

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: A29-12525
Date Received: 7/29/1992
Receipt No: C016744
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: CITY OF DOWNEY
Address: PO BOX 204
DOWNEY ID 83234 208-897-5342

2. Date of Priority: MAY 20, 1954

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11S	37E	27	NE	SE			BANNOCK

5. Description of diverting works:
WELL, PUMP & DISTRIBUTION SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
MUNICIPAL	01/01	12/31	2.580		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
MUNICIPAL USE WITHIN BOUNDARIES OF DOWNEY TOWNSITE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11S	37E	27	NE	SE		MUNI	

11. Place of use in counties: BANNOCK

A2912525



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NOV 16 1992

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

13. Other Water Rights Used:
NONE

14. Remarks:

IN 1979-80, THE WATER TABLE DROPPED DURING A DROUGHT YEAR. A SECOND WELL WAS DRILLED 75' SOUTH OF THE FIRST EXISTING WELL TO REPLACE IT. THE FIRST WELL HASN'T PRODUCED ANY WATER SINCE THAT TIME. THE SECOND WELL IS 332' DEEP. THE LEGAL DESC. IS THE SAME AND THE CFS IS THE SAME AS THE ORIGINAL WELL.

15. Basis of Claim: BENEFICIAL USE

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 _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of
_____, Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of
_____, Title
_____ and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

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NOV 16 1992

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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NOV 16 1992

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:

Ident. Number

Date Received

Receipt Number

39576
A29-12525

RECEIVED
JUL 27 1992

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) City of Downey Phone (208) 897-5342
Mailing Address P. O. Box 204 Downey, ID Zip 83234
2. Date of Priority (Only one (1) per claim) Spring 1954
3. Source of water supply (a) subterranean
which is tributary to (b) _____
4. a. Location of existing point of diversion is: Township 11 S Range 37 E Section 27,
NE 1/4 of Se 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of Bannock
Additional points of diversion if any: _____
b. If Instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____
_____ 1/4, Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. _____

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NOV 16 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Municipal/Domestic purposes from Jan 1 to Dec 31 amount 2.58 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.58 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
11 S	37 E	27													X				

Total number of acres irrigated 250 homes in Downey Townsite

11. In which county (ies) are lands listed above as place of use located? Bannock

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (X)

14. Remarks: In 1979-80 the water table dropped during a drought year. A second well was drilled 75' south of the first existing well to replace it. The first well hasn't produced any water since that time. The second well is 332' deep. The legal Description is the same and the cfs is the same as the original well.

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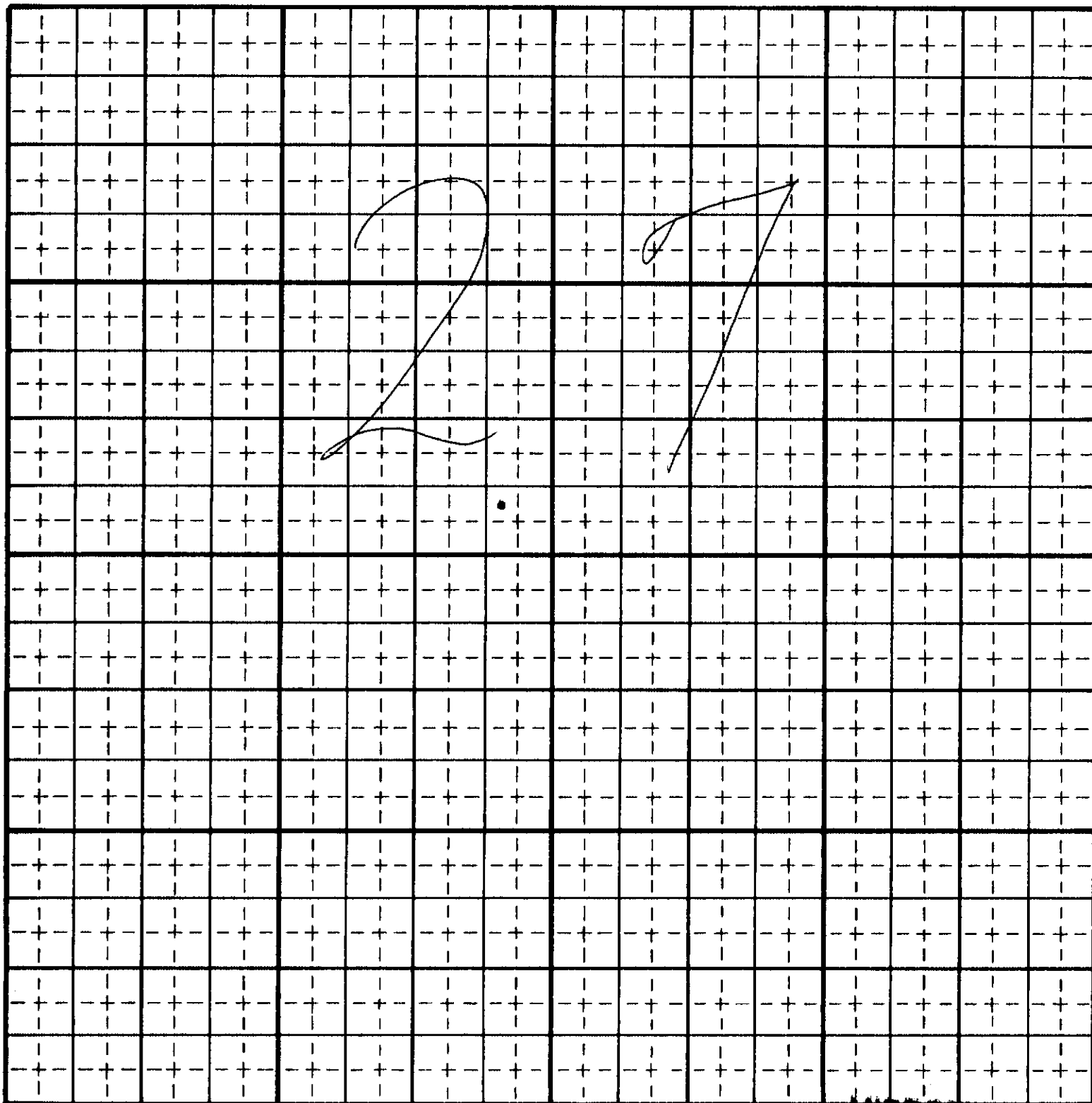
NOV 16 1992

Last Name City of Downey Ident No. _____

Copies: White -State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile



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NOV 16 1992

Last Name City of Downey Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit X

Decree _____

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

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 _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____ President of City Council
Title

of _____ City of Downey _____, that I have signed the foregoing
Organization

document in the space below as _____ President of City Council _____ of _____ City of Downey
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent R. Neal Gibbs

Title and Organization _____ President of City Council _____ Date July 23, 1992

State of Idaho/or Ida)
County of Boemrock) SS.

Subscribed and sworn (or affirmed) before me this 23rd day of July 19 92

SEAL

Notary Public Barbara A. Bybee

Residing at Downey Cal

My Commission Expires 12-22-93

Please Print Name Barbara A. Bybee

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

MICROFILMED

NOV 16 1992

Last Name City of Downey Ident. Number _____

Copies White-State, Yellow-Claimant

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number

Date Received

Receipt Number

5-9-90

00167414

RECEIVED
MAY 09 1990

Department of Water Resources

**NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW****RECEIVED**

MAY - 5 1990

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) City of Downey Phone (208) 897-5342
Mailing Address P. O. Box, Downey, Idaho Zip 83234
2. Date of Priority (Only one (1) per claim) August 21, 1964
3. Source of water supply (a) subterranean
which is tributary to (b) _____
4. a. Location of existing point of diversion is: Township 11 S Range 37 E Section 27,
NE 1/4 of SE 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of Bannock
Additional points of diversion if any: _____
- b. If Instream flow, beginning point of claimed Instream flow is:
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. _____

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Municipal
Domestic purposes from Jan 1 to Dec 31 amount 2.58 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.58 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
11 S	37E	27									X								

Total number of acres irrigated Downey townsite

11. In which county (ies) are lands listed above as place of use located? Bannock

12. Do you own the property listed above as place of use? Yes ☒ No ☐

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

In 1979-80 the water table dropped during a drought year. A second well was or None ()

14. Remarks. drilled 75' south of the first existing well to replace it. The first well cannot

produce any water since that time, as the second well is 332' deep. The legal

description is the same and the cfs is the same as originally applied for.

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NOV 16 1992

Last Name City of Downey Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

[illegible]

MICROFILMED

NOV 16 1992

Last Name City of Downey Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit ☒

Decree _____

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

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 ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Mayor _____

Title _____

of _____ City of Downey _____, that I have signed the foregoing

Organization _____

document in the space below as _____ Mayor _____ of _____ City of Downey _____

Title _____

Organization _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent R. Steven Simpson

Title and Organization _____ Downey City Mayor _____ Date _____

State of Idaho/or _____)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 3 day of May 19 90

SEAL

Notary Public Louise Barnes

Residing at Downey, Idaho 83234

My Commission Expires 4/21/1992

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

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NOV 16 1992

Last Name City of Downey Ident. Number _____

Copies White-State, Yellow-Claimant

DATE: 12/28/94
PAGE: 10

Dates:	Exam Made Date:	Verified Date:
Misc:	Water District Number:	Field Inspection Flag: Presumption Flag:

MICROFILMED
NOV 14 1996

4/11/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME City of Dooney CLAIM IDENT. NO. A29-12525DATE RECEIVED 7-24-92 CK # _____ AMOUNT \$ _____

- | | YES | NO | Required Info? |
|--|-------------------------------------|-------------------------------------|----------------|
| 1. Is the name and address complete with zip code? | ☒ | ☐ | * |
| 2. Is a priority date entered? | ☒ | ☐ | * |
| Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required. | ☒ | ☐ | * |
| 3. (a) Is a source entered? | ☒ | ☐ | * |
| (b) Is a tributary to entered? (if required) N/A ☒ | ☒ | ☐ | * |
| 4. Is the legal description of the p.d. sufficient? | ☒ | ☐ | * |
| 5. Is there a description of the diverting works? | ☐ | ☒ | * |
| 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. | ☒ | ☐ | * |
| Is the period of use included? | ☒ | ☐ | |
| Is a quantity claimed for each use? | ☒ | ☐ | * |
| 7. Is a total quantity claimed entered? | ☒ | ☐ | |
| 8. If required is a consumptive use entered? N/A ☒ | ☒ | ☐ | |
| Is the consumptive use correct? N/A ☒ | ☒ | ☐ | |
| 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. | ☒ | ☐ | * |
| 10. Is (are) the place(s) of use and purpose(s) indicated? | ☒ | ☐ | * |
| 11. Is (are) the county(ies) entered? | ☒ | ☐ | |
| 12. Is the ownership of p.u. checked? | ☒ | ☐ | |
| 13. Are other water rights listed or "none" indicated? | ☒ | ☐ | |
| 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A ☒ | ☒ | ☐ | |
| 15. Is the basis of the claim indicated? | ☒ | ☐ | |
| 16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) N/A ☒ | ☒ | ☐ | |
| 17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. | ☒ | ☐ | * |
| 18. Has the claim been signed, sealed, and dated by a notary? | ☒ | ☐ | * |
| 19. Was this claim filed on time, or was an extension granted? | ☒ | ☐ | * |
| 20. Is the fee enclosed correct? Exempt ☒ | ☒ | ☐ | * |
| 21. If this claim is based on an existing water right, has the identification number been entered? N/A ☒ | ☒ | ☐ | |
| 22. Should this claim be data entered? | ☒ | ☐ | |

Claim checked by: EMC Date: July 28, 92Claim must be returned to claimant: (Yes) ☒ (No) ☐Claimant must be notified of modifications: (Yes) ☒ (No) ☐
 Receipt Prepared by: _____ Date: _____
 Claim data entered by: _____ Date: _____
 Sent to claimant by: _____ Date: _____
 Checked by: **MICROFILMED**

 Comments: #2 enter "May 20, 1954"; #5 enter "well, pump & distribution system"
#9 enter "Municipal use for within boundaries of Dooney townsite." Item 15 enter "5"

NOV 18 1992



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

RECEIVED
OCT 5 1964

September 28, 1964

Department of Reclamation

RE: Permit 28014
Village of Downey

Mary B. Barfuss
Village Clerk
Downey, Idaho

Dear Mrs. Barfuss:

Returned herewith is your Proof of Completion of Works of the above noted permit. Several discrepancies were noted that will require correction before additional action can be taken.

Items to be corrected on the deposition of holder are:

- Question # 4 should read municipal not domestic.
- Question # 6 should include the date completed, and whether or not they comply with the permit.
- Question # 8 should give the description of works and state dimensions and capacity as well as the costs.

Items to be corrected on the deposition of witnesses are:

- Question #2 should state in the blank for purpose municipal instead of irrigation.
- Question #5 both parts of the question to be answered not just the last part.
- Question #6 must be filled in giving the requested information.

When the above corrections are completed, please return to this office.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

Ralph W. Thomas

RALPH W. THOMAS
Deputy State Reclamation Engineer

RWT:ct

Enc. Proofs

Department of Reclamation

Proof of Completion of Works

RECEIVED
SEP 28 1964

DEPOSITION OF HOLDER

In compliance with Sec. 5594, Compiled Statutes of Idaho.

Department of Reclamation

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

Ans. ... Mary B. Barfuss ... Village Clerk, Downey, Idaho ...

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business, your position with reference to same, and your authority for appearing in its behalf.

Ans. ... Village of Downey, Downey, Idaho ...

Ques. 3. State number and date of permit, amount of water you are authorized to divert, source, and point of diversion.

Ans. ... 28014 permit number ... July 9, 1959 ... 2.58 Cubic Feet ...

... point of diversion located Sec. 4, 8, 9, Twp. 11 S., Rge. 38 E.D.M. ...

Ques. 4. State purpose for which water is to be used, and, if for irrigation, state the number of acres and give description of the land you have reclaimed or intend to reclaim.

Ans. ... ~~Domestic~~ Municipal ...

Ques. 5. State whether or not the water has been turned into your works of diversion, and, if so, when and to what extent.

Ans. ... Yes ... July 9, 1959 ...

Ques. 6. State whether or not the works of diversion are fully completed, if so on what date, and whether or not they comply in all respects with terms of the permit.

Ans. ... They are completed - July 9, 1959. They do not comply ...

Ques. 7. If the works of diversion do not comply with all the terms of your permit, state fully those particulars in which there is any variance.

Ans. Permit calls for 2.58 second feet of water - but well only produces 310 per minute ...

Ques. 8. Give description of works and state dimensions and capacity of each part as they existed on ... July ... 1959, and give cost of same.

Ans. Cost about 18,000.00 Capacity 310 gallons per min. ...

Dimensions on well -- 168 feet deep -- 18 inch casing ...

(Sign here.) *Village of Downey*

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 ... Downey ...

... Blannock ... State of Idaho, on this ... 24 ... day of ...

Sept. A. D. 1964.

My Commission expires ... 5-10-66 ...

Sam Robinson
Notary Public.

PERMIT No. 28014

RECEIVED
SEP 28 1964

Proof of Completion of Works

DEPOSITION OF WITNESS

In compliance with Sec. 5594, Compiled Statutes of Idaho

RECEIVED
OCT 5 1964

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

Ans. J. Reed Ciddle Farming
Downey, Idaho

Ques. 2. Are you acquainted with... The Village of Downey..., the

holder of Permit No. 28014... authorizing the diversion of 2.58... second-feet of the waters
of 18. Unnamed Springs..., at
for Municipal purposes? How long have you known him, and where does he reside?

Ans. ... Born and raised in Downey, ... Have been in Village all my life...

Ques. 3. Have you read or heard read said Permit No. 28014..., and are you familiar with its terms and conditions?

Ans. ... yes...

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. ... I am acquainted with the area in the Village limits and outside areas...
... irrigated by this water...

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use? If so, when were they so completed?

Ans. ... July 9, 1959... The works of the diversion are fully completed, and sufficient to take care of designated amount of water set forth in permit.

Ques. 6. Describe the works of diversion as they existed on the date stated in answer to Question 5, and give your estimate of their capacity on that date.

Ans. ... 310 gallon per minute... from 168 foot deep well...

(Sign here.)

J. Reed Ciddle

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, at my office in Downey, County of

Barre, State of Idaho, on this 24 day of Sept. A. D. 1964.

My Commission expires 5-10-66

Sam Robinson

Notary Public.

RECEIVED
SEP 28 1964

PERMIT No. 28014

Department of Reclamation

Proof of Completion of Works

DEPOSITION OF WITNESS

In compliance with Sec. 5594, Compiled Statutes of Idaho.

Department of Reclamation

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

Ans.

S. Le Roy Salvesen
Retired Farmer

J. M. Hyde
Auto Dealer

Ques. 2. Are you acquainted with... The Village of Downey..., the

holder of Permit No. 28014... authorizing the diversion of... 2.58... second-feet of the waters

of... 18 Unnamed Springs..., at...

for... ~~Municipal~~... purposes? How long have you known him, and where does he reside?

Ans. ... I have been acquainted with the Village since birth.

Ques. 3. Have you read or heard read said Permit No. 28014..., and are you familiar with its terms and conditions?

Ans. ... Yes

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. ... The land irrigated includes the Village limits and some areas on the... outskirts...

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use? If so, when were they so completed? The works of the diversion are fully completed, and sufficient to take care of designated amount

Ans. ... July 9, 1964... of water set forth in permit.

Ques. 6. Describe the works of diversion as they existed on the date stated in answer to Question 5, and give your estimate of their capacity on that date.

Ans. ... 310 gallon per minute from 168 foot deep well

(Sign here.)

J. M. Hyde

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, at my office in... Downey..., County of... Banner..., State of Idaho, on this... 24... day of... Sept... A. D. 1964

My Commission expires 5-10-66

Sam. Robinson

Notary Public.