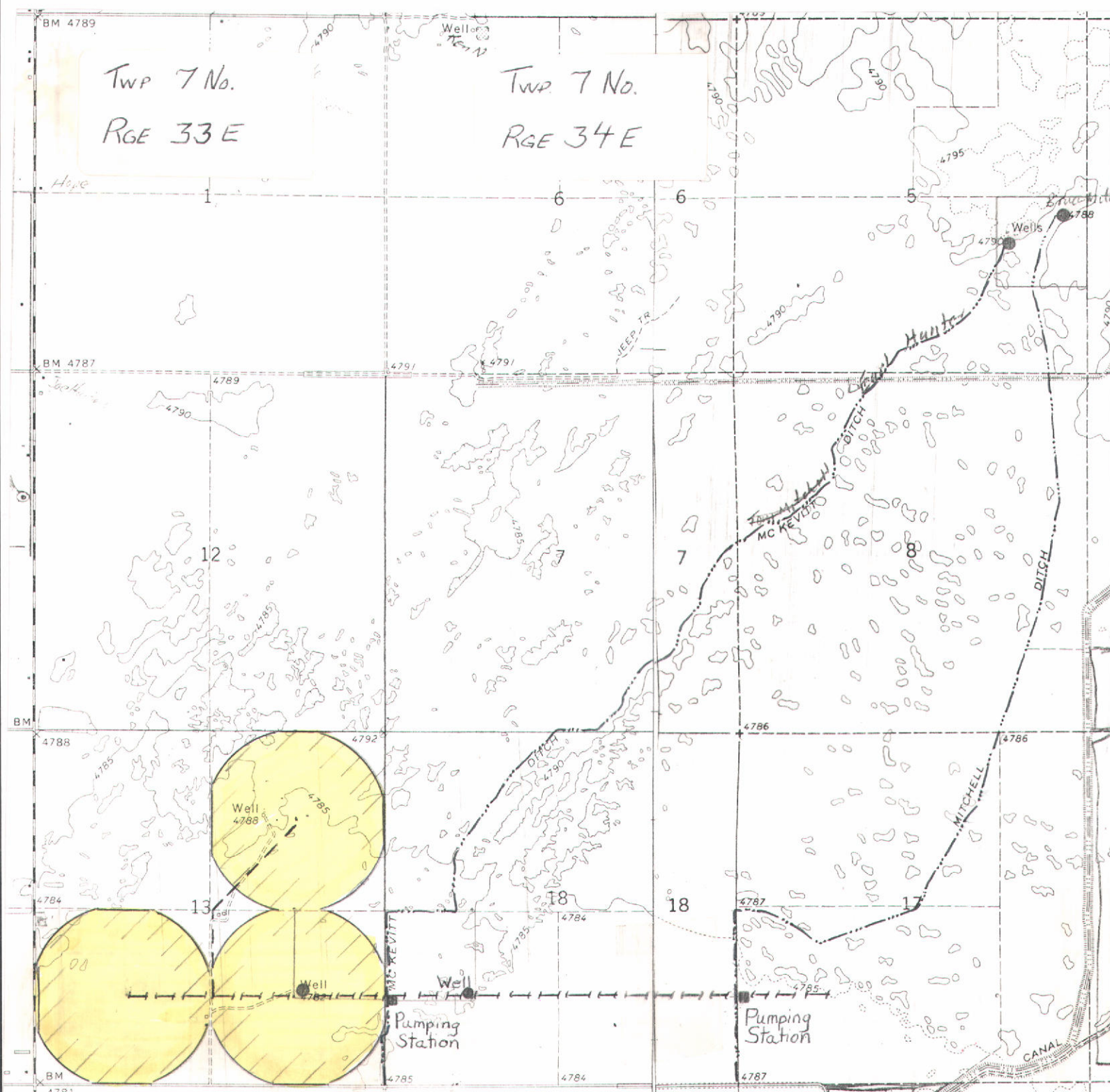


c. Describe the land or place of use to which the right will be transferred:

[illegible]

Total number of acres to be irrigated 220

4. Describe any other water rights used for the same purpose as described above. 31-2415
-
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



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

MICROFILMED

State of Idaho

License and Certificate of Water Right

Water License No. 21852 / 31-2299

Amount 3.11 c.f.s.

Water District No. _____

Priority January 4, 1951

THIS IS TO CERTIFY that R. J. RICHENS of Terraton, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated January 4, 1951; that Permit No. 21852 was issued under said application, that Certificate of Completion of works, with a carrying capacity of 3.11 second feet, was issued thereunder on August 25, 1961, showing that said works were completed on the 6th day of December, 1955; and that on the 6th day of December, 1955.

A. J. RICHENS of Terraton, 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 subsurface flow for the purpose of irrigation under Use Permit No. _____ 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 _____ of Licenses at page _____ on the 25th day of August, 1961.

The right hereby confirmed dates from January 4, 1951.

The Point of Diversion is located

in the SW 1/4 of NE Sec 13 Twp. 7N R. 33E, 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 3.11 cubic feet per second.

Description and location of use:

Twp	Range	Sec	Forty acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
7N	33E	13	SW NE	40	40
			NE SE	40	20
			NW SE	40	40
			SW SE	40	40
			NE SW	40	26
			SW SW	40	40
			SE SW	40	40

Total number of acres to be irrigated 220

THE JEFFERSON STAR

RIGBY, IDAHO

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
County of Jefferson } ss

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

Notice Of Proposed Change Of Water Right

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

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

ing been made on February 21, 1985
and the last publication having been made

on February 28, 1985

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

Terry Weatherston



Subscribed to and sworn to before me
this March 1, 1985

Jeri Garner

Notary Public.

(SEAL)

My commission expires life

RECEIVED

MAR 7 1985

Department of Water Resources
Eastern District Office

NOTICE OF PROPOSED CHANGE OF WATER RIGHT 31-2299

Notice is hereby given that Sauer En-
terprises, Idaho Falls, Idaho has applied to
the Department of Water Resources for a
change in the point of diversion and place of
use of the waters of groundwater source.
The right sought to be changed is evidenced
by license 31-2299 and is recorded as
follows:

AMOUNT: 3.14 cfs, PRIORITY: January 4,
1951, POINT OF DIVERSION: SW $\frac{1}{4}$ NE $\frac{1}{4}$,
Sec. 13, T. 7N R. 33E, B.M., Jefferson
County;

The water is used to irrigate 220 acres
within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$,
N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, T. 7N, R.
33E.

TO BE CHANGED AS FOLLOWS

The water will be diverted within NE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 13, T. 7N, R. 33E; NE $\frac{1}{4}$ SE $\frac{1}{4}$ (2
points), Sec. 5, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18, T. 7N,
R. 34E, B.M. and used to irrigate 220 acres
within the E $\frac{1}{2}$, SW $\frac{1}{4}$, Sec. 13, T. 7N, R.
33E, B.M.

Any protest against approval of the above
proposed change of water right must be filed
with the Idaho Department of Water
Resources, 150 Shoup, Suite 15, Idaho
Falls, ID 83402 on or before March 11,
1985.

A. KENNETH DUNN
Director

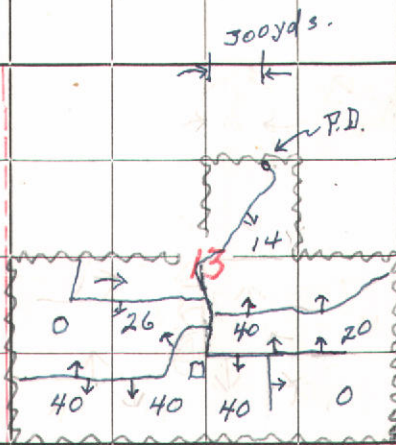
Publ. Feb. 21 and 28, 1985RS

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R-33 E.

T.
7
N.

220 a



Subdivisions = 7

Area = 220 a.

Q = 157 inches.

Sparling meter
used.

h.p. 538

196 #

A. J. Richins.	
Sec 13, T2 R 33.	
	* Wel. 20 A. In culti
	100 A.
100 A. In culti	In culti

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

APPROVED

Name of applicant SAUER ENTERPRISES Phone 522-5179Post Office address c/o Neal Sauer, Rt. #5, Box 160, Idaho Falls, ID 83402**A. DESCRIPTION OF RIGHT AS RECORDED**

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____ (Name)
in case of _____ vs _____
dated in _____ in _____ county of _____
(Name of court)
- b. License No. 31-2299 issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources

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

3. Source of water
- groundwater
- tributary to _____

4. Date of priority
- January 4, 1951

5. Water is used for the following purposes:

amount 3.14cfs for Irrigation 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. 3.14 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 13
Township 7N Range 33E, B.M., in Jefferson County
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
7N	33E	13			14						26		40	40	20	40	40		220

Total number of acres to be irrigated 220

9. Describe any other water rights used for the same purpose as described above
- 31-2415

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

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omit part B).

b. _____ acre feet per annum

acre feet per annum

Township

County

Additional points

Place of use:

[illegible]

Total number of acres to be irrigated

DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE	REMARKS

General Information

acre feet

Two wells pump directly into mainline. Two.

other wells discharge into open ditches.

~~Describe the reasons for the proposed changes. Original well is being abandoned.~~

and licensed place of use will be irrigated from 4 wells.

Change in point of diversion

NY

B.M., Jetterson _____ County

ec. 2 (two wells), NW 1/4 Sec. 18, T. 7N

R. 37E.

Change in place of use

Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust,

Yes X No. If yes, provide a notarized statement from the holder of

the lien, deed of trust, mortgage or contract agreeing to the proposed change.

Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer

~~Most of the land will continue to be irrigated under license~~

31-2415. Some land in the S&SW¼ & W&SE¼ will be dewatered and

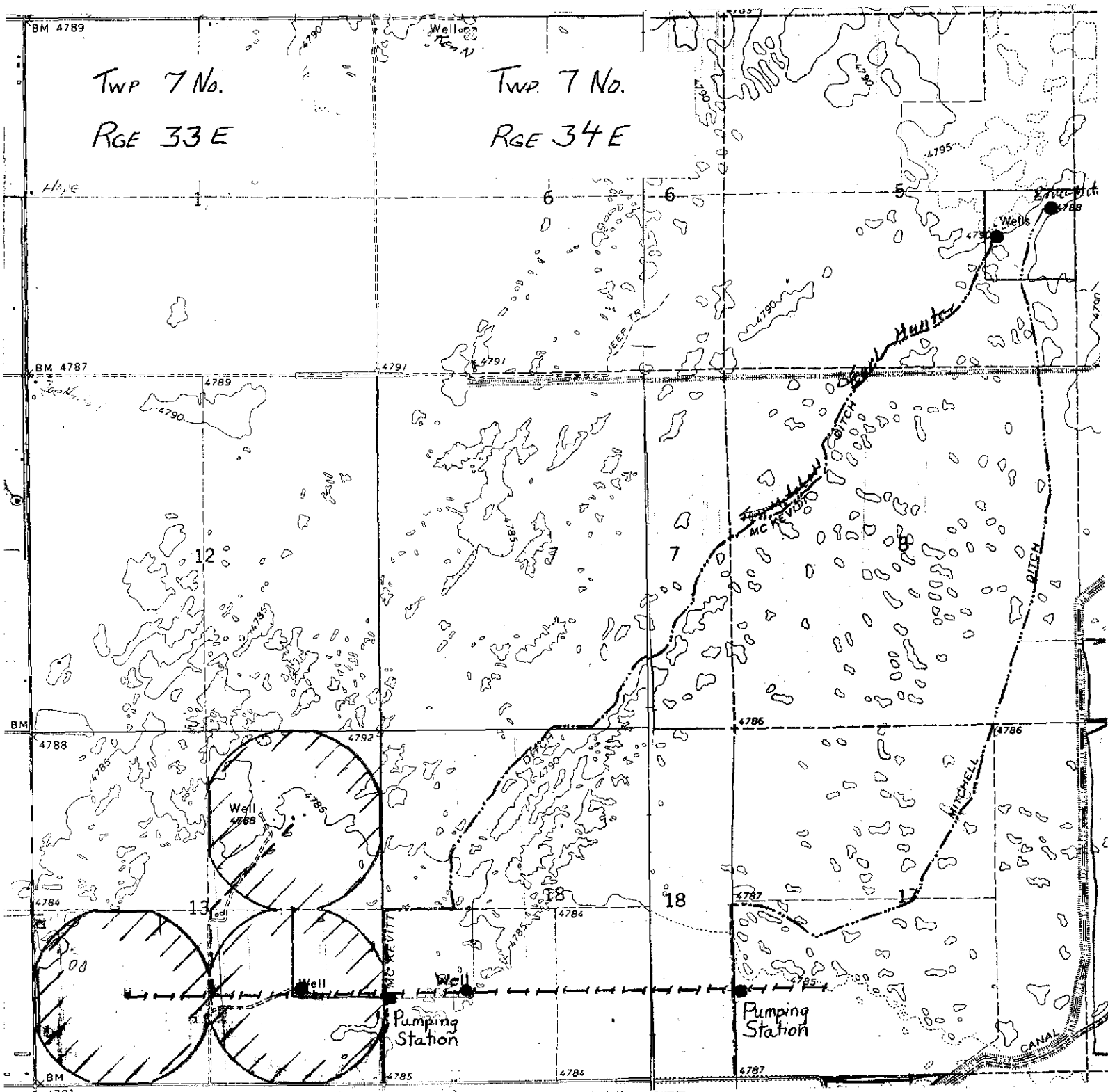
~~cease to be irrigated.~~

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

[illegible]

Total number of acres to be irrigated 220

4. Describe any other water rights used for the same purpose as described above. 31-2415
-
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



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

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D. REMARKS

Application changes the points of diversion and place of use. See Attachment A for explanation.

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

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

Subscribed and sworn to before me this 22 day of January, 1985
JAMES E. ENTINE
Notary Public

George (Camp)
(Notary Public)

My commission expires March 22, 1988

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 31-2299

APPROVED

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

Witness my hand this

day of

December

1985

J. Allen Saylor
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by BMC Date 2-6-85 Prelim. check by Fee 5000#84400 Date 2-6-85
Received by Date 2-6-85
Published in Pub. dates 2-21-85
Watermaster recommendation requested on rec'd.
Recommended for approval denial
Hearing held by
Copies of protest forwarded by
Protest filed by

RECEIVED

MAR 11 1985

Department of Water Resources
Eastern District Office

Box 2415
Montevideo, Idaho 83435
March 11, 1985

Mr. Ron Carlson
Idaho Department of Water Resources
150 Shoup - Suite 15
Idaho Falls, Idaho 83402

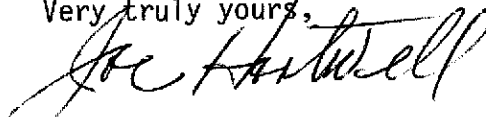
Subject: Application for transfer of water right no. 31-2299
Application for transfer of water right no. 31-2415
Application for amendment of permit no. 31-7320
All three applications dated January 22, 1985
and submitted by Sauer Enterprises.

Dear Sir:

I am a landowner adjacent to Mr. Sauer's farm and own the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of section 5, T7N, R34EBM on which are located two of the wells that are involved in all three of the above applications.

I have no objection to changing the place of use of the water on the land Mr. Sauer owns. My objection is to any increase in flow from the two wells in Section 5 in excess of flow allowed under existing legal claim(s) and or license(s). Water Resources personnel have informed me that the effect of Mr. Sauer's applications would be to allow an increase in flow from the wells in section 5 should the wells in section 13 and 18 decrease in flow. An increase in flow from the wells in section 5 could create a trespass condition and disregard the terms under which I purchased the land on which the wells are located. The applications make no mention of these potential problems, and on a basis including but not limited to these problems, I hereby file a formal protest against all three applications.

Very truly yours,



Joe Hartwell

MICROFILMED

January 24, 1985

I have no objection to the transfer of the Point of Diversion on these permits by Sauer Enterprises.

Signed

Earl Hunter
Earl Hunter

State of Idaho)
) ss.
County of Bonneville)

On this 5 day of February 1985, before me, Dennis
M. Olsen, a Notary Public for the State of Idaho, personally
appeared Earl Hunter, known to me to be the person whose name is
subscribed to the within instrument, and acknowledged to me that he
executed the same.

(SEAL)

[Signature]
Notary Public for the State of Idaho
Residing in Idaho Falls Idaho
My Commission expires: per term

MICROFILMED

WARRANTY DEED

THIS INDENTURE, Made this 9 day of April, 1984, between DAVID EARL HUNTER aka EARL HUNTER and HETTIE A. HUNTER aka HEDWIG HUNTER, husband and wife, J. HARVEY GROTH aka JOHN HARVEY GROTH and MARY LOU GROTH aka MARY L. GROTH, husband and wife, GEORGE A. WILKERSON and DELILAH M. WILKERSON, husband and wife, ROBERT A. HUNTER and ROBERTA L. HUNTER, husband and wife, CHARLES M. HUNTER and SUSAN V. HUNTER, husband and wife, c/o Box 308, Ririe, State of Idaho referred to as the Grantor and SAUER ENTERPRISES, a partnership comprised of NEAL W. SAUER, LORIN SAUER, RAY SAUER and DAVID SAUER, of Rt. 5, Box 160, Idaho Falls, State of Idaho, referred to as the Grantee.

WITNESSETH, For and in consideration of the sum of Ten Dollars (\$10.00) lawful money of the United States of America, and other good and valuable considerations, Grantor has granted, bargained, sold, and by these presents, does hereby grant, bargain, sell, convey and confirm unto the said Grantee and Grantee's heirs and assigns forever, all of the following described real estate situated in the State of Idaho, to wit:

PARCEL ONE:

Tract 1:

Township 7 North, Range 33 East of the Boise Meridian,
Jefferson County, Idaho

Section 24: SE 1/4.
E 1/2 SW 1/4.
N 1/2.

Township 7 North, Range 34 East of the Boise Meridian,
Jefferson County, Idaho

Section 18: NE 1/4
E 1/2 SW 1/4 and lots 3 and 4.
Section 19: E 1/2 W 1/2 and Lots 1, 2, 3 and 4.

Tract 2:

Township 7 North, Range 33 East of the Boise Meridian,
Jefferson County, Idaho.

Section 24: W 1/2 SW 1/4.

Tract 3:

Township 7 North, Range 33 East of the Boise Meridian,
Jefferson County, Idaho

Section 13: E 1/2.
SW 1/4.

PARCEL TWO:

Tract 1:

Township 7 North, Range 34 East of the Boise Meridian,
Jefferson County, Idaho

Section 17: SW 1/4 and that portion of the SW 1/4 SE
1/4, lying North and West of the Jefferson
Irrigation Company Canal.
NW 1/4 SE 1/4.

Section 18: SE 1/4.

Tract 2:

Township 7 North, Range 34 East of the Boise Meridian,
Jefferson County, Idaho

Section 19: E 1/2.
Section 20: W 1/2 NW 1/4.

SUBJECT HOWEVER, to all easements and rights of way appearing on such premises or of record, reservations in favor of the United States or the State of Idaho, and all existing zoning ordinances, applicable building codes, laws and regulations.

MICROFILMED

TO HAVE AND TO HOLD the said premises, together with all and singular the tenements, hereditaments, easements and appurtenances thereunto belonging or in anywise appertaining; and the reversions, remainders, rents, issues, and profits thereof; and all Grantor's estate, right, title and interest in and to said premises, in law as well as in equity.

Grantor shall, and by these presents, does hereby warrant and agree to forever defend the Grantee, his successors and assigns, in the quiet and peaceable possession of said premises and from and against all and every person lawfully claiming an interest therein.

In construing this Deed and where the context so requires, the singular includes the plural, and the masculine includes the feminine and neuter.

IN WITNESS WHEREOF, the Grantor hereunto has set his hand and seal the day and year first above written.

DAVID EARL HUNTER

HETTIE A. HUNTER

J. HARVEY GROTH

MARY L. GROTH

GEORGE A. WILKERSON

DELILAH M. WILKERSON

ROBERT A. HUNTER

ROBERTA L. HUNTER

CHARLES M. HUNTER

SUSAN V. HUNTER

STATE OF IDAHO)
) ss.
County of Bonneville)

On this ____ day of April, 1984, before me the undersigned, a Notary Public in and for said State, personally appeared DAVID EARL HUNTER and HETTIE A. HUNTER, husband and wife, J. HARVEY GROTH and MARY LOU GROTH, husband and wife, GEORGE A. WILKERSON and DELILAH M. WILKERSON, husband and wife, ROBERT A. HUNTER and ROBERTA L. HUNTER, husband and wife and CHARLES M. HUNTER and SUSAN V. HUNTER, husband and wife, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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

Notary Public for Idaho

(Seal)

State of Idaho License and Certificate of Water Right

Water License No. 21852/31-2299

Amount 3.14 c.f.s.

Water District No.

Priority January 4, 1951

THIS IS TO CERTIFY that

E. J. FICHES

of Teton, Idaho

made application for a permit to appropriate the

public waters of the State of Idaho, dated January 4, 1951; that Permit No. 21852 was issued under said application; that Certificate of Completion of work, with a carrying capacity of 3.14 second feet, was issued thereunder on August 25, 1951, showing that said work

were completed on the 6th day of December, 1955; and that on the 6th day of December, 1955.

A. T. RECHT

of Teton

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 buttermilk river for the purpose of irrigation

under the Permit No. 21852 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 71, on the 25th day of August, 1951

The right hereby confirmed dates from January 4, 1951

The Point of Diversion is located

in the SW 1/4, NE Sec 23, T4N, R33E, B2E, County Jefferson

That the amount of water to which such right is entitled and hereby confirmed, for the purposes intended, is limited to an amount actually needed and beneficially used for said purposes and shall not exceed 3.14 cubic feet per second.

Description and location of use:

Trp	Range	Sec	Forty foot front	No. Acres Described in Permit	No. Acres Actually Irrigated
T4N	33E	23	SW 1/4 NE, NE 1/4 SE, NW 1/4 SE, SW 1/4 SE, NE 1/4 SW, SW 1/4 SW, SW 1/4 SW	40 40 40 40 40 40 40	40 40 40 40 40 40 40

plus area of water to be irrigated

UNRECORDED

THE JEFFERSON STAR
RIGBY, IDAHO

MAR 7 1985

Department of Water Resources
Faster Office

AFFIDAVIT OF
PUBLICATION

STATE OF IDAHO }
County of Jefferson } ss

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

Notice Of Proposed Change Of Water Right

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

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

ing been made on February 21, 1985
and the last publication having been made

on February 28, 1985

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

Terry Weatherston

~~~~~

Subscribed to and sworn to before me  
this March 1, 1985

*Doree Garner*

Notary Public.

(SEAL)

My commission expires life

NOTICE OF PROPOSED  
CHANGE OF WATER RIGHT  
31-2289

Notice is hereby given that Sauer En-  
terprises, Idaho Falls, Idaho has applied to  
the Department of Water Resources for a  
change in the point of diversion and place of  
use of the waters of groundwater source.  
The right sought to be changed is evidenced  
by license 31-2289 and is recorded as  
follows:

AMOUNT: 3.14 cfs. PRIORITY: January 4,  
1961. POINT OF DIVERSION: SW $\frac{1}{4}$ NE $\frac{1}{4}$ ,  
Sec. 13, T. 7N. R. 33E. B.M., Jefferson  
County.

The water is used to irrigate 220 acres  
within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ ,  
N $\frac{1}{2}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 13, T. 7N, R.  
33E.

TO BE CHANGED AS FOLLOWS

The water will be diverted within NE $\frac{1}{4}$ SE $\frac{1}{4}$ ,  
Sec. 13, T. 7N, R. 33E; NE $\frac{1}{4}$ SE $\frac{1}{4}$  (2  
points) Sec. 5, NW $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 18, T. 7N,  
R. 34E, B.M. and used to irrigate 220 acres  
within the E $\frac{1}{2}$ , SW $\frac{1}{4}$ , Sec. 13, T. 7N, R.  
33E. B.M.

Any protest against approval of the above  
proposed change of water right must be filed  
with the Idaho Department of Water  
Resources, 150 Shoup, Suite 216, Idaho  
Falls, ID 83402 on or before March 11,  
1985.

A. KENNETH DUNN  
Director

Publ. Feb. 21 and 28, 1985.

MICROFILMED

31-2299

# State of Idaho

## License and Certificate of Water Right

Water License No. 21852

Amount 3.14 c.f.s.

Water District No.

Priority January 4, 1951

THIS IS TO CERTIFY that A. J. RICHINS  
 of Terreton, Idaho, made application for a permit to appropriate the  
 public waters of the State of Idaho, dated January 4, 1951; that Permit No. 21852  
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of  
 3.14 second feet, was issued thereunder on August 25, 1961, showing that said works  
 were completed on the 6th day of December, 1955; and that on the 6th  
 day of December, 1955,

A. J. RICHINS

of Terreton, State of Idaho, made proof to the satisfaction of the  
 State Reclamation Engineer of Idaho, of the right to use the waters of a well  
 , a tributary of subterranean flow, for the purpose of irrigation  
 , under Use Permit No. 21852 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 7149, on the 25 day of August, 1961;

The right hereby confirmed dates from January 4, 1951;

The Point of Diversion is located

in the SW 1/4 NE 1/4, Sec. 13, Tp. 7N, R. 33 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 3.14 cubic feet per second.

Description and location of use:

| Twp. | Range | Sec. | Forty-acre Tract                       | No. Acres<br>Described in Permit | No. Acres<br>Actually Irrigated |
|------|-------|------|----------------------------------------|----------------------------------|---------------------------------|
| 7 N. | 33 E. | 13   | SW 1/4 NE 1/4                          | 40                               | 14                              |
|      |       |      | NE 1/4 SE 1/4                          | 40                               | 20                              |
|      |       |      | NW 1/4 SE 1/4                          | 40                               | 40                              |
|      |       |      | SW 1/4 SE 1/4                          | 40                               | 40                              |
|      |       |      | NE 1/4 SW 1/4                          | 40                               | 26                              |
|      |       |      | SW 1/4 SW 1/4                          | 40                               | 40                              |
|      |       |      | SE 1/4 SW 1/4                          | 40                               | 40                              |
|      |       |      | Total number of acres to be irrigated: |                                  | 220                             |

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  
 25th day of August, 1961.

RALPH W. THOMAS

Deputy State Reclamation Engineer.

(SEAL)

31 2299

N<sup>o</sup> 21852  
31-2299  
MTB: J. M. HANCOCK R.S.

APPLICATION FOR PERMIT  
To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 29574  
PERMIT No. 21852  
DISTRICT No.

1. Name of Applicant: A. J. RICHINS

Postoffice address: Terretton

County: Jefferson

State: Idaho

I. If applicant is a corporation, give:

- (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:

- (b) Treasury stock:
- (d) Other resources:

(a) Cash on hand:

(c) Bonds to be issued:

2. Quantity of water claimed: 9.6

cubic feet per second.

3. Source of water supply: Ground water from wells

which is a tributary of Snake River

4. Location of point of diversion:

feet distant from the

corner of Section , T. , R. , B.M., and is in the NE $\frac{1}{4}$  NE $\frac{1}{4}$  and SW $\frac{1}{4}$  NE $\frac{1}{4}$   
of Section 13 , T. 7 N. , R. 33 E. , B.M., County of Jefferson

5. Water is to be used for Irrigation

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section

T. , R. , B.M., in the of Section , T. , R. , B.M.

(b) Amount of power generated: H.P., under feet head.

(c) Water is to be returned to at a point feet

distant from the corner of Section , T. , R. , B.M., in the  
of Section , T. , R. , B.M.

7. Estimated cost of works: \$14,000.00

8. Kind of works: Wells, pumps, motor, etc.

9. Height of dam No dam feet; length of dam at top feet; length of dam at bottom

feet; material used in dam:

10. Size of headgate: Width No headgate feet; height feet.

11. Ditch: Width at bottom feet; width at water line feet; depth of water feet;

dimensions of flume: Ditch already built

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

12. The time required for the completion of such work is Five (5) years.

13. The time required for the complete application of the water to the proposed use is One (1) additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: Have been using water from Spring Lake for short period in spring months in wet years, but no water is available from that source after July 1st. and in some years none at all.

16. (a) Is reservoir to be used? **No** If so, fill in (b) and (c) below:  
 (b) Name of Reservoir and number of Storage Permit:  
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

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

A. J. RICHINS      *Applicant.*

By

*Agent.*

Date of first receipt at Department of Reclamation: 9:00 A. M. January 4, 1951

Returned to applicant for correction:

**Corrected application received:**

## Approval of State Reclamation Engineer

The number of this permit is 21852

Recorded in Book 78 Page 21852 Approved January 5, 1951

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 **March 5, 1951** and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before July 5, 1953

The whole of said work to be completed on or before January 5, 1956

Beneficial use of water appropriated in accordance herewith, to be made on or before, January 5, 1957

WITNESS My hand this 5th day of January, 1951

MARK R. KULP  
*State Reclamation Engineer.*

IN TESTIMONY WHEREOF, We, LEN B. JORDAN, 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 5th  
day of January, 19 51.  
Countersigned: STATE OF IDAHO  
(SEAL) By LEN B. JORDAN  
By IRA H. MASTERS *Secretary of State.* Governor.

## REMARKS:

14.

| Twp.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Range | Sec. | NE $\frac{1}{4}$                                         |                  |                  |                  | NW $\frac{1}{4}$ |                  |                  |                  | SW $\frac{1}{4}$ |                  |                  |                  | SE $\frac{1}{4}$ |                  |                  |                  | Totals |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|------|----------------------------------------------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|--------|
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |       |      | NE $\frac{1}{4}$                                         | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ |        |
| 7 N.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 33 E. | 13   | 40                                                       | 40               | 40               | 40               |                  |                  |                  |                  | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 460              |        |
| ✓<br>TO ALL WHOM IT MAY CONCERN:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |       |      | Permit No. 21852<br>CERTIFICATE OF COMPLETION OF WORKS ✓ |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
| This is to certify that A. J. RICHINS of Terretton, County of Jefferson, and State of Idaho, the holder of Permit No. 21852, issued upon Application 29574, bearing date of priority of January 4, 1951, authorizing the diversion of 9.6 second feet of waters of wells, County of Jefferson, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 3.14 second feet of the waters of a well from subterranean flow; that the point of diversion of said waters is SW $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 13, T. 7 N., R. 33 E., B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: |       |      |                                                          |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
| 220 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 13, T. 7 N., R. 33 E., B. M.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |       |      |                                                          |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
| Witness my hand this 25 day of August, A. D. 1961                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |       |      |                                                          |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
| s/ RALPH W. THOMAS,<br>Deputy State Reclamation Engineer                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |       |      |                                                          |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
| Proof of Completion of Works Made: December 6, 1955                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |       |      |                                                          |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
| LICENSE ISSUED FOR 3.14 SEC. FT.<br>Page 7149                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |       |      |                                                          |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |



State of Idaho  
**DEPARTMENT OF WATER RESOURCES**

STATE OFFICE, 450 W. State Street, Boise, Idaho

CECIL D. ANDRUS  
Governor

R. KEITH HIGGINSON  
Director

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

November 27, 1987

Jeffrey C. Fereday  
Givens, McDevitt, Pursley,  
Webb & Buser  
P.O. Box 2720  
Boise, ID 83701

Dear Jeff:

This correspondence is to inform you of items still necessary to complete the application for transfer of the water rights originally identified on the draft transfer application.

There were four (4) permits identified on the transfer:

Permit 31-7064 requires an amendment of permit before a license can be issued. The permit holder of record is Jack R. Bond, South Slope Farms, Montevieu, ID. He would be required to sign the amendment or assign the permit to someone else.

Permit 31-7069 also requires an amendment prior to licensing. The name of the permit holder is the same as permit 31-7064.

Permit 31-7096 has been split into five (5) parts. Parts C, D, and E require amendments of permit prior to licensing. Parts G and F are ready to license. The permit holder of record is Sauer Farms Inc., Rt. 5, Box 160, Idaho Falls, ID. A signature of a representative of Sauer Farms Inc. is required on the amendment.

Permit 31-7320 is not yet ready for licensing. The field exam is in the regional office. The exam has been completed except for measurement of the points of diversion added to the permit by an amendment submitted during the period that the right was being examined. It is our understanding that the wells identified are used only for back-up. Therefore, it is difficult to determine when a measurement can be accomplished.

Two of the three licenses (Nos. 31-2299 and 31-2415) are acceptable to identify on a transfer application as they are, however, license 31-7131

Page 2

overlaps with a decreed right 31-0160 and claim 31-4011. In order to use right 31-7131 on a transfer application, all of the rights appurtenant to the land have to be included. No prior mention has been made of decree 31-0160.

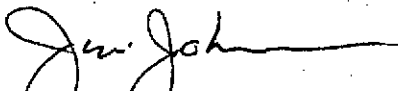
Finally, there is claim 31-4011. As you are aware, the Department requires that a full exam be conducted prior to an approval of a transfer that contains a claim. The field exam was made on September 30, 1987. There was no diversion being made at the time of the exam by the point of diversion identified on the claim, nor had it appeared that any diversion had occurred during the 1987 irrigation season. Most of the land under the claim was irrigated using Jefferson Canal Co. water rights with exception of 4 40-acre tract areas that were under a non-irrigation set-aside program.

Therefore, if the claim is to be used on a transfer application, then all of the water rights used to irrigate this land must also be included to assure that lands are not irrigated on the original lands after the transfer is approved.

In summary, if you desire to continue with submitting the transfer application, you must arrange for the authority to act on behalf of the permits which require amendments; otherwise, they will be forwarded to the permit holder(s) of record. The delay in licensing of permit 31-7320 must be resolved. The water rights that overlap with claim 31-4011 and license 31-7131 must be included on the transfer application.

We will delay the mailing of the permits needing amendments for 15 days to allow you to make arrangements for transferring ownership. If you have any questions, please let us know.

Sincerely,

  
JIM JOHNSON  
Water Rights Supervisor

JJ:sc



State of Idaho

# DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

CECIL D. ANDRUS

Governor

R. KEITH HIGGINSON

Director

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

September 18, 1987

RE: Blaine Larsen Transfer Application

Jeffrey C. Fereday  
Givens, McDevitt, Pursley,  
Webb & Buser  
P.O. Box 2720  
Boise, ID 83701

Dear Mr. Fereday:

I have reviewed the application for transfer of water rights submitted for Blaine Larsen Farms and have the following comments.

1. More than one transfer application is required

The proposed place of use location identified on the transfer application (attachment #2) indicates 15 different pumps which appear to supply water to separate and non-interconnected center pivot systems. The transfer application as proposed will apportion the 8 rights identified to the 15 circular systems. The quantities appurtenant to each of the circular systems is not identified.

A separate transfer application is required for each non-interconnected circular system. This is consistent with the fact that each circular system has its own application for permit.

2. Permits cannot be included on a transfer application

The transfer application identified eight different water rights; four of the water rights are still in the permit stage. A review of our files show that field exams have been completed on these permits. An application for transfer cannot include those rights until the permits are licensed.

If you intend to transfer the use under the permits for the 1988 irrigation season, the Department will expedite issuance

of the licenses. In some cases, the amount of flow, acres irrigated and annual volume of the rights when licensed will be substantially less than identified in attachment #1.

3. A claim to a water right on a transfer application must be verified prior to approving the transfer application

Since a claim to a water right has not undergone any prior verification, water use under the claims to water rights must be field inspected prior to transfer approval. The transfer will be limited to the extent of use verified under the claim.

In conclusion, we are returning the enclosed Application for Transfer. You will need to prepare a transfer for each of the circular systems, the transfers cannot include water right permits, and a transfer application which includes a claim will require additional time to process because the Department must schedule an examination to determine the validity of the claim.

I am sure you will have many questions and the Department will need to put priority of processing the identified permits toward licensing if you still intend to pursue the transferring of these water rights. Therefore, if you feel that you need any further assistance, please let us know.

Sincerely,

  
JIM JOHNSON  
Water Rights Supervisor

JJ:sc

Enclosure

cc: Eastern Region  
Phil Rassier

LAW OFFICES  
GIVENS, McDEVITT, PURSLEY, WEBB & BUSER

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LEO EDWARD MILLER  
CHRISTOPHER J. BEESON  
CELESTE KIM VERNETTI  
TERRY L. MYERS  
KENNETH R. McCLURE  
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JUDITH K. HOLCOMBE  
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POST OFFICE BOX 2720  
BOISE, IDAHO 83701

TELEPHONE  
(208) 342-6571

TELECOPIER  
(208) 343-9492

AUG 12 1987

Department of Water Resources

August 11, 1987

VIA HAND DELIVERY

Mr. Norman C. Young  
Acting Director  
Idaho Department of Water Resources  
Statehouse  
Boise, ID 83720

Re: Blaine Larsen transfer applications

Dear Norm:

By letter of August 6, 1987 to Ron Carlson, we informed the Department that Blaine Larsen intends to lease water to cover his 1987 depletions and therefore will not pursue the 1987 transfer applications that we submitted to you on July 31. However, Mr. Larsen does intend to submit transfer applications involving these same waters for 1988, presuming that is necessary. In order to inform us about any further information that you might need if these or similar applications are to be processed for 1988, we would appreciate your reviewing these and providing us with any comments you might have.

Thanks for your help in this matter.

Very truly yours,

*Jeff Fereday*

Jeffrey C. Fereday

JCF:gc

cc: Mr. Blaine Larsen  
Phillip J. Rassier, Esq.  
Mr. Gary Spackman



STATE OF IDAHO  
OFFICE OF THE ATTORNEY GENERAL  
BOISE 83720

JIM JONES  
ATTORNEY GENERAL

DEPARTMENT OF WATER RESOURCES  
STATEHOUSE, BOISE, IDAHO 83720  
TELEPHONE: (208) 334-4448

August 5, 1987

Jeffrey C. Fereday, Esq.  
GIVENS, McDEVITT, PURSLEY, WEBB & BUSER  
P. O. Box 2720  
Boise, Idaho 83701

Re: Blaine Larsen Transfer Applications

Dear Jeff:

In further response to your letter of July 22, 1978, I would like to confirm the statements I made in our telephone conversation of July 30, 1987.

Your letter states your understanding that counsel were in agreement that it would be consistent with the recent stipulation for Mr. Larsen to proceed with supplying 1987 make-up water by filing applications for transfer from the Sauer land for the 1987 irrigation season. The applications were filed with the department on July 31, 1987.

As I indicated in our telephone conversation, I agree that we discussed during the course of the negotiations the filing of applications for transfer from the Sauer land for the 1987 irrigation season. I do not recall, however, any agreement that such filings could satisfy Mr. Larsen's obligation to supply 1987 make-up water. I did not discuss such filings with department administrators.

The stipulation does not anticipate Mr. Larsen satisfying the 1987 make-up water requirement by retroactively transferring water rights from lands which were not irrigated in 1987. I did not expect that Mr. Larsen would be filing such applications.

Consistent with paragraph 13 of the stipulation, it was my understanding that the applications for transfer to be filed by Mr. Larsen were to be for the 1988 irrigation season and that the

Jeffrey C. Fereday, Esq.  
August 4, 1987  
Page 2

Director agreed to the expedited processing of such applications. It was further my understanding, consistent with paragraph 12(c) of the stipulation, that if Water Supply Bank water became available to Mr. Larsen during 1987 he would purchase such water. I also believe that following through with this course of action would be in Mr. Larsen's best long-term interests.

As you and Mr. Larsen are aware from Ron Carlson's letter of July 30, the Committee of Nine met on July 29, and authorized Ron to make water available for lease to people needing replacement water. Ron's letter further states that he will not be able to guarantee that water will be available past August 15. I believe that Mr. Larsen has an obligation consistent with the stipulation to purchase 1987 make-up water from the Water Supply Bank at this time.

Sincerely,



PHILLIP J. RASSIER  
Deputy Attorney General  
Department of Water Resources

/PJR  
cc: Thomas G. Nelson, Esq.

## LAW OFFICES

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JUL 31 1987

Department of Water Resources

TELECOPIER  
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July 31, 1987

Mr. Norman Young  
Acting Director  
Department of Water Resources  
Statehouse  
Boise, ID 83720

Re: 1987 transfer of water rights from Neil Sauer to  
Blaine Larsen

Dear Norm:

Pursuant to the terms of the Stipulation and Order entered into recently between the Department, Blaine Larsen and Idaho Power Company, we are hereby submitting for your immediate consideration Mr. Larsen's application to transfer to his use water rights held by Mr. Neil Sauer, who is not exercising them this year and has agreed to lease them to Mr. Larsen. This water is intended to cover all but a small portion of the 1987 depletions enumerated in the Stipulation and Order. Mr. Sauer's water is diverted from the Snake Plain Aquifer, the same source from which Mr. Larsen has been pumping water in 1987.

You will notice in attachments 1 and 2 to the application that the amount of water that can be supplied under Mr. Sauer's rights through this proposed transfer is slightly more than what Mr. Larsen needs to cover his 1987 depletions from these lands, both those which have occurred so far and those which will occur during the remainder of the season. These lands are covered by 15 applications for ground water diversions which Mr. Larsen filed last winter and which are still pending before the Department. The remainder of his applications represent lands which either have not been developed in 1987 or are covered by Water Bank rental agreements and interim approvals.

Filing this application to cover 15 wells comes very close to covering all of Mr. Larsen's 1987 depletions for which there is not substitute rental water or other approval, that is, the depletions that were in dispute between Mr. Larsen and the Department. However, Mr. Sauer's water falls about 360 acres

Mr. Norman Young  
July 31, 1987  
Page 2

short of being adequate to cover the 1987 depletions. Accordingly, we have selected one of Mr. Larsen's applications, No. 31-7470 for well No. 112, for separate treatment outside of this transfer program. We expect that we will seek to rent Water Bank water to cover that well's 1987 depletions; we understand that additional rental water has become available recently. Incidentally, although application No. 31-7470 seeks water sufficient to irrigate 360 acres, the lands involved actually total only 200 acres irrigated by means of pump No. 112. Therefore, we expect that any application we make to rent water will reflect this situation.

In the transfer application and the attached exhibits, we have indicated that the acreages irrigated by Mr. Larsen are equivalent to those acreages listed in his water right applications on file. This is correct as a general matter. However, the actual acreages being irrigated this season actually are less than the number of acres applied for. The reason for this is that, in most cases, the acres applied for were calculated on the basis of 40-acre square sections, while the lands irrigated are smaller, circular tracts. In the minority of cases, the lands being irrigated by pivot are greater than the acreages applied for, but this situation still does not change the net result: the acreages applied for are greater than the acreages irrigated. In other words, although Mr. Larsen is seeking to transfer water for 2,600 acres -- which he intends to supply with water Mr. Sauer has used to irrigate 2,674 acres -- he actually has been irrigating less than 2,600 acres.

Part 2 of the application involves eight separate forms with their attachments; each form represents a separate water right which Mr. Sauer will lease to Mr. Larsen. The attachments consist of the applications, licenses, permits, claims, beneficial use reports and other documentation supplied to us by the Department. The attachments indicate that the Department has treated Mr. Sauer and Sauer Enterprises as the owner of all of the water rights to be transferred. We assume this is sufficient indicia of ownership on the part of the transferer to satisfy the Department. If not, please let us know immediately.

With respect to Permit Nos. 32-7064 and 32-7069, we find no indication in the files we received that the record owner, Mr. Jack Bond, assigned his interest to Mr. Sauer as he had done with some of the other water rights. However, in 1984 the Department completed a Beneficial Use Field Report for both of these water rights which indicates that Sauer Enterprises and Neil Sauer are the owners. If necessary, we will prepare a

Mr. Norman Young  
July 31, 1987  
Page 3

formal Assignment between Mr. Bond and Mr. Sauer as to these two permits, but we trust that the Field Reports are sufficient to indicate that such an assignment already has occurred. Incidentally, we have not yet prepared a lease or other instrument formalizing the agreement between Sauer and Larsen, but we will be doing so in the near future. We thought it most important at this juncture to present you with applications that you could react to at the earliest opportunity.

Instead of attaching 8 separate maps showing the places of use and points of diversion of Mr. Sauer's water rights to be transferred and 15 separate maps for each of the places of use and points of diversion of Mr. Larsen's use, we are attaching one large map which indicates all such locations. We believe that this will be more efficient, and hope that it meets your approval. Please let us know if you need different or further maps.

As agreed between Mr. Larsen, the Department and Idaho Power Company, we expect the Department to expedite the processing of these transfer applications to ensure that they are disposed of in sufficient time for Mr. Larsen to make alternative plans if some or all of the transfers are not approved. We thank you for your cooperation and look forward to working closely with you and your staff in processing these applications.

Very truly yours,



Jeffrey C. Fereday

JDH:gc

cc (w/encls.): Phillip J. Rassier, Esq.  
Thomas G. Nelson, Esq.  
Mr. Blaine Larsen

01 WATER RIGHT NUMBER - 31-2299 02 OLD (D) NUMBER - 21852

03001 - RICHINS ✓  
03002 - SAUER ENTERPRISES ✓

FIRST NAME

04001 - A. J. ✓  
04002 -

ORIG. OWNER  
05001 - D ✓  
05002 - C ✓

06 ADD LINE 1 - C/C NEAL SAUER ✓

07 ADD LINE 2 - RT. 5 BOX 160 ✓

08 ADD LINE 3 -

09 CITY - IDAHO FALLS ✓

11 ZIP - 834020000

10 STATE - ID

12 STAGE - L LICENSE ✓

13 STATUS -

SOURCE

TRIBUTARY OF

15001 -

16 DIVERSION MEANS -

17 COUNTY - 51 JEFFERSON

18 DIVERSION CAPACITY - .000

19 TOTAL DIVERSION RATE - 3.140

20 TOTAL DIVERSION VOLUME - .00

21 WATER DISTRICT -

TRACT SEC TWN RNG DIVERSION POINTS LOT RFLG STREAM INDEX FIELDS

|         |      |            |             |             |                   |             |     |     |     |     |     |     |     |
|---------|------|------------|-------------|-------------|-------------------|-------------|-----|-----|-----|-----|-----|-----|-----|
| 22001 - | NESE | 23001 - 13 | 24001 - 07N | 25001 - 33E | 26001 - 28001 - 0 | 27001 - 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| 22002 - | NESE | 23002 - 05 | 24002 - 07N | 25002 - 34E | 26002 - 28002 - 0 | 27002 - 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| 22003 - | NWSW | 23003 - 18 | 24003 - 07N | 25003 - 34E | 26003 - 28003 - 0 | 27003 - 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

29 NON-IRRIGATION USE -

| USE CODE / USE        | TWN         | RNG         | PLACE OF USE | TRACT        | ACRES      | LOT     |
|-----------------------|-------------|-------------|--------------|--------------|------------|---------|
| 30001 - 01 IRRIGATION | 31001 - 07N | 32001 - 33E | 33001 - 13   | 34001 - NENE | 35001 - 18 | 36001 - |
| 30002 - 01 IRRIGATION | 31002 - 07N | 32002 - 33E | 33002 - 13   | 34002 - NWNE | 35002 - 18 | 36002 - |
| 30003 - 01 IRRIGATION | 31003 - 07N | 32003 - 33E | 33003 - 13   | 34003 - SENE | 35003 - 18 | 36003 - |
| 30004 - 01 IRRIGATION | 31004 - 07N | 32004 - 33E | 33004 - 13   | 34004 - SWNE | 35004 - 19 | 36004 - |
| 30005 - 01 IRRIGATION | 31005 - 07N | 32005 - 33E | 33005 - 13   | 34005 - NESW | 35005 - 19 | 36005 - |
| 30006 - 01 IRRIGATION | 31006 - 07N | 32006 - 33E | 33006 - 13   | 34006 - NWSW | 35006 - 18 | 36006 - |
| 30007 - 01 IRRIGATION | 31007 - 07N | 32007 - 33E | 33007 - 13   | 34007 - SWSW | 35007 - 18 | 36007 - |
| 30008 - 01 IRRIGATION | 31008 - 07N | 32008 - 33E | 33008 - 13   | 34008 - SESW | 35008 - 18 | 36008 - |
| 30009 - 01 IRRIGATION | 31009 - 07N | 32009 - 33E | 33009 - 13   | 34009 - NESE | 35009 - 19 | 36009 - |
| 30010 - 01 IRRIGATION | 31010 - 07N | 32010 - 33E | 33010 - 13   | 34010 - NWSE | 35010 - 19 | 36010 - |
| 30011 - 01 IRRIGATION | 31011 - 07N | 32011 - 33E | 33011 - 13   | 34011 - SWSE | 35011 - 18 | 36011 - |
| 30012 - 01 IRRIGATION | 31012 - 07N | 32012 - 33E | 33012 - 13   | 34012 - SESE | 35012 - 18 | 36012 - |

TOTAL ACRES: 220

| PERIOD FROM | PERIOD TO | USE CODE / USE | WATER USE | DIVERSION RATE | DIVERSION VOLUME |
|-------------|-----------|----------------|-----------|----------------|------------------|
|-------------|-----------|----------------|-----------|----------------|------------------|

37001 - 38001 - 39001 - 01 IRRIGATION 40001 - 41001 - 0.00

42 DECREE PLAINTIFF NAME -

43 DECREE DEFENDANT NAME -

REMARKS  
44001 - TRANS. 3116. 2 P/D IN NESE, S5, T7N, R34E.

APPROVAL CONDITIONS: 45001 -

46 OTHER RIGHTS FOR SAME USE -

47 PRIORITY - D A T E S - 4-JAN-1961

48 PROOF DUE -

49 PROOF MADE -

50 APPROVE/DENIED -

51 PROTESTED -

52 HEARING -

53 VERIFIED -

54 LAST UPDATE - 24-FEB-1986

78/52/2  
DENIED

55 LICENSE

56 APPL RECEIVED

57 FIELD EXAM MADE

58 DECREE

59 START WORK

60 ORDER SHOW CAUSE

61 DATE\_1

62 DATE\_2

63 TRANSFER/AMENDED

64 DLE/CAREY ACT

65 FLAG\_1

66 FLAG\_2

67 FLAG\_3

T



State of Idaho

# DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

December 4, 1985

RE: Transfers of Water Right Nos. 31-2299 & 31-2415

Sauer Enterprises  
c/o Neal Sauer  
Rt. 5, Box 160  
Idaho Falls, ID 83402

Dear Mr. Sauer:

Enclosed are copies of your approved Applications for Transfer of the above referenced water rights (Transfer Nos. 3116 & 3117). Be sure to note any conditions of approval that may be listed on the fourth pages.

Sincerely,

JIM JOHNSON  
Water Rights Supervisor

JJ:sc

Enclosures

**MICROFILMED**

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**TRANSFER ANALYSIS SHEET**  
G. F. RAMSEY

INITIAL REVIEW BY: FEB 7 1985

1. Right number 31-2299 Applicant SAVER ENTERPRISES
2. Type of right: ☐ Decree ☒ License ☐ Claim
3. Purpose of transfer: ☒ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use  
☐ Other \_\_\_\_\_

4. Check:

- a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
- b. ☒ Description of original point of diversion.
- c. ☒ Description of original place of use.

5. Amount of land &/or water transferred:

- a. ☒ All of right.
- b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
- c. ☒ Check description of point(s) of diversion.
- d. ☒ Check description of place of use.
- e. ☒ Check map (shows p.d. and p.u. after transfer).
- f. ☒ Check for correct signature, notarization, and fee.
- g. ☐ Check proof of ownership of right &/or land from which water is transferred.
- h. ☒ Check for expansion in use of right. Comments NO

- i. ☒ Check for existing water rights from same source, on land water is being transferred to.

Right number(s) 31-2415

- j. ☒ Is use within a Watermaster District? ☐ Yes ☒ No GROUNDWATER
- If yes, what district? \_\_\_\_\_

FINAL PROCESSING REVIEW BY: \_\_\_\_\_

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

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny

3. Conditions\* IN COMBINATION water rights 31-2415 & 31-2299 shall be restricted to the irrigation of no more than 400

4. BY RDC Date 11/25/85

NOV 29 1985

\* All uses within Watermaster Districts require special conditions.

Department of Water Resources

MICROFILMED

RECEIVED

November 5, 1985

RE: Application for Amendment No. 31-7320  
Applications for Transfer Nos. 31-2515 & 31-2299

Sauer Enterprises  
c/o Neal Sauer  
Rt. 5, Box 160  
Idaho Falls, ID 83402

Dear Mr. Sauer:

This letter is to inform you that Joe Hartwell has withdrawn his protest against the above referenced applications. The Department has now resumed the processing of these applications.

If you have any questions, please feel free to contact this office.

Very truly yours,

ERNEST CARLSEN  
Assistant Regional Supervisor

EC:cw

**MICROFILMED**

November 5, 1985

RE: Amended Application for Permit No. 31-7320 SAUER  
Applications for Transfers Nos. 31-2415 & 31-2299 SAUER

Mr. Joe Hartwell  
HC 63, Box 2415  
Montevideo, Idaho 83435

Dear Mr. Hartwell:

This letter is to acknowledge receipt of your withdrawal of protest against the above referenced applications. The Department has now resumed processing of these applications.

If you have any questions, please feel free to contact this office.

Very truly yours,

ERNEST CARLSEN  
Assistant Regional Supervisor

EC:CW

**MICROFILMED**

Montevideo, Idaho  
October 24, 1985

State of Idaho  
Water Resources Board  
Mr. Ron Carlson

To Whom It May Concern:

I, Joe Hartwell, hereby  
withdraw my protest  
against Sauer enterprises  
concerning their irrigation  
wells on my property.

Signed,

Joe Hartwell

RECEIVED  
OCT 25 1985

Department of Water Resources  
Eastern District Office



MICROFILMED

June 11, 1985

RE: Applications for Transfers Nos. 31-2415 & 31-2299  
Application for Amendment No. 31-7320

Mr. Joe Hartwell  
Box 2415  
Montevieu, ID 83435

Dear Mr. Hartwell:

The hearing scheduled for May 23, 1985 in Rexburg to consider protest against the above referenced applications was cancelled at the request of the applicant. If an agreement is not reached by the parties involved, another hearing will be scheduled by the Department.

If you have any questions concerning this matter, please feel free to contact me.

Respectfully submitted,

ERNEST CARLSEN  
Assistant Regional Supervisor

EC:cw

cc: Neal Sauer

**MICROFILMED**

BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE  
STATE OF IDAHO

|                                  |   |                   |
|----------------------------------|---|-------------------|
| IN THE MATTER OF PROTEST AGAINST | ) |                   |
|                                  | ) |                   |
| APPROVAL OF TRANSFER NO. 31-2299 | ) |                   |
|                                  | ) |                   |
| AND 31-2415 IN THE NAME OF       | ) | NOTICE OF HEARING |
|                                  | ) |                   |
| SAUER ENTERPRISES                | ) | AND/OR CONFERENCE |
|                                  | ) |                   |

---

On February 6, 1985 Sauer Enterprises, Idaho Falls, Idaho filed with the Department of Water Resources two applications to transfer the public waters of the State of Idaho. On March 11, 1985, the Department received a protest against approval of said applications from Joe Hartwell.

The Department has set the matter of protest for hearing for Thursday, May 23, 1985 at 9:00 a.m. in the Commissioner's Room, Madison County Courthouse, Rexburg, Idaho. The hearing will be held in accordance with provisions of Chapters 2 and 17, Title 42 and Chapter 52, Title 67, of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved. A pre-hearing conference may be held beginning at the above set time and prior to the hearing.

Dated this 9th day of May, 1985.

Ernest Carlsen

ERNEST CARLSEN

Assistant Regional Supervisor

**MICROFILMED**

March 20, 1985

RE: Applications for Transfers Nos. 31-2299 and 31-2415

Sauer Enterprises  
c/o Neal Sauer  
Rt. #5, Box 160  
Idaho Falls, ID 83402

Dear Mr. Sauer:

Enclosed please find a copy of the protest filed against the above referenced application. You should be aware that the following are the items we can consider at a conference and/or hearing in either approving or denying an application for transfer:

1. Are other water rights injured by the transfer?
2. Does the change constitute an enlargement in the use of the original right?
3. Will the proposed use under this transfer conflict with the local public interest?

You will be notified at a later date as to the time and place set for conference and/or hearing. Legal counsel is not mandatory at an proceeding before the Department, although you may desire to employ an attorney in your behalf.

If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON  
Eastern Regional Supervisor

RDC:cw

Enclosure

**MICROFILMED**

March 20, 1985

RE: Applications for Transfers No. 31-2299 and 31-2415 SAUER

Mr. Joe Hartwell  
HC 63, Box 2415  
Montevieu, ID 83435

Dear Mr. Hartwell:

This is to acknowledge receipt of the protest filed against the above referenced application for transfer. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for transfer:

1. Are other water rights injured by the transfer?
2. Does the change constitute an enlargement in the use of the original right?
3. Will the proposed use under this transfer conflict with the local public interest?

You will be notified at a later date as to the time and place set for conference and/or hearing.

If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON  
Eastern Regional Supervisor

RDC:cw

cc: IDWR - State Office

**MICROFILMED**

ATTACHMENT A 31-2299

Land appurtenant to license 31-2299 is now irrigated by three center pivots nozzled at about 850 gpm. The purpose of this application is to modify the license to reflect actual practice.

The place of use is being arranged so that approximately the same number of acres are covered by each center pivot. This will divide the water so each center pivot can receive 469.7 gpm (1.04 cfs) under this license. The additional water will be provided by license 31-2415 which is also being transferred.

Each center pivot receives water under both licenses through an irrigation system designed to use 4 wells. Two of the wells are connected directly to the mainline. The other two discharge water into open ditches which transport the water to two pumping stations (see map) where the ditch water is pumped into a common mainline extending through Sections 17 & 18, T. 7N, R. 34E & Section 13, T. 7N, R. 33E. This mainline services the three center pivots.

**MICROFILMED**

INTER-DEPARTMENT MEMO — 1

FROM E. Carlson

DATE 2-6-85

TO File.

SUBJECT Ownership of Land - Map from the Jefferson Cty.  
Assessor's Office stated their records show Sauer Enterprises  
in care of Charles Sanderfer as the owner of the E $\frac{1}{2}$ , SW $\frac{1}{4}$  Sec. 13,  
Twp. 7N, Rge 33E.

**MICROFILMED**

Ernest Carlson

SIGNATURE

Neal Sauer

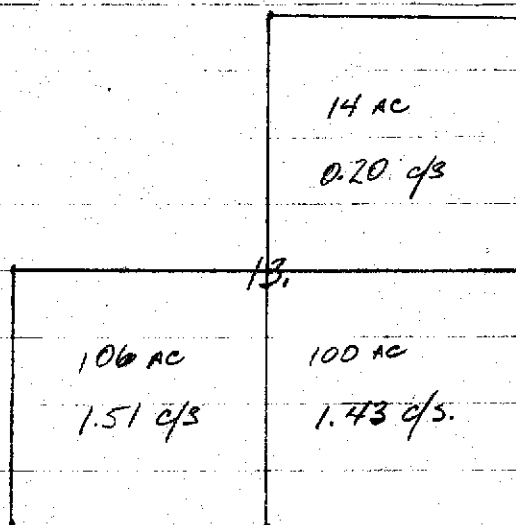
Sauer Enterprises

L # 31-2299 3.14 c/s on 220 AC.

L # 31-2415 2.55 c/s on 456 AC.

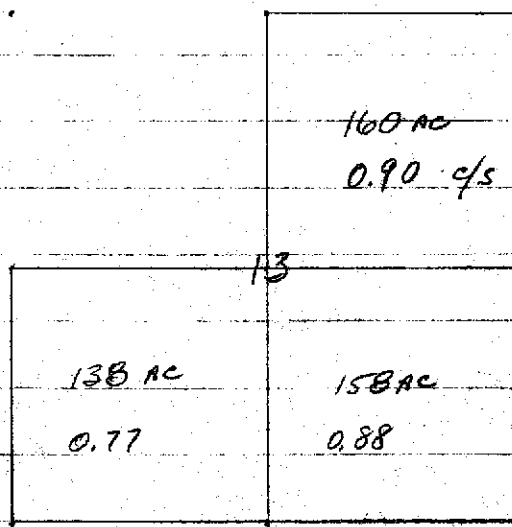
L # 31-2299 -

31-2299 - 0.01427 c/s/AC.



L # 31-2415

31-2415 - 0.0056 c/s/AC



MICROFILMED

Combined rates.

|          |              |              |
|----------|--------------|--------------|
| L31-2299 | =            | 0.20         |
| L31-2415 | =            | 0.90         |
|          |              | 1.10         |
|          |              | 493.68 gpm.  |
| L31-2299 | 1.51         | 1.43         |
| L31-2415 | .77          | .88          |
|          | 2.28         | 2.31         |
|          | 1023.26 gpm. | 1036.78 gpm. |

Proportional rate.

equal 3 ~~1/4~~

|          |             |               |
|----------|-------------|---------------|
| L31-2299 | 73.3 ac/1/4 | 1.04 2/3 c/s. |
| L31-2415 | 152 ac/1/4  | 0.85 c/s.     |

152 ac/1/4      1.89 2/3 c/s.  
851.19 gpm.

NOTE: P/u under both licenses are overlapping  
and  $\therefore$  limited to the 456 ac listed on 31-2415.

Suggest P/u be distributed evenly between the  
3 1/4 1/4 at 152 ac/1/4 for 1.89 2/3 c/s ea.

MICROFILMED

Sec 24  
SE 1/4  
N 1/2

Sec 18

Sec 19

7M R 34 E

450 b. yellow  
per a. b.

31-2299

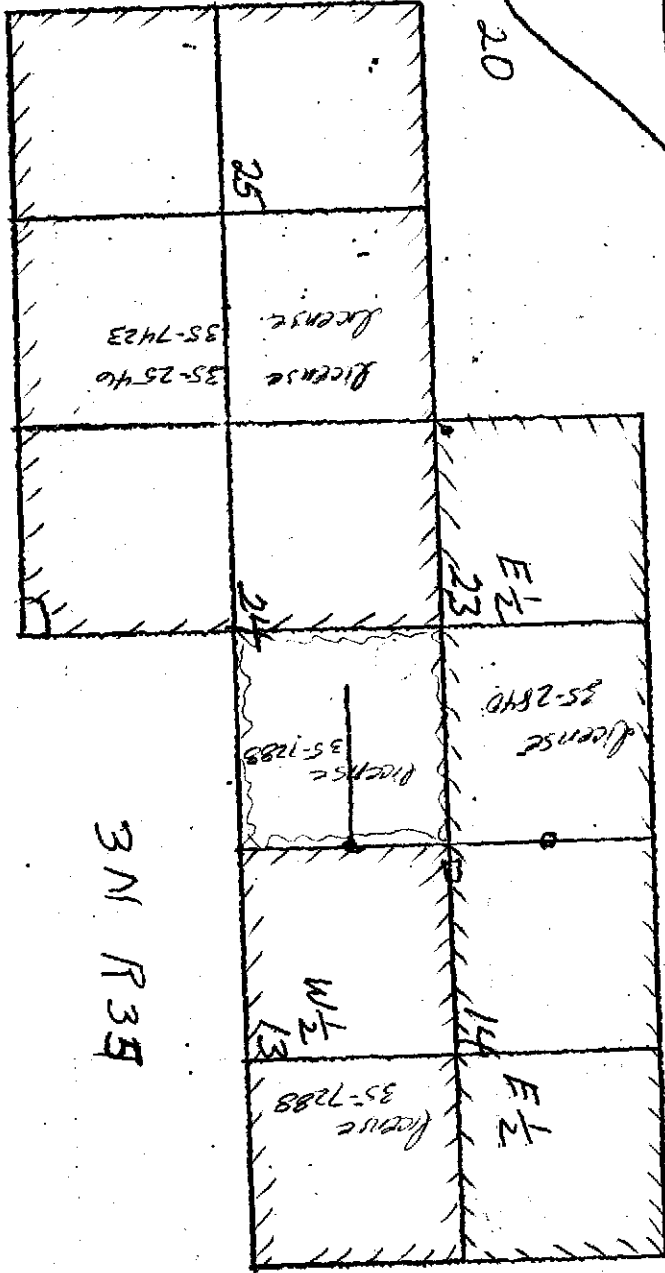
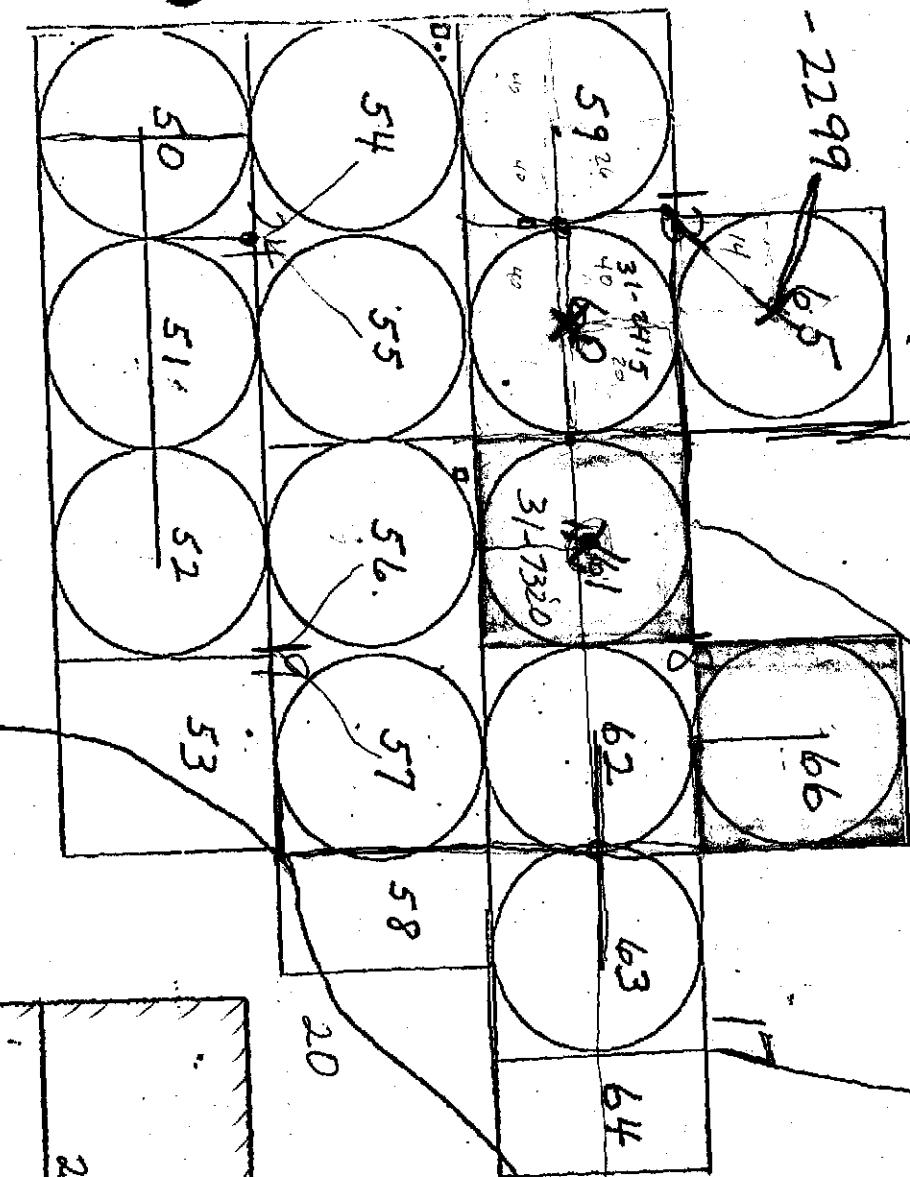
33 E

34 E

33 E

|                 |  |
|-----------------|--|
| License 35-2409 |  |
| License 35-2708 |  |

Sec 31  
3N R 37



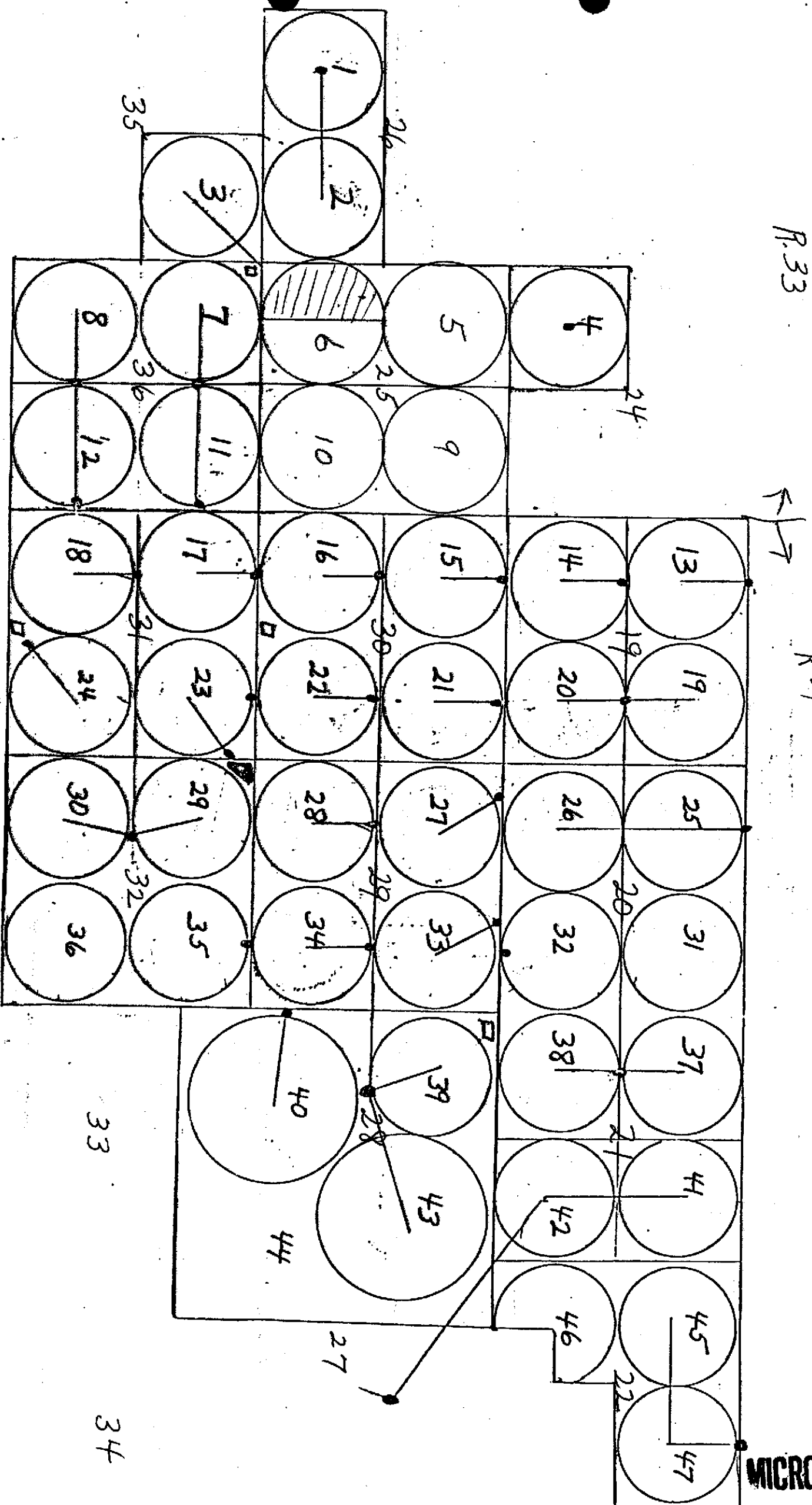
3N R 35

MICROFILMED

沈方

P. 33

R 34

**MICROFILMED**

---

**NOTICE OF PROPOSED  
CHANGE OF WATER RIGHT  
31-2299**

Notice is hereby given that Sauer Enterprises, Idaho Falls, Idaho has applied to the Department of Water Resources for a change in the point of diversion and place of use of the waters of groundwater source. The right sought to be changed is evidenced by license 31-2299 and is recorded as follows:

AMOUNT: 3.14 cfs, PRIORITY: January 4, 1951, POINT OF DIVERSION: SW $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 13, T. 7N R. 33E, B.M., Jefferson County;

The water is used to irrigate 220 acres within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 13, T. 7N, R. 33E.

**TO BE CHANGED AS FOLLOWS**

The water will be diverted within NE $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 13, T. 7N, R. 33E; NE $\frac{1}{4}$ SE $\frac{1}{4}$  (2 points), Sec. 5, NW $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 18, T. 7N, R. 34E, B.M. and used to irrigate 220 acres within the E $\frac{1}{2}$ , SW $\frac{1}{4}$ , Sec. 13, T. 7N, R. 33E. B.M.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup, Suite 15, Idaho Falls, ID 83402 on or before March 11, 1985.

A. KENNETH DUNN  
Director

Publ. Feb. 21 and 28, 1985RS

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

31-2299

Notice is hereby given that Sauer Enterprises, Idaho Falls, Idaho has applied to the Department of Water Resources for a change in the point of diversion and place of use of the waters of a groundwater source. The right sought to be changed is evidenced by license 31-2299 and is recorded as follows:

AMOUNT: 3.14 cfs

PRIORITY: January 4, 1951

POINT OF DIVERSION: SW $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 13, T. 7N, R. 33E, B.M.

Jefferson County;

The water is used to irrigate 220 acres within SW $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 13, T. 7N, R. 33E.

TO BE CHANGED AS FOLLOWS

The water will be diverted within NE $\frac{1}{4}$ SE $\frac{1}{4}$  <sup>space</sup> Sec. 13, T. 7N, R. 33E; NE $\frac{1}{4}$ SE $\frac{1}{4}$  (2 points), Sec. 5, NW $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 18, T. 7N, R. <sup>space</sup>34E, B.M. and used to irrigate 220 acres within the E $\frac{1}{2}$ , SW $\frac{1}{4}$ , Sec. 13, T. 7N, R. 33E, B.M.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup, Suite 15, Idaho Falls, ID 83402, on or before March 11, 1985.

A. KENNETH DUNN

Director

Published in the Jefferson Star, Rigby, ID on 2/21 & 2/28/85.

**MICROFILMED**

WATER RIGHT NUMBER 31-2299

OWNER LAST NAME - RICHINS

FIRST NAME - A. J.

ORIG OWNER -

ADDRESS LINE 1 -

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - TERRETON

STATE - ID ZIP CODE - 83450

SOURCE - GROUNDWATER

TRIBUTARY OF -

STAGE - LICENSE

STATUS -

PRIORITY - 01-04-1951

COUNTY - JEFFERSON

TOTAL DIV. RATE -

3.1400 -CFS

TOTAL DIV. VOLUME -

.00 AFA TRFR/AMEND -

WATER DIST. -

DLE/CAREY ACT -

RIGHT BASIS -

.00 AFA

DIVERSION POINT -

SWNE 13 07N 33E LOT

REDIV -

0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0

3.1400 CFS USE DIV. VOLUME -

AC 14 TRACT

NESH LOT

AC 26

FROM -

TO -

USE - IRRIGATION

PLACE OF USE -

TWN 07N RNG 33E SEC 13

TRACT SWNE LOT

AC 14 TRACT

NESH LOT

AC 26

USE - IRRIGATION

USE - IRRIGATION

PLACE OF USE -

TWN 07N RNG 33E SEC 13

TRACT SWNE LOT

AC 14 TRACT

NESH LOT

AC 26

AC 40

DATE -

TOTAL ACRES

220

AC 40

TRACT SWNE LOT

AC 40

TRACT SWNE LOT

AC 40

AC 40

AC 40

DEGREE NAME -

REMARKS -

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 21852

VERIFIED JDC

PROOF MADE -

FLD EXAM -

COND. OF APPROVAL -

PROTESTED -

HEARING -

OLD NO. - 21852

VERIFIED JDC

IDENT. NO. 81-2299

WATER RIGHT  
DATA ENTRY LOG

[illegible]

DON SAMUELSON  
GOVERNOR



**STATE OF IDAHO**

DEPARTMENT OF RECLAMATION  
STATEHOUSE - ANNEX 2  
BOISE, IDAHO 83707

December 9, 1969

Re: Water License No. 21852/31-2299

Mr. C. D. Kramis  
525 Americana  
Boise, Idaho 83706

Dear Mr. Kramis:

Please find enclosed a copy of the above referenced water license which you requested by telephone on December 9, 1969. Please contact us if we may be of further assistance.

Very truly yours,

Donald W. McEldowney  
Appropriation Examiner

DWM: TG

Enc: copy of license

31-2299

01 1969

August 25, 1961

Re: Permit No. 21852

Mr. A. J. Richins  
Terreton, Idaho

Dear Mr. Richins:

We enclose Certificate of Completion of Works and  
License and Certificate of Water Right issued on Permit No. 21852.

Also enclosed is departmental receipt No. 30734  
in the amount of \$10.00 covering fees.

Very truly yours,

GEO. N. CARTER  
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy  
State Reclamation Engineer

RT:ew

Enc. certificate  
license  
receipt

21852

August 17, 1961

Re: Permit No. 21852

Mr. A. J. Richins  
Terreton, Idaho

Dear Mr. Richins:

With reference to our discussion pertaining  
to your water permit.

An examination was made on July 25, 1956.

On August 31, 1956 this office notified you  
a Certificate of Completion of Works and License could be  
issued in the amount of 3.14 c.f.s. to irrigate 220 acres of  
land in the S<sub>2</sub>SW<sub>4</sub>, NE<sub>4</sub>SW<sub>4</sub>, NE<sub>4</sub>SE<sub>4</sub>, SW<sub>4</sub>SE<sub>4</sub>, and SW<sub>4</sub>NE<sub>4</sub>,  
Section 13, T. 7 N., R. 33 E., P. M.

Upon receipt of the statutory fee in the amount  
of \$19.00 ( \$5.00 for Certificate of Completion of Works and  
\$14.00 for License fee) such certificate and license can be  
issued.

Very truly yours,

LOY H. JOHNSON  
Field Engineer

LHJ:ew

21852



ROBERT E. SMYLIE  
Governor

STATE OF IDAHO  
**DEPARTMENT OF RECLAMATION**  
GEO. N. CARTER, STATE RECLAMATION ENGINEER  
BOISE



RECEIVED  
AUG 25 1961

August 17, 1961

Department of Reclamation

Re: Permit No. 21852

Mr. A. J. Richins  
Terreton, Idaho

Dear Mr. Richins:

With reference to our discussion pertaining to your water permit.

An examination was made on July 25, 1956.

On August 31, 1956 this office notified you a Certificate of Completion of Works and License could be issued in the amount of 3.14 c.f.s. to irrigate 220 acres of land in the  $S\frac{1}{2}SW\frac{1}{4}$ ,  $NE\frac{1}{4}SW\frac{1}{4}$ ,  $N\frac{1}{2}SE\frac{1}{4}$ ,  $SW\frac{1}{4}SE\frac{1}{4}$ , and  $SW\frac{1}{4}NE\frac{1}{4}$ , Section 13, T. 7 N., R. 33 E., B. M.

Upon receipt of the statutory fee in the amount of \$19.00 ( \$5.00 for Certificate of Completion of Works and \$14.00 for License fee) such certificate and license can be issued.

Very truly yours,

*Loy N. Johnson*  
LOY N. JOHNSON  
Field Engineer

LHJ:ew

Dear Sirs,  
Will you please send me the Certificate of Completions of works.

21852

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

Permit No. 21852

This proof is for Completion of works & Beneficial use In Water District No. \_\_\_\_\_

1. Name of applicant Alma J. Richins, Terreton, Idaho
2. Source of water supply: Subterranean from a well
3. Location of point of diversion: Is in the SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 13  
T. 7 N. R. 33 E. County of Jefferson
4. Describe works as they exist, giving dimensions and capacities of same: Well is 275' deep by 16" diameter, cased 175', H=35', Lift=90' estimated. 40 hp G. E. Motor, serial No. OKJ 209014. Peerless Turbine pump, serial No. 89928. Delivery through 10" by 20' pipe to the South into a large open pond. Ditch is 4' wide in the bottom to the fields by gravity.
5. Water is used for: Irrigation
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):  
SW $\frac{1}{4}$  NE $\frac{1}{4}$ , S $\frac{1}{2}$  Section 13;  
Twp. 7 North, Range 33 East, B. M.  
See the map.

(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, pasture and row crops.

This examination was made on the 25 day of July, 1956

(Signed) E. N. Humphrey Examiner.

21852

# 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.

Alma J. Richins

Terraton, Idaho

Permit No. 21852

Examination for Completion of works

and Beneficial use

County Jefferson

13-7N.-33E.

Q = 9.6 c.f.s.

S = Well

P.D. = SW. 1/4, Sec. 13, T. 7N. - R. 33E

2 m. 40 ft. = 500 ft. 157"  
1/60 ft.  
Use = Irrigation

Filing Date = Jan. 4, 1951

Due = Jan. 5, 1957

275' x 16" end 175'  
h = 35' l = 90' end

160' x 10" col T = 52°F.  
2 stage 10"

40 hp G.E. 220V.  
#OKJ 209014 98.6A.  
1765 rpm.

Peerless Turb. #89928  
Small Conc base  
All covered with sand.  
no protect.

[D] Pumping Plant  
panel. Type KAY-3  
on pole 5' to W.

del. thru 10" x 20' pipe  
to S. into large open  
pond. ditch 4' w. in line.  
to field by gravity.

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE

REPORT OF ENGINEER

PERMIT NO. 21852

REPORT ON PROOF OF Completion of Works & Beneficial Use

ALMA J. RICHINS, Terreton, Idaho

|       |         |
|-------|---------|
| app.  | 9.6 cfs |
| sub   | 7       |
| acres | 220     |

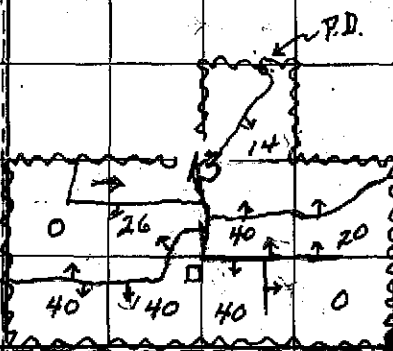
3.14 cfs  
max

R-33 E.

300 yds.

220 a

T.  
7  
N.



Subdivisions = 7

Area = 220 a.

Q = 157 inches.

Spraling meter  
used.

4 p x 538  
= 1.

196 #

August 31, 1956

RE: Permit No. 21852

Mr. Alma J. Richins  
Terreton  
Idaho

Dear Mr. Richins:

We now have on file the report of our field engineer on examination for completion of works and beneficial use on your Permit No. 21852 which shows that your well in the SW $\frac{1}{4}$ NE $\frac{1}{4}$  Section 13, Township 7 North, Range 33 East, B.M. will deliver 3.14 second feet of water which has been used to irrigate 220 acres of land in the S $\frac{1}{2}$ SW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ , and SW $\frac{1}{4}$ NE $\frac{1}{4}$  Section 13.

A Certificate of Completion of Works and License can, therefore be issued for 3.14 second feet of water upon receipt of the statutory fees of \$5.00 for completion of works and \$14.00 license fee, or a total of \$19.00.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

Rshll

21852

July 16, 1956

RE: Permit No. 21852

Alma J. Richins  
Terreton  
Idaho

Dear Mr. Richins:

State law requires that field inspection be made on any Permit being brought to license within the State of Idaho.

I intend to make inspection in connection with your Permit on Wednesday, July 25, 1956, at 8:00 A.M.

Please be prepared to accompany on the inspection.

I will drive to the place where the well is located if I do not contact you before the time of our meeting.

I intend to stay in Dubois overnight on Tuesday, probably at the Ellis Hotel, in case you wish to contact me.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

E. N. Humphey  
Deputy State Reclamation Engineer

H:hll

21852

✓  
December 22, 1955

RE: Permit No. 21852

Mr. A. J. Richins  
Terreton  
Idaho

Dear Mr. Richins:

We acknowledge receipt of corrected depositions of yourself and two witnesses also affidavit of publication in the Rigby Star all in proof of completion of works and beneficial use on your Permit No. 21852.

Before final action is taken in the matter, the law requires that an 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 you 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

A:hll

21852

# Affidavit of Publication

## THE RIGBY STAR

STATE OF IDAHO,  
County of Jefferson ss.

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

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

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

*3rd* day of *November*, 19*55*

and last publication on the

*24* day of *November*, 19*55*

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.

*Hape B Jones*

Subscribed in my presence and sworn to before me this *10th*

day of *December*, 19*55*

(SEAL)

*Don McKay*

Notary Public for the State of Idaho,  
Residence and P. O. Address: Rigby, Idaho.  
My commission expires *My Commission expires 8/7/57*

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

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

Notice is hereby given that at 11:00 A. M., on the 6th day of December, 1955, at Terreton, County of Jefferson, State of Idaho, before Mrs. Ray Smith, Notary Public, proof will be submitted of the completion of works for the diversion of 4.0 cubic feet per second of the waters of Groundwater and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 21852 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are A. J. Richens, 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, in accordance with the plans accompanying the application for such permit, is 4.0 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 4.0 cubic feet per second.

4. The place where said water is used is SW $\frac{1}{4}$ NE $\frac{1}{4}$  SE $\frac{1}{4}$  and SW $\frac{1}{4}$  Sec. 18, Township 7 North, Range 33 E., B. M. and the well is located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$  of said Section.

5. The date of priority which said user is prepared to establish is January 4, 1951.

MARK R. KULP,  
State Reclamation Engineer,  
(Publish Nov. 3-10-17-24)

21852

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION,  
BOISE, IDAHO

RECEIVED  
DEC 9 1955  
Dept. of Reclamation

Permit No. 21852

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. A. J. Richards  
Merretton Ida

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. 21852 9: A. M. Jan 4, 1951

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

Ans. underground water in the SW 1/4 of N.E. 1/4 of  
Section 13 Range 7 North - 33 E. B.M.

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. well 275' 195' 16" casing 24' to water 100' of  
10" column - 10" discharge the pump is designed  
to pump 1800 gal per minute at 40' lift

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. 120 A. SW 1/4 of sec. 13

100 A. SE. 1/4 of sec. 13

20 A. NE. 1/4 of sec. 13

from Russian. Thibely to grain and alfalfa hay

21852

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

Ans. none

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

Ans. \_\_\_\_\_

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

Ans. owner applied

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

Ans. to beneficial use to said lands

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. none

(Sign) H. J. Redding

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 Territan, County of Jefferson, State of Idaho, on this 6 day of Dec, A. D. 1955

Idaho T. Smith

My commission expires 3-3-57

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

Permit No. 21852.

**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. Edw. H. Hansen Idaho  
Rancher

Ques. 2. Are you acquainted with ~~John~~, the holder of Permit No. 21852? How long have you known him and where does he reside?

Ans. I have known Mr. Pruckner for 15 years  
Arreton Idaho

Ques. 3. Have you read or heard read said Permit No. 21852, 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. Under ground water supply the wells are conveying  
water to land within three quarters of a mile to the arreton  
land. The well is located in north east corner of  
S. W  $\frac{1}{4}$  of N. E  $\frac{1}{4}$  of Section 13 Range 7 - 35. E. R. 11.

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. four second feet or 200 inches

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 1500 Gallons Per Minute. I estimated this  
by operation of the pump

21852

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. This water is used 20 Acres of N.E.  $\frac{1}{4}$  of Sec. 13 T7-R33  
and approximately 120 A. of S.W.  $\frac{1}{4}$  of Sec. 13 T7-R33.  
and 100 Acres of S.E.  $\frac{1}{4}$  of Sec. 13 T7-R33.

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

Ans. Its used intirely for irrigation.

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. This ground has all been in cultivation, but due to the lack of water it was not paying out now. The crops are in profitable crops.

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

Ans. 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 this land was producing prior to 1951 was then Russian Thistles now it produces good hay & grain with 2 to 3 irrigations.

(Signed)

*[Signature]*

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,  
County of Jefferson, State of Idaho, on this 6 day of December,  
A. D. 1955.

*[Signature]*  
Notary Public.

My commission expires 3-3-57

**STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO**

Permit No. 21853.

**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. H. Gene Adams 27 Montevideo Farming  
Montevideo Idaho

Ques. 2. Are you acquainted with A. J. Rickins, the holder of Permit No. 21852? How long have you known him and where does he reside?

Ans. I have known Mr. Rickins for 6 years  
Terreton

Ques. 3. Have you read or heard read said Permit No. 21852, 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. Under ground water supply. The well is  
so it conveys water to the land. Three quarters of  
a mile to further east land. The well is located in  
north east corner of S. N. 1/4 of N. E. 1/4 of Sec 13 Range 7 - 33 E. B. M.

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. approx 200 inches or 4 second feet

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. approx 1800 gal. This was estimated  
by the specification of the pump now in use

21852

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. *This water is used in N.E.  $\frac{1}{4}$  of Sec 13-17-R33, about 20 acres. and approximately 120 Acres in S.W.  $\frac{1}{4}$  of Sec 13-17-R33 and 100 Acres in S.E.  $\frac{1}{4}$  of Sec 13-17-R33*

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

Ans. *It is used entirely for irrigation*

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. *This land was irrigated from spring lakes, which since went dry. It requires 2 to 3 irrigations each season.*

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. *This land was first producing mostly weeds and it produces good alfalfa hay & grain.*

(Signed) *Jane Adams*

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 *Territon* County of *Jefferson*, State of Idaho, on this *6* day of *November*, A. D. 19*55*.

*John H. Smith*  
Notary Public.

My commission expires *3.3.57*



ROBERT E. SMYLLIE  
GOVERNOR

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

December 9, 1955

21852

RE: Permit No. 21852

Mr. A. J. Richins  
Terreton  
Idaho

Dear Mr. Richins:

We return the depositions of yourself and two witnesses received this morning in proof of completion of works and beneficial use on your Permit No. 21852 for the following corrections:

1. Question 6 of your own deposition and Question 7 of the depositions of your two witnesses should give the 40 acre subdivisions of the land which have been irrigated.

2. Question 4 of the depositions of your two witnesses should give the 40 acre subdivision on which the well is located.

3. The Affidavit of Publication is a necessary part of the proof and the Rigby Star was instructed to send this to you. If you have not received it, we suggest you take the matter up with them at once.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer

By

*Jeanne L. Anderson*

Chief Clerk

*Idaho Falls Idaho,  
Dec 21<sup>st</sup>.*

A:hll  
Enc.

*Dear Sir:*

*We are sorry this was delayed as we were away a few days & when we came back we had received this letter. Hope we have given all the necessary information now.*

*Respectfully*

*A.J. Richins  
Idaho Falls R#2*

November 4, 1955

RE: Permit No. 21852

Rigby Star  
Rigby  
Idaho

Gentlemen:

We have checked the notice on the above numbered Permit appearing in your issue of November 3 and find several typographical errors as follows:

1. The word Terreton in the third line is misspelled.
2. The word postoffice in the first line in the paragraph numbered 1 is misspelled.
3. In the next to last line of first paragraph, wrong spacing between the words Department and of.

Please make these corrections in your subsequent issues.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A:hll

21852

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

Re: Permit No. 21852

Date: October 28, 1955

Rigby Star

Rigby, Idaho  
Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **December 6, 1955** the date set for proof, the expense of the publication to be paid by the applicant, **A. J. Richins** of **Rte. 2, 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**

21852

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

Notice is hereby given that at 11:00 A. M., on the 6th day of December, 1955, at Terraton, County of Jefferson, State of Idaho, before Mrs. Ray Smith, Notary Public, proof will be submitted of the completion of works for the diversion of 4.0 cubic feet per second of the waters of Groundwater and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 21852 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are A. J. Richens, Terraton, 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, in accordance with the plans accompanying the application for such permit, is 4.0 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 4.0 cubic feet per second.

4. The place where said water is used is ~~under the irrigation system~~  
~~under the irrigation system~~ SW $\frac{1}{4}$  NE $\frac{1}{4}$ , SE $\frac{1}{4}$  and SW $\frac{1}{4}$   
Sec. 13, Township 7 North, Range 33 E., B.M. and the well is located in the  
SW $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section.

5. The date of priority which said user is prepared to establish is January 4, 1951.

MARK R. KULP

State Reclamation Engineer

21852

October 27, 1955

RE: Permit No. 21852

Mr. A. J. Richens  
Route No. 2  
Idaho Falls, Idaho

Dear Mr. Richens:

We have completed your notice for proof of completion of works and beneficial use to be made on Permit No. 21852 at 11:00 A. M. December 6, 1955, before Mrs. Ray Smith, Notary Public, and are sending a copy to the Rigby Star with instructions to publish it once a week for four weeks prior to that date and to send you the affidavit of publication together with statement of costs.

At the time set, you should appear before Mrs. Smith together with two disinterested witnesses who are familiar with the terms of the Permit and the work done thereunder for the purpose of executing the enclosed depositions.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A:hll  
Enc.

21852

Shabo Falls R# 1

Oct 25<sup>th</sup> 1955

Department of Reclamation

Dear Sirs:

In regards to the location of the well I want to prove up on it is located in the SW  $\frac{1}{4}$  of NE  $\frac{1}{4}$  - of Sec 13, T7.-R 33.

The 20 acres that is in on this quarter is in the SW  $\frac{1}{4}$  of NE  $\frac{1}{4}$  - Sec 13 - T7 - R 33.

Very Respectfully Yours,

A. J. Richins

RECEIVED  
OCT 26 1955

Department of Reclamation

21852

✓  
October 24, 1955

RE: Permit No. 21852

Mr. A. J. Richins  
Route # 2  
Idaho Falls, Idaho

Dear Mr. Richins:

We hate to bother you again after your very complete letter of October 20, 1955, but we are still not sure as to the location of the well on which you are prepared to make proof.

Your letter says that the well is in the center of the NE $\frac{1}{4}$ NE $\frac{1}{4}$  Section 13, Township 7 North, Range 33 East, but the little sketch which you attached seems to show it in the SW $\frac{1}{4}$ NE $\frac{1}{4}$  of the Section. Since your Application originally described two wells, one in the NE $\frac{1}{4}$ NE $\frac{1}{4}$  and one in the SW $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 33, we must be definite in the published notice as to the one you are proving up on.

Please advise as to this, also advise which forty of the NE $\frac{1}{4}$  contains the 20 acres in cultivation.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A:cu

21852



This is the land which we are  
irrigating with this present well.

|                    |                          |
|--------------------|--------------------------|
| A. J. Richards.    |                          |
| Sec 13, T1 R 33    |                          |
|                    | * Well.<br>20 A In cult. |
|                    |                          |
| 100 A.<br>In cult. | 100 A.<br>In cult.       |

Oct 20 - 1955.  
Idaho Falls R#2 1955

Dear Sirs

I am sorry I never understood all the questions in the final papers proving up on the permit no 51852.

I will try and give you correctly all the information you require.

I would like to make these final proofs at Terreton Ida before notary public - Mrs Ray Smith of Terreton Ida.

For my Witnesses I will have

Richard Richins Terreton Idaho.

Gene Adams Montevideo Idaho.

I would like to set the date for final proving up Dec 6<sup>th</sup> 1955. If that is convenient.

The well was drilled in the center of the NE  $\frac{1}{4}$  - NE  $\frac{1}{4}$  of Sec 13. T 7 N - R-33E.

At this date we have about 220 acres that we are irrigating from this well.

The water is used as follows.

~~we~~ There is 20 acres in cultivation in NE  $\frac{1}{4}$  of Sec-13. T7-R33

There is 100 acres in cultivation in SE  $\frac{1}{4}$  of Sec 13 - T7-R33

There is 100 acres in cultivation in SW  $\frac{1}{4}$  of Sec 13 - T7-R33.

I do not know what it will cost for publication in papers but they can send me a bill and I'll pay any expenses

Respectfully yours.

21852

October 19, 1955

RE: Permit No. 21852

Mr. A. J. Richins  
Route 2  
Idaho Falls, Idaho

Dear Mr. Richins:

This morning's mail brings us an incomplete notice for proof of completion of works and beneficial use on your Permit No. 21852.

Please advise as to the time and place you wish to make these proofs and also give the name of the Notary Public before whom they are to be made.

As mentioned in our letter of October 11, the proofs may be made at Idaho Falls or Terreton or any place convenient for you and your two witnesses but the time must be set far enough ahead to allow for four weeks publication.

Also please advise the location of the well on which you are making proof. Your permit calls for two wells, one in the NE $\frac{1}{4}$ NE $\frac{1}{4}$  and one in the SW $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 13, Township 7 North, Range 33 East, B.M. and we understand from your letter that you have only developed one well.

We also see that your notice only describes 120 acres, namely the NE $\frac{1}{4}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$  and SE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 13. In which case, your license could not be for more than 120 inches instead of the 200 inches applied for.

Your Permit describes 480 acres in the NE $\frac{1}{4}$  and S $\frac{1}{2}$  of Section 13. Has the water only been applied on the 120 acres which you describe?

We shall await your further advice.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A:hll

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) \_\_\_\_\_

(P. O.) \_\_\_\_\_

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.

Alma J. Richins

(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.

21852

October 11, 1955

RE: Permit No. 21852

Alma J. Richins  
Route # 2  
Idaho Falls, Idaho

Dear Madam:

We have your letter of October 8, 1955, in which you state that you are prepared to make proof of Completion of Works and Beneficial Use on a portion of Permit No. 21852.

Before these proofs are made the law requires publication of a notice once a week in a County newspaper for four consecutive weeks.

This notice should be made in duplicate on Form 36 enclosed setting the time and place and naming the Notary Public before whom the proofs are to be made.

The proofs may be made at Idaho Falls or at any place convenient for you and your two witnesses and the time must be set far enough ahead to allow for four weeks publication.

Both copies of Form 36 are to be returned to this Department together with Form 11 which is your authorization for us to have the notice published at your expense in the designated county newspaper.

We shall then send a copy of the Notice to the newspaper with instructions in regard to publishing and shall send you the forms of deposition to be used in making these proofs.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

A:cu  
Enc.

21852

Chief Clerk

RECEIVED  
OCT 11 1955

Department of Reclamation

Idaho Falls R#2

Oct 8<sup>th</sup> 1955.

Dept of Reclamation

Mark. R. Kuep.

Dear Sir:

We received your letter in  
reply to ours regarding the  
final proving up on our well.

We would like to make final  
proof on per mit 21852 granted  
us in 1951.

We are getting approx 200 inches  
from this well and are irrigating  
about 200 ~~and~~ acres of land.

Will you please send us the  
forms & all necessary information  
in regards to final proving up on  
this.

Respectfully yours

Alma J. Richins  
Idaho Falls R#2

21852

October 5, 1955

RE: Permit No. 21852

Mr. A. J. Richins  
Route 2  
Idaho Falls, Idaho

Dear Mr. Richins:

In reference to your letter of October 3rd which we think refers to Permit No. 21852 rather than Permit No. 21824 which is in a different name. Your Permit No. 21852 is for 9.6 cubic feet per second from two wells in the NE $\frac{1}{4}$ NE $\frac{1}{4}$  and SW $\frac{1}{4}$ NE $\frac{1}{4}$  Section 13, Township 7 North, Range 33 East, B.M. for use on the NE $\frac{1}{4}$  and the S $\frac{1}{2}$  of said Section.

The five years maximum allowed by statute for completion of works will expire January 5, 1956 and no extension can be allowed.

Our suggestion is that you make proof on the well you have already completed and file a new application for the other well. This proof could also include beneficial use proof on the land which has been irrigated from the well if you wish to do so, and we shall be glad to send you the necessary forms and instruction upon request.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A:hll

21852

Oct 3rd, 1955  
Jerseytown, Idaho.

Mr Mark Kuep.

Commissioner of Reclamation

Boise, Idaho.

Dear Sir:

In 1950 we applied for a permit to drill a deep irrigation well. It was granted in Jan 1951 - Permit No 2182 & recorded in back 78, for 9.6 cubic ft per second.

We drilled one well & it furnished approximately 200 inches which waters 200 to 250 acres. - we have 480 acres in this farm so we would like to extend  $\frac{1}{2}$  of this permit for at least 3 years, until we can finance another well.

We would like to prove up on the well we have in operation at the present time.

Would you please send us the information required to prove up on said well, & to extend the permit so we can drill an additional well

Respectfully Yours

A.J. Richins

Idaho Falls, R #2  
Idaho

21852

Present address is

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

Permit No. 21852

Date January 10, 1951

We enclose herewith the above numbered permit. BE SURE AND  
NOTE LIMITATIONS AND CONDITIONS OF SAME as given under approval of the  
State Reclamation Engineer, on the fourth page.

Mr. A. J. Richins  
Terreton, Idaho

MARK R. KULP  
State Reclamation Engineer

Enc. Departmental Receipt No. 22964

21852

NAME OF APPLICANT

A. J. Richins

FORM No. 0

T7N R33E

\* well  
\* well

13

21852

Permit Map No. 21852  
As Approved  
JAN 5 1951  
MARK R. KULP  
State Reclamation Engineer

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

Notice is hereby given that at 11:00 A. M., on the 6th day of December, 1955, at Terreton, County of Jefferson, State of Idaho, before Mrs. Ray Smith, Notary Public, proof will be submitted of the completion of works for the diversion of 4.0 cubic feet per second of the waters of Groundwater and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 21852 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are A. J. Richens, 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, in accordance with the plans accompanying the application for such permit, is 4.0 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 4.0 cubic feet per second.

4. The place where said water is used is SW $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$  and SW $\frac{1}{4}$  Sec. 13, Township 7 North, Range 33 E., B. M. and the well is located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$  of said Section.

5. The date of priority which said user is prepared to establish is January 4, 1951.

MARK R. KULP,

State Reclamation Engineer,

(Publish Nov. 3-10-17-24)