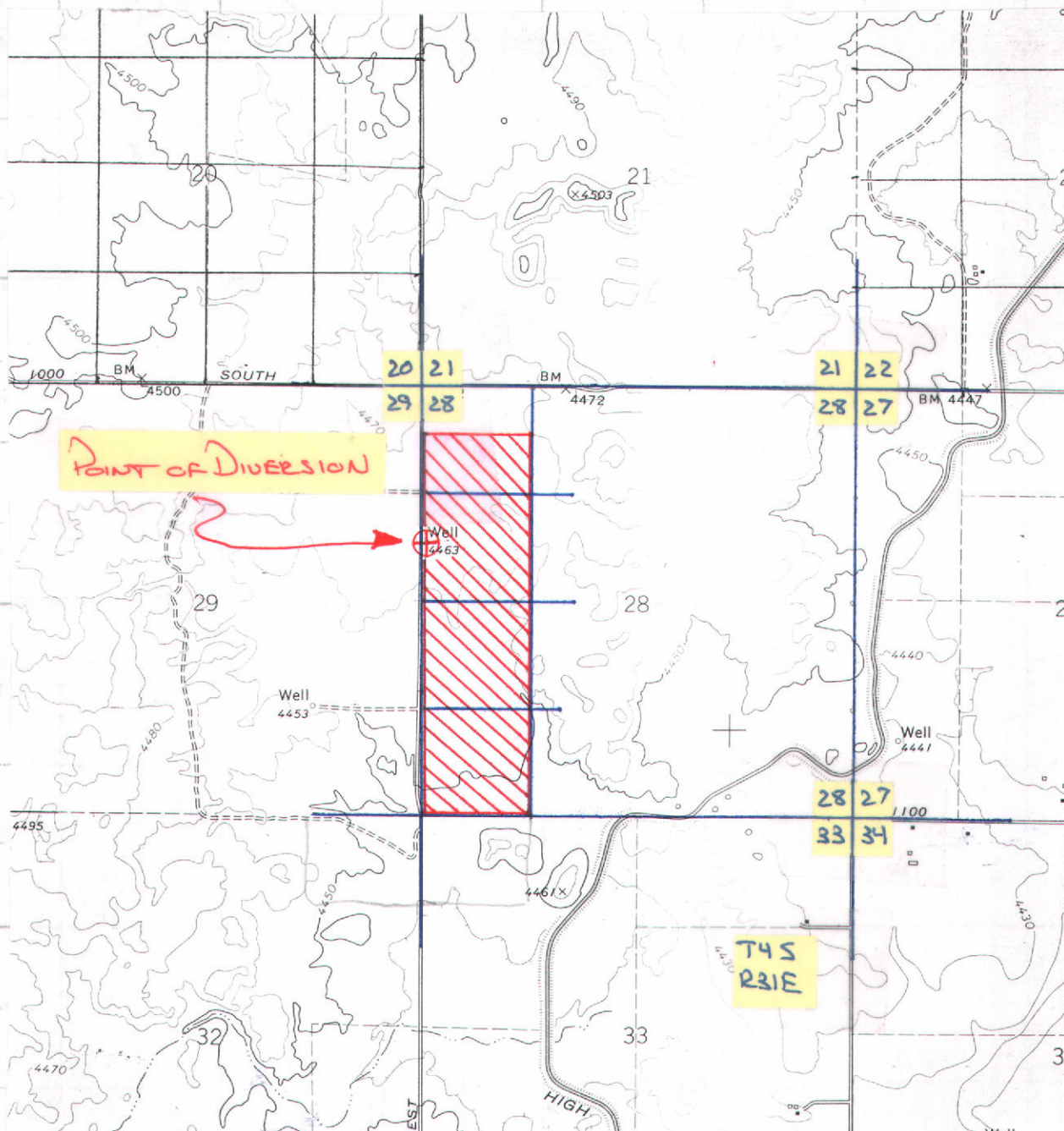


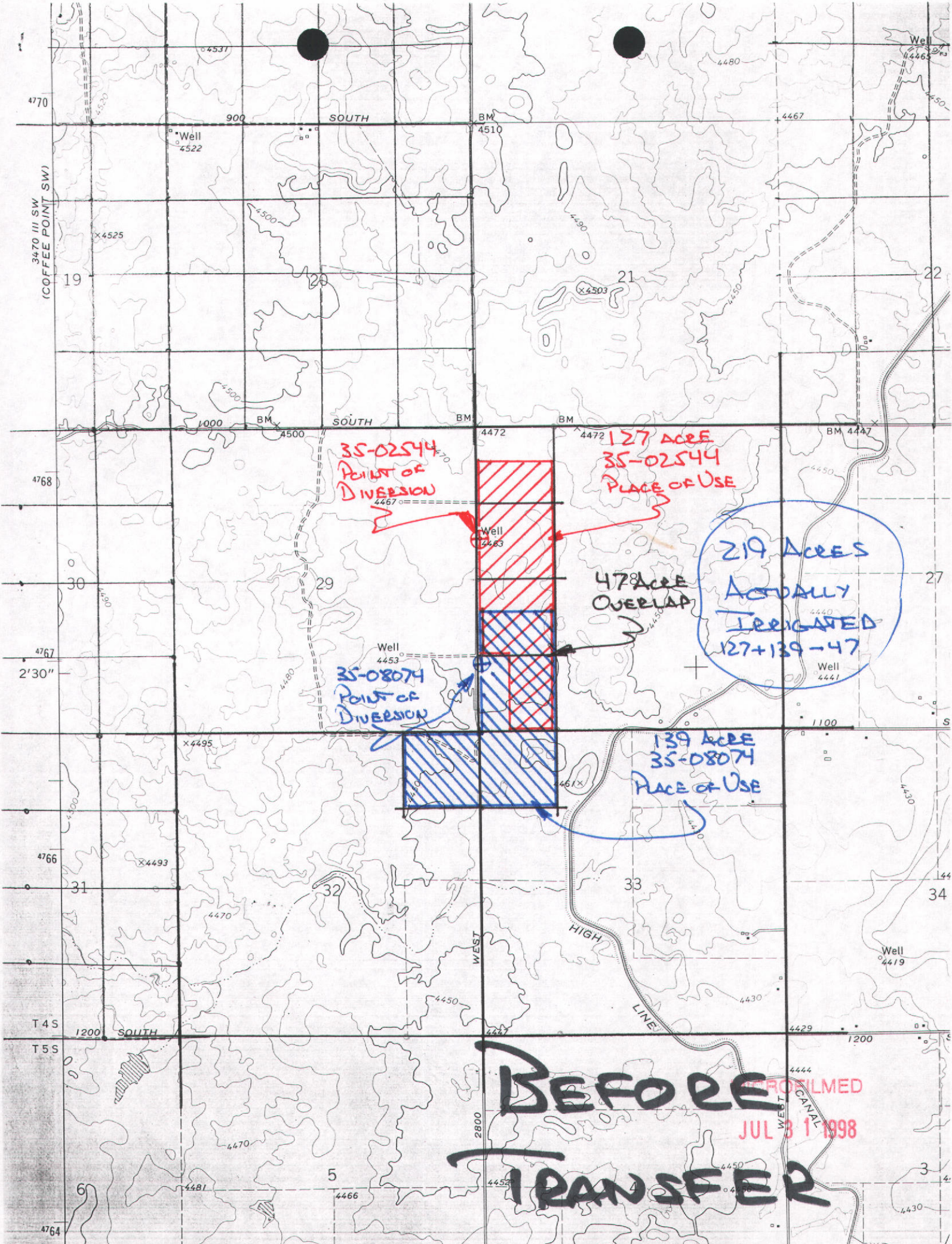
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

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



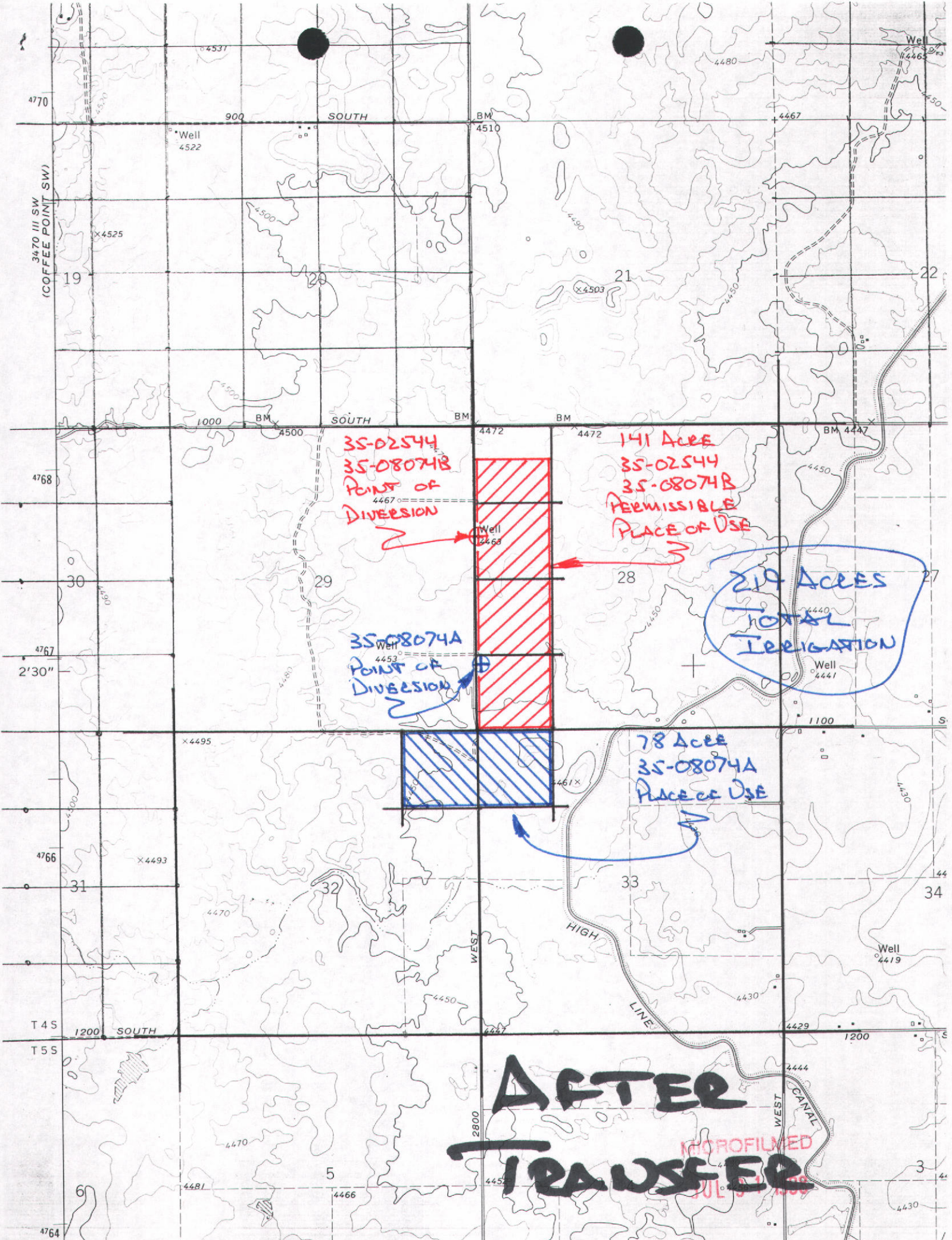
MICROFILMED

JUL 31 1998



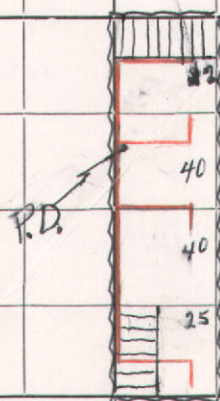
BEFORE
TRANSFER

REPROFILMED
JUL 31 1998



R-31E.

T.
4
S.



22

40

40

25

Subdivisions 4

area

127 acres

Allow



2.54 CFS OR 127 inches

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF BINGHAM.

ss.

RECEIVED
JUN 12 1962

Department of Reclamation

Neil Glover being first duly sworn
on oath, states:

That he is the principal clerk of printer
of the Aberdeen Times, a newspaper of general circulation
in Bingham County, Idaho, published weekly at Aberdeen
in said County; that said newspaper has been published in
said County uninterruptedly and continuously for over
seventy-eight consecutive weeks, prior to the first publica-
tion of the annexed notice or advertisement:

That the annexed notice or advertisement was published
as per clipping attached in the regular and entire edition of
said newspaper and not in any supplement thereof for 4
successive weekly issues thereof, the date of the first pub-
lication being the 3 day of may, 1962
the date of last publication being the

24 day of may, 1962

(Signed) Neil Glover

Subscribed and sworn to before me this

11th day of June, 1962

Elmer Isaak
Notary Public, residing at Aberdeen,
Idaho.

My Commission expires the

(SEAL)

8th day of December, 1962

Legal Notice

Published in the Aberdeen
Times May 3, 10, 17, 24, 1962.

NOTICE OF PROOF OF COM-
PLETION OF WORKS

and

APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that
at 10:00 A. M., on the 8th
day of June 1962, at Aberdeen,
County of Bingham, State of
Idaho, before Elmer Isaak,
Notary Public, at Canal Co.
office, proof will be submitted
of the completion of works for
the diversion of 3.2 cubic feet
per second of underground
water from a well, and of the
application to beneficial use of
said water, in accordance with
the terms and conditions of Per-
mit No. G-27543, heretofore
issued by the Department of
Reclamation of the State of
Idaho.

1. The name and postoffice
address of the person or corpora-
tion holding said permit is
Galyn E. Muirbrook, Sterling,
Idaho.

2. Said works of diversion
will be fully completed on the
date set for such completion,
and the amount of water which
said works are capable of con-
veying to the place of use is
3.2 cubic feet per second.

3. The use to which said
water has been applied is Irrig-
ation purposes, and the am-
ount applied to beneficial use
is 3.2 cubic feet per second.

4. The point of diversion of
said water is SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec-
tion 28, Township 4 South,
Range 31 E. B. M.

5. The place where said
water is used is W $\frac{1}{2}$ NW $\frac{1}{4}$ and
W $\frac{1}{2}$ SW $\frac{1}{4}$, Section 28, Town-
ship 4 South, Range 31 E. B. M.

6. The date of priority which
said user is prepared to estab-
lish is August 29, 1958.

GEO. N. CARTER

State Reclamation Engineer

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5085
WATER RIGHT NO(S). 35-02544/35-08074B

This is to certify that: **RALPH D KLASSEN FARMS**
2837 W 1700 S
ABERDEEN ID 83210

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. 35-02544 :			
IRRIGATION	04/01 to 10/31	2.54 CFS	508.0 AF
Priority: 08/29/1958			
Right No. 35-08074B :			
IRRIGATION	04/01 to 10/31	0.28 CFS	56.0 AF
Priority: 12/23/1982			
TOTAL:		2.82 CFS	564.0 AF

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION: SWNW , Sec. 28, Township 04S, Range 31E
BINGHAM 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>
04S	31E	28	NWNW 22	SWNW 40	NWSW 40	141
			SWSW 39			
Total number of acres irrigated:						* 141

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.

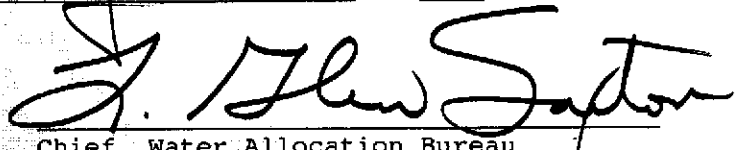
JUL 31 1990

TRANSFER NO. 5085
WATER RIGHT NO(S). 35-02544/35-08074B

CONDITIONS OF APPROVAL AND REMARKS

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. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- * 6. Right 35-02544 shall not exceed irrigation of 127.0 acres in the place of use described above in a single irrigation season.
- * 7. Right 35-08074B shall not exceed irrigation of 14.0 acres in the place of use described above in a single irrigation season.

Dated this 6th day of July, 1998.


Chief, Water Allocation Bureau

JUL 31 1998

RECEIVED

MAY 14 1997

STATE OF IDAHO

Page 1 of Department of Water Resources
DEPARTMENT OF WATER RESOURCESTransfer No. 5085

RECEIVED

JUL 21 1997

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Department of Water Resources

Name of applicant RALPH D. KLASSEN FARMS Phone (208) 397-5389
 Post Office address 2837 W 1700 S ABERDEEN ID 83210

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other CREATE PERMISSIBLE PLACE OF USE
2. Describe the reason for the proposed changes SEE ATTACHMENT 1

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

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|-----------------|------------|-----------------------|------------------|----------------|
| 35-02544 | 08-28-1958 | 2.54 CFS | IRRIGATION | 04-01 to 10-31 |
| 35-08074(B) | 12-23-1982 | 0.28 CFS | IRRIGATION | 04-01 to 10-31 |
| | | | | to |
| | | | | to |
2. Total amount of water being transferred 2.82 CFS cubic feet per second and/or _____ acre-feet per annum.
3. Source of water GROUNDWATER tributary to _____
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NW	28	04S	31E	BINGHAM	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
04S	31E	28						22	40			40	39						141

NOTE: PERMISSIBLE PLACE OF USE

Total acres 141

JUL 31 1998

19

Witness my hand this _____ day of _____

This is to certify that I have examined Application for Transfer of Water Rights No. _____, subject to the following limitations and conditions:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

SEE ATTACHMENT 1

d. Remarks:

NONE

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

trust, mortgage or contract agreeing to the proposed changes.

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

a. Description of diversion system _____ WELL, PUMP AND PIPELINES TO IRRIGATION SYSTEM ON CROPLAND.

6. General Information:

PART 1

Transfer No. 5085

Page 2 of 2

PART 2

TRANS NO. 5085

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 35-02544

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	to	2.54 CFS

SOURCE

GROUNDWATER

Priority: 08/29/1958

LOCATION OF POINT(S) OF DIVERSION:SWNW , Sec. 28, Township 04S, Range 31E
BINGHAM CountyPLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
04S 31E 28	NWNW 22	SWNW 40	NWSW 40	
	SWSW 25			127
		Total number of acres irrigated:		127

CONDITIONS/REMARKS:

JUL 31 1998

PART 2

TRANS NO. 5085

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 35-08074

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	2.29 CFS	556.0 AF

SOURCE

GROUNDWATER

Priority: 12/23/1982

LOCATION OF POINT(S) OF DIVERSION:SWSW , Sec. 28, Township 04S, Range 31E
BINGHAM CountyPLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
04S	31E	28	NWSW 22	SWSW 39		61
		32	NENE 39			39
		33	NWNW 39			39
Total number of acres irrigated:						139

CONDITIONS/REMARKS:

1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.

FILED
JUL 31 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 35-08074 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

☒ Tax Notice

☒ Warranty Deed

☐ Other _____

3. Source of water GROUNDWATER tributary to _____

4. Date or priority 12-23-1982

5. Water is used for the following purpose:

amount 2.29 cfs for IRRIGATION purposes from 04-01 to 10-31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 2.29 cfs cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SW	28	04S	31E	BINGHAM	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
04S	31E	28										22	39						61
		32	39																39
		33						39											39

Total acres 139

9. Describe any other water rights used for the same purpose as described above 35-02544

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use? NO If yes, describe

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. amount 0.28 cfs* for IRRIGATION purposes from 04-01 to 10-31
amount (cfs/ac-ft) for purposes from to
amount (cfs/ac-ft) for purposes from to
2. Point(s) of Diversion:

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE %			NW %			SW %			SE %			Totals
			NE %	NW %	SE %	NE %	NW %	SE %	NE %	NW %	SE %	NE %	NW %	SE %	
04S	31E	28													61

Total acres 61*

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

1. amount 1.56 cfs* for IRRIGATION purposes from 04-01 to 10-31
amount (cfs/ac-ft) for purposes from to
amount (cfs/ac-ft) for purposes from to
2. Point(s) of Diversion:

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE %				NW %				SW %				SE %				Totals
04S	31E	32	39															39	
		33																39	

* SEE REMARKS IN ATTACHMENT 1

Total acres 78*

ATTACHMENT 1

Part 1A (continued):

2. Describe the reason for the proposed change:

Applicant wishes to consolidate irrigated acreage for entire system under one point of diversion. This transfer will also create a permissible place of use totaling 141 acres.

Part 1B (continued):

6. General Information:

- d. Remarks: Land is to be irrigated under **Permissible Place of Use** as follows:

35-02544 is limited to the irrigation of **127 acres within the 141 acre place of use** described in Part 1B of this document in a single irrigation season.

35-08074(B) is limited to the irrigation of **14 acres within the 141 acre place of use** described in Part 1B of this document in a single irrigation season.

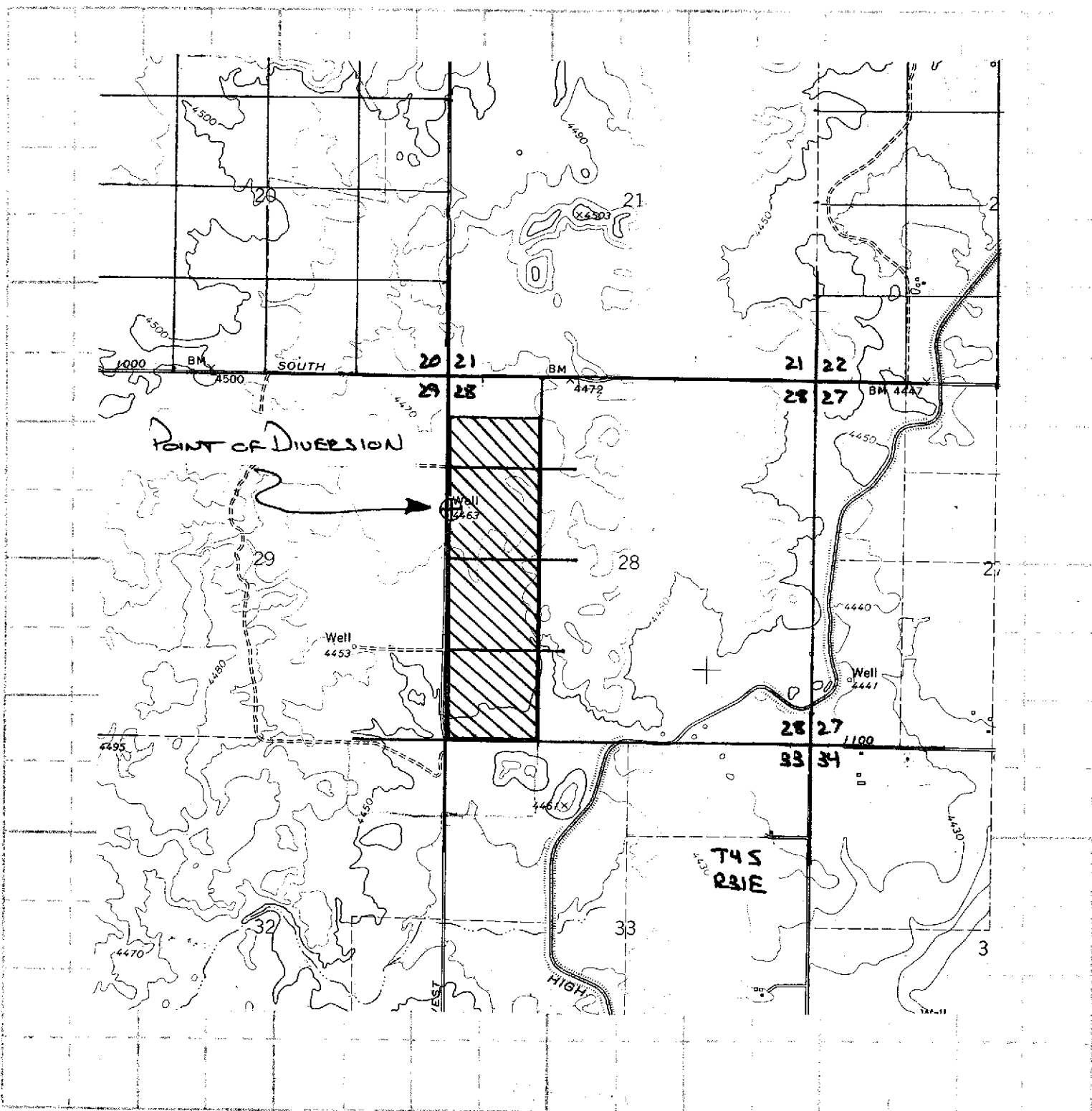
Note: This transfer would **reduce** the total amount for all portions of 35-08074 to **1.84 cfs**. As 35-02544 is licensed for 0.02 cfs/acre from the well proposed to serve 35-08074(B), water will be concentrated on the place of use not covered by 35-02544 to a maximum of 0.02 cfs/acre. Portion 35-08074(A) will retain 1.56 cfs over remaining 78 acre place of use, and 35-08074(B) will take 0.28 cfs for 14 acres. The remaining 0.45 cfs portion of 35-08074 will be considered lost.

Transfer 35-02544, 35-08074
Krown Farms

JUL 31 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

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



PART 3

B. CHANGES IN NATURE OF USE

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

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

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

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

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



Subscribed and sworn to before me this

My commission expires

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by _____ Date 5-14-97

Prelim. check by _____ Fee 160.00

Received by _____ Date 5-14-97

Published in _____

Pub. dates June 5 and 18, 1997

Watermaster recommendation requested on _____

Recommended for ☒ approval ☐ denial

by _____

Copy of transfer sent to lien holder _____

Warranty Deed

For Value Received PAUL A. MUIRBROOK and PAM A. MUIRBROOK, husband
and wife, of Aberdeen, Bingham County, Idaho

the grantor S, do hereby grant, bargain, sell and convey unto RALPH D. KLASSEN FARMS, an Idaho general partnership consisting of RALPH KLASSEN, STEPHEN KLASSEN, JOHN KLASSEN, DAN BROWN and JIM BROWN

whose current address is 2837 W 1700 S, Aberdeen, ID 83210

the grantee^S, the following described premises, in Bingham County Idaho, to wit:

SW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, and W $\frac{1}{2}$ SW $\frac{1}{4}$, Section 28,
Township 4 South, Range 31, E.B.M., Bingham
County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s, their heirs and assigns forever. And the said Grantor s do hereby covenant to and with the said Grantee s, that they are the owners in fee simple of said premises; that they are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: April 5, 1993

Pam A Muebeck
Pam A Muebeck

STATE OF IDAHO, COUNTY OF Power
On this 5 day of March, 1993
before me, a notary public in and for said State, personally appeared
PAUL A. MUIRBROOK and PAM A.
MUIRBROOK, husband and wife,

known to me to be the person, whose names are
 subscribed to the within instrument, and acknowledged to me that
 they executed the same.

Notary Public
American Falls
Idaho
Residing at
Comm. Expires 05-27-93

414701
BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO

FEE 3⁰⁰ DEP PJ

93 APR -6 PM 2: 22
Cavaness & Boomer
RECORDED AT THE REQUEST OF
PO Box 70 Am Falls
83211

100 3 1 130

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 35475
Permit No. G- 27543
District No.

Galyn E. Muirbrook
Sterling, Idaho

1. Name of Applicant: GALYN E. MUIRBROOK
Postoffice address: Sterling County: Bingham State: Idaho
2. Quantity of water claimed: 160 miners inches
 - (a) Rate of withdrawal in cubic feet per second. 3.2 or Idaho
Miners' inches 160 or gallons per minute.
 - (b) Annual withdrawal in acre feet per annum 800
3. Source of water supply: Subterranean from drilled well
4. Location of point of diversion or well is in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 28
Twp. 4 S. , Rge. 31 E. , B.M., County of Bingham
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: drilled well with deep well turbine pump and motor
8. Estimated cost of works: \$ 5,000
9. (a) Is reservoir to be used? No
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None
 - (a) None (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) 3.2 (cubic feet per second, inches or gallons per minute) is for new lands.

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

By

Agent.

8:30 A. M. August 29, 1958

Returned to applicant for correction:

Corrected application received:

The number of this permit is G-27543

Recorded in Book 97 Page 27543 Approved September 10, 1958

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before _____ and to continue diligently and uninterruptedly to completion,

unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before March 10, 1961

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before September 10, 1963

Witness my hand this 10th day of September, 1958

/s/ GEO. N. CARTER
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, Governor of the State of Idaho,
and JAS. H. YOUNG, Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 10th
day of September, 1958.

Countersigned:

STATE OF IDAHO

(SEAL)

By /s/ JAS. H. POUNG
Secretary of State.

By /s/ ROBERT E. SMYLIE
Governor

12.

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	
4 S.	31 E.	28		40 40	40 40		160
TO ALL WHOM IT MAY CONCERN:			Permit No. G-27543 CERTIFICATE OF COMPLETION OF WORKS				
This is to certify that GALYN E. MUIR of Sterling, County of Bingham, and State of Idaho, the holder of Permit No. G-27543, issued upon Application No. G-35475 bearing date of priority of August 29, 1958, authorizing the diversion of second feet of waters of a well, County of Bingham, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 2.54 second feet of the waters of a well from subterranean flow; that the point of diversion of said waters SW 1/4, Sec. 28, T. 4 S., R. 31 E., B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 127 acres in W 1/2, Sec. 28, T. 4 S., R. 31 E., B. M. Witness my hand this 24th day of July A. D. 1962. s/ RALPH W. THOMAS Deputy State Reclamation Engineer of Completion of Works Made: June 11, 1962							
LICENSE ISSUED FOR 2.54 SEC. FT. <i>page 7351</i>							

State of Idaho

License and Certificate of Water Right

Water License No. G-27543Amount 2.54 c.f.s.

Water District No. _____

Priority August 29, 1958

THIS IS TO CERTIFY that GALYN E. MUIRBROOK
of Sterling, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated August 29, 19 58; that Permit No. G-27543
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
2.54 second feet, was issued thereunder on July 24, 19 62, showing that said works
were completed on the 11th day of June, 19 62; and that on the 11th
day of June, 19 62,

GALYN E. MUIRBROOK

of Sterling, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
, a tributary of subterranean flow, for the purpose of irrigation
, under Use Permit No. G-27543 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
12 of Licenses at page 7351, on the 24 day of July, 19 62;

The right hereby confirmed dates from August 29, 19 58;

The Point of Diversion is located

in the SW 1/4 NW 1/4, Sec. 28, Tp. 4 S., R. 31 E., B. M. Bingham County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 2.54 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
4 S.	31 E.	28	NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$	40 40 40 40	22 40 40 <u>25</u>
			Total number of acres to be irrigated:		127

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
24th day of July, 19 62.

RALPH W. THOMAS

Deputy State Reclamation Engineer.

(SEAL)

State of Idaho
License and Certificate of Water Right

Water License No. G-27325 Amount 1.82 c.f.s.
Water District No. Priority April 14, 1958

THIS IS TO CERTIFY that JOHN P. DIXON
of Wendell, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated April 14, 1958; that Permit No. G-27325
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.82 second feet, was issued thereunder on July 24, 1962, showing that said works
were completed on the 10th day of October, 1961; and that on the 10th
day of October, 1961,

JOHN P. DIXON
of Wendell, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
, a tributary of subterranean flow, for the purpose of irrigation
, under Use Permit No. G-27325 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
12 of Licenses at page 7352, on the 24 day of July, 1962;
The right hereby confirmed dates from April 14, 1958;

The Point of Diversion is located
in the NE 1/4 NW 1/4, Sec. 24, Tp. 7 S., R. 14 E., B. Blodgett County
That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 1.82 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
7 S	14 E	24	NW 1/4 NE 1/4	40	30
			SW 1/4 NE 1/4	40	25
			NE 1/4 NW 1/4	40	30
			SE 1/4 NW 1/4	40	15
			Total number of acres to be irrigated:		100

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.
WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
24th day of July, 1962.
RALPH W. THOMAS
Deputy State Reclamation Engineer.
(SEAL)



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 7, 1998

RALPH D KLASSEN FARMS
2837 W 1700 S
ABERDEEN ID 83210

RE: Water Rights 35-02544/35-08074B (Transfer 5085)

Dear Water Right Holder(s):

Enclosed is a copy of your approved Transfer of Water Right for the above referenced water rights (Transfer 5085). Please be sure to thoroughly read the Conditions and Remarks listed on the transfer.

Also, please be advised that the accompanying **transfer approval** should be considered and treated as a **preliminary order** of the department issued pursuant to Section 67-5243, Idaho Code. Enclosed are instructions for responding to **preliminary orders** if you are in disagreement with the approved transfer.

If you have any questions regarding this matter, you may telephone me at 208-327-7947.

Sincerely,

A handwritten signature in black ink, appearing to be 'Jim Johnson', written over a circular stamp.

JIM JOHNSON, Manager
Water Right Permits Section

JJ:klt

Enclosures

MICROFILMED

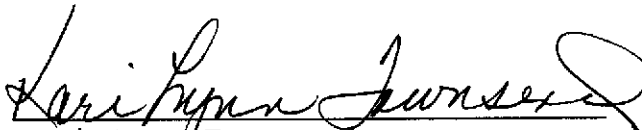
JUL 31 1998

CERTIFICATE OF MAILING

I hereby certify that on the 7th day of July, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing **TRANSFER APPROVAL** to the person(s) listed below:

WATER RIGHTS 35-02544/35-08074B (Transfer 5085)

**RALPH D KLASSEN FARMS
2837 W 1700 S
ABERDEEN ID 83210**


Kari Lynn Townsend
Secretary

RECORDED
JUL 31 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.

MICROFILMED
JUL 31 1998

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.

JUL 31 1998

MEMORANDUM

TO: Files 35-02544 & 35-08074

FROM: Pam Skaggs ^{PS}/State Office

SUBJECT: Transfer 5085

DATE: July 2, 1998 *de J*

Transfer 5085 creates a permissible place of use under Right 35-02544 and part of Right 35-08074, splitting the right into Parts A and B. The transfer also changes the point of diversion under the transferred portion of Right 35-08074 to the well located on the applicant's property creating a single system serving the 141 acre permissible place of use. ✓
Right 35-08074 is split disproportionately to provide 0.02 cfs per acre for each portion as consolidated on the acres described under Parts A and B.

Season of use and diversion volume were adjusted to current standards. Recommended ✓
conditions include measuring and annual reporting, irrigation overlap, permissible place of use limits and standard transfer conditions.

MICROFILMED

JUL 31 1998

TRANSFER REVIEW SHEET

(04-98)

Transfer # 5085

Date Reviewed 06-30-98

38

Right(s) 35-02544 - No Info on sublease status query
35-08074 - WR

☒ WRQ/Split Summary

☒ Run POU Comparison Report

B:Change P/D C:Add P/D

D:Change P/U

E:Change Nature of Use

F:Change Period of Use

G:Other

H:Change P/D & Add P/D

☒ I:Change P/D & P/U Split + PP/U

J:Add P/D & Change P/U

Proof of Ownership Warranty Deed 4-5-93

Transfer 35-02544 35-08074
☒ All of Right ☒ Portion of Right

Resulting Split(s) 35-08074 < B

A) 1.84 cfs 78 Acres 312.46 } Disproportionate
 B) .28 cfs 14 Acres 56.46 (1.45 cfs / 6.1 Acres / 190.16) } Split per Application
2.12 cfs 92 Acres 36.8 } Reduces Overlap
.17 cfs 47 Acres 134.16

Check Transfer Against Recorded Right

Season/Vol. C/4.0

(1) ☒ Priority (2) ☒ Use (3) Season (4) Rate (5) Volume

(6) ☒ Source (7) P/D (8) P/U (9) ☒ Proof/Owner (10) ☒ Map

Aberdeen American Falls GW Dist. / East ESPA WM Dist.

(11) NA Water District (12) yes Pertinent Conditions (13) No Expansion

IRR Overlap

Reduce total acres/rate

(3) Standard Season 4-1 to 10-31

(4) Disproportionate Split - .02 cfs/acre 14 transferred Acres (from 6.1)

(5) Standard Vol

(7) Change P/D under 35-08074B

(8) Change P/U to 141 PP/U - Concentrate 35-08074B on 14 Acres

Existing Well

Transfer Remarks PP/U 35-02544 - 127 Acres 35-08074B - 14 Acres

Conditions 067, R64, T07, T08, T09

Database/Processing Notes

Standard ☒

Non-Standard ☐

Tfiles - Clear 35-08074 when approved.

"T" Files Update Complete ☒ Approval Form ☒ Transfer Memo ☒

Database Updated Following Approval ☒ Memo/Form Files Deleted ☒

7-6-98 38

WR0749NP
No. T35-02544

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 06/30/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RALPH D KLASSEN FARMS 2837 W 1700 S ABERDEEN ID 83210 (208) 397-5389	08/29/1958	IRRIGATION	04/01 10/31	2.540 CFS	508.00 AFA
TOTAL DIVERSION:					2.540 CFS	508.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T04S R31E S28 SWNW BINGHAM County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE													
NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENE		NENE		NWSE		SWSE		SESE			
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
04S	31E	28	:																						141.0
TOTAL ACRES																							141.0		

Pou County: BINGHAM

Conditions of Approval:

- 067 - 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.
- R64 - 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.
- T07 - The right holder shall accomplish the change authorized by this
- transfer within one (1) year of the date of this approval.
- T08 - Failure of the right holder to comply with the conditions of this
- transfer is cause for the Director to rescind approval of the
- transfer.
- T09 - Approval of this transfer does not preclude the opportunity for
- review of the validity of the water right(s) in the ongoing
- Snake River Basin Adjudication.

Remarks: GEN Right 35-02544 shall not exceed irrigation of 127.0 acres in the
place of use described above in a single irrigation season.
~~Right 35-080748 shall not exceed irrigation of 14.0 acres in the~~
~~place of use described above in a single irrigation season.~~

*Deleted
when
approved*

Dates: App. Received: Priority Date: 08/29/1958
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date: 08/07/1979

Misc: Water District Number: Field Exam Fee:

WR0749NP
No. T35-02544

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 06/30/98
PAGE: 2

=====
Comments: Date: 06/30/1998 User-ID: PSKAGGS Subject: TRANSFER 5085
Transfer 5085 creates a permissible place of use & changes the
point of diversion under all of Right 35-02544, & a portion of
Right 35-08074, splitting the right into Parts A & B.

Audit: 05/28/97 RBODELL 06/30/98 PSKAGGS 06/30/98 PSKAGGS

WR0749NP
No. T35-08074A

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 06/30/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	PAUL MUIRBROOK 2751 W 1000 S STERLING ID 83210	12/23/1982	IRRIGATION	04/01 10/31	1.840 CFS	312.00 AFA
TOTAL DIVERSION:					1.840 CFS	312.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 2.290 CFS

Point(s) of Diversion: T04S R31E S28

SWSW

BINGHAM County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE																		
				NENE	NWNE	SWNE	SENE	:				NENW	NWNW	SWNW	SENW	:				NESW	NWSW	SWSW	SESW	:				NESE	NWSE	SWSE	SESE	:		
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
04S	31E	32	:	39								:							:							:							39.0	
04S	31E	33	:									:	39						:							:							39.0	
																														TOTAL ACRES	78.0			

Pou County: BINGHAM

Remarks: GEN This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.

Dates: App. Received: 12/23/1982 Priority Date: 12/23/1982
Proof Due Date: 06/01/1990 Proof Made Date: 06/01/1990
Exam Made Date: 05/14/1992 Exam Sent to S.O.: 01/27/1994
Licensed Date: 02/07/1995

Misc: Water District Number: Field Exam Fee: R (Received)

Comments: Date: 06/30/1998 User-ID: PSKAGGS Subject: TRANSFER 5085
Transfer 5085 creates a permissible place of use & changes the point of diversion under all of Right 35-02544, & a portion of Right 35-08074, splitting the right into Parts A & B.

Audit: 05/28/97 RBODELL 02/08/98 CLEARFLD 06/30/98 PSKAGGS

WR0749NP
No. T35-08074B

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 06/30/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RALPH D KLASSEN FARMS 2837 W 1700 S ABERDEEN ID 83210 (208) 397-5389	12/23/1982	IRRIGATION	04/01 10/31	0.280 CFS	56.00 AFA
TOTAL DIVERSION:					0.280 CFS	56.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T04S R31E S28 SWNW BINGHAM County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
T	R	S		T	R	S		T	R	S		T	R	S		SUM
04S	31E	28	:				:				:				:	141.0
TOTAL ACRES																141.0

Pou County: BINGHAM

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

35-02544 35-08073 T35-02544

Conditions of Approval:

- 067 - 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.
- R64 - 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.
- T07 - The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- T08 - Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- T09 - Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Remarks: GEN Right 35-08074B shall not exceed irrigation of 14.0 acres in the place of use described above in a single irrigation season.

Dates: App. Received: 12/23/1982 Priority Date: 12/23/1982
Proof Due Date: 06/01/1990 Proof Made Date: 06/01/1990
Exam Made Date: 05/14/1992 Exam Sent to S.O.: 01/27/1994
Licensed Date: 02/07/1995

Misc: Water District Number: Field Exam Fee: R (Received)

WR0749NP
No. 135-080748

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 06/30/98
PAGE: 2

=====
Comments: Date: 06/30/1998 User-ID: PSKAGGS Subject: TRANSFER 5085
Transfer 5085 creates a permissible place of use & changes the
point of diversion under all of Right 35-02544, & a portion of
Right 35-08074, splitting the right into Parts A & B.

Audit: 05/28/97 RBODELL 02/08/98 CLEARFLD 06/30/98 PSKAGGS 06/30/98 PSKAGGS

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '**' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				NE				NW				SW				SE				SUM
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac					
T04S R31E S 28																																		
A010002320	SNAKE RIVE :	34		34		34		34																						277				
0100297	SNAKE RIVE :																																	
A010029720	SNAKE RIVE :	34		34		34		34																						277				
A010206460	SNAKE RIVE :	34		34		34		34																						277				
A010206860	SNAKE RIVE :	34		34		34		34																						277				
A0102068H0	SNAKE RIVE :	34		34		34		34																						277				
A350254320	GROUNDWATE :	34		34		34		34																						277				
R350254320	GROUNDWATE :	1		1		1		1																						127				
3502544	GROUNDWATE :									22		40												40		25				127				
A3502544	GROUNDWATE :											40												40		25				127				
R3502544	GROUNDWATE :																							40		25				127				
T3502544	GROUNDWATE :																							40		39				141				
A350424620	GROUNDWATE :	34		34		34		34																						277				
R350424620	GROUNDWATE :	1		1		1		1																						80				
3508073	GROUNDWATE :									22																				61				
3508074	GROUNDWATE :																													61				
T3508074A	GROUNDWATE :																													141				
T3508074B	GROUNDWATE :																													530				
--86 MAP--	C11Q-Z 86 :	36		39		39		41		37		25		40		40		35		42		43		15		38		37		21	530			

all of Qt 35-02544 & all of Qt 35-08074 in W/2 SW, S28.

No Overlaps w/ other Qt's.

S E L	Water Right No.	Name Last, First	O W N	Priority Date	STG/ STS	Source	Use Desc	S Y S
	35-02544	MUIRBROOK, GALYN E.	C	08/29/1958	L/	GROUNDWATER	IRR	WR
	T35-02544			08/29/1958	L/	GROUNDWATER	IRR	WR
	A35-02544	KLASSEN FARMS, RALPH	C	08/29/1958	L/	GROUNDWATER	IRR	AJ
	R35-02544	KLASSEN FARMS, RALPH	C	08/29/1958	L/	GROUNDWATER	IRR	AJ

T 5085

S E L	Water Right No.	Name Last, First	O W N	Priority Date	STG/ STS	Source	Use Desc	S Y S
	35-08074	RALPH D KLASSEN FARM	C	12/23/1982	L/	GROUNDWATER	IRR	WR
	T35-08074A	RALPH D KLASSEN FARM	C	12/23/1982	L/	GROUNDWATER	IRR	WR
	T35-08074B			12/23/1982	L/	GROUNDWATER	IRR	WR

(Menu _____)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

5-14-97

75085

INITIAL REVIEW BY:

HWT

1. Right number 35-02544 ³⁵⁻⁰⁸⁰⁷⁴ Applicant Klassen Farms
2. Type of right: ☐ Decree ☒ License ☐ Claim
3. Purpose of transfer: ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Other _____
4. Check:
 - a. ☒ Source ☐ Priority ☒ Amount ☒ Purpose ☐ Period of use
 - b. ☒ Description of original point of diversion.
 - c. ☒ Description of original place of use.
5. Amount of land &/or water transferred:
 - a. ☒ All of right. 35-02544
 - b. ☒ Part of right (NOTE! ³⁵⁻⁰⁸⁰⁷⁴ Part B should be filled in only if part of the right is owned by the applicant).
 - c. ☒ Check description of point(s) of diversion.
 - d. ☒ Check description of place of use.
 - e. ☒ Check map (shows p.d. and p.u. after transfer).
 - f. ☒ Check for correct signature, notarization, and fee.
 - g. ☒ Check proof of ownership of right &/or land from which water is transferred.
 - h. ☒ Check for expansion in use of right. Comments _____
 - i. ☐ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) _____
 - j. ☒ Is use within a Watermaster District? ☐ Yes ☒ No
If yes, what district? _____

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on _____ Received on NOV June 23, 97
2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☐ Approve
2. ☐ Deny
3. Conditions* _____

RECEIVED

JUL 23 1997

Department of Water Resources

4. By BRC Date 7/11/97

AD 30 6-2-97
TR 30 6-2-97

* All uses within Watermaster Districts require special conditions.

75085



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

MEMORANDUM

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

To: Transfer file T5085 (35-02544, 35-08074B)
From: Paul R. Meyer, Eastern Region *PRM*
Date: July 11, 1997

RE: Calculation of cfs and acreage for split of 35-08074

As part of the analysis of T5085, I calculated the cfs flow and acreage for the two proposed portions of 35-08074.

Water right 35-08074 is licensed for 139 acres and 2.29 cfs. The place of use for 35-08074 overlaps 47 acres of 35-02544. As the point of diversion for 35-08074 is **not** connected to the point of diversion for 35-02544, the cfs flow for 35-08074 can be considered proportional over all of its 139-acre place of use.

Transfer T5085 serves to separate the two systems based on ownership of the place of use. The applicant, Ralph D. Klassen Farms, owns the S1/2NWNW, SWNW, and the W1/2SW of Section 28, T04S, R31E. Paul Muirbrook holds the NWNW of Section 33, T04S, R31E and the NENE of Section 32, T04S, R31E.

Ralph D. Klassen Farms holds 61 acres of 35-08074 (47 overlapping acres and 14 entirely new acres) along with 35-02544 in its 127-acre entirety. Total acreage irrigated for the Klassen portion is 141 acres. Paul Muirbrook holds 78 acres of 35-08074.

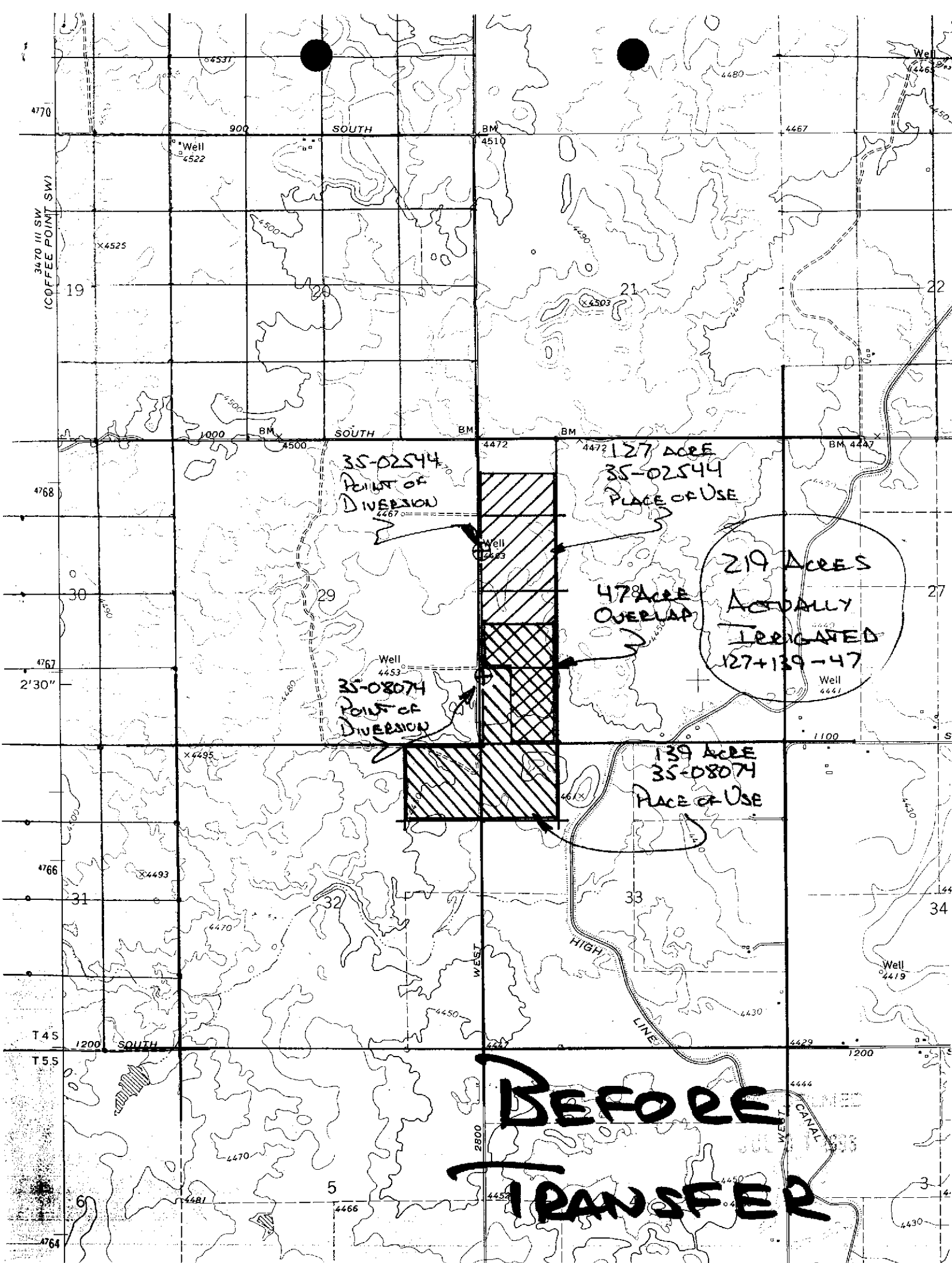
As the two wells are now and will continue to be separate, neither one can exceed 0.02 cfs per acre total for their respective places of use. When based on the entire 61 acre split and added to 35-02544, the Klassen portion of 35-08074 would be far in excess of the 0.02 cfs per acre limit from a single source. As a result, only 14 acres (141 total minus 127 from 35-02544) can be used to calculate the required cfs flow.

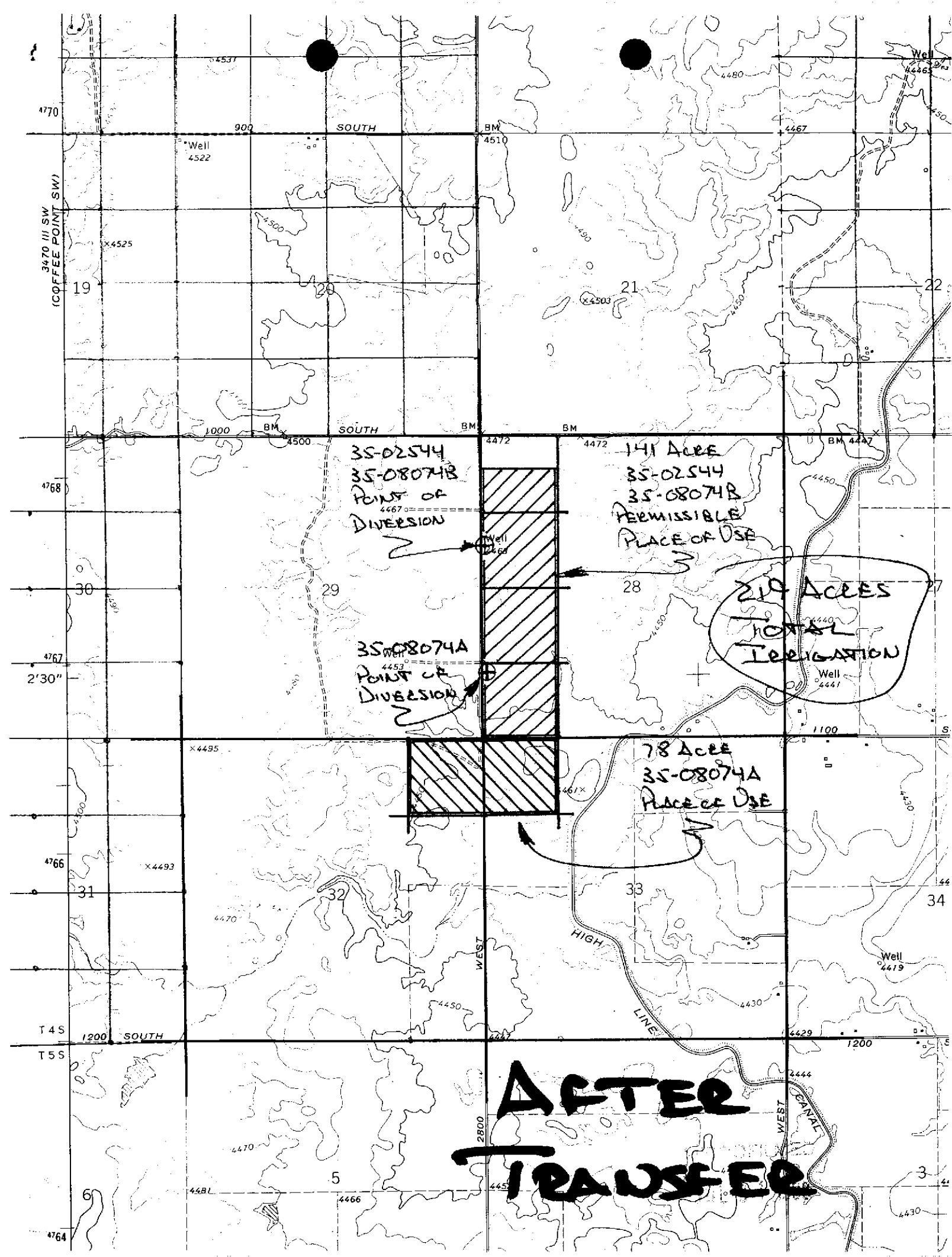
Portion 35-08074B could then be only 14 acres and concentrated to 0.28 cfs (14 acres @ 0.02 cfs/acre), even though 61 acres are taken from the original right to create it. Portion 35-08074A can be concentrated to 0.02 cfs to 1.56 cfs (78 acres @ 0.02 cfs/acre). The total for the two portions would be 1.84 cfs and 92 acres; far below the 2.29 cfs and 139 acres originally licensed.

Finally, as Klassen's proposed system makes little differentiation in water delivery, water rights 35-02544 and 35-08074B are prime candidates for permissible place of use. License 35-02544 would provide 127 acres within the 141-acre proposed place of use and 35-08074B would provide 14 acres within the 141 listed.

Confusing??? A little, but it works, and it clears up any possible future mysteries concerning the 47-acre overlap on Klassen's property.

MICROFILMED
JUL 31 1998





RECEIVED

JUN 30 1997

Department of Water Resources
Eastern Region

DEPT. OF WATER RESOURCES
900 N. Skyline Drive
Idaho Falls, Idaho 83402-1718

(208) 525-7161
Fax: (208) 525-7177

**NOTICE OF PROPOSED
CHANGE OF A WATER RIGHT
NO. T-5085**

NOTICE IS HEREBY GIVEN that
Ralph D. Klassen Farms, 2837 W. 1700
S. Aberdeen, Idaho, 83210, has applied
to the Department of Water Resources
to change point of diversion, place of
use, and create a permissible place of
use of the rights listed below. The rights
sought to be changed are evidenced by

licenses and recorded as follows:

License No.: 35-08074

Source: Groundwater

Amount: 2.29 cfs

Priority: 12/23/1982

Point(s) of Diversion: SWSW, Sec. 28,
T04S, R31E, Bingham County.

The water is used for irrigation of 139
acres from 04/01 to 10/31 within the
NWSW, SWSW, Sec. 28, NENE, Sec.
32, NWNW, Sec. 33, T04S, R31E, B.M.

License No.: 35-02544

Source: Groundwater

Amount: 2.54 cfs

Priority: 08/29/1958

Point(s) of Diversion: SWNW, Sec. 28,
T. 04S, R31E, BINGHAM COUNTY.

The water is used for irrigation of 127
acres within the NWNW, SWNW NWSW
SWSW, Sec. 28, T04S, R31E, B.M.

TO BE CHANGED AS FOLLOWS:

The applicant intends to unify all of
right 35-02544 and a portion of right 35-
08074 for a total of 141 acres under the
well in the SWNW, Sec. 28, T04S, R31E,
Bingham County. The place of use will be
the W1/2 of the NW1/4 & W1/2SW1/4,
Sec. 28, T04S, R31E, B.M.

Any protests against approval of the
proposed change must be filed with the
Idaho Department of Water Resources,
900 N. Skyline Drive, Idaho Falls, Idaho,
83402, together with a protest fee of

\$25 on or before June 23, 1997. The
protestant must also send a copy of the
protest to the applicant.

KARL J. DREHER
Director

(3315)
Pub.: 6/5, 12

**AFFIDAVIT OF
PUBLICATION**

County of Bingham)

State of Idaho)

I, Jacqueline Graham do
solemnly Legal

swear that I am the Coordinator of
The Morning News, which is a daily news-
paper of general circulation, published
each day except Sunday at Blackfoot,
Bingham County, Idaho, said newspaper
having been so published at Blackfoot,
aforesaid for more than one year past;
that said newspaper heretofore complied
with all the provisions of Chapter 154 of
the Sessions Laws of Idaho of 1911, ap-
proved March 11, 1911, and duly desig-
nated, pursuant to law, a particular day
of the week as the day on which legal no-
tices required by law or by the order of
any Court of competent jurisdiction within
the State of Idaho shall be published to-
wit: of each week; that the notice at-
tached hereto and which is a part of this
affidavit and part of the proof of publi-
cation was published in said issue of said
newspaper 2 consecutive Weeks
the first publication having been made on
the 24th day of June,
1997, and the last publication having
been made on the 12th day of
June 1997; that said notice
was published in the regular and entire
issue of every number of the paper as
aforesaid during the period and time of
publication, and that notice was pub-
lished in the newspaper and not in a sup-
plement.

On this 24th day of June, in
the year 1997, before me a Notary
Public of said State, personally appeared
Jacqueline Graham

known or identified to me to be the per-
son whose name is subscribed to the with-
in instrument, and being by me first duly
sworn, declared that the statements
therein are true, and acknowledged to
me that he executed the same.

Jacqueline Graham
Notary Public for the State of Idaho
Residing at Blackfoot, Idaho
My Commission Expires:

October 16, 2002

Affidavit Processing Fee. \$5.00

NOTICE OF PROPOSED CHANGE OF A WATER RIGHT
NO. T5085

Notice is hereby given that Ralph D. Klassen Farms, 2837 W. 1700 S. Aberdeen ID 83210, has applied to the Department of Water Resources to change point of diversion, place of use, and create a permissible place of use of the rights listed below. The rights sought to be changed are evidenced by licenses and recorded as follows:

License No.: 35-08074 Source: groundwater
Amount: 2.29 cfs Priority: 12/23/1982
Point(s) of Diversion: SWSW SEC 28 T04S R31E, BINGHAM COUNTY
The water is used for irrigation of 139 acres from 04/01 to 10/31 within the NWSW SWSW SEC 28 NENE SEC 32 NWNW SEC 33 T04S R31E, B.M.

License No.: 35-02544 Source: groundwater
Amount: 2.54 cfs Priority: 08/29/1958
Point(s) of Diversion: SWNW SEC 28 T04S R31E, BINGHAM COUNTY
The water is used for irrigation of 127 acres within the NWNW SWNW NWSW SWSW SEC 28 T04S R31E, B.M.

TO BE CHANGED AS FOLLOWS:

The applicant intends to unify all of right 35-02544 and a portion of right 35-08074 for a total of 141 acres under the well in the SWNW SEC 28 T04S R31E, Bingham County. The place of use will be the W1/2 of the NW1/4 & W1/2SW1/4 SEC 28 T04S R31E, B.M.

Any protests against approval of the proposed change must be filed with the Idaho Department of Water Resources, 900 N. Skyline Dr., Idaho Falls, ID, 83402, together with a protest fee of \$25 on or before June 23, 1997. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER
Director

Published in the Morning News on June 5 & 12, 1997.

MICROFILMED

JUL 31 1998



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

June 2, 1997

RALPH D. KLASSEN FARMS
2837 W 1700 S
ABERDEEN ID 83210

RE: Notice of Application for Transfer No. 5085

Dear Applicant:

The Department of Water Resources acknowledges receipt of your applications for water rights. This office is currently in the process of advertising the application in the Morning News on June 5 & 12, 1997. The advertisement will be published once a week for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

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

If the application is not protested, it will be forwarded to our State Office in about five weeks. State Office Personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a transfer is issued, you will be sent a copy. A typical processing time for an unprotested application is about twelve weeks.

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

Sincerely,


Harold W. Jones
Water Right Supervisor

HWJ/rb

MICROFILMED

JUL 31 1998

July 24, 1962

Re: Permit No. G-27543

Galyn E. Muirbrook
Sterling, Idaho

Dear Mr. Muirbrook:

We enclose Certificate of Completion of Works
and License and Certificate of Water Right issued on Permit
No. G-27543.

Also enclosed is departmental receipt No. G-7194
in the amount of \$13.00 covering fees.

Very truly yours,

CEO. H. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. certificates
receipt

July 16, 1962

Re: Permit No. G-27543

Galyn E. Muirbrook
Sterling, Idaho

Dear Mr. Muirbrook:

Our field engineer's report on his inspection of proof of completion of works and application of water to beneficial use under the terms of Permit No. G-27543 shows the well is ~~xxxx~~ capable of conveying 127 miner's inches, or 2.54 c.f.s. of water for the irrigation of 127 acres.

Upon receipt of the statutory fees, totaling \$ 13.00 , we will issue the Certificate of Completion of Works (fee \$5.00) and the License and Certificate of Water Right (fee \$ 8.00 , based at the rate of \$2.00 for each 40-acre subdivision) confirming the right, with priority of August 29, 1958 to the use of 2.54 second feet of subterranean water with the point of diversion in the SW¹/₄ NW¹/₄, Sec. 28 for irrigation of 127 acres in the W¹/₂ NW¹/₄, Sec. 28, T. 4 S., R. 31 E., B.M.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

27543

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-27543

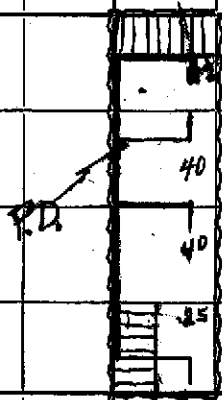
REPORT ON PROOF OF Completion of Works & Beneficial Use

Galyn E. Muirbrook, Sterling, Idaho

27543

R-31E.

T.
4
S.



22

40

40

25

28

Subdivisions 4

area

127 acres

Allow



2.54 CFS OR 122 inches

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

Permit No. G-27543

This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant Galyn E. Muirbrook

2. Source of water supply: Subterranean flow from drilled well

3. Location of point of diversion: Is in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 28

T. 4 S R. 31 E B.M. County of Bingham

4. Describe works as they exist, giving dimensions and capacities of same: 30 H.P. U.S. motor # 1142600 Wentworth pump # 8990 10" discharge into steel distribution box 30" x 30" x 42" into open ditch 16" x 60' column 16" x 4' casing h. 59' OD none well depth 180'

5. Water is used for: Irrigation

6. State whether or not water has been turned into works of diversion: yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

W $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 28., Twp. 4 S., Rge. 31 E. B.M.

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

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

Remarks: Mr Galyn Muirbrook along

Measurement was made with Cippolletti weir .53 over 2' weir or 129.5 inches

This examination was made on the 6th day of July, 1962

(Signed) Ron Weber Examiner.

27543

75016 Galyn E. Muirbrook
Sterling, Idaho

Permit No. G-27543

Examination for Completion of Works & Beneficial Use

County Bingham Sec. 28 T. 4S R. 31 EBM
Quantity: 3.2 cfs.

Source: Well

P. D.: SW. NW. Sec. 28, T. 4S. - R. 31 EBM.

Use: Irrigation

Filed: Aug. 29, 1958

Due: Sept. 10, 1963

Extension: —

Protest: —

Completion of Works: —

Other Rights: none

Driller - Gail Vollmer

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

RECEIVED
JUL 16 1962

Department of Reclamation

27543

June 18, 1962

Re: Permit No. C-27543

Galyn E. Muirbrook
Sterling, Idaho

Dear Mr. Muirbrook:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the Aberdeen Times, all submitted in proof of completion of works and beneficial use on Permit No. C-27543.

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

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

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:

cc: Elmer Isaak
Notary Public
Box 387
Aberdeen, Idaho

27543

RECEIVED

JUN 18 1962

Department of Reclamation

Box 387
Aberdeen, Idaho
June 14, 1962

Ralph W. Thomas, Deputy
State Reclamation Engineer
107 State House
Boise, Idaho

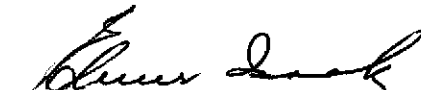
Re: Permit No. G-27543
Galya E. Muirbrook

Dear Sir:

Reference is made to your letter of June 12th to Mr. Muirbrook regarding the date of his well proofs made June 11th instead of the advertised date, June 8th. The following affidavit is submitted regarding the change of date:

My office was open all day June 8th and no protests were received in regard to proofs under Permit No. G-27543. Mr. Muirbrook was unable to bring his witnesses in on June 8th due to other business. Depositions were made the morning of June 11th, the next business day after June 8th.

Sincerely yours,


Elmer Isaak
Notary Public
Aberdeen, Idaho

27543

June 12, 1962

Re: Permit No. G-27543

Galen E. Muirbrook
Sterling, Idaho

Dear Mr. Muirbrook:

The depositions and affidavit of publication in regard to use of water under your permit are satisfactory except the date the signing the applications is shown as June 11, 1962. The legal notice shows the depositions were to be made on June 8, 1962.

We must have an affidavit from Mr. Elmer Isaak, Notary Public that his office was open June 8, 1962, that no protests were received in regard to the proofs under Permit No. G-27543, and also show cause why the depositions were not made according to the legal notice.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

RECEIVED
JUN 12 1962

Form 16.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Department of Reclamation

Permit No. G-27543

Proof of Application of Water to Beneficial Use
and Completion of Works
Deposition of Holder

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

Ans. Galyn E. Muirbrook. occupation - farmer, residence and postoffice address is Sterling, Idaho.

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans.

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

Ans. Permit No G-27543 dated Sept 10, 1958/ Priority of August 29, 1958

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

Ans. Source of supply is from drilled well located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 28, Township 4 South, Range 31 E.B.M.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. Depth of well is 180 feet with about 4 feet of 16" casing. Depth to water is 59 feet. Pump has 10" discharge and is designed to deliver at least 160 miners inches.

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

Ans. Water is used for irrigation. There are about 130 acres irrigated at the present time. This land is in the W $\frac{1}{2}$ NW $\frac{1}{4}$ and W $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 28. The land is cultivated and was in sagebrush before the water was applied.

T. 4S. - R. 31E.

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

Ans. Paul Vollmer and Sons. Aberdeen, Idaho

27543
RT

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

Ans. _____

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

Ans. _____

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

Ans. _____

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

Ans. The entire amount of water the pump will deliver has been used
during the irrigation season since the well was drilled in 1958.

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

Ans. None

(Sign)

Salyn E. Mumbach

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Aberdeen, County of Bingham, State of Idaho, on this 11th day of June, A. D. 1962.

Elmer D. Smith
Notary Public

My commission expires December 8, 1962

RECEIVED

JUN 12 1962

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Department of Reclamation

Permit No. G27543Proof of Application of Water to Beneficial Use
Deposition of Witness ^{and Completion of Works}The deposition of two witnesses, on this form, taken separately, required in each case.

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

Ans. Louie Buffi, age 47, occupation-farmer, residence and postoffice address is Sterling, IdahoQues. 2. Are you acquainted with Galya E. Muirbrook, the holder of Permit No. G-27543? How long have you known him and where does he reside?Ans. I have known him 30 years and he lives near Sterling, Ida.Ques. 3. Have you read or heard read said Permit No. G-27543, and are you familiar with its provisions and conditions?Ans. Yes

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

Ans. Source is from drilled well located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 28, Township 4 South, Range 31 E.B.M.. Water flows from pump into gravity ditches to irrigate land.

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

Ans. About 3.2 second feet

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. About 160 miners inches - this was estimated from the size of stream in the ditch.

27543

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Water is used for irrigation. There are about 130^{acres}/irrigated in the W¹/₄ NW¹/₄ and W¹/₄ SW¹/₄ of Section 28. This land is cultivated and was sagebrush land before the water was put on.

T.F.S. - R. 3/EBM

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans.

Ques. 9. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Lava ash soil and flat land. It will require about an inch an acre for good cultivation.

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I have seen the entire amount of water being used on the land since the well was drilled. The first season it was used was in 1958.

(Signed)

Louis Buffi

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Aberdeen, County of Bingham, State of Idaho, on this 11th day of June, A. D. 1962.

Oliver Smith

Notary Public.

My commission expires December 8, 1962

RECEIVED
JUN 12 1962STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Department of Reclamation

Permit No. G-27543Proof of Application of Water to Beneficial Use
and Completion of Works
Deposition of Witness

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

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

Ans. Joe Verbeck, age 47, occupatio-farmer, residence and
postoffice address is Sterling, IdahoQues. 2. Are you acquainted with Galyn E. Muirbrook, the
holder of Permit No. G-27543? How long have you known him and where does
he reside?Ans. I have known him at least 30 years and he lives near
Sterling, Idaho.Ques. 3. Have you read or heard read said Permit No. G-27543, and are you
familiar with its provisions and conditions?Ans. YesQues. 4. State source of water supply, place of diversion, and describe works for con-
veying water from point of diversion to place of use.Ans. Source is from underground supply through drilled well
located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 28-4-31. Water is delivered
to the irrigated land through ditches.Ques. 5. How many second feet of water do you estimate said works will safely con-
duct to place of use, and how much water have you seen being so conveyed?Ans. I estimate it will conduct at least 3.2 second feet.Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons
per minute have you seen the pump deliver, and how did you measure or estimate the
amount?Ans. About 160 miners inches. This was estimated by the size
of the stream in the ditch.

27543

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Water is used for irrigation. About 130 acres is irrigated at the present time in the W $\frac{1}{2}$ NW $\frac{1}{4}$ and W $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 28, T4S.-R.31E3M. The land is cultivated and was in sagebrush before the water was applied.

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. _____

Ques. 9. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. The land is lava ash soil and is fairly level. It will require about 160 inches for good cultivation.

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No _____

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I have seen the entire stream being used on the land. This water has been used on the land since 1958 season

(Signed) _____

Joe Verbeck

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in _____
County of _____, State of Idaho, on this _____ day of _____,
A. D. 1962.

Glenn Dand

Notary Public.

My commission expires December 8, 1962

27543

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF BINGHAM.

ss.

RECEIVED

JUN 12 1962

Neil Glover being first duly sworn
on oath, states:

That he is the principal clerk of printer
of the Aberdeen Times, a newspaper of general circulation
in Bingham County, Idaho, published weekly at Aberdeen
in said County; that said newspaper has been published in
said County uninterruptedly and continuously for over
seventy-eight consecutive weeks, prior to the first publica-
tion of the annexed notice or advertisement:

That the annexed notice or advertisement was published
as per clipping attached in the regular and entire edition of
said newspaper and not in any supplement thereof for 4
successive weekly issues thereof, the date of the first pub-
lication being the 3 day of may, 1962
the date of last publication being the

24 day of may, 1962

(Signed) Neil Glover

Subscribed and sworn to before me this

11th day of June, 1962

Elmer D. Smith

Notary Public, residing at Aberdeen,
Idaho.

My Commission expires the

(SEAL) 26 day of December, 1962

NOTICE OF PROOF OF
PLETION OF WORKS

and
APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that
at 10:00 A. M., on the
day of June 1962, at Aberdeen,
County of Bingham, State of
Idaho, before Elmer D. Smith,
Notary Public, at Canby, Idaho,
office, proof will be submitted
of the completion of work for
the diversion of 3.2 cubic feet
per second of underground
water from a well, and of the
application to beneficial use of
said water, in accordance with
the terms and conditions of per-
mit No. G-27543, heretofore
issued by the Department of
Reclamation of the State of
Idaho.

The name and postal
address of the person or corpora-
tion, holding said permit, is
Galen E. Muirbrook, State of
Idaho.

2. Said works of divi-
sion will be fully completed
on or before the date set for such completion,
and the amount of water
said works are capable of con-
veying to the place of use is
3.2 cubic feet per second.

3. The use to which said
water has been applied for
irrigation purposes, and the
amount applied to beneficial use
is 3.2 cubic feet per second.

4. The point of diversion of
said water is SW 1/4 NW 1/4, Sec-
tion 22, Township 4 N, South,
Range 31 E, B. M.

5. The place where said
water is used is W 1/2 NW 1/4, Sec-
tion 22, Township 4 N, South,
Range 31 E, B. M.

6. The date of priority, which
said user is prepared to estab-
lish is August 1, 1961.

GLEN A. CARP
State Reclamation Engineer

April 27, 1962

Re: Permit No. G-27543

Mr. Glyn E. Muirbrook,
Sterling, Idaho.

Dear Mr. Muirbrook:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. G-27543. The proofs are to be made at 10:00 o'clock A.M., on the 8th day of June, 19 62, before Elmer Isaak, Canal Co. Office, Aberdeen, Idaho., Notary Public.

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

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

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

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

Enc.
EPR:pmk
cc: Notary

27543

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G-27543
Glyn E. Muirbrook

Date: April 27, 1962

Aberdeen Times,
Aberdeen, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to **June 8, 1962** the date set for proof; the expense of the publication is to be paid by the applicant

Glyn E. Muirbrook of **Sterling, Idaho**

to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,



GEO. N. CARTER
State Reclamation Engineer

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

Encl.

NOTICE OF PROOF OF COMPLETION OF WORKS
and
APPLICATION OF WATER TO BENEFICIAL USE

RECEIVED
APR 27 1962

Department of Reclamation

Notice is hereby given that at 10:00 A.M., on the 8th day of June, 19 62, at Aberdeen, County of Bingham, State of Idaho, before Elmer Isaak, Notary Public, at (address) Canal Co. office, proof will be submitted of the completion of works for the diversion of 3.2 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-27543, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Galyn E. Muirbrook, Sterling, Idaho
2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 3.2 cubic feet per second.
3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 3.2 cubic feet per second.
4. The point of diversion of said water is ~~SW 1/4~~ SW 1/4, Section 28,
Township 4 South, Range 31 E.B.M.
5. The place where said water is used is W 1/2 NW 1/4 and W 1/2 SW 1/4, Section 28,
Township 4 South, Range 31 E.B.M.
6. The date of priority which said user is prepared to establish is August 29, 1958

G. H. Carter

State Reclamation Engineer

JD
27543

RECEIVED

APR 27 1962

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) April 26, 1962

(P. O.) Sterling, Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

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

The Aberdeen Times

of

Aberdeen, Idaho

published in

the county in which the works are situated.

Bingham Co.

Edlyn C. Muirbrook

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

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

Engineer.

27543

April 3, 1962

Re: Permit No. G-27543 - Galyn Muirbrook
G-29558 - Chester Wahlen

Aberdeen-Springfield Canal Co.
Aberdeen, Idaho

Attn: Elmer Isaak

Dear Mr. Isaak:

We enclose the necessary forms for making proofs
for underground water on the above numbered permits, as requested
by you on April 2, 1962.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. 2 sets Form 36 - 11

27543

September 19, 1958

Re: Permit No. G-27543

Galyn E. Muirbrook
Sterling, Idaho

Dear Madam:

We enclose Permit No. G-27543 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose departmental receipt No. G-35555, which was issued covering payment in the amount of \$5.75, for the filing fee of the above mentioned permit.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Mrs. Edna P. Rutledge
Chief Clerk

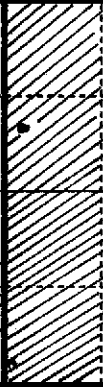
EPR:lw
Encls. (2)

27543

NAME OF APPLICANT Gordon E. Muirbrook

Form No. 0

well
→



Sec. 28

T. 4 S., R. 31 E.B.M.

Permit Map No. 27543

As Approved SEP 10 1958

GEO. N. CARTER
State Reclamation Engineer

SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

27543

27543

LEGAL NOTICE

Published in the Aberdeen Times May 3, 10, 17, 24, 1962.
NOTICE OF PROOF OF COMPLETION OF WORKS

and

APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A. M., on the 8th day of June 1962, at Aberdeen, County of Bingham, State of Idaho, before Elmer Isaak, Notary Public, at Canal Co. office, proof will be submitted of the completion of works for the diversion of 3.2 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-27543, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Galyn E. Muirbrook, Sterling, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 3.2 cubic feet per second.

3. The use to which said water has been applied is Irrigation purposes, and the amount applied to beneficial use is 3.2 cubic feet per second.

4. The point of diversion of said water is SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 28, Township 4 South, Range 31 E. B. M.

5. The place where said water is used is W $\frac{1}{2}$ NW $\frac{1}{4}$ and W $\frac{1}{2}$ SW $\frac{1}{4}$, Section 28, Township 4 South, Range 31 E. B. M.

6. The date of priority which said user is prepared to establish is August 29, 1953.

GEO. N. CARTER
State Reclamation Engineer