

Remarks:

"B": The right applied for under this application is wholly supplementary to other water rights of earlier priority but the actual combined yield of all of which are insufficient for applicant's reasonable needs.

For the lands comprising applicant's irrigation project it has the following licenses:

Permit No.	Priority Date	Second Feet
4713 (Mud Lake)	(1) 4/15/12	80
	(2) 12/2/16	72.6
17262 (Underground Water)	1/25/30	40
17640 (Underground Water)	1/8/32	50
18378 (Underground Water)	6/26/36	80

Applicant has also the following additional water permits upon which certificate of completion of works has been issued:

Permit No.	Filing Date	Cert. of Compl.	Second Feet
19085 (Under ground water)	5/22/40	10/20/52	87.2
19588 (Seepage and waste water)	11/24/44	4/20/50	10

The Company has very recently relinquished to the State of Idaho all rights under Permits Nos. 21301, 21302, 21303, each covering 20 second feet of underground water. Investigations subsequent to the filing of application for these permits have disclosed the probable futility of drilling wells at the points of diversion specified. Relinquishment has also just been filed of rights under Permit No. 17612 for 100 second feet of subterranean water. Other water permits of the Company (Nos. 17640 and 18378) for wells in the same immediate vicinity, and which have gone to license, have been disclosed to be more productive.

Applicant has the following additional water permits upon which investigations and development work are still proceeding:

Permit No.	Filed	Second Feet
21890 (Underground water)	11/15/50	20
21891 (Underground water)	9/20/49	20
21892 (Underground water)	11/15/50	20
G-22251 (Underground water)	7/12/51	20

The Owsley Canal Company's irrigation project is a "Carey Act" project, the building of which was completed by the "Construction Company" about the year 1917, and accepted by the State of Idaho and the "Operating Company" in 1918.

It was originally supposed that the initial appropriations of water from Mud Lake would afford an ample water supply. However, as additional land on the project each year has been brought under cultivation, it became apparent that only by constant and vigilant development of new sources of supply, particularly from wells, would the project obtain sufficient water to be reasonably successful.

In a suit brought for the adjudication of the waters of Mud Lake and its tributaries (Ernest Sauve vs. Abbott et al.), the Federal Court for the Eastern District of Idaho, about the year 1930, entered its decree awarding to the Owsley Canal Company an aggregate of 255 second feet of the waters of Mud Lake, with priorities ranging from April 15, 1912, to August 11, 1924. These "rights" in Mud Lake, though doubtless based upon proof of actual use for short periods of time on dates prior to the decree, actually yielded an aggregate amount of water during the irrigation season wholly insufficient to raise crops on the project lands; so, beginning almost immediately after the entry of the decree, search began for new sources of supply; this search and development effort has continued up to the present time as both the surface and the underground sources of water supply have diminished or receded.

The normal irrigation season on the project is from May 1st to October 1st although in the spring of some years unusually dry weather requires irrigation to be begun on April 15th.

R-35E.

T.
7
N.

T.
6
N.

R-35 E.

P. D.

Subdivisions = 113

Area = all lands under Cowsley Canal

$$Q = 16 \text{ cfs}$$

August 29, 1960

Re: Permits Nos. G-25545-G-25546-G-25547
G-25550 and G-25551

Owsley Canal Co.
Attn: Mrs. Merrill Jemmett, Sec.
Terreton, Idaho

Dear Mrs. Jemmett:

Enclosed are Certificates of Completion of Works and
Licenses and Certificates of Water Right issued on the above numbered
permits.

We also enclose departmental receipt No. G-5145, in
the amount of \$25.00 covering fees.

Very truly yours,

GEO. H. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna F. Rule
Chief Clerk

EPR:ew

Enc. certificates (5)
licenses (5)
receipt

August 10, 1960

RE: Permit Nos. G-25545, G-25546, G-25547,
G-25550, G-25551

Jack Gerard, Vice President
Owsley Canal Company
Terreton, Idaho

Dear Mr. Gerard:

Our field engineer's report on his inspection of the completion of works and beneficial use of the water under the terms of Permits No. G-25545, G-25546, G-25547, G-25550, G-25551 shows that the wells are capable of conveying 4,000 miner's inches (80 c.f.s.) of water for irrigation of 17,240 acres.

Upon receipt of the Statutory fees, totaling \$25.00, we will issue the Certificates of Completion of Works (fee \$5.00 for each Certificate) and the License and Certificate of Water Right on each, confirming the rights with priority of September 3, 1954, to the use of 80 second feet of subterranean water with the points of diversion in The SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 18, SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 18, NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 19, SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 19, SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 19, Township 7 North, Range 35 East for irrigation of 17,240 acres of land under the Owsley Canals in Sec. 32, 33 T. 7 N., R. 34 E; Sec. 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 34, 35, T. 6 N., R. 34 E; Sec. 8, 17, 18, 19, 20, 29, 30 T. 6 N., R. 35 E.

Very truly yours,

GEO. W. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

P. S. The water licenses will have a condition. "Not over 5 acre feet per annum per acre of irrigated land of all water rights shall be diverted. Not over 1 miner's inch of subterranean water per acre of irrigated land shall be diverted at any one time for all uses".

April 11, 1960

RE: Permit Nos. G-25545, G-25546, G-25547,
G-25550, G-25551
Owsley Canal Company

Owsley Canal Company
Terreton, Idaho

Attention: Mrs. Merrill Jemmett, Secretary

Dear Mrs. Jemmett:

Returned herewith is your check in the amount of \$2.00 for payment for making photo copies of the Affidavit of Publication on the above mentioned permits, which was received in the afternoon mail.

A check was received in the morning mail from H. R. Harn for payment of the same fee. It had been entered in our books and a receipt mailed to him before this one came in.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr
Enc. check
cc to H. R. Harn
P. O. Box 7
Dubeis, Idaho

April 11, 1960

RE: Permit Nos. G-25545, G-25546, G-25547
G-25550, G-25551
Owsley Canal Company

H. R. Harn
P. O. Box 7
Dubois, Idaho

Dear Mr. Harn:

Enclosed is departmental receipt No. G-4752 in the amount of \$2.00 for payment of photo copies of Affidavit of Publication on the above mentioned permits.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr
Enc. receipt

cc to Jack Gerard, Vice President
Owsley Canal Company
Terreton, Idaho

April 5, 1960

Re: Permit Nos. C-25545-C-25546-C-25547
C-25550 - C-25551
Cusley Canal Company

Jack Gerard, Vice President
Cusley Canal Company, Inc.
Terreton, Idaho

Dear Sir:

We acknowledge receipt of the Deposition of Holder and two witnesses, also affidavit of publication in the Rigby Star, all submitted in proof of Completion of Works and Beneficial Use on Permits Nos. C-25545- C-25546, C-25547, C-25550 and C-25551.

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

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

It was necessary to make four photo-copies of the Affidavit of Publication for four of the permits, as only one Affidavit was mailed to us. Please mail us \$2.00 to cover the cost of these photo-copies as soon as possible.

Very truly yours,

GEO. H. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna F. Hale
Chief Clerk

EPa:cw

cc: R. R. Barn Agency
P. O. Box 7
Dubois, Idaho

THE RIGBY STAR

APR 4 1960

SS.

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

3rd day of March, 1960

24th day of March, 1960

Hope B Jones

day of March, 1960

R. H. Garner

Notary Public for the State of Idaho,
Residence and P. O. Address, Rigby, Idaho.
My commission expires _____, 19____

Publication Fee: \$27.26

COMMISSION EXPIRES JULY 17, 1961

Notice is hereby given that at 9:00 a.m., on the 25th day of March, 1940, at Dubois, County of Clark, State of Idaho, before H. R. Harris, Notary Public, at Dubois, Idaho, proof will be submitted of the completion of work for the diversion of 100 cubic feet per second of underground water from wells, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit Nos. G-35545, G-35546, G-35547, G-35548, and G-35551, heretofore issued by the Department of Reclamation of the State of Idaho.

Notice is hereby given that at 9:00 a.m., on the 28th day of March, 1960, at Dubois, County of Clark, State of Idaho, before H. R. Harn, Notary Public, at Dubois, Idaho, proof will be submitted of the completion of work for the diversion of 100 cubic feet per second of underground water from wells and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit Nos. G-25545, G-25546, G-25547, G-25548, and G-25549, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of corporation holding said permits is Owatone Canal Company, a corporation, Terro-

A said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 100 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 100 cubic feet per second.

4. The points of diversion of said water are: SW $\frac{1}{4}$ Sec. 18; NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 19; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20; W $\frac{1}{2}$ NW $\frac{1}{4}$ of Sec. 21; and the S $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 22 all in Twp. 6 N., Rge. 35 E.R.M. is shown on map attached hereto as used Twp. 6 N., Rge. 35 E. NW $\frac{1}{4}$ Sec. 23; Sec. 2; all of Secs. 4 & 5; NW $\frac{1}{4}$, S $\frac{1}{2}$ of Secs. 8, 9 & 10; S $\frac{1}{2}$ Sec. 7; all SW $\frac{1}{4}$, Sec. 12; all of Sec. 13; NW $\frac{1}{4}$, Sec. 11; SW $\frac{1}{4}$ Sec. 14; NW $\frac{1}{4}$, S $\frac{1}{2}$ Sec. 18; NE $\frac{1}{4}$, S $\frac{1}{2}$ Sections 15, 17, 20, 21, 22, 23, 24, 25, 26, 27, 28, and 29; NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 30; all of Sec. 35; all in Twp. 6 N., Rge. 24 E.R.M.; W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 8; W $\frac{1}{2}$ Sec. 17; all of Secs. 18 & 19; NE $\frac{1}{4}$ W $\frac{1}{2}$ Sec. 20; W $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29; NW $\frac{1}{4}$ Sec. 30; all in Twp. 6 N. Rge. 35 E.R.M. all in Jefferson County, Idaho.

B.C. The date of priority which said user is prepared to establish is September 3, 1954.

GEORGE N. CARTER,
State Reclamation Engineer.
(March 3-10-17-24, 1960)

March 3, 1960

Re: Permits Nos. G-25545, G-25546, G-25547
G-25550, G-25551
Owsley Canal Company

Mr. H. R. Harn
Box 7
Dubois, Idaho

Dear Mr. Harn:

We enclose the amendment to the land list on the above numbered permits, in the name of Owsley Canal Company, which have been duly recorded in this office.

Very truly yours,

GEO. H. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Hale
Chief Clerk

EPR:ew

Enc. amendment

18378

February 25, 1960

Re: Water Rights in the name of
Owsley Canal Company

G-25550

Mr. H. R. Harn,
Box 7,
Dubois, Idaho.

Dear Mr. Harn:

Upon your request of February 23rd for the Owsley Canal Company, we find, as taken from our records, the following list of decreed water rights and permit rights. In the case of Ernest Sauve, Plaintiff, vs. W. H. Abbott, et al, Defendants, dated November 1, 1930, by Charles C. Cavanagh, U. S. District Judge, the following rights were decreed to the Owsley Canal Company out of Mad Lake:

Priority of March 9, 1911, for 1.6 c.f.s.	
" " April 15, 1912, for 80.8 c.f.s.	
" " December 2, 1916, for 72.6 c.f.s.	
" " May 1, 1921, for 25.0 c.f.s.	
" " August 11, 1924, for 75 c.f.s.	

Total of 255.0 c.f.s.

In the above stated decree, we find from our abstract of decreed rights, the following water rights out of Mad Lake decreed to the following persons and now in the name of the Owsley Canal Company:

November 3, 1910 - 1.6 cfs decreed to Carl Nordstrom
November 14, 1912 - 2.68 cfs decreed to Clara Welchman
July 21, 1913 - 4.0 cfs decreed to James A. Malten
September 6, 1913 - 2.5 cfs decreed to H. A. & Mary L. England
October 18, 1913 - 3.0 cfs decreed to Henry Jannett
December 15, 1913 - 1.6 cfs decreed to Mary A. Jannett
June 1, 1915 - 1.0 cfs decreed to George E. Monroe
June 24, 1916 - 2.44 cfs decreed to William H. Miller
December 3, 1916 - 1.0 cfs decreed to George E. Monroe
August 28, 1926 - 6.4 cfs decreed to Ernest Sauve

In the case of the Owsley Canal Company, a corporation, Plaintiff, vs. Ernest Bauerle, et al, Defendants, dated October 14, 1940, by C. J. Taylor, District Judge, the plaintiff was awarded an amount not exceeding in the aggregate the equivalent of 200 cubic feet per second flowing continuously

G25550

during the irrigation season from May 1st to November 1st of each year, from all or any of the wells constructed, or to be constructed, under permits Nos. 17611, 17612, 17640 and 18378.

A water license was issued by the Department of Reclamation on Permit No. 17262 for 40 cubic feet of water with priority of January 25, 1930. No mention was made in the last above entitled case of water license No. 17262 in the name of Owsley Canal Company, with priority of January 25, 1930, for 40 cubic feet from North Lake and subterranean sources. The point of diversion from North Lake is in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 23, Township 7 North, Range 34 East, and evidently three artesian wells were drilled along the canal to Mud Lake; - no information as to the capacity of the wells.

We have checked our records in this office thoroughly and to the best of our belief, this is a complete list of all valid water rights in the name of the Owsley Canal Company. This list does not include the water being applied for under Permit No. G-25544, G-25546, G-25547, G-25548, G-25549, G-25550 and G-25551; also G-25545.

There will be no charge for this information. Copy of this letter is being furnished you in triplicate.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

ROY W. THOMPSON
Supervisor of Water Distribution

RWT:pmk

825550

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE
February 24, 1960

Re: Permit No. G-25545; G-25546; G-25547
G-25550; G-25551
Owsley Canal Company

Mr. H. R. Harn,
Dubois, Idaho.

Dear Mr. Harn:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit Nos. G-25545, G-25546, G-25547, G-25550 & G-25551, in the name of Owsley Canal Company. Final Proof is to be made before you, as Notary on the 28th day of March, 1960, ~~1959~~ at 9:00 o'clock A.M., at Dubois, Idaho.

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

It is important that the enclosed depositions be executed by the permit holder and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the time, on the date and before you, as Notary, as stated in the publication notice. 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, that your 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,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rutledge
Chief Clerk

Encl.
EPR:Pk
cc: Applicant

825550

February 17, 1960

Re: Permit Numbers
G-25545; G-25546; G-25547
G-25548; G-25549; G-25550 ✓

Mr. Harry R. Harn,
Box 7,
Dubois, Idaho.

Dear Mr. Harn:

Confirming our telephone conversation of February 15th, in which you requested copies of Permit Numbers G-25544 to G-25551, inclusive, we are enclosing copies of Permits G-25545 to G-25550, inclusive, and Mr. Snow's secretary, Mrs. Wilder, is mailing you copies of Permit No. G-25544 and G-25551.

Please remit to the Department of Reclamation the sum of \$12.85 for the cost of photo copies.

We are enclosing only one copy of "Remarks", also one copy of "Land Description" as the same Remarks and Land Description were identical for each permit, the same being attached thereto and made a part of each permit. Hope the same meets with your approval.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

ROY W. THOMPSON
Supervisor of Water Distribution

Encl.
RWT:pmk

B25550

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G-25544 - 25545 - 25546
25547 - 25548 - 25549
25550 - 25551

Date: Jan. 1, 1960

Mrs. Merrill Jemmett, Secretary
Owsley Canal Company
Teton, Idaho

Dear Mrs. Jemmett:

The date for proofs of Completion of Works and Application of Water to Beneficial Use, as set out under the terms of Permit No. G-~~see above~~ are due not later than March 28, 1960.

Before these proofs can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper within the county in which the land is located. In completing the Notice of proof for publication, the information should be taken from your Permit, including any amendments made in connection with a change of point of diversion or land list which has been recorded in this department. If changes have been made and no amendments are on record, we advise that you request a form for this purpose before your Notice is published.

We enclose Form 36, in duplicate, which is to be filled out and returned to this department at least forty (40) days before the mentioned date, (allowing for four weeks publication). Please give the name of the town, the address of the place where the depositions will be executed, and, the name of the notary public before whom you will appear to make the depositions of proof (this may be at any place convenient for you and your two witnesses), the quantity of water filed; for what purpose it is used; the point of, or points of diversion; and the location of use of the lands which are irrigated -- all by legal land description.

Enclosed also is Form 11, which is the authorization for us to have the notice published in the designated county newspaper at your expense. This is to be returned with Form 36.

At the time we send the notice to the newspaper we will send to you the forms for the depositions of holder and two disinterested witnesses. It is important that the depositions be executed at the time, on the date set, at the place named and before the notary public, as advertised in the publication notice.

Very truly yours,

GEO. N. CARTER

GEO. N. CARTER
State Reclamation Engineer

Enclosures Forms 36 - 11 - instructions

P. S. This could be advertised in one ad, all eight permits, if the points of diversion were shown for each well and the land list is identical.

25545
25550

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

Date: Jan. 1, 1966
Jan. 1, 1966

Re: Permit No. G-~~25544~~ - ~~25545~~ - ~~25546~~
~~25547~~ - ~~25548~~ - ~~25549~~
~~25550~~ - ~~25551~~

ms. merill femmel, Secretary
Mrs. Merrill Jennett, Secretary
Owley Canal Company
Teton, Idaho

Dear Ms. Jennett:

The date for proofs of Completion of Works and Application of Water to Beneficial Use, as set out under the terms of Permit No. G-~~25544~~ are due not later than March 28, 1966. *See above*

Before these proofs can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper within the county in which the land is located. In completing the Notice of proof for publication, the information should be taken from your Permit, including any amendments made in connection with a change of point of diversion or land list which has been recorded in this department. If changes have been made and no amendments are on record, we advise that you request a form for this purpose before your Notice is published.

We enclose Form 36, in duplicate, which is to be filled out and returned to this department at least forty (40) days before the mentioned date, (allowing for four weeks publication). Please give the name of the town, the address of the place where the depositions will be executed, and, the name of the notary public before whom you will appear to make the depositions of proof (this may be at any place convenient for you and your two witnesses), the quantity of water filed; for what purpose it is used; the point of, or points of diversion; and the location of use of the lands which are irrigated -- all by legal land description.

Enclosed also is Form 11, which is the authorization for us to have the notice published in the designated county newspaper at your expense. This is to be returned with Form 36.

At the time we send the notice to the newspaper we will send to you the forms for the depositions of holder and two disinterested witnesses. It is important that the depositions be executed at the time, on the date set, at the place named and before the notary public, as advertised in the publication notice.

Very truly yours,

Geo. N. Carter

GEO. N. CARTER

State Reclamation Engineer

Enclosures

Forms 36 - 11 - Instructions

P. S. This could be advertised in one ad, all eight points, if the points of diversion were shown for each well and the land list is identical.

J25550

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5335

WATER RIGHT NO(S). 31-00327/31-00328/31-00329/31-00330
31-00331/31-00332/31-00336B/31-00337B/31-00371/31-02239
31-02265/31-02289/31-02290/31-02297/31-02310/31-02317A
31-02317B/31-02321/31-02341/31-02342/31-02343/31-02344
31-02345/31-07005

This is to certify that: OWSLEY CANAL CO
C/O GARTH SODERQUIST
PO BOX 68
TERRETON ID 83450

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 31-00327 :			
IRRIGATION	04/15 to 10/15	** 110.00 CFS	
DIVERSION TO STORA	10/16 to 04/14	110.00 CFS	
Priority: 00/00/0000			
Right No. 31-00328 :			
IRRIGATION	04/15 to 10/15	** 110.00 CFS	
DIVERSION TO STORA	10/16 to 04/14	100.00 CFS	
Priority: 00/00/0000			
Right No. 31-00329 :			
IRRIGATION	04/15 to 10/15	** 50.00 CFS	
DIVERSION TO STORA	10/16 to 04/14	50.00 CFS	
Priority: 00/00/0000			
Right No. 31-00330 :			
IRRIGATION	04/15 to 10/15	** 80.00 CFS	
DIVERSION TO STORA	10/16 to 04/14	80.00 CFS	
Priority: 00/00/0000			
Right No. 31-00331 :			
IRRIGATION	04/15 to 10/15	24.00 CFS	
Priority: 09/10/1928			
Right No. 31-00332 :			
IRRIGATION STORAGE	01/01 to 12/31		5000.0 AF
Priority: 01/25/1930			

MICROFILMED
FEB 11 1999

TRANSFER NO. 5335

WATER RIGHT NO(S). 31-00327/31-00328/31-00329/31-00330
 31-00331/31-00332/31-00336B/31-00337B/31-00371/31-02239
 31-02265/31-02289/31-02290/31-02297/31-02310/31-02317A
 31-02317B/31-02321/31-02341/31-02342/31-02343/31-02344
 31-02345/31-07005

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 31-00336B : IRRIGATION Priority: 04/27/1932	04/15 to 10/15	11.05 CFS	
Right No. 31-00337B : IRRIGATION Priority: 12/15/1932	04/15 to 10/15	17.00 CFS	
Right No. 31-00371 : IRRIGATION Priority: 09/10/1928	04/15 to 10/15	23.00 CFS	
Right No. 31-02239 : IRRIGATION Priority: 01/25/1930	04/15 to 10/15	40.00 CFS	16899.4 AF
Right No. 31-02265 : IRRIGATION Priority: 05/22/1940	04/15 to 10/15	64.40 CFS	23375.9 AF
Right No. 31-02289 : IRRIGATION Priority: 01/13/1949	04/15 to 10/15	3.20 CFS	560.0 AF
Right No. 31-02290 : IRRIGATION Priority: 02/14/1949	04/15 to 10/15	3.60 CFS	840.0 AF
Right No. 31-02297 : IRRIGATION Priority: 12/29/1949	04/15 to 10/15	6.00 CFS	1190.0 AF
Right No. 31-02310 : IRRIGATION Priority: 09/24/1952	04/15 to 10/15	5.80 CFS	1015.0 AF
Right No. 31-02317A : IRRIGATION Priority: 02/28/1953	04/15 to 10/15	8.08 CFS	1414.0 AF

MICROFILMED

FEB 11 1999

TRANSFER NO. 5335

WATER RIGHT NO(S). 31-00327/31-00328/31-00329/31-00330
 31-00331/31-00332/31-00336B/31-00337B/31-00371/31-02239
 31-02265/31-02289/31-02290/31-02297/31-02310/31-02317A
 31-02317B/31-02321/31-02341/31-02342/31-02343/31-02344
 31-02345/31-07005

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 31-02317B :			
IRRIGATION	04/15 to 10/15	1.90 CFS	332.5 AF
Priority: 10/27/1956			
Right No. 31-02321 :			
IRRIGATION	04/15 to 10/15	1.92 CFS	336.0 AF
Priority: 04/25/1953			
Right No. 31-02341 :			
IRRIGATION	04/15 to 10/15	16.00 CFS	5839.4 AF
Priority: 09/03/1954			
Right No. 31-02342 :			
IRRIGATION	04/15 to 10/15	16.00 CFS	5839.4 AF
Priority: 09/03/1954			
Right No. 31-02343 :			
IRRIGATION	04/15 to 10/15	16.00 CFS	5839.4 AF
Priority: 09/03/1954			
Right No. 31-02344 :			
IRRIGATION	04/15 to 10/15	16.00 CFS	5839.4 AF
Priority: 09/03/1954			
Right No. 31-02345 :			
IRRIGATION	04/15 to 10/15	16.00 CFS	5839.4 AF
Priority: 09/03/1954			
Right No. 31-07005 :			
IRRIGATION	04/15 to 10/15	13.26 CFS	4939.4 AF
Priority: 12/04/1967			

TOTAL: *** 643.21 CFS

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SWNE , Sec. 13, Township 07N, Range 34E
 SESE , Sec. 13, Township 07N, Range 34E
 NENE , Sec. 23, Township 07N, Range 34E
 NENE , Sec. 24, Township 07N, Range 34E
 NWNE , Sec. 24, Township 07N, Range 34E

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TRANSFER NO. 5335

WATER RIGHT NO(S). 31-00327/31-00328/31-00329/31-00330
 31-00331/31-00332/31-00336B/31-00337B/31-00371/31-02239
 31-02265/31-02289/31-02290/31-02297/31-02310/31-02317A
 31-02317B/31-02321/31-02341/31-02342/31-02343/31-02344
 31-02345/31-07005

LOCATION OF POINT(S) OF DIVERSION:

NWNW , Sec. 24, Township 07N, Range 34E
 SWSW , Sec. 13, Township 07N, Range 35E
 SESE , Sec. 14, Township 07N, Range 35E
 Lot 4 (SESW), Sec. 18, Township 07N, Range 35E
 Lot 1 (NWNW), Sec. 19, Township 07N, Range 35E
 SWNW , Sec. 19, Township 07N, Range 35E
 SENW , Sec. 19, Township 07N, Range 35E
 NESE , Sec. 22, Township 07N, Range 35E
 NWSW , Sec. 23, Township 07N, Range 35E
 SWSW , Sec. 23, Township 07N, Range 35E
 SWSW , Sec. 25, Township 07N, Range 35E
 SESW , Sec. 25, Township 07N, Range 35E
 NWSE , Sec. 25, Township 07N, Range 35E
 SESE , Sec. 26, Township 07N, Range 35E
 NWNE , Sec. 27, Township 07N, Range 35E
 NENW , Sec. 36, Township 07N, Range 35E
 JEFFERSON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06N	34E	3	NENW 26	NWNW 35	SWNW 40	
			SENE 40	NESW 40	NWSW 40	
			SWSW 40	SESW 40	NESE 40	
			NWSE 40	SWSE 40	SESE 40	461
		4	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENE 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
		5	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENE 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
		7	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NESE 40	NWSE 40	
			SWSE 40	SESE 40		320
		8	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	

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TRANSFER NO. 5335

WATER RIGHT NO(S) . 31-00327/31-00328/31-00329/31-00330
 31-00331/31-00332/31-00336B/31-00337B/31-00371/31-02239
 31-02265/31-02289/31-02290/31-02297/31-02310/31-02317A
 31-02317B/31-02321/31-02341/31-02342/31-02343/31-02344
 31-02345/31-07005

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
9			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
10			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 20	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			620
11			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
13			NWNW 40	SWNW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			400
14			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NESW 40	NWSW 40	
			SWSW 40	SESW 36	NESE 40	
			NWSE 40	SWSE 27	SESE 37	460
15			NENW 40	NWNW 40	SWNW 40	
			SENW 40	NESW 40	NWSW 40	
			SWSW 40	SESW 36	NESE 40	
			NWSE 40	SWSE 40	SESE 40	476
16			NENE 40	NWNE 40	SWNE 40	
			SENE 25	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			625
17			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	

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TRANSFER NO. 5335

WATER RIGHT NO(S). 31-00327/31-00328/31-00329/31-00330
 31-00331/31-00332/31-00336B/31-00337B/31-00371/31-02239
 31-02265/31-02289/31-02290/31-02297/31-02310/31-02317A
 31-02317B/31-02321/31-02341/31-02342/31-02343/31-02344
 31-02345/31-07005

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 20	NWSE 40	SWSE 10	
			SESE 10			560
20			NENE 30	NWNE 35	SWNE 40	
			SENE 40	NENW 40	NWNW 30	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			615
21			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 25	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			625
22			NENE 20	NWNE 20	SWNE 40	
			SENE 40	NENW 36	NWNW 20	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			576
23			NENE 15	NWNE 40	SWNE 40	
			SENE 40	NENW 35	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			610
24			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 10	NWNW 30	
			SWNW 40	SENW 30	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			590
25			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
26			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	

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TRANSFER NO. 5335

WATER RIGHT NO(S). 31-00327/31-00328/31-00329/31-00330
 31-00331/31-00332/31-00336B/31-00337B/31-00371/31-02239
 31-02265/31-02289/31-02290/31-02297/31-02310/31-02317A
 31-02317B/31-02321/31-02341/31-02342/31-02343/31-02344
 31-02345/31-07005

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
27			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
28			NENE 40	SWNE 40	SENE 40	
			NENW 40	NWNW 40	SWNW 40	
			SENW 40	NESW 40	NWSW 40	
			SWSW 40	SESW 40	NESE 40	
			NWSE 40	SWSE 40	SESE 40	600
29			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
34			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	SENW 40	
			NESW 40	NWSW 40	SWSW 40	
			SESW 40	NESE 40	NWSE 40	
			SWSE 40	SESE 40		560
35			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
35E	1		NWNW 4			4
	2		NENE 40	NWNE 40	SWNE 40	
			SENE 8	NESW 32	NWSW 40	
			SWSW 40	SESW 38	NWSE 40	
			SWSE 40			358
3	Lot 1	(NENE) 41.9	Lot 2 (NWNE) 41.7		SWNE 40	
		SENE 40	Lot 3 (NENW) 41.5	Lot 4 (NWNW) 35		
		SWNW 40		NESW 40		
		NWSW 40		SESW 40		
		NESE 40		SWSE 40		

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TRANSFER NO. 5335

WATER RIGHT NO(S). 31-00327/31-00328/31-00329/31-00330
 31-00331/31-00332/31-00336B/31-00337B/31-00371/31-02239
 31-02265/31-02289/31-02290/31-02297/31-02310/31-02317A
 31-02317B/31-02321/31-02341/31-02342/31-02343/31-02344
 31-02345/31-07005

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
		SESE	40			640.1
4	Lot 4	(NWNW)	7	NESW	40	
		SWSW	40	SESW	40	
		NWSE	40	SWSE	40	327
5	Lot 1	(NENE)	41.2	Lot 2 (NWNE)	38	
		SENE	40	NESW	40	
		NESE	40	NWSE	40	
		SESE	40			399.2
8		NENE	40	NWNE	40	
		SENE	40	NENW	40	
		SWNW	40	SENW	40	
		NWSW	40	SWSW	40	
		NESE	40	NWSE	40	
		SESE	40			640
9		NENE	40	NWNE	40	
		SENE	40	NESW	40	
		SWSW	40	SESW	40	
		NWSE	40	SWSE	40	480
10		NENE	40	SWNE	40	
		SENW	40	NESW	40	
		SWSW	40	SESW	40	
		NWSE	40	SWSE	40	480
11		NENW	40	NWNW	30	
		SENW	40	NESW	40	
		SESW	40			270
14		NESW	10	NWSW	40	50
15		NENE	34	NWNE	40	
		SENE	40	NENW	40	
		SWNW	40	SENW	40	
		NWSW	40	SWSW	40	
		NESE	40	NWSE	40	
		SESE	40			634
16		NENE	40	NWNE	40	
		SENE	40	NENW	40	
		SWNW	40	SENW	40	
		NWSW	40	SWSW	40	
		NESE	40	NWSE	40	
		SESE	40			640
17		NENE	40	NWNE	40	
		SENE	40	NENW	40	
		SWNW	40	SENW	40	

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TRANSFER NO. 5335

WATER RIGHT NO(S). 31-00327/31-00328/31-00329/31-00330
 31-00331/31-00332/31-00336B/31-00337B/31-00371/31-02239
 31-02265/31-02289/31-02290/31-02297/31-02310/31-02317A
 31-02317B/31-02321/31-02341/31-02342/31-02343/31-02344
 31-02345/31-07005

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
18			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
19			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
20			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
22			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	SENW 40	
			NESW 40	NESE 40	NWSE 40	
			SWSE 40	SESE 40		440
29			NENW 40	NWNW 40	SWNW 40	
			SENW 40	NESW 40	NWSW 40	
			SWSW 10	SESW 40		290
30			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
07N 34E	32		SESW 40	SWSE 40	SESE 40	120
	33		NWSW 10	SWSW 20	SESW 40	
35E	32	Lot 8 (SWSE)	2	Lot 7 (SESE)	18	20
	33		SWSW 1			1
	35		NESE 38	NWSE 34	SWSE 34	
			SESE 38			144
	36		NESW 40	NWSW 40	SWSW 38	118

MICROFILM
 Total number of acres irrigated: * 24261.3

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TRANSFER NO. 5335

WATER RIGHT NO(S). 31-00327/31-00328/31-00329/31-00330
 31-00331/31-00332/31-00336B/31-00337B/31-00371/31-02239
 31-02265/31-02289/31-02290/31-02297/31-02310/31-02317A
 31-02317B/31-02321/31-02341/31-02342/31-02343/31-02344
 31-02345/31-07005

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 31.
2. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
3. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
8. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works from all authorized points of diversion that is acceptable to the watermaster and will provide suitable control of the diversions.
- *** 9. The total instantaneous diversion of water from all points of diversion under Transfer 5335 shall not exceed 503.21 cfs during the irrigation season.
10. Approval of Transfer 5335 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
- ** 11. Rights 31-00327, 31-00328, 31-00329 and 31-00330 when combined shall not exceed a total diversion rate of 200.00 cfs during the irrigation season, and may be diverted at their full authorized rate of diversion into Mud Lake for storage purposes during the non-irrigation season.
- * 12. Right 31-02289 is limited to irrigation of 160.0 acres in the place of use described above in a single irrigation season.
- * 13. Right 31-02290 is limited to irrigation of 240.0 acres in the place of use described above in a single irrigation season.
- * 14. Right 31-02297 is limited to irrigation of 340.0 acres in the place of use described above in a single irrigation season.

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TRANSFER NO. 5335

WATER RIGHT NO(S). 31-00327/31-00328/31-00329/31-00330
 31-00331/31-00332/31-00336B/31-00337B/31-00371/31-02239
 31-02265/31-02289/31-02290/31-02297/31-02310/31-02317A
 31-02317B/31-02321/31-02341/31-02342/31-02343/31-02344
 31-02345/31-07005

CONDITIONS OF APPROVAL AND REMARKS

- * 15. Right 31-02310 is limited to irrigation of 290.0 acres in the place of use described above in a single irrigation season.
- * 16. Right 31-02317A is limited to irrigation of 404.0 acres in the place of use described above in a single irrigation season.
- * 17. Right 31-02317B is limited to irrigation of 95.0 acres in the place of use described above in a single irrigation season.
- * 18. Right 31-02321 is limited to irrigation of 96.0 acres in the place of use described above in a single irrigation season.
- * 19. Rights 31-00336B, 31-00337B, 31-02289, 31-02290, 31-02297, 31-02310, 31-02317A, 31-02317B and 31-02321 when combined shall not exceed the irrigation of 3107.2 acres in the place of use described above in a single irrigation season.
- * 20. Right 31-02239 is limited to the irrigation of 13,480.0 acres in the place of use described above in a single irrigation season.
- * 21. Right 31-07005 is limited to the irrigation of 17,088.0 acres in the place of use described above in a single irrigation season.
- * 22. Rights 31-02239, 31-02265, 31-02341, 31-02342, 31-02343, 31-02344, 31-02345 and 31-07005 when combined shall not exceed the irrigation of 17,240.0 acres in the place of use described above in a single irrigation season.
- 23. Two points of diversion are located within SESE, S14, T07N, R35E.
- 24. Two points of diversion are located within Lot 1(NWNW), S19, T07N, R35E.
- 25. Five points of diversion are located within SWSW, S25, T07N, R35E.
- 26. Seven points of diversion are located within NWSE, S25, T07N, R35E.
- 27. Two points of diversion are located within SESE, S26, T07N, R35E.

Dated this 8th day of February, 1999.


 Chief, Water Allocation Bureau

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State of Idaho

License and Certificate of Water Right

Water License No. G-25550

Amount 16.0 c.f.s.

Water District No.

Priority Sept. 3, 1954

THIS IS TO CERTIFY that

OWSLEY CANAL COMPANY

of Terreton, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated September 3, 1954; that Permit No. G-25550 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 16.0 second feet, was issued thereunder on August 29, 1960, showing that said works were completed on the 28 day of March, 1960; and that on the 28 day of March, 1960,

OWSLEY CANAL COMPANY

of Terreton, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well, a tributary of subterranean flow, for the purpose of irrigation, under Use Permit No. G-25550 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

11 of Licenses at page 6952, on the 29 day of August, 1960;

The right hereby confirmed dates from September 3, 1954;

The Point of Diversion is located

in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19, Tp. 7 N, R. 35E, B. M. County Jefferson

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 16.0 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
			For irrigation of 17.240 acres under the Owsley Canals in Sec. 32, 33, T. 7 N., R. 34 E.; Sec. 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 34, 35, T. 6 N., R. 34 E.; Sec. 8, 17, 18, 19, 20, 29, 30, T. 6 N., R. 35 E., B. M.		
			Not over 5 acre feet per annum per acre of irrigated land of all water rights shall be diverted. Not over 1 miner's inch of subterranean water per acre of irrigated land shall be diverted at any one time for all uses.		

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

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

29 day of August, 1960.

s/ GEO. N. CARTER

State Reclamation Engineer. 31 2344

(SEAL)

State of Idaho
License and Certificate of Water Right

Water License No. G-25547 Amount 16.0 c.f.s.
Water District No. _____ Priority Sept. 3, 1954

THIS IS TO CERTIFY that OWSLEY CANAL COMPANY
of Terreton, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated September 3, 19 54; that Permit No. G-25547
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
16.0 second feet, was issued thereunder on August 29, 1960, showing that said works
were completed on the 28 day of March, 1960; and that on the 28
day of March, 19 60,

OWSLEY CANAL COMPANY
of Terreton, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
, a tributary of subterranean flow, for the purpose of irrigation
, under Use Permit No. G-25547 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
11 of Licenses at page 6951, on the 29 day of August, 19 60;
The right hereby confirmed dates from September 3, 19 54;

The Point of Diversion is located
in the NW 1/4 NW 1/4, Sec. 19, Tp. 7 N, R. 35 E., B. M. County Jefferson
That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 16.0 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
			For irrigation of 17,240 acres under the Owsley Canals in Sec. 32, 33, T. 7 N., R. 34 E.; Sec. 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 34, 35, T. 6 N., R. 34 E.; Sec. 8, 17, 18, 19, 20, 29, 30, T. 6 N., R. 35 E., B. M.		
			Not over 5 acre feet per annum per acre of irrigated land of all water rights shall be diverted. Not over 1 miner's inch of subterranean water per acre of irrigated land shall be diverted at any one time for all uses.		

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

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

29 day of August, 19 60.

s/ GEO. N. CARTER
State Reclamation Engineer.

(SEAL)

"A" From the well or wells to be sunk in the 40 acre subdivision herein designated, a short ditch about one-quarter mile in length will be constructed to conduct the water into the existing system of feeder ditches already built by applicant; this system conducts into Mud Lake water from various wells developed and to be developed north and west of Mud Lake. Through these feeder canals the water hereby appropriated will be conducted into Mud Lake and thence diverted at the Owsley Canal Company's existing pumping plant into the distribution system of its irrigation project which has been constructed and in operation for many years. Mud Lake is a natural reservoir.

Remarks:

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.

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 3:45 P.M. Sept. 3, 1954

Returned to applicant for correction: Oct. 8, 1954

Corrected application received: Nov. 22, 1954

Approval of State Reclamation Engineer

The number of this permit is G-25550

Recorded in Book 90 Page 25550 Approved Mar. 28, 1955

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 May 28, 1955 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 September 28, 1957

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before March 28, 1960

Witness my hand this 28th day of March, 1955

MARK R. KULP

State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLLIE, Governor of the State of Idaho, and IRA H. MASTERS, 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 28th day of March, 1955.

Countersigned:

STATE OF IDAHO

(SEAL)

By IRA H. MASTERS, Secretary of State.

By ROBERT E. SMYLLIE, Governor.

12.

Twp.	Range	Sec.	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	Totals	
			NE ¹ / ₄ NW ¹ / ₄ SW ¹ / ₄ SE ¹ / ₄	NE ¹ / ₄ NW ¹ / ₄ SW ¹ / ₄ SE ¹ / ₄	NE ¹ / ₄ NW ¹ / ₄ SW ¹ / ₄ SE ¹ / ₄	NE ¹ / ₄ NW ¹ / ₄ SW ¹ / ₄ SE ¹ / ₄		
		*	That no more than five (5) acre feet per acre, either of stored water or stored water combined with natural flow water, including water from wells, shall be diverted during any irrigation season for the land described in the application for permit hereby approved, either by reason of the appropriation under said permit, or by reason of water heretofore adjudicated for the irrigation of said lands, or appropriated under other water permits heretofore approved or approved on this same date, the intent being to limit to the duty of five (5) acre feet per acre the aggregate of all the waters applied to said land for irrigation, domestic and stock purposes.					

p.	Range	Sec.	NE¼				SW¼				SE¼				Total			
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼				
6N	35 E	8									40	40						80
"	"	17	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	18	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	19	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	20		40	40		40	40	40	40	40	40	40					400
"	"	29						40	40			20						100
"	"	30	40	40	40	40		40	40									240
"	34 E	3												40	40	40	40	160
"	"	4	40		40	40			40	40	40	40	40	40				400
"	"	5			40	40	40	40	40	40	40	40	40	40	40	40	40	560
"	"	6	40	40	40	40								40	40	40	40	320
"	"	7	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	8	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	9	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	10	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	11								40	40	40	40	40	40	40	40	320
"	"	12										40						40
"	"	13	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	14	40	40	40	40					40	40	40	40	40	40	40	480
"	"	15					40	40	40	40	40	40	40					320
"	"	16	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	17	40	40	40	40	40	40	40	40	40			40	40	40	40	560
"	"	18	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	19	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	20	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	21	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	22	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	23	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	24	40	40	40	40	40	40	40	40	40	40	40					480
"	"	25	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	26	40	40	40	40	40	40			40	40	40	40	40	40	40	560
"	"	27	40	40	40		40	40	40	40	40		40			40	40	480
"	"	28	40	40	40	40	40	40	40	40	40		40	40	40	40		560
"	"	29	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	30	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	31	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	32	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	33	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	34									40	40	40	40	40	40	40	320
"	"	35									40	40	40	40	40	40	40	320
			Total Number of Acres to be Irrigated															20,140

1. Name of applicant: _____
 Post office address _____ County _____ State _____
2. Quantity of water claimed: _____
 (a) Rate of withdrawal in cubic feet per second _____ or Idaho Miner's
 inches _____ or gallons per minute _____
 (b) Annual withdrawal in acre feet per annum _____
3. Source of water supply: _____

4. Location of point of diversion or well is in the _____ $\frac{1}{4}$ of the _____ $\frac{1}{4}$ of Section _____,
 Twp. _____, Rge. _____, B. M., County of _____
5. Water is to be used for: _____
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: _____
8. Estimated cost of works: \$ _____

1. Name of applicant: _____
 Post office address _____ County _____ State _____
2. Quantity of water claimed: _____
 (a) Rate of withdrawal in cubic feet per second _____ or Idaho Miner's
 inches _____ or gallons per minute _____
 (b) Annual withdrawal in acre feet per annum _____
3. Source of water supply: _____

4. Location of point of diversion or well is in the _____ $\frac{1}{4}$ of the _____ $\frac{1}{4}$ of Section _____,
 Twp. _____, Rge. _____, B. M., County of _____
5. Water is to be used for: _____
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: _____

Remarks:

"B": The right applied for under this application is wholly supplementary to other water rights of earlier priority but the actual combined yield of all of which are insufficient for applicant's reasonable needs.

For the lands comprising applicant's irrigation project it has the following licenses:

<u>Permit No.</u>	<u>Priority Date</u>	<u>Second Feet</u>
4713 (Mud Lake)	(1) 4/15/12	80
	(2) 12/2/16	72.6
17262 (Underground Water)	1/25/30	40
17640 (Underground Water)	1/8/32	50
18378 (Underground Water)	6/26/36	80

Applicant has also the following additional water permits upon which certificate of completion of works has been issued:

<u>Permit No.</u>	<u>Filing Date</u>	<u>Cert. of Compl.</u>	<u>Second Feet</u>
19085 (Under ground water)	5/22/40	10/20/52	87.2
19588 (Seepage and waste water)	11/24/44	4/20/50	10

The Company has very recently relinquished to the State of Idaho all rights under Permits Nos. 21301, 21302, 21303, each covering 20 second feet of underground water. Investigations subsequent to the filing of application for these permits have disclosed the probable futility of drilling wells at the points of diversion specified. Relinquishment has also just been filed of rights under Permit No. 17612 for 100 second feet of subterranean water. Other water permits of the Company (Nos. 17640 and 18378) for wells in the same immediate vicinity, and which have gone to license, have been disclosed to be more productive.

Applicant has the following additional water permits upon which investigations and development work are still proceeding:

<u>Permit No.</u>	<u>Filed</u>	<u>Second Feet</u>
21890 (Underground water)	11/15/50	20
21891 (Underground water)	9/20/49	20
21892 (Underground water)	11/15/50	20
G-22251 (Underground water)	7/12/51	20

The Owsley Canal Company's irrigation project is a "Carey Act" project, the building of which was completed by the "Construction Company" about the year 1917, and accepted by the State of Idaho and the "Operating Company" in 1918.

It was originally supposed that the initial appropriations of water from Mud Lake would afford an ample water supply. However, as additional land on the project each year has been brought under cultivation, it became apparent that only by constant and vigilant development of new sources of supply, particularly from wells, would the project obtain sufficient water to be reasonably successful.

In a suit brought for the adjudication of the waters of Mud Lake and its tributaries (Ernest Sauve vs. Abbott et al.), the Federal Court for the Eastern District of Idaho, about the year 1930, entered its decree awarding to the Owsley Canal Company an aggregate of 255 second feet of the waters of Mud Lake, with priorities ranging from April 15, 1912, to August 11, 1924. These "rights" in Mud Lake, though doubtless based upon proof of actual use for short periods of time on dates prior to the decree, actually yielded an aggregate amount of water during the irrigation season wholly insufficient to raise crops on the project lands; so, beginning almost immediately after the entry of the decree, search began for new sources of supply; this search and development effort has continued up to the present time as both the surface and the underground sources of water supply have diminished or receded.

The normal irrigation season on the project is from May 1st to October 1st although in the spring of some years unusually dry weather requires irrigation to be begun on April 15th.

The actual number of acres for which water was delivered by the Owsley Canal Company in 1954 was 16,710 acres, that being the number of shares of its capital stock then outstanding.

According to the Water Master's reports, the following are the amounts of water (in acre feet) available for and used by the Owsley Canal Company during the irrigation seasons of each of the last four seasons:

1951 -- May 1st to October 1st	- - - - -	-40,678	acre feet
1952 -- April 15th to September 30th	- - - - -	-44,340	" "
1953 -- May 1st to October 1st	- - - - -	-50,410.4	" "
1954 -- April 15th to October 31st	- - - - -	-46,225	" "

In addition to the irrigation needs of the project, there is some small use of water after October 1st for livestock purposes. All the lands of the project are situated some distance from railroad transportation; and the market for alfalfa hay and also pasture is at times considerably improved by livestock being able to get water from the Company ditches.

Since all the water used by the project, whether coming from underground sources or from surface supply, is pumped out of Mud Lake--a natural reservoir--it would seem that the water needs of the project should be determined on a seasonal acre foot basis rather than on the basis of second feet of stream flow; and since, as shown by the table just above, the seasonal use per acre on the project is below even 3 acre feet per acre, the use of water on the project is far below the limitation of "5 acre feet of stored water per annum for each acre of land to be so irrigated", as referred to in Section 42-202, Idaho Code. That section provides that a use of more than 5 acre feet per acre requires a determination by the Department of Reclamation that a greater amount is necessary.

Were a sufficient dependable water supply available, the Company could irrigate from its distribution system several thousand acres of land additional to the acreage heretofore irrigated.

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.

OWSLEY CANAL CO.

Applicant

By Edwin Snow Agent.

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, No. G-25550, et al

Comes now OWSLEY CANAL COMPANY, a corporation, and represents to the State Reclamation Engineer of the State of Idaho

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-25550, et al and requests that the list of lands to be irrigated, as described in said permit be changed to read as follows:

T. 7 N., R. 34 E., Sec. 32 S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 33 S $\frac{1}{2}$ SW $\frac{1}{4}$
T. 6 N., R. 34 E., All of Secs. 4, 5, 8, 9, 10, 13, 16, 17, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 35; Sec. 3 NW $\frac{1}{4}$, S $\frac{1}{2}$; Sec. 7 E $\frac{1}{2}$; Sec. 11 S $\frac{1}{2}$; Sec. 12 SW $\frac{1}{4}$ SW $\frac{1}{4}$; Sec. 14 NE $\frac{1}{4}$, S $\frac{1}{2}$; Sec. 15 NW $\frac{1}{4}$, S $\frac{1}{2}$; Sec. 34 N $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$
T. 6 N., R. 35 E., Sec. 8 W $\frac{1}{2}$ SW $\frac{1}{4}$; Sec. 17 W $\frac{1}{2}$; all of Sec. 18, 19; Sec. 20 NE $\frac{1}{4}$, W $\frac{1}{2}$; Sec. 29 W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$; Sec. 30 N $\frac{1}{2}$
making a total of 17,240 acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Terreton, Idaho, this 23rd day of February, 1960.

OWSLEY CANAL COMPANY, a corporation

By VURGAL L. JOHNSON, Pres.

Date of Receipt at office of Department of Reclamation Feb. 24, 1960

APPROVAL of STATE RECLAMATION ENGINEER

I, GEO. N. CARTER, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-25550, et al. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

s/ GEO. N. CARTER
State Reclamation Engineer

Recorded March 3, 1960

Permit No. G-25550
CERTIFICATES OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that OWSLEY CANAL COMPANY, of Terreton, County of Jefferson, and State of Idaho, the holder of Permit No. G-25550, issued upon Application No. G-32991, bearing date of priority of September 3, 1954, authorizing the diversion of 20 second feet of waters of wells, County of Jefferson, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 16.0 second feet of the waters of a well from subterranean flow; that the point of diversion of said waters is SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19, T. 7 N., R. 35 E., B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit:

17,240 acres of land under the Owsley Canals in Sec. 32, 33, T. 7 N., R. 34 E.; Sec. 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 34, 35, T. 6 N., R. 34 E.; Sec. 8, 17, 18, 19, 20, 29, 30, T. 6 N., R. 35 E., B. M.

Witness my hand this 29th day of August, A. D. 1960.

s/ GEO. N. CARTER
State Reclamation Engineer

Proof of Completion of Works Made: March 28, 1960

LETTER ISSUED FOR 16.0 SEC. FL.
page 6952

MEMORANDUM

TO: Files 31-00327/00328/00329/00330/00331/00332/00336B/00337B/00371/02239/
02265/02289/02290/02297/02310/02317A&B/02321/02341/02342/02343/
02344/02345/07005

FROM: Pam Skaggs²³/State Office

SUBJECT: Transfer 5335

DATE: February 9, 1999

Transfer 5335 combines the groundwater rights of the Holley Water Users, Jackett Canal Co, and Owsley Canal company. These three companies have combined under the Owsley Canal Company name and will operate a single combined system.

The application identifies 34 points of diversion and a combination of the land lists evidenced under each company's SRBA claims or 24261.3 acres. The decreed rights are vague, while the licensed rights identify specific acres and limits. SRBA review of all these rights through the adjudication process will provide specifics and verify the validity of all of these rights.

Review of these rights found that Right 31-02317 was actually licensed in two parts with separate rates and priority dates. These rights were more accurately entered as Parts A & B on the database and the additional 8.08 cfs added to the total diversion rate under this transfer. Also, a combined limit of 200.00 cfs during the irrigation season was identified under Rights 31-00327/00328/00329 & 00330. Right 31-02259 was listed on the application, however this right was superseded by Right 31-00330. After making these adjustments, the total rate of diversion under these rights is 643.21 cfs limited to 503.21 cfs during the irrigation season and 5,000 af storage.

Season of use and diversion volume were adjusted to current standards where specific acres were identified. Recommended conditions include watermaster control, supplemental groundwater, irrigation overlap, measuring/lockable controlling works, right-of-way, permissible place of use, combined limits and standard transfer conditions.

MICROFILMED

FEB 11 1999

MEMORANDUM

TO: FILE 31-02344

FROM: PAM SKAGGS

RE: TRANSFER # 5335

DATE: 11-5-98

Original Transfer Application, Form and correspondence regarding the above referenced Transfer is located within file # 31-00327.

MICROFILMED

FEB 11 1999

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-25550

REPORT ON PROOF OF Completion of Works & Beneficial Use

Jack Gerard, Vice President, Owsley Canal Co., Inc.,
Terreton, Idaho

Q 20 cfs
17240 acrs
Exam 16 cfs.

R-34E.

R-35E.

T.

7

N.

32

33

5

4

10

11

7

8

out

T.

6

N. 19

18

17

16

15

14

13

12

11

20

21

22

23

24

19

20

30

29

28

27

26

25

30

29

31

32

33

34

35

36

R-35E.

Subdivisions = 113

Area = all lands under Beverly Canal

Q = 16 cfs

7 N.

19

H = 17' to delivery label

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. G-25550

This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant Owsley Canal Co. Inc.

2. Source of water supply: Underground Water

3. Location of point of diversion: Is in the SW 1/4 of Section 19

T. 7 N. R. 35 E. County of Jefferson

4. Describe works as they exist, giving dimensions and capacities of same: 128'

75 hp. F. Mann 440V 89 amp. F 335486 1170 rpm.

PW 1483 F. M. Turb 2 stage; Prop A 311T 1160 rpm -

[10] switches & controls on post 3' SE. Cove. Canal.

52" F. Pump sits on 6" x 6" short timbers del. to the tunnel 20" x 6"

5. Water is used for: irrigation pipe into large canal

6. State whether or not water has been turned into works of diversion: yes.

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

T. 7 N., R. 34 E., Sec. 32 S 1/2 SE 1/4, Sec. 33 S 1/2 SE 1/4

T. 6 N., R. 34 E., All of Secs. 4, 5, 8, 9, 10, 13, 16, 17, 20, 21, 22, 23, 24, 25,

26, 27, 28, 29, 35; Sec. 3 NW 1/4, S 1/2; Sec. 7 E.; Sec. 11 S 1/2; Sec. 12 SW 1/4 SW 1/4; Sec. 14 NE 1/4,

S 1/2; Sec. 15 NW 1/4, S 1/2; Sec. 34 N 1/2 NE 1/4, E 1/2 NW 1/4, SW 1/4 NE 1/4, T. 6 N., R. 35 E., Sec. 8 W 1/2 SW 1/4;

Sec. 17 W 1/2; all of Secs. 18, 19; Sec. 20 NE 1/4, W 1/2; Sec. 29 W 1/2 NW 1/4, NW 1/4 SW 1/4;

Sec. 30 N 1/2 making a total of 17, 240 acres.

Less than 1/4 mi N. of Fish Lake well.

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

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

Remarks: Mr. Gerard along

Permits G-25546 & G-25545 & G-25547 & G-25551

are companion permits. All motors are on one meter,
all water into one canal, to Mud Lake
then lifted out into regular delivery system.

Q = by calculation

This examination was made on the 23 day of June, 19 60

(Signed) E. N. Humphrey Examiner.

G 25550

Mo
3-5560

Jack Gerard, Vice President,
Swaley Canal Co. Inc.,
Terreton, Idaho
Permit No. G-25550

Examination for Completion of Works & Beneficial Use

County Jefferson

19-7N.-35E.

Q = 20.0 c.f.s.

S = Well

P.D. = SW.1/4, Sec. 19, T. 7N. - R. 35E. B.M.

Use = Irrigation

Filed = Sept. 3, 1954

Due = March 28, 1960

INSTRUCTIONS TO EXAMINERS

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

RECEIVED
JUL 2 21960

Department of Reclamation

various rights - see permit record sheets

August 29, 1960

Re: Permits Nos. G-25545-G-25546-G-25547
G-25550 and G-25551

Owley Canal Co.
Attn: Mrs. Merrill Jewett, Sec.
Torrton, Idaho

Dear Mrs. Jewett:

Enclosed are Certificates of Completion of Works and
Licenses and Certificates of Water Right issued on the above numbered
permits.

We also enclose departmental receipt No. G-5145, in
the amount of \$25.00 covering fees.

Very truly yours,

GEO. H. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna F. Aule
Chief Clerk

EPB:aw

Enc. certificates (5)
licenses (5)
receipt

August 10, 1960

RE: Permit Nos. G-25545, G-25546, G-25547,
G-25550, G-25551

Jack Gerard, Vice President
Owsley Canal Company
Terreton, Idaho

Dear Mr. Gerard:

Our field engineer's report on his inspection of the completion of works and beneficial use of the water under the terms of Permits No. G-25545, G-25546, G-25547, G-25550, G-25551 shows that the wells are capable of conveying 4,000 miner's inches (80 c.f.s.) of water for irrigation of 17,240 acres.

Upon receipt of the Statutory fees, totaling \$25.00, we will issue the Certificates of Completion of Works (fee \$5.00 for each Certificate) and the License and Certificate of Water Right on each, confirming the rights with priority of September 3, 1954, to the use of 80 second feet of subterranean water with the points of diversion in The SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 18, SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 18, NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 19, SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 19, SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 19, Township 7 North, Range 35 East for irrigation of 17,240 acres of land under the Owsley Canals in Sec. 32, 33 T. 7 N., R. 34 E; Sec. 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 34, 35, T. 6 N., R. 34 E; Sec. 8, 17, 18, 19, 20, 29, 30 T. 6 N., R. 35 E.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EIR:er

P. S. The water licensees will have a condition. "Not over 5 acre feet per annum per acre of irrigated land of all water rights shall be diverted. Not over 1 miner's inch of subterranean water per acre of irrigated land shall be diverted at any one time for all uses".

25550

RET

August 10, 1960

RE: Permit Nos. G-25545, G-25546, G-25547,
G-25550, G-25551

Jack Gerard, Vice President
Owsley Canal Company
Terreton, Idaho

Dear Mr. Gerard:

Our field engineer's report on his inspection of the completion of works and beneficial use of the water under the terms of Permits No. G-25545, G-25546, G-25547, G-25550, G-25551 shows that the wells are capable of conveying 4,000 miner's inches (80 c.f.s.) of water for irrigation of 17,240 acres.

Upon receipt of the Statutory fees, totaling \$25.00, we will issue the Certificates of Completion of Works (fee \$5.00 for each Certificate) and the License and Certificate of Water Right on each, confirming the rights with priority of September 3, 1954, to the use of 80 second feet of subterranean water with the points of diversion in The SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 18, SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 18, NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 19, SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 19, SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 19, Township 7 North, Range 35 East for irrigation of 17,240 acres of land under the Owsley Canals in Sec. 32, 33 T. 7 N., R. 34 E; Sec. 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 34, 35, T. 6 N., R. 34 E; Sec. 8, 17, 18, 19, 20, 29, 30 T. 6 N., R. 35 E.

Very truly yours,

GEO. R. CARTER
State Reclamation Engineer
By

(Mrs.) Edna F. Rule
Chief Clerk

ER:mr

P. S. The water licenses will have a condition. "Not over 5 acre feet per annum per acre of irrigated land of all water rights shall be diverted. Not over 1 miner's inch of subterranean water per acre of irrigated land shall be diverted at any one time for all uses".

April 11, 1960

RE: Permit Nos. G-25545, G-25546, G-25547,
G-25550, G-25551
Owsley Canal Company

Owsley Canal Company
Terreton, Idaho

Attention: Mrs. Merrill Jemmett, Secretary

Dear Mrs. Jemmett:

Returned herewith is your check in the amount of \$2.00 for payment for making photo copies of the Affidavit of Publication on the above mentioned permits, which was received in the afternoon mail.

A check was received in the morning mail from H. R. Harn for payment of the same fee. It had been entered in our books and a receipt mailed to him before this one came in.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr
Enc. check
cc to H. R. Harn
P. O. Box 7
Dubois, Idaho

April 11, 1960

RE: Permit Nos. G-25545, G-25546, G-25547
G-25550, G-25551
Owsley Canal Company

H. B. Harn
P. O. Box 7
Dubois, Idaho

Dear Mr. Harn:

Enclosed is departmental receipt No. G-4752 in the amount of \$2.00 for payment of photo copies of Affidavit of Publication on the above mentioned permits.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

ELR:mr
Enc. receipt

cc to Jack Gerard, Vice President
Owsley Canal Company
Terreton, Idaho

April 5, 1960

Re: Permit Nos. C-25545, C-25546, C-25547
C-25550 - C-25551
Owaley Canal Company

Jack Gerard, Vice President
Owaley Canal Company, Inc.
Turretton, Idaho

Dear Sir:

We acknowledge receipt of the Deposition of Holder and two witnesses, also affidavit of publication in the Rigby Star, all submitted in proof of Completion of Work and Beneficial Use on Permits Nos. C-25545, C-25546, C-25547, C-25550 and C-25551.

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

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

It was necessary to make four photo-copies of the Affidavit of Publication for four of the permits, as only one Affidavit was mailed to us. Please mail us \$2.00 to cover the cost of these photo-copies as soon as possible.

Very truly yours,

CARL R. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Hale
Chief Clerk

EP:ew

cc: R. R. Barn Agency
P. O. Box 7
Rabois, Idaho

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
APR 4 1960
Department of Reclamation

Permit No. 9-25550

Proof of Application of Water to Beneficial Use

and Completion of Works Deposition of Holder

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

Ans. Jack Gerard, residence, Terreton, Idaho, occupation, farming and livestock.

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

Ans. Idaho. I am the corporation Vice-President and a member of the Board of Directors.

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

Ans. G-25550, dated ~~Sept. 3, 1954~~ ^{March 28, 1955}, and our priority date is Sept. 3, 1954.

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

Ans. Subterranean water from wells, with a point of diversion in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19, Township 7 North, Range 35 E.B.M., Idaho.

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

Ans. Deep well pump powered by 75 H.P. Electric Motor, which produces 1,000 inches of water, and is conveyed by a ditch approximately 12 feet wide at bottom, with banks 4 feet high and sloping approximately 2 feet to mile. Well approximately 123 feet deep, water lift approximately 10 feet, well casing 24 inch and 20 feet long. Pump flow 1,000 inches has been estimated by Directors, and pump has capacity of 1,200 inches.

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

Ans. Irrigation and stock watering. Lands all cultivated, all diked, with canals and laterals. Lands irrigated are those described in Proof of Publication.

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

Ans. Ralph P. Cope, 927 Poulsen, Idaho Falls, Idaho

B25550



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

Ans. _____

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

Ans. _____

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

Ans. Edwin Snow, agent, who signed original Application, now deceased.
I am an officer of the corporation.

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

Ans. All the water under this Permit was used for the full irrigation
season of 1957, 1958 and 1959 for the raising of crops.

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

Ans. We have several other Rights, Permits and Licenses used in
connection with this Permit on our 16,000 acre project, which are of
record in the Department of Reclamation.

(Sign) _____

Jack Gerard
Jack Gerard

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed

and sworn to before me, at my office in Dubois, County of Clark

State of Idaho, on this 28th day of March, A. D. 19 60

My commission expires May 1, 1961

H. B. Ham
Notary Public

825550

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
APR 1 1963
Department of Reclamation

Permit No. G-25550

Proof of Application of Water to Beneficial Use
and Completion of Works
Deposition of Witness

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

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

Ans. E. E. Cope, age 55, residence - Montevue, Idaho, occupation -
livestock and farming.

Ques. 2. Are you acquainted with Owsley Canal Company, Inc., the
holder of Permit No. G-25550? How long have you known him and where does
he reside?

Ans. I have had knowledge of the Owsley Canal Company and it's operations
since about 1923. Their project is located near Terreton, Jefferson Co.,
Idaho.

Ques. 3. Have you read or heard read said Permit No. G-25550, and are you
familiar with its provisions and conditions?

Ans. I am familiar with this Permit and it's terms and provisions.

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

Ans. Water is from wells, point of diversion is SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19, Twp.
7 North, Range 35 E.B.M., Jefferson County, Idaho. Water is produced by
deep well pump with electric motor attached, and there are ditches and
canals from where water is produced to place of use.

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

Ans. Ditch at well will convey 20 second feet of water to main canal,
and I have seen water being so conveyed.

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

Ans. It is my estimate, after seeing this pump in operation, that it
will produce 1,000 inches. I have had considerable experience with
irrigation pumps since coming to this area in 1923.

G25550

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

Ans. Water is used for raising of crops on a large project of approximately 16,000 acres. The land is all under cultivation and crops are produced only as a result of said irrigation.

Where?

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

Ans.

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

Ans. The land reclaimed is generally level and of a sandy loam nature, requiring at least 1 inch per acre for proper irrigation.

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

Ans. I have no interest whatsoever in this project.

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

Ans. I have lived in this area since 1923, and know the Owsley Canal project very well, have witnessed the pumps in operation and the production of crops.

(Signed)

E. E. Cope

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Dubois, County of Clark, State of Idaho, on this 28 day of March, A. D. 1960.

[Signature]

Notary Public.

My commission expires May 1, 1961.

25550

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
APR 4 1960
Department of Reclamation

Permit No. G-25550

Proof of Application of Water to Beneficial Use
Deposition of Witness ^{and Completion of Works}

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

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

Ans. Dave Jernberg, age 63, residence, 2030 Bremer Drive, Idaho Falls, Idaho. My occupation is livestock and farming.

Ques. 2. Are you acquainted with Owsley Canal Company, Inc., the holder of Permit No. G-25550? How long have you known him and where does he reside?

Ans. Yes, I have been acquainted with the Owsley Canal Company and it's operations since it was first organized in about 1915.

Ques. 3. Have you read or heard read said Permit No. G-25550, and are you familiar with its provisions and conditions?

Ans. I am familiar with the provisions and terms of this Permit.

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

Ans. Water is from subterranean wells, place of diversion is SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19, Township 7 North, Range 35 E.B.M., Jefferson Co., Idaho. Works consist of deep well with pump and electric motor, and canals and ditches to point of use from point of diversion.

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

Ans. I believe this well will produce approximately 20 second feet of water, and I have seen it conveyed in ditches.

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

Ans. I have seen this pump in operation, and believe it will produce 20 cubic feet per second. My estimate is based on my pumping experience during the past 20 years.

G-25550

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

Ans. Water is used for irrigation for the production of crops. There is over 16,000 acres in the project. Cultivated crops have been produced as a result of this irrigation.

Where?

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

Ans.

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

Ans. The character of the soil is sandy loam, and not less than 1 inch per acre is required to produce profitable crops.

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

Ans. I have no interest in the project or any land under it.

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

Ans. I have been familiar with this project since 1915, have witnessed the production of crops and the application of water to beneficial use.

(Signed)

Dave Jernberg
Dave Jernberg

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Dubois, County of Clark, State of Idaho, on this 28 day of March, A. D. 1960.

[Signature]

Notary Public.

My commission expires May 1, 1961

825550

Affidavit of Publication

THE RIGBY STAR

RECEIVED
APR 4 1960

Department of Reclamation

STATE OF IDAHO, }
County of Jefferson } ss.

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

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

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

3rd day of *March*, 19*60*

and the last publication on the

24th day of *March*, 19*60*

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 *24th*

day of *March*, 19*60*

(SEAL)

F. H. Hanner

Notary Public for the State of Idaho,
Residence and P. O. Address, Rigby, Idaho
My commission expires _____, 19____

Publication Fee: \$*2.50*

NOTARY PUBLIC EXPIRES JULY 17, 1961

25550

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

It is hereby given that at 9:00 a.m. on the 28th day of March, 1960, at Dubois, County of Clark, State of Idaho, before H. R. Harn, Notary Public, at Dubois, Idaho, proof will be submitted of the completion of work for the diversion of 100 cubic feet per second of underground water from wells, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit Nos. G-25545, G-25546, G-25547, G-25550, and G-25551, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of corporation holding said permits is Owsley Canal Company, a corporation, Terrellton, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 100 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 100 cubic feet per second.

4. The points of diversion of said water are: SW1/4SW1/4, Sec. 18; SE1/4SW1/4, Sec. 18; NW1/4NW1/4, Sec. 18, and the SW1/4NW1/4 of Twp. 18; and the SW1/4NW1/4, Sec. 19; all in Twp. 7 N., Rge. 35 E.B.M.

5. The place where said water is used is S1/4SE1/4, Sec. 32; S1/4SW1/4, Sec. 33; Twp. 7 N., Rge. 34 E. B. M.; NW1/4, S1/4, Sec. 8; all of Secs. 4 & 5; E1/4, Sec. 7; all of Secs. 8, 9 & 10; S1/2, Sec. 11; SW1/4SW1/4, Sec. 12; all of Sec. 13; NE1/4, S1/4, Sec. 14; NW1/4, S1/4, Sec. 15; all of Sections 16, 17, 20, 21, 22, 23, 24, 25, 26, 27, 28, and 29; N1/4NE1/4, SW1/4NE1/4, E1/4NW1/4, Sec. 34; all of Sec. 35; all in Twp. 6 N., Rge. 34 E.B.M.; W1/4SW1/4, Sec. 8; W1/4, Sec. 17; all of Secs. 18 & 19; NE1/4W1/4, Sec. 20; W1/4NW1/4, NW1/4SW1/4, Sec. 29; N1/4, Sec. 30; all in Twp. 6 N. Rge. 35 E.B.M., all in Jefferson County, Idaho.

6. The date of priority which said user is prepared to establish is September 8, 1854.

GEORGE N. CARTER,
State Reclamation Engineer.
(March 3-10-17-24, 1960)

THE RIGBY STAR

APR 4 1960

SS

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 07-17-2001 BY 60322 UCBAW

March 3, 1960

Re: Permits Nos. G-25545, G-25546, G-25547
G-25550, G-25551
Owaley Canal Company

Mr. H. B. Harn
Box 7
Dubois, Idaho

Dear Mr. Harn:

We enclose the amendment to the land list on the above numbered permits, in the name of Owaley Canal Company, which have been duly recorded in this office.

Very truly yours,

GEO. H. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Hale
Chief Clerk

EPR:ew

Enc. amendment

Department of Reclamation

Application for Amendment
To Permit to Appropriate the Public Waters

of the State of Idaho, No. ~~G 25545~~, G 25546,
G 25547, G 25550, G 25551

Comes now Owsley Canal Company, a corporation, and represents to the State Reclamation Engineer of the State of Idaho.

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. ~~G 25545~~, G 25546, G 25547, G 25550, and G 25551, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

T 7 N, R 34 E; Sec. 32 S $\frac{1}{2}$ SE $\frac{1}{4}$; Sec. 33 S $\frac{1}{2}$ SW $\frac{1}{4}$

T 6 N, R 34 E; All of Secs. 4, 5, 8, 9, 10, 13, 16, 17, 20, 21, 22, 23, ~~24~~, 25,

26, 27, 28, 29, 35; Sec. 3 NW $\frac{1}{4}$, S $\frac{1}{2}$; Sec. 7 E $\frac{1}{2}$; Sec. 11 S $\frac{1}{2}$; Sec. 12 SW $\frac{1}{2}$ SW $\frac{1}{4}$; Sec. 14

NE $\frac{1}{4}$, S $\frac{1}{2}$; Sec. 15 NW $\frac{1}{4}$, S $\frac{1}{2}$; Sec. 34 N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$

T 6 N, R 35 E; Sec. 8 W $\frac{1}{2}$ SW $\frac{1}{4}$; Sec. 17 W $\frac{1}{2}$; ~~all of~~ Secs. 18, 19; Sec. 20 NE $\frac{1}{4}$, W $\frac{1}{2}$; Sec. 29

W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$; Sec. 30 N $\frac{1}{2}$

....., making a total of 17,240 acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Terreton, Idaho, this 23rd day of February, 1960

OWSLEY CANAL COMPANY, a corporation,
By Vergal E. Johnson
Vergal E. Johnson, Pres.

Date of receipt at office of Department of Reclamation February 24, 1960

APPROVAL OF STATE RECLAMATION ENGINEER

I, GEO. N. CARTER, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. see above. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

Recorded in Book 90 of
Permits, Pages 25545-46-47
25550, 25551

§25550

GEO. N. CARTER

State Reclamation Engineer

February 25, 1960

Re: Water Rights in the name of
Owsey Canal Company

9-25535

Mr. H. R. Harn,
Box 7,
Dubois, Idaho.

Dear Mr. Harn:

Upon your request of February 23rd for the Owsey Canal Company, we find, as taken from our records, the following list of decreed water rights and permit rights. In the case of Ernest Sauve, Plaintiff, vs. W. H. Abbott, et al, Defendants, dated November 1, 1930, by Charles C. Cavanaugh, U. S. District Judge, the following rights were decreed to the Owsey Canal Company out of Mad Lake:

Priority of March 9, 1911, for 1.6 c.f.s.
" " April 15, 1912, for 80.8 c.f.s.
" " December 2, 1916, for 72.6 c.f.s.
" " May 1, 1921, for 25.0 c.f.s.
" " August 11, 1924, for 75 c.f.s.

Total of 255.0 c.f.s.

In the above stated decree, we find from our abstract of decreed rights, the following water rights out of Mad Lake decreed to the following persons and now in the name of the Owsey Canal Company:

November 3, 1910 - 1.6 cfs decreed to Carl Nordstrom
November 14, 1912 - 2.68 cfs decreed to Clara Welshman
July 21, 1913 - 4.0 cfs decreed to James A. Malton
September 6, 1913 - 2.5 cfs decreed to H. A. & Mary L. England
October 18, 1913 - 3.0 cfs decreed to Henry Jonnett
December 15, 1913 - 1.6 cfs decreed to Mary A. Jonnett
June 1, 1915 - 1.0 cfs decreed to George E. Monroe
June 24, 1916 - 2.44 cfs decreed to William W. Miller
December 3, 1916 - 1.0 cfs decreed to George E. Monroe
August 28, 1926 - 6.4 cfs decreed to Ernest Sauve

In the case of the Owsey Canal Company, a corporation, Plaintiff, vs. Ernest Bawrie, et al, Defendants, dated October 14, 1940, by C. J. Taylor, District Judge, the plaintiff was awarded an amount not exceeding in the aggregate the equivalent of 200 cubic feet per second flowing continuously

9-25550

during the irrigation season from May 1st to November 1st of each year, from all or any of the wells constructed, or to be constructed, under permits Nos. 17611, 17612, 17640 and 18378.

A water license was issued by the Department of Reclamation on Permit No. 17262 for 40 cubic feet of water with priority of January 25, 1930. No mention was made in the last above entitled case of water license No. 17262 in the name of Owsley Canal Company, with priority of January 25, 1930, for 40 cubic feet from North Lake and subterranean sources. The point of diversion from North Lake is in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 23, Township 7 North, Range 34 East, and evidently three artesian wells were drilled along the canal to Mud Lake; - no information as to the capacity of the wells.

We have checked our records in this office thoroughly and to the best of our belief, this is a complete list of all valid water rights in the name of the Owsley Canal Company. This list does not include the water being applied for under Permit No. G-25544, G-25546, G-25547, G-25548, G-25549, G-25550 and G-25551; also G-25545.

There will be no charge for this information. Copy of this letter is being furnished you in triplicate.

Very truly yours,

GEO. W. CARTER
State Reclamation Engineer
By

ROY W. THOMPSON
Supervisor of Water Distribution

RWT:pak

825550

February 24, 1960

Re: Permits Nos. G-25545, G-25546, G-25547
G-25550, G-25551
Owaley Canal Company

Mr. H. R. Harn,
Dubois, Idaho.

Dear Mr. Harn:

We are in receipt of your letter of February 23rd and enclosures. We are sending you a copy of a letter and notice for checking purposes which is being forwarded as of this date to the Rigby Star, Rigby, Idaho, for publication purposes, in regard to the above numbered permits.

Each of the above numbered permits is being amended according to the amendments sent to this Department, amending the land list that you furnished us.

We are also sending you six sets of forms for making proofs of completion of works and beneficial use, together with our form letter and instructions.

You will be billed for the statutory expense in connection with your proofs after examination has been made by our field engineer, which will be some time next spring or summer.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

ROY W. THOMPSON
Supervisor of Water Distribution

Encl.
RWT:pmk

825550

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE
February 24, 1960

Re: Permit No. G-25545; G-25546; G-25547
G-25550; G-25551
Owsley Canal Company

Mr. H. R. Harn,
Dubois, Idaho.

Dear Mr. Harn:

This acknowledges the Notice of Proof of Completion of Works and Application for
of Water to Beneficial Use under Permit Nos. G-25545, G-25546, G-25547, G-25550 &
G-25551, in the name of
Owsley Canal Company. Final Proof is to be made before you, as
Notary on the 28th day of March, 1960, ~~1959~~ at 9:00 o'clock
A.M., at Dubois, Idaho.

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

It is important that the enclosed depositions be executed by the permit holder
and two disinterested witnesses who are familiar with the terms of the permit
and the work done thereunder, at the time, on the date and before you, as
Notary, as stated in the publication notice. 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, that your 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,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rutledge
Chief Clerk

Encl.
EPR:Pk
cc: Applicant

G-25550

S T A T E O F I D A H O

DEPARTMENT OF RECLAMATION

Boise, Idaho

Date: **February 24, 1960**

Re: Permit Numbers
G-25545; G-25546; G-25547;
G-25550; G-25551

Rigby Star,
Rigby, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to **March 28, 1960** the date set for proof; H. R. Harn, Dubois, Idaho, for the expense of the publication is to be paid by the applicant

Owsley Canal Company, a corporation of **Terreton, Idaho**
to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice and furnish this office with a copy or tear sheet of the first publication**

Very truly yours,



GEO. N. CARTER
State Reclamation Engineer

** If the first copy is not received in this office for checking purposes and errors appear in subsequent issues, it is possible that re-publication of corrected copy will be at your own expense

Encl.

25550

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

- - - - -

Notice is hereby given that at 9:00 A.M., on the 28th day of March, 1960, at Dubois, County of Clark, State of Idaho, before H. R. Harn, Notary Public, at Dubois, Idaho, proof will be submitted of the completion of works for the diversion of 100 cubic feet per second of underground water from wells, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit Nos. G-25545, G-25546, G-25547, G-25550, and G-25551, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of corporation holding said permits is Owsley Canal Company, a corporation, Terreton, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 100 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 100 cubic feet per second.

4. The points of diversion of said water are: SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18; SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19, and the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 19; and the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19; all in Twp. 7 N., Rge. 35 E.B.M.

5. The place where said water is used is S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 32; S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 33; Twp. 7 N., Rge. 34 E.B.M.; NW $\frac{1}{4}$, S $\frac{1}{2}$, Sec. 3; all of Secs. 4 & 5; E $\frac{1}{2}$, Sec. 7; all of Secs. 8, 9 & 10; S $\frac{1}{2}$, Sec. 11; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 12; all of Sec. 13; NE $\frac{1}{4}$, S $\frac{1}{2}$, Sec. 14; NW $\frac{1}{4}$, S $\frac{1}{2}$, Sec. 15; all of Sections 16, 17, 20, 21, 22, 23, 24, 25, 26, 27, 28, and 29; N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 34; all of Sec. 35; all in Twp. 6 N., Rge. 34 E.B.M.; W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 8; W $\frac{1}{2}$, Sec. 17; all of Secs. 18 & 19; NE $\frac{1}{4}$, W $\frac{1}{2}$, Sec. 20; W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29; N $\frac{1}{2}$, Sec. 30; all in Twp. 6 N., Rge. 35 E.B.M., all in Jefferson County, Idaho.

6. The date of priority which said user is prepared to establish is September 3, 1954.

GEO. N. CARTER
State Reclamation Engineer

825550

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

Permit No. 6 25550

(Date) February 23, 1960

(P. O.) Terreton, 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

The Rigby Star

of

Rigby, Idaho

published in

the county in which the works are situated.

Jefferson Co.

COWSLEY CANAL COMPANY, a corporation,

By

Vurgal L. Johnson
Vurgal L. Johnson, Pres.

(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.

625550

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

Permit No. G 25550

(Date) February 23, 1960

(P. O.) Terreton, 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

The Rigby Star

of

Rigby, Idaho

published in

the county in which the works are situated.

OWSLEY CANAL COMPANY, a corporation,

By

Vurgal L. Johnson
Vurgal L. Johnson, Pres.

(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.

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

Notice is hereby given that at 9:00 , A.M., on the 28 day of March ,
1960 , at Dubois , County of Clark , State of Idaho
before H. R. Harn , Notary Public, at (address) Dubois,
Idaho , proof will be submitted of the completion of
works for the diversion of 20 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 25550 , 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 Cwsley Canal Company, a corporation, Terreton, Idaho.
- 2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 20 cubic feet per second.
- 3. The use of which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 20 cubic feet per second.
- 4. The point of diversion of said water is SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 19, Township 7 North, Range 35 E.B.M., Jefferson County, Idaho.
- 5. The place where said water is used is _____

_____ TOWNSHIP 7 NORTE, RANGE 34 E.B.M., JEFFERSON COUNTY, IDAHO _____

_____ Section 32: S $\frac{1}{2}$ SE $\frac{1}{4}$ _____
6. Section 33: S $\frac{1}{2}$ SW $\frac{1}{4}$ _____ th _____

_____ Township 6 North, Range 34 E.B.M., Jefferson County, Idaho _____

Marc

- Section 3: NW $\frac{1}{4}$, S $\frac{1}{2}$
- Section 4: All
- Section 5: All
- Section 7: E $\frac{1}{2}$
- Section 8: All
- Section 9: All
- Section 10: All
- Section 11: S $\frac{1}{2}$
- Section 12: SW $\frac{1}{4}$ SW $\frac{1}{4}$
- Section 13: All
- Section 14: NE $\frac{1}{4}$, S $\frac{1}{2}$
- Section 15: NW $\frac{1}{4}$, S $\frac{1}{2}$
- Section 16: All
- Section 17: All
- Section 20: All
- Section 21: All
- Section 22: All
- Section 23: All
- Section 24: All
- Section 25: All
- Section 26: All
- Section 27: All
- Section 28: All
- Section 29: All
- Section 34: N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$
- Section 35: All

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TOWNSHIP 6 NORTH, RANGE 35 E.B.M., JEFFERSON COUNTY, IDAHO

- Section 8: W $\frac{1}{2}$ SW $\frac{1}{4}$
- Section 17: W $\frac{1}{2}$
- Section 18: All
- Section 19: All
- Section 20: NE $\frac{1}{4}$, W $\frac{1}{2}$
- Section 29: W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$
- Section 30: N $\frac{1}{2}$

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

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6. The date of priority which said user is prepared to establish is 28th

March, 1955.

Geo. H. Carter
State Reclamation Engineer

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

Notice is hereby given that at 9:00, A.M., on the 28 day of March,
1960, at Dubois, County of Clark, State of Idaho
before H. R. Harn, Notary Public, at (address) Dubois,

Idaho, proof will be submitted of the completion of
works for the diversion of 20 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 25550, 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 Owsley Canal Company, a corporation, Terreton, Idaho.

2. Said works of diversion will be fully completed on the date set for such
completion, and the amount of water which said works are capable of conveying to the
place of use is 20 cubic feet per second.

3. The use of which said water has been applied is irrigation
purposes, and the amount applied to beneficial use is 20 cubic feet per second.

4. The point of diversion of said water is SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 19, Township 7
North, Range 35 E.B.M., Jefferson County, Idaho.

5. The place where said water is used is

TOWNSHIP 7 NORTH, RANGE 34 E.B.M., JEFFERSON COUNTY, IDAHO

Section 32: S $\frac{1}{2}$ SE $\frac{1}{4}$
Section 33: S $\frac{1}{2}$ SW $\frac{1}{4}$

TOWNSHIP 6 NORTH, RANGE 34 E.B.M., JEFFERSON COUNTY, IDAHO

Section 3: NW $\frac{1}{4}$, S $\frac{1}{2}$
Section 4: All
Section 5: All
Section 7: E $\frac{1}{2}$
Section 8: All
Section 9: All
Section 10: All

Section 11: S $\frac{1}{2}$
Section 12: SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 13: All
Section 14: NE $\frac{1}{4}$, S $\frac{1}{2}$
Section 15: NW $\frac{1}{4}$, S $\frac{1}{2}$
Section 16: All
Section 17: All
Section 20: All
Section 21: All
Section 22: All
Section 23: All
Section 24: All
Section 25: All
Section 26: All
Section 27: All
Section 28: All
Section 29: All
Section 34: N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$
Section 35: All

TOWNSHIP 6 NORTH, RANGE 35 E.B.M., JEFFERSON COUNTY, IDAHO

Section 8: W $\frac{1}{2}$ SW $\frac{1}{4}$
Section 17: W $\frac{1}{2}$
Section 18: All
Section 19: All
Section 20: NE $\frac{1}{4}$, W $\frac{1}{2}$
Section 29: W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 30: N $\frac{1}{2}$

per

Department of Reclamation

NOTICE OF PROOF OF COMPLETION OF WORKS
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6. The date of priority which said user is prepared to establish is Sept. 3, 1954
~~March, 1955.~~

825550

Geo. H. Carter
State Reclamation Engineer

[Handwritten mark]

February 19, 1960

Re: Permit Numbers

G-25545; G-25546; G-25547
G-25548; G-25549; G-25550 ✓

Mr. Harry R. Harn,
Box 7,,
Dubois, Idaho.

Dear Mr. Harn:

We are enclosing Departmental Receipt No. G-4648
which was issued covering payment in the amount of \$12.85
for the photo copies of the above numbered permits.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

ROY W. THOMPSON
Supervisor of Water Distribution

Encl.
RWT:pak

825550

February 17, 1960

Re: Permit Numbers
G-25545; G-25546; G-25547
G-25548; G-25549; G-25550 ✓

Mr. Harry R. Harn,
Box 7,
Dubois, Idaho.

Dear Mr. Harn:

Confirming our telephone conversation of February 15th, in which you requested copies of Permit Numbers G-25544 to G-25551, inclusive, we are enclosing copies of Permits G-25545 to G-25550, inclusive, and Mr. Snow's secretary, Mrs. Wilder, is mailing you copies of Permit No. G-25544 and G-25551.

Please remit to the Department of Reclamation the sum of \$12.85 for the cost of photo copies.

We are enclosing only one copy of "Remarks", also one copy of "Land Description" as the same Remarks and Land Description were identical for each permit, the same being attached thereto and made a part of each permit. Hope the same meets with your approval.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

ROY W. THOMPSON
Supervisor of Water Distribution

Encl.
RWT:pak

B25550

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G-~~25544~~ - 25545 - 25546
25547 - 25548 - 25549
25550 - 25551

Date: Jan. 1, 1960

Mrs. Merrill Jemmett, Secretary
Owsley Canal Company
Teton, Idaho

Dear Ms. Jemmett:

The date for proofs of Completion of Works and Application of Water to Beneficial Use, as set out under the terms of Permit No. G-~~see above~~ are due not later than March 28, 1960.

Before these proofs can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper within the county in which the land is located. In completing the Notice of proof for publication, the information should be taken from your Permit, including any amendments made in connection with a change of point of diversion or land list which has been recorded in this department. If changes have been made and no amendments are on record, we advise that you request a form for this purpose before your Notice is published.

We enclose Form 36, in duplicate, which is to be filled out and returned to this department at least forty (40) days before the mentioned date, (allowing for four weeks publication). Please give the name of the town, the address of the place where the depositions will be executed, and, the name of the notary public before whom you will appear to make the depositions of proof (this may be at any place convenient for you and your two witnesses), the quantity of water filed; for what purpose it is used; the point of, or points of diversion; and the location of use of the lands which are irrigated -- all by legal land description.

Enclosed also is Form 11, which is the authorization for us to have the notice published in the designated county newspaper at your expense. This is to be returned with Form 36.

At the time we send the notice to the newspaper we will send to you the forms for the depositions of holder and two disinterested witnesses. It is important that the depositions be executed at the time, on the date set, at the place named and before the notary public, as advertised in the publication notice.

Very truly yours,

GEO. N. CARTER

GEO. N. CARTER
State Reclamation Engineer

Enclosures Forms 36 - 11 - instructions

P. S. This could be advertised in one ad, all eight permits, if the points of diversion were shown for each well and the land list is identical.

25545
25550

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

Date: Jan. 1, 1966
Jan. 1, 1966

Re: Permit No. G-~~25144~~ - ~~25145~~ - ~~25146~~
~~25147~~ - ~~25148~~ - ~~25149~~
~~25150~~ - ~~25151~~

ms. Merrill Emmett, Secretary
Mrs. Merrill Emmett, Secretary
Owensby Canal Company
Teton, Idaho

Dear Mr. Emmett:

The date for proofs of Completion of Works and Application of Water to Beneficial Use, as set out under the terms of Permit No. G-~~25144~~ are due not later than ~~March 25, 1966~~ *See above*

March 28, 1966

Before these proofs can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper within the county in which the land is located. In completing the Notice of proof for publication, the information should be taken from your Permit, including any amendments made in connection with a change of point of diversion or land list which has been recorded in this department. If changes have been made and no amendments are on record, we advise that you request a form for this purpose before your Notice is published.

We enclose Form 36, in duplicate, which is to be filled out and returned to this department at least forty (40) days before the mentioned date, (allowing for four weeks publication). Please give the name of the town, the address of the place where the depositions will be executed, and, the name of the notary public before whom you will appear to make the depositions of proof (this may be at any place convenient for you and your two witnesses), the quantity of water filed; for what purpose it is used; the point of, or points of diversion; and the location of use of the lands which are irrigated -- all by legal land description.

Enclosed also is Form 11, which is the authorization for us to have the notice published in the designated county newspaper at your expense. This is to be returned with Form 36.

At the time we send the notice to the newspaper we will send to you the forms for the depositions of holder and two disinterested witnesses. It is important that the depositions be executed at the time, on the date set, at the place named and before the notary public, as advertised in the publication notice.

Very truly yours,

Geo. N. Carter

GEO. N. CARTER

State Reclamation Engineer

Forms 36 - 11 - Instructions
Enclosures

P. S. This could be averted in one ad, all right permits, if the points of diversion were shown for each well and the land list is identical.

25550

September 10, 1959

RE: Permits No. G-25544
G-25545
G-25546
G-25547
G-25548
G-25549
G-25550
G-25551

Mrs. Merrill Jemmett, Secretary
Owsley Canal Company
Terreton, Idaho

Dear Mrs. Jemmett:

According to our records your last group of filings are listed as above. Proofs of Completion of Works and Beneficial Use are due on March 28, 1960 on all the permits.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rutledge
Chief Clerk

BFR:mt

25550

RE: Permit No. G-25550

See letter of transmittal in File No. G-25544, dated
April 4, 1955.

G25550