

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: A22-07066
Date Received: 5/19/1988
Receipt No: 6000240

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BROWN INC.
Address: C/O GEORGE BROWN
1439 CAMBRIDGE DR.
IDAHO FALLS, ID 83401

208-522-9552

2. Date of Priority: MAR 20, 1973

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05N	41E	8		NE	NW		MADISON

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/21	2.550		

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

A.F.A.

8. Total consumptive use is 320.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05N	41E	5	SW	SW		IRR	40.0
			SE	SW		IRR	40.0
Section Acres							80.0

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Date: 05/19/88

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	41E	8	NE	NW		IRR	40.0
			NW	NW		IRR	40.0
						Section Acres	80.0
						Total Acres	160.0

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:

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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: 1

For Organizations:

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

 George Brown
Signature of Authorized Agent

 Pres Brown Inc
Title and Organization

 5-19-88
Date

State of Idaho)
County of Bonner) SS.

Subscribed and sworn (or affirmed) before me this 19th day
of May 19 88

 Deena Green
Notary Public

Seal

Residing at Ridgely

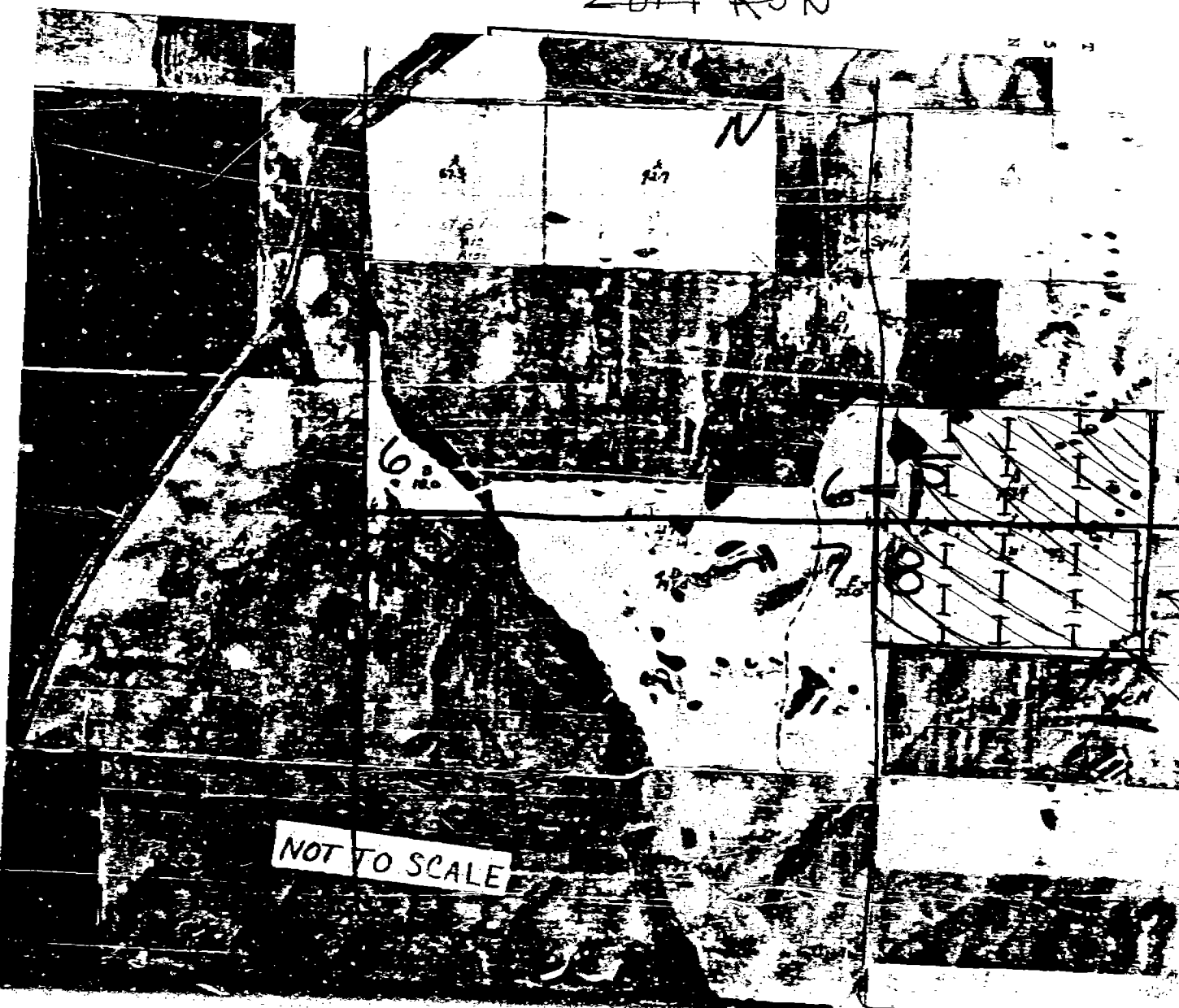
My Commission Expires 4-22-1994

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R41E

~~ZON~~ R5N



LNZ

P.O.D.
Rm. 41E

P.O.D.

NOT TO SCALE

Log for claim 22-07066

Spatial Dynamics LTD

8/13/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
05n41e	5	SWSW	40	35	
05n41e	5	SESW	40	39	
05n41e	8	NENW	40	39	
05n41e	8	NWNW	40	38	
Totals:			160	151	

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 22-7066 Priority March 20, 1973 Amount 2.55 cfs

THIS IS TO CERTIFY, that GEORGE R. BROWN
of Idaho Falls, Idaho, has complied with the terms and conditions of Permit
No. 22-7066 issued pursuant to Application for Permit dated March 20, 1973,
and has submitted proof to the Department of Water Resources on July 24, 1975,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 2.55 cfs of water from a ground water source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>April 1</u> to <u>Oct. 21</u>	at <u>2.55</u> cfs and	<u>560 acre feet or</u>
	from _____ to _____	at _____ cfs and	<u>3.5 af per acre</u>
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 2.55 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
560 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 8,
Twp. 5 N, Rge. 41 E, B. M. in the County of Madison

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 $\frac{1}{4}$	
5 N	41 E	5										40	40						80
		8					40	40											80

Total number of acres irrigated 160

A measuring device of a type approved by this Department shall be permanently
maintained as part of the diverting works.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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 30 day of
August, 19 76.

Director

LICENSE RESORT FOR 255 SEC. 5

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPROVED

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

(TYPE OR PRINT IN INK)

1. Name of applicant George R. Brown
post office address 1425 Cambridge Drive, Idaho Falls, Idaho
2. Source of water supply well which is a tributary of _____
3. a. Location of point of diversion is NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 8 Township 5 N.
Range 41 E B.M. Madison County; additional points of diversion if any: _____
NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 8 Twp 5 N. Range 41 EBM. Madison Co.
SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 5 Twp 5 N. Range 41 EBM. Madison Co.
- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 4 for irrigation purpose from April 1 to Oct. 21 (both dates inclusive)
Amount 3.2 cfs for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 4 3.2 cfs cubic feet per second and/or
b. NCY 4116/73 see RHC 3/20/72 acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Well, pump, pipelines and
sprinkler system.
- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.
b. Estimated construction cost is \$ 30,000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered: _____

(4) Name of municipality to be served: _____, or number of families to be supplied with domestic water: _____
(5) If water is to be used for other purposes describe: _____

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

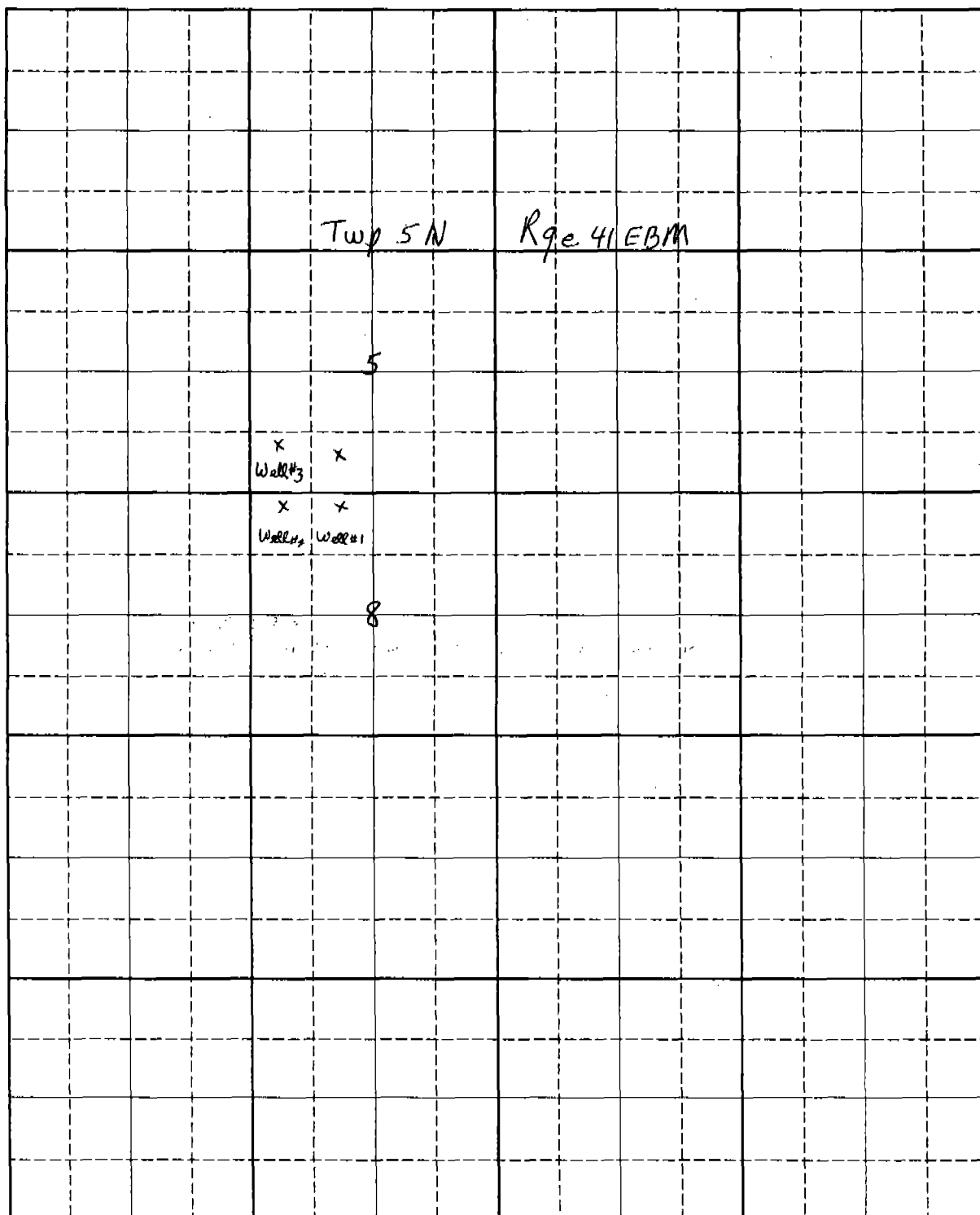
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Total number of acres to be irrigated 160

c. Describe any other water rights used for the same purposes as described above.

9. a. Who owns the property at the point of diversion Joseph F. Brown, minor son of George R. Brown
 b. Who owns the land to be irrigated or place of use Joseph F. Brown
 c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing An acre of land upon which the well is successfully drilled will be sold to George R. Brown.
The 1 A. & the irrigation system of George R. Brown's and the 1.59 acres of Joseph F. Brown's will be leased to Brown Inc., a family owned Idaho Corporation. George R. Brown and Joseph F. Brown are stockholders of the corporation.
10. Remarks _____

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



Scale: 2 inches equal 1 mile

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.

George R Brown
(Applicant)

22-7066

Received by la Date 3-20-73 Time 10:30 am
 Preliminary check by NCY Fee \$ 55.00
 Receipted by la Date 3-20-73 11:25
 Publication prepared by la Date 3-23-73
 Published in Bozeman Journal
 Publication dates 3-29 & 4-5-73
 Publication approved NCY Date 4/16/73
 Priority reduced to 3-20-73 Reason XXXX

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by NCY 50E

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

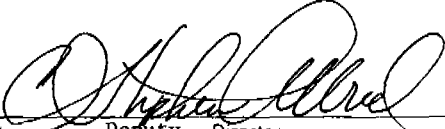
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 22-7066, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before April 1, 19 78.
- c. Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.
Maximum rate of diversion shall not exceed 3.2 c.f.s.

2. Denial of said application is for the following reasons: _____

Witness my hand this 19th day of April, 19 73.


 Deputy Director

RECEIVED

AUG 5 1975

Phone _____
Department of Water Resources
phone _____ Eastern District Office

Phone Eastern District Office

- (name spring, stream, etc.)

(nature of use)

Department of Energy

(nature of use)

(mo.-day) inclusive (mo.-day)

(nature of use)

(mo.-day) inclusive (mo.-day)

Other uses:

- Max Rate of Diversion 3.20 cubic feet per second and annual volume _____ AF/Annum.

- Township 5N N/S, Range 41E E/W, B.M., Section 8, Subdivision NE ¼ NW ¼ Madison
County
- Township 5N N/S, Range 41E E/W, B.M., Section 8, Subdivision NW ¼ NW ¼ Madison
County
- Township 5N N/S, Range 41E E/W, B.M., Section 5, Subdivision SW ¼ SW ¼ Madison
County

Other Points of Diversions: _____

deep, pumping level 530'.

Measuring device required: yes ☒ no ☐

- [illegible]

160

Rge. 41E

T
5
N

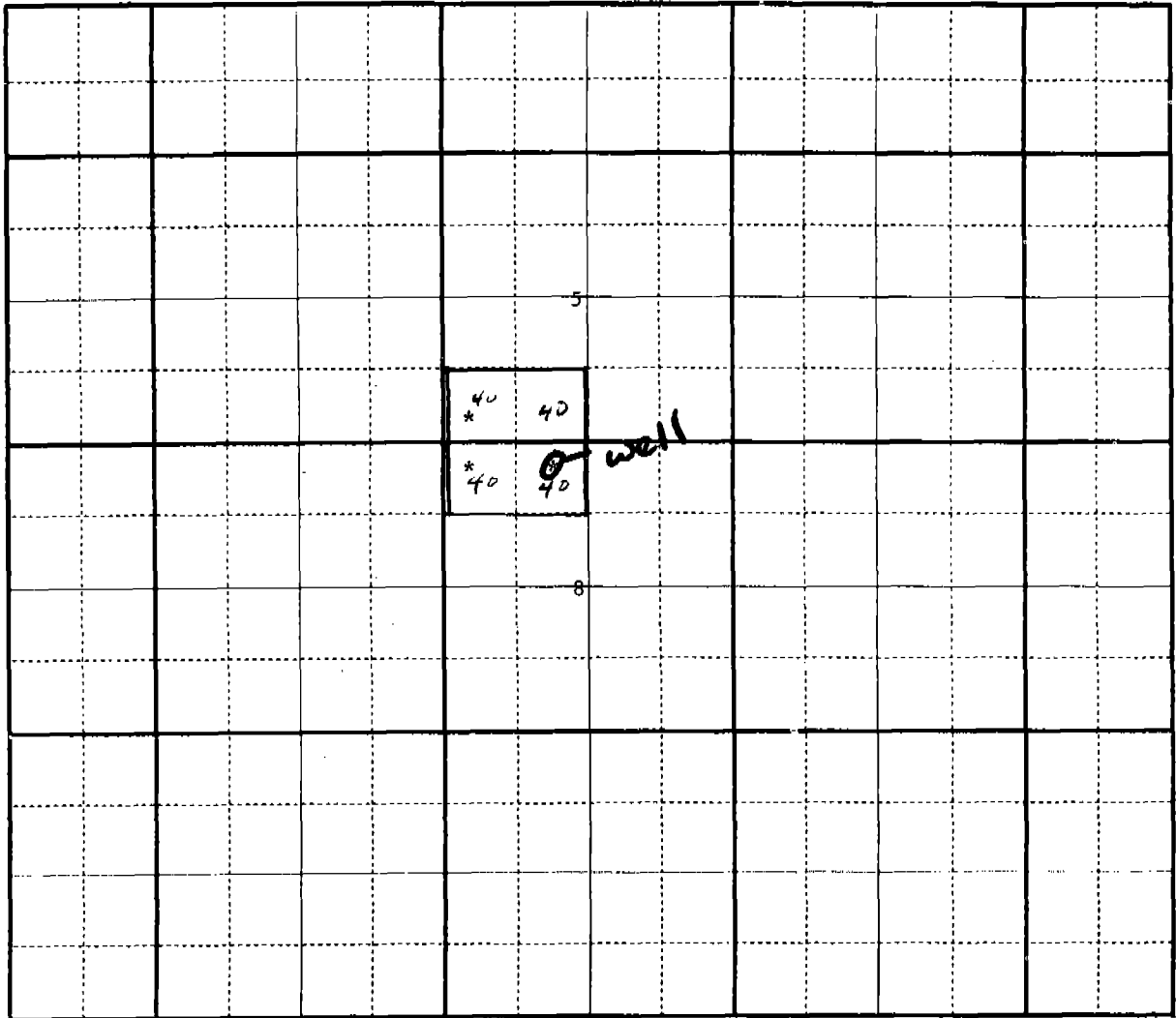


Diagram of System

See Photo



DATE OF EXAM July 8, 1976

ACREAGE
Found 160
Recommended 160

Irrigation Requirement 3.5 Ac Ft/Ac

USE
Irrigation Q = 2.55 c.f.s. V = 560 AF/Ann. from Apr. 1 to Oct 21
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 ☒

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

Exchange? yes _____ no ☒

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 2.547 CFS Method of measurement In-Line meter

Total Q recommended 2.55 CFS Meter No 75-10-112 Type McClameter Condition New

Total V recommended 560 AF/Ann

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None ☒

MEASUREMENT CALCULATION:
$$Q = \frac{.01 AF}{2 \text{ min } 51 \text{ sec}} = \frac{435.6 \text{ ft}^3}{171 \text{ sec}} = 2.547 \text{ CFS}$$

Meter Reads 1100 + 9 pm
 $V = (3.5)(160) = 560$

SYSTEM DESCRIPTION: Pump: Johnston - No Set No
Motor: 250 HP G.E. Set No. KDJ 101 030 125
SPRINKLER SYSTEM: 6 1/4 mile Wheel Lines - 5/32" No. 22/es

REMARKS: System steered by owner George Blount

Examiner's Signature Loren O'Halloran Date July 8, 1976

Checked by B. Rhodes Date 8-5-76

Approved by _____ Date _____