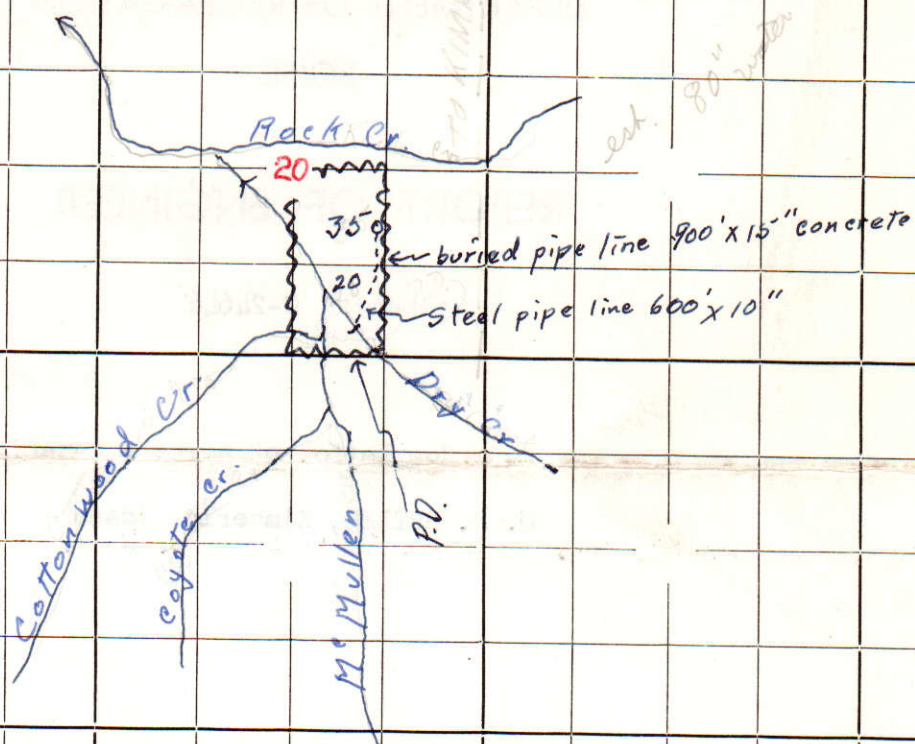


R-18E.

T.
II
S.



Sub divisions = 2.

Area = 55 a.

Q = 50 inches.

Water not measured. But much more than 50 inches being pumped.

NAME OF APPLICANT

Butler

Form No. 0

T 11 S - R 18 E

Section 20



Permit Map No. 2-216-16

As Approved

JAN 9 1954
MARK R. KULP

State Reclamation Engineer

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

24646

State of Idaho
License and Certificate of Water Right
47-2274

Water License No. G-24646 Amount One second foot
Water District No. Priority January 6, 1954

THIS IS TO CERTIFY that O. S. BUTLER
of Kimberly, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated January 6, 19 54 ; that Permit No. G-24646
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
One second foot, was issued thereunder on December 12, 19 55, showing that said works
were completed on the 13th day of September, 19 54 ; and that on the 13th
day of September, 1954,
O. S. BUTLER

of Kimberly, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of subterranean flow
, ~~percolation water~~ (percolation water), for the purpose of Irrigation
, under Use Permit No. G-24646 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 5634, on the 12th day of December, 19 55 ;
The right hereby confirmed dates from January 6, 19 54 ;

The Point of Diversion is located
in the SW ¼ SE ¼, Sec. 20, Tp. 11 S., R. 18 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 one cubic foot per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
11 S.	18 E.	20	NW ¼ SE ¼ SW ¼ SE ¼	20 30	35 20
			Number of Acres Actually 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
12th day of December, 19 55 .

(SEAL) MARK R. KULP
State Reclamation Engineer.
47 2274

State of Idaho
License and Certificate of Water Right

Water License No. G-24644 Amount 0.8 second foot
Water District No. _____ Priority January 6, 1954

THIS IS TO CERTIFY that O. S. BUTLER
of Kimberly, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated January 6, 1954; that Permit No. G-24644
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.8 second foot, was issued thereunder on December 12, 1955, showing that said works
were completed on the 13th day of September, 1954; and that on the 13th
day of September, 1954,
O. S. BUTLER
of Kimberly, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of subterranean
flow ~~percolation~~ (percolation water), for the purpose of irrigation
, under Use Permit No. G-24644 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 5633, on the 12th day of December, 1955;
The right hereby confirmed dates from January 6, 1954;
The Point of Diversion is located
in the N 1/4 SW 1/4, Sec. 29, T11 S., R. 18 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 0.8 cubic ~~foot~~ per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
11 S.	18 E.	29	NE 1/4 NW 1/4	25	30
			NW 1/4 NW 1/4	15	20
			Number of Acres Actually Irrigated	-	50

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
12th day of December, 1955.

(SEAL) MARK R. KULP
State Reclamation Engineer.

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G-32453
Permit No. G-24646
District No.

1. Name of Applicant: O. S. BUTLER
Postoffice address: Kimberly County: Twin Falls State: Idaho
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second. One or Idaho
Miners' inches 50 or gallons per minute.
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean (percolation) water which is to be taken from a point 6' to the Northeast from the Dry Gulch (tributary of Cottonwood Creek) drainage course and concentrated for a lift of 40 ft. as per attached map.
4. Location of point of diversion or well is in the SW 1/4 of the SE 1/4 of Section 20
Twp. 11 S. , Rge. 18 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 1/4 of the 1/4 of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the 1/4 of the 1/4 of Section , Twp. , Rge. , B.M.
A timbered sump, 10' square, equipped with a 20 H.P. pump and motor which will conduct water to the North through 300' of 10" steel pipe and 700' of 16" concrete pipe for use by surface and gravity fence onto the place of beneficial use
7. Kind of works: water to the North through 300' of 10" steel pipe and 700' of 16" concrete pipe for use by surface and gravity fence onto the place of beneficial use
8. Estimated cost of works: \$ 2,400.00
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: described as NW 1/4 SE 1/4 T.11 S.-R.18 E, Sec. 20, 30 shares of water from the High Line-Twin Falls Irrigation District, which would constitute less than 30 miner's inches (5/8 of a miner's inch per share; thus in the aggregate the water appropriated by gravity and by this permit would not be one miner's inch per acre.
(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.

Remarks: No surface water rises on the land; however, a considerable amount of underground percolation water can be concentrated and pumped by the digging and construction of a timbered sump wherein a pump has been installed and water has been used from this source since 1948 by me through the works described herein for beneficial use in the amount and on the area described. All of the works are installed just to the Northeast of the water course itself. This water course is locally called Dry Gulch, which is a tributary after the point of conversion of Cottonwood Creek and McMullen Creek which run through my deeded lands into Rock Creek which also flows through my deeded land. The lands which I expect to make beneficial use on is my deeded land. All surface rights in this drainage are filed for use above this diversion and I own and make beneficial use of all the water rising and used below the High Line Canal on this drainage. The lands for which this application is made are deeded to me as applicant.

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

O. S. BUTLER *Applicant.*

By Harley M. McDowell *Agent.*

Date of first receipt at Department of Reclamation: 3:45 P. M. January 6, 1954

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G-24646

Recorded in Book 87 Page 24646 Approved January 9, 1954

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 March 9, 1954 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 July 9, 1956

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before January 9, 1959

Witness my hand this 9th day of January, 1954

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, LEN JORDAN, 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 9th day of January, 1954.

Countersigned:

STATE OF IDAHO

(SEAL)

IRA H. MASTERS

D--

LEN JORDAN

by Governor

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	
11 S.	18 E.	20	Permit No. G-24646 CERTIFICATE OF COMPLETION OF WORKS				20 30 50
TO ALL WHOM IT MAY CONCERN: This is to certify that O. S. BUTLER of Kimberly, County of Twin Falls, and State of Idaho, the holder of Permit No. G-24646, issued upon Application No. G-32453 bearing date of priority of January 6, 1954, authorizing the diversion of One second foot of the waters of subterranean from a sump, 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 one second foot of said waters; that the point of diversion of said waters is in the SW¹/₄ SE¹/₄ Section 20, Township 11 South, Range 18 East, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: West Half Southeast Quarter Section 20, Township 11 South, Range 18 East, B.M. Witness my hand this 12th day of December, A. D. 1955. MARK R. KULP State Reclamation Engineer Proof of completion of works made September 13, 1954 Certificate of Completion of Works issued December 12, 1955 LICENSE ISSUED FOR 1.0 SEC. FT. P. 5635							

September 15, 1971

Re: License Nos. 45-2471
 47-2274
 Permit No. 47-2401

PARRY, ROBERTSON, DALY & LARSON
Post Office Box #525
The Idaho First National Bank Building
Twin Falls, Idaho 83301

ATTENTION: John R. Coleman:

Dear Mr. Coleman:

In reference to your letter of August 24, 1971, please find enclosed the Department's application for beneficial use form to be used to complete Permit No. 32251/47-2401. Permit No. 24643 has been re-numbered to 47-2274 and is licensed in the amount of 1.6 cubic feet per second. The source of water supply under this license is Rock Creek, tributary to the Snake River. The point of diversion is described as being in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 21, Township 11S, Range 18E. The license is appurtenant to 80 acres located in the S $\frac{1}{2}$ NE $\frac{1}{4}$ and the S $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 20, Township 11S, Range 18E.

Permit No. 24646 has been re-numbered to 45-2471 and is also licensed. It is in the amount of 1.0 cubic feet per second and the source of water is a ground water source. The point of diversion is described as the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 20, Township 11S, Range 18E and the license is appurtenant to 55 acres located in the W $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 20, Township 11S, Range 18E. The priority for this license is January 6, 1954 and the priority for License No. 47-2274 is January 6, 1954.

If you should have any further questions in reference to this matter, please feel free to contact this Department.

Very truly yours,

Dorian Clay
Appropriation Examiner

DC:cs

Enclosures

17 2274

PARRY, ROBERTSON, DALY & LARSON

LAWYERS

R. P. PARRY
T. M. ROBERTSON
JOHN H. DALY (1913-1968)
BERT LARSON
C. G. MCINTYRE
JOHN R. COLEMAN
THOMAS G. NELSON
JOHN A. ROSHOLT
FRED D. DECKER
ROBERT C. PAINE

THE IDAHO FIRST NATIONAL BANK BUILDING

P. O. BOX 525

TWIN FALLS, IDAHO 83301

TELEPHONE
(208) 733-3722

August 24, 1971

Department of Water Administration
State House Annex No. 2
Boise, Idaho

Re: Permit No. 32251 47-2431

Gentlemen:

Our client, Mr. William G. Allen, has completed all of the works necessary for the application of water to beneficial use with regard to the above permit. Would you please send to me the necessary documents to complete this filing for him so that a license may be granted.

Mr. Allen has also requested that we learn from you the priority dates of permit numbers 24647 and G-24646. I do not have any information concerning the names of the parties to which these permits were issued and would appreciate your brief description of these permits showing name of holder, priority, source of water and whether or not these permits have been licensed.

Your cooperation and assistance is greatly appreciated.

Sincerely yours,


JOHN R. COLEMAN

JRC:sh

47-2274

✓
December 14, 1955

RE: Permits Nos. G-24644 and G-24646

Mr. O. S. Butler
Kimberly
Idaho

Dear Mr. Butler:

We return your application for amendment to the location of the well in Permit No. G-24644 which has been approved by the State Reclamation Engineer and recorded in this Department.

We also enclose Certificate of Completion of Works and License and Certificate of Water Right issued under this Permit confirming your right to the use of 0.8 second foot of water from a well in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 29, Township 11 South, Range 18 East, B.M. with priority of January 6, 1954, for irrigation of land in the NW $\frac{1}{4}$ of said Section.

We also enclose Certificate of Completion of Works and License and Certificate of Water Right issued under Permit No. G-24646 confirming your right to the use of 1 second foot of percolating water from a sump with point of diversion in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 20, Township 11 South, Range 18 East, B.M. with priority of January 6, 1954, for irrigation of land in the W $\frac{1}{2}$ SE $\frac{1}{4}$ of Said Section 20.

We also enclose departmental receipt No. G-1581 for the \$18.00 fees for completion of works and Licenses under the above numbered permits.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll
Enc.

24646

October 19, 1955

RE: Permit No. G-24646

Mr. O. S. Butler
Kimberly
Idaho

Dear Mr. Butler:

We now have on file the report of our field engineer on examination for completion of works and beneficial use on your Permit No. G-24646. This shows that you have irrigated 55 acres in the W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 20, Township 11 South, Range 18 East, B.M. from your well in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section.

A Certificate of Completion of Works and License can, therefore, be issued for 1 second foot as applied for upon receipt of the statutory fees which amount to \$5.00 for completion of works and \$4.00 license fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

:hll

824646

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

Permit No. G-24646

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

1. Name of applicant O. S. Butler, Kimberly, Idaho

2. Source of water supply: Subterranean from a well

3. Location of point of diversion: Is in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 20

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

4. Describe works as they exist, giving dimensions and capacities of same: _____

Water is pumped from a sump in the stream bed by a 20 hp Fairbanks Morse Horizontal Motor No. 581869 and an 8 by 6 Fairbanks Morse Centrifugal pump through a pipe line with a 371 lift to the high points in the field. Water distribution is by gravity. This water is surface water flowing down Dry Creek through the sump made in the stream channel. This water is actually rising water and return flow from irrigation above.

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 $\frac{1}{4}$ SE $\frac{1}{4}$ Section 20, Twp. 11 South, Range 18 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? _____

Remarks: Crops are hay and grain

NOTE: Mr. Butler has canal water out of the Twin Falls Highline and has made a deal with the Canal Company whereby a 14" pipe extends across under the canal from the point of delivery in the South to a sump where he uses a 50 hp Westinghouse Motor and Pump to take all of his canal water to the South to high ground where he has developed a good farm. The water under Permits Nos. G-24646, G-24644 and 24647 actually replaces the canal water which has been moved to the higher ground to the South.

This examination was made on the 19 day of July, 1955

(Signed) E. M. Humphrey Examiner.

G-24646

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
SEP 12 1955
Department of Reclamation

O. S. Butler
Kimberly, Idaho

Permit No. G-24646

Examination for Completion of Works
and Beneficial Use

County... Twin Falls

20-11 S. - 18 E.

Q = 1.0 c.f.s.

S = Sump (Subterranean water)

P.D. = SW. SE., Sec. 20, T. 11 S. - R. 18 E

Use = Irrigation

Priority = Jan. 6, 1954
Due = Jan 9, 1959

F. M. Hor. Motor

20 hp. 3 ph 60 cy 1750 rpm

57A. #581869

8" x 6" F. M. Pump

5" B belt drive 28" c
ratio approx. 2:1 ()

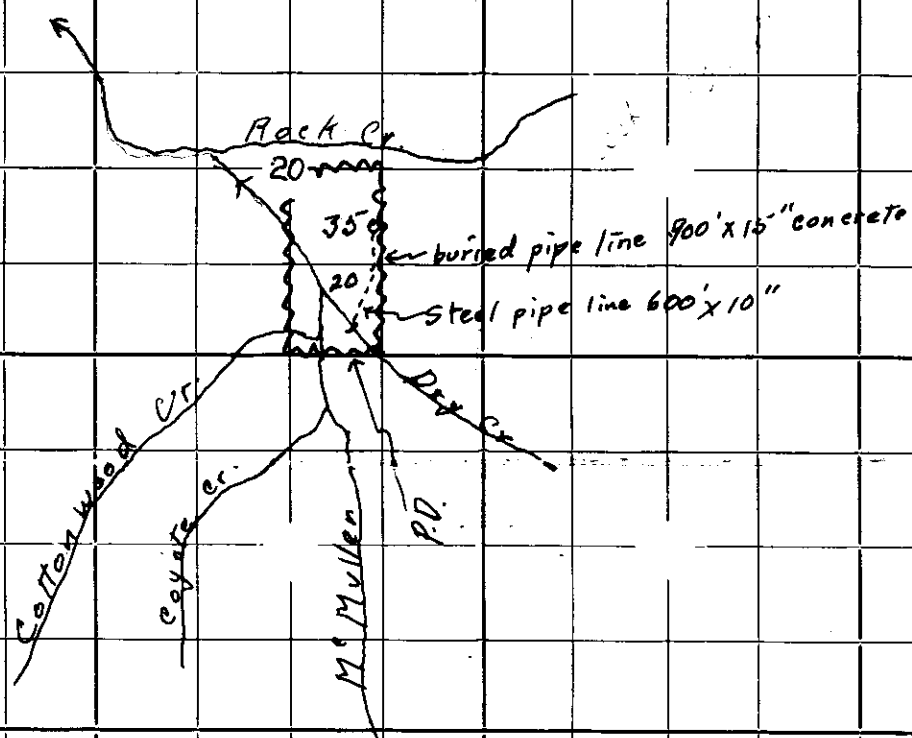
37' lift.

10' x 8' x 4' h. sump in
stream (dry gulch)

[D] switch & meter on
pole 12' to S.

del. to M. thru 600' x 10"
steel pipe 900' x 15" cone.

R-18E.



Sub divisions = 2.

Area = 55⁵ a.

Q = 50 inches.

Water not measured. But much more
than 50 inches being pumped.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-24646

REPORT ON PROOF OF Completion of Works & Beneficial Use

O. S. BUTLER, Kimberly, Idaho

1.0 cfs
max

app. one cfs

55 miles
2-40'S

✓
September 24, 1954

RE: Permits Nos. 24644, 24646, 24647

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

Dear Mr. McDowell:

We have filed the depositions of O. S. Butler and two witnesses also affidavit of publication in the Kimberly Advertiser, all submitted in proof of completion of works and beneficial use on the above numbered Permits.

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

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

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll
cc

Mr. O. S. Butler
Kimberly
Idaho

24646

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 24646

Proof of Application of Water to Beneficial Use

Deposition of Holder

and Completion of Works

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

Ans. My name is O.S. Butler; residence, Kimberly, Idaho; occupation, agriculture and livestock; postoffice address, Kimberly, Idaho.

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

Ans. Individual.

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

Ans. The number of my permit is 24646; date of permit, January 9, 1954; date of priority, January 6, 1954.

Ques. 4. State source of water supply and give exact location of point of diversion.
 Subterranean, percolation water, which is to be taken from a point some 6' to the northeast of Dry Gulch (tributary of Cottonwood Creek) a drainage course and concentrated in a sump in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 20. These works are a timbered sump, 10' square equipped with a 20 h.p. pump and motor which will conduct the water through 300' of 10" steel pipe and 700' of 16" concrete pipe for use and distribution by surface, gravity private ditch. The sump is approx. 4' deep, the pump will discharge 80 inches. (I do not use this much through the pump. In fact, part of this water is through gravity. This is measured through my best estimation through several ing 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. years irrigating and having seen water measured.

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. At the time of filing this application, I was pumping approx. 20 acres in the north 40 (NW $\frac{1}{4}$ SE $\frac{1}{4}$) and about 15 acres in the south forty (SW $\frac{1}{4}$ SE $\frac{1}{4}$) and 15 acres came from gravity out of this source onto the south forty (SW $\frac{1}{4}$ SE $\frac{1}{4}$). This number of acres has actually been irrigated by this water through these works. All of this is cultivated for pasture and hay land. There is no natural meadowland. All improvements have been made as a direct result of this irrigation use. The cost of my pump and sump works would be approx. \$2400. I have an additional investment in the land development of approx. \$2000 all of which is a direct result of this irrigation use. I first started this development in 1948, installed the pump and irrigated all of this land every year including 1954. I have raised hay and pasture by this irrigation each year and in addition to this I can also use this for row crop as I have raised potatoes and beans on this same land.

24646

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

Ans. For irrigation only.

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

Ans. The minimum amount of water required for this land would be what I have now used on it. I could not get along with less water here.

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

Ans. I am the individual who applied for this permit.

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

Ans. This water was first used here in 1948. It has been used continuously for agricultural production of a crop every year including the 1954 current year.

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. At the time I applied for this permit I had 30 shares of Twin Falls Highline irrigation water appurtenant to the NW 1/4 SE 1/4 and since that time I have added 40 more shares to the SW 1/4 SE 1/4 (the irrigation company allows 5/8 of a miner's inch for each share). In the aggregate I use 70 shares of Twin Falls Highline irrigation district water here and need this additional 50 inches to make this land fully productive and make full beneficial use and raise crops which will realize the maximum productivity of this land. I irrigate some 600 acres on this farm and want to use this water for a permanent irrigation source on this land and only utilize the canal water in case of emergency; therefore, whenever we have (Sign) *[Signature]* the full amount of water available here, I will not use canal water at all on this particular area.

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 13 day of September, A. D. 1954,

[Signature]
Notary Public for the State of Idaho

My commission expires 10/11/55

24646

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 24646

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. My name is Alvie L. Johnson, age, 30; residence, 6½ miles south and 1½ miles west of Kimberly, Idaho; occupation, farming; postoffice address, Rt. 2, Kimberly, Idaho.

Ques. 2. Are you acquainted with O.S. Butler, the holder of Permit No. 24646? How long have you known him and where does he reside?

Ans. I have known him 15 years and know that he now resides in Kimberly, Idaho.

Ques. 3. Have you read or heard read said Permit No. 24646, and are you familiar with its provisions and conditions?

Ans. Yes, I have read this permit and am familiar with its provisions and conditions.

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

Ans. The source of water supply is from subterranean (percolation water) taken from a pt. about 6' ft. northeast of Dry Gulch drainage which is a tributary of Cottonwood Creek in SW¼SE¼, Sec. 20, T 11 S - R 18 E, B.M. The works consist of a 10 ft. square timbered sump, 4' deep equipped with 20 h.p. pump and motor conducting water through 300' of 10" steel pipe and 700' of 16" concrete pipe.

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 the works will safely conduct 80 inches and have seen 50 inches 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 50 inches of water. This was measure by my estimation by having seen pumps of similar nature deliver when actually measured.

24646

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, on NW¹/₄SE¹/₄, 20 acres; SW¹/₄SE¹/₄, 15 acres; SE¹/₄SE¹/₄, 15 acres. There is no natural meadow land. This is all cultivated and all improvements listed above are 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. 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. Land is good for hay, grain, potatoes and beans and I believe the amount now used to be the minimum amount required 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. I have not.

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 witnessed this since 1948. In fact, in 1948 I had beans on part of this land and have irrigated on it every year continuously through 1954 and seen crops grown with this water and put to beneficial use for agriculture over the entire area.

(Signed)

Olvie L. Johnson

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 13 day of September, A. D. 1954.

Harley H. C. Howell

Notary Public.

My commission expires 10/11/55

24646

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 24646

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. My name is Homer H. Butler; age, 58; residence, 2 $\frac{1}{2}$ miles east of Kimberly, Idaho; occupation, agriculture; postoffice address, Rt. 2, Kimberly, Idaho.

Ques. 2. Are you acquainted with O.S. Butler, the holder of Permit No. 24646? How long have you known him and where does he reside?

Ans. I have known him all my life and know that he now resides in Kimberly, Idaho.

Ques. 3. Have you read or heard read said Permit No. 24646, and are you familiar with its provisions and conditions?

Ans. I have read this permit and am familiar with its provisions and conditions.

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

Ans. The source of the water is subterranean, percolation water; place of diversion, 6' NE of Dry Gulch which is a tributary of Cottonwood Creek. This water is concentrated in a sump 10' square equipped with 20 h.p. pump and motor in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 20. There is also 300' of 10" steel pipe and 700' of 16" concrete pipe. Also there is a private gravity ditch. Sump 4' deep.

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 the works will safely conduct to place of use 80 inches of water and that I have seen 50 inches 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 the amount of water above mentioned and this is estimated through my experience in seeing this type of pump and irrigation over a period of years.

24646

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 approx. as follows: 20 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$; 15 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$; 15 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$. This is all cultivated and the improvements listed before have all been 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 good crop land, will raise hay, grain, potatoes, beans and I believe that it needs all the water now on the land to allow 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. I have no interest in the land or water in any manner.

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 witnessed this since it was first put in in 1948. In fact, I rented this land and raised potatoes on it in 1948. I have seen it quite often every year since that time and know that every year this water has been used through these works for beneficial use and irrigation on the land.

(Signed) Thomas H. Butler

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 13 day of September, A. D. 19 54.

Harley H. H. Danell

Notary Public.

My commission expires 10/11/55

24646

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Twin Falls } ss.

I, Edith Raustadt being first duly sworn on oath, say:

That I am publisher of the Kimberly Advertiser, a newspaper of general circulation in Twin Falls County, Idaho, published weekly in Kimberly in said county and state; that a true copy of the annexed notice was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for 4 consecutive weeks, commencing with the issue dated August 12, 1954, and ending with the issue dated September 2, 1954.

And I do further swear that said newspaper has been so published as a weekly newspaper in said city and county, continuously and uninterruptedly during a period of more than seventy-eight consecutive weeks prior to the first publication of said above mentioned legal advertisement.

Edith Raustadt

Subscribed and sworn to before me this 13th day of September, 1954

Leanneth Blodgett
Notary Public for the State of Idaho.

(My commission expires February 15, 1957)

24646

AFFIDAVIT OF PUBLICATION

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

Notice is hereby given that at 9:30 A.M., on the 13th day of September, 1954, at Boise, County of Ada, State of Idaho, before Harley M. McDowell, Notary Public proof will be submitted of the completion of works for the diversion of 1 cubic foot per second of the waters of subterranean from a well in the SW $\frac{1}{4}$ -SE $\frac{1}{4}$ Section 20, Twp. 11 S., Range 18 E., B. M. and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 24646 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are O. S. Butier, Kimberly, 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 cubic foot per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 1 cubic foot per second.

4. The place where said water is used is W $\frac{1}{2}$ SE $\frac{1}{4}$, Section 20, T 11 S-R 18 E, B. M.

5. The date of priority which said user is prepared to establish is January 6, 1954.

MARK R. KULP
State Reclamation Engineer

KIMBERLY ADVERTISER

KIMBERLY, IDAHO

V
August 10, 1954

RE: Permits Nos. 24644, 24646, 24647

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

Dear Mr. McDowell:

We have sent to the Kimberly Advertiser, notices for completion of works and beneficial use proof on the above numbered Permits in the name of O. S. Butler to be made September 13, 1954, before you as Notary Public.

We enclose the necessary forms of deposition to be used in making these proofs.

Very truly yours,

MARK R. KILP
State Reclamation Engineer
By

Chief Clerk

A:hll
Enc.

24646

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permits 24644
 24646
 24647

Date: August 9, 1954

Kimberly Advertiser

Kimberly, Idaho

Gentlemen:

Enclosed you will find ^{three} notice for publication once a week for four consecutive weeks prior to **September 13, 1954** the date set for proof, the expense of the publication to be paid by the applicant, **O. S. Butler** of **Kimberly, Idaho**, to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

MARK H. KULP

State Reclamation Engineer
By

Chief Clerk

24644

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

Notice is hereby given that at 9:30 A. M., on the 13th day of September, 19 54, at Boise, County of Ada State of Idaho, before Harley M. McDowell, Notary Public proof will be submitted of the completion of works for the diversion of 1 cubic feet per second of the waters of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 20, Twp. 11 S., Range 18 E., B.M. ~~subterranean~~ from a well in / and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 24646 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are O.S. Butler, Kimberly, 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 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 cubic feet per second.
4. The place where said water is used is W $\frac{1}{4}$ SE $\frac{1}{4}$ Section 20, T. 11 S. R. 18 E., B.M.
5. The date of priority which said user is prepared to establish is January 6, 1954.

MARK R. KULP

State Reclamation Engineer

24646

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date).....June 22, 1954.....

(P. O.).....Kimberly, Idaho.....

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho.

Dear Sir:

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

.....

(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.

24646

January 14, 1954

RE: Permits Nos. G-24644, G-24645, G-24646 & 24647

Mr. Harley H. McDowell
Idaho Building
Boise, Idaho

Dear Mr. McDowell:

We enclose herewith, the above numbered permits in the name of O. S. Butler 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 departmental receipts No. G-386 for the \$15.00 filing fees on Permits Nos. G-24644, G-24645 & G-24646, also departmental receipt No. 26425 for the \$5.75 filing fee on Permit No. 24647.

Very truly yours,

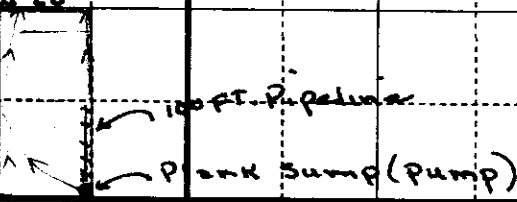
MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/re
Encls.

T 11 S - R 18 E

Section 20



Permit Map No. 2-16-46
As Approved
JAN 9 1954
MARK R. KULP
State Reclamation Engineer

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

Notice is hereby given that at 9:30 A.M., on the 13th day of September, 1954, at Boise, County of Ada, State of Idaho, before Harley M. McDowell, Notary Public proof will be submitted of the completion of works for the diversion of 1 cubic foot per second of the waters of subterranean from a well in the SW $\frac{1}{4}$ -SE $\frac{1}{4}$ Section 20, Twp. 11 S., Range 18 E., B. M. and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 24646 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are O. S. Butler, Kimberly, 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 cubic foot per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 1 cubic foot per second.

4. The place where said water is used is W $\frac{1}{2}$ SE $\frac{1}{4}$, Section 20, T 11 S-R 18 E, B. M.

5. The date of priority which said user is prepared to establish is January 6, 1954.

P-12-54 MARK R. KULP
State Reclamation Engineer