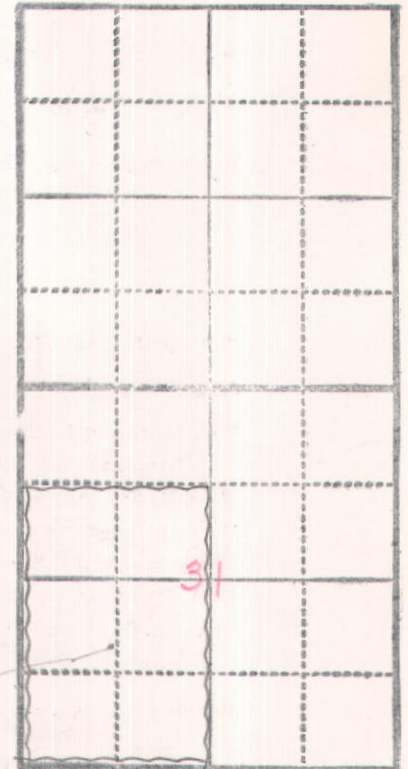


APPLICATION FOR PERMIT To Appropriate the Subterranean Waters of The State of Idaho

35-2592

Application No. G- 36515
Permit No. G- 28535
District No.

1. Name of Applicant: M & W Farms, Inc.,
Postoffice address: 211 Shelley St. Idaho Falls County: Bonneville State: Idaho
2. Quantity of water claimed: 4.4 cubic feet per second
(a) Rate of withdrawal in cubic feet per second 4.4 or Idaho
Miners' inches or gallons per minute
(b) Annual withdrawal in acre feet per annum
3. Source of water supply: Irrigation well 16" diameter, 160 feet in depth
4. Location of point of diversion or well is in the NW 1/4 of the SW 1/4 of Section 31
Twp. 2 South Rge. 33 E , B.M., County of Bingham, State of Idaho
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 1/4 of the 1/4 of Section , Twp.
Rge. , B.M.
(b) Waste water or sewage effluent is to be returned to
at a point in the 1/4 of the 1/4 of Section , Twp. , Rge. , B.M.
7. Kind of works: Well with turbine pump, electric motor and sprinkling system
8. Estimated cost of works: \$ 24,000.00
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) (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) 4.4 (cubic feet per second, inches or gallons per minute) is for new lands.



51	54	55	57	56	56	56	375
51	52	57	58	56	51	53	220
52	54	56	55	57	55	53	227
56	54	56	56	58	58	50	226
56	56	224	226	227	220	54	224
266	270					53	270
						56	266
						375	331808

54.78 or 55th = 0.09 pressure.

5/32" @ 55th = 5.729 pm

122.38

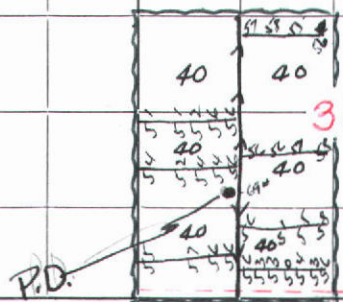
211 = 1203 cm
522
522

24476 or 245 cfs.

1044
91101.42
122.38 = inches

R-33E.

T.
2
S.



80

80

80

240

TO ROCKFORD

Subdivision

6

Area

240

Q.

245 cfs or
122 inches

M. & W. Farms, Inc.
Box 154
Idaho Falls, Idaho
Permit No. G-28535

Kyle De Roach

Examination for Completion of Works & Beneficial Use

County Bingham

31-25-33E

Q = 4.4 c.f.s.

S = Well

P.D. = NW. SW., Sec. 31, T. 2 S. - R. 33 E. B. 1

56.25

Use = Irrigation

Filed = March 16, 1960

Due = March 18, 1965

73

no other right

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.

RECORDED
OCT 4 1960
Department of Reclamation

AFFIDAVIT of PUBLICATION

County of Bingham }
State of Idaho } ss.

I, Drury R. Brown do solemnly
publisher

swear that I am the _____ of
The Blackfoot News which is a daily newspaper of general circulation published each day except Saturday and 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 1933, approved March 11, 1933, and duly designated, pursuant to law, a particular day of the week as the day on which legal notices required by law or by the order of any Court of competent jurisdiction within the State of Idaho shall be published to-wit: Friday of each week; that the notice attached hereto and which is a part of this affidavit and part of the proof of publication was, published in said

Friday issue of said newspaper 4 consecutive
weeks, days the first publication having
been made on the 17 day of June, 1960,
and the last publication having been made on the

8 day of July, 1960; 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 published
in the newspaper and not in a supplement.

Drury R. Brown
Subscribed and sworn to before me this 9th

day of July, 1960

Marjorie Glent
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
January 10th, 1963

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

Notice is hereby given that at 10 A.M., on the 20th day of July, 1960, at Blackfoot, County of Bingham, State of Idaho, before H. William Furchner, Notary Public, at 116 N.E. Main Street, proof will be submitted of the completion of works for the diversion of 4.4 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-23535 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 are M & W Farms, Inc., Idaho Falls, Idaho.

2. Said works of diversion will be fully completed on the date set for said completion, and the amount of water which said works are capable of conveying to the place of use is 4.4 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 4.4 cubic feet per second.

4. The point of diversion of said water is in NW1/4SW1/4 of Sec. 31, Twp. 2 S., Rge. 33, E.B.M., in Bingham County, Idaho.

5. The place where said water is used is S1/2NW1/4 and SW1/4 of Sec. 31, Twp. 2 S., Rge. 33, E.B.M.

6. The date of priority which said user is prepared to establish is March 16, 1960.

GEO. N. CARTER
State Reclamation Engineer
Pub. June 17, 24, July 1, 8.

08525

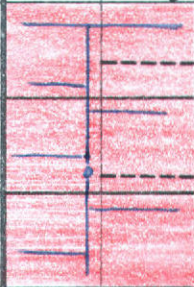
211 Shelley St.

NAME OF APPLICANT M & W FARMS, INC., Idaho Falls, Idaho.

Form No. 2

TOWNSHIP TWO SOUTH,
RANGE THIRTY-THREE EAST OF THE
BOISE MERIDIAN, IN BINGHAM COUNTY,
IDAHO

SECTION
31



--LATERALS

--WELL

Permit Map No. 9-28535

As Approved

GEO. N. CARTER
State Reclamation Engineer

APR 18 1960

Scale: 2 inches equal 1 Mile. Draw Plan in ink.

28535

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

Notice is hereby given that at 10 A.M., on the 20th day of July, 1960, at Blackfoot, County of Bingham, State of Idaho, before H. William Furchner, Notary Public, at 116 N.E. Main Street, proof will be submitted of the completion of works for the diversion of 4.4 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-28535, 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 are M & W Farms, Inc., Idaho Falls, 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 4.4 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 4.4 cubic feet per second.

4. The point of diversion of said water is in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 31, Twp. 2 S., Rge 33, E.B.M., in Bingham County, Idaho.

5. The place where said water is used is S $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ of Sec. 31, Twp. 2 S., Rge. 33, E.B.M.

6. The date of priority which said user is prepared to establish is March 16, 1960.

GEO. N. CARTER

State Reclamation Engineer

Pub. June 17, 24. July 1, 8.

State of Idaho
License and Certificate of Water Right

Water License No. G-28535 Amount 2.45 c.f.s.
Water District No. Priority March 16, 1960

THIS IS TO CERTIFY that M & W FARMS, Inc.
of Idaho Falls, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated March 16, 19 60 ; that Permit No. G-28535
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
2.45 second feet, was issued thereunder on October 31, 19 60, showing that said works
were completed on the 20th day of July, 19 60 ; and that on the 20th
day of July, 19 60 ,
M & W FARMS, Inc.

of Idaho Falls, 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-28535 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
11 of Licenses at page 6996, on the 31 day of October, 19 60 ;
The right hereby confirmed dates from March 16, 19 60 ;

The Point of Diversion is located
in the NW 1/4 SW 1/4, Sec. 31, Tp. 2 S., R. 33 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 2.45 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
2 S.	33 E.	31	SE $\frac{1}{4}$ NW $\frac{1}{4}$	30	40
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	30	40
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	40	40
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	40	40
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	40	40
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	40	40
			Total number of acres to be irrigated:		

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
31 day of October, 19 60 .

s/ GEO. N. CARTER
State Reclamation Engineer.

(SEAL)

State of Idaho
License and Certificate of Water Right

Water License No. G-28064 Amount 1.3 c.f.s.
Water District No. Priority July 20, 1959

THIS IS TO CERTIFY that JAMES R. LaGRONE
of Castleford, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated July 20, 1959; that Permit No. G-28064
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.3 second feet, was issued thereunder on October 31, 1960, showing that said works
were completed on the 21 day of July, 1960; and that on the 21
day of July, 1960,

JAMES R. LaGRONE
of Castleford, 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-28064 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
11 of Licenses at page 6995, on the 31 day of October, 1960;
The right hereby confirmed dates from July 20, 1959;

The Point of Diversion is located
in the NE 1/4 NE 1/4, Sec. 25, Tp. 10 S, R. 13 E, B. M. County Twin Falls

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 1.3 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
10 S	13 E	25	NE 1/4 NE 1/4 NW 1/4 NE 1/4	40 25	40 25
			Total number of acres to be irrigated:		65

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
31 day of October, 1960.

s/ GEO. N. CARTER
State Reclamation Engineer.

(SEAL)

APPLICATION FOR PERMIT 35-2592

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 36515
Permit No. G- 28535
District No.

1. Name of Applicant: M & W Farms, Inc.,
Postoffice address: 211 Shelley St. Idaho Falls County: Bonneville State: Idaho

2. Quantity of water claimed: 4.4 cubic feet per second
(a) Rate of withdrawal in cubic feet per second 4.4 or Idaho
Miners' inches or gallons per minute
(b) Annual withdrawal in acre feet per annum

3. Source of water supply: Irrigation well 16" diameter, 160 feet in depth

4. Location of point of diversion or well is in the NW 1/4 of the SW 1/4 of Section 31
Twp. 2 South Rge. 33 E, B.M., County of Bingham, State of Idaho

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 1/4 of the 1/4 of Section , Twp.
Rge. , B.M.

(b) Waste water or sewage effluent is to be returned to
at a point in the 1/4 of the 1/4 of Section , Twp. , Rge. , B.M.

7. Kind of works: Well with turbine pump, electric motor and sprinkling system

8. Estimated cost of works: \$ 24,000.00

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:

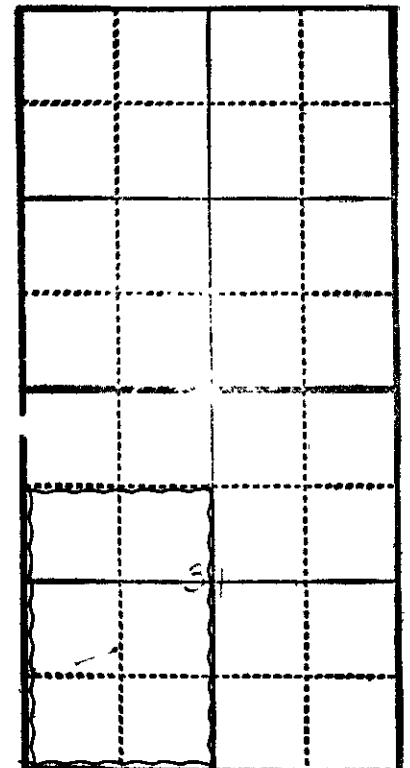
(d) Other resources:

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) (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) 4.4 (cubic feet per second, inches or gallons per minute) is for new lands.



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 $\frac{1}{4}$	
2 S	33 E	31		30 30	40 40 40 40		220
Permit No. G-28535 CERTIFICATE OF COMPLETION OF WORKS ✓ TO ALL WHOM IT MAY CONCERN: This is to certify that M & W FARMS, Inc. of Idaho Falls, County of Bonneville, and State of Idaho, the holder of Permit No. G-28535, issued upon Application No. G-36515, bearing date of priority of March 16, 1960, authorizing the diversion of 4.4 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 work of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 2.45 second feet of the waters of a well from subterranean flow; that the point of diversion said waters is NW$\frac{1}{4}$SW$\frac{1}{4}$, Sec. 31, T. 2 S., R. 33 E., B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 240 acres in S$\frac{1}{2}$NW$\frac{1}{4}$, SW$\frac{1}{4}$, Section 31, T. 2 S., R. 33 E., B. M. Witness my hand this 31st day of October, A. D. 1960. s/ GEO. N. CARTER State Reclamation Engineer Proof of Completion of Works Made: July 20, 1960							

LICENSE ISSUED FOR 2.45 SEC. FT.
 Page 6996

**THIS
RIGHT HAS BEEN
DECREED IN THE
SRBA**

October 31, 1960

Re: Permit No. G-28535

M. & W Farms, Inc.
P. O. Box 154
Idaho Falls, Idaho

Attn: John L. Miller, Manager

Dear Mr. Miller:

We enclose Certificate of Completion of Works
and License and Certificate of Water Right issued on Permit
No. G-28535.

We also enclose departmental receipt No. G-5325
in the amount of \$17.00 covering fees.

Very truly yours,

J.D. H. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. certificate
license
receipt

28535

RT

October 5, 1960

Re: Permit No. **Q-28535**

**John L. Miller, Manager
M. & W. Farms, Inc.
Box 154
Idaho Falls, Idaho**

Dear **Mr. Miller:**

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. **Q-28535** shows the well is (~~xxx~~) capable of conveying **122** miner's inches, or **2.45** c.f.s. of water for the irrigation of **240** acres.

Upon receipt of the statutory fees, totaling \$ **17.00** , we will issue the Certificate of Completion of Works (fee \$5.00) and the License and Certificate of Water Right (fee \$ **12.00** , based at the rate of \$2.00 for each 40-acre subdivision) confirming the right, with priority of **March 16, 1960** to the use of **2.45** second feet of subterranean water with the point of diversion in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 31 for irrigation of **240 acres** in the S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ of Section 31, Township 2 South, Range 33 East, B.M.

Very truly yours,

**GEO. N. CARTER
State Reclamation Engineer
By**

**(Mrs.) Edna P. Rule
Chief Clerk**

EPR:mr

28535

WT

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO G-28535

REPORT ON PROOF OF Completion of Works & Beneficial Use
M. & W. Farms, Inc.
John L. Miller, Manager
Box 154
Idaho Falls, Idaho

51	54	55	57	56	52	56	375
57	52	57	58	56	51	53	220
52	54	52	55	57	55	53	227
56	58	56	56	58	58	50	224
56	56	224	226	227	220	54	224
266	270					53	270
						56	266
						375	53 1808

54.78 or 55th = 0.19 pressure.

5/32" @ 55th = 5.72 x 9 pm

122.38

211 = 1238

2.4476 x 2.45 cfs.

522

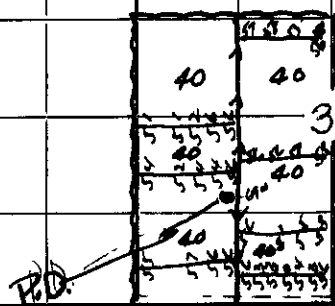
1044

91101.42

122.38 = inches

R-33E.

T.
2
S.



80

80

80

240

TO ROCKFORD

Subdivision

6

Area

240

Q

2.45 cfs or
122 inches

Dec 20 1960 2:25 PM
R0020

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

Permit No. G-28535

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

1. Name of applicant M. & W. Farms, Inc.
2. Source of water supply: Irrigation well
3. Location of point of diversion: Is in the NW¹SW¹ of Section 31
T. 2 S. R. 33 E County of Bingham
4. Describe works as they exist, giving dimensions and capacities of same: U.S. Motor - 100 HP
440 V - Ser # 1080019 - G.E. Control Panel 6' No. on Wall Panel - Nashetter.
10' x 10' Concrete base - Wintroath pump. Ser # 8556. 8" disch. to
E. into 8" buried main. - 8" x 660' South of pump reduced to 6" for 660'
8" No. of pump for 1320' reduced to 6" for 1320 feet. 7-4" Laterals:
6 Laterals w/ 32 nozzles and 1 Lateral with 19 nozzles - all 5/8"
Well 24" x 180', h 110', bowl set at 140' - this is estimated by Mr. DeRoche.
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):

S¹SW¹, SW¹, Sec. 31, T. 2 S., R. 33 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. Kyle De Roche alongThis examination was made on the 26th day of August, 1960.

(Signed)

L. J. Johnson

Examiner.

28535

Kyle De Roach

Examination for Completion of Works & Beneficial Use

County Bingham

31-29-33E

Qz 4.4 c.f.s.

So Well

P.L. = NW, SW, Sec. 31, T. 2 S. - R. 33 E. 3

1625

Use & Verification

Filed March 16, 1960

Filed March 18, 1965

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
OCT 4 1960
Department of Reclamation

August 4, 1960

RE: Permit No. G-28535
M. & W. Farms, Inc.

John L. Miller, Vice President, Manager
M. & W. Farms, Inc.
Box 154
Idaho Falls, Idaho

Dear Mr. Miller:

We acknowledge receipt of the Deposition of Holder and two witnesses, also affidavit of publication in the Blackfoot News, all submitted in proof of completion of works and beneficial use on Permit No. G-28535.

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. H. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

cc H. William Furchner
Lawyer
116 N.E. Main Street
Blackfoot, Idaho

28535

RECEIVED
JUL 2 11960
Department of Reclamation

AFFIDAVIT of PUBLICATION

County of Bingham

State of Idaho

} ss.

I, Drury R. Brown do solemnly
publisher

swear that I am the of
The Blackfoot News which is a daily newspaper of general circulation published each day except Saturday and 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 1933, approved March 11, 1933, and duly designated, pursuant to law, a particular day of the week as the day on which legal notices required by law or by the order of any Court of competent jurisdiction within the State of Idaho shall be published to-wit: Friday of each week; that the notice attached hereto and which is a part of this affidavit and part of the proof of publication was, published in said

Friday issue of said newspaper 4 consecutive
weeks, days the first publication having
been made on the 17 day of June, 1960,
and the last publication having been made on the

8 day of July, 1960; 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 published
in the newspaper and not in a supplement.

Drury R. Brown

Subscribed and sworn to before me this 9th

day of July, 1960

Marjorie Elvitt

Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
January 10th, 1963

08525

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
JUL 2 11960
Department of Reclamation

✓
Permit No. G-28535

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. John L. Miller, Idaho Falls, Idaho, Manager of Clover Club Potato Company, Idaho Falls, P. O. Box 154, Idaho Falls, 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.** M. & W. Farms, Inc., I am Vice-President and Manager of this corporation and appear in its behalf by direction of the Board of Directors.

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

✓ **Ans.** Permit No. G-28535, dated March 18, 1960, with priority of March 16, 1960.

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

✓ **Ans.** Irrigation well located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 31, Twp. 2 S., Rge. 33, 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. Well, 180 feet deep with water level at 130 feet from surface, cased approximately 10 feet to lava rock, with 24" diameter casing, and with 18" diameter below casing, equipped with 100 H.P. electric motor and turbine pump and sprinkler system with 256 nozzles of 5/32", operating pressure is 40-60 lbs. per square inch, estimated flow from well is 240 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 all used for irrigation of the lands described in permit in Sec. 31, Twp. 2 S., Rge. 33, E.B.M., as follows: SW $\frac{1}{4}$ NW $\frac{1}{4}$ -30a; SE $\frac{1}{4}$ NW $\frac{1}{4}$ -30a; NW $\frac{1}{4}$ SW $\frac{1}{4}$ -40a; NE $\frac{1}{4}$ SW $\frac{1}{4}$ -40a; SW $\frac{1}{4}$ SW $\frac{1}{4}$ -40a; SE $\frac{1}{4}$ SW $\frac{1}{4}$ -40a; all is sprinkled and all cultivated, except approximately 10 acres of rocky land and area covered by buildings. Improvements include two potato cellars, corrals and tenant house.

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

Ans. Van R. Webb (formerly of Pingree, Idaho, now deceased.)

28535 TB

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. approximately 1" of water per acre.

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

Ans. - - - -

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

Ans. Well was drilled in 1957, and water therefrom has been used to irrigate the entire area of the above-described lands and to produce crops thereon in 1957, and each year since, including the year 1960.

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)

John S. Miller

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 Blackfoot, County of Bingham, State of Idaho, on this 20th day of July, A. D. 1960.

J. William Swanner

My commission expires January 31, 1962.

28535

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

1960
Department of Reclamation

Permit No. G-28535

Proof 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. Ray DeRoche, thirty-three years of age, with residence and Post Office Address Route #2, Box 254, Rigby, Idaho. I am a farmer.

Ques. 2. Are you acquainted with M & W Farms, Inc., the holder of Permit No. G-28535? How long have you known him and where does he reside?

Ans. I have been acquainted with the M & W Farm described in the permit for approximately four years and with the company the same period of time.

Ques. 3. Have you read or heard read said Permit No. G-28535, 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. Irrigation well located in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 31, Twp. 2 S., Rge. 33, E.B.M., equipped with 100 H.P. electric motor and turbine pump and sprinkling system, which covers the entire area of the land described in the permit.

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. Approximately 240 miners inches.

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. Same amount, based upon my own estimate from experience with irrigation water.

28535

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. The water from said well is all used for irrigation of the lands described in the permit in Sec. 31, Twp. 2 S., Rge. 33, E.B.M. as follows: ~~SW $\frac{1}{4}$ NW $\frac{1}{4}$ -30a; SE $\frac{1}{4}$ NW $\frac{1}{4}$ -30a; NW $\frac{1}{4}$ SW $\frac{1}{4}$ -40a; NE $\frac{1}{4}$ SW $\frac{1}{4}$ -40a; SW $\frac{1}{4}$ SW $\frac{1}{4}$ -40a; SE $\frac{1}{4}$ SW $\frac{1}{4}$ -40a;~~ Improvements include a dwelling house, corrals and two potato cellars. The land is all cultivated except about ten acres which is occupied by buildings and covered with rocky outcropping.

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. Land is lava ash soil and requires approximately 1" of water per acre.

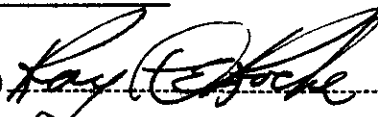
Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. None

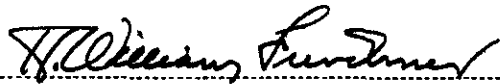
Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I have seen the water from this well used for irrigation of all said lands each year since 1957.

(Signed)



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 Blackfoot, County of Bingham, State of Idaho, on this 20th day of July, A. D. 1960.



Notary Public.

My commission expires January 31, 1962.

28535

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
JUL 2 11960
Department of Reclamation

Permit No. G-28535

Proof 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. Kyle DeRoche, forty-three years of age, with residence and Post Office Address Route #2, Blackfoot, Idaho. I am a farmer.

Ques. 2. Are you acquainted with M & W Farms, Inc., the holder of Permit No. G-28535? How long have you known him and where does he reside?

Ans. I have been employed as farm manager of M & W Farms, Inc. for approximately four years.

Ques. 3. Have you read or heard read said Permit No. G-28535, 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. Irrigation well located in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 31, Twp. 2 S., Rge. 33, E.B.M., equipped with 100 H.P. electric motor and turbine pump and sprinkling system, which covers the entire area of the land described in the permit.

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. approximately 240 miners inches.

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. Same amount, based upon my own estimate from experience with irrigation water.

28535

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. The water from said well is all used for irrigation of the lands described in the permit in Sec. 31, Twp. 2 S., Rge. 33, E.B.M., as follows: SW $\frac{1}{4}$ NW $\frac{1}{4}$ -30a; SE $\frac{1}{4}$ NW $\frac{1}{4}$ -30a; NW $\frac{1}{4}$ SW $\frac{1}{4}$ -40a; NE $\frac{1}{4}$ SW $\frac{1}{4}$ -40a; SW $\frac{1}{4}$ SW $\frac{1}{4}$ -40a; SE $\frac{1}{4}$ SW $\frac{1}{4}$ -40a; Improvements include a dwelling house, corrals and two potato cellars. The land is all cultivated except about ten acres which is occupied by buildings and covered with rocky outcropping.

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. Land is lava ash soil and requires approximately 1" of water per acre.

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

Ans. None

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 water from this well used for irrigation of all said lands each year since 1957.

(Signed) *Kyle D. Roche*

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 Blackfoot, County of Bingham, State of Idaho, on this 20th day of July, A. D. 1960.

J. William Lundman

Notary Public.

My commission expires January 31, 1962.

28535

LAW OFFICES
FURCHNER AND STUFFLEBEAM
116 N E MAIN STREET
BLACKFOOT, IDAHO

H WILLIAM FURCHNER
DWAIN H STUFFLEBEAM

RECEIVED
JUL 2 11960
Department of Reclamation

July 20, 1960

Mr. Geo. N. Carter
Department of Reclamation
State House
Boise, Idaho

Re: Permit No. 28535
M & W Farms, Inc.

Dear Sir:

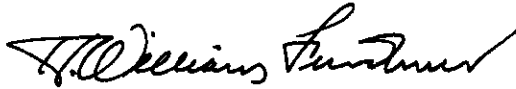
We enclose herewith the affidavit of publication of notice of proof and the depositions of the holder and witnesses in proof of completion of works and application of water to beneficial use under the above permit.

When these have been examined and if they are approved, will you please notify me of that fact. Should there be anything still required by way of proof, please communicate with me.

Thank you.

Very truly yours,

FURCHNER AND STUFFLEBEAM



H. William Furchner

HWF:ee
Encls.

2 8535

July 11, 1960

Re: Permit No. G-25868 - L. Leigh Bair
G-28535 - M. & W. Farms

The Blackfoot News Bulletin
Blackfoot, Idaho

Gentlemen:

On June 13 we mailed a Notice of Publication on Permit No. G-25868, in the name of L. Leigh Bair, and ask that a copy or tear sheet of the first publication be mailed to this office.

Also, on June 15, we mailed a Notice of Publication on Permit No. G-28535 in the name of the M. & W Farms and requested a tear sheet.

To date we have not received a copy or tear sheet on either publication, and request that these be mailed to this office as soon as possible for checking purposes.

Very truly yours,

GEO. H. CARTER
State Reclamation Engineer

By:

H. RETRI
Water Rights Clerk

HP:ew

28535



ROBERT E. SMYTHIE
Governor

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

GEO. N. CARTER, STATE RECLAMATION ENGINEER

BOISE

June 16, 1960

RECEIVED
JUN 2 11960

Department of Reclamation

Re: Permit No. G-28535
M & W Farms, Inc.

*211 Skelley St.
Idaho Falls, Idaho.*

Mr. H. William Furchner,
116 N. E. Main St.,
Blackfoot, Idaho.

Dear Mr. Furchner:

On June 13th we sent you a letter in connection with the above captioned permit, copy of which was mailed to the applicant, M & W Farms, Inc., Idaho Falls, Idaho.

This was returned to us today because of insufficient address, and since Idaho Falls is the only address we have in our files for this applicant, we would appreciate your forwarding the enclosed copy to the M & W Farms, Inc., and letting us know the correct address, so that we may have same for our records.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Edna P. Rule
(Mrs.) Edna P. Rule
Chief Clerk

EPR:pmk

2 85 35

June 16, 1960

Re: Permit No. 3-28535
M & W Farms, Inc.

Mr. H. William Furchner,
116 N. E. Main St.,
Blackfoot, Idaho.

Dear Mr. Furchner:

On June 13th we sent you a letter in connection with the above captioned permit, copy of which was mailed to the applicant, M & W Farms, Inc., Idaho Falls, Idaho.

This was returned to us today because of insufficient address, and since Idaho Falls is the only address we have in our files for this applicant, we would appreciate your forwarding the enclosed copy to the M & W Farms, Inc., and letting us know the correct address, so that we may have same for our records.

Very truly yours,

WEO. N. ARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:pek

28535

RECEIVED
JUN 1 01960

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) June 9, 1960
(P. O.) 671, Blackfoot, 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
Blackfoot News of Blackfoot, Idaho, published in
the county in which the works are situated.

M & W FARMS, INC.

By *J. T. Williams*
Attorney

(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.

28535

RECEIVED
JUN 1 01960
Department of Reclamation

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

Notice is hereby given that at 10 A.M., on the 20th day of July,
19 60, at Blackfoot, County of Bingham, State of Idaho,
before H. William Purchner, Notary Public, at (address) 116 N. E.
Main Street, proof will be submitted of the completion
of works for the diversion of 4.4 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-28535 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 are M & W Farms, Inc., Idaho Falls, 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 4.4 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
4.4 cubic feet per second.

4. The point of diversion of said water is in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 31,
Twp. 2 S., Rge. 33, E.B.M., in Bingham County, Idaho.

5. The place where said water is used is S $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ of Sec.
31, Twp. 2 S., Rge. 33, E.B.M.

6. The date of priority which said user is prepared to establish is
March 14, 1960.

28535
Geo. W. Carter
State Reclamation Engineer

RT

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G-28535
M & W Farms, Inc.

Date: June 13, 1960

Blackfoot News,
Blackfoot, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to **July 20, 1960** the date set for proof; the expense of the publication is to be paid by the applicant

M & W Farms, Inc.

of **Idaho Falls, 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.

28535

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

June 13, 1960

Re: Permit No. Q-28535

M & W Farms, Inc.

**Mr. H. William Furchner,
116 N. E. Main St.,
Blackfoot, Idaho.**

Dear Mr. Furchner:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. Q-28535, in the name of M & W Farms, Inc.. Final Proof is to be made before you, as Notary on the 20th day of July, 1960, ~~1959~~ at 10:00 o'clock A.M., at Blackfoot, Idaho.

As of this date we have mailed the Notice to the Blackfoot News with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof and then mail the Affidavit of Publication and statement of costs to you.

It is important that the enclosed depositions be executed by the permit holder and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the time, on the date and before you, as Notary, as stated in the publication notice. 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, that your 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. Rutledge
Chief Clerk

Encl.

EPR:Pk

cc: Applicant

28535

LAW OFFICES
FURCHNER AND STUFFLEBEAM
116 N. E. MAIN STREET
BLACKFOOT, IDAHO

H WILLIAM FURCHNER
DWAIN H STUFFLEBEAM

June 9, 1960

RECEIVED
JUN 10 1960
Department of Reclamation

Geo. N. Carter
State Reclamation Engineer
Department of Reclamation
State House
Boise, Idaho

Re: Permit No. G-28535
M & W Farms, Inc.

Dear Mr. Carter:

We enclose herewith the notices for publication
of final proof on the above mentioned water permit.

Will you please enter the date of priority in
paragraph 6, and when the notice has been signed forward
it to The Blackfoot News for publication.

Thank you.

Very truly yours,

FURCHNER AND STUFFLEBEAM



H. William Furchner

HWF:ee
Encls.

28535

March 25, 1960

Re: Permit No. G-28535
M & W Farms, Inc.

Furchner and Stafflebeam,
Attorneys at Law,
116 N.E. Main St.,
Blackfoot, Idaho.

Attention: H. William Furchner

Gentlemen:

We enclose Permit No. G-28535 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-4702 which was issued covering payment in the amount of \$6.00 for the filing fee of the above mentioned permit.

You will note, under Question 10, that we have changed the required time for completion of works and complete application of the water to the proposed use to five years. However, you may make the required proofs at any time you are prepared to do so within that time.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

Encl.
EPR:pmk
cc: M & W Farms, Inc.
Idaho Falls, Idaho

28535

211 Shelley St.

NAME OF APPLICANT M & W FARMS, INC., Idaho Falls, Idaho.

Form No. 2

TOWNSHIP TWO SOUTH,
RANGE THIRTY-THREE EAST OF THE
BOISE MERIDIAN, IN BINGHAM COUNTY,
IDAHO

SECTION
31

--LATERALS

--WELL

Permit Map No. 28535
As Approved

GEO. N. CARTER
State Reclamation Engineer

MAR 18 1960

Scale: 2 inches equal 1 Mile. Draw Plan in ink.

28535

H WILLIAM FURCHNER
DWAINE H STUFFLEBEAM

LAW OFFICES
FURCHNER AND STUFFLEBEAM
116 N E MAIN STREET
BLACKFOOT, IDAHO

March 15, 1960

RECEIVED
MAR 16 1960
Department of Reclamation

Mr. George N. Carter
State Reclamation Engineer
Department of Reclamation
Boise, Idaho

Dear Mr. Carter:

We enclose herewith the application for water permit of M & W Farms, together with our check in the sum of \$6.00 for your fees.

You will note that the irrigation well and works are already constructed, and the applicant is very anxious to receive the permit at the earliest possible date.

We would therefore appreciate it very much if the permit can be returned to me by return mail. Thank you for your consideration.

Very truly yours,

FURCHNER AND STUFFLEBEAM

H. William Furchner
H. William Furchner

HWF:ec
Encls.

28535

PROOF OF COMPLETION OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10 o'clock, on the 20th day of July, 1960, at Blackfoot County of Bingham, State of Idaho before H. William Buchanan, Notary Public, at 116 N.E. Main Street proof will be submitted of the completion of works for the diversion of 4.4 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-23535, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice addresses of the person or corporation holding said permit are M & W Farms Inc, Idaho Falls 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 4.4 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 4.4 cubic feet per second.

4. The point of diversion of said water is in NW¹SW¹ of Sec 31, Twp 2 S., Rge 33, E.B.M. in Bingham County, Idaho.

5. The place where said water is used is S¹2NW¹ and SW¹ of Sec 21, Twp 2 S., Rge 33 E.B.M.

6. The date of priority which said water is prepared to establish is March 16 1960.

GEO. N. CARTER
State Reclamation Engineer
June 17, 24 July 1, 1960