

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: A22-02177  
Date Received: 7/28/1988  
Receipt No: \_\_\_\_\_  
Received By: \_\_\_\_\_

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: H AND L FARMS  
Address: 1718 W. 190 S.  
REXBURG, ID

208-356-3273

83440

2. Date of Priority: MAR 09, 1960

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

|          |       |         |        |        |     |     |         |
|----------|-------|---------|--------|--------|-----|-----|---------|
| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County  |
| 06N      | 40E   | 23      | SW     | SW     | NW  |     | MADISON |

5. Description of diverting works:  
WELL AND PUMP TO SPRINKLER LINES

6. Water is used for the following purposes:

|            |       |       |        |      |        |
|------------|-------|-------|--------|------|--------|
| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
| IRRIGATION | 04/01 | 11/01 | 6.400  |      |        |

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

A.F.A.

8. Total consumptive use is 1107.5 Acre Feet Per Annum.

9. Non-irrigation uses:  
NONE

10. Place of Use:

|          |       |         |        |     |     |     |       |
|----------|-------|---------|--------|-----|-----|-----|-------|
| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
| 06N      | 40E   | 14      | SW     | SW  |     | IRR | 33.0  |
|          |       |         | SE     | SW  |     | IRR | 38.0  |
|          |       |         | SW     | SE  |     | IRR | 39.0  |

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Date: 07/28/88

A2202177



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00129 1984

## 10. Place of Use: Continued

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| 06N      | 40E   | 14      | SE     | SE  |     | IRR           | 11.0  |
|          |       |         |        |     |     | Section Acres | 121.0 |
|          |       | 23      | NE     | NE  |     | IRR           | 3.0   |
|          |       |         | NW     | NE  |     | IRR           | 39.0  |
|          |       |         | SW     | NE  |     | IRR           | 30.0  |
|          |       |         | NE     | NW  |     | IRR           | 39.0  |
|          |       |         | NW     | NW  |     | IRR           | 40.0  |
|          |       |         | SW     | NW  |     | IRR           | 39.0  |
|          |       |         | SE     | NW  |     | IRR           | 40.0  |
|          |       |         | NE     | SW  |     | IRR           | 40.0  |
|          |       |         | NW     | SW  |     | IRR           | 40.0  |
|          |       |         | NW     | SE  |     | IRR           | 12.0  |
|          |       |         |        |     |     | Section Acres | 322.0 |
|          |       |         |        |     |     | Total Acres   | 443.0 |

11. Place of use in counties: MADISON

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

13. Other Water Rights Used:  
A22-02224

14. Remarks:

15. Basis of Claim: LICENSE  
Water Right Number: 28563

OCT 29 1992

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/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): *Leatrice Jensen* Date: 7-28-88  
*Hawley J. Jensen* Date: 7-28-88

**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

State of Idaho )  
County of Bonneville ) SS.

Subscribed and sworn (or affirmed) before me this 28<sup>th</sup> day

of July 19 88

*Betty J. Thompson*  
Notary Public

Seal

Residing at Idaho Falls

My Commission Expires 6-94  
3 Date: 07/28/88

A22-02177

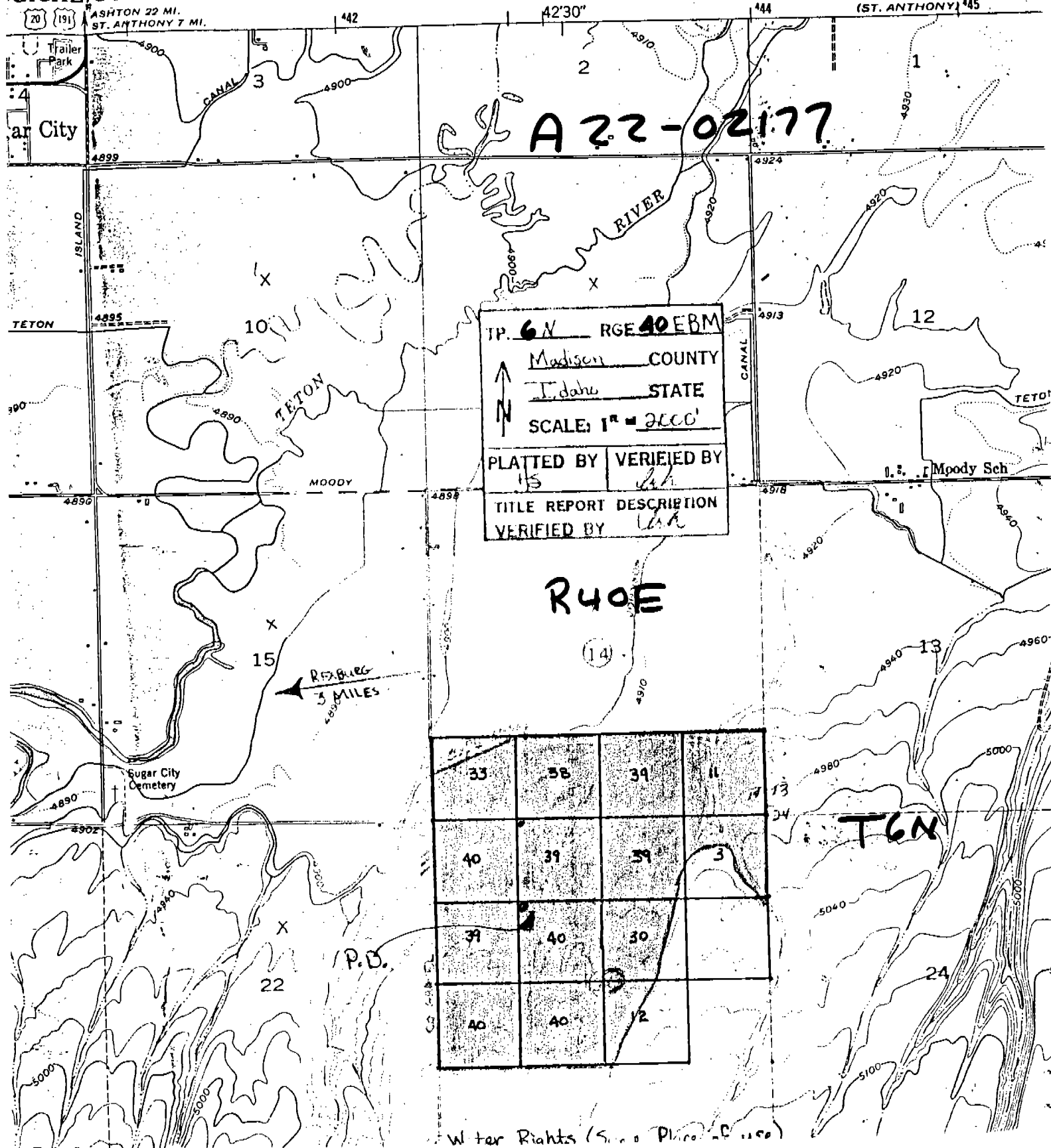
Page

OCT 23 1988

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
GEOLOGICAL SURVEY



3671 1 NW  
(ST. ANTHONY) 45



Log for claim 22-02177

Spatial Dynamics BTD

7/27/01

| TR      | SEC | QQ   | Acres<br>Claimed | Acres<br>Found | COMMENT |
|---------|-----|------|------------------|----------------|---------|
| 06n40e  | 14  | SWSW | 33               | 30             |         |
| 06n40e  | 14  | SESW | 38               | 38             |         |
| 06n40e  | 14  | SWSE | 39               | 39             |         |
| 06n40e  | 14  | SESE | 11               | 9.7            |         |
| 06n40e  | 23  | NENE | 3                | 2              |         |
| 06n40e  | 23  | NWNE | 39               | 37             |         |
| 06n40e  | 23  | SWNE | 30               | 30             |         |
| 06n40e  | 23  | NENW | 39               | 38             |         |
| 06n40e  | 23  | NWNW | 40               | 37             |         |
| 06n40e  | 23  | SWNW | 39               | 36             |         |
| 06n40e  | 23  | SENW | 40               | 38             |         |
| 06n40e  | 23  | NESW | 40               | 38             |         |
| 06n40e  | 23  | NWSW | 40               | 37             |         |
| 06n40e  | 23  | NWSE | 12               | 15             |         |
| Totals: |     |      | 443              | 424.7          |         |

## WATER LICENSE

Water License No. G-28563 Priority March 9, 1960 Amount 6.4 c.f.s.

THIS IS TO CERTIFY, that Edward H. Parkinson-Assignee-Edward H. and Donald L. Parkinson  
of Rexburg, Idaho, made application for a permit to appropriate the public waters of  
the State of Idaho, dated March 9, 1960; that Permit G-28563 was issued pursuant  
to said application; that the proposed works were completed on or about May 15, 1960  
with a storage/or carrying capacity of 6.58 c.f.s., said works consisting of motor,  
pump and sprinkler system; and that on June 25, 1964,  
proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 1550.5  
acre feet per season, with a maximum rate of diversion of 6.4 cubic feet per second of the waters  
of a well, tributary of subterranean source,  
for the purpose of irrigation from April 1 to November 1,  
and for \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_; and for  
\_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_; and that the use  
of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-  
mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is  
(near center of NW  $\frac{1}{4}$ )  
located in SW  $\frac{1}{4}$  NW  $\frac{1}{4}$  Sec. 23, T. 6 N., R. 40 E., B.M., and  
other additional points \_\_\_\_\_, in the County of  
Madison; and that the amount of water to which such right is  
entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially  
used for said purposes and shall not exceed 1550.5 acre feet per year.

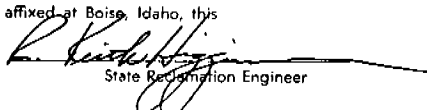
Description and location of place of use:

| TWP.       | RANGE       | SEC.      | NE $\frac{1}{4}$ |                  |                  |                  | NW $\frac{1}{4}$ |                  |                  |                  | SW $\frac{1}{4}$ |                  |                  |                  | SE $\frac{1}{4}$ |                  |                  |                  | TOTALS     |
|------------|-------------|-----------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------|
|            |             |           | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ |            |
| <u>6 N</u> | <u>40 E</u> | <u>14</u> |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  | <u>33</u>        | <u>38</u>        |                  |                  | <u>39</u>        | <u>11</u>        | <u>121</u> |
|            |             | <u>23</u> | <u>3</u>         | <u>39</u>        | <u>30</u>        |                  | <u>39</u>        | <u>40</u>        | <u>39</u>        | <u>40</u>        | <u>40</u>        | <u>40</u>        |                  |                  |                  | <u>12</u>        |                  |                  | <u>322</u> |
|            |             |           |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |            |
|            |             |           |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |            |
|            |             |           |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |            |
|            |             |           |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |            |
|            |             |           |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |            |

Total number of acres irrigated 443

The right to the use of the water 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

21st day of October, 19 68
  
State Reclamation Engineer

28563

72-02177

# APPLICATION FOR PERMIT

## To Appropriate the Subterranean Waters of The State of Idaho

22-2177

Application No. G- 36545  
Permit No. G- 28563  
District No.

FNA  
Letter in 6-30700

Edward H. Parkinson  
Dugan City, Ida

1. Name of Applicant: Edward H. Parkinson  
Postoffice address: Rexburg County: Madison State: Idaho
2. Quantity of water claimed: 320 inches  
(a) Rate of withdrawal in cubic feet per second 6.4 or Idaho  
Miners' inches or gallons per minute  
(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  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 23  
Twp. 6 N , Rge. 40 E , B.M., County of Madison
5. Water is to be used for: Sprinkler Irrigation
6. If for municipal, industrial or recreational purposes, give:  
(a) Point of use of water is in the  $\frac{1}{4}$  of the  $\frac{1}{4}$  of Section , Twp.  
Rge. , B.M.  
(b) Waste water or sewage effluent is to be returned to  
at a point in the  $\frac{1}{4}$  of the  $\frac{1}{4}$  of Section , Twp. , Rge. , B.M.
7. Kind of works: Sprinkler Irrigation
8. Estimated cost of works: \$ 40,000
9. (a) Is reservoir to be used?  
(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

|  |  |  |  |
|--|--|--|--|
|  |  |  |  |
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|  |  |  |  |
|  |  |  |  |

- (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) 6.4 (cubic feet per second, inches or gallons per minute) is for new lands.

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

By \_\_\_\_\_ Agent.

Returned to applicant for correction:

**Corrected application received:**

The number of this permit is G— 28563

Recorded in Book 100 Page 28563 Approved March 24, 1960

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 \_\_\_\_\_ 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 24, 1962

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before <sup>14</sup> March 24, 1965

Witness my hand this 24th day of March, 1960

■/ GEO. N. CARTER  
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, Governor of the State of Idaho,  
and ARNOLD WILLIAMS, 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 24th  
day of March, 19 60

**Countersigned:**

STATE OF IDAHO

(SEAL)

By s/ ARNOLD WILLIAMS

By S/ ROBERT E. SMYLLIE

**Governor**

Secretary of State.

12.

| Twp.                                                                                                                                                                                                                                                                                                                      | Range | Sec.     | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |       |           | Totals |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|----------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------|-----------|--------|
|                                                                                                                                                                                                                                                                                                                           |       |          | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼   | SE¼       |        |
| 6 N                                                                                                                                                                                                                                                                                                                       | 40 E  | 14<br>23 |     |     |     |     | 40  | 40  | 40  | 40  | 40  | 40  | 40  | 40  | 40  | 40  | 40    | 80<br>240 |        |
| A S S I G N M E N T                                                                                                                                                                                                                                                                                                       |       |          |     |     |     |     |     |     |     |     |     |     |     |     |     |     | Total | 320       |        |
| For value received, I hereby assign my proportional part of my right, title, and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. G-28563 to Donald L. Parkinson of <del>Boise</del> Sugar City, Idaho, Sec. 14, T. 6 N., R. 40 E., Sec. 23, all in T. 6 N., R. 40 E.                |       |          |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |           |        |
| s/ EDWARD H. PARKINSON<br>Permit Holder                                                                                                                                                                                                                                                                                   |       |          |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |           |        |
| GRACE L. PARKINSON<br>Wife of Permit Holder                                                                                                                                                                                                                                                                               |       |          |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |           |        |
| STATE OF IDAHO }<br>County of Ada }                                                                                                                                                                                                                                                                                       |       |          | ss  |     |     |     |     |     |     |     |     |     |     |     |     |     |       |           |        |
| On this 8 day of November, 1962, before me, a Notary Public for the State of Idaho, residing at Boise, Idaho, personally appeared Edward H. Parkinson and Grace L. Parkinson, known to me to be the persons whose names are subscribed to the within instrument, and duly acknowledged to me that they executed the same. |       |          |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |           |        |
| IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal, the day and year in this certificate first above written.                                                                                                                                                                                   |       |          |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |           |        |
| s/ M. C. HAMBLIN<br>Notary Public<br>Residing at Boise, Idaho                                                                                                                                                                                                                                                             |       |          |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |           |        |
| My commission expires 3-5-63                                                                                                                                                                                                                                                                                              |       |          |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |           |        |

## APPLICATION FOR AMENDMENT

## LAND LIST

Permit No. G-28563

Comes now EDWARD H. PARKINSON, and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-28563, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

S $\frac{1}{2}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ , West Fr. SE $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 14; West Fr. NE $\frac{1}{4}$ , all NW $\frac{1}{4}$  and N $\frac{1}{2}$ SW $\frac{1}{4}$ , and West Fr. NW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 23, all in T. 6 N., R. 40 E., B. M.

The West Fractions being west of unnamed stream flowing through point near center of S $\frac{1}{2}$  of said Sec. 23, northeasterly through SE $\frac{1}{4}$ SE $\frac{1}{4}$ , said Sec. 14, making a total of \_\_\_\_ acres.

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

Signed at Boise, Idaho, this 8th day of November, 1962.

EDWARD H. PARKINSON

Date of receipt at office of Department of Reclamation November 8, 1962

## APPROVAL OF STATE RECLAMATION ENGINEER

I, RALPH W. THOMAS, Deputy State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-28563. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

Recorded November 14, 1962

s/ RALPH W. THOMAS,  
Deputy State Reclamation Engineer

LICENSE ISSUED FOR 6.4 SEC. FT.  
LICENSE PAGE NO. 28563

STATE OF IDAHO

## DEPARTMENT OF RECLAMATION

BOISE, IDAHO

## REPORT OF ENGINEER

Permit No. G-28563

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

1. Name of applicant Edward H. Parkinson, Reburg, Ida., Donald L. Parkinson, Rt. 31, Sugar City2. Source of water supply: Subterranean3. Location of point of diversion: Is in the near center of NW 1/4 on an very close to center NW 1/4 of Section 23T. 6 N R. 40 E.B.M. County of Madison

4. Describe works as they exist, giving dimensions and capacities of same:

200 HP GE motor # RT1408006. LAYNE F BOWLER  
Pump # 27139, 1900 gpm @ 370', 12" STEEL DISCHARGE  
① - NORTH (100 HP WAGNER motor # 4411379-05, - BUCKLEY BOOSTER  
PUMP # 6108407 w/ 8" DISCHARGE INTO MAIN LINE. ② 12" MAIN LINE  
SOUTH & NORTH, 8' EAST LINE WITH GATE VALVE.

5. Water is used for: Sprinkler irrigation6. 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):

SW 1/4, SW 1/4, West Fr. SE 1/4 Sec. 14., West Fr. NE 1/4, NW 1/4 and NE SW 1/4, AND  
West Fr. NW 1/4 Sec. 23., all in Twp. 6 N., Rge. 40 E.B.M.

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

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

Remarks:

The west fraction being west of unnamed stream flowing thru point near  
center of S 1/2 of said Sec. 23., northeasterly thru SE 1/4 Sec. 14.

528 - "1/4" 20.~ TMC 200 2R-11 @ 45169

$$Q = \frac{(528 \text{ w.2}) (570 \text{ gpm})}{150 \text{ gpm}} = 6.58$$

This examination was made on the 19TH day of SEPT, 1967(Signed) D.R.

Examiner.

28563

DW  
Plat

# 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.

S  
249' x 20' N. 155'  
326' x 1/2" E 40'  
Also Sprinkler Pump  
Edward H. Parkinson Donald L. Parkinson  
Rexburg, Idaho Rt. #1, Sugar City, Idaho  
Permit No. G-28563 Not valid  
Date

Examination for Completion of Works & Beneficial Use

County Madison

Quantity: 6.4 c.f.s. Sec. 23 T. 6N R. 10 EBM

Source: Well

P.D.: SW. NW. Sec. 23, T. 6N. - R. 10 EBM

Use: Sprinkler Irrigation

Filed: March 9<sup>th</sup>, 1966

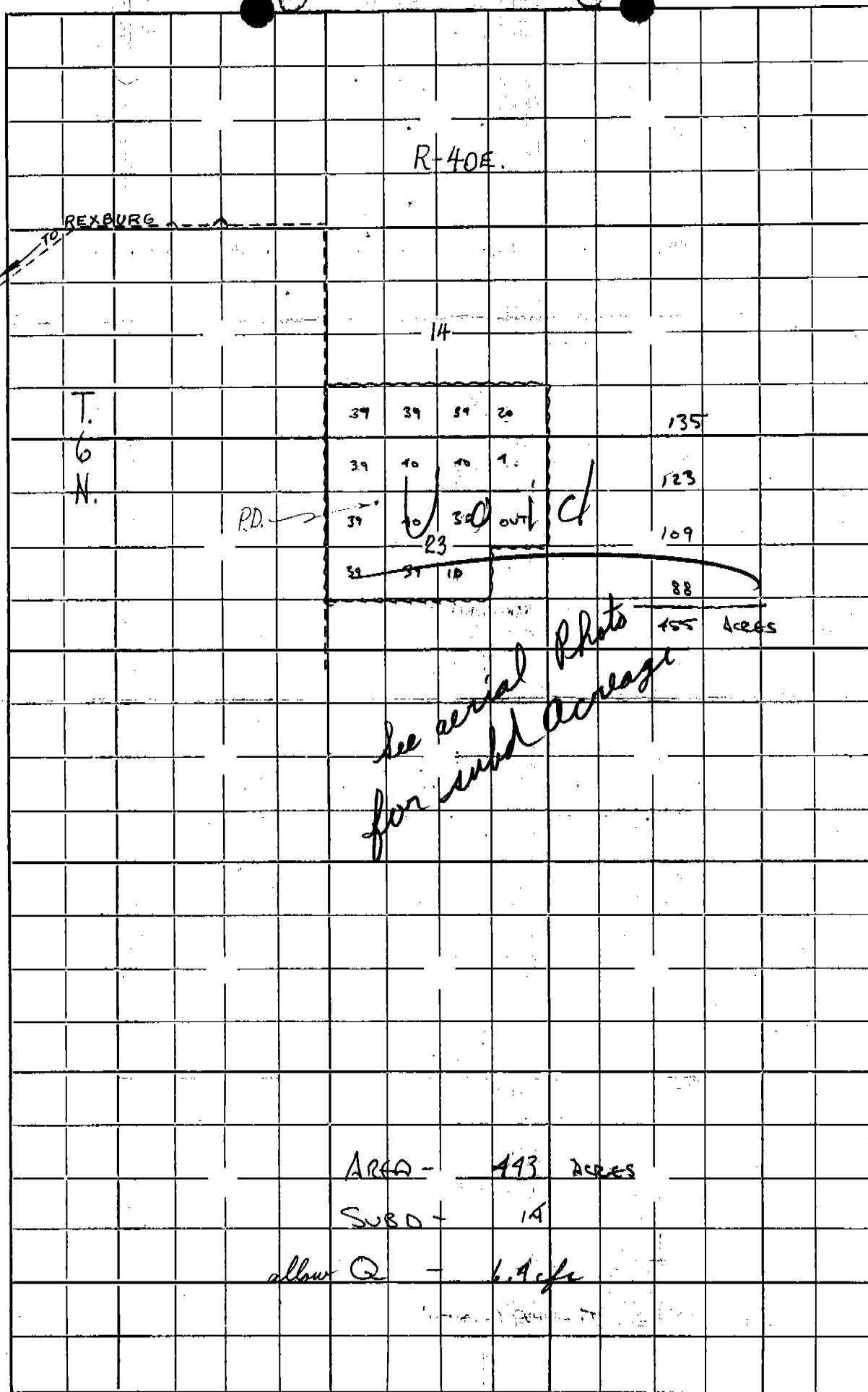
Due: March 24, 1965

Extension: \_\_\_\_\_

Protest: \_\_\_\_\_

Completion of Works: \_\_\_\_\_

Other Rights: none (see also G-90794)



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

28563

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE

REPORT OF ENGINEER

PERMIT NO. G-28563

REPORT ON PROOF OF Completion of Works & Beneficial Use

Edward H. and Donald L. Parkinson  
Rexburg & Rt. #1, Sugar City, Idaho

28563



2055128



05562