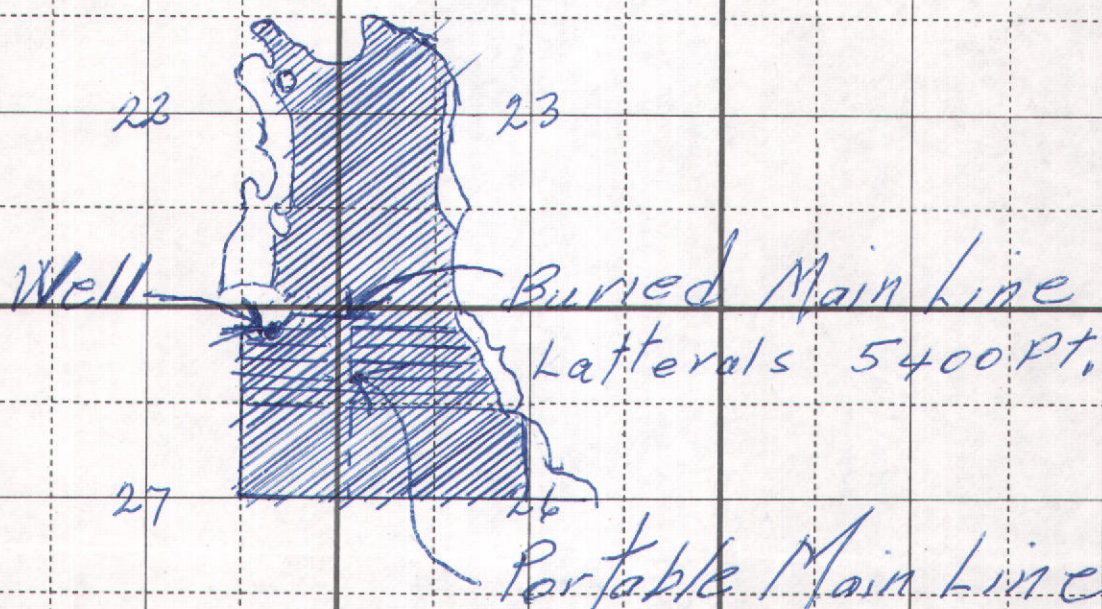




Permit Map No. 30133
As Approved SEP 1 1961
GEO. N. CARTER
State Reclamation Engineer

State of Idaho
License and Certificate of Water Right

Water License No. G-30133

Amount 1.58 c.f.s.

Water District No.

Priority August 28, 1961

THIS IS TO CERTIFY that COMMON BROS., Inc. - Assignee - ARTHUR KRESS
of American Falls, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated August 28, 1961; that Permit No. G-30133
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.58 second feet, was issued thereunder on October 13, 1964, showing that said works
were completed on the 5th day of January, 1962; and that on the 5th
day of January, 1962,

COMMON BROS., Inc. - Assignee - ARTHUR KRESS

of American 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-30133 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
13 of Licenses at page 8020, on the 13 day of October, 1964;
The right hereby confirmed dates from August 28, 1961;

The Point of Diversion is located

in the NE 1/4 NE 1/4, Sec. 27, Tp. 13 S, R. 31 E., B. M. Oneida 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 1.58 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
13 S.	31 E.	26	NE 1/4 NW 1/4	10	23
			NW 1/4 NW 1/4	40	40
			SW 1/4 NW 1/4	40	40
			SE 1/4 NW 1/4	40	40
			NE 1/4 NE 1/4	35	35
			SE 1/4 NE 1/4	40	40
		27	Total number of acres to be irrigated:		218

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
13th day of October, 1964.

RALPH W. THOMAS

Deputy State Reclamation Engineer.

(SEAL)

Elvin G. Commons
American Falls
Idaho

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 38165
Permit No. G- 30133
District No.

Assigned to

Arthur Green
Rockland - Idaho

1. Name of Applicant: COMMON BROS. INC.
Postoffice address: American Falls County: Power State: Idaho
2. Quantity of water claimed: 150 inches, or 3.0 c.f. s.
 (a) Rate of withdrawal in cubic feet per second or Idaho
 Miners' inches or gallons per minute
 (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 27
 Twp. 13 S. , Rge. 31 E. , B.M., County of Oneida
5. Water is to be used for:
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: Propane powered, 300 ft 16" column, 16" drilled, cased.
8. Estimated cost of works: \$ 30,000
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: Oct., 1956, Pocatello, Idaho
 (b) Amount of capital stock: \$ 100,000.00 (c) Amount paid in: \$ 300.00
 (d) Names and addresses of directors: Elvin G. Commons, American Falls, Ida; Mary G. Lewis, Rockland, Idaho
 Stanley F. Commons, 427 6th Ave. E. Twin Falls, Idaho
 - II. The financial resources of the applicant are (a) Cash onhand: \$ 750.00
 (b) Treasury stock: 50,000 (c) Bonds to be issued:
 (d) Other resources: Property \$350,000.00
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) 3.0 (cubic feet per second, inches or gallons per minute) is for new lands.

Water drawn from this well will be used in the most part to supplement natural moisture over as many acres
Remarks: as possible to derive the most beneficent use.

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.

COMMON BROS. INC. Applicant.

By Elvin G. Commons Agent.

Date of first receipt at Department of Reclamation: 8:00 A. M., August 28, 1961

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G- 30133

Recorded in Book 106 Page 30133 Approved Sept. 1, 1961

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 deligently and uninterrupedly 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 1, 1964

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before September 1, 1966

Witness my hand this 1st day of September, 1961 RALPH W. THOMAS Deputy STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLLIE, Governor of the State of Idaho, and ARNOLD WILLIAMS, 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 1st day of September, 1961.

Countersigned:

STATE OF IDAHO

(SEAL)

By ARNOLD WILLIAMS

By ROBERT E. SMYLLIE Governor

By: PAULA L. FLEENOR Deputy Secretary of State

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	
13S	31 E.	22				15									15			30	60
		23							30		10	40	40	15					135
		26					10	40	40	40	10								140
		27	35			40													75

A S S I G N M E N T

For value received I hereby assign all of my right, title and interest in and to Permit to appropriate the Public Waters of the State of Idaho, No. G-30133 to ARTHUR KRESS of Rockland, Idaho.

s/ COMMONS BROS., Inc.
Permit Holder

By: s/ ELVIN G. COMMONS

STATE OF OREGON)
County of Douglas) ss

On this 23rd day of September, 1964, before me, a Notary Public for the State of Oregon, residing at Roseburg, Oregon, personally appeared ELVIN G. COMMONS of Common Bros., Inc., known to me to be the person whose name is subscribed to the within instrument and duly acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal, the day and year in this certificate first above written.

(SEAL)
My commission expires July 21, 1967

s/ GEORGE G. GRATKE
Notary Public
Residing at Roseburg, Oregon

Permit No. G-30133
 CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that COMMON BROS., Inc. - Assignee - ARTHUR KRESS of American Falls, County of Power, and State of Idaho, the holder of Permit No. G-30133, issued upon Application No. G-38165, bearing date of priority of August 28, 1961, authorizing the diversion of 3.0 second feet of waters of a well, County of Oneida, 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 1.58 second feet of the waters of a well from subterranean flow; that the point of diversion of said waters NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 27, T. 13 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:

NW $\frac{1}{4}$, Sec. 26; E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 27, T. 13 S., R. 31 E., B.M.

Witness my hand this 13th day of October, A. D. 1964.

s/ RALPH W. THOMAS
 Deputy State Reclamation Engineer

Proof of Completion of Works Made: January 5, 1962

License issued for 1.58 SEC. FT.
 LICENSE PAGE NO. 8626

October 13, 1964

Re: Permit No. G-30133

Arthur Kress
Rockland, Idaho

Dear Mr. Kress:

Enclosed is Assignment of the above numbered permit to you from Common Bros., Inc, and Certificate of Completion of Works and License and Certificate of Water Right.

Also enclosed is departmental receipt No. G-8938, in the amount of \$17.50 covering fees.

Very truly yours.

CARL E. TAPPAN
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. certificates
receipt

30133

ASSIGNMENT

For value received, I hereby assign Permit of my right, title and
interest in and to Permit to appropriate the Public Waters of the State of Idaho,
No. _____ to Richard J. Hess of
Boise, Idaho
Richard J. Hess

Commence Bros Inc
Permit holder

Ellen Commence
Wife of Permit holder

STATE OF Idaho)
County of Blaine) ss

On this 13th day of Sept, 1964, before me, a Notary Public
in the State of Idaho, residing at Roseburg, Ore.
personally appeared Ellen Commence of Commence Bros Inc
known to me to be the person whose name is subscribed to the within instrument
and duly acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial
Seal the day and year in this certificate first above written.

[Signature]
Notary Public
Residing at Roseburg, Oregon

My commission expires: _____

* If fractional part of permit is to be assigned, the fractional part of the land to
which the assigned fraction is appurtenant should be described by legal subdivisions

30133

September 29, 1964

Re: Permit No. G-30133
Common Bros, Inc.

Arthur Kress
Rockland, Idaho

Dear Mr. Kress:

Returned herewith is an assignment in blank
with attached \$0.50 in coin.

The assignment does not show the name and address
of person to whom the permit is to be assigned.

I presume that Mr. Commons informed you that the
fees due this office which total \$17.00 for the certificates
of water right have not been paid.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. assignment in blank
with attached 50¢

30133

State of Idaho
DEPARTMENT OF RECLAMATION

Boise, Idaho

August 5, 1964

Re: Permit No. G-30133

Elvin G. Commons
809 Falls Avenue
American Falls, Idaho

Dear Mr. Commons:

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-30133 shows the well is ~~(896)~~ capable of conveying 79 miner's inches, or 1.58 c.f.s. of water for the irrigation of 218 acres.

Upon receipt of the statutory fees, totaling \$ 17.00, which consists of a Completion of Works fee of \$----- and License and Certificate of Water Right fee of \$ ----- based at the rate of \$2.00 for each 40-acre subdivision - we will issue the Certificate of Completion of Works and the License and Certificate of Water Right confirming the right, with priority of August 28, 1961 to the use of 1.58 second feet of subterranean water with the point of diversion in the NE¹/₄NE¹/₄, Sec. 27 for irrigation of 218 acres in the E¹/₂NE¹/₄, Sec. 27; NW¹/₄, Sec. 26, T. 13 S., R. 31 E., B.M.

Very truly yours,

CARL M. TAPPAN
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

30133

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

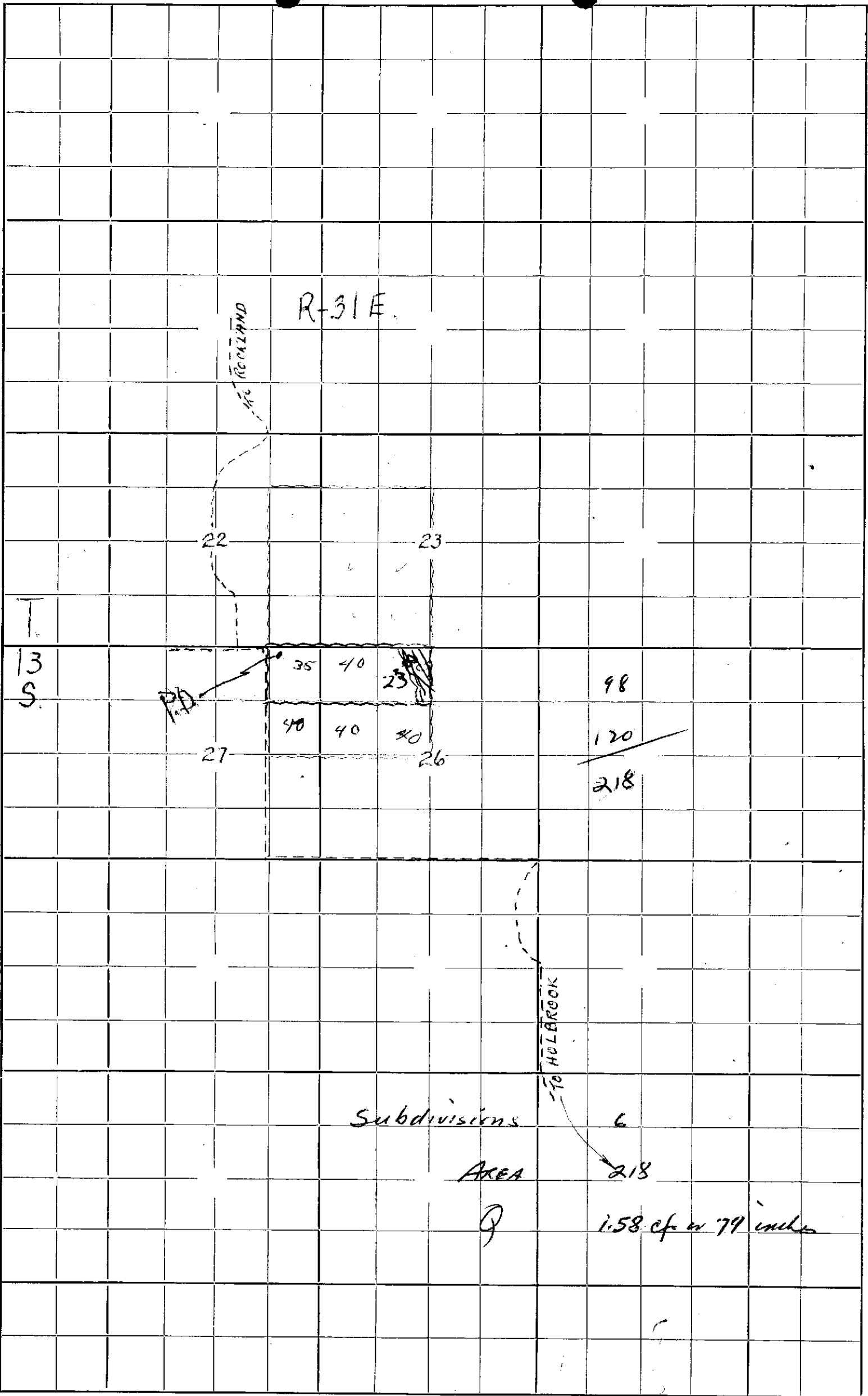
PERMIT NO. G-30133

Common Bros, Inc.

Attn: Elvin G. Commons

809 Falls Ave., American Falls, Idaho

REPORT ON PROOF OF Completion of Works & Beneficial Use



up

40

37

42

39

42

40

3 m
179.52
177.21
172.59
181.50

3124
41
532
179.52

40

3116
38
523
172.59

40

40

42

3013

10.82

14 GPM

42

46

69 inches 115843

632

3122

3128

532

40

181.50

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

Permit No. G-30133

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

1. Name of applicant Common Bros., Inc., American Falls, Idaho

2. Source of water supply: subterranean

3. Location of point of diversion: Is in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 27

T. 13 S. R. 31 E. County of Oneida

4. Describe works as they exist, giving dimensions and capacities of same: H.P. 15 M.E.

motor # 2362273 Johnson Lion box # 32401 10" check valve into
10" gate valve into 10" x 700' mainline portable main on run off the
mainline 10" x 350' column 18" x 400' casing h: 160' D.D.
well depth 450'

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):

SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 22; SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 23; NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 26;

E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 27, T. 13 S., R. 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. Stan Common

info Mr. Arthur Kress, Rockland, Ida. New Owner, conducted at
Place.

Measured by taking pressure readings along laterals.

This examination was made on the 22 day of July, 1964

(Signed)

Layne Johnson

Examiner.

30133

5'x16" Elvin G. Commons 136 2882-
Common Bros., Inc. 4042
809 Falls Ave.
American Falls, Idaho
Permit No. G-30133
Ar. K.F.S. - Rockland 548-2296
on 5/1/63 Completion of Works
Examination for and Beneficial Use

County..... Oneida

Sec. 27 T. 13 S. R. 31 E

Quantity: 3.0 a.f.s.

Source: Well

P.D.: NE NE, Sec. 27, T. 13 S., R. 31 E.

Use: Irrigation

Filed: Aug. 28, 1961

Due: March 1, 1964

Extension: —

Completion of Works: —

Other Rights: none

Driller - Common Bros.

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
AUG 5 1964

Department of Reclamation

30133

August 4, 1964

RE: Permit No. G-30133
Commons Bros. Inc.

Mr. Arthur Kress
Rockland, Idaho

Dear Mr. Kress:

Inclosed is an assignment form. Please fill out and return with 50 cents recording fee.

The permit holder will be Commons Bros., Inc. and to be signed by Elvin G. Commons. Be sure and have it notarized.

After this is returned the license can be issued in your name.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

Loy H. Johnson
Field Engineer

LMJ:mr

Enc. assignment form

30133

February 26, 1962

Re: Permit Nos. G-26673; G-30133

Elvin G. Commons
American Falls, Idaho

Dear Mr. Commons:

The principal difference between the two permits is in the date of priority which is the date shown on the back of the permit, when the application was received in this office.

The State Statutes provide that the applicant should be notified if the proof of completion of works has not been made as specified, allowing a certain length of time in which to show cause why the permit should not be cancelled. If cause is not shown, the permit is cancelled, and later micro-filmed and the file destroyed to clear our files.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

30133

January 17, 1962

Re: Permit NoG30133

Common Brothers, Inc.
Attn: Elvin G. Commons
809 Falls Ave.
American Falls, Idaho

Dear Mr. Commons:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the Idaho Enterprise, all submitted in proof of completion of works and beneficial use on Permit No.

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:

30133

RECEIVED
JAN 12 1962

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Department of Reclamation

Permit No. G-30133

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. Edwin H. Commons 809 Falls Ave Farmer
American 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. Commons Bros Inc Rockland Ida President mgr.

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

Ans. # G 30133 ^{Sept 1} August 28, 1961 - Aug 28, 1961

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

Ans. Deep well NE 1/4 of NE 1/4 Sec 27, Twp 13S, Rge 31E 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. 16" Drilled well 470 ft. Butane powered pump, 10" mainline 1500', 3/4 mile 8" mainline 1/2 mile 6" mainline 136 nozzles on 4" lateral at 40 pounds pressure.

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. Used for irrigating farm cultivated ground. Applied to 10.5 acres in NE 1/4 NE 1/4 Sec 27, NW 1/4 NW 1/4 NE 1/4 NE 1/4 of NW 1/4 Sec 26 all in Twp 13S, Rge 31E B.M. Used to irrigate potatoes.

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

Ans. Edwin H. Commons 809 Falls Ave, American Falls, Idaho

30133

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. 900 gallons per minute

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 used in August and Sept 1961 to irrigate potatoes

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) Commons Bros
By Elvin F. Commons

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 American Falls, County of Power, State of Idaho, on this 5th day of January, A. D. 1962.

A. R. Cillings

My commission expires October 25, 1965

30133

RECEIVED

JAN 12 1962

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Department of Reclamation

Permit No. G-30133

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. Daniel E. Neu, age 33, 133 Tyler St American Falls, Idaho Manager of
Farmers Coop. Oil Ass'n

Ques. 2. Are you acquainted with Commons Bros. or E. G. Commons Yes, the
holder of Permit No. G 30133? How long have you known him and where does
he reside?

Ans. 10 years 809 Falls Ave. American Falls, Idaho also at his ranch approx.
45 miles South of American Falls, Idaho

Ques. 3. Have you read or heard read said Permit No. G 30133, 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 con-
veying water from point of diversion to place of use.

Ans. Drilled Well, NE $\frac{1}{4}$ NE $\frac{1}{4}$ S. 27 T. 13 S. R. 31 Boise Meridian Oneida County
deep well irrigation pump and steel mainline

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. 3 cubic feet per second

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. 1000 Gallons per minute. This was determined by the number of Sprinklers
size of nozzles used and pressure at which pump operated

30133

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. Irrigation, ~~some~~ ~~at~~ ~~pump~~ ~~and~~ about 35 acres at same location as pump and 70 acres in section 26 adjoining pump. Cultivated

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. less and water required is about 1000 gal per minute

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

Ans. The only interest I have is the normal dealer customer relation

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. August 10, 1961 I saw this pump operate for about 4 hours

(Signed)

David E. New

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 American Falls, County of Power, State of Idaho, on this 5th day of January, A. D. 19 62.

A. R. Collins

Notary Public.

My commission expires October 25, 1965

30133

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
MAY 18 1933
Department of Reclamation

Permit No. G-30133

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. Alfred Jones, 27, 656 North 9th, Pascatello, Idaho, service man* and repair man.

Ques. 2. Are you acquainted with Commons Bros or E. G. Commons Yes, the holder of Permit No. G30133? How long have you known him and where does he reside?

Ans. 2 years, 809 Falls Ave., American Falls, Idaho and at Ranch about 45 miles South of American Falls, Idaho

Ques. 3. Have you read or heard read said Permit No. G30133, 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. Deep well, at NE 1/4 NE 1/4 S27 T13 R31 Boise Meridian, in Oneida County from deep well irrigation pump and steel mainline

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

Ans. 3 cubic feet per second

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. 1000 Gallons per minute. This was determined by the pressure at the pump number of sprinklers used and the size of the nozzles in the sprinklers

30133

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. Irrigation, there is about 35 acres at the same location as the pump
and another 70 acres in the adjoining section 36. This ground is cultivated

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. sandy loam, about 1000 gallons per minute will do a satisfactory job.

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. August 10 and 11, 1961 I seen this pump operate for several days.

(Signed) *Alfred Jones*

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 American Falls,
County of Power, State of Idaho, on this 5th day of January,
A. D. 19 62.

A. R. Collins
Notary Public.

My commission expires October 25, 1965

30133

RECEIVED

JAN 12 1962

Department of Reclamation

Affadavit of Publication

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 5th day of January, 1962, at American Falls, County of Power, State of Idaho,

before J. R. Collings, Notary Public, at 188 Elevator Ave., proof will be submitted of the completion of works for the diversion of 3.0 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. G30133, 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 Comtons Brothers, American 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 3.0 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 3.0 cubic feet per second.

4. The point of diversion of said water is NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 27 Twp. 13 S. Range 31 E.B.M.

5. The place where said water is used is SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 22; SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 23; NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 26; E $\frac{1}{2}$ N $\frac{1}{2}$ Sec. 27, all in Twp. 13 S. Range 31 E.B.M.

6. The date of priority which said user is prepared to establish is August 28, 1961.

GEO. N. CARTER
State Reclamation Engineer
12-14 1-4 t4

State of Idaho
County of Oneida, ss.

Mary Matthews being first duly sworn on oath, states: That she is *chief clerk*....

of the Idaho Enterprise, a newspaper of general circulation in Oneida County, Idaho published weekly at Malad, 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 publication of the annexed notice or advertisement:

That said Idaho Enterprise was at all of the times of publication of said notice a newspaper of general circulation made up of at least four pages of at least five columns each, printed from type matter or stereotyped forms of at least seventeen and three fourths inches depth, and said newspaper during all of the times of publication aforesaid had more than 200 bonafide subscribers thereto living within the county of Oneida in which said newspaper was published at regular intervals not less frequently than once a week.

That the annexed notice was published 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 publication being the 11th day of December, 1961, the date of the last publication being the 1st day of January, 1962.

Mary Matthews

Subscribed and sworn to before me this 5th day of

January, 1962

Notary Public, residing at Malad, Idaho

My Commission expires the 19 day of May, 1963.

Costs: 54 lines at 13c per line first insertion \$ 7.02

.....lines tabulated at 20c per line \$.....

10c per line each subsequent insertion \$ 15.20

TOTAL \$ 22.22

(Rates for legal notices are fixed by Idaho law)

30133

American Falls, Ida.
Jan 11, 1962

Reclamation Dept.
Boise, Ida.

RECEIVED
JAN 12 1962

Department of Reclamation

Dear Sirs,

I apologise sincerely for not having sent this to you on the date due but due to other business it was overlooked.

I believe everything to be in order and accomplished on the dates set except arriving at your office and for this I am very sorry.

If anything is missing or incorrect please advise me.

Yours truly

E. Louis G. Commons

30133

December 8, 1961

Re: Permit No. G-30133

Commons Brothers,
American Falls, Idaho.

Gentlemen:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. G-30133. The proofs are to be made at 10:00 o'clock A.M., on the 5th day of January, 1962, before J. R. Collings, American Falls, Idaho; 138 Elevator Ave., Notary Public.

As of this date we have mailed the Notice to the Malad Enterprise,
Malad, 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

30133

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

Department of Reclamation

Notice is hereby given that at 10:00 A M., on the 5th day of January 1962, at American Falls, County of Power, State of Idaho, before J. R. Callings, Notary Public, at (address) 138 Elevator Ave, proof will be submitted of the completion of works for the diversion of 3.0 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. D. 30133, 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 Common Brothers, American 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 3.0 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 3.0 cubic feet per second.

4. The point of diversion of said water is NE¹/₄ NE¹/₄, Sec. 27 Twp 13 S Range 31 E B.M.

5. The place where said water is used is SE¹/₄ NE¹/₄, E¹/₂ SE¹/₄, Sec. 22. SW¹/₄ NW¹/₄, SW¹/₄ Sec. 23; NW¹/₄, NE¹/₄, SW¹/₄, Sec. 26 E¹/₂ NE¹/₄, Sec. 27, all in Twp 13 S., Range 31 E, B.M.

6. The date of priority which said user is prepared to establish is August 28, 1961

GEO. N. CARTER

State Reclamation Engineer

30133

1200
6-28-61

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

Re: Permit No. G-30133
Commons Brothers

Date: Dec. 8, 1961

Malad Enterprise,
Malad, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to January 5, 1962 the date set for proof; the expense of the publication is to be paid by the applicant

Commons Brothers of American 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
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.

30133



ROBERT E. SMYLLIE
Governor

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
GEO. N. CARTER, STATE RECLAMATION ENGINEER
BOISE

RECEIVED
DEC 8 1961

Department of Reclamation

December 4, 1961

Re: Permit No. G-30133
Commons Brothers

Elvin G. Commons
American Falls, Ida.

Dear Mr. Commons:

Returned herewith are the Forms 36 and 11 we received and blank Forms 36. The land list under 5, on Form 36, is not clearly defined and there is at least one 40-acre subdivision included which is not on our record of the permit, the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 22. It is not necessary to show a subdivision of a 40-acres, however you can if you desire. There must be a comma between each 40-acre or larger subdivision. Below is shown the land list shown on our record.

SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 22; SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 23; NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 26; E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 27, all in T. 13 S., R. 31 E., B. M.

You can include other land in the list, however there must be an amendment to the land list on the permit.

Kindly return corrected two Forms 36 and Form 11 at your earliest convenience so the date for making the proofs need not be changed.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By: *Ralph W. Thomas*

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. Form 36 - 11
Blank Forms 36

*Dear Mr Thomas, Hope I have it correct this
time and still have it printed as dated
yours truly
E. G. Commons 30133*

December 4, 1961

Re: Permit No. G-30133
Common Brothers

Elvin G. Commons
American Falls, Ida.

Dear Mr. Commons:

Returned herewith are the Forms 36 and 11 we received and blank Forms 36. The land list under 5, on Form 36, is not clearly defined and there is at least one 40-acre subdivision included which is not on our record of the permit, the NE 1/4, Sec. 22. It is not necessary to show a subdivision of a 40-acres, however you can if you desire. There must be a comma between each 40-acre or larger subdivision. Below is shown the land list shown on our record.

SE 1/4, E 1/4, Sec. 22; SW 1/4, SW 1/4, Sec. 23; NW 1/4, SW 1/4, Sec. 26; E 1/4, Sec. 27, all in T. 13 S., R. 31 E., B. M.

You can include other land in the list, however there must be an amendment to the land list on the permit.

Kindly return corrected two Forms 36 and Form 11 at your earliest convenience so the date for making the proofs need not be changed.

Very truly yours,

GEO. W. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. Form 36 - 11
Blank Forms 36

30133

RECEIVED
DEC 1 1961

Department of Reclamation
NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) November 28, 1961

(P. O.) American Falls, 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

Malad Enterprise

of

Malad City, Idaho.

published in

the county in which the works are situated.

Inside Co. ✓

Commons Bros. Elin P. Commons

(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.

30133

September 25, 1961

Re: Permit No. G-30133

Common Bros., Inc.
American Falls, Idaho

Attn: Elvin G. Commons

Dear Mr. Commons:

Enclosed is Permit No. G-30133 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

Also enclosed is departmental receipt No. G-6467 which was issued covering payment in the amount of \$5.50 for the filing fee of the above mentioned permit.

Very truly yours,

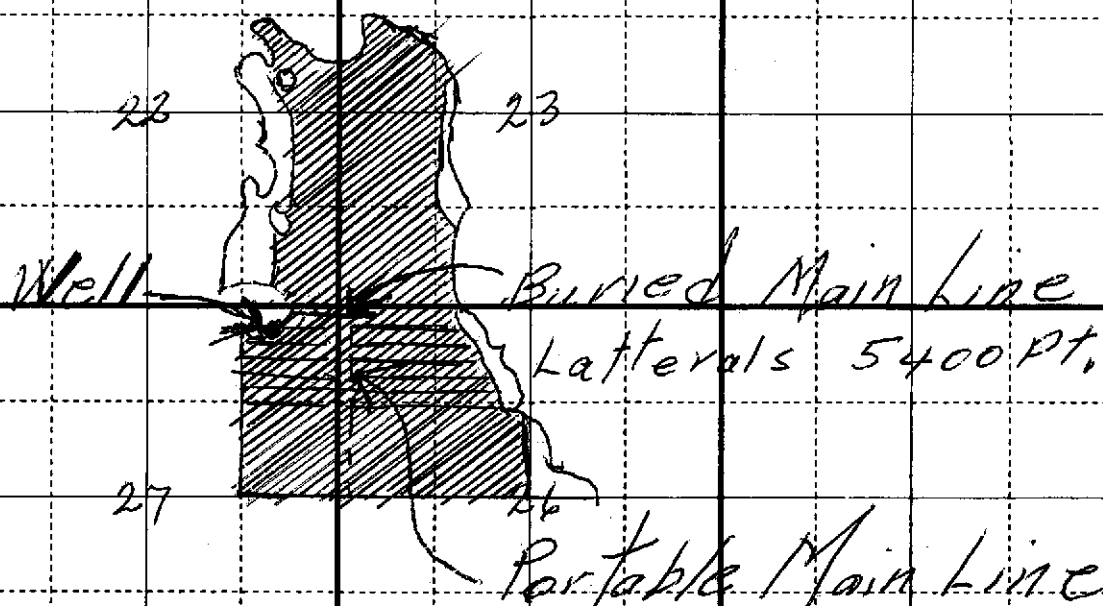
GEO. W. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

30133



Patent Map No. 30133

As Approved

J. E. N. CARTER

State Registrar of Deeds

196

August 25, 1961

Re: Application for Permit
Commons Bros., Inc.

Elvin G. Commons
American Falls, Idaho

Dear Sir:

Returned herewith is your check for \$5.25 which accompanied application for permit to divert 150 inches or 3 c.f.s of subterranean water.

The fee is \$5.50 - \$5.00 for 1 c.f.s. plus \$0.25 for each of 2 c.f.s.

Kindly remit the proper filing fee and the application can be processed.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. check

30133

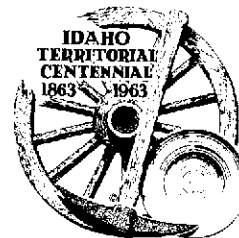


ROBERT E. SMYLLIE
Governor

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

GEO. N. CARTER, STATE RECLAMATION ENGINEER

BOISE



August 25, 1961

Re: Application for Permit
Commons Bros., Inc.

Elvin G. Commons
American Falls, Idaho

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The fee is \$5.50 - \$5.00 for 1 c.f.s. plus \$0.25 for each of 2 c.f.s.

Kindly remit the proper filing fee and the application can be processed.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

Ralph W. Thomas
RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. check

Dear Mr Thomas,

*Thanks for the correction & hope every
thing else is in order. I would appreciate
processing this as soon as possible.*

Yours Truly

Elvin G. Commons

30133

American Falls Ida
Aug 23, 1961.

Mr Ralph W Thomas
Deputy State Rec. Engr.
State House
Boise Ida.

RECEIVED
AUG 28 1961

DEPARTMENT OF RECREATION

Dear Ralph.

Sorry I was late in moving
the section line which I think
you will find wrong in the
first application.

I hope the information
provided will prove sufficient
to obtain a new permit without
delay as the loan money is
available with this permit.

Permit fee is enclosed

Yours truly 30133

Elvin G. Commens

*Idaho Enterprise Media
Press*

**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 5th day of January, 1962, at American Falls, County of Power, State of Idaho, before J. R. Collings, Notary Public, at 138 Elevator Ave., proof will be submitted of the completion of works for the diversion of 3.0 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. G30133, 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 Commons Brothers, American 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 3.0 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 3.0 cubic feet per second.

4. The point of diversion of said water is NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 27 Twp. 13 S. Range 31 E.B.M.

5. The place where said water is used is in SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 22; SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 23; NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 26; E $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 27, all in Twp. 13 S. Range 31 E.B.M.

6. The date of priority which said user is prepared to establish is August 28, 1961.

GEO. N. CARTER

State Reclamation Engineer
12-14 1-4 t4