

State of Idaho
Department of Water Resources

DRILLING PERMIT

31-2289

31-2290

31-2297

31-2321

Department of Water Resources
Department of Water Resources

(Authorizing Construction of a Well)*

1. Applicant JACKETT CANAL COMPANY
2. Address HAMER, IDAHO c/o Lew Green
Box 3135 Terraton, Id Telephone 663-4626
() Well Owner () Well Operator (☒) Other, specify SECRETARY
SE+
3. Proposed well location NW 1/4 NE 1/4, or Gov't lot No. ,
Sec. 27, Twp. 7N, Rge. 3SE, County JEFFERSON,
Lot, block and subdivision
4. Proposed use of well: (Check all that apply)
() Domestic () Stockwater () Monitoring
(☒) Irrigation () Industrial () Municipal
() Injection () Other, Specify
5. Well construction information:
() New well () Deepen (☒) Replace
Proposed surface diameter 20" Maximum depth 100 FT
Anticipated bottom hole temperature:
(☒) 85°F or less (Cold water well)
() 85°F to 212°F (Low temp. geothermal well)
() 212°F or more (Geothermal well)
6. Anticipated construction start date 9/23/88
7. Well Driller (if known) JACK CUSHMAN 094
Address BLACK FOOT, IDAHO
8. Applicant's signature [Signature]
Title Sec.
Date 9-23-88

* After other pre-requisite approvals have been obtained.

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

FEB 11 1999

ACTION OF IDWR

(✓) Approved

() Denied

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

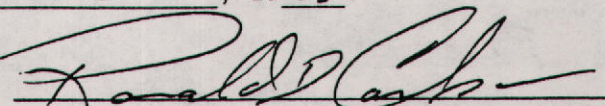
GENERAL CONDITIONS:

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

SPECIFIC CONDITIONS:

Dated this 23rd day of SEPTEMBER, 1988.

Signed



Title

REGIONAL MANAGER

Received by

da

Fee

\$100⁰⁰

Date

9-23-88

Receipt No.

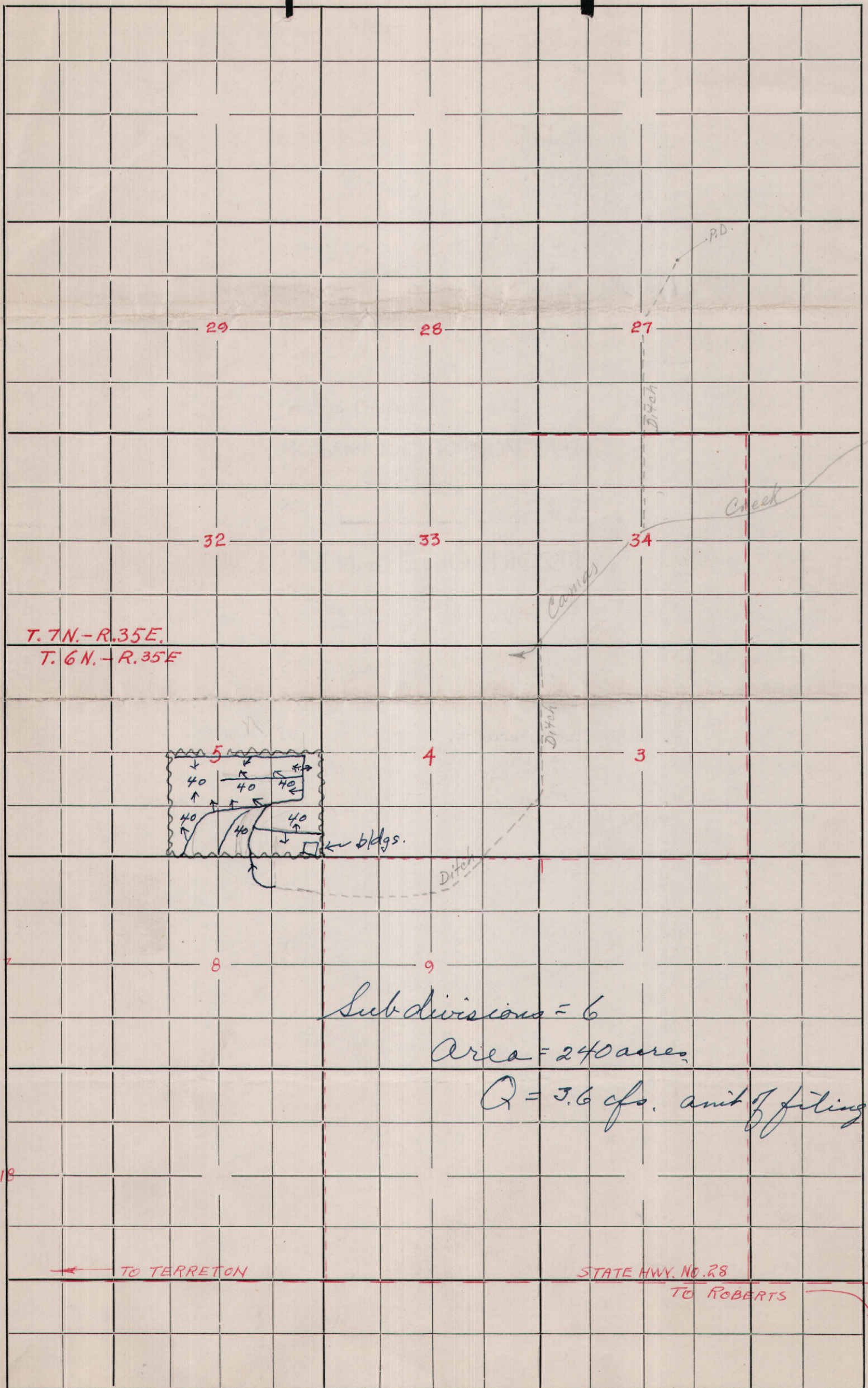
E002564

Construction start extension to

MICROFILMED

Extension approved by

FEB 11 1999



Affidavit of Publication
THE RIGBY STAR

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 2:00 p. m. on the 10th day of January, 1956, at Idaho Falls, County of Bonneville, State of Idaho, before John L. Bloem, Notary Public, proof will be submitted of the application to beneficial use of 3.6 cubic feet per second of the waters of subterranean flow from well in accordance with the terms and conditions of Permit No. 20948 heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit is Dennis Green, Hamer, Idaho.

The use to which said water has been applied is irrigation and domestic.

The amount applied to beneficial use is 3.6 cubic feet per second.

The place where said water is used is SE $\frac{1}{4}$ and E $\frac{1}{4}$ SW $\frac{1}{4}$, Section 5, Township 6 North, Range 35, East, B. M., Jefferson County, Idaho.

The name of the canal or ditch or other works by which said water is conducted to such place of use is Independent Ditch, Camas Creek, and Jackett Ditch.

The right to take water from such works is based upon Permit No. 20948.

The source of supply from which such water is diverted is Subterranean well in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 27, Township 7 North, Range 35, East Boise Meridian.

The date of priority which said user is prepared to establish is February 14, 1949.

MARK R. KULP,
State Reclamation Engineer.
(Pub.: Dec. 15-22-29, 1955 Jan. 5th, 1956.)

STATE OF IDAHO, }
County of Jefferson } ss.

Hop B Jones
I, R. L. 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

15th day of *December*, 19*55*

and last publication on the

5th day of *January*, 19*56*

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.

Hop B Jones

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

day of *January*, 19*56*

(SEAL)

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

My Commission expires 8/7/57

Publication Fee: \$_____

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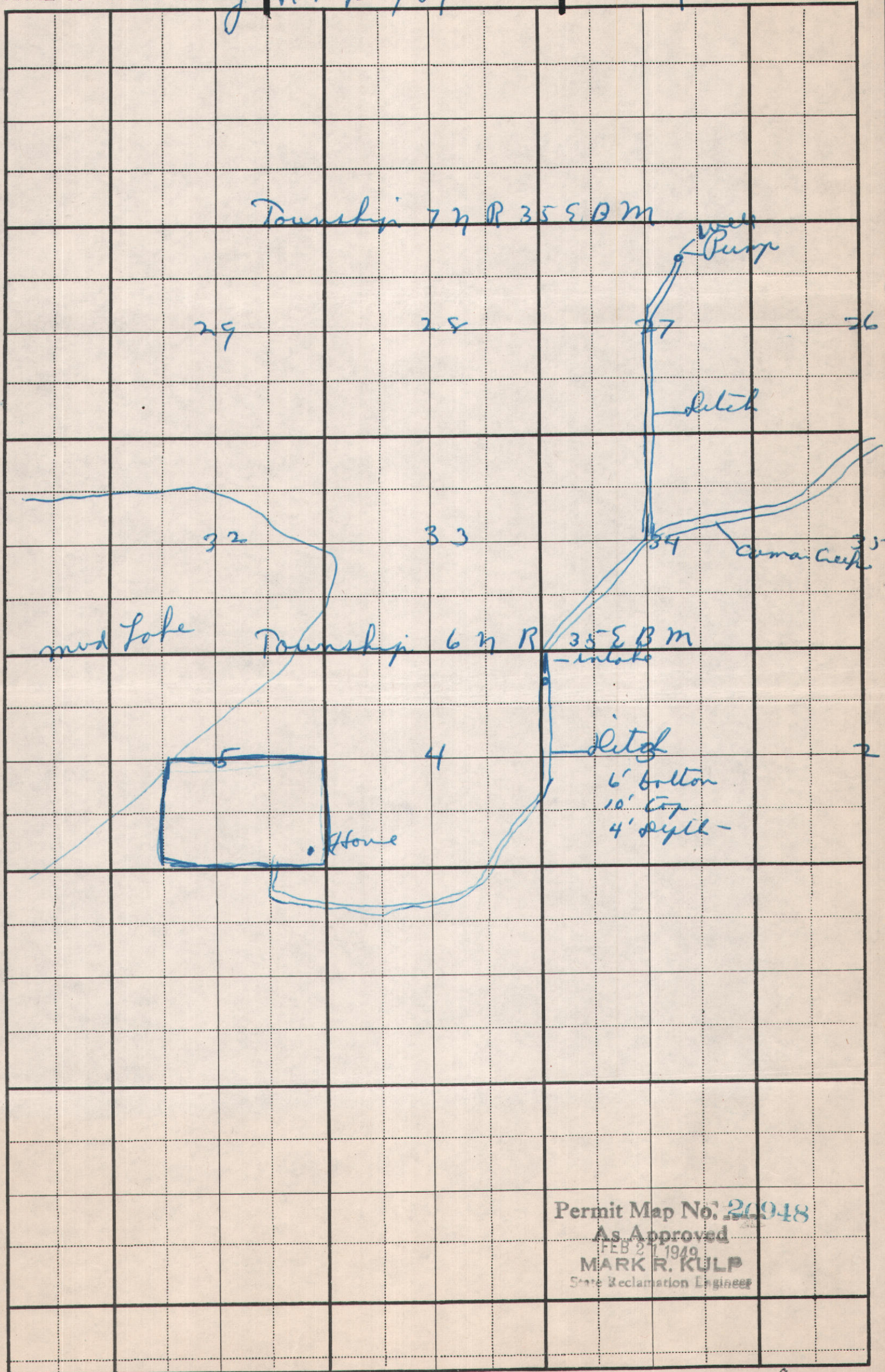
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State Reclamation Engineer.
(Pub.: Dec. 15-22-29, 1955 Jan. 5th, 1956.)

20948

J. R. Bixby



FROM

DATE

TO

SUBJECT

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

SIGNATURE

REPRODUCTION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5335

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

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

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

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

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 31-02317B/31-02321/31-02341/31-02342/31-02343/31-02344
 31-02345/31-07005

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

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 31-02317B/31-02321/31-02341/31-02342/31-02343/31-02344
 31-02345/31-07005

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

TOTAL: *** 643.21 CFS

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

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

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 31-02317B/31-02321/31-02341/31-02342/31-02343/31-02344
 31-02345/31-07005

LOCATION OF POINT(S) OF DIVERSION:

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

PLACE OF USE: IRRIGATION

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

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PLACE OF USE: IRRIGATION

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

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FEB 17 1993

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 31-02345/31-07005

PLACE OF USE: IRRIGATION

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

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

FEB 11 1989

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 31-02345/31-07005

PLACE OF USE: IRRIGATION

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

MICROFILMED

FEB 11 1988

TRANSFER NO. 5335

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

PLACE OF USE: IRRIGATION

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

Total number of acres irrigated: * 24261.3

MICROFILM

FEB 11 1980

TRANSFER NO. 5335

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

CONDITIONS OF APPROVAL AND REMARKS

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

RECORDED
FEB 11 1983

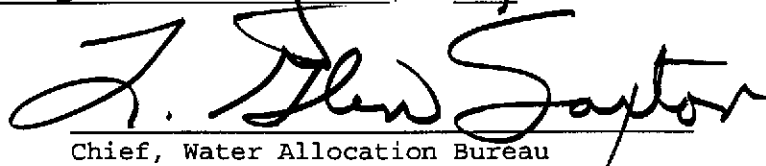
TRANSFER NO. 5335

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

CONDITIONS OF APPROVAL AND REMARKS

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

Dated this 8th day of February, 1999.


 Chief, Water Allocation Bureau

ORIGINAL

FEB 11 1999

Application No. _____

APPLICATION FOR TRANSFER OF WATER RIGHT **APPROVED**
To Change the Point of Diversion and/or the Place of Use

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

[illegible]

Total number of acres to be irrigated

NOV 1964

JUL 7 1978

A. DESCRIPTION OF RIGHTS AS RECORDED:

Department of Water Resources
Eastern District Office

1. Rights evidenced by:

a. Decreed Rights:

- (1) Ernest Sauve, Plaintiff, vs. W. H. Abbott, et al, Defendants;
dated November 1, 1930; in the District Court of the United States for the District of Idaho, Eastern Division. Proceedings were held in Pocatello, Bannock County, Idaho, but the decree purports to allocate the waters of Mud Lake in Jefferson County, Idaho, and its tributaries. All lands irrigated through applicant's system are in Jefferson County. These rights were conveyed to applicant by an instrument entitled "Water Deed", dated May 1, 1956, recorded as Instrument No. 116320 in the records of Jefferson County, Idaho, on September 15, 1958; also in Book 55 of Water Deeds at page 309. A copy of this deed is attached hereto. The information for each such water right is listed as follows:

- | | |
|----------------------|---|
| (a) Right No. - | 31-0134 (Page 47 of Decree, No. 70) |
| Decreed to- | Los Angeles First National Bank and Trust Company (formerly First Nat'l Bank of Los Angeles), a corporation. |
| Source - | Camas Creek, a tributary of Mud Lake. |
| Priority Date - | March 20, 1911. |
| Water Used For - | Irrigation |
| Amount - | 3.5 cfs |
| Point of Diversion- | In Lot 4, Section 4, Township 6 North, Range 35 East, B.M. |
| Place of Use - | 7.38 acres in Lot 7, Section 32, Township 7 North, Range 35 East, B.M. |
| | 41. acres in Lot 4, Section 4; 41. acres in Lot 1, Section 4; 52.25 acres in Lot 2, Section 5; all in Township 6 North, Range 35 East, B.M. |
| (b) Right No. - | 31-0135 (Page 47 of Decree, No. 70) |
| Decreed to - | Los Angeles First Nat'l Bank and Trust Company (formerly First Nat'l Bank of Los Angeles), a corporation. |
| Source - | Mud Lake |
| Priority Date - | June 10, 1912 |
| Water Used For - | Irrigation |
| Amount - | 2.5 cfs |
| Point of Diversion - | Near the Center of the Southwest Quarter of Section 5, Township 6 North, Range 35 East, B.M. |

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

(c) Right No. - 31-0143 (Page 49 of Decree, No. 75)
 Decreed to - Clarence O. McGill and G. B. Adams.
 Source - Camas Creek, a tributary of Mud Lake.
 Priority Date - March 29, 1911
 Water Used For - Irrigation
 Amount - 1.0 cfs
 Point of Diversion - In Lot 4, Section 3, Township 6 North, Range 35 East B.M.
 Place of Use - Lots 3rd and 4th, the Southwest Quarter of the Northwest Quarter; the Southwest Quarter of the Southwest Quarter, the Northeast Quarter of the Southwest Quarter, and the Northwest Quarter of the Southwest Quarter, all in Section 3, Township 6 North, Range 35 East, B.M.

(d) Right No. - 31-0144 (Page 49 of Decree, No. 75)
 Decreed to - Clarence O. McGill and G.B. Adams
 Source - Camas Creek, a tributary of Mud Lake
 Priority Date - September 21, 1912.
 Water Used For - Irrigation
 Amount - 1.0 cfs
 Point of Diversion - Same as 31-0143.
 Place of Use - Same as 31-0143.

(e) Right No. - 31-0190 (Page 60 of Decree, No. 99)
 Decreed to - Merritt M. Owsley
 Source - Camas Creek, a tributary of Mud Lake.
 Priority Date - October 14, 1913.
 Water Used For - Irrigation
 Amount - 5.9 cfs
 Point of Diversion - A point South 73.75° East 1222 feet from the Northwest Corner of Section 3, Township 6 North, Range 35 East, B.M.
 Place of Use - The Southwest Quarter, the West Half of the Southeast Quarter, and the West Half of the Northeast Quarter, of Section 9, Township 6 North, Range 35 East, B.M.

RECEIVED

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

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

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

(a) Right No. - 31-0336 (License No. 17690/31-2253)
 Decreed to - Independent Water Users of Mud Lake, Inc.
 Source - Ground Water
 Priority Date - April 27, 1932
 Water Used For - Irrigation
 Amount - Decree says 32.50 cubic feet per second, but combined with Right No. 31-0337 "an amount not exceeding in the aggregate the equivalent of 91.8 cubic feet per second, flowing continuously during the irrigation season from May 1 to November 1 of each year."

Point of Diversion - Northeast Quarter Northwest Quarter
 Section 3, Township 6 North, Range
 35 E.B.M., Jefferson County.

Place of Use -

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

Total Number of Acres Irrigated 1,328

(b) Right No. - 31-0337 (Permit No. 17763/31-2254)
Decreed To - Independent Water Users of Mud Lake, Inc.
Source - Ground Water
Priority Date - December 15, 1932
Water Used For - Irrigation
Amount - 50 cfs (however, decree provides that this right, together with Right No. 31-0336 shall be permitted to develop up to 91.8 cubic feet per second as quoted above).

Points of Diversion - Southwest Quarter of Section 13, Northwest Quarter of Section 24, in Township 7 North, Range 35 E.B.M., Northeast Quarter Northwest Quarter of Section 3, Township 6 North, Range 35 E.B.M., Northwest Quarter Northwest Quarter of Section 7, Township 6 North, Range 34 E.B.M., Northeast Quarter Northwest Quarter of Section 1, Township 6 North, Range 34 E.B.M.

Place of Use -

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

RECEIVED

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

Total Number of Acres Irrigated 2,619.1

b. Licensed Rights:

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

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

RECORDED

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

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

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

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

(6) Right No. - G-24047/31-2321
Licensed To - Dennis Green
Source - Ground Water
Priority Date - April 25, 1953
Water Used For - Irrigation
Amount - 1.92 cfs

Point of Diversion - Northwest Quarter Northeast Quarter Section 27, Township 7 North Range 35 E.B.M.

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

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

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

1. Change in point of diversion:

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

b. Points of diversion -

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

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

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

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

2. Change in place of use:

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

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

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

Total number of acres to be irrigated 3,107.23

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

3. Remarks _____

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

Bulow R. Yeansley
(Signature of applicant)

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

Paul D. Vetter
(Notary public)

My commission expires LIFE

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 31-0190 and said application is hereby approved.

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

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

Norma C. Young
Administrator, Resources Admin. Div.

FOR DEPARTMENT USE ONLY

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

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

State of Idaho
License and Certificate of Water Right

Water License No. 20948 Amount 3.6 second feet
Water District No. Priority February 14, 1949

THIS IS TO CERTIFY that J. R. BIXBY
of Terreton, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated February 14, 1949; that Permit No. 20948
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
3.6 second feet, was issued thereunder on March 23, 1951, showing that said works
were completed on the 8th day of February, 1951; and that on the 10th
day of January, 1956,

DENNIS GREEN (Assignee of J. R. Bixby)
of Menan, 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
~~rehabilitated~~ (subterranean flow), for the purpose of irrigation
, under Use Permit No. 20948 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
9 of Licenses at page 5825, on the 12th day of October, 1956;
The right hereby confirmed dates from February 14, 1949;

The Point of Diversion is located
in the NW 1/4 NE 1/4, Sec. 27, Tp. 7 N., R. 35 E., B. M. / Jefferson County

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 3.6 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
6 N.	35 E.	5	NE $\frac{1}{4}$ SE $\frac{1}{4}$	40	40
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	40	40
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	40	40
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	40	40
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	--	40
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	20	<u>40</u>
			Total Number of Acres Actually Irrigated - -		

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
12th day of October, 1956.

(SEAL) MARK R. KULP
State Reclamation Engineer.

State of Idaho
License and Certificate of Water Right

Water License No. 20640 Amount 5.16 second feet
Water District No. Priority September 3, 1948

THIS IS TO CERTIFY that CARL FOLLETT
of American Falls, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated September 3, 1948; that Permit No. 20640
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
8 second feet, was issued thereunder on September 14, 1953, showing that said works
were completed on the 28th day of August, 1953; and that on the 8th
day of September, 1955,
LUKE V. SONNER (Assignee of Carl Follett of a part interest in said permit)
of Buhl, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of two wells
~~contributing~~ (subterranean flow), for the purpose of irrigation
, under Use Permit No. 20640 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
9 of Licenses at page 5826, on the 19th day of October, 1956;

The right hereby confirmed dates from September 3, 1948;
are
The Points of Diversion located in the SW 1/4 SE 1/4 and
in the SE 1/4 NE 1/4, Sec. 6, Tp. 10 S., R. 28 E., B. M. Cassia County
That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 5.16 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
10 S.	28 E.	6	NE 1/4 SE 1/4	--	--
			NW 1/4 SE 1/4	40	37
			SW 1/4 SE 1/4	40	36
			SE 1/4 SE 1/4	15	--
			SW 1/4 NE 1/4	40	35
			SE 1/4 NE 1/4	--	--
			NE 1/4 SW 1/4	35	40
			SE 1/4 SW 1/4	40	40
			SE 1/4 NW 1/4	40	40
			SW 1/4 NW 1/4 (Lot 5)	30	30
Total Number of Acres Actually Irrigated					258

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
19th day of October, 1956.

MARK R. KULP
State Reclamation Engineer.

(SEAL)

N^o 20948
31-2290

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

APPLICATION No. 28600
PERMIT No. 20948
DISTRICT No.

1. Name of Applicant: J. R. BIXBY

Postoffice address: Terreton

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: 3.6 cubic feet per second.

3. Source of water supply: Underground (well) which is a tributary of

4. Location of point of diversion: About 1500 ft. West and 1300 feet distant from the South Northeast corner of Section 27, T. 7 N., R. 35 E., B.M., and is in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 27, T. 7 N., R. 35 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: \$4,000.00

8. Kind of works: Well, pump, ditch, gate, culvert

9. Height of dam feet; length of dam at top feet; length of dam at bottom feet; material used in dam:

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom 6 feet; width at water line 10 feet; depth of water 4 feet; dimensions of flume:

Diameter of pipe inches; length of conduit About 4 miles.

Average grade per mile feet.

12. The time required for the completion of such work is Three (3) years.

13. The time required for the complete application of the water to the proposed use is Three (3) 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: None

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.

J. R. BIXBY *Applicant.*

By _____ Henry S. Martin Agent.

Date of first receipt at Department of Reclamation: 9:00 A. M. February 14, 1949

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 20948

Recorded in Book 75 Page 20948 Approved February 21, 1949

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 April 21, 1949 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 August 21, 1950

The whole of said work to be completed on or before February 21, 1952

Beneficial use of water appropriated in accordance herewith, to be made on or before February 21, 1955

WITNESS My hand this 21st day of February, 1949

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, C. A. ROBINS, Governor of the State of Idaho,
and J. D. "CY" PRICE, 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.....21st.....

day of February, 19 49

STATE OF IDAHO

Countersigned:

(SEAL) By J. D. "CY" PRICE Secretary of State.

By C. A. ROBINS Governor.

REMARKS: I am buying the land and the well will be located on land owned by Frank S. Jackett. Title to land irrigated in J. R. Bixby.

14.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals					
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼						
6 N.	35 E.	5																20	40	40	40	40	180	
AFFIDAVIT OF PERMISSION TO FILE ON WELL I, Frank S. Jackett, of Terretton, County of Jefferson, State of Idaho, do hereby certify that I am the owner of the land on which the well mentioned in the application of J. R. Bixby is located, to-wit NW¼ NE¼ Section 27, T. 7 N., R. 35 E., B.M., and that I do hereby grant unto the said J. R. Bixby permission to file on said well as set forth in the foregoing application. STATE OF IDAHO) COUNTY OF BONNEVILLE) ss. On this 2nd day of February, 1949, before me, a Notary Public for the State of Idaho, residing at Idaho Falls, Idaho, personally appeared Frank S. Jackett, known to me to be the person whose name is subscribed to the foregoing certificate, and acknowledged to me that he executed the same. Witness my hand and seal the day and year in this certificate first above written. (SEAL) HENRY S. MARTIN Notary Public My commission expires Feb. 15, 1952																								

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, NO. 20948

Comes now J. R. Bixby, and represents to the State Reclamation Engineer of the State of Idaho.

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 20948, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows: The southeast quarter (SE $\frac{1}{4}$) and the East Half of the Southwest Quarter (E $\frac{1}{2}$ SW $\frac{1}{4}$) of Section Five (5), Township Six (6) North, Range Thirty-five (35) E.M.M., making a total of 240 acres.

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

Signed at Terreton, this 10 day of Feb., 1951.

J. R. BIXBY

Date of receipt at Office of Department of Reclamation Feb. 21, 1951.

APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 20948. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

MARK R. KULP
State Reclamation Engineer

Permit No. 20948
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that J. R. BIXBY of Terreton, County of Jefferson, and State of Idaho, the holder of Permit No. 20948, issued upon Application No. 28600 bearing date of priority of February 14, 1949, authorizing the diversion of 3.6 second feet of the waters of subterranean flow from a well, 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 3.6 second feet of the waters of said well; that the point of diversion of said waters is in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 27, Township 7 North, Range 35 East, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: SE $\frac{1}{4}$ and E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 5, Township 6 North, Range 35 East, B.M.

Witness my hand this 23rd day of March, A. D. 1951.

MARK R. KULP
State Reclamation Engineer

Proof of Completion of Works made February 8, 1951.
Certificate of Completion of Works issued March 23, 1951.

A S S I G N M E N T

For value received, I hereby assign all my right, title, and interest in and to Permit to appropriate the Public Waters of the State of Idaho, No. 20948 to Dennis Green of Menan, Idaho.

J. R. BIXBY
Permit holder.

THELMA J. BIXBY
Wife of Permit holder.

State of Idaho }
County of Bonneville }ss

On this 10th day of February, 1951, before me, a Notary Public for the State of Idaho, residing at Idaho Falls, Idaho, personally appeared J. R. BIXBY and THELMA JUNE BIXBY, his wife, known to me to be the person whose name is subscribed to the within instrument, and duly acknowledged to me that they executed the same.

In witness whereof, I have hereunto set my hand and affixed my Notarial seal, the day and year in this certificate first above written.

JOHN L. BLOEM
Notary Public, residing at
Idaho Falls, Idaho

(SEAL)
My commission expires 11/9/51.

Received and filed for record in the Department
of Reclamation at Boise, Idaho, at 9:00 A. M.
March 23, 1951.

MARK R. KULP
State Reclamation Engineer

APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark R. Kulp, Reclamation Engineer of the State of Idaho, hereby extend the time for the making of proof of Beneficial Use under Permit to Appropriate the Public Waters of the State of Idaho, No. 20948, to February 21, 1956.

Witness my hand this 4th day of December 1954.

MARK R. KULP
STATE RECLAMATION ENGINEER

PERMIT ISSUED FOR 3.6 SEC. EL.

Page 5825

MEMORANDUM

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

FROM: Pam Skaggs²⁸/State Office

SUBJECT: Transfer 5335

DATE: February 9, 1999

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

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

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

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

MICROFILMED
FEB 11 1999

MEMORANDUM

TO: FILE 31-02290

FROM: PAM SKAGGS

RE: TRANSFER # 5335

DATE: 11-5-98

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

MICROFILMED
FEB 11 1999

RECEIVED
SER 30 1988

State of Idaho
Department of Water Resources
DRILLING PERMIT

31-2289
31-2290
31-2297
31-2321

Department of Water Resources
Department of Water Resources

(Authorizing Construction of a Well)*

1. Applicant JACKETT CANAL COMPANY
2. Address HAMER, IDAHO C/O Lew Green
Box 3135 Terraton, Id Telephone 663-4626
() Well Owner () Well Operator (☒) Other, specify SECRETARY
3. Proposed well location SE NW 1/4 NE 1/4, or Gov't lot No. ,
Sec. 27, Twp. 7N, Rge. 35E, County JEFFERSON,
Lot, block and subdivision
4. Proposed use of well: (Check all that apply)
() Domestic () Stockwater () Monitoring
(☒) Irrigation () Industrial () Municipal
() Injection () Other, Specify
5. Well construction information:
() New well () Deepen (☒) Replace
Proposed surface diameter 20" Maximum depth 100 FT
Anticipated bottom hole temperature:
(☒) 85°F or less (Cold water well)
() 85°F to 212°F (Low temp. geothermal well)
() 212°F or more (Geothermal well)
6. Anticipated construction start date 9/23/88
7. Well Driller (if known) JACK CUSHMAN 094
Address BLACK FOOT, IDAHO
8. Applicant's signature [Signature]
Title Sec.
Date 9-20-88

* After other pre-requisite approvals have been obtained.

* Fee is \$10 for single family domestic. Other uses may be \$100, \$50 or \$1000

FEB 11 1989

ACTION OF IDWR

(✓) Approved

() Denied

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

GENERAL CONDITIONS:

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

SPECIFIC CONDITIONS:

Dated this 23rd day of SEPTEMBER, 1988.

Signed

Title

Ronald Ch...
REGIONAL MANAGER

Received by da Fee \$100⁰⁰ Date 9-23-88

Receipt No. E002564 Construction start extension to

Extension approved by

MICROFILMED

FEB 11 1989

October 15, 1956

RE: Permit No. 20948

Mr. Dennis Green
Hamer
Idaho

Dear Mr. Green:

We enclose License and Certificate of Water Right issued under your Permit No. 20948 confirming your right to the use of 3.6 second feet of the waters of a well located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 27, Township 7 North, Range 35 East, B.M., with priority of February 14, 1949, for the irrigation of 240 acres of land in the SE $\frac{1}{4}$ and E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 5, Twp. 6 N., Rge. 35 East, B.M.

We also enclose departmental receipt No. 28213 for the \$12.00 license fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:hll
Enc.

20948

September 6, 1956

RE: Permits Nos. 20948 and G-24047

Mr. Dennis Green
Hamer
Idaho

Dear Mr. Green:

By checking Mr. Passey's Permit No. 20891, our deputy State Reclamation Engineer, Mr. Humphrey, finds a report that states the amount of water being asked for in Permits Nos. 20948 and G-24047 was being pumped at that time, August 7, 1951, and was measured by Watermaster Henninger.

Upon the basis of that report and the check he made as to lands irrigated he is recommending license for both permits.

The report on Permit No. G-24047 shows that you have irrigated 96 acres of land in the NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 8, Twp. 6 N., Rge. 35 E., B.M., with the waters of a well located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 27, Twp. 7 N., Rge. 35 E., B.M.

A Certificate of Completion of Works and License can, therefore, be issued for 96 inches or 1.92 second feet of water upon receipt of the statutory fees amounting to \$5.00 for completion of works and \$6.00 license fee, or a total of \$11.00.

The report on Permit No. 20948 shows that you have irrigated 240 acres of land in the SE $\frac{1}{4}$ and E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 5, Township 6 North, Range 35 East, B.M. with the waters of a well located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 27, Township 7 North, Range 35 East, B.M.

A License can, therefore, be issued for 3.6 second feet (the amount of water filed on) of water upon receipt of the license fee amounting to \$12.00.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

20948

Chief Clerk

R:hl1

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

Permit No. 20948

This proof is for Beneficial Use In Water District No.

1. Name of applicant Dennis Green, Terreton, Idaho

2. Source of water supply: Subterranean from a well

3. Location of point of diversion: Is in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 27

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

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

5. Water is used for: Irrigation

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

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):

SE $\frac{1}{4}$, E $\frac{1}{2}$, SW $\frac{1}{4}$ Section 5, Twp. 6 N., Range 35 East, B.M.

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

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

Remarks: See Calvin Passey's Permit # 20891.

This water was metered by Henninger (Watermaster) and there is enough water to fill this Permit and also #24047

This examination was made on the 24 day of July, 1956

(Signed) E. J. Humphrey Examiner.

20948

Debbie Green
Terreton, Idaho

Permit No. 20843

Examination for Beneficial Use

County Jefferson

27-7N.-35E.

Q = 3.6 a.f.s.

S = Well

P.D. = NW.NE, Sec. 27, T.7N.-R.35E

Use = Irrigation

Filed: Feb. 14, 1949
Due: Feb. 21, 1956 (Est.)

Q/W = 3-23-51

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.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

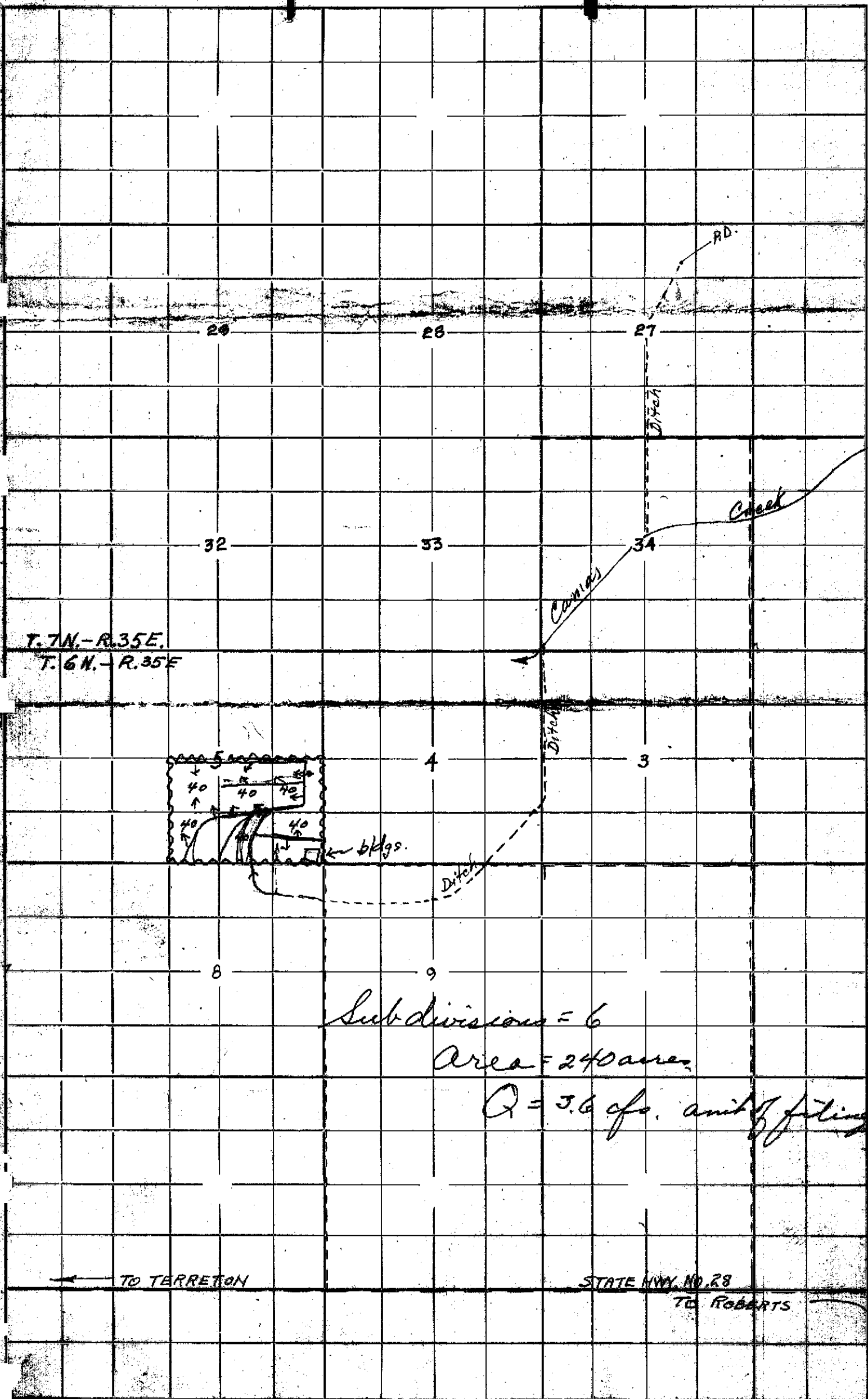
REPORT OF ENGINEER

PERMIT NO. 20948

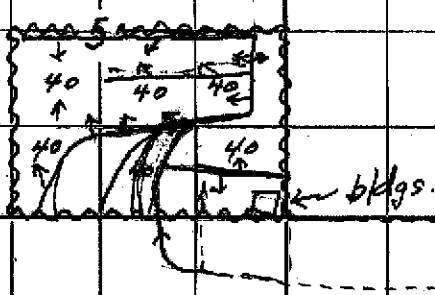
REPORT ON PROOF OF Beneficial Use

Mr. Dennis Green, Terreton, Idaho - Post office address, Hamer

3.6 cfs
max



T. 7N. - R. 35E.
T. 6N. - R. 35E



Subdivisions = 6
Area = 240 acres
Q = 3.6 cfs. unit of filing

← TO TERRETON STATE HWY. NO. 28 TO ROBERTS →

July 16, 1956

RE: Permit No. G-24047 & 20948

Mr. Dennis Green
Terreton
Idaho

Dear Mr. Green:

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

I intend to make inspection on your two permits on Tuesday, July 24, 1956, in the afternoon.

Please be prepared to accompany me 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.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E. W. Humphrey
Deputy State Reclamation Engineer

H:hll

20948

Permit # 2094

Three pumps lift water from the Camas creek into the main pocket canal. East pump. 2 1/2 motor 30 Hp 220V #931468 Garbancas Morse turbine # PN1439 Ex-M control box 1 bowl 14" diameter lift = 5' 20" column 25" discharge 12' column length.

Center pump Westinghouse 25 Hp 220V #8057170 Pomona pump #N902 1 bowl 20" diameter lift = 5' 20" discharge Westinghouse & square "O" controls

West pump Garbancas Morse 30 Hp 220V #593327 Garbancas Morse pump # PM1039 1 bowl 12" diameter 12' x 20" column Ex-M controls. All housed in 8' x 16' galvanized metal shed.

Meter G E, # 15-723-656

Demand - 1,255 X 80

Common to all 3 of the above plants

E Pump - Pomona # P730 14" Disc
Motor Westinghouse # 8108727 15HP

East pump

W. Pump Pomona # 731 - 14" Disc

Motor # 8109593 - Westinghouse 15HP

Meter - .85 X 40

33145 70

Seven D 50 P21677

Lift 8' - 12" disc

Common to both of the above pumps

This is the West Pump Relift Sta.

20948

Permit 20948

Page 1

Aug 13 '58

Re: Frank S. Jackett & Blaine E Miller Permits
G-23836 + G-23076.

Mr. Blaine had left the country and no one knows where to find him.

Mr. Jackett was ill on Aug. 13 '58 at time of examination for permit - apparently he had suffered a stroke. He accompanied Jim Marr during the examination, but the time was made as brief as possible. The following facts were gleaned from him:

1st Ownership of the pumped wells were indicated as shown on the accompanying project map, though he was doubtful about all of the locations on the map being correct. - he said that a number of the wells had been abandoned & replaced by others. The wells marked on the map with red cross are not used according to him. None of the wells were operating - including the 5 relift pumps at the 2. stations.

2nd All of the relift ordinarily do not operate at one time. Three are on one meter and Two on another making it difficult to compute capacities of the individual units. The lifts vary from close to 0 to the 5' - 20" and the 8' mentioned in the description of the relift pumping plants.

20948

Permit # 20948

3rd Mr. Jackett once possessed a map showing the Jackett - Miller layout but the map is lost and no other record appears to be available. In speaking to Mr Albaugh (attorney in Idaho Falls) of this situation I learned that he represented Mr. Jackett in water matters and appeared to be anxious to see the permits granted in this case. It is possible that he may have some records that will be helpful.

Utah Power + Light:

Upon request for location information for the various Jackett + Miller wells, I was told that they did not have it.

James C. Marr.

P.S. See. Data sheet + Project map for additional information

20948

January 13, 1956

RE: Permit No. 20948

Mr. John L. Bloom
P. O. Box 23
Idaho Falls, Idaho

Dear Mr. Bloom:

We acknowledge receipt of your letter of January 11, 1956, enclosing depositions of Dennis Green and two witnesses also affidavit of publication in the Rigby Star all submitted in proof of Beneficial Use on Permit No. 20948.

This completes the proof but before final action is taken the law requires that a field examination be made by an engineer from this department.

We cannot tell just when this examination will be made but our field engineer will try and contact Mr. Green 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

Roy W. Thompson
Office Manager

T:hll
cc - Mr. Dennis Green
Hamer
Idaho

20948

Affidavit of Publication

THE RIGBY STAR

NOTICE OF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 2:00 p. m. on the 10th day of January, 1956, at Idaho Falls, County of Bonneville, State of Idaho, before John L. Bloem, Notary Public, proof will be submitted of the application to beneficial use of 3.6 cubic feet per second of the waters of subterranean flow from well in accordance with the terms and conditions of Permit No. 20948 heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit is Dennis Green, Hamer, Idaho.

The use to which said water has been applied is irrigation and domestic.

The amount applied to beneficial use is 3.6 cubic feet per second.

The place where said water is used is SW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 5, Township 6 North, Range 35, East, B. M., Jefferson County, Idaho.

The name of the canal or ditch or other works by which said water is conducted to such place of use is Independent Ditch, Camas Creek, and Jackett Ditch.

The right to take water from such works is based upon Permit No. 20948.

The source of supply from which such water is diverted is Subterranean well in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 27, Township 7 North, Range 35, East Boise Meridian.

The date of priority which said user is prepared to establish is February 14, 1949.

(Pub.: Dec. 15-22-29, 1955 Jan. 5th, 1956.)

STATE OF IDAHO,

ss.

County of Jefferson

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

15th day of *December*, 19*55*

and last publication on the

5th day of *January*, 19*56*

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 *January*, 19*56*

(SEAL)

Director

Notary Public for the State of Idaho,
Residence and P. O. Address: Rigby, Idaho.

My commission expires *19*

My Commission expires 8/7/57

Publication Fee: \$_____

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 2:00 p. m. on the 10th day of January, 1956, at Idaho Falls, County of Bonneville, State of Idaho, before John L. Bloem, Notary Public, proof will be submitted of the application to beneficial use of 3.6 cubic feet per second of the waters of subterranean flow from well in accordance with the terms and conditions of Permit No. 20948 heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit is Dennis Green, Hamer, Idaho.

The use to which said water has been applied is irrigation and domestic.

The amount applied to beneficial use is 3.6 cubic feet per second.

The place where said water is used is SW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 5, Township 6 North, Range 35, East, B. M., Jefferson County, Idaho.

The name of the canal or ditch or other works by which said water is conducted to such place of use is Independent Ditch, Camas Creek, and Jackett Ditch.

The right to take water from such works is based upon Permit No. 20948.

The source of supply from which such water is diverted is Subterranean well in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 27, Township 7 North, Range 35, East Boise Meridian.

The date of priority which said user is prepared to establish is February 14, 1949.

MARK R. KULP,
State Reclamation Engineer.
(Pub.: Dec. 15-22-29, 1955 Jan. 5th, 1956.)

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 20948

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Dennis Green, Terraton, Idaho, farmer, P.O. Address Hamer, Idaho

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

Ans. --

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

Ans. Permit No. 20948, issued upon Application No. 28600, bearing date or priority of February 14, 1949.

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

Ans. Subterranean flow from a well in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 27, Twp. 7 N.R. 35, EBM.

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

Ans. 26" inch well with turbine pump, well 29 feet deep, capable of delivering in excess of 3.6 cfs of water, through private ditch, independent ditch, Camas Creek, Jacket System ditch, to land irrigated. Well is uncased; pump will produce approximately 520 inches of water.

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

Ans. Irrigation of SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, Section 5, Twp. 6 N.R. 35, EBM, 240 acres, all irrigated. Land was formerly sage brush land, is now cultivated land, made productive through irrigation.

20948

17467

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

Ans. --

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

Ans. One inch per acre.

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

Ans. Assignment from J. R. Bixby and wife, filed 3/23/51 9AM

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

Ans. When Permit was assigned to me, about 200 acres of the land was then under irrigation, and I have since leveled and irrigate the additional 40 acres for the past three irrigation seasons.

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. I have been using an additional 80 inches of water from same well, which is apparently not filed on.

(Sign)

Dennis Green

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Idaho Falls, County of Bonneville,

State of Idaho, on this 10th day of January, A. D. 1956.

John L. Blum

NOTARY PUBLIC, in & for said State.
Residing at: Idaho Falls, Idaho.

My commission expires Nov. 9, 1959.

20948

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 20948

Proof of Application of Water to Beneficial Use

Deposition of Witness

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

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

Ans. James E. Nelson, 40, residence Terreton, Idaho, occupation farmer; P. O. Address Hamer, Idaho.

Ques. 2. Are you acquainted with Dennis Green, the holder of Permit No. 20948? How long have you known him and where does he reside?

Ans. Yes. I have known him since 1953; he resides at Terreton, Idaho.

Ques. 3. Have you read or heard read said Permit No. 20948, and are you familiar with its provisions and conditions?

Ans. Yes.

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

Ans. Subterranean flow from well in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 27, Twp. 7 N.R. 35, EBM; water pumped from well into private ditch, and through private ditch, Independent Ditch, Camas Creek, Jackett Ditch, and another private ditch to land where used.

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. 3.6 cfs; I have seen this amount conveyed.

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

Ans. I have seen pump deliver between 5 and 6 cfs of water, estimated by comparison with other streams of water I have seen.

20948

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

Ans. Irrigation of SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, Section 5, Twp. 6 N.R. 35 EBM. 240
acres, all irrigated; land is sandy loam, naturally arid, and through
irrigation has been changed into cultivated, irrigated land.

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

Ans. --

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

Ans. Land is naturally arid, and requires at least 1 inch per acre
for profitable cultivation.

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

Ans. No

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

Ans. Most of this land was under irrigation with I first saw it in
Spring, 1953; the balance of the land was leveled in 1954 and 1955,
and was fully irrigated in 1955.

(Signed)

James E. Nelson

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Idaho Falls, County of Bonneville, State of Idaho, on this 10th day of January, A. D. 1956.

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

My commission expires Nov. 9, 1959.

20948

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 20948

Proof of Application of Water to Beneficial Use

Deposition of Witness

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

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

Ans. Blaine F. McKinlay, age 33, Terreton, Idaho, farmer; P.O.

Address: Hamer, Idaho.

Ques. 2. Are you acquainted with Dennis Green, the holder of Permit No. 20948? How long have you known him and where does he reside?

Ans. Yes, I have known him for 5 years; he resides at Terretan, Idaho

Ques. 3. Have you read or heard read said Permit No. 20948, and are you familiar with its provisions and conditions?

Ans. Yes.

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

Ans. Subterranean well in NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 27, Twp. 7 NR 35 EBM; water pumped from well through series of ditches and water courses to land irrigated;

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

Ans. 3.6 cfs; I have seen this amount conveyed.

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

Ans. I have seen pump deliver about 5 cfs (450") of water, estimated by comparison with other streams of water I have seen.

20948

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

Ans. Irrigation of SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, Section 5, Twp. 6 N.R. 35 EBM, 240
acres of land, all irrigated and cultivated land. Land has been
improved from Sage Brush land to productive land through irrigation.

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

Ans. --

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

Ans. Land is aric in character, and requires approximately 1 inch
per acre for profitable cultivation.

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

Ans. No.

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

Ans. I first saw this land in the spring of 1952, at which time about
200 acres were irrigated from this well; I have seen it annually
during irrigation since, and entire 240 acres are now irrigated.

(Signed) *Blaine J. McQuilay*

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Idaho Falls, County of Bonneville, State of Idaho, on this 10th day of January, A. D. 1956.

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

My commission expires Nov. 9, 1959.

20948

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

P. O. BOX 428
TELEPHONE 326
OR 2354

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

January 11, 1956

RECEIVED
JAN 12 1956
Department of Reclamation

Re: Permit No. 20948
Dennis Green

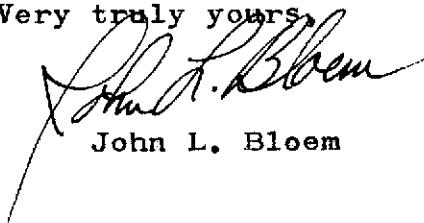
MR. MARK R. KULP
State Reclamation Engineer
Boise, Idaho

Dear Mr. Kulp:

Enclosed you will find the Affidavit of Publication, the Deposition of Dennis Green, holder of the permit, and the Depositions of Blaine F. McKinley and James E. Nelson, witnesses, in connection with the Proof of Application of Water to Beneficial Use, in connection with Permit 20948.

Very truly yours,

JLB:s
Encls


John L. Bloem

20948

December 16, 1955

RE: Permits Nos. 20948 & G-24047

Rigby Star
Rigby
Idaho

Gentlemen:

We have checked the notices on the above numbered Permits of Dennis Green appearing in your issue of December 15 and find the following typographical errors:

1. On Permit No. 20948, the word is in the last line is misspelled.
2. On Permit No. G-24047 there are several corrections as follows:
 - a. In the next to last line of the first paragraph the word by is misspelled.
 - b. The third line of the paragraph numbered 2 seems to be repeated.
 - c. The word conveying, in the fourth line of the same paragraph is misspelled.

Please make these corrections in your subsequent issues.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hl1

20948

NOTICE FOR PUBLICATION
NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 2:00 P. M. on the 10th day of January, 1956,
at Idaho Falls, County of Bonneville, State of Idaho, before
John L. Bloem, Notary Public, proof will be submitted of the
application to beneficial use of 3.6 cubic feet per second of the waters of subterrean flow
from well in accordance with the terms and conditions of Permit No. 20948
heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are
Dennis Green, Hamer, Idaho

The use to which said water has been applied is irrigation and domestic

The amount applied to beneficial use is 3.6 cubic feet per second.

The place where said water is used ~~(if for irrigation, give full and accurate description of the lands irrigated)~~
SE $\frac{1}{4}$ and E $\frac{1}{2}$ SW $\frac{1}{4}$, Section 5, Township 6 North, Range 35, East, B.M.,
Jefferson County, Idaho, and the well is located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 27,
Township 7 North, Range 35, East, B.M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is
Independent Ditch, Camas Creek, and Jackett Ditch

The right to take water from such works is based upon Permit No. 20948

The source of supply from which such water is diverted is Subterranean well in NW $\frac{1}{4}$ NE $\frac{1}{4}$
Section 27, Township 7 North, Range 35, East Boise Meridian

The date of priority which said user is prepared to establish is February 14, 1949

.....
MARK R. KULP
State Reclamation Engineer.

20948

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permits Nos. 20948 & G-24047

Date: December 9, 1955

Rigby Star

Rigby, Idaho

Gentlemen:

Enclosed you will find ^{two} notice, for publication once a week for four consecutive weeks prior to January 10, 1956 the date set for proof, the expense of the publication to be paid by the applicant, Dennis Green of Hamer, 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 H. KULP

State Reclamation Engineer
By

Chief Clerk

20948

December 8, 1955

RE: Permit No. 20948

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

ATTENTION: Mr. John L. Bloem

Dear Mr. Bloem:

We have your letter of December 7 enclosing notice for beneficial use on Permit No. 20948 in the name of Dennis Green.

We note your statement in regard to the amount claimed under this Permit. It is true that Mr. Bixby did arrange for some additional land but there could be no change in the amount of water. When a Permit is once issued, for a given amount, that amount cannot be increased in the same permit.

Mr. Green's proofs can, therefore, not be made for more than the 3.6 cubic feet per second.

If he has been using an additional 80 inches he will have to make a new application and we enclose a form of application herewith. This, of course, will take the current date of priority instead of the original priority of Permit No. 20948.

We have set the date for making proof as January 10, 1956, and shall send a copy to the Rigby Star with instructions to publish it once a week for four weeks prior to that date and to send Mr. Green the affidavit of publication together with statement of costs.

We enclose the forms of deposition to be executed by Mr. Green and two disinterested witnesses in making these proofs.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

20948

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) December 7, 1955

(P. O.) Hamer, Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the

Rigby Star of Rigby, Idaho, published in

the county in which the works are situated.

Dennis Green

(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.

20948

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

P. O. BOX 428
TELEPHONE 326
OR 2354

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

December 7, 1955

RECEIVED
DEC 8 1955
Department of Reclamation

Re: Permit No. 20948

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

Dear Mr. Kulp:

In connection with the above numbered permit, we enclose herewith completed Form No. 10, in duplicate, and Form No. 11 signed by Dennis Green, for making Proof of Application of Water to Beneficial Use.

The date for the hearing has been left blank to be filled in by you after publication dates have been determined. We told Mr. Green we thought it would be about January 9th or 10th.

When preparing the Notice, we pointed out to Mr. Green that the filing was only for 180 inches (3.6 cfs) of water for 240 acres of land. He said when he acquired this permit from J. R. Bixby this question was discussed and that Bixby made a trip to Boise and said he had arranged for the additional water. We do not have the original Permit here, but we do have an Amendment filed February 21, 1951, from which it would appear that Bixby arranged to have additional land included in the permit, but did not increase the amount of water.

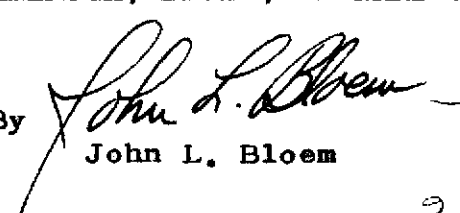
Please let me know if this is correct, because Green has been using 240 inches of water and will want to know if he should file on the additional 80 inches.

Very truly yours,

ALBAUGH, BLOEM, BARNARD & SMITH

JLB:s
Encls

By


John L. Bloem

20948

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

D E P A R T M E N T O F R E C L A M A T I O N

Boise, Idaho

December 1, 1955

Mr. Dennis Green
Menan, Idaho

Dear Sir:

We enclose herewith blank notice for proof of application of water to beneficial use under your Permit No. 20948. This notice should be filled out in duplicate and returned to this office at least 40 days before the date upon which you wish to make this proof, in order to allow time for the four weeks' publication required by law.

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

The date for proof, as set out in your permit, is not later than February 21, 1956, and if proof is submitted later than said date, your priority will be brought down a length of time equal to the time elapsing between the date the proof is due and the date proof is actually made.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

20948

December 9, 1954

RE: Permit Nos. 20948 - G-24047

Mr. Dennis Green
Hamer, Idaho

Dear Mr. Green:

We enclose approval of the State Reclamation Engineer of extension of time for Beneficial Use on Permit No. 20948 to February 21, 1956.

Also extension of time for Completion of Works and Beneficial Use on Permit No. G-24047 to February 21, 1956.

These should be attached to the original Permits of which they now form a part.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:cu
Enc.

20948

STATE OF IDAHO
Department of Reclamation

Permit No. 20948

Application for Extension of Time for Beneficial Use Proof

STATE OF IDAHO }
County of Jefferson } SS

Dennis Green, of Hamer

State of Idaho, being first duly sworn, upon his oath deposes and says:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. 20948

That, under the terms and conditions of said permit, proof of beneficial use thereunder was required to be made by February 21, 1955.

That he has heretofore put to beneficial use 3.6 second feet of water and has irrigated 240 acres.

That, for the following reasons, he is unable to put to beneficial use within the required time the remainder of the water appropriated under his permit, to-wit:

About 40 acres yet to be leveled

STATE RECLAMATION ENGINEER

WHEREFORE, He asks that the ~~Commissioner of Reclamation~~ extend the time for the making of proof of beneficial use under said permit to February 21, 1956

Subscribed and sworn to before me this 20th day of November, 1954

[Signature]
Notary Public.

My commission expires January 26, 1958

Date of receipt at office of Department of Reclamation Dec. 2 - 1954

STATE RECLAMATION ENGINEER

APPROVAL OF COMMISSIONER OF RECLAMATION

I, Mark R. Kulp ~~Commissioner of Reclamation~~ of the State of Idaho, hereby extend the time for the making of proof of Beneficial Use under Permit to Appropriate the Public Waters of the State of Idaho, No. 20948, to February 21, 1956, xx

Witness my hand this 4th day of December, 1954

[Signature]
State Reclamation Engineer

November 15, 1954

RE: Permits Nos. 20948 and G-24047

Mr. Dennis Green
Hamer
Idaho

Dear Mr. Green:

We have your letter of November 11 requesting if an extension would be granted by this department for beneficial use proof on the above stated Permits.

We are enclosing herewith forms for making this application for extension of time. We can see no reason why same should not be granted.

Very truly yours,

MARKER KULP
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

T:hll
Enc.

20948

RECEIVED
NOV 15 1954

Department of Reclamation

Samuel, Ida.

Nov 11 - 54

State Dept. of Reclamation

Mr Mark R. Kuep

Boise, Idaho.

I have 2 water applications on
file with the State of Idaho for water
for irrigation purpose.

They are number C 209047

and

20948. - 2

~~On~~ Beneficial use proof
is due on or before Feb 21-55
and the other is May 2-55.

I would like to get an extension
of 1 year on these proofs as I
haven't both pieces of ground
ready. They are in the same well
and it would be a duplication
if I had to prove on water twice.
I have the ditches made but
have about 40 acres yet to

20948

level on the C-24047 filing.
Please let me know if
this request will be allowed.

Respectfully, yours
Dennis Green

20948

1

1

C 24047

B.H. Linc. May 2 - 1955

207118 Linc. 2-21-1955

March 3, 1952

RE: Permit No. 20948

Mr. Dennis Green
Hamer
Idaho

Dear Mr. Green:

In reply to your letter of February 29, 1952, the records in this department show the following in regard to Permit No. 20948 assigned to you by Mr. J. R. Bixby. This permit is for 3.6 second feet of water from a well in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 27, Township 7 North, Range 35 East, B.M., for the irrigation of land in the SE $\frac{1}{4}$ and E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 5, Township 6 North, Range 35 East, B.M.

Proof of completion of works has been made and certificate of completion of works issued March 23, 1951. Beneficial use proof is due on or before February 21, 1955.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

Aifg

20948

Hamer Idaho

Feb. 29, 1952

RECEIVED
MAR 3 1952
Department of Reclamation

Mr. Mark Kulp

Idaho State Engineer

Boise Idaho,

Dear Mr Kulp:

I am writting you in regards to a water filing
in the Frank Jacket proerty, which pertains to the
J. R. Bixby proving files.

I bought mr. Bixbys place and would like to
know more about this particular filing, so that I
may not get fouled up as to final Proof.

Please will you be kind enought to look this
up for me.

Thanking you for your efforts.

Sincerely yours,

Dennis Green

Dennis Green Hamer Idaho

20948

March 23, 1951

Re: Permit No. 20948

Mr. Dennis Green
Menan, Idaho

Dear Mr. Green:

We enclose herewith the following instruments:

Amendment to Permit No. 20948, made by J. R. Bixby
and approved by the State Reclamation Engineer and duly recorded.

Certificate of Completion of Works issued under Permit
No. 20948 for the diversion of 3.6 second feet of water from a
well in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 27, Township 7 North, Range 35 East,
B.M. for irrigation of land in the SE $\frac{1}{4}$ and E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 5, Town-
ship 6 North, Range 35 East, B.M.

Also, Assignment from J. R. Bixby and wife to you of
Permit No. 20948, which has been duly recorded in this Department.

We also enclose Departmental Receipt No. 23207 for the
\$5.50, which includes the \$5.00 fee for completion of works proof
and \$.50 for recording the Assignment.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh
Enc.

20948

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of

JEFFERSON

ss.

J. R. Bixby

, being first duly sworn, upon his oath deposes and says:

First: That he is the holder and owner of Permit to Appropriate the Public Waters of the State of Idaho, No. 20948, and that his postoffice address is Terreton

State of Idaho

Second: That the name of the stream which said water is to be directed is subterranean from a well

Third: That the point of diversion of said water is in the NW 1/4 ME Section 27, Twp. 7 N., Range 35 E., B.M.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by February 21, 1952

Fifth: That the use for which said water is intended is irrigation

Sixth: That on the date above mentioned, the works constructed under said permit were (~~complete~~) fully completed and consisted of the following:

I. Kind of works: Well, ditch, gate and culvert
(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

(a) Height of dam feet, length of dam at top feet, length of dam at bottom feet. Material used in construction

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir acre feet.

(c) Size of headgate: Width feet, height feet.

(d) Conduit ditch width at bottom 6 feet, width at water line 10
(State whether ditch, flume or pipe)

feet, depth of water 4 feet; diameter of pipe inches, average grade per mile is feet. Length of conduit is 4 miles.

Seventh: That said works are capable of conducting to the place of intended use 3.6 second feet of water.

Eighth: That water appropriated under said permit is available for 240 acres of land described as follows: The Southeast Quarter (SE 1/4) and the East Half of the Southwest Quarter (E 1/2 SW 1/4) of Section Five (5), Township Six (6) North, Range Thirty-five (35), East Boise Meridian.

Ninth: Remarks: That

JR Bixby
(Sign Here)

Subscribed and sworn to before me this 8 day of February, 19 51

My commission expires Mar. 3, 1953

Idaho H. Smith

Notary Public.

20948



LEN JORDAN
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

February 21, 1951

Re: Permit No. 20948

RECEIVED
MAR 23 1951
Department of Reclamation

Mr. Dennis Green
Menan, Idaho

Dear Mr. Green:

We acknowledge receipt of the Assignment of Permit No. 20948 from J. R. Bixby and wife to you, also Mr. Bixby's application for amendment to the land described in said Permit, and his Proof of Completion of Works thereunder.

There is a statutory fee of \$5.00 required in connection with Proof of Completion of Works and \$.50 fee for recording the Assignment. Upon receipt of this amount, the Assignment will be duly recorded, the amendment approved and Certificate of Completion of Works issued.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By

Jeannette L. Anderson
Chief Clerk

A:bh

*Please excuse me. Mr. Green was
away from home and I forgot it.
Thanks
Mrs. Dennis Green.
Menan
Idaho. 20948*

February 23, 1949

Re: Permit No. 20948

Mr. Henry S. Martin
Attorney at Law
212 Earl Building
Idaho Falls, Idaho

Dear Mr. Martin:

We enclose Permit No. 20948, in the name of J. R. Bixby, together with Departmental Receipt No. 21278 for the \$5.75 filing fee for which we filled out your check as instructed in your letter of February 9.

Mr. Bixby's attention is directed to the limitations and conditions this Permit has given on the 4th page, under Approval of State Reclamation Engineer.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bn

20948

J. R. Bigby

Township 7 N R 35 E B M

29

28

27

26

Pump

Ditch

32

33

34

Cuma Creek

mud Lake

Township 6 N R 35 E B M

- intake

5

4

Ditch

6' bottom
10' top
4' depth -

House

Permit Map No. 20948

As Approved

FEB 27 1949

MARK R. KULP

State Reclamation Engineer

HENRY S. MARTIN
ATTORNEY AT LAW
SUITE 212-213 EARL BUILDING
IDAHO FALLS, IDAHO
February 9, 1949



Mark R. Kulp,
State Reclamation Engineer,
Boise, Idaho.

Attention: Jeanne L. Anderson
Chief Clerk

Dear Miss Anderson:

Enclosed is application for permit to appropriate waters of the State of Idaho by J. R. Bixby, of Terretton, Idaho.

Also, my check made to you, in blank, which you are authorized to fill in for the amount of the filing fee.

Thanking you, I am

Yours very truly,

Henry S. Martin

HSM:e
Encl.

20948