

Bq 216E

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TO
DELCO



D.A. PAVES

ST
BAYS
SA

140
SPURS
152

MAIN

SPRINKLER LINE

106

54

160 ACRES

ACCESS ROAD

CORNUEL ROAD

RAFT RIVER

AREA

160 ACRES

SUBD.

\$ 3

Q

1.32 cfs = .66 SPRINKLER

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss.
STATE OF IDAHO)

Ruth Chambers, being first

duly sworn, deposes and says that she is the

Bookkeeper of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of

The South Idaho Press for 4

consecutive weeks, commencing with the issue

dated May 14 1968, and ending

with the issue dated June 4, 1968.

Ruth Chambers

Subscribed and sworn to before me

this 6th day of June

1968.

Edith Raustadt Notary Public

Cost of Publication \$22.05

Notary Fee _____

Total Cost _____

My commission expires October 24, 1971

RECEIVED

JUN 12 1968

Department of Reclamation

No. 68.42
NOTICE OF PROOF OF COMPLETION OF WORKS AND APPLICABILITY OF WATER TO BENEFICIAL USE

Notice is hereby given that on June 10, 1968, at Burley, County of Cassia, State of Idaho, before notary public Jim R. McCord, 239 West 13th Street, Burley, Idaho, proof will be submitted of the completion of works for the diversion of 4.3 c.f.s. of the waters of a subterranean source, and the application to beneficial use of said water, in accordance with the terms and conditions of permit G-31110, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and address of permit holder is George Carruthers and Nellie Carruthers, husband and wife, 5895 California Ave., Long Beach, California.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 4.3 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 4.3 c.f.s.

4. The point of diversion of said water is SW¹/₄ SW¹/₄, Sec. 26, T. 11 S., R. 26 E. B.M., Cassia County.

5. The place where said water is used is SW¹/₄, W¹/₂ SE¹/₄, Sec. 26, T. 11 S., R. 26 E. B.M.

6. The date of priority which said user is prepared to establish is May 1, 1963.

R. KEITH HIGGINSON
State Reclamation Engineer
Published in the South Idaho Press, May 14, 21, 28, June 4, 1968.

31110

RECEIVED
JUL 5 1967

The Burley Herald-Bulletin

Department of Reclamation

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)

) ss:

STATE OF IDAHO)

Walter W. Schramm, being first

duly sworn, deposes and says that he is the

Editor of Burley Herald-Bulletin, a weekly newspaper published at Burley, Idaho, in the county aforesaid, and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular weekly editions of Burley Herald-Bulletin for

four (4) consecutive weeks, commencing

with the issue dated June 5, 1967 and

ending with the issue dated June 26, 1967.

Subscribed and sworn to before me this

28th day of June, 1967

Keith Higginson Notary Public

Cost of Publication My Commission Expires Feb. 18, 1969

Notary fee _____

Total Cost _____

LEGAL NOTICE

67-154

NOTICE OF PROOF OF COMPLETION OF WORKS

and APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that on the 30th day of June 1967, at Burley, County of Cassia, State of Idaho, before Norman H. Nielson, Notary Public at Fouts Building, Burley, Idaho, proof will be submitted of the completion of works for the diversion of 4.3 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-31110, 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 George and Nellie Carruthers, 5895 California Ave., Long Beach, California.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 4.3 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 4.3 cubic feet per second.

4. The point of diversion of said water is SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 26, Township 11 South, Range 26 East Boise Meridian.

5. The place where said water is used is SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 26, T. 11 S. R. 26 E.B.M.

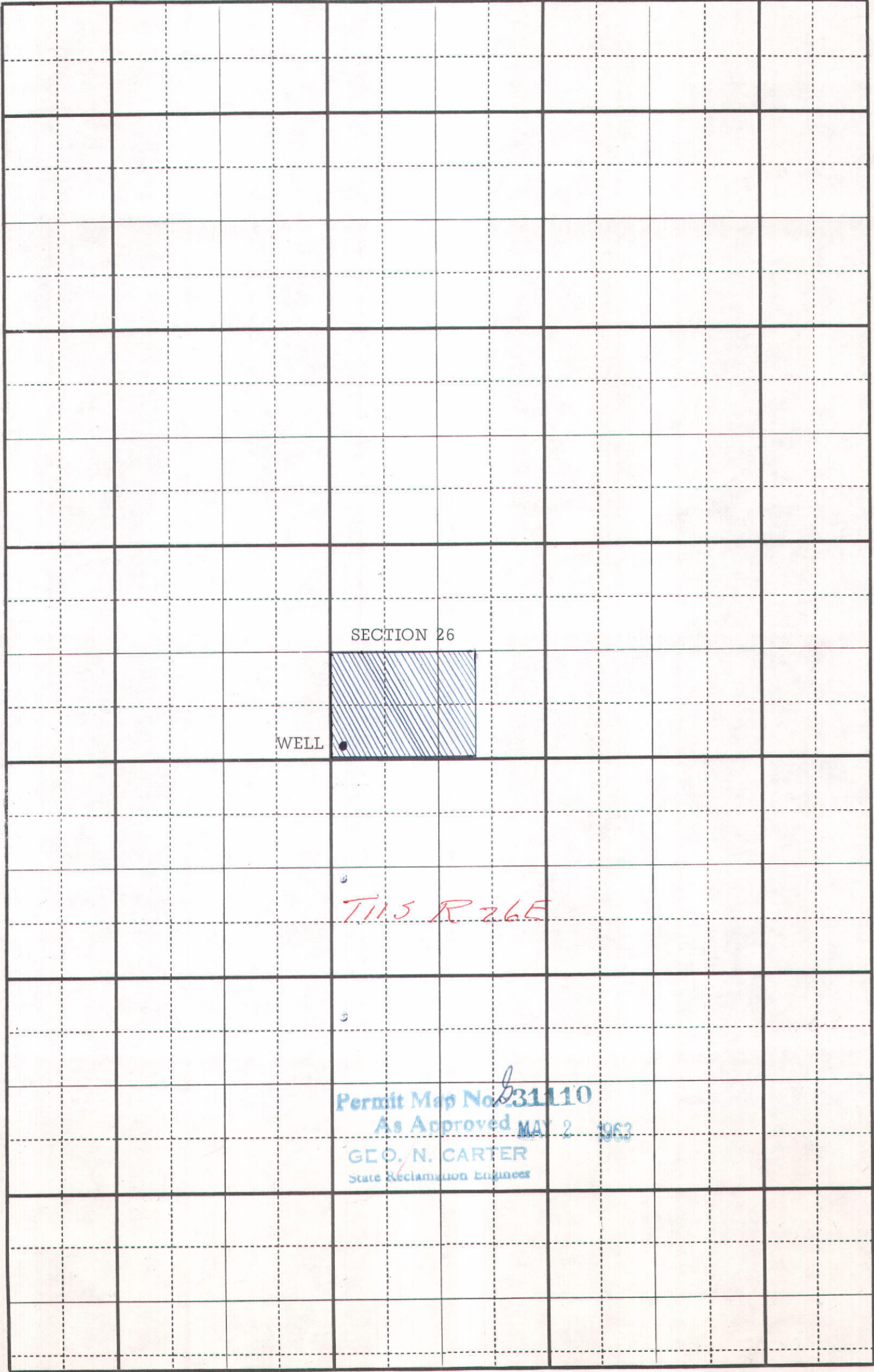
The date of priority which said user is prepared to establish is May 2, 1963.

R. KEITH HIGGINSON
State Reclamation Engineer
Published in the Burley Herald-Bulletin June 5, 12, 19 26, 1967.

31110

NAME OF APPLICANT George & Nellie Carruthers

Form No. 0



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

31110

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 66921

This is to certify that: GARY B HARPER
 2040 E 850 S
 DECLO ID 83323
 (208)645-2227

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Total</u>	<u>Source</u>
43-2309	AJC/License	05/01/1948	2.30 cfs	640.0 af	1,579.0	1,579.0	GROUND WATER
43-2312A	AJC/License	06/19/1948	5.20 cfs	1280.0 af	1,579.0	1,579.0	GROUND WATER
43-2385	AJC/License	01/20/1953	3.20 cfs	640.0 af	1,579.0	1,579.0	GROUND WATER
43-2391	AJC/License	04/18/1953	2.80 cfs	560.0 af	1,579.0	1,579.0	GROUND WATER
43-2564	AJC/License	06/09/1963	2.20 cfs	840.0 af	1,579.0	1,579.0	GROUND WATER
43-4009	AJC/Beneficial Use	05/15/1953	2.00 cfs	624.0 af	1,579.0	1,579.0	GROUND WATER
43-4091	AJC/Beneficial Use	04/01/1954	2.80 cfs	622.0 af	1,579.0	1,579.0	GROUND WATER
43-4092	AJC/Beneficial Use	04/01/1954	0.23 cfs	60.0 af	1,579.0	1,579.0	GROUND WATER
43-4141	AJC/Beneficial Use	04/03/1954	2.67 cfs	414.0 af	1,579.0	1,579.0	GROUND WATER
43-10037	AJC/Beneficial Use	06/30/1985	1.55 cfs		1,579.0	1,579.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
43-2309	NO	NO	YES	YES	NO	NO
43-2312A	NO	NO	YES	YES	NO	NO
43-2385	NO	NO	YES	YES	NO	NO
43-2391	NO	NO	YES	YES	NO	NO
43-2564	NO	NO	YES	YES	NO	NO
43-4009	NO	NO	YES	YES	NO	NO
43-4091	NO	NO	YES	YES	NO	NO
43-4092	NO	NO	YES	YES	NO	NO
43-4141	NO	NO	YES	YES	NO	NO
43-10037	NO	NO	YES	YES	NO	NO

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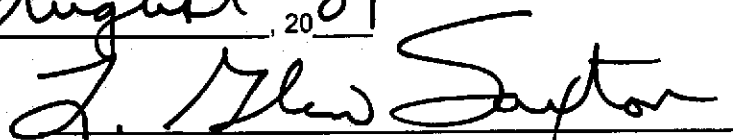
SEP 07 2001

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
43-2309	43-2309	2.3 cfs	640 af	160.0	1,600.0		N/A	N/A	N/A	N/A
43-2312A	43-2312A	5.2 cfs	1280 af	320.0	1,600.0		N/A	N/A	N/A	N/A
43-2385	43-2385	3.2 cfs	640 af	160.0	1,600.0		N/A	N/A	N/A	N/A
43-2391	43-2391	2.8 cfs	560 af	140.0	1,600.0		N/A	N/A	N/A	N/A
43-2564	43-2564	2.2 cfs	840 af	210.0	1,600.0		N/A	N/A	N/A	N/A
43-4009	43-4009	2 cfs	624 af	156.0	1,600.0		N/A	N/A	N/A	N/A
43-4091	43-4091	2.8 cfs	622 af	155.5	1,600.0		N/A	N/A	N/A	N/A
43-4092	43-4092	0.23 cfs	60 af	15.0	1,600.0		N/A	N/A	N/A	N/A
43-4141	43-4141	2.67 cfs	414 af	263.5	1,600.0		N/A	N/A	N/A	N/A
43-10037	43-10037	1.55 cfs		137.0	1,600.0		N/A	N/A	N/A	N/A
TOTALS		23.07 cfs	5680 af	1579.0	1600.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 24th day of August, 2001


 Chief, Water Allocation Bureau

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SEP 07 2001

WATER RIGHT NO. 43-2309
As Modified by Transfer No. 66921

In accordance with the approval of Transfer No. 66921, Water Right No. 43-2309 is now described as follows.

Right Holder: GARY B HARPER
 2040 E 850 S
 DECLO ID 83323

Priority Date: 05/01/1948

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	2.30 CFS	640.0 AF
			2.30 CFS	640.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESWSE	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 35	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 35	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 25	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWNWNW	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSENE	Sec. 27	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SESENE	Sec. 26	Twp 11S	Rge 26E	CASSIA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S 26E 25									33.0	39.0	40.0	33.0					145.0
11S 26E 26	24.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	38.0	39.0	40.0	40.0	40.0	40.0	620.0
11S 26E 27	40.0	40.0	40.0	40.0									40.0	40.0	40.0	40.0	320.0
11S 26E 34	40.0	40.0	33.0	40.0													153.0
11S 26E 35					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0
12S 26E 3	31.0	1.0		10.0													42.0
	L1	L2															

Total Acres: 1600

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 SEP 07 2001

WATER RIGHT NO. 43-2309
As Modified by Transfer No. 66921

CONDITIONS OF APPROVAL

1. Water right no. 43-2309 is limited to the irrigation of 160 acres within the place of use described above in a single irrigation season.
2. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
3. Rights 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092, 43-4141, 43-10037 when combined shall not exceed a total diversion rate of 23.07 cfs from all authorized points of diversion, a total annual maximum diversion volume of 5680 af at the field headgate, and the irrigation of 1579 acres.
4. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
9. Right no. 43-10037 is an expansion of right nos. 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092 and 43-4141 pursuant to section 42-1416B, Idaho Code.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 24th day of August, 2001



Chief, Water Allocation Bureau

MICROFILMED
SEP 37 2001

WATER RIGHT NO. 43-2312A
As Modified by Transfer No. 66921

In accordance with the approval of Transfer No. 66921, Water Right No. 43-2312A is now described as follows.

Right Holder: GARY B HARPER
 2040 E 850 S
 DECLO ID 83323

Priority Date: 06/19/1948

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15 to 11/15	5.20 CFS	1,280.0 AF
		5.20 CFS	1,280.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESWSE	Sec. 26 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 35 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 35 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 25 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 26 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SWNWNW	Sec. 26 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SWSENE	Sec. 27 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SESENW	Sec. 26 Twp 11S Rge 26E	CASSIA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S 26E 25									33.0	39.0	40.0	33.0					145.0
11S 26E 26	24.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	38.0	39.0	40.0	40.0	40.0	40.0	620.0
11S 26E 27	40.0	40.0	40.0	40.0									40.0	40.0	40.0	40.0	320.0
11S 26E 34	40.0	40.0	33.0	40.0													153.0
11S 26E 35					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0
12S 26E 3	31.0	1.0		10.0													42.0
	L1	L2															

Total Acres: 1600

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SEP 07 2001

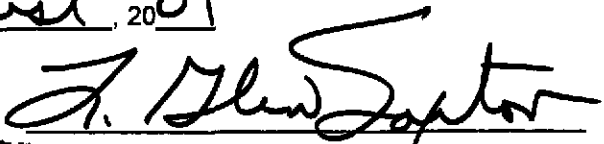
WATER RIGHT NO. 43-2312A
As Modified by Transfer No. 66921

CONDITIONS OF APPROVAL

1. Water right no. 43-2312A is limited to the irrigation of 320 acres within the place of use described above in a single irrigation season.
2. Rights 43-2312A, 43-4092 and 43-10037 when combined shall not exceed a total diversion rate of 5.2 cfs.
3. Rights 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092, 43-4141, 43-10037 when combined shall not exceed a total diversion rate of 23.07 cfs from all authorized points of diversion, a total annual maximum diversion volume of 5680 af at the field headgate, and the irrigation of 1579 acres.
4. Rights 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092, 43-4141, 43-10037 when combined shall not exceed a total diversion rate of 23.07 cfs, a total annual maximum diversion volume of 5680 af at the field headgate, and the irrigation of 1579 acres.
5. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
10. Right no. 43-10037 is an expansion of right nos. 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092 and 43-4141 pursuant to section 42-1416B, Idaho Code.
11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 24th day of August, 2001


MICROFILMED Water Allocation Bureau

SEP 07 2001

WATER RIGHT NO. 43-2385
As Modified by Transfer No. 66921

In accordance with the approval of Transfer No. 66921, Water Right No. 43-2385 is now described as follows.

Right Holder: GARY B HARPER
 2040 E 850 S
 DECLO ID 83323

Priority Date: 01/20/1953

Source: GROUNDWATER **Tributary:** N/A

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	3.20 CFS	640.0 AF
			3.20 CFS	640.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESWSE	Sec. 26 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 35 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 35 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 25 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 26 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SWNWNW	Sec. 26 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SWSENE	Sec. 27 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SESENW	Sec. 26 Twp 11S Rge 26E	CASSIA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S 26E 25									33.0	39.0	40.0	33.0					145.0
11S 26E 26	24.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	38.0	39.0	40.0	40.0	40.0	40.0	620.0
11S 26E 27	40.0	40.0	40.0	40.0									40.0	40.0	40.0	40.0	320.0
11S 26E 34	40.0	40.0	33.0	40.0													153.0
11S 26E 35					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0
12S 26E 3	31.0	1.0		10.0													42.0
	L1	L2															

Total Acres: 1600

MICROFILMED

SEP 07 2001

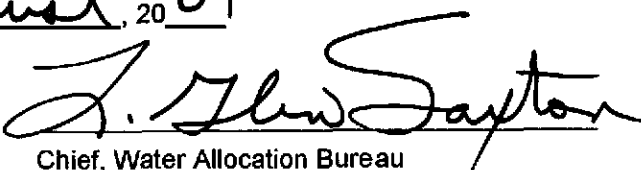
WATER RIGHT NO. 43-2385
As Modified by Transfer No. 66921

CONDITIONS OF APPROVAL

1. Water right no. 43-2385 is limited to the irrigation of 160 acres within the place of use described above in a single irrigation season.
2. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
3. Rights 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092, 43-4141, 43-10037 when combined shall not exceed a total diversion rate of 23.07 cfs from all authorized points of diversion, a total annual maximum diversion volume of 5680 af at the field headgate, and the irrigation of 1579 acres.
4. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
9. Right no. 43-10037 is an expansion of right nos. 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092 and 43-4141 pursuant to section 42-1416B, Idaho Code.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 24th day of August, 2001


Chief, Water Allocation Bureau

MICROFILMED

SEP 07 2001

WATER RIGHT NO. 43-2391
As Modified by Transfer No. 66921

In accordance with the approval of Transfer No. 66921, Water Right No. 43-2391 is now described as follows.

Right Holder: GARY B HARPER
 2040 E 850 S
 DECLO ID 83323

Priority Date: 04/18/1953

Source: GROUNDWATER

Tributary: N/A

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	2.80 CFS	560.0 AF
			2.80 CFS	560.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESWSE	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 35	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 35	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 25	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWNWNW	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSENE	Sec. 27	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SESENW	Sec. 26	Twp 11S	Rge 26E	CASSIA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S 26E 25									33.0	39.0	40.0	33.0					145.0
11S 26E 26	24.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	38.0	39.0	40.0	40.0	40.0	40.0	620.0
11S 26E 27	40.0	40.0	40.0	40.0									40.0	40.0	40.0	40.0	320.0
11S 26E 34	40.0	40.0	33.0	40.0													153.0
11S 26E 35					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0
12S 26E 3	31.0	1.0		10.0													42.0
	L1	L2															

Total Acres: 1600

MICROFILMED

SEP 07 2011

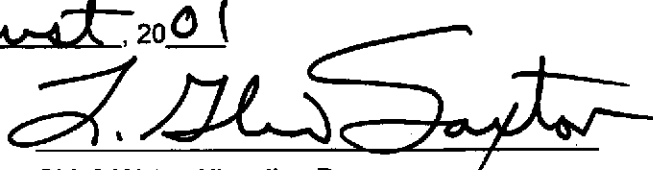
WATER RIGHT NO. 43-2391
As Modified by Transfer No. 66921

CONDITIONS OF APPROVAL

1. Water right no. 43-2391 is limited to the irrigation of 140 acres within the place of use described above in a single irrigation season.
2. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
3. Rights 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092, 43-4141, 43-10037 when combined shall not exceed a total diversion rate of 23.07 cfs from all authorized points of diversion, a total annual maximum diversion volume of 5680 af at the field headgate, and the irrigation of 1579 acres.
4. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
9. Right no. 43-10037 is an expansion of right nos. 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092 and 43-4141 pursuant to section 42-1416B, Idaho Code.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 24th day of August, 2001


Chief, Water Allocation Bureau

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SEP 07 2001

WATER RIGHT NO. 43-2564
As Modified by Transfer No. 66921

In accordance with the approval of Transfer No. 66921, Water Right No. 43-2564 is now described as follows.

Right Holder: GARY B HARPER
 2040 E 850 S
 DECLO ID 83323

Priority Date: 06/09/1963

Source: GROUNDWATER

Tributary: N/A

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to	10/31	2.20 CFS	840.0 AF
			2.20 CFS	840.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESWSE	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 35	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 35	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 25	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWNWNW	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSENE	Sec. 27	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SESENW	Sec. 26	Twp 11S	Rge 26E	CASSIA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S 26E 25									33.0	39.0	40.0	33.0					145.0
11S 26E 26	24.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	38.0	39.0	40.0	40.0	40.0	40.0	620.0
11S 26E 27	40.0	40.0	40.0	40.0									40.0	40.0	40.0	40.0	320.0
11S 26E 34	40.0	40.0	33.0	40.0													153.0
11S 26E 35					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0
12S 26E 3	31.0	1.0		10.0													42.0
	L1	L2															

Total Acres: 1600

CONDITIONS OF APPROVAL

- Water right no. 43-2564 is limited to the irrigation of 210 acres within the place of use described above in a single irrigation season.
- Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

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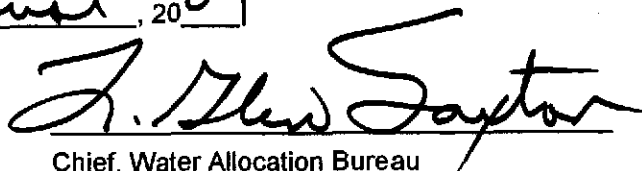
WATER RIGHT NO. 43-2564
As Modified by Transfer No. 66921

CONDITIONS OF APPROVAL

3. Rights 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092, 43-4141, 43-10037 when combined shall not exceed a total diversion rate of 23.07 cfs from all authorized points of diversion, a total annual maximum diversion volume of 5680 af at the field headgate, and the irrigation of 1579 acres.
4. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
5. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
10. Right no. 43-10037 is an expansion of right nos. 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092 and 43-4141 pursuant to section 42-1416B, Idaho Code.
11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 24th day of August, 2001


Chief, Water Allocation Bureau

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SEP 07 2001

WATER RIGHT NO. 43-4009
As Modified by Transfer No. 66921

In accordance with the approval of Transfer No. 66921, Water Right No. 43-4009 is now described as follows.

Right Holder: GARY B HARPER
 2040 E 850 S
 DECLO ID 83323

Priority Date: 05/15/1953

Source: GROUNDWATER

Tributary: N/A

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	2.00 CFS	624.0 AF
			2.00 CFS	624.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESWSE	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 35	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 35	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 25	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWNWNW	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSENE	Sec. 27	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SESENW	Sec. 26	Twp 11S	Rge 26E	CASSIA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S 26E 25									33.0	39.0	40.0	33.0					145.0
11S 26E 26	24.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	38.0	39.0	40.0	40.0	40.0	40.0	620.0
11S 26E 27	40.0	40.0	40.0	40.0									40.0	40.0	40.0	40.0	320.0
11S 26E 34	40.0	40.0	33.0	40.0													153.0
11S 26E 35					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0
12S 26E 3	31.0	1.0		10.0													42.0
	L1	L2															

Total Acres: 1600

MICROFILMED

SEP 07 2001

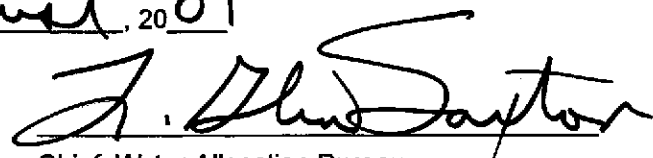
WATER RIGHT NO. 43-4009
As Modified by Transfer No. 66921

CONDITIONS OF APPROVAL

1. Water right no. 43-4009 is limited to the irrigation of 156 acres within the place of use described above in a single irrigation season.
2. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
3. Rights 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092, 43-4141, 43-10037 when combined shall not exceed a total diversion rate of 23.07 cfs from all authorized points of diversion, a total annual maximum diversion volume of 5680 af at the field headgate, and the irrigation of 1579 acres.
4. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
9. Right no. 43-10037 is an expansion of right nos. 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092 and 43-4141 pursuant to section 42-1416B, Idaho Code.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 24th day of August, 2001


Chief, Water Allocation Bureau

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SEP 07 2001

WATER RIGHT NO. 43-4091
As Modified by Transfer No. 66921

In accordance with the approval of Transfer No. 66921, Water Right No. 43-4091 is now described as follows.

Right Holder: GARY B HARPER
 2040 E 850 S
 DECLO ID 83323

Priority Date: 04/01/1954

Source: GROUNDWATER

Tributary: N/A

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	2.80 CFS	622.0 AF
			2.80 CFS	622.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESWSE	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 35	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 35	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 25	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWNWNW	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSENE	Sec. 27	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SESENE	Sec. 26	Twp 11S	Rge 26E	CASSIA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S 26E 25									33.0	39.0	40.0	33.0					145.0
11S 26E 26	24.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	38.0	39.0	40.0	40.0	40.0	40.0	620.0
11S 26E 27	40.0	40.0	40.0	40.0									40.0	40.0	40.0	40.0	320.0
11S 26E 34	40.0	40.0	33.0	40.0													153.0
11S 26E 35					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0
12S 26E 3	31.0 L1	1.0 L2		10.0													42.0

Total Acres: 1600

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SEP 07 2001

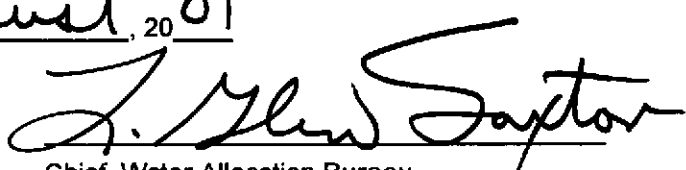
WATER RIGHT NO. 43-4091
As Modified by Transfer No. 66921

CONDITIONS OF APPROVAL

1. Water right no. 43-4091 is limited to the irrigation of 155.5 acres within the place of use described above in a single irrigation season.
2. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
3. Rights 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092, 43-4141, 43-10037 when combined shall not exceed a total diversion rate of 23.07 cfs from all authorized points of diversion, a total annual maximum diversion volume of 5680 af at the field headgate, and the irrigation of 1579 acres.
4. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
9. Right no. 43-10037 is an expansion of right nos. 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092 and 43-4141 pursuant to section 42-1416B, Idaho Code.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 24th day of August, 2001


Chief, Water Allocation Bureau

MICROFILMED

SEP 07 2001

WATER RIGHT NO. 43-4092
As Modified by Transfer No. 66921

In accordance with the approval of Transfer No. 66921, Water Right No. 43-4092 is now described as follows.

Right Holder: GARY B HARPER
 2040 E 850 S
 DECLO ID 83323

Priority Date: 04/01/1954

Source: GROUNDWATER

Tributary: N/A

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15 to	11/15	0.23 CFS	60.0 AF
			0.23 CFS	60.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESWSE	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 35	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 35	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 25	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWNWNW	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSENE	Sec. 27	Twp 11S	Rge 26E	CASSIA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S 26E 25									33.0	39.0	40.0	33.0					145.0
11S 26E 26	24.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	38.0	39.0	40.0	40.0	40.0	40.0	620.0
11S 26E 27	40.0	40.0	40.0	40.0									40.0	40.0	40.0	40.0	320.0
11S 26E 34	40.0	40.0	33.0	40.0													153.0
11S 26E 35					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0
12S 26E 3	31.0	1.0		10.0													42.0
	L1	L2															

Total Acres: 1600

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SEP 07 2001

WATER RIGHT NO. 43-4092
As Modified by Transfer No. 66921

CONDITIONS OF APPROVAL

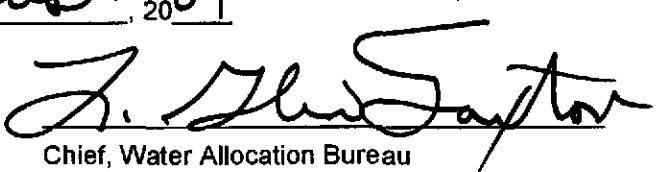
1. Water right no. 43-4092 is limited to the irrigation of 15 acres within the place of use described above in a single irrigation season.
2. Rights 43-2312A, 43-4092 and 43-10037 when combined shall not exceed a total diversion rate of 5.2 cfs.
3. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
4. Rights 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092, 43-4141, 43-10037 when combined shall not exceed a total diversion rate of 23.07 cfs from all authorized points of diversion, a total annual maximum diversion volume of 5680 af at the field headgate, and the irrigation of 1579 acres.
5. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
10. Right no. 43-10037 is an expansion of right nos. 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092 and 43-4141 pursuant to section 42-1416B, Idaho Code.
11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 24th day of August, 2001

MICROFILMED

SEP 37 2001


Chief, Water Allocation Bureau

WATER RIGHT NO. 43-4141
As Modified by Transfer No. 66921

In accordance with the approval of Transfer No. 66921, Water Right No. 43-4141 is now described as follows.

Right Holder: GARY B HARPER
 2040 E 850 S
 DECLO ID 83323

Priority Date: 04/03/1954

Source: GROUNDWATER

Tributary: N/A

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	2.67 CFS	414.0 AF
			2.67 CFS	414.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESWSE	Sec. 26 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 35 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 35 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 25 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 26 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SWNWNW	Sec. 26 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SWSENE	Sec. 27 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SESENW	Sec. 26 Twp 11S Rge 26E	CASSIA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S 26E 25									33.0	39.0	40.0	33.0					145.0
11S 26E 26	24.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	38.0	39.0	40.0	40.0	40.0	40.0	620.0
11S 26E 27	40.0	40.0	40.0	40.0									40.0	40.0	40.0	40.0	320.0
11S 26E 34	40.0	40.0	33.0	40.0													153.0
11S 26E 35					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0
12S 26E 3	31.0	1.0		10.0													42.0
	L1	L2															

Total Acres: 1600

MICROFILMED

SEP 07 2001

WATER RIGHT NO. 43-4141
As Modified by Transfer No. 66921

CONDITIONS OF APPROVAL

1. Water right no. 43-4141 is limited to the irrigation of 263.5 acres within the place of use described above in a single irrigation season.
2. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
3. Rights 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092, 43-4141, 43-10037 when combined shall not exceed a total diversion rate of 23.07 cfs from all authorized points of diversion, a total annual maximum diversion volume of 5680 af at the field headgate, and the irrigation of 1579 acres.
4. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
9. Right no. 43-10037 is an expansion of right nos. 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092 and 43-4141 pursuant to section 42-1416B, Idaho Code.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 24th day of August, 2001


Chief, Water Allocation Bureau

MICROFILMED

SEP 07 2001

WATER RIGHT NO. 43-10037
As Modified by Transfer No. 66921

In accordance with the approval of Transfer No. 66921, Water Right No. 43-10037 is now described as follows.

Right Holder: GARY B HARPER
 2040 E 850 S
 DECLO ID 83323

Priority Date: 03/15/1970

Source: GROUNDWATER

Tributary: N/A

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15	to 11/15	1.55 CFS
			1.55 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESWSE	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 35	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 35	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 25	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSWSW	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWNWNW	Sec. 26	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SWSENE	Sec. 27	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	SESENW	Sec. 26	Twp 11S	Rge 26E	CASSIA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S 26E 25									33.0	39.0	40.0	33.0					145.0
11S 26E 26	24.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0	38.0	39.0	40.0	40.0	40.0	40.0	620.0
11S 26E 27	40.0	40.0	40.0	40.0									40.0	40.0	40.0	40.0	320.0
11S 26E 34	40.0	40.0	33.0	40.0													153.0
11S 26E 35					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0
12S 26E 3	31.0	1.0		10.0													42.0
	L1	L2															

Total Acres: 1600

MICROFILMED

SEP 07 2001

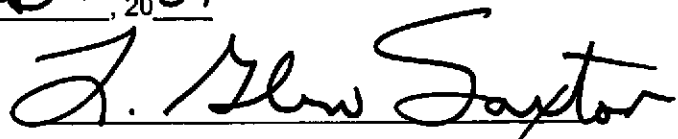
WATER RIGHT NO. 43-10037
As Modified by Transfer No. 66921

CONDITIONS OF APPROVAL

1. Water right no. 43-10037 is limited to the irrigation of 137 acres within the place of use described above in a single irrigation season.
2. Rights 43-2312A, 43-4092 and 43-10037 when combined shall not exceed a total diversion rate of 5.2 cfs.
3. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
4. Rights 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092, 43-4141, 43-10037 when combined shall not exceed a total diversion rate of 23.07 cfs from all authorized points of diversion, a total annual maximum diversion volume of 5680 af at the field headgate, and the irrigation of 1579 acres.
5. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
10. Right no. 43-10037 is an expansion of right nos. 43-2309, 43-2312A, 43-2385, 43-2391, 43-2564, 43-4009, 43-4091, 43-4092 and 43-4141 pursuant to section 42-1416B, Idaho Code.
11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 24th day of August, 2001


Chief, Water Allocation Bureau

MICROFILM

SEP 07 2001

WATER LICENSE

Water License No. G-31110 Priority June 9, 1963 Amount 2.20 c.f.s.
(late proof)

THIS IS TO CERTIFY, that George & Nellie Carruthers
of Long Beach, California, made application for a permit to appropriate the public waters of
the State of Idaho, dated May 1, 1963; that Permit G-31110 was issued pursuant
to said application; that the proposed works were completed on or about 1966
with a storage/or carrying capacity of 2.20 c.f.s., said works consisting of well, pump,
motor, concrete diversion works through earth ditches, and that on June 10, 1968
proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 840
acre feet per season, with a maximum rate of diversion of 2.20 c.f.s. cubic feet per second of the waters
of a well, tributary of subterranean flow,
for the purpose of irrigation from April 1 to October 31;
and for _____ from _____ to _____; and for
_____ from _____ to _____; and that the use
of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-
mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is
located in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 26, T. 11 S, R. 26 E, B.M., and
other additional points _____, in the County of
Cassia; and that the amount of water to which such right is
entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially
used for said purposes and shall not exceed 840 acre feet per year.

Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
11 S	26 E	26									40	39	38	39		27	27		210

Total number of acres irrigated 210

The right to the use of the water 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

23rd day of September, 1968.

R. Keith Hyslop
State Reclamation Engineer

43 2501

G-31110

Norman H. Nielson
Box 367
Burley, Idaho

43-2564

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 39203
Permit No. G- 31110
District No.

1. Name of Applicant: George Carruthers and Nellie Carruthers, husband and wife
5895 California Ave.,
Postoffice address: Long Beach, County: Los Angeles State: California
2. Quantity of water claimed: 4.3 cubic feet per second
 - (a) Rate of withdrawal in cubic feet per second or Idaho
Miners' inches or gallons per minute
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the SW 1/4 of the SW 1/4 of Section 26
Twp. 11 South, Rge. 26 E., B.M., County of Cassia
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the 1/4 of the 1/4 of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the 1/4 of the 1/4 of Section , Twp. , Rge. , B.M.
7. Kind of works: Well 20 inches in diameter with pump and electric motor and ditches leading from the well.
8. Estimated cost of works: \$8,500.00
9. (a) Is reservoir to be used? No
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None
 - (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) 4.3 (cubic feet per second, inches or gallons per minute) is for new lands.

Remarks:

By s/ Norman H. Nielson Agent.

Corrected application received:

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	
11 S	26 E	26									40	40	40	40		27	27	214	
LICENSE ISSUED FOR <u>220</u> SEC. FT. LICENSE PAGE NO. <u>31110</u>																			

LICENSE ISSUED FOR 220 SEC. FT.
 LICENSE PAG: NO. 31110

MEMORANDUM

TO: FILE 43-2564
FROM: VAULT
RE: TRANSFER # 66921
DATE: 8.27.01

=====

**Original Transfer Application, Form and correspondence regarding the above
referenced Transfer is located within:**

FILE # 43-2309

**MICROFILMED
SEP 07 2001**

MEMORANDUM

TO: FILE 43-02564

FROM: PAM SKAGGS

RE: TRANSFER # 5501

DATE: 10-25-99

Original Transfer Application, Form and correspondence
regarding the above referenced Transfer is located within
file # 43-02309.

MICROFILMED

SEP 07 2001

September 23, 1968

Re: Permit No. G-31110

George & Nellie Carruthers
c/o General Delivery
Burley, Idaho 83318

Dear Mr. & Mrs. Carruthers:

Enclosed herewith is your Water License on the above numbered permit.

Also enclosed is departmental receipt No. 2086 in the amount of \$17.00 covering the fees.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kh

Enclosures

31110

9-16-68

please send
this address

c/o Post Office General Delivery
Bunley Idaho

Dear Sir

Received your letter of September 9, 1968

Re: Permit no. G. 31110

I am sending a Cashier check for
\$ 17.00 Dollars. for Certificate of
completion of works and the license
and certificate of Water Right

Yours Truly
George Carnuthers

George Carnuthers
and Nellie Carnuthers
5895 California ave 90805
Long Beach
California

P.S.

Thanks very Much
G.C.

RECEIVED

SEP 17 1968

Department of Reclamation

\$31110

September 4, 1968

Re: Permit No. G-31110

George Carruthers, and Nellie Carruthers
5895 California Avenue
Long Beach, California

31110

Dear Mr. Carruthers:

A representative of this department has made an examination of the works covered by your permit G31110 and has found the following:

Quantity of water diverted: 2.20 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 2.20 c.f.s.

Purpose of use: irrigation of 210 acres in
the NW¹/₄, W¹/₂SW¹/₄, sec. 26, T. 11 S, R. 26 E, B.M.

The priority date established is: June 9, 1963 (late proof).

A fee totaling \$ 17.00 must be received within 30 days from the date of this letter in order that we can issue you the Certificate of Completion of Works and the License and Certificate of Water Right as described above.

Very truly yours,

Donald W. McKidowney
Appropriation Examiner

DWM:ks
cc: George Carruthers
General Delivery
Burley, Idaho

31110

General Description Survey, 100440

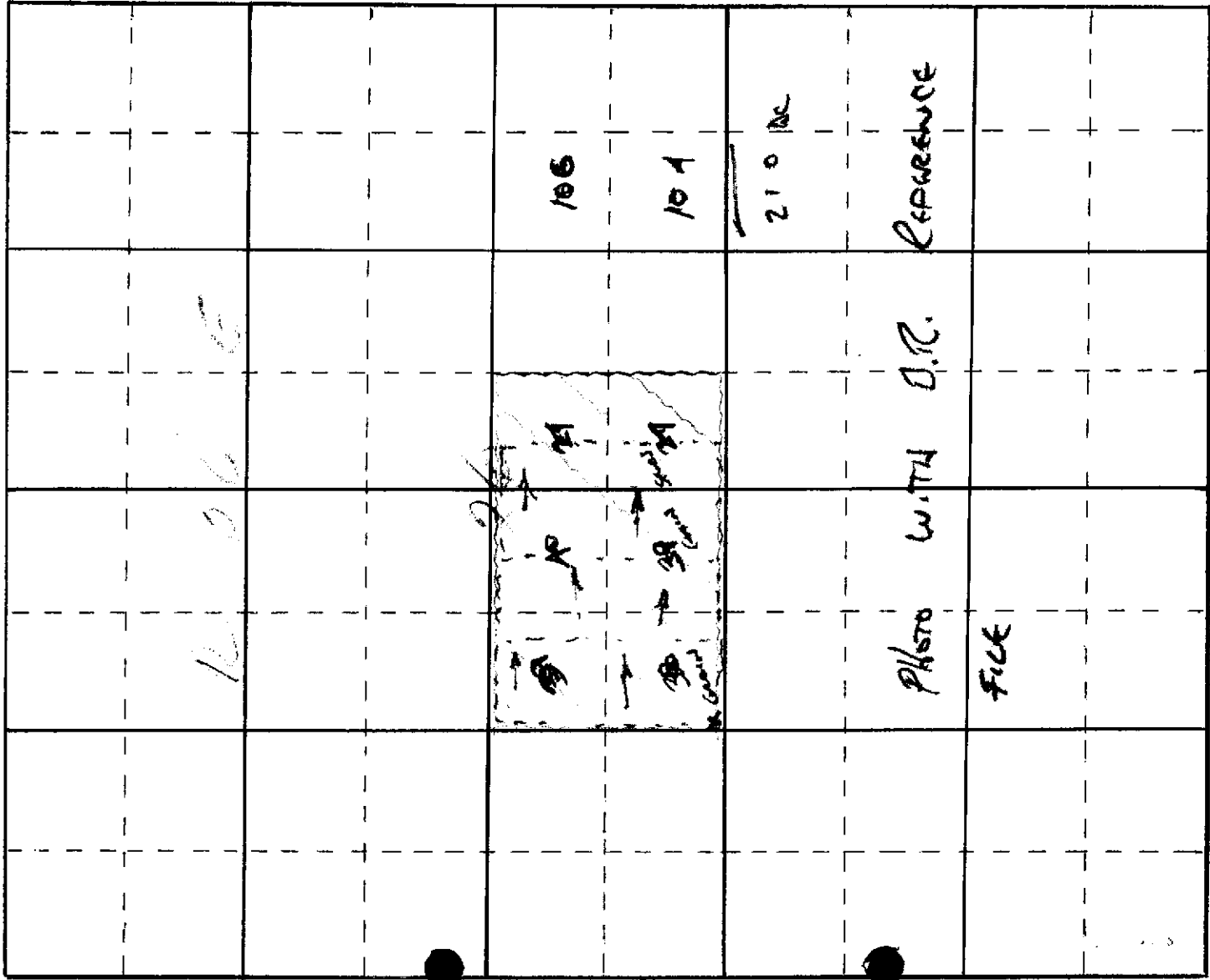
Permit No. G-31110
Name of Applicant George Carruthers and Nellie Carruthers, 5895 California Ave., Long Beach, California
Source of Water Subterranean
a tributary of sec. 26
Location of P.D. SW $\frac{1}{4}$ SW $\frac{1}{4}$, T. 11 S., R. 26 E., B.M., Cassia County

Water is used for Irrigation
Quantity of water claimed: Permit 4.3 c.f.s. Depositions 200"
Type of measuring device installed or method of measurement and general description of diversion works earthen ditches, concrete drops and concrete spill boxes 273' x 273' x 20" H. 220' - Q. 125" Measured by discharge pipe

Land to be irrigated or place of use:		Description	
TWP.	RGE.	SEC.	
11 S	26 E	26	SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$

Total acreage 214
Filed May 1, 1963 Made June 10, 1968
Due May 2, 1968 Priority: June 9, 1963 (later priority)
Other rights and acreage covered: (Indicate amounts, source, licensed or decreed, and acreage covered by subdivision; also show land covered on the map.)

None



31110

Source of supply SUGARBROOK
a tributary of _____

Location of P.D.(s) SW SW SEC 26 11S 26E
CASSIA CO.

Water is used for IRRIGATION
Quantity of water found 2.20 cfs.

How was the measurement made? MEASUREMENT

Measurement calculations _____

200 c.f. in 92 sec

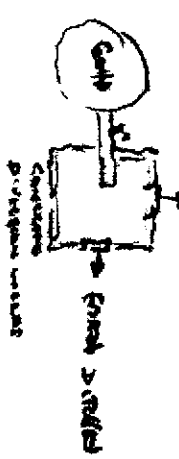
$$Q = \frac{200 \text{ c.f.}}{92 \text{ sec}} = 2.174 \text{ cfs}$$

$$+ 0.021 \text{ correction factor}$$
$$\underline{2.195 \text{ cfs}}$$

or 109.750

Diversion works description and diagram

60 ft 66 c.f. 40 ft # 7425735
4 ft 3 v.t. # 249056
900 gpm 225' 1270 rpm
8" DISCHARGE 10' in
CONCRETE DIVERSION
WORKS. THROUGH
GRAVEL DITCHES



Indicate area irrigated in each subdivision on the map.

Total acreage irrigated 210 ACRES

6 SUBDIVISIONS

If water is used for purposes other than irrigation, fully describe how the water is used and what is done with it after the use.

Who represented the permit holder at the examination?

MR GEORGE CANNON

Recommended allowance for licensing 2.20 cfs.

Description of required amendments. Comments _____

Report checked? _____

Examination date 8-21-68 OR

Signature _____

John Reynolds

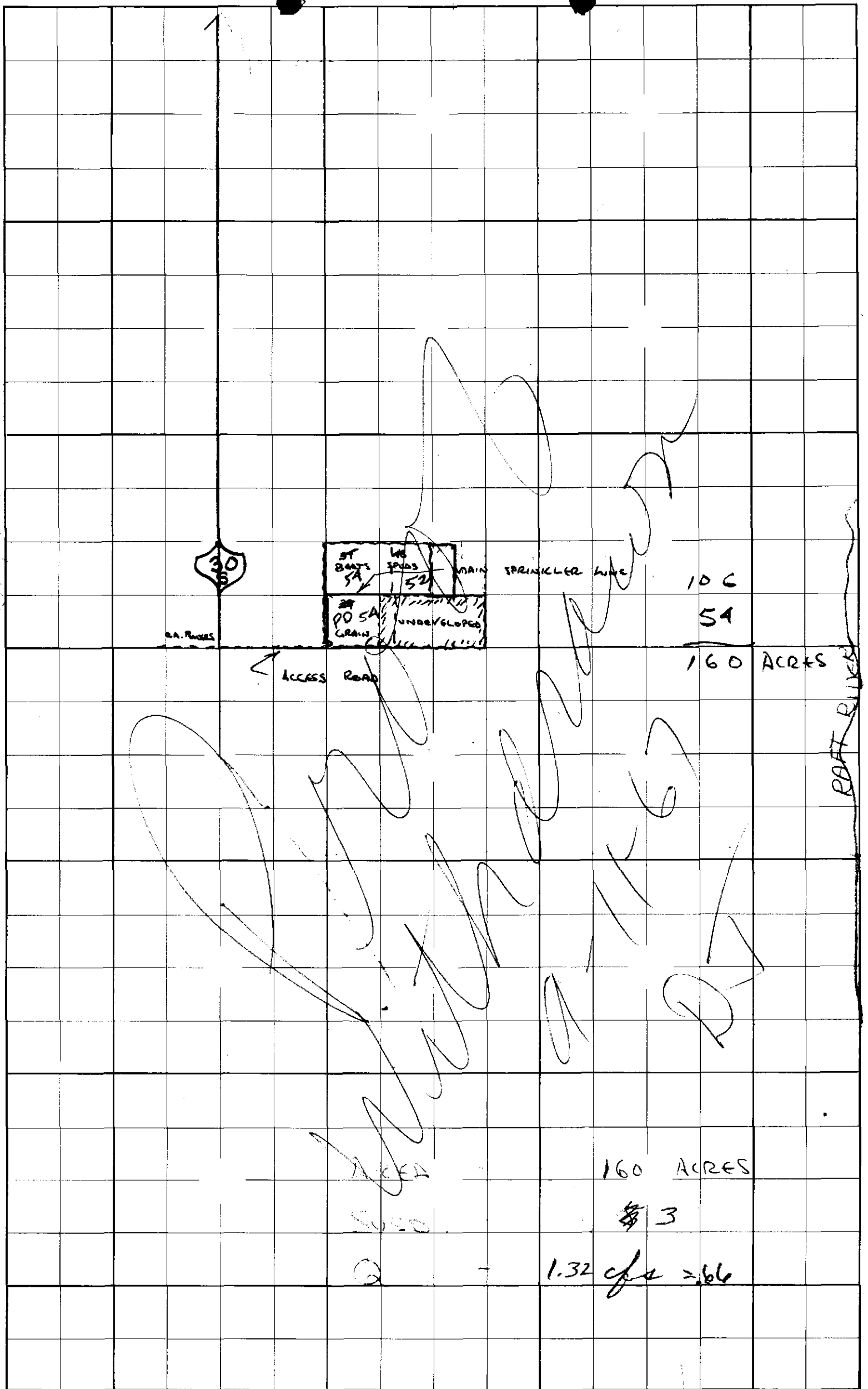
31116

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. G-31110

REPORT ON PROOF OF Completion of Works & Beneficial Use



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

Permit No. 31110 / G-3110

This proof is for C/W and B/W In Water District No. _____

1. Name of applicant George & Nellie Carruthers

2. Source of water supply: subterranean

3. Location of point of diversion: Is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 26
T. 11 S R. 26 E County of Cassia

4. Describe works as they exist, giving dimensions and capacities of same:

60 HP. G.E. MOTOR #57666 X C 9 B
LAUNE & BOWEN PUMP # 1221 D 13056
8" DISCHARGE THROUGH 8" SPRINKLER PIPE 7 LINES
33 NOZZLES EACH (7/64" @ 54 lbs)

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):

SW $\frac{1}{4}$ Sec. 26, T. 11 S, R. 26 E, B.M.

SW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$

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

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

Remarks: _____

1.32 cfs

231 7/64 nozzles @ 54 psi = 1.32 cfs

This examination was made on the 13th day of June, 1967

(Signed)

Dean Reynolds

Examiner.

31110

DW
plat

George & Nellie Carruthers (Norman H. Nielson) - Agency - BURLEY, IDAHO
5895 California Avenue
Long Beach, California
Permit No. G-31110
Examination for C/W and B/Uz

20" - 270'
4" - 90'
7 lines 33 day.
250' 60"
757077 LAMNT
42 feet in.

County Cassia

Quantity: 4.3 c.f.s.

Source: subterranean

P.D.: SW 1/4 Sec. 28, T. 11 S, R. 26 E, B.M. LAYNE & RANUNC

Use: irrigation

Extension:

Protest:

Completion of Works:

Other Rights:

Filed: May 1, 1963

Due: May 2, 1968

Made: June 30, 1967

Priority: May 1, 1963

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.

BAND NEW
GE MOTOR 60 H.P.
5K6266XC9B

1222 213056
900 gpm 225' 1170 rpm

8" DISCHARGE - 8" DIA

BOOSTER PUMP # 1262
STERLING MOTOR 32 H.P.
P (8687) - 03

55#
2.56 gpm
231 No. 2.
250' 60"
757077 LAMNT
42 feet in.

31110

June 20, 1968

Re: Permit No. G-31110

George and Nellie Carruthers
5895 California Avenue
Long Beach, California 90805

Dear Mr. and Mrs. Carruthers:

We acknowledge receipt of the depositions and affidavit of publication in the
South Idaho Press submitted as proof of com-
pletion of works and beneficial use on Permit G-31110.

Before a certificate and license of water right can be issued, a field
examination must be made by a representative from this department. We
cannot tell just when this examination will be made, but our field examiner
will try to contact you at the time he makes the examination so that you
may show him the system.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:dj

31110

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho
Permit No. G31110

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: _____
(husband & wife)

George & Nel Carruthers, retired, 5895 California Ave. Long Beach, California 90805

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

Ques. 3. State number, approval date of permit, and date of priority: G31110,
approval date: 6-10-68 date of priority: 5-1-68.

Ques. 4. State source of water supply: well
Give location of point of diversion, showing subdivision, section, township and range
SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 26, T. 11S, R. 26 EBM Cassia County

Ques. 5. Describe your works of diversion: earthen ditches, concrete drops and concrete spill boxes; state amount of water they are capable of conveying from point of diversion to place of use: 200 inches; Give name of canal or ditch or other works by which water is conducted to such place of use: none
; if a well, state depth of well 273 Ft.; depth and size of casing 273 ft. 20" diameter; depth to water 220 ft.; if pump is used, state discharge of pump: 125 inches; tell how it was measured or determined by discharge pipe; if sprinkler irrigation, give number and size of nozzles and operating pressure: _____

Ques. 6. State for what purpose water is used: irrigation purposes
(If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water:

SW $\frac{1}{4}$, W $\frac{1}{2}$, and SE $\frac{1}{4}$, Sec. 26, T. 11S, R 26 EBM 214 Acres.

31110

Dean Rogers

State nature of all improvements which have been made as a direct result of said use:

ditch pads, spill box, drops, leveling ground.

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

Ques. 7. If for other than irrigation purposes, show full legal description of place of use and state purpose for which water is used:

Ques. 8: 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:

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: Spring of 1966- 66" - Time used since first use:

Two crops

Ques. 10. Describe all other water rights appurtenant to same place of use: none

(sign)

George Carruthers

Nell Carruthers by,

George Carruthers

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

Burley

, County of

Cassia

State of Idaho, on this 10th day of June, A. D. 19 68.

My commission expires:

Dec. 28, 1971

31110

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G31110

* * * * *

RECEIVED
JUN 11 1965
DEPT. OF RECLAMATION

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:

Ray Dowthitt, 30, Declo, Idaho, farmer

Ques. 2 Are you acquainted with George Carruthers, the holder of
Permit No. G31110 ? How long have you known him and where does he reside?

3 yrs. 5895 California Ave. Long Beach, California

Ques. 3. Have you read or heard said Permit No. G31110 read, and are you familiar
with its provisions and conditions: Yes x No.

Ques. 4. State source of water supply: Well

Give location of place of diversion, showing subdivision, section, township and range

SW¹/₄, SW¹/₄, Sec. 26, T11S, R26 EBM

Describe works for conveying water to place of use: ditches

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 4.3 cfs How much water have you seen being so
conveyed? 125 "

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:

SW¹/₄, W¹/₂, and SE¹/₄, Sec 26, T11S, R26 EBM 21 1/2 Acres

31110

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

Ques. 8. (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.

desert land 21 1/2 #

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned? If so, in what way and to what extent? none

Ques. 10. When did you first see this water used? Spring of 1966

Other times you have seen such use: each crop season since first use.

(Signed):

Ray D. Smith

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

Burley, County of Cassia, State of Idaho, on this 10th day of June, A. D. 1968

John R. McCard

Notary Public for the State of Idaho

Residing Twin Falls, Idaho

My commission expires Dec. 28, 1971

31110

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G31110

* * * * *

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and Construction 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:

Ivan Wilkinson, 18, Declo, Idaho. Common laborer

Ques. 2 Are you acquainted with George Carruthers, the holder of
Permit No. G31110? How long have you known him and where does he reside?

1 month. 5895 California Ave. Long Beach, California

Ques. 3. Have you read or heard said Permit No. G 31110 read, and are you familiar
with its provisions and conditions: Yes X No.

Ques. 4. State source of water supply: Well

Give location of place of diversion, showing subdivision, section, township and range

SW¹/₄, SW¹/₄, Sec. 26, T. 11 S., R. 26 EBM.

Describe works for conveying water to place of use: Ditches

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 4.3 cfs How much water have you seen being so
conveyed? 125 "

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:

SW¹/₄, W¹/₄, and SE¹/₄, Sec. 26, T. 11 S., R. 26 EBM 21 1/4 acres

31110

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

Ques. 8. (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.

desert land. 214 "

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned? If so, in what way and to what extent? none

Ques. 10. When did you first see this water used? May 1968

Other times you have seen such use: _____

(Signed):

Sam F. Baker

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 _____

Burley, County of Cassia, State of Idaho, on this 10th day of June, A. D. 19 68

John R. McErd
Notary Public for the State of Idaho
Residing Twin Falls, Idaho

My commission expires Dec. 28, 1971

31110

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss.
STATE OF IDAHO)

Ruth Chambers, being first

duly sworn, deposes and says that she is the

owner of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of

The South Idaho Press for 4

consecutive weeks, commencing with the issue

dated May 14 1968, and ending

with the issue dated June 4, 1968.

Ruth Chambers

Subscribed and sworn to before me

this 6th day of June

1968.

Edith Raustadt Notary Public

Cost of Publication \$22.05

Notary Fee _____

Total Cost _____

My commission expires October 23, 1971

RECEIVED

JUN 12 1968

Department of Reclamation

NOTICE OF PUBLICATION OF PERMIT FOR THE DIVERSION OF WATER FOR BENEFICIAL USE

Notice is hereby given that on June 10, 1968, at Burley, County of Cassia, State of Idaho, before notary public Jim R. McCord, 239 West 15th Street, Burley, Idaho, proof will be submitted of the completion of works for the diversion of 4.3 c.f.s. of the waters of a subterranean source and the application to beneficial use of said water, in accordance with the terms and conditions of permit G-3110 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name of the person or permit holder is James Carruthers and Nellie Carruthers, husband and wife, California Ave., Long Beach, California.

2. Said works of diversion will be fully completed on the date for such completion and the amount of water which said works are capable of carrying to the place of use is 4.3 c.f.s. per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 4.3 c.f.s.

4. The point of diversion of said water is SW 1/4 Sec. 26, T. 11 S., R. 26 E., B. 1 N., Cassia Co., Idaho.

5. The place where said water is used is SW 1/4 Sec. 26, T. 11 S., R. 26 E., B. 1 N., Cassia Co., Idaho.

6. The date on which said user is permitted to establish is May 1, 1968.

R. KEITH, JR., State Reclamation Engineer
Published in the South Idaho Press, May 14, 21, 28, June 4, 1968.

31110

Re: Permit No. G-31110
George Carruthers & Nellie Carruthers

May 6, 1968

George Carruthers
Glen Del
Burley, Idaho 83318

Dear Mr. Carruthers:

This acknowledges receipt of the notice of intent to make proof of completion of works and application of water to beneficial use for permit No. G-31110.

We have mailed the notice to the South Idaho Press to be published once a week for four consecutive weeks prior to June 10, 1968, which is the hearing date when the permit holder George Carruthers and Nellie Carruthers, husband and wife, and two disinterested witnesses must appear before Jim R. McCord, notary public, to complete the enclosed depositions. The witnesses must be familiar with the works and permit.

After the hearing, the depositions and an affidavit of publication must be submitted to this office. The affidavit may be obtained from the newspaper when the advertising bill is paid by George Carruthers. Be sure all the forms have the notary's seal and are signed. Please feel free to contact us if we may be of any assistance.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:dj

Enc: Depositions

Ec: Notary

31110

May 6, 1968

Re: Permit No. G-31110
George Carruthers & Nellie Carruthers

South Idaho Press
Burley, Idaho 83318

Gentlemen:

Enclosed is a legal notice which we wish to have published for four consecutive weeks prior to June 10, 1968. The expense of the publication is to paid by George Carruthers, ~~XXXXXXXXXXXX~~
~~XXXXXXXXXXXX~~ Glen Del, Burley, Idaho

to whom you should furnish the affidavit of publication on or before the above date. Please acknowledge receipt of this notice by furnishing this office with a tear sheet for checking prior to the first publication.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:dj

Enc: legal notice

31170

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

Notice is hereby given that on June 10, 1968, at Burley,
County of Cassia, State of Idaho, before notary public (name & address) Jim R. McCord, 239 West 13th Street, Burley, Idaho, proof will be
submitted of the completion of works for the diversion of 4.3 c.f.s. of the waters
of a subterranean source, and the application to beneficial use of said water,
in accordance with the terms and conditions of permit G-31110, heretofore issued by
the Department of Reclamation of the State of Idaho.

1. The name and address of permit holder is George Carruthers and Nellie
Carruthers, husband and wife, 5895 California Ave., Long Beach, California.

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

3. The use to which said water has been applied is _____
irrigation purposes, and the amount applied to beneficial
use is 4.3 c.f.s.

4. The point of diversion of said water is SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 26, T. 11 S, R. 26 E,
B.M., Cassia County

5. The place where said water is used is SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 26, T. 11 S,
R. 26 E, B.M.

6. The date of priority which said user is prepared to establish is _____
May May 1, 1963

R. KEITH HIGGINSON

State Reclamation Engineer

31110

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

Notice is hereby given that on June 10, 1968 at Burley, Idaho,
County of Cassia, State of Idaho, before notary public (name & address) Jim R. McCord, 239 W. 13th St., Burley, Idaho, proof will be
submitted of the completion of works for the diversion of 4.3 c.f.s. of the waters
of a subterranean source, and the application to beneficial use of said water,
in accordance with the terms and conditions of permit G-31110, heretofore issued by
the Department of Reclamation of the State of Idaho.

1. The name and address of permit holder is George Carruthers and Nellie Carruthers, husband and wife, 5895 California Ave., Long Beach, California.
2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 4.3 cubic feet per second.
3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 4.3 c.f.s.
4. The point of diversion of said water is SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 26, T. 11 S, R. 26 E, B.M., Cassia County.
5. The place where said water is used is SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 26, T. 11 S, R. 26 E, B.M.
6. The date of priority which said user is prepared to establish is May 1, 1963.

State Reclamation Engineer

31110

RECEIVED

APR 30 1968

Department of Reclamation

(This completed form authorizes the Department of Reclamation to publish the required notice at your expense.)

State Reclamation Engineer:

You are hereby authorized to have the attached notice published at my expense in the World of Idaho of Burley, Idaho 83318; published in the county in which the works are situated.

George Carruthers
(signature)

George Carruthers
5895 California Avenue, Long Beach, California
(address)

April 29, 1968
(date)

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 when proof is for completion of works.

I hereby certify that the facts set forth in the attached notice are true.

Engineer

31110

Re: Permit No. G-31110

March 1, 1968

George Carruthers and Nellie Carruthers
5895 California Avenue
Long Beach, California

Dear Mr. and Mrs. Carruthers:

Proof of completion of works and application of water to beneficial use for the above referenced permit is due not later than May 2, 1968.

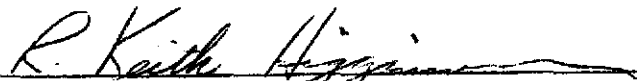
Under the terms of your permit, it is required that a notice be published once a week for four consecutive weeks in a local newspaper showing your intent to submit proof. The proof will consist of depositions which the permit holder and two disinterested witnesses must complete before the listed notary public, and must be accompanied by an affidavit of publication of the legal notice.

We have prepared the enclosed notice from the information on your permit. The complete name and address of a notary public of the State of Idaho must be entered together with a date for you to appear before the notary. Allow at least 40 days from the date the notice is mailed to this department for your appearance before the notary.

If you find any discrepancy in the notice or have made any changes, please advise this department and we will assist you in doing whatever may be necessary to assure correct publication.

If the enclosed notice is correct, complete the blank spaces and sign the form authorizing us to publish the notice at your expense and return all forms. At the time we send the notice to the newspaper, you will be supplied with further instructions.

If you do not desire to complete the proofs and obtain a license of water right, you are requested to complete the relinquishment portion of this form below and return it to the Department of Reclamation.


State Reclamation Engineer

RELINQUISHMENT

I hereby relinquish to the State of Idaho, all my right, title and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. _____.

Dated _____.

permit holder

31110

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
BURLEY, IDAHO
September 8, 1967

A. H. NIELSON
N. H. NIELSON

TELEPHONE
678-5574

Department of Reclamation
State House
Boise, Idaho

Attn: Donald W. McEldowny

Re: Permit No. G-31110
George Carruthers

Gentlemen:

In regard to the above permit, in view of your letter of September 5, 1967, we desire to withdraw the proof which has been submitted and to re-submit this proof at a later date as we believe that this would be most beneficial to Mr. Carruthers under these circumstances.

Very truly yours,

NIELSON & NIELSON

By: *[Signature]*

NHN:mm

*Proof
Withdrawn
9-11-67
D.S.*

31110

September 5, 1967

Re: Permit G-31110
George Carruthers

Norman H. Nielson
Nielson & Nielson
Attorneys at Law
Burley, Idaho

Dear Mr. Nielson:

Thank you for your letter of August 30, 1967, on the above referenced permit.

Your letter suggests that the applicant be allowed to obtain two licenses under his subterranean permit. Please be advised that provisions do not exist under Idaho Law allowing more than one license to be issued under a subterranean application. Therefore, the only means for Mr. Carruthers to obtain a license for more than the 66 inches found during our recent examination would be for him to write this department and officially withdraw proof submitted for application of the water to beneficial use. Permit G-31110 has until May 2, 1968, to submit the required proof of completion of works. If Mr. Carruthers withdraws his proof, this possibly would allow sufficient time to install a larger capacity system and submit proof of beneficial use up to the maximum limits of his permit.

Please advise this department as to your client's intent in the matter.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:nw

*Proof
Withdrawn
9-11-67
Df
31110*

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
BURLEY, IDAHO

August 30, 1967

A. H. NIELSON
N. H. NIELSON

TELEPHONE
678-5574

Department of Reclamation
107 State House
Boise, Idaho 83701

Attn: R. Keith Higginson

Re: Permit No. G-31110

Gentlemen:

In regard to Permit No. G-31110 issued to Mr. George Carruthers, we have discussed your letter of August 25, 1967, with Mr. Carruthers as he is at present living here in Burley, Idaho and we have come up with the following thought and would like to communicate it to you.

Mr. Carruthers has made proof on 66 inches of water. We would like to have the 66 inches of water licensed with permission to license the additional 34 inches which is produced by said well as soon as Mr. Carruthers obtains the necessary works to apply the full 100 inches of water to beneficial use.

It would appear to us that under the law he could obtain the license for the 66 inches and make the additional proof before May, 1968. We would appreciate therefore, the licensing of the 66 inches of water which he already has been allowed and the additional 34 inches of water will be proved up on prior to the 2nd day of May, 1968, under the same permit.

Very truly yours,

NIELSON & NIELSON

By: *[Signature]*

NHN:mm

*Proof
Carruthers
9-11-67*

31110

August 25, 1967

Re: Permit G-31110

Mr. George Carruthers
5895 California Avenue
Long Beach, California

Dear Mr. Carruthers:

I appreciate your visit to the office this morning and the opportunity to discuss with you your development under Permit #31110.

This letter is to confirm our understanding of the problem as a result of this discussion. You are apparently presently irrigating 160 acres of land from a well located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 26, T. 11 S., R. 26 E., B. M. The well apparently has a capability of producing about 100 inches if it is open-air discharge, but produces only 66 inches through the sprinkler system due to the back-pressure created by the 33 nozzles. You indicate that you feel that it is possible to add additional sprinklers to the system and bring another additional 40 or 50 acres under cultivation.

Since your permit originally provided for diversion of 4.3 second feet of water for the irrigation of 214 acres and proof of beneficial use is not due until May 2, 1968, it would be proper for you to withdraw the proofs recently submitted, develop the additional land and then submit new proof by May 2, 1968. If you are successful in developing the additional land the license which would be issued by this office would confirm your right for sufficient water from the ground water source to irrigate the entire acreage. However, if we should proceed with license under the proof presently submitted this right would be limited to water for the 160 acres.

We would appreciate it if you will advise us within the next 30 days of your desires in this matter.

Very truly yours,

R. KEITH HIGGINSON
STATE RECLAMATION ENGINEER

RKH:ew

cc: Norman H. Nielsen
Attorney at Law
Burley, Idaho

*Proof
Withdrawn
9-11-67
DJ*

31110

August 15, 1967

Re: Permit G-31110

*Proof Withdrawn
With 9-11-67
DJ*

Norman H. Nielson
Attorney at Law
Burley, Idaho

Dear Mr. Nielson:

Mr. Carruthers may withdraw his proof if he wishes by notifying the department of his desire. If the proofs are withdrawn, Mr. Carruthers will have until May 2, 1968 to revise his system and make new proofs.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:DJW:nw

31110

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
BURLEY, IDAHO
August 14, 1967

A. H. NIELSON
N. H. NIELSON

TELEPHONE
678-5574

Department of Reclamation
State of Idaho
107 State House
Boise, Idaho 83701

Attn: Donald W. McEldowney

Re: Permit No. G-31110

Gentlemen:

In regard to Permit No. G-31110, Mr. Carruthers is wondering about cancellation of the Proof that has been submitted and to re-submit the Proof at a later time on this permit as he desires to secure the 2.2 c.f.s. of water and it is his desire to change the irrigation system in the spring of the coming year so that he will be allowed the 2.2 c.f.s. that the well actually produces instead of the 1.32 c.f.s. which you show as being beneficially used at the present time.

We believe it is to Mr. Carruthers' advantage to re-submit this at a later date so that he can get the additional water. May we hear from you in regard to this matter.

Very truly yours,

NIELSON & NIELSON

By:

Harold A. Nielson

NHN:mm

Due May 3, 1968

31110

*Proof
Withdrawn
9-11-67
DJ*

August 11, 1967

Re: Permit G-31110

George & Nellie Carruthers
5895 California Avenue
Long Beach, California

Dear Mr. & Mrs. Carruthers:

A representative of this department has made an examination of the works covered by your permit G-31110 and has found the following:

Quantity of water diverted: 1.32 c. f. s.

Amount of water that can be recognized as beneficially used under Idaho Law: 1.32 c. f. s.

Purpose of use: irrigation of 160 acres in N $\frac{1}{2}$ SW $\frac{1}{4}$,
SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 26, T. 11 S, R. 26 E, B.M.

The priority date established is: May 1, 1963

A fee totaling \$ 11.00 must be received within 30 days from the date of this letter in order that we can issue you the Certificate of Completion of Works and the License and Certificate of Water Right as described above.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:nw

*Letter sent to
Donna Baker*

31110

August 7, 1967

Re: Permit G-31110
George & Nellie Carruthers

Norman H. Nielson
Attorney at Law
Burley, Idaho

Dear Mr. Nielson:

George Carruthers' sprinkler system was found to deliver 1.32 c. f. s. to the fields and although pump tests may have shown more available, only water applied to beneficial use can be licensed.

Please contact us if you require further information.

Very truly yours,

Donald J. Watts
Field Engineer

DJW:nw

31110

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
BURLEY, IDAHO
August 3, 1967

A. H. NIELSON
N. H. NIELSON

RECEIVED
AUG 7 1967
Department of Reclamation

TELEPHONE
678-5574

Department of Reclamation
107 Statehouse
Boise, Idaho 83701

Re: Permit No. G-31110, George and Nellie Carruthers

Gentlemen:

In regard to the above permit, Mr. Carruthers has asked that we protest your findings regarding the amount of water which you contemplate awarding to Mr. and Mrs. Carruthers in that the test that you made was tested on the sprinklers and was not tested at the well. Mr. Carruthers states that the well tested on at least two occasions showed considerably more water than you are contemplating allowing him.

We request a hearing on this allowance of water rights under the above mentioned permit unless the water rights are in excess of 2 c.f.s. We would appreciate hearing from you within the immediate future.

Very truly yours,

NIELSON & NIELSON

By: *Harold A. Carlson*

NHN:mm

31110

July 5, 1967

Re: Permit No. G-31110

George and Nellie Carruthers
5895 California Avenue
Long Beach, California

Dear Mr. and Mrs. Carruthers:

We acknowledge receipt of the depositions and affidavit of publication in the Burley Herald-Bulletin, Burley, Idaho, submitted as proof of completion of works and beneficial use on Permit G-31110.

Before a certificate and license of water right can be issued, a field examination must be made by a representative from this department. We cannot tell just when this examination will be made, but our field examiner will try to contact you at the time he makes the examination so that you may show him the system.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

BWM:dj

31110

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

RECEIVED
JUL 5 1967

Permit No. G 31110

Department of Reclamation

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: George and Nellie Carruthers; 5895 California Ave., Long Beach, California; retired; 5895 California Avenue, Long Beach, California

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

None

Ques. 3. State number, approval date of permit, and date of priority: Permit # G-31110; May 2, 1963, May 2, 1968, May 2, 1968

Ques. 4. State source of water supply: Subterranean well
Give location of point of diversion, showing subdivision, section, township and range
Point of diversion of said water is the Southwest Quarter of the Southwest Quarter of Section 26, Township 11 South, Range 26, East Boise Meridian.

Ques. 5. Describe your works of diversion: Ditches and a sprinkler system
; state amount of water they are capable of conveying from point of diversion to place of use: 4.3 open ditches; Give name of canal or ditch
2 second ft. on sprinklers
or other works by which water is conducted to such place of use: None
; if a well, state depth of well 270 ft.; depth and size of casing 20 in. casing goes to water; depth to water 90 ft.; if pump is used, state discharge of pump: 2 second ft.; tell how it was measured or determined
by use of a wier; if sprinkler irrigation, give number and size of nozzles and operating pressure: sprinkler system used; 7 lines are used with 33 nozzles on each line; sizes vary

Ques. 6. State for what purpose water is used: Irrigation
(If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water:

Water is used to irrigate 107 acres in the West Half of the Southwest Quarter of Sec. 26 and 53 acres in the East Half of the Southwest Quarter of Sec. 26, all in Township 11 South, Range 26 East Boise Meridian.

As Log

31110

State nature of all improvements which have been made as a direct result of said use:

The land has been reclaimed from desert land, well drilled and a pump installed at a cost of approximately \$11,000.00

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

Ques. 7. If for other than irrigation purposes, show full legal description of place of use and state purpose for which water is used:

None

Ques. 8: 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:

None

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: May of 1966 - Time used since first use:

Water was used during the cropping season of 1966 and has been used during the cropping season of 1967.

Ques. 10. Describe all other water rights appurtenant to same place of use:

No other water rights appertenant to the property described in this deposition and the only water available is the water which is produced from the well.

(sign) George L. Caruthers

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

Burley /

, County of Cassia

State of Idaho, on this 30th day of June, A. D. 1967.

My commission expires: May 12, 1970

31110

RECEIVED
JUL 5 1967

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Department of Reclamation

Boise, Idaho

Permit No. G 31110

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:

Terry G. Smith, 25 years; 605 So. D Street, Rupert, Idaho; farming; 605 So. D St., Rupert,
Idaho

Ques. 2 Are you acquainted with George and Nellie Carruthers, the holder of
Permit No. G 31110? How long have you known him and where does he reside?

I have known Mr. and Mrs. Carruthers for about one year; they live at 5895 California Ave.,
Long Beach, California.

Ques. 3. Have you read or heard said Permit No. G 31110 read, and are you familiar
with its provisions and conditions: Yes ☒ No ☐

Ques. 4. State source of water supply: Subterranean well

Give location of place of diversion, showing subdivision, section, township and range
Southwest Quarter of the Southwest Quarter of Sec. 26, Township 11 South
Range 26, East Boise Meridian

Describe works for conveying water to place of use: Open ditches and sprinklers

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 4.3 ditches; 2.5 in pipe How much water have you seen being so
conveyed? 2 second ft

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:

Water is used to irrigate 107 acres in the West Half of the Southwest Quarter
of Sec. 26 and 53 acres in the East Half of the Southwest Quarter of Sec. 26
all in Township 11 South, Range 26 East Boise Meridian.

31110

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

NONE

Ques. 8. (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.

This land has been reclaimed from desert land and approximately one inch to the acre is the amount that is necessary for cultivation.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned? If so, in what way and to what extent? I have no interest in the works, water or lands mentioned in this deposition

Ques. 10. When did you first see this water used? May, 1966

Other times you have seen such use: I have been the tenant farmer on the said property described in this deposition for 1966 and 1967.

(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

Burley, County of Cassia, State of Idaho, on this 30th day of June, A. D. 1967

Harmon H. Peterson
Notary Public for the State of Idaho
Residing Burley, Idaho

My commission expires May 12, 1970

31110

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G 31110

RECEIVED
JUN 1 1965
Department of Reclamation

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:

Marlin T. Evans; 35 years; Route 1, Heyburn, Idaho; farming; Route 1, Heyburn, Idaho

Ques. 2 Are you acquainted with George and Nellie Carruthers, the holder of Permit No. G 31110? How long have you known him and where does he reside?

I have known the Carruthers' for about one year and they live in California, at 5895 California Ave., Long Beach, California

Ques. 3. Have you read or heard said Permit No. G 31110 read, and are you familiar with its provisions and conditions: Yes X No.

Ques. 4. State source of water supply: Subterranean well

Give location of place of diversion, showing subdivision, section, township and range

Southwest Quarter of the Southwest Quarter of Sec. 26, Township 11 South

Range 26, East Boise Meridian

Describe works for conveying water to place of use: Open ditches and sprinklers

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: 4.3 in ditches; 2.5 in pipe How much water have you seen being so conveyed? 2 second ft.

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving full legal description:

Water is used to irrigate 107 acres in the West Half of the Southwest Quarter of Sec. 26 and 53 acres in the East Half of the Southwest Quarter of Sec. 26

all in Township 11 South, Range 26 East Boise Meridian.

31110

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

None

Ques. 8. (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.

This land has been reclaimed from desert land and approximately one inch to the acre is the amount that is necessary for cultivation.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned?

If so, in what way and to what extent? I have no interest in the works, water or lands mentioned in this deposition.

Ques. 10. When did you first see this water used? May, 1966

Other times you have seen such use: I have been on the property about 5 or 6 times, observed the water being used: I have passed it during 1966 and 1967 at least 50 times, observing water in use on said land.

(Signed):

Marlin T. Evans

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

Burley, County of Cassia, State of Idaho, on this 30th day of June, A. D. 1967

Harold D. Gilson
Notary Public for the State of Idaho

Residing at Burley, Idaho

My commission expires May 12, 1970

31110

RECEIVED
JUL 5 1967

The Burley Herald-Bulletin

Department of Reclamation

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss:
STATE OF IDAHO)

Walter W. Schramm being first

duly sworn, deposes and says that he is the

Editor of Burley Herald-Bulletin, a weekly newspaper published at Burley, Idaho, in the county aforesaid, and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular weekly editions of Burley Herald-Bulletin for

four (4) consecutive weeks, commencing

with the issue dated June 5, 1967 and

ending with the issue dated June 26, 1967.

Subscribed and sworn to before me this

28th day of June, 1967

Leath Chandler Notary Public

Cost of Publication My Commission Expires Feb. 18, 1969

Notary fee _____

Total Cost _____



24
31110

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
BURLEY, IDAHO

June 30, 1967

A. H. NIELSON
N. H. NIELSON

RECEIVED
JUL 5 1967

Department of Reclamation
TELEPHONE
678-5574

Department of Reclamation
Statehouse
Boise, Idaho

Re: Permit # G 31110

Gentlemen:

Enclosed you will find a deposition of Holder together with the Affidavit of Publication in the Burley Herald Bulletin for the above named permit. Would you please process this proof of water in the name of George and Nellie Carruthers.

Very truly yours,

NIELSON & NIELSON

By: *Garrett H. Hinson*

nhn:mm
Enc.

31110

May 31, 1967

Re: Permit No. **G-31110**

George & Nellie Carruthers
2805 California Avenue
Long Beach, California

Dear Mr. & Mrs. Carruthers:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. **G-31110**. The proofs are to be made ~~XX~~ ~~XXXXXXXXXX~~, on the 30th day of June, 19 67, before Norman H. Nielsen, Founts Building, Burley, Idaho Notary Public.

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

It is important that the enclosed depositions be executed by you and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the place, on the date, and at the time and before the Notary, as advertised. It is very important and necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been signed, the Notary's seal has been placed on each and that all depositions, (holder and two witnesses) are being returned. Also be sure to enclose the AFFIDAVIT OF PUBLICATION

Very truly yours,

DWM:mw

Donald W. McElowney
Water Rights Clerk

Encl.

cc: Notary

31110

May 31, 1967

Re: Permit No. G-31110

Burley Herald-Bulletin
Burley, Idaho 83318

Gentlemen:

Enclosed you will find a legal notice which we wish to have published for four consecutive weeks prior to June 30, 1967. The expense of the publication is to be paid by George Carruthers of 5895 California Avenue, Long Beach, California, to whom you should furnish proof of publication on or prior to the above date.

Please acknowledge receipt of this notice and furnish this office with a copy or tear sheet of the notice for checking prior to the first publication.

Very truly yours,

Donald W. McElowney
Water Rights Clerk

DWM:dj

31110

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

RECEIVED
MAY 29 1967

Department of Reclamation

Notice is hereby given that at 10^{30th} A. M., on the 27th day of June 1967, at Burley, County of Cassia, State of Idaho, before Norman H. Nielson, Notary Public, at (address) Fouts Building, Burley, Idaho, proof will be submitted of the completion of works for the diversion of 4.3 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 31110, 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 George and Nellie Carruthers, 5895 California Ave., Long Beach, California

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 4.3 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 4.3 cubic feet per second.

4. The point of diversion of said water is SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 26, Township 11 South, Range 26 East Boise Meridian

5. The place where said water is used is ~~SW $\frac{1}{4}$, 27 acres of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$, 27 acres of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 26, Twp 11 S, Rge 26 E B.M.~~
SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 26, T. 11 S, R. 26 E, B.M.

6. The date of priority which said user is prepared to establish is May 1, 1963.

R. KEITH HIGGINSON

State Reclamation Engineer

31110

RECEIVED
MAY 29 1967

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) May 25, 1967

(P. O.) Box 367, Burley, Idaho 83318

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published
at my expense in the Herald Bulletin of
Burley, Idaho Published in
the county in which the works are situated.

George L. Carruthers

(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

31110

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
BURLEY, IDAHO
May 26, 1967

A. H. NIELSON
N. H. NIELSON

TELEPHONE
678-5574

RECEIVED
MAY 29 1967

Department of Reclamation

Department of Reclamation
State of Idaho
Statehouse
Boise, Idaho 83701

Gentlemen:

Enclosed herewith please find Notice of Proof of
Completion of Works and Application of Water to Beneficial Use
in permit No. G 31110.

Very truly yours,

NIELSON & NIELSON

By: *Norman H. Nielson*
(m)

NHN:mm
Enc.

31110

May 15, 1963

Re: Permit No. G-31110
George & Nellie Carruthers

Mr. Norman H. Nielson,
Attorney at Law,
Box 367,
Burley, Idaho.

Dear Mr. Nielson:

We enclose Permit No. G-31110 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-7874 which was issued covering payment in the amount of \$6.00 for the filing fee of the above mentioned permit.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

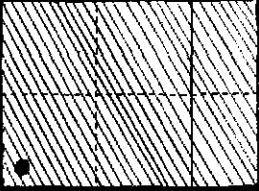
EPR:pmk
Encl.
cc: George & Nellie Carruthers
5895 California Ave.,
Long Beach, California.

31110

NAME OF APPLICANT George & Nellie Carruthers

Form No. 0

SECTION 26



WELL

T11S R26E

31110
MA 2 1962

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
BURLEY, IDAHO

A. H. NIELSON
N. H. NIELSON

April 26, 1963

TELEPHONE
678-5574

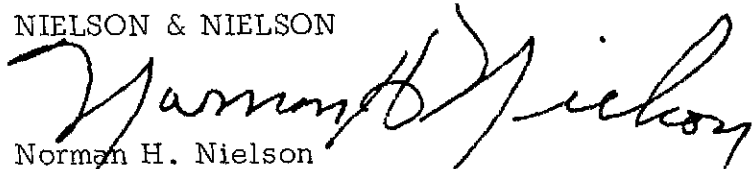
Department of Reclamation
Statehouse
Boise, Idaho

Enclosed you will find an Application for Permit for George Carruthers and Nellie Carruthers, husband and wife, covering the property described in the Application for Permit. Also, enclosed you find our check for \$6.00 covering the filing of this Application for Permit.

There has been another permit issued on this same property, but the time for proof has expired, or is about to expire, and the Carruthers desire that a new application be filed.

Very truly yours,

NIELSON & NIELSON


Norman H. Nielson

NHN:mh

31110

George Caruthers
c/o P.O. General Delivery
Burley, Idaho



State of Idaho
Department of Reclamation
Boise 107 State House
Boise Idaho

3/1/10

Attention
Mr. Donald W.
McEldoney
Appropriation
Examiner

RETURN RECEIPT REQUESTED

CERTIFIED

No. 850382

MAIL

Summer Mail

George Carvuthers

Glen Del

Barley, Idaho

31110

No. 68.42

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

Notice is hereby given that on June 10, 1968, at Burley, County of Cassia, State of Idaho, before notary public Jim R. McCord, 239 West 13th Street, Burley, Idaho, proof will be submitted of the completion of works for the diversion of 4.3 c.f.s. of the waters of a subterranean source and the application to beneficial use of said water in accordance with the terms and conditions of permit G-3110, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and address of permit holder is George Carruthers and Nellie Carruthers, husband and wife, 5895 California Ave., Long Beach, California.
2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 4.3 cubic feet per second.
3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 4.3 c.f.s.
4. The point of diversion of said water is SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 26, T. 11 S. R. 26 E. B.M., Cassia County.
5. The place where said water is used is SW $\frac{1}{4}$ W $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 26, T. 11 S. R. 26 E. B.M.
6. The date of priority which said user is prepared to establish is May 1, 1963.

R. KEITH HIGGINSON
State Reclamation Engineer
Published in the South Idaho Press, May 14, 21, 28, June 4, 1968.

67-154

LEGAL

NOTICE OF PROOF OF COMPLETION OF WORKS

and APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that on the 30th day of June, 1967, at Burley, County of Cassia, State of Idaho, before Notary Public, Notary Public at Court Building, Burley, Idaho, proof will be submitted of the completion of works for the diversion of 4.3 cubic feet per second of subterranean 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-3110, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and address of address of the person or corporation having said permit is George and Nellie Carruthers, husband and wife, 5895 California Ave., Long Beach, California.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 4.3 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 4.3 cubic feet per second.

4. The point of diversion of said water is SW $\frac{1}{4}$ SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 26, Township 11 South, Range 26 East, Cassia County, Idaho.

5. The place where said water is used is SW $\frac{1}{4}$ W $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 26, T. 11 S. R. 26 E. B.M.

6. The date of priority which said user is prepared to establish is May 1, 1963.

R. KEITH HIGGINSON
State Reclamation Engineer
Published in the Burley Herald-Bulletin June 5, 12, 19, 26, 1967.