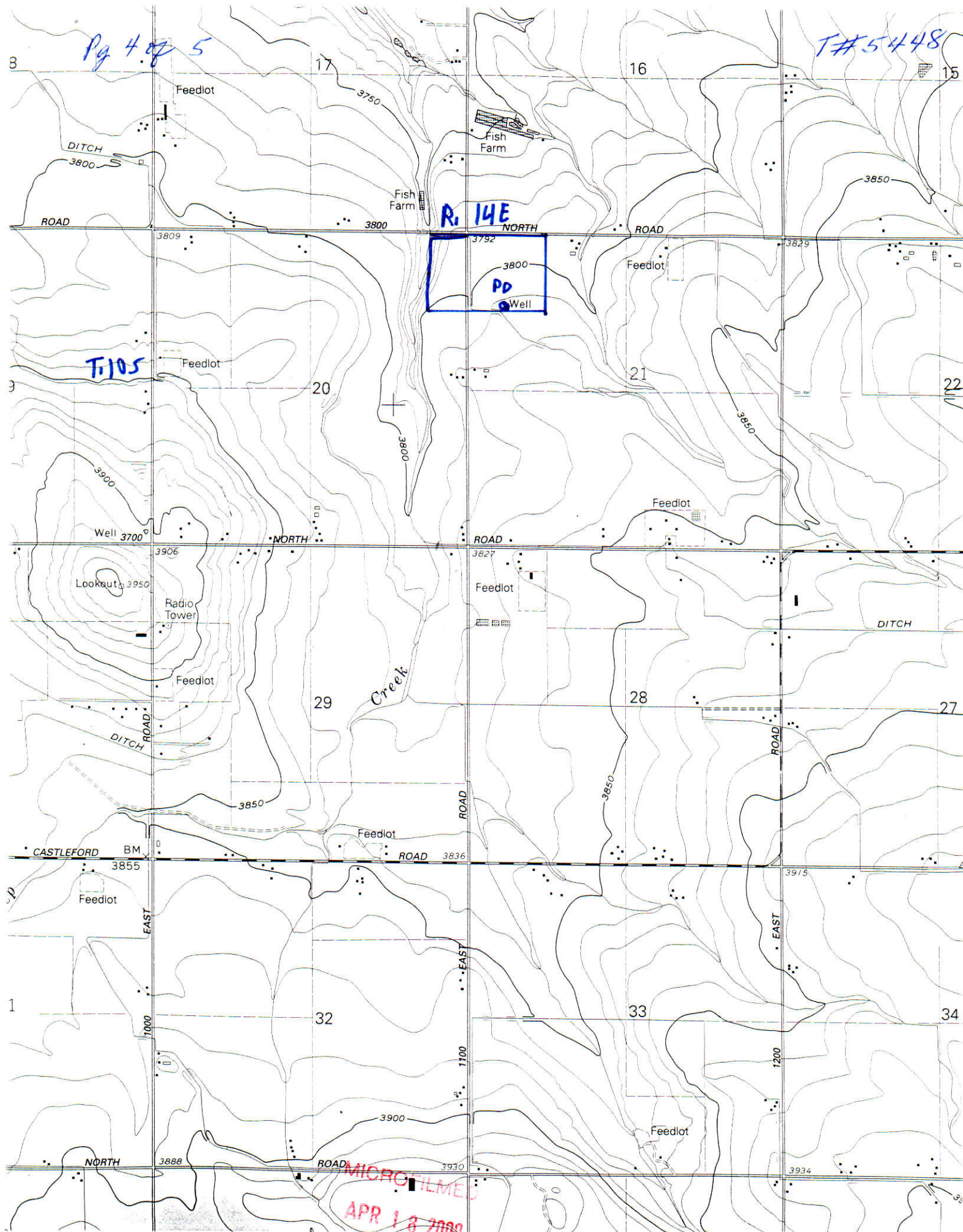


Pg 4 of 5

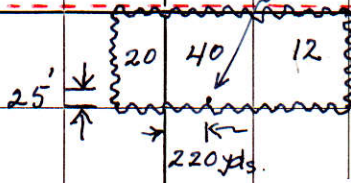
T#5448



TO BUHL

R-14E.

T.
10
S.



$T = 54^{\circ}F$

Subdivisions = Three.

Area = 72 acres.

$Q = 57$ "Thru Sparling Meter.

Allow 55 inches.

AFFIDAVIT of PUBLICATION

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 28th day of September, 1953, at Buhl, County of Twin Falls State of Idaho, before Jess O. Eastman, Notary Public proof will be submitted of the completion of works for the diversion of 1.44 cubic feet per second of the waters of Deep well in the NW¼-NW¼ Section 21, Twp. 10 S., Rge. 14 E., B. M. and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G 24339 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 Charles A. Latham RFD No. 2 Buhl, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use, in accordance with the plans accompanying the application for such permit, is 1.44 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 1.44 cubic feet per second.

4. The place where said water is used is 12 acres in NE¼-NW¼ and 40 acres in NW¼-NW¼ of Section 21 and 20 acres being the E½-NE¼-NE¼ of Section 20, all in Township 10 South Range 14 East of the Boise Meridian.

5. The date of priority which said user is prepared to establish is July 31, 1953.

Mark R. Kulp
State Reclamation Engineer

(31t4)

STATE OF IDAHO
County of Twin Falls

} ss.

I, **Robert E. Bailey**, do solemnly swear that I am the printer and editor of **THE BUHL HERALD**, a weekly newspaper of general circulation, published once each week at Buhl, Idaho; that the notice attached hereto was published in said newspaper four consecutive weeks, the first publication having been made on the 3rd day of September, 1953, and the last publication having been made on the 24th day of September, 1953; that said notice was published in the regular and entire issue of every number of the paper during the period and time of publication, and that the said notice was published in the newspaper proper, and not in the supplement thereof.

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

Robert E. Bailey
Subscribed and sworn to before me this

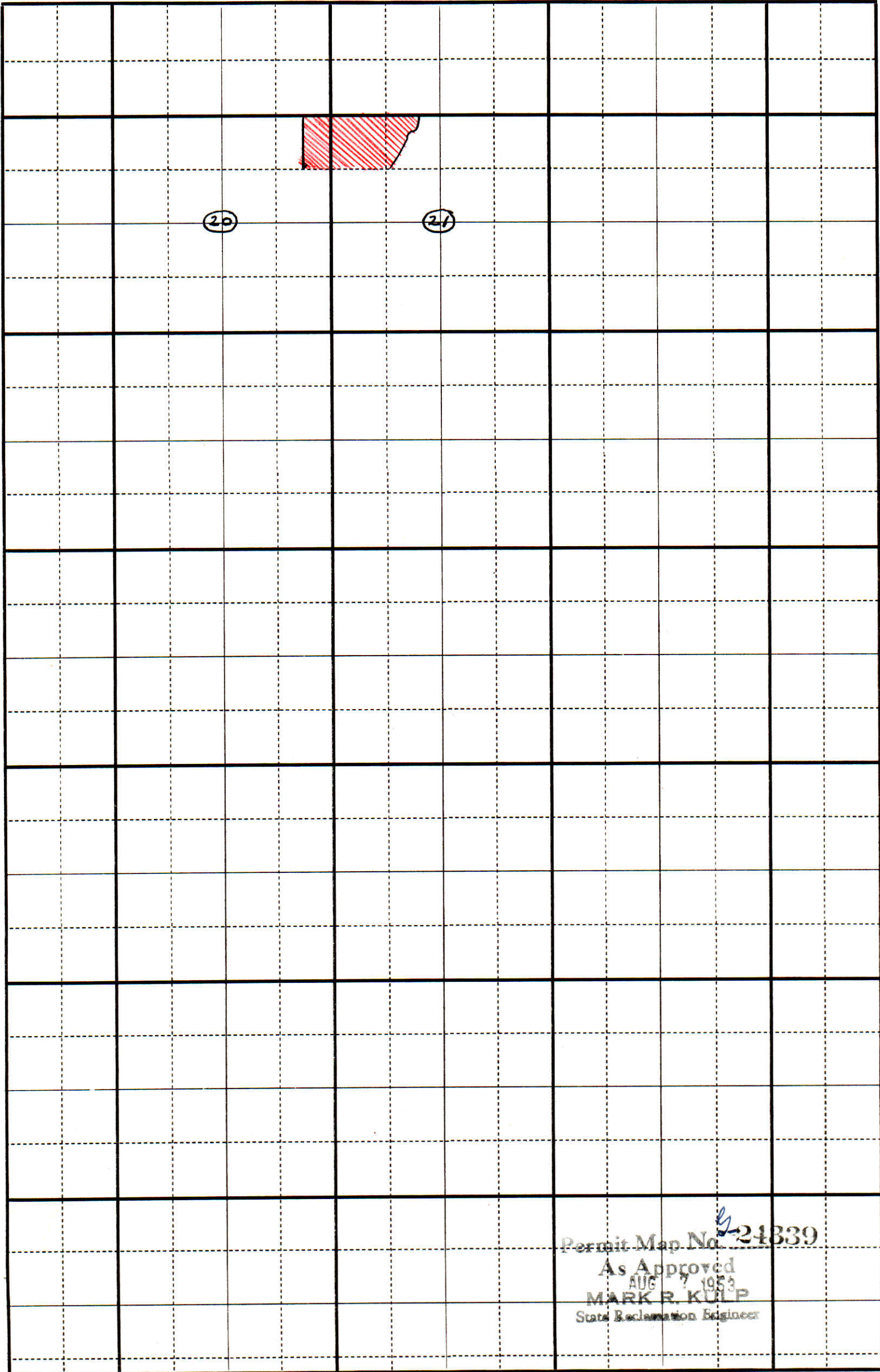
24th day of September, 1953

Loris Schuckenberg
Notary Public.

24339

NAME OF APPLICANT Charles A. Atham

Form No. 0



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

24339

State of Idaho
License and Certificate of Water Right

Water License No. G-24339

Amount 1.1 second feet

Water District No.

Priority July 31, 1953

THIS IS TO CERTIFY that CHARLES A. LATHAM
of Buhl, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated July 31, 1953; that Permit No. G-24339
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.1 second feet, was issued thereunder on June 11, 1954, showing that said works
were completed on the 28th day of September, 1953; and that on the 28th
day of September, 1953,

CHARLES A. LATHAM
of Buhl, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
~~subterranean flow~~ (subterranean flow), for the purpose of irrigation
under Use Permit No. G-24339 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 5275, on the 11th day of June, 1954;
The right hereby confirmed dates from July 31, 1953, 1953;

The Point of Diversion is located
in the NW 1/4 NW 1/4, Sec. 21, Tp. 10 S., R. 14 E., B. M. County Twin Falls
That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 1.1 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
10 S.	14 E.	20	E 1/2 NE 1/4 NE 1/4	20	20
		21	NE 1/4 NW 1/4	12	12
			NW 1/4 NW 1/4	40	40
			Number of Acres Actually Irrigated -	-	72

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
11th day of June, 1954.

MARK R. KULP

State Reclamation Engineer.

(SEAL)

17 2273

State of Idaho
License and Certificate of Water Right

Water License No. 21077

Amount 1.1 second feet

Water District No.

Priority July 11, 1951

THIS IS TO CERTIFY that GEORGE D. CROCKETT
of Hansen, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated May 25, 1949; that Permit No. 21077
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.6 second feet, was issued thereunder on September 18, 1950, showing that said works
were completed on the 14th day of September, 1950; and that on the 12th
day of January, 1954,

GEORGE D. CROCKETT
of Hansen, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
~~xxx~~ ~~tributary~~ (subterranean flow), for the purpose of irrigation and dom-
estic use, under Use Permit No. 21077 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 5276, on the 11th day of June, 1954;
The right hereby confirmed dates from May 25, 1949;

The Point of Diversion is located
in the NW 1/4 NE 1/4, Sec. 30, Tp. 11 S., R. 19 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 1.1 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
11 S.	19 E.	19	SW 1/4 SE 1/4	40	40
		30	NW 1/4 NE 1/4	40	40
			Number of Acres Actually Irrigated		80

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
11th day of June, 1954.

MARK R. KULP

State Reclamation Engineer.

(SEAL)

47-2273

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 32129
 Permit No. G- 24339
 District No.

1. Name of Applicant: CHARLES A. LATHAM
 Postoffice address: RFD #3, Buhl County: Twin Falls State: Idaho
2. Quantity of water claimed: 1.44 second feet or 72 inches
 (a) Rate of withdrawal in cubic feet per second. 1.44 or Idaho
 Miners' inches 72 or gallons per minute.
 (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Well 12 inches in diameter and 94 feet deep
4. Location of point of diversion or well is in the NW 1/4 of the NW 1/4 of Section 21
 Twp. 10 S. , Rge. 14 E. , B.M., County of Twin Falls
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:
 (a) Point of use of water is in the 1/4 of the 1/4 of Section , Twp.
 Rge. , B.M.
 (b) Waste water or sewage effluent is to be returned to Twin Falls Canal Company ditch
 at a point in the 1/4 of the 1/4 of Section , Twp. , Rge. , B.M.
7. Kind of works: Well 94 feet deep - Turbin pump with 7 1/2 horse motor
8. Estimated cost of works: \$ 2,100.00 all completed
9. (a) Is reservoir to be used?
 (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 all 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 onhand: \$
 (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: Twin Falls Canal Company right of 5/8 inch per acre which I expect to sell as soon as it can be determined that the underground water is dependable.
 (a) 1.44 (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) none (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.

Applicant.

Agent.

Corrected application received:

MARK R. KULP
State Reclamation Engineer.

By LEN JORDAN
Governor

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	
10 S	14 E	21 20	20	12	40		52 20 72
Permit No. G-24339 CERTIFICATE OF COMPLETION OF WORKS TO ALL WHOM IT MAY CONCERN: This is to certify that CHARLES A. LATHAM of Buhl, County of Twin Falls, and State of Idaho, the holder of Permit No. G-24339, issued upon Application No. G-32129 bearing date of priority of July 31, 1953, authorizing the diversion of 1.44 second feet of the waters of a well (subterranean flow) 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 1.1 second feet of the waters of said well; that the point of diversion of said waters is in the NW¹/₄NW¹/₄ Section 21, Township 10 South, Range 14 East, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: E¹/₂NE¹/₄NE¹/₄ Section 20; N¹/₂NW¹/₄ Section 21; All in Township 10 South, Range 14 East B.M. Witness my hand this 11th day of June, A.D., 1954. MARK R. KULP State Reclamation Engineer Proof of completion of works made September 28, 1953 Certificate of completion of works issued June 11, 1954. LICENSE ISSUED FOR 1.1 SEC. FT. Pg 5275							

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5448
WATER RIGHT NO. 47-02273

This is to certify that: **JOHN BRUBAKER**
BARBARA BRUBAKER
1113 E 3900 N
BUHL ID 83316

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	1.10 CFS	240.0 AF

SOURCE

GROUNDWATER

Priority: 07/31/1953

LOCATION OF POINT(S) OF DIVERSION:

NWNW , Sec. 21, Township 10S, Range 14E
TWIN FALLS County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
10S	14E	20	NENE	20		20
		21	NWNW	40		40

Total number of acres irrigated: 60

CONDITIONS OF APPROVAL AND REMARKS

1. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
2. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

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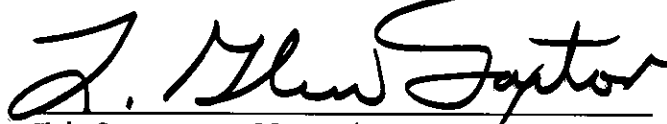
APR 18 2006

TRANSFER NO. 5448
WATER RIGHT NO. 47-02273

CONDITIONS OF APPROVAL AND REMARKS

4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
7. The right holder shall cease irrigation of 12 acres previously authorized under this right, and consolidate use of water on the remaining 60 acres.

Dated this 17th day of March, 2000


Chief, Water Allocation Bureau

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APR 18 2000

RECEIVED APPLICATION FOR TRANSFER OF WATER RIGHT RECEIVED

PART 1

JUL 15 1999

JUL 15 1999

Name of Applicant John P/O Benard Brubaker Phone 542-6817

Post Office address 1113 E 3900 N, Buhl, ID 83316

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Some of the land is being sold without water rights. All of the licensed flow is being retained for the remaining ground.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount (cfs/ac-ft) | Nature of Use | Period of Use |
|-----------------|------------------|--------------------|---------------|----------------------------|
| <u>47-02273</u> | <u>7-31-1953</u> | <u>1.10 cfs</u> | <u>Irrig.</u> | <u>4-1</u> to <u>10-31</u> |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
2. Total amount of water being transferred 1.10 cubic feet per second and/or 240.0 acre-feet per annum.
3. Source of water Groundwater tributary to _____
4. Point(s) of Diversion: No Change

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

5. Lands irrigated or place of use:

Twp.	Rge.	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	
10S	14E	20	20																20
		21						40											40

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APR 18 2000

Total acres 60

PART 1

6. General Information:

a. Description of diversion system Well, motor, pump, open discharge to gated pipe. Well supplements TFC shares as needed

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? ✓ Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

Land will be irrigated only with canal shares.

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____.

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APR 18 2000

PART 2

TRANS NO. 5448

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 47-02273

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	to	1.10 CFS

SOURCE

GROUNDWATER

Priority: 07/31/1953

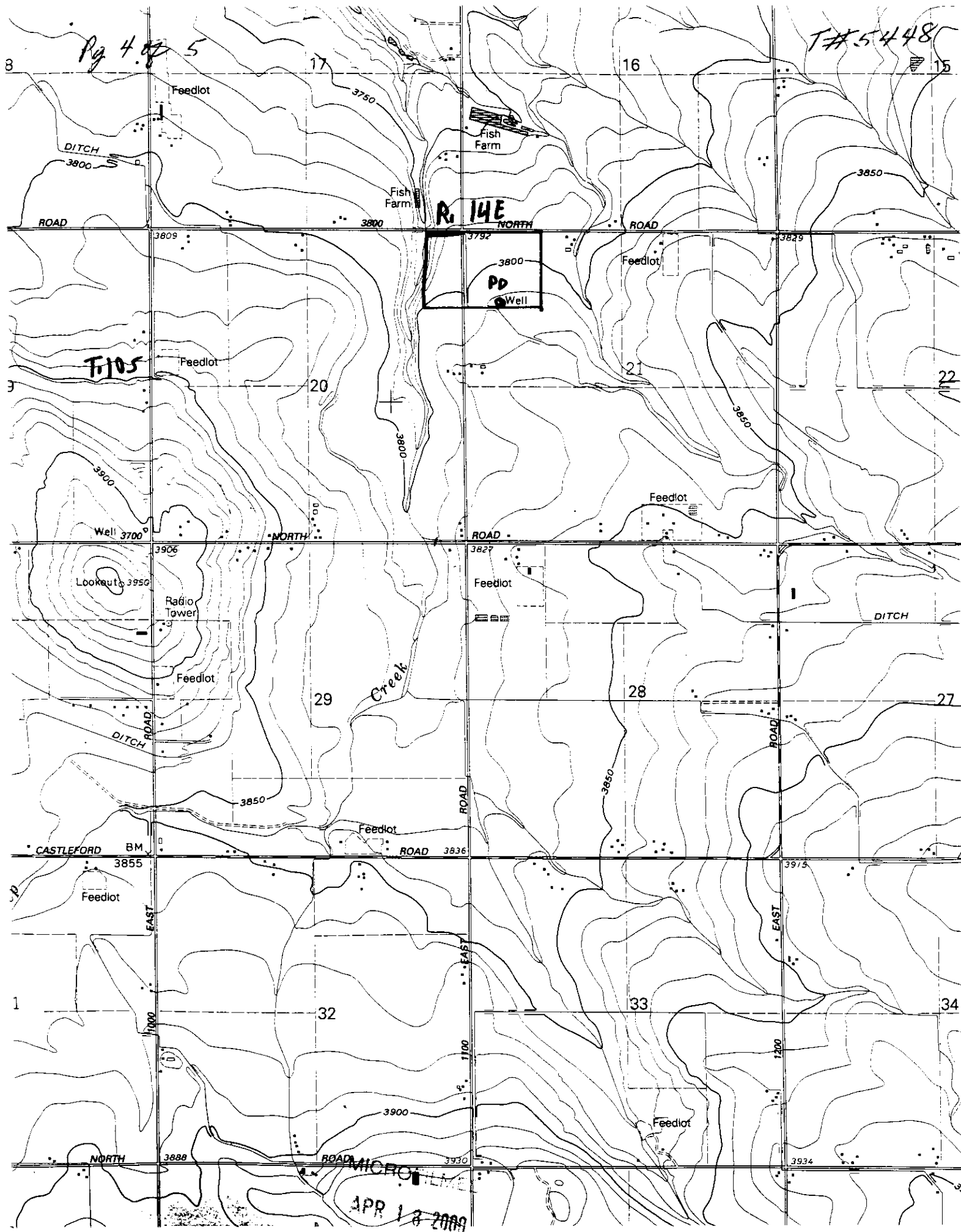
LOCATION OF POINT(S) OF DIVERSION:NWNW , Sec. 21, Township 10S, Range 14E
TWIN FALLS CountyPLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
10S	14E	20	NENE	20		20
		21	NENW	12		
				NWNW	40	52
				Total number of acres irrigated:		72

CONDITIONS/REMARKS:

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APR 18 2009



PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

John Brulaker
 (Signature of Applicant)

Subscribed and sworn to before me this 25th day of February, 19 99.

J. F. Stanton
 (Notary Public)

My commission expires 10-25-2000**FOR DEPARTMENT USE ONLY**Transfer contains 5 pages and 2 attachmentsReceived by J. F. Stanton Date 2-25-99Protest filed by TFCC (withdrawn)Prelim. check by JF Fee \$100. 5021805Receipted by JF Date 2-25-99Published in Times News

Copies of protest forwarded by _____

Pub. dates 4/29 & 5/6/99

Hearing held by _____ Date _____

Watermaster recommendation requested on N/ARecommended for ☒ approval ☐ denial

_____ rec'd. _____

by Am

Copy of transfer sent to lien holder _____

 MICROFILMED
 APR 18 2000
RECEIVED

FEB 25 1999

Department of Water Resources
Southern Region**RECEIVED**

FEB 25 1999

Department of Water Resources
Southern Region

POLICY OF TITLE INSURANCE ISSUED BY

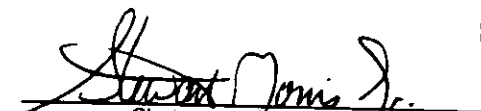
STEWART TITLE GUARANTY COMPANY

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B AND THE CONDITIONS AND STIPULATIONS, STEWART TITLE GUARANTY COMPANY, a Texas corporation, herein called the Company, insures, as of Date of Policy shown in Schedule A, against loss or damage, not exceeding the Amount of Insurance stated in Schedule A, sustained or incurred by the insured by reason of:

1. Title to the estate or interest described in Schedule A being vested other than as stated therein;
2. Any defect in or lien or encumbrance on the title;
3. Unmarketability of the title;
4. Lack of a right of access to and from the land.

The Company will also pay the costs, attorneys' fees and expenses incurred in defense of the title, as insured, but only to the extent provided in the Conditions and Stipulations.

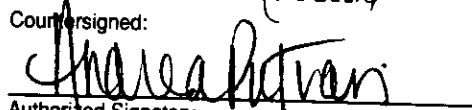
IN WITNESS WHEREOF, Stewart Title Guaranty Company has caused this policy to be signed and sealed by its duly authorized officers as of the date of Policy shown in Schedule A.


Chairman of the Board

STEWART TITLE
GUARANTY COMPANY


President

Court signed:


Authorized Signatory

Twin Falls Title and Escrow
Company
Twin Falls, Idaho 83301

City, State



EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
- (b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims or other matters:
 - (a) created, suffered, assumed or agreed to by the insured claimant;
 - (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
 - (c) resulting in no loss or damage to the insured claimant;
 - (d) attaching or created subsequent to Date of Policy; or
 - (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the estate or interest insured by this policy.
4. Any claim, which arises out of the transaction vesting in the insured the estate or interest insured by this policy, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that is based on:
 - (a) the transaction creating the estate or interest insured by this policy being deemed a fraudulent conveyance, or fraudulent transfer; or
 - (b) the transaction creating the estate or interest insured by this policy being deemed a preferential transfer except where the preferential transfer results from the failure:
 - (i) to timely record the instrument of transfer; or
 - (ii) of such recordation to impart notice to a purchaser for value or a judgment or lien creditor.

MICRON
APR 18 2000

Page 1 of
Policy
Serial No.

0-9993-1354094

SCHEDULE A

Order No.: T990027

Policy No: O-9993-1354094

Date of Policy: January 25, 1999 @ 2:29 P.M.

Amount of Insurance: \$200,000.00

Premium Amount: \$789.25

1. Name of Insured:

JOHN A. BRUBAKER and BARBARA BRUBAKER

2. The estate of interest in the land which is encumbered by the insured mortgage is:

FEE SIMPLE

3. Title to the estate of interest in the land is vested in:

John A. Brubaker and Barbara Brubaker, husband and wife

4. The land referred to in this policy is described as follows:

See Attached Exhibit A

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APR 18 2000

EXHIBIT A
T990027

PARCEL NO. 1:

Township 10 South, Range 14 East of the Boise Meridian, Twin Falls County, Idaho

Section 21: The West 5 acres of the East 1200 feet of the North half of the Northwest Quarter;

PARCEL NO. 2:

Township 10 South, Range 14 East of the Boise Meridian, Twin Falls County, Idaho

Section 20: The East half of the Northeast Quarter of the Northeast Quarter;

PARCEL NO. 3:

Township 10 South, Range 14 East of the Boise Meridian, Twin Falls County, Idaho

Section 21: The North half of the Northwest Quarter;

PARCEL NO. 4:

Township 10 South, Range 14 East of the Boise Meridian, Twin Falls County, Idaho

Section 20: The North one-half of the Southwest Quarter and the the Southeast Quarter of the Southwest Quarter;

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APR 18 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

March 20, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JOHN BRUBAKER
BARBARA BRUBAKER
1113 E 3900 N
BUHL ID 83316

RE: Water Right 47-02273 (Transfer 5448)

Dear Mr. & Mrs. Brubaker:

Enclosed is the copy of your approved Transfer of Water Right for the above referenced water right (Transfer 5448). Please be sure to thoroughly read the Conditions and Remarks listed on the transfer. Also, please be advised that the accompanying transfer approval should be considered and treated as a **preliminary order** of the department issued pursuant to section 67-5243, Idaho Code. Enclosed are instructions for responding to **Preliminary Orders** if you are in disagreement with the approved transfer.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact the department if you have questions.

Sincerely,

for 
Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

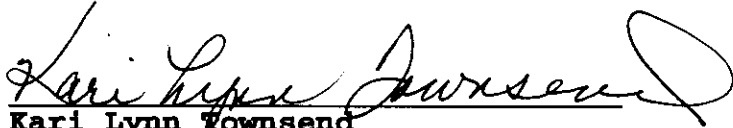
MICROFILMED
APR 18 2000

CERTIFICATE OF MAILING

I hereby certify that on the 20th day of **March**, 2000 I mailed a true and correct copy, postage prepaid, of the foregoing **TRANSFER APPROVAL** to the person(s) listed below:

RE: WATER RIGHT 47-02273 (Transfer 5448)

**JOHN BRUBAKER
BARBARA BRUBAKER
1113 E 3900 N
BUHL ID 83316**


**Kari Lynn Townsend
Secretary**

MICROFILMED
APR 18 2000

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of the order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from a preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with a preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

FROM: Allen Merritt 

DATE: July 13, 1999

TO: Transfer File No. 5448
Water Right(s): 47-02273

In the Name of: BRUBAKER

SUBJECT: Review and Recommendation

This transfer proposes to consolidate rights to a supplemental well on lands being retained by the owner. The lands being removed are from the right are being sold with only TFCC shares. The lands being retained by the owner also have TFCC shares.

The transfer was advertised and protested by the TFCC however they later withdrew their protest.

RECOMMENDATION

I recommend the transfer be approved subject to the following conditions:

- All surface water (TFCC shares) be utilized to the maximum extent possible before use of groundwater under this right is authorized,
- When all rights are combined shall not provide more than 0.02 cfs per acre at the field headgate.
- Right subject to future review by SRBA.

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APR 18 2000

T # 5448

WATER RIGHT NO.

47-02273

APR 18 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

June 8, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JOHN BRUBAKER &/OR
BARBARA BRUBAKER
1113 E 3900 N
BUHL ID 83316

RE: Protested Application for Transfer No. 5448

Dear Applicants:

We have received a withdrawal of the protest filed by the Twin Falls Canal Company against approval of the above referenced application.

Since they were the only protestant, the issue of the protest has been resolved and the Department is now prepared to proceed with the normal processing of the application which includes regional review prior to being forwarded to our State Office.

If you have any questions or if this office can be of further assistance, please feel free to contact us.

Very truly yours,

Allen D. Merritt, P.E.
Southern Region Manager

AM:MB

MICROFILMED

APR 18 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

June 8, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

NORMAN M SEMANKO ESQ
ROSHOLT ROBERTSON & TUCKER
PO BOX 1906
TWIN FALLS ID 83303-1906

RE: Application for Transfer No. 5448 (47-02273)-John Brubaker

Dear Mr. Semanko:

This office acknowledges receipt of the withdrawal of the protest on behalf of the Twin Falls Canal Company against the above referenced application.

Since you were the only protestant, the issue of the protest has been resolved and the Department is now prepared to proceed with the normal processing of the application which includes regional review prior to being forwarded to our State Office.

The Department will continue review of the application without further contact with you unless information is requested.

Please feel free to contact this office if you have any questions regarding this procedure.

Very truly yours,

Allen D. Merritt, P.E.
Southern Region Manager

AM:MB

MICROFILMED

APR 18 2000

ROSHOLT, ROBERTSON & TUCKER
Chartered
ATTORNEYS AT LAW

JOHN A. ROSHOLT
J. EVAN ROBERTSON
JAMES C. TUCKER
GARY D. SLETTE
JERRY V. JENSEN
JOHN K. SIMPSON
NORMAN M. SEMANKO
PATRICK D. MADIGAN
TIMOTHY J. STOVER

Twin Falls Office
142 3rd Ave. North
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE (208) 734-0700
FAX (208) 736-0041

Boise Office
1221 WEST IDAHO, SUITE 600
P.O. BOX 2139
BOISE, IDAHO 83701-2139
TELEPHONE (208) 336-0700
FAX (208) 344-6034

June 2, 1999

RECEIVED
JUN 04 1999
Department of Water Resources
Southern Region

Idaho Department of Water Resources
Attn: Jim Stanton
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301-3380

Re: Application for Transfer No. 5448 (Brubaker)

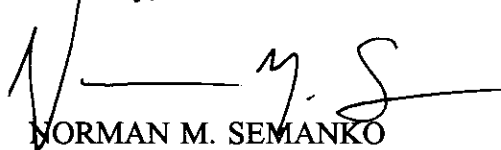
Dear Jim:

On behalf of Twin Falls Canal Company, we hereby withdraw our protest to Application for Transfer No. 5448, in the name of John Brubaker and/or Barbara Brubaker.

After the protest was filed, the Canal Company was contacted by the Applicant regarding the Applicant's plans. As a result, the Canal Company has determined that the plan is acceptable and that the protest is no longer necessary.

Thank you for your attention to this matter.

Sincerely,



NORMAN M. SEMANKO

06029907.NMS

cc: John Brubaker and/or Barbara Brubaker
Stan Haye, III, Field Supervisor, TFCC

MICROFILMED

APR 18 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

May 27, 1999

DIRK KEMPTHORNE
GOVERNOR

JOHN BRUBAKER &/OR
BARBARA BRUBAKER
1113 E 3900 N
BUHL ID 83316

KARL J. DREHER
DIRECTOR

RE: APPLICATION FOR TRANSFER NO. 5448 (47-02273)

Dear Applicants:

Enclosed is a copy of a protest filed against the above referenced application. The Department suggests you contact the protestant(s) directly to determine the exact nature of the protest(s) and, if possible, to resolve the matter without action by the Department.

Please note that your application is considered a contested case and subject to the Rules of Procedure adopted by the Department.

If you need a copy of these rules, please contact this office. The Rules of Procedure are also available on the Internet by using the IDWR Homepage at the following electronic address:

<http://www.idwr.state.id.us/apa/idapa37/0101.htm>

The attachment to this letter describes the issues which the Department must consider in taking action on an application. It also gives a brief description of the conference and hearing procedure followed by the Department in resolving protested applications.

If you wish to proceed with a Pre-hearing Conference &/or formal Hearing, please notify this office.

If you have any questions or if this office can be of further assistance, please feel free to contact us.

Very truly yours,

Allen D. Merritt, P.E.
Southern Region Manager

AM:MB

Enclosure(s)

MICRONLWEL

APR 18 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

May 27, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

NORMAN M SEMANKO ESQ
ROSHOLT ROBERTSON & TUCKER
PO BOX 1906
TWIN FALLS ID 83303-1906

RE: APPLICATION FOR TRANSFER NO. 5448 (47-02273) - BRUBAKER, John

Dear Mr. Semanko:

The protest on behalf of the Twin Falls Canal Company against the approval of the above referenced application has been received and a copy has been sent to the applicant with the suggestion that he contact you directly to determine the exact nature of the protest and, if possible, to resolve the matter without action by the Department.

Please note that the application is considered a contested case and subject to the Rules of Procedure adopted by the Department.

If you need a copy of these rules, please contact this office. The Rules of Procedure are also available on the Internet by using the IDWR Homepage at the following electronic address:

<http://www.idwr.state.id.us/apa/idapa37/0101.htm>

The attachment to this letter describes the issues which the Department must consider in taking action on an application. It also gives a brief description of the conference and hearing procedure followed by the Department in resolving protested applications.

If you have any questions or if this office can be of further assistance, please feel free to contact us.

Very truly yours,

Allen D. Merritt, P.E.
Southern Region Manager

AM:MB

Enclosure(s)

MICROFILMED

SEP 18 2000

RECEIVED

MAY 14 1979

Department of Water Resources
Southern Region

Norman M. Semanko
ROSHOLT, ROBERTSON & TUCKER
P. O. Box 1906
Twin Falls, Idaho 83703-1906
Telephone: (208) 734-0700
Facsimile: (208) 736-0041
nms.99\protest\brubaker

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF)
LICENSE NO. 47-02273)
and TRANSFER NO. 5373) NOTICE OF
IN THE NAME OF) OF PROTEST
JOHN BRUBAKER and/or)
BARBARA BRUBAKER)
_____)

TWIN FALLS CANAL COMPANY (hereinafter "TFCC"), by and through its attorneys, Rosholt, Robertson & Tucker, files its Notice of Protest to the approval of the above-numbered Application for Transfer filed by John Brubaker and/or Barbara Brubaker. The basis for TFCC's protest is as follows:

1. The proposed change in use of the waters described in the aforesaid application may violate all or portions of the criteria set forth in Idaho Code Sections 42-108, 42-203A(5) and 42-222(1);

2. The proposed change in use is within TFCC's service area and may adversely impact TFCC's operations;

MICROFILMED

NOTICE OF PROTEST - 1

APR 18 2000

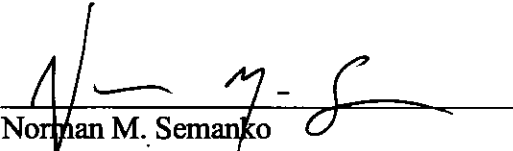
Receipt # 5022150
5/17/99
MB

1
2 3. TFCC shares are appurtenant to the same place of use and the Applicant has failed
3 to contact TFCC regarding future use of the shares on the lands; and

4 4. For such other and further reasons as may be set forth at the hearing on this matter.

5 DATED this 14 day of May, 1999.
6

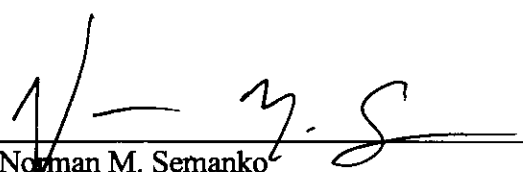
7 ROSHOLT, ROBERTSON & TUCKER

8
9 By: 
10 Norman M. Semanko

11
12 CERTIFICATE OF MAILING

13 I hereby certify that on this 14 day of May, 1999, I served a copy of the foregoing
14 NOTICE OF PROTEST, by depositing same in the United States mail, postage prepaid, in an
15 envelope, addressed to the following:

16 John Brubaker and/or Barbara Brubaker
17 1113 East 3900 North
18 Buhl, ID 83316

19
20
21 
22 Norman M. Semanko

23
24
25
26
MICROFILMED
APR 18 2000

NOTICE OF PROPOSED CHANGE, T# 5448

Notice is hereby given that JOHN &/OR BARBARA BRUBAKER, 1113 E 3800 N; BUHL ID 83316 have applied to the Department of Water Resources for a reduction in place of use. PRESENTLY, Water Right No. 47-02273 (1.10 cfs) with a priority date of 07/31/1953 is diverted from groundwater within NW1/4NW1/4, S21, T10S, R14E for irrigation of 72 acres within parts of Sections 20 & 21, T10S, R14E; Twin Falls County.

PROPOSED CHANGE

The applicant wishes to dry up 12 acres within NE1/4NW1/4, S21, T10S, R14E which is being sold leaving a total of 60 irrigated acres as described above. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 1241 Fillmore St., Suite 200, Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before May 17, 1999 to be considered by the Department in its decision to grant or deny any part of the proposed change. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Times News on 04/29 & 05/06/99.

Affidavit of Publication

STATE OF IDAHO
COUNTY OF TWIN FALLS } SS.

I, Cable Williams being first duly sworn upon oath, depose and say that I am principal clerk of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for two consecutive weeks, commencing with the issue dated April 29, 19 99, and ending with the issue dated May 6, 19 99.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 13th day of May in the year of 1999, before me,

a Notary Public, personally appeared Cable Williams, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Jeneva R. Feltman
Notary Public for Idaho
Residing at Twin Falls, Idaho.
My commission expires: 5/19/2000

MICROFILMED

APR 14 2000

OK
MB
5/17/99

RECEIVED

MAY 14 1999

Department of Water Resources
Southern Region

No 31773

THE TIMES-NEWS - LEGAL
P.O. BOX 548, TWIN FALLS, ID 83303-0548

216512 0050 LEGAL

WATER RIGHT BRUBAKER

4 THE TIMES NEWS LEGAL
FLAT CHARGE
TOTAL AD CHARGE

T# 5448

DEPT WATER RESOURCES

5 05/06/99 0

04/29/99 05/06/99

2 LGL
FC 54.36
54.36

OK
5/17/99

54.36

54.36*

RECEIVED

MAY 14 1999

Department of Water Resources
Southern Region

THE TIMES-NEWS - LEGAL
P.O. BOX 548, TWIN FALLS, ID 83303-0548

050

216512 LEGAL

WATER RIGHT BRUBAKER

04/29/99 05/06/99 GROSS AMOUNT OF
05/06/99 208-736-3033 54.36
DUE AFTER

_ VISA _ MASTERCARD

CREDIT CARD NUMBER

EXPIRATION DATE: ____/____/____

SIGNATURE: _____

54.36

DEPT WATER RESOURCES
1341 FILLMORE, SUITE 200
TWIN FALLS, ID

83301

MICROFILMED

APR 18 2000

|||||

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NOTICE OF PROPOSED CHANGE, T# 5448

Notice is hereby given that **JOHN &/OR BARBARA BRUBAKER**, 1113 E 3900 N; BUHL ID 83316 have applied to the Department of Water Resources for a reduction in place of use. **PRESENTLY**, Water Right No. 47-02273 (1.10 cfs) with a priority date of 07/31/1953 is diverted from groundwater within NW1/4NW1/4, S21, T10S, R14E for irrigation of 72 acres within parts of Sections 20 & 21, T10S, R14E; Twin Falls County.

PROPOSED CHANGE

The applicant wishes to dry up 12 acres within NE1/4NW1/4, S21, T10S, R14E which is being sold leaving a total of 60 irrigated acres as described above. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before May 17, 1999 to be considered by the Department in its decision to grant or deny any part of the proposed change. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Times News on 04/29 & 05/06/99.

MICROFILMED

APR 18 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

April 20, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

ATTENTION LEGALS
TIMES NEWS
PO BOX 548
TWIN FALLS ID 83301

Gentlemen:

Enclosed you will find a legal notice which we wish to have published in your newspaper. We have inserted the required publication dates.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Administrative Assistant

Enclosure

MICROFILMED

APR 18 2000

NOTICE OF PROPOSED CHANGE TO WATER RIGHT
T# 5448

Notice is hereby given that JOHN &/OR BARBARA BRUBAKER, 1113 E 3900 N; BUHL ID 83316 have applied to the Department of Water Resources for a reduction in place of use.

PRESENTLY, Water Right No. 47-02273 (1.10 cfs) with a priority date of 07/31/1953 is diverted from groundwater within NW1/4NW1/4, S21, T10S, R14E for irrigation of 72 acres within parts of Sections 20 & 21, T10S, R14E; Twin Falls County.

PROPOSED CHANGE

The applicant wishes to dry up 12 acres within NE1/4NW1/4, S21, T10S, R14E which is being sold leaving a total of 60 irrigated acres as described above.

Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before May 17, 1999 to be considered by the Department in its decision to grant or deny any part of the proposed change. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Times News on 04/29 & 05/06/99.

MICROFILMED

APR 18 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

April 19, 1999

**DIRK KEMPTHORNE
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

**JOHN &/OR BARBARA BRUBAKER
1113 E 3900 N
BUHL ID 83316**

Re: Application for Transfer No. 5448 (47-02273)

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your Application for Transfer.

This office has scheduled advertising the application in the Times News for 4/29 and 5/6/99. The advertisement will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If an application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

State Office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review.

Please feel free to contact this office if you have any questions regarding this procedure.

Very truly yours,

**James E. Stanton
Sr. Water Resource Agent**

JS:MB

MICROFILMED

APR 18 2000



Farm Credit Services

1363 Fillmore Street
P.O. Box 5059
Twin Falls, Idaho 83303-5059
208/733-2577

February 26, 1999

RECEIVED

FEB 26 1999

**Department of Water Resources
Southern Region**

Mr. James E. Stanton
Department of Water Resources
1341 Fillmore Street – Suite 200
Twin Falls ID 83301-3380

R: John A Brubaker -- #47-02273

Dear Mr. Stanton:

Northwest Farm Credit Services, ACA has a security interest in real estate described in mortgage recorded January 25, 1999, as Instrument #1999-001450. Northwest Farm Credit Services, ACA has no objection to the transfer of 1.10 cfs from the above numbered license.

Should you have any questions, please advise.

Sincerely,

Jeffery D. Osborne
Sr. Credit Officer

MICROFILMED

APR 18 2000

T # 5-448

✓
June 14, 1954

RE: Permit No. G-24339

Mr. Jess O. Eastman
Buhl
Idaho

Dear Mr. Eastman:

We enclose Certificate of Completion of Works, also License and Certificate of Water Right issued under Permit No. G-24339 confirming the right of Charles A. Latham to the use of 1.1 second feet of water from a well in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 21, Twp. 10 South, Range 14 East, B. M. with priority of July 31, 1953, for the irrigation of land in the E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 20; and N $\frac{1}{2}$ NW $\frac{1}{4}$ Section 21, Twp. 10 South, Range 14 East, B. M.

We also enclose departmental receipt No. G-587 for the \$11.00 fee paid in connection with these proofs.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:br
Enc.

824339

JESS O. EASTMAN
BUHL, IDAHO

June 7, 1954

RECEIVED
JUN 8 1954
Department of Reclamation

Department of Reclamation,
State of Idaho
State House
Boise, Idaho

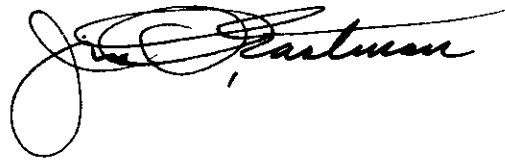
RE: Permit No. G-24339
Charles A. Latham

Gentlemen:

This will acknowledge receipt of your letter
of the 1st. relative to the proof of beneficial use under
the above numbered permit.

I am herewith enclosing Mr. Latham's check in
the amount of \$ 11.00 covering the fees for proof.

Yours very truly,



G24339

June 1, 1954

RE: Permit No. G-24339

Mr. Jess O. Eastman
Box 106
Buhl, Idaho

Dear Mr. Eastman:

We now have on file the report of our field engineer on examination for completion of works and beneficial use on Permit No. G-24339 of Charles A. Latham.

This report shows that 12 acres have been irrigated in the $N\frac{1}{2}NW\frac{1}{4}$ Section 21 and $E\frac{1}{2}NE\frac{1}{4}NE\frac{1}{4}$ Section 20, Township 10 South, Range 14 East B.M. and that the well will deliver approximately 55 inches of water.

Therefore, upon receipt of the statutory fees, ^{cost of completion} a License will be issued for that amount. The fee for completion of works amounts to \$5.00 and License fee is \$6.00, or a total of \$11.00.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll

f 24339

Please contact Mr. Jess Eastman, at Buhl, who will accompany you on inspection.

Form 23

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

Permit No. G-24339

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

1. Name of applicant Charles A. Latham, Route 2, Buhl, Idaho

2. Source of water supply: Subterranean from a well

3. Location of point of diversion: Is in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 21

T. 10 South R. 14 East County of Twin Falls

4. Describe works as they exist, giving dimensions and capacities of same: No well house, No
No protection Concrete base 4'x4'. Wall=12"x94'. Csd 10'. H=36 $\frac{1}{2}$ '. Col. 6"x50'
10" single stage 7 $\frac{1}{2}$ h.p. U.S. Motor del to S. thru 5x7' pipe.
into ditch To Field 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):

E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 20;

N $\frac{1}{2}$ NW $\frac{1}{4}$ Section 21;

Twp. 10 South, Range 14 East, 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:

Claims output is less this year. Has measured it by
U.S.B.R. steel square method. Claims lift has increased
at least 5 feet and that motor uses only 6 amps
as against 7 amps last year.

This examination was made on the 26 day of May, 1954

(Signed) E. N. Humphrey Examiner.

24339

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
JUN 1 1954
Department of Reclamation

Charles A. Latham
Rt. 2, Buhl, Idaho

Permit No. G-24339

Examination for Completion of Works
and Beneficial Use

County Twin Falls

See Jess O Eastman

21-10S-14E

Q = 1.44 c.f.s.

D = Well.

P.D. = NW. NW, Sec. 21, T. 10S. - R. 14E

Use = Irrigation

Sparking Meter

3 rev. in 4 min 57 sec.
1 in leak

Priority = July 31, 1953
Due = Aug. 7, 1955

94' x 12" end 10'

H = 36 1/2' dd = to 40'

bowl down 10' single ch

Col. 6" x 50'

6 amps now

T last yr.

U.S. Pump. # 17580

Concrete base 4' x 4'

no protect

[D] switches & controls

Kewy phase converter
on pole 3' to W.

240 V meter Idaho Power
183 24780

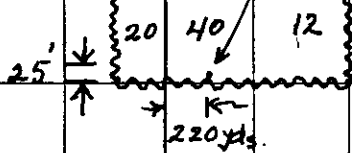
U.S. Motor 7 1/2 hp. 3 ph.
1800 rpm 20 amps 220v.
955779

del. to S. thru 5 1/2" x 7' pipe
into ditch

TO BUHL

R-14E.

P.D.



$T = 54^{\circ}F$

Subdivisions = Three.

Area = 72 acres.

$Q = 51$ " Thru Sparling Meter.

Allow 55 inches.

T.
10
S.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-24339

REPORT ON PROOF OF Completion of Works and Beneficial Use

CHARLES A. LATHAM, Route 2, Buhl, Idaho

*1.1 cfs
snork*

app. 1.44 cfs.

72 acres

3-40's

✓

November 17, 1953

RE: Permit No. G-24339

Mr. Jess O. Eastman
Box 106
Buhl, Idaho

Dear Mr. Eastman:

We acknowledge receipt of your letter of November 16th, enclosing depositions of Charles A. Latham and two witnesses, also affidavit of publication in the Buhl Herald, all in proof of Completion of Works and Beneficial Use under Permit No. G-24339.

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

We cannot say just when this examination will be made, but we will ask our field engineer to get in touch with you at the time he makes the examination in order that you may arrange to accompany him over the ground.

Meanwhile, we return Permit No. G-24339 and also the receipted bill for the publication costs which Mr. Latham will doubtless wish to keep in his own files.

Very truly yours,

MARK H. KULP
State Reclamation Engineer
By

Chief Clerk

A/re
Enc.

24339

JESS O. EASTMAN
BUHL, IDAHO

Box 106

November 16, 1953

State Department of Reclamation,
State House,
Boise, Idaho

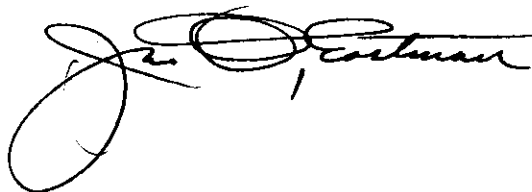
Gentlemen:

I am herewith submitting the proof of Completion
of Works and Beneficial Use in connection with the Charles
A. Latham filing under Permit No. 24339.

When your inspector comes down to look this place
over, I will gladly go out with him if he so desires and will
call at my office.

When you are ready to issue the License, please advise
me the amount of the fee and I will remit.

Yours very truly,

A handwritten signature in dark ink, appearing to read "J. O. Eastman". The signature is stylized with large, sweeping loops and a long horizontal stroke extending to the right.

24339

AFFIDAVIT of PUBLICATION

NOTICE OF PROOF OF COMPLETION OF WORKS

APPROVED FOR THE STATE OF IDAHO
2. Notice of completion of works at 10:00 a.m. on the 3rd day of September, 1953, at Buhl, County of Twin Falls, State of Idaho, before Jess C. Kulp, Notary Public, proof will be submitted of the completion of works for the diversion of 1.44 cubic feet per second of the waters of Deep well in the NW 1/4 - NW 1/4 Section 21, Twp. 10 S., Rge. 14 E., B. M. and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 11,144 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 Charles A. Latham RFD No. 2, Buhl, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use, in accordance with the permit accompanying the application for such permit, is 1.44 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 1.44 cubic feet per second.

4. The place where said water is used is 12 acres in NW 1/4 - NW 1/4 and 40 acres in NW 1/4 - NW 1/4 of Section 21 and 20 acres being the E 1/2 - NE 1/4 - NE 1/4 of Section 20, all in Township 10 North, Range 14 East of the Boise Meridian.

5. The date of priority which said user is prepared to establish is July 31, 1953.

Mark E. Kulp
State Reclamation Engineer
(3144)

STATE OF IDAHO
County of Twin Falls

ss.

I, Robert E. Bailey, do solemnly swear that I am the printer and editor of THE BUHL HERALD, a weekly newspaper of general circulation, published once each week at Buhl, Idaho; that the notice attached hereto was published in said newspaper four consecutive weeks, the first publication having been made on the 3rd day of September, 1953, and the last publication having been made on the 24th day of September, 1953; that said notice was published in the regular and entire issue of every number of the paper during the period and time of publication, and that the said notice was published in the newspaper proper, and not in the supplement thereof.

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

Subscribed and sworn to before me this

24th day of September, 1953

Ernest A. Schenck
Notary Public

12433

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G 24339

Proof of Application of Water to Beneficial Use
and Completion of Work
Deposition of Holder

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

Ans. Charles A. Latham R F D # 2 Farmer - Buhl -

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. no

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

Ans. 9:00 A. M. July 31, 1953

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

Ans. Deep well 94 feet deep. Location from the Northwest corner of Section 21, Twp. 10 S. R 14 E. B. M. is 1320 feet South and 600 feet East of said Section Corner

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. Turbin pump with 7½ horse power motor in well 12 inches in diameter

Measured by the Electric Service Co. and the Twin Falls Canal Co. of Twin Falls

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

Ans. Water is used for irrigation - 20 acres in East ½-NE¼-NE¼-20-10-14 and

40 acres in the NW¼-NW¼-21-10-14 and 12 acres in the NE¼-NW¼-21-10-14

All of which land has been irrigated from this well and a crop produced on the land

24339

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

Ans. All for irrigation

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

Ans. 1.44 second feet

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. Owner

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

Ans. Water has been pumped and delivered to all the land under the ditch namely 72 acres

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. Land has been irrigated for years and had a water right under the Twin Falls Canal Co. irrigation system

(Sign) Charles A Latham

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 Buhl,
County of Twin Falls, State of Idaho, on this 28th. day of September,
A. D. 1953,

Charles A Latham

My commission expires Feb. 4, 1957

24339

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G 24339

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. Frank Dolana age 43 years R F D # 2 Buhl and farmer by occupation

Ques. 2. Are you acquainted with Charles A. Latham, the holder of Permit No. G 24339? How long have you known him and where does he reside?

Ans. I have known Charles A. Latham for more than 12 years. He resides R # 2 Buhl

Ques. 3. Have you read or heard read said Permit No. G 24339, and are you familiar with its provisions and conditions?

Ans. The permit was read to me

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. Well 12 inches in diameter and 9 1/4 feet deep equipped with a turbin pump
and 7 1/2 horse power motor diverted to the land by means of irrigation ditches

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. 1.44 cubic feet or 72 inches of water

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. 1.44 cubic feet or 72 miners inches - I was present when the water was
measured by the Twin Falls Canal Company

J24339

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. I have seen the entire 72 acres being irrigated from the well and crops growing thereon

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

Ans. no power

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 Portneuf silt loam of the same character as all of the land on the Twin Falls tract

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. I have seen the entire 72 acres irrigated by water from this well

(Signed) Frank Dalana

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 Buhl, County of Twin Falls, State of Idaho, on this 28th day of September, A. D. 19 53.

John Paulman

Notary Public.

My commission expires 2-4-1957

24339

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G 24339

Proof of Application of Water to Beneficial Use
Deposition of Witness **and Completion of Work.**

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. I am a farmer age 42 years and I live on R F D # 2 Buhl, Idaho about one mile North of the Latham place

Ques. 2. Are you acquainted with Charles A. Latham, the holder of Permit No. 24339? How long have you known him and where does he reside?

Ans. Yes I am well acquainted with him and have known him for about 15 years. He resides on his farm on R F D # 2 about 1 mile South of my place

Ques. 3. Have you read or heard read said Permit No. G. 24339, and are you familiar with its provisions and conditions?

Ans. Yes I have read the permit

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. Well located near the South line of the NW-1/4-21-10-14. Water is diverted in irrigation ditches on land

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. 1.44 cubic feet or 72 inches of water

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? 1.44 cubic feet or 72 inches of water. I was present when the water was

Ans. measured by the Twin Falls Canal Company

G 24339

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 all used for irrigation. I have seend the entire 72 acres of land in growing crop irrigated from this well and crops growing on the land.

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

Ans. No power

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. The soil is uniform and is a lava ash called Portneuf silt loam of the same kind as covers the entire Twin Falls South Side Tract

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. For more than two months past I have seen the water applied to the land and the entire 72 acres irrigated

(Signed)

Boss Stone

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 Buhl, County of Twin Falls, State of Idaho, on this 28th day of September, A. D. 1953.

John Eastman
Notary Public.

My commission expires 2-4-1957

824339

September 14, 1953

Re: Permit No. 24339

Mr. C. R. Reeves
Box 509,
Buhl, Idaho

Dear Mr. Reeves:

In reply to your telephone inquiry regarding Permit No. G-24339:

This application is in the name of Charles A. Iathem, and was transmitted to this Department by Mr. Jess O. Eastman of Buhl, Idaho July 30, 1953.

Very truly yours,

ARK N. GULF
State Reclamation Engineer,
By

Chief Clerk

A/re

24339

MRS. WELLS B. MCINTIRE
OWNER AND PUBLISHER

ADVERTISING RESULTS
AND FINE PRINTING

ROBERT E. BAILEY
MANAGING EDITOR

THE BUHL HERALD

"Idaho's Best Read Newspaper"

Buhl, Idaho

Sept. 3, 1953

RECEIVED
SEP 4 1953
Department of Reclamation

State of Idaho
Department of Reclamation
Boise, Idaho

Dear Sirs:

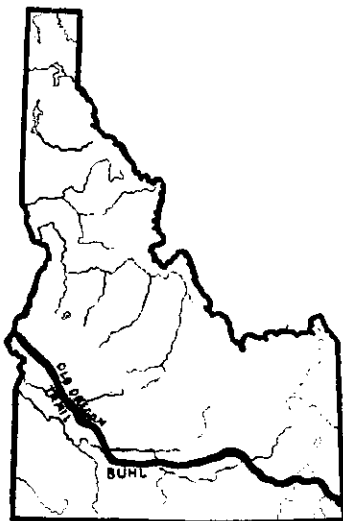
This will acknowledge receipt of the legal notice for publication of Charles A. Latham of Route 2, Buhl, Idaho.

A copy of the first publication, which was today, is being forwarded to you.

Very truly yours,

THE BUHL HERALD

Loris Schnakenberg
Assistant to Mr. Bailey



On U. S. Highway No. 30

824339

Serving one hundred thousand acres of the most productive irrigated farming territory in Idaho.

✓
August 26, 1953

RE: Permit No. G-24339

Mr. Jess O. Eastman
Buhl
Idaho

Dear Mr. Eastman:

We have sent the Buhl Herald notice of Completion of Works and Beneficial Use proof to be made on Permit No. G-24339 in the name of Charles A. Latham with instructions to publish it once a week for four weeks prior to September 28, 1953 and to send Mr. Latham the affidavits of publication together with statement of cost.

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

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:pj
Enc.

824339

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. G-24339

Date: August 26, 1953

Buhl Herald

Buhl, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **September 28, 1953** the date set for proof, the expense of the publication to be paid by the applicant, **Charles A. Latham** of **Route 2** **Buhl, Idaho**, to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

MARK R. KULP

State Reclamation Engineer
By

Chief Clerk

24339

2W2W21 -
105-148

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

Notice is hereby given that at 10:00 A M M., on the 28th.
day of September, 19 53, at Buhl, County of
Twin Falls, Jess O. Eastman, Notary Public
State of Idaho, before
proof will be submitted of the completion of ~~works for 10.8. diversion~~ ^{1.44} B.M.
cubic feet per second of the waters of Deep well in the NW¹/₄ NW¹/₄ Section 7
and of
the application to beneficial use of said water, in accordance with the terms and
conditions of Permit No. G 24339 heretofore issued by the Department of Reclamation
of the State of Idaho.

1. The name and postoffice address of the person or corporation
Charles A. Latham R F D # 2 Buhl, 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 ^{1.44} 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
^{1.44} cubic feet per second.
4. The place where said water is used is
12 acres in NE¹/₄ NW¹/₄ and 40 acres in NW¹/₄ NW¹/₄ of Section 21 and 20 acres being
the E¹/₂ NW¹/₄ NW¹/₄ of Section 20, all in Township 10 South Range 14 East of the Boise
Meridian.
5. The date of priority which said user is prepared to establish is
July 31, 1953

MARK R. KULP

State Reclamation Engineer

SJH 339

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) August 25, 1953

(P. O.) R F D # 2 Buhl, Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho.

Dear Sir:

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

Charles a Latham

(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.

24339

August 17, 1953

RE: Permit No. G-24339

Mr. Jess C. Eastman
P.O. Box 106
Buhl, Idaho

Dear Mr. Eastman:

We enclose Permit No. G-24339 in the name of Charles A. Latham together with Departmental Receipt No. G-189 for the \$5.25 filing fee.

We note that everything is completed so we enclose the forms necessary for giving notice of proof.

Form 36 should be filled out in duplicate and both copies returned to this Department together with Form 11.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

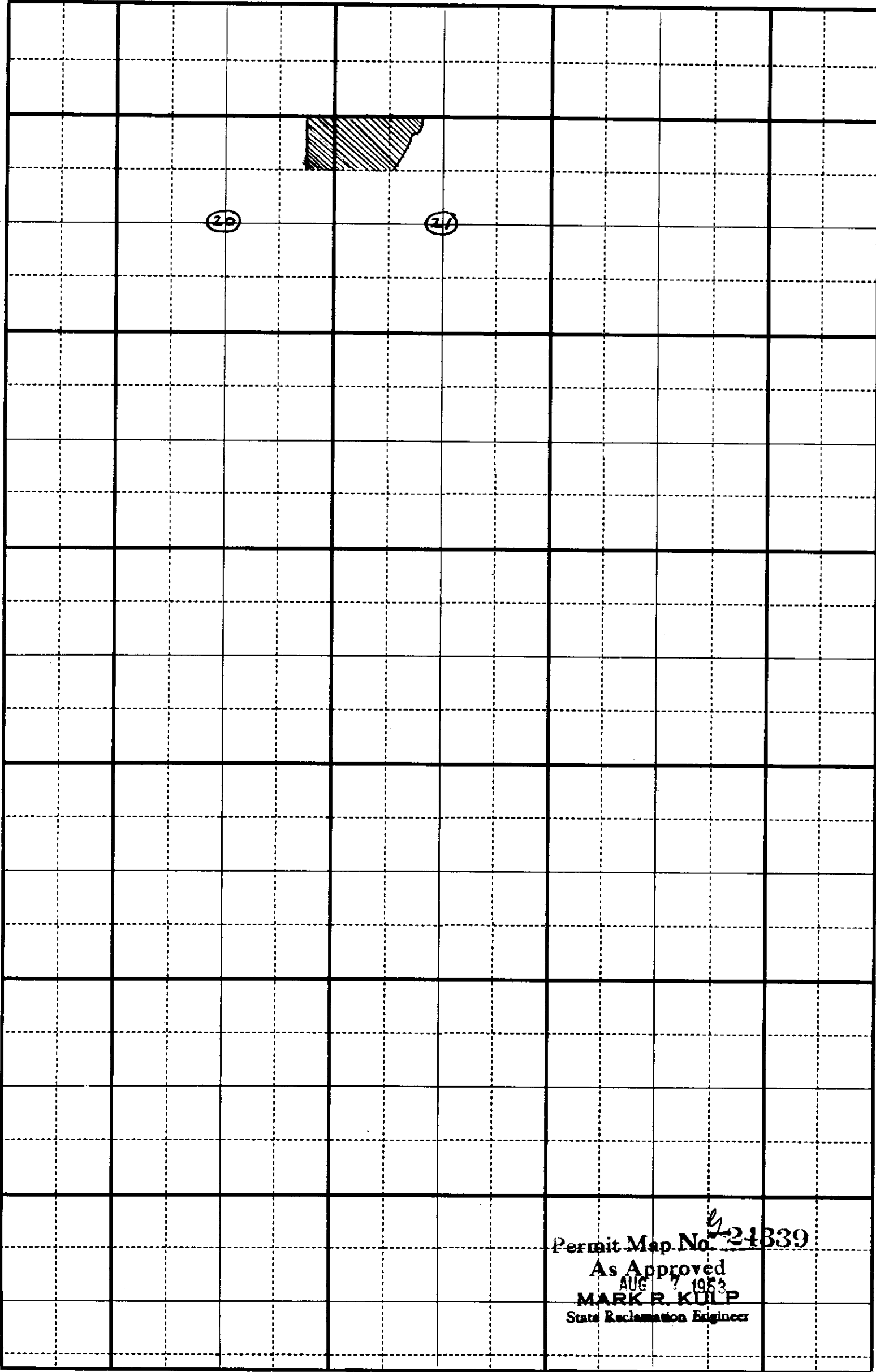
Chief Clerk

A:DJ
Enc.

24339

NAME OF APPLICANT Charles A. Atham

Form No. 0



Permit Map No. 24339
As Approved
AUG 7 1953
MARK R. KULP
State Reclamation Engineer

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

24339

JESS O. EASTMAN
BUHL, IDAHO

Bx 106

July 30, 1953

State Department of Reclamation
State House
Boise, Idaho

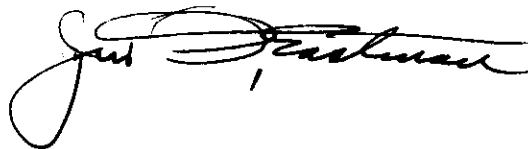
RECEIVED
JUL 31 1953
9 am
Department of Reclamation

Gentlemen:

I am herewith enclosing an application for permit
for Charles A. Latham together with check in the amount of
\$ 5.25.

Inasmuch as Mr. Latham has everything completed
I request that you mail me the forms for proof of completion
of works and proof of beneficial use. Also forms for
publication in the Buhl Herald. Proof will be made before me.

Yours very truly,



L 24 339

NOTICE OF PROOF OF COMPLETION OF WORKS

APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 a.m., on the 28th day of September, 1953, at Buhl, County of Twin Falls State of Idaho, before Jess O. Eastman, Notary Public proof will be submitted of the completion of works for the diversion of 1.44 cubic feet per second of the waters of Deep well in the NW $\frac{1}{4}$ -NW $\frac{1}{4}$ Section 21, Twp. 10 S., Rge. 14 E., B. M. and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G 24339 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 Charles A. Latham RFD No. 2 Buhl, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use, in accordance with the plans accompanying the application for such permit, is 1.44 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 1.44 cubic feet per second.

4. The place where said water is used is 12 acres in NE $\frac{1}{4}$ -NW $\frac{1}{4}$ and 40 acres in NW $\frac{1}{4}$ -NW $\frac{1}{4}$ of Section 21 and 20 acres being the E $\frac{1}{2}$ -NE $\frac{1}{4}$ -NE $\frac{1}{4}$ of Section 20, all in Township 10 South Range 14 East of the Boise Meridian.

5. The date of priority which said user is prepared to establish is July 31, 1953.

Mark R. Kulp

State Reclamation Engineer