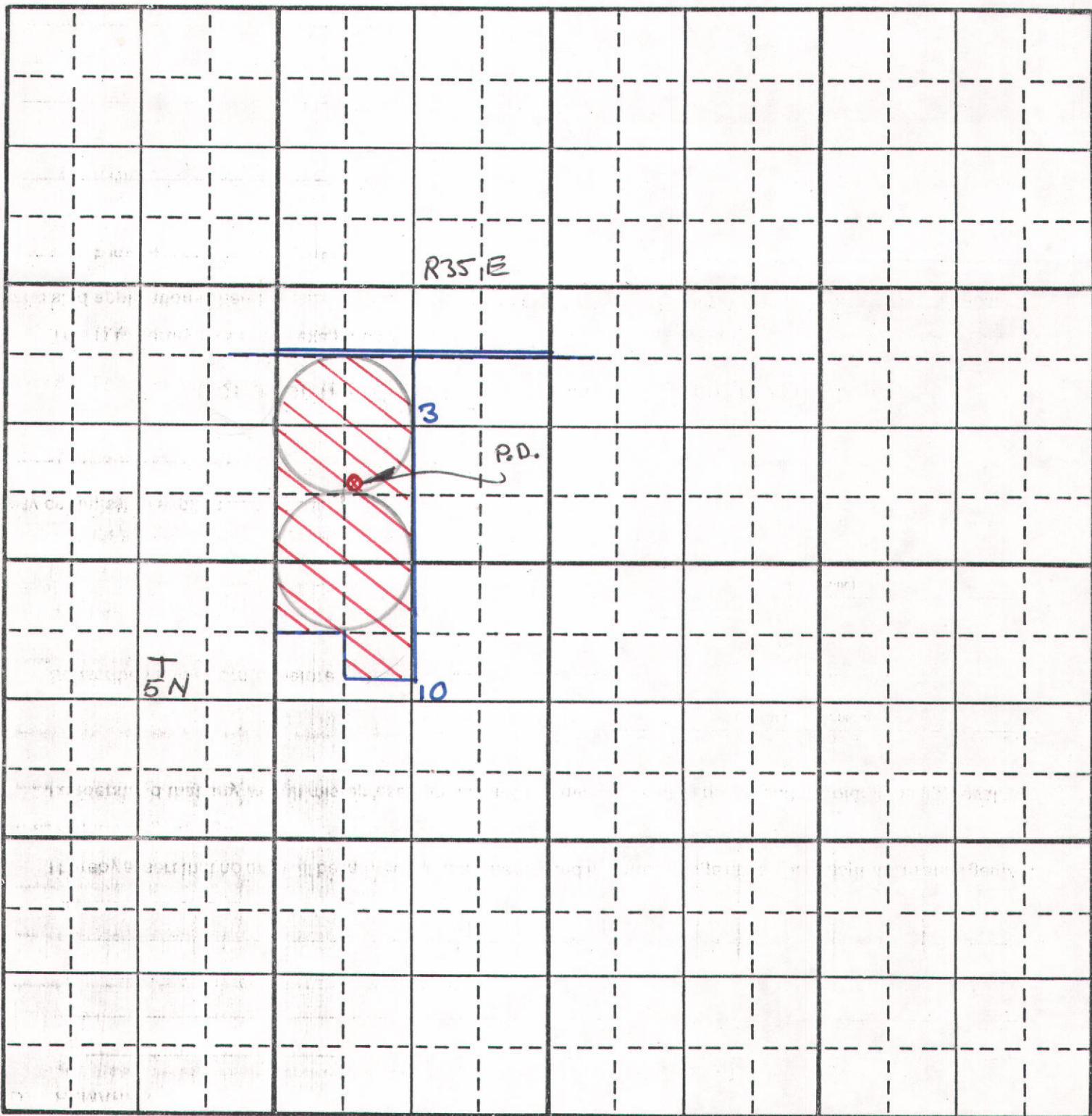


c. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5N	35E	10					36	36		29									101
		3							33	33	36	36	38	38					214
									L-4	L-3									

Total number of acres to be irrigated 315

4. Describe any other water rights used for the same purpose as described above. None
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

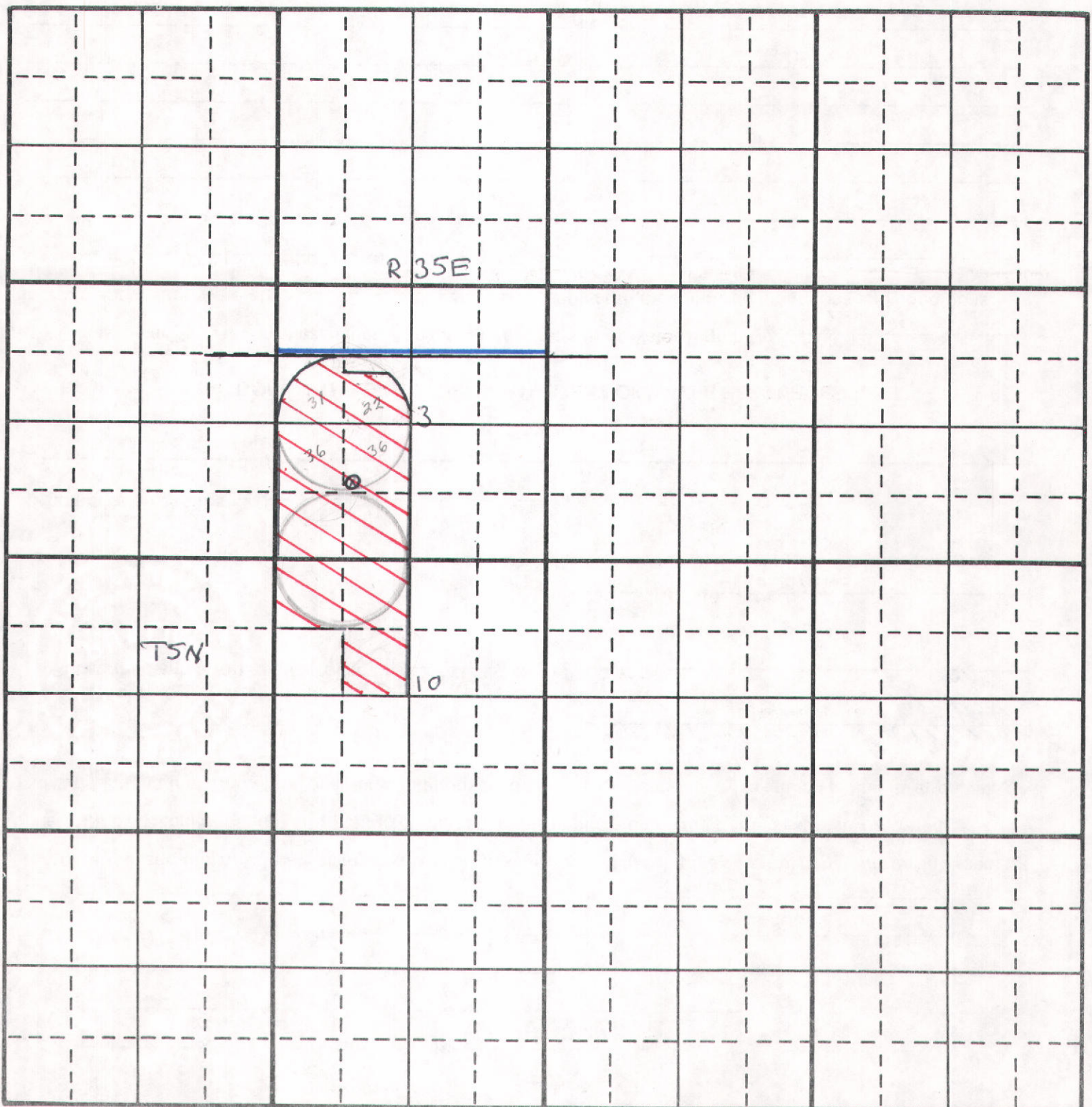
MICROFILMED

c. Describe the land or place of use to which the right will be transferred:

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 $\frac{1}{4}$	
5N	35E	3							31 L4	22 L3	36	36	38	38					201
		10					38	38		38									114

Total number of acres to be irrigated 315

4. Describe any other water rights used for the same purpose as described above. None
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

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AFFIDAVIT OF PUBLICATION
The Rigby Star

RECEIVED

JAN 8 1968

Department of Reclamation

STATE OF IDAHO, }
County of Jefferson } ss.

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

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

issue thereof, for Two consecutive issues thereof; first publication having been made on the

16th day of November, 1967
and the last publication on the

23rd day of November, 1967

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

Hope B. Jones

Subscribed in my presence and sworn to before me this 20th
day of December, 1967
(SEAL)

R. H. Hamm
Notary Public for the State of Idaho,
Residence and P.O. Address Rigby Idaho.

My commission expires _____, 19__

Publication Fee: \$_____

MY COMMISSION EXPIRES JULY 15, 1969

RECEIVED

DEC 22 1967

Department of Reclamation

MICROFILMED

31-7003

**NOTICE OF APPLICATION
FOR WATER**

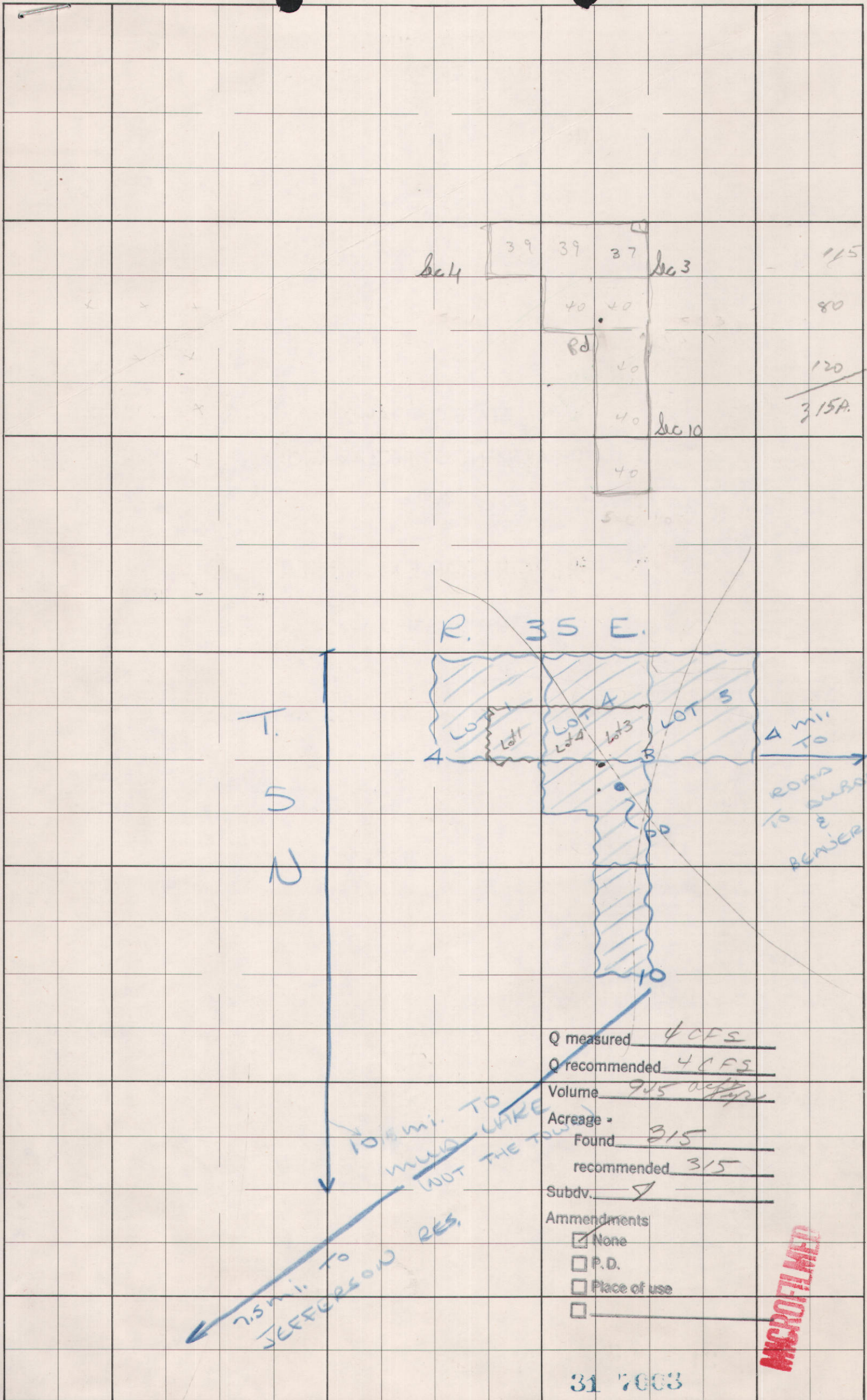
Notice is hereby given that Robert J. McSpadden has on November 1, 1967 applied for permit to divert 6.0 cubic feet per second of water from a subterranean source under application No. 31-7003. Water will be diverted by a well, pump and motor within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 3, T. 5 N, R. 35 E, B.M., Jefferson County and is to be used from April 1 to October 15 for irrigation in the N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Lot 3 and 4, Sec. 3; Lot 1, Sec. 4; and E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 10, T. 5 N, R. 35 E, B.M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON

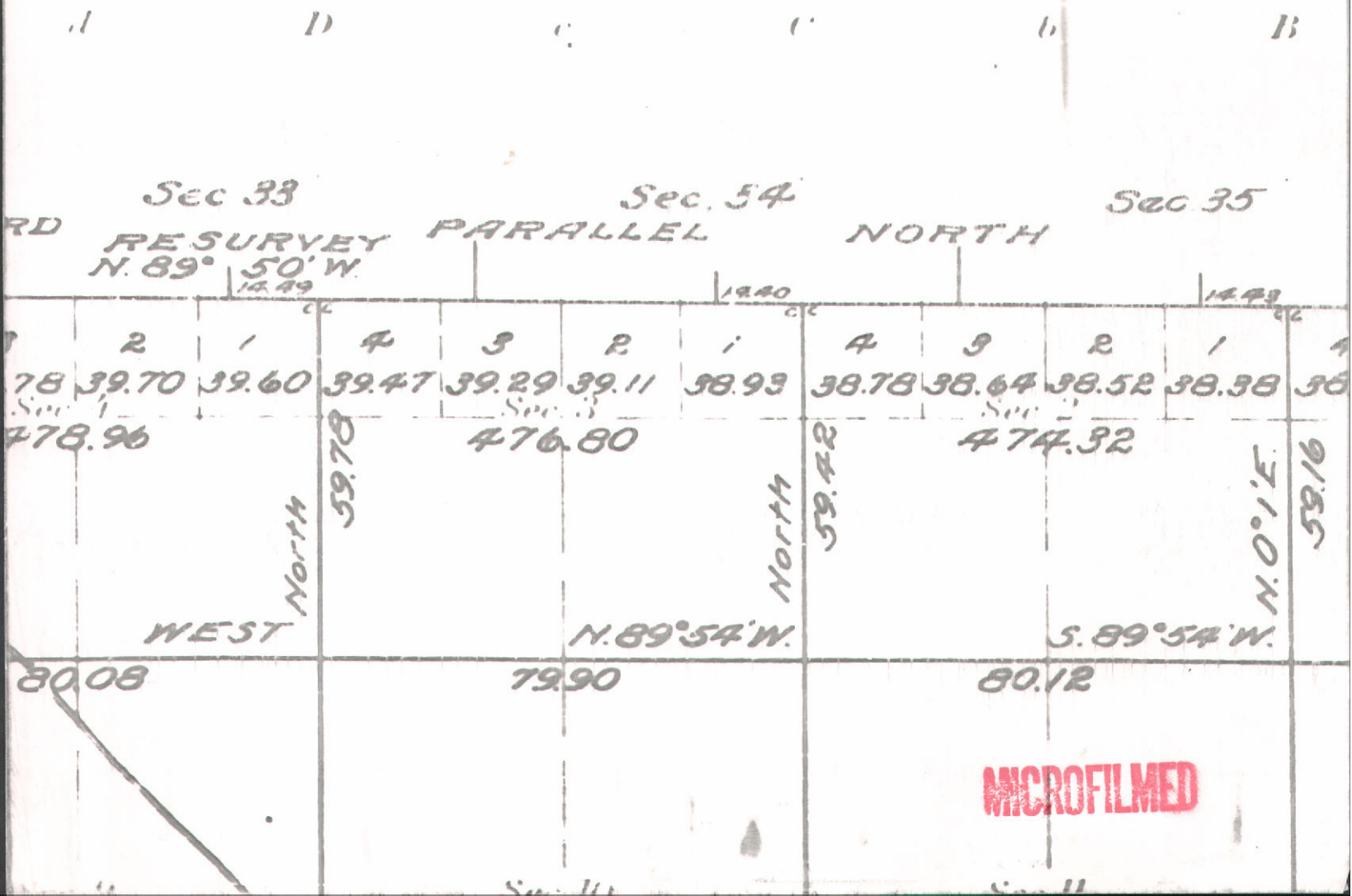
State Reclamation Engineer

Published in the Rigby Star, Rigby, Idaho 83442, on November 16 and November 23, 1967.



(4 675 d)

Nº35 East of the Boise Meridian



Transfer No. 3226Water Right No. 31-7003

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

APPROVEDName of applicant Mark B. Clark Trust Phone 232-8444Post Office address P.O. Box 4972, Pocatello, Idaho 83201

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____ (Name)
in case of _____ vs _____
dated in _____ in _____ county of _____
(Name of court)
- b. License No. 31-7003 issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquired by Purchase3. Source of water underground tributary to _____4. Date of priority 1 Nov. 1967

5. Water is used for the following purposes:

amount 4.0 cfs for Irr purposes from 4/1 to 10/15
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 4.0 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is N.E. $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 3
Township 5 N Range 35 E, B.M., in Jefferson County
Additional points of diversion, if any _____

8. Lands 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 $\frac{1}{4}$	
5N	35E	3							L4 39	L3 37	40	40		40					196
		4				L1 39													39
		10					40			40									80

Total number of acres to be irrigated 3159. Describe any other water rights used for the same purpose as described above None

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No If yes, describe in item D, REMA

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B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second &/or
b. _____ acre feet per annum
2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County _____
Additional points _____
3. Place of use: _____

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

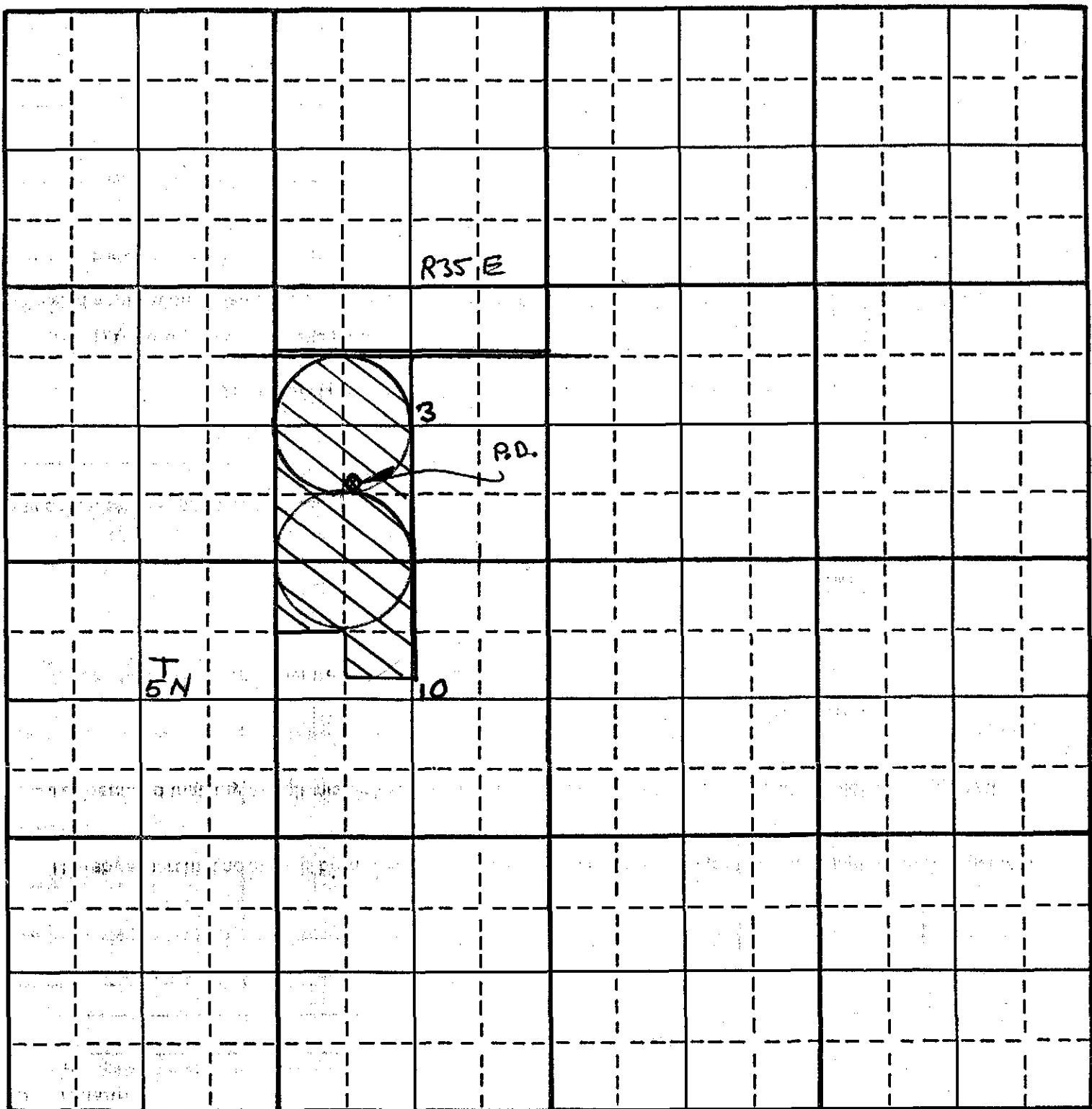
1. General Information
- a. Amount of water to be diverted 4.0cfs c.f.s. &/or _____ acre feet
- b. Description of diverting works well pump to center pivots hand and wheel lines
- c. Describe the reasons for the proposed changes changing place of use to facilitate center pivots
2. Change in point of diversion No change
- Point of diversion NE ¼ SW ¼, Section 3 Township 5N
Range 35E, B.M., Jefferson County
Additional points _____
3. Change in place of use
- a. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed change.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer
Land will be dry

c. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE%				NW%				SW%				SE%				TOTALS
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
5N	35E	10					36	36		29									101
		3							33	33	36	36	38	38					214
									L-4	L-3									

Total number of acres to be irrigated 315

4. Describe any other water rights used for the same purpose as described above. None
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

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D. REMARKS

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willfull misrepresentations made in this application may result in voiding its approval.

Mark B. Clark Trust

BY:

Camille Clark

Camille Clark

(Signature of Applicant)

Trustee

August

86

Subscribed and sworn to before me this 12th day of August, 19 86

Martha Jones
(Notary Public)

6-6-87

My commission expires _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 31-7003

and said application is hereby APPROVED, subject to the following limitations and conditions:

Land irrigated under this right as a result of the transfer shall not exceed
315 acres.

Witness my hand this 10th day of September, 19 86

J. Glen Saxton
Chief, Operations Bureau

Received by CW Date 8-14-86 FOR DEPARTMENT USE ONLY
Prelim. check by _____ Fee \$ 50 Protest filed by _____
Receipted by CW Date 9-5-85 # 35488
Published in Rigby Star Copies of protest forwarded by _____
Pub. dates 12/18+24/85 Hearing held by _____ Date _____
Watermaster recommendation requested on _____ Recommended for approval denial
_____ rec'd. _____ by EMC Jim B.S.

MICROFILMED

AFFIDAVIT OF DISCLAIMER

STATE OF IDAHO)
) ss.
County of Bannock)

SIDDOWAY SHEEP COMPANY, by and through its President,
hereby disclaims any and all right, title and interest in and
to the water rights heretofore on the following described
property, to wit:

Lot 1, Section 4, Township 5 North, Range 35 E.B.M.,
Jefferson County, Idaho, ...

and agrees that said water right was retained by Mark B. Clark
Trust to be used with the following described property, to wit:

North Half of the Northwest Quarter (N1/2NW1/4) and
the Southeast Quarter of the Northwest Quarter
(SE1/4NW1/4) of Section 10, Township 5 North, Range
35 E.B.M; the Southwest Quarter (SW1/4) of Section 3,
Township 5 North, Range 35 E.B.M., Jefferson County,
Idaho.

Mark B. Clark Trust has at all times maintained ownership
of the water and water rights since Siddoway Sheep Company
purchased Lot 1, Section 4, Township 5 North, Range 35 E.B.M.,
and Siddoway Sheep Company disclaims any and all right, title
and interest in and to said water and/or water rights under
License No. 31-7003 issued by the Idaho Department of Water
Resources.

Attest:

SIDDOWAY SHEEP COMPANY

W. Denton Siddoway
Its Secretary

By Jeff Siddoway
Its President

MICROFILMED

STATE OF IDAHO

County of Jefferson

) ss.

On this 17th day of December 1985, before me,

the undersigned, a Notary Public in and for said state,

personally appeared Jeff Siddoway and W.

Senior Siddoway, known to me to be the President and Secretary, respectively, of Siddoway Sheep Company, an Idaho

corporation, the corporation that executed the foregoing

Affidavit of Disclaimer, and the persons who executed the same

on behalf of said corporation, and acknowledged to me that

such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Thomas W. Clark
Notary Public for Idaho
Residing at: Pocatello, ID
My Commission Expires: 3/29/87

WILSON MET

QUITCLAIM DEED

For Value Received MARK B. CLARK and HELEN L. CLARK, Husband and wife, of 575 Marlu, City of Pocatello, County of Bannock, State of Idaho,

do hereby convey, release, remise and forever quitclaim unto MARK B. CLARK TRUST

whose current address is 343 West Clark Street, Pocatello, Idaho 83201,

the following described premises, to-wit:

A piece or parcel of land situated and lying and being in the county of Jefferson, State of Idaho, and bounded and particularly described as follows, to-wit:

Township 5 North, Range 35 East, Boise Meridian, Jefferson County, Idaho.

Section 3: Lots 3 and 4; N 1/2 SW 1/4; SE 1/4 SW 1/4

Section 4: Lot 1

Section 10: E 1/2 N.W. 1/4

Subject to Easements and Rights of Ways for Highways, Roads, Ditches, Canals, Pole, Power and Transmission lines as they exist.

COPY

together with their appurtenances.

Dated: March 15, 1979.

Mark B. Clark
Helen L. Clark

STATE OF IDAHO, COUNTY OF BANNOCK
On this 15th day of March, 1979,
before me, a notary public in and for the said State, personally appeared

Mark B. Clark and Helen
L. Clark, husband and wife,

known to me to be the persons whose names are
subscribed to the within instrument, and acknowledged to
me that they executed the same.

Notary Public
Residing at Pocatello, Idaho
Comm. Expires

200509
Microfilm No. 2 Day Oct 1979
At 9:30 O'clock A.M.
Randy Butler
Jensen & Co. S. Co. S. Co.
FEB 22 1980
R. Jensen
J. Jensen

PLATTED BY
DAVID KINGHORN, ASSESSOR
BY

MICROFILMED

THE JEFFERSON STAR

RIGBY, IDAHO

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
County of Jefferson } ss

I, Terry Weatherston,
being first duly sworn, depose and say, that I am
the printer of THE JEFFERSON STAR, a weekly
newspaper printed and published weekly at
Rigby, Jefferson County, Idaho; and I do
solemnly swear that the

Notice Of Correction

a copy of which notice appears attached here-
to, was published in the regular and entire issue
of said newspaper, and not in any

supplement issue thereof for 2
consecutive issues, the first publication hav-

ing been made on Jan. 22, 1986
and the last publication having been made

on Jan. 29, 1986.

Further, that said newspaper is one of general
circulation in said county; that it is a legal
newspaper, conforming to legal specifications
under the Idaho Statutes; that it has at least two
hundred bona fide subscribers living within the
county of publication; and that it has been
continuously and uninterruptedly published in said
county during a period of seventy-eight con-
secutive weeks prior to the first publication of the
said notice.

Terry Weatherston

~~~~~

Subscribed to and sworn to before me  
this Jan. 30, 1986

*Jeri Garner*  
Notary Public.

(SEAL)

My commission expires April 20, 1986

### NOTICE OF CORRECTION

Notice is hereby given that Transfer No.  
31-7003 in the name of Mark B. Clark Trust

was advertised incorrectly on December 18  
and 24, 1985. The original place of use was  
advertised as being within the S $\frac{1}{2}$ NW $\frac{1}{4}$  (L3  
& L4), N $\frac{1}{2}$ W $\frac{1}{4}$ , SE $\frac{1}{4}$ W $\frac{1}{4}$  Sec. 3;  
SE $\frac{1}{4}$ NE $\frac{1}{4}$ (L1) Sec. 4; E $\frac{1}{2}$ NW $\frac{1}{4}$  Sec. 10 T  
5N R35E B.M. and the changed place of  
use within the S $\frac{1}{2}$ W $\frac{1}{4}$  (L3 & L4), SW $\frac{1}{4}$  Sec.  
3; N $\frac{1}{2}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$  Sec. 10 T 5N R  
35E.

WHEREAS, the actual original place of  
use is within the S $\frac{1}{2}$ NW $\frac{1}{4}$ (L3 & L4),  
N $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$  Sec. 3; SE $\frac{1}{4}$ NE $\frac{1}{4}$   
(L1) Sec. 4; E $\frac{1}{2}$ NW $\frac{1}{4}$  Sec. 10 T 5N R 35E  
B.M. and the changed place of use within  
the S $\frac{1}{2}$ NW $\frac{1}{4}$  (L3 & L4), SW $\frac{1}{4}$  Sec. 3;  
N $\frac{1}{2}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$  Sec. 10 T 5N R 35E.

Any protests against the granting of this  
transfer as a result of this correction must  
be filed with the Idaho Department of Water  
Resources, 160 Shoup, Suite 16, Idaho  
Falls, Idaho 83401 on or before February  
10, 1986.

A. KENNETH DUNN  
Director

Publ Jan. 22 and 29, 1986RS

MICROFILMED

# THE JEFFERSON STAR

RIGBY, IDAHO

## AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }  
County of Jefferson } ss

I, Terry Weatherston

being first duly sworn, depose and say, that I am the printer of THE JEFFERSON STAR, a weekly newspaper printed and published weekly at Rigby, Jefferson County, Idaho; and I do solemnly swear that the

### Notice Of Proposed Change

a copy of which notice appears attached hereto, was published in the regular and entire issue of said newspaper, and not in any

supplement issue thereof for 2  
consecutive issues, the first publication hav-

ing been made on Dec. 18, 1985  
and the last publication having been made

on Dec. 24, 1985

Further, that said newspaper is one of general circulation in said county; that it is a legal newspaper, conforming to legal specifications under the Idaho Statutes; that it has at least two hundred bona fide subscribers living within the county of publication; and that it has been continuously and uninterruptedly published in said county during a period of seventy-eight consecutive weeks prior to the first publication of the said notice.

*Terry Weatherston*

Subscribed to and sworn to before me  
this Dec. 25, 1985

*Jeri Gance*  
Notary Public.

(SEAL)

My commission expires April 20, 1986

*Newspaper  
error*

### NOTICE OF PROPOSED CHANGE OF WATER RIGHT No. 31-7003

Notice is hereby given that Mark B. Clark Trust, Pocatello, Idaho has applied to the Department of Water Resources for a change in the place of use of waters of a groundwater source. The right sought to be changed is evidenced by License No. 31-7003 and recorded as follows:

AMOUNT: 4.0 cfs

PRIORITY: November 1, 1967

POINT OF DIVERSION: NE $\frac{1}{4}$ SW $\frac{1}{4}$  Sec. 3 T 5N R 35E B.M.

The water is used to irrigate 315 acres within S $\frac{1}{2}$ NW $\frac{1}{4}$  (L3 & L4), N $\frac{1}{2}$ W $\frac{1}{4}$ , SE $\frac{1}{4}$ W $\frac{1}{4}$  Sec. 3; SE $\frac{1}{4}$ NE $\frac{1}{4}$  (L1) Sec. 4; E $\frac{1}{2}$ NW $\frac{1}{4}$  Sec. 10 T 5N R 35E B.M.

### TO BE CHANGED AS FOLLOWS

The water will be used to irrigate 315 acres within the S $\frac{1}{2}$ W $\frac{1}{4}$  (L3 & L4), SW $\frac{1}{4}$  Sec. 3; N $\frac{1}{2}$  NW $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$  Sec. 10 T 5N R 35E.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoupe Ave., Suite 15, Idaho Falls, Idaho, 83401, on or before January 3, 1985.

A. KENNETH DUNN  
Director

Publ. Dec. 18 and 24, 1985RS

**MICROFILMED**

Transfer No. 3226

Water Right No. 31-7003

VOID  
STATE OF IDAHO

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

Name of applicant Mark B. Clark Trust Phone 232-8444

Post Office address P.O. Box 4972, Pocatello, Idaho 83201

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. Decreed to (Name)  
in case of vs  
dated in in county of (Name of court)
- b. License No. 31-7003 issued by the Idaho Department of Water Resources
- c. Claim No. on file with the Idaho Department of Water Resources

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquired by Purchase

3. Source of water underground tributary to

4. Date of priority 1 Nov. 1967

5. Water is used for the following purposes:

amount 4.0 cfs for Irr purposes from 4/1 to 10/15  
amount for purposes from to  
amount for purposes from to (month/day — both dates inclusive)

6. Total amount of water under right: a. 4.0 cubic feet per second &/or  
b. acre feet per annum

7. Location of original point of diversion is N.E. 1/4 of SW 1/4 of Section 3  
Township 5 N Range 35 E B.M., in Jefferson County  
Additional points of diversion, if any

8. Lands irrigated or place of use:

| TWP. | RANGE | SEC. | NE 1/4 |        |        |          | NW 1/4 |        |          |          | SW 1/4 |        |        |        | SE 1/4 |        |        |        | TOTALS |
|------|-------|------|--------|--------|--------|----------|--------|--------|----------|----------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |       |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4   | NE 1/4 | NW 1/4 | SW 1/4   | SE 1/4   | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
| 5N   | 35E   | 3    |        |        |        |          |        |        | L4<br>39 | L3<br>37 | 40     | 40     |        | 40     |        |        |        |        | 196    |
|      |       | 4    |        |        |        | L1<br>39 |        |        |          |          |        |        |        |        |        |        |        |        | 39     |
|      |       | 10   |        |        |        |          | 40     |        |          | 40       |        |        |        |        |        |        |        |        | 80     |
|      |       |      |        |        |        |          |        |        |          |          |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |          |        |        |          |          |        |        |        |        |        |        |        |        |        |

Total number of acres to be irrigated 315

9. Describe any other water rights used for the same purpose as described above None

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No If yes, describe in item D, REM MICROFILMED

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. \_\_\_\_\_ cubic feet per second &/or \_\_\_\_\_ acre feet per annum

2. Point of diversion \_\_\_\_\_ 1/4 Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_, B.M., \_\_\_\_\_ County \_\_\_\_\_ Additional points \_\_\_\_\_

3. Place of use: \_\_\_\_\_

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

Total number of acres to be irrigated \_\_\_\_\_

1. General Information

a. Amount of water to be diverted \_\_\_\_\_ 4.0cfs \_\_\_\_\_ c.f.s. &/or \_\_\_\_\_ acre feet

b. Description of diverting works \_\_\_\_\_ well pump to center pivots hand and \_\_\_\_\_ wheel lines

c. Describe the reasons for the proposed changes \_\_\_\_\_ changing place of use to \_\_\_\_\_ facilitate center pivots

2. Change in point of diversion \_\_\_\_\_ No change \_\_\_\_\_

Point of diversion \_\_\_\_\_ NE 1/4 SW 1/4 Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_, B.M., \_\_\_\_\_ County \_\_\_\_\_ Additional points \_\_\_\_\_

3. Change in place of use

a. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? \_\_\_\_\_ Yes X \_\_\_\_\_ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed change.

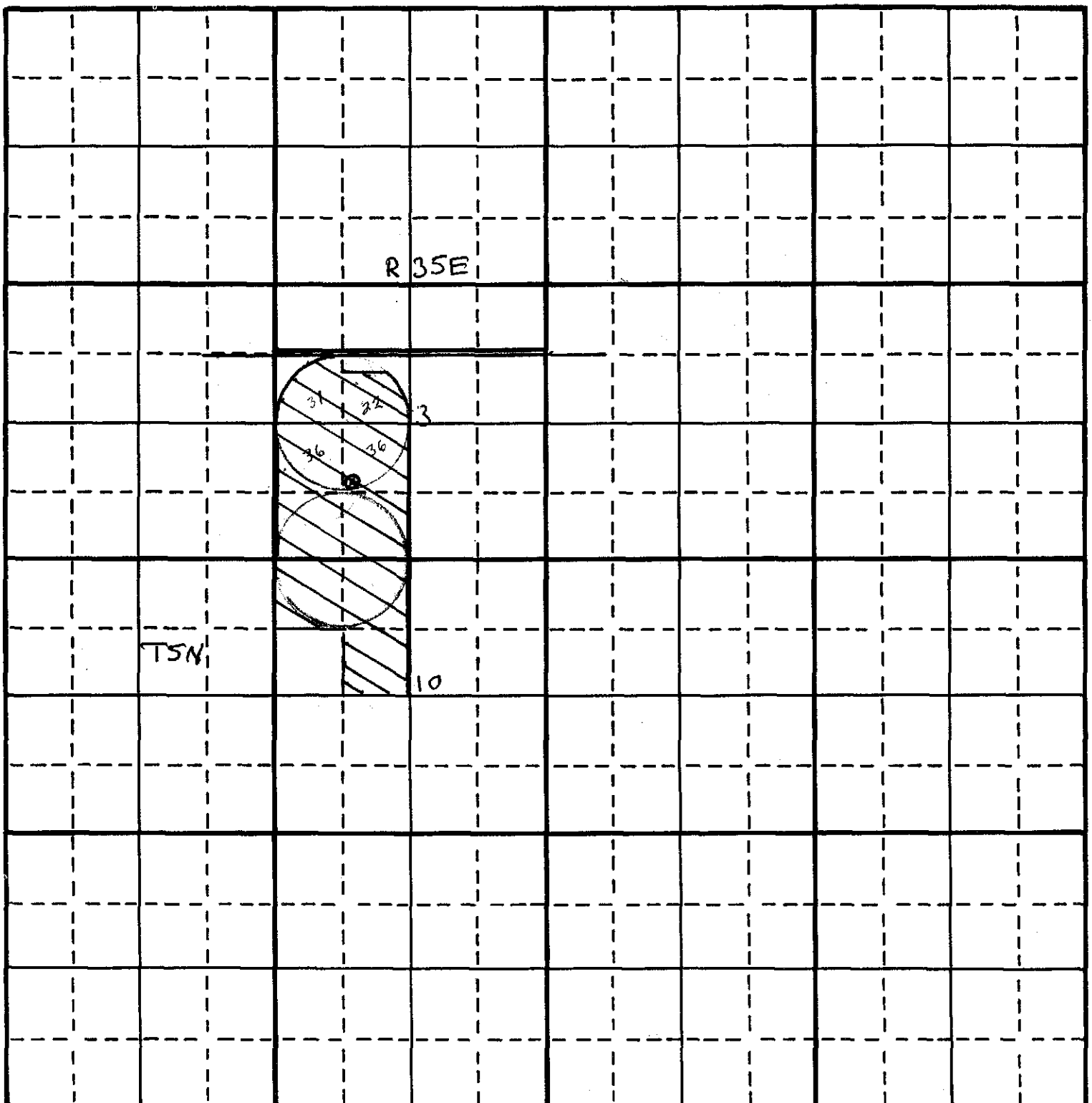
b. Describe the effect on the land now irrigated if the place of use is changed pursuant to this transfer \_\_\_\_\_ Land will be dry \_\_\_\_\_

c. Describe the land or place of use to which the right will be transferred:

| TWP. | RANGE | SEC. | NE¼ |     |     |     | NW¼ |     |          |          | SW¼ |     |     |     | SE¼ |     |     |     | TOTALS |
|------|-------|------|-----|-----|-----|-----|-----|-----|----------|----------|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|      |       |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼      | SE¼      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
| 5N   | 35E   | 3    |     |     |     |     |     |     | 31<br>L4 | 22<br>L3 | 36  | 36  | 38  | 38  |     |     |     |     | 201    |
|      |       | 10   |     |     |     |     | 38  | 38  |          | 38       |     |     |     |     |     |     |     |     | 114    |
|      |       |      |     |     |     |     |     |     |          |          |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |          |          |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |          |          |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |          |          |     |     |     |     |     |     |     |     |        |

Total number of acres to be irrigated: 315

4. Describe any other water rights used for the same purpose as described above. None
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

**MICROFILMED**

MICROFILMED

FOR DEPARTMENT USE ONLY

|                                         |                        |                 |                      |
|-----------------------------------------|------------------------|-----------------|----------------------|
| Received by                             | <u>WJ</u>              | Date            | <u>9-01-85</u>       |
| Prelim. check by                        | <u>WJ</u>              | Fee             | <u>\$50.00</u>       |
| Received by                             | <u>WJ</u>              | Date            | <u>9-5-85 #35488</u> |
| Published in                            | <u>8/16/85</u>         |                 |                      |
| Pub. dates                              | <u>12/18 + 24/1985</u> |                 |                      |
| Watermaster recommendation requested on | <u>12/18 + 24/1985</u> |                 |                      |
| rec'd.                                  |                        |                 |                      |
| Copies of protest forwarded by          |                        | Hearing held by |                      |
| Recommended for                         |                        | approval        |                      |
| denial                                  |                        |                 |                      |
| by                                      |                        |                 |                      |

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. \_\_\_\_\_ and said application is hereby \_\_\_\_\_, subject to the following limitations and conditions:

My commission expires 6-6-87

Subscribed and sworn to before me this 28th day of June, 1985

[Signature] (Notary Public)

[Signature] (Signature of Applicant)

I understand that any willfull misrepresentations made in this application may result in voiding its approval.

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

State of Idaho  
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 31-7003 Priority 11-1-67 Amount 4.0 c.f.s.

THIS IS TO CERTIFY, that Connecticut Mutual Life Insurance Company  
of Hartford, Connecticut, has complied with the terms and conditions of Permit  
No. 31-7003 issued pursuant to Application for Permit dated 11-1-67,  
and has submitted proof to the Department of Water Administration on 7-31-69,  
that he has applied water to a beneficial use; an examination by the Department indicates that the  
works have a capacity of 4.0 c.f.s., and that the water has in fact been applied to a  
beneficial use; a right to the use of water from a groundwater source  
tributary of \_\_\_\_\_, is hereby confirmed in the following amounts:  
Amount 4.0 c.f.s. for Irrigation from April 1 to Oct. 15 (both dates inclusive)  
Amount \_\_\_\_\_ for \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
Amount \_\_\_\_\_ for \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
Subject, however, to the condition that no more than 4.0 c.f.s. of water be diverted at  
any one time, said waters to be diverted within the \_\_\_\_\_

NE $\frac{1}{4}$ SW $\frac{1}{4}$  Sec. 3, Twp. 5 N., Rge. 35 E., B.M.

in the county of Jefferson; and that the amount of water so diverted and to which such  
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can  
actually be beneficially used and shall not exceed 945 acre feet per year or \_\_\_\_\_  
3.0 acre feet per acre.

Description and location of place of use:

| TWP. | RANGE | SEC. | NE $\frac{1}{4}$ |                  |                  |                  | NW $\frac{1}{4}$ |                  |                  |                  | SW $\frac{1}{4}$ |                  |                  |                  | SE $\frac{1}{4}$ |                  |                  |                  | TOTALS |
|------|-------|------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|--------|
|      |       |      | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ |        |
| 5 N  | 35 E  | 3    |                  |                  |                  |                  |                  |                  | 39               | 37               | 40               | 40               |                  | 40               |                  |                  |                  |                  | 196    |
|      |       | 4    |                  |                  |                  | 39               |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  | 39     |
|      |       | 10   |                  |                  |                  |                  | 40               |                  |                  | 40               |                  |                  |                  |                  |                  |                  |                  |                  | 80     |

Total number of acres irrigated 315

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 16<sup>th</sup> day of

MARCH, 19 71.

[Signature]  
Deputy Director

MICROFILMED

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

ASSIGNMENT OF PERMIT

WE, Jimie N. McSpadden and, hereby assign to Connecticut Mutual Life Ins. Co.  
Robert J. McSpadden Name  
of 140 Garden Street, Hartford, Connecticut 06115  
Address

CHECK ONE

- ☒ All my right, title, and interest, in and to Permit No. 31-7003  
to appropriate the public waters of the State of Idaho.
- ☐ The following described portion of my right, title, and interest in and  
to Permit No. \_\_\_\_\_ to appropriate the public waters of the State  
of Idaho. (Give that portion of the permit being assigned by describing  
the land list and the point of diversion - describe by acreage within  
each 40-acre subdivision.)

T 5 N. R 35 EBM, Section 3: Lots 3 and 4 and N $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$

Section 4: Lot 1 Section 10: E $\frac{1}{2}$ NW $\frac{1}{4}$ , Jefferson County, Idaho

"This is given as collateral security for a loan of \$48,000.00 made by  
Connecticut Mutual Life Insurance Company to Permit holder(s) evidenced  
by a Promissory Note dated May 15, 1970, and secured by a Mortgage of  
even date, microfilmed as Instrument No. \_\_\_\_\_, records of Jefferson  
County, Idaho.

Made this 17th day of June, 1970.

Robert J. McSpadden

Permit Holder

Jimie N. McSpadden  
Wife of Permit Holder

Ethel May McSpadden

State of Idaho )  
County of Jefferson ) ss.

On this 15th day of July, 1970, personally  
appeared before me the signer(s) of the above instrument, who duly acknowledged  
to me that he (she) (they) executed the same.

Oscar K. Jones  
Notary Public residing at \_\_\_\_\_  
Rigby, Idaho

My commission expires 6-1-72

NOTED

31-7003

Identification No. 31-7003  
Application No. 42118

ASSIGNED TO:  
Connecticut Mutual Life  
Insurance Company  
140 Garden St.  
Hartford, Conn. 06115

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant ROBERT J McSPADDEN  
post office address Box 226 SHELLEY, IDAHO 83274
2. Source of water supply UNDERGROUND WATER which is a tributary of \_\_\_\_\_
3. a. Location of point of diversion is NE  $\frac{1}{4}$  of SW  $\frac{1}{4}$  of Section 3 Township 5N  
Range 35E B.M. JEFFERSON County; additional points of diversion if any: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
b. If water is not consumed, it will be discharged into \_\_\_\_\_ at a point in \_\_\_\_\_  $\frac{1}{4}$   
of \_\_\_\_\_  $\frac{1}{4}$  of Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_ B.M.
4. Quantity to be appropriated:  
a. 6.0 cubic feet per second and/or  
b. \_\_\_\_\_ acre feet per annum will be stored.
5. Water will be used for the following purposes:  
IRRIGATION purpose from APRIL 1 to OCT. 15 (both dates inclusive)  
\_\_\_\_\_ purpose from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
\_\_\_\_\_ purpose from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)
6. Proposed diverting works:  
a. Description of ditches, flumes, pumps, headgates, etc. ONE ELECTRIC PUMP.  
250 H.P. AT SOURCE.  
\_\_\_\_\_  
\_\_\_\_\_  
b. Height of storage dam \_\_\_\_\_ feet; active reservoir capacity \_\_\_\_\_ acre feet; total reservoir  
capacity \_\_\_\_\_ acre feet; materials used in storage dam: \_\_\_\_\_  
\_\_\_\_\_  
c. Proposed well diameter is 20 inches; proposed depth of well is 350 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use  
is 2 years.  
b. Estimated construction cost is \$ 14,000.
8. Description of proposed uses:  
a. If water is **not** for irrigation:  
(1) Give the place of use of water: \_\_\_\_\_  $\frac{1}{4}$  of \_\_\_\_\_  $\frac{1}{4}$  of Section \_\_\_\_\_ Township \_\_\_\_\_  
Range \_\_\_\_\_ B.M.  
(2) Amount of power to be generated: \_\_\_\_\_ hp under \_\_\_\_\_ feet of head.  
(3) List number of each kind of livestock to be watered \_\_\_\_\_  
\_\_\_\_\_  
(4) Name of municipality to be served \_\_\_\_\_, or number of families to be  
supplied with domestic water \_\_\_\_\_.  
(5) If water is to be used for other purposes describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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31-7003

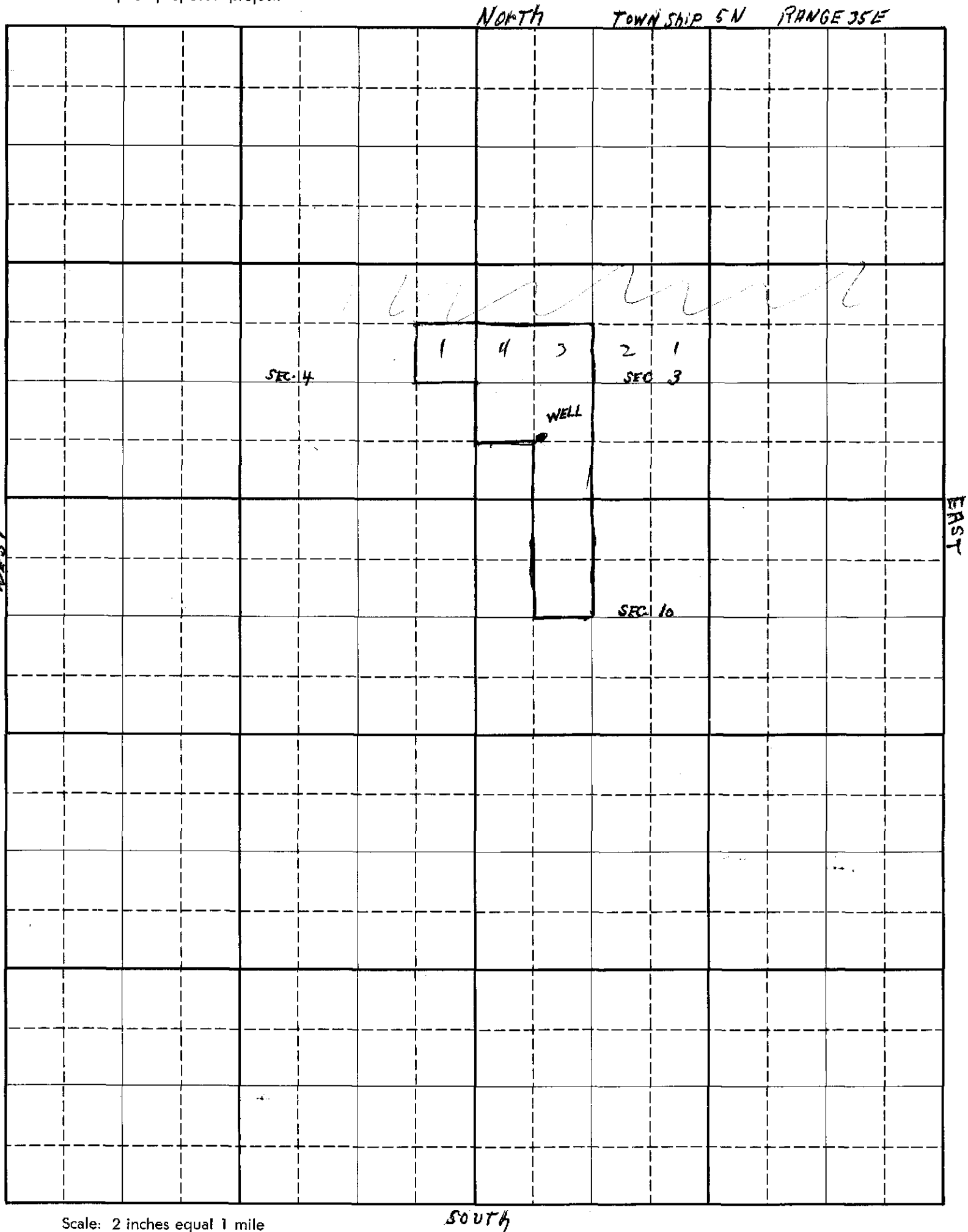
RECEIVED

10. Remarks  
WELL DRILLER CONTACTED  
ANDREW WELL DRILLING  
1268 E 17TH ADRHO #M.L.S  
I DRNO.  
WATER OBTAINED WOULD BE USED IN IRRIGATION  
OF LAND INDICATED ABOVE. METHOD OF APPLICATION  
WOULD BE "SPRINKLER". Row crop farming.  
9. a. Who owns the property at the point of diversion  
BUREAU OF LAND MANAGEMENT (STATE)  
b. Who owns the land to be irrigated or place of use  
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the  
applicant to make this filing  
DESERT LAND ENTRY (I-017201)  
Total number of acres to be irrigated 319.1  
c. Describe any other water rights used for the same purposes  
NONE

| TWP. | RANGE | SEC. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | TOTALS |
|------|-------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |       |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
| 5N   | 35E   | 3    |        |        |        |        | 40     | 40     |        |        | 40     |        |        |        |        |        |        |        | 120    |
| 5N   | 35E   | 3    | Lot 3  | 39.7   |        |        | Lot 4  | 39.7   |        |        |        |        |        |        |        |        |        |        | 79.4   |
| 5N   | 35E   | 4    | Lot 1  | 39.7   |        |        |        |        |        |        |        |        |        |        |        |        |        |        | 39.7   |
| 5N   | 35E   | 10   |        |        |        |        | 40     |        |        |        |        |        |        |        |        |        |        |        | 80     |

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

11. Map of proposed project:



Scale: 2 inches equal 1 mile

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

Robert J. McFadden  
(Applicant)

**MICROFILMED**

31-7003

MICROFILMED

State Reclamation Engineer

Witness my hand this 17 day of January 19 68.

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

type approved by the department as part of the diverting works.

c. Other: The applicant shall permanently install a measuring device of a

before February 1, 19 70.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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

Idaho No. 31-7003, and said application is hereby APPROVED.

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of

ACTION OF STATE RECLAMATION ENGINEER

APPROVED

Recommended for approval denial by *[Signature]* R. H. *[Signature]*  
Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Copies of protests forwarded by \_\_\_\_\_

Protests filed by: *none*

Priority reduced to \_\_\_\_\_ Reason \_\_\_\_\_

Publication approved *KS* Date *11-18-67* *KS*

Publication dates *Nov. 16 & 23, 1967*

Published in *Highway Star*

Publication prepared by *KS* Date *11-8-67*

Received by *[Signature]* Date *11-2-67*

Preliminary check by *[Signature]* Fee \$ *45.00*

Received by *[Signature]* Date *11-1-67* Time *9:00 a.m.*

RECEIVED

JUL 11 1967

Identification No. 31-7003

Permit No. 31-7003

Department of Reclamation

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Robert J. McSpadden ✓  
b) Post Office Address 300. Terreton, Id., Idaho 83450 ✓
2. Permit Number 31-7003 ✓
3. Date of Priority that you are prepared to establish 11/1/67 ✓
4. a) Source from which water was appropriated subterranean ✓  
b) Location of the point of diversion: NE 1/4 SW 1/4, Section 3  
Township 5 N, Range 35 E ✓ Boise Meridian, Other points of diversion: \_\_\_\_\_
5. a) The amount of water and use to which the water has been applied:  
amount 6 cfs for Irrigation ✓ purposes from April 1 to October 15 incl.  
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ incl.  
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ incl.  
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)  
b) Total amount appropriated 6 cfs ✓ cfs and/or acre feet per annum  
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Agricultural Services, Blackfoot  
qualifications not known
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:  
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: Owned by applicant  
b) Describe the agreement or understanding by which you take water from the works: \_\_\_\_\_
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) 300 hp, 20" x 317', 240' lift  
b) Describe the type and size of measuring device which you have installed at your point of diversion: Agricultural Services are to install this but it has not been done as yet.  
c) Give well drillers name and address and date the well was completed Howard Andrews, Idaho Falls

MICROFILMED

31-7003

Investigation only

**Stions**

Total number of acres irrigated

**10. Remarks:**

(Date)

Robert J. McSpadden  
(Signature)

7/30/69

State of Idaho )  
County of Ada )

On this 30th day of July, 1969, personally appeared before me the  
 signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Notary Public residing at Boise, Idaho

My commission expires 8/12/70



31-7003

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
Idaho Land Office

IN REPLY REFER TO:

L:VSS  
Idaho 017201

RECEIVED

NOV 25 1968

Department of Reclamation

# NOTICE OF ALLOWANCE

Robert J. McSpadden  
Box 226  
Shelley, Idaho 83274

[illegible]

Serial No. Idaho 017201

318.36 Acres

T. 5 N., R. 35 E., Boise Meridian, Idaho  
sec. 3, lots 3, 4, N $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$   
sec. 4, lot 1  
sec. 10, E $\frac{1}{2}$ NW $\frac{1}{4}$

Your desert land application for the above described land has this day been approved and allowed, subject to any valid existing rights and your further compliance with laws and regulations applicable thereto. The acceptability of final proof is contingent upon development and reclamation of the land in accordance with your plan of development which is on file in the Boise Land Office. Any substantial change in source of water or deviation in the construction of the irrigating facilities must have the approval of the Bureau of Land Management. The irrigable acreage of this entry has been determined to be approximately 300 acres. In correspondence relating to this entry, always refer to the serial number shown above.

Subject to the Act of July 17, 1914, which will require the reservation of all oil and gas deposits to the United States.

Also subject to the reservation of a road right-of-way to the United States, 33 feet wide along the north boundary of lots 3, 4 Sec. 3, lot 1, Sec. 4, NE $\frac{1}{4}$ NW $\frac{1}{4}$  Sec. 10; the south boundary of SE $\frac{1}{4}$ SW $\frac{1}{4}$  Sec. 3; the west boundary of lot 4 and NW $\frac{1}{4}$ SW $\frac{1}{4}$  Sec. 3; and the east boundary lot 1, Sec. 4 for public access and use.

IN WITNESS WHEREOF, I have hereunto set  
my hand and seal this 21st  
day of November, 1968

cc: State Department of Reclamation

**ES/ ORVAL G. HADLEY**

MANAGER, LAND OFFICE  
BOISE, IDAHO

# ARMED MEN

**AFFIDAVIT OF PUBLICATION**  
**The Rigby Star**

STATE OF IDAHO, }  
County of Jefferson } ss.

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

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

first publication having been made on the

16th day of November, 1967  
and the last publication on the

23rd day of November, 1967

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

Hope B. Jones

Subscribed in my presence and sworn to before me this 20th  
day of December, 1967  
(SEAL)

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

My commission expires \_\_\_\_\_, 19\_\_

Publication Fee: \$\_\_\_\_\_

MY COMMISSION EXPIRES JULY 15, 1969

RECEIVED

DEC 28 1967

Department of Reclamation

31-7003

**NOTICE OF APPLICATION  
FOR WATER**

Notice is hereby given that Robert J. McSpadden has on November 1, 1967 applied for permit to divert 6.0 cubic feet per second of water from a subterranean source under application No. 31-7003. Water will be diverted by a well, pump and motor within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 3, T. 5 N, R. 35 E, B.M., Jefferson County and is to be used from April 1 to October 15 for irrigation in the N $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , Lot 3 and 4, Sec. 3; Lot 1, Sec. 4; and E $\frac{1}{2}$ NW $\frac{1}{4}$ , Sec. 10, T. 5 N, R. 35 E, B.M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON  
State Reclamation Engineer  
Published in the Rigby Star, Rigby, Idaho 83442, on November 16 and November 23, 1967.

DEC 5 1967

# The Rigby Star

Department of Reclamation

PRINTERS - PUBLISHERS

DIAL 745-7011

RIGBY, IDAHO

November 30, 1967

RECEIVED

DEC 5 1967

Dept. of Reclamation  
107 State House  
Boise, Idaho 83701

Department of Reclamation

Notice of App. for Water - Robert McSpadden

\$5.98

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 same has been paid.

*Robert B. Jones*  
Signature of Claimant

MICROFILMED

31-7003

31-7003

T3226

May 30, 1986

Mark B. Clark  
P.O. Box 4972  
Pocello, Idaho 83201

Dear Mr. Clark:

Enclosed is a proposed map and acreage allotment for the revision on your transfer application. It is important that you review this map and suggest changes if appropriate. This map should best reflect the actual irrigation situation up to the 315 acres allowed.

Please be aware that legislation effective July 1 of this year makes us investigate complaints of diversions that irrigate lands not licensed or permitted. At this point I need you to dictate to us just what land should be reflected as irrigated. I would appreciate your timely response, so I can complete the re-write of this transfer application.

Sincerely,

Harold W. Jones  
Senior Resource Agent

HWJ/md

Enclosure

RECEIVED

JAN 29 1987

March 17, 1971

Re: Permit No. 31-7003

Connecticut Mutual Life Insurance Company  
140 Garden Street  
Hartford, Connecticut 06115

Dear Sirs:

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

Very truly yours,

BOBBY D. FLEENOR  
Assistant Director

BDF:kh

Enclosure

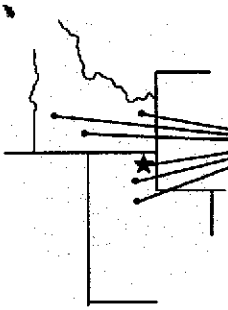
cc. Utah Mortgage Loan Corp.  
Jimmie N. & Robert J. McSpadden

RECEIVED

31 7003

In Reply Refer to No.

5-95870



# UTAH MORTGAGE LOAN CORPORATION

Idaho Falls, Idaho, Office: 357 "F" Street 83401  
Mortgage Bankers Since 1892

P.O. Box No. 460

Phone: (208) 522-8954

January 21, 1971

*Department of Water Administration*

Mr. Bobby D. Fleenor  
Assistant Director  
State of Idaho  
Department of Water Administration  
Statehouse - Annex 2  
Boise, Idaho 83707

Re: Permit No. 31-7003, Robert J. McSpadden

Dear Mr. Fleenor:

The legal land description included under the above permit is correct as listed in your letter of January 19, 1971.

Please forward the water license as soon as it has been issued.

Very truly yours,

*Lois A. Mills*  
Lois A. Mills  
Loan Servicing

lm  
c.c: Connecticut Mutual Life Ins. Co.

31 7003

**MACROFIN LTD**

Mortgage Loans  
Real Estate Sales  
Land Development



January 19, 1971

Re: Permit No. 31-7003

C  
Connecticut Mutual Life Insurance Company  
148 Garden Street  
Hartford, Connecticut 06115

Dear Sirs:

Upon preparing to issue the water license for Permit No. 31-7003, we find that the letter of intent which was sent to you on December 30, 1970 contained an error. The 315 acres to be irrigated are located within the S $\frac{1}{2}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$  Sec. 3; SE $\frac{1}{4}$ NE $\frac{1}{4}$  Sec. 4; E $\frac{1}{2}$ NW $\frac{1}{4}$  Sec. 10, Twp. 5 N., Rge. 35 E., B.M. rather than as listed on the December 30th letter. If you should have any objections to the water license for this permit being issued for the above described land, please advise us within 10 days of the date of this letter. We are enclosing a copy of our December 30th letter for your information. Please forgive any inconvenience we have caused in this matter.

Very truly yours,

Y  
BOBBY D. FLEENOR  
Assistant Director

BDF:kh

Enclosure

cc. Robert J. McSpadden  
Utah Mortgage Loan Corporation

31 7003

APPROPRIATE

December 30, 1970

Re: Permit No. 31-7003

Connecticut Mutual Life Insurance Company  
140 Garden Street  
Hartford, Connecticut 06115

Dear Sirs:

A representative of this department has made an examination of the works covered by your Permit No. 31-7003 and has found the following:

Quantity of water diverted: 4.0 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho law: 4.0 c.f.s.

The maximum quantity diverted shall not exceed 945 acre feet per season.

Beneficial Use: Irrigation of 315 acres within NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$  Sec. 3; NE $\frac{1}{4}$ NE $\frac{1}{4}$  Sec. 4, NE $\frac{1}{4}$ NW $\frac{1}{4}$  Sec. 10, T. 6 N., R. 35 E., B.M.

The priority date established is : November 1, 1967

If you do not concur with these findings, please advise us within 10 days; otherwise, a license will be issued as set forth in this letter.

Very truly yours,

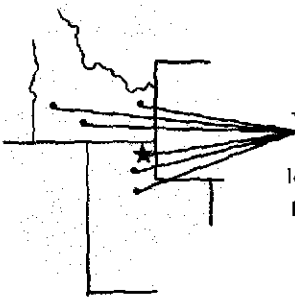
BOBBY D. FLEENOR  
Assistant Director

BDF:kh

cc. Utah Mortgage Loan Corporation

RECORDED

31 7003



# UTAH MORTGAGE LOAN CORPORATION

Idaho Falls, Idaho, Office: 357 "F" Street 83401  
Mortgage Bankers Since 1892

In Reply Refer to No.

5-95870 Z

P.O. Box No. 460  
Phone: (208) 522-8954

December 21, 1970

Idaho Department of Water Administration  
Statehouse - Annex 2  
Boise, Idaho 83707

Re: McSpadden Farms - Permit No. 31-7003

Gentlemen:

In September of this year we were informed that all items had been taken care of pursuant to the issuance of the license for the well under the above listed permit number.

As we have not yet received the license, we are wondering if additional material is needed.

Please let us know if we can assist in any way.

Very truly yours,

  
Don C. Archibald  
Vice President

lm

cc: Lyle Smith, Logan, Utah

**RECEIVED**

31 7003

Mortgage Loans  
Real Estate Sales  
Land Development



September 22, 1970

Re: Permit No. 31-7003 -

Mr. Robert J. McSpadden  
Terreton, Idaho 83450

Dear Mr. McSpadden:

The field examination in connection with the above referenced permit has been completed. As soon as the department has completed evaluating the findings of the examination, you will be notified prior to the issuance of a license.

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

Very truly yours,

Donald W. McEldowney  
Appropriation Supervisor

DWM:cm

31 7003

RECEIVED

Territon Idaho  
Sept. 10, 1970

Gentlemen:

I need further  
information concerning my  
water patent.

The measuring  
device has been installed  
and checked by a man  
from your office.

Sincerely  
Robert J. McSpadden

31-7003

RECEIVED

31 7003

634677  
634945  
634636

LICENSING DATA ANALYSIS

1. Permit No. 31-7003 Connecticut Mutual Life Ins. Co.
2. Name license is to be issued in Robert J. McSpadden  
Assignment required - Yes ☐ No ☒
3. Date of first receipt 11/1/67 Date proof due 2/1/70 Made 7/31/69
4. Priority 11/1/67 Late proof - Yes ☐ No ☒
5. Source Groundwater tributary -
6. Point of diversion:  
Twp. 5 N/S, Rge. 35 E/W, B.M., Sec. 3, NE  $\frac{1}{4}$  SW  $\frac{1}{4}$   
Twp.        N/S, Rge.        E/W, B.M., Sec.       ,         $\frac{1}{4}$          $\frac{1}{4}$   
Twp.        N/S, Rge.        E/W, B.M., Sec.       ,         $\frac{1}{4}$          $\frac{1}{4}$   
Amendment required - Yes ☐ No ☒
7. Beneficial use for license:  
Amt. 4.0 for Inc. from Apr 1 to Nov 1 AF 945  
Amt.        for        from        to        AF         
Amt.        for        from        to        AF         
Amount not to exceed at any one time 4.0 c.f.s. or 945 acre feet per  
season or 3.0 acre feet per acre  
Amendment required - Yes ☐ No ☒
8. Permitted Amount: 6.0 c.f.s. Volume for season        AF
9. Measured Amount: 4.0 Reason for reduction Capacity  
of system
10. Description and location of place of use:

| Twp | Rge | Sec | NE 160           |                  |                  |                  | NW 160           |                  |                  |                  | SW 160           |                  |                  |                  | SE 160           |                  |                  |                  | Total |
|-----|-----|-----|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|-------|
|     |     |     | 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 $\frac{1}{4}$ |       |
| SW  | SE  | 3   |                  |                  |                  |                  | 39               | 39               | 40               | 40               | 40               | 40               |                  |                  |                  |                  |                  |                  | 196   |
| "   | "   | 4   | 39               |                  |                  | 39               |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  | 39    |
| "   | "   | 10  |                  |                  |                  |                  | 40               |                  |                  | 40               |                  |                  |                  |                  |                  |                  |                  |                  | 80    |
|     |     |     |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  | 40    |
|     |     |     |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |       |
|     |     |     |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |       |

Total No. of acres 315

Supplemental acreage - Yes ☐ No ☒

Total permitted acres 319.1

Amendment required - Yes ☐ No ☒ Motorflex installed

11. Remarks:         
        
      

12. Measuring device required - Yes ☒ No ☐

13. Type of letter required: Fee        Notice ☒

14. Analysis by Fred E Date 11/12/70 Checked by BDF Date 12/23/70

MICROFILMED

31 7003

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE

REPORT OF EXAMINER

PERMIT NO. 31-7003

REPORT ON PROOF OF ROBERT J. MCSPADEN

**MICROFILMED**

**31 7003**



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

Permit No. 31-7003

This proof is for beneficial use, 6.0 cfs In Water District No. (PROOF) Terreton, Idaho

1. Name of applicant Robert J. McSpadden, Box 226, Shelley, Idaho

2. Source of water supply: Ground water

3. Location of point of diversion: Is in the NE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 3

T. 5 N R. 35 E County of Jefferson

4. Describe works as they exist, giving dimensions and capacities of same: PERMIT - one electric pump - 250 HP at source. PROOF - 300 HP, 20" x 317', 240' lift

U.S. Electrical Motors 300 H.P. serial B-142-0356  
Layne Boulder pump serial 44608, buried mainline  $\frac{1}{2}$  mi North  
and  $\frac{3}{4}$  mi South. North is  $\frac{1}{4}$  mi 10" and  $\frac{1}{4}$  mi 8". South is  $\frac{1}{4}$  mi 10",  
 $\frac{1}{4}$  mi 8" and  $\frac{1}{4}$  mi 6".

5. Water is used for: Irrigation(4-1 to 10-15)

6. State whether or not water has been turned into works of diversion: Agricultural Services,  
Blackfoot 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):

|          |                                                                       |             |         |           |
|----------|-----------------------------------------------------------------------|-------------|---------|-----------|
| 5N 35E 3 | NE $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ | 120 acres   | PROOF - | 198 acres |
| 3        | Lot 3 (NE $\frac{1}{4}$ ), Lot 4 (NW $\frac{1}{4}$ )                  | 79.4        |         | 40        |
| 4        | Lot 1 (NE $\frac{1}{4}$ )                                             | 39.7        |         | 80        |
| 10       | E $\frac{1}{2}$ NW $\frac{1}{4}$                                      | 80          |         |           |
| TOTAL -  |                                                                       | 319.1 acres | TOTAL - | 318 acres |

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

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

Remarks: PERMIT - Desert Land Entry (I-017201). Water obtained would be used in  
irrigation of land by sprinkler. Row crop farming Mr. McSpadden accompanied  
exam.

FILED: 11-1-67 MADE: 7-31-69

DUE: 2-1-70 PRIORITY: 11-1-67

Metcalf meter permanently installed read 1800  
GPM.

Mr. McSpadden plans to buy W $\frac{1}{2}$  SW $\frac{1}{4}$  sec 3 but will file  
for additional water when complete

This examination was made on the 3 day of August, 19 70

(Signed) William Salas Examiner

31 7003

UNRECORDED

11-1-70

B.B. Jones

Permit No. 31-7003

Examination for beneficial use

County Jefferson

NE $\frac{1}{4}$ SW $\frac{1}{4}$  Sec. 3 T. 5N R. 35E

Quantity: 6.0 cfs

Source: ground water

P.D. NE $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 3, T. 5 N, R. 35 E

Use: Irrigation--Apr. 1 to Oct. 15

~~Extension~~

~~Priority~~

~~Comments~~

Other Rights: DE I-017201

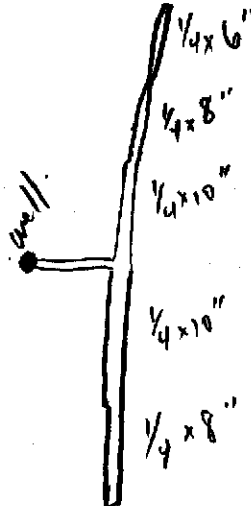
~~Index~~

~~Date~~

Priority: Nov. 1, 1967

## 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.



31 7003

**MICROFILMED**

**STATE OF IDAHO**

**DEPARTMENT OF WATER ADMINISTRATION**

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



R. Keith Higginson  
Director

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

July 23, 1970

Re: Permit No. 31-7003 - Robert J. McSpadden, assignor

Connecticut Mutal Life Insurance Co.  
140 Garden Street  
Hartford, Connecticut 06115

Gentlemen:

We acknowledge receipt of the assignment to your company of the above referenced permit. The assignment has been recorded and we are enclosing a copy of the assignment for your records. We are also enclosing a copy of permit 31-7003.

Before a license can be issued for this permit, a field examination must be made by a representative from this department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the works. If someone other than you should be contacted by the examiner, please advise.

You will note that the permit was issued with the condition that a measuring device be installed as part of the diverting works. In the event that we were to make the inspection and the measuring device was not installed, our probable course would be to deny the proof of application of water to beneficial use and the permit would lapse. We are enclosing a copy of the proof of beneficial use affidavit for your records. Please advise if the measuring device has been installed or if not, when and what type will be installed.

If you have any questions or if we may be of further assistance, please contact us.

Very truly yours,

Donald W. McEldowney  
Appropriation Supervisor

DWM:DR

Enclosures (3)

cc: Rigby Title & Deve. Co.  
Rigby, Idaho

*[Handwritten signature/initials]*

31-7003

**RIGBY TITLE & DEVELOPMENT COMPANY**

PHONE 745-6711 — BOX 405 — 118 N. CLARK ST.

RIGBY, IDAHO 83442

July 15, 1970

State of Idaho Department of Reclamation  
State House  
Boise, Idaho 83707

Gentlemen:-

Enclosed please find an Assignment of Permit, properly executed. Would you please acknowledge receipt of same by letter to this office and to Connecticut Mutual Life Insurance Company, 140 Garden Street, Hartford, Connecticut.

Would you please state whether the above referred to permit is in good standing.

Very truly yours,

RIGBY TITLE AND DEVELOPMENT COMPANY

By C. R. Jones

OKJ:sh  
Enclosures

**MICROFILMED**

31-7003

July 20, 1970

UTAH MORTGAGE LOAN CORPORATION  
357 "F" Street  
Idaho Falls Office 83401

ATTENTION: Don C. Archibald, Vice President

Dear Mr. Archibald:

Perhaps we should have been more specific in our letter of July 1, concerning lending institutions, and authority to controll applications, permits, and licenses. It is the department's opinion that neither an application or a permit is an actual water right. Therefore, the lending institution refers to all water rights. It does not include applications and permits. The license would, however, represent a perfected water right, and is appurtenant to the land.

If we can be of any further assistance, please feel free to contact us.

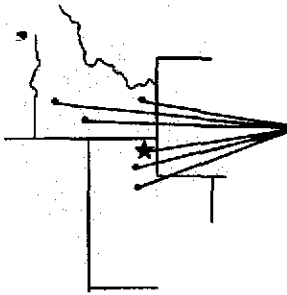
Very truly yours,

Dorian Clay  
Appropriation Examiner

By: Donald W. McEldowney

UNRECORDED

31-7003

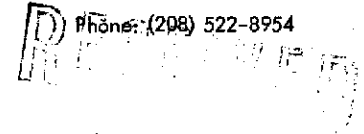


# UTAH MORTGAGE LOAN CORPORATION

Idaho Falls, Idaho, Office: 357 "F" Street 83401  
Mortgage Bankers Since 1892

P.O. Box No. 460

Phone: (208) 522-8954



Department of Water Administration

July 16, 1970

Mr. Dorian Clay  
Appropriation Examiner  
Department of Water Administration  
Statehouse - Annex 2  
Boise, Idaho 83707

Re: Permit No. 31-7003 - Robert J. McSpadden

Dear Mr. Clay:

Your letter of July 1 indicates that your office considers a water permit to be personal property. Do you also consider a water license to be personal property?

We appreciate your interest and assistance on this case, and will proceed to obtain an assignment after we have heard from you.

Very truly yours,

Don C. Archibald  
Vice President

DCA:lm

**MICROFILMED**

Mortgage Loans  
Real Estate Sales  
Land Development



31-7003

July 1, 1970

Re: Permit No. 31-7003 - Robert J. McSpadden

Connecticut Mutual Life Insurance Co.  
% Utah Mortgage & Loan Corporation  
P.O. Box 460, 357 "F" Street  
Idaho Falls, Idaho 83401

ATTN: Don C. Archibald,  
Vice President

Dear Mr. Archibald:

In reference to your letter of June 18, 1970, we find that a lending institution has no interest in a permit without a formal assignment from the permit holder. The Idaho Attorney General's Office has advised us that when a water right is in the permit stage, it is personal property, and a lending institution has no authority to control such a permit without it being assigned to them.

Please find enclosed our assignment form, which may be used in this matter if you so choose.

If we can be of any further assistance, please feel free to contact us.

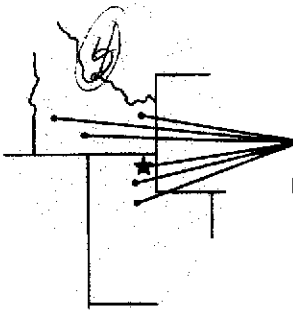
Very truly yours,

Dorian Clay,  
Appropriation Examiner

DC/DG  
Enc: assignment form

**MICROFILMED**

31-7003



# UTAH MORTGAGE LOAN CORPORATION

Idaho Falls, Idaho, Office: 357 "F" Street 83401  
Mortgage Bankers Since 1892

P.O. Box No. 460  
Phone: (208) 522-8954

June 17, 1970

RECEIVED  
JUN 18 1970

JUN 18 1970

Mr. Keith Higginson, Director  
Idaho Department of Water Administration  
Statehouse - Annex 2  
Boise, Idaho 83707

Department of Reclamation

Re: Well Permit No. 31-7003 - McSpadden

Dear Mr. Higginson:

McSpaddens have applied for a renewal and increased loan with  
Connecticut Mutual Life Insurance Company, 140 Garden Street,  
Hartford, Connecticut, on property described as:

Township 5 North, Range 35 EBM - Sec. 3: Lots 3 and 4 and N $\frac{1}{2}$ SW $\frac{1}{4}$   
SE $\frac{1}{4}$ SW $\frac{1}{4}$  Sec. 4: Lot 1 and Sec. 10: E $\frac{1}{2}$ NW $\frac{1}{4}$

Please acknowledge the interest of Connecticut Mutual Life Insurance  
Company in this Permit and indicate the present status of the Permit.

Very truly yours,

Don C. Archibald  
Vice President

lm

cc: Connecticut Mutual Life Ins. Co.

*I talked with  
Louise Mills, Connecticut  
Life Ins. on the phone in  
regards to this matter.  
7-1-70  
Dab*

**MICROFILMED**

Mortgage Loans  
Real Estate Sales  
Land Development



31-7003

August 6, 1969

Re: Permit No. 31-7003

C  
O  
P  
Y  
  
Robert J. McSpadden  
Terreton,  
Idaho

Dear Mr. McSpadden:

This office is in receipt of your affidavit setting forth proof of application of water to beneficial use under permit no. 31-7003. You have stated that you have not installed a measuring device as required under your permit. As you may be aware, before we can issue a license, we are required by law to conduct an inspection to determine the amount of beneficial use that has been made under the permit. To accomplish this, we would require the use of the measuring device set forth under the terms of your permit.

In the event that we were to make the inspection and the measuring device was not installed, our probable course would be to deny the proof of application of water to beneficial use and the permit would lapse.

I would appreciate hearing from you as soon as possible as to your intentions regarding the installation of a measuring device. Please indicate what type and when you intend to install said device.

If you have any questions, please contact this office.

Very truly yours,

Donald W. McEldowney  
Appropriation Examiner

DWM:DR

Enc: Information letter

Exam typed  
9-11-69  
DWS

MICROFILMED

31-7003

# IDAHO LAND & APPRAISAL SERVICE

HARLEY M. McDOWELL  
E. J. McDOWELL  
MGR. OWNERS

MERVIN J. CHRISTENSEN  
(LICENSED SURVEYOR)

JOSEPH J. THACKABERRY

ROBERT W. SMITH

633 N. 4TH

BOISE, IDAHO 83701

P. O. Box 1603

PHONE 344-2547

ALL PROPERTY APPRAISALS  
CUSTOM DRAFTING, MAPPING  
LAND PURCHASES  
OIL AND GAS LEASES

GRAZING MANAGEMENT  
FEDERAL LAND APPLICATIONS  
WATER FILINGS & PROOF  
STATE LAND LEASES & ASSIGNS

July 30, 1969

RECEIVED

CANADA

JUL 31 1969

Department of Reclamation

Mr. R. Keith Higginson  
State Reclamation Engineer  
Idaho Department of Reclamation  
Statehouse - Annex 2  
Boise, Idaho 83707

Dear Mr. Higginson:

Enclosed herewith please find Proof of Application of Water to  
Beneficial Use for Permit No. 21-7003, Mr. Robert J. McSpadden.

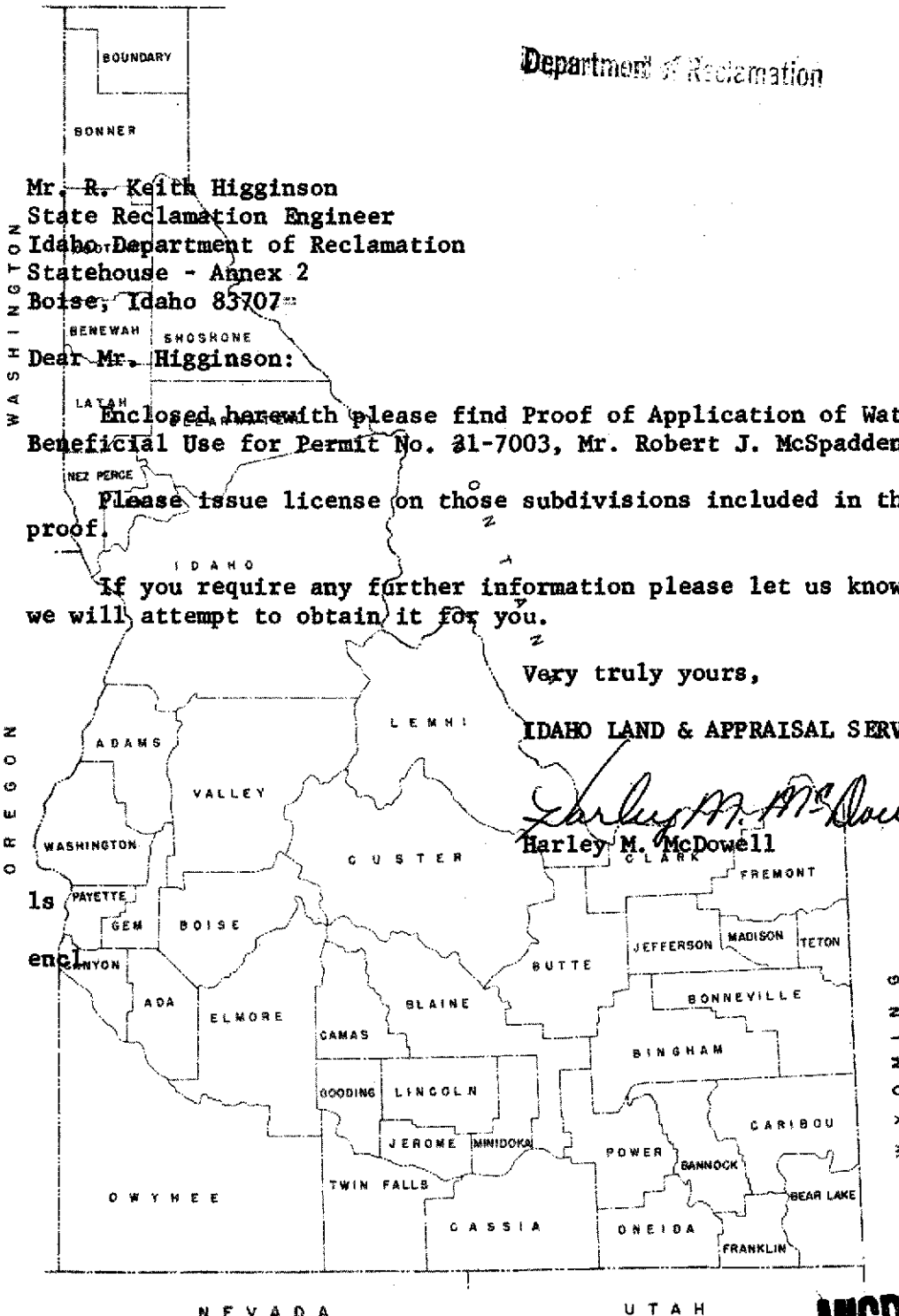
Please issue license on those subdivisions included in this  
proof.

If you require any further information please let us know and  
we will attempt to obtain it for you.

Very truly yours,

IDAHO LAND & APPRAISAL SERVICE

Harley M. McDowell



MICROFILMED

31-7003

DON SAMUELSON  
GOVERNOR



R. KEITH HIGGINSON  
State Reclamation Engineer

## STATE OF IDAHO

DEPARTMENT OF RECLAMATION  
107 STATE HOUSE  
BOISE, IDAHO 83701

January 18, 1968

Re: Permit 31-7003

Robert J. McSpadden  
Box 226  
Shelley, Idaho 83274

Dear Mr. McSpadden:

We enclose a copy of your approved application for permit 31-7003 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

Very truly yours,

C. Stephen Allred, Assistant  
State Reclamation Engineer

CSA:kd

Enclosure: Copy of Application  
Receipt No. 131 for \$45.00

P.S. There is an additional fee of \$1.00 for the copy sent to the BLM.  
Please remit promptly.

**MICROFILMED**

Form 4

31-7003

January 24, 1963

RE: Permit 31-7003

Robert J. McSpadden  
Box 226  
Shelley, Idaho 83274

Dear Mr. McSpadden:

Attached herewith is Departmental Receipt No. 399  
in the amount of \$1.00. This amount covers the fee for  
a copy of the above referenced permit mailed to the  
Bureau of Land Management.

Very truly yours,

M. RUSSELL BOSCH  
Administrative Assistant

MRB:efw

Encl: Receipt

ENCLOSURE

31-7003

DON SAMUELSON  
GOVERNOR



R. KEITH HIGGINSON  
State Reclamation Engineer

## STATE OF IDAHO

DEPARTMENT OF RECLAMATION  
107 STATE HOUSE  
BOISE, IDAHO 83701

January 18, 1968

Re: Permit Nos. 47-7000, 47-7015,  
31-7003, 02-7003

Land Office  
Bureau of Land Management  
P. O. Box 2237  
Federal Building  
Boise, Idaho

Gentlemen:

Enclosed are copies of the above referenced permits which have  
been accepted for desert land entries.

Very truly yours,

C. Stephen Allred, Assistant  
State Reclamation Engineer

CSA:kd

Enclosures: Copies of applications

**MICROFILMED**

31-7003

January 18, 1968

Re: Permit 31-7003

Robert J. McSpadden  
Box 226  
Shelley, Idaho 83274

Dear Mr. McSpadden:

We enclose a copy of your approved application for permit 31-7003 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

Very truly yours,

C. Stephen Allred, Assistant  
State Reclamation Engineer

CSA:kd

Enclosure: Copy of Application  
Receipt No. 131 for \$45.00

P. S. There is an additional fee of \$1.00 for the copy sent to the BLM.  
Please remit promptly.

**MICROFILMED**

Form 4

31-7003

Please have my signature  
notarized. Thank you

Hope B Jones

31-7003

DON SAMUELSON  
GOVERNOR



R. KEITH HIGGINSON  
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION  
107 STATE HOUSE  
BOISE, IDAHO 83701

January 4, 1968

RECEIVED  
Department of Reclamation

Re: Application No. 31-7003

Hope B. Jones  
Rigby Star  
Rigby,  
Idaho

Dear Mrs. Jones:

We are returning an affidavit of publication on Permit No. 31-7003, Robert J. McSpadden. We are not able to accept the affidavit nor to comply with your request to notarize your signature.

Our notary public, understandably, cannot notarize a signature which he has not witnessed. In order to avoid further delay, we request that you have the affidavit notarized and return an acceptable copy as soon as possible.

Your prompt attention to this matter is appreciated.

Very truly yours,

*Donald W. McEldowney*

Donald W. McEldowney  
Water Rights Clerk

DWM:ks

Enclosure: Original affidavit

*How do you ascertain  
That my signature is authentic?*

MICROFILMED

31-7003

January 4, 1968

Re: Application No. 31-7003

Hope B. Jones  
Rigby Star  
Rigby,  
Idaho

Dear Mrs. Jones:

We are returning an affidavit of publication on Permit No. 31-7003, Robert J. McSpadden. We are not able to accept the affidavit nor to comply with your request to notarize your signature.

Our notary public understandable cannot notarize a signature which he has not witnessed. In order to avoid further delay, we request that you have the affidavit notarized and return an acceptable copy as soon as possible.

Your prompt attention to this matter is appreciated.

Very truly yours,

Donald W. McEldowney  
Water Rights Clerk

DWM:ks

Enclosure: Original affidavit

RECEIVED

31-7003

November 8, 1967

Re: Application No. 31-7003

Rigby Star  
Rigby,  
Idaho 83442

Gentlemen:

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

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

An affidavit of publication must be submitted to the Department of Reclamation, 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 same has been paid.

(Do not sign letter)

Signature of claimant

Very truly yours,

Donald W. McElowney  
Water Rights Clerk

DWM:ks

Enclosure: legal notice

ENCLOSURE

Form 3

31-7003

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that Robert J. McSpadden  
has on November 1, 1967  
applied for permit to divert ~~store~~ 6.0 cubic feet per second ~~acre/foot~~  
of water from ~~a subterranean source~~  
under application No. 31-7003. Water will be diverted by ~~a well,~~  
~~pump and motor~~ within the ~~NE 1/4, Sec. 3, T. 5 N., R. 35~~  
~~E., S. M., Jefferson County~~  
and is to be used from April 1 to October 15 for irrigation  
in ~~the NE 1/4, SE 1/4, Lot 3 and 4, Sec. 3; Lot 1, Sec. 4; and E 1/4, Sec.~~  
~~10, T. 5 N., R. 35 E., S. M.~~

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON  
State Reclamation Engineer

Published in the Rigby Star, Rigby, Idaho 83442  
on November 16 and November 23.

MICROFILMED

31-7003



IN REPLY REFER TO:

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT

L:VSS  
Idaho 017201

Idaho Land Office  
P. O. Box 2237  
Boise, Idaho 83701

**CERTIFIED MAIL**  
**Return Receipt Requested**

OCT 3 1967

Robert J. McSpadden  
Box 226  
Shelley, Idaho 83274

Dear Mr. McSpadden:

On August 18, 1967, the Idaho Falls District Manager issued an "initial decision" classifying the lands included in your desert land petition-application as suitable for entry under the desert land act. The decision also stated that no entry would be allowed until satisfactory evidence of an available and adequate supply of water was submitted. Under this classification you are offered the opportunity to apply for a special land use permit to drill a well in order to obtain the necessary evidence of a water supply for irrigation.

Attached are application and stipulation forms and an instruction sheet. Please carefully read and comply with the requirements in the instruction sheet.

**PLEASE NOTE:** The application and stipulation forms must be completed in duplicate and sent or taken to the District Manager, Bureau of Land Management, P. O. Box 1867, Idaho Falls, Idaho 83401, within 30 days from receipt of this letter.

If the application, stipulation, fees, rental and bond are not received by the District Manager within the 30 days allowed, we will assume that you are not interested in drilling a well. Your application will then be considered as rejected and will be closed without further notice.

If a well is not drilled or is unsuccessful during the period the permit is in effect, your application will automatically be considered as rejected when the permit expires.

You must also obtain a State water appropriation permit from the State Department of Reclamation to drill the well. Attached is an extra copy of this letter. The copy should be submitted to that office when you apply for a permit. Unless they have knowledge that the land in your desert application has been classified as suitable for entry, they may decline to issue the water permit. You should arrange with the State Reclamation Engineer to have a copy of the issued permit sent to this office.

Sincerely yours,

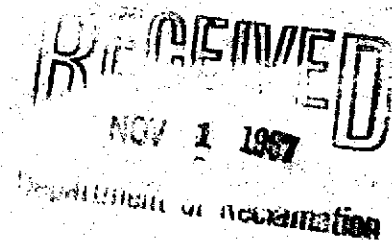
/s/ ORVAL G. HADLEY

Orval G. Hadley  
Manager, Land Office

Attachments

31-7003

October 30, 1967



Dear Sirs:

Would you please forward a copy of  
your decision on this application to  
the Bureau of Land Management, Idaho  
Land Office, Post Office box 2237,  
Boise, Idaho 83701.

Thank you for your cooperation

Sincerely

Robert J. McFadden

MICROFILMED

31-7003



State of Idaho  
**DEPARTMENT OF WATER RESOURCES**  
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS  
Governor

A. KENNETH DUNN  
Director

Mailing address:  
Statehouse  
Boise, Idaho 83720  
(208) 334-4440

September 15, 1986

RE: Transfer of Water Right No. 31-7003

Mark B. Clark Trust  
Box 4972  
Pocatello, ID 83201

Gentlemen:

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 3226). Be sure to note the condition of approval as listed on the final page.

Sincerely,

JIM JOHNSON  
Water Rights Supervisor

JJ:sc

Enclosure

**MICROFILMED**

## WELL DRILLER'S REPORT

State law requires that this report be filed with the State Reclamation Engineer  
within 30 days after completion or abandonment of the well.

## 1. WELL OWNER

Name Bob and Jim McSpaddenAddress 3570 South Yellowstone Ave. Idaho Falls, IdahoOwner's Permit No. 31-7003

## 2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement☐ Abandoned (describe method of abandoning)

## 3. PROPOSED USE

☐ Domestic ☒ Irrigation ☐ Test☐ Municipal ☐ Industrial ☐ Stock

## 4. METHOD DRILLED

☒ Cable ☐ Rotary ☐ Dug ☐ Other

## 5. WELL CONSTRUCTION

Diameter of hole 20 inches Total depth 317 feetCasing schedule: ☒ Steel ☐ Concrete

| Thickness          | Diameter         | From            | To             |
|--------------------|------------------|-----------------|----------------|
| <u>.250</u> inches | <u>20</u> inches | <u>+ 1</u> feet | <u>14</u> feet |
| _____ inches       | _____ inches     | _____ feet      | _____ feet     |
| _____ inches       | _____ inches     | _____ feet      | _____ feet     |
| _____ inches       | _____ inches     | _____ feet      | _____ feet     |
| _____ inches       | _____ inches     | _____ feet      | _____ feet     |

Was a packer or seal used? ☐ Yes ☒ NoPerforated? ☐ Yes ☒ NoHow perforated? ☐ Factory ☐ Knife ☐ Torch

Size of perforation \_\_\_\_\_ inches by \_\_\_\_\_ inches

| Number             | From       | To         |
|--------------------|------------|------------|
| _____ perforations | _____ feet | _____ feet |
| _____ perforations | _____ feet | _____ feet |
| _____ perforations | _____ feet | _____ feet |

Well screen installed? ☐ Yes ☒ No

Manufacturer's name \_\_\_\_\_

Type \_\_\_\_\_ Model No. \_\_\_\_\_

Diameter \_\_\_\_\_ Slot size \_\_\_\_\_ Set from \_\_\_\_\_ feet to \_\_\_\_\_ feet

Diameter \_\_\_\_\_ Slot size \_\_\_\_\_ Set from \_\_\_\_\_ feet to \_\_\_\_\_ feet

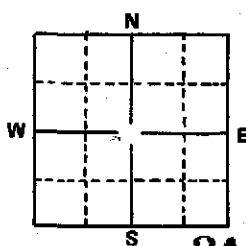
Gravel packed? ☐ Yes ☒ No Size of gravel \_\_\_\_\_

Placed from \_\_\_\_\_ feet to \_\_\_\_\_ feet

Surface seal? ☒ Yes ☐ No To what depth 14 feetMaterial used in seal ☒ Cement grout ☐ Puddling clay

## 6. LOCATION OF WELL

Sketch map location must agree with written location.



31 7003

County Jefferson

\_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 Sec. \_\_\_\_\_, T. \_\_\_\_\_ N/S, R. \_\_\_\_\_ E/W

## 7. WATER LEVEL

Static water level 240 feet below land surfaceFlowing? ☐ Yes ☒ No G.P.M. flow \_\_\_\_\_Temperature \_\_\_\_\_ ° F. Quality Good

Artesian closed-in pressure \_\_\_\_\_ p.s.i.

Controlled by ☐ Valve ☐ Cap ☐ Plug

## 8. WELL TEST DATA

☐ Pump ☐ Bailer ☐ Other

| Discharge G.P.M. | Draw Down | Hours Pumped |
|------------------|-----------|--------------|
| _____            | _____     | _____        |
| _____            | _____     | _____        |
| _____            | _____     | _____        |

## 9. LITHOLOGIC LOG

| Hole<br>Diam. | Depth |     | Material                         | Water |    |
|---------------|-------|-----|----------------------------------|-------|----|
|               | From  | To  |                                  | Yes   | No |
| 20            | 0     | 8   | top soil                         |       |    |
|               | 8     | 46  | gray lava rock                   |       |    |
|               | 46    | 64  | brown clay and lava              |       |    |
|               | 64    | 80  | gray lava rock                   |       |    |
|               | 80    | 93  | gray lava rock firm              |       |    |
|               | 93    | 110 | gray lava firm                   |       |    |
|               | 110   | 115 | brown lava firm                  |       |    |
|               | 115   | 118 | cinders                          |       |    |
|               | 118   | 125 | brown lava firm                  |       |    |
|               | 125   | 130 | brown lava hard turning gray     |       |    |
|               | 130   | 144 | gray lava hard                   |       |    |
|               | 144   | 150 | gray cinders loose caving        |       |    |
|               | 150   | 160 | brown lava and cinders           |       |    |
|               | 160   | 165 | brown and gray lava rough        |       |    |
|               | 165   | 172 | gray lava firm                   |       |    |
|               | 172   | 176 | gray and brown cinders loose     |       |    |
|               | 176   | 180 | gray and brown lava firm         |       |    |
|               | 180   | 185 | gray lava firm                   |       |    |
|               | 185   | 188 | gray and brown cinders loose     |       |    |
|               | 188   | 207 | brown cinders firm               |       |    |
|               | 207   | 210 | gray lava hard cinders           |       |    |
|               | 210   | 242 | gray lava hard caving            |       |    |
|               | 242   | 256 | brown cinders                    | x     |    |
|               | 256   | 262 | gray lava cinders caving         |       |    |
|               | 262   | 270 | brown and gray cinders very good |       |    |
|               | 270   | 277 | cinders losing cuttings          | x     |    |
|               | 277   | 304 | gray porous lava cinders caving  |       |    |
|               | 304   | 310 | brown cinders losing cuttings    | x     |    |
|               | 310   | 317 | mixed cinders caving cannot      | xx    |    |
| 20            |       |     | gain hole                        | xxx   |    |

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10. Work started Oct. 16, 1968 finished Nov. 20, 1968

## 11. DRILLER'S CERTIFICATION

This well was drilled under my supervision and this report is  
true to the best of my knowledge.

Andrew Well Drilling Contractors

Driller's or Firm's Name \_\_\_\_\_ Number \_\_\_\_\_

Address \_\_\_\_\_

Signed By \_\_\_\_\_ Date \_\_\_\_\_

# STATE OF IDAHO

## DEPARTMENT OF WATER RESOURCES

### TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: HWJ

1. Right number 31-7003 Applicant Mark B. Clark Trust
2. Type of right: ☐ Decree ☒ License ☐ Claim
3. Purpose of transfer: ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use  
☐ Other \_\_\_\_\_
4. Check:
  - a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
  - b. ☒ Description of original point of diversion.
  - c. ☒ Description of original place of use.
5. Amount of land &/or water transferred:
  - a. ☒ All of right.
  - b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
  - c. ☒ Check description of point(s) of diversion.
  - d. ☒ Check description of place of use.
  - e. ☒ Check map (shows p.d. and p.u. after transfer).
  - f. ☒ Check for correct signature, notarization, and fee. Protest Date  
1/3/86  
NOC 2/10/86
  - g. ☒ Check proof of ownership of right &/or land from which water is transferred. requested 7-11-85
  - h. ☒ Check for expansion in use of right. Comments Assessor says Sidney Sharp Co. owns L-1 Sect. 4  
Assessor confirms M.B. Clark Trust as owners of Land list in C3c
  - i. ☒ Check for existing water rights from same source, on land water is being transferred to.  
Right number(s) \_\_\_\_\_
  - j. ☒ Is use within a Watermaster District? ☐ Yes ☐ No  
If yes, what district? \_\_\_\_\_

FINAL PROCESSING REVIEW BY: Ernest Carlson

1. Watermaster recommendation requested on N.A. Received on \_\_\_\_\_
2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☐ Yes ☒ No

#### RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny
3. Conditions\* \_\_\_\_\_

**MICROFILMED**

4. BY RDC Date 3/10/86 AUG 28 1986 MAR 12 1986

Department of Water Resources

\* All uses within Watermaster Districts require special conditions.

RECEIVED

AUG 25 1986

INTER-DEPARTMENT MEMO — 1

DATE Aug 21, 1986.

FROM Ernest

TO Bob Fleenor.

Department of Water Resources

SUBJECT

New place of use: Following receipt of your 4-24-86 memo, questioning if the land list accurately depicted irrigation practices, we contacted the applicant and requested they reexamine the place-of-use under this application. Their review resulted in a distribution of the irrigated acreage as reflected on the new application. This distribution conforms to center pivot irrigation, and should resolve the early conflict over the place of use.

SIGNATURE



*Law Firm of*

**CLARK & CLARK**

MARK B. CLARK  
THOMAS W. CLARK

P.O. BOX 4972  
653 E. CENTER  
POCATELLO, IDAHO 83205-4972  
TELEPHONE (208) 232-8444

August 20, 1986

**RECEIVED**

AUG 21 1986

Department of Water Resources  
Eastern District Office

State of Idaho  
Department of Water Resources  
150 Shoup - Suite 15  
Idaho Falls, Idaho 83402

Attn: Ernest Carlsen  
Assistant Regional Supervisor

Re: Application for transfer of licenst 31-7003

Dear Mr. Carlsen:

We are pleased to enclose herewith the Application for Transfer of Water Right above-referenced under transfer no. 3226 which was amended on 12th of August, 1986.

We thank you for bringing to our attention the lack of notary seal which has been accomplished and respectfully request that the application be granted.

Very truly yours,



Mark B. Clark  
MBC:mb  
5459A

**RECEIVED**

August 19, 1986

Mark B. Clark  
P.O. Box 4972  
Pocatello, Idaho 83201

Re: Application for transfer of license 31-7003

Dear Mr. Clark:

Enclosed is the revised application for transfer of license no. 31-7003 which was recently submitted for administrative action by the Department. The application is being returned so that Marsha Jones can affix her notary seal to the signature block on the last page. The application should then be sent back to this office.

Respectfully submitted,

Ernest Carlsen  
Assistant Regional Supervisor

EC/md

Enclosure

RECEIVED

*Law Firm of*

**CLARK & CLARK**

MARK B. CLARK  
THOMAS W. CLARK

P.O. BOX 4972  
653 E. CENTER  
POCATELLO, IDAHO 83205-4972  
TELEPHONE (208) 232-8444

August 12, 1986

**RECEIVED**

AUG 14 1986

Department of Water Resources  
Eastern District Office

State of Idaho  
Department of Water Resources  
Eastern District Office  
150 Soup - Suite 15  
Idaho Falls, Idaho 83402

Attn: Harold Jones

Dear Mr. Jones:

Pursuant to you request, we are enclosing herewith the Application for Transfer of Water Rights to Change the Place of Use.

Thank you for your cooperation and consideration in getting this transfer accomplished and request that a completed copy be returned at your earliest convenience.

Very truly yours,



Mark B. Clark  
MBC:mb  
5380A  
Enclosure

**MICROFILMED**

**MARK B. CLARK TRUST**

690 YELLOWSTONE #G.  
POCATELLO, IDAHO 83201  
TELEPHONE 232-8444  
AREA CODE 208

April 4, 1986

**RECEIVED**

APR 7 1986

State of Idaho  
Department of Water Resources  
Statehouse  
Boise, Idaho 83720

Department of Water Resources

ATTENTION: Jim Johnson, Water Rights Supervisor

Re: Transfer of Water Right No. 31-7003

Dear Mr. Johnson:

Responding to your letter of March 17, 1986, I cannot respond directly to your question as I am not sure that your numbers as to acres water are correct.

At the inception of this application, we had <sup>315?</sup>320 acres under water initially and we are attempting to take the water off of one 40-acre piece that we have traded to a neighbor for an 80-acre piece. We intend to also take the water off of approximately 25 acres of the north end of the plot to augment the water that would be utilized to complete the circle arrangement.

We are not asking to increase the acreage as to what we were watering initially, nor are we using more water than before--if anything, we are using less water.

I am concerned with your numbers as this was worked out with your engineer who indicated to us that the plan was feasible.

If there are problems, please return the file to Idaho Falls and advise us and we will go over the matter again with your engineer.

Thank you for your consideration on this matter.

Very truly yours,

*Camille Clark, Trustee*

Mark B. Clark  
MBC:cc

**MICROFILMED**



State of Idaho  
**DEPARTMENT OF WATER RESOURCES**  
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS  
Governor

A. KENNETH DUNN  
Director

Mailing address:  
Statehouse  
Boise, Idaho 83720  
(208) 334-4440

March 17, 1986

RE: Transfer of Water Right No. 31-7003

Mark B. Clark Trust  
Box 4972  
Pocatello, ID 83201

Gentlemen:

We are currently reviewing the above referenced application for transfer and noted that you plan to utilize circular sprinkler systems to irrigate land in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 3, and NW $\frac{1}{4}$ , Sec. 10, Twp 5N, Rge 35E.

We are concerned that if the transfer is approved more lands than 31 acres in Lot 4(SW $\frac{1}{4}$ NW $\frac{1}{4}$ ) and 22 acres in Lot 3(SE $\frac{1}{4}$ NW $\frac{1}{4}$ ), Sec. 3 will actually be irrigated by the sprinkler system. Before the transfer review can proceed, we need to know how you intend to irrigate only the acres shown in Lots 3 and 4, Sec. 3.

Please submit this requested information on or before April 15, 1986. If you have any questions or if I can assist you on this matter, please let me know.

Sincerely,

JIM JOHNSON  
Water Rights Supervisor

JJ:sc

**MICROFILMED**

January 17, 1986

Mark B. Clark Trust  
P.O. Box 4972  
Pocatello, Idaho 83201

Re: Application for Transfer No. 31-7003

Dear Transfer Applicant:

The Department of Water Resources acknowledges receipt of your application for Transfer. The Transfer identification no. is 31-7003 Please refer to this number in all further correspondence.

This office is currently in the process of advertising the Transfer in the Teton Valley News. The Transfer will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the transfer is protested, you will be sent a copy of the protest. The protest must be resolved before the transfer is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the transfer is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to final processing of the transfer and will notify you of the outcome of this review. When the transfer is approved, you will be sent a copy. A typical processing time for an unprotested transfer is about eight weeks.

Enclosed please find your receipt no. 35488 for the amount of \$50.00.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

Ernest Carlsen  
Assistant Regional Supervisor

EC/md

**MICROFILMED**

January 15, 1986

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

Gentlemen:

We are resubmitting a legal notice to be published on January 24, and 31, 1986. This notice was originally published in your paper on December 18 and 24, 1985. Unfortunately, it was advertised incorrectly. As we had no way of checking the accuracy of this notice before it went to print we, therefore, request this be readvertised again at your expense.

To prevent future problems in this matter, please submit a galley proof before the first date of publication. If we have any corrections, we will notify you; otherwise, assume the notice is correct. If the administrative procedures of your paper will not allow time for making corrections by submitting a galley proof, we will be glad to review the notice with you by telephone prior to publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to this office by February 10, 1986. Your cooperation in this matter is greatly appreciated.

Very truly yours,

Michele Davis  
Secretary

RECEIVED

January 7, 1986

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

RE: Application for Transfer of Water Right No. 31-7003 Mark B.  
Clark Trust.

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced Application. The legal notice was to have been published in your paper on December 18, and 24, 1985.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

MICHELE DAVIS  
Office Secretary

ENCLOSURE

# NOTICE OF CORRECTION

Notice is hereby given that Transfer No. 31-7003 in the name of Mark B. Clark Trust was advertised incorrectly on December 18 and 24, 1985. The original place of use was advertised as being within the S1/2NW1/4 (L3 & L4), N1/2W1/4, SE1/4W1/4 Sec. 3; SE1/4NE1/4 (L1) Sec. 4; E1/2NW1/4 Sec. 10 T 5N R35E B.M. and the changed place of use within the S1/2W1/4 (L3 & L4), SW1/4 Sec. 3; N1/2NW1/4, SE1/4NW1/4 Sec. 10 T 5N R 35E.

WHEREAS, the actual original place of use is within the S1/2NW1/4 (L3 & L4), N1/2SW1/4, SE1/4SW1/4 Sec.3; SE1/4NE1/4 (L1) Sec. 4; E1/2NW1/4 Sec. 10 T 5N R 35E B.M. and the changed place of use within the S1/2NW1/4 (L3 & L4), SW1/4 Sec. 3; N1/2NW1/4, SE1/4NW1/4 Sec. 10 T 5N R 35E.

Any protests against the granting of this transfer as a result of this correction must be filed with the Idaho Department of Water Resources, 150 Shoup, Suite 15, Idaho Falls, Idaho 83401 on or before February 10, 1986.

A. Kenneth Dunn

Director

Published in the Jefferson Star January 24, & 31, 1986.

**MICROFILMED**

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

No. 31-7003

Notice is hereby given that Mark B. Clark Trust, Pocatello, Idaho has applied to the Department of Water Resources for a change in the place of use of waters of a groundwater source. The right sought to be changed is evidenced by License No. 31-7003 and recorded as follows:

AMOUNT: 4.0 cfs

PRIORITY: November 1, 1967

POINT OF DIVERSION: NE1/4SW1/4 Sec 3 T 5N R 35E B.M.

The water is used to irrigate 315 acres within S1/2NW1/4 (L3 & L4), N1/2SW1/4, SE1/4SW1/4 Sec 3; SE1/4NE1/4 (L1) Sec 4; E1/2NW1/4 Sec 10 T 5N R 35E B.M.

TO BE CHANGED AS FOLLOWS

The water will be used to irrigate 315 acres within the S1/2NW1/4 (L3 & L4), SW1/4 Sec 3; N1/2 NW1/4, SE1/4NW1/4 Sec 10 T 5N R 35E.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83401, on or before January 3, 1985.

A. Kenneth Dunn  
Director

Published December 18, and 24, 1985 in the Jefferson Star.

**MICROFILMED**

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Eastern Region

---

150 Shoup Ave., Suite 15  
Idaho Falls, Idaho 83402  
(208) 525-7161

DECEMBER 11, 1985

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

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before JANUARY 3, 1986.

Yours truly,

RONALD D. CARLSON  
Supervisor  
Eastern Region

Encl.

**MICROFILMED**

November 7, 1985

Mark B. Clark  
P.O. Box 4972  
Pocatello, Idaho 83201

Dear Mr. Clark:

I am still holding your application for transfer on water right 31-7003. It appears I need you to get a copy of last years tax notice for L-1, Sec. 4 from Siddeway Sheep Company and a disclaimer of any right or interest in water right 31-7003. This disclaimer needs to be notarized.

Also I need a copy of last years tax notice or a recent warranty deed which shows that Mark B. Clark Trust is the owner of record of all the other land in question.

I will hold this application for 30 days more and if I do not hear from you within this time I will have to return the application and your fee. If you have any questions please call me.

Sincerely,

Harold W. Jones  
Senior Resource Agent

HWJ/md

Enclosure: Work copy

**MACROFILM**

June 29, 1985

Department of Water Resources  
Eastern District Office  
150 Shoup Ave.  
Idaho Falls, Idaho 83401

Re: Water Right # 31-7003

Gentlemen:

Enclosed is check # 1340 in the amount of \$50.00.

This check was inadvertently left out of our letter and Application for Transfer of Water Right which was mailed June 28, 1985.

Very truly yours,

  
Mark B. Clark

MBC:mb

Enclosure

**MICROFILMED**

**RECEIVED**

**JUL 1 1985**

Department of Water Resources  
Eastern District Office

**MARK B. CLARK TRUST**

690 YELLOWSTONE #G.  
POCATELLO, IDAHO 83201  
TELEPHONE 232-8444  
AREA CODE 208

June 28, 1985

Department of Water Resources  
Eastern District Office  
150 Shoup Ave.  
Idaho Falls, Idaho 83401

RECEIVED  
JUL 1 1985  
Department of Water Resources  
Eastern District Office

Attn: Harold Jones:

Dear Mr. Jones:

Pursuant to our conversation and your help in completing the enclosed application for tranfer of right we enclose said application regarding water right # 31-7003 together with our trust check in the amount of \$50.00.

Again thank for your courtesy extended this date and our offer of lunch still stand.

Very truly yours,



Mark B. Clark  
MBC:mb  
2314A  
Enclosure

MICROFILMED

December 8, 1969

Re: Application No. 31-7003

The Rigby Star

Rigby, Idaho

Gentlemen:

Please be advised that this department has received the certified bill of publication for the above referenced application

However, as of the date of this letter, we have not received an affidavit of publication. Would you please submit an affidavit?

Very truly yours,

Donald W. McElowney  
Water Rights Clerk

DWM:ks

Enclosures: none

**MICROFILMED**

31-7003

December 5, 1967

Re: Application No. 31-7003  
Robert McSpadden

The Rigby Star  
Rigby,  
Idaho

Gentlemen:

Returned herewith is the bill of publication for the above referenced application. Please be advised that until we are in receipt of a signed certified bill we are unable to submit the bill for a State Warrant.

Very truly yours,

Donald W. McEldowney  
Water Rights Clerk

DWM:ks

Enclosure: Bill of publication  
Copy of transmittal letter for legal notice

RECORDED

31-7003

**NOTICE OF APPLICATION  
FOR WATER**

Notice is hereby given that Robert J. McSpadden has on November 1, 1967 applied for permit to divert 6.0 cubic feet per second of water from a subterranean source under application No. 31-7003. Water will be diverted by a well pump and motor within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 3, T. 5 N, R. 35 E, B.M., Jefferson County and is to be used from April 1 to October 15 for irrigation in the N $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , Lot 2 and 4, Sec. 3; Lot 1, Sec. 4; and E $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 10, T. 5 N, R. 35 E, B.M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON

State Reclamation Engineer

Published in the Rigby Star, Rigby, Idaho 83442, on November 26 and November 22, 1967.

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