

**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 Bur-
ley, Idaho, in the county aforesaid and that
the paper is of general circulation therein.
Deponent further states that the printed no-
tice attached hereto was duly published
according to law in the regular editions of

The South Idaho Press for 2
consecutive weeks, commencing with the issue
dated October 23, 1973, and ending
with the issue dated October 30, 1973.

Ruth Chambers
Subscribed and sworn to before me
this 30th day of October
1973.

Edith Raustadt Notary Public

Cost of Publication 16.10
Notary Fee _____
Total Cost _____

My commission expires October 23, 1975

73-336

**NOTICE OF PROPOSED CHANGE OF
WATER RIGHT
NO. 43-2432**

Notice is hereby given that Dean Compton of Malta, Idaho, has applied to the Department of Water Administration for a change of amount of water, point of diversion, and place of use of the waters of a groundwater source. The right sought to be changed is evidenced by License No. G-25965/43-2432 and is recorded as follows:

Amount: 2.5 c.f.s. Priority: Sep-
tember 21, 1955.

Point of diversion: SE $\frac{1}{4}$ /SW $\frac{1}{4}$, Sec. 33, T. 12S, R. 28E, B.M., Cassia County.

The water is used for irrigation purposes of 160 acres from Mar. 15 to Nov. 15 within the SW $\frac{1}{4}$, Sec. 33, T. 12S, R. 28E, B.M.

TO BE CHANGED AS FOLLOWS

Amount: (Well No. 1) 2.13 cfs (Well No. 2) .37 cfs

Point of Diversion: (Well No. 1) SE $\frac{1}{4}$ /SW $\frac{1}{4}$, Sec. 33, T. 12S, R. 28E, B.M., (Well No. 2), NE $\frac{1}{4}$ /NW $\frac{1}{4}$, Sec. 5, T. 13S, R. 28E, B.M., Cassia County.

The water will be used for irrigation purposes of 130 acres within the SW $\frac{1}{4}$, Sec. 33, T. 12S, R. 28E, B.M.; and for commercial purposes within the NE $\frac{1}{4}$ /NW $\frac{1}{4}$, Sec. 5, T. 13S, R. 28E, B.M.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Administration, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, on or before November 9, 1973.

R. KEITH HIGGINSON

Director

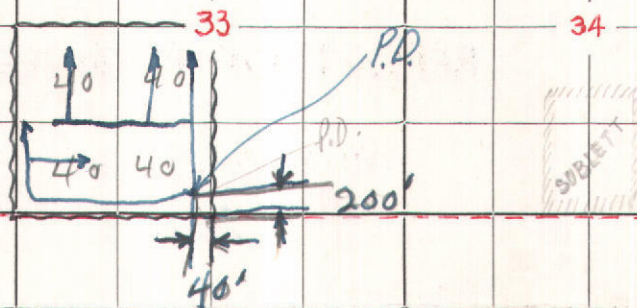
Published in the South Idaho Press
on October 23 and October 30, 1973.

MICROFILMED

R-28E.

T.
12
S.

← TO MALTA



Subdivisions = 4
Area = 160 acres
~~Q = 128"~~

Sparling
125"

125"

2.5 cfs.

Dean Compton
634 North Second West
Brigham City, Utah
Permit No. G-25965

Examination for Completion of Works & Beneficial Use # 174043

County.....Cassia.....
33-12 S. - 28 E.

Q₂ 3.2 c.f.s.

S. Well

P.D. = SE. SW., Sec. 33, T. 12 S. - R. 28 E.

Quantity claim 160"

Use = Irrigation & Domestic

INSTRUCTIONS TO EXAMINERS

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

RECEIVED
AUG 6 1958

Department of Reclamation

VA Motor 100 HP
440V # 1054335
Peters pumps

monitored on 4' x 4'
concrete slab

Agrover "D" Centrolabs
monitored on existing pole

7' NE of pump
Drummed into 6' x 6'
concrete head gate
to fields by gravity
14" x 600' well

H = 217'
lift = 255'

10" column 280'
5 bowls 16" dia
10" discharge

1 mm 58 Apr 300 c.f.

118	✓	300.0	2.6
130		236	50
98		640	1300

1040
1179.0 Q: 178
127.40

Filed - Sept. 21, 1955

Due - Sept. 26, 1957

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

Notice is hereby given that at 3:00 P. M., on the 22nd day of August, 1957, at Burley, County of Cassia, State of Idaho, before Lynn N. Bradshaw, Notary Public, Proof will be submitted of the completion of works for the diversion of 32 cubic feet per second of underground waters from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-25965, heretofore issued, by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Dean Compton of 634 North Second West, Brigham City, Utah.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 3.2 cubic feet per second.

3. The use to which said water has been applied is for irrigation and domestic purposes, and the amount applied to beneficial use is 3.2 cubic feet per second.

4. The point of diversion of said water is in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33, Township 12 South of Range 28 East, Boise Meridian.

5. The place where said water is used is the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33, Township 12 South of Range 28 East, Boise Meridian.

6. The date of priority which said user is prepared to establish is September 21, 1955.

MARK R. KULP
State Reclamation Engineer
Published in the Burley Herald,
1957

Affidavit of Publication.

AFFIDAVIT OF PUBLICATION

RECEIVED
AUG 23 1957
Department of Reclamation

STATE OF IDAHO } ss.
COUNTY OF CASSIA

Carl Jones, first being duly sworn, deposes and says: That he is the printer of The Burley Herald and/or The Burley Bulletin, a weekly newspaper published at Burley, in the County of Cassia, State of Idaho; that the said newspaper has a general circulation in said county, and that the said newspaper is published weekly and has been continuously and uninterruptedly published in said county, not less frequently than once a week, during a period of seventy-eight consecutive weeks immediately prior to the first publication of the printed notice herein referred to;

That said newspaper at all times herein mentioned, has been a newspaper of general circulation, made up of at least four pages of at least five columns each, printed from typed matter or stereotyped forms of at least seventeen and three-fourths inches depth, and during the whole of said time has had at least two hundred bona-fide subscribers living within said County of Cassia.

Affiant further states that the printed notice attached hereto was duly published according to law, in the regular weekly editions of the said newspaper and not in any supplement thereof, for four... consecutive weeks, commencing with the issue dated July 25 19..57., and ending with the issue dated Aug. 15 19..57...

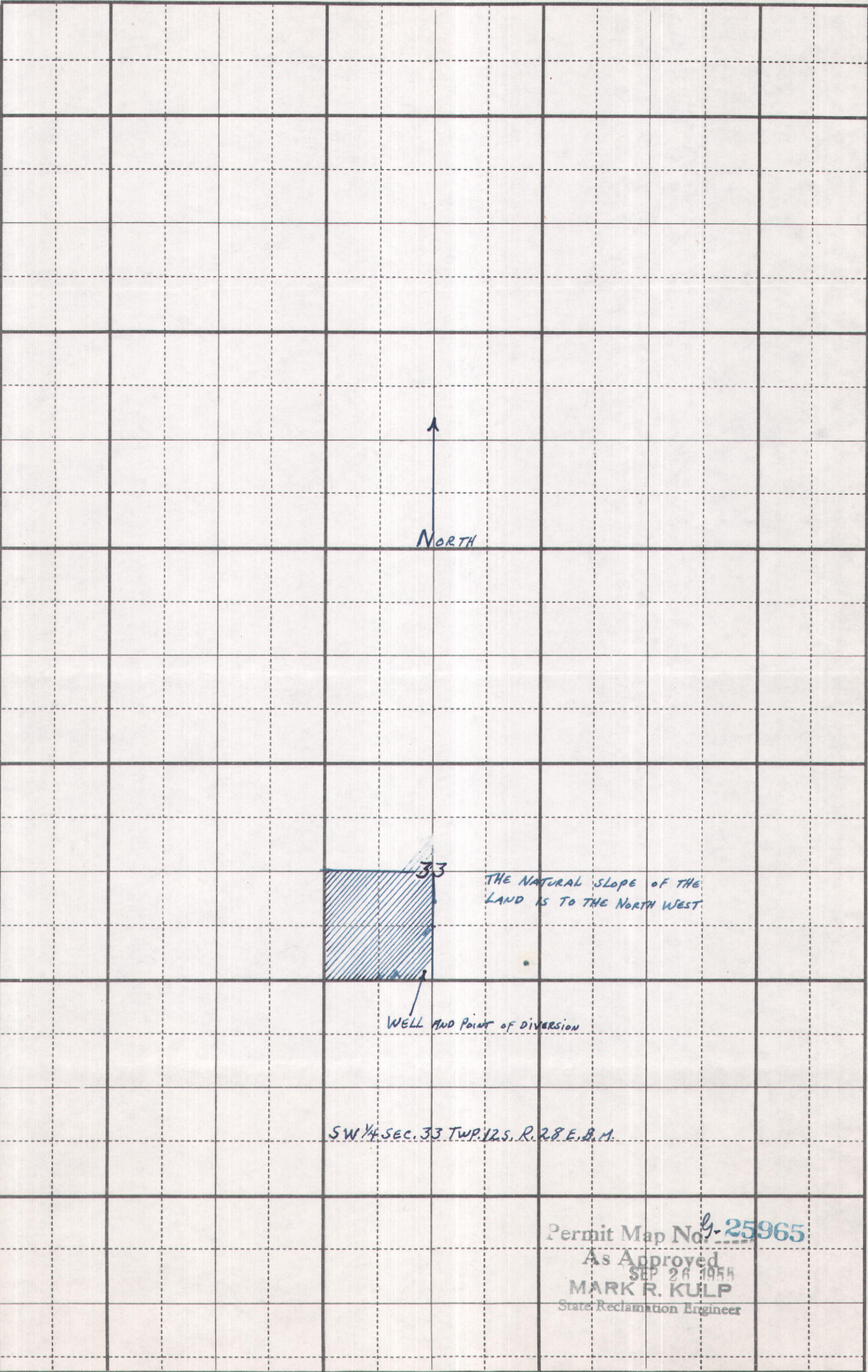
Subscribed and sworn to before me this

Carl Jones.....
15th day of Aug, 19..57

Elizabeth Sheddall.....
Notary Public in and for the State of Idaho,
Residing at Burley, Idaho.

My Commission Expires June 4, 1959

125965



Permit Map No. 25965
As Approved
SEP 26 1955
MARK R. KULP
State Reclamation Engineer

Identification No. 43-2432
Transfer No. 1894

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

DENIED

APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

1. Name of Right Holder Dean Compton
Post office address Malta, Idaho 83342
2. Right obtained by:
a. Decree to _____ in Case of _____
(Name)
vs. _____, Dated _____ in _____
(Name of Court)
Court. County of _____
G-25965/
b. License No. 43-2432 issued by the State of Idaho, Department of Reclamation.
3. Source of water Groundwater tributary to _____
(Name of stream or source)
4. Date of Priority September 21, 1955
5. Amount of water a. 2.5 c.f.s. and/or
b. _____ acre feet/annum
6. Water is used for Irrigation from Mar. 15 to Nov. 15
(Month, Day) (Month, Day)
7. Original location of point of diversion is SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33,
Township 12S, Range 28E, B.M., in Cassia County;
Additional points of diversion, if any _____

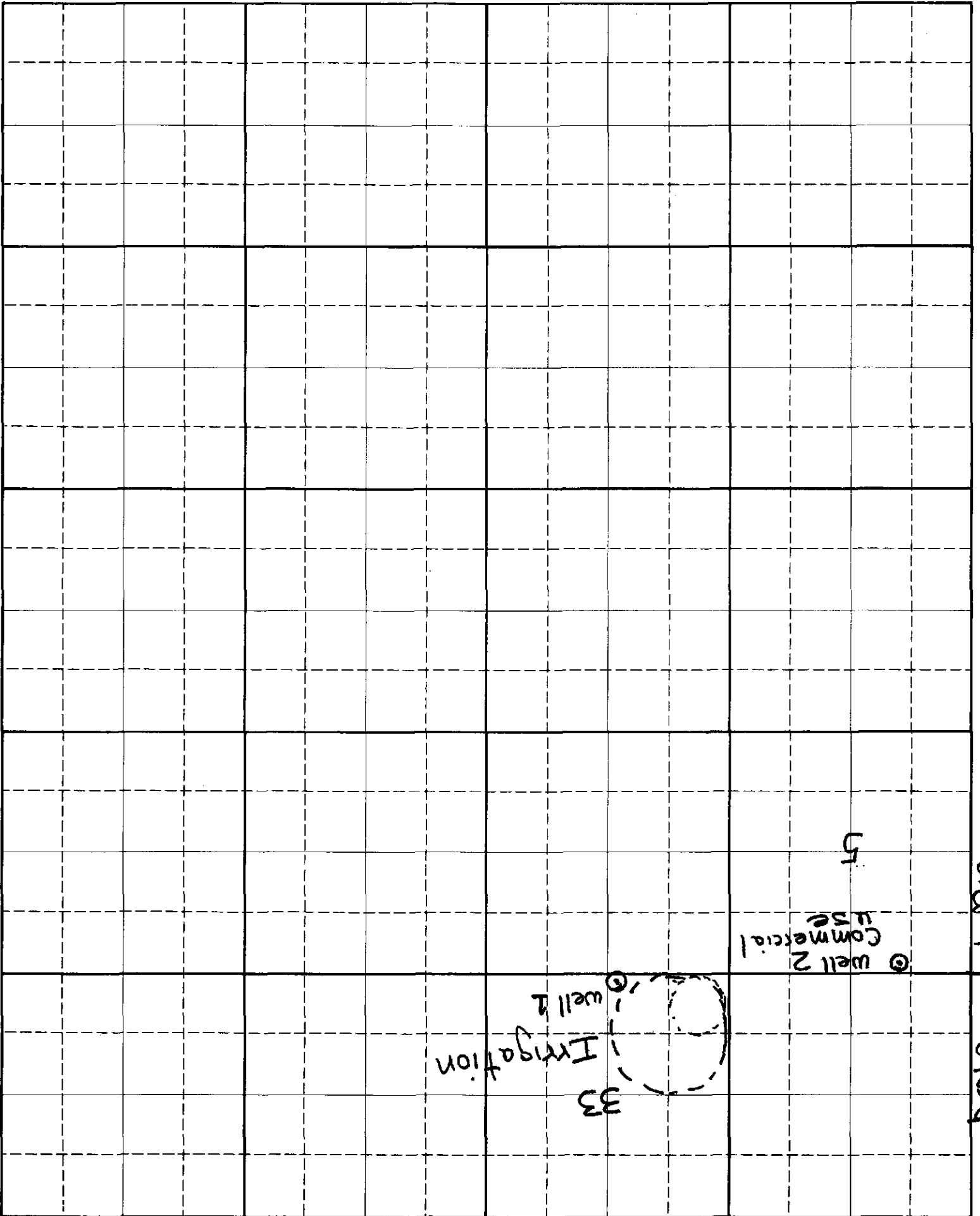
8. Lands presently irrigated or place of use:

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 $\frac{1}{4}$	
12S	28E	33									40	40	40	40					160

Total number of acres presently irrigated 160

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



28 E

51 52

9. If applicant was not the original holder of this right explain how it was acquired: _____

10. CHANGE IN POINT OF DIVERSION

- Well 1: 2.13 cfs
- a. Quantity to be diverted at new point: Well 2: .37 c.f.s. and/or _____ acre feet
- b. New point of diversion: Well ¹ SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 33, Township 12S, Range 28E, B.M. Well 2: NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 5, T. 13S, R. 28E, B.M.
- c. Description of method of diversion and conveyance from new points of diversion: _____
pumps
- d. Is water to be conveyed to the lands previously irrigated? Yes ☒ No _____
If not, the place of use should be changed below.
- e. Describe the reasons for applying for a change in the point of diversion:
Applicant proposes to change nature of use for .37 cfs of this right from irrigation to commercial for a service station
- f. Do you intend to make the transfer permanent? Yes
- g. Do you intend to abandon completely the old point of diversion? No
- h. Indicate on the above plat the new point of diversion and lands to be irrigated.

11. CHANGE IN PLACE OF USE

- a. Describe the new lands on which you wish to use your right.

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 $\frac{1}{4}$	
Irrigation	12S	28E	33								32.5	32.5	32.5	32.5					130
Commercial	13S	28E	5				X												

b. Do you intend to make the transfer permanent? YES

c. Are you completely abandoning the lands previously irrigated by this right? If not, explain your plans:
30 acres of the lands previously irrigated will be abandoned.

d. Describe any other water rights that you claim for the new ground upon which you wish to transfer this right:

e. Indicate on the above plat the new land to be irrigated and the point of diversion.

I hereby assert that no one will be injured by such transfer and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

[Signature] (signature of applicant)
Subscribed and sworn to before me this 10th day of October, 1973

Janet M. Measomuth (notary public)
My commission expires June 15, 1977

**DIRECTOR, Department of Water Resources
ACTION OF STATE RECLAMATION ENGINEER
AND CERTIFICATE OF TRANSFER**

This is to certify that I have examined Application for Transfer of Water Rights No. 43-2432, and said application is hereby DENIED

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

2. Denial of said application is for the following reasons: Pursuant to the Memorandum Decision and Order of January 16, 1975.

Witness my hand this 24 day of January, 1975

[Signature]
State Reclamation Engineer
DIRECTOR

FOR DEPARTMENT USE ONLY

Received by [Signature] Date 10-10-73
Prelim. check by [Signature] Date 10-11-73

Fee received by [Signature] Date 10-10-73 Fee \$ 30.00

Approved for publication by [Signature]

Published in South Idaho Press Dates 10-23 & 10-30-73

Hearing held _____

Watermaster Recommendation sent _____

State of Idaho

License and Certificate of Water Right

Water License No. G-25965Amount 2.5 c.f.s.

Water District No. _____

Priority September 21, 1955

THIS IS TO CERTIFY that DEAN COMPTON
 of Brigham City, Utah, made application for a permit to appropriate the
 public waters of the State of Idaho, dated September 21, 19 55; that Permit No. G-25965
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
2.5 second feet, was issued thereunder on October 15, 19 58, showing that said works
 were completed on the 22nd day of August, 19 57; and that on the 22nd
 day of August, 19 57, DEAN COMPTON

of Brigham City, State of Utah, made proof to the satisfaction of the
 State Reclamation Engineer of Idaho, of the right to use the waters of a well
, a tributary of subterranean, for the purpose of Irrigation and domestic
use, under Use Permit No. G-25965 of the Department of Reclamation
 and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
 and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
10 of Licenses at page 6460, on the 15th day of October, 19 58;
 The right hereby confirmed dates from September 21, 19 55;

The Point of Diversion is located
 in the SE 1/4 SW 1/4, Sec. 33, Twp. 12 S., R. 28 E., B. M. County Cassia

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
 aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
 not exceed 2.5 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
12 S.	28 E.	33	NE $\frac{1}{4}$ SW $\frac{1}{4}$	40	40
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	40	40
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	40	40
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	40	40
			Total number of acres irrigated	- - -	160

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

15th day of October, 19 58./s/ Geo. N. Carter

State Reclamation Engineer.

(SEAL)

State of Idaho
License and Certificate of Water Right

Water License No. G-24138 Amount 2.48 c.f.s.
Water District No. _____ Priority May 18, 1953

THIS IS TO CERTIFY that EARL N. HOOPES
of Rexburg, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated May 18, 19 53; that Permit No. G-24138
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
2.48 second feet, was issued thereunder on October 15, 19 58, showing that said works
were completed on the 18th day of April, 19 57; and that on the 18th
day of April, 19 57, EARL N. HOOPES

of Rexburg, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
, a tributary of subterranean, for the purpose of Irrigation
, under Use Permit No. G-24138 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
10 of Licenses at page 6459, on the 15th day of October, 19 58;
The right hereby confirmed dates from May 18, 19 53;

The Point of Diversion is located
in the NE 1/4 SE 1/4, Sec. 8, Tp. 3 S., R. 32 E., B. M. County Bingham
That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 2.48 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
3 S.	32 E.	8	NE 1/4 SE 1/4	40	40
			NW 1/4 SE 1/4	40	40
			SW 1/4 SE 1/4	40	40
			SE 1/4 SE 1/4	40	40
			Total number of acres irrigated	- - -	160

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
15th day of October, 19 58.

/s/ Geo. N. Carter
State Reclamation Engineer.

(SEAL)

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR TRANSFER)
)
NO. 43-2432 in the name of DEAN COMPTON)
)

MEMORANDUM DECISION
AND ORDER

On October 15, 1958, Water License No. 43-2432 was issued to Dean Compton for the diversion of 2.50 cfs of water from a well in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 33, Twp. 12S, Rge. 28E, B.M., for domestic use and the irrigation of 160 acres of land within the SW $\frac{1}{4}$, Sec. 33, Twp. 12S, Rge. 28E, B.M.

On October 10, 1973, an Application for Transfer of Water Right was filed by Mr. Dean Compton. A new well is proposed for the diversion of 0.37 cfs of water within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 5, Twp. 13S, Rge. 28E, B.M., for commercial purposes at a service station. The well in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 33, Twp. 12S, Rge. 28E, will continue to be used for the irrigation of 130 acres of land within the SW $\frac{1}{4}$, of Sec. 33, Twp. 12S, Rge. 28E, B.M.

On November 13, 1973, a protest against the approval of the transfer was received from Mark and Jeaneen Durfee.

A conference was held to consider that protest. The issues raised at the conference were: (1) Does the Director of the Department of Water Resources have the authority to grant a change in the nature of use, (2) Does the change from irrigation and domestic to commercial use constitute an expansion of the original water right, (3) Would there be interference between the protestant's existing well and the applicant's proposed well.

Idaho Code, Sec. 42-108 and 42-222(1) speak to changes in the place of use and point of diversion, but not the nature of the use. There is clearly no specific authorizing language which would allow the Director to approve such a change. Any assumption of that power would have to be derived from Section 42-221(b) which sets a fee for change in use and Section 42-222(3) which provides for an appeal procedure from a decision approving or rejecting a change in use.

The statutes in question were repealed and re-enacted in 1969(Chapter 303, Sec. 2, Page 905, 1969 Session Laws). The legislative history of those acts reveals that the bill originally submitted to the Legislature provided the authority in Idaho Code, Sec. 42-222(1) for a change in nature of use. However, that authority was amended out of Sec. 42-222(1), Idaho Code, but by apparent oversight was not removed from Sections

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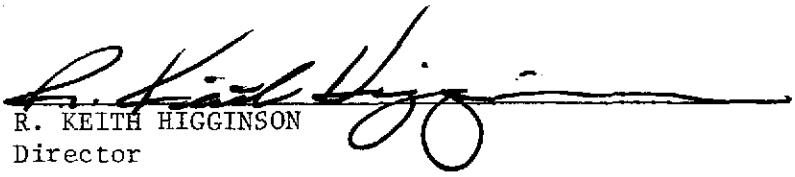
42-221(b) and 42-222(3). It is thus clear that the Legislature did not intend to grant such power to the Department, since they specifically struck it from the bill.

It is therefore concluded that the Director of the Department of Water Resources has no authority to grant a change in the nature of use of any water right.

Since the change cannot be authorized, the questions of whether the change would constitute an expansion of the original right or would cause injury by local well interference are moot, and therefore, no findings or conclusions are made.

IT IS, THEREFORE, HEREBY ORDERED that Application for Transfer No. 43-2432 for a change in the nature of use is hereby DENIED.

Dated this 16 day of January, 1975.


R. KEITH HIGGINSON
Director

BDF:jg

MICROFILMED

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 2

consecutive weeks, commencing with the issue

dated October 23, 1973, and ending

with the issue dated October 30, 1973.

Ruth Chambers

Subscribed and sworn to before me

this 30th day of October

1973.

Edith Raustadt Notary Public

Cost of Publication 16.10

Notary Fee

Total Cost

My commission expires October 23, 1975

73-336

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 43-2432

Notice is hereby given that Dean O. Crompton of Malta, Idaho, has applied to the Department of Water Administration for a change of amount of water, point of diversion, and place of use of the waters of a groundwater source. The right sought to be changed is evidenced by License No. G-26965/43-2432 and is recorded as follows:

Amount: 2.5 c.f.s. Priority: September 21, 1955.

Point of diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 33, T. 12S, R. 28E, B.M., Cassia County.

The water is used for irrigation purposes of 160 acres from Mar. 13 to Nov. 15 within the SW $\frac{1}{4}$, Sec. 33, T. 12S, R. 28E, B.M.

TO BE CHANGED AS FOLLOWS:

Amount: (Well No. 1) 2.13 cfs (Well No. 2) .37 cfs

Point of Diversion: (Well No. 1) SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 33, T. 12S, R. 28E, B.M., (Well No. 2), NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 5, T. 13S, R. 28E, B.M., Cassia County.

The water will be used for irrigation purposes of 130 acres within the SW $\frac{1}{4}$, Sec. 33, T. 12S, R. 28E, B.M.; and for commercial purposes within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 5, T. 13S, R. 28E, B.M.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Administration, #041 Blue Lakes Blvd. North, Twin Falls, Idaho, on or before November 9, 1973.

R. KEITH HIGGINSON

Director

Published in the South Idaho Press on October 23 and October 30, 1973.

RECORDED

43-2432

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 33851
Permit No. G- 25965
District No.

1. Name of Applicant: DEAN COMPTON
Postoffice address: 634 N. 2 W. Brigham City County: Box Elder State: Utah
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second. 3.2 or Idaho
Miners' inches 160 or gallons per minute. 1440
 - (b) Annual withdrawal in acre feet per annum 768
3. Source of water supply: Subterranean well
4. Location of point of diversion or well is in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 33
Twp. 12 S. , Rge. 28 E. , B. M., County of Cassia
5. Water is to be used for: Irrigation and domestic purposes
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B. M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B. M.
7. Kind of works: Drilled well, cased, pump and motor.
8. Estimated cost of works: \$ 14,500
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 2 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) 3.2 cu.ft/sec (cubic feet per second, inches or gallons per minute) is for new lands.

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

Applicant.

Agent.

Corrected application received:

E. N. HUMPHREY
Deputy State Reclamation Engineer.

Countersigned:

STATE OF IDAHO

By ROBERT E. SMYLLIE
Governor

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	
12 S.	28 E.	33			40	40	160
<u>Permit No. G-25965</u> Certificate of Completion of Works							
TO ALL WHOM IT MAY CONCERN: This is to certify that DEAN COMPTON of Brigham City, County of Box Elder, and State of Utah, the holder of Permit No. G-25965, issued upon Application No. G-33851 bearing date of September 21, 1955, authorizing the diversion of 3.2 second feet of waters of Subterranean well County of Cassia, State of Idaho, for Irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 2.5 second feet of the waters of subterranean Flow from a well that the point of diversion of said waters SE 1/4 SW 1/4 Section 33, Township 12 South, Range 28 East, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 160 acres in the SW 1/4 Section 33, Township 12 South, Range 28 East, B.M. Proof of Completion of Works made: August 22, 1957 Witness my hand this 15th day of October, A.D. 1958 /s/ Geo. N. Carter State Reclamation Engineer Proof of Completion of Works made: August 22, 1957 Certificate of Completion of Works issued: October 15, 1958							

UNITED STATES DEPARTMENT OF AGRICULTURE

FARMERS HOME ADMINISTRATION
2211 Overland Avenue
Burley, Idaho 83318

RECEIVED

JUL 27 1979

Department of Water Resources

State of Idaho, Department of
Water Resources
614 State Street, Captial Building
Boise, Idaho 83707

July 26, 1979

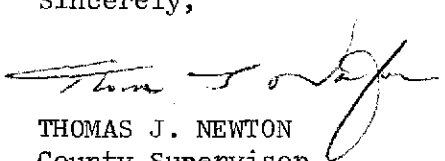
Dear Sirs:

This is to inform you that Dean Compton and Carol B. Compton, husband and wife, who reside at 260 West, 6 North; Brigham City, Utah 84302, have obtained financial assistance from this Agency. In so doing, they have pledged the lands owned in cassia County, Idaho for security as well as additional security the waters produced and the right to produce same under License and Certificate of Water Right G-25965 with priority date of September 21, 1955.

We request that a note be placed in the files of the above listed Water License concerning this transaction. When the appropriation of water through the use of deep well(s), as well as the License to produce said water, is pledged as additional security the holders of said rights and License agree not to assign, transfer or make any changes in the water rights and application of same which would be adverse to the interests of Farmers HOME Administration without first advising FmHA of the changes requested, in writing, and receiving written permission from FmHA to make any changes or alterations.

Please sign the enclosed copy of this letter and return same to the office as acknowledgment of the request for our use in our files.

Sincerely,


THOMAS J. NEWTON
County Supervisor

"The above letter has been placed in the files in connection with Water License and Certificate of Water Right number G-25965."

(Date)

(Name and Title)

cc: Southern District Office
1041 Blue Lakes Blvd., North
Twin Falls, Idaho 83301

*Signed & sent
8/1/79 jc*

Farmers Home Administration is an Equal Opportunity Lender.

Complaints of discrimination based on race, sex, religion,
national origin or marital status should be sent to:
Secretary of Agriculture, Washington, D. C. 20250

July 18, 1978

Re: License No. 43-2432

Mr. Dean Compton
260 W. 6 North
Brigham City, UT 84302

Dear Mr. Compton:

I am enclosing a copy of your water right license number G25965/43-2432. As requested in our telephone conversation, I am also sending a copy of your water license to Mr. Boyd Poulton, Southern Idaho Realty, Inc.

If I can be of further assistance, please do not hesitate to contact me.

Sincerely,

Roberta Garrett
Record Supervisor

Enclosure

cc: Mr. Boyd Poulton

RECORDED

January 24, 1975

Re: Transfer No. 43-2432

Mr. Dean Compton
Malta,
Idaho 83342

Dear Mr. Compton:

Enclosed is a copy of your DENIED Application for Transfer No. 43-2432. We direct your attention to the conditions of denial on the Memorandum Decision and Order.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jfr

Enclosures

cc: Mr. & Mrs. Mark Durfee
Parsons & Smith, Attorney

Encl: Copy of Memo. Decision & Order

MICROFILMED

Transfer 43-2432

$$\frac{2.5}{160 \text{ acres}} = \frac{\cancel{2.13}}{\cancel{130} \times}$$

$x = 136$ acres could be irrigated using same ratio as original license. Applicant has only asked to irrigate 130 acres

Sec. 42-221 Page 38 B speaks of fee for change in nature of use

Sec. 42-108

Sec. 42-222

Dean Compton - no attorney

Durfee - Protestant - Bill Parsons

How many Acre feet will be used each year from new well - ?

C

Issue - This is within CGWA

1. Change from agricultural to commercial is an expansion
 in season of use -

- How far apart? wells will be approx. 1000 feet

MICROFILMED

We the undersigned hereby allowed the department of Water Administration to base its decision concerning the protest of transfer no. 43-2432 on the information presented at the conference held on Feb. 6 and the information contained in the records of the Department

Signed at Burley this 6th day of Feb 1974

Mark O. Wiper

Dean Conzators

MICROFILMED

RECEIPT FOR CERTIFIED MAIL—30¢ (plus postage)

POSTMARK
OR DATE

1-23-74

SENT TO

Parsons & Smith

STREET AND NO.

P.O. Box 910

P.O., STATE AND ZIP CODE

Burley, Idaho 83318

OPTIONAL SERVICES FOR ADDITIONAL FEES

RETURN RECEIPT SERVICES	1. Shows to whom and date delivered With delivery to addressee only	15¢ 65¢
	2. Shows to whom, date and where delivered With delivery to addressee only	35¢ 85¢
		50¢

DELIVER TO ADDRESSEE ONLY

SPECIAL DELIVERY (extra fee required)

NO INSURANCE COVERAGE PROVIDED—

(See other side)

PS Form 3800

NOT FOR INTERNATIONAL MAIL

Apr. 1971

* GPO : 1972 O - 460-743

No.

**STICK POSTAGE STAMPS TO ARTICLE TO COVER POSTAGE (first class or airmail),
CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)**

1. If you want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, leaving the receipt attached, and present the article at a post office service window or hand it to your rural carrier. (no extra charge)
2. If you do not want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, detach and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified-mail number and your name and address on a return receipt card, Form 3811, and attach it to the back of the article by means of the gummed ends. Endorse front of article RETURN RECEIPT REQUESTED.
4. If you want the article delivered only to the addressee, endorse it on the front DELIVER TO ADDRESSEE ONLY. Place the same endorsement in line 2 of the return receipt card if that service is requested.
5. Save this receipt and present it if you have any inquiry.

RECEIPT FOR CERTIFIED MAIL—30¢ (plus postage)

SENT TO

POSTMARK
OR DATE

Dean Compton

STREET AND NO.

Malta, Idaho 83342

P.O., STATE AND ZIP CODE

1-23-74

OPTIONAL SERVICES FOR ADDITIONAL FEES

RETURN	1. Shows to whom and date delivered	15¢
RECEIPT	With delivery to addressee only	55¢
SERVICES	2. Shows to whom, date and where delivered ..	35¢
	With delivery to addressee only	85¢
DELIVER TO ADDRESSEE ONLY		50¢
SPECIAL DELIVERY (extra fee required)		

PS Form
Apr. 1971

3800

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL

(See other side)

* GPO : 1972 O - 460-743

217500

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1. If you want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, leaving the receipt attached, and present the article at a post office service window or hand it to your rural carrier. (no extra charge)
2. If you do not want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, date, detach and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified-mail number and your name and address on a return receipt card, Form 3811, and attach it to the back of the article by means of the gummed ends. **DO NOT** place the front of article RETURN RECEIPT REQUESTED.
4. If you want the article delivered only to the addressee, endorse it on the front DELIVER TO ADDRESSEE ONLY. **DO NOT** place the same endorsement in line 2 of the return receipt card if that service is requested.
5. Save this receipt and present it if you have any inquiry.

**POST OFFICE DEPARTMENT
OFFICIAL BUSINESS**

**Department of Water Administration
Southern District Office**



**PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE, \$300**

JAN 25 1974

POST OFFICE OF DELIVERING OFFICE

Print your name and address below. If you want to restrict delivery to the home address, show it on this card. If you want to deliver to another address, show it on the back. Moistened gummed ends and attach this card to back of article.

**RETURN
TO**



PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S).

☒ Show to whom, date and address
where delivered

☐ Deliver ONLY
to addressee

RECEIPT

Received the numbered article described below.

REGISTERED NO. _____
CERTIFIED NO. _____
INSURED NO. _____

217551

DATE DELIVERED

JAN 24 1974

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

Parsons & Smith

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

SHOW WHERE DELIVERED (only if requested)

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

RECEIVED

JAN 28 1974

POSTMARK OF DELIVERING OFFICE

Postmark your name and address below. If you want to restrict delivery to a particular address of delivery shown on this receipt, check block(s) on other side. Moistened gummed ends and attach this card to back of article.

RECEIVED



RETURN
TO



PLEASE PRINT

REQUIRE

☒ Show to whom, date and address
where delivered

☐ to addressee

RECEIPT

Received the numbered article described below.

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

CERTIFIED NO.

1

Dean Compton

INSURED NO. 217550

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

SHOW WHERE DELIVERED (only if requested)

Malta, Idaho 83342

JAN 25 1974

3

SPRING CITY, UTAH 84302

NAME AND ADDRESS OF SENDER

IDWA - Twin Falls

Indicate type of mail

☐ INSURED ☐ C.O.D. ☒ CERTIFIED

Affix stamp here if issued as certificate of mailing or for additional copies of this bill.

POSTMARK AND DATE OF RECEIPT

NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS	POSTAGE	FEE	DUE SENDER IF C.O.D.	ENDORSEMENT	R. R. FEE	S. D. FEE	S. H. FEE	RESTRICTED DELIVERY FEE	
									Remarks	
1	100 122 Dean Compton, Malta 217550	.08	.30			.15				
2	123 Parsons & Smith, Burley 217551	.08	.30			.15				
3										
4										
5										
6										
7										
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9										
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20										

RECEIVED

TOTAL NUMBER OF PIECES LISTED BY SENDER	TOTAL NUMBER OF PIECES RECEIVED AT POST OFFICE	POSTMASTER, PER (Name of receiving employee)	1 Mark "F" if "Fragile," "P" if "Perishable," "E" if "Eggs," "EH" if "Eggs for Hatching," "B" if "Butter," "FL" if "Fragile-Liquid," and "FLU" if "Fragile-Liquid - This Side Up." 2 Special-handling charges apply only to third- and fourth-class parcels. Special-delivery service also includes special-handling service.

43-2432 - Dean Compton

Courtroom, Cassia County Courthouse, Burley, Idaho

February 6, 1973 - 1:00 p.m.

ROSTER OF ATTENDANCE

Name

Address

Representing

Mark Dwyer
Jeanne Dwyer
Dean Compton
Carol Compton

MICROFILMED

RECEIVED

INTER-DEPARTMENT MEMO — 1

FROM

Ken F

JUN 4 1974

DATE

6-3-74

TO

Bob F

Department of Water Administration

SUBJECT

Hearing at Berkeley in 1973⁴ for Dean Compton

Mr Compton contacted me this afternoon about a transfer in the Malta area last year that was protested and a hearing held by you. He would like to know what decision the Dept. has made on his app. for transfer. His mailing address is .

Dean Compton
260 West, 6 North
Brigham City, Utah 84302

MICROFILMED

SIGNATURE

Ken
over.

CONFERENCE MEMO

Re: Conference on Transfer No. 43-2432(Application) - Dean Compton

On February 6, 1974, a conference was held at Burley, Idaho, to consider the protests against the above referenced application for transfer, filed by Dean Compton.

The applicant represented himself at the conference, and the protestants, Mark and Jeaneen Durfee, were represented by William A. Parsons, attorney from Burley.

After some discussion, it appears the issue is whether change from agriculture use of the water to a commercial use of the water is an expansion of a water right. This change of use would also include a change in the season to a year-round use, and the protestants agreed to allow the Department to reach a decision based upon the information contained in its records.

No testimony or exhibits were offered by the parties at the conference. This proposed transfer lies with in the Raft River critical groundwater area.

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termination of fact will have to be made in this regard to determine, in fact, the proviso for consent in I.C. 42108 is applicable in this particular matter.

II.

There appears to be no specific statutory direction for an administrative proceeding before this Department for a change in the nature of use of water, however, the statutes and the constitution of this State generally would recognize that the nature of the use of water can be changed. Mr. Hutchens, in his article entitled "The Idaho Law of Water Rights", Vol. 5, No. 1, Idaho Law Review, Fall, 1968, at page 72, briefly discusses the matter and after observing the lack of specific statutory authorization, remarks that "however, the principles with respect to changes in point of diversion and place of use appear equally applicable." He goes on then to cite two Idaho Supreme Court cases which dealt with the change in the nature of use, among other things, and the Court apparently had no problem with the right to change the nature of the use, per se, but dealt with it on the basis of whether or not it was an enlargement of the use.

We do find in the statutes, however, at least indirect acknowledgment by the legislature of the right to change the nature of the use. I.C. 42-108 provides for an application to the Department of Water Resources to that section I. C. 42-221, we see that at subsection (B), a fee is prescribed "for filing application for change of point of diversion, place, period, or nature of use of water....." The "Dietrich Decree" (Federal District Court), wherein the water right of Georgetown Irrigation Company was determined, the Court, at page 10 therein, states among other things that the water is decreed appurtenant to the lands, and at "subject however to the rights of the appropriators or shareholders in any appropriating canal company to change the place of diversion or use as provided by law, when no damage or injury results to others, or to make any beneficial use of such waters or any part thereof which does not injure any appropriators". Article 15, Section 3 of the Idaho Constitution discusses the

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priority of better right as between those using the water and establishes a priority system between domestic, agricultural and manufacturing "when the waters of any natural stream are not sufficient." The right of Emminent Domain for the purpose of changing the nature of the use of water from one priority to another is recognized in Article I, Section 14 and Article 15, Section 3 of the Idaho Constitution.

III.

The declared policy of the people of the State of Idaho concerning water and its beneficial use is declared at Section 42-101, Idaho Code as follows: "Water, being an essential to the industrial prosperity of the State and all agricultural development throughout the greater portion of the State, depending upon its just apportionment to and economical use by those making a beneficial application of the same, its control shall be in the state, which in providing for its use, shall equally guard all the various interests involved." As noted above, the Court in the "Dietrich Decree" wherein the protestant was decreed a water right, provided that there should be beneficial use made of the water and that it was not necessarily limited to irrigation purposes.

On October 25, 1973, a report was issued by the Federal task force established under the Economic Stabilization Program which is made up of representatives of the Cost of Living Council, United States Department of Agriculture, United States Department of Commerce and the Council of Economic Advisors. In regard to the fertilizer industry, in general, this task force dictated that the individual fertilizer firms will continue operating marginally productive facilities and explore re-opening plants to alleviate current tight supplies of fertilizer, and further that individual fertilizer firms will undertake construction of new production facilities and work to insure early completion of new fertilizer plants under way. The refusal of the protestants to consent to the application herein under consideration is in the face of these historical and declared policies concerning beneficial use of water and other natural resources.

Respectfully submitted,


WALLACE M. Transtrum
Attorney for Applicant

MICROFILMED

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION
OF THE
STATE OF IDAHO

In the Matter of Protest Against Approval }
of Application for Transfer No. 43-2432 in } NOTICE OF CONFERENCE AND/OR HEARING
the name of Dean Compton }
..... }

On October 10, 1973, Dean Compton filed with the Department of Water Administration an Application for Transfer of Water Right No. 43-2432. On November 13, 1973, the Department received protest against approval of said application from Mark and Jeaneen Durfee.

The Department has set the matter of protest for conference and/or hearing for Wednesday, February 6, 1974 at 1:00 p.m., in the Cassia County Courthouse, Burley, Idaho. Any hearing will be held in accordance with the Rules and Regulations of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Administration. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

Any party desiring the taking of stenographic notes by a qualified court reporter must request such in writing at least five (5) days before the date set for hearing and must submit to the director the name of a qualified reporter who is available on the date set for hearing. The party requesting the reporter shall bear the expense of the reporter's attendance fees. A taped record of the proceedings will be maintained for the appeal period.

Failure to appear at the time and place set for hearing by the applicant for protestant may allow the Department without prejudice to dismiss the protest or the application. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

Dated this twenty-third day of January, 1974.

Bob Haynes
BOB HAYNES
Southern District Engineer

MICROFILMED

January 23, 1974

County Clerk
Cassia County Courthouse
Burley, Idaho 83318

Dear Sir:

This is to confirm the use of the Courtroom for conference and/or hearing to be held by this office on Wednesday, February 6, 1974 at 1:00 p.m.

Thank you for your cooperation in this matter.

Very truly yours,

Bob Haynes
Southern District Engineer

BH:lt

RECORDED

November 14, 1973

RE: Application for Transfer of Water Right No. 43-2432

Mr. Dean Compton
Malta, Idaho
83342

Dear Mr. Compton:

We have enclosed a copy of the protest filed against the issuance of your above referenced application for transfer of water right. The following are the items we can consider at a conference and/or hearing in either approving or denying a transfer application:

1. Are other water rights injured by the transfer?
2. Does the change constitute an enlargement in the use of the original right?

You will be notified at a later date as to the time and place set for a conference and/or hearing to discuss the matters of protest. If we may be of further assistance please contact us.

Very truly yours,

Bob Haynes
District Engineer
Southern District

BH:jmm

Enc.

MICROFILMED

November 14, 1973

RE: Application for Transfer of Water Right No. 43-2432 -- Dean Compton

Mr. William A. Parsons
P.O. Box 910
Burley, Idaho 83318

Dear Mr. Parsons:

We acknowledge receipt of the protest submitted in behalf of Mark and Jeaneen Durfee against the above referenced application for transfer of water right. The following are the items we can consider at a conference and/or hearing in either approving or denying a transfer application:

1. Are other water rights injured by the transfer?
2. Does the change constitute an enlargement in the use of the original right?

You will be notified at a later date as to the time and place set for a conference and/or hearing to discuss the matters of protest. If we may be of further assistance, please contact us.

Very truly yours,

Bob Haynes
District Engineer
Southern District

BH:jnm

MICROFILMED

PARSONS & SMITH

ATTORNEYS AND COUNSELLORS AT LAW

137 WEST 13TH STREET

BURLEY, IDAHO 83318

AREA CODE 208

678-8382

WILLIAM A. PARSONS
RICHARD K. SMITH

P. O. BOX 910

November 9, 1973

The Idaho Department of Water Administration
1041 Blue Lake Blvd. North
Twin Falls, Idaho 83301

RE: Dean Compton 43-2432, Protest BY Durfee

Gentlemen:

Mark and Jeaneen Durfee protest the change of the place of diversion under license G-25965(43-2432) by Dean Compton as evidenced by that certain Notice published in the South Idaho Press on October 23, and October 30, 1973, and allege as follows:

1. That the proposed transfer would adversely affect existing water rights of Mark and Jeaneen Durfee in or near the vicinity to which the proposed transfer is to be made.

2. The area is located in a critical ground water area and should not be made without sufficient proof that the same would not adversely affect surrounding property.

3. That the license and permit were for agricultural purposes and the proposed use is now commercial which is beyond the scope of the applicable laws of the State of Idaho on water use.

4. The commercial use of the water would constitute an enlargement in use of the original right.

5. The commercial use is inconsistent with priority of use under the Constitution of the State of Idaho, and particularly when the area is in a critical ground water area.

6. The change from agricultural to commercial would jeopardize the ground for water on agricultural commodities as evidenced by the application and license as originally issued.

RECORDED

Page 2 -
The Idaho Department of Water Administration

On behalf of the Protestants we respectfully request that
after hearing the change be disallowed.

PARSONS & SMITH

A handwritten signature in cursive script, appearing to read "William A. Parsons", is written over a horizontal line.

William A. Parsons
Attorneys for Protestants
137 West 13th Street
Burley, Idaho 83318

UNRECORDED

October 30, 1973

Parsons & Smith
P.O. Box 910
Burley, ID 83318

Gentlemen:

Enclosed is your Receipt No. 11692 for Check No. 92-282 in the amount of \$1.00 which was submitted for copies sent to you by our office.

Very truly yours,

Janet M. Messersmith
Secretary
Southern District

MICROFILMED

WILLIAM A. PARSONS
RICHARD K. SMITH

PARSONS & SMITH
ATTORNEYS AND COUNSELLORS AT LAW
137 WEST 13TH STREET
BURLEY, IDAHO 83318

P. O. BOX 910

AREA CODE 208
678-8382

October 29, 1973

Department of Water Administration
1041 Blue Lake Blvd. North
Twin Falls, Idaho 83301

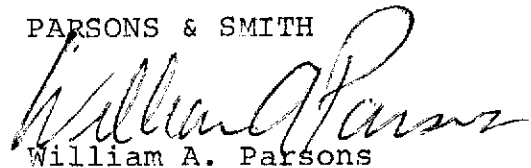
Attn: Janet M. Messersmith

Dear Miss Messersmith:

Enclosed is the check for payment of the copies
you sent to us on No. 43-2432. Thank you for your prompt
reply to this request.

Very truly yours,

PARSONS & SMITH



William A. Parsons

WAP:rt

ENCLOSURE

October 12, 1973

RE: Application No. 43-2432 - Dean Compton

South Idaho Press
Box 190
Burley, Idaho 83313

Gentlemen:

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

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

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

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

(signature of claimant)

Very truly yours,

Bob Haynes
District Engineer
Southern District

BH:jmm

Enc.: Legal Notice

Bill submitted 10-31-73 by jmm

RECEIVED

mm OK
10-17-73

73-336

NOTICE OF PROPOSED CHANGE OF
WATER RIGHT
NO. 43-2432

Notice is hereby given that Dean Compton of Malta, Idaho, has applied to the Department of Water Administration for a change of amount of water, point of diversion, and place of use of the waters of a groundwater source. The right sought to be changed is evidenced by License No. G-25965/43-2432 and is recorded as follows:

Amount: 2.5 c.f.s. Priority: September 21, 1955.

Point of diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 33, T. 12S, R. 28E, B.M., Cassia County.

The water is used for irrigation purposes of 160 acres from Mar. 15 to Nov. 15 within the SW $\frac{1}{4}$, Sec. 33, T. 12S, R. 28E, B.M.

TO BE CHANGED AS FOLLOWS

Amount: (Well No. 1) 2.13 cfs (Well No. 2) .37 cfs

Point of Diversion: (Well No. 1) SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 33, T. 12S, R. 28E, B.M., (Well No. 2), NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 5, T. 13S, R. 28E, B.M., Cassia County.

The water will be used for irrigation purposes of 130 acres within the SW $\frac{1}{4}$, Sec. 33, T. 12S, R. 28E, B.M.; and for commercial purposes within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 5, T. 13S, R. 28E, B.M.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Administration, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, on or before November 9, 1973.

R. KEITH HIGGINSON
Director

Published in the South Idaho Press on October 23 and October 30, 1973.

MICROFILMED

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 43-2432

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Amount: 2.5 c.f.s.

Priority: September 21, 1955

Point of diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 33, T. 12S, R. 28E, B.M., Cassia County

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TO BE CHANGED AS FOLLOWS

Amount: (Well #1) 2.13 cfs

(Well #2) .37 cfs

Point of Diversion: (Well #1) SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 33, T. 12S, R. 28E, B.M.,

(Well #2) NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 5, T. 13S, R. 28E, B.M.,

Cassia County

The water will be used for irrigation purposes of 130 acres within the SW $\frac{1}{4}$, Sec. 33, T. 12S, R. 28E, B.M.; and for commercial purposes within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 5, T. 13S, R. 28E, B.M.

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R. KEITH HIGGINSON
Director

Published in the South Idaho Press on October 23 and October 30, 1973.

MICROFILMED

November 14, 1973

RE: Application for Transfer of Water Right No. 43-2432

Mr. Dean Compton
Malta, Idaho
83342

Dear Mr. Compton:

We have enclosed a copy of the protest filed against the issuance of your above referenced application for transfer of water right. The following are the items we can consider at a conference and/or hearing in either approving or denying a transfer application:

1. Are other water rights injured by the transfer?
2. Does the change constitute an enlargement in the use of the original right?

You will be notified at a later date as to the time and place set for a conference and/or hearing to discuss the matters of protest. If we may be of further assistance please contact us.

Very truly yours,

Bob Haynes
District Engineer
Southern District

BH:jmm

Enc.

MICROFILMED

November 14, 1973

RE: Application for Transfer of Water Right No. 43-2432 - Dean Compton

Mr. William A. Parsons
P.O. Box 910
Burley, Idaho 83318

Dear Mr. Parsons:

We acknowledge receipt of the protest submitted in behalf of Mark and Jeaneen Durfee against the above referenced application for transfer of water right. The following are the items we can consider at a conference and/or hearing in either approving or denying a transfer application:

1. Are other water rights injured by the transfer?
2. Does the change constitute an enlargement in the use of the original right?

You will be notified at a later date as to the time and place set for a conference and/or hearing to discuss the matters of protest. If we may be of further assistance, please contact us.

Very truly yours,

Bob Haynes
District Engineer
Southern District

BH:jmm

MICROFILMED

WILLIAM A. PARSONS
RICHARD K. SMITH

PARSONS & SMITH
ATTORNEYS AND COUNSELLORS AT LAW
137 WEST 13TH STREET
BURLEY, IDAHO 83318
AREA CODE 208
678-8362

P. O. BOX 910

504

November 9, 1973

The Idaho Department of Water Administration
1041 Blue Lake Blvd. North
Twin Falls, Idaho 83301

RE: Dean Compton 43-2432, Protest BY Durfee

Gentlemen:

Mark and Jeaneen Durfee protest the change of the place of diversion under license G-25965(43-2432) by Dean Compton as evidenced by that certain Notice published in the South Idaho Press on October 23, and October 30, 1973, and allege as follows:

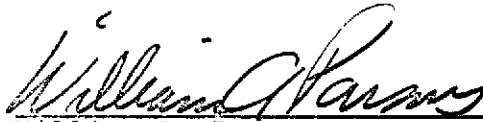
1. That the proposed transfer would adversely affect existing water rights of Mark and Jeaneen Durfee in or near the vicinity to which the proposed transfer is to be made.
2. The area is located in a critical ground water area and should not be made without sufficient proof that the same would not adversely affect surrounding property.
3. That the license and permit were for agricultural purposes and the proposed use is now commercial which is beyond the scope of the applicable laws of the State of Idaho on water use.
4. The commercial use of the water would constitute an enlargement in use of the original right.
5. The commercial use is inconsistent with priority of use under the Constitution of the State of Idaho, and particularly when the area is in a critical ground water area.
6. The change from agricultural to commercial would jeopardize the ground for water on agricultural commodities as evidenced by the application and license as originally issued.

RECEIVED

Page 2 -
The Idaho Department of Water Administration

On behalf of the Protestants we respectfully request that
after hearing the change be disallowed.

PARSONS & SMITH

A handwritten signature in dark ink, appearing to read "William A. Parsons", is written over a horizontal line.

William A. Parsons
Attorneys for Protestants
137 West 13th Street
Burley, Idaho 83318

MICROFILMED

August 28, 1973

Re: License No. 43-2832

Mr. Dean Compton
Malta,
Idaho 83342

Dear Mr. Compton:

Pursuant to your letter of August 23, 1973, we are enclosing a partially completed Application for Transfer of Water Right in connection with the above referenced license.

If you should have any questions regarding the completion of this form, it may be more convenient to contact our Southern District office at 1041 Blue Lakes Blvd., North, Twin Falls, Idaho.

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:cd

Enc: Transfer form
instructions

MICROFILMED

Malta, Idaho
August 23, 1973

Idaho Department of Water Administration
Statehouse - Annex 2
Boise, Idaho

ATTENTION: Mr. Steve Allread

Gentlemen:

Under Idaho State License No. 43-2432 I have irrigation rights for 160 acres located in the following described area:

SE $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 33 T 12S, R.28E, B.M.

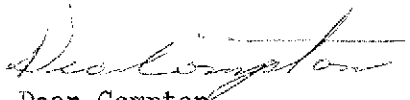
I herewith request permission to transfer my water rights for 28 acres to:

NE $\frac{1}{4}$, NW $\frac{1}{4}$, Sec. 5 T 13S, R.28E

This transfer would be in effect on a perpetual or permanent basis.

Thank you for your consideration in this matter.

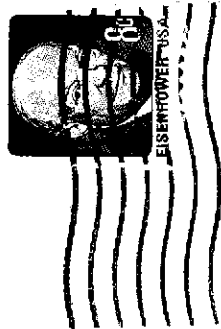
Very truly yours,


Dean Compton
Malta, Idaho 83342

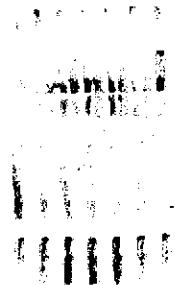
DC/lc

RECORDED

DEAN COMPTON
260 W 6TH ST N
BRIGHAM CITY UT 84302



Idaho Department of Water Administration
Statehouse - Annex 2
Boise, Idaho



STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
Statehouse - Annex 2
Boise, Idaho 83707

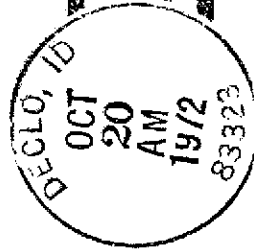
REASON CHECKED
If additional information is required
by the recipient, check the appropriate box.
If the recipient is not to be notified,
check the "no notification" box.
If the recipient is to be notified, check the "notification" box.

Dean Compton

Malta,

Idaho

83342



October 19, 1972

Re: License No. G-25965/43-2432 - Dean Compton

Mr. Stan Jessop
Industrial Construction Company
Malta, Idaho 83342

Dear Mr. Jessop:

Enclosed is a copy of the letter to Mr. Compton granting permission to temporarily change the point of diversion and place of use of a portion of his licensed right No. G-25965/43-2432.

Please note that this permission is granted only until July 30, 1973.

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

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enclosure

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

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



Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

October 18, 1972

Mr. Dean Compton
Malta,
Idaho 83342

Re: License No. 25965/43-2432

Dear Mr. Compton:

We received your October 5, 1972, request for permission to change the point of diversion and place of use of 28 miner inches of water under License No. 25965/43-2432 on a temporary basis.

You are hereby granted permission to change the point of diversion of 28 miner inches of your licensed right to a well in the SE¹ of Sec. 31, Twp. 12 S, Rge. 28 E, B. M. for use by Industrial Construction Co., Inc. for the purpose of the construction of Idaho Federal Aid Project I-80N-4(12)229 "A" and I-80N-4(11)235 "A".

This change is temporary and is granted only until July 30, 1973.

Very truly yours,


R. KEITH HIGGINSON
Director

RKH:BDF:dr
cc: Mr. Stan Jessop

RECORDED
INDEXED

October 18, 1972

Mr. Dean Compton
Malta,
Idaho 83342

Re: License No. 25965/43-2432

Dear Mr. Compton:

We received your October 5, 1972, request for permission to change the point of diversion and place of use of 28 miner inches of water under License No. 25965/43-2432 on a temporary basis.

You are hereby granted permission to change the point of diversion of 28 miner inches of your licensed right to a well in the SE $\frac{1}{4}$ of Sec. 31, Twp. 12 S, Rge. 28 E, B. M. for use by Industrial Construction Co., Inc. for the purpose of the construction of Idaho Federal Aid Project I-80N-4(12)229 "A" and I-80N-4(11)235 "B".

This change is temporary and is granted only until July 30, 1973.

Very truly yours,

R. KEITH HIGGINSON
Director

RKH:BDF:dr
cc: Mr. Stan Jessop

*See Copy of
"Signed" letter*

RECEIVED

RECEIVED
Idaho Department of Water Administration
Malta, Idaho
October 5, 1972

Idaho Department of Water Administration
Statehouse - Annex 2
Boise, Idaho

Attention: Mr. Steve Allread

Gentlemen:

Under Idaho State License No. 43-2432 I have irrigation rights for 160 acres located in the following-described area:

SE $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 33 T 12S, R.28E, B.M.

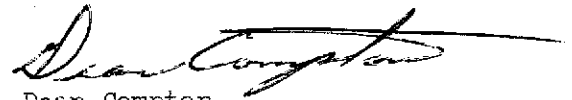
I herewith request permission to transfer my water rights from 28 acres to Industrial Construction Co., Inc. for use on the construction of Idaho Federal Aid Project I-80N-4(12)229"A" & I-80N-4(11)235 "A" to be used in the following described area:

NE $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 31, T 12S, R 28E

This transfer would be in effect until July 30, 1973.

Thank you for your consideration in this matter.

Very truly yours



Dean Compton
Malta, Idaho 83342

MICROFILMED

October 3, 1972

Re: License No. G-25965/43-2432 - Dean Compton

C
Mr. Stan Jessop
Industrial Construction Company
Malta, Idaho 83342

Dear Mr. Jessop:

C
Pursuant to our phone conversation of this date, please find enclosed an Application for Transfer of Water Right for your use in connection with the above referenced water license.

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

P
Very truly yours,

Darlene Reich, Secretary to

BOBBY D. FLEENOR
Assistant Director

Y
BDF:DR
Enclosures

MICROFILMED

UNITED STATES POST OFFICE
BOISE, IDAHO 83707

RECEIVED

OCT 2 1968

Department of Reclamation

25965
43-2432

Dept. of Reclamation,
State House,

Boise, Idaho 83707

On _____ 19 _____ a letter bearing your return and addressed to
Mr Deap/Compton, Sublett, Idaho was received
at this office. Please be advised that:

- ☐ There is no such Post Office in Idaho and mail so addressed cannot be delivered.
- ☒ Office has been discontinued. Any future mail for this office should be addressed to Malta, Idaho 83342.
- ☐ Destination shown is a community without a Post Office. Mail should be directed to _____.

The above letter has been:

- ☒ Readdressed and forwarded to destination.
- ☐ Returned herewith.

43-2432
25965

UNITED STATES POST OFFICE

BOISE, IDAHO 83707

Official Business

P-433

**PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE, \$300**

October 3, 1968

C
O
P
Y

Grant Construction Company
Box 168
Hayden Lake, Idaho

Dear Sir:

Enclosed you will find a copy of a letter to Mr. Dean Compton allowing him to temporarily use water under licensed Permit 43-2432, as described in his request of August 26, 1968. You should be aware that the authorization expires December 1, 1968.

Could you please supply me with the name of the property owner whose well you are utilizing in the SE $\frac{1}{4}$ Section 31, Township 12 South, Range 28 East, B.M. At the time you cease using this well, there will be no authority for anyone to continue pumping water from that location. The owner of the well should fully understand this.

It is my understanding that the pump and motor are to be left on after your use but will be made inoperable. If the owner intends to use the well, he must cover the use of that well with a valid water permit.

Thank you for your cooperation.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kh

Enclosure

25965
43-2432

September 30, 1968

Re: Permit No. 43-2432

Dean Compton
Sublett,
Idaho

Dear Mr. Compton:

Referring to your letter of August 26, 1968, which this office received on September 16 via Grant Construction Company, we will allow the use of 28 inches of water under your licensed permit 43-2432, as requested, on a temporary basis only. The water is to be used by Grant Construction Company from a well in the SE $\frac{1}{4}$ Section 31, Township 12 South, Range 28 East, B.M., for construction purposes.

It has come to our attention that new pumping equipment has been installed in a previously abandoned well in the SE $\frac{1}{4}$ Section 31. It is our understanding that this well and equipment will not be used for any purpose after December 1, 1968, and that it will be made inoperable. During the 1969 irrigation season and thereafter the water right must be utilized in accordance with licensed permit 43-2432.

Very truly yours,

R. Keith Higginson
State Reclamation Engineer

RKH:CSA:kh

cc. Grant Construction Company
Box 168
Hayden Lake, Idaho 83835

43-2432
25965

GRANT CONSTRUCTION CO.
general contractors...



Phone SPruce 2-3221
P.O. BOX 168
HAYDEN LAKE, IDAHO 83835
W. JAY GRANT, President

September 16, 1968

RECEIVED

SEP 17 1968

Department of Reclamation
State of Idaho
Boise, Idaho

Department of Reclamation

Attn: Mr. Steve Allred

Idaho FAP No. I-80N-4(5)232 Sec. "B"
Sublett - Juniper

Gentlemen:

We are forwarding herewith for your consideration, the Transfer of Water Rights to us from Dean Compton.

We trust you will find this in order.

Yours very truly,

GRANT CONSTRUCTION CO.

By *James I. Green*

James I. Green
Office Manager

JIG:pr

Encl.

43-2432
25965

RECEIVED

SEP 17 1968

Department of Reclamation

Sublett, Idaho
August 26, 1968

Idaho State Department of Reclamation
Boise, Idaho

Attention: Mr. Steve Allred

Gentlemen:

Under Idaho State Permit No. 43-2432 I have irrigation rights for 160 acres located in the following-described area:

SW $\frac{1}{4}$, S33, T12S, R28E

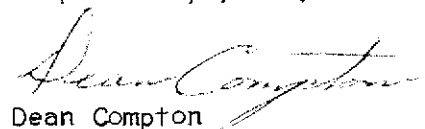
I herewith request permission to transfer my water rights from 28 acres to Grant Construction Company for use on the construction of Idaho Federal Aid Project No. I-80N-4(5)232, Section "B", Sublett to Juniper, to be used in the following-described area:

SE $\frac{1}{4}$, S31, T12S, R28E

This transfer would be in effect to December 1, 1968.

Thank you for your consideration in this matter.

Respectfully yours,

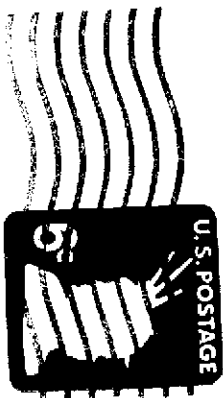

Dean Compton

43-2432
25965

GRANT CONSTRUCTION CO.
P. O. Box 168
HAYDEN LAKE, IDAHO 83835

Attn: Mr. Steve Allred

Department of Reclamation
State of Idaho
Boise, Idaho



6-25965

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION
Post Office Box 577
Burley, Idaho 83318

RECEIVED
AUG 13 1964
August 17, 1964

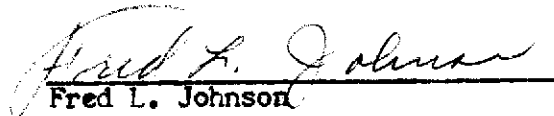
State Reclamation Engineer
State House
Boise, Idaho 83702

Dear Sirs:

This is to advise that the real estate loan we have with Mr. Dean Compton who holds Permit No. G 25965 under date of September 26, 1955, has been paid in full and satisfied of record.

In accordance we hereby cancel the letter which has been placed on file in connection with said Permit by your office.

Very truly yours,


Fred L. Johnson
County Supervisor

6-25965

May 4, 1964

Re: Permit No. G-25965 - Dean Compton
G-28268 - Roma L. Bare
No # Richard A. Hanks

Federal Land Bank of Spokane
Spokane, Wash., 99201

Attn: Gordon C. Elliott

Dear Sir:

The information you requested in your letter of May 1, 1964 is as follows:

G-25965 - Dean Compton

Priority date 9-21-55
Quantity, 2.5 - licensed
Depth of well 600'
Static Water level 217'
Lift 255'

G-28268 - Roma L. Bare

Date of application - 11-18-59
quantity 6.4
Depth of well 445'
Static water level 390'
Lift not known - Proofs are not due until
11-30-66

Richard A. Hanks - No record of any wells under this name
or in the location given. No permits issued.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By:

D. L. RHODES, Assistant
Water Rights Clerk

DLR:ew

G25965

THE FEDERAL LAND BANK OF SPOKANE

SPOKANE, WASHINGTON 99201



May 1, 1964

RECEIVED
MAY 4 1964

Department of Reclamation

Carl E. Tappan,
State Reclamation Engineer
Idaho State Capitol
Boise, Idaho

Dear Mr. Tappan:

I would like to obtain some information concerning the wells on the following farms:

Name of individual

Location of well

Dean Compton
Cassia County

(1) SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ 9/21/55 2.5 cfs
Sec. 33 TWP 12S RNG 28E
Permit # G-25965 L 6460

Richard A. Hanks
Minidoka County

(1) NW $\frac{1}{4}$ NE $\frac{1}{4}$
(2) NE $\frac{1}{4}$ SE $\frac{1}{4}$
Both in Sec. 20
TWP 7S RNG 25E

Philip R. Bare
Lincoln County

(1) SW $\frac{1}{4}$ NW $\frac{1}{4}$ 11/18/59 6.5 cfs
Sec. 29 TWP 6S RNG 21E
Permit # G-28268 Proof due 11/30/66

I need to know the amount and priority date of the well rights, depth of well, static depth to water, and pumping lift on the above four wells. What are the permit numbers for the two wells on the Hanks' farm?

Very truly yours,

Gordon C. Elliott

Gordon C. Elliott
Land Bank Appraiser

G 25965



October 15, 1958

Re: Permit No. G-25965

Mr. Dean Compton
~~634 North Second West~~
Brigham City, Utah

Dear Mr. Compton:

Enclosed is the Certificate of Completion of Works and the License and Certificate of Water Right issued under Permit No. G-25965 confirming the right with priority of September 21, 1955, to the use of 2.5 second feet of subterranean water, with point of diversion in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 33, for irrigation of 160 acres in the SW $\frac{1}{4}$ of Section 33, Township 12 South, Range 28 East, B.M., County of Cassia, Idaho.

Enclosed also is departmental receipt #G-3629 for \$13.00, issued as receipt of the five dollar fee for the Certificate of Completion of Works and eight dollars license fee.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Chief Clerk

EPR:nls
Enc.

25965

RUO

GEO. N. CARTER
~~XXXXXXXXXX~~

August 7, 1958

Re: Permit No. G-25965

Mr. Dean Compton
634 North Second West
Brigham City, Utah

Dear Mr. Compton:

Our field engineer's report on his inspection of the completion of works and application of water to beneficial use under the terms of Permit No. G-25965 shows the well is capable of conveying 125 miners' inches (2.5 c.f.s.) of water for irrigation of 160 acres.

Upon receipt of the statutory fees, totaling \$13.00, we will issue the Certificate of Completion of Works (for which the fee is five dollars) and the License and Certificate of Water Right (eight dollars--fee based at the rate of two dollars for each 40-acre subdivision) confirming the right with priority of September 21, 1955, to the use of 2.5 second feet of subterranean water, with the point of diversion in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33, for irrigation of 160 acres in the SW $\frac{1}{4}$ of Section 33, Township 12 South, Range 28 East, B.M.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Chief Clerk

EPR:nls

cc: Mr. Lynn N. Bradshaw, County Supvr.
USDA, Farmers Home Administration
P. O. Box 577
Burley, Idaho



ROBERT E. SMYLLIE
Governor

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
GEO. N. CARTER
~~RECLAMATION ENGINEER~~ STATE RECLAMATION ENGINEER

BOISE

August 7, 1958

OCT 15 1958

Dept. of Reclamation

Re: Permit No. G-25965

Mr. Dean Compton
634 North Second West
Brigham City, Utah

Dear Mr. Compton:

Our field engineer's report on his inspection of the completion of works and application of water to beneficial use under the terms of Permit No. G-25965 shows the well is capable of conveying 125 miners' inches (2.5 c.f.s.) of water for irrigation of 160 acres.

Upon receipt of the statutory fees, totaling \$13.00, we will issue the Certificate of Completion of Works (for which the fee is five dollars) and the License and Certificate of Water Right (eight dollars--fee based at the rate of two dollars for each 40-acre subdivision) confirming the right with priority of September 21, 1955, to the use of 2.5 second feet of subterranean water, with the point of diversion in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33, for irrigation of 160 acres in the SW $\frac{1}{4}$ of Section 33, Township 12 South, Range 28 East, B.M.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Edna A. Rutledge
Chief Clerk

EPR:nls

cc: Mr. Lynn N. Bradshaw, County Supvr.
USDA, Farmers Home Administration
P. O. Box 577
Burley, Idaho

25965

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. C-25965

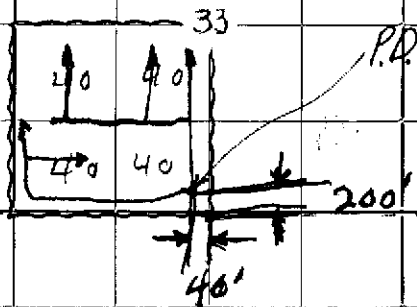
REPORT ON PROOF OF Completion of Works & Beneficial Use

North
Dean Compton, 634/Second West, Brigham City, Utah

R-28E.

T.
12
S.

→ TO MALTA



34

Subdivisions = 4
Area = 160 acres
C = 128"

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

Permit No. C-25965This proof is for Completion of Works & Beneficial Use In Water District No. _____1. Name of applicant Dean Compton2. Source of water supply: Subterranean flow from a well3. Location of point of diversion: Is in the SW¹/₄ of Section 33T. 12 S. R. 28 E., R.M. County of Cassia4. Describe works as they exist, giving dimensions and capacities of same: Well 14" x 600'H = 217' lift = 255' Vld motor 100 Hp 440V # 1054335Recirc pump # 174043 mounted on 4' x 4' concrete slabPumps into 6' x 6' concrete headgate delivered to fieldsby gravity 10" x 280' column 5 bowls 10" diameter 10" dischargeQ = 12.8" measured by spooling meter5. Water is used for: Irrigation & domestic6. 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):

SW¹/₄, NE¹/₄, SE¹/₄, and SW¹/₄ of Sec. 33., Twp. 12 S., Rge. 28 E., R.M.

SW¹/₄ of Sec. 33, Twp. 12 S., Rge. 28 E., R.M.

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

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

Remarks: _____

Crops are hay & grainThis examination was made on the 29 day of July, 1958(Signed) Carroll B. Stevenson Examiner.

25965

Dean Compton
634 North Second West
Brigham City, Utah
Permit No. C-25265

Examination for Completion of Works & Beneficial Use # 174343

County Cassia

INSTRUCTIONS TO EXAMINERS

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

RECEIVED
AUG 6 1958

Department of Reclamation

11/7/58 100610
4400 # 1050335

11/7/58 100610

4400 # 1050335

11/7/58 100610

4400 # 1050335

7' NE of corner

14" x 600' well

14" x 600' well

14" x 600' well

14" x 600' well

14" x 600' well

14" x 600' well

14" x 600' well

14" x 600' well

14" x 600' well

14" x 600' well

14" x 600' well

14" x 600' well

August 28, 1957

RE: Permit No. G-25965
Dean Compton

U. S. Department of Agriculture
Farmers Home Administration
P. O. Box 577
Burley, Idaho

Attention: Mr. Lynn N. Bradshaw
County Supervisor

Dear Mr. Bradshaw:

We acknowledge receipt of the Deposition of Holder and two witnesses, also affidavit of publication in The Burley Herald, all submitted in proof of completion of works and beneficial use on Permit No. G-25965.

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

We cannot tell just when this examination will be made, but our field engineer will try and contact Mr. Compton at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR
CC: Dean Compton
634 North Second West
Brigham City, Utah

25965

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION

Post Office Box 577

Burley, Idaho

RECEIVED
AUG 23 1957
Department of Reclamation

August 22, 1957

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

Dear Mr. Kulp:

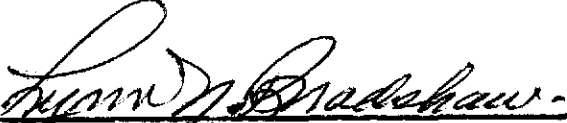
Attached you will find the signed, notarized statements of the following:

Deposition of Holder, Dean Compton
Deposition of Witness, Neil Miller
Deposition of Witness, Jack Andersen

on the Completion of Works for Permit number G-25965 in the name of Dean Compton of 634 North Second West, Brigham City, Utah.

Also attached is the notarized Affidavit of Publication from the Burley Herald-Bulletin newspaper of Burley, Idaho.

Sincerely yours,


Lynn N. Bradshaw
County Supervisor

Attachments - 4

G 25965

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
AUG 23 1957
Reclamation

Permit No. G-25965

Proof of Application of Water to Beneficial Use

and Completion of Works Deposition of Holder

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

Ans. Dean Compton residing in Brigham City, Utah. Farmer, occupation.
Address: 634 North Second West, Brigham City, Utah.

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

Ans. _____

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

Ans. G-25965 dated September 26, 1955, and date of Priority, September 21, 1955.

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

Ans. Pump and motor established in the Southeast corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33, Township 12 South, Range 28 East, Boise Meridian.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. Well is 586 feet in depth, cased 340 feet with 14 inch casing, and it is 220 feet to water. Pump used discharging 1140 G.P.M. or 160 inches and was tested and measured by Jack B. Witherspoon, Well-driller.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

SW $\frac{1}{4}$ of Ans. Water used to irrigate cultivated land and is used in NW $\frac{1}{4}$, NE $\frac{1}{4}$, SW $\frac{1}{4}$, AND SE $\frac{1}{4}$ of the Section 33, Township 12 South, Range 28 E., B.M., being 40 acres in each unit. The entire 160 acres, by completion of this well, has been brought to an irrigated unit from a "Dry-farm" unit.

J 25965

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

Ans. NONE

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

Ans.

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

Ans.

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

Ans.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. NONE

(Sign)

Dean Compton

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 22nd day of August, A. D. 1957.

L. M. Bradshaw

My commission expires February 1, 1961

25965

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
AUG 23 1957
Department of Reclamation

Permit No. G-25965

Proof of Application of Water to Beneficial Use

Deposition of Witness and Completion of Works

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

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

Ans. Neil Miller, 25 years, Provo, Utah. School Teacher. 844 West 1200 North Provo, Utah.

Ques. 2. Are you acquainted with Dean Compton, the holder of Permit No. G-25965? How long have you known him and where does he reside?

Ans. I have known Mr. Compton all my life. He now resides in Brigham City, Utah.

Ques. 3. Have you read or heard read said Permit No. G-25965, and are you familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Deep well with pump and motor is source of supply, place of diversion is in the Southeast corner of the SE 1/4 of Section 33, Township 12 South, Range 28 East, B.M. by open irrigation canal

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

Ans. Around 160 inches of water and same can be safely conveyed.

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. 160 inches per minute estimated as I am familiar with irrigation and amounts of water and the measurement of same.

G-25965

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

Ans. Water used to irrigate cultivated land is used in NW $\frac{1}{4}$, NE $\frac{1}{4}$, SW $\frac{1}{4}$, and SE $\frac{1}{4}$ of the SW of Section 33, Township 12 South, Range 28 E., B.M., being 40 acres in each unit. The entire 160 acres, by completion of this well, has been brought to an irrigated unit from a "Dry-farm unit".

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

Ans. NONE

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

Ans. 160 inches of water required for profitable cultivation.
The land is level and is a Silt Loam.

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

Ans. NONE

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

Ans. During the 1957 crop-year I have helped irrigate, with 160 inches of water produced under this Permit, this entire unit.

(Signed) Neil Miller

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 22 day of August, A. D. 1957.

Lynn M. Bradshaw
Notary Public.

My commission expires February 1, 1961

25965

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
AUG 28 1957
Department of Reclamation

Permit No. G-25965

Proof of Application of Water to Beneficial Use

Deposition of Witness and Completion of Works

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

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

Ans. Jack Andersen, 19 years, Tremonton, Utah. Student. Route One,
Tremonton, Utah.

Ques. 2. Are you acquainted with Dean Compton, the holder of Permit No. G-25965? How long have you known him and where does he reside?

Ans. I have known Mr. Compton all my life. He now resides in
Brigham City, Utah.

Ques. 3. Have you read or heard read said Permit No. G-25965, and are you familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Deep well with pump and motor is source of supply, place of diversion
is in the Southeast corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33, Township 12 South,
Range 28 East, B.M. by open irrigation canal

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

Ans. Around 160 inches of water and same can be safely conveyed.

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. 160 inches per minute estimated as I am familiar with irrigation
and amounts of water and the measurement of same.

J25965

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

Ans. Water used to irrigate cultivated land is used in NW $\frac{1}{4}$, NE $\frac{1}{4}$, SW $\frac{1}{4}$, and SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 33, Township 12 South, Range 28 E., B.M., being 40 acres in each unit. The entire 160 acres, by completion of this well, has been brought to an irrigated unit from a "Dry-farm" unit.

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

Ans. NONE

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

Ans. 160 inches of water required for profitable cultivation.
The land is level and is a Silt Loam.

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

Ans. NONE

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

Ans. During the 1957 crop-year I have helped irrigate, with 160 inches of water produced under this Permit, this entire unit.

(Signed)

Jack Anderson

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 22 day of August,
A. D. 1957.

Lymon D. Bradshaw

Notary Public.

My commission expires February 1, 1961.

825965

AFFIDAVIT OF PUBLICATION

RECEIVED
AUG 23 1957STATE OF IDAHO } ss.
COUNTY OF CASSIA }

Carl Jones, first being duly sworn, deposes and says: That he is the printer of The Burley Herald and/or The Burley Bulletin, a weekly newspaper published at Burley, in the County of Cassia, State of Idaho; that the said newspaper has a general circulation in said county, and that the said newspaper is published weekly and has been continuously and uninterruptedly published in said county, not less frequently than once a week, during a period of seventy-eight consecutive weeks immediately prior to the first publication of the printed notice herein referred to;

That said newspaper at all times herein mentioned, has been a newspaper of general circulation, made up of at least four pages of at least five columns each, printed from typed matter or stereotyped forms of at least seventeen and three-fourths inches depth, and during the whole of said time has had at least two hundred bona-fide subscribers living within said County of Cassia.

Affiant further states that the printed notice attached hereto was duly published according to law, in the regular weekly editions of the said newspaper and not in any supplement thereof, for four... consecutive weeks, commencing with the issue dated July 25 1957., and ending with the issue dated Aug. 15 1957...

Subscribed and sworn to before me this 15th day of Aug., 1957.

Notary Public in and for the State of Idaho,
Residing at Burley, Idaho.

My Commission Expires June 4, 1958

This is hereby sworn to at 1:00 P. M. on the 22nd day of August, 1957, at Burley, County of Cassia, State of Idaho, before my N. Bradshaw, Notary Public, and will be submitted to the commission of works for the diversion of 32 cubic feet per second of ground 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-20122, heretofore issued, by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Dean Corbett, of 634 North Second West, Brigham City, Utah.

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 point of use is 32 cubic feet per second.

3. The use to which said water has been applied is for irrigation and domestic purposes, and the amount applied to beneficial use is 32 cubic feet per second.

4. The point of diversion of said water is in the SW 1/4 of Section 35, Township 12 South of Range 24 East, Boise Meridian.

5. The place where said water is used is in the SW 1/4 of Section 33, Township 12 South of Range 24 East, Boise Meridian.

6. The date of priority which said user is prepared to establish is September 21, 1955.

MARY R. KULP
State Reclamation Engineer,
Published in the Burley Herald,
July 25, 1957, 1-4-15, 1957.

July 17, 1957

RE: Permit No. 9-25965
Dean Compton

Mr. Lynn N. Bradshaw
Farm Home Administration
Burley, Idaho

Dear Mr. Bradshaw:

This acknowledges receipt of the notice of proof of completion of works and application of water to beneficial use under Permit No. G-25965, in the name of Dean Compton. Final proof is to be made before you at 3:00 P.M. August 22nd.

Today, we have sent the notice to the Burley Herald with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof and to then send the affidavit of publication and statement of costs to you.

Before the time set, will you please notify Mr. Compton that he and two disinterested witnesses who are familiar with the terms of the Permit and the work done thereunder are to appear before you at 3:00 P. M. August 22nd, for the purpose of executing the enclosed depositions.

When returning the depositions to this office please be sure to include the affidavit of publication.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

KPR:vm
Encl.

cc. Dean Compton
634 North Second West
Brigham City, Utah

925965

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RE: Permit No. G-25965
Dean Compton

Date: July 17, 1957

Burley Herald
Burley, Idaho
Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **August 28nd, 1957** the date set for proof, the expense of the publication to be paid by the applicant, **Agent- Lynn N. Bredshaw** of **Burley Idaho**, to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice, and furnish this office with a copy of the first publication, in order that we may check same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

VIA

25965

RECEIVED
JUL 15 1957
Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) July 9, 1957
639 N. 2nd Street
Address
Brigham City, Utah
City State

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

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

By Dean Compton

(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

825965

RECEIVED
JUL 15 1957
Department of Reclamation

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

Notice is hereby given that at 3:00 P. M., on the 23rd 12th
day of August, 19 57, at Burley, County of
Cassia, State of Idaho, before Lynn N. Bradshaw,
Notary Public, proof will be submitted of the completion of
works for the diversion of 3.2 cubic feet per second of underground waters
from a well, and of the application to beneficial use of said water, in accordance
with the terms and conditions of Permit No. G-25965 ~~XXXXXXXXXX~~ heretofore issued by
the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said
permit are Dean Compton of 634 North Second West, Brigham City, Utah.

2. Said works of diversion will be fully completed on the date set for such
completion, and the amount of water which said works are capable of conveying to
the place of use is 3.2 cubic feet per second.

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

4. The point of diversion of said water is in the SE $\frac{1}{4}$ of Section 33,
Township 12 South of Range 28 East, Boise Meridian.

5. The place where said water is used is the SE $\frac{1}{4}$ of Section 33,
Township 12 South of Range 28 East, Boise Meridian.

6. The date of priority which said user is prepared to establish is
September 21st, 1955.

Lynn N. Bradshaw
Lynn N. Bradshaw, Notary Public

MARK R. KULP
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

RE: Permit No. G-25965

July 1, 1957

Mr. Dean Compton
634 N. 2 W
Bingham City, Utah

Dear Sirs:

We enclose herewith blank notice for proof of completion of works and application of water to beneficial use under your Permit No. G-25965. This notice should be filled out in duplicate and returned to this office at least 40 days before the date upon which you wish to make this proof, in order to allow time for the four weeks' publication required by law.

This proof must be submitted before a Notary Public or other officer authorized by law to administer oaths.

The date for proof, as set out in your permit, is not later than September 26, 1957.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

NOTE:-

Copy of Notice and Forms mailed to:
Mr. Lynn N. Bradshaw
County Supervisor
Farmers Home Administration
Burley, Idaho

vii

D25965

UNITED STATES DEPARTMENT OF AGRICULTURE

FARMERS HOME ADMINISTRATION

Burley, Idaho

April 5, 1956

RECEIVED
APR 6 1956

Department of Reclamation

Mr. Mark R. Kulp
State Reclamation Engineer
State House
Boise, Idaho

Dear Mr. Kulp:

This is to advise you that we have closed a loan to Mr. Dean Compton who holds Permit No. G 25965 approved by your department under date of September 26, 1955. We are requesting that you sign and return to this office the extra copy of this letter which will be notification to us that you will not permit Mr. Compton to assign, transfer, or make any other changes in the permit adverse to the interest of the Farmers Home Administration without our written consent.

Sincerely,

Lynn N. Bradshaw
Lynn N. Bradshaw
County Supervisor

The above letter has been placed on file in connection with Permit No. G 25965 and you will be notified accordingly.

Mark R. Kulp

Mark R. Kulp
State Reclamation
Engineer

G25965

Attachment

September 29, 1955

RE: Permit No. G-25965

Mr. Dean Compton
634 North 2nd West
Brigham City, Utah

Dear Mr. Compton:

We enclose Permit No. G-25965 and direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose departmental receipt No. G-1475 for the \$5.75 filing fee.

Very truly yours,

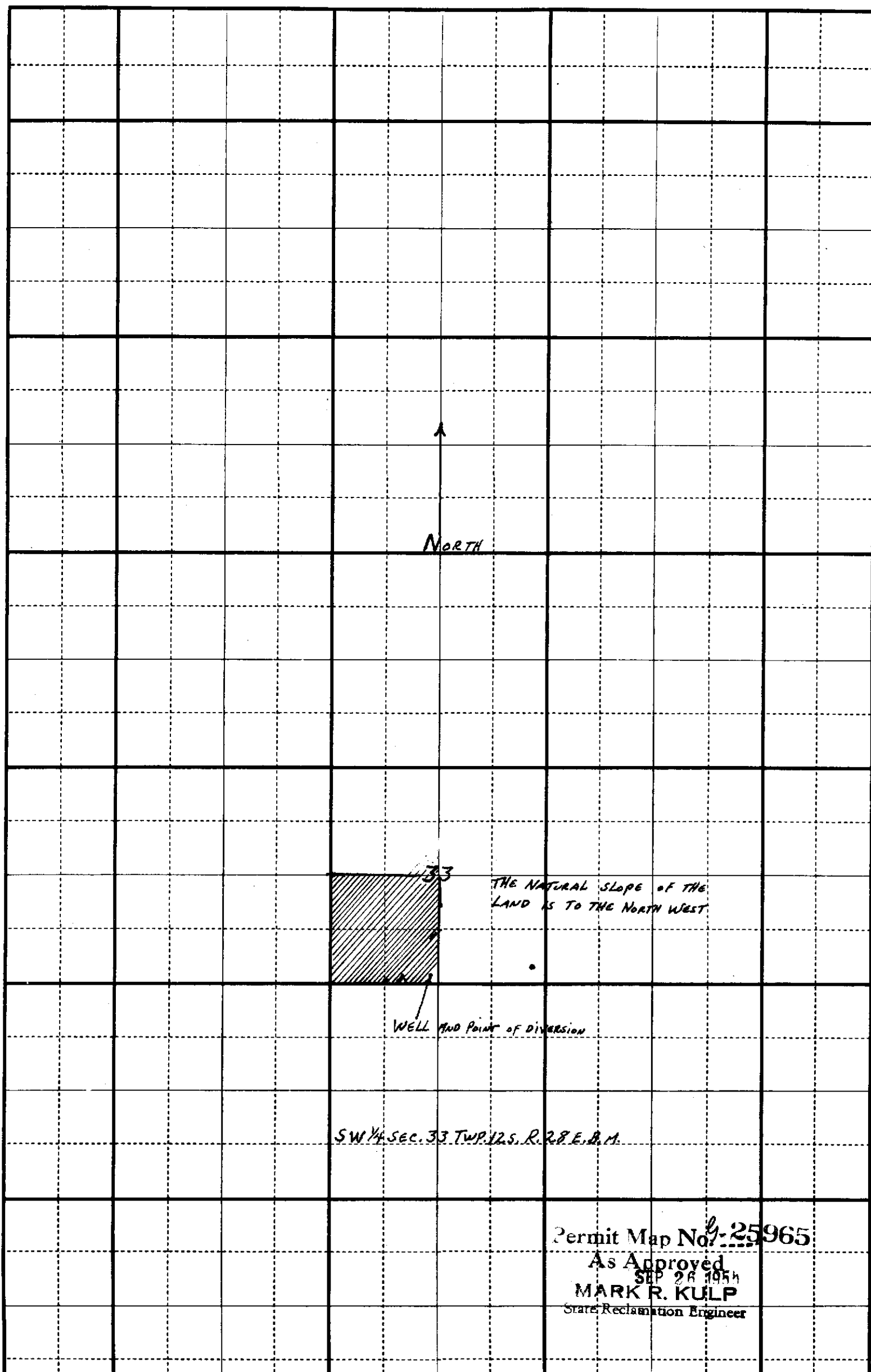
MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hl1
Enc.

G25965

NAME OF APPLICANT DEAN COMPTON

Form No. 0

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

825965

September 16, 1955

Appl. No. G-33851

Mr. Dean Compton
634 North 2nd West
Brigham City, Utah

Dear Mr. Compton:

In reply to your letter of September 15, we enclose a form of application for permit to appropriate subterranean water from a well together with a pamphlet giving regulations and instructions in regard to filing same.

When this application is approved, it will be signed by the proper State Officials and sent you as a use Permit under which you may proceed with the construction of the work described in the application.

In order to complete your water right, proofs of completion of works and application of the water to beneficial use are required. The time required for making these proofs should be indicated under Question 10.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

Ashll
Enc.

25965

Sept. 15, 1955

Mark Kulp
State Reclamation Engineer
State House
Boise, Idaho

Dear Mr. Kulp,
Would you please send me an application
for a permit to appropriate the subterranean
waters of the State of Idaho.

Yours truly,

Dean Compton
634 N. 2nd.
Brigham City, Utah.

S25965

RECEIVED
SEP 16 1955
Department of Reclamation

**NOTICE OF PROOF
COMPLETION OF WORKS
and**

**APPLICATION OF WATER
TO
BENEFICIAL USE**

Notice is hereby given that at 3:00 P. M., on the 22nd day of August, 1957, at Burley, County of Cassia, State of Idaho, before Lynn N. Bradshaw, Notary Public, proof will be submitted of the completion of works for the diversion of 3.2 cubic feet per second of underground waters from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-25285, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Dean Compton of 634 North Second West; Brigham City, Utah.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 3.2 cubic feet per second.

3. The use to which said water has been applied is for irrigation and domestic purposes, and the amount applied to beneficial use is 3.2 cubic feet per second.

4. The point of diversion of said water is in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33, Township 12 South of Range 28 East, Boise Meridian.

5. The place where said water is used is the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 32, Township 12 South of Range 28 East, Boise Meridian.

6. The date of priority which said user is prepared to establish is September 21, 1955.

MARK R. KULP

State Reclamation Engineer

Published in the Burley Herald,
July 25, Aug. 1-8-15, 1957.