L. R. Thomas, Attorney at Law.
P. O. Blackfoot, Idaho

No 18690

APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 36050
Permit No. 18690
District No.

1. Name of Applicant: Edward F. Palmer

Postoffice address Dubois County: Clark State: Idaho

I. If applicant is a corporation, give:
(a) Date and place of incorporation:
(b) Amount of capital stock:
(c) Amount paid in:
(d) Names and addresses of directors:

II. The financial resources of the applicant are: (a) Cash on hand:
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:

2. Quantity of water claimed: 3.2 cubic feet per second.

3. Source of water supply: Subterranean which is a tributary of none

4. Location of point of diversion: feet distant from the
corner of Section , T. , R. , B. M., and is in the SE¼ NW¼
of Section 20 , T. 8 N. , R. 34 E. , B. M., County of ~~Clark~~. Jefferson.

5. Water is to be used for: Irrigation and domestic purposes

6. If for mining, milling, power or manufacturing purposes, give:
(a) Point of use of water: feet distant from corner of Section
T. , R. , B. M., in the of Section , T. , R. , B. M.
(b) Amount of power generated: H. P., under feet head.
(c) Water is to be returned to at a point feet
distant from the corner of Section , T. , R. , B. M., in the
of Section , T. , R. , B. M.

7. Estimated cost of works: $ 800.00

8. Kind of works: Ditches

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 1½ feet; width at water line 3 feet; depth of water 1
feet; dimensions of flume:
Diameter of pipe inches; length of conduits two miles.
Average grade per mile 12 feet.

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

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

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

15. (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 waters of the State of Idaho as herein set forth.

EDWARD F. PALMER *Applicant.*

By *Agent.*

Date of first receipt at Department of Reclamation: 11:30 A. M., Oct. 4, 1938

Returned to applicant for correction:

Corrected application received:

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 18690
Recorded in Book 68 Page 18690 Approved Nov. 10, 1938
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 January 9, 1939 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 November 10, 1939
The whole of said work to be completed on or before November 10, 1940
Beneficial use of water appropriated in accordance herewith, to be made on or before November 10, 1941.

Witness my hand this 10th day of November, 1938.

R. W. FARIS
Commissioner of Reclamation.

Remarks: See below.

14.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
8 N.	34 E.	20		40	40		40			40									160
																			Total Number of Acres to be Irrigated. 160

Remarks: This well is already equipped with a pump sufficient in size to furnish 160 inches of water, 75 acres of the land is now in cultivation and has been irrigated. 110 inches of water have already been pumped using a tractor for power; later I expect to install an engine of sufficient size and capacity to pump the quantity of water appropriated. The water supply is practically irreducible. The well will furnish 160 inches constantly and all the time.

In testimony whereof, we, BARZILLA W. CLARK, Governor of the State of Idaho, and IRA H. MASTERS, Secretary of State of the State of Idaho, have hereunto 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 10th day of November, 1938.

STATE OF IDAHO

(SEAL)

BY BARZILLA W. CLARK
Governor

Countersigned:

By IRA H. MASTERS
Secretary of State

PERMIT NO. 18690
Certificate of Completion of Works.

TO ALL WHOM IT MAY CONCERN:

This is to certify that EDWARD F. PALMER, of Dubois, County of Clark, and State of Idaho, the holder of Permit No. 18690, issued upon Application No. 26050, bearing date of priority of October 4, 1938, authorizing the diversion of 3.2 second feet of subterranean waters, County of Clark, State of Idaho, for irrigation 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 3.2 second feet of said subterranean waters; that the point of diversion of said waters is in the SE¼ NW¼ of Section 20, Township 8 North, Range 34 East, B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: W½ NE¼ and E½ NW¼ Section 20, Township 8 North, Range 34 East, B. M.

Witness my hand this 28th day of September, A. D. 1940.

JAMES SPOFFORD
Commissioner of Reclamation

Proof of completion of works made September 14, 1940
Certificate of Completion of Works issued September 28, 1940.

LORENZO R. THOMAS
ATTORNEY AT LAW
BLACKFOOT, IDAHO

18690

September 29, 1938

Commissioner of Reclamation
Boise, Idaho

Dear Sir:

I hand you herewith the application of Edward F. Palmer for the appropriation of one hundred sixty inches of water out of his own well.

I hand you herewith my check for $5.75 which I think represents the amount of your fee in this case.

Very respectfully

L. R. Thomas

LRT:ws

Enclosure

1869

Township 8 North, Range 34 East BM

1890

SEC. 18 | SEC. 17 | SEC. 16 | SEC. 15 | SEC. 14 | SEC. 13

SEC. 19 | SEC. 20 | SEC. 21 | SEC. 22 | SEC. 23 | SEC. 24

SEC. 30 | SEC. 29 | SEC. 28 | SEC. 27 | SEC. 26 | SEC. 25

Permit No. 18690

As Approved

NOV 10 1938

F. W. PARIS

Commissioner of Reclamation

SCALE: 2 INCHES EQUAL 1 MILE. DRAW PLAN IN INK

|— Ditches

All land cultivated and irrigable

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

Permit No. 18690

Boise, Idaho, November 10, 1938

Dear Sir:

I enclose herewith above numbered permit. BE SURE AND NOTE LIMITATIONS AND CONDITIONS OF SAME as given under approval of the Commissioner of Reclamation on the third page.

Edward F. Palmer
Dubois, Idaho

R. W. FARIS
Commissioner of Reclamation.

Encl.
Receipt No. 16758 for $5.75.

18690

				Lowhee	8 Rock	Ranch

Form No. 5

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

Re: Permit No. 18690

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Edward F. Palmer
C/o L. R. Thomas,
Blackfoot, Idaho

Boise, Idaho, September 9, 1940

Dear Sir:—

Under the terms of your permit No. 18690 you are required to complete your diversion works on or before November 10, 1940. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of $5.00, a Certificate of Completion will be issued to you.

The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of 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.

Yours truly,

JAMES SPOFFORD

Commissioner of Reclamation.

18690

Form 6

Permit No. 18690

STATE OF IDAHO

Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO
County of Clark } ss.

Edward F. Palmer, being first duly sworn, upon his oath deposes and says:

First: That he is the holder and owner of Permit to Appropriate the Public Waters of the State of Idaho, No. 18690, and that his postoffice address is Dubois State of Idaho

Second: That the name of the stream from which said water is to be directed is Private Well. SE NW

Third: That the point of diversion of said water is ~~the~~ NW¼ of NE¼ Sec 20 Twp 8 N. R. 34 E.B.M.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by November 10, 1940.

Fifth: That the use for which said water is intended is Irrigation & Domestic use

Sixth: That on the date above mentioned, the works constructed under said permit were (~~or were not~~) fully completed and consisted of the following:

1. Kind of works: Private well 16 in Hole 40 ft Deep. Lane Bowler electric power pump. delivers 177 in at 25 ft lift. Pumping 24 ft lift now.
(Reservoir, dam, ditch, flume, pipe or otherwise.)

II. Dimensions of work:

(a) Height of dam / feet, length of dam at top / feet, length of dam at bottom / feet. Material used in construction /
(State whether wood, earth, stone or concrete.)

(b) Capacity of reservoir — acre feet.

(c) Size of headgate: Width ..... feet, height ..... feet.

(d) Conduit Ditch width at bottom 18 in ~~feet~~, width at water line 4 ft.
(State whether ditch, flume or pipe.)
feet, depth of water / feet; diameter of pipe — inches, average grade per mile is 12 feet. Length of conduit is — miles.

Seventh: That said works are capable of conducting to the place of intended use 3.2 second feet of water.

Eighth: That water appropriated under said permit is available for 160 acres of land described as follows: West half Northeast quarter. East half of the Northwest quarter Section 20. Twp. 8 North Range 34 E. B. M.

Ninth: Remarks: That

C. A. BOTTOLFSEN, GOVERNOR

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

JAMES SPOFFORD, COMMISSIONER

BOISE

HARRY DEWEY
DEPUTY COMMISSIONER

RECEIVED
SEP 23 1940
Department of Reclamation

September 18, 1940

Re: Permit No. 18690

Mr. Edward F. Palmer,
Dubois, Idaho.

Dear Sir:-

We acknowledge receipt of your affidavit for proof of completion of works under the above numbered permit, also the $5.00 fee in connection with same.

We note, however, that this affidavit gives the point of diversion as being in the NW¼ NE¼ of Section 20, Twp. 8 North, Range 34 East, B.M., while the permit describes it as being in the SE¼ NW¼ of this section.

If there has been a change in the point of diversion, it will be necessary for you to file an affidavit of such change, form for which will be sent you upon request.

If, however, this is merely a typographical error in your affidavit of proof, you may advise us to that effect, and we shall correct same accordingly.

Very truly yours,

JAMES SPOFFORD
Commissioner of Reclamation
By Jeanne L. Anderson
Chief Clerk

JLA

The well is located on the SE¼ NW¼ sec. 20 - and was in error in proof stating NW¼ SE¼. Kindly ask you to make said correction.

Yours truly
E. F. Palmer
18690

October 5, 1940

Re: Permit No. 18630

Mr. Edward F. Palmer
Dubois, Idaho.

Dear Mr. Palmer:

We enclose herewith Certificate of Completion of Works issued under the above numbered permit to appropriate 3.2 second feet of subterranean water, in the SE¼ NW¼ of Section 20, Township 6 North, Range 34 East, B.M., Clark County, for irrigation and domestic purposes.

The Department's Receipt # 17052 for the $5.00 fee which you paid in connection with this proof is also enclosed.

Very truly yours,

JAMES SPOFFORD
Commissioner of Reclamation

By

Chief Clerk

JLA
Encls.

18

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

Sept. 1, 1941

Re: 18690

Edward F. Palmer
Dubois, Idaho

Dear Sir:

I enclose herewith blank notice for proof of application of water to beneficial use under your Permit No. 18690, which should be filled out and returned to this office at least 40 days before the date upon which you wish to make proof. The proof must be submitted before a notary public or other officer authorized by law to administer oaths. The date for proof, as set out in your permit, is Nov. 10, 1941, and if proof is submitted subsequent to said date, your priority will be brought down a length of time equal to the time elapsing between the date proof should have been made and the date proof is actually made.

Yours truly,

E. V. BERG.

Commissioner of Reclamation

Form No. 11

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) September 15. 1941

(P. O.) Dubois, Idaho.

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

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

Edward F Palmer

(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.

Form 10

RECEIVED
SEP 16 1947
Department of Reclamation

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10 A. M. on the 10 day of Nov. 19 47 at Dubois, County of Clark, State of Idaho, before John H. Hays, Notary Public, proof will be submitted of the application to beneficial use of 3.2 cubic feet per second of the waters of Subterranean in accordance with the terms and conditions of Permit No. 18690 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Edward F. Palmer Dubois Idaho

The use to which said water has been applied is Irrigation & Domestic use

The amount applied to beneficial use is 3.2 Cu. ft. per second

The place where said water is used ~~(if for irrigation, give full and accurate description of the lands irrigated)~~ W² NE¼ E² NW¼ Section 20 Twp. 8 N. R. 34 E. B. M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is Palmer Ditch

The right to take water from such works is based upon Permit No. 18690

The source of supply from which such water is diverted is Palmer Well

Dec. 4, 1938

The date of priority which said user is prepared to establish is November 10, 1938.

E. W. Rose
Commissioner of Reclamation.

186

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

E. V. BERG, COMMISSIONER
BOISE

CHASE A. CLARK, GOVERNOR

ROY W. THOM
DEPUTY COMMIS

Sept. 24, 1941

Re: 18690

RECEIVED
SEP 30 1941
Department of Reclamation

Mr. Edward F. Palmer
Dubois, Idaho

Dear Mr. Palmer:

We are in receipt of your notice of publication for proof of beneficial use in the Rigby Star, which is not in Clark County.

According to the Idaho Statutes, the publication must be published in the county in which the point of diversion lies provided that County has a newspaper. Om our list of publications, we find the Enterprise-Banner listed at Dubois, therefore, we are forwarding your notice to that paper.

Very truly yours,
E. V. BERG.
Commissioner of Reclamation.

Maude Pike

BY: Chief Clerk.

ml.

Land is located in Jefferson County and not in Clark County as stated by Rigby Star

180

Form No. 11-A

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Date Sept. 24, 1941

Re: 18690

Enterprise-Banner
Dubois, Idaho

Dear Sir:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to Nov. 10, 1941, the date set for proof, the expense of the publication to be paid by the applicant, Edward F. Palmer, Dubois, 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 of the first publication.

Very truly yours,

E. V. BERG.

Commissioner of Reclamation

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CLASS OF SERVICE DESIRED			
DOMESTIC		CABLE	
TELEGRAM	X	ORDINARY	
DAY LETTER		URGENT RATE	
SERIAL		DEFERRED	
OVERNIGHT TELEGRAM		NIGHT LETTER	
SPECIAL SERVICE		SHIP RADIOGRAM	

Patrons should check class of service desired; otherwise the message will be transmitted as a telegram or ordinary cablegram.

COPY OF WESTERN UNION TELEGRAM

Enterprise-Banner
Dubois, Idaho

HAVE YOU STARTED THE PUBLICATION OF BENEFICIAL USE PROOF FOR EDWARD F. PALMER?

THIS LAND IS IN JEFFERSON COUNTY AND MUST BE PUBLISHED IN THAT COUNTY.

PLEASE ANSWER.

E. V. BERG.
Commissioner of Reclamation

Chg. to 107 State House
REclamation Dept.

18690

CLASS OF SERVICE

This is a full-rate Telegram or Cablegram unless its deferred character is indicated by a suitable symbol above or preceding the address.

WESTERN UNION

(33)

R. B. WHITE
PRESIDENT

NEWCOMB CARLTON
CHAIRMAN OF THE BOARD

J. C. WILLEVER
FIRST VICE-PRESIDENT

SYMBOLS
DL = Day Letter
NT = Overnight Telegram
LC = Deferred Cable
NLT = Cable Night Letter
Ship Radiogram

The filing time shown in the date line on telegrams and day letters is STANDARD TIME at point of origin. Time of receipt is STANDARD TIME at point of destination

1941 OCT 1 PM 4 34

KHA321 14 COLLECT XC=DUBOIS IDA 1 420P

DEPARTMENT OF RECLAMATION=

BOISE IDA=

WIRE RECEIVED JUST IN TIME TO DELETE OUR CHARGE THREE FIFTY TO DATE=

ENTERPRISE BANNER.

RECEIVED
OCT 3 1941
Department of Reclamation

18690

THE COMPANY WILL APPRECIATE SUGGESTIONS FROM ITS PATRONS CONCERNING ITS SERVICE

CLASS OF SERVICE DESIRED			
DOMESTIC		CABLE	
TELEGRAM	X	ORDINARY	
DAY LETTER		URGENT RATE	
SERIAL		DEFERRED	
OVERNIGHT TELEGRAM		NIGHT LETTER	
SPECIAL SERVICE		SHIP RADIOGRAM	

Patrons should check class of service desired, otherwise the message will be sent at the full rate

COPY OF WESTERN UNION TELEGRAM

October 6, 1941

In: 18690

Enterprise-Pioneer
Dubois, Idaho

Dear Sir:

Please forward a statement of the amount due you and we will mail a state warrant to cover same. We are inclosing a State of Idaho Voucher to be filled in and signed by you.

Very truly yours,
E. V. BERG.
Commissioner of Reclamation

BY: Chief Clerk.

ml.
encl.

18690

Form No. 11-A

RECEIVED
OCT 8 1941
Department of Reclamation

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Re: 18690

Date . Oct. 6, 1941. . . . . .

Rigby Star
Rigby, Idaho

Dear Sir:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to Nov. 10, 1941, the date set for proof, the expense of the publication to be paid by the applicant, Edward F. Palmer, Dubois, 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 of the first publication.

Very truly yours,

E. V. BERG.

Maude Lile

Commissioner of Reclamation

First issue
October 9th.

This week.

Rigby Star, Rigby, Idaho

18

Form No. 22-B

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

Boise, Idaho,
Nov. 1, 1941

Re: 18690

John W. Hays
Dubois, Idaho

Re: Edward F. Palmer.

Dear Sir:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 18690

Deposition of Permit Holder,
Depositions of Two Witnesses.

In submitting this proof the following instructions should be CAREFULLY followed out, since failure to do so may result in the loss of rights:

1. On Nov. 10, 1941, the date set for proof, the enclosed forms (one for permit holder and one each for two disinterested witnesses) should be filled out and sworn to, at Dubois before John W. Hays, Notary Public

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice.

When these have been received, together with report of the examining engineer, if everything is properly executed, you will be further advised as to fees due, etc., before certificate is issued.

Yours truly,

E. V. BERG.
Commissioner of Reclamation.

186

Form 16.

RECEIVED
NOV 13 1941
Department of Reclamation

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Permit No. 18690

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Edward F. Palmer. Dubois, Idaho. Farming & Mercantile. Dubois. Ida

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.

Ans. ---------

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. No.18690. Oct. 4. 1938. Priority of October 4. 1938.

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Subterranean. Private welll. SE¼ NW¼ Sec. 20. Tsp. 8 N. R.34 E.B.M.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use.

Ans. Have a well 40 ft Deep. equipped with Electric Pump and has acapacity of 3.2 sec. ft. from a 23 ft level. All my own private ditches on the land.

Ques. 6. State for what purpose water is used and describe place of 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.) 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. Irrigation and Domestic use. NE¼NW¼; SE¼NW¼; NW¼NE¼; and SW¼NE¼ sec. 20 tsp. 8 N. R.34 E.B.M. have about 35 acres each under cultivation and irrigation. 95 acres in alfalfa and balance in plow land and meadow

Ques. 7. If for other than for irrigation purposes; state how applied, amount of horse power generated, etc.

Ans. ------

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

Ans. One miners inch per acre

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.

Ans. ----

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. During the irrigation season for the past 6 years I have pumped and irrigated the above lands and used one inch per acre.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. No other waters on or for these same lands. No other appropriations.

(Sign) Edward F Palmer

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 Dubois, County of Clark, State of Idaho, on this 10th day of November, A. D. 19 41.

John H. Kays.

Notary Public.

My commission expires April 18. 1942.

Form 17

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
NOV 13 1941
Department of Reclamation

PERMIT NO. 136 90

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. Loraine Robinette. Age 41. Res. & P.O. Dubois, Idaho. Farming

Ques. 2. Are you acquainted with Edward F. Palmer, the holder of Permit No. 18690 ? How long have you known him and where does he reside?

Ans. Have known him for past 15 years. He resides at Dubois, Idaho.

Ques. 3. Have you read or heard read said Permit No. 18690, 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 frrom point of diversion to place of use.

Ans. Subterranean. Private well. Located on SE¼ NW¼ Sec. 20. Twp. 8 N. R. 34 E.B.M. Has good and sufficient supply of private ditches from well over the land.

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. 3.2 cu ft. per second. I have seen that much conveyed

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each sub-division 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 improvement which have been made as a direct result of said use.

Ans. Used for irrigation and domestic use. Upon the E½ NW¼: W½ NE¼ Sec. 20 Twp. 8 N. R. 34 EBM. Would say has arond 35 acres in each 40 irrigated. All cultivated lands. No natural meadow. Has 100acres in alfalfa and balance in plow lands and pasture.

18690

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

Ans. ---------

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. Sandy loam rather level and will need an inch per acre. to properly irrigate the same

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

Ans. None

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. Have seen the land irrigated during the irrigation season for the past three years. and he uses 3.2 cu ft per second for irrigation of same.

(Signed) Lorain Palmette

I hereby certify that the foregoing testimony was read to the above subbscriber 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 Dubois, County of Clark, State of Idaho, on this day of 10th November, A. D. 19 41

John W. Hays
Notary Public.

My commission expires April 18. 1942.

Form 17

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
NOV 13 1941
Department of Reclamation

PERMIT NO. 18690

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. J. E. Harshbarger. Age 73. Farming. P.O.Address Dubois, Idaho.

Ques. 2. Are you acquainted with Edward F. Palmer, the holder of Permit No. 18690? How long have you known him and where does he reside?

Ans. I have known him for the past 5 years and he resides at Dubois Idaho.

Ques. 3. Have you read or heard read said Permit No. 18690, 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 frrom point of diversion to place of use.

Ans. Suhterranean. (Private well located on the SE¼ NW¼ Sec. 20 Tsp. 8 N. R. 34 E. B.M. Has his own private ditches from well to and on the lands.

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. 3.2 cu ft per second. I have seen that much conveyed.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each sub-division 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 improvement which have been made as a direct result of said use.

Ans. Irrigation and domestic use. I would say he has practically all of each and every forty irrigated. Has 100acres in alfalfa and no natural meadow. Land has been reclaimed from sage brush to cultivated crops. Lands irrigated is E½NW¼; W½NE¼ Sec. 20 Tsp. 8 N. R. 34 E. B.M.

18690

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

Ans. ----

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

Ans. Level land, sandy loam. and will require one miners inch per acre. to properly irrigate the same.

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 interest whatever.

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

Ans. During the irrigating season for the past 3 years I have seen the water in the ditches on the land with a total amount of 3.2 second feet. used.

(Signed) J. E. Hasbargen

I hereby certify that the foregoing testimony was read to the above subbscriber before its sign ing, 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 Dubois, County of Clark, State of Idaho, on this day of 10th of November., A. D. 19 41.

John H. Hays
Notary Public.

My commission expires April 18. 1942.

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

Ans. ----

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. Level land, sandy loam. and will require one miners inch per acre. to properly irrigate the same.

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 interest whatever.

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. During the irrigating season for the past 3 years I have seen the water in the ditches on the land with a total amount of 3.2 second feet used.

(Signed) J. E. Hasbargen

I hereby certify that the foregoing testimony was read to the above subbscriber 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 Dubois, County of Clark, State of Idaho, on this day of 10th of November., A. D. 19 41.

John H. Hays
Notary Public.

My commission expires April 18. 1942.

RECEIVED
NOV 13 1941
Department of Reclamation

Affidavit Of Publication

The Rigby Star

STATE OF IDAHO, }
County of Jefferson. } ss.

I, R. I. Jones, do solemnly swear that I am the printer of THE RIGBY STAR, a weekly newspaper as defined by Idaho Codes Annotated section 58-106 as amended, and that said newspaper is a weekly newspaper, printed and published at Rigby, in Jefferson County, Idaho, having a general circulation in said county, and that said newspaper has been printed and published as a weekly newspaper, in said county, for more than 78 consecutive weeks prior to the first publication of the attached notice.

And affiant further says that said attached notice, advertisement or publication, as per clipping attached, was published in said newspaper, in the regular and entire issue thereof, and not in any supplement issue thereof, for Four consecutive issues thereof; first publication having been made on the 9th day of October, 1941 and last publication on the 30th day of Oct., 1941

And affiant further says that at the times herein mentioned said newspaper was made up of at least four pages of at least five columns each, printed from type matter, of at least seventeen and three-fourths inches depth; and that there are at least two hundred bona fide subscribers in Jefferson County.

R I Jones.

Subscribed in my presence and sworn to before me this OCT 30 1941 day of ....., 1941.

(SEAL)

Hope B Jones

Notary Public for the State of Idaho, residence and post office address: Rigby, Idaho.
My Commission expires January 30th., 1942.

Publication Fee $ 1.50

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

Notice is hereby given that at 10:00 A. M. on the 10th day of November, 1941, at Dubois, County of Clark, State of Idaho, before John W. Hays, Notary Public, proof will be submitted of the application to beneficial use of 3.2 cubic feet per second of the waters of a subterranean well in accordance with the terms and conditions of Permit No. 18690 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Edward F. Palmer, Dubois, Idaho.

The use to which said water has been applied is irrigation and domestic use.

The amount applied to beneficial use is 3.2 cubic feet per second.

The place where said water is used W½ NE¼, E½NW¼, Sec. 20, Twp. 8 N, Rge. 34 E. B. M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is Palmer Ditch.

The right to take water from such works is based upon Permit No. 18690.

The source of supply from which such water is diverted is Palmer Well.

The date of priority which said user is prepared to establish is October 4, 1938.

18690 E. V. BERG,
(47-50) Commissioner of Reclamation

18690

November 18, 1941

Re; 18690

Mr. Mirard J. Palmer
Dubois, Idaho

Dear Mr. Palmer:

We are in receipt of your deposition, depositions of two witnesses, and affidavit of publication for beneficial use proof.

Before final action can be taken in this matter, the law requires that a field examination be made by an engineer from this department. We are unable to say just when this examination will be made, since this department has but one field engineer, who makes examinations all over the State.

However, Mr. Tolman, field engineer for the department, will try and contact you at the time set for examination, so that you may arrange to show him over the grounds.

When the engineer's report is filed, you will be notified of the amount due for Beneficial Use proof. Upon receipt of your check, a license will be issued.

Very truly yours,
E. V. BERG.
Commissioner of Reclamation.

BY: Chief Clerk

ML.

OFFICE OF
COUNTY TREASURER

CLARK COUNTY, IDAHO

DUBOIS

G. R. SMI
TREASURER - TAX

Jan. 29, 1943

RECEIVE
FEB 1 1943
Department of Reclama

James Spofford,
Department of Reclamation,
Boise, Idaho

Dear Mr. Spofford:

I have your letter written to Mr. Edward F. Palmer referring to Permitt No. 18690 for 1.6 second feet of water for irrigation on a portion of four 40 acre legal subdivisions, for which you ask for a fee of $8 00.

This letter was handed to me, as Administrator of the Est. of Edward F. Palmer.

Will you please give me more information relative to this matter, perticularly the description of the land for which this permit is issued.

Sincerely,

G.R. Smith, Adm.

3.2 of . sub.
SE¼NW¼ 20 - 8 N 34 E
Irr. + domestic
N½NE¼ E½NW¼ 20 - 8 - 34

James Spofford

C.A. Bottolfsen

February 8, 1945

Re: Permit No. 18690
Edward F. Palmer

Mr. O. E. Smith, Adm.
Estate of Edward F. Palmer
Dubois, Idaho

Dear Mr. Smith:

In reply to your letter of January 29th, relative to the above numbered permit, in the name of Edward F. Palmer.

Permit No. 18690 as originally issued was for 5.8 cubic feet per second of subterranean water from a drilled well located in the SE¼ NW¼ Section 20, Twp. 8 North, Range 34 East, B.M., for irrigation and domestic use on the W½ and NE¼ of this section.

All the necessary proofs have been made, and as mentioned in our letter of January 26th, addressed to Mr. Palmer, our Field Engineer found that a license could be issued for 1.6 second feet, for the irrigation of 80 acres; and inasmuch as these 80 acres are situated in four different 40's, the fee will be $8.00, or $2.00 for each legal subdivision.

If at a later date, proof can be made for an additional amount of water, for additional acreage, a supplemental license can be issued; but this will have a later priority, than the original date, which the first license will cover, which is October 4, 1938.

We trust that we have given you the desired information.

Very truly yours,

JAMES SPOFFORD
Commissioner of Reclamation
By

A

Chief Clerk

20102

November 24, 1953

Mr. John Tout
Rexburg
Idaho

Dear Mr. Tout:

In complying with your telephone request, we enclose certified copy of License and Certificate of Water Right No. 20102.

The fee for making this is $1.50, for which you may send us your check.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/re
Enc.

November 25, 1953

RE: Permit No. 18690

Mr. John Tout
Rexburg
Idaho

Dear Mr. Tout:

We enclose certified copy of Permit No. 18690, including Certificate of C pletion of Works issued thereunder.

The fee for this amounts to $1.50.

Reference to the record of this permit shows that although it was origin ally filed for 3.2 second feet or 160 inches, beneficial use proof was made on only 1.6 second feet, or 80 inches, for use on 14 acres in the NW¼ NE¼, 6 acres in the SW¼ NE¼, 25 acres in the NE¼ NW¼ and 35 acres in the SE¼ NW¼ Section 20, Township 8 North, Range 34 East, B.M.

The records further show that on January 26, 1943, a letter was written Mr. Palmer advising him that a license could be issued for 80 inches for use as above, upon receipt of the statutory fee of $8.00. This fee has never been paid and therefore a license has not been issued.

As mentioned over the telephone, since the original application was for 160 inches and proof of completion of works also showed 160 inches, a supplemental proof of beneficial use can be made and a supplemental license issued if more water has been applied beneficially for the irrigation of more land, but the priority to be established under a supplemental proof will be as much later than the original priority of October 4, 1938, as this proof is past due.

Edward F. Palmer is the record owner of this permit and so far as the present license is concerned, that can be transferred by deed the same as the transfer of real estate, but in order for another person to make a later proof, this department will have to have for record instruments showing the transfer of title from Edward F. Palmer to the present owner.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

18690

December 1, 1953

Mr. John Tout
Rexburg
Idaho

Dear Mr. Tout:

We have not yet received your check for $3.00 for certified copies of License No. 20102 and Permit No. 18690.

We understood when you telephoned us that the check was coming forward by return mail, but perhaps you have overlooked the matter.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

R. 26369

18

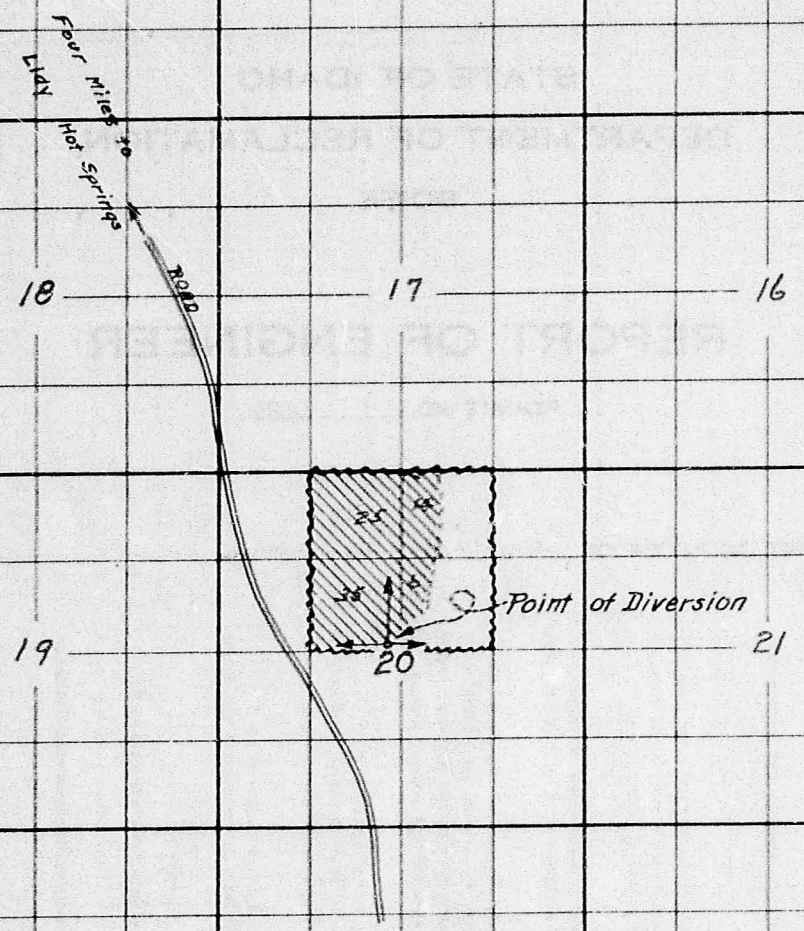
Tributary to _____ Source Subterranean Page _____

Water District _____ County ~~Stark~~ Jefferson Subdivision _____ Section _____ Twp. 8 N Range 34 E

APPL. No.	PERMIT No.	APPROPRIATOR	AMOUNT SEC. OR ACRE FT.	FILED	WORK START OR BOND DUE / BOND FILED	ONE-FIFTH WORK TO BE DONE	WORK TO BE COMPLETED	PROOF OF COMP. MADE	CERT. ISSUED / AMOUNT	PROOF OF B. U. DUE	PROOF OF B. U. MADE	LIC. ISSUED / AMOUNT	DIVERSION SUBDIV	SEC.	TWP.	RGE.
26050	18690	Edward F. Palmer	3.2	10-4-38	1-9-39	11-10-39	11-10-40	9-14-40	9-28-40 3.2	11-10-41			SE NW ~~NW NE~~	20	8N	34E

IRRIGATION PERMITS IN BLACK. POWER AND MINING PERMITS IN RED

18690


Four Miles to
Lay
Hot Springs
Road
18
17
16
19
20
21
25
Point of Diversion

Form 23

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 18690

This proof is for Beneficial Use In Water District No.

1. Name of applicant Edward F. Palmer

2. Source of water supply: subterranean

3. Location of point of diversion: Is in the $SE\frac{1}{4}NW\frac{1}{4}$ of Section 20

T. 8 N R. 34 E County of Clark

4. Describe works as they exist, giving dimensions and capacities of same: A Drilled Well. Pump Station is in tne bottom of a sump 20 Ft. deep X I2 Ft.diameter with solid lava walls and bottom; the drilled section is 20 Ft. deep X I6 inches diameter. Layne-Bowler pump driven by direct connected I5 H.P. Electric Motor. Dithh 2 Ft.wide X I Ft.deep.

5. Water is used for: irrigation and domestic purposes

6. 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 for other than irrigation): $W\frac{1}{2}NE\frac{1}{4}$, $E\frac{1}{2}NW\frac{1}{4}$, Sec. 20, Twp. 8 N, Rge. 34 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? None

Remarks

xxxxxxxxxxxxxxxxx

James Spofford xxxxxxxx

C.A.Bottolfsen
xxxxxxxxxxxxxx

January 26, 1943

Re: Permit No. 18690

Mr. Edward A. Palmer
Dubois, Idaho

Dear Mr. Palmer:

A short time ago we received the report of our Field Engineer on examination for beneficial use under the above numbered permit.

Our engineer found that the works would be capable of conducting to the place of intended use 1.6 second feet; and inasmuch as the land you are irrigating covers a portion of four 40-acre legal subdivisions, the statutory fee will amount to $8.00

Upon receipt of this fee a license will be issued.

Very truly yours,

JAMES SPOFFORD
Commissioner of Reclamation
By

Chief Clerk

A

18690

March 11, 1974 CERTIFIED MAIL #31829

Re: Permit No. 18690 (New No. 31-2269)

Edward F. Palmer
Dubois,
Idaho 83423

Dear Mr. Palmer:

It appearing to the Department of Water Administration that the terms and conditions of Permit No. 18690/31-2269 to appropriate the public waters of the State of Idaho have not been complied with as to failure to submit licensing fee in the amount of $8.00, you are hereby notified that under the provisions of Section 42-311, Idaho Code, as amended, said permit is hereby held for cancellation, and you are required to show cause before the Director of the Department of Water Administration on or before April 20, 1974, why said permit should not be cancelled.

Permit No. 18690/31-2269 claims the use of 3.2 cubic feet per second of water from a ground water source, the point of diversion was to be located within the SE¼NW¼ of Sec. 20, Twp. 8N, Rge. 34E, B.M. and the permit was approved Nov. 10, 1938.

R. Keith Higginson

R. KEITH HIGGINSON
Director

31-2269

March 11, 1974

Re: Permit No. 18690/31-2269 - Edward F. Palmer

Mr. Everett H. Adkins
Monteview,
Idaho 83435

Dear Mr. Adkins:

We have been advised by the Jefferson County Assessor's Office that you own land covered under the above referenced permit as follows:

W½NE¼, E½NW¼, Sec. 20; Twp. 8 N, Rge. 34 E, B.M.

Enclosed you will find a copy of the pre-cancellation notice that is on this date being forwarded to the permit holder of record. If water is being utilized as described under this permit and you are interested in acquiring the water right, please contact this office within the limits of the enclosed order.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enclosure

31-2269

Dear Sir

Enclosed is an $8
check for the licensing fee.
I purchased this property.
Is this for all that
is necessary to record
the water filing to me?

Sincerely
Everett Adkins
Montview - Idaho 83435

31-7269

March 25, 1974

Re: Permit No. 18690/31-2269 - Edward F. Palmer

Mr. Everett H. Adkins
Monteview,
Idaho 83435

Dear Mr. Adkins:

Enclosed herewith is a copy of the water license issued on the above referenced permit. Also enclosed is departmental receipt No. 14214 for $8.00 covering the licensing fee.

Although this license is not in your name, you control that portion(s) of the license that covers your land. Please note the limits of the water right as shown on the license.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

jfr

Enc: Copy of license
Receipt No. 14214

bc: Eastern District Office

31-2269

State of Idaho

Department of Water Administration

WATER RIGHT LICENSE

License of Water Right No. 18690/31-2269 Priority Oct. 4, 1938 Amount 1.60 cfs

THIS IS TO CERTIFY, that EDWARD F. PALMER

of Dubois, Idaho, has complied with the terms and conditions of Permit No. 18690/31-2269 issued pursuant to Application for Permit dated October 4, 1938, and has submitted proof to the Department of Water Administration on November 10, 1941, that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity for the diversion of 1.60 cfs of water from a ground water source, tributary to _____, and that the permit holder has applied to a beneficial use & established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from April 1 to Nov. 1	at 1.60 cfs and	240 acre feet or 3.0 af per acre
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 1.60 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 240 acre feet per year, said waters to be diverted within the $SE\frac{1}{4}NW\frac{1}{4}$ of Sec. 20, Twp. 8 N, Rge. 34 E, B.M. in the County of Jefferson

Description and location of place of use:

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
8 N	34 E	20		14	6		25			35									80

Total number of acres irrigated 80

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

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 25 day of March, 19 74.

L. Kirk Higgins

Director

31-2269

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
STATE OFFICE

Cecil D. Andrus
Governor

R. Keith Higginson
Director

614 State Street
Statehouse -- Annex 2
Boise, Idaho 83720
(208) 384-2215

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

March 11, 1974 CERTIFIED MAIL

Re: Permit No. 18690 (New No. 31-2269)

Edward F. Palmer
Dubois,
Idaho 83423

Dear Mr. Palmer:

It appearing to the Department of Water Administration that the terms and conditions of Permit No. 18690/31-2269 to appropriate the public waters of the State of Idaho have not been complied with as to failure to submit licensing fee in the amount of $8.00, you are hereby notified that under the provisions of Section 42-311, Idaho Code, as amended, said permit is hereby held for cancellation, and you are required to show cause before the Director of the Department of Water Administration on or before April 20, 1974, why said permit should not be cancelled.

Permit No. 18690/31-2269 claims the use of 3.2 cubic feet per second of water from a ground water source, the point of diversion was to be located within the $SE\frac{1}{4}NW\frac{1}{4}$ of Sec. 20, Twp. 8N, Rge. 34E, B.M. and the permit was approved Nov. 10, 1938.

R. KEITH HIGGINSON
Director

31-2269

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
Statehouse – Annex 2
Boise, Idaho 83707

RETURNED TO SENDER
REASON CHECKED
Unclaimed ✓ Refused.....
Unknown .....
Insufficient address .....
Moved, left no address.....
No such office in state.....
Do not forward to this address.....

BOISE MAR 11 1974 IDAHO

CERTIFIED MAIL
NO. 31829
RETURN RECEIPT REQUESTED

Edward F. Palmer
Dubois,
Idaho 83423

deceased

RECEIVED
MAR 27 1974
Department of Water Administration

DUBOIS, ID MAR 12 2PM 1974

31-3969

Page 1 of 8

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 5327

RECEIVED
SEP 29 1998
Department of Water Resources
Eastern Region

RECEIVED
NOV 12 1998
Department of Water Resources

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant(s) Everett or Betty Adkins Phone (208) 657-2561

Post Office address 2798 N. 1000 E Monteview ID 83435

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
   ☐ Change nature of use ☐ Change period of use ☒ Other change cfs amt.
2. Describe the reason for the proposed changes Original well is not capable of diverting historical quantities because of declining water table. An existing second well is being added to achieve historical deliveries.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1.

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
31-02269	10/04/1938	1.60 cfs	Irrig	4-01 to 11-01
A31-10227	4/01/1950	1.20 cfs	Irrig	4-01 to 11-01
				to
				to

2. Total amount of water being transferred 2.80 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Groundwater tributary to _____
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	SE	NE	19	8N	34E	Jefferson	"New" well
	SE	SE	NW	20			Jefferson	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
8N	34E	20		38	31		36			35									140

Total acres 140

Transfer No. 5327

PART 1

6. General Information:

a. Description of diversion system Two wells to open discharge into gravity flow ditch system

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

N.A.

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19____.

_____

Transfer No. 5327

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

   a. Decree No. _____ Decreed to _____

   in case of _____ vs. _____

   dated _____ in _____ county of _____

   b. License No. 31-02269 issued by the Idaho Department of Water Resources.

   c. Claim No. _____ on file with the Idaho Department of Water Resources.

   d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

   ☒ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 10/04/1938

5. Water is used for the following purpose:

   amount 1.60 cfs for Irrigation purposes from 4-01 to 11-01
   (cfs/~~ac-ft~~)
   amount _____ for _____ purposes from _____ to _____
   (cfs/ac-ft)
   amount _____ for _____ purposes from _____ to _____
   (cfs/ac-ft)

6. Total amount of water under right 1.60 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	NW	20	8N	34E	Jefferson	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
8N	34E	20		14	6		25			35									80

Total acres 80

9. Describe any other water rights used for the same purpose as described above _____

PART 2

Transfer No. 5327

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

_____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)*

1. amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

Form 222.1
12-92

Page 5 of 8

Transfer No. 5327

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

   a. Decree No. _____ Decreed to _____

   in case of _____ vs. _____

   dated _____ in _____ county of _____

   b. License No. _____ issued by the Idaho Department of Water Resources.

   c. Claim No. 31-10227 on file with the Idaho Department of Water Resources.

   d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

   ☒ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 4/01/1950

5. Water is used for the following purpose:

   amount 1.60 cfs (cfs/ac-ft) for Irrigation purposes from 4-01 to 11-01

   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

6. Total amount of water under right 1.60 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	SE	NW	20	8N	34E	Jefferson	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
8N	34E	20		38	31		36			35									140

Total acres 140

9. Describe any other water rights used for the same purpose as described above 31-02269

PART 2

Transfer No. 5327

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

_____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)*

1. amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

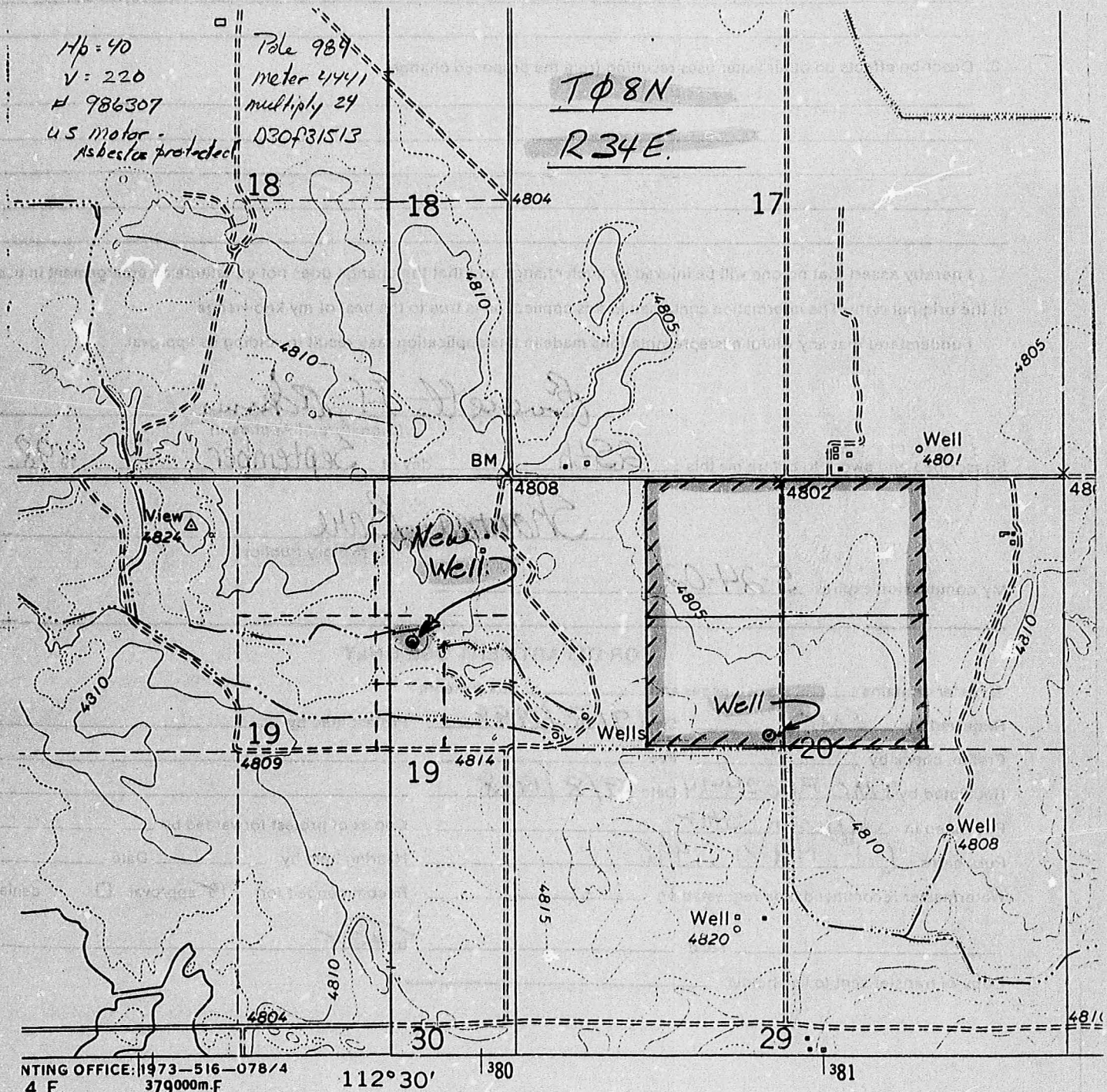
Transfer No. 5327

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



NTING OFFICE: 1973—516—078/4

Draw plan in ink

Transfer No. 5327

PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				_____ to _____
				_____ to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Everett F. Adams
(Signature of Applicant)

Subscribed and sworn to before me this 25th day of September, 19 98.

Shawna Bare
(Notary Public)

My commission expires 5-24-02

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by EMC Date 9/8/1998 Protest filed by _____

Prelim. check by _____ Fee _____

Receipted by EMC #E024424 Date 9/8/1998

Published in Jefferson Star

Pub. dates Oct 14 & 21, 1998.

Copies of protest forwarded by _____

Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☑ approval ☐ denial

_____ rec'd. by RDC

Copy of transfer sent to lien holder _____

JOYCE BRIGGS (208) 745-9215
JEFFERSON COUNTY ASSESSOR
P.O. BOX 538
RIGBY, ID. 83442-0538

RETURN SERVICE REQUESTED

IMPORTANT NOTICE-PLEASE READ

PRESORTED
FIRST-CLASS MAIL
U S POSTAGE PAID
RIGBY, ID. 83442
PERMIT NO. P-001

TAX CODE 30-00

CATEGORY DESCRIPTION	LOTS/ACRES	MARKET VALUE
1 IRRGTD AG	79.000 AC	12,443
5 DRY GRAZING	235.000 AC	7,050
10 RURAL HOMESITE	1.000 AC	7,500
19 WASTE	5.000 AC	
31 RURAL RES BLDG		34,444
32 RURAL IMP ON AG		2,532
	320.000	63,969*

1998
TAXPAYER'S
VALUATION
ASSESSMENT NOTICE
TAXES ARE BASED ON THE VALUATION
LISTED ON THIS STATEMENT
IF THERE ARE ANY QUESTIONS
REGARDING THIS STATEMENT
NOTIFY THE ASSESSOR'S OFFICE BEFORE
JUNE 22, 1998

See the reverse side for further references
KEEP THIS COPY FOR YOUR RECORDS

PROPERTY ADDRESS 1090 E 2700 N 83435
PARCEL NUMBER RP 08N34E200001 A

Mail To:

N1/2; SEC 20,
TWP 8 NORTH RGE 34 EBM

ADKINS EVERETT H. & BETTY

1090 E 2700 N
BOX 2060
MONTEVIEW ID 83435

JOYCE BRIGGS (208) 745-9215
JEFFERSON COUNTY ASSESSOR
P.O. BOX 538
RIGBY, ID. 83442-0538

RETURN SERVICE REQUESTED

IMPORTANT NOTICE-PLEASE READ

PRESORTED
FIRST-CLASS MAIL
U S POSTAGE PAID
RIGBY, ID. 83442
PERMIT NO. P-001

TAX CODE 30-00

CATEGORY DESCRIPTION	LOTS/ACRES	MARKET VALUE
5 DRY GRAZING	301.000 AC	9,030
19 WASTE	7.050 AC	
	308.050	9,030*

1998
TAXPAYER'S
VALUATION
ASSESSMENT NOTICE
TAXES ARE BASED ON THE VALUATION
LISTED ON THIS STATEMENT
IF THERE ARE ANY QUESTIONS
REGARDING THIS STATEMENT
NOTIFY THE ASSESSOR'S OFFICE BEFORE
JUNE 22, 1998

See the reverse side for further references
KEEP THIS COPY FOR YOUR RECORDS

PROPERTY ADDRESS
PARCEL NUMBER RP 08N34E190150 A

Mail To:

N1/2; LESS NE4NE4NE4; SEC 19,
TWP 8 NORTH RGE 34 EBM

ADKINS EVERETT H. & BETTY

1090 E 2700 N
MONTEVIEW ID 83435

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5327
WATER RIGHT NO. 31-02269 & CLAIM A31-10227

This is to certify that: **BETTY ADKINS**
EVERETT ADKINS
2798 N 1000 E
MONTEVIEW ID 83435

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL VOLUME
Right No. 31-02269 :			
IRRIGATION	04/15 to 10/15	1.60 CFS	280.0 AF
Priority: 10/04/1938			
Claim No. A31-10227 :			
IRRIGATION	04/15 to 10/15	1.20 CFS	210.0 AF
Priority: 04/01/1950			
	TOTAL:	* 2.80 CFS	* 490.0 AF

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION: SENE , Sec. 19, Township 08N, Range 34E
SENW , Sec. 20, Township 08N, Range 34E
JEFFERSON County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
08N	34E	20	NWNE	38	SWNE	31	NENW	36	
			SENW	35					140

Total number of acres irrigated: * ** 140

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

TRANSFER NO. 5327
WATER RIGHT NO. 31-02269 & CLAIM NO. A31-10227

CONDITIONS OF APPROVAL AND REMARKS

3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
7. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
** 8. Right 31-02269 is limited to irrigation of 80.0 acres within the place of use described above in a single irrigation season.
** 9. Claim A31-10227 is limited to irrigation of 60.0 acres within the place of use described above in a single irrigation season.
* 10. Right 31-02269 and Claim A31-10227 when combined shall not exceed a total diversion rate of 2.80 cfs, a total annual maximum diversion volume of 490.0 af at the field headgate, and the irrigation of 140.0 acres.
11. Approval of Transfer 5327 does not confirm SRBA Claim A31-10227.

Dated this 24th day of May, 1999

L. Glen Saxton
Chief, Water Allocation Bureau

Form 238-7
8/90

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

USE TYPEWRITER OR BALLPOINT PEN

RECEIVED
APR 16 1991
Department of Water Resources
Eastern District Office

1. WELL OWNER

Name Everett Adkins
Address 2798 N 1000 E
Drilling Permit No. VEO 15570 + 31-E-91-0001-001
Water Right Permit No. 31-91-E-0001-001

2. NATURE OF WORK

31-2269 - WATER RIGHT

☐ New well ☒ Deepened ☐ Replacement
☐ Well diameter increase
☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)

3. PROPOSED USE

☐ Domestic ☒ Irrigation ☐ Test ☐ Municipal
☐ Industrial ☐ Stock ☐ Waste Disposal or Injection
☐ Other _____ (specify type)

4. METHOD DRILLED

☐ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary
☒ Cable ☐ Dug ☐ Other _____

5. WELL CONSTRUCTION

Casing schedule: ☐ Steel ☐ Concrete ☐ Other _____

Thickness	Diameter	From	To
~~.46~~ inches	_____ inches +	_____ feet	_____ feet
.250 inches	16" inches	1 feet	152 feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

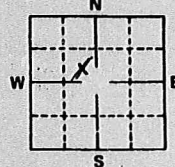
Was casing drive shoe used? ☒ Yes ☐ No
Was a packer or seal used? ☐ Yes ☒ No
Perforated? ☐ Yes ☒ No
How perforated? ☐ Factory ☐ Knife ☐ Torch ☐ Gun
Size of perforation _____ inches by _____ inches

Number	From	To
_____ perforations	N/A feet	_____ feet
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet

Well screen installed? ☐ Yes ☒ No
Manufacturer's name N/A
Type _____ Model No. _____
Diameter ___ Slot size ___ Set from ___ feet to ___ feet
Diameter ___ Slot size ___ Set from ___ feet to ___ feet
Gravel packed? ☐ Yes ☐ No ☐ Size of gravel _____
Placed from _____ feet to _____ feet
Surface seal depth 18 Material used in seal: ☐ Cement grout ☐ Bentonite ☒ Puddling clay ☐ _____
Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing ☐ Overbore to seal depth
Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent Weld ☐ Cemented between strata
Describe access port 2" U Pipe

6. LOCATION OF WELL

Sketch map location must agree with written location.



Subdivision Name _____
Lot No. _____ Block No. _____
County JEFFERSON
SE ¼ NW ¼ Sec. 20, T. 8 N ☒ S ☐ R. 34 E ☒ W ☐

7. WATER LEVEL

Static water level 45' feet below land surface.
Flowing? ☐ Yes ☐ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature cold °F. Quality _____
Describe artesian or temperature zones below.

8. WELL TEST DATA

☐ Pump ☐ Bailer ☐ Air ☐ Other _____

Discharge G.P.M.	Pumping Level	Hours Pumped

9. LITHOLOGIC LOG

Bore Diam.	Depth From	Depth To	Material	Water Yes	Water No
16"	46	50	BLACK CINDERS + SAND	X	
	50	55	BLACK + GRAY SAND	X	
	55	62	BLACK SAND + LAVA BOULDERS	X	
	62	105	BROWN SAND		
	105	165	BROWN CLAY		
	165	175	BLACK CLAY		
	175	185	BLUE CLAY + BROWN SAND		
	185	190	BROWN HARD PAN CLAY		
	190	200	BROWN SAND STONE		
	200	205	BLACK + GRAY SAND		
	205	207	BLACK + BROWN SAND STONE		
	207	220	BROWN SAND		
	220	235	BLUE CLAY		
	235	248	BROWN CLAY		
	248	250	BROKEN GRAY LAVA		
	250	257	BROWN SAND		
	257	260	HARD GRAY LAVA		
	260	264	RED + GREEN LAVA LOOSE	X	
	264	268	HARD BLACK LAVA	X	
	268	271	GRAY CLAY	X	

RECEIVED
APR 12 1991
Department of Water Resources

APR 02 1992
APR 22 1991
Department of Water Resources

10. Work started 1-3-91 finished 2-6-91

11. DRILLERS CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name Intermt. DRILLING Firm No. 106
Address P.O. Box 358 Date _____
Signed by (Firm Official) Charles Founder
and
(Operator) Charles Founder

PLEASE WRITE BELOW THIS LINE

State of Idaho
DEPARTMENT OF WATER RESOURCES
900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

September 22, 1998

COPY

Mr. Everett Adkins
2798 N. 1000 E.
Monteview, ID. 83435

Dear Mr. Adkins:

Enclosed is a re-written version of your original transfer application. I have conferred with Snake River Basin Adjudication personnel and the 2.80 cfs amount or 140" is all they will recommend. This is the standard of one miners inch per acre.

In keeping with their recommendation Part 1 of the transfer shows the cfs, points of diversion and places of use that are acceptable. I will need you to sign the new application and also provide a copy of your most recent tax notice showing you as owner of the ground in Sec 20, T8N, R34E.

You can send all the documents back to me in Idaho Falls. Please remember to get the transfer notarized.

Sincerely,

H. W. Jones

Harold W. Jones
Water Right Supervisor

HWJ::dn
enc.

18 September 1998

From: Dennis M Dunn
To: File A31-10227/02269

Re: Confirmation of Point of Diversion

The well proposed as point of diversion in the NW SE NE, Sec 19, T8N R34E is correctly located. This was confirmed by an onsite inspection on 17 September 1998.

well data:

HP 40	Pole 984
V 220	meter reading 4441
# 986307	multiplier 24
	# D30f31513

Water Right Number - R31-10227 Prefix Translation: RESEARCH Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
ADKINS	EVERETT H	1 - 2700 N 1090 E 2 - 3 - City- MONTEVIEW State- ID Zip- 83435 Phone - 208-657-2561
ADKINS	BETTY L	1 - 2700 N 1090 E 2 - 3 - City- MONTEVIEW State- ID Zip- 83435 Phone - 208-000-0000

Priority Date	Region	Stage	Status
05/01/1950	ERROR IN REGION	J - BENEFICIAL USE	

Source: GROUNDWATER

Tributary:

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Diversion Name
08N	34E	20	SE SE NW			(51) JEFFERSON	

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01	IRRIGATION	04/15	10/15	1.200	

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
1.200			0.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
08N	34E	20	NW NE		38.0	01	IRRIGATION	(51) JEFFERSON
08N	34E	20	SW NE		31.0	01	IRRIGATION	(51) JEFFERSON
08N	34E	20	NE NW		36.0	01	IRRIGATION	(51) JEFFERSON
08N	34E	20	SE NW		35.0	01	IRRIGATION	(51) JEFFERSON

Total Acres: 140.0

Diversion Means - WELL/PUMP TO DITCH SYSTEM/FLOOD IRR

Non-Irrigation Use -

Other Rights for Same Use - 31-02269

Remarks

GEN USE OF THIS RIGHT WITH RIGHT NO. 31-02269 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.80 CFS, A TOTAL COMBINED

Water right number - R31-10227 Prefix Translation: RESEARCH

Remarks

ANNUAL DIVERSION VOLUME OF 490 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 350 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 140 ACRES IN A SINGLE IRRIGATION SEASON.
RIGHT NO. 31-02269 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

Old Water Right Numbers

No Old Water Right Numbers found.

Conditions of Approval

No Conditions of Approval found.

Decree Plaintiff	Decree Defendant	Decree Date
		00/00/0000

Audit Fields - 03/07/95 DCARLSON 03/30/95 POST-STD 04/29/96 DCARLSON

Comments

Date: 03/07/1995 User Id: DCARLSON Subject: COPIED FROM REMARKS
IN 1950 THE PREVIOUS OWNERS, HAMTON AND BIRD, INSTALLED A LARGER PUMP ON THE WELL IN THE SE1/4NW1/4. THIS PUMP PRODUCED 240" OF WATER. WITH THE ADDITIONAL WATER THEY WERE ABLE TO IRRIGATE LAND NOT COVERED BY 34-02269. AT THE TIME I WAS LEASING THE PROPERTY.

Adjudication Rights Dates and Flags Area

Court Report Filing	- 00/00/0000	Field Inspection Made	- 07/07/1994	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 07/13/1988	Last Amended Date	- 02/25/1991	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- E000719	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	-
		Name Connector	- OR	Notice of Error Flag	-

Water Right Number - R31-02269 Prefix Translation: RESEARCH Old (D) Number - 18690

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
ADKINS	EVERETT	1 - 2798 N 1000 E 2 - 3 - City- MONTEVIEW State- ID Zip- 83435 Phone - 208-657-2561
ADKINS	BETTY L	1 - 2798 N 1000 E 2 - 3 - City- MONTEVIEW State- ID Zip- 83435 Phone - 208-000-0000
*** O - ORIGINAL OWNER ***		
PALMER	EDWARD F	1 - 2 - 3 - City- DUBOIS State- ID Zip- 83423 Phone - 208-000-0000

Priority Date	Region	Stage	Status
10/04/1938	15 EASTERN	L - LICENSE	

Source: GROUNDWATER

Tributary:

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Diversion Name
08N	34E	20	SE SE NW			(51) JEFFERSON	

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01	IRRIGATION	04/15	10/15	1.600	

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
1.600			0.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
08N	34E	20	NW NE		38.0	01	IRRIGATION	(51) JEFFERSON
08N	34E	20	SW NE		31.0	01	IRRIGATION	(51) JEFFERSON
08N	34E	20	NE NW		36.0	01	IRRIGATION	(51) JEFFERSON
08N	34E	20	SE NW		35.0	01	IRRIGATION	(51) JEFFERSON

Total Acres: 140.0

Diversion Means - WELL/PUMP -TO OPEN DITCHES FOR FLOOD IRRIGATION.

Non-Irrigation Use -

Water right number - R31-02269 Prefix Translation: RESEARCH

+ - - Other Rights for Same Use - 31-10227

+ - Remarks - +

GEN USE OF THIS RIGHT WITH RIGHT NO. 31-10227 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.80 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 490 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 350 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 140 ACRES IN A SINGLE IRRIGATION SEASON.

RIGHT NO. 31-10227 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 80 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

+ - Old Water Right Numbers - +

No Old Water Right Numbers found.

+ - Conditions of Approval - +

C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

+ - - - - Decree Plaintiff - - - +

+ - - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

+ - - Audit Fields - 03/07/95 DCARLSON 03/30/95 POST-STD 04/26/96 KWILSON 04/29/96 DCARLSON

+ - Comments - +

No Comments Found

+ - Adjudication Rights Dates and Flags Area - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 07/07/1994	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 07/13/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- E000719	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	- C
		Name Connector	- OR	Notice of Error Flag	-

February 15, 1991

To Whom It May Concern:

I have lived in Monteview Id. Since the Spring of 1960. However, My Father A. Vernon Ball and his Brother Ronald J. Ball of Lewisville Id. Purchased Farmland in Monteview in the fall of 1952. At this time, I traveled to and From Monteview with my Dad Farming and irrigating this Farmland.

I'm well Acquainted with the pump and irrigation on the 160 Acres known as the "Palmer" or "Hampton-Bird" Farm. My Dad and uncle bought it From Bird and Hampton. We Farmed it for Several years and I personally irrigated it for at least a dozen yrs. During these years, We Always had a good Stream of water. The pump, pumping a full tube, at the discharge. I estimate at least 200 inches of water.

Ball Brothers Sold this farm to our Neighbor Mr. Everett Adkins about 11-12 years Ago. He has Farmed and grazed Cattle on this Ground every year Since he made the purchase.

In Support, his claim that the water table has dropped and the well was dry in July of 1990. He therefore, had to drill the well deeper in order to get the necessary water. We had to do the Same to two of our wells that are in Close proximity to Adkin's well.

Sincerely,

Orb Ball

MICROFILMED
NOV 17 1992

875 E. 2700 N.
Monteview, ID 83435

+ attach this + copy to A31-10227 + 10228

Water District #31

Box 33
Dubois, Idaho 83423
(208) 374-5230

Donald W. Shenton
Watermaster

POOR ORIGINAL

May 1, 1991

RE: Water Right No. A31-04008, A31-10227, A31-02269, A31-07013, A31-10228

To whom it may concern:

I Donald W. Shenton, watermaster of Water District #31, make the following statement on behalf of Everet or Betty Adkins, and their water right licenses and their water right claims which are filed with Idaho Department of Water Resources.

I am very familiar with the irrigation practices of the above name farms and have made numerous measurements of their respective wells. Though most of those flows at the wells exceeded the license amount, the amount in excess has been beneficially used and the farm has become totally dependent on the amounts being pumped. Because the delivery of the water is by way of ditches which are mostly constructed in lava beds, they have high seepage losses. The lands irrigated are also shallow and in most places over lava. These lands are also edged next to lava reefs and ridges.

Due to the condition of the above there are high seepage losses in the transmission system, plus a lot of heavy seepage loss caused by lava cracks directly under the soil and sink holes which happens regularly.

It is necessary to have a large amount of water to have a good head of water to cover the area on and beyond these loss factors. There is no way to completely seal off this seepage and recharge into the underground. It is imperative that these beneficial uses of water be decreed or licensed to this farm for its continued existence.

Donald W. Shenton
Donald W. Shenton
Watermaster Water District #31

Betty Kilpatrick

MICROFILMED
APR 14 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES
900 N. Skyli[illegible], Idaho Falls, Idaho 83402-1718 – (208) 525-7161 – FAX [illegible] 525-7177

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

POOR ORIGINAL

[illegible]ERN REGION
FEBRUARY 9, 1993

*

RE: EVIDENCE OF PRIORITY

Dear Claimant(s):

The Notice(s) of Claim identified with the number shown above in the "address" label and at the "end" of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates water usage is based on "Beneficial Use". 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. As the claimant, you are responsible for submitting the necessary proof to support the priority date.

It is important that each element of the Notice be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed 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 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.

****
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 MARCH 9, 1993, 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.

Respectfully submitted,

Eric Verner
Senior Water Agent

EV:jt

Enclosure: Brochure on "Evidence of Priority"
Proof Report

Other Water Right Numbers Needing Evidence of Priority

MICROFILMED
APR 14 1994

WATER DISTRICT NO. 31 . A31-10227.

Donald Shenton, [redacted]

DISCHARGE MEASURE NOTES

DATE 5-16 19 89

BEGIN ____ END ____

Bob ADKINS

#2 Well 200 Ft. Downstream

#2

DIST. FROM INITIAL POINT	WIDTH	DEPTH	REVOLUTIONS	TIME IN SECONDS	VELOCITY: AT POINT	VELOCITY: MEAN IN VERTICAL	ADJUSTED FOR HOR. ANGLE	AREA	DISCHARGE
2.0	.25	0	—	—	—				—
2.5	.50	.36	10	45	.51		.18		09
3.0	.50	.35	15	40	.84		.175		.15
3.5	.50	.36	15	41	.87		.18		.15
4.0	.50	.36	20	47	.95		.18		.17
4.5	.50	.39	25	44	1.26		.195		.25
5.0	.50	.41	25	44	1.26		.205		.26
5.5	.50	.40	40	46	1.92		.20		.38
6.0	.50	.41	40	41	2.15		.205		.44
6.5	.50	.33	40	42	2.10		.165		.35
7.0	.50	.35	40	47	1.88		.175		.33
7.5	.50	.35	30	40	1.66		.125		.29
8.0	.50	.32	20	44	1.07		.16		.16
8.5	.50	.30	15	44	.77		.15		.12
9.0	.50	.21	0	30					—
9.5	.25	0	0	0			—	—	—
	7.5								3.14
	1/2								
	.95								

TOTAL C.F.S. (3.14)

MINERS INCHES 157.0

1 of 1 Sheets. Comp. by Greg S Chk. by Don S.

Flow measurement by Don Shenton. done 5-16-1989 on well in SE¼ SE¼ NW¼ Sec 20 Twp. 8N Rge 34E.

MICROFILM
NOV 17 199

A31-10227.

B. CROPS TO BE GROWN

Crops and Pasture	Acres	Yield Per Acre	Total or Our Share	To Use and Keep	For Sale: Amount	For Sale: Value	*Actual Sales
Fall Farm							
½ Hay	35	3	52	12	40	$ 480	$
⅓ Wheat	19	25	310	0	310	465	
⅓ Barley	1	30	20	20			
Hamilton Farm							
⅓ wheat	29	25	484	0	484	726	
⅓ barley	31	30	620	0	620	620	
red wheat							
Total Acres					Total Sales	$	$

We Will Make These Improvements in Our Crop and Soil Practices This Year	When To Do It	If Needed, Money Will Come From
Fall plow as much land as grain	10-1-50	Sale of crops
Repair irrigation system	3-1-50	
Haul out barnyard manure	4-1-50	Op.

C. LIVESTOCK AND PRODUCTS

Kind	Number on Hand	To Be Bought	To Be Produced	To Use and Keep	For Sale: Amount	For Sale: Value	*Actual Sales
Cattle	10	9	8	18	7	$ 700	$
Butterfat and Whole Milk			family use				
Eggs			family use				
Total Sales						$ 700	$

MICROFILMED
NOV 17 1992

* Actual columns are not to be filled in until end of year.

16—2136-3

This is work sheet for FHA financing in 1950 showing intent to upgrade irrigation system.

1950


20
21
29
28
PC HEL
13.4
PC HEL
14.3
HEL
PC
NW

State of Idaho
DEPARTMENT OF WATER RESOURCES
900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

October 7, 1998

EVERETT OR BETTY ADKINS
2798 N 1000 E
MONTEVIEW ID 83435

RE: Application for Transfer #5327

Dear Applicant:

This office is currently in the process of advertising the application in the Jefferson Star on October 14 and 21, 1998. The advertisement will be published once a week for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

Harold W. Jones

Harold W. Jones
Water Right Supervisor

HWJ::sc

NOTICE OF PROPOSED CHANGE OF A WATER RIGHT
NO. T5327

Notice is hereby given that Everett or Betty Adkins, 2798 N 1000 E, Monteview ID 83435, has applied to the Department of Water Resources to add point of diversion and change cfs amount of the waters of a groundwater source. The rights sought to be change are evidenced by a license and a claim and recorded as follows:

License No.: 31-02269 Source: Groundwater
Amount: 1.60 cfs Priority: 10/04/1938
Point of Diversion: NWSENE SEC 19 T08N R34E, JEFFERSON COUNTY
The water is used for irrigation of 80 acres from 4/01 to 11/01 within SEC 201 T08N R34E, B.M.

Claim No.: A31-10227 Source: Groundwater
Amount: 1.60 cfs Priority: 04/01/1950
Point of Diversion: SESENW SEC 20 T08N R34E, JEFFERSON COUNTY
The water is used for irrigation of 140 acres from 4/01 to 11/01 within SEC 20 T08N R34E, B.M.

TO BE CHANGED AS FOLLOWS:

The original well cannot produce the licensed amount of water and the applicant intends to add an existing well in the SENE SEC 19 T08N R34E as a second point of diversion. The total cfs will be 2.80 cfs.

Any protests against approval of the proposed changed must be filed with the Idaho Department of Water Resources, 900 N Skyline Dr. Ste A, Idaho Falls, ID 83402, together with a protest fee of $25 on or before November 2, 1998. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER
Director

Published in the Jefferson Star on October 14 and 21, 1998.

State of Idaho
DEPARTMENT OF WATER RESOURCES
900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

October 7, 1998

JEFFERSON STAR
PO BOX 37
RIGBY ID 83442

Dear Publisher:

Enclosed you will find a legal notice which we wish to have published on the dates indicated in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before NOVEMBER 2, 1998.

Respectfully submitted,

Sharla Cox
Secretary

Enc.

The Jefferson Star
Rigby, Idaho

AFFIDAVIT OF PUBLICATION

State of Idaho)
) ss
County of Jefferson)

I, Terry Carr of *The Jefferson Star*, published weekly at Rigby, Jefferson County, Idaho, do solemnly swear that the Notice of Proposed Change of a Water Right, a copy of which notice appears attached hereto, was published in the regular and entire issue of said newspaper, and not in any supplement issue thereof for 2 consecutive issues, the first publication having been made on 10-14-98 and the last publication having been made on 10-21-98

Further, that said newspaper is one of general circulation in said county; that it is a legal newspaper, conforming to legal specifications under the Idaho Statutes; that it has at least two hundred bona fide subscribers living within the county of publication; and that it has been continuously and uninterruptedly published in said county during a period of seventy eight consecutive weeks prior to the first publication of the said notice.

Terry Carr

On this 21st day of Oct. in the year of 1998, before me, a Notary Public, personally appeared

Terry Carr,

known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are: true, and acknowledged to me that she executed the same.

Crystal Foste
Notary Public of Idaho
Residing at 1032 N 1100 E, Shelley, ID

My commission expires March 8, 1999

NOTICE OF PROPOSED CHANGE OF A WATER RIGHT NO. T5327

Notice is hereby given that Everett or Betty Adkins, 2798 N 1000 E, Monteview ID 83435, has applied to the Department of Water Resources to add point of diversion and change cfs amount of the waters of a groundwater source. The rights sought to be change are evidenced by a license and a claim and recorded as follows:

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Amount: 1.60 cfs
Priority: 10/04/1938
Point of Diversion: NWSENE SEC 19 T08N R34E, JEFFERSON COUNTY
The water is used for irrigation of 80 acres from 4/01 to 11/01 within SEC 201 T08N 934E, B.M.
Claim No.: A31 10227
Source: Groundwater
Amount: 1.60 cfs
Priority: 04/01/1950
Point of Diversion: SESENW SEC 20 T08N R34E, JEFFERSON COUNTY
The water is used for irrigation of 140 acres from 4/01 to 11/01 within SEC 20 T08N R34E, B.M.

TO BE CHANGED AS FOLLOWS:

The original well cannot produce the licensed amount of water and the applicant intends to add an existing well in the SENE SEC 19 T08N R34E as a second point of diversion. The total cfs will be 2.80 cfs.

Any protests against approval of the proposed change must be filed with the Idaho Department of Water Resources, 900 N Skyline Dr. Ste A, Idaho Falls, ID 83402, together with a protest fee of $25 on or before November 2, 1998. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER
Director

Published in the Jefferson Star on Oct. 14 and 21, 1998.

RECEIVED
OCT 26 1998
Department of Water Resources
Eastern Region

MEMORANDUM

TO: Files 31-02269 & A31-10227

FROM: Pam Skaggs/State Office

SUBJECT: Transfer 5327

DATE: May 18, 1999

Transfer 5327 adds a point of diversion and changes the place of use to create a 140.0 acre permissible place of use. The original well no longer provides the full rate of these rights and a new well is being added to the system.

Season of use and diversion volume were adjusted to current standards. Recommended conditions include drilling permit requirements, multiple points of diversion, measuring devices & annual reporting, irrigation overlap, permissible place of use limits, combined right limits, non-confirmation of claim and standard transfer conditions.

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. **A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of the order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from a preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with a preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

(a) the petition for reconsideration is disposed of; or
(b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

i. A hearing was held,
ii. The final agency action was taken,
iii. The party seeking review of the order resides, or
iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

May 26, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

BETTY ADKINS
EVERETT ADKINS
2798 N 1000 E
MONTEVIEW ID 83435

RE: Water Right 31-02269 & Claim A31-10227 (Transfer 5327)

Dear Mr. & Mrs. Adkins:

Enclosed is the copy of your approved Transfer of Water Right for the above referenced water right and claim (Transfer 5327). Please be sure to thoroughly read the Conditions and Remarks listed on the transfer. Also, please be advised that the accompanying transfer approval should be considered and treated as a **preliminary order** of the department issued pursuant to section 67-5243, Idaho Code. Enclosed are instructions for responding to **Preliminary Orders** if you are in disagreement with the approved transfer.

As of July 1, 1996, all water right owners are required to report any change in water right ownership and any change of mailing address to the department.

If you have acquired any other water right or have changed your mailing address **PRIOR TO** July 1, 1996, you have until July 30, 1998, to record the ownership and/or address change with the department.

If you acquired other water rights or changed your mailing address **AFTER** July 1, 1996, you must notify the department within 120 days of the change.

Failure to report these changes in a timely manner could result in a $100 late filing fee. You can contact any office of the department for more information. If you have any questions concerning your water right listed above you can contact me at (208) 327-7947.

Sincerely,

JIM JOHNSON, Manager
Water Right Permits Section

JJ:klt
Enclosures

CERTIFICATE OF MAILING

I hereby certify that on the **26th** day of **May, 1999**, I mailed a true and correct copy, postage prepaid, of the foregoing **TRANSFER APPROVAL** to the person(s) listed below:

WATER RIGHT 31-02269 & CLAIM A31-10227 (Transfer 5327)

BETTY ADKINS
EVERETT ADKINS
2798 N 1000 E
MONTEVIEW ID 83435

Kari Lynn Townsend
Secretary