

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

No. 33753

Boise, Idaho, April 26, 1962

RECEIVED
FROM

Rangen, Inc. of Buhl, Idaho
Twenty Two Dollars and 00/100 DOLLARS

FOR

Carey Act Trust Fund	- - - \$	
Application for Permit No.	- - - \$	
Proofs 30654	- - - \$	22.00
Certified Copy	- - - \$	
Recording Deed	- - - \$	
Certificate	- - - \$	
TOTAL	- - - \$	22.00

A. Keith
State Reclamation Engineer

By *May Lead*

Re: Permit No. 30654

Rangen, Inc.
Buhl, Idaho

Gentlemen:

Our field examiner's report on his inspection of proof of completion of works and application of water to beneficial use under the terms of Permit No. 30654 shows the pipeline and ponds are capable of conveying 2500 miner's inches, or 50 c.f.s.

Upon receipt of the statutory fees, totaling \$22.00, we will issue the Certificate of Completion of Works for 50 c.f.s. and the License and Certificate of Water Right for 50 c.f.s. confirming the right, with priority of July 31, 1962, to the use of surface water from an underground spring of Billingsley Creek with the point of diversion in SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 32, T. 7 S, R. 14 E, B.M. for fish culture and domestic use in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 31, T. 7 S, R. 14 E, B.M.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:nw

EXHIBIT

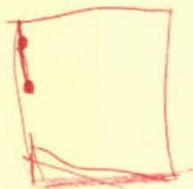
1027A

CM-DC-2011-004

30654

Needs correction
of legal notice
at Gooding Leader
expense

Received
4-20-67



30654

AFFIDAVIT OF PUBLICATION

RECEIVED
APR 20 1967

Department of Reclamation

STATE OF IDAHO, }
COUNTY OF GOODING } SS.

**NOTICE OF CORRECTION OF
LEGAL NOTICE PUBLISHED
UNDER THE PROVISIONS OF
SECTIONS 42-214, 42-217,
IDAHO CODE**

Notice is hereby given that the legal notice printed in the Gooding Leader on July 30, August 6, 13, and 20, 1964, showing that Rangen, Inc. was to make proof of beneficial use of water on September 2, 1964, on Permit No. 30654 was in error and the point of diversion was given as S. 10° 28½' East 239.55 feet from the NW corner of the NW¼NW¼, Sec. 32, T. 7 S, R. 14 E, B.M.; whereas the actual point of diversion is S. 10° 28½' East 239.55 feet from the NW corner of the NW¼NW¼, Sec. 32, T. 7 S, R. 14 E, B.M.

That any protests against the approval of the depositions made September 2, 1964 must be filed in the Department of Reclamation, at Boise, Idaho, within forty (40) days from the date of this notice, and such protests shall state the name and address of the protestant, all shall clearly set forth his objection to the approval of said proof of beneficial use of water.

Dated this 28th day of March 1967.

S/ Jack A. Barnett
Deputy State Reclamation
Engineer

23-24

I, *Thomas D. Miller*, do solemnly swear that I am the printer and publisher of THE GOODING COUNTY LEADER, a weekly newspaper of general circulation, published once each week at Gooding, Idaho; that the notice attached

hereto was published in said newspaper 2 consecutive weeks, the first publication having

been made on the 29th day of March,

1967, and the last publication having been

made on the 6th day of April, 1967.

that said notice was published in the regular and entire issue of every number of the paper during that period and time of publication, and that the said notice was published in the newspaper proper, and not in the supplement thereof.

That said newspaper has been printed and published continuously in *Gooding, Gooding County, Idaho*, for a period of more than 78 weeks prior to the first publication of the attached notice.

Thomas D. Miller
Subscribed and sworn to before me this

17th day of April, 1967

J. LaRue Hendrix
Notary Public

30654

SPEED LETTER®

FROM Jack A. BarnettTO Gooding LeaderDeputy State Reclamation EngineerBy: Mrs. Frank StoneSUBJECT Legal Notice - Notice of correction- Permit No. 30654, Rangen Inc.

Gooding Leader

MESSAGE

DATE

April 1819 67

FOLD

Enclosed is copy of legal and affidavit as requested. After 6 Mo. try we hope this will complete your file. Untrained help and three new bookkeepers in as many months have created some problems. Please direct correspondence regarding legal and insertion orders in the future to my attention. Please return attached reply so that I may know you received the papers requested.

Thank you!

SIGNED

Mrs. Frank Stone

REPLY

DATE

19

FOLD

*Your request has been recorded in our records.
Thank you for your assistance.*

OK R4 Truly Yours

SIGNED

Donna M. Edwards

George Lemon Wm.
has monthly flow
measurements

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.
-

Theodor Rangen, President
Rangen, Inc.,
Buhl, Idaho Rt. #4 543-5566
Permit No. 30654 543-4588

Examination for..... Completion of Works.....

County..... Gooding.....

Sec. 32 T. 7S R. 14 EBM

Quantity: 50.0 cfs.

Source: Headwaters Billingsley Cr.

P.D.: SW. NW., Sec. 32- T. 7S- R. 14 EBM

Use: Fish cultural & domestic use,
non-consumptive.

Filed: July 31, 1962

Due: Sept. 11, 1963

Extension: _____

Made: July 27, 1963

Priority: July 31, 1962

Completion of Works: _____

Other Rights: 73' of '85;
8' " '08.

30654

30 29
31 30

Research Ponds

C180

Nursery Ponds
PD

C236.2.2

C190

300054

32 33
3 4

FAS 2776

RANGEN, INC., SURVEY T.7S., R.14E., BM.

Permit Map No. 30654

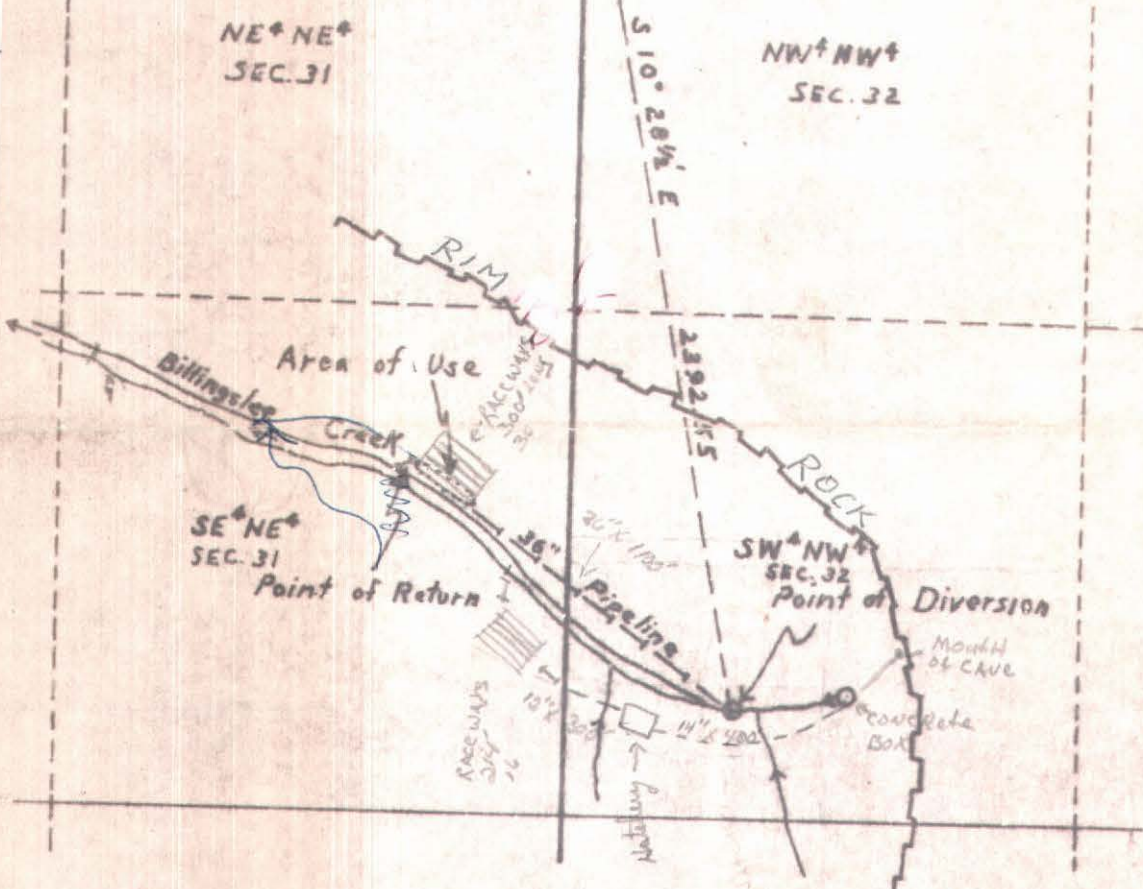
As Approved

GEO. N. CARTER
State Reclamation Engineer

30 29 EAST

31 32 FAS 2775

To WENDE



I, Philip F. Puchner, of Ketchum, Idaho, an engineer licensed by the State of Idaho, do hereby certify that this map was made from notes taken during actual surveys made by me on May 20 and 21, and June 20, 1962, and that it correctly represents the works described.

Allow Q = 50 cfs

30654

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.

Rangen Incorporated
Buhl, Idaho
Theodore Rangen, Pres.
Permit No. 30654

Examination for ~~Comp. of Works~~ & Bene. Use

County Gooding

Sec. 32 T. 7S R. 14E

Quantity: 50

Source: Billingsley Creek

P. D.: SW NW Sec 32 T 7S - R 14E

Use: Fish Culture, & Domestication

Filed: 31 July 62

Due: 11 Sept 64

Extension: -

Protest: -

Completion of Works: See attached
not.

Other Rights: - 81 inches prior decree

Made: Sept 2, 1964

Priority: July 31, 1962

30654



30654

Clear $\Delta = 50 \text{ da}$

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. Does not apply

Ques. 8. If for irrigation, state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Does not apply

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No.

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. July, 1963 and on at least five occasions since that time have observed water going through the works and personally observed the rearing of fish in the use area.

Adrian T. Bernier

(Signed)

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 Buhl, County of Twin Falls, State of Idaho, on this 8th day of September, A. D. 1964.

Eugene H. Christofferson

Notary Public. for the

My commission expires Feb, 1968 state of Idaho, residing at Buhl, Idaho

Replaces witness E. H. Bean who holds contract of sale

30654

AFFIDAVIT OF PUBLICATION

RECEIVED
SEP 4 1964

Department of Reclamation

NOTICE FOR PUBLICATION NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 a.m. on the 2nd day of September, 1964, at Buhl, Idaho, County of Twin Falls, State of Idaho, before Eugene H. Christofferson, proof will be submitted of the application to beneficial use of 50 cubic feet per second of the waters of Billingsley Creek in accordance with the terms and conditions of Permit No. 30654 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and post office address of the person or corporation holding said permit Rangen, Inc., Box 706, Buhl, Idaho.

The use to which water has been applied is Fish culture and propagation.

The amount applied to beneficial use is 50 cubic feet.

The point of diversion of said water is S. 10° 28½' East 239.55 feet from the NW corner of the NW¼NW¼, Section 32, Twp. 7 S., R. 14 E.B.M. ← #

The place where said water is used (LEGAL DESCRIPTION) from said point of diversion to the

point where Billingsley Creek intersects the County road which said point of intersection is in the SE corner of the NW¼NE¼, Section 31, Twp. 7 S. R. 14 E.B.M. being in the SW¼NW¼ of Section 32 and the S½NE¼ and NW¼NE¼ of Section 31, all in Twp. 7 S. R. 14 E.B.M.

The date of priority which said user is prepared to establish is July 31, 1962.

Carl E. Tappan,
State Reclamation Engineer

40-43

STATE OF IDAHO, }
COUNTY OF GOODING } SS.

I, *Leland G. Burress*, do solemnly swear that I am the printer and publisher of THE GOODING LEADER, a weekly newspaper of general circulation, published once each week at Gooding, Idaho; that the notice attached hereto was

published in said newspaper *four* consecutive weeks, the first publication having been made on the *30th* day of *July*, 196*4*, and the last publication having been

made on the *30th* day of *August*, 196*4* that said notice was published in the regular and entire issue of every number of the paper during that period and time of publication, and that the said notice was published in the newspaper proper, and not in the supplement thereof.

That said newspaper has been printed and published continuously in *Gooding, Gooding County, Idaho*, for a period of more than 78 weeks prior to the first publication of the attached notice.

Leland G. Burress
Subscribed and sworn to before me this

30th day of *August*, 196*4*

Luth Burress
Notary Public

TWO SEPARATE REQUESTS WERE
SENT REQUESTING CORRECTION. HOWEVER,
NO CORRECTING ACTION TAKEN —

30654

Re: Permit No. 30654
Rangen, Inc.

July 28, 1964

Bird & Hobday,
Attorneys at Law,
Box 386,
Gooding, Idaho.

Gentlemen:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. 30654, in the name of Eugene H. Rangen, Inc.. Final Proof is to be made before/you Eugene H. Christoffer-son as Notary on the 2nd day of September, 1964, at 10:00 o'clock A.M., at Ruhl, Idaho.

As of this date, we have mailed the Notice to the Gooding Leader Gooding, Idaho, with instructions to publish it once a week for 4 consecutive weeks prior to the date set for final proof and then mail the Affidavit of Publication and statement of costs to you.

It is important that the enclosed depositions be executed by the permit holder and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the time, on the date and before you, as Notary, as stated in the publication notice. It is very important and necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been signed, that your Notary's seal has been placed on each and that all depositions, (holder and two witnesses) are being returned. Also be sure to enclose the AFFIDAVIT OF PUBLICATION.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk
cc: Applicant
cc: Notary

30654

Application for Amendment
PLACE OF USE
~~LANDXXLIST~~

JUL 27 1964

Department of Reclamation

Permit No. 30654

Comes now Rangen, Inc., 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
place of use
State of Idaho, No. 30654, and requests that the ~~Dist of Lands to be irrigated~~
as described in said permit, be changed to read as follows:

from the point of diversion to the point where Billingsley Creek
intersects the County Road which said point of intersection is in
the SE corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 31, Twp. 7 S. R. 14 E.B.M.
and said place of use being in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 32, S $\frac{1}{2}$ NE $\frac{1}{4}$ and
NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 31, all in Twp. 7 S. R. 14 E.B.M.

, making a total of 35 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 Buhl, Idaho this 23rd day of July, 1964

RANGEN, INC.

By: Theodor Rangen

Date of receipt at office of Department of Reclamation July 27, 1964

APPROVAL OF STATE RECLAMATION ENGINEER

Ralph W. Thomas, Deputy

I, ~~Geo. N. Carter~~, 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. 30654. 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 in Book 107 of
Permits Page 30654
July 28, 1964

Ralph W. Thomas
Deputy
State Reclamation Engineer 30654

Application for Amendment

POINT OF ~~DIVERSION~~ RETURN

Permit No. 30654

Comes now Ranger Inc and represent to the State Reclamation Engineer of the State of Idaho:

That he is (are) the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 30654.

That the point of ^{return of water} ~~diversion~~ is described in said Permit as being located:

SE 1/4 NE 1/4 Sec 3, T 72 N, R 14 E

That he now requests that the point of ^{return of water} ~~diversion~~ be changed to a point located: SE 1/4 NE 1/4 Sec 3, T 72 N, R 14 E

That the reasons for desiring to make such change is as follows:

Operations extended beyond original plans. There are no other diversions of water from Bullwinkle Creek between the two points described above.

That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.

Signed at Idaho, this 5 day of March, 1964.

Date of receipt at Department of Reclamation March 5, 1964

APPROVAL OF STATE RECLAMATION ENGINEER

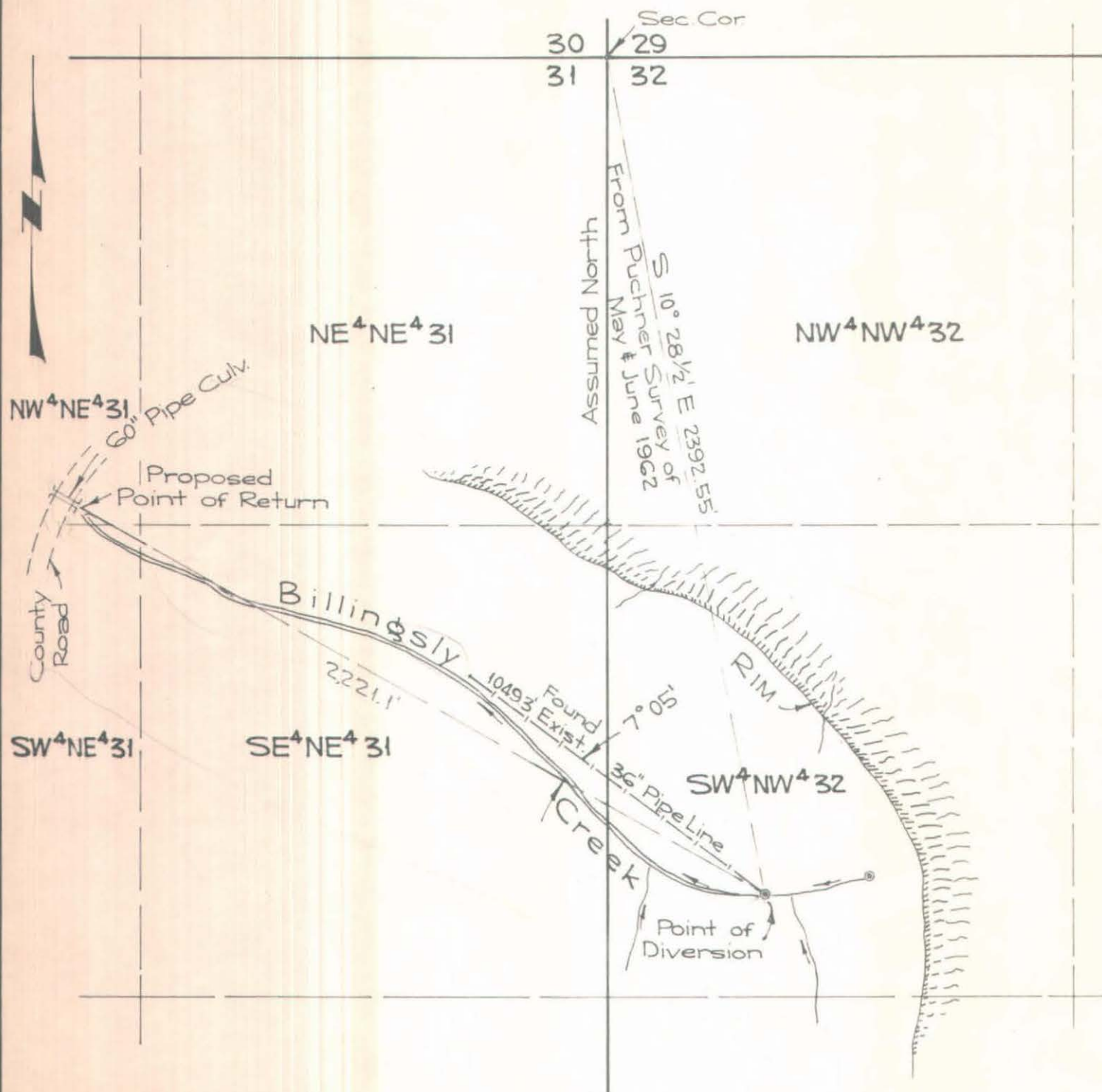
I, ~~XXXXXXXXXXXX~~ State Reclamation Engineer of the State of Idaho, HEREBY APPROVE the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 30654. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and such application is approved only insofar as the rights of others will not be adversely affected thereby.

Recorded in Book
Permits, at Page 7065
March 6

Ralph W. Thomas
Deputy
State Reclamation Engineer

30654

APPLICATION EXHIBIT FOR WATER DIVERSION PERMIT
 RANGEN INC. BUHL, IDAHO
 Sections 31 & 32 T.7S, R.14E, B.M.
 GOODING COUNTY, IDAHO
 Scale: 1" = 400'



This is to certify that the above property has been surveyed under my direction and supervision as shown on this plat.

CHARLES W. GLASBY
 CONSULTING ENGINEER
 925 SHOSHONE ST. N.
 TWIN FALLS, IDAHO

Drawn By
 manning

Date

3/4/64

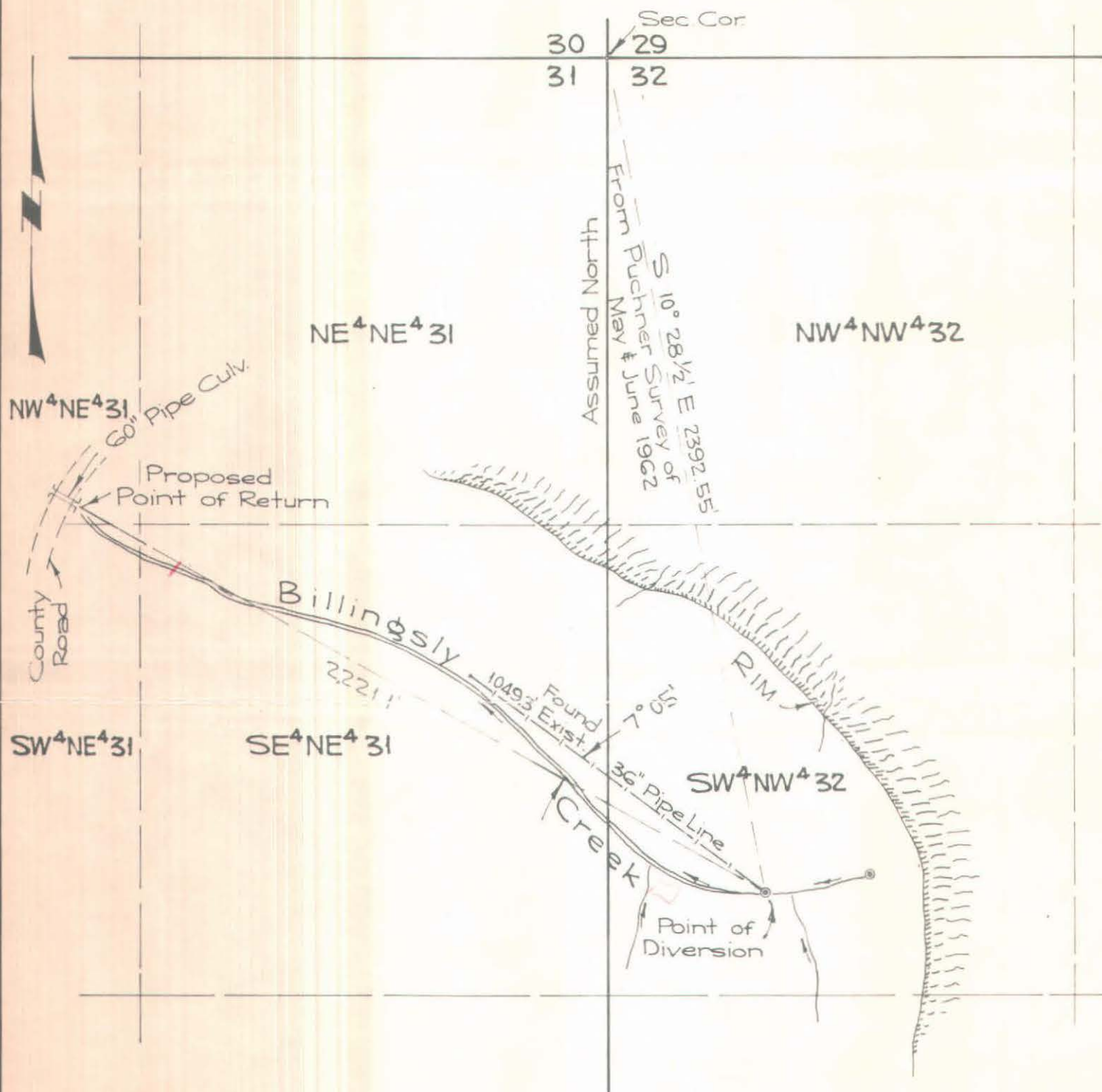
Charles W. Glasby

3/4/64

GLASBY

30654

APPLICATION EXHIBIT FOR WATER DIVERSION PERMIT
 RANGEN INC. BUHL, IDAHO
 Sections 31 & 32 T.7S, R.14E, B.M.
 GOODING COUNTY, IDAHO
 Scale: 1" = 400'



This is to certify that the above property has been surveyed under my direction and supervision as shown on this plat.

CHARLES W. GLASBY
 CONSULTING ENGINEER
 925 SHOSHONE ST. N.
 TWIN FALLS, IDAHO

Drawn By
 manning

Date

3/4/64

Charles W. Glasby
 3/4/64

30654

AFFIDAVIT OF PUBLICATION

RECEIVED
AUG 20 1963
Department of Reclamation

NOTICE OF PUBLICATION

Notice is hereby given that at 10:00 a.m., on the 5th day of September, 1963, at Buhl, County of Twin Falls, State of Idaho, before Eugene H. Christofferson proof will be submitted of the completion of works for the diversion of 50 cubic feet per second of the waters of the headwaters of Billingsley Creek in accordance with the terms and conditions of a certain permit heretofore issued by the State Reclamation Engineer of the State of Idaho.

1. The name of the person or corporation holding said permit is Rangen, Inc., Box 706, Buhl, Idaho.

2. The postoffice address of such person or principal place of business of such corporation is Buhl, County of Twin Falls, State of Idaho.

3. The number of such permit is 30654, and the date set for the completion of such work is September 11, 1963.

4. Said water is to be used for fish cultural and domestic use purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 50 cubic feet per second.

Carl E. Tappan, Acting
State Reclamation Engineer

39-42

STATE OF IDAHO, }
COUNTY OF GOODING } SS.

I, *Leland G. Burress*, do solemnly swear that I am the printer and publisher of THE GOODING LEADER, a weekly newspaper of general circulation, published once each week at Gooding, Idaho; that the notice attached hereto was published in said newspaper *four* consecutive weeks, the first publication having been made on the *25th* day of *July*, 196*3*, and the last publication having been made on the *15th* day of *August*, 196*3* that said notice was published in the regular and entire issue of every number of the paper during that period and time of publication, and that the said notice was published in the newspaper proper, and not in the supplement thereof.

That said newspaper has been printed and published continuously in *Gooding, Gooding County, Idaho*, for a period of more than 78 weeks prior to the first publication of the attached notice.

Leland G. Burress
Subscribed and sworn to before me this

15th day of *August*, 196*3*

Ruth Burress
Notary Public

30654

**NOTICE FOR PUBLICATION
NOTICE OF PROOF
APPLICATION OF WATER TO
BENEFICIAL USE**

Notice is hereby given that at 10:00 a.m., on the 2nd day of September, 1964, at Buhl, Idaho, County of Twin Falls, State of Idaho, before Eugene H. Christofferson, proof will be submitted of the ap-

plication to beneficial use of 50 cubic feet per second of the waters of Billingsley Creek in accordance with the terms and conditions of Permit No. 30654 heretofore issued by the Department of Reclamation of the State of Idaho, and was

The name and post office address of the person or corporation making said application is: Carl E. Tappan, 1008 Box 706, Buhl, Idaho 83401

The use to which water has been applied is Fish culture and propagation.

The amount applied to beneficial use is 50 cubic feet.

The point of diversion of said water is S. 10° 28½' East 239.55 feet from the NW corner of the NW¼NW¼, Section 32, Twp. 7 S., R. 14 E.B.M.

The place where said water is used (LEGAL DESCRIPTION) from said point of diversion to the point where Billingsley Creek intersects the County road which said point of intersection is in the SE corner of the NW¼NE¼ Section 31, Twp. 7 S. R. 14 E.B.M. being in the SW¼NW¼ of Section 32 and the S½NE¼ and NW¼NE¼ of Section 31, all in Twp. 7 S. R. 14 E.B.M.

The date of priority which said user is prepared to establish is July 31, 1962.

Carl E. Tappan,
State Reclamation Engineer

40-43

NOTICE OF PUBLICATION

STATE OF IDAHO, }
COUNTY OF GOODING } SS.

I, Leland G. Burress, do solemnly swear that I am the printer and publisher of THE GOODING LEADER, a weekly newspaper of general circulation, published once each week at Gooding, Idaho; that the notice attached hereto was

published in said newspaper four consecutive weeks, the first publication having been made on the 30th day of July, 1964, and the last publication having been

made on the 20th day of August, 1964 that said notice was published in the regular and entire issue of every number of the paper during that period and time of publication, and that the said notice was published in the newspaper proper, and not in the supplement thereof.

That said newspaper has been printed and published continuously in Gooding, Gooding County, Idaho, for a period of more than 78 weeks prior to the first publication of the attached notice.

Leland G. Burress

Subscribed and sworn to before me this

20th day of August, 1964

L. G. Burress

Notary Public

30654

AFFIDAVIT OF PUBLICATION

NOTICE OF PUBLICATION

Notice is hereby given that at 10:00 a.m., on the 5th day of September, 1963, at Buhl, County of Twin Falls, State of Idaho, before Eugene H. Christofferson proof will be submitted of the completion of works for the diversion of 50 cubic feet per second of the waters of the headwaters of Billingsley Creek in accordance with the terms and conditions of a certain permit heretofore issued by the State Reclamation Engineer of the State of Idaho.

1. The name of the person or corporation holding said permit is Rangen, Inc., Box 706, Buhl, Idaho.

2. The postoffice address of such person or principal place of business of such corporation is Buhl, County of Twin Falls, State of Idaho.

3. The number of such permit is 30654, and the date set for the completion of such work is September 11, 1963.

4. Said water is to be used for fish cultural and domestic use purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 50 cubic feet per second.

Carl E. Tappan, Acting
State Reclamation Engineer

39-42

STATE OF IDAHO, }
COUNTY OF GOODING } SS.

I, *Leland G. Burress*, do solemnly swear that I am the printer and publisher of THE GOODING LEADER, a weekly newspaper of general circulation, published once each week at Gooding, Idaho; that the notice attached hereto was published in said newspaper *over* consecutive weeks, the first publication having been made on the *25th* day of *July*, 196*3*, and the last publication having been made on the *15th* day of *August*, 196*3* that said notice was published in the regular and entire issue of every number of the paper during that period and time of publication, and that the said notice was published in the newspaper proper, and not in the supplement thereof.

That said newspaper has been printed and published continuously in *Gooding, Gooding County, Idaho*, for a period of more than 78 weeks prior to the first publication of the attached notice.

Leland G. Burress
Subscribed and sworn to before me this

15th day of *August*, 196*3*

Ruth Burress

Notary Public

30654

HIGH & FRITCHMAN COMPANY

It is hereby ordered, adjudged and decreed, and this does order, adjudge and decree, that the defendant and intervenor High & Fritchman Company, a corporation, is the owner of, and entitled to the use of, and the right to use for irrigation and domestic purposes the following amounts of water, to-wit:

Three and 2 tenths (3.2) second feet of water, with a priority of October 9, 1884, developed and diverted from the waters, seeps, springs and rivulets in the rim rock above the head waters of Billingsley Creek, by means of a tunnel commonly known as the Curran Tunnel, or Curran Spring, situate in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 32, Twp. 7 North, Range 14 East, B. M., Gooding County, Idaho, and 4.8 second feet of the waters of said seeps, springs, and rivulets diverted and developed by the same tunnel, with a priority of April 1, 1908, taken from said tunnel by a pipe line and ditch into and upon the lands of the said defendant hereinafter described and used on said lands for irrigating and raising crops thereon and for watering stock and other domestic puposes during the non irrigation season.

Said water rights are appurtenant to and to be used upon and in the irrigation of the following described lands, situate in Gooding County, Idaho, of the said defendant and intervenor High & Fritchman Company, a corporation, to-wit:

The Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$); the East Half (E $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section Thirty-one (31); the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$); the West Half (W $\frac{1}{2}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section Thirty-two (32), all in Township Seven (7) South, Range Fourteen (14) East, B.M., and Lots Three (3) and Four (4) of Section Five (5), Township Eight (8) South, Range Fourteen (14) East, B.M., together with all water rights, ditches and ditch rights of way appurtenant thereto.

Permit Map No. _____
As Approved SEP 11 1962
GEO. N. CARTER
State Reclamation Engineer

30654

AFFIDAVIT OF PUBLICATION

RECEIVED
SEP 5 1962

Department of Reclamation

**NOTICE OF APPLICATION FOR
PERMIT TO APPROPRIATE THE
PUBLIC WATERS OF THE STATE
OF IDAHO IN ACCORDANCE WITH
THE PROVISIONS OF SECTION 42-
203, IDAHO CODE**

NOTICE IS HEREBY GIVEN, That RANGEN, Inc., of Buhl, Idaho, has made application No. 38670, on the 31st day of July, 1962, to appropriate fifty (50) cubic feet per second of the waters of the head waters of Billingsley Creek, for fish cultural and domestic use.

That the point of diversion is located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 32, T. 7 S., R. 14 E., B.M.; and that the place of use is in the SE $\frac{1}{4}$ -NE $\frac{1}{4}$, Sec. 31, T. 7 S., R. 14 E., B.M.

That any protests against the approval of this application must be filed with the Department of Reclamation, at Boise, Idaho, within forty (40) days from the date of this notice, and such protest shall state the name and address of the protestant, and shall clearly set forth his objection to the approval of said application.

Dated this 1st day of August, 1962.

Ralph W. Thomas, Deputy State Reclamation Engineer

Service of the foregoing, by copy, is hereby acknowledged this 2nd day of August, 1962. 41-43

STATE OF IDAHO, }
COUNTY OF GOODING } SS.

I, *Leland G. Burress*, do solemnly swear that I am the printer and publisher of THE GOODING LEADER, a weekly newspaper of general circulation, published once each week at Gooding, Idaho; that the notice attached hereto was published in said newspaper *four*

consecutive weeks. The first publication having been made on the *2nd* day of *August*, 196*2*,

and the last publication having been made on the *23rd* day of *August*, 196*2*.

that said notice was published in the regular and entire issue of every number of the paper during that period and time of publication, and that the said notice was published in the newspaper proper, and not in the supplement thereof.

That said newspaper; has been printed and published continuously in *Gooding, Gooding County, Idaho*, for a period of more than 78 weeks prior to the first publication of the attached notice.

Leland G. Burress

Subscribed and sworn to before me this *23rd* day of *August*, 196*2*

Ruth Burress

Notary Public

30054

NOTICE OF APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF
THE STATE OF IDAHO IN ACCORDANCE WITH THE PROVISIONS OF
SECTION 42-203, IDAHO CODE

NOTICE IS HEREBY GIVEN, That BANNER, Inc., of Pahl, Idaho, has made application No. 30670, on the 11st day of July, 1962, to appropriate fifty (50) cubic feet per second of the waters of the head waters of Billingsley Creek, for fish cultural and domestic use.

That the point of diversion is located in the SE1/4, Sec. 32, T. 7 S., R. 14 E., S. 4 N.; and that the place of use is in the SE1/4, Sec. 31, T. 7 S., R. 14 E., S. 4 N.

That any protests against the approval of this application must be filed with the Department of Reclamation, at Boise, Idaho, within forty (40) days from the date of this notice, and such protest shall state the name and address of the protestant, and shall clearly set forth his objection to the approval of said application.

Dated this 1st day of August, 1962.

Deputy State Reclamation Engineer

Date of First Publication: _____

Date of Last Publication: _____

Last date for Protest: September 10, 1962

SERVICE OF THE FOREGOING, by copy, is hereby acknowledged this _____ day of _____, 1962.

BANNER, Inc.

By: _____

30654

RECEIVED
TWIN FALLS
JAN 11 1998

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

In Re SRBA	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	For Water Right 36-02551
_____	)	

On October 10, 1997, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 36-02551 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED December 29, 1997.



DANIEL C. HURLBUTT, JR.
Presiding Judge
Snake River Basin Adjudication

MICROFILMED
JAN 12 2004

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

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 36-02551

FILED
NOV 28 1997
CLERK OF DISTRICT COURT
TWIN FALLS, IDAHO

NAME & ADDRESS: RANGEN INC
PO BOX 706
BUHL ID 83316

SOURCE: MARTIN-CURREN TUNNEL TRIBUTARY: BILLINGSLEY CREEK

QUANTITY: 48.54 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE SHALL
NOT EXCEED 13,000 GALLONS PER DAY.
THIS RIGHT AND RIGHT NO. 36-15501 ARE LIMITED TO A TOTAL
COMBINED FACILITY VOLUME OF 123,272 CU. FT.

PRIORITY DATE: 07/13/1962

POINT OF DIVERSION: T07S R14E S32 SESWNW Within GOODING County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	FISH PROPAGATION	01-01 12-31	48.54 CFS
	DOMESTIC 3 HOMES AND 2 OFFICES	01-01 12-31	0.1 CFS

PLACE OF USE: FISH PROPAGATION Within GOODING County
T07S R14E S31 SENE
S32 SWNW

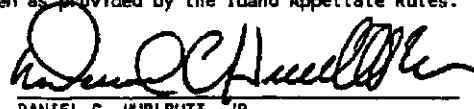
DOMESTIC Within GOODING County
T07S R14E S31 SENE
S32 SWNW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 36-02551

PAGE 1
NOV-28-1997

MICROFILMED

JAN 12 2004

1997 DEC 29 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

In Re SRBA)
)
Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 36-02551

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 36-02551 was mailed
on December 29, 1997, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

RANGEN INC
Represented by:
J DEE MAY
PO BOX 1846
TWIN FALLS, ID 83303
Phone: 208-733-7180

DIANA DELANEY
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
12/29/97

MICROFILMED

JAN 12 2004

This
Right has been
Decreed in the
SRBA.

MICROFILM
JAN 12 2004

State of Idaho
License and Certificate of Water Right

Water License No. G-29733

Amount 1.7 c.f.s.

Water District No.

Priority May 19, 1961

THIS IS TO CERTIFY that WILLIAM J. POWELL
of Clifton, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated May 19, 1961; that Permit No. G-29733
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.7 second feet, was issued thereunder on April 25, 1967, showing that said works
were completed on the 2nd day of May, 1966; and that on the 2nd
day of May, 1966, WILLIAM J. POWELL

of Clifton, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well,
, a tributary of subterranean flow, for the purpose of irrigation,
, under Use Permit No. G-29733 of the Department of Reclamation,
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
14 of Licenses at page 8803, on the 25 day of April, 1967;
The right hereby confirmed dates from May 19, 1961;

The Point of Diversion is located
in the SW 1/4 SW 1/4, Sec. 23, Tp. 14 S, R. 38 E, B. M., County of Franklin.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 1.7 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
14 S	38 E	23	SW 1/4 SW 1/4	40	39
			SE 1/4 SW 1/4	40	40
			SW 1/4 SE 1/4	8	6
			Total number of acres to be irrigated:		85

The right to the use of the water aforesaid 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
25th day of April, 1967.

s/ R. Keith Higginson
State Reclamation Engineer.

(SEAL)

State of Idaho
License and Certificate of Water Right

Water License No. 30654 Amount 50.0 c.f.s.
Water District No. Priority July 31, 1962

THIS IS TO CERTIFY that RANGEN, INC.
of Buhl, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated July 31, 1962; that Permit No. 30654
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
50.0 second feet, was issued thereunder on April 26, 1967, showing that said works
were completed on the 27th day of July, 1963; and that on the 2nd
day of September, 1964, RANGEN, INC.

of Buhl, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of under -
ground springs, a tributary of Billingsley Creek, for the purpose of fish cultural and
domestic use, under Use Permit No. 30654 of the Department of Reclamation,
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
14 of Licenses at page 8804, on the 26 day of April, 1967;
The right hereby confirmed dates from July 31, 1962;

The Point of Diversion is located
in the SW 1/4 NW 1/4, Sec. 32, Tp. 7 S, R. 14 E, B. M., County of Gooding.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 50.0 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
7 S	14 E	31 32	SE 1/4 NE 1/4 SW 1/4 NW 1/4 For fish culture and domestic use.	None None	None None

The right to the use of the water aforesaid 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
26th day of April, 1967.

s/ R. Keith Higginson
State Reclamation Engineer.

(SEAL)

State of Idaho

License and Certificate of Water Right

Water License No. 30654 Priority July 31, 1962 Amount 50.0 c.f.s.

THIS IS TO CERTIFY that RANGEN, INC.

of Buhl, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated July 31, 1962; that Permit No. 30654 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 50.0 second feet, was issued thereunder on April 26, 1967, showing that said works were completed on the 27th day of July, 1963; and that on the 2nd day of September, 1964, RANGEN, INC.

of Buhl, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of underground springs,

a tributary of Billingsley Creek, for the purpose of fish cultural and domestic use, under Use Permit No. 30654 of the Department of Reclamation, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 14 of Licenses, at Page 8804, on the 26th day of April, 1967.

The right hereby confirmed dates from July 31, 1962.

The Point of Diversion is located

in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 32, Twp. 7 S, R. 14 E, B.M., Gooding County.

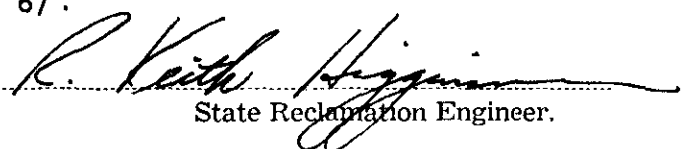
That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 50.0 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
7 S	14 E	31 32	SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$	None None	None None
For fish culture and domestic use.					

The right to the use of the water aforesaid 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 26th day of April, 1967.


State Reclamation Engineer.

30654

State of Idaho

LICENSE AND CERTIFICATE
OF WATER RIGHT

Water License No. 30654

To Rangen, Inc.

Buhl, Idaho

Source of Supply Underground springs,
tributary of Billingsley Creek

Gooding County

Amount 50.0 Sec. Ft.

Point of Diversion SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 32,

T. 7 S, R. 14 E, B.M.

Place of Use SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 31;

SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 32, T. 7 S, R. 14 E, B.M.

Purpose Fish cultural and domestic

Date of Priority July 31, 1962

Recorded April 26, 1967

in Book 14 of Licenses, Page 8804

30654

Application For Permit To Appropriate the Public Waters of the State of Idaho

36- 255/

APPLICATION No. 38670
PERMIT No. 30654
DISTRICT No.

1. Name of Applicant: Rangen, Inc.

Postoffice address: Buhl County: Twin Falls State: Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation: Jan. 1, 1960 - Buhl, Idaho
(b) Amount of capital stock: \$300,000.
(c) Amount paid in: \$90,000
(d) Names and addresses of directors: Theo Rangen, Buhl, Idaho; Thorleif Rangen, Buhl, Idaho;
Maria Rangen, Buhl, Idaho

II. The financial resources of the applicant are:

- (a) Cash on hand: \$26,764.45 (c) Bond to be issued: none
(b) Treasury stock: None (d) Other resources: Sale of merchandise

2. Quantity of water claimed: Fifty (50) cubic feet per second.

3. Source of water supply: The headwaters of Billingsley Creek which is a tributary of derived from underground springs.

4. Location of point of diversion: South $10^{\circ} 28\frac{1}{2}'$ East
2342.55 ft. ~~fast~~ distant from the North common
between
corner of Sections 30 & 31, T. 7 S., R. 14 E., B.M., and is in the SW $\frac{1}{4}$ NW $\frac{1}{4}$
of section 32, T. 7 S., R. 14 E., B. M., County of Gooding

5. Water is to be used for Fish cultural & domestic use; non consumptive

6. If for mining, milling, power or manufacturing purposes, give:

- (a) Point of use of water: 1700. feet distant from NW $\frac{1}{4}$ corner of Section 32
T. 7 S., R. 14 E., B.M., in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section ~~31~~ 31, T. 7 S., R. 14 E., B.M.
(b) Amount of power generated: H.P., under feet head.
(c) Water is to be returned to Billingsley Cr. at a point 1900 feet
distant from the NE corner of Section 31, T. 7 S., R. 14 E., B.M., in the SE $\frac{1}{4}$ NE $\frac{1}{4}$
of Section 31, T. 7 S., R. 14 E., B.M.

7. Estimated cost of works: \$15,000.

8. Kind of works: Concrete dam - iron pipeline

9. Height of dam feet; length of dam at top feet; length of dam at bottom
feet; material used in dam:

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom fee; width at water line feet; depth of water feet;
dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

12. The time required for the completion of such work is 1 years

13. The time required for the complete application of the water to the proposed use is 1 additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:
73 inches 1885 decree & 8 inches 1908 Decree (High & Fritchman)

16. (a) Is reservoir to be used? No If so, fill in (b) and (c) below:
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

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

Rangen's, Inc. *Applicant.*

By s/ H. F. LEMOYNE *Agent.*

Date of first receipt at Department of Reclamation: 8:30 A.M. July 31, 1962

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 30654
 Recorded in Book 107 Page 30654 Approved September 11, 1962
 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 November 11, 1962 and to continue diligently and uninterruptedly to completion,
 unless temporarily interrupted by circumstances over which permit holder has no control.
 One-fifth of the work above specified to be completed on or before March 11, 1963
 The whole of said work to be completed on or before September 11, 1963
 Beneficial use of water appropriated in accordance herewith, to be made on or before September 11, 1964

WITNESS My hand this 11th day of September, 1962

s/ CARL E. TAPPAN, Assistant
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLLIE, 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 11th
day of September, 1962.
COUNTERSIGNED: _____ STATE OF IDAHO

STATE OF IDAHO

(SEAL) By s/ ARNOLD WILLIAMS Secretary of State.

By s/ ROBERT E. SMYIE Governor.

REMARKS: The 50 ft. of water is supplemental and to be used for fish culture and propagation, then to be returned to the stream for downstream users. The 81 inches of prior decree will be used to guarantee evaporation & other losses so no loss of water will be suffered by downstream users.

14.

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 $\frac{1}{4}$	
			Application for Amendment Point of Return Permit No. 30654 Comes now RANGEN, INC. 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. 30654. That the point of return of water is described in said Permit as being located: SE$\frac{1}{4}$NE$\frac{1}{4}$, Sec. 31, T. 7 S., R. 14 E. That he now requests that the point of return of water be changed to a point located: in SE corner of NW$\frac{1}{4}$NE$\frac{1}{4}$, Sec. 31, T. 7 S., R. 14 E. That the reason for desiring to make such change is as follows: Operations extended beyond original plans. There are no other diversions of water from Billingsley Creek between the two points, described above. That no one will be injured by such change, and that such change will be made at Permit Holder's own risk. Signed at Boise, Idaho, this 5th day of March, 1964. RANGEN, INC. By: H. F. LeMoyné Date of Receipt at Department of Reclamation: March 6, 1964 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. 30654. 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. s/ RALPH W. THOMAS, Deputy State Reclamation Engineer																
			Recorded: March 6, 1964																

Application for Amendment
PLACE OF USE

Permit No. 30654

Comes now RANGEN, INC., 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. 30654, and requests that the place of use as described in said permit, be changed to read as follows:

from the point of diversion to the point where Billingsley Creek intersects the County Road which said point of intersection is in the SE corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 31, Twp. 7 S. R. 14 E. B.M. and said place of use being in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 32, S $\frac{1}{2}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 31, all in Twp. 7 S. R. 14 E. B.M. making a total of 35 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 Buhl, Idaho this 23rd day of July, 1964.

RANGEN, INC.

By: Theodor Rangen

Date of receipt at office of Department of Reclamation July 27, 1964

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. 30654. 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.

s/ RALPH W. THOMAS,
Deputy State Reclamation Engineer

Recorded: July 28, 1964

Permit No. 30654 +
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that RANGEN, INC. of Buhl, County of Twin Falls, and State of Idaho, the holder of Permit No. 30654, issued upon Application No. 38670 bearing date of priority of July 31, 1962, authorizing the diversion of 50.0 second feet of waters of underground springs, tributary of Billingsley Creek; County of Gooding, State of Idaho, for fish cultural and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 50.0 second feet of the waters of underground springs, tributary of Billingsley Creek; that the point of diversion of said waters is in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 32, T. 7 S, R. 14 E, B.M. and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit: for fish culture and domestic purposes in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 32, and SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 31, T. 7 S, R. 14 E, B.M.

Proof of Completion of Works made: July 27, 1963.

Witness my hand this 26th day of April, A.D. 1967.

S/ R. KEITH HIGGINSON
State Reclamation Engineer

LICENSE ISSUED FOR 50.0 SEC. FT.
LICENSE PAGE NO. 8804

This
Right has been
Decreed in the
SRBA.

MICROFILMED

JAN 12 2004

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that ..RANGEN, INC.
 of Buhl....., County of Twin Falls....., and State of
Idaho....., the holder..... of Permit No. ...30654..., issued upon
 Application No. 38670.... bearing date of priority of ..July 31, 1962...., authorizing the
 diversion of 50.0..... second feet of waters of ..underground springs,.....
 tributary of Billingsley Creek;

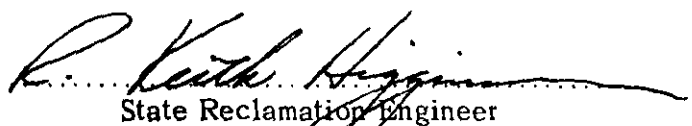
County of Gooding....., State of Idaho, for ...fish cultural and domestic...
 purposes, has.....fully complied with the provisions of the laws of the State of Idaho
 relating to the proof of completion of the works of diversion set out and described in said
 Permit; that said works are adequate for diverting and conveying to the place of intended
 use 50.0..... second feet of the waters of ..underground springs,.....
 tributary of Billingsley Creek;

that the point of diversion of said waters ..is in the SW 1/4, Sec. 32, T. 7 S,.....
 R. 14 E, B.M.

and that the lands proposed to be irrigated by the use or place of use of said water are
 described as follows, to-wit: For fish culture and domestic purposes in the.....
 SW 1/4, Sec. 32 and SE 1/4, Sec. 31, T. 7 S, R. 14 E, B.M.

Proof of Completion of Works Made: ..July 27, 1963..

Witness my hand this 26th..... day of April....., A. D. 19 67....


 State Reclamation Engineer

30654

Permit No. ... 30654

**Certificate of Completion
of Works**

Dated April 26, 1967

Stream .. Underground springs

County .. Gooding

Amount .. 50.0 c.f.s.

Date of Priority July 31, 1962

Recorded in Book 107

of Permits, page 30654

30654

April 26, 1967

Re: Permit No. 30654

Theodore Rangen, Pres.
Rangen, Inc.
Buhl, Idaho 83316

Dear Mr. Rangen:

Enclosed are your Certificate of Completion of Works and License and Certificate of Water Right on the above numbered permit.

Also enclosed is departmental receipt No. 33753 in the amount of \$22.00 covering the fees.

Thank you.

Very truly yours,

Donald W. McElowney
Water Rights Clerk

DWM:dj

Enclosures: Certificates
Receipt

30654

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Check
No 33753

Boise, Idaho, April 26, 1967

RECEIVED

FROM

Rangen, Inc. of Buhl, Idaho \$22.00
Twenty Two Dollars and 00/100 DOLLARS

FOR

Carey Act Trust Fund	- - - \$	
Application for Permit No.	- - - \$	
Proofs 30654	- - - \$	22.00
Certified Copy	- - - \$	
Recording Deed	- - - \$	
Certificate	- - - \$	
TOTAL	- - - \$	22.00

R. Keith Higgins
State Reclamation Engineer

By Mary Lusk

Re: Permit No. 30654

Rangen, Inc.
Buhl, Idaho

Gentlemen:

Our field examiner's report on his inspection of proof of completion of works and application of water to beneficial use under the terms of Permit No. 30654 shows the pipeline and ponds are capable of conveying 2500 miner's inches, or 50 c.f.s.

Upon receipt of the statutory fees, totaling \$22.00, we will issue the Certificate of Completion of Works for 50 c.f.s. and the License and Certificate of Water Right for 50 c.f.s. confirming the right, with priority of July 31, 1962, to the use of surface water from an underground spring of Billingsley Creek with the point of diversion in SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 32, T. 7 S, R. 14 E, B.M. for fish culture and domestic use in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 31, T. 7 S, R. 14 E, B.M.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:nw

30654

RANGEN, INC.
BEANS • GRAINS • SEEDS • FEEDS
TELEPHONE 543-4338 • P. O. BOX 706
BUHL, IDAHO

April 25, 1967

RECEIVED
APR 26 1967

Department of Reclamation

Re: Permit No. 30654

Mr. Donald W. McEldowney, Water Rights Clerk
State of Idaho, Dept. of Reclamation
107 State House
Boise, Idaho 83701

Dear Mr. McEldowney:

Enclosed please find our check for \$22.00 in payment of your field examiner's inspection for Completion of Works and the issuing of License and Certificate of Water Right regarding the use of surface water from an underground spring of Billingsley Creek.

Very truly yours,

RANGEN, INC.

Theodor Rangen
Theodor Rangen

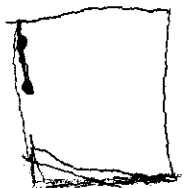
TR/vm

Enclosure

30654

reads correction
of legal notice
at Reading Room
reference

Received
4-20-67



30654

April 24, 1967

Re: Permit No. 30654

Rangen, Inc.
Buhl, Idaho

Gentlemen:

Our field examiner's report on his inspection of proof of completion of works and application of water to beneficial use under the terms of Permit No. 30654 shows the pipeline and ponds are capable of conveying 2500 miner's inches, or 50 c.f.s.

Upon receipt of the statutory fees, totaling \$22.00, we will issue the Certificate of Completion of Works for 50 c.f.s. and the License and Certificate of Water Right for 50 c.f.s. confirming the right, with priority of July 31, 1962, to the use of surface water from an underground spring of Billingsley Creek with the point of diversion in SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 32, T. 7 S, R. 14 E, B.M. for fish culture and domestic use in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 31, T. 7 S, R. 14 E, B.M.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:nw

30654

AFFIDAVIT OF PUBLICATION

RECEIVED
APR 20 1967

Department of Reclamation

STATE OF IDAHO,
COUNTY OF GOODING

SS.

I, *Thomas D. Miller*, do solemnly swear that I am the printer and publisher of THE GOODING COUNTY LEADER, a weekly newspaper of general circulation, published once each week at Gooding, Idaho; that the notice attached

hereto was published in said newspaper 2 consecutive weeks, the first publication having

been made on the 29th day of March, 1967, and the last publication having been

made on the 6th day of April, 1967, that said notice was published in the regular and entire issue of every number of the paper during that period and time of publication, and that the said notice was published in the newspaper proper, and not in the supplement thereof.

That said newspaper has been printed and published continuously in *Gooding, Gooding County, Idaho*, for a period of more than 78 weeks prior to the first publication of the attached notice.

Thomas D. Miller
Subscribed and sworn to before me this

30th day of April, 1967

James H. Hendry
Notary Public

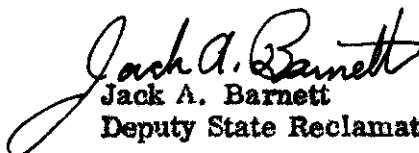
30054

**NOTICE OF CORRECTION OF LEGAL NOTICE PUBLISHED UNDER THE
PROVISIONS OF SECTIONS 42-214, 42-217, IDAHO CODE**

Notice is hereby given that the legal notice printed in the Gooding Leader on July 30, August 6, 13, and 20, 1964, showing that Rangen, Inc. was to make proof of beneficial use of water on September 2, 1964, on Permit No. 30654 was in error and the point of diversion was given as S. $10^{\circ} 28\frac{1}{2}'$ East 239.55 feet from the NW corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 32, T. 7 S, R. 14 E, B.M.; whereas the actual point of diversion is S. $10^{\circ} 28\frac{1}{2}'$ East 2392.55 feet from the NW corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 32, T. 7 S, R. 14 E, B.M.

That any protests against the approval of the depositions made September 2, 1964 must be filed in the Department of Reclamation, at Boise, Idaho, within forty (40) days from the date of this notice, and such protests shall state the name and address of the protestant, and shall clearly set forth his objection to the approval of said proof of beneficial use of water.

Dated this 28th day of March 1967.


Jack A. Barnett
Deputy State Reclamation Engineer

Date of First Publication March 29, 1967
Date of Last Publication April 6, 1967
Last Date for Protests May 8, 1967

RECEIVED
MAY 10 1967
DEPT. OF RECLAMATION

30654

SPEED LETTER®

FROM Jack A. Barnett

TO Gooding Leader

Deputy State Reclamation Engineer

By: Mrs. Frank Stone

SUBJECT Legal Notice - Notice of correction- Permit No. 30654, Rangen Inc.

MESSAGE

DATE April 18 19 67

Enclosed is copy of legal and affidavit as requested. After 6 Mos. try we hope this will complete your file. Untrained help and three new bookkeepers in as many months have created some problems. Please direct correspondence regarding legal and insertion orders in the future to my attention. Please return attached reply so that I may know you received the papers requested.

Thank you!

SIGNED

REPLY

DATE

19

SIGNED

FILL IN NAME AND ADDRESS HERE
FOR RETURN IN WINDOW ENVELOPE

Gooding Leader

Box 56, Gooding, Idaho

Attn. Mrs. Frank Stone

FOLD

FOLD

*Miss Frank Stowe
will forward following
4-17-67
Diane*

934-4449

March 28, 1967

Re: Permit No. 30654
Rangen, Inc.

County
Gooding Leader
Gooding, Idaho

Gentlemen:

On February 9, 1967, we sent you a notice of correction of a legal notice to be published for two weeks. The last date for protests was March 19, 1967.

In checking our files, we find you never acknowledged receiving this notice, nor have we seen it published.

This notice was to be published at your expense because it was originally published incorrectly after two requests to have it corrected.

Enclosed are two copies of the legal notice which is to be published once a week for two consecutive weeks. Complete one copy showing the dates of first and last publication and return to this office, furnishing us with an affidavit of publication after the advertising has been completed.

Very truly yours,

Jack A. Barnett, Deputy
State Reclamation Engineer

JAB:nw

Enclosures: legal notice (2)

30654

**NOTICE OF CORRECTION OF LEGAL NOTICE PUBLISHED UNDER THE
PROVISIONS OF SECTIONS 42-214, 42-217, IDAHO CODE**

Notice is hereby given that the legal notice printed in the Gooding Leader on July 30, August 6, 13, and 20, 1964, showing that Rangen, Inc. was to make proof of beneficial use of water on September 2, 1964, on Permit No. 30654 was in error and the point of diversion was given as S. $10^{\circ} 28\frac{1}{2}'$ East 239.55 feet from the NW corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 32, T. 7 S, R. 14 E, B.M.; whereas the actual point of diversion is S. $10^{\circ} 28\frac{1}{2}'$ East 2392.55 feet from the NW corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 32, T. 7 S, R. 14 E, B.M.

That any protests against the approval of the depositions made September 2, 1964 must be filed in the Department of Reclamation, at Boise, Idaho, within forty (40) days from the date of this notice, and such protests shall state the name and address of the protestant, and shall clearly set forth his objection to the approval of said proof of beneficial use of water.

Dated this 26th day of March 1967.

Jack A. Barnett
Deputy State Reclamation Engineer

Date of First Publication _____

Date of Last Publication _____

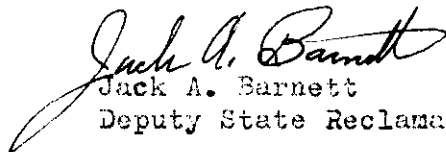
Last Date for Protests May 8, 1967

**NOTICE OF CORRECTION OF LEGAL NOTICE PUBLISHED UNDER THE
PROVISIONS OF SECTIONS 42-214, 42-217, IDAHO CODE**

Notice is hereby given that the legal notice printed in the Gooding Leader on July 30, August 6, 13, 20, 1964, showing that Rangen Inc. was to make proof of beneficial use of water on September 2, 1964, on Permit No. 30654 was in error and the point of diversion was given as S. 10° 28½' East 239.55 feet from ;the NW corner of the NW¼NW¼, Section 32, Twp. 7 S., R. 14 E.B.M. whereas the actual point of diversion is S. 10° 28½' East 2392.55 feet from the NW corner of the NW¼NW¼, Section 32, Twp. 7 S., R. 14 E.,B.M.

That any protests against the approval of the depositions made September 2, 1964 must be filed in the Department of Reclamation, at Boise, Idaho, within forty (40) days from the date of this notice, and such protest shall state the name and address of the protestant, and shall clearly set forth his objection to the approval of said proof of beneficial use of water.

Dated this 9th day of February, 1967.


Jack A. Barnett
Deputy State Reclamation Engineer

Date of First Publication _____

Date of Last Publication _____

Last Date for Protest _____ March 19, 1967

30654

February 9, 1967

RE: Permit No. 30654
Rangen, Inc.

Gooding Leader
Gooding, Idaho 83330

Gentlemen:

Enclosed you will find two copies of a legal notice to be published once a week for two consecutive weeks. Complete one copy showing the dates of first and last publication and return to this office, and furnish us with an affidavit of publication as soon as the advertising has been completed.

The Attorney General has ruled that the point of diversion and place of use must be published correctly before the final water license can be issued. Since this error was made by the paper, and since this department requested twice that the publication be corrected, this corrective notice will be published at your expense. See the enclosed copies of the legal notice which was mailed to the paper, and our letters to you dated August 6, 1964 and August 14, 1964.

Very truly yours,

Jack A. Barnett
Deputy State Reclamation Engineer

JAB:mr

Enc. legal notice
copies of legal notice, 2 letters

cc: Bird & Hobday, Attorneys

30654

JAN 20 1967

Department of Natural Resources

Hagenman Lake
January 19, 1967

Dep. of Reclamation,
107 State House
Bouse, Idaho 83701

Dear Mr. Watts: re. yours Jan. 17, '67.

The measurements I have made on
the head of Billingsley Creek, Curran
Tunnel and Randon's hatchery are
as follows.

Dec. 11, 1965.

22 runways averaged

Creek.

64.66 Cft.

Note averaging gives inaccurate
Measurement.

Jan. 9, 1966 - 22 openings	52.15 "
Feb. 11, 1966	48.23 "
March 11, 1966	44.99 "

April and May was not made
because of irrigation water being
taken thru 3 pipelines. I bought
a pito-velocity meter.

June 22, 1966		Curran Tunnel, pipes	3	Creek.
		45.41 cft.	8.10	37.31
July	27, 1966	51.30	8.45	42.85
Sept.	21, "	62.42	3.22	59.20
Oct.	21, "	69.89	0.82	69.07
Nov.	21, "	58.38		
Dec	27, "	49.23	0.40	48.83-

Note. all the water in the creek
was put thru the fish facilities.

30654 Geo. H. Hennen

No
August
measurement

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 30654This proof is for Completion of Works

In Water District No. _____

1. Name of applicant Rangen, Inc.,2. Source of water supply: The headwaters of Billingsley Creek3. Location of point of diversion: Is in the SW 1/4 of Section 32T. 7 S. R. 14 E.B.M. County of Gooding

4. Describe works as they exist, giving dimensions and capacities of same: Water comes from side of hill at mouth of Cave ditch is 9' wide 30" deep and velocity of water is 30' in 12 seconds. Water runs 100' down hill into a concrete check box 23' x 8' x 7' into 14" x 400' pipe line to hatchery excess water at concrete box spills back into creek.

5. Water is used for: Fish cultural & domestic use; non consumptive6. 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):

PLACE OF USE: SE 1/4 Sec. 31., Twp. 7 S., Rge. 14 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: Regular checks are made of water flow through the facilities by George Lemmon - Watermaster.

This examination was made on the 158 day of September, 1966(Signed) Don Watts

Examiner.

30654 Plat - DW

George Lemon W.M.
has monthly flow
measurements

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.

Prima
Theodor Rangen, President
Rangen, Inc.,
Buhl, Idaho Rt. #4 543-5584
Permit No. 30654 543-4588

Examination for Completion of Works

County Gooding

Sec. 32 T. 7S R. 14 E

Quantity: 50.0 cfs

Source: Headwater of Big Lost Cr.

P.D.: SW. NW., Sec. 32, T. 7S, R. 14 E

Use: Fish and game & irrigation
no domestic use

Filed: July 31, 1962

Due: Sept. 1963

Extension: —

Made: July 27, 1963

Printed: July 31, 1962

Completion of Works: —

Other Rights: 75' of 85'
1' of 88'

30654

30	29
31	35

Research Ponds

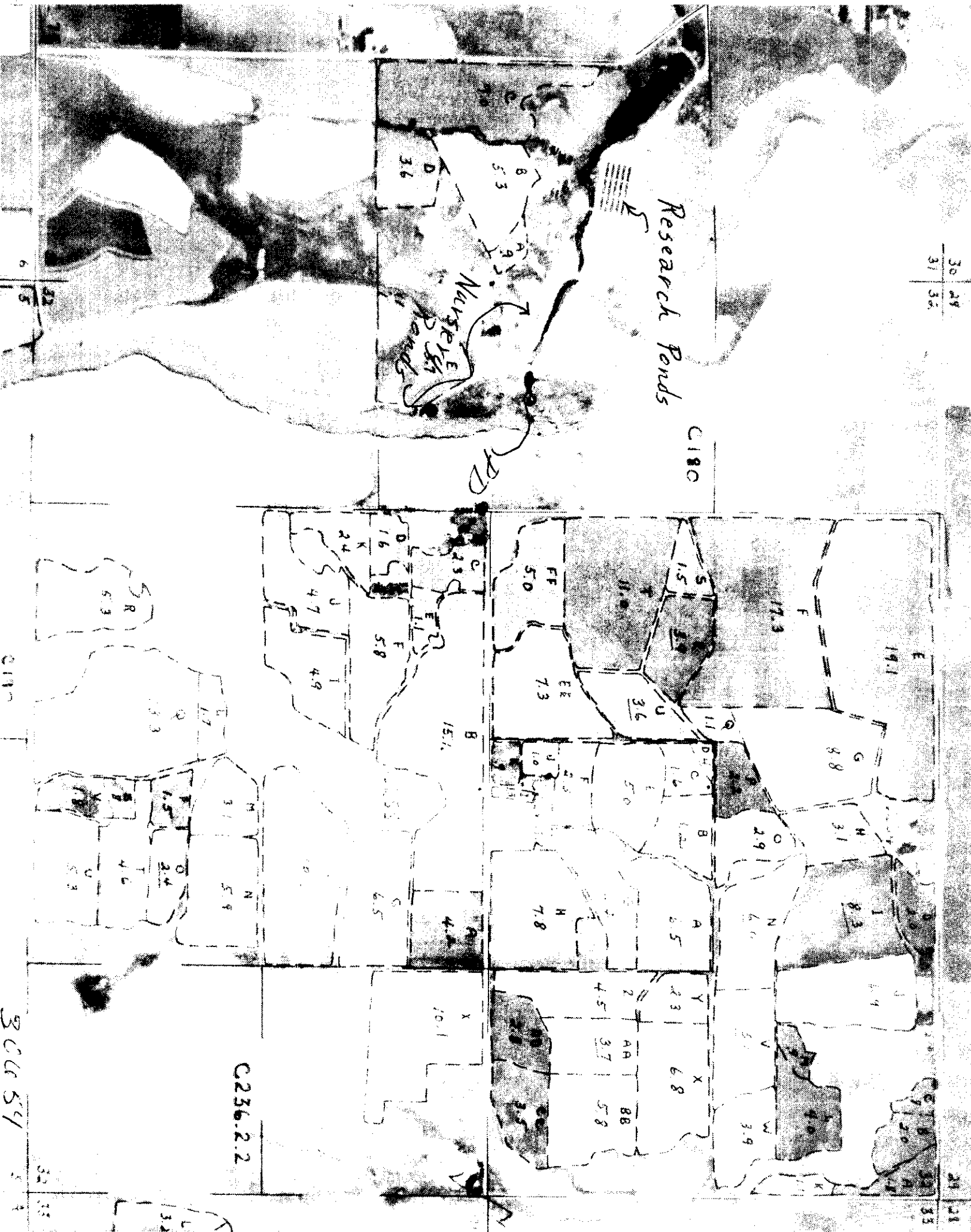
C180

Nursery Ponds

PD

C236.2.2

300054



FAS 2776

RANGEN, INC., SURVEY T.7S, R.14E, BM.

Permit Map No. 30654

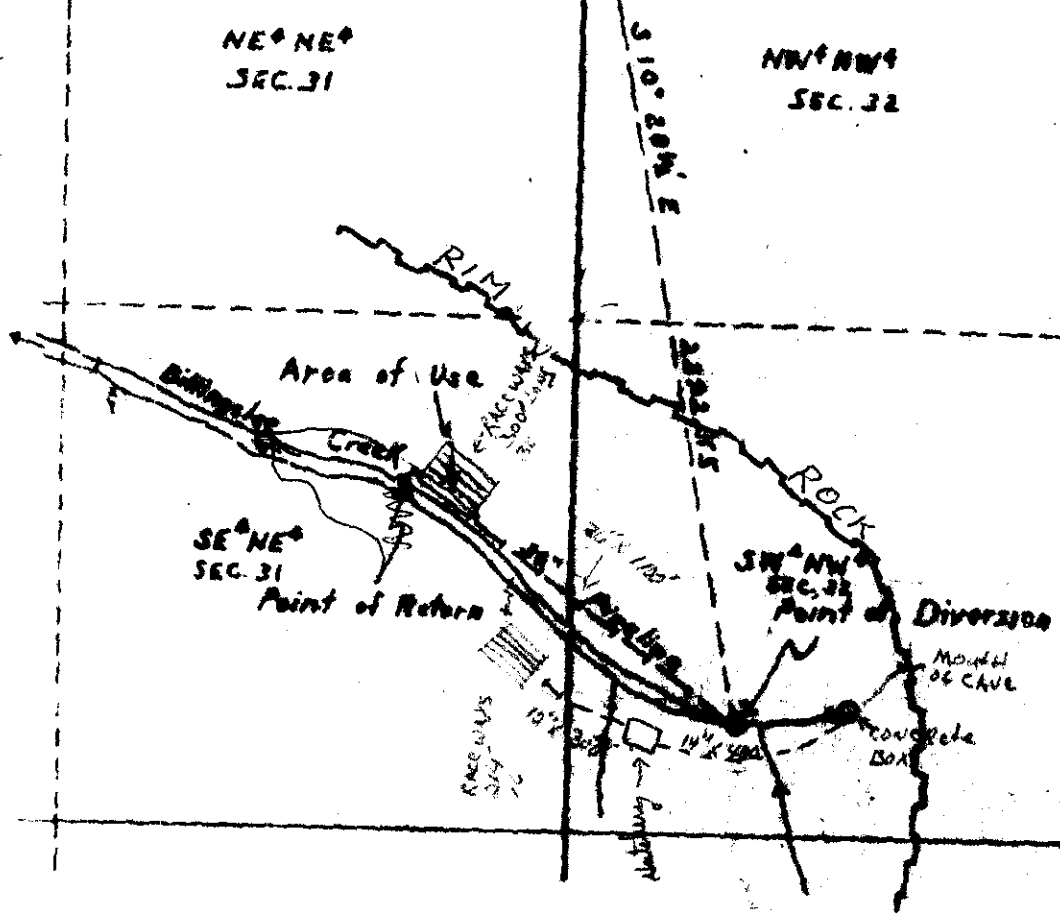
As Approved

GEO. N. CARTER
State Reclamation Engineer

30 29 EAST

31 32 FAS 2775

7/1/62



I, Philip F. Puchner, of Ketchum, Idaho, an engineer licensed by the State of Idaho, do hereby certify that this map was made from notes taken during actual surveys made by me on May 20 and 21, and June 20, 1962, and that it correctly represents the works described in.

Allow R = 50 ft

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 30654

REPORT ON PROOF OF Completion of Works

Theodore Rangen, Pres., Rangen, Inc. Buhl, Idaho

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 30654This proof is for Beneficial Use

In Water District No. _____

1. Name of applicant Rangen Incorporated2. Source of water supply: Headwaters of Billingsley Creek3. Location of point of diversion: Is in the SW 1/4 of Section 32T. 7S R. 14E County of Gooding

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

water for ponds comes from a spring which is source of Billingsley creek a 14" x 400' pipe feeds water from high on the rimrock where the spring emerges to the nursery ponds. A 36" x 11.00' pipeline feeds the research ponds from a lower pond.

5. Water is used for: Fish cultural & domestic use; non consumptive6. 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):

Fish culture in SE 1/4 NE 1/4 sec 31 - T 7S - R 14E

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

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

Remarks: Water flow through the Rangen facility is checked by George Lemon, Watermaster

Vol = 34 2.5 ~~2.5~~ 4 x 2.5 x 214

This examination was made on the 1st day of September, 19 66

(Signed) _____

Don Watt

Examiner.

30654

Plat —

Rangen, Incorporated
Buhl, Idaho
Theodore Rangen, Pres.
Permit No. 30654

Examination for ~~Comp. of Works~~ & Bene. Use

County Gooding

Quantity: 50 Sec. 32 T. 7S R. 14E

Source: Lilting, 1961

P.D.: SW 1/4 Sec 32 T 7S R 14E

Use: Fish Culture, & Domestic

Filed: 31 July 62

Due: 11 Sept 62

Extension: -

Protest: -

Completion of Works: See 1st 1962

Other Rights: 81 inches from fence

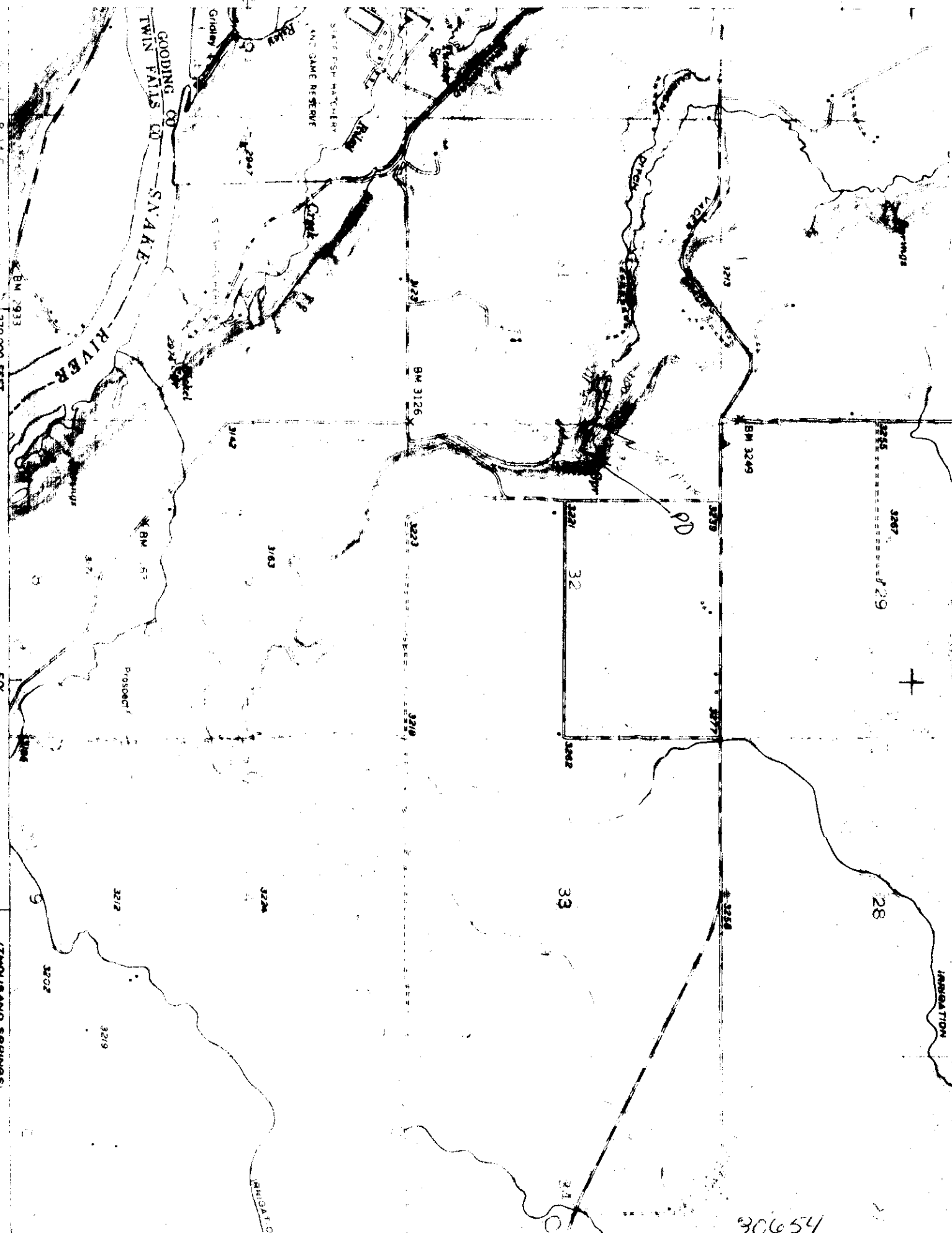
Made: Sept 2, 1964

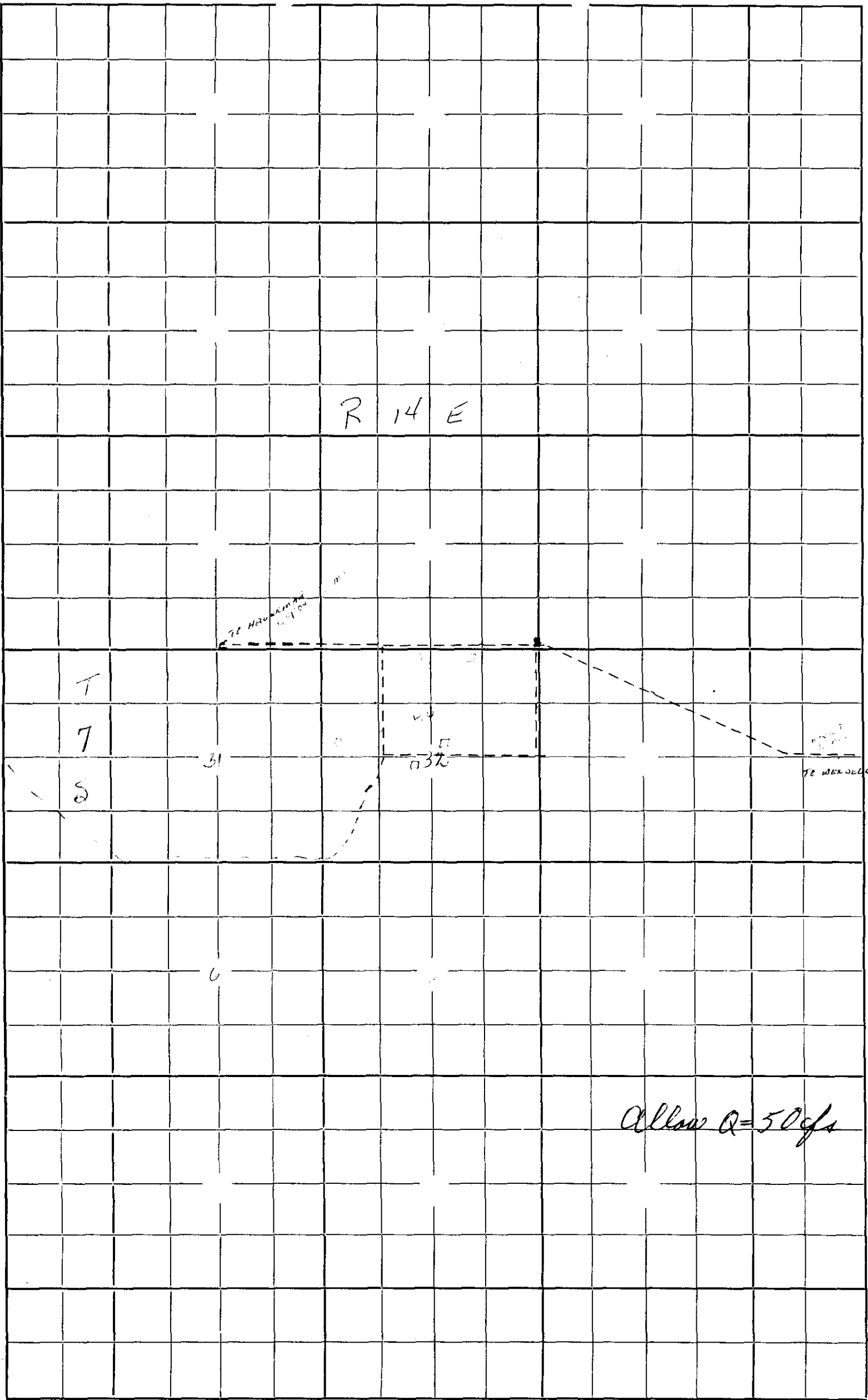
Private: July 31, 1962

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.

30654





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

30654

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 30654

REPORT ON PROOF OF Water to Beneficial Use

Rangen Incorporated
Buhl,
Idaho

1M April 1962

September 10, 1964

Re: Permit No 30654
Rangen Inc.

Theodore Rangen, President
Rangen Incorporated
Buhl, Idaho

Dear Mr. Rangen:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the GOODING LEADER, all submitted in proof of completion of works and beneficial use on Permit No 30654

Before final action is taken in the matter, the law requires that a field examination be made by an engineer from this department.

We cannot tell just when this examination will be made, but our field engineer will try and contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

ct
EPR:

30654

September 4, 1964

RE: Permit 30654
Theodore Rangen, President

Theodore Rangen, President
Rangen Incorporated
Buhl, Idaho

Dear Mr. Rangen:

Your Proof of Application of Water to Beneficial Use has been received. However, the deposition of Mr. E. H. Bean of Hagerman is not acceptable. The law states the witnesses must be disinterested persons.

A new form 17 is being forwarded for completion by a new qualified witness. The deposition of Harry F. LeMoynes is being returned for completion of Question 6 (witnesses must state place of use, i. e. SE¹/₄NE¹/₄, Section 31, T7S-R11, EBM---if this is correct). No further processing can be accomplished until receipt of the depositions by this office. Please reply promptly.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

H. PETRI
State Water Rights Clerk

HP:ct

Enc. Form 17
Witness deposition of Mr. H. F. LeMoynes

30654

RECEIVED
SEP 4 1964
Department of Reclamation

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 30654

* * * *

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

* * * * *

DEPOSITION OF HOLDER

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

Theodor Rangen, Buhl, Idaho, president and general manager of Rangen, Inc.

P. O. address; Route 1, Buhl, Idaho
Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf:

Rangen, Inc., Buhl, Idaho; President; President

Ques. 3. State number, approval date of permit, and date of priority you propose to establish under the permit; 30654 -- Sept. 11, 1962 -- July 31, 1962

Ques. 4. State source of water supply: Underground springs, headwaters of Billingsley Creek
Give location of point of diversion, showing subdivision, section, township and range:
South 100° 28-1/2' E - 2392.55 ft. from N. Common Corner between sections 30 & 31,
Twp. 7S, Rge 14 E in SW 1/4, NW 1/4 of Sec. 32 Twp. 7S Rge 14E, Gooding County.

Ques. 5. Describe your works of diversion: Concrete dam -- 36" Concrete Pipeline

~~50 second feet xxx steel pipeline~~; state amount of water they are capable of conveying from point of diversion to place of use 50 sec.ft.; Give name of canal or ditch or other works by which water is conducted to such place of use: XXX steel pipeline

_____ ; if a well, state depth of well N/A ; depth and size of casing: _____ ; depth to water _____ ; if pump is used,

state discharge of pump: _____ ; tell how it was measured or determined: _____

_____ ; if sprinkler irrigation, give number and size of nozzles and operating pressure: _____

Ques. 6. State for what purpose water is used: Fish cultural and domestic use.
If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water : Not for irrigation

State nature of all improvements which have been made as a direct result of said use:

Thirty (30) concrete raceways 100' x 6' x 4'; Sixteen (16) concrete raceways 107'
x 43" x 3'. Two (2) concrete dams -- concrete pipeline and steel pipeline; Hatchery
Building

30654

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: N/A

Ques. 7. If for other than irrigation purposes, state purpose and how used:

Fish cultural and domestic use

Ques. 8. What is the minimum amount of water required for the purpose specified above:

50 second feet

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder:

Originally issued

Ques. 10. State when and in what amount the water diverted under above mentioned permit has been first used: 1 Nov, 1962 -- 50 sec. feet Time used since first use:

continuously

Ques. 11. Describe all other water rights appurtenant to same place of use:

73 inches -- 1885 decree; 8 inches -- 1908 decree; for irrigation

(sign)

Theodore Rangen

I hereby certify that the foregoing testimony was read to the above subscribed, 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

Buhl, County of Twin Falls

State of Idaho, on this 2nd day of September, A.D. 19 64.

My Commission expires: February, 1968

Eugene H. Christofferson
Notary Public for the State of Idaho
residing at Buhl, Idaho

30654

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
MAY 1 1954
Department of Reclamation

PERMIT NO. 30654

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

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

Ans. Adrien F. Bernier, 53, National Fish Hatchery, Hagerman, Idaho
Manager National Fish Hatchery; National Fish Hatchery, Hagerman, Idaho.

Ques. 2. Are you acquainted with Rangen, Inc., the holder of Permit No. 30654? How long have you known him and where does he reside?

Ans. 5 years, Buhl, Idaho

Ques. 3. Have you read or heard read said Permit No. 30654, and are you familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Underground Springs, headwaters of Billingsley Creek
Point of diversion; South 10° 28-1/2' E-2392.55 ft. from the N. Common
corner between sections 30 & 31, Twp. 7 S, Range 14, E in SW-1/4, NW-1/4
of Sec. 32, Twp. 7S, Rge 14, E, Gooding County. Water conveyed through 36
inch concrete pipeline.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. Works will convey approximately 60 second feet of water. Have observed 40
to 50 second feet through the works.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Fish cultural and domestic use. Area of use lies in
SE 1/4 NE -1/4 Section 31; SW 1/4 NW-1/4 Section 32; NW-1/4 NE-1/4
SW-1/4 NE-1/4 Section 31 all in Ts 7, R14, EBM

30654

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. Does not apply

Ques. 8. If for irrigation, state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Does not apply

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No.

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. July, 1963 and on at least five occasions since that time have observed water going through the works and personally observed the rearing of fish in the use area

Adrian E. Bernier

(Signed)

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 Buhl, County of Twin Falls, State of Idaho, on this 8th day of September, A. D. 1964.

Eugene H. Christofferson

Notary Public. for the

My commission expires Feb, 1968 state of Idaho residing at Buhl, Idaho

*Repeared witness E. H. Bernier of the hall
contract of sale*

30654

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED

Department of Reclamation
SEP 9 1964

PERMIT NO. 30654

Department of Reclamation

Proof of Application of Water to Beneficial Use
Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

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

Ans. Harry F. LeMoyne, 46 yrs, Blue Lakes Blvd, Twin Falls, real estate broker; Twin Falls, Idaho

Ques. 2. Are you acquainted with RANGEN, INC., the holder of Permit No. 30654? How long have you known him and where does he reside?

Ans. 15 years, Buhl, Idaho

Ques. 3. Have you read or heard read said Permit No. 30654, and are you familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Underground Springs, headwaters of Billingsley Creek

Point of diversion - South 100 28-1/2' E - 2392.55 ft. from the N. Common corner between sections 30 & 31, Twp. 7S, Rge 14 E in SW 1/4, NW 1/4

of Sec. 32, Twp. 7S, Rge 14E, Gooding County. Water conveyed through 36 inch concrete pipeline.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. Works will convey approximately 60 second feet of water. Have observed 40 to 50 second feet through the works.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Fish cultural and domestic use.

Area of use lies in

SE-1/4 NE-1/4 Section 31; SW-1/4 NW-1/4 Section 32; NW-1/4 NE-1/4

SW-1/4 NE-1/4 Section 31 all in TS 7, R 14, EBM.

30654

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. Does not apply.

Ques. 8. If for irrigation, state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. _____ Does not apply.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. ~~XXXXXXXXXXXXXXXXXXXX~~ No.

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. July, 1963 and on at least five occasions since that time have observed water going through the works and personally observed the rearing of fish in the use area.

Harry F. LeMoigne
(Signed)

(Signed)

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 Buhl,
County of Twin Falls, State of Idaho, on this 2nd day of September,
A. D. 1964.

Eugene H. Christofferson
Notary Public.

Notary Public.

My commission expires February, 1968 for the State of Idaho, residing
at Buhl, Idaho

AFFIDAVIT OF PUBLICATION

RECEIVED
SEP 4 1964

Department of Registration

STATE OF IDAHO, }
COUNTY OF GOODING } SS.

I, *Leland G. Burress*, do solemnly swear that I am the printer and publisher of THE GOODING LEADER, a weekly newspaper of general circulation, published once each week at Gooding, Idaho; that the notice attached hereto was published in said newspaper *four* consecutive weeks, the first publication having been made on the *30th* day of *July*, 196*4*, and the last publication having been made on the *30th* day of *August*, 196*4* that said notice was published in the regular and entire issue of every number of the paper during that period and time of publication, and that the said notice was published in the newspaper proper, and not in the supplement thereof.

That said newspaper has been printed and published continuously in *Gooding, Gooding County, Idaho*, for a period of more than 78 weeks prior to the first publication of the attached notice.

Leland G. Burress
Subscribed and sworn to before me this

30th day of *August*, 196*4*

Ruth Burress
Notary Public

30654

August 14, 1964

RE: Permit No. 30654
Rangen, Inc.

Gooding Leader
Gooding, Idaho

Gentlemen:

We are returning the second tear sheet of the legal notice on the above numbered permit. The error has not been corrected. You will find the error circled in red pencil.

Please correct Paragraph 5 to read: "The point of diversion of said water is S 10° 28½' East 2392.55 feet from the NW corner of the NW¼ NW¼, Section 32, Twp. 7 S., R. 14 E., B.M.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

H. Petri
State Water Rights Clerk

HP:mr

Enc. tear sheet

30654

August 6, 1964

Re: Permit No. 30654
Rangen, Inc.

Gooding Leader
Gooding, Idaho

Gentlemen:

Received the tear sheet on the above numbered permit and find the following correction:

In Paragraph 5, Line 2, there is an error in the feet shown. This should read East 2392.55.

We would appreciate this correction being made and another tear sheet mailed to us for our files.

Thank you.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

30654

August 4, 1964

Re: Permit No. 30654
Rangen, Inc.

Gooding Leader
Gooding, Idaho

Gentlemen:

On July 28th we mailed you a Notice of Publication on the above numbered permit, requesting a tear sheet or copy as soon as possible on the advertising.

We would appreciate receiving such copy as soon as first publication has been made.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

H. PETRI
State Water Rights Clerk

HP:ew

30654

30654.

July 28, 1964

RE: Amendment to place of use

Rangen, Inc.
Buhl,
Idaho

Gentlemen:

Enclosed is your application for amendment to place of use which has been checked and recorded by this office.

Also enclosed is departmental receipt No. 32357 covering the \$1.00 recording fee.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR: ct

Enc. Application for amendment to place of use
Receipt No. 32357

30654

Re: Permit No. 30654
Rangen, Inc.

July 28, 1964

Bird & Hobday,
Attorneys at Law,
Box 386,
Gooding, Idaho.

Gentlemen:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. 30654, in the name of Eugene H. Rangen, Inc.. Final Proof is to be made before Eugene H. Rangen, Inc. as Notary on the 2nd day of September, 1964, at 10:00 o'clock A.M., at Bohl, Idaho. Eugene H. Rangen, Inc.

As of this date, we have mailed the Notice to the Gooding Leader Gooding, Idaho, with instructions to publish it once a week for five consecutive weeks prior to the date set for final proof and then mail the Affidavit of Publication and statement of costs to you.

It is important that the enclosed depositions be executed by the permit holder and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the time, on the date and before you, as Notary, as stated in the publication notice. It is very important and necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been returned, that your Notary's seal has been placed on each and that all depositions, (holder and two witnesses) are being returned. Also be sure to enclose the AFFIDAVIT OF PUBLICATION.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk
cc: Applicant
cc: Notary

30654

Re: Permit No. 30654
Rangen, Inc.

Date: July 28, 1964

Gooding Leader,
Gooding, Idaho.

Gentlemen:

Enclosed you will find Notice for Publication, once a week
for four consecutive weeks prior to September 2, 1964
the date set for proof; the expense of the publication is to be paid
by the applicant 's attorney, Bird & Hobday
of Box 386, Gooding, Idaho to whom you should
furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice and furnish this
office with a copy or tear sheet of the first publication. **

Very truly yours,

Carl E. Tappan
CARL E. TAPPAN
State Reclamation Engineer

** If the first copy is not received in this office for checking
purposes and errors appear in subsequent issues, it is possible
that re-publication of corrected copy will be at your own expense

30654

JUL 27 1964

DEPARTMENT OF RECLAMATION

Permit No. 30654Comes now Rangen, Inc., 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
place of use
State of Idaho, No. 30654, and requests that the ~~place of use be changed to~~
as described in said permit, be changed to read as follows:

from the point of diversion to the point where Billingsley Creek
intersects the County Road which said point of intersection is in
the SE corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 31, Twp. 7 S. R. 14 E.B.M.
and said place of use being in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 32, S $\frac{1}{2}$ NE $\frac{1}{4}$ and
NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 31, all in Twp. 7 S. R. 14 E.B.M.

, making a total of 35 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 Buhl, Idaho this 23rd day of July, 1964
RANGEN, INC.

By: R. W. ThomasDate of receipt at office of Department of Reclamation July 27, 1964

APPROVAL OF STATE RECLAMATION ENGINEER

Ralph W. Thomas, Deputy
I, ~~GEO. N. CARPER~~, 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. 30654. 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 in Book 107 of
Permits Page 30654
July 28, 1964

Ralph W. Thomas
Deputy
State Reclamation Engineer 30654

LAW OFFICES
BIRD & HOBDEY

530 MAIN STREET
GOODING, IDAHO

BRANCH BIRD (RETIRED)
CECIL D. HOBDEY

PHONE 934-4271
P. O. BOX 388

July 24, 1964

Department of Reclamation
State of Idaho
Boise, Idaho

RECEIVED
JUL 27 1964
Department of Reclamation

Gentlemen:

We inclose herewith application for amendment
of place of use and our check in the amount of
\$1.00.

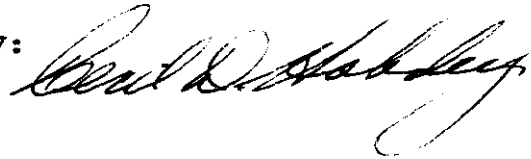
Also inclosed is the authorization for publication
of notice of proof together with two copies of the
notice of proof all in connection with the application
of Rangen, Inc.

If anything further is needed please advise.

Sincerely yours,

BIRD & HOBDEY

By:



CDH:fm
Encls.

30654

JUL 17 1964

RECEIVED
JUL 13 1964

DEPARTMENT OF RECLAMATION

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) July 10, 1964

(P. O.) Gooding, Idaho

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published
at my expense in the Gooding Leader of
Gooding, Idaho published in the
county in which the works are situated.

RANGEN, INC, BUHL, IDAHO

By: Theodor Rangen

PRESIDENT

(In case of canals or other works designed to divert and
carry more than 50 cubic feet of water per second, the following certificate
must be signed by a well known and competent engineer.)

I hereby certify that the facts set forth in the
attached notice are true.

Engineer

30654

July 21, 1964

Re: Permit No. 30654
Rangen, Inc.

Bird & Hobday
Attorneys at Law
Gooding, Idaho

Attn: Cecil D. Hobday

Dear Mr. Hobday:

Returned herewith are form to amend place of use, Forms 11 and 10, with attached check for \$1.00, recording fee, for the amendment. Also enclosed is application for amendment.

The form to amend place of use of the water would have been sufficient if you had used legal description of the land as provided under No. 6a of the permit and the statutes.

Kindly complete the enclosed blank form, showing subdivisions, sections, etc., where the water is actually being used. The Form 10 can be amended by inserting " being in _____ " after the present description of place of use.

If the forms are returned promptly, the date for making the proofs will not need to be changed.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. amendment, Form 11 & 10
check - amendment blank

30654

JUL 21 1964

JUL 13 1964

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 10:00 A.M. on the 2nd day of September, 1964
at Buhl, Idaho, County of Twin Falls, State of Idaho, before
Eugene H. Christofferson, proof will be submitted of the
application to beneficial use of 50 cubic feet per second of the waters of
Billingsley Creek in accordance with the terms and conditions of
Permit No. 30654 heretofore issued by the Department of Reclamation of the State of
Idaho.

The name and post office address of the person or corporation holding said permit
Rangen, Inc., Box 706, Buhl, Idaho

The use to which said water has been applied is Fish culture & propagation.

The amount applied to beneficial use is 50 cubic feet

The point of diversion of said water is S 10° 28½' East 2392.55 feet from
the NW corner of the NW¼ NW¼, Section 32, Twp. 7 S., R. 14 E.B.M.

The place where said water is used (LEGAL DESCRIPTION) from said point of
diversion to the point where Billingsley Creek intersects the County
road which said point of intersection is in the SE corner of the NW¼ NE¼
Section 31, Twp. 7 S. R. 14 E.B.M. being in the SW¼ NW¼ of Section
32 and the S¼ NE¼ and NW¼ NE¼ of Section 31, all in Twp. 7 S. R. 14
E.B.M.

The date of priority which said user is prepared to establish is September 11, 1962

CARL E. TAPPAN
State Reclamation Engineer

30654

July 15, 1964

Re: Permit No. 30654
Rangen, Inc.

Cecil D. Hobday
Attorney at Law
Gooding, Idaho

Dear Mr. Hobday:

We do not have a form for amending the point of use. It was our intention that you use the form for amending the point of diversion, changing the wording such as we have done on the enclosed form.

Please complete this form and send it in and we will record the change in point of use.

There is a fee of \$1.00 for recording an amendment.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

D. L. RHODES, Assistant
State Water Rights Clerk

DLR:ew

Enc. amendment form

30654

LAW OFFICES
BIRD & HOBDEY

530 MAIN STREET
GOODING, IDAHO

BRANCH BIRD (RETIRED)
CECIL D. HOBDEY

PHONE 934-4271
P. O. BOX 388

July 14, 1964

RECEIVED
JUL 15 1964

Department of Reclamation
State of Idaho
Boise, Idaho

Department of Reclamation

Re: Permit 30654
Rangen, Inc.

Gentlemen:

Thank you for your letter of July 13th relative to
the above permit.

In your letter you indicate that our notice varies in
referring to the point of use and suggest that we either
correct it or submit an application for amendment. The
form of application which you sent is for an amendment
for the point of diversion.

Perhaps we are confusing this matter somewhat but what
we are intending to submit proof on is not a change in the
point of diversion (which has remained unchanged) but the
fact that a larger area of use is involved. Do you have a
specific form for amendment in this respect?

Sincerely yours,

BIRD & HOBDEY

By:



CDH:fm

30654

July 13, 1964

Re: Permit No. 30654
Rangen, Inc.

Cecil D. Hobday
Attorney at Law
P. O. Box 386
Gooding, Idaho

Dear Sir:

Returned herewith is notice of proof for above noted permit for correction.

According to our records the point of use of the water is in the SE¹/₄NE¹/₄, Sec. 31, T. 7 S., R. 14 E. This does not correspond to the description shown on the notice. Please correct it or submit an application for amendment to point of use.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

D. L. RHODES, Assistant
State Water Rights Clerk

DLR:ew

Enc. notice of proof

30654

LAW OFFICES
BIRD & HOBDEY

530 MAIN STREET
GOODING, IDAHO

BRANCH BIRD (RETIRED)
CECIL D. HOBDEY

PHONE 934-4271
P. O. BOX 986

July 10, 1964

RECEIVED
JUL 13 1964

Department of Reclamation

Department of Reclamation
State of Idaho
Boise, Idaho

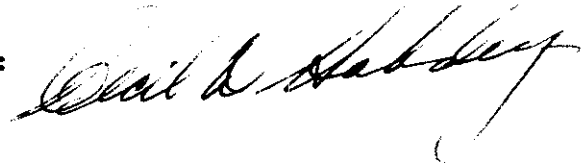
Gentlemen:

On behalf of Rangen, Inc. we inclose herewith notice
of proof of application of water to beneficial use
together with a signed authorization for publication
of the notice.

Sincerely yours,

BIRD & HOBDEY

By:



CDH:fm

30654

S T A T E O F I D A H O

DEPARTMENT OF RECLAMATION

Re: Permit No. 30654

Date:

July 1, 1964

Rangen's, Inc.
Buhl, Idaho

Dear Sir:

The date for proof of application of water to beneficial use, as set out under the terms of Permit No. 30654 is due not later than **Sept. 11, 1964**. If by this date you are not prepared to make this proof, you may make it at a later date, however, your priority will be advanced the same length of time for which the proof is late.

Before this proof can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper within the county.

We enclose Form 10, in duplicate, which is to be filled in and returned to this department at least forty (40) days before the above mentioned date and/or before the time you intend to make proof. This form, in duplicate, is to include the time of day, the date, the name of the town, the address of the Notary Public before whom you will appear to make the depositions of proof (this may be at any place that is convenient for you and two witnesses), the quantity of water, for what purpose it is used, the point or points of diversion and the location of use, or lands which are irrigated -- by legal land description. Descriptions should be taken from your Permit, including any amendments thereto, as recorded in this department. If changes have been made and no amendments are on record, we advise that you request a form for this purpose before your notice is published, or you may have to readvertise and complete another set of proof forms.

Also enclosed is Form 11, which is authorization for us to have the notice published in the designated county newspaper, at your expense. This is to be returned with Forms 10.

At the time we send the notice to the newspaper we will send to you the forms for the depositions of holder and two disinterested witnesses. It is important that the depositions be executed at the time, on the date set, and at the place named, before the Notary Public, as advertised in the publication notice.

The amount of water allowed in a license cannot be more than is actually produced and measured and put to beneficial use, and cannot be more than the statutory amount allowable per acre of land actually found by field inspection to have been irrigated at the time of proof.

Very truly yours,

Carl E. Tappan

CARL E. TAPPAN
State Reclamation Engineer

Enc. Form 10 and 11

30654

RANGEN, INC.
BEANS · GRAINS · SEEDS · FEEDS
TELEPHONE 543-4338 · P. O. BOX 706
BUHL, IDAHO

April 7, 1964

RECEIVED
APR 8 1964
Department of Reclamation

State of Idaho
Department of Reclamation
107 State House
Boise, Idaho 83701

Gentlemen:

As requested in your letter of March 30, I am enclosing two forms of affidavits which have been executed by Mr. Theodor Rangen and Mr. Gene Christofferson and properly notarized.

I hope these will be sufficient to comply with your request in connection with the discrepancy in the date of submitting proofs of completion of works.

If we can be of further assistance, please let us know.

Very truly yours,

RANGEN, INC.

Theodor Rangen
Theodor Rangen

TR/vj
enclosures

30654

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

RECEIVED
APR 8 1964

Department of Reclamation

STATE OF IDAHO)
) ss.
County of Twin Falls)

Theodore Rangen being first duly sworn upon his oath
deposes and says:

That he is the President of Rangen, Inc., a corporation,
Buhl, Idaho and that he makes this affidavit on behalf of said
corporation in connection with Permit No. 30654 issued by the
Department of Reclamation;

That as President of the said Corporation your affiant
is required to be absent from the State of Idaho on numerous
occasions on behalf of the business of the Corporation and further
is obliged to travel a considerable portion of the time;

That the proofs of completion of works made in connection
with the said Permit No. 30654 were made by the various witnesses
at the request of the holder at a date when said works were in
fact completed and your affiant did not appreciate the significance
or importance of having the proofs actually made on the date
specified in the notice. The reason that the date specified
in the notice did not impress your affiant as being significant
is because the works were in fact completed and your affiant saw
no reason why such witnesses could not bear testimony to the
fact of completion at such time as such witnesses had inspected
said works and were in a position to make proof of such completion;

That as previously set forth your affiant is in and out

of the State on numerous occasions and in the interests of efficiency and precaution because of the considerable amount of expenditure that had been made in connection with the completion of the works simply wanted to assure himself that all of the required forms and paperwork be accomplished at such a time that the same would be in the hands of the Department and in no manner jeopardize the investment of the Corporation;

That the purpose for requesting the proofs of the witnesses to be made was solely for the purpose of convenience and efficiency and was in no manner or intent a device or plan to in any manner deprive any individual or corporation from in any manner asserting the full legal rights accorded them by statute;

Theodor Rungen

Subscribed and sworn to before me this 6th day of April, 1964.

Mabel Sandgren
Notary Public for the State of Idaho

SEAL)

30654

APR 8 1964

Department of Reclamation:

30654

April 3, 1964

Re: Permit No. 30654
Rangen, Inc.

Andrew F. James
Prosecuting Attorney
P. O. Box 176
Gooding, Idaho

Dear Mr. James:

Enclosed is departmental receipt 32161, in the amount of \$2.75 covering the fee for a certified copy of the above receipt, mailed to you on March 30th.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:sw

Enc. receipt

30654

March 30, 1964

Re: Permit No. 30654
Rangen, Inc.

Andrew F. James
Prosecuting Attorney
P. O. Box 176
Gooding, Idaho

Dear Mr. James:

Enclosed is certified copy of Permit No. 30654
as requested by letter dated March 27th.

Proof of Completion of Works has been made. The
field inspection has not been completed by this office.

There is a fee of \$2.75 for the certified copy of
the permit which should be remitted to this office.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. certified copy

30654

March 30, 1964

Re: Permit No. 30654

Theodor Rangen, President
Rangen, Incorporated
Route #4
Buhl, Idaho

Dear Mr. Rangen

In checking the file, we find that the legal notice of your intention to make proof of completion of works under the above noted permit shows that the proofs were to have been made September 5, 1963, at Buhl, before Eugene H. Christofferson. The Depositions of Holder and Witnesses all bear the date of July 27, 1963.

We must have an affidavit from Eugene H. Christofferson, signed before another Notary Public, that his office was open September 5, 1963, and that no one appeared to protest these proofs. Also an affidavit by you as holder, before a Notary Public, showing why you did not make the proofs on the date specified in the legal notice.

Re-publication of a legal notice will be necessary if we do not receive the affidavits.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

30654

ANDREW F. JAMES
PROSECUTING ATTORNEY
CHAS. C. SHAW
DEPUTY PROSECUTING ATTORNEY

OFFICE OF PROSECUTING ATTORNEY
GOODING COUNTY
GOODING, IDAHO

P. O. BOX 176
TELEPHONE WEST 4-4021

March 27, 1964

RECEIVED
MAR 30 1964

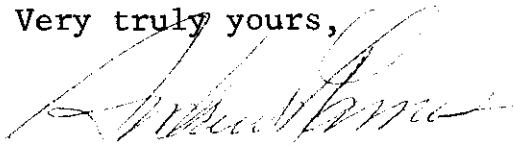
Department of Reclamation

State Director of Reclamation
Boise
Idaho

Dear Sir:

In connection with the possible prosecution against Mr. Thorleif Rangen of Buhl, Idaho, it is requested that you provide us a certified copy of Application and Permit together with change of point of return, all under No. 30654. We are particularly concerned whether there are more than one permit and where the specific points of diversion are and, of course, the amount of the water right and whether or not proof has been made.

Very truly yours,



Andrew F. James
Prosecuting Attorney

AFJ: sh

30654

March 9, 1964

Re: Permit No. 30654

Rangen, Inc.
Buhl, Idaho

Attn: H. F. LeMoynes

Dear Mr. LeMoynes:

Enclosed is the Application for Amendment to the point of diversion (or return) which has been recorded in this office.

Departmental receipt No. 32118 was given to you when you were in the office for the \$1.00 recording fee.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. application
production

30654

Application For Amendment

PRINT OF ~~REVISION~~ RETURN

Permit No. 30654

Comes now James H. Thomas and represent to the State Reclamation Engineer of the State of Idaho:

That he is (are) the owner and holder of Permit to A appropriate the Public Waters of the State of Idaho, No. 30654.

That the return of water ~~diversion~~ is described in said Permit as being located:

that he ~~is~~ has ~~the~~ point of ~~diversion~~ return of water located: at the point of diversion on the Snake River

That the reason for desiring to make such change is as follows:

operation of the dam and the original plans. There are no other
changes to be made in the original plans between the two points

That no one will be injured by such change, and that such change will be made at permit holder's expense.

Witness my hand and seal at Idaho, this 10 day of March, 1964.

Witness my hand and seal of Reclamation March 5, 1964

APPROVED STATE RECLAMATION ENGINEER

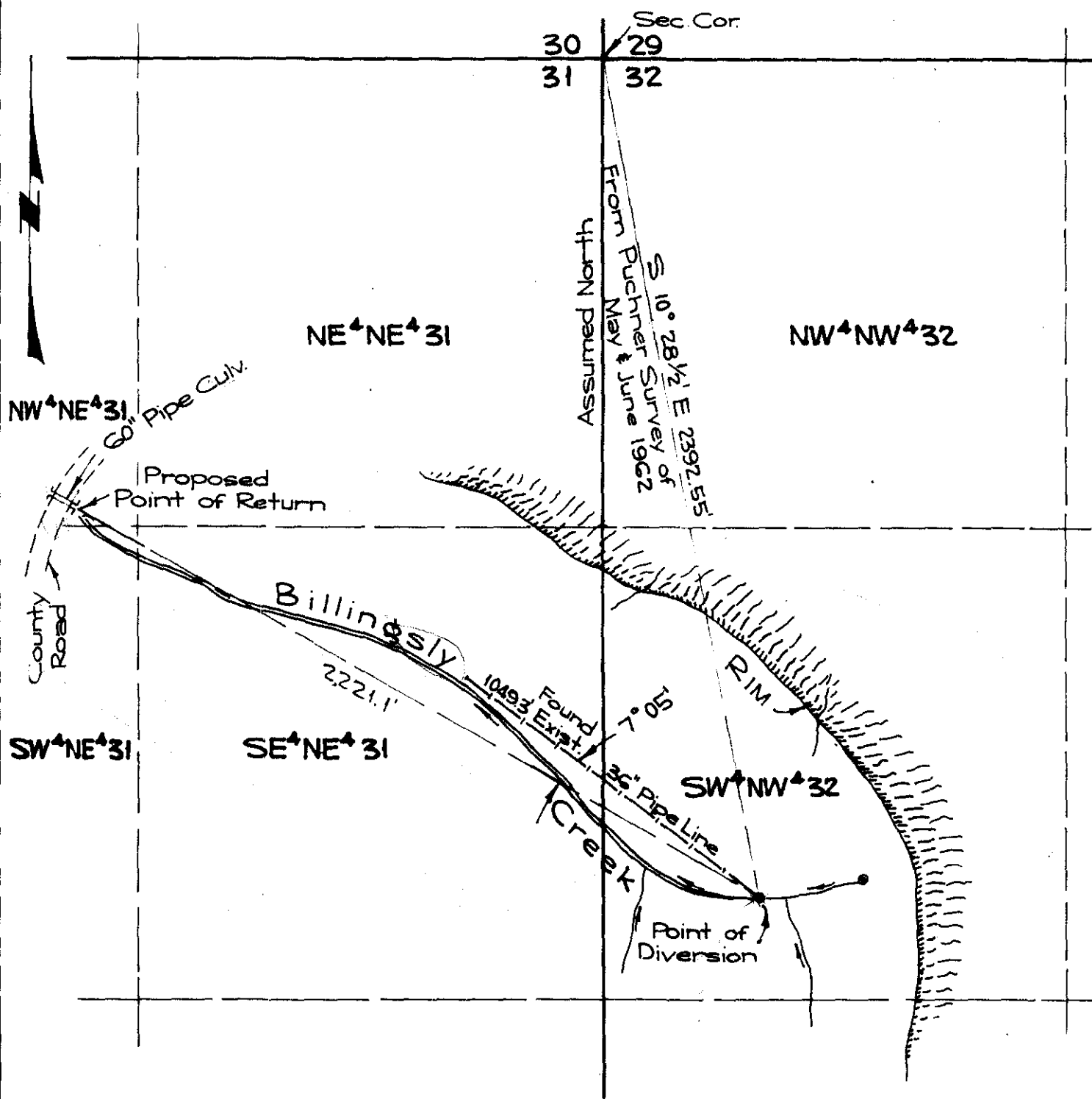
I, ~~James H. Thomas~~ James H. Thomas, State Reclamation Engineer of the State of Idaho, HEREBY APPROVE the above and foregoing application for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. 30654. This approval constitutes a new permit and is to be added to the original permit, to which it refers and of which it becomes a part, and this application is approved only insofar as the rights of others will not be adversely affected thereby.

Recorded in Book 100
Permits, at Page 100

Ralph A. Thomas
Deputy
State Reclamation Engineer

30654

APPLICATION EXHIBIT FOR WATER DIVERSION PERMIT
 RANGEN INC. BUHL, IDAHO
 Sections 31 & 32 T.7S, R.14E., B.M.
 GOODING COUNTY, IDAHO
 Scale: 1" = 400'



This is to certify that the above property has been surveyed under my direction and supervision as shown on this plat.

CHARLES W. GLASBY
 CONSULTING ENGINEER
 925 SHOSHONE ST. N.
 TWIN FALLS, IDAHO

Drawn By
 Manning

Date

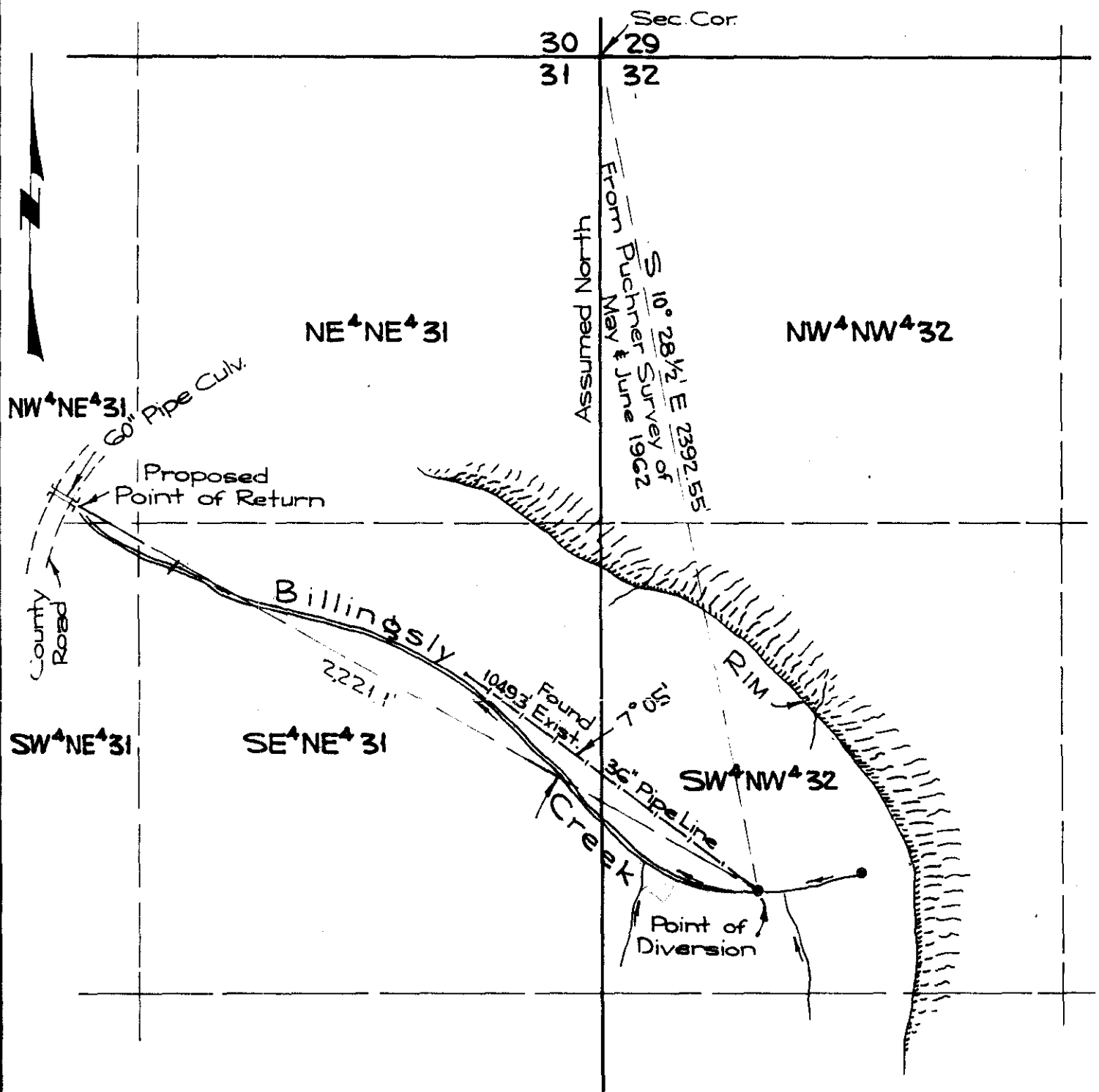
3/4/64

Charles W. Glasby

3/4/64

30654

ICATION EXHIBIT FOR WATER DIVERSION PERMIT
RANGEN INC. BUHL, IDAHO.
Sections 31 & 32 T.7S, R.14E., B.M.
GOODING COUNTY, IDAHO
Scale: 1" = 400'



This is to certify that the above property has been surveyed under my direction and supervision as shown on this plat.

CHARLES W. GLASBY
CONSULTING ENGINEER
925 SHOSHONE ST. N.
TWIN FALLS, IDAHO

Drawn By
manning

Date _____

3/4/64

Charles W. Gandy
3/4/62

30654

1M April 1962

XXXXXXXXXX

August 23, 1963

Re: Permit No.
30654

Theodor Rangen, President
Rangen, Inc.,
Route #4, Muhl, Idaho

Dear Mr. Rangens:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the Gooding Leader, all submitted in proof of completion of works ~~XXXXXXXXXXXXXXXXXXXX~~ on Permit No. 30654.

Before final action is taken in the matter, the law requires that a field examination be made by an engineer from this department.

We cannot tell just when this examination will be made, but our field engineer will try and contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours ,

~~XXXXXXXXXXXXXXXXXXXX~~
GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:

30654

PERMIT NO. 30654

Proof of Completion of Works

DEPOSITION OF HOLDER

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

Ans. Theodor Rangen, Route 4, Buhl, 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. Rangen, Inc. Buhl, Idaho President

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

Ans. 30654 - September 11, 1962 - 50 second-feet. Underground springs headwaters Billingsley Creek. Point of diversion - South 10° 28-1/2' E-2392.55 ft from the N. Common corner between sections 30 & 31, Twp 7S, Rge 14E in SW 1/4 NW 1/4 of Sec 32 Twp. 7S, Rge 14E, Gooding County.

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 intend to reclaim.

Ans. Fish Cultural and domestic use; non-consumptive

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, 1 Nov. 1962. Approximately 50 second-feet

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

Ans. Yes

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. No variance

Ques. 8. Give description of works, state dimensions and capacity of each part, and give cost of same.

Ans. Concrete structure 12' x 10' x 25' and 36" inside concrete pipeline 1000' \$15,000.

(Sign here.)

Theodor Rangen

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 Buhl

County of Twin Falls, State of Idaho, on this 27th day of July

A.D. 1963

Eugene H. Christofferson
Eugene H. Christofferson

Notary Public.

My Commission expires February 1964

30654

The Depositions of two Witnesses, in this form, taken separately, required in each case.

Permit No. 30654

Proof of Completion of Works**DEPOSITION OF WITNESS**

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

Ans. E. H. Bean, Hagerman, Idaho, Farmer

Ques. 2. Are you acquainted with Rangen, Inc., Buhl, Idaho, the holder of Permit No. 30654, authorizing the diversion of 50 second-feet of the waters of Headwaters of Billingsley Creek at Hagerman, at Hagerman, Idaho for fish cultural purposes? How long have you known him, and where does he reside?

Ans. 15 years - at Buhl, Idaho

Ques. 3. Have you read or heard read said Permit No. 30654, 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. Fish culture and domestic use

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?

Ans. Yes

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans. Concrete dam with 3 ft. diameter concrete pipe to raceways.

Capacity approximately 50 second-feet of water

(Sign here.) E. H. Bean

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 27th

County of July

day of

State of Idaho, on this

Eugene H. Christofferson
Eugene H. Christofferson

30654

The Depositions of two Witnesses, in this form, taken separately, required in each case.

Permit No. 30654

Proof of Completion of Works**DEPOSITION OF WITNESS**

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

Ans. Harry F. LeMoyne, Hagerman, Idaho, Real Estate Broker

Ques. 2. Are you acquainted with Rangen, Inc., Buhl, Idaho, the holder of Permit No. 30654, authorizing the diversion of 50 second-feet of the head waters of Billingsley Creek, at Hagerman, Idaho for fish cultural purposes? How long have you known him, and where does he reside?

Ans. 15 years - Buhl, Idaho

Ques. 3. Have you read or heard read said Permit No. 30654, 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. Fish culture and domestic use

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?

Ans. Yes

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans. Concrete structure with spillway and 3 ft. diameter concrete pipe to raceways-capacity approximately 50 second-feet.

(Sign here.)

Harry F. LeMoyne

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 27th

County of July

State of Idaho, on this day of Eugene H. Christofferson

A. D. 1910

30654

AFFIDAVIT OF PUBLICATION

NOTICE OF PUBLICATION

Notice is hereby given that at 10:00 a.m. on the 1st day of September, 1963, at Twin Falls, Idaho, Eugene E. Tappan, State Reclamation Engineer, will receive and consider for publication any and all notices of a certain public work, to be published in the newspaper of general circulation, published once each week at Gooding, Idaho; that the notice attached hereto was published in said newspaper on the 25th day of July, 1963, and the last publication having been made on the 15th day of August, 1963, that said notice was published in the regular and entire issue of every number of the paper during that period and time of publication, and that the said notice was published in the newspaper proper, and not in the supplement thereof.

1. The newspaper of general circulation or corporation in which said notice is published is the Gooding Leader, published at Gooding, Idaho.

2. The person or persons who are the publisher or publishers of said newspaper are Leland G. Burress, who is the publisher of said newspaper in Buhl, County of Blaine, State of Idaho.

3. The number of the permit is 30554 and the date for the completion of said work is September 11, 1963.

4. Said work is to be used for cultural and scientific purposes.

5. Said work is to be fully completed by the date set for such completion and the amount of money for said work is repaid according to the page of attachment in accordance with the laws accompanying the application for such permit, as the public has been notified.

C. E. Tappan, Acting
State Reclamation Engineer

39-42

STATE OF IDAHO, }
COUNTY OF GOODING } SS.

I, Leland G. Burress, do solemnly swear that I am the printer and publisher of THE GOODING LEADER, a weekly newspaper of general circulation, published once each week at Gooding, Idaho; that the notice attached hereto was published in said newspaper on the 25th day of July, 1963, consecutive weeks, the first publication having been made on the 25th day of July, 1963, and the last publication having been made on the 15th day of August, 1963, that said notice was published in the regular and entire issue of every number of the paper during that period and time of publication, and that the said notice was published in the newspaper proper, and not in the supplement thereof.

That said newspaper has been printed and published continuously in Gooding, Gooding County, Idaho, for a period of more than 78 weeks prior to the first publication of the attached notice.

Subscribed and sworn to before me this

15th day of August, 1963

Ruth Burress
Notary Public

30654

NOTICE OF PUBLICATION

NOTICE OF PUBLICATION

TO
that at
of Sep-
County,
Idaho,
Jefferson,
the ap-

beneficial use of 50 cu-
bic feet of water of
Billingsley Creek
with the ter-
Permit No.

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said
SE
Sec-
tion
14
E.B.

The date of priority which said
user is required to establish is
July 31, 1964

Carl E. Tappan
State Registered Engineer

40-43

STATE OF IDAHO,
COUNTY OF GOODING } SS.

I, *Leland G. Burress*, do solemnly swear
that I am the printer and publisher of THE
GOODING LEADER, a weekly newspaper of general
circulation, published once each week at Good-
ing, Idaho; that the notice attached hereto was

published in said newspaper *four*
consecutive weeks, the first publication having
been made on the *30th* day of *July*,
196*4*, and the last publication having been

made on the *30th* day of *August*, 196*4*
that said notice was published in the regular
and entire issue of every number of the paper
during that period and time of publication, and
that the said notice was published in the news-
paper proper, and not in the supplement thereof.

That said newspaper has been printed and
published continuously in *Gooding, Gooding*
County, Idaho, for a period of more than 78
weeks prior to the first publication of the at-
tached notice.

Leland G. Burress

Subscribed and sworn to before me this

30th day of *August*, 196*4*

L. Burress

Notary Public

30654

AFFIDAVIT OF PUBLICATION



STATE OF IDAHO, }
COUNTY OF GOODING } SS.

I, *Leland G. Burress*, do solemnly swear that I am the printer and publisher of THE GOODING LEADER, a weekly newspaper of general circulation, published once each week at Gooding, Idaho; that the notice attached hereto was published in said newspaper *four* consecutive weeks, the first publication having been made on the *25th* day of *July*, 196*3*, and the last publication having been made on the *15th* day of *August*, 196*3*, that said notice was published in the regular and entire issue of every number of the paper during that period and time of publication, and that the said notice was published in the newspaper proper, and not in the supplement thereof.

That said newspaper has been printed and published continuously in *Gooding, Gooding County, Idaho*, for a period of more than 78 weeks prior to the first publication of the attached notice.

Leland G. Burress
Subscribed and sworn to before me this
15th day of *August*, 196*3*
Ruth Burress
Notary Public

30654

Notice for Publication

Notice is hereby given that at **10:00A.** M., on the **5th** day of **September** 19**63** at **Buhl** County of **Twin Falls**, State of Idaho, before **Eugene H. Christofferson** proof will be submitted of the completion of works for the diversion of **50** cubic feet per second of the waters of **the headwaters of Billingsley Creek** in accordance with the terms and conditions of a certain permit heretofore issued by the **State Reclamation Engineer** of the State of Idaho.

1. The name of the person or corporation holding said permit is.....

Rangen, Inc., Box 706, Buhl, Idaho

2. The postoffice address of such person or principal place of business of such corporation is.....

Buhl County of **Twin Falls**, State of Idaho.

3. The number of such permit is **30654**, and the date set for the completion of such work is

September 11, 1963.

4. Said water is to be used for **fish cultural and domestic use** purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is **50** cubic feet per second.

~~6. The amount of lands for which said water is available is _____ acres, particularly described as follows:~~

CARL E. TAPAN, Acting

Commissioner of Reclamation.

30654

July 18, 1963

Re: Permit No. 30654

Rangen, Inc.,
Box 706,
Buhl, Idaho.

Gentlemen:

This acknowledges the Notice of Proof of Completion of Works ~~and completion~~
~~of Water to Beneficial Use~~ under Permit No. 30654. The proofs are to be
made at 10:00 clock A.M., on the 5th day of September, 1963, before
Eugene H. Christofferson, Buhl, Idaho, Notary Public.

As of this date we have mailed the Notice to the Gooding Leader
Gooding, Idaho, with instructions to publish it once a week for four consecutive
weeks prior to the date set for final proof then mail the affidavit of publication
and statement of costs to you.

It is important that the enclosed depositions be executed by you and two dis-
interested witnesses who are familiar with the terms of the permit and the work
done thereunder, at the place, on the date, and at the time and before the Notary,
as advertised. It is very important and necessary that each question be answered
in detail.

In returning the depositions to this office, be sure that all copies have been
signed, the Notary's seal has been placed on each and that all depositions, (holder
and two witnesses) are being returned. Also be sure to enclose the Affidavit of
Publication.

Very truly yours,

~~GEORGE W. CASPER~~

State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

Enc.
EPR:pmk
cc: Notary

30654

July 18, 1963

Re: Permit No. 30654
Rangen, Inc.

Gooding Leader,
Gooding, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to September 5, 1963, the date set for proof; the expense of the publication is to be paid by the applicant, Rangen, Inc., Box 706, Buhl, Idaho, to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice and furnish this office with a copy or tear sheet of the first publication.**

Very truly yours,

CARL E. TAPPAN, Acting
State Reclamation Engineer

** If the first copy is not received in this office for checking purposes and errors appear in subsequent issues, it is possible that re-publication of corrected copy will be at your own expense.

Encl.
CET:pmk

30654

DEFERRED
RECLAMATION

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) June 11, 1963

(P. O.) Box 706 , Buhl, Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the

Gooding Leader of Gooding , Idaho published in
the county in which the works are situated. Gooding Co.

Thurley R. Jones
Sec. - Treas.

(In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well known and competent engineer.)

I hereby certify that the facts set forth in the attached notice are true.

Engineer.

30654

RANGEN, INC.
BEANS • GRAINS • SEEDS • FEEDS
TELEPHONE 543-4338 • P. O. BOX 706
BUHL, IDAHO

July 17, 1963
"Our 38th Year"

State of Idaho
Chief Reclamation Engineer
State House
Boise, Idaho

Dear Sir:

Enclosed you will find legal forms which must be signed by your organization so that final notice can be made regarding the completion of a water impoundment at our Research Trout Hatchery in Hagerman, Idaho.

Mr. Philip F. Puchner was the surveying engineer, and has since accepted an engineering position in Bangkok, Thailand, and is unable at this time to assist us further in the completion of these forms, and suggests that your office complete them.

Would you please sign the forms and return them to us in the enclosed envelope. Your assistance and cooperation in this matter will be greatly appreciated.

Very truly yours,

RANGEN, INC.

Gene Christofferson
Gene Christofferson
Office Manager

Encl

30054

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Re: Permit No. 30651

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Hird & Hobbey
Attorneys at Law
Boiding, Idaho

Boise, Idaho,

June 3, 1963

Dear Sir:—

I enclose herewith blank form upon which to give notice that you are prepared and desire to submit proof of completion of works under your permit No. 30651.

This form should be filled out and mailed to the Department of Reclamation, at least 60 days before the date upon which proof is to be submitted, which proof MUST be on or before Sept. 11, 1963. Upon receipt of the blank properly filled out, notice of publication will be sent to the paper direct from this office, which notice must be published a period of four weeks prior to the date of proof.

The proof may be submitted at any place convenient to you and two witnesses, where there is a notary public or other officer authorized to administer oaths.

The certificate that shall be issued under this proof does not give you a perpetual right to the use of the water for which application is made, as it only confirms the completion of the works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Very truly yours,

CARL L. TAPIA
Assistant

State Reclamation Engineer

Form 8 - 11

cc: Rangen, Inc.
Buhl, Idaho

30654

September 19, 1962

Re: Permit No. 30654
Rangen, Inc.

Bird & Hobday,
Attorneys at Law,
P. O. Box 386,
Gooding, Idaho.

Attention: Cecil D. Hobday

Gentlemen:

We enclose Permit No. 30654 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. 3166 which was issued covering payment in the amount of \$ 17.25 for the filing fee of the above mentioned permit.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:pmk
Encl.
cc: Rangen, Inc.
Buhl, Idaho

30654

HIGH & FRITCHMAN COMPANY

It is hereby ordered, adjudged and decreed, and this does order, adjudge and decree, that the defendant and intervenor High & Fritchman Company, a corporation, is the owner of, and entitled to the use of, and the right to use for irrigation and domestic purposes the following amounts of water, to-wit:

Three and 2 tenths (3.2) second feet of water, with a priority of October 1, 1884, developed and diverted from the waters, seeps, springs and rivulets in the rim rock above the head waters of Billingslev Creek, by means of a tunnel commonly known as the Curran Tunnel, or Curran Spring, situate in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 32, Twp. 7 North, Range 14 East, B. M., Gooding County, Idaho, and 4.8 second feet of the waters of said seeps, springs, and rivulets diverted and developed by the same tunnel, with a priority of April 1, 1908, taken from said tunnel by a pipe line and ditch into and upon the lands of the said defendant hereinafter described and used on said lands for irrigating and raising crops thereon and for watering stock and other domestic puposes during the non irrigation season.

Said water rights are appurtenant to and to be used upon and in the irrigation of the following described lands, situate in Gooding County, Idaho, of the said defendant and intervenor High & Fritchman Company, a corporation, to-wit:

The Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$); the East Half (E $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section Thirty-one (31); the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$); the West Half (W $\frac{1}{2}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section Thirty-two (32), all in Township Seven (7) South, Range Fourteen (14) East, B.M., and Lots Three (3) and Four (4) of Section Five (5), Township Eight (8) South, Range Fourteen (14) East, B.M., together with all water rights, ditches and ditch rights of way appurtenant thereto.

Permit Map No. _____
As Approved SEP 1 1911
GEO. N. CARTER
State Reclamation Engineer

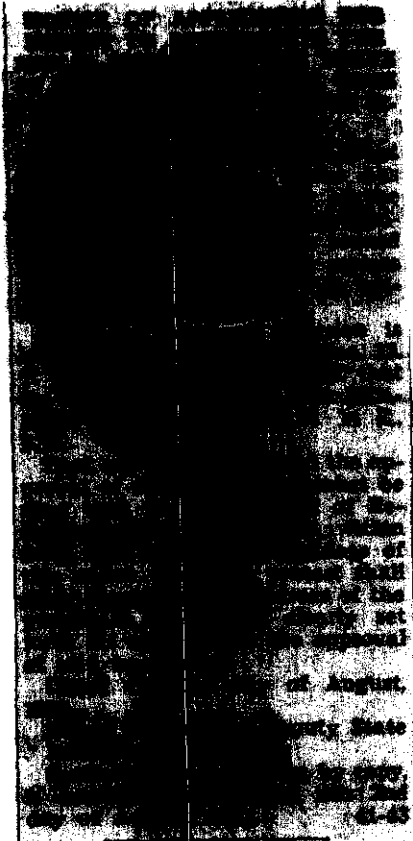
30654

AFFIDAVIT OF PUBLICATION

RECEIVED
SEP 5 1962

Department of Redemption

STATE OF IDAHO, }
COUNTY OF GOODING } SS.



I, *Leland G. Burress*, do solemnly swear that I am the printer and publisher of THE GOODING LEADER, a weekly newspaper of general circulation, published once each week at Gooding, Idaho; that the notice attached hereto was published in said newspaper *four*

consecutive weeks. The first publication having been made on the *2nd* day of *August*

196*2*, and the last publication having been made on the *23rd* day of *August*, 196*2*

that said notice was published in the regular and entire issue of every number of the paper during that period and time of publication, and that the said notice was published in the newspaper proper, and not in the supplement thereof.

That said newspaper; has been printed and published continuously in *Gooding, Gooding County, Idaho*, for a period of more than 78 weeks prior to the first publication of the attached notice.

Leland G. Burress

Subscribed and sworn to before me this

23rd day of *August*, 196*2*

Ruth Burress

Notary Public

30054

LAW OFFICES
BIRD & HOBDEY

530 MAIN STREET

GOODING, IDAHO

BRANCH BIRD
CECIL D. HOBDEY

SEP 5 1962
DEPARTMENT OF RECLAMATION
PHONE 715-1111
P. O. BOX 386

September 4, 1962

Department of Reclamation
107 State House
Boise, Idaho

Gentlemen:

We inclose herewith affidavit of the publisher,
The Gooding Leader, showing publication of the notice
of application of Rangen, Inc. to appropriate water
from Billingsley Creek for fish culture.

Sincerely yours,

BIRD & HOBDEY

By:



CDH:fm
Encls.

30654

CERTIFICATE OF SURVEY

RANGEN, INC., SURVEY T.7S., R.14E., BM.

Permit Map No. 30654

As Approved

GEO. N. CARTER
State Reclamation Engineer

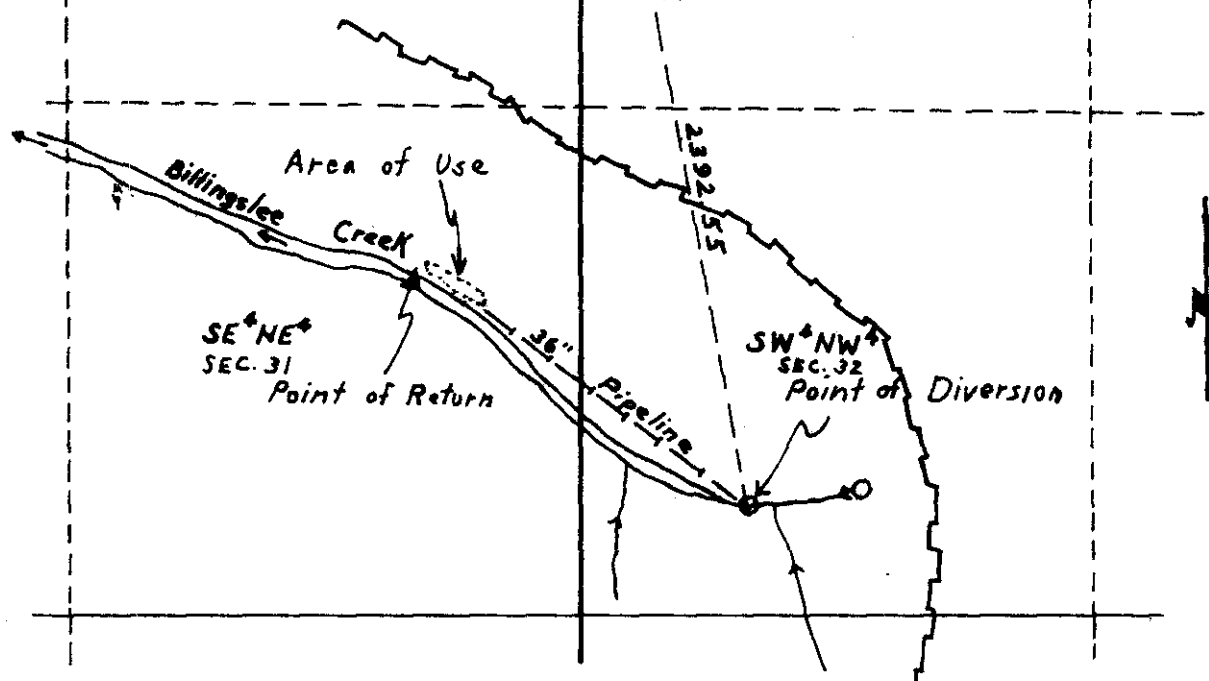
SEP 11 1962

30 29 EAST

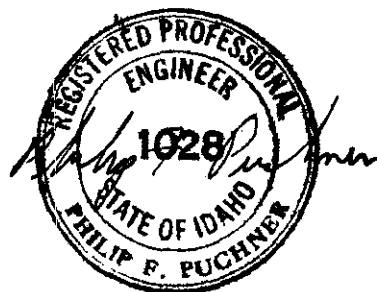
31 32

NE¹NE⁴
SEC. 31

NW¹NW⁴
SEC. 32



I, Philip F. Puchner, of Ketchum, Idaho, an engineer licensed by the State of Idaho, do hereby certify that this map was made from notes taken during actual surveys made by me on May 20 and 21, and June 20, 1962, and that it correctly represents the works described in the accompanying application.



HOFFMANN - FISKE & MILAR
BOISE TWIN FALLS

30654

MAP OF RANGEN, INC.
TROUT POND DIVERSION

To Accompany Application for Permit
By RANGEN, INC. BUHL, IDAHO
JULY 24, 1962 SCALE 1" = 500'

NOTICE OF APPLICATION FOR PERMIT TO DIVERT THE PUBLIC WATERS OF
THE STATE OF IDAHO IN ACCORDANCE WITH THE PROVISIONS OF
SECTION 62-203, IDAHO CODE

CARLTON L. HENRY, JR., of Boise, Idaho, has made application No. 30670, on the 31st day of July, 1962, to appropriate fifty (50) cubic feet per second of the waters of the head waters of Millingale Creek, for fish cultural and domestic use.

That the point of diversion is located in the SE 1/4, Sec. 32, T. 7 N., R. 14 E., S. 1 N.; and that the place of use is in the SE 1/4, Sec. 32, T. 7 N., R. 14 E., S. 1 N.

That any protests against the approval of this application must be filed with the Department of Reclamation, at Boise, Idaho, within forty (40) days from the date of this notice, and such protest shall state the name and address of the protestant, and shall clearly set forth his objection to the approval of said application.

Dated this 1st day of August, 1962.

Deputy State Reclamation Engineer

Date of first publication: _____

Date of last publication: _____

Last date for protest: September 10, 1962

That the foregoing, by copy, is hereby acknowledged this _____ day of _____, 1962.

CARLTON, Inc.

By: _____

30654

NOTICE OF APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF
THE STATE OF IDAHO IN ACCORDANCE WITH THE PROVISIONS OF
SECTION 42-203, IDAHO CODE

NOTICE IS HEREBY GIVEN, that RANGEN, Inc., of Buhl, Idaho, has made application No. 38670, on the 31st day of July, 1962, to appropriate fifty (50) cubic feet per second of the waters of the head waters of Billingsley Creek, for fish cultural and domestic use.

That the point of diversion is located in the SW¹/₄, Sec. 32, T. 7 S., R. 14 E., B. M.; and that the place of use is in the SE¹/₄, Sec. 31, T. 7 S., R. 14 E., B. M.

That any protests against the approval of this application must be filed with the Department of Reclamation, at Boise, Idaho, within forty (40) days from the date of this notice, and such protest shall state the name and address of the protestant, and shall clearly set forth his objection to the approval of said application.

Dated this 1st day of August, 1962.

Ralph W. Thomas

Deputy State Reclamation Engineer

Date of First Publication: August 9, 1962

Date of Last Publication: August 23, 1962

Last date for Protest: September 10, 1962

SERVICE OF THE FOREGOING, by copy, is hereby acknowledged this 2nd
day of August, 1962.

RANGEN, Inc.

By: W. A. Hobbins

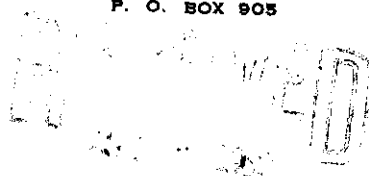
30054

BRANCH BIRD
CECIL D. HOBDEY

Latn Offices

Bird and Hobdey
530 Main St.
~~First Security Bank Bldg.~~
Gooding, Idaho

PHONE WEST 4-4271
P. O. BOX 905



8/2/62 Department of Reclamation

Gentlemen:

We presume only so much
of notice as appears above red check
we have made an enclosed copy
should be published - and have
so instructed publisher. If
this not correct please advise.

Cecil D. Hobdey
30654 ✓

NOTICE OF PUBLICATION

Notice is hereby given that at 10:00 a.m., on the 5th day of September, 1963, at Buhl, County of Twin Falls, State of Idaho, before Eugene H. Christofferson proof will be submitted of the completion of works for the diversion of 50 cubic feet per second of the waters of the headwaters of Billingsley Creek in accordance with the terms and conditions of a certain permit heretofore issued by the State Reclamation Engineer of the State of Idaho.

1. The name of the person or corporation holding said permit is Rangen, Inc., Box 706, Buhl, Idaho.

2. The postoffice address of such person or principal place of business of such corporation is Buhl, County of Twin Falls, State of Idaho.

3. The number of such permit is 30654, and the date set for the completion of such work is September 11, 1963.

4. Said water is to be used for fish cultural and domestic use purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 50 cubic feet per second.

Carl E. Tappan, Acting
State Reclamation Engineer

39-42

NOTICE OF TRUSTEES' SALE

Legal Notice

NOTICE FOR PUBLICATION

NOTICE OF PROOF

APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 a.m. on the 2nd day of September, 1964, at Buhl, Idaho, County of Twin Falls, State of Idaho, before Eugene H. Christofferson, proof will be submitted of the application to beneficial use of 50 cubic feet per second of the waters of Billingsley Creek in accordance with the terms and conditions of Permit No. 30654 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and post office address of the person or corporation holding said permit Rangen, Inc., Box 706, Buhl, Idaho.

The use to which water has been applied is Fish culture and propagation.

The amount applied to beneficial use is 50 cubic feet.

The point of diversion of said water is S. 10° 28½' East 239.55 feet from the NW corner of the NW¼NW¼, Section 32, Twp. 7 S., R. 14 E.B.M.

The place where said water is used (LEGAL DESCRIPTION) from said point of diversion to the point where Billingsley Creek intersects the County road which said point of intersection is in the SE corner of the NW¼NE¼, Section 31, Twp. 7 S. R. 14 E.B.M. being in the SW¼NW¼ of Section 32 and the S½NE¼ and NW¼NE¼ of Section 31, all in Twp. 7 S. R. 14 E.B.M.

The date of priority which said user is prepared to establish is July 31, 1962.

Carl E. Tappan,
State Reclamation Engineer

40-43

August 2, 1962

Re: Application No. 38670
Rangen, Inc.

Cecil D. Hobday
Attorney at Law
P. O. Box 386
Gooding, Idaho

Dear Mr. Hobday:

We received your letter of August 2nd with returned copy of the legal notice.

Elimination of the last part of the notice would appear to be satisfactory in this case as the first publication is within 10 days of date of notice. In cases where the notice is received with some delay, the last part would be necessary to show publication within the ten-day limit.

This is the first time this question has been raised.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

30054

August 1, 1962

Re: Application No. 38670
Rangen, Inc.

Bird & Hobday
Attorneys at Law
Box 386
Gooding, Idaho

Attn: Cecil D. Hobday

Dear Mr. Hobday:

Enclosed are three copies of a legal notice. Kindly acknowledge receipt by dating and signing each copy.

Insert date of first and last publication in each copy. Give the original to the paper published in Gooding County for publication in three successive weekly issues, first publication to be not over ten (10) days from your receipt of the notice. Retain one copy for your file, and return one copy to this office.

Send the affidavit of Publication to this office prior to the last date for protest.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. 3 copies

30654

LAW OFFICES
BIRD & HOBDEY

530 MAIN STREET
GOODING, IDAHO

BRANCH BIRD
CECIL D. HOBDEY

PHONE WEST 4-4271
P. O. BOX 368

July 30, 1962

JUL 31 1962

Department of Reclamation
107 State House
Boise, Idaho

Department of Reclamation

Gentlemen:

Thank you for your letter of July 27th relative
to the application of Rangen, Inc.

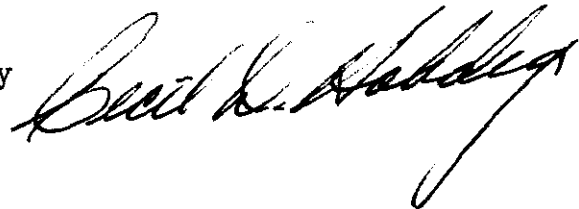
The application has been changed to more closely
conform to the facts. We direct your attention to
No. 3 of the application.

If anything further is desired please advise.

Sincerely yours,

Bird & Hobdey

by



cdh:s

ens.

30654

July 27, 1962

Re: Application for Permit
Rangen, Inc.

Bird and Hobday
Attorneys at Law
Box 386, Gooding, Ida.

Attn: Cecil D. Hobday

Dear Mr. Hobday:

Returned herewith is the application for permit with attached check for \$17.25 filing fee.

The source of water supply shown "Curran Tunnel" indicates that it is subterranean water, however the map shows the diversion is from the stream below the tunnel, assuming the circle with arrow of direction of flow is the mouth of the tunnel. Also the maps show another tributary above the point of diversion. In case this diversion is at the same point as mentioned in the decree, could the source of water supply be called Curran Tunnel Creek, tributary of Billingsley Creek? Or could it be called Billingsley Creek, if it is the main source of supply for that creek, as indicated by the map? The present answer to both parts of "3" does not appear to be correct, as the water is diverted from a stream which is Billingsley Creek, or a tributary.

Upon return of the application, we will prepare the legal notice and send it to you, with instructions.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. application with attached
check

30654

LAW OFFICES
BIRD & HOBDEY
530 MAIN STREET
GOODING, IDAHO

BRANCH BIRD
CECIL D. HOBDEY

PHONE WEST 4-4221
P. O. BOX 386

RECEIVED
JUL 26 1962
DEPARTMENT OF RECLAMATION

July 25, 1962

Department of Reclamation
State of Idaho
Boise, Idaho

Gentlemen:

We inclose application for permit together with blue-print and tracing map and also portion of decree referred to in the application.

Also inclosed is our check in the amount of \$17.25 filing fee.

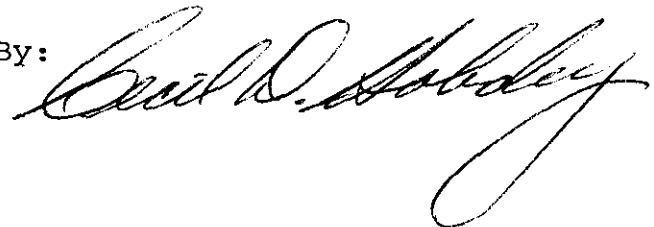
This is the first occasion that the undersigned has had to submit an application where more than 25 cu. ft. are involved. We note from instruction #14 of the regulations and instructions that a notice of the application must be published in three issues in this County. Is there a regular form used for this purpose or should we draft our own?

Awaiting your further advice, we are.

Sincerely yours,

BIRD & HOBDEY

By:



CDH:fm
Encl.

30054