

State of Idaho

License and Certificate of Water Right

Water License No. 20891

Amount 3.2 second feet

Water District No.

Priority January 13, 1949

THIS IS TO CERTIFY that CALVIN PASSEY
of Terreton, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated January 13, 1949; that Permit No. 20891
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
3.2 second feet, was issued thereunder on January 22, 1951, showing that said works
were completed on the 2nd day of January, 1951; and that on the 15th
day of December, 1951,

CALVIN PASSEY
of Terreton, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
~~contributory~~ (subterranean flow) for the purpose of irrigation
under Use Permit No. 20891 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
8 of Licenses at page 4929, on the 12th day of June, 1952;

The right hereby confirmed dates from January 13, 1952;

The Point of Diversion is located
in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, 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 3.2 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.	8	NE $\frac{1}{4}$ NE $\frac{1}{4}$	40	40
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	40	40
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	40	40
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	40	40
Number of Acres Actually Irrigated				- -	160

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 June, 1952.

(SEAL)

MARK R. KULP
State Reclamation Engineer

WELL DRILLER'S REPORT

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

cm
93

1. WELL OWNER

Name Jackett Canal Co.

Address Hamer, Idaho

Owner's Permit No. Drilling-31-88-E030-29
Water 31-2310-2289

7. WATER LEVEL

Static water level 8 feet below land surface.

Flowing? ☐ Yes ☒ No G.P.M. flow _____

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

Controlled by: ☐ Valve ☐ Cap ☐ Plug

Temperature 53 °F. Quality Good

Describe artesian or temperature zones below.

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement

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

8. WELL TEST DATA

☐ Pump ☐ Bailer ☐ Air ☐ Other None

Discharge G.P.M.	Pumping Level	Hours Pumped

3. PROPOSED USE

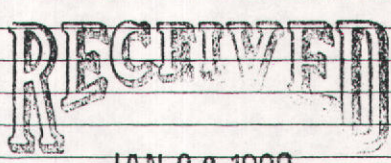
☐ Domestic ☒ Irrigation ☐ Test ☐ Municipal

☐ Industrial ☐ Stock ☐ Waste Disposal or Injection

☐ Other _____ (specify type)

9. LITHOLOGIC LOG

Bore Diam.	Depth		Material	Water	
	From	To		Yes	No
26"	0	9	Sandy Clay		X
	9	18	Grey Basalt		X
	18	25	Cinders	X	
	25	45	Clay		X
20"	45	68	Clay		X
	68	70	Soft Basalt		X
	70	106	Grey Basalt		X
	106	117	Soft Basalt & Clay		X
16"	117	121	Cinders & Clay	X	
	121	125	Brown Sticky Clay		X
	125	128	Grey Basalt		X
	128	135	Clay		X
	135	165	Grey Basalt		X
	165	181	Clay		X


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 Department of Water Resources

4. METHOD DRILLED

☐ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary

☒ Cable ☐ Dug ☐ Other _____

5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____

Thickness	Diameter	From	To
<u>.250</u> inches	<u>20</u> inches	<u>+ 18"</u> feet	<u>72</u> feet

Was casing drive shoe used? ☒ Yes ☐ No

Was a packer or seal used? ☐ Yes ☒ No

Perforated? ☐ Yes ☒ No

How perforated? ☐ Factory ☐ Knife ☐ Torch

Size of perforation _____ inches by _____ inches

Number	From	To

Well screen installed? ☐ Yes ☒ No

Manufacturer's name _____

Type _____ Model No. _____

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

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

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

Placed from _____ feet to _____ feet

Surface seal depth 45 Material used in seal: ☐ Cement grout

☒ Bentonite ☒ Puddling clay ☐ _____

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

☐ Overbore to seal depth

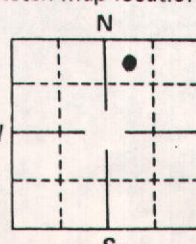
Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent Weld

☐ Cemented between strata

Describe access port Capped

6. LOCATION OF WELL

Sketch map location must agree with written location.



Subdivision Name _____

Lot No. _____ Block No. _____

County Jefferson

NW ¼ NE ¼ Sec. 27 T. 7 N/R. 35 EXX

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10.

Work started 9/26/88 finished 11/2/88

11. DRILLERS CERTIFICATION

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

Firm Name Jack Cushman Drilling Firm No. #94

1405 South Broadway

Address Blackfoot, Idaho Date 11/30/88

Signed by (Firm Official) Jack Cushman

and

(Operator) Nyle Bailey

RECEIVED
SEP 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
SE)
3. Proposed well location 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 0941
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

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R 35 E. B.M.

29

28

Mud Lake

T 7 N
T 6 N.

T 7 N.
T 6 N.

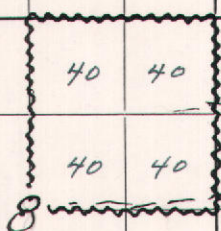
Independents Cando

Creek

Camas

5

4



allow 160"

T not taken

17

16

State Hghwy #28

Calvin Passey

Please Refer to
Hemphill



Township 7 N Range 35 E B.M.

well

29

28

27

26

ditch

32

33

34

35

mud Lake

Township 6 N Range 35 E B.M.

in lake
Pump

5

4

3

2

ditch 6' bottom
10' top
4' depth



land owned by
Calvin Passey

9

10

11

Permit Map No. 20891
As Approved
JAN 14 1929
MARK R. KULP
State Reclamation Engineer

FROM

DATE

TO

SUBJECT

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

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SIGNATURE

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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 31-00331/31-00332/31-00336B/31-00337B/31-00371/31-02239
 31-02265/31-02289/31-02290/31-02297/31-02310/31-02317A
 31-02317B/31-02321/31-02341/31-02342/31-02343/31-02344
 31-02345/31-07005

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

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TRANSFER NO. 5335

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 31-00331/31-00332/31-00336B/31-00337B/31-00371/31-02239
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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

RECORDED
 FEB 11 1955

TRANSFER NO. 5335

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 31-02265/31-02289/31-02290/31-02297/31-02310/31-02317A
 31-02317B/31-02321/31-02341/31-02342/31-02343/31-02344
 31-02345/31-07005

LOCATION OF POINT(S) OF DIVERSION:

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

PLACE OF USE: IRRIGATION

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

RECORDED

FEB 11 1959

TRANSFER NO. 5335

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 31-00331/31-00332/31-00336B/31-00337B/31-00371/31-02239
 31-02265/31-02289/31-02290/31-02297/31-02310/31-02317A
 31-02317B/31-02321/31-02341/31-02342/31-02343/31-02344
 31-02345/31-07005

PLACE OF USE: IRRIGATION

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

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TRANSFER NO. 5335

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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	SENE 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 20	NWSE 40	SWSE 10	
			SESE 10			560
20			NENE 30	NWNE 35	SWNE 40	
			SENE 40	NENW 40	NWNW 30	
			SWNW 40	SENE 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			615
21			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 25	
			SWNW 40	SENE 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			625
22			NENE 20	NWNE 20	SWNE 40	
			SENE 40	NENW 36	NWNW 20	
			SWNW 40	SENE 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			576
23			NENE 15	NWNE 40	SWNE 40	
			SENE 40	NENW 35	NWNW 40	
			SWNW 40	SENE 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			610
24			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 10	NWNW 30	
			SWNW 40	SENE 30	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			590
25			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENE 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
26			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	

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TRANSFER NO. 5335

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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 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	SENW 40	NESW 40		
		NWSW 40	SWSW 40	SESW 40		
		NESE 40	NWSE 40	SWSE 40		

MICROFILM
 FEB 11 1979

TRANSFER NO. 5335

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

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
		SESE	40			640.1
4	Lot 4	(NWNW)	7	NESW	40	
		SWSW	40	SESW	40	
		NWSE	40	SWSE	40	327
5	Lot 1	(NENE)	41.2	Lot 2	(NWNE)	38
		SENE	40	NESW	40	
		NESE	40	NWSE	40	
		SESE	40			399.2
8		NENE	40	NWNE	40	
		SENE	40	NENW	40	
		SWNW	40	SENW	40	
		NWSW	40	SWSW	40	
		NESE	40	NWSE	40	
		SESE	40			640
9		NENE	40	NWNE	40	
		SENE	40	NESW	40	
		SWSW	40	SESW	40	
		NWSE	40	SWSE	40	
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	

MICROFILM

FEB 1 1989

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

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

Total number of acres irrigated: * 24261.3

MICROFILMED

FEB 11 1989

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 1984

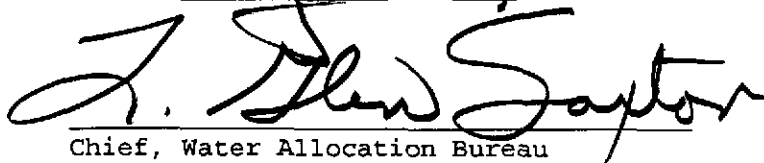
TRANSFER NO. 5335

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

CONDITIONS OF APPROVAL AND REMARKS

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

Dated this 8th day of February, 19 99.


 Chief, Water Allocation Bureau

RECEIVED

FEB 11 1999

Application No.

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

A. DESCRIPTION OF RIGHT AS RECORDED - See Attached Information

1. Right evidenced by:

a. Decree to _____ (Name)
in case of _____ vs _____
dated _____ in _____ county of _____
(Name of court)

b. License No. _____ issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

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

3. Source of water _____ tributary to _____

4. Date of priority

5. Water is used for the following purposes:

amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____

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

6. Total amount of water under right: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is _____ ¼ of _____ ¼ of Section _____
Township _____ Range _____, B.M., in _____ County _____
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

[illegible]

Total number of acres to be irrigated

SECRET

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
			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

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
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	40
			35 E.	7
	NW $\frac{1}{4}$ NE $\frac{1}{4}$	40		
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	40		
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	40		
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	40		
	NW $\frac{1}{4}$ NW $\frac{1}{4}$	34.75		
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	34.75		
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	40		
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	40		
	NW $\frac{1}{4}$ SW $\frac{1}{4}$	34.8		
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	34.8		
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	40		
	35 E.	9	NE $\frac{1}{4}$ SE $\frac{1}{4}$	40
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	40
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	40
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	40
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	40
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	40
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	40
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	40
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	40
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	40
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	40
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	40

Total Number of Acres Irrigated 2,619.1

b. Licensed Rights:

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

- (2) Right No. - G-20948/31-2290
 Licensed To - J.R. Bixby
 Source - Ground Water
 Priority Date - February 14, 1949
 Water Used For - Irrigation
 Amount - 3.6 cfs
 Point of Diversion - Northwest Quarter Northeast Quarter, Section 27 Township 7 North, Range 35 E.B.M., Jefferson County.
 Place of Use - Northeast Quarter Southeast Quarter, Northwest Quarter Southeast Quarter, Southwest Quarter Southeast Quarter, Southeast Quarter Southeast Quarter, Northeast Quarter Southwest Quarter, and Southeast Quarter Southwest Quarter, all in Section 5, Township 6 North, Range 35 E.B.M.
- (3) Right No. - G-21322/31-2297
 Licensed To - Rulan R. Yearsley
 Source - Ground Water
 Priority Date - December 29, 1949
 Water Used For - Irrigation
 Amount - 6.0 cfs
 Point of Diversion - Northwest Quarter Northeast Quarter, Section 27, Township 7 North, Range 35 E.B.M. in Jefferson County.
 Place of Use - 20 acres in Northwest Quarter of Northeast Quarter, 20 acres in Southwest Quarter Northeast Quarter, 20 acres in Southeast Quarter Northeast Quarter, 30 acres in Northeast Quarter Northwest Quarter, 30 acres in Southeast Quarter Northwest Quarter, 40 acres in Northeast Quarter Southwest Quarter, 30 acres in Northwest Quarter Southwest Quarter, 30 acres in Southwest Quarter Southwest Quarter, 20 acres in Southeast Quarter Southwest Quarter, all in Section 3, 30 acres in Southwest Quarter Southeast Quarter of Section 4, 35 acres in Northwest Quarter Northeast Quarter and 35 acres in Southwest Quarter Northeast Quarter of Section 9, all in Township 6 North Range 35 E.B.M.
- (4) Right No. - G-23076/31-2310
 Licensed to - Blaine E. Miller
 Source - Ground Water
 Priority Date - September 24, 1962
 Water Used For - Irrigation 1952
 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															lt 8 2	lt 7 18	20.00
		33										1							1.00
6N	35E	3	lt 1 41.89	lt 2 41.68	40	40	lt 3 41.46	lt 4 35	40	40	40	40	40	40		40	40		560.03
		4						lt 4 7			40	40	40	40	40	40	40	40	327.00
		5	lt 1 41.20	lt 2 38	40	40					40			40	40	40	40	40	399.20

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

Total number of acres to be irrigated 3,107.23

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

3. Remarks _____

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

Bulao R. Yeasley
(Signature of applicant)

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

Leont M. Vetter
(Notary public)

My commission expires LIFE

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

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

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

Norma C. Young
Administrator, Resources Admin. Div.

FOR DEPARTMENT USE ONLY

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

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

State of Idaho
License and Certificate of Water Right

Water License No. 20891

Amount 3.2 second feet

Water District No. _____

Priority January 13, 1949

THIS IS TO CERTIFY that CALVIN PASSEY
of Terreton, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated January 13, 1949; that Permit No. 20891
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
3.2 second feet, was issued thereunder on January 22, 1951, showing that said works
were completed on the 2nd day of January, 1951; and that on the 15th
day of December, 1951,

CALVIN PASSEY
of Terreton, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of 8 well
contributory of (subterranean flow), for the purpose of irrigation
under Use Permit No. 20891 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
8 of Licenses at page 4929, on the 12th day of June, 1952;

The right hereby confirmed dates from January 13, 1952:

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 3.2 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.	8	NE 1/4 NE 1/4	40	40
			NW 1/4 NE 1/4	40	40
			SW 1/4 NE 1/4	40	40
			SE 1/4 NE 1/4	40	40
Number of Acres Actually Irrigated				- -	160

The right to the use of the water aforesaid hereby confirmed is restricted to the limits and 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 June, 1952.

(SEAL)

MARK R. HENLY
State Reclamation Engineer

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho 31-2289

APPLICATION No. 28536
 PERMIT No. 20891
 DISTRICT No.

1. Name of Applicant: **CALVIN PASSEY**

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: **3.2**

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 ^{South} distant from the ~~North~~ ^{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: \$ **3,000.00**

8. Kind of works: **Well, pumps, ditch, 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 No 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 miles.

Average grade per mile feet.

12. The time required for the completion of such work is **Two (2)** years.

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

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

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

16. (a) Is reservoir to be used? **None** If so, fill in (b) and (c) below:
 (b) Name of Reservoir and number of Storage Permit: **None**
 (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.

CALVIN PASSEY Applicant.

By _____ Agent.

Date of first receipt at Department of Reclamation: 9:00 A. M. January 13, 1949

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 20891

Recorded in Book 75 Page 20891 Approved January 14, 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 March 14, 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 January 14, 1950

The whole of said work to be completed on or before **January 14, 1951**

Beneficial use of water appropriated in accordance herewith, to be made on or before **January 14, 1952**

WITNESS My hand this 14th day of January, 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 14th

day of January, 1949.

STATE OF IDAHO

Countersigned:

(SEAL)

By J. D. "CY" PRICE

By C. A. ROBINS

Governor.

Secretary of State.

REMARKS: The ownership of the land to be irrigated is in Calbin Passey

14.

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
6 N.	35 E.	8	40	40	40	40												160	
AFFIDAVIT OF PERMISSION YO 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 Calvin Passey is located, to-wit: NW ¹ / ₄ NE ¹ / ₄ Section 27, Twp. 7 North, Range 35 East, B.M., and that I do hereby grant unto the said Calvin Passey permission to file on the said well as set forth in the foregoing application.																			
FRANK S. JACKETT																			
STATE OF IDAHO) County of Bonneville) ss. On this 30th day of December 1948, 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.																			

Permit No. 20891
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that CALVIN PASSEY of Terreton, County of Jefferson, and State of Idaho, the holder of Permit No. 20891, issued upon Application No. 28536 bearing date of priority of January 13, 1949, authorizing the diversion of 3.2 second feet of the waters of underground 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 3.5 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: Northeast Quarter Section 8, Township 6 North, Range 35 East, B.M.

Witness my hand this 22nd day of January, A. D. 1951.

MARK R. KULP
State Reclamation Engineer

Proof of Completion of Works made January 2, 1951.
Certificate of Completion of Works issued January 22, 1951.

LICENSE ISSUED FOR 3.2 SEC. FT.

page 4929

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.

RECORDED

FEB 11 1999

MEMORANDUM

TO: FILE 31-02289

FROM: PAM SKAGGS

RE: TRANSFER # 5335

DATE: 11-5-98

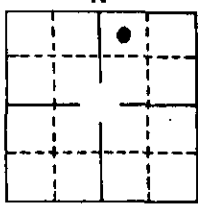
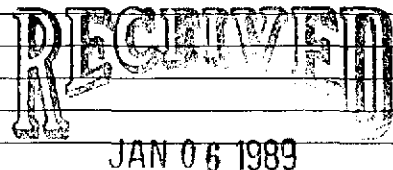
=====

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

MICROFILMED

FEB 11 1999

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

1. WELL OWNER Name <u>Jackett Canal Co.</u> Address <u>Hamer, Idaho</u> Owner's Permit No. <u>Drilling-31-88-E030-29</u> <u>Water 31-2310-2289</u> 2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☒ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log) 3. PROPOSED USE ☐ Domestic ☒ Irrigation ☐ Test ☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection ☐ Other _____ (specify type) 4. METHOD DRILLED ☐ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary ☒ Cable ☐ Dug ☐ Other _____ 5. WELL CONSTRUCTION Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____ <table style="width: 100%;"> <thead> <tr> <th>Thickness</th> <th>Diameter</th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td><u>.250</u> inches</td> <td><u>20</u> inches + <u>18"</u></td> <td>feet</td> <td><u>72</u> feet</td> </tr> <tr> <td>_____ inches</td> <td>_____ inches</td> <td>_____ feet</td> <td>_____ feet</td> </tr> <tr> <td>_____ inches</td> <td>_____ inches</td> <td>_____ feet</td> <td>_____ feet</td> </tr> <tr> <td>_____ inches</td> <td>_____ inches</td> <td>_____ feet</td> <td>_____ feet</td> </tr> </tbody> </table> Was casing drive shoe used? ☒ Yes ☐ No Was a packer or seal used? ☐ Yes ☒ No Perforated? ☐ Yes ☒ No How perforated? ☐ Factory ☐ Knife ☐ Torch Size of perforation _____ inches by _____ inches <table style="width: 100%;"> <thead> <tr> <th>Number</th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td>_____ perforations</td> <td>_____ feet</td> <td>_____ feet</td> </tr> <tr> <td>_____ perforations</td> <td>_____ feet</td> <td>_____ feet</td> </tr> <tr> <td>_____ perforations</td> <td>_____ feet</td> <td>_____ feet</td> </tr> </tbody> </table> Well screen installed? ☐ Yes ☒ No Manufacturer's name _____ Type _____ Model No. _____ Diameter _____ Slot size _____ Set from _____ feet to _____ feet Diameter _____ Slot size _____ Set from _____ feet to _____ feet Gravel packed? ☐ Yes ☒ No Size of gravel _____ Placed from _____ feet to _____ feet Surface seal depth <u>45</u> Material used in seal: ☐ Cement grout ☒ Bentonite ☒ Puddling clay ☐ _____ Sealing procedure used: ☐ Slurry pit ☒ Temp. surface casing ☐ Overbore to seal depth Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent Weld ☐ Cemented between strata Describe access port <u>Capped</u> 6. LOCATION OF WELL Sketch map location must agree with written location.  Subdivision Name _____ Lot No. _____ Block No. _____ County <u>Jefferson</u> NW ¼ NE ¼ Sec. <u>27</u>, T. <u>7</u> N/S, R. <u>35</u> E/W	Thickness	Diameter	From	To	<u>.250</u> inches	<u>20</u> inches + <u>18"</u>	feet	<u>72</u> feet	_____ inches	_____ inches	_____ feet	_____ feet	_____ inches	_____ inches	_____ feet	_____ feet	_____ inches	_____ inches	_____ feet	_____ feet	Number	From	To	_____ perforations	_____ feet	_____ feet	_____ perforations	_____ feet	_____ feet	_____ perforations	_____ feet	_____ feet	7. WATER LEVEL Static water level <u>8</u> feet below land surface. Flowing? ☐ Yes ☒ No G.P.M. flow _____ Artesian closed-in pressure _____ p.s.i. Controlled by: ☐ Valve ☐ Cap ☐ Plug Temperature <u>53</u> °F. Quality <u>Good</u> <i>Describe artesian or temperature zones below.</i> 8. WELL TEST DATA ☐ Pump ☐ Bailer ☐ Air ☐ Other <u>None</u> <table style="width: 100%;"> <thead> <tr> <th>Discharge G.P.M.</th> <th>Pumping Level</th> <th>Hours Pumped</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table> 9. LITHOLOGIC LOG <table style="width: 100%;"> <thead> <tr> <th rowspan="2">Bore Diam.</th> <th colspan="2">Depth</th> <th rowspan="2">Material</th> <th colspan="2">Water</th> </tr> <tr> <th>From</th> <th>To</th> <th>Yes</th> <th>No</th> </tr> </thead> <tbody> <tr> <td rowspan="4"><u>26"</u></td> <td><u>0</u></td> <td><u>9</u></td> <td>Sandy Clay</td> <td> </td> <td>X</td> </tr> <tr> <td><u>9</u></td> <td><u>18</u></td> <td>Grey Basalt</td> <td> </td> <td>X</td> </tr> <tr> <td><u>18</u></td> <td><u>25</u></td> <td>Cinders</td> <td>X</td> <td> </td> </tr> <tr> <td><u>25</u></td> <td><u>45</u></td> <td>Clay</td> <td> </td> <td>X</td> </tr> <tr> <td rowspan="4"><u>20"</u></td> <td><u>45</u></td> <td><u>68</u></td> <td>Clay</td> <td> </td> <td>X</td> </tr> <tr> <td><u>68</u></td> <td><u>70</u></td> <td>Soft Basalt</td> <td> </td> <td>X</td> </tr> <tr> <td><u>70</u></td> <td><u>106</u></td> <td>Grey Basalt</td> <td> </td> <td>X</td> </tr> <tr> <td><u>106</u></td> <td><u>117</u></td> <td>Soft Basalt & Clay</td> <td> </td> <td>X</td> </tr> <tr> <td rowspan="4"><u>16"</u></td> <td><u>117</u></td> <td><u>121</u></td> <td>Cinders & Clay</td> <td>X</td> <td> </td> </tr> <tr> <td><u>121</u></td> <td><u>125</u></td> <td>Brown Sticky Clay</td> <td> </td> <td>X</td> </tr> <tr> <td><u>125</u></td> <td><u>128</u></td> <td>Grey Basalt</td> <td> </td> <td>X</td> </tr> <tr> <td><u>128</u></td> <td><u>135</u></td> <td>Clay</td> <td> </td> <td>X</td> </tr> <tr> <td rowspan="2"></td> <td><u>135</u></td> <td><u>165</u></td> <td>Grey Basalt</td> <td> </td> <td>X</td> </tr> <tr> <td><u>165</u></td> <td><u>181</u></td> <td>Clay</td> <td> </td> <td>X</td> </tr> </tbody> </table>  Department of Water Resources 10. Work started <u>9/26/88</u> finished <u>11/2/88</u> 11. DRILLERS CERTIFICATION I/We certify that all minimum well construction standards were complied with at the time the rig was removed. Firm Name <u>Jack Cushman Drilling Firm No. #94</u> <u>1405 South Broadway</u> Address <u>Blackfoot, Idaho</u> Date <u>11/30/88</u> Signed by (Firm Official) <u>Jack Cushman</u> and (Operator) <u>Nyle Bailey</u>	Discharge G.P.M.	Pumping Level	Hours Pumped										Bore Diam.	Depth		Material	Water		From	To	Yes	No	<u>26"</u>	<u>0</u>	<u>9</u>	Sandy Clay		X	<u>9</u>	<u>18</u>	Grey Basalt		X	<u>18</u>	<u>25</u>	Cinders	X		<u>25</u>	<u>45</u>	Clay		X	<u>20"</u>	<u>45</u>	<u>68</u>	Clay		X	<u>68</u>	<u>70</u>	Soft Basalt		X	<u>70</u>	<u>106</u>	Grey Basalt		X	<u>106</u>	<u>117</u>	Soft Basalt & Clay		X	<u>16"</u>	<u>117</u>	<u>121</u>	Cinders & Clay	X		<u>121</u>	<u>125</u>	Brown Sticky Clay		X	<u>125</u>	<u>128</u>	Grey Basalt		X	<u>128</u>	<u>135</u>	Clay		X		<u>135</u>	<u>165</u>	Grey Basalt		X	<u>165</u>	<u>181</u>	Clay		X
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RECEIVED
SEP 30 1988

State of Idaho
Department of Water Resources

D R I L L I N G P E R M I T

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

(Authorizing Construction of a Well)*

Department of Water Resources
Department of Water Resources

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 044
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.

SEP 19 1988

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 dg Fee \$100⁰⁰ Date 9-23-88

Receipt No. E002564 Construction start extension to SEP 23 1988

Extension approved by _____

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 20891 131-2289
Old No. New No.

Record

1, 2 & 3 Original Owner: Calvin Passey

Address: Tennet, ID

Present Owner:

Address:

4. A. Source of Water groundwater

B. Tributary of:

5. A. Stage (A,P,L,D,S,J): L

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date: 1-13-1949

D. County: 51

E. Total Diversion Rate: 3.2

F. Total Diversion Volume:

G. Transfer/Amendment (P,T of A or blank):

H. Water District:

I. DLE/Carey Act (D,C or blank):

J. Right Basis (for adjudication claims A,B,C only):

Tract Sec. Twp. Rge. Gov't Lot Rediv.

6. A. Point of Diversion NUNE 27 7N 35E

7. Period of Use, Use, Diversion Rate/Volume:

from _____ to _____ for A purposes. Amount 3.2
(cfs or AC-FT/yr)

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

8. Use Code: *A*

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼			
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SE¼	SW¼
<i>6N</i>	<i>35E</i>	<i>8</i>	<i>40</i>	<i>40</i>	<i>40</i>	<i>40</i>												

9. A. Decree Name:

B. Decree Date:

10. Remarks:

11. Other Uses (Non-irrigation explanatory information):

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number; *20891*

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval:

14. Diversion Means (brief narrative):

SKO 3-19-79

20891

October 20, 1954

Mr. Lawrence H. Passey
Box 53
Terreton, Idaho

Dear Mr. Passey:

In reply to your letter of October 18 stating that you are administrator of the late Calvin J. Passey and wish to know the date that Calvin Passey made final proof on his land near Terreton, Idaho.

Our records show the following: Permit No. 20891 in the name of Calvin Passey with proof made by Mr. Passey on December 15, 1951. The Place of Use was the NE $\frac{1}{4}$ of Section 8, Twp. 6 North, Rge. 35 East, B.M. License was issued to Calvin Passey for 3.2 cubic feet per second with date of Priority of January 13, 1949. License issued by this Department on June 12, 1952.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

T:br

20891

RECEIVED
OCT 20 1954
Department of Reclamation

Terreton Idaho

Box 53

Oct 18/54

State Reclamation² Engineer
Dear Sirs

I am the
administrator of the
late Calvin J. Passey
and I would like to
know the Day the Month
and the year he proved
up on his water right
at Terreton Idaho and
the location of it also.

Would you send us
the Reply on this by
return mail.

Sincerely yours

Lawrence H. Passey 20891
Terreton Idaho. Box 53

✓
June 13, 1952

RE: Permit No. 20891

Mr. Calvin Passey
Terreton
Idaho

Dear Mr. Passey:

We enclose License and Certificate of Water Right issued under Permit No. 20891, confirming your right to the use of 3.2 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., with priority of January 13, 1949, for the irrigation of the NE $\frac{1}{4}$ of Section 8, Township 6 North, Range 35 East, B.M.

We also enclose departmental receipt No. 24544 for the \$8.00 fee paid in connection with proof of beneficial use.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

20891

June 3, 1952

RE: Permit No. 20891

Mr. Calvin Passey
Terreton
Idaho

Dear Mr. Passey:

The report of our field engineer on examination for beneficial use under Permit No. 20891 shows that you have irrigated 160 acres in the NE $\frac{1}{4}$ Section 8, Township 6 North, Range 35 East, B.M., from your well in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 27, Township 7 North, Range 35 East, B.M.

Therefore, upon receipt of the statutory fee of \$8.00, a license will be issued for 3.2 second feet of water from said well, as applied for.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

20891

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

Permit No. 20891

This proof is for Beneficial use

In Water District No. _____

1. Name of applicant Calvin Passey, Terreton, Idaho
2. Source of water supply: Subterranean from a well
3. Location of point of diversion: Is in the NW¹ NE¹ of Section 27
T. 7 N. R. 35 E. County of Jefferson

4. Describe works as they exist, giving dimensions and capacities of same: This well is 30' deep by 20" bore. 12' column. There is no house nor protection of any type. Pump and motor set on tie timbers in the head of the canal. Motor is Westinghouse induction motor, 15 h.p. 3 phase, 220 V. 37.6 amps. 1160 r.p.m. No. 8108723. Pump is Pomona turbine No. P-1055. Delivery is to the South into a rather large canal at least 6' in width on the bottom. This canal empties into the Independent Canal Company's canal, into Camas Creek and picked up again by pump, at the Frank Jacket's, take off on the South side and carry through a smaller canal to the fields. Clark controller and Trumbull switches that are mounted on panels to the Southeast approximately 20' from the well close by the transformer bank. During high water the well is artesian well and at present is flowing freely through the ~~gate~~ into Camas Creek. Water from this well is metered by Mr. Hennenger. This was metered, the highest delivery was on August 7, 1951, and was 9.31 c.f.s. The smallest delivery
5. Water is used for: Irrigation and domestic purposes.

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

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

Northeast Quarter Section 8, Township 6 North, Range 35 East, B. M.

measured was on July 5, 1951, and was 7.44 c.f.s. This water is used on the NW NE¹ Section 8, as described in the permit, and the North place is watered.

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

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

Remarks: Crops are hay, grain, and pasture.

P.D. on This was checked on a map in Co. Assessor Office at Rigby. Map Taken From Airplane.

This examination was made on the 28th day of May, 1952

(Signed)

E. N. Humphrey

Examiner.

20891

21' x 18"

14" del. on pump. 3' long.

Calvin Passey

Terreton, Idaho

Permit No. 20891

Examination for Beneficial use

County Jefferson

7N. 35E

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.

See the note
Reduction 15' by 3' by

2200/440 37.6/18.8 ang.
1160

8108723

Pump & water set on
tie timbers in head of ditch

Pomona Turbine

P1053-

Well flowing now.

30' x 20" 12' col. 12" d.

delivery to S. into a canal
to a bot. flow in to independent
into canal cr.

Clark controller

Trumbull switch

intake panel to S. E.

approx 20' to well

transformer bank

RECEIVED

MAY 31 1952

Department of Reclamation

Priority = Jan 13-49

P.D. = NW NE S 27
7 N. 35 E.

Area = 160 a.

NE 1/4 S. 8 - 6 N. - 35 E

Compl. Jan 14-51 due

B. N. " - 52 "

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 20891

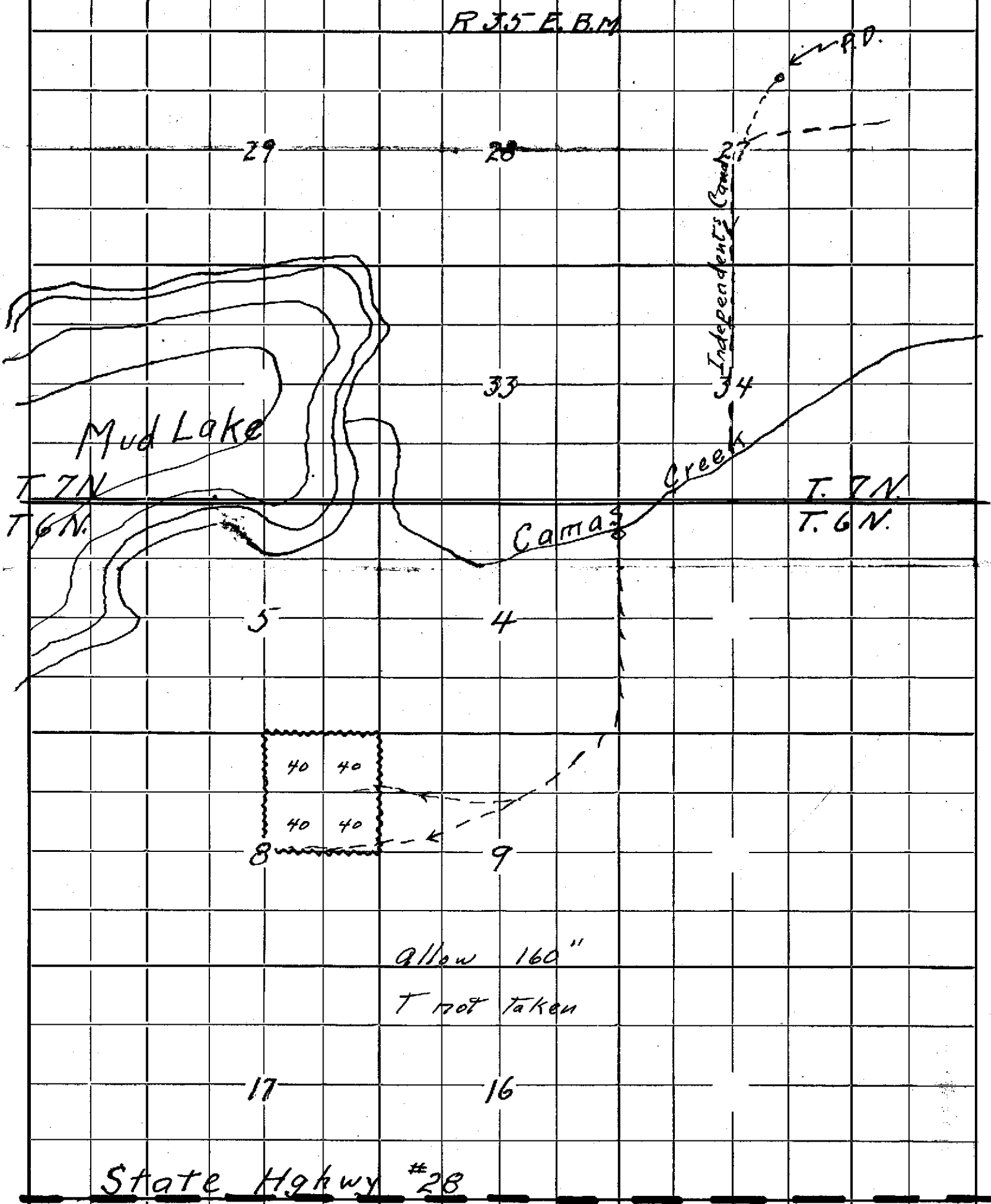
REPORT ON PROOF OF Beneficial use

CALVIN PASSEY, Terreton, Idaho

3.2 cfs
SNRAC

app - 3.2 cfs.

160 amw
4-405



✓
December 28, 1951

RE: Permit No. 20891

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

ATT: Mr. John L. Bloem

Dear Mr. Bloem:

We have made the correction in the proofs of beneficial use on Permit No. 20891 of Calvin Passey, in accordance with your instructions, to show the land description as the NE $\frac{1}{4}$ Section 8, Township 6 North, Range 35 East, B.M.

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

We cannot say just when this examination will be made as this department has but one field engineer who makes examinations all over the State.

However, he will try to contact Mr. Passey at the time the examination is made so that arrangements may be made to show him over the grounds.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

20891



LEN JORDAN
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

December 19, 1951

RE: Permit No. 20891

RECEIVED
DEC 28 1951
Department of Reclamation

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

ATT: Mr. John L. Bloem

Dear Mr. Bloem:

We acknowledge receipt of your letter of December 17, 1951, enclosing depositions of Calvin Passey and two witnesses, also affidavit of publication in the Rigby Star, all submitted in proof of beneficial use under Permit No. 20891.

In checking these depositions, we note that they all describe the place of use as the NW $\frac{1}{4}$ Section 8, Township 6 North, Range 35 East, B.M., whereas the permit, as well as the published notice, gives the place of use as the NE $\frac{1}{4}$ of said Section 8.

Please advise if this is an error in the depositions or if there has been a change in the place of use. If the latter, it will require an amendment to the permit and necessitate republication of the notice.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By *Jeannette L. Anderson*
Chief Clerk

A:fg

This must have been a transcription error. All our other papers show the NE $\frac{1}{4}$.

20891

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

December 17, 1951

RECEIVED
DEC 19 1951
Department of Reclamation

Re: Permit No. 20891

DEPARTMENT OF RECLAMATION
State House
Boise, Idaho

Gentlemen:

Enclosed you will find the Proof of Publication of
Notice of Proof Application of Water to Beneficial Use,
in connection with the above permit.

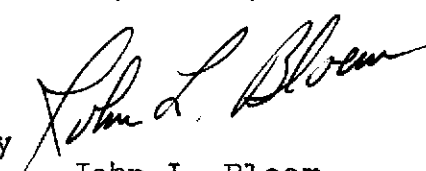
Also enclosed are the depositions of Calvin Passey,
Clarence I. Cope and V. F. Bauerle, which were taken
before me Saturday.

Very truly yours,

ALBAUGH, BLOEM, BARNARD & SMITH

JLB:s
Encls

By


John L. Bloem

20891

Affidavit of Publication

THE RIGBY STAR

STATE OF IDAHO, }
County of Jefferson: } ss.

I, R. I. 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, in 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

27th day of November, 1951

and last publication on the

13th day of December, 1951

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.

R. I. Jones

Subscribed in my presence and sworn to before me this 13th

day of December, 1951

(SEAL)

Rape B Jones

Notary Public for the State of Idaho,
Residence and P. O. Address: Rigby, Idaho.
My commission expires Jan 30, 1954

Publication Fee: \$_____

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE
Notice is hereby given that at 10:00 a. m. on the 15th day of December, 1951, 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 3.2 cubic feet per second of the waters of subterranean source in accordance with the terms and conditions of Permit No. 20891 heretofore issued by the Department of Reclamation of the State of Idaho.
The name and postoffice address of the person or corporation holding said permit are: Calvin Passey, of Terreton, Idaho.
The use to which said water has been applied is domestic and irrigation.
The amount applied to beneficial use is 3.2 cubic feet per second.
The place where said water is used is NE1/4, Section 8, Township 6 North, Range 35, East Boise Meridian, in 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 private ditch to the Independent Ditch, into Camas Creek, and pumped out of Camas Creek back into private ditch.
The right to take water from such works is based upon Permit No. 20891.
The source of supply from which such water is diverted is subterranean source, from a well in the NW1/4 NE1/4, Section 27, Twp. 7 N., range 35 E., B.M.
The date of priority which said user is prepared to establish is January 13, 1949.
MARK R. KULP,
State Reclamation Engineer.
(47-50)

NOTICE TO CREDITORS

20891

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 20891

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Calvin Passey, Terreton, Idaho, farmer, Terreton, 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. #20891, January 13, 1949

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

Ans. Underground water from a well, in NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 21, 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.

Ans. Well, cased to rock, 30 deep, 20 inch, Pomona turbine pump, electric; capable of pumping up to 9.31 sfc of water, according to measurements made by Elvin W. Henniger, Watermaster, Water District #66; water carried by private ditch from well to Independent ditch, into Camas creek, and pumped out of Camas creek into private ditch to land.

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.

764
Ans. Irrigation of NW $\frac{1}{4}$ Section 8, Twp. 6 N.R. 35, EBM, 160 acres; 15 acres in pasture, remainder cultivated. Before this water was developed, land was principally waste land or sparse pasture; land now produces average of 4 ton of hay per acre; 50 bushel of grain per acre.

20891

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. 3.2 cfs

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

Ans. --

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

Ans. First used during crop season of 1951; 3.2 cfs used in irrigation of crops.

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

Ans. No other water.

(Sign) *Labin Passey*

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 15th day of December, A. D. 1951,

John L. Boenig
NOTARY PUBLIC

My commission expires Nov. 9, 1955 Residing at: Idaho Falls, Idaho.

20891

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 20891

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. V. E. Bauerle, 40, Hamer, Idaho, farmer, Hamer, Idaho.

Ques. 2. Are you acquainted with Calvin Passey, the holder of Permit No. 20891? How long have you known him and where does he reside?

Ans. 17 years; Terreton, Idaho.

Ques. 3. Have you read or heard read said Permit No. 20891, 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. Underground flow from a well in NW 1/4 NE 1/4, Section 21, Twp. 7 N.R. 35 EBM; pumped from well with Pomona Turbine pump into private ditch, into Independent Ditch, into Camas Creek, then pumped to private ditch to land.

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. More than 3.2 cfs; I have seen this much 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 had a number of years experience with irrigation water, and closely watch watermaster's reports. 400 inches or better.

20891

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 ²⁸⁴ NW 1/4 Section 8, Twp. 6 N.R. 35, EBM, 160 acres; approximately 15 acres are used for pasture and the rest cultivated. Land was idle, or scarce pasture, prior to development of this water. It now raises about 4 ton of hay and 50 bushel of grain per acre.

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 partly sandy and partley clay; about 1 inch per acre is required for its 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. I have no interest in the works, water or lands.

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

Ans. I have watched the development of this project since it was started, and have been on the place a number of times in 1951 while it was being irrigated.

(Signed) J. J. Bauerle

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 15th day of December, A. D. 19 51.

John S. Bloom
Notary Public.
Residing at: Idaho Falls, Idaho.

My commission expires 11/9/55

20891

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 20891

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. Clarence I. Cope, 48, Terreton, Idaho, farmer, Terreton, Idaho.

Ques. 2. Are you acquainted with Calvin Passey, the holder of Permit No. 20891? How long have you known him and where does he reside?

Ans. Yes, I have known him 15 years; he resides at Terreton, Idaho.

Ques. 3. Have you read or heard read said Permit No. 20891, 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, cased to rock, in NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 21, Twp. 7 N.R. 35, EBM; electric turbine pump; into private ditch; into Independent ditch; into Camas Creek; back into private ditch to NW $\frac{1}{4}$ Section 8 Twp. 6 N.R. 35 EBM.

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

Ans. In excess of 3.2 cfs of water; I have seen that much 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 drilled wells and have tested them often; I have tested this well producing a little over 400 miner's inches (8 cfs) of water.

20891

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. ⁷⁸⁴ ~~784~~ Section 8, Twp. 6 N.R. 35, EBM, 160 acres; about 15 acres are in pasture, the balance cultivated. Prior to the development of this water the land lay idle but now produces about 4 ton of hay per acre and 50 bushel of grain per acre.

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 combination of sand and clay, arid in character, and requires approximately 1 inch per acre for irrigation.

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

Ans. No, except that I drilled the well for which I have been paid.

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. Passey and I own machinery together for farming, and work back and forth. I observed the use of this water all during the 1951 crop season.

(Signed)

Clarence V. Cope

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Idaho Falls, County of Bonneville, State of Idaho, on this 15th day of December, A. D. 1951.

John L. Bloem
Notary Public.

Residing at: Idaho Falls, Idaho.

My commission expires Nov. 9, 1955.

20891

November 26, 1951

RE: Permit No. 20891

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

ATT: Mr. John L. Bloem

Dear Mr. Bloem:

We now have Mr. Calvin Passey's authorization to have notice of beneficial use proof under Permit No. 20891 published in the Rigby Star. As mentioned in our letter of November 16, 1951, the notice has been sent to the Rigby Star with instructions in regard to publishing, and instructing them to send the affidavit of publication together with statement of costs to Mr. Passey at Terreton.

We enclose the necessary forms of depositions to be used in making this proof, and at the time set Mr. Passey should appear before you together with two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder for the purpose of executing the depositions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

20891

November 16, 1951

RE: Permit No. 20891

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

ATT: Mr. John L. Bloem

Dear Mr. Bloem:

We acknowledge receipt of your letter of November 14, 1951, enclosing notice of beneficial use under Permit No. 20891 of Calvin Passey.

*Rcd.
11/26/51*

You failed to enclose Form 11 which is authorization for us to have the notice published at permit holder's expense, but since your letter indicates the Rigby Star and in order to save time, we shall waive that requirement but will ask that you have Form 11 executed and returned promptly for our files.

Meanwhile we have filled in the notice of beneficial use proof to be made on December 15, also priority date which is January 13, 1949, and shall send a copy of the notice to the Rigby Star with instructions to publish it once a week for four consecutive weeks prior to that date and to send Mr. Passey the affidavit of publication together with statement of costs.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

20891

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

November 14, 1951

RECEIVED
NOV 16 1951
Department of Reclamation

Re: Permit No. 20891

STATE RECLAMATION ENGINEER
Boise
Idaho

Dear Sir:

Enclosed you will find a Notice for Publication for Proof of Beneficial Use, in connection with the above numbered permit.

You will notice we have left the date of the hearing blank for you to fill in. Mr. Passey did not bring in his permit, so I was unable to fill in the priority date. Please fill in both of these blanks.

The Rigby Star is published on Thursday, and I assume you can commence publication November 22nd. If so, it would be satisfactory to set the date of hearing Saturday morning, December 15th.

Very truly yours,

ALBAUGH, BLOEM, BARNARD & SMITH

JLB.s

By

John L. Bloem
John L. Bloem

no form 11

20891

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date: November 16, 1951

Re: Permit No. 20891

Rigby Star

Rigby, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **December 15, 1951**, the date set for proof, the expense of the publication to be paid by the applicant, **Calvin Passey** of **Terreton Idaho**, to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice, and furnish this office with a copy of the first publication.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By

Chief Clerk

20891

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

Notice is hereby given that at 10:00 A. M. on the 15th day of December, 1951,
 at Idaho Falls, County of Bonneville, State of Idaho, before
John L. Bloom, Notary Public, proof will be submitted of the
 application to beneficial use of 3.2 cubic feet per second of the waters of subterranean
source in accordance with the terms and conditions of Permit No. 20891
~~Department~~
 heretofore issued by the ~~Department~~ of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Calvin Passey
of Terreton, Idaho.

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

The amount applied to beneficial use is 3.2 cubic feet per second.

The place where said water is used (~~Describe the place where said water is used and a description of the beneficial use.~~)
NE $\frac{1}{4}$, Section 8, Township 6 North, Range 35, East Boise Meridian, in
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
private ditch to the Independent Ditch, into Camas Creek, and pumped
out of Camas Creek back into private ditch.

The right to take water from such works is based upon Permit No. 20891

The source of supply from which such water is diverted is subterranean source from a well
in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 27, Twp. 7 N., Range 35 E., B.M.

The date of priority which said user is prepared to establish is January 13, 1949

MARK R. KULP

State Reclamation Engineer.

20891

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date).....November 14, 1951.....

(P. O.).....Terreton, Idaho.....

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho.

Dear Sir:

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

Calvin
J. Passey

(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.

20891

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

DEPARTMENT OF RECLAMATION

Boise, Idaho

Mr. Calvin Passey
Terreton
Idaho

November 1, 1951

Dear Sir:

We enclose herewith blank notice for proof of application of water to beneficial use under your Permit No. 20891. 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 January 14, 1952, 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

20891

✓
January 25, 1951

Re: Permit No. 20891

Mr. Calvin Passey
Terreton, Idaho

Dear Mr. Passey:

We enclose Certificate of Completion of Works issued under Permit No. 20891 for the diversion of 3.2 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 NE $\frac{1}{4}$ Section 8, Township 6 North, Range 35 East, B.M.

We also enclose Departmental Receipt No. 23018 for the \$5.00 fee paid in connection with this proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh

Enc.

20891

Jerretan - Idaho
January 18- 1951

State of Idaho
Dept. of Reclamation
Boise, Idaho

Dear Sirs:

I have completed my
improvements work on my
water filing and it is now
ready for your inspection
at your earliest convenience.

Yours truly,
Calvin Passey

E.C.P./C.B.

RECEIVED
JAN 22 1951
Department of Reclamation

20891

STATE OF IDAHO
Department of Reclamation

RECEIVED
JAN 4 1951
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Bonneville

Calvin Passey

ss.

, 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. 20891, 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
Independent well and ditch

Third: That the point of diversion of said water is

Well NW 1/4 of NE 1/4 sec 27 town 41 N. Range 35 E.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by Jan. 14, 1951

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 (or were not) fully completed and consisted of the following:

I. Kind of works: well completed and flowing. Ditch completed & pump installed
(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work: Well is 32 feet.

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

Ditch is 1/4 mile in length. Five feet wide at Bottom-12 feet at ground level
(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir acre feet.

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

(d) Conduit 1/4 mile width at bottom 5 ft feet, width at water line 6 ft
(State whether ditch, ~~box~~ or pipe)

feet, depth of water 3 ft feet; diameter of pipe inches, average grade per mile is almost level feet. Length of conduit is 1/4 mi. miles.

Seventh: That said works are capable of conducting to the place of intended use
~~second foot of water~~ Ditch

Eighth: That water appropriated under said permit is available for 160

acres of land described as follows: level, all available for grain, hay, etc.

NE 1/4 sec 8 town 41 north Range 35 E.

Ninth: Remarks: That

Well is 32 ft Deep. Size of well 20 in Diameter
Pump 15 inch

Calvin Passey
(Sign Here)

Subscribed and sworn to before me this 2nd day of January, 1951

My commission expires Dec. 15, 1952

Notary Public.

20891

January 4, 1951

Re: Permit No. 20891

Mr. Calvin Passey
Terreton, Idaho

Dear Mr. Passey:

We acknowledge receipt of your Proof of Completion of Works under Permit No. 20891, together with your check for the \$5.00 fee in connection therewith.

However, the Affidavit is incomplete in several particulars and we return it for the following corrections:

1. Question 3 should give the legal subdivision, Section, Township and Range in which the well is located.

2. Question 6 should state whether the works were or were not completed.

3. Your Permit includes a pump as part of the works. If the pump has been installed, please so state and under "Remarks", describe same as well as the depth, size of casing and so forth, of the well.

4. Question 7 states that the works are capable of conducting 175 second feet of water. This is no doubt a typographical error and you mean 175 inches.

5. Question 8 should give the legal description of the land to be irrigated by subdivision, Section, Township and Range.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh
Enc.

20891

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Mr. Calvin Passey

Terreton, Idaho

Boise, Idaho **November 1, 1950**

Dear Sir:-

Under the terms of your permit No. 20891-----you are required to complete your diversion works on or before---January 11, 1951---. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Yours truly,

MARK R. KULP

State Reclamation Engineer

20891

January 26, 1949

Re: Permit No. 20891

Mr. Henry S. Martin
212-213 Earl Building
Idaho Falls, Idaho

Dear Mr. Martin:

We enclose Permit No. 20891 in the name of Calvin Passey, together with Departmental Receipt No. 21192 for the \$5.75 filing fee.

We direct Mr. Passey's attention to the limitations and conditions of this permit as given on the fourth page under approval of the State Reclamation Engineer.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/gt
Encls.

20891

NAME OF APPLICANT

Calvin Passey ^{Please Refer to Permit}

FORM No. 0

Township 7 N Range 35 E B.M.

29

28

27

26

well

ditch

32

33

34

35

Mud Lake

Township 6 N Range 35 E B.M.

ditch
Pump

ditch 6' bottom
10' top
4' depth

Land owned by
Calvin Passey

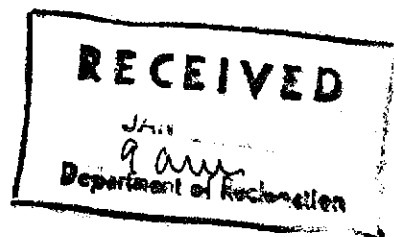
Permit Map No. 20891

As Approved
JAN 14 1949

MARK R. KULP
State Reclamation Engineer

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

January 11, 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 of Calvin Passey, which I feel is in due form, together with my check made to you, in blank, which you are authorized to fill in for the amount of the filing fee.

With kindest personal regards, I beg to remain

Yours very truly,

Henry S. Martin

HSM:e
Encl.

20891

**NOTICE OF PROOF APPLICATION
OF WATER TO BENEFICIAL USE**

Notice is hereby given that at 10:00 a. m. on the 15th day of December, 1951, at Idaho Falls, County of Teton, State of Idaho, before John L. Joem, Notary Public, proof will be submitted of the application to beneficial use of 3.2 cubic feet per second of the waters of subterranean source in accordance with the terms and conditions of Permit No. 20891 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Calvin Passey, of Terreton, Idaho.

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

The amount applied to beneficial use is 3.2 cubic feet per second.

The place where said water is used is NE $\frac{1}{4}$, Section 8, Township 6 North, Range 35, East Boise Meridian, in 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 private ditch to the Independent Ditch, into Camas Creek, and pumped out of Camas Creek back into private ditch.

The right to take water from such works is based upon Permit No. 20891.

The source of supply from which such water is diverted is subterranean source, from a well in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 27, Twp. 7 N., range 35 E., B.M.

The date of priority which said user is prepared to establish is January 13, 1941.

MARK R. KULP,
State Reclamation Engineer.

(47-50)

11-22-51