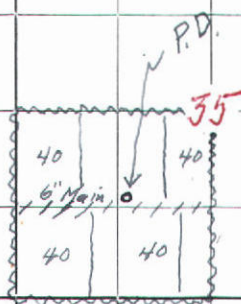


T 6S. R 24E.



Subdivisions = 4

area = 160 a.

Q = 2.72 cfs.

agrees with pub. notice.
all of these better be checked
carefully.

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 that he 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, 1956, and
ending with the issue dated MAY 17, 1956

Larry H. Robinson

Subscribed and sworn to before me this

28 day of May, 1956

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 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 SW $\frac{1}{4}$ of Section 35, Town-
ship 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-22155 heretofore is-
sued by the Department of Recla-
mation of the State of Idaho.

1. The name and postoffice ad-
dress 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 ap-
plication for such permit, is 3.2
cubic feet per second.

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

4. The place where said water
is used is SW $\frac{1}{4}$ of Section 35,
Township 6 South, Range 24 EBM.

5. The date of priority which
said user is prepared to establish
is June 7, 1951.

MARK R. KULP
State Reclamation Engineer
No. 697—April 26 - May 17.

G-22155

NE $\frac{1}{4}$ OF THE NW $\frac{1}{4}$ AND
SE $\frac{1}{2}$ OF NW $\frac{1}{4}$ AND SW $\frac{1}{4}$
SECT. 35, T 6 S,
R 24, E.B.M.

NORTH

1336.0

1334

WELL

AREA TO BE IR-
RIGATED BY
THIS WELL.

IRRIGATED BY OVER-
HEAD SPRINKLER SYSTEM
WITH MAIN 6" ALUMINUM
AND LATERALS 4" ALUMINUM.

Permit Map No. ~~9-22155~~
As Approved
JUN 9 1951
MARK R. KULP
State Reclamation Engineer

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

Important Information About Your Water Right

August 27, 2001

MELYNDA KEARL
JOSEPH KEARL
SHIRLEY S JENTZSCH
RODNEY A JENTZSCH
RT 3 BOX 3256
RUPERT, ID 83350

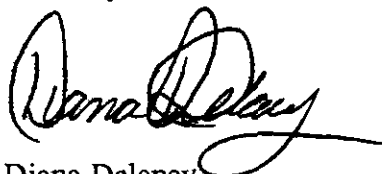
Dear Water Right Claimant(s):

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 Statment Regarding General Provisions, Nunc Pro Tunc* (hereinafter "*Order*") for water right number 36-02123. 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 July 15, 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

SEP 22 2003

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 36-02123

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 July 15, 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: 03-15 11-15

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
SEP 22 2001

RECEIVED

JUL 17 1997

Department of Water Resources
Adjudication Bureau

1997 JUL 15 AM 11:20

DISTRICT COURT-IDAHO
TWIN FALLS CO., 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

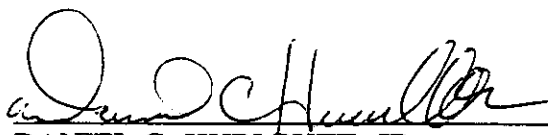
) ORDER OF PARTIAL DECREE
)
)
) For Water Right 36-02123
)
)

On May 15, 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 14a, 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 36-02123 be decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED July 15, 1997.



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

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 15 AM 11:30
I.R.C.P. 54(b) FOR

Water Right 36-02123

DISTRICT COURT OF THE
TWIN FALLS COUNTY, IDAHO
FILED

NAME & ADDRESS: JOSEPH KEARL
RODNEY A JENTZSCH
MELYNDA KEARL
SHIRLEY S JENTZSCH
RT 3 BOX 3256
RUPERT ID 83350

SOURCE: GROUNDWATER

QUANTITY: 2.72 CFS

USE OF THIS RIGHT WITH RIGHT NO. 36-07193 IS LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 640.0 AF.

PRIORITY DATE: 06/07/1951

POINT OF DIVERSION: T06S R24E S26 SESW Within MINIDOKA County
S35 NWSE
NWSNE
SWNESW
SWNESE

PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
IRRIGATION Irrigation Season 2.72 CFS

PLACE OF USE: IRRIGATION Within MINIDOKA County
T06S R24E S35 NESW 40.0 NWSW 40.0 SWSW 40.0 SESW 40.0
160.0 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 36-07193 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 160.0 ACRES IN A SINGLE
IRRIGATION SEASON.

DATED: JUL 15 1997


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

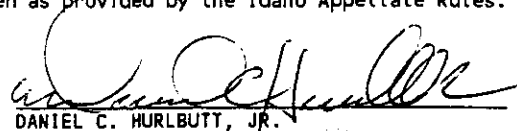
RULE 54(b) CERTIFICATE

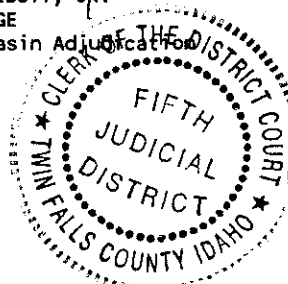
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment 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.

DATED: JUL 15 1997

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 36-02123

State of Idaho
County of Twin Falls ss.
I hereby certify the foregoing to be a full,
true and correct copy of the original on
file in the above entitled action.
ROBERT S. FORT
CLERK OF THE DISTRICT COURT
By _____
DEPUTY CLERK


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



PAGE 1
JUN-10-1997

MICROFILMED

SEP 22 2003

This
Right has been
Decreed in the
SRBA.

State of Idaho
License and Certificate of Water Right

Water License No. G-22155

Amount 2.72 c.f.s.

Water District No. _____

Priority June 7, 1951

THIS IS TO CERTIFY that S. A. CAMP FARMS COMPANY, - THE CAPITAL COMPANY, Assignee
of Rupert, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated June 7, 1951; that Permit No. G-22155
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
2.72 second feet, was issued thereunder on March 22, 1957, showing that said works
were completed on the 28th day of May, 1956; and that on the 28th
day of May, 1956, 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 subterranean flow, for the purpose of Irrigation

, under Use Permit No. G-22155 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 5927, on the 22 day of March, 1957;

The right hereby confirmed dates from June 7, 1951;

The Point of Diversion is located

in the NE 1/4 SW 1/4, Sec. 35, Tp. 6 S., R. 24 E., B. M. Idaho County Idaho

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 purpose, and shall
not exceed 2.72 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.	35	NW 1/4 SW 1/4	40	40
			SW 1/4 SW 1/4	40	40
			SE 1/4 SW 1/4	40	40
			NE 1/4 SW 1/4	40	40
			Total number of acres irrigated - - - - -		

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

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

/s/ Mark R. Kala

State Reclamation Engineer

(SEAL)

APPLICATION FOR PERMIT 3le-2123

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 29884
Permit No. G- 22155
District No.

Smith & Jacob
Box 426, Twin Falls, Idaho

1. Name of Applicant: **S. A. CAMP FARMS COMPANY**
Postoffice address: **Box 51, Rupert** County: **Minidoka** State: **Idaho**
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second. **5.6** 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 is in the **NE** $\frac{1}{4}$ of the **SW** $\frac{1}{4}$ of Section **35**
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: **Well, pump and overhead irrigation system**
8. Estimated cost of works: **\$ 17,000.00**
9. (a) Is reservoir to be used?
(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 (5)** years.
11. If applicant is a corporation, give: (See Permit No. G-22153)
 - 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 known**
 - (a) (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) (cubic feet per second, inches or gallons per minute) is for new lands.

Remarks:

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

S. A. CAMP FARMS COMPANY *Applicant.*

By M. L. Thomas, Secretary Agent.

Date of first receipt at Department of Reclamation: 9:00 A. M. June 7, 1951

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is **0-22155**

Recorded in Book **79** Page **22155** Approved **June 9, 1951**

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

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

Work to begin on or before **August 9, 1951**

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 **December 9, 1953**

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before **June 9, 1956**

Witness my hand this 9th day of June, 1951

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 9th
day of June, 19 51

Countersigned:

STATE OF IDAHO

(SEAL)

By LEN JORDAN
Governor

By IRA H. MASTERS
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.	35		40	40	40	280
<u>A S S I G N M E N T</u>							
For value received, we hereby assign all our right, title, and interest in and to Permit to appropriate the Public Waters of the State of Idaho No. G-22155 to CAPITAL COMPANY, a California corporation licensed to do business in the State of Idaho, with its principal place of business at Rupert, Idaho. S. A . CAMP FARMS COMPANY, INC. By JAMES Y. CAMP Its Vice-President State of California) ss. County of Kern) On this 31st day of August, 1954, before me, a Notary Public in and for the State of California, personally appeared James Y. Camp, known to me to be the Vice-President of the corporation that executed the within instrument and acknowledged to me that such corporation executed the same. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written. (SEAL) My Commission Expires: My Commission Expires Oct. 26, 1957 W. M. LOWE Notary Public Residence: Received and filed for record in the Department of Reclamation at Boise, Idaho, September 8, 1954 MARK R. KULP State Reclamation Engineer							

Permit No. G-22155

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that S. A. CAMP FARMS COMPANY - THE CAPITAL COMPANY, Assignee of Rupert, County of Minidoka, and State of Idaho, the holder of Permit No. G-22155, issued upon Application No. G-29884 bearing date of priority of June 7, 1951, authorizing the diversion of 5.6 second feet of the waters of Subterranean Flow - well 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 2.72 second feet of the water of a well - subterranean flow that the point of diversion of said waters Center of SW $\frac{1}{4}$ or in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35, 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: SW $\frac{1}{4}$ of Section 35, Township 6 South, Range 24 East B.M. Proof of Completion of Works made: May 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: May 28, 1956
Certificate of Completion of Works issued March 22, 1957.

LICENSE ISSUED FOR 2.72 SEC. FL.

Page 5927

This
Right has been
Decreed in the
SRBA.

MICROFILMED
SEP 22 2003

C L I N T O N R A N C H

WELL PERMITS & WATER RIGHTS

<u>Well No.</u>	<u>Date of Priority</u>	<u>Permit No.</u>	<u>Authorized Feet Per Sec.</u>	<u>Requested Feet Per Sec.</u>
1 C 724	6/7/51	G-22158	3.2	-
1 D 724	6/7/51	G-22157	3.2	-
2 C 724	6/7/51	G-22159)	6.4 (2 wells)	-
2 D 724	6/7/51	G-22159) 2 wells	-	-
3 D 724	6/7/51	G-22160	4.8	-
5 C 724	2/25/53	G-23813	9.6	-
6 A 725	6/7/51	G-22165	5.0	-
6 B 725	6/7/51	G-22164)	8.66 (2 wells)	-
6 C 725	6/7/51	G-22164) 2 wells	-	-
7 A 725	6/7/51	G-22166)	6.08 (2 wells)	-
7 B 725	6/7/51	G-22166) 2 wells	-	-
7 C 725	6/7/51	G-22168	3.2	-
7 D 725	6/7/51	G-22167	2.88	-
7 AW 724	2/25/53	G-23815)	8.8 (3 wells)	-
7 BW 724	2/25/53	G-23815) 3 wells	-	-
8 A 725	6/7/51	G-22170	5.6	-
8 B 725	6/7/51	G-22169	2.4	-
8 C 725	6/7/51	G-22171	3.2	-
8 D 725	2/25/53	G-23801	6.4	-
9 D 725	6/7/51	G-22172	7.2	-
10 A 724	6/7/51	G-22161)	-	-
10 B 724	6/7/51	G-22161)	-	-
10 C 724	6/7/51	G-22161) 3 wells	12.80	-
15 B 724	6/7/51	G-22162)	9.6 (2 wells)	-
15 D 724	6/7/51	G-22162) 2 wells	-	-
17 A 725	6/7/51	G-22174) 2 wells	6.4	-
17 AW 724	2/25/53	G-23816)	6.4	-
17 BW 724	2/25/53	G-23816) 2 wells	-	-
17 CW 724	2/25/53	G-23817	6.4	-
18 A 724	2/25/53	G-23820)	10.0	-
18 B 724	2/25/53	G-23820)	-	-
18 C 724	2/25/53	G-23820)	-	-
18 D 724	2/25/53	G-23820)	-	-
22 A 724	6/7/51	G-22163	3.2	-
26 AW 623	2/25/53	G-23808)	6.4	-
26 DW 623	2/25/53	G-23808) 2 wells	-	-
26 A 624	6/7/51	G-22153	4.8	-
26 C 624	6/7/51	G-22154) 2 wells	6.4 (2 wells)	-
26 D 624	2/25/53	G-23804) 2 wells	9.6 (2 wells)	-
31 B 624	2/25/53	G-23806) 2 wells	7.2 (2 wells)	-
31 D 624	2/25/53	G-23807	7.2	-
34 A 623	2/25/53	G-23809	6.4	-
35 B 624	6/7/51	G-22156) 2 wells	6.4 (2 wells)	-
35 C 624	6/7/51	G-22156)	-	-
35 D 624	6/7/51	G-22155	5.6	-

THE CAPITAL COMPANY
Rupert, Idaho

Herewith is Certificate of Completion of Works and License and Certificate of Water Right issued under Permit No. G-22155 for the diversion of and confirming the right to the use of 2.72 second feet of the water from a well, subterranean flow, with point of diversion in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35, Township 6 South, Range 24 East B.M., with priority of June 7, 1951, for irrigation of land located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, of Section 35.

Departmental receipt No. G-2490 was issued and includes 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

G-22155

January 14, 1957

Re: Permit Nos.	G-22153	G-22154	G-22157	G-22174	G-23809
	G-22154	G-22151	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-22168	G-22165	G-22172	G-23807	G-23817
	G-22169	G-22166	G-22173	G-23808	G-23820

Mr. Everett Garner, District Manager
Capital Company
901 11th Street
Boise, Idaho

Dear Mr. Garner:

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. DULF
State Reclamation Engineer
By

Chief Clerk

MR:mls
Encls: 33 itemized sheets
7 amendments

G-22155

Permit No. G-22155

CAPITAL COMPANY, Rupert, Idaho
Everett Warner, District Manager

	<u>Statutory Fees</u>
Certificate of Completion of Works	\$ 5.00
License and Certificate of Water Right	<u>8.00</u>
Total	\$13.00

To be issued for Completion of Works and Beneficial Use
in connection with Permit No. G-22155

Point of Diversion	--	Center of SW $\frac{1}{4}$, Section 35, Township 6 South, Range 24 E.B.M.
Lands to be irrigated	--	SW $\frac{1}{4}$ of Section 35, Township 6 South, Range 24 E.B.M.
Number of acres irrigated	---	160
Amount	--	2.72 cubic feet per second

G-22155

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-22155

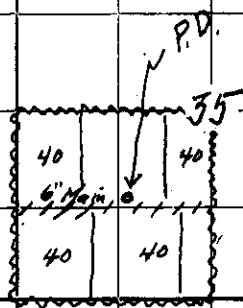
REPORT ON PROOF OF COMPLETION OF WORKS AND BENEFICIAL USE

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

2.72 cfs

app. 5.6 cfs
Sub. 4
acres 160

T 63. R 24E.



Sub divisions = 4
 Area = 160a.
 $Q = 2.72 \text{ cfs.}$

agrees with prob. notice.
 of these better be checked
 carefully.

28

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

Permit No. G-22155

This proof is for Comp. of Works & Benef. Use.

In Water District No. _____

1. Name of applicant Capital Company, Box 619, Rupert. Everett Warner (Dist. Mgr.)

2. Source of water supply: Subterranean from a well

3. Location of point of diversion: Is in the center of SW $\frac{1}{4}$ of Section 35

T. 6 S. R. 24 E. B.M. County of Minidoka

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

150 h.p. U.S. Motor #925448 #6319 Wintreath Turbine
Sprinkler system with 6" main line
No protection
Sprinkler systems use $\frac{3}{32} \times \frac{1}{64}$ nozzles

5. Water is used for: irrigation

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

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

SW $\frac{1}{4}$ Section 35, Township 6 South, Range 24 East, B.M.

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

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

Remarks: They have lots of portable 4" main line and can inter-
connect wells.

Q - by calculation

Motor 110 hp.

Wire to water 70 ft.

H = lift plus 60 pounds

This examination was made on the 27 day of Sept, 1957

(Signed)

E. H. Humphrey

Engineer

G-22155

Capital Company

Box 619

Rupert, Idaho

Permit No. G-22155 ✓

P3

Wintroath 6319

10 stage 12.400 bowls

8" col x 260' 4. = 236'

Examination for Comp. of Works and Benef. Use.

County Minidoka

U.S. 150 905'448

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.

1 well in SW 555-65-24 E

GR. Control 8' x 8', on cone base

ditch to N. then 8' to 6' - 6'

cone base 6' x 6'

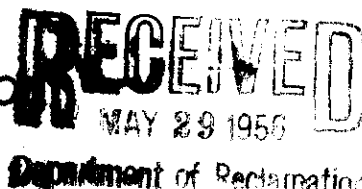
$$\begin{array}{r} 635' \\ 150 \times 110 \times 70 \times 550 = \frac{W}{62\frac{1}{2}} = G \\ \hline 236 \\ 138 \\ \hline 374 \end{array}$$

$$= 2.724 \text{ or } 136'$$

RECEIVED
NOV 3 5 1956

Department of Reclamation

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



Permit No. G-22155

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, California. I am the
local representative and I have authority to appear for Capital Company.

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

Ans. The Permit Number is G-22155/and date of priority we propose to
establish is June 7, 1951. dated June 9, 1951

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

Ans. Water is from well, located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 35, Twp 6 S.,
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 which is 306 feet deep, cased 30 feet with 16"
casing, and water stands at 236 feet. Based upon the curve for this pump,
it is delivering 1175 gal. per minute. Water is delivered to the land by
128 sprinklers most of which have one opening 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 such as grain, potatoes,
sugar beets, etc. The SE $\frac{1}{4}$ of Sec. 35, T. 6 S., Range 24 EBM is being
irrigated, a total of 160 acres.

G. 22155

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. By assignment

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 commencing with 1951, through sprinklers, to irrigate a total of 160 acres.

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)

Everett Warner

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 Blaine,

State of Idaho, on this 25th day of May, A. D. 1957.

My commission expires

Feb 16th 1960

J-22155

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
MAY 29 1966
Department of Reclamation

Permit No. G-22155

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. Address: 824 "G" St., Rupert, Idaho
Farm Manager.

Ques. 2. Are you acquainted with Capital Company, the holder of Permit No. G-22155? 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-22155, 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 which is 306 feet deep, cased 30 feet with 16" casing, and water stands at 236 feet. Based upon the curve for this pump, it is delivering 1175 gal. per minute. Water is delivered to the land by 128 sprinklers most of which have one opening 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.

G-22155

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 such as grain, potatoes, sugar beets., etc. The SE $\frac{1}{4}$ of Sec. 35, T.6 S., Range 24 EBM is being irrigated, a total of 160 acres.

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

Ans. Not applicable.

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 5.

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 and for a period of at least three years.

(Signed)

J. Melvin Parr

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 Blaine, County of Minidoka, State of Idaho, on this 28 day of May, A. D. 1956.

Raymond Hunt
Notary Public.

My commission expires Feb. 16th 1960

J-22155

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
MAY 29 1956
Department of Reclamation

Permit No. G-22155

**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.

Ans. KENNETH STEPHENS, AGE 44. Address: 818 "B" St., Rupert, Idaho
Shop Foreman

Ques. 2. Are you acquainted with Capital Company, the holder of Permit No. G-22155? 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-22155, 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 which is 306 feet deep, cased 30 feet with 16" casing, and water stands at 236 feet. Based upon the curve for this pump, it is delivering 1175 gal. per minute. Water is delivered to the land by 128 sprinklers most of which have one opening of 1 1/64". 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.

G-22155

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 such as grain, potatoes, sugar beets, etc. The SE $\frac{1}{4}$ of Sec. 35, Twp 6 So., Range 24 EBM is being irrigated, a total of 160 acres.

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

Ans. Not applicable

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 5.

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 and for a period of at least three years.

(Signed)

Kenneth 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 Blaine County of Shoshone, State of Idaho, on this 28th day of May, A. D. 1966.

Glenn L. Smith
Notary Public.

My commission expires Feb. 16th 1968

22155

RECEIVED
MAY 29 1956

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 that he 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, 1956, and
ending with the issue dated MAY 17, 1956

Larry H. Robinson
Subscribed and sworn to before me this

28 day of May, 1956

Robert F. Batch Notary Public

Cost of Publication

Notary Fee

Total Cost

**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 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 SW $\frac{1}{4}$ of Section 35, Town-
ship 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-22155 heretofore is-
sued by the Department of Recla-
mation of the State of Idaho.

1. The name and postoffice ad-
dress 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 ap-
plication for such permit, is 3.2
cubic feet per second.

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

4. The place where said water
is used is SW $\frac{1}{4}$ of Section 35,
Township 6 South, Range 24 EBM.

5. The date of priority which
said user is prepared to establish
is June 7, 1951.

MARK R. KULP
State Reclamation Engineer
No. 697—April 26 - May 17.

G-22155

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

DEPARTMENT OF RECLAMATION

April 1, 1956

Capital Company
Rupert
Idaho

Dear Sir:

We enclose herewith blank notice for proof of completion of works and application of water to beneficial use under your Permit No. G-22155. This notice should be filled out in duplicate and returned to this office at least 40 days before the date upon which you wish to make this proof, in order to allow time for the four weeks' publication required by law.

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

The date for proof, as set out in your permit, is not later than June 9, 1956.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

G-22155

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

APR 13 1956
Department of Reclamation

Notice is hereby given that at 10 A. M., on the 20th
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
SW 1/4 of Section 35, Township 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-22155 heretofore issued by the Department
of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation
holding said permit are 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 SW 1/4 of Section 35, Town-
ship 6 South, Range 24 EBM

5. The date of priority which said user is prepared to establish is
June 1, 1951

Mark R. Kulp
Mark R. Kulp
State Reclamation Engineer

Acknowledgement in 22153

Sept 18 54

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) _____

(P. O.) _____

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

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

Minidoka County News of Rupert, Idaho, published in

the county in which the works are situated.

Everett Warner
Agent for CAPITAL COMPANY

(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.)

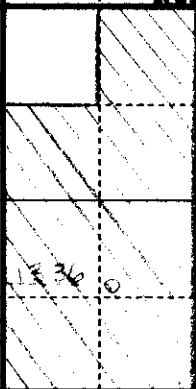
I hereby certify that the facts set forth in the attached notice are true.

Engineer.

9-22150

NE 1/4 OF THE NW 1/4 AND
S 1/4 OF NW 1/4 AND SW 1/4
SECT. 35, T 6 S,
R 24, E.B.M.

NORTH



WELL



AREA TO BE IR-
RIGATED BY
THIS WELL.

IRRIGATED BY OVER-
HEAD SPRINKLER SYSTEM
WITH MAIN 6" ALUMINUM
AND LATERALS 4" ALUMINUM.

Permit Map No. 4-32155
As Approved
JUN 9 1951
MARK R. KULP
State Reclamation Engineer

CON DICTION OF RAS
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 SW $\frac{1}{4}$ of Section 35, Township 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-22155 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are 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 SW $\frac{1}{4}$ of Section 35, Township 6 South, Range 24 EBM.

5. The date of priority which said user is prepared to establish is June 7, 1951.

MARK R. KULP
State Reclamation Engineer
N. 697—April 26 - May 17.