

857
50
907

X

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: A22-02269
Date Received: 6/02/1988
Receipt No: E000757

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HAZEL P. CUMMINGS 208-356-3746
Address: 132 WEBSTER AVE
REXBURG, ID 83440
AND
Name: PARKINSON FARMS INC. 208-356-3746
Address: 132 WEBSTER AVE.
REXBURG, ID 83440
AND
Name: ROSS T. PARKINSON 208-356-3746
Address: 132 WEBSTER AVE
REXBURG, ID 83440
AND
Name: DON T. PARKINSON 208-356-3746
Address: 132 WEBSTER AVE.
REXBURG, ID 83440

A2202269



2. Date of Priority: APR 28, 1966

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	41E	33	SE	NW			MADISON

5. Description of diverting works:
WELL AND PUMP TO LATERALS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	6.990		
DOMESTIC	01/01	12/31	0.020		

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

A22-02269

Page 1

Date: 06/03/88

MICROFILMED

OCT 29 1992

8. Total consumptive use is 1714.0 Acre Feet Per Annum.

9. Non-irrigation uses:

DOMESTIC WATER TANKS FILLED AT FARM HEADQUARTERS

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	41E	20	SE	SE		IRR	5.0
						Section Acres	5.0
		21	SW	SW		IRR	33.0
			SE	SW		IRR	21.0
						Section Acres	54.0
		27	SW	SW		IRR	6.0
						Section Acres	6.0
		28	NE	NW		IRR	32.0
			NW	NW		IRR	38.0
			SW	NW		IRR	29.0
			SE	NW		IRR	31.0
			NE	SW		IRR	30.0
			NW	SW		IRR	39.0
			SW	SW		IRR	40.0
			SE	SW		IRR	39.0
			SE	SW		DOMEST	
			NW	SE		IRR	7.0
			SW	SE		IRR	36.0
			SE	SE		IRR	16.0
						Section Acres	337.0
		29	NE	NE		IRR	3.0
			NE	SE		IRR	9.0
			SE	SE		IRR	29.0
						Section Acres	41.0
		32	NE	NE		IRR	26.0
			SE	NE		IRR	31.0
						Section Acres	57.0
		33	NE	NE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	41E	33	NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
					Section Acres	320.0	
		34	NW	NW		IRR	14.0
			SW	NW		IRR	23.0
					Section Acres	37.0	
					Total Acres	857.0	

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:
NONE

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 32857

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): Hayl P. Cummings Date: 7-5-88
Don T. Parkinson Date: 7-5-88
Don T. Parkinson Date: 7-5-88

For Organizations:

I do solemnly swear or affirm that I am Secretary-Treasurer of Parkinson Farms, Inc., that I have signed the foregoing document in the space below as Secretary-Treasurer of Parkinson Farms, Inc. and that the statements contained in the foregoing document are true and correct.

Hayl P. Cummings
Signature of Authorized Agent
Sec./Treas. - Parkinson Farms, Inc.
Title and Organization
7-5-88
Date

State of Idaho)
County of Madison) SS.

Subscribed and sworn (or affirmed) before me this 5th day

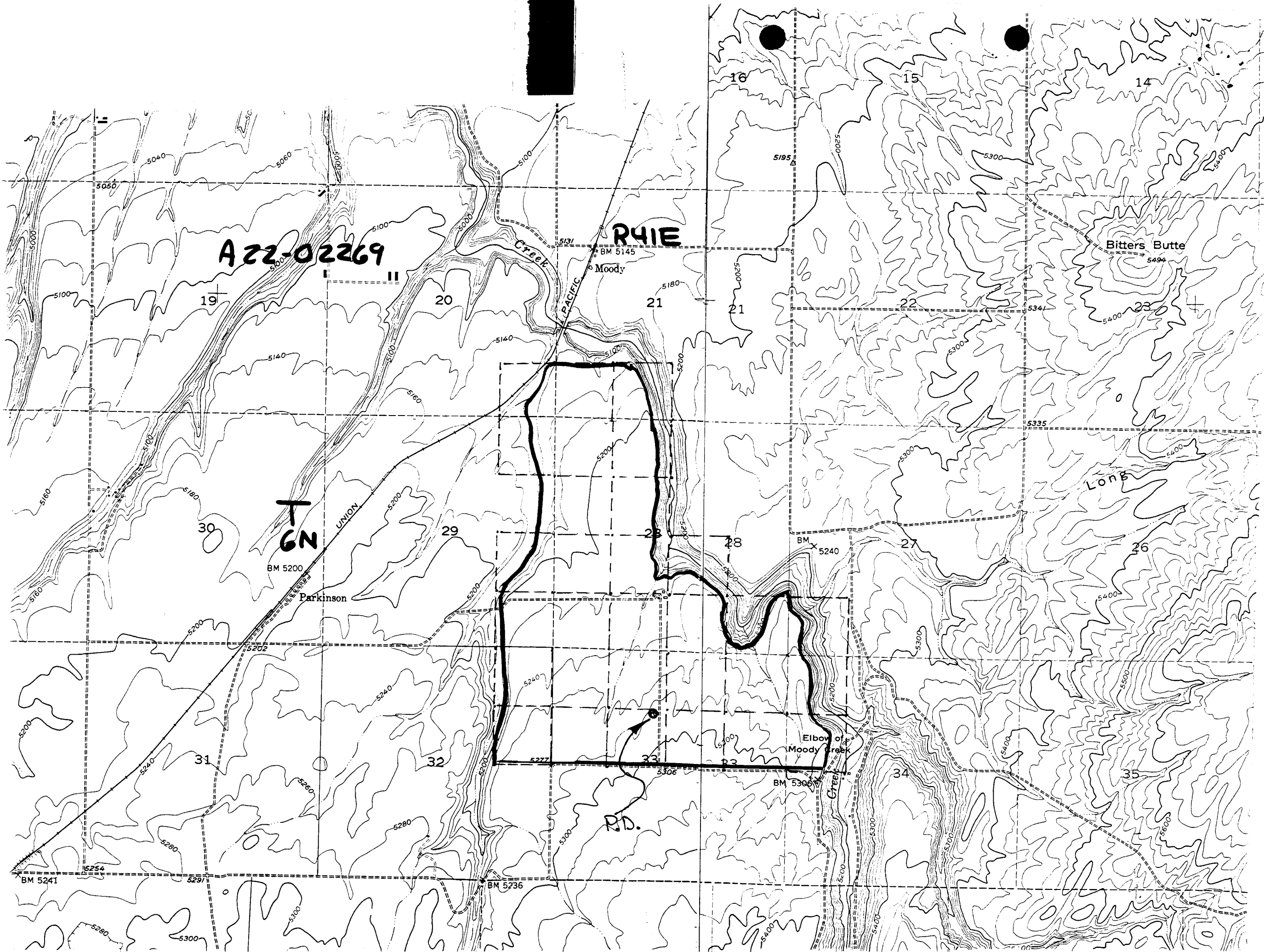
of July 19 88

Marsha L. Mahaffey
Notary Public

Seal

Residing at Rexburg, Idaho

My Commission Expires 4-11-94
Date: 06/03/88



Log for claim 22-02269

Spatial Dynamics BTD

8/8/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
06n41e	20	SESE	5	12	
06n41e	21	SWSW	33	35	
06n41e	21	SESW	21	18	
06n41e	27	SWSW	6	6.3	
06n41e	28	NENW	32	26	
06n41e	28	NWNW	38	38	
06n41e	28	SWNW	29	31	
06n41e	28	SENW	31	26	
06n41e	28	NESW	30	27	
06n41e	28	NWSW	39	39	
06n41e	28	SWSW	40	38	
06n41e	28	SESW	39	37	
06n41e	28	NWSE	7	7.8	
06n41e	28	SWSE	36	35	
06n41e	28	SESE	16	19	
06n41e	29	NENE	3	3.5	
06n41e	29	NESE	9	11	
06n41e	29	SESE	29	29	
06n41e	32	NENE	26	28	
06n41e	32	SENE	31	33	
06n41e	33	NENE	40	40	
06n41e	33	NWNE	40	39	
06n41e	33	SWNE	40	38	
06n41e	33	SENE	40	38	
06n41e	33	NENW	40	38	
06n41e	33	NWNW	40	39	
06n41e	33	SWNW	40	39	
06n41e	33	SENW	40	37	
06n41e	34	NWNW	14	16	
06n41e	34	SWNW	23	24	
Totals:			857	847.6	

I do solemnly swear of affirm that the statements contained in the foregoing document are true and correct. Dated this 12th day of Sept, 1988.

Don T. Parkinson
DON T. PARKINSON

STATE OF IDAHO,)

ss.

County of Madison.)

On this 12th day of Sept, 1988, before me, the undersigned, a Notary Public in and for said State, personally appeared DON T. PARKINSON, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

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

Lay W. Sigby
Notary Public for Idaho
Residing at Rexburg, Idaho
My Commission Expires: 3-12-93

UNRECORDED

OCT 29 1992

I do solemnly swear of affirm that the statements contained in the foregoing document are true and correct. Dated this 29 day of Aug., 1988.

Ross T. Parkinson
ROSS T. PARKINSON

STATE OF IDAHO,)

ss.

County of Madison.)

On this 29th day of Aug., 1988, before me, the undersigned, a Notary Public in and for said State, personally appeared ROSS T. PARKINSON, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

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

Lay W. Sigby
Notary Public for Idaho
Residing at Rexburg, Idaho
My Commission Expires: 3-12-93

RECORDED

OCT 29 1988

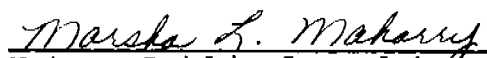
I do solemnly swear of affirm that the statements contained in the foregoing document are true and correct. Dated this 29th day of August, 1988.


HAZEL P. CUMMINGS

STATE OF IDAHO,)
 ss.
County of Madison.)

On this 29th day of August, 1988, before me, the undersigned, a Notary Public in and for said State, personally appeared HAZEL PARKINSON, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

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



Notary Public for Idaho
Residing at Rexburg, Idaho
My Commission Expires: 4-10-94

WACROFILMED

OCT 29 1992

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 32857/22-2269 Priority April 28, 1966 Amount 6.99 cfs

THIS IS TO CERTIFY, that ROSS PARKINSON
of Rexburg, Idaho, has complied with the terms and conditions of Permit
No. 32857/22-2269 issued pursuant to Application for Permit dated April 28, 1966
and has submitted proof to the Department of Water Administration on April 12, 1971
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 6.99 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:
Amount 6.99 cfs for Irrigation from April 1 to Nov. 1 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 6.99 cfs of water be diverted at
any one time, said waters to be diverted within the _____

SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 33, Twp. 6 N, Rge. 41 E, B.M.

in the county of Madison; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 2,964 acre feet per year or _____
3.5 acre feet per acre.

Description and location of place of use: See Land List Attachment

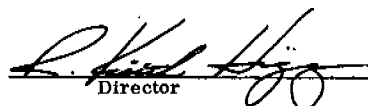
TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

Total number of acres irrigated 857

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 2nd day of

August, 19 72.


Director

22 2269

LAND LIST ATTACHMENT

Description and location of place of use:

[illegible]

Total number of acres irrigated 857

22-1

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 41028
Permit No. G- 32857
District No.

1. Name of Applicant: ROSS PARKINSON
Postoffice address: 132 Webster Avenue County: Madison State: Idaho
Rexburg,
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second 18 . 0 or Idaho
Miners' inches or gallons per minute
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the SE 1/4 of the NW 1/4 of Section 33
Twp. 6 N , Rge. 41 E , B.M., County of Madison
5. Water is to be used for: Agricultural Purposes
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, mainline, laterals and sprinklers
8. Estimated cost of works: \$ 94,000.00
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
years. Five
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: This land is being dryfarmed, but with the addition of water is ideal for the production of potatoes and other crops.

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.

/s/ ROSS PARKINSON

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation Apr 11 28, 1966 1:30 P.M.

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G— 32857

Recorded in Book 115 Page 32857 Approved May 3, 1966

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 November 3, 1968

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 May 3, 1971

Witness my hand this 3rd day of May, 1966.

/s/ CARL E. TAPPAN
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, Governor of the State of Idaho, and LOUIS E. CLAPP, 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 3rd day of May, 1966.

Countersigned:

STATE OF IDAHO

(SEAL)

By //S/ LOUIS E. CLAPP
Secretary of State.

By //S/ ROBERT E. SMYLIE
Governor

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	41E	20																	15	15	
		21																		58	
		27																		10	
		28																		335	
		29	9				26	38	32	29	30	39	39	36		10	38	18	34	58	
		32	32																	65	
		33	40	40	40	40	40	40	40	40										320	
		34					15	24												39	
		Total number of acres to be irrigated:																			900 ACRES

LICENSE ISSUED FOR 6.99 DEC. 1.
LICENSE PAGE NO. _____

LICENSE ISSUED FOR 6.99 SEC. 1.
LICENSE PAGE NO.

DEPARTMENT OF WATER ADMINISTRATION

FIELD REPORT

1. Name of permit holder Ross Parkinson *(Re-exam)*
 Postoffice address 132 Webster Ave., Rexburg, Idaho Phone _____
 Person to contact Permit holder -or- Ray W. Rigby, Atty.-at-Law Phone _____

2. Source of water supply: Groundwater ☒ Surface water ☐ _____
 (name spring, stream, etc.)
 Tributary to _____

3. Water will be used for the following purposes:

Amount 18.0 c.f.s. for Irrigation
 _____ AF/Annum (nature of use)

Period of Use: from April 1 to November 1
 (mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
 (mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
 (mo.-day) inclusive (mo.-day)

Other uses: _____

4. Total amount to be appropriated:

Max Rate of Diversion 18.0 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 6N N/S, Range 41E E/W, B.M., Section 33, Subdivision SE 1/4 NW 1/4 Madison
 _____ County
 Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____
 _____ County
 Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____
 _____ County

Other Points of Diversions: _____

Description of diverting works: well, pump, laterals & sprinklers

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

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	
6N	41E	20																15	15
		21											37	21					58
		27											10						10
		28					26	38	32	29	30	39	39	36		10	38	18	335
		29	9												15			34	58
		32	32			33													65
		33	40	40	40	40	40	40	40	40									320
		34						15	24										39

22 2269

TOTAL ACREAGE

900

Permit No. 32857/22-2269
 Examination for b/u
(Re-exam)

RAIE

[illegible]

Diagram of System

cmr

6/8/72

11 1251 24.40 97.11
5 11 11
55.7 11 11 11

5/12 11 11 11

5/12 "North" 95.11

Line	PRESS (M. L)	PRESS (END)	AUC PRESS.
1R	46	40	43
2	47	41	44
3	49	43	46
4	50	46	48
5	44	43	43 1/2
6	41	40	40 1/2
7	40	35	37 1/2
8	41	32	36 1/2
9	43	30	36 1/2
10	50	40	45
11L	42	45	43 1/2
2	44	46	45
3	46	48	47
4	49	52	50 1/2
5	47	56	50 1/2
6	45	53	49
7	41	50	45 1/2
8	42	54	48
9	38	59	48 1/2
10	46	58	52
			<u>44.6</u>
			<u>45.8</u>
			<u>44.6</u>

NO NOZZLES	FLOW NOZZLE	LINE TOTAL
36	4.45 + 5(0.007) 4.75 + 0.112 = 4.862	166.03
36	4.95 + 1(0.007) 4.67	118.12
33	4.72 + 1(0.007) 4.776	157.48
52	4.72 + 3(0.007) 4.876	156.03
37	4.45 + 3(0.007) 4.64	157.76
35	4.45 + 0.5(0.007) 4.48	141.87
52	4.16 + 2.5(0.007) 4.31	150.85
35	4.16 + 1.5(0.007) 4.25	148.75
31	4.25	131.75
23	4.72	108.56
48	4.64	222.72
48	4.72	206.56
48	4.72 + 2(0.007) 4.82	231.36
34	4.72 + 0.5(0.007) 5.0	170.0
27	5.0	195.0
18	4.72 + 1(0.007) 4.93	68.74
18	4.72 + 0.5(0.007) 4.75	85.5
25	4.876	121.7
40	4.876 + 0.5(0.007) 4.9	176.0
31	4.72 + 2(0.007) 5.1	158.1
67		3139.1

Using 45 avg. for 3148.29 F.L.

$\frac{3139.1}{448.8} = [6.99] \text{ CFS}$

22 2269

DATE OF EXAM 6/8/72

ACREAGE
Found 857
Recommended 857

Irrigation Requirement 3.5 Ac Ft/Ac

USE
Irrigation Q = 6.99 c.f.s. V = 2999.5 AF/Ann. from Apr. 1 to Nov. 1
Domestic Q = c.f.s. V = AF/Ann. from to
Livestock Q = c.f.s. V = AF/Ann. from to

Is water co-mingled? yes no X

Name source:
twp. N/S, Rge E/W, B.M., Sec. , Sub. 1/4 1/4 County

Exchange? yes no X

Name source exchanged with:
twp. N/S, Rge E/W, B.M., Sec. , Sub. 1/4 1/4 County

Point of injection:
twp. N/S, Rge E/W, B.M., Sec. , Sub. 1/4 1/4 County

Point of exchange:
twp. N/S, Rge E/W, B.M., Sec. , Sub. 1/4 1/4 County

Total Q measured 6.99 c.f.s. Method of measurement Pitot tube at nozzle

Total Q recommended 6.99 cfs Meter No. -- Type MDIM Condition 2nd season

Total V recommended 2999.5 AF/ANN

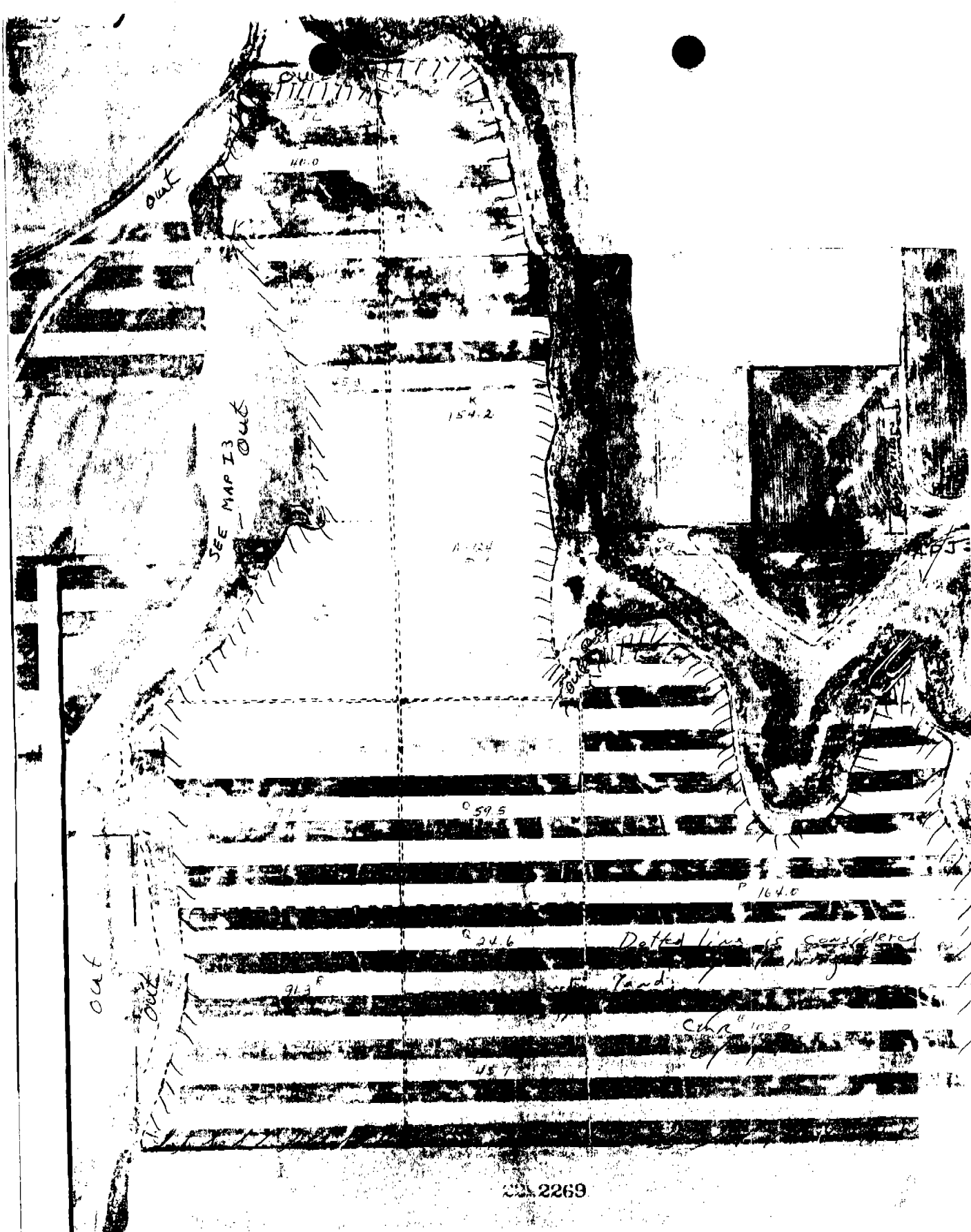
Recommended Amendments:

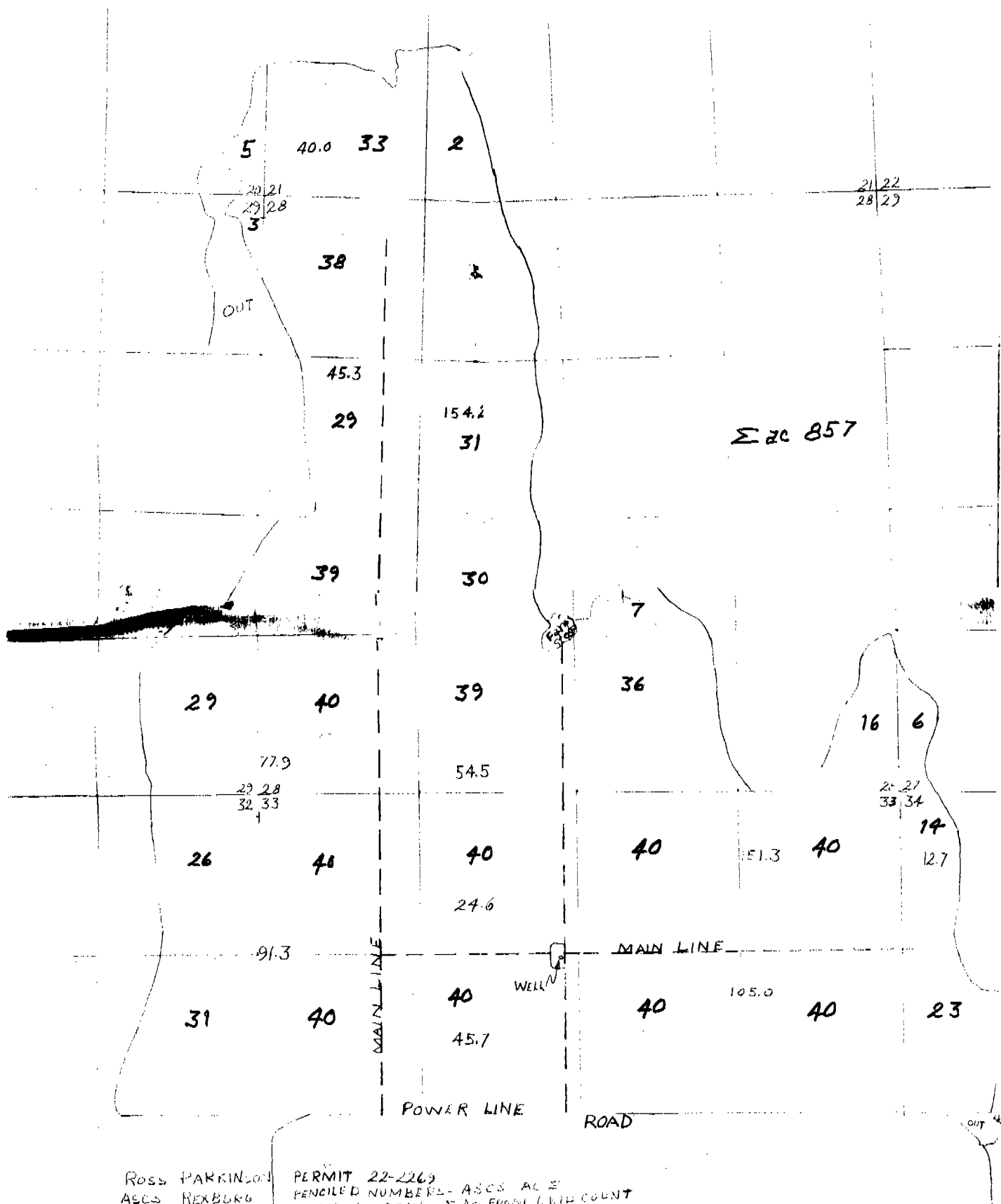
P.D. None
Place of Use "
Other "
None "

MEASUREMENT CALCULATION: 20 1/4 mile lines
METER - 10 Rev @ 1000 gal/rev is 4.53.6 sec
667 Nozzles, 5/32, 2 gpm for all lines = 3139.1
3139.1 = 6.99 cfs
448.6

SYSTEM DESCRIPTION: Motor - 600hp G.E.-S.N. BJC222019; Pump - L.B. vertiline, 3200 gpm
@ 620 ft., 1770 RPM Model 16KHM S.N. D16086; Badger Meter - 12" MDIM; 4 ft. downstream
from check valve, 1 ft. upstream from 45° bend, no straightening valves

REMARKS:
above badger meter Well is 10 ft. south of mainline. Mainline shows on photos.
Using pitot tube, 10,000 gal./4.894 min. = 20.50 gal./min. = 4.57 c.f.s.
This is not considered accurate for reasons stated. (Installation too near pump)
The rate of diversion is considered adequate by owner as he states new
his relation to minimize average to be irrigated at any one time 6/20/72
during season.
Examiner's Signature Norm Young & G.H. Ramsey Date 6/8/72
Checked by Net Date
Approved by Date





ROSS PARKINSON
ASCS HENBURY
5/20/66 FLIGHT
COPIED 6/8/72

NCY
CMR

PERMIT 22-2269
PENCILLED NUMBERS - ASCS AC'S
INKED NUMBERS - S AC FROM LIND COUNT

Dry

Notes owner has a survey map done
a professional surveyor showing power line
road is on center line of section 31.
ASCS photos do not agree with this, so
we as land owners map is correct for all
locations (North & South) based on 12.7
mgs.