

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



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

RECEIVED

JUL 16 1990

Department of Water Resources
Eastern District Office

**AFFIDAVIT OF
PUBLICATION**

STATE OF IDAHO)
County of Jefferson) ss

I, LAREENA LYDON
of the Jefferson Star, published
weekly at Rigby, Jefferson County,
Idaho, do solemnly swear that the

notice proposed change
a copy of which notice appears at-
tached hereto, was published in the
regular and entire issue of said
newspaper, and not in any supple-

ment issue thereof for (2) two
consecutive issues, the first publica-

having been made on 7/4/90
and the last publication having been

made on 7/11/90

Further, that said newspaper is one
of general circulation in said coun-
ty; that it is a legal newspaper, con-
forming to legal specifications
under the Idaho Statutes; that it has
as 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.

On this 13th day of July
in the year of 1990, before
me, a Notary Public, personally ap-

peared LaReena Lydon,
known or identified to me to be the
person whose name subscribed to
the within instrument, and being by
me first duly sworn, declared that
the statements therein are true, and
acknowledged to me that he ex-
ecuted the same.

Karl J. Tew
Notary Public for Idaho
Residing at Leith, Id.

My commission expires: 10-23-91

**NOTICE OF PROPOSED CHANGE OF
A WATER RIGHT
NO. 31-04028**

Notice is hereby given that OLEY D.
DAVIES has applied to the Department
of Water Resources to ADD A POINT
OF DIVERSION of the waters of a
GROUNDWATER source. The right
sought to be changed is evidenced by
CLAIM NO. 31-04028 and recorded as
follows:

CLAIM NO. 31-04028

AMOUNT: .86 CFS

PRIORITY: JUNE 1, 1945

POINT(S) OF DIVERSION: NWSE
SEC 5 T 7N R 36E, JEFFERSON
COUNTY

The water is used from April 1 to
November 1 to irrigate 40 acres (.80
cfs); from January 1 to December 31 for
domestic (.04 cfs); from January 1 to
December 31 for stockwater (.02 cfs)
within the NWSE SEC 5 T 7N R 36E,
B.M.

TO BE CHANGED AS FOLLOWS:

The water will be diverted within the
NWSE SEC 5 T 7N R 36E,
JEFFERSON COUNTY (2 wells) and
used within the NWSE SEC 5 T 7N R
36E, B.M.

Any protests against the proposed
change must be filed with the Idaho
Department of Water Resources, 150
Shoup Ave., Idaho Falls, ID, 83401, on
or before JULY 23, 1990.

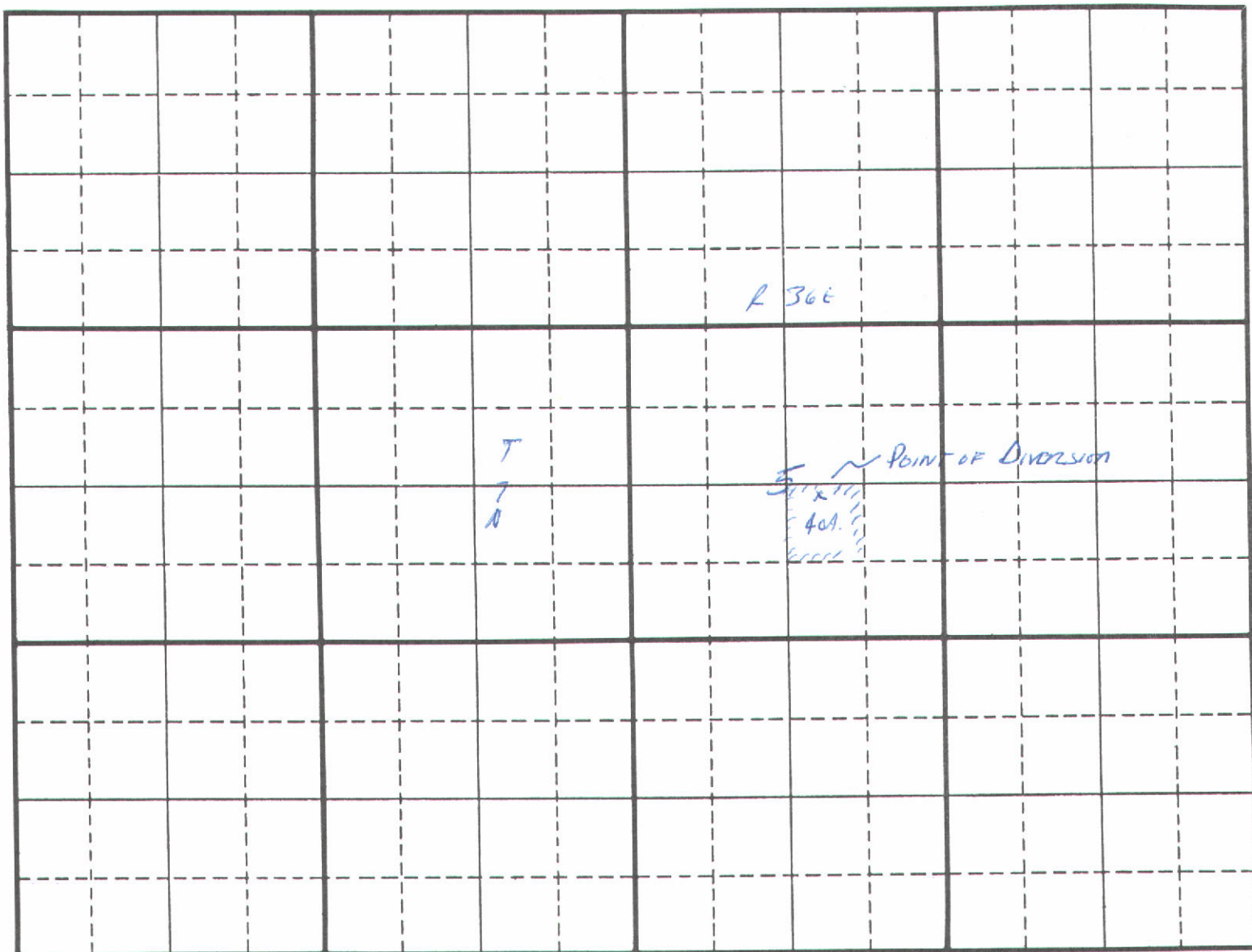
R. Keith Higginson
Director

*Published in the Jefferson Star,
Rigby, Idaho, July 4 and 11, 1990.*

MICROFILMED

JAN 28 1991

(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Bonneville) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 1st day of August, 1979.

Clay D Davis
(Claimant)
Calvin Wray
Notary Public
Residing at Idaho Falls, Idaho

My commission expires 6/15/81

FOR DEPARTMENT USE ONLY

Received by	dh	Date	8-1-79	Exception filed by:		Forwarded to	Date
Prelim. check by	S.M.	Date				claimant by:	
\$20.00 fee received by	dh	Date	8-1-79	#13633			
Published in	Rigby Star						
Dates	August 8 & 15, 1979						

Affidavit of Publication

THE RIGBY STAR

RECEIVED

AUG 27 1979

Department of Water Resources
Eastern District Office

NOTICE OF CLAIMS TO WATER RIGHTS

NOTICE IS HEREBY GIVEN that the following claims to water rights have been established by diversion and application to beneficial use:

31-4028

Oley D. Davies, Hamer, Idaho 83425.

Source: Groundwater.

Priority date: 6-1-1945.

Amount: 0.86 CFS.

Diversion point: NWSE Sec. 05 T 07N R 36E, Jefferson County.

Use: Irrigation (0.80 CFS) from 4-1 to 11-1; Domestic (0.04 CFS) from 1-1 to 12-31; Stockwater (0.02 CFS) from 1-1 to 12-31.

Place of use: NWSE Sec. 05 T 07N R 36E for 40 acres.

Diversion means: Well, pump and pipeline.

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho 83401.

/s/ C. Stephen Allred
Director

Published August 8 and 15, 1979.

STATE OF IDAHO,

County of Jefferson

ss

I, Karl G. Hanosky, do solemnly swear that I am the Publisher 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 at the times herein mentioned said 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 2 consecutive issues thereof; first publication having been made on the

Eighth day of August, 19 79

and the last publication on the

Fifteenth day of August, 19 79

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 bonafide subscribers in Jefferson County.

Karl G. Hanosky
Publisher

Subscribed in my presence and sworn to before me this Fifteenth day of August, 19 79.
[SEAL]

Evelyn M. Flay
Notary Public for the State of Idaho
Residence and P. O. Address, Rigby, Idaho.

My commission expires Life, 19 79

Publication Fee: \$ 12.30

MICROFILMED



MICROFILMED

JAN 28 1991

31-4028

Pre-Transfer Exam



SW corner of
field

MICROFILMED

JAN 28 1991

31-4028

Pre-Transfer Exam

Page _____ of _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPROVED
Transfer No. 3730

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Oley D. Davies Phone 662-5427

Post Office address P.O. Box 1660 Hamer, ID. 83425

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Water table has dropped to a level below where the centrifugal pump is use for irrigation will no longer produce enough water. I will install a turbine pump in the new well.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number Priority Amount (cfs/ac-ft) Nature of Use Period of Use
31-04028 June 1, 1945 0.80 Err. 4/1 to 11/1
0.04 domestic 1/1 to 12/31
0.02 stockwater 1/1 to 12/31
to _____
2. Total amount of water being transferred 0.86 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water groundwater. tributary to _____
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SE	5	7N	36E	Jefferson	2 wells.

5. Lands irrigated or place of use:

Twp.	Rge.	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	
7N	36E	5															40		40

Total acres 40.

PART 1

6. General Information:

a. Description of diversion system
The new well will be used to sprinkle irrigate the 40 acres. The old well will continue to be used for domestic & stockwater.

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

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
No change proposed.

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 31-4028 And said application is hereby APPROVED, subject to the following limitations and conditions:

1. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
2. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.

Witness my hand this _____ day of _____

14th

Chief, Water Alloc. Bureau

W. Lewis Taylor
1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. 31-04028 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water groundwater. tributary to _____

4. Date or priority June 1, 1945

5. Water is used for the following purpose:

amount 0.80 cfs. for Irrigation purposes from 4/1 to 11/1
(cfs/ac-ft)
amount 0.04 cfs. for Domestic purposes from 1/1 to 12/31
(cfs/ac-ft)
amount 0.02 cfs. for Stockwater purposes from 1/1 to 12/31
(cfs/ac-ft)

6. Total amount of water under right 0.86 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SE	5	7N	36E	Jefferson.	

8. Lands irrigated or place of use:

Twp.	Rge.	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	
7N	36E	5														40			40

Total acres

40

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 non-use?

if yes, describe

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

- | | | | | | |
|----|---------------|-----|----------------------|-----------|--|
| 1. | <u>amount</u> | for | <u>purposes from</u> | <u>to</u> | |
| | (cfs/ac-ft) | | | | |
| | <u>amount</u> | for | <u>purposes from</u> | <u>to</u> | |
| | (cfs/ac-ft) | | | | |
| | <u>amount</u> | for | <u>purposes from</u> | <u>to</u> | |
| | (cfs/ac-ft) | | | | |

[illegible]

3. Lands irrigated or place of use:

[illegible]

Total acres

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

- | | | | | |
|----|------------------------|-----|---------------|----|
| 1. | amount | for | purposes from | to |
| | amount | for | purposes from | to |
| | amount | for | purposes from | to |
| 2. | Point(s) of Diversion: | | | |

[illegible]

3. Lands irrigated or place of use:

[illegible]

Total acres

CONSOLIDATED TAX NOTICE AND RECEIPT

JEFFERSON COUNTY TAX COLLECTOR 1989

MARGARET E. TREASURE, COURTHOUSE

RIGBY, IDAHO 83442 REAL PROPERTY

PARCEL NUMBER 7329

37-00 RP07N36E057800A

50739 4281

NW1/4SE1/4; SEC 5

46458* TWP 7 NORTH RGE 36 EBM

16592 (1978 FLEETWOOD 14 X 60)

34147

40.000 DAVIES, OLEY

2260 E 2350 N (BOX 1660)

HAMER, IDAHO 83425

DELINQUENT CERT

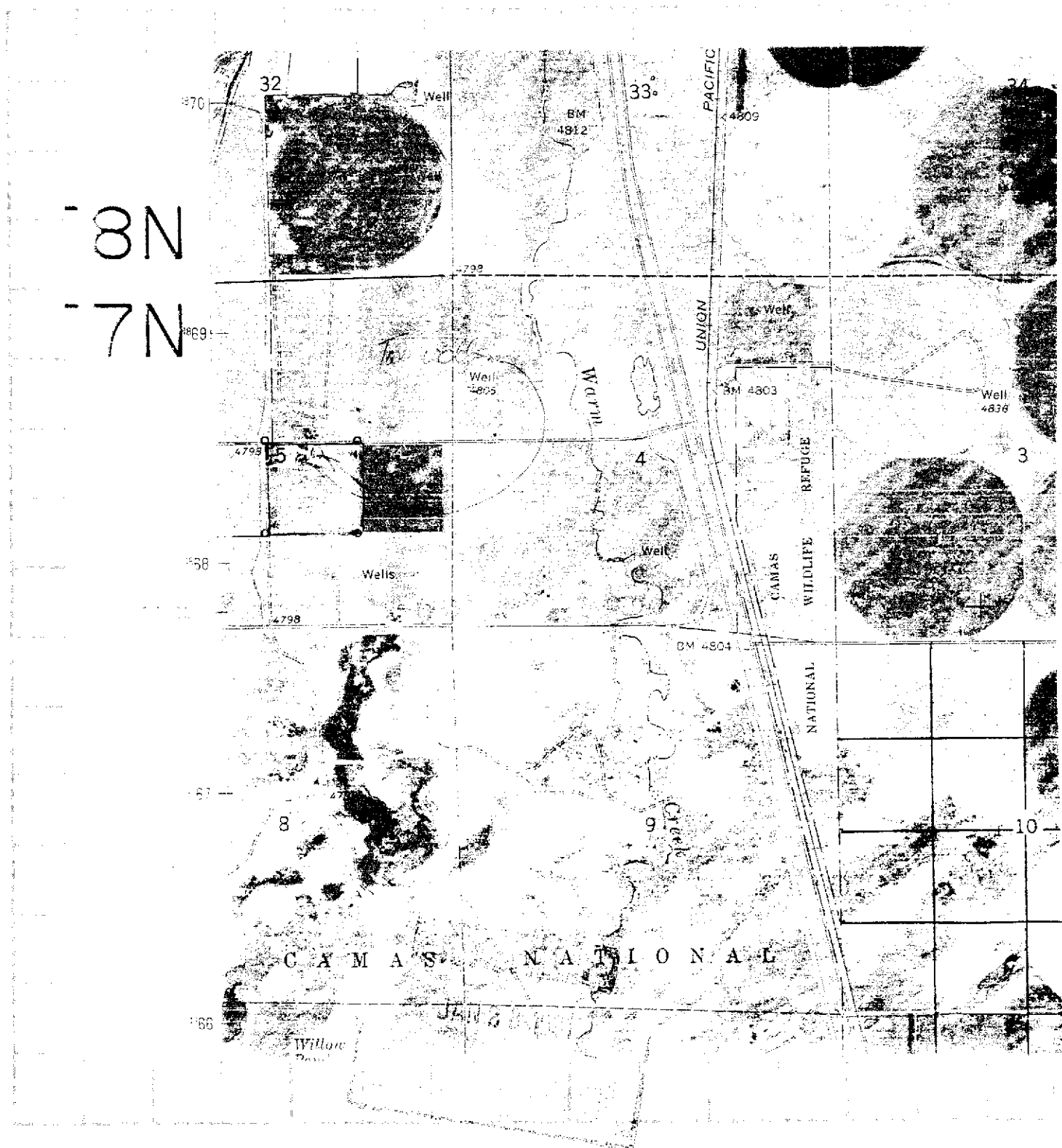
TAXING DISTRICT	RATE	AMOUNT
STATE	.003934	182.78
COUNTY	.006469	300.54
SCHOOL DIST 253	.000569	26.44
ROAD/BRIDGE	.000092	4.28
WEST JEFF CEMT	.000419	19.48
HAMER FIRE DIST	.000309	14.36
LIBRARY DIST	.000139	6.46
W. JEFF AMB		
SPEC. HIGHWAY		
SOLID WASTE		35.00
		294.67
		589.34

TOTAL .011931 589.34

YOUR CANCELLED CHECK IS YOUR RECEIPT
PLEASE READ BACK OF NOTICE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



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

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
---	-------------------	-----------------------	-----------------	---------------

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

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 willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this

(Signature of Applicant)

day of

(Notary Public)

My commission expires

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by _____ Date _____

Prelim. check by _____

Fee _____

Received by _____ Date _____

Published in _____

Pub. dates _____

Watermaster recommendation requested on _____

_____ rec'd. _____

Copy of transfer sent to lien holder _____

Recommended for _____

☒ approval ☐ denial

Hearing held by _____ Date _____

Copies of protest forwarded by _____

THE JEFFERSON STAR
RIGBY, IDAHO

RECEIVED

JUL 16 1990

Department of Water Resources
Eastern District Office

AFFIDAVIT OF
PUBLICATION

STATE OF IDAHO)
County of Jefferson) ss

I, LAREENA LYDON
of the Jefferson Star, published
weekly at Rigby, Jefferson County,
Idaho, do solemnly swear that the

Notice Proposed Change
a copy of which notice appears at-
tached hereto, was published in the
regular and entire issue of said
newspaper, and not in any supple-

ment issue thereof for consecutive
consecutive issues, the first publica-

having been made on 7/4/90
and the last publication having been
made on 7/11/90.

Further, that said newspaper is one
of general circulation in said coun-
ty; that it is a legal newspaper, con-
forming to legal specifications
under the Idaho Statutes; that it has
as 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.

NOTICE OF PROPOSED CHANGE OF
A WATER RIGHT
NO. 31-04028

Notice is hereby given that OLEY D.
DAVIES has applied to the Department
of Water Resources to ADD A POINT
OF DIVERSION of the waters of a
GROUNDWATER source. The right
sought to be changed is evidenced by
CLAIM NO. 31-04028 and recorded as
follows:

CLAIM NO. 31-04028
AMOUNT: .86 CFS
PRIORITY: JUNE 1, 1945
POINT(S) OF DIVERSION: NWSE
SEC 5 T 7N R 36E, JEFFERSON
COUNTY

The water is used from April 1 to
November 1 to irrigate 40 acres (.80
cfs); from January 1 to December 31 for
domestic (.04 cfs); from January 1 to
December 31 for stockwater (.02 cfs)
within the NWSE SEC 5 T 7N R 36E,
B.M.

TO BE CHANGED AS FOLLOWS:
The water will be diverted within the
NWSE SEC 5 T 7N R 36E,
JEFFERSON COUNTY (2 wells) and
used within the NWSE SEC 5 T 7N R
36E, B.M.

Any protests against the proposed
change must be filed with the Idaho
Department of Water Resources, 150
Shoup Ave., Idaho Falls, ID, 83401, on
or before JULY 23, 1990.

R. Keith Higginson
Director

Published in the Jefferson Star,
Rigby, Idaho, July 4 and 11, 1990.

On this 13th day of July
in the year of 1990, before
me, a Notary Public, personally ap-

peared LaReena Lydon,
known or identified to me to be the
person whose name subscribed to
the within instrument, and being by
me first duly sworn, declared that
the statements therein are true, and
acknowledged to me that he ex-
ecuted the same.

Keith M. [Signature]
Notary Public for Idaho
Residing at Idaho Falls, ID
My commission expires: 10-31-91

RECEIVED

JUL 16 1990

9/89

Drilling Permit No. 31-90-E-015
 Water Right Permit No. T-14028
 Injection Permit No. _____

State of Idaho
 Department of Water Resources

DRILLING PERMIT

1. Applicant Oley D. Davies
2. Mailing Address P.O. Box 1660
Hamer, ID 83425 Telephone 662-5427
- (X) Well Owner () Well Operator () Other, specify _____
3. Proposed well location NW 1/4 SE 1/4, or Gov't lot No. _____,
Sec. 5, Twp. 7N, Rge. 36E, County Jefferson,
 Street Address of Well Site _____,
 Lot, block and subdivision _____
4. Proposed use of well:
 (X) Single family or stockwater use (less than 13,000 gallons per day)
 (XX) Irrigation (more than 1/2 acre)
 () Monitoring - A well bore schematic and map is required for each well.
 No. of proposed wells: _____
 () Other (describe fully) _____
5. Well construction information:
 A. (X) New well () Deepen () Replace - See Condition 9.
 B. Proposed surface diameter 12" Maximum depth 150'
 C. Anticipated bottom hole temperature:
 (X) 85°F or less (Cold water well)
 () 85°F to 212°F (Low temp. geothermal well)
 () 212°F or more (Geothermal well)
6. Construction Start Date June 25, 1990
7. Anticipated Well Driller Denning Well Drilling
 NOTE: The actual well driller must be identified prior to drilling.
8. Applicant's signature Oley D. Davies Date June 15 - 1990
 Title _____
 (Owner, Firm Representative, Other)

RECORDED

JAN 23 1991

ACTION OF DEPARTMENT OF WATER RESOURCES

This Permit is APPROVEDDate June 15, 1990

If approved, this permit authorizes the construction of a well subject to the following conditions. READ CAREFULLY!

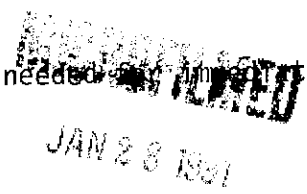
GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
3. This permit does not constitute the approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Approval of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
8. If a bottom hole temperature of 85°F or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
9. If this permit is for a replacement well, the well being replaced must be abandoned in accordance with Department Rules and Regulations.

SPECIFIC CONDITIONS:

The applicant has personally requested an expedited approval needed for immediate construction.


Signature of Authorized Department Representative


Eastern Regional Manager
Title

Receipt No. E014844 Received by (CW) Fee \$100.00 Date 6-15-90

EXTENSION OF DRILLING PERMIT

Extension approved by _____ Approval Date _____

This extension is good for 60 days beyond the above extension approval date.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Oley D. Davies
Hamer, Idaho 83425 (Mailing Address) (Name of Claimant) Telephone No. 662-5427
(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) June 1, 1945

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
groundwater tributary to

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

	(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Mo., Day)	(Both dates inclusive)	(Mo., Day)
Quantity	<u>0.80 cfs</u>	Use <u>Irrigation</u>	Period of Use From <u>4/1</u>	To <u>11/1</u>	
Quantity	<u>0.04 cfs</u>	Use <u>Domestic</u>	Period of Use From <u>1/1</u>	To <u>12/31</u>	
Quantity	<u>0.02 cfs</u>	Use <u>Stockwater</u>	Period of Use From <u>1/1</u>	To <u>12/31</u>	
Quantity		Use	Period of Use From	To	
Quantity		Use	Period of Use From	To	

(4) 0.86 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NW ¼ SE ¼, Sec. 5 Twp. 7N Rge. 36E B.M., County of Jefferson
Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities; be as specific as possible. Describe any changes in the system and give the date of the change. Well, pump, hand lines, stock trough

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7N	36E	5														40			40

No. of acres 40

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Single-family domestic use, stockwater

NOTE: Include here the type and number of stock watered: 65-70 head of range cattle.

(7) If you are claiming water as a member of an organization, list name of organization:

[illegible]

Scale: 2 inches equal 1 mile.

[illegible]

State of Idaho)
County of Bonneville) ss.)

attendant's knowledge.

(Claimant)

Idaho Falls, Idaho

6/15/81

Date _____

Exception filed by:

Forwarded to
claimant by:

64-1-8

4p

☐ Date

by

145

Date

4 p

8-1-79

#13633

KRBY STAT

Published in

August 8 & 15, 1961

Dates

Affidavit of Publication

THE RIGBY STAR

RECEIVED

AUG 27 1979

Department of Water Resources
Eastern District Office

**NOTICE OF CLAIMS
TO WATER RIGHTS**

NOTICE IS HEREBY GIVEN that the following claims to water rights have been established by diversion and application to beneficial use:

31-4028

Oley D. Davies, Hamer, Idaho 83425.

Source: Groundwater.

Priority date: 6-1-1945.

Amount: 0.86 CFS.

Diversion point: NWSE Sec. 05 T 07N R 36E, Jefferson County.

Use: Irrigation (0.80 CFS) from 4-1 to 11-1; Domestic (0.04 CFS) from 1-1 to 12-31; Stockwater (0.02 CFS) from 1-1 to 12-31.

Place of use: NWSE Sec. 05 T 07N R 36E for 40 acres.

Diversion means: Well, pump and pipeline.

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho 83401.

/s/ C. Stephen Allred
Director

Published August 8 and 15, 1979.

STATE OF IDAHO,

County of Jefferson

ss

I, Karl D. Harnskey, do solemnly swear that I am the Publisher 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 at the times herein mentioned said 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 78 consecutive issues thereof; first publication having been made on the

22nd day of August, 19 79

and the last publication on the

22nd day of August, 19 79

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 bonafide subscribers in Jefferson County.

Karl D. Harnskey
Publisher

Subscribed in my presence and sworn to before me this 22nd day of August, 19 79.
[SEAL]

Evelyn M. Flay
Notary Public for the State of Idaho
Residence and P. O. Address, Rigby, Idaho

My commission expires 12-31, 19 80

Publication Fee: \$ 10.00

Drilling Permit No. 21-90-E-015Water Right Permit No. T3 4028

Injection Permit No. _____

31-04028
VState of Idaho
Department of Water Resources

D R I L L I N G P E R M I T

RECEIVED
JUN 21 1990

Department of Water Resources

Applicant Oley D. DaviesMailing Address P.O. Box 1660Hamer, ID 83425Telephone 662-5427

(X) Well Owner () Well Operator () Other, specify _____

Proposed well location NW 1/4 SE 1/4, or Gov't lot No. _____,Sec. 5, Twp. 7N, Rge. 36E, County Jefferson,

Street Address of Well Site _____,

Lot, block and subdivision _____

Proposed use of well:

(X) Single family or stockwater use (less than 13,000 gallons per day)

(XX) Irrigation (more than 1/2 acre)

() Monitoring - A well bore schematic and map is required for each well.
No. of proposed wells: _____

() Other (describe fully) _____

Well construction information:

A. (X) New well () Deepen () Replace - See Condition 9.

B. Proposed surface diameter 12" Maximum depth 150'

C. Anticipated bottom hole temperature:

- (X) 85°F or less (Cold water well)
() 85°F to 212°F (Low temp. geothermal well)
() 212°F or more (Geothermal well)

D. Construction Start Date June 25 1990

E. Anticipated Well Driller _____

NOTE: The actual well driller must be identified prior to drilling.

F. Applicant's signature Oley D. Davies Date June 15 - 1990

Title _____

(Owner, Firm Representative, Other)

ACTION OF DEPARTMENT OF WATER RESOURCES

This Permit is APPROVEDDate June 15, 1990

If approved, this permit authorizes the construction of a well subject to the following conditions. READ CAREFULLY!

GENERAL CONDITIONS:

- . The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
- . This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
- . This permit does not constitute the approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
- . The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
- . Approval of this drilling permit does not authorize trespass on the land of another party.
- . This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
- . This drilling permit does not represent a right to divert and use the water of the State of Idaho.
- . If a bottom hole temperature of 85°F or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
- . If this permit is for a replacement well, the well being replaced must be abandoned in accordance with Department Rules and Regulations.

SPECIFIC CONDITIONS:

The applicant has personally requested an expedited approval needed for immediate construction.


Signature of Authorized Department Representative

Eastern Regional Manager
Title

Receipt No. E014844 Received by (initials) Fee \$100.00 Date 6-15-90

EXTENSION OF DRILLING PERMIT

Extension approved by _____ Approval Date _____

This extension is good for 60 days beyond the above extension approval date.

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources
within 30 days after the completion or abandonment of the well.

AUG 20 1991

1. WELL OWNER

Name Oley Davies
Address _____
Drilling Permit No. 31-90-E-015
Water Right Permit No. T31-04028

7. WATER LEVEL

Static water level 15 feet below land surface.
Flowing? ☐ Yes ☐ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature _____ °F. Quality _____
Describe artesian or temperature zones below.

2. NATURE OF WORK

- ☒ New well ☐ Deepened ☐ Replacement
☐ Well diameter increase
☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)

8. WELL TEST DATA

☐ Pump ☐ Bailer ☐ Air ☐ Other _____

Discharge G.P.M.	Pumping Level	Hours Pumped

3. PROPOSED USE

- ☐ Domestic ☒ Irrigation ☐ Test ☐ Municipal
☐ Industrial ☐ Stock ☐ Waste Disposal or Injection
☐ Other _____ (specify type)

4. METHOD DRILLED

- ☐ Rotary ☒ Air ☐ Hydraulic ☐ Reverse rotary
☐ Cable ☐ Dug ☐ Other _____

5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____
Thickness _____ Diameter _____ From _____ To _____
2.50 inches 12 inches + 1 feet 66 feet
_____ inches _____ inches _____ feet _____ feet
_____ inches _____ inches _____ feet _____ feet
_____ inches _____ inches _____ feet _____ feet
Was casing drive shoe used? ☒ Yes ☒ No
Was a packer or seal used? ☐ Yes ☒ No
Perforated? ☐ Yes ☒ No
How perforated? ☐ Factory ☐ Knife ☐ Torch ☐ Gun
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 depth 20 Material used in seal: ☒ Cement grout
☐ Bentonite ☒ Puddling clay ☐ _____
Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing
☒ Overbore to seal depth
Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent
Weld _____
☐ Cemented between strata
Describe access port _____

9. LITHOLOGIC LOG

Bore Diam.	Depth		Material	Water	
	From	To		Yes	No
	0	15	Sand		X
	15	66	Sand & Gravel		X
	66	78	Lava Blank	X	
	78	83	Lava Cinders	X	
	83	100	Broken Lava	X	
	100	110	Lava Cinders	X	

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AUG 19 1991

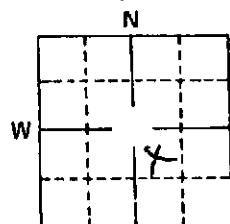
Department of Water Resources
Southern Region Office

10.

Work started July 8-90 finished July 8-90

6. LOCATION OF WELL

Sketch map location must agree with written location.



Subdivision Name _____

Lot No. _____ Block No. _____

County Jefferson County
NW 1/4 SE 1/4 Sec. 5, T. 7 R. 36 E. 4

11. DRILLERS CERTIFICATION

I/We certify that all minimum well construction standards were
complied with at the time the rig was removed.

Firm Name Gary Vollmer & Sons Firm No. 2423

Address 3106 W CP/R Date _____

Signed by (Firm Official) Gary Vollmer

and
(Operator) Gary Vollmer

RECEIVED

MAR 3 0 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources
Eastern District Office

PROOF OF COMPLETED TRANSFER

The Idaho Department of Water Resources will consider this form as a statement regarding completion of the authorized water right(s) transfer.

1. Water Right No(s). 31-04028

Transfer No. 3730

2. Name of Water Right Holder(s): OLLY D DAVIES

Address: Box 1660 Hamer Id 83426

3. Water right transfer authorized by Department is:
(check appropriate space or provide description)

Complete X

Not Complete _____

Partially Complete (describe work completed) _____

4. If the transfer has not yet been completed or is only partially complete, please provide a statement why the authorized change(s) have not been accomplished and the date which you expect the changes to be complete: _____

5. I hereby assert that the responses provided above are true to the best of my knowledge. I understand that any willful misrepresentations may result in Department action rescinding the approved water right(s) transfer.

Oley D Davies
Signature

(& title if on behalf of a company or organization)

3-30-92
Date



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 26, 1992

Oley D. Davies
Box 1660
Hamer, ID 83425

RE: Approved Transfer No. 3730/Water Right No(s). 31-04028

Dear Water Right Holder:

On November 14, 1990, the Department approved an application for transfer of the above referenced water right(s). A copy of the transfer as approved has been enclosed for your reference. One of the conditions of approval of this transfer was that the authorized change(s) be accomplished within one year of the date of approval.

Please complete and return the enclosed form to confirm that the transfer has been accomplished. If the approved transfer has not been completed or is only partially complete, please provide an explanation why the changes have not been made and give an expected date for completion. The form must be returned to this office within 15 days of the date of this letter. If you wish to return the form by FAX, the number is (208)327-7866.

Please contact me if you have questions concerning this matter.

Sincerely,

SHARLA CURTIS
Water Resource Agent

Enclosure

APR 08 1992

January 23, 1991

RE: Transfer of Water Right No. 31-04028

Oley D. Davies
P.O. Box 1660
Hamer, ID 83425

Dear Water Right Holder(s):

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Trans. No. 3730). Be sure to note any conditions of approval as listed on the second page.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosure

MEMORANDUM

TO: FILE

OK Gary

FROM: TIM LUKE

DATE: October 19, 1990

RE: TRANSFER NO. 3730/RT. NO. 31-4028

=====

This transfer seeks only to add one point of diversion to the recorded statutory claim. After the transfer the right will have two points of diversion within the same 40 acre parcel.

I recommend approval of the transfer subject to the conditions below.

In addition, the remarks section of the database should include the following comment:

Two points of diversion in NWSE

Conditions:

1. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
2. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.

[Faint, illegible stamp]

[Faint, illegible stamp]

[Faint, illegible stamp]

TO: TRANSFER FILE 31-4028

24 SEPTEMBER 1990

FROM: KEITH C. WILSON

SUBJECT: PRE-TRANSFER EXAM 31-4028

A REVIEW OF ASCS CROP REPORTS INDICATES THAT MR DAVIES HAS NOT REPORTED ANYTHING SINCE 1981. THE ASCS RECORDS INDICATE IRRIGATION PRIOR TO 1981 DUE TO THE FACT THAT THE RECORDS INCLUDE AN IRRIGATED BASE WHICH HAD TO BE CALCULATED ON AN ACTUAL IRRIGATED CROP REPORT. NO OTHER RECORDS EXISTS SINCE THE ASCS HAS DISCARDED ALL RECORDS FOR WHICH THERE HAS BEEN A ZERO BASE OR NO CROP REPORTING FOR A NUMBER OF YEARS.

AN ON SITE INSPECTION REVEALED THAT THE NWSE SEC 5, T7N, R36E, IS IRRIGATED BY A WELL LOCATED WITHIN THE SAME 1/4-1/4. THE MAINLINE RUNS NORTH-SOUTH THROUGH THE CENTER OF THE FIELD TO ONE WHEEL LINE AND SEVERAL HAND LINES WITH SPRINKLERS. NO OTHER SYSTEM OF IRRIGATION WAS EVIDENT.

I RECOMMEND THAT THE APPLICATION FOR TRANSFER FOR THIS RIGHT BE PROCESSED.



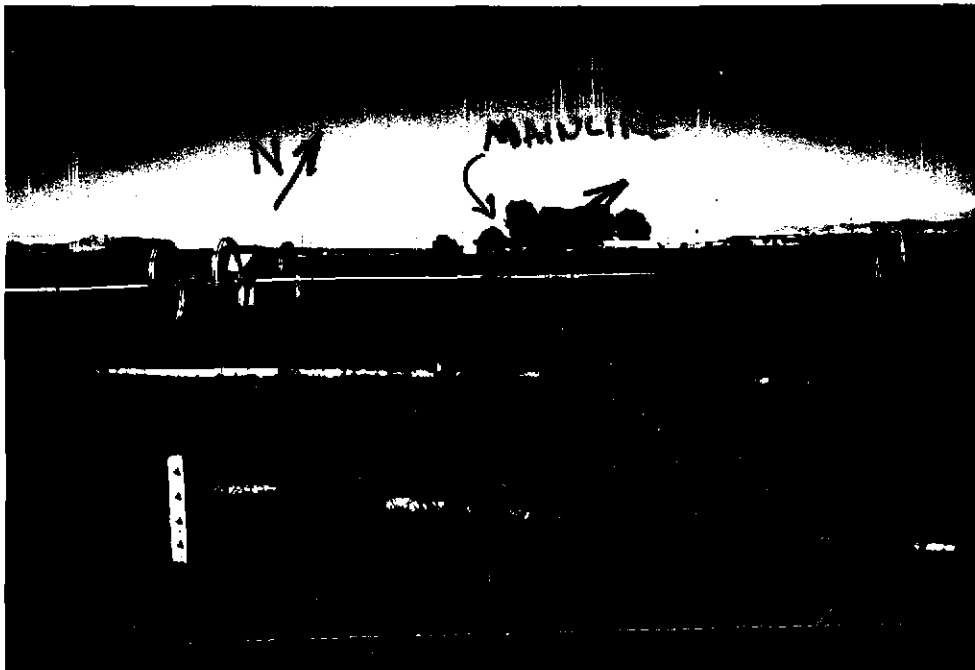
KEITH C. WILSON

RECORDED
INDEXED

JAN

Ron, Attached is a pre-permit report from
Reith on this. Dennis has no
additional information on this system
that I am aware of & I recommend
you review & process at this point.

HWT



RECEIVED

JAN 10 1961

31-4028
Pre-Transfer Exam



SW corner of
field

31-4028

Pre-Transfer Exam

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: Dennis M. Dunn

1. Right number 31-4028 Applicant Oley D. Davies
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. * This is within the Mud Lake
Maintenance area.
 - 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.
 - g. ☒ Check proof of ownership of right &/or land from which water is transferred.
 - h. ☒ Check for expansion in use of right. Comments addition of a well to the system
will allow more water than claimed to be diverted.
 - 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: _____

1. Watermaster recommendation requested on _____ Received on _____
2. Is transfer published correctly? ☒ Yes ☐ No D.O.P. 7-23-90
3. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny
3. Conditions* Appropriate volume limitation
for the two wells.
4. By [Signature] Date 10/12/90

19-Jun-1990

The Jefferson Star
P.O. Box 37
Rigby, ID 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. 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 JULY 23, 1990.

Yours truly,

Rita Bodell
Secretary/Office Coordinator

Encl.

MICROFILMED

JAN 28 1991

NOTICE OF PROPOSED CHANGE OF A WATER RIGHT
NO. 31-04028

Notice is hereby given that OLEY D. DAVIES has applied to the Department of Water Resources to ADD A POINT OF DIVERSION of the waters of a GROUNDWATER source. The right sought to be changed is evidenced by CLAIM NO. 31-04028 and recorded as follows:

CLAIM NO. 31-04028 AMOUNT: .86 CFS

PRIORITY: JUNE 1, 1945

POINT(S) OF DIVERSION: NWSE SEC 5 T 7N R 36E, JEFFERSON COUNTY

The water is used from April 1 to November 1 to irrigate 40 acres (.80 cfs); from January 1 to December 31 for domestic (.04 cfs); from January 1 to December 31 for stockwater (.02 cfs) within the NWSE SEC 5 T 7N R 36E, B.M.

TO BE CHANGED AS FOLLOWS:

The water will be diverted within the NWSE SEC 5 T 7N R 36E, JEFFERSON COUNTY (2 wells) and used within the NWSE SEC 5 T 7N R 36E, B.M.

Any protests against the proposed change must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, ID, 83401, on or before JULY 23, 1990.

R. Keith Higginson
Director

Published in the JEFFERSON STAR on JULY 5 & 12, 1990.

RECEIVED
JUL 11 1990

1990

S T E O F I D A H O

DEPARTMENT OF WATER RESOURCES
Eastern Region

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

AUGUST 27, 1979

OLEY D. DAVIES
HAMER

ID 83425

RE: Claim No. 31-4028

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

RONALD D. CARLSON
Eastern Region Supervisor

Enclosure

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

AUGUST 3, 1979

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 AUGUST 27, 1979.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

31-4028-

DAVIES, OLEY D.

HAMER, ID 83425

Source: GROUNDWATER

Priority Date: 06/01/1945

Amount: 0.86 CFS

Diversion Point: NWSE Sec 05 T 07N R 36E, JEFFERSON Co.

Use: IRRIGATION	(0.80 CFS)	from 04/01 to 11/01
DOMESTIC	(0.04 CFS)	from 01/01 to 12/31
STOCKWATER	(0.02 CFS)	from 01/01 to 12/31

Place of Use: NWSE Sec 05 T 07N R 36E FOR 40 ACRES

Diversion Means: WELL, PUMP & PIPELINE

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho 83401.

C. STEPHEN ALLRED

Director

Published 8/9 & 8/16/79.

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: ARK

Right Number

31 4028

Applicant

Oliver D. Daniels

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By

Ernest Calawa

Date

8/29/79

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By

Jim

Date

9/10/79