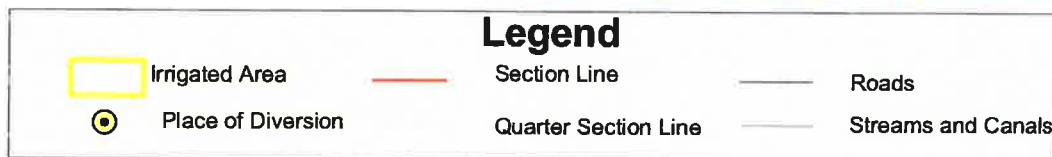
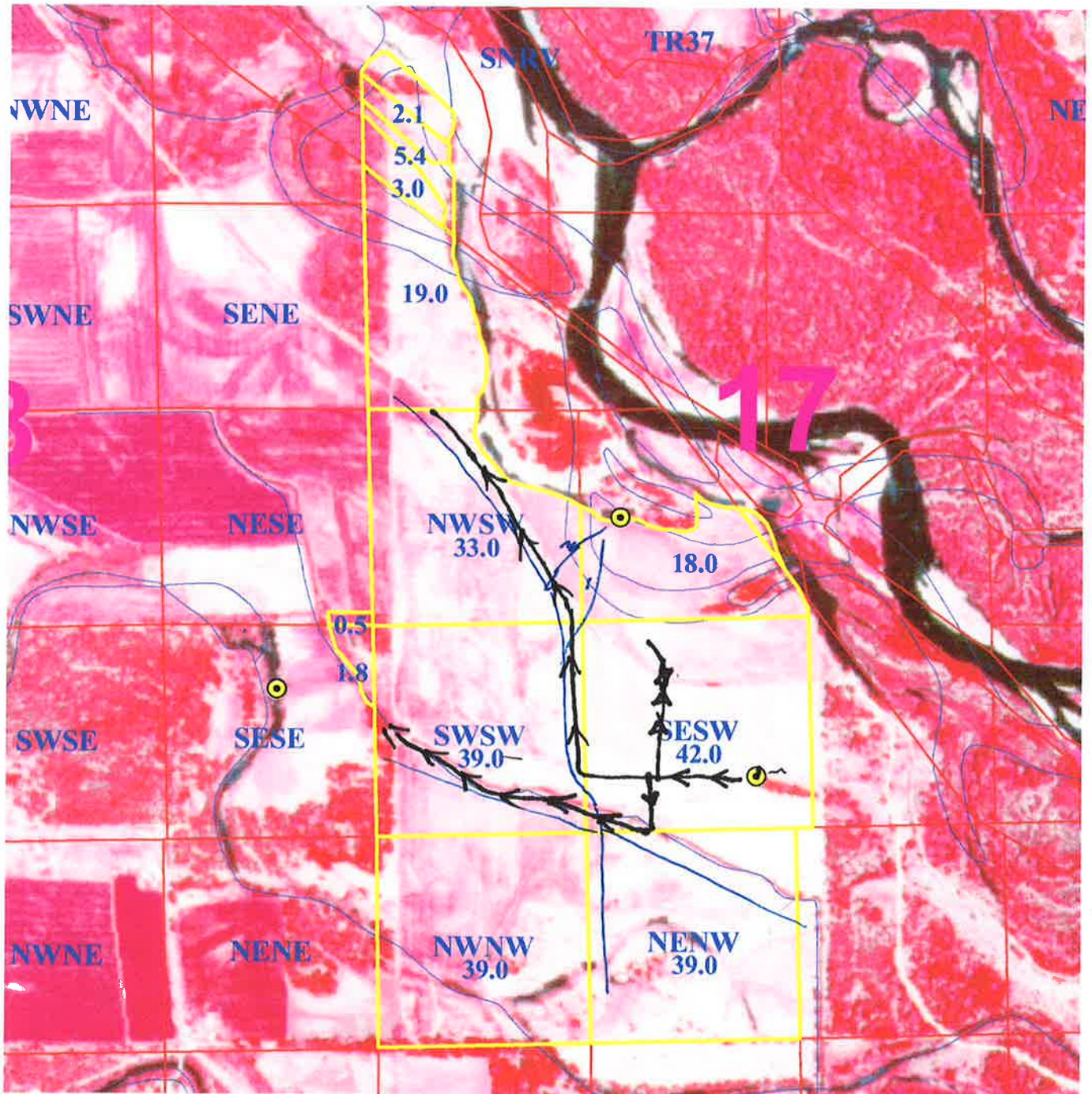


IDAHO DEPARTMENT OF WATER RESOURCES  
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

1

Water Right Claim Number 25-04305  
Townships , 5N38E, 4N40E

12/28/2000



900 0 900 1800 2700 Feet



SPATIAL  
DYNAMICS



ROFILED

JAN 12 2005

SCANNED

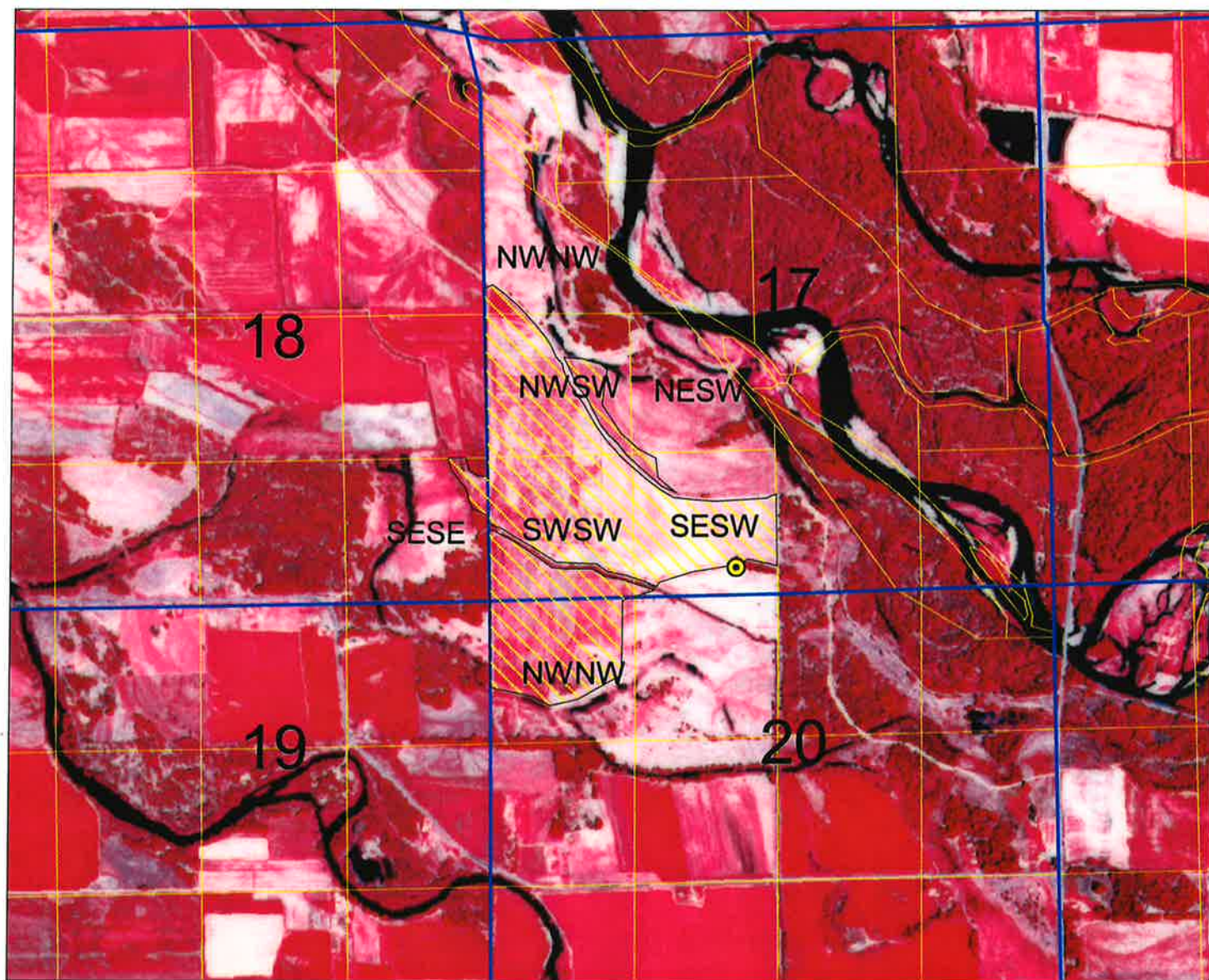


# State of Idaho

## Department of Water Resources

### Eastern Region

Water Right(s): 25-04305



1320 0 1320 2640 3960 Feet

- Point of Diversion
- Place of Use
- Sections
- QQ

PROFILED

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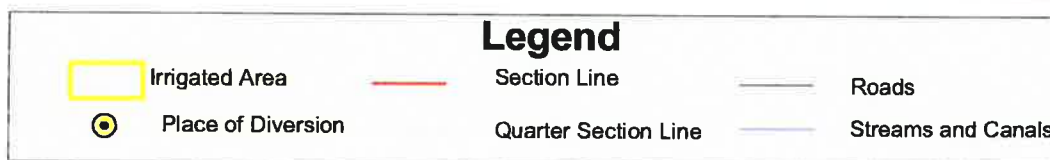
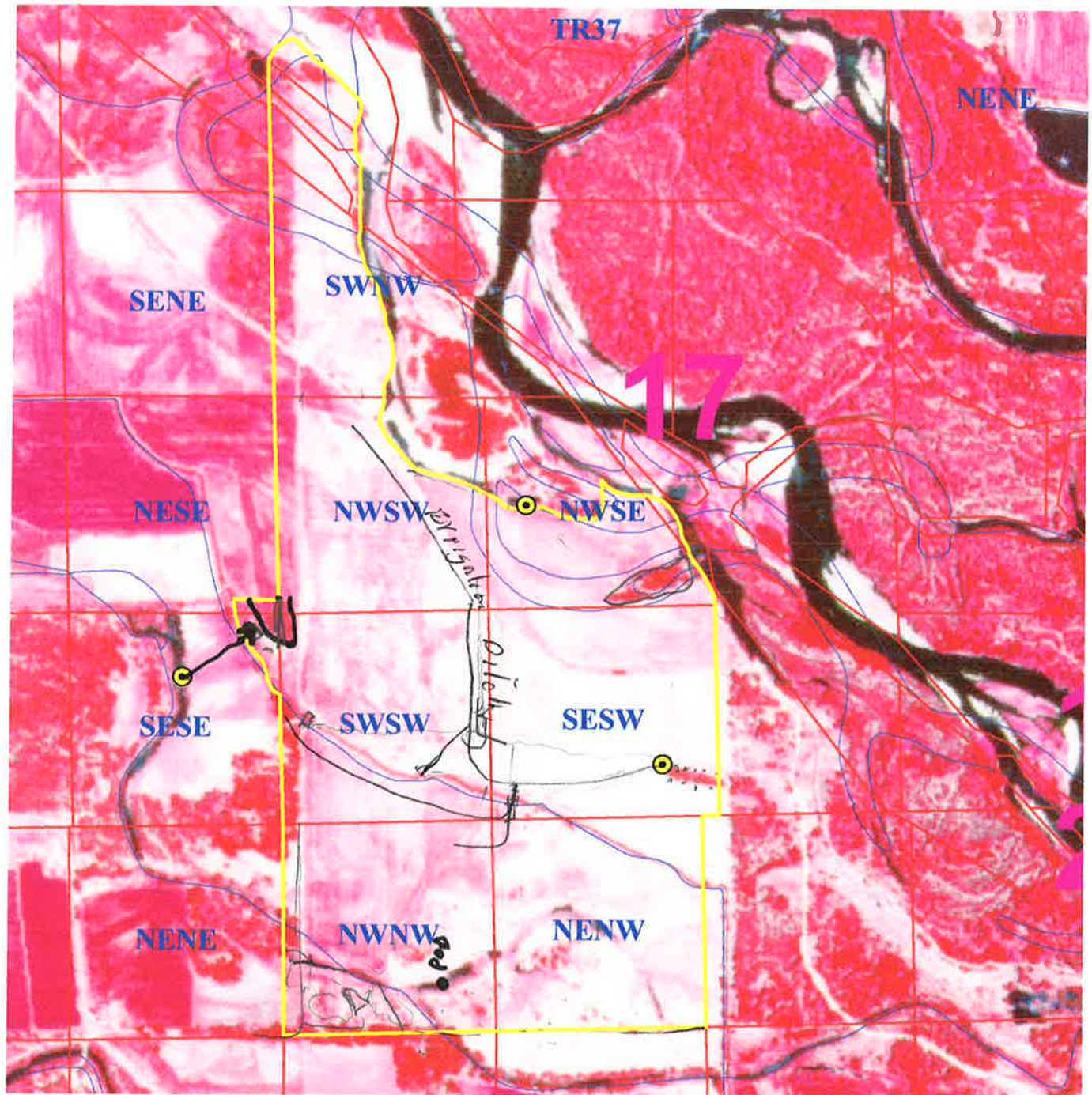
JAN 12 2005



GIS Place of Use Illustration  
1987/1988 NAPP photography  
Prepared by R. Mikesell  
Date: November 2004

Water Right Claim Number 25-04305  
Townships , 5N38E, 4N40E

12/28/2000

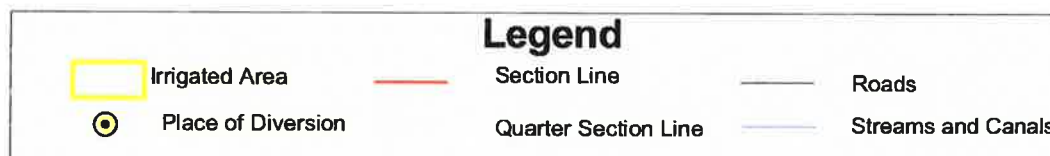


900 0 900 1800 2700 Feet

SPATIAL  
DYNAMICS



## 12/28/2000



**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.  
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

| Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split | Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split |
|-----------------------|------------------------------|-------|-----------------------|------------------------------|-------|
|                       | 28-4305                      |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |

2. The following **REQUIRED** information must be submitted with this form:

A. The appropriate **FILING FEE**. See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):  
**PLAT OF PROPERTY** or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

**OR**

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) EARL G BROWN 282 N 4570 E RIGBY, ID.
4. New Owner/Claimant(s) DON & LUISA BROWN  
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 280 N 4570 E RIGBY, ID.
- City, State and ZIP Code 83442
- New Telephone Number ( ) 538-6835
5. Date you acquired the property 19 June 1996

SCANNED

JAN 12 2005

PROFILED

Water Right No(s). A2504305



GPS DATA:

Tag # A0009591 Location: \_\_\_\_\_

Well Data:

MOTOR

Make: \_\_\_\_\_ Model: \_\_\_\_\_ Hp: \_\_\_\_\_  
SN: \_\_\_\_\_

PUMP

Make: \_\_\_\_\_ Model: \_\_\_\_\_ Disch: \_\_\_\_\_  
SN: \_\_\_\_\_

NOTES:

Gps. 0679348 - 0282945.  
They use a rental pump each year  
\_\_\_\_\_  
\_\_\_\_\_

Field Exam Date: \_\_\_\_\_ Agent: Nick Olson

**PROFILED**

**SCANNED**  
**JAN 12 2005**

Water Right No(s).



GPS DATA:

Tag # \_\_\_\_\_ Location: \_\_\_\_\_

Well Data:

MOTOR

Make: \_\_\_\_\_ Model: \_\_\_\_\_ Hp: \_\_\_\_\_

SN: \_\_\_\_\_

PUMP

Make: \_\_\_\_\_ Model: \_\_\_\_\_ Disch: \_\_\_\_\_

SN: \_\_\_\_\_

NOTES:

Don Brown in picture  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Field Exam Date: \_\_\_\_\_ Agent: \_\_\_\_\_

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PROFILED

JAN 12 2005

PROFILED



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JAN 12 2005



PROFILED  
JAN 12 2005  
SCANNED





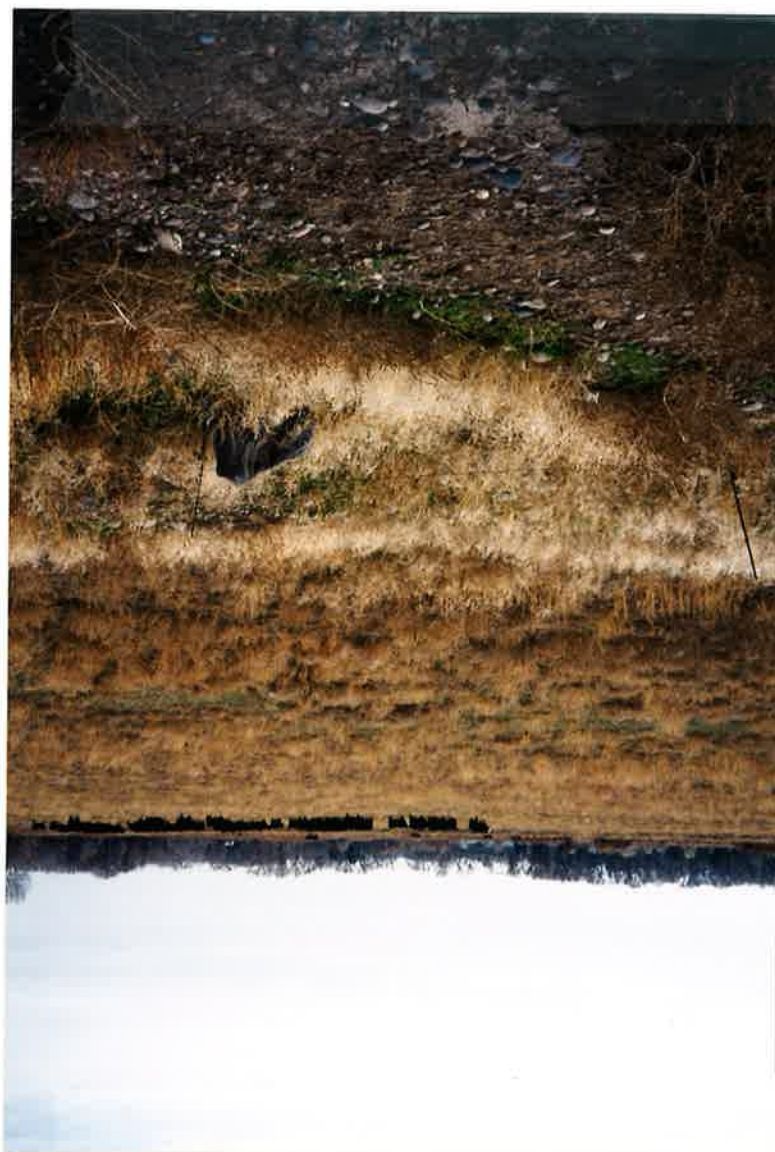
ROFILED

SCANNED  
JAN 12 2005



SCANNED

JAN 12 2005





SCANNED  
JAN 12 2005



PROFILED

Oct 26 2004

To: State of Idaho department of water resources  
From: Don E Brown  
For: Clarification of water claims

My father Earl G. Brown filed a "claim to a water right" that was notarized on June 29, 1984. I don't know all of the reasons he finally filed, but I know that on previous occasions he had been encouraged by others including myself to file a claim. His feelings were since he pumped from open ground water he didn't need to file for anything.

The fact that he filed a claim after so many years was good but the fact that the claim was very inaccurate is definitely bad. The problems with the claim included a serious under estimate of the total irrigated acreage, some of the claim not even on my father's property, some of it where trees are and not being irrigated even to this date and the indicated point of diversion not even being on his own property.

I can recognize my father's signature well and where he signed, as claimant on the notarized document is definitely his signature. Why my father ever signed such an inaccurate statement is totally beyond me. I can say that the indicated areas on the map and acres written weren't in his handwriting.

Please let first point out the errors on the original document and later explain the actual irrigated areas.

1. The 9 acres claimed on section 18 NE quarter SE quarter should be in the slot directly south of where it is located on the map with the south border adjacent to the Lowder canal which is the irrigation canal that is used by the water users to the west and north of the Earl and Ruth Brown farm that I inherited. Part of that section is cottonwood trees and has never been irrigated. On that section is one of the ground water diversion points once used to irrigate part of the farm.
2. The 4 acres claimed on section 17 NW quarter SW quarter is totally understated with the east portion of that piece as shown is actually timber. That field is and has been for many years a section of around 22 acres of irrigated hay ground.
3. The 10 acres claimed on section 17 SE quarter SW quarter as drawn has more than half of it not even on our property. Also the diversion point that our water is pumped from isn't even shown within our property boundary.
4. The field directly north of the acreage noted in item 3 above and the 15 acre field in section 17 SW quarter SE quarter wasn't claimed. This field is directly north of the Levee and is around 40 acres. That field was in my teen years was used as potato field. It has been for many years since a alfalfa field.

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JAN 12 2005

5. The field directly south of the area mentioned in items 3 and 4 above and south to the Lowder canal wasn't even claimed and is around 10 acres.
6. What is called the Lowder Slough on the 1984 water right claim signed by my father is and has been filled up with dirt in most of the sections since I was a small boy. I believe the diversion canal that is in use by my neighbors to the west and north of our farm for irrigation is now called the louder canal. It goes north on the east border of the south corner of our property in section 20 until it cuts across our farm going in a northwesterly path until it leaves our property. The most unbelievable part of the original claim is the total lack of a claim for all the irrigated land that is south of the Lowder canal. The big field north of my current residence was the very first field to be opened up and irrigated. That field was irrigated from the diversion point mentioned in item 3 above VIA a ditch. The ditch starting at the diversion point, was at first a dirt one running to the west then south and across the Lowder canal through a flume, it then goes to the west to the west property line on the south side of the Lowder canal. The exact path of the dirt ditch to the flume across the Lowder canal was changed as the figurations were changed. The ditch was replaced by a cement one in around 1956. I believe a Mr. Lott put in the cement ditch. I have been unable to locate him. I talked to some of the Lott families in the telephone directory and from them learned that he if I have the right one died 5 years ago.
7. We have 269 acres of deeded land. Of that around 200 acres have been irrigated for many years.
8. Many changes were made in the configuration of the fields. Not in acres irrigated but mainly in the consolidation of smaller fields into larger ones. This was possible and accomplished due to my father owning a land leveling business. Most of the later changes were to go from a wet irrigating to sprinkling systems.
9. I grew up on the farm, moving there in 1949 when I was eight years old. As a result I know more about what was farmed and irrigated than anyone else still around. I worked there first weeding potatoes and later doing much of the planting, irrigating and harvesting on the farm as my father was very busy with his land leveling business. I worked on the farm until the Federal Aviation Administration employed me after finishing two years at Ricks College. My parents, grandfather and all of the original hired hands are all gone now. A great wish of mine would be for those people to be able to be here and clear up the totally flawed and inadequate water rite claim filed on June 29 1984.
10. I have included a map of our farm with the fields as they are currently. Almost all the acreage was farmed in the early years. One of the small fields that is part of a larger one was the ground that my father let me farm as a FFA agriculture project as a high school student.

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JAN 12 2005

11. I have also included the ground water diversion points we used. Diversion point #1 was the one used more than any other. Diversion point #2 is the most recent used point.
12. I mentioned in item 10 above that some land wasn't farmed earlier. This was a narrow edge of land on the eastern border of the farm in the area south of the Lowder canal that was left in trees. I can't set a date in my mind when that was changed. It was however after I was employed by FAA.
13. I can't actually say the exact number of acres irrigated due to the irregular shapes of the different fields.

A handwritten signature in black ink, appearing to read "Lance R.", is written across the middle of the page.

**PROFILED**

SCANNED  
JAN 12 2005

W 1/4 E

FIELD 5

GROUND WATER  
DIVERSION PT #2

FIELD 1

FIELD 3

GROUND WATER  
DIVERSION PT #4

FIELD 4

FIELD 2

GROUND WATER  
DIVERSION PT #1

GROUND WATER  
DIVERSION PT #3

Parents home MY RESIDENCE

1 JAN 17 2005

10/25/2004

To whom it may concern:

We are writing this in regard to the farmland owned by Don Brown, inherited from his father Earl Brown. We have been neighbors for 50 or more years. We have worked with Earl and for him at different times. Our son has hunted and fished by and on this farm for a number of years.

We have observed him irrigating with small ditches and sprinkler systems on the land bordering ours, so we could see and know what he was irrigating. Earl did lots of bulldozing work and we watched him make the smaller fields into bigger fields and level them to make it easier to irrigate them all. It is still being irrigated today as it was back then.

*Derwin Chase*  
*Betty J. Chase*  
*Steve D. Chase*

DERWIN CHASE  
BETTY CHASE  
STEVE CHASE

208- 538-7707

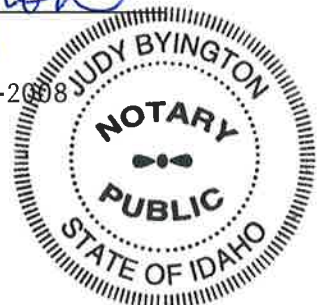
STATE OF IDAHO  
COUNTY OF BONNEVILLE

ON THIS 26TH DAY OF OCTOBER, 2004, BEFORE ME A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED DERWIN CHASE AND BETTY CHASE AND STEVE CHASE KNOWN TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

WITNESS MY HAND AND OFFICIAL SEAL.

*Judy Byington*  
NOTARY PUBLIC FOR IDAHO  
RESIDING AT RIRIE, IDAHO

MY COMMISSION EXPIRES 10-4-2008



SCANNED

JAN 12 2005

PROFILE

October 7, 2004

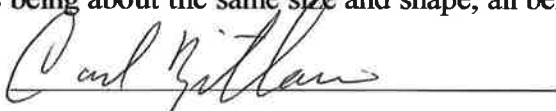
To Whom it may concern:

Re-guarding the Brown farm located approximately 7 to 8 miles East of Rigby Idaho and currently owned by Don Brown, I have been a lifelong resident and current owner of a nearby farm and have continuously observed the operation of the Brown farm since the I was a teenager in the 1950's. In addition to farming within sight of the Brown farm for 50 plus years, I have hunted and fished in this area over this period of time on and near the Brown farm as both our farms border the South Fork of the Snake River. The Lowder Slough Canal, which serves our farm, flows through the middle of the Brown farm and I have participated in canal maintenance over this same period and observed the operation of the Brown farm.

In the 1950's I observed the Browns raising irrigated crops by pumping water out of well pits dug in several locations on their farm. At first many small fields were irrigated out of numerous small ditches, with ongoing land leveling and combining of the small fields into larger fields taking place in the earlier years, the dirt ditches eventually being replaced with concrete ditches. When sprinkler systems became readily available, the Browns converted to sprinkler irrigation, still pumping out of the well pits, as they are currently doing.

When my father died in the Fall of 1976, I took over the bull-dozer maintenance of the Lowder Slough Canal for many years, dozing the Canal through the Brown farm each year. To my best recollection, the Brown farm looked about the same in 1977 and many years prior as it does today, the fields being about the same size and shape, all being irrigated.

Carl Zitlau  
538-7140



#### INDIVIDUAL ACKNOWLEDGMENT

STATE OF IDAHO )  
COUNTY OF JEFFERSON ) SS

On this 29TH day of OCTOBER, in the year 2004, before me THE UNDERSIGNED, a notary public in and for the State of Idaho, personally appeared CARL ZITLAU, known or identified to me (or proved to me on the oath of \_\_\_\_\_), to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

  
Notary Public for IDAHO

Residing at \_\_\_\_\_

My commission expires \_\_\_\_\_

JASON S. BENEDICT  
NOTARY PUBLIC  
STATE OF IDAHO

JASON S. BENEDICT, NOTARY PUBLIC  
RESIDING AT: IDAHO FALLS, IDAHO  
MY COMMISSION EXPIRES: 11/21/2008

PROFILED

SCANNED

JAN 12 2005

# QUITCLAIM DEED

For Value Received

DON E. BROWN as Personal Representative of the Estate of  
EARL B. BROWN

do hereby convey, release, remise and forever quit claim unto

DON E. BROWN and LUAINA BROWN, husband and wife

the following described premises, to-wit:

SEE ATTACHMENT

REVENUE STAMPS

together with their appurtenances.

Dated:

Don E. Brown 11-3-98

Don E. Brown as Personal Representative  
of the Estate of Earl G. Brown

Microfilm No. 293896  
13 Day November 19 98  
At 9:50 O'clock AM  
CONNIE M. KELLER  
Jefferson Co. Recorder  
Fee \$ 6.00 SL Under  
Recorded at Request of  
John Radin

STATE OF UTAH COUNTY OF Wasatch  
On this 3rd day of November, 19 98,  
before me, a notary public in and for said State, personally  
appeared

Don E. Brown as Personal Representative  
of the Estate of Earl G. Brown

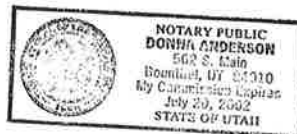
known to me to be the person who name is  
subscribed to the within instrument, and acknowledged to  
me that he executed the same.

Donna Anderson  
Notary Public

Residing at Davis Utah  
Comm. Expires July 20, 2003

RECEIVED BY  
ASSESSOR

ATTING  
11-13-98 Time 2:00 pm



SCANNED  
JAN 12 2005

PROFILED

Furnished by the AMERICAN LAND TITLE CO

***ATTACHMENT***  
***Legal Description***

**Parcel 1:** The north one-half of the northwest quarter of Section 20, Township 4 North, Range 40 EBM.

**Parcel 2:** Lots 2, 3 and the west one-half of the southwest quarter, and the southeast quarter of the southwest quarter of Section 17, Township 4 North, Range 40 EBM.

**Parcel 3:** That certain part of the southeast quarter of the southeast quarter lying north and east of Lowder Slough of Section 18, Township 4 North, Range 40 EBM.

**Parcel 4:** A parcel 17 by 13 rods in the southwest corner of the northeast quarter of the northeast quarter of Section 19, Township 4 North, Range 40 EBM.

**PROFILED**

**SCANNED**  
**JAN 12 2005**

Recorded at the request of Don E. Brown. Mail tax notices to Don E. Brown, 833 East Mill Street, Bountiful, UT 84010.

Recorded by \_\_\_\_\_ Book \_\_\_\_\_ Page \_\_\_\_\_ Ref.: \_\_\_\_\_

## QUIT-CLAIM DEED

G. Ruth Brown, Grantor, of Bountiful, Davis County, State of Utah, hereby QUIT-CLAIMS to Don E. Brown and Luaina Brown, as joint tenants with rights of survivorship, Grantees, of Bountiful, Davis County, State of Utah, for the sum of Ten Dollars and other good and valuable consideration, the following tracts of land in Jefferson County, State of Idaho:

Parcel 1: The north one-half of the northwest quarter of Section 20, Township 4 North, Range 40 EBM.

Parcel 2: Lots 2, 3 and the west one-half of the southwest quarter, and the southeast quarter of the southwest quarter of Section 17, Township 4 North, Range 40 EBM.

Parcel 3: That certain part of the southeast quarter of the southeast quarter lying north and east of Lowder Slough of Section 18, Township 4 North, Range 40 EBM.

Parcel 4: A parcel 17 by 13 rods in the southwest corner of the northeast quarter of the northeast quarter of Section 19, Township 4 North, Range 40 EBM.

WITNESS the hand of the Grantor, this 5th day of April, 1995:

G. Ruth Brown  
G. Ruth Brown, GRANTOR

STATE OF UTAH )  
 ) ss  
COUNTY OF SALT LAKE )

On the 5th day of April, 1995, G. Ruth Brown personally appeared before me, a Notary Public of the State of Utah, and acknowledged that she is the signer of the within Quit-Claim deed, and that she executed the same.

Microfilm No. 281257  
19 Cls. June 19 96  
At 8:52 O'clock PM  
CONNIE M. KELLER  
Jefferson Co. Recorder  
Fee \$ 3.00 56 Depts  
Recorded at Request of Don E. Brown

RECEIVED BY  
ASSESSOR  
For PLATTING  
Date: 11/28/1996 3:40pm  
Kristi A. Jorgenson  
Notary Public  
KIRSTI A. JORGENSEN  
Notary Public  
STATE OF UTAH  
My Comm. Exp. JUN 30, 1996  
124 S 600 E SLC UT 84102

SCANNED

JAN 12 2005

Do- Brown H 801 293 -8337  
W 901 320 2293

TOTAL P.01

538-6835  
260N 45 70E  
ID 83442

Source = groundwater  
(according to Ernie)  
# of acres = 81  
Missed appointment  
on 9/16/04 at 9:00am  
reschedule to 9/23/04 - 9:00am

SCANNED  
JAN 12 2005

PROTECTED

Source  
# of acres  
Priority  
Should this be 2 days

asked for additional EOP  
on 9/23/04 and a  
change of ownership  
See Spatial Dynamics Map  
for PDDs - could include  
accomplished change in PDD

Need higher quantity  
of water due to soil type  
Soil is Rocky and Sandy  
along the Riverbank  
Ditches are concrete to  
combat water loss

sub Bessy -  
(527-7155 7144  
Emergency Management  
Bill of Englewood  
Bill Wella, Washington  
Mile 845  
Cor tried to maintain water rights  
and did not designate whether or  
not land could be farmed - just  
wildings. had temp easement and  
good 30' load 0.3' 1 to maintain easements

Ditch under Dyke for flood is  
No longer there.

#2 Sprinkler went out top  
#1 goes through culvert in levee

11/9/04 Jensen Res.

GPS Track of lawn to house  
for Believed ground water use.

Army Cor. Rip-rap on NE  
corner of property

960 SW Corner was leveled

on East of POD - North of  
here was always flood irrigated

to 1966 East POD was  
in after that The Warth  
is main Point.

After 1961 that's when Dan  
ft to work for you't

SCANNED

JUL 30 2001

Log for claim 25-04305

Spatial Dynamics CAT

12/26/00

| TR             | SEC | QQ       | Acres<br>Claimed | Acres<br>Found | COMMENT                                                 |
|----------------|-----|----------|------------------|----------------|---------------------------------------------------------|
| 04n40e         | 17  | NWSW     | 28               | 33             |                                                         |
| 04n40e         | 17  | NWNW     | 7                | 2.1            | GCDB is irregular due to river                          |
| 04n40e         | 17  | SESW     | 38               | 42             |                                                         |
| 04n40e         | 17  | SWSW     | 38               | 39             |                                                         |
| 04n40e         | 17  | NESW     | 11               | 18             |                                                         |
| 04n40e         | 17  | ?        | 0                | 3              | GCDB irregular due to river                             |
| 04n40e         | 17  | SWNW     | 14               | 19             |                                                         |
| 04n40e         | 18  | NESE     | 0                | 0.5            | added acreage to SESE sec 18, GCDB and photo are offset |
| 04n40e         | 18  | SESE     | 2                | 1.8            |                                                         |
| 04n40e         | 20  | NENW     | 36               | 39             |                                                         |
| 04n40e         | 20  | NWNW     | 36               | 39             |                                                         |
| 04n40e         | 86  | SNRV / ? | 0                | 5.4            | This acreage considered in the 07 acres located in      |
| <b>Totals:</b> |     |          | 210              | 241.8          |                                                         |

AJ5809NP  
No. A25-04305

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/26/00  
PAGE: 78

| OWNER<br>CODE | NAME & ADDRESS | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|---------------|----------------|------------------|------------|-----------------------|-------------------|---------------------|
| C             | EARL G BROWN   | 05/01/1949       | IRRIGATION | 04-01 11-01           | 4.150 CFS         |                     |
| C             | RUTH BROWN     |                  |            |                       |                   |                     |
|               | 282 N 4570 E   |                  |            |                       |                   |                     |
|               | RIGBY ID 83442 |                  |            |                       |                   |                     |
|               | (208) 538-7973 |                  |            |                       |                   |                     |
|               |                |                  |            | TOTAL DIVERSION:      | 4.150 CFS         |                     |
|               |                |                  |            | CONSUMPTIVE USE:      |                   | 525.00 AFA          |

Water Source: UNNAMED POND

Tributary to: SINKS

Stage: STATUTORY CLAIM

Point(s) of Diversion: T04N R40E S17 NESW  
S18 SESE

JEFFERSON County  
JEFFERSON County

Place of use Legal Description for: IRRIGATION

|     |     |    |   | NE   |      |      |      | NW |      |      |      | SW   |   |      |      | SE   |      |   |      |      |      |      |             |       |       |
|-----|-----|----|---|------|------|------|------|----|------|------|------|------|---|------|------|------|------|---|------|------|------|------|-------------|-------|-------|
| T   | R   | S  | : | NENE | NWNE | SWNE | SENE | :  | NENW | NWNW | SWNW | SENW | : | NESW | NWSW | SWSW | SESW | : | NESE | NWSE | SWSE | SESE | :           | SUM   |       |
|     |     |    | : | Lt   | Ac   | Lt   | Ac   | :  | Lt   | Ac   | Lt   | Ac   | : | Lt   | Ac   | Lt   | Ac   | : | Lt   | Ac   | Lt   | Ac   | :           |       |       |
| 04N | 40E | 17 | : |      |      |      |      | :  |      |      | 07   | 14   | : | 11   | 28   | 38   | 38   | : |      |      |      |      | :           | 136.0 |       |
| 04N | 40E | 18 | : |      |      |      |      | :  |      |      |      |      | : |      |      |      |      | : |      |      |      | 02   | :           | 2.0   |       |
| 04N | 40E | 20 | : |      |      |      |      | :  | 36   | 36   |      |      | : |      |      |      |      | : |      |      |      |      | :           | 72.0  |       |
|     |     |    |   |      |      |      |      |    |      |      |      |      |   |      |      |      |      |   |      |      |      |      | TOTAL ACRES |       | 210.0 |

POU County: JEFFERSON

Non-Irrigation Uses: NONE

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):  
25-11500 A25-11500 A25-11501

Other Water Rights Listing Overlapping Place(s) of Use:  
A01-00119 A25-11501

Remarks: GEN ACCORDING TO MR. BROWN AT ONE TIME HE PRODUCED 400 MINERS INCHES  
OR 8.00 CFS FROM THESE POINTS OF DIVERSION.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:  
Presumption Flag:

Audit: 11/28/88 MULLINS 03/29/95 POST-STD 06/13/95 KWILSON

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that EARL G. or RUTH BROWN

Route 2, Rigby, Idaho 83442

(Name of Claimant)

Telephone No. 538-7973

(Mailing Address)

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) May 1, 1949

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Unnamed Pond tributary to Sinks

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

|          | (cfs, af)  | (Domestic, Irrigation, Stock, Etc.) | (Both dates Inclusive)        |                |
|----------|------------|-------------------------------------|-------------------------------|----------------|
|          |            |                                     | (Mo., Day)                    | (Mo., Day)     |
| Quantity | <u>1.6</u> | Use <u>Irrigation</u>               | Period of Use From <u>4-1</u> | To <u>11-1</u> |
| Quantity |            | Use                                 | Period of Use From            | To             |
| Quantity |            | Use                                 | Period of Use From            | To             |
| Quantity |            | Use                                 | Period of Use From            | To             |
| Quantity |            | Use                                 | Period of Use From            | To             |

- (4) 1.6 TOTAL QUANTITY USED.

(cfs, af)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

SW 1/4 SE 1/4, Sec. 17 Twp. 4N Rge. 40E B.M., County of Jefferson

Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. 20 x 300' pond with Fairbanks Morse Tractor pump

2200' concrete ditches

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

| T  | R   | SEC. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | TOTAL |
|----|-----|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|-------|
|    |     |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |       |
| 4N | 40E | 17   |        |        |        |        |        |        | 4      |        |        | 22     | 21     | 15     |        |        | 10     |        | 72    |
|    |     | 18   |        |        |        |        |        |        |        |        |        |        |        |        | 9      |        |        |        | 9     |
|    |     |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|    |     |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|    |     |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|    |     |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|    |     |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|    |     |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|    |     |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|    |     |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |

No. of acres 81

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered:

- (7) If you are claiming water as a member of an organization, list name of organization:

DEC 17 1995

TO: IDAHO DEP. OF WATER RESOURCES  
FROM: DON E BROWN  
FOR: STATEMENTS CONCERNING WATER RIGHT CLAIM

THE WARRANTY DEED FOR MY PARENTS FARM WAS APRIL 18, 1949 AND RECORDED APRIL 27 1949. MY FATHER HAD A LAND LEVELING SERVICE AND OPENED UP MUCH OF THE FARM THAT FIRST YEAR AND PUT CROPS IN IT AS HE HAD A EARTHMOVING AND LAND LEVELING BUSINESS. HE PUMPED WATER FROM QUITE A NUMBER OF DIFFERENT LOCATIONS ON HIS FARM FOR IRRIGATION AS THE WATER LEVEL WAS QUITE HIGH AND ALL HE HAD TO DO WAS DIG OUT A HOLE AND START PUMPING. HE CHANGED THE CONFIGURATION OF HIS FIELDS AND WHERE HE PUMPED FROM AS HE WAS ABLE TO HAVE TIME FROM HIS LAND LEVELING SERVICE. THIS WAS A ONGOING PROJECT FOR HIM FOR MANY YEARS.

AS A SIDENOTE I KNOW PART OF THE REASON HE SETTLED ON THE CURRENT PUMPING LOCATIONS ON HIS FARM WAS THEY PROVIDED CONTINUOUS WATER FOR EXTENDED PUMPING. SOME OF THE EARLY PUMPHOLES DIDN'T REFILL FAST ENOUGH FOR EXTENDED WATER EXTRACTION.

AROUND 1956 HE HAD SOME CEMENT DITCHES INSTALLED TO CARRY THE WATER TO THE DIFFERENT FIELDS. THIS WAS QUITE A IMPROVEMENT AS THE SOIL IN THAT AREA IS SANDY AND NOT TO DEEP. PREVIOUSLY WE HAD TO LINE PROBLEM SECTIONS OF DITCHES WITH PLASTIC DUE TO SINK HOLE PROBLEMS.

I WAS BORN IN 1941 AND LIVED AT HOME UNTIL 1961. I IRRIGATED MY PARENTS FARM FROM QUITE A EARLY AGE AND FROM THE AGE OF 15 UNTIL I LEFT FOR MY OWN EMPLOYMENT DID A MAJOR PART OF THE IRRIGATION ON THE FARM. I COULD PROVIDE YOU WITH MUCH MORE INFORMATION THAN OUTLINED HERE IN THIS LETTER.

YOU HAD ASKED FOR NAMES OF PERSONS TO VERIFY THE WATER USAGE. PART OF THAT IS DIFFICULT FOR ME AS LITERALLY ALL OF THE FARMERS THAT LIVED ADJACENT TO MY PARENTS FARM AND MOST OF THE FARM HANDS THAT WORKED ON THE FARM IN MY YOUTH PASSED AWAY PREVIOUSLY TO MY FATHERS DEATH IN JANUARY OF 1995.

MY MOTHER TOOK ILL IN EARLY AUGUST WITH PNEUMONIA AND THEN HAD A NEAR FATAL STROKE AT "PIONEER VALLEY HOSPITAL" AT W V CITY, UT. AFTER A STAY OF 16 DAYS SHE WAS PUT IN REHAB. AT "SOUTH DAVIS COMMUNITY HOSPITAL" AT BOUNTIFUL, UT. FOR 100 DAYS. SHE IS CURRENTLY LIVING AT MY RESIDENCE AT BOUNTIFUL UT. SHE IS LUCID BUT WILL UNABLE TO CARE FOR HERSELF FOR THE REST OF HER LIFE.

THE ITEMS MENTIONED IN THIS LETTER ARE FACTUAL AND MY FATHER USED THE WATER FOR HIS FARM FOR MANY YEARS. HE BELIEVED THAT IF YOU PUMPED WATER A WATER RIGHT WASN'T NEEDED. LATER HE FOUND OUT THAT HE WASN'T CORRECT AND FILED A WATER RIGHT THE 29TH DAY OF JUNE 1984. THE PROBLEM WAS HE DIDN'T FILE FOR.

1. ENOUGH WATER.
2. THE ACREAGE WAS WRONG.
3. PART OF THE WATER RIGHT WAS FOR THE WRONG PROPERTY.

WHY THIS WAS DONE IN THIS MANNER IS A GOOD QUESTION. I WONDERED IF WE DIDN'T GET ALL OF THE RECORDS BUT 2 OF YOUR PEOPLE HAVE CHECKED THE RECORDS AND SAY NOTHING ELSE WAS FILED. THE ONLY OTHER LOGICAL EXPLANATIONS TO ME ARE MY PARENTS DIDN'T UNDERSTAND THE PAPERWORK ON THE WATER RIGHT APPLICATION FULLY WHEN THEY APPLIED FOR AND SIGNED FOR IT.

I THANK YOU FOR YOUR CONSIDERATION IN THIS MANNER AND WILL LOOK TOWARDS GETTING THIS RESOLVED. THIS HAS BEEN A GREAT CONCERN TO ME THESE PAST MONTHS.

RECEIVED

DEC 20 1995

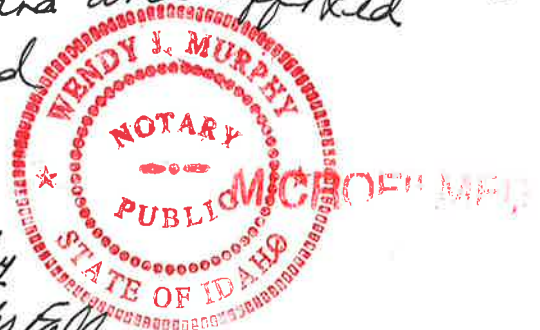
Department of Water Resources  
Eastern District Office

RESPECTFULLY YOURS

*Don E. Brown*  
DON E BROWN

On this 20<sup>th</sup> day of December, 1995, Don E Brown personally appeared before me. In Witness Whereof, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first written.

Wendy J. Murphy  
Residing in Idaho Falls  
Expires 6/23/2000



RECEIVED

DEC 20 1995

DEC 17, 1995

Department of Water Resources  
Eastern District Office

TO: IDAHO DEP. OF WATER RESOURCES  
FROM: RUTH BROWN  
FOR: STATEMENTS CONCERNING WATER RIGHT CLAIM.

MY SON DON E BROWN TYPED THIS LETTER FOR ME FOR STATEMENTS ABOUT OUR CLAIM FOR A WATER RIGHT FOR MY FARM. MY HUSBAND EARL G. BROWN PASSED AWAY THIS PAST 1-12-95 DUE A AUTOMOBILE ACCIDENT. MY SON DON INVESTIGATED THE WATER RIGHT WE HAD PREVIOUSLY APPLIED FOR AND NOTED IT WAS INCOMPLETE AND INCORRECT. FOR THIS REASON WE HAVE APPLIED FOR A UPDATED AND NEW WATER RIGHT FOR MY FARM.

EARL AND I PURCHASED THE FARM APRIL OF 1949. EARL AND EMERY HUBBARD MADE PURCHASE OF THE FARM WITH EARL MY HUSBAND GETTING THE HALF OF THE FARM WITHOUT A WATER RIGHT. MY HUSBAND WASN'T WORRIED ABOUT WATER AT THAT TIME AS DESIEL FUEL WAS VERY CHEAP THEN AND HE THOUGHT PUMPING WAS A VERY GOOD ALTERNATIVE TO HAVING TO BOTHER WITH THE CANNEL AND DITCH PROBLEMS. THE WAY THEY DECIDED WHO WOULD GET WHAT HALF OF THE ORIGINAL FARM WAS BY A COIN TOSS.

AT ONE TIME EARL DECIDED TO PURCHASE WATER FROM THE LOWDER CANNEL RUNNING THROUGH HIS PROPERTY BUT "TOOTS" ZITLAW, FRED ZITLAW'S WIFE OPPOSED IT. EARL BEING QUITE INDEPENDENT DIDN'T PURSUE IT AND JUST CONTINUED TO PUMP WATER OUT OF HIS OPEN SINKS.

MY HUSBAND, EARL OPENED UP AND LEVELED THE FARM WITH HIS EARTHMOVING EQUIPMENT. THE REASON HE GOT SUCH A EARLY START WITH THE FARM WAS EARL WAS ABLE TO GET A GOOD BURN ON SOME TIMBER ON THE FARM AND WAS ABLE TO CLEAR IT EASILY FOR USE AS FARMLAND.

WE FIRST RAISED GRAIN THEN HAY AND LATER WE RAISED POTATOES FOR MANY YEARS. LATER MY HUSBAND RAN CATTLE AND THEN HAD PASTURE, GRAIN AND HAY FOR THE CATTLE. WE RAISED UP TO 250 HEAD AT A TIME. THE LAST TIME WE CULTIVATED POTATOES WAS IN 1993 WHEN WE RENTED OUT SOME LAND TO THE "COOK SNAKE RIVER FARMS".

EARL WAS QUITE PROUD OF THE WATER HE COULD PUMP WITH HIS PUMP REALLY FILLING A BIG DITCH FULL OF FLOWING WATER FOR IRRIGATION. HE OFTEN LIKED TO SHOW IT TO FRIENDS AND NEIGHBORS.

MICROFILMED

SINCERELY YOURS

RUTH BROWN

*Ruth Brown*

25-04305

May 6, 1991

EARL G BROWN  
282 N 4570 E  
RIGBY ID 83442

RE: **Evidence of Priority**

Dear Mr. Brown:

The Notice of Claim identified with the number shown at the end of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates the water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a License, Decree, or Permit. For this reason, proof must be provided supporting the priority date.

For your reference I have provided a printout of your Notice and the pamphlet entitled **"Evidence of Priority"**. The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read all of the pamphlet, I direct your attention to the two sections entitled **"What Kind of Evidence is Required"** and **"Some Examples of Documents Which May Be Evidence of the Priority Date"**.

It is our goal to recommend this historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notice have been or soon will be conducted by Department personnel. But, the **Department will not recommend the Notice be decreed by the court if no evidence of a priority date is submitted.**

Please submit the required evidence supporting the priority date by **June 6, 1991**, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

MICROFILMED  
NOV 10 1992

Earl G. Brown

Page 2

All Notices required to submit this evidence are currently being reviewed for recommendation to the court. Hence, the need for expediency on your part or your agency. Every effort should be made to submit this information within 30 days of the date of this letter.

Respectfully submitted,

Ernest Carlsen  
Water right Supervisor, Adjudication

EC:sc

Enclosure: Brochure on "Evidence of Priority"  
Proof Report

A25-04305  
EARL G. BROWN  
RUTH BROWN  
282 N. 4570 E.  
RIGBY

IN 83442

MICROFILMED  
NOV 10 1982

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

IN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 25-4305  
Date Received: 6/13/1995  
Receipt No: E021135  
Received By:

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

1. Name of Claimant(s)

*for*  
DON E BROWN Phone: (208) ~~583~~<sup>538</sup>-6835  
280 N 4570 E  
RIBGY ID USA 83442

LUAINA BROWN Phone: (208) 538-6835  
280 N 4570 E  
RIGBY ID USA 83442

2. Date of Priority: 05/01/1949

3. Source: POND Trib. to: SINKS

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County    | Type |
|----------|-------|---------|-----------------------|-----------|------|
| 04N      | 40E   | 17      | NE SW                 | JEFFERSON |      |
| 04N      | 40E   | 19      | NW NW                 | JEFFERSON |      |
| 04N      | 40E   | 18      | SE SE                 | JEFFERSON |      |
| 04N      | 40E   | 17      | SE SW                 | JEFFERSON |      |

5. Description of diverting works:

PUMP, CONCRETE DITCHES

6. Water is used for the following purposes:

| Purpose    | From | To    | C.F.S. | (or) A.F.A |
|------------|------|-------|--------|------------|
| IRRIGATION | 4/01 | 11/01 | 4.15   |            |

7. Total Quantity Appropriated is:  
4.15 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

| Township    | Range | Section | 1/4 of 1/4    |    | Lot | Use        | Acres |
|-------------|-------|---------|---------------|----|-----|------------|-------|
| 04N         | 40E   | 17      | NW            | NW |     | IRRIGATION | 7     |
|             |       |         | SW            | NW |     | IRRIGATION | 14    |
|             |       |         | NE            | SW |     | IRRIGATION | 11    |
|             |       |         | NW            | SW |     | IRRIGATION | 28    |
|             |       |         | SW            | SW |     | IRRIGATION | 38    |
|             |       |         | SE            | SW |     | IRRIGATION | 38    |
|             |       |         | Section Acres |    |     |            |       |
| 04N         | 40E   | 18      | SE            | SE |     | IRRIGATION | 2     |
|             |       |         | Section Acres |    |     |            |       |
| 04N         | 40E   | 20      | NE            | NW |     | IRRIGATION | 36    |
|             |       |         | NW            | NW |     | IRRIGATION | 36    |
|             |       |         | Section Acres |    |     |            |       |
| Total Acres |       |         |               |    |     | 210        |       |

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:

14. Remarks:

ACCORDING TO MR. BROWN AT ONE TIME HE PRODUCED 400 MINERS INCHES OR 8.00 CFS FROM THESE POINTS OF DIVERSION.

15. Basis of Claim: Statutory Claim

16. Signature(s) - See change of Ownership

SCANNED

JUL 31 2000

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

IN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A25-04305  
Date Received: 6/13/1995  
Receipt No: E021135 E004498  
Received By: KCW JP

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: EARL G BROWN 208-538-7973  
Address: 282 N 4570 E  
RIGBY ID 83442  
OR  
Name: RUTH BROWN 208-538-7973  
Address: 282 N 4570 E  
RIGBY ID 83442

2. Date of Priority: MAY 1, 1949

3. Source: UNNAMED POND Trib. to: SINKS

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County    |
|----------|-------|---------|--------|--------|--------|-----|-----------|
| 04N      | 40E   | 17      |        | NE     | SW     |     | JEFFERSON |
|          |       |         |        | SE     | SW     |     | JEFFERSON |
|          |       | 18      |        | SE     | SE     |     | JEFFERSON |

5. Description of diverting works:  
PUMP, CONCRETE DITCHES

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 4.150 |      |        |

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

8. Total consumptive use is 525.0 Acre Feet Per Annum.

9. Non-irrigation uses:  
NONE

MICROFILMED

NOV 0 / 1990

10. Place of Use:

| Township | Range | Section | 1/4           | of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|---------------|----|-----|-----|-----|-------|
| 04N      | 40E   | 17      | NW            |    | NW  |     | IRR | 7.0   |
|          |       |         | SW            |    | NW  |     | IRR | 14.0  |
|          |       |         | NE            |    | SW  |     | IRR | 11.0  |
|          |       |         | NW            |    | SW  |     | IRR | 28.0  |
|          |       |         | SW            |    | SW  |     | IRR | 38.0  |
|          |       |         | SE            |    | SW  |     | IRR | 38.0  |
|          |       |         | Section Acres |    |     |     |     | 136.0 |
|          |       | 18      | SE            |    | SE  |     | IRR | 2.0   |
|          |       |         | Section Acres |    |     |     |     | 2.0   |
|          |       | 20      | NE            |    | NW  |     | IRR | 36.0  |
|          |       |         | NW            |    | NW  |     | IRR | 36.0  |
|          |       |         | Section Acres |    |     |     |     | 72.0  |
|          |       |         | Total Acres   |    |     |     |     | 210.0 |

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:  
NONE

14. Remarks:  
ACCORDING TO MR. BROWN AT ONE TIME HE PRODUCED 400 MINERS INCHES  
OR 8.00 CFS FROM THESE POINTS OF DIVERSION.

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do        do not   /   wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments:   2  

MICROFILMED

NOV 11 1995

**For Individuals:**

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

Signature of Claimant(s): Ruth Brown Date: 6-13-95  
\_\_\_\_\_ Date: \_\_\_\_\_

State of Idaho )  
County of Bonnaville ) ss.

Subscribed and sworn (or affirmed) before me this 13 day  
of June 19 95

\_\_\_\_\_  
Notary Public

Seal

Residing at BETTY J. THOMPSON, NOTARY PUBLIC  
RESIDING AT 1400 E. 1000 N., IDAHO  
My Commission Expires 7-05-2000

**MICROFILMED**  
NOV 11 1990



R40E

T42

SEC 17

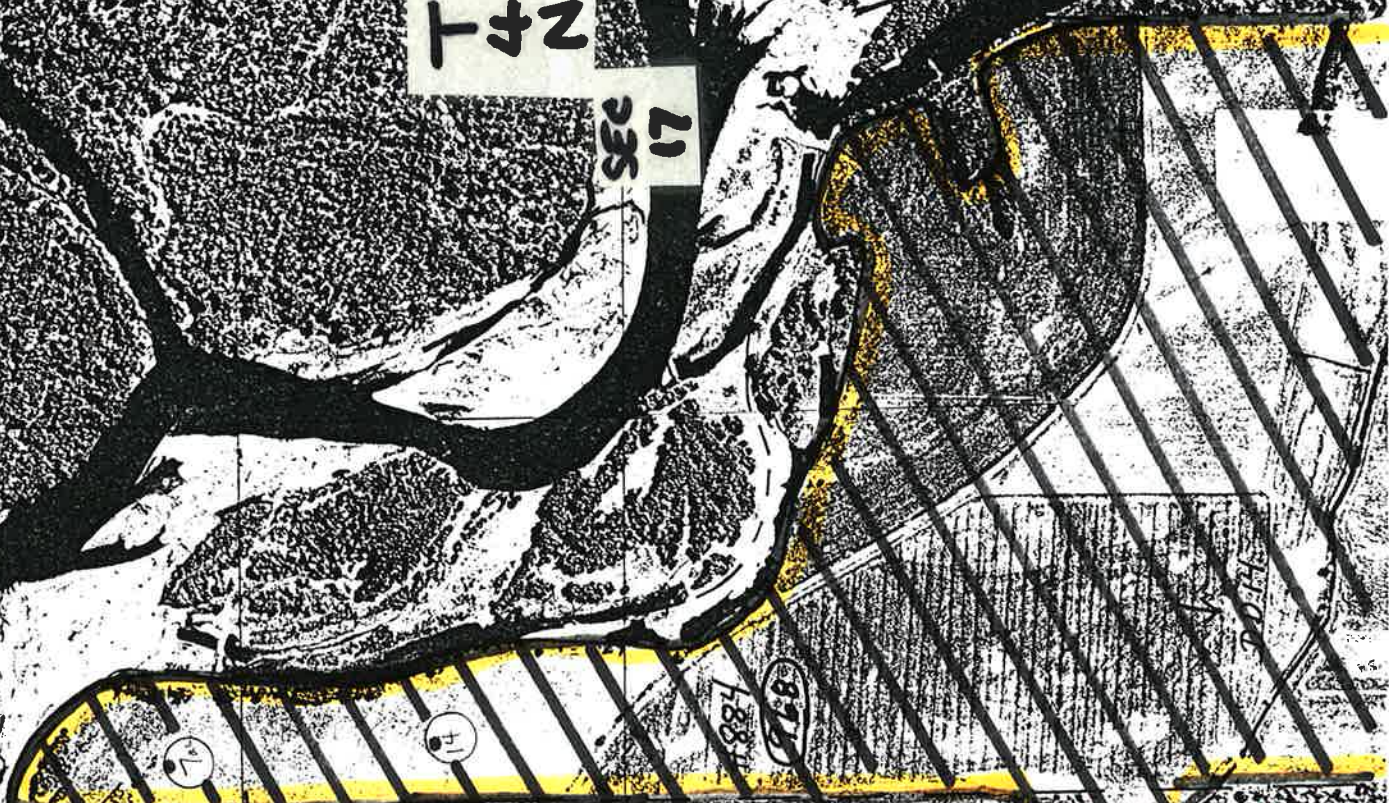
SEC 18

A25-04305

NOV 11 1950

RECEIVED

UNIT



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

IN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A25-04305  
Date Received: 11/28/1988  
Receipt No: E004498  
Received By: JP

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: EARL G. BROWN  
Address: 282 N. 4570 E.  
RIGBY, ID

83442

208-538-7973

AND

Name: RUTH BROWN  
Address: 282 N. 4570 E.  
RIGBY, ID

83442

208-538-7973

2. Date of Priority: MAY 01, 1949

3. Source: UNNAMED POND

Trib. to: SINKS

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County    |
|----------|-------|---------|--------|--------|-----|-----|-----------|
| 04N      | 40E   | 17      | SW     | SE     |     |     | JEFFERSON |

5. Description of diverting works:  
PUMP, CONCRETE DITCHES

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 1.600  |      |        |

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

A.F.A.

8. Total consumptive use is 202.5 Acre Feet Per Annum.

9. Non-irrigation uses:  
NONE

A2504305



A25-04305

Page 1

Date: 11/28/88

MICROFILMED  
NOV 10 1992

10. Place of Use:

| Township | Range | Section | 1/4 | of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|-----|----|-----|-----|---------------|-------|
| 04N      | 40E   | 17      | SW  |    | NW  |     | IRR           | 4.0   |
|          |       |         | NW  |    | SW  |     | IRR           | 22.0  |
|          |       |         | SW  |    | SW  |     | IRR           | 21.0  |
|          |       |         | SE  |    | SW  |     | IRR           | 15.0  |
|          |       |         | SW  |    | SE  |     | IRR           | 10.0  |
|          |       |         |     |    |     |     | Section Acres | 72.0  |
|          |       | 18      | NE  |    | SE  |     | IRR           | 9.0   |
|          |       |         |     |    |     |     | Section Acres | 9.0   |
|          |       |         |     |    |     |     | Total Acres   | 81.0  |

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:  
NONE

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do        do not   /   wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments:   0  

For Individuals:

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

Signature of Claimant(s): Earl G Brown Date: 11-28-88  
Ruth Brown Date: 11-28-88

State of Idaho )  
County of BONNEVILLE ) SS.

Subscribed and sworn (or affirmed) before me this 28TH day  
of NOVEMBER 19 88

Jeff Perreault  
Notary Public

Seal

Residing at BOISE, IDAHO  
My Commission Expires 11/8/1994