

State of Idaho

License and Certificate of Water Right

Water License No. G-23806

Amount 2.56 c.f.s.

Water District No. _____

Priority February 25, 1953

THIS IS TO CERTIFY that

THE CAPITAL COMPANY

of Rupert, Idaho

, made application for a permit to appropriate the

public waters of the State of Idaho, dated

February 25

, 19 53

; that Permit No. G-23806

was issued under said application; that Certificate of Completion of works, with a carrying capacity of

2.56

second feet, was issued thereunder on

March 22

, 19 57

, showing that said works

were completed on the 28th day of

May

, 19 56

; and that on the 28th

day of

May

, 19 56

, Everett Warner for THE CAPITAL COMPANY

of Rupert

, State of

Idaho

, made proof to the satisfaction of the

State Reclamation Engineer

of Idaho, of the right to use the waters of a well

subterranean ~~underground~~ flow

, for the purpose of Irrigation

, under Use Permit No.

G-23806

of the Department of Reclamation

and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,

and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

10

of Licenses at page 5950

, on the 22nd day of

March

, 19 57

The right hereby confirmed dates from

February 25

, 19 53

The Point of Diversion is located

in the 6th of: NE 1/4, Sec. 31, Tp. 6 S., R. 24 E., B. M.

County Minidoka

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 2.56 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
6 S.	24 E.	31	NE $\frac{1}{4}$ NE $\frac{1}{4}$	40	40
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	40	40
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	40	40
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	40	40
Total number of acres irrigated - - - -				160	

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

22nd day of

March

, 19 57

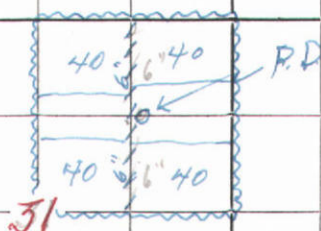
/s/ Mark R. Kulp

State Reclamation Engineer.

(SEAL)

36 2191

T 6 S R 24 E.



4 laterals

Sub divisions = four

Area = 160 acres.

Q = 2.56 cfs.

2.56

RECEIVED
MAY 29 1956

Department of Reclamation

The Minidoka County News

RUPERT, IDAHO

AFFIDAVIT OF PUBLICATION

County of Minidoka, {
STATE OF IDAHO, { ss.

LARRY H. ROBINSON

....., being first
duly sworn, deposes and says thathe is the
CO-.....publisher of The Minidoka County
News, a weekly newspaper published at Rupert,
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 The Minidoka County News

for **FOUR (4)** consecutive weeks, commencing
with the issue dated **APRIL 26**, 19**56**, and
ending with the issue dated **MAY 17**, 19**56**

Larry H. Robinson

Subscribed and sworn to before me this

28 day of May, 19**56**

Robert L. Balch Notary Public

Cost of Publication

Notary Fee

Total Cost

NOTICE OF PROOF OF COMPLETION OF WORKS

and APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at
10 A. M., on the 28th day of May,
1956, at Rupert, County of Mini-
doka, State of Idaho, before
Floyd Fruit, Notary Public proof
will be submitted of the comple-
tion of works for the diversion
of 3.2 cubic feet per second of
the waters of a well located in
the center of the NE¼ of Sec-
tion 31, Twp 6 South, Range 24
EBM, and of the application to
beneficial use of said water, in
accordance with the terms and
conditions of Permit No. G-23806
heretofore issued by the Depart-

ment of Reclamation of the State
of Idaho.

1. The name and postoffice ad-
dress of the person or corpora-
tion holding said permit are
Capital Company, Box 242, Ru-
pert, Idaho.

2. Said works of diversion will
be fully completed on the date
set for such completion, and the
amount of water which said
works are capable of conveying
to the place of use, in accordance
with the plans accompanying
the application for such permit,
is 3.2 cubic feet per second.

3. The use to which said water
has been applied is irrigation
purposes, and the amount appli-
ed to beneficial use is 3.2 cubic
feet per second.

4. The place where said water
is used is NE¼ of Section 31,
Twp 6 South, Range 24 EBM.

5. The date of priority which
said user is prepared to estab-
lish is February 25, 1953.

MARK R. KULP,
State Reclamation Engineer
No. 700 April 26-May 17.

L 23806

RE: Permits Nos. G-22154, G-22156, G-22159, G-22161, G-22162, G-22164,
G-22174, G-22815, G-23801, G-23809, G-23813, G-23814,
G-23808, G-22170, G-22155, G-22153, G-23807, G-23806,
G-23804, G-23820, G-23817, G-23816, G-22157, G-22158,
G-22160, G-22163, G-22165, G-22166, G-22167, G-22168,
G-22169, G-22171, G-22172, G-22175, G-22173,

See letter of transmittal dated April 23, 1956, in file No. G-22154.

A 23806

NAME OF APPLICANT The Orbitol Company

Form No. 0



SHADED AREA TO BE irrigated by means of
overhead sprinkler system.

360 acres located in Minidoka County, Idaho,
Sec. 31, Twp. 6 S., Rge. 24 E.B.M.

Permit Map No. 4-2380G
As Approved
FEB 27 1953
MARK R. KULP
State Reclamation Engineer

NOTICE OF PROOF OF COMPLETION OF WORKS

and

APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10 A. M., on the 28th day of May, 1956, at Rupert, County of Minidoka, State of Idaho, before Floyd Fruit, Notary Public proof will be submitted of the completion of works for the diversion of 3.2 cubic feet per second of the waters of a well located in the center of the NE $\frac{1}{4}$ of Section 31, Twp 6 South, Range 24 EBM, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-23806 heretofore issued by the Depart-

ment of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Capital Company, Box 242, Rupert, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use, in accordance with the plans accompanying the application for such permit, is 3.2 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 3.2 cubic feet per second.

4. The place where said water is used is NE $\frac{1}{4}$ of Section 31, Twp 6 South, Range 24 EBM.

5. The date of priority which said user is prepared to establish is February 25, 1953.

MARK R. KULP,
State Reclamation Engineer
No. 700 April 26-May 17, 56

RECEIVED

DEC - 2 1997

Department of Water Resources
Adjudication Bureau

NOV 24 PM 4:00

DISTRICT CLERK
TWIN FALLS, IDAHO
FILED _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

) ORDER OF PARTIAL DECREE
)
)
) For Water Right 36-02191
)
_____)

On August 1, 1997, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 36-02191 is hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED November 24, 1997.



DANIEL C. HURLBUTT, JR.
Presiding Judge
Snake River Basin Adjudication

MICROFILMED

JUN 11 2002

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 36-02191

1997 NOV 24 PM 4:00
DISTRICT COURT-5
TWIN FALLS, IDAHO
FILED

NAME & ADDRESS: ROY M YOUNG
STEVEN D YOUNG
MARIA YOUNG
CHERLYN YOUNG
RT 3 BOX 3263
RUPERT ID 83350

SOURCE: GROUNDWATER

QUANTITY: 2.56 CFS

USE OF THIS RIGHT WITH RIGHT NO. 36-07391 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 2.67 CFS AND A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 640 AF.

PRIORITY DATE: 02/25/1953

POINT OF DIVERSION: T06S R24E S31 SWENE Within MINIDOKA County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	2.56 CFS

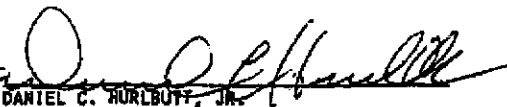
PLACE OF USE:	IRRIGATION	Within MINIDOKA County			
	T06S R24E S31	NENE 40	WNNE 40	SWNE 40	SENE 40
	160 ACRES TOTAL				

USE OF THIS RIGHT WITH RIGHT NO. 36-07391 IS LIMITED TO THE
THE IRRIGATION OF A COMBINED TOTAL OF 160 ACRES IN A SINGLE
IRRIGATION SEASON.


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 36-02191

PAGE 1
NOV-20-1997

MICROFILMED

JUN 11 2002

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)

Water Right 36-02191

Case No. 39576)

ORDER AMENDING IRRIGATION PERIOD OF USE ELEMENT
IN PARTIAL DECREE AND INCORPORATING INTO PARTIAL
DECREE AN EXPRESS STATEMENT REGARDING GENERAL
PROVISIONS, *NUNC PRO TUNC*

A *Partial Decree* was entered for the above-captioned irrigation water right on November 24, 1997. The period of use element was decreed as "irrigation season." In *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), the Idaho Supreme Court remanded with the directive to include specific dates for the period of use element. Following remand, IDWR filed a *Supplemental Director's Report, Reporting Area 3, IDWR Basin 36, Regarding Revision of Period of use (For Irrigation Water Uses) and Conjunctive Management General Provisions*, which included an irrigation period of use recommendation for this water right. No objections were filed to this recommendation and the time period for filing objections has now expired.

THEREFORE, IT IS ORDERED that the period of use for the irrigation element of the above-captioned water right is hereby amended and decreed as:

PERIOD OF USE: 04-01 10-31

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.***

IT IS FURTHER ORDERED that the *Partial Decree* for the above-captioned water right is hereby amended and decreed to contain the following:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the court at a point in time no later than the entry of a final unified decree. I.C. section 42-1412(6).

This order is being entered *nunc pro tunc* as of the date the *Partial Decree* was issued and is not intended to modify any subsequent administrative changes for the water right, if any, which occurred following entry of the *Partial Decree*.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Dated August 27, 2001

Roger Burdick
ROGER BURDICK
Presiding Judge
Snake River Basin Adjudication

MICROFILMED

JUN 11 2002

District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls, ID 83303-2707

Important Information About Your Water Right

August 27, 2001

YOUNG & YOUNG PARTNERSHIP
300-A EAST 1600 NORTH
RUPERT, ID 83350

Dear Water Right Claimant(s):

The reverse side of this letter contains a copy of an *Order Amending Irrigation Period of Use Element in Partial Decree and Incorporating into Partial Decree An Express Statement Regarding General Provisions, Nunc Pro Tunc* (hereinafter "*Order*") for water right number 36-02191. According to Idaho Department of Water Resources (IDWR) records, you are the current owner of this water right. If you are not the current owner, please contact IDWR immediately at:

Idaho Department of Water Resources
1301 North Orchard
Boise, ID 83706
800-451-4129

The Purpose of the *Order* is to set forth beginning and ending dates for the irrigation period of use for this water right. As stated in the face of the *Order*, this action was necessary following the decision of the Idaho Supreme Court in *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998). This *Order* also incorporates into the *Partial Decree* an express statement that the *Partial Decree* is subject to such general provisions necessary for the definition or for the efficient administration of the water right. This express statement is necessary to comply with the requirements of Idaho Code section 42-1412(6). This *Order* in combination with the *Partial Decree* that was issued for this water right on November 24, 1997, sets forth all of the elements of your water right. The Snake River Basin Adjudication (SRBA) Court suggests that you keep this document in a safe location together with a copy of the *Partial Decree* to show evidence of the water right. The original of this *Order* and the original of the *Partial Decree* for this water right are on file with SRBA Court. If you do not have a copy of the original *Partial Decree*, one can be obtained by contacting the SRBA Court at (208) 736-3011. Please note that the *Order* is entered *Nunc Pro Tunc*, meaning that the *Order* will be treated as if it were issued the same date that the *Partial Decree* was originally issued.

Sincerely,



Diana Delaney
Case Administrator

MICROFILMED
JUN 11 2002

WR5747NP

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS NUMBER INDEX

DATE: 06/18/98
PAGE: 1

WATER RIGHT
NUMBER

NAME

CFS

X36-02191

YOUNG & YOUNG PARTNERSHIP

2.56

MICROFILMED

JUN 25 1998

WR5747NP

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS NUMBER INDEX

DATE: 06/17/98
PAGE: 1

WATER RIGHT
NUMBER

NAME

CFS

36-02191

CAPITAL CO.

2.56

MICROFILMED

JUN 25 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5167

WATER RIGHT NO(S). 36-02233G/36-02410D/36-02653N/36-07042/36-07580D
36-08069N/36-08251E/36-08404/36-08775/36-08776/36-02058C/36-15366C
36-02075E/36-08068E/36-02454B/36-07007B/36-07021A/36-08274A/36-08275B
36-02530A/36-07795A/36-15456A/36-02191/36-07391/36-07041/36-11340
36-02653P/36-08069P/36-02591/36-02653B/36-08777/36-02075F/36-08068F
36-02058B/36-02233D/36-15366B/36-02075B/36-08068B/36-02653Q/36-08069Q
36-08778/36-07021C/36-08274B/36-07580B/36-02530B/36-07795B/36-15456B
36-02058D/36-15366D/36-02075D/36-08068D/36-02193/36-11290/36-02410C
36-07580C/36-02619/36-02620/36-04006

This is to certify that: YOUNG & YOUNG PARTNERSHIP
300-A EAST 1600 NORTH
RUPERT ID 83350

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. 36-02233G : IRRIGATION Priority: 08/13/1953	04/01 to 10/31	0.20 CFS	48.0 AF
Right No. 36-02410D : IRRIGATION Priority: 12/08/1959	04/01 to 10/31	0.20 CFS	40.0 AF
Right No. 36-02653N : IRRIGATION Priority: 09/12/1966	04/01 to 10/31	0.05 CFS	16.0 AF
Right No. 36-07042 : IRRIGATION Priority: 10/15/1968	04/01 to 10/31	5.12 CFS	1260.0 AF
Right No. 36-07580D : IRRIGATION Priority: 11/21/1975	04/01 to 10/31	0.32 CFS	62.8 AF
Right No. 36-08069N : IRRIGATION Priority: 03/04/1982	04/01 to 10/31	0.03 CFS	12.5 AF
Right No. 36-08251E : IRRIGATION Priority: 09/10/1984	04/01 to 10/31	0.31 CFS	2256.0 AF

MICROFILMED

JUN 25 1998

*See 36-02058B for Complete transfer app

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4895

WATER RIGHT NO(S). 36-02058B/36-02058D/36-02075B/36-02075D
36-02075F/~~36-02191~~/36-02192/36-02209B/36-02211B/36-02233D
36-02233F/36-02410B/36-02410D/36-02530B/36-02591/36-02653B
36-02653F/36-02653H/36-02653J/36-02653K/36-02653L/36-02653M
36-07021C/36-07041/36-07391/36-07580B/36-07580D/36-07795B
36-08068B/36-08068D/36-08068F/36-08069B/36-08069F/36-08069H
36-08069J/36-08069K/36-08069L/36-08069M/36-08070/36-08251B
36-08251D/36-08274B/36-11340/36-15366B/36-15366D/36-15456B

This is to certify that: YOUNG & YOUNG PARTNERSHIP
300-A E 1600 N
RUPERT ID 83350

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. 36-02058B : IRRIGATION Priority: 02/02/1948	04/01 to 10/31	0.11 CFS	46.5 AF
Right No. 36-02058D : IRRIGATION Priority: 02/02/1948	04/01 to 10/31	0.36 CFS	104.0 AF
Right No. 36-02075B : IRRIGATION Priority: 08/04/1948	04/01 to 10/31	0.16 CFS	52.0 AF
Right No. 36-02075D : IRRIGATION Priority: 08/04/1948	04/01 to 10/31	0.12 CFS	32.0 AF
Right No. 36-02075F : IRRIGATION Priority: 08/04/1948	04/01 to 10/31	0.16 CFS	41.6 AF
Right No. 36-02191 : IRRIGATION Priority: 02/25/1953	04/01 to 10/31	2.56 CFS	640.0 AF
Right No. 36-02192 : IRRIGATION Priority: 02/25/1953	04/01 to 10/31	3.48 CFS	1280.0 AF

MICROFILMED
MAY 20 1997

* See 36-02058B for complete transfer approval. *

State of Idaho License and Certificate of Water Right

Amount 2.55 c.f.s.

Priority February 25, 1953

TO CERTIFY that

THE CAPITAL COMPANY

made application for a permit to appropriate the
February 25, 1953, the amount of water
of Completion of work, with a capacity capacity of
March 22, 1957, showing that said work
with day of
1957, and that on the 22nd
March 22, 1957, for THE CAPITAL COMPANY

Report, State of Idaho, made proof to the satisfaction of the
of Idaho, of the right to use the waters of a well
for the purpose of Irrigation

, under the Permit No. 6-43222 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
10 of Licenses at page 5950, on the 22 day of March, 1957;

The right hereby confirmed dates from February 25, 1953;

The Point of Diversion is located

in the State of: NE 1/4, Sec. 31, Tp. 6 S., R. 24 E., B. M. County Minidoka

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 2.55 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
6 S.	24 E.	31	NE 1/4 NE 1/4	40	40
			NW 1/4 NE 1/4	40	40
			SW 1/4 NE 1/4	40	40
			SE 1/4 NE 1/4	40	40
Total number of acres irrigated -				- - -	160

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
22nd day of March, 1957.

/s/ Mark R. Kulp

State Reclamation Engineer.

(SEAL)

36 2191

36-2191

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 31584
Permit No. G- 23806
District No.

Lawrence H. Duffin
Box 61
Rupert, Idaho

1. Name of Applicant: THE CAPITAL COMPANY
Postoffice address: Box 242, Rupert County: Minidoka State: Idaho
2. Quantity of water claimed: 7.2 cubic feet per second
 - (a) Rate of withdrawal in cubic feet per second. 7.2 or Idaho
Miners' inches or gallons per minute.
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean
4. Location of point of diversion or well in the center of the NW $\frac{1}{4}$ and Well #2 is in the center of the NE $\frac{1}{4}$ of Sec. 31
~~point of diversion or well in the center of the NW $\frac{1}{4}$ of Sec. 31~~
Twp. 6 S , Rge. 24 E , B.M., County of Minidoka
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 pumps and sprinkler system
8. Estimated cost of works: \$ 40,000.00
9. (a) Is reservoir to be used? No
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is five years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation: Feb. 1929, San Francisco, Calif.
(b) Amount of capital stock: \$ 2,000,000.00 (c) Amount paid in: \$ 857,310.00
(d) Names and addresses of directors: See list on Application No. G-31579, Permit No. G-23801
 - II. The financial resources of the applicant are (a) Cash onhand: \$ 244,000.00 Dec. 31, 1952
(b) Treasury stock: None (c) Bonds to be issued: None
Pd. in surplus \$3,875,000.00
(d) Other resources: \$19,000,000.00 Earned surplus 5,072,000.00
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) None (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) 7.2 (cubic feet per second, inches or gallons per minute) is for new lands.

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.

Applicant.

THOMAS M. CHRISMAN

Agent.

Returned to applicant for correction:

Corrected application received:

The number of this permit is G-23806

Recorded in Book 85 Page 23806 Approved Feb. 27, 1953

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before April 27, 1953

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 27, 1955

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before February 27, 1958

Witness my hand this 27th day of February, 1953

MARK R. KULP

State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, LEN JORDAN, Governor of the State of Idaho,
and IRA H. MASTERS, Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 27th
day of February, 19 53

Countersigned:

STATE OF IDAHO

(SEAL)

By IRA H. MASTERS

By LEN JORDAN

Governor

Secretary of State.

12.

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
6 S	24 E	31	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	360	
Total Number of Acres to be Irrigated																		360	
Permit No. <u>G-23806</u>																			
Certificate of Completion of Works																			
TO ALL WHOM IT MAY CONCERN:																			
This is to certify that THE CAPITAL COMPANY of Rupert, County of Minidoka, and State of Idaho, the holder of Permit No. G-23806, issued upon Application No. G-31584 bearing date of priority of February 23, 1953, authorizing the diversion of 7.2 second feet of the waters of Subterranean Flow -- 2 wells County of Minidoka State of Idaho, for Irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 2.56 second feet of the waters of a well - subterranean flow that the point of diversion of said waters Center of NE ¹ / ₄ Section 31, Township 6 South, Range 24 East B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: NE ¹ / ₄ of Section 31, Township 6 South, Range 24 East B.M. Proof of Completion of Works made: <u>Ma</u> 6 28, 1956.																			
Witness my hand this 22nd day of March, A.D. 1957																			
/s/ Mark R. Kulp State Reclamation Engineer																			
Proof of Completion of Works made: <u>May</u> 28, 1956																			
Certificate of Completion of Works issued <u>March</u> 22, 1957.																			
LICENSE ISSUED FOR <u>2.56</u> SEC. FT.																			
Page 5950																			

MEMORANDUM

TO: FILE 36-2191
FROM: VAULT
RE: TRANSFER # 5707-5727
DATE: 6-6-00

=====

**Original Transfer Application, Form and correspondence regarding the above
referenced Transfer is located within:**

FILE # 36-2058

MICROFILMED
JUN 11 2002

MEMORANDUM

TO: Young & Young Water Right Files

FROM: Pam Skaggs/State Office

SUBJECT: Transfer 5167

DATE: May 6, 1998

Transfer 5167 changes and adds points of diversion, and creates an 8,574.0 acre permissible place of use. The applicant is combining multiple groundwater rights, wells & pivots in a single large interconnected system.

The rights involved have been previously transferred under Transfers 4829, 4830, 4831 and 4895, and additional rights recently purchased. 77 rights or parts of rights were on the original application. 30 of these rights, unencumbered by limiting conditions, have been combined by common priority into 12 new rights. 59 rights appear on the final approval document.

Region staff identified possible errors in a couple of the past approvals referring only to previous file information. I researched the rights and files in question and did not find supporting information to modify the previous approvals. I have attached an overlap of all the original rights, table of combined rights and a draft of rights for the final approval.

Recommended conditions include drilling permit requirements, annual measuring & reporting, irrigation overlap, permissible place of use, combined limits, trust water conditions (36-08251E), enlargement right condition where applicable and standard transfer conditions.

MICROFILMED
JUN 25 1998

	PRIORITY	CFS	ACRES	P.P/U.	DIV.VOL.	Conditions/Limits/Information
✓ 36-02233G	8131953	0.20	12.0	8574.0	48.0	
36-02410D	12081959	0.20	10.0	"	40.0	
✓ 36-02653N	9121966	0.05	4.0	"	16.0	
36-07042	10151968	5.12	315.0	"	1260.0	
36-07580D	11211975	0.32	15.7	"	62.8	
✓ 36-08069N	3041982	0.03	4.0	"	12.5	
✓ 36-08251E	9101984	8.31	564.0	"	2256.0	Trust Conditions/R55/R56/R57
36-08404	3011989	2.10	131.0	"	524.0	
✓ 36-08775	4011953	23.11	1632.0	"	6528.0	
✓ 36-08776	2251953	6.10	560.0	"	2240.0	
36-02058C	2021948	5.13	374.0	"	1496.0	
36-15366C	3151958	2.31	200.0	"	800.0	
		6.62				6.62 cfs
36-02075E	8041948	7.11	461.6	"	1846.4	
36-08068E	3041982	2.17	584.0	"	916.8	
			584.0		2336.0	584.0 acres/2336.0 afa
36-02454B	12081960	0.45	30.0	"	120.0	
36-07007B	9111967	1.32	66.0	"	264.0	
36-07021A	4091968	0.42	21.0	"	84.0	
36-08274A	7041985	0.28	14.0	"	56.0	
36-08275B	5091985	2.46	123.0	"	492.0	
		3.45	254.0		1016.0	3.45 cfs
36-02530A	12061961	5.27	275.1	"	1100.4	
36-07795A	5261978	1.58	79.0	"	316.0	
36-15456A	4011951	1.93	455.0	"	815.4	
		6.19	455.0		1820.0	6.19 cfs/455.0 acres/1820.0 afa
36-02191	2251953	2.56	160.0	"	640.0	
36-07391	10121973	0.11	"	"	46.5	
		2.67	160.0		640.0	160.0 acres/640.0 afa
36-07041	10151968	4.40	282.0	"	1128.0	
36-11340	4011972	1.06	90.0	"	360.0	
		4.40	372.0		1488.0	4.40 cfs
✓ 36-02653P	9121966	6.75	495.0	"	1980.0	
✓ 36-08069P	9121966	3.34	557.0	"	1400.8	
		10.09	557.0		2228.0	557.0 acres/2228.0 afa
36-02591	6031964	2.90	159.0	"	636.0	
36-02653B	9121966	0.68	50.0	"	200.0	
✓ 36-08777		1.12	253.5	"	473.1	
		4.70	253.5		1014.0	253.5 acres/1014.0 afa
36-02075F	8041948	0.16	10.4	"	41.6	
36-08068F	3041982	0.05	13.0	"	21.1	

✓ Combined Rts.

Transfer Draft

		0.21	13.0		52.0	13.0 acres/52.0 afa
36-02058B	2021948	0.11	12.0	"	46.5	
36-02233D	8131953	0.01	12.0	"	4.2	
36-15366B	3151958	0.05	12.0	"	21.1	
		0.17	12.0		48.0	12.0 acres/48.0 afa
36-02075B	8041948	0.16	13.0	"	52.0	
36-08068B	3041982	0.05	13.0	"	21.1	
		0.21	13.0		52.0	13.0 acres/52.0 afa
✓ 36-02653Q	9121966	0.09	7.0	"	28.0	
✓ 36-08069Q	3041982	0.05	7.0	"	21.1	
		0.14	7.0		28.0	7.0 acres/28.0 afa
✓ 36-08778	4011953	0.67	49.0	"	196.0	
36-07021C	4091968	0.54	27.0	"	108.0	
36-08274B	7041985	2.04	102.0	"	408.0	
36-02058B	36-08274B	3.28	210.0		840.0	3.28 cfs/210.0 acres
36-02410B	12081959	0.05	2.5	"	10.0	
36-07580B	11211975	0.07	3.5	"	14.0	
		0.09	6.0		24.0	0.09 cfs
36-02530B	12061961	0.19	9.9	"	39.6	
36-07795B	5261978	0.06	3.0	"	12.0	
36-15456B	4011951	0.07	16.0	"	29.6	
		0.22	16.0		64.0	0.22 cfs/16.0 acres/64.0 afa
36-02058D	2021948	0.36	26.0	"	104.0	
36-15366D	3151958	0.16	14.0	"	56.0	
		0.46	40.0		160.0	0.46 cfs
36-02075D	8041948	0.12	8.0	"	32.0	
36-08068D	3041982	0.04	10.0	"	16.9	
		0.16	10.0		40.0	10.0 acres/40.0 afa
36-02193	2251953	4.26	315.0	"	1260.0	36-11290 Enlargement of this rt.
36-11290	5011985	0.06	3.0	"	12.0	42-1426 w/36-02193
		4.26	318.0		1272.0	4.26 cfs
36-02410C	12081959	2.23	111.5	"	446.0	
36-07580C	11211975	3.53	172.8	"	691.2	
		4.24	284.0		1136.0	4.24 cfs/284.0 acres/1136.0 afa
36-02619	10161965	12.80	640.0	"	2560.0	36-04006 Enlargement of this rt.
36-02620	8061965	7.13	440.0	"	1760.0	" " " " "
36-04006	7141977	1.70	1240.0	"	718.2	42-1426 w/36-02619 & 2620
		13.15	1240.0		4960.0	13.15 cfs/1240.0 acres/4960 afa
TOTAL	T5167	119.01	8593.0	8574.0	34372.0	119.01 cfs/8574 acres/34296 afa

✓ Combined Rts.

77 Original - (30-12) = 59 rights on approval.

MICROFILMED

JUN 25 1998

MEMORANDUM

TO: FILE 36-02191

FROM: PAM SKAGGS

RE: TRANSFER # 5167

DATE: 1-9-98

Original Transfer Application, Form and correspondence
regarding the above referenced Transfer is located within
file # 36-02058.

MICROFILMED

JUN 25 1998



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

April 25, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

YOUNG & YOUNG PARTNERSHIP
300-A E 1600 N
RUPERT ID 83350

RE: Water Right No. ~~36-02058B/36-02058D/36-2075B/36-02075D~~
36-02075B/36-02191/36-02192/36-02209B/36-02211B/36-02233D
36-02233F/36-02410B/36-02410D/36-02530B/36-02591/36-02653B
36-02653F/36-02653H/36-02653J/36-02653K/36-02653L/36-02653M
36-07021C/36-07041/36-07391/36-07580B/36-07580D/36-07795B
36-08068B/36-08068D/36-08068F/36-08069B/36-08069F/36-08069H
36-08069J/36-08069K/36-08069L/36-08069M/36-08070/36-08251B
36-08251D/36-08274B/36-11340/36-15366B/36-15366D/36-15456B
Transfer No. 4895

Dear Water Right Holder:

The accompanying transfer approval should be considered and treated as a preliminary order of the department issued pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration and/or files a brief as described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of this order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department.

The Department retains the right to review the preliminary order on his own motion.

* See 36-02058B for complete transfer approval *

MEMORANDUM

TO: FILE 36-2191

FROM: PAM SKAGGS

RE: TRANSFER # 4895

DATE: 9-6-96

Original Transfer Application, Form and correspondence
regarding the above referenced Transfer is located within
file # 36-2058.

MICROFILMED
MAY 20 1997

WATER RIGHT NUMBER 36-2191

OWNER LAST NAME - CAPITAL CO. ✓

ADDRESS LINE 1 - C/O EVERETT WARNER ✓

ADDRESS LINE 3 -

SOURCE - GROUNDWATER ✓

STAGE - LICENSE

STATUS -

TOTAL DIV. VOLUME -

.00 AFA

TRFR/AMEND -

DIVERSION POINT - NENE 31/06S/24E/LOT

REDIV -

NWNE 31/06S/24E/LOT

REDIV -

FROM - TO -

USE - IRRIGATION

USE - IRRIGATION

DECREE NAME -

REMARKS - P/D CENTER OF NE1/4, S31, T6S, R24E. ✓

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROOF MADE -

FLD EXAM -

COND. OF APPROVAL -

DIVERSION MEANS -

FIRST NAME - ORIG OWNER -

ADDRESS LINE 2 -

CITY - RUPERT

STATE - ID ZIP CODE -

TRIBUTARY OF -

PRIORITY - 02-25-1953 ✓

COUNTY - MINIDOKA

TOTAL DIV. RATE -

2.5600 -CFS ✓

WATER DIST. -

DLE/CAREY ACT -

RIGHT BASIS -

0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0

REDIV -

0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0

REDIV -

USE DIV. RATE -

2.5600 CFS ✓

USE DIV. VOLUME -

.00 AFA

PLACE OF USE -

TWN 06S R24E SEC 31 ✓

TRACT NENE ✓ LOT

AC 40 TRACT

NWNE ✓ LOT

AC 40 ✓

TRACT SWNE ✓ LOT

AC 40 TRACT

SESE ✓ LOT

AC 40 ✓

DATE -

TOTAL ACRES

160 ✓

PROTESTED -

HEARING -

OLD NO. - 23806 ✓

IDENT. NO. 36-2191

WATER RIGHT
DATA ENTRY LOG

[illegible]

THE CAPITAL COMPANY
Rupert, Idaho

Herewith: Certificate of Completion of Works and License and Certificate of Water Right issued under Permit No. G-23806 for the diversion of and confirming the right to the use of 2.56 second feet of the water from a wells, subterranean flow, with point of diversion in the center of the NE $\frac{1}{4}$ of Section 31, Township 6 South, Range 24 East B.M., with priority of February 25, 1953, irrigating land located in the NE $\frac{1}{4}$ of Section 31, Township 6 South, Range 24 East B.M.

Departmental receipt No. G-2492 was issued and included the \$13.00 fee paid for the Certificate of Completion of Works (\$5.00) and the License (\$8.00).

MARK R. KULP
State Reclamation Engineer

Edna P. Rutledge
Chief Clerk

See letter of transmittal Permit No. G-22153

23806

January 14, 1957

Re: Permit Nos.	G-22153	G-22160	G-22167	G-22174	G-23809
	G-22154	G-22161	G-22168	G-22175	G-23813
	G-22155	G-22162	G-22169	G-23801	G-23814
	G-22156	G-22163	G-22170	G-23804	G-23815
	G-22157	G-22164	G-22171	G-23806	G-23816
	G-22158	G-22165	G-22172	G-23807	G-23817
	G-22159	G-22166	G-22173	G-23808	G-23820

Mr. Everett Warner, District Manager
Capital Company
901 11th Street
Rupert, Idaho

Dear Mr. Warner:

We have the Reports made by our Field Engineer in your files now in connection with the Permits captioned above. You are entitled to a "Certificate of Completion of Works" and a "License and Certificate of Water Right" for each Permit upon receipt of the statutory fees, (based upon \$5.00 for completion of works and \$2.00 for each 40-acre subdivision for License) itemized and enclosed with this letter.

Before Certificate of Completion of Works and a License can be issued on Permit Nos: G-22164, G-22165, G-22169, G-23807, G-23809, G-23815 and G-23816, it is necessary that you sign and return to this department the amendments to the land list (amendments are attached to corresponding itemized sheet and enclosed with this letter) together with the statutory fees in connection with these seven permits.

If you wish to obtain a Certificate of Completion of Works and a License for all the Permits at this time; the fees amount to \$175.00 for Completion of Works and \$691.00 for License, making a total of \$866.00.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

ER:nls
Encs: 35 itemized sheets
7 amendments

~~23806~~

Permit No. G-23806

CAPITAL COMPANY, Rupert, Idaho

Everett Warner, District Manager

Statutory Fees

Certificate of Completion of Works	\$ 5.00
License and Certificate of Water Right	<u>5.00</u>
Total	\$13.00

To be issued for Completion of Works and Beneficial Use
in connection with Permit No. G-23806

Point of diversion	--	Center of NE $\frac{1}{4}$ Section 31, Township 6 South, Range 24 East B.M.
Lands to be irrigated	--	NE $\frac{1}{4}$ Section 31, Township 6 South, Range 24 East B.M.
Number of acres irrigated	--	160
Amount	--	2.56 cubic feet per second

23806

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-23806

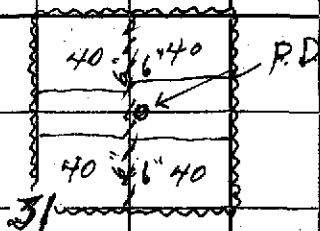
REPORT ON PROOF OF COMPLETION OF WORKS & BENEFICIAL USE

Capital Company, Box 619, Rupert, Idaho
Everett Warner, 901- 11th St. Rupert, (District Manager)

app.	7.2 cfs
Sub.	4
avrus	160

2.56 cfs
max

T 6 S R 24 E.



4 laterals

Sub divisions = four

Area = 160 acres.

Q = 2.56 cfs.

2.56

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

Permit No. G-23806

This proof is for Comp. of Works & Bene. Use In Water District No.

1. Name of applicant Capital Company, Box 619, Rupert
2. Source of water supply: Subterranean from a well
3. Location of point of diversion: Is in the center of the NE $\frac{1}{4}$ of Section 31
T. 6 S. R. 24 E. County of Minidoka
4. Describe works as they exist, giving dimensions and capacities of same:
7267 Wintcoast Turbine 150 hp. U.S. Motor
Sprinkler irrigation
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):

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

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

Remarks: _____

Q by calculation
Motor at 110%
Vine to water 70%
H = lift plus 60"

This examination was made on the 27 day of July, 1956

(Signed) E. N. Humphrey Examiner.

23806

Capital Company

Box 619

Rupert, Idaho

Permit No. G-23806

Wintroth 7267

8 stage 12-700

13000 ft.

Examination for Comp. of Works & Bene. Use 340' x 8" Col. h = 258'

County Minidoka

p9

N.S. 9355227 150 hp.

well 331 - 65 - 24 E.

180 amp. 1800 rpm

Morgeson Panel 30673

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.

$$\begin{array}{r} 636 \\ 258 \\ 138 \\ \hline 396 \end{array} = 2.564$$

4' x 4' base

8" del. into 8" - 8"

RECEIVED
NOV 23 1956

Department of Reclamation

RM: Permits Nos. G-22153	G-22154	G-22155	G-22156	G-22157
G-22158	G-22159	G-22160	G-22161	G-22162
G-22163	G-22164	G-22165	G-22166	G-22167
G-22168	G-22169	G-22170	G-22171	G-22172
G-22173	G-22174	G-22175	G-23801	G-23804
G-23806	G-23807	G-23813	G-23814	G-23815
G-23808	G-23809	G-23816	G-23817	G-23820

See letter of Acknowledgment of Depositions and Affidavits dated
 June 7, 1956. Also stating that an inspection is required before
 final action is taken.

In File No. G-22153

23806

The Minidoka County News

RUPERT, IDAHO

AFFIDAVIT OF PUBLICATION

County of Minidoka, }
STATE OF IDAHO, } ss.

LARRY H. ROBINSON

....., being first
duly sworn, deposes and says thathe is the

CO-..... publisher of The Minidoka County
News, a weekly newspaper published at Rupert,
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 The Minidoka County News

FOUR (4)
for consecutive weeks, commencing
with the issue dated **APRIL 26**, 19**56**, and
ending with the issue dated **MAY 17**, 19**56**.

Larry H. Robinson

Subscribed and sworn to before me this

28 day of *May*, 19**56**.

Philip F. Bell Notary Public

Cost of Publication

Notary Fee

Total Cost

NOTICE OF PROCEEDINGS COMPLETION OF WORKS

and APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at
10 A. M., on the 28th day of May,
1956, at Rupert, County of Mini-
doka, State of Idaho, before
Floyd Fruit, Notary Public proof
will be submitted of the comple-
tion of works for the diversion
of 3.2 cubic feet per second of
the waters of a well located in
the center of the NE $\frac{1}{4}$ of Sec-
tion 31, Twp 6 South, Range 24
EBM, and of the application to
beneficial use of said water, in
accordance with the terms and
conditions of Permit No. G-23806
heretofore issued by the Bureau

ment of Reclamation of
of Idaho.

1. The name and postoffice ad-
dress of the person or corpora-
tion holding said permit are
Capital Company, Box 242, Ru-
pert, Idaho.

2. Said works of diversion will
be fully completed on the date
set for such completion, and the
amount of water which said
works are capable of conveying
to the place of use, in accordance
with the plans accompanying
the application for such permit,
is 3.2 cubic feet per second.

3. The use to which said water
has been applied is irrigation
purposes, and the amount appli-
ed to beneficial use is 3.2 cubic
feet per second.

4. The place where said water
is used is NE $\frac{1}{4}$ of Section 31,
Twp 6 South, Range 24 EBM.

5. The date of priority which
said user is prepared to estab-
lish is February 25, 1953.

MARK R. KULP,
State Reclamation Engineer
No. 700 April 26-May 17.

L 23806

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
MAY 29 1956
Department of Reclamation

Permit No. G-23806

Proof of Application of Water to Beneficial Use
and Completion of Works
Deposition of Holder

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

Ans. Everett Warner, 901 - 11th St., Rupert, Idaho. District Manager
for Capital Company. My postoffice address is Box 619, Rupert, Idaho.

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

Ans. Capital Company, 1 Powell St., San Francisco, Calif. I am the local
representative and have authority to appear for Capital Co.

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

Ans. Permit No. /23806, dated February 27, 1953; date of priority we
propose to establish is February 25, 1953.

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

Ans. Water is from a well located in the center of the NE $\frac{1}{4}$ of Sec. 31,
Twp 6 South, Range 24 EBM

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

Ans. Water is from a well 360' deep, cased 6' with 16" casing and the
water stands at 258'. Water is pumped with a turbine pump which,
according to the curve, delivers 1300 gpm. Water is delivered to the
land by 132 sprinklers most of which have openings of 11/64". The operating
pressure is 60#.

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

Ans. Water is used to irrigate annual crops of grain, potatoes, sugar
beets, etc., and the entire NE $\frac{1}{4}$ of Sec. 31, Twp 6 S. Range 24 EBM is being
irrigated.

23806

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

Ans. -----

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

Ans. As stated in answer to question 5.

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

Ans. -----

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

Ans. Water has been used each year, through sprinklers, to irrigate annual crops since 1953. The entire NE $\frac{1}{4}$ of Sec. 31, Twp 6 S., Range 24 EBM (160 acres) is being irrigated. Full capacity of the pump is being used.

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

Ans. none

(Sign) *E. W. Vanner*

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

State of Idaho, on this *5th* day of *May*, A. D. 19*56*.

My commission expires *Oct. 16th - 1960*

23806

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
JUL 22 1935

Permit No. G-23806

Proof of Application of Water to Beneficial Use
Deposition of Witness and Completion of Works

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

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

Ans. J. MELVIN PARR, Age 35, Farm Manager, 824 G St., Rupert, Idaho

Ques. 2. Are you acquainted with Capital Company, the holder of Permit No. G-23806? How long have you known him and where does he reside?

Ans. The Capital Company is a California corporation, licensed to do business in the State of Idaho, with its principal place of business in San Francisco, California.

Ques. 3. Have you read or heard read said Permit No. G-23806, and are you familiar with its provisions and conditions?

Ans. Yes

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

Ans. Water is from a well 360' deep, cased 6' with 16" casing and the water stands at 258'. Water is pumped with a turbine pump which, according to the curve, delivers 1300 gpm. Water is delivered to the land by 132 sprinklers most of which have openings of 11/64". The operating pressure is 60#.

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

Ans. See ans. to question 4.

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

Ans. See ans. to question 4.

23806

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

Ans. Water is used to irrigate annual crops of grain, potatoes, sugar beets, etc. and the entire NE $\frac{1}{4}$ of Sec. 31, Twp 6 S., Range 24 EBM is being irrigated.

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

Ans. -----

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

Ans. The land is porous, silt loam, rolling in character and requires full capacity of the pump as stated in answer to question 4.

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

Ans. no

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

Ans. I have personally observed the beneficial use of the water diverted under said permit since the drilling of the well located on this land.

(Signed) _____

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 _____, County of _____, State of Idaho, on this 28th day of May, A. D. 1956.

Notary Public.

My commission expires _____

Feb 16th 1960

\$23806

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
JUL 23 1956
Department of Reclamation

Permit No. G-23806

Proof of Application of Water to Beneficial Use

Deposition of Witness and Completion of Work.

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

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

Ans. KENNETH STEPHENS, Age 44, Shop Foreman, 818 B St., Rupert, Idaho

Ques. 2. Are you acquainted with Capital Company, the holder of Permit No. G-23806? How long have you known him and where does he reside?

Ans. The Capital Company is a California corporation, licensed to do business in the State of Idaho, with its principal place of business in San Francisco, California.

Ques. 3. Have you read or heard read said Permit No. G-23806, and are you familiar with its provisions and conditions?

Ans. Yes

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

Ans. Water is from a well 360' deep, cased 6' with 16" casing and the water stands at 258'. Water is pumped with a turbine pump which, according to the curve, delivers 1300 gpm. Water is delivered to the land by 132 sprinklers most of which have openings of 11/64". The operating pressure is 60#.

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

Ans. See answer to question 4.

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

Ans. See answer to question 4.

23806

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

Ans. Water is used to irrigate annual crops of grain, potatoes,
sugar beets, etc. and the entire NE $\frac{1}{4}$ of Sec. 31, Twp 6 South, Range
24 EBM is being irrigated.

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

Ans. -----

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

Ans. The land is porous, silt loam, rolling in character and requires
full capacity of the pump as stated in answer to question 4.

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

Ans. no

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

Ans. I have personally observed the beneficial use of the water
diverted under said permit since the drilling of the well located
on this land.

(Signed) *Denneth Stephens*

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 Reupert
County of Minidoka, State of Idaho, on this 8th day of May,
A. D. 19 56.

Gloyd L. Smith
Notary Public.

My commission expires Feb. 16th 1960

#23806

RE: Permits Nos. G-22154, G-22156, G-22159, G-22161, G-22162, G-22164,
G-22174, G-22815, G-23801, G-23809, G-23813, G-23814,
G-23808, G-22170, G-22155, G-22153, G-23807, G-23806,
G-23804, G-23820, G-23817, G-23816, G-22157, G-22158,
G-22160, G-22163, G-22165, G-22166, G-22167, G-22168,
G-22169, G-22171, G-22172, G-22175, G-22173

See letter of transmittal dated April 23, 1956, in file No. G-22154

23804

RE: Permits Nos. G-22154, G-22156, G-22159, G-22161, G-22162, G-22164,
G-22174, G-22815, G-23801, G-23809, G-23813, G-23814,
G-23803, G-22170, G-22155, G-22153, G-23807, G-23806,
G-23804, G-23820, G-23817, G-23816, G-22157, G-22158,
G-22160, G-22163, G-22155, G-22166, G-22167, G-22168,
G-22169, G-22171, G-22172, G-22175, G-22173,

See letter of transmittal dated April 23, 1956, in file No. G-22154.

A 23806

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

DEPARTMENT OF RECLAMATION

Notice is hereby given that at 10 A.M., on the 28th
day of May, 19 56, at Rupert, County of
Minidoka State of Idaho, before Floyd Fruit, Notary Public
proof will be submitted of the completion of works for the diversion of 3.2
cubic feet per second of the waters of a well located in the center of the NE 1/4
of Section 31, Twp 6 South, and of
Range 24 EBM
the application to beneficial use of said water, in accordance with the terms and
conditions of Permit No. G-23806 heretofore issued by the Department of Reclama-
tion of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Capital Company, Box 242, Rupert, Idaho
2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use, in accordance with the plans accompanying the application for such permit, is 3.2 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 3.2 cubic feet per second.
4. The place where said water is used is NE 1/4 of Section 31,
Twp 6 South, Range 24 EBM
5. The date of priority which said user is prepared to establish is February 28, 1953.

Mark R. Kulp
MARK R. KULP
State Reclamation Engineer

Acknowledgment in
File # 9-22153

23806

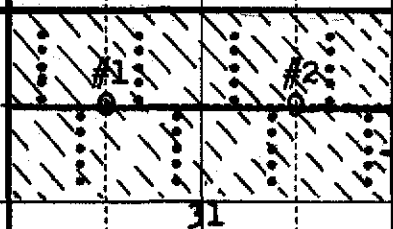
Permit No. G-23806

See letter of transmittal with Permit No. G-23801

L 23806

NAME OF APPLICANT The C. Bitol Company

Form No. 0



--- Main Line sprinkler system
--- Lateral Line sprinkler system

SHADED AREA TO BE irrigated by means of
overhead sprinkler system.

360 acres located in Minidoka County, Idaho,
Sec. 31, Twp. 6 S., Rge. 24 E.B.M.

Permit Map No. 4-2380G
As Approved
FEB 27 1952
MARK R. KULP
State Reclamation Engineer

NOTICE OF PROOF OF COMPLETION OF WORKS

and

APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10 A. M., on the 28th day of May, 1956, at Rupert, County of Minidoka, State of Idaho, before Floyd Fruit, Notary Public proof will be submitted of the completion of works for the diversion of 3.2 cubic feet per second of the waters of a well located in the center of the NE $\frac{1}{4}$ of Section 31, Twp 6 South, Range 24 EBM, and of the application to beneficial use of said water, in accordance with the terms and

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person or corporation holding said permit are Capital Company, Box 242, Rupert, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use, in accordance with the plans accompanying the application for such permit, is 3.2 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 3.2 cubic feet per second.

4. The place where said water is used is NE $\frac{1}{4}$ of Section 31, Twp 6 South, Range 24 EBM.

5. The date of priority which said user is prepared to establish is February 25, 1953.

MARK R. KULP,

State Reclamation Engineer

No. 700 April 26-May 17, 56