

AFFIDAVIT of PUBLICATION

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

Notice is hereby given that at 10 o'clock A. M., on the 27th day of June, 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 .4 cubic feet per second of the waters of Mud Creek and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 24002 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 Dewey Nipper, R. F. D. No. 3, Buhl, Idaho.

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

4. The place where said water is used is The West Half of the Southwest Quarter of the Northeast Quarter (W $\frac{1}{2}$ -SW $\frac{1}{4}$ -NE $\frac{1}{4}$) of Section Twenty-two (22), Township Nine (9) South, Range Fourteen (14) East of the Boise Meridian.

5. The date of priority which said user is prepared to establish is March 25, 1953.

MARK R. KULP
State Reclamation Engineer
(18t4)

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 4th day of June, 1953, and the last publication having been made on the 25th day of June, 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

25th day of June, 1953

Mabel Sandgren

Notary Public.

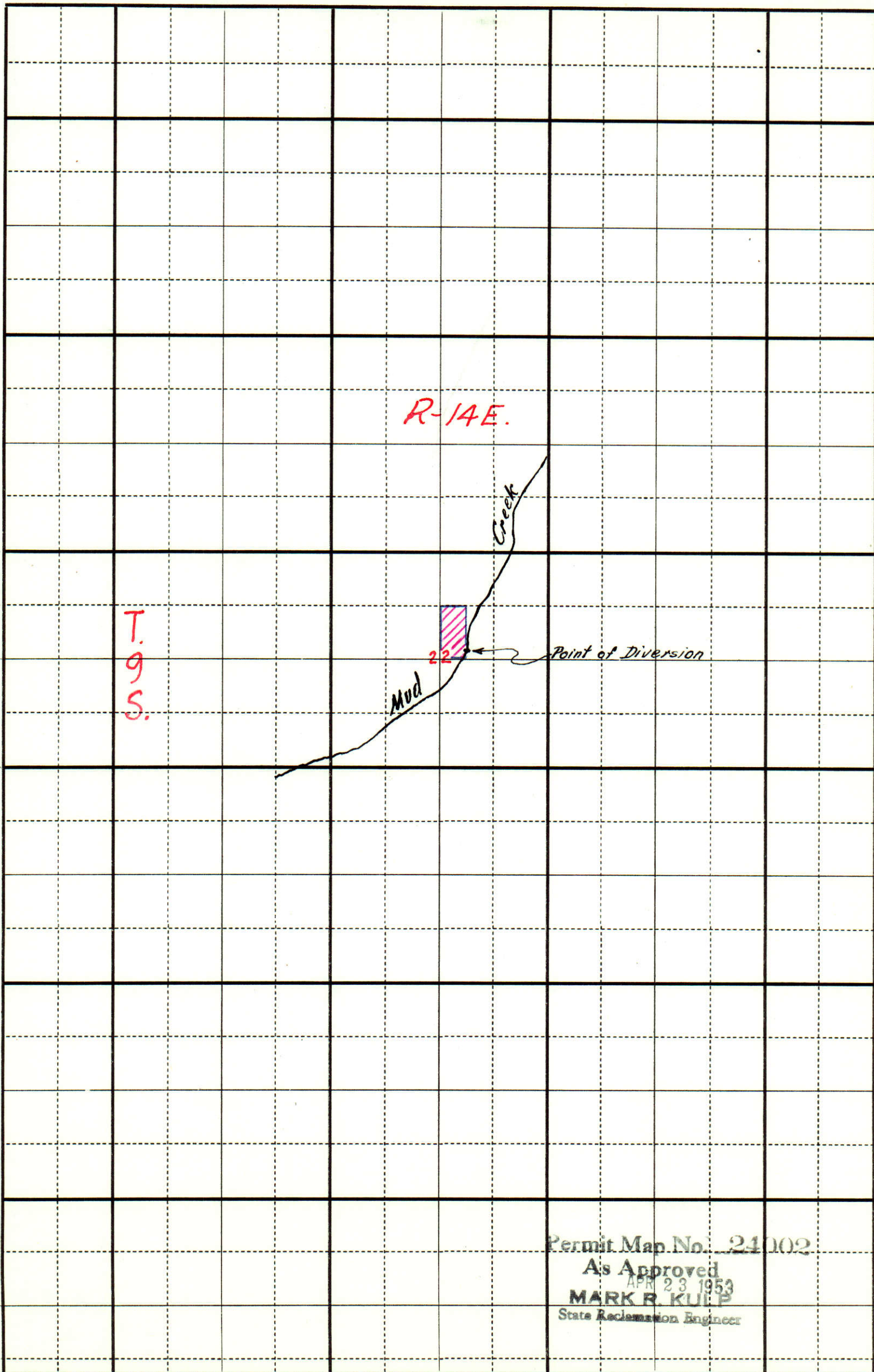
24002

NAME OF APPLICANT.....

Form No. 0

A hand-drawn map on a grid. A line representing a creek, labeled "MOA CREEK" in pencil, flows from the top right towards the center. A red asterisk marks a "Point of diversion", with the text "Point of diversion" written in red ink next to it. The map is drawn on a grid with solid lines every 2 units and dashed lines every 1 unit.

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



State of Idaho

License and Certificate of Water Right

Water License No. 24002Amount 0.4 second foot

Water District No. _____

Priority March 25, 1953

THIS IS TO CERTIFY that DEWEY NIPPER
 of Buhl, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated March 25, 1953; that Permit No. 24002
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.4 second ~~foot~~, was issued thereunder on September 14, 1953, showing that said works
 were completed on the 27th day of June, 1953; and that on the 27th
 day of June, 1953,

DEWEY NIPPER

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 Mud Creek
, a tributary of Snake River, for the purpose of irrigation
, under Use Permit No. 24002 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
8 of Licenses at page 5132, on the 14th day of September, 1953;

The right hereby confirmed dates from March 25, 1953;

The Point of Diversion is located
 in the SW 1/4 NE 1/4, Sec. 22, Tp. 9 S., R. 14 E., B. M. Twin Falls County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
 aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
 not exceed 0.4 cubic ~~foot~~ per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
9 S.	14 E.	22	SW $\frac{1}{2}$ NE $\frac{1}{4}$	20	20

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
14th day of September, 1953.

MARK R. KULP

State Reclamation Engineer.

(SEAL)

State of Idaho
License and Certificate of Water Right

Water License No. 20720

Amount 4.13 second feet

Water District No.

Priority October 26, 1948

THIS IS TO CERTIFY that VIOLET A. TRAIL
of Twin Falls, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated October 26, 1948; that Permit No. 20720
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
4.13 second feet, was issued thereunder on September 14, 1953, showing that said works
were completed on the 14th day of March, 1953; and that on the 14th
day of March, 1953,

VIOLET A. TRAIL
of Twin Falls, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
~~and to the use of~~ (subterranean flow), for the purpose of irrigation and domestic
use, under Use Permit No. 20720 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
8 of Licenses at page 5131, on the 4th day of September, 1953;

The right hereby confirmed dates from October 26, 1948;

The Point of Diversion is located
in the NE 1/4 SE 1/4, Sec. 14, Tp. 10 S., R. 20 E., B. M. Jerome 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 4.13 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.	20 E.	14	NE 1/4 SE 1/4	40	40
			NW 1/4 SE 1/4	40	20
			SW 1/4 SE 1/4	40	40
			SE 1/4 SE 1/4	40	40
		23	NE 1/4 NE 1/4	40	40
			NW 1/4 NE 1/4	40	40
			SW 1/4 NE 1/4	40	30
			SE 1/4 NE 1/4	40	40
			Number of Acres Actually Irrigated -		290

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
4th day of September, 1953.

MARK R. KULP
State Reclamation Engineer.

(SEAL)

47-2268

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

APPLICATION No. 31718
PERMIT No. 24002
DISTRICT No.

1. Name of Applicant: Dewey Nipper

Postoffice address: RFD #3, Buhl

County: Twin Falls

State: Idaho

- I. If applicant is a corporation, give:
- (a) Date and place of incorporation:
 - (b) Amount of capital stock:
 - (c) Amount paid in:
 - (d) Names and addresses of directors:

- II. The financial resources of the applicant are:
- (b) Treasury stock: none
 - (d) Other resources: 65 acres of land

- (a) Cash on hand: \$ 1,000.00
(c) Bonds to be issued: none

2. Quantity of water claimed: four-tenths (20 inches) cubic feet per second.

3. Source of water supply: Mud Creek on my land which is a tributary of Snake River

4. Location of point of diversion: 432 feet North & 366 feet E. feet distant from the Southwest corner of Section 22, T. 9 S., R. 14 E., B.M., and is in the SW 1/4 NE 1/4 of Section 22, T. 9 S., R. 14 E., B.M., County of Twin Falls

5. Water is to be used for Irrigation

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

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

7. Estimated cost of works: \$ 1,480.00

8. Kind of works: Pump & motor, pipe and tile line

9. Height of dam none feet; length of dam at top feet; length of dam at bottom feet; material used in dam:

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom feet; width at water line feet; depth of water feet; dimensions of flume: Diameter of pipe 10 inches; length of conduit 692 feet miles. Average grade per mile feet.

12. The time required for the completion of such work is all completed years

13. The time required for the complete application of the water to the proposed use is none additional years.

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

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: none

16. (a) Is reservoir to be used? If so, fill in (b) and (c) below:
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

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

Dewey Nipper

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 9:30 A.M., March 25, 1958

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 24002

Recorded in Book 85 Page 24002 Approved Apr. 23, 1953

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

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

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

One-fifth of the work above specified to be completed on or before --

The whole of said work to be completed on or before July 23, 1953

Beneficial use of water appropriated in accordance herewith, to be made on or before July 23, 1953.

WITNESS My hand this 23rd day of April, 1953

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 23rd.....

day of April, 19 53.

STATE OF IDAHO

Countersigned:

(SEAL)

By LEN JORDAN

Governor.

By IRA H. MASTERS *Secretary of State.*

By Paula L. Fleenor
Acting Secretary of State

REMARKS:

14.

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
9 S	14 EBM	22	W $\frac{2}{2}$				W $\frac{1}{2}$												20
			Total Number of Acres to be Irrigated - Twenty Permit No. 24002 CERTIFICATE OF COMPLETION OF WORKS TO ALL WHOM IT MAY CONCERN: This is to certify that DEWEY NIPPER of Buhl, County of Twin Falls, and State of Idaho, the holder of Permit No. 24002, issued upon Application No. 31718 bearing date of priority of March 25, 1953, authorizing the diversion of 0.4 second feet of the waters of Mud Creek, a tributary of Snake River, 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 0.4 second feet of the waters of Mud Creek; that the point of diversion of said waters is in the SW$\frac{1}{4}$ NE$\frac{1}{4}$ Section 22, Township 9 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: W$\frac{1}{2}$ SW$\frac{1}{4}$ NE$\frac{1}{4}$ Section 22, Twp. 9 South, Range 14 East, B.M. Witness my hand this 14th day of September, A.D. 1953. MARK R. KULP State Reclamation Engineer Proof of completion of works made June 27, 1953 Certificate of Completion of Works issued September 14, 1953 LICENSE ISSUED FOR 0.4 SEC. FT. pg. 5132																

✓
September 17, 1953

RE: Permit No. 24002

Mr. Jess O. Eastman
Box 106
Buhl, Idaho

Dear Mr. Eastman:

We enclose Certificate of Completion of Works, also License and Certificate of Water Right issued under Permit No. 24002, confirming the right of Dewey Nipper to the use of 0.4 second foot of water from Mad Creek, with priority of May 25, 1953, and point of diversion in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 22, Township 9 South, Range 14 East, B.M., for the irrigation of land in the same subdivision.

We also enclose departmental receipt No. 26189 for the \$7.00 fees paid in connection therewith.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

24002

JESS O. EASTMAN

BUHL, IDAHO

Box 106

September 8, 1953

RECEIVED
SEP 9 1953
Department of Reclamation

State Reclamation Engineer,
State House,
Boise, Idaho

RE: Permit No. 24002

Gentlemen:

I acknowledge receipt of your letter of the
1st. in reference to the Final Proof under the Dewey
Nipper filing.

I am herewith enclosing check in the amount
of \$ 7.00 to cover the amount set out in your letter.

When the license issues please mail it to me.

Yours very truly,



24002

✓
September 1, 1953

RE: Permit No. 24002

Mr. Jess O. Eastman
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. 24002 in the name of Dewey Nipper.

Therefore, upon receipt of the statutory fees amounting to \$5.00 for completion of works and \$2.00 License fee, Certificate of Completion of Works and License will be issued for 0.4 second foot of water from Mud Creek.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
cc: Mr. Dewey Nipper

24002

Please contact Mr. Jess O Eastman, at Buhl, who will show you over this project

Form 23

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

Permit No. 24002

This proof is for Completion of works and Beneficial Use In Water District No.

1. Name of applicant Dewey Nipper, Route 3, Buhl, Idaho

2. Source of water supply: Mud Creek

3. Location of point of diversion: Is in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 22

T. 9 S. R. 14 E. County of Twin Falls

4. Describe works as they exist, giving dimensions and capacities of same: Pump & Meter Mtd on concrete block on bank of stream. 10 hp. Master Meter 3 ph. 220V. 26A. Demand = 1. Daming Horizontal Centrifugal pump 5" in. 4" out. To West into 12" steel into 10" concrete To top of Field. Approx. 40 L.F.T.

5. Water is used for: Irrigation

6. State whether or not water has been turned into works of diversion:

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):

W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 22, Township 9 South, Range 14 East, B. M.

See Map.

Transferred water off the place to another 40 with a shorter ditch run

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

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

Remarks:

Irrigates the Field then shuts pump off.

Said he originally pumped about 65" but now only 35"

Says power company wanted him to reduce his demand.

Nipper along on inspection

This examination was made on the 17 day of Aug, 1953

(Signed) E. M. Humphrey Examiner.

24002

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.

Dewey Nipper
Route 3, Buhl, Idaho

Permit No. 24002

041851

Examination for Completion of Works and
Beneficial Use

County Twin Falls

22-95-14E

Q = 0.4 c.f.s.

S = Mud Creek

P.D. = 432' N. & 366' E. from SW. Corner of
SW. NE, Sec. 22, T. 9S. - R. 14E

Use - Irrigation

25" over weir

RECEIVED

AUG 31 1953

Department of Reclamation

Priority = March 25, 1953

Due = July 23, 1953

Master Motor #YA 326

10hp. 220V. 26A.

Weld on concrete base

3'x5' car hood for roof

Deming Pump, Fig 4023

Size 4

5" in 4" outlet

approx. 4' lift fr. stream

40' lift total

12"-10" concrete pipe

to N.W.

Cutler Hammer & Federal

switch & controls

Idaho Power Meter 240V

#1966 2527

Demand = 1 X 10

Use each 10 days
8 days to irrigate

R-14E.

T.
g
S.

buried concrete pipe (10") line.

10 Bull

Area = 20 acres
Q = 20 inches.

Scale: 2 Inches Equals 1 Mile. Draw Map in Ink.

24002

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 24002

REPORT ON PROOF OF Completion pf Works and Beneficial Use

DEWEY NIPPER, Route 3, Buhl, Idaho

SEP 10 1940

• 404
m. 10

203000 -

✓
June 30, 1953

RE: Permit No. 24002

Mr. Jess O. Eastman
Box 106
Buhl, Idaho

Dear Mr. Eastman:

We acknowledge receipt of your letter of June 29, 1953, enclosing depositions of Dewey Nipper and two witnesses, also affidavit of publication in the Buhl Herald, all in proof of completion of works and beneficial use on Permit No. 24002.

We shall make a note to have our field examiner get in touch with you when he makes his inspection in order that you may show him over the project.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

24002

JESS O. EASTMAN

BUHL, IDAHO

Box 106

June 29, 1953

RECEIVED
JUN 30 1953
Department of Reclamation

Department of Reclamation
State of Idaho
Boise, Idaho

RE: Dewey Nipper
Permit No. 24002

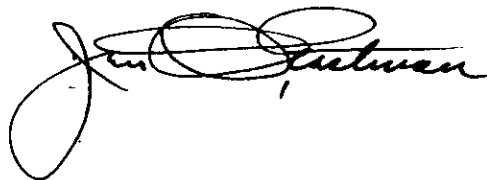
Gentlemen:

I am herewith enclosing the papers in connection with the final proof of the Dewey Nipper filing.

When the field examiner comes over to make his inspection I will be pleased to go out with him if he will call at my office.

When the license is completed please mail it to me.

Yours very truly,



24002

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 24002

Proof of Application of Water to Beneficial Use

and Completion of Works

Deposition of Holder

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

Ans. Dewey Nipper R. F. D. # 3 Buhl, Idaho Farmer

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

Ans. _____

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

Ans. No. 24002 date approved April 23, 1953

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

Ans. Water comes from mud Creek 432 feet North and 366 feet East from the Southwest corner of the Southwest Quarter of the Northeast Quarter of Sec. 22. Twp. 9 So. R 14 EBM

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. Pump & motor, 692 feet of pipe and tile and open ditch - water was measured in open ditch at end of tile line by Twin Falls Canal Company employee and measured at that time 25 inches of water being discharged by the pump

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 all used for irrigation of the West Half of the Southwest Quarter of the Northeast Quarter (W $\frac{1}{2}$ -SW $\frac{1}{4}$ -NE $\frac{1}{4}$) of Section Twenty-two, Township Nine (9) South Range Fourteen (14) E. B. M.

24002

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. Twenty (20) inches

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 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 used to irrigate 20 acres of land

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. Originally this land under a former owner was filed upon and proved up on under the Carey Act with water from the Twin Falls Canal Company system. I have other land without a water right that I am transferring the Twin Falls Canal Water to.

(Sign) *Oliver Higgins*

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 27th. day of June,
A. D. 19 53,

My commission expires 2-4-57

John Eastman
Notary Public residing at Buhl, Idaho

24002

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 24002

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 age is 62 years and I live on R F D # #3 Buhl, and farm my place which is about a mile from Dewey Nippers

Ques. 2. Are you acquainted with Dewey Nipper, the holder of Permit No. 24002? How long have you known him and where does he reside?

Ans. I have known Dewey Nipper for more than 20 years - He resides on his farm about a mile from my place

Ques. 3. Have you read or heard read said Permit No. 24002, and are you familiar with its provisions and conditions?

Ans. Yes I have read it and am familiar with the conditions and provisions

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. Dewey has a pump and motor and pumps water out of Mud Creek onto his land - From the pump there is a steel pipe and then tile line nearly 700 feet long Mud Creek forms the East boundary of his place -

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. The pump will deliver at least 25 inches of water for I have seen that much in ditch

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? I have seen 25 inches of water being pumped from the Creek to the high point

Ans. on the land at the end of the pipe line - I was there when the Canal Company man measured the water with his weir and it was then pumping 25 inches

24002

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. - The land irrigated is the West Half of the Southwest Quarter of the Northeast Quarter (W $\frac{1}{2}$ -SW $\frac{1}{4}$ -NE $\frac{1}{4}$) of Section Twenty-two (22) Township Nine (9) South, Range Fourteen (14) East of the Boise Meridian.

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

Ans. None for 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 sandy loam that raises very good crops. - It is practically the same soil as on my farm and requires a full inch of water per acre for profitable farming

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 either land, water nor works

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 saw a good crop grown on the place last year and it is all in crop this year and the crop all looks good - I pass the place many times on my way to town and see the water running and the land being irrigated.

(Signed)

Lred Jacques

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 27th day of June,
A. D. 1953.

Notary Public.

My commission expires 2-4-57 residing at Buhl, Idaho

24002

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 24002

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

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

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

Ans. Age 49 years I live on R F D # 3 Buhl, Idaho and am a farmer

Ques. 2. Are you acquainted with Dewey Nipper, the holder of Permit No. 24002? How long have you known him and where does he reside?

Ans. I have known him for 15 years and he resides on his farm a part of which joins my farm

Ques. 3. Have you read or heard read said Permit No. 24002, and are you familiar with its provisions and conditions?

Ans. The permit has been 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. He has a pump and motor on his own land in Mud Creek and pumps water on his land to irrigate 20 acres - He has 692 feet of pipe and tile from the Creek to the highest point on his 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. I was there when the water was measured in the ditch by means of a weir that the Canal Company ditch rider uses. There was 25 inches at the time it was measured

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. Answered above -

24002

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 of the West Half of the Southwest Quarter of the Northeast Quarter (W¹/₂-SW¹/₄-NE¹/₄) of Section Twenty-two (22), Township Nine (9) South of Range Fourteen (14) East of the Boise Meridian. All of land is farmed & irrigated

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

Ans.

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

Ans. The soil is more sandy than the most of the land on the Twin Falls tract and requires an inch of water to the acre for best results

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 nor water nor any part.

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 cannot remember the date but it was last summer sometime when I saw the water being measured. I have seen the pump operating and the water delivered to the land during the past week.

(Signed)

Victor Lee

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 27th day of June, A. D. 1953.

John P. Eastman
Notary Public.

My commission expires 2-4-53

residing at Buhl, Idaho

24002

The Buhl Herald

PHONE 41

BUHL, IDAHO

6-25-53

To Dewey Nipper
Buhl, Idaho

[illegible]

AFFIDAVIT of PUBLICATION

STATE OF IDAHO
County of Twin Falls

} ss.

NOTICE OF PROOF OF SUBSCRIPTION-ON RECORD

AFFIDAVIT OF THE WRITER TO

Notice is hereby given that at 10 o'clock A. M. on the 25th day of June, 1953, at Buhl, County of Twin Falls, State of Idaho, before me O. Sandgren, Notary Public, proof was taken and sworn to the publication of a notice of the diversion of a certain amount of water of the waters of the Buhl River of the Buhl River to the use of said water in the Buhl River with the terms and conditions of the No. 24002 diversion permit by the Department of Reclamation of the State of Idaho.

1. The name and address of the person who caused the notice to be published is Robert E. Bailey, Buhl, Idaho.

2. Said water of the Buhl River will be fully returned to the Buhl River in such quantity and at such place of use, as to be capable of being used for the same purpose as the water of the Buhl River.

3. The notice was published in the Buhl Herald, a weekly newspaper of general circulation, published once each week at Buhl, Idaho, for a period of more than 78 weeks prior to the first publication of the attached notice.

4. The notice was published in the Buhl Herald, a weekly newspaper of general circulation, published once each week at Buhl, Idaho, for a period of more than 78 weeks prior to the first publication of the attached notice.

5. The notice was published in the Buhl Herald, a weekly newspaper of general circulation, published once each week at Buhl, Idaho, for a period of more than 78 weeks prior to the first publication of the attached notice.

6. The notice was published in the Buhl Herald, a weekly newspaper of general circulation, published once each week at Buhl, Idaho, for a period of more than 78 weeks prior to the first publication of the attached notice.

7. The notice was published in the Buhl Herald, a weekly newspaper of general circulation, published once each week at Buhl, Idaho, for a period of more than 78 weeks prior to the first publication of the attached notice.

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 4th day of June, 1953, and the last publication having been made on the 25th day of June, 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 25th day of June, 1953

Mabel Sandgren
Notary Public.

24002

24002

June 19, 1953

Mr. C. R. Reeves
Attorney at Law
Buhl, Idaho

Dear Mr. Reeves:

In response to your telephone inquiry, the records in this Department show that the application for Permit No. 24002 was filed by Mr. Jess C. Eastman of Buhl, Idaho for Mr. Dewey Nipper, Route 3, Buhl, Idaho.

The permit is for .4 of a second foot of water from Mad Creek for use on the $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 22, Township 9 South, Range 14 East. B.M., date of filing March 25, 1953.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:cp

24002

24002

THE BUHL HERALD

"Idaho's Best Read Newspaper"

Buhl, Idaho

6/8/53

Department of Reclamation
Boia, Idaho

RECEIVED
JUN 10 1953
Department of Reclamation

Dear Sirs:

This will acknowledge receipt of
notice for Dewey Ripper of Route 3,
Buhl, Idaho.

The first publication was made
June 4 and the final publication
will be made June 25.

Very truly yours,
The Buhl Herald
by Doris Schuakenberg

24002

✓
June 1, 1953

RE: Permit No. 24002

Mr. Jess O. Eastman
Box 106
Buhl, Idaho

Dear Mr. Eastman:

We have sent to the Buhl Herald notice of completion of works and beneficial use proof to be made on Dewey Nipper's Permit No. 24002 on June 27, 1953, with instructions to publish it once a week for four weeks prior to that date and to send him the affidavit of publication together with statement of costs.

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:fg
Enc.

24002

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. 24002

Date: June 1, 1953

Buhl Herald

Buhl, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **June 27, 1953** the date set for proof, the expense of the publication to be paid by the applicant, **Dewey Hipper** of **Route 3, Buhl, Idaho**, to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

MARK R. KULP

State Reclamation Engineer
By

Chief Clerk

24002

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

Notice is hereby given that at 10 o'clock A M., on the 27th day of June, 19 53, 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 .4 cubic feet per second of the waters of Mad Creek and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 24002 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 Dewey Hipper R F D # 3 Buhl, Idaho

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use, in accordance with the plans accompanying the application for such permit, is four-tenths of one cubic ~~foot~~^{foot} per second.

3. The use to which said water has been applied is Irrigation purposes, and the amount applied to beneficial use is four-tenths of one cubic ~~foot~~^{foot} per second.

4. The place where said water is used is The West Half of the Southeast Quarter of the Northeast Quarter (W $\frac{1}{2}$ -SW $\frac{1}{4}$ -NE $\frac{1}{4}$) of Section Twenty-two (22), Township Nine (9) South, Range Fourteen (14) East of the Boise Meridian

March 25 5. The date of priority which said user is prepared to establish is April 25, 1953.

MARK R. KULP

State Reclamation Engineer

24002

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date)..... May 20, 1953

(P. O.)..... R F D # 3 Buhl, Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho.

Dear Sir:

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

.....
Dwight Mipper
.....

(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.

24002

May 18, 1953

RE: Permit No. 24002

Mr. Jess O. Eastman
Box 106
Buhl, Idaho

Dear Mr. Eastman:

In reply to your letter of May 16, we enclose a form for notice for completion of works and beneficial use on Permit No. 24002, in the name of Dewey Nipper.

As you know, both copies of Form 36 are to be returned to this Department, together with Form 11, which is your authorization for us to have the notice published at the Permit Holder's expense in the designated county newspaper.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:op
Enc.

24002

JESS O. EASTMAN
BUHL, IDAHO

May 16, 1953

RECEIVED
MAY 18 1953
Department of Reclamation

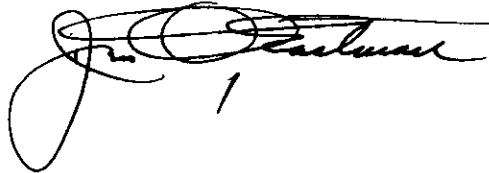
Department of Reclamation,
State of Idaho
Bpise, Idaho

Permit No. 24002
Dewey Nipper

Gentlemen:

Will you kindly send me a set of papers with which
to make final proof under the Dewey Nipper Permit No. 24002.

Yours very truly,

A handwritten signature in cursive script, appearing to read "Jess O. Eastman", with a large loop at the end.

24002

May 7, 1953

RE: Permit No. 24002

Mr. Jess O. Eastman
Buhl
Idaho

Dear Mr. Eastman:

We enclose Permit No. 24002 in the name of Dewey Nipper 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 receipt No. 25713 for the \$5.00 filing fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

24002

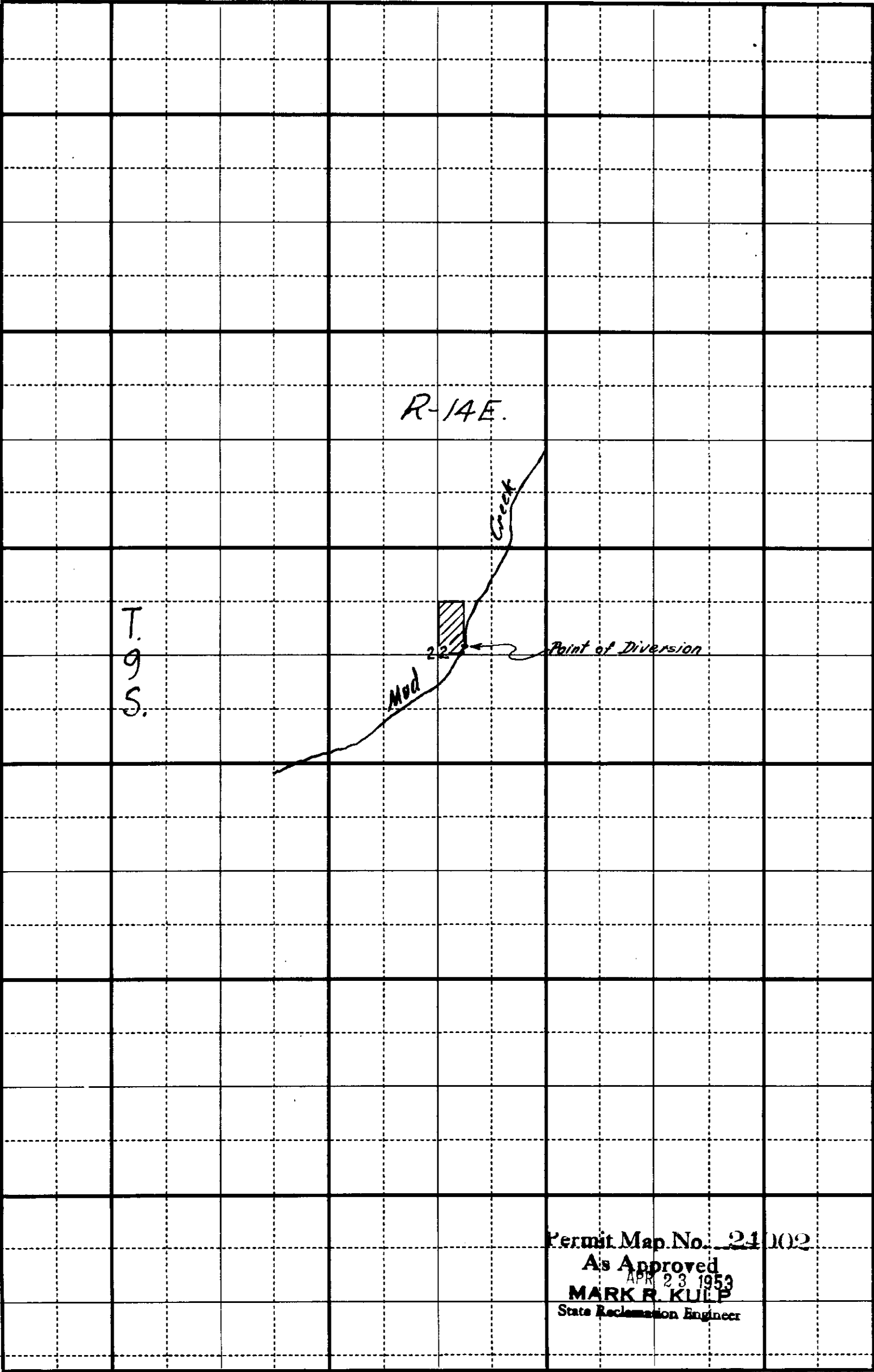
NAME OF APPLICANT.

Form No. 0

MCA PERRY

* Point of discussion

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



TWIN FALLS CANAL COMPANY

Box 868
Twin Falls, Idaho

April 15, 1953

RECEIVED
APR 16 1953
Department of Reclamation

Mr. E. N. Humphrey
Deputy State Reclamation Engineer,
Department of Reclamation
Boise, Idaho.

Dear Sir:

Re: Application No. 31718

In reply to yours of April 6, we wish to advise you
that we do not divert any water below this point.

Yours very truly,

TWIN FALLS CANAL COMPANY

By W.A. Miracle
Watermaster

WAM:c

24002

✓
April 6, 1953

RE: Application No. 31718

Twin Falls Canal Co.
Twin Falls, Idaho

Gentlemen:

We have received an application to appropriate and divert water from Mud Creek in the SW¹/₄NE¹/₄ Sec. 22, T. 9 S. R. 14 E.B.M.

Will you please check and advise this office if you have any diversions below this point that might be affected by this application.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

ENH/r
cc: Dewey Nipper

24002

NOTICE OF PROOF OF COMPLETION OF WORKS

APPLICATION FOR WATER TO BENEFICIAL USE

Notice is hereby given that at 10 o'clock A. M., on the 27th day of June, 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 .4 cubic feet per second of the waters of Mud Creek and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 24002 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 Dewey Nipper, R. F. D. No. 3, Buhl, Idaho.

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

4. The place where said water is used is The West Half of the Southwest Quarter of the Northeast Quarter ($W\frac{1}{2}$ - $SW\frac{1}{4}$ - $NE\frac{1}{4}$) of Section Twenty-two (22), Township Nine (9) South, Range Fourteen (14) East of the Boise Meridian.

5. The date of priority which said user is prepared to establish is March 25, 1953.

MARK R. KULP
State Reclamation Engineer

(18t4) 6-4-53