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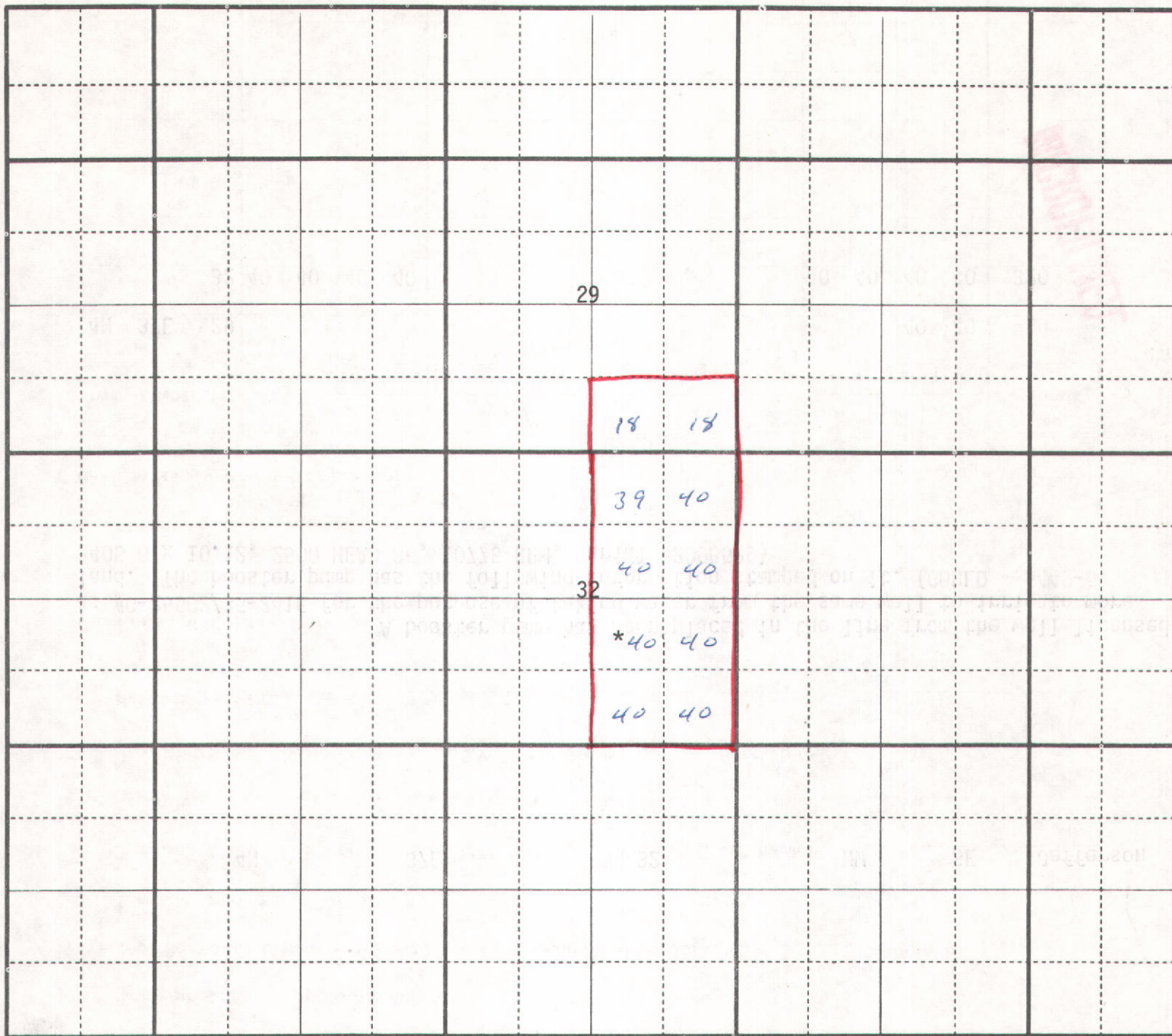
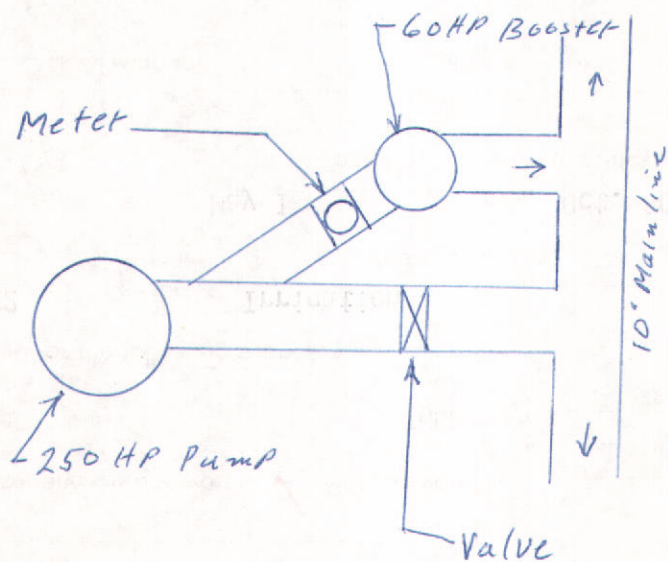


Diagram of System



LH
2/7/77



MICROFILMED

7.59 $\frac{\text{sq}}{\text{mile}}$

14 2/1/77

"NOT TO SCALE"

September 9, 1976

Re: Permit No's. 35-7177 & 35-7176

Brownings, Inc.
Box 497
Idaho Falls, Idaho 83401

Gentlemen:

We acknowledge receipt of the affidavits submitted as proofs of beneficial use for the above referenced permits. Enclosed are two Orders of Reinstatement; please note that the priorities have been advanced to July 10, 1971.

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

If you have any questions regarding these exams, please contact our Regional Office in Idaho Falls.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:JFR

Enclosures

MICROFILMED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 35-7176 Priority July 10, 1971 Amount 0.95 cfs
(late proof)

THIS IS TO CERTIFY, that Brownings, Inc.
of Roberts, Idaho, has complied with the terms and conditions of Permit
No. 35-7176 issued pursuant to Application for Permit dated June 18, 1971,
and has submitted proof to the Department of Water Resources on August 23, 1976,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 5.45 cfs of water from a ground water source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>May 1</u> to <u>October 30</u>	at <u>0.95</u> cfs and	<u>344</u> acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 0.95 of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
344 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, Twp. 4N,
Rge. 37E, B.M. in the County of Jefferson

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
4N	37E	29														18	18		36
		32	40	39	40	40									40	40	40	40	319

Total number of acres irrigated 355

CONDITION:

The total volume of water diverted under this license when combined with
License No. 35-2600 shall not exceed 1246 acre feet.

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

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 27 day of
March, 19 79.

Deputy Director

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 35-7176

IN THE NAME OF BROWINGS, INC.

ORDER OF REINSTATEMENT

WHEREAS, on June 18, 1971, Browings, Inc., filed with the Department of Water Resources (formerly the Department of Water Administration) an application for permit to appropriate 2.22 cubic feet per second of groundwater to be diverted within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, Twp. 4N, Rge. 37E, B.M., Jefferson County, to be used for irrigation purposes; and,

WHEREAS, on August 18, 1971, the Department approved said application and issued Permit No. 35-7176 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before August 1, 1976, and,

WHEREAS, on June 1, 1976, the Department notified the permit holder by certified mail that proof of construction of works and application of water to beneficial use was due and instructed the permit holder as to the steps to be taken to make said proof; and,

WHEREAS, on August 6, 1976, the Department notified the permit holder that Permit No. 35-7176 had lapsed for failure to submit proof of beneficial use of water; and,

WHEREAS, on August 23, 1976, the Department received the required proof of beneficial use of water; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within 60 days from the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing as to why said permit should be reinstated;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 35-7176 be REINSTATED and the priority advanced to July 10, 1971.

Dated this 8 day of September, 1976.

A. KENNETH DUNN

Administrator, Operations Division

Identification No. 35-7176
Application No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant Brownings, Inc., (Formerly J. Ed Browning and Son, Inc.)
post office address Roberts, Idaho
2. Source of water supply ground water which is a tributary of _____
3. a. Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 32 Township 4 N
Range 37 E.B.M. Jefferson County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M.
4. Quantity to be appropriated:
a. 2.22 cubic feet per second and/or
b. _____ acre feet per annum will be stored.
5. Water will be used for the following purposes:
Irrigation purpose from May 1 to October 30 (both dates inclusive)
_____ purpose from _____ to _____ (both dates inclusive)
_____ purpose from _____ to _____ (both dates inclusive)
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Drilled Well, Turbine,
Pumps and Sprinkler System

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

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ completed.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M.
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____.
(5) If water is to be used for other purposes describe: _____

35-7176

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

007

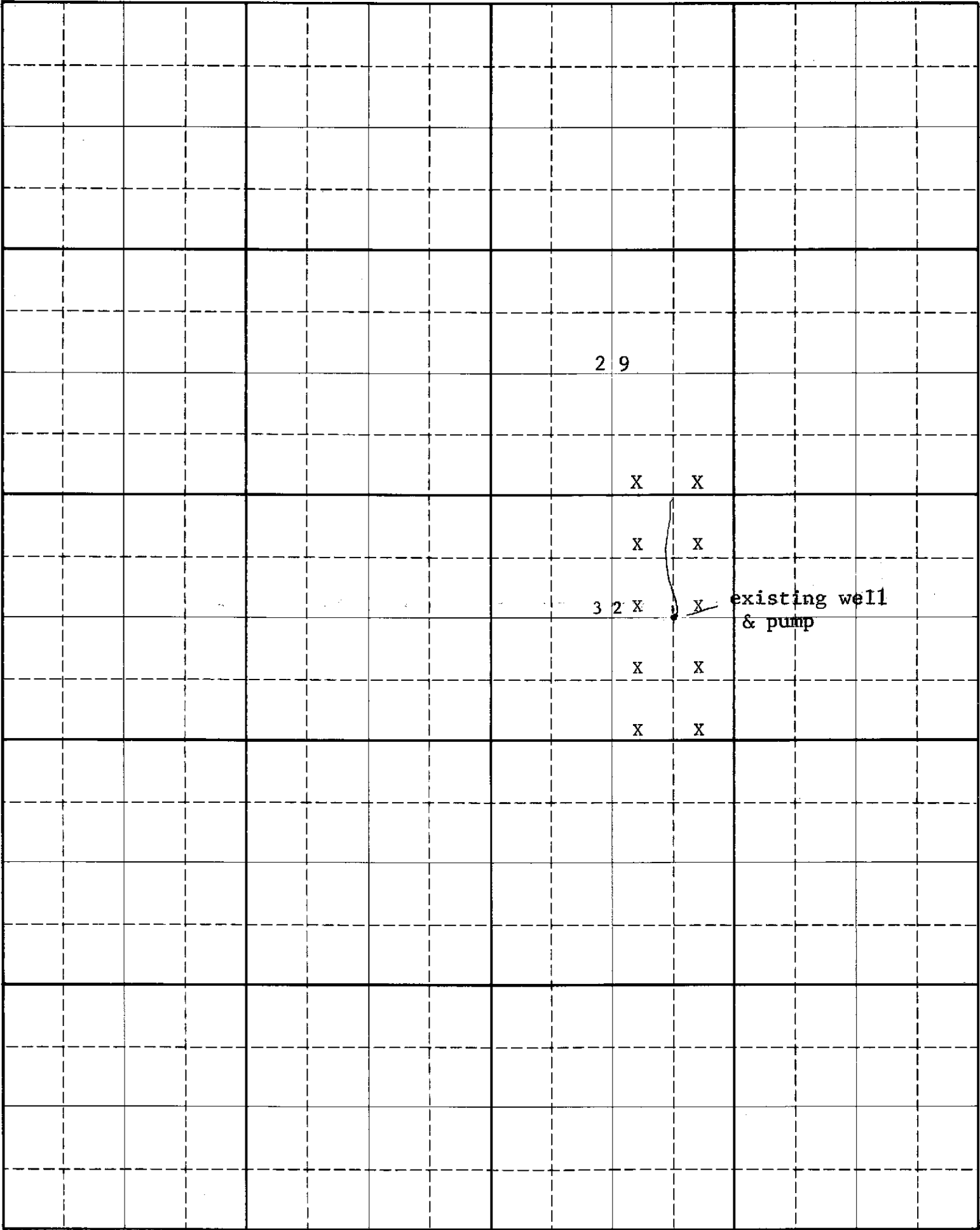
35-2600

b. Who owns the land to be irrigated or place of use Brownings, Inc.

applicant to make this filing—

applies water on the land set forth

11. Map of proposed project:



Scale: 2 inches equal 1 mile

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

J. E. Browning Jr.
(Applicant)

35-7176

Received by 1 Date 6-18-1971 Time 10 AM
Preliminary check by 0 Fee \$ 45.00 check # 4482
Receipted by 4 Date 6-21-71

Publication prepared by CR Date 7-1-71
Published in Rigby Star
Publication dates 7-8 & 7-15-71
Publication approved do Date 8-9-71
Priority reduced to _____ Reason _____

Protests filed by: _____
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by CR CR

ACTION OF STATE RECLAMATION ENGINEER

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 35-7176, and said application is hereby APPROVED.

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 1976.

c. Other: The permit holder shall permanently install and maintain as part of

the diverting works a measuring device at the point of diversion of a type

approved by this Department.

This permit is supplemental to all prior rights.

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

Witness my hand this 18TH day of August, 1971.

Director
State Reclamation Engineer

DEPARTMENT OF WATER ADMINISTRATION

STAFF ANALYSIS

Application No. 35-7176 Name Brownings, Inc., (formerly J. Ed Browning & Son, Inc.)

Source Ground water

Point of Diversion NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, T. 4N, R. 37E, B.M., Jefferson County

Quantity 2.22 Use Irrigation Period May 1 - Oct. 30

Quantity Use Period

Quantity Use Period

Well Size Diameter Proposed Depth Feet

Use 400 acres

Date Forwarded 7-1-71 Date Returned 7-6-71 Received by DD

COMMENTS: W/L's show steady increases. D/W is approx. 285'.
Primary aquifers are cinder beds and broken lava. Well
development is moderate. Aquifer should be capable of
supporting additional development.

RECOMMENDED:

Applied: Qty. <u>2.22</u>	Use <u>IRR.</u>	Period <u>5/1-10/30</u>	AF/A <u> </u>	AF <u> </u>
Qty. <u> </u>	Use <u> </u>	Period <u> </u>	AF/A <u> </u>	AF <u> </u>
Qty. <u> </u>	Use <u> </u>	Period <u> </u>	AF/A <u> </u>	AF <u> </u>
Maximum: Qty. <u>8.00</u>	Use <u>IRR.</u>	Period <u> </u>	AF/A <u> </u>	AF <u> </u>
Qty. <u> </u>	Use <u> </u>	Period <u> </u>	AF/A <u> </u>	AF <u> </u>
Qty. <u> </u>	Use <u> </u>	Period <u> </u>	AF/A <u> </u>	AF <u> </u>

ACTION: Approved ☒ Denied ☐

Conditions of approval or reason for denial:

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

Date July 6, 1971

35-7176

Affidavit of Publication

THE RIGBY STAR

STATE OF IDAHO
County of Jefferson

ss.

I, Hope B. Jones, do solemnly swear that I am the printer of THE RIGBY STAR, a weekly newspaper as defined by Idaho Codes annotated section 58-106 as amended, and that said newspaper is a weekly newspaper, printed and published at Rigby, Jefferson County, Idaho, having a general circulation in said county, and that said newspaper has been printed and published as a weekly newspaper, in said county for more than 78 consecutive weeks prior to the first publication of the attached notice.

And affiant further says that said attached notice, advertisement or publication as per clipping attached, was published in said newspaper in the regular and entire issue thereof, and not in any supplement issue thereof, for

~~Two~~ Consecutive issues thereof; first publication having been made on the

8th day of July, 1971

and the last publication on the

15th day of July, 1971

And affiant further says that at the times herein mentioned said newspaper was made up of at least four pages of at least five columns each printed from type matter of at least seventeen and three-fourths inches depth; and that there are at least two hundred bona fide subscribers in Jefferson County.

Hope B. Jones

Subscribed in my presence and sworn to before me this 29th

day of July, 1971

(SEAL)

[Signature]
Notary Public for the State of Idaho,
Residence and P. O. Address, Rigby, Idaho.

My commission expires _____, 19____

Publication Fee: \$_____

MY COMMISSION EXPIRES JULY 15, 1973

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Brownings, Inc., Roberts, Idaho has on June 18, 1971, submitted Application No. 35-7176 for a permit to appropriate 2.22 cubic feet per second of water from a ground water course by means of well and pumps within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, T. 4N, R. 37E, B.M., Jefferson County to be used from May 1 to October 30 for the irrigation of 400 acres within the S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 29; NE $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 32, T. 4N, R. 37E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, on or before July 26, 1971.

R. KEITH HIGGINSON
Director

(Published in the Rigby Star, Rigby, Idaho July 8 and July 15, 1971)

35-7176



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

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

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

March 28, 1979

RE: Permit No. 35-7176

Brownings, Inc.
P. O. Box 497
Idaho Falls, ID 83401

Gentlemen:

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

Sincerely,

JAN GROVER
Water Rights Supervisor

JG/kw
Enclosure

11/11/79



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

John V. Evans
Governor

C. Stephen Allred
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

March 8, 1979

Re: Permit No. 35-7176

Brownings, Inc.
P.O. Box 497
Idaho Falls, Idaho 83401

Gentlemen:

A representative of this Department made an examination of the works covered by your Permit No. 35-7176 on August 24, 1976, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 0.95 cfs Source: groundwater

The maximum quantity diverted shall not exceed 344 acre feet per
year.

Point of diversion: NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, Twp. 4N, Rge. 37E, B. M.

Beneficial use: Irrigation of 355 acres within the NE $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 32,
S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 29, Twp. 4N, Rge. 37E, B. M.

Priority date established: July 10, 1971 (late proof)

*

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

Sincerely,

JAN GROVER
Water Rights Supervisor

JG/kw

* CONDITION: The total volume of water diverted under this license when combined with License No. 35-2600 shall not exceed 1246 acre feet.

RECEIVED
MARCH 11 1979

RECEIVED

SEP 18 1976

Phone _____
Department of Water Resources
Eastern District Office
Phone _____

Tributary to _____

Other uses: _____

Permit No. 35-7176
Examination for b/u

Max Rate of Diversion 2.22 cubic feet per second and annual volume _____ AF/Annum.

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

Other Points of Diversions: _____

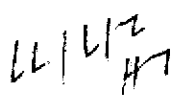
Measuring device required: yes ☒ no ☐

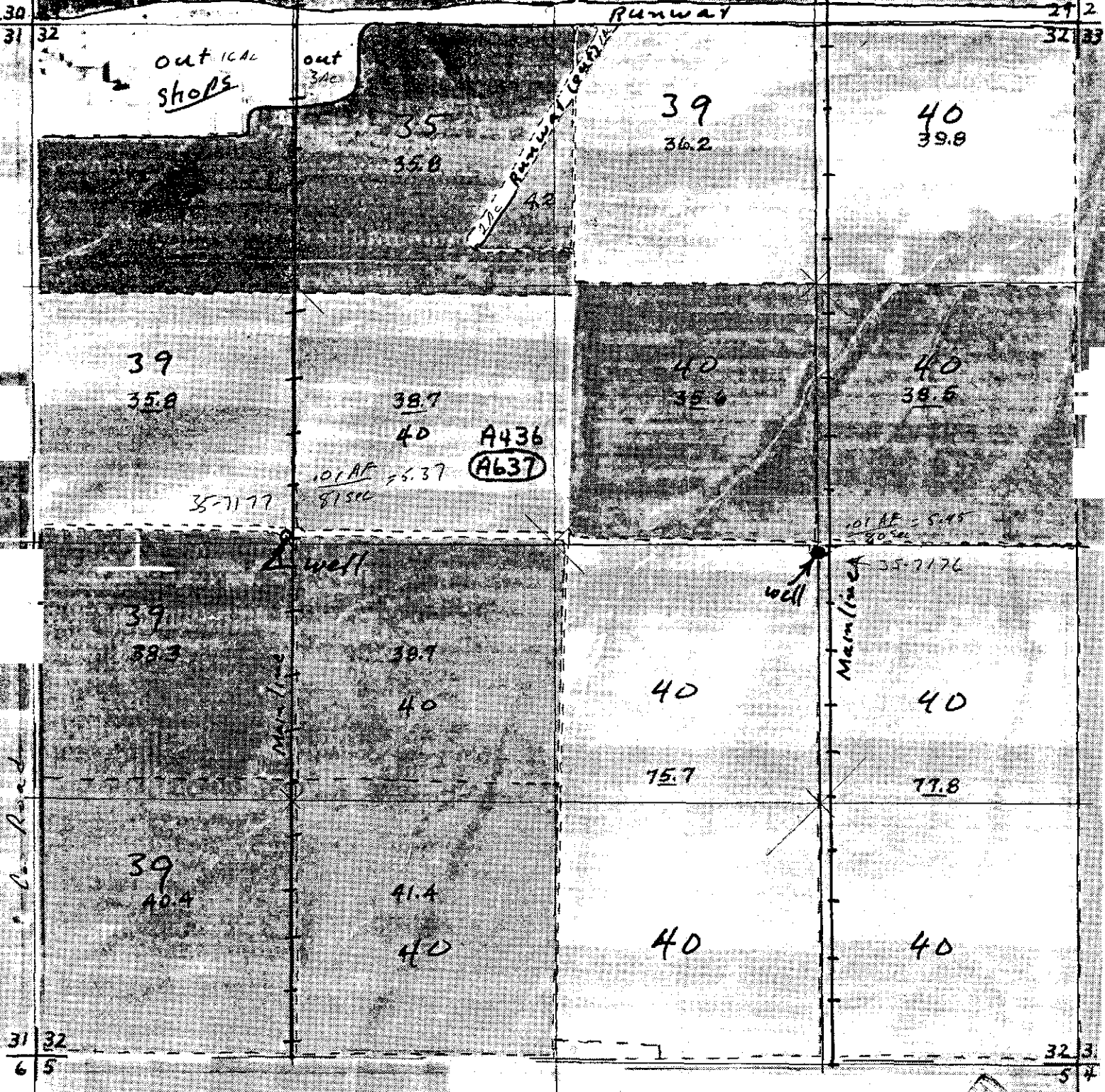
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TOTAL ACREAGE _____ **400**

[illegible]

Diagram of System





7.59 $\frac{in}{mile}$

LH 2/1/77

"NOT TO SCALE"

DATE OF EXAM 8-24-76

ACREAGE

Found 355
Recommended 355

Irrigation Requirement 305 Ac Ft/Ac

USE

Irrigation Q = 0.23 c.f.s. V = 83.5 AF/Ann. from May 1 to Oct 30
Domestic Q = 0.95 c.f.s. V = 344 AF/Ann. from to
Livestock Q = c.f.s. V = AF/Ann. from to

Is water co-mingled? yes no ✓

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

Exchange? yes no ✓

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

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

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

Total Q measured 5.45 CFS Method of measurement In-Line meter

Total Q recommended 0.23 c.f.s. Meter No. 76-10-2143 Type McClrometer Condition OK

Total V recommended 83.5 AF/Ann. (1242.5 when combined with 35-2600)

Recommended Amendments 344

P.D.
Place of Use
Other
None ✓

MEASUREMENT CALCULATION:

$$0.01 \text{ AF/sec} \times 80 \text{ sec} = \frac{435.6}{80} = 5.45 \text{ CFS}$$

$$5.45 \text{ CFS} - \text{Capacity This Exam. for } 320 \text{ sec} = 5.22 \text{ CFS}$$

$$5.22 \text{ CFS} - \text{Capacity Lic \# 35-2600} = 0.23 \text{ CFS}$$

$$0.23 \text{ CFS} \times 183 = 42.09 \text{ AF/Ann.}$$

$$0.95 \text{ CFS} \times 183 = 173.85 \text{ AF/Ann.}$$

$$42.09 + 173.85 = 215.94 \text{ AF/Ann.}$$

$$215.94 \times 3.5 = 755.79 \text{ AF/Ann.}$$

$$755.79 \div 2.3 = 328.6 \text{ AF/Ann.}$$

$$328.6 \times 1.05 = 344.03 \text{ AF/Ann.}$$

SYSTEM DESCRIPTION:

Pump: Johnston Set # JT1007
Motor: Westinghouse 250 HP 3710 384 PS 3260E Set # 2-5V 8131
Booster: 10 inch Goulds Pump Set # 3406 w/ Westinghouse 60 HP Motor.

REMARKS:

System & land shown by farm Manager.

* 0.23 allowable for land covered under both rights (this one & 35-2600)
also this one has 36 acres not covered under 35-2600 which could
be allowed 0.72 cfs, therefore $0.72 + 0.23 = 0.95$ as the total allowable.

Examiner's Signature Loren C. Halber Date Feb 7, 77 jo 3/7/79

Checked by Anthony R. Kozlowski Date 2/9/77

Approved by Date

September 9, 1976

Re: Permit No's. 35-7177 & 35-7176

Brownings, Inc.
Box 497
Idaho Falls, Idaho 83401

Gentlemen:

We acknowledge receipt of the affidavits submitted as proofs of beneficial use for the above referenced permits. Enclosed are two Orders of Reinstatement; please note that the priorities have been advanced to July 10, 1971.

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

If you have any questions regarding these exams, please contact our Regional Office in Idaho Falls.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:JFR

Enclosures

RECEIVED

AUG 23 1976

Department of Water Resources
Eastern District Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Identification No. _____

Permit No. 35-7176

RECEIVED

AUG 26 1976

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Department of Water Resources

1. a) Name of Permit Holder Brownings, Inc.
b) Post Office Address P.O. Box 497, Idaho Falls, Idaho 83401
2. Permit Number 35-7176
3. Date of Priority that you are prepared to establish 6-21-71
4. a) Source from which water was appropriated Ground water
b) Location of the point of diversion: NW 1/4 SE 1/4, Section 32
Township 4 North, Range 37 E. Boise Meridian, Other points of diversion:
5. a) The amount of water and use to which the water has been applied:
Amount 2.22 cfs for Irrigation purposes from May 1 to Oct 30 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 2.22 cfs cfs and/or acre-feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: _____
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____
b) Describe the agreement or understanding by which you take water from the works: _____
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) A booster pump has been placed in the line from the well licensed as #G-25582/35-2416 for the purpose of taking water from the same well to irrigate more land. The booster pump has the following information stamped on it. (see attached)

	<u>GOULD-5449-6</u>	
	<u>3405 8 X 10.12</u>	
	<u>2500 HEAD 86</u>	<u>measuring</u>
	<u>10775 RPM</u>	<u>to 3,000</u>
	<u>Serial #209B529</u>	<u>at the</u>

b) Describe the type and size of measuring device which you have installed a device is a micrometer flow meter with a ca
gallons per minute which has been installed booster pump.
c) Give well driller's name and address and the date the well was completed: _____
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: _____

Examined 9-14-76 by mf

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

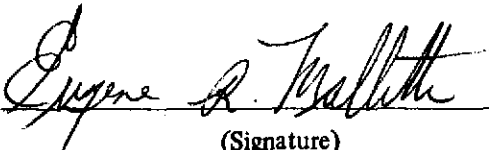
T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4N.	37	29															X	X	80
		32	X	X	X	X									X	X	X	X	320

Total number of acres irrigated 400

10. Remarks: The booster pump designed to increase the water supply in amounts sufficient to irrigate an additional 80 acres. However, the water is applied to the entire 400 acres and may be considered supplemental for the 320 acres already irrigated under the existing license.

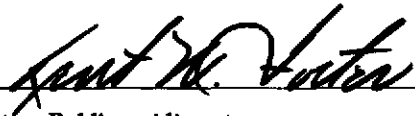
The above information is a true statement of the extent to which the above numbered permit has been developed.

August 20, 1976
(Date)


(Signature)

State of Idaho)
) ss.
County of Bonneville)

On this 20th day of August, 1976, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.


Notary Public residing at

My commission expires January 15, 1978



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

August 6, 1976

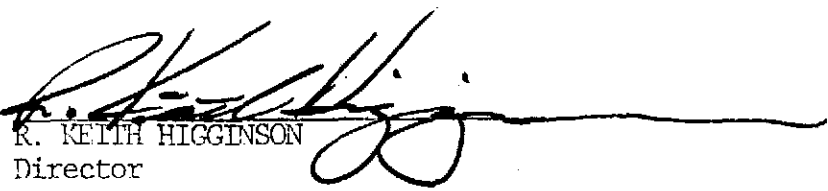
Re: Permit No's. 35-7176 and 35-7177

Brownings, Inc.
Roberts,
Idaho 83444

Gentlemen:

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, Permit No's. 35-7176 and 35-7177 have lapsed.

You are further advised that the Department cannot reinstate the permit except upon a showing of reasonable cause within 60 days from the date of the notice of lapsing.


R. KEITH HIGGINSON
Director

RKH:jfr

June 1, 1976

CERTIFIED MAIL

138648

Re: Permit No. 35-7176 & 35-7177

Brownings, Inc.
Roberts,
Idaho 83444

Gentlemen:

One of the conditions of approval of your water Permit No. 35-7176 & 35-7177 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before AUGUST 1, 1976. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

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

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

R. Keith Higginson

R. KEITH HIGGINSON
Director

RKH:jg
Enc: Proof affidavit (2)

August 25, 1971

Re: Permit No. 35-7176 - Brownings, Inc.

Brownings, Inc.
Roberts,
Idaho 83444

Gentlemen:

Enclosed is a copy of your approved Application for Permit No. 35-7176. We direct your attention to the conditions of approval as listed on the fourth page.

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

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:cr

Enclosures

cc: John Corless
Federal Land Bank Association
Box 30
Idaho Falls, Idaho

35-7176



R. Keith Higginson
Director

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

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

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

August 23, 1971

Re: Permit No. 11-7021 35-7176
17-7013 35-7177
29-7064 74-7013
33-7010

Norman C. Young
STATE OF IDAHO
DEPT. OF WATER ADMINISTRATION
240 South Holmes
Idaho Falls, Idaho 83401

Dear Norm:

Please find enclosed copies of the above referenced permits which have been approved by this office.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:CR

Enc: Copies

35-7176

July 28, 1971

Re: Application No. 35-7176 - Brownings, Inc.

" " 35-7177 - " "

Rigby Star
P.O. Box 37
Rigby, Idaho 83442

Gentlemen:

Would you please submit affidavits of publication and certified bills in connection with the above referenced applications. The legal notices were to have been published in your paper on July 8 and July 15, 1971.

Your cooperation in this matter is most appreciated.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR

35-7176

July 1, 1971

Re: Application No. 35-7176 - Brownings, Inc.
35-7177 - " "

The Rigby Star
P.O. Box 37
Rigby, Idaho 83442

Gentlemen:

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

After sending us a galley proof, proceed with the publication on the dates we have inserted assuming the notice is correct. If we have any corrections, we will notify you before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

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

(signature of claimant)

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:cr

Enclosures

*Bill submitted
8-4-71
de*

35-7176

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Brownings, Inc., Roberts, Idaho

has on June 18, 1971 submitted Application No. 35-7176

for a permit to appropriate 2.22 cubic feet per second ~~XXXXXXXXXXXXXXXXXXXX~~
of water from a ground water source

by means of well and pumps

within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, T. 4N, R. 37E, B.M., Jefferson County

to be used from May 1 to Oct. 30 for the irrigation of 400 acres

~~xxxxx~~

within the S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 29; NE $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 32, T. 4N, R. 37E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, on or before July 26, 1971.

R. KEITH HIGGINSON

Director

Published in the Rigby Star, Rigby, Idaho

on July 8 and July 15, 1971.

35-7176

June 22, 1971

Mr. John Corless
Federal Land Bank Association
Box 30
Idaho Falls, Idaho 83401

Dear Mr. Corless:

Please be advised that the Department has received two applications for ground water appropriation filed by Browning, Inc. The applications each provide for 2.22 cubic feet per second of water to benefit each additional 80 acres of ground.

Our processing time will require approximately six to eight weeks following which we will be able to make final analysis of these applications.

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

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:cr

35-7166

June 21, 1971

Holden, Holden, et al
Attorney at Law
P. O. Box 129
Idaho Falls, Idaho 83401

Gentlemen:

Returned herewith is your receipt No. 6682 in the amount of \$90.00
for your application for permit submitted in the name of Brownings, Inc.,
which was received in this office under the above date.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure

35-7176

WILLIAM S. HOLDEN
ROBERT B. HOLDEN
R. VERN KIDWELL
FRED J. HAHN
TERRY L. CRAPO
KENT W. FOSTER
ROBERT E. FARNAM

LAW OFFICES
HOLDEN, HOLDEN, KIDWELL, HAHN & CRAPO

IDAHO FIRST NATIONAL BANK BUILDING

P. O. BOX 129

IDAHO FALLS, IDAHO 83401

TELEPHONE 523-0620

AREA CODE 208

ARTHUR W. HOLDEN (1877-1967)

June 16, 1971

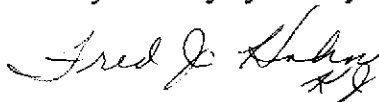
Mr. Donald W. McEldowney
Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

Re: Brownings, Inc. Permit No. G-28712 and G-25582

Dear Mr. McEldowney:

Enclosed is our check in the amount of \$90.00 covering
filing fees on the above captioned Permits.

Very truly yours,



Fred J. Hahn

kj
encl.

35-7176

June 15, 1971

Holden, Holden, Kidwell, Hahn & Crapo
Idaho First National Bank Building
P.O. Box 129
Idaho Falls, Idaho 83704

ATTN: Fred J. Hahn

Gentlemen:

We are returning your check in the amount of \$20 and enclosing a copy of our fee schedule effective May 20, 1971. To appropriate 2.22 cubic feet per second of water, the fee would be \$45 per application.

As soon as we receive the correct amount for these applications, we will continue with their processing. Your assistance in this matter is appreciated.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:cr

Enc: Check No. 92-42
Fee Schedule

35-7176

WILLIAM S. HOLDEN
ROBERT B. HOLDEN
R. VERN KIDWELL
FRED J. HAHN
TERRY L. CRAPO
KENT W. FOSTER
ROBERT E. FARNAM

LAW OFFICES
HOLDEN, HOLDEN, KIDWELL, HAHN & CRAPO

IDAHO FIRST NATIONAL BANK BUILDING

P. O. BOX 129

IDAHO FALLS, IDAHO 83401

TELEPHONE 523-0620
AREA CODE 208

ARTHUR W. HOLDEN (1877-1967)

Department of Water Administration

June 11, 1971

Mr. Donald W. McEldowney
Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

Re: Brownings, Inc.

Dear Don:

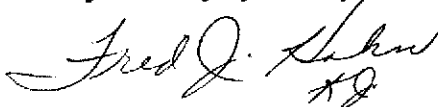
Confirming our phone conversation of this date we are enclosing two new filings, together with our check in the amount of \$20.00 covering filing fees. We would appreciate it if you would disregard and return to our office the Claim to a Water Right previously filed, together with the two Applications for Amendment.

It is our understanding that the permits previously issued on G-28712 and G-25582 established the priority date for the land list referenced in the respective Permits.

It is also our understanding that the water right for the land list on G-28712 on the additional eighty acres will have a priority date of 1971, assuming no objections and proper proof of completion. In the case of Permit G-25582, the land list together with the additional water will have a 1971 appropriation date upon final issuance of a Permit.

Again, I wish to thank you for your assistance in this matter and would further request that you contact Mr. John Corless of the Federal Land Bank in Idaho Falls, advising him of receipt and processing of the two new applications for Permit.

Very truly yours,



Fred J. Hahn

FJH:kj
encl.

35-7176