

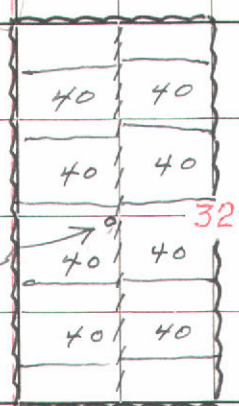
TO ROBERTS

R-37E.

30

T.
4
N.

P.D.



Subdivisions = Eight

Area = 320 acres.

Q = 200 inches

Affidavit of Publication
THE RIGBY STAR

RECEIVED
AUG 30 1956
Department of Reclamation

STATE OF IDAHO,
County of Jefferson ss.

Hope B Jones
I, R. I. 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

2nd day of August, 1956

and last publication on the

23rd day of August, 1956

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 August, 1956

(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 17, 1957

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

Notice is hereby given that at 2:00 p. m., on the 31st day of August, 1956, at Room 212, Rogers Bldg., Idaho Falls, County of Bonneville, State of Idaho, before W. J. Anderson, a Notary Public, proof will be submitted of the completion of works for the diversion of 9.6 cubic feet per second of the waters of subterranean flow from a well, located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 32, Twp. 4 North, Rge. 37 E. B.M. and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G25582 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Charles E. Browning, Park Ave. & D St., 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, in accordance with the plans accompanying the application for such permit, is 9.6 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 6.4 cubic feet per second.

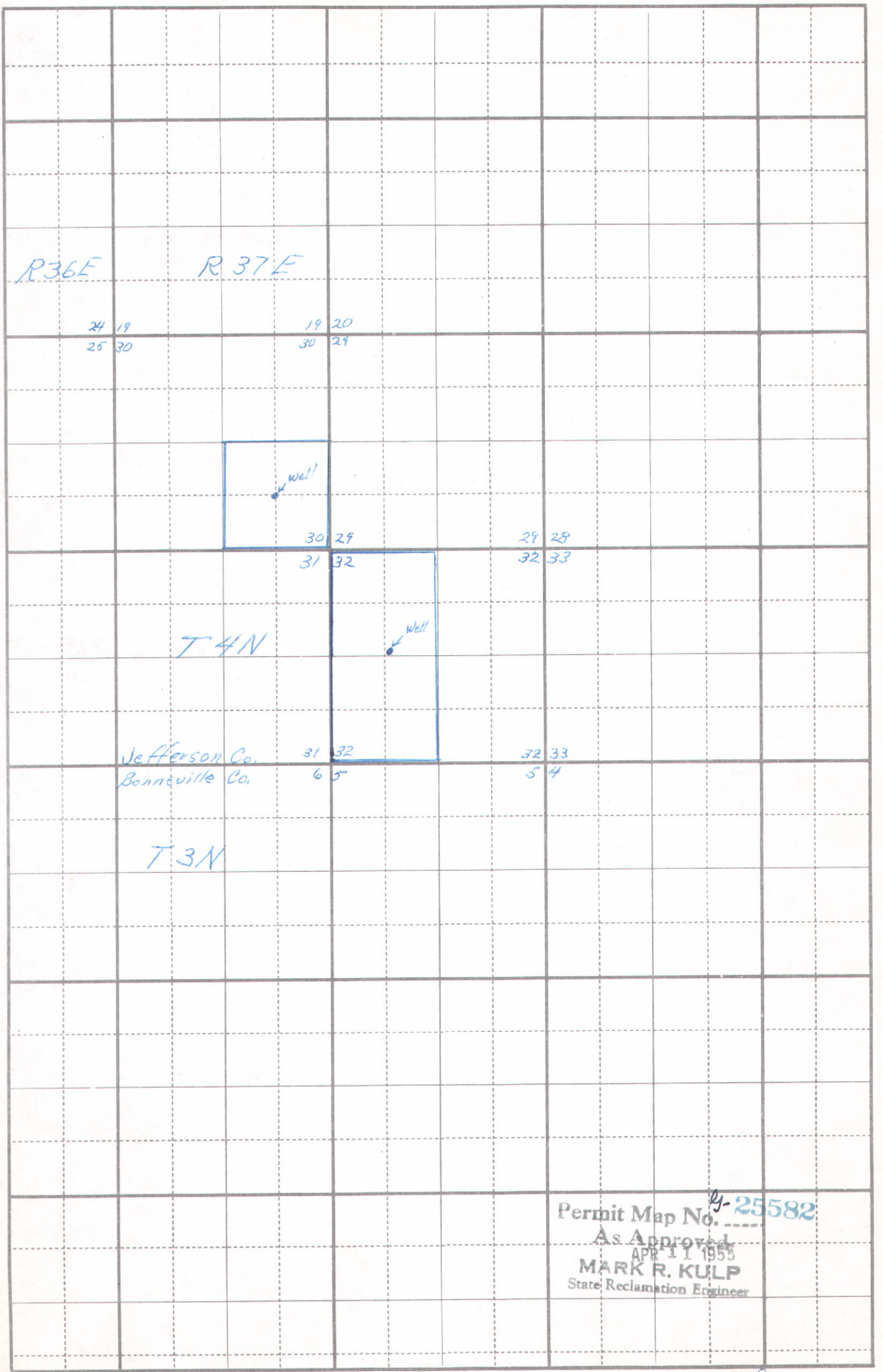
4. The place where said water is used is Northwest Quarter (NW $\frac{1}{4}$) and Southwest Quarter (SW $\frac{1}{4}$) of Section 32, Township 4 North, Range 37 E.B.M.

5. The date of priority which said user is prepared to establish is April 7, 1955.

MARK R. KULP,

State Reclamation Engineer.
(Pub. Aug. 2-9-16-23, 1956)

G25582



State of Idaho
License and Certificate of Water Right

Water License No. G-25582 Amount 4.0 c.f.s.
Water District No. Priority April 7, 1955

THIS IS TO CERTIFY that CHARLES E. BROWNING
of Idaho Falls, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated April 7, 1955; that Permit No. G-25582
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
4.0 second feet, was issued thereunder on July 10, 1957, showing that said works
were completed on the 31st day of August, 1956; and that on the 31st
day of August, 1956, CHARLES E. BROWNING

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-25582 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
10 of Licenses at page 6030, on the 10th day of July, 1957;
The right hereby confirmed dates from April 7, 1955;

The Point of Diversion is located
Center of $W\frac{1}{2}$
in the $\frac{1}{4}$, Sec. 32, Tp. 4 N, R. 37 E., B. M. County Jefferson

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 4.0 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	NE $\frac{1}{4}$ NW $\frac{1}{4}$	40	40
			NW $\frac{1}{4}$ NW $\frac{1}{4}$	40	40
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	40	40
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	40	40
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	40	40
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	40	40
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	40	40
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	40	40
			Total number of acres irrigated - -	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
10th day of July, 1957.

/s/ Mark R. Kulp
State Reclamation Engineer.

(SEAL)

State of Idaho
License and Certificate of Water Right

Water License No. G-23001 Amount 4.32 c.f.s.
Water District No. _____ Priority August 19, 1952

THIS IS TO CERTIFY that (ROBERT M. YELLAND, Jr., Assignee)- Helen L. Marshall
of Twin Falls, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated August 19, 19 52 ; that Permit No. G-23001
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
4.32 second feet, was issued thereunder on July 8, 19 57, showing that said works
were completed on the 27th day of April, 19 57 ; and that on the 27th
day of April, 19 57, ROBERT M. YELLAND

of Blackfoot, 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
subterranean, ~~tributary~~ flow, for the purpose of Irrigation
, under Use Permit No. G-23001 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
10 of Licenses at page 6029, on the 8th day of July, 19 57 ;
The right hereby confirmed dates from August 19, 19 52 ;

The Point of Diversion is located
in the SE 1/4 SW 1/4, Sec. 36, Tp. 1 S, R. 33 E, B. M. County Bingham
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 4.32 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
1 S	33 E	36	NE 1/4 SE 1/4	40	40
			NW 1/4 SE 1/4	40	40
			SW 1/4 SE 1/4	40	40
			SE 1/4 SE 1/4	40	40
			NE 1/4 SW 1/4	40	40
			NW 1/4 SW 1/4	40	40
			SW 1/4 SW 1/4	40	40
			SE 1/4 SW 1/4	40	40
			Total number of acres irrigated	- - - -	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
8th day of July, 1957 .

/s/ Mark R. Kulp
State Reclamation Engineer.

(SEAL)

Remarks:

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.

C. E. BROWNING

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 1:15 P.M. April 7, 1955

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G-25582

Recorded in Book 90 Page 25582 Approved April 11, 1955

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 June 11, 1955 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 October 11, 1957

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before April 11, 1960

Witness my hand this 11th day of April, 1955

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLLIE, Governor of the State of Idaho, and IRA H. MASTERS, 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 11th day of April, 1955.

Countersigned:

STATE OF IDAHO

(SEAL)

By IRA H. MASTERS

Secretary of State.

By 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
4 N	37 E	30													40	40	40	40	160
Total Number of Acres to be Irrigated																			480
Permit No. G-25582																			
CERTIFICATE OF COMPLETION OF WORKS																			
TO ALL WHOM IT MAY CONCERN:																			
This is to certify that CHARLES E. BROWNING of Idaho Falls, County of Bonneville, and State of Idaho, the holder of Permit No. G-25582, issued upon application No. G-33444 bearing date of priority of April 7, 1955, authorizing the diversion of 9.6 second feet of the waters of subterranean flow from two wells, 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 4.0 second feet of the waters of subterranean flow from one well that the point of diversion of said waters - in the center of the W 1/2 of Section 32, Township 4 North, Range 37 East, B.M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 320 acres in the W 1/2 of Section 32, Township 4 North, Range 37 East, B.M.																			
Proof of Completion of Works made: August 31, 1956.																			
Witness my hand this 10th day of July, A.D. 1957																			
Proof of Completion of Works made: August 31, 1956																			
Certificate of Completion of Works issued: July 10, 1957																			
/s/ Mark R. Kulp State Reclamation Engineer																			
LICENSE ISSUED FOR 40																			

35-2416

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 33444
Permit No. G- 25582
District No.

1. Name of Applicant: CHARLES E. BROWNING
Postoffice address: E. First St.
Idaho Falls, Idaho County: Bonneville State: Idaho
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second. 9.6 or Idaho
Miners' inches 480 or gallons per minute. 4320
 - (b) Annual withdrawal in acre feet per annum 1920
3. Source of water supply: 2 wells
4. Location of point of diversion or well is in the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 32
& Center SE $\frac{1}{4}$ Section 30
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 $\frac{1}{4}$ 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: 2 wells, pumps and sprinkler systems
8. Estimated cost of works: \$56,000.00
9. (a) Is reservoir to be used? no
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None
 - (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) (cubic feet per second, inches or gallons per minute) is for new lands.

June 28, 1971

Fred J. Hahn
Holden, Holden, Kidwell, Hahn & Crapo
P.O. Box 129
Idaho Falls, Idaho 83701

Dear Mr. Hahn:

Pursuant to your telephone request, we are returning application for amendment for Permit No. G-25582, G-28712, and Claim to a Water Right filed in connection with Permit No. G-25582.

If we can be of further assistance, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:cr

Enc: Amendments (2)
Claim to a Water Right

35 2411

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

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

ARTHUR W. HOLDEN (1877-1967)

June 8, 1971

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

Re: Brownings, Inc.

Dear Mr. McEldowney:

Enclosed is the Application for Amendment on Permit No. G-25582 and the Application for Amendment on Permit No. G-28712. We are also enclosing a Claim to a Water Right on Permit No. G-25582, which we would appreciate having you file in the above captioned matter.

Thank you for your assistance.

Very truly yours,



Fred J. Hahn

FJH:kj
encl.

35 257

APPLICATION FOR AMENDMENT

Brownings, Inc., (Formerly J. Ed Browning
and Son, Inc.) Permit No. G-28712
Roberts

Comes now _____ of (address) Roberts,
Idaho, and represents to the State Reclamation
 Engineer of the State of Idaho:

No. _____, and requests that the permit and permit map be changed as follows:

1. Point of diversion: $\frac{1}{4}$ $\frac{1}{4}$ Sec. J. _____
R. _____, B.M. Other points of diversion _____

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

mo. - day mo. - day

For _____ purposes from _____ to _____ (both dates incl.)

For _____ purposes from _____ to _____ (both dates incl.)

For _____ purposes from _____ to _____ (both dates incl.)

For _____ purposes from _____ to _____ (both dates incl.)

3. Place of use or land to be irrigated:

[illegible]

Total number of acres to be irrigated

400

[illegible]

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

J. E. Brumby Jr.
(signature)

I, _____, State Reclamation Engineer of the State of Idaho,
hereby _____

State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

APPLICATION FOR AMENDMENT

Brownings, Inc., formerly J. Ed Browning
 Comes now & Son, Inc. Permit No. G-25582
 of (address) Roberts
Idaho, and represents to the State Reclamation
 Engineer of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho
 No. _____, and requests that the permit and permit map be changed as follows:

1. Point of diversion: _____ 1/4 _____ 1/4, Sec. _____, T. _____,
 R. _____, B.M. Other points of diversion _____

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

mo. - day

mo. - day

For _____ purposes from _____ to _____ (both dates incl.)

For _____ purposes from _____ to _____ (both dates incl.)

For _____ purposes from _____ to _____ (both dates incl.)

For _____ purposes from _____ to _____ (both dates incl.)

3. Place of use or land to be irrigated:

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	
4N	37E	29															X	X	80
4 N	37E	32					X												
								X											
									X										
										X									
											X								
												X							
													X						
														X					
																			320

Total number of acres to be irrigated

400

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40 acre subdivisions, sections, townships, ranges, and ditches.

Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Idaho Falls, this 7th day of June, 19 71.

Charles E. Browning
(signature)

ACTION OF STATE RECLAMATION ENGINEER

I, _____, State Reclamation Engineer of the State of Idaho,
hereby _____

Witness my hand this _____ day of _____, 19 _____.

State Reclamation Engineer

Identification No. Permit No.
G-25582
Claim No. _____
Map No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
CLAIM TO A WATER RIGHT
Established by Diversion and Application to Beneficial Use

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

(Please refer to the instructions on the back of this form)

1. Name of claimant Brownings, Inc. (Formerly J. Ed Browning & Son, Inc.)
post office address Roberts, Idaho
2. The point of diversion is in _____ 1/4 of _____ 1/4 Section _____ Township _____
Range _____ B.M. located on _____
(name of source)
tributary to _____ in _____ County.
3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.
 - a. Date of priority claimed: July 10, 1957 amount: 5.22 c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
Total claimed _____ c.f.s. or _____ acre feet.
 - b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:
use Irrigation period of use from May 1 to October 30 (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive).
4. Description of diverting works:
 - a. Surface water diversion dam and/or headgate: material is composed of _____
_____ length is _____ feet; height is _____ feet;
width at bottom is _____ feet; with at top is _____ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known _____

 - b. Underground water diverting works: is well flowing or pumped Pumped; depth of well is 260 feet; diameter of well is 20 inches; type of pump is Fairbanks Moore
capacity of pump is _____ g.p.m.; name and address of well driller is Andrew Well Drilling
East 17th Street, Idaho Falls, Idaho

attach well logs if available; has there been any change in pump or motor since well was first completed _____; if so, give dates and explain 1963 Added 50 H.P. Booster Pump
and have continuously operated the pump and booster pump since
said date.

- c. Conveying works: length of ditch to place of use is _____ feet; width of ditch at top is _____ feet; width of bottom of ditch is _____ feet; depth of water is _____ feet; grade of ditch per 1000 feet is _____ feet; material through which ditch passes is _____; maximum length of pipe line to first place of use is _____ feet; diameter of pipe line is _____ inches; type of pipe _____; grade of pipe per 1000 feet is _____.
- Please explain any changes or increase in size of conveying system since water was first appropriated, giving date and dimensions if possible. 1/4 mile of 6" mainline was added
on the date above, also 4 1/4 mile 4" laterals.

- d. If water is stored: name of reservoir _____; total capacity of reservoir is _____ acre feet; active capacity of reservoir is _____ acre feet; year construction commenced _____; year completed _____; date first used _____; period of storage is from _____ to _____; is reservoir drained each year _____; is reservoir on or off stream _____ explain _____

if feeder canal is used give maximum carrying capacity _____ c.f.s.; if reservoir is off stream, describe location of reservoir by 40-acre subdivisions _____

has there been any enlargement of the reservoir since it was first built _____, if so, give dates and describe _____

5. a. Where water is used for irrigation, describe area irrigated by 40 acre subdivisions and give total acres:

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	
4N	37E	29														X	X		80
4N	37E	32					X												
								X											
									X										
										X									
											X								
												X							
													X						
														X					
																			320

Total number of acres to be irrigated 400

Explain any significant increase in area irrigated since first use, give dates and acreages if known _____

"b. Do you get water through a ditch owned by several users?_____ If yes, give the name of the ditch
_____. The other users and their respective
interests in the ditch are (if known)_____

6. Where water is used for stock watering, give number of each kind of stock watered_____

7. Where water is used for domestic or municipal purposes give number of families served_____
name of town supplied_____

8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use,
and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible,
giving dates and quantities_____

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation
Original water applied for under Permit No. G-25582. By way
of Booster Pump, an additional 5.22 cfs over the amount of
water provided for in permit No. G-25582 has been developed
and is applied to the land list described.

BE IT KNOWN that the undersigned hereby makes claim to a water right as described above together with
all attached information and certifies that all statements are true and accurate to the best of his knowledge.

(Date) June 7, 1971

J. E. Borenstein Jr.
(Signature of Claimant)

State of Idaho

County of Bonneville ss.

On this 7 day of June 19 71, personally appeared before me the signer(s) of the
above instrument, who duly acknowledged to me that he ~~XXXXXX~~ executed the same.

Donald E. Linn
Notary Public residing at Idaho Falls

My commission expires May 1, 1973

For Department Use Only

Received by _____	Date _____	Exception filed by: _____	Forwarded to claimant by: _____	Date _____
Prelim. check by _____	Date _____	_____	_____	_____
Fee received by _____	Date _____	Fee \$ _____	_____	_____
Approved for publication by _____	_____	_____	_____	_____
Published in _____	Dates _____	_____	_____	_____

INSTRUCTIONS

Your claim should set forth all necessary information to describe your claimed right. Failure to give enough information may make your claim of little value. Some of the items in the form may not apply to your situation. Please use additional sheets if space provided is not sufficient to fully answer the questions.

Paragraph No.

1. Give full name and post office address of person or company making the claim.
2. Describe the point of diversion by 40-acre subdivision. Give the name of the source, the drainage to which it is tributary if surface water, and the county in which the point of diversion is located. If there is more than one point of diversion, list others in the remarks section.
3. Give the priority dates and the quantities of water that you claim. You should accurately list the dates that you initiated each new use of the water. List separately the dates and amounts of water involved in each enlargement of the diversion. (Example: if you diverted 0.8 c.f.s. of water for irrigation on May 18, 1871, for the first time for use on 40 acres of land, and then later you enlarged the diversion by diverting an additional 0.4 c.f.s. of water to irrigate an additional 20 acres of land on June 1, 1901, your right should be described as follows:

Date of priority claimed: <u>May 18, 1871</u>	amount: <u>0.8 c.f.s.</u> or <u> </u> acre feet
<u>June 1, 1901</u>	amount: <u>0.4 c.f.s.</u> or <u> </u> acre feet
Total claimed:	<u>1.2 c.f.s.</u> or <u> </u> acre feet

Since the water was used for irrigation between April 1 and October 31 on that particular farm, part b. would be completed as follows:

use irrigation period of use from April 1 to October 31 (both dates inclusive). If the water had been used for any other purpose, you would have described the priority date, amount, use, and period of use in a similar manner.

4. Describe the diversion works and explain any changes since the right was first initiated.
5. If the water is used for irrigation, give the total acreage and list the lands irrigated by 40-acre subdivisions and complete the other questions.
- 6, 7, & 8. Describe any other uses of water.
9. In the remarks section, give any information or details that you feel are not fully covered or that need clarifying. You might explain your operation, where the water is returned to if for an industrial or non-consumptive right, the condition and temperature of the returned water, and any other information to help explain your claim.

You may wish to include as a part of your claim, affidavits of witnesses who are familiar with your right and who have a personal knowledge of the circumstances which you have described in your claim. You may submit maps, drawings, certified copies of posted notices which may have been filed in the county courthouse, water measurement records, or any other document which you feel will support your claim.

Your claim will be advertised in a county newspaper for two weeks. Exceptions to your claim which dispute the water right that you have described may be received by the Department of Reclamation and you will be provided a copy of such exceptions.

The fee for filing this claim with the Department of Reclamation, Room 107, Statehouse, Boise, Idaho 83701, is \$10.00.

35 2416

June 2, 1971

Re: License No. G-25582/35-2416 - Charles E. Browning

HOLDEN, HOLDEN & KIDWELL
Box 129
Idaho Falls, Idaho

ATTENTION: Fred J. Haun

Dear Mr. Haun:

Pursuant to our telephone conversation of June 2, 1971, please find enclosed a copy of License No. G-25582/35-2416 in the name of Charles E. Browning.

Also enclosed are two application for amendment forms.

If we may be of further assistance, do not hesitate to contact us.

Very truly yours,

Dorian Clay
Appropriation Examiner

DC/BB

Enclosures (3)

35 2416

January 11, 1960

RE: Permit No. G-25349
G-25582
G-26875
G-28008
G-28009

St. Clair, St. Clair and Hansen
Lawyers
P. O. Box 29
Idaho Falls, Idaho

Gentlemen:

Following is a brief of all ground water filings in Jefferson County in the name of Charles E. Browning and J. Ed Browning and Son, Inc.

G-25349

Licensed on January 13, 1956 to Charles E. Browning - for 4.0 c.f.s. -
Priority January 10, 1955 - Appurtenant to NE $\frac{1}{4}$, NW $\frac{1}{4}$, Sec. 30, T. 4 N.,
R. 37 E. - Point of Diversion - SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 30, T. 4 N., R. 37 E.

G-25582

Licensed on July 10, 1957 to Charles E. Browning - for 4.0 c.f.s. -
Priority April 7, 1955 - Appurtenant to W $\frac{1}{2}$, Sec. 32, T. 4 N., R. 37 E.
Point of Diversion in center of W $\frac{1}{2}$, Sec. 32, T. 4 N., R. 37 E.

G-26875

Filed April 24, 1957 for 6.4 c.f.s. from a well to be drilled in the
NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33, T. 4 N., R. 37 E. and made appurtenant to the NE $\frac{1}{4}$, Sec.
33, T. 4 N., R. 37 E. Proofs were made on September 10, 1957 by Tamco
Inc. and inspection, as required by law, was made on May 14, 1958 and
report turned in.

A copy of the enclosed letter advising that the point of diversion be amended,
and that on receipt of the amendment and statutory fees license would be issued,
was sent to A. A. Merrill July 8, 1958.

There is nothing in the files that shows any action was taken following this
letter.

Next of importance regarding this permit was your letter of June 11, 1959 in

25582

Page 2 - continued

which you requested it be amended to include additional lands and that it be assigned to J. Ed Browning and Son.

Later, on September 17, 1959, an assignment from Tamco, Inc. to J. Ed Browning and Son, Inc. was received in this office and recorded in Book 95 of Permits at Page 26875 on October 27, 1959. The assignment was then sent to Mr. A. B. Wheeler, Executive Vice President of the Bank of Idaho, Box 1009, Boise, Idaho

This permit manifestly cannot be licensed for additional lands requested nearly two years after the proofs were made.

The fees and amendment to the point of diversion should be submitted and this permit brought to license as is, and then transfer of the water to additional lands be made by use of Statutory Provision 42-222, Idaho Code. It can be brought to license in the name of J. Ed Browning and Son, Inc. The application for amendment to the point of diversion may be signed by St. Clair, St. Clair and Hansen as agent.

G-28008

Filed April 15, 1959 in the name of Tamco, Inc. for 6.4 c.f.s. - Appurtenant to the S $\frac{1}{2}$, Sec. 33, T. 4 N., R. 37 E., with point of diversion in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, of said Sec. 33.

This was assigned from Tamco, Inc. September 17, 1959 to J. Ed Browning and Son, Inc. A copy of the assignment was sent to A. B. Wheeler, Executive Vice President of the Bank of Idaho, Boise. The permit was also sent to Mr. Wheeler.

Proofs are due July 9, 1964.

G-28009

Filed April 15, 1959, for 6.4 c.f.s. - Appurtenant to the N $\frac{1}{2}$, Sec. 34, T. 4 N., R. 37 E. with point of diversion in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 34, T. 4 N., R. 37 E.

Assigned from Tamco, Inc. September 17, 1959.

Proofs are due July 9, 1964.

There has been considerable correspondence regarding these permits. If this does not fully explain do not hesitate to write me regarding this.

Yours truly,

GEO. N. CARTER
State Reclamation Engineer
By

E. N. Humphrey
Deputy

ENH:mr
Enc. amendment, copy of letter

J25582

July 10, 1957

Re: Permit No. G-25582
Charles E. Browning

Mr. W. J. Anderson
Attorney At Law
Rogers Building
Idaho Falls, Idaho

Dear Mr. Anderson:

Enclosed is the Certificate of Completion of Works and License and Certificate of Water Right issued under Permit No. G-25582 (Charles E. Browning) confirming the right with a priority of April 7, 1955, to his use of 4.0 second feet of water from subterranean flow with the point of diversion at a well located in the center of the $W\frac{1}{2}$ of Section 32, for irrigation of 320 acres in the $W\frac{1}{2}$ of Section 32, Township 4 North, Range 37 East, B.M.

Also enclosed is departmental receipt No. G-2732 for \$21.00 issued as receipt of the \$5.00 fee for the Certificate of Completion of Works and \$16.00 fee for the License.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR/nls
Enc.

25582

W. J. ANDERSON
ATTORNEY AT LAW
ROGERS BUILDING
IDAHO FALLS, IDAHO
TELEPHONE JA 2-7253

RECEIVED
JUL 8 1957
Department of Reclamation

July 5, 1957

Department of Reclamation
State of Idaho
Boise, Idaho

Dear Sirs:

Re: Permit No. G-25582
Charles E. Browning

Please find enclosed the check of Mr. Charles E. Browning made payable to the Department of Reclamation in the amount of \$21.00 as the fees for the Certificate of Completion of Works and License for 4.0 second feet of water on his property. Would you please forward the Certificate and License to this office.

Sincerely yours,


W. J. Anderson

WJA:js

Enclosure

G25582

June 27, 1957

Re: Permit No. G-25582
Charles E. Browning

Mr. W. J. Anderson
Attorney At Law
Rogers Building
Idaho Falls, Idaho

Dear Mr. Anderson:

We have the report, made by our field engineer on inspection of proof of completion of works and application of water to beneficial use under Permit No. G-25582, which shows that the well is capable of conveying 200 miner's inches (4.0 c.f.s.) to irrigate 320 acres. This permit is now entitled to a Certificate of Completion of Works and a License and Certificate of Water Right.

Upon receipt of the statutory fee of \$21.00 we can issue Mr. Browning a Certificate of Completion of Works (\$5.00) and a License (\$16.00--based at the rate of \$2.00 for each 40-acre subdivision) confirming the right to his use of 4.0 second feet of water from a well with the point of diversion in the center of the $W\frac{1}{2}$ of Section 32, for irrigation of 320 acres in the $W\frac{1}{2}$ of Section 32, Township 4 North, Range 37 East, B.M.

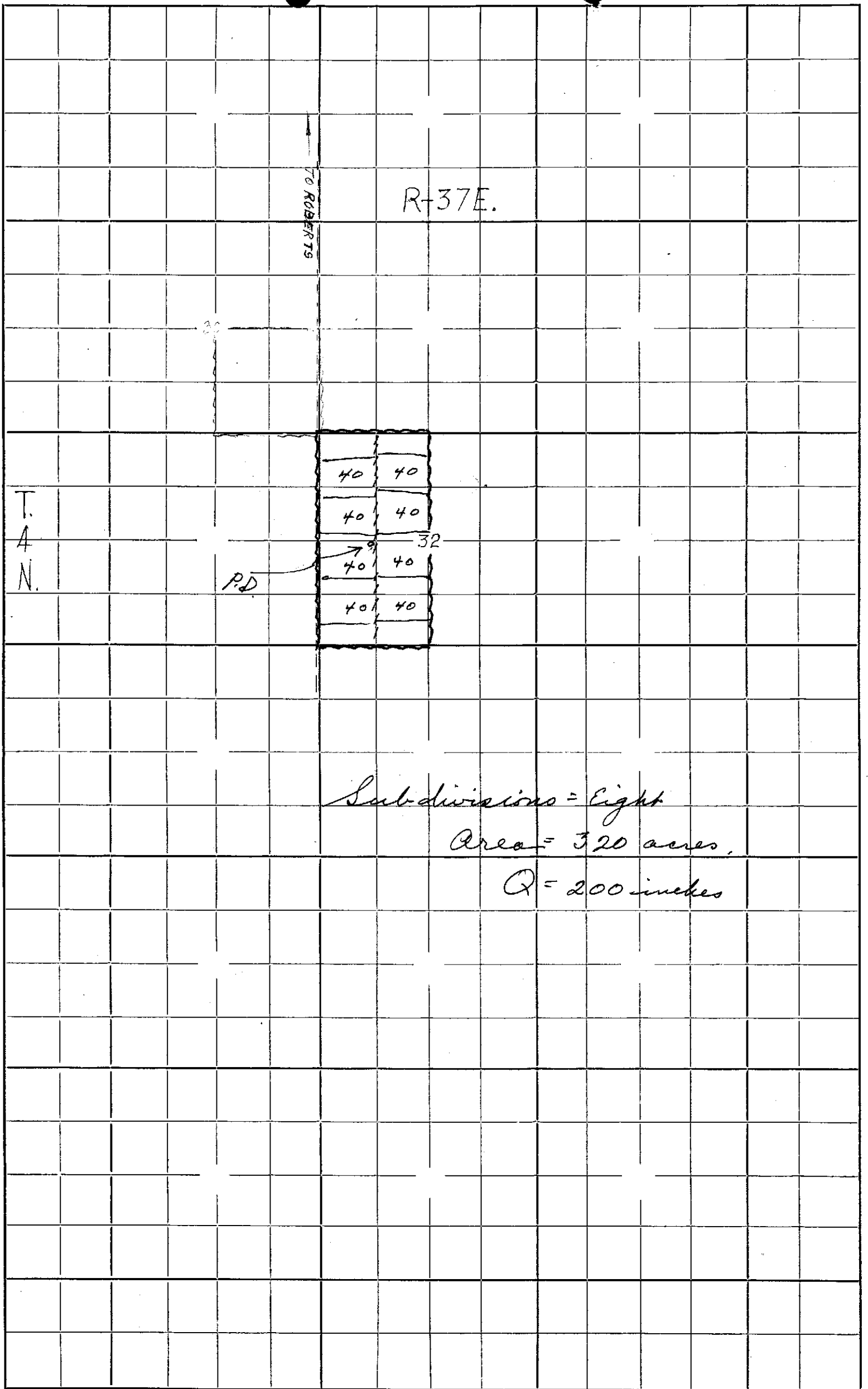
Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR
JA/nls

G25582



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

25582

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-25582

REPORT ON PROOF OF Completion of Works and Beneficial Use

Charles E. Browning, 2815 E. Morningside Drive, Idaho Falls, Idaho

4.0 cfs
10.0 cfs

app. 9.6 cfs

3200 ac.

8 40's

1/4" nozzles 10 lines
 64
 32 to 34 per line

System is regular.
 main is buried steel
 10" - 8" x 6"

Laterals are 4" ported

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
 JUN 26 1957
 Department of Reclamation

Charles E. Browning
 2815 E. Morningstar Drive
 Idaho Falls, Idaho
 Permit No. G-25582
 P. JA 30664 JF 25211
 Examination for Comp. of Works & Bene. U.S.

County Jefferson 32-4N-37E

Sz 9.6 c.f.s.

Sz Well.

P.D. 2 SE. NW., Sec. 32, T. 4 N. - R. 37 E.

Use Irrigation

F. Marie Parsons Pump

Filed - April 7, 1955
 Due - April 11, 1960

$$\frac{250 \times 70 \times 550}{266 \times 138 \times 404} = 190' \text{ round}$$

 210' 5/102 over

allow 200'

Well - 366' x 20" cut 29'
 43' of csg in well - bottom at
 h = 266' no d.d.

250 hp. F. Marie Motor
 1775 rpm. 440V 2840.

B 2203

G E & E M. Switches
 and Controls

Wood house 12' x 12' x 8'
 concrete floor.

Motor is water cooled

Clear flow valve
 10" diam. to E.

High setting fence
 around

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

Permit No. G-25582This proof is for Comp. of Works & Bene. Use

In Water District No. _____

1. Name of applicant Charles E. Browning, 2815 E. Morningside Drive, Idaho Falls, Ida.
2. Source of water supply: Subterranean well notice show same in SE $\frac{1}{4}$ NW $\frac{1}{4}$
3. Location of point of diversion: Is in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ (Permit & Publish/ of Section 32)
T. 4 N. R. 37 E. County of Jefferson

4. Describe works as they exist, giving dimensions and capacities of same: Well is 366' x 20" d.
h = 266' no d.d. 250 hp. Fairbanks Morse Motor # 2205
F. Morse Turbine delivery to east into 10" main (steel buried)
1/4 mile x 4" portable al 10 lines 1/4" singles Rainbird #30.
a good sprinkler system.

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):

NW $\frac{1}{4}$ and SW $\frac{1}{4}$ Section 32, Township 4 North, Range 37 East, B.M.

(40 acres irrigated in each 40 acre subdivision)

See map.

P.D. is in approx center of place.

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

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

Remarks: Crop are hay grain - row crops.

On inspection magnetic switch refused to hold
couldn't get repair man immediately.

Q = by calculation.

This examination was made on the Feb 24 day of _____, 19 57

(Signed) E. H. Humphrey Examiner.

G-25582

June 17, 1957

Re: Permit # G-25582

Charles E. Browning
2815 E. Morningside Drive
Idaho Falls, Idaho

Dear Mr. Browning:

An inspection and a report on same is required by law in connection with any permit for use of water being brought to license in the State of Idaho before same can be licensed.

An inspecting Engineer from this Department will be in your County the week of June 17th & 24th to make inspections.

He will try to contact you by telephone or otherwise at that time to make a definite appointment with you for the inspection.

Please prepared to accompany him or have someone represent you on the inspection.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
E. N. Humphrey
Deputy

25582

October 12, 1956

RE: Permit No. G-25582

Mr. W. J. Anderson
Attorney at Law
Rogers Building
Idaho Falls, Idaho

Dear Mr. Anderson:

We acknowledge receipt of the depositions of Charles E. Browning and his two witnesses, also affidavit of publication in The Rigby Star in proof of Completion of Works and Beneficial Use under Permit No. G-25582.

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

We cannot say just when this examination will be made, but our field engineer will contact Mr. Charles E. Browning at the time he makes the examination in order that he may arrange to show him over the ground.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:vm
cc. Charles E. Browning
2815 E. Morningside Drive
Idaho Falls, Idaho

D25582

October 12, 1956

RE: Permit No. G-25582

Mr. W. J. Anderson
Attorney at Law
Rogers Building
Idaho Falls, Idaho

Dear Mr. Anderson:

We acknowledge receipt of the depositions of Charles E. Browning and his two witnesses, also affidavit of publication in The Rigby Star in proof of Completion of Works and Beneficial Use under Permit No. G-25582.

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

We cannot say just when this examination will be made, but our field engineer will contact Mr. Charles E. Browning at the time he makes the examination in order that he may arrange to show him over the ground.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:vm
cc. Charles E. Browning
2815 E. Morningside Drive
Idaho Falls, Idaho

[Handwritten signature] 25582

Application for Amendment
POINT OF DIVERSION
Permit No. G-25464

RECEIVED
JAN 9, 1957
Department of Reclamation

Comes now John W. Engelbert
and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. G-25464.

That the point of diversion is described in said Permit as being located:

NE1/4NW1/4, Sec. 36; SW1/4NE1/4, NE1/4NE1/4, Sec. 35, T 2 S - R 2 W., B.M.

That he now requests that the point of diversion be changed to a point located:

SW1/4NE1/4, Sec. 35; NE1/4NW1/4, SW1/4SW1/4, Sec. 36, T 2 S - R 2 W., B.M.

That the reason for desiring to make such change is as follows:

The location of these wells is the most economical and feasible for development

under this permit.

That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.

Signed at Boise, Idaho this 2 day of January, 1957

/s/ J. W. Engelbert

Date of Receipt at Department of Reclamation: January 9, 1957

APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. G-25464. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

/s/ Mark R. Kulp

State Reclamation Engineer

Recorded in Book of
Permits, at Page

196

S25464

W. J. ANDERSON
ATTORNEY AT LAW
ROGERS BUILDING
IDAHO FALLS, IDAHO
—
TELEPHONE 677

RECEIVED
SEP 26 1956
Department of Reclamation

Sept. 25, 1956

Mark R. Kulp
State Reclamation Engineer
Department of Reclamation
State of Idaho
Boise, Idaho

Re: Permit No. G25582

Dear Sir:

Please find enclosed the deposition of the holder and the deposition of two witnesses in the Proof of Application of Water to Beneficial Use, under Permit No. G25582 issued to Charles E. Browning of Idaho Falls, Idaho. These proofs were taken on August 31, 1956, according to the notice of the Completion of Works and Beneficial Use published in the Rigby Star. I had expected the Affidavit of Publication to be sent to me or Mr. Browning, but inquiring of the Rigby Star I find that they have mailed it direct to you. For that reason, I am delayed in sending you the depositions. Would you please issue the license and forward it to myself or Mr. Browning, and if it is forwarded to Mr. Browning, please send me a carbon copy of the letter to him.

Mr. Browning was also the holder of State License No. G25349. Under this license we applied for transfer of water right to include additional lands. This was done some time ago and on June 7, 1956, I forwarded the Affidavit of Publication for the proposed transfer and the costs which you required. We have not yet received the new license authorizing the transfer of the water rights and the inclusion of the additional lands. Would you please issue this and forward it to my office.

Sincerely yours,


W. J. Anderson

WJA/mj
Encl. 2

G25582

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
SEP 26 1956
Department of Reclamation

Permit No. G25582

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. Charles E. Browning, 2815 E. Morningside Drive; Automobile dealer and farm operator; 2815 E. Morningside Drive, Idaho Falls, Idaho.

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

Ans. Acting individually

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

Ans. Permit No. G25582, dated April 11, 1955; Date of priority: April 7, 1955

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

Ans. A well and pump from subterranean flow; location of point of diversion SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 32, Township 4 North, Range 37, E.B.M., County of Jefferson, State of Idaho, and near the Southeast Corner of such Quarter.

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. The well is 380 feet in depth with a depth of 260 feet to water; the casing is of 22 inch size and depth of 20 feet; the pump discharges 320 inches of water in steady flow, by engineers estimate, and the works of diversion are capable of conveying 320 inches from the point of diversion to place of use; water is conveyed by pipes and sprinkler irrigation is used; the size of the nozzles are 15/64; there are 320 nozzles operating under 60 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. The water is used for irrigation on the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 32, 40 acres irrigated; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 32, 40 acres irrigated; SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 32, 40 acres irrigated; SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 32, 40 acres irrigated; SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 32, 40 acres irrigated; NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 32, 40 acres irrigated; NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 32, 40 acres irrigated; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 32, 40 acres irrigated; SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 32, 40 acres irrigated, all in Township 4 No., Range 37 E.B.M. The land irrigated is all cultivated and is developed from a dry farm land into an irrigated farm. Improvements have been made in the construction of a farm house, sheds, and 2 cellars, in addition to the irrigation.

G25582

N22F

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

Ans. _____

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

Ans. _____

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

Ans. _____

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

Ans. The water diverted under the above mentioned permit had been used in 1955 and 1956 and in 1956 for the irrigation of 320 acres of land, and the full amount of said 320 inches of water has been used.

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. Lawrence

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 31st day of August, A. D. 1956.

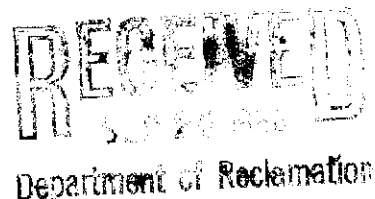
Stanley Anderson

Notary Public for Idaho
Residing at Idaho Falls, Idaho

My commission expires May 7, 1958

25582

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



Permit No. G25582

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. Richard E. Romack, age 34, 655 8th Street, Idaho Falls, Idaho; occupation:
Certified Public Accountant; P.O. Address: 655 8th Street, Idaho Falls, Idaho.

Ques. 2. Are you acquainted with Charles E. Browning, the
holder of Permit No. G25582? How long have you known him and where does
he reside?

Ans. Yes, I have known Charles E. Browning approximately 12 years; he resides
in Idaho Falls, Idaho.

Ques. 3. Have you read or heard read said Permit No. G25582, 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.

2 Ans. The source of water is a well and pump from subterranean flow; diversion is
in SW 1/4 of Sec. 32, Township 4 North, Range 37, E.B.M., and near the SE Corner of
such Quarter. The water is conveyed in a pipe and sprinkler system from the place of
diversion to the place of use. The pipes are composed of a twelve inch main pipe and
four inch lateral pipes.

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. The works would safely conduct 320 inches and I have seen that amount being
conveyed.

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. I have seen the pump deliver 320 inches of water and my opinion is based
from observation of other pumps and stream flow.

G25582

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

Ans. The water is used for irrigation and waters 40 acres each in the following subdivisions: NE1/4NW1/4; NW1/4NW1/4; SE1/4NW1/4; SW1/4NW1/4; SE1/4NW1/4; NE1/4SW1/4; NW1/4SW1/4; SW1/4SW1/4; SE1/4SW1/4; all in Section 32, Township 4 North, Range 37, E.B.M., a total of 320 acres and has been improved from a dry farm to irrigated land and improvements have been made in a farm house, out buildings, and potato cellars.

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

Ans. _____

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

Ans. The land reclaimed was sandy loam in character and was dry farm land prior to reclamation. It is suitable for cultivation. I estimate 320 inches is required for the profitable cultivation of this land.

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

Ans. I have no pecuniary or ownership interest in the works, water or lands mentioned.

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 1956 I observed at various times the pumping and application of water to beneficial use on the lands above described by the use of the water diverted.

(Signed)

Richard E. Rasmussen

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 31st day of August _____, A. D. 1956 _____.

Warren J. Anderson
Notary Public.

My commission expires May 7, 1958 _____

25582

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
SEP 26 1956
Department of Reclamation

Permit No. G25582

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. Clement Joseph Schantz, age 39, 257 Gladstone, Idaho Falls, Idaho; occupation:
Irrigator, laborer and janitor; Post Office Address: 257 Gladstone, Idaho Falls, Idaho.

Ques. 2. Are you acquainted with Charles E. Browning, the
holder of Permit No. G25582? How long have you known him and where does
he reside?

Ans. Yes. I have known Charles E. Browning 1 1/2 years; he resides in Idaho Falls,
Idaho.

Ques. 3. Have you read or heard read said Permit No. G25582, 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.

2 Ans. The source of water is a well and pump from subterranean flow; diversion is
SW 1/4 of Sec. 32, near the SE Corner of such Quarter. The water is conveyed in a
pipe and sprinkler system from the place of diversion to the place of use. The pipes
are composed of a twelve inch main pipe and four inch lateral pipes.

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

Ans. I estimate the works will safely conduct 320 inches and have seen 320 inches
being conveyed.

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. I have seen the pump deliver 320 inches of water and my opinion is based on
an estimate as experienced irrigator.

J25582

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

Ans. The water is used for irrigation and waters 40 acres each in the following subdivisions: NE1/4NW1/4; NW1/4NW1/4; SE1/4NW1/4; SW1/4NW1/4; SE1/4SW1/4; NE1/4SW1/4; NW1/4SW1/4; SW1/4SW1/4; SE1/4SW1/4; all in Section 32, Township 4 North, Range 37, T.B.M., a total of 320 acres and has been improved from a dry farm to irrigated land and improvements have been made in a farm house, out buildings, and potato cellars.

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

Ans. _____

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

Ans. The land reclaimed was dry farm land suitable for cultivation. I estimate 320 inches is required for profitable cultivation of new land so irrigated.

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

Ans. None _____

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

Ans. I worked as an irrigator for Mr. Browning and upon said property during 1956. _____

(Signed) Clement Joseph Schantz

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 31st day of August, A. D. 1956.

Harold J. Anderson
Notary Public.

My commission expires May 7, 1958

825582

Affidavit of Publication
THE RIGBY STAR

RECEIVED
AUG 30 1956
Department of Reclamation

STATE OF IDAHO,
County of Jefferson ss.

Hope B Jones
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

2nd day of *August*, 19*56*

and last publication on the

23rd day of *August*, 19*56*

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 *August*, 19*56*

(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 17, 1957

NOTICE OF PROOF OF COMPLETION OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE
Notice is hereby given that at 3:00 p. m., on the 31st day of August, 1956, at Room 312, Rogers Bldg., Idaho Falls, County of Bonneville, State of Idaho, before W. J. Anderson, a Notary Public, proof will be submitted of the completion of works for the diversion of 9.6 cubic feet per second of the waters of subterranean flow from a well located in the SE1/4 NW1/4, Section 32, Twp. 4 North, Rge. 37 E. S. 14, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 625582 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Charles E. Browning, Park Ave. & D St., 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, in accordance with the plans accompanying the application for such permit, is 9.6 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 6.4 cubic feet per second.
4. The place where said water is used is Northwest Quarter (NW1/4) and Southwest Quarter (SW1/4) of Section 32, Township 4 North, Range 37 E. S. 14.
5. The date of priority which said user is prepared to establish is April 7, 1955.

MARK A. KULP,
State Reclamation Engineer.
(Pub. Eng. 6-10-23, 1955)

625582

August 2, 1956

RE: Permit no. G-25582

Rigby Star
Rigby
Idaho

Gentlemen:

We acknowledge receipt of Notice of proof of Completion of Works and Beneficial Use on Permit No. G-25582 in the name of Charles E. Browning. After checking this Notice we find one small typographical error as follows:

In the sixth line of the first paragraph you put the word to instead of of . This line should read, "submitted of the completion of works for etc."

Please make this correct in your subsequent issues.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:cu

G25582

July 30, 1956

RE: Permit No. G-25582

Mr. W. J. Anderson
Attorney At Law
Room 212 Rogers Bldg.
Idaho Falls, Idaho

Dear Mr. Anderson:

We have sent to the Rigby Star Notice of Completion of Works and Beneficial Use proof to be made on Permit No. G-25582 on August 31, 1956, with instructions to publish it once a week for four weeks prior to that date and to send Mr. Browning the Affidavit of Publication, together with statement of costs.

At the time set, Mr. Browning should appear before you, as Notary Public, together with two disinterested witnesses who are familiar with the terms of the Permit and the work done thereunder for the purpose of executing the enclosed depositions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:cu

Enc.

CC: Mr. Charles E. Browning

G25582

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
AUG 1 1956
Department of Reclamation

RE: Permit No. G-25582

Date:

Rigby Star
Rigby
Idaho

July 30, 1956

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to August 31, 1956, the date set for proof, the expense of the publication to be paid by the applicant, Charles E. Browning of Park Aven. & D St., 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 of the first publication, in order that we may check same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By

Edna P. Rutledge

Chief Clerk

*Noted received July 31st,
first publication Aug 2nd -
The Rigby Star*

G25582

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RE: Permit No. G-25582

Rigby Star
Rigby
Idaho

Date:
July 30, 1956

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **August 31, 1956,** the date set for proof, the expense of the publication to be paid by the applicant, **Charles E. Browning** of **Park Aven. & D St., 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 of the first publication, in order that we may check same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

25582

W. J. ANDERSON
ATTORNEY AT LAW
ROGERS BUILDING
IDAHO FALLS, IDAHO
—
TELEPHONE 677

RECEIVED
JUL 30 1956
DEPARTMENT OF RECLAMATION

July 27, 1956

State Reclamation Engineer
State House
State of Idaho
Boise, Idaho

Dear Sir:

Please find enclosed a letter of Mr. C. E. Browning authorizing publication of notice in the Rigby Star and duplicate copies of form 36 for notice of proof of completion setting a hearing at 2:00 P.M. on the 31st day of August, 1956 at my office. Would you please cause the notice to be published so the four weeks will expire prior to the 31st.

Some time ago I sent to you, on behalf of Mr. Browning, an application to transfer water rights on a certain well to include other lands. We have not received the new license and certificate. Would you please send these.

Sincerely yours,


W. J. Anderson

WJA:s
encl:

25582

RECEIVED
JUL 30 1956
Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) July 18, 1956

(P. O.) Park Ave. & D. 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

Rigby Star of Rigby, Idaho published in

the county in which the works are situated.

C. E. Quinney

(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.

825582

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

RECEIVED
JUL 30 1956
Department of Reclamation

Notice is hereby given that at 2:00 P. M., on the 31st
day of August, 1956, at Room 212, Rogers Bldg. Idaho Falls, County of
Bonneville, State of Idaho, before W. J. Anderson, a
Notary Public, proof will be submitted of the completion of works for
the diversion of 6.4 9.6 cubic feet per second of the waters of subterranean
in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 32, Twp. 4 North, Range 37 East, B.M.
flow from a well located/ and of the application to beneficial use of
said water, in accordance with the terms and conditions of Permit No.
G25582 heretofore issued by the Department of Reclamation of the
State of Idaho.

1. The name and postoffice address of the person or corporation holding
said permit are Charles E. Browning, Park Ave & D St. Idaho Falls, Idaho

2. Said works of diversion will be fully completed on the date set for
such completion, and the amount of water which said works are capable of con-
veying to the place of use, in accordance with the plans accompanying the appli-
cation for such permit, is 9.6 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 6.4 cubic feet per second.

4. The place where said water is used is Northwest Quarter (NW $\frac{1}{4}$) and
Southwest Quarter (SW $\frac{1}{4}$) of Section 32, Township 4 North, Range 37 E, B.M.

5. The date of priority which said user is prepared to establish is
April 7th, 1955.

MARK R. KULP

State Reclamation Engineer

G25582

July 13, 1956

RE: Permit No. G-25582

Mr. W. J. Anderson
Rogers Building
Idaho Falls, Idaho

Dear Mr. Anderson:

We have your letter of July 12, 1956, stating that Mr. Charles E. Browning, the holder of Permit No. G-25582, is prepared to make proof of completion of works and beneficial use on his Permit.

Before these proofs are made, the statutes require publication of a notice once a week for four weeks in a county newspaper. This notice should be made in duplicate on Form 36 enclosed, setting the time and place and naming the Notary Public before whom the proofs are to be made.

The proofs may be made at any place convenient for Mr. Browning and his two witnesses but the date must be set far enough ahead to allow for four weeks publication.

Both copies of Form 36 to be returned to this department together with Form 11 which is authorization for us to have the notice published at permit holder's expense in the designated county newspaper.

We shall then send a copy of the notice to the newspaper with instructions in regard to publishing and shall send you the forms of deposition to be executed by Mr. Browning and two disinterested witnesses in making these proofs.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:hll
Enc.

825582

W. J. ANDERSON
ATTORNEY AT LAW
ROGERS BUILDING
IDAHO FALLS, IDAHO
—
TELEPHONE 677

July 12, 1956

RECEIVED
JUL 13 1956

Department of Reclamation

Department of Reclamation
State of Idaho
Boise, Idaho

Dear Sirs:

Mr. Charles E. Browning received Permit No. 25582 for appropriation of ground waters in the State of Idaho. It is prepared now to submit proof of beneficial application.

Would you please provide the forms as required for such proof and notice under Section 42-235 of the Idaho Code.

Sincerely yours,

W. J. Anderson
W. J. Anderson

WJA/mj

*9 Permit - approved by Dec. 11, 1960
Chas. E. Browning
E. First St
Idaho Falls, Idaho*

25582

✓
May 5, 1955

RE: Permit No. G-25582

Mr. Charles E. Browning
East First Street
Idaho Falls, Idaho

Dear Mr. Browning:

Reference is made to your letter of May 4 in regard to commencement of work on the above numbered Permit.

The preliminary work of surveying the land and locating the well, etc. can be considered as commencement of work as, although, the actual drilling is not started immediately.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll

G25582

J. ED. BROWNING & SON, INC.

PARK AVENUE AND "D" STREET

IDAHO FALLS, IDAHO

BUICK
G.M.C. TRUCKS

May 4, 1955

RECEIVED
MAY 5 1955
Department of Reclamation

Mr. Mark Kulp
State Engineer's Department
Boise, Idaho

Re: Water Permit #25582

Dear Sir:

I received the application back for the above caption permit and it stated that the well should be started by June 11 of this year and one-fifth complete by October 11, 1957. I have had all this land surveyed and the well is located; but it is impossible for me to get a driller in there by the eleventh of June. I was wondering if the survey work would be sufficient to recognize as a start. You can verify this survey work by contacting Mr. Ray Michener, 227 Eleventh Street, Idaho Falls, Idaho.

Yours truly,

C. E. Browning

C. E. Browning

CEB/ve

25582

April 14, 1955

RE: Permit No. G-25582

Mr. Charles E. Browning
E. First Street
Idaho Falls, Idaho

Dear Mr. Browning:

We enclose Permit No. G-25582 and 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-1103 for the \$7.25 filing fee.

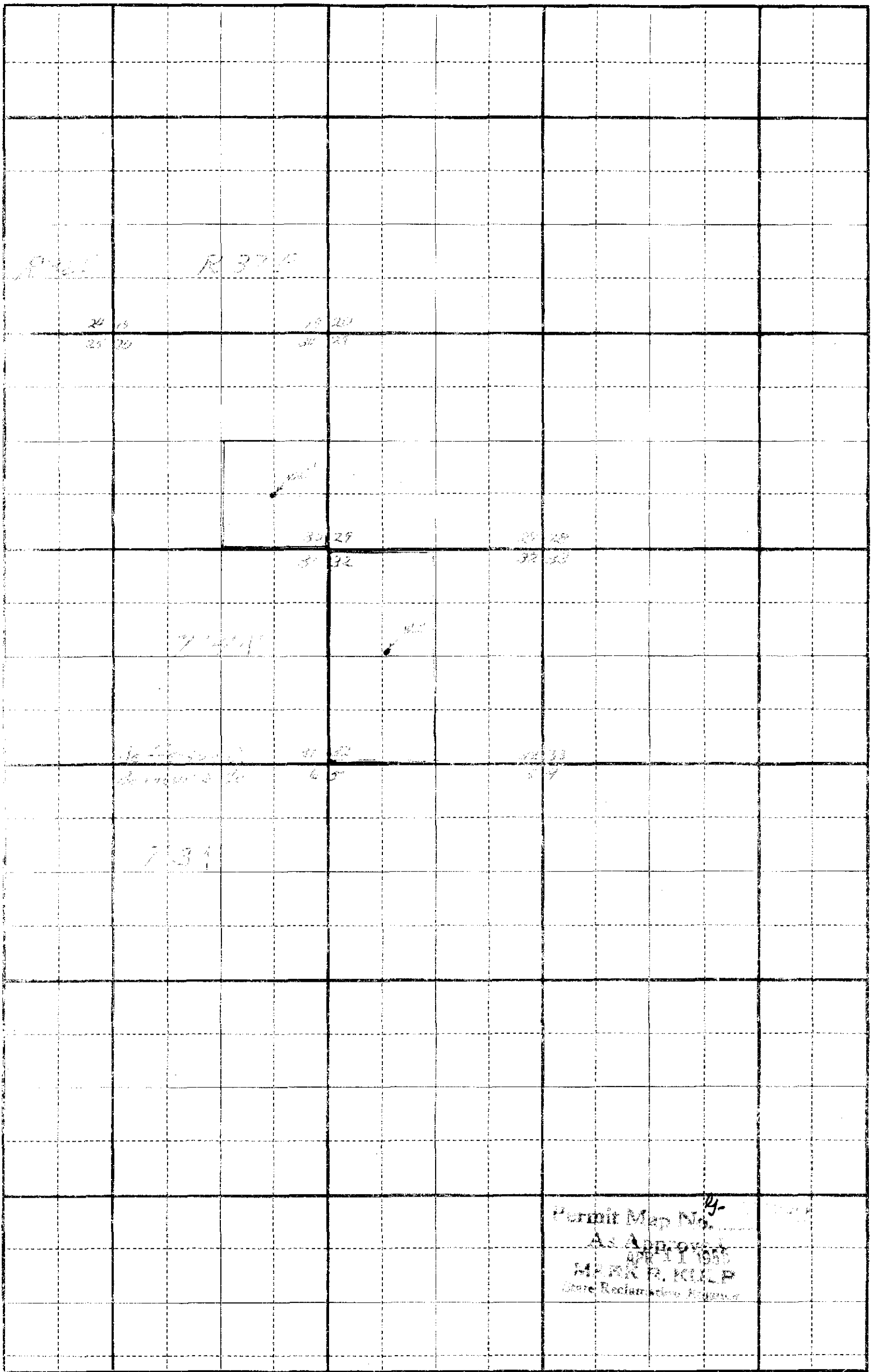
Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:cu
Enc.

G 25582



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

Notice is hereby given that at 2:00 p. m., on the 31st day of August, 1956, at Room 212, Rogers Bldg., Idaho Falls, County of Bonneville, State of Idaho, before W. J. Anderson, a Notary Public, proof will be submitted to the completion of works for the diversion of 9.6 cubic feet per second of the waters of subterranean flow from a well, located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 32, Twp. 4 North, Rge. 37 E. B.M. and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G25582 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Charles E. Browning, Park Ave. & D St., 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, in accordance with the plans accompanying the application for such permit, is 9.6 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 6.4 cubic feet per second.

4. The place where said water is used is Northwest Quarter (NW $\frac{1}{4}$) and South-west Quarter (SW $\frac{1}{4}$) of Section 32, Township 4 North, Range 37 E.B.M.

5. The date of priority which said user is prepared to establish is April 7, 1955.

MARK R. KULP,
State Reclamation Engineer.

(Pub. Aug. 9-14 1956)

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

Notice is hereby given that at 2:00 p. m., on the 31st day of August, 1956, at Room 212, Rogers Bldg., Idaho Falls, County of Bonneville, State of Idaho, before W. J. Anderson, a Notary Public, proof will be submitted to the completion of works for the diversion of 9.6 cubic feet per second of the waters of subterranean flow from a well, located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 32, Twp. 4 North, Rge. 37 E. B.M. and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G25582 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Charles E. Browning, Park Ave. & D St., 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, in accordance with the plans accompanying the application for such permit, is 9.6 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 6.4 cubic feet per second.

4. The place where said water is used is Northwest Quarter (NW $\frac{1}{4}$) and South-west Quarter (SW $\frac{1}{4}$) of Section 32, Township 4 North, Range 37 E.B.M.

5. The date of priority which said user is prepared to establish is April 7, 1955.

MARK R. KULP,
State Reclamation Engineer.

(Pub. Aug. 9-14 1956)