

WELL DRILLER'S REPORT

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

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1. WELL OWNER

Name Jackett Canal Co.

Address Hamer, Idaho

Water-31-2310

Owner's Permit No. Drill-31-88-E-030

2. NATURE OF WORK

☒ New well

☐ Deepened

☐ Replacement

☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)

3. PROPOSED USE

☐ Domestic

☒ Irrigation

☐ Test

☐ Municipal

☐ Industrial

☐ Stock

☐ Waste Disposal or Injection

☐ Other _____ (specify type)

4. METHOD DRILLED

☐ Rotary

☐ Air

☐ Hydraulic

☐ Reverse rotary

☒ Cable

☐ Dug

☐ Other _____

5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____

Thickness

Diameter

From

To

1/2 inches

20 inches

1 feet

69 feet

_____ inches

_____ inches

_____ feet

_____ feet

_____ inches

_____ inches

_____ feet

_____ feet

_____ inches

_____ inches

_____ feet

_____ feet

Was casing drive shoe used? ☒ Yes ☐ No

Was a packer or seal used? ☐ Yes ☒ No

Perforated? ☐ Yes ☒ No

How perforated? ☐ Factory ☐ Knife ☐ Torch

Size of perforation _____ inches by _____ inches

Number

From

To

_____ perforations

_____ feet

_____ feet

_____ perforations

_____ feet

_____ feet

_____ perforations

_____ feet

_____ feet

Well screen installed? ☐ Yes ☒ No

Manufacturer's name _____

Type _____ Model No. _____

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____

Placed from _____ feet to _____ feet

Surface seal depth 30' Material used in seal: ☐ Cement grout

☒ Bentonite ☒ Puddling clay ☐ _____

Sealing procedure used: ☐ Slurry pit ☒ Temp. surface casing

☐ Overbore to seal depth

Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent Weld

☐ Cemented between strata

Describe access port 2" Pipe & Cap

7. WATER LEVEL

Static water level 7 feet below land surface.

Flowing? ☐ Yes ☒ No G.P.M. flow _____

Artesian closed-in pressure _____ p.s.i.

Controlled by: ☐ Valve ☐ Cap ☐ Plug

Temperature 54 of. Quality Good

Describe artesian or temperature zones below.

8. WELL TEST DATA

☐ Pump

☐ Bailer

☐ Air

☒ Other _____

Discharge G.P.M.

Pumping Level

Hours Pumped

9. LITHOLOGIC LOG

Bore Diam.

Depth

Material

Water

From

To

Yes

No

26"

0

10

Sandy Clay

X

10

12

Broken Basalt

X

12

22

Firm Gray Basalt

X

22

25

Red & Black Cinders

X

25

30

Fairly Hard Basalt

X

30

33

Cinders

X

20"

33

69

Brown Clay

X

69

87

Firm Gray Basalt

X

87

94

Hard Gray Basalt

X

94

99

Red Black Cinders

X

99

106

Firm Basalt

X

106

124

Porus Red Basalt

X

124

130

Red Fine Cinders

X

10.

Work started 11/14/88 finished 12/14/88

11. DRILLERS CERTIFICATION

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

Firm Name Jack Cushman Drilling Firm No. #94

1405 South Broadway

Address Blackfoot, Idaho Date 12/21/88

Signed by (Firm Official) Jack Cushman

and

(Operator) Nyle Bieby

6. LOCATION OF WELL

Sketch map location must agree with written location.

N

W

E

S

Subdivision Name _____

Lot No. _____ Block No. _____

County Jefferson

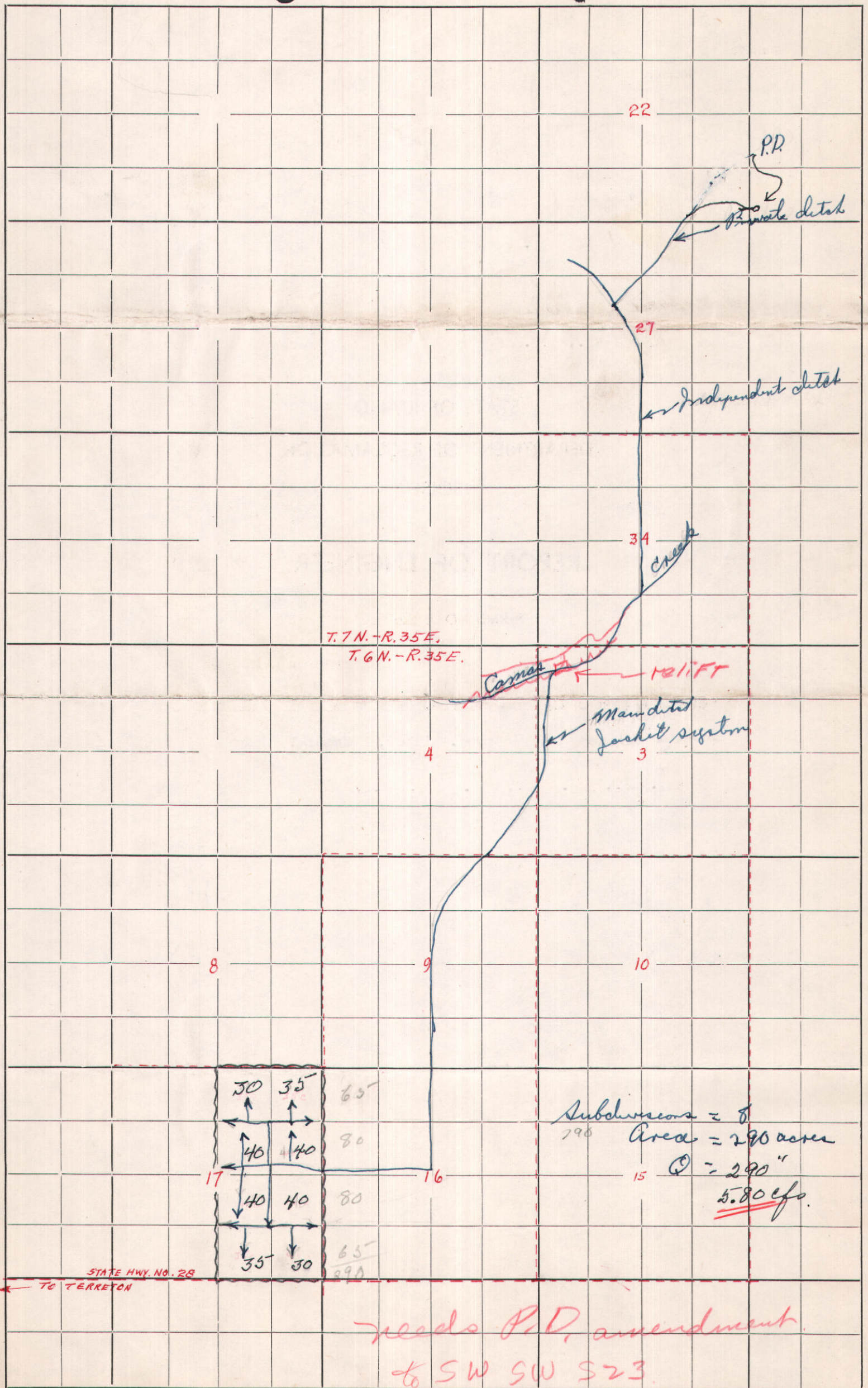
SW 1/4 SW 1/4 Sec. 13, T. 7 N. 8 R. 35 E. W.

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JAN 06 1989

Department of Water Resources

MICROFILMED
FEB 11 1999



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

23076

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AUG 26 1957
Department of Reclamation

Affidavit of Publication
THE RIGBY STAR

STATE OF IDAHO, }
County of Jefferson } ss.

Hope B Jones
I, *R. 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

1st day of *August*, 19*57*

and last publication on the

22nd day of *August*, 19*57*

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 *22nd*

day of *August*, 19*57*

(SEAL)

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

Publication Fee: \$ _____

MY COMMISSION EXPIRES JULY 17, 1961

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

Notice is hereby given that at 10:00 a. M., on the 23rd day of August, 1957, at Idaho Falls, County of Bonneville, State of Idaho, before John L. Bloem, a notary Public, proof will be submitted of the completion of works for the diversion of six cubic feet per second of underground waters from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. *G-23076* heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person holding said permit is Blaine E. Miller, 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 six cubic feet per second.

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

4. The point of diversion of said water is SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 22, Twp. 7 N. R. 35 E.B.M.

5. The place where said water is used is E $\frac{1}{2}$ Section 17, Twp. 6 N.R. 35, E.B.M., Jefferson County, Idaho.

6. The date of priority which said user is prepared to establish is September 24, 1952.

MARK R. KULP,
State Reclamation Engineer.
(Publish: August 1-8-15-22, 1957)

G 23076

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			

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 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

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 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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 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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 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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 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	SENE 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	SENE 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	SENE 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	SENE 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	SENE 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	SENE 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	SENE 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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			SWNW 40	SENE 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	SENE 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	
			SENE 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	SENE 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	SENE 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	SENE 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	SENE 40	NESW 40		
		NWSW 40	SWSW 40	SESW 40		
		NESE 40	NWSE 40	SWSE 40		

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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	
		SESE	40			480
10		NENE	40	SWNE	40	
		SENW	40	NESW	40	
		SWSW	40	SESW	40	
		NWSE	40	SWSE	40	
		SESE	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	
				NESW	40	

REC 11 1005

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

Total number of acres irrigated: * 24261.3

MICROFILMED

FEB 11 1988

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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FEB 11 1992

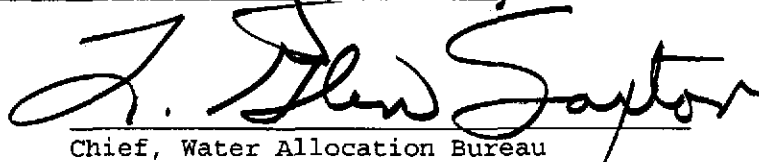
TRANSFER NO. 5335

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, 19 99.


 Chief, Water Allocation Bureau

RECORDS
 FEB 11 1999

INTER-DEPARTMENT MEMO — 1

FROM

DATE

TO

SUBJECT

Refer to files 31-0134/31-0135 for further correspondence relating to this file.

MICROFILMED

FEB 11 1968

SIGNATURE

Transfer No. 2303

Application No. _____

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

APPROVED

Name of applicant JACKETT CANAL COMPANY Phone 523-0620

Post office address c/o HOLDEN, KIDWELL, HAHN & CRAPO, Box 129, Idaho Falls, Idaho

A. DESCRIPTION OF RIGHT AS RECORDED - See Attached Information

1. Right evidenced by:

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

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____

3. Source of water _____ tributary to _____

4. Date of priority _____

5. Water is used for the following purposes:

amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day - both dates inclusive)

6. Total amount of water under right: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum7. Location of original point of diversion is _____ 1/4 of _____ 1/4 of Section _____
Township _____ Range _____, B.M., in _____ Count _____
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total number of acres to be irrigated _____

RECEIVED

JUL 7 1978

A. DESCRIPTION OF RIGHTS AS RECORDED:

Department of Water Resources
Eastern District Office

1. Rights evidenced by:

a. Decreed Rights:

- (1) Ernest Sauve, Plaintiff, vs. W. H. Abbott, et al, Defendants;
dated November 1, 1930; in the District Court of the United States for the District of Idaho, Eastern Division. Proceedings were held in Pocatello, Bannock County, Idaho, but the decree purports to allocate the waters of Mud Lake in Jefferson County, Idaho, and its tributaries. All lands irrigated through applicant's system are in Jefferson County. These rights were conveyed to applicant by an instrument entitled "Water Deed", dated May 1, 1956, recorded as Instrument No. 116320 in the records of Jefferson County, Idaho, on September 15, 1958; also in Book 55 of Water Deeds at page 309. A copy of this deed is attached hereto. The information for each such water right is listed as follows:
- (a) Right No. - 31-0134 (Page 47 of Decree, No. 70)
Decreed to - Los Angeles First National Bank and Trust Company (formerly First Nat'l Bank of Los Angeles), a corporation.
Source - Camas Creek, a tributary of Mud Lake.
Priority Date - March 20, 1911.
Water Used For - Irrigation
Amount - 3.5 cfs
Point of Diversion - In Lot 4, Section 4, Township 6 North, Range 35 East, B.M.
Place of Use - 7.38 acres in Lot 7, Section 32, Township 7 North, Range 35 East, B.M.
41. acres in Lot 4, Section 4; 41. acres in Lot 1, Section 4; 52.25 acres in Lot 2, Section 5; all in Township 6 North, Range 35 East, B.M.
- (b) Right No. - 31-0135 (Page 47 of Decree, No. 70)
Decreed to - Los Angeles First Nat'l Bank and Trust Company (formerly First Nat'l Bank of Los Angeles), a corporation.
Source - Mud Lake
Priority Date - June 10, 1912
Water Used For - Irrigation
Amount - 2.5 cfs
Point of Diversion - Near the Center of the Southwest Quarter of Section 5, Township 6 North, Range 35 East, B.M.

Place of Use - 320 acres as follows: 40 acres in the Northwest Quarter of the Northwest Quarter; 40 acres in the Northeast Quarter of the Northwest Quarter; 40 acres in the Southwest Quarter of the Northwest Quarter; 40 acres in the Southeast Quarter of the Northwest Quarter; 40 acres in the Northwest Quarter of the Northeast Quarter; 40 acres in the Southwest Quarter of the Northeast Quarter; 40 acres in the Northwest Quarter of the Southeast Quarter; 40 acres in the Northeast Quarter of the Southwest Quarter - all in Section 8, Township 6 North, Range 35 East B.M.

- (c) Right No. - 31-0143 (Page 49 of Decree, No. 75)
Decreed to - Clarence O. McGill and G. B. Adams.
Source - Camas Creek, a tributary of Mud Lake.
Priority Date - March 29, 1911
Water Used For - Irrigation
Amount - 1.0 cfs
Point of Diversion - In Lot 4, Section 3, Township 6 North, Range 35 East B.M.
Place of Use - Lots 3rd and 4th, the Southwest Quarter of the Northwest Quarter; the Southwest Quarter of the Southwest Quarter, the Northeast Quarter of the Southwest Quarter, and the Northwest Quarter of the Southwest Quarter, all in Section 3, Township 6 North, Range 35 East, B.M.
- (d) Right No. - 31-0144 (Page 49 of Decree, No. 75)
Decreed to - Clarence O. McGill and G.B. Adams
Source - Camas Creek, a tributary of Mud Lake
Priority Date - September 21, 1912.
Water Used For - Irrigation
Amount - 1.0 cfs
Point of Diversion - Same as 31-0143.
Place of Use - Same as 31-0143.
- (e) Right No. - 31-0190 (Page 60 of Decree, No. 99)
Decreed to - Merritt M. Owsley
Source - Camas Creek, a tributary of Mud Lake.
Priority Date - October 14, 1913.
Water Used For - Irrigation
Amount - 5.9 cfs
Point of Diversion - A point South 73.75° East 1222 feet from the Northwest Corner of Section 3, Township 6 North, Range 35 East, B.M.
Place of Use - The Southwest Quarter, the West Half of the Southeast Quarter, and the West Half of the Northeast Quarter, of Section 9, Township 6 North, Range 35 East, B.M.

(2) The Owsley Canal Company, Plaintiff, vs. Ernest Bauerle, et al, Defendants; dated October 14, 1940; in the District Court of the Ninth Judicial District of the State of Idaho, In and For Jefferson County. These rights were conveyed to applicant by instrument entitled "Water Deed", dated December 20, 1956, recorded as Instrument No. 120684, in the records of Jefferson County, Idaho on December 11, 1959; also in Book 81 of Water Deeds, at Page 56. A copy of this deed is attached. By this deed, Independent Water Users of Mud Lake, Inc., conveyed to applicant:

"An undivided one-third (1/3) in and to all of the water and water rights and diversion works of every kind, nature and description owned by said First Party, or in which First Party has any interest and particularly, but not limited thereto, an undivided one-third (1/3) interest in and to the water rights evidenced by Idaho Water License No. 17690 and Idaho Water Permit No. 17763."

The Bauerle Decree recites that Independent Water Users of Mud Lake, Inc., is the owner of this license and permit and appears to confirm or decree the rights represented in both the license and the permit. Subsequently the Permit, No. 17763/31-2254 was canceled for failure to submit proof of beneficial use. However, water has been diverted and applied to beneficial use each year in reliance on this right and the applicant has always relied on the decree as evidence of the rights, rather than the license or permit. We are attaching a copy of a letter from Mr. Bobby D. Fleenor of the Department to Don Shenton, dated June 4, 1974, explaining that the permit was canceled because after the entry of the Decree there was no longer any need to prove up on the permit, and the filing was unnecessary. The rights under this decree are described as follows:

(a) Right No. - 31-0336 (License No. 17690/31-2253)
 Decreed to - Independent Water Users of Mud Lake, Inc.
 Source - Ground Water
 Priority Date - April 27, 1932
 Water Used For - Irrigation
 Amount - Decree says 32.50 cubic feet per second, but combined with Right No. 31-0337 "an amount not exceeding in the aggregate the equivalent of 91.8 cubic feet per second, flowing continuously during the irrigation season from May 1 to November 1 of each year."
 Point of Diversion - Northeast Quarter Northwest Quarter Section 3, Township 6 North, Range 35 E.B.M., Jefferson County.
 Place of Use -

Twp	Range	Section	Forty-Acre Tract	No. Acres Actually Irrigated
7N.	35 E.	32	Lot 7 (SE $\frac{1}{4}$ SE $\frac{1}{4}$)	38
6N.	35 E.	4	Lot 4	35
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	40
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	40
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	40
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	40
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	40
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	40
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	40
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	40
		5	Lot 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$)	40
			Lot 2 (NW $\frac{1}{4}$ NE $\frac{1}{4}$ and part of NE $\frac{1}{4}$ NW $\frac{1}{4}$)	25
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	40
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	35
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	40
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	40
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	40
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	40
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	40
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	40
		8	NE $\frac{1}{4}$ NE $\frac{1}{4}$	40
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	40
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	30
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	20
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	40
			NW $\frac{1}{4}$ NW $\frac{1}{4}$	40
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	35
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	40
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	40
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	15
		9	NE $\frac{1}{4}$ NE $\frac{1}{4}$	35
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	20
			NE $\frac{1}{4}$ NW $\frac{1}{4}$	40
			NW $\frac{1}{4}$ NW $\frac{1}{4}$	20
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	20
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	40
		10	NW $\frac{1}{4}$ NW $\frac{1}{4}$	20
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	20
Total Number of Acres Irrigated				1,328

RECORDED

(b) Right No. - 31-0337 (Permit No. 17763/31-2254)
Decreed To - Independent Water Users of Mud Lake, Inc.
Source - Ground Water
Priority Date - December 15, 1932
Water Used For - Irrigation
Amount - 50 cfs (however, decree provides that this right, together with Right No. 31-0336 shall be permitted to develop up to 91.8 cubic feet per second as quoted above).
Points of Diversion - Southwest Quarter of Section 13, Northwest Quarter of Section 24, in Township 7 North, Range 35 E.B.M., Northeast Quarter Northwest Quarter of Section 3, Township 6 North, Range 35 E.B.M., Northwest Quarter Northwest Quarter of Section 7, Township 6 North, Range 34 E.B.M., Northeast Quarter Northwest Quarter of Section 1, Township 6 North, Range 34 E.B.M.

Place of Use -

Twp.	Range	Section	Forty-Acre Tract	No. Acres Actually Irrigated
7N.	33 E.	36	NE $\frac{1}{4}$ NE $\frac{1}{4}$	40
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	40
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	40
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	40
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	40
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	40
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	40
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	40
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	40
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	40
	34 E.	31	SE $\frac{1}{4}$ SE $\frac{1}{4}$	40
			NE $\frac{1}{4}$ NW $\frac{1}{4}$	40
			NW $\frac{1}{4}$ NW $\frac{1}{4}$	40
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	40
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	40
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	40
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	40
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	40
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	40
			NE $\frac{1}{4}$ NE $\frac{1}{4}$	40
6N.	33 E.	1	NW $\frac{1}{4}$ NE $\frac{1}{4}$	40
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	40
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	40
			NE $\frac{1}{4}$ NW $\frac{1}{4}$	40
			NW $\frac{1}{4}$ NW $\frac{1}{4}$	40
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	40
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	40
	34 E.	6	NE $\frac{1}{4}$ NW $\frac{1}{4}$	40
			NW $\frac{1}{4}$ NW $\frac{1}{4}$	40
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	40
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	40
			NE $\frac{1}{4}$ NE $\frac{1}{4}$	40
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	40
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	40

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Twp.	Range	Section	Forty-Acre Tract	No. Acres Actually Irrigate
6N	34 E.	12	NE $\frac{1}{4}$ NE $\frac{1}{4}$	40
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	40
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	40
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	40
			NE $\frac{1}{4}$ NW $\frac{1}{4}$	40
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	40
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	40
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	40
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	40
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	40
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	40
	35 E.	7	NE $\frac{1}{4}$ NE $\frac{1}{4}$	40
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	40
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	40
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	40
			NE $\frac{1}{4}$ NW $\frac{1}{4}$	40
			NW $\frac{1}{4}$ NW $\frac{1}{4}$	34.75
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	34.75
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	40
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	40
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	34.8
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	34.8
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	40
	35 E.	9	NE $\frac{1}{4}$ SE $\frac{1}{4}$	40
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	40
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	40
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	40
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	40
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	40
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	40
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	40
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	40
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	40
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	40
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	40

Total Number of Acres Irrigated 2,619.1

b. Licensed Rights:

(1) Right No. - G-20891/31-2289
Licensed To - Calvin Passey
Source - Ground Water
Priority Date - January 13, 1949
Water Used For - Irrigation
Amount - 3.2 cfs
Point of Diversion- Northwest Quarter Northeast
Quarter Section 27, Township 7
North, Range 35 E.B.M., Jefferson
County.
Place of Use - Northeast Quarter Northeast Quarter,
Northwest Quarter Northeast Quarter,
Southwest Quarter Northeast Quarter,
Southeast Quarter Northeast Quarter
all in Section 8, Township 6 North
Range 35 E.B.M.

- (2) Right No. - G-20948/31-2290
 Licensed To - J.R. Bixby
 Source - Ground Water
 Priority Date - February 14, 1949
 Water Used For - Irrigation
 Amount - 3.6 cfs
 Point of Diversion - Northwest Quarter Northeast Quarter, Section 27 Township 7 North, Range 35 E.B.M., Jefferson County.
 Place of Use - Northeast Quarter Southeast Quarter, Northwest Quarter Southeast Quarter, Southwest Quarter Southeast Quarter, Southeast Quarter Southeast Quarter, Northeast Quarter Southwest Quarter, and Southeast Quarter Southwest Quarter, all in Section 5, Township 6 North, Range 35 E.B.M.
- (3) Right No. - G-21322/31-2297
 Licensed To - Rulan R. Yearsley
 Source - Ground Water
 Priority Date - December 29, 1949
 Water Used For - Irrigation
 Amount - 6.0 cfs
 Point of Diversion - Northwest Quarter Northeast Quarter, Section 27, Township 7 North, Range 35 E.B.M. in Jefferson County.
 Place of Use - 20 acres in Northwest Quarter of Northeast Quarter, 20 acres in Southwest Quarter Northeast Quarter, 20 acres in Southeast Quarter Northeast Quarter, 30 acres in Northeast Quarter Northwest Quarter, 30 acres in Southeast Quarter Northwest Quarter, 40 acres in Northeast Quarter Southwest Quarter, 30 acres in Northwest Quarter Southwest Quarter, 30 acres in Southwest Quarter Southwest Quarter, 20 acres in Southeast Quarter Southwest Quarter, all in Section 3, 30 acres in Southwest Quarter Southeast Quarter of Section 4, 35 acres in Northwest Quarter Northeast Quarter and 35 acres in Southwest Quarter Northeast Quarter of Section 9, all in Township 6 North Range 35 E.B.M.
- (4) Right No. - G-23076/31-2310
 Licensed to - Blaine E. Miller
 Source - Ground Water
 Priority Date - September 24, 1962
 Water Used For - Irrigation 1752
 Amount - 5.8 cfs
 Point of Diversion - Southwest Quarter Southwest Quarter Section 23, Township 7 North, Range 35 E.B.M. Jefferson County.

RECEIVED

Place of Use - 35 acres in Northeast Quarter North-east Quarter, 30 acres in Northwest Quarter Northeast Quarter, Southwest Quarter Northeast Quarter, Southeast Quarter Northeast Quarter, Northeast Quarter Southeast Quarter, Northwest Quarter Southeast Quarter, 35 acres in Southwest Quarter Southeast Quarter 30 acres in Southeast Quarter South-east Quarter, all in Section 17, Township 6 North, Range 35 E.B.M.

(5) Right No. - G-23836/31-2317 (two Rights under this Right No.)
Licensed to - Frank S. Jackett
Source - Ground Water
Priority Date - February 28, 1953 and October 27, 1956
Water Used For - Irrigation
Amounts - 8.08 cfs under February 28, 1953 priority and 1.90 cfs under October 27, 1956 priority.

Points of Diversion - Northwest Quarter Southwest Quarter, Section 23 and Northeast Quarter Southeast Quarter, Section 22, all in Township 7 North, Range 35 E.B.M.

Place of Use - 25 acres in Northeast Quarter North-east Quarter, Northwest Quarter North-east Quarter, 20 acres in Southwest Quarter Northeast Quarter, 25 acres in Southeast Quarter Northeast Quarter, Northeast Quarter Northwest Quarter, Northwest Quarter Northwest Quarter, Southwest Quarter Northwest Quarter, Southeast Quarter Northwest Quarter, Northeast Quarter Southeast Quarter, 20 acres in Northwest Quarter South-east Quarter, 25 acres in Southwest Quarter Southeast Quarter, Southeast Quarter Southeast Quarter, Northeast Quarter Southwest Quarter, Northwest Quarter Southwest Quarter, 10 acres in Southwest Quarter Southwest Quarter, 13 acres in Southeast Quarter South-west Quarter, all in Section 16, Township 6 North, Range 35 E.B.M.

(6) Right No. - G-24047/31-2321
Licensed To - Dennis Green
Source - Ground Water
Priority Date - April 25, 1953
Water Used For - Irrigation
Amount - 1.92 cfs
Point of Diversion - Northwest Quarter Northeast Quarter Section 27, Township 7 North Range 35 E.B.M.

Place of Use - 36 acres in Northeast Quarter South-west Quarter, 34 acres in North-east Quarter Southeast Quarter, 26 acres in Northwest Quarter Southeast Quarter all in Section 8, Township 6 North, Range 35 E.B.M.

All of the above described Licensed Rights were deeded to the Jackett Canal Company shortly after its organization in 1956. copies of all of the deeds are attached.

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

1. Change in point of diversion:

a. Amount of water to be diverted - the combination of all of the above described rights of the Jackett Canal Company amounts to 75 cubic feet per second. The decreed rights from Camas Creek are pumped out of Camas Creek at the points of diversion described below, so long as water is available to fill these rights. The seven wells maintained by the company are used only to the extent necessary to supplement the creek rights. Usually, this requires an increased use of the wells as the season progresses. Although the wells are usually operated to some extent from the time the irrigation season begins, in a sense, the wells are used as supplemental to the decreed rights from the creek.

b. Points of diversion -

- (1) Southwest Quarter Southwest Quarter, Section 13,
Township 7 North, Range 35 E.B.M., Jefferson County.
- (2) Northwest Quarter Southeast Quarter, Section 22,
Township 7 North, Range 35 E.B.M., Jefferson County.
- (3) Northwest Quarter Southwest Quarter, Section 23,
Township 7 North, Range 35 E.B.M., Jefferson County.
- (4) Southwest Quarter Southwest Quarter, Section 23,
Township 7 North, Range 35 E.B.M., Jefferson County.
- (5) Northwest Quarter Northeast Quarter, Section 27,
Township 7 North, Range 35 E.B.M., Jefferson County.
- (6) Southwest Quarter Southwest Quarter, Section 33,
Township 7 North, Range 35 E.B.M., Jefferson County.

(7) Lot 4 (Northwest Quarter Northwest Quarter), Section 3,
Township 6 North, Range 35 E.B.M., Jefferson County.

- c. Description of diverting works - The Jackett Canal Company diverts both its decreed water rights from Camas Creek as well as the decreed and licensed rights from its seven wells at two locations on Camas Creek. The company maintains two pumps on Camas Creek in the Southwest Quarter of the Southwest Quarter of Section 33, Township 7 North, Range 35 E.B.M., and five pumps on Camas Creek in Lot 4 (Northwest Quarter Northwest Quarter), Section 3, Township 6 North, Range 35 E.B.M. The seven wells are located two to three miles north and east of the company's diversions from Camas Creek. Each of the wells discharges water into ditches which convey the well water into the Independent Ditch which empties into Camas Creek upstream from the two diversion points of the company. The Independent Ditch commences at a point in the Southwest Quarter of the Southwest Quarter of Section 13 where several wells are located at a point known as Buck Springs and flows in a generally southwest direction to the center of Section 27, Township 7 North, Range 35 E.B.M., and then directly south for approximately a mile where it discharges into Camas Creek in Section 34, Township 7 North, Range 35 E.B.M. In addition to assisting with the maintenance of the Independent Ditch and the small conveyances which discharge into the Independent Ditch, as well as the Jackett Canal system for distributing water to the lands of the stockholders south of Camas Creek, the company owns and maintains seven wells and fourteen pumps with electric motors ranging in size from 50 hp down to 20 hp.
- d. Describe the reasons for applying for a change in the points of diversion - The purpose of this entire application for

transfer is to conform the records of the department to the actual practice of the company which has been carried on since its organization in 1956. Some of the points of diversion as far as the actual records are concerned may be somewhat confusing because of the changes that were made at that time, as well as a result of the numerous deeds which the company received from individual stockholders as well as the Independent Water Users of Mud Lake, Inc. at the time of the organization. In fact, in reviewing the language of the deed from Independent Water Users of Mud Lake, Inc. to Jackett Canal Company in 1956, we observed that the deed purported to convey an undivided one-third interest in the wells and pumps and other diverting works, as well as the conveyance system and water right itself. There are actually five wells at Buck Springs, all located in the Southwest Quarter of the Southwest Quarter of Section 13, Township 7 North, Range 35 E.B.M. In actual practice, Jackett Canal Company has been treated as owning the two western most wells and Independent Water Users of Mud Lake, Inc. the three eastern most wells. In order to clarify this situation, the two companies have exchanged quit claim deeds on these wells, again to make the records conform to the actual practice. Copies of those deeds are enclosed with this application.

2. Change in place of use:

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

TWP	RNG	SEC	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
7N	35E	32														lt 8 2	lt 7 18		20.00
		33										1							1.00
6N	35E	3	lt 1 41.89	lt 2 41.68	40	40	lt 3 41.46	lt 4 35	40	40	40	40	40	40		40	40		560.03
		4						lt 4 7			40	40	40	40	40	40	40	40	327.00
		5	lt 1 41.20	lt 2 38	40	40					40			40	40	40	40	40	399.20

TWP	RNG	SEC	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
		8	40	40	40	40	40	40	40	40	40				40	40			440.00
		9	40	40	40	40					40	40	40	40		40	40		400.00
		16	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640.00
		17	40	40	40	40									40	40	40	40	320.00

Total number of acres to be irrigated 3,107.23

- b. Draw a map indicating the new points of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township, and range number. The attached map showing lands of the company irrigated by its stockholders colored in yellow with points of diversion and location of wells shown in blue.
3. Remarks - An attempt has been made by the applicant to identify the exact property of its stockholders upon which the company water is to be used, as well as the points of diversion. Essentially, the actual practice of the company has been as shown for a period of nearly 22 years. Recently, when the company began to review its water rights, it was discovered that although they were deeded to the company in 1956, no effort had been made to transfer the water rights so that an equal amount was appurtenant to each acre of ground within the system. Indeed, we discovered that the records would show that some land had several water rights appurtenant and some of the company land had no water rights appurtenant. It is the desire and intention of the company that all of the company's water rights be transferred to all of the company's lands so that each acre has an equal amount of each of the company's rights appurtenant to it since this is the way the company has actually operated.

3. , Remarks _____

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

Bulow R. Yearsley
(Signature of applicant)

Subscribed and sworn to before me this 26 day of JUNE, 19 78

Scott D. Foster
(Notary public)

My commission expires LIFE

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

31-0134
31-0143 31-0135
31-0144 31-0337
31-0190 31-2289
31-0336 31-2290
31-2297 31-2310
31-2317 31-2321

This is to certify that I have examined Application for Transfer of Water Rights No. _____ and said application is hereby approved

1. Approval of said application is subject to the following limitations and conditions:
(1) Any future transfer of any of these rights will cause the remaining rights to revert back to the original acreage. (2) The intent of this transfer is to record water delivery practices that have existed since 1956 - no change in delivery patterns is authorized. (3) Diversion of water authorized by this transfer shall not exceed 9321 acre feet per annum. (4) Measuring devices and controlling works of a type approved by this Department must be permanently installed and maintained at the points of diversion from groundwater. The existing measuring methodology shall be maintained at the points of diversion/re-diversion from Camas Creek. (5) Use of water under this transfer is subject to control by the watermaster of Water District No. 31, Mud Lake and tributaries.

Witness my hand this 23rd day of June, 1981.

Norma C. Young
Administrator, Resources Admin. Div.

FOR DEPARTMENT USE ONLY

Received by dh BP Date 3-13-79 7-7-78
Prelim. check by EMC Fee \$135.00
Receipted by dh Date 3-13-79 #12955
Published in Rigby Star
Pub. dates April 4 and 11, 1979
Watermaster recommendation requested on 3/29/79 rec'd. 4/16/79

Protest filed by _____
Copies of protest forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial
by EMC Jim DRT

State of Idaho License and Certificate of Water Right

31-2310

Water License No. G-23076

Amount 5.80 c.f.s.

Water District No.

Priority September 24, 1952

THIS IS TO CERTIFY that BLAINE E. MILLER
of Terreton, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated September 24, 1952; that Permit No. G-23076
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
5.80 second feet, was issued thereunder on January 13, 1959, showing that said works
were completed on the 23rd day of August, 1957; and that on the 23rd
day of August, 1957, BLAINE E. MILLER

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, for the purpose of Irrigation and domestic
use, under Use Permit No. G-23076 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 6592, on the 13th day of January, 1959;
The right hereby confirmed dates from September 24, 1952;

The Point of Diversion is located
in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 23, 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 5.80 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
6 N.	35 E.	17	NE $\frac{1}{4}$ NE $\frac{1}{4}$	35	35
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	30	30
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	40	40
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	40	40
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	40	40
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	40	40
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	35	35
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	40	30
Total number of acres irrigated				- - -	290

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

13th day of January, 1959.

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

(SEAL)

31 2310

31-2310

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Albaugh, Bloem, Barnard & Smith
Box 428, Idaho Falls, Idaho

Application No. G- 30833
Permit No. G- 23076
District No.

1. Name of Applicant: **BLAINE E. MILLER**
Postoffice address: **Terreton** County: **Jefferson** State: **Idaho**
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second. **Six (6)** or Idaho
Miners' inches **300** or gallons per minute.
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: **Subterranean stream from wells**
4. Location of point of diversion or well is in the **SE** $\frac{1}{4}$ of the **SE** $\frac{1}{4}$ of Section **22**
Twp. **7 N.**, Rge. **35 E.**, B.M., County of **Jefferson**
5. Water is to be used for: **Irrigation and domestic purposes**
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: **Well, pump, ditch and culvert**
8. Estimated cost of works: \$ **5,000.00**
9. (a) Is reservoir to be used? **No**
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is **Five(5)** years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: **None**
 - (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) (cubic feet per second, inches or gallons per minute) is for new lands.

Remarks:

BLAINE E. MILLER *Applicant.*

By _____ Agent,

Returned to applicant for correction:

Corrected application received:

The number of this permit is **G-23076**

Recorded in Book 82 Page 23076 Approved September 27, 1952

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 **November 27, 1952** 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 **March 27, 1955**

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before **September 27, 1957**

Witness my hand this 27th day of September, 1952

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, LEN JOEDAN, 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 27th
day of September, 19 52.

Countersigned:

STATE OF IDAHO

(SEAL)

LEN JORDAN

By **IRA H. MASTERS**

By LEN JORDAN
Governor

Secretary of State.

12.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6 N.	35 E.	17	35	30	40	40	APPLICATION FOR AMENDMENT TO PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO, NO. G-23076								40	40	35	40	300
Comes now Blaine E. Miller 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-23076. That the point of diversion is described in said permit as being located SE¼SE¼ Section 22, Township 7 North, Range 35 East, BM That he now requests that the point of diversion be changed to a point located SW¼SW¼ Section 23, Township 7 North, Range 35 East, BM That the reason for desiring to make such change is as follows: Applicant was mistaken as to actual location of well (point of diversion) when making application. The true location of the point of diversion is at the amended location. That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.																			
Signed at Hamer, Idaho, this 30 day of December, 1958 /s/ Blaine E. Miller																			
Date of receipt at Department of Reclamation January 12, 1959																			
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-23076. 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: January 12, 1959																			

Permit No. G-23076

Certificate of Completion of Works /

✓
TO ALL WHOM IT MAY CONCERN:

This is to certify that BLAINE E. MILLER of Terreton, County of Jefferson, and State of Idaho, the holder of Permit No. G-23076, issued upon Application No. G-30833 bearing date of priority of September 24, 1952, authorizing the diversion of 6 second feet of waters of Subterranean stream from wells County of Jefferson, State of Idaho, for Irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 5.80 second feet of the waters of subterranean flow from a well that the point of diversion of said waters SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 23, Township 7 North, Range 35 East, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 290 acres in the E $\frac{1}{2}$ of Section 17, Township 6 North, Range 35 East, B.M. Proof of Completion of Works made: August 23, 1957

Witness my hand this 13th day of January, A.D. 1959

/s/ Geo. N. Carter
State Reclamation EngineerProof of Completion of Works made: August 23, 1957
Certificate of Completion of Works issued: January 13, 1959.1.000.000.000 FOR 5.80 SEC. F.
Page 6592

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 Skaggs²/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 31-02310

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

[illegible]

Form 235-1
4/88

Call Kent Foster
For new logs
to Buck Springs

Drilling Permit No. 31-88-E-030
Water Permit No. 31-2310
Injection Permit No. _____

State of Idaho
Department of Water Resources

DRILLING PERMIT

(Authorizing Construction of a Well)*

RECEIVED

NOV 14 1988

1. Applicant JACKETT CANAL COMPANY Department of Water Resources

2. Address HAMER, ID C/O LEW GREEN
Box 3135 Terreton, Id Telephone 663-4626

() Well Owner () Well Operator (☒ Other, specify SECRETARY

3. Proposed well location SW 1/4 SW 1/4, or Gov't lot No. _____,
13 change as per tel. con with Kent Foster - HWJ
Sec. 23, Twp. 7N, Rge. 35E, County JEFFERSON,
Lot, block and subdivision _____

4. Proposed use of well: (Check all that apply)

() Domestic () Stockwater () Monitoring
(☒ Irrigation () Industrial () Municipal
() Injection () Other, Specify _____

Sent to
John Beal

5. Well construction information:

() New well () Deepen (☒ Replace

Proposed surface diameter 20" Maximum depth 100 FT
Anticipated bottom hole temperature: _____

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

6. Anticipated construction start date 9/23/88

7. Well Driller (if known) JACK CUSHMAN

Address BLACKFOOT, IDAHO

8. Applicant's signature Lew Green

Title Sec.

Date 9-23-88

MICROFILMED

FEB 11 1989

* After other pre-requisite approvals have been obtained.

* Fee is \$10 for single family domestic. Other uses may be \$100, \$50 or \$10.

ACTION OF IDWR

(☒) Approved () Denied

The approval of this permit authorizes the construction of a well as described on this application subject to the conditions on this permit.

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from its date of issuance for the start of construction and is valid for one (1) year from the date of issuance for completion of the well unless an extension has been granted.
3. This permit does not constitute the approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Issuance of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.

SPECIFIC CONDITIONS:

Dated this 23rd day of SEPTEMBER, 19 88.

Signed

Ronald D. Carls

Title

REGIONAL MANAGER

Received by dg

Fee

\$100⁰⁰

Date

9-23-88

Receipt No.

E002564

Construction start extension to

12-1-88

Extension approved by

State of Idaho
Department of Water Resources

DRILLING PERMIT

(Authorizing Construction of a Well)*

RECEIVED

SEP 30 1988

1. Applicant JACKETT CANAL COMPANY Department of Water Resources
2. Address HAMER, ID C/O LEW GREEN
Box 3135 Terreton, Id Telephone 663-4626
() Well Owner () Well Operator (☒ Other, specify SECRETARY
SW
3. Proposed well location SW 1/4 SW 1/4, or Gov't lot No. _____,
Sec. 23, Twp. 7N, Rge. 35E, County JEFFERSON,
Lot, block and subdivision _____
4. Proposed use of well: (Check all that apply)
() Domestic () Stockwater () Monitoring
(☒ Irrigation () Industrial () Municipal
() Injection () Other, Specify _____
5. Well construction information:
() New well () Deepen (☒ Replace
Proposed surface diameter 20" Maximum depth 100 FT
Anticipated bottom hole temperature: _____
(☒ 85°F or less (Cold water well)
() 85°F to 212°F (Low temp. geothermal well)
() 212°F or more (Geothermal well)
6. Anticipated construction start date 9/23/88
7. Well Driller (if known) JACK CUSHMAN 094
Address BLACKFOOT, IDAHO
8. Applicant's signature Lew Green
Title Sec.
Date 9-23-88

* After other pre-requisite approvals have been obtained.

* Fee is \$10 for single family domestic. Other uses may be \$100, \$50 or \$10.

RECORDED
FEB 11 1989

ACTION OF IDWR

(☒) Approved () Denied

The approval of this permit authorizes the construction of a well as described on this application subject to the conditions on this permit.

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from its date of issuance for the start of construction and is valid for one (1) year from the date of issuance for completion of the well unless an extension has been granted.
3. This permit does not constitute the approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Issuance of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.

SPECIFIC CONDITIONS:

Dated this 23rd day of SEPTEMBER, 19 88.

Signed

Title

Ronald D. Carls

REGIONAL MANAGER

Received by dg

Fee \$100⁰⁰

Date

9-23-88

Receipt No. E002564

Construction start extension to

Extension approved by

MICROFILMED

FEB 11 1989

December 15, 1959

RE: Permit No. G-23076
Blaine E. Miller

Albaugh, Bloem and Smith
Attorneys at Law
Box 428
Idaho Falls, Idaho

Attention: Ralph L. Albaugh

Dear Mr. Albaugh:

The License and Certificate of Water Right No. G-23076 was issued January 13, 1959 to Mr. Miller for 5.8 cubic feet per second to irrigate 290 acres of land.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rutledge
Chief Clerk

RT:EPR:mr

A 23076

127

LAW OFFICES OF
ALBAUGH, BLOEM & SMITH
P. O. Box 428
IDAHO FALLS, IDAHO

RALPH L. ALBAUGH
JOHN L. BLOEM
ARTHUR L. SMITH
EDWARD W. PIKE

SUITE 201-5 ROGERS BLDG.
DIAL JACKSON 2-6291

RECEIVED
DEC 15 1959

December 14, 1959 Department of Reclamation

Department of Reclamation
Statehouse
Boise, Idaho

23076

Gentlemen: Re: Blaine E. Miller Permit #G-2306

Will you kindly advise if water license was
issued under this permit, the date thereof, and the
amount of water allowed.

Thanking you in advance for a prompt reply, I
am,

Very truly yours,

ALBAUGH, BLOEM & SMITH



Ralph L. Albough

RLA:b

AIR MAIL

Page 6592 License dated Jan. 13, 1959
5.8 cfs for irrigation of 290 acres

#23076

January 13, 1959

Re: Permit No. G-23076

Mr. Blaine Miller
Hamer
Idaho

Dear Mr. Miller:

In connection with Permit No. G-23076 the following are enclosed:

1. Amendment of point of diversion
2. Certificate of Completion of Works
3. License and Certificate of Water Right
4. Departmental receipt #G-3807

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Chief Clerk

EPR:nls

Enc.

cc: John L. Bloom
Albaugh, Bloom, Barnard & Smith
P. O. Box 428
Idaho Falls, Idaho

23076

Dear Sir:

Will you please mail
license & Certificate of Completion
of works direct to me?

Enclosed is \$21.⁰⁰ for fees.

Very truly Yours

Blaine Miller

Blaine Miller
Hamer, Idaho

RECEIVED
JAN 1 2 1959

Department of Reclamation

#23076

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, NO. G-23076

RECEIVED
JAN 12 1959
Department of Reclamation

Comes now Blaine E. Miller and
represents to the State Reclamation Engineer of the State of Idaho:

That he is (are) the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-23076.

That the point of diversion is described in said permit as being located ;

SE 1/4 Section 22, Township 7 North, Range 35 East, BM

That he now requests that the point of diversion be changed to a point

located SW 1/4 Section 23, Township 7 North, Range 35 East, BM

That the reason for desiring to make such change is as follows:

Applicant was mistaken as to actual location of well (point of diversion) when making application. The true location of the point of diversion is at the amended location.

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

Signed at Hammer Lake, this 30 day of December, 1958

Blaine E. Miller

Date of receipt at Department of Reclamation January 12, 1959

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-23076. 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 82 of
Permits, at Page 23076
January 12, 1959

DEPARTMENT OF RECLAMATION

Geo. N. Carter
State Reclamation Engineer

23076

November 21, 1958

Re: Permit No. G-23076
Blaine E. Miller

Mr. John L. Bloom
Albaugh, Bloom, Barnard & Smith
P. O. Box 428
Idaho Falls, Idaho

Dear Mr. Bloom:

The field engineer's report on his inspection of the completion of works and beneficial use of the water under the terms of Permit No. G-23076 shows the point of diversion to be in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 23, Township 7 North, Range 35 East, BM, and that the well is capable of conveying 5.80 second feet of water for irrigation of 290 acres (one miners inch to the acre.)

The point of diversion is described on record of the permit as being in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 22, Township 7 North, Range 35 East, BM., therefore, it is necessary that the permit be amended to show correct location. We enclose Application for Amendment for this purpose.

Upon receipt of the amendment, mentioned above, and the statutory fees of \$21.00, we will issue the Certificate of Completion of Works and the License and Certificate of Water Right confirming the right with priority of September 24, 1952, to the use of 5.80 second feet of subterranean water, with point of diversion in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 23, Township 7 North, for irrigation of 290 acres in the NE $\frac{1}{4}$ and SE $\frac{1}{4}$ of Section 17, Township 6 North, all in Range 35 East, BM.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Chief Clerk

EPR:nls
Enc.

4 23076

RT

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

Permit No. G-23076

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

1. Name of applicant: Blaine E. Miller
2. Source of water supply: Subterranean flow from a well
3. Location of point of diversion: Is in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 22
T. 7. N. R. 35 E., B.M. County of Jefferson
4. Describe works as they exist, giving dimensions and capacities of same: Well 24" x 30'
14" x 20' column H = 5' lift = 10' 14" discharge 1 bowl 16" diameter
Westinghouse 15 Hp 220V #8108725 Corona turbine #P1055
Westinghouse + SE controls mounted on board 4' to East of
pump no shelter provided
5. Water is used for: Irrigation and domestic
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):

E $\frac{1}{2}$ of sec. 17., Twp. 6 N., Rge. 35 E., B.M.

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

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

Remarks: _____

Crops are Hay grain + row crops

The water is siphoned from canon creek into the
main ditch of the Jachet system see permit # G-23836
for data on lift systems

See Report in Permit # G-23836 for
additional information.

This examination was made on the 17 day of July, 19 58

(Signed) Carol B. Thomas

Examiner.

G23076

Blaine E. Miller
Hamer, Idaho

Permit No. G-23076

Examination for Completion of Works & Beneficial Use

County Jefferson

22-7N.-35E.

Qz 6.0 c.f.s.

Sz Well

P.N. = SE. SE., Sec. 22, T. 7N. - R. 35E.

Use of Irrigation & Beneficial

1. H = 4.5' h = 3'

Thin Jacket Canal Co. Station

Filed - Sept. 24, 1952

Due - Sept. 27, 1957

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
NOV 19 1958

Department of Reclamation

Wentworth 15 H 22046
8108725

Passmore turbine #1055

14" x 20' column

14" diameter

H = 6' Lift = 10'

24" x 30'

1 bowl 16"

Working base of D.E. motor

4' to East of pump

Well is putting out
more than 6 cfs.

Lift needs to be

checked as to

capacity and

Q already increased

to pass thru the

relief

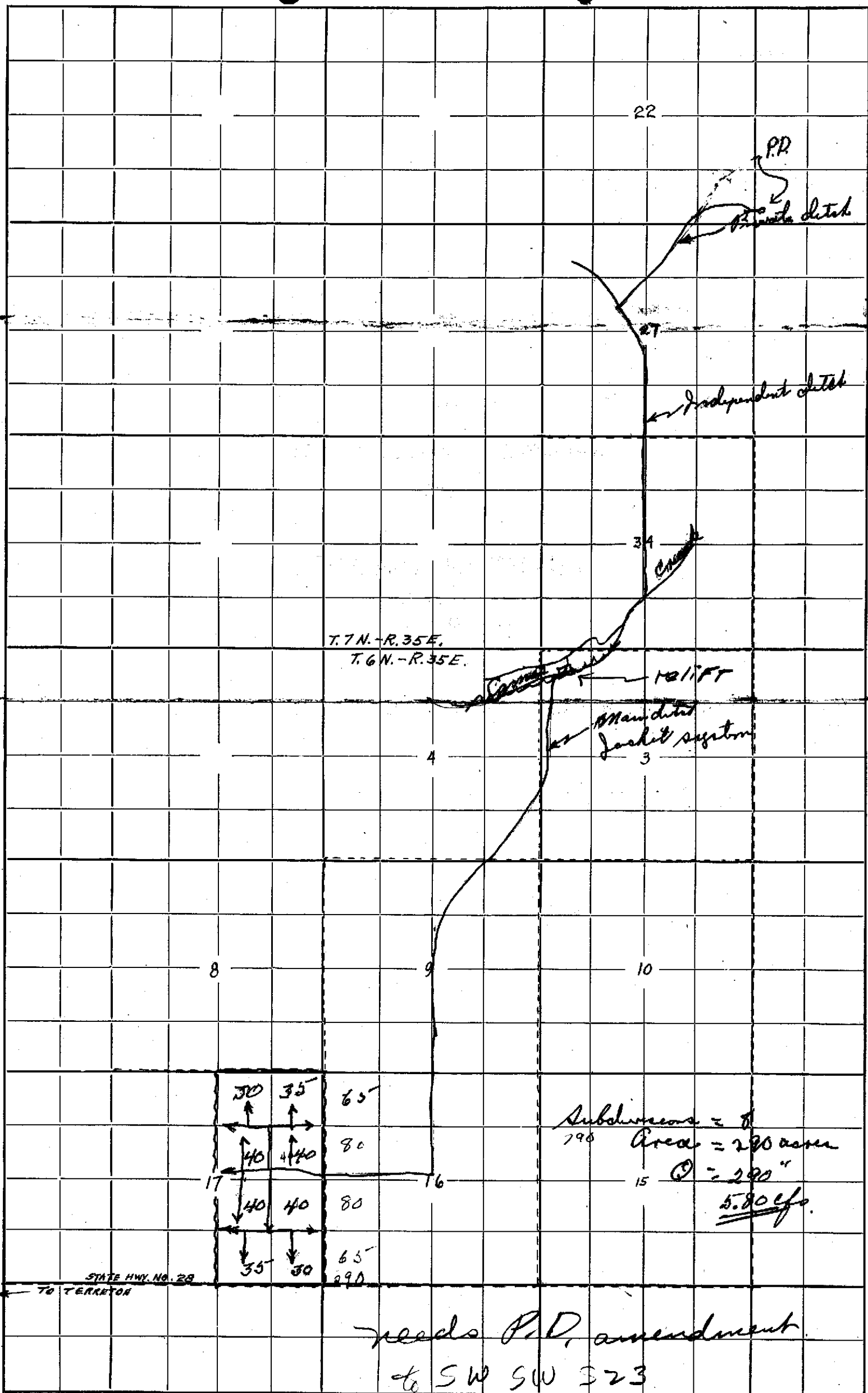
STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-23076

REPORT ON PROOF OF Completion of Works & Beneficial Use

Blaine E. Miller, Engineer, Idaho



23076

GEO. N. CARTER
~~XXXXXXXXXX~~

July 15, 1958

Re: Permit G-23076
Blaine E. Miller

Mr. John L. Bloem
Albaugh, Bloem, Barnard & Smith
P. O. Box 428
Idaho Falls, Idaho

Dear Mr. Bloem:

Field inspections were delayed due to unforeseen circumstances.

Mr. Humphrey, field engineer, has been making inspections for the past two weeks and this week I believe he is to be in the Idaho Falls area. As soon as his report is made in connection with Permit No. G-23076, we will notify you in regard to the final certificates.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Chief Clerk

EPR:nls

23076

LAW OFFICES OF
ALBAUGH, BLOEM, BARNARD & SMITH
P. O. BOX 428
IDAHO FALLS, IDAHO

RALPH L. ALBAUGH
JOHN L. BLOEM
GEORGE L. BARNARD
ARTHUR L. SMITH

SUITE 201-S ROGERS BLDG.
DIAL JACKSON 2-6291

July 14, 1958

Re: Permit No. G-23076
Blaine E. Miller

RECEIVED
JUL 15 1958
Department of Reclamation

DEPARTMENT OF RECLAMATION
State House
Boise, Idaho

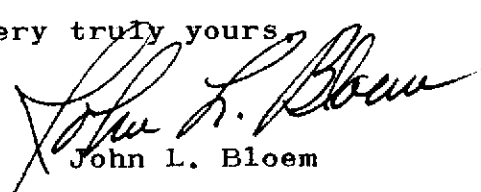
Gentlemen:

On August 23, 1957, I mailed you the Depositions for Proof of Completion of Works and Application of Water to Beneficial Use, in connection with the above numbered permit. On August 28th you acknowledged receipt of the papers, and stated that a field examination would be made by an engineer from your department, after which final action would be taken.

Will you please advise us what action has been taken in connection with this permit? If the field examination has not yet been made, can you tell us about when the same will be made?

Very truly yours,

JLB:s


John L. Bloem

23076

June 10, 1958

9-23076

Mr. Blaine E. Miller
Hammer, Idaho

Dear Sir:

This is to advise you that all inspections for the week of June 10th including yours are cancelled, due to the tragic death of State Reclamation Engineer Mark R. Kulp.

Very truly yours,

E.N. Humphrey
Deputy State Reclamation Engineer

ENH:vm

9-23076

June 4, 1958

Re: Permit # G-23076

Mr. Elaine E. Miller
Hamor, Idaho

Dear Mr. Miller:

Statutes requires a field inspection in connection with the proofs on Permit # G-23076 before license and certificate of water right can be issued.

Such inspection and report on same is required for any and all permits being brought to license within this State.

An inspecting Engineer from this Department requests that you or someone familiar with the terms of the permit and representing you be prepared to accompany him on the inspection, on Thursday

June 12, 1958

If he cannot get in touch with you by phone or otherwise he will drive to the well location or point of diversion given in the permit.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
E. N. Humphrey
Deputy

23076

August 28, 1957

RE: Permit No. G-23076
Blaine E. Miller

Albaugh, Bloom, Barnard & Smith
P. O. Box 428
Idaho Falls, Idaho

Attention: Mr. John L. Bloom

Dear Mr. Bloom:

We acknowledge receipt of the Deposition of the Holder and two witnesses, also affidavit of publication in The Rigby Star, all submitted in proof of completion of works and beneficial use on Permit No. G-23076.

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

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

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR
cc: Mr. Blaine E. Miller
Hamer, Idaho

23076

RALPH L. ALBAUGH
JOHN L. BLOEM
GEORGE L. BARNARD
ARTHUR L. SMITH

SUITE 201-S ROGERS BLDG.
DIAL JACKSON 2-6291

LAW OFFICES OF
ALBAUGH, BLOEM, BARNARD & SMITH
P. O. BOX 428
IDAHO FALLS, IDAHO

August 23, 1957

RECEIVED
AUG 26 1957
Department of Reclamation

Re: Permit No. G-23076
Blaine E. Miller

MR. MARK R. KULP
State Reclamation Engineer
Boise, Idaho

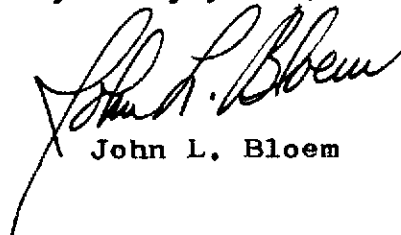
Dear Mr. Kulp:

Enclosed you will find the following papers in connection with the Proof of Completion of Works and Application of Water to Beneficial Use, in connection with the above numbered permit:

1. Proof of Publication
2. Deposition of Holder, Blaine E. Miller
3. Deposition of Witness, Gene Lass
4. Deposition of Witness, R. P. Cope

If you require anything further in connection with this proof, please let me know.

Very truly yours,


John L. Bloem

JLB:s
Enc-4

A 23076

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
AUG 26 1957
Department of Reclamation

Permit No. G-23076

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. Blaine E. Miller, residence Terreton, Idaho, occupation farmer,
P.O. Address: Hamer, Idaho.

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

Ans. ==

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

Ans. Permit No. G-23076, dated Sept. 16, 1952, priority Sept. 15, 1952.

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

Ans. Subterranean stream; point of diversion in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 22,
Twp. 7 $\frac{1}{2}$ N.R. 35, EBM.

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. 45 foot well, 8 feet to water, 10 feet casing (30 inch) with turbine pump; water is pumped into my private ditch, combines with other water in another private ditch, then through the Independent Ditch into Camas Creek, then into Mud Lake. Water is pumped from Mud Lake and conveyed to my land through the Jacket Canal Co. ditches.

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. Water is used for irrigation and domestic purposes on E $\frac{1}{2}$ Section 17 Twp. 6 $\frac{1}{2}$ N.R. 35, EBM, as follows: 35 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$, 30 acres, NW $\frac{1}{4}$ NE $\frac{1}{4}$, 40 acres, SW $\frac{1}{4}$ NE $\frac{1}{4}$, 40 acres, SE $\frac{1}{4}$ NE $\frac{1}{4}$, 40 acres, NE $\frac{1}{4}$ SE $\frac{1}{4}$, 40 acres, NW $\frac{1}{4}$ SE $\frac{1}{4}$, 35 acres, SW $\frac{1}{4}$ SE $\frac{1}{4}$, and 40 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$. Land is cultivated, and as a direct result of the use of said water has been transformed from sage brush land into cultivated crop-producing land.

23076

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. 1 miner's inch per acre.

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

Ans. ==

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

Ans. I started using this water on the entire farm during the irrigation system of 1952, except from SW $\frac{1}{4}$ SE $\frac{1}{4}$ owned by the U.S. Although the water has been available I was unable to irrigate the U.S. subdivision until I received a patent early in 1957.

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. No other water is available for this land.

(Sign)

Blaine E. Miller
BLAINE E. MILLER

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 Idaho Falls, County of Bonneville,

State of Idaho, on this 23rd day of August, A. D. 1957.

(S AL)

John S. Blum
NOTARY PUBLIC, Idaho Falls, Idaho

My commission expires Nov. 9, 1959.

23076

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
AUG 2 6 1957
Department of Reclamation

Permit No. G-23076

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. R. P. Cope, 48, Idaho Falls, Idaho, well driller, 927 Paulson St., Idaho Falls, Idaho.

Ques. 2. Are you acquainted with Blaine E. Miller, the holder of Permit No. G-23076? How long have you known him and where does he reside?

Ans. Yes. I have known him for 30 years.

Ques. 3. Have you read or heard read said Permit No. G-23076, and are you familiar with its provisions and conditions?

Ans. Yes.

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

Ans. Subterranean stream. Well in SE $\frac{1}{4}$ SE $\frac{1}{4}$. Section 22. Twp 7 N.R. 35. ERM: water pumped from well into private ditch, then through private ditches and Independent ditch, through Camas Creek into Mud Lake and then through private ditch to land irrigated.

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. In excess of 6 cfs. I have seen this amount 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. About 300 miner's inches; estimated by comparison with other streams I have seen of known quantity.

A 23076

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. Irrigation of E $\frac{1}{2}$ Section 17, Twp. 6 N.R. 35, EBM, as follows: NE $\frac{1}{4}$ NE $\frac{1}{4}$ 35 acres, NW $\frac{1}{4}$ NE $\frac{1}{4}$ 30 acres, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, 40 acres each, SW $\frac{1}{4}$ SE $\frac{1}{4}$ 35 acres, and SE $\frac{1}{4}$ SE $\frac{1}{4}$ 40 acres. Land is cultivated and by use of this water has been developed from sage brush land into productive agricultural land.

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. Land is naturally arid, sandy loam; I estimate it will require 1 miner's inch per acre for profitable cultivation.

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

Ans. No.

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. In my occupation I am continuously travelling in the vicinity of this farm and the well, I drilled the well in January, 1952, and the water was conveyed to this land during the summer of 1952, and all land except SW $\frac{1}{4}$ SE $\frac{1}{4}$ has been irrigated since 1952; SW $\frac{1}{4}$ SE $\frac{1}{4}$ was put under irrigation in spring of 1957 after permittee received patent thereto from the U.S.

(Signed)

R. P. 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 Idaho Falls, County of Bonnaville, State of Idaho, on this 23rd day of August, A. D. 1952.

(NOTARY PUBLIC)

John L. Blum

Notary Public.
Residing at: Idaho Falls, Idaho.

My commission expires Nov. 9, 1959.

423076

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
AUG 2 8 1957
Department of Reclamation

Permit No. G-23076

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. Gene Lass, 34, Terreton, Idaho, farming, P.O.: Terreton, Idaho.

Ques. 2. Are you acquainted with Blaine E. Miller, the holder of Permit No. G-23076? How long have you known him and where does he reside?

Ans. Yes. I have known him about 2½ years.

Ques. 3. Have you read or heard read said Permit No. G-23076, and are you familiar with its provisions and conditions?

Ans. Yes.

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

Ans. Well located in SE¼SE¼, Section 22, Twp. 7 N.R. 35, EBM; water is pumped from well, it travels through private ditches to the Independent Ditch, then through Camas Creek into Mud Lake; it is pumped out of Mud Lake and conveyed to land irrigated through the Jackett ditch and private ditches.

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. In excess of 6 second feet. I am seen this amount.

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 would estimate about 300 miner's inches of water. I estimated this amount from irrigation streams I have previously handled.

23076

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. Irrigation. Subdivisions all in Section 17, Twp 6 N.R. 35, EBM as follows: $SE\frac{1}{4}SE\frac{1}{4}$, $NW\frac{1}{4}SE\frac{1}{4}$, $NE\frac{1}{4}SE\frac{1}{4}$, $SE\frac{1}{4}NE\frac{1}{4}$, $SW\frac{1}{4}NE\frac{1}{4}$, 40 acres each; $SW\frac{1}{4}SE\frac{1}{4}$ 35 acres, $NW\frac{1}{4}NE\frac{1}{4}$, 30 acres, and $NE\frac{1}{4}NE\frac{1}{4}$ 35 acres. Land is cultivated and produces profitable crops through the use of said water.

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. Land is naturally arid and requires irrigation for profitable cultivation. I estimate at least one inch per acre is necessary for profitable cultivation. Land is a sandy loam.

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

Ans. No.

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. All of this land was already under irrigation when I first saw it in the Spring of 1955, except $SW\frac{1}{4}SE\frac{1}{4}$, and I saw it all irrigated during the crop seasons of 1955, 1956, and 1957. The $SW\frac{1}{4}SE\frac{1}{4}$ was put under irrigation in the Spring of 1957, and was irrigated during the 1957, season.

Gene Lass
(Signed) GENE LASS

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 Idaho Falls, County of Bonnerville, State of Idaho, on this 23rd day of August, A. D. 1957.

John L. Blum
Notary Public.
Residing at: Idaho Falls, Idaho.

My commission expires Nov. 9, 1959.

M 23076

RECEIVED
AUG 2 6 1957

Department of Reclamation

Affidavit of Publication

THE RIGBY STAR

STATE OF IDAHO, }
County of Jefferson } ss.

Hope B Jones
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

1st day of *August*, 19*57*

and last publication on the

22nd day of *August*, 19*57*

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 *22nd*

day of *August*, 19*57*

(SEAL)

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

Publication Fee: \$ _____

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

Notice is hereby given that at 10:00 a. M., on the 23rd day of August, 1957, at Idaho Falls, County of Bonneville, State of Idaho, before John L. Bloem, a notary Public, proof will be submitted of the completion of works for the diversion of six cubic feet per second of underground waters from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. *Q-23076* heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person holding said permit is Blaine E. Miller, 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 six cubic feet per second.

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

4. The point of diversion of said water is SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 22, Twp. 7 N. R. 35 E.B.M.

5. The place where said water is used is E $\frac{1}{2}$ Section 17, Twp. 6 N.R. 35, E.B.M., Jefferson County, Idaho.

6. The date of priority which said user is prepared to establish is September 24, 1952.

MARK R. KULP,
State Reclamation Engineer.
(Publish: August 1-8-15-22, 1957)

Q 23076

MY COMMISSION EXPIRES JULY 17, 1961

August 21, 1957

RE: Permits Nos. G-23076 & G-26875
Blaine E. Miller, & Tamco, Inc.

Rigby Star
Rigby, Idaho

Gentlemen:

We acknowledge receipt of your acknowledgments of Notices for publication on Permit No. G-23076 in the name of Blaine E. Miller, to be published August 1, 8, 15, & 22 and on Permit No. G-26875 in the name of Tamco, Inc., to be published August 8, 15, 22 & 29.

At the time these Notices were mailed to you, we requested a copy of the first publication be mailed to this office for our checking. To date we have not received the copies and request you mail one of each of the publications on the above mentioned permits, by return mail to this office.

Thank you.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR:vm

23076

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
room 107, State House
BOISE, IDAHO

RE: Permit NO. G-23076
Elaine E. Miller

Date: *First Public. Aug 1 -*
July 25, 1957

Rigby Star
Rigby, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **August 28th, 1957** the date set for proof, the expense of the publication to be paid by the applicant, **Smith, Box 428** **Idaho Falls,** **Idaho**, to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

KFR:vm
Encl.

23076

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
room 107, State House
BOISE, IDAHO

RECEIVED
JUL 29 1957
Department of Reclamation

RE: Permit NO. G-23076
Elaine E. Miller

Date: July 25, 1957

Rigby Star
Rigby, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to August 23rd, 1957 the date set for proof, the expense of the publication to be paid by the applicant's Atty- Albaugh, Bloem, Barnard & Smith, Box 428 of Idaho Falls, Idaho, to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Edna P. Putledge
Chief Clerk

EPR:vm
Encl.

Notice received Aug July 26-1957
publication dates Aug 1-8-15-22)

Rigby Star
H. Jones

23076

July 25, 1957

RE: Permit No. G-23076
Blaine E. Miller

Albaugh, Bloem, Barnard & Smith
Attorneys at Law
P.O. Box 428
Idaho Falls, Idaho

ATT: John L. Bloem

Dear Sir:

This acknowledges receipt of the notice of proof of completion of works and application of water to beneficial use under Permit No. G-23076 in the name of Blaine E. Miller. Final proof is to be made before you at 10:00 A.M. August 23rd, 1957.

As of this date, we have sent 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 to then send the affidavit of publication and statement of costs to you.

Before the time set, will you please notify Mr. Miller, that he and two disinterested witnesses who are familiar with the terms of the Permit and the work done thereunder are to appear before you at 10:00 A.M. August 23rd, for the purpose of executing the enclosed depositions.

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

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPRLvm

Encl.

cc. Blaine E. Miller
Terreton, Idaho

23076

RALPH L. ALBAUGH
JOHN L. BLOEM
GEORGE L. BARNARD
ARTHUR L. SMITH

P. O. BOX 428
TELEPHONE 828
~~8-2354~~
JACKSON 2-6291

LAW OFFICES OF
ALBAUGH, BLOEM, BARNARD & SMITH
SUITE 201-5 ROGERS BUILDING
IDAHO FALLS, IDAHO

July 23, 1957

RECEIVED
JUL 24 1957

Department of Reclamation

Re: Permit No. G-23076
Blaine E. Miller

MR. MARK R. KULP
State Reclamation Engineer
Boise, Idaho

Dear Mr. Kulp:

In connection with the above numbered permit, we enclose herewith Form 36, which has been completed in duplicate, and Form No. 11 which has been signed by the permit holder.

In Form 36, I have tentatively set the hearing date the 23rd day of August, 1957, which would mean that the first publication of the notice should be on Thursday, August 1st.

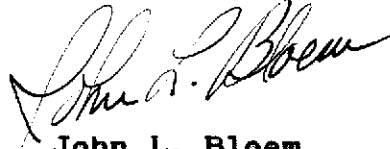
If, for any reason, you do not have this notice in the newspaper in time for publication on August 1st, or if the date for the hearing is not satisfactory with you, please change it to suit your convenience, anytime except during the last week in August.

Very truly yours,

ALBAUGH, BLOEM, BARNARD & SMITH

JLB:s
Enc-3

By


John L. Bloem

23076

RECEIVED
JUL 24 1957

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE ^{Department of Reclamation}

(Date) July 23, 1957

Address	
<u>Hamer</u>	<u>Idaho</u>
City	State

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

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

By Harri E. Miller

(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

423076

RECEIVED
JUL 24 1957

Department of Reclamation

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

Due 9-27-57

Notice is hereby given that at 10:00 A. M., on the ~~17th~~ 23rd
day of August, 19 57, at Idaho Falls, County of
Bonneville, State of Idaho, before John L. Bloem, a not-
ary public, proof will be submitted of the completion of
works for the diversion of six cubic feet per second of underground waters
from a well, and of the application to beneficial use of said water, in accordance
with the terms and conditions of Permit No. G-23076 heretofore issued by
the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person of ~~PROPRIETOR~~ holding said
permit is Blaine E. Miller, 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 six cubic feet per second.

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

4. The point of diversion of said water is SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 22, Twp. 7
N.R. 35 E.B.M., Jefferson County, Idaho.

5. The place where said water is used is E $\frac{1}{2}$ Section 17, Twp 6 N.R. 35,
E.B.M., Jefferson County, Idaho.

6. The date of priority which said user is prepared to establish is
September 24, 1952.

G 23076

MARK R. KULP
State Reclamation Engineer

Rrrf

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

RE Permit No. G-23076

July 1, 1957

Mr. Blaine E. Miller
Teton, Idaho

Dear Sir:

We enclose herewith blank notice for proof of completion of works and application of water to beneficial use under your Permit No. G-23076. This notice should be filled out in duplicate and returned to this office at least 40 days before the date upon which you wish to make this proof, in order to allow time for the four weeks' publication required by law.

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

The date for proof, as set out in your permit, is not later than September 27, 1957.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

NOTE:- A copy of this notice and forms mailed to:-

Albough, Bloom, Barnard & Smith
Attorneys
P.O. Box 428
Idaho Falls, Idaho

Attention: John L. Bloom

vm

H 23076

✓
August 26, 1953

RE: Permit No. G-23076

Messrs. Albaugh, Bloem, Barnard & Smith
Box 428
Idaho Falls, Idaho

ATT: Mr. John L. Bloem

Dear Mr. Bloem:

In reply to your letter of August 25, 1953, in which you state that Mr. Blaine E. Miller is ready to submit proof of completion of works on Permit No. G-23076.

This permit calls for completion of works and beneficial use proof both at the same time and these proofs may be made at any time prior to September 27, 1957.

If Mr. Miller is prepared to make both proofs now, notice should be made in duplicate on Form 36 enclosed and both copies returned to this department together with Form 11.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

23076

RALPH L. ALBAUGH
JOHN L. BLOEM
GEORGE L. BARNARD
ARTHUR L. SMITH

P. O. BOX 428
TELEPHONE 325
OR 2354

LAW OFFICES OF
ALBAUGH, BLOEM, BARNARD & SMITH
SUITE 201-S ROGERS BUILDING
IDAHO FALLS, IDAHO

August 25, 1953

RECEIVED
AUG 26 1953
Department of Reclamation

MR. MARK L. KULP
State Reclamation Engineer
Boise, Idaho

Dear Mr. Kulp:

Blaine E. Miller was in today and said he was ready to submit Proof of Completion of Works, in connection with his last water filing to appropriate the subterranean waters of the State.

We do not have the number of this last filing in our files, but it was issued in lieu of Permit #20536, which has been cancelled.

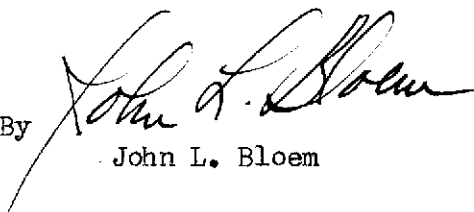
Will you please send us the necessary forms?

Very truly yours,

ALBAUGH, BLOEM, BARNARD & SMITH

JLB:s

By


John L. Bloem

9-23076 -

9-27-57

9 23076

October 1, 1952

RE: Permits Nos. G-23076, G-23077, G-23078,
G-23079 and G-23080

Messrs. Albaugh, Bloom, Bernard & Smith
Box 488
Idaho Falls, Idaho

Gentlemen:

We enclose herewith the above numbered permits in the names of Elaine E. Miller, Chas. Nordstrom, Roy Jernberg, Charles Stewart, and Jefferson Irrigation Company, and direct attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose departmental receipt No. 24919 for the \$50.25 filing fees on these several permits.

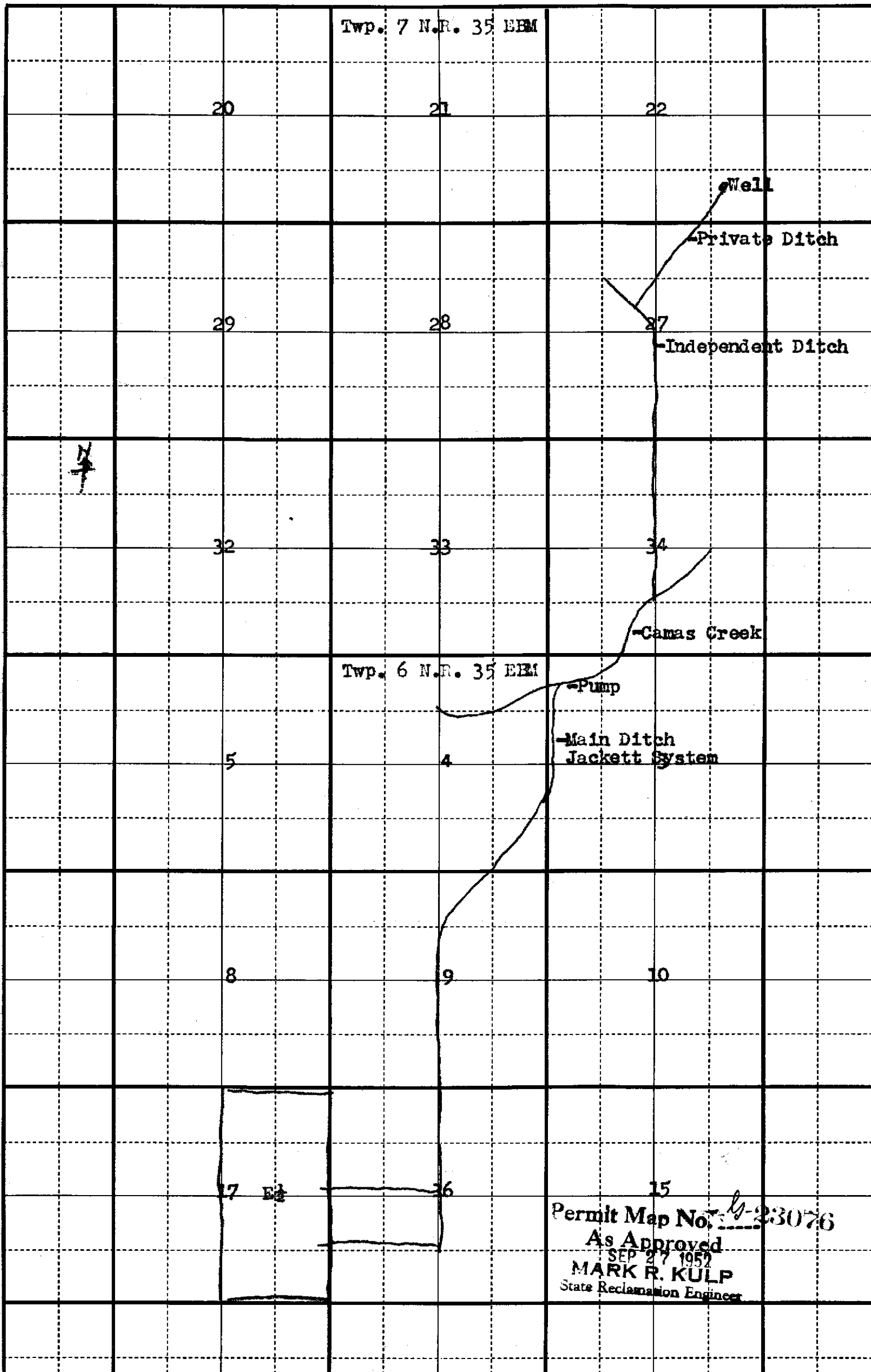
Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

23076



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

Notice is hereby given that at 10:00 a. M., on the 23rd day of August, 1957, at Idaho Falls, County of Bonneville, State of Idaho, before John L. Bloem, a notary Public, proof will be submitted of the completion of works for the diversion of six cubic feet per second of underground waters from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-23076 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person holding said permit is Blaine E. Miller, 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 six cubic feet per second.

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

4. The point of diversion of said water is SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 22, Twp. 7 N. R. 35 E.B.M.

5. The place where said water is used is E $\frac{1}{2}$ Section 17, Twp. 6 N.R. 35, E.B.M., Jefferson County, Idaho.

6. The date of priority which said user is prepared to establish is September 24, 1952.

MARK R. KULP,

State Reclamation Engineer.

(Publish: August 1-8-15-22, 1957)