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JUN 29 1994

Amended  
T# 4212

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JUN 29 1994

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JUN 29 1994

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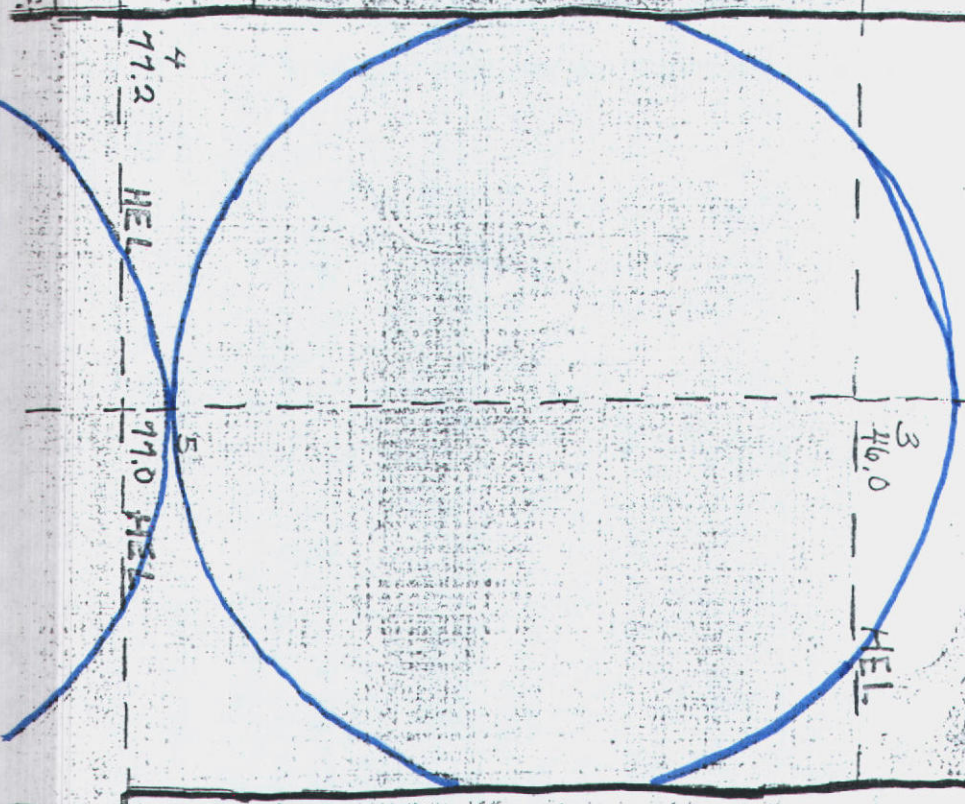
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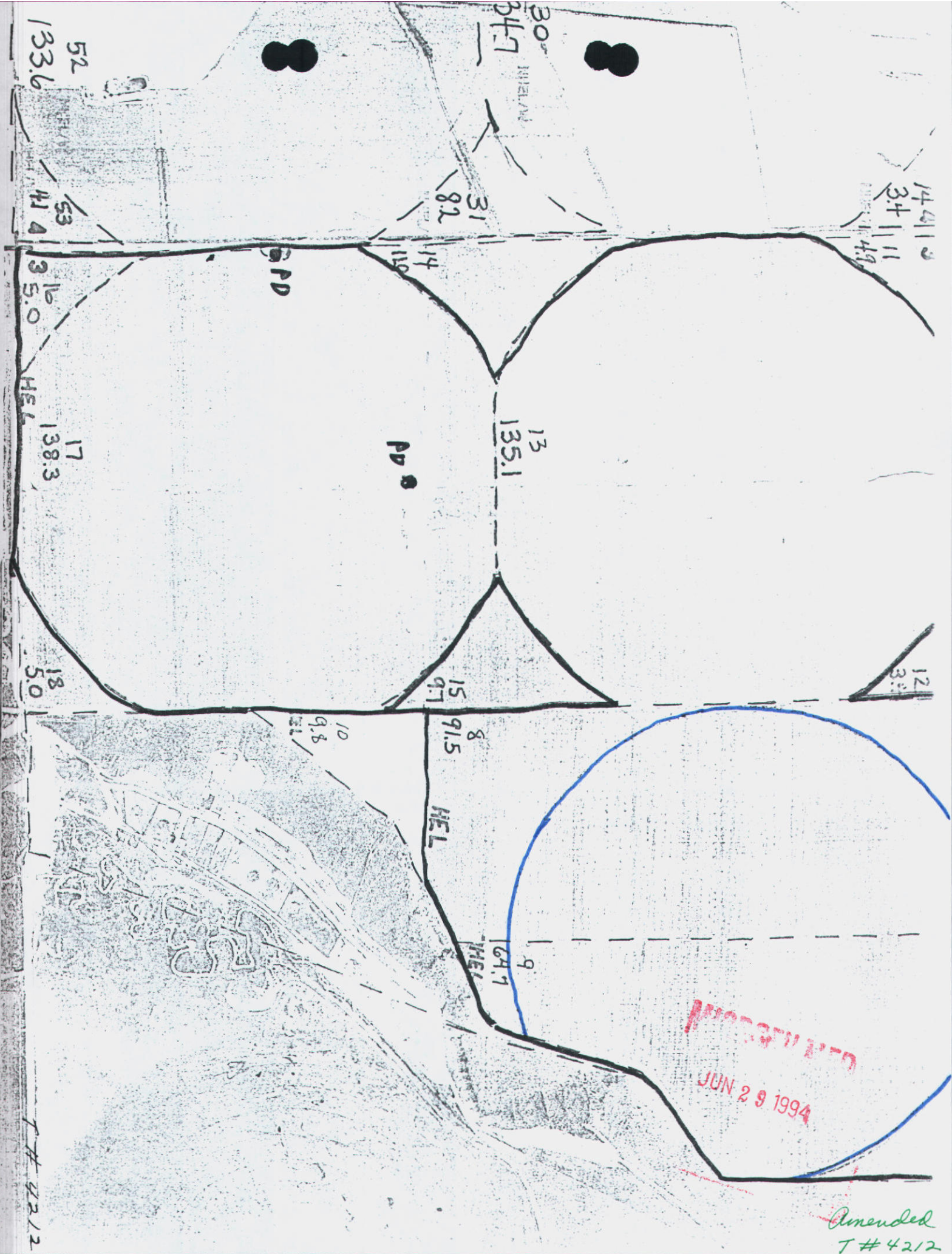
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MICROFILM  
JUN 29 1994

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T# 4212



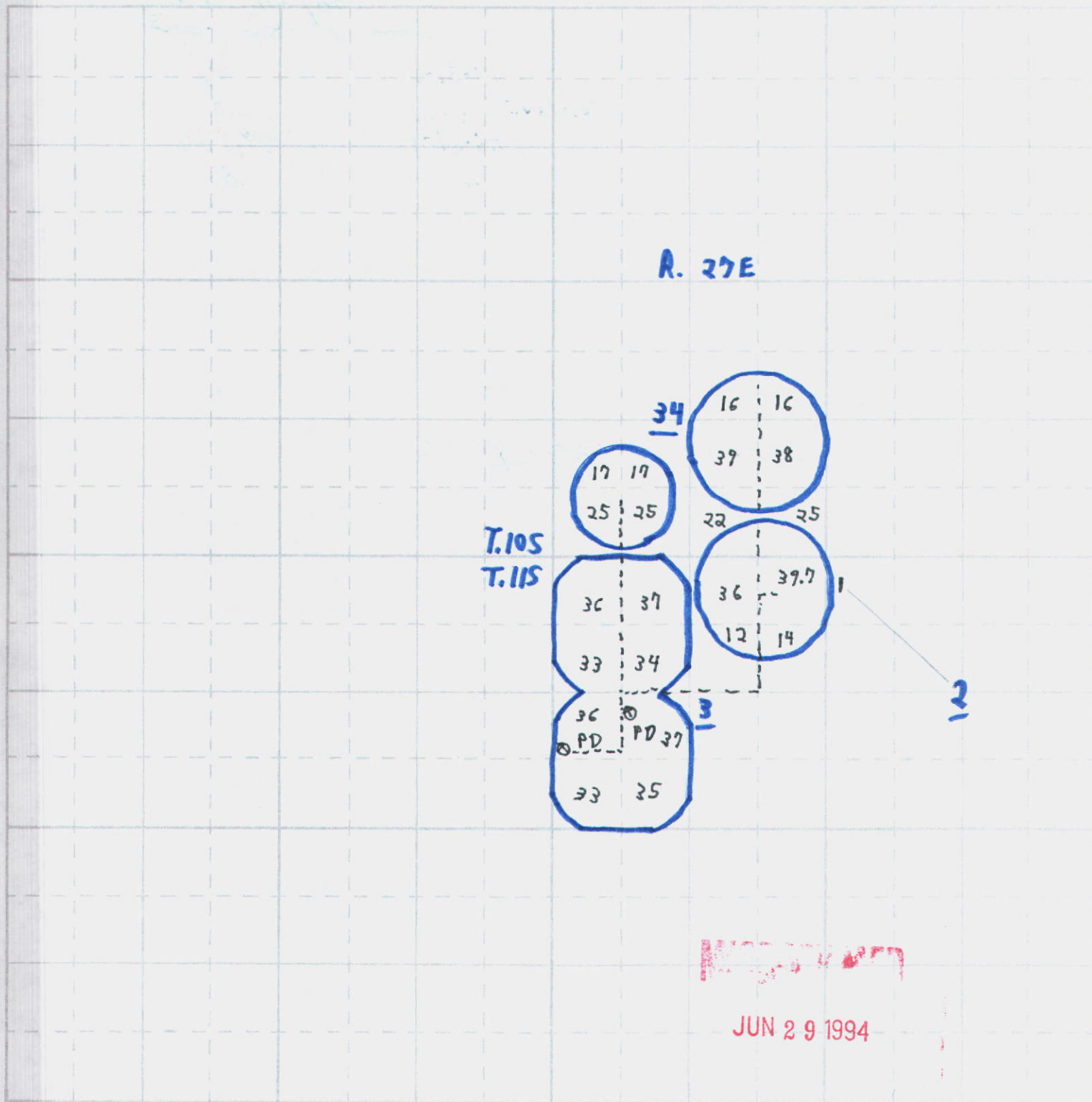
JUN 29 1994

Amended  
T# 4212



**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**APPLICATION FOR TRANSFER OF WATER RIGHT**  
**PART 3**

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



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

[illegible]

Total number of acres to be irrigated 480

4. Describe any other water rights used for the same purpose as described above. None
- 
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.

[illegible]

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

# SOUTH IDAHO PRESS

BURLEY, IDAHO

## AFFIDAVIT OF PUBLICATION

County of Cassia, )  
STATE OF IDAHO ) ss.

Mary Summers, being first

duly sworn, deposes and says that she is the

Clerk of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of

The South Idaho Press for Two consecutive weeks, commencing with the issue dated April 21, 1983 and ending with the issue dated April 28th, 1983

Subscribed and sworn to before me this 11th day of May, 1983.

Kenneth Dunn Notary Public

Cost of Publication \$ 56.55

Notary Fee

Total Cost \$ 56.55

83-95

## NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 43-2511

Notice is hereby given that Del Garner of Declo, Idaho has applied to the Department of Water Resources for a change of place of use of a right from a groundwater source. The right to be changed is evidenced by License No. 43-2511 and is recorded as follows:

Amount: 6.39 cfs Priority: February 8, 1961  
Point of Diversion: SW $\frac{1}{4}$ SW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 3, T11S, R27E, B.M., Cassia County

The water is used for irrigation of 480 acres from March 15 to November 1 within NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 3, T11S, R27E, B.M.

TO BE CHANGED AS FOLLOWS:

Amount: Same

Point of Diversion: No change

Place of use: NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 3 T11S, R27E, N $\frac{1}{2}$ SE $\frac{1}{4}$ , Sec. 34, T10S, R27E for irrigation of 480 acres from March 15 to November 1.

Any protest against the approval of the above proposed change of the right described above must be filed with the Idaho Department of Water Resources 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301, on or before May 9, 1983.

A. KEN DUNN, Director

## NOTICE OF AMENDMENT TO A WATER PERMIT NO. 45-7292

Notice is hereby given that Gary Walton of Rupert, ID is the holder of approved permit No. 45-7292 authorizing the diversion of 3.6 cubic feet per second of water from groundwater in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 19, T9S, R25E, B.M., County of Cassia, to be used for irrigation from March 15 to November 15 (on 180 acres) within S $\frac{1}{2}$ NE $\frac{1}{4}$ , Lt2 (SE $\frac{1}{4}$ NW $\frac{1}{4}$ ), N $\frac{1}{2}$ SE $\frac{1}{4}$ , Sec. 19, T9S, R25E B.M. The permit holder has applied to the Department of Water Resources for an Amendment to the permit, to change the Point of diversion and place of use as follows:

Point of Diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 2, T10S, R25E, B.M., Cassia County  
Place of Use: SW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , Sec. 2, T10S, R25E, B.M., for irrigation of 180 acres from March 15 to November 15.

Any protest against approval of the amending of Permit No. 45-7292 as set forth above must be filed with the Idaho Department of Water Resources 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301, on or before May 9, 1983.

A KENNETH DUNN  
Director

## NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 45-7277

Notice is hereby given that Harold Cranney & Sons of Oakley, Idaho have applied to the Department of Water Resources for a change of place of use of a right from a groundwater source. The right sought to be changed is evidenced by License No. 45-7277 and is recorded as follows:

Amount: 1.11 cfs

Priority: October 4, 1976

Point of Diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 25, T12S, R21E, B.M., Cassia County

The water is used for irrigation of 476 acres from March 15 to October 31 within the E $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 24; NE $\frac{1}{4}$ , SE $\frac{1}{4}$ , Sec. 25, T12S, R21E; SW $\frac{1}{4}$ , Sec. 30, T12S, R22E, B.M.

TO BE CHANGED AS FOLLOWS:

Amount: Same

POINT OF DIVERSION: Same

Place of Use: NE $\frac{1}{4}$ , SE $\frac{1}{4}$ , Sec. 25, T12S, R21E; SW $\frac{1}{2}$ , Sec. 30, T12S, R22E, B.M. for irrigation of 476 acres from March 15 to October 31.

Any protest against the approval of the above proposed change of the right described above must be filed with the Idaho Department of Water Resource, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301, on or before May 9, 1983.

A. KEN DUNN, Director

Published in South Idaho Press on April 21 and April 28, 1983.

MICROFILMED

Rodney W. Tew  
Rte. 1, Box 89  
Firth, Idaho

43-2511

# APPLICATION FOR PERMIT To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 37434  
Permit No. G- 29436  
District No.

Assigned to

*Lloyd Bonge*  
*27800 New La*  
*Perris - Calif*

1. Name of Applicant: Rodney W. Tew  
Postoffice address: Firth County: Bingham State: Idaho

2. Quantity of water claimed: Ten second feet

(a) Rate of withdrawal in cubic feet per second or Idaho  
Miners' inches or gallons per minute

(b) Annual withdrawal in acre feet per annum

3. Source of water supply: Subterranean

2 wells NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 3  
4. Location of point of diversion or well is in the NW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 3  
Twp. 11 S , Rge. 27 E , B.M., County of Cassia

5. Water is to be used for: Irrigation

6. If for municipal, industrial or recreational purposes, give:

(a) Point of use of water is in the  $\frac{1}{4}$  of the  $\frac{1}{4}$  of Section , Twp.  
Rge. , B.M.

(b) Waste water or sewage effluent is to be returned to  
at a point in the  $\frac{1}{4}$  of the  $\frac{1}{4}$  of Section , Twp. , Rge. , B.M.

7. Kind of works: Deep well turbine pump, cased well

8. Estimated cost of works: \$ 18,000 for well & pump

9. (a) Is reservoir to be used? no

(b) Capacity of reservoir:

10. The time required for the completion of such work and complete application of the water to the proposed use is five years.

11. If applicant is a corporation, give:

I. (a) Date and place of incorporation:

(b) Amount of capital stock: \$ (c) Amount paid in: \$

(d) Names and addresses of directors:

II. The financial resources of the applicant are (a) Cash on hand: \$

(b) Treasury stock: (c) Bonds to be issued:

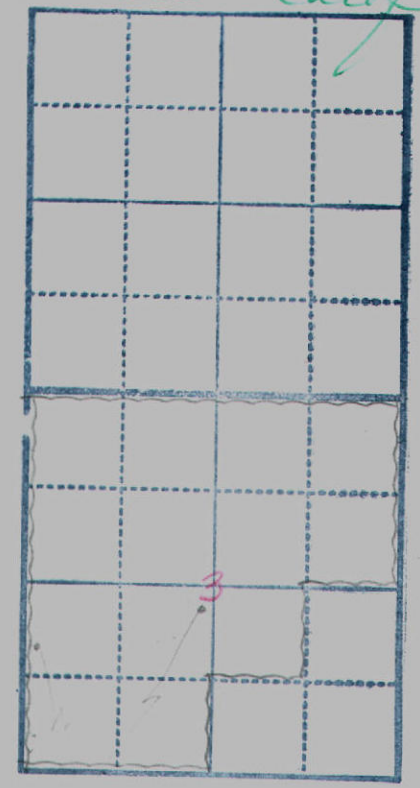
(d) Other resources:

12. The land to be irrigated is described in the following tabulation:

13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: none

(a) No (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.

(b) 10 (cubic feet per second, inches or gallons per minute) is for new lands.



P.D.S.

94-043

NOTICE OF PROPOSED CHANGE OF  
WATER RIGHT NOS. 43-02511,  
A43-04146

Notice is hereby given that DEL  
B. GARNER of Declo, ID has

applied to the Department of  
Water Resources to change the  
Point of Diversion and Place of  
Use for the following described  
water right(s) pursuant to  
Section 42-222 of IDAHO CODE  
and further described as  
Amended Transfer No. 4212.

The purpose of this change is  
to describe the new permissible  
place of use more accurately.

WATER RIGHT AS RECORDED:

Water Right No. 43-02511,  
T#2828

Basis: License

Date of Priority: 02/08/1961

Source: groundwater

Amount: 6.39 cfs

Use: irrigation  
from 04/01 to 10/31

Point of Diversion: NESW,  
SWSW, S3, T11S, R27E; Cassia  
County.

Place of Use: 480 acres within  
N1/2SE, S34, T10S, R27E; NE,  
NW, SW, NWSE, S3, T11S, R27E;  
Cassia County.

Water Right No. 43-04146

Basis: Statutory Claim

Date of Priority: 03/01/1961

Source: groundwater

Amount: 2.87 cfs

Point of Diversion: NWNESW,  
NWSWSW, S3, T11S, R27E; Cassia  
County.

Place of Use: 143.7 acres  
within SE, S34, T10S, R27E;  
Cassia County.

Claims have been filed in the  
Snake River Basin Adjudication.

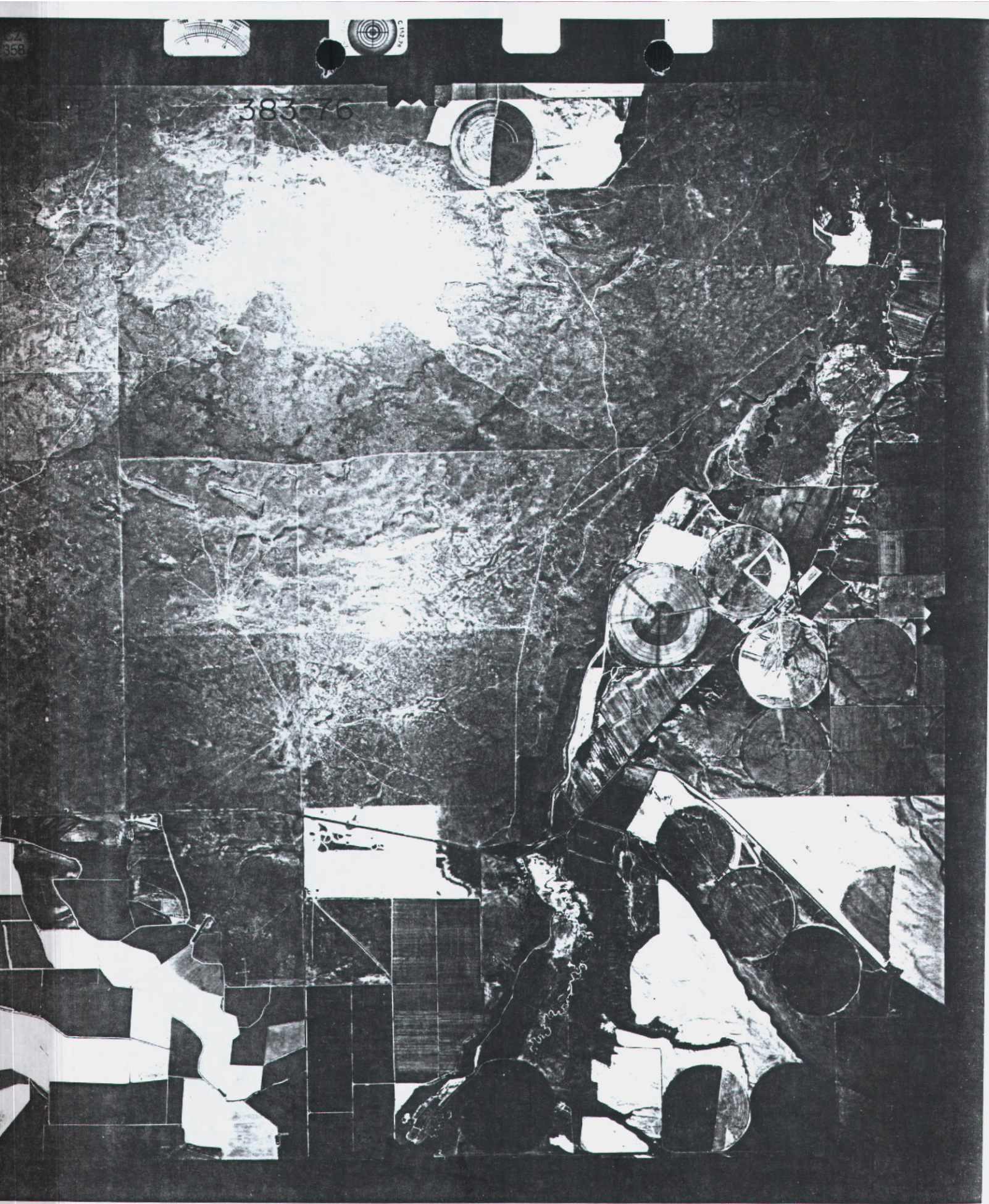
WATER RIGHT NOS. 43-02511,  
43-04146 TO BE CHANGED by a new  
place of use within S1/2NE, SW,  
SE, S34, T10S, R27E; Lot 4  
(NWNW), S2, T11S, R27E; NE, NW,  
SW, S3, T11S, R27E for  
irrigation of 623.7 acres.

Any protest against approval of  
the proposed change of water  
right application must be filed  
with the Applicant and the  
Department of Water Resources,  
Southern Region, 222 Shoshone

Street East, Twin Falls, ID  
83301 on or before February 24,  
1994.

R. Higginson, Director

Published in the South Idaho Press on  
February 7 and 14, 1994.



383-76

JUN 29 1994

T# 4212

A43-04146

A43-02511

A43-04147

Domestic well  
Ditch for domestic

RIVER

RAFT

Pge 27

DITCHES

37 39

39 40

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Imp. well

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Imp. well

MICROFILMED

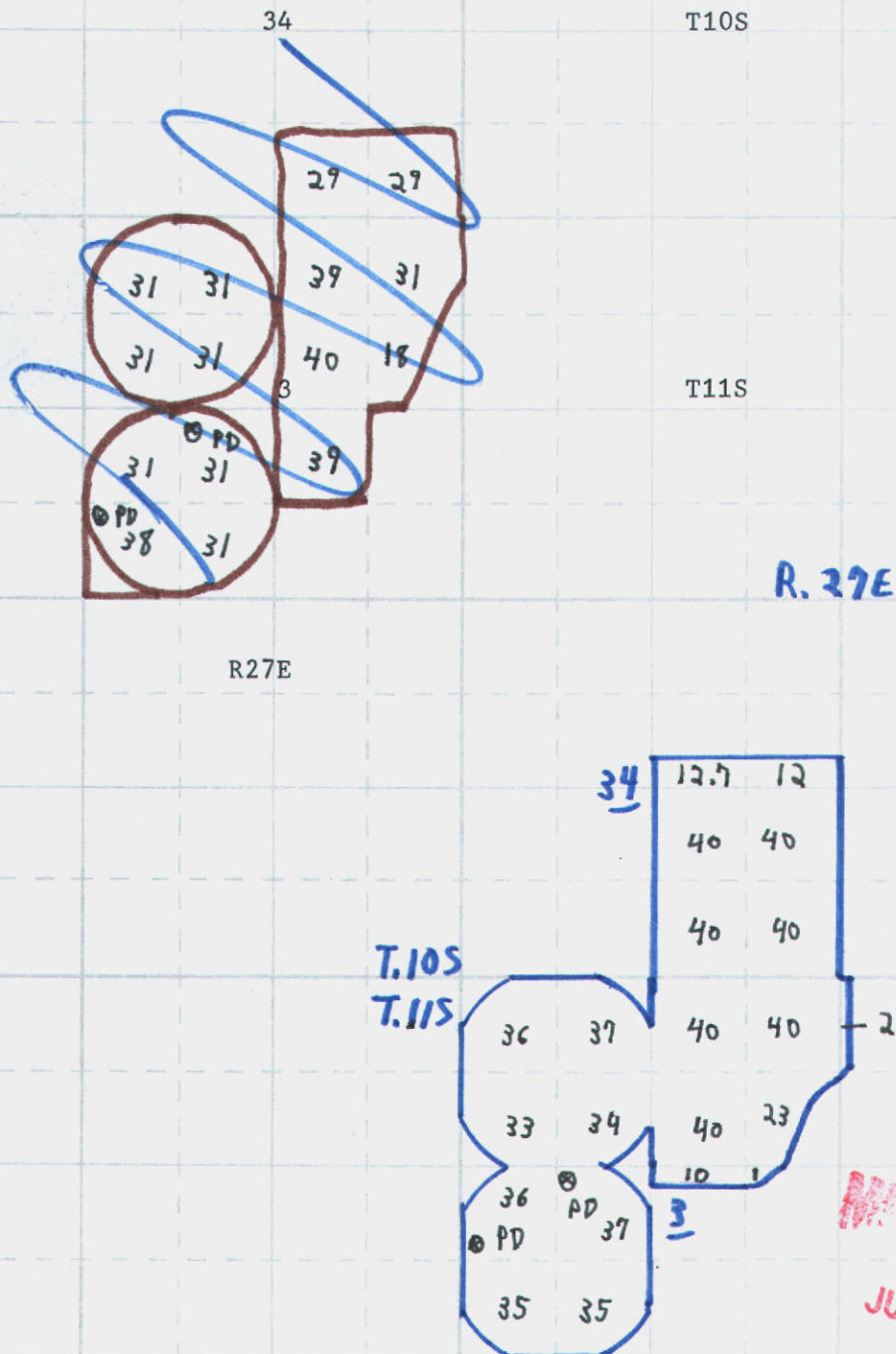
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JUN 29 1994

T#4212

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**APPLICATION FOR TRANSFER OF WATER RIGHT**  
**PART 3**

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



Garner Transfer



West Well & re-lift Pump

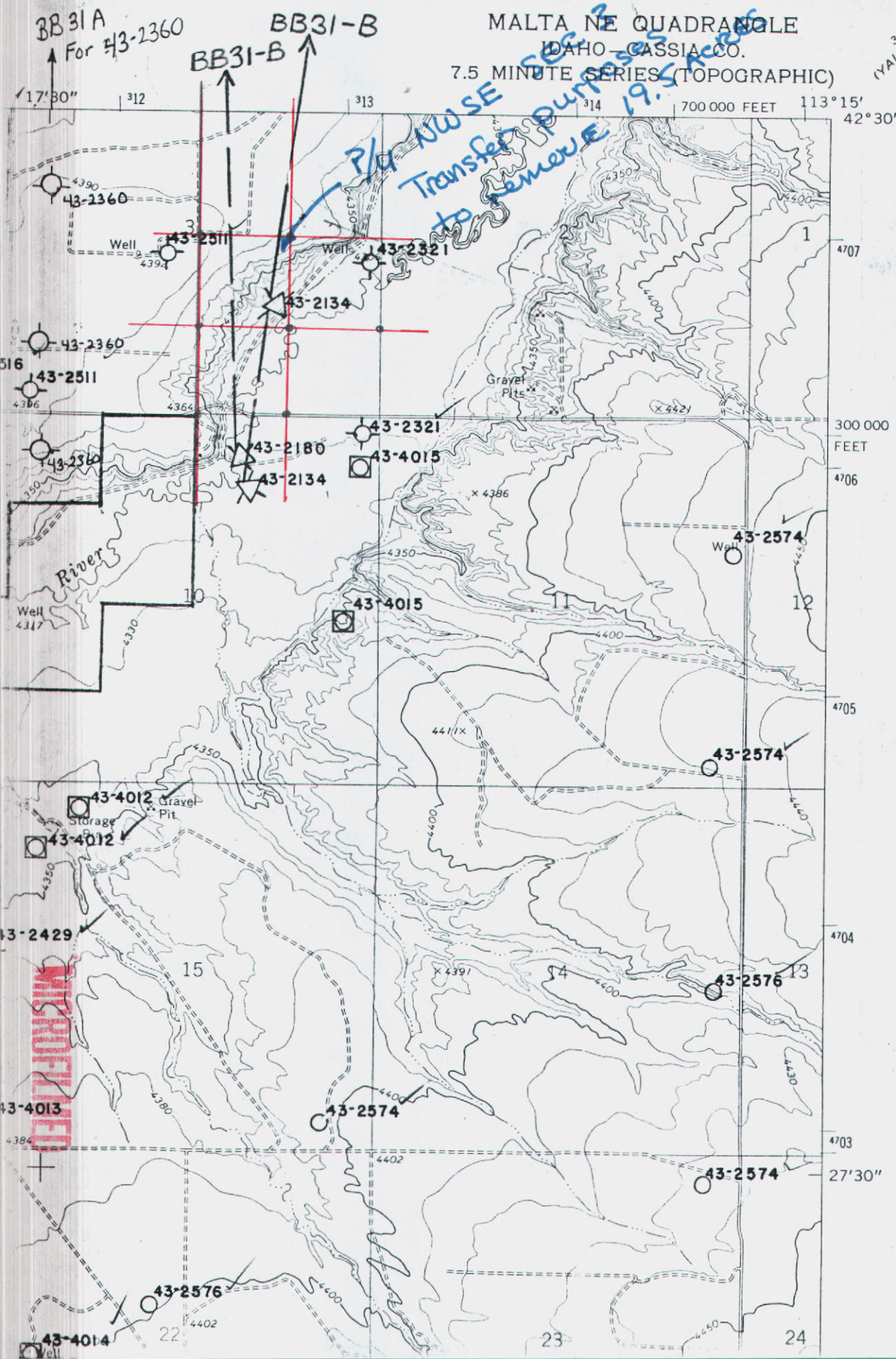
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JUN 29 1994

T# 4212

## IDAHO - CASSIA CO.

7.5 MINUTE SERIES (TOPOGRAPHIC)

3369 II  
(YALE 1:62 500)



43-2321 (2)  
43-2360 (3) See file for  
43-2516 use

43-2396  
43-2180  
43-2134  
43-2492  
43-2575(2)  
43-2574

43-2517  
43-2338  
43-4015 (2)

43-2574

43-4078  
43-4012 (2) (SEE FILE F  
43-2366 LAND  
43-7134  
43-2011  
43-2375

43-2429

43-2576

43-4013(2)  
43-2574(2) SEE FILE  
FOR LAND U

43-2576 (3)  
T: 1599  
43-4014

**SOUTH IDAHO PRESS**

**BURLEY, IDAHO**

**AFFIDAVIT OF PUBLICATION**

County of Cassia, )  
 ) ss.  
STATE OF IDAHO )

Ruth Chambers, being first

duly sworn, deposes and says that 5 he is the

Bookkeeper of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of

The South Idaho Press for 2

consecutive weeks, commencing with the issue

dated March 25 1971, and ending

with the issue dated April 1, 1971

Ruth Chambers

Subscribed and sworn to before me

this 2nd day of April

1971.

Edith Raustadt Notary Public

Cost of Publication 9.25

Notary Fee

Total Cost

My commission expires October 23, 1971

RECEIVED

APR 6 1971

Department of Water Administration

71-81

**NOTICE OF EXISTING WATER PERMIT**

Notice is hereby given that Floyd Bonge, care of Herman E. Bedke, Box 249, Burley, Idaho, has received an approved Permit No. G-29436-43-2511 issued by the Idaho Department of Water Administration authorizing the diversion of 10.0 cubic feet per second of water from a ground water source. The priority to be established under this permit is February 8, 1961, and the permit was approved February 15, 1961.

Water is to be diverted by well and pump from a point within the SW $\frac{1}{4}$ SW $\frac{1}{4}$  and NE $\frac{1}{4}$ SW $\frac{1}{4}$  Sec. 3, T. 11S, R. 27E, B.M., Cassia County, to be used for irrigation purposes in the N $\frac{1}{2}$ , SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 3, T. 11S, R. 27E, B.M.

Proof of the application of the water to beneficial use was submitted to the Department on February 18, 1966. Any protests against the issuance of the license for the above referenced permit should be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, within ten (10) days of the last date of publication of this notice.

R. KEITH HIGGINSON, Director  
Published in the South Idaho Press, Burley, Idaho, on March 25 and April 1, 1971.

43 2511

IRRIGATED FROM #1 & #2  
EVIDENTLY NOT ADVERTISED

29436

Rge 27 E.B.M.

to us Highway 30 and  
Reck

(\*)

gate

34

AO 39  
ALSO  
IRRIGATED  
AO 39

(EVIDENTLY NOT ADVERTISED)

79

79

146

137

118

121

79

641 ACRES

480

Twp 11s.

PD#1

PD#2

#1 well advertisement for all described land in Sec 3

#2 well " for N 1/2 Sec. 3

AREA - 641<sup>483</sup> ACRES

SUBD - 19<sup>13</sup>

Q - 319 INCHES OR 6.39 c.f.s.

Floyd Bonge  
27800 Nuevo Road  
Perris, California

Permit No. G-29436

Examination for Completion of Works and  
Beneficial Use

County Cassia

Quantity: 10 cfs Sec. 3 T11S R. 27E., B.M.

Source: Subterranean

NE 1/4 SW 1/4 Section 3

P.D.: NW 1/4 SW 1/4 Section 3

Top 11S. Rge 27E. B.M.

Use:

Irrigation

Extension:

Protest:

Completion of Works:

Other Rights: None

Filed: 2-8-61

Due: 2-15-66

### 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.

Well #2  
100 HP US MOTOR

A 444 UPM

LEB

VERT. LINE PUMP

1800 G.P.M. 170'

#12 FLY WHEEL 1770 RPM

12 1/4 @ 6"

13 3/8 @ 6"

I.D. - 9 3/8" 63"

1 REV. 29 SEC  
1 " 28 1/2  
1 " 29

Well #1

150 HP. G.E. MOTOR

#5K6315X C12

LAUNE E BOWLER

VERT. LINE PUMP

1800 G.P.M. 200'

1770 RPM

Model # 14 RL

Serial 23626

9 3/4 @ 6" 62"

1" FLY WHEEL

I.D. - 10 1/8"

1 REV. 34  
1 " 36  
1 " 36 1/2  
2.77 cfs

66-1

LEGAL NOTICES

13-5511

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

Notice is hereby given that a  
9:30 A.M., on the 15th day of  
February, 1966, at Burley, County  
of Cassia, State of Idaho before  
HERMAN E. BEDKE, Notary Pub-  
lic, at 1416 Overland Avenue, Bur-  
ley, Idaho, proof will be submitted  
of the completion of works for the  
diversion of 10 cubic feet per sec-  
ond of underground water from a  
well, and of the application to  
beneficial use of said water, in  
accordance with the terms, and  
conditions of Permit No. G-29436,  
heretofore issued by the Depart-  
ment of Reclamation of the State  
of Idaho.

1. The name and postoffice ad-  
dress of the person or corporation  
holding said permit is Floyd  
Bonge, Perris, California.
2. Said works of diversion will  
be fully completed on the date for  
such completion and the amount  
of water which said works are ca-  
pable of conveying to the place of  
use is 10 cubic feet per second.
3. The use to which said water  
has been applied is Irrigation,  
for purposes and the amount applied  
to beneficial use is 10 cubic feet  
per second.
4. The point of diversion of said  
water is NE $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 3, NW $\frac{1}{4}$   
SW $\frac{1}{4}$ , Sec. 3 Twp. 11 S., Rge. 27  
E.B.M.
5. The place where said water  
is used is NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , NW $\frac{1}{4}$   
SE $\frac{1}{4}$ , Sec. 3, Twp. 11 S., Rge. 27  
E.B.M.
6. The date of priority which  
said user is prepared to establish  
is February 8, 1961.  
Carl E. Tappan  
State Reclamation Engineer  
Published in the Burley Herald-  
Bulletin January 3, 10, 17, 24,  
29 1966.

29436

DEC 27 1965

A S S I G N M E N T

Department of Reclamation  
741

For value received, I hereby assign all of my right, title and interest in and to Permit to appropriate the Public waters of the State of Idaho, No. G-29436 to FLOYD BONGE of \_\_\_\_\_

\*

Rodney W. Tew  
Permit Holder

Noma C. Tew  
Wife of Permit Holder

STATE OF IDAHO

: ss

County of \_\_\_\_\_ )

On this 18 day of December, 1965, before me, a Notary Public for the State of Idaho, residing at Shelley personally appeared RODNEY W. TEW and NOMA C. TEW, husband and wife, known to me to be the persons whose names xx are subscribed to the within instrument and duly acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal, the day and year in this certificate first above written.

Lynne L. Black  
Notary Public  
Residing at Shelley

My commission expires: June 30, 1968

\* If fractional part of permit is to be assigned, the fractional part of the land to which the assigned fraction is appurtenant should be described by legal subdivisions

March 21, 1961

Re: Permit No. G-29436- License No. 20665

Parry, Robertson and Daly  
Attorneys at Law  
Fidelity Bank Bldg.  
Twin Falls, Idaho

Attn: C. G. McIntyre

Dear Mr. McIntyre:

We acknowledge receipt of two applications for permits with your letter of March 20, 1961, requesting information on permits to appropriate water in Section 3, Township 11 South, Range 27 East.

Water License No. 20665 issued to Frank L. Coffey for 5.66 c.f.s., priority of September 24, 1948, points of diversion NE $\frac{1}{4}$ SE $\frac{1}{4}$ , Section 3, and NE $\frac{1}{4}$ NE $\frac{1}{4}$ , Section 10, to irrigate 31.3 acres in W $\frac{1}{2}$ , Sec. 2; SE $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 3; NE $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 10, Township 11 South, Range 27 East; E $\frac{1}{2}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 35, Township 10 South, Range 27 East.

Permit G-29436 issued to Rodney W. Tew for 10.0 c.f.s., priority February 8, 1961, points of diversion NE $\frac{1}{4}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ , Section 3, to irrigate N $\frac{1}{2}$ , SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ , Section 3, Township 11 South, Range 27 East.

Very truly yours,

GEO. N. CARTER  
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy  
State Reclamation Engineer

RT:ew

29436

Radne

W. Tew

50 3 TWP 11

Pgc. 27 **Form No. C** *E.B.M.*

Form No. 0

Section 3 TWP 11S Rge 27 E.B.M.

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Well \* Ditch

## Head Ditch

2nd

20

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Permit Map No. 29136

As Approved

FEB 15 1961

GEO. N. CARTER

Reclamation Engineer

*Corrected copy*  
Permit # G-29436

66-1

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

Notice is hereby given that a 9:30 A.M., on the 15th day of February 1966, at Burley, County of Cassia, State of Idaho before HERMAN E. BEDKE, Notary Public, at 1416 Overland Avenue, Burley, Idaho, proof will be submitted of the completion of works for the diversion of 10 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-29436, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Floyd Bonge, Perris, California.

2. Said works of diversion will be fully completed on the date for such completion and the amount of water which said works are capable of conveying to the place of use is 10 cubic feet per second.

3. The use to which said water has been applied is Irrigation, purposes and the amount applied to beneficial use is 10 cubic feet per second.

4. The point of diversion of said water is NE $\frac{1}{4}$  SW $\frac{1}{4}$ , Sec. 3, NW $\frac{1}{4}$  SW $\frac{1}{4}$ , Sec. 3 Twp. 11 S., Rge. 27 E.B.M.

5. The place where said water is used is NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , NW $\frac{1}{4}$  SE $\frac{1}{4}$ , Sec. 3, Twp. 11 S., Rge. 27 E.B.M.

6. The date of priority which said user is prepared to establish is February 8, 1961.

Carl E. Tappan

State Reclamation Engineer

Published in the Burley Herald-Bulletin January 3, 10, 17, 24 1966.

29436

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**TRANSFER OF WATER RIGHT**

TRANSFER NO. 4212  
WATER RIGHT NO(S). 43-02511/43-04146

This is to certify that: **DEL B GARNER**  
**STAR RT BOX 61**  
**DECLO ID 83323**

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. 43-02511 :  |                      |                       |                      |
| IRRIGATION            | 04/01 to 10/31       | 6.39 CFS              | 1920.0 AF            |
| Priority: 02/08/1961  |                      |                       |                      |
| Right No. 43-04146 :  |                      |                       |                      |
| IRRIGATION            | 04/01 to 10/31       | 2.87 CFS              | 574.8 AF             |
| Priority: 03/01/1961  |                      |                       |                      |
|                       | <b>TOTAL:</b>        | <b>6.39 CFS</b>       | <b>2494.8 AF</b>     |

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

NESW , Sec. 3, Township 11S, Range 27E  
NWSW , Sec. 3, Township 11S, Range 27E  
CASSIA 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> |
|------------|------------|------------|------------------|------------------|------------------|--------------|
| 10S        | 27E        | 34         | SWNE 16.0        | SENE 16.0        | NESW 17.0        |              |
|            |            |            | NWSW 17.0        | SWSW 25.0        | SESW 25.0        |              |
|            |            |            | NESE 38.0        | NWSE 39.0        | SWSE 22.0        |              |
|            |            |            | SESE 25.0        |                  |                  | 240.0        |
| 11S        | 27E        | 2          | Lot 4(NWNW) 1.0  |                  |                  | 1.0          |
|            |            | 3          | Lot 1(NENE) 39.7 | Lot 2(NWNE) 36.0 | SWNE 12.0        |              |
|            |            |            | SENE 14.0        | Lot 3(NENW) 37.0 | Lot 4(NWNW) 36.0 |              |
|            |            |            | SWNW 33.0        | SENE 34.0        | NESW 37.0        |              |
|            |            |            | NWSW 36.0        | SWSW 33.0        | SESW 35.0        | 382.7        |

Total number of acres irrigated: \* 623.7

JUN 29 1994

TRANSFER NO. 4212  
WATER RIGHT NO(S). 43-02511/43-04146

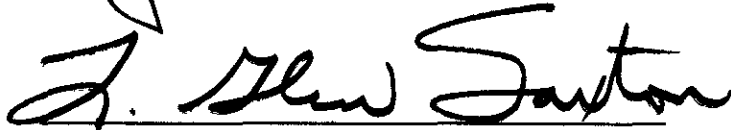
CONDITIONS/REMARKS:

1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
2. Approval of this transfer in no way confirms the right(s) claimed.
3. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
4. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
5. 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.
6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
7. The total instantaneous diversion of water from all points of diversion under Transfer No. 4212 shall not exceed 6.39 cfs.
- \* 8. Right No. 43-02511 is limited to the irrigation of 480.0 acres in the place of use described above in a single irrigation season.
- \* 9. Right No. 43-04146 is limited to the irrigation of 143.7 acres in the place of use described above in a single irrigation season.

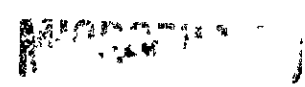
Dated this 27<sup>th</sup> day of

May

, 1994.



Chief, Water Alloc. Bureau



JUN 29 1994

RECEIVED

Page 1 of 8STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

JAN 11 1994

Transfer No. 4212  
AMENDEDAMENDED APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1Name of applicant Del B. Garner Phone 349-5574  
Post Office address Star Rt. Box 61, Declo, ID 83323

## A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use  
☐ Change nature of use ☐ Change period of use ☒ Other Create permissible place of use.
- 2 Describe the reason for the proposed changes New place of use described in T. 4212 is wrong. land will be irrigated differently than originally thought (handlines will be replaced with pivots).

## B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number Priority Amount (cfs/ac-ft) Nature of Use Period of Use
- |                  |                 |                 |               |                            |
|------------------|-----------------|-----------------|---------------|----------------------------|
| <u>43-02511</u>  | <u>2-8-1961</u> | <u>6.39 cfs</u> | <u>Irrig.</u> | <u>4-1</u> to <u>10-31</u> |
| <u>A43-04146</u> | <u>3-1-1961</u> | <u>2.87 cfs</u> | <u>"</u>      | <u>"</u> to <u>"</u>       |
|                  |                 |                 |               | to                         |
|                  |                 |                 |               | to                         |
- 2 Total amount of water being transferred 6.39 cubic feet per second and/or 2494.8 acre-feet per annum.
3. Source of water Groundwater tributary to
- 4 Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec | Twp | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|-----|-----|------|--------|--------------------------|
|     | NW  | NE  | SW  | 3   | 11S | 27E  | Cassia |                          |
|     | SW  | NW  | SW  | "   | "   | "    | "      |                          |
|     |     |     |     |     |     |      |        |                          |
|     |     |     |     |     |     |      |        |                          |

## 5 Lands irrigated or place of use.

| Twp | Rge. | 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 |                      |
| 10S | 27E  | 34  |        |        | 16     | 16     |        |        |        |        | 17     | 17     | 25     | 25     | 38     | 37     | 22     | 25     | <del>186</del> 240   |
| 11S | 27E  | 2   |        |        |        |        |        | 174    |        |        |        |        |        |        |        |        |        |        | 1                    |
|     |      | 3   |        |        | 36     | 14     | 37     | 36     | 33     | 24     | 37     | 36     | 33     | 35     |        |        |        |        | <del>432</del> 382.7 |
|     |      |     | 373    |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |                      |
|     |      |     | 171    | 172    |        |        | 172    | 174    |        |        |        |        |        |        |        |        |        |        |                      |
|     |      |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |                      |
|     |      |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |                      |
|     |      |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |                      |
|     |      |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |                      |

Total acres 623.7

## PART 1

## 6 General Information

a Description of diversion system Two connected wells & pumps, mainlines, 5 pivots,  
~~landlines in one pivot corner.~~

b Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? ✓ Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

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

Land will no longer be irrigated

d. Remarks:

## ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. \_\_\_\_\_

And said application is hereby \_\_\_\_\_, subject to the following limitations and conditions

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_

RECEIVED

JUN 29 1994

**PART 2****A. DESCRIPTION OF RIGHT AS RECORDED:**

Water Right No. 43-02511

STAGE: LICENSE

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>DIVERSION RATE</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|-----------------------|----------------------|
| IRRIGATION            | 03/15 to 11/15       | 6.39 CFS              | 1920.0 AF            |

SOURCE

GROUNDWATER

Priority: 02/08/1961

LOCATION OF POINT(S) OF DIVERSION:

NESW , Sec. 3, Township 11S, Range 27E  
 SWSW , Sec. 3, Township 11S, Range 27E  
 CASSIA 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> |
|----------------------------------|------------|------------|--------------|--------------|--------------|--------------|
| 10S                              | 27E        | 34         | NESE 12 11.5 | NWSE 5 4.8   |              | 17 16.3      |
| 11S                              | 27E        | 3          | NENE 31      | NWNE 39      | SWNE 40      |              |
|                                  |            |            | SENE 24      | NENW 39      | NWNW 37      |              |
|                                  |            |            | SWNW 39      | SENW 40      | NESW 39.4    |              |
|                                  |            |            | NWSW 39      | SWSW 38      | SESW 39 38.6 |              |
|                                  |            |            | NWSE 20 19.5 |              |              | 464 463.7    |
| Total number of acres irrigated: |            |            |              |              |              | 464 480.     |

CONDITIONS/REMARKS:

1. TRANS. 2828.
2. AC. IRR. = 480.0.

43-02511-1  
 JUN 29 1994

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**APPLICATION FOR TRANSFER OF WATER RIGHT**

**PART 2**  
(Attach one copy for each right)

**A. DESCRIPTION OF RIGHT AS RECORDED**

## 1. Right evidenced by:

- a Decree No \_\_\_\_\_ Decreed to \_\_\_\_\_  
in case of \_\_\_\_\_ vs \_\_\_\_\_  
dated \_\_\_\_\_ in \_\_\_\_\_ county of \_\_\_\_\_
- b License No 43-02511 issued by the Idaho Department of Water Resources
- c Claim No A43-02511 on file with the Idaho Department of Water Resources
- d Transfer No 2828 which produced this right

## 2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below

☐ Tax Notice ☐ Warranty Deed ☐ Other \_\_\_\_\_

3. Source of water Groundwater tributary to \_\_\_\_\_4. Date or priority 2-8-1961

## 5. Water is used for the following purpose:

amount 6.37 cfs for Irrig. purposes from 4-1 to 10-31  
(cfs/ac-ft)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)

6. Total amount of water under right 6.37 cubic feet per second and/or 1920 acre-feet per annum

## 7. Point(s) of Diversion

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     |     | NE  | SW  | 3    | 11S  | 27E  | Cassia |                          |
|     |     | SW  | SW  | "    | "    | "    | "      |                          |
|     |     |     |     |      |      |      |        |                          |

## 8. Lands irrigated or place of use.

| Twp | Rge. | 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 |        |
| 10S | 27E  | 34   |        |        |        |        |        |        |        |        |        |        |        |        | 11.5   | 4.8    |        |        | 16.3   |
| 11S | "    | 3    | 31     | 39     | 40     | 24     | 39     | 37     | 39     | 40     | 39     | 39     | 38     | 38     |        | 20     |        |        | 469.7  |
|     |      |      | 41     | 42     |        |        | 43     | 44     |        |        |        |        |        |        | 17.5   |        |        |        |        |
|     |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total acres 480

9. Describe any other water rights used for the same purpose as described above \_\_\_\_\_

- 10 To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?  
No If yes, describe \_\_\_\_\_

**B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED**

(If the entire right is to be changed by the applicant, omit part B and C.)

- 1 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)

2 Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

3 Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |      |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total acres \_\_\_\_\_

**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

- 1 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)

2 Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

3 Lands irrigated or place of use:

| Twp | Rge | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|-----|-----|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|     |     |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
|     |     |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total acres \_\_\_\_\_

JUN 29 1994

## PART 2

## A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 43-04146

STAGE: STATUTORY CLAIM

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>DIVERSION RATE</u> |
|-----------------------|----------------------|-----------------------|
| IRRIGATION            | 03/15 to 11/01       | 2.87 CFS              |

SOURCE

GROUNDWATER

Priority: 03/01/1961

LOCATION OF POINT(S) OF DIVERSION:NESW , Sec. 3, Township 11S, Range 27E  
SWSW , Sec. 3, Township 11S, Range 27E  
CASSIA CountyPLACE OF USE: IRRIGATION

| <u>TWN RGE SEC</u> | <u>ACRES</u> | <u>ACRES</u>                     | <u>ACRES</u> | <u>TOTAL</u>   |
|--------------------|--------------|----------------------------------|--------------|----------------|
| 10S 27E 34         | NESE 29.28.5 | NWSE 35.2                        | SWSE 40      |                |
|                    | SESE 40      |                                  |              | <del>144</del> |
|                    |              | Total number of acres irrigated: |              | 144            |
|                    |              |                                  |              | 143.7          |

CONDITIONS/REMARKS:

1. AC. IRR = 143.7

JUN 29 1994

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**APPLICATION FOR TRANSFER OF WATER RIGHT**

**PART 2**  
 (Attach one copy for each right)

**A. DESCRIPTION OF RIGHT AS RECORDED**

## 1 Right evidenced by

- a Decree No \_\_\_\_\_ Decreed to \_\_\_\_\_  
 in case of \_\_\_\_\_ vs \_\_\_\_\_  
 dated \_\_\_\_\_ in \_\_\_\_\_ county of \_\_\_\_\_
- b. License No \_\_\_\_\_ issued by the Idaho Department of Water Resources.
- c Claim No. A43-04146 on file with the Idaho Department of Water Resources
- d. Transfer No \_\_\_\_\_ which produced this right.

## 2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A Check appropriate box below

☐ Tax Notice ☐ Warranty Deed ☐ Other \_\_\_\_\_

3. Source of water Groundwater tributary to \_\_\_\_\_4 Date or priority 3-1-1961

## 5 Water is used for the following purpose

amount 2.87 cfs for Irrig. purposes from 4-1 to 10-31  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_

6 Total amount of water under right 2.87 cubic feet per second and/or \_\_\_\_\_ acre-feet per annum

## 7 Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     | NW  | NE  | SW  | 3    | 11S  | 27E  | Cassia |                          |
|     | NW  | SW  | SW  | "    | "    | "    | "      |                          |
|     |     |     |     |      |      |      |        |                          |

## 8 Lands irrigated or place of use:

| Twp. | Rge. | 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 |        |
| 10S  | 27E  | 24   |        |        |        |        |        |        |        |        |        |        |        |        | 28.5   | 35.2   | 40     | 40     | 143.7  |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total acres 143.7

## 9 Describe any other water rights used for the same purpose as described above

Claim A43-02511 on same system

- 10 To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?  
No If yes, describe \_\_\_\_\_

**B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED**

(If the entire right is to be changed by the applicant, omit part B and C.)

- 1 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)

2 Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec | Twp | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|-----|-----|------|--------|--------------------------|
|     |     |     |     |     |     |      |        |                          |
|     |     |     |     |     |     |      |        |                          |
|     |     |     |     |     |     |      |        |                          |

3 Lands irrigated or place of use.

| Twp | Rge. | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|-----|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|     |      |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
|     |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total acres \_\_\_\_\_

**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

- 1 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)

2 Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|-----|------|--------|--------------------------|
|     |     |     |     |      |     |      |        |                          |
|     |     |     |     |      |     |      |        |                          |
|     |     |     |     |      |     |      |        |                          |

3 Lands irrigated or place of use:

| Twp | Rge | Sec | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|-----|-----|-----|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|     |     |     | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total acres \_\_\_\_\_

HEL

3  
46.0

5

77.0 HEL

12  
3.9

13  
133.8

9

64.7  
HEL

8

15  
10.0 91.5

HEL

JUN 29 1994

10

Amended  
T# 4212

HEL

3  
46.0

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71.0 HEL

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RECEIVED  
JUN 29 1994

Amended  
T# 4212

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JUN 29 1994

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Amended  
T# 4212

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JUN 29 1994

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T# 4212

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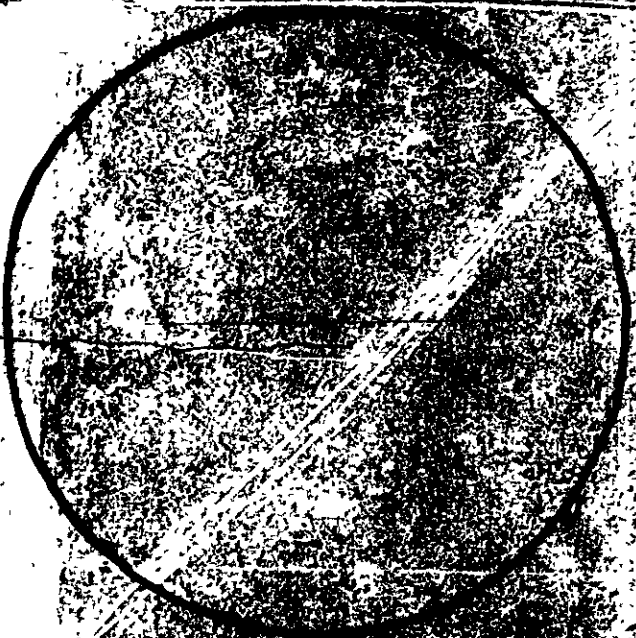


REC'D JUN 29 1994

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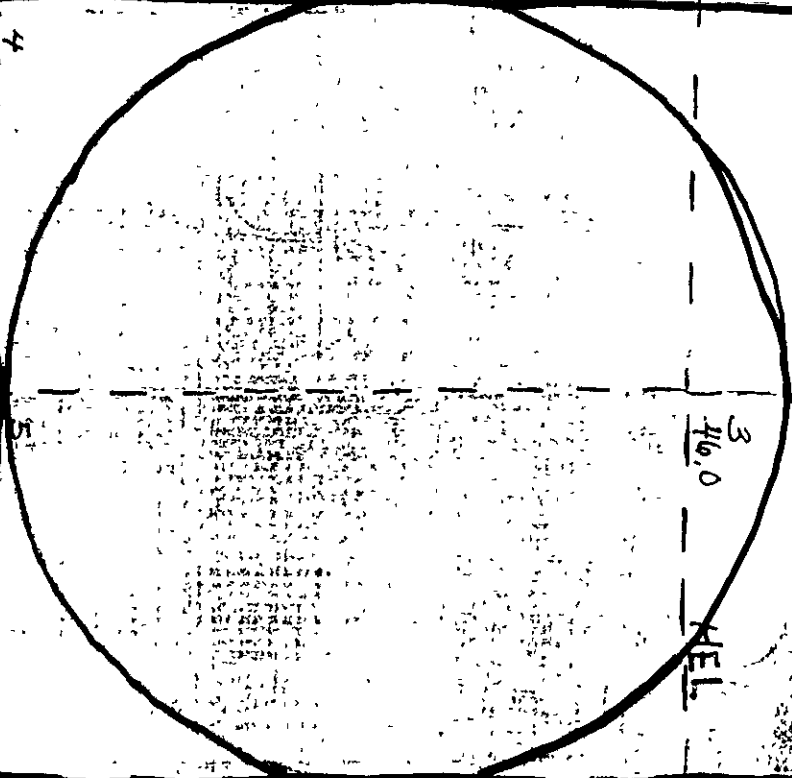
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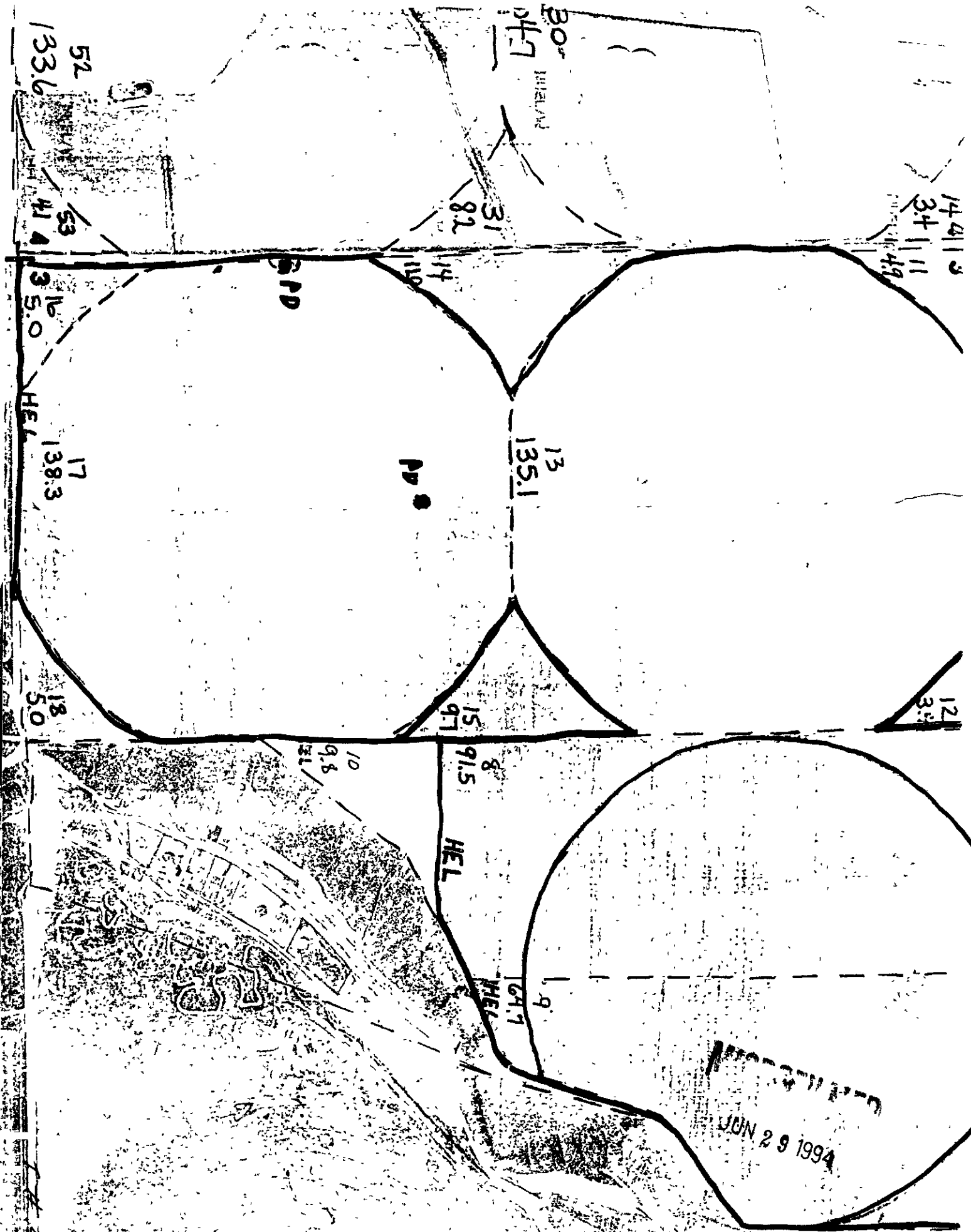
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Amended  
T # 4212

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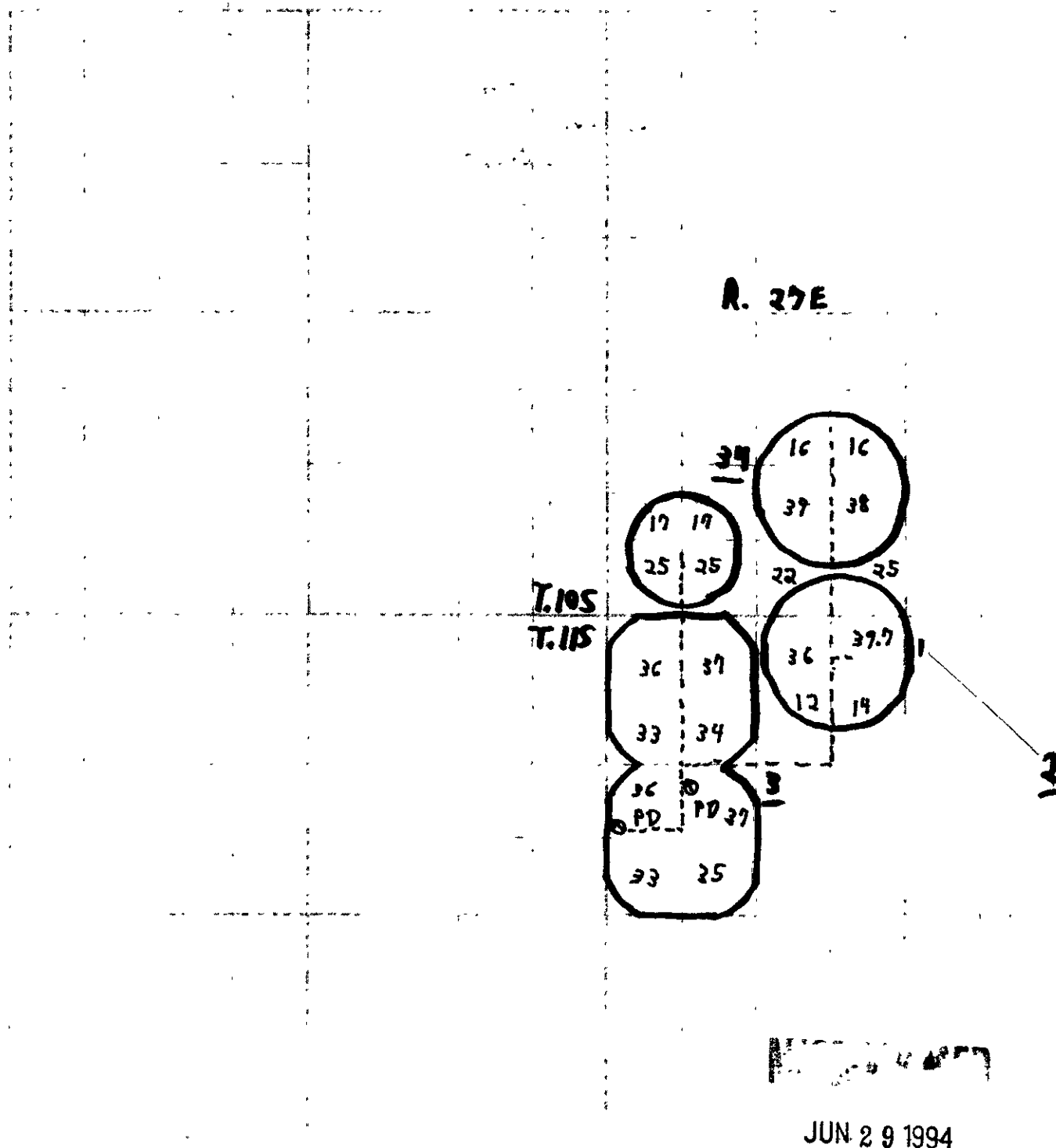
HEL

52

133.6

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**APPLICATION FOR TRANSFER OF WATER RIGHT**  
**PART 3**

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.**



**PART 3****B. CHANGES IN NATURE OF USE**

| 1 | New Nature of Use | Amount<br>(cfs/ac-ft) | Hours/days/year | Period of Use |
|---|-------------------|-----------------------|-----------------|---------------|
|   |                   |                       |                 | to            |
|   |                   |                       |                 | to            |

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

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

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

x Del B. Gainer  
(Signature of Applicant)

Subscribed and sworn to before me this 12 day of January, 19 94.

[Signature]  
(Notary Public)

My commission expires 8-29-96

**FOR DEPARTMENT USE ONLY**

Transfer contains 8 pages and 7 attachments

Received by g.f. Stanton Date 1-18-94 Protest filed by \_\_\_\_\_

Prelim check by MTS Fee \$20<sup>00</sup> 5016486

Receipted by JS Date 1-18-94

Published in So. So. Press Copies of protest forwarded by \_\_\_\_\_

Pub. dates 2/7 + 2/14/94 Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Watermaster recommendation requested on N/A Recommended for ☒ approval ☐ denial

\_\_\_\_\_ rec'd. \_\_\_\_\_ by [Signature]

Copy of transfer sent to lien holder \_\_\_\_\_

**RECEIVED**

JUN 29 1994

**b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:**

[illegible]

Total number of acres to be irrigated 623.7

80 acres left for new pivot

$$\begin{array}{r} 2 \\ 78 \\ 140 \\ 146 \\ 102 \\ 124 \\ 23.7 \\ \hline 23.7 \end{array}$$

RECEIVED

JUN 29 1994

Amended  
T# 4212

**b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:**

[illegible]

**Total number of acres to be irrigated** \_\_\_\_\_

JUN 29 1994

Amended  
T# 4212

## CASSIA COUNTY TAX NOTICE AND RECEIPT

KEEP TOP PORTION FOR YOUR RECORDS  
PLEASE READ REVERSE SIDE  
1992 YOUR CANCELLED CHECK IS YOUR RECEIPT

| MARKET VALUE | TAX CODE AREA | PARCEL NUMBER   | BILL NUMBER |
|--------------|---------------|-----------------|-------------|
| L 139520     | 25-00         | RP11S27E030000A | 9275        |

PT NE1/4, W1/2, PT N1/2SE  
139520 S 3 T 11 R 27

WAC 4.840

490.000 GARNER, DEL  
STAR RT BOX 61  
TOT ACRES  
DELINQUENT YEAR DECLO, ID 83323

| TAXING DISTRICT        | RATE    | AMOUNT   | RECEIPT      |
|------------------------|---------|----------|--------------|
| COUNTY                 | .003948 | 550.82   | FULL PAYMENT |
| SCH DIST 151           | .007574 | 1,056.72 | TAX 1,876.96 |
| RAFT RIV FIRE          | .000210 | 29.30    | PEN          |
| BURLEY HIGHWAY         | .001721 | 240.12   | INT          |
| FLOOD DIST #15         |         |          | COST         |
|                        |         |          | TOT          |
| 1ST INSTALLMENT        |         |          |              |
|                        |         |          | TAX 938.48   |
|                        |         |          | PEN          |
|                        |         |          | INT          |
|                        |         |          | COST         |
|                        |         |          | TOT          |
| 2ND INSTALLMENT        |         |          |              |
|                        |         |          | TAX 938.48   |
|                        |         |          | PEN          |
|                        |         |          | INT          |
|                        |         |          | COST         |
|                        |         |          | TOT          |
| TOTAL .013453 1,876.96 |         |          |              |

PLEASE ENCLOSE NOTICE WITH PAYMENT.

## CASSIA COUNTY TAX NOTICE AND RECEIPT

KEEP TOP PORTION FOR YOUR RECORDS  
PLEASE READ REVERSE SIDE  
1992 YOUR CANCELLED CHECK IS YOUR RECEIPT

| MARKET VALUE | TAX CODE AREA | PARCEL NUMBER   | BILL NUMBER |
|--------------|---------------|-----------------|-------------|
| L 1024       | 25-00         | RP11S27E102400A | 9293        |

WAC 1.210  
32.000 GARNER, DEL  
STAR RT BOX 61  
TOT ACRES  
DELINQUENT YEAR DECLO, ID 83323

| TAXING DISTRICT     | RATE    | AMOUNT | RECEIPT      |
|---------------------|---------|--------|--------------|
| COUNTY              | .003948 | 4.04   | FULL PAYMENT |
| SCH DIST 151        | .007574 | 7.76   | TAX 13.78    |
| RAFT RIV FIRE       | .000210 | .22    | PEN          |
| BURLEY HIGHWAY      | .001721 | 1.76   | INT          |
| FLOOD DIST #15      |         |        | COST         |
|                     |         |        | TOT          |
| 1ST INSTALLMENT     |         |        |              |
|                     |         |        | TAX 6.89     |
|                     |         |        | PEN          |
|                     |         |        | INT          |
|                     |         |        | COST         |
|                     |         |        | TOT          |
| 2ND INSTALLMENT     |         |        |              |
|                     |         |        | TAX 6.89     |
|                     |         |        | PEN          |
|                     |         |        | INT          |
|                     |         |        | COST         |
|                     |         |        | TOT          |
| TOTAL .013453 13.78 |         |        |              |

PLEASE ENCLOSE NOTICE WITH PAYMENT.

JUN 29 1994

T# 4212

| CASSIA COUNTY TAX NOTICE AND RECEIPT                                                                       |               |                 |             | TAXING DISTRICT | RATE    | AMOUNT   | RECEIPT                          |
|------------------------------------------------------------------------------------------------------------|---------------|-----------------|-------------|-----------------|---------|----------|----------------------------------|
| KEEP TOP PORTION FOR YOUR RECORDS<br>PLEASE READ REVERSE SIDE<br>1992 YOUR CANCELLED CHECK IS YOUR RECEIPT |               |                 |             |                 |         |          | FULL PAYMENT                     |
| MARKET VALUE                                                                                               | TAX CODE AREA | PARCEL NUMBER   | BILL NUMBER |                 |         |          | TAX<br>PEN<br>INT<br>COST<br>TOT |
| L 59571                                                                                                    | 25-00         | RP10S27E340601A | 7589        | COUNTY          | .003948 | 1,415.48 |                                  |
| I 91770                                                                                                    |               |                 |             | SCH DIST 151    | .007574 | 2,715.52 |                                  |
| P 236711                                                                                                   |               |                 |             | RAFT RIV FIRE   | .000210 | 75.30    |                                  |
| 388052                                                                                                     |               |                 |             | BURLEY HIGHWAY  | .001721 | 617.04   |                                  |
| HM- 29520                                                                                                  |               |                 |             | FLOOD DIST #15  |         |          |                                  |
|                                                                                                            |               |                 |             |                 |         |          | 1ST INSTALLMENT                  |
|                                                                                                            |               |                 |             |                 |         |          | TAX 2,441.67                     |
|                                                                                                            |               |                 |             |                 |         |          | PEN                              |
|                                                                                                            |               |                 |             |                 |         |          | INT                              |
|                                                                                                            |               |                 |             |                 |         |          | COST                             |
|                                                                                                            |               |                 |             |                 |         |          | TOT                              |
|                                                                                                            |               |                 |             |                 |         |          | 2ND INSTALLMENT                  |
|                                                                                                            |               |                 |             |                 |         |          | TAX 2,441.67                     |
|                                                                                                            |               |                 |             |                 |         |          | PEN                              |
|                                                                                                            |               |                 |             |                 |         |          | INT                              |
|                                                                                                            |               |                 |             |                 |         |          | COST                             |
|                                                                                                            |               |                 |             |                 |         |          | TOT                              |
| 358532#                                                                                                    |               |                 |             |                 |         |          |                                  |
| WAC 6.000                                                                                                  |               |                 |             | SOLID WASTE FEE |         | 60.00    |                                  |
| 431.250                                                                                                    |               |                 |             |                 |         |          |                                  |
| TOT ACRES                                                                                                  |               |                 |             |                 |         |          |                                  |
| DELINQUENT YEAR                                                                                            |               |                 |             |                 |         |          |                                  |
| GARNER, DEL                                                                                                |               |                 |             |                 |         |          |                                  |
| STAR RT BOX 61                                                                                             |               |                 |             |                 |         |          |                                  |
| DECLO, ID 83323                                                                                            |               |                 |             |                 |         |          |                                  |
|                                                                                                            |               |                 |             | TOTAL           | .013453 | 4,883.34 |                                  |

PLEASE ENCLOSE NOTICE WITH PAYMENT.

| CASSIA COUNTY TAX NOTICE AND RECEIPT                                                                  |               |               |                 |                                                                               |                                                        |
|-------------------------------------------------------------------------------------------------------|---------------|---------------|-----------------|-------------------------------------------------------------------------------|--------------------------------------------------------|
|                                                                                                       |               |               | TAXING DISTRICT | RATE                                                                          | AMOUNT                                                 |
| KEEP TOP PORTION FOR YOUR RECORDS<br>PLEASE READ REVERSE SIDE<br>YOUR CANCELLED CHECK IS YOUR RECEIPT |               |               |                 |                                                                               |                                                        |
| MARKET VALUE                                                                                          | TAX CODE AREA | PARCEL NUMBER | BILL NUMBER     | COUNTY .<br>SCH DIST 151<br>RAFT RIV FIRE<br>BURLEY HIGHWAY<br>FLOOD DIST #15 | 2.28<br>4.36<br>.12<br>1.00                            |
| L    576    25-00 RP11S27E023100A                                                                     |               |               | 9274            | - .003948<br>- .007574<br>- .000210<br>- .001721                              | FULL PAYMENT<br><del>3.88</del>                        |
|                                                                                                       |               |               | I 2746          |                                                                               | 1ST INSTALLMENT                                        |
| 576 S 2 T 11 R 27                                                                                     |               |               |                 |                                                                               | TAX                  3.88<br>PEN<br>INT<br>COST<br>TOT |
| 18.000 GARNER, DEL<br>ACRES STAR RT BOX 61<br>DECLINENT YEAR DECLO, ID 83323                          |               |               |                 |                                                                               | 2ND INSTALLMENT                                        |
|                                                                                                       |               |               |                 |                                                                               | TAX                  3.88<br>PEN<br>INT<br>COST<br>TOT |
| TOTAL .013453                                                                                         |               |               |                 | 7.76                                                                          |                                                        |

PLEASE ENCLOSE NOTICE WITH PAYMENT.

JUN 29 1994

T# 4212

Should questions arise during  
the processing of this applica-  
tion please contact:

SHERL L. CHAPMAN  
410 S. Orchard, Suite 144  
Boise, ID 83705  
344-6690

Transfer No. 2828

Water Right No. \_\_\_\_\_

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**APPROVED RECEIVED****APPLICATION FOR TRANSFER OF WATER RIGHT 15 1983****To Change the Point of Diversion and/or the Place of Use**Department of Water Resources  
Southern District OfficeName of applicant Del Garner Phone 349-5574Post Office address Star Route, Declo, Idaho 83323**A. DESCRIPTION OF RIGHT AS RECORDED****1 Right evidenced by:**

a. Decree No. \_\_\_\_\_ Decreed to \_\_\_\_\_ (Name)  
in case of \_\_\_\_\_ vs \_\_\_\_\_  
dated in \_\_\_\_\_ in \_\_\_\_\_ county of \_\_\_\_\_  
(Name of court)

b. License No. 43-2511 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 Purchase of land to which water right is appurtenant.

3. Source of water Ground Water tributary to -----

4. Date of priority 2-8-61

**5. Water is used for the following purposes:**

amount 6.39 cfs for Irrigation purposes from 3-15 to 11-1  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(month/day — both dates inclusive)

6. Total amount of water under right: a. 6.39 cfs cubic feet per second  
&/or  
b. 1920 acre feet per annum

7 Location of original point of diversion is SW ¼ of SW ¼ of Section 3  
Township 11S Range 27E, B.M., in Cassia County  
Additional points of diversion, if any NE/4 SW/4 Sec. 3, T11S, R27E, Cassia County.

**8. Lands irrigated or place of use:**

| TWP. | RANGE | SEC | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTALS |
|------|-------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|      |       |     | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
| 11S  | 27E   | 3   | 31  | 39  | 40  | 18  | 39  | 37  | 39  | 40  | 40  | 39  | 39  | 40  | -   | 39  | -   | -   | 480    |
|      |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

Total number of acres to be irrigated 480

9. Describe any other water rights used for the same purpose as described above None

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

MICROFILMED

B DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. \_\_\_\_\_ cubic feet per second  
&/or  
b. \_\_\_\_\_ acre feet per annum
2. Point of diversion \_\_\_\_\_ ¼ \_\_\_\_\_ ¼, Section \_\_\_\_\_ Township \_\_\_\_\_  
Range \_\_\_\_\_, B.M., \_\_\_\_\_ County  
Additional points \_\_\_\_\_
3. Place of use.

| TWP | RANGE | SEC | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTALS |
|-----|-------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|     |       |     | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
|     |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

Total number of acres to be irrigated \_\_\_\_\_

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

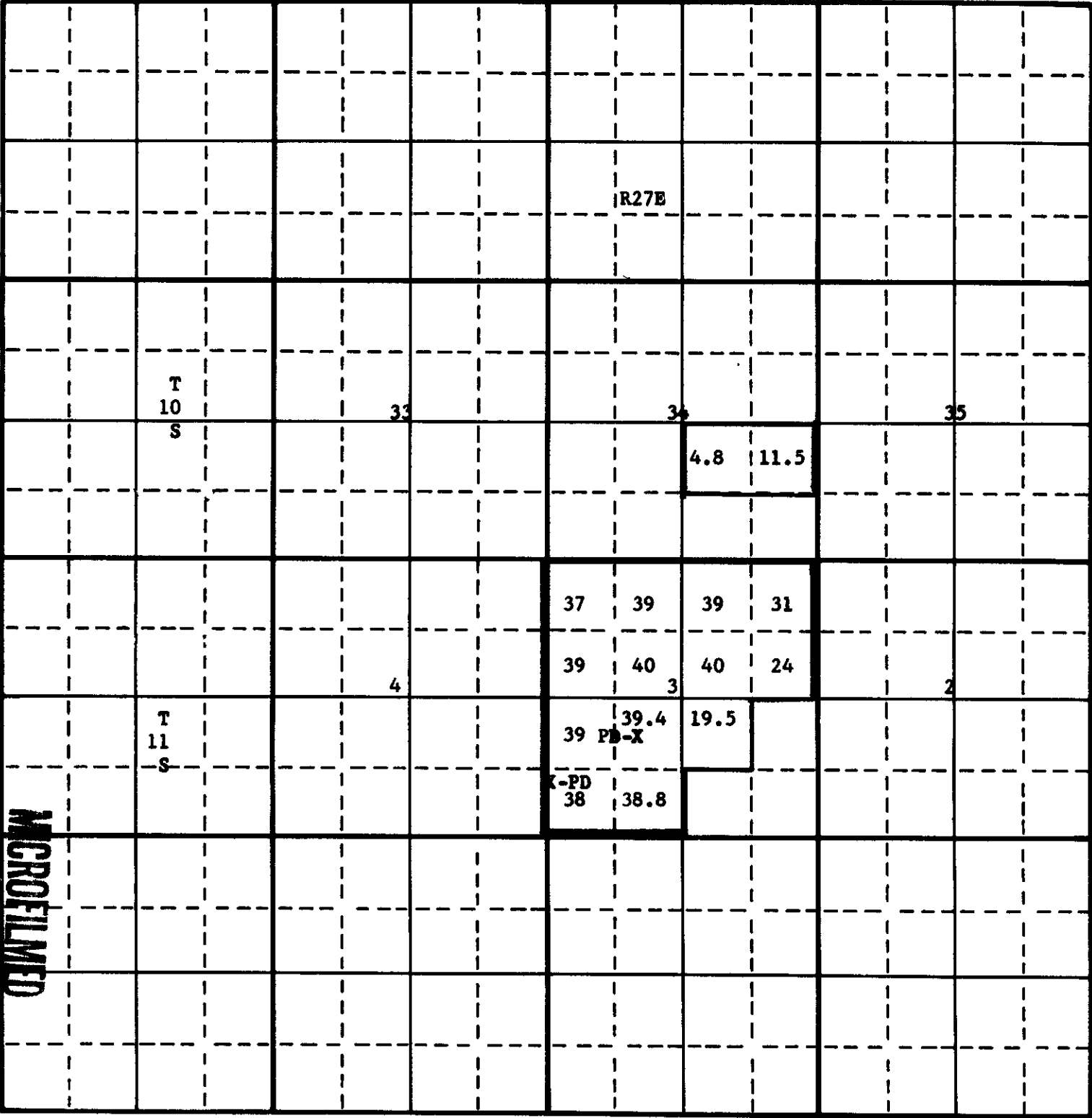
1. General Information
- a. Amount of water to be diverted 6.39 c.f.s. &/or 1920 acre feet
- b. Description of diverting works Two drilled wells, vertical turbine pumps buried and portable mainlines.
- c. Describe the reasons for the proposed changes Land previously irrigated has been removed from crops for roads, ponds and because of steepness. New ground included on transfer is more productive.
2. Change in point of diversion **NO CHANGE**
- Point of diversion \_\_\_\_\_ ¼ \_\_\_\_\_ ¼, Section \_\_\_\_\_ Township \_\_\_\_\_  
Range \_\_\_\_\_, B.M., \_\_\_\_\_ County  
Additional points \_\_\_\_\_
3. Change in place of use
- a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes \_\_\_\_\_ No X. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer  
The land from which the water is transfered will no longer be irrigated for crop production.

c Describe the lands place of use to which the right will be transferred:

| TWP | RANGE | SEC | NE% |     |     |     | NW% |     |     |     | SW%  |     |     |      | SE%  |      |     |     | TOTALS |
|-----|-------|-----|-----|-----|-----|-----|-----|-----|-----|-----|------|-----|-----|------|------|------|-----|-----|--------|
|     |       |     | NE% | NW% | SW% | SE% | NE% | NW% | SW% | SE% | NE%  | NW% | SW% | SE%  | NE%  | NW%  | SW% | SE% |        |
| 11S | 27E   | 3   | 31  | 39  | 40  | 24  | 39  | 37  | 39  | 40  | 39.4 | 39  | 38  | 38.8 | -    | 19.5 | -   | -   | 463.7  |
| 10S | 27E   | 34  |     |     |     |     |     |     |     |     |      |     |     |      | 11.5 | 4.8  |     |     | 16.3   |
|     |       |     |     |     |     |     |     |     |     |     |      |     |     |      |      |      |     |     |        |
|     |       |     |     |     |     |     |     |     |     |     |      |     |     |      |      |      |     |     |        |
|     |       |     |     |     |     |     |     |     |     |     |      |     |     |      |      |      |     |     |        |
|     |       |     |     |     |     |     |     |     |     |     |      |     |     |      |      |      |     |     |        |
|     |       |     |     |     |     |     |     |     |     |     |      |     |     |      |      |      |     |     |        |

Total number of acres to be irrigated 480

- 4 Describe any other water rights used for the same purpose as described above. None
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



MICROFILMED

D REMARKS

The water right which originally covered all of the farmland as shown on 43-2511 has been modified to reflect the removal of roadways, ponds and other tracts of land that are no longer irrigated for crop production due to conversion to sprinkler system irrigation. Water is now able to be put on different ground which is productive.

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

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

Del B. Garner  
(Signature of Applicant)

Subscribed and sworn to before me this 8<sup>th</sup> day of March, 19 83

Boyd Booth  
(Notary Public)

My commission expires Life Term

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 43-2511 and said application is hereby APPROVED, subject to the following limitations and conditions.

Witness my hand this 22<sup>nd</sup> day of August, 19 83

A. Glen Saxton  
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by maey Date 3/15/83  
Prelim. check by maey Fee 50.00 \$26084  
Receipted by maey Date 3/15/83  
Published in South Idaho Press  
Pub. dates 4/21 & 4/28/83  
Watermaster recommendation requested on N/A  
\_\_\_\_\_ rec'd. \_\_\_\_\_

Protest filed by None  
\_\_\_\_\_  
Copies of protest forwarded by \_\_\_\_\_  
Hearing held by \_\_\_\_\_ Date \_\_\_\_\_  
Recommended for approval denial  
by Adm

UNITED STATES DEPARTMENT OF AGRICULTURE

FARMERS HOME ADMINISTRATION

2211 Overland Avenue

Burley, Idaho 83318

APR 28 1980

Department of Water Resources

State of Idaho  
Department of Water Administration  
614 State Street, Capital Building  
Boise, Idaho 83707

April 25, 1980

Dear Sirs:

This is to advise that Del B. Garner and Carol H. Garner, husband and wife, of Star Route, Box 61; Declo, Idaho 83323 have obtained assistance from this Agency. In obtaining this assistance they have pledged their interests in the water produced and the permission to produce said water from deep well(s) under License number 43-2511 with date of priority being February 8, 1961; application for amendment of original permit G-29436 dated August 30, 1967 and approved by the State Engineer on March 15, 1971.

We request that a note be placed in the files concerning the above listed Water License regarding this transaction pledging these rights and water as additional security for a real estate loan.

When water and Water Rights and Licenses are pledged, the holder(s) agree not to assign, transfer or make any changes in these rights that would be adverse to the interests of Farmer s Home Administration without advising FmHA in writing of the requests and they also agree not to proceed in any way without first obtainig written permission from FmHA to make said change(s), transfer(s), etc.

Please sign the enclosed copy of this letter and return same to this office as acknowledgment of the request for our files.

Sincerely,

THOMAS J. NEWTON  
County Supervisor

"The above letter has been placed in the files in connection with said Water Licens G-29436/43-2511."

4/29/80  
(Date)

(Name and Title)

cc: Southern District Office  
1041 Blue Lakes Blvd., North  
Twin Falls, Idaho 83301

*Farmers Home Administration is an Equal Opportunity Lender.*

*Complaints of discrimination based on race, sex, religion,  
national origin or marital status should be sent to:*

*Secretary of Agriculture, Washington, D. C. 20250*

MICROFILMED

# SOUTH IDAHO PRESS

BURLEY, IDAHO

## AFFIDAVIT OF PUBLICATION

County of Cassia, )  
STATE OF IDAHO ) ss.

Mary Summers, being first

duly sworn, deposes and says that she is the

Clerk of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of

The South Idaho Press for Two consecutive weeks, commencing with the issue dated April 21, 1983 and ending with the issue dated April 28th, 1983

*Mary Summers*

Subscribed and sworn to before me

this 11th day of May

1983.

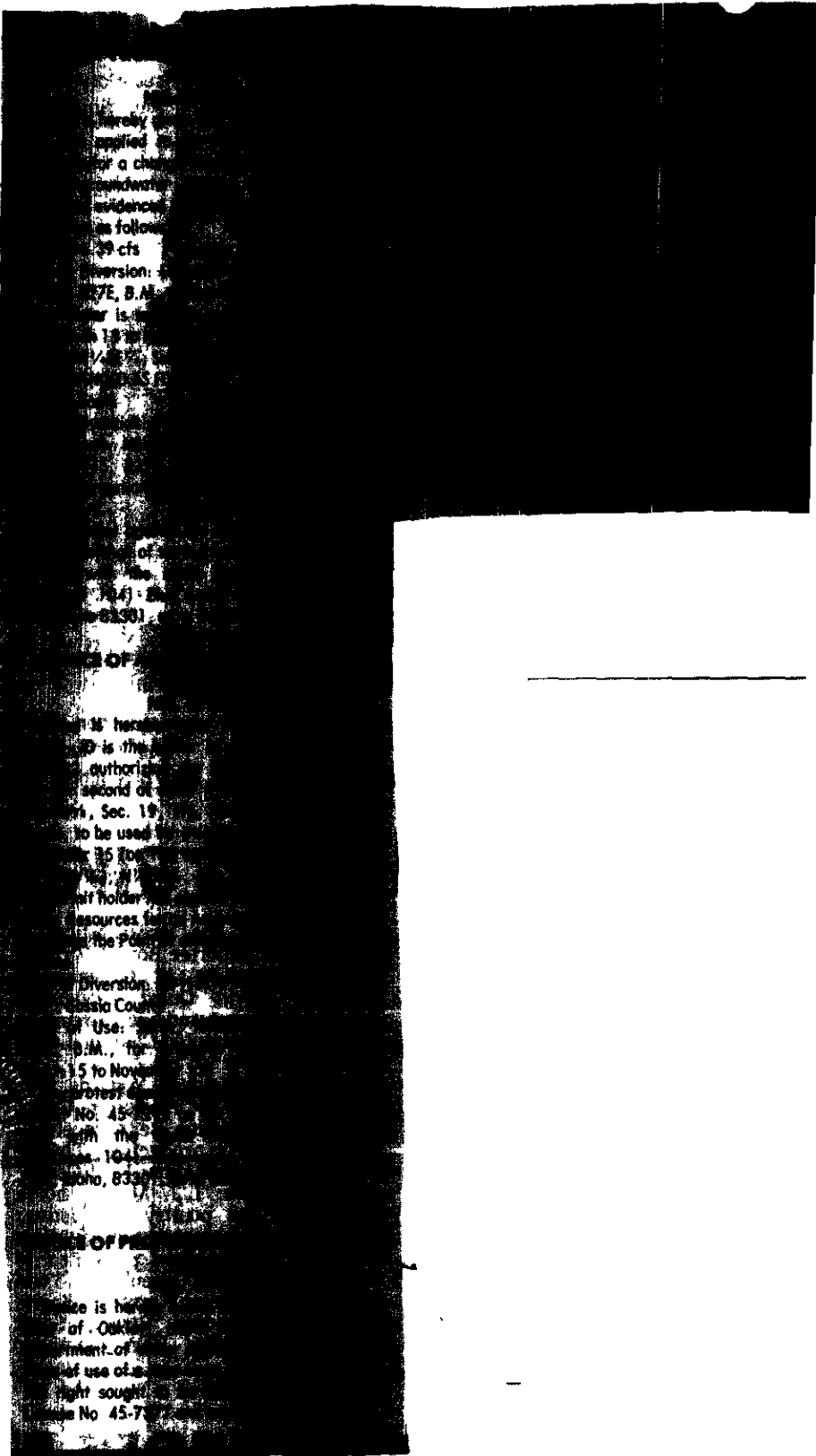
*Keneth M. ...* Notary Public

Cost of Publication \$ 56.55

Notary Fee

Total Cost \$ 56.55

MICROFILMED



## LICENSE OF WATER RIGHT

THIS IS TO CERTIFY, that FLOYD BONGE  
of Ferris, California, has complied with the terms and conditions of Permit  
No. 43-2511 issued pursuant to Application for Permit dated 2-8-61,  
and has submitted proof to the Department of Water Administration on 2-15-66,  
that he has applied water to a beneficial use, an examination by the Department indicates that the  
works have a capacity of 6.39 c.f.s., and that the water has in fact been applied to a  
beneficial use; a right to the use of water from a groundwater source  
tributary of \_\_\_\_\_ is hereby confirmed in the following amounts:  
Amount 6.39 c.f.s. for Irrigation from March 15 to Nov. 15 (both dates inclusive)  
Amount \_\_\_\_\_ for \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
Amount \_\_\_\_\_ for \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
Subject, however, to the condition that no more than 6.39 c.f.s. of water be diverted at  
any one time, said waters to be diverted within the

in the county of Cassia and that the amount of water so diverted and to which such right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can actually be beneficially used and shall not exceed 1,920 acre feet per year or 4.0 acre feet per acre.

[illegible]

43 2511

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
APPLICATION FOR AMENDMENT

Permit No. G-29436

Comes now FLOYD BONGE  
and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. G-29436, and requests that the permit be changed as follows:

1. Place of use or land to be irrigated: \_\_\_\_\_

2. Point of diversion: SW  $\frac{1}{4}$  SW  $\frac{1}{4}$ , Sec. 3, T. 11 S, R. 27 E, B.M.  
Other points of diversion & NE  $\frac{1}{4}$  SW  $\frac{1}{4}$ , Sec. 3, T. 11 S, R. 27 E, B.M.

3. Period and nature of use:

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates incl.)  
For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates incl.)  
For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates incl.)

4. Other: \_\_\_\_\_

That no one will be injured by such change, and that such change will be made at permit holder's own risk

Signed at Burley, Idaho this 30 day of August, 19 67

Floyd L. Bonge  
(signature)

Date of receipt at office of Department of Reclamation \_\_\_\_\_, 19 \_\_\_\_

ACTION OF STATE RECLAMATION ENGINEER

I, R. KEITH HIGGINSON, Director, ~~State Reclamation Engineer~~ of the State of Idaho, hereby State Reclamation Engineer  
Dept. of Water Administration  
approve the above application for amendment for Permit No. G-29436  
(new No. 43-2511).

Witness my hand this 15th day of March, 19 71.

R. Keith Higgins  
State Reclamation Engineer

Rodney W. Tew  
Rte. 1, Box 89  
Firth, Idaho

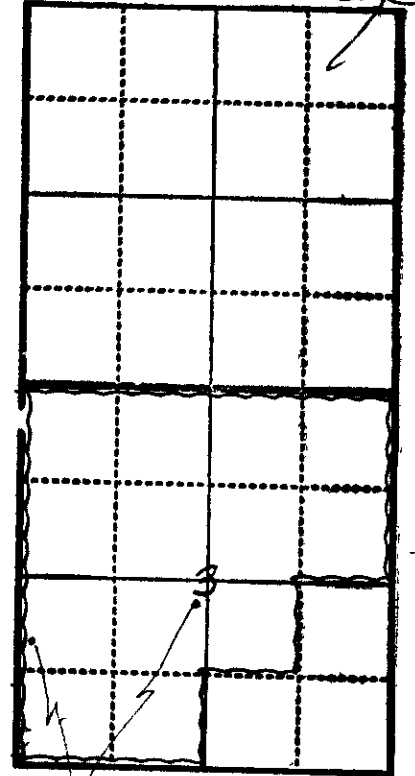
43-2511

# APPLICATION FOR PERMIT To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 37434  
Permit No. G- 29436  
District No.

Assigned to Floyd Borge  
27800 Newell Rd.  
Perris - Calif

1. Name of Applicant: Rodney W. Tew  
Postoffice address: Firth County: Bingham State: Idaho
2. Quantity of water claimed: Ten second feet  
(a) Rate of withdrawal in cubic feet per second or Idaho  
Miners' inches or gallons per minute  
(b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean  
2 wells NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 3
4. Location of point of diversion or well is in the NW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 3  
Twp. 11 S , Rge. 27 E , B.M., County of Cassia
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:  
(a) Point of use of water is in the  $\frac{1}{4}$  of the  $\frac{1}{4}$  of Section , Twp.  
Rge. , B.M.  
(b) Waste water or sewage effluent is to be returned to  
at a point in the  $\frac{1}{4}$  of the  $\frac{1}{4}$  of Section , Twp. , Rge. , B.M.
7. Kind of works: Deep well turbine pump, cased well
8. Estimated cost of works: \$ 18,000 for well & pump
9. (a) Is reservoir to be used? no  
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is five years.
11. If applicant is a corporation, give:  
I. (a) Date and place of incorporation:  
(b) Amount of capital stock: \$ (c) Amount paid in: \$  
(d) Names and addresses of directors:  
II. The financial resources of the applicant are (a) Cash on hand: \$  
(b) Treasury stock: (c) Bonds to be issued:  
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: none  
(a) No (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.  
(b) 10 (cubic feet per second, inches or gallons per minute) is for new lands.



Remarks:

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

s/ Rodney W. Tew Applicant.

By Agent.

Date of first receipt at Department of Reclamation: 9:15 A.M. February 8, 1961

Returned to applicant for correction:

Corrected application received:

### Approval of State Reclamation Engineer

The number of this permit is G— 29436

Recorded in Book 103 Page 29436 Approved February 15, 1961

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

One-fifth of the work above specified to be completed on or before August 15, 1963

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before February 15, 1966

Witness my hand this 15th day of February, 1961

s/ GEO. N. CARTER  
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLLIE, Governor of the State of Idaho, and ARNOLD WILLIAMS, 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 15th day of February, 1961.

Countersigned:

STATE OF IDAHO

(SEAL)

By ARNOLD WILLIAMS

By s/ ROBERT E. SMYLLIE  
Governor

s/ By: Paula L. Fleenor Secretary of State.  
Deputy Secretary of State

12.

| Twp.                                                                                                                                                                                                                                                                                                                       | Range | Sec. | NE <sup>1</sup> / <sub>4</sub> |                                |                                |                                | NW <sup>1</sup> / <sub>4</sub> |                                |                                |                                | SW <sup>1</sup> / <sub>4</sub> |                                |                                |                                | SE <sup>1</sup> / <sub>4</sub> |                                |                                |                                | Totals                                                     |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|------------------------------------------------------------|
|                                                                                                                                                                                                                                                                                                                            |       |      | NE <sup>1</sup> / <sub>4</sub> | NW <sup>1</sup> / <sub>4</sub> | SW <sup>1</sup> / <sub>4</sub> | SE <sup>1</sup> / <sub>4</sub> | NE <sup>1</sup> / <sub>4</sub> | NW <sup>1</sup> / <sub>4</sub> | SW <sup>1</sup> / <sub>4</sub> | SE <sup>1</sup> / <sub>4</sub> | NE <sup>1</sup> / <sub>4</sub> | NW <sup>1</sup> / <sub>4</sub> | SW <sup>1</sup> / <sub>4</sub> | SE <sup>1</sup> / <sub>4</sub> | NE <sup>1</sup> / <sub>4</sub> | NW <sup>1</sup> / <sub>4</sub> | SW <sup>1</sup> / <sub>4</sub> | SE <sup>1</sup> / <sub>4</sub> |                                                            |
| 11 S                                                                                                                                                                                                                                                                                                                       | 27 E  | 3    | 40                             | 40                             | 40                             | 40                             | 40                             | 40                             | 40                             | 40                             | 40                             | 40                             | 40                             | 40                             | 20                             |                                |                                | 500                            |                                                            |
| A S S I G N M E N T                                                                                                                                                                                                                                                                                                        |       |      |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                                            |
| For value received, I hereby assign all of my right, title and interest in and to Permit to appropriate the Public Waters of the State of Idaho, No. G-29436 to FLOYD BONGE.                                                                                                                                               |       |      |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                                            |
|                                                                                                                                                                                                                                                                                                                            |       |      |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                | s/ RODNEY W. TEW<br>Permit Holder                          |
|                                                                                                                                                                                                                                                                                                                            |       |      |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                | NOMA C. TEW<br>Wife of Permit Holder                       |
| STATE OF IDAHO )<br>County of ) ss                                                                                                                                                                                                                                                                                         |       |      |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                                            |
| On this 18th day of December, 1965, before me, a Notary Public for the State of Idaho, residing at Shelley personally appeared RODNEY W. TEW and NOMA C. TEW, husband and wife, known to me to be the persons whose names are subscribed to the within instrument and duly acknowledged to me that they executed the same. |       |      |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                                            |
| IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal, the day and year in this certificate first above written.                                                                                                                                                                                    |       |      |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                                            |
| (SEAL)<br>My commission expires 4-20-65                                                                                                                                                                                                                                                                                    |       |      |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                | s/ EUGENE E. BLACK<br>Notary Public<br>Residing at Shelley |
|                                                                                                                                                                                                                                                                                                                            |       |      |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                | LICENSE ISSUED FOR 6.39 SEC. FT.<br>LICENSE PAGE NO. _____ |

**THIS  
RIGHT HAS BEEN  
DECREED IN THE  
SRBA**



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

June 1, 1994

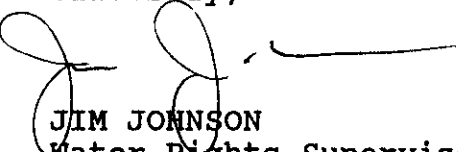
DEL B GARNER  
STAR RT BOX 61  
DECLO ID 83323

RE: Transfer of Water Right Nos. 43-02511 & 43-04146

Dear Water Right Holder(s):

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 4212). Please be sure to thoroughly review the "CONDITIONS/REMARKS:" as listed on the transfer.

Sincerely,

  
JIM JOHNSON  
Water Rights Supervisor

JJ:dc

Enclosure

JUN 29 1994

**MEMORANDUM**

**TO:** FILES 43-02511 & 43-04146

**FROM:** PAM SKAGGS/<sup>28</sup>STATE OFFICE

**SUBJECT:** TRANSFER NO. 4212

**DATE:** May 26, 1994

=====

Transfer No. 4212 was filed to change the place of use to reflect the single combined system from two wells as used with a new pivot system, and change one point of diversion to correct the legal description of an existing well.

The transfer includes Right No. 43-02511 as licensed for 480 acres and 6.39 cfs, the capacity of the system, and Right No. 43-04146 that was filed to claim an additional 143.7 acres under the same system.

Proof of ownership was provided and no other water rights overlap this system. Total rate of diversion is limited to the system capacity of 6.39 cfs and a total combined volume of 2,494.8 afa for 623.7 acres.

Recommended conditions include permissible place of use limits for each right, multiple points of diversion, measuring devices, irrigation overlap, non-confirmation of the statutory claim and standard transfer conditions.

JUN 29 1994

**TRANSFER REVIEW SHEET**

Transfer # 4212

Date Reviewed 5-26-94 28

Right(s) 43-02511 \_\_\_\_\_

43-04146 \_\_\_\_\_

B:Change P/D C:Add P/D D:Change P/U E:Change Nature of Use

F:Change Period of Use G:Other H:Change P/D & Add P/D

I:Change P/D & P/U J:Add P/D & Change P/U

Proof of Ownership 1992 Tax Notices cover entire original P/U

Transfer ☒ All of Right \_\_\_\_\_ Portion of Right (Part B \_\_\_\_\_)

Resulting Split(s) NONE

Check Transfer Against Right

C/4.0

(1) ☒ Priority (2) ☒ Use (3) \_\_\_\_\_ Season (4) ☒ Rate (5) \_\_\_\_\_ Volume

(6) ☒ Source (7) \_\_\_\_\_ P/D (8) \_\_\_\_\_ P/U (9) ☒ Proof/Owner (10) ☒ Map

(11) NO Water District (12) NONE Pertinent Conditions (13) NO Expansion

(3) Reduce to standard 4-1 to 10-31

(4) Total Rate limited to 6.39 capacity of both wells. Both rights part of same system 43-4146 was filed for additional Acres.

(5)  $VDR > VIR$   $4 \times 480 = 1920 \text{ aka}$   $4 \times 143.7 = 574.8 \text{ aka}$  TOTAL = 2494.8 aka

(7) Change Legal, but not new well - correction from SWSW to NWSW.

(8) Change P/U P/P/U

Transfer Remarks \* P P/U (2511) 480 (4146) 143.7 / within 623.7 WB4

Conditions R31, T01, T07, T08, T09, T17

Database/Processing Notes T files - Special Edit TOTALS

Edit conditions to single rt. when approved (2511) Database updated 6-1-94 28

WR0749NP  
No. T43-02511

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROFILE REPORT

DATE: 05/26/94  
PAGE: 1

| OWNER<br>CODE    | NAME & ADDRESS                                                     | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|--------------------------------------------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | DEL B GARNER<br>STAR RT BOX 61<br>DECLO ID 83323<br>(208) 349-5574 | 02/08/1961       | IRRIGATION | 04-01 10-31           | 6.39 CFS          | 1920.00 AFA         |
| TOTAL DIVERSION: |                                                                    |                  |            |                       | 6.39 CFS          | 1920.00 AFA         |

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 6.39 CFS

Point(s) of Diversion: T11S R27E S03 NESW NWSW CASSIA County

Place of use Legal Description for: IRRIGATION

|     |     |    |   | NE    |       |    |    | NW |       |       |    | SW |    |    |    | SE |    |    |    |             |    |    |   |       |       |  |  |  |  |  |  |  |  |  |       |
|-----|-----|----|---|-------|-------|----|----|----|-------|-------|----|----|----|----|----|----|----|----|----|-------------|----|----|---|-------|-------|--|--|--|--|--|--|--|--|--|-------|
| T   | R   | S  | : | Lt    | Ac    | Lt | Ac | Lt | Ac    | Lt    | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | SUM         |    |    |   |       |       |  |  |  |  |  |  |  |  |  |       |
| 10S | 27E | 34 | : |       |       | 16 | 16 | :  |       |       |    |    |    | 17 | 17 | 25 | 25 | :  | 38 | 39          | 22 | 25 | : | 240.0 |       |  |  |  |  |  |  |  |  |  |       |
| 11S | 27E | 2  | : |       |       |    |    | :  |       | 04-01 |    |    |    |    |    |    |    | :  |    |             |    |    |   | :     | 1.0   |  |  |  |  |  |  |  |  |  |       |
| 11S | 27E | 3  | : | 01-39 | 02-36 | 12 | 14 | :  | 03-37 | 04-36 | 33 | 34 | :  | 37 | 36 | 33 | 35 | :  |    |             |    |    |   | :     | 382.7 |  |  |  |  |  |  |  |  |  |       |
|     |     |    |   |       |       |    |    |    |       |       |    |    |    |    |    |    |    |    |    | TOTAL ACRES |    |    |   |       |       |  |  |  |  |  |  |  |  |  | 623.7 |

Pou County: CASSIA

Other Water Rights with Same Point(s) of Diversion and Source:  
43-02511 43-04146 T43-04146

Other Water Rights Listing Overlapping Place(s) of use:  
43-00427B 43-02321 43-02511 43-02574B 43-02576B 43-04012 43-04013B 43-04015 43-04146 T43-04146

Conditions of Approval:

- R31 - This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
- 43-04146 ~~T01~~ - Approval of this transfer in no way confirms the right(s) claimed.
- T07 - The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
- T08 - Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
- T09 - 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.
- T17 - Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

Remarks: The total instantaneous diversion of water from all points of diversion under Transfer No. 4212 shall not exceed 6.39 cfs.  
Right No. 43-02511 is limited to the irrigation of 480.0 acres in

WR0749NP  
No. T43-02511

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROFILE REPORT

DATE: 05/26/94  
PAGE: 2

Remarks: the place of use described above in a single irrigation season.  
~~Right No. 43-04146 is limited to the irrigation of 143.7 acres in~~  
~~the place of use described above in a single irrigation season.~~

Dates: App. Received: 01/18/1994 Priority Date: 02/08/1961  
Proof Due Date: Proof Made Date:  
Exam Made Date: Exam Sent to S.O.:  
Licensed Date: 06/28/1979

Misc: Water District Number: Field Exam Fee:

Comments: Date: 10/29/1993 User-ID: BALDWIN Subject: T# 4212  
T# 4212 filed on 7/13/93.  
T# 4212 proposes to change point of diversion, place of use, and  
create a permissible place of use.  
Water rights in this transfer are 43-02511 & A43-04146.

Date: 01/25/1994 User-ID: BALDWIN Subject: AMENDED APP. FOR TRANSFER  
T#4212 was AMENDED on 1/18/94 to change the place of use and  
create a permissible place of use.

Date: 05/26/1994 User-ID: SKAGGS Subject: COPIED FROM REMARKS  
The total instantaneous diversion of water from all points of  
diversion under Transfer No. 4212 shall not exceed 6.39 cfs.  
Right No. 43-02511 is limited to the irrigation of 480.0 acres in  
the place of use described above in a single irrigation season.  
Right No. 43-04146 is limited to the irrigation of 143.7 acres in  
the place of use described above in a single irrigation season.

} Duplicate  
Remarks

Audit: 09/08/93 SKAGGS 10/29/93 BALDWIN 01/25/94 BALDWIN 01/25/94 BALDWIN  
01/26/94 BALDWIN 05/26/94 SKAGGS 05/26/94 SKAGGS

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '1' ARE ADJUDICATION CLAIMS)

| WR-NUMBER     | SOURCE       | NE                                  |       |    |    | NW |    |       |       | SW |    |    |    | SE |    |    |    | SUM |     |    |     |     |
|---------------|--------------|-------------------------------------|-------|----|----|----|----|-------|-------|----|----|----|----|----|----|----|----|-----|-----|----|-----|-----|
|               |              | Lt                                  |       | Ac |    | Lt |    | Ac    |       | Lt |    | Ac |    | Lt |    | Ac |    |     |     |    |     |     |
|               |              | Lt                                  | Ac    | Lt | Ac | Lt | Ac | Lt    | Ac    | Lt | Ac | Lt | Ac | Lt | Ac |    |    |     |     |    |     |     |
| T10S R27E S34 |              |                                     |       |    |    |    |    |       |       |    |    |    |    |    |    |    |    |     |     |    |     |     |
| 4302511       | GROUNDWATE : |                                     |       |    |    |    |    |       |       |    |    |    |    |    | 12 | 05 |    | 17  |     |    |     |     |
| A4302511      | GROUNDWATE : |                                     |       |    |    |    |    |       |       |    |    |    |    |    | 11 | 04 |    | 15  |     |    |     |     |
| T4302511      | GROUNDWATE : |                                     |       |    | 16 |    | 16 |       |       |    | 17 | 17 | 25 | 25 | 38 | 39 | 22 | 25  | 240 |    |     |     |
| 4304146       | GROUNDWATE : |                                     |       |    |    |    |    |       |       |    |    |    |    |    | 29 | 35 | 40 | 40  | 144 |    |     |     |
| A4304146      | GROUNDWATE : |                                     |       |    |    |    |    |       |       |    |    |    |    |    | 28 | 35 | 40 | 40  | 143 |    |     |     |
| T4304146      | GROUNDWATE : |                                     |       |    | 16 |    | 16 |       |       |    | 17 | 17 | 25 | 25 | 38 | 39 | 22 | 25  | 240 |    |     |     |
| C31Q-BB 82 :  |              | 06                                  |       | 37 | 38 |    | 23 |       | 40    | 38 | 38 |    | 40 | 07 | 05 | 05 | 04 | 38  | 38  | 37 | 40  | 434 |
| T11S R27E S 3 |              |                                     |       |    |    |    |    |       |       |    |    |    |    |    |    |    |    |     |     |    |     |     |
| 4300421       | RAFT RIVER : |                                     |       |    |    |    |    |       |       |    |    |    |    |    | 1  |    |    | 1   |     |    |     |     |
| 4300422       | RAFT RIVER : |                                     |       |    |    |    |    |       |       |    |    |    |    |    | 1  |    |    | 1   |     |    |     |     |
| 4300427A      | RAFT RIVER : |                                     |       |    |    |    |    |       |       |    |    |    |    |    | 1  |    |    |     |     |    |     |     |
| 4300428       | RAFT RIVER : |                                     |       |    |    |    |    |       |       |    |    |    |    |    | 1  |    |    | 1   |     |    |     |     |
| 4302321       | GROUNDWATE : |                                     |       |    |    |    |    |       |       |    |    |    |    |    | 20 |    |    | 20  |     | 40 |     |     |
| A4302321B     | GROUNDWATE : |                                     |       |    |    |    |    |       |       |    |    |    |    |    | 20 |    |    | 20  |     | 40 |     |     |
| 4302511       | GROUNDWATE : | 31                                  |       | 39 | 40 | 24 |    | 39    | 37    | 39 | 40 | 39 | 39 | 38 | 39 |    | 20 |     |     |    | 464 |     |
| A4302511      | GROUNDWATE : | 31                                  |       | 39 | 40 | 24 |    | 39    | 37    | 39 | 40 | 39 | 39 | 38 | 38 |    | 19 |     |     |    | 462 |     |
| T4302511      | GROUNDWATE : | 01-39                               | 02-36 |    | 12 | 14 |    | 03-37 | 04-36 |    | 33 | 34 | 37 | 36 | 33 | 35 |    |     |     |    | 382 |     |
| 4302574B      | GROUNDWATE : |                                     |       |    |    |    |    |       |       |    |    |    |    |    | 20 |    |    | 20  |     | 40 |     |     |
| A4302574B     | GROUNDWATE : |                                     |       |    |    |    |    |       |       |    |    |    |    |    | 20 |    |    | 20  |     | 40 |     |     |
| 4302576B      | GROUNDWATE : |                                     |       |    |    |    |    |       |       |    |    |    |    |    | 20 |    |    | 20  |     | 40 |     |     |
| A4302576B     | GROUNDWATE : |                                     |       |    |    |    |    |       |       |    |    |    |    |    | 20 |    |    | 20  |     | 40 |     |     |
| 4304012       | GROUNDWATE : |                                     |       |    |    |    |    |       |       |    |    |    |    |    | 20 |    |    | 20  |     | 40 |     |     |
| A4304012B     | GROUNDWATE : |                                     |       |    |    |    |    |       |       |    |    |    |    |    | 20 |    |    | 20  |     | 40 |     |     |
| A4304012C     | GROUNDWATE : |                                     |       |    |    |    |    |       |       |    |    |    |    |    | 20 |    |    | 20  |     | 40 |     |     |
| A4304012D     | GROUNDWATE : |                                     |       |    |    |    |    |       |       |    |    |    |    |    | 20 |    |    | 20  |     | 40 |     |     |
| 4304013B      | GROUNDWATE : |                                     |       |    |    |    |    |       |       |    |    |    |    |    | 20 |    |    | 20  |     | 40 |     |     |
| A4304013B     | GROUNDWATE : |                                     |       |    |    |    |    |       |       |    |    |    |    |    | 20 |    |    | 20  |     | 40 |     |     |
| 4304015       | GROUNDWATE : |                                     |       |    |    |    |    |       |       |    |    |    |    |    | 20 |    |    | 20  |     | 40 |     |     |
| A4304015B     | GROUNDWATE : |                                     |       |    |    |    |    |       |       |    |    |    |    |    | 20 |    |    | 20  |     | 40 |     |     |
| T4304146      | GROUNDWATE : | 01-39                               | 02-36 |    | 12 | 14 |    | 03-37 | 04-36 |    | 33 | 34 | 37 | 36 | 33 | 35 |    |     |     |    | 382 |     |
| A4310045      | RAFT RIVER : |                                     |       |    |    |    |    |       |       |    |    |    |    |    | 20 |    |    | 20  |     | 40 |     |     |
| A4310046      | RAFT RIVER : |                                     |       |    |    |    |    |       |       |    |    |    |    |    | 20 |    |    | 20  |     | 40 |     |     |
| A4310441      | RAFT RIVER : |                                     |       |    |    |    |    |       |       |    |    |    |    |    | 20 |    |    | 20  |     | 40 |     |     |
| A4310442      | RAFT RIVER : |                                     |       |    |    |    |    |       |       |    |    |    |    |    | 20 |    |    | 20  |     | 40 |     |     |
| C31Q-BB 82 :  |              |                                     |       | 42 | 31 |    |    |       | 40    | 40 | 38 | 41 | 42 | 40 | 34 | 32 | 21 | 41  |     |    | 442 |     |
| NO QTRS       | MAPPING      | Lot01-37 Lot02-35 Lot03-39 Lot04-36 |       |    |    |    |    |       |       |    |    |    |    |    |    |    |    |     |     |    |     |     |

→ And 1 Acre N NW, Lot 4, sec 2, T11S, R27E - OK

P/U has no overlaps other than WR + Claims of XFER Rts.

## LAND LIST ATTACHMENT

Description and location of place of use: 43-02511 — OWNED PER TAX NOTICE  
43-04146

| TWP. | RANGE | SEC. | NE¼          |     |     |     | NW¼ |     |     |     | SW¼  |     |     |      | SE¼  |      |     |                    | TOTALS |
|------|-------|------|--------------|-----|-----|-----|-----|-----|-----|-----|------|-----|-----|------|------|------|-----|--------------------|--------|
|      |       |      | NE¼          | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼  | NW¼ | SW¼ | SE¼  | NE¼  | NW¼  | SW¼ | SE¼                |        |
| 10S  | 27E   | 34   |              |     |     |     |     |     |     |     |      |     |     |      | 11.5 | 4.8  |     |                    | 16.3   |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      | 28.5 | 35.2 | 40  | 40                 | 143.7  |
|      |       |      | TAX LOT 5378 |     |     |     |     |     |     |     |      |     |     |      |      |      |     | 431.25             |        |
|      |       |      |              | 16  | 16  |     |     |     |     | 17  | 17   | 25  | 25  | 38   | 39   | 22   | 25  |                    | 240.0  |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    | 1.0    |
| 11S  | 27E   | 2    |              |     |     |     |     | 1   |     |     |      |     |     |      |      |      |     |                    |        |
| 11S  | 27E   | 3    | 31           | 39  | 40  | 24  | 39  | 37  | 39  | 40  | 39.4 | 39  | 38  | 38.8 | 19.5 |      |     |                    | 463.7  |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     | 490.0              |        |
|      |       |      | 39.7         | 36  | 12  | 14  | 37  | 34  | 33  | 34  | 37   | 36  | 33  | 35   |      |      |     |                    | 382.7  |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     | TOTALS 480         |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     | 143.7              |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     | TOTAL SYSTEM 623.7 |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     | TRANSFER TOTAL ↑   |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
|      |       |      |              |     |     |     |     |     |     |     |      |     |     |      |      |      |     |                    |        |
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STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
TRANSFER ANALYSIS SHEET

T#4212

INITIAL REVIEW BY: \_\_\_\_\_

1. Right number Amended 43-2511,4146 Applicant Del B. Garner
2. Type of right: ☐ Decree ☒ License ☒ Claim
3. Purpose of transfer: ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use  
☐ Other \_\_\_\_\_
4. Check:
- a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
- b. ☒ Description of original point of diversion.
- c. ☒ Description of original place of use.
5. Amount of land &/or water transferred:
- a. ☒ All of right.
- b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
- c. ☒ Check description of point(s) of diversion.
- d. ☒ Check description of place of use.
- e. ☒ Check map (shows p.d. and p.u. after transfer).
- f. ☒ Check for correct signature, notarization, and fee.
- g. ☒ Check proof of ownership of right &/or land from which water is transferred.
- h. ☒ Check for expansion in use of right. Comments See Analysis Sheet for T4212.
- i. ☒ Check for existing water rights from same source, on land water is being transferred to.  
Right number(s) See Analysis Sheet for T4212
- j. ☐ Is use within a Watermaster District? ☐ Yes ☒ No  
If yes, what district? \_\_\_\_\_

FINAL PROCESSING REVIEW BY: SA

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

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny
3. Conditions\* Subject to Certification by SRCA.

4. By Larry D. Nelson Date 2/28/04

94-043

NOTICE OF PROPOSED CHANGE OF  
WATER RIGHT NOS. 43-02511,  
A43-04146

Notice is hereby given that DEL  
B. GARNER of Declo, ID has

applied to the Department of  
Water Resources to change the  
Point of Diversion and Place of  
Use for the following described  
water right(s) pursuant to  
Section 42-222 of IDAHO CODE  
and further described as  
Amended Transfer No. 4212.

The purpose of this change is  
to describe the new permissible  
place of use more accurately.

WATER RIGHT AS RECORDED:

Water Right No. 43-02511,  
T#2828  
Basis: License  
Date of Priority: 02/08/1961  
Source: groundwater  
Amount: 6.39 cfs  
Use: irrigation  
from 04/01 to 10/31  
Point of Diversion: NESW,  
SWSW, S3, T11S, R27E; Cassia  
County.  
Place of Use: 480 acres within  
N1/2SE, S34, T10S, R27E; NE,  
NW, SW, NWSE, S3, T11S, R27E;  
Cassia County.

Water Right No. 43-04146  
Basis: Statutory Claim  
Date of Priority: 03/01/1961  
Source: groundwater  
Amount: 2.87 cfs  
Point of Diversion: NWNESW,  
NWSWSW, S3, T11S, R27E; Cassia  
County.  
Place of Use: 143.7 acres  
within SE, S34, T10S, R27E;  
Cassia County.

Claims have been filed in the  
Snake River Basin Adjudication.

WATER RIGHT NOS. 43-02511,  
43-04146 TO BE CHANGED by a new  
place of use within S1/2NE, SW,  
SE, S34, T10S, R27E; Lot 4  
(NWNW), S2, T11S, R27E; NE, NW,  
SW, S3, T11S, R27E for  
irrigation of 623.7 acres.

Any protest against approval of  
the proposed change of water  
right application must be filed  
with the Applicant and the  
Department of Water Resources,  
Southern Region, 222 Shoshone

Street East, Twin Falls, ID  
83301 on or before February 28,  
1994.

R. Higginson, Director

Published in the South Idaho Press a  
February 7 and 14, 1994.

SOUTH IDAHO PRESS  
BURLEY, IDAHO  
AFFIDAVIT OF PUBLICATION

RECEIVED

FEB 17 1994

County of Cassia )  
STATE OF IDAHO ) ss

Department of Water Resources  
Southern Region Office

Kary D. Miller, being first duly sworn, deposes and says that she is the General Manager of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of the South Idaho Press for four consecutive week(s), commencing with the issue dated Feb 7 1994, and ending with the issue dated Feb 14 1994.

Kary D. Miller  
KARY D. MILLER

STATE OF IDAHO )  
COUNTY OF Cassia )

On this 15th day of February in the year of 1994 before me, a Notary Public, personally appeared Kary D. Miller, known of identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she executed the same.

JUN 29 1994

OK  
MB  
2/25/94

Kelly Solomon  
Notary Public for Idaho  
Residing at Burley, ID  
My commission expires: May 23, 1997

Cost of Publication 65.88  
Notary Fee 50  
Total Cost 115.88

JUN 29 1994

NOTICE OF PROPOSED CHANGE OF  
WATER RIGHT NOS. 43-02511,  
A43-04146

Notice is hereby given that DEL  
B. GARNER of Declo, ID has  
applied to the Department of  
Water Resources to change the  
Point of Diversion and Place of  
Use for the following described  
water right(s) pursuant to  
Section 42-222 of IDAHO CODE  
and further described as  
Amended Transfer No. 4212.

The purpose of this change is  
to describe the new permissible  
place of use more accurately.

WATER RIGHT AS RECORDED:

Water Right No. 43-02511,  
T#2828  
Basis: License  
Date of Priority: 02/08/1961  
Source: groundwater  
Amount: 6.39 cfs  
Use: irrigation  
from 04/01 to 10/31  
Point of Diversion: NESW,  
SWSW, S3, T11S, R27E; Cassia  
County.  
Place of Use: 480 acres within  
N1/2SE, S34, T10S, R27E; NE,  
NW, SW, NWSE, S3, T11S, R27E;  
Cassia County.

Water Right No. 43-04146  
Basis: Statutory Claim  
Date of Priority: 03/01/1961  
Source: groundwater  
Amount: 2.87 cfs  
Point of Diversion: NWNESW,  
NWSWSW, S3, T11S, R27E; Cassia  
County.  
Place of Use: 143.7 acres  
within SE, S34, T10S, R27E;  
Cassia County.

Claims have been filed in the  
Snake River Basin Adjudication.

WATER RIGHT NOS. 43-02511,  
43-04146 TO BE CHANGED by a new  
place of use within S1/2NE, SW,  
SE, S34, T10S, R27E; Lot 4  
(NWNW), S2, T11S, R27E; NE, NW,  
SW, S3, T11S, R27E for  
irrigation of 623.7 acres.

Any protest against approval of  
the proposed change of water  
right application must be filed  
with the Applicant and the  
Department of Water Resources,  
Southern Region, 222 Shoshone  
Street East, Twin Falls, ID  
83301 on or before February 24,  
1994.

R. Higginson, Director

Published in South Idaho Press  
on 2/7 & 2/14/94.

RECORDED

JUN 29 1994



State of Idaho

# DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS  
Governor

R. KEITH HIGGINSON  
Director

26-Jan-1994

SOUTH IDAHO PRESS  
PO BOX 190  
BURLEY ID 83318

Gentlemen:

Enclosed you will find a legal notice which we wish to have published in your newspaper. We have inserted the required publication dates. If time allows, please submit a galley proof for review before publication.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin  
Sr. Secretary

Enclosure

JUN 29 1994

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NOS. 43-02511, A43-04146

Notice is hereby given that DEL B. GARNER of Declo, ID has applied to the Department of Water Resources to change the Point of Diversion and Place of Use for the following described water right(s) pursuant to Section 42-222 of IDAHO CODE and further described as **Amended Transfer No. 4212.**

The purpose of this change is to describe the new permissible place of use more accurately.

WATER RIGHT AS RECORDED:

Water Right No. 43-02511, T#2828

Basis: License

Date of Priority: 02/08/1961

Source: groundwater

Amount: 6.39 cfs

Use: irrigation from 04/01 to 10/31

Point of Diversion: NESW, SWSW, S3, T11S, R27E; Cassia County.

Place of Use: 480 acres within N1/2SE, S34, T10S, R27E; NE, NW, SW, NWSE, S3, T11S, R27E; Cassia County.

Water Right No. 43-04146

Basis: Statutory Claim

Date of Priority: 03/01/1961

Source: groundwater

Amount: 2.87 cfs

Point of Diversion: NWNESW, NWSWSW, S3, T11S, R27E; Cassia County.

Place of Use: 143.7 acres within SE, S34, T10S, R27E; Cassia County.

Claims have been filed in the Snake River Basin Adjudication.

WATER RIGHT NOS. 43-02511, 43-04146 TO BE CHANGED by a new place of use within S1/2NE, SW, SE, S34, T10S, R27E; Lot 4 (NWNW), S2, T11S, R27E; NE, NW, SW, S3, T11S, R27E for irrigation of 623.7 acres.

Any protest against approval of the proposed change of water right application must be filed with the Applicant and the Department of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 on or before February 24, 1994.

R. Higginson, Director

Published in South Idaho Press on 2/7 & 2/14/94.

RECORDED  
JUN 29 1994



State of Idaho

## DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS  
Governor

25-Jan-1994

R. KEITH HIGGINSON  
Director

DEL B GARNER  
STAR RT BOX 61  
DECLO ID 83323

Re: Application for AMENDED Transfer No. 4212, (43-02511, 43-04146)

Dear Mr. Garner:

The Department of Water Resources acknowledges receipt of your Amended Application for Transfer.

This office has scheduled advertising the application in the South Idaho Press for 2/7 and 2/14/94. The advertisement will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

State Office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review.

Please feel free to contact this office if you have any questions regarding this procedure.

Very truly yours,

Mel Schulte  
Water Right Agent

MS:MB

JUN 29 1994



State of Idaho

## DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS  
Governor

R. KEITH HIGGINSON  
Director

Del B. Garner  
Star Rt. Box 61  
Declo, ID  
83323

January 6, 1993

RE: App. for Transfer #4212

Dear Mr. Garner;

Per our discussion, enclosed is the amended transfer application #4212. The form should be signed before a notary and returned to this office with a \$20. readvertising fee. If you have any questions, please feel free to contact me.

Sincerely,

James E. Stanton  
Sr. Water Resource Agent

RECEIVED

JUN 29 1994

# STATE OF IDAHO

## DEPARTMENT OF WATER RESOURCES

### TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: JF Harton

1. Right number 43-02511 Applicant Del Garner
2. Type of right: ☐ Decree ☐ License ☐ Claim
3. Purpose of transfer: ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use  
☐ Other \_\_\_\_\_
4. Check:
  - a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
  - b. ☒ Description of original point of diversion.
  - c. ☒ Description of original place of use.
5. Amount of land &/or water transferred:
  - a. ☒ All of right.
  - b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
  - c. ☒ Check description of point(s) of diversion.
  - d. ☒ Check description of place of use.
  - e. ☒ Check map (shows p.d. and p.u. after transfer).
  - f. ☒ Check for correct signature, notarization, and fee.
  - g. ☒ Check proof of ownership of right &/or land from which water is transferred.
  - h. ☒ Check for expansion in use of right. Comments Appears to be no expansion
  - i. ☒ Check for existing water rights from same source, on land water is being transferred to.  
Right number(s) None
  - j. ☒ Is use within a Watermaster District? ☐ Yes ☒ No  
If yes, what district? \_\_\_\_\_

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

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

#### RECOMMENDED ACTION

1. ☐ Approve
2. ☐ Deny
3. Conditions\* \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
4. By \_\_\_\_\_ Date \_\_\_\_\_

RECEIVED

RECEIVED

JUL 19 1993

JUL 19 1993

STATE OF IDAHO

Transfer No. 4212

Page 1 of 8  
 Should questions arise during the processing of this application please contact: **DEPARTMENT OF WATER RESOURCES**  
 Southern Region Office  
 Western Regional Office

**APPLICATION FOR TRANSFER OF WATER RIGHT****PART 1**

SHERL L. CHAPMAN  
 410 S. Orchard, Suite 144  
 Boise, ID 83705

Name of applicant Del B. Garner Phone 349-5574  
 Post Office address Star Route Box 61, Declo, Idaho 83323

**A. PURPOSE OF TRANSFER**

- 1 ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use  
☐ Change nature of use ☐ Change period of use ☒ Other Create permissible place of use  
 2. Describe the reason for the proposed changes Part of the irrigated acreage will be retired from production due to installation of two pivot systems. Also to correct error in legal description of west well (no actual change in location).

**B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE**

1. Right Number Priority Amount (cfs/ac-ft) Nature of Use Period of Use  
43-02511 2/8/61 6.39 Irrigation 3/15 4-1 to 10/31  
A43-04146 3-1-1961 2.87 " " to "  
" " " " to "  
" " " " to "  
 2. Total amount of water being transferred 6.39 cubic feet per second and/or 2494.8 acre-feet per annum.  
 3. Source of water Ground Water tributary to N/A  
 4. Point(s) of Diversion: No Change

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     | NW  | NE  | SW  | 3    | 11S  | 27E  | Cassia |                          |
|     | SW  | NW  | SW  | 3    | 11S  | 27E  | Cassia |                          |
|     |     |     |     |      |      |      |        |                          |

**5. Lands irrigated or place of use:**

| Twp | Rge. | 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 |        |
| 10S | 27E  | 34   |        |        | 127    | 12     |        |        |        |        |        |        |        |        | 40     | 40     | 40     | 40     | 184.7  |
| 11S | 27E  | 2    |        |        |        |        |        | 174    | 2      |        |        |        |        |        |        |        |        |        | 3      |
|     |      | 3    | 40     | 40     | 40     | 23     | 37     | 36     | 33     | 34     | 27     | 36     | 35     | 35     | 1      | 10     |        |        | 437    |
|     |      |      | 171    | 172    |        |        | 173    | 174    |        |        |        |        |        |        |        |        |        |        |        |
|     |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
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|     |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total acres 623.7

**PART 1****6 General Information**

a Description of diversion system Two drilled wells, mainlines and vertical turbine pumps.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? X Yes \_\_\_\_\_ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes

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

The land from which the water will be transferred will no longer be irrigated.

d. Remarks:

Transfer is to improve efficiency of existing systems.

**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES**

This is to certify that I have examined Application for Transfer of Water Rights No. \_\_\_\_\_

And said application is hereby \_\_\_\_\_, subject to the following limitations and conditions:

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

JUN 29 1994

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**APPLICATION FOR TRANSFER OF WATER RIGHT**

**PART 2**

(Attach one copy for each right)

**A. DESCRIPTION OF RIGHT AS RECORDED**

1. Right evidenced by:

- a. Decree No. \_\_\_\_\_ Decreed to \_\_\_\_\_  
in case of \_\_\_\_\_ vs \_\_\_\_\_  
dated \_\_\_\_\_ in \_\_\_\_\_ county of \_\_\_\_\_
- b. License No. 43-02511 issued by the Idaho Department of Water Resources.
- c. Claim No. A43-02511 on file with the Idaho Department of Water Resources.
- d. Transfer No. 2828 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other \_\_\_\_\_

3. Source of water Groundwater tributary to \_\_\_\_\_

4. Date or priority 2-8-1961

5. Water is used for the following purpose:

amount 6.37 cfs for Irrig. purposes from 4-1 to 10-31  
(cfs/ac-ft)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)

6. Total amount of water under right 6.37 cubic feet per second and/or 1920 acre-feet per annum

7. Point(s) of Diversion

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     |     | NE  | SW  | 3    | 11S  | 27E  | Cassia |                          |
|     |     | SW  | SW  | "    | "    | "    | "      |                          |
|     |     |     |     |      |      |      |        |                          |

8. Lands irrigated or place of use:

| Twp. | Rge. | 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 |         |
| 10S  | 27E  | 34   |        |        |        |        |        |        |        |        |        |        |        |        | 11.5   | 4.8    |        |        | 16.3    |
| 11S  | "    | 3    | 31     | 39     | 40     | 24     | 39     | 37     | 39     | 40     | 39     | 39     | 38     | 38     |        |        |        |        | 463.7   |
|      |      |      | 141    | 143    |        |        | 143    | 144    |        |        |        |        |        |        |        |        |        |        |         |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |         |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |         |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |         |

Total acres 480

9. Describe any other water rights used for the same purpose as described above \_\_\_\_\_

10 To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?  
No If yes, describe \_\_\_\_\_

### B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)

2. Point(s) of Diversion.

| Lot | ¼ | ¼ | ¼ | Sec | Twp. | Rge. | County | Local name for diversion |
|-----|---|---|---|-----|------|------|--------|--------------------------|
|     |   |   |   |     |      |      |        |                          |
|     |   |   |   |     |      |      |        |                          |
|     |   |   |   |     |      |      |        |                          |

3. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE ¼ |      |      |      | NW ¼ |      |      |      | SW ¼ |      |      |      | SE ¼ |      |      |      | Totals |
|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|--------|
|      |      |      | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |

Total acres \_\_\_\_\_

### C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)

2. Point(s) of Diversion:

| Lot | ¼ | ¼ | ¼ | Sec | Twp. | Rge. | County | Local name for diversion |
|-----|---|---|---|-----|------|------|--------|--------------------------|
|     |   |   |   |     |      |      |        |                          |
|     |   |   |   |     |      |      |        |                          |
|     |   |   |   |     |      |      |        |                          |

3. Lands irrigated or place of use.

| Twp | Rge. | Sec | NE ¼ |      |      |      | NW ¼ |      |      |      | SW ¼ |      |      |      | SE ¼ |      |      |      | Totals |
|-----|------|-----|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|--------|
|     |      |     | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ |        |
|     |      |     |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|     |      |     |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|     |      |     |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|     |      |     |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|     |      |     |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|     |      |     |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|     |      |     |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |

Total acres \_\_\_\_\_

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**APPLICATION FOR TRANSFER OF WATER RIGHT**

**PART 2**

(Attach one copy for each right)

**A. DESCRIPTION OF RIGHT AS RECORDED**

1. Right evidenced by:

- a. Decree No. \_\_\_\_\_ Decreed to \_\_\_\_\_  
 in case of \_\_\_\_\_ vs \_\_\_\_\_  
 dated \_\_\_\_\_ in \_\_\_\_\_ county of \_\_\_\_\_
- b. License No. \_\_\_\_\_ issued by the Idaho Department of Water Resources.
- c. Claim No. A43-04146 on file with the Idaho Department of Water Resources.
- d. Transfer No. \_\_\_\_\_ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other \_\_\_\_\_

3. Source of water Groundwater tributary to \_\_\_\_\_

4. Date or priority 3-1-1961

5. Water is used for the following purpose:

amount 2.87 cfs for Irrig. purposes from 4-1 to 10-31  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)

6. Total amount of water under right 2.87 cubic feet per second and/or \_\_\_\_\_ acre-feet per annum

7. Point(s) of Diversion

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     | NW  | NE  | SW  | 3    | 11S  | 27E  | Cassia |                          |
|     | NW  | SW  | SW  | "    | "    | "    | "      |                          |
|     |     |     |     |      |      |      |        |                          |

8. Lands irrigated or place of use.

| Twp. | Rge. | 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 |        |
| 10S  | 27E  | 24   |        |        |        |        |        |        |        |        |        |        |        |        | 38.5   | 35.2   | 40     | 40     | 143.7  |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total acres 143.7

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

Claim A43-02511 on same system

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No

If yes, describe \_\_\_\_\_

**B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED**

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)

2. Point(s) of Diversion

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

3 Lands irrigated or place of use

| Twp. | Rge. | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |      |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total acres \_\_\_\_\_

**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)

2. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

3 Lands irrigated or place of use

| Twp. | Rge. | 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 |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

JUN 29 1994

Total acres \_\_\_\_\_



JUN 29 1994

T # 4212

A43-04146

A43-02511

RIVER

4305

Pge 275

DITCHES

4378

39

40

39

39

38

38

Time  
west

4396

MICROFILM

MAR 13 1952

JUN 9 9 1954

T # 4212

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

| TWP | RANGE | SEC. | NE¼ |     |      |     | NW¼ |                  |     |     | SW¼ |     |     |     | SE¼                 |          |     |     | TOTALS   |
|-----|-------|------|-----|-----|------|-----|-----|------------------|-----|-----|-----|-----|-----|-----|---------------------|----------|-----|-----|----------|
|     |       |      | NE¼ | NW¼ | SW¼  | SE¼ | NE¼ | NW¼              | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼                 | NW¼      | SE¼ | SW¼ |          |
|     |       | 3    | 40  | 40  | 40   | 23  | 37  | <del>47</del> 36 | 33  | 34  | 37  | 36  | 35  | 25  | 1                   | 10       |     |     | 37<br>47 |
|     |       | 2    |     |     |      |     |     | 2                |     |     |     |     |     |     |                     |          |     |     | 2        |
|     |       | 34   |     |     | 12.7 | 12  |     |                  |     |     |     |     |     |     | 40<br><del>32</del> | 40<br>37 | 40  | 40  | 184.6    |
|     |       |      |     |     |      |     |     |                  |     |     |     |     |     |     |                     |          |     |     | 623.7    |
|     |       |      |     |     |      |     |     |                  |     |     |     |     |     |     |                     |          |     |     |          |
|     |       |      |     |     |      |     |     |                  |     |     |     |     |     |     |                     |          |     |     |          |
|     |       |      |     |     |      |     |     |                  |     |     |     |     |     |     |                     |          |     |     |          |
|     |       | 3    | 40  | 40  | 40   | 23  | 40  | 37               | 37  | 40  | 40  | 37  | 38  | 39  | 1                   | 10       |     |     | 468      |
|     |       | 2    |     |     |      |     |     | 2                |     |     |     |     |     |     |                     |          |     |     | 2        |
|     |       | 34   |     |     |      |     |     |                  |     |     |     |     |     |     | 37                  | 37       | 40  | 40  | 154      |
|     |       |      |     |     |      |     |     |                  |     |     |     |     |     |     |                     |          |     |     | 624      |
|     |       |      |     |     |      |     |     |                  |     |     |     |     |     |     |                     |          |     |     |          |
|     |       |      |     |     |      |     |     |                  |     |     |     |     |     |     |                     |          |     |     |          |
|     |       |      |     |     |      |     |     |                  |     |     |     |     |     |     |                     |          |     |     |          |
|     |       |      |     |     |      |     |     |                  |     |     |     |     |     |     |                     |          |     |     |          |
|     |       |      |     |     |      |     |     |                  |     |     |     |     |     |     |                     |          |     |     |          |
|     |       |      |     |     |      |     |     |                  |     |     |     |     |     |     |                     |          |     |     |          |
|     |       |      |     |     |      |     |     |                  |     |     |     |     |     |     |                     |          |     |     |          |

New  
PR

Old  
PR  
1987

Total number of acres to be irrigated \_\_\_\_\_

RECEIVED

JUN 29 1994

T # 4212



**PART 3****B. CHANGES IN NATURE OF USE** N/A

| 1 | New Nature of Use | Amount<br>(cfs/ac-ft) | Hours/days/year | Period of Use |
|---|-------------------|-----------------------|-----------------|---------------|
|   |                   |                       |                 | to            |
|   |                   |                       |                 | to            |

2. Quantity and quality of return flows and location of discharge:

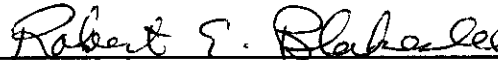
3 Describe effects on other water uses resulting from the proposed change:

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

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



(Signature of Applicant)

Subscribed and sworn to before me this 12<sup>th</sup> day of July, 19 93.

(Notary Public)

My commission expires 6-4-96**FOR DEPARTMENT USE ONLY**Transfer contains 8 pages and 3 attachmentsReceived by [Signature] Date 7-13-93

Protest filed by \_\_\_\_\_

Prelim. check by [Signature] Fee 50.00 W015501 W016501Receipted by Western Region Date 07/13/93Published in So. Ill. Press

Copies of protest forwarded by \_\_\_\_\_

Pub. dates 11/8 & 11/15/93

Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Watermaster recommendation requested on N/ARecommended for ☐ approval ☐ denial

\_\_\_\_\_ rec'd. \_\_\_\_\_ by \_\_\_\_\_

Copy of transfer sent to lien holder \_\_\_\_\_

JUN 29 1994

NOTICE OF PROPOSED CHANGE OF  
WATER RIGHTS

Notice is hereby given that DEL B. GARNER of Declo, ID has applied to the Department of Water Resources for changes to point of diversion, place of use, and to create a permissible place of use from groundwater sources and further classified as Transfer # 4212.

The rights to be changed authorize diversion of water from two wells located in S3, T11S, R27E within Cassia County. The rights are recorded in part as follows:

Number: 43-02511, T# 2828  
Priority: 02/08/1961  
Amount: 6.39 cfs  
Acres: 480

Number: 43-04146  
Priority: 03/01/1961  
Amount: 2.87 cfs  
Acres: 144

Adjudication Claim No.  
A43-02511 has been filed in the Snake River Basin Adjudication by Del B. &/or Carol H. Garner to irrigate 480 acres.

Adjudication Claim No.  
A43-04146 has been filed in the Snake River Basin Adjudication by Del B. &/or Carol H. Garner to irrigate 143.7 acres.

TO BE CHANGED AS FOLLOWS

Water rights 43-02511 and A43-04146 will be diverted from two (2) wells located within NWNESE, SWNESE, S3, T11S, R27E; Cassia County and will be used for irrigation of 623.7 acres within S1/2NE, SE, S34, T10S, R27E; Lot 4 (NWNW), S2, T11S, R27E; NE, NW, SW, N1/2SE, S3, T11S, R27E using a total diversion rate of 6.39 cfs.

Any protest against approval of the above proposal must be filed with the applicant and with the Director, Department of Water Resources, 222 Shoshone St. E., Twin Falls ID 83301 on or before November 26, 1993.

R. Keith Higginson, Director

Published by the South Idaho Press on  
November 8 and 15, 1993.

SOUTH IDAHO PRESS  
BURLEY, IDAHO  
AFFIDAVIT OF PUBLICATION

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NOV 23 1993

Department of Water Resources  
Southern Region Office

County of Cassia )  
STATE OF IDAHO ) ss

Kary D. Miller, being first duly sworn, deposes and says that she is the General Manager of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of the South Idaho Press for two consecutive week(s), commencing with the issue dated Nov 8 1993 and ending with the issue dated Nov 15 1993.

Kary D Miller  
KARY D. MILLER

STATE OF IDAHO )  
COUNTY OF Cassia )

JUN 29 1994

On this 18th day of November in the year of 1993 before me, a Notary Public, personally appeared Kary Miller known of identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she executed the same.

Kelly Johnson  
Notary Public for Idaho  
Residing at Burley, ID  
My commission expires: May 23, 1997

Cost of Publication 60.48  
Notary Fee .50  
Total Cost 60.98

OK  
MB  
11-23-93

JUN 29 1994

LEGAL  
STATEMENT

MEMBER OF ASSOCIATED PRESS  
**South Idaho Press**

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230 EAST MAIN BOX 190  
BURLEY, IDAHO 83318

PHONE 678-2201

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AND SUNDAY  
MORNINGS

Dept of Water  
222 Shoshone St. East  
Twin /Falls Id 83301

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NOV 22 1993

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ALL ACCOUNTS  
DUE AND  
PAYABLE ON  
20TH OF MONTH  
FOLLOWING CHARGE  
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93-394 Camera Ready

Please detach this stub and mail with your remittance. Your cancelled check serves as your receipt.

| DATE            | DESCRIPTION                 | TIMES<br>RAN | LINES | COST<br>PER LINE | CHARGES      | BALANCE                                   |
|-----------------|-----------------------------|--------------|-------|------------------|--------------|-------------------------------------------|
| BALANCE FORWARD |                             |              |       |                  |              |                                           |
| Nov 22 1993     | 93-394<br>Notary            | 2            | 56    | 1.08             | 60.48<br>.50 |                                           |
|                 | TR #4212<br>43 - 2511, 4146 |              |       |                  |              |                                           |
|                 | Camera Ready                |              |       |                  |              | 60.98                                     |
|                 |                             |              |       |                  |              | OK<br>MB<br>11-23-93                      |
|                 |                             |              |       |                  |              | Thank<br>You                              |
|                 |                             |              |       |                  |              | ▲<br>PAY LAST<br>AMOUNT IN<br>THIS COLUMN |
|                 |                             |              |       |                  |              | JUN 09 1994                               |
|                 |                             |              |       |                  |              | SOUTH IDAHO PRESS<br>BURLEY, IDAHO        |

NOTICE OF PROPOSED CHANGE OF  
WATER RIGHTS

Notice is hereby given that DEL B. GARNER of Declo, ID has applied to the Department of Water Resources for changes to point of diversion, place of use, and to create a permissible place of use from groundwater sources and further classified as Transfer # 4212.

The rights to be changed authorize diversion of water from two wells located in S3, T11S, R27E within Cassia County. The rights are recorded in part as follows:

Number: 43-02511, T# 2828  
Priority: 02/08/1961  
Amount: 6.39 cfs  
Acres: 480

Number: 43-04146  
Priority: 03/01/1961  
Amount: 2.87 cfs  
Acres: 144

Adjudication Claim No.  
A43-02511 has been filed in the Snake River Basin Adjudication by Del B. &/or Carol H. Garner to irrigate 480 acres.

Adjudication Claim No.  
A43-04146 has been filed in the Snake River Basin Adjudication by Del B. &/or Carol H. Garner to irrigate 143.7 acres.

TO BE CHANGED AS FOLLOWS

Water rights 43-02511 and A43-04146 will be diverted from two (2) wells located within MNWESW, SWNWSE, S3, T11S, R27E; Cassia County and will be used for irrigation of 623.7 acres within S1/2NE, SE, S34, T10S, R27E; Lot 4 (NWSE), S2, T11S, R27E; NE, NW, SW, N1/2SE, S3, T11S, R27E using a total diversion rate of 6.39 cfs.

Any protest against approval of the above proposal must be filed with the applicant and with the Director, Department of Water Resources, 222 Shoshone St. E., Twin Falls ID 83301 on or before November 26, 1993.

R. Keith Higginson, Director

Published in South Idaho Press  
on 11/8 & 11/15/93.

JUN 29 1994



State of Idaho

# DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS  
Governor

R. KEITH HIGGINSON  
Director

03-Nov-1993

SOUTH IDAHO PRESS  
PO BOX 190  
BURLEY ID 83318

Gentlemen:

Enclosed you will find a legal notice which we wish to have published in your newspaper. We have inserted the required publication dates. If time allows, please submit a galley proof for review before publication.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin  
Sr. Secretary

Enclosure

JUN 29 1994

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS

Notice is hereby given that DEL B. GARNER of Declo, ID has applied to the Department of Water Resources for changes to point of diversion, place of use, and to create a permissable place of use from groundwater sources and further classified as Transfer # 4212.

The rights to be changed authorize diversion of water from two wells located in S3, T11S, R27E within Cassia County. The rights are recorded in part as follows:

Number: 43-02511, T# 2828  
Priority: 02/08/1961  
Amount: 6.39 cfs  
Acres: 480

Number: 43-04146  
Priority: 03/01/1961  
Amount: 2.87 cfs  
Acres: 144

Adjudication Claim No. A43-02511 has been filed in the Snake River Basin Adjudication by Del B. &/or Carol H. Garner to irrigate 480 acres.

Adjudication Claim No. A43-04146 has been filed in the Snake River Basin Adjudication by Del B. &/or Carol H. Garner to irrigate 143.7 acres.

TO BE CHANGED AS FOLLOWS

Water rights 43-02511 and A43-04146 will be diverted from two (2) wells located within NWNESW, SWNWSW, S3, T11S, R27E; Cassia County and will be used for irrigation of 623.7 acres within S1/2NE, SE, S34, T10S, R27E; Lot 4 (NWNW), S2, T11S, R27E; NE, NW, SW, N1/2SE, S3, T11S, R27E using a total diversion rate of 6.39 cfs.

Any protest against approval of the above proposal must be filed with the applicant and with the Director, Department of Water Resources, 222 Shoshone St. E., Twin Falls ID 83301 on or before November 26, 1993.

R. Keith Higginson, Director

Published in South Idaho Press on 11/8 & 11/15/93.

JUN 29 1994



State of Idaho

# DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS  
Governor

29-Oct-1993

R. KEITH HIGGINSON  
Director

DEL B GARNER  
START ROUTE 61  
DECLO ID 83323

Re: Application for Transfer No. 4212 (43-02511, A43-04146)

Dear Mr. Garner:

The Department of Water Resources acknowledges receipt of your Application for Transfer.

This office has scheduled advertising the application in the South Idaho Press for 11/8 and 11/15/93. The advertisement will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

State Office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review.

Please feel free to contact this office if you have any questions regarding this procedure.

Very truly yours,

James E. Stanton  
Sr. Water Resource Agent

JS:MB

JUN 29 1994



State of Idaho

# DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS  
Governor

R. KEITH HIGGINSON  
Director

Del B. Garner  
Star Rt. Box 61  
Declo, ID  
83323

August 30, 1993

RE: Application for Transfer of Rts. 43-02511, A43-04146

Dear Mr. Garner;

Per our discussions, I have corrected your transfer to show how your water system actually operates. A copy is enclosed for your information. If this is not satisfactory, please contact me at your earliest convenience.

Sincerely,

*James E. Stanton*

James E. Stanton  
Sr. Water Resource Agent

RECEIVED  
AUG 30 1994

T#4212

INTER-DEPARTMENT MEMO

TO: File

SUBJECT: Del Garner Transfer

FROM: Jim Stanton

DATE: 8-30-93

I recently visited the Garner property during a pre-transfer exam. I discussed the system with Mr. Garner. Based on my visit and ASCS aerial photos, the system appeared to cover about 624 acres before the pivots were installed. Although the acreage distribution was somewhat different than licensed, the total acreage claimed appears to be correct. The west well is in a different spot than licensed & claimed. Due to wet roads, I was not able to visit the east well. I corrected the P/D & P/U on the transfer to reflect my field work. A copy of the corrected data was sent to Mr. Garner. This transfer looks reasonable, and should be approved. SRBA will still have to verify the beneficial-use claim, of course.

(x) For your information

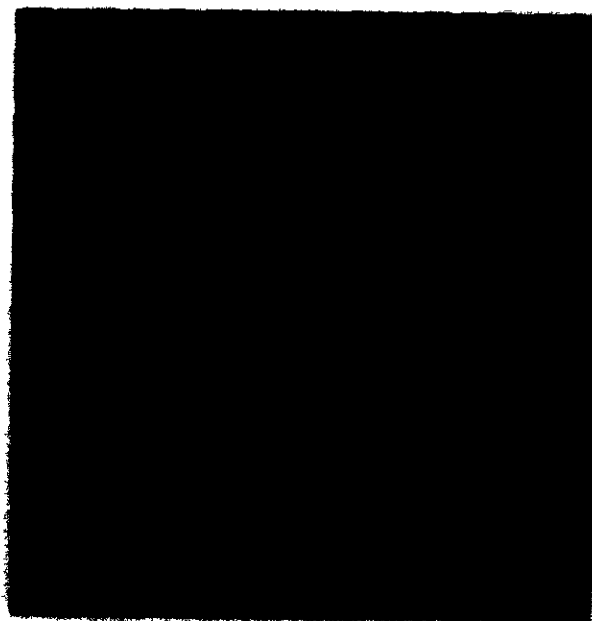
( ) Response required

JUN 29 1994

signature

T # 4212

Garner Transfer



---

West well & re-lift Pump

RECEIVED  
JUN 29 1994

---

T# 4212



**Farm Credit Services**

**RECEIVED**

JUL 13 1993

Department of Water Resources  
Western Regional Office

1305 Albion Avenue  
P.O. Box 1168  
Burley, Idaho 83318  
208/678-3516 FAX 208/678-1302

July 12, 1993

State of Idaho  
Department of Water Resources  
Attn: Jim Stenton  
222 Shoshone St. East  
Twin Falls, ID 83301

RE: Del B. Garner  
Application for Transfer of Water  
Right; Right Numbers, A43-02511  
dated July 12, 1993

Dear Jim:

As first mortgage holder on real estate included in the above transfer application, the Farm Credit Bank of Spokane does hereby consent to said transfer.

Sincerely,

Robert E. Blakeslee  
Branch Manager

cc: Del B. Garner

**RECEIVED**

JUN 29 1994

RECEIVED

JUL 13 1993

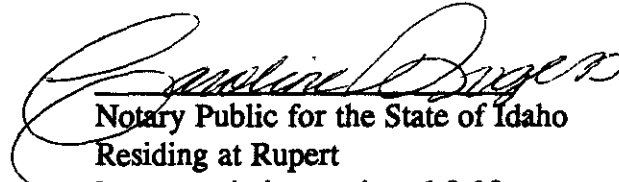
STATE OF IDAHO )

)ss.

County of Cassia )

Department of Water Resources  
Western Regional Office

On this 12th day of July, 1993, before me personally appeared ROBERT E. BLAKESLEE, known to me to be an authorized agent of the FARM CREDIT SERVICES that executed the within instrument, and acknowledged to me that such corporation executed the same as its free act and deed; and on oath stated that he was authorized to execute said instrument.

  
Notary Public for the State of Idaho  
Residing at Rupert  
My commission expires 6-8-98

RECEIVED

JUN 29 1994

T # 4212

August 24, 1983

RE: Water Right No. 43-2511

Del Garner  
Star Route  
Declo, ID 83323

Dear Mr. Garner:

Enclosed is a copy of your approved application for transfer of the above referenced water right (Transfer No. 2828).

Sincerely,

JIM JOHNSON  
Water Distribution Supervisor

JJ:kw  
Enclosure

**MICROFILMED**

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: T. G. Blau

1. Right number 43 Applicant GARNER, Del
2. Type of right: ☐ Decree ☒ License ☐ Claim
3. Purpose of transfer: ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use  
☐ Other \_\_\_\_\_

4. Check:

☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use

☒ Description of original point of diversion.

☒ Description of original place of use.

Note! P/u is within  
RAFT RIVER CGWA

5. Amount of land &/or water transferred:

☒ All of right.

N/A ☒ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).

c. ☒ Check description of point(s) of diversion. No change

d. ☒ Check description of place of use. - See quadrangle for NWS

☒ Check map (shows p.d. and p.u. after transfer).

? on land actually irrigated prior to transfer. - lic shows it was irrigated.

☒ Check for correct signature, notarization, and fee.

g. ☒ Check proof of ownership of right &/or land from which water is transferred.

see memo dated 5-16-83

h. ☒ Check for expansion in use of right. Comments assume new listed

on license prior to transfer one occurred.

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

Right number(s) \_\_\_\_\_

j. ☐ Is use within a Watermaster District? ☐ Yes ☒ No

If yes, what district? \_\_\_\_\_

Send Copy to Farmers Home Administration 2211 Overland Ave., Burley <sup>Mesa</sup>

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

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

COMMENDED ACTION

1. ☒ Approve

2. ☐ Deny

3. Conditions\* OLC

RECEIVED  
JUN 27 1983

Department of Water Resources

4. By ADM Date 5/16/83 6/20/83

3-17-83

No special conditions recommended

\* All uses within Watermaster Districts require special conditions.



For your information

From the Desk of:

*Sheri Chapman*

Alan - here is the  
disclaimer you requested.  
If you need anything  
more on del banner  
please call.

**MICROFILM**

*Sheri*

Star Route Box 63  
Declo, Idaho 83323  
June 13, 1983

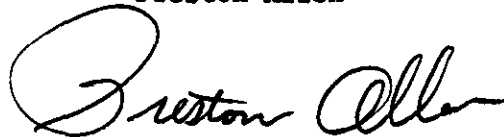
Mr. Alan Merritt  
Department of Water Resources  
Southern Division  
1041 Blue Lakes Blvd., North  
Twin Falls, Idaho 83301

Dear Mr. Merritt:

I, Preston Allen, do not claim any right or title to Idaho  
water right license #43-2511.

Sincerely yours,

Preston Allen



PA:kje

WITNESS:



**MICROFILMED**

Memo

Date: 5/16/83

From: Allen Merritt

To: Trans. of Lic 43-2511 by Del Garner

Subject: Phone conv. with Cassir Co. Assessors Office

This day I phoned to check on ownership of NW $\frac{1}{4}$ SE $\frac{1}{4}$  Sec 3 T.11S., R27E, B.M. The lady indicated Mr. Garner owns land in northern portion as deed shows, Preston Allen owns the remainder of land to the south. It appears from transfer applic. that water is being removed from Mr. Preston Allen's land and being transferred to other land.

It appears that a statement from Mr. Allen disclaiming ownership of Lic, 43-2511 is appropriate.

RECORDED

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 43-2511

Notice is hereby give that Del Garner of Declo, Idaho has applied to the Department of Water Resources for a change of place of use of a right from a groundwater source. The right sought to be changed is evidenced by License No. 43-2511 and is recorded as follows:

Amount: 6.39 cfs

Priority: February 8, 1961

Point of Diversion: SW $\frac{1}{4}$ SW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 3, T11S, R27E, B.M., Cassia County

The water is used for irrigation of 480 acres from March 15 to November 1 within NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 3, T11S, R27E, B.M.

TO BE CHANGED AS FOLLOWS:

Amount: Same

Point of Diversion: No change

Place of use: NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ . Sec. 3, T11S, R27E; N $\frac{1}{2}$ SE $\frac{1}{4}$ , Sec. 34, T10S, R27E for irrigation of 480 acres from March 15 to November 1.

Any protest against the approval of the above proposed change of the right described above must be filed with the Idaho Department of WATER Resources 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301, on or before May 9, 1983.

A. KEN DUNN, Director

Published in South Idaho Press on April 21 and April 28, 1983.

MICROFILMED

April 11, 1983

South Idaho Press  
Box 190  
Burley, Idaho 83318

Re: Notice of Proposed Change of Water Right No. 43-2511  
45-7277  
Notice of Amendment to a Water Right No. 45-7292

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Sincerely,

Mary A. Newby  
Sec/Office Coord

Encl: 3

Bill submitted: \_\_\_\_\_

MICROFILMED

*Sherl L. Chapman*

CONSULTANT

410 S ORCHARD / SUITE 144 / BOISE, IDAHO 83705 / PHONE 344-6690

March 14, 1983

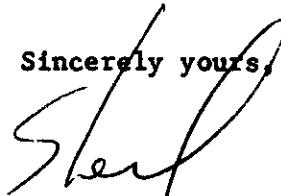
Mr. Loren Holmes  
Department of Water Resources  
1041 Blue Lakes Blvd., North  
Twin Falls, Idaho 83301

Dear Loren:

Enclosed you will find two claims and a transfer for  
Mr. Del Garner of Declo.

If you have any questions, please call.

Sincerely yours,



Sherl L. Chapman  
Consultant

SLC:kje  
enclosures

SPECIALIST IN

GROUND-WATER HYDROLOGY / WATER RIGHTS / WATER WELL DESIGN / GEOTHERMAL RESOURCES

State of Idaho  
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 43-2511 Priority 2-8-61 Amount 6.39 c.f.s.

THIS IS TO CERTIFY, that FLOYD BONGE  
of Ferris, California, has complied with the terms and conditions of Permit  
No. 43-2511 issued pursuant to Application for Permit dated 2-8-61  
and has submitted proof to the Department of Water Administration on 2-15-66  
that he has applied water to a beneficial use, an examination by the Department indicates that the  
works have a capacity of 6.39 c.f.s., and that the water has in fact been applied to a  
beneficial use; a right to the use of water from a groundwater source  
tributary of \_\_\_\_\_, is hereby confirmed in the following amounts:

Amount 6.39 c.f.s. for Irrigation from March 15 to Nov. 15 (both dates inclusive)

Amount \_\_\_\_\_ for \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)

Amount \_\_\_\_\_ for \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)

Subject, however, to the condition that no more than 6.39 c.f.s. of water be diverted at  
any one time, said waters to be diverted within the \_\_\_\_\_

SW $\frac{1}{4}$ SW $\frac{1}{4}$  & NE $\frac{1}{4}$ SW $\frac{1}{4}$  Sec. 3, Twp. 11 S., Rge. 27 E., B.M.

in the county of Cassia; and that the amount of water so diverted and to which such  
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can  
actually be beneficially used and shall not exceed 1.92 acre feet per year or \_\_\_\_\_

4.0 acre feet per acre.

Description and location of place of use:

| TWP  | RANGE | 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 $\frac{1}{4}$ |       |
| 11 S | 27 E  | 3   | 31               | 39               | 40               | 18               | 39               | 37               | 39               | 40               | 40               | 39               | 39               | 40               |                  | 39               |                  |                  | 480   |
|      |       |     |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |       |
|      |       |     |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |       |
|      |       |     |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |       |

Total number of acres irrigated 480

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 2nd day of  
July, 1971.

Director

MICROFILMED

INDEXED

## 81784 WARRANTY DEED

For Value Received

FLOYD C. BONGE and LAURA RUTH BONGE, Husband and Wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

DEL B. GARNER and CAROL GARNER, Husband and Wife,  
Raft River, Idaho

Hereinafter called the Grantee, the following described premises situated in Cassia County, Idaho, to-wit:

Township 10 South, Range 27 East of the Boise Meridian, Cassia County, Idaho.

Section 34: SE $\frac{1}{4}$ , NW $\frac{1}{4}$ , and all of the NE $\frac{1}{4}$  except the NE $\frac{1}{4}$ NE $\frac{1}{4}$ .

Township 11 South, Range 27 East of the Boise Meridian, Cassia County, Idaho.

Section 2: A part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ , described as follows: Beginning at the Northwest corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$  of said Section 2; thence South 1599 feet; thence North 59°02' East 324 feet; thence North 28°10' East 1195 feet; thence North 25°56' West 294 feet; thence North 87° West 530 feet, more or less, to the Point of Beginning.Section 3: W $\frac{1}{2}$  and that part of the E $\frac{1}{2}$  lying North of a line running as follows: Beginning at the South Quarter Section Corner of said Section 3; thence North 1320 feet; thence North 42°38' East 1056 feet; thence North 69°26' East 1231.5 feet; thence North 19°42' East 924 feet; thence North 59°02' East 541 feet, more or less, to the East boundary of said Section 3.Section 10: N $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$  and N $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ .

Presented to and platted by me

this 24 day of March 1975

CALVIN G. HEINER

Assessor Cassia County

By *Carol Garner*

Deputy

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: *October 20*  
September 7, 1974

FLOYD C. BONGE

LAURA RUTH BONGE

STATE OF IDAHO, COUNTY OF *Cassia*  
On this *25<sup>th</sup>* day of *October*, 1974,  
before me, a notary public in and for said State, personally appeared

FLOYD C. BONGE and LAURA RUTH BONGE, Husband and Wife

known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

OFFICIAL SEAL

BETTY E. ADAMS

NOTARY PUBLIC IN  
RIVERDE COUNTY

Notary Public

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at the request of

at *27* minutes past *4* o'clock P.m.,  
this *13* day of *March*,  
1975, in my office, and duly recorded in Book  
of Deeds at page *24m 94 - 81784*

FRANK P. KEARNS  
Ex-Officio RecorderBy *Barbara S. Me...*

Deputy.

Fees \$ *1.00*

Mail to

Instrument No.

81784

MICROFILMED



**SOUTH IDAHO PRESS**

**BURLEY, IDAHO**

**AFFIDAVIT OF PUBLICATION**

County of Cassia, )  
 ) ss.  
STATE OF IDAHO )

Ruth Chambers, being first

duly sworn, deposes and says that he is the  
Bookkeeper of the South Idaho  
Press, a daily newspaper published at Bur-  
ley, Idaho, in the county aforesaid and that  
the paper is of general circulation therein.  
Deponent further states that the printed no-  
tice attached hereto was duly published  
according to law in the regular editions of

The South Idaho Press for .....2.....  
consecutive weeks, commencing with the issue  
dated March 25 1971, and ending  
with the issue dated April 1, 1971...

Ruth Chambers

Subscribed and sworn to before me  
this 2nd day of April  
1971..

Edith Raustadt Notary Public

Cost of Publication 9.25

Notary Fee .....

Total Cost .....

My commission expires October 23, 1971

RECEIVED

APR 6 1971

Department of Water Administration

43 2511

Re: Permit No. 43-2511 (G-29436)

Mr. Floyd Bonge  
27800 Nuevo Road  
Perris, California

Dear Mr. Bonge:

Enclosed is your water license issued on the above numbered permit.

Very truly yours,

BOBBY D. FLEENOR  
Assistant Director

BDF:kh

Enclosure

cc. Herman E. Bedne

43 2511

April 14, 1971

Re: Permit No. G-29436/43-2511

Mr. Floyd Bonge  
27800 Nuevo Road  
Parris, California

Dear Mr. Bonge:

We acknowledge receipt of the affidavit of publication submitted in connection with the above referenced permit.

The license for this permit will be issued in the near future. If we may be of further assistance, please advise.

Very truly yours,

Donald W. McKidowney  
Appropriation Supervisor

DWM:DR

cc: Herman E. Bedke

43 2511

HERMAN E. BEDKE

ATTORNEY AT LAW  
POST OFFICE BOX 249  
BURLEY, IDAHO 83318

TEL 678-2401

1416 OVERLAND

April 5, 1971

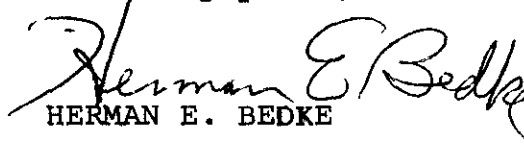
STATE OF IDAHO  
Department of Water Administration  
Statehouse - Annex 2  
Boise, Idaho 83707

Re Permit No. G-29436/43-2511

Dear Sir:

Please find enclosed an Affidavit of Publication  
for above Permit for Floyd Bonge.

Sincerely yours,

  
HERMAN E. BEDKE

jid

Enclosure

43 2511

March 16, 1971

Re: Permit No. G-29436/43-2511

Mr. Floyd Bonge  
27800 Nuevo Road  
Perris, California

Dear Mr. Bonge:

Enclosed please find a copy of the approved application for amendment in connection with the above referenced permit.

The legal notice for this permit is to be published in the South Idaho Press at Burley, Idaho, on March 25th and April 1st. We have advised the newspaper to bill you for the expense of the publication in care of Herman E. Bedke, P.O. Box 288, Burley, Idaho. You will be required to submit an affidavit of publication to this office; the affidavit may be obtained from the newspaper upon payment for the publication.

Upon receipt of the affidavit of publication, the Department will issue the license in connection with this permit. If we may be of assistance at any time, please contact us.

Very truly yours,

Donald W. McElDowney  
Appropriation Supervisor

DWM:DR  
Enclosure

cc: Herman E. Bedke

44 25 1

March 16, 1971

Re: Permit No. 43-2511

South Idaho Press  
Box 190  
Burley, Idaho 83318

Gentlemen:

Enclosed is a legal notice which we wish to have published for two consecutive weekly issues of your newspaper. We have inserted the publication dates, allowing ample time for you to submit to us a galley proof for our review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication date. If you cannot publish the notice on the proposed dates, please contact the Department of Water Administration immediately.

The expense of the publication is to be paid by Floyd Bonge, c/o Herman E. Bedke, P.O. Box 249, Burley, Idaho, to whom you should furnish an affidavit of publication.

Very truly yours,

Donald W. McEldowney  
Appropriation Supervisor

DWM:DR  
Enc: Legal notice

43 2511

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Floyd Bonga, c/o Herman E. Badka, Burley,  
Idaho, has received an approved Permit No.  
G-29436/43-2511 issued by the Idaho Department of Water Administration auth-  
orizing the diversion ~~storage~~ of 10.0 cubic feet per second ~~zero feet~~  
~~per second~~ of water from a ground water source.  
The priority to be established under this permit is February 8, 1961.  
and the permit was approved February 15, 1961.

Water is to be diverted by well and pump  
from a point within the SW $\frac{1}{4}$ SW $\frac{1}{4}$  and NE $\frac{1}{4}$ SW $\frac{1}{4}$  Sec. 3, T. 11S, R. 27E, B.M.,  
Cassia County,  
to be used for irrigation purposes  
in the N $\frac{1}{4}$ , SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 3, T. 11S, R. 27E, B.M.

Proof of the application of the water to beneficial use ~~was~~ <sup>was</sup> sub-  
mitted to the Department on ~~February 18, 1966~~ February 18, 1966. Any protests  
against the issuance of the license for the above referenced permit should  
be filed with the Idaho Department of Water Administration/ <sup>Statehouse, Boise, Idaho,</sup> within ten (10)  
days of the last date of publication of this notice ~~no protest or objection~~  
~~is to be permitted. If any person wishes to protest to the Statehouse, proof~~  
~~is due without further notice.~~

R. KEITH HIGGINSON, Director  
~~Idaho Department of Water Administration~~  
~~STATEHOUSE, Boise, Idaho~~

Published in the South Idaho Press, Burley, Idaho,  
on March 25 and April 1, 1971

March 2, 1971

Mr. Herman E. Bedke  
Attorney at Law  
P. O. Box 249  
Burley, Idaho 83318

Dear Mr. Bedke:

Attached herewith is Departmental Receipt No. 5704 in the amount of  
\$5.00 for Amendment Application No. 43-2511 (G-29436) in the  
name of Floyd Bonge  
which was received in this office under the above date.

Very truly yours,

M. RUSSELL BOSCH  
Administrative Assistant

MRB:ejw

Enclosure

43 2511

HERMAN E. BEDKE

ATTORNEY AT LAW

POST OFFICE BOX 249

BURLEY, IDAHO 83318

TEL. 678-2401

1416 OVERLAND

February 20, 1971

RECEIVED

MAR 1 1971

Department of Water Administration

State of Idaho  
Department of Water Administration  
Statehouse - Annex 2  
Boise, Idaho 83707

Re: Permit No. G-29436 43-2511

Dear Sir:

Mr. Floyd Bonge handed me your letter of February 16, 1971, relative to the Show Cause on the above Permit.

It was my impression that proof had been submitted on the proof of these wells, but in searching the file I find that there must be an amendment on the point of diversion.

*See 43-2511, that  
1961 OK now*  
Please find enclosed Application for Amendment together with authorization for publication and my check for \$5,00 to cover the expenses.

I trust this will take care of the Show Cause Order and if not please advise.

Sincerely yours,

*Herman E. Bedke*  
HERMAN E. BEDKE

HEB/jid

Enclosure

43 2511

1971  
Department of Water Administration

(This completed form authorizes the Department of Reclamation to publish the required notice at your expense.)

State Reclamation Engineer:

You are hereby authorized to have the attached notice published at my expense in the Burley Herald-Bulletin South Idaho Press of Burley, Idaho; published in the county in which the works are situated.

Lloyd Bonge  
(signature)  
to Herman Becke  
Burley, Idaho  
(address)  
Feb 26, 1971  
(date)

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 when proof is for completion of works.

I hereby certify that the facts set forth in the attached notice are true.

\_\_\_\_\_  
Engineer

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S).  
REQUIRED FEE(S) PAID.

☐

Show to whom, date and address  
where delivered

☐

Deliver ONLY  
to addressee

### RECEIPT

*Received the numbered article described below.*

REGISTERED NO.

CERTIFIED NO.

31008

INSURED NO.

DATE DELIVERED

SIGNATURE OR NAME OF ADDRESSEE (*Must always be filled in*)

1

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

3

SHOW WHERE DELIVERED (*only if requested*)

43-2511 43 2511

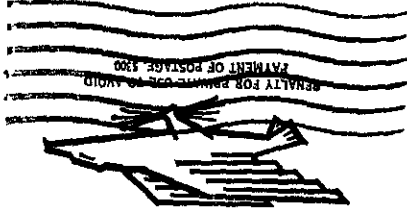
POST OFFICE DEPARTMENT  
OFFICIAL BUSINESS



POSTMARK OF DELIVERING OFFICE

Print your name and address below. If you want to restrict delivery, or to have the address of delivery shown on this receipt, check block(s) on other side. Moisten gummed ends and attach this card to back of article.

RETURN  
TO



POD Form 3811 Apr. 1969 c35-16-71548-11

43 2511

February 16, 1971

CERTIFIED MAIL # 31008

Re: Permit No. G-29436 (New No. 43-2511)

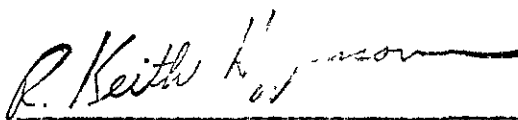
Floyd Bonge  
27800 Nuevo Road  
Perris, California

Dear Mr. Bonge:

It appearing to the Department of Water Administration that the terms and conditions of Permit G-29436/43-2511 to appropriate the public waters of the State of Idaho have not been complied with as to failure to submit adequate proof of completion of works and beneficial use of water,

you are hereby notified that under the provisions of Section 42-311, Idaho Code, as amended, said permit is hereby held for cancellation, and you are required to show cause before the Director of the Department of Water Administration on or before March 28, 1971, why said permit should not be cancelled.

Permit G-29436/43-2511 claims the use of 10.0 cubic feet per second of water, the point of diversion was to be located within the NE $\frac{1}{4}$ SW $\frac{1}{4}$  & NW $\frac{1}{4}$ SW $\frac{1}{4}$  of Sec. 3, T. 11S, R. 27E, B.M. and the permit was approved February 15, 1961.

  
R. KEITH HIGGINSON  
Director

43 2511

*Floyd C. Bonge Ranch*

27800 NUEVO ROAD, PERRIS, CALIFORNIA 92370

Re: Permit G-29436

Donald W. McEldowney  
Water Rights Clerk  
Department of Reclamation  
Boise, Idaho

RECEIVED  
AUG 17 1967  
August 15, 1967  
Department of Reclamation

Dear Mr. McEldowney:

In answer to your letter of August 1st, I was not aware of any diversion irregularities. I do not have at hand the necessary papers to verify these diversions.

I would like to go to your office and discuss this matter with you on my next trip to Idaho, if that is possible. I should be in Idaho within thirty days. I am sure that there is some misunderstanding, if the diversion points are not as the Field man indicated.

All of the necessary Permit papers are in the office of Mr. Herman Bedke in Burley. I will consult him and verify my Permits before going on to Boise.

I hope that this will not inconvenience you. If there are any irregularities, they certainly are not intentional on my part.

Yours very truly

*Floyd C. Bonge*  
Floyd C. Bonge

29436

*29436*

August 1, 1967

Re: Permit G-29436

Floyd Bonge  
27800 Nuevo Road  
Perris, California

Dear Mr. Bonge:

The Department of Reclamation has recently conducted a field examination of the lands and system under the above referenced permit.

It is noted that the points of diversion shown on the permit do not correspond with those actually found in the field. Therefore, before we can license Permit G-29436, you will be required to amend the point of diversion and readvertise the permit at your expense. We have inserted the legal description of the two wells found during the field examination on the amendment form. Please review these descriptions and if you concur with our findings, sign the amendment form returning it with a \$5.00 fee. Also enclosed is Form 11, authorization for this department to republish your points of diversion at your expense. Please sign Form 11 and return it along with the amendment form.

Your prompt attention to this matter will be greatly appreciated.

Very truly yours,

Donald W. McEldowney  
Water Rights Clerk

DWM:nw

Enclosure: App. for Amendment  
Form 11

*29436*

*Mr. Bonge*

August 1, 1967

Re: Permit G-29436

Floyd Bonge  
27800 Nuevo Road  
Perris, California

Dear Mr. Bonge:

A representative of the Department of Reclamation has recently conducted a field examination of your Permit G-29436.

During this examination it was noted that you are irrigating from the wells under this permit lands that are not covered by a water permit. The lands in question are those lands located as follows: 20 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ , 3 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 3, T. 11 S, R. 27 E, B.M. 40 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ , 39 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ , 39 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ , and 40 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 34, T. 10 S, R. 27 E, B.M. The records of the Department of Reclamation do not indicate any other permits for these lands. As you know, T. 10 S, & 11 S, R. 27 E, B.M. are located within the critical ground-water area designation for Cassia County. New appropriations in this area have not been allowed since 1963. Therefore, we are at a loss to understand your intent in irrigating these areas not covered by permit. If there is a misunderstanding and we are not aware of a water right for the land in question, please advise us. However, if this is indeed a new appropriation since permit G-29436 was filed, and is without a permit, then the Department of Reclamation will have to consider taking legal action in regards to these lands.

We will greatly appreciate your assistance in clarifying this issue. Please reply to this letter within 30 days so that we can have a better understanding of the situation.

Very truly yours,

Donald W. McEldowney  
Water Rights Clerk

DWM:rw

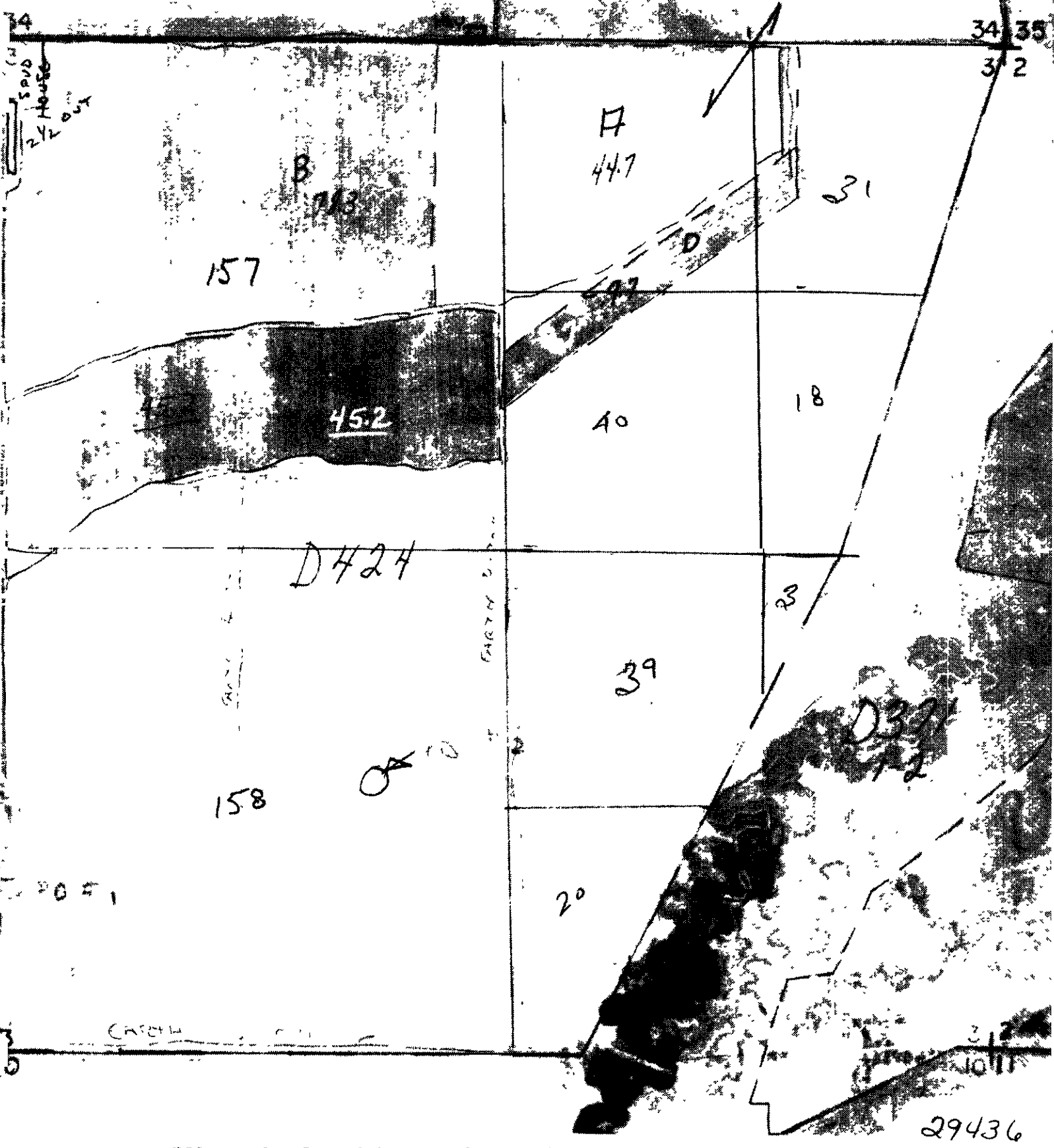
29436

ORF5100112

158 acres

SECTION FROM #1 & #2

EVIDENTLY



INTER-DEPARTMENT MEMO—1

FROM D. J. Watts

DATE July 19, 1967

TO R. K. Higginson

SUBJECT Permit G-29436

A field examination has shown that water appropriated under this permit is being used on about 140 acres more than the original filing covered.

WRITE SAME TYPE OF  
LETTER AS WE SENT TO  
MEZ Mac MURRAY  
RKA

Don Watts  
SIGNATURE

29436

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE

REPORT OF EXAMINER

PERMIT NO. G-29436

REPORT ON PROOF OF Completion of Works and Beneficial Use

Page 27 E.B.M.

To us Highway 30 and  
Hick

Two 1/s.

|                            |            |
|----------------------------|------------|
|                            | 79         |
| (EVIDENTLY NOT ADVERTISED) | 19         |
|                            | <u>146</u> |
|                            | <u>137</u> |
|                            | 118        |
|                            | <u>121</u> |
|                            | 79         |
|                            | <u>41</u>  |
|                            | 480 ACRES  |

#19811

|   |      |   |                 |   |
|---|------|---|-----------------|---|
| # | Zuck | 1 | NH <sub>2</sub> | 3 |
|---|------|---|-----------------|---|

AREA - 641<sup>483</sup> ACRES

Sub - 13  
19

Q - 319 inches or 6.39 c.f.s.

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

Permit No. G-29436

This proof is for Completion of Works and Beneficial Use In Water District No. \_\_\_\_\_

1. Name of applicant Floyd Bonge

2. Source of water supply: well

3. Location of point of diversion: Is in the Well #1 - NW 1/4 SW 1/4 of Section 3

T. 11 S R. 27 E., B.M. County of Cassia

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

#1 WELL 150 HP G.C. MOTOR # SK 6315 X C 10  
LAYNE & BOWLER VERTICAL PUMP # 28626, 1800 GPM 200'  
10 1/2" DISCHARGE THROUGH EARTH DITCHES. #2 WELL 100 HP  
U.S. MOTOR # AU 444 UPH, LAYNE & BOWLER PUMP  
1800 GPM 120' 9 3/8" DISCHARGE THROUGH EARTH DITCHES

5. Water is used for: Irrigation

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

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

#1 Well: NW 1/4, SW 1/4, SE 1/4, NE 1/4, NW 1/4, SE 1/4, SW 1/4, NE 1/4

Well #2: NW 1/4, NE 1/4, SW 1/4, SE 1/4, NW 1/4, SE 1/4, SW 1/4, NE 1/4  
Sec 31 NW 1/4, SW 1/4, SE 1/4, NE 1/4  
NW 1/4, SW 1/4, SE 1/4, NE 1/4, Sec 3, T 11 S., R 27 E., B.M.

ALSO IRRIGATED BY BOTH P.D.'S - SE 1/4 SEC 34  
and NE 1/4 SE 1/4 + SW 1/4 SE 1/4 SEC 3, T 11 S., R 27 E

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

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

Remarks: MR CHARLIE HIRAI PRESENT

SPARKLING METER AND COORDINATE METHOD OF MEASUREMENT USED

WELL #1 1 REV. 34 SEC = 2.94 c.f.s. OR 147"  
9 3/4" @ 6" 1" FREEBOARD. (THREAD PROTECTOR)  
(4.7 ft/sec) (601 sq ft) (factor of 1/34 OR 95) = 2.69 c.f.s OR 135"  
WELL #2 1 REV. 29 SEC = 3.45 c.f.s. OR 172"  
12 1/4" @ 6" (5.7 ft/sec) (532 sq ft) (1) = 3.03 c.f.s OR 152"  
12 7/8" @ 6" (6.5 ft/sec) (532 sq ft) (1) = 3.45 c.f.s. OR 172"

This examination was made on the 13TH day of JULY, 1967

(Signed) Dean Reynolds  
Examiner.

29436

29436

February 23, 1966

Re: Permit No. **G-29436**  
**Floyd Bonge**

**Herman E. Bedke**  
**Attorney at Law**  
**P.O. Box 249**  
**Burley, Idaho 83318**

**Dear Mr. Bedke:**

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the **Burley-Herald Bulletin**, all ~~submitted~~ **G-29436** in proof of completion of works and beneficial use on Permit No.

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

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

Very truly yours,

**CARL E. TAPPAN**  
State Reclamation Engineer

By:

(Mrs.) **Edna P. Rule**  
Chief Clerk

**ejw**

EPR:  
cc: **Floyd Bonge**  
**27800 Nueva Road**  
**Perris, California**

29436

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION

FEB 18 1966

Boise, Idaho

Department of Reclamation

Permit No. G-29436

\*\*\*\*\*

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE  
and Completion of Works

DEPOSITION OF HOLDER

Ques. 1. State your name, residence occupation and postoffice address: FLOYD BONGE  
27800 Nuevo Road, Perris, California, Rancher, Perris California

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf:  
Not a Corporation

Ques. 3. State number, approval date of permit, and date of priority: #G-29436  
February 15, 1961, Priority: February 8, 1961

Ques. 4. State source of water supply: Subterranean  
Give location of point of diversion, showing subdivision, section, township and range  
Well #1  
Well #2: NE $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 3 and NW $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 3, Twp. 11 S., Rge 27 E.B.M. Cassia

Ques. 5. Describe your works of diversion: Deep wells Turbine pumps that pumps into open ditches  
a concrete stilling ponds then into; state amount of water they are capable of conveying from point of diversion to place of use: 6 second feet Give name of canal or ditch or other works by which water is conducted to such place of use: No name  
#2: 1100 feet  
; if a well, state depth of well #1 790 feet; depth and size of casing #2: 24" reduced to 12" casing (1,100') #2 104'  
#1 790 feet of 16" casing; depth to water #1 115'; if pump is used, state discharge of pump: #2: 300"  
#1: 275"; tell how it was measured or determined #2 Measured  
#1: estimated; if sprinkler irrigation, give number and size of nozzles and operating pressure: No sprinklers

Ques. 6. State for what purpose water is used: Irrigation  
(If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water:

#1 Well  
NW $\frac{1}{4}$ NW $\frac{1}{4}$  40 acres, SW $\frac{1}{4}$ NW $\frac{1}{4}$  40 acres, SE $\frac{1}{4}$ NW $\frac{1}{4}$  40 acres; NE $\frac{1}{4}$ NW $\frac{1}{4}$  40 acres; NE $\frac{1}{4}$ SW $\frac{1}{4}$  40 acres; NW $\frac{1}{4}$ SW $\frac{1}{4}$  40 acres; SE $\frac{1}{4}$ SW $\frac{1}{4}$  40 acres; SW $\frac{1}{4}$ SW $\frac{1}{4}$  40 acres; NW $\frac{1}{4}$ NE $\frac{1}{4}$  40 acres; NE $\frac{1}{4}$ NE $\frac{1}{4}$  40 acres; SW $\frac{1}{4}$ NE $\frac{1}{4}$  40 acres; SE $\frac{1}{4}$ NE $\frac{1}{4}$  40 acres; NW $\frac{1}{4}$ SE $\frac{1}{4}$  20 acres, all in Sec. 3 Twp, 11 S., Rge 27 E.B.M.

#2 Well  
NE $\frac{1}{4}$ NE $\frac{1}{4}$  40 acres; SW $\frac{1}{4}$ NE $\frac{1}{4}$  40 acres; SE $\frac{1}{4}$ NE $\frac{1}{4}$  40 acres; NW $\frac{1}{4}$ NE $\frac{1}{4}$  40 acres; NW $\frac{1}{4}$ NW $\frac{1}{4}$  40 acres; SW $\frac{1}{4}$ NW $\frac{1}{4}$  40 acres; SE $\frac{1}{4}$ NW $\frac{1}{4}$  40 acres; NE $\frac{1}{4}$ NW $\frac{1}{4}$  40 acres, all in Sec. 3, Twp. 11 S., Rge 27 E.B.M.

*Examined and found correct  
Boise, Idaho*

*D*  
*log 29436*

Brush land was reclaimed and placed under cultivation

Ques. 7. If for other than irrigation purposes, show full legal description of place of use and state purpose for which water is used:

Used only for irrigation

I acquired this permit by assignment from Rodney Tew

Continuously since that time.

~~XXXXXXXXXXXXXXX~~

~~XXXXXXXXXX No other water rights now appurtenant~~

(sign) Floyd Bourge

\* \* \* \* \*

Burley, County of Cassia

State of Idaho, on this 15th day of February, A. D. 19 66.

(SEAL)

My commission expires: 6/13/69

Herman E. Bedke  
HERMAN E. BEDKE, Notary public  
Residing at Burley, Idaho

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
Boise, Idaho

FEB 18 1966  
Department of Reclamation

Permit No. G-29436

\*\*\*\*\*

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE  
and Completion of Works

DEPOSITION OF WITNESS

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

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

ROY D. MONCUR, 56, Burley, Idaho, Realtor, Burley, Idaho

Ques. 2 Are you acquainted with Floyd Bonge, the holder of  
Permit No. G-29436?/ How long have you known him and where does he reside?

I have known Mr. Bonge for about 6 years, he resides at Perris, California

Ques. 3. Have you read or heard said Permit No. G-29436 read, and are you familiar  
with its provisions and conditions: Yes Yes No.       

Ques. 4. State source of water supply: Subterranean

Give location of place of diversion, showing subdivision, section, township and range  
Well #2 NE $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 3 and Well #1 NW $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 3, Twp. 11 S., Rge 27 E.B.M.

Describe works for conveying water to place of use: Deep wells with pumpspumping  
into a concrete stilling ponds and converted into open ditches.

Ques. 5. How many second feet of water do you estimate said works will safely conduct  
to place of use: 5 $\frac{1}{2}$  second feet How much water have you seen being so  
conveyed? about 5 second feet on Well #1 about 6 second feet on Well #2

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving  
full legal description:

Well #1  
NW $\frac{1}{4}$ NW $\frac{1}{4}$  40 acres, SW $\frac{1}{4}$ NW $\frac{1}{4}$  40 acres; SE $\frac{1}{4}$ NW $\frac{1}{4}$  40 acres; NE $\frac{1}{4}$ NW $\frac{1}{4}$  40 acres; NE $\frac{1}{4}$ NE $\frac{1}{4}$   
40 acres; SE $\frac{1}{4}$ NE $\frac{1}{4}$  40 acres; SW $\frac{1}{4}$ NE $\frac{1}{4}$  40 acres; NW $\frac{1}{4}$ NE $\frac{1}{4}$  40 acres; SW $\frac{1}{4}$ SW $\frac{1}{4}$  40 acres;  
NW $\frac{1}{4}$ SW $\frac{1}{4}$  40 acres; NE $\frac{1}{4}$ SW $\frac{1}{4}$  40 acres; SE $\frac{1}{4}$ SW $\frac{1}{4}$  40 acres; NW $\frac{1}{4}$ SE $\frac{1}{4}$  20 acres, all  
in Section 3, Twp. 11 S., Rge 27 E..B.M. Well #2: NW $\frac{1}{4}$ NE $\frac{1}{4}$  40 acres; NE $\frac{1}{4}$ NE $\frac{1}{4}$   
40 acres; SW $\frac{1}{4}$ NE $\frac{1}{4}$  40 acres; SE $\frac{1}{4}$ NE $\frac{1}{4}$  40 acres; SW $\frac{1}{4}$ NW $\frac{1}{4}$  40 acres; SE $\frac{1}{4}$ NW $\frac{1}{4}$  40 acres;  
NE $\frac{1}{4}$ NW $\frac{1}{4}$  40 acres; NW $\frac{1}{4}$ NW $\frac{1}{4}$  40 acres, all in Sec. 3, Twp. 11 S., Rge 27 .E.B.M.

29436

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

Water is used only for irrigation purposes

Ques. 8. (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.

The land that was reclaimed was brush land

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned? If so, in what way and to what extent? I have no ownership interest in the works above mentioned.

Ques. 10. When did you first see this water used? I saw the water first used 4 years ago, on Well #1 and three years ago on Well #2  
Other times you have seen such use: It has been used continuously since that time.

(Signed): Roy D. Moncur  
\*\*\*\*\*

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

Burley, County of Cassia, State of Idaho, on this 15th day of February, A. D. 19 66.

Herman E. Bedke  
HERMAN E. BEDKE  
Notary Public for the State of Idaho  
Residing Burley, Idaho

(SEAL)

My commission expires 6/13/69

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
Boise, Idaho

FEB 18 1966  
Department of Reclamation

Permit No. G-29436 ✓

\* \* \* \* \*

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE  
and Completion of Works

DEPOSITION OF WITNESS

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

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

ROBERT D. HILLIARD, 40, Route #2, Agricultural Field Representative for  
Idaho Bank & Trust Company, Burley, Idaho - Route #2, Burley, Idaho

Ques. 2 Are you acquainted with Floyd Bonge ✓, the holder of  
Yes

Permit No. G-29436? How long have you known him and where does he reside?

I have known him for about a year, he resides at Perris, California

Ques. 3. Have you read or heard said Permit No. G-29436 read, and are you familiar  
with its provisions and conditions: Yes yes ✓ No.       

Ques. 4. State source of water supply: Subterranean

Give location of place of diversion, showing subdivision, section, township and range  
Well #2 ✓ Well #1 ✓  
NE $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 3 and NW $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 3, Twp. 11 S., Rge 27 E.B.M.

Describe works for conveying water to place of use: Deep well, turbine pumps which  
pump into stilling ponds and then into open ditches

Ques. 5. How many second feet of water do you estimate said works will safely conduct  
to place of use: 6 second feet How much water have you seen being so  
conveyed? #1: approximately 5 $\frac{1}{2}$  second feet #2: approximately 5 $\frac{1}{2}$  second feet

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving  
full legal description:

Well #1 ✓  
NW $\frac{1}{4}$ NW $\frac{1}{4}$  - 40 acres, SW $\frac{1}{4}$ NW $\frac{1}{4}$  - 40 acres; NE $\frac{1}{4}$ NW $\frac{1}{4}$ , 40 acres; SE $\frac{1}{4}$ NW $\frac{1}{4}$ , 40 acres, SW $\frac{1}{4}$   
NE $\frac{1}{4}$ , 40 acres; NW $\frac{1}{4}$ NE $\frac{1}{4}$ , 40 acres; NE $\frac{1}{4}$ NE $\frac{1}{4}$ , 40 acres; SE $\frac{1}{4}$ NE $\frac{1}{4}$ , 40 acres; NW $\frac{1}{4}$ SW $\frac{1}{4}$ ,  
40 acres; SW $\frac{1}{4}$ SW $\frac{1}{4}$ , 40 acres, NE $\frac{1}{4}$ SW $\frac{1}{4}$ , 40 acres; SE $\frac{1}{4}$ SW $\frac{1}{4}$ , 40 acres; NW $\frac{1}{4}$ SE $\frac{1}{4}$ , 20  
acres, all in Township 11 South, Range 27 E.B.M. Well #2: NW $\frac{1}{4}$ NE $\frac{1}{4}$   
40 acres; NE $\frac{1}{4}$ NE $\frac{1}{4}$  40 acres; SW $\frac{1}{4}$ NE $\frac{1}{4}$  40 acres; SE $\frac{1}{4}$ NE $\frac{1}{4}$  40 acres; NW $\frac{1}{4}$ NW $\frac{1}{4}$  40 acres;  
SW $\frac{1}{4}$ NW $\frac{1}{4}$  40 acres; SE $\frac{1}{4}$ NW $\frac{1}{4}$  40 acres; NE $\frac{1}{4}$ NW $\frac{1}{4}$  40 acres all in Sec. 3, Twp. 11 S.,  
Rge. 27 E.B.M.

29436

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

Irrigation

Ques. 8. (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.

The land reclaimed was brush land and the same was placed in profitable cultivation.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned?

If so, in what way and to what extent? I have no interest in the works

Ques. 10. When did you first see this water used? 1965 cropping season

Other times you have seen such use: I have just seen both wells in operation during the 1965 cropping season.

(Signed):

Robert D. Hilliard

\*\*\*\*\*

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 \_\_\_\_\_

Burley, County of Cassia, State of Idaho, on this 15th day of February, A. D. 1966.

(SEAL)

Herman E. Bedke  
HERMAN E. BEDKE  
Notary Public for the State of Idaho

Residing at Burley, Idaho

My commission expires 6/13/69

FEB 18 1966

Department of Reclamation

# The Burley Herald-Bulletin

BURLEY, IDAHO

## AFFIDAVIT OF PUBLICATION

County of Cassia, )  
 ) ss:  
STATE OF IDAHO )

Walter W. Schramm, being first

duly sworn, deposes and says that he is the

Editor of Burley Herald-Bulletin, a weekly newspaper published at Burley, Idaho, in the county aforesaid, and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular weekly editions of Burley Herald-Bulletin for

four (4) consecutive weeks, commencing with the issue dated January 3, 1966, and ending with the issue dated January 24, 1966

[Signature]  
Subscribed and sworn to before me this

26th day of January, 1966

[Signature] Notary Public

Cost of Publication My Commission Expires Feb. 18, 1969

Notary fee \_\_\_\_\_

Total Cost \_\_\_\_\_

29436

January 10, 1966

Re: Permit No. G-29436  
Floyd Bonge

Burley Herald  
Burley, Idaho

Gentlemen:

We received the tear sheet on the above permit for the Notice of Publication and find the following correction:

Paragraph 5, Line 2 should read - "is used is NE~~X~~, NW~~X~~, SW~~X~~, NW~~X~~. The comma was left out between SW~~X~~, NW~~X~~SE~~X~~,

Please correct in the next issue and send a tear sheet for checking purposes immediately, or we may have to republish.

Very truly yours,

CARL E. TAPPAN  
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule,  
Chief Clerk

EPR:ew

29436

January 4, 1966

RE: Permit No. G-28823, R. C. Wake  
G-29436, Rodney W. Tew

Herman E. Bedke  
Attorney at Law  
Box 249  
Burley, Idaho 83318

Dear Mr. Bedke:

Enclosed is departmental receipt No. G-10053 in the amount \$1.50 covering the fees for recording the assignments of the above numbered permits which were mailed to you previously.

Very truly yours,

CARL E. TAPPAN  
State Reclamation Engineer  
By

(Mrs.) Edna P. Rule  
Chief Clerk

EPR:ar

Enc. receipt

29436

December 30, 1965

Re: Permit No. G-29436 - Floyd Bonge  
G-28823 - Floyd Bonge & Wilbur Schaner

Herman E. Bedke  
Attorney at Law  
P. O. Box 249  
Burley, Idaho

Dear Mr. Bedke:

Enclosed are the assignments on the above numbered permits, which have been recorded in this office.

There is a fee of \$1.50 for recording these assignments which was not enclosed in your letter, and should be mailed to this office as soon as possible.

Very truly yours,

CARL E. TAPPAN  
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule  
Chief Clerk

EPR:ew

Enc. assignments

29436

Re: Permit No. **G-29436**  
**Floyd Benge**

**December 28, 1965**

**Mr. Herman E. Bedke,**  
**Attorney at Law,**  
**Box 249,**  
**Burley, Idaho 83318**

**Dear Mr. Bedke:**

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. **G-29436**, in the name of **Floyd Benge** as Notary on the **15th** day of **February**, 19**66**, at **9:30** o'clock **A.M.**, at **1416 Overland Ave., Burley**, Idaho.

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

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

In returning the depositions to this office, be sure that all copies have been signed, that your Notary's seal has been placed on each and that all depositions, (holder and two witnesses) are being returned. Also be sure to enclose the AFFIDAVIT OF PUBLICATION.

Very truly yours,

CARL E. TAPPAN  
State Reclamation Engineer  
By

(MRS.) EDNA P. RULE  
Chief Clerk

Encl.  
EPR:pmk  
cc: Applicant

29436

Re: Permit No. **G-29436**  
**Floyd Bengt**

Date: **Dec. 28, 1965**

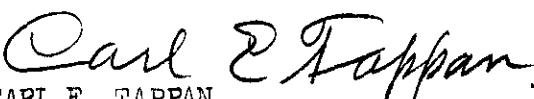
**Burley Herald Bulletin,  
Burley, Idaho.**

Gentlemen:

Enclosed you will find Notice for Publication, once a week  
for four consecutive weeks prior to **February 15, 1966**  
the date set for proof; the expense of the publication is to be paid  
by the applicant **'s attorney, Herman E. Bedke**  
of **Box 249, Burley, Idaho 83318** to whom you should  
furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

  
CARL E. TAPPAN  
State Reclamation Engineer

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

29436

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

RECEIVED  
DEC 27 1965

Department of Reclamation

Notice is hereby given that at 9:30 A.M., on the 15th day of February,  
1966, at Burley, County of Cassia, State of Idaho  
before HERMAN E. BEDKE, Notary Public, at (address) 1416  
Overland Avenue, Burley, Idaho, proof will be submitted of the completion  
of works for the diversion of 10 cubic feet per second of underground water from a  
well, and of the application to beneficial use of said water, in accordance with the  
terms and conditions of Permit No. G-29436, heretofore issued by the Department of  
Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit  
is Floyd Bonge, Perris, California

2. Said works of diversion will be fully completed on the date for such completion,  
and the amount of water which said works are capable of conveying to the place of  
use is 10 cubic feet per second.

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

4. The point of diversion of said water is NE<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>, Sec. 3, NW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>, Sec. 3  
Twp. 11 S., Rge. 27 E.B.M.

5. The place where said water is used is NE<sup>1</sup>/<sub>4</sub>, NW<sup>1</sup>/<sub>4</sub>, SW<sup>1</sup>/<sub>4</sub>, NW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>, Sec. 3, Twp. 11 S., Rge. 27 E.B.M.

6. The date of priority which said user is prepared to establish is February 8, 1961

Carl E. Tappan  
State Reclamation Engineer

29436

DEC 27 1965

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) December 22, 1965

(P. O.) P. O. Box 249

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published  
at my expense in the Burley Herald Bulletin of  
Burley, Cassia County, State of Idaho Published in  
the county in which the works are situated.

*Gloyd E. Borg*

(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

29436

ED

reclamation

✱

~~Wife of Permit holder~~

WILLIAM WHEAT, a live person, is a ... life ...  
Seal # 34 ... writer.

M . . . . . es: 54

29436

December 27, 1965

Re: Permit No. G-28823 - R. C. Wake  
G-29436- Rodney W. Tew

Herman E. Bedke  
Attorney at Law  
P. O. Box 249  
Burley, Idaho 83318

Dear Mrs. Bedke:

Enclosed find the forms requested in your letter  
of December 22nd.

Your fee in the amount of \$1.50 is due this  
department as the check mentioned in your letter was not  
found enclosed.

Very truly yours,

RALPH W. THOMAS, Deputy  
State Reclamation Engineer

RT:ew

Enc 36 and 11

29436

HERMAN E. BEDKE

ATTORNEY AT LAW

POST OFFICE BOX 249

BURLEY, IDAHO 83318

TEL 678-2401

1416 OVERLAND

DEC 27 1965

December 22, 1965

Department of Reclamation  
*no fee*

State Reclamation Engineer  
Boise, Idaho

Re: Permits # G-28823  
G-29436

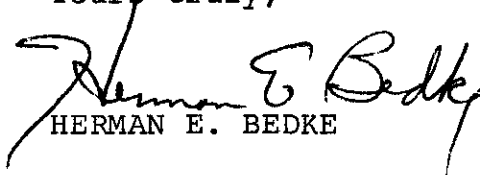
Dear Sir:

Please find enclosed herewith Notice of Proof of Completion of Works in regard to Permit No. G-29436 together with Notice to the newspaper here in Burley.

Please find enclosed also, an Assignment from R. C Wake to Mylo L. Peterson in regard to Permit No. G-28823 and from Mylo L. Peterson to Floyd Bonge and Wilbur Schaner in regard to the same referred to permit. Please be advised that Mr. Bonge and Mr. Schaner are desirous of completing the proof on Permit No. 28823. Would you please send the necessary papers in order that the same can be done on the 15th day of February, 1966 with the Permit #G-29436.

Please find enclosed also, my check in the sum of \$1.50 to cover the recording of the same.

Yours truly,

  
HERMAN E. BEDKE

HEB:cc  
Enclosures

29436

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G - 29436

Dec. 1, 1965

Rodney W. Tew  
Route #1, Box 89  
Firth, Idaho

Dear Mr. Tew:

The date for proofs of Completion of Works and Application of water to beneficial use, as set out under terms of Permit No. G- 29436 are due not later than Feb. 15, 1966

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

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

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

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

Very truly yours,

*Carl E. Tappan*  
STATE RECLAMATION ENGINEER

Enc. Form 36 and 11

cc:

29436

November 5, 1963

Re: Permit No. G-29436 - Rodney W. Tew  
Application for Permit - Floyd Bonge

Herman E. Bedke  
Attorney at Law  
P. O. Box 249  
Burley, Idaho

Dear Mr. Bedke:

Returned herewith is the application for permit to divert subterranean water from locations within the Raft River Critical Ground Water Area with attached check for \$7.75 filing fee.

Permit No. G-29436 was issued to Rodney W. Tew for 10.0 c.f.s. from wells in NE $\frac{1}{4}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 3, to irrigate NE $\frac{1}{4}$ , SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 3, T. 11 S., R. 27 E. That includes a portion of the lands included in the application.

The application under Remarks "Well No. 1 has already been constructed and has been in operation for approximately one year" is hard to understand considering the present date. If that means that the water has been used beneficially prior to March 25, 1963, there is a use right to such water. An application for permit accompanied by affidavit of applicant and affidavits of two witnesses that the water had been used beneficially, prior to March 25, 1963, can be approved, otherwise use of water from that well would be contrary to Idaho Code 42-229, as amended in the last session.

Kindly furnish additional information concerning the operating well in a letter if you wish to file this application which can be held in the pending file without present action.

Very truly yours,

RALPH W. THOMAS, Deputy  
State Reclamation Engineer

RT:tew

enc application with  
attached check

29436

March 21, 1961

Re: Permit No. G-29436- License No. 20665

Parry, Robertson and Daly  
Attorneys at Law  
Fidelity Bank Bldg.  
Twin Falls, Idaho

Attn: C. G. McIntyre

Dear Mr. McIntyre:

We acknowledge receipt of two applications for permits with your letter of March 20, 1961, requesting information on permits to appropriate water in Section 3, Township 11 South, Range 27 East.

Water License No. 20665 issued to Frank L. Coffey for 5.66 c.f.s., priority of September 24, 1948, points of diversion NE1/4SE1/4, Section 3, and NE1/4NE1/4, Section 10, to irrigate 113 acres in W1/2, Sec. 2; SE1/4SE1/4, Sec. 3; NE1/4NE1/4, Sec. 10, Township 11 South, Range 27 East; E1/2SW1/4, SW1/4SW1/4, Sec. 35, Township 10 South, Range 27 East.

Permit G-29436 issued to Rodney W. Tew for 10.0 c.f.s., priority February 8, 1961, points of diversion NE1/4SW1/4, NE1/4SW1/4, Section 3, to irrigate NE1/4, SW1/4, NE1/4SE1/4, Section 3, Township 11 South, Range 27 East.

Very truly yours,

GEO. N. CARTER  
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy  
State Reclamation Engineer

RT:ew

29436

March 2, 1961

Re: Permit No. G-29436

Mr. Rodney W. Tew,  
Route #1, Box 89,  
Firth, Idaho.

Dear Mr. Tew:

We enclose Permit No. G-29436 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. G05653 which was issued covering payment in the amount of \$7.25 for the filing fee of the above mentioned permit.

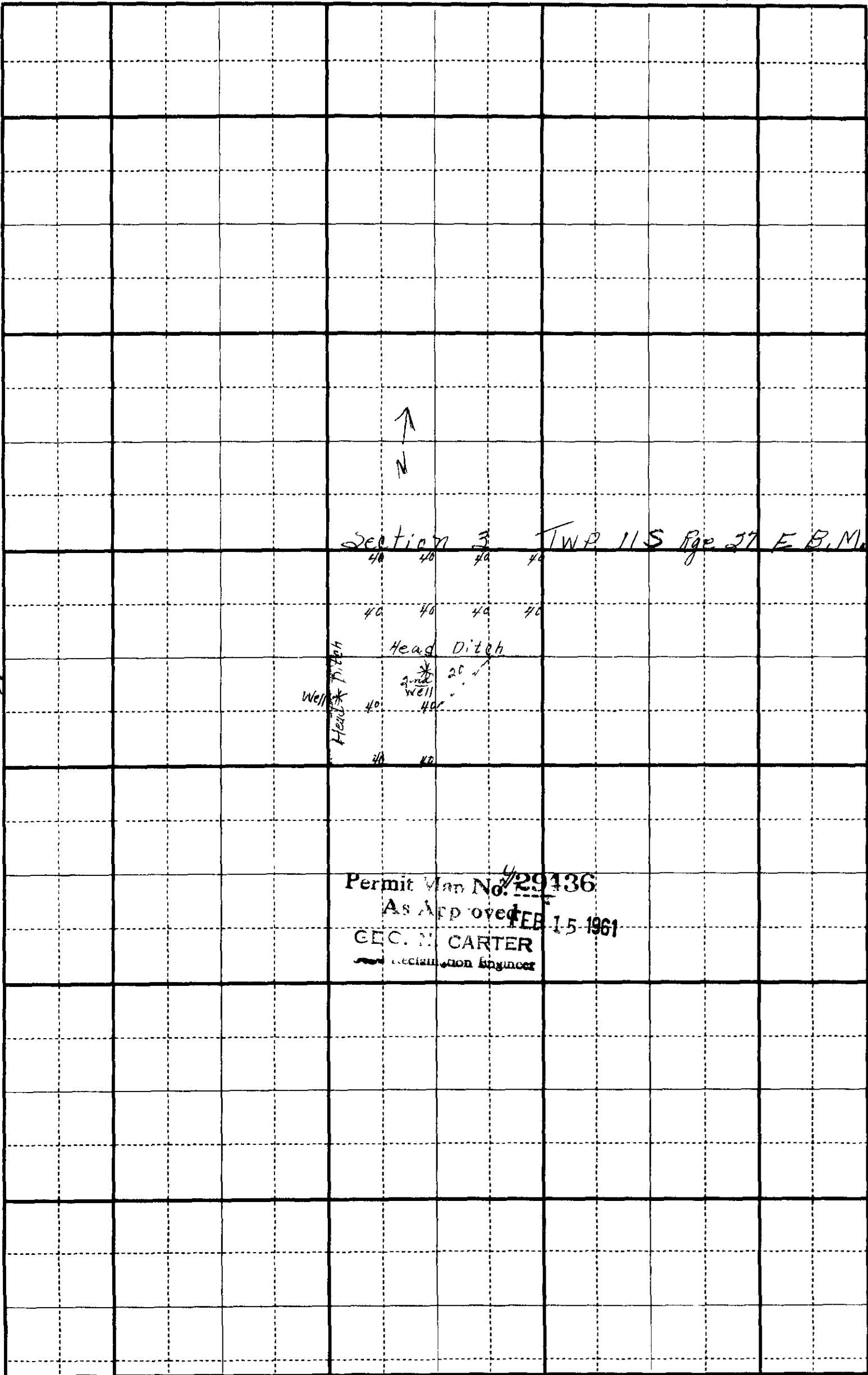
Very truly yours,

GEO. N. CARTER  
State Reclamation Engineer  
By

(Mrs.) Edna P. Rule  
Chief Clerk

Encl.  
EPR:pmk

29436



Permit Map No. 29436  
As Approved FEB 15 1961  
GEO. M. CARTER  
Registration Engineer

68-1

**NOTICE OF PROOF OF  
COMPLETION OF WORKS**

**APPLICATION OF WATER  
TO IRRIGATION**

Notice is hereby given that on  
9:30 A.M. on the 15th day of  
February 1966, at Burley, Idaho,  
of Cassia County, Idaho, the use  
of HERMAN, a public water right,  
lic, at said place, will be submitted  
ley, Idaho, for the work for the  
of the completion of work for the  
diversion of 10 cubic feet per  
second of water from the well, and  
of the application of water to  
beneficial use, and the amount  
accordance with the rules and  
conditions of Permit No. 10, 1966,  
heretofore issued by the Depart-  
ment of Reclamation of the State  
of Idaho.

1. The name of the person  
address of the person or persons  
holding the permit is Bonge, R. M.,  
Bonge, R. M., Burley, Idaho.

2. Said water will  
be fully applied to the land for  
such purposes and the amount  
of water to be applied to the land  
capable of being irrigated by the  
use is 10 cubic feet per second.

3. The water to be applied to said water  
has been applied to irrigation  
purposes and the amount applied  
to beneficial use is 10 cubic feet  
per second.

4. The point of diversion of said  
water is 10 cubic feet, Sec. 3, NW 1/4  
SW 1/4, Sec. 11, Rge. 27  
E. B. M.

5. The water to be applied to said water  
is used in the NW 1/4, NW 1/4, NW 1/4  
SE 1/4, Sec. 11, Rge. 27  
E. B. M.

6. The date of priority which  
said user is prepared to establish  
is February 3, 1966.

Carl E. Tappan  
State Reclamation Engineer  
Published in the Burley Herald-  
Bulletin, January 3, 10, 17, 24  
1966

29436