

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A25-04000
Date Received: 9/07/1989
Receipt No: N00 3328
Received By: _____

RECEIVED

SEP 21 1989

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FARM CREDIT BANK OF SPOKANE
Address: P.O. BOX 50030
IDAHO FALLS, ID 83405

208-523-1785

2. Date of Priority: MAY 15, 1953

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	40E	2	SW	SW			BONNEVILLE

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/15	10/15	1.200		

7. Total Quantity Appropriated is:
1.200 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	40E	2	NW	SW		IRR	6.0
			SW	SW		IRR	38.0
			SE	SW		IRR	16.0
Section Acres							60.0

A25-04000

Page 1

Date: 09/07/89

MICROFILMED
NOV 10 1992

A2504000



10. Place of Use: Continued

Total Acres 60.0

11. Place of use in counties: BONNEVILLE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Organizations:

I do solemnly swear or affirm that I am Senior Engineer-Appraiser of
Title
Farm Credit Bank of Spokane, that I have signed the foregoing
Organization
document in the space below as Senior Engineer-Appraiser of
Title
Farm Credit Bank of Spokane and that the statements contained in the
Organization
foregoing document are true and correct.

H. Albert Sanders
Signature of Authorized Agent

Senior Engineer-Appraiser
Title and Organization

9/13/89
Date

State of Washington)
~~Idaho~~)
County of Spokane) SS.

Subscribed and sworn (or affirmed) before me this 13th day
of September 19 89

Don E Haynes
Notary Public

Seal

Residing at Spokane
My Commission Expires 6/18/93

AJ0749NP
No. A25-04000

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 09/17/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	FARM CREDIT BANK OF SPOKANE 2225 W BROADWAY STE A IDAHO FALLS ID 83402 (208) 552-2300	05/15/1953	IRRIGATION	05-15 10-15	1.200 CFS	
TOTAL DIVERSION:					1.200 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: STATUTORY CLAIM

Point(s) of Diversion: T03N R40E S02

SWSW

BONNEVILLE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE									
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM	
			:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:		
03N	40E	2	:					:					:			06	38	16	:					:	60.0
TOTAL ACRES																							60.0		

POU County: BONNEVILLE

Remarks: GEN ADDRESS CHANGE BY CLAIMANT LETTER 9/17/99 SS.

Dates: Exam Made Date:

Verified Date:

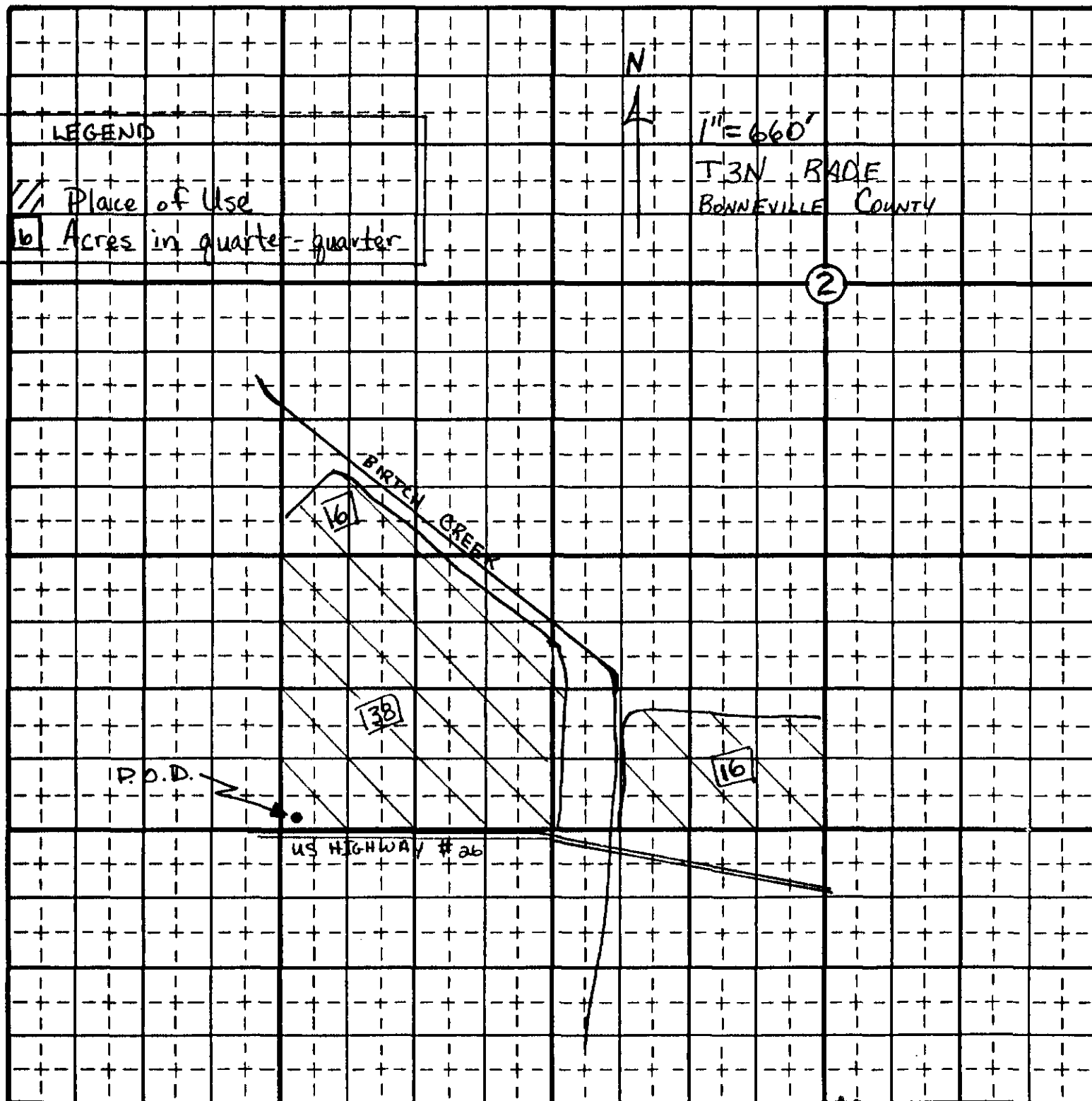
Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: $\frac{1}{2}$ inches equals 1 mile



MICROFILMED
NOV 10 1992

Last Name FARM CREDIT BANK
OF SPOKANE

Ident No. A25-04000

Copies: White-State, Yellow-Claimant

Log for claim 25-04000

Spatial Dynamics CAT

12/4/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
03n40e	2	NWSW	6	7.9	
03n40e	2	SWSW	38	36	
03n40e	2	SESW	16	16	
Totals:			60	59.9	

AJ5809NP
No. A25-04000

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/24/00
PAGE: 93

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	FARM CREDIT BANK OF SPOKANE 2225 W BROADWAY STE A IDAHO FALLS ID 83402 (208) 552-2300	05/15/1953	IRRIGATION	05-15 10-15	1.200 CFS	
TOTAL DIVERSION:					1.200 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: STATUTORY CLAIM

Point(s) of Diversion: T03N R40E S02 SWSW

BONNEVILLE County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE														
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM		
---	---	---	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	---
03N	40E	2	:					:					:			06	38	16	:					:	60.0	
TOTAL ACRES																							60.0			

POU County: BONNEVILLE

Other Water Rights Listing Overlapping Place(s) of Use:

A01-00156 A01-00202

Remarks: GEN ADDRESS CHANGE BY CLAIMANT LETTER 9/17/99 SS.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 09/07/89 HAYNES 03/29/95 POST-STD 09/17/99 SSHERMAN

Identification No. 25-4000

Claim No. 42255

Map No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
CLAIM TO A WATER RIGHT

Established by Diversion and Application to Beneficial Use

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. The filing of this claim does not confirm the water right but will serve for information purposes only. It may, however, become the basis for future adjudication of the water right by the Court.

(Please refer to the instructions on the back of this form)

1. Name of claimant EARL E. SPAULDING
post office address Route #2, Box 270-A, Rigby, Idaho 83442

2. The point of diversion is in SW $\frac{1}{4}$ of SW $\frac{1}{4}$ Section 2 Township 3 N.
Range 40 E. B.M. ~~located~~ from subterranean well
(name of source)

~~tributary~~ _____ in Bonneville County.

3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.

a. Date of priority claimed:

May 15, 1953 amount: 1.2 c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
Total claimed _____ c.f.s. or _____ acre feet.

b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:

use irrigation period of use from May 15 to October 15 (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive).

4. Description of diverting works:

a. Surface water diversion dam and/or headgate: material is composed of _____
_____ ; length is _____ feet; height is _____ feet;
width at bottom is _____ feet; with at top is _____ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known _____

b. Underground water diverting works: is well flowing or pumped pumped ; depth of well is 202 feet; diameter of well is 16" inches; type of pump is turbine
capacity of pump is 1200 g.p.m.; name and address of well driller is Andrew Well Drilling Co., Idaho Falls, Idaho.

25-4000

_____; if so, give dates and explain. Well Log filed with Idaho Department of Reclamation on or about April 1, 1956. No change on pump or motor.

- Conveying works: length of ditch to place of use is _____ feet; width of ditch at top is _____ feet; width of bottom of ditch is _____ feet; depth of water is _____ feet; grade of ditch per 1000 feet is _____ feet; material through which ditch passes is _____; maximum length of pipe line to first place of use is a few feet; diameter of pipe line is 4-6 inches; type of pipe steel & aluminum; grade of pipe per 1000 feet is Approx. 2%.
Please explain any changes or increase in size of conveying system since water was first appropriated, giving date and dimensions if possible. See Appendix A

- If water is stored: name of reservoir _____ ;
total capacity of reservoir is _____ acre feet; active capacity of reservoir is _____ acre feet;
year construction commenced _____ ; year completed _____ ; date first used _____
period of storage is from _____ to _____ ; is reservoir drained each year _____ ;
is reservoir on or off stream _____ explain _____

if feeder canal is used give maximum carrying capacity _____ c.f.s.; if reservoir is off stream, describe location of reservoir by 40-acre subdivisions _____

has there been any enlargement of the reservoir since it was first built_____, if so, give dates and describe _____

5. a. Where water is used for irrigation, describe area irrigated by 40-acre subdivisions and give total acres:

[illegible]

Total number of acres to be irrigated 60

Explain any significant increase in area irrigated since first use, give dates and acreages if known _____

The other users and their respective

interests in the ditch are (if known).

See Appendix A

25-4000

INSTRUCTIONS

Your claim should set forth all necessary information to describe your claimed right. Failure to give enough information may make your claim of little value. Some of the items in the form may not apply to your situation. Please use additional sheets if space provided is not sufficient to fully answer the questions.

Paragraph No.

1. Give full name and post office address of person or company making the claim.
2. Describe the point of diversion by 40-acre subdivision. Give the name of the source, the drainage to which it is tributary if surface water, and the county in which the point of diversion is located. If there is more than one point of diversion, list others in the remarks section.
3. Give the priority dates and the quantities of water that you claim. You should accurately list the dates that you initiated each new use of the water. List separately the dates and amounts of water involved in each enlargement of the diversion. (Example: if you diverted 0.8 c.f.s. of water for irrigation on May 18, 1871, for the first time for use on 40 acres of land, and then later you enlarged the diversion by diverting an additional 0.4 c.f.s. of water to irrigate an additional 20 acres of land on June 1, 1901, your right should be described as follows:

Date of priority claimed:	May 18, 1871	amount:	0.8 c.f.s. or	_____	acre feet
	June 1, 1901	amount:	0.4 c.f.s. or	_____	acre feet
	Total claimed:		1.2 c.f.s. or	_____	acre feet

Since the water was used for irrigation between April 1 and October 31 on that particular farm, part b. would be completed as follows:

use irrigation period of use from April 1 to October 31 (both dates inclusive). If the water had been used for any other purpose, you would have described the priority date, amount, use, and period of use in a similar manner.

4. Describe the diversion works and explain any changes since the right was first initiated.
5. If the water is used for irrigation, give the total acreage and list the lands irrigated by 40-acre subdivisions and complete the other questions.
- 6, 7, & 8. Describe any other uses of water.
9. In the remarks section, give any information or details that you feel are not fully covered or that need clarifying. You might explain your operation, where the water is returned to if for an industrial or non-consumptive right, the condition and temperature of the returned water, and any other information to help explain your claim.

You may wish to include as a part of your claim, affidavits of witnesses who are familiar with your right and who have a personal knowledge of the circumstances which you have described in your claim. You may submit maps, drawings, certified copies of posted notices which may have been filed in the county courthouse, water measurement records, or any other document which you feel will support your claim.

Your claim will be advertised in a county newspaper for two weeks. Exceptions to your claim which dispute the water right that you have described may be received by the Department of Reclamation and you will be provided a copy of such exceptions.

The fee for filing this claim with the Department of Reclamation, Room 107, Statehouse, Boise, Idaho 83701, is \$10.00.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

*records changed
9-17-99*

August 23, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

GLEN LEAK
BRANCH MANAGER
FARM CREDIT BANK OF SPOKANE
2225 W BROADWAY STE A
IDAHO FALLS ID 83402

WCAAP prepared. *cc: W.A.*
(Permit)

Re: Snake River Basin Adjudication (SRBA)
Water Rights #35-07706B, A22-07264, A25-04000,
A31-07018, A31-07052A, A31-07052B, A31-07052C,
A31-07052D, A31-07052E, A31-07052F, A31-07052G,
A31-07052H, A31-07052J, A31-07052K, A31-07052L,
A31-07052M, A31-07127, A31-07202A and A31-07202B
Change of Address

Dear Mr. Leak:

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to the Bank's water rights can be sent only to the address on the water rights or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary and list any other water rights you may have before returning this letter by September 24, 1999. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of the property connected with the water rights referenced above, please write

FARM CREDIT BANK OF SPOKANE
September 9, 1999
Page 2 of 2

down the name and address of the new owner(s) so we can send them a form to make this required change to the water right record.

Sincerely,



Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

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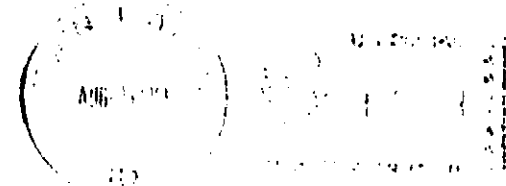
The address is correct as shown above or as otherwise changed.

Claimant Signature & Title

Telephone No.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

Return Service Requested



box closed

RECEIVED

AUG 10 1999

Department of Water Resources

35-07706B
FARM CREDIT BANK OF SPOKANE
PO BOX 51598

IDAHO FALLS

ID 83405-1598

FARM598 834052006 1599 04 08/07/99
RETURN TO SENDER
FARM CREDIT SERVICE
PO BOX 50030
IDAHO FALLS ID 83405-0030
RETURN TO SENDER

83405X1598



22-11370	34-02497	34-02505	34-02506	34-04008	34-07145	34-10393	34-10403	34-12508	35-02093
35-02107	35-02150	35-02183	35-02266	35-02269E	35-02269F	35-02269B	35-02397	35-02435	35-02528
35-02593	35-02647A	35-04039	35-04061	35-07024	35-07074	35-07075	35-07353	35-07532	35-07549
35-07550	35-07575	35-07706B	35-12015	37-10406	37-11113	37-11507	37-12509	37-12601	37-021510
51-02198	51-02217A	51-02217B	51-07025A	51-07025B	51-10337	57-01006	57-02094A	65-05115	65-18469
67-14021	67-14153	70-10215	85-10660	86-10415	A01-00001U	A01-00002E	A01-00047L	A01-001168E	A01-001178B
A01-00118AW	A01-00124G	A01-00128C	A01-00327C	A22-07168	A22-07205	A22-07205	A22-07205	A31-07018	A31-07052A
A31-07052B	A31-07052B	A31-07052B	A31-07052B	A31-07052B	A31-07052B	A31-07052B	A31-07052B	A31-07052B	A31-07052B
A31-07127	A31-07202A	A31-07202B	A32-02005	A32-02006	A35-02647A	A35-07353B	A39-07549A	A35-07549B	A37-02218
A37-04186	A37-04187	A37-04297	A37-04384	A37-04386	A37-07089	A37-07149	A37-07247	A37-07282B	A37-07333B
A37-07388	A37-07394	A37-07403	A37-07670	A37-07768	A37-07805	A37-07814	A37-11223	A41-07014	A43-02596A
A63-02492A	A51-02151C	A63-02684G	A63-02684D	A63-02879	A63-03232	A63-03557A	A63-03589	A63-03597	A63-03597B
A67-03507K	A63-03597L	A63-03597M	A63-03599A	A63-03599B	A63-07156A	A63-07778A	A63-07778B	A63-07825	A63-08473
A65-02563A	A65-02563X	A65-05112	A65-05411	A65-05412	A67-02188	A67-07056	R32-02095A	R32-02095B	R32-04001A
R32-04001B	R32-04001C	R32-04001D	R34-02497	R34-02505	R34-02506	R34-02506	R34-07145	R34-10393	R34-12368
R35-02150	R35-02183B	R35-02266	R35-02269E	R35-02269F	R35-02269G	R35-02397	R35-02435	R35-02528	R35-02593
R35-07024	R35-07074	R35-07075	R35-07549A	R35-07549B	R35-07575	R35-12915	R37-07282B	R37-07333B	R37-11223
R41-07014	R51-02217	R57-01006	R57-02094A	R63-03589	R63-03597	R65-02563A	R65-02563X	R65-05411	R65-05412
X35-12915									

TOTAL RECORDS IN SELECTION FILE:

181

167 162

only I.F. of CS

W.A. AZZ-07264 (permit)

208/552-2300

Glen Leak
2225 W. Broadway
St A

Per Michelle 9-9-99

all I.F. Boxes
will be closed by
end of yr. Send to
street address.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

DIRK KEMPTHORNE
GOVERNOR

August 23, 1999

KARL J. DREHER
DIRECTOR

RECEIVED

SEP 17 1999

Department of Water Resources

GLEN LEAK
BRANCH MANAGER
FARM CREDIT BANK OF SPOKANE
2225 W BROADWAY STE A
IDAHO FALLS ID 83402

Re: Snake River Basin Adjudication (SRBA)
Water Rights #35-07706B, A22-07264, A25-04000,
A31-07018, A31-07052A, A31-07052B, A31-07052C,
A31-07052D, A31-07052E, A31-07052F, A31-07052G,
A31-07052H, A31-07052J, A31-07052K, A31-07052L,
A31-07052M, A31-07127, A31-07202A and A31-07202B
Change of Address

Dear Mr. Leak:

*Records changed, NCAP prepared.
m 9-21-99*

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to the Bank's water rights can be sent only to the address on the water rights or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary and list any other water rights you may have before returning this letter by September 24, 1999. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of the property connected with the water rights referenced above, please write

FARM CREDIT BANK OF SPOKANE

September 9, 1999

Page 2 of 2

down the name and address of the new owner(s) so we can send them a form to make this required change to the water right record.

Sincerely,



Sally Sherman

Technical Records Specialist

Adjudication Bureau

SS:region

#####

The address is correct as shown above or as otherwise changed.

Glen D Leak Branch Manager 552-2300
Claimant Signature & Title Telephone No.

25-4000

APPENDIX A

A few weeks prior to May 15, 1953, I installed a complete irrigation pumping plant and sprinkler system on this farm which consisted of a 50 H.P. Berkley Turbine Pump with a 50 H.P. G.E. Electric Motor attached to this well, which pump was hooked up to approximately 1,200 feet of 4 inch portable aluminum mainline pipe and 1,645 feet of 6 inch, 14 gauge, steel mainline pipe and 3 1/4 mile strings of 40 foot lengths of 3" - 4" aluminum lateral pipe complete with risers, nozzles and couplers.

On May 15, 1953, I commenced using the water from this well through such sprinkler system to irrigate the 60 acres of land above described to hay, grain and potato crops and I continued using the water during the balance of the irrigating season of 1953 for the irrigation of those crops.

Throughout the irrigation seasons of 1954 through 1960, I irrigated from this well through such sprinkler system the said 60 acres of land to hay, grain, potato and pea crops.

Throughout the irrigation seasons of 1961 through 1964, I irrigated from this well through such sprinkler system the said 60 acres of land to hay, grain and potato crops.

I believe that such system was capable of pumping at least 1100 gallons of water per minute from said well.

Early in the year 1965 I replaced the 50 H.P. Berkley Turbine Pump and the 50 H.P. G.E. Electric Motor with a new 30 H.P. Johnson Turbine Pump and a new 30 H.P. G.E. Electric Motor.

I used this same sprinkler system with the new pump and motor replacements during the complete irrigation seasons of 1965 through 1967 to irrigate from said well the said 60 acres of land to hay, grain and potato crops and intend to irrigate all those lands to crops with such system during the forthcoming irrigation season of 1968.

I believe that such revised system is capable of pumping at least 700 gallons of water per minute from said well.

It takes at least one inch of water per acre to efficiently and profitably irrigate the crops grown and to be grown on those lands through such sprinkler system and I feel that I have been using at least one inch of water per acre from said well for such irrigation purposes.

MICROFILMED
NOV 10 1992

A F F I D A V I T

STATE OF IDAHO)
) ss.
 County of Bonneville)

JOHN A. WHEELER, being first duly sworn on his oath, says:

That he is a citizen of the United States of America, over the age of twenty-one (21) years, and resides at Route #2, Rigby, Idaho;

Affiant further says that he is now, and for many years last past has been, well and personally acquainted with Earl E. Spaulding and his farm located in Section Two (2), Township Three (3) North, Range Forty (40), East of the Boise Meridian in Bonneville County, Idaho; that Affiant farms one of his own farms which lies in close proximity to the said farm of Earl E. Spaulding;

Affiant further says that he is well acquainted with the irrigation pumping plant and sprinkler system installed by the said Earl E. Spaulding on the said Spaulding farm early in the year 1953 and that beginning with the irrigation season of 1953 and continuing during the irrigation seasons of each year thereafter to and including the irrigation season of the year 1964, he personally witnessed the water from Mr. Spaulding's well located in the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$) of said Section Two (2) pumped through Mr. Spaulding's sprinkler system onto approximately 60 acres of Mr. Spaulding's farm in the irrigation of hay, grain, potato and/or other crops grown on those lands during those irrigation seasons;

That the said 60 acres of land is comprised of approximately 6 acres in the Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$), 38 acres in the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$) and 16 acres in the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$) of said Section Two (2);

Affiant further says that in the year 1965 Mr. Spaulding replaced the 50 H.P. pump and electric motor with a new 30 H.P. pump and electric motor and that he witnessed the water from said well pumped through said revised pumping plant and sprinkler system onto the above described 60 acres of land for the irrigation of hay, grain and potato crops grown thereon during each of the irrigation seasons of the years 1965 through 1967;

Affiant further says that in his experience as a farmer he believes that lands in the area where his said farm and the said Earl E. Spaulding farm are located require around one miners inch of water per acre for an efficient and profitable irrigation of crops, and that he believes that the said pumping plant and sprinkler system so used by Mr. Spaulding are capable of furnishing at least one miners inch of water per acre for the irrigation of Mr. Spaulding's said lands.

Subscribed in my presence and sworn to before me at Idaho Falls, Idaho, this _____ day of January, 1968.

My Commission Expires:

Notary Public for Idaho
 Residing at Idaho Falls, Idaho

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RECEIVED

JAN 23 1968

Department of Reclamation

STATE OF IDAHO)

County of Bonneville)

JAY B. WHEELER, being first duly sworn on his oath, says:

That he is a citizen of the United States of America, over the age of twenty-one (21) years, and resides at Route #2, Rigby, Idaho;

Affiant further says that he is now, and for many years last past has been, well and personally acquainted with Earl E. Spaulding and his farm situate in Section Two (2), Township Three (3) North, Range Forty (40), East of the Boise Meridian in Bonneville County, Idaho; that Affiant's farm is located directly across the road from the said Earl E. Spaulding farm;

Affiant further says that he is personally acquainted with the said Earl E. Spaulding's irrigation pumping plant and sprinkler system situate on Earl E. Spaulding's above mentioned farm; that the said pumping plant and sprinkler system was installed by Mr. Spaulding early in the year 1953 and that it consisted of a 50 h.p. pump and electric motor attached to the Spaulding well located in the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$) of said Section Two (2) and buried mainline pipe through which the water was pumped from the well into several strings of aluminum lateral pipe with couplers, risers and nozzles;

Affiant further says that he personally witnessed the water from Mr. Spaulding's well pumped through such pumping plant and sprinkler system onto approximately 60 acres of Mr. Spaulding's farms for the irrigation of hay, grain, potato and/or other crops grown on those lands beginning with the irrigation season of 1953 and continuing during the subsequent irrigation seasons of each year thereafter to and including the irrigation season of the year 1964;

Affiant further says that the above 60 acres of land included approximately 6 acres in the Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$), approximately 38 acres in the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$) and approximately 16 acres in the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$) of said Section Two (2);

Affiant further says that Mr. Spaulding replaced the 50 h.p. pump and electric motor early in the year 1965 with a new 30 h.p. pump and electric motor and that he witnessed the water from said well pumped through the revamped pumping plant and sprinkler system onto the above described 60 acres of land in the irrigation of hay, grain and potato crops grown thereon during the 1965 irrigation season and also during the subsequent irrigation seasons of 1966 and 1967;

Affiant further says that the farm lands in the farming area where Mr. Spaulding's farm and his own farm above mentioned are located require at least one miner's inch of water per acre in order to raise profitable crops,

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and he believes that Mr. Spaulding's well and pumping plant and sprinkler system used in the irrigation of Mr. Spaulding's said farm are capable of furnishing at least one miner's inch of water per acre for the irrigation of crops grown thereon.

Jay B. Wheeler

Subscribed in my presence and sworn to before me at Idaho Falls, Idaho, this 17 day of January, 1968.

My Commission Expires:

9/19/69

Willis A. Benjamin

Notary Public for Idaho
Residing at Idaho Falls, Idaho

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