clark

RECEIVED
FEB 21 1955
Department of Reclamation

S25438

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. G-25438

Date: February 18, 1955

Twin Falls Times-News

Twin Falls, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **March 23, 1955** the date set for proof, the expense of the publication to be paid by the applicant, **James B. Brennan** of **Filer, 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

25438

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date).....**February 9, 1955**.....

(P. O.).....**Twin Falls, Idaho**.....

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
Times-News, a daily newspaper of **general circulation**, published in
the county in which the works are situated.

.....**JAMES B. BRENNAN**.....

By Perry, Keenan, Robinson & Daly
Agent BPS.

(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.

825438

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

Notice is hereby given that at 10:00 A. 23rd
March 55 Twin Falls M., on the _____
day of Twin Falls, 19____, at _____ County of
T. M. Robertson, Notary Public
State of Idaho, before _____
proof will be submitted of the completion of works for the diversion of _____
~~xxxxxxx~~ unnamed ground waters
cubic feet per second of the waters of _____ and of
the application to beneficial use of said water, in accordance with the terms and
G-25438
conditions of Permit No. _____ heretofore issued by the Department of Reclamation
of the State of Idaho.

1. The name and postoffice address of the person or corporation
~~xxx is James B. Brennan~~ is James B. Brennan - Filer, Idaho
holding said permit are _____

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 con-
veying to the place of use, in accordance with the plans accompanying the appli-
cation for such permit, is _____ cubic feet per second.
irrigation

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

4. The place where said water is used is the NE $\frac{1}{4}$ of Section 34,
Township 9 South, Range 16 E, and the well is located in the SE $\frac{1}{4}$ of
said Section.

5. ¹⁰
February 20, 1955 the date of priority which said user is prepared to establish is

MARK R. KULP

State Reclamation Engineer

G25438

***** ROBERT E. SMYLLIE

February 17, 1955

RE: Permit No. G-25438

Mr. Ben Shuey
Fidelity Bank Building
Twin Falls, Idaho

Dear Mr. Shuey:

We enclose Permit No. G-25438 in the name of James B. Brennan together with departmental receipt No. G-985 for the \$5.25 filing fee.

We note that the works are completed and the water put to beneficial use, so we are sending to the Twin Falls Times News, notice for completion of works and beneficial use proofs to be made on this permit March 23, 1955, with instructions to publish it once a week for four weeks prior to that date and to send Mr. Brennan the affidavit of publication together with statement of costs.

We enclose the forms of deposition to be used in making these proofs and at the time set, Mr. Brennan should appear before Mr. T. M. Robertson, Notary Public, together with two disinterested witnesses who are familiar with the terms of the Permit and the work done thereunder for the purpose of executing the depositions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll
Enc.

825438

NAME OF APPLICANT JAMES W. RENNAN

Form No. 6

Twp. 9S. R 16 EBM

34

Point of Diversion Well.

Permit Map No. 4-25438

As Approved

FEB 11 1955

MARK R. KULP

State Reclamation Engineer

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

25438

PARRY, KEENAN, ROBERTSON & DALY

R. P. PARRY
J. R. KEENAN
T. M. ROBERTSON
JOHN H. DALY
CLIFFORD E. FIX

LAWYERS
FIDELITY BANK BUILDING
TWIN FALLS, IDAHO

BERT LARSON
BEN SHUEY

February 9, 1955

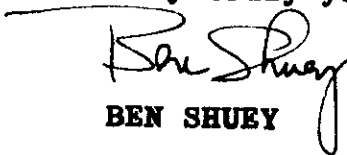
RECEIVED
FEB 10 1955
Department of Reclamation

Mr. Mark R. Kulp
State Reclamation Engineer
State House
Boise, Idaho

Dear Sir:

Enclosed herewith is the application of James B. Brennan for the appropriation of ground waters, together with duplicate notice of proof of completion of works and your authorization to publish the same at the expense of the applicant. Also enclosed is our check in the amount of \$5.25 to cover your fee in the matter.

Very truly yours,


BEN SHUEY

BS:mm
Enc. (5)

825438

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

Notice is hereby given that at 10:00 A. M., on the 23rd of March, 1955, at Twin Falls, County of Twin Falls, State of Idaho, before T. M. Robertson, Notary Public, proof will be submitted of the completion of works for the diversion of $1\frac{1}{2}$ cubic feet per second of unnamed ground waters and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-25438 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 James B. Brennan, Filer, 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, in accordance with the plans accompanying the application for such permit, is $1\frac{1}{2}$ 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 $1\frac{1}{2}$ cubic feet per second.

4. The place where said water is used is the NE $\frac{1}{4}$ of Section 34, Township 9 South, Range 16 E., B.M., and the well is located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section.

5. The date of priority which said user is prepared to establish is February 10, 1965.

MARK R. KULP.

State Reclamation Engineer

Publish: Feb. 24, ~~March 3, 1955~~ 1955