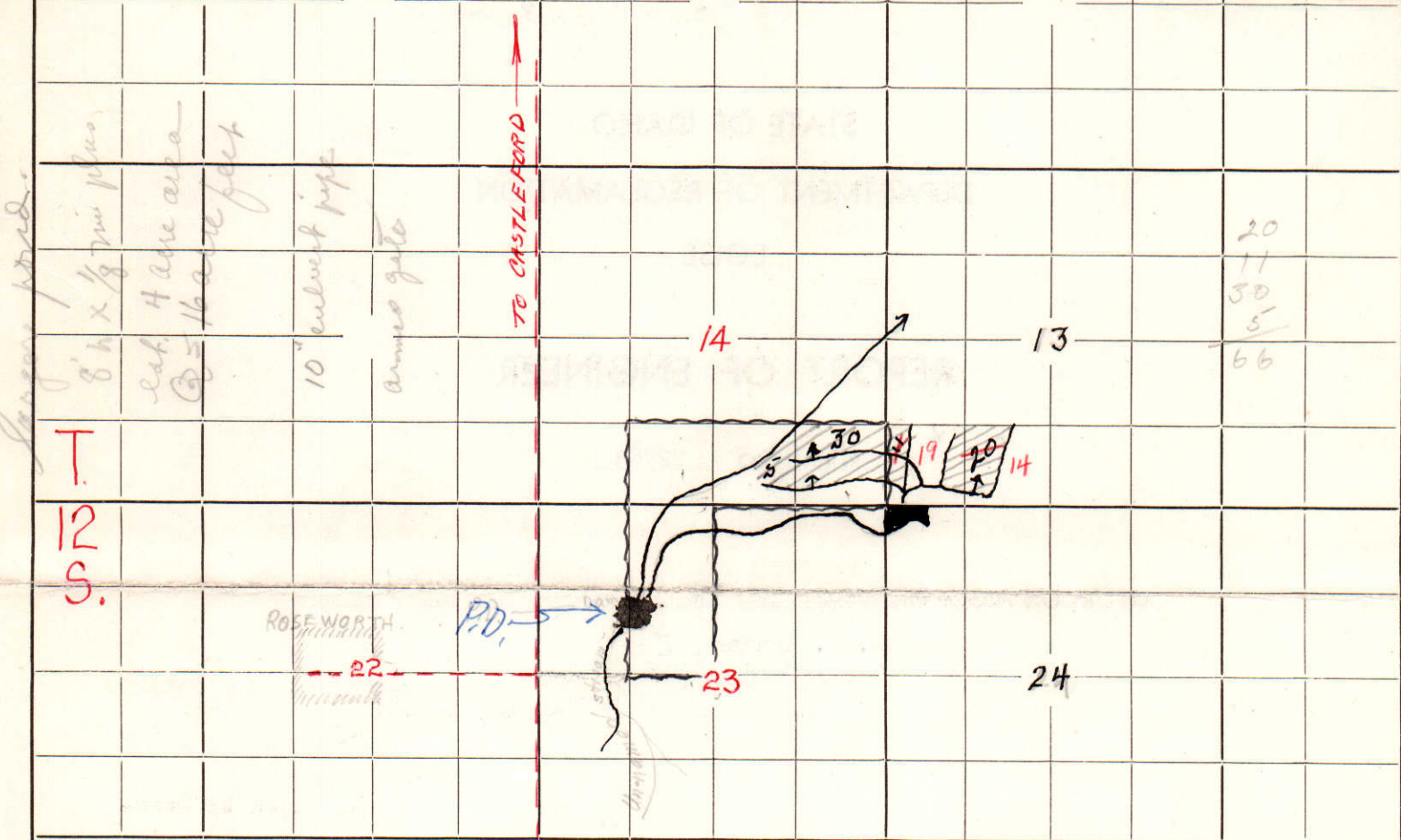


Pond on this permit approx 2' bubble storage 6' max 400' l. 30' t = base
 est 6a. area 8' x crest 8' F h.

Small spill on Park side
 20' w into S' w ditch

R-13E



T.
12
S.

Subdivisions = four
 Area = 66⁸ acres
 Q = 60 inches.

Needs an amendment.

19
14
30
5
68

Affidavit of Publication

Nº 6882

STATE OF IDAHO,
COUNTY OF TWIN FALLS

ss.

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

Notice is hereby given that at 10:00 A. M. on the 16th day of August, 1957, at Twin Falls, County of Twin Falls, State of Idaho, before Harry Povey, Notary Public, 115 2nd St. West, proof will be submitted of the application to beneficial use of 2.6 cubic feet per second of the waters of unnamed stream in accordance with the terms and conditions of permit

No. 22983 heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are W. B. Arness, Castleford, Idaho.

The use to which said water has been applied is irrigation and stock watering.

The amount applied to beneficial use is 2.6 cubic feet per second when available.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated): 32 acres, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14; 6 acres, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14; 8 acres, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 13; and 14 acres, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 13; all in T. 12 S., R. 13, E.B.M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is—no name.

The right to take water from such works is based upon Permit No. 22983.

The source of supply from which such water is diverted is waste water.

The date of priority which said user is prepared to establish is August 15, 1952.

MARK R. KULP

State Reclamation Engineer

Publish: July 18, 25, Aug. 1, 8, 1957

I, Handa M. August, being first duly sworn upon oath depose and say that I am a Clerk of the Times-News, published daily, except Saturday, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for four consecutive Thursdays, commencing with the issue dated July 18, 1957, and ending with the issue dated August 8, 1957.

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

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

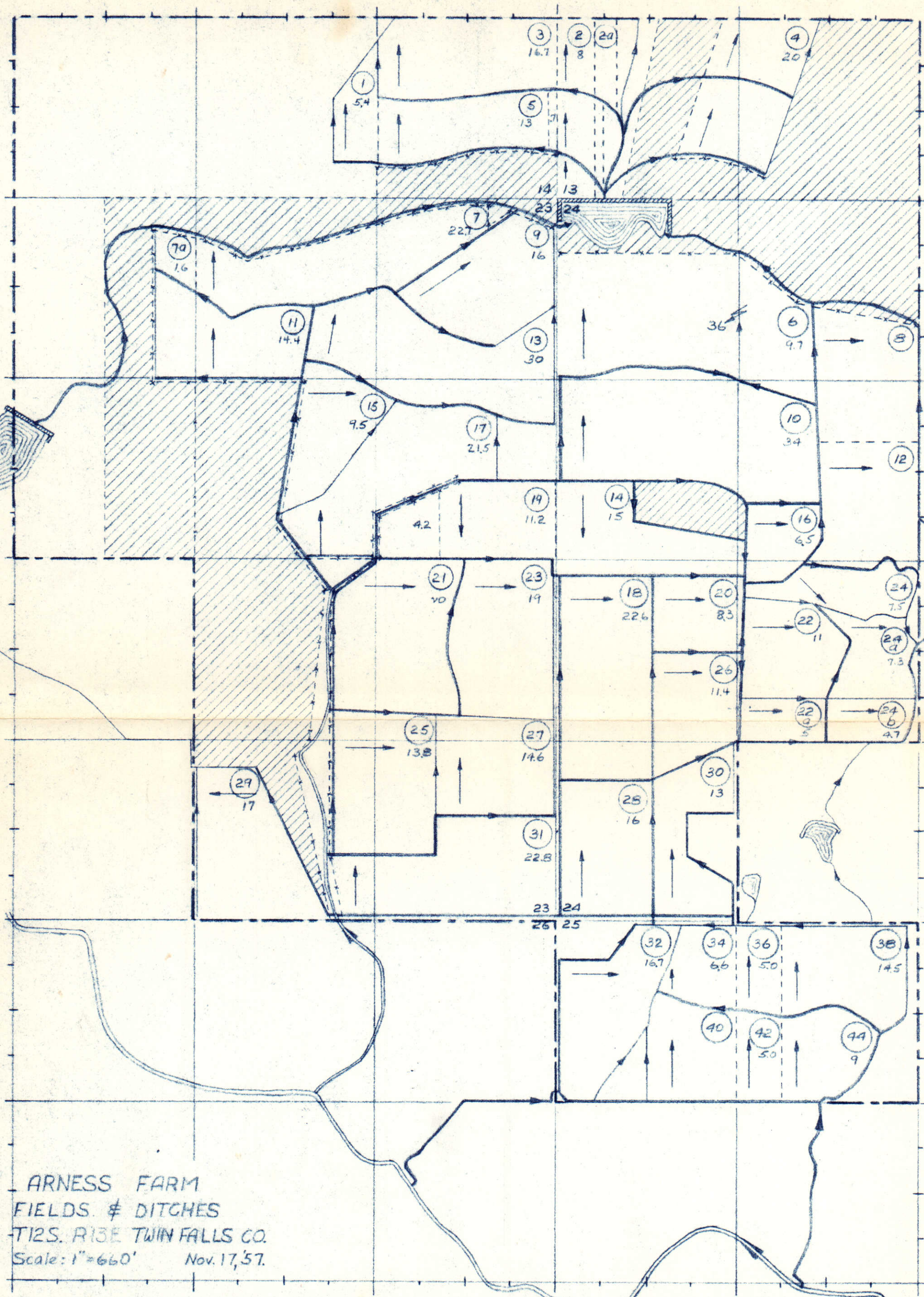
Subscribed and sworn to before me this August, 1957, day of August

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

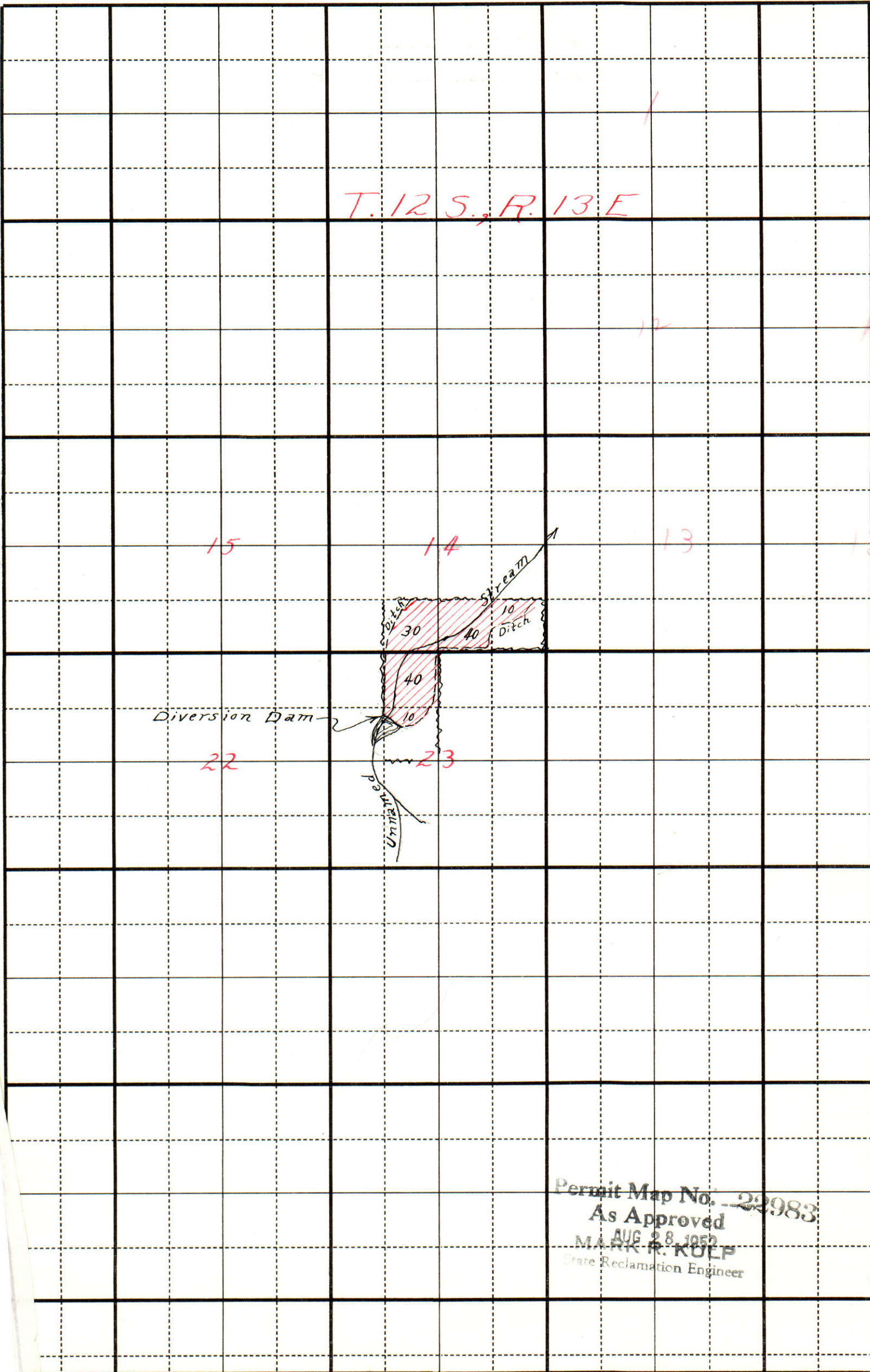
RECEIVED
SEP 6 1957

Department of Reclamation

22983



22983



Permit Map No. 22983
As Approved
AUG 28 1952
MARK R. KULP
State Reclamation Engineer

State of Idaho
License and Certificate of Water Right

Water License No. 22983

Amount 1.2 c.f.s.

Water District No. _____

Priority August 17, 1952

THIS IS TO CERTIFY that W. B. ARNESS - ARNDEL CORPORATION
of Castleford, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated August 15, 19 52; that Permit No. 22983
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
2.6 second feet, was issued thereunder on August 16, 19 54, showing that said works
were completed on the 29th day of July, 19 54; and that on the 30th
day of August, 19 57, W. B. ARNESS

of Castleford, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of an un-named
stream, a tributary of No tributary, for the purpose of Irrigation & stock water
purposes, under Use Permit No. 22983 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
10 of Licenses at page 6311, on the 8th day of May, 19 58;

The right hereby confirmed dates from August 17, 19 52;

The Point of Diversion is located

in the SE 1/4 NW 1/4, Sec. 23, Tp. 12 S., R. 13 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 1.2 cubic feet per second.

Description and location of use: Irrigation and stock water purposes

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
12 S.	13 E.	13	SE $\frac{1}{4}$ SW $\frac{1}{4}$	14	14
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	19	19
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	30	30
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	5	5
			Total number of acres irrigated	- - -	68

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 ^{Deputy} State Reclamation Engineer, affixed at Boise, Idaho, this

8th day of May, 19 58.

17 3265

/s/ E. N. Humphrey
Deputy State Reclamation Engineer.

(SEAL)

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

47-2265

APPLICATION No. 20734
 PERMIT No. 22983
 DISTRICT No.

1. Name of Applicant: W. B. ARNESS

Postoffice address: Castleford

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:

Assigned to

Arnell Corp.
Castleford - Ida

II. The financial resources of the applicant are:

- (b) Treasury stock:
- (d) Other resources:

(a) Cash on hand:

(c) Bonds to be issued:

2. Quantity of water claimed: 130 inches or 2.6

cubic feet per second.

3. Source of water supply: An un-named stream

which is a tributary of No tributary

4. Location of point of diversion:

feet distant from the

corner of Section , T. , R. , B. M., and is in the SE $\frac{1}{4}$ NW $\frac{1}{4}$

of Section 23 , T. 12 S. , R. 13 E. , B. M., County of Twin Falls

5. Water is to be used for Irrigation and stock watering purposes.

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

(a) Point of use of water: feet distant from corner of Section

T. , R. , B. M., in the of Section , T. , R. , B. M.

(b) Amount of power generated: H.P., under feet head.

(c) Water is to be returned to at a point feet

distant from the corner of Section , T. , R. , B. M., in the
 of Section , T. , R. , B. M.

7. Estimated cost of works: \$ 300.00

8. Kind of works: Diversion dam and ditches

9. Height of dam 8 feet; length of dam at top 300 feet; length of dam at bottom 100

feet; material used in dam: Earth

10. Size of headgate: Width None feet; height feet.

11. Ditch: Width at bottom 2 feet; width at water line 5 feet; depth of water 1 feet;

dimensions of flume:

Diameter of pipe inches; length of conduit Two miles.

Average grade per mile 5.28 feet.

12. The time required for the completion of such work is Two (2) years.

13. The time required for the complete application of the water to the proposed use is Three (3) 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.

W. B. ARNESS

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 1:30 P. M. August 15, 1952

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 22983

Recorded in Book 82

Page 22983

Approved August 28, 1952

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

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

Work to begin on or before October 28, 1952

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 August 28, 1953

The whole of said work to be completed on or before August 28, 1954

Beneficial use of water appropriated in accordance herewith, to be made on or before August 28, 1957

WITNESS My hand this 28th day of August, 1952

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 28th

day of August, 1952.

Countersigned:

STATE OF IDAHO

(SEAL)

By

LEN JORDAN

Governor.

By IRA H. MASTERS

Secretary of State.

REMARKS: Stream is fed by waste waters from adjoining lands.

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 $\frac{1}{4}$	
12 S.	13 E.	14 23					40		10				30			40	10		80 50
															Total Number of Acres to be Irrigated -				130

Permit No. 22983
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that W. B. ARNESS of Castleford, County of Twin Falls, and State of Idaho, the holder of Permit No. 22883, issued upon Application No. 30734 bearing date of priority of August 15, 1952, authorizing the diversion of 2.6 second feet of the waters of an un-named stream, County of Twin Falls, State of Idaho, for irrigation and stock watering 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 2.6 second feet of the waters of said un-named stream; that the point of diversion of said waters is in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 23, Township 12 South, Range 13 East, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 14; E $\frac{1}{2}$ NW $\frac{1}{4}$ Section 23; Township 12 South, Range 13 East, B.M.

Witness my hand this 16th day of August, A. D. 1954.

MARK R. KULP
State Reclamation Engineer

Proof of Completion of Works made July 29, 1954.
Certificate of Completion of Works issued August 16, 1954.

Application for Amendment
To Permit to Appropriate the Public Waters
of the State of Idaho, No. 22983

Comes now W. B. ARNESS, and represents to the State Reclamation Engineer of the State of Idaho. That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. 22983, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows: S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 13 (SE $\frac{1}{4}$ SW $\frac{1}{4}$ 14 acres, SW $\frac{1}{4}$ SW $\frac{1}{4}$ 19 acres) and the S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 14 (SE $\frac{1}{4}$ SE $\frac{1}{4}$ 30 acres, SW $\frac{1}{4}$ SE $\frac{1}{4}$ 5 acres) Township 12 South, Range 13 East, B.M., making a total of 68 acres. That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Castleford, this 28th day of April, 1958.

/s/ W. B. Arness
Rt. 1 - Buhl, Idaho

Date of receipt at office of Department of Reclamation
April 29, 1958.

APPROVAL OF STATE RECLAMATION ENGINEER

I, MARK R. KULP, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. 22983. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

/s/ Mark R. Kulp
State Reclamation Engineer

Approved and recorded:
April 29, 1958.

A S S I G N M E N T

For value received, I hereby assign my right, title, and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. 22983 to Arndel Corporation of Castleford, Idaho.

/s/ W. B. Arness
Permit Holder

/s/ Vera D. Arness
Wife of Permit Holder

State of Idaho) ss
County of Twin Falls)

On this 5 day of May, 1958, before me, a Notary Public for the State of Idaho, residing at Buhl, Idaho personally appeared W. B. Arness and Vera D Arness known to me to be the persons whose names are subscribed to the within instrument, and duly acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notorial Seal, the day and year in this certificate first above written.

My commission expires July 13, 1959

/s/ Geo. L. Layne (SEAL)
Notary Public, residing at Buhl, Idaho

Received and filed for record
in the Department of Reclamation May 7, 1958
MARK R. KULP
State Reclamation Engineer

UNRECORDED 12-22-58
Page 6311

August 18, 1971

Re: Water License No. 22983/47-2265 - Arndel V. Heil

PARRY, ROBERTSON, DALY & LARSON
The Idaho First National Bank Building
P.O. Box 525
Twin Falls, Idaho 83301

ATTN: Mr. Bert Larson

Dear Mr. Larson:

We are enclosing a copy of the above referenced water license as requested in your letter of August 3, 1971. At present, the Department finds no indication that this license has been forfeited or abandoned, insofar as the records of this Department would indicate. Therefore, lacking other information, we would assume that the license is in good standing.

The Department does not have any different regulations for the appropriation of waste water than for the appropriation of any other available water. We do advise parties filing on waste water that they cannot expect the water to be wasted strictly for their benefit, and the issuance of a permit or license for the use of waste water does not obligate the party wasting water to continue to do so.

If we can be of further assistance, please contact us.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:cr

Enc: copy of license

47 2265

PARRY, ROBERTSON, DALY & LARSON
LAWYERS
IDAHO FIRST NATIONAL BANK BUILDING
P. O. Box 525
TWIN FALLS, IDAHO 83301



Mr. Don McEldowney
State Department of Water Administration
State hOuse Annex 2
Boise, Idaho 83707

7 2265

PARRY, ROBERTSON, DALY & LARSON

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

LAWYERS
THE IDAHO FIRST NATIONAL BANK BUILDING
P. O. BOX 525
TWIN FALLS, IDAHO 83301

RECEIVED

TELEPHONE
(208) 733-3722

August 3, 1971

Mr. Don McEldowney
State Department of Water Administration
State House Annex 2
Boise, Idaho 83707

Re: Arndel v. Heil

Dear Mr. McEldowney:

Our office represents the defendant in the above case. The plaintiff corporation alleges in the complaint in part that,

"Plaintiff is the owner of State of Idaho Water License #22983 with priority date of August 17, 1952, for 1.2 cfs. water for the purpose of irrigation and stock water with location of use the S1/2SW1/4 of Section 13, and the S1/2SE1/4 of Section 14 in Township 12 South, Range 13 E.B.M. Twin Falls County, State of Idaho."

It is further alleged:

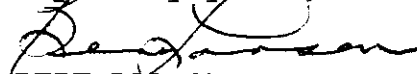
"Said water right is for waste water accumulated from other lands"

Will you please advise us as to the status of this alleged license and send us a copy of the same. Any expense incurred for preparing such a copy will be promptly remitted to your department by our office.

Does the Department have any particular regulations which relate to the appropriation of waste water?

Thank you for an early reply.

Very truly yours,


BERT LARSON

BL:ib

17 2265

May 8, 1958

Re: Permit No. 22983
Permit No. 25729
W. B. Arness

Mr. Harry Povey
Attorney At Law
115 2nd Street West
Twin Falls, Idaho

Dear Mr. Povey:

We enclose the following:

Application for Amendment to Permit No. 22983, W. B. Arness, as approved by the State Reclamation Engineer and recorded in the Department of Reclamation in Book 82 of Permits at Page 22983 amending the list of land as described on record to read as follows: "S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 13 (SE $\frac{1}{4}$ SW $\frac{1}{4}$ 14 acres, SW $\frac{1}{4}$ SW $\frac{1}{4}$ 19 acres) and the S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 14 (SE $\frac{1}{4}$ SE $\frac{1}{4}$ 30 acres, SW $\frac{1}{4}$ SE $\frac{1}{4}$ 5 acres) Township 12 South, Range 13 East, B.M., making a total of 68 acres." This should now be attached to the original permit to which it refers and of which it becomes a part.

Assignment of Permit No. 22983 to Arndel Corporation by W. B. Arness and Vera D. Arness, Permit Holder and wife; acknowledged by the State Reclamation Engineer and recorded in the Department of Reclamation in Book 82 of Permits at Page 22983 and should now be attached to the original permit to which it refers and to which it becomes title to.

License and Certificate of Water Right issued under Permit No. 22983 to Arndel Corporation, confirming the right with priority of August 17, 1952, to the use of 1.2 second feet of water from an un-named stream, with the point of diversion in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 23, for irrigation of 68 acres in the S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 13; S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 14; Township 12 South, Range 13 East, B.M.

Copy of letter to W. B. Arness regarding Permit No. 25729.

Assignment of Permit No. 25729 to Arndel Corporation by W. B. Arness and Vera D. Arness, Permit Holder and Wife; acknowledged by the State Reclamation Engineer and recorded in the Department of Reclamation in Book 91 of Permits at Page 25729. This should be attached to the original permit to which it refers and to which it becomes title to.

22983

May 1, 1958

Re: Permits No. 22983 and 25729

Mr. W. B. Arness
Route # 1,
Buhl, Idaho

Dear Mr. Arness:

In reply to your letter of April 28, 1958 in which you state that you have formed a small family corporation called Arndel Corporation.

In order to have the permits designated above in the name of Arndel Corporation, it will be necessary for you to assign said permits over to said corporation. We are enclosing assignments for your use. When returned to this department with a fee of fifty cents for each assignment, same will be recorded.

Under date of April 18, 1958, we wrote you in regard to Permit No. 25729, acknowledging Completion of Works Proof, however, we made an error in requesting a fee of five dollars for Completion of Works Proof which we overlooked, was included in your check to the amount of \$13.00, which we have on file.

The way it feels out today, we may have some good growing weather before to long.

We hope this finds you both well and will look you up the first time I am around Buhl.

Very truly yours,

MARK R. KULP
By

Roy W. Thompson
Office Manager

RWT:lw

22983

Mr. Harry Povey

Page 2

May 8, 1958

Departmental receipts #29077 for \$8.00 issued as receipt of the fee for the license and #29088 for \$1.00 issued as receipt of the fifty cent fee for recording each of the assignments.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR:nls

Enclosures: (7)

22983

Application for Amendment
To Permit to appropriate the Public Waters
of the State of Idaho, No. 22983

RECEIVED
APR 29 1958
Department of Reclamation

Comes now W. B. ARNESS, and represents to the State Reclamation Engineer of the State of Idaho.

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 22983, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 13 (SE $\frac{1}{4}$ SW $\frac{1}{4}$ 14 acres, SW $\frac{1}{4}$ SW $\frac{1}{4}$ 19 acres) and the

S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 14 (SE $\frac{1}{4}$ SE $\frac{1}{4}$ 30 acres, SW $\frac{1}{4}$ SE $\frac{1}{4}$ 5 acres)

Township 12 South, Range 13 East, B.M.

making a total of 68 acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Castelford, this 28th day of April, 1958

W. B. Arness
Permit Holder, Idaho

Date of receipt at office of Department of Reclamation April 29, 1958

APPROVAL OF STATE RECLAMATION ENGINEER

I, MARK R. KULP, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 22983. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

Mark R. Kulp

State Reclamation Engineer

April 11, 1958

Re: Permit No. 22983
W. B. Arnass

Mr. Harry Povey
Attorney At Law
115 2nd Street West
Twin Falls, Idaho

Dear Mr. Povey:

Our field engineer's report on his inspection of the application of water to beneficial use under the terms of Permit No. 22982, W. B. Arnass, Castleford, shows that his works are capable of conveying 60 miners' inches (1.2 c.f.s.) of water for irrigation of 68 acres in the S $\frac{1}{2}$ S $\frac{1}{2}$ E $\frac{1}{4}$ of Section 13 and S $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 14, Township 12 South, Range 13 East, B.M. The record of the permit does not list the land in the S $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 13, therefore, it is necessary that the permit be amended. We have enclosed an application for amendment for this purpose, which in the event Mr. Arnass is out of the State at this time you may sign for him as his attorney.

SE $\frac{1}{4}$ NW $\frac{1}{4}$ Upon receipt of the amendment, mentioned above, and the statutory fee of \$8.00, we will issue the License and Certificate of Water Right under Permit No. 22983 to W. B. Arnass, confirming the right with priority of August 17, 1952, to his use of 1.2 second feet of water from an un-named stream, with the point of diversion in the S $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 23, for irrigation of 68 acres in the S $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 13 and the S $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 14, all in Township 12 South, Range 13 East, B.M.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR:nls
Enc.

22983

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

Permit No. 22983This proof is for Beneficial Use

In Water District No. _____

1. Name of applicant W. B. Arness
2. Source of water supply: Unnamed Stream
3. Location of point of diversion: Is in the Near NW corner of SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 23
T. 12 South R. 13 East County of Twin Falls

4. Describe works as they exist, giving dimensions and capacities of same: There is a small pond at the P.D. dam = 400' l x 8' h x 8' w on crest. There is a small amt of storage but it is mainly regulating and diversion. Dam was originally put in by Utah Const. Co.

5. Water is used for: Irrigating and Stockwatering purposes.

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):

SE $\frac{1}{4}$ SW $\frac{1}{4}$ - 30 acres; SW $\frac{1}{4}$ SE $\frac{1}{4}$ - 40 acres; SE $\frac{1}{4}$ SE $\frac{1}{4}$ - 10 acres; Section 14, Township 12 South, Range 13 East.

NE $\frac{1}{4}$ NW $\frac{1}{4}$ - 40 acres; SE $\frac{1}{4}$ NW $\frac{1}{4}$ 10 acres; Section 23, Township 12 South, Range 13 East.

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

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

Remarks: There is an additional storage and regulating pond in the NW NW of S 24. Capy est. 16 a. l feet. Dam is 8' h x 700' l x 8' w on crest. 10" pipe with regulating gate thru dam.

Land is planted to Siberian wheat grass to be a seed crop.

This examination was made on the 13 day of March, 1958

(Signed) E. J. Humphrey Examiner.

INSTRUCTIONS TO EXAMINERS

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

RECEIVED
MAR 18 1958
Department of Reclamation

or Claude Briggs W. B. Arness
Castleford, Idaho
The Morn Mar 15,
Permit No. 22983

Examination for Beneficial Use Proof

County Twin Falls

23-12S.-13E.

Q 2.6 a.f.s.

Se the named stream

P.L. = SE 1/4 NW, Sec. 23, T. 12 S. - R. 13 E.

Use = Irrigation & stock
watering

Field = Aug. 15, 1952

See = Aug. 28, 1957

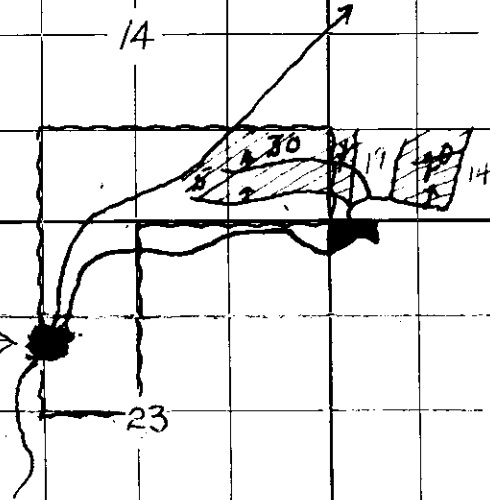
W = 8-16-54

R-13E.

TO CASTLEFORD

T
12
S.

P.O.



Subdivisions = four
Area = $6\frac{8}{16}$ acres
Q = 60 inches.

There is an amendment,

19
14
30
68

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 22983

REPORT ON PROOF OF Beneficial Use

W. B. Arness
Castleford, Idaho

1.2 cfs
max

app. 2.6 cfs
1.4 2.6 cfs
8.0 4
2.6 6.6

September 27, 1957

Re: Permit No. 22983

Mr. W. B. Arness
Castleford, Idaho

Dear Mr. Arness:

We acknowledge receipt of the Deposition of Holder and two witnesses, also affidavit of publication in the Times-News, all submitted in proof of application of water to beneficial use on Permit No. 22983.

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

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

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Edna P. Rutledge (Mrs.)
Chief Clerk

EPK:lw

cc: Harry Povey
Attorney At Law
115 Second Street West
Twin Falls, Idaho

P. S. Enclosed is statement of costs from the Times-News for your files.

22983

TELEPHONE 610

HARRY POVEY
ATTORNEY AT LAW
115 2ND STREET WEST
TWIN FALLS, IDAHO

September 5, 1957

RECEIVED
SEP 6 1957
Department of Reclamation

Mr. Mark R. Kulp,
State Reclamation Engineer,
Capitol Building,
Boise, Idaho.

In re Permit No. 22983--W.B. Arness

Dear Mr. Kulp:

Proof of Beneficial Use under the above permit was noticed for August 16, 1957 at 10 a.m. at my office. As it was not possible for Mr. Arness and his witnesses to be present at that time I telephoned you on August 13th, as you may recall, and you advised me that the proof might be submitted at a later, convenient date. I was at my office August 16, 1957 from 10 a.m. until noon and no appearance was made by anyone and no objections were filed. The depositions of Mr. Arness and his witnesses were taken August 30, 1957.

I am herewith enclosing the following papers:

1. Affidavit of Publication and receipted statement of Times-News showing payment of publication charges.
2. Deposition of W.B. Arness, permit holder, duly signed and sworn to and containing certificate as to postponement of hearing.
3. Depositions of witnesses Claude C. Briggs and Donald E. Wolfe.

I trust that you will find the foregoing proofs in order and that the issuance of water license may be made in due course. When water license is issued will you kindly forward the same to me.

Thanking you, and with kind regards, I remain,

Very truly yours,

Harry Povey

HP/jp
Encs.

22983

Nº 6882

STATE OF IDAHO,
COUNTY OF TWIN FALLS

SS.

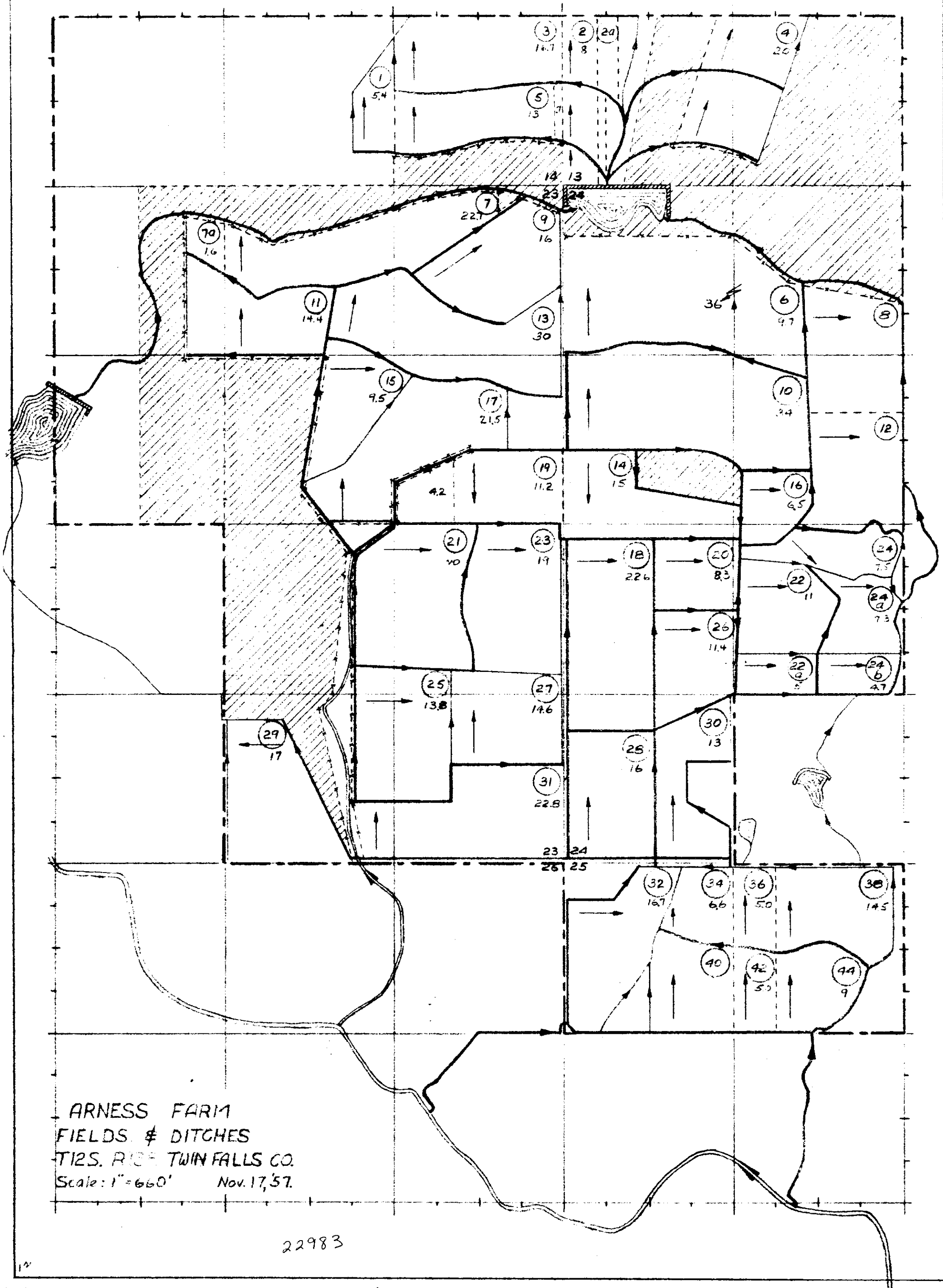
I, Nanda M. Hunter, being first duly sworn upon oath depose and say that I am a Clerk of the Times-News, published daily, except Saturday, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for four consecutive Thursday, commencing with the issue dated

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

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

Subscribed and sworn to before me this _____ day of _____

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



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
SEP 6 1957
Department of Reclamation

Permit No. 22983

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. W. B. Arness, Castleford, Idaho. Farming. Castleford, Idaho.

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

Ans. -----

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

Ans. Permit No. 22983. August 28, 1952. August 15, 1952

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

Ans. Unnamed stream. Point of diversion near NW corner of SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23, T. 12 S., R. 13 E.B.M.

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

Ans. Works of diversion consist of earthen dam 250' wide and approximately 7' deep. Ditches approximately 2' wide at the bottom, 5' wide at water line, water depth 1', approximately 1 mile of ditch. Ditch capable of carrying 2.6 cubic feet per second. Ditch unnamed.

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 and stock watering purposes. The following lands have actually been irrigated with said water: 12 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, and 30 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14; 18 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 13, and 14 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 13, all in T. 12 S., R. 13 E.B.M.; 25 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 14 and 20 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23, all in T. 12 S., R. 13 E.B.M. are susceptible of irrigation from this irrigation system if water is available. Land taken out of sagebrush. Crops of wheat, peas, beans, irrigated Siberian wheat grass, barley and alfalfa for seed have been grown. Purpose is to supply water to 60 plus acres presently developed. ~~There supply of water is not~~

22983

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

Ans. -----

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

Ans. Answer below:

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

Ans. -----

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

Ans. This water has been run about 4 times per season each season since 1952. The west pond is drained each run and will yield from 5 to 20 acre feet per run. Each run is approximately 5 days. Thus the amount of water realized is 15 Ac.ft. x 4 runs-- 60 ac.ft. per season of 2 months. This equals a continuous flow for 2 months of 25 inches.

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. Both allotted irrigation water and waste water from the east and south parts of farm are diverted as required to north storage pond and then run out on the described lands to supplement water received under this permit. These supplementary waters are used as required throughout each irrigation season. The amount equals an estimated 35 or 40 inches. This supplementary water is transmitted to north storage pond under permit.

(Sign) W B Arness

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed

and sworn to before me, at my office in Twin Falls, County of Twin Falls,

State of Idaho, on this 30th day of August, A. D. 1957, this matter having been postponed to this date from August 16, 1957 at 10 a.m. at which time no person appeared or filed any protest to the holding of this hearing or submission of proof of beneficial use.

My commission expires November 3, 1960

✓ Harry P. [Signature]
Notary Public, Twin Falls, Idaho.

Answer (Ques.8) Purpose is to supply water to 60 plus acres presently developed. The supply of water does not exceed 60" continuous flow--is actually nearer 25" for about 2 months. To avoid transmission loss I store this water and then run it and at good volume of flow approximating 2-6 sec. ft. from west pond to north storage pond, where it commingles with other irrigation and waste water and is then spread over above described land or stored for stock watering as the case may be.

22983

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
Department of Reclamation

PERMIT NO. 22983

Proof of Application of Water to Beneficial Use

Deposition of Witness

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

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

Ans. Donald E. Wolfe, 50, Castleford, farmer, Castleford, Idaho.

Ques. 2. Are you acquainted with W.B. Arless, the holder of Permit No. 22983? How long have you known him and where does he reside?

Ans. Yes. Have known him four or five years. He resides near Castleford, Idaho.

Ques. 3. Have you read or heard read said Permit No. 22983, and are you familiar with its provisions and conditions?

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

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

Ans. Water from unnamed stream. Place of diversion close to NW corner of SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23, T. 12 S., R. 13 E.B.M. Transfers water from west pond to east pond. Water taken out of east pond by headgate and used on lands to be irrigated. Ditch is approximately $\frac{3}{4}$ mile long. Ditch about 3' wide at top, 2' wide at bottom and about 1 foot deep from water level.

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. Ditch will carry about 3 cubic feet per second. I have seen from 2 to 2 $\frac{1}{2}$ feet of water being conveyed through ditch.

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

Ans. Irrigation and stock watering. Land was originally in sagebrush. As a result of improvements the following crops have been raised: peas, wheat, alfalfa hay and alfalfa seed and Siberian wheat grass. Following lands have been irrigated with said water: about 15 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ and 35 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14; 10 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 13 and 14 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 13, all in T. 12 S., R. 13 E.B.M.

22983

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

Ans. -----

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Volcanic ash. At least 1 miners inch per acre.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No interest whatever in the works, water or lands mentioned above.

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I have seen since 1952 the construction of the irrigation system above mentioned and the gradual application each year of water to the various legal subdivisions and the production of crops I have mentioned.

(Signed) Donald E. Woff

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Twin Falls, County of Twin Falls, State of Idaho, on this 30th day of August, A. D. 1957.

Nancy L. Stey Notary Public.
My commission expires November 3, 1960 Twin Falls, Idaho.

22983

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
SEP 6 1957
Department of Reclamation

PERMIT NO. 22983

Proof of Application of Water to Beneficial Use

Deposition of Witness

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

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

Ans. Claude C. Briggs, 54, Castleford, Idaho. Farmer. Castleford, Idaho

Ques. 2. Are you acquainted with W. B. Arness, the holder of Permit No. 22983? How long have you known him and where does he reside?

Ans. Yes. I have known him about two years. He resides near Castleford, Idaho.

Ques. 3. Have you read or heard read said Permit No. 22983, and are you familiar with its provisions and conditions?

Ans. I have read Permit No. 22983 and I am familiar with its provisions and conditions.

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

Ans. Mr. Arness has a pond on the west side of his place. He stores the water there and transfers it to a pond on the east side. Place of diversion is located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 23, T. 12 S., R. 13 E.B.M. Headgate installed in pond with open ditch to second pond located in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 24, T. 12 S., R. 13 E.B.M. Approximately 1 mile of ditch.

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. Ditch will carry 3 cubic feet per second of water safely to place of use. I have seen from 2 to 2 $\frac{1}{2}$ second feet conveyed in said

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give ditch 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. Irrigation and stock watering. This land was taken out of sagebrush and as a direct result of said irrigation wheat, alfalfa seed, peas, alfalfa hay and Siberian wheat grass have been grown. The following lands have been irrigated with said water: about 15 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ and 35 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14; 10 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 13 and 14 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 13, all in T. 12 S., R. 13 E.B.M.

22983

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

Ans. -----

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Volcanic ash. 1 miners inch per acre.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No interest whatever.

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I have seen the application of water to beneficial use under said permit on the various legal subdivisions I have mentioned to raise the crops I have mentioned in the years 1956 and 1957.

(Signed) Claude C. Briggs

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Twin Falls, County of Twin Falls, State of Idaho, on this 30th day of August, A. D. 1957.

(SEAL)

Harry P. Pety

Notary Public.
Twin Falls, Idaho.

My commission expires November 3, 1960

22983

Times

AN EMPIRE IN ITSELF

News



July 16, 1957

RECEIVED
JUL 17 1957
Department of Reclamation

State of Idaho
Department of Reclamation
Boise, Idaho

Att'n: Edna P. Rutledge

Gentlemen:

This will acknowledge receipt of copy for legal publication regarding Notice of Proof to be made by W. B. Arness of Castleford.

This has been scheduled to run July 18, 25, August 1 & 8, 1957. Copy of first publication will be sent your office as requested.

We are puzzled by your letter regarding the size type used for our Legal Notices. 6-point is always used in all our legal publications. If convenient we should like to know to which notice you refer regarding the use of large type.

Sincerely,

Times-News Publishing Company

Mable F. Clark
(Mrs.) Mable F. Clark, Legal Adv.

22983

July 15, 1957

RE: Permit No. 22983
W. B. Arness

Mr. Harry Povey
Attorney at Law
115 2nd Street West
Twin Falls, Idaho

Dear Sir:

This acknowledges receipt of the notice of proof of application of water to beneficial use under Permit No. 22983, in the name of W. B. Arness. Final proof is to be made before you at 10:00 A.M. August 16th, 1957.

By this same mail, we have sent the notice to the Times News with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof and to then send the affidavit of publication and statement of costs to you.

Before the time set, will you please notify Mr. Arness that he and two disinterested witnesses who are familiar with the terms of the Permit and the work done thereunder are to appear before you at 10:00 A. M. August 16th for the purpose of executing the enclosed depositions.

When returning the depositions to this office please be sure to include the affidavit of publication.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR:vm
Encl.
cc. W. B. Arness
Castleford, Idaho

22983

July 15, 1957

The Times-News
Twin Falls, Idaho

Gentlemen:

It has been brought to our attention that the Legal Notices are being printed in large type, costing the Permit holder about double of what it would if printed in small type.

We therefore ask that all Legal publications from this Department be printed in small type. Thank you.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR:vm

22983

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RE: Permit No. 22983
W. B. Arness

Date: July 13, 1957

The Times-News
Twin Falls, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **August 16th, 1957** the date set for proof, the expense of the publication to be paid by the applicant, **Atty- Harry Povey, 115 2nd / Street West of Twin Falls, 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. KUIP
State Reclamation Engineer
By

Chief Clerk

vm

22983

TELEPHONE 610

HARRY POVEY

ATTORNEY AT LAW

115 2ND STREET WEST

TWIN FALLS, IDAHO

July 10, 1957

RECEIVED
JUL 15 1957

Department of Reclamation

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

In re Permit No. 22983
W.B. Arness

Dear Mr. Kulp:

I am herewith enclosing in connection with the above permit, in duplicate, Notice of Proof Application of Water to Beneficial Use, fixing the time for proof as 10:00 A.M. August 16, 1957. This will permit publication of the notice in the Times-News in the issues of July 18, July 25, August 1 and August 8, and will also permit publication on August 15 in case there should be some delay.

Will you kindly send me the necessary depositions for the claimant and his witnesses. I wish you would send me some extra blanks for my files. I am also enclosing herewith authorization for publication signed by Mr. Arness.

Will you kindly acknowledge receipt of this letter and enclosures.

Very truly yours,

Harry Povey

HP/jp
Encs.

22983

RECEIVED
JUL 15 1957

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE
Department of Reclamation

(Date) July 2 1957
Castleford
Address
Idaho
City State

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the Times News of Twin Falls published in the county in which the works are situated.

By W.B. Arness

(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

22983

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF
WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A.M. on the 16th day of August, 1957, at Twin Falls, County of Twin Falls, State of Idaho, before Harry Povey, Notary Public, 115 2nd St. West, proof will be submitted of the application to beneficial use of 2.6 cubic feet per second of the waters of unnamed stream in the SE 1/4 Sec. 23, T. 12 S., R. 13 E., B.M. in accordance with the terms and conditions of Permit No. 22983 heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are W.B. Arnese, Castleford, Idaho.

The use to which said water has been applied is irrigation and stock watering.

The amount applied to beneficial use is 2.6 cubic feet per second when available.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated); 32 acres, SE 1/4 SE 1/4, Sec. 14; 6 acres, SW 1/4 SE 1/4, Sec. 14; 8 acres, SW 1/4 SW 1/4, Sec. 13; and 14 acres, SE 1/4 SW 1/4, Sec. 13; all in T. 12 S., R. 13, E.B.M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is--no name.

The right to take water from such works is based upon Permit No. 22983.

The source of supply from which such water is diverted is waste water.

The date of priority which said user is prepared to establish is August 15, 1952.

MARK R. KULP
State Reclamation Engineer

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

DEPARTMENT OF RECLAMATION

RE: Permit No. 22983

Boise, Idaho

June 1, 1957

Mr. W.B. Arness
Castleford, Idaho

Dear Sir:

We enclose herewith blank notice for proof of application of water to beneficial use under your Permit No. 22983. This notice should be filled out in duplicate and returned to this office at least 40 days before the date upon which you wish to make this proof, in order to allow time for the four weeks' publication required by law.

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

The date for proof, as set out in your permit, is not later than August 28, 1957, and if proof is submitted later than said date, your priority will be brought down a length of time equal to the time elapsing between the date the proof is due and the date proof is actually made.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

22983

August 16, 1954

RE: Permit No. 22983

Mr. W. B. Arness
c/o International Metallurgical Chrome Corp.
1026 Chorro Street
San Luis Obispo, California

Dear Mr. Arness:

We enclose Certificate of Completion of Works issued on Permit No. 22983 for the diversion of 2.6 second feet of water from an un-named stream with point of diversion in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 23, Township 12 South, Range 13 East B.M. for irrigation and stock watering purposes in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ S $\frac{1}{2}$ SE Section 14, E $\frac{1}{2}$ NW $\frac{1}{4}$ Section 23, same Township and Range.

We also enclose departmental receipt No. 26829 for the \$5.00 fee paid in connection with completion of works proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll
Enc.

22983

August 2, 1954

RE: Permit No. 22983

Mr. W. B. Arness
c/o International Metallurgical Chrome Corp.
1026 Chorro Street
San Luis Obispo, California

Dear Mr. Arness:

We acknowledge receipt of your affidavit in proof of Completion of Works on Permit No. 22983.

However, you failed to enclose the fee of \$5.00 required in connection with this proof as mentioned in office letter addressed you on June 1st.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:br

22983

Permit No. 22983STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

RECEIVED
AUG 2 1954
Department of Reclamation

STATE OF IDAHO

County of Twin Falls

ss.

W. B. Arness

, being first duly sworn, upon his oath deposes and says:

First: That he is the holder and owner of Permit to Appropriate the Public Waters of the State of Idaho, No. 22983, and that his postoffice address is Castleford
State of Idaho

Second: That the name of the stream from which said water is to be diverted is
An un-named stream

Third: That the point of diversion of said water is 1600' N.E. from S.W. corner Sec. 23
(S.E. 1/4 N.W. 1/4 Sec. 23, T 12 S, R 13 E. B.M. County Twin Falls)

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by August 28, 19 54

Fifth: That the use for which said water is intended is irrigation and stockwater

Sixth: That on the date above mentioned, the works constructed under said permit were ~~(uncompleted)~~ fully completed and consisted of the following:

I. Kind of works: Diversion dam, delivery pipe with gate, and ditch
(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

(a) Height of dam 8 feet, length of dam at top 300 feet, length of dam at bottom 100 feet. Material used in construction earth

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir 6 acre feet.

(c) Size of headgate: Width feet, height feet.

(d) Conduit 1' width at bottom 2 1/2' feet, width at water line 1 1/2'
(State whether ditch flume or pipe)

feet, depth of water 2/3 feet; diameter of pipe inches, average grade per mile is 5.28 feet. Length of conduit is 3/4 miles.

Seventh: That said works are capable of conducting to the place of intended use 2.6 second feet of water.

Eighth: That water appropriated under said permit is available for
acres of land described as follows: T 12 S. R 13 E.

Sec. 14 S.W. 1/4 S.E. 1/4 30 A. Sec. 23 N.W. 1/4 N.E. 1/4 40 A.

E.E. 1/4 S.W. 1/4 40 A. N.W. 1/4 S.E. 1/4 10 A.

S.E. 1/4 S.E. 1/4 10 A.

Ninth: Remarks: That Stream is fed by waste water from adjoining lands.

W. B. Arness
(Sign Here)

Subscribed and sworn to before me this 29th day of July, 19 54

My commission expires Mar. 21, 1955 Richard R. Hargrett
Notary Public.

22983

✓
June 28, 1954

RE: Permit No. 22983

Mr. W. B. Arness
C/o International Metallurgical Chrome Corp.
1026 Chorro Street
San Luis Obispo, California

Dear Mr. Arness:

We enclose herewith, copy of Permit No. 22983 in accordance with your request, together with departmental receipt No. 26741 for the \$1.00 fee in connection therewith.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll
Enc.

22983



INTERNATIONAL METALLURGICAL CHROME CORP.

NEW YORK OFFICE: 29 BROADWAY · NEW YORK 6, N. Y. · TELEPHONE DIGBY 4-4640

SEATTLE OFFICE
1101 TERMINAL SALES BLDG.
SEATTLE 4, WASHINGTON

CALIFORNIA OFFICE
1026 CHORRO STREET
SAN LUIS OBISPO, CALIF.

June 23, 1954

Department of Reclamation
State of Idaho
Boise, Idaho

Attention: Miss Jeanne L. Anderson
Chief Clerk

RECEIVED
JUN 26 1954

Department of Reclamation

Gentlemen:

Re: Permit No. 22983

Acknowledging your letter of June 18 I am enclosing check for \$1.00 in payment of one copy of permit No. 22983. Inasmuch as I still have the original permit among my records in Phoenix it should not be necessary to have the copy certified.

Please send this copy to me at the above address.

Yours very truly,

W. B. Arness
W. B. Arness

WBA:lb
Enc.

22983

✓
June 18, 1954

RE: Per-it No. 22983

Mr. W. B. Arness
C/o International Metallurgical Chrome Corp.
1026 Chorro Street
San Luis Obispo, California

Dear Mr. Arness:

In reply to your letter of June 15, we can furnish you a copy of Permit No. 22983, the cost for which will be \$1.00, or \$1.50 if certified.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll

22983



INTERNATIONAL METALLURGICAL CHROME CORP.

NEW YORK OFFICE: 29 BROADWAY · NEW YORK 6, N. Y. · TELEPHONE DIGBY 4-4640

SEATTLE OFFICE
1101 TERMINAL SALES BLDG.
SEATTLE 4, WASHINGTON

CALIFORNIA OFFICE
1026 CHORRO STREET
SAN LUIS OBISPO, CALIF.

June 15, 1954

Department of Reclamation
State of Idaho
Boise, Idaho

Attention: Mr. Roy Thompson

Gentlemen:

I have your Form 6, Proof of Completion of Work, required to prove up under Permit 22983.

This work is completed and I am ready to submit the affidavit but would like to refer to the permit which I do not have with me. Being away from home most of the time it is difficult to obtain this document and I am moved to ask if you could send me a copy. It may be addressed to me in care of the Company here in San Luis Obispo.

Be assured of my appreciation.

Yours very truly,

W. B. Arness

WBA:lb

RECEIVED
JUN 18 1954
Department of Reclamation

CIW Aug. 28-54

22983

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Mr. W. B. Arness

Castleford, Idaho

Boise, Idaho June 1, 1954

Dear Sir:-

Under the terms of your Permit No. 22983.....you are required to complete your diversion works on or before August 28, 1954..... I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Yours truly,

MARK R. KULP

State Reclamation Engineer

22983

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 22983

Date September 9, 1952

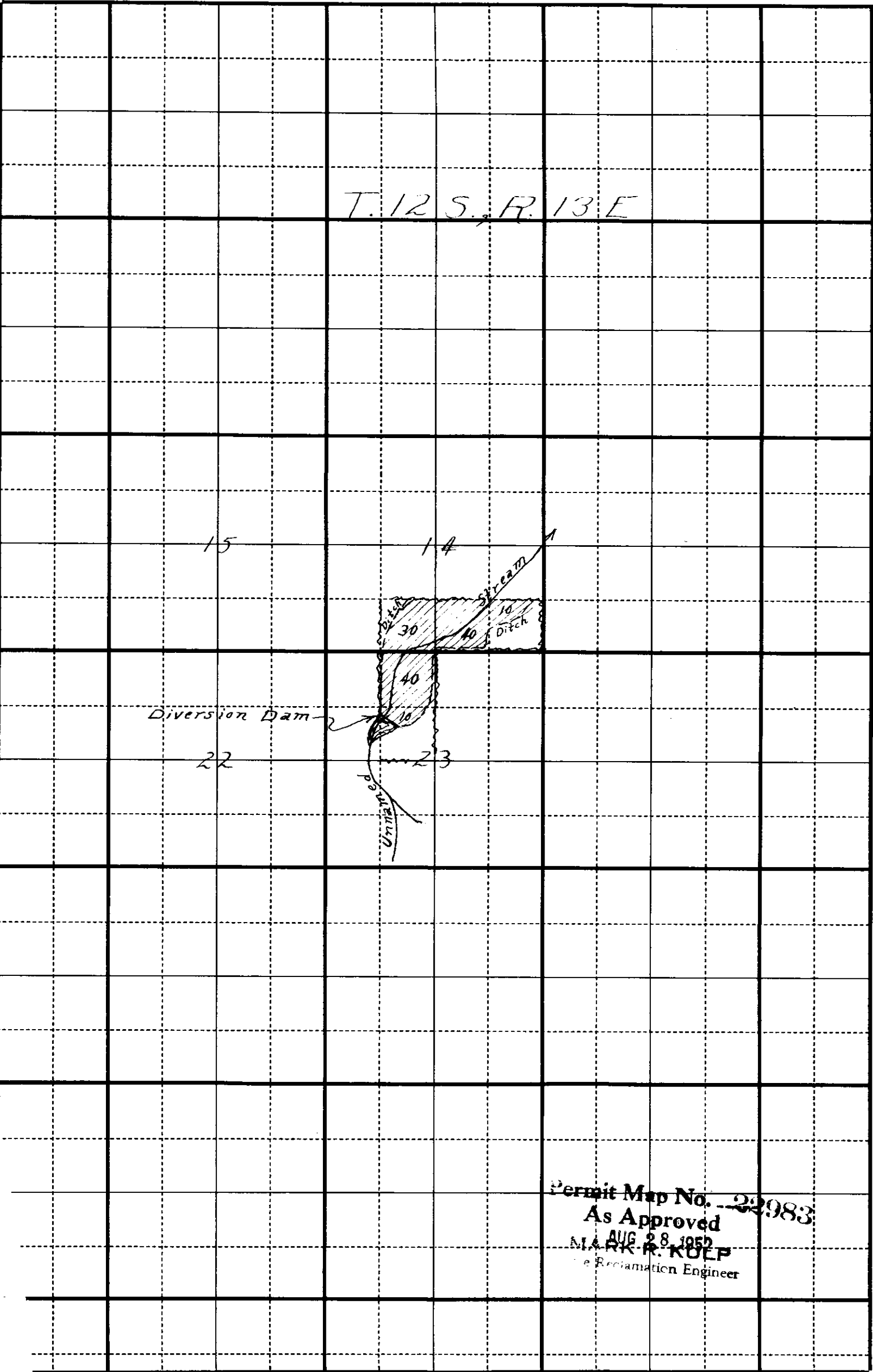
We enclose herewith the above numbered permit. BE SURE AND
NOTE LIMITATIONS AND CONDITIONS OF SALE as given under approval of the
State Reclamation Engineer, on the fourth page.

Mr. W. B. Arness
Castleford
Idaho

MARK R. KULP
State Reclamation Engineer

Enc. Departmental receipt No. 24770 for \$5.50 filing fee.

22983



Permit Map No. 22983
As Approved
AUG 28 1952
MARK R. KULP
Reclamation Engineer

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

Notice is hereby given that at 10:00 A. M. on the 16th of August, 1957, at Twin Falls, County of Twin Falls, State of Idaho, before Harry Povey, Notary Public, 115 2nd St. West, proof will be submitted of the application to beneficial use of 2.6 cubic feet per second of the waters of unnamed stream in accordance with the terms and conditions of Permit No. 22983 heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are W. B. Arness, Castleford, Idaho.

The use to which said water has been applied is irrigation and stock watering.

The amount applied to beneficial use is 2.6 cubic feet per second when available.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated): 32 acres, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14; 6 acres, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14; 8 acres, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 13; and 14 acres, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 13; all in T. 12 S., R. 13, E.B.M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is—no name.

The right to take water from such works is based upon Permit No. 22983.

The source of supply from which such water is diverted is waste water.

The date of priority which said user is prepared to establish is August 15, 1952.

MARK R. KULP

State Reclamation Engineer

Publish: July 11, 25, Aug. 1, 8, 1957