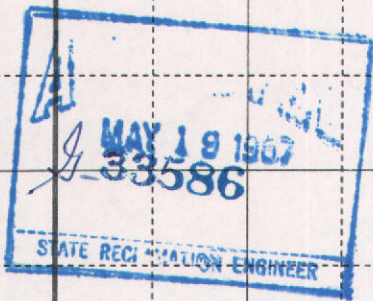


Rge. 37 E.B.M.

Twp. 7N.

P.D.

P.D.



RECEIVED

APR 4 1973

Department of Water Administration
Eastern District Office

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

30th day of November, 1972

and the last publication on the

7th day of December, 1972

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 30th

day of March, 1973
(SEAL)

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

My commission expires _____, 19____

Publication Fee: \$ 12.17

MY COMMISSION EXPIRES JULY 15, 1978

NOTICE OF EXISTING
WATER PERMIT

Notice is hereby given that North Highlander Farms, Inc, Box 2909, Idaho Falls, Idaho has received an approved Permit No. 33586/31-2437 issued by the Idaho Department of Water Administration authorizing the diversion of 12.8 cubic feet per

second of water from a ground water source. The priority to be established under this permit is April 28, 1967, and the permit was approved May 19, 1967.

Water is to be diverted by well and pump from a point within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 4, Twp. 7 N, Rge. 37 E, B.M., Jefferson County, to be used for irrigation purposes in all of Sec. 4, Twp. 7 N, Rge. 37 E, B.M.

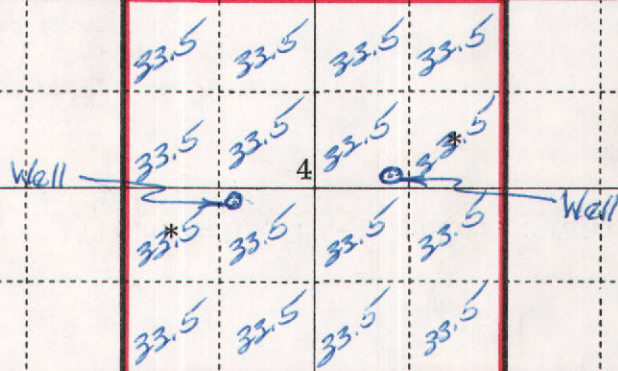
Proof of the application of the water to beneficial use was submitted to the Department on November 7, 1972. Any protest against the issuance of the license for the above referenced permit should be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, within ten (10) days of the last date of publication of this notice

R. KEITH HIGGINSON
Director

Published in The Rigby Star at Rigby, Idaho on November 30, and December 7, 1972.

31 2437

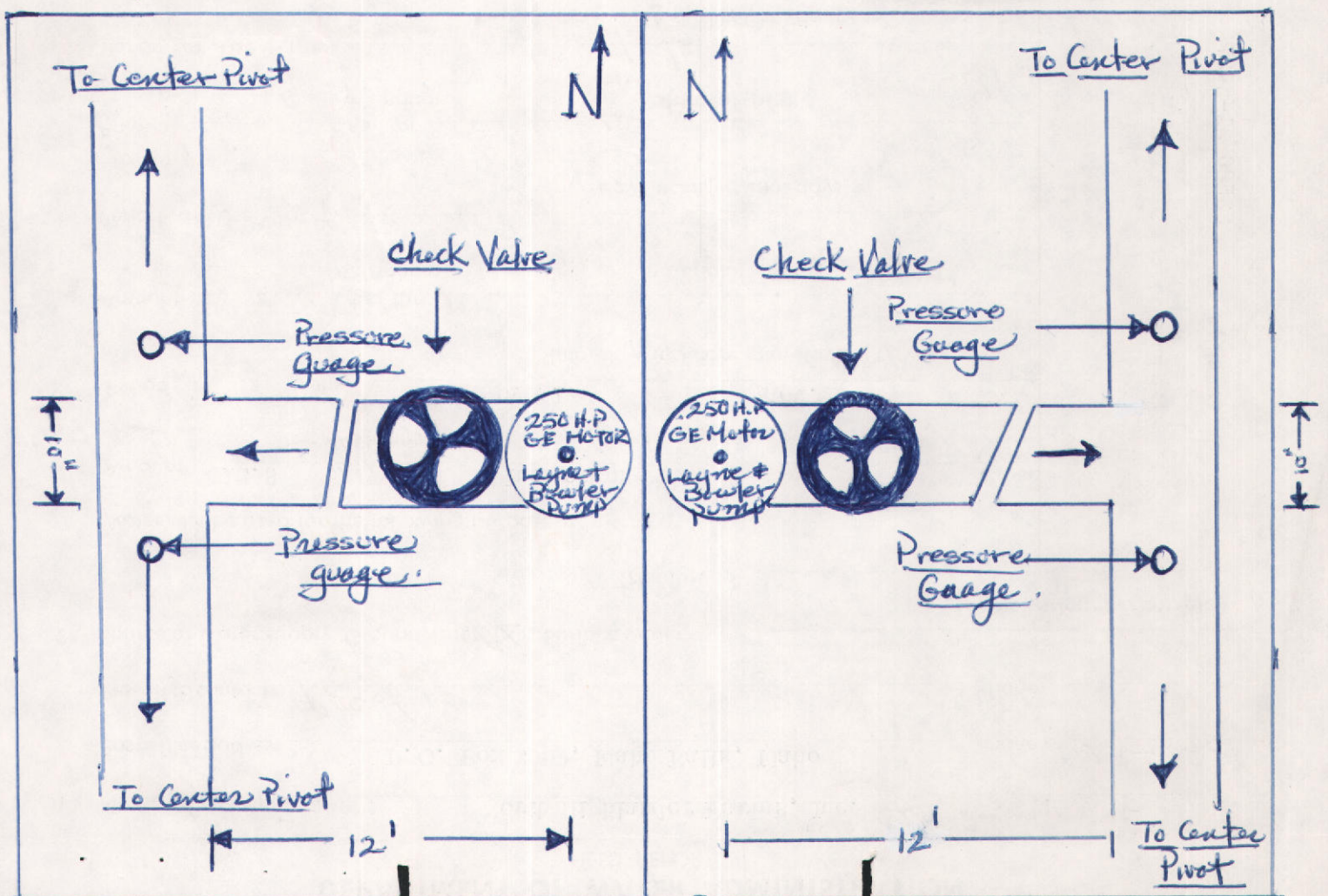
T.
7
N



P.D #1

Diagram of System

P.D #2



ARK 3/15/77

7-37-4
North highlander farms -
Permit no. 33586/31-2437

31-2437

32 | 33
5 | 4

33 | 34
4 | 3

Axis of
Center Pivot

P.D.#2

A178
A291

P.D.#1

Axis of
Center Pivot

Robert Whitaker - Manager.
Residence

4 | 3
9 | 10

MICROFILMED
ARK 3/15/77

4-33586

AFFIDAVIT OF PUBLICATION
The Rigby Star

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

Notice is hereby given that on the 30th day of June 1967, at Idaho Falls County of Bonneville, State of Idaho before Joe Benjamin, Notary Public at 201 S. Boulevard, Idaho Falls, Idaho, proof will be submitted of the completion of works for the diversion of 12.8 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-33586, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is William Anderson Company, P. O. Box 489, Blackfoot, Idaho.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 12.8

cubic feet per second.

3. The use to which said water has been applied is irrigation and stock-water, purposes and the amount applied to beneficial use is 12.8 cubic feet per second.

4. The point of diversion of said water is SE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 4, T. 7 N, R. 37 E, B. M.

5. The place where said water is used is all of Sec. 4, T. 7 N, R. 37 E, B. M.

6. The date of priority which said user is prepared to establish is April 28, 1967.

R. Keith Higginson, State Reclamation Engineer.

Pub.: June 8, 15, 22, 29, 1967

STATE OF IDAHO,

ss.

County of Jefferson

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 supple-

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

8th day of June, 1967
and the last publication on the

29th day of June, 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 24 day of July, 1967

(SEAL)

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

My commission expires _____, 19__

Publication Fee: \$ Pd

MY COMMISSION EXPIRES JULY 15, 1969

RECEIVED
JUL 25 1967

Department of Reclamation

33586

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 31-2437 Priority April 28, 1967 Amount 9.09 cfs

THIS IS TO CERTIFY, that NORTH HIGHLANDER FARMS, INC.
of Idaho Falls, Idaho, has complied with the terms and conditions of Permit
No. 31-2437 issued pursuant to Application for Permit dated April 28, 1967,
and has submitted proof to the Department of Water Resources on November 7, 1972,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 9.09 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>March 15</u> to <u>November 15</u>	at <u>9.09</u> cfs and	<u>1632</u> acre feet
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 9.09 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1632 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 4,
Twp. 7N, Rge. 37E, B.M. in the County of Jefferson

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 $\frac{1}{4}$	
7N	37E	4	34	34	34	34	34	34	34	34	34	34	34	34	34	34	34	34	544

Total number of acres irrigated 544

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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 29 day of
May, 19 79.

Director

LICENSING AMENDMENT

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use.

MAY 14 1979

Department of Water Resources

Comes now North Highlander Farms, Inc.of (address) P.O. Box 2909, Idaho Falls, Idaho, and represents to the
Director of the Idaho Department of Water Resources:That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho
No. 31-2437, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SW 1/4 NE 1/4, Section 4, Township 7N, Range 37E, B.M.,
County of Jefferson. Other points of diversion: NE 1/4 SW 1/4, Sec. 4, Twp. 7N,
Rge. 37E, B. M.

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

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated:

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	37E	4	34	34	34	34	34	34	34	34	34	34	34	34	34	34	34	34	544

Total number of acres to be irrigated = 544

4. a. Who owns the property at the point of diversion? NHF Inc
b. Who owns the land to be irrigated or the place of use? NHF Inc
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the
applicant to make this filing: _____

Show 40-acre subdivisions, townships, ranges and ditches.

Twp. 7N

RGE. 37E

34 34 34 34

34 34 34 34

34 34 34 34

34 34 34 34

4 • well

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

Signed at Idaho Falls, Idaho, this 8 day of May, 19 79.

of May, 1979.
R. W. Bennett
 (Signature)

North Highlander

Preliminary check by FAPS/G Fee = \$20.00 92-185

Received by TR Date 5/14/79

Publication prepared by N/A Date N/A

Published in N/A

Publication dates	N/A
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#13,336

I, C. Stephen Allred, Director of the Department of Water Resources hereby

approve the above application for amendment for Permit No. 31-2437.

Witness my hand this 29 day of

1979
Director

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION
OF THE
STATE OF IDAHO

In The Matter of Extending the Proof Due Date)
under Permit No. 33586/31-2437 in the name)
of WILLIAM ANDERSON COMPANY)

ORDER

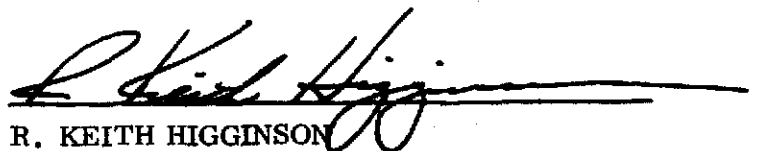
WHEREAS, on April 28, 1967, William Anderson Company applied to the Department of Water Administration (formerly the Department of Reclamation) for a permit to appropriate 12.8 cubic feet per second of water from a ground water source within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 4, Twp. 7 N, Rge. 37 E, B.M., Jefferson County, to be used for irrigation and stockwatering purposes; and,

WHEREAS, on May 19, 1967, the Department approved said application and issued Permit No. 33586/31-2437 with the condition that the whole of said work be completed and proof of application of water to beneficial use be submitted to the Department on or before May 19, 1972; and,

WHEREAS, notice was not given to the permit holder 60 days prior to the date that proof of beneficial use of water was due, as required by Section 42-204 of the Idaho Code;

IT IS, THEREFORE, HEREBY ORDERED that the time within which to submit proof of beneficial use of water under Permit No. 33586/31-2437 be extended to November 8, 1972.

Dated this 7 day of September, 1972.


R. KEITH HIGGINSON
Director

31 2437

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 33586/31-2437)
in the name of WILLIAM ANDERSON COMPANY)

ORDER MODIFYING REQUIREMENTS
FOR COMPLETION OF PERMIT TO
APPROPRIATE WATER

WHEREAS, the 39th Idaho Legislature made certain amendments to the Idaho Water Law; and,

WHEREAS, these changes raised questions as to the procedures to be followed by holders of permits issued prior to the effective date of the amendments, May 31, 1967; and,

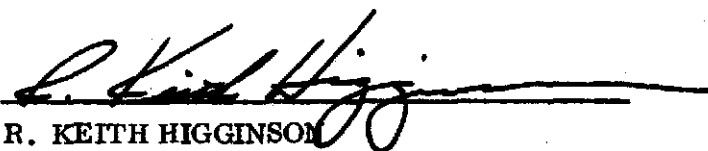
WHEREAS, on August 1, 1968, the Department of Water Administration (formerly the Department of Reclamation) adopted Rules of Practice and Procedure for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. 33586/31-2437 was issued previous to that date;

NOW THEREFORE, the requirements for completion of the above numbered permit are hereby modified to conform to the adopted Rules of Practice and Procedure as follows:

1. The above numbered permit will be completed under the terms of Title 42, Chapter 2, Idaho Code, as amended by the 39th Idaho Legislature.
2. The conditions of the above numbered permit are modified as follows:
 - a. Notice of the issuance of the permit will be published at the permit holders expense for two weekly issues in a newspaper of general circulation in the county in which the point of diversion lies.

Dated this 7 day of September, 1972.


R. KEITH HIGGINSON
Director

31 2437

State of Idaho

Department of Water Administration

NOV 7 1972

ASSIGNMENT OF PERMIT

Department of Water Administration
Eastern District Office

I, WILLIAM ANDERSON COMPANY, hereby assign to NORTH HIGHLANDER FARMS, Inc.,

of Box 2909 Idaho Falls, Idaho 83401,

Address

CHECK ONE

☒ All my right, title, and interest, in and to Permit No. G-33586/31-2437 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. (Describe that portion of the permit being assigned by listing the acreage within each 40-acre subdivision, the point of diversion and the amount of water in cubic feet per second for direct diversion, or acre feet for storage.)

Made this 7th day of November, 19 72

R. W. Berrett
William Anderson Company

Permit Holder

By: R. W. Berrett Pro

Spouse of Permit Holder

State of Idaho)
County of Bonneville) ss.

On this 7th day of November, 19 72, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Norman C. Young
Notary Public residing at

1909 Everest, Idaho Falls, Idaho

My commission expires: 6/10/75

31 2437

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

ASSIGNED TO:

North Highlander Farms, Inc.
Box 2909
Idaho Falls, Idaho 83401

Application No. G- 41837
Permit No. G- 33586
District No.

1. Name of Applicant: William Anderson Company
Postoffice address: P.O. Box 489 County: Bingham State: Idaho
Blackfoot
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second 12.8 or Idaho 640
Miners' inches or gallons per minute
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the SE NE
NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 4
Twp. 7 N , Rge. 37 E , B.M., County of Jefferson
5. Water is to be used for: irrigation and stockwater
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Drilled wells, sprinkler system
8. Estimated cost of works: \$ Installed
9. (a) Is reservoir to be used?
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is
years. 5
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: none
 - (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) 640 ~~(cubic feet per second, inches or gallons per minute)~~ is for new lands.

Remarks:

Idaho as herein set forth.

/s/ WILLIAM ANDERSON COMPANY

By

Date of first receipt at Department of Reclamation:

Returned to applicant for correction:

Correction application received:

Approval of State Reclamation Engineer

The number of this permit is G- 33586

Recorded in Book 117 Page 33586 Approved May 19, 1967

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before _____ and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before November 19, 1969

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before May 19, 1972

Witness my hand this 19th day of May, 1967.

/s/ R. KEITH HIGGINSON
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, DON SAMUELSON, Governor of the State of Idaho,
and PETE T. CENARRUSA, Secretary of State of the State of Idaho, have caused this instrument
to be executed in the named of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this
19th day of May, 19 67

Countersigned:

STATE OF IDAHO

(SEAL)

By /s/ DON SAMUELSON Governor

By /s/ PETE T. CENARRUSA
Secretary of State

12.

[illegible]

Address all communications to:

Same

P. O.

APPLICATION FOR PERMIT

TO APPROPRIATE THE SUBTERRANEAN WATERS OF THE STATE OF IDAHO

Application No. G

41837

Permit No. G

33586

Water District No.

RECEIVED

APR 28 1967

11:30 A.M.

Department of Reclamation

1. Name of applicant:

William Anderson Company

Post office address

P.O. Box 489
Blackfoot

County

Bingham

State

Idaho

2. Quantity of water claimed:

640 miners inches

12.8 cfs

3. Source of water supply:

Subterranean

4. Location of point of diversion or well is in the

SE
NW

NE
SW

1/4 of the

1/4 of Section

4

Twp.

7N.

Rge.

37E

B.M., County of

Jefferson

5. Water is to be used for:

Irrigation - Stockwater

6. If for domestic, municipal, industrial or recreational purposes give:

(a) Point of use of water is in the

1/4 of the

1/4 of Section

Twp.

Rge.

B.M.

(b) Waste water or sewage effluent is to be returned to

at a point in the

1/4 of the

1/4 of Section

Twp.

Rge.

B.M.

7. Kind of Works:

Drilled wells - sprinkler system

8. Estimated cost of works: \$

Installed

9. (a) Is reservoir to be used?

(b) Capacity of reservoir:

10. The time required for the completion of such work and complete application of the water to the proposed use is,

5

years.

11. If applicant is a corporation, give:

I. (a) Date and place of incorporation:

(b) Amount of capital stock \$

(c) Amount paid in: \$

(d) Names and addresses of directors:

33586 tw

(Continued)

II. The financial resources of the applicant are: (a) Cash on hand; \$_____

(b) Treasury stock:_____ (c) Bonds to be issued:_____

(d) Other resources: _____

12. The land to be irrigated is described in the following tabulation:

(Give irrigable acreage in each 40-acre subdivision)

[illegible]

13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None v

(a) _____ (Cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.

(b) 640 (~~cubic feet per second, inches or gallons per minute~~) is for new lands.

33586

Remarks:

P.D. SE⁴NE⁴ for use on E $\frac{1}{2}$ Section 4
P.D. NW⁴SW⁴ for use on W $\frac{1}{2}$ Section 4

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.

William Anderson Co.
Applicant

By W. J. Anderson, Agent

Approval of State Reclamation Engineer

The number of this permit is G 33586

Recorded in Book 117 Page 33586 Approved MAY 19 1967

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed before _____

One-fifth of the work above specified to be completed on or before November 19, 1969

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before May 19, 1972

Witness my hand this 19th day of May, 19 67

R. Keith Higgins
State Reclamation Engineer

IN TESTIMONY WHEREOF, We DON SAMUELSON, Governor of the State of Idaho,

and PETE T. CENARRUSA, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be

hereunto affixed, this 19th day of May, 19 67

Countersigned:

STATE OF IDAHO

By

Pete T. Cenarrusa
Secretary of State

By

Don Samuelson
Governor

No. G 33586

PERMIT

Date of first receipt at office of State
Reclamation Engineer

April 28, 1967 11:30 A.M.

Returned to applicant for correction

Corrected application received

Fees, \$ 8.00

FILING FEES FOR USE PERMIT:

For the first Sec. Ft. \$5.00

For each additional Sec. Ft. or Fraction

Thereof 25

33586

ACKNOWLEDGEMENT

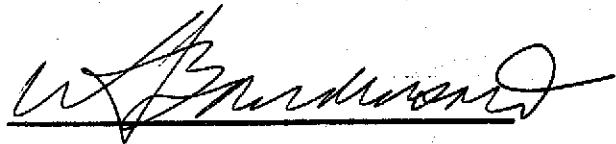
J-33586

Date: Apr. 22-1967

Re: Application No. J-41837

I hereby acknowledge that, even though I was assisted by employees of the Idaho State Department of Reclamation in the preparation of Application No. J-41837, all responsibility with regard to the accuracy and completeness of the information contained therein rests with me.

Signed:



Applicant

33586 *DLH*

NAME OF APPLICANT

William Anderson Co.

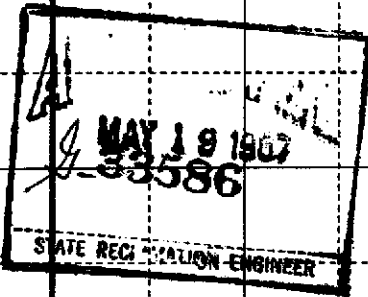
Form No. 0

Rge. 37 E.B.M.

Twp. 7N.

P.D.

P.D.



RECEIVED

APR 4 1973

Department of Water Administration
Eastern District Office

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 ~~the~~ Consecutive issues thereof; first publication having been made on the

30th day of November, 1972

and the last publication on the

1st day of December, 1972

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 30th

day of
(SEAL)

March, 1973

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

My commission expires _____, 19____

Publication Fee \$ 15.77

MY COMMISSION EXPIRES JULY 15, 1978

WATER PERMIT
Notice is hereby given that North Highlander Farms, Inc., Box 2909, Idaho Falls, Idaho, has received an approved Permit No. 33536/31-2437 issued by the Idaho Department of Water Administration authorizing the diversion of 42.8 cubic feet per

second of water from a ground water source. The priority to be established under this permit is April 20, 1967, and the permit was approved May 19, 1967.

Water is to be diverted by well and pump from a point within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 4, Twp. 7 N, Rge. 37 E, B.M., Jefferson County, to be used for irrigation purposes in all of Sec. 4, Twp. 7 N, Rge. 37 E, B.M.

Proof of the application of water to beneficial use was submitted to the Department on November 7, 1972. Any protest against the issuance of the license for the aforesaid permit should be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, within ten (10) days of the last date of publication of this notice.

R. KIEITH HIGGINSON
Director

Published in The Rigby Star at
Rigby, Idaho, November 30, and

31 2437

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Statehouse
Boise, Idaho 83720

RECEIVED

JUN 7 1979

Department of Water Resources

PRECORRIED
FIRST-CLASS

Rt 1 Box 119
ID FALLS

North Highlander Farms, Inc.
P.O. Box 2909
Idaho Falls, ID 83401



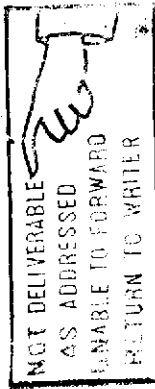
NOT DELIVERABLE
AS ADDRESSED
UNABLE TO FORWARD
RETURN TO WRITER



NOT DELIVERABLE
AS ADDRESSED
UNABLE TO FORWARD
RETURN TO WRITER



NOT DELIVERABLE
AS ADDRESSED
UNABLE TO FORWARD
RETURN TO WRITER



May 30, 1979

Re: Permit No. 31-2437

North Highlander Farms, Inc.
P.O. Box 2909
Idaho Falls, ID 83401

Gentlemen:

Enclosed herewith is a copy of the water right license issued on the above referenced permit.

Also enclosed is a copy of the approved application for amendment for this permit along with Receipt No. 13336 for \$20.00.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG:j
Enclosures

MICROFILMED



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

May 4, 1979

Re: Permit No. 31-2437

North Highlander Farms, Inc.
P.O. Box 2909
Idaho Falls, Idaho 83401

Gentlemen:

A representative of this Department made an examination of the works covered by your Permit No. 31-2437 on July 12, 1977, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 9.09 Source: groundwater

The maximum quantity diverted shall not exceed 1632 acre feet
per year.

Point of diversion: SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 4, Twp. 7N, Rge. 37E, B. M.

Beneficial use: Irrigation of 544 acres within the NE $\frac{1}{4}$, NW $\frac{1}{4}$, SW $\frac{1}{4}$,
SE $\frac{1}{4}$, Sec. 4, Twp. 7N, Rge. 37E, B. M.

Priority date established: April 28, 1967

In order for the Department to issue the above license, it will be necessary for you to amend the permit to correspond with the findings of the field examiner. We are enclosing a partially completed amendment form for your use in this matter.

Please sign the amendment application and return it to this office along with a \$20.00 filing fee within 30 days in order that we might issue your license as set forth above. If you do not concur with these findings or have any questions, please contact us within the 30-day period.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG/kw
Enclosure

MICROFILMED

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

1. Name of permit holder North Highlander Farms, Inc.
Post office address P.O. Box 2909, Idaho Falls, Idaho Phone 513-3230
Person to contact _____ Phone _____

2. Source of water supply: Groundwater ☒ Surface water ☐ _____
(name spring, stream, etc.)
Tributary to _____

3. Water will be used for the following purposes:

Amount 12.8 c.f.s. for Irrigation
_____ AF/Annum (nature of use)

Period of Use: from April 1 to Nov. 1
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

Permit No. 33586/31-2437
Examination for b/u

4. Total amount to be appropriated:

Max Rate of Diversion 12.8 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 7 N N/S, Range 37 E E/W, B.M., Section 4, Subdivision SE $\frac{1}{4}$ NE $\frac{1}{4}$, Jefferson
County

Township _____ N/S, Range _____ E/W, B.M., Section 4, Subdivision NW $\frac{1}{4}$ SW $\frac{1}{4}$, _____
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____
County

Other Points of Diversions: _____

Description of diverting works: 18" dia. wells, 250-hp motors, 3 raincoat & 1 lockwood circular sprinklers

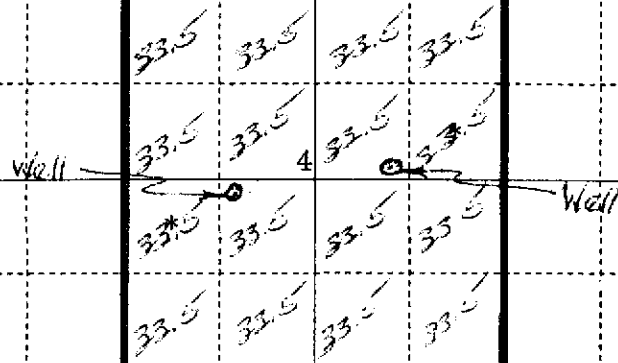
Measuring device required: yes ☐ no ☒

6. Lands to be 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 $\frac{1}{4}$	
7 N	37 E	4	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	640

TOTAL ACREAGE 640

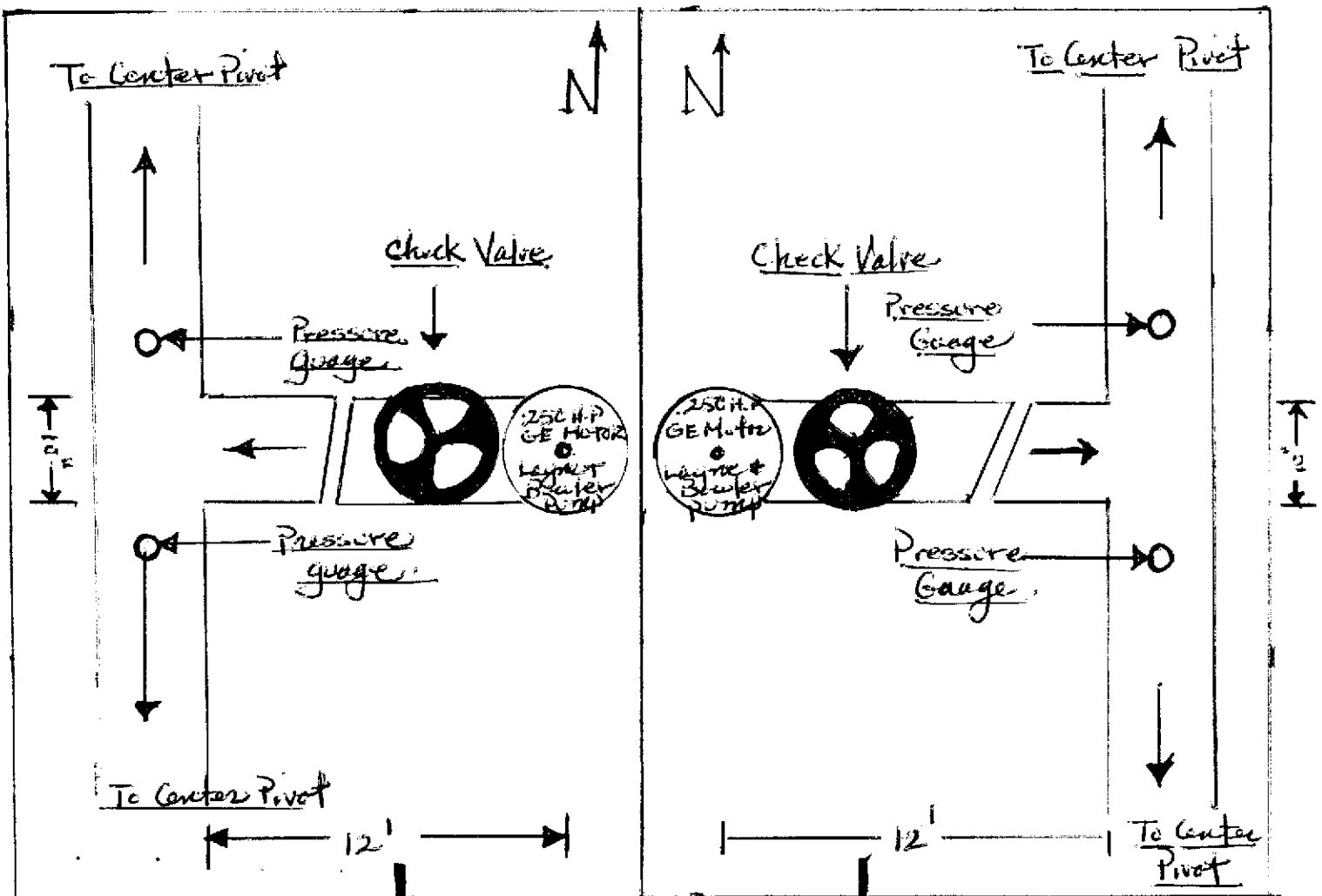
T.
7
N



P.D #1

Diagram of System

P.D #2



ARK 3/15/77

DATE OF EXAM 7/2/77
ACREAGE Found 536 ac ⁵⁴⁴ Rounded up
Recommended 536 ac to nearest whole # (34 ac) 544
Irrigation Requirement 3.0 Ac Ft/Ac

USE
Irrigation Q = 9.09 c.f.s. V = 1608 ¹⁶³² AF/Ann. from April 1 to Nov. 1
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no X

Name source: n/a
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no X

Name source exchanged with: n/a
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection: n/a
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange: n/a
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured 9.09 cfs Method of measurement In Line Meter
Total Q recommended 9.09 cfs Meter No. 755397 Type Mesa Rate a Flow Condition good
Total V recommended 1608 AF/Ann
544 X 3 = 1632

Recommended Amendments:

P.D. Two points of diversion should be changed to Sec 1/4 of NE 1/4 & NE 1/4 of Sec 1/4 sec 4.
Place of Use _____
Other _____
None _____

MEASUREMENT CALCULATION:
Well #2 - measured 1936 gpm, 1 cfs = 448.8 gpm, $1936 \div 448.8 = 4.31$ cfs
Well #1 measured 2143 gpm, 1 cfs = 448.8 gpm, $2143 \div 448.8 = 4.78$ cfs
 $V = 3.0 \times 536 = 1608$ AF/Ann $\leftarrow 215 \times 1.9835 \times 9.09 = 3876.75$ AF/Ann
ARK 7/21/77

SYSTEM DESCRIPTION: Well #1 (S 1/4 NE 1/4) 250 H.P. G.E. Motor, 3 phase, M/N - 5K6286XC69A
S/N - AAJ127102 with a Layne & Bowler pump 2400 gpm, 330 ft 1770 RPM.
M/N - 14RMH S/N - D9697 connected to 10" buried main running N-S to
2 center pivot irrigation systems 1 Lockwood, 1 unidentified Well #2
(NE 1/4 of the Sec 1/4) 250 H.P. G.E. Motor, 3 phase S/N - CBJ323162 with a
Layne & Bowler pump 2400 gpm, 351 ft at 1770 RPM m/n - 14RMH
S/N D9696 connected to 10" buried main running N-S to 1 Lockwood
REMARKS: and 1 unidentified center pivot sprinkler

System Described by: Robert Whitaker - Manager

Total watering radius on each center pivot - 1380 ft. Each pivot has a Nelson endgun

Examiner's Signature Anthony R. Kozlowski Date 7/2/77
Checked by Ernest M. Carlson Date 1-10-78
Approved by _____ Date _____

7-37-4
North highlander farms
Permit no. 33586/31-2487

31-2487

32/33
5/4

33/34
4/3

Axis of
Center Pivot

PD #2

A178
A291

PD #1

Axis of
Center Pivot

☐ Robert Whitaker - Manager.
Residence

4/3
9/10

MICROFILMED
ARK 3/15/77

CONVERSATION MEMORANDUM

DATE 7/1/77FILE Basin 31NAME OF PARTY Russ BerretEMPLOYEE ARKRE: 31-2437

Russ Berret visited the office today concerning a letter sent to him on June 16, 1977, requesting he install a measuring device or submit a Q measurement taken by a licensed engineer. He seemed to be very concerned about this matter. We discussed alternatives available to procure a valid measurement. He assured me prompt action would be taken.

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

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

C. Stephen Allred
Director

June 16, 1977

RE: Permit No. 31-2473

Mr. Robert Whitaker, Manager
North Highlander Farms, Inc.
P.O. Box 2909
Idaho Falls, ID 83401

Dear Mr. Whitaker:

Recently, I attempted to complete a water right field examination for the licensing of your Permit No. 31-2173. Unfortunately, I was unable to issue you a license for the appropriation of irrigation water from your wells as I was unable to measure the rate of flow of your irrigation system.

In general, many irrigation systems can be measured by determining nozzle pressure, diameter, and subsequently gallons per minute per nozzle. In order for one to measure center pivot sprinklers by this method, it would be necessary to climb atop a moving circle and measure each nozzle. As their diameters are not uniform but highly variable, increasing in size as their distance from the axis of the pivot increases, it becomes obvious that an alternative method of measurement is necessary.

Although a measuring device is not required as a condition of approval for your permit, I am requesting that you install an approved measuring device on each of the two wells in question so that I can bring your permit to license.

Another alternative would be to have a certified engineer measure the rate of flow from each well and have him submit his findings to the Department. We will consider this to be a valid and acceptable alternative.

As we have held your exam in our files for several years, we would greatly appreciate your cooperation in this matter. If we are unable to obtain a valid measurement by August 1, 1977, I will forward your partially completed exam to the State Office with a recommendation to cancel your permit. If you have any questions concerning this matter, please feel free to contact me at this office.

Very truly yours,

ANTHONY R. KOZLOWSKI
Water Resource Agent

MICROFILMED

ARK:me

April 16, 1973

Re: Permit No. 33586/31-2437

**North Highlander Farms, Inc.
P.O. Box 2909
Idaho Falls, Idaho 83401**

Gentlemen:

We acknowledge receipt of the affidavit of publication submitted in connection with the above referenced permit.

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

If you have any questions regarding the field exam, please contact our District Office at 240 South Holmes, Idaho Falls, Idaho.

Sincerely,

**BOBBY D. FLEENOR
Assistant Director**

BDF:DR

March 16, 1973

Re: Permit No. 33586/31-2437

North Highlander Farms, Inc.
P.O. Box 2909
Idaho Falls, Idaho 83401

Gentlemen:

As of this date, we have not yet received the affidavit of publication to be submitted in connection with the above referenced permit. The legal notice was to have been published in the Rigby Star at Rigby, Idaho, on November 30 and December 7, 1972.

Please submit the affidavit as soon as possible in order to keep your permit in good standing.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

31 2437

November 21, 1972

Re: Permit No. 33586/31-2437

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

Gentlemen:

Enclosed is a legal notice which we wish to have published for two consecutive weekly issues of your newspaper. We have inserted the publication dates, allowing time for you to submit to us a galley proof for our 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 cannot publish the notice on the proposed dates, please contact this office immediately.

The expense of the publication is to be paid by: North Highlander Farms, Inc.
Box 2909
Idaho Falls, Idaho 83401

to whom you should furnish an affidavit of publication.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enc: Legal notice

31 2437

November 21, 1972

Re: Permit No. 33586/31-2437

North Highlander Farms, Inc.
Box 2909
Idaho Falls, Idaho 83401

Gentlemen:

We acknowledge receipt of the affidavit submitted as proof of beneficial use and also the assignment conveying the above referenced permit. The assignment has been recorded and the Department's records changed accordingly.

Notice of this permit is to be published in the Rigby Star at Rigby, Idaho, on November 30 and December 7, 1972. We have on this day sent the legal notice to the newspaper and requested that they bill you direct and furnish you with the affidavit of publication.

Upon receipt of the affidavit of publication, please forward it to this office in order that we may schedule the field examination which must be completed prior to issuing a water license.

If you have any questions regarding the above matters, please let me know.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

31 2437

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

RECEIVED

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

NOV 7 1972 *ok*

Department of Water Administration
Eastern District Office

1. a) Name of Permit Holder North Highlander Farms, Inc.
b) Post Office Address Box 2909, Idaho Falls, Idaho
2. Permit Number G-33586/31-2437
3. Date of Priority that you are prepared to establish April 28, 1967
4. a) Source from which water was appropriated Ground Water
b) Location of the point of diversion: SE 1/4 NE 1/4, Section 4
Township 7N, Range 37E, Boise Meridian, Other points of diversion:
NW 1/4 SW 1/4, Sec. 4, T. 7N, R. 37E, B.M.
5. a) The amount of water and use to which the water has been applied:
amount 12.8 for irrigation purposes from Apr. 1 to Nov. 1 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 12.8 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: Based upon pressure orifice size relationships
from four circular systems Mel Brown Co.
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: N.A.
b) Describe the agreement or understanding by which you take water from the works: N.A.
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) 18" diameter wells X 125 ft.
250 HP electric motors on deep well turbine pumps, 3 raincat and 1 lockwood
circular sprinklers
b) Describe the type and size of measuring device which you have installed at your point of diversion: NONE
c) Give well drillers name and address and date the well was completed R. P. Cope 1963

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use N.A.

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7N	37E	4	35	35	35	35	35	35	35	35	35	35	35	35	35	35	35	35	560

Total number of acres irrigated 560

10. Remarks:

The above information is a true statement of the extent to which the above numbered permit has been developed.

11/7/72
(Date)

R. W. Berrett
North Highlander Farms, Inc.
(Signature)
By: R. W. Berrett, President

State of Idaho)
County of Bonneville) ss.

On this 7th day of November, 19 72, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Norman C. Young
Notary Public residing at 1909 Everest, Idaho
Falls, Idaho 83401

My commission expires 6/10/75

October 5, 1972

Re: Permit No. 33586/31-2437
William Anderson Company

Mr. R. W. Berrett
North Highlander Farms, Inc.
Box 2909
Idaho Falls, Idaho 83401

Dear Mr. Berrett:

On September 18, 1972, we received the advertising authorization for the above referenced permit signed by Mr. A. G. Stanger. Please be advised that we will withhold the publishing of the notice until proof of beneficial use has been made. We wish to remind you that proof of beneficial use of water is due under this permit on or before November 8, 1972.

We are enclosing the Department's 'assignment of permit' form in the event that William Anderson Company wishes to assign the above referenced permit to North Highlander Farms, Inc. We have also enclosed a proof affidavit for your convenience.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enc: Assignment form
b/u form

31 2437



RECEIVED

SEP 15 1972

Department of Water Administration

BONDED PRODUCE & SUPPLY COMPANY

IDAHO POTATOES

P. O. BOX 2909, IDAHO FALLS, IDAHO 83401

LD (208) 522-2343

LOCAL 523-0310

September 15, 1972

Mr. R. Keith Higginson
c/o State of Idaho
Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

Dear Mr. Higginson:

Attached is the "Notice of Existing Water Permit" and wish to advise that this property for this water now belongs to the North Highlander Farms, Inc. in charge of R. W. Berrett. The approval permit is #33586/31-2437.

Mr. Berrett and others are so busy trying to get their crops in at the present time that it is doubtful if said forms that were attached to the letter of William Anderson can be filled out and returned to you before the end of the month.

Please advise if this will meet with your approval. In other words, we want you to know that we will cooperate in any way possible that will be helpful to you and, at the same time, do the things that we should do in compliance with the request from your department.

If there is anything else that should be done immediately, would you kindly let Mr. Berrett know by letter. Please send it to Box 2909, Idaho Falls, Idaho 83401.

Very truly yours,

NORTH HIGHLANDER FARMS, INC.

A. G. Stanger

31 2437

AGS:js

31 2437



HOUSE OF QUALITY

IDAHO FAMOUS POTATOES



NOTICE OF EXISTING WATER PERMIT

RECEIVED

Notice is hereby given that William Anderson Company, P.O. Box 489,

Blackfoot, Idaho,

has received an approved Permit No. 33586/31-2437

issued by the Idaho Department of Water Administration authorizing the diversion ~~amount~~ of 12.8 cubic feet per second ~~amount~~ of water from a ground water source.

The priority to be established under this permit is April 28, 1967,

and the permit was approved May 19, 1967.

Water is to be diverted by well & pump

from a point within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 4, Twp. 7 N, Rgs. 37 E,

B.M., Jefferson County,

to be used for irrigation and stockwatering purposes

~~amount~~ in all of Sec. 4, Twp. 7 N, Rgs. 37 E, B.M.

Proof of the application of the water to beneficial use was is to be submitted to the Department on or before _____. Any protest against the issuance of the license for the above referenced permit should be filed with the Idaho Dept. of Water Administration, Statehouse, Boise, Idaho, 83707, within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON

Director

Published in the Rigby Star, Rigby, Idaho

on 11-30-72 and 12-7-72.

Permit No. 33586/31-2437

Director:

You are hereby authorized to have the above notice published at my expense in the Rigby Star of Rigby, Idaho; published in the county in which the works are situated.

(Signature)

(Date)

(Address)

31 2437

Bof 2909 - Idaho Falls Idaho
83404

SENDER: Be sure to follow instructions on other side.

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

(Additional charges required for these services)

☐

Show to whom, date and address
where delivered

☐

Deliver **ONLY**
to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

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

CERTIFIED NO.

①

Raymond R. M... Jr & Co

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

②

DATE DELIVERED



SHOW WHERE DELIVERED *(Only if requested, and include ZIP Code)*

③

31 2437

U.S. POSTAL SERVICE
OFFICIAL BUSINESS

PS Form 3811 Nov. 1970

31 2437



Postmark of Delivering Office

SENDER INSTRUCTIONS

Print in the space below your name, address, including ZIP Code.
• If special services are desired, check block(s) on other side.
• Moisten gummed ends and attach to back of article.

RETURN
TO



September 7, 1972

CERTIFIED MAIL

23973

Re: Permit No. 33586/31-2437

C
O
P
Y
William Anderson Company
P.O. Box 489
Blackfoot, Idaho 83221

Gentlemen:

One of the conditions of approval of your water Permit No. 33586/31-2437 is that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before November 8, 1972. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204 of the Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.



R. KEITH HIGGINSON
Director

Resent 9-12-72
23975

RKH:DR
Enc: Proof affidavit

31 2437

September 7, 1972

Re: Permit No. 33586 (New No. 31-2437)

C
O
P
Y

William Anderson Company
P.O. Box 489
Blackfoot, Idaho 83221

Gentlemen:

During the 1967 session of the Idaho Legislature, certain amendments were made in the law pertaining to the procedures for making proof of beneficial use of water. In order for the Department to comply with these changes, Rules of Practice and Procedure were adopted on August 1, 1968. Generally, these procedures and the amended law make it simpler for a permit holder to make proof of beneficial use.

The enclosed order modifies the above referenced permit to comply with these rules and regulations. As a part of the new procedure, you will be required to publish a notice at your expense for two consecutive weeks in a newspaper as prescribed by the Department. If you will complete and return the enclosed advertising authorization, we will cause the notice to be published.

Enclosed you will find an order which extends the time within which to submit proof of beneficial use of water. Also enclosed is a proof due notice along with a proof affidavit for your use in submitting the required proof of beneficial use.

If you have any questions regarding the above matters, please contact us.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enc: Orders (2)
Advertising authorization
Proof due notice w/affidavit

bc: Eastern District Office
Enc: Copies of orders

31 2437

September 5, 1967

Re: Permit G-33586

Fred J. Hahn
Holden, Holden, & Kidwell
Idaho First National Bank Building
P. O. Box 1059
Idaho Falls, Idaho 83401

Dear Mr. Hahn:

Pursuant to your request, the notice of intent to make proof under the above referenced permit has been withdrawn. Proof under this permit is due on or before May 19, 1972.

Very truly yours,

Donald W. McElowney
Water Rights Clerk

DWM:KS

33586

WILLIAM S. HOLDEN
ROBERT B. HOLDEN
R. VERN KIDWELL
BLAINE S. BUTLER
FRED J. HAHN
TERRY L. CRAPO
C. TIMOTHY HOPKINS
OF COUNSEL
ARTHUR W. HOLDEN

LAW OFFICES
HOLDEN, HOLDEN & KIDWELL
IDAHO FIRST NATIONAL BANK BUILDING
P. O. BOX 1059
IDAHO FALLS, IDAHO 83401
TELEPHONE 523-0620
AREA CODE 208

RECEIVED
SEP 1 1967
REED A. WILLIAMS (1923-1962)
HOWARD R. STEVENSON (1915-1961)
Department of Reclamation

August 31, 1967

Mr. R. Keith Higginson
Idaho Department of Reclamation
Statehouse
Boise, Idaho

Re: William Anderson Company
Permit #G 33586

Dear Mr. Higginson:

The secretary of the William Anderson Company directed the depositions of witnesses as well as correspondence of the Idaho Land and Appraisal Service to our attention requesting that we assist in the Completion of Proof by a September 8th deadline.

Mr. William Anderson the knowledgeable representative of the William Anderson Company is out-of-the state and accordingly we have determined to request the withdrawal of Proof on the above captioned permit with privilege to refile. It is our understanding that this Proof does not have to be taken until May of 1972 and on this basis it appears to us that in the interest of accuracy it would be well to withhold proof pending the return of Mr. Anderson.

In the event this would be permissible, we would appreciate advice accordingly.

Very truly yours,

HOLDEN, HOLDEN & KIDWELL

By

Fred J. Hahn

phj

*Will withdraw
proof 9-1-67
Done
5-19-72*

33586

August 9, 1967

Re: Permit No. G-33586

W. B. Anderson
William Anderson Company
P. O. Box 489
Blackfoot, Idaho 83401

Dear Mr. Anderson:

The depositions for the above referenced permit were to be made June 30, 1967, and have not been received. On July 25, 1967, we received the affidavit of publication from the newspaper; however, until you send the depositions to our department, we cannot proceed with examining and licensing this permit.

If you do not intend to submit the proof at this time, please send us a formal withdrawal of your proof.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:dj

33586

4-33586

AFFIDAVIT OF PUBLICATION
The Rigby Star

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

Notice is hereby given that on the 30th day of June 1967, at Idaho Falls County of Benneville, State of Idaho before Joe Benjamin, Notary Public at 201 So. Boulevard, Idaho Falls, Idaho, proof will be submitted of the completion of works for the diversion of 12.8 cubic feet per second of underground water from a well, and of the application of said water to the beneficial use of said water, in accordance with the terms and conditions of Permit No. G-33586, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is William Anderson Company, P. O. Box 489, Blackfoot, Idaho.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are conveying to the beneficial use of said water is 12.8 cubic feet per second.

3. The point of diversion of said water is at the NE 1/4 NW 1/4, Sec. 4, T. 7 N, R. 37 E, B. M.

4. The place where said water is used is at Sec. 4, T. 7 N, R. 37 E, B. M.

5. The date of priority which said user is prepared to establish is April 23, 1967.

R. Keith Higginson, State Reclamation Engineer.
Pub.: June 8, 15, 22, 29, 1967

STATE OF IDAHO,

ss.

County of Jefferson

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 four consecutive issues thereof; first publication having been made on the

8th day of June, 1967
and the last publication on the

29th day of June, 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 24 day of July, 1967
(SEAL)

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

My commission expires 19_____

Publication Fee: \$ Rd

MY COMMISSION EXPIRES JULY 15, 1967

RECEIVED
JUL 25 1967

Department of Reclamation

33586

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

May 31, 1967

RECEIVED
JUN 2 1967

Department of Reclamation

Re: Permit G-33586

Rigby Star
Rigby, Idaho

Gentlemen:

Enclosed you will find a legal notice which we wish to have published for four consecutive weeks prior to June 30, 1967. The expense of the publication is to be paid by W. B. Anderson of William Anderson Company, P.O. Box 489, Blackfoot, Idaho, to whom you should furnish proof of publication on or prior to the above date.

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

Very truly yours,

A handwritten signature in cursive script, reading "Donald W. McEldowney".
Donald W. McEldowney
Water Rights Clerk

DWM:nw

Received June 1, 1967

*Publication dates will be
June 8-15, 22, 29, 1967*

Thank you

The Rigby Star

33586

May 31, 1967

Re: Permit G-33586

Rigby Star
Rigby, Idaho

Gentlemen:

Enclosed you will find a legal notice which we wish to have published for four consecutive weeks prior to June 30, 1967. The expense of the publication is to be paid by W. B. Anderson of William Anderson Company, P.O. Box 489, Blackfoot, Idaho, to whom you should furnish proof of publication on or prior to the above date.

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

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:nw

33586

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

Notice is hereby given that ~~XX~~ ~~XXX~~ on the 30th day of June
19 67, at Idaho Falls, County of Bonneville, State of Idaho
before Joe Benjamin, Notary Public, at (address) 201 S. Boulevard,
Idaho Falls, Idaho, proof will be submitted of the completion
of works for the diversion of 12.8 cubic feet per second of underground water from a
well, and of the application to beneficial use of said water, in accordance with the
terms and conditions of Permit No. G-33586, heretofore issued by the Department of
Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit
is William Anderson Company, P. O. Box 489, Blackfoot, Idaho

2. Said works of diversion will be fully completed on the date for such completion,
and the amount of water which said works are capable of conveying to the place of
use is 12.8 cubic feet per second.

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

4. The point of diversion of said water is SE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 4, T. 7 N, R. 37 E,
B.M.

5. The place where said water is used is all of Sec. 4, T. 7 N, R. 37 E, B.M.

6. The date of priority which said user is prepared to establish is April 28, 1967

R. KEITH HIGGINSON

State Reclamation Engineer

33586

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) _____

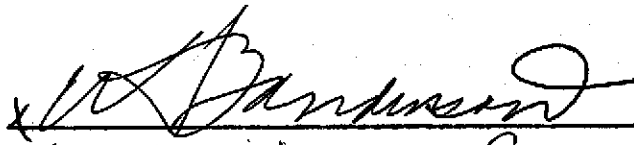
(P. O.) P.O. Box 489, Blackfoot, Idaho

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

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


William Anderson Co.

(In case of canals or other works designed to divert and
carry more than 50 cubic feet of water per second, the following certificate
must be signed by a well known and competent engineer)

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

Engineer

33586

May 31, 1967

Re: Permit No. G-33586

William Anderson Company
P.O. Box 489
Blackfoot, Idaho

Gentlemen:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. G-33586. The proofs are to be made at ~~XX~~ ~~XXXXXXXX~~ on the 30th day of June, 19 67 before Joe Benjamin, 201 S. Boulevard, Idaho Falls, Idaho, Notary Public.

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

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

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

Very truly yours,

DWM:nw

Donald W. McEldowney
Water Rights Clerk

Encl.

cc: Notary

33586

May 31, 1967

Re: Permit No. G-33586

William Anderson Company
P.O. Box 489
Blackfoot, Idaho

Gentlemen:

G-33586

We enclose Permit No. _____ in which we direct
your attention to the limitations and conditions as given on the
fourth page under approval of the State Reclamation Engineer

XXXXXXXXXXXXXXXXXXXX

G-11578

We also enclose Departmental Receipt No. _____
which was issued covering payment in the amount of \$1.00
for the office fee of the above mentioned permit.

Very truly yours,

permit

M. RUSSELL BOSCH
Office Manager

MRB:ajw
Enc:

33586