

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

[illegible]

Scale: 2 inches equal 1 mile

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

BROWN INC.

By: George R. Brown, President
(Applicant)

22-7067

The REXBURG STANDARD and
The REXBURG JOURNAL
REXBURG, IDAHO



Affidavit of Publication

STATE OF IDAHO }
County of Madison } ss.

I, Annette Porter,
being first duly sworn, depose and say,
that I am the printer of THE REXBURG

Journal, a newspaper printed and
published weekly at Rexburg, Madison
County, Idaho; and I do solemnly swear
that the

Application for Water Permit No. 22-7067

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 Two
consecutive issues, the first publication hav-

ing been made on March 29, 1973
and the last publication having been made

on April 5, 1973

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 sub-
scribers living within the county of publica-
tion; and that it has been continuously and
uninterruptedly published in said county dur-
a period of seventy-eight consecutive weeks
prior to the first publication of the said not-
ice.

Annette Porter



Subscribed to and sworn to before me

this April 6, 1973

John C. Porter
Notary Public.

(SEAL)

My commission expires 5-24-76

RECEIVED

APR 11 1973

Department of Water Administration
Eastern District Office

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Brown
Inc., 1439 Cambridge Drive, Idaho
Falls, Idaho has on 3-20-73 submitted
Application No. 22-7067 for a permit to
appropriate 2.0 cubic feet second of
water of well and pump within the
SE 1/4 SW 1/4, Sec. 35, T. 6N, R. 41E,
B.M., Madison County; to be used
from Jan. 1 to Dec. 31 for air con-
ditioning purposes for two potato pits
and domestic purposes for six
families within the SE 1/4 SW 1/4, Sec. 35;
NE 1/4 SE 1/4, Sec. 34, T. 6N, R. 41E,
B.M.

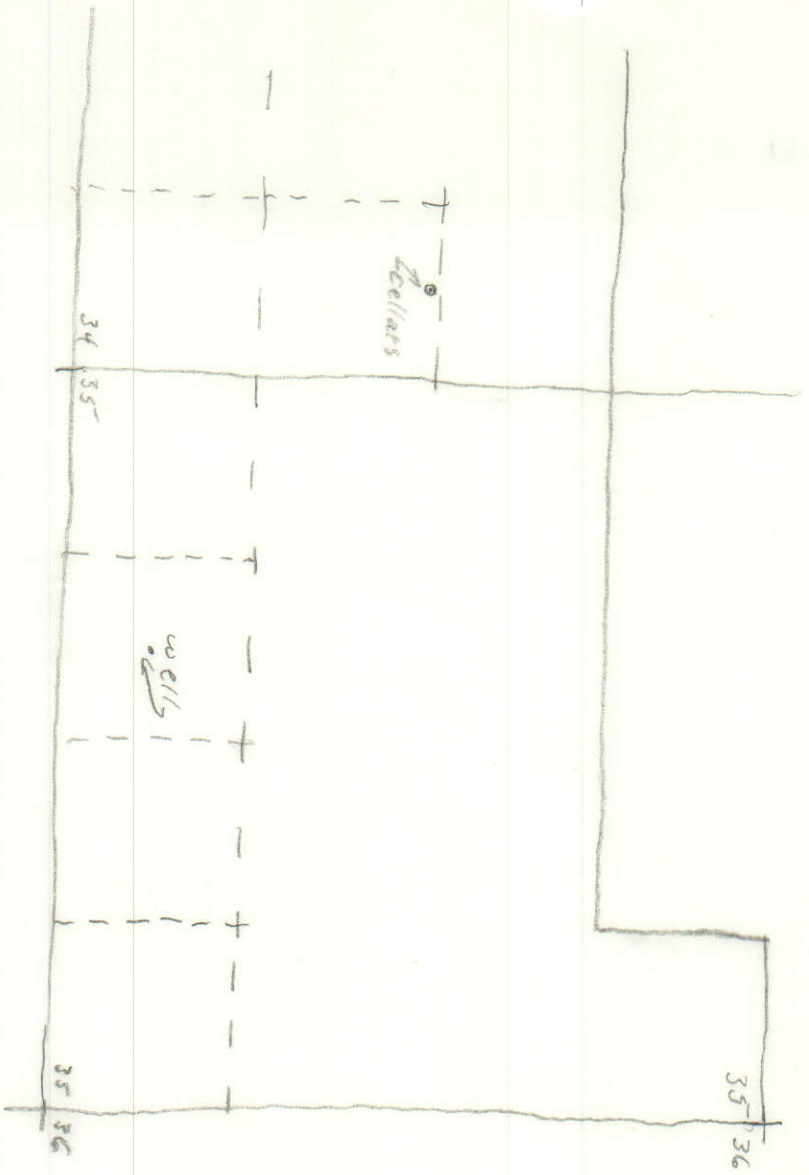
If issued, this permit will be subject
to all prior water rights. Protests
against the granting of the permit
must be filed with the Idaho Depart-
ment of Water Administration, 240
South Holmes, Idaho Falls, Idaho,
83401 on or before April 16, 1973.

R. KEITH HIGGINSON
Director

Published in the Rexburg Journal,
Rexburg, Idaho on March 29 and April
5, 1973.

OK
2/24/73
4/11/73

22-7067



Traced from Actix / Photo

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 22-7067 Priority March 20, 1973 Amount 0.03 cfs

THIS IS TO CERTIFY, that BROWN, INC.
of Idaho Falls, Idaho, has complied with the terms and conditions of Permit
No. 22-7067 issued pursuant to Application for Permit dated March 20, 1973,
and has submitted proof to the Department of Water Resources on July 24, 1975,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.03 cfs of water from a ground water source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Industrial</u>	from <u>Jan. 1</u> to <u>Dec. 31</u> at <u>0.03</u> cfs and	<u>6.0</u> acre feet	
<u>Domestic</u>	from <u>Jan. 1</u> to <u>Dec. 31</u> at <u>0.03</u> cfs and	<u>1.2</u> acre feet	
	from _____ to _____ at _____ cfs and		
	(both dates inclusive)		

Subject, however, to the condition that no more than 0.03 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
7.2 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 35,
Twp. 6 N, Rge. 41 E, B.M. in the County of Madison

Description and location of place of use:

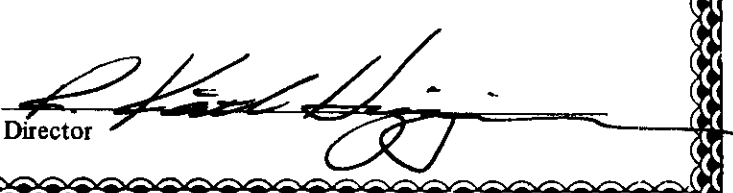
Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
6 N	41 E	34													X (Industrial)				
		35													X (domestic)				

Total number of acres irrigated _____

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

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 30 day of
August, 19 76.

Director 

22 7067

Identification No. _____

Application No. _____

STATE OF IDAHO

LICENSE ISSUED FOR 03 SEC. FT.

DEPARTMENT OF WATER ADMINISTRATION

APPROVED

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

(TYPE OR PRINT IN INK)

Well #3--Potato Pit Air Conditioning & Domestic

1. Name of applicant Brown, Inc., an Idaho Corporation
 post office address 1439 Cambridge Drive, Idaho Falls, Idaho 83401

2. Source of water supply Ground Water which is a tributary of ---

3. a. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 35 Township 6N
41E B.M. Madison County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
 of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____

4. Water will be used for the following purposes:

Amount 1.8 for (humidity-) Industrial purpose from Jan. 1 to Dec. 31 (both dates inclusive)

Amount 0.2 for domestic purpose from Jan. 1 to Dec. 31 (both dates inclusive)

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 2.0 cubic feet per second ~~and/or~~

b. _____ acre feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well, pump & pipelines

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
 capacity _____ acre feet, materials used in storage dam: _____

Period of year during which storage will occur _____ to _____ inclusive.
 (Mo. Day) (Mo. Day)

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
 is 5 years.

b. Estimated construction cost is \$ 3,825.00.

8. Description of proposed uses:

a. If water is **not** for irrigation:

(1) Give the place of use of water: NE SE 34 6N
SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 35 Township 6N
41E B.M.

(2) Amount of power to be generated: _____ hp under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
 supplied with domestic water 6.

(5) If water is to be used for other purposes describe: Humidify two potato pits.
1. Air condition two potato pits.
2. Drinking water (domestic) for farmers, etc.
3. Domestic--6 families at most.

22-7067

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

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated_____

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

9. a. Who owns the property at the point of diversion Brown Inc.
- b. Who owns the land to be irrigated or place of use Brown Inc. and George Weston Brown, a share-
holder in the corporation.
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the
applicant to make this filing Brown Inc. is a family owned, Idaho Corporation. Some of the
land or places designated for use is owned by the corporation and some by George
Weston Brown, who is a stockholder of the corporation.

The corporation is leasing the land from George Weston Brown and has agreed as
such lessor to construct the water system.

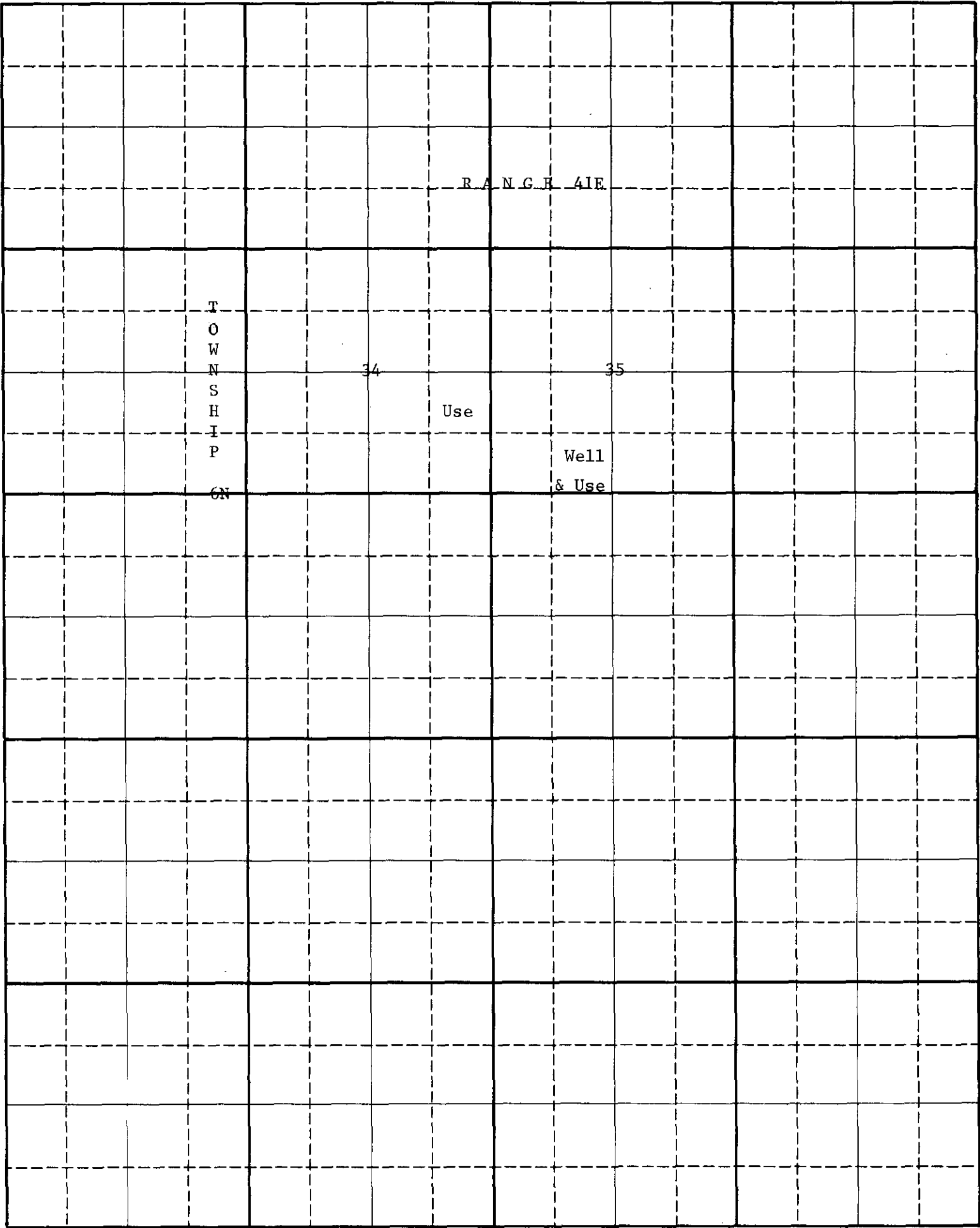
10. Remarks _____

Water will be evaporated in air conditioner, no effluent.

Under maximum demand, 1.8 c.f.s. will be required for the humidifier-air conditioning
unit to be installed in the two potato pits.

Charlie Morgan
Charlie Morgan
Representative
Industrial Ventilation, Inc.
Rte 4 Box 308 E.
Idaho Falls, Idaho

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



Scale: 2 inches equal 1 mile

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

BROWN INC.

By: George R. Brown, President
(Applicant)

22-70607

Received by ba Date 3-20-73 Time 10:30 am
 Preliminary check by NCY Fee \$ 35.00
 Receipted by ba Date 3-20-73 Receipt # 7126
 Publication prepared by ba Date 3-23-73
 Published in Rexburg Journal
 Publication dates 3-29 & 4-5-73
 Publication approved NCY Date 4/11/73
 Priority ~~reduced~~ to 3-20-73 Reason

 Protests filed by: _____

 Copies of protests forwarded by _____
 Hearing held by _____ Date _____
 Recommended for approval denial by NCY BDE

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 22-7067, and said application is hereby APPROVED.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before April 1, 19 78.
- c. Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

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

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


 Deputy Director

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF REMOVAL OF THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. 22-7067
in the name of BROWN, INC.

ORDER

WHEREAS, on March 20, 1973, Brown, Incorporated applied to the Department of Water Resources (formerly the Department of Water Administration) for a permit to appropriate 2.00 cubic feet per second of groundwater to be diverted within the SEMSW₄, Sec. 35, Twp. 6N, Rge. 41E, B.M., Madison County, to be used for industrial and domestic purposes; and,

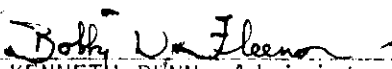
WHEREAS, on April 19, 1973, the Department approved said application and issued Permit No. 22-7067 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before April 1, 1978, and that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on July 24, 1975, the Eastern District Office received the required proof of application of water to beneficial use along with a request that the measuring device requirement be removed from said permit; and,

WHEREAS, it has been determined by the Department that a measuring device is not required at this time for a determination of the quantity of water appropriated under said permit;

IT IS, THEREFORE, HEREBY ORDERED that the condition of approval that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works, be and is, REMOVED from Permit No. 22-7067.

Dated this 7 day of August, 1975.


A. KENNETH DUNN, Administrator, Operations
Division - by BOBBY D. FLEENOR, Chief, Water
Rights Bureau

RECEIVED

Identification No. 22 7067

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

(TYPE OR PRINT IN INK)

Well #3--Potato Pit Air Conditioning & Domestic

1. Name of applicant Brown Inc., an Idaho Corporation
post office address 1439 Cambridge Drive, Idaho Falls, Idaho 83401
2. Source of water supply well which is a tributary of _____
3. a. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 35 Township 6 N.
Range 41 E.B.M. Madison County; additional points of diversion if any: _____
~~NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 34 Township 6 N. Range 41 EBM Madison County~~ omit
NCY PER TELECON with George R. Brown 3/20/73
- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 1.8 c.f.s. for airconditioning & purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.2 for domestic's purpose from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 2.0 cubic feet per second and/or NCY 3/20/73
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Well, pump, and pipelines.

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.
b. Estimated construction cost is \$ 3,825.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 35 Township 6N.
Range 41 E.B.M. & NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 34 Township 6N Range 41 E.B.M
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.
- (5) If water is to be used for other purposes describe: 1. Air condition two potato pits.
2. Drinking water (domestic) for farmers etc.
3. Domestic--6 families at most.

22-7067

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

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	

Total number of acres to be irrigated_____

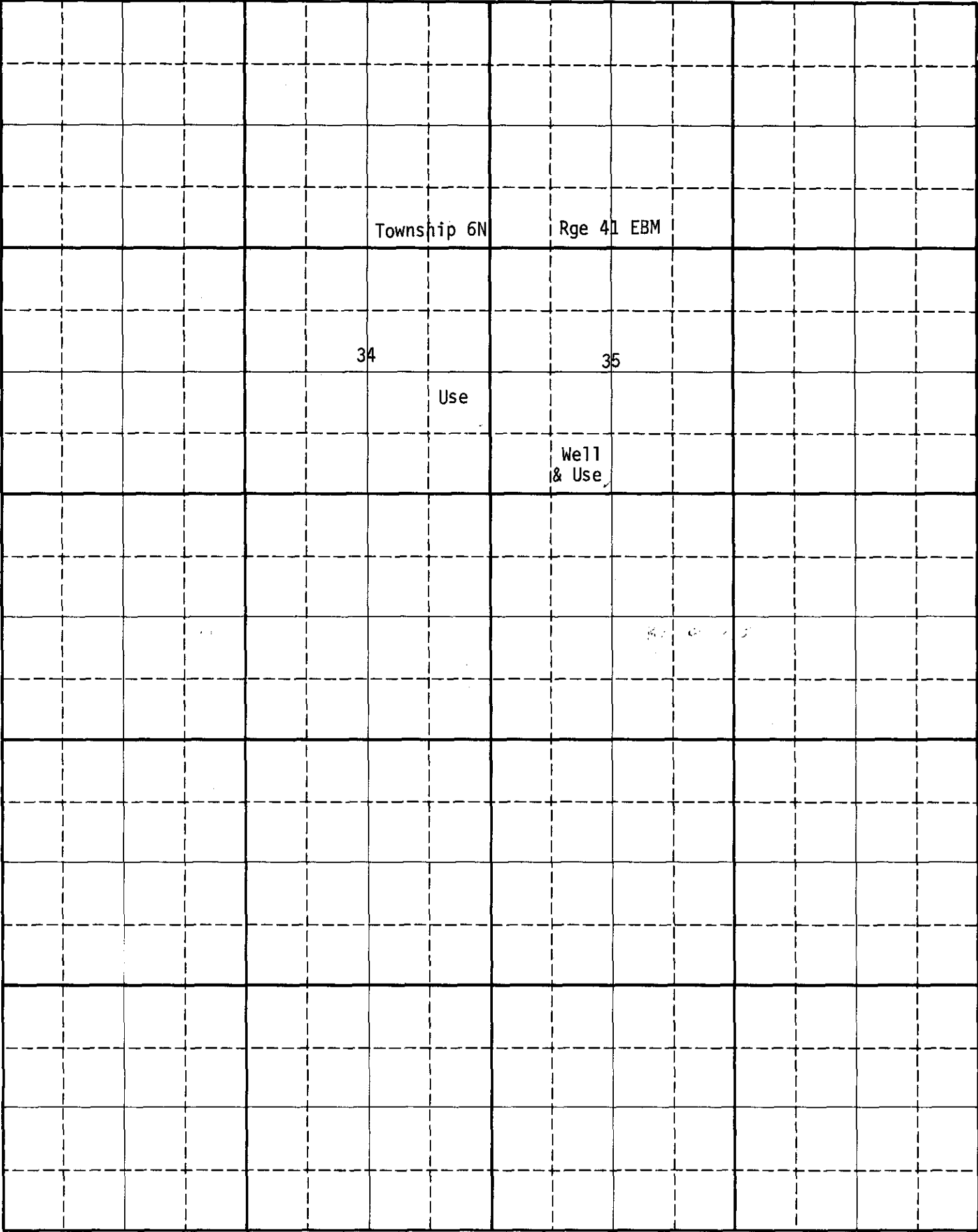
c. Describe any other water rights used for the same purposes as described above._____

9. a. Who owns the property at the point of diversion Brown Inc.
- b. Who owns the land to be irrigated or place of use Brown Inc. and George Weston Brown, a share-
holder in the corporation.
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the
applicant to make this filing Brown Inc. is a family owned, Idaho Corporation. Some of the
land or places designated for use is owned by the corporation and some by George Weston
Brown, who is a stockholder of the corporation.
The corporation is leasing the land from George Weston Brown and has agreed as
such lessor to construct the water system.

10. Remarks WATER WILL BE EVAPORATED IN AIR CONDITIONER
NO EFFLUENT. Ncy per telecon George R. Brown
3/20/23

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

North



Scale: 2 inches equal 1 mile

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

Brown Inc by George R Brown, Pres
(Applicant)

22-7067

22-7067

Received by la Date 3-20-73 Time 10:30 am

Preliminary check by NEY Fee \$ 35

Receipted by la Date 3-20-73 # 7126

Publication prepared by la Date 3-23-73

Published in Boysburg Journal

Publication dates 3-29 + 4-5-73

Publication approved _____ Date _____

Priority reduced to _____ Reason _____

COPY

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

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

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19____.

c. Other: _____

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

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

Director

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	NCY	3/24/73	Application No. _____ Name <u>Brown, Jane</u>
(2)	"	"	Check: ☒ Signature ☒ Point of Diversion ~~not clear, if one on two~~ ☒ Quantity of Water and Period of Use <u>ask for just on air cond.</u> ☒ Description of Diverting Works ☒ Time required for C/W and application of water to B/L ☒ Place of Use ☒ Map ☒ Fee ☒ <u>county</u>
(3)	"	"	Send copies to: ☒ Idaho State Health Department - Jerry O'neal ✓ ☐ Idaho Fish and Game Department ☐ Bureau of Land Management
(4)	"	"	☐ Request Special Use Permit from U.S.F.S. ☐ Request Easement from B.L.M. <u>N.A.</u>
(5)	"	"	In form for advertising <u>yes</u>
(6)	BA	4-16-73	Affidavit of Publication received <u>4-11-73</u>
(7)	"	"	Final date for protests <u>4-16-73</u> Protests received: yes _____ no <u>✓</u>
(8)	"	"	Date and Place of hearing <u>NA</u> Decision reached at hearing <u>NA</u>
(9)	NCY	3/24/73	Located within Water District No. <u>N.A.</u>
(10)	"	"	Critical groundwater area: yes _____ no <u>X</u>
(11)	"	"	Groundwater levels: ☐ Decline (comment) _____ ☒ Stable (comment) <u>no nearby obs wells</u> ☐ Increasing (comment) _____
(12)	NCY	4/16/73	Comments: <u>Q justification added to Item 10</u> <u>of retype applic is probably adequate</u> <u>for our use.</u>
(13)	NCY	4/16/73	Action recommended: ☒ Approve Priority <u>3/20/73</u> ☐ Deny Reason for Reduction _____ <u>"</u> <u>"</u> <u>See attached sheet for conditions of approval</u> <u>No conditions for approval</u>
(14)	"	"	District <u>Eastern</u> By <u>Norman C. Young</u> Date <u>4/16/73</u> Title <u>D.E.</u>

RECEIVED

① Retype & return for signature
 ② Ask for justification of Q on air cond
 22-7067 OK NCY

RECOMMENDED

CONDITIONS OF APPROVAL

- ☒ A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.
- ☐ Measuring devices of a type approved by this Department shall be permanently installed and maintained at the point of diversion and the point of effluent discharge.
- ☐ Use of water under this permit is supplemental to all existing water rights with the same purpose and place of use.
- ☐ Maximum rate of diversion shall not exceed _____ c.f.s.
- ☐ Settling ponds shall be installed which are capable of reducing the silt load in the return water to such a level that the quality of the waters of _____ Creek will not be impaired for other beneficial uses.
- ☐ Return water shall be treated to insure that the effluent meets (interstate) (intrastate) stream water quality standards.
- ☐ Use of water under this permit is subject to control by the watermaster of State Water District No. _____, _____ River.
- ☐ The proposed well shall not be drilled within _____ feet of another well.
- ☐ The issuance of this permit in no way grants any right-of-way or easement across the land of another person.
- ☐ The permit shall not be assigned or sold without first securing the written approval of the Department of Water Administration.
- ☐ This permit cannot be assigned, mortgaged, or conveyed without complying with Section 42-208, Idaho Code.
- ☐ Other: _____

**The REXBURG STANDARD and
The REXBURG JOURNAL
REXBURG, IDAHO**

Affidavit of Publication

STATE OF IDAHO }
County of Madison } ss.

I, Annette Porter,
being first duly sworn, depose and say,
that I am the printer of THE REXBURG

Journal, a newspaper printed and
published weekly at Rexburg, Madison
County, Idaho; and I do solemnly swear
that the

Application for Water Permit No. 22-7067

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 Two
consecutive issues, the first publication hav-

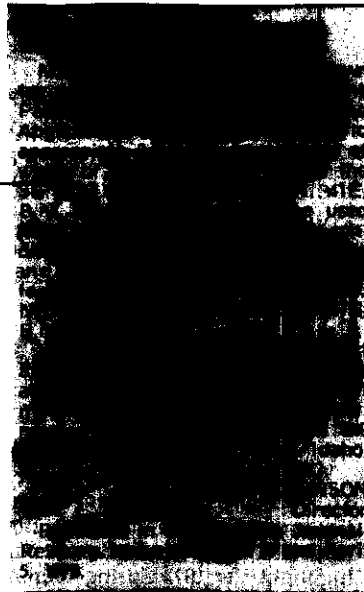
ing been made on March 29, 1973
and the last publication having been made

on April 5, 1973

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 sub-
scribers living within the county of publica-
tion; and that it has been continuously and
uninterruptedly published in said county dur-
a period of seventy-eight consecutive weeks
prior to the first publication of the said not-
ice.

Annette Porter

OK
rec'd
4/11/73



Subscribed to and sworn to before me

this April 6, 1973

John C. Porter
Notary Public.

(SEAL)

My commission expires 5-24-76

22-7067

August 30, 1976

Re: Permit No. 22-7067

Brown Inc.
1439 Cambridge Drive
Idaho Falls, ID 83401

Gentlemen:

Enclosed herewith is a copy of the water right license issued on the above referenced permit.

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:mef

Enc.

August 12, 1976

Brown, Inc.
1439 Cambridge Drive
Idaho Falls, ID 83401

Gentlemen:

A representative of this Department has made an examination of the works covered by your Permit No. 22-7067 and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 0.03 cfs Source: ground water

The maximum quantity diverted shall not exceed 7.2 acre feet per
year.

Point of diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 35, Twp. 6 N, Rge. 41 E, B.M.

Beneficial use: Domestic purposes in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 35 and
industrial purposes in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34; all in Twp. 6 N,
Rge. 41 E, B.M.

Priority date established: March 20, 1973

If you do not concur with these findings please contact us within 10 days, otherwise a
water license will be issued as set forth above.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

1. Name of permit holder Brown, Inc.
Post office address 1439 Cambridge, Idaho Falls 83401 Phone _____
Person to contact _____ Phone _____

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

RECEIVED
(name spring, stream, etc.)

AUG 13 1975

3. Water will be used for the following purposes:

Department of Water Resources
Eastern District Office

Amount 0.20 c.f.s. for Domestic (6)
_____ AF/Annum (nature of use)

Period of Use: from Jan. 1 to Dec. 31
(mo.-day) inclusive (mo.-day)

Amount 1.80 c.f.s. for Industrial (air condition and humidify 2
_____ AF/Annum (nature of use) potato pits)

Period of Use: from Jan. 1 to Dec. 31
(mo.-day) inclusive (mo.-day)

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

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

Other uses: _____

Permit No. 22-7067
Examination for _____
b/u

4. Total amount to be appropriated:

Max Rate of Diversion 2.00 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 6N N/S, Range 41E E/W, B.M., Section 35, Subdivision SE $\frac{1}{4}$ SW $\frac{1}{4}$, Madison
County
Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____
County
Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____
County

Other Points of Diversions: _____

Description of diverting works: Well 6" by 600', pump 3 hp motor and pipelines

Measuring device required: yes ☐ no ☒ Removed by order.

6. Lands to be irrigated or place of use.

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
6N	41E	34													X				
		35												X					

TOTAL ACREAGE _____

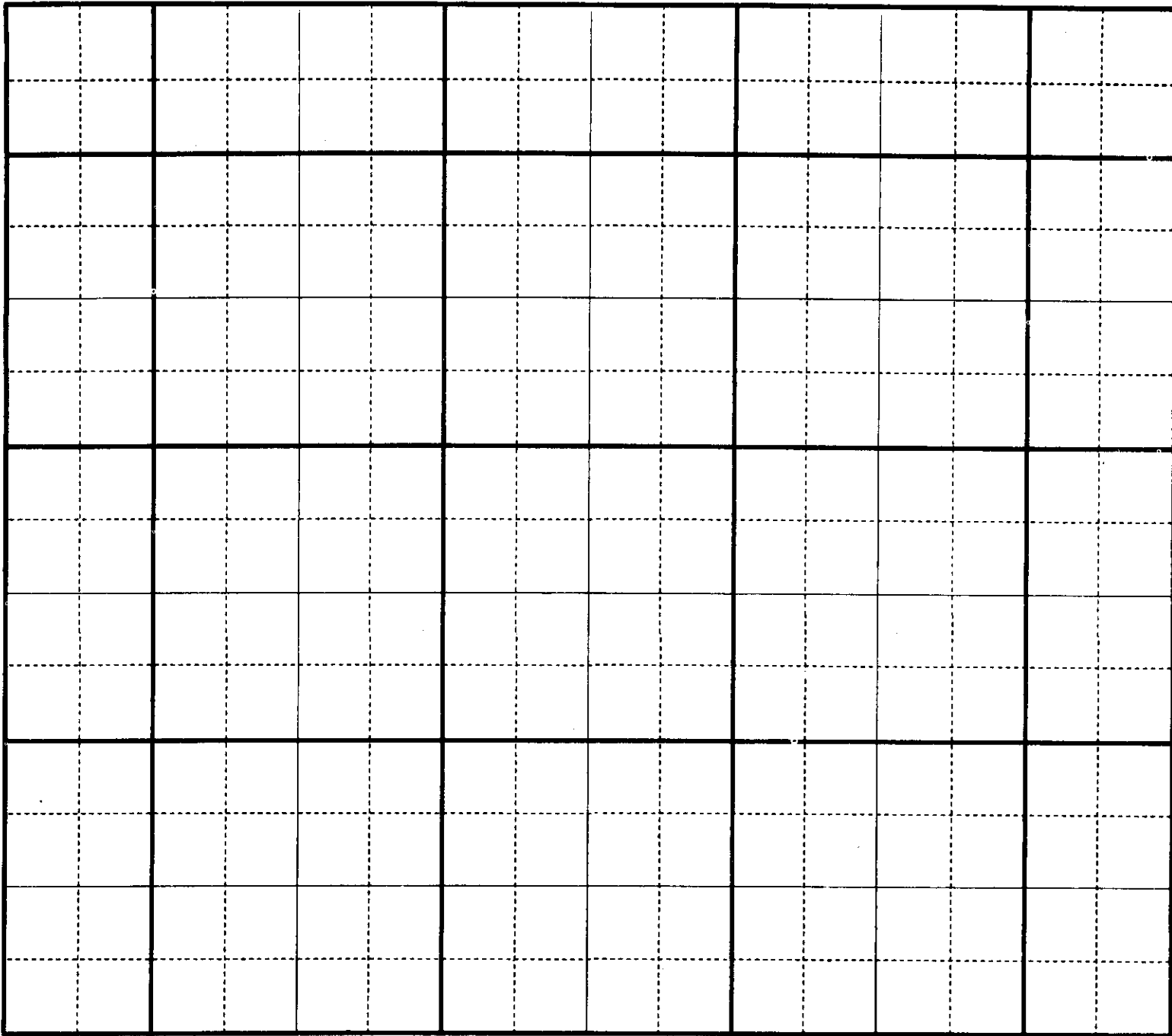


Diagram of System

DATE OF EXAM July 8, 1976

ACREAGE
Found NA
Recommended NA

Irrigation Requirement NA Ac Ft/Ac

USE Industrial
~~Irrigation~~ Q = .03 c.f.s. V = 3.0 AF/Ann. from Jan 1 to Dec 31
Domestic Q = .03 c.f.s. V = 1.2 AF/Ann. from Jan 1 to Dec 31
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ☒

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

Exchange? yes _____ no ☒

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

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

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

Total Q measured Not Measured Method of measurement Theoretical

Total Q recommended .03 cfs Meter No. _____ Type _____ Condition _____

Total V recommended _____

Recommended Amendments:

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

MEASUREMENT CALCULATION:

$$Q_{\text{possible}} = \frac{(3 \text{ HP})(8.8)(.70)}{580 + (2.31)(40 \text{ PSI})} = .0295 \text{ cfs}$$

V - Assume Pump operates 25 % of time $V_{\text{ann}} = (.02)(1.7835)(365) = 5.43 \text{ AF}$
 $V_{\text{domestic}} = 2.4 \text{ AF}$ $V_{\text{industrial}} = 5.43 - 2.4 = 3.03$

SYSTEM DESCRIPTION:

6" well with 3HP submersible pump & pressure tank
Water stands at 580'

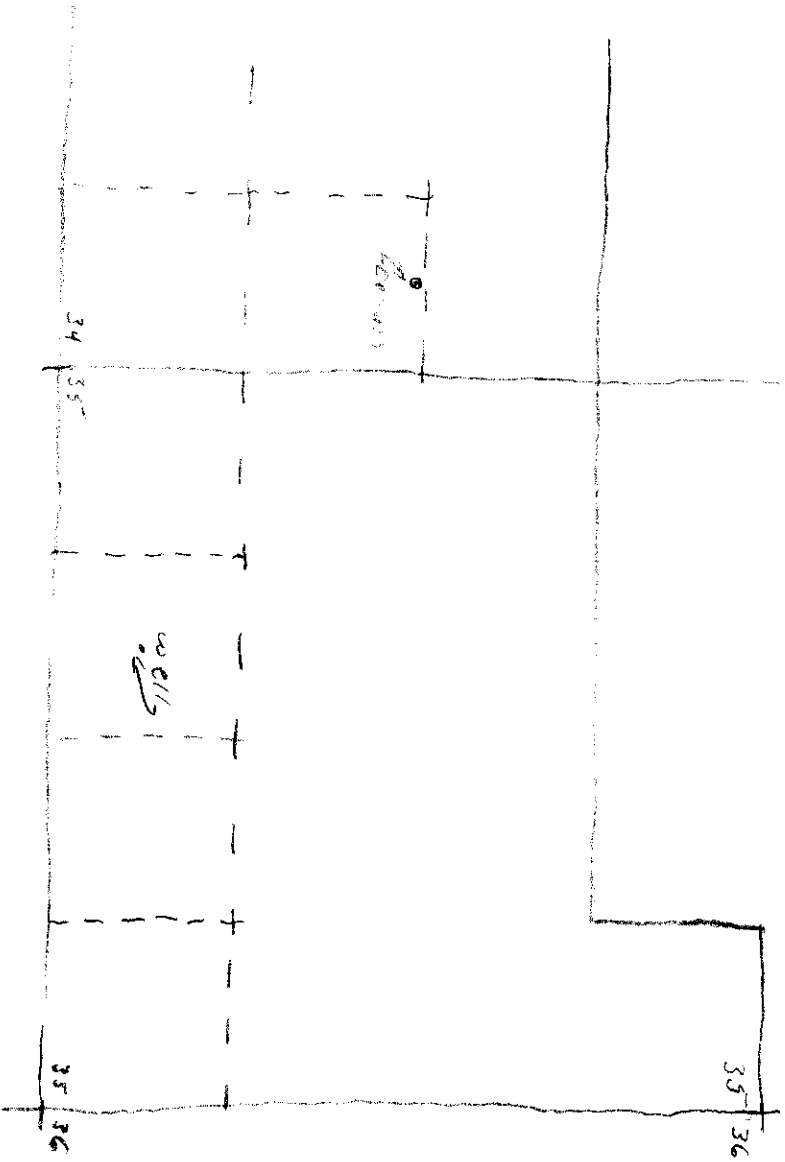
Domestic use for 1 mobile home at well site
Water piped to 2 cellars thru 2000' of 1 1/4" Galv pipe

REMARKS: System shown by owner.

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

Checked by Bill Rhoads Date 8-5-76

Approved by _____ Date _____



Transcribed from Aerial Photo

August 11, 1975

Re: Permit No. 22-7067

Brown, Inc.
1439 Cambridge Drive
Idaho Falls, Idaho 83401

Gentlemen:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit. Enclosed is an Order which removes the measuring device requirement for this permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our District Office in Idaho Falls.

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:JFR

Enclosure

RECEIVED

JUL 24 1975

Department of
Estate

Identification No. _____

Permit No. 22-7067

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Brown, Inc., an Idaho Corporation
b) Post Office Address 1439 Cambridge Drive, Idaho Falls, Idaho 83401
2. Permit Number 22-7067
3. Date of Priority that you are prepared to establish 3-20-1973
4. a) Source from which water was appropriated ground water
b) Location of the point of diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 35
Township 6N, Range 41E Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
Amount 1.8 for Industrial purposes from Jan. 1 to Dec. 31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount 0.2 for Domestic purposes from Jan. 1 to Dec. 31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 2.0 cfs and/or acre-feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: _____
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____
b) Describe the agreement or understanding by which you take water from the works: _____
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) Well 6 in. by 600 feet; Pump 3 Hp. motor, and pipelines
b) Describe the type and size of measuring device which you have installed at your point of diversion: Mr. Carlson agreed to waive this requirement in view of the small amount of water being pumped from the system listed in 7 a above.
c) Give well driller's name and address and the date the well was completed: Hopkins Bros., 1967 drilled well. Hopkins Bros. cleaned out well and cased in 1973--July-- Hopkins Bros., Thornton, Idaho
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: A. Potato cellar humidification (1) Air condition two potato pits. (2) Drinking water (domestic) for farmers, etc. (3). Domestic, 6 families at most.

Microfilm

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres irrigated _____

10. Remarks: The water is used for industrial purposes (potato cellars)
and domestic use in Sections 34 and 35, Township 6 North, Range
41 E.B.M.

The above information is a true statement of the extent to which the above numbered permit has been developed.

July 10, 1975.
(Date)

Brown, Inc. by George R Brown
(Signature) Pres

State of IDAHO,)
) ss.
County of Madison.)

On this 10th day of July, 19 75, personally appeared before me
the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Mary Smith
Notary Public residing at Rexburg,
Idaho.

My commission expires June 25, 1979.

M E M O R A N D U M

TO: Bob Fleenor
FROM: Ron Carlson *RDC*
RE: Permit No. 22-7067, Brown, Inc.
DATE: July 28, 1975

Early last week George Brown submitted this proof affidavit on the above referenced permit. In checking his permit we found that a measuring device was required as a condition of approval. However, no mention of a measuring device was made in the proof affidavit. Consequently, I returned the proof and indicated that we must have a description of the measuring device. Mr. Brown called me later that week and said he could not find a measuring device small enough to fit into his system. When I asked him to give me a description of his system he said he had a three horsepower motor and was pumping from a depth of 600 feet. This, of course, makes it impossible to pump two second feet of water. I then suggested that he write me a letter requesting the Department waive the measuring device requirement. Apparently, there was some misunderstanding because he typed a statement on Item 7b that I had agreed to waive the requirement in view of the small amount of water being pumped.

We went out and inspected his system last week and the capacity was found to be no greater than the 0.04 domestic system.

OK

Remove by order

DDF

April 20, 1973

Re. Permit No.: 22-7067

**Mr. George R. Brown
Brown Inc.
1439 Cambridge Drive
Idaho Falls, Idaho 83401**

Dear Mr. Brown:

Enclosed is a copy of your approved Application for Permit No. 22-7067 . We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Very truly yours,

**BOBBY D. FLEHNER
Assistant Director**

BDF: ed

Enclosures

22-7067

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
EASTERN DISTRICT OFFICE



Cecil D. Andrus
Governor
R. Keith Higginson
Director

240 South Holmes Avenue
Idaho Falls, Idaho 83401
(208) 523-7186

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

March 21, 1973

RECEIVED

MAR 26 1973

Re: Application for Permit No. 22-7067

Department of Water Administration
Eastern District Office

Mr. George R. Brown
Brown Inc.
1439 Cambridge Drive
Idaho Falls, ID 83401

Dear Mr. Brown:

We have taken the liberty of retyping your application for permit to reflect several changes which we discussed during our telephone conversation yesterday. Please review the application and if you agree with its contents, sign and return it to this office as soon as possible.

Also, please supply us with justification for the amount of water requested for air conditioning purposes. This may be in the form of a statement from an air conditioning expert, or engineering data as to your particular air conditioning unit.

If you have any questions, please contact us.

Very truly yours,


NORMAN C. YOUNG
District Engineer

NCY:BA

Enclosure: retyped app.

Please see under
10. Remarks.

Thank you

22-7067

March 23, 1973

Re: Application No. 22-7066 - George R. Brown
22-7067 - Brown, Inc.

Rexburg Journal
23 South 1st East
Rexburg, ID 83440

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Very truly yours,

NORMAN C. YOUNG
District Engineer

Bill submitted 4-11-73 by BA

NCY:BA
Enc: Legal notices (2)

22-7067

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Brown Inc., 1439 Cambridge Drive, Idaho Falls,

Idaho

has on 3-20-73 submitted Application No. 22-7067

for a permit to appropriate 2.0 cubic feet per second ~~XXXXXX~~

of water from a ground-water source

by means of well and pump

within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 35, T. 6N, R. 41E, E.M., Madison County;

to be used from Jan. 1 to Dec. 31 for air conditioning purposes for two potato

for pits and domestic purposes for six families

within the SE¹SW¹, Sec. 35; NE¹SE¹, Sec. 34, T. 6N, R. 41E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 240 South Holmes, Idaho Falls, Idaho, 83401 on or before April 16, 1973.

RKH
R. KEITH HIGGINSON

Director

Published in the Rexburg Journal, Rexburg, Idaho

on March 29 and April 5, 1973

22-7067

March 22, 1973

Re: Application No. 22-7067

Mr. Jerry L. O'Neal
Environmental Protection
& Health
316 N 7th
Pocatello, ID 83201

Dear Mr. O'Neal:

We are enclosing a copy of an application that may be of interest to your agency. Please review the application and if you have any comments, please submit them to our Department as soon as possible. We normally complete the processing of an application within a 3-week period and we are required to take final action shortly thereafter.

If we may be of further assistance, please contact us.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:BA

Enclosure

22-7067

March 21, 1973

Re: Application for Permit No. 22-7067

Mr. George R. Brown
Brown Inc.
1439 Cambridge Drive
Idaho Falls, ID 83401

Dear Mr. Brown:

We have taken the liberty of retyping your application for permit to reflect several changes which we discussed during our telephone conversation yesterday. Please review the application and if you agree with its contents, sign and return it to this office as soon as possible.

Also, please supply us with justification for the amount of water requested for air conditioning purposes. This may be in the form of a statement from an air conditioning expert, or engineering data as to your particular air conditioning unit.

If you have any questions, please contact us.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:BA

Enclosure: retyped app.

22-7067

March 21, 1973

Mr. George R. Brown
1439 Cambridge Drive
Idaho Falls, ID 83401

Dear Mr. Brown:

Attached herewith is departmental receipt No. 7126 in the amount of \$55 for your application for permit which was received in this office on March 20, 1973.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:BA

Attachment

22-7067