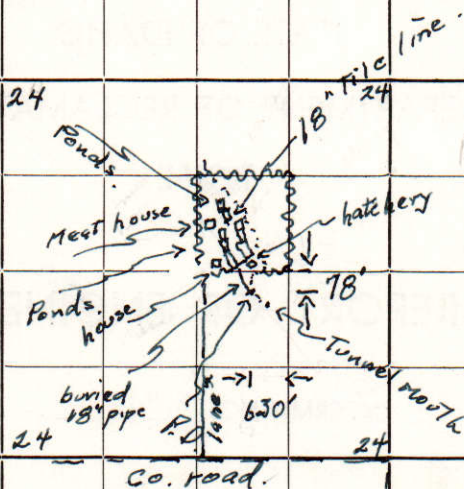


T 95 R. 14 E. B. M.

Sec. 24

N.



Ponds 3 long 2 wide

2 Ft throat

Parshall Flume = 1.16 Feet = gauge H.

Q = 10.1 cfs.

Allow 10.6 cfs.

AFFIDAVIT of PUBLICATION

STATE OF IDAHO Department of Reclamation

NOTICE OF APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO, IN ACCORDANCE WITH THE PROVISIONS OF SECTION 41-203, IDAHO CODE ANNOTATED.

NOTICE IS HEREBY GIVEN That on September 14, 1948, E. M. Hardy

and Alfred R. Iverson of Boise, Idaho, made application for permit to appropriate fifteen (15) cubic feet per second for fish propagation and one fiftieth (1/50) of a cubic foot per second for domestic purposes from an unnamed stream originating from a tunnel known as the Mendini Tunnel located in the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 24, Township 9 South, Range 14 East, B. M.

That the point of diversion of said water is located approximately 660 feet in an easterly direction from the central point of Section 24 on the East-West Center line of said section and in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 24, Township 9 South, Range 14 East, B. M.

That the point of use of said water is in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 24, Township 9 South, Range 14 East, B. M.

That any protests against the approval of this application must be filed in the Department of Reclamation, at Boise, Idaho, within forty (40) days from the date of this notice, and such protest shall state the name and address of the protestant, and shall clearly set forth his objections to the approval of said application.

Dated this 15th day of September, 1948.

MARK R. KULP,
State Reclamation Engineer.
Date of First publication: 9-30-48.
Date of last publication: 10-14-48.
Last date for protest: October 25, 1948.

SERVICE OF THE FOREGOING, by copy, is hereby acknowledged, this 16th day of September, 1948.

E. M. Hardy and Alfred R. Iverson
Applicants

20707 By
(34t3) E. M. Hardy.

STATE OF IDAHO
County of Twin Falls

ss.

I, **R. M. McIntire**, do solemnly swear that I am the printer and publisher 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 three consecutive weeks, the first publication having been made on the 30th day of September, 1948, and the last publication having been made on the 14th day of October, 1948; 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.

R M McIntire

Subscribed and sworn to before me this

14 day of Oct, 1948

W. H. H. H. H.

Notary Public.

615 Village Lane

20707

AFFIDAVIT of PUBLICATION

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

Notice is hereby given that at 3:00 p.m., on the 28th day of October, 1953, at Boise, County of Ada State of Idaho, before Wm. D. Fox, Notary Public proof will be submitted of the completion of works for the diversion of 15 cubic feet per second of the waters of an unnamed stream originating from a tunnel known as the Mendini Tunnel located in the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Sec. 24, T9 South Range 14 East, B.M. and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 20707 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 E. M. Hardy and Alfred R. Iverson, 1522 Vista Ave., Boise, 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 15 cubic feet per second.

3. The use to which said water has been applied is Fish Propagation purposes, and the amount applied to beneficial use is 15 cubic feet per second.

4. The place where said water is used is SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 24, Township 9 South, Range 14 East, B. M.

5. The date of priority which said user is prepared to establish is September 14, 1948.

20707 Mark R. Kulp
State Reclamation Engineer
(33t4)

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 17th day of September, 1953, and the last publication having been made on the 8th day of October, 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

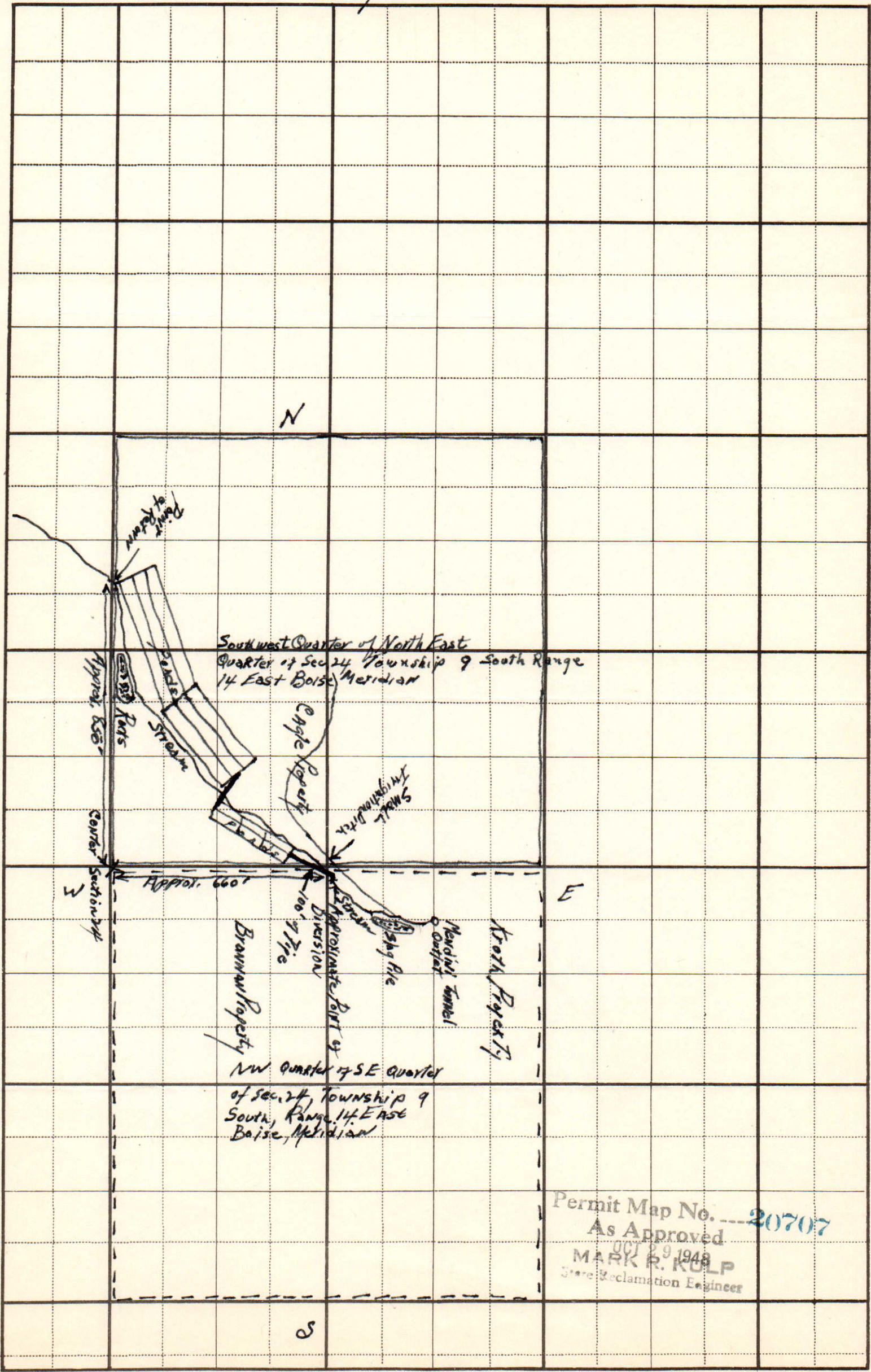
17th day of October, 1953

Louis Schnakenberg
Notary Public.

20707

NAME OF APPLICANT E. M. Hardy & Alfred R. Ivers

FORM No. 0



Permit Map No. 20707
As Approved
OCT 29 1948
MARK R. KULP
State Reclamation Engineer

SCALE: 2 INCHES EQUAL 1 MILE. DRAW PLAN IN INK.

20707

1990

Amount.....10.6 second feet

Priority September 14, 1948

Description and location of use:

(SEAL)

47 224.5

9-15 1948
ation 9-30 to 10-14 1948
Pretest 10-25 1948

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

No 20707

47-2245

IF PROTESTED

of Hearing 19
S 19
at Filed 19

APPLICATION No. 28285
PERMIT No. 20707
DISTRICT No.

E. M. Hardy
615 Village Lane
Boise, Idaho

1. Name of Applicant: E. M. HARDY and ALFRED R. IVERSON

Postoffice address: 615 Village Lane, Boise

County: Ada

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:

- (a) Cash on hand:
- (c) Bonds to be issued:

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

2. Quantity of water claimed: 15 cubic feet per second. for fish propagation
0.02 " " " " for domestic purposes

3. Source of water supply: Unnamed stream originating from a ~~tributary of~~ tunnel known as the Mendini Tunnel located in the Northeast 40 acre tract (Kroth property) of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 24, Twp/ 9 S., Range 14 East, B.M., and which is a tributary of the Snake River.

4. Location of point of diversion: Approximately 660 feet distant from the in an Easterly direction from the central point on the East-West center line of said section, ~~corner~~ of Section 24, T.9 S., R.14 E., B.M./and is in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 24, T. 9 S., R.14 E., B.M., County of Twin Falls

5. Water is to be used for Fish propagation and domestic 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 SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 24, T. 9 S., R. 14 E., B.M.

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

(c) Water is to be returned to the stream bed at a point approx. 850' distant in a Northerly direction from the central point of Section 24, along the North-Center line of said section, feet distant from the corner of Section, T., R., B.M., in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 24, T. 9 S., R. 14 E., B.M.

7. Estimated cost of works: \$ 15,000.00

8. Kind of works: Pipe and dam

9. Height of dam Approx. 3 feet; length of dam at top Approx. 8 feet; length of dam at bottom Approx. 6 feet; material used in dam: Concrete

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 24 inches; length of conduit 100 feet miles

Average grade per mile feet.

12. The time required for the completion of such work is Five (5) years.

13. The time required for the complete application of the water to the proposed use is One (1) 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.

E. M. HARDY & ALFRED R. IVERSON *Applicant.*

By E. M. Hardy Agent.

Date of first receipt at Department of Reclamation: 10:20 A. M. Sept. 14, 1948

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 20707

Recorded in Book 74 Page 20707 Approved October 29, 1948

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 December 29, 1948 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 April 29, 1951

The whole of said work to be completed on or before **October 29, 1953**

Beneficial use of water appropriated in accordance herewith, to be made on or before October 29, 1954

WITNESS My hand this 29th day of October, 1948

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, C. A. ROBINS, Governor of the State of Idaho,
and J. D. "CY" PRICE, 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 29th day of October, 1948.

STATE OF IDAHO

STATE OF IDAHO

Countersigned:

(SEAL)

By J. D. "CY" PRICE

Secretary of State.

By C. A. ROBINS

Governor.

REMARKS:

14.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
			Permit No. 20707 CERTIFICATE OF COMPLETION OF WORKS To All Whom It May Concern: This is to certify that E. M. HARDY and ALFRED R. IVERSON of Boise, County of Ada, and State of Idaho, the holders of Permit No. 20707, issued upon application No. 28285 bearing date of priority of September 14, 1948, authorizing the diversion of 15.02 second feet of the waters of an un-named stream originating from Mendini Tunnel, County of Twin Falls, State of Idaho, for fish propagation and domestic purposes, have 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 10.6 second feet of the waters of said un-named stream; that the point of diversion of said waters is in the NW¼ SE¼ Section 24, Township 9 South, Range 14 East, B.M. and that the place of use of said waters is in the SW¼ NE¼ Section 24, Township 9 South, Range 14 East, B. M. Witness my hand this 23rd day of January, A. D. 1954. MARK R. KULP State Reclamation Engineer Proof of Completion of Works made October 28, 1953. Certificate of Completion of Works issued January 23, 1954. LICENSE ISSUED FOR 10.6 SEC. FT. P. 5213																

October 14, 1968

RE: Permit 26237 and 20707

47-2245

Earl M. Hardy
Rainbow Trout Farms, Inc.
1224 Vista Avenue
Boise, Idaho 83705

Dear Mr. Hardy:

Enclosed herewith are copies of the assignments you submitted for recording. We have placed the originals in our files.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRE:ejw

Enclosure

36707
47-2245

47-2245

RECEIVED

OCT 2 1968

ASSIGNMENT

For value received, I hereby assign all of my right, title and interest ^{Department of Reclamation}
 in and to Permit to appropriate the Public Waters of the State of Idaho, Permit
 No. 26237 to RAINBOW TROUT FARMS, INC.
 Address: 1220 Vista Avenue
Boise, Idaho

Alfred R. Iverson Earl M. Hardy
 Alfred R. Iverson Permit Holder Earl M. Hardy
Verna L. Iverson LaVane Hardy
 Verna L. Iverson Wife of Permit Holder LaVane Hardy

STATE OF IDAHO)
) ss
 County of ADA)

On this 1st day of October, 1968, before me, a Notary
 Public for the State of Idaho, residing at Boise, Idaho
 personally appeared EARL M. HARDY and LaVANE HARDY,
 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 Notarial
 Seal, the day and year in this certificate first above written.

Marguerite L. Magnus
 Notary Public
 Residing at Boise, Idaho

My commission expires: June 10, 1971

Note:
 * If fractional part of permit is to be assigned, the fractional part of the land
 to which the assigned fraction is appurtenant should be described by legal sub-
 divisions.

47-2245
20707

RECEIVED

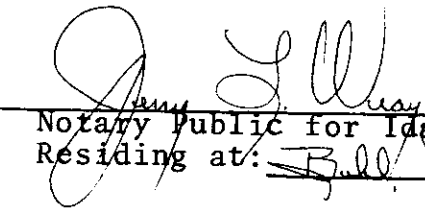
OCT 9 1968

Department of Reclamation

STATE OF IDAHO))
 : ss.
County of Twin Falls)

On this 30th day of September, 1968, before me, the undersigned, a Notary Public in and for said state, personally appeared ALFRED R. IVERSON and VERNA L. IVERSON, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.


Notary Public for Idaho
Residing at: Bull Lake

My commission expires: 3/23/70

47-2245
20707

✓
January 25, 1954

RE: Permit No. 20707

Mr. E. M. Hardy
1522 Vista Avenue
Boise, Idaho

Dear Mr. Hardy:

We enclose Certificate of Completion of Works, also License and Certificate of Water Right issued on Permit No. 20707 confirming the right of yourself and Alfred R. Iverson to the use of 10.6 second feet of water from an un-named stream originating in Mardini Tunnel with priority of September 14, 1948, and point of diversion in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 24, Township 9 South, Range 14 East B. M. for fish propagation and domestic use in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 24.

We also enclose departmental receipt No. 26452 for \$10.30 fees in connection with these proofs.

Very truly yours,

LARK R. KULF
State Reclamation Engineer
By

Chief Clerk

A:br
Enc.

20707

✓
January 16, 1954

RE: Permit No. 20707

Mr. E. M. Hardy
1522 Vista Avenue
Boise, Idaho

Dear Mr. Hardy:

The report of our field engineer upon examination for Completion of Works and Beneficial Use on Permit No. 20707 in the name of yourself and A. R. Iverson is now on file and upon receipt of the statutory fees, Certificate of Completion of Works and License can be issued for 10.6 second feet of water from an un-named stream originating from Mandini Tunnel for fish propagation. The Completion fee amounts to \$5.30 and the License fee \$5.00.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/re

20707

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

Permit No. 20707

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

1. Name of applicant E. M. Hardy and A. R. Iverson, Rt. 1, Buhl, Idaho
2. Source of water supply: Un-named stream, originating from Mardini Tunnel
3. Location of point of diversion: Is in the NW¹/₄ SE¹/₄ of Section 24
T. 9 S. R. 14 E. County of Twin Falls
4. Describe works as they exist, giving dimensions and capacities of same. There is a small low concrete dam across the draw, thus forming a small pool at the P.D.. An 18" concrete pipe 132' long leads from the pool to the upper fish ponds. There it divides by means of two branches of flume. Water flows thru the upper ponds and on down thru the lower ones. Small fish are kept at upper end gradually increase in size until they are marketable fish at the lower end. There are 16 ponds 120'x30'x3' deep. Each pond is divided into two pools. Approx. 65 000 pounds of fish were marketed last year. This water issues from a tunnel approx. 150 yards above the P.D. There is one pipe line diversion between the tunnel and the P.D. It supplies water for an 80 acres stated Mr Iverson.
5. Water is used for: Fish propogation
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):

Place of Use: SW¹/₄ NE¹/₄ Section 24, Twp. 9 South, Range 14 East, B. M.

See map

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

8. What large stream would the water here appropriated finally reach? Snake River
- Remarks There is a Farshall Flume set a short distance below the tunnel's mouth. Size is a 24" throat.

Made a recheck on Jan 14-54

Highest marks on Farshall flume is 1.2' = 12.6 cfs.

This examination was made on the 9th day of November, 19 53

(Signed) E. M. Humphrey

Examiner.

20707

concrete walls
10' h x 22' w x 8" t
chicks 4' x 3' w.

hatch 80000 eggs
est. 40000 fish
75¢ to 80¢ per lb.

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
JAN 14 1954
Department of Reclamation

E.M. Hardy, 1522 Vista, Boise, Idaho
A. R. Iverson, Rt. 4, Buhl, Idaho
Permit No. 20707

Examination for Completion of Works
and Beneficial Use
County Twin Falls

24-95-14E.

B = 15.02 c.f.s.

S = Un-named stream originating from
the Mountain Tunnel.

P.L. = NW. SE., Sec. 24, T. 9S. - R. 14E.

Use = Fish propagation
and Domestic

allow 10.6 cfs. if
pipe does not figure more

1.20 = reading on
2' Parshall flume.

Priority = Oct. 29, 1948
Due = Oct. 29, 1954

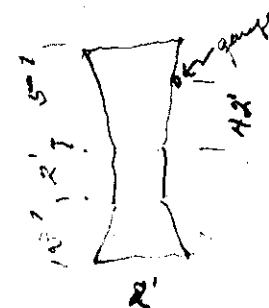
152'
4' x 18" concrete pipe
2' head. 2' weir 1.11 ft

Water thru 18" pipe - divides into troughs
1' deep x 24" w - x 60' long into top ponds.

16 ponds 120' x 30' w x 3' deep.

65000 pounds of marketed fish

70880 Thousand = est. copy.

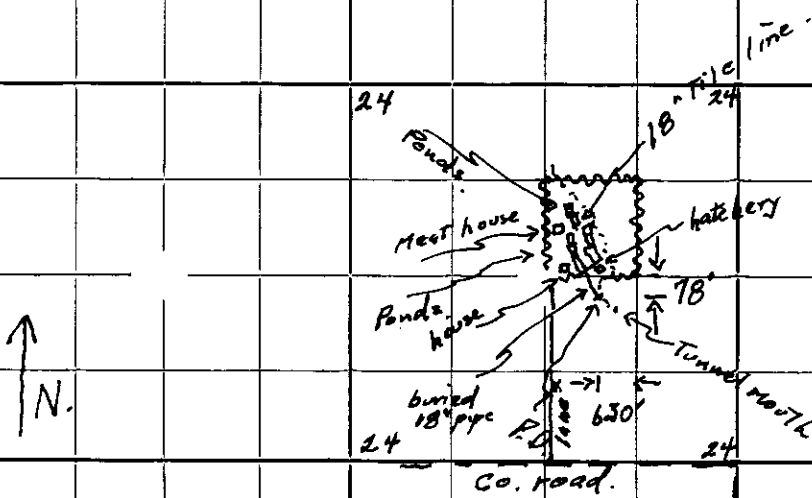


Tunnel approx. 4' x 7' 150 yds
above P.D.

one diversion 100' below tunnel

T 9 S R. 14 E. B. M.

Sec. 24



2 Ft throat

Parshall Flume = 1.16 Feet = gauge H.

$Q = 10.1 \text{ cfs.}$

Allow 10.6 cfs.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 20707

REPORT ON PROOF OF Completion of Works and Beneficial Use

E. M. HARDY, 1522 Vista Ave., Boise, Idaho

A. R. IVERSON, Route 4, Buhl, Idaho

10.6 cfs.
max

App. 15 cfs.

November 4, 1953

RE: Permit No. 20707

Mr. E. M. Hardy
1522 Vista Avenue
Boise, Idaho

Dear Mr. Hardy:

I, E. N. Humphrey, Deputy State Reclamation Engineer, intend to make inspection in connection with your Permit No. 20707 on Monday, November 9, 1953, shortly after noon.

An inspection is required by law before license can be issued.

Please be prepared to accompany me on this inspection.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

H:fg

cc: Mr. A. R. Iverson

20707

✓
October 30, 1953

RE: Permit No. 20707

Mr. E. M. Hardy
1522 Vista Avenue
Boise, Idaho

Dear Mr. Hardy:

We have placed on file the depositions of yourself and two witnesses, also affidavit of publication in the Buhl Herald, all submitted in proof of Completion of Works and Beneficial Use on Permit No. 20707 in the name of yourself and A. R. Iverson.

Final inspection will be made at a later date in accordance with your conversation yesterday with Deputy State Reclamation Engineer, Mr. E. N. Humphrey.

Meanwhile, we return your receipted bill for cost of publication which you will doubtless wish to keep in your own files.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/re

20707

20707

THE BUHL HERALD

"Idaho's Best Read Newspaper"

Buhl, Idaho

Sept. 17, 1953

RECEIVED
SEP 18 1953

Department of Reclamation

State of Idaho
Department of Reclamation
Boise, Idaho

Dear Sirs:

This will acknowledge receipt of the notice for publication for four consecutive weeks of the applicants E. M. Hardy and Alfred R. Iverson.

A copy of the first publication went into the mail today.

Sincerely,

THE BUHL HERALD

by Aris Schnakenberg

20707

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

AFFIDAVIT of PUBLICATION

STATE OF IDAHO
Department of Reclamation
NOTICE OF APPLICATION FOR
PERMIT TO APPROPRIATE THE
PUBLIC WATERS OF THE STATE
OF IDAHO IN ACCORDANCE
WITH THE PROVISIONS OF SEC.
11-1-1, IDAHO CODE AN-
NOTICE
I, R. M. McIntire, do hereby certify that
on September 14, 1948, R. M. Hardy

and Alfred P. Jackson of Boise, Ida-
ho, made application for permit to
appropriate fifteen (15) cubic feet
per second for fish propagation and
one-fifth (1/5) of a cubic foot
per second for domestic purposes
from an unnamed stream originat-
ing from a tunnel known as the
Machini Tunnel located in the NW 1/4
of the SE 1/4 of Section 24, Township
9 South, Range 14 East, R. M.

That the point of diversion of
said water is located approximate-
ly 550 feet in an easterly direction
from the central point of Section 24
on the East-West Center line of
said section and in the NW 1/4, SE 1/4,
Section 24, Township 9 South,
Range 14 East, R. M.

That the point of use of said wa-
ter is in the SW 1/4, NW 1/4 of Section
24, Township 9 South, Range 14
East, R. M.

I, R. M. Hardy, do hereby certify that the
above is a true and correct copy of the
application for permit to appropriate
water as filed in the office of the
Department of Reclamation, Boise, Idaho,
on September 14, 1948, and that I am
the duly authorized representative of the
applicant in the execution of this
affidavit.

Witness my hand and seal this 14th day of September,
1948.

R. M. Hardy,
State Engineer.
Boise, Idaho.
Filed for Record: 10-14-48
10-14-48

615 Village Lane
E. M. Hardy

STATE OF IDAHO
County of Twin Falls

ss.

I, R. M. McIntire, do solemnly swear that I am the
printer and publisher of THE BUHL HERALD, a week-
ly newspaper of general circulation, published once each
week at Buhl, Idaho; that the notice attached hereto was
published in said newspaper three consecutive
weeks, the first publication having been made on the
30th day of September, 1948,
and the last publication having been made on the
14th day of October, 1948;
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 pub-
lished 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 peri-
od of more than 78 weeks prior to the first publication
of the attached notice.

R M McIntire

Subscribed and sworn to before me this

14 day of Oct, 1948

W. H. Hammond
Notary Public.

20707

AFFIDAVIT of PUBLICATION

NOTICE OF PROOF OF COMPLETION OF INFORMATION

APPROPRIATE TO REM.

3:00 p.m. at the
Boyle, Idaho
Shaw, Idaho
Nelson, Idaho
marks
for the
per
un-
named
known
located in the
of Sec. 21, T9 South
E.M. and of the
to beneficial use of
in ac-
cordance with the
ditions of Permit
before
by the
of the
Idaho
ad-
of the person
holding said permit
M.
and Alfred R.
1922

2. A great deal of diversification will be fully reflected on the rate set for the completion of the and the number of works are not confined to the plan in accordance with the requirements of the plan.

has
gation
appl
cubic

4. The property is used as a residence. It is located in Section 14, Township 5 South, Range 14 East.

5. The [redacted] both said
user is [redacted] [redacted] is
September [redacted]

20767 Mark R. Kuip
State Reclamation Engineer
(2384)

STATE OF IDAHO
County of Twin Falls

- 88 -

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 17th day of September, 1953, and the last publication having been made on the 28th day of October, 1953; that said notice was published in the regular and entire issue of every number of the paper during the period and time of publication, and that the said notice was published in the newspaper proper, and not in the supplement thereof.

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

Subscribed and sworn to before me this

8th day of October, 1955

Louis Schnakenberg
Notary Public.

Notary Public.

20707

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
OCT 28 1953
Department of Reclamation

Permit No. 20707

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. E. M. Hardy, 3508 Windsor Drive, Boise, Idaho - Trout Farmer

A. R. Iverson, Route 1, Buhl, Idaho - Trout 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. Not applicable.

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

Ans. 20707, October 29, 1948 approved. Date of Priority is Sept. 14, 1948

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

Ans. Unnamed stream originating from a tunnel known as the Mendini Tunnel located in the N-1/2 of the SE-1/4 of Sec. 24, T9 South Range 14 East, B.M. Point of Diversion approx. 660 feet in an Easterly direction from the center point of Sec. 24 on the East-West Center line of said section.

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. Concrete dam and tile capable of conveying approx. 15 cubic feet per second.

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 used for Trout propagation in the SW-1/4 of the NE-1/4 of Section 24, T9 South Range 14 East, B.M.

20707

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

Ans. Water is used through a series of 19 ponds.

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

Ans. Approx. 15 cubic feet per second

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. Not applicable.

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

Ans. Approx. 15 c.f.p.s. has been used during the past two years through the ponds for Commercial trout farming.

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. Not applicable.

E. M. Hardy & A. R. Iverson

(Sign) By

E. M. Hardy

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Boise, County of Ada, State of Idaho, on this 28th day of October, A. D. 1953,

My commission expires

4/29/54

William D. Fox

20707

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 20707

**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. Carl Cagle 27 yrs. Rt. #4 Buhl, Idaho P.O. Address same
Trout Raising.

Ques. 2. Are you acquainted with Hardy & Iverson, the holder of Permit No. 20707? How long have you known ^{them} ~~him~~ and where ^{do} ~~does~~ ^{they} ~~he~~ reside?

Ans. Yes 5 yrs. Rainbow Trout Farm Rt. # 4 Buhl, Idaho

Ques. 3. Have you read or heard read said Permit No. 20707, and are you familiar with its provisions and conditions?

Ans. Yes

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

Ans. Unnamed stream originating from a tunnel known as the Mendini tunnel
located in the Northwest corner of the Kroth property in the Southeast Quarter
of section 24 Township 9 South range 14. Diversion- Approx. 660 ft. in a
~~northwesterly~~ easterly direction from ~~the source~~ center point of Sec. 24. Dam with a concrete tile leadoff.

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. 15 sec. ft. 15 sec. ft.

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. Water used for Trout Raising.

SWNE of section 24 township 9S Range 14E Twin Falls, County, Idaho

20707

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

Ans. Water used in ponds for purpose of fish (Trout) raising.

15 sec. ft. running thru a series of ponds 18 in number.

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. Does not apply

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

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. Thru the past 2 yrs. Water used in ponds for trout raising.

15 sec. ft. running thru 18 ponds.

(Signed)

Carl Cagle

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 26th day of Oct

A. D. 1953

Mabel Sandgren

Notary Public.

My commission expires 10-19-54

20707

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 20707

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. Ernest Bowman 25 yrs. 925 Nth 9th. St. Buhl, Idaho
P. O. add. same. Engaged in trout raising.

Ques. 2. Are you acquainted with E. M. Hardy & A. R. Iverson, the
holder of Permit No. 20707? How long have you known him and where does
^{they} he reside?

Ans. Yes 6 months.

At Rainbow Trout Farm Rt. #4 Buhl, Idaho

Ques. 3. Have you read or heard read said Permit No. 20707, and are you familiar with its provisions and conditions?

Ans. Yes

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

Ans. An unnamed stream coming from a tunnel known as the Mendini tunnel
located in the Northwest Quarter of the Southeast Quarter of Sec. 24 Twshp 9
South range 14 Twin Falls, County Idaho Div.-- Approx. 660 ft. in a Easterly
direction from the central pt. of sec. 24 Twshp. 9s. Range. 14 in the NW Qtr.

Dam with concrete tile leadoff.

of SE. Qtr. Sec. 24 T. 9 R. 14

Ques. 5. How many second feet of water do you estimate said works will safely con- Twin Falls
duct to place of use, and how much water have you seen being so conveyed? County

Ans. 15 Sec ft.

15 sec. ft.

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. Water used for Trout raising

SWNE of section 24 Twshp. 9S. Range 14E. Twin Falls, County, Idaho

20707

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

Ans. Water used in ponds for purpose of trout raising

15 sec. ft. running thru a series of 18 ponds.

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. Does not apply

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

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. Thru past 6 months. Water running thru ponds for fish raising.
15 sec. ft. passing thru 18 ponds.

(Signed) Ernest Boerman

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 26th day of Oct.

A. D. 19 53.

Mahel Sandgren
Notary Public.

My commission expires 10-19-54

20207

A F F I D A V I T

I, Wm. D. Fox, of 1317 Jackson St., Boise, County of Ada, State of Idaho, a Notary Public in and for the State of Idaho, do hereby certify that I was at the above address from 3:00 p.m. to 4:00 p.m. on the 28th day of October, 1953 for the purpose of receiving any protests or objections to the Proof of Completion of Works and Application of Water to Beneficial Use by E. M. Hardy and A. R. Iverson under Permit No. 20707 heretofore issued by the Department of Reclamation of the State of Idaho, and that no such protests or objections were made by any person or persons in this matter.

Dated this 28th day of Oct., 1953

William D. Fox

My commission expires

4/29/54

20707

A F F I D A V I T

I, E. M. Hardy, 1522 Vista Ave., Boise, Idaho, do solemnly swear that Deposition of Witnesses Carl Cagle and Ernest Bowman under Permit No. 20707 issued by the Department of Reclamation of the State of Idaho to E. M. Hardy and A. R. Iverson, was subscribed and sworn to before Mabel Sandgren of Buhl, Idaho instead of before Wm. D. Fox of Boise, Idaho, as set forth in the Affidavit of Publication, solely for the convenience of the above witnesses.

E. M. Hardy

Subscribed and sworn to before me this 28th day of October, 1953, in Boise, County of Ada, State of Idaho.

William D. Fox

Notary Public.

My Commission expires

4/29/54

20707

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. 20707

Date: September 12, 1953

Buhl Herald

Buhl, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **October 28, 1953** the date set for proof, the expense of the publication to be paid by the applicant, **E.M.Hardy & Alfred R.Iverson** of **1522 Vista Avenue, Boise, 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 L. KULP

State Reclamation Engineer
By

Chief Clerk

20707

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) September 11, 1953

(P. O.) 1522 Vista Ave., Boise, 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.

E. M. Hardy & Alfred R. Iverson

By E. M. Hardy

(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.

20707

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

Notice is hereby given that at 3:00 P M., on the 25th
day of October, 1955, at Boise, County of
Ada State of Idaho, before Wm.D.Fox, Notary Public

proof will be submitted of the completion of works for the diversion of 15
~~an unnamed stream originating from a tunnel known as the Mendini Tunnel located in the NE 1/4~~
cubic feet per second of the waters of /of the SE-1/4 of Sec. 24, T9S, R14E, and of
~~Range 14 East, B.M.~~

the application to beneficial use of said water, in accordance with the terms and
conditions of Permit No. 20707 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 E. M. Hardy & Alfred R. Iverson, 1522 Vista Ave.,
Boise, 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 con-
veying to the place of use, in accordance with the plans accompanying the appli-
cation for such permit, is 15 cubic feet per second.

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

4. The place where said water is used is SW-1/4 of the NE-1/4 of Section
24, Township 9 South, Range 14 East, B.M.

5. The date of priority which said user is prepared to establish is
September 14, 1946.

MARK R. KULP

State Reclamation Engineer

20707

3508 Windsor Drive

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

August 1, 1953

INSTRUCTIONS

E. M. Hardy & Alfred R. Iverson
C/o E. M. Hardy
615 Village Lane
Boise, Idaho

PROOF OF COMPLETION OF WORKS

Boise, Idaho,

Dear Sir:—

I enclose herewith blank form upon which to give notice that you are prepared and desire to submit proof of completion of works under your permit No. 20707.

This form should be filled out and mailed to the Department of Reclamation, at least 60 days before the date upon which proof is to be submitted, which proof MUST be on or before October 29, 1953. Upon receipt of the blank properly filled out, notice of publication will be sent to the paper direct from this office, which notice must be published a period of four weeks prior to the date of proof.

The proof may be submitted at any place convenient to you and two witnesses, where there is a notary public or other officer authorized to administer oaths.

The certificate that shall be issued under this proof does not give you a perpetual right to the use of the water for which application is made, as it only confirms the completion of the 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.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

20707

November 2, 1948

Re: Permit No. 20707

Mr. E. M. Hardy
615 Village Lane
Boise, Idaho

Dear Mr. Hardy:

We enclose Permit No. 20707 in the name of yourself and Alfred R. Iverson, together with Departmental Receipt No. 20879 for the \$8.75 filing fee.

Your attention is directed to the limitations and conditions of same as given on the fourth page under approval of the State Reclamation Engineer.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

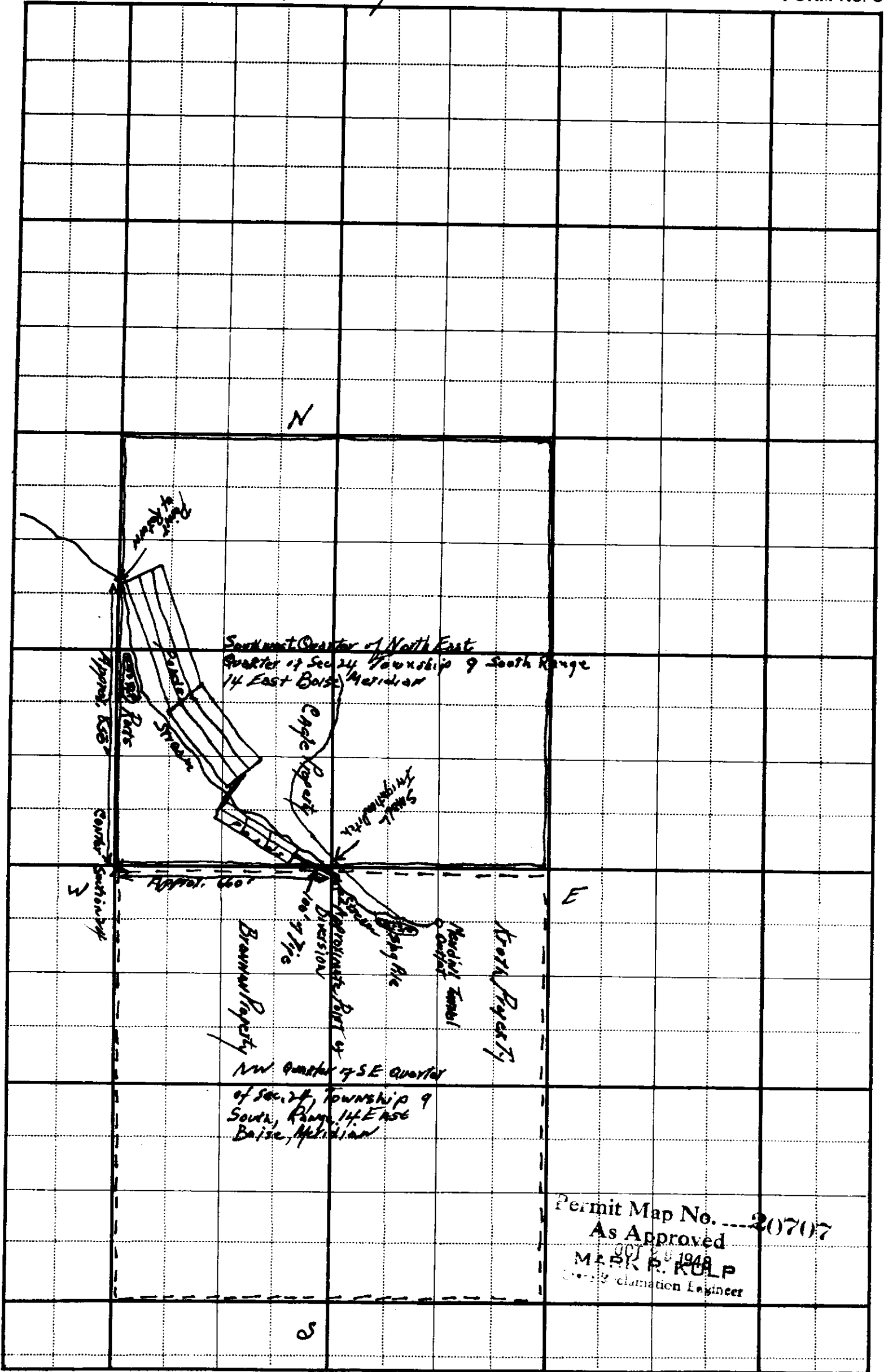
Chief Clerk

A/gt
Encls.

20707

NAME OF APPLICANT E. M. Hardy + Alfred R. Ivers

FORM NO. 0



SCALE: 2 INCHES EQUAL 1 MILE. DRAW PLAN IN INK.

20707

✓
Sept. 21, 1943

Re: Application No. 26285

Buhl Herald
Buhl, Idaho

Gentlemen:

We enclose notice for publication once a week
for three consecutive weeks starting with your next issue.

The expense of the publication is to be paid by
Messrs. Hardy and Iverson, the applicants, to whom please
send the affidavit of publication, when completed, together
with statement of costs, in care of Mr. E. M. Hardy, C/O
Capitol Motors, 417 Capitol Boulevard, Boise, Idaho.

Please acknowledge receipt of this notice and
send us a copy of your first issue containing same in order
that we may check it.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/gt

Enc.

20707

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

NOTICE OF APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO, IN ACCORDANCE WITH THE PROVISIONS OF SECTION 41-203, IDAHO CODE ANNOTATED

NOTICE IS HEREBY GIVEN That on September 14, 1948, E. M. Hardy and Alfred R. Iverson of Boise, Idaho, made application for permit to appropriate fifteen (15) cubic feet per second for fish propagation and one fiftieth ($1/50$) of a cubic foot per second for domestic purposes from an unnamed stream originating from a tunnel known as the Mendini Tunnel located in the $N\frac{1}{2}$ of the $SE\frac{1}{4}$ of Section 24, Township 9 South, Range 14 East, B.M.

That the point of diversion of said water is located approximately 660 feet in an easterly direction from the central point of Section 24 on the East-West Center line of said section and in the $NW\frac{1}{4}$ $SE\frac{1}{4}$, Section 24, Township 9 South, Range 14 East, B.M.

That the point of use of said water is in the $SW\frac{1}{4}$ $NE\frac{1}{4}$ of Section 24, Township 9 South, Range 14 East, B.M.

That any protests against the approval of this application must be filed in the Department of Reclamation, at Boise, Idaho, within forty (40) days from the date of this notice, and such protest shall state the name and address of the protestant, and shall clearly set forth his objections to the approval of said application.

Dated this 15th day of September, 1948.

Mark R. Kulp

MARK R. KULP
State Reclamation Engineer

Date of first publication: _____
Date of last publication: _____
Last Date for protest: October 25, 1948.

SERVICE OF THE FOREGOING, by copy, is hereby acknowledged, this _____ day of September, 1948.

Applicant

By

20707

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

NOTICE OF APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE
STATE OF IDAHO, IN ACCORDANCE WITH THE PROVISIONS OF SECTION 41-203, IDAHO
CODE ANNOTATED

NOTICE IS HEREBY GIVEN That on September 14, 1948, E. M. Hardy and Alfred R. Iverson of Boise, Idaho, made application for permit to appropriate fifteen (15) cubic feet per second for fish propagation and one fiftieth ($1/50$) of a cubic foot per second for domestic purposes from an unnamed stream originating from a tunnel known as the Mendini Tunnel located in the $N\frac{1}{2}$ of the $SE\frac{1}{4}$ of Section 24, Township 9 South, Range 14 East, B.M.

That the point of diversion of said water is located approximately 660 feet in an easterly direction from the central point of Section 24 on the East-West Center line of said section and in the $N\frac{1}{2}$ $SE\frac{1}{4}$. Section 24, Township 9 South, Range 14 East, B.M.

That the point of use of said water is in the $SW\frac{1}{4}$ $NE\frac{1}{4}$ of Section 24, Township 9 South, Range 14 East, B.M.

That any protests against the approval of this application must be filed in the Department of Reclamation, at Boise, Idaho, within forty (40) days from the date of this notice, and such protest shall state the name and address of the protestant, and shall clearly set forth his objections to the approval of said application.

Dated this 15th day of September, 1948.

Mark R. Kulp
MARK R. KULP
State Reclamation Engineer

Date of first publication: _____
Date of last publication: _____
Last Date for protest: October 25, 1948.

SERVICE OF THE FOREGOING, by copy, is hereby acknowledged, this 16th
day of September, 1948.

E. M. Hardy, Alfred R. Iverson
Applicant

By *E. M. Hardy*

20707

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) Sept. 16, 1948

(P. O.) Boise, Idaho

STATE RECLAMATION ENGINEER

TO THE ~~COMMISSIONER OF RECLAMATION~~:

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.

E M Hardy

(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.

20707

September 15, 1948

Re: Application No. 28285

Mr. E. M. Hardy
C/o Capital Motors
417 Capitol Boulevard
Boise, Idaho

Dear Mr. Hardy:

We enclose herewith duplicate notice in connection with the application of yourself and Alfred R. Iverson for permit to appropriate water from the Mendini Tunnel.

Please acknowledge service on the original and return to this Department with Form 11 which is your authorization for us to have the notice published in the designated newspaper at your expense.

The duplicate notice is to be retained for your own files.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/gt

Encls.

20707

NOTICE OF PROOF OF COMPLETION OF WORKS

APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 3:00 p.m., on the 28th day of October, 1953, at Boise, County of Ada State of Idaho, before Wm. D. Fox, Notary Public proof will be submitted of the completion of works for the diversion of 15 cubic feet per second of the waters of an unnamed stream originating from a tunnel known as the Mendini Tunnel located in the N½ of the SE¼ of Sec. 24, T9 South Range 14 East, B.M. and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 20707 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 E. M. Hardy and Alfred R. Iverson, 1522 Vista Ave., Boise, 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 15 cubic feet per second.

3. The use to which said water has been applied is Fish Propagation purposes, and the amount applied to beneficial use is 15 cubic feet per second.

4. The place where said water is used is SW¼ of the NE¼ of Section 24, Township 9 South, Range 14 East, B. M.

5. The date of priority which said user is prepared to establish is September 14, 1948.

9-17 Mark R. Kulp
State Reclamation Engineer
(33t4)