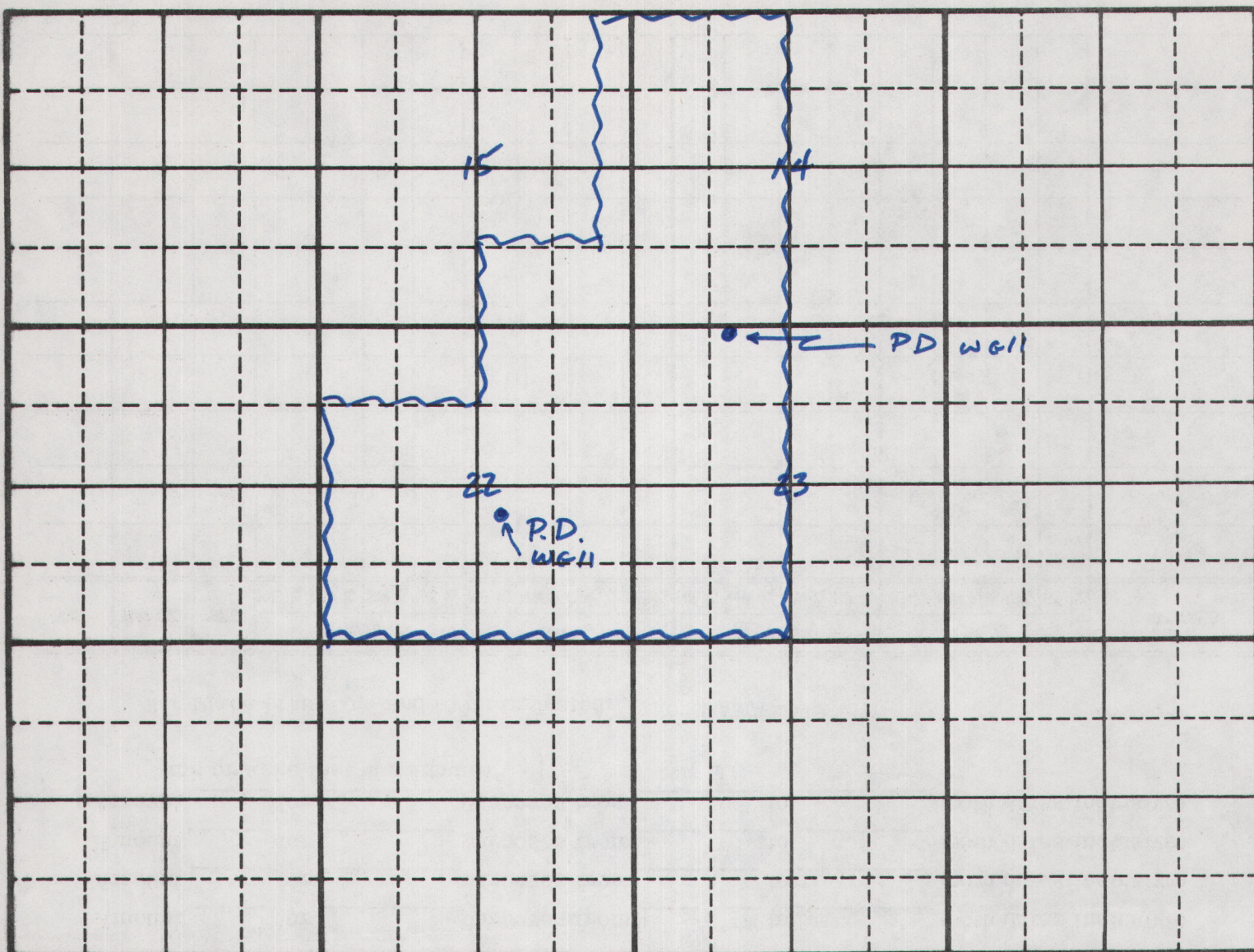


Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holders own risk.

Signed at Lake Fork, this 26 day of Feb, 19 75.

by Jay Brown (signature) Sec

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

I, A. KENNETH DUNN, Admin. Operations Division, ~~Director~~ of the Department of Water Administration, hereby approve the above application for amendment for Permit No. 35-7203.

Witness my hand this 4th day of March, 19 75

A. Kenneth Dunn
Administrator ~~Director~~ Operations Division

RECEIVED

FEB 8 1972

Department of Water Administration
Eastern District Office

Proof of Publication The Post-Register

State of Idaho, }
County of Bonneville } ss.

I, E. F. McDermott, first being duly sworn, depose and say: That I am the Principal Clerk of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931, and each of said newspapers having been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eighty (78) weeks and said Post-Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post-Register for two consecutive weeks, first publication having been made on the 27th day of January, 1972, last publication having been made on the 3rd day of February, 1972, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this 4th day of February, 1972

Kare Holm
Notary Public

My commission expires April 5, 1975

B10, 1M

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Brown & Parker, Inc. Rt. No. 2, Box 89, Rigby, Idaho, has on 1-13-72 submitted Application No. 35-7203 for a permit to appropriate 8.0 cubic feet per second of water from a ground-water source by means of wells and pumps within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23; NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, T. 3N, R. 35E, B.M., Bonneville County; to be used from Jan. 1 to Dec. 31 for stock-water purposes for 100 head of beef cattle within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, T. 3N, R. 35E, B.M.; and from April 1 to Nov. 1 for the irrigation of 1340 acres within the W $\frac{1}{2}$, Sec. 14; E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 15; E $\frac{1}{2}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 22; W $\frac{1}{2}$, Sec. 23, T. 3N, R. 35E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of this permit must be filed with the Idaho Department of Water Administration, 240 South Holmes, Idaho Falls, Idaho, 83401, on or before February 14, 1972.

R. KEITH HIGGINSON
Director
Pub.: Jan. 27 and Feb. 3, 1972.

35 7203

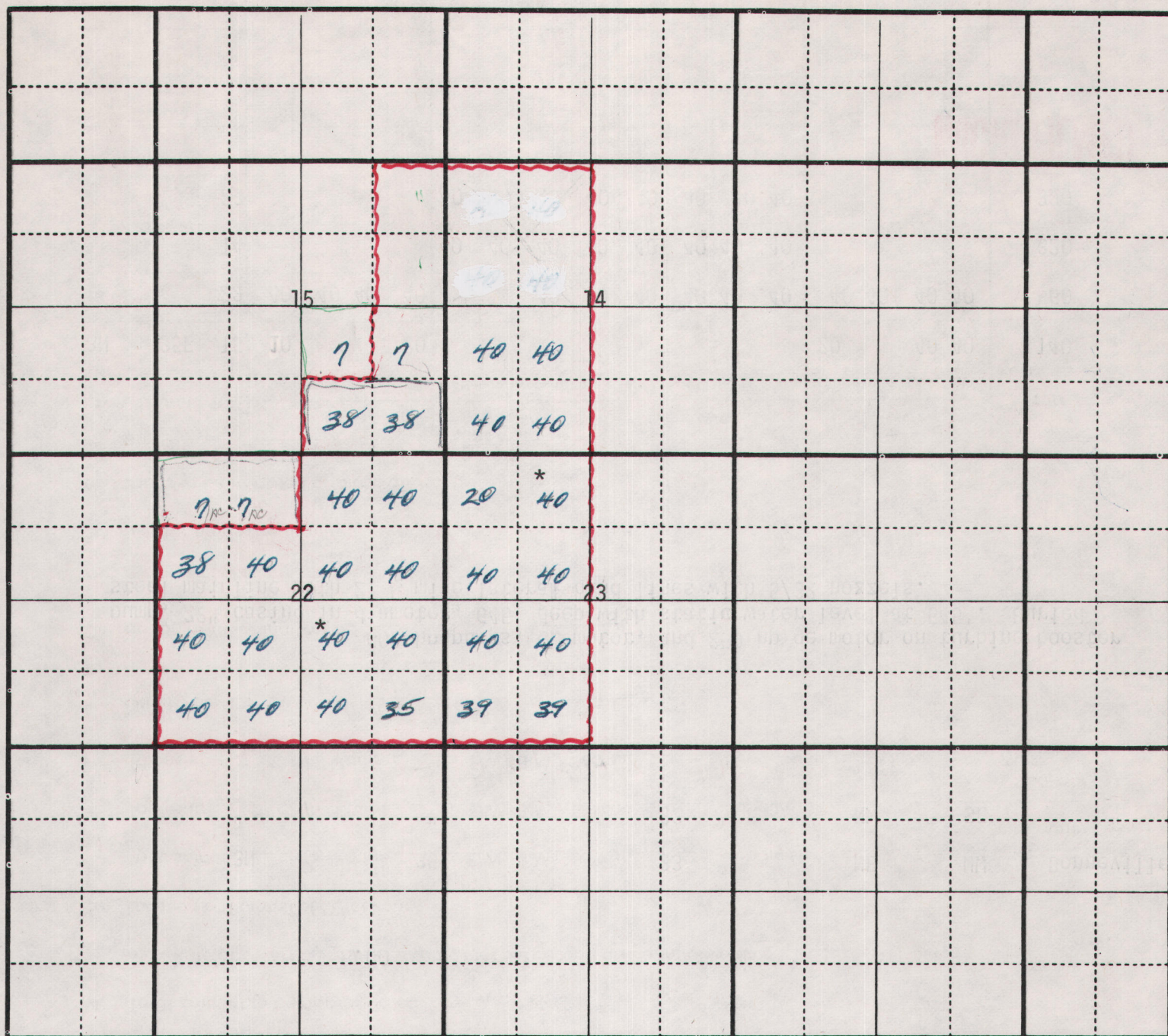
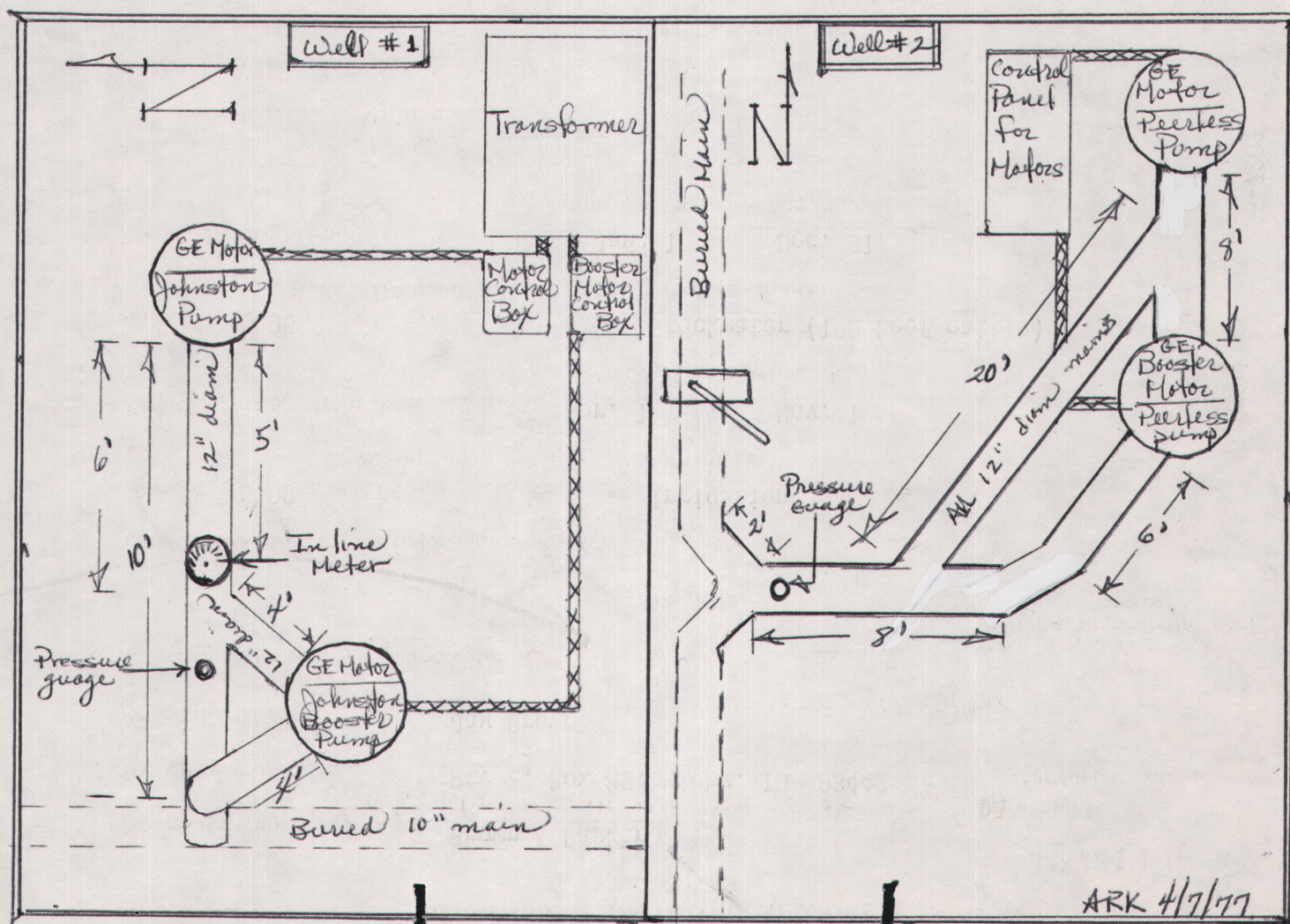


Diagram of System



ARK 4/7/77

Brown & Parker 35-7203

3N-35E

D-218

D-19

E-353
D-74

4849

D-272
D-73

D-272
D-73

D-272
D-73

D-272
D-73

D-272
D-73

D-272
D-73

Polystyrene
cellulose

E-344
D-75

Gravel Road

ARK 3/17/77



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED**TRANSFER OF WATER RIGHT*****AMENDED*****TRANSFER NO. 66643**

This is to certify that: GOLD EMBLEM FARMS
PO BOX 51780
IDAHO FALLS ID 83405

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Total</u>	<u>Source</u>
35-2642	AJC/License	02/14/1961	7.18 cfs		600.0	1,112.0	GROUND WATER
35-7203	AJC/License	01/13/1972	8.00 cfs			1,112.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

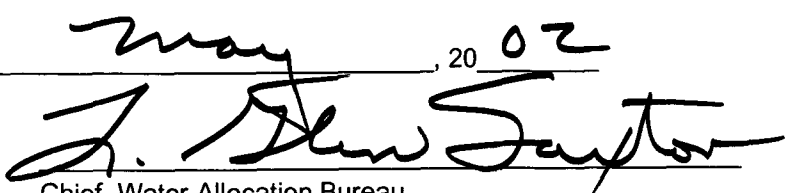
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
35-2642	NO	NO	YES	NO	NO	NO
35-7203	NO	NO	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
35-2642	35-2642	7.18 cfs	2400.0 af	600.0	1,112.0		N/A	N/A	N/A	N/A
35-7203	35-7203	8.00 cfs	3379.9 af	N/A	1,112.0		N/A	N/A	N/A	N/A
TOTALS		14.52 cfs	4448.0 af	N/A	1,112.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 9th day of May, 2002


Chief, Water Allocation Bureau

MICROFILMED

MAY 18 2002

WATER RIGHT NO. 35-2642
As Modified by Transfer No. 66643

In accordance with the approval of Transfer No. 66643, Water Right No. 35-2642 is now described as follows.

Right Holder: GOLD EMBLEM FARMS
 PO BOX 51780
 IDAHO FALLS ID 83405

Priority Date: 02/14/1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	10/31	7.18 CFS	2,400.0 AF
			7.18 CFS	2,400.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWSE	Sec. 22 Twp 03N	Rge 35E	BONNEVILLE County
GROUND WATER	NENW	Sec. 23 Twp 03N	Rge 35E	BONNEVILLE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N 35E 14					30.5	30.5	30.5	39.0	39.0	30.5	30.5	39.0					269.5
03N 35E 15													5.0	5.0	36.0	36.0	82.0
03N 35E 22	25.0	25.0	36.0	36.0	5.0	5.0	36.0	36.0	29.0	29.0	37.0	37.5	38.0	29.0	37.5	33.0	474.0
03N 35E 23					39.0	30.5	39.0	39.0	39.0	39.0	30.5	30.5					286.5

Total Acres: 1112

CONDITIONS OF APPROVAL

1. Right 35-02642 is limited to the irrigation of 600.0 acres within the place of use described above in a single irrigation season.
2. Rights 35-02642 and 35-07203 when combined shall not exceed a total diversion rate of 14.52 cfs, a total annual maximum diversion volume of 4448.0 af at the field headgate, and the irrigation of 1112.0 acres.
3. Rights 35-02624 and 35-07203 will be subject to such general provisions regarding the interconnection of water resources within the Snake River basin as the District Court determines necessary for the definition of the rights or for the efficient administration of water rights.
4. 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.

MICROFILMED

MAY 16 2002

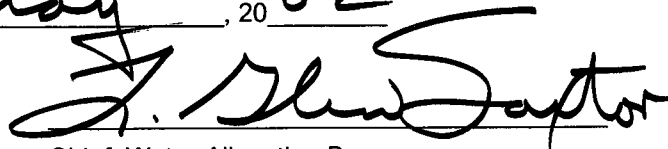
WATER RIGHT NO. 35-2642
As Modified by Transfer No. 66643

CONDITIONS OF APPROVAL

5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 9th day of May, 2002


Chief, Water Allocation Bureau

MICROFILMED
MAY 16 2002

WATER RIGHT NO. 35-7203
As Modified by Transfer No. 66643

In accordance with the approval of Transfer No. 66643, Water Right No. 35-7203 is now described as follows.

Right Holder: GOLD EMBLEM FARMS
 PO BOX 51780
 IDAHO FALLS ID 83405

Priority Date: 01/13/1972

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	10/31	8.00 CFS	3,379.9 AF
			8.00 CFS	3,379.9 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWSE	Sec. 22 Twp 03N	Rge 35E	BONNEVILLE County
GROUND WATER	NENW	Sec. 23 Twp 03N	Rge 35E	BONNEVILLE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N 35E 14					30.5	30.5	30.5	39.0	39.0	30.5	30.5	39.0					269.5
03N 35E 15													5.0	5.0	36.0	36.0	82.0
03N 35E 22	25.0	25.0	36.0	36.0	5.0	5.0	36.0	36.0	29.0	29.0	37.0	37.5	38.0	29.0	37.5	33.0	474.0
03N 35E 23					39.0	30.5	39.0	39.0	39.0	39.0	30.5	30.5					286.5

Total Acres: 1112

CONDITIONS OF APPROVAL

1. Rights 35-02642 and 35-07203 when combined shall not exceed a total diversion rate of 14.52 cfs, a total annual maximum diversion volume of 4448.0 af at the field headgate, and the irrigation of 1112.0 acres.
2. Rights 35-02624 and 35-07203 will be subject to such general provisions regarding the interconnection of water resources within the Snake River basin as the District Court determines necessary for the definition of the rights or for the efficient administration of water rights.
3. 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.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

MICROFILMED

MAY 16 2002

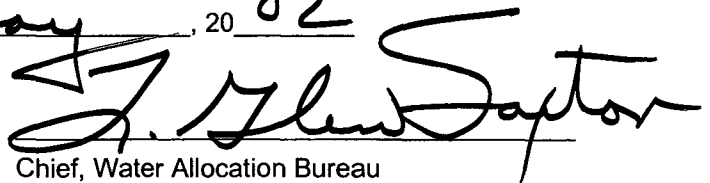
WATER RIGHT NO. 35-7203
As Modified by Transfer No. 66643

CONDITIONS OF APPROVAL

5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 9th day of May, 2002


Chief, Water Allocation Bureau

MICROFILMED
MAY 16 2002

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF TRANSFER)
NO. 5221 IN THE NAME OF GOLD)
EMBLEM FARMS)
_____)

**PRELIMINARY ORDER
CORRECTING TRANSFER
APPROVAL**

FINDINGS OF FACT

1. On February 25, 1998, Gold Emblem Farms (applicant) filed Application for Transfer No. 5221 (transfer) to change the place of use for water rights 35-2642 and 35-7203 as described under Snake River Basin Adjudication recommendations.
2. On September 15, 1998 the Department approved the transfer correctly showing the total number of acres irrigated as 1,112.0 acres.
3. The place of use description on the transfer approval, however, omitted 36.0 acres in the SESE, Section 15, Township 03N, Range 35E described on the application.

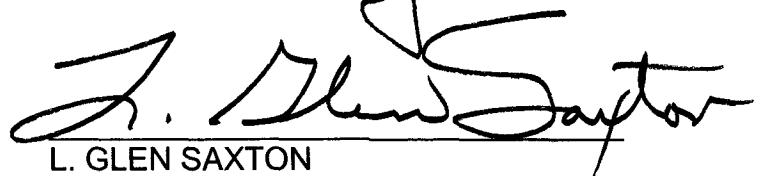
CONCLUSIONS OF LAW

1. The transfer approval should accurately describe each established water right as changed by the transfer pursuant to Section 42-222, Idaho Code.
2. The transfer approval incorrectly describes the place of use proposed on the application.
3. The Department should correct the transfer approval to include the 36.0 acres in the SESE, Section 15, Township 03N, Range 35E within the 1,112.0 acre place of use as described on the application.

ORDER

IT IS THEREFORE HEREBY ORDERED that Transfer Approval No. 5221, renumbered to 66643, is **CORRECTED** by changing the place of use to include 36.0 acres located in the SESE, Section 15, Township 03N, Range 35E for water rights 35-2642 and 35-7203 as shown on the amended transfer approval document issued in conjunction with this order.

Dated this 9th day of May, 2002.



L. GLEN SAXTON
Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5221
WATER RIGHT NO(S). 35-02642/35-07203

This is to certify that: **GOLD EMBLEM FARMS**
PO BOX 51780
IDAHO FALLS ID 83405

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.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 35-02642 :			
IRRIGATION	04/01 to 10/31	7.18 CFS	2400.0 AF
Priority: 02/14/1961			
Right No. 35-07203 :			
IRRIGATION	04/01 to 10/31	8.00 CFS	3379.9 AF
Priority: 01/13/1972			
TOTAL:		* 14.52 CFS	* 4448.0 AF

SOURCE
GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

NWSE , Sec. 22, Township 03N, Range 35E
NENW , Sec. 23, Township 03N, Range 35E
BONNEVILLE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N	35E	14	NENW 30.5	NWNW 30.5	SWNW 30.5	
			SEnw 39.0	NESW 39.0	NWSW 30.5	
			SWSW 30.5	SESW 39.0		269.5
	15		NESE 5.0	NWSE 5.0	SWSE 36.0	
	22		NENE 25.0	NWNE 25.0	SWNE 36.0	
			SENE 36.0	NENW 5.0	NWNW 5.0	
			SWNW 36.0	SEnw 36.0	NESW 29.0	
			NWSW 29.0	SWSW 37.0	SESW 37.5	
			NESE 38.0	NWSE 29.0	SWSE 37.5	
			SESE 33.0			474.0
	23		NENW 39.0	NWNW 30.5	SWNW 39.0	
			SEnw 39.0	NESW 39.0	NWSW 39.0	
			SWSW 30.5	SESW 30.5		286.5

Total number of acres irrigated: * 1112.0

MICROFILMED

SEP 21 1998

TRANSFER NO. 5221
WATER RIGHT NO(S). 35-02642/35-07203

CONDITIONS OF APPROVAL AND REMARKS

1. 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.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- * 5. Right 35-02642 is limited to the irrigation of 600.0 acres within the place of use described above in a single irrigation season.
- * 6. Rights 35-02642 and 35-07203 when combined shall not exceed a total diversion rate of 14.52 cfs, a total annual maximum diversion volume of 4448.0 af at the field headgate, and the irrigation of 1112.0 acres.
7. Rights 35-02624 and 35-07203 will be subject to such general provisions regarding the interconnection of water resources within the Snake River basin as the District Court determines necessary for the definition of the rights or for the efficient administration of water rights.

Dated this 15th day of

September, 19 98


Chief, Water Allocation Bureau

MICROFILMED

SEP 21 1998

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 35-7203 Priority January 13, 1972 Amount 8.0 cfs

THIS IS TO CERTIFY, that BROWN & PARKER, INC. by L. W. BROWN, PRES.
of Rigby, Idaho, has complied with the terms and conditions of Permit
No. 35-7203 issued pursuant to Application for Permit dated January 13, 1972,
and has submitted proof to the Department of Water Resources on January 12, 1977,
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 14.5 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	<u>from April 1 to November 1</u>	<u>at 8.0 cfs and</u>	<u>3411.6 acre feet</u>
_____	<u>from _____ to _____</u>	<u>at _____ cfs and</u>	_____
_____	<u>from _____ to _____</u>	<u>at _____ cfs and</u>	_____

(both dates inclusive)

Subject, however, to the condition that no more than 8.0 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
3411.6 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, NE $\frac{1}{4}$ NW $\frac{1}{4}$,
Sec. 23, Twp. 3N, Rge. 35E, B.M. in the County of Bonneville

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 $\frac{1}{4}$	
3N	35E	14									40	40	40	40					160
		15													7	7	38	38	90
		22	40	40	40	40	7	7	38	40	40	40	40	40	40	40	40	35	567
		23					40	20	40	40	40	40	39	39					298

Total number of acres irrigated 1115

Condition:

The maximum rate of diversion for the well in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, shall
not exceed 7.26 cfs nor shall the maximum volume of water exceed 3.5 acre
feet per annum when this license and License No. 35-2642 are combined.

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 27 day of
November, 19 79.

Director

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

OCT 23 1979

Department of Water Resources
Eastern District Office

APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use.

Comes now Brown & Parker

1780 Carmel, Idaho Falls, Idaho 83401

of (address) Route #2, Box 89, Rigby, ID--83442, and represents to the

Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 35-7203, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NO CHANGE $\frac{1}{4}$ $\frac{1}{4}$, Section _____, Township _____, Range _____, B.M.,
County of _____. Other points of diversion: _____

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

NO CHANGE
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
3N	35E	14									40	40	40	40					160
		15													7	7	38	38	90
		22	40	40	40	40	7	7	38	40	40	40	40	40	40	40	40	35	567
		23					40	20	40	40	40	40	39	39					298

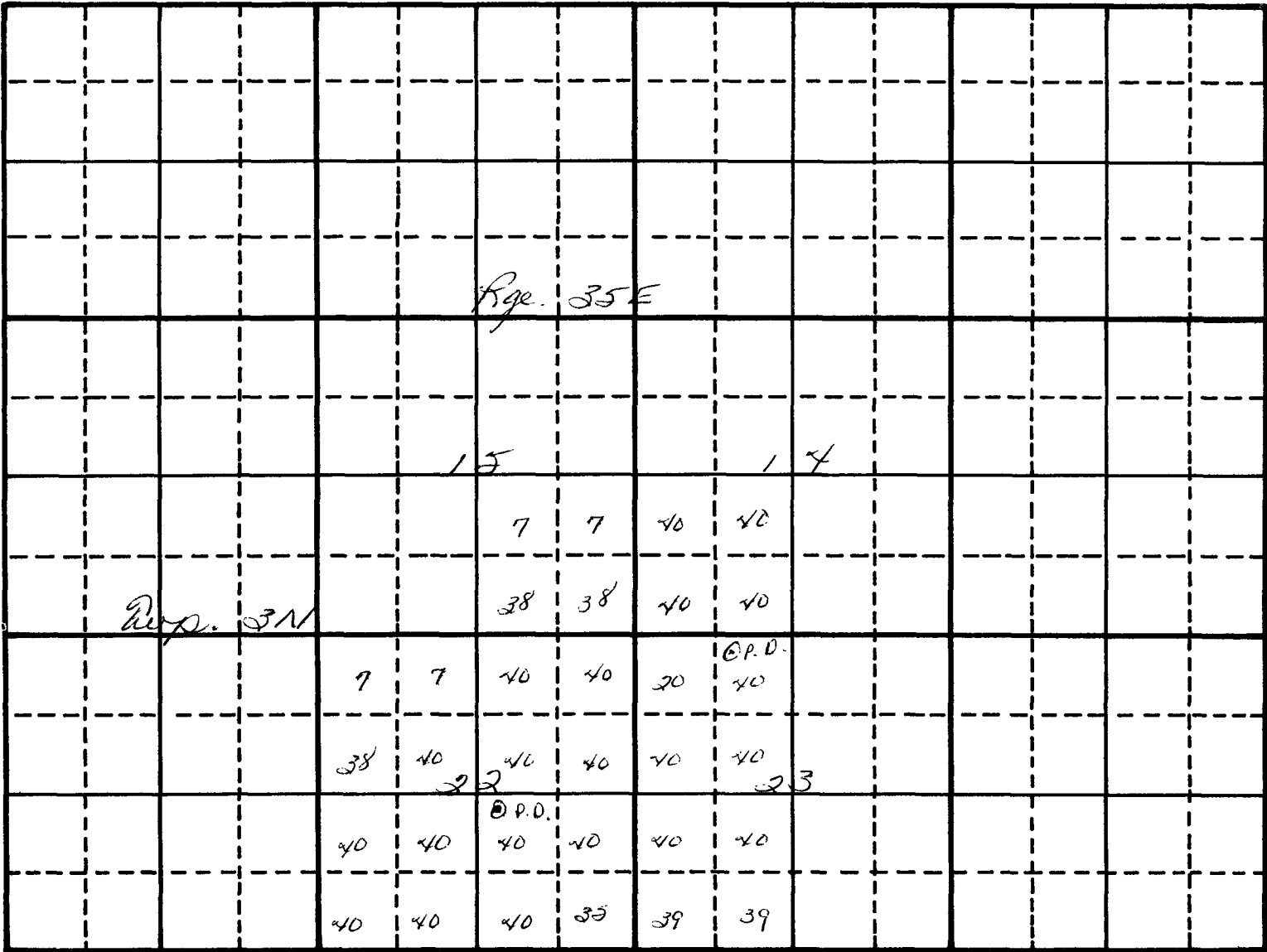
Total number of acres to be irrigated = 1115

4. a. Who owns the property at the point of diversion? _____
b. Who owns the land to be irrigated or the place of use? _____
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

RECORDED

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile.

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

Signed at _____, this _____ day of _____, 19____.

Jay Brown
(Signature) President

FOR DEPARTMENT USE ONLY

Preliminary check by RP Fee = \$20.00 Received by CU Date 10-23-79 # 13757
Publication prepared by W.A. Date _____ Published in W.A.
Publication dates _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, C. STEPHEN ALLRED, Director of the Department of Water Resources hereby

Approve the above application for amendment for Permit No. 35-7203

Witness my hand this 27 day of _____ November _____, 1979

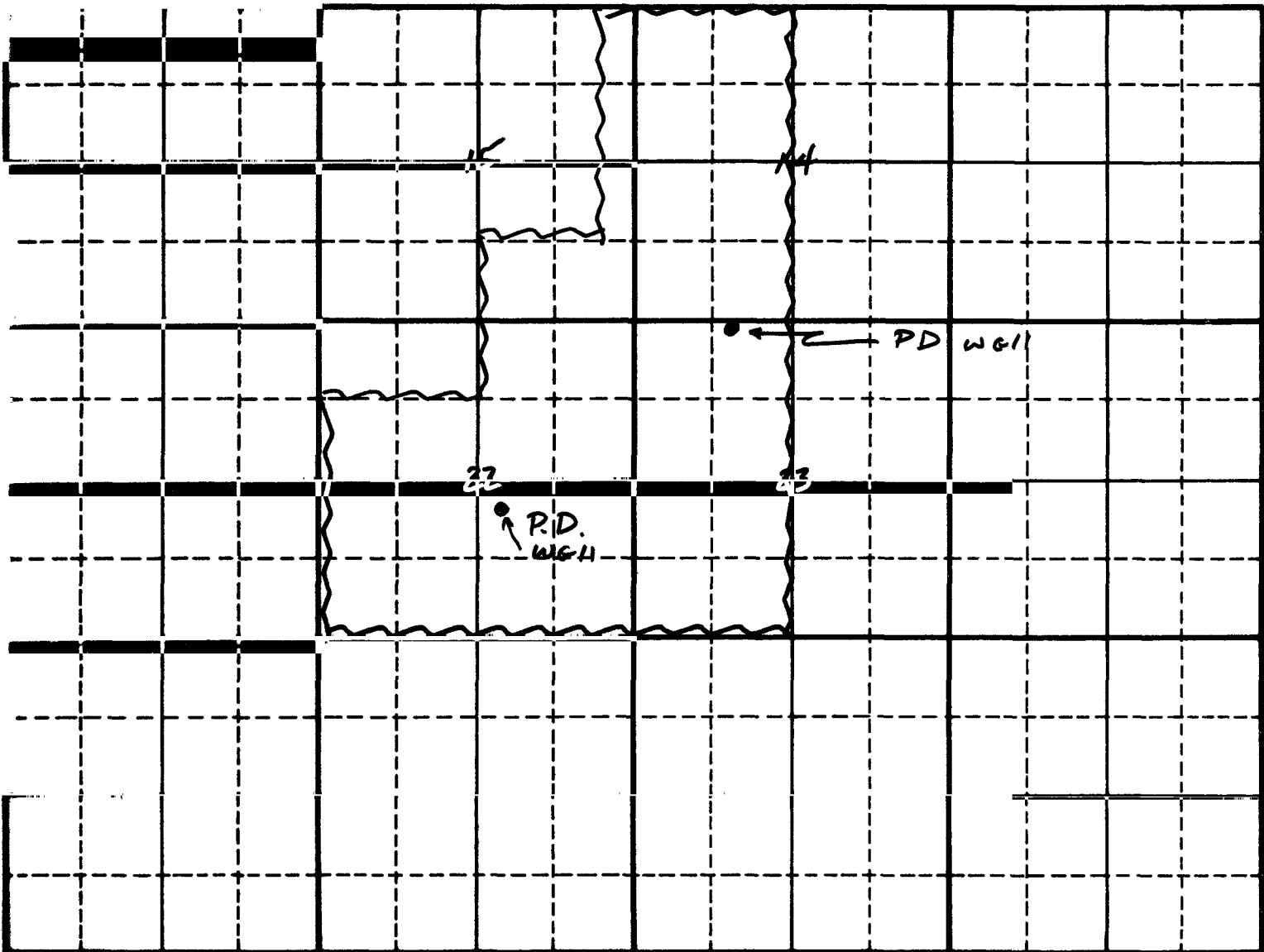
Stephen Allred
Director

Receipt # 4116 MB

RECEIVED

INDEXED

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holders own risk.

Signed at Lake Falls, this 26 day of Feb, 19 25.
Brown & Partners
 by Jay Brown (signature) (Sec)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

I, A. KENNETH DUNN, Admin. Operations Division, ~~Director~~ of the Department of Water Administration,
 hereby approve the above application for amendment for Permit No. 35-7203.

Witness my hand this 9th day of March, 19 75
A. Kenneth Dunn
 Administrator ~~Director~~ Operations Division

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant BROWN & PARKER, INC. by L. W. BROWN, Pres.
post office address Rt. #2, Box 89 Rigby, ID
2. Source of water supply Ground Water which is a tributary of ---
3. a. Location of point of diversion is SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 23 Township 3N
Range 35E B.M. Bonneville County; additional points of diversion if any: NW $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 22, Twp. 3N, Rge. 35E, B.M.
- 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 8.0 for irrigation purpose from April 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.05 for stockwater 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. 8.0 cubic feet per second and/or
b. --- acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. wells and pumps - 14" main line,
hand line moveable laterals
- 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 22 inches; proposed depth of well is 720 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 \$ 100,000.
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 SE $\frac{1}{4}$ of Section 22 Township 3N
Range 35E 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 100 head of beef cattle

(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: -----

35 7203

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	
3N	35E	15	20			20									20		✓ 40	✓ 40	140
		22	40	40	40	40			40	40	40	40	40	40	40	40	40	40	560
		14					40	40	40	40	40	40	40	40					320
		23					40	40	40	40	40	40	40	40					320

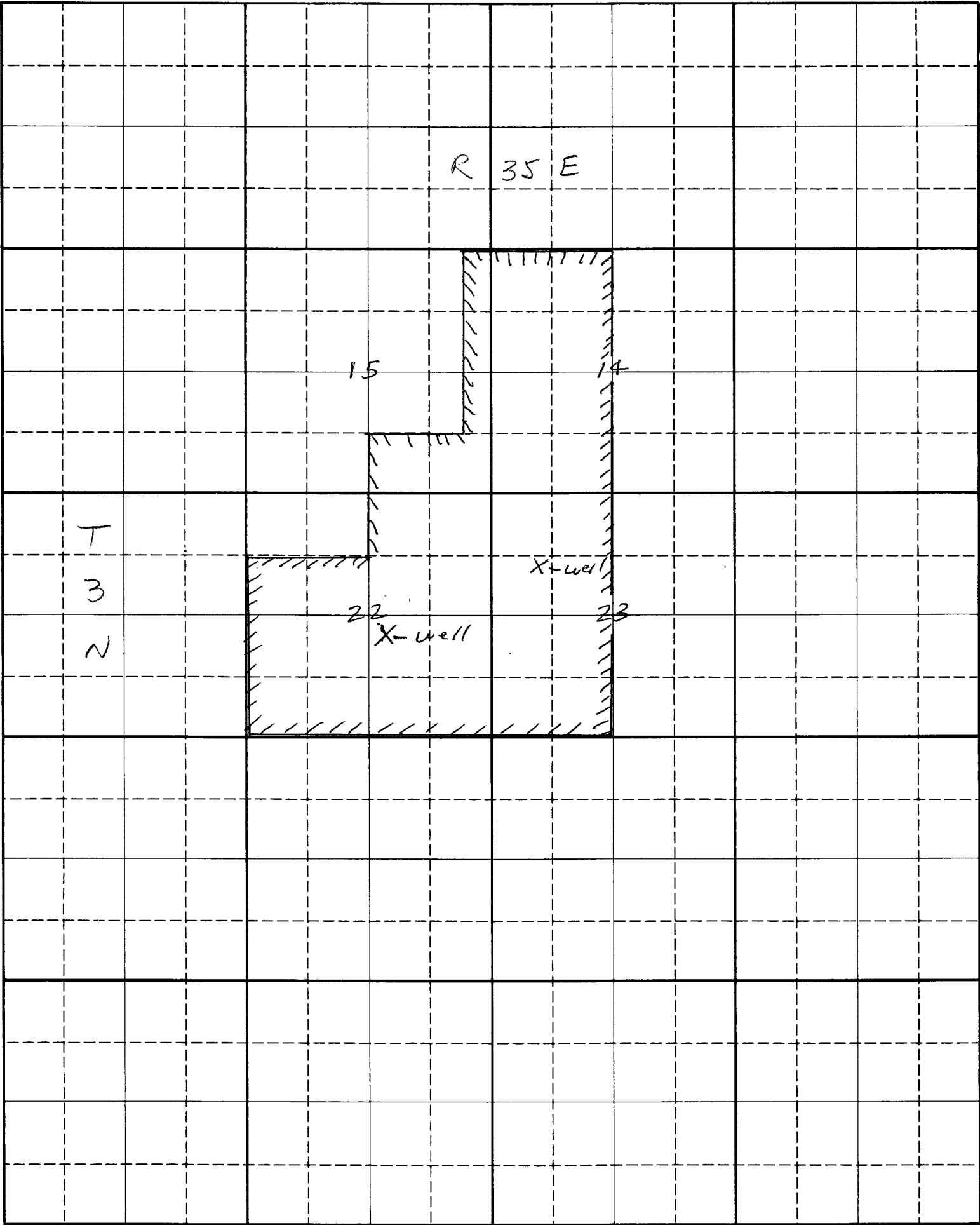
Total number of acres to be irrigated 1340

c. Describe any other water rights used for the same purposes as described above. License No. G-29403 covers the land in Sections 22 & 15 from the well in Section 22. (See map on page 2)

9. a. Who owns the property at the point of diversion Applicant
- b. Who owns the land to be irrigated or place of use Applicant
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing ---

10. Remarks Land in Sections 15 & 22 was added to the land list to allow water to be used from the new well in Section 23. The two wells will pump into a common system and the applicant wants to be able to use water from either well on any of the land.

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 & PARKER, INC. BY
L. W. Brown Pres.
(Applicant)
L. W. BROWN, Pres.
35 720

35 7203
1-13-72
1542

Received by bj Date 1-13-72 Time 1:00 p.
Preliminary check by SCY Fee \$ 45.00 = 7.50
Received by bj Date 1-13-72
Publication prepared by bj Date 1-17-72
Published in Post Register, Idaho Falls, ID
Publication dates 1-27-72 & 2-3-72
Publication approved AK Date 1-13-72
Priority ~~reduced to~~ 1-13-72 Reason _____

Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by SCY D 3DF
AK

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. 35-7203, 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 February 1, 19 77.
- 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 18 day of February, 19 72.

R. Keith Higgins
Director

DEPARTMENT OF WATER ADMINISTRATION

STAFF ANALYSIS

Application No. 35-7203 Name Brown & Parker, Inc.
 Source Ground Water
 Point of Diversion SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23; NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, T. 3N, R. 35E, B.M., Bonneville
County
 Quantity 8.0 cfs Use irrigation Period April to Nov. 1
 Quantity 0.05 cfs Use stockwater Period Jan. 1 to Dec. 31
 Quantity Use Period
 Well Size Diameter Proposed Depth Feet
 Use The irrigation of 1340 acres and stockwater for 100 head of beef cattle.

Date Forwarded Date Returned Received by

COMMENTS: Significant water level declines have not been noted in this area
(W.B. #24). Aquifer is Snake River Basalt. Yields are good with little drawdown.
Applicant now has the well in Section 22 irrigating the land in Sections 22 & 15.
He intends to use this well to irrigate land in Section 14 & 23 until additional
well can be drilled in Section 23 and added to same main line.

RECOMMENDED:

Applied: Qty.	<u>8.0 cfs</u>	Use	<u>irrig.</u>	Period	<u>4/1-11/1</u>	AF/A	<u>2.54</u>	AF	<u>3420</u>
	Qty.	<u>0.05 cfs</u>	Use	<u>stock</u>	Period	<u>1/1-12/31</u>	AF/A	<u>---</u>	AF
	Qty.	<u> </u>	Use	<u> </u>	Period	<u> </u>	AF/A	<u> </u>	AF
Maximum: Qty.	<u>26.8cfs</u>	Use	<u>irrig.</u>	Period	<u>4/1-11/1</u>	AF/A	<u>3.5</u>	AF	<u>4690</u>
	Qty.	<u>0.05 cfs</u>	Use	<u>stock</u>	Period	<u>1/1-12/31</u>	AF/A	<u> </u>	AF
	Qty.	<u> </u>	Use	<u> </u>	Period	<u> </u>	AF/A	<u> </u>	AF

ACTION: Approved X Denied

Conditions of approval or reason for denial:

By Norman C. Young Title District Engineer
 NORMAN C. YOUNG Date 1-14-72

Proof of Publication

The Post-Register

State of Idaho,
County of Bonneville } ss.

I, E. F. McDermott, first being duly sworn, depose and say: That I am the Principal Clerk of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931, and each of said newspapers having been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eighty (78) weeks and said Post-Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post-Register for two consecutive weeks, first publication having been made on the 27th day of January, 1972, last publication having been made on the 3rd day of February, 1972, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this 4th day of February, 1972

Notary Public

My commission expires April 5, 1975

B10, 1M

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Brown & Parker, Inc. Rt. No. 2, Box 89, Rigby, Idaho, has on 1-13-72 submitted Application No. 35-7203 for a permit to appropriate 8.0 cubic feet per second of water from a ground-water source by means of wells and pumps within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23; NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, T. 3N, R. 35E, B.M., Bonneville County; to be used from Jan. 1 to Dec. 31 for stock-water purposes for 100 head of beef cattle within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, T. 3N, R. 35E, B.M.; and from April 1 to Nov. 1 for the irrigation of 1340 acres within the W $\frac{1}{2}$, Sec. 14; E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 15; E $\frac{1}{2}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 22; W $\frac{1}{2}$, Sec. 23, T. 3N, R. 35E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of this permit must be filed with the Idaho Department of Water Administration, 240 South Holmes, Idaho Falls, Idaho, 83401, on or before February 14, 1972.

R. KEITH HIGGINSON
Director

Pub.: Jan. 27 and Feb. 3, 1972.

35

MEMORANDUM

TO: FILE 35-7203

FROM: VAULT

RE: TRANSFER # 66643

DATE: 5.14.02

=====

**Original Transfer Application, Form and correspondence regarding the above
referenced Transfer is located within:**

FILE # 35-2642

MICROFILMED

10/1/02

MEMORANDUM

TO: Files 35-02642 & 35-07203

FROM: Pam Skaggs /State Office

SUBJECT: Transfer 5221

DATE: September 11, 1998 

Transfer 5221 changes the place of use under Rights 35-02642 and 35-07203. The applicant has installed pivots and the transfer will describe the irrigated acres under the existing system.

Season of use and diversion volume were adjusted to current standards. Recommended conditions include measuring & annual reporting, irrigation overlap, combined right limits, future District Court provisions (SRBA), and standard transfer conditions.

MICROFILMED

SEP 21 1998

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.

MEMORANDUM

TO: FILE 35-7203

FROM: PAM SKAGGS

RE: TRANSFER # 5221

DATE: 3-9-98

Original Transfer Application, Form and correspondence
regarding the above referenced Transfer is located within
file # 5221.

MICROFILMED
SEP 21 1998

November 29, 1979

L. W. Brown, Pres.
Brown & Packer, Inc.
1780 Carmel,
Idaho Falls, ID 83401

Re: Permit No. 35-7203

Dear Mr. Brown:

Enclosed is a copy of the Water Right License issued on the above referenced permit.

Also enclosed is a copy of the approved application for amendment.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG:pb

Enclosures

MICROFILMED

October 15, 1979

Brown & Parker
Route 2 Box 89
Rigby, Idaho 83442

Dear Sirs,

RE: Permit No. 35-7203

On September 11, 1979, we forwarded an amendment to you to be completed to amend this permit to correspond with the findings of the field examiner so that we could issue this license.

As of this date, we have not received this amendment.

If we do not receive this amendment within fifteen (15) days, we will assume you no longer have any interest in this permit and cancellation proceedings will begin.

If you have any questions, please contact us.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG:mr



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

September 11, 1979

Re: Permit No. 35-7203

Brown & Parker
Route #2, Box 89
Rigby, ID 83442

Gentlemen:

A representative of this Department made an examination of the works covered by your Permit No. 35-7203 on April 6, 1977, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 8.0 cfs Source: groundwater

The maximum quantity diverted shall not exceed 3411.6 acre feet
per year.

Point of diversion: NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23, Twp. 3N, Rge. 35E,
B.M.

Beneficial use: Irrigation of 1116 acres within the SW $\frac{1}{4}$, Sec. 14;
SE $\frac{1}{4}$, Sec. 15; all of Sec. 22; W $\frac{1}{2}$, Sec. 23, Twp. 3N, Rge. 35E, B.M.

Priority date established: January 13, 1972

In order for the Department to issue the above license, it will be necessary for you to amend the permit to correspond with the findings of the field examiner. We are enclosing a partially completed amendment form for your use in this matter.

Please sign the amendment application and return it to this office along with a \$20.00 filing fee within 30 days in order that we might issue your license as set forth above. If you do not concur with these findings or have any questions, please contact us within the 30-day period.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG/kw
Enclosure

DEPARTMENT OF WATER RESOURCES
FIELD REPORT

RECEIVED

JAN 24 1977

1. Name of permit holder Brown & Parker Department of ces
Post office address Rt. 2, Box 89, Rigby, ID 83442 Eastern District Office
Person to contact Jay Brown Phone

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

3. Water will be used for the following purposes:

Amount 8.00 c.f.s. for Irrigation
AF/Annum (nature of use)

Period of Use: from Apr. 1 to Nov. 1
(mo.-day) inclusive (mo.-day)

Amount 0.05 c.f.s. for Stockwater (100 beef cattle)
AF/Annum (nature of use)

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. 35-7203
Examination for b/u

4. Total amount to be appropriated:

Max Rate of Diversion 8.00 cubic feet per second and annual volume AF/Annum.

5. Location of Point(s) of Diversion:

Township 3N N/S, Range 35E E/W, B.M., Section 23, Subdivision NE 1/4 NW 1/4, Bonneville County

Township " N/S, Range " E/W, B.M., Section 22, Subdivision NW 1/4 SE 1/4, " County

Township N/S, Range E/W, B.M., Section , Subdivision 1/4 1/4, County

Other Points of Diversions:

Description of diverting works: 600 hp pumps, GE motor, and 250 hp ge motor on turbine booster pump, 22" casing in diameter, 645' deep with static water level at 545'. Buried steel mainline with 21 1/2 mile lateral hand lines with 5/32 nozzels.

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3N	35E	15	20			20									20		40	40	140
		22	40	40	40	40			40	40	40	40	40	40	40	40	40	40	560
		14					40	40	40	40	40	40	40	40					320
		23					40	40	40	40	40	40	40	40					320

MICROFILMED

TOTAL ACREAGE 1340

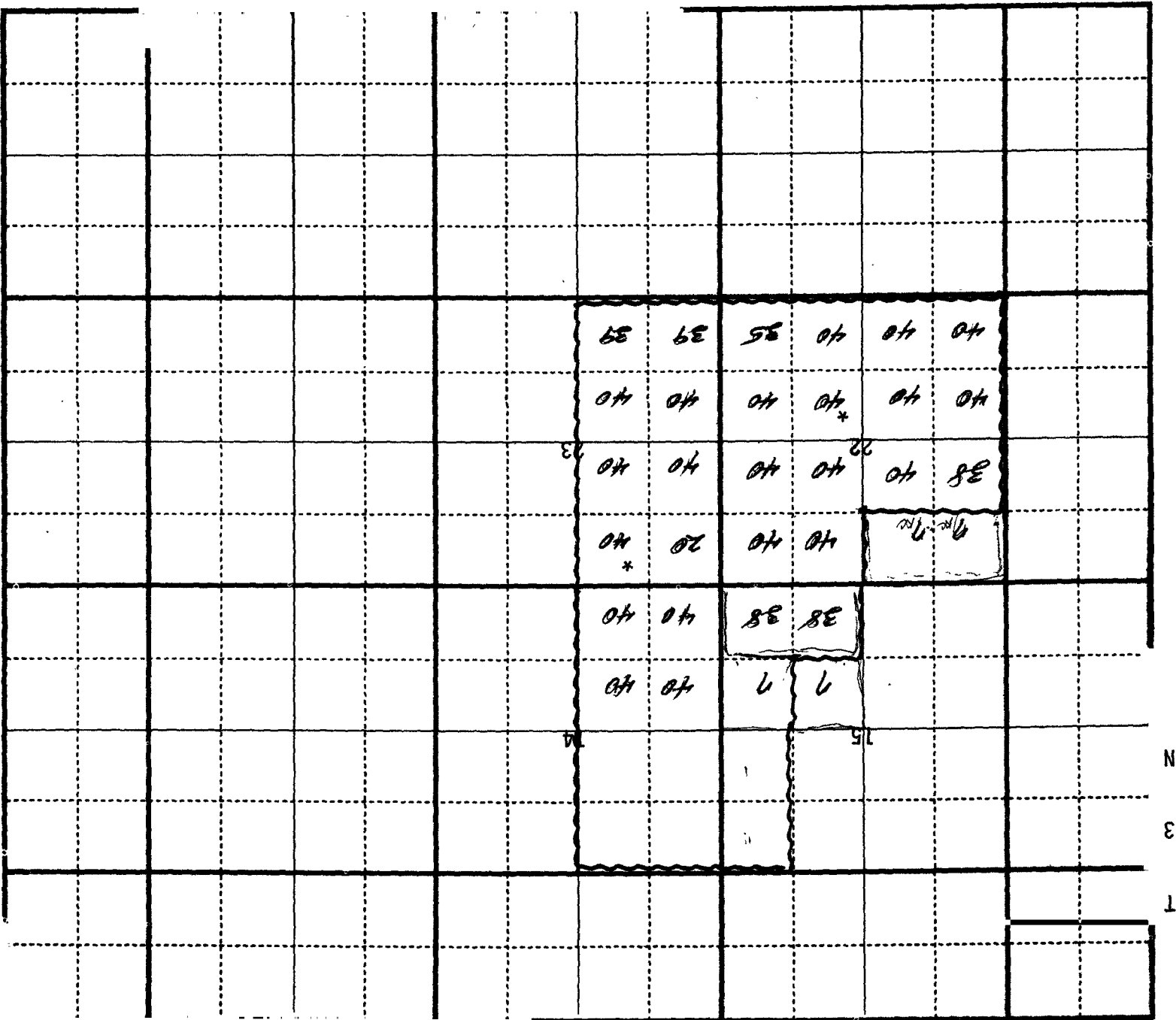
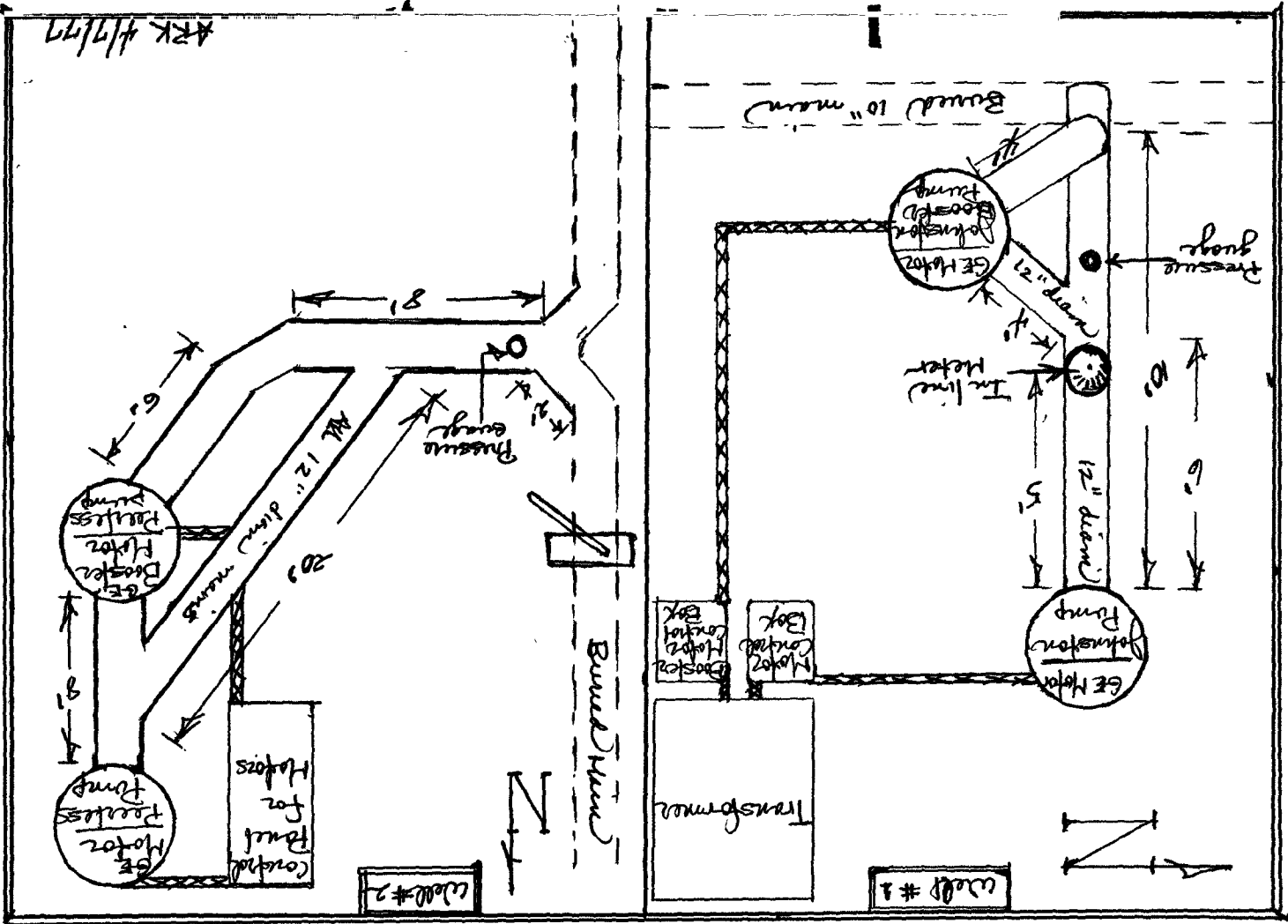


Diagram of System



DATE OF EXAM 4/6/77

ACREAGE
Found 1115
Recommended 1115

Irrigation Requirement 3.5 Ac Ft/Ac

USE
Irrigation Q = 8.0 c.f.s. V = 3411.6 AF/Ann. from April 1 to Nov. 1
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no X

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

Exchange? yes _____ no X

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

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

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

Total Q measured 14.52 cfs. Method of measurement In Line Meter
76-12-2038 Mcrometer
Total Q recommended 8.0 Meter No 76-12-2046 Type _____ Condition STD.

Total V recommended 3411.6 AF/ANN.

Recommended Amendments: Yes

P.D. _____
Place of Use See attached Rough draft amendment.
Other _____
None _____

MEASUREMENT CALCULATION:

Timed measurement, $= .01 \text{ AF} / 60 \text{ sec.} = 7.26 \text{ cfs.}$
 $= .01 \text{ AF} / 60 \text{ sec.} = 7.26 \text{ cfs.}$ } = 14.52 cfs.

$V = (3.5 \text{ AF/Ac}) (1115 \text{ AC}) = 3902.5 > (215 \text{ cfs}) (1.9835 \text{ AF/cfs}) (8. \text{ cfs}) = 3411.6 \text{ AF/ANN.}$

SYSTEM DESCRIPTION: Well #1 (NE 1/4 NW 1/4 Sec 23) - there is a 600 HP. General Electric motor 3 phase, m/n - 5K6328XC333A s/n - LKJ1120023 with a Johnston Pump # 21343. Booster motor is a 250 H.P. General Electric 3 ph. m/n - 5K6286XH74A s/n - CMJ331123 with a Johnston vertical pump m/n - 16 - CAC, s/n - TJ-008. There is a hydrometer and line meter 76-12-2038. Well #2 (NW 1/4 SE 1/4 Sec 22) There is a 600 H.P. electric motor (G.E.) m/n - 5K6337XC22A s/n - SVJ505014, 3 phase. with a Peerless Pump s/n - 192143 m/n - 18A. Booster motor is a 150 H.P. General Electric 3 phase m/n - 5K6315XC1A, s/n - OVJ224001 - peerless pump no I.D. #5

REMARKS:
Well #2 (NW 1/4 SE 1/4 Sec 22) needs a measuring device - letter has been sent. Confirmed with Jay Biron. Acreage was irrigated entirely by handlines but is slowly being converted to center pivot sprinklers. This summer 2 wheels will be in operation. There is a gravel road on the south boundary of section 23. And approx 5 acres spread of potato cullars on SE corner of sec. 22.

Examiner's Signature Anthony R. Kozlowski Date 4/6/77

Checked by Ernest Carlson Date 2/17/78

Approved by _____ Date _____

Ln. # 35-2642 is appurtenant to 629 ac of this permit for 7.05 cfs.

No stockwater use found

Brown & Parker

35-7203

3N-35E

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12 11

13 14

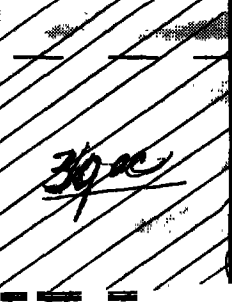
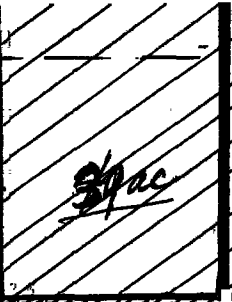
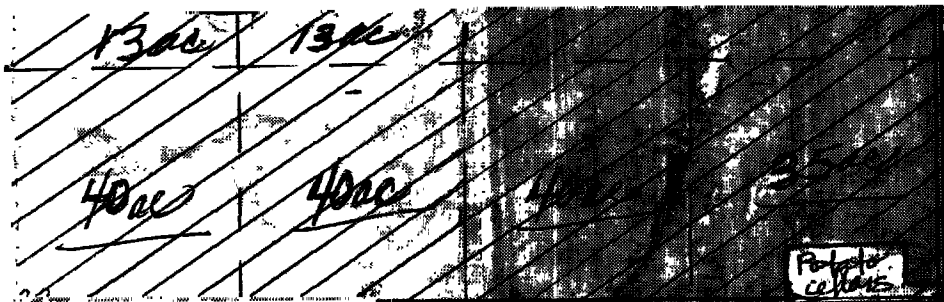
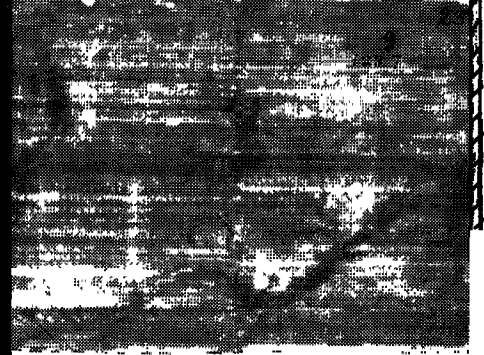
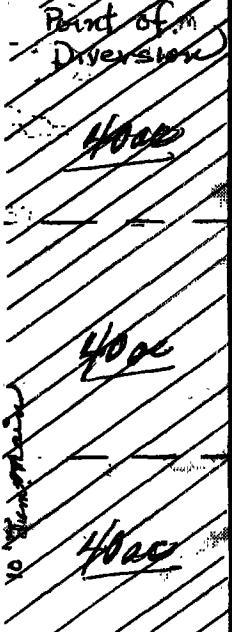
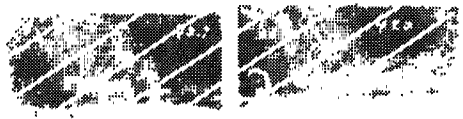
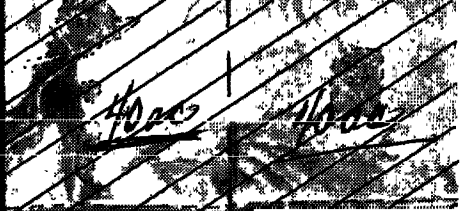
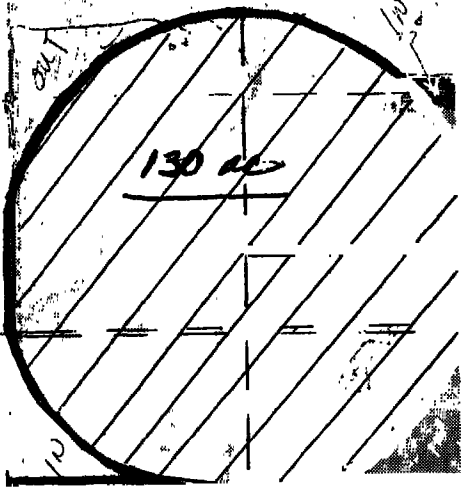
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D-272
(1-73)



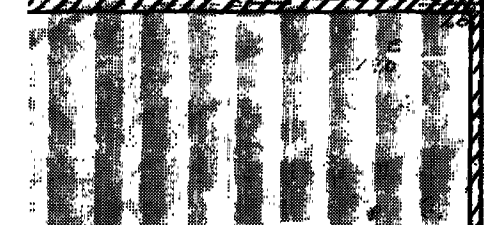
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E-355
(1-73)

ARK 3/17/77

29

25



Aerial Photograph.
of Brown & Parker

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT

Cecil D. Andrus
Governor

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

R. Keith Higginson
Director

April 8, 1977

RE: Permit No. 35-7203

Mr. Jay Brown
Rt. #2, Box 89
Rigby, Idaho 83442

Dear Mr. Brown:

Personnel from this office have attempted to complete the field examination necessary to finalize the water permit and collect data required for the licensing of the wells.

A measuring device of a type approved by this Department has not been installed at one of your points of diversion located within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, T. 3N, R. 35E, Bonneville County. Because of this non-compliance the priority date you have established for this ground-water source may be in jeopardy.

This office will hold the field report until April 30, 1977. If at that time we have not received notification that the measuring device has been purchased and/or installed, we will forward our findings to the State Office for final action. If the measuring device has been installed, please contact me to set up an appointment to do a re-exam.

Compliance with the conditions on your permit is the only way a license can be issued pursuant to the Idaho Code for your water development and the land included under the above referenced permit.

If you have any questions concerning this matter, please feel free to contact me.

Very truly yours,

ANTHONY R. KOZLOWSKI
Water Resource Agent

ARK:CW

MICROFILMED

January 21, 1977

Re: Permit No. 35-7203

Brown & Parker
c/o Jay Brown
Route 2, Box 89
Rigby, Idaho 83442

Gentlemen:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

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

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

Sincerely,

JANICE RENK
Water Rights Bureau

/jr

RECEIVED

RECEIVED

JAN 12 1977

OKY

Department of Water Resources
Eastern District Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Identification No. _____

Permit No. 35-7203

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Brown & Parker
b) Post Office Address Rt. #2, Box 89, Rigby, Idaho 83442
2. Permit Number 35-7203
3. Date of Priority that you are prepared to establish January 13, 1972
4. a) Source from which water was appropriated ground water
b) Location of the point of diversion: NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 23
Township 3N, Range 35E Boise Meridian, Other points of diversion: NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, T. 3N, R. 35E, B.M., Bonneville County
5. a) The amount of water and use to which the water has been applied:
Amount 8.00 for Irrigation purposes from Apr. 1 to Nov. 1 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)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 8.00 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: Gem State Irrigation designed system to pump 3,465 gpm.
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: N.A.
b) Describe the agreement or understanding by which you take water from the works: N.A.
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) Johnson pumps with 600 hp. GE motor and 250 Hp. GE motor on turbine booster pump, well casing is 22 inches in diameter, well depth is 645 ft. with static water level at 545 ft. Buried steel mainline with 21 $\frac{1}{2}$ mile lateral hand lines with 5/32 nozzels.
b) Describe the type and size of measuring device which you have installed at your point of diversion: McCrometer for 12inch main at 4,000 gpm
c) Give well driller's name and address and the date the well was completed: Cope Drilling, Idaho Falls, date completed February, 1975.
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: N.A.

1/20/77

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	
3N	35E	14					40	40	40	40	40	40	40	40					320
		15	20			20									20		40	40	140
		22	40	40	40	40			40	40	40	40	40	40	40	40	40	40	560
		23					40	40	40	40	40	40	40	40					320

Total number of acres irrigated 1,340

10. Remarks: License G-29403 covers the land in Sec. 22 and 15 from well in Sec. 22. This land was added to the land list to allow water to be used from the new well in Sec. 23. The two wells pump into a common system so water from either well can be used on any of the land.

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

1-12-77 (Date) Jay Brown (Signature)

State of Idaho)
County of Bonneville) ss.

On this 12th day of January, 1977, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Loren D. Halmer
Notary Public residing at Idaho Falls, Id.

My commission expires March 21, 1979

November 30, 1976

CERTIFIED MAIL

138096

Re: Permit No. 35-7203

Brown & Parker
Route 2, Box 89
Rigby, Idaho 83442

Gentlemen:

One of the conditions of approval of your water Permit No. 35-7203 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before February 1, 1977. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.


R. KEITH HIGGINSON
Director

RKH:jg
Enc: Proof affidavit

MICROFILMED

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Warehouse

Boise, Idaho 83707

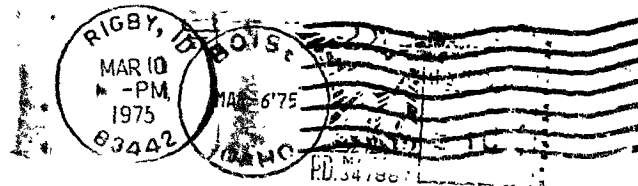
RECEIVED

MAR 10

Department of Water Resources

NOT DELIVERABLE
AS ADDRESSED -
UNABLE TO FORWARD

Brown & Parker, Inc.
Route #3, Box 89
Rigby, ID 83442



resent to:
Route 2, Box 89
Rigby, Idaho 83442

MICROFILMED

March 5, 1975

Re: Permit No. 35-7203

Brown & Parker, Inc.

~~Route #3~~, Box 89

Rigby, ID 83442

Route 2, Box 89

Dear Sirs:

Enclosed is a copy of the approved application for amendment submitted in connection with the above referenced permit.

If you have any questions concerning this matter, please contact us.

Sincerely,

D. Darlene Reich

Water Rights Supervisor

DDR:JG

Enclosure

DEPARTMENT OF WATER ADMINISTRATION

STAFF ANALYSIS

Application No. 35-7203 Name BROWN & PARKER, INC. by L. W. Brown, Pres.

Source Groundwater

Point of Diversion SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23, T. 3N, R. 35E, B.M., Bonneville County

Quantity 8.0 Use Irrigation Period April 1 - Nov. 1

Quantity .05 Use Stockwater Period Jan. 1 - Dec. 31

Quantity Use Period

Well Size Diameter 22 Proposed Depth 720 Feet

Use 1340 acres for irrigation

100 head of beef cattle for stockwater

Date Forwarded 1-18-72 Date Returned Received by

COMMENTS: Based on well in NE $\frac{1}{4}$ NE $\frac{1}{4}$ (?): Static w/L approx. 530 feet.
Primary aquifer is interflow zones in basalt. Water levels
show either no change or modest increases. Well development
is very light, aquifer should be capable of supporting some
development.

RECOMMENDED:

Applied: Qty. Use Period AF/A AF

Qty. Use Period AF/A AF

Qty. Use Period AF/A AF

Maximum: Qty. Use Period AF/A AF

Qty. Use Period AF/A AF

Qty. Use Period AF/A AF

ACTION: Approved ✓ Denied

Conditions of approval or reason for denial:

INVESTIGATION By Paul M. Casteln Title W.R.I. - I

Date Jan. 19, 1972

35 7203

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Statehouse — Annex 2
Boise, Idaho 83707
(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

February 23, 1972

Re: Permit No. 35-7203 - Brown & Parker, Inc.

Brown & Parker, Inc.
Route #2, Box 89
Rigby, Idaho

Gentlemen:

Enclosed is a copy of your approved Application for Permit No. 35-7203. 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. FLEENOR
Assistant Director

BDF:cr

Enclosures

35 7203

RECEIVED

JAN 18 1972

Department of Water Administration

January 17, 1972

Re: Application No. 35-7203 - Brown & Parker, Inc.

The Post Register
P. O. Box 1800
Idaho Falls, ID 83401

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 our 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 date. 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,

NCY:BJ
Encl: Legal notice

Bill submitted 2-16-72 By CR

35 7203

NOTICE OF APPLICATION FOR WATER PERMIT

Department of Water Administration

Notice is hereby given that Brown & Parker, Inc. Rt. #2, Box 89, Rigby, Idaho,

has on 1-13-72 submitted Application No. 35-7203

for a permit to appropriate 8.0 cubic feet per second ~~acre feet per annum~~

of water from a ground-water source

by means of wells and pumps

within the SW $\frac{1}{4}$, Sec. 23; NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, T. 3N, R. 35E, B.M., Bonneville County;

to be used from Jan. 1 to Dec. 31 for stockwater purposes for 100 head of beef cattle

within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, T. 3N, R. 35E, B.M.; and from April 1 to Nov. 1

for the irrigation of 1340 acres

within the W $\frac{1}{2}$, Sec. 14; E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 15; E $\frac{1}{2}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 22;

W $\frac{1}{2}$, Sec. 23, T. 3N, R. 35E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of this permit must be filed with the Idaho Department of Water Administration, 240 South Holmes, Idaho Falls, Idaho, 83401, on or before February 14, 1972.

R. KEITH HIGGINSON

Director

Published in the Post Register

on January 27 and February 3, 1972.

NCY

35 7203