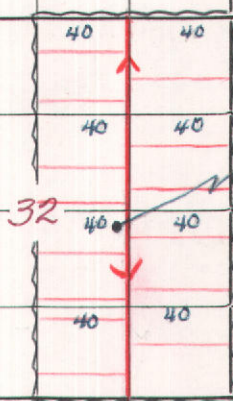


T.
4
N.

R+37E.

TO ROBERTS



80

80

80

~~80~~

320

Subdivisions

8

area

320 acres

Q 5.22 CFS OR 261 inches

**Affidavit of Publication
THE RIGBY STAR**

OCT 11 1962

Department of Reclamation

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

Four consecutive issues thereof; first publication having been made on the
20th day of September, 1962
and the last publication on the

11th day of October, 1962

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 11th

day of October, 1962
(SEAL)

R H Hanna
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 1965

NOTICE OF PROOF OF COMPLETION
OF WORKS and APPLICATION OF
WATER TO BENEFICIAL USE
Notice is hereby given that at 11:00
A.M., on the 7th day of November, 1962,
at Idaho Falls, County of Bonneville,
State of Idaho, before Robert W. S.
Clair, Notary Public, at the Hasbrouck
Building, Idaho Falls, Idaho, proof will be
submitted of the completion of works for
the diversion of 6.4 cubic feet per sec-
ond 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-28712, heretofore issued by the De-
partment of Reclamation of the State of
Idaho.
1. The name and postoffice address of
the person or corporation holding said
permit is J. Ed Browning and Son, Inc.,
of Idaho Falls, Idaho.
2. Said works of diversion will be fully
completed on the date set for such com-
pletion, and the amount of water which
said works are capable of conveying to
the place of use is 6.4 cubic feet per
second.
3. The use to which said water has been
applied is for irrigation purposes, and the
amount applied to beneficial use is 6.4
cubic feet per second.
4. The point of diversion of said wa-
ter is in the Northwest Quarter of the
Southeast Quarter, Section 32, Township
4 North, Range 37, East of the Boise Me-
ridian, in Jefferson County, Idaho.
5. The place where said water is used
is the Northeast Quarter and the South-
east Quarter, (NE¼) & (SE¼) of Sec-
tion Thirty-two (32), Township Four (4)
North, Range Thirty-seven (37), East of
the Boise Meridian, in Jefferson County,
Idaho.
6. The date of priority which said user
is prepared to establish is May 13, 1960.
GEO. N. CARTER,
State Reclamation Engineer
(Pub.: Sept. 20-27, Oct. 4-11, 1962)

28712

+ 7990
t

State of Idaho
License and Certificate of Water Right

Water License No. G-28712 Amount 5.22 c.f.s.
Water District No. Priority May 13, 1960

THIS IS TO CERTIFY that J. ED BROWNING and SON, Inc.
of Idaho Falls, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated May 13, 19 60 ; that Permit No. G-28712
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
5.22 second feet, was issued thereunder on September 14, 19 64, showing that said works
were completed on the 7th day of November, 19 62 ; and that on the 7th
day of November, 19 62 , J. ED BROWNING and SON, 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-28712 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 7990, on the 14 day of September, 19 64 ;
The right hereby confirmed dates from May 13, 19 60 ;
The Point of Diversion is located

in the NW ¼ SE ¼, Sec. 32, Tp. 4 N., R. 37 E., B. M. Jefferson 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 5.22 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
4 N.	37 E.	32	E ½	320	320

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
14th day of September, 19 64 .

/s/ RALPH W. THOMAS
Deputy State Reclamation Engineer.

(SEAL)

State of Idaho
License and Certificate of Water Right

Water License No. G-28009

Amount 4.40 c.f.s.

Water District No.

Priority April 15, 1959

THIS IS TO CERTIFY that TAMCO, INC. - Assignee - J. ED BROWNING & SON, Inc.
of Idaho Falls, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated April 15, 1959; that Permit No. G-28009
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
4.40 second feet, was issued thereunder on September 14, 1964, showing that said works
were completed on the 7th day of November, 1962; and that on the 7th
day of November, 1962, J. ED BROWNING & SON, 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-28009 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 7989, on the 14 day of September, 1964;
The right hereby confirmed dates from April 15, 1959;

The Point of Diversion is located
in the SE 1/4 NW 1/4, Sec. 34, Twp. 4 N., R. 37 E., B. M. Jefferson 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 4.40 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
4 N.	37 E.	34	N 1/2	320	320

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
14th day of September, 1964.

/s/ RALPH W. THOMAS
Deputy State Reclamation Engineer.

(SEAL)

4-28712
St. Clair, St. Clair, & Hansen
Att: Robert W. St. Clair
Box 29,
Idaho Falls, Idaho

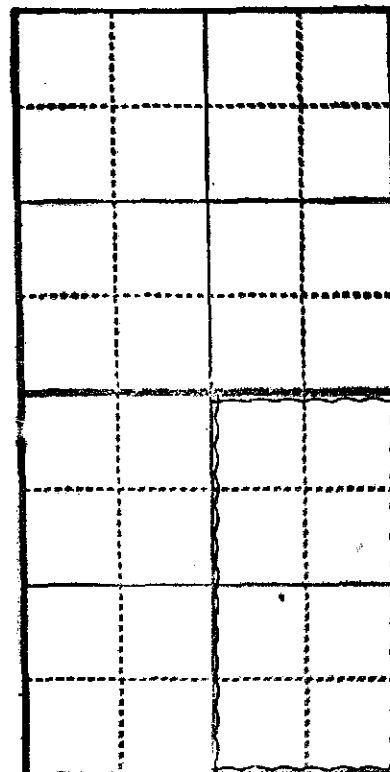
1976: John Hansen

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

35-2600

Application No. G- 36692
Permit No. G- 28712
District No.

1. Name of Applicant: J. Ed Browning and Son, Inc.
Postoffice address: Idaho Falls County: Bonneville State: Idaho
2. Quantity of water claimed: 320 miners inches
(a) Rate of withdrawal in cubic feet per second 6.4 or Idaho
Miners' inches or gallons per minute
(b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean flow from a well
4. Location of point of diversion or well is in the NW 1/4 of the SE 1/4 of Section 32
Twp. 4 N , Rge. 37 E , B.M., County of Jefferson
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: Turbine type pump, electric motor and sprinklers
8. Estimated cost of works: \$20,000
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: December 24, 1953, Idaho Falls, Idaho
(b) Amount of capital stock: \$250,000.00 (c) Amount paid in: \$80,000
(d) Names and addresses of directors: C. E. Browning, Idaho Falls, Idaho; J. E. Browning, Jr., Idaho Falls, Idaho; Delia M. Browning, Idaho Falls, Idaho; M. W. Browning, Idaho Falls, Idaho.
II. The financial resources of the applicant are (a) Cash onhand: \$ over 10,000 Idaho.
(b) Treasury stock: none (c) Bonds to be issued: none
(d) Other resources: Lands and farm machinery
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) 6.4 (cubic feet per second, inches or gallons per minute) is for new lands.



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

J. Ed Brow ning & Son, Inc.,

Applicant.

By s/ Robt. W. St. Clair

Agent.

Date of first receipt at Department of Reclamation: 10:30 A.M. May 13, 1960

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G— 28712

Recorded in Book 101 Page 28712 Approved May 17, 1960

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

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

Work to begin on or before _____ and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before November 17, 1962

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 May 17, 1965

Witness my hand this 17th day of May, 1960

s/ GEO. N. CARTER
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 17th
day of May, 19 60

Countersigned:

STATE OF IDAHO

(SEAL)

By s/ ARNOLD WILLIAMS

By s/ ROBERT E. SMYLLIE

Governor

12.

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals	
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄		
4 N	37 E	32	40	40	40	40										40	40	40	40	320
Permit No. G-28712 ✓ CERTIFICATE OF COMPLETION OF WORKS ✓																				
TO ALL WHOM IT MAY CONCERN:																				
This is to certify that J. ED BROWNING and SON, INC. of Idaho Falls, County of Bonneville, and State of Idaho, the holder of Permit No. G-28712, issued upon Application No. G-36692 bearing date of priority of May 13, 1960, authorizing the diversion of 6.4 second feet of waters of a well County of Jefferson, 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 5.22 second feet of the waters of a well from subterranean flow; that the point of diversion of said waters NW¹/₄SE¹/₄, Sec. 32, T. 4 N., R. 37 E., B.M. and that the lands propose to be irrigated by the use of said water are described as follows, to-wit: 320 acres in the E¹/₂, Sec. 32, T. 4 N., R. 37 E., B.M.																				
Witness my hand this 14th day of September, A. D. 1964. /s/ RALPH W. THOMAS Deputy State Reclamation Engineer																				
Proof of Completion of Works Made: November 7, 1962																				
5.22 SEC. FT.																				

September 14, 1964

RE: Permit Nos. G-28008, G-28009, G-28712, G-28720

J. Ed Browning & Son, Inc.
Box 781
Idaho Falls, Idaho

Gentlemen:

Enclosed are the Certificates of Completion of Works and
Licenses and Certificates of Water Right on the above
numbered permits.

Also enclosed is departmental receipt No. G-8882 in the
amount of \$80.00 covering the fees for the certificates.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

Enc. certificates 8
receipt

0 - June 20-62

State of Idaho
DEPARTMENT OF RECLAMATION

Boise, Idaho

July 16, 1963

Re: Permit No. G-28712

C. E. Browning, President
J. Ed Browning & Son, Inc.
Box 871
Idaho Falls, Idaho

Dear Mr. Browning:

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-28712 shows the well is (are) capable of conveying 261 miner's inches, or 5.22 c.f.s. of water for the irrigation of 320 acres.

Upon receipt of the statutory fees, totaling \$ 21.00 , which consists of a Completion of Works fee of \$5.00 and License and Certificate of Water Right fee of \$ 16.00 - 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 May 13, 1960 to the use of 5.22 second feet of subterranean water with the point of diversion in the NW 1/4, Sec. 32 for irrigation of 320 acres in the E2, Sec. 32, T. 4 N., R. 37 E., B.M.

Very truly yours,

CARL E. TAPPAN
Acting State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:nt

28712
RT

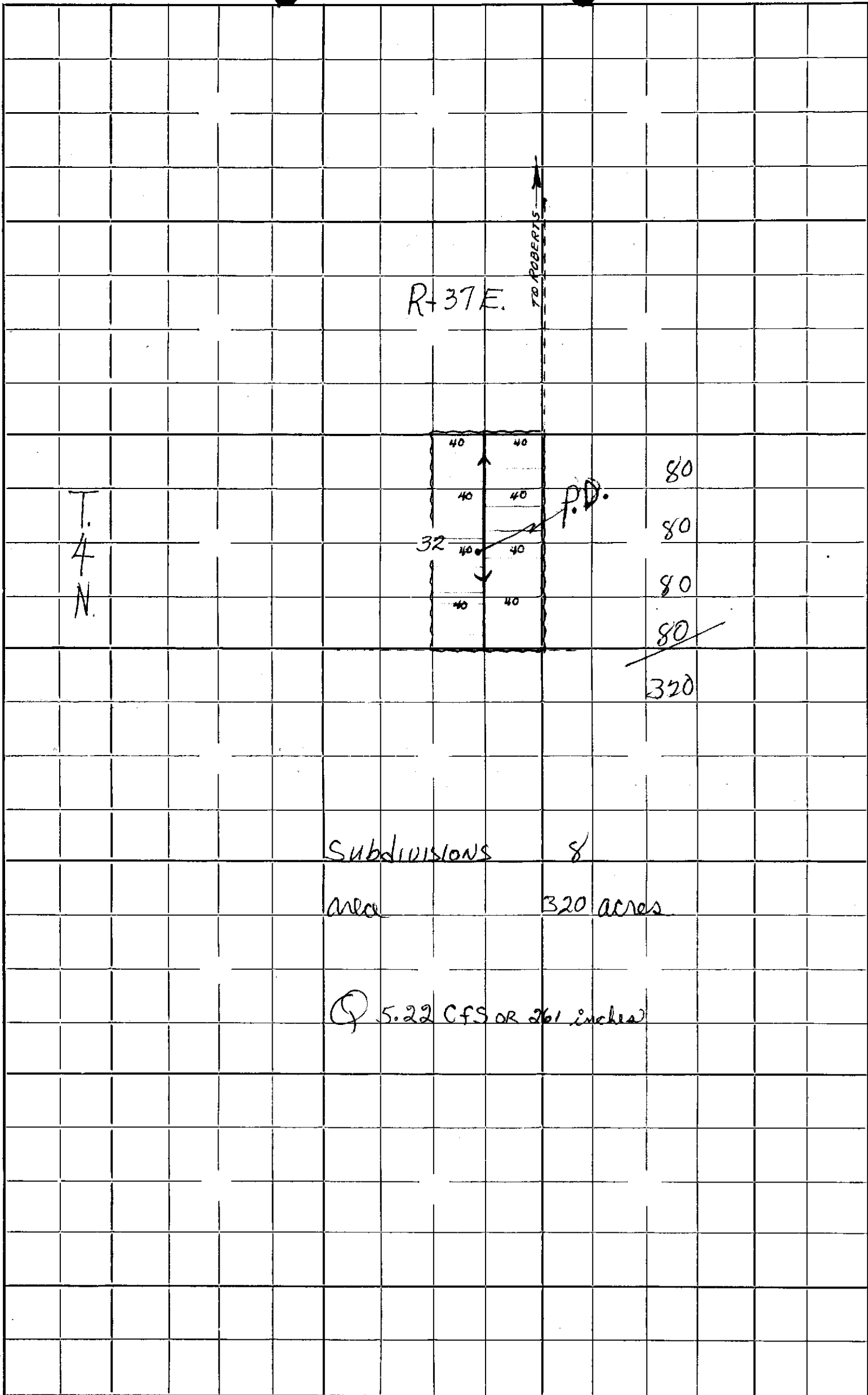
STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-28712

REPORT ON PROOF OF Completion of Works & Beneficial Use

C. E. Browning, President, J. Ed. Browning & Son, Inc.,
P. O. Box 871, Idaho Falls, Idaho



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

Permit No. G-28712

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

1. Name of applicant J. Ed. Browning & Son, Inc.,
2. Source of water supply: Subterranean
3. Location of point of diversion: Is in the NW 1/4 SE 1/4 of Section 32
T. 4 N R. 37 E.B.M. County of Jefferson

4. Describe works as they exist, giving dimensions and capacities of same: 250 HP. W. H.
Motor # 2-5V 8131 Johnson Pump # JT-1007 10" X ? Column
20" X 20' CASEING h: 290' D.D. none Well depth 400' 10" check
VALVE into 10" buried mainline
MAINLINE Reduces from 10" to 8" to 6"

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):

E 1/2 Sec. 32., Twp. 4 N., Rge. 37 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 J.E. JR. BROWNING (son) participated in examination

measurement was made by taking pressure readings
along each lateral 14 lines 762 nozzles size 5/8"

This examination was made on the 4th day of July, 1963

(Signed)

Ray Weber
Examiner.

28712

5
C. E. Browning, President, J. Ed. Browning & Son, Inc.,
3701 N. 1st St. P. O. Box 781, Idaho Falls, Idaho

Permit No. G-28712

Examination for Completion of Works & Beneficial Use

County Jefferson

Quantity: 6.4 cfs, Sec. 32 T. 4 N. R. 37 E. B. M.

Source: Well

P. D.: NW. 5E, Sec. 32, T. 4N. - R. 37E. B. M.

Use: Irrigation

Filed: May 13, 1965

Due: May 17, 1965

Extension: ✓

Protest: ✓

Completion of Works: ✓

Other Rights: None

William Howard Anderson

INSTRUCTIONS TO EXAMINERS

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

RECEIVED
JUL 15 1965

Department of Reclamation

1M April 1962

November 9, 1962

Re: Permit No.

S. C-26008, C-26009
C-26712 & C-26720

C. E. Browning, President
J. Ed. Browning & Son, Inc.,
P. O. Box 781
Idaho Falls, Idaho

Dear Mr. Brownings:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the Idaho Star, all submitted in proof of completion of works and beneficial use on Permit No. S. C-26008, C-26009, C-26712 & C-26720.

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:

28712

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G-28712

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. C. E. Browning of Idaho Falls, Idaho. Farming. Post office address: Box 781, 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. J. Ed Browning & Son, Inc., an Idaho corporation. Principal

Ans. place of business: Idaho Falls, Idaho. Deponent is President and a director of corporation and is authorized by its Board of Directors to appear in its behalf.

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

Ans. G-28712. Date of permit: May 17, 1960. Date of priority: May 13, 1960.

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

Ans. Subterranean flow from well. Diversion point is in NW $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec. 32,

Tp. 4 N, R 37, E.B.M., in Jefferson County, Idaho.

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. Works of diversion consist of 250

Ans. h.p. electric pump, attached to 290' of 12" column pipe and having 12" discharge into steel mainline pipe; 14 quarter mile strings of aluminum lateral pipe, having 448 sprinklers with 5/32 nozzle, 35# pressure, connect up to the mainline. Well is 370' deep and water depth is about 260' from pump. Works capable of conveying at least 320" of water from diversion point to places of use. Discharge of pump measured by Ames Irrigation Co. personnel on basis of gallons of water per minute.

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. Used for irrigation on corporation's lands

Ans. in NE $\frac{1}{4}$ NE $\frac{1}{4}$ - 40 acres, NW $\frac{1}{4}$ NE $\frac{1}{4}$ - 40 acres, SW $\frac{1}{4}$ NE $\frac{1}{4}$ - 40 acres, SE $\frac{1}{4}$ NE $\frac{1}{4}$ - 40 acres, NE $\frac{1}{4}$ SE $\frac{1}{4}$ - 40 acres, NW $\frac{1}{4}$ SE $\frac{1}{4}$ - 40 acres, SW $\frac{1}{4}$ SE $\frac{1}{4}$ - 40 acres, SE $\frac{1}{4}$ SE $\frac{1}{4}$ - 40 acres, all in Sec. 32, Tp. 4 N, R 37, E.B.M., in Jefferson County, Idaho, totaling 320 acres. They are all cultivated lands, and use of this water has increased and promoted cultivability and productivity of these lands which were originally dry lands. Also, there was a potato cellar constructed on these lands.

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

Ans. Cope Well Drilling Co., Idaho Falls, Idaho.

See letter of C. E. Browning in G-28720

28712

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

Ans. Water used only for irrigation purposes.

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

Ans. 6.4 second feet of water.

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. Corporation is original permittee.

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used. In March of 1962 these works diverted at least 320" of

Ans. water to the lands covered by the above-mentioned permit and these lands

were irrigated by means of such works during the irrigation season of 1962.

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)

C. E. Browning

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 Idaho Falls, County of Bonneville, State of Idaho, on this 7th day of November, A. D. 1962.

[Signature]
Notary Public for Idaho
Residing at Idaho Falls, Idaho

My commission expires November 1, 1965

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G-28712

Proof of Application of Water to Beneficial Use
Deposition of Witness

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

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

Ans. Anton Brinkman, Age 53 years, 374 - 12th Street, Idaho Falls, Idaho.

Farming. Postoffice address: 374 - 12th Street, Idaho Falls, Idaho.

Ques. 2. Are you acquainted with J. Ed Browning & Son, Inc., the holder of Permit No. G-28712? How long have you known him and where does he reside?

Ans. Yes, I have known that corporation for about 10 years. The registered office of that corporation is Idaho Falls, Idaho.

Ques. 3. Have you read or heard read said Permit No. G-28712, 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. Subterranean flow from well. Diversion point is in NW $\frac{1}{4}$ or SE $\frac{1}{4}$ of Sec. 32, Tp. 4 N, R 37 E, B.M. in Jefferson County, Idaho. Works for conveying said water consist of 250 h.p. electric centrifugal pump attached to some 290' of 12" column in the well. Well is approximately 370' deep. The water emerges through a 12" discharge valve into steel mainline pipe and thence is conveyed to the lands by means of some 14 strings of aluminum lateral pipe equipped with 448 sprinklers with 5/32 nozzles and having some 35# pressure. The depth of the water from the pump is about 260'.

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. 6.4 second feet. I have observed 14 strings of quarter mile laterals fully operating from such works at what I would judge to be approximately 35# pressure.

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?

I have observed that the pump delivers at least 320" of water per minute
Ans. and it seemed to amply take care of the irrigation of all of the 320 acres covered by the permit during the irrigation season of 1962.

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. Used for irrigation purposes on the corporation's lands in NE $\frac{1}{4}$ NE $\frac{1}{4}$ - 40 acres, NW $\frac{1}{4}$ NE $\frac{1}{4}$ - 40 acres, SW $\frac{1}{4}$ NE $\frac{1}{4}$ - 40 acres, SE $\frac{1}{4}$ NE $\frac{1}{4}$ - 40 acres, NE $\frac{1}{4}$ SE $\frac{1}{4}$ - 40 acres, NW $\frac{1}{4}$ SE $\frac{1}{4}$ - 40 acres, SW $\frac{1}{4}$ SE $\frac{1}{4}$ - 40 acres, and SE $\frac{1}{4}$ SE $\frac{1}{4}$ - 40 acres, all in Sec. 32, Tp. 4 N, R 37, E.B.M. in Jefferson County, Idaho, totaling 320 acres. These lands so watered are all cultivated lands and the use of this water has increased and promoted their productivity. There is also a newly constructed potato cellar on these lands.

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

Ans. Water used only for irrigation purposes.

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.

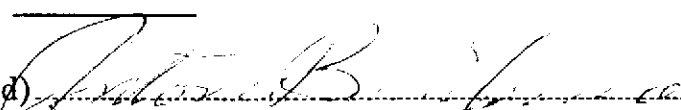
Ans. Cultivated lands reclaimed from dry lands totaling 320 acres and I estimate it will require about 320" of water for its profitable cultivation.

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

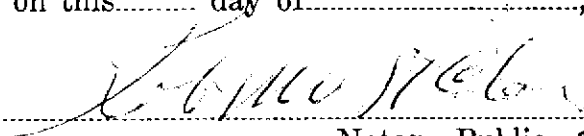
Ans. No

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

Ans. During the crop season of 1962 I have witnessed at least 320" of this water beneficially used on the lands covered by this permit.

(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 Idaho Falls, County of Bonneville, State of Idaho, on this 7th day of November, A. D. 1962.


Notary Public. for Idaho.

Residing at Idaho Falls, Idaho

My commission expires November 1, 1965

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G-28712

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

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

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

Ans. Dale Dockstader, Age 41 years, 1260 Ada Avenue, Idaho Falls, Idaho. Electrical contractor and farming. Postoffice address: 1260 Ada Avenue, Idaho Falls, Idaho.

Ques. 2. Are you acquainted with J. Ed Browning & Son, Inc., the holder of Permit No. G-28712? How long have you known him and where does he reside?

Ans. Yes, I have known that corporation for about 8 years. The registered office of that corporation is Idaho Falls, Idaho.

Ques. 3. Have you read or heard read said Permit No. G-28712, 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. Subterranean flow from well. Diversion point is in NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 32, Tp. 4 N, R 37, E.B.M., in Jefferson County, Idaho. Works for conveying said water consist of 250 h.p. electric centrifugal pump attached to some 290' of 12" column in the well. Well is approximately 370' deep. The water emerges through a 12" discharge valve into steel mainline pipe and thence is conveyed to the lands by means of some 14 strings of aluminum lateral pipe equipped with 448 sprinklers with 5/32 nozzles and having some 35# pressure. The depth of the water from the pump is about 260'.

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. 6.4 second feet. I have observed 14 strings of quarter mile laterals fully operating from such works at what I would judge to be approximately 35# pressure.

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?

It looked to me like more than 320" of water was diverted by the works.

Ans. I have observed that the pump delivers at least 320" of water per minute and it seemed to amply take care of the irrigation of all of the 320 acres covered by the permit during the irrigation season of 1962.

the corporation's lands in NE $\frac{1}{4}$ NE $\frac{1}{4}$ - 40 acres, NW $\frac{1}{4}$ NE $\frac{1}{4}$ - 40 acres, SW $\frac{1}{4}$ NE $\frac{1}{4}$ - 40 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$ - 40 acres, NE $\frac{1}{4}$ SE $\frac{1}{4}$ - 40 acres, NW $\frac{1}{4}$ SE $\frac{1}{4}$ - 40 acres, SW $\frac{1}{4}$ SE $\frac{1}{4}$ - 40 acres, SE $\frac{1}{4}$ SE $\frac{1}{4}$ - 40 acres, all in Sec. 32, Tp. 4 N., R. 37, E. B. M., in Jefferson County, Idaho, totaling 320 acres. These lands so watered are all cultivated lands and the use of this water has increased and promoted their productivity. There is also a newly constructed potato cellar on these lands.

Ans. Water used only for irrigation purposes.

Ans. Cultivated lands reclaimed from dry lands totaling 320 acres and I estimate
it will require about 320" of water for its profitable cultivation.

Ans. No

Ans. During the crop season of 1962 I have witnessed at least 320" of this
water beneficially used on the lands covered by this permit.

(Signed) J. A. H. [illegible]

A. D. 19 62

Notary Public for Idaho
Residing at Idaho Falls, Idaho.

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

Four consecutive issues thereof; first publication having been made on the

_____ *20th* day of *September*, 19*62*

and the last publication on the

_____ *11th* day of *October*, 19*62*

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 *11th*

day of *October*, 19*62*

(SEAL)

R. H. Hammer

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 1965

NOTICE OF PROOF OF COMPLETION OF WORKS and APPLICATION OF WATER TO BENEFICIAL USE
Notice is hereby given that at 11:00 A.M., on the 7th day of November, 1962, at Idaho Falls, County of Bonneville, State of Idaho, before Robert W. St. Clair, Notary Public, at the Hasbrouck Building, Idaho Falls, Idaho, proof will be submitted of the completion of works for the diversion of 6.4 cubic feet per second of underground water from a well, of said water, in accordance with the terms and conditions of Permit No. G-28712, 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 J. Ed Browning and Son, Inc., of 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 6.4 cubic feet per second.
3. The use to which said water has been applied is for irrigation purposes, and the amount applied to beneficial use is 6.4 cubic feet per second.
4. The point of diversion is at the mouth of the Snake River, in the Northwest Quarter of the Southeast Quarter of Township Four (4) North, Range 37, East of the Boise Meridian, in Jefferson County, Idaho.
5. The place where said water is used is the Northeast Quarter and the Southeast Quarter, (NE $\frac{1}{4}$) & (SE $\frac{1}{4}$) of Section Thirty-two (32), Township Four (4) North, Range Thirty-seven (37), East of the Boise Meridian, in Jefferson County, Idaho.
6. The date of priority which said user is prepared to establish is May 13, 1960.

GEO. N. CARTER,
State Reclamation Engineer
(Pub.: Sept. 20-27, Oct. 4-11, 1962)

28712

September 18, 1962

Re: Permit Nos. G-28009; G-28008
G-28712; G-28720

St. Clair, St. Clair & Hansen
Hastrowck Building
Idaho Falls, Idaho

Attn: Robert W. St. Clair

Dear Mr. St. Clair:

The notices for publication on the above numbered permits were mailed to the High Star, as per your instructions.

We are returning your check in the amount of \$20.00 however, as fees are not paid until after advertising has been finished, the proofs are in, and our engineer has made an inspection. At that time you are notified of the amount of fees for the certificates of water right.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew
Enc. check \$20.00

28712

RECEIVED
SEP 17 1962
DEPARTMENT OF RECLAMATION

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) September 14, 1962

(P. O.) Idaho 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~~

The Rigby Star

of Rigby, Idaho

published in

the county in which the works are situated.

J. ED BROWNING & SON, INC., a corporation

By

Robert M. McLean
Its 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.

RECEIVED
SEP 17 1962

NOTICE OF PROOF OF COMPLETION OF WORKS
and

APPLICATION OF WATER TO BENEFICIAL USE Department of Reclamation

Notice is hereby given that at 11:00 A M., on the 7th day of November, 1962, at Idaho Falls, County of Bonneville, State of Idaho, before Robert W. St. Clair, Notary Public, at ~~(address)~~ the Hasbrouck Building, Idaho Falls, Idaho, proof will be submitted of the completion of works for the diversion of 6.4 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-28712, 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 J. Ed Browning & Son, Inc., a corporation, of 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 6.4 cubic feet per second.

3. The use to which said water has been applied is for irrigation purposes, and the amount applied to beneficial use is 6.4 cubic feet per second.

4. The point of diversion of said water is ⁱⁿ the Northwest Quarter of the Southeast Quarter, Section 32, Township 4 North, Range 37, East of the Boise Meridian, in Jefferson County, Idaho.

5. The place where said water is used is the Northwest Quarter and the Southeast Quarter, (NW $\frac{1}{4}$) & (SE $\frac{1}{4}$) of Section Thirty-two (32), Township Four (4) North, Range Thirty-seven (37), East of the Boise Meridian, in Jefferson County, Idaho.

6. The date of priority which said user is prepared to establish is ¹⁵ May 17, 1960.

Geo. H. Carter

State Reclamation Engineer

1200
6-28-61

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

Re: Permit No. G-28712
J. Ed Browning & Son, Inc.

Date: September 17, 1962

The Rigby Star,
Rigby, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to **November 7, 1962** the date set for proof; the expense of the publication is to be paid by the applicant's attorney

Robert W. St. Clair of **Hasbrouck Bldg., 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
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.

28712

September 17, 1972

Re: Permit No. G-28712
J. Ed Browning & Son, Inc.,

Mr. Robert W. St. Clair,
Attorney at Law,
Hastbrouck Bldg.,
Idaho Falls, Idaho.

Dear Mr. St. Clair:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. G-28712, in the name of J. Ed Browning & Son, Inc.,. Final Proof is to be made before you, as Notary on the 7th day of November, 1962, at 11:00 o'clock A.M., at Hastbrouck Bldg., Idaho Falls, Idaho.

As of this date we have mailed the Notice to the Rigby Star Rigby, Idaho, 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. Rule
Chief Clerk

EPR:pmk
Enc.
cc: Applicant

28712

ST. CLAIR, ST. CLAIR & HANSEN
LAWYERS
HASBROUCK BUILDING
IDAHO FALLS, IDAHO

CLENCY ST. CLAIR (1871-1957)
ROBERT W. ST. CLAIR
GILBERT C. ST. CLAIR
ORVAL HANSEN
JOHN D. HANSEN

September 14, 1962

TELEPHONE
JACKSON 2-2350

RECEIVED
SEP 17 1962

DEPARTMENT OF RECLAMATION

State Reclamation Engineer
Department of Reclamation
State of Idaho
Boise, Idaho

Dear Sir:

We are herewith enclosing Notice of Proof of Completion of Works and Application of Water to Beneficial Use, in duplicate, for each permit Nos. G-28009, G-28008, G-28712 and G-28720, each of said notices to be published in The Rigby Star, a weekly newspaper at Rigby, Idaho, in time to permit the proof to be made on November 7, 1962 before me, as Notary Public, at Idaho Falls, Idaho, in accordance with the provisions of each notice. Also enclosed please find letter, form No. 11, for each permit, authorizing the publication of each permit.

Also enclosed please find our check for \$20.00 to cover the \$5.00 fee of your office in connection with these permits.

I will very much appreciate acknowledgment of this letter, advising that you are going ahead with these publications.

Thanking you for your kind consideration, I am

Very truly yours,

ST. CLAIR, ST. CLAIR & HANSEN

Robert W. St. Clair

RWS:mg

Enclosures: as noted

Rigby Star

28712

May 26, 1960

Re: Permit No. G-28712
Permit No. G-28720
J. Ed Browning & Son, Inc.

St. Clair, St. Clair & Hansen,
Box 29,
Idaho Falls, Idaho.

Attention: Robert W. St. Clair

Gentlemen:

We enclose the above numbered permits 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-4827 which was issued covering payment in the amount of \$12.50 for the filing fee of the above mentioned permits.

Very truly yours,

GEO. W. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

Encl.
EPR:pmk
cc: J. Ed Browning & Son, Inc.
Idaho Falls, Idaho

28712

NAME OF APPLICANT J. Ed. Downing and Son, Inc.

Form No. 0

Page 37 E.B.M.

40 | 40

40 | 40

32

$$\begin{array}{r} 40^{\circ} \\ 40 \end{array}$$

40 : 40

Permit Map No. 28712

As Approved

GEO. N. CARTER

Reclamation Engineer

MAY 17 1960

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

28712

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

Notice is hereby given that at 11:00 A.M., on the 7th day of November, 1962, at Idaho Falls, County of Bonneville, State of Idaho, before Robert W. S. Clair, Notary Public, at the Hasbrouck Building, Idaho Falls, Idaho, proof will be submitted of the completion of works for the diversion of 6.4 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-28712 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 J. Ed Browning and Son, Inc., of 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 6.4 cubic feet per second.

3. The use to which said water has been applied is for irrigation purposes, and the amount applied to beneficial use is 6.4 cubic feet per second.

4. The point of diversion of said water is in the Northwest Quarter of the Southeast Quarter, Section 32, Township 4 North, Range 37, East of the Boise Meridian, in Jefferson County, Idaho.

5. The place where said water is used is the Northeast Quarter and the Southeast Quarter, (NE $\frac{1}{4}$) & (SE $\frac{1}{4}$) of Section Thirty-two (32), Township Four (4) North, Range Thirty-seven (37), East of the Boise Meridian, in Jefferson County, Idaho.

6. The date of priority which said user is prepared to establish is May 13, 1960.
GEO. N. CARTER, 28712
State Reclamation Engineer
(Pub.: Sept. 20-27, Oct. 4-11, 1962)