

State of Idaho
License and Certificate of Water Right

SCANNED
APR 30 2001

Water License No. G-23897

Amount 1.14 secondfeet

Water District No.

Priority March 14, 1953

THIS IS TO CERTIFY that JOHN HORNBACKER
of American Falls, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated March 14, 1953; that Permit No. G-23897
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.14 second feet, was issued thereunder on October 29, 1956, showing that said works
were completed on the 5th day of November, 1955; and that on the 5th
day of November, 1955,

JOHN HORNBACKER

of American Falls, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
replenished (subterranean flow), for the purpose of irrigation
under Use Permit No. G-23897 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
9 of Licenses at page 5843, on the 29th day of October, 1956;
The right hereby confirmed dates from March 14, 1953;

The Point of Diversion is located
in the SW 1/4 NW 1/4, Sec. 5, Tp. 8 S., R. 31 E., B. M. Power County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 1.14 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
8 S.	31 E.	5	NE $\frac{1}{4}$ NW $\frac{1}{4}$	35	35
			NW $\frac{1}{4}$ NW $\frac{1}{4}$	38	38
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	38	38
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	23	23
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	3	3
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	8	8
Total Number of Acres Actually Irrigated - -				145	

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

29th day of October, 1956.

MARK B. KULP

State Reclamation Engineer.

(SEAL)

29 2331

29-2331

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 31678
Permit No. G- 23897
District No.

1. Name of Applicant: JOHN HORNBACKER
Postoffice address: American Falls County: Power State: Idaho
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second. 2.9 or Idaho
Miners' inches 145 or gallons per minute. 1,000
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Well
4. Location of point of diversion or well is in the SW 1/4 of the NW 1/4 of Section 5
Twp. 8 S , Rge. R 31 E , B.M., County of Power
5. Water is to be used for: irrigation
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the 1/4 of the 1/4 of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the 1/4 of the 1/4 of Section , Twp. , Rge. , B.M.
7. Kind of works: Well, pump and sprinkling system.
8. Estimated cost of works: \$ 15,221.95
9. (a) Is reservoir to be used? No
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None
 - (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) (cubic feet per second, inches or gallons per minute) is for new lands.

Remarks: Irrigation is to be from well on premises owned in Fee Simple by applicant.

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

JOHN HORNBACHER

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 9:00 A.M. March 14, 1953

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G-23897

Recorded in Book 85 Page 23897 Approved March 16, 1953

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

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

Work to begin on or before May 16, 1953

and to continue diligently and uninterruptedly to completion,

unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before September 16, 1955

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before **March 16, 1958**

Witness my hand this 16th day of March, 1953

MARK R. KULP

State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, LEN JORDAN, Governor of the State of Idaho,
and IRA H. MASTERS, Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 16th
day of March, 1953

Countersigned:

STATE OF IDAHO

(SEAL)

By LEN JORDAN

By IRA H. MASTERS

Governor

Secretary of State.

12.

Twp.	Range	Sec.	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	Totals
			NE ¹ / ₄ NW ¹ / ₄ SW ¹ / ₄ SE ¹ / ₄	NE ¹ / ₄ NW ¹ / ₄ SW ¹ / ₄ SE ¹ / ₄	NE ¹ / ₄ NW ¹ / ₄ SW ¹ / ₄ SE ¹ / ₄	NE ¹ / ₄ NW ¹ / ₄ SW ¹ / ₄ SE ¹ / ₄	
8 S	31 EBM	5		35 38 38 23	3 8		145
Total Number of Acres to be Irrigated							145
Permit No. G-23897 CERTIFICATE OF COMPLETION OF WORKS TO ALL WHOM IT MAY CONCERN: This is to certify that JOHN HORNBACHER of American Falls, County of Power, and State of Idaho, the holder of Permit No. G-23897, issued upon Application No. G-31678 bearing date of priority of March 11, 1953, authorizing the diversion of 2.9 second feet of the waters of a well, (subterranean flow) County of Power, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 1.14 second feet of the waters of said well; that the point of diversion of said water is in the SW¹/₄NW¹/₄ Section 5, Township 8 South, Range 31 East, B.M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: NW¹/₄ and N¹/₂SW¹/₄ Section 5, Township 8 South, Range 31 East, B.M. Witness my hand this 29th day of October, A. D. 1956. MARK R. KULP State Reclamation Engineer Proof of Completion of Works made November 5, 1955 Certificate of completion of Works issued October 29, 1956. LICENSE ISSUED FOR 1/4 SEC. 5 29015843							

SCANNED

APR 30 2001

November 1, 1956

RE: Permit No. G-23897

Messrs. Potvin & Schou
Phillips Building
American Falls, Idaho

ATTENTION: Mr. Gregg R. Potvin

Dear Mr. Potvin:

We enclose Certificate of Completion of Works also License and Certificate of Water Right issued under Permit No. G-23897 in the name of John Hornbacher, confirming his right to the use of 1.14 second feet of the waters of a well located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 5, Township 8 South, Range 31 East, B.M., with priority of March 14, 1953, for irrigation of land in the NW $\frac{1}{4}$ and N $\frac{1}{2}$ SW $\frac{1}{4}$ Section 5.

We also enclose departmental receipt No. G-2210 for the \$17.00 completion of works and license fees.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:hll
Enc.

23897

GREGG R. POTVIN
L. R. SCHOU

St. Louis 10/11
BRANCH OFFICE
ABERDEEN, IDAHO

LAW OFFICES
POTVIN & SCHOU
Phillips Building
American Falls, Idaho

October 26, 1956

RECEIVED
OCT 29 1956
Department of Reclamation

State Reclamation Engineer
Boise, Idaho

Re: Permit# G-23897

Dear Sir ,
Please find inclosed Mr. Hornbachers check, drawn to your
order, in the amount of \$17.00.

Very truly yours,

POTVIN & SCHOU

By *Gregg R. Potvin*

G-23897

October 23, 1956

RE: Permit No. G-23897

Messrs. Potvin & Schou
Phillips Building
American Falls, Idaho

ATTENTION: Mr. Gregg R. Potvin

Dear Mr. Potvin:

We now have on file the report of our field engineer on examination for Completion of Works and Beneficial Use on Permit No. G-23897 in the name of John Hornbacher, which shows that his well in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 5, Township 8 South, Range 31 East, B.M., will deliver 57 inches or 1.14 second feet of water which has been used to irrigate 145 acres of land in the NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ Section 5.

A Certificate of Completion of Works and License can, therefore, be issued for 1.14 second feet of water upon receipt of the statutory fees amounting to \$5.00 for completion of works and \$12.00 license fee, the latter being at the rate of \$2.00 for each 40 acre subdivision in which the land is located.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:hll
cc - Mr. John Hornbacher
American Falls, Idaho

23897

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. G-23897

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

1. Name of applicant John Hornbacher, American Falls, Idaho
2. Source of water supply: Subterranean from a well
3. Location of point of diversion: Is in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 5
T. 8 S. R. 31 E. County of Power
4. Describe works as they exist, giving dimensions and capacities of same:
Fairbanks Morse Motor 60 hp, serial No. PM 7829. Fairbanks Morse Turbine pump,
serial No. PM 7829. There is a buried steel 6" main that is indicated on the map.
88 sprinkler heads Rainbird #40, size 3/32 by 11/64. These operate at a
rather low pressure and the amount of usage is approximately 57 inches.
5. Water is used for: Irrigation
6. State whether or not water has been turned into works of diversion: Yes
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):
NW $\frac{1}{4}$ and N $\frac{1}{2}$ SW $\frac{1}{4}$ Section 5, Township 8 South, Range 31 East, B.M.

See the Map

NOTE: Mr. Hornbacher has had considerable trouble with this well and pump and does not have anything like the amount of water that he had hoped for and has been cave ins in the well and the pump has pumped considerable sand and more excessively in the past.

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

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

Remarks:

57" 88 sprinkler heads #40 3/32" x 11/64 @ 30"

2 - 21 and 2 - 23 head lines. 4" laterals

buried 6" Main lines across 2-40s and part across another
45 risers. P.D. on 40 house is in

110 acres irrig

15" " across Highway

This examination was made on the 14 day of September, 1936

(Signed) E. H. Humphrey Examiner.

G 23897

John H. H. H.
American Falls, Idaho

Permit No. G-23897

Examination for Completion of Works and Beneficial Use

County Power

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
OCT 29 1956
Department of Reclamation

F. M. M. motor

60 hp. 440V 1765rpm
11amps # PM 7829

F. M. Lurb. PM 7829

E. M. Lurb. bd. O
6108 on W. Paul

Cone base 8' x 8'
was a pump house
mostly dismantled
now.

del to N thru 8"
pipe into main line

well in SW NW S5-8S T12

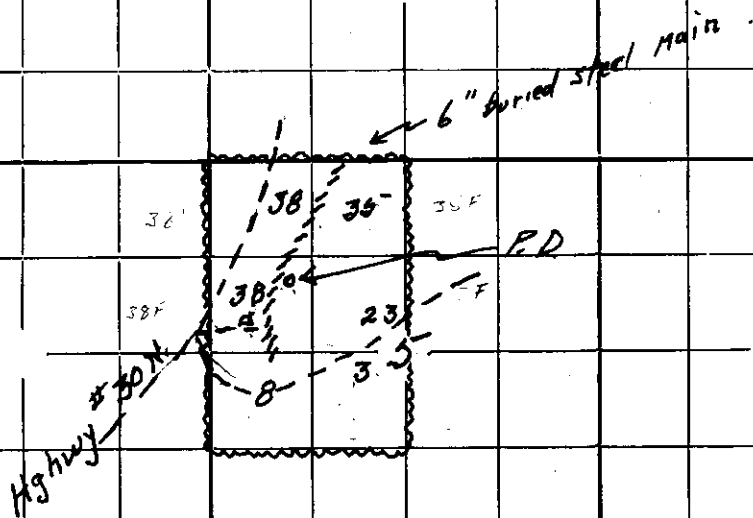
Q = 2.9 or 145"

Priority = Mar 14-53

due Mar 16-58

145"

T 8 S R 3 E B. M.



38
35
38
23
11
145

Subdivisions = Six

Area = 145 acres

Q = 57"

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-23897

REPORT ON PROOF OF Completion of Works & Beneficial Use

John Hornbacher, ~~American Falls~~, Idaho

1.14 cfs
DMR

app. 2.9 cfs
Sub
above 6
145-

May 28, 1956

RE: Permit No. G-23897

Mr. John Hornbacher
American Falls
Idaho

Dear Mr. Hornbacher:

State law requires an inspection on any permit being brought to license in the State of Idaho.

I intend to make inspection in connection with your Permit on Wednesday, June 6, early in the morning.

Please be prepared to accompany me on the inspection. I will attempt to contact you as soon as I arrive in that area but in case I do not, I will drive to the place where the well is located.

Yours truly,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

M:hll

23897

January 9, 1956

Re: Permit No. G-23897

Mr. John Hornbacher
American Falls, Idaho

Dear Mr. Hornbacher:

We acknowledge receipt of the depositions of yourself and two witnesses, also affidavit of publication in the Power County Press, all submitted in proof of completion of works and beneficial use on Permit No. G-23897.

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:

Chief Clerk

EPR

23897

LAW OFFICES
POTVIN & SCHOU
Phillips Building
American Falls, Idaho
January 5, 1956

Mark A. Kulp
State Reclamation Engineer
Boise, Idaho

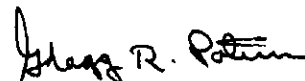
Re: Permit No. G-23897

Dear Sir:

Herewith Affidavit of Publication and Deposition of Holder,
together with Depositions of two witnesses in the above-
entitled matter.

Very truly yours,

POTVIN & SCHOU



By Gregg R. Potvin

GRP:im

4-23897

RECEIVED
JAN 6 1955
Department of Reclamation

Affidavit of Publication

County of Power, {
State of Idaho, { ss.

Rhyllis Kinge

being first duly sworn

on oath, states:

That she is the chief clerk of the Power

County Press, a newspaper of general circulation in Power County, Idaho, published weekly at American Falls in said county; that said newspaper has been published in said county uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

That the annexed notice or advertisement was published as per clipping attached in the regular and entire edition of

said newspaper and not in any supplement thereof for 5 successive weekly issues thereof, the date of the first publication being the 29th day of September, 1955 the date of last publication being the

27th day of October, 1955

(Signed)

Rhyllis Kinge

Subscribed and sworn to before me this

1st day of November, 1955

Mark R. Kulp

Notary Public, residing at American Falls, Idaho.

My Commission expires the

(SEAL)

22 day of October, 1959

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

Notice is hereby given that at 10:00 A.M., on the 5th day of November, 1955, at American Falls, County of Power State of Idaho, before Gregg R. Potvin, Notary Public, proof will be submitted of the completion of works for the diversion of 2.9 cubic feet per second of the waters of a subterranean well and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are John Hornbacher, American Falls, 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 2.9 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 2.9 cubic feet per second.

4. The place where said water is used is The NW 1/4, and the N 1/4, SW 1/4, of Section Five (5), Township Eight (8) S., Range Thirty One (31), EBM., and the well is located in the SW 1/4 NW 1/4 of Section Five (5), Township Eight (8) S., Range Thirty One (31), EBM.

MARK R. KULP
State Reclamation Engineer

23897

Affidavit of Publication

County of Power, {
State of Idaho, { ss.

.....being first duly sworn
on oath, states:

That is the of the Power

County Press, a newspaper of general circulation in Power
County, Idaho, published weekly at American Falls in said
county; that said newspaper has been published in said coun-
ty uninterruptedly and continuously for over seventy-eight
consecutive weeks, prior to the first publication of the an-
nexed notice or advertisement:

That the annexed notice or advertisement was published
as per clipping attached in the regular and entire edition of

said newspaper and not in any supplement thereof for
successive weekly issues thereof, the date of the first publi-
cation being the day of 19.....
the date of last publication being the

..... day of 19.....

(Signed)

Subscribed and sworn to before me this

1st day of 19.....

Notary Public, residing at American Falls,
Idaho.

My Commission expires the

SPALD day of 19.....

Published in The Power County
Press Oct. 6, 13, 20 and 27th, 1955.

NOTICE OF PROOF OF COMPLETION OF WORKS and

APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at
10:00 A.M., on the 5th day of
November, 1955, at American
Falls, County of Power State of
Idaho, before Gregg R. Potvin,
Notary Public, proof will be sub-
mitted of the completion of works
for the diversion of 2.9 cubic feet
per second of the waters of a sub-
terranean well and of the appli-
cation to beneficial use of said
water, in accordance with the
terms and conditions of Permit
the Department of Reclamation
of the State of Idaho.

1. The name and postoffice
address of the person or corpora-
tion holding said permit are John
Hornbacher, American Falls, Ida-
ho.

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 ap-
plication for such permit, is 2.9
cubic feet per second.

3. The use to which said water
has been applied is irrigation
purposes, and the amount applied
to beneficial use is 2.9 cubic feet
per second.

4. The place where said water
is used is The NW $\frac{1}{4}$, and the N $\frac{1}{4}$,
SW $\frac{1}{4}$, of Section Five (5), Town-
ship Eight (8) S., Range Thirty
One (31), EBM., and the well is
located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of
Section Five (5), Township Eight
(8) S. Range Thirty One (31),
E.B.M.

5. The date of priority which

said user is prepared to establish
is March 14, 1953.

MARK R. KULP
State Reclamation Engineer

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G-23897

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. John Hornbacher, American Falls, Idaho, Farmer, P. O. Address
American Falls, 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. G-23897, March 16, 1953

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

Ans. Well, SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 5, Twp. 8 South, Range 31, 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 are well, pump, motor, and sprinkler system. Works are capable of carrying 2.9 cu.ft. per sec. Depth of well is 356 ft. It is cased from surface to depth of 30 ft. with 18 inch casing and from 171 ft. to 236 ft. cased with 16 inch casing. Depth to water is 175 ft. Pump discharge is 2.9 cu. ft. per sec. measured by a standard pressure testing devise.

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 purposes. 35 acres in NE $\frac{1}{4}$ of NW $\frac{1}{4}$, 38 acres in NW $\frac{1}{4}$ of NW $\frac{1}{4}$, 38 acres in SW $\frac{1}{4}$ of NW $\frac{1}{4}$, 23 acres in SE $\frac{1}{4}$ of NW $\frac{1}{4}$, 3 acres in NE $\frac{1}{4}$ of SW $\frac{1}{4}$ and 8 acres in NW $\frac{1}{4}$ of SW $\frac{1}{4}$, all in Sec. 5, Twp. 8 South, Range 31 E.B.M., have been actually irrigated. Land is cultivated and a granary and chicken house have been built as a direct result of said use.

23897

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. 2.9 Cu. ft. per sec.

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. During the month of May, 1953, 2.9 cu. ft. per sec. of water was diverted to irrigate the land mentioned in question 6 above and to raise crops thereon.

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. none

(Sign)

John Hambacher

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 American Falls, ... County of Power

State of Idaho, on this 5th day of November A. D. 1955.,

Sheep R. Potkin

My commission expires 7-20-56

23897

**STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO**

Permit No. G-23897

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

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

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

Ans. Otto Deeg, Age 28, residence American Falls, Idaho,
farmer, P. O. Address, American Falls, Idaho

Ques. 2. Are you acquainted with John Hornbacher, the
holder of Permit No. G-23897? How long have you known him and where does
he reside?

Ans. I have known John Hornbacher for 15 years, he resides in
American Falls, Idaho

Ques. 3. Have you read or heard read said Permit No. G-23897, 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 con-
veying water from point of diversion to place of use.

Ans. Source of water is a well, located in the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of
Sec. 5, Twp. 8 South, Range 31 E.B.M. Works for conveying from
point of diversion are well, pump, and pipe sprinkler system.

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

Ans. 2.9 cu. ft. per sec.

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons
per minute have you seen the pump deliver, and how did you measure or estimate the
amount?

Ans. I estimate from observation that the pump will deliver
3 cu. ft. per sec.

G-23897

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Water is used for irrigation purposes. 35 acres in NE1/4 of NW1/4, 38 acres in NW1/4 of NW1/4, 38 acres in SW1/4 of NW1/4, 23 acres in SE1/4 of NW1/4, 3 acres in NE1/4 of SW1/4 and 8 acres in NW1/4 of SW1/4, all in Sec. 5, Twp. 8 South, Range 31 E.B.M., have been actually irrigated. Land is cultivated and a granary and chicken house have been built as a direct result of said use.

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

Ans. _____

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

Ans. Dry-farm land requiring 2.9 cu. ft. per sec. _____

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. none _____

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. During May, 1953, I saw sufficient water used to irrigate _____
said land and raise a crop thereon. _____

(Signed) Otto Drey _____

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 American Falls _____, County of Power _____, State of Idaho, on this 5th day of November _____, A. D. 19 _____.

Sherry R. Paton _____
Notary Public.

My commission expires 7-20-56 _____.

23897

**STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO**

Permit No. G-23897

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

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

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

Ans. George Vollmer, age 35, residence American Falls, Idaho,
occupation farmer, P. O. Address, American Falls, Idaho.

Ques. 2. Are you acquainted with John Hornbacher, the
holder of Permit No. G-23897? How long have you known him and where does
he reside? I have known John Hornbacher for 20 years, he resides in
American Falls, Idaho.

Ans. _____

Ques. 3. Have you read or heard read said Permit No. G-23897, 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 con-
veying water from point of diversion to place of use.

Ans. Source of water is a well, located in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of
Sec. 5, Twp. 8 South, Range 31 E.B.M. Works for conveying from
point of diversion are well, pump, and pipe sprinkler system.

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

Ans. 2.9 cu. ft. per sec.

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons
per minute have you seen the pump deliver, and how did you measure or estimate the
amount?

Ans. I estimate from observation that the pump will deliver 3 cu.
ft. per sec.

L 23897

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Water is used for irrigation purposes. 35 acres in NE $\frac{1}{4}$ of NW $\frac{1}{4}$, 38 acres in NW $\frac{1}{4}$ of NW $\frac{1}{4}$, 38 acres in SW $\frac{1}{4}$ of NW $\frac{1}{4}$, 23 acres in SE $\frac{1}{4}$ of NW $\frac{1}{4}$, 3 acres in NE $\frac{1}{4}$ of SW $\frac{1}{4}$ and 8 acres in NW $\frac{1}{4}$ of SW $\frac{1}{4}$, all in Sec. 5, Twp. 8 South, Range 31 E.B.M., have been actually irrigated. Land is cultivated and a granary and chicken house have been built as a direct result of said use.

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

Ans. _____

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

Ans. Dry-farm land requiring 2.9 cu. ft. per sec. _____

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. none _____

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. During May, 1953, I saw sufficient water used to irrigate _____
said land and raise a crop thereon.

(Signed) George Vollmer

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 American Falls _____,
County of _____ Power _____, State of Idaho, on this 5th day of November _____,
A. D. 1955.

George R. Patton
Notary Public.

My commission expires 7-20-56 _____

23897

23897

October 21, 1955

Power County Press
American Falls
Idaho

Gentlemen:

Thank you for your memorandum stating that you have placed us on your permanent subscription list.

We have checked the notices appearing in your issue of October 20 on Permit No. G-24094 of V. C. and Thomas B. Rowland and find one slight typographical error, namely, that the word range in the next to last line in the Paragraph numbered 4 contains an extra "r".

Also the notice on Permit No. G-23897 which appeared correctly for the first time in your issue of October 6, has one line omitted in your issue of October 20, as follows:

The third to last line of paragraph one should be, "No. G-23897 heretofore issued by".

Please make these corrections in your subsequent issues.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

hll

H 23897

Published in The Power County
Press Oct. 6, 13, 20 and 27-28, 1955.

**NOTICE OF PROOF OF
COMPLETION OF WORKS
and**

**APPLICATION OF WATER
TO BENEFICIAL USE**

Notice is hereby given that at 10:00 A.M., on the 5th day of November, 1955, at American Falls, County of Power State of Idaho, before Gregg R. Potvin, Notary Public, proof will be submitted of the completion of works for the diversion of 2.9 cubic feet per second of the waters of a subterranean well and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are John Hornbacher, American Falls, 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 2.9 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 2.9 cubic feet per second.

4. The place where said water is used is The NW $\frac{1}{4}$, and the N $\frac{1}{4}$ SW $\frac{1}{4}$, of Section Five (5), Township Eight (8) S., Range Thirty One (31), EBM., and the well is located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section Five (5), Township Eight (8) S., Range Thirty One (31), EBM.

5. The date of priority which

said user is prepared to establish is March 14, 1953.

MARK R. KULP
State Reclamation Engineer

October 1st, 1955

RE: Permit No. G-23897

Power County Press
174 Idaho Street
American Falls, Idaho

Gentlemen:

On October 4 you acknowledged receipt of notice on the above numbered Permit in the name of John Hornbacher in which you stated the first publication would be October 6 when you would send us a copy.

To date we have not received this copy and would appreciate receiving same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll

23897



The Power County Press

BILL KING, PUBLISHER

October 4, 1955

State of Idaho
Department of Reclamation
Boise, Idaho

Re: Permit No. G-23897

Gentlemen:

We wish to acknowledge receipt of notice for publication, Permit No. G-23897 for John Hornbacker, applicant.

Our first publication will be on October 6, at which time we will furnish your office with a copy.

Very truly yours,

THE POWER COUNTY PRESS

By

Phyllis Renge

174 IDAHO STREET

AMERICAN FALLS, IDAHO

H 23897

RECEIVED
OCT 5 1955
Department of Reclamation

October 3, 1955

RE: Permit No. G-23897

Messrs. Potvin & Schou
Phillips Building
American Falls, Idaho

ATTENTION: Mr. Gregg R. Potvin

Dear Mr. Potvin:

We have sent to the Power County Press notice for publication of proof of completion of works and beneficial use to be made on Permit No. G-23897 of John Hornbacher on November 5, 1955, with instructions to publish once a week for four weeks prior to that date and to send Mr. Hornbacher the affidavit of publication together with statement of costs.

We enclose the forms of deposition to be executed before you as Notary Public by Mr. Hornbacher and two disinterested witnesses.

Very truly yours,

MARK R. KULF
State Reclamation Engineer
By

Chief Clerk

A:hl
Enc.
cc - Mr. John Hornbacher

23897

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. G-23897

Date: October 3, 1955

Power County Press

American Falls, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to November 5, 1955 the date set for proof, the expense of the publication to be paid by the applicant, John Hornbacher of American 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. KULP

State Reclamation Engineer
By

Chief Clerk

23897

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) October 1, 1955

(P. O.) American Falls, 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
Power County Press of American Falls, Idaho published in
the county in which the works are situated.

John Hornbecker

(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.

A 23897

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

D E P A R T M E N T O F R E C L A M A T I O N

R O I S E

Permit No. G-23897

Date March 26, 1953

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

Mr. John Hornbacher
American Falls
Idaho

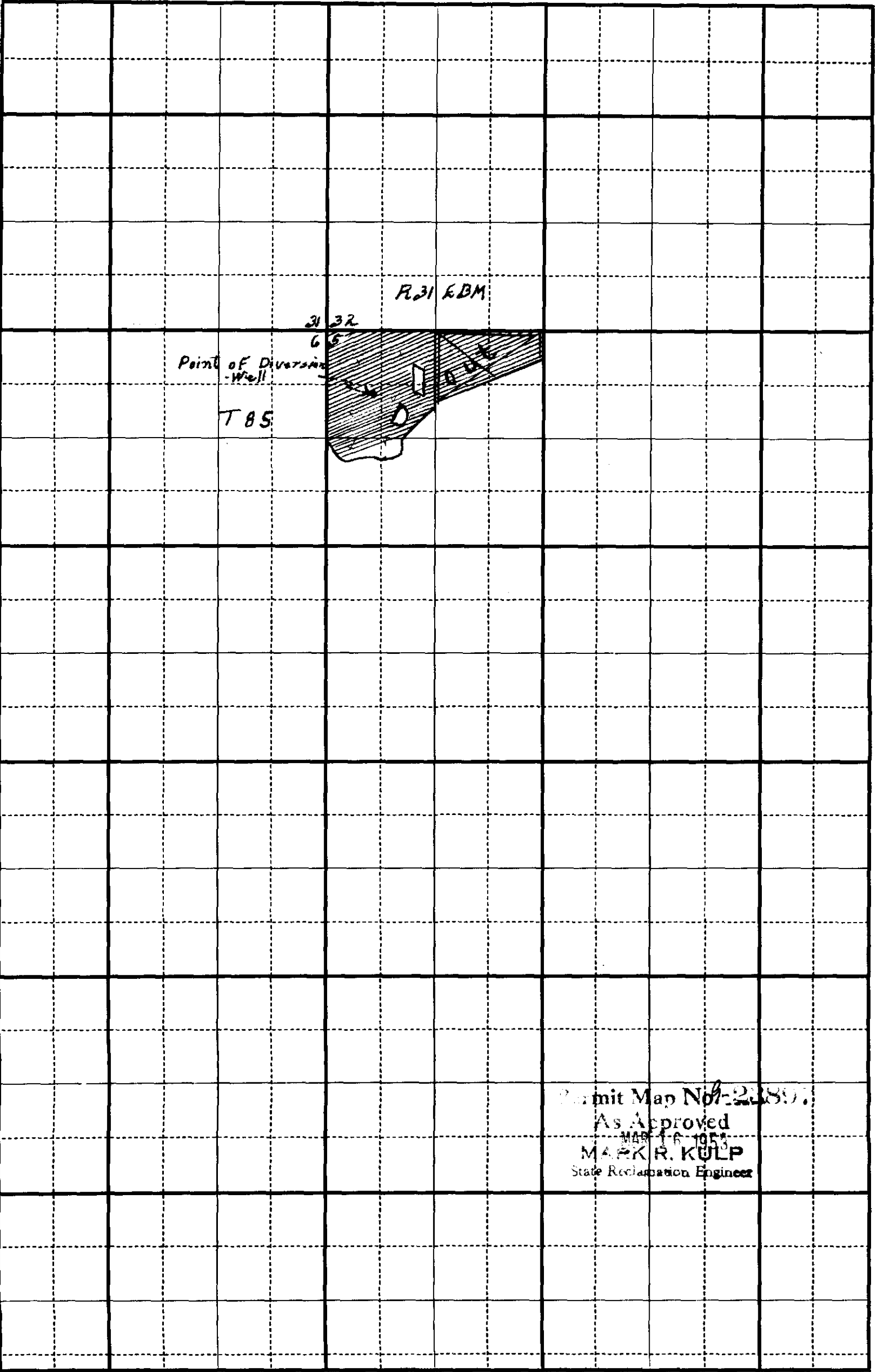
MARK R. KULP
State Reclamation Engineer

Enc. Departmental receipt No. 25662 for \$5.50 filing fee.

23897

NAME OF APPLICANT..... John Horlacher, American Falls, Idaho.....

Form No. 0



Permit Map No. 23897
As Approved
MAY 16 1953
MARK R. KULP
State Reclamation Engineer

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

23897

MICHENER & WILSON
Agricultural Engineers
Idaho Falls - Pocatello
February 1, 1953

RECEIVED
FEB 14 1953
9 am
SUPERVISOR OF CONSTRUCTION

C O P Y

Mr. John Hornbacher
American Falls,
Idaho

Dear John:

According to our measurements your well is in the NE corner
of the SW $\frac{1}{4}$, NW $\frac{1}{4}$ Section 5, T 8S, R 31, E. B. M.

More specifically it is the 1140' East and 1458' South
of the NW corner of Section 5, T 8S, R 31 E.B.M.

Very truly yours,

/s/ GEORGE C. WELCH
George C. Welch

rtm mm

23897

Published in The Power County
Press Oct. 6, 13, 20 and 27th, 1955.

**NOTICE OF PROOF OF
COMPLETION OF WORKS**

**APPLICATION OF WATER
TO BENEFICIAL USE**

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the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are John Hornbacher, American Falls, 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 2.9 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 2.9 cubic feet per second.

4. The place where said water is used is The NW $\frac{1}{4}$, and the NE $\frac{1}{4}$, SW $\frac{1}{4}$, of Section Five (5), Township Eight (8) S., Range Thirty One (31), E.B.M., and the well is located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section Five (5), Township Eight (8) S., Range Thirty One (31), E.B.M.

5. The date of priority which said user is prepared to establish is March 14, 1953.

MARK R. KULP
State Reclamation Engineer

Published in The Power County
Press Oct. 6, 13, 20 and 27th, 1955.

**NOTICE OF PROOF OF
COMPLETION OF WORKS**

**APPLICATION OF WATER
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1. The name and postoffice address of the person or corporation holding said permit are John Hornbacher, American Falls, Idaho.

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5. The date of priority which said user is prepared to establish is March 14, 1953.

MARK R. KULP
State Reclamation Engineer