Norland
Industrial Waste "Pond"
BM 4306
BM 4297
1200 NORTH ROAD
1100 NORTH ROAD
WEST ROAD
ROAD
MERIDIAN
Well 4292
Wells 4319
Well 4326
Well 4307
Wells 4286
Wells 4303
Well 4291
Well 4297
Well 4262
Wells 4269
T07S
T08S
R 23 E
R 24 E
4286
4267
4276
4328
4329
4345
4300
4320
4270
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4303
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1200
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24
278
279
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42'30"
40'
(RUPERT NW)
3269 II NW
RUPERT 9 MI
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1 MILE
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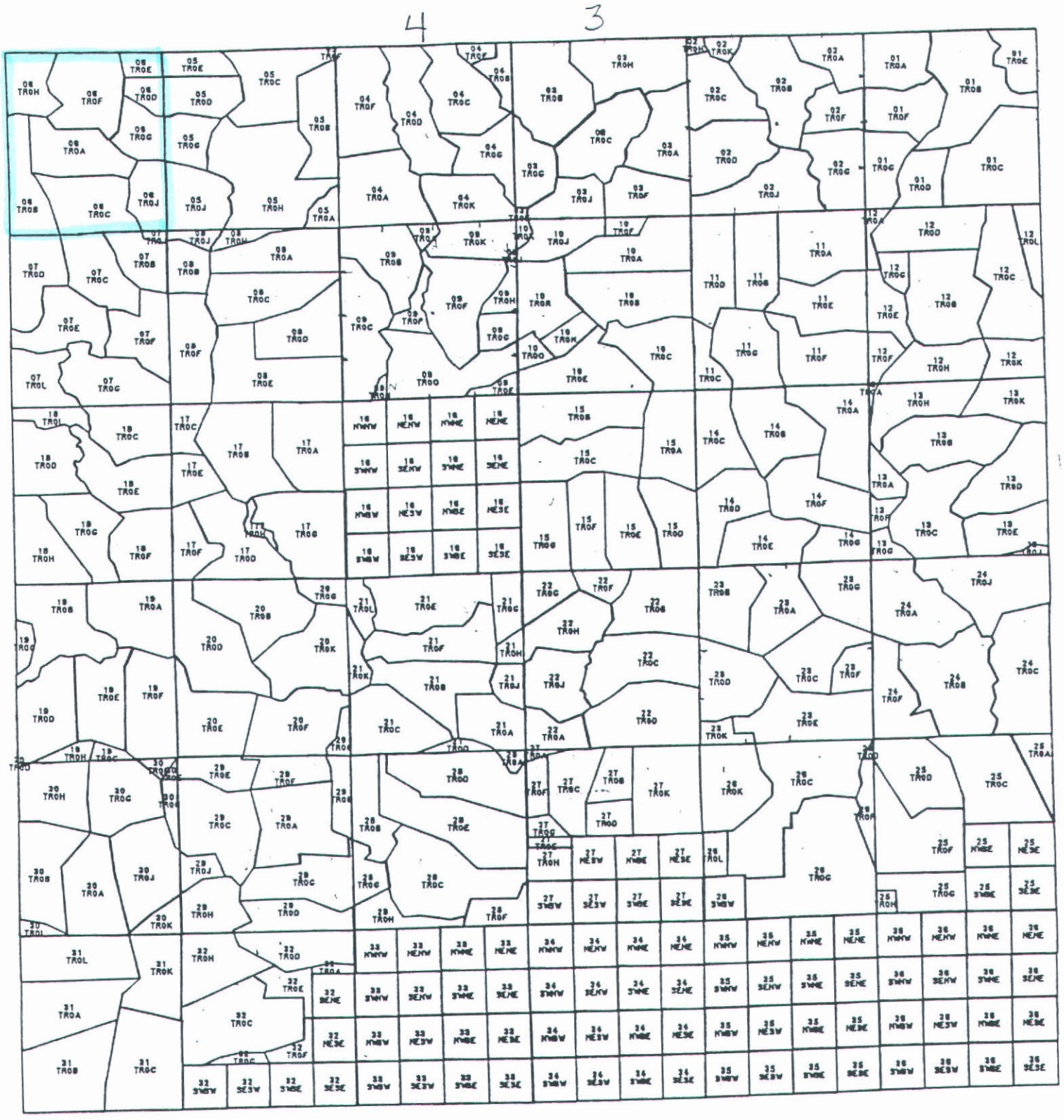
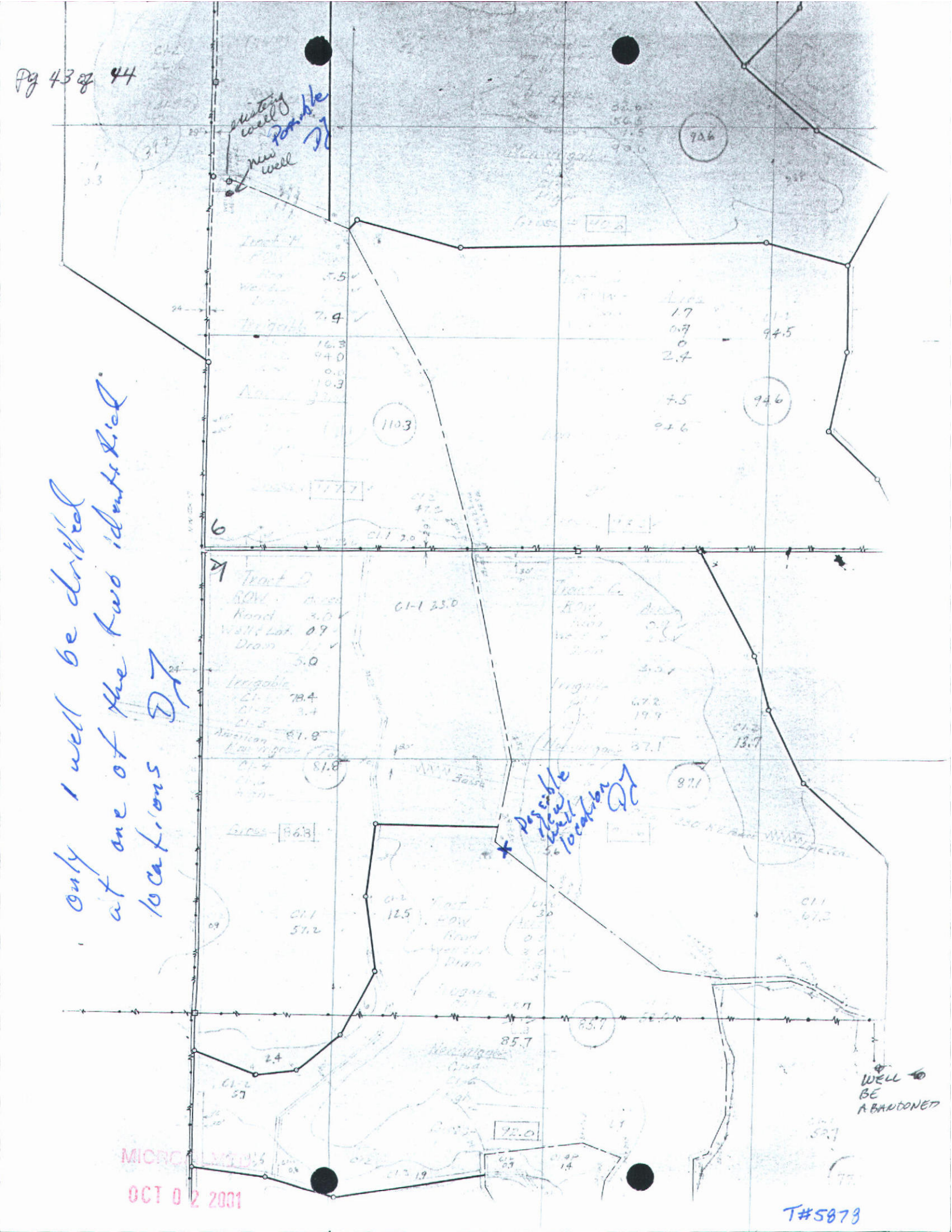
MN
17½°
311 MILS
5878/68561
CONTOUR INTERVAL 10 FEET
NATIONAL GEODETIC VERTICAL DATUM OF 1929
NORLAND QUAD

08S24E



OCT 0 2 2001



MICROFILMED
OCT 0 2 2001

T#5873

A+B Irrigation
Transfer Application
9S, 22E
9S
22E
New Well
Wells
NORTH
ROAD
BM
Well
WEST
Abandoned Well
20
22C
T# 4036

AFFIDAVIT of PUBLICATION

RECEIVED

FEB 13 2001

Department of Water Resource
Southern Region

State of Idaho
County of Jerome } ss.

Norma DeVoe, being first duly sworn, deposes and says that he/she is the printer (publisher) of the Jerome North Side News, a newspaper published every week in Jerome, County of Jerome, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 1st day of February, 2001, and the date of the last publication was on the 8th day of February, 2001.

Norma DeVoe

On this 8th day of February, in the year of 2001, before me, a Notary Public, personally appeared Norma DeVoe, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he/she executed the same.

SHELLEY STURGEON
Notary Public
State of Idaho

Shelley Sturgeon
Notary Public for Idaho
Residing at Jerome
My commission expires: 12/3/05

NORTH SIDE NEWS
Jerome, Idaho

error noted
mb 2/27/01

COST OF PUBLICATION

Number of Picas per Line _____

Number of Lines in Notice _____

Number of Insertions 2x

____	_____	Lines tabular at _____	8.0¢/Pica
____	420.75	Lines straight at 29.45	7.0¢/Pica
____	420.75	Subsequent lines at 25.25	6.0¢/Pica

Affidavit Fee: 2.50

TOTAL COST 57.20

COPY OF NOTICE

(Paste Here)

Changes - A+B Irr.
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

IDWR

BILL TO

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS

Notice is hereby given that Transfer No. 68561 by A & B IRRIGATION DISTRICT, PO BOX 675; RUPERT ID 83350 has been filed with the Department of Water Resources affecting seven (7) ground water rights diverting a total of 11 cfs from 174 wells within Jerome and Minidoka Counties for irrigation of 1928.87 acres listed below by Right No., (Diversion Rate) and Priority Date:

36-02080 (1100.0 cfs)-09/09/1948
36-15127 (54.03 cfs)-04/01/1984
36-15192 (0.60 cfs)-04/01/1962
36-15193 (0.52 cfs)-04/01/1965
36-15194 (2.76 cfs)-04/01/1968
36-15195 (3.12 cfs)-04/01/1978
36-15196 (0.37 cfs)-04/01/1981

The applicant requests to abandon an existing contaminated well within NESE, S07, T08S, R24E and drill a replacement within either NWSW, S06 or SENW, S07; both T08S, R24E-Minidoka County for the diversion of 8.0 cfs. Any protest against the proposed changes must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite #200; Twin Falls ID 83301 together with a protest fee of $25.00 on or before February 20, 2001 to be considered by the Department in its decision to grant or deny any part of the proposed change. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

PUB: 2/1 - 2/8 N34366

№ 8676

34366

MICROFILMED
OCT 02 2001

TRIBUNE PUBLISHING COMPANY, INC.
The Lewiston Morning Tribune
505 C St., P.O.Box 957
Lewiston, Idaho 83501
(208) 743-9411

Date 02/08/2001 INVOICE NO. 252078

Account No. 446620

Description 252078NOTICE OFPROPOSE

Times 2 Lines 48

Tab. Lines

$ 71.76

LEGAL ADVERTISING INVOICE

SOLD TO: DEPT OF WATER RESOURCES
1341 FILLMORE STREET, SUITE 20
TWIN FALLS ID 833013380

NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer to Invoice by No. Only.

AFFIDAVIT OF PUBLICATION

252078

NOTICE OF
PROPOSED CHANGE
OF WATER RIGHTS

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Karl J. Dreher, Director

Published in the South Idaho Press on 01/29 & 02/05/01;North Side News, Idaho Statesman, Post Register, Lewiston Morning Tribune and Times News on 02/01 & 02/08/01.

OK NB 2/27/01

REC
FEE
Departme

Karen Lewis, being duly sworn, deposes and says, I am the Legal Clerk of the Tribune Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Idaho, publishers of the LEWISTON MORNING TRIBUNE, a newspaper of general circulation published at Lewiston, Nez Perce County, Idaho; That the said Lewiston Morning Tribune is an established newspaper and has been published regularly and issued regularly at least once a day for more than 21 consecutive years next immediately preceding the first publication of this notice, and has been so published uninterrupted for said period; that the 252078NOTICE OF attached hereto and which is made a part of this affadavit was published in the said Lewiston Morning Tribune, 2 time(s). Publication being on 02/01, or once a WEEK for 2 consecutive WEEK, the first publication thereof being on the 02/01/2001, and the last publication thereof being on the 02/08/2001, and said 252078NOTICE OF was so published in the regular and entire issue of said newspaper and was not in a supplement thereof and was so published in every issue and number of the said paper, during the period and times of publication as set forth above.

Karen J Lewis

State of Idaho
S.S.
County of Nez Perce

On this 8th day of February in the year of 2001, before me, a Notary Public, personally appeared Karen J Lewis, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

GERALD M. LANTZ NOTARY PUBLIC STATE OF IDAHO

Gerald M Lantz

Notary Public in and for the State of Idaho, residing at Lewiston, therein
Commission Expires June 4, 03

MICROFILMED
OCT 0 2 2001

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS

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(0.52 cfs)-04/01/1965
36-15194
(2.76 cfs)-04/01/1968
36-15195
(3.12 cfs)-04/01/1978
36-15196
(0.37 cfs)-04/01/1981

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Affidavit of Publication

STATE OF IDAHO
COUNTY OF TWIN FALLS } SS.

№ 33358

I, Ruby Auderheide being first duly sworn upon oath, depose and say that I am principal clerk of the TIMES-NEWS, published daily at, Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for two consecutive weeks, commencing with the issue dated Feb 1, 2001, and ending with the issue dated Feb 3, 2001.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho to be issue thereof, Thursday is announced as the day on which said legal notices will be published.

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 8th day of February in the year 2001, before me, a Notary Public, personally appeared Ruby Auderheide, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Irene Fettman
Notary Public for Idaho
Residing at Twin Falls, Idaho.
My commission expires: 5/16/06

OK MB 2/9/01

MICROFILMED
OCT 0 2 2001

The Idaho Statesman

P.O. Box 40, Boise, Idaho 83707-0040

LEGAL ADVERTISING PROOF OF PUBLICATION

Account #	DTI#	Identification	Amount:
208-736-3033	396092	NOTICE OF PROPOSED CHANGE	$ 66.96

Ordered by:	P.O. #	Rate	Run Dates
MARY BALDWIN		NT	FEBRUARY 1, 8, 2001

IDAHO DEPT. WATER RESOURCES - SOUTH
1341 FILLMORE ST., SUITE 200
TWIN FALLS, IDAHO 83301-3380

Number of Lines: 41

Affidavit	Legal #
1	9398

LEGAL NOTICE
NOTICE OF PROPOSED CHANGE OF WATER RIGHTS

Notice is hereby given that Transfer No. 68561 by **A & B IRRIGATION DISTRICT,** PO BOX 675; RUPERT ID 83350 has been filed with the Department of Water Resources affecting seven (7) ground water rights diverting a total of 1100 cfs from 174 wells within Jerome and Minidoka Counties for irrigation of 1928.87 acres listed below by Right No., (Diversion Rate) and Priority Date:

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Karl J. Dreher, Director

Pub. Feb. 1,8, 2001 9398

OK MB 2/9/01

SONDRA L. BRIGHTMAN NOTARY PUBLIC STATE OF IDAHO

JANICE HILDRETH, being duly sworn, deposes and says: That she is the Principal Clerk of *The Idaho Statesman,* a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in *The Idaho Statesman,* in conformity with Section 60-108, Idaho Code, as amended for: TWO

[X] consecutive weekly [ ] single
[ ] consecutive daily [ ] odd skip
insertion(s)

beginning with the issue of: FEBRUARY 1, 2001
and ending with the issue of: FEBRUARY 8, 2001

Janice Hildreth

STATE OF IDAHO)
)ss
COUNTY OF ADA

On this 8 day of FEBRUARY in the year of 2001 before me, a Notary Public, personally appeared before me Janice Hildreth known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Sondra L. Brightman

Notary Public for Idaho
Residing at: Boise, Idaho
My Commission expires: 6/20/06

RECEIVED
FEB 09 2001
Department of Water Resources
Southern Region

MICROFILMED
OCT 02 2001

SOUTH IDAHO PRESS
BURLEY, IDAHO
AFFIDAVIT OF PUBLICATION

County of Cassia)
) ss
STATE OF IDAHO)

Ruth Holmes, being first duly sworn, deposes a
is a legals clerk of the South Idaho Press, a
published at Burley, Idaho, in the county afores
paper is of general circulation therein. Deponer
that the printed notice attached hereto was
according to law in the regular editions of
Press for 2 consecutive week(s), com
issue dated January 29, 2001, and ending with
February 5, 2001.

Ruth Anne Holm

STATE OF IDAHO)
COUNTY OF)
MINIDOKA)

On this 5th day of February in the year of
me, a Notary Public, personally appeared Ruth
identified to me to be the person whose name is
within instrument, and being by me first duly swo
the statements therein are true, and acknowledg
executed the same.

Kay Moore
Notary Public for Idaho

Residing at: Paul, Idaho

My commission expires: 09-20-2001

01-028

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS

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/s/ Karl J. Dreher,Director

Published by the South Idaho Press on January 29 and February 5, 2001.

Cost of Publication 54.34

Affidavit Fee 5.00

Total Cost 59.34

OK MB 2/7/01

RECEIVED
FEB 07 2001
Department of Water Resources
Southern Region

MICROFILMED
OCT 0 2 2001

A+B Irrigation
Transfer Application
9S, 22E
New Well
Wells
Abandoned Well
NORTH
ROAD
WEST
Well
9
10
15
16
20
4208
4210
1050
400
300
100

T # 4036

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE $300

POSTMARK OF
DELIVERING OFFICE

INSTRUCTIONS.—*Show name, address and number of article below. Complete "Instructions to Delivering Employee" on other side, when applicable. Moisten gummed ends and securely attach to back of article. Endorse front of article* ***RETURN RECEIPT REQUESTED.***

RETURN TO

REGISTERED NO.	NAME OF SENDER
CERTIFIED NO.	STREET AND NO. OR P. O. BOX
INSURED NO.	CITY, ZONE, AND STATE

20736

POD Form 3811, Feb. 63

c16—71548-3

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ DELIVER ONLY TO ADDRESSEE (*20¢ additional*)

☐ SHOW ADDRESS WHERE DELIVERED IN ITEM 4 BELOW (*31¢ additional*)

RECEIPT

Received from the Postmaster the Registered, Certified, or Insured Article, the number of which appears on the face of this return receipt.

1. SIGNATURE OR NAME OF ADDRESSEE

X

2. SIGNATURE OF ADDRESSEE'S AGENT (*Agent should enter addressee's name in item 1 above*)

3. DELIVERY DATE

. 19

4.

20736

o16—71548-3 GPO

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE $300

POSTMARK OF DELIVERING OFFICE

INSTRUCTIONS.—*Show name, address and number of article below. Complete "Instructions to Delivering Employee" on other side, when applicable. Moisten gummed ends and securely attach to back of article. Endorse front of article RETURN RECEIPT REQUESTED.*

RETURN TO

REGISTERED NO.	NAME OF SENDER
CERTIFIED NO.	STREET AND NO. OR P. O. BOX
INSURED NO.	CITY, ZONE, AND STATE

20236

POD Form 3811, Dec.

o16—71548-3

Received from the Postmaster the Registered, Certified, or Insured Article, the number of which appears on the face of this return receipt.

1. SIGNATURE OR NAME OF ADDRESSEE

X

2. SIGNATURE OF ADDRESSEE'S AGENT (*Agent should enter addressee's name in item 1 above*)

3. DELIVERY DATE

, 19

4.

202-36

10—71548-3 GPO

2848
20736

IN THE DISTRICT COURT OF THE ELEVENTH JUDICIAL DISTRICT

OF THE STATE OF IDAHO, IN AND FOR

MINIDOKA COUNTY.

G. L. DEAN AND SONS, an Idaho Corporation,

Appellant,

vs.

CARL E. TAPPAN, STATE RECLAMATION ENGINEER,

Respondent.

OPINION ON MOTION TO DISMISS APPEAL.

Civil No. 4609.

DOCKETED
2-10-66

This is an appeal, pursuant to 42-224, I.C., from the granting of a license and certificate of water right by the respondent to the United States on June 10, 1965. The appeal was filed September 28, 1965. The respondant moves the dismissal of the appeal on the basis that it is not timely filed.

The appeal provisions of 42-224 provide:

"Such appeal shall be taken within sixty days from the date of such license.."

The sixty days lapsed August 9, 1965. The appellant, however, argues that appeal time may be enlarged when the failure to appeal within the allowed time is the result of fraud, misrepresentation or other acts of the respondant causing the appellants to allow the time to lapse. The appellant states, and apparently correctly, that it had no notice of the entry and issuance of the license and no way of knowing of the entry and issuance short of sitting in the respondant's office every day. The respondant contends that the appeal time is jurisdictional and cannot be extended by an action or inaction of the parties or through any act of the Court.

Appeal times are generally held to be jurisdictional and not subject to extention by the parties. Penny v. Nez Perces County, 4 Idaho 642, 645 (1895); Re Hanley, 142 P2d 423, 149 ALR 1250 (1943); 4 AmJur 2d 782. Notice of the entry of an order is, in the absence of a statute requiring it, not necessary to its validity. Fite v. French, 54 Idaho 104, 108; Cowes v. Marsh, 324 P2d 553, 554 (Calif 1958); 49 CJS 236. It would not appear that administrative law rules are any different. 2 AmJur2d 620. Absent statute to the contrary, then, the time for appeal must be said to ordinarily run from the entry of the order, not from the time notice is recieved. 4A CJS 122.

There are, however, decisions and textual statements concluding that fraud or other dereliction of the respondant can excuse an untimely filing by the appellant. 4A CJS 148; 4 AmJur 2d 786; Annot., 149 ALR 1261 (1944). Special circumstances resulting in deprivation of the rights of the appellant have, in some cases, required a relaxation of the rule. Boruff v. U.S., 310 F2d 918, 921 (5th Cir 1962).

The Idaho Rules of Civil Procedure require notice of orders and judgments to be given to the interested parties. Rule 77(d), IRCP. There has been no suggestion, however, by either the courts or the legislature that a failure of compliance with this Rule would result in an extention of time within which to appeal.

20736

The appellant states that certain procedural steps essential to the issuance of the license were not accomplished by the United States. The respondent argues that appellant cannot, in any event, appeal because it failed to lodge formal protests within the time required by law. As I see it, neither question can be decided at this stage of the proceedings. The only question is whether the appeal, on the basis of its filing date, can be considered at all.

It is apparently true that the respondent agreed to keep the appellant's counsel advised of whatever action was taken upon the United States' application for the waters in question. His failure to do so is at least censurable and possibly gives rise to a suspicion of a deliberate intention to avoid an appeal. Nevertheless, our law is rather well established that appeal times are jurisdictional and the fact is that the appeal was not filed within the required time. It is the filing and not the notice that starts the time. I am of the opinion that I am without authority to reach any other conclusion. It occurs to me that a direct action against the respondent would be warranted in this case but that question is not before me and I make no comment as to the liklihood of success of such a venture.

The appeal must be dismissed and the motion is granted. Counsel for the respondent will prepare and submit an appropriate order.

DATED this 9th day of February, 1966.

DISTRICT JUDGE.

20736

12/6/63

NOTICE FOR PUBLICATION

NOTICE OF PROOF OF COMPLETION OF CONSTRUCTION AND

APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 a.m. on the 13th day of January, 1964, at the Bureau of Reclamation offices, Orchard and Fairview, Boise, Idaho, County of Ada, State of Idaho, before John H. Welch, a Notary Public, proof will be submitted of the diversion of and application to beneficial use of 1100 cubic feet per second of underground water, in accordance with the terms and conditions of Permit No. 20736 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and post office address of the person or corporation holding said permit is United States of America, P. O. Box 937, Boise, Idaho.

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

The amount applied to beneficial use is 1100 c.f.s.

The works of diversion have been completed within the life of the permit.

The point of diversion of said water is 177 wells located in township 7 south, ranges 23, 24, and 25 east, Boise meridian; township 8 south, ranges 21, 22, 23, 24, and 25 east, Boise meridian; township 9 south, ranges 21, 22, and 23 east, Boise meridian; township 10 south, ranges 21 and 22 east, Boise meridian, all within the A & B Irrigation District, North Side Pumping Division, Minidoka Project, Idaho.

The place where said water is used (legal description): 62,604.3 irrigated acres located in townships 7, 8, 9, and 10 south, ranges 21, 22, 23, 24, and 25 east, Boise meridian, Idaho, all within the boundaries of the A & B Irrigation District, North Side Pumping Division, Minidoka Project, Idaho.

The date of priority which said user is prepared to establish is September 9, 1948.

CARL S. TAPPAN
District Reclamation Engineer

20736

RECEIVED
DEC 3 1964
Department of Reclamation

The Minidoka County News

RUPERT, IDAHO

AFFIDAVIT OF PUBLICATION

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

Vern A. Miller, being first duly sworn, deposes and says that he is the manager 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 consecutive weeks, commencing with the issue dated Dec. 19, 1963, and ending with the issue dated Jan. 19, 1964.

Vern A. Miller

Subscribed and sworn to before me this 23rd day of Dec, 1964

Vern Hunter Notary Public

Cost of Publication .....

Notary Fee .....

Total Cost .....

20736

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The amount applied to beneficial use is 1100 c.f.s.

The works of diversion have been completed within the life of the permit.

The point of diversion of said water is 177 wells located in township 7 south, ranges 23, 24, and 25 east, Boise meridian; township 8 south, ranges 21, 22, 23, 24, and 25 east, Boise meridian; township 9 south, ranges 21, 22, and 23 east, Boise meridian; township 10 south, ranges 21 and 22 east, Boise meridian, all within the A & B Irrigation District, North Side Pumping Division, Minidoka Project, Idaho.

The place where said water is used (legal description): 62,604.3 irrigated acres located in townships 7, 8, 9, and 10 south, ranges 21, 22, 23, 24, and 25 east, Boise meridian, Idaho, all within the boundaries of the A & B Irrigation District, North Side Pumping Division, Minidoka Project, Idaho.

The date of priority which said user is prepared to establish is September 9, 1948.

CARL F. TAPPAN
State Reclamation Engineer

No. 965 Dec. 19 - Jan. 9

RECEIVED
DEC 3 1964
Department of Reclamation

The Minidoka County News

RUPERT, IDAHO

AFFIDAVIT OF PUBLICATION

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

Vern A. Miller, being first duly sworn, deposes and says that he is the manager 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 consecutive weeks, commencing with the issue dated Dec. 19, 1963, and ending with the issue dated Jan. 19, 1964.

Vern A. Miller

Subscribed and sworn to before me this 2nd day of Dec, 1964

Vern Hunter Notary Public

Cost of Publication _____

Notary Fee _____

Total Cost _____

20736

NOTICE FOR PUBLICATION
NOTICE OF PROOF OF COMPLETION OF CONSTRUCTION AND APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 a. m. on the 13th day of January, 1964, at the Bureau of Reclamation offices, Orchard and Fairview, Boise, Idaho, County of Ada, State of Idaho, before John H. Welch, a Notary Public, proof will be submitted of the diversion of and application to beneficial use of 1100 cubic feet per second of underground water, in accordance with the terms and conditions of Permit No. 20736 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and post office address of the person or corporation holding said permit is United States of America, P. O. Box 937, Boise, Idaho.

The use to which said water has been applied is irrigatiion.

The amount applied to beneficial use is 1100 c.f.s.

The works of diversion have been completed within the life of the permit approved.

The point of diversion of said water is 177 wells located in township 7 south, ranges 23, 24, and 25 east, Boise meridian; township 8 south, ranges 21, 22, 23, 24, and 25 east, Boise meridian; township 9 south, ranges 21, 22, and 23 east, Boise meridian; township 10 south, ranges 21 and 22 east, Boise meridian, all within the A & B Irrigation District, North Side Pumping Division, Minidoka Project, Idaho.

The place where said water is used (legal description): 62,604.3 irrigated acres located in townships 7, 8, 9, and 10 south, ranges 21, 22, 23, 24, and 25 east, Boise meridian, Idaho, all within the boundaries of the A & B Irrigation District, North Side Pumping Division, Minidoka Project, Idaho.

The date of priority which said user is prepared to establish is September 9, 1948.

CARL F. TAPPAN
State Reclamation Engineer

No. 965 Dec. 19 - Jan. 9

Route 3
Rupert, Idaho
January 29, 1964

GW

RECEIVED
FEB 11 1964
Department of Reclamation

Senator Len Jordan
Senate Office Bldg.
Washington, D. C.

Dear Sir;

I bought 320 acres of land in Minidoka County which is irrigated by two deep wells. These wells were dug in 1951. When I bought this land I was assured that the water rights were assured as of a 1956 determination. I had prior rights to any wells dug after that date.

Now the Bureau of Reclamation decided they want to put all of their wells on a 1948 basis although some were not dug until three or four years ago. One of their officials states that the private wells are jeopordizing the government wells and should be shut off.

I am investing over $90,000.00 in my land. If the Bureau of Reclamation had their way, I would lose all that plus my years I've invested here. There are many other private pumpers out here in the same situation as I am and many of these were developing this land before the government ever decided to develop theirs into a Bureau of Reclamation project.

There was a hearing on this matter just recently. The Bureau ofReclamation presented their claims but we private pumpers didn't even know there was a hearing scheduled until it was all over. No one had been notified and there was nothing in the papers about it. We didn't even have a chance to present our case.

Water is vital to us. Without it we lose our land and our way of earning a living.

Rupert Water
531-41 1/

20736

We don't want to take the Bureau of Reclamation water rights away when in their proper order. But we do want to protect our rights when they are threatened. Even when that threat comes from the United States Government.

Could you and would you help us?

Sincerely,

Warren W. Heins

Warren W. Heins

20736

Protests After 1-14-63

20736

Protest #	Name	1 Filing Date	2 Processing Dated	3 Permit	Quantity cfm	License	S.E.D.	Land List
25134	Cortez Farms	9-28-54	8-28-54			1.87	SWSW 23-9S-22E	S½SE, NWSE, S½SW, 23-9S-22E 160 ac
31001	" "	2-27-63		6.4			SENW 26-8S-22E	NE¼, E½NW, E½SW, SE¼ 26-8S-22E 320 ac
24323	J.W. Terry & Sons	7-15-53	7-15-53			5.64	SWNE 29-7S-23E	SW¼, N½NW, SENW, NE¼, SWSE, NWSE, NESE, 29-7S-23E
None	Richard Hanker							
4-27872	Robert Jones	4-7-59					SE.NW. 12-7S-24E	W½, 12-7S-24E.
29349	Morgan - Shillington	1-24-61	1-24-61	6.4		4.0	VENW 30-7S-26E	S½SW¼ SE¼Sec 19 N½ NE¼ 7S-26E NW¼ Sec 30
29350	Morgan - Shillington	1-24-61	1-24-61	3.2			CENTER S½ 34-7S-25E	SE¼ 34-7S-25E
29351	Morgan - Shillington	1-24-61	1-24-61	12.8			10S N½ 23-7S-25E	SEC 23, SWNW¼, NWSW¼ Sec 24, S½ SE¼ Sec 14, SWNW, NWSW, SWSW Sec 24 7S-25E
30859	Morgan - Shillington	12-14-62	12-14-62	3.2			NENW¼ 16-9S-22E	W½ NE¼, N½NW¼, Sec 16-9S-22E

Permit Holders Protesting Permit G-20736 U.S.B.R.
Received after 1/14/63

G-20736

Circuit #	Name	Filing Date	Priority Date	Quantity: Permit	c/s	Fiction		T. R. S.	Land List
24323	Crystal Bros.	7/15/53	7/15/53			6.0	SENE	33 - 7S - 23E	E½ 33; NESE, SESE, SWSE, 28 - 7S - 23E
26448	" "	1/16/56	1/16/56			2.06	SESE	33 - 7S - 23E	SE¼, 33 - 7S - 23E
28615	Gov. Ben K. Humphrey	1/1/60		6.4			C. SW¼ C. SE¼	16 - 9S - 21E	S½ 16 - 9S - 21E
28608	Jerry H. Williams	1/1/60		6.4			SW¼NW¼ SW¼NE¼	33 - 7S - 21E	E½NE¼, 32; NE¼, S½NW¼, 33 - 7S - 21E
30628	Dell L. Thompson	8/23/62	8/23/62			1.76	SESE	21 - 7S - 25E	SENE, E½SE¼, 21 - 7S - 25E
30629	" "					2.89	SWNE	21 - 7S - 25E	NE¼, W½SE¼, 21 - 7S - 25E
27690	Samuel A. Clark, Jr.	12/31/58	1/14/58			3.28	SWSW	23 - 6S - 21E	NWNE, S½NE, SE¼, 22; S½, 23; W½NW¼, 26; N½NE, SENE, 27 - 6S - 21E
27691	" "					4.83	NWSE	22 - 6S - 21E	NWNE, S½NE, SE¼, 22; S½NW¼, S½, 23; W½NW¼, 26; E½NE, NWNE, 27 - 6S - 21E
30665	" "	8/21/60		4.0			SWSW	14 - 6S - 21E	W½SW, SESW, 14; N½NW, 23 - 6S - 21E
24323	A. P. Blincoe	7/15/53	7/15/53			10.0	SESE, SENW, NWNE	31 - 7S - 23E	NE¼, N½SE, 34; W½NE, SENE, SE¼, NW¼, NESW, 32 - 7S - 23E
27923	Dana Hiddleston C.L.	5/4/59		3.2			NENE NWNE	25 - 6S - 21E	S½SW, 24; NWNE, NENW, 25 - 6S - 21E
28507	Dale H. Klingler	2/26/60		6.4			C. N½	22 - 8S - 26E	N½ 22 - 8S - 26E
30234	" "	8/15/62		6.4			C. W½	15 - 7S - 25E	W½, 15 - 7S - 25E
30235	" "	"		6.4			C. E½	22 - 7S - 25E	E½, 22 - 7S - 25E
30236	" "	"		6.4			C. W½	22 - 7S - 25E	W½, 22 - 7S - 25E
24713	Hollis S. McClellan	8/14/58	8/14/58			3.32	SENE	6 - 9S - 22E	SE¼, S½NE, S½SW, 6 - 9S - 22E
25057	" "	7/14/59	7/14/59			1.64	SENE	6 - 9S - 22E	W½NW, NESW, 6 - 9S - 22E
28234	Gerald Drown	10/26/59		6.4			NWSE	7 - 8S - 27E	E½SE, 6; W½SW, 5; NWNW, 8; E½NE, NESW, NWSE, 7 - 8S - 27E
28890	Mat Herbold	4/29/60		6.4			SENW	28 - 6S - 24E	S½NW, 28; NE¼, N½SE, 29 - 6S - 24E
22598	Ruel M. Hanson	4/1/58	4/1/58			6.4	NENE	36 - 8S - 21E	N½, 36 - 8S - 21E
24060	C.L. Hiddleston	4/1/53	4/1/53			3.16	NENE	25 - 6S - 21E	E½NE, 25 - 6S - 21E, Lots 5, 30 - 6S - 22E
24065	J. L. Haynes	7/1/53	7/1/53			4.5	NWSE	24 - 6S - 21E	S½NE, S½NW, N½SW, SE¼, 24 - 6S - 21E
22607	Ralph McGee	7/14/58	7/14/58			7.5	NWSE	24 - 7S - 22E	Lots 7, 8, 9, 10, 11, 12 - 19 - 6S - 22E; NESW, S½SW, N½SE, 24; N½E, 25; NE¼, NESE, 36 - 7S - 22E, W½W, 19 - 7S - 23E
22981	" "	8/15/58	8/15/58			4.4	SWNE	25 - 7S - 22E	NENW, S½NW, NESW, 19 - 7S - 23E; E½SW, SE¼, 24; NE¼, NW¼, E½SW, SE¼, 24; NENW, SENW, NESE, 36 - 7S - 22E

24

4910 - Buff
4810 - Green
4210 - White

Permit Holders Protesting Permit S-20736 48 B.R.

Received prior to 1-10-64

1-10-64

Permit #	Name	1 Filing Date	2 Inquiry Date	3 Permit	4 Cpd	Quantity License	6 P.D.	7	8	9 Land List	10
1	24373 Mack Neiband	7/15/52	7/15/53			4.1 NENE	28-	7S- 23E	N½	28- 7S- 23E	
2	" Lavern "	"	"			8.7 NWSW NESE	28- 29-	7S- 23E	SW¼, SE¼, 28;		
3									SENE, SE¼, 29; NE¼, 32; 7S-23E		
4	" Dale Millard Neiband	"	"			4.8 SENW	33-	7S- 23E	W½,	33- 7S- 23E	
5	22484 Lavern Neiband	11/28/51	11/28/51			4.8 SENW	22	7S- 23E	N½	22- 7S- 23E	
6	22485 Warren "	"	"			4.84 SESW	"	"	S½,	22 7S- 23E	
7	28139 " "	8/9/59	—	6.4		NESE	15	"	S½	15 7S- 23E	
8	26041 Wm. L. "	10/13/55	—	6.26		NENE	28	"	N½	28 7S- 23E	
9				12.66		27.34					
10											
11	23808 The Capital Co.	2-25-53	2-25-53			4.26 C. NW C. SW	26-	6S- 23E	W½	26- 6S- 23E	
12	23809 " " "	"	"			3.18 C. W½	34-	"	S½NW, SW,	34 "	
13	23804 " " "	"	"			1.6 C. NE SESW	35- 26-	6S- 24E	NW	35- 6S- 24E	
14	23806 " " "	"	"			7.56 NWNE	31	"	NE	31- "	
15	23807 " " "	"	"			3.48 SWSE	"	"	S½ L 9, 10,	" "	
16	23813 " " "	"	"			5.42 NESE C. NE	5- 8	7S- 24E	SE SW, W. NE	5- 8- 7S- 24E	
17	23814 " " "	"	"			3.09 C. SW	5	"	S½NW, SW N½NW	5- 8- "	
18	23815 " " "	"	"			5.7 C. N½ C. S½	7	"	NE, E½NW, S½,	7 "	
19	23816 " " "	"	"			5.08 C. NE E. NW	17	"	NE E½NW, SWNW,	17- "	
20	23817 " " "	"	"			3.65 C. S½	"	"	S½	17 "	
21	23820 " " "	"	"			8.46 C. NW, C. SW C. NE, C. SE	18	"	All	18 "	
22	23801 " " "	"	"			2.06 C. SW	8	7S- 25E	SW	8- 7S- 25E	
23	22153 " " "	6-7-51	6-7-51			2.24 SENW	26	6S- 24E	NW¼, W½NE	26- 6S- 24E	
24	22154 " " "	"	"			4.34 NWSE SESW	"	"	SE¼, SW¼	26- 6S- 24E	
25	22155 " " "	"	"			2.72 NESW	35	"	SW¼,	35- 6S- 24E	
26	22156 " " "	"	"			6.1 C. SE C. NE	"	"	E½,	35 "	
27	22157 " " "	"	"			2.49 C. SW	1	7S- 24E	SW	1- 7S- 24E	
28	22158 " " "	"	"			2.36 C. SE	"	"	SE	" "	20726
29	22159 " " "	"	"			4.94 C. SE C. SW	2	"	S½,	2 "	
30	22160 " " "	"	"			2.62 NWSW	3	"	SW, S½NW,	3- 7S- 24E	
31											

4910 - Buff
8910 - Green
4210 - White

Permit Holders Protesting Permit S-20736 48 B.R.

Received prior to 1-10-64

V = Formal
V = Informal

1-10-64

	Permit #	Name	1 Filing Date	2 Inquiry Date	3 Permit	4 Qty	Quantity License	6	7	8	9	10
								P.D.			Land List	
1	24333	Mack Neiban	7/15/52	7/15/53			4.1 NENE	28	7S-23E	N½	28-7S-23E	1
2	✓	Larue "	✓	✓			8.76 NWSW NESE	28 29	7S-23E	SW¼, SE¼, 28;		2
3										SENE, SE¼, 29; NE¼, 32;	7S-23E	3
4	✓	Dale Millerena Neiban	✓	✓			4.8 SENW	33	7S-23E	W½,	33-7S-23E	4
5	22484	Bruce Neiban	11/26/51	11/28/51			4.84 SENW	22	7S-23E	N½	22-7S-23E	5
6	22485	Warren "	✓	✓			4.84 SESW	✓	✓	S½,	22 7S-23E	6
7	28136	" "	8/9/59	—	6.4		NESE	15	✓	S½	15 7S-23E	7
8	26021	Wells "	10/13/58	—	6.26		NENE	28	✓	N½	28 7S-23E	8
9					12.66		27.34					9
10												10
11	23808	The Capital Co.	2-25-53	2-25-53			4.26 C.NW C.SW	26	6S-23E	W½	26-6S-23E	11
12	23809	" " "	✓	✓			3.18 C.W½	34	✓	S½NW, SW,	34 ✓	12
13	23810	" " "	✓	✓			1.6 C.NE SESW	35 26	6S-24E	NW	35-6S-24E	13
14	23806	" " "	✓	✓			7.56 NWNE	31	✓	NE	31 - ✓	14
15	23807	" " "	✓	✓			3.48 SWSE	✓	✓	S½, L 9, 10	✓ ✓	15
16	23813	" " "	✓	✓			5.42 NESE C.NE	5 8	7S-24E	SE SW, N½ NE	5 - 8-7S-24E	16
17	23814	" " "	✓	✓			3.09 C.SW	5	✓	S½NW, SW N½NW	5 - 8 - ✓	17
18	23815	" " "	✓	✓			5.7 C.N½ C.S½	7	✓	NE, E½NW, S½,	7 - ✓	18
19	23816	" " "	✓	✓			5.08 C.NE C.NW	17	✓	NE, E½NW, SW, NW,	17 - ✓	19
20	23817	" " "	✓	✓			3.65 C.S½ C.NW, C.SW	✓	✓	S½	17 ✓	20
21	23820	" " "	✓	✓			8.46 C.NE, C.SE	18	✓	All	18 ✓	21
22	23801	" " "	✓	✓			2.06 C.SW	8	7S-25E	SW	8-7S-25E	22
23	22153	" " ✓	6-7-51	6-7-51			2.24 SENW	26	6S-24E	NW¼, W½NE	26-6S-24E	23
24	22154	" " "	✓	✓			4.34 NWSE SESW	✓	✓	SE¼, SW¼	26-6S-24E	24
25	22155	" " "	✓	✓			2.72 NESW	35	✓	SW¼,	25-6S-24E	25
26	22156	" " "	✓	✓			6.1 C.SE C.NE	✓	✓	E½,	35 ✓	26
27	22157	" " "	✓	✓			2.49 C.SW	1	7S-24E	SW	1-7S-24E	27
28	22158	" " "	✓	✓			2.36 C.SE	✓	✓	SE,	✓	28
29	22159	" " "	✓	✓			4.94 C.SE C.SW	2	✓	S½,	2 ✓	29
30	22160	" " "	✓	✓			2.62 NWSW	3	✓	SW, S½NW,	3-7S-24E	30
31												31

20726

20726

20 736

	Permit #	Name	Filing Date	Drawing Date	Quantity Permit	Quantity Cfs	Quantity Gpm		P.D.	Land Description
1	20435	Julian Clawson Farms Inc.	3/14/48	3/14/48			50.48	NESE SWSW NENW SESW SESE NESE	26 26, 25 25 26 25 23	T 7S - R 23E. SEC. 24, 25, 26, 27, 33, 34, 35, 36, T 7S - R 23E; S½ SW, 30; W½, 31 - T 7S - R 24E.
4	21709	D. P. Blincoe	9/20/50	9/20/50			9.67	SESW SENW	16 - 8S - 23E	SW 16 - 8S - 23E
5	22980	" "	6/15/59		3.36			L 4	6 - 8S - 23E	L 4 (S½ E½ SE, 6 - 8S - 23E
6	24369	Wm. Herbold	8/13/53	8/13/53			2.4	NESW	21 - 7S - 24E	NESE, 20; SW¼, 21 - 7S - 24E
7	[redacted]378	Howard A. Hanks	3/1/48	3/1/48			4.76	NESW	21 - 7S - 25E	W½, 21 - 7S - 25E
8	24767	Jack Alexander	3/9/54				4.8	SWNW	2 - 8S - 25E	NENE, W½NE, NW¼, 2 - 8S - 25E
9	25261	C. Frank Lonagan	11/8/54		3.7			NENE	28 - 9S - 25E	N½NE, SENE, NENW, 28; SWSE, 21 - 9S - 25E
10	29819	Vernon C. Phillips	6/14/61		4.0			SWSW	15 - 12S - 24E	W½SW, 15; NE, E½SW, SE, 16 - 12S - 23E
11	None	Boyd Woodward								
12		~~Mack de Beeson~~								
13	None	Leon H. Mecklenbacker								
14	"	Quentin J. "								
15		Bruce Neibaur								
16		Darwin "								
17		Roy J. Hardinger								
18	None	Theo. A. Hiet ✓								
19	"	Leonard A. " ✓								
20	[redacted]49	Hagegan-Skillington ✓	See last page							
21	None	Dick Ward ✓								
22	"	Dale Butler ✓								
23	25216	Roger Dean ✓	10-7-54	10-7-54	6.4		3.4	NESW SESW	5 - 8S - 26E	N½ SE¼, SW¼SE¼, SE¼SE¼, 5, 8S, 26E NE¼, SW¼, S½ 25 W Q
24		Capitol Co. ✓								
25	None	Bruel Finch ✓								
26	"	John Finch ✓								
27	"	Guy D. Miller ✓								
28	"	Warren W. Heins ✓								
29	"	Arthur McClellan ✓								
30										
31										

4910 - Buff
4910 - Green
4210 - White

20736

	Permit #	Name	1 Filing Date	2 Acquisition Date	3 Permit	4 Quantity Sec	5 License	6 Part	7	8 Land List	9	10	
1	22161	The Capital Co.	6-7-51	6-7-51			8.84	C.NW C.S½ C.NE	10 - 7S - 24E	All	10 - 7S - 24E		1
2	22162	"	"	"			6.23	C.NE C.W½	15 -	"	W½ NE	15	" 2
3	22163	"	"	"			2.48	C.NW	22 -	"	NW	22 -	" 3
4	22164	"	"	"			5.66	SE NE C.S½	6 - 7S - 25E		E½E½, W½NE, N½NWSE, S½NWSE, SWSE, S½N½SW, S½SW, G. L. 4, SWNW, W½SW, 5-7S-25E		4
5	22165	"	"	"			2.34	SENW	6 -	"	N½NWSE, SENW, L. 2, SWNE, L. 3, 4, 5, N½L. 6, N½NESW, 6-7S-25E		5
6	22166	"	"	"			4.41	C.NW C.NE	7 -	"	N½	7 - 7S - 25E	6
7	22167	"	"	"			2.44	C.SW	7 -	"	S½	"	" 7
8	22168	"	"	"			2.68	C.SE	"	"	SE	"	" 8
9	22169	"	"	"			2.28	C.NE	8 -	"	NE	8	" 9
10	22170	"	"	"			2.16	C.NW	"	"	NW	"	" 10
11	22171	"	"	"			2.16	C.SE	"	"	SE	"	" 11
12	22172	"	"	"			3.66	C.SW	9	"	S½NW, SW, W½SE, SESE, 9-7S-25E		12
13	22173	"	"	"			2.18	C.NE	17	"	NE	17 - 7S - 25E	13
14	22174	"	"	"			4.82	C.NW C.SW	17	"	W½	"	" 14
15	22175	"	"	"			2.16	C.SE	"	"	SE	"	" 15
							131.45						16
17													17
18	20329	Geo. L. Dean	3-1-48	3-1-48			2.10	C.NW	35 - 7S - 25E	NW	35 - 7S - 25E		18
19													19
20	25216	Roger E. Dean	10-7-54	10-7-54			3.44	NESW SESW	5 - 8S - 26E	NWNE, N½NW, N½SE, SWSE, NESW, S½SW, 8-5-8S-26E			20
21													21
22													22
23	27219	C.C. Kostenbader	1-29-58	1-29-58			3.55	SWNW	32 - 8S - 22E	W½	32 - 8S - 22E		23
24	30553	" "	7-3-62	7-3-62			.9	"	"	"	"	"	24
25	31047	" "	3-18-63	3-18-63	3			SESE	30 -	"	SE	30 -	" 25
					3		4.45						26
27													27
28	21809	Roy J. Honsinger	11-25-50	11-25-50			1.18	NWNE	6 - 8S - 26E	W½NE, NW, NESW, W½SE, 6-8S-26E			28
29	30866	Evelyn "	12-26-62	12-26-62			.72	NESE	1 - 8S - 25E	NE, N½SE, 1-8S-25E			29
30	24966	" "	5-26-54	5-26-54			3.4	"	"	NE N½SE, 1; 4, 6-8S-26E			30
31							7.30						31

4910 - Buff
8910 - Green
4210 - White

20736

	Permit #	Name	1 Filing Date	2 Inquiry Date	3 Permit	4 Quantity c/sw	5 License	6	7	8	9	10 Land List
1	22161	The Capital Co.	6-7-51	6-7-51			8.84	C.NW C. S½ C.NE	18-7S-24E	ALL	18-7S-24E	
2	22162	"	"	"			5.23	C.NE C.W½	15- "	W½ NE	15 "	
3	22163	"	"	"			2.18	C.NW	22- "	NW	22- "	
4	22164	"	"	"			5.66	SE NE C.S½	6-7S-25E	E½E½, W¼NE, N½NWSE, S½NWSE, SWSE, S½N½SW, S½SW, 6, 24, SWNW, W½SW, 5-7S-25E		
5	22165	"	"	"			2.34	SENW	6- "	N½NWSE, SENW, L2, SWNE, L3, 5, N½6, N½NESW, 6-7S-25E		
6	22166	"	"	"			4.44	C.NW C.NE	7- "	N½	7-7S-25E	
7	22167	"	"	"			2.44	C.SW	7- "	S½	" "	
8	22168	"	"	"			2.68	C.SE	" "	SE	" "	
9	22169	"	"	"			2.28	C.NE	8- "	NE	8 "	
10	22170	"	"	"			2.16	C.NW	" "	NW	" "	
11	22171	"	"	"			2.16	C.SE	" "	SE	" "	
12	22172	"	"	"			3.66	C.SW	9 "	S½NW, SW, W½SE, SESE, 9-7S-25E		
13	22173	"	"	"			2.18	C.NE	17 "	NE	17-7S-25E	
14	22174	"	"	"			4.82	C.NW C.SW	17 "	W½	" "	
15	22175	"	"	"			2.6	C.SE	" "	SE	" "	
							131.45					
16												
17												
18	20329	Geo L. Dean	3-1-48	3-1-48			2.0	C.NW	35-7S-25E	NW	35-7S-25E	
19												
20	25216	Roger E Dean	10-7-54	10-7-54			3.4	NESW SESW	5-8S-26E	NWNE, N½NW, N½SE, SWSE, NESW, S½SW, 8-8S-26E		
21												
22												
23	27219	C C. Kostenbader	1-29-58	1-29-58			3.55	SWNW	32-8S-22E	W½	32-8S-22E	
24	30553	" "	7-3-62	7-3-62			.9	"	" "	"	" "	
25	31047	" "	3-18-63	3-18-63	8.2			SESE	30- "	SE	30- "	
26					3		4.45					
27												
28	21809	Roy J. Hoovinger	11-25-50	11-25-50			4.18	NWNE	6-8S-26E	W½NE, NW, NESW, W½SE,	6-8S-26E	
29	30866	Evelyn "	12-26-62	12-26-62			.72	NESE	1-8S-25E	NE, N½SE,	1-8S-25E	
30	20966	" "	5-26-54	5-26-54			2.4	"	" "	NE, N½SE, L2, 6,	6-8S-26E	
31							7.20					

4310 - Buff
6910 - Green
4210 - White

6

	Permit #	Name	1 Filing Date	2 Priority Date	3 Permit	Quantity cfs	5 License	6 — P.D. —	7	8	9	10 — Land List —	
1	29349	Morgan-Shillington Farm Co.	1-24-61	1-24-61			4.0	NENW	30-7S-26E	S½SW, SE, 19; N½NE, NW, 30-7S-26E			1
2	29350	" "	"	"	3.2			C. SE	34-7S-25E	SE	34-7S-25E		2
3	29351	" "	"	"	12.8			C. N½ C. S½	23 "	All 23; S½SE, N; SWNW, NWSW, SWSW, 24-7S-25E			3
4													4
5	30859	" "	12-14-62	"	3.2			NENW	16-9S-22E	N½NE, N½NW, 16-9S-22E		57	5
6					19.2		4.0						6
7													7
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20736

6

	Permit #	Name	1 Filing Date	2 Priority Date	3 Quantity Permit	cfs	5 License	6 — P.D. —	7	8 — Found Lost —	9	10	
1	29349	Morgan-Shillington Farms Co.	1-24-61	1-24-61			4.0	NENW	30-7S-26E	S½W, SE, 19; N½NE, NW, 30-7S-26E			1
2	29350	" "	"	"	3.2			C. SE	31-7S-25E	SE	31-7S-25E		2
3	29351	" "	"	"	12.8			C. N½ C. S½	23 "	All 23; S½SE, N½; SWNW, NWSW, SWSW, 24-7S-25E			3
4													4
5	30859	" "	12-14-62	—	3.2			NEISW	16-9S-22E	N½NE, N½NW, 16-9S-22E		52	5
6					19.2		4.0						6
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20736

HENRY M. JACKSON, WASH., CHAIRMAN
CLINTON P. ANDERSON, N. MEX.
ALAN BIBLE, NEV.
FRANK CHURCH, IDAHO
ERNEST GRUENING, ALASKA
FRANK E. MOSS, UTAH
QUENTIN N. BURDICK, N. DAK.
LEE METCALF, MONT.
CARL HAYDEN, ARIZ.
GEORGE McGOVERN, S. DAK.
GAYLORD NELSON, WIS.
THOMAS H. KUCHEL, CALIF.
GORDON ALLOTT, COLO.
LEN B. JORDAN, IDAHO
MILWARD L. SIMPSON, WYO.
E. L. MECHEM, N. MEX.
PETER H. DOMINICK, COLO.
JERRY T. VERKLER, STAFF DIRECTOR

United States Senate

COMMITTEE ON
INTERIOR AND INSULAR AFFAIRS

February 4, 1964

Mr. Everett Warner
District Manager
Capital Company
P. O. Box 341
Rupert, Idaho

Dear Mr. Warner:

Your letter of January 28, 1964, indicates your concern that certain extensions now pending before the State Reclamation Engineer to extend water permits of the U.S. Bureau of Reclamation will be approved. These permits are issued under Idaho State laws, and I feel sure the State Reclamation Engineer will act to the best of his ability to comply with such laws in fairness to all concerned.

I co-sponsored S. 1275, a bill to clarify the relationship between the state and federal government in the control and use of our nation's water resources in the hope of having Congress take action on this measure. My views on states water rights were fully covered in a talk before the National Reclamation Association at Sun Valley on October 24, 1963, when I discussed this proposal in detail. This was placed in the Congressional Record by Senator Kuchel of California, and a copy of the same is enclosed.

Inasmuch as this is a state matter, a decision is pending before the State Reclamation Engineer, and there have been rejections on similar requests in the past by the State Reclamation Engineer's office. It does not seem proper for me to intervene in the matter at this time. I would, however, suggest that you confer with the State Reclamation Engineer and furnish him all the information you may have on the situation.

I trust you will write to me again if I may be of assistance.

Sincerely yours,

20736

Len B. Jordan, U.S.S.

RECEIVED
FEB 3 1964
Department of Reclamation

The Minidoka County News

RUPERT, IDAHO

AFFIDAVIT OF PUBLICATION

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

Dean H. Judd, being first duly sworn, deposes and says that he is the Manager 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 consecutive weeks, commencing with the issue dated Dec. 19, 1963 and ending with the issue dated Jan. 9, 1964.

Dean H. Judd

Subscribed and sworn to before me this 27th day of Jan, 1964

Vern Hunter Notary Public

Cost of Publication .....

Notary Fee .....

Total Cost .....

$8.8

20736

NOTICE FOR PUBLICATION
NOTICE OF PROOF OF COMPLETION OF CONSTRUCTION AND APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 a. m. on the 13th day of January, 1964, at the Bureau of Reclamation offices, Orchard and Fairview, Boise, Idaho, County of Ada, State of Idaho, before John H. Welch, a Notary Public, proof will be submitted of the diversion of and application to beneficial use of 1100 cubic feet per second of underground water, in accordance with the terms and conditions of Permit No. 20736 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and post office address of the person or corporation holding said permit is United States of America, P. O. Box 937, Boise, Idaho.

The use to which said water has been applied is irrigatiion.

The amount applied to beneficial use is 1100 c.f.s.

The works of diversion have been completed within the life of the permit.

The point of diversion of said water is 177 wells located in township 7 south, ranges 23, 24, and 25 east, Boise meridian; township 8 south, ranges 21, 22, 23, 24, and 25 east, Boise meridian; township 9 south, ranges 21, 22, and 23 east, Boise meridian; township 10 south, ranges 21 and 22 east, Boise meridian, all within the A & B Irrigation District, North Side Pumping Division, Minidoka Project, Idaho.

The place where said water is used (legal description): 62,604.3 irrigated acres located in townships 7, 8, 9, and 10 south, ranges 21, 22, 23, 24, and 25 east, Boise meridian, Idaho, all within the boundaries of the A & B Irrigation District, North Side Pumping Division, Minidoka Project, Idaho.

The date of priority which said user is prepared to establish is September 9, 1948.

CARL E. TAPPAN
State Reclamation Engineer

No. 965 Dec. 19 - Jan. 9

AFFIDAVIT of PUBLICATION

RECEIVED
JAN 17 1964
Department of Reclamation

State of Idaho,
County of Jerome } SS.

Adam P Hancher, being first duly sworn, deposes and says that he is the printer (publisher) of the Jerome North Side News, a newspaper published every week in Jerome, County of Jerome, State of Idaho; that said newspaper has been continuously and uniterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for 4 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 19 day of Dec, 19 63, and the date of the last publication was on the 9 day of January, 1964.

Adam P Hancher

Subscribed and sworn to before me this 14 day of Jan, 1964.
(SEAL)

Lenore Stockton
NOTARY PUBLIC

NORTH SIDE NEWS
Jerome, Idaho

COST OF PUBLICATION

Number of Lines in Notice	60	
Number of Insertions	4	
60 Lines at 15c		9.00
180 Lines at 10c		18.00
TOTAL COST		27.00

COPY OF NOTICE
(Paste Here)

Proof of Comp.
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

United States of America Box 937
BILL TO

NOTICE FOR PUBLICATION

NOTICE OF PROOF OF COMPLETION OF CONSTRUCTION AND APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 a.m. on the 13th day of January, 1964, at the Bureau of Reclamation offices, Orchard and Fairview, Boise, Idaho, County of Ada, State of Idaho, before John H. Welch, a Notary Public, proof will be submitted of the diversion of and application to beneficial use of 1100 cubic feet per second of underground water, in accordance with the terms and conditions of Permit No. 20736 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and post office address of the person or corporation holding said permit is United States of America, P. O. Box 937, Boise, Idaho.

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

The amount applied to beneficial use is 1100 c.f.s.

The works of diversion have been completed within the life of the permit.

The point of diversion of said water is 177 wells located in township 7 south, ranges 23, 24, and 25 east, Boise meridian; township 8 south, ranges 21, 22, 23, 24, and 25 east, Boise meridian; township 9 south, ranges 21, 22, and 23 east, Boise Meridian; township 10 south, ranges 21 and 22 east, Boise meridian, all within the A & B Irrigation District, North Side Pumping Division, Minidoka Project, Idaho.

The place where said water is used (legal description): 62,604.3 irrigated acres located in townships 7, 8, 9, and 10 south, ranges 21, 22, 23, 24, and 25 east, Boise meridian, Idaho, all within the boundaries of the A & B Irrigation District, North Side Pumping Division, Minidoka Project, Idaho.

The date of priority which said user is prepared to establish is September 9, 1948.

CARL E. TAPPAN,
State Reclamation Engineer.
12-19-4tc

No 779

20736

Lessee Holders Protesting Permit S-20736 45.132 m. 1-10-64

	Name	Filing Date	Consent Date	Lease	Ck	Granted by License	Sec.	Twp.	Rge.	Meridian	Land Lost
	[illegible] Richard	7/15/57	7/16/57								
	[illegible]										
	[illegible]										
	[illegible]										
	[illegible] Miller Jr. Richard										
	[illegible] Jesse Lessee	11/28/51	11/29/51								
	[illegible]										
9	[illegible]	9/9/59	—	6.1							
8	26041 Wade	10/15/55	—	6.26							
				12.66		27.34					
11	23803 The Capital Co.	2-25-53	2-25-53								
12	23809										
13	23804										
14	23806										
15	23807										
16	23813										
17	23814										
18	23815										
19	23816										
20	23819										
21	23820										
22	23821										
23	23823	6-7-51	6-7-51								
24	23824										
25	23825										
26	[illegible]										
27	[illegible]										
28	[illegible]										
29	[illegible]										
30	[illegible]										

93452

| | | |

Vol. 1	2	3	4	5	6	7	8
		Quarterly					
No.	Name	Filing Date	Prior Date	Permit	Ser.	Locn.	— RD. —	— Land Ltd. —
2933	Morgan Shillington Forest	1-28-61	1-24-61	3yr		40 NE NW	16-9S-7E	SW SE 19, N½ NE, NW 30-9S-7E
2935	" "	"	"	3yr		C.54	22	7E 54 24-9S-6E
2938	" "	"	"	3yr		" "	22	5 20 [illegible]
2950	" "	11-28-61	—	3yr		NE NW	16-9S-7E	N½ NE, N½ NW 16-9S-7E
				19yr		40		

20702

Posto Gram from the NORTH SIDE NEWS
JEROME
O

and conditions of Permit No. 20766 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and post office address of the person or corporation holding said permit is United States of America, P. O. Box 937, Boise, Idaho.

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

The amount applied to beneficial use is 1100 c.f.s.

The works of diversion have been completed within the life of the permit.

The point of diversion of said water is 177 wells located in township 7 south, ranges 23, 24, and 25 east, Boise meridian; township 8 south, ranges 21, 22, 23, 24, and 25 east, Boise meridian; township 9 south, ranges 21, 22, and 23 east, Boise Meridian; township 10 south, ranges 21 and 22 east, Boise meridian, all within the A & B Irrigation District, North Side Pumping Division, Minidoka Project, Idaho.

The place where said water is used (legal description): 62,604.3 irrigated acres located in townships 7, 8, 9, and 10 south, ranges 21, 22, 23, 24, and 25 east, Boise meridian, Idaho, all within the boundaries of the A & B Irrigation District, North Side Pumping Division, Minidoka Project, Idaho.

The date of priority which said user is prepared to establish is September 9, 1948.

CARL E. TAPPAN,
State Reclamation Engineer.
12-19-4tc

NOTICE FOR PUBLICATION

NOTICE OF PROOF OF COMPLETION OF CONSTRUCTION AND APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 a.m. on the 13th day of January, 1964, at the Bureau of Reclamation offices, Orchard and Fairview, Boise, Idaho, County of Ada, State of Idaho, before John H. Welch, a Notary Public, proof will be submitted of the diversion of and application to beneficial use of 1100 cubic feet per second of underground water, in accordance with the terms

Re: Permit No. 20736
United States of America

Date: December 13, 1963

Minidoka County News
Rupert, Idaho.

Gentlemen:

Enclosed you will find Notice for Publication, once a week for four consecutive weeks prior to January 13, 1964 the date set for proof; the expense of the publication is to be paid by the applicant United States of America, of Box 937, Boise, Idaho to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

Carl E. Tappan

CARL E. TAPPAN
State Reclamation Engineer

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

CET:pmk

20736

P.S. Please publish December 19 and 26, 1963, and January 2, and 9, 1964.

January 17, 1961

RE: Permit No. 20736

Attention: 150

H. T. Nelson, Regional Director
Bureau of Reclamation
P. O. Box 937
Boise, Idaho

Dear Mr. Nelson:

My attention has been called to the requirement of offering proof of Completion of Works on the government's permit No. 20736 appropriating 240 cubic feet per second of subterranean water for the North Side Pumping Division of the Minidoka Project, Idaho. The permit bears date of November 5, 1948.

My letter of November 13, 1958 stated I found no justification nor statutory authority to extend further the time for making the said proof and suggested the proof should then be made.

Section 42-204 cited in your letter of September 22, 1958 as authority for further extension seems to limit a final date for offering a proof of completion of works of "not to exceed ten years in all from the date of the permit". This period for extension of time is absorbed by the final date fixed by the State Reclamation Engineer's letter of October 31, 1956, viz. November 5, 1958.

In statutory theory this permit is now subject to cancellation but as a matter of practice it would not be cancelled.

What is the Bureau's suggestion or wish in this matter?

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

GNC:mr

20736

Duffin, Mrs. L. H.
723 "H" Street

THE MINIDOKA COUNTY NEWS

A County-Wide Independent Newspaper Dedicated to Serving the Interests of the Residents of the Minidoka Project

FIFTY-FIRST YEAR | Rupert, Minidoka County, Idaho, Thursday, December 22, 1955 | NUMBER FOURTEEN

Pumpers Plan to Take Water Right to Court

C. of C. Members Back Directors

Action of Rupert Chamber of Commerce directors in approving a resolution favoring an extension of time for the Bureau of Reclamation to complete the North Side Extension project under a 1948 water filing date brought a storm of protest this week from private land pump operators in the area surrounding the government project.

About 14 representatives of the North Side Underground Water association met with the C. of C. directors Monday, requesting them to rescind or modify the resolution which now is in the hands of the state reclamation engineer.

MOTION TO MODIFY FAILS

A motion to modify failed to pass after a lengthy discussion. Another recommending that private pump land owners appoint three men, the homesteaders three and the C. of C. two to meet to discuss the entire problem with Reclamation officials, was approved by the directors. (The proposed meeting was dropped Wednesday after action by the private pumpers in which they declined to meet as long as the C. of C. resolution remained on the records. See separate story).

The directors took the question up again at the dinner meeting of the C. of C. membership Monday evening. Outcome of the meeting was authorization for President Wendell Johnson to contact Mark L. Kulp, reclamation engineer, and urge him to hold a public hearing in Rupert regarding the time extension application. No action was taken on the resolution itself.

BUR-REC ASKED EXTENSION

The Bureau of Reclamation has requested an extension of three years(until Nov. 5, 1958) to complete the wells on the Extension project. The water rights were originally filed for 178 wells, dated November 5, 1948. Under Idaho's water code, the wells must be completed in five years to hold the filing date. At the end of the first five years, Nov. 5, 1953, an application for an extension of five years was asked and the Idaho Reclamation engineer granted a two-year extension which expired Nov. 5, 1955. The current application asks an extension of three more years. The date for filing protests expired December 15, according to a legal notice published by the state reclamation office.

The C. of C. action followed that of an 8-man homesteader committee, elected by the approximately 250 homesteaders now on the project, in which they approved a resolution asking for the extension of time.

PRESENT GI'S NOT HURT

Although all present homesteaders will have a 1948 water right, regardless of any action on the time extension, the homesteader committee felt they should seek an equal water right for all veterans who arrive in the next three years.

At the meeting Tuesday the private pumpers presented their objections with Ralph McQuain

(Continued on page 12)

Just 22,500 Inserts to Go

Mrs. Otis Orchard and Mrs. Forrest Badger start the long, tiresome job of hand inserting sections of the Golden Anniversary edition of the Minidoka County News. The Golden edition will be put in the mails December 28, according to present plans. Printing on the edition was completed Monday night, and the work of folding, inserting, addressing and wrapping will go on for the rest of the week.

Big Golden Anniversary Edition of The News to Go to Subscribers Wed.

The Minidoka County News staff will heave a sigh of relief Wednesday — and mailmen throughout the county will groan.

The big, 40 page Golden Anniversary edition of the News will go into the mail Wednesday morning. Printing on the edition was completed Monday night, and during this week, Mrs. Otis Orchard and Mrs. Forrest Badger have been busy gathering the sections, addressing and mailing.

The edition is in five sections of eight pages each. One hundred and fifty-six pictures of people and places have been used in the edition.

The edition was edited by Steve Lamoreux, former news editor of the News, who is now living in Oregon. With the help of News' correspondents and people in the area, he compliled and edited the many stories, anecdotes and personal histories which appear in the edition. The edition covers particularly the early days of the area and the project.

Printing of the edition began early in September and a total of 22,500 sheets of paper, each measuring 32 x 44 inches, were fed through the newspaper press twice and through the folder once. Gathering the sections into a single paper required 22,500 inserts.

The edition required 2,360 lbs. of paper and about 60 pounds of ink.

Each of the subscribers of the News (almost 3,000 in number) will receive a copy of the edition. Additional copies may be purchased at the News office for 25c.

All complaints and compliments should be directed to Lamoreux at 1551 Villard, Eugene, Oregon.

Canal Operation Report Is Mailed

A detailed printed report of the operation and maintenance costs for the year 1955 is being mailed this weekend to all water users in the Minidoka Irrigation district, Manager George Nickerson reported this week.

The report carries a comparin between 1954 and 1955. It is r the fiscal year from November to November 1.

Total revenue for the year nounted to $217,037 as compar- with $215,894 in 1954. On the pense side, however, the operan and maintenance costs ted to $193,772 as compar- 213,004 in 1954— a savimately $10,000. The operation in 1955 ared with $3.11

e district

Pumpers Protest; Censure Chamber

Application by the Bureau of Reclamation for an extension of time to complete wells on the North Side Extension project under a 1948 water right exploded into what promises to be a court battle this week.

In action taken at a meeting of the North Side Underground Water Association Tuesday night, the association's officers were authorized to retain legal counsel to bring suit in the proper court to test the legality of any time extension being granted the Bureau of Reclamation.

The meeting also served as a reorganization meeting of the association and Irwin Clawson of Salt Lake City, president of Julion Clawson Farms, Inc., was elected president; Everett Warner, local manager for Capital company, was named vice president; Lawrence H. Duffin, Rupert attorney, secretary; Roy Honsinger, Minidoka, treasurer; Bill Moller, Charles Hay and Ralph McQuain, directors. The officers also serve as directors.

PASS RESOLUTIONS

In a series of resolutions, the association:

1. Attacked the stand of the board of directors of the Rupert Chamber of Commerce regarding the Bureau's time extension application and declined to meet further with the C. of C. directors regarding the matter as long as the present C. of C. resolution stands on the records,

2. Unanimously endorsed and supported the protest filed by Clawson Farms, Inc., with Mark L. Kulp, Idaho Reclamation Engineer, against an extension of time being granted the government project;

3. Instructed the secretary to wire protests to the governor and state reclamation engineer; and,

4. Instructed the secretary to contact all other ground water associations and inform them of the efforts being made by the Bureau of Reclamation regarding the time extension.

WIRE PROTEST TO STATE

Following is the text of the telegram dispatched to the governor and state reclamation engineer:

"The North Side Underground Water Association, representing established pump farms of more than 50,000 acres with an investment value of over $10 million and using over 280,000 gallons of underground water per minute during the irrigation season, does unanimously endorse the protest filed by Julion Clawson Farms, Inc., to the attempt by the Bureau of Reclamation to destroy water right priority of established private users of underground water. The Bureau action will favor only the persons whose names have not yet been drawn from a glass bowl and deprive hundreds of established farmers of their water priority."

CENSURE C. OF C. ACTION

The text of the resolution regarding the Chamber of Commerce follows:

"Whereas, the Rupert Chamber of Commerce board of directors did, without a membership vote, pass a resolution recommending that established private land owners on the Minidoka North Side Extension be denied their water right priority and,

"Whereas, they refused after full presentation by representatives of this organization, to reconsider & recall the above mentioned resolution,

"Be it therefore resolved that this organization refuse to meet

HERE'S MORE ABOUT Water Rights

(Continued from page 1)

and Lawrence Duffin, both of Rupert, acting as spokesmen.

"Why should a homesteader who comes on the project later, have an earlier water right than a farmer who has been pumping for several years?" McQuain asked.

Duffin contended that: (1) The

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Some co... was expressed that, if the Bureau of Reclamation has to accept 1956 water rights on the balance of the project, Congress might refuse funds to continue.

Both Duffin and McQuain argued that such an implication is "ungrounded" and that it had nothing to do with the issue.

"In fact," Duffin said, " an

PROFILED
DATE 11/06/2002

Back Directors

Action of Rupert Chamber of Commerce directors in approving a resolution favoring an extension of time for the Bureau of Reclamation to complete the North Side Extension project under a 1948 water filing date brought a storm of protest this week from private land pump operators in the area surrounding the government project.

About 14 representatives of the North Side Underground Water association met with the C. of C. directors Monday, requesting them to rescind or modify the resolution which now is in the hands of the state reclamation engineer.

MOTION TO MODIFY FAILS

A motion to modify failed to pass after a lengthy discussion. Another recommending that private pump land owners appoint three men, the homesteaders three and the C. of C. two to meet to discuss the entire problem with Reclamation officials, was approved by the directors. (The proposed meeting was dropped Wednesday after action by the private pumpers in which they declined to meet as long as the C. of C. resolution remained on the records. See separate story).

The directors took the question up again at the dinner meeting of the C. of C. membership Monday evening. Outcome of the meeting was authorization for President Wendell Johnson to contact Mark L. Kulp, reclamation engineer, and urge him to hold a public hearing in Rupert regarding the time extension application. No action was taken on the resolution itself.

BUR-REC ASKED EXTENSION

The Bureau of Reclamation has requested an extension of three years(until Nov. 5, 1958) to complete the wells on the Extension project. The water rights were originally filed for 178 wells, dated November 5, 1948. Under Idaho's water code, the wells must be completed in five years to hold the filing date. At the end of the first five years, Nov. 5, 1953, an application for an extension of five years was asked and the Idaho Reclamation engineer granted a two-year extension which expired Nov. 5, 1955. The current application asks an extension of three more years. The date for filing protests expired December 15, according to a legal notice published by the state reclamation office.

The C. of C. action followed that of an 8-man homesteader committee, elected by the approximately 250 homesteaders now on the project, in which they approved a resolution asking for the extension of time.

PRESENT GI'S NOT HURT

Although all present homesteaders will have a 1948 water right, regardless of any action on the time extension, the homesteader committee felt they should seek an equal water right for all veterans who arrive in the next three years.

At the meeting Tuesday the private pumpers presented their objections with Ralph McQuain

(Continued on page 12)

Just 22,500 Inserts To Go

Mrs. Otis Orchard and Mrs. Forrest Badger start the long, tiresome job of hand inserting sections of the Golden Anniversary edition of the Minidoka County News. The Golden edition will be put in the mails December 28, according to present plans. Printing on the edition was completed Monday night, and the work of folding, inserting, addressing and wrapping will go on for the rest of the week.

Big Golden Anniversary Edition of The News to Go to Subscribers Wed.

The Minidoka County News staff will heave a sigh of relief Wednesday — and mailmen throughout the county will groan.

The big, 40 page Golden Anniversary edition of the News will go into the mail Wednesday morning. Printing on the edition was completed Monday night, and during this week, Mrs. Otis Orchard and Mrs. Forrest Badger have been busy gathering the sections, addressing and mailing.

The edition is in five sections of eight pages each. One hundred and fifty-six pictures of people and places have been used in the edition.

The edition was edited by Steve Lamoreux, former news editor of the News, who is now living in Oregon. With the help of News' correspondents and people in the area, he compliled and edited the many stories, anecdotes and personal histories which appear in the edition. The edition covers particularly the early days of the area and the project.

Printing of the edition began early in September and a total of 22,500 sheets of paper, each measuring 32 x 44 inches, were fed through the newspaper press twice and through the folder once. Gathering the sections into a single paper required 22,500 inserts.

The edition required 2,360 lbs. of paper and about 60 pounds of ink.

Each of the subscribers of the News (almost 3,000 in number) will receive a copy of the edition. Additional copies may be purchased at the News office for 25c.

All complaints and compliments should be directed to Lamoreux at 1551 Villard, Eugene, Oregon.

Canal Operation Report Is Mailed

A detailed printed report of the operation and maintenance costs for the year 1955 is being mailed this weekend to all water users in the Minidoka Irrigation district, Manager George Nickerson reported this week.

The report carries a comparin between 1954 and 1955. It is r the fiscal year from November to November 1.

Total revenue for the year nounted to $217,037 as compar- with $215,894 in 1954. On the pense side, however, the opera- n and maintenance costs ted to $193,772 as compar- 213,004 in 1954— a sav- rimately $10,000. The operation in 1955 ared with $3.11

e district compar- evious

Censure Chamber

Application by the Bureau of Reclamation for an extension of time to complete wells on the North Side Extension project under a 1948 water right exploded into what promises to be a court battle this week.

In action taken at a meeting of the North Side Underground Water Association Tuesday night, the association's officers were authorized to retain legal counsel to bring suit in the proper court to test the legality of any time extension being granted the Bureau of Reclamation.

The meeting also served as a reorganization meeting of the association and Irwin Clawson of Salt Lake City, president of Julion Clawson Farms, Inc., was elected president; Everett Warner, local manager for Capital company, was named vice president; Lawrence H. Duffin, Rupert attorney, secretary; Roy Honsinger, Minidoka, treasurer; Bill Moller, Charles Hay and Ralph McQuain, directors. The officers also serve as directors.

PASS RESOLUTIONS

In a series of resolutions, the association:

1. Attacked the stand of the board of directors of the Rupert Chamber of Commerce regarding the Bureau's time extension application and declined to meet further with the C. of C. directors regarding the matter as long as the present C. of C. resolution stands on the records,

2. Unanimously endorsed and supported the protest filed by Clawson Farms, Inc., with Mark L. Kulp, Idaho Reclamation Engineer, against an extension of time being granted the government project;

3. Instructed the secretary to wire protests to the governor and state reclamation engineer; and,

4. Instructed the secretary to contact all other ground water associations and inform them of the efforts being made by the Bureau of Reclamation regarding the time extension.

WIRE PROTEST TO STATE

Following is the text of the telegram dispatched to the governor and state reclamation engineer:

"The North Side Underground Water Association, representing established pump farms of more than 50,000 acres with an investment value of over $10 million and using over 280,000 gallons of underground water per minute during the irrigation season, does unanimously endorse the protest filed by Julion Clawson Farms, Inc., to the attempt by the Bureau of Reclamation to destroy water right priority of established private users of underground water. The Bureau action will favor only the persons whose names have not yet been drawn from a glass bowl and deprive hundreds of established farmers of their water priority."

CENSURE C. OF C. ACTION

The text of the resolution regarding the Chamber of Commerce follows:

"Whereas, the Rupert Chamber of Commerce board of directors did, without a membership vote, pass a resolution recommending that established private land owners on the Minidoka North Side Extension be denied their water right priority and,

"Whereas, they refused after full presentation by representatives of this organization, to reconsider recall the above mentioned resolution,

"Be it therefore resolved that this organization refuse to meet further with said board of directors in regard to this matter."

HERE'S MORE ABOUT Water Rights

(Continued from page 1)

and Lawrence Duffin, both of Rupert, acting as spokesmen.

"Why should a homesteader who comes on the project later, have an earlier water right than a farmer who has been pumping for several years?" McQuain asked.

Duffin contended that: (1) The C. of C. has no right to favor one group of farmers over another (private pumpers and homesteaders), (2) so long as the law sets 5 years as the maximum to complete development of water right filing, it should apply to the government as well as to individuals or private companies, (3) it is unfair that veterans who have yet not been selected be given prior water rights over private pumpers who have been here for years, and (4) the doctrine of first in use, first in right, should apply.

Directors of the C. of C. explained that the resolution was not intended to "injure private development locally." It was felt, they said, that the government filing in 1948 was in good faith and that the project could have been developed within five years if the federal appropriation had been large enough. It was also noted that private development, outside of the few who were ahead of the government filing date, knew when they drilled wells that filing had been made for the entire project and that the date would be ahead of their water right.

More concern was felt by the C. of C. over some 100,000 acres of land developed in the upper country, with water rights mostly in 1950 and 1951 or later. If the extension isn't granted, those rights will be ahead of the balance of the North Side Extension project, of Reclamation officials

Some ..co... was expressed that, if the Bureau of Reclamation has to accept 1956 water rights on the balance of the project, Congress might refuse funds to continue.

Both Duffin and McQuain argued that such an implication is "ungrounded" and that it had nothing to do with the issue.

"In fact," Duffin said, " an extension of time for the government to give 1948 rights to homesteaders yet to come is unfair to the homesteaders now on the project who already hold a 1948 right."

For the text of the C. of C. resolution, see this page.

LEGION RESOLVES

The Rupert American Legion post took up the matter at its regular membership meeting Wednesday night.

After lengthy discussion, the Legion approved a motion that reads: "The Rupert post of the American Legion recommends and requests that no partiality be shown on the filing of water rights that are under the jurisdiction of the state reclamation engineer and under the procedure prescribed by Idaho state law."

In discussing the motion, the the Legion members said that many of the private pumpers are also veterans and that the law should apply equaly to both groups — private pumpers and homesteaders. The members felt that if exceptions is made for one group, it should also be made for the other.

PROFILED DATE 11/06/2002

Ask Extension on N. S. Wells

A committee representing homesteaders on the North Side Extension project, and directors of the Rupert Chamber of Commerce joined this week in supporting the application of the Bureau of Reclamation for an extension of time to complete wells on the project under a blanket 1948 underground water right.

Separate resolutions to that effect were dispatched to Mark R. Culp, state reclamation engineer, Tuesday.

The Bureau of Reclamation has requested an extension of three years (until November 5, 1958) to complete the wells on the Extension project. The Bureau originally filed water rights for 178 wells to serve the project, dated in 1948. Under Idaho's water code, they must complete them in five years to hold their filing date. At the end of the first five years, November 5, 1953, an application for an extension of two years was granted by the Idaho Reclamation engineer. This extension expired this November and resulted in the present application for one more extension.

In their present extension application, the Bureau of Reclamation notes that 38 wells have been placed in operation, serving 16,118 acres and another 26 wells have been completed. All the rest have been contracted and will be completed by September of 1956.

Unless the extension is granted, Project Engineer Orville Kime said, the North Side Extension project would have two sets of water right dates. The 1948 date would apply to all wells not in service or completed and the balance would require a 1955 or 1956 filing date. If the extension is granted, all water rights on the homesteads would date as of 1948.

An eight-man committee of homesteaders, chairmanned by John Trevino, acted in favor of a supporting resolution at a meeting Monday evening. The committe represents all the homesteaders on the project at present. George Hedlund made the motion, seconded by Ed Hillis and the vote was unanimous.

Although all present homesteaders will have a 1948 water right, regardless of any action by the Idaho Reclamation office, the group felt they should seek an equal water right for all veterans who arrive here in the next three years.

It was also pointed out that the Minidoka Extension project had been contemplated for some 30 years and that water originally set aside in American Fall for surface irrigation had been taken from it. It was only through underground water that the project was made possible and that, morally, the project has a right to the earliest possible filing date. In the discussion, it was also noted that all private operators who drilled wells after 1948 were aware that the government had filed for the entire 178 wells and that reclamation wells, therefore, would carry a prior filing date.

The Rupert C. of C. directors had discussed the situation previously but delayed action until after the homesteader committee had acted, taking the position that the matter of water was a primary concern of the homesteaders themselves.

At another meeting Tuesday, the board voted 8-1 to adopt a resolution supporting the extension request.

Today (Thursday) is the final day, according to a legal notice in The News, that protests or supporting resolutions will be considered by the state.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

NOTICE OF APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO, IN ACCORDANCE WITH THE PROVISIONS OF SECTION 41-203, IDAHO CODE ANNOTATED.

NOTICE IS HEREBY GIVEN That the United States of America, through the Regional Director, Region 1, U. S. Bureau of Reclamation, of Boise, Idaho, on the 9th day of September, 1948, made application for permit to appropriate One Thousand Three Hundred Thirty-three and Twenty-eight Hundreths (1333.28) cubic feet per second of underground water from 306 wells for irrigation and domestic purposes.

That the points of diversion of said waters, or the location of the wells, are at various points in the following townships, to-wit:

Twp. 9 South, Range 20 East, B. M.; Twps. 8 and 9 South, Range 21 East, B. M.; Twps.; 8 and 9 South, Range 22 East, B.M.; Twps. 8 and 9 South, Range 23 East, B. M.; Twps. 7, and 8 South, Range 24 East, B. M.; Twp. 8 South, Range 25 East, B. M.

That the lands to be irrigated consist of 66,664.3 acres situated in the same townships and ranges as listed above.

That any protests against the approval of this application must be filed in the Department of Reclamation, at Boise, Idaho, within forty (40) days from the date of this notice, and such protest shall state the name and address of the protestant, and shall clearly set forth his objections to the approval of said application.

Dated this 11th day of September, 1948.

MARK R. KULP,
State Reclamation Engineer.

Date of first publication: 9-23-48.
Date of last publication 10-17-48.

SERVICE OF THE FOREGOING, by copy, is hereby acknowledged, this 15th day of September, 1948.

THE UNITED STATES OF AMERICA, Applicant.
By: H. T. NELSON,
Acting Regional Director, Region 1, Bureau of Reclamation.

9-23-3tc

NOTICE OF APPLICATION FOR EXTENSION OF TIME FOR COMPLETION OF WORK

Extension of time for completion of works has been requested on Permit No. 20736 issued to the United States Bureau of Reclamation for appropriation of water for the North Side Minidoka Extension Irrigation Project.

All the one hundred seventy-eight (178) wells have been constructed, are under construction or have been contracted. Thirty-eight wells have been completed to date and are serving 16,118 acres. Twenty-six additional wells have been completed and the rest are scheduled to be completed by September, 1956.

Extension of Time is requested to November 5, 1958, under Section 42-204 Idaho Code.

Written objections or expressions of interested parties will be received and considered by the State Department of Reclamation on or before December 15, 1955.

MARK R. KULP
State Reclamation Engineer

No. 594 - Nov. 17 - Nov. 24 SJ

June 3 - 1964

North Side Minidoka Extension

The United States of America by R. J. Newell Regional Director Region no 1 United States Bureau of Reclamation filed an application No 29278 that "--" relates to the ground waters intended to be utilized under the proposed "Unit B" North Side Pumping Division of the Minidoka Project, Idaho, a Federal reclamation project proposed for authorization and construction under the act of June 30, 1902 (32 Stat. 388) and all acts amendatory thereof and supplementary thereto, known as the Federal Reclamation Laws. The waters include waste and return flow from existing Federal reclamation projects in the Snake River Valley. The land to be irrigated is public land of the United States.

The quantity of water applied for 1333.28 cubic feet per second the source given to be Underground water comprised in part of waste and return flow of existing Bureau of Reclamation projects. The point of diversion was given to be "at various wells, the approximate locations of which are shown on maps accompanying the application

20736

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J 7400 cc
1 1480 cc

The lands to be irrigated are shown on the attached maps entitled "Ground Water Development Plan [5.0(M)-P-48] and the attached arable acreage tabulation totaling 66,664.3 acres.

Notice of application was published as required by Idaho Law. No protests were entered and permit No G 20736 was granted as of the date of application Sept 9, 1948.

—o—

April 23, 1951 F. M. Clinton Assistant Regional Director reported on progress of the project development. Ten irrigation wells have been drilled and are equipped with electric pumps. The prisoner of War camp well was equipped with pump and the eleven wells will be operated during the 1951 irrigation season to irrigate 5,238 acres which has been leased for agricultural purposes.

This report was made prior to the date (May 5, 1951) when one fifth of the work specified was to be completed. In addition to the eleven wells, the lateral system has been constructed. Expenditures have totaled $585,000.00 (about one tenth of the proposed project estimate)

Sept 1, 1953 The Bureau was formally notified that proof of Completion of Works must be submitted on or before Nov 5, 1953.

Late Nov 3

Sept 30, 1953 The Bureau of Reclamation made formal application for extension of time until Nov 5, 1958 (this is for an additional five years) this application states "15 irrigation wells have been drilled. Water is available to 7289 acres 5100 of which were irrigated in 1953." The reason that the United States is unable to complete the remainder of said works and submit proof of completion of works within the required time for the following reason

"The Status of plans, design and construction fund appropriation have not progressed to the point where it is possible to complete the works by November 5, 1953".

January 8th 1954 Engle allowed an extension of time for two years or until Nov 5, 1955. He reasoned that "Appropriations have been made or initiated in the same vicinity, presumably from the same source of supply of subterranean water, by individuals, partnerships, and corporations subsequent to the application for permit by the United States which was approved in permit No 20736.

Next page insert here

20736

Jan 9, 1953

Since there is no statutory provision for advertising application for extension of time or for formal protests and hearings on protests, any such an informal protest has been filed by a subsequent appropriator, all pertinent has been considered by the Department of Reclamation and it seems proper to approve an extension of time for a period of two years instead for a period of two years instead of the 5 years requested in the application.

request of proceedings pass

(X) Act 2-4 1953.

Kulp wrote to

S.A. Hoagland Inc Twin Falls Idaho,

Mr. Irwin Clawson Salt Lake City Utah, The Lawrence & Duffin Rupert Idaho stating that the Bureau has made application for extension of time for Completion of Works under permit 20736 for 5 years or until Nov 5, 1958 and that there is no provision for advertising such an application or procedure for making protest against extension of time - - - .

20736

Clawson replied and asked for a date to have all concerned to appear and formally protest the proposed extension of time

(No record of such meeting)

Jan 28, 1954 a letter from the Bureau by Wm. H. Tuttle expressed dissatisfaction with the two year extension and asked to learn the source and basis for the protests for the protests which have been filed and which had been considered by Kulp in arriving at his decision.

February 5, 1954 Kulp replied. .

X May 28, 1954 Bureau acknowledged Kulp letter of Feb 5, 1954

Oct 21, 1954 Kulp answered the letter of May 28 and stated sometime prior to Nov 5, 1955 this office will entertain a request for extension of time to November 5, 1958 provided that the request be advertised in a newspaper or newspaper in the county or counties in which the project is located.

Sept 1, 1955 The Bureau was formally notified that proof of Completion of Works would be due Nov 5, 1955.

Oct 25, 1955 The Bureau made final application for extension of time to Nov 5, 1955

B

Nov 3. 1955. Kulp acknowledged this application and stated "While the development to date seems satisfactory and has progressed in an orderly manner, she said that there have been subsequent permits issued for the appropriation of subterranean water from what is presumed to be the same source of public water leading us to the conclusion that it is desirable to give published notice of the application for extension of time for completion of works.

We will therefore defer action on the application until notice of the application has been published and interested parties given the opportunity to express their views.

Nov 7 1955 Bureau stated that Kulp's action in letter of Nov 3 was satisfactory.

Publication ordered

C X

Some 35 protests were received and about 9 urged approval of the extension.

April 5, 1956 issued Denial of application and Revision of the State Reclamation Engineer

see tab 16

Copy 6

42-226
The state has the duty to suspend appropriation and abatement when diversions cease to be same or temporary

20736

NOTICE FOR PUBLICATION

NOTICE OF PROOF OF COMPLETION OF CONSTRUCTION AND

APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 a.m. on the 13th day of January, 1964, at the Bureau of Reclamation offices, Orchard and Fairview, Boise, Idaho, County of Ada, State of Idaho, before John H. Welch, a Notary Public, proof will be submitted of the diversion of and application to beneficial use of 1100 cubic feet per second of underground water, in accordance with the terms and conditions of Permit No. 20736 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and post office address of the person or corporation holding said permit is United States of America, P. O. Box 937, Boise, Idaho.

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

The amount applied to beneficial use is 1100 c.f.s.

The works of diversion have been completed within the life of the permit.

The point of diversion of said water is 177 wells located in township 7 south, ranges 23, 24, and 25 east, Boise meridian; township 8 south, ranges 21, 22, 23, 24, and 25 east, Boise meridian; township 9 south, ranges 21, 22, and 23 east, Boise meridian; township 10 south, ranges 21 and 22 east, Boise meridian, all within the A & B Irrigation District, North Side Pumping Division, Minidoka Project, Idaho.

The place where said water is used (legal description): 62,604.3 irrigated acres located in townships 7, 8, 9, and 10 south, ranges 21, 22, 23, 24, and 25 east, Boise meridian, Idaho, all within the boundaries of the A & B Irrigation District, North Side Pumping Division, Minidoka Project, Idaho.

The date of priority which said user is prepared to establish is September 9, 1948.

20736

CARL E. TAPPAN

State Reclamation Engineer

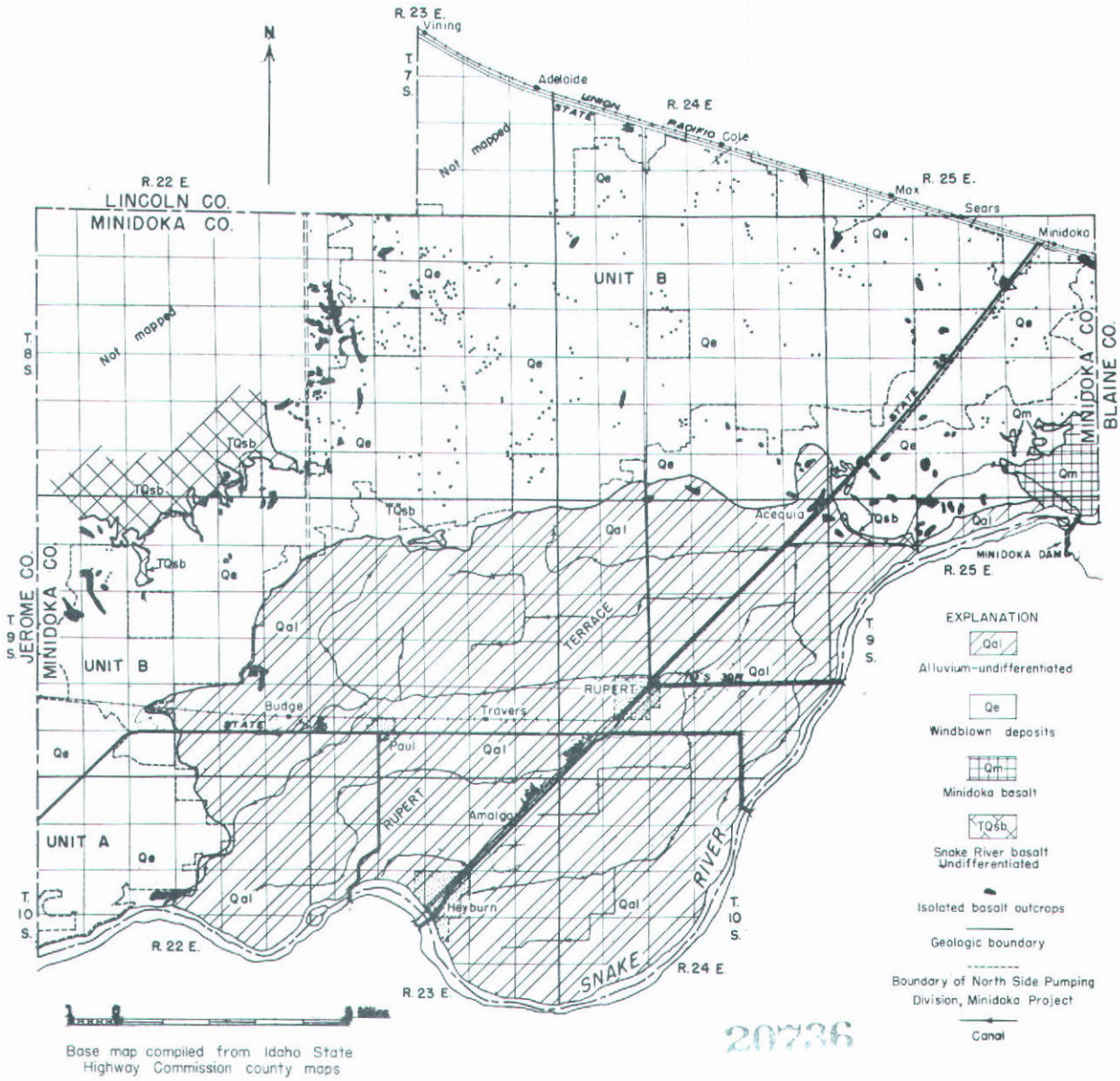
determining water suitability, water from the Snake River basalt is chemically suitable for irrigation. The water is moderately hard but is otherwise suitable for domestic use and for many industrial purposes.

INTRODUCTION

Purpose and Scope of Investigation

Southern Minidoka County and parts of Blaine, Jerome, and Lincoln Counties contain more than 100,000 acres of irrigable land for which irrigation water had not been developed before 1947. Exploration and development of ground water for irrigation began on a modest scale in 1947 and were intensified thereafter. If current trends continue, most of the desirable land will be under irrigation within a few years. The North Side Pumping Division of the Minidoka Project, U. S. Bureau of Reclamation, comprising about 78,000 irrigable acres, is within the area of feasible development, and construction of the project has been authorized by Congress. The adopted plan of the Bureau of Reclamation provides for irrigating 64,000 acres with ground water pumped from wells, and 13,650 acres with surface water pumped from Lake Milner into a high-line canal.

This report was prepared in cooperation with the Idaho State Department of Reclamation on behalf of the Bureau of Reclamation, as an aid to project planning and construction for irrigating the North Side Pumping Division with ground water. A preliminary report (Nace, 1948) on ground water in the project and vicinity was prepared in 1948. The present report contains a reappraisal of the ground-water aspects of the project, based on additional data collected intermittently during several subsequent years and an intensive study



20736

Figure 1.—Geologic map of southern Minidoka County, Idaho.

in 1954. The present report does not entirely supersede the older one, which contains additional information about geology and water-bearing properties of rocks.

The general surface geology of the Snake River Plain, which includes the area now occupied by the North Side Pumping Division, is described by Russell (1902) and Stearns and others (1938). General geologic information and ground-water data are contained in two other reports (Nace, 1948; Fader and Mower, 1952). The Bureau of Reclamation has published a project-plan report (Newell, 1949).

Investigations in the Minidoka Project area by the U. S. Geological Survey were begun in October 1947 under a cooperative agreement with the Idaho State Department of Reclamation. Concurrently, informal technical collaboration was begun with the U. S. Bureau of Reclamation in the collection of hydrologic data. The Geological Survey, the Bureau of Reclamation, and the Idaho State Department of Reclamation have collaborated in the collection of all basic data.

Water levels in project observation wells have been measured by the Geological Survey since 1947. Automatic water-stage recorders are operated by the Bureau of Reclamation on 14 additional observation wells. All irrigation wells drilled before September 1953 have been canvassed. Spirit leveling to wells in the map area (pl. 1) was by the Bureau of Reclamation and the Geological Survey. The geologic map (fig. 1) was compiled from all available data. The water-table contour map (pl. 1) and the depth-to-water map (fig. 2) were prepared as part of the present report.

Ground-water investigations by the Geological Survey are under the general direction of A. N. Sayre,

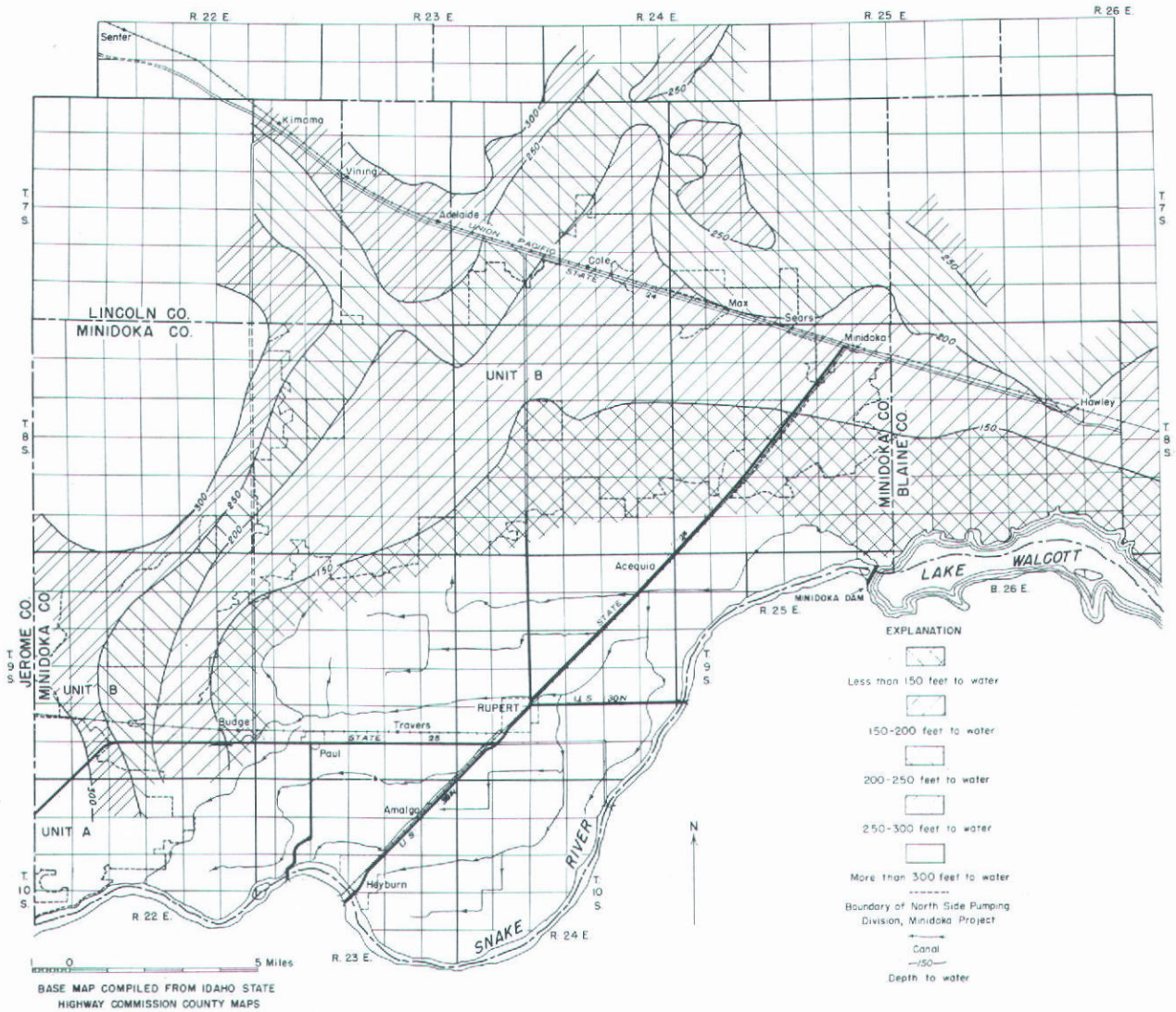


Figure 2.—Approximate depth to water in the Snake River basalt, Minidoka area, Idaho.

20736

chief of the Ground Water Branch. Work in Idaho is supervised by R. L. Nace, district geologist, Boise, Idaho. Work on behalf of the Bureau of Reclamation was done at the request of H. T. Nelson, director, Region 1, U. S. Bureau of Reclamation, Boise, Idaho. The cost of the intensive study in fiscal years 1954 and 1955 was defrayed largely by Bureau of Reclamation funds. Interim work in earlier years was done in cooperation with the Idaho Department of Reclamation, Mark R. Kulp, State reclamation engineer.

Related work by the Geological Survey has been in progress west of the Minidoka Project since 1949. This work includes continuous operation of four gaging stations at the outlets of representative springs, and annual current-meter measurements at the outlets of about 20 large springs.

Location and Size of Area

The Minidoka Reclamation Project consists of several divisions (table 1). The North Side Pumping Division contains about 77,650 acres of irrigable land on the Snake River Plain in Tps. 7–10 S., Rs. 21–25 E., Boise baseline and meridian, chiefly in southern Minidoka County (fig. 3). It covers a slightly elevated belt of land 30 miles long and 2 to 7 miles wide adjacent to the north and west sides of the Gravity Division. Unit A of the Pumping Division (pl. 1) contains about 13,650 irrigable acres in the southwestern part of the project, and Unit B contains about 64,000 irrigable acres in the northern part. The Gravity Division consists of about 72,000 acres of "oldland" (64,000 acres are in Minidoka County).

Table 1.—Divisions of the Minidoka Project

Division	Map symbol (fig. 3)	Source of water	Irrigable acres (rounded)
North Side Gravity Division	A	Minidoka Dam	72,000
North Side Pumping Division	B		
Unit A		Milner Dam	13,650
Unit B		Ground water	64,000
South Side Pumping Division	C	Minidoka Dam	48,000
Gooding Division (except Hunt Unit)	D	Milner Dam	90,000
Hunt Unit	E	do	8,000
Total			375,650

Under the original reclamation plan for the Minidoka Project, the North Side Pumping Division was to be irrigated with Snake River water. Because reservoir-storage space initially available did not provide for the Pumping Division land, development of that land was deferred pending availability of additional upstream

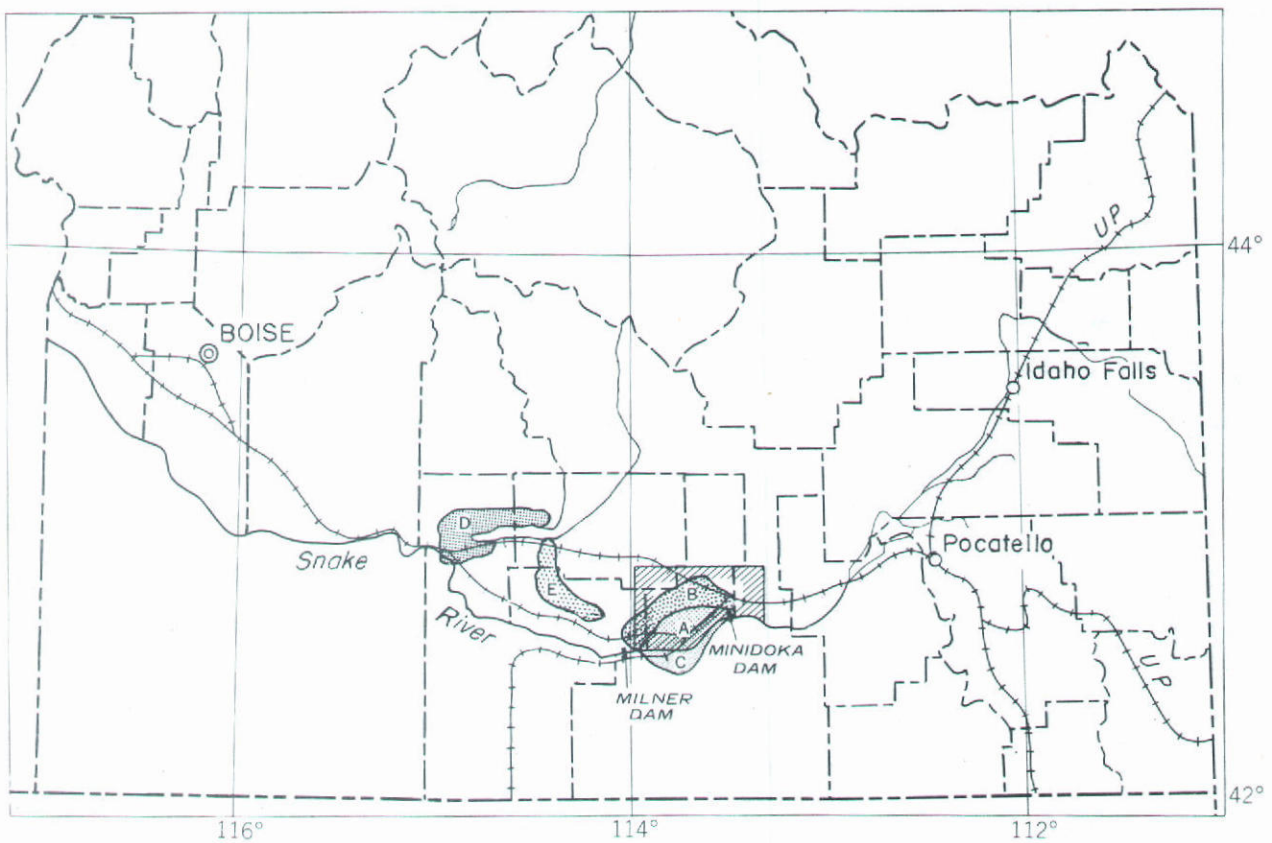


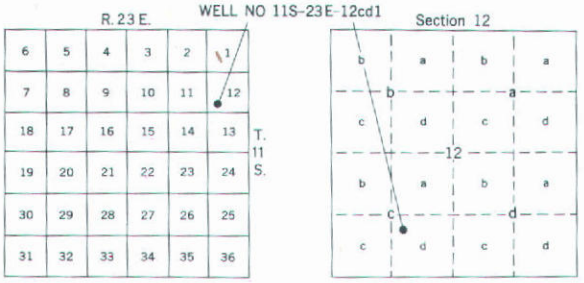
Figure 3.—Index map of southern Idaho showing area covered by this report.

20736

storage space. Availability of a suitable supply of ground water and development of efficient deep-well pumps, however, led to modification of the original plan. This report is concerned with the adequacy of the water supply and the feasibility of its use in Unit B. Data on adjoining areas necessarily are included to set the unit and the water-supply problem in proper geographic and hydrologic perspective.

Well-Numbering System

The well-numbering system used in Idaho by the Geological Survey indicates the locations of wells within official rectangular subdivisions of the public lands, with reference to the Boise baseline and meridian. The first two segments of a number designate the township and range. The third gives the section number, followed by two letters and a numeral, which indicate the quarter section, the 40-acre tract, and the serial number of the well within the tract. Quarter sections are lettered a, b, c, and d in counterclockwise order, from the northeast quarter of each section (see diagram). Within the quarter sections 40-acre tracts are lettered in the same manner. The digits following the letters indicate the order in which the wells were first visited within the 40-acre tracts. Well 11S-23E-12cd1 is in the SE¼SW¼ sec. 12, T. 11 S., R. 23 E., and is the well first visited in that tract.



Acknowledgments

Many well owners, the R. C. Commons Drilling Co., Hittleston and Haynes Co., and A. J. Schoonover and Sons, well drillers, supplied well logs and other data. The Idaho Power Co. furnished power-consumption data on irrigation pumps. The assistance and cooperation of these individuals and companies have been of great value and are gratefully acknowledged.

PHYSIOGRAPHIC HISTORY AND DRAINAGE

The extreme southern part of Minidoka County is a relatively flat stream terrace (herein called the Rupert terrace, see fig. 1), about 18 miles long and 11 miles wide. The terrace, a local feature in the Snake River Plain, is bounded on the north and west by an escarpment 50 to 75 feet high, and on the south by the Snake River. The southern part of the county north of the escarpment is gently rolling terrain that is typical of the Snake River Plain. The North Side Pumping Division is immediately north and west of the escarpment on the rolling plain. In the vicinity of the project the generally flat to rolling surface of the plain is modified by dry gulches, shallow undrained depressions, and small knolls. A few rounded volcanic hills, having long, gentle slopes, rise one hundred to several hundred feet above the general level of the plain. The most prominent of the volcanic hills is Kimama Butte ("Big Kim"), near the northwest corner of the project. The soil of the North Side Pumping Division consists of loose or lightly compacted windblown material, which is anchored at most places by native vegetation. Clearing and plowing make the land vulnerable to wind erosion. Eastward from the town of Minidoka are active sand dunes. Water erosion is inconsequential except along a few short gullies.

In past geologic time the sedimentary and volcanic rocks in the area now occupied by the Snake River Plain were warped and faulted to form a large trough-like depression in which numerous lava flows accumulated. Between these flows, which solidified to form basalt, beds of lake, stream, and windblown sediments were deposited.

At one time, late in the period of accumulation of basalt and associated sediments, the Snake River occupied a wide, deep valley in southern Minidoka County and adjacent areas. Behind a lava dam in this valley a lake was impounded, covering much or all of the area that is now in the North Side Gravity Division. The lake basin was largely filled with sediments and a few intercalated basalt flows. The lake was drained as the Snake River cut its outlet downward, and after disappearance of the lake the Snake River deposited on the lake beds a sheet of older alluvium which now forms an extensive terrace, the Rupert terrace. Volcanic activity in the area continued during alluvial deposition but ended with the extrusion of a basalt flow (Minidoka basalt) along the north side of Lake Walcott. Younger alluvium was deposited thereafter. Deposition of windblown sediment occurred throughout the period of volcanism and continued to comparatively recent time, forming a discontinuous mantle of silt and fine sand on the basalt in much of the plain.

The Snake River Plain slopes southward and southwestward about 23 feet per mile in the Minidoka area. The average altitude along the south side of Craters of the Moon National Monument, north of Minidoka County, is about 5,380 feet above mean sea level; along the Snake River at the southern boundary of the county the average altitude is about 4,150 feet. Owing to the gentle slope of the plain, the small amount of precipitation, and the high moisture-retention capacity of soil which overlies relatively porous basalt, runoff on the plain is small and ephemeral. An integrated drainage system has not developed because most precipitation either restores soil moisture, becomes ground-water recharge, or evaporates. Several drainage canals in the Rupert terrace downstream from Minidoka Dam collect irrigation waste water and discharge into the Snake River. Some waste water drains into intake wells and recharges the regional aquifer.

CLIMATE

Minidoka County has moderately cold winters and warm summers. The mean annual temperature at Rupert is 47.6°F (table 2). The climate is moderated by prevailing westerly winds from the Pacific area,

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regional water levels would not appreciably affect the perched water north of the lake.

Springs in the Snake River Valley Below Milner

Ground-water inflow to the upstream segment of Lake Walcott may be reduced by a small lowering of the water table, caused by ground-water pumping in the Minidoka area. The reduction probably will be small and the water thus held in underground storage will not appreciably offset depletion by pumping. Thus, the yearly total volume of water discharged by the springs in the Snake River valley eventually will be reduced by about the amount of the net depletion of ground water in the pumped area. The depletion on Unit B will be about 115,000 acre-feet a year, or about 2.9 percent of the total spring discharge. Total depletion on the project and environs will be about 275,000 acre-feet a year, or about 7 percent of the total. That depletion, however, will be compensated by 30,000 acre-feet of recharge from surface-water irrigation on Unit A.

It is not possible to segregate the effects on spring discharge of depletion on Unit B from the effects of depletion on adjacent private land. Also, it probably is not possible to segregate the effects of either of these from the effects of other developments to the west and east. It seems likely that ground-water development will continue until depletion of spring discharge becomes important. Thereafter, holders of late priority rights will be first affected by restraints that might be imposed. Water rights for Unit B have relatively early priority.

The above summary is oversimplified because some springs probably will be affected more than others. If only a few springs are seriously depleted, local rights on those springs may be adversely affected at an early stage of development.

Quality of Water

Results of chemical analyses of 29 samples of ground water and 7 samples from Lake Walcott are summarized in table 9. Among the factors that determine the chemical suitability of water for irrigation are the ratio of sodium to total cations (percentage of exchangeable sodium), the ratio of bicarbonate to calcium and magnesium, the total amount of dissolved solids, and the amount of boron. The chemical quality of water also affects its utility for domestic and general farm use.

Excessive proportions of sodium cause some types of soil to become impermeable, so that they do not accept water readily and, once wetted, do not drain satisfactorily. The Wilcox method of expressing the sodium hazard (Wilcox, 1948) is to plot the percentage of exchangeable sodium against specific conductance (in micromhos per centimeter, fig. 9). This method does not express an exact ratio of sodium adsorption by the soil. Another method (Richards, 1954) is based on the sodium-adsorption ratio (SAR), expressed by the equation

$$SAR = \frac{Na^{+}}{\sqrt{\frac{Ca^{++} + Mg^{++}}{2}}}$$

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in which Na^{+}, Ca^{++}, and Mg^{++} represent respective concentrations, in milliequivalents per liter, of sodium, calcium, and magnesium. The sodium-adsorption ratios of 24 samples of water from the Snake River basalt in the Minidoka area range from 0.57 to 2.2. 1/ Therefore, the sodium hazard is low. 2/

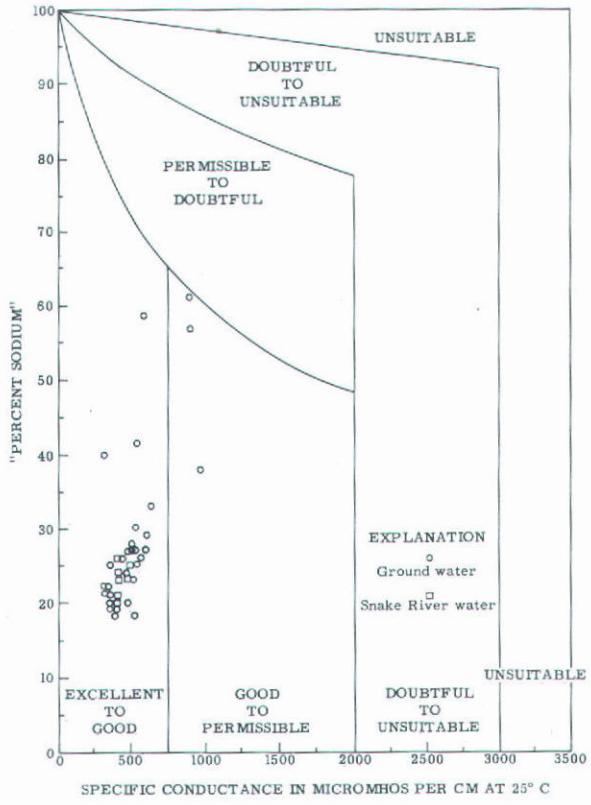
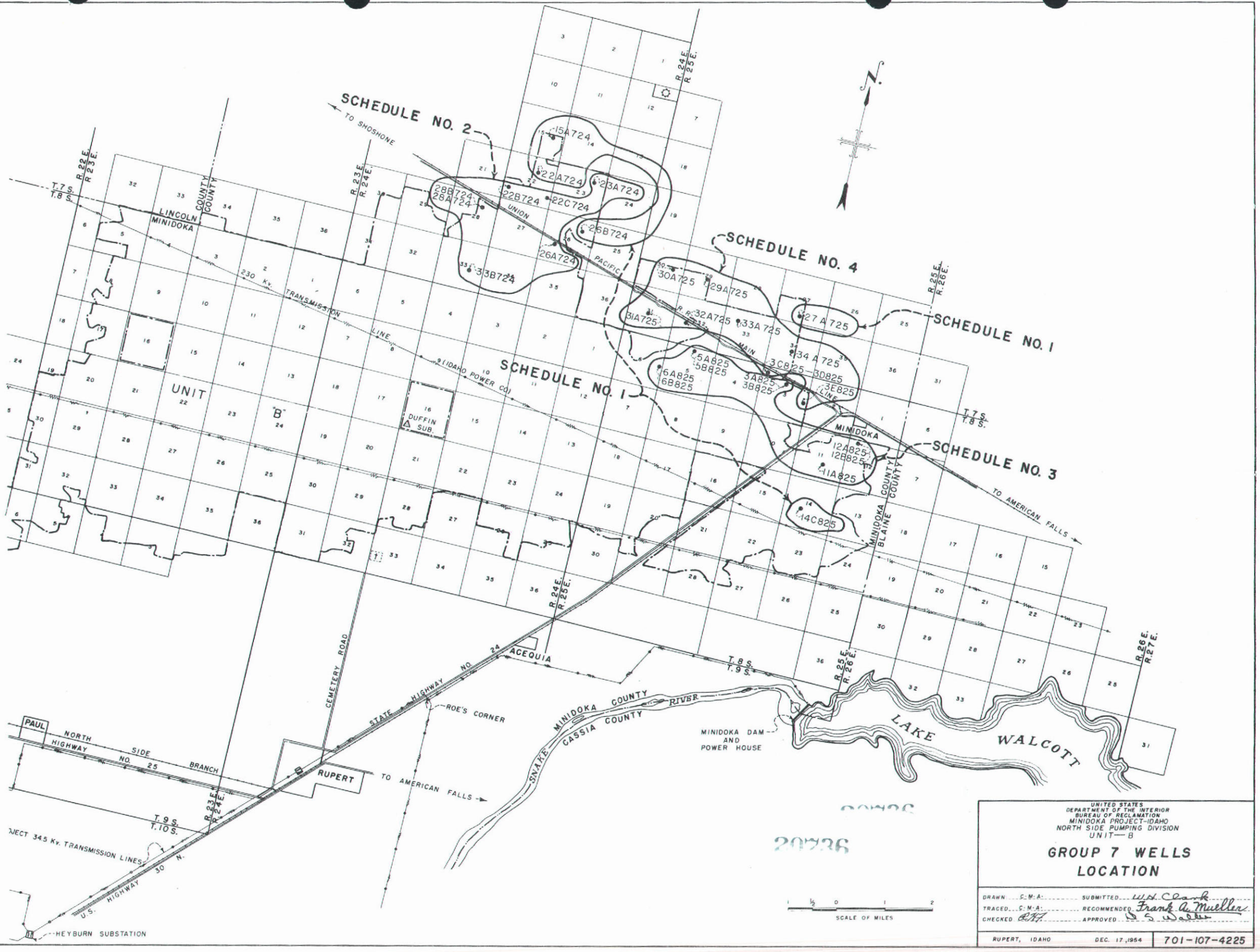


Figure 9.—Classification of irrigation water from the Minidoka area.

Specific conductance of water, a measure of electrical conductivity, is related directly to the ionized solids in the water and hence affords an approximate measure of the amount of dissolved solids. The specific conductance of water also indicates the suitability of the water for irrigation. In general, water having conductivity values less than 750 micromhos is satisfactory for irrigation so far as dissolved solids are concerned. The specific conductance of ground-water samples from the Snake River basalt ranges from 311 to 984 micromhos. Water from well 9S-22E-33ad1, which has by far the highest specific conductance and the highest dissolved mineral content, may not be suitable for use on tight, poorly drained soils.

1/ The ratio for water from some wells listed in table 9 ranges up to 4.4. All wells having ratios higher than 2.2 tap water in Burley lake beds.

2/ Sodium and potassium are reported together in some analyses in table 9 and the combined amount necessarily is treated as sodium to compute the SAR, percentage of exchangeable sodium, and residual sodium carbonate.



GPO 986677

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
MINIDOKA PROJECT-IDAHO
NORTH SIDE PUMPING DIVISION
UNIT—B

GROUP 7 WELLS LOCATION

DRAWN C.M.A.	SUBMITTED	W.H. Clark	
TRACED C.M.A.	RECOMMENDED	Frank A. Mueller	
CHECKED	APPROVED	D.S. Walker	
RUPERT, IDAHO	DEC. 17, 1954	701-107-4225	

11-3-56

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

In the matter of the application for Extension of Time for Completion of Works on Permit No. 20736 by the U. S. Bureau of Reclamation Minidoka North Side Extension, Subterranean waters.	DENIAL OF APPLICATION AND DECISION OF THE STATE RECLAMATION ENGINEER

On September 9, 1948, Application was made for permit to appropriate 1333.33 cubic feet per second of unappropriated public underground water from 80 wells for the irrigation of 66664.5 acres of Unit "D" North Side Pumping Division of the Minidoka Project by the United States of America acting through the United States Bureau of Reclamation.

The Application was approved and Permit No. 20736 was issued with one of the requirements of the permit being completion of works by November 5, 1955. In 1955 Application for five years extension of time for Completion of Works was made and two years extension was approved to November 5, 1955, with the informal proviso that any further Application for extension of time for Completion of Works would be advertised so that anyone interested might have an opportunity to express his views.

There is statutory authority in Section 42-204 Idaho Code for extension of time beyond the original five year period for federally financed projects.

An Application for a three year extension of time for completion of Works was made by the holder of the Permit in 1955 and the application was advertised in papers in Minidoka and Jerome Counties.

Expressions both for and against the approval of the extension of time were received.

Geological Survey Circular 371, Ground water in the North Side Pumping Division, Minidoka Project, Minidoka County, Idaho, says: "Local lowering of water levels by sustained heavy pumping in the North Side Pumping Division and adjacent areas probably will cause low-order regional lowering of water levels."

It is the opinion of the State Reclamation Engineer that water rights initiated in the vicinity of the Project since 1948 would not be seriously injured by approval of the Application for extension of time and it is also the opinion of the State Reclamation Engineer that the water rights of the Project as a whole would not be seriously injured by denial of the Application for Extension of Time.

It is the decision of the State Reclamation Engineer that the application for Extension of Time for Completion of Works should be denied and the application is hereby denied.

It is the further decision of the State Reclamation Engineer that the priority date of that part of the right initiated by Permit No. 20736 depending on works constructed prior to November 5, 1955, shall relate back to September 9, 1948, and that the part of the right initiated under Permit No. 20736 and depending on works not completed by November 5, 1955, may relate back to November 5, 1955.

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Anyone feeling himself aggrieved by this decision and denial of application for extension of time for completion of works under Permit No. 20736 may appeal the same to the District Court for Ada County, Idaho, or the District Court for Owyhee County, Idaho, as outlined in Section 42-204 of the Idaho Code as amended.

Given under my hand and seal of the State Department of Reclamation at Boise, Idaho, this 8th day of April, 1958.

MARK R. KULP
State Reclamation Engineer

20736

ADVERTISING PRINTING OFFICE SUPPLIES

PHONE 721 JEROME, IDAHO

NORTH SIDE NEWS

ONE MEDIUM • ONE COVERAGE • ONE COST

DATE 12-1 19--

M State of Idaho
Dept. of Reclamation
Boise

CASH ☐
CHARGE ☒
ON ACC'T ☐
PD. OUT ☐

DISPLAY ☐ PHOTO ENGRAVING ☐
CLASS ☐ LEGAL ADV. NO. 220
SUPPLIES ☐ PRINTING NO.

QUAN.	DESCRIPTION	AMOUNT
	Notice of application for extension of time for completion of works	6 75
	SUBSCRIPTION: NEW ☐ RENEWAL ☐ FROM TO	

2416 BY 20736

PLEASE RETAIN THIS TICKET FOR YOUR RECORDS
MOORE DEALER · NORTH SIDE NEWS

The Minidoka County News

RUPERT, IDAHO

AFFIDAVIT OF PUBLICATION

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

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 TWO (2) consecutive weeks, commencing with the issue dated NOV. 17, 1955, and ending with the issue dated NOV. 24, 1955.

Larry H. Robinson

Subscribed and sworn to before me this 1st day of December, 1955

Floyd Strunk Notary Public

Cost of Publication .....

Notary Fee .....

Total Cost .....

NOTICE OF APPLICATION FOR EXTENSION OF TIME FOR COMPLETION OF WORKS

Extension of time for completion of works has been requested on Permit No. 20736 issued to the United States Bureau of Reclamation for appropriation of water for the North Side Minidoka Extension Irrigation Project.

All the one hundred seventy-eight (178) wells have been constructed, are under construction or have been contracted. Thirty-eight wells have been completed to date and are serving 16,118 acres. Twenty-six additional wells have been completed and the rest are scheduled to be completed by September, 1956.

Extension of Time is requested to November 5, 1958, under Section 42-204 Idaho Code.

Written objections or expressions of interested parties will be received and considered by the State Department of Reclamation on or before December 15, 1955.

MARK R. KULP
State Reclamation Engineer

No. 594 - Nov. 17 - Nov. 24

20736

The Minidoka County News

RUPERT, IDAHO

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Larry H. Robinson

Subscribed and sworn to before me this 1st day of December, 1955

Lloyd J. Smith Notary Public

Cost of Publication .....

Notary Fee .....

Total Cost .....

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MARK R. KULP
State Reclamation Engineer

No. 594 - Nov. 17 - Nov. 24

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Jerome } SS.

W. D. MacKnight, being first duly sworn, deposes and says that he is the printer (publisher) of the Jerome North Side News, a newspaper published every week in Jerome, County of Jerome, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho. known as House Bill 145; that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 24th day of Nov., 19 55, and the date of the last publication was on the 1st day of December, 19 55.

W. D. MacKnight

Subscribed and sworn to before me this 1st day of December, 19 55.

(SEAL)

Ray Stanton

NOTARY PUBLIC

JERONE NORTH SIDE NEWS

COST OF PUBLICATION

Number of Lines in Notice 27

Number of Insertions 2

27 Lines at 13c	$4.05
27 Lines at 6c	2.70
TOTAL COST	$6.75

(COST COMPUTED AT RATE OF 13c PER LINE FOR FIRST INSERTION. 6c PER LINE FOR ALL SUCCESSIVE INSERTIONS)

COPY OF NOTICE

(Paste Here)

Notice of Application
TITLE OF NOTICE

for extension of time
PLAINTIFF ATTORNEY

for completion of work.
DEFENDANT

State of Idaho.
PLAINTIFF

Dept of Reclamation
BILL TO

NOTICE OF APPLICATION FOR EXTENSION OF TIME FOR COMPLETION OF WORKS

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MARK R. KULP,
State Reclamation Engineer.

11-24-2tc

20736

Nº 219

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Jerome } SS.

W. F. MacKnight, being first duly sworn, deposes and says that he is the printer (publisher) of the Jerome North Side News, a newspaper published every week in Jerome, County of Jerome, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho. known as House Bill 145; that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 24th day of Nov., 19 55, and the date of the last publication was on the 1st day of December, 19 55.

W. F. MacKnight

Subscribed and sworn to before me this 1st day of December, 19 55.

(SEAL)

Guy Fenton

NOTARY PUBLIC

JERONE NORTH SIDE NEWS

COST OF PUBLICATION

dup.

Number of Lines in Notice	27	
Number of Insertions	2	
27 Lines at 15c		$4.05
27 Lines at 6c		2.70
TOTAL COST		$6.75

(COST COMPUTED AT RATE OF 13c PER LINE FOR FIRST INSERTION, 6c PER LINE FOR ALL SUCCESSIVE INSERTIONS)

COPY OF NOTICE

(Paste Here)

Notice of Application for Extension of Time

TITLE OF NOTICE

for Extension of Time

PLAINTIFF ATTORNEY

for Completion of Work

DEFENDANT

State of Idaho

PLAINTIFF

Dept. of Reclamation

BILL TO

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MARK R. KULP,
State Reclamation Engineer.

11-24-2tc

20736

No 220

See Name report on north Side
Pumping diversion

Consumptive use of water
Serry-Johnson method see
ASCE Vol 107 (1942) page 1243
this shows 2.30 acft per acre
87% ovun duty Irrigation season

Domestic & Stock water requirement
of Twin Falls tract
page 88 H.D 721 per 1000 persons = 1030 acft annual

---

page 14 - - - may be completed. - - -
following this the statute " In construing a statute, it is the duty of this court to ascertain the legislative intent and give effect thereto. in ascertaining this intent - - - the literal wording must be examined but also - - - - other matter such as the context, - - -. in the instant quote from 42-201 - 42-225 there are two methods to complete a record of appropriating water. An applicant has a choice, it "may be completed" by a constituting process or it "may be completed" by the permit method

20736

Page 16 line 19 to 21
The amendment reads - - -; the State Reclamation Engineer may extend the time for completion of works for such additional period or periods of time as he may deem necessary. upon application supported by a showing that such additional time is required by reason of - - - - fund appropriation - - -.

Page 16 line 29 & 30

~~The off~~

The department deems it advisable to clear the records of its office of permits ~~or neglected~~ when the owners of which have failed to comply with the law.

Page 17 line 1

"license is to be issued", if the department is satisfied that the law has been fully complied with --, (see 42-219 line 4)

(Page 35 line 12) Note 42-219 - "-all the licenses which relate to the same permit and which bear the same date of priority shall be numbered alike.

↓

(Again over it)

Page 6 line 13 to 17. (Ivstat 1297) where is this commitment? or advise

The committee understands that - - -

Township	Range	Section	Sub-division	Well No.
9 S.	20 E.	12	$SE\frac{1}{4}$ $NE\frac{1}{4}$	287
		13	$NW\frac{1}{4}$ $NE\frac{1}{4}$	288
8 S.	21 E.	24	$SW\frac{1}{4}$ $NW\frac{1}{4}$	291
		22	$NE\frac{1}{4}$ $SE\frac{1}{4}$	299
		25	$NW\frac{1}{4}$ $SW\frac{1}{4}$	292
			$SW\frac{1}{4}$ $SW\frac{1}{4}$	293
		26	$SW\frac{1}{4}$ $NE\frac{1}{4}$	294
			$SE\frac{1}{4}$ $NW\frac{1}{4}$	295
		27	$SW\frac{1}{4}$ $NE\frac{1}{4}$	300
		32	$SW\frac{1}{4}$ $SE\frac{1}{4}$	305
		33	$SE\frac{1}{4}$ $SE\frac{1}{4}$	304
		34	$SE\frac{1}{4}$ $NW\frac{1}{4}$	301
			$SE\frac{1}{4}$ $SW\frac{1}{4}$	302
			$SE\frac{1}{4}$ $SE\frac{1}{4}$	303
		35	$NE\frac{1}{4}$ $NE\frac{1}{4}$	296
			$SE\frac{1}{4}$ $SW\frac{1}{4}$	298
			$SE\frac{1}{4}$ $SE\frac{1}{4}$	297
9 S.	21 E.	1	$NW\frac{1}{4}$ $NE\frac{1}{4}$	249
			$NE\frac{1}{4}$ $SW\frac{1}{4}$	250
		2	$NE\frac{1}{4}$ $SE\frac{1}{4}$	252
		3	$SE\frac{1}{4}$ $NE\frac{1}{4}$	260
			$NE\frac{1}{4}$ $SW\frac{1}{4}$	261
			$SE\frac{1}{4}$ $SW\frac{1}{4}$	262
		4	$SE\frac{1}{4}$ $NE\frac{1}{4}$	271
		5	$S\frac{1}{2}$ $SW\frac{1}{4}$	278
		7	$NE\frac{1}{4}$ $NE\frac{1}{4}$	283
			$NE\frac{1}{4}$ $NW\frac{1}{4}$	284
			$NW\frac{1}{4}$ $SE\frac{1}{4}$	285
		8	$NE\frac{1}{4}$ $SE\frac{1}{4}$	279
		9	$NE\frac{1}{4}$ $NE\frac{1}{4}$	272
			$SW\frac{1}{4}$ $NE\frac{1}{4}$	273
		10	$SE\frac{1}{4}$ $NW\frac{1}{4}$	263
			$NE\frac{1}{4}$ $SE\frac{1}{4}$	264
		11	$SW\frac{1}{4}$ $NE\frac{1}{4}$	254
			$SW\frac{1}{4}$ $NW\frac{1}{4}$	253
			$SW\frac{1}{4}$ $SW\frac{1}{4}$	255
		15	$NW\frac{1}{4}$ $SE\frac{1}{4}$	265
		17	$NW\frac{1}{4}$ $NE\frac{1}{4}$	280
			$NW\frac{1}{4}$ $SW\frac{1}{4}$	281
		18	$NW\frac{1}{4}$ $NW\frac{1}{4}$	286
		20	$SE\frac{1}{4}$ $SE\frac{1}{4}$	282
		21	$SE\frac{1}{4}$ $NE\frac{1}{4}$	274
			$NE\frac{1}{4}$ $SW\frac{1}{4}$	275
		22	$N\frac{1}{2}$ $NW\frac{1}{4}$	266
		24	$SW\frac{1}{4}$ $NW\frac{1}{4}$	251
		26	$NE\frac{1}{4}$ $NE\frac{1}{4}$	256
			$N\frac{1}{2}$ $SW\frac{1}{4}$	257
		27	$NE\frac{1}{4}$ $SW\frac{1}{4}$	267
			$SW\frac{1}{4}$ $SW\frac{1}{4}$	268
			$SE\frac{1}{4}$ $SE\frac{1}{4}$	269
		28	$SW\frac{1}{4}$ $NE\frac{1}{4}$	277
			$SE\frac{1}{4}$ $NE\frac{1}{4}$	276
		34	$NW\frac{1}{4}$ $SE\frac{1}{4}$	270
		35	$NE\frac{1}{4}$ $NW\frac{1}{4}$	258
			$S\frac{1}{2}$ $N\frac{1}{2}$	259

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Township	Range	Section	Sub-division	Well No.
8 S.	22 E.	30	SW¼ SW¼	290
		35	NW¼ NE¼	289
		24	NW¼ SE¼	194
		25	NW¼ NE¼	195
			SE¼ NW¼	196
			SE¼ SE¼	197

MINERAL SPRINGS
GREEN GREEN
JEFFERSON
20726

T. 9S. R. 20 E Sec. 12 SE NE No 287
Sec. 13 NW NE No 288

Jerome

20736

T.8 S. R.21 E.	Sec [illegible]	SW NW	No 29[illegible]
	Sec 22	NE SE	No 299
	Sec 25	Nw SW	No 292
		SW SW	No 293
	Sec 26	SW NE	No 294
		SE NW	No 295
	Sec 27	SW NE	No 300
	Sec 32	Sw SE	No 305
	Sec 33	SE SE	No 304
	Sec. 34	SE NW	No 301
		SE SW	No 302
		SE SE	No 303
	Sec 35	NE NE	No 296
		SE SW	No 298
		SE SE	No 297
T.9S. R.21E.	Sec. 1	Nw NE	No. 249
		NE Sw	No. 250
	Sec. 2	NE SE	No. 252
	sec. 3	SE NE	No. 260
		NE SW.	No. 261
		SE Sw	No. 262
	Sec. 4	SE. Ne.	No. 271
	Sec. 5	S½ SW	No. 278
	Sec 7	NE NE	No. 283
		NE NW	No. 284
		NW SE	No. 285
	Sec. 8	NE SE	No. 279
	Sec 9	NE NE	No. 272
		SW NE	No. 273
	Sec. 10	SE NW	No. 263
		NE SE	No. 264

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T 9S R 21E

Jerome

Sec	SW NE	No 254
	SW NW	No 253
	SW SW	No 255
Sec. 15	NW SE	No 265
Sec. 17	NW NE	No 280
	NW SW	No 281
Sec. 18	NW NW	No 286
Sec. 20	SE SE	No 282
Sec. 21	SE NE	No 274
	NE SW	No 275
Sec 22	N½ NW	No. 266
Sec 24	SW NW	No. 251
Sec 26	NE NE	No. 256
	N½ SW	No. 257
Sec. 27	NE SW	No. 267
	SW SW	No. 268
	SE SE	No. 269
Sec. 28	SW NE	No 277
	SE NE	No 276
Sec 34	NW SE	No 270
Sec 35	NE NW	No 258
	S½ N½	No 259

20736

Minidoka

T. 9 S. R. 22 E.	Sec. 1	NW NE	No. 198
		NE NW	No. 199
		NE SE	No. 200
	Sec. 2	NW NE	No. 203
		NW NW	No. 202
		NW SW	No. 205
		NW SE	No. 204
	Sec. 3	SE NW	No. 211
		NE SW	No. 212
	Sec. 4	NW SE	No. 224
	Sec. 7	NE NE	No. 244
		NW SE	No. 245
	Sec. 8	NE NE	No. 234
		NW SW	No. 235
		SW SE	No 236
	Sec. 9	SE NW	No 225
		SW SE	No. 226
		SE SE	No. 227
	Sec. 10	W½ NE	No. 214
		NE NW	No. 213
		NE SE	No. 215
	Sec. 11	NW NE	No. 206
		NW SE	No. 207
	Sec. 12	SW NE	No. 201
	Sec. 14	NE NE	No. 208
	Sec. 15	NE NE	No. 216
		SW NE	No. 218
		SW NW	No. 217
		SW SW	No. 219
		SW SE	No 220
	Sec. 17	NW NW	No. 237
		SE NW	No. 238
		SW SE	No 239
	Sec. 18	SW SE	No 246

20776

T 8S : R22E	Sec.	SW SW	No 290
	Sec 35	NW NE	No 289
	Sec 24	NW SE	No. 194
	Sec 25	NW NE	No 195
		SE NW	No 196
		SE SE	No 197

Miscellaneous

20736

T. 9 S. R. 22 E.	Sec. 19	SW NW	No. 247
		SE SE	No. 248
	Sec. 20	NW NW	No. 240
		NW SE	No. 241
	Sec. 21	NW NW	No. 228
		NE SW	No 229
Ft Riley	Sec. 22	S½ NE	No. 222
		NW NW	No. 221
		NE SW	No. 223
	Sec. 23	NW NE	No. 209
		SW NW	No. 210
	Sec. 28	NE NW	No. 230
		SE SE	No. 231
	Sec. 29	NW NW	No. 242
	Sec 32	SW NE	No. 243
	Sec 33	NW NE	(Existing well)
		SE NE	(Existing well)
		NW SW	No. 232
		NE SE	No. 233

20736

T. 8 S. R. 23 E

Sec. 1	NW NE	No. 107
	SE NW	No. 108
	NW SE	No. 109
Sec. 2	E½ NE	No. 122
	NE SW	No. 123
	SE SE	No. 124
Sec. 3	NE NE	No. 140
	NE NW	No. 141
	SE NW	No. 142
Sec 4	SW NE	No. 160
	SW NW	No. 159
Sec. 5	SW NE	No 173
	SW NW	No. 174
	SW SW	No. 175
Sec. 8	NW NE	No. 176
	SW SW	No. 177
	NE SE	No. 163
Sec 9.	NE NE	No. 162
	NE NW	No. 161
	NE SE	No 164
Sec 10	SE NE	No 144
	NE NW	No 143
	SE SW	No. 145
Sec 11	NE NW	No. 125
Sec 12	NE NW	No 110
	SW NE	No. 111
	SE SW	No. 113
	NW SE	No. 112
Sec. 13	SW NE	No 115
	SW NW	No. 114
	SE SW	No. 116

20758

T.8S. R.23E	Sec 29	NW	NE	No. 183
		SE	NE	No. 184
		SW	SE	No. 185
	Sec 30	NE	NE	No. 188
	Sec. 31	NW	NE	No. 189
		SW	NE	No. 190
		NE	SE	No. 191
	Sec. 32	NE	NE	No. 186
	Sec 33	NW	NE	No. 170
		NW	SW	No. 171
		SE	SW	No. 172
	Sec 34	SW	NE	No. 153
		SE	NW	No. 154
		NW	SW	No. 155
		SE	SW	No. 156
	Sec 35	SE	NE	No. 137
		NE	NW	No. 136
		SW	SW	No. 138
T.9S. R.23E	Sec 2	SW	NE	No. 139
	Sec. 3	NW	NE	No. 157
		SW	NW	No. 158
	Sec. 5	NE	SE	No. 187
	Sec. 6	NE	NE	No. 192
	Sec. 7	NW	NE	No. 193

Uintah

20736

T. 7S. R. 24E	Sec. 27	NE	SW	No. 46
		SE	SE	No. 47
	Sec. 30	SW	SE	No. 88
	Sec. 31	NW	NE	No. 89
		SW	SE	No. 90
	Sec. 32	NW	NW	No. 71
		NE	SE	No. 72
	Sec. 34	SE	NW	No. 48
		SW	SE	No. 49
	Sec 35.	NE	SW	No. 29
		NW	SE	No. 30
		SW	SE	No. 31

Thumbtack

20736

T.8 S. R.24E.

Sec. 2	E½ NE	No. 32
	Nw Sw	No. 33
	NE SE	No. 34
Sec. 3	Nw NE	No. 51
	W½ Nw	No. 50
	Nw SE	No. 52
Sec. 4	Sw NE	No. 61
	W½ Sw	No. 63
	Nw SE	No. 62
Sec. 5	NE NE	No. 74
	Nw NE	No. 73
	Sw SW	No. 76
	NE SE	No. 75
Sec. 6	NE Nw	No. 91
	SE Nw	No. 92
	Nw Sw	No. 93
Sec. 7	NE Nw	No. 94
	Sw Sw	No. 95
	NE SE	well B
Sec. 8	SE NE	No. 77
	Sw NE	No. 78
	SE SE	No. 79
Sec. 9	Nw NE	No. 65
	Nw Nw	No. 64
Sec. 10	Nw NE	No. 53
	Sw NE	No. 54
	Sw Nw	No. 55
	SE Sw	No. 57
	Nw SE	No. 56
Sec. 11	NE Nw	well A
	Sw NE	No. 35
	Sw SE	No. 36

20736

T.8S. R.25E.	Sec. 13	Nw	Sw	No. 1
	Sec. 14	NE	Sw	No. 3
		Sw	Sw	No. 4
	Sec. 15	W½	Sw	No. 6
	Sec. 17	NE	SE	No. 13
	Sec. 18	Sw	NE	No. 15
		Nw	Sw	No. 16
		SE	SE	No. 18
	Sec. 19	Nw	NE	No. 19
		Nw	Nw	No. 17
		Nw	Sw	No. 20
		Sw	SE	No. 21
	Sec. 20	Sw	NE	No. 14
	Sec. 21	NE	NE	No. 8
		Nw	NE	No. 9
		NE	Sw	No. 11
		NE	SE	No. 10
	Sec. 22	SE	NE	No. 7
		NE	SE	No. 306
	Sec. 23	Nw	Nw	No. 5
	Sec. 24	Nw	Nw	No. 2
	Sec. 28	Nw	NE	No 12

Muskie

20736

Posto Gram from the NORTH SIDE NEWS [EROME

and conditions of Permit No. 20736 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and post office address of the person or corporation holding said permit is United States of America, P. O. Box 937, Boise, Idaho.

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

The amount applied to beneficial use is 1100 c.f.s.

The works of diversion have been completed within the life of the permit.

The point of diversion of said water is 177 wells located in township 7 south, ranges 23, 24, and 25 east, Boise meridian; township 8 south, ranges 21, 22, 23, 24, and 25 east, Boise meridian; township 9 south, ranges 21, 22, and 23 east, Boise Meridian; township 10 south, ranges 21 and 22 east, Boise meridian, all within the A & B Irrigation District, North Side Pumping Division, Minidoka Project, Idaho.

The place where said water is used (legal description): 62,604.3 irrigated acres located in townships 7, 8, 9, and 10 south, ranges 21, 22, 23, 24, and 25 east, Boise meridian, Idaho, all within the boundaries of the A & B Irrigation District, North Side Pumping Division, Minidoka Project, Idaho.

The date of priority which said user is prepared to establish is September 9, 1948.

CARL E. TAYLOR,
State Reclamation Engineer.

12-19-4tc

NOTICE FOR PUBLICATION.

NOTICE OF PROOF OF COMPLETION OF CONSTRUCTION AND APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 a.m. on the 13th day of January, 1954, in the Bureau of Reclamation offices, Orchard and Fairview, Boise, Idaho, County of Ada, State of Idaho, before John H. Welch, a Notary Public, proof will be submitted of the diversion of and application to beneficial use of 1100 cubic feet per second of underground water, in accordance with the terms

20736

15
1
22
30
33
77
118

Oct. 25, 1955

Ex V applic. to 11/5/18 requested for 9/15 on 17X wells

GNC Letter 1/17/61 notes cancellation due date "as a matter of practice it would not be cancelled."

Minidoka Pumping Extension Wells 9/1/55

TWP R

8S-21E

Sec 22

24

26

26

Clawson well 3 miles East

35

2 Private wells 1 and 2 miles E

35

35

35

Private well 1 mile E

8

9S-21E

1

3

2

3

3 Private wells 1 E 4 mile S

8

8

11

24

35

9

9S-22E

24

25

30

35

2 Pvt. wells 1 mile E

35

35

6

9S 23 E

3

3

20736

7

9

9

10

11

7

9S 22E

15
15

18
18

19

20
20

22

22
22

23

28

30

33
33

15

10S - 22E

3

7S-23E

24
24 B

4/15/55
5/18/55

2

8S-23E

1 A

1 B

1 C

2 4

4
4

5
5

6/14/54
8/30/54
4/12/54
5/5/54

20726

85235	8		
			6/4/54
	10	A	6/21/54
			5/14/54
	10	B	6/2/54
			5/6/54
	12	A	6/7/54
	[redacted]		6/8/54
	12	B	7/3/54
			4/7/54
	12	C	4/24/54
	[redacted]		4/26/54
	12	D	5/13/54
			7/6/54
	14	A	7/23/54
	[redacted]		7/24/54
	14	B	8/9/54
			6/24/54
	15	A	7/22/54
	[redacted]		7/22/54
	15	B	8/9/54
	15		
	17		
	17		
	[redacted]		
	17		
	19		
	[redacted]		
	19		
	21		
	22		
	23		
	[redacted]		
	23		
			1/15/54
	24	A	3/1/54
	[redacted]		12/14/53
	24	B	1/13/54
			8/19/54
	25	A	9/14/54
	26		
	27		
	27		
	27		
	28		
	28		
	[redacted]		
	28		

20736

8S 23E

29

29

31

34

35

35

35

9S 23E

2

3

3

6

6

7S 24E

15

22

22

22

23

26

26

28

28

30 A 9/1/54

30 B 9/23/54
7/26/54
8/26/54

31 A 5/15/54

32

32

33 A 1/4/54
4/5/54

34 A 3/26/54

20736

7S 24E

35

35

8S 24E

1 A	5/27/55 6/16/55
2	
3	
3	
4	
4	
6	
6 B	4/3/54
6	
7	
8	
10	
10	
10	
11	
11	
11	
12 A	? ?
13	
13	
14	
15	
18	
20 A	5/12/11/53
21 B	9/19/53 Com 11/9/53
21	
22 A	9/27/53 11/9/53

20775

8S 24E

23		
26		
27		
	3/6/54	
29 A	4/26/54	
	?	
30 A	June 1955	
30		
	12/15/53	
31 A	1/19/54	
	11/21/54	
31 B	2/9/54	8

7S-25E

27		
29		
30		
31		
32		
33		
	5/19/55	
34 A	6/20/55	7

8S-25E

3		
3		
3		
3		
3		
3		
5		
5		
5		
6		
6		
6		
11		
12		
12		
12		

8 S 25E

13

14

15

15

17

19

19

19 C — 8/23/54

19 D — 9/24/54

21

23

25

24

13

AFFIDAVIT of PUBLICATION

State of Idaho, } SS.
County of Jerome }

W. F. MacKnight being first duly sworn, deposes and says that he is the printer (publisher) of the Jerome North Side News, a newspaper published every week in Jerome, County of Jerome, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for Three consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 23rd day of Sept., 1948, and the date of the last publication was on the 7th day of October, 1948.

W. F. MacKnight

Subscribed and sworn to before me this 20th day of October, 1948.

(SEAL) Clark Stiess
NOTARY PUBLIC

JEROME NORTH SIDE NEWS

COST OF PUBLICATION

20736

Number of Lines in Notice 67
Number of Insertions 3

67	Lines at 10c	6.70
134	Lines at 5c	6.70
	TOTAL COST	13.40

(COST COMPUTED AT RATE OF 10c PER LINE FOR FIRST INSERTION, 5c PER LINE FOR ALL SUCCESSIVE INSERTIONS)

COPY OF NOTICE
(Paste Here)

Notice of Appl to
TITLE OF NOTICE

App. Public Waters of State
PLAINTIFF ATTORNEY

DEFENDANT
State Reclamation

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

NOTICE OF APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO, IN ACCORDANCE WITH THE PROVISIONS OF SECTION 41-203, IDAHO CODE ANNOTATED.

NOTICE IS HEREBY GIVEN That the United States of America, through the Regional Director, Region 1, U. S. Bureau of Reclamation, of Boise, Idaho, on the 9th day of September, 1948, made application for permit to appropriate One Thousand Three Hundred Thirty-three and Twenty-eight Hundreths (1333.28) cubic feet per second of underground water from 306 wells for irrigation and domestic purposes.

That the points of diversion of said waters, or the location of the wells, are at various points in the following townships, to-wit:

Twp. 9 South, Range 20 East, B. M.; Twps. 8 and 9 South, Range 21 East, B. M.; Twps.; 8 and 9 South, Range 22 East, B.M.; Twps. 8 and 9 South, Range 23 East, B. M.; Twps. 7, and 8 South, Range 24 East, B. M.; Twp. 8 South, Range 25 East, B. M.

That the lands to be irrigated consist of 66,664.3 acres situated in the same townships and ranges as listed above.

That any protests against the approval of this application must be filed in the Department of Reclamation, at Boise, Idaho, within forty (40) days from the date of this notice, and such protest shall state the name and address of the protestant, and shall clearly set forth his objections to the approval of said application.

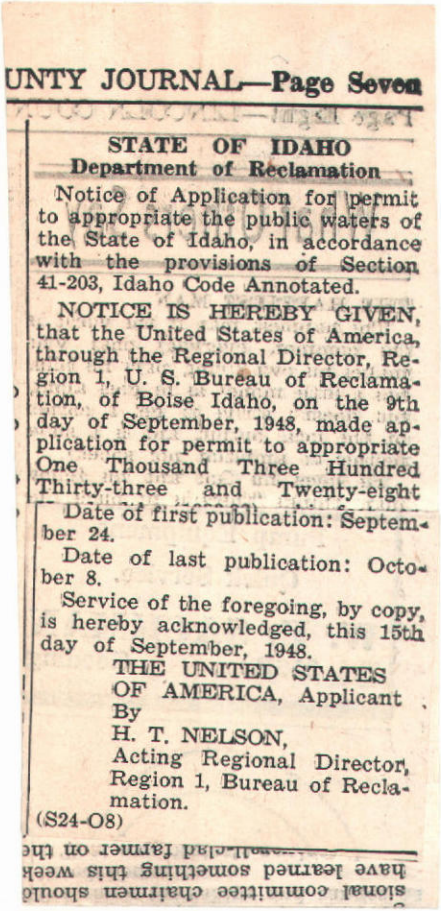
Dated this 11th day of September, 1948.

MARK R. KULP,
State Reclamation Engineer.

Date of first publication: 9-23-48.
Date of last publication 10-17-48.
Last date for protest: Oct. 21, 1948.

SERVICE OF THE FOREGOING, by copy, is hereby acknowledged, this 15th day of September, 1948.

THE UNITED STATES OF AMERICA, Applicant.
By: H. T. NELSON,
Acting Regional Director, Region 1, Bureau of Reclamation.



UNTY JOURNAL—Page Seven

STATE OF IDAHO
Department of Reclamation

Notice of Application for permit to appropriate the public waters of the State of Idaho, in accordance with the provisions of Section 41-203, Idaho Code Annotated.

NOTICE IS HEREBY GIVEN, that the United States of America, through the Regional Director, Region 1, U. S. Bureau of Reclamation, of Boise Idaho, on the 9th day of September, 1948, made application for permit to appropriate One Thousand Three Hundred Thirty-three and Twenty-eight

Date of first publication: September 24.

Date of last publication: October 8.

Service of the foregoing, by copy, is hereby acknowledged, this 15th day of September, 1948.

THE UNITED STATES OF AMERICA, Applicant
By
H. T. NELSON,
Acting Regional Director, Region 1, Bureau of Reclamation.

(S24-O8)

sional committee chairmen should have learned something this week

...all-clad farmer on the

AFFIDAVIT OF PUBLICATION

State of Idaho, County of Lincoln—ss.

Herb. H. Love, being first duly sworn, says that he is the publisher and printer of the Lincoln County Journal, a newspaper published weekly at Shoshone, Idaho, having legal publication rights within the State of Idaho, and that the notice, a true copy of which is hereto attached, was published in said newspaper for 3 consecutive weekly issues, beginning with the issue of Sept. 24, 1948, and ending with the issue of Oct. 8, 1948.

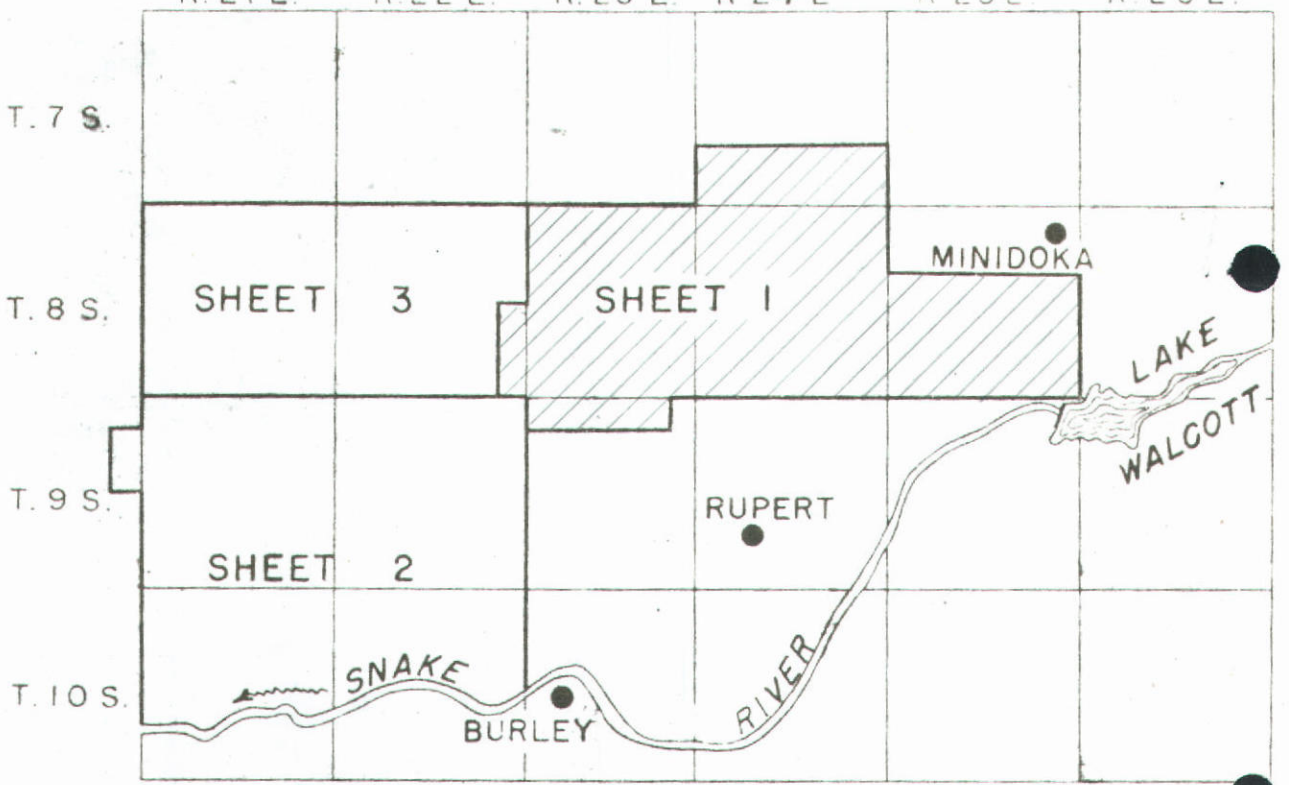
Herb H. Love

Subscribed and sworn to before me this

day of Oct. 27, 1948

Ruth Grove

Notary Public, Shoshone, Idaho.

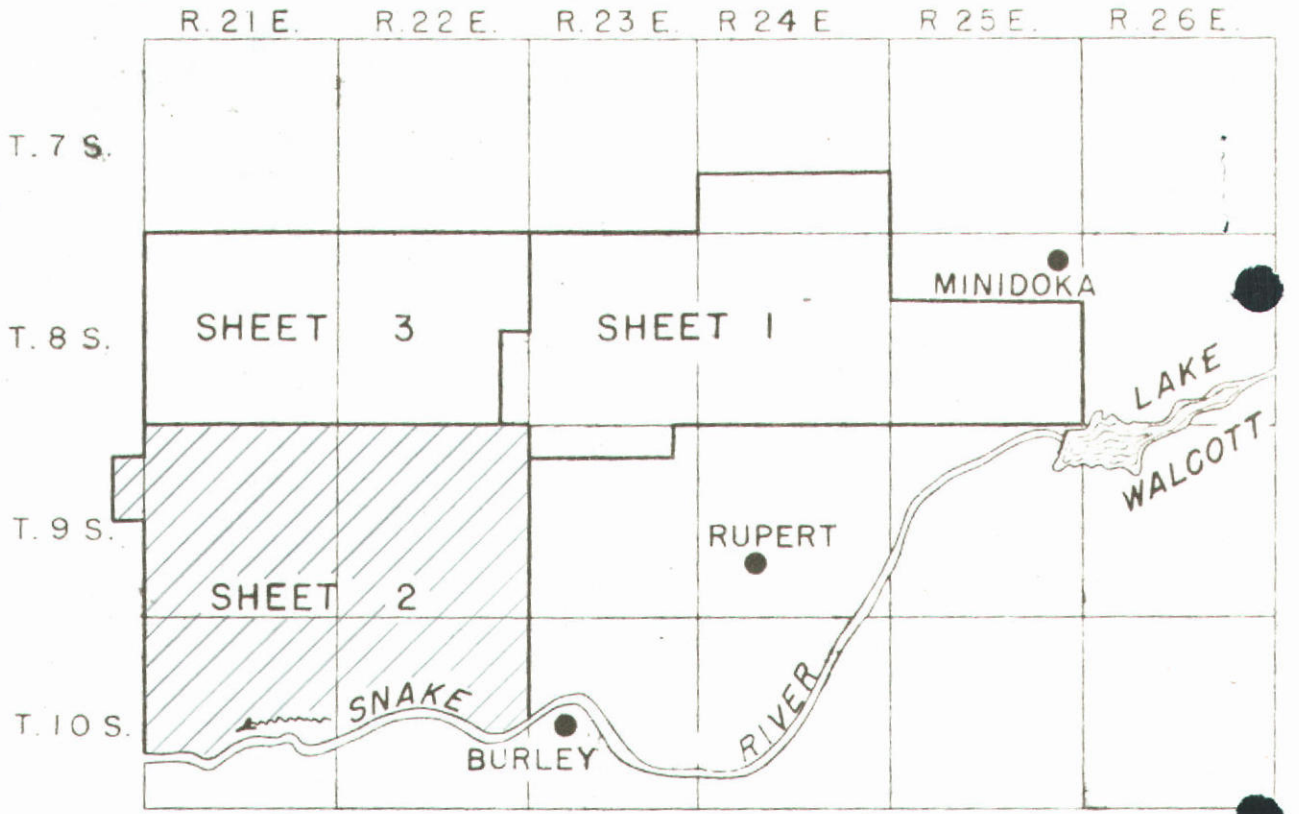


INDEX MAP

20736

6 0 6 12

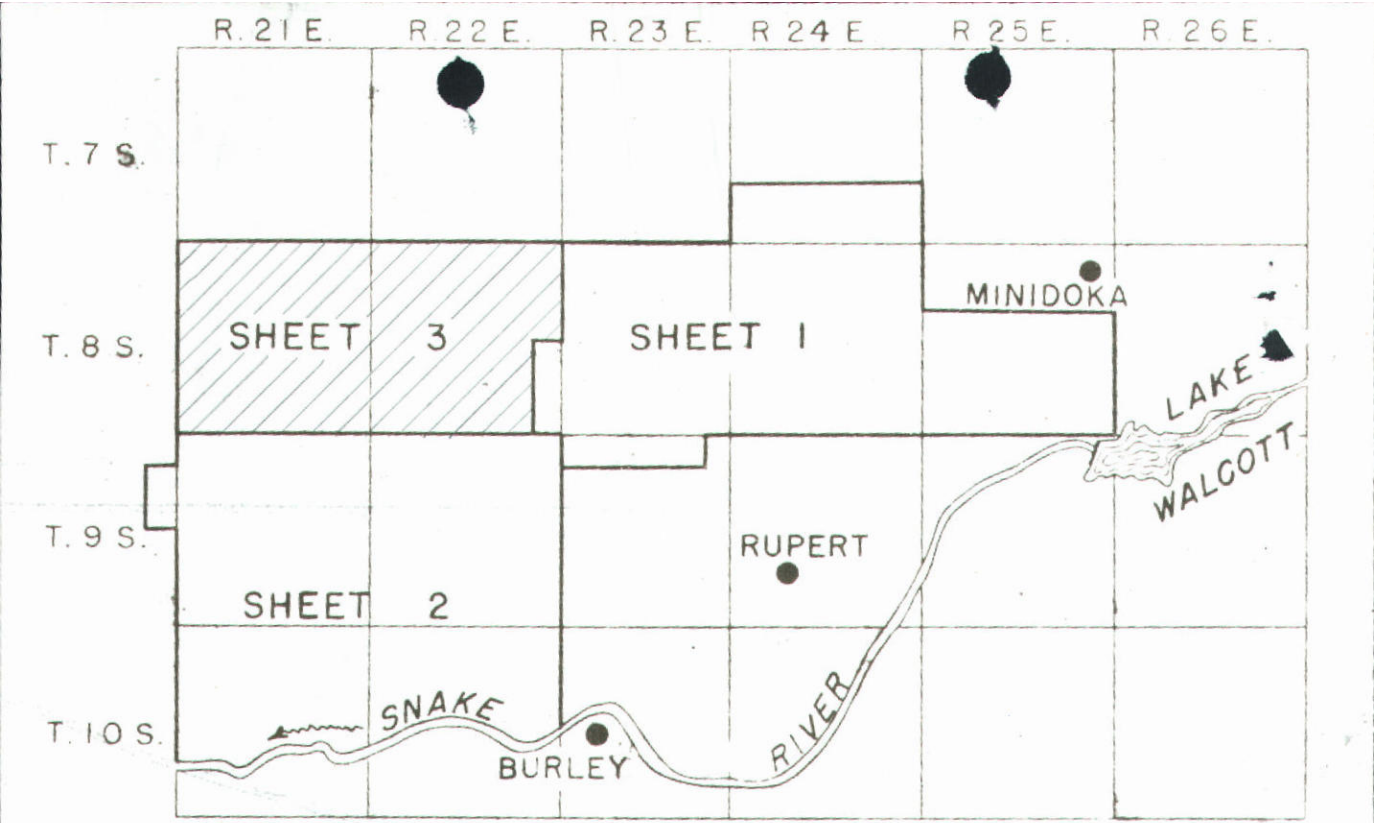
SCALE IN MILES



INDEX MAP

6 0 6 12

SCALE IN MILES



INDEX MAP

20736

6 0 6 12

SCALE IN MILES

20236

INDEX MAP

MONTANA

WYOMING

IDAHO

NEVADA

UTAH

CUSTER

LEMHI

BUTTE

CLARK

FREMONT

JEFFERSON

MADISON

TETON

YELLOWSTONE NATIONAL PARK

CLARK

CAMAS

BLAINE

LINCOLN

GOODING

JEROME

MINIDOKA

POWER

BINGHAM

BANNOCK

CARIBOU

ONEIDA

FRANKLIN

BEAR LAKE

GRAND TETON NATIONAL PARK

ABSAROKA RANGE

GROS VENTRE RANGE

SALMON RIVER MTS.

LEMHI RANGE

LOST RIVER MTS.

SAWTOOTH MTS.

SOLDIER MTS.

SMOKY MTS.

PIONEER MTS.

CRATERS OF THE MOON NATIONAL MONUMENT

FORT HALL INDIAN RESERVATION

Salmon River

Pahsimeroi River

Lemhi River

Medicine Lodge Cr.

Beaver Creek

Birch Creek

Big Lost River

Little Lost River

Lost River

Mackay Res.

Camas Creek

Henrys Fork

Island Park Reservoir

Island Park Dam

Henrys Lake

Warm River

Grassy Lake Dam and Reservoir

Cross Cut Canal

Falls River

Teton River

Jackson Lake Reservoir

Jackson Lake Dam

Buffalo Fork

Snake River

Gros Ventre River

Yellowstone Lake

Shoshone Lake

Lewis Lake

Heart Lake

North Fork

Yellowstone River

Jefferson Reservoir

Middle Fork

Big Wood River

Anderson Ranch Dam and Reservoir

South Fork

Camas Creek

Magic Reservoir

Little Wood River

Wood River

Silver Creek

Water Pumping Canal

Minidoka Power Plant

Lake Walcott Res.

Minidoka Dam

First Lift Pumping Plant

Second Lift Pumping Plant

Third Lift Pumping Plant

Wilson Lake

Main Canal

Milner-Gooding Canal

Twin Falls Canal

Salmon Falls Creek

Bruneau River

West Fork

Cedar Cr. Reservoir

Salmon Creek Reservoir

Goose Creek Reservoir

Goose Creek

Raft River

American Falls Reservoir

American Falls Dam

Aberdeen-Springfield Canal

Portneuf River

Portneuf Res.

Blackfoot River Reservoir

Blackfoot River

Marsh Creek

Little Malad

Malad

Rock Creek

Bannock Creek

Alexander Res.

Oneida Res.

Bear River

Grays Lake

Palisades Dam Site

Palisades Reservoir Site

Snake River Canyon

Wyoming Range

Hoback

Hoback River

Alpine

Greys River

Fremont Lake

Bear Lake

Teton Range

Continental Divide

Big Wood Canal

Burley Irrigation District Canal

Milner Dam

Milner Pool

Milner Low Lift Canal

Milner High Lift Canal

Twin Falls

Hansen

Buhl

Filer

Kimberly

Hagerman

Wendell

Jerome

Gooding

Shoshone

Bliss

Hailey

Ketchum

Sun Valley

Bellevue

Carey

Picabo

Richfield

Dietrich

Dickey

Darlington

Mackay

Arco

Moore

Howe

Atomic City

Idaho Falls

Blackfoot

Shelley

Ucon

Menan

Rigby

Rexburg

Teton

Driggs

Victor

Jackson

Wilson

Moran

Dubois

Spencer

Island Park

Ashton

Squirrel

Drummond

Lamont

Warm River

St. Anthony

Newdale

Hamer

Lamas

Driggs

Tetonia

Felt

Menan

Archer

Rigby

Ririe

Idaho Falls

Swan Valley

Irwin

Alpine

Etna

Freedom

Thayne

Merna

Kendall

Bondurant

Hoback

Pinedale

Big Piney

Marbleton

Cora

Boulder

Daniel

Jackson

Wilson

Moran

Yellowstone Lake

Lake

West Yellowstone

Madison Jct.

Norris

Gardiner

Cooke City

Silver Gate

Red Lodge

Billings

Livingston

Bozeman

Butte

Dillon

Salt Lake City

Ogden

Provo

Logan

Pocatello

Blackfoot

Idaho Falls

Rexburg

Preston

Franklin

Soda Springs

Montpelier

Bloomington

Georgetown

Wardboro

Paris

Bennington

Geneva

Woodruff

Randolph

Evanston

Rock Springs

Green River

Kemmerer

Afton

Jackson

Wilson

Moran

Dubois

Lander

Riverton

Casper

Cheyenne

Denver

Grand Junction

Price

Vernal

Roosevelt

Duchesne

Heber

Provo

Nephi

Fillmore

Delta

Richfield

Salina

Manti

Ephraim

Gunnison

Montrose

Durango

Cortez

Farmington

Gallup

Albuquerque

Santa Fe

Las Vegas

Raton

Trinidad

Pueblo

Colorado Springs

Fort Collins

Greeley

Boulder

Golden

Denver

Aurora

Limon

Hugo

Burlington

Sterling

Fort Morgan

Brush

Wray

Yuma

Holyoke

Julesburg

Sidney

Scottsbluff

Alliance

Chadron

Crawford

Harrison

Hemingford

Gering

Bridgeport

Kimball

Pine Bluffs

Cheyenne

Laramie

Rawlins

Saratoga

Encampment

Walcott

Medicine Bow

Hanna

Baggs

Rock River

Wamsutter

Creston Junction

Green River

Rock Springs

Point of Rocks

Superior

Table Rock

Granger

Lyman

Mountain View

Evanston

Piedmont

Uinta

Coalville

Wanship

Park City

Heber

Provo

Orem

American Fork

Lehi

Salt Lake City

Bountiful

Ogden

Brigham City

Tremonton

Garland

Corinne

Honeyville

Plymouth

Snowville

Oakley

Burley

Rupert

Heyburn

Malta

Albion

Declo

Raft River

Elba

Almo

Oakley

Yale

Kanosh

Fillmore

Meadow

Scipio

Holden

Leamington

Lynndyl

Delta

Hinckley

Oasis

Sutherland

Abraham

Fayette

Gunnison

Manti

Ephraim

Mayfield

Sterling

Axtell

Salina

Aurora

Redmond

Richfield

Glenwood

Monroe

Joseph

Elsinore

Salina

Sevier

Annabella

Central

Circleville

Panguitch

Hatch

Orderville

Glendale

Mount Carmel

Kanab

Fredonia

Colorado City

Hurricane

La Verkin

Virgin

Rockville

Springdale

Zion National Park

Cedar City

Parowan

Paragonah

Beaver

Minersville

Milford

Frisco

Newcastle

Enterprise

Modena

Shoshone

Pioche

Caliente

Panaca

Eagle Valley

Ely

Lund

Baker

Garrison

Snake Valley

Callao

Wendover

Grantsville

Tooele

Stockton

Vernon

Lake Point

Saratoga Springs

Lehi

Pleasant Grove

Provo

Orem

American Fork

Alpine

Lindon

Midway

Heber

Kamas

Oakley

Coalville

Henefer

Morgan

Mountain Green

Croydon

Peterson

Huntsville

Eden

Ogden

Riverdale

Roy

Clearfield

Layton

Kaysville

Centerville

Farmington

Bountiful

Woods Cross

West Bountiful

North Salt Lake

Salt Lake City

South Salt Lake

Murray

Midvale

Sandy

Draper

Bluffdale

Riverton

Herriman

West Jordan

South Jordan

Taylorsville

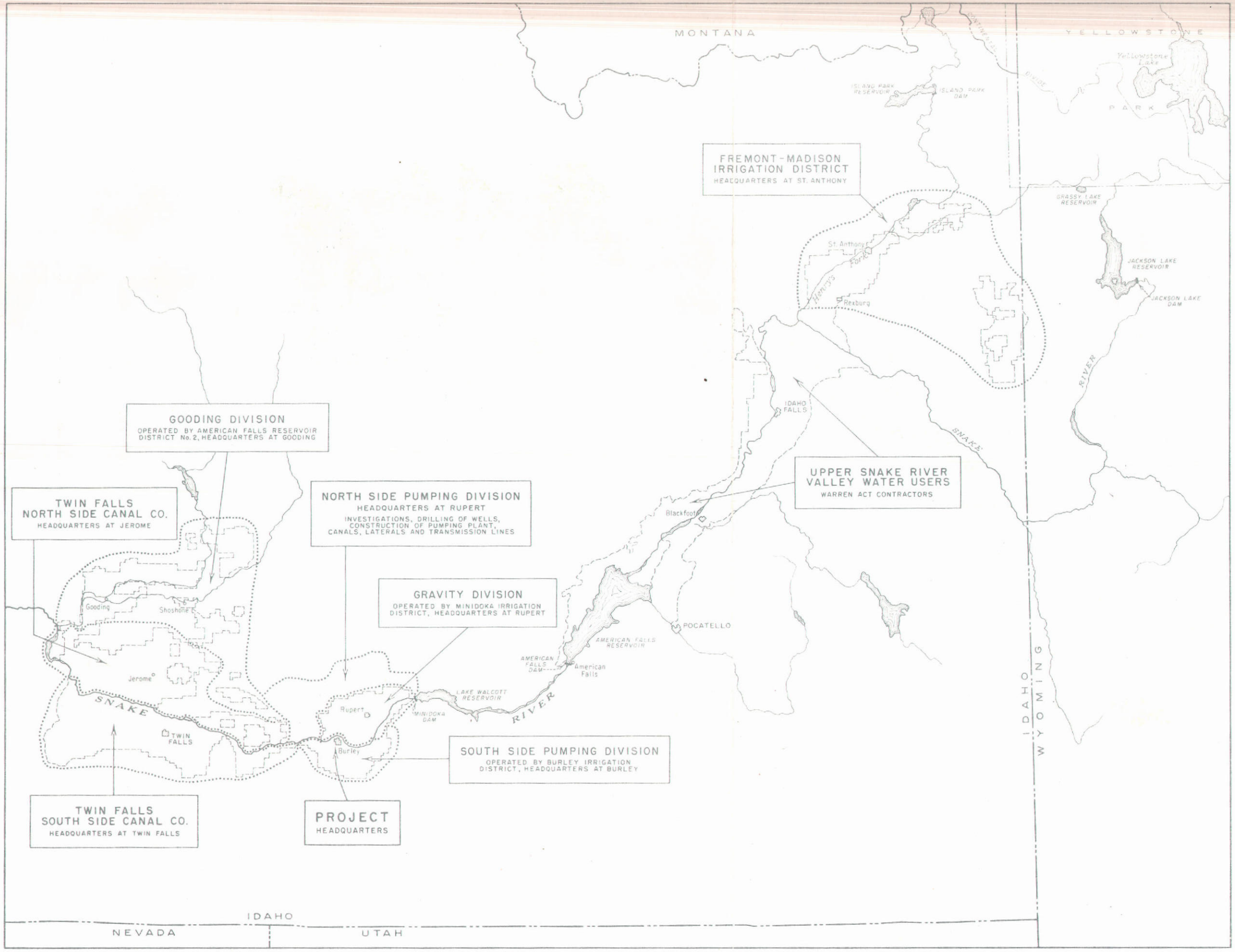
Kearns

West Valley City

Magna

Tooele

Grantsville



FACTUAL DATA - MINIDOKA PROJECT, IDAHO

FEATURES OF THE PROJECT

Five reservoirs have a total constructed capacity of 2,930,850 acre-feet or a total active storage capacity of 2,768,380 acre-feet which, listed by reservoirs, is as follows:

Reservoir	Total Constructed Capacity	Active Storage Capacity	Location
American Falls	1,700,000	1,700,000	On Snake River near American Falls, Idaho.
Jackson Lake	847,000	847,000	On South Fork of Snake River at Moran, Wyoming.
Island Park	127,600	127,200	On North (Henry's) Fork of Snake River, Idaho.
Grassy Lake	15,450	15,180	On Grassy Creek adjacent to south boundary of Yellowstone National Park.
Lake Walcott	210,000	80,000	On Snake River near Rupert, Idaho.

The majority of the canals and laterals which were constructed by the Bureau of Reclamation are now operated and maintained by the Irrigation Districts and include the following:

a. Minidoka North Side Canal, 1,700 c.f.s. capacity extends from Minidoka Dam to the farm area north of the Snake River in Minidoka County and delivers water to the Gravity Division.

b. Minidoka South Side Canal with 1,325 c.f.s.capacity extends from the Minidoka Dam to the first lift pumping plant. This canal serves, the South Side Pumping Division and approximately 5,000 acres of gravity land in Cassia County.

c. Milner-Gooding Canal, 2,700 c.f.s. capacity, runs from Milner Dam to land of the Gooding Division north of the Snake River in Jerome, Lincoln and Gooding Counties.

d. Cross Cut Canal runs from the Cross Cut Diversion Dam on the North Fork of the Snake River near Chester, Idaho, to the Teton River, 580 c.f.s. capacity.

The Bureau of Reclamation operates the Minidoka Power Plant at Minidoka Dam, Idaho, a transmission and substation system consisting of approximately 100 miles of 34,500-volt transmission line, and 28 substations with a combined capacity of 61,500 kv.-a. The power plant has a capacity of 13,400 kilowatts and furnishes power to the pumping plants, farms and communities in Cassia and Minidoka Counties.

WATER SUPPLY

Water for the Minidoka Project comes from the Snake River Watershed which has an area of 22,800 square miles. At Keeles, immediately below the American Falls Reservoir, an average annual runoff of 5,842,000 acre-feet of water has been recorded over the last fifty-two years. (1901-1952 incl.)

IRRIGATION

Natural flow of the Snake River and some of its tributaries and water stored in the reservoirs at Jackson Lake, Grassy Lake, Island Park, American Falls and Lake Walcott, are delivered at numerous diversion points to the Fremont-Madison Irrigation District, the Burley Irrigation District, the Minidoka Irrigation District, the American Falls Reservoir District No. 2 and some 32 Warren Act Contractors. The water requirement at the farm varies widely, depending upon the location and type of soil, but for most of the project lands is about 4 acre-feet of water per year.

AGRICULTURE

The soil of the irrigable areas of the project is sandy loam, clay loam and volcanic ash. The elevation of the project lands varies from 5,000 feet to a low of approximately 3,800 feet.

Approximately 1,075,905 acres of irrigable lands (1952 Crop Census) receive a full or a supplemental water supply from project facilities. With the completion of the North Side Pumping Division, this total will be raised to 1,188,805, divided as follows:

Gravity Division (Minidoka Irrigation Dist.)	71,204
South Side Pumping Division (Burley Irr. Dist.)	47,897
Gooding Division (American Falls Res. Dist. No. 2)	98,424
Fremont-Madison Irrigation Dist.	112,000
Warren Act Contractors	746,280
North Side Pumping Division (future)	37,400
	1,188,805

The principal products of the project are potatoes, beans, sugar beets, clover seed, alfalfa, seed beans, small grains, dairy products, sheep and cattle.

CLIMATE

The project has cold winters and hot dry summers, the temperatures ranging from a low of 38 degrees below zero to a high of 108 degrees with an average of 40 degrees. The average irrigation season is about 200 days. The total growing season varies from 5-1/2 to 6 months, depending upon the location within the project. The average annual rainfall ranges from 10.48 inches at Burley to 46.43 inches at Island Park.

MARKETS

The principal markets for products raised or produced on the project are Chicago, Los Angeles and San Francisco for potatoes; Boston for wool; and San Francisco, Ogden, Denver, and Omaha for livestock. Most of the forage, dairy and poultry products, as well as sugar beets, are disposed of locally.

GPO 985211

GRAND TOTAL 2,085

TWP. 7S - RGE. 23E.

SEC.	
34	2

7S - RGE 24E.

SEC.	
15	4
22	12
23	16
26	15
27	16
28	12
29	10
30	4
31	8
32	16
~~33~~	16
34	16
35	16

TOTAL 161 - 40's

7S - 25E.

SEC.	
27	4
29	4
30	4
31	16
32	16
33	16
34	8

68 - 40's

8S - 21E

SEC.	
22	8
23	7
24	3
25	16
26	16
27	10
33	5

8S - 21E "CONT"

SEC.	
34	10
35	ALL

91 - 40's

8S - 22E

SEC.	
24	1
25	5
35	8

17 - 40's

8S - 23E

SEC.	
1	16
2	16
3	16
4	16
5	13
8	11
9	16
10	16
11	16
12	16
13	16
14	16
15	16
17	12
19	4
20	15
21	16
22	16
23	16
24	16
25	16
26	16

207[illegible]

20736

9S-22E "CONT."

SEC.	20-22	16 EA
	23	13
	28-29	16 EA.
	30	13
	31	2
	32	4
	33	16
337-40's	34	3

10S-22E

12-40's	SEC. 3	12

20736

THIS

RIGHT HAS BEEN

DECREED IN THE

SRBA

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
36-2080	**36-2080**	1100.0 cfs	250416 af		62,604	N/A	N/A	N/A	N/A	N/A
36-15192	**36-15192**	0.60 cfs	145.2 af		36.3	N/A	N/A	N/A	N/A	N/A
36-15127A	**36-15127A**	20.00 cfs	4823.2 af		1,205.8	N/A	N/A	N/A	N/A	N/A
36-15127B	**36-15127B**	34.03 cfs	8206.0 af		2,051.5	N/A	N/A	N/A	N/A	N/A
36-15193B	**36-15193B**	0.31 cfs	75.6 af		18.9	N/A	N/A	N/A	N/A	N/A
36-15195B	**36-15195B**	2.25 cfs	542.4 af		135.6	N/A	N/A	N/A	N/A	N/A
36-15196B	**36-15196B**	0.08 cfs	18.8 af		4.7	N/A	N/A	N/A	N/A	N/A
36-15194A	**36-15194A**	0.23 cfs	54.8 af		13.7	N/A	N/A	N/A	N/A	N/A
36-15194B	**36-15194B**	2.53 cfs	609.6 af		152.4	N/A	N/A	N/A	N/A	N/A
36-15193A	**36-15193A**	0.21 cfs	50.0 af		12.5	N/A	N/A	N/A	N/A	N/A
36-15195A	**36-15195A**	0.87 cfs	210.0 af		52.5	N/A	N/A	N/A	N/A	N/A
36-15196A	**36-15196A**	0.29 cfs	69.6 af		17.4	N/A	N/A	N/A	N/A	N/A
TOTALS	**1100.00 cfs**	**265221.2 af**	**66305.3**		**66305.3**		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 11th day of September, 2001

L. Glenn Saxton

Chief, Water Allocation Bureau

MICROFILMED
OCT 0 2 2001

WATER RIGHT NO. 36-2080
As Modified by Transfer No. 68561

In accordance with the approval of Transfer No. 68561, Water Right No. 36-2080 is now described as follows.

Right Holder: UNITED STATES OF AMERICA ACTING THROUGH
REGIONAL DIRECTOR PN REGION CODE PN-3100
BUREAU OF RECLAMATION
1150 N CURTIS RD SUITE 100
BOISE ID 83706-5155

Priority Date: 09/09/1948

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Volume
IRRIGATION	01/01	12/31	1,100.00 CFS	250,416.0 AF
			1,100.00 CFS	250,416.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	Lot 95	SESESW	Sec. 23	Twp 08S	Rge 24E	MINIDOKA County
GROUND WATER	Lot 98	SESWNE	Sec. 26	Twp 08S	Rge 24E	MINIDOKA County
GROUND WATER	Lot 93	SENWSE	Sec. 29	Twp 08S	Rge 24E	MINIDOKA County
GROUND WATER	Lot 92	SWNENW	Sec. 30	Twp 08S	Rge 24E	MINIDOKA County
GROUND WATER	Lot 99	SENWSE	Sec. 30	Twp 08S	Rge 24E	MINIDOKA County
GROUND WATER	Lot 98	SWSESW	Sec. 31	Twp 08S	Rge 24E	MINIDOKA County
GROUND WATER	Lot 99	SENENW	Sec. 3	Twp 08S	Rge 25E	MINIDOKA County
GROUND WATER	Lot 96	NWNWNW	Sec. 3	Twp 08S	Rge 25E	MINIDOKA County
GROUND WATER	Lot 96	NENESE	Sec. 3	Twp 08S	Rge 25E	MINIDOKA County
GROUND WATER	Lot 95	NWNENE	Sec. 5	Twp 08S	Rge 25E	MINIDOKA County
GROUND WATER	Lot 98	NENESE	Sec. 6	Twp 08S	Rge 25E	MINIDOKA County
GROUND WATER	Lot 93	NWSWSE	Sec. 11	Twp 08S	Rge 25E	MINIDOKA County
GROUND WATER	Lot 99	NWNWNW	Sec. 12	Twp 08S	Rge 25E	MINIDOKA County
GROUND WATER	Lot 99	NWSWSW	Sec. 13	Twp 08S	Rge 25E	MINIDOKA County
GROUND WATER	Lot 97	SWNESW	Sec. 14	Twp 08S	Rge 25E	MINIDOKA County

MICROFILMED
OCT 0 2 2001

WATER RIGHT NO. 36-2080
As Modified by Transfer No. 68561

GROUND WATER	Lot 94	NWSWSW	Sec. 15	Twp 08S	Rge 25E	MINIDOKA County
GROUND WATER	Lot 95	NWNENE	Sec. 17	Twp 08S	Rge 25E	MINIDOKA County
GROUND WATER	Lot 90	NENWNE	Sec. 19	Twp 08S	Rge 25E	MINIDOKA County
GROUND WATER	Lot 94	SESWNW	Sec. 19	Twp 08S	Rge 25E	MINIDOKA County
GROUND WATER	Lot 96	NESESW	Sec. 21	Twp 08S	Rge 25E	MINIDOKA County
GROUND WATER	Lot 91	NWNWNW	Sec. 23	Twp 08S	Rge 25E	MINIDOKA County
GROUND WATER	Lot 99	NWNESW	Sec. 1	Twp 09S	Rge 21E	JEROME County
GROUND WATER	Lot 98	NENWSW	Sec. 3	Twp 09S	Rge 21E	JEROME County
GROUND WATER	Lot 91	SESESW	Sec. 3	Twp 09S	Rge 21E	JEROME County
GROUND WATER	Lot 95	NWNESE	Sec. 3	Twp 09S	Rge 21E	JEROME County
GROUND WATER	Lot 99	NWSESE	Sec. 3	Twp 09S	Rge 22E	MINIDOKA County
GROUND WATER	Lot 97	SENENE	Sec. 7	Twp 09S	Rge 22E	MINIDOKA County
GROUND WATER	Lot 97	NESENE	Sec. 7	Twp 09S	Rge 22E	MINIDOKA County
GROUND WATER	Lot 98	SESWNW	Sec. 9	Twp 09S	Rge 22E	MINIDOKA County
GROUND WATER	Lot 96	NENESW	Sec. 9	Twp 09S	Rge 22E	MINIDOKA County
GROUND WATER	Lot 99	NESWNE	Sec. 10	Twp 09S	Rge 22E	MINIDOKA County
GROUND WATER	Lot 94	NWNWNE	Sec. 11	Twp 09S	Rge 22E	MINIDOKA County
GROUND WATER	Lot 94	SENENW	Sec. 11	Twp 09S	Rge 22E	MINIDOKA County
GROUND WATER	Lot 97	NESWNE	Sec. 15	Twp 09S	Rge 22E	MINIDOKA County
GROUND WATER	Lot 99	SWSWNE	Sec. 15	Twp 09S	Rge 22E	MINIDOKA County
GROUND WATER	Lot 97	NESWSE	Sec. 18	Twp 09S	Rge 22E	MINIDOKA County
GROUND WATER	Lot 99	NWSWNW	Sec. 19	Twp 09S	Rge 22E	MINIDOKA County
GROUND WATER	Lot 99	SESWNE	Sec. 22	Twp 09S	Rge 22E	MINIDOKA County
GROUND WATER	Lot 98	NESESE	Sec. 28	Twp 09S	Rge 22E	MINIDOKA County
GROUND WATER	Lot 91	NWNENE	Sec. 30	Twp 09S	Rge 22E	MINIDOKA County

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OCT 0 2 2001

WATER RIGHT NO. 36-2080
As Modified by Transfer No. 68561

GROUND WATER	Lot 96	NESENE	Sec. 2	Twp 09S	Rge 23E	MINIDOKA County
GROUND WATER	Lot 95	NESENE	Sec. 3	Twp 09S	Rge 23E	MINIDOKA County
GROUND WATER	Lot 99	NENWSW	Sec. 3	Twp 09S	Rge 23E	MINIDOKA County
GROUND WATER	Lot 99	SESENE	Sec. 6	Twp 09S	Rge 23E	MINIDOKA County
GROUND WATER	Lot 92	NWSWSE	Sec. 6	Twp 09S	Rge 23E	MINIDOKA County
GROUND WATER	Lot 95	SWNWSW	Sec. 2	Twp 10S	Rge 21E	JEROME County
GROUND WATER	Lot 91	SENWSW	Sec. 3	Twp 10S	Rge 22E	MINIDOKA County
GROUND WATER	Lot 99	NWSESW	Sec. 34	Twp 07S	Rge 23E	MINIDOKA County
GROUND WATER	Lot 96	NWSWSW	Sec. 22	Twp 07S	Rge 24E	MINIDOKA County
GROUND WATER	Lot 98	NWNWSE	Sec. 22	Twp 07S	Rge 24E	MINIDOKA County
GROUND WATER	Lot 97	NESESE	Sec. 22	Twp 07S	Rge 24E	MINIDOKA County
GROUND WATER	Lot 99	NWSWNE	Sec. 23	Twp 07S	Rge 24E	MINIDOKA County
GROUND WATER	Lot 99	NWSENE	Sec. 26	Twp 07S	Rge 24E	MINIDOKA County
GROUND WATER	Lot 94	NENWSW	Sec. 26	Twp 07S	Rge 24E	MINIDOKA County
GROUND WATER	Lot 98	NWSWNE	Sec. 28	Twp 07S	Rge 24E	MINIDOKA County
GROUND WATER	Lot 99	SWNWSE	Sec. 30	Twp 07S	Rge 24E	MINIDOKA County
GROUND WATER	Lot 99	NWSWNE	Sec. 31	Twp 07S	Rge 24E	MINIDOKA County
GROUND WATER	Lot 97	SWSENE	Sec. 32	Twp 07S	Rge 24E	MINIDOKA County
GROUND WATER	Lot 98	SENWSE	Sec. 33	Twp 07S	Rge 24E	MINIDOKA County
GROUND WATER	Lot 98	SWSENW	Sec. 34	Twp 07S	Rge 24E	MINIDOKA County
GROUND WATER	Lot 98	SWSWSE	Sec. 35	Twp 07S	Rge 24E	MINIDOKA County
GROUND WATER	Lot 99	NESESW	Sec. 27	Twp 07S	Rge 25E	MINIDOKA County
GROUND WATER	Lot 99	NENESW	Sec. 29	Twp 07S	Rge 25E	MINIDOKA County
GROUND WATER	Lot 98	NWNESE	Sec. 30	Twp 07S	Rge 25E	MINIDOKA County
GROUND WATER	Lot 96	NENESW	Sec. 31	Twp 07S	Rge 25E	MINIDOKA County

MICROFILMED
OCT 0 2 2001

WATER RIGHT NO. 36-2080
As Modified by Transfer No. 68561

GROUND WATER	Lot 96	NWNESW	Sec. 32	Twp 07S	Rge 25E	MINIDOKA County
GROUND WATER	Lot 99	NESWNW	Sec. 33	Twp 07S	Rge 25E	MINIDOKA County
GROUND WATER	Lot 97	SENESW	Sec. 34	Twp 07S	Rge 25E	MINIDOKA County
GROUND WATER	Lot 98	NWNESE	Sec. 22	Twp 08S	Rge 21E	JEROME County
GROUND WATER	Lot 97	NWSENW	Sec. 24	Twp 08S	Rge 21E	JEROME County
GROUND WATER	Lot 96	NWSENE	Sec. 26	Twp 08S	Rge 21E	JEROME County
GROUND WATER	Lot 93	SENENE	Sec. 35	Twp 08S	Rge 21E	JEROME County
GROUND WATER	Lot 99	SWSWSW	Sec. 35	Twp 08S	Rge 21E	JEROME County
GROUND WATER	Lot 97	SESESE	Sec. 35	Twp 08S	Rge 21E	JEROME County
GROUND WATER	Lot 96	SWNWSW	Sec. 30	Twp 08S	Rge 22E	MINIDOKA County
GROUND WATER	Lot 99	SWNWNE	Sec. 35	Twp 08S	Rge 22E	MINIDOKA County
GROUND WATER	Lot 98	SWSWSE	Sec. 35	Twp 08S	Rge 22E	MINIDOKA County
GROUND WATER	Lot 99	NENWNE	Sec. 1	Twp 08S	Rge 23E	MINIDOKA County
GROUND WATER	Lot 94	SWSWSW	Sec. 1	Twp 08S	Rge 23E	MINIDOKA County
GROUND WATER	Lot 96	SENESW	Sec. 2	Twp 08S	Rge 23E	MINIDOKA County
GROUND WATER	Lot 95	SWSWSW	Sec. 4	Twp 08S	Rge 23E	MINIDOKA County
GROUND WATER	Lot 93	NESENE	Sec. 5	Twp 08S	Rge 23E	MINIDOKA County
GROUND WATER	Lot 97	NENESE	Sec. 8	Twp 08S	Rge 23E	MINIDOKA County
GROUND WATER	Lot 92	SWSENE	Sec. 10	Twp 08S	Rge 23E	MINIDOKA County
GROUND WATER	Lot 96	NESWSW	Sec. 10	Twp 08S	Rge 23E	MINIDOKA County
GROUND WATER	Lot 96	SWSWNE	Sec. 12	Twp 08S	Rge 23E	MINIDOKA County
GROUND WATER	Lot 94	SESESW	Sec. 12	Twp 08S	Rge 23E	MINIDOKA County
GROUND WATER	Lot 87	NWNWNW	Sec. 14	Twp 08S	Rge 23E	MINIDOKA County
GROUND WATER	Lot 99	SENENW	Sec. 15	Twp 08S	Rge 23E	MINIDOKA County
GROUND WATER	Lot 94	SESESE	Sec. 15	Twp 08S	Rge 23E	MINIDOKA County

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OCT 0 2 2001

WATER RIGHT NO. 36-2080
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GROUND WATER	Lot 96	NWNENW	Sec. 17	Twp 08S	Rge 23E	MINIDOKA County
GROUND WATER	Lot 97	NESESE	Sec. 17	Twp 08S	Rge 23E	MINIDOKA County
GROUND WATER	Lot 99	NWSWSE	Sec. 19	Twp 08S	Rge 23E	MINIDOKA County
GROUND WATER	Lot 99	SWSENE	Sec. 21	Twp 08S	Rge 23E	MINIDOKA County
GROUND WATER	Lot 97	SWSESW	Sec. 22	Twp 08S	Rge 23E	MINIDOKA County
GROUND WATER	Lot 95	SWNWSW	Sec. 23	Twp 08S	Rge 23E	MINIDOKA County
GROUND WATER	Lot 98	NENWNW	Sec. 24	Twp 08S	Rge 23E	MINIDOKA County
GROUND WATER	Lot 95	NESESW	Sec. 24	Twp 08S	Rge 23E	MINIDOKA County
GROUND WATER	Lot 97	NWSENW	Sec. 25	Twp 08S	Rge 23E	MINIDOKA County
GROUND WATER	Lot 94	NWNWSE	Sec. 26	Twp 08S	Rge 23E	MINIDOKA County
GROUND WATER	Lot 99	NENENE	Sec. 27	Twp 08S	Rge 23E	MINIDOKA County
GROUND WATER	Lot 98	SWSENW	Sec. 27	Twp 08S	Rge 23E	MINIDOKA County
GROUND WATER	Lot 93	SWSESW	Sec. 27	Twp 08S	Rge 23E	MINIDOKA County
GROUND WATER	Lot 95	SWNESW	Sec. 28	Twp 08S	Rge 23E	MINIDOKA County
GROUND WATER	Lot 93	NWSWSW	Sec. 28	Twp 08S	Rge 23E	MINIDOKA County
GROUND WATER	Lot 91	SESENE	Sec. 29	Twp 08S	Rge 23E	MINIDOKA County
GROUND WATER	Lot 95	SENESE	Sec. 31	Twp 08S	Rge 23E	MINIDOKA County
GROUND WATER	Lot 97	NWSESW	Sec. 34	Twp 08S	Rge 23E	MINIDOKA County
GROUND WATER	Lot 90	SENWNW	Sec. 35	Twp 08S	Rge 23E	MINIDOKA County
GROUND WATER	Lot 96	NESWSW	Sec. 35	Twp 08S	Rge 23E	MINIDOKA County
GROUND WATER	Lot 98	SENWSE	Sec. 35	Twp 08S	Rge 23E	MINIDOKA County
GROUND WATER	Lot 95	SESESE	Sec. 35	Twp 08S	Rge 23E	MINIDOKA County
GROUND WATER	Lot 98	SESENE	Sec. 1	Twp 08S	Rge 24E	MINIDOKA County
GROUND WATER	Lot 93	NWNESE	Sec. 2	Twp 08S	Rge 24E	MINIDOKA County
GROUND WATER	Lot 99	SWSENE	Sec. 3	Twp 08S	Rge 24E	MINIDOKA County

MICROFILMED
OCT 0 2 2001

WATER RIGHT NO. 36-2080
As Modified by Transfer No. 68561

GROUND WATER	Lot 97	SWSWNE	Sec. 4	Twp 08S	Rge 24E	MINIDOKA	County
GROUND WATER	Lot 99	NESWSW	Sec. 4	Twp 08S	Rge 24E	MINIDOKA	County
GROUND WATER	Lot 94	SENENW	Sec. 6	Twp 08S	Rge 24E	MINIDOKA	County
GROUND WATER	Lot 98	NWNWSW	Sec. 6	Twp 08S	Rge 24E	MINIDOKA	County
GROUND WATER	Lot 91	SENESE	Sec. 6	Twp 08S	Rge 24E	MINIDOKA	County
GROUND WATER	Lot 97	NESENE	Sec. 8	Twp 08S	Rge 24E	MINIDOKA	County
GROUND WATER	Lot 98	NWSWNE	Sec. 10	Twp 08S	Rge 24E	MINIDOKA	County
GROUND WATER	Lot 92	SWSWNW	Sec. 10	Twp 08S	Rge 24E	MINIDOKA	County
GROUND WATER	Lot 95	SESESW	Sec. 10	Twp 08S	Rge 24E	MINIDOKA	County
GROUND WATER	Lot 98	SWNENW	Sec. 11	Twp 08S	Rge 24E	MINIDOKA	County
GROUND WATER	Lot 95	NWNWSE	Sec. 11	Twp 08S	Rge 24E	MINIDOKA	County
GROUND WATER	Lot 97	NENWNE	Sec. 12	Twp 08S	Rge 24E	MINIDOKA	County
GROUND WATER	Lot 90	NWNWNE	Sec. 13	Twp 08S	Rge 24E	MINIDOKA	County
GROUND WATER	Lot 95	SWSESW	Sec. 14	Twp 08S	Rge 24E	MINIDOKA	County
GROUND WATER	Lot 97	SESWNW	Sec. 15	Twp 08S	Rge 24E	MINIDOKA	County
GROUND WATER	Lot 96	NESWNW	Sec. 18	Twp 08S	Rge 24E	MINIDOKA	County
GROUND WATER	Lot 95	NENWNE	Sec. 21	Twp 08S	Rge 24E	MINIDOKA	County
GROUND WATER	Lot 97	NESWSW	Sec. 21	Twp 08S	Rge 24E	MINIDOKA	County
GROUND WATER	Lot 96	SWNESE	Sec. 22	Twp 08S	Rge 24E	MINIDOKA	County
GROUND WATER	Lot 95	SENWNW	Sec. 24	Twp 08S	Rge 25E	MINIDOKA	County
GROUND WATER	Lot 98	SENESE	Sec. 33	Twp 09S	Rge 22E	MINIDOKA	County
GROUND WATER	Lot 99	SWNWSE	Sec. 30	Twp 07S	Rge 24E	MINIDOKA	County
GROUND WATER	Lot 99	NESENW	Sec. 7	Twp 08S	Rge 24E	MINIDOKA	County
GROUND WATER	Lot 99	NWSESW	Sec. 34	Twp 07S	Rge 23E	MINIDOKA	County
GROUND WATER	Lot 97	SWSENE	Sec. 32	Twp 07S	Rge 24E	MINIDOKA	County

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OCT 0 2 2001

WATER RIGHT NO. 36-2080
As Modified by Transfer No. 68561

GROUND WATER	Lot 98	SENWSE	Sec. 33	Twp 07S	Rge 24E	MINIDOKA County
GROUND WATER	Lot 98	SWSWSE	Sec. 35	Twp 07S	Rge 24E	MINIDOKA County
GROUND WATER	Lot 96	NWSENE	Sec. 26	Twp 08S	Rge 21E	JEROME County
GROUND WATER	Lot 97	SESESE	Sec. 35	Twp 08S	Rge 21E	JEROME County
GROUND WATER	Lot 98	SWSWSE	Sec. 35	Twp 08S	Rge 22E	MINIDOKA County
GROUND WATER	Lot 99	NENWNE	Sec. 1	Twp 08S	Rge 23E	MINIDOKA County
GROUND WATER	Lot 95	SWSWSW	Sec. 4	Twp 08S	Rge 23E	MINIDOKA County
GROUND WATER	Lot 93	NESENE	Sec. 5	Twp 08S	Rge 23E	MINIDOKA County
GROUND WATER	Lot 96	SWSWNE	Sec. 12	Twp 08S	Rge 23E	MINIDOKA County
GROUND WATER	Lot 94	SESESW	Sec. 12	Twp 08S	Rge 23E	MINIDOKA County
GROUND WATER	Lot 87	NWNWNW	Sec. 14	Twp 08S	Rge 23E	MINIDOKA County
GROUND WATER	Lot 99	SENENW	Sec. 15	Twp 08S	Rge 23E	MINIDOKA County
GROUND WATER	Lot 97	NESESE	Sec. 17	Twp 08S	Rge 23E	MINIDOKA County
GROUND WATER	Lot 99	NWSWSE	Sec. 19	Twp 08S	Rge 23E	MINIDOKA County
GROUND WATER	Lot 95	SWNWSW	Sec. 23	Twp 08S	Rge 23E	MINIDOKA County
GROUND WATER	Lot 95	NESESW	Sec. 24	Twp 08S	Rge 23E	MINIDOKA County
GROUND WATER	Lot 93	NWSWSW	Sec. 28	Twp 08S	Rge 23E	MINIDOKA County
GROUND WATER	Lot 91	SESENE	Sec. 29	Twp 08S	Rge 23E	MINIDOKA County
GROUND WATER	Lot 99	SWSENE	Sec. 3	Twp 08S	Rge 24E	MINIDOKA County
GROUND WATER	Lot 99	NESWSW	Sec. 4	Twp 08S	Rge 24E	MINIDOKA County
GROUND WATER	Lot 98	SWNENW	Sec. 11	Twp 08S	Rge 24E	MINIDOKA County
GROUND WATER	Lot 90	NWNWNE	Sec. 13	Twp 08S	Rge 24E	MINIDOKA County
GROUND WATER	Lot 98	SWSESW	Sec. 31	Twp 08S	Rge 24E	MINIDOKA County
GROUND WATER	Lot 99	SENENW	Sec. 3	Twp 08S	Rge 25E	MINIDOKA County
GROUND WATER	Lot 96	NWNWNW	Sec. 3	Twp 08S	Rge 25E	MINIDOKA County

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WATER RIGHT NO. 36-2080
As Modified by Transfer No. 68561

GROUND WATER	Lot 95	NWNENE	Sec. 5	Twp 08S	Rge 25E MINIDOKA County
GROUND WATER	Lot 98	NENESE	Sec. 6	Twp 08S	Rge 25E MINIDOKA County
GROUND WATER	Lot 99	NWNWNW	Sec. 12	Twp 08S	Rge 25E MINIDOKA County
GROUND WATER	Lot 94	NWSWSW	Sec. 15	Twp 08S	Rge 25E MINIDOKA County
GROUND WATER	Lot 90	NENWNE	Sec. 19	Twp 08S	Rge 25E MINIDOKA County
GROUND WATER	Lot 94	SESWNW	Sec. 19	Twp 08S	Rge 25E MINIDOKA County
GROUND WATER	Lot 91	NWNWNW	Sec. 23	Twp 08S	Rge 25E MINIDOKA County
GROUND WATER	Lot 97	NESWSE	Sec. 18	Twp 09S	Rge 22E MINIDOKA County
GROUND WATER	Lot 98	SENESE	Sec. 33	Twp 09S	Rge 22E MINIDOKA County
GROUND WATER	Lot 99	NWSESE	Sec. 3	Twp 09S	Rge 22E MINIDOKA County
GROUND WATER	Lot 99	NWSESE	Sec. 3	Twp 09S	Rge 22E MINIDOKA County
GROUND WATER	Lot 98	NWSWNE	Sec. 28	Twp 07S	Rge 24E MINIDOKA County
GROUND WATER	Lot 99	SWNWSE	Sec. 30	Twp 07S	Rge 24E MINIDOKA County

CONDITIONS OF APPROVAL

1. Place of use is described as the A & B Irrigation District service area located within T8, 9 and 10S, R21 and 22E; T7, 8, and 9S R23E; T7 and 8S, Range 24 and 25E.

2. Right 36-2080 is limited to the irrigation of 62,604.0 acres within the place of use described above in a single irrigation season.

3. The new point of diversion located in the NESENW, S7, T8S, R24E is limited to a maximum diversion rate of 8.00 cfs.

4. Rights 36-2080, 36-15127A, 36-15127B, 36-15192, 36-15193A, 36-15193B, 36-15194A, 36-15194B, 36-15195A, 36-15195B, 36-15196A and 36-15196B when combined shall not exceed a total diversion rate of 1100.00 cfs from all authorized points of diversion.

5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

6. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

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WATER RIGHT NO. 36-2080
As Modified by Transfer No. 68561

CONDITIONS OF APPROVAL

7. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

9. The well previously used under Rights 36-2080, 36-15127A, 36-15127B, 36-15192, 36-15193A, 36-15193B, 36-15194A, 36-15194B, 36-15195A, 36-15195B, 36-15196A and 36-15196B shall be abandoned in a manner which complies with Department well abandonment rules.

10. Approval of Transfer 68561 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

11. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 11th day of September, 2001

Chief, Water Allocation Bureau

MICROFILMED
OCT 0 2 2001

WATER RIGHT NO. 36-15127A
As Modified by Transfer No. 68561

In accordance with the approval of Transfer No. 68561, Water Right No. 36-15127A is now described as follows.

Right Holder: UNITED STATES OF AMERICA ACTING THROUGH
REGIONAL DIRECTOR PN REGION CODE PN-3100
BUREAU OF RECLAMATION
1150 N CURTIS RD SUITE 100
BOISE ID 83706-5155

Priority Date: 04/01/1962

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Volume
IRRIGATION	04/01	to 10/31	20.00 CFS	4,823.2 AF
			20.00 CFS	4,823.2 AF

LOCATION OF POINT(S) OF DIVERSION: Same as described under Right 36-2080 on this approval.

CONDITIONS OF APPROVAL

1. Place of use is described as the A & B Irrigation District service area located within T8, 9 and 10S, R21 and 22E; T7, 8, and 9S R23E; T7 and 8S, Range 24 and 25E.

2. Right 36-15127A is limited to the irrigation of 1,205.8 acres within the place of use described above in a single irrigation season.

3. The new point of diversion located in the NESENW, S7, T8S, R24E is limited to a maximum diversion rate of 8.00 cfs.

4. Rights 36-2080, 36-15127A, 36-15127B, 36-15192, 36-15193A, 36-15193B, 36-15194A, 36-15194B, 36-15195A, 36-15195B, 36-15196A and 36-15196B when combined shall not exceed a total diversion rate of 1100.00 cfs from all authorized points of diversion.

5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

6. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

7. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

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WATER RIGHT NO. 36-15127A
As Modified by Transfer No. 68561

CONDITIONS OF APPROVAL

9. The well previously used under Rights 36-2080, 36-15127A, 36-15127B, 36-15192, 36-15193A, 36-15193B, 36-15194A, 36-15194B, 36-15195A, 36-15195B, 36-15196A and 36-15196B shall be abandoned in a manner which complies with Department well abandonment rules.

10. Approval of Transfer 68561 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

11. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 11th day of September, 2001

Chief, Water Allocation Bureau

MICROFILMED
OCT 0 2 2001

WATER RIGHT NO. 36-15127B
As Modified by Transfer No. 68561

In accordance with the approval of Transfer No. 68561, Water Right No. 36-15127B is now described as follows.

Right Holder: UNITED STATES OF AMERICA ACTING THROUGH
REGIONAL DIRECTOR PN REGION CODE PN-3100
BUREAU OF RECLAMATION
1150 N CURTIS RD SUITE 100
BOISE ID 83706-5155

Priority Date: 04/01/1984

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Volume
IRRIGATION	04/01	to 10/31	34.03 CFS	8,206.0 AF
			34.03 CFS	8,206.0 AF

LOCATION OF POINT(S) OF DIVERSION: Same as described under Right 36-2080 on this approval.

CONDITIONS OF APPROVAL

1. Right 36-15127B is based upon an enlargement of Right 36-2080 pursuant to Section 42-1426, Idaho Code.
2. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
3. Place of use is described as the A & B Irrigation District service area located within T8, 9 and 10S, R21 and 22E; T7, 8, and 9S R23E; T7 and 8S, Range 24 and 25E.
4. Right 36-15127B is limited to the irrigation of 2,051.5 acres within the place of use described above in a single irrigation season.
5. The new point of diversion located in the NESENW, S7, T8S, R24E is limited to a maximum diversion rate of 8.00 cfs.
6. Rights 36-2080, 36-15127A, 36-15127B, 36-15192, 36-15193A, 36-15193B, 36-15194A, 36-15194B, 36-15195A, 36-15195B, 36-15196A and 36-15196B when combined shall not exceed a total diversion rate of 1100.00 cfs from all authorized points of diversion.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
8. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

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WATER RIGHT NO. 36-15127B
As Modified by Transfer No. 68561

9. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

10. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

11. The well previously used under Rights 36-2080, 36-15127A, 36-15127B, 36-15192, 36-15193A, 36-15193B, 36-15194A, 36-15194B, 36-15195A, 36-15195B, 36-15196A and 36-15196B shall be abandoned in a manner which complies with Department well abandonment rules.

12. Approval of Transfer 68561 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

13. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

14. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 11th day of September, 2001

Chief, Water Allocation Bureau

MICROFILMED
OCT 0 2 2001

WATER RIGHT NO. 36-15192
As Modified by Transfer No. 68561

In accordance with the approval of Transfer No. 68561, Water Right No. 36-15192 is now described as follows.

Right Holder: UNITED STATES OF AMERICA ACTING THROUGH
REGIONAL DIRECTOR PN REGION CODE PN-3100
BUREAU OF RECLAMATION
1150 N CURTIS RD SUITE 100
BOISE ID 83706-5155

Priority Date: 04/01/1962

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	0.60 CFS	145.2 AF
			0.60 CFS	145.2 AF

LOCATION OF POINT(S) OF DIVERSION: Same as described under Right 36-2080 on this approval.

CONDITIONS OF APPROVAL

1. Place of use is described as the A & B Irrigation District service area located within T8, 9 and 10S, R21 and 22E; T7, 8, and 9S R23E; T7 and 8S, Range 24 and 25E.

2. Right 36-15192 is limited to the irrigation of 36.3 acres within the place of use described above in a single irrigation season.

3. The new point of diversion located in the NESENW, S7, T8S, R24E is limited to a maximum diversion rate of 8.00 cfs.

4. Rights 36-2080, 36-15127A, 36-15127B, 36-15192, 36-15193A, 36-15193B, 36-15194A, 36-15194B, 36-15195A, 36-15195B, 36-15196A and 36-15196B when combined shall not exceed a total diversion rate of 1100.00 cfs from all authorized points of diversion.

5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

6. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

7. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

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WATER RIGHT NO. 36-15192
As Modified by Transfer No. 68561

CONDITIONS OF APPROVAL

9. The well previously used under Rights 36-2080, 36-15127A, 36-15127B, 36-15192, 36-15193A, 36-15193B, 36-15194A, 36-15194B, 36-15195A, 36-15195B, 36-15196A and 36-15196B shall be abandoned in a manner which complies with Department well abandonment rules.

10. Approval of Transfer 68561 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

11. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 11th day of September, 2001

Chief, Water Allocation Bureau

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OCT 0 2 2001

WATER RIGHT NO. 36-15193A
As Modified by Transfer No. 68561

In accordance with the approval of Transfer No. 68561, Water Right No. 36-15193A is now described as follows.

Right Holder: UNITED STATES OF AMERICA ACTING THROUGH
REGIONAL DIRECTOR PN REGION CODE PN-3100
BUREAU OF RECLAMATION
1150 N CURTIS RD SUITE 100
BOISE ID 83706-5155

Priority Date: 04/01/1962

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	0.21 CFS	50.0 AF
			0.21 CFS	50.0 AF

LOCATION OF POINT(S) OF DIVERSION: Same as described under Right 36-2080 on this approval.

CONDITIONS OF APPROVAL

1. Place of use is described as the A & B Irrigation District service area located within T8, 9 and 10S, R21 and 22E; T7, 8, and 9S R23E; T7 and 8S, Range 24 and 25E.

2. Right 36-15193A is limited to the irrigation of 12.5 acres within the place of use described above in a single irrigation season.

3. The new point of diversion located in the NESENW, S7, T8S, R24E is limited to a maximum diversion rate of 8.00 cfs.

4. Rights 36-2080, 36-15127A, 36-15127B, 36-15192, 36-15193A, 36-15193B, 36-15194A, 36-15194B, 36-15195A, 36-15195B, 36-15196A and 36-15196B when combined shall not exceed a total diversion rate of 1100.00 cfs from all authorized points of diversion.

5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

6. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

7. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

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WATER RIGHT NO. 36-15193A
As Modified by Transfer No. 68561

CONDITIONS OF APPROVAL

9. The well previously used under Rights 36-2080, 36-15127A, 36-15127B, 36-15192, 36-15193A, 36-15193B, 36-15194A, 36-15194B, 36-15195A, 36-15195B, 36-15196A and 36-15196B shall be abandoned in a manner which complies with Department well abandonment rules.

10. Approval of Transfer 68561 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

11. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 11th day of September, 2001

Chief, Water Allocation Bureau

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OCT 0 2 2001

WATER RIGHT NO. 36-15193B
As Modified by Transfer No. 68561

In accordance with the approval of Transfer No. 68561, Water Right No. 36-15193B is now described as follows.

Right Holder: UNITED STATES OF AMERICA ACTING THROUGH
REGIONAL DIRECTOR PN REGION CODE PN-3100
BUREAU OF RECLAMATION
1150 N CURTIS RD SUITE 100
BOISE ID 83706-5155

Priority Date: 04/01/1965

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Volume
IRRIGATION	04/01	to 10/31	0.31 CFS	75.6 AF
			0.31 CFS	75.6 AF

LOCATION OF POINT(S) OF DIVERSION: Same as described under Right 36-2080 on this approval.

CONDITIONS OF APPROVAL

1. Right 36-15193B is based upon an enlargement of Right 36-2080 pursuant to Section 42-1426, Idaho Code.

2. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

3. Place of use is described as the A & B Irrigation District service area located within T8, 9 and 10S, R21 and 22E; T7, 8, and 9S R23E; T7 and 8S, Range 24 and 25E.

4. Right 36-15193B is limited to the irrigation of 18.9 acres within the place of use described above in a single irrigation season.

5. The new point of diversion located in the NESENW, S7, T8S, R24E is limited to a maximum diversion rate of 8.00 cfs.

6. Rights 36-2080, 36-15127A, 36-15127B, 36-15192, 36-15193A, 36-15193B, 36-15194A, 36-15194B, 36-15195A, 36-15195B, 36-15196A and 36-15196B when combined shall not exceed a total diversion rate of 1100.00 cfs from all authorized points of diversion.

7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

8. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

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WATER RIGHT NO. 36-15193B
As Modified by Transfer No. 68561

CONDITIONS OF APPROVAL

9. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

10. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

11. The well previously used under Rights 36-2080, 36-15127A, 36-15127B, 36-15192, 36-15193A, 36-15193B, 36-15194A, 36-15194B, 36-15195A, 36-15195B, 36-15196A and 36-15196B shall be abandoned in a manner which complies with Department well abandonment rules.

12. Approval of Transfer 68561 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

13. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

14. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 11th day of September, 2001

Chief, Water Allocation Bureau

MICROFILMED
OCT 0 2 2001

WATER RIGHT NO. 36-15194A
As Modified by Transfer No. 68561

In accordance with the approval of Transfer No. 68561, Water Right No. 36-15194A is now described as follows.

Right Holder: UNITED STATES OF AMERICA ACTING THROUGH
REGIONAL DIRECTOR PN REGION CODE PN-3100
BUREAU OF RECLAMATION
1150 N CURTIS RD SUITE 100
BOISE ID 83706-5155

Priority Date: 04/01/1962

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Volume
IRRIGATION	04/01	to 10/31	0.23 CFS	54.8 AF
			0.23 CFS	54.8 AF

LOCATION OF POINT(S) OF DIVERSION: Same as described under Right 36-2080 on this approval.

CONDITIONS OF APPROVAL

1. Place of use is described as the A & B Irrigation District service area located within T8, 9 and 10S, R21 and 22E; T7, 8, and 9S R23E; T7 and 8S, Range 24 and 25E.

2. Right 36-15194A is limited to the irrigation of 13.7 acres within the place of use described above in a single irrigation season.

3. The new point of diversion located in the NESENW, S7, T8S, R24E is limited to a maximum diversion rate of 8.00 cfs.

4. Rights 36-2080, 36-15127A, 36-15127B, 36-15192, 36-15193A, 36-15193B, 36-15194A, 36-15194B, 36-15195A, 36-15195B, 36-15196A and 36-15196B when combined shall not exceed a total diversion rate of 1100.00 cfs from all authorized points of diversion.

5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

6. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

7. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

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WATER RIGHT NO. 36-15194A
As Modified by Transfer No. 68561

CONDITIONS OF APPROVAL

9. The well previously used under Rights 36-2080, 36-15127A, 36-15127B, 36-15192, 36-15193A, 36-15193B, 36-15194A, 36-15194B, 36-15195A, 36-15195B, 36-15196A and 36-15196B shall be abandoned in a manner which complies with Department well abandonment rules.

10. Approval of Transfer 68561 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

11. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 11th day of September, 2001

Chief, Water Allocation Bureau

MICROFILMED
OCT 02 2001

WATER RIGHT NO. 36-15194B

As Modified by Transfer No. 68561

In accordance with the approval of Transfer No. 68561, Water Right No. 36-15194B is now described as follows.

Right Holder: UNITED STATES OF AMERICA ACTING THROUGH
REGIONAL DIRECTOR PN REGION CODE PN-3100
BUREAU OF RECLAMATION
1150 N CURTIS RD SUITE 100
BOISE ID 83706-5155

Priority Date: 04/01/1968

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	2.53 CFS	609.6 AF
			2.53 CFS	609.6 AF

LOCATION OF POINT(S) OF DIVERSION: Same as described under Right 36-2080 on this approval.

CONDITIONS OF APPROVAL

1. Right 36-15194B is based upon an enlargement of Right 36-2080 pursuant to Section 42-1426, Idaho Code.

2. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

3. Place of use is described as the A & B Irrigation District service area located within T8, 9 and 10S, R21 and 22E; T7, 8, and 9S R23E; T7 and 8S, Range 24 and 25E.

4. Right 36-15194B is limited to the irrigation of 152.4 acres within the place of use described above in a single irrigation season.

5. The new point of diversion located in the NESENW, S7, T8S, R24E is limited to a maximum diversion rate of 8.00 cfs.

6. Rights 36-2080, 36-15127A, 36-15127B, 36-15192, 36-15193A, 36-15193B, 36-15194A, 36-15194B, 36-15195A, 36-15195B, 36-15196A and 36-15196B when combined shall not exceed a total diversion rate of 1100.00 cfs from all authorized points of diversion.

7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

8. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

MICROFILMED
OCT 02 2001

WATER RIGHT NO. 36-15194B
As Modified by Transfer No. 68561

CONDITIONS OF APPROVAL

9. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

10. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

11. The well previously used under Rights 36-2080, 36-15127A, 36-15127B, 36-15192, 36-15193A, 36-15193B, 36-15194A, 36-15194B, 36-15195A, 36-15195B, 36-15196A and 36-15196B shall be abandoned in a manner which complies with Department well abandonment rules.

12. Approval of Transfer 68561 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

13. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

14. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 11th day of September, 2001

L. Glen Saxton

Chief, Water Allocation Bureau

MICROFILMED
OCT 02 2001

WATER RIGHT NO. 36-15195A

As Modified by Transfer No. 68561

In accordance with the approval of Transfer No. 68561, Water Right No. 36-15195A is now described as follows.

Right Holder: UNITED STATES OF AMERICA ACTING THROUGH
REGIONAL DIRECTOR PN REGION CODE PN-3100
BUREAU OF RECLAMATION
1150 N CURTIS RD SUITE 100
BOISE ID 83706-5155

Priority Date: 04/01/1962

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	0.87 CFS	210.0 AF
			0.87 CFS	210.0 AF

LOCATION OF POINT(S) OF DIVERSION: Same as described under Right 36-2080 on this approval.

CONDITIONS OF APPROVAL

1. Place of use is described as the A & B Irrigation District service area located within T8, 9 and 10S, R21 and 22E; T7, 8, and 9S R23E; T7 and 8S, Range 24 and 25E.

2. Right 36-15195A is limited to the irrigation of 52.5 acres within the place of use described above in a single irrigation season.

3. The new point of diversion located in the NESENW, S7, T8S, R24E is limited to a maximum diversion rate of 8.00 cfs.

4. Rights 36-2080, 36-15127A, 36-15127B, 36-15192, 36-15193A, 36-15193B, 36-15194A, 36-15194B, 36-15195A, 36-15195B, 36-15196A and 36-15196B when combined shall not exceed a total diversion rate of 1100.00 cfs from all authorized points of diversion.

5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

6. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

7. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

MICROFILMED
OCT 0 2 2001

WATER RIGHT NO. 36-15195A
As Modified by Transfer No. 68561

CONDITIONS OF APPROVAL

9. The well previously used under Rights 36-2080, 36-15127A, 36-15127B, 36-15192, 36-15193A, 36-15193B, 36-15194A, 36-15194B, 36-15195A, 36-15195B, 36-15196A and 36-15196B shall be abandoned in a manner which complies with Department well abandonment rules.

10. Approval of Transfer 68561 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

11. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 11th day of September, 2001

Chief, Water Allocation Bureau

MICROFILMED

OCT 0 2 2001

WATER RIGHT NO. 36-15195B
As Modified by Transfer No. 68561

In accordance with the approval of Transfer No. 68561, Water Right No. 36-15195B is now described as follows.

Right Holder: UNITED STATES OF AMERICA ACTING THROUGH
REGIONAL DIRECTOR PN REGION CODE PN-3100
BUREAU OF RECLAMATION
1150 N CURTIS RD SUITE 100
BOISE ID 83706-5155

Priority Date: 04/01/1978

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	2.25 CFS	542.4 AF
			2.25 CFS	542.4 AF

LOCATION OF POINT(S) OF DIVERSION: Same as described under Right 36-2080 on this approval.

CONDITIONS OF APPROVAL

1. Right 36-15195B is based upon an enlargement of Right 36-2080 pursuant to Section 42-1426, Idaho Code.

2. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

3. Place of use is described as the A & B Irrigation District service area located within T8, 9 and 10S, R21 and 22E; T7, 8, and 9S R23E; T7 and 8S, Range 24 and 25E.

4. Right 36-15195B is limited to the irrigation of 135.6 acres within the place of use described above in a single irrigation season.

5. The new point of diversion located in the NESENW, S7, T8S, R24E is limited to a maximum diversion rate of 8.00 cfs.

6. Rights 36-2080, 36-15127A, 36-15127B, 36-15192, 36-15193A, 36-15193B, 36-15194A, 36-15194B, 36-15195A, 36-15195B, 36-15196A and 36-15196B when combined shall not exceed a total diversion rate of 1100.00 cfs from all authorized points of diversion.

7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

8. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

MICROFILMED
OCT 0 2 2001

WATER RIGHT NO. 36-15195B
As Modified by Transfer No. 68561

CONDITIONS OF APPROVAL

9. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

10. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

11. The well previously used under Rights 36-2080, 36-15127A, 36-15127B, 36-15192, 36-15193A, 36-15193B, 36-15194A, 36-15194B, 36-15195A, 36-15195B, 36-15196A and 36-15196B shall be abandoned in a manner which complies with Department well abandonment rules.

12. Approval of Transfer 68561 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

13. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

14. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 11th day of September, 2001

Chief, Water Allocation Bureau

MICROFILMED

OCT 0 2 2001

WATER RIGHT NO. 36-15196A
As Modified by Transfer No. 68561

In accordance with the approval of Transfer No. 68561, Water Right No. 36-15196A is now described as follows.

Right Holder: UNITED STATES OF AMERICA ACTING THROUGH
REGIONAL DIRECTOR PN REGION CODE PN-3100
BUREAU OF RECLAMATION
1150 N CURTIS RD SUITE 100
BOISE ID 83706-5155

Priority Date: 04/01/1962

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	0.29 CFS	69.6 AF
			0.29 CFS	69.6 AF

LOCATION OF POINT(S) OF DIVERSION: Same as described under Right 36-2080 on this approval.

CONDITIONS OF APPROVAL

1. Place of use is described as the A & B Irrigation District service area located within T8, 9 and 10S, R21 and 22E; T7, 8, and 9S R23E; T7 and 8S, Range 24 and 25E.

2. Right 36-15196A is limited to the irrigation of 17.4 acres within the place of use described above in a single irrigation season.

3. The new point of diversion located in the NESENW, S7, T8S, R24E is limited to a maximum diversion rate of 8.00 cfs.

4. Rights 36-2080, 36-15127A, 36-15127B, 36-15192, 36-15193A, 36-15193B, 36-15194A, 36-15194B, 36-15195A, 36-15195B, 36-15196A and 36-15196B when combined shall not exceed a total diversion rate of 1100.00 cfs from all authorized points of diversion.

5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

6. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

7. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

MICROFILMED

OCT 0 2 2001

WATER RIGHT NO. 36-15196A
As Modified by Transfer No. 68561

CONDITIONS OF APPROVAL

9. The well previously used under Rights 36-2080, 36-15127A, 36-15127B, 36-15192, 36-15193A, 36-15193B, 36-15194A, 36-15194B, 36-15195A, 36-15195B, 36-15196A and 36-15196B shall be abandoned in a manner which complies with Department well abandonment rules.

10. Approval of Transfer 68561 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

11. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 11th day of September, 2001

Chief, Water Allocation Bureau

MICROFILMED

OCT 0 2 2001

WATER RIGHT NO. 36-15196B
As Modified by Transfer No. 68561

In accordance with the approval of Transfer No. 68561, Water Right No. 36-15196B is now described as follows.

Right Holder: UNITED STATES OF AMERICA ACTING THROUGH
REGIONAL DIRECTOR PN REGION CODE PN-3100
BUREAU OF RECLAMATION
1150 N CURTIS RD SUITE 100
BOISE ID 83706-5155

Priority Date: 04/01/1981

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	0.08 CFS	18.8 AF
			0.08 CFS	18.8 AF

LOCATION OF POINT(S) OF DIVERSION: Same as described under Right 36-2080 on this approval.

CONDITIONS OF APPROVAL

1. Right 36-15196B is based upon an enlargement of Right 36-2080 pursuant to Section 42-1426, Idaho Code.

2. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

3. Place of use is described as the A & B Irrigation District service area located within T8, 9 and 10S, R21 and 22E; T7, 8, and 9S R23E; T7 and 8S, Range 24 and 25E.

4. Right 36-15196B is limited to the irrigation of 4.7 acres within the place of use described above in a single irrigation season.

5. The new point of diversion located in the NESENW, S7, T8S, R24E is limited to a maximum diversion rate of 8.00 cfs.

6. Rights 36-2080, 36-15127A, 36-15127B, 36-15192, 36-15193A, 36-15193B, 36-15194A, 36-15194B, 36-15195A, 36-15195B, 36-15196A and 36-15196B when combined shall not exceed a total diversion rate of 1100.00 cfs from all authorized points of diversion.

7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

8. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

MICROFILMED
OCT 0 2 2001

WATER RIGHT NO. 36-15196B
As Modified by Transfer No. 68561

CONDITIONS OF APPROVAL

9. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

10. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

11. The well previously used under Rights 36-2080, 36-15127A, 36-15127B, 36-15192, 36-15193A, 36-15193B, 36-15194A, 36-15194B, 36-15195A, 36-15195B, 36-15196A and 36-15196B shall be abandoned in a manner which complies with Department well abandonment rules.

12. Approval of Transfer 68561 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

13. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

14. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 11th day of September, 2001

Chief, Water Allocation Bureau

MICROFILMED
OCT 0 2 2001

68561

Transfer No. 5878

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
NOV 15 2000
Department of Water Resources
Southern Region

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

me of applicant A & B Irrigation District Phone (208) 436-3152

st Office address P. O. Box 675, Rupert, Idaho 83350

CEI

MAR 13 2001
Department of Water Resources

PURPOSE OF TRANSFER

☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use

☐ Change nature of use ☐ Change period of use ☐ Other

Describe the reason for the proposed changes Existing well has a crooked casing and has been contaminated to an unknown extent by a mercury spill and therefore deemed unusable.

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

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
SEE ATTACHMENT A				to
				to
				to
				to

Total amount of water being transferred 8 cubic feet per second and/or 1,928.87 acre-feet per annum.

Source of water Groundwater tributary to

Point(s) of Diversion: SEE ATTACHMENT B

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

Lands irrigated or place of use: NO CHANGE (LANDS WITHIN A & B IRRIGATION DISTRICT)

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

5878/68561

PART 1

i. General Information:

a. Description of diversion system **Water is deliverd by laterals and pipelines from 174 wells for the irrigation of Unit B of the A & B Irrigation District.**

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

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

No change to the place of use is proposed. ~~New well will improve the efficiency of delivery as it will provide greater flexibility in changing the rate of diversion by using the 2 wells that will be at the new point of diversion.~~

d. Remarks:

~~There is presently a well at the new point of diversion. Upon the transfer of this point of diversion, there will be 2 wells at this point of diversion, which will be included in the legal descriptions containing 2 points of diversion, as shown in Attachment B.~~

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

Witness my hand this _____ day of _____, 19____.

MICROFILMED

OCT 02 2001

Transfer No. 5878

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

RECEIVED
NOV 15 2000
Department of Water Resources
Southern Region

A. DESCRIPTION OF RIGHT AS RECORDED : SEE ATTACHMENT A

1. Right evidenced by:

   a. Decree No. _____ Decreed to _____

   in case of _____ vs. _____

   dated _____ in _____ county of _____

   b. License No. 36-02080 issued by the Idaho Department of Water Resources.

   c. Claim No. SEE ATTACHMENT A on file with the Idaho Department of Water Resources.

   d. Transfer No. _____ which produced this right.

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

   ☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority SEE ATTACHMENT A

5. Water is used for the following purpose:

   amount _____ (cfs/ac-ft) for irrigation purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

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

7. Point(s) of Diversion: SEE ATTACHMENT B

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

8. Lands irrigated or place of use:

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

Total acres _____

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

PART 2

Transfer No. 5879

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

NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. amount 8 cfs (cfs/ac-ft) for irrigation purposes from April 1 to October 31
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion: 1 NEW POINT OF DIVERSION FOR ABANDONED POINT OF DIVERSION FROM 174 POINTS OF DIVERSION IN RIGHTS.

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	NW	SW	6	8S	24E	Minidoka	(new well)

3. Lands irrigated or place of use: NO CHANGE IN USE.

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

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)* : NO CHANGE EXCEPT FOR CHANGE IN 1 POINT OF DIVERSION OF THE 174 POINTS OF DIVERSION IN RIGHTS.

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

2. Point(s) of Diversion: SEE ATTACHMENT B.

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

3. Lands irrigated or place of use: NO CHANGE.

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

TRANS NO. 5878

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. **X36-0208Z0**

STAGE: **LICENSE**

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL VOLUME
IRRIGATION	04/01 to 10/31	1100.00 CFS	250416.0 AF

SOURCE

GROUNDWATER

Priority: 09/09/1948

LOCATION OF POINT(S) OF DIVERSION:

Lot 99(NWSESW), Sec. 34, Township 07S, Range 23E
Lot 96(NWSWSW), Sec. 22, Township 07S, Range 24E
Lot 98(NWNWSE), Sec. 22, Township 07S, Range 24E
Lot 97(NESESE), Sec. 22, Township 07S, Range 24E
Lot 99(NWSWNE), Sec. 23, Township 07S, Range 24E
Lot 99(NWSENE), Sec. 26, Township 07S, Range 24E
Lot 94(NENWSW), Sec. 26, Township 07S, Range 24E
Lot 98(NWSWNE), Sec. 28, Township 07S, Range 24E
Lot 99(SWNWSE), Sec. 30, Township 07S, Range 24E
Lot 99(NWSWNE), Sec. 31, Township 07S, Range 24E
Lot 97(SWSENE), Sec. 32, Township 07S, Range 24E
Lot 98(SENWSE), Sec. 33, Township 07S, Range 24E
Lot 98(SWSENW), Sec. 34, Township 07S, Range 24E
Lot 98(SWSWSE), Sec. 35, Township 07S, Range 24E
Lot 99(NESESW), Sec. 27, Township 07S, Range 25E
Lot 99(NENESW), Sec. 29, Township 07S, Range 25E
Lot 98(NWNESE), Sec. 30, Township 07S, Range 25E
Lot 96(NENESW), Sec. 31, Township 07S, Range 25E
Lot 96(NWNESW), Sec. 32, Township 07S, Range 25E
Lot 99(NESWNW), Sec. 33, Township 07S, Range 25E
Lot 97(SENESW), Sec. 34, Township 07S, Range 25E
MINIDOKA County
Lot 98(NWNESE), Sec. 22, Township 08S, Range 21E
Lot 97(NWSENW), Sec. 24, Township 08S, Range 21E
Lot 96(NWSENE), Sec. 26, Township 08S, Range 21E
Lot 93(SENENE), Sec. 35, Township 08S, Range 21E
Lot 99(SWSWSW), Sec. 35, Township 08S, Range 21E
Lot 97(SESESE), Sec. 35, Township 08S, Range 21E
JEROME County
Lot 96(SWNWSW), Sec. 30, Township 08S, Range 22E

* This page was not part of the original application received on 11/15/2000. It was added to help explain the application. - C. Skinner

TRANS NO. 5878

Water Right No. X36-020802O

LOCATION OF POINT(S) OF DIVERSION:

Lot 99(SWNWNE), Sec. 35, Township 08S, Range 22E
Lot 98(SWSWSE), Sec. 35, Township 08S, Range 22E
Lot 99(NENWNE), Sec. 1, Township 08S, Range 23E
Lot 94(SWSWSW), Sec. 1, Township 08S, Range 23E
Lot 96(SENESW), Sec. 2, Township 08S, Range 23E
Lot 95(SWSWSW), Sec. 4, Township 08S, Range 23E
Lot 93(NESENE), Sec. 5, Township 08S, Range 23E
Lot 97(NENESE), Sec. 8, Township 08S, Range 23E
Lot 92(SWSENE), Sec. 10, Township 08S, Range 23E
Lot 96(NESWSW), Sec. 10, Township 08S, Range 23E
Lot 96(SWSWNE), Sec. 12, Township 08S, Range 23E
Lot 94(SESESW), Sec. 12, Township 08S, Range 23E
Lot 87(NWNWNW), Sec. 14, Township 08S, Range 23E
Lot 99(SENENW), Sec. 15, Township 08S, Range 23E
Lot 94(SESESE), Sec. 15, Township 08S, Range 23E
Lot 96(NWNENW), Sec. 17, Township 08S, Range 23E
Lot 97(NESESE), Sec. 17, Township 08S, Range 23E
Lot 99(NWSWSE), Sec. 19, Township 08S, Range 23E
Lot 99(SWSENE), Sec. 21, Township 08S, Range 23E
Lot 97(SWSESW), Sec. 22, Township 08S, Range 23E
Lot 95(SWNWSW), Sec. 23, Township 08S, Range 23E
Lot 98(NENWNW), Sec. 24, Township 08S, Range 23E
Lot 95(NESESW), Sec. 24, Township 08S, Range 23E
Lot 97(NWSENW), Sec. 25, Township 08S, Range 23E
Lot 94(NWNWSE), Sec. 26, Township 08S, Range 23E
Lot 99(NENENE), Sec. 27, Township 08S, Range 23E
Lot 98(SWSENW), Sec. 27, Township 08S, Range 23E
Lot 93(SWSESW), Sec. 27, Township 08S, Range 23E
Lot 95(SWNESW), Sec. 28, Township 08S, Range 23E
Lot 93(NWSWSW), Sec. 28, Township 08S, Range 23E
Lot 91(SESENE), Sec. 29, Township 08S, Range 23E
Lot 95(SENESE), Sec. 31, Township 08S, Range 23E
Lot 97(NWSESW), Sec. 34, Township 08S, Range 23E
Lot 90(SENWNW), Sec. 35, Township 08S, Range 23E
Lot 96(NESWSW), Sec. 35, Township 08S, Range 23E
Lot 98(SENWSE), Sec. 35, Township 08S, Range 23E
Lot 95(SESESE), Sec. 35, Township 08S, Range 23E
Lot 98(SESENE), Sec. 1, Township 08S, Range 24E
Lot 99(SWSENE), Sec. 3, Township 08S, Range 24E
Lot 97(SWSWNE), Sec. 4, Township 08S, Range 24E
Lot 99(NESWSW), Sec. 4, Township 08S, Range 24E
Lot 94(SENENW), Sec. 6, Township 08S, Range 24E
Lot 98(NWNWSW), Sec. 6, Township 08S, Range 24E
Lot 91(SENESE), Sec. 6, Township 08S, Range 24E
Lot 94(NWNESE), Sec. 7, Township 08S, Range 24E
Lot 97(NESENE), Sec. 8, Township 08S, Range 24E
Lot 98(NWSWNE), Sec. 10, Township 08S, Range 24E
Lot 92(SWSWNW), Sec. 10, Township 08S, Range 24E
Lot 95(SESESW), Sec. 10, Township 08S, Range 24E

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TRANS NO. 5878

Water Right No. **X36-02080Z0**

LOCATION OF POINT(S) OF DIVERSION:

Lot 98(SWNENW), Sec. 11, Township 08S, Range 24E
Lot 95(NWNWSE), Sec. 11, Township 08S, Range 24E
Lot 97(NENWNE), Sec. 12, Township 08S, Range 24E
Lot 90(NWNWNE), Sec. 13, Township 08S, Range 24E
Lot 95(SWSESW), Sec. 14, Township 08S, Range 24E
Lot 97(SESWNW), Sec. 15, Township 08S, Range 24E
Lot 96(NESWNW), Sec. 18, Township 08S, Range 24E
Lot 95(NENWNE), Sec. 21, Township 08S, Range 24E
Lot 97(NESWSW), Sec. 21, Township 08S, Range 24E
Lot 96(SWNESE), Sec. 22, Township 08S, Range 24E
Lot 95(SESESW), Sec. 23, Township 08S, Range 24E
Lot 98(SESWNE), Sec. 26, Township 08S, Range 24E
Lot 93(SENWSE), Sec. 29, Township 08S, Range 24E
Lot 92(SWNENW), Sec. 30, Township 08S, Range 24E
Lot 99(SENWSE), Sec. 30, Township 08S, Range 24E
Lot 98(SWSESW), Sec. 31, Township 08S, Range 24E
Lot 99(SENENW), Sec. 3, Township 08S, Range 25E
Lot 96(NWNWNW), Sec. 3, Township 08S, Range 25E
Lot 96(NENESE), Sec. 3, Township 08S, Range 25E
Lot 95(NWNENE), Sec. 5, Township 08S, Range 25E
Lot 98(NENESE), Sec. 6, Township 08S, Range 25E
Lot 93(NWSWSE), Sec. 11, Township 08S, Range 25E
Lot 99(NWNWNW), Sec. 12, Township 08S, Range 25E
Lot 99(NWSWSW), Sec. 13, Township 08S, Range 25E
Lot 97(SWNESW), Sec. 14, Township 08S, Range 25E
Lot 94(NWSWSW), Sec. 15, Township 08S, Range 25E
Lot 95(NWNENE), Sec. 17, Township 08S, Range 25E
Lot 90(NENWNE), Sec. 19, Township 08S, Range 25E
Lot 94(SESWNW), Sec. 19, Township 08S, Range 25E
Lot 96(NESESW), Sec. 21, Township 08S, Range 25E
Lot 91(NWNWNW), Sec. 23, Township 08S, Range 25E
Lot 95(SENWNW), Sec. 24, Township 08S, Range 25E

MINIDOKA County

Lot 99(NWNESW), Sec. 1, Township 09S, Range 21E
Lot 98(NENWSW), Sec. 3, Township 09S, Range 21E
Lot 91(SESESW), Sec. 3, Township 09S, Range 21E
Lot 95(NWNESE), Sec. 3, Township 09S, Range 21E

JEROME County

Lot 99(NWSESE), Sec. 3, Township 09S, Range 22E
Lot 97(SENENE), Sec. 7, Township 09S, Range 22E
Lot 97(NESENE), Sec. 7, Township 09S, Range 22E
Lot 98(SESWNW), Sec. 9, Township 09S, Range 22E
Lot 96(NENESW), Sec. 9, Township 09S, Range 22E
Lot 99(NESWNE), Sec. 10, Township 09S, Range 22E
Lot 94(NWNWNE), Sec. 11, Township 09S, Range 22E
Lot 94(SENENW), Sec. 11, Township 09S, Range 22E
Lot 97(NESWNE), Sec. 15, Township 09S, Range 22E
Lot 99(SWSWNE), Sec. 15, Township 09S, Range 22E
Lot 97(NESWSE), Sec. 18, Township 09S, Range 22E

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TRANS NO. 5878

Water Right No. **X36-0208020**

LOCATION OF POINT(S) OF DIVERSION:

Lot 99(NWSWNW), Sec. 19, Township 09S, Range 22E
Lot 99(SESWNE), Sec. 22, Township 09S, Range 22E
Lot 98(NESESE), Sec. 28, Township 09S, Range 22E
Lot 91(NWNENE), Sec. 30, Township 09S, Range 22E
Lot 98(SENESE), Sec. 33, Township 09S, Range 22E
Lot 96(NESENE), Sec. 2, Township 09S, Range 23E
Lot 95(NESENE), Sec. 3, Township 09S, Range 23E
Lot 99(NENWSW), Sec. 3, Township 09S, Range 23E
Lot 99(SESENE), Sec. 6, Township 09S, Range 23E
Lot 92(NWSWSE), Sec. 6, Township 09S, Range 23E
MINIDOKA County
Lot 95(SWNWSW), Sec. 2, Township 10S, Range 21E
JEROME County
Lot 91(SENWSW), Sec. 3, Township 10S, Range 22E
MINIDOKA County

PLACE OF USE:

IRRIGATION

			NE				NW				SW				SE				
			NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
07S	23E	34											99-I	99-I					
07S	24E	22	98-I	98-I	98-I	97-I					96-I	96-I	96-I	94-I	97-I	97-I	94-I	94-I	
07S	24E	22				98-I					97-I			96-I		98-I	97-I	97-I	
07S	24E	22												97-I					
07S	24E	23	99-I	99-I	96-I	99-I	98-I	98-I	95-I	96-I	95-I	95-I	95-I	95-I	96-I	96-I	95-I	96-I	
07S	24E	23			99-I		99-I		98-I	98-I	96-I	98-I		96-I	99-I	99-I	96-I		
07S	24E	23								99-I	98-I								
07S	24E	26	99-I	98-I	99-I	99-I	98-I	98-I	98-I	98-I	93-I	94-I	94-I	93-I	99-I	93-I	93-I	93-I	
07S	24E	26		99-I							94-I	98-I		94-I		99-I		99-I	
07S	24E	26									98-I								
07S	24E	27	94-I	94-I	93-I	92-I	94-I	94-I	93-I	93-I	92-I	93-I	93-I	92-I	92-I	92-I	92-I	92-I	
07S	24E	27			94-I	94-I	96-I	96-I	94-I	94-I	93-I		99-I	93-I		93-I	99-I		
07S	24E	27						98-I	98-I	98-I				99-I					
07S	24E	28	96-I	96-I	98-I	98-I	96-I				94-I	94-I	94-I	94-I	98-I	94-I	94-I	99-I	
07S	24E	28	98-I	98-I											99-I	98-I	99-I		
07S	24E	28														99-I			
07S	24E	29							99-I	99-I	94-I	94-I	93-I	93-I	94-I	94-I	93-I	94-I	
07S	24E	29									99-I	99-I	99-I	94-I			94-I		
07S	24E	30													99-I	99-I	99-I	93-I	
07S	24E	30																99-I	
07S	24E	31	92-I	99-I	98-I	92-I									97-I	97-I	94-I	94-I	
07S	24E	31	93-I		99-I	98-I									98-I	98-I	97-I	95-I	
07S	24E	31	99-I			99-I												97-I	
07S	24E	32	94-I	92-I	91-I	97-I	92-I	92-I	91-I	91-I	91-I	91-I	91-I	91-I	97-I	91-I	96-I	96-I	
07S	24E	32	99-I	93-I	92-I	99-I	93-I	93-I	92-I	92-I	96-I	98-I	95-I	95-I		97-I	97-I	97-I	
07S	24E	32		94-I	97-I				98-I		97-I			96-I					
07S	24E	32		99-I	99-I									97-I					
07S	24E	33	91-I	91-I	91-I	91-I	93-I	93-I	93-I	93-I	93-I	93-I	93-I	93-I	95-I	91-I	98-I	95-I	
07S	24E	33		93-I	93-I		94-I	94-I	94-I		98-I	97-I	96-I	98-I		93-I			
07S	24E	33						99-I	97-I				97-I			95-I			
07S	24E	33							99-I				98-I			98-I			

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TRANS NO. 5878

Water Right No. X36-0208020

IRRIGATION

07S 24E 34	92-I	92-I	92-I	92-I	97-I	93-I	91-I	97-I	97-I	91-I	95-I	98-I	96-I	96-I	96-I	96-I			
07S 24E 34		97-I	97-I	97-I	99-I	99-I	98-I	98-I	98-I	95-I	98-I		97-I	97-I	98-I				
07S 24E 34		99-I					99-I	99-I		98-I				98-I					
07S 24E 35	93-I	93-I	99-I	99-I	89-I	87-I	87-I	88-I	95-I	95-I	95-I	95-I	98-I	95-I	98-I	98-I			
07S 24E 35	99-I	99-I			93-I	94-I	94-I	89-I	98-I	96-I	96-I	98-I	99-I	98-I					
07S 24E 35					94-I		95-I	93-I	99-I	97-I				99-I					
07S 24E 35					99-I			94-I											
07S 24E 35								95-I											
07S 24E 35								99-I											
07S 25E 27									99-I	99-I	99-I	99-I							
07S 25E 29									99-I	99-I	99-I	99-I							
07S 25E 30							97-I	97-I	97-I	97-I	97-I	97-I	99-I	98-I	98-I	98-I			
07S 25E 30									98-I			98-I			99-I	99-I			
07S 25E 31	99-I	98-I	95-I	95-I	97-I	97-I	96-I	96-I	95-I	96-I	96-I	95-I	95-I	95-I	93-I	93-I			
07S 25E 31		99-I	96-I	99-I	98-I				96-I			96-I		96-I	95-I	95-I			
07S 25E 31			99-I		99-I														
07S 25E 32	97-I	97-I	97-I	97-I	98-I	92-I	96-I	97-I	96-I	96-I	94-I	94-I	95-I	95-I	94-I	95-I			
07S 25E 32	98-I	98-I	98-I			98-I	98-I	98-I			96-I	96-I	96-I	96-I	95-I				
07S 25E 32						99-I							97-I	97-I	96-I				
07S 25E 33	96-I	99-I	96-I	96-I	99-I	97-I	97-I	98-I	98-I	97-I	92-I	92-I	96-I	96-I	92-I	93-I			
07S 25E 33	99-I		98-I	99-I		99-I	98-I	99-I		98-I	95-I	95-I		98-I	93-I	96-I			
07S 25E 33			99-I				99-I					98-I			96-I				
07S 25E 33															98-I				
07S 25E 34					98-I	98-I	98-I	98-I	97-I	97-I	97-I	97-I							
07S 25E 34					99-I	99-I			98-I	98-I									
08S 21E 22									97-I			97-I	98-I	97-I	97-I	98-I			
08S 21E 22													99-I	98-I	98-I	99-I			
08S 21E 23									98-I	98-I	98-I	98-I	97-I	96-I	96-I	96-I			
08S 21E 23										99-I	99-I			97-I	97-I	97-I			
08S 21E 23															98-I				
08S 21E 24							97-I	97-I		97-I	97-I								
08S 21E 25			98-I	98-I		97-I	99-I	98-I	96-I	99-I	99-I	96-I	96-I	96-I	96-I	96-I			
08S 21E 25						99-I		99-I	98-I			99-I	98-I	98-I					
08S 21E 25									99-I										
08S 21E 26	96-I	96-I	95-I	95-I	97-I	99-I	97-I	97-I	94-I	94-I	91-I	91-I	95-I	94-I	92-I	93-I			
08S 21E 26		97-I	96-I	96-I	98-I		99-I	99-I	97-I	97-I	94-I	92-I		95-I	93-I	95-I			
08S 21E 26		98-I	97-I		99-I					99-I		94-I		97-I	94-I				
08S 21E 26															95-I				
08S 21E 27	98-I	97-I	96-I	96-I	97-I			97-I					96-I	96-I		96-I			
08S 21E 27	99-I	98-I	97-I																
08S 21E 33											98-I	98-I	99-I	99-I	98-I	99-I			
08S 21E 33															99-I				
08S 21E 34									97-I	97-I	97-I	96-I	98-I	97-I	96-I	96-I			
08S 21E 34											99-I	97-I		98-I	97-I	98-I			
08S 21E 34															98-I				
08S 21E 35	93-I	92-I	92-I	93-I	91-I	91-I	91-I	91-I	98-I	99-I	95-I	95-I	97-I	97-I	95-I	96-I			
08S 21E 35		93-I	93-I	97-I	92-I		99-I	92-I	99-I		99-I	98-I		98-I	96-I	97-I			
08S 21E 35			97-I					98-I				99-I			97-I				
08S 21E 35			98-I					99-I							98-I				
08S 22E 30							98-I			96-I	96-I								
08S 22E 30										98-I									

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TRANS NO. 5878

Water Right No. X36-02080ZO

IRRIGATION

08S	22E	35	97-I	97-I	97-I	97-I										96-I	96-I	96-I	96-I	
08S	22E	35														97-I	97-I	98-I	97-I	
08S	22E	35																	98-I	
08S	23E	1	92-I	92-I	95-I	92-I	99-I	99-I	97-I	97-I	94-I	94-I	94-I	94-I	96-I	95-I	95-I	96-I	
08S	23E	1		97-I	97-I	95-I			99-I		95-I	95-I		95-I	98-I	96-I	96-I	98-I	
08S	23E	1		99-I		96-I					97-I	97-I				97-I			
08S	23E	1				97-I													
08S	23E	1				98-I													
08S	23E	2	95-I	99-I	95-I	95-I	97-I	98-I	97-I	97-I	93-I	93-I	93-I	93-I	94-I	95-I	94-I	94-I	
08S	23E	2	99-I		96-I	99-I	98-I		98-I	98-I	96-I	97-I		96-I	95-I	96-I	95-I	95-I	
08S	23E	2			97-I		99-I				97-I	98-I					96-I		
08S	23E	2			99-I														
08S	23E	3	97-I	97-I	94-I	97-I	95-I	96-I	95-I	94-I	94-I	95-I	90-I	90-I	93-I	94-I	90-I	90-I	
08S	23E	3	98-I	98-I	95-I	98-I	96-I	99-I	96-I	95-I	95-I	96-I	91-I	91-I	94-I	97-I	94-I	92-I	
08S	23E	3			97-I		97-I			96-I			95-I	94-I	97-I			93-I	
08S	23E	3					99-I							95-I				94-I	

CONDITIONS/REMARKS:

1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
7. RIGHT NO. X36-02080ZO CONATAINS A PORTION OF THE PLACE OF USE DESCRIPTION FOR X36-02080 AND IS NOT A SEPARATE PORTION OF THE RIGHT.
8. RIGHT NO. X36-02080 CONTAINED UNDER X36-02080ZO/Z1/Z2/Z3/Z4.
9. Right Nos. 36-02080, 36-15127, 36-015192, 36-15193, 36-15194, 36-15195 and 36-15196 are located within the West ESPA Water Measurement District.
10. The right holder shall measure and annually report diversions of water and other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
11. Right No. 36-02080 is limited to irrigation of 62,604 acres in the place of use described above in a single irrigation season. Right No. 36-15127 is limited to irrigation of 3,257.3 acres in the place of use described above in a single irrigation

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Water Right No. X36-0208Z0

season.

12. Right No. 36-15192 is limited to irrigation of 36.3 acres in the place of use described above in a single irrigation season.
13. Right No. 36-15193 is limited to irrigation of 31.4 acres in the place of use described above in a single irrigation season.
14. Right No. 36-15194 is limited to irrigation of 166.1 acres in the place of use described above in a single irrigation season.
15. Right No. 36-15195 is limited to irrigation of 188.1 acres in the place of use described above in a single irrigation season.
16. Right No. 36-15196 is limited to irrigation of 22.1 acres in the place of use described above in a single irrigation season.
17. Right Nos. 36-02080, 36-15127, 36-015192, 36-15193, 36-15194, 36-15195 and 36-15196 when combined shall not exceed a total combined diversion rate of 1100.0 cfs, a total combined annual diversion volume of 265,221.2 af, a total combined annual consumptive use volume of 198,915.9 af, and irrigation of a combined total of 66,305.3 acres within the place of use described above and within the boundaries of A & B Irrigation District.
18. The following legal descriptions each contain 2 points of diversion:

    T07S, R23E, SEC 34, NWSESW - Minidoka
    T07S, R24E, SEC 28, NWSWNE; SEC 30, SWNWSE; SEC 32, SWSENE; SEC 33, SENWSE; SEC 35, SWSWSE - Minidoka
    T08S, R21E, SEC 26, NWSENE; SEC 35, SESESE - Jerome
    T08S, R22E, SEC 35, SWSWSE - Minidoka
    T08S, R23E, SEC 01, NENWNE; SEC 04, SWSWSW; SEC 05, NESENE; SEC 12, SWSWNE; SEC 12, SESESW; SEC 14, NWNWNW; SEC 15, SENENW; SEC 17, NESESE; SEC 19, NWSWSE; SEC 23, SWNWSW; SEC 24, NESESW; SEC 28, NWSWSW; SEC 29, SESENE - Minidoka
    T08S, R24E, SEC 03, SWSENE; SEC 04, NESWSW; SEC 11, SWNENW; SEC 13, NWNWNE; SEC 31, SWSESW - Minidoka
    T08S, R25E, SEC 03, SENENW; SEC 03, NWNWNW; SEC 05, NWNENE; SEC 06, NENESE; SEC 12, NWNWNW; SEC 15, NWSWSW; SEC 19, NENWNE; SEC 19, SESWNW; SEC 23, NWNWNW - Minidoka
    T09S, R22E, SEC 09, NENESW; SEC 18, NESWSE; SEC 33, SENESE - Minidoka

    Three points of diversion are located within NWSESE, SEC 03, T09S, R22E, Minidoka.
19. The following convention is used to convert the government lots listed in the above points of diversion and places of use to the official government tract designation: Lot 99 = Tract A;

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Water Right No. X36-02080Z0

Lot 98 = Tract B; Lot 97 = Tract C; Lot 96 = Tract D;
Lot 95 = Tract E; Lot 94 = Tract F; Lot 93 = Tract G;
Lot 92 = Tract H; Lot 91 = Tract J; Lot 90 = Tract K;
Lot 89 = Tract L; Lot 88 = Tract M; Lot 87 = Tract N;
Lot 86 = Tract O; Lot 85 = Tract P; Lot 84 = Tract Q;
Lot 83 = Tract R; Lot 82 = Tract S.

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

To your knowledge has any portion of this water right undergone a period of five or more consecutive years of non-use? _____ If yes, describe:

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

/_/ Tax Notice /_/ Warranty Deed /_/ Other _____

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TRANS NO. 5878

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. **X36-15127**

STAGE: **BENEFICIAL USE**

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL VOLUME
IRRIGATION	04/01 to 10/31	54.03 CFS	13029.2 AF

SOURCE

GROUNDWATER

Priority: 04/01/1984

LOCATION OF POINT(S) OF DIVERSION:

Lot 99(NWSESW), Sec. 34, Township 07S, Range 23E
Lot 96(NWSWSW), Sec. 22, Township 07S, Range 24E
Lot 98(NWNWSE), Sec. 22, Township 07S, Range 24E
Lot 97(NESESE), Sec. 22, Township 07S, Range 24E
Lot 99(NWSWNE), Sec. 23, Township 07S, Range 24E
Lot 99(NWSENE), Sec. 26, Township 07S, Range 24E
Lot 94(NENWSW), Sec. 26, Township 07S, Range 24E
Lot 98(NWSWNE), Sec. 28, Township 07S, Range 24E
Lot 99(SWNWSE), Sec. 30, Township 07S, Range 24E
Lot 99(NWSWNE), Sec. 31, Township 07S, Range 24E
Lot 97(SWSENE), Sec. 32, Township 07S, Range 24E
Lot 98(SENWSE), Sec. 33, Township 07S, Range 24E
Lot 98(SWSENW), Sec. 34, Township 07S, Range 24E
Lot 98(SWSWSE), Sec. 35, Township 07S, Range 24E
Lot 99(NESESW), Sec. 27, Township 07S, Range 25E
Lot 99(NENESW), Sec. 29, Township 07S, Range 25E
Lot 98(NWNESE), Sec. 30, Township 07S, Range 25E
Lot 96(NENESW), Sec. 31, Township 07S, Range 25E
Lot 96(NWNESW), Sec. 32, Township 07S, Range 25E
Lot 99(NESWNW), Sec. 33, Township 07S, Range 25E
Lot 97(SENESW), Sec. 34, Township 07S, Range 25E
MINIDOKA County
Lot 98(NWNESE), Sec. 22, Township 08S, Range 21E
Lot 97(NWSENW), Sec. 24, Township 08S, Range 21E
Lot 96(NWSENE), Sec. 26, Township 08S, Range 21E
Lot 93(SENENE), Sec. 35, Township 08S, Range 21E
Lot 99(SWSWSW), Sec. 35, Township 08S, Range 21E
Lot 97(SESESE), Sec. 35, Township 08S, Range 21E
JEROME County
Lot 96(SWNWSW), Sec. 30, Township 08S, Range 22E

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TRANS NO. 5878

Water Right No. X36-15127

LOCATION OF POINT(S) OF DIVERSION:

Lot 99(SWNWNE), Sec. 35, Township 08S, Range 22E
Lot 98(SWSWSE), Sec. 35, Township 08S, Range 22E
Lot 99(NENWNE), Sec. 1, Township 08S, Range 23E
Lot 94(SWSWSW), Sec. 1, Township 08S, Range 23E
Lot 96(SENESW), Sec. 2, Township 08S, Range 23E
Lot 95(SWSWSW), Sec. 4, Township 08S, Range 23E
Lot 93(NESENE), Sec. 5, Township 08S, Range 23E
Lot 97(NENESE), Sec. 8, Township 08S, Range 23E
Lot 92(SWSENE), Sec. 10, Township 08S, Range 23E
Lot 96(NESWSW), Sec. 10, Township 08S, Range 23E
Lot 96(SWSWNE), Sec. 12, Township 08S, Range 23E
Lot 94(SESESW), Sec. 12, Township 08S, Range 23E
Lot 87(NWNWNW), Sec. 14, Township 08S, Range 23E
Lot 99(SENENW), Sec. 15, Township 08S, Range 23E
Lot 94(SESESE), Sec. 15, Township 08S, Range 23E
Lot 96(NWNENW), Sec. 17, Township 08S, Range 23E
Lot 97(NESESE), Sec. 17, Township 08S, Range 23E
Lot 99(NWSWSE), Sec. 19, Township 08S, Range 23E
Lot 99(SWSENE), Sec. 21, Township 08S, Range 23E
Lot 97(SWSESW), Sec. 22, Township 08S, Range 23E
Lot 95(SWNWSW), Sec. 23, Township 08S, Range 23E
Lot 98(NENWNW), Sec. 24, Township 08S, Range 23E
Lot 95(NESESW), Sec. 24, Township 08S, Range 23E
Lot 97(NWSENW), Sec. 25, Township 08S, Range 23E
Lot 94(NWNWSE), Sec. 26, Township 08S, Range 23E
Lot 99(NENENE), Sec. 27, Township 08S, Range 23E
Lot 98(SWSENW), Sec. 27, Township 08S, Range 23E
Lot 93(SWSESW), Sec. 27, Township 08S, Range 23E
Lot 95(SWNESW), Sec. 28, Township 08S, Range 23E
Lot 93(NWSWSW), Sec. 28, Township 08S, Range 23E
Lot 91(SESENE), Sec. 29, Township 08S, Range 23E
Lot 95(SENESE), Sec. 31, Township 08S, Range 23E
Lot 97(NWSESW), Sec. 34, Township 08S, Range 23E
Lot 90(SENWNW), Sec. 35, Township 08S, Range 23E
Lot 96(NESWSW), Sec. 35, Township 08S, Range 23E
Lot 98(SENWSE), Sec. 35, Township 08S, Range 23E
Lot 95(SESESE), Sec. 35, Township 08S, Range 23E
Lot 98(SESENE), Sec. 1, Township 08S, Range 24E
Lot 99(SWSENE), Sec. 3, Township 08S, Range 24E
Lot 97(SWSWNE), Sec. 4, Township 08S, Range 24E
Lot 99(NESWSW), Sec. 4, Township 08S, Range 24E
Lot 94(SENENW), Sec. 6, Township 08S, Range 24E
Lot 98(NWNWSW), Sec. 6, Township 08S, Range 24E
Lot 91(SENESE), Sec. 6, Township 08S, Range 24E
Lot 94(NWNESE), Sec. 7, Township 08S, Range 24E
Lot 97(NESENE), Sec. 8, Township 08S, Range 24E
Lot 98(NWSWNE), Sec. 10, Township 08S, Range 24E
Lot 92(SWSWNW), Sec. 10, Township 08S, Range 24E
Lot 95(SESESW), Sec. 10, Township 08S, Range 24E

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TRANS NO. 5878

Water Right No. X36-15127

LOCATION OF POINT(S) OF DIVERSION:

Lot 98(SWNENW), Sec. 11, Township 08S, Range 24E
Lot 95(NWNWSE), Sec. 11, Township 08S, Range 24E
Lot 97(NENWNE), Sec. 12, Township 08S, Range 24E
Lot 90(NWNWNE), Sec. 13, Township 08S, Range 24E
Lot 95(SWSESW), Sec. 14, Township 08S, Range 24E
Lot 97(SESWNW), Sec. 15, Township 08S, Range 24E
Lot 96(NESWNW), Sec. 18, Township 08S, Range 24E
Lot 95(NENWNE), Sec. 21, Township 08S, Range 24E
Lot 97(NESWSW), Sec. 21, Township 08S, Range 24E
Lot 96(SWNESE), Sec. 22, Township 08S, Range 24E
Lot 95(SESESW), Sec. 23, Township 08S, Range 24E
Lot 98(SESWNE), Sec. 26, Township 08S, Range 24E
Lot 93(SENWSE), Sec. 29, Township 08S, Range 24E
Lot 92(SWNENW), Sec. 30, Township 08S, Range 24E
Lot 99(SENWSE), Sec. 30, Township 08S, Range 24E
Lot 98(SWSESW), Sec. 31, Township 08S, Range 24E
Lot 99(SENENW), Sec. 3, Township 08S, Range 25E
Lot 96(NWNWNW), Sec. 3, Township 08S, Range 25E
Lot 96(NENESE), Sec. 3, Township 08S, Range 25E
Lot 95(NWNENE), Sec. 5, Township 08S, Range 25E
Lot 98(NENESE), Sec. 6, Township 08S, Range 25E
Lot 93(NWSWSE), Sec. 11, Township 08S, Range 25E
Lot 99(NWNWNW), Sec. 12, Township 08S, Range 25E
Lot 99(NWSWSW), Sec. 13, Township 08S, Range 25E
Lot 97(SWNESW), Sec. 14, Township 08S, Range 25E
Lot 94(NWSWSW), Sec. 15, Township 08S, Range 25E
Lot 95(NWNENE), Sec. 17, Township 08S, Range 25E
Lot 90(NENWNE), Sec. 19, Township 08S, Range 25E
Lot 94(SESWNW), Sec. 19, Township 08S, Range 25E
Lot 96(NESESW), Sec. 21, Township 08S, Range 25E
Lot 91(NWNWNW), Sec. 23, Township 08S, Range 25E
Lot 95(SENWNW), Sec. 24, Township 08S, Range 25E

MINIDOKA County

Lot 99(NWNESW), Sec. 1, Township 09S, Range 21E
Lot 98(NENWSW), Sec. 3, Township 09S, Range 21E
Lot 91(SESESW), Sec. 3, Township 09S, Range 21E
Lot 95(NWNESE), Sec. 3, Township 09S, Range 21E

JEROME County

Lot 99(NWSESE), Sec. 3, Township 09S, Range 22E
Lot 97(SENENE), Sec. 7, Township 09S, Range 22E
Lot 97(NESENE), Sec. 7, Township 09S, Range 22E
Lot 98(SESWNW), Sec. 9, Township 09S, Range 22E
Lot 96(NENESW), Sec. 9, Township 09S, Range 22E
Lot 99(NESWNE), Sec. 10, Township 09S, Range 22E
Lot 94(NWNWNE), Sec. 11, Township 09S, Range 22E
Lot 94(SENENW), Sec. 11, Township 09S, Range 22E
Lot 97(NESWNE), Sec. 15, Township 09S, Range 22E
Lot 99(SWSWNE), Sec. 15, Township 09S, Range 22E
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Water Right No. X36-15127

LOCATION OF POINT(S) OF DIVERSION:

Lot 99(NWSWNW), Sec. 19, Township 09S, Range 22E
Lot 99(SESWNE), Sec. 22, Township 09S, Range 22E
Lot 98(NESESE), Sec. 28, Township 09S, Range 22E
Lot 91(NWNENE), Sec. 30, Township 09S, Range 22E
Lot 98(SENESE), Sec. 33, Township 09S, Range 22E
Lot 96(NESENE), Sec. 2, Township 09S, Range 23E
Lot 95(NESENE), Sec. 3, Township 09S, Range 23E
Lot 99(NENWSW), Sec. 3, Township 09S, Range 23E
Lot 99(SESENE), Sec. 6, Township 09S, Range 23E
Lot 92(NWSWSE), Sec. 6, Township 09S, Range 23E
MINIDOKA County
Lot 95(SWNWSW), Sec. 2, Township 10S, Range 21E
JEROME County
Lot 91(SENWSW), Sec. 3, Township 10S, Range 22E
MINIDOKA County

PLACE OF USE: See Remarks

CONDITIONS/REMARKS:

1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
7. Right Nos. 36-02080, 36-15127, 36-015192, 36-15193, 36-15194, 36-15195 and 36-15196 are located within the West ESPA Water Measurement District.
8. The right holder shall measure and annually report diversions of water and other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
9. Right No. 36-15127 is limited to irrigation of 3,257.3 acres in the place of use described in Right No. 36-02080 in a single irrigation season.
10. Right Nos. 36-02080, 36-15127, 36-015192, 36-15193, 36-15194, 36-15195 and 36-15196 when combined shall not exceed a total combined diversion rate of 1100.0 cfs, a total combined annual diversion volume of 265,221.2 af, a total combined annual consumptive use volume of 198,915.9 af, and irrigation of a

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Water Right No. X36-15127

combined total of 66,305.3 acres within the place of use described above and within the boundaries of A & B Irrigation District.

11. The following legal descriptions each contain 2 points of diversion:
T07S, R23E, SEC 34, NWSESW - Minidoka
T07S, R24E, SEC 28, NWSWNE; SEC 30, SWNWSE; SEC 32, SWSENE; SEC 33, SENWSE; SEC 35, SWSWSE - Minidoka
T08S, R21E, SEC 26, NWSENE; SEC 35, SESESE - Jerome
T08S, R22E, SEC 35, SWSWSE - Minidoka
T08S, R23E, SEC 01, NENWNE; SEC 04, SWSWSW; SEC 05, NESENE; SEC 12, SWSWNE; SEC 12, SESESW; SEC 14, NWNWNW; SEC 15, SENENW; SEC 17, NESESE; SEC 19, NWSWSE; SEC 23, SWNWSW; SEC 24, NESESW; SEC 28, NWSWSW; SEC 29, SESENE - Minidoka
T08S, R24E, SEC 03, SWSENE; SEC 04, NESWSW; SEC 11, SWNENW; SEC 13, NWNWNE; SEC 31, SWSESW - Minidoka
T08S, R25E, SEC 03, SENENW; SEC 03, NWNWNW; SEC 05, NWNENE; SEC 06, NENESE; SEC 12, NWNWNW; SEC 15, NWSWSW; SEC 19, NENWNE; SEC 19, SESWNW; SEC 23, NWNWNW - Minidoka
T09S, R22E, SEC 09, NENESW; SEC 18, NESWSE; SEC 33, SENESE - Minidoka
Three points of diversion are located within NWSESE, SEC 03, T09S, R22E, Minidoka.

12. The following convention is used to convert the government lots listed in the above points of diversion and places of use to the official government tract designation: Lot 99 = Tract A;
Lot 98 = Tract B; Lot 97 = Tract C; Lot 96 = Tract D;
Lot 95 = Tract E; Lot 94 = Tract F; Lot 93 = Tract G;
Lot 92 = Tract H; Lot 91 = Tract J; Lot 90 = Tract K;
Lot 89 = Tract L; Lot 88 = Tract M; Lot 87 = Tract N;
Lot 86 = Tract O; Lot 85 = Tract P; Lot 84 = Tract Q;
Lot 83 = Tract R; Lot 82 = Tract S.

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

To your knowledge has any portion of this water right undergone a period of five or more consecutive years of non-use? _____ If yes, describe:

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

/_/ Tax Notice /_/ Warranty Deed /_/ Other _____

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TRANS NO. 5878

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. **X36-15192**

STAGE: **BENEFICIAL USE**

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL VOLUME
IRRIGATION	04/01 to 10/31	0.60 CFS	145.2 AF

SOURCE

GROUNDWATER

Priority: 04/01/1962

LOCATION OF POINT(S) OF DIVERSION:

Lot 99(NWSESW), Sec. 34, Township 07S, Range 23E
Lot 96(NWSWSW), Sec. 22, Township 07S, Range 24E
Lot 98(NWNWSE), Sec. 22, Township 07S, Range 24E
Lot 97(NESESE), Sec. 22, Township 07S, Range 24E
Lot 99(NWSWNE), Sec. 23, Township 07S, Range 24E
Lot 99(NWSENE), Sec. 26, Township 07S, Range 24E
Lot 94(NENWSW), Sec. 26, Township 07S, Range 24E
Lot 98(NWSWNE), Sec. 28, Township 07S, Range 24E
Lot 99(SWNWSE), Sec. 30, Township 07S, Range 24E
Lot 99(NWSWNE), Sec. 31, Township 07S, Range 24E
Lot 97(SWSENE), Sec. 32, Township 07S, Range 24E
Lot 98(SENWSE), Sec. 33, Township 07S, Range 24E
Lot 98(SWSENW), Sec. 34, Township 07S, Range 24E
Lot 98(SWSWSE), Sec. 35, Township 07S, Range 24E
Lot 99(NESESW), Sec. 27, Township 07S, Range 25E
Lot 99(NENESW), Sec. 29, Township 07S, Range 25E
Lot 98(NWNESE), Sec. 30, Township 07S, Range 25E
Lot 96(NENESW), Sec. 31, Township 07S, Range 25E
Lot 96(NWNESW), Sec. 32, Township 07S, Range 25E
Lot 99(NESWNW), Sec. 33, Township 07S, Range 25E
Lot 97(SENESW), Sec. 34, Township 07S, Range 25E
MINIDOKA County
Lot 98(NWNESE), Sec. 22, Township 08S, Range 21E
Lot 97(NWSENW), Sec. 24, Township 08S, Range 21E
Lot 96(NWSENE), Sec. 26, Township 08S, Range 21E
Lot 93(SENENE), Sec. 35, Township 08S, Range 21E
Lot 99(SWSWSW), Sec. 35, Township 08S, Range 21E
Lot 97(SESESE), Sec. 35, Township 08S, Range 21E
JEROME County
Lot 96(SWNWSW), Sec. 30, Township 08S, Range 22E

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Water Right No. X36-15192

LOCATION OF POINT(S) OF DIVERSION:

Lot 99(SWNWNE), Sec. 35, Township 08S, Range 22E
Lot 98(SWSWSE), Sec. 35, Township 08S, Range 22E
Lot 99(NENWNE), Sec. 1, Township 08S, Range 23E
Lot 94(SWSWSW), Sec. 1, Township 08S, Range 23E
Lot 96(SENESW), Sec. 2, Township 08S, Range 23E
Lot 95(SWSWSW), Sec. 4, Township 08S, Range 23E
Lot 93(NESENE), Sec. 5, Township 08S, Range 23E
Lot 97(NENESE), Sec. 8, Township 08S, Range 23E
Lot 92(SWSENE), Sec. 10, Township 08S, Range 23E
Lot 96(NESWSW), Sec. 10, Township 08S, Range 23E
Lot 96(SWSWNE), Sec. 12, Township 08S, Range 23E
Lot 94(SESESW), Sec. 12, Township 08S, Range 23E
Lot 87(NWNWNW), Sec. 14, Township 08S, Range 23E
Lot 99(SENENW), Sec. 15, Township 08S, Range 23E
Lot 94(SESESE), Sec. 15, Township 08S, Range 23E
Lot 96(NWNENW), Sec. 17, Township 08S, Range 23E
Lot 97(NESESE), Sec. 17, Township 08S, Range 23E
Lot 99(NWSWSE), Sec. 19, Township 08S, Range 23E
Lot 99(SWSENE), Sec. 21, Township 08S, Range 23E
Lot 97(SWSESW), Sec. 22, Township 08S, Range 23E
Lot 95(SWNWSW), Sec. 23, Township 08S, Range 23E
Lot 98(NENWNW), Sec. 24, Township 08S, Range 23E
Lot 95(NESESW), Sec. 24, Township 08S, Range 23E
Lot 97(NWSENW), Sec. 25, Township 08S, Range 23E
Lot 94(NWNWSE), Sec. 26, Township 08S, Range 23E
Lot 99(NENENE), Sec. 27, Township 08S, Range 23E
Lot 98(SWSENW), Sec. 27, Township 08S, Range 23E
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Lot 95(SWNESW), Sec. 28, Township 08S, Range 23E
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Lot 91(SESENE), Sec. 29, Township 08S, Range 23E
Lot 95(SENESE), Sec. 31, Township 08S, Range 23E
Lot 97(NWSESW), Sec. 34, Township 08S, Range 23E
Lot 90(SENWNW), Sec. 35, Township 08S, Range 23E
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Lot 99(NESWSW), Sec. 4, Township 08S, Range 24E
Lot 94(SENENW), Sec. 6, Township 08S, Range 24E
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Lot 94(NWNESE), Sec. 7, Township 08S, Range 24E
Lot 97(NESENE), Sec. 8, Township 08S, Range 24E
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Water Right No. X36-15192

LOCATION OF POINT(S) OF DIVERSION:

Lot 98(SWNENW), Sec. 11, Township 08S, Range 24E
Lot 95(NWNWSE), Sec. 11, Township 08S, Range 24E
Lot 97(NENWNE), Sec. 12, Township 08S, Range 24E
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Lot 95(NENWNE), Sec. 21, Township 08S, Range 24E
Lot 97(NESWSW), Sec. 21, Township 08S, Range 24E
Lot 96(SWNESE), Sec. 22, Township 08S, Range 24E
Lot 95(SESESW), Sec. 23, Township 08S, Range 24E
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Lot 93(SENWSE), Sec. 29, Township 08S, Range 24E
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Lot 99(NWSWSW), Sec. 13, Township 08S, Range 25E
Lot 97(SWNESW), Sec. 14, Township 08S, Range 25E
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Lot 90(NENWNE), Sec. 19, Township 08S, Range 25E
Lot 94(SESWNW), Sec. 19, Township 08S, Range 25E
Lot 96(NESESW), Sec. 21, Township 08S, Range 25E
Lot 91(NWNWNW), Sec. 23, Township 08S, Range 25E
Lot 95(SENWNW), Sec. 24, Township 08S, Range 25E

MINIDOKA County

Lot 99(NWNESW), Sec. 1, Township 09S, Range 21E
Lot 98(NENWSW), Sec. 3, Township 09S, Range 21E
Lot 91(SESESW), Sec. 3, Township 09S, Range 21E
Lot 95(NWNESE), Sec. 3, Township 09S, Range 21E

JEROME County

Lot 99(NWSESE), Sec. 3, Township 09S, Range 22E
Lot 97(SENENE), Sec. 7, Township 09S, Range 22E
Lot 97(NESENE), Sec. 7, Township 09S, Range 22E
Lot 98(SESWNW), Sec. 9, Township 09S, Range 22E
Lot 96(NENESW), Sec. 9, Township 09S, Range 22E
Lot 99(NESWNE), Sec. 10, Township 09S, Range 22E
Lot 94(NWNWNE), Sec. 11, Township 09S, Range 22E
Lot 94(SENENW), Sec. 11, Township 09S, Range 22E
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Lot 99(SWSWNE), Sec. 15, Township 09S, Range 22E
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Water Right No. X36-15192

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Lot 99(NWSWNW), Sec. 19, Township 09S, Range 22E
Lot 99(SESWNE), Sec. 22, Township 09S, Range 22E
Lot 98(NESESE), Sec. 28, Township 09S, Range 22E
Lot 91(NWNENE), Sec. 30, Township 09S, Range 22E
Lot 98(SENESE), Sec. 33, Township 09S, Range 22E
Lot 96(NESENE), Sec. 2, Township 09S, Range 23E
Lot 95(NESENE), Sec. 3, Township 09S, Range 23E
Lot 99(NENWSW), Sec. 3, Township 09S, Range 23E
Lot 99(SESENE), Sec. 6, Township 09S, Range 23E
Lot 92(NWSWSE), Sec. 6, Township 09S, Range 23E
MINIDOKA County
Lot 95(SWNWSW), Sec. 2, Township 10S, Range 21E
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MINIDOKA County

PLACE OF USE: See Remarks

CONDITIONS/REMARKS:

1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
7. Right Nos. 36-02080, 36-15127, 36-015192, 36-15193, 36-15194, 36-15195 and 36-15196 are located within the West ESPA Water Measurement District.
8. The right holder shall measure and annually report diversions of water and other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
9. Right No. 36-15192 is limited to irrigation of 36.3 acres in the place of use described under Right No. 36-2080 in a single irrigation season.
10. Right Nos. 36-02080, 36-15127, 36-015192, 36-15193, 36-15194, 36-15195 and 36-15196 when combined shall not exceed a total combined diversion rate of 1100.0 cfs, a total combined annual diversion volume of 265,221.2 af, a total combined annual consumptive use volume of 198,915.9 af, and irrigation of a

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Water Right No. X36-15192

combined total of 66,305.3 acres within the place of use described above and within the boundaries of A & B Irrigation District.

11. The following legal descriptions each contain 2 points of diversion:
T07S, R23E, SEC 34, NWSESW - Minidoka
T07S, R24E, SEC 28, NWSWNE; SEC 30, SWNWSE; SEC 32, SWSENE; SEC 33, SENWSE; SEC 35, SWSWSE - Minidoka
T08S, R21E, SEC 26, NWSENE; SEC 35, SESESE - Jerome
T08S, R22E, SEC 35, SWSWSE - Minidoka
T08S, R23E, SEC 01, NENWNE; SEC 04, SWSWSW; SEC 05, NESENE; SEC 12, SWSWNE; SEC 12, SESESW; SEC 14, NWNWNW; SEC 15, SENENW; SEC 17, NESESE; SEC 19, NWSWSE; SEC 23, SWNWSW; SEC 24, NESESW; SEC 28, NWSWSW; SEC 29, SESENE - Minidoka
T08S, R24E, SEC 03, SWSENE; SEC 04, NESWSW; SEC 11, SWNENW; SEC 13, NWNWNE; SEC 31, SWSESW - Minidoka
T08S, R25E, SEC 03, SENENW; SEC 03, NWNWNW; SEC 05, NWNENE; SEC 06, NENESE; SEC 12, NWNWNW; SEC 15, NWSWSW; SEC 19, NENWNE; SEC 19, SESWNW; SEC 23, NWNWNW - Minidoka
T09S, R22E, SEC 09, NENESW; SEC 18, NESWSE; SEC 33, SENESE, Minidoka
Three points of diversion are located within NWSESE, SEC 03, T09S, R22E, Minidoka.

12. The following convention is used to convert the government lots listed in the above points of diversion and places of use to the official government tract designation: Lot 99 = Tract A;
Lot 98 = Tract B; Lot 97 = Tract C; Lot 96 = Tract D;
Lot 95 = Tract E; Lot 94 = Tract F; Lot 93 = Tract G;
Lot 92 = Tract H; Lot 91 = Tract J; Lot 90 = Tract K;
Lot 89 = Tract L; Lot 88 = Tract M; Lot 87 = Tract N;
Lot 86 = Tract O; Lot 85 = Tract P; Lot 84 = Tract Q;
Lot 83 = Tract R; Lot 82 = Tract S.

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

To your knowledge has any portion of this water right undergone a period of five or more consecutive years of non-use? _____ If yes, describe:

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

/_/ Tax Notice /_/ Warranty Deed /_/ Other _____

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TRANS NO. 5878

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. **X36-15193**

STAGE: **BENEFICIAL USE**

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL VOLUME
IRRIGATION	04/01 to 10/31	0.52 CFS	125.6 AF

SOURCE

GROUNDWATER

Priority: 04/01/1965

LOCATION OF POINT(S) OF DIVERSION:

Lot 99(NWSESW), Sec. 34, Township 07S, Range 23E
Lot 96(NWSWSW), Sec. 22, Township 07S, Range 24E
Lot 98(NWNWSE), Sec. 22, Township 07S, Range 24E
Lot 97(NESESE), Sec. 22, Township 07S, Range 24E
Lot 99(NWSWNE), Sec. 23, Township 07S, Range 24E
Lot 99(NWSENE), Sec. 26, Township 07S, Range 24E
Lot 94(NENWSW), Sec. 26, Township 07S, Range 24E
Lot 98(NWSWNE), Sec. 28, Township 07S, Range 24E
Lot 99(SWNWSE), Sec. 30, Township 07S, Range 24E
Lot 99(NWSWNE), Sec. 31, Township 07S, Range 24E
Lot 97(SWSENE), Sec. 32, Township 07S, Range 24E
Lot 98(SENWSE), Sec. 33, Township 07S, Range 24E
Lot 98(SWSENW), Sec. 34, Township 07S, Range 24E
Lot 98(SWSWSE), Sec. 35, Township 07S, Range 24E
Lot 99(NESESW), Sec. 27, Township 07S, Range 25E
Lot 99(NENESW), Sec. 29, Township 07S, Range 25E
Lot 98(NWNESE), Sec. 30, Township 07S, Range 25E
Lot 96(NENESW), Sec. 31, Township 07S, Range 25E
Lot 96(NWNESW), Sec. 32, Township 07S, Range 25E
Lot 99(NESWNW), Sec. 33, Township 07S, Range 25E
Lot 97(SENESW), Sec. 34, Township 07S, Range 25E
MINIDOKA County
Lot 98(NWNESE), Sec. 22, Township 08S, Range 21E
Lot 97(NWSENW), Sec. 24, Township 08S, Range 21E
Lot 96(NWSENE), Sec. 26, Township 08S, Range 21E
Lot 93(SENENE), Sec. 35, Township 08S, Range 21E
Lot 99(SWSWSW), Sec. 35, Township 08S, Range 21E
Lot 97(SESESE), Sec. 35, Township 08S, Range 21E
JEROME County
Lot 96(SWNWSW), Sec. 30, Township 08S, Range 22E

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TRANS NO. 5878

Water Right No. X36-15193

LOCATION OF POINT(S) OF DIVERSION:

Lot 99(SWNWNE), Sec. 35, Township 08S, Range 22E
Lot 98(SWSWSE), Sec. 35, Township 08S, Range 22E
Lot 99(NENWNE), Sec. 1, Township 08S, Range 23E
Lot 94(SWSWSW), Sec. 1, Township 08S, Range 23E
Lot 96(SENESW), Sec. 2, Township 08S, Range 23E
Lot 95(SWSWSW), Sec. 4, Township 08S, Range 23E
Lot 93(NESENE), Sec. 5, Township 08S, Range 23E
Lot 97(NENESE), Sec. 8, Township 08S, Range 23E
Lot 92(SWSENE), Sec. 10, Township 08S, Range 23E
Lot 96(NESWSW), Sec. 10, Township 08S, Range 23E
Lot 96(SWSWNE), Sec. 12, Township 08S, Range 23E
Lot 94(SESESW), Sec. 12, Township 08S, Range 23E
Lot 87(NWNWNW), Sec. 14, Township 08S, Range 23E
Lot 99(SENENW), Sec. 15, Township 08S, Range 23E
Lot 94(SESESE), Sec. 15, Township 08S, Range 23E
Lot 96(NWNENW), Sec. 17, Township 08S, Range 23E
Lot 97(NESESE), Sec. 17, Township 08S, Range 23E
Lot 99(NWSWSE), Sec. 19, Township 08S, Range 23E
Lot 99(SWSENE), Sec. 21, Township 08S, Range 23E
Lot 97(SWSESW), Sec. 22, Township 08S, Range 23E
Lot 95(SWNWSW), Sec. 23, Township 08S, Range 23E
Lot 98(NENWNW), Sec. 24, Township 08S, Range 23E
Lot 95(NESESW), Sec. 24, Township 08S, Range 23E
Lot 97(NWSENW), Sec. 25, Township 08S, Range 23E
Lot 94(NWNWSE), Sec. 26, Township 08S, Range 23E
Lot 99(NENENE), Sec. 27, Township 08S, Range 23E
Lot 98(SWSENW), Sec. 27, Township 08S, Range 23E
Lot 93(SWSESW), Sec. 27, Township 08S, Range 23E
Lot 95(SWNESW), Sec. 28, Township 08S, Range 23E
Lot 93(NWSWSW), Sec. 28, Township 08S, Range 23E
Lot 91(SESENE), Sec. 29, Township 08S, Range 23E
Lot 95(SENESE), Sec. 31, Township 08S, Range 23E
Lot 97(NWSESW), Sec. 34, Township 08S, Range 23E
Lot 90(SENWNW), Sec. 35, Township 08S, Range 23E
Lot 96(NESWSW), Sec. 35, Township 08S, Range 23E
Lot 98(SENWSE), Sec. 35, Township 08S, Range 23E
Lot 95(SESESE), Sec. 35, Township 08S, Range 23E
Lot 98(SESENE), Sec. 1, Township 08S, Range 24E
Lot 99(SWSENE), Sec. 3, Township 08S, Range 24E
Lot 97(SWSWNE), Sec. 4, Township 08S, Range 24E
Lot 99(NESWSW), Sec. 4, Township 08S, Range 24E
Lot 94(SENENW), Sec. 6, Township 08S, Range 24E
Lot 98(NWNWSW), Sec. 6, Township 08S, Range 24E
Lot 91(SENESE), Sec. 6, Township 08S, Range 24E
Lot 94(NWNESE), Sec. 7, Township 08S, Range 24E
Lot 97(NESENE), Sec. 8, Township 08S, Range 24E
Lot 98(NWSWNE), Sec. 10, Township 08S, Range 24E
Lot 92(SWSWNW), Sec. 10, Township 08S, Range 24E
Lot 95(SESESW), Sec. 10, Township 08S, Range 24E

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Water Right No. X36-15193

LOCATION OF POINT(S) OF DIVERSION:

Lot 98(SWNENW), Sec. 11, Township 08S, Range 24E
Lot 95(NWNWSE), Sec. 11, Township 08S, Range 24E
Lot 97(NENWNE), Sec. 12, Township 08S, Range 24E
Lot 90(NWNWNE), Sec. 13, Township 08S, Range 24E
Lot 95(SWSESW), Sec. 14, Township 08S, Range 24E
Lot 97(SESWNW), Sec. 15, Township 08S, Range 24E
Lot 96(NESWNW), Sec. 18, Township 08S, Range 24E
Lot 95(NENWNE), Sec. 21, Township 08S, Range 24E
Lot 97(NESWSW), Sec. 21, Township 08S, Range 24E
Lot 96(SWNESE), Sec. 22, Township 08S, Range 24E
Lot 95(SESESW), Sec. 23, Township 08S, Range 24E
Lot 98(SESWNE), Sec. 26, Township 08S, Range 24E
Lot 93(SENWSE), Sec. 29, Township 08S, Range 24E
Lot 92(SWNENW), Sec. 30, Township 08S, Range 24E
Lot 99(SENWSE), Sec. 30, Township 08S, Range 24E
Lot 98(SWSESW), Sec. 31, Township 08S, Range 24E
Lot 99(SENENW), Sec. 3, Township 08S, Range 25E
Lot 96(NWNWNW), Sec. 3, Township 08S, Range 25E
Lot 96(NENESE), Sec. 3, Township 08S, Range 25E
Lot 95(NWNENE), Sec. 5, Township 08S, Range 25E
Lot 98(NENESE), Sec. 6, Township 08S, Range 25E
Lot 93(NWSWSE), Sec. 11, Township 08S, Range 25E
Lot 99(NWNWNW), Sec. 12, Township 08S, Range 25E
Lot 99(NWSWSW), Sec. 13, Township 08S, Range 25E
Lot 97(SWNESW), Sec. 14, Township 08S, Range 25E
Lot 94(NWSWSW), Sec. 15, Township 08S, Range 25E
Lot 95(NWNENE), Sec. 17, Township 08S, Range 25E
Lot 90(NENWNE), Sec. 19, Township 08S, Range 25E
Lot 94(SESWNW), Sec. 19, Township 08S, Range 25E
Lot 96(NESESW), Sec. 21, Township 08S, Range 25E
Lot 91(NWNWNW), Sec. 23, Township 08S, Range 25E
Lot 95(SENWNW), Sec. 24, Township 08S, Range 25E

MINIDOKA County

Lot 99(NWNESW), Sec. 1, Township 09S, Range 21E
Lot 98(NENWSW), Sec. 3, Township 09S, Range 21E
Lot 91(SESESW), Sec. 3, Township 09S, Range 21E
Lot 95(NWNESE), Sec. 3, Township 09S, Range 21E

JEROME County

Lot 99(NWSESE), Sec. 3, Township 09S, Range 22E
Lot 97(SENENE), Sec. 7, Township 09S, Range 22E
Lot 97(NESENE), Sec. 7, Township 09S, Range 22E
Lot 98(SESWNW), Sec. 9, Township 09S, Range 22E
Lot 96(NENESW), Sec. 9, Township 09S, Range 22E
Lot 99(NESWNE), Sec. 10, Township 09S, Range 22E
Lot 94(NWNWNE), Sec. 11, Township 09S, Range 22E
Lot 94(SENENW), Sec. 11, Township 09S, Range 22E
Lot 97(NESWNE), Sec. 15, Township 09S, Range 22E
Lot 99(SWSWNE), Sec. 15, Township 09S, Range 22E
Lot 97(NESWSE), Sec. 18, Township 09S, Range 22E

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Water Right No. X36-15193

LOCATION OF POINT(S) OF DIVERSION:

Lot 99(NWSWNW), Sec. 19, Township 09S, Range 22E
Lot 99(SESWNE), Sec. 22, Township 09S, Range 22E
Lot 98(NESESE), Sec. 28, Township 09S, Range 22E
Lot 91(NWNENE), Sec. 30, Township 09S, Range 22E
Lot 98(SENESE), Sec. 33, Township 09S, Range 22E
Lot 96(NESENE), Sec. 2, Township 09S, Range 23E
Lot 95(NESENE), Sec. 3, Township 09S, Range 23E
Lot 99(NENWSW), Sec. 3, Township 09S, Range 23E
Lot 99(SESENE), Sec. 6, Township 09S, Range 23E
Lot 92(NWSWSE), Sec. 6, Township 09S, Range 23E
MINIDOKA County
Lot 95(SWNWSW), Sec. 2, Township 10S, Range 21E
JEROME County
Lot 91(SENWSW), Sec. 3, Township 10S, Range 22E
MINIDOKA County

PLACE OF USE: See Remarks

CONDITIONS/REMARKS:

1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
7. Right Nos. 36-02080, 36-15127, 36-015192, 36-15193, 36-15194, 36-15195 and 36-15196 are located within the West ESPA Water Measurement District.
8. The right holder shall measure and annually report diversions of water and other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
9. Right No. 36-15193 is limited to irrigation of 31.4 acres in the place of use described under Right No. 36-02080 in a single irrigation season.
10. Right Nos. 36-02080, 36-15127, 36-015192, 36-15193, 36-15194, 36-15195 and 36-15196 when combined shall not exceed a total combined diversion rate of 1100.0 cfs, a total combined annual diversion volume of 265,221.2 af, a total combined annual consumptive use volume of 198,915.9 af, and irrigation of a

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Water Right No. X36-15193

combined total of 66,305.3 acres within the place of use described above and within the boundaries of A & B Irrigation District.

11. The following legal descriptions each contain 2 points of diversion:
T07S, R23E, SEC 34, NWSESW - Minidoka
T07S, R24E, SEC 28, NWSWNE; SEC 30, SWNWSE; SEC 32, SWSENE; SEC 33, SENWSE; SEC 35, SWSWSE - Minidoka
T08S, R21E, SEC 26, NWSENE; SEC 35, SESESE - Jerome
T08S, R22E, SEC 35, SWSWSE - Minidoka
T08S, R23E, SEC 01, NENWNE; SEC 04, SWSWSW; SEC 05, NESENE; SEC 12, SWSWNE; SEC 12, SESESW; SEC 14, NWNWNW; SEC 15, SENENW; SEC 17, NESESE; SEC 19, NWSWSE; SEC 23, SWNWSW; SEC 24, NESESW; SEC 28, NWSWSW; SEC 29, SESENE - Minidoka
T08S, R24E, SEC 03, SWSENE; SEC 04, NESWSW; SEC 11, SWNENW; SEC 13, NWNWNE; SEC 31, SWSESW - Minidoka
T08S, R25E, SEC 03, SENENW; SEC 03, NWNWNW; SEC 05, NWNENE; SEC 06, NENESE; SEC 12, NWNWNW; SEC 15, NWSWSW; SEC 19, NENWNE; SEC 19, SESWNW; SEC 23, NWNWNW - Minidoka
T09S, R22E, SEC 09, NENESW; SEC 18, NESWSE; SEC 33, SENESE - Minidoka.

12. Three points of diversion are located within NWSESE, SEC 03, T09S, R22E, Minidoka.

13. The following convention is used to convert the government lots listed in the above points of diversion and places of use to the official government tract designation: Lot 99 = Tract A; Lot 98 = Tract B; Lot 97 = Tract C; Lot 96 = Tract D; Lot 95 = Tract E; Lot 94 = Tract F; Lot 93 = Tract G; Lot 92 = Tract H; Lot 91 = Tract J; Lot 90 = Tract K; Lot 89 = Tract L; Lot 88 = Tract M; Lot 87 = Tract N; Lot 86 = Tract O; Lot 85 = Tract P; Lot 84 = Tract Q; Lot 83 = Tract R; Lot 82 = Tract S.

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

_____

_____

To your knowledge has any portion of this water right undergone a period of five or more consecutive years of non-use? _____ If yes, describe:

_____

_____

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

/_/ Tax Notice /_/ Warranty Deed /_/ Other _____

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TRANS NO. 5878

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. **X36-15194**

STAGE: **BENEFICIAL USE**

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL VOLUME
IRRIGATION	04/01 to 10/31	2.76 CFS	664.4 AF

SOURCE

GROUNDWATER

Priority: 04/01/1968

LOCATION OF POINT(S) OF DIVERSION:

Lot 99(NWSESW), Sec. 34, Township 07S, Range 23E
Lot 96(NWSWSW), Sec. 22, Township 07S, Range 24E
Lot 98(NWNWSE), Sec. 22, Township 07S, Range 24E
Lot 97(NESESE), Sec. 22, Township 07S, Range 24E
Lot 99(NWSWNE), Sec. 23, Township 07S, Range 24E
Lot 99(NWSENE), Sec. 26, Township 07S, Range 24E
Lot 94(NENWSW), Sec. 26, Township 07S, Range 24E
Lot 98(NWSWNE), Sec. 28, Township 07S, Range 24E
Lot 99(SWNWSE), Sec. 30, Township 07S, Range 24E
Lot 99(NWSWNE), Sec. 31, Township 07S, Range 24E
Lot 97(SWSENE), Sec. 32, Township 07S, Range 24E
Lot 98(SENWSE), Sec. 33, Township 07S, Range 24E
Lot 98(SWSENW), Sec. 34, Township 07S, Range 24E
Lot 98(SWSWSE), Sec. 35, Township 07S, Range 24E
Lot 99(NESESW), Sec. 27, Township 07S, Range 25E
Lot 99(NENESW), Sec. 29, Township 07S, Range 25E
Lot 98(NWNESE), Sec. 30, Township 07S, Range 25E
Lot 96(NENESW), Sec. 31, Township 07S, Range 25E
Lot 96(NWNESW), Sec. 32, Township 07S, Range 25E
Lot 99(NESWNW), Sec. 33, Township 07S, Range 25E
Lot 97(SENESW), Sec. 34, Township 07S, Range 25E
MINIDOKA County
Lot 98(NWNESE), Sec. 22, Township 08S, Range 21E
Lot 97(NWSENW), Sec. 24, Township 08S, Range 21E
Lot 96(NWSENE), Sec. 26, Township 08S, Range 21E
Lot 93(SENENE), Sec. 35, Township 08S, Range 21E
Lot 99(SWSWSW), Sec. 35, Township 08S, Range 21E
Lot 97(SESESE), Sec. 35, Township 08S, Range 21E
JEROME County
Lot 96(SWNWSW), Sec. 30, Township 08S, Range 22E

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Water Right No. X36-15194

LOCATION OF POINT(S) OF DIVERSION:

Lot 99(SWNWNE), Sec. 35, Township 08S, Range 22E
Lot 98(SWSWSE), Sec. 35, Township 08S, Range 22E
Lot 99(NENWNE), Sec. 1, Township 08S, Range 23E
Lot 94(SWSWSW), Sec. 1, Township 08S, Range 23E
Lot 96(SENESW), Sec. 2, Township 08S, Range 23E
Lot 95(SWSWSW), Sec. 4, Township 08S, Range 23E
Lot 93(NESENE), Sec. 5, Township 08S, Range 23E
Lot 97(NENESE), Sec. 8, Township 08S, Range 23E
Lot 92(SWSENE), Sec. 10, Township 08S, Range 23E
Lot 96(NESWSW), Sec. 10, Township 08S, Range 23E
Lot 96(SWSWNE), Sec. 12, Township 08S, Range 23E
Lot 94(SESESW), Sec. 12, Township 08S, Range 23E
Lot 87(NWNWNW), Sec. 14, Township 08S, Range 23E
Lot 99(SENENW), Sec. 15, Township 08S, Range 23E
Lot 94(SESESE), Sec. 15, Township 08S, Range 23E
Lot 96(NWNENW), Sec. 17, Township 08S, Range 23E
Lot 97(NESESE), Sec. 17, Township 08S, Range 23E
Lot 99(NWSWSE), Sec. 19, Township 08S, Range 23E
Lot 99(SWSENE), Sec. 21, Township 08S, Range 23E
Lot 97(SWSESW), Sec. 22, Township 08S, Range 23E
Lot 95(SWNWSW), Sec. 23, Township 08S, Range 23E
Lot 98(NENWNW), Sec. 24, Township 08S, Range 23E
Lot 95(NESESW), Sec. 24, Township 08S, Range 23E
Lot 97(NWSENW), Sec. 25, Township 08S, Range 23E
Lot 94(NWNWSE), Sec. 26, Township 08S, Range 23E
Lot 99(NENENE), Sec. 27, Township 08S, Range 23E
Lot 98(SWSENW), Sec. 27, Township 08S, Range 23E
Lot 93(SWSESW), Sec. 27, Township 08S, Range 23E
Lot 95(SWNESW), Sec. 28, Township 08S, Range 23E
Lot 93(NWSWSW), Sec. 28, Township 08S, Range 23E
Lot 91(SESENE), Sec. 29, Township 08S, Range 23E
Lot 95(SENESE), Sec. 31, Township 08S, Range 23E
Lot 97(NWSESW), Sec. 34, Township 08S, Range 23E
Lot 90(SENWNW), Sec. 35, Township 08S, Range 23E
Lot 96(NESWSW), Sec. 35, Township 08S, Range 23E
Lot 98(SENWSE), Sec. 35, Township 08S, Range 23E
Lot 95(SESESE), Sec. 35, Township 08S, Range 23E
Lot 98(SESENE), Sec. 1, Township 08S, Range 24E
Lot 99(SWSENE), Sec. 3, Township 08S, Range 24E
Lot 97(SWSWNE), Sec. 4, Township 08S, Range 24E
Lot 99(NESWSW), Sec. 4, Township 08S, Range 24E
Lot 94(SENENW), Sec. 6, Township 08S, Range 24E
Lot 98(NWNWSW), Sec. 6, Township 08S, Range 24E
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Lot 94(NWNESE), Sec. 7, Township 08S, Range 24E
Lot 97(NESENE), Sec. 8, Township 08S, Range 24E
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Water Right No. X36-15194

LOCATION OF POINT(S) OF DIVERSION:

Lot 98(SWNENW), Sec. 11, Township 08S, Range 24E
Lot 95(NWNWSE), Sec. 11, Township 08S, Range 24E
Lot 97(NENWNE), Sec. 12, Township 08S, Range 24E
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Lot 97(SESWNW), Sec. 15, Township 08S, Range 24E
Lot 96(NESWNW), Sec. 18, Township 08S, Range 24E
Lot 95(NENWNE), Sec. 21, Township 08S, Range 24E
Lot 97(NESWSW), Sec. 21, Township 08S, Range 24E
Lot 96(SWNESE), Sec. 22, Township 08S, Range 24E
Lot 95(SESESW), Sec. 23, Township 08S, Range 24E
Lot 98(SESWNE), Sec. 26, Township 08S, Range 24E
Lot 93(SENWSE), Sec. 29, Township 08S, Range 24E
Lot 92(SWNENW), Sec. 30, Township 08S, Range 24E
Lot 99(SENWSE), Sec. 30, Township 08S, Range 24E
Lot 98(SWSESW), Sec. 31, Township 08S, Range 24E
Lot 99(SENENW), Sec. 3, Township 08S, Range 25E
Lot 96(NWNWNW), Sec. 3, Township 08S, Range 25E
Lot 96(NENESE), Sec. 3, Township 08S, Range 25E
Lot 95(NWNENE), Sec. 5, Township 08S, Range 25E
Lot 98(NENESE), Sec. 6, Township 08S, Range 25E
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Lot 99(NWNWNW), Sec. 12, Township 08S, Range 25E
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Lot 97(SWNESW), Sec. 14, Township 08S, Range 25E
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Lot 95(NWNENE), Sec. 17, Township 08S, Range 25E
Lot 90(NENWNE), Sec. 19, Township 08S, Range 25E
Lot 94(SESWNW), Sec. 19, Township 08S, Range 25E
Lot 96(NESESW), Sec. 21, Township 08S, Range 25E
Lot 91(NWNWNW), Sec. 23, Township 08S, Range 25E
Lot 95(SENWNW), Sec. 24, Township 08S, Range 25E

MINIDOKA County

Lot 99(NWNESW), Sec. 1, Township 09S, Range 21E
Lot 98(NENWSW), Sec. 3, Township 09S, Range 21E
Lot 91(SESESW), Sec. 3, Township 09S, Range 21E
Lot 95(NWNESE), Sec. 3, Township 09S, Range 21E

JEROME County

Lot 99(NWSESE), Sec. 3, Township 09S, Range 22E
Lot 97(SENENE), Sec. 7, Township 09S, Range 22E
Lot 97(NESENE), Sec. 7, Township 09S, Range 22E
Lot 98(SESWNW), Sec. 9, Township 09S, Range 22E
Lot 96(NENESW), Sec. 9, Township 09S, Range 22E
Lot 99(NESWNE), Sec. 10, Township 09S, Range 22E
Lot 94(NWNWNE), Sec. 11, Township 09S, Range 22E
Lot 94(SENENW), Sec. 11, Township 09S, Range 22E
Lot 97(NESWNE), Sec. 15, Township 09S, Range 22E
Lot 99(SWSWNE), Sec. 15, Township 09S, Range 22E
Lot 97(NESWSE), Sec. 18, Township 09S, Range 22E

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It was added to help explain the application. - C. Skinner

Water Right No. X36-15194

LOCATION OF POINT(S) OF DIVERSION:

Lot 99(NWSWNW), Sec. 19, Township 09S, Range 22E
Lot 99(SESWNE), Sec. 22, Township 09S, Range 22E
Lot 98(NESESE), Sec. 28, Township 09S, Range 22E
Lot 91(NWNENE), Sec. 30, Township 09S, Range 22E
Lot 98(SENESE), Sec. 33, Township 09S, Range 22E
Lot 96(NESENE), Sec. 2, Township 09S, Range 23E
Lot 95(NESENE), Sec. 3, Township 09S, Range 23E
Lot 99(NENWSW), Sec. 3, Township 09S, Range 23E
Lot 99(SESENE), Sec. 6, Township 09S, Range 23E
Lot 92(NWSWSE), Sec. 6, Township 09S, Range 23E
MINIDOKA County
Lot 95(SWNWSW), Sec. 2, Township 10S, Range 21E
JEROME County
Lot 91(SENWSW), Sec. 3, Township 10S, Range 22E
MINIDOKA County

PLACE OF USE: See Remarks

CONDITIONS/REMARKS:

1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
7. Right Nos. 36-02080, 36-15127, 36-015192, 36-15193, 36-15194, 36-15195 and 36-15196 are located within the West ESPA Water Measurement District.
8. The right holder shall measure and annually report diversions of water and other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
9. Right No. 36-15194 is limited to irrigation of 166.1 acres in the place of use described under Right No. 36-02080 in a single irrigation season.
10. Right Nos. 36-02080, 36-15127, 36-015192, 36-15193, 36-15194, 36-15195 and 36-15196 when combined shall not exceed a total combined diversion rate of 1100.0 cfs, a total combined annual diversion volume of 265,221.2 af, a total combined annual consumptive use volume of 198,915.9 af, and irrigation of a

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It was added to help explain the application. - C. Skinner

Water Right No. X36-15194

combined total of 66,305.3 acres within the place of use described above and within the boundaries of A & B Irrigation District.

11. The following legal descriptions each contain 2 points of diversion:
T07S, R23E, SEC 34, NWSESW - Minidoka
T07S, R24E, SEC 28, NWSWNE; SEC 30, SWNWSE; SEC 32, SWSENE; SEC 33, SENWSE; SEC 35, SWSWSE - Minidoka
T08S, R21E, SEC 26, NWSENE; SEC 35, SESESE - Jerome
T08S, R22E, SEC 35, SWSWSE - Minidoka
T08S, R23E, SEC 01, NENWNE; SEC 04, SWSWSW; SEC 05, NESENE; SEC 12, SWSWNE; SEC 12, SESESW; SEC 14, NWNWNW; SEC 15, SENENW; SEC 17, NESESE; SEC 19, NWSWSE; SEC 23, SWNWSW; SEC 24, NESESW; SEC 28, NWSWSW; SEC 29, SESENE - Minidoka
T08S, R24E, SEC 03, SWSENE; SEC 04, NESWSW; SEC 11, SWNENW; SEC 13, NWNWNE; SEC 31, SWSESW - Minidoka
T08S, R25E, SEC 03, SENENW; SEC 03, NWNWNW; SEC 05, NWNENE; SEC 06, NENESE; SEC 12, NWNWNW; SEC 15, NWSWSW; SEC 19, NENWNE; SEC 19, SESWNW; SEC 23, NWNWNW - Minidoka
T09S, R22E, SEC 09, NENESW; SEC 18, NESWSE; SEC 33, SENESE - Minidoka.

12. Three points of diversion are located within NWSESE, SEC 03, T09S, R22E, Minidoka.

13. The following convention is used to convert the government lots listed in the above points of diversion and places of use to the official government tract designation: Lot 99 = Tract A;
Lot 98 = Tract B; Lot 97 = Tract C; Lot 96 = Tract D;
Lot 95 = Tract E; Lot 94 = Tract F; Lot 93 = Tract G;
Lot 92 = Tract H; Lot 91 = Tract J; Lot 90 = Tract K;
Lot 89 = Tract L; Lot 88 = Tract M; Lot 87 = Tract N;
Lot 86 = Tract O; Lot 85 = Tract P; Lot 84 = Tract Q;
Lot 83 = Tract R; Lot 82 = Tract S.

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

_____

_____

To your knowledge has any portion of this water right undergone a period of five or more consecutive years of non-use? _____ If yes, describe:

_____

_____

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

/_/ Tax Notice /_/ Warranty Deed /_/ Other _____

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TRANS NO. 5878

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. **X36-15195**

STAGE: **BENEFICIAL USE**

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL VOLUME
IRRIGATION	04/01 to 10/31	3.12 CFS	752.4 AF

SOURCE

GROUNDWATER

Priority: 04/01/1978

LOCATION OF POINT(S) OF DIVERSION:

Lot 99(NWSESW), Sec. 34, Township 07S, Range 23E
Lot 96(NWSWSW), Sec. 22, Township 07S, Range 24E
Lot 98(NWNWSE), Sec. 22, Township 07S, Range 24E
Lot 97(NESESE), Sec. 22, Township 07S, Range 24E
Lot 99(NWSWNE), Sec. 23, Township 07S, Range 24E
Lot 99(NWSENE), Sec. 26, Township 07S, Range 24E
Lot 94(NENWSW), Sec. 26, Township 07S, Range 24E
Lot 98(NWSWNE), Sec. 28, Township 07S, Range 24E
Lot 99(SWNWSE), Sec. 30, Township 07S, Range 24E
Lot 99(NWSWNE), Sec. 31, Township 07S, Range 24E
Lot 97(SWSENE), Sec. 32, Township 07S, Range 24E
Lot 98(SENWSE), Sec. 33, Township 07S, Range 24E
Lot 98(SWSENW), Sec. 34, Township 07S, Range 24E
Lot 98(SWSWSE), Sec. 35, Township 07S, Range 24E
Lot 99(NESESW), Sec. 27, Township 07S, Range 25E
Lot 99(NENESW), Sec. 29, Township 07S, Range 25E
Lot 98(NWNESE), Sec. 30, Township 07S, Range 25E
Lot 96(NENESW), Sec. 31, Township 07S, Range 25E
Lot 96(NWNESW), Sec. 32, Township 07S, Range 25E
Lot 99(NESWNW), Sec. 33, Township 07S, Range 25E
Lot 97(SENESW), Sec. 34, Township 07S, Range 25E
MINIDOKA County
Lot 98(NWNESE), Sec. 22, Township 08S, Range 21E
Lot 97(NWSENW), Sec. 24, Township 08S, Range 21E
Lot 96(NWSENE), Sec. 26, Township 08S, Range 21E
Lot 93(SENENE), Sec. 35, Township 08S, Range 21E
Lot 99(SWSWSW), Sec. 35, Township 08S, Range 21E
Lot 97(SESESE), Sec. 35, Township 08S, Range 21E
JEROME County
Lot 96(SWNWSW), Sec. 30, Township 08S, Range 22E

* This page was not part of the original application received on 11/15/2000.
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TRANS NO. 5878

Water Right No. **X36-15195**

LOCATION OF POINT(S) OF DIVERSION:

Lot 99(SWNWNE), Sec. 35, Township 08S, Range 22E
Lot 98(SWSWSE), Sec. 35, Township 08S, Range 22E
Lot 99(NENWNE), Sec. 1, Township 08S, Range 23E
Lot 94(SWSWSW), Sec. 1, Township 08S, Range 23E
Lot 96(SENESW), Sec. 2, Township 08S, Range 23E
Lot 95(SWSWSW), Sec. 4, Township 08S, Range 23E
Lot 93(NESENE), Sec. 5, Township 08S, Range 23E
Lot 97(NENESE), Sec. 8, Township 08S, Range 23E
Lot 92(SWSENE), Sec. 10, Township 08S, Range 23E
Lot 96(NESWSW), Sec. 10, Township 08S, Range 23E
Lot 96(SWSWNE), Sec. 12, Township 08S, Range 23E
Lot 94(SESESW), Sec. 12, Township 08S, Range 23E
Lot 87(NWNWNW), Sec. 14, Township 08S, Range 23E
Lot 99(SENENW), Sec. 15, Township 08S, Range 23E
Lot 94(SESESE), Sec. 15, Township 08S, Range 23E
Lot 96(NWNENW), Sec. 17, Township 08S, Range 23E
Lot 97(NESESE), Sec. 17, Township 08S, Range 23E
Lot 99(NWSWSE), Sec. 19, Township 08S, Range 23E
Lot 99(SWSENE), Sec. 21, Township 08S, Range 23E
Lot 97(SWSESW), Sec. 22, Township 08S, Range 23E
Lot 95(SWNWSW), Sec. 23, Township 08S, Range 23E
Lot 98(NENWNW), Sec. 24, Township 08S, Range 23E
Lot 95(NESESW), Sec. 24, Township 08S, Range 23E
Lot 97(NWSENW), Sec. 25, Township 08S, Range 23E
Lot 94(NWNWSE), Sec. 26, Township 08S, Range 23E
Lot 99(NENENE), Sec. 27, Township 08S, Range 23E
Lot 98(SWSENW), Sec. 27, Township 08S, Range 23E
Lot 93(SWSESW), Sec. 27, Township 08S, Range 23E
Lot 95(SWNESW), Sec. 28, Township 08S, Range 23E
Lot 93(NWSWSW), Sec. 28, Township 08S, Range 23E
Lot 91(SESENE), Sec. 29, Township 08S, Range 23E
Lot 95(SENESE), Sec. 31, Township 08S, Range 23E
Lot 97(NWSESW), Sec. 34, Township 08S, Range 23E
Lot 90(SENWNW), Sec. 35, Township 08S, Range 23E
Lot 96(NESWSW), Sec. 35, Township 08S, Range 23E
Lot 98(SENWSE), Sec. 35, Township 08S, Range 23E
Lot 95(SESESE), Sec. 35, Township 08S, Range 23E
Lot 98(SESENE), Sec. 1, Township 08S, Range 24E
Lot 99(SWSENE), Sec. 3, Township 08S, Range 24E
Lot 97(SWSWNE), Sec. 4, Township 08S, Range 24E
Lot 99(NESWSW), Sec. 4, Township 08S, Range 24E
Lot 94(SENENW), Sec. 6, Township 08S, Range 24E
Lot 98(NWNWSW), Sec. 6, Township 08S, Range 24E
Lot 91(SENESE), Sec. 6, Township 08S, Range 24E
Lot 94(NWNESE), Sec. 7, Township 08S, Range 24E
Lot 97(NESENE), Sec. 8, Township 08S, Range 24E
Lot 98(NWSWNE), Sec. 10, Township 08S, Range 24E
Lot 92(SWSWNW), Sec. 10, Township 08S, Range 24E
Lot 95(SESESW), Sec. 10, Township 08S, Range 24E

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TRANS NO. 5878

Water Right No. X36-15195

LOCATION OF POINT(S) OF DIVERSION:

Lot 98(SWNENW), Sec. 11, Township 08S, Range 24E
Lot 95(NWNWSE), Sec. 11, Township 08S, Range 24E
Lot 97(NENWNE), Sec. 12, Township 08S, Range 24E
Lot 90(NWNWNE), Sec. 13, Township 08S, Range 24E
Lot 95(SWSESW), Sec. 14, Township 08S, Range 24E
Lot 97(SESWNW), Sec. 15, Township 08S, Range 24E
Lot 96(NESWNW), Sec. 18, Township 08S, Range 24E
Lot 95(NENWNE), Sec. 21, Township 08S, Range 24E
Lot 97(NESWSW), Sec. 21, Township 08S, Range 24E
Lot 96(SWNESE), Sec. 22, Township 08S, Range 24E
Lot 95(SESESW), Sec. 23, Township 08S, Range 24E
Lot 98(SESWNE), Sec. 26, Township 08S, Range 24E
Lot 93(SENWSE), Sec. 29, Township 08S, Range 24E
Lot 92(SWNENW), Sec. 30, Township 08S, Range 24E
Lot 99(SENWSE), Sec. 30, Township 08S, Range 24E
Lot 98(SWSESW), Sec. 31, Township 08S, Range 24E
Lot 99(SENENW), Sec. 3, Township 08S, Range 25E
Lot 96(NWNWNW), Sec. 3, Township 08S, Range 25E
Lot 96(NENESE), Sec. 3, Township 08S, Range 25E
Lot 95(NWNENE), Sec. 5, Township 08S, Range 25E
Lot 98(NENESE), Sec. 6, Township 08S, Range 25E
Lot 93(NWSWSE), Sec. 11, Township 08S, Range 25E
Lot 99(NWNWNW), Sec. 12, Township 08S, Range 25E
Lot 99(NWSWSW), Sec. 13, Township 08S, Range 25E
Lot 97(SWNESW), Sec. 14, Township 08S, Range 25E
Lot 94(NWSWSW), Sec. 15, Township 08S, Range 25E
Lot 95(NWNENE), Sec. 17, Township 08S, Range 25E
Lot 90(NENWNE), Sec. 19, Township 08S, Range 25E
Lot 94(SESWNW), Sec. 19, Township 08S, Range 25E
Lot 96(NESESW), Sec. 21, Township 08S, Range 25E
Lot 91(NWNWNW), Sec. 23, Township 08S, Range 25E
Lot 95(SENWNW), Sec. 24, Township 08S, Range 25E

MINIDOKA County

Lot 99(NWNESW), Sec. 1, Township 09S, Range 21E
Lot 98(NENWSW), Sec. 3, Township 09S, Range 21E
Lot 91(SESESW), Sec. 3, Township 09S, Range 21E
Lot 95(NWNESE), Sec. 3, Township 09S, Range 21E

JEROME County

Lot 99(NWSESE), Sec. 3, Township 09S, Range 22E
Lot 97(SENENE), Sec. 7, Township 09S, Range 22E
Lot 97(NESENE), Sec. 7, Township 09S, Range 22E
Lot 98(SESWNW), Sec. 9, Township 09S, Range 22E
Lot 96(NENESW), Sec. 9, Township 09S, Range 22E
Lot 99(NESWNE), Sec. 10, Township 09S, Range 22E
Lot 94(NWNWNE), Sec. 11, Township 09S, Range 22E
Lot 94(SENENW), Sec. 11, Township 09S, Range 22E
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TRANS NO. 5878

Water Right No. X36-15195

LOCATION OF POINT(S) OF DIVERSION:

Lot 99(NWSWNW), Sec. 19, Township 09S, Range 22E
Lot 99(SESWNE), Sec. 22, Township 09S, Range 22E
Lot 98(NESESE), Sec. 28, Township 09S, Range 22E
Lot 91(NWNENE), Sec. 30, Township 09S, Range 22E
Lot 98(SENESE), Sec. 33, Township 09S, Range 22E
Lot 96(NESENE), Sec. 2, Township 09S, Range 23E
Lot 95(NESENE), Sec. 3, Township 09S, Range 23E
Lot 99(NENWSW), Sec. 3, Township 09S, Range 23E
Lot 99(SESENE), Sec. 6, Township 09S, Range 23E
Lot 92(NWSWSE), Sec. 6, Township 09S, Range 23E
MINIDOKA County
Lot 95(SWNWSW), Sec. 2, Township 10S, Range 21E
JEROME County
Lot 91(SENWSW), Sec. 3, Township 10S, Range 22E
MINIDOKA County

PLACE OF USE: See Remarks

CONDITIONS/REMARKS:

1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
7. Right Nos. 36-02080, 36-15127, 36-015192, 36-15193, 36-15194, 36-15195 and 36-15196 are located within the West ESPA Water Measurement District.
8. The right holder shall measure and annually report diversions of water and other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
9. Right No. 36-15195 is limited to irrigation of 188.1 acres in the place of use described under Right No. 36-02080 in a single irrigation season.
10. Right Nos. 36-02080, 36-15127, 36-015192, 36-15193, 36-15194, 36-15195 and 36-15196 when combined shall not exceed a total combined diversion rate of 1100.0 cfs, a total combined annual diversion volume of 265,221.2 af, a total combined annual consumptive use volume of 198,915.9 af, and irrigation of a

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Water Right No. X36-15195

combined total of 66,305.3 acres within the place of use described above and within the boundaries of A & B Irrigation District.

11. The following legal descriptions each contain 2 points of diversion:
T07S, R23E, SEC 34, NWSESW - Minidoka
T07S, R24E, SEC 28, NWSWNE; SEC 30, SWNWSE; SEC 32, SWSENE; SEC 33, SENWSE; SEC 35, SWSWSE - Minidoka
T08S, R21E, SEC 26, NWSENE; SEC 35, SESESE - Jerome
T08S, R22E, SEC 35, SWSWSE - Minidoka
T08S, R23E, SEC 01, NENWNE; SEC 04, SWSWSW; SEC 05, NESENE; SEC 12, SWSWNE; SEC 12, SESESW; SEC 14, NWNWNW; SEC 15, SENENW; SEC 17, NESESE; SEC 19, NWSWSE; SEC 23, SWNWSW; SEC 24, NESESW; SEC 28, NWSWSW; SEC 29, SESENE - Minidoka
T08S, R24E, SEC 03, SWSENE; SEC 04, NESWSW; SEC 11, SWNENW; SEC 13, NWNWNE; SEC 31, SWSESW - Minidoka
T08S, R25E, SEC 03, SENENW; SEC 03, NWNWNW; SEC 05, NWNENE; SEC 06, NENESE; SEC 12, NWNWNW; SEC 15, NWSWSW; SEC 19, NENWNE; SEC 19, SESWNW; SEC 23, NWNWNW - Minidoka
T09S, R22E, SEC 09, NENESW; SEC 18, NESWSE; SEC 33, SENESE - Minidoka.

12. Three points of diversion are located within NWSESE, SEC 03, T09S, R22E, Minidoka.

13. The following convention is used to convert the government lots listed in the above points of diversion and places of use to the official government tract designation: Lot 99 = Tract A; Lot 98 = Tract B; Lot 97 = Tract C; Lot 96 = Tract D; Lot 95 = Tract E; Lot 94 = Tract F; Lot 93 = Tract G; Lot 92 = Tract H; Lot 91 = Tract J; Lot 90 = Tract K; Lot 89 = Tract L; Lot 88 = Tract M; Lot 87 = Tract N; Lot 86 = Tract O; Lot 85 = Tract P; Lot 84 = Tract Q; Lot 83 = Tract R; Lot 82 = Tract S.

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

To your knowledge has any portion of this water right undergone a period of five or more consecutive years of non-use? _____ If yes, describe:

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

/_/ Tax Notice /_/ Warranty Deed /_/ Other _____

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TRANS NO. 5878

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. **X36-15196**

STAGE: **BENEFICIAL USE**

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL VOLUME
IRRIGATION	04/01 to 10/31	0.37 CFS	88.4 AF

SOURCE

GROUNDWATER

Priority: 04/01/1981

LOCATION OF POINT(S) OF DIVERSION:

Lot 99(NWSESW), Sec. 34, Township 07S, Range 23E
Lot 96(NWSWSW), Sec. 22, Township 07S, Range 24E
Lot 98(NWNWSE), Sec. 22, Township 07S, Range 24E
Lot 97(NESESE), Sec. 22, Township 07S, Range 24E
Lot 99(NWSWNE), Sec. 23, Township 07S, Range 24E
Lot 99(NWSENE), Sec. 26, Township 07S, Range 24E
Lot 94(NENWSW), Sec. 26, Township 07S, Range 24E
Lot 98(NWSWNE), Sec. 28, Township 07S, Range 24E
Lot 99(SWNWSE), Sec. 30, Township 07S, Range 24E
Lot 99(NWSWNE), Sec. 31, Township 07S, Range 24E
Lot 97(SWSENE), Sec. 32, Township 07S, Range 24E
Lot 98(SENWSE), Sec. 33, Township 07S, Range 24E
Lot 98(SWSENW), Sec. 34, Township 07S, Range 24E
Lot 98(SWSWSE), Sec. 35, Township 07S, Range 24E
Lot 99(NESESW), Sec. 27, Township 07S, Range 25E
Lot 99(NENESW), Sec. 29, Township 07S, Range 25E
Lot 98(NWNESE), Sec. 30, Township 07S, Range 25E
Lot 96(NENESW), Sec. 31, Township 07S, Range 25E
Lot 96(NWNESW), Sec. 32, Township 07S, Range 25E
Lot 99(NESWNW), Sec. 33, Township 07S, Range 25E
Lot 97(SENESW), Sec. 34, Township 07S, Range 25E
MINIDOKA County
Lot 98(NWNESE), Sec. 22, Township 08S, Range 21E
Lot 97(NWSENW), Sec. 24, Township 08S, Range 21E
Lot 96(NWSENE), Sec. 26, Township 08S, Range 21E
Lot 93(SENENE), Sec. 35, Township 08S, Range 21E
Lot 99(SWSWSW), Sec. 35, Township 08S, Range 21E
Lot 97(SESESE), Sec. 35, Township 08S, Range 21E
JEROME County
Lot 96(SWNWSW), Sec. 30, Township 08S, Range 22E

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Water Right No. X36-15196

LOCATION OF POINT(S) OF DIVERSION:

Lot 99(SWNWNE), Sec. 35, Township 08S, Range 22E
Lot 98(SWSWSE), Sec. 35, Township 08S, Range 22E
Lot 99(NENWNE), Sec. 1, Township 08S, Range 23E
Lot 94(SWSWSW), Sec. 1, Township 08S, Range 23E
Lot 96(SENESW), Sec. 2, Township 08S, Range 23E
Lot 95(SWSWSW), Sec. 4, Township 08S, Range 23E
Lot 93(NESENE), Sec. 5, Township 08S, Range 23E
Lot 97(NENESE), Sec. 8, Township 08S, Range 23E
Lot 92(SWSENE), Sec. 10, Township 08S, Range 23E
Lot 96(NESWSW), Sec. 10, Township 08S, Range 23E
Lot 96(SWSWNE), Sec. 12, Township 08S, Range 23E
Lot 94(SESESW), Sec. 12, Township 08S, Range 23E
Lot 87(NWNWNW), Sec. 14, Township 08S, Range 23E
Lot 99(SENENW), Sec. 15, Township 08S, Range 23E
Lot 94(SESESE), Sec. 15, Township 08S, Range 23E
Lot 96(NWNENW), Sec. 17, Township 08S, Range 23E
Lot 97(NESESE), Sec. 17, Township 08S, Range 23E
Lot 99(NWSWSE), Sec. 19, Township 08S, Range 23E
Lot 99(SWSENE), Sec. 21, Township 08S, Range 23E
Lot 97(SWSESW), Sec. 22, Township 08S, Range 23E
Lot 95(SWNWSW), Sec. 23, Township 08S, Range 23E
Lot 98(NENWNW), Sec. 24, Township 08S, Range 23E
Lot 95(NESESW), Sec. 24, Township 08S, Range 23E
Lot 97(NWSENW), Sec. 25, Township 08S, Range 23E
Lot 94(NWNWSE), Sec. 26, Township 08S, Range 23E
Lot 99(NENENE), Sec. 27, Township 08S, Range 23E
Lot 98(SWSENW), Sec. 27, Township 08S, Range 23E
Lot 93(SWSESW), Sec. 27, Township 08S, Range 23E
Lot 95(SWNESW), Sec. 28, Township 08S, Range 23E
Lot 93(NWSWSW), Sec. 28, Township 08S, Range 23E
Lot 91(SESENE), Sec. 29, Township 08S, Range 23E
Lot 95(SENESE), Sec. 31, Township 08S, Range 23E
Lot 97(NWSESW), Sec. 34, Township 08S, Range 23E
Lot 90(SENWNW), Sec. 35, Township 08S, Range 23E
Lot 96(NESWSW), Sec. 35, Township 08S, Range 23E
Lot 98(SENWSE), Sec. 35, Township 08S, Range 23E
Lot 95(SESESE), Sec. 35, Township 08S, Range 23E
Lot 98(SESENE), Sec. 1, Township 08S, Range 24E
Lot 99(SWSENE), Sec. 3, Township 08S, Range 24E
Lot 97(SWSWNE), Sec. 4, Township 08S, Range 24E
Lot 99(NESWSW), Sec. 4, Township 08S, Range 24E
Lot 94(SENENW), Sec. 6, Township 08S, Range 24E
Lot 98(NWNWSW), Sec. 6, Township 08S, Range 24E
Lot 91(SENESE), Sec. 6, Township 08S, Range 24E
Lot 94(NWNESE), Sec. 7, Township 08S, Range 24E
Lot 97(NESENE), Sec. 8, Township 08S, Range 24E
Lot 98(NWSWNE), Sec. 10, Township 08S, Range 24E
Lot 92(SWSWNW), Sec. 10, Township 08S, Range 24E
Lot 95(SESESW), Sec. 10, Township 08S, Range 24E

* This page was not part of the original application received on 11/15/2000. It was added to help explain the application. - C. Skinner

Water Right No. X36-15196

LOCATION OF POINT(S) OF DIVERSION:

Lot 98(SWNENW), Sec. 11, Township 08S, Range 24E
Lot 95(NWNWSE), Sec. 11, Township 08S, Range 24E
Lot 97(NENWNE), Sec. 12, Township 08S, Range 24E
Lot 90(NWNWNE), Sec. 13, Township 08S, Range 24E
Lot 95(SWSESW), Sec. 14, Township 08S, Range 24E
Lot 97(SESWNW), Sec. 15, Township 08S, Range 24E
Lot 96(NESWNW), Sec. 18, Township 08S, Range 24E
Lot 95(NENWNE), Sec. 21, Township 08S, Range 24E
Lot 97(NESWSW), Sec. 21, Township 08S, Range 24E
Lot 96(SWNESE), Sec. 22, Township 08S, Range 24E
Lot 95(SESESW), Sec. 23, Township 08S, Range 24E
Lot 98(SESWNE), Sec. 26, Township 08S, Range 24E
Lot 93(SENWSE), Sec. 29, Township 08S, Range 24E
Lot 92(SWNENW), Sec. 30, Township 08S, Range 24E
Lot 99(SENWSE), Sec. 30, Township 08S, Range 24E
Lot 98(SWSESW), Sec. 31, Township 08S, Range 24E
Lot 99(SENENW), Sec. 3, Township 08S, Range 25E
Lot 96(NWNWNW), Sec. 3, Township 08S, Range 25E
Lot 96(NENESE), Sec. 3, Township 08S, Range 25E
Lot 95(NWNENE), Sec. 5, Township 08S, Range 25E
Lot 98(NENESE), Sec. 6, Township 08S, Range 25E
Lot 93(NWSWSE), Sec. 11, Township 08S, Range 25E
Lot 99(NWNWNW), Sec. 12, Township 08S, Range 25E
Lot 99(NWSWSW), Sec. 13, Township 08S, Range 25E
Lot 97(SWNESW), Sec. 14, Township 08S, Range 25E
Lot 94(NWSWSW), Sec. 15, Township 08S, Range 25E
Lot 95(NWNENE), Sec. 17, Township 08S, Range 25E
Lot 90(NENWNE), Sec. 19, Township 08S, Range 25E
Lot 94(SESWNW), Sec. 19, Township 08S, Range 25E
Lot 96(NESESW), Sec. 21, Township 08S, Range 25E
Lot 91(NWNWNW), Sec. 23, Township 08S, Range 25E
Lot 95(SENWNW), Sec. 24, Township 08S, Range 25E

MINIDOKA County

Lot 99(NWNESW), Sec. 1, Township 09S, Range 21E
Lot 98(NENWSW), Sec. 3, Township 09S, Range 21E
Lot 91(SESESW), Sec. 3, Township 09S, Range 21E
Lot 95(NWNESE), Sec. 3, Township 09S, Range 21E

JEROME County

Lot 99(NWSESE), Sec. 3, Township 09S, Range 22E
Lot 97(SENENE), Sec. 7, Township 09S, Range 22E
Lot 97(NESENE), Sec. 7, Township 09S, Range 22E
Lot 98(SESWNW), Sec. 9, Township 09S, Range 22E
Lot 96(NENESW), Sec. 9, Township 09S, Range 22E
Lot 99(NESWNE), Sec. 10, Township 09S, Range 22E
Lot 94(NWNWNE), Sec. 11, Township 09S, Range 22E
Lot 94(SENENW), Sec. 11, Township 09S, Range 22E
Lot 97(NESWNE), Sec. 15, Township 09S, Range 22E
Lot 99(SWSWNE), Sec. 15, Township 09S, Range 22E
Lot 97(NESWSE), Sec. 18, Township 09S, Range 22E

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It was added to help explain the application. - C. Skinner

TRANS NO. 5879

Water Right No. X36-15196

LOCATION OF POINT(S) OF DIVERSION:

Lot 99(NWSWNW), Sec. 19, Township 09S, Range 22E
Lot 99(SESWNE), Sec. 22, Township 09S, Range 22E
Lot 98(NESESE), Sec. 28, Township 09S, Range 22E
Lot 91(NWNENE), Sec. 30, Township 09S, Range 22E
Lot 98(SENESE), Sec. 33, Township 09S, Range 22E
Lot 96(NESENE), Sec. 2, Township 09S, Range 23E
Lot 95(NESENE), Sec. 3, Township 09S, Range 23E
Lot 99(NENWSW), Sec. 3, Township 09S, Range 23E
Lot 99(SESENE), Sec. 6, Township 09S, Range 23E
Lot 92(NWSWSE), Sec. 6, Township 09S, Range 23E
MINIDOKA County
Lot 95(SWNWSW), Sec. 2, Township 10S, Range 21E
JEROME County
Lot 91(SENWSW), Sec. 3, Township 10S, Range 22E
MINIDOKA County

PLACE OF USE: See Remarks

CONDITIONS/REMARKS:

1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
7. Right Nos. 36-02080, 36-15127, 36-015192, 36-15193, 36-15194, 36-15195 and 36-15196 are located within the West ESPA Water Measurement District.
8. The right holder shall measure and annually report diversions of water and other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
9. Right No. 36-15196 is limited to irrigation of 22.1 acres in the place of use described under Right No. 36-02080 in a single irrigation season.
10. Right Nos. 36-02080, 36-15127, 36-015192, 36-15193, 36-15194, 36-15195 and 36-15196 when combined shall not exceed a total combined diversion rate of 1100.0 cfs, a total combined annual diversion volume of 265,221.2 af, a total combined annual consumptive use volume of 198,915.9 af, and irrigation of a

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Water Right No. X36-15196

combined total of 66,305.3 acres within the place of use described above and within the boundaries of A & B Irrigation District.

11. The following legal descriptions each contain 2 points of diversion:
T07S, R23E, SEC 34, NWSESW - Minidoka
T07S, R24E, SEC 28, NWSWNE; SEC 30, SWNWSE; SEC 32, SWSENE; SEC 33, SENWSE; SEC 35, SWSWSE - Minidoka
T08S, R21E, SEC 26, NWSENE; SEC 35, SESESE - Jerome
T08S, R22E, SEC 35, SWSWSE - Minidoka
T08S, R23E, SEC 01, NENWNE; SEC 04, SWSWSW; SEC 05, NESENE; SEC 12, SWSWNE; SEC 12, SESESW; SEC 14, NWNWNW; SEC 15, SENENW; SEC 17, NESESE; SEC 19, NWSWSE; SEC 23, SWNWSW; SEC 24, NESESW; SEC 28, NWSWSW; SEC 29, SESENE - Minidoka
T08S, R24E, SEC 03, SWSENE; SEC 04, NESWSW; SEC 11, SWNENW; SEC 13, NWNWNE; SEC 31, SWSESW - Minidoka
T08S, R25E, SEC 03, SENENW; SEC 03, NWNWNW; SEC 05, NWNENE; SEC 06, NENESE; SEC 12, NWNWNW; SEC 15, NWSWSW; SEC 19, NENWNE; SEC 19, SESWNW; SEC 23, NWNWNW - Minidoka
T09S, R22E, SEC 09, NENESW; SEC 18, NESWSE; SEC 33, SENESE - Minidoka.

12. Three points of diversion are located within NWSESE, SEC 03, T09S, R22E, Minidoka.

13. The following convention is used to convert the government lots listed in the above points of diversion and places of use to the official government tract designation: Lot 99 = Tract A;
Lot 98 = Tract B; Lot 97 = Tract C; Lot 96 = Tract D;
Lot 95 = Tract E; Lot 94 = Tract F; Lot 93 = Tract G;
Lot 92 = Tract H; Lot 91 = Tract J; Lot 90 = Tract K;
Lot 89 = Tract L; Lot 88 = Tract M; Lot 87 = Tract N;
Lot 86 = Tract O; Lot 85 = Tract P; Lot 84 = Tract Q;
Lot 83 = Tract R; Lot 82 = Tract S.

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

_____

_____

To your knowledge has any portion of this water right undergone a period of five or more consecutive years of non-use? _____ If yes, describe:

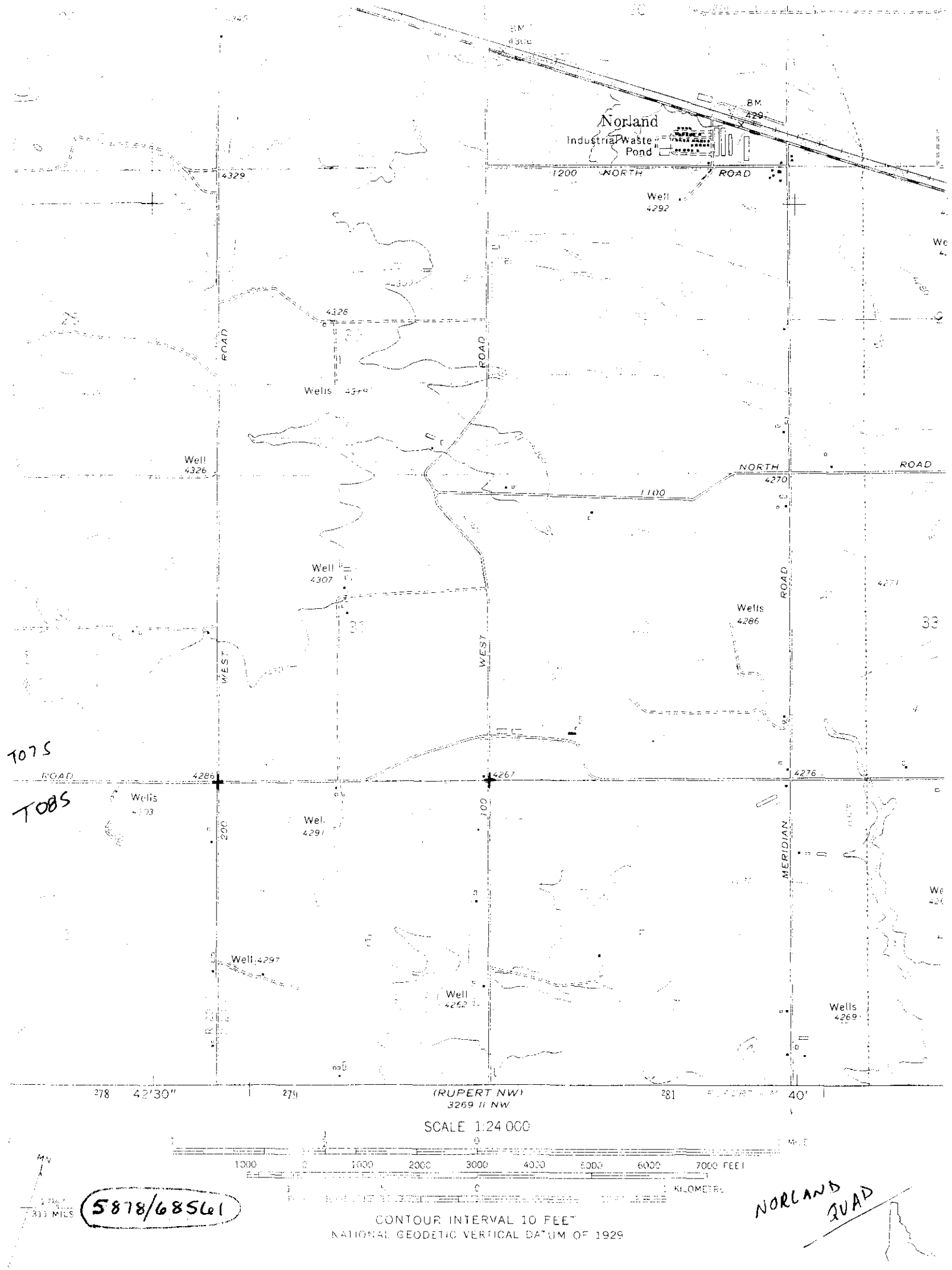
_____

_____

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

/_/ Tax Notice /_/ Warranty Deed /_/ Other _____

* THIS PAGE WAS NOT PART OF THE ORIGINAL APPLICATION RECEIVED ON 11/15/2000. IT WAS ADDED TO HELP EXPLAIN THE APPLICATION. - C. SKINNER


Norland
Industrial Waste Pond
BM 4329
1200 NORTH ROAD
Well 4292
4329
4328
WEST ROAD
Wells 4344
Well 4326
NORTH ROAD 4270
1100
Well 4307
Wells 4286
33
WEST ROAD
T07S
T08S
ROAD 4286
4267
4276
Wells 4303
Well 4297
200
100
MERIDIAN
Well 4297
Well 4262
Wells 4269
278 42'30" 279 (RUPERT NW) 3269 II NW 281 40'
SCALE 1:24 000
1000 0 1000 2000 3000 4000 5000 6000 7000 FEET
KILOMETER
CONTOUR INTERVAL 10 FEET
NATIONAL GEODETIC VERTICAL DATUM OF 1929
5878/68561
NORLAND QUAD

Transfer No. 5878

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
NOV 15 2000
Department of Water Resources
Southern Region

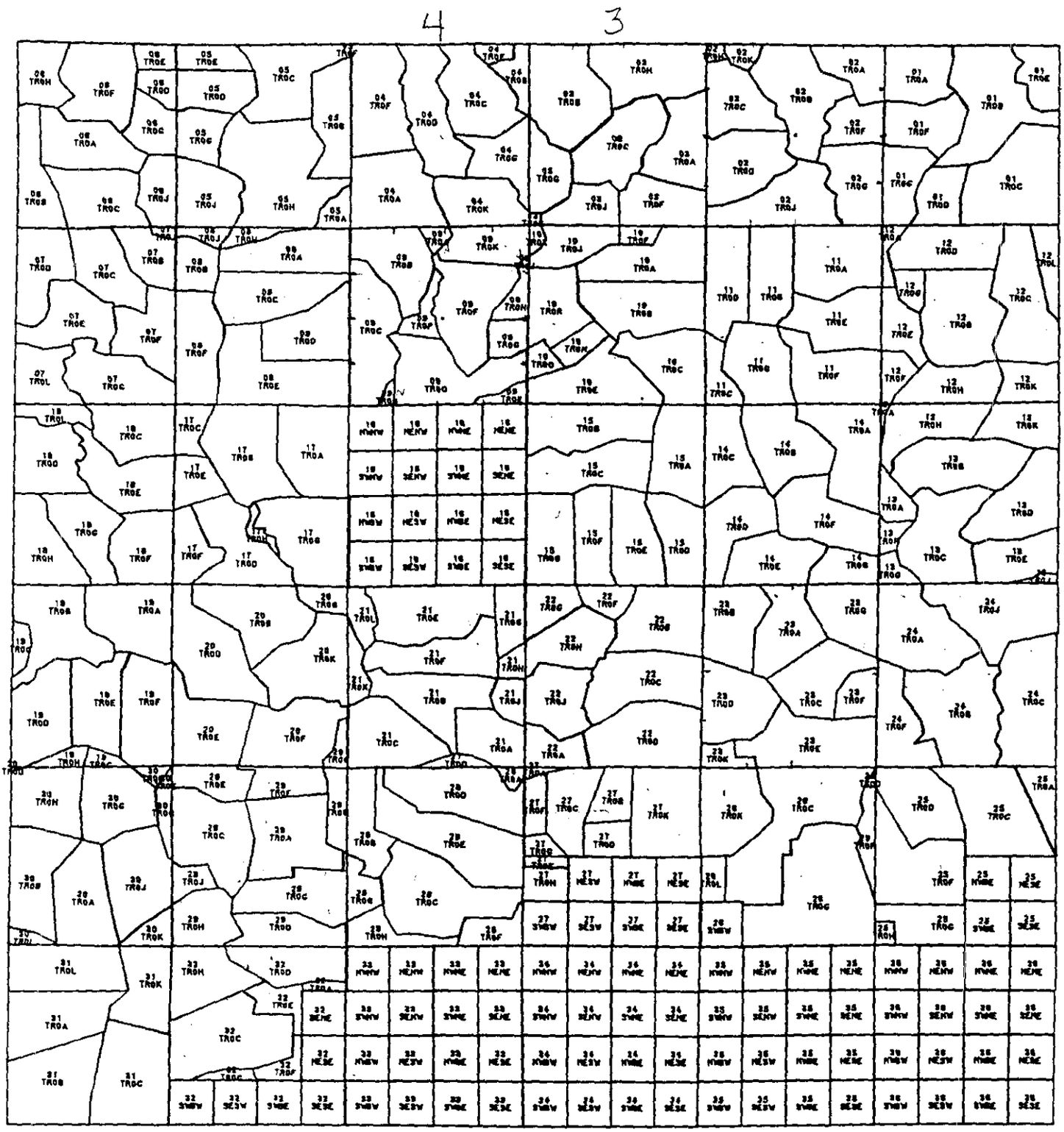
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

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

SEE ATTACHED MAP

08S24E



Pg 43 of 44

existing well
Possible new well

only 1 well to be drilled
of one of the two locations
to check. DT

Possible new well location DT

WELL TO BE ABANDONED

T#5873

Transfer No. 5878

PART 3

B. CHANGES IN NATURE OF USE : (NONE)

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
	N/A			____ to ____
				____ to ____

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

N/A

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

N/A

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

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

Manager (Signature of Applicant)

Subscribed and sworn to before me this 14th day of November, 2000.

(Notary Public)

My commission expires 3-21-2002 Residing at: Rupert ID

FOR DEPARTMENT USE ONLY

Transfer contains 44 pages and 5 attachments

Received by J. SKINNER Date 11/15/2000 Protest filed by None

Prelim. check by J. SKINNER Fee $530.00 S023496

Receipted by J. SKINNER Date 11/16/2000

Published in SIP; NS, IS, LT, PR, TN Copies of protest forwarded by ____

Pub. dates 1/29 & 2/5/01; 2/1 & 2/8/01 Hearing held by ____ Date ____

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

____ rec'd. ____ by ____

Copy of transfer sent to lien holder ____

MICROFILMED

OCT 0 2 2001

T# 5878 1/1

ATTACHMENT A

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL VOLUME
Right No. 36-02080:			
IRRIGATION	04/01 to 10/31	1100.00 CFS	250416.0 AF
Priority: 09/09/1948			
Right No. 36-15127 :			
IRRIGATION	04/01 to 10/31	54.03 CFS	13029.2 AF
Priority: 04/01/1984			
Right No. 36-15192 :			
IRRIGATION	04/01 to 10/31	0.60 CFS	145.2 AF
Priority: 04/01/1962			
Right No. 36-15193 :			
IRRIGATION	04/01 to 10/31	0.52 CFS	125.6 AF
Priority: 04/01/1965			
Right No. 36-15194 :			
IRRIGATION	04/01 to 10/31	2.76 CFS	664.4 AF
Priority: 04/01/1968			
Right No. 36-15195 :			
IRRIGATION	04/01 to 10/31	3.12 CFS	752.4 AF
Priority: 04/01/1978			
Right No. 36-15196 :			
IRRIGATION	04/01 to 10/31	0.37 CFS	88.4 AF
Priority: 04/01/1981			
	TOTAL:	* 1100.00 CFS	* 265221.2 AF

2 Pages

Attachment A

T# 5878

RECEIVED
NOV 15 2000
Department of Water Resources
Southern Region

ATTACHMENT A

DESCRIPTION OF RIGHTS OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

RIGHT NO.	PRIORITY	AMOUNT (CFS)
36-02080	No change	No change
NATURE OF USE:	No change	
PERIOD OF USE:	No change	

RIGHT NO.	PRIORITY	AMOUNT (CFS)
36-15127	No change	No change
NATURE OF USE:	No change	
PERIOD OF USE:	No change	

RIGHT NO.	PRIORITY	AMOUNT (CFS)
36-15192	No change	No change
NATURE OF USE:	No change	
PERIOD OF USE:	No change	

RIGHT NO.	PRIORITY	AMOUNT (CFS)
36-15193	No change	No change
NATURE OF USE:	No change	
PERIOD OF USE:	No change	

RIGHT NO.	PRIORITY	AMOUNT (CFS)
36-15194	No change	No change
NATURE OF USE:	No change	
PERIOD OF USE:	No change	

RIGHT NO.	PRIORITY	AMOUNT (CFS)
36-15195	No change	No change
NATURE OF USE:	No change	
PERIOD OF USE:	No change	

RIGHT NO.	PRIORITY	AMOUNT (CFS)
36-15196	No change	No change
NATURE OF USE:	No change	
PERIOD OF USE:	No change	

COMMENT: There are 174 points of diversion used for each of the above water rights. This application is to change one point of diversion which is located in the NW¼NE¼SE¼ of Section 7, Township 8 South, Range 24 East of the Boise Meridian, Minidoka County, Idaho to the new point of diversion shown in this application, resulting in 2 points of diversion in this new location, one which presently exists.

ATTACHMENT B

T# 5878 1/4

LOCATION OF POINT(S) OF DIVERSION:

Lot 99(NWSESW), Sec. 34, Township 07S, Range 23E
Lot 96(NWSWSW), Sec. 22, Township 07S, Range 24E
Lot 98(NWNWSE), Sec. 22, Township 07S, Range 24E
Lot 97(NESESE), Sec. 22, Township 07S, Range 24E
Lot 99(NWSWNE), Sec. 23, Township 07S, Range 24E
Lot 99(NWSENE), Sec. 26, Township 07S, Range 24E
Lot 94(NENWSW), Sec. 26, Township 07S, Range 24E
Lot 98(NWSWNE), Sec. 28, Township 07S, Range 24E
Lot 99(SWNWSE), Sec. 30, Township 07S, Range 24E
Lot 99(NWSWNE), Sec. 31, Township 07S, Range 24E
Lot 97(SWSENE), Sec. 32, Township 07S, Range 24E
Lot 98(SENWSE), Sec. 33, Township 07S, Range 24E
Lot 98(SWSENW), Sec. 34, Township 07S, Range 24E
Lot 98(SWSWSE), Sec. 35, Township 07S, Range 24E
Lot 99(NESESW), Sec. 27, Township 07S, Range 25E
Lot 99(NENESW), Sec. 29, Township 07S, Range 25E
Lot 98(NWNESE), Sec. 30, Township 07S, Range 25E
Lot 96(NENESW), Sec. 31, Township 07S, Range 25E
Lot 96(NWNESW), Sec. 32, Township 07S, Range 25E
Lot 99(NESWNW), Sec. 33, Township 07S, Range 25E
Lot 97(SENESW), Sec. 34, Township 07S, Range 25E

MINIDOKA County

Lot 98(NWNESE), Sec. 22, Township 08S, Range 21E
Lot 97(NWSENW), Sec. 24, Township 08S, Range 21E
Lot 96(NWSENE), Sec. 26, Township 08S, Range 21E
Lot 93(SENENE), Sec. 35, Township 08S, Range 21E
Lot 99(SWSWSW), Sec. 35, Township 08S, Range 21E
Lot 97(SESESE), Sec. 35, Township 08S, Range 21E

JEROME County

Lot 96(SWNWSW), Sec. 30, Township 08S, Range 22E
Lot 99(SWNWNE), Sec. 35, Township 08S, Range 22E
Lot 98(SWSWSE), Sec. 35, Township 08S, Range 22E
Lot 99(NENWNE), Sec. 1, Township 08S, Range 23E
Lot 94(SWSWSW), Sec. 1, Township 08S, Range 23E
Lot 96(SENESW), Sec. 2, Township 08S, Range 23E
Lot 95(SWSWSW), Sec. 4, Township 08S, Range 23E
Lot 93(NESENE), Sec. 5, Township 08S, Range 23E
Lot 97(NENESE), Sec. 8, Township 08S, Range 23E
Lot 92(SWSENE), Sec. 10, Township 08S, Range 23E
Lot 96(NESWSW), Sec. 10, Township 08S, Range 23E
Lot 96(SWSWNE), Sec. 12, Township 08S, Range 23E
Lot 94(SESESW), Sec. 12, Township 08S, Range 23E
Lot 87(NWNWNW), Sec. 14, Township 08S, Range 23E
Lot 99(SENENW), Sec. 15, Township 08S, Range 23E
Lot 94(SESESE), Sec. 15, Township 08S, Range 23E

PODs

Attachment B

ATTACHMENT B

T #5878 2/4

LOCATION OF POINT(S) OF DIVERSION:

Lot 96(NWNENW), Sec. 17, Township 08S, Range 23E
Lot 97(NESESE), Sec. 17, Township 08S, Range 23E
Lot 99(NWSWSE), Sec. 19, Township 08S, Range 23E
Lot 99(SWSENE), Sec. 21, Township 08S, Range 23E
Lot 97(SWSESW), Sec. 22, Township 08S, Range 23E
Lot 95(SWNWSW), Sec. 23, Township 08S, Range 23E
Lot 98(NENWNW), Sec. 24, Township 08S, Range 23E
Lot 95(NESESW), Sec. 24, Township 08S, Range 23E
Lot 97(NWSENW), Sec. 25, Township 08S, Range 23E
Lot 94(NWNWSE), Sec. 26, Township 08S, Range 23E
Lot 99(NENENE), Sec. 27, Township 08S, Range 23E
Lot 98(SWSENW), Sec. 27, Township 08S, Range 23E
Lot 93(SWSESW), Sec. 27, Township 08S, Range 23E
Lot 95(SWNESW), Sec. 28, Township 08S, Range 23E
Lot 93(NWSWSW), Sec. 28, Township 08S, Range 23E
Lot 91(SESENE), Sec. 29, Township 08S, Range 23E
Lot 95(SENESE), Sec. 31, Township 08S, Range 23E
Lot 97(NWSESW), Sec. 34, Township 08S, Range 23E
Lot 90(SENWNW), Sec. 35, Township 08S, Range 23E
Lot 96(NESWSW), Sec. 35, Township 08S, Range 23E
Lot 98(SENWSE), Sec. 35, Township 08S, Range 23E
Lot 95(SESESE), Sec. 35, Township 08S, Range 23E
Lot 98(SESENE), Sec. 1, Township 08S, Range 24E
Lot 99(SWSENE), Sec. 3, Township 08S, Range 24E
Lot 97(SWSWNE), Sec. 4, Township 08S, Range 24E
Lot 99(NESWSW), Sec. 4, Township 08S, Range 24E
Lot 94(SENENW), Sec. 6, Township 08S, Range 24E
Lot 98(NWNWSW), Sec. 6, Township 08S, Range 24E
Lot 91(SENESE), Sec. 6, Township 08S, Range 24E
Point of Diversion to be Abandoned - Lot 94(NWNESE), Sec. 7, Township 08S, Range 24E
Lot 97(NESENE), Sec. 8, Township 08S, Range 24E
Lot 98(NWSWNE), Sec. 10, Township 08S, Range 24E
Lot 92(SWSWNW), Sec. 10, Township 08S, Range 24E
Lot 95(SESESW), Sec. 10, Township 08S, Range 24E
Lot 98(SWNENW), Sec. 11, Township 08S, Range 24E
Lot 95(NWNWSE), Sec. 11, Township 08S, Range 24E
Lot 97(NENWNE), Sec. 12, Township 08S, Range 24E
Lot 90(NWNWNE), Sec. 13, Township 08S, Range 24E
Lot 95(SWSESW), Sec. 14, Township 08S, Range 24E
Lot 97(SESWNW), Sec. 15, Township 08S, Range 24E
Lot 96(NESWNW), Sec. 18, Township 08S, Range 24E
Lot 95(NENWNE), Sec. 21, Township 08S, Range 24E
Lot 97(NESWSW), Sec. 21, Township 08S, Range 24E
Lot 96(SWNESE), Sec. 22, Township 08S, Range 24E
Lot 95(SESESW), Sec. 23, Township 08S, Range 24E
Lot 98(SESWNE), Sec. 26, Township 08S, Range 24E
Lot 93(SENWSE), Sec. 29, Township 08S, Range 24E

ATTACHMENT B

LOCATION OF POINT(S) OF DIVERSION:

Lot 92(SWNENW), Sec. 30, Township 08S, Range 24E
Lot 99(SENWSE), Sec. 30, Township 08S, Range 24E
Lot 98(SWSESW), Sec. 31, Township 08S, Range 24E
Lot 99(SENENW), Sec. 3, Township 08S, Range 25E
Lot 96(NWNWNW), Sec. 3, Township 08S, Range 25E
Lot 96(NENESE), Sec. 3, Township 08S, Range 25E
Lot 95(NWNENE), Sec. 5, Township 08S, Range 25E
Lot 98(NENESE), Sec. 6, Township 08S, Range 25E
Lot 93(NWSWSE), Sec. 11, Township 08S, Range 25E
Lot 99(NWNWNW), Sec. 12, Township 08S, Range 25E
Lot 99(NWSWSW), Sec. 13, Township 08S, Range 25E
Lot 97(SWNESW), Sec. 14, Township 08S, Range 25E
Lot 94(NWSWSW), Sec. 15, Township 08S, Range 25E
Lot 95(NWNENE), Sec. 17, Township 08S, Range 25E
Lot 90(NENWNE), Sec. 19, Township 08S, Range 25E
Lot 94(SESWNW), Sec. 19, Township 08S, Range 25E
Lot 96(NESESW), Sec. 21, Township 08S, Range 25E
Lot 91(NWNWNW), Sec. 23, Township 08S, Range 25E
Lot 95(SENWNW), Sec. 24, Township 08S, Range 25E

MINIDOKA County

Lot 99(NWNESW), Sec. 1, Township 09S, Range 21E
Lot 98(NENWSW), Sec. 3, Township 09S, Range 21E
Lot 91(SESESW), Sec. 3, Township 09S, Range 21E
Lot 95(NWNESE), Sec. 3, Township 09S, Range 21E

JEROME County

Lot 99(NWSESE), Sec. 3, Township 09S, Range 22E
Lot 97(SENENE), Sec. 7, Township 09S, Range 22E
Lot 97(NESENE), Sec. 7, Township 09S, Range 22E
Lot 98(SESWNW), Sec. 9, Township 09S, Range 22E
Lot 96(NENESW), Sec. 9, Township 09S, Range 22E
Lot 99(NESWNE), Sec. 10, Township 09S, Range 22E
Lot 94(NWNWNE), Sec. 11, Township 09S, Range 22E
Lot 94(SENENW), Sec. 11, Township 09S, Range 22E
Lot 97(NESWNE), Sec. 15, Township 09S, Range 22E
Lot 99(SWSWNE), Sec. 15, Township 09S, Range 22E
Lot 97(NESWSE), Sec. 18, Township 09S, Range 22E
Lot 99(NWSWNW), Sec. 19, Township 09S, Range 22E
Lot 99(SESWNE), Sec. 22, Township 09S, Range 22E
Lot 98(NESESE), Sec. 28, Township 09S, Range 22E
Lot 91(NWNENE), Sec. 30, Township 09S, Range 22E
Lot 98(SENESE), Sec. 33, Township 09S, Range 22E
Lot 96(NESENE), Sec. 2, Township 09S, Range 23E
Lot 95(NESENE), Sec. 3, Township 09S, Range 23E
Lot 99(NENWSW), Sec. 3, Township 09S, Range 23E
Lot 99(SESENE), Sec. 6, Township 09S, Range 23E
Lot 92(NWSWSE), Sec. 6, Township 09S, Range 23E

MINIDOKA County

T# 5878 4/4

ATTACHMENT B

LOCATION OF POINT(S) OF DIVERSION: Lot 95(SWNWSW), Sec. 2, Township 10S, Range 21E JEROME County
Lot 91(SENWSW), Sec. 3, Township 10S, Range 22E MINIDOKA County

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	**NW**	**SW**	**6**	**8S**	**24E**	**Minidoka**	NEW WELL TO BE DRILLED
	NE	SE	NW	2	8S	24E	Minidoka	NEW well To be drilled

well to be drilled at one of these locations DJ

The following legal descriptions each contain 2 points of diversion:
T07S, R23E, SEC 34, NWSESW - Minidoka
T07S, R24E, SEC 28, NWSWNE; SEC 30, SWNWSE; SEC 32, SWSENE; SEC 33, SENWSE; SEC 35, SWSWSE - Minidoka
T08S, R21E, SEC 26, NWSENE; SEC 35, SESESE - Jerome
T08S, R22E, SEC 35, SWSWSE - Minidoka
T08S, R23E, SEC 01, NENWNE; SEC 04, SWSWSW; SEC 05, NESENE; SEC 12, SWSWNE; SEC 12, SESESW; SEC 14, NWNWNW; SEC 15, SENENW; SEC 17, NESESE; SEC 19, NWSWSE; SEC 23, SWNWSW; SEC 24, NESESW; SEC 28, NWSWSW; SEC 29, SESENE - Minidoka
T08S, R24E, SEC 03, SWSENE; SEC 04, NESWSW; SEC 11, SWNENW; SEC 13, NWNWNE; SEC 31, SWSESW - Minidoka SEC 06, NWNWSW
T08S, R25E, SEC 03, SENENW; SEC 03, NWNWNW; SEC 05, NWNENE; SEC 06, NENESE; SEC 12, NWNWNW; SEC 15, NWSWSW; SEC 19, NENWNE; SEC 19, SESWNW; SEC 23, NWNWNW - Minidoka
T09S, R22E, SEC 09, NENESW; SEC 18, NESWSE; SEC 33, SENESE - Minidoka
Three points of diversion are located within NWSESE, SEC 03, T09S, R22E, Minidoka.
The following convention is used to convert the government lots listed in the above points of diversion and places of use to the official government tract designation: Lot 99 = Tract A; Lot 98 = Tract B; Lot 97 = Tract C; Lot 96 = Tract D; Lot 95 = Tract E; Lot 94 = Tract F; Lot 93 = Tract G; Lot 92 = Tract H; Lot 91 = Tract J; Lot 90 = Tract K; Lot 89 = Tract L; Lot 88 = Tract M; Lot 87 = Tract N; Lot 86 = Tract O; Lot 85 = Tract P; Lot 84 = Tract Q; Lot 83 = Tract R; Lot 82 = Tract S.

SD-0611-2 Basin: 36 Starting Water Right: 02080

S E L	Water Right No.	Name Last, First	O W N	Priority Date	STG/ STS	Source	Use Desc	S Y S
_	36-02080	UNITED STATES OF AME	C	09/09/1948	L/	GROUNDWATER	IRR DOMEST	WR
_	X36-02080Z0	A & B IRRIGATION DIS	C	09/09/1948	L/	GROUNDWATER	IRR	WR
_	X36-02080Z1			00/00/0000	L/			WR
_	X36-02080Z2			00/00/0000	L/			WR
_	X36-02080Z3			00/00/0000	L/			WR
_	X36-02080Z4			00/00/0000	L/			WR
_	36-02080Z0	AMERICA ACTING THROU	C	09/09/1948	L/	GROUNDWATER	IRR	AJ
_	36-02080Z1	LARGE CLAIM	C	01/01/1901	L/	LARGE CLAIM	GWR FS	AJ
_	36-02080Z2	LARGE CLAIM	C	01/01/1901	L/	LARGE CLAIM	GWR FS	AJ
_	36-02080Z3	LARGE CLAIM	C	01/01/1901	L/	LARGE CLAIM	GWR FS	AJ
_	36-02080Z4	LARGE CLAIM	C	01/01/1901	L/	LARGE CLAIM	GWR FS	AJ
_	A36-02080	AMERICA, ACTING THRO	C	09/09/1948	L/	GROUNDWATER	IRR	AJ
_	A36-02080Z0	A & B IRRIGATION DIS	C	09/09/1948	L/	GROUNDWATER	IRR	AJ
_	A36-02080Z1	LARGE CLAIM	C	09/09/1948	L/	LARGE CLAIM	GWR FS	AJ

(GOLD6=Print Profile Rpt For All Rights/Claims on Screen)

(Enter=Continue) (GOLD7=This Query) (GOLD8=Cancel) (Menu _____)

Natural 2.1/7V OVR Help available LIB=PRODLIBS Last key was ENTR

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4966
WATER RIGHT NO(S). 36-02080/36-15127/36-15192/36-15193
36-15194/36-15195/36-15196

This is to certify that: **A & B IRRIGATION DISTRICT**
PO BOX 675
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.

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL VOLUME
Right No. 36-02080:			
IRRIGATION	04/01 to 10/31	1100.00 CFS	250416.0 AF
Priority: 09/09/1948			
Right No. 36-15127 :			
IRRIGATION	04/01 to 10/31	54.03 CFS	13029.2 AF
Priority: 04/01/1984			
Right No. 36-15192 :			
IRRIGATION	04/01 to 10/31	0.60 CFS	145.2 AF
Priority: 04/01/1962			
Right No. 36-15193 :			
IRRIGATION	04/01 to 10/31	0.52 CFS	125.6 AF
Priority: 04/01/1965			
Right No. 36-15194 :			
IRRIGATION	04/01 to 10/31	2.76 CFS	664.4 AF
Priority: 04/01/1968			
Right No. 36-15195 :			
IRRIGATION	04/01 to 10/31	3.12 CFS	752.4 AF
Priority: 04/01/1978			
Right No. 36-15196 :			
IRRIGATION	04/01 to 10/31	0.37 CFS	88.4 AF
Priority: 04/01/1981			
	TOTAL:	*** 1100.00 CFS**	*** 265221.2 AF**

SOURCE

GROUNDWATER

Transfer 4966

TRANSFER NO. 4966
WATER RIGHT NO(S). 36-02080/36-15127/36-15192/36-15193
36-15194/36-15195/36-15196

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL VOLUME

LOCATION OF POINT(S) OF DIVERSION:

Lot 99(NWSESW), Sec. 34, Township 07S, Range 23E
Lot 96(NWSWSW), Sec. 22, Township 07S, Range 24E
Lot 98(NWNWSE), Sec. 22, Township 07S, Range 24E
Lot 97(NESESE), Sec. 22, Township 07S, Range 24E
Lot 99(NWSWNE), Sec. 23, Township 07S, Range 24E
Lot 99(NWSENE), Sec. 26, Township 07S, Range 24E
Lot 94(NENWSW), Sec. 26, Township 07S, Range 24E
Lot 98(NWSWNE), Sec. 28, Township 07S, Range 24E
Lot 99(SWNWSE), Sec. 30, Township 07S, Range 24E
Lot 99(NWSWNE), Sec. 31, Township 07S, Range 24E
Lot 97(SWSENE), Sec. 32, Township 07S, Range 24E
Lot 98(SENWSE), Sec. 33, Township 07S, Range 24E
Lot 98(SWSENW), Sec. 34, Township 07S, Range 24E
Lot 98(SWSWSE), Sec. 35, Township 07S, Range 24E
Lot 99(NESESW), Sec. 27, Township 07S, Range 25E
Lot 99(NENESW), Sec. 29, Township 07S, Range 25E
Lot 98(NWNESE), Sec. 30, Township 07S, Range 25E
Lot 96(NENESW), Sec. 31, Township 07S, Range 25E
Lot 96(NWNESW), Sec. 32, Township 07S, Range 25E
Lot 99(NESWNW), Sec. 33, Township 07S, Range 25E
Lot 97(SENESW), Sec. 34, Township 07S, Range 25E

MINIDOKA County

Lot 98(NWNESE), Sec. 22, Township 08S, Range 21E
Lot 97(NWSENW), Sec. 24, Township 08S, Range 21E
Lot 96(NWSENE), Sec. 26, Township 08S, Range 21E
Lot 93(SENENE), Sec. 35, Township 08S, Range 21E
Lot 99(SWSWSW), Sec. 35, Township 08S, Range 21E
Lot 97(SESESE), Sec. 35, Township 08S, Range 21E

JEROME County

Lot 96(SWNWSW), Sec. 30, Township 08S, Range 22E
Lot 99(SWNWNE), Sec. 35, Township 08S, Range 22E
Lot 98(SWSWSE), Sec. 35, Township 08S, Range 22E
Lot 99(NENWNE), Sec. 1, Township 08S, Range 23E
Lot 94(SWSWSW), Sec. 1, Township 08S, Range 23E
Lot 96(SENESW), Sec. 2, Township 08S, Range 23E
Lot 95(SWSWSW), Sec. 4, Township 08S, Range 23E
Lot 93(NESENE), Sec. 5, Township 08S, Range 23E
Lot 97(NENESE), Sec. 8, Township 08S, Range 23E
Lot 92(SWSENE), Sec. 10, Township 08S, Range 23E
Lot 96(NESWSW), Sec. 10, Township 08S, Range 23E
Lot 96(SWSWNE), Sec. 12, Township 08S, Range 23E
Lot 94(SESESW), Sec. 12, Township 08S, Range 23E
Lot 87(NWNWNW), Sec. 14, Township 08S, Range 23E
Lot 99(SENENW), Sec. 15, Township 08S, Range 23E
Lot 94(SESESE), Sec. 15, Township 08S, Range 23E

TRANSFER NO. 4966
WATER RIGHT NO(S). 36-02080/36-15127/36-15192/36-15193
36-15194/36-15195/36-15196

LOCATION OF POINT(S) OF DIVERSION:

Lot 96(NWNENW), Sec. 17, Township 08S, Range 23E
Lot 97(NESESE), Sec. 17, Township 08S, Range 23E
Lot 99(NWSWSE), Sec. 19, Township 08S, Range 23E
Lot 99(SWSENE), Sec. 21, Township 08S, Range 23E
Lot 97(SWSESW), Sec. 22, Township 08S, Range 23E
Lot 95(SWNWSW), Sec. 23, Township 08S, Range 23E
Lot 98(NENWNW), Sec. 24, Township 08S, Range 23E
Lot 95(NESESW), Sec. 24, Township 08S, Range 23E
Lot 97(NWSENW), Sec. 25, Township 08S, Range 23E
Lot 94(NWNWSE), Sec. 26, Township 08S, Range 23E
Lot 99(NENENE), Sec. 27, Township 08S, Range 23E
Lot 98(SWSENW), Sec. 27, Township 08S, Range 23E
Lot 93(SWSESW), Sec. 27, Township 08S, Range 23E
Lot 95(SWNESW), Sec. 28, Township 08S, Range 23E
Lot 93(NWSWSW), Sec. 28, Township 08S, Range 23E
Lot 91(SESENE), Sec. 29, Township 08S, Range 23E
Lot 95(SENESE), Sec. 31, Township 08S, Range 23E
Lot 97(NWSESW), Sec. 34, Township 08S, Range 23E
Lot 90(SENWNW), Sec. 35, Township 08S, Range 23E
Lot 96(NESWSW), Sec. 35, Township 08S, Range 23E
Lot 98(SENWSE), Sec. 35, Township 08S, Range 23E
Lot 95(SESESE), Sec. 35, Township 08S, Range 23E
Lot 98(SESENE), Sec. 1, Township 08S, Range 24E
Lot 99(SWSENE), Sec. 3, Township 08S, Range 24E
Lot 97(SWSWNE), Sec. 4, Township 08S, Range 24E
Lot 99(NESWSW), Sec. 4, Township 08S, Range 24E
Lot 94(SENENW), Sec. 6, Township 08S, Range 24E
Lot 98(NWNWSW), Sec. 6, Township 08S, Range 24E
Lot 91(SENESE), Sec. 6, Township 08S, Range 24E
Lot 94(NWNESE), Sec. 7, Township 08S, Range 24E
Lot 97(NESENE), Sec. 8, Township 08S, Range 24E
Lot 98(NWSWNE), Sec. 10, Township 08S, Range 24E
Lot 92(SWSWNW), Sec. 10, Township 08S, Range 24E
Lot 95(SESESW), Sec. 10, Township 08S, Range 24E
Lot 98(SWNENW), Sec. 11, Township 08S, Range 24E
Lot 95(NWNWSE), Sec. 11, Township 08S, Range 24E
Lot 97(NENWNE), Sec. 12, Township 08S, Range 24E
Lot 90(NWNWNE), Sec. 13, Township 08S, Range 24E
Lot 95(SWSESW), Sec. 14, Township 08S, Range 24E
Lot 97(SESWNW), Sec. 15, Township 08S, Range 24E
Lot 96(NESWNW), Sec. 18, Township 08S, Range 24E
Lot 95(NENWNE), Sec. 21, Township 08S, Range 24E
Lot 97(NESWSW), Sec. 21, Township 08S, Range 24E
Lot 96(SWNESE), Sec. 22, Township 08S, Range 24E
Lot 95(SESESW), Sec. 23, Township 08S, Range 24E
Lot 98(SESWNE), Sec. 26, Township 08S, Range 24E
Lot 93(SENWSE), Sec. 29, Township 08S, Range 24E

TRANSFER NO. 4966
WATER RIGHT NO(S). 36-02080/36-15127/36-15192/36-15193
36-15194/36-15195/36-15196

LOCATION OF POINT(S) OF DIVERSION:

Lot 92(SWNENW), Sec. 30, Township 08S, Range 24E
Lot 99(SENWSE), Sec. 30, Township 08S, Range 24E
Lot 98(SWSESW), Sec. 31, Township 08S, Range 24E
Lot 99(SENENW), Sec. 3, Township 08S, Range 25E
Lot 96(NWNWNW), Sec. 3, Township 08S, Range 25E
Lot 96(NENESE), Sec. 3, Township 08S, Range 25E
Lot 95(NWNENE), Sec. 5, Township 08S, Range 25E
Lot 98(NENESE), Sec. 6, Township 08S, Range 25E
Lot 93(NWSWSE), Sec. 11, Township 08S, Range 25E
Lot 99(NWNWNW), Sec. 12, Township 08S, Range 25E
Lot 99(NWSWSW), Sec. 13, Township 08S, Range 25E
Lot 97(SWNESW), Sec. 14, Township 08S, Range 25E
Lot 94(NWSWSW), Sec. 15, Township 08S, Range 25E
Lot 95(NWNENE), Sec. 17, Township 08S, Range 25E
Lot 90(NENWNE), Sec. 19, Township 08S, Range 25E
Lot 94(SESWNW), Sec. 19, Township 08S, Range 25E
Lot 96(NESESW), Sec. 21, Township 08S, Range 25E
Lot 91(NWNWNW), Sec. 23, Township 08S, Range 25E
Lot 95(SENWNW), Sec. 24, Township 08S, Range 25E
MINIDOKA County
Lot 99(NWNESW), Sec. 1, Township 09S, Range 21E
Lot 98(NENWSW), Sec. 3, Township 09S, Range 21E
Lot 91(SESESW), Sec. 3, Township 09S, Range 21E
Lot 95(NWNESE), Sec. 3, Township 09S, Range 21E
JEROME County
Lot 99(NWSESE), Sec. 3, Township 09S, Range 22E
Lot 97(SENENE), Sec. 7, Township 09S, Range 22E
Lot 97(NESENE), Sec. 7, Township 09S, Range 22E
Lot 98(SESWNW), Sec. 9, Township 09S, Range 22E
Lot 96(NENESW), Sec. 9, Township 09S, Range 22E
Lot 99(NESWNE), Sec. 10, Township 09S, Range 22E
Lot 94(NWNWNE), Sec. 11, Township 09S, Range 22E
Lot 94(SENENW), Sec. 11, Township 09S, Range 22E
Lot 97(NESWNE), Sec. 15, Township 09S, Range 22E
Lot 99(SWSWNE), Sec. 15, Township 09S, Range 22E
Lot 97(NESWSE), Sec. 18, Township 09S, Range 22E
Lot 99(NWSWNW), Sec. 19, Township 09S, Range 22E
Lot 99(SESWNE), Sec. 22, Township 09S, Range 22E
Lot 98(NESESE), Sec. 28, Township 09S, Range 22E
Lot 91(NWNENE), Sec. 30, Township 09S, Range 22E
Lot 98(SENESE), Sec. 33, Township 09S, Range 22E
Lot 96(NESENE), Sec. 2, Township 09S, Range 23E
Lot 95(NESENE), Sec. 3, Township 09S, Range 23E
Lot 99(NENWSW), Sec. 3, Township 09S, Range 23E
Lot 99(SESENE), Sec. 6, Township 09S, Range 23E
Lot 92(NWSWSE), Sec. 6, Township 09S, Range 23E
MINIDOKA County

TRANSFER NO. 4966
WATER RIGHT NO(S). 36-02080/36-15127/36-15192/36-15193
36-15194/36-15195/36-15196

LOCATION OF POINT(S) OF DIVERSION: Lot 95(SWNWSW), Sec. 2, Township 10S, Range 21E
JEROME County
Lot 91(SENWSW), Sec. 3, Township 10S, Range 22E
MINIDOKA County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
07S	23E	34	Lot 99(SWSW)	Lot 99(SESW)		
	24E	22	Lot 98(NENE)	Lot 98(NWNE)	Lot 98(SWNE)	
			Lot 97(SENE)	Lot 98(SENE)	Lot 96(NESW)	
			Lot 97(NESW)	Lot 96(NWSW)	Lot 96(SWSW)	
			Lot 94(SESW)	Lot 96(SESW)	Lot 97(SESW)	
			Lot 97(NESE)	Lot 97(NWSE)	Lot 98(NWSE)	
			Lot 94(SWSE)	Lot 97(SWSE)	Lot 94(SESE)	
			Lot 97(SESE)			
		23	Lot 99(NENE)	Lot 99(NWNE)	Lot 96(SWNE)	
			Lot 99(SWNE)	Lot 99(SENE)	Lot 98(NENW)	
			Lot 99(NENW)	Lot 98(NWNW)	Lot 95(SWNW)	
			Lot 98(SWNW)	Lot 96(SENW)	Lot 98(SENW)	
			Lot 99(SENW)	Lot 95(NESW)	Lot 96(NESW)	
			Lot 98(NESW)	Lot 95(NWSW)	Lot 98(NWSW)	
			Lot 95(SWSW)	Lot 95(SESW)	Lot 96(SESW)	
			Lot 96(NESE)	Lot 99(NESE)	Lot 96(NWSE)	
			Lot 99(NWSE)	Lot 95(SWSE)	Lot 96(SWSE)	
			Lot 96(SESE)			
		26	Lot 99(NENE)	Lot 98(NWNE)	Lot 99(NWNE)	
			Lot 99(SWNE)	Lot 99(SENE)	Lot 98(NENW)	
			Lot 98(NWNW)	Lot 98(SWNW)	Lot 98(SENW)	
			Lot 93(NESW)	Lot 94(NESW)	Lot 98(NESW)	
			Lot 94(NWSW)	Lot 98(NWSW)	Lot 94(SWSW)	
			Lot 93(SESW)	Lot 94(SESW)	Lot 99(NESE)	
			Lot 93(NWSE)	Lot 99(NWSE)	Lot 93(SWSE)	
			Lot 93(SESE)	Lot 99(SESE)		
		27	Lot 94(NENE)	Lot 94(NWNE)	Lot 93(SWNE)	
			Lot 94(SWNE)	Lot 92(SENE)	Lot 94(SENE)	
			Lot 94(NENW)	Lot 96(NENW)	Lot 94(NWNW)	
			Lot 96(NWNW)	Lot 98(NWNW)	Lot 93(SWNW)	
			Lot 94(SWNW)	Lot 98(SWNW)	Lot 93(SENW)	
			Lot 94(SENW)	Lot 98(SENW)	Lot 92(NESW)	
			Lot 93(NESW)	Lot 93(NWSW)	Lot 93(SWSW)	
			Lot 99(SWSW)	Lot 92(SESW)	Lot 93(SESW)	
			Lot 99(SESW)	Lot 92(NESE)	Lot 92(NWSE)	
			Lot 93(NWSE)	Lot 92(SWSE)	Lot 99(SWSE)	
			Lot 92(SESE)			

TRANSFER NO. 4966
WATER RIGHT NO(S). 36-02080/36-15127/36-15192/36-15193
36-15194/36-15195/36-15196

PLACE OF USE: IRRIGATION

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
		28	Lot 96(NENE)	Lot 98(NENE)	Lot 96(NWNE)	
			Lot 98(NWNE)	Lot 98(SWNE)	Lot 98(SENE)	
			Lot 96(NENW)	Lot 94(NESW)	Lot 94(NWSW)	
			Lot 94(SWSW)	Lot 94(SESW)	Lot 98(NESE)	
			Lot 99(NESE)	Lot 94(NWSE)	Lot 98(NWSE)	
			Lot 99(NWSE)	Lot 94(SWSE)	Lot 99(SWSE)	
			Lot 99(SESE)			
		29	Lot 99(SWNW)	Lot 99(SENW)	Lot 94(NESW)	
			Lot 99(NESW)	Lot 94(NWSW)	Lot 99(NWSW)	
			Lot 93(SWSW)	Lot 99(SWSW)	Lot 93(SESW)	
			Lot 94(SESW)	Lot 94(NESE)	Lot 94(NWSE)	
			Lot 93(SWSE)	Lot 94(SWSE)	Lot 94(SESE)	
		30	Lot 99(NESE)	Lot 99(NWSE)	Lot 99(SWSE)	
			Lot 93(SESE)	Lot 99(SESE)		
		31	Lot 92(NENE)	Lot 93(NENE)	Lot 99(NENE)	
			Lot 99(NWNE)	Lot 98(SWNE)	Lot 99(SWNE)	
			Lot 92(SENE)	Lot 98(SENE)	Lot 99(SENE)	
			Lot 97(NESE)	Lot 98(NESE)	Lot 97(NWSE)	
			Lot 98(NWSE)	Lot 94(SWSE)	Lot 97(SWSE)	
			Lot 94(SESE)	Lot 95(SESE)	Lot 97(SESE)	
		32	Lot 94(NENE)	Lot 99(NENE)	Lot 92(NWNE)	
			Lot 93(NWNE)	Lot 94(NWNE)	Lot 99(NWNE)	
			Lot 91(SWNE)	Lot 92(SWNE)	Lot 97(SWNE)	
			Lot 99(SWNE)	Lot 97(SENE)	Lot 99(SENE)	
			Lot 92(NENW)	Lot 93(NENW)	Lot 92(NWNW)	
			Lot 93(NWNW)	Lot 91(SWNW)	Lot 92(SWNW)	
			Lot 98(SWNW)	Lot 91(SENW)	Lot 92(SENW)	
			Lot 91(NESW)	Lot 96(NESW)	Lot 97(NESW)	
			Lot 91(NWSW)	Lot 98(NWSW)	Lot 91(SWSW)	
			Lot 95(SWSW)	Lot 91(SESW)	Lot 95(SESW)	
			Lot 96(SESW)	Lot 97(SESW)	Lot 97(NESE)	
			Lot 91(NWSE)	Lot 97(NWSE)	Lot 96(SWSE)	
			Lot 97(SWSE)	Lot 96(SESE)	Lot 97(SESE)	
		33	Lot 91(NENE)	Lot 91(NWNE)	Lot 93(NWNE)	
			Lot 91(SWNE)	Lot 93(SWNE)	Lot 91(SENE)	
			Lot 93(NENW)	Lot 94(NENW)	Lot 93(NWNW)	
			Lot 94(NWNW)	Lot 99(NWNW)	Lot 93(SWNW)	
			Lot 94(SWNW)	Lot 97(SWNW)	Lot 99(SWNW)	
			Lot 93(SENW)	Lot 93(NESW)	Lot 98(NESW)	
			Lot 93(NWSW)	Lot 97(NWSW)	Lot 93(SWSW)	
			Lot 96(SWSW)	Lot 97(SWSW)	Lot 98(SWSW)	
			Lot 93(SESW)	Lot 98(SESW)	Lot 95(NESE)	
			Lot 91(NWSE)	Lot 93(NWSE)	Lot 95(NWSE)	
			Lot 98(NWSE)	Lot 98(SWSE)	Lot 95(SESE)	

TRANSFER NO. 4966
WATER RIGHT NO(S). 36-02080/36-15127/36-15192/36-15193
36-15194/36-15195/36-15196

PLACE OF USE: IRRIGATION

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
		34	Lot 92(NENE)	Lot 92(NWNE)	Lot 97(NWNE)	
			Lot 99(NWNE)	Lot 92(SWNE)	Lot 97(SWNE)	
			Lot 92(SENE)	Lot 97(SENE)	Lot 97(NENW)	
			Lot 99(NENW)	Lot 93(NWNW)	Lot 99(NWNW)	
			Lot 91(SWNW)	Lot 98(SWNW)	Lot 99(SWNW)	
			Lot 97(SENW)	Lot 98(SENW)	Lot 99(SENW)	
			Lot 97(NESW)	Lot 98(NESW)	Lot 91(NWSW)	
			Lot 95(NWSW)	Lot 98(NWSW)	Lot 95(SWSW)	
			Lot 98(SWSW)	Lot 98(SESW)	Lot 96(NESE)	
			Lot 97(NESE)	Lot 96(NWSE)	Lot 97(NWSE)	
			Lot 98(NWSE)	Lot 96(SWSE)	Lot 98(SWSE)	
			Lot 96(SESE)			
		35	Lot 93(NENE)	Lot 99(NENE)	Lot 93(NWNE)	
			Lot 99(NWNE)	Lot 99(SWNE)	Lot 99(SENE)	
			Lot 89(NENW)	Lot 93(NENW)	Lot 94(NENW)	
			Lot 99(NENW)	Lot 87(NWNW)	Lot 94(NWNW)	
			Lot 87(SWNW)	Lot 94(SWNW)	Lot 95(SWNW)	
			Lot 88(SENW)	Lot 89(SENW)	Lot 93(SENW)	
			Lot 94(SENW)	Lot 95(SENW)	Lot 99(SENW)	
			Lot 95(NESW)	Lot 98(NESW)	Lot 99(NESW)	
			Lot 95(NWSW)	Lot 96(NWSW)	Lot 97(NWSW)	
			Lot 95(SWSW)	Lot 96(SWSW)	Lot 95(SESW)	
			Lot 98(SESW)	Lot 98(NESE)	Lot 99(NESE)	
			Lot 95(NWSE)	Lot 98(NWSE)	Lot 99(NWSE)	
			Lot 98(SWSE)	Lot 98(SESE)		
	25E	27	Lot 99(NESW)	Lot 99(NWSW)	Lot 99(SWSW)	
			Lot 99(SESW)			
		29	Lot 99(NESW)	Lot 99(NWSW)	Lot 99(SWSW)	
			Lot 99(SESW)			
		30	Lot 97(SWNW)	Lot 97(SENW)	Lot 97(NESW)	
			Lot 98(NESW)	Lot 97(NWSW)	Lot 97(SWSW)	
			Lot 97(SESW)	Lot 98(SESW)	Lot 99(NESE)	
			Lot 98(NWSE)	Lot 98(SWSE)	Lot 99(SWSE)	
			Lot 98(SESE)	Lot 99(SESE)		
		31	Lot 99(NENE)	Lot 98(NWNE)	Lot 99(NWNE)	
			Lot 95(SWNE)	Lot 96(SWNE)	Lot 99(SWNE)	
			Lot 95(SENE)	Lot 99(SENE)	Lot 97(NENW)	
			Lot 98(NENW)	Lot 99(NENW)	Lot 97(NWNW)	
			Lot 96(SWNW)	Lot 96(SENW)	Lot 95(NESW)	
			Lot 96(NESW)	Lot 96(NWSW)	Lot 96(SWSW)	
			Lot 95(SESW)	Lot 96(SESW)	Lot 95(NESE)	
			Lot 95(NWSE)	Lot 96(NWSE)	Lot 93(SWSE)	
			Lot 95(SWSE)	Lot 93(SESE)	Lot 95(SESE)	

TRANSFER NO. 4966
WATER RIGHT NO(S). 36-02080/36-15127/36-15192/36-15193
36-15194/36-15195/36-15196

PLACE OF USE: IRRIGATION

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
		32	Lot 97(NENE)	Lot 98(NENE)	Lot 97(NWNE)	
			Lot 98(NWNE)	Lot 97(SWNE)	Lot 98(SWNE)	
			Lot 97(SENE)	Lot 98(NENW)	Lot 92(NWNW)	
			Lot 98(NWNW)	Lot 99(NWNW)	Lot 96(SWNW)	
			Lot 98(SWNW)	Lot 97(SENW)	Lot 98(SENW)	
			Lot 96(NESW)	Lot 96(NWSW)	Lot 94(SWSW)	
			Lot 96(SWSW)	Lot 94(SESW)	Lot 96(SESW)	
			Lot 95(NESE)	Lot 96(NESE)	Lot 97(NESE)	
			Lot 95(NWSE)	Lot 96(NWSE)	Lot 97(NWSE)	
			Lot 94(SWSE)	Lot 95(SWSE)	Lot 96(SWSE)	
			Lot 95(SESE)			
		33	Lot 96(NENE)	Lot 99(NENE)	Lot 99(NWNE)	
			Lot 96(SWNE)	Lot 98(SWNE)	Lot 99(SWNE)	
			Lot 96(SENE)	Lot 99(SENE)	Lot 99(NENW)	
			Lot 97(NWNW)	Lot 99(NWNW)	Lot 97(SWNW)	
			Lot 98(SWNW)	Lot 99(SWNW)	Lot 98(SENW)	
			Lot 99(SENW)	Lot 98(NESW)	Lot 97(NWSW)	
			Lot 98(NWSW)	Lot 92(SWSW)	Lot 95(SWSW)	
			Lot 92(SESW)	Lot 95(SESW)	Lot 98(SESW)	
			Lot 96(NESE)	Lot 96(NWSE)	Lot 98(NWSE)	
			Lot 92(SWSE)	Lot 93(SWSE)	Lot 96(SWSE)	
			Lot 98(SWSE)	Lot 93(SESE)	Lot 96(SESE)	
		34	Lot 98(NENW)	Lot 99(NENW)	Lot 98(NWNW)	
			Lot 99(NWNW)	Lot 98(SWNW)	Lot 98(SENW)	
			Lot 97(NESW)	Lot 98(NESW)	Lot 97(NWSW)	
			Lot 98(NWSW)	Lot 97(SWSW)	Lot 97(SESW)	
08S	21E	22	Lot 97(NESW)	Lot 97(SESW)	Lot 98(NESE)	
			Lot 99(NESE)	Lot 97(NWSE)	Lot 98(NWSE)	
			Lot 97(SWSE)	Lot 98(SWSE)	Lot 98(SESE)	
			Lot 99(SESE)			
		23	Lot 98(NESW)	Lot 98(NWSW)	Lot 99(NWSW)	
			Lot 98(SWSW)	Lot 99(SWSW)	Lot 98(SESW)	
			Lot 97(NESE)	Lot 96(NWSE)	Lot 97(NWSE)	
			Lot 96(SWSE)	Lot 97(SWSE)	Lot 98(SWSE)	
			Lot 96(SESE)	Lot 97(SESE)		
		24	Lot 97(SWNW)	Lot 97(SENW)	Lot 97(NWSW)	
			Lot 97(SWSW)			
		25	Lot 98(SWNE)	Lot 98(SENE)	Lot 97(NWNW)	
			Lot 99(NWNW)	Lot 99(SWNW)	Lot 98(SENW)	
			Lot 99(SENW)	Lot 96(NESW)	Lot 98(NESW)	
			Lot 99(NESW)	Lot 99(NWSW)	Lot 99(SWSW)	
			Lot 96(SESW)	Lot 99(SESW)	Lot 96(NESE)	
			Lot 98(NESE)	Lot 96(NWSE)	Lot 98(NWSE)	
			Lot 96(SWSE)	Lot 96(SESE)		

TRANSFER NO. 4966
WATER RIGHT NO(S). 36-02080/36-15127/36-15192/36-15193
36-15194/36-15195/36-15196

PLACE OF USE: IRRIGATION

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
		26	Lot 96(NENE)	Lot 96(NWNE)	Lot 97(NWNE)	
			Lot 98(NWNE)	Lot 95(SWNE)	Lot 96(SWNE)	
			Lot 97(SWNE)	Lot 95(SENE)	Lot 96(SENE)	
			Lot 97(NENW)	Lot 98(NENW)	Lot 99(NENW)	
			Lot 99(NWNW)	Lot 97(SWNW)	Lot 99(SWNW)	
			Lot 97(SENW)	Lot 99(SENW)	Lot 94(NESW)	
			Lot 97(NESW)	Lot 94(NWSW)	Lot 97(NWSW)	
			Lot 99(NWSW)	Lot 91(SWSW)	Lot 94(SWSW)	
			Lot 91(SESW)	Lot 92(SESW)	Lot 94(SESW)	
			Lot 95(NESE)	Lot 94(NWSE)	Lot 95(NWSE)	
			Lot 97(NWSE)	Lot 92(SWSE)	Lot 93(SWSE)	
			Lot 94(SWSE)	Lot 95(SWSE)	Lot 93(SESE)	
			Lot 95(SESE)			
		27	Lot 98(NENE)	Lot 99(NENE)	Lot 97(NWNE)	
			Lot 98(NWNE)	Lot 96(SWNE)	Lot 97(SWNE)	
			Lot 96(SENE)	Lot 97(NENW)	Lot 97(SENW)	
			Lot 96(NESE)	Lot 96(NWSE)	Lot 96(SESE)	
		33	Lot 98(SWSW)	Lot 98(SESW)	Lot 99(NESE)	
			Lot 99(NWSE)	Lot 98(SWSE)	Lot 99(SWSE)	
			Lot 99(SESE)			
		34	Lot 97(NESW)	Lot 97(NWSW)	Lot 97(SWSW)	
			Lot 99(SWSW)	Lot 96(SESW)	Lot 97(SESW)	
			Lot 98(NESE)	Lot 97(NWSE)	Lot 98(NWSE)	
			Lot 96(SWSE)	Lot 97(SWSE)	Lot 98(SWSE)	
			Lot 96(SESE)	Lot 98(SESE)		
		35	Lot 93(NENE)	Lot 92(NWNE)	Lot 93(NWNE)	
			Lot 92(SWNE)	Lot 93(SWNE)	Lot 97(SWNE)	
			Lot 98(SWNE)	Lot 93(SENE)	Lot 97(SENE)	
			Lot 91(NENW)	Lot 92(NENW)	Lot 91(NWNW)	
			Lot 91(SWNW)	Lot 99(SWNW)	Lot 91(SENW)	
			Lot 92(SENW)	Lot 98(SENW)	Lot 99(SENW)	
			Lot 98(NESW)	Lot 99(NESW)	Lot 99(NWSW)	
			Lot 95(SWSW)	Lot 99(SWSW)	Lot 95(SESW)	
			Lot 98(SESW)	Lot 99(SESW)	Lot 97(NESE)	
			Lot 97(NWSE)	Lot 98(NWSE)	Lot 95(SWSE)	
			Lot 96(SWSE)	Lot 97(SWSE)	Lot 98(SWSE)	
			Lot 96(SESE)	Lot 97(SESE)		
	22E	30	Lot 98(SWNW)	Lot 96(NWSW)	Lot 98(NWSW)	
			Lot 96(SWSW)			
		35	Lot 97(NENE)	Lot 97(NWNE)	Lot 97(SWNE)	
			Lot 97(SENE)	Lot 96(NESE)	Lot 97(NESE)	
			Lot 96(NWSE)	Lot 97(NWSE)	Lot 96(SWSE)	
			Lot 98(SWSE)	Lot 96(SESE)	Lot 97(SESE)	
			Lot 98(SESE)			

TRANSFER NO. 4966
WATER RIGHT NO(S). 36-02080/36-15127/36-15192/36-15193
36-15194/36-15195/36-15196

PLACE OF USE: IRRIGATION

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
	23E	1	Lot 92(NENE)	Lot 92(NWNE)	Lot 97(NWNE)	
			Lot 99(NWNE)	Lot 95(SWNE)	Lot 97(SWNE)	
			Lot 92(SENE)	Lot 95(SENE)	Lot 96(SENE)	
			Lot 97(SENE)	Lot 98(SENE)	Lot 99(NENW)	
			Lot 99(NWNW)	Lot 97(SWNW)	Lot 99(SWNW)	
			Lot 97(SENW)	Lot 94(NESW)	Lot 95(NESW)	
			Lot 97(NESW)	Lot 94(NWSW)	Lot 95(NWSW)	
			Lot 97(NWSW)	Lot 94(SWSW)	Lot 94(SESW)	
			Lot 95(SESW)	Lot 96(NESE)	Lot 98(NESE)	
			Lot 95(NWSE)	Lot 96(NWSE)	Lot 97(NWSE)	
			Lot 95(SWSE)	Lot 96(SWSE)	Lot 96(SESE)	
			Lot 98(SESE)			
		2	Lot 95(NENE)	Lot 99(NENE)	Lot 99(NWNE)	
			Lot 95(SWNE)	Lot 96(SWNE)	Lot 97(SWNE)	
			Lot 99(SWNE)	Lot 95(SENE)	Lot 99(SENE)	
			Lot 97(NENW)	Lot 98(NENW)	Lot 99(NENW)	
			Lot 98(NWNW)	Lot 97(SWNW)	Lot 98(SWNW)	
			Lot 97(SENW)	Lot 98(SENW)	Lot 93(NESW)	
			Lot 96(NESW)	Lot 97(NESW)	Lot 93(NWSW)	
			Lot 97(NWSW)	Lot 98(NWSW)	Lot 93(SWSW)	
			Lot 93(SESW)	Lot 96(SESW)	Lot 94(NESE)	
			Lot 95(NESE)	Lot 95(NWSE)	Lot 96(NWSE)	
			Lot 94(SWSE)	Lot 95(SWSE)	Lot 96(SWSE)	
			Lot 94(SESE)	Lot 95(SESE)		
		3	Lot 97(NENE)	Lot 98(NENE)	Lot 97(NWNE)	
			Lot 98(NWNE)	Lot 94(SWNE)	Lot 95(SWNE)	
			Lot 97(SWNE)	Lot 97(SENE)	Lot 98(SENE)	
			Lot 95(NENW)	Lot 96(NENW)	Lot 97(NENW)	
			Lot 99(NENW)	Lot 96(NWNW)	Lot 99(NWNW)	
			Lot 95(SWNW)	Lot 96(SWNW)	Lot 94(SENW)	
			Lot 95(SENW)	Lot 96(SENW)	Lot 94(NESW)	
			Lot 95(NESW)	Lot 95(NWSW)	Lot 96(NWSW)	
			Lot 90(SWSW)	Lot 91(SWSW)	Lot 95(SWSW)	
			Lot 90(SESW)	Lot 91(SESW)	Lot 94(SESW)	
			Lot 95(SESW)	Lot 93(NESE)	Lot 94(NESE)	
			Lot 97(NESE)	Lot 94(NWSE)	Lot 97(NWSE)	
			Lot 90(SWSE)	Lot 94(SWSE)	Lot 90(SESE)	
			Lot 92(SESE)	Lot 93(SESE)	Lot 94(SESE)	* **

CONDITIONS OF APPROVAL AND REMARKS

1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
2. Approval of this transfer in no way confirms the right(s) claimed.

TRANSFER NO. 4966
WATER RIGHT NO(S). 36-02080/36-15127/36-15192/36-15193
36-15194/36-15195/36-15196

CONDITIONS OF APPROVAL AND REMARKS

3. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
4. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
7. Right Nos. 36-02080, 36-15127, 36-015192, 36-15193, 36-15194, 36-15195 and 36-15196 are located within the West ESPA Water Measurement District.
8. The right holder shall measure and annually report diversions of water and other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
** 9. Right No. 36-02080 is limited to irrigation of 62,604 acres in the place of use described above in a single irrigation season.
** 10. Right No. 36-15127 is limited to irrigation of 3,257.3 acres in the place of use described above in a single irrigation season.
** 11. Right No. 36-15192 is limited to irrigation of 36.3 acres in the place of use described above in a single irrigation season.
** 12. Right No. 36-15193 is limited to irrigation of 31.4 acres in the place of use described above in a single irrigation season.
** 13. Right No. 36-15194 is limited to irrigation of 166.1 acres in the place of use described above in a single irrigation season.
** 14. Right No. 36-15195 is limited to irrigation of 188.1 acres in the place of use described above in a single irrigation season.
** 15. Right No. 36-15196 is limited to irrigation of 22.1 acres in the place of use described above in a single irrigation season.
* ** 16. Right Nos. 36-02080, 36-15127, 36-015192, 36-15193, 36-15194, 36-15195 and 36-15196 when combined shall not exceed a total combined diversion rate of 1100.0 cfs, a total combined annual diversion volume of 265,221.2 af, a total combined annual consumptive use volume of 198,915.9 af, and irrigation of a combined total of 66,305.3 acres within the place of use described above and within the boundaries of A & B Irrigation District.

TRANSFER NO. 4966
WATER RIGHT NO(S). 36-02080/36-15127/36-15192/36-15193
36-15194/36-15195/36-15196

CONDITIONS OF APPROVAL AND REMARKS

17. The following legal descriptions each contain 2 points of diversion:
T07S, R23E, SEC 34, NWSESW - Minidoka
T07S, R24E, SEC 28, NWSWNE; SEC 30, SWNWSE; SEC 32, SWSENE; SEC 33, SENWSE; SEC 35, SWSWSE - Minidoka
T08S, R21E, SEC 26, NWSENE; SEC 35, SESESE - Jerome
T08S, R22E, SEC 35, SWSWSE - Minidoka
T08S, R23E, SEC 01, NENWNE; SEC 04, SWSWSW; SEC 05, NESENE; SEC 12, SWSWNE; SEC 12, SESESW; SEC 14, NWNWNW; SEC 15, SENENW; SEC 17, NESESE; SEC 19, NWSWSE; SEC 23, SWNWSW; SEC 24, NESESW; SEC 28, NWSWSW; SEC 29, SESENE - Minidoka
T08S, R24E, SEC 03, SWSENE; SEC 04, NESWSW; SEC 11, SWNENW; SEC 13, NWNWNE; SEC 31, SWSESW - Minidoka
T08S, R25E, SEC 03, SENENW; SEC 03, NWNWNW; SEC 05, NWNENE; SEC 06, NENESE; SEC 12, NWNWNW; SEC 15, NWSWSW; SEC 19, NENWNE; SEC 19, SESWNW; SEC 23, NWNWNW - Minidoka
T09S, R22E, SEC 09, NENESW; SEC 18, NESWSE; SEC 33, SENESE - Minidoka

18. Three points of diversion are located within NWSESE, SEC 03, T09S, R22E, Minidoka.

19. The following convention is used to convert the government lots listed in the above points of diversion and places of use to the official government tract designation: Lot 99 = Tract A; Lot 98 = Tract B; Lot 97 = Tract C; Lot 96 = Tract D; Lot 95 = Tract E; Lot 94 = Tract F; Lot 93 = Tract G; Lot 92 = Tract H; Lot 91 = Tract J; Lot 90 = Tract K; Lot 89 = Tract L; Lot 88 = Tract M; Lot 87 = Tract N; Lot 86 = Tract O; Lot 85 = Tract P; Lot 84 = Tract Q; Lot 83 = Tract R; Lot 82 = Tract S.

Dated this 31st day of July, 1997.

Chief, Water Allocation Bureau

Form 1-602
12-92

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 4966

RECEIVED
FEB 03 1997
Department of Water Resources

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant A&B Irrigation District Phone 436-3152

Post Office address P.O. Box 675, Rupert, ID 83350

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
   ☐ Change nature of use ☐ Change period of use ☒ Other _____

2. Describe the reason for the proposed changes A New well was drilled under permit # 36-94-S 029200 to replace the 9A 922 well. The New well 9C 922 will not produce enough water, so pumps will be installed in the 9A 922 and 9C 922 and will have the same point of diversion.

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

1.

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
36--02080	9-9- 48	1100 CFS	Irrigation	4-1 to 10-31
36-15127	4-1-84			to
36-15192	4-1-62			to
~~36-15193~~	~~4-1-65~~			to
36-15194	4-1-68			to
~~36-15195~~	~~4-1-78~~			to
36-15196	4-1-81			to

2. Total amount of water being transferred _____ cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Ground water tributary to _____

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	NE	SW	9S	22E	9	Minidoka	9A922 - 9C922 (Two wells)
*								Plus 211 other wells,
								as recommended in Director's

5. Lands irrigated or place of use: No change Report

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
		S09	Lot 97 (NENE)				Lot 99 (NENE)				Lot 97 (NWNE)				Lot 99 (NWNE)				
			Lot 97 (SWNE)				Lot 97 (SENE)				Lot 99 (SENE)				Lot 97 (NENW)				
			Lot 98 (NENW)				Lot 98 (NWNW)				Lot 98 (SWNW)				Lot 97 (SENW)				
			Lot 98 (SENW)				Lot 94 (NESW)				Lot 96 (NESW)				Lot 97 (NESW)				
			Lot 98 (NESW)				Lot 94 (NWSW)				Lot 98 (NWSW)				Lot 94 (SWSW)				
			Lot 94 (SESW)				Lot 96 (SESW)				Lot 96 (NESE)				Lot 97 (NESE)				
			Lot 96 (NWSE)				Lot 97 (NWSE)				Lot 96 (SWSE)				Lot 96 (SESE)				
			The attached list is from the Director's Report.																

* AV - 2/10/98

Total acres _____

PART 1

6. General Information:

a. Description of diversion system Wells pump into a stilling pool and water is diverted over two cippoletti weirs to two farm units.

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

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

No change Same point of diversion

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

Witness my hand this _____ day of _____, 19____.

_____

Form 1-222

Page 3 of 36

Transfer No. 4966

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

   a. Decree No. _____ Decreed to _____

   in case of _____ vs. _____

   dated _____ in _____ county of _____

   b. License No. 36-02080 issued by the Idaho Department of Water Resources.

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

   d. Transfer No. _____ which produced this right.

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

   ☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Snake River Plan Aquifer tributary to _____

4. Date or priority 9-9-48

5. Water is used for the following purpose:

   amount 1100 (cfs/ac-ft) for Irrigation purposes from 4-1 to 10-31

   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

6. Total amount of water under right 1100 cubic feet per second and/or 4 acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	See attached list from the Director's Report.							All lands under one water right.

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
	See attached list from the Director's Report.														All lands under one water right.				

Total acres _____

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

PART 2

Transfer No. 4966

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

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. amount N/A (cfs/ac-ft) for _____ purposes from _____ to _____
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

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

1. amount N/A (cfs/ac-ft) for _____ purposes from _____ to _____
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. **36-02080**

STAGE: **LICENSE**

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE
IRRIGATION	to	1100.00 CFS
DOMESTIC	to	
	Totals	1100.00 CFS

SOURCE

GROUNDWATER

Priority: 09/09/1948

PLACE OF USE: See Remarks

CONDITIONS/REMARKS:

1. 177 Wells in T07S, R23, 24 & 25E, B.M.; T08S, R21, 22, 23, 24 & 25E, B.M.; T09S, R21, 22 & 23E, B.M.; T10S, R21 & 22E, B.M.; all in the A & B Irrigation District, Northside Pumping Division, Minidoka Project, Idaho.
2. 62,604.3 acres in T07, 08, 09 & 10S, R21, 22, 23, 24 & 25E, B.M.; all within the boundaries of the A & B Irrigation District, Northside Pumping Division, Minidoka Project, Idaho.

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. **36-15127**

STAGE: **BENEFICIAL USE**

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE
IRRIGATION	04/01 to 10/31	54.03 CFS

SOURCE

GROUNDWATER

Priority: 04/01/1984

LOCATION OF POINT(S) OF DIVERSION:

Lot 99(NWSESW), Sec. 34, Township 07S, Range 23E
Lot 96(NWSWSW), Sec. 22, Township 07S, Range 24E
Lot 98(NWNWSE), Sec. 22, Township 07S, Range 24E
Lot 97(NESESE), Sec. 22, Township 07S, Range 24E
Lot 99(NWSWNE), Sec. 23, Township 07S, Range 24E
Lot 99(NWSENE), Sec. 26, Township 07S, Range 24E
Lot 94(NENWSW), Sec. 26, Township 07S, Range 24E
Lot 98(NWSWNE), Sec. 28, Township 07S, Range 24E
Lot 99(SWNWSE), Sec. 30, Township 07S, Range 24E
Lot 99(NWSWNE), Sec. 31, Township 07S, Range 24E
Lot 97(SWSENE), Sec. 32, Township 07S, Range 24E
Lot 98(SENWSE), Sec. 33, Township 07S, Range 24E
Lot 98(SWSENW), Sec. 34, Township 07S, Range 24E
Lot 98(SWSWSE), Sec. 35, Township 07S, Range 24E
Lot 99(NESESW), Sec. 27, Township 07S, Range 25E
Lot 99(NENESW), Sec. 29, Township 07S, Range 25E
Lot 98(NWNESE), Sec. 30, Township 07S, Range 25E
Lot 96(NENESW), Sec. 31, Township 07S, Range 25E
Lot 96(NWNESW), Sec. 32, Township 07S, Range 25E
Lot 99(NESWNW), Sec. 33, Township 07S, Range 25E
Lot 97(SENESW), Sec. 34, Township 07S, Range 25E
MINIDOKA County
Lot 98(NWNESE), Sec. 22, Township 08S, Range 21E
Lot 97(NWSENW), Sec. 24, Township 08S, Range 21E
Lot 96(NWSENE), Sec. 26, Township 08S, Range 21E
Lot 93(SENENE), Sec. 35, Township 08S, Range 21E
Lot 99(SWSWSW), Sec. 35, Township 08S, Range 21E
Lot 97(SESESE), Sec. 35, Township 08S, Range 21E
JEROME County
Lot 96(SWNWSW), Sec. 30, Township 08S, Range 22E

Claim No. 36-15127

LOCATION OF POINT(S) OF DIVERSION:

Lot 99(SWNWNE), Sec. 35, Township 08S, Range 22E
Lot 98(SWSWSE), Sec. 35, Township 08S, Range 22E
Lot 99(NENWNE), Sec. 1, Township 08S, Range 23E
Lot 94(SWSWSW), Sec. 1, Township 08S, Range 23E
Lot 96(SENESW), Sec. 2, Township 08S, Range 23E
Lot 95(SWSWSW), Sec. 4, Township 08S, Range 23E
Lot 93(NESENE), Sec. 5, Township 08S, Range 23E
Lot 97(NENESE), Sec. 8, Township 08S, Range 23E
Lot 92(SWSENE), Sec. 10, Township 08S, Range 23E
Lot 96(NESWSW), Sec. 10, Township 08S, Range 23E
Lot 96(SWSWNE), Sec. 12, Township 08S, Range 23E
Lot 94(SESESW), Sec. 12, Township 08S, Range 23E
Lot 87(NWNWNW), Sec. 14, Township 08S, Range 23E
Lot 99(SENENW), Sec. 15, Township 08S, Range 23E
Lot 94(SESESE), Sec. 15, Township 08S, Range 23E
Lot 96(NWNENW), Sec. 17, Township 08S, Range 23E
Lot 97(NESESE), Sec. 17, Township 08S, Range 23E
Lot 99(NWSWSE), Sec. 19, Township 08S, Range 23E
Lot 99(SWSENE), Sec. 21, Township 08S, Range 23E
Lot 97(SWSESW), Sec. 22, Township 08S, Range 23E
Lot 95(SWNWSW), Sec. 23, Township 08S, Range 23E
Lot 98(NENWNW), Sec. 24, Township 08S, Range 23E
Lot 95(NESESW), Sec. 24, Township 08S, Range 23E
Lot 97(NWSENW), Sec. 25, Township 08S, Range 23E
Lot 94(NWNWSE), Sec. 26, Township 08S, Range 23E
Lot 99(NENENE), Sec. 27, Township 08S, Range 23E
Lot 98(SWSENW), Sec. 27, Township 08S, Range 23E
Lot 93(SWSESW), Sec. 27, Township 08S, Range 23E
Lot 95(SWNESW), Sec. 28, Township 08S, Range 23E
Lot 93(NWSWSW), Sec. 28, Township 08S, Range 23E
Lot 91(SESENE), Sec. 29, Township 08S, Range 23E
Lot 95(SENESE), Sec. 31, Township 08S, Range 23E
Lot 97(NWSESW), Sec. 34, Township 08S, Range 23E
Lot 90(SENWNW), Sec. 35, Township 08S, Range 23E
Lot 96(NESWSW), Sec. 35, Township 08S, Range 23E
Lot 98(SENWSE), Sec. 35, Township 08S, Range 23E
Lot 95(SESESE), Sec. 35, Township 08S, Range 23E
Lot 98(SESENE), Sec. 1, Township 08S, Range 24E
Lot 99(SWSENE), Sec. 3, Township 08S, Range 24E
Lot 97(SWSWNE), Sec. 4, Township 08S, Range 24E
Lot 99(NESWSW), Sec. 4, Township 08S, Range 24E
Lot 94(SENENW), Sec. 6, Township 08S, Range 24E
Lot 98(NWNWSW), Sec. 6, Township 08S, Range 24E
Lot 91(SENESE), Sec. 6, Township 08S, Range 24E
Lot 94(NWNESE), Sec. 7, Township 08S, Range 24E
Lot 97(NESENE), Sec. 8, Township 08S, Range 24E
Lot 98(NWSWNE), Sec. 10, Township 08S, Range 24E
Lot 92(SWSWNW), Sec. 10, Township 08S, Range 24E
Lot 95(SESESW), Sec. 10, Township 08S, Range 24E

Claim No. 36-15127

LOCATION OF POINT(S) OF DIVERSION:

Lot 98(SWNENW), Sec. 11, Township 08S, Range 24E
Lot 95(NWNWSE), Sec. 11, Township 08S, Range 24E
Lot 97(NENWNE), Sec. 12, Township 08S, Range 24E
Lot 90(NWNWNE), Sec. 13, Township 08S, Range 24E
Lot 95(SWSESW), Sec. 14, Township 08S, Range 24E
Lot 97(SESWNW), Sec. 15, Township 08S, Range 24E
Lot 96(NESWNW), Sec. 18, Township 08S, Range 24E
Lot 95(NENWNE), Sec. 21, Township 08S, Range 24E
Lot 97(NESWSW), Sec. 21, Township 08S, Range 24E
Lot 96(SWNESE), Sec. 22, Township 08S, Range 24E
Lot 95(SESESW), Sec. 23, Township 08S, Range 24E
Lot 98(SESWNE), Sec. 26, Township 08S, Range 24E
Lot 93(SENWSE), Sec. 29, Township 08S, Range 24E
Lot 92(SWNENW), Sec. 30, Township 08S, Range 24E
Lot 99(SENWSE), Sec. 30, Township 08S, Range 24E
Lot 98(SWSESW), Sec. 31, Township 08S, Range 24E
Lot 99(SENENW), Sec. 3, Township 08S, Range 25E
Lot 96(NWNWNW), Sec. 3, Township 08S, Range 25E
Lot 96(NENESE), Sec. 3, Township 08S, Range 25E
Lot 95(NWNENE), Sec. 5, Township 08S, Range 25E
Lot 98(NENESE), Sec. 6, Township 08S, Range 25E
Lot 93(NWSWSE), Sec. 11, Township 08S, Range 25E
Lot 99(NWNWNW), Sec. 12, Township 08S, Range 25E
Lot 99(NWSWSW), Sec. 13, Township 08S, Range 25E
Lot 97(SWNESW), Sec. 14, Township 08S, Range 25E
Lot 94(NWSWSW), Sec. 15, Township 08S, Range 25E
Lot 95(NWNENE), Sec. 17, Township 08S, Range 25E
Lot 90(NENWNE), Sec. 19, Township 08S, Range 25E
Lot 94(SESWNW), Sec. 19, Township 08S, Range 25E
Lot 96(NESESW), Sec. 21, Township 08S, Range 25E
Lot 91(NWNWNW), Sec. 23, Township 08S, Range 25E
Lot 95(SENWNW), Sec. 24, Township 08S, Range 25E

MINIDOKA County

Lot 99(NWNESW), Sec. 1, Township 09S, Range 21E
Lot 98(NENWSW), Sec. 3, Township 09S, Range 21E
Lot 91(SESESW), Sec. 3, Township 09S, Range 21E
Lot 95(NWNESE), Sec. 3, Township 09S, Range 21E

JEROME County

Lot 99(NWSESE), Sec. 3, Township 09S, Range 22E
Lot 97(SENENE), Sec. 7, Township 09S, Range 22E
Lot 97(NESENE), Sec. 7, Township 09S, Range 22E
Lot 98(SESWNW), Sec. 9, Township 09S, Range 22E
Lot 96(NENESW), Sec. 9, Township 09S, Range 22E
Lot 99(NESWNE), Sec. 10, Township 09S, Range 22E
Lot 94(NWNWNE), Sec. 11, Township 09S, Range 22E
Lot 94(SENENW), Sec. 11, Township 09S, Range 22E
Lot 97(NESWNE), Sec. 15, Township 09S, Range 22E
Lot 99(SWSWNE), Sec. 15, Township 09S, Range 22E
Lot 97(NESWSE), Sec. 18, Township 09S, Range 22E

Claim No. **36-15127**

LOCATION OF POINT(S) OF DIVERSION:

Lot 99(NWSWNW), Sec. 19, Township 09S, Range 22E
Lot 99(NWNENE), Sec. 20, Township 09S, Range 22E
Lot 99(SESWNE), Sec. 22, Township 09S, Range 22E
Lot 98(NESESE), Sec. 28, Township 09S, Range 22E
Lot 91(NWNENE), Sec. 30, Township 09S, Range 22E
Lot 98(SENESE), Sec. 33, Township 09S, Range 22E
Lot 96(NESENE), Sec. 2, Township 09S, Range 23E
Lot 95(NESENE), Sec. 3, Township 09S, Range 23E
Lot 99(NENWSW), Sec. 3, Township 09S, Range 23E
Lot 99(SESENE), Sec. 6, Township 09S, Range 23E
Lot 92(NWSWSE), Sec. 6, Township 09S, Range 23E
MINIDOKA County
Lot 95(SWNWSW), Sec. 2, Township 10S, Range 21E
JEROME County
Lot 91(SENWSW), Sec. 3, Township 10S, Range 22E
MINIDOKA County

PLACE OF USE: See Remarks

CONDITIONS/REMARKS:

1. THIS RIGHT IS AN EXPANSION OF RIGHT NO. 36-02080 PURSUANT TO IDAHO CODE 42-1416(2).
2. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 3257.3 ACRES WITHIN THE PLACE OF USE DESCRIBED IN RIGHT NO. 36-02080 IN A SINGLE IRRIGATION SEASON.
3. USE OF THIS RIGHT WITH COMBINED RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1100.00 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 265221.2 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 198,915.9 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 66,305.3 ACRES WITHIN THE PLACE OF USE DESCRIBED IN RIGHT NO. 36-02080 IN A SINGLE IRRIGATION SEASON.
4. THE COMBINED RIGHTS LISTED BELOW ARE ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE.
5. COMBINED RIGHT NOS.: 36-02080, 36-15127, 36-15192, 36-15193, 36-15194, 36-15195 AND 36-15196.
6. THE FOLLOWING POINTS OF DIVERSION EACH HAVE TWO WELLS:
   T07S, R23E, SEC 34, NWSESW - MINIDOKA
   T07S, R24E, SEC 28, NWSWNE; SEC 30, SWNWSE; SEC 32, SWSENE; SEC 33, SENWSE; SEC 35, SWSWSE - MINIDOKA
   T08S, R21E, SEC 26, NWSENE; SEC 35, SESESE - JEROME
   T08S, R22E, SEC 35, SWSWSE - MINIDOKA
   T08S, R23E, SEC 01, NENWNE; SEC 04, SWSWSW; SEC 05, NESENE; SEC 12, SWSWNE; SEC 12, SESESW; SEC 14, NWNWNW; SEC 15, SENENW; SEC 17, NESESE; SEC 19, NWSWSE; SEC 23, SWNWSW; SEC 24, NESESW; SEC 28, NWSWSW; SEC 29, SESENE - MINIDOKA
   T08S, R24E, SEC 03, SWSENE; SEC 04, NESWSW; SEC 11, SWNENW; SEC 13, NWNWNE; SEC 31, SWSESW - MINIDOKA

Claim No. 36-15127

T08S, R25E, SEC 03, SENENW; SEC 03, NWNWNW; SEC 05, NWNENE;
SEC 06, NENESE; SEC 12, NWNWNW; SEC 15, NWSWSW;
SEC 19, NENWNE; SEC 19, SESWNW;
SEC 23, NWNWNW - MINIDOKA
T09S, R22E, SEC 18, NESWSE; SEC 33, SENESE - MINIDOKA
THE FOLLOWING CONVENTION IS USED TO CONVERT THE GOVERNMENT LOTS LISTED IN THE ABOVE POINTS OF DIVERSION AND PLACES OF USE TO THE OFFICIAL GOVERNMENT TRACT DESIGNATION: LOT 99 = TRACT A;
LOT 98 = TRACT B; LOT 97 = TRACT C; LOT 96 = TRACT D;
LOT 95 = TRACT E; LOT 94 = TRACT F; LOT 93 = TRACT G;
LOT 92 = TRACT H; LOT 91 = TRACT J; LOT 90 = TRACT K;
LOT 89 = TRACT L; LOT 88 = TRACT M; LOT 87 = TRACT N

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. **36-15192**

STAGE: **BENEFICIAL USE**

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE
IRRIGATION	04/01 to 10/31	0.60 CFS

SOURCE

GROUNDWATER

Priority: 04/01/1962

LOCATION OF POINT(S) OF DIVERSION:

Lot 99(NWSESW), Sec. 34, Township 07S, Range 23E
Lot 96(NWSWSW), Sec. 22, Township 07S, Range 24E
Lot 98(NWNWSE), Sec. 22, Township 07S, Range 24E
Lot 97(NESESE), Sec. 22, Township 07S, Range 24E
Lot 99(NWSWNE), Sec. 23, Township 07S, Range 24E
Lot 99(NWSENE), Sec. 26, Township 07S, Range 24E
Lot 94(NENWSW), Sec. 26, Township 07S, Range 24E
Lot 98(NWSWNE), Sec. 28, Township 07S, Range 24E
Lot 99(SWNWSE), Sec. 30, Township 07S, Range 24E
Lot 99(NWSWNE), Sec. 31, Township 07S, Range 24E
Lot 97(SWSENE), Sec. 32, Township 07S, Range 24E
Lot 98(SENWSE), Sec. 33, Township 07S, Range 24E
Lot 98(SWSENW), Sec. 34, Township 07S, Range 24E
Lot 98(SWSWSE), Sec. 35, Township 07S, Range 24E
Lot 99(NESESW), Sec. 27, Township 07S, Range 25E
Lot 99(NENESW), Sec. 29, Township 07S, Range 25E
Lot 98(NWNESE), Sec. 30, Township 07S, Range 25E
Lot 96(NENESW), Sec. 31, Township 07S, Range 25E
Lot 96(NWNESW), Sec. 32, Township 07S, Range 25E
Lot 99(NESWNW), Sec. 33, Township 07S, Range 25E
Lot 97(SENESW), Sec. 34, Township 07S, Range 25E
MINIDOKA County
Lot 98(NWNESE), Sec. 22, Township 08S, Range 21E
Lot 97(NWSENW), Sec. 24, Township 08S, Range 21E
Lot 96(NWSENE), Sec. 26, Township 08S, Range 21E
Lot 93(SENENE), Sec. 35, Township 08S, Range 21E
Lot 99(SWSWSW), Sec. 35, Township 08S, Range 21E
Lot 97(SESESE), Sec. 35, Township 08S, Range 21E
JEROME County
Lot 96(SWNWSW), Sec. 30, Township 08S, Range 22E

Claim No. **36-15192**

LOCATION OF POINT(S) OF DIVERSION:

Lot 99(SWNWNE), Sec. 35, Township 08S, Range 22E
Lot 98(SWSWSE), Sec. 35, Township 08S, Range 22E
Lot 99(NENWNE), Sec. 1, Township 08S, Range 23E
Lot 94(SWSWSW), Sec. 1, Township 08S, Range 23E
Lot 96(SENESW), Sec. 2, Township 08S, Range 23E
Lot 95(SWSWSW), Sec. 4, Township 08S, Range 23E
Lot 93(NESENE), Sec. 5, Township 08S, Range 23E
Lot 97(NENESE), Sec. 8, Township 08S, Range 23E
Lot 92(SWSENE), Sec. 10, Township 08S, Range 23E
Lot 96(NESWSW), Sec. 10, Township 08S, Range 23E
Lot 96(SWSWNE), Sec. 12, Township 08S, Range 23E
Lot 94(SESESW), Sec. 12, Township 08S, Range 23E
Lot 87(NWNWNW), Sec. 14, Township 08S, Range 23E
Lot 99(SENENW), Sec. 15, Township 08S, Range 23E
Lot 94(SESESE), Sec. 15, Township 08S, Range 23E
Lot 96(NWNENW), Sec. 17, Township 08S, Range 23E
Lot 97(NESESE), Sec. 17, Township 08S, Range 23E
Lot 99(NWSWSE), Sec. 19, Township 08S, Range 23E
Lot 99(SWSENE), Sec. 21, Township 08S, Range 23E
Lot 97(SWSESW), Sec. 22, Township 08S, Range 23E
Lot 95(SWNWSW), Sec. 23, Township 08S, Range 23E
Lot 98(NENWNW), Sec. 24, Township 08S, Range 23E
Lot 95(NESESW), Sec. 24, Township 08S, Range 23E
Lot 97(NWSENW), Sec. 25, Township 08S, Range 23E
Lot 94(NWNWSE), Sec. 26, Township 08S, Range 23E
Lot 99(NENENE), Sec. 27, Township 08S, Range 23E
Lot 98(SWSENW), Sec. 27, Township 08S, Range 23E
Lot 93(SWSESW), Sec. 27, Township 08S, Range 23E
Lot 95(SWNESW), Sec. 28, Township 08S, Range 23E
Lot 93(NWSWSW), Sec. 28, Township 08S, Range 23E
Lot 91(SESENE), Sec. 29, Township 08S, Range 23E
Lot 95(SENESE), Sec. 31, Township 08S, Range 23E
Lot 97(NWSESW), Sec. 34, Township 08S, Range 23E
Lot 90(SENWNW), Sec. 35, Township 08S, Range 23E
Lot 96(NESWSW), Sec. 35, Township 08S, Range 23E
Lot 98(SENWSE), Sec. 35, Township 08S, Range 23E
Lot 95(SESESE), Sec. 35, Township 08S, Range 23E
Lot 98(SESENE), Sec. 1, Township 08S, Range 24E
Lot 99(SWSENE), Sec. 3, Township 08S, Range 24E
Lot 97(SWSWNE), Sec. 4, Township 08S, Range 24E
Lot 99(NESWSW), Sec. 4, Township 08S, Range 24E
Lot 94(SENENW), Sec. 6, Township 08S, Range 24E
Lot 98(NWNWSW), Sec. 6, Township 08S, Range 24E
Lot 91(SENESE), Sec. 6, Township 08S, Range 24E
Lot 94(NWNESE), Sec. 7, Township 08S, Range 24E
Lot 97(NESENE), Sec. 8, Township 08S, Range 24E
Lot 98(NWSWNE), Sec. 10, Township 08S, Range 24E
Lot 92(SWSWNW), Sec. 10, Township 08S, Range 24E
Lot 95(SESESW), Sec. 10, Township 08S, Range 24E

Claim No. **36-15192**

LOCATION OF POINT(S) OF DIVERSION:

Lot 98(SWNENW), Sec. 11, Township 08S, Range 24E
Lot 95(NWNWSE), Sec. 11, Township 08S, Range 24E
Lot 97(NENWNE), Sec. 12, Township 08S, Range 24E
Lot 90(NWNWNE), Sec. 13, Township 08S, Range 24E
Lot 95(SWSESW), Sec. 14, Township 08S, Range 24E
Lot 97(SESWNW), Sec. 15, Township 08S, Range 24E
Lot 96(NESWNW), Sec. 18, Township 08S, Range 24E
Lot 95(NENWNE), Sec. 21, Township 08S, Range 24E
Lot 97(NESWSW), Sec. 21, Township 08S, Range 24E
Lot 96(SWNESE), Sec. 22, Township 08S, Range 24E
Lot 95(SESESW), Sec. 23, Township 08S, Range 24E
Lot 98(SESWNE), Sec. 26, Township 08S, Range 24E
Lot 93(SENWSE), Sec. 29, Township 08S, Range 24E
Lot 92(SWNENW), Sec. 30, Township 08S, Range 24E
Lot 99(SENWSE), Sec. 30, Township 08S, Range 24E
Lot 98(SWSESW), Sec. 31, Township 08S, Range 24E
Lot 99(SENENW), Sec. 3, Township 08S, Range 25E
Lot 96(NWNWNW), Sec. 3, Township 08S, Range 25E
Lot 96(NENESE), Sec. 3, Township 08S, Range 25E
Lot 95(NWNENE), Sec. 5, Township 08S, Range 25E
Lot 98(NENESE), Sec. 6, Township 08S, Range 25E
Lot 93(NWSWSE), Sec. 11, Township 08S, Range 25E
Lot 99(NWNWNW), Sec. 12, Township 08S, Range 25E
Lot 99(NWSWSW), Sec. 13, Township 08S, Range 25E
Lot 97(SWNESW), Sec. 14, Township 08S, Range 25E
Lot 94(NWSWSW), Sec. 15, Township 08S, Range 25E
Lot 95(NWNENE), Sec. 17, Township 08S, Range 25E
Lot 90(NENWNE), Sec. 19, Township 08S, Range 25E
Lot 94(SESWNW), Sec. 19, Township 08S, Range 25E
Lot 96(NESESW), Sec. 21, Township 08S, Range 25E
Lot 91(NWNWNW), Sec. 23, Township 08S, Range 25E
Lot 95(SENWNW), Sec. 24, Township 08S, Range 25E

MINIDOKA County

Lot 99(NWNESW), Sec. 1, Township 09S, Range 21E
Lot 98(NENWSW), Sec. 3, Township 09S, Range 21E
Lot 91(SESESW), Sec. 3, Township 09S, Range 21E
Lot 95(NWNESE), Sec. 3, Township 09S, Range 21E

JEROME County

Lot 99(NWSESE), Sec. 3, Township 09S, Range 22E
Lot 97(SENENE), Sec. 7, Township 09S, Range 22E
Lot 97(NESENE), Sec. 7, Township 09S, Range 22E
Lot 98(SESWNW), Sec. 9, Township 09S, Range 22E
Lot 96(NENESW), Sec. 9, Township 09S, Range 22E
Lot 99(NESWNE), Sec. 10, Township 09S, Range 22E
Lot 94(NWNWNE), Sec. 11, Township 09S, Range 22E
Lot 94(SENENW), Sec. 11, Township 09S, Range 22E
Lot 97(NESWNE), Sec. 15, Township 09S, Range 22E
Lot 99(SWSWNE), Sec. 15, Township 09S, Range 22E
Lot 97(NESWSE), Sec. 18, Township 09S, Range 22E

Claim No. 36-15192

LOCATION OF POINT(S) OF DIVERSION:

Lot 99(NWSWNW), Sec. 19, Township 09S, Range 22E
Lot 99(NWNENE), Sec. 20, Township 09S, Range 22E
Lot 99(SESWNE), Sec. 22, Township 09S, Range 22E
Lot 98(NESESE), Sec. 28, Township 09S, Range 22E
Lot 91(NWNENE), Sec. 30, Township 09S, Range 22E
Lot 98(SENESE), Sec. 33, Township 09S, Range 22E
Lot 96(NESENE), Sec. 2, Township 09S, Range 23E
Lot 95(NESENE), Sec. 3, Township 09S, Range 23E
Lot 99(NENWSW), Sec. 3, Township 09S, Range 23E
Lot 99(SESENE), Sec. 6, Township 09S, Range 23E
Lot 92(NWSWSE), Sec. 6, Township 09S, Range 23E
MINIDOKA County
Lot 95(SWNWSW), Sec. 2, Township 10S, Range 21E
JEROME County
Lot 91(SENWSW), Sec. 3, Township 10S, Range 22E
MINIDOKA County

PLACE OF USE: See Remarks

CONDITIONS/REMARKS:

1. THIS RIGHT IS AN EXPANSION OF RIGHT NO. 36-02080 PURSUANT TO IDAHO CODE 42-1416(2).
2. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 36.3 ACRES WITHIN THE PLACE OF USE DESCRIBED IN RIGHT NO. 36-02080 IN A SINGLE IRRIGATION SEASON.
3. USE OF THIS RIGHT WITH COMBINED RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1100.00 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 265221.2 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 198,915.9 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 66,305.3 ACRES WITHIN THE PLACE OF USE DESCRIBED IN RIGHT NO. 36-02080 IN A SINGLE IRRIGATION SEASON.
4. THE COMBINED RIGHTS LISTED BELOW ARE ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE.
5. COMBINED RIGHT NOS.: 36-02080, 36-15127, 36-15192, 36-15193, 36-15194, 36-15195 AND 36-15196.
6. THE FOLLOWING POINTS OF DIVERSION EACH HAVE TWO WELLS:
   T07S, R23E, SEC 34, NWSESW - MINIDOKA
   T07S, R24E, SEC 28, NWSWNE; SEC 30, SWNWSE; SEC 32, SWSENE; SEC 33, SENWSE; SEC 35, SWSWSE - MINIDOKA
   T08S, R21E, SEC 26, NWSENE; SEC 35, SESESE - JEROME
   T08S, R22E, SEC 35, SWSWSE - MINIDOKA
   T08S, R23E, SEC 01, NENWNE; SEC 04, SWSWSW; SEC 05, NESENE; SEC 12, SWSWNE; SEC 12, SESESW; SEC 14, NWNWNW; SEC 15, SENENW; SEC 17, NESESE; SEC 19, NWSWSE; SEC 23, SWNWSW; SEC 24, NESESW; SEC 28, NWSWSW; SEC 29, SESENE - MINIDOKA
   T08S, R24E, SEC 03, SWSENE; SEC 04, NESWSW; SEC 11, SWNENW; SEC 13, NWNWNE; SEC 31, SWSESW - MINIDOKA

Claim No. 36-15192

T08S, R25E, SEC 03, SENENW; SEC 03, NWNWNW; SEC 05, NWNENE;
SEC 06, NENESE; SEC 12, NWNWNW; SEC 15, NWSWSW;
SEC 19, NENWNE; SEC 19, SESWNW;
SEC 23, NWNWNW - MINIDOKA
T09S, R22E, SEC 18, NESWSE; SEC 33, SENESE - MINIDOKA
THE FOLLOWING CONVENTION IS USED TO CONVERT THE GOVERNMENT LOTS LISTED IN THE ABOVE POINTS OF DIVERSION AND PLACES OF USE TO THE OFFICIAL GOVERNMENT TRACT DESIGNATION: LOT 99 = TRACT A;
LOT 98 = TRACT B; LOT 97 = TRACT C; LOT 96 = TRACT D;
LOT 95 = TRACT E; LOT 94 = TRACT F; LOT 93 = TRACT G;
LOT 92 = TRACT H; LOT 91 = TRACT J; LOT 90 = TRACT K;
LOT 89 = TRACT L; LOT 88 = TRACT M; LOT 87 = TRACT N

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. **36-15193**

STAGE: **BENEFICIAL USE**

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE
IRRIGATION	04/01 to 10/31	0.52 CFS

SOURCE

GROUNDWATER

Priority: 04/01/1965

LOCATION OF POINT(S) OF DIVERSION:

Lot 99(NWSESW), Sec. 34, Township 07S, Range 23E
Lot 96(NWSWSW), Sec. 22, Township 07S, Range 24E
Lot 98(NWNWSE), Sec. 22, Township 07S, Range 24E
Lot 97(NESESE), Sec. 22, Township 07S, Range 24E
Lot 99(NWSWNE), Sec. 23, Township 07S, Range 24E
Lot 99(NWSENE), Sec. 26, Township 07S, Range 24E
Lot 94(NENWSW), Sec. 26, Township 07S, Range 24E
Lot 98(NWSWNE), Sec. 28, Township 07S, Range 24E
Lot 99(SWNWSE), Sec. 30, Township 07S, Range 24E
Lot 99(NWSWNE), Sec. 31, Township 07S, Range 24E
Lot 97(SWSENE), Sec. 32, Township 07S, Range 24E
Lot 98(SENWSE), Sec. 33, Township 07S, Range 24E
Lot 98(SWSENW), Sec. 34, Township 07S, Range 24E
Lot 98(SWSWSE), Sec. 35, Township 07S, Range 24E
Lot 99(NESESW), Sec. 27, Township 07S, Range 25E
Lot 99(NENESW), Sec. 29, Township 07S, Range 25E
Lot 98(NWNESE), Sec. 30, Township 07S, Range 25E
Lot 96(NENESW), Sec. 31, Township 07S, Range 25E
Lot 96(NWNESW), Sec. 32, Township 07S, Range 25E
Lot 99(NESWNW), Sec. 33, Township 07S, Range 25E
Lot 97(SENESW), Sec. 34, Township 07S, Range 25E
MINIDOKA County
Lot 98(NWNESE), Sec. 22, Township 08S, Range 21E
Lot 97(NWSENW), Sec. 24, Township 08S, Range 21E
Lot 96(NWSENE), Sec. 26, Township 08S, Range 21E
Lot 93(SENENE), Sec. 35, Township 08S, Range 21E
Lot 99(SWSWSW), Sec. 35, Township 08S, Range 21E
Lot 97(SESESE), Sec. 35, Township 08S, Range 21E
JEROME County
Lot 96(SWNWSW), Sec. 30, Township 08S, Range 22E

Claim No. 36-15193

LOCATION OF POINT(S) OF DIVERSION:

Lot 99(SWNWNE), Sec. 35, Township 08S, Range 22E
Lot 98(SWSWSE), Sec. 35, Township 08S, Range 22E
Lot 99(NENWNE), Sec. 1, Township 08S, Range 23E
Lot 94(SWSWSW), Sec. 1, Township 08S, Range 23E
Lot 96(SENESW), Sec. 2, Township 08S, Range 23E
Lot 95(SWSWSW), Sec. 4, Township 08S, Range 23E
Lot 93(NESENE), Sec. 5, Township 08S, Range 23E
Lot 97(NENESE), Sec. 8, Township 08S, Range 23E
Lot 92(SWSENE), Sec. 10, Township 08S, Range 23E
Lot 96(NESWSW), Sec. 10, Township 08S, Range 23E
Lot 96(SWSWNE), Sec. 12, Township 08S, Range 23E
Lot 94(SESESW), Sec. 12, Township 08S, Range 23E
Lot 87(NWNWNW), Sec. 14, Township 08S, Range 23E
Lot 99(SENENW), Sec. 15, Township 08S, Range 23E
Lot 94(SESESE), Sec. 15, Township 08S, Range 23E
Lot 96(NWNENW), Sec. 17, Township 08S, Range 23E
Lot 97(NESESE), Sec. 17, Township 08S, Range 23E
Lot 99(NWSWSE), Sec. 19, Township 08S, Range 23E
Lot 99(SWSENE), Sec. 21, Township 08S, Range 23E
Lot 97(SWSESW), Sec. 22, Township 08S, Range 23E
Lot 95(SWNWSW), Sec. 23, Township 08S, Range 23E
Lot 98(NENWNW), Sec. 24, Township 08S, Range 23E
Lot 95(NESESW), Sec. 24, Township 08S, Range 23E
Lot 97(NWSENW), Sec. 25, Township 08S, Range 23E
Lot 94(NWNWSE), Sec. 26, Township 08S, Range 23E
Lot 99(NENENE), Sec. 27, Township 08S, Range 23E
Lot 98(SWSENW), Sec. 27, Township 08S, Range 23E
Lot 93(SWSESW), Sec. 27, Township 08S, Range 23E
Lot 95(SWNESW), Sec. 28, Township 08S, Range 23E
Lot 93(NWSWSW), Sec. 28, Township 08S, Range 23E
Lot 91(SESENE), Sec. 29, Township 08S, Range 23E
Lot 95(SENESE), Sec. 31, Township 08S, Range 23E
Lot 97(NWSESW), Sec. 34, Township 08S, Range 23E
Lot 90(SENWNW), Sec. 35, Township 08S, Range 23E
Lot 96(NESWSW), Sec. 35, Township 08S, Range 23E
Lot 98(SENWSE), Sec. 35, Township 08S, Range 23E
Lot 95(SESESE), Sec. 35, Township 08S, Range 23E
Lot 98(SESENE), Sec. 1, Township 08S, Range 24E
Lot 99(SWSENE), Sec. 3, Township 08S, Range 24E
Lot 97(SWSWNE), Sec. 4, Township 08S, Range 24E
Lot 99(NESWSW), Sec. 4, Township 08S, Range 24E
Lot 94(SENENW), Sec. 6, Township 08S, Range 24E
Lot 98(NWNWSW), Sec. 6, Township 08S, Range 24E
Lot 91(SENESE), Sec. 6, Township 08S, Range 24E
Lot 94(NWNESE), Sec. 7, Township 08S, Range 24E
Lot 97(NESENE), Sec. 8, Township 08S, Range 24E
Lot 98(NWSWNE), Sec. 10, Township 08S, Range 24E
Lot 92(SWSWNW), Sec. 10, Township 08S, Range 24E
Lot 95(SESESW), Sec. 10, Township 08S, Range 24E

Claim No. 36-15193

LOCATION OF POINT(S) OF DIVERSION:

Lot 98(SWNENW), Sec. 11, Township 08S, Range 24E
Lot 95(NWNWSE), Sec. 11, Township 08S, Range 24E
Lot 97(NENWNE), Sec. 12, Township 08S, Range 24E
Lot 90(NWNWNE), Sec. 13, Township 08S, Range 24E
Lot 95(SWSESW), Sec. 14, Township 08S, Range 24E
Lot 97(SESWNW), Sec. 15, Township 08S, Range 24E
Lot 96(NESWNW), Sec. 18, Township 08S, Range 24E
Lot 95(NENWNE), Sec. 21, Township 08S, Range 24E
Lot 97(NESWSW), Sec. 21, Township 08S, Range 24E
Lot 96(SWNESE), Sec. 22, Township 08S, Range 24E
Lot 95(SESESW), Sec. 23, Township 08S, Range 24E
Lot 98(SESWNE), Sec. 26, Township 08S, Range 24E
Lot 93(SENWSE), Sec. 29, Township 08S, Range 24E
Lot 92(SWNENW), Sec. 30, Township 08S, Range 24E
Lot 99(SENWSE), Sec. 30, Township 08S, Range 24E
Lot 98(SWSESW), Sec. 31, Township 08S, Range 24E
Lot 99(SENENW), Sec. 3, Township 08S, Range 25E
Lot 96(NWNWNW), Sec. 3, Township 08S, Range 25E
Lot 96(NENESE), Sec. 3, Township 08S, Range 25E
Lot 95(NWNENE), Sec. 5, Township 08S, Range 25E
Lot 98(NENESE), Sec. 6, Township 08S, Range 25E
Lot 93(NWSWSE), Sec. 11, Township 08S, Range 25E
Lot 99(NWNWNW), Sec. 12, Township 08S, Range 25E
Lot 99(NWSWSW), Sec. 13, Township 08S, Range 25E
Lot 97(SWNESW), Sec. 14, Township 08S, Range 25E
Lot 94(NWSWSW), Sec. 15, Township 08S, Range 25E
Lot 95(NWNENE), Sec. 17, Township 08S, Range 25E
Lot 90(NENWNE), Sec. 19, Township 08S, Range 25E
Lot 94(SESWNW), Sec. 19, Township 08S, Range 25E
Lot 96(NESESW), Sec. 21, Township 08S, Range 25E
Lot 91(NWNWNW), Sec. 23, Township 08S, Range 25E
Lot 95(SENWNW), Sec. 24, Township 08S, Range 25E

MINIDOKA County

Lot 99(NWNESW), Sec. 1, Township 09S, Range 21E
Lot 98(NENWSW), Sec. 3, Township 09S, Range 21E
Lot 91(SESESW), Sec. 3, Township 09S, Range 21E
Lot 95(NWNESE), Sec. 3, Township 09S, Range 21E

JEROME County

Lot 99(NWSESE), Sec. 3, Township 09S, Range 22E
Lot 97(SENENE), Sec. 7, Township 09S, Range 22E
Lot 97(NESENE), Sec. 7, Township 09S, Range 22E
Lot 98(SESWNW), Sec. 9, Township 09S, Range 22E
Lot 96(NENESW), Sec. 9, Township 09S, Range 22E
Lot 99(NESWNE), Sec. 10, Township 09S, Range 22E
Lot 94(NWNWNE), Sec. 11, Township 09S, Range 22E
Lot 94(SENENW), Sec. 11, Township 09S, Range 22E
Lot 97(NESWNE), Sec. 15, Township 09S, Range 22E
Lot 99(SWSWNE), Sec. 15, Township 09S, Range 22E
Lot 97(NESWSE), Sec. 18, Township 09S, Range 22E

Claim No. **36-15193**

LOCATION OF POINT(S) OF DIVERSION:

Lot 99(NWSWNW), Sec. 19, Township 09S, Range 22E
Lot 99(NWNENE), Sec. 20, Township 09S, Range 22E
Lot 99(SESWNE), Sec. 22, Township 09S, Range 22E
Lot 98(NESESE), Sec. 28, Township 09S, Range 22E
Lot 91(NWNENE), Sec. 30, Township 09S, Range 22E
Lot 98(SENESE), Sec. 33, Township 09S, Range 22E
Lot 96(NESENE), Sec. 2, Township 09S, Range 23E
Lot 95(NESENE), Sec. 3, Township 09S, Range 23E
Lot 99(NENWSW), Sec. 3, Township 09S, Range 23E
Lot 99(SESENE), Sec. 6, Township 09S, Range 23E
Lot 92(NWSWSE), Sec. 6, Township 09S, Range 23E
MINIDOKA County
Lot 95(SWNWSW), Sec. 2, Township 10S, Range 21E
JEROME County
Lot 91(SENWSW), Sec. 3, Township 10S, Range 22E
MINIDOKA County

PLACE OF USE: See Remarks

CONDITIONS/REMARKS:

1. THIS RIGHT IS AN EXPANSION OF RIGHT NO. 36-02080 PURSUANT TO IDAHO CODE 42-1416(2).
2. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 31.4 ACRES WITHIN THE PLACE OF USE DESCRIBED IN RIGHT NO. 36-02080 IN A SINGLE IRRIGATION SEASON.
3. USE OF THIS RIGHT WITH COMBINED RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1100.00 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 265221.2 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 198,915.9 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 66,305.3 ACRES WITHIN THE PLACE OF USE DESCRIBED IN RIGHT NO. 36-02080 IN A SINGLE IRRIGATION SEASON.
4. THE COMBINED RIGHTS LISTED BELOW ARE ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE.
5. COMBINED RIGHT NOS.: 36-02080, 36-15127, 36-15192, 36-15193, 36-15194, 36-15195 AND 36-15196.
6. THE FOLLOWING POINTS OF DIVERSION EACH HAVE TWO WELLS:
   T07S, R23E, SEC 34, NWSESW - MINIDOKA
   T07S, R24E, SEC 28, NWSWNE; SEC 30, SWNWSE; SEC 32, SWSENE; SEC 33, SENWSE; SEC 35, SWSWSE - MINIDOKA
   T08S, R21E, SEC 26, NWSENE; SEC 35, SESESE - JEROME
   T08S, R22E, SEC 35, SWSWSE - MINIDOKA
   T08S, R23E, SEC 01, NENWNE; SEC 04, SWSWSW; SEC 05, NESENE; SEC 12, SWSWNE; SEC 12, SESESW; SEC 14, NWNWNW; SEC 15, SENENW; SEC 17, NESESE; SEC 19, NWSWSE; SEC 23, SWNWSW; SEC 24, NESESW; SEC 28, NWSWSW; SEC 29, SESENE - MINIDOKA
   T08S, R24E, SEC 03, SWSENE; SEC 04, NESWSW; SEC 11, SWNENW; SEC 13, NWNWNE; SEC 31, SWSESW - MINIDOKA

Claim No. 36-15193

T08S, R25E, SEC 03, SENENW; SEC 03, NWNWNW; SEC 05, NWNENE;
SEC 06, NENESE; SEC 12, NWNWNW; SEC 15, NWSWSW;
SEC 19, NENWNE; SEC 19, SESWNW;
SEC 23, NWNWNW - MINIDOKA
T09S, R22E, SEC 18, NESWSE; SEC 33, SENESE - MINIDOKA
THE FOLLOWING CONVENTION IS USED TO CONVERT THE GOVERNMENT LOTS LISTED IN THE ABOVE POINTS OF DIVERSION AND PLACES OF USE TO THE OFFICIAL GOVERNMENT TRACT DESIGNATION: LOT 99 = TRACT A;
LOT 98 = TRACT B; LOT 97 = TRACT C; LOT 96 = TRACT D;
LOT 95 = TRACT E; LOT 94 = TRACT F; LOT 93 = TRACT G;
LOT 92 = TRACT H; LOT 91 = TRACT J; LOT 90 = TRACT K;
LOT 89 = TRACT L; LOT 88 = TRACT M; LOT 87 = TRACT N

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. **36-15194**

STAGE: **BENEFICIAL USE**

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE
IRRIGATION	04/01 to 10/31	2.76 CFS

SOURCE

GROUNDWATER

Priority: 04/01/1968

LOCATION OF POINT(S) OF DIVERSION:

Lot 99(NWSESW), Sec. 34, Township 07S, Range 23E
Lot 96(NWSWSW), Sec. 22, Township 07S, Range 24E
Lot 98(NWNWSE), Sec. 22, Township 07S, Range 24E
Lot 97(NESESE), Sec. 22, Township 07S, Range 24E
Lot 99(NWSWNE), Sec. 23, Township 07S, Range 24E
Lot 99(NWSENE), Sec. 26, Township 07S, Range 24E
Lot 94(NENWSW), Sec. 26, Township 07S, Range 24E
Lot 98(NWSWNE), Sec. 28, Township 07S, Range 24E
Lot 99(SWNWSE), Sec. 30, Township 07S, Range 24E
Lot 99(NWSWNE), Sec. 31, Township 07S, Range 24E
Lot 97(SWSENE), Sec. 32, Township 07S, Range 24E
Lot 98(SENWSE), Sec. 33, Township 07S, Range 24E
Lot 98(SWSENW), Sec. 34, Township 07S, Range 24E
Lot 98(SWSWSE), Sec. 35, Township 07S, Range 24E
Lot 99(NESESW), Sec. 27, Township 07S, Range 25E
Lot 99(NENESW), Sec. 29, Township 07S, Range 25E
Lot 98(NWNESE), Sec. 30, Township 07S, Range 25E
Lot 96(NENESW), Sec. 31, Township 07S, Range 25E
Lot 96(NWNESW), Sec. 32, Township 07S, Range 25E
Lot 99(NESWNW), Sec. 33, Township 07S, Range 25E
Lot 97(SENESW), Sec. 34, Township 07S, Range 25E
MINIDOKA County
Lot 98(NWNESE), Sec. 22, Township 08S, Range 21E
Lot 97(NWSENW), Sec. 24, Township 08S, Range 21E
Lot 96(NWSENE), Sec. 26, Township 08S, Range 21E
Lot 93(SENENE), Sec. 35, Township 08S, Range 21E
Lot 99(SWSWSW), Sec. 35, Township 08S, Range 21E
Lot 97(SESESE), Sec. 35, Township 08S, Range 21E
JEROME County
Lot 96(SWNWSW), Sec. 30, Township 08S, Range 22E

Claim No. 36-15194

LOCATION OF POINT(S) OF DIVERSION:

Lot 99(SWNWNE), Sec. 35, Township 08S, Range 22E
Lot 98(SWSWSE), Sec. 35, Township 08S, Range 22E
Lot 99(NENWNE), Sec. 1, Township 08S, Range 23E
Lot 94(SWSWSW), Sec. 1, Township 08S, Range 23E
Lot 96(SENESW), Sec. 2, Township 08S, Range 23E
Lot 95(SWSWSW), Sec. 4, Township 08S, Range 23E
Lot 93(NESENE), Sec. 5, Township 08S, Range 23E
Lot 97(NENESE), Sec. 8, Township 08S, Range 23E
Lot 92(SWSENE), Sec. 10, Township 08S, Range 23E
Lot 96(NESWSW), Sec. 10, Township 08S, Range 23E
Lot 96(SWSWNE), Sec. 12, Township 08S, Range 23E
Lot 94(SESESW), Sec. 12, Township 08S, Range 23E
Lot 87(NWNWNW), Sec. 14, Township 08S, Range 23E
Lot 99(SENENW), Sec. 15, Township 08S, Range 23E
Lot 94(SESESE), Sec. 15, Township 08S, Range 23E
Lot 96(NWNENW), Sec. 17, Township 08S, Range 23E
Lot 97(NESESE), Sec. 17, Township 08S, Range 23E
Lot 99(NWSWSE), Sec. 19, Township 08S, Range 23E
Lot 99(SWSENE), Sec. 21, Township 08S, Range 23E
Lot 97(SWSESW), Sec. 22, Township 08S, Range 23E
Lot 95(SWNWSW), Sec. 23, Township 08S, Range 23E
Lot 98(NENWNW), Sec. 24, Township 08S, Range 23E
Lot 95(NESESW), Sec. 24, Township 08S, Range 23E
Lot 97(NWSENW), Sec. 25, Township 08S, Range 23E
Lot 94(NWNWSE), Sec. 26, Township 08S, Range 23E
Lot 99(NENENE), Sec. 27, Township 08S, Range 23E
Lot 98(SWSENW), Sec. 27, Township 08S, Range 23E
Lot 93(SWSESW), Sec. 27, Township 08S, Range 23E
Lot 95(SWNESW), Sec. 28, Township 08S, Range 23E
Lot 93(NWSWSW), Sec. 28, Township 08S, Range 23E
Lot 91(SESENE), Sec. 29, Township 08S, Range 23E
Lot 95(SENESE), Sec. 31, Township 08S, Range 23E
Lot 97(NWSESW), Sec. 34, Township 08S, Range 23E
Lot 90(SENWNW), Sec. 35, Township 08S, Range 23E
Lot 96(NESWSW), Sec. 35, Township 08S, Range 23E
Lot 98(SENWSE), Sec. 35, Township 08S, Range 23E
Lot 95(SESESE), Sec. 35, Township 08S, Range 23E
Lot 98(SESENE), Sec. 1, Township 08S, Range 24E
Lot 99(SWSENE), Sec. 3, Township 08S, Range 24E
Lot 97(SWSWNE), Sec. 4, Township 08S, Range 24E
Lot 99(NESWSW), Sec. 4, Township 08S, Range 24E
Lot 94(SENENW), Sec. 6, Township 08S, Range 24E
Lot 98(NWNWSW), Sec. 6, Township 08S, Range 24E
Lot 91(SENESE), Sec. 6, Township 08S, Range 24E
Lot 94(NWNESE), Sec. 7, Township 08S, Range 24E
Lot 97(NESENE), Sec. 8, Township 08S, Range 24E
Lot 98(NWSWNE), Sec. 10, Township 08S, Range 24E
Lot 92(SWSWNW), Sec. 10, Township 08S, Range 24E
Lot 95(SESESW), Sec. 10, Township 08S, Range 24E

Claim No. 36-15194

LOCATION OF POINT(S) OF DIVERSION:

Lot 98(SWNENW), Sec. 11, Township 08S, Range 24E
Lot 95(NWNWSE), Sec. 11, Township 08S, Range 24E
Lot 97(NENWNE), Sec. 12, Township 08S, Range 24E
Lot 90(NWNWNE), Sec. 13, Township 08S, Range 24E
Lot 95(SWSESW), Sec. 14, Township 08S, Range 24E
Lot 97(SESWNW), Sec. 15, Township 08S, Range 24E
Lot 96(NESWNW), Sec. 18, Township 08S, Range 24E
Lot 95(NENWNE), Sec. 21, Township 08S, Range 24E
Lot 97(NESWSW), Sec. 21, Township 08S, Range 24E
Lot 96(SWNESE), Sec. 22, Township 08S, Range 24E
Lot 95(SESESW), Sec. 23, Township 08S, Range 24E
Lot 98(SESWNE), Sec. 26, Township 08S, Range 24E
Lot 93(SENWSE), Sec. 29, Township 08S, Range 24E
Lot 92(SWNENW), Sec. 30, Township 08S, Range 24E
Lot 99(SENWSE), Sec. 30, Township 08S, Range 24E
Lot 98(SWSESW), Sec. 31, Township 08S, Range 24E
Lot 99(SENENW), Sec. 3, Township 08S, Range 25E
Lot 96(NWNWNW), Sec. 3, Township 08S, Range 25E
Lot 96(NENESE), Sec. 3, Township 08S, Range 25E
Lot 95(NWNENE), Sec. 5, Township 08S, Range 25E
Lot 98(NENESE), Sec. 6, Township 08S, Range 25E
Lot 93(NWSWSE), Sec. 11, Township 08S, Range 25E
Lot 99(NWNWNW), Sec. 12, Township 08S, Range 25E
Lot 99(NWSWSW), Sec. 13, Township 08S, Range 25E
Lot 97(SWNESW), Sec. 14, Township 08S, Range 25E
Lot 94(NWSWSW), Sec. 15, Township 08S, Range 25E
Lot 95(NWNENE), Sec. 17, Township 08S, Range 25E
Lot 90(NENWNE), Sec. 19, Township 08S, Range 25E
Lot 94(SESWNW), Sec. 19, Township 08S, Range 25E
Lot 96(NESESW), Sec. 21, Township 08S, Range 25E
Lot 91(NWNWNW), Sec. 23, Township 08S, Range 25E
Lot 95(SENWNW), Sec. 24, Township 08S, Range 25E

MINIDOKA County

Lot 99(NWNESW), Sec. 1, Township 09S, Range 21E
Lot 98(NENWSW), Sec. 3, Township 09S, Range 21E
Lot 91(SESESW), Sec. 3, Township 09S, Range 21E
Lot 95(NWNESE), Sec. 3, Township 09S, Range 21E

JEROME County

Lot 99(NWSESE), Sec. 3, Township 09S, Range 22E
Lot 97(SENENE), Sec. 7, Township 09S, Range 22E
Lot 97(NESENE), Sec. 7, Township 09S, Range 22E
Lot 98(SESWNW), Sec. 9, Township 09S, Range 22E
Lot 96(NENESW), Sec. 9, Township 09S, Range 22E
Lot 99(NESWNE), Sec. 10, Township 09S, Range 22E
Lot 94(NWNWNE), Sec. 11, Township 09S, Range 22E
Lot 94(SENENW), Sec. 11, Township 09S, Range 22E
Lot 97(NESWNE), Sec. 15, Township 09S, Range 22E
Lot 99(SWSWNE), Sec. 15, Township 09S, Range 22E
Lot 97(NESWSE), Sec. 18, Township 09S, Range 22E

Claim No. **36-15194**

LOCATION OF POINT(S) OF DIVERSION:

Lot 99(NWSWNW), Sec. 19, Township 09S, Range 22E
Lot 99(NWNENE), Sec. 20, Township 09S, Range 22E
Lot 99(SESWNE), Sec. 22, Township 09S, Range 22E
Lot 98(NESESE), Sec. 28, Township 09S, Range 22E
Lot 91(NWNENE), Sec. 30, Township 09S, Range 22E
Lot 98(SENESE), Sec. 33, Township 09S, Range 22E
Lot 96(NESENE), Sec. 2, Township 09S, Range 23E
Lot 95(NESENE), Sec. 3, Township 09S, Range 23E
Lot 99(NENWSW), Sec. 3, Township 09S, Range 23E
Lot 99(SESENE), Sec. 6, Township 09S, Range 23E
Lot 92(NWSWSE), Sec. 6, Township 09S, Range 23E
MINIDOKA County
Lot 95(SWNWSW), Sec. 2, Township 10S, Range 21E
JEROME County
Lot 91(SENWSW), Sec. 3, Township 10S, Range 22E
MINIDOKA County

PLACE OF USE: See Remarks

CONDITIONS/REMARKS:

1. THIS RIGHT IS AN EXPANSION OF RIGHT NO. 36-02080 PURSUANT TO IDAHO CODE 42-1416(2).
2. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 166.1 ACRES WITHIN THE PLACE OF USE DESCRIBED IN RIGHT NO. 36-02080 IN A SINGLE IRRIGATION SEASON.
3. USE OF THIS RIGHT WITH COMBINED RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1100.00 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 265221.2 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 198,915.9 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 66,305.3 ACRES WITHIN THE PLACE OF USE DESCRIBED IN RIGHT NO. 36-02080 IN A SINGLE IRRIGATION SEASON.
4. THE COMBINED RIGHTS LISTED BELOW ARE ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE.
5. COMBINED RIGHT NOS.: 36-02080, 36-15127, 36-15192, 36-15193, 36-15194, 36-15195 AND 36-15196.
6. THE FOLLOWING POINTS OF DIVERSION EACH HAVE TWO WELLS:
   T07S, R23E, SEC 34, NWSESW - MINIDOKA
   T07S, R24E, SEC 28, NWSWNE; SEC 30, SWNWSE; SEC 32, SWSENE; SEC 33, SENWSE; SEC 35, SWSWSE - MINIDOKA
   T08S, R21E, SEC 26, NWSENE; SEC 35, SESESE - JEROME
   T08S, R22E, SEC 35, SWSWSE - MINIDOKA
   T08S, R23E, SEC 01, NENWNE; SEC 04, SWSWSW; SEC 05, NESENE; SEC 12, SWSWNE; SEC 12, SESESW; SEC 14, NWNWNW; SEC 15, SENENW; SEC 17, NESESE; SEC 19, NWSWSE; SEC 23, SWNWSW; SEC 24, NESESW; SEC 28, NWSWSW; SEC 29, SESENE - MINIDOKA
   T08S, R24E, SEC 03, SWSENE; SEC 04, NESWSW; SEC 11, SWNENW; SEC 13, NWNWNE; SEC 31, SWSESW - MINIDOKA

Claim No. 36-15194

T08S, R25E, SEC 03, SENENW; SEC 03, NWNWNW; SEC 05, NWNENE;
SEC 06, NENESE; SEC 12, NWNWNW; SEC 15, NWSWSW;
SEC 19, NENWNE; SEC 19, SESWNW;
SEC 23, NWNWNW - MINIDOKA
T09S, R22E, SEC 18, NESWSE; SEC 33, SENESE - MINIDOKA
THE FOLLOWING CONVENTION IS USED TO CONVERT THE GOVERNMENT LOTS LISTED IN THE ABOVE POINTS OF DIVERSION AND PLACES OF USE TO THE OFFICIAL GOVERNMENT TRACT DESIGNATION: LOT 99 = TRACT A;
LOT 98 = TRACT B; LOT 97 = TRACT C; LOT 96 = TRACT D;
LOT 95 = TRACT E; LOT 94 = TRACT F; LOT 93 = TRACT G;
LOT 92 = TRACT H; LOT 91 = TRACT J; LOT 90 = TRACT K;
LOT 89 = TRACT L; LOT 88 = TRACT M; LOT 87 = TRACT N

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. **36-15195**

STAGE: **BENEFICIAL USE**

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE
IRRIGATION	04/01 to 10/31	3.12 CFS

SOURCE

GROUNDWATER

Priority: 04/01/1978

LOCATION OF POINT(S) OF DIVERSION:

Lot 99(NWSESW), Sec. 34, Township 07S, Range 23E
Lot 96(NWSWSW), Sec. 22, Township 07S, Range 24E
Lot 98(NWNWSE), Sec. 22, Township 07S, Range 24E
Lot 97(NESESE), Sec. 22, Township 07S, Range 24E
Lot 99(NWSWNE), Sec. 23, Township 07S, Range 24E
Lot 99(NWSENE), Sec. 26, Township 07S, Range 24E
Lot 94(NENWSW), Sec. 26, Township 07S, Range 24E
Lot 98(NWSWNE), Sec. 28, Township 07S, Range 24E
Lot 99(SWNWSE), Sec. 30, Township 07S, Range 24E
Lot 99(NWSWNE), Sec. 31, Township 07S, Range 24E
Lot 97(SWSENE), Sec. 32, Township 07S, Range 24E
Lot 98(SENWSE), Sec. 33, Township 07S, Range 24E
Lot 98(SWSENW), Sec. 34, Township 07S, Range 24E
Lot 98(SWSWSE), Sec. 35, Township 07S, Range 24E
Lot 99(NESESW), Sec. 27, Township 07S, Range 25E
Lot 99(NENESW), Sec. 29, Township 07S, Range 25E
Lot 98(NWNESE), Sec. 30, Township 07S, Range 25E
Lot 96(NENESW), Sec. 31, Township 07S, Range 25E
Lot 96(NWNESW), Sec. 32, Township 07S, Range 25E
Lot 99(NESWNW), Sec. 33, Township 07S, Range 25E
Lot 97(SENESW), Sec. 34, Township 07S, Range 25E
MINIDOKA County
Lot 98(NWNESE), Sec. 22, Township 08S, Range 21E
Lot 97(NWSENW), Sec. 24, Township 08S, Range 21E
Lot 96(NWSENE), Sec. 26, Township 08S, Range 21E
Lot 93(SENENE), Sec. 35, Township 08S, Range 21E
Lot 99(SWSWSW), Sec. 35, Township 08S, Range 21E
Lot 97(SESESE), Sec. 35, Township 08S, Range 21E
JEROME County
Lot 96(SWNWSW), Sec. 30, Township 08S, Range 22E

Claim No. **36-15195**

LOCATION OF POINT(S) OF DIVERSION:

Lot 99(SWNWNE), Sec. 35, Township 08S, Range 22E
Lot 98(SWSWSE), Sec. 35, Township 08S, Range 22E
Lot 99(NENWNE), Sec. 1, Township 08S, Range 23E
Lot 94(SWSWSW), Sec. 1, Township 08S, Range 23E
Lot 96(SENESW), Sec. 2, Township 08S, Range 23E
Lot 95(SWSWSW), Sec. 4, Township 08S, Range 23E
Lot 93(NESENE), Sec. 5, Township 08S, Range 23E
Lot 97(NENESE), Sec. 8, Township 08S, Range 23E
Lot 92(SWSENE), Sec. 10, Township 08S, Range 23E
Lot 96(NESWSW), Sec. 10, Township 08S, Range 23E
Lot 96(SWSWNE), Sec. 12, Township 08S, Range 23E
Lot 94(SESESW), Sec. 12, Township 08S, Range 23E
Lot 87(NWNWNW), Sec. 14, Township 08S, Range 23E
Lot 99(SENENW), Sec. 15, Township 08S, Range 23E
Lot 94(SESESE), Sec. 15, Township 08S, Range 23E
Lot 96(NWNENW), Sec. 17, Township 08S, Range 23E
Lot 97(NESESE), Sec. 17, Township 08S, Range 23E
Lot 99(NWSWSE), Sec. 19, Township 08S, Range 23E
Lot 99(SWSENE), Sec. 21, Township 08S, Range 23E
Lot 97(SWSESW), Sec. 22, Township 08S, Range 23E
Lot 95(SWNWSW), Sec. 23, Township 08S, Range 23E
Lot 98(NENWNW), Sec. 24, Township 08S, Range 23E
Lot 95(NESESW), Sec. 24, Township 08S, Range 23E
Lot 97(NWSENW), Sec. 25, Township 08S, Range 23E
Lot 94(NWNWSE), Sec. 26, Township 08S, Range 23E
Lot 99(NENENE), Sec. 27, Township 08S, Range 23E
Lot 98(SWSENW), Sec. 27, Township 08S, Range 23E
Lot 93(SWSESW), Sec. 27, Township 08S, Range 23E
Lot 95(SWNESW), Sec. 28, Township 08S, Range 23E
Lot 93(NWSWSW), Sec. 28, Township 08S, Range 23E
Lot 91(SESENE), Sec. 29, Township 08S, Range 23E
Lot 95(SENESE), Sec. 31, Township 08S, Range 23E
Lot 97(NWSESW), Sec. 34, Township 08S, Range 23E
Lot 90(SENWNW), Sec. 35, Township 08S, Range 23E
Lot 96(NESWSW), Sec. 35, Township 08S, Range 23E
Lot 98(SENWSE), Sec. 35, Township 08S, Range 23E
Lot 95(SESESE), Sec. 35, Township 08S, Range 23E
Lot 98(SESENE), Sec. 1, Township 08S, Range 24E
Lot 99(SWSENE), Sec. 3, Township 08S, Range 24E
Lot 97(SWSWNE), Sec. 4, Township 08S, Range 24E
Lot 99(NESWSW), Sec. 4, Township 08S, Range 24E
Lot 94(SENENW), Sec. 6, Township 08S, Range 24E
Lot 98(NWNWSW), Sec. 6, Township 08S, Range 24E
Lot 91(SENESE), Sec. 6, Township 08S, Range 24E
Lot 94(NWNESE), Sec. 7, Township 08S, Range 24E
Lot 97(NESENE), Sec. 8, Township 08S, Range 24E
Lot 98(NWSWNE), Sec. 10, Township 08S, Range 24E
Lot 92(SWSWNW), Sec. 10, Township 08S, Range 24E
Lot 95(SESESW), Sec. 10, Township 08S, Range 24E

Claim No. 36-15195

LOCATION OF POINT(S) OF DIVERSION:

Lot 98(SWNENW), Sec. 11, Township 08S, Range 24E
Lot 95(NWNWSE), Sec. 11, Township 08S, Range 24E
Lot 97(NENWNE), Sec. 12, Township 08S, Range 24E
Lot 90(NWNWNE), Sec. 13, Township 08S, Range 24E
Lot 95(SWSESW), Sec. 14, Township 08S, Range 24E
Lot 97(SESWNW), Sec. 15, Township 08S, Range 24E
Lot 96(NESWNW), Sec. 18, Township 08S, Range 24E
Lot 95(NENWNE), Sec. 21, Township 08S, Range 24E
Lot 97(NESWSW), Sec. 21, Township 08S, Range 24E
Lot 96(SWNESE), Sec. 22, Township 08S, Range 24E
Lot 95(SESESW), Sec. 23, Township 08S, Range 24E
Lot 98(SESWNE), Sec. 26, Township 08S, Range 24E
Lot 93(SENWSE), Sec. 29, Township 08S, Range 24E
Lot 92(SWNENW), Sec. 30, Township 08S, Range 24E
Lot 99(SENWSE), Sec. 30, Township 08S, Range 24E
Lot 98(SWSESW), Sec. 31, Township 08S, Range 24E
Lot 99(SENENW), Sec. 3, Township 08S, Range 25E
Lot 96(NWNWNW), Sec. 3, Township 08S, Range 25E
Lot 96(NENESE), Sec. 3, Township 08S, Range 25E
Lot 95(NWNENE), Sec. 5, Township 08S, Range 25E
Lot 98(NENESE), Sec. 6, Township 08S, Range 25E
Lot 93(NWSWSE), Sec. 11, Township 08S, Range 25E
Lot 99(NWNWNW), Sec. 12, Township 08S, Range 25E
Lot 99(NWSWSW), Sec. 13, Township 08S, Range 25E
Lot 97(SWNESW), Sec. 14, Township 08S, Range 25E
Lot 94(NWSWSW), Sec. 15, Township 08S, Range 25E
Lot 95(NWNENE), Sec. 17, Township 08S, Range 25E
Lot 90(NENWNE), Sec. 19, Township 08S, Range 25E
Lot 94(SESWNW), Sec. 19, Township 08S, Range 25E
Lot 96(NESESW), Sec. 21, Township 08S, Range 25E
Lot 91(NWNWNW), Sec. 23, Township 08S, Range 25E
Lot 95(SENWNW), Sec. 24, Township 08S, Range 25E

MINIDOKA County

Lot 99(NWNESW), Sec. 1, Township 09S, Range 21E
Lot 98(NENWSW), Sec. 3, Township 09S, Range 21E
Lot 91(SESESW), Sec. 3, Township 09S, Range 21E
Lot 95(NWNESE), Sec. 3, Township 09S, Range 21E

JEROME County

Lot 99(NWSESE), Sec. 3, Township 09S, Range 22E
Lot 97(SENENE), Sec. 7, Township 09S, Range 22E
Lot 97(NESENE), Sec. 7, Township 09S, Range 22E
Lot 98(SESWNW), Sec. 9, Township 09S, Range 22E
Lot 96(NENESW), Sec. 9, Township 09S, Range 22E
Lot 99(NESWNE), Sec. 10, Township 09S, Range 22E
Lot 94(NWNWNE), Sec. 11, Township 09S, Range 22E
Lot 94(SENENW), Sec. 11, Township 09S, Range 22E
Lot 97(NESWNE), Sec. 15, Township 09S, Range 22E
Lot 99(SWSWNE), Sec. 15, Township 09S, Range 22E
Lot 97(NESWSE), Sec. 18, Township 09S, Range 22E

Claim No. **36-15195**

LOCATION OF POINT(S) OF DIVERSION:

Lot 99(NWSWNW), Sec. 19, Township 09S, Range 22E
Lot 99(NWNENE), Sec. 20, Township 09S, Range 22E
Lot 99(SESWNE), Sec. 22, Township 09S, Range 22E
Lot 98(NESESE), Sec. 28, Township 09S, Range 22E
Lot 91(NWNENE), Sec. 30, Township 09S, Range 22E
Lot 98(SENESE), Sec. 33, Township 09S, Range 22E
Lot 96(NESENE), Sec. 2, Township 09S, Range 23E
Lot 95(NESENE), Sec. 3, Township 09S, Range 23E
Lot 99(NENWSW), Sec. 3, Township 09S, Range 23E
Lot 99(SESENE), Sec. 6, Township 09S, Range 23E
Lot 92(NWSWSE), Sec. 6, Township 09S, Range 23E
MINIDOKA County
Lot 95(SWNWSW), Sec. 2, Township 10S, Range 21E
JEROME County
Lot 91(SENWSW), Sec. 3, Township 10S, Range 22E
MINIDOKA County

PLACE OF USE: See Remarks

CONDITIONS/REMARKS:

1. THIS RIGHT IS AN EXPANSION OF RIGHT NO. 36-02080 PURSUANT TO IDAHO CODE 42-1416(2).
2. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 188.1 ACRES WITHIN THE PLACE OF USE DESCRIBED IN RIGHT NO. 36-02080 IN A SINGLE IRRIGATION SEASON.
3. USE OF THIS RIGHT WITH COMBINED RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1100.00 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 265,221.2 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 198,915.9 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 66,305.3 ACRES WITHIN THE PLACE OF USE DESCRIBED IN RIGHT NO. 36-02080 IN A SINGLE IRRIGATION SEASON.
4. THE COMBINED RIGHTS LISTED BELOW ARE ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE.
5. COMBINED RIGHT NOS.: 36-02080, 36-15127, 36-15192, 36-15193, 36-15194, 36-15195 AND 36-15196.
6. THE FOLLOWING POINTS OF DIVERSION EACH HAVE TWO WELLS:
   T07S, R23E, SEC 34, NWSESW - MINIDOKA
   T07S, R24E, SEC 28, NWSWNE; SEC 30, SWNWSE; SEC 32, SWSENE; SEC 33, SENWSE; SEC 35, SWSWSE - MINIDOKA
   T08S, R21E, SEC 26, NWSENE; SEC 35, SESESE - JEROME
   T08S, R22E, SEC 35, SWSWSE - MINIDOKA
   T08S, R23E, SEC 01, NENWNE; SEC 04, SWSWSW; SEC 05, NESENE; SEC 12, SWSWNE; SEC 12, SESESW; SEC 14, NWNWNW; SEC 15, SENENW; SEC 17, NESESE; SEC 19, NWSWSE; SEC 23, SWNWSW; SEC 24, NESESW; SEC 28, NWSWSW; SEC 29, SESENE - MINIDOKA
   T08S, R24E, SEC 03, SWSENE; SEC 04, NESWSW; SEC 11, SWNENW; SEC 13, NWNWNE; SEC 31, SWSESW - MINIDOKA

Claim No. 36-15195

T08S, R25E, SEC 03, SENENW; SEC 03, NWNWNW; SEC 05, NWNENE;
SEC 06, NENESE; SEC 12, NWNWNW; SEC 15, NWSWSW;
SEC 19, NENWNE; SEC 19, SESWNW;
SEC 23, NWNWNW - MINIDOKA
T09S, R22E, SEC 18, NESWSE; SEC 33, SENESE - MINIDOKA
THE FOLLOWING CONVENTION IS USED TO CONVERT THE GOVERNMENT LOTS LISTED IN THE ABOVE POINTS OF DIVERSION AND PLACES OF USE TO THE OFFICIAL GOVERNMENT TRACT DESIGNATION: LOT 99 = TRACT A;
LOT 98 = TRACT B; LOT 97 = TRACT C; LOT 96 = TRACT D;
LOT 95 = TRACT E; LOT 94 = TRACT F; LOT 93 = TRACT G;
LOT 92 = TRACT H; LOT 91 = TRACT J; LOT 90 = TRACT K;
LOT 89 = TRACT L; LOT 88 = TRACT M; LOT 87 = TRACT N

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. **36-15196**

STAGE: **BENEFICIAL USE**

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE
IRRIGATION	04/01 to 10/31	0.37 CFS

SOURCE

GROUNDWATER

Priority: 04/01/1981

LOCATION OF POINT(S) OF DIVERSION:

Lot 99(NWSESW), Sec. 34, Township 07S, Range 23E
Lot 96(NWSWSW), Sec. 22, Township 07S, Range 24E
Lot 98(NWNWSE), Sec. 22, Township 07S, Range 24E
Lot 97(NESESE), Sec. 22, Township 07S, Range 24E
Lot 99(NWSWNE), Sec. 23, Township 07S, Range 24E
Lot 99(NWSENE), Sec. 26, Township 07S, Range 24E
Lot 94(NENWSW), Sec. 26, Township 07S, Range 24E
Lot 98(NWSWNE), Sec. 28, Township 07S, Range 24E
Lot 99(SWNWSE), Sec. 30, Township 07S, Range 24E
Lot 99(NWSWNE), Sec. 31, Township 07S, Range 24E
Lot 97(SWSENE), Sec. 32, Township 07S, Range 24E
Lot 98(SENWSE), Sec. 33, Township 07S, Range 24E
Lot 98(SWSENW), Sec. 34, Township 07S, Range 24E
Lot 98(SWSWSE), Sec. 35, Township 07S, Range 24E
Lot 99(NESESW), Sec. 27, Township 07S, Range 25E
Lot 99(NENESW), Sec. 29, Township 07S, Range 25E
Lot 98(NWNESE), Sec. 30, Township 07S, Range 25E
Lot 96(NENESW), Sec. 31, Township 07S, Range 25E
Lot 96(NWNESW), Sec. 32, Township 07S, Range 25E
Lot 99(NESWNW), Sec. 33, Township 07S, Range 25E
Lot 97(SENESW), Sec. 34, Township 07S, Range 25E
MINIDOKA County
Lot 98(NWNESE), Sec. 22, Township 08S, Range 21E
Lot 97(NWSENW), Sec. 24, Township 08S, Range 21E
Lot 96(NWSENE), Sec. 26, Township 08S, Range 21E
Lot 93(SENENE), Sec. 35, Township 08S, Range 21E
Lot 99(SWSWSW), Sec. 35, Township 08S, Range 21E
Lot 97(SESESE), Sec. 35, Township 08S, Range 21E
JEROME County
Lot 96(SWNWSW), Sec. 30, Township 08S, Range 22E

Claim No. 36-15196

LOCATION OF POINT(S) OF DIVERSION:

Lot 99(SWNWNE), Sec. 35, Township 08S, Range 22E
Lot 98(SWSWSE), Sec. 35, Township 08S, Range 22E
Lot 99(NENWNE), Sec. 1, Township 08S, Range 23E
Lot 94(SWSWSW), Sec. 1, Township 08S, Range 23E
Lot 96(SENESW), Sec. 2, Township 08S, Range 23E
Lot 95(SWSWSW), Sec. 4, Township 08S, Range 23E
Lot 93(NESENE), Sec. 5, Township 08S, Range 23E
Lot 97(NENESE), Sec. 8, Township 08S, Range 23E
Lot 92(SWSENE), Sec. 10, Township 08S, Range 23E
Lot 96(NESWSW), Sec. 10, Township 08S, Range 23E
Lot 96(SWSWNE), Sec. 12, Township 08S, Range 23E
Lot 94(SESESW), Sec. 12, Township 08S, Range 23E
Lot 87(NWNWNW), Sec. 14, Township 08S, Range 23E
Lot 99(SENENW), Sec. 15, Township 08S, Range 23E
Lot 94(SESESE), Sec. 15, Township 08S, Range 23E
Lot 96(NWNENW), Sec. 17, Township 08S, Range 23E
Lot 97(NESESE), Sec. 17, Township 08S, Range 23E
Lot 99(NWSWSE), Sec. 19, Township 08S, Range 23E
Lot 99(SWSENE), Sec. 21, Township 08S, Range 23E
Lot 97(SWSESW), Sec. 22, Township 08S, Range 23E
Lot 95(SWNWSW), Sec. 23, Township 08S, Range 23E
Lot 98(NENWNW), Sec. 24, Township 08S, Range 23E
Lot 95(NESESW), Sec. 24, Township 08S, Range 23E
Lot 97(NWSENW), Sec. 25, Township 08S, Range 23E
Lot 94(NWNWSE), Sec. 26, Township 08S, Range 23E
Lot 99(NENENE), Sec. 27, Township 08S, Range 23E
Lot 98(SWSENW), Sec. 27, Township 08S, Range 23E
Lot 93(SWSESW), Sec. 27, Township 08S, Range 23E
Lot 95(SWNESW), Sec. 28, Township 08S, Range 23E
Lot 93(NWSWSW), Sec. 28, Township 08S, Range 23E
Lot 91(SESENE), Sec. 29, Township 08S, Range 23E
Lot 95(SENESE), Sec. 31, Township 08S, Range 23E
Lot 97(NWSESW), Sec. 34, Township 08S, Range 23E
Lot 90(SENWNW), Sec. 35, Township 08S, Range 23E
Lot 96(NESWSW), Sec. 35, Township 08S, Range 23E
Lot 98(SENWSE), Sec. 35, Township 08S, Range 23E
Lot 95(SESESE), Sec. 35, Township 08S, Range 23E
Lot 98(SESENE), Sec. 1, Township 08S, Range 24E
Lot 99(SWSENE), Sec. 3, Township 08S, Range 24E
Lot 97(SWSWNE), Sec. 4, Township 08S, Range 24E
Lot 99(NESWSW), Sec. 4, Township 08S, Range 24E
Lot 94(SENENW), Sec. 6, Township 08S, Range 24E
Lot 98(NWNWSW), Sec. 6, Township 08S, Range 24E
Lot 91(SENESE), Sec. 6, Township 08S, Range 24E
Lot 94(NWNESE), Sec. 7, Township 08S, Range 24E
Lot 97(NESENE), Sec. 8, Township 08S, Range 24E
Lot 98(NWSWNE), Sec. 10, Township 08S, Range 24E
Lot 92(SWSWNW), Sec. 10, Township 08S, Range 24E
Lot 95(SESESW), Sec. 10, Township 08S, Range 24E

Claim No. 36-15196

LOCATION OF POINT(S) OF DIVERSION:

Lot 98(SWNENW), Sec. 11, Township 08S, Range 24E
Lot 95(NWNWSE), Sec. 11, Township 08S, Range 24E
Lot 97(NENWNE), Sec. 12, Township 08S, Range 24E
Lot 90(NWNWNE), Sec. 13, Township 08S, Range 24E
Lot 95(SWSESW), Sec. 14, Township 08S, Range 24E
Lot 97(SESWNW), Sec. 15, Township 08S, Range 24E
Lot 96(NESWNW), Sec. 18, Township 08S, Range 24E
Lot 95(NENWNE), Sec. 21, Township 08S, Range 24E
Lot 97(NESWSW), Sec. 21, Township 08S, Range 24E
Lot 96(SWNESE), Sec. 22, Township 08S, Range 24E
Lot 95(SESESW), Sec. 23, Township 08S, Range 24E
Lot 98(SESWNE), Sec. 26, Township 08S, Range 24E
Lot 93(SENWSE), Sec. 29, Township 08S, Range 24E
Lot 92(SWNENW), Sec. 30, Township 08S, Range 24E
Lot 99(SENWSE), Sec. 30, Township 08S, Range 24E
Lot 98(SWSESW), Sec. 31, Township 08S, Range 24E
Lot 99(SENENW), Sec. 3, Township 08S, Range 25E
Lot 96(NWNWNW), Sec. 3, Township 08S, Range 25E
Lot 96(NENESE), Sec. 3, Township 08S, Range 25E
Lot 95(NWNENE), Sec. 5, Township 08S, Range 25E
Lot 98(NENESE), Sec. 6, Township 08S, Range 25E
Lot 93(NWSWSE), Sec. 11, Township 08S, Range 25E
Lot 99(NWNWNW), Sec. 12, Township 08S, Range 25E
Lot 99(NWSWSW), Sec. 13, Township 08S, Range 25E
Lot 97(SWNESW), Sec. 14, Township 08S, Range 25E
Lot 94(NWSWSW), Sec. 15, Township 08S, Range 25E
Lot 95(NWNENE), Sec. 17, Township 08S, Range 25E
Lot 90(NENWNE), Sec. 19, Township 08S, Range 25E
Lot 94(SESWNW), Sec. 19, Township 08S, Range 25E
Lot 96(NESESW), Sec. 21, Township 08S, Range 25E
Lot 91(NWNWNW), Sec. 23, Township 08S, Range 25E
Lot 95(SENWNW), Sec. 24, Township 08S, Range 25E

MINIDOKA County

Lot 99(NWNESW), Sec. 1, Township 09S, Range 21E
Lot 98(NENWSW), Sec. 3, Township 09S, Range 21E
Lot 91(SESESW), Sec. 3, Township 09S, Range 21E
Lot 95(NWNESE), Sec. 3, Township 09S, Range 21E

JEROME County

Lot 99(NWSESE), Sec. 3, Township 09S, Range 22E
Lot 97(SENENE), Sec. 7, Township 09S, Range 22E
Lot 97(NESENE), Sec. 7, Township 09S, Range 22E
Lot 98(SESWNW), Sec. 9, Township 09S, Range 22E
Lot 96(NENESW), Sec. 9, Township 09S, Range 22E
Lot 99(NESWNE), Sec. 10, Township 09S, Range 22E
Lot 94(NWNWNE), Sec. 11, Township 09S, Range 22E
Lot 94(SENENW), Sec. 11, Township 09S, Range 22E
Lot 97(NESWNE), Sec. 15, Township 09S, Range 22E
Lot 99(SWSWNE), Sec. 15, Township 09S, Range 22E
Lot 97(NESWSE), Sec. 18, Township 09S, Range 22E

Claim No. **36-15196**

LOCATION OF POINT(S) OF DIVERSION:

Lot 99(NWSWNW), Sec. 19, Township 09S, Range 22E
Lot 99(NWNENE), Sec. 20, Township 09S, Range 22E
Lot 99(SESWNE), Sec. 22, Township 09S, Range 22E
Lot 98(NESESE), Sec. 28, Township 09S, Range 22E
Lot 91(NWNENE), Sec. 30, Township 09S, Range 22E
Lot 98(SENESE), Sec. 33, Township 09S, Range 22E
Lot 96(NESENE), Sec. 2, Township 09S, Range 23E
Lot 95(NESENE), Sec. 3, Township 09S, Range 23E
Lot 99(NENWSW), Sec. 3, Township 09S, Range 23E
Lot 99(SESENE), Sec. 6, Township 09S, Range 23E
Lot 92(NWSWSE), Sec. 6, Township 09S, Range 23E
MINIDOKA County
Lot 95(SWNWSW), Sec. 2, Township 10S, Range 21E
JEROME County
Lot 91(SENWSW), Sec. 3, Township 10S, Range 22E
MINIDOKA County

PLACE OF USE: See Remarks

CONDITIONS/REMARKS:

1. THIS RIGHT IS AN EXPANSION OF RIGHT NO. 36-02080 PURSUANT TO IDAHO CODE 42-1416(2).
2. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 22.1 ACRES WITHIN THE PLACE OF USE DESCRIBED IN RIGHT NO. 36-02080 IN A SINGLE IRRIGATION SEASON.
3. USE OF THIS RIGHT WITH COMBINED RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1100.00 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 265221.2 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 198,915.9 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 66,305.3 ACRES WITHIN THE PLACE OF USE DESCRIBED IN RIGHT NO. 36-02080 IN A SINGLE IRRIGATION SEASON.
4. THE COMBINED RIGHTS LISTED BELOW ARE ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE.
5. COMBINED RIGHT NOS.: 36-02080, 36-15127, 36-15192, 36-15193, 36-15194, 36-15195 AND 36-15196.
6. THE FOLLOWING POINTS OF DIVERSION EACH HAVE TWO WELLS:
   T07S, R23E, SEC 34, NWSESW - MINIDOKA
   T07S, R24E, SEC 28, NWSWNE; SEC 30, SWNWSE; SEC 32, SWSENE; SEC 33, SENWSE; SEC 35, SWSWSE - MINIDOKA
   T08S, R21E, SEC 26, NWSENE; SEC 35, SESESE - JEROME
   T08S, R22E, SEC 35, SWSWSE - MINIDOKA
   T08S, R23E, SEC 01, NENWNE; SEC 04, SWSWSW; SEC 05, NESENE; SEC 12, SWSWNE; SEC 12, SESESW; SEC 14, NWNWNW; SEC 15, SENENW; SEC 17, NESESE; SEC 19, NWSWSE; SEC 23, SWNWSW; SEC 24, NESESW; SEC 28, NWSWSW; SEC 29, SESENE - MINIDOKA
   T08S, R24E, SEC 03, SWSENE; SEC 04, NESWSW; SEC 11, SWNENW; SEC 13, NWNWNE; SEC 31, SWSESW - MINIDOKA

Claim No. 36-15196

T08S, R25E, SEC 03, SENENW; SEC 03, NWNWNW; SEC 05, NWNENE;
SEC 06, NENESE; SEC 12, NWNWNW; SEC 15, NWSWSW;
SEC 19, NENWNE; SEC 19, SESWNW;
SEC 23, NWNWNW - MINIDOKA
T09S, R22E, SEC 18, NESWSE; SEC 33, SENESE - MINIDOKA
THE FOLLOWING CONVENTION IS USED TO CONVERT THE GOVERNMENT LOTS LISTED IN THE ABOVE POINTS OF DIVERSION AND PLACES OF USE TO THE OFFICIAL GOVERNMENT TRACT DESIGNATION: LOT 99 = TRACT A;
LOT 98 = TRACT B; LOT 97 = TRACT C; LOT 96 = TRACT D;
LOT 95 = TRACT E; LOT 94 = TRACT F; LOT 93 = TRACT G;
LOT 92 = TRACT H; LOT 91 = TRACT J; LOT 90 = TRACT K;
LOT 89 = TRACT L; LOT 88 = TRACT M; LOT 87 = TRACT N

PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
	N/a			to
				to

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

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

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

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

Virgil D Temple
(Signature of Applicant)

Subscribed and sworn to before me this 28th day of August, 19 96.

Diana Warburton
(Notary Public)

My commission expires 3-21-2002

FOR DEPARTMENT USE ONLY

Transfer contains 36 pages and 0 attachments

Received by JF Stratton Date 9-3-96 Protest filed by None

Prelim. check by AD Fee $100, SO19490

Receipted by JS Date 9-5-96

Published in ~~Statesman;~~ ~~Post Register;~~ ~~Times News~~ North Side News So. ID. Press; Lewiston Trib.

Pub. dates SIP: 12/2 + 12/9; NSN: 12/4 + 12/11; Statewide 12/5 + 12/12/96

Copies of protest forwarded by

Hearing held by Date

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

rec'd. by AD

Copy of transfer sent to lien holder

RECEIVED
SEP 10 1996
Department of Water Resources
Southern Region

MICROFILMED
SEP 11 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4036
WATER RIGHT NO(S). 36-02080
CLAIM NO(S). 36-15127/36-15192/36-15193
36-15194/36-15195/36-15196

This is to certify that: **A & B IRRIGATION DISTRICT**
PO BOX 675
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.

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL VOLUME
Right No. 36-02080 :			
IRRIGATION	04/01 to 10/31	1100.00 CFS	250416.0 AF
Priority: 09/09/1948			
Right No. 36-15127 :			
IRRIGATION	04/01 to 10/31	54.03 CFS	13029.2 AF
Priority: 04/01/1984			
Right No. 36-15192 :			
IRRIGATION	04/01 to 10/31	0.60 CFS	145.2 AF
Priority: 04/01/1962			
Right No. 36-15193 :			
IRRIGATION	04/01 to 10/31	0.52 CFS	125.6 AF
Priority: 04/01/1965			
Right No. 36-15194 :			
IRRIGATION	04/01 to 10/31	2.76 CFS	664.4 AF
Priority: 04/01/1968			
Right No. 36-15195 :			
IRRIGATION	04/01 to 10/31	3.12 CFS	752.4 AF
Priority: 04/01/1978			
Right No. 36-15196 :			
IRRIGATION	04/01 to 10/31	0.37 CFS	88.4 AF
Priority: 04/01/1981			

SOURCE

GROUNDWATER

1984

4036 XFR

TRANSFER NO. 4036
WATER RIGHT NO(S). 36-02080
CLAIM NO(S). 36-15127/36-15192/36-15193
36-15194/36-15195/36-15196

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL VOLUME
LOCATION OF POINT(S) OF DIVERSION:		Lot 99(NWSESW), Sec. 34, Township 07S, Range 23E	
		Lot 96(NWSWSW), Sec. 22, Township 07S, Range 24E	
		Lot 98(NWNWSE), Sec. 22, Township 07S, Range 24E	
		Lot 97(NESESE), Sec. 22, Township 07S, Range 24E	
		Lot 99(NWSWNE), Sec. 23, Township 07S, Range 24E	
		Lot 99(NWSENE), Sec. 26, Township 07S, Range 24E	
		Lot 94(NENWSW), Sec. 26, Township 07S, Range 24E	
		Lot 98(NWSWNE), Sec. 28, Township 07S, Range 24E	
		Lot 99(SWNWSE), Sec. 30, Township 07S, Range 24E	
		Lot 99(NWSWNE), Sec. 31, Township 07S, Range 24E	
		Lot 97(SWSENE), Sec. 32, Township 07S, Range 24E	
		Lot 98(SENWSE), Sec. 33, Township 07S, Range 24E	
		Lot 98(SWSENW), Sec. 34, Township 07S, Range 24E	
		Lot 98(SWSWSE), Sec. 35, Township 07S, Range 24E	
		Lot 99(NESESW), Sec. 27, Township 07S, Range 25E	
		Lot 99(NENESW), Sec. 29, Township 07S, Range 25E	
		Lot 98(NWNESE), Sec. 30, Township 07S, Range 25E	
		Lot 96(NENESW), Sec. 31, Township 07S, Range 25E	
		Lot 96(NWNESW), Sec. 32, Township 07S, Range 25E	
		Lot 99(NESWNW), Sec. 33, Township 07S, Range 25E	
		Lot 97(SENESW), Sec. 34, Township 07S, Range 25E	
		MINIDOKA County	
		Lot 98(NWNESE), Sec. 22, Township 08S, Range 21E	
		Lot 97(NWSENW), Sec. 24, Township 08S, Range 21E	
		Lot 96(NWSENE), Sec. 26, Township 08S, Range 21E	
		Lot 93(SENENE), Sec. 35, Township 08S, Range 21E	
		Lot 99(SWSWSW), Sec. 35, Township 08S, Range 21E	
		Lot 97(SESESE), Sec. 35, Township 08S, Range 21E	
		JEROME County	
		Lot 96(SWNWSW), Sec. 30, Township 08S, Range 22E	
		Lot 99(SWNWNE), Sec. 35, Township 08S, Range 22E	
		Lot 98(SWSWSE), Sec. 35, Township 08S, Range 22E	
		Lot 99(NENWNE), Sec. 1, Township 08S, Range 23E	
		Lot 94(SWSWSW), Sec. 1, Township 08S, Range 23E	
		Lot 96(SENESW), Sec. 2, Township 08S, Range 23E	
		Lot 95(SWSWSW), Sec. 4, Township 08S, Range 23E	
		Lot 93(NESENE), Sec. 5, Township 08S, Range 23E	
		Lot 97(NENESE), Sec. 8, Township 08S, Range 23E	
		Lot 92(SWSENE), Sec. 10, Township 08S, Range 23E	

TRANSFER NO. 4036
WATER RIGHT NO(S). 36-02080
CLAIM NO(S). 36-15127/36-15192/36-15193
36-15194/36-15195/36-15196

LOCATION OF POINT(S) OF DIVERSION:

Lot 96(NESWSW), Sec. 10, Township 08S, Range 23E
Lot 96(SWSWNE), Sec. 12, Township 08S, Range 23E
Lot 94(SESESW), Sec. 12, Township 08S, Range 23E
Lot 87(NWNWNW), Sec. 14, Township 08S, Range 23E
Lot 99(SENENW), Sec. 15, Township 08S, Range 23E
Lot 94(SESESE), Sec. 15, Township 08S, Range 23E
Lot 96(NWNENW), Sec. 17, Township 08S, Range 23E
Lot 97(NESESE), Sec. 17, Township 08S, Range 23E
Lot 99(NWSWSE), Sec. 19, Township 08S, Range 23E
Lot 99(SWSENE), Sec. 21, Township 08S, Range 23E
Lot 97(SWSESW), Sec. 22, Township 08S, Range 23E
Lot 95(SWNWSW), Sec. 23, Township 08S, Range 23E
Lot 98(NENWNW), Sec. 24, Township 08S, Range 23E
Lot 95(NESESW), Sec. 24, Township 08S, Range 23E
Lot 97(NWSENW), Sec. 25, Township 08S, Range 23E
Lot 94(NWNWSE), Sec. 26, Township 08S, Range 23E
Lot 99(NENENE), Sec. 27, Township 08S, Range 23E
Lot 98(SWSENW), Sec. 27, Township 08S, Range 23E
Lot 93(SWSESW), Sec. 27, Township 08S, Range 23E
Lot 95(SWNESW), Sec. 28, Township 08S, Range 23E
Lot 93(NWSWSW), Sec. 28, Township 08S, Range 23E
Lot 91(SESENE), Sec. 29, Township 08S, Range 23E
Lot 95(SENESE), Sec. 31, Township 08S, Range 23E
Lot 97(NWSESW), Sec. 34, Township 08S, Range 23E
Lot 90(SENWNW), Sec. 35, Township 08S, Range 23E
Lot 96(NESWSW), Sec. 35, Township 08S, Range 23E
Lot 98(SENWSE), Sec. 35, Township 08S, Range 23E
Lot 95(SESESE), Sec. 35, Township 08S, Range 23E
Lot 98(SESENE), Sec. 1, Township 08S, Range 24E
Lot 99(SWSENE), Sec. 3, Township 08S, Range 24E
Lot 97(SWSWNE), Sec. 4, Township 08S, Range 24E
Lot 99(NESWSW), Sec. 4, Township 08S, Range 24E
Lot 94(SENENW), Sec. 6, Township 08S, Range 24E
Lot 98(NWNWSW), Sec. 6, Township 08S, Range 24E
Lot 91(SENESE), Sec. 6, Township 08S, Range 24E
Lot 94(NWNESE), Sec. 7, Township 08S, Range 24E
Lot 97(NESENE), Sec. 8, Township 08S, Range 24E
Lot 98(NWSWNE), Sec. 10, Township 08S, Range 24E
Lot 92(SWSWNW), Sec. 10, Township 08S, Range 24E
Lot 95(SESESW), Sec. 10, Township 08S, Range 24E
Lot 98(SWNENW), Sec. 11, Township 08S, Range 24E
Lot 95(NWNWSE), Sec. 11, Township 08S, Range 24E

TRANSFER NO. 4036
WATER RIGHT NO(S). 36-02080
CLAIM NO(S). 36-15127/36-15192/36-15193
36-15194/36-15195/36-15196

LOCATION OF POINT(S) OF DIVERSION:

Lot 97(NENWNE), Sec. 12, Township 08S, Range 24E
Lot 90(NWNWNE), Sec. 13, Township 08S, Range 24E
Lot 95(SWSESW), Sec. 14, Township 08S, Range 24E
Lot 97(SESWNW), Sec. 15, Township 08S, Range 24E
Lot 96(NESWNW), Sec. 18, Township 08S, Range 24E
Lot 95(NENWNE), Sec. 21, Township 08S, Range 24E
Lot 97(NESWSW), Sec. 21, Township 08S, Range 24E
Lot 96(SWNESE), Sec. 22, Township 08S, Range 24E
Lot 95(SESESW), Sec. 23, Township 08S, Range 24E
Lot 98(SESWNE), Sec. 26, Township 08S, Range 24E
Lot 93(SENWSE), Sec. 29, Township 08S, Range 24E
Lot 92(SWNENW), Sec. 30, Township 08S, Range 24E
Lot 99(SENWSE), Sec. 30, Township 08S, Range 24E
Lot 98(SWSESW), Sec. 31, Township 08S, Range 24E
Lot 99(SENENW), Sec. 3, Township 08S, Range 25E
Lot 96(NWNWNW), Sec. 3, Township 08S, Range 25E
Lot 96(NENESE), Sec. 3, Township 08S, Range 25E
Lot 95(NWNENE), Sec. 5, Township 08S, Range 25E
Lot 98(NENESE), Sec. 6, Township 08S, Range 25E
Lot 93(NWSWSE), Sec. 11, Township 08S, Range 25E
Lot 99(NWNWNW), Sec. 12, Township 08S, Range 25E
Lot 99(NWSWSW), Sec. 13, Township 08S, Range 25E
Lot 97(SWNESW), Sec. 14, Township 08S, Range 25E
Lot 94(NWSWSW), Sec. 15, Township 08S, Range 25E
Lot 95(NWNENE), Sec. 17, Township 08S, Range 25E
Lot 90(NENWNE), Sec. 19, Township 08S, Range 25E
Lot 94(SESWNW), Sec. 19, Township 08S, Range 25E
Lot 96(NESESW), Sec. 21, Township 08S, Range 25E
Lot 91(NWNWNW), Sec. 23, Township 08S, Range 25E
Lot 95(SENWNW), Sec. 24, Township 08S, Range 25E

MINIDOKA County

Lot 99(NWNESW), Sec. 1, Township 09S, Range 21E
Lot 98(NENWSW), Sec. 3, Township 09S, Range 21E
Lot 91(SESESW), Sec. 3, Township 09S, Range 21E
Lot 95(NWNESE), Sec. 3, Township 09S, Range 21E

JEROME County

Lot 99(NWSESE), Sec. 3, Township 09S, Range 22E
Lot 97(SENENE), Sec. 7, Township 09S, Range 22E
Lot 97(NESENE), Sec. 7, Township 09S, Range 22E
Lot 98(SESWNW), Sec. 9, Township 09S, Range 22E
Lot 96(NENESW), Sec. 9, Township 09S, Range 22E
Lot 99(NESWNE), Sec. 10, Township 09S, Range 22E

TRANSFER NO. 4036
WATER RIGHT NO(S). 36-02080
CLAIM NO(S). 36-15127/36-15192/36-15193
36-15194/36-15195/36-15196

LOCATION OF POINT(S) OF DIVERSION:

Lot 94(NWNWNE), Sec. 11, Township 09S, Range 22E
Lot 94(SENENW), Sec. 11, Township 09S, Range 22E
Lot 97(NESWNE), Sec. 15, Township 09S, Range 22E
Lot 99(SWSWNE), Sec. 15, Township 09S, Range 22E
Lot 97(NESWSE), Sec. 18, Township 09S, Range 22E
Lot 99(NWSWNW), Sec. 19, Township 09S, Range 22E
Lot 99(SESWNE), Sec. 22, Township 09S, Range 22E
Lot 98(NESESE), Sec. 28, Township 09S, Range 22E
Lot 91(NWNENE), Sec. 30, Township 09S, Range 22E
Lot 98(SENESE), Sec. 33, Township 09S, Range 22E
Lot 96(NESENE), Sec. 2, Township 09S, Range 23E
Lot 95(NESENE), Sec. 3, Township 09S, Range 23E
Lot 99(NENWSW), Sec. 3, Township 09S, Range 23E
Lot 99(SESENE), Sec. 6, Township 09S, Range 23E
Lot 92(NWSWSE), Sec. 6, Township 09S, Range 23E
MINIDOKA County
Lot 95(SWNWSW), Sec. 2, Township 10S, Range 21E
JEROME County
Lot 91(SENWSW), Sec. 3, Township 10S, Range 22E
MINIDOKA County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
07S	23E	34	Lot 99(SWSW)	Lot 99(SESW)		
	24E	22	Lot 98(NENE)	Lot 98(NWNE)	Lot 98(SWNE)	
			Lot 97(SENE)	Lot 98(SENE)	Lot 96(NESW)	
			Lot 97(NESW)	Lot 96(NWSW)	Lot 96(SWSW)	
			Lot 94(SESW)	Lot 96(SESW)	Lot 97(SESW)	
			Lot 97(NESE)	Lot 97(NWSE)	Lot 98(NWSE)	
			Lot 94(SWSE)	Lot 97(SWSE)	Lot 94(SESE)	
			Lot 97(SESE)			
		23	Lot 99(NENE)	Lot 99(NWNE)	Lot 96(SWNE)	
			Lot 99(SWNE)	Lot 99(SENE)	Lot 98(NENW)	
			Lot 99(NENW)	Lot 98(NWNW)	Lot 95(SWNW)	
			Lot 98(SWNW)	Lot 96(SENW)	Lot 98(SENW)	
			Lot 99(SENW)	Lot 95(NESW)	Lot 96(NESW)	
			Lot 98(NESW)	Lot 95(NWSW)	Lot 98(NWSW)	
			Lot 95(SWSW)	Lot 95(SESW)	Lot 96(SESW)	
			Lot 96(NESE)	Lot 99(NESE)	Lot 96(NWSE)	
			Lot 99(NWSE)	Lot 95(SWSE)	Lot 96(SWSE)	
			Lot 96(SESE)			
		26	Lot 99(NENE)	Lot 98(NWNE)	Lot 99(NWNE)	
			Lot 99(SWNE)	Lot 99(SENE)	Lot 98(NENW)	
			Lot 98(NWNW)	Lot 98(SWNW)	Lot 98(SENW)	
			Lot 93(NESW)	Lot 94(NESW)	Lot 98(NESW)	
			Lot 94(NWSW)	Lot 98(NWSW)	Lot 94(SWSW)	
			Lot 93(SESW)	Lot 94(SESW)	Lot 99(NESE)	
			Lot 93(NWSE)	Lot 99(NWSE)	Lot 93(SWSE)	

1994

TRANSFER NO. 4036
WATER RIGHT NO(S). 36-02080
CLAIM NO(S). 36-15127/36-15192/36-15193
36-15194/36-15195/36-15196

PLACE OF USE: IRRIGATION

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
			Lot 93(SESE)	Lot 99(SESE)		
		27	Lot 94(NENE)	Lot 94(NWNE)	Lot 93(SWNE)	
			Lot 94(SWNE)	Lot 92(SENE)	Lot 94(SENE)	
			Lot 94(NENW)	Lot 96(NENW)	Lot 94(NWNW)	
			Lot 96(NWNW)	Lot 98(NWNW)	Lot 93(SWNW)	
			Lot 94(SWNW)	Lot 98(SWNW)	Lot 93(SENW)	
			Lot 94(SENW)	Lot 98(SENW)	Lot 92(NESW)	
			Lot 93(NESW)	Lot 93(NWSW)	Lot 93(SWSW)	
			Lot 99(SWSW)	Lot 92(SESW)	Lot 93(SESW)	
			Lot 99(SESW)	Lot 92(NESE)	Lot 92(NWSE)	
			Lot 93(NWSE)	Lot 92(SWSE)	Lot 99(SWSE)	
			Lot 92(SESE)			
		28	Lot 96(NENE)	Lot 98(NENE)	Lot 96(NWNE)	
			Lot 98(NWNE)	Lot 98(SWNE)	Lot 98(SENE)	
			Lot 96(NENW)	Lot 94(NESW)	Lot 94(NWSW)	
			Lot 94(SWSW)	Lot 94(SESW)	Lot 98(NESE)	
			Lot 99(NESE)	Lot 94(NWSE)	Lot 98(NWSE)	
			Lot 99(NWSE)	Lot 94(SWSE)	Lot 99(SWSE)	
			Lot 99(SESE)			
		29	Lot 99(SWNW)	Lot 99(SENW)	Lot 94(NESW)	
			Lot 99(NESW)	Lot 94(NWSW)	Lot 99(NWSW)	
			Lot 93(SWSW)	Lot 99(SWSW)	Lot 93(SESW)	
			Lot 94(SESW)	Lot 94(NESE)	Lot 94(NWSE)	
			Lot 93(SWSE)	Lot 94(SWSE)	Lot 94(SESE)	
		30	Lot 99(NESE)	Lot 99(NWSE)	Lot 99(SWSE)	
			Lot 93(SESE)	Lot 99(SESE)		
		31	Lot 92(NENE)	Lot 93(NENE)	Lot 99(NENE)	
			Lot 99(NWNE)	Lot 98(SWNE)	Lot 99(SWNE)	
			Lot 92(SENE)	Lot 98(SENE)	Lot 99(SENE)	
			Lot 97(NESE)	Lot 98(NESE)	Lot 97(NWSE)	
			Lot 98(NWSE)	Lot 94(SWSE)	Lot 97(SWSE)	
			Lot 94(SESE)	Lot 95(SESE)	Lot 97(SESE)	
		32	Lot 94(NENE)	Lot 99(NENE)	Lot 92(NWNE)	
			Lot 93(NWNE)	Lot 94(NWNE)	Lot 99(NWNE)	
			Lot 91(SWNE)	Lot 92(SWNE)	Lot 97(SWNE)	
			Lot 99(SWNE)	Lot 97(SENE)	Lot 99(SENE)	
			Lot 92(NENW)	Lot 93(NENW)	Lot 92(NWNW)	
			Lot 93(NWNW)	Lot 91(SWNW)	Lot 92(SWNW)	
			Lot 98(SWNW)	Lot 91(SENW)	Lot 92(SENW)	
			Lot 91(NESW)	Lot 96(NESW)	Lot 97(NESW)	
			Lot 91(NWSW)	Lot 98(NWSW)	Lot 91(SWSW)	
			Lot 95(SWSW)	Lot 91(SESW)	Lot 95(SESW)	
			Lot 96(SESW)	Lot 97(SESW)	Lot 97(NESE)	
			Lot 91(NWSE)	Lot 97(NWSE)	Lot 96(SWSE)	

2 1994

TRANSFER NO. 4036
WATER RIGHT NO(S). 36-02080
CLAIM NO(S). 36-15127/36-15192/36-15193
36-15194/36-15195/36-15196

PLACE OF USE: IRRIGATION

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
			Lot 97(SWSE)	Lot 96(SESE)	Lot 97(SESE)	
		33	Lot 91(NENE)	Lot 91(NWNE)	Lot 93(NWNE)	
			Lot 91(SWNE)	Lot 93(SWNE)	Lot 91(SENE)	
			Lot 93(NENW)	Lot 94(NENW)	Lot 93(NWNW)	
			Lot 94(NWNW)	Lot 99(NWNW)	Lot 93(SWNW)	
			Lot 94(SWNW)	Lot 97(SWNW)	Lot 99(SWNW)	
			Lot 93(SENW)	Lot 93(NESW)	Lot 98(NESW)	
			Lot 93(NWSW)	Lot 97(NWSW)	Lot 93(SWSW)	
			Lot 96(SWSW)	Lot 97(SWSW)	Lot 98(SWSW)	
			Lot 93(SESW)	Lot 98(SESW)	Lot 95(NESE)	
			Lot 91(NWSE)	Lot 93(NWSE)	Lot 95(NWSE)	
			Lot 98(NWSE)	Lot 98(SWSE)	Lot 95(SESE)	
		34	Lot 92(NENE)	Lot 92(NWNE)	Lot 97(NWNE)	
			Lot 99(NWNE)	Lot 92(SWNE)	Lot 97(SWNE)	
			Lot 92(SENE)	Lot 97(SENE)	Lot 97(NENW)	
			Lot 99(NENW)	Lot 93(NWNW)	Lot 99(NWNW)	
			Lot 91(SWNW)	Lot 98(SWNW)	Lot 99(SWNW)	
			Lot 97(SENW)	Lot 98(SENW)	Lot 99(SENW)	
			Lot 97(NESW)	Lot 98(NESW)	Lot 91(NWSW)	
			Lot 95(NWSW)	Lot 98(NWSW)	Lot 95(SWSW)	
			Lot 98(SWSW)	Lot 98(SESW)	Lot 96(NESE)	
			Lot 97(NESE)	Lot 96(NWSE)	Lot 97(NWSE)	
			Lot 98(NWSE)	Lot 96(SWSE)	Lot 98(SWSE)	
			Lot 96(SESE)			
		35	Lot 93(NENE)	Lot 99(NENE)	Lot 93(NWNE)	
			Lot 99(NWNE)	Lot 99(SWNE)	Lot 99(SENE)	
			Lot 89(NENW)	Lot 93(NENW)	Lot 94(NENW)	
			Lot 99(NENW)	Lot 87(NWNW)	Lot 94(NWNW)	
			Lot 87(SWNW)	Lot 94(SWNW)	Lot 95(SWNW)	
			Lot 88(SENW)	Lot 89(SENW)	Lot 93(SENW)	
			Lot 94(SENW)	Lot 95(SENW)	Lot 99(SENW)	
			Lot 95(NESW)	Lot 98(NESW)	Lot 99(NESW)	
			Lot 95(NWSW)	Lot 96(NWSW)	Lot 97(NWSW)	
			Lot 95(SWSW)	Lot 96(SWSW)	Lot 95(SESW)	
			Lot 98(SESW)	Lot 98(NESE)	Lot 99(NESE)	
			Lot 95(NWSE)	Lot 98(NWSE)	Lot 99(NWSE)	
			Lot 98(SWSE)	Lot 98(SESE)		
	25E	27	Lot 99(NESW)	Lot 99(NWSW)	Lot 99(SWSW)	
			Lot 99(SESW)			
		29	Lot 99(NESW)	Lot 99(NWSW)	Lot 99(SWSW)	
			Lot 99(SESW)			
		30	Lot 97(SWNW)	Lot 97(SENW)	Lot 97(NESW)	
			Lot 98(NESW)	Lot 97(NWSW)	Lot 97(SWSW)	
			Lot 97(SESW)	Lot 98(SESW)	Lot 99(NESE)	
			Lot 98(NWSE)	Lot 98(SWSE)	Lot 99(SWSE)	

TRANSFER NO. 4036
WATER RIGHT NO(S). 36-02080
CLAIM NO(S). 36-15127/36-15192/36-15193
36-15194/36-15195/36-15196

PLACE OF USE: IRRIGATION

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
			Lot 98(SESE)	Lot 99(SESE)		
		31	Lot 99(NENE)	Lot 98(NWNE)	Lot 99(NWNE)	
			Lot 95(SWNE)	Lot 96(SWNE)	Lot 99(SWNE)	
			Lot 95(SENE)	Lot 99(SENE)	Lot 97(NENW)	
			Lot 98(NENW)	Lot 99(NENW)	Lot 97(NWNW)	
			Lot 96(SWNW)	Lot 96(SENW)	Lot 95(NESW)	
			Lot 96(NESW)	Lot 96(NWSW)	Lot 96(SWSW)	
			Lot 95(SESW)	Lot 96(SESW)	Lot 95(NESE)	
			Lot 95(NWSE)	Lot 96(NWSE)	Lot 93(SWSE)	
			Lot 95(SWSE)	Lot 93(SESE)	Lot 95(SESE)	
		32	Lot 97(NENE)	Lot 98(NENE)	Lot 97(NWNE)	
			Lot 98(NWNE)	Lot 97(SWNE)	Lot 98(SWNE)	
			Lot 97(SENE)	Lot 98(NENW)	Lot 92(NWNW)	
			Lot 98(NWNW)	Lot 99(NWNW)	Lot 96(SWNW)	
			Lot 98(SWNW)	Lot 97(SENW)	Lot 98(SENW)	
			Lot 96(NESW)	Lot 96(NWSW)	Lot 94(SWSW)	
			Lot 96(SWSW)	Lot 94(SESW)	Lot 96(SESW)	
			Lot 95(NESE)	Lot 96(NESE)	Lot 97(NESE)	
			Lot 95(NWSE)	Lot 96(NWSE)	Lot 97(NWSE)	
			Lot 94(SWSE)	Lot 95(SWSE)	Lot 96(SWSE)	
			Lot 95(SESE)			
		33	Lot 96(NENE)	Lot 99(NENE)	Lot 99(NWNE)	
			Lot 96(SWNE)	Lot 98(SWNE)	Lot 99(SWNE)	
			Lot 96(SENE)	Lot 99(SENE)	Lot 99(NENW)	
			Lot 97(NWNW)	Lot 99(NWNW)	Lot 97(SWNW)	
			Lot 98(SWNW)	Lot 99(SWNW)	Lot 98(SENW)	
			Lot 99(SENW)	Lot 98(NESW)	Lot 97(NWSW)	
			Lot 98(NWSW)	Lot 92(SWSW)	Lot 95(SWSW)	
			Lot 92(SESW)	Lot 95(SESW)	Lot 98(SESW)	
			Lot 96(NESE)	Lot 96(NWSE)	Lot 98(NWSE)	
			Lot 92(SWSE)	Lot 93(SWSE)	Lot 96(SWSE)	
			Lot 98(SWSE)	Lot 93(SESE)	Lot 96(SESE)	
		34	Lot 98(NENW)	Lot 99(NENW)	Lot 98(NWNW)	
			Lot 99(NWNW)	Lot 98(SWNW)	Lot 98(SENW)	
			Lot 97(NESW)	Lot 98(NESW)	Lot 97(NWSW)	
			Lot 98(NWSW)	Lot 97(SWSW)	Lot 97(SESW)	
08S	21E	22	Lot 97(NESW)	Lot 97(SESW)	Lot 98(NESE)	
			Lot 99(NESE)	Lot 97(NWSE)	Lot 98(NWSE)	
			Lot 97(SWSE)	Lot 98(SWSE)	Lot 98(SESE)	
			Lot 99(SESE)			
		23	Lot 98(NESW)	Lot 98(NWSW)	Lot 99(NWSW)	
			Lot 98(SWSW)	Lot 99(SWSW)	Lot 98(SESW)	
			Lot 97(NESE)	Lot 96(NWSE)	Lot 97(NWSE)	
			Lot 96(SWSE)	Lot 97(SWSE)	Lot 98(SWSE)	

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TRANSFER NO. 4036
WATER RIGHT NO(S). 36-02080
CLAIM NO(S). 36-15127/36-15192/36-15193
36-15194/36-15195/36-15196

PLACE OF USE: IRRIGATION

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
			Lot 96(SESE)	Lot 97(SESE)		
		24	Lot 97(SWNW)	Lot 97(SENW)	Lot 97(NWSW)	
			Lot 97(SWSW)			
		25	Lot 98(SWNE)	Lot 98(SENE)	Lot 97(NWNW)	
			Lot 99(NWNW)	Lot 99(SWNW)	Lot 98(SENW)	
			Lot 99(SENW)	Lot 96(NESW)	Lot 98(NESW)	
			Lot 99(NESW)	Lot 99(NWSW)	Lot 99(SWSW)	
			Lot 96(SESW)	Lot 99(SESW)	Lot 96(NESE)	
			Lot 98(NESE)	Lot 96(NWSE)	Lot 98(NWSE)	
			Lot 96(SWSE)	Lot 96(SESE)		
		26	Lot 96(NENE)	Lot 96(NWNE)	Lot 97(NWNE)	
			Lot 98(NWNE)	Lot 95(SWNE)	Lot 96(SWNE)	
			Lot 97(SWNE)	Lot 95(SENE)	Lot 96(SENE)	
			Lot 97(NENW)	Lot 98(NENW)	Lot 99(NENW)	
			Lot 99(NWNW)	Lot 97(SWNW)	Lot 99(SWNW)	
			Lot 97(SENW)	Lot 99(SENW)	Lot 94(NESW)	
			Lot 97(NESW)	Lot 94(NWSW)	Lot 97(NWSW)	
			Lot 99(NWSW)	Lot 91(SWSW)	Lot 94(SWSW)	
			Lot 91(SESW)	Lot 92(SESW)	Lot 94(SESW)	
			Lot 95(NESE)	Lot 94(NWSE)	Lot 95(NWSE)	
			Lot 97(NWSE)	Lot 92(SWSE)	Lot 93(SWSE)	
			Lot 94(SWSE)	Lot 95(SWSE)	Lot 93(SESE)	
			Lot 95(SESE)			
		27	Lot 98(NENE)	Lot 99(NENE)	Lot 97(NWNE)	
			Lot 98(NWNE)	Lot 96(SWNE)	Lot 97(SWNE)	
			Lot 96(SENE)	Lot 97(NENW)	Lot 97(SENW)	
			Lot 96(NESE)	Lot 96(NWSE)	Lot 96(SESE)	
		33	Lot 98(SWSW)	Lot 98(SESW)	Lot 99(NESE)	
			Lot 99(NWSE)	Lot 98(SWSE)	Lot 99(SWSE)	
			Lot 99(SESE)			
		34	Lot 97(NESW)	Lot 97(NWSW)	Lot 97(SWSW)	
			Lot 99(SWSW)	Lot 96(SESW)	Lot 97(SESW)	
			Lot 98(NESE)	Lot 97(NWSE)	Lot 98(NWSE)	
			Lot 96(SWSE)	Lot 97(SWSE)	Lot 98(SWSE)	
			Lot 96(SESE)	Lot 98(SESE)		
		35	Lot 93(NENE)	Lot 92(NWNE)	Lot 93(NWNE)	
			Lot 92(SWNE)	Lot 93(SWNE)	Lot 97(SWNE)	
			Lot 98(SWNE)	Lot 93(SENE)	Lot 97(SENE)	
			Lot 91(NENW)	Lot 92(NENW)	Lot 91(NWNW)	
			Lot 91(SWNW)	Lot 99(SWNW)	Lot 91(SENW)	
			Lot 92(SENW)	Lot 98(SENW)	Lot 99(SENW)	
			Lot 98(NESW)	Lot 99(NESW)	Lot 99(NWSW)	
			Lot 95(SWSW)	Lot 99(SWSW)	Lot 95(SESW)	
			Lot 98(SESW)	Lot 99(SESW)	Lot 97(NESE)	
			Lot 97(NWSE)	Lot 98(NWSE)	Lot 95(SWSE)	

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TRANSFER NO. 4036
WATER RIGHT NO(S). 36-02080
CLAIM NO(S). 36-15127/36-15192/36-15193
36-15194/36-15195/36-15196

PLACE OF USE: IRRIGATION

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
			Lot 96(SWSE)	Lot 97(SWSE)	Lot 98(SWSE)	
			Lot 96(SESE)	Lot 97(SESE)		
	22E	30	Lot 98(SWNW)	Lot 96(NWSW)	Lot 98(NWSW)	
			Lot 96(SWSW)			
		35	Lot 97(NENE)	Lot 97(NWNE)	Lot 97(SWNE)	
			Lot 97(SENE)	Lot 96(NESE)	Lot 97(NESE)	
			Lot 96(NWSE)	Lot 97(NWSE)	Lot 96(SWSE)	
			Lot 98(SWSE)	Lot 96(SESE)	Lot 97(SESE)	
			Lot 98(SESE)			
	23E	1	Lot 92(NENE)	Lot 92(NWNE)	Lot 97(NWNE)	
			Lot 99(NWNE)	Lot 95(SWNE)	Lot 97(SWNE)	
			Lot 92(SENE)	Lot 95(SENE)	Lot 96(SENE)	
			Lot 97(SENE)	Lot 98(SENE)	Lot 99(NENW)	
			Lot 99(NWNW)	Lot 97(SWNW)	Lot 99(SWNW)	
			Lot 97(SENW)	Lot 94(NESW)	Lot 95(NESW)	
			Lot 97(NESW)	Lot 94(NWSW)	Lot 95(NWSW)	
			Lot 97(NWSW)	Lot 94(SWSW)	Lot 94(SESW)	
			Lot 95(SESW)	Lot 96(NESE)	Lot 98(NESE)	
			Lot 95(NWSE)	Lot 96(NWSE)	Lot 97(NWSE)	
			Lot 95(SWSE)	Lot 96(SWSE)	Lot 96(SESE)	
			Lot 98(SESE)			
		2	Lot 95(NENE)	Lot 99(NENE)	Lot 99(NWNE)	
			Lot 95(SWNE)	Lot 96(SWNE)	Lot 97(SWNE)	
			Lot 99(SWNE)	Lot 95(SENE)	Lot 99(SENE)	
			Lot 97(NENW)	Lot 98(NENW)	Lot 99(NENW)	
			Lot 98(NWNW)	Lot 97(SWNW)	Lot 98(SWNW)	
			Lot 97(SENW)	Lot 98(SENW)	Lot 93(NESW)	
			Lot 96(NESW)	Lot 97(NESW)	Lot 93(NWSW)	
			Lot 97(NWSW)	Lot 98(NWSW)	Lot 93(SWSW)	
			Lot 93(SESW)	Lot 96(SESW)	Lot 94(NESE)	
			Lot 95(NESE)	Lot 95(NWSE)	Lot 96(NWSE)	
			Lot 94(SWSE)	Lot 95(SWSE)	Lot 96(SWSE)	
			Lot 94(SESE)	Lot 95(SESE)		
		3	Lot 97(NENE)	Lot 98(NENE)	Lot 97(NWNE)	
			Lot 98(NWNE)	Lot 94(SWNE)	Lot 95(SWNE)	
			Lot 97(SWNE)	Lot 97(SENE)	Lot 98(SENE)	
			Lot 95(NENW)	Lot 96(NENW)	Lot 97(NENW)	
			Lot 99(NENW)	Lot 96(NWNW)	Lot 99(NWNW)	
			Lot 95(SWNW)	Lot 96(SWNW)	Lot 94(SENW)	
			Lot 95(SENW)	Lot 96(SENW)	Lot 94(NESW)	
			Lot 95(NESW)	Lot 95(NWSW)	Lot 96(NWSW)	
			Lot 90(SWSW)	Lot 91(SWSW)	Lot 95(SWSW)	
			Lot 90(SESW)	Lot 91(SESW)	Lot 94(SESW)	
			Lot 95(SESW)	Lot 93(NESE)	Lot 94(NESE)	
			Lot 97(NESE)	Lot 94(NWSE)	Lot 97(NWSE)	

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TRANSFER NO. 4036
WATER RIGHT NO(S). 36-02080
CLAIM NO(S). 36-15127/36-15192/36-15193
36-15194/36-15195/36-15196

PLACE OF USE: IRRIGATION

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
			Lot 90(SWSE)	Lot 94(SWSE)	Lot 90(SESE)	
			Lot 92(SESE)	Lot 93(SESE)	Lot 94(SESE)	

CONDITIONS/REMARKS:

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
3. Approval of this transfer in no way confirms the right(s) claimed.
4. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
5. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
6. The change approved by this transfer is subject to the terms of the court's final decree of this right in the ongoing Snake River Basin Adjudication.
7. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
8. Right Nos. 36-02080, 36-15127, 36-015192, 36-15193, 36-15194, 36-15195 and 36-15196 when combined shall not exceed a total combined diversion rate of 1100.0 cfs, a total combined annual diversion volume of 265,221.2 af, a total combined annual consumptive use volume of 198,915.9 af, and irrigation of a combined total of 66,305.3 acres within the place of use described above and within the boundaries of A & B Irrigation District.
9. Right No. 36-02080 is limited to irrigation of 62,604 acres in the place of use described above in a single irrigation season.
10. Right No. 36-15127 is limited to irrigation of 3,257.3 acres in the place of use described above in a single irrigation season.
11. Right No. 36-15192 is limited to irrigation of 36.3 acres in the place of use described above in a single irrigation season.
12. Right No. 36-15193 is limited to irrigation of 31.4 acres in the place of use described above in a single irrigation season.
13. Right No. 36-15194 is limited to irrigation of 166.1 acres in the place of use described above in a single irrigation season.
14. Right No. 36-15195 is limited to irrigation of 188.1 acres in the place of use described above in a single irrigation season.
15. Right No. 36-15196 is limited to irrigation of 22.1 acres in the place of use described above in a single irrigation season.

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TRANSFER NO. 4036
WATER RIGHT NO(S). 36-02080
CLAIM NO(S). 36-15127/36-15192/36-15193
36-15194/36-15195/36-15196

CONDITIONS/REMARKS:

16. The following legal descriptions each contain 2 points of diversion:
    T07S, R23E, SEC 34, NWSESW - Minidoka
    T07S, R24E, SEC 28, NWSWNE; SEC 30, SWNWSE; SEC 32, SWSENE;
    SEC 33, SENWSE; SEC 35, SWSWSE - Minidoka
    T08S, R21E, SEC 26, NWSENE; SEC 35, SESESE - Jerome
    T08S, R22E, SEC 35, SWSWSE - Minidoka
    T08S, R23E, SEC 01, NENWNE; SEC 04, SWSWSW; SEC 05, NESENE;
    SEC 12, SWSWNE; SEC 12, SESESW; SEC 14, NWNWNW;
    SEC 15, SENENW; SEC 17, NESESE; SEC 19, NWSWSE;
    SEC 23, SWNWSW; SEC 24, NESESW; SEC 28, NWSWSW;
    SEC 29, SESENE - Minidoka
    T08S, R24E, SEC 03, SWSENE; SEC 04, NESWSW; SEC 11, SWNENW;
    SEC 13, NWNWNE; SEC 31, SWSESW - Minidoka
    T08S, R25E, SEC 03, SENENW; SEC 03, NWNWNW; SEC 05, NWNENE;
    SEC 06, NENESE; SEC 12, NWNWNW; SEC 15, NWSWSW;
    SEC 19, NENWNE; SEC 19, SESWNW;
    SEC 23, NWNWNW - Minidoka
    T09S, R22E, SEC 18, NESWSE; SEC 33, SENESE - Minidoka
17. Three points of diversion are located within NWSESE, SEC 03, T09S, R22E, Minidoka.
18. The following convention is used to convert the government lots listed in the above points of diversion and places of use to the official government tract designation: Lot 99 = Tract A;
    Lot 98 = Tract B; Lot 97 = Tract C; Lot 96 = Tract D;
    Lot 95 = Tract E; Lot 94 = Tract F; Lot 93 = Tract G;
    Lot 92 = Tract H; Lot 91 = Tract J; Lot 90 = Tract K;
    Lot 89 = Tract L; Lot 88 = Tract M; Lot 87 = Tract N;
    Lot 86 = Tract O; Lot 85 = Tract P; Lot 84 = Tract Q;
    Lot 83 = Tract R; Lot 82 = Tract S.

Dated this 14th day of February, 1994.

L. Glen Saxton
Chief, Water Alloc. Bureau

FEB 22 1994

Form 222
1-87

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 4036

RECEIVED
JUL 19 1993
Department of Water Resources

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of Water Resources A & B Irrigation District Phone 436-3152

Post Office address P.O. Box #675, Rupert, ID 83350

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
   ☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes Delete one well that is no longer usable, & add one new well to the system.

*see attachment B for full listing of rights

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

1.

	Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use	
*	36-02080Z0	9-9-1948	1100	Irrig.	4-1	to 10-31
						to
						to
						to

2. Total amount of water being transferred 1100 cubic feet per second and/or 265221.2 acre-feet per annum.

3. Source of water Groundwater tributary to _____

4. Point(s) of Diversion: See Attachment C

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

5. Lands irrigated or place of use: No Change

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

Total acres _____

PART 1

6. General Information:

a. Description of diversion system Many wells + pumps, mainlines + ditches to gravity + sprinkler irrigation.

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

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

N/A

d. Remarks:

Total number of wells in system will not change under this transfer. Transfer is needed due to reduction in groundwater supply due to continuing drought. New well will be known as the 3C922 Well.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

Witness my hand this _____ day of _____, 19____.

_____

FEB - 2 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

   a. Decree No. _____ Decreed to _____

   in case of _____ vs. _____

   dated _____ in _____ county of _____

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

   c. Claim No. 36-02080ZO on file with the Idaho Department of Water Resources.

   d. Transfer No. _____ which produced this right.

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

   ☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 9-9-1948

5. Water is used for the following purpose:

   amount 1100 cfs for Irrig. purposes from 4-1 to 10-31
   (cfs/ac-ft)
   amount _____ for _____ purposes from _____ to _____
   (cfs/ac-ft)
   amount _____ for _____ purposes from _____ to _____
   (cfs/ac-ft)

6. Total amount of water under right 1100 cubic feet per second and/or 250416 acre-feet per annum.

7. Point(s) of Diversion: See Attachment A

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

8. Lands irrigated or place of use: Lands Within District Boundaries

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

Total acres 62604

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

PART 2

Transfer No. 4036

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

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

Transfer No. 4036

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

   a. Decree No. _____ Decreed to _____

   in case of _____ vs. _____

   dated _____ in _____ county of _____

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

   c. Claim No. 36-15192 on file with the Idaho Department of Water Resources.

   d. Transfer No. _____ which produced this right.

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

   ☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 4-1-1962

5. Water is used for the following purpose:

   amount 0.60 cfs (cfs/ac-ft) for Irrig. purposes from 4-1 to 10-31

   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

6. Total amount of water under right 0.60 cubic feet per second and/or 145.2 acre-feet per annum.

7. Point(s) of Diversion: See Attachment A

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

8. Lands irrigated or place of use: Lands Within District Boundaries

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

Total acres 36.3

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

PART 2

Transfer No. 4036

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

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

Transfer No. 4036

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

   a. Decree No. _____ Decreed to _____

   in case of _____ vs. _____

   dated _____ in _____ county of _____

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

   c. Claim No. 36-15193 on file with the Idaho Department of Water Resources.

   d. Transfer No. _____ which produced this right.

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

   ☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 4-1-1965

5. Water is used for the following purpose:

   amount 0.52 cfs (cfs/ac-ft) for Irrig. purposes from 4-1 to 10-31

   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

6. Total amount of water under right 0.52 cubic feet per second and/or 125.6 acre-feet per annum.

7. Point(s) of Diversion: See Attachment A

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

8. Lands irrigated or place of use: Lands Within District Boundaries

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

Total acres 31.4

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

PART 2

Transfer No. 4036

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

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

Transfer No. 4036

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

   a. Decree No. _____ Decreed to _____

   in case of _____ vs. _____

   dated _____ in _____ county of _____

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

   c. Claim No. 36-15194 on file with the Idaho Department of Water Resources.

   d. Transfer No. _____ which produced this right.

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

   ☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 4-1-1968

5. Water is used for the following purpose:

   amount 2.76 cfs (cfs/ac-ft) for Irrig purposes from 4-1 to 10-31

   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

6. Total amount of water under right 2.76 cubic feet per second and/or 664.4 acre-feet per annum.

7. Point(s) of Diversion: See Attachment A

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

8. Lands irrigated or place of use: Lands Within District Boundaries

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

Total acres 166.1

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

PART 2

Transfer No. 4036

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

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

FEB 22 1994

Total acres _____

Transfer No. 4036

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

   a. Decree No. _____ Decreed to _____

   in case of _____ vs. _____

   dated _____ in _____ county of _____

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

   c. Claim No. 36-15195 on file with the Idaho Department of Water Resources.

   d. Transfer No. _____ which produced this right.

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

   ☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 4-1-1978

5. Water is used for the following purpose:

   amount 3.76 cfs (cfs/ac-ft) for Irrig. purposes from 4-1 to 10-31

   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

6. Total amount of water under right 3.76 cubic feet per second and/or 752.4 acre-feet per annum.

7. Point(s) of Diversion: See Attachment A

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

8. Lands irrigated or place of use: Lands Within District Boundaries

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
																			188.1

Total acres 188.1

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

PART 2

Transfer No. 4036

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

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

Transfer No. 4036

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

   a. Decree No. _____ Decreed to _____

   in case of _____ vs. _____

   dated _____ in _____ county of _____

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

   c. Claim No. 36-15196 on file with the Idaho Department of Water Resources.

   d. Transfer No. _____ which produced this right.

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

   ☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 4-1-1981

5. Water is used for the following purpose:

   amount 0.37 cfs (cfs/ac-ft) for Irrig. purposes from 4-1 to 10-31

   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

6. Total amount of water under right 0.37 cubic feet per second and/or 88.4 acre-feet per annum.

7. Point(s) of Diversion: See Attachment A

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

8. Lands irrigated or place of use: Lands Within District Boundaries

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

RECEIVED 1994

Total acres 22.1

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

PART 2

Transfer No. 4036

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

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

FEB 22 1994

Total acres _____

Transfer No. 4036

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

   a. Decree No. _____ Decreed to _____

   in case of _____ vs. _____

   dated _____ in _____ county of _____

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

   c. Claim No. 36-15127 on file with the Idaho Department of Water Resources.

   d. Transfer No. _____ which produced this right.

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

   ☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 4-1-1984

5. Water is used for the following purpose:

   amount 54.03 cfs for Irrig. purposes from 4-1 to 10-31
   (cfs/ac-ft)
   amount _____ for _____ purposes from _____ to _____
   (cfs/ac-ft)
   amount _____ for _____ purposes from _____ to _____
   (cfs/ac-ft)

6. Total amount of water under right 54.03 cubic feet per second and/or 13029.2 acre-feet per annum.

7. Point(s) of Diversion: See Attachment A

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

8. Lands irrigated or place of use: Lands Within District Boundaries

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

Total acres 3257.3

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

PART 2

Transfer No. 4036

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

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

FEB 22 1994

Total acres _____

A+B Irrigation
Transfer Application
9S, 22E
NORTH
ROAD
BM
Well
Wells
WEST
10
15
9
6
20
4208
4210

T# 4036

Transfer No. 4036

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

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

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

Transfer No. 4036

PART 3

B. CHANGES IN NATURE OF USE

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

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

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

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

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

x Virgil D Temple, Manager
(Signature of Applicant)

Subscribed and sworn to before me this 23 day of November, 19 92.

Diana Warburton
(Notary Public)

My commission expires 3-21-96

FOR DEPARTMENT USE ONLY

Transfer contains 18 pages and 3 attachments

Received by JF Stanton Date 11-25-92 Protest filed by

Prelim. check by MTS Fee $50.00 S015198

Receipted by JS Date 11-25-92

Published in North Side News & So. Valley Press

Pub. dates 3/17 & 3/24/93 3/19 & 3/26/93 Copies of protest forwarded by

Watermaster recommendation requested on N/A Hearing held by Date

Recommended for ☐ approval ☐ denial

rec'd. by

Copy of transfer sent to lien holder

MICROFILMED

FEB 22 1994

ATTACHMENT A

EXISTING DIVERSION POINTS

Twp.	Rng.	Sec.	Tract	Gov't Tract	No. of Wells	County
7S	23E	34	NW SE SW	A	2	Minidoka
	24E	22	NW SW SW	D	1	"
			NW NW SE	B	1	"
			NE SE SE	C	1	"
		23	NW SW NE	A	1	"
		26	NW SE NE	A	1	"
			NE NW SW	F	1	"
		28	NW SW NE	B	2	"
		30	SW NW SE	A	2	"
		31	NW SW NE	A	1	"
		32	SW SE NE	C	2	"
		33	SE NW SE	B	2	"
		34	SW SE NW	B	1	"
		35	SW SW SE	B	2	"
	25E	27	NE SE SW	A	1	"
		29	NE NE SW	A	1	"
		30	NW NE SE	B	1	"
		31	NE NE SW	D	1	"
		32	NW NE SW	D	1	"
		33	NE SW NW	A	1	"
		34	SE NE SW	C	1	"
8S	21E	22	NW NE SE	B	1	Jerome
		24	NW SE NW	C	1	"
		26	NW SE NE	D	2	"
		35	SE NE NE	G	2	"
			SW SW SW	A	1	"
			SE SE SE	C	1	"
	22E	30	SW NW SW	D	1	Minidoka
		35	SW NW NE	A	2	"
	~~23E~~		~~NE//NW//NE~~			
			SW SW SE	B	1	"
	23E	1	NE NW NE	A	2	"
			SW SW SW	F	1	"
		2	SE NE SW	D	1	"
		4	SW SW SW	E	2	"
		5	NE SE NE	G	2	"
		8	NE NE SE	C	1	"
		10	SW SE NE	H	1	"
			NE SW SW	D	1	"
		12	SW SW NE	D	2	"
			SE SE SW	F	2	"
		14	NW NW NW	N	2	"
		15	SE NE NW	A	2	"
			SE SE SE	F	1	"
		17	NW NE NW	D	1	"
			NE SE SE	C	2	"
		19	NW SW SE	A	2	"
		21	SW SE NE	A	1	"
		22	SW SE SW	C	1	"
		23	SW NW SW	E	2	"

T #4036

Twp.	Rng.	Sec.	Tract	Gov't Tract	No. of Wells	County
8S	23E	24	NE NW NW	B	1	Minidoka
			NE SE SW	E	2	"
		25	NW SE NW	C	1	"
		26	NW NW SE	F	1	"
		27	NE NE NE	A	1	"
			SW SE NW	B	1	"
			SW SE SW	G	1	"
		28	SW NE SW	E	1	"
			NW SW SW	G	2	"
		29	SE SE NE	J	2	"
		31	SE NE SE	E	1	"
		34	NW SE SW	C	1	"
		35	SE NW NW	K	1	"
			NE SW SW	D	1	"
			SE NW SE	B	1	"
			SE SE SE	E	1	"
	24E	1	SE SE NE	B	1	"
		3	SW SE NE	A	2	"
		4	SW SW NE	C	1	"
			NE SW SW	A	2	"
		6	SE NE NW	F	1	"
			NW NW SW	B	1	"
			SE NE SE	J	1	"
		7	NW NE SE	F	1	"
		8	NE SE NE	C	1	"
		10	NW SW NE	B	1	"
			SW SW NW	H	1	"
			SE SE SW	E	1	"
		11	SW NE NW	B	2	"
			NW NW SE	E	1	"
		12	NE NW NE	C	1	"
		13	NW NW NE	K	2	"
		14	SW SE SW	E	1	"
		15	SE SW NW	C	1	"
		18	NE SW NW	D	1	"
		21	NE NW NE	E	1	"
			NE SW SW	C	1	"
		22	SW NE SE	D	1	"
		23	SE SE SW	E	1	"
		26	SE SW NE	B	1	"
		29	SE NW SE	G	1	"
		30	SW NE NW	H	1	"
			SE NW SE	A	1	"
		31	SW SE SW	B	2	"
	25E	3	SE NE NW	A	2	"
			NW NW NW	D	2	"
			NE NE SE	D	1	"
		5	NW NE NE	E	2	"
		6	NE NE SE	B	2	"
		11	NW SW SE	G	1	"
		12	NW NW NW	A	2	"
		13	NW SW SW	A	1	"
		14	SW NE SW	C	1	"
		15	NW SW SW	F	2	"

FEB 2 2 1994

Twp.	Rng.	Sec.	Tract	Gov't Tract	No. of Wells	County
8S	25E	17	NW NE NE	E	1	Minidoka
		19	NE NW NE	K	2	"
			SE SW NW	F	2	"
		21	NE SE SW	D	1	"
		23	NW NW NW	J	2	"
		24	SE NW NW	E	1	"
9S	21E	1	NW NE SW	A	1	Jerome
		3	NE NW SW	B	1	"
			SE SE SW	J	1	"
			NW NE SE	E	1	"
	22E	3	NW SE SE	A	2	Minidoka
		7	SE NE NE	C	1	"
			NE SE NE	C	1	"
		9	SE SW NW	B	1	"
			NE NE SW	D	1	"
		10	NE SW NE	A	1	"
		11	NW NW NE	F	1	"
			SE NE NW	F	1	"
		15	NE SW NE	C	1	"
			SW SW NE	A	1	"
		18	NE SW SE	C	2	"
		19	NW SW NW	A	1	"
		20	NW NE NE	A	1	"
		22	SE SW NE	A	1	"
		28	NE SE SE	B	1	"
		30	NW NE NE	J	1	"
		33	SE NE SE	B	2	"
	23E	2	NE SE NE	D	1	"
		3	NE SE NE	E	1	"
			NE NW SW	A	1	"
		6	SE SE NE	A	1	"
			NW SW SE	H	1	"
10S	21E	2	SW NW SW	E	1	Jerome
	22E	3	SE NW SW	J	1	Minidoka

ATTACHMENT B

Part 1.B. Water Rights To Be Transferred (Based On Director's SRBA Recommendation)

1. Right Number	Priority	Amount	Nature of Use	Period of Use
36-02080Z0	9-9-1948	1100 cfs	Irrigation	4-1 to 10-31
36-15192	4-1-1962	0.60 cfs	"	"
36-15193	4-1-1965	0.52 cfs	"	"
36-15194	4-1-1968	2.76 cfs	"	"
36-15195	4-1-1978	3.76 cfs	"	"
36-15196	4-1-1981	0.37 cfs	"	"
36-15127	4-1-1984	54.03 cfs	"	"

T#4036

ATTACHMENT C

EXISTING DIVERSION POINTS

Twp.	Rng.	Sec.	Tract	Gov't Tract	No. of Wells	County
7S	23E	34	NW SE SW	A	2	Minidoka
	24E	22	NW SW SW	D	1	"
			NW NW SE	B	1	"
			NE SE SE	C	1	"
		23	NW SW NE	A	1	"
		26	NW SE NE	A	1	"
			NE NW SW	F	1	"
		28	NW SW NE	B	2	"
		30	SW NW SE	A	2	"
		31	NW SW NE	A	1	"
		32	SW SE NE	C	2	"
		33	SE NW SE	B	2	"
		34	SW SE NW	B	1	"
		35	SW SW SE	B	2	"
	25E	27	NE SE SW	A	1	"
		29	NE NE SW	A	1	"
		30	NW NE SE	B	1	"
		31	NE NE SW	D	1	"
		32	NW NE SW	D	1	"
		33	NE SW NW	A	1	"
		34	SE NE SW	C	1	"
8S	21E	22	NW NE SE	B	1	Jerome
		24	NW SE NW	C	1	"
		26	NW SE NE	D	2	"
		35	SE NE NE	G	2	"
			SW SW SW	A	1	"
			SE SE SE	C	1	"
	22E	30	SW NW SW	D	1	Minidoka
		35	SW NW NE	A	2	"
	~~23E~~		~~NE//NW//NE~~			
			SW SW SE	B	1	"
	23E	1	NE NW NE	A	2	"
			SW SW SW	F	1	"
		2	SE NE SW	D	1	"
		4	SW SW SW	E	2	"
		5	NE SE NE	G	2	"
		8	NE NE SE	C	1	"
		10	SW SE NE	H	1	"
			NE SW SW	D	1	"
		12	SW SW NE	D	2	"
			SE SE SW	F	2	"
		14	NW NW NW	N	2	"
		15	SE NE NW	A	2	"
			SE SE SE	F	1	"
		17	NW NE NW	D	1	"
			NE SE SE	C	2	"
		19	NW SW SE	A	2	"
		21	SW SE NE	A	1	"
		22	SW SE SW	C	1	"
		23	SW NW SW	E	2	"

T#4036

Twp.	Rng.	Sec.	Tract	Gov't Tract	No. of Wells	County
8S	23E	24	NE NW NW	B	1	Minidoka
			NE SE SW	E	2	"
		25	NW SE NW	C	1	"
		26	NW NW SE	F	1	"
		27	NE NE NE	A	1	"
			SW SE NW	B	1	"
			SW SE SW	G	1	"
		28	SW NE SW	E	1	"
			NW SW SW	G	2	"
		29	SE SE NE	J	2	"
		31	SE NE SE	E	1	"
		34	NW SE SW	C	1	"
		35	SE NW NW	K	1	"
			NE SW SW	D	1	"
			SE NW SE	B	1	"
			SE SE SE	E	1	"
	24E	1	SE SE NE	B	1	"
		3	SW SE NE	A	2	"
		4	SW SW NE	C	1	"
			NE SW SW	A	2	"
		6	SE NE NW	F	1	"
			NW NW SW	B	1	"
			SE NE SE	J	1	"
		7	NW NE SE	F	1	"
		8	NE SE NE	C	1	"
		10	NW SW NE	B	1	"
			SW SW NW	H	1	"
			SE SE SW	E	1	"
		11	SW NE NW	B	2	"
			NW NW SE	E	1	"
		12	NE NW NE	C	1	"
		13	NW NW NE	K	2	"
		14	SW SE SW	E	1	"
		15	SE SW NW	C	1	"
		18	NE SW NW	D	1	"
		21	NE NW NE	E	1	"
			NE SW SW	C	1	"
		22	SW NE SE	D	1	"
		23	SE SE SW	E	1	"
		26	SE SW NE	B	1	"
		29	SE NW SE	G	1	"
		30	SW NE NW	H	1	"
			SE NW SE	A	1	"
		31	SW SE SW	B	2	"
	25E	3	SE NE NW	A	2	"
			NW NW NW	D	2	"
			NE NE SE	D	1	"
		5	NW NE NE	E	2	"
		6	NE NE SE	B	2	"
		11	NW SW SE	G	1	"
		12	NW NW NW	A	2	"
		13	NW SW SW	A	1	"
		14	SW NE SW	C	1	"
		15	NW SW SW	F	2	"

Twp.	Rng.	Sec.	Tract			Gov't Tract	No. of Wells	County
8S	25E	17	NW	NE	NE	E	1	Minidoka
		19	NE	NW	NE	K	2	"
			SE	SW	NW	F	2	"
		21	NE	SE	SW	D	1	"
		23	NW	NW	NW	J	2	"
		24	SE	NW	NW	E	1	"
9S	21E	1	NW	NE	SW	A	1	Jerome
		3	NE	NW	SW	B	1	"
			SE	SE	SW	J	1	"
			NW	NE	SE	E	1	"
	22E	3	NW	SE	SE	A	3	Minidoka
		7	SE	NE	NE	C	1	"
			NE	SE	NE	C	1	"
		9	SE	SW	NW	B	1	"
			NE	NE	SW	D	1	"
		10	NE	SW	NE	A	1	"
		11	NW	NW	NE	F	1	"
			SE	NE	NW	F	1	"
		15	NE	SW	NE	C	1	"
			SW	SW	NE	A	1	"
		18	NE	SW	SE	C	2	"
		19	NW	SW	NW	A	1	"
		~~20~~	~~NW~~	~~NE~~	~~NE~~	~~A~~	~~1~~	"
		22	SE	SW	NE	A	1	"
		28	NE	SE	SE	B	1	"
		30	NW	NE	NE	J	1	"
		33	SE	NE	SE	B	2	"
	23E	2	NE	SE	NE	D	1	"
		3	NE	SE	NE	E	1	"
			NE	NW	SW	A	1	"
		6	SE	SE	NE	A	1	"
			NW	SW	SE	H	1	"
10S	21E	2	SW	NW	SW	E	1	Jerome
	22E	3	SE	NW	SW	J	1	Minidoka

State of Idaho
License and Certificate of Water Right

Water License No. 20736 — Amount 1100 c.f.s.

Water District No. — Priority Sept. 2, 1948

THIS IS TO CERTIFY that UNITED STATES OF AMERICA, BUREAU OF RECLAMATION of , Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated Sept. 2, 19 48 ; that Permit No. 20736 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 1100 second feet, was issued thereunder on June 10, 19 65 , showing that said works were completed on the 17th day of January, 19 64 ; and that on the 13th day of January, 19 64 , U. S. Inspector, Bureau of Reclamation of , State of Idaho, made proof to the satisfaction of the Water Application Engineer of Idaho, of the right to use the waters of Well, a tributary of Snake River, for the purpose of irrigation and domestic , under Use Permit No. 20736 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 13 of Licenses at page 1169, on the 10 day of June , 19 65 ;

The right hereby confirmed dates from September 2 , 19 43 ;

The Point of Diversion is located [illegible]

in the ¼ ¼, Sec. , Tp. , R. , B. M. County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 1100 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
177.4			All in Township 7 South, Ranges 23, 24 & 25 East, B. M.; Township 8 South Ranges 21, 22, 23, 24 & 25 East, B. M. Township 9 South, Ranges 21, 22 and 23 East Township 10 South, Ranges 21 and 22 East, B.M., all in the A & B Irrigation [illegible] Pumping Division, Minidoka Project, Idaho		
62,604.3			All in Townships 7, 8, 9 and 10 South, Ranges 21, 22, 23, 24 and 25 [illegible] all within the boundaries of the A & B Irrigation District, North [illegible] Minidoka Project, Idaho.		

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 day of , 1965 .

s/ CARL E. TAPPAN
State Reclamation Engineer.

(SEAL)

36 2080

9-11- 48
Action 9-23-24 to 10-7-48
Protest Oct. 21 48

IF PROTESTED

Hearing

Nº 20736
3le - 2080

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

APPLICATION No. 28278
PERMIT No. 20736
DISTRICT No.

Regional Director
U. S. Bureau of Reclamation
Box 937, Boise, Idaho

1. Name of Applicant: UNITED STATES OF AMERICA

Postoffice address: P. O. Box 937, Boise County: Ada State: Idaho

I. If applicant is a corporation, give:
(a) Date and place of incorporation:
(b) Amount of capital stock:
(c) Amount paid in:
(d) Names and addresses of directors:

II. The financial resources of the applicant are:
(a) Cash on hand:
(b) Treasury stock:
(c) Bonds to be issued:
(d) Other resources: Funds to be appropriated by Congress

2. Quantity of water claimed: 1333.28 cubic feet per second.

3. Source of water supply: Underground water, comprised in / ~~which is a tributary of~~ part of waste and return flow of existing Bureau of Reclamation projects.

4. Location of point of diversion: At various wells, the approxi/ mate location of which are shown on accompanying maps. feet distant from the corner of Section , T. , R. , B.M., and is in the of Section , T. , R. , B.M., County of

5. Water is to be used for Irrigation and domestic use

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section T. , R. , B.M., in the of Section , T. , R. , B.M.

(b) Amount of power generated: H.P., under feet head.

(c) Water is to be returned to at a point feet distant from the corner of Section , T. , R. , B.M., in the of Section , T. , R. , B.M.

7. Estimated cost of works: $5,740,000.00

8. Kind of works: A series of wells, with necessary pumps. distribution system, access and service roads, power trnsmission and telephone lines.

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

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

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

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

12. The time required for the completion of such work is Five (5) years.

13. The time required for the complete application of the water to the proposed use is Ten (10) additional years.

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

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:

16. (a) Is reservoir to be used? No If so, fill in (b) and (c) below:
(b) Name of Reservoir and number of Storage Permit:
(c) Date of filing of Application for Storage Permit and Name of Applicant:

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

THE UNITED STATES OF AMERICA *Applicant.*

By R. J. Newell *Agent.*
Regional Director, Region 1
United States Bureau of Reclamation

Date of first receipt at Department of Reclamation: 0:45 A. M. Sept. 9, 1948

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 20736
Recorded in Book 74 Page 20736 Approved November 5, 1948
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 January 5, 1949 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.
One-fifth of the work above specified to be completed on or before May 5, 1951
The whole of said work to be completed on or before November 5, 1953
Beneficial use of water appropriated in accordance herewith, to be made on or before November 5, 1963

WITNESS My hand this 5th day of November, 1948

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, C. A. ROBINS, Governor of the State of Idaho, and J. D. "CY" PRICE, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 5th day of November, 19 48.

(SEAL)

Countersigned:
By J. D. "CY" PRICE
Secretary of State.

STATE OF IDAHO
By C. A. ROBINS
Governor.

REMARKS: This application relates to ground waters intended to be utilized under the proposed "Unit B", North Side Pumping Division of the Minidoka Project, Idaho, a Federal reclamation project proposed for authorization and construction under the Act of June 30, 1902 (32 Stat. 388) and all acts amendatory thereof and supplementary thereto, known as the Federal Reclamation Laws. The waters include waste and return flow from existing Federal reclamation projects in the Snake River Valley. The land to be irrigated is public land of the United States.

14.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
			The lands to be irrigated are shown on the attached maps entitled "Groundwater Development Plan" (5.0(M)-P-48) and the attached arable acreage tabulation, totalling 66,664.3 acres. (The maps referred to in Questions 4 and 14 in file jacket) Extension of time for Completion of Works granted until November 5, 1955. (See letter in file)											

Permit No. 20736 ✓

CERTIFICATE OF COMPELTION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that UNITED STATES OF AMERICA, BUREAU OF RECLAMATION of Boise, County of Ada, and State of Idaho, the holder of Permit No. 20736, issued upon Application No. 28273 bearing date of priority of Sept. 9, 1948, authorizing the diversion of 1333.28 second feet of waters of wells County of Jerome, Lincoln, & Minidoka, State of Idaho, for irrigation and domestic 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 1100 second feet of the waters of wells from subterranean flow that the point of diversion of said waters 177 wells in Township 7 South, Ranges 23,24,25 East, B. M.; Township 8 South, Ranges 21, 22, 23, 24 & 25East, B.M.; Township 9 South, Ranges 21, 22, and 23 East, B. M. , Township 10 South, Ranges 21, and 22 East, B.M. all in the A & B Irrigation District, North Side Pumping Division, Minidoka Project, Idaho and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit: 62,604.3 acres in Townships 7, 8, 9, and 10 South, Ranges 21, 22, 23, 24 and 25 East, B.M., all within the boundaries of the A & B Irrigation District, North Side Pumping Division, Minidoka Project, Idaho

Witness my hand this 10th day of June, A. D. 1965.

s/ CARL E. TAPPAN
State Reclamation Engineer

Proof of Completion of Works Made: January 13, 1964

LICENSE ISSUED FOR 1100 SEC. FT.
LICENSE PAG. NO. 8169

Sept. 11 48
Published on 9-23-44-1948 To 10-7-44 44
Oct. 21 48

(Form No. 1)

Address all communications to
Regional Director, U. S. Bureau of Reclamation
P. O. P. O. Box 937, Boise, Idaho

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 28278

Permit No. G-20736

District No.

1. Name of applicant: United States of America

Postoffice address P.O.Box 937, Boise, County Ada State Idaho

I. If applicant is a corporation, give:

(a) Date and place of incorporation:

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

(d) Names and addresses of directors:

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

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

(d) Other resources: Funds to be appropriated by the Congress.

2. Quantity of water claimed: 1333.28 cubic feet per second.

3. Source of water supply: Underground water, comprised in part of waste and return ~~which is a tributary of~~ flow of existing Bureau of Reclamation projects.

4. Location of point of diversion: At various wells, the approximate location of which are shown on maps accompanying the application. feet distant from the

of Section , T , R , B. M., and is in the

of Section , T , R , B. M., County of

5. Water is to be used for: Irrigation and domestic use.

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section

T , R , B. M., in the of Section , T , R , B. M.

(b) Amount of power generated: H. P., under feet head

(c) Water is to be returned to at a point feet

distant from the corner of Section , T ,R , B. M., in the

of Section , T , R , B. M.

7. Estimated cost of works: $5,740,000.00

8. Kinds of works: A series of wells with necessary pumps, distribution system, access and service roads, power transmission and telephone lines.
(Reservoir, dam, ditch, flume, pipe, etc.)

9. Height of dam feet; length of dam at top feet; length of dam at bottom
(If height of dam will exceed 10 feet, send to Department of Reclamation for Regulations)

feet; material used in dam

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

11. Ditch: Width at bottom feet; Width at water line feet; Depth of water feet;

Dimensions of flume Diameter of pipe inches;

Length of conduit m grade per mile feet.

20736

12. The time required for the completion of such work is ..five.. years.

13. The time required for the complete application of the water to the proposed use is ..ten.. additional years.

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

(Give Irrigable acreage in each 40-acre subdivision.)

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
			The lands to be irrigated are shown on the attached maps entitled "Groundwater Development Plan" 50(M)-P-487 and the attached arable acreage tabulation, totaling 66,664.3 acres.																

Total Acres to be Irrigated 66,664.3

15. (a) Is reservoir to be used? No (If so, fill in (b) and (c) below.)

(b) Name of reservoir and number of Storage Permit:

(c) Date of filing of Application for Storage Permit and Name of Applicant:

Remarks: This application relates to the ground waters intended to be utilized under the proposed "Unit B", North Side Pumping Division of the Minidoka Project, Idaho, a Federal reclamation project proposed for authorization and construction under the Act of June 30, 1902 (32 Stat. 388) and all acts amendatory thereof and supplementary thereto, known as the Federal Reclamation Laws. The waters include waste and return flow from existing Federal reclamation projects in the Snake River Valley. The land to be irrigated is public land of the United States.

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.

The United States of America
Applicant,
By Regional Director, Region 1, Agent.
United States Bureau of Reclamation

Affidavit of Permission to File on Springs

(Not to be used when spring is situated on lands owned by applicant.)

I, ..., of....., County of ....., State of....., do hereby certify that I am the owner or lessee of the land on which the spring mentioned in the application of.....is located, to-wit: .....

and that I do hereby grant unto the said.....permission to file on the said spring as set forth in the foregoing application.

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

On this.....day of ....., 193....., before me a Notary Public for the State of Idaho, residing at ....., personally appeared.....known to me to be the person.... whose name.....subscribed to the foregoing certificate, and acknowledged to me that ....he.... executed the same.

Witness my hand and seal, the day and year in this certificate first above written.

My commission expires.....

Notary Public.

28736

Approval of Commissioner of Reclamation

The number of this permit is.....

Recorded in Book.....Page.....Approved.....

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

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

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

One-fifth of the work above specified to be completed on or before .....

The whole of said work to be completed on or before.....

Beneficial use of water appropriated in accordance herewith, to be made on or before.....

Witness my hand this.....day of ....., 193.....

.....

Commissioner of Reclamation.

No.....

PERMIT

Date of first receipt at office of Commissioner State of Reclamation Engineer
9-14-50 Mn. Sept. 9, 1950

Returned to applicant for correction .....

Corrected application received .....

Fees, $ 39.25

FILING FEES FOR USE PERMIT:

For the first Sec. Ft. $5.00

For each additional Sec. Ft. or fraction thereof ..... .25

20736

THIS

RIGHT HAS BEEN

DECREED IN THE

SRBA

MEMORANDUM

TO: **FILE** 36-02080 2of2

FROM: **VAULT**

RE: **TRANSFER #** 5878, 68561

DATE: _____

= = = =

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 12, 2001

A & B IRRIGATION DISTRICT
PO BOX 675
RUPERT ID 83350-0675

UNITED STATES OF AMERICA ACTING THROUGH
REGIONAL DIRECTOR PN REGION CODE PN-3100
BUREAU OF RECLAMATION
1150 N CURTIS RD SUITE 100
BOISE ID 83706-5155

RE: Transfer No.: 68561 - Water Right No(s).: 36-2080, 36-15192, 36-15127A, 36-15127B, 36-15193B, 36-15195B, 36-15196B, 36-15194A, 36-15194B, 36-15193A, 36-15195A, 36-15196A - Transfer Approval Notice

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a $100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

MICROFILMED
OCT 0 2 2001

If you have any questions, please contact me at 208-327-7940.

Sincerely,

Pamela S. Skaggs
for Jeff Peppersack, Manager
Water Rights Permits Section

JP:klt

Enclosure(s)

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OCT 0 2 2001

CERTIFICATE OF MAILING

I hereby certify that on September 12, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

RE: TRANSFER NO. 68561 - WATER RIGHTS 36-2080, 36-15192, 36-15127A, 36-15127B, 36-15193B, 36-15195B, 36-15196B, 36-15194A, 36-15194B, 36-15193A, 36-15195A, 36-15196A

A & B IRRIGATION DISTRICT
PO BOX 675
RUPERT ID 83350-0675

UNITED STATES OF AMERICA ACTING THROUGH
REGIONAL DIRECTOR PN REGION CODE PN-3100
BUREAU OF RECLAMATION
1150 N CURTIS RD SUITE 100
BOISE ID 83706-5155

Kari Lynn Townsend
Secretary

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OCT 0 2 2001

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further 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 fourteen (14) 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 with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

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FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

> Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:
>
> (a) the petition for reconsideration is disposed of; or
> (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

i. A hearing was held,
ii. The final agency action was taken,
iii. The party seeking review of the order resides, or
iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

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OCT 02 2001

TRANSFER REVIEW SHEET

(05-01)

TRANSFER # 5878/68561 DATE REVIEWED 5-18-01 CS

SPLIT___ POD ✓ (Delete One) ADD POD ✓ POU___ PERIOD___ or NATURE___ of USE

ALL OF RIGHT(S) W=Water Right C=SRBA Claim R=SRBA Recommendation

/ 36-2080	/ 36-15194A+B	/	/
/ 36-15127A+B	/ 36-15195A+B	/	/
/ 36-15192	/ 36-15196A+B	/	/
/ 36-15193A+B	/	/	/

PART OF RIGHTS(S) (Unchanged) (Changed)

/	to	/	/
/	to	/	/
/	to	/	/
/	to	/	/
/	to	/	/
/	to	/	/
/	to	/	/
/	to	/	/
/	to	/	/
/	to	/	/
/	to	/	/

Standard Season 3-15 to 11-15 Standard Volume 4.0 / 3.0

(1) ✓ Priority per claims (2) ✓ Use (3) ✓ Season (W61) (4) ✓ Rate (5) ✓ Volume

(6) ✓ Source Magic Valley GW Dist. (7) ___ P/D (8) ✓ P/U (9) ✓ Proof/Owner per Claims - C=BOR & Present: A+B (10) ___ Map

(11) NA Water District (12) Yes Pertinent Conditions Per Recommendations (13) No Expansion w/Limits

(3) Allow extended season to standard - W61

(7) Abandon P/D & add P/D > All in Sec 7, 8S, 24E
NWNESE NESENW / New well limited to 8.0 cfs.

36-2080 1100 cfs (e) 2.604 acres 250,416 afa
w/expansion Rt 1100 " (e) 6,305.3 " 2605,221.2 afa
expedited P/D & well in place.

Conditions/Remarks Name & Address remark ✓ New P/D limited to 8.0 cfs ✓ PP/U TOT, TOB ✓
W64, 067 (except 36-15196B), W50, R104, W27 (eq. rt.), W57, W35 ✓
P/U described as A+B Irr. District service area located within ....
(E) Rt # enlargement of Rt 36-2080., 083,
Sec 42-1426

WRs for Update Comments 36-2080 ✓

Database Updated to Reflect Final Action 9-11-2001 CS

Combined Rt Reviews on Back this page. ↓

36-2080	1100.00 cfs	62,604 acres	250,416 afa	9-9-1948
36-15127A	20.00 "	1,205.8 "	4,823.2 "	4-1-1962
36-15127B	34.03 "	2,051.5 "	8,206.0 "	4-1-1984 Enlargement
36-15192	.60 "	36.3 "	145.2 "	4-1-1962
36-15193A	.21 "	12.5 "	50.0 afa	4-1-1962
36-15193B	.31 "	18.9 "	75.6 "	4-1-1965 (E)
36-15194A	.23 "	13.7 "	54.8 "	4-1-1962
36-15194B	2.53 "	152.4 "	609.6 "	4-1-1968 (E)
36-15195A	.87 "	52.5 "	210.0 "	4-1-1962
36-15195B	2.25 "	135.6 "	542.4 "	4-1-1978 (E)
36-15196A	.29 "	17.4 "	69.6 "	4-1-1962
36-15196B	.08 " < .24 + < 5 Acres	4.7 "	18.8 "	4-1-1981 (E)
	(1100.00 cfs)	= 66,305.3 acres	= 265,221.2 afa	= 4.0 af/acre

FORM 22a
9/96

IDWR TRANSFER ANALYSIS SHEET

APPLICANT A & B Irrigation TRANSFER NO. 5878

1. Right number(s) 36-02080 et al 68561

2. Type of right ___ Decree X License ___ Statutory Claim
X SRBA Beneficial Use Claim

3. Purpose of transfer X Change P/D ___ Add P/D ___ Change P/U
___ Change N/U ___ Change Source ___ Split Right
___ Other:

4. Check Existing Right: X Source X Priority X Amount X Purpose
X Period X SRBA Claim
X Description of original point(s) of diversion
X Description of original place of use
X Overlapping rights on original place of use

Comments: SRBA RECORDS "R" AND "X" RECORDS DO NOT REFLECT TRANSFER # 4966 (APPROVED 7/31/97). THE REMARKS SECTION FOR THESE RECORDS SHOULD INDICATE TWO WELLS IN THE NENESW 1/4 OF SECTION 09 (T09S, R22E)

5. Check Proposed Right for amount of land &/or water transferred:

___ Also see attached memo for more analysis information

? a. X All of right (BUT 8 cfs is the portion being transferred)

b. ___ Part of right (*NOTE! Part B should be filled in only if part of right is owned by the applicant*)

c. X Description of point(s) of diversion

d. X Description of place of use

e. X Map showing P/D & P/U after transfer

f. X Correct notarized signature and $100 fee FEE BASED ON 8 CFS.

g. ___ Proof of ownership of right &/or land from which water is transferred NONE

h. X Expansion in use of right - Comments:

NONE APPARENT

5878/68561

i. X Existing rights from same source, on land water is being transferred to; right number(s): _____

NO CHANGE IN PLACE OF USE PROPOSED

j. X SRBA claim(s) - Comments (*NOTE: Approved transfer amends SRBA claim; differences between existing water right and SRBA claim? any ownership or other outstanding issues? Explain*) CURRENT SRBA RECORDS ON VAX "X" AND "R"

RECORDS DO NOT REFLECT PREVIOUSLY APPROVED TRANSFER #4966 TWO WELLS IN NENESW SECTION 9 (T07S, R22E)

k. X Comment letters ___ Yes X No

If yes ___ Water District #

___ Lienholder, others, see #2 below for name and address

INITIAL ALLOCATION REVIEW BY A. SKINNER DATE 11/21/2000

SRBA SUPERVISOR REVIEW BY _____ DATE _____

PUBLICATION REVIEW BY _____ DATE _____

1. Legal Notice electronically sent to DWR03::VAULT ___ Yes

2. COMMENT LETTERS Copy of Pg 1 to AJ ✓ Yes 1/22/01

Watermaster recommendation requested on _____, Received on _____

Other comments letters - send to the following name(s) & address(es):

_____

3. Transfer published correctly? ✓ Yes ___ No

4. Affidavit of publication received? ✓ Yes ___ No

5. Protests received? ___ Yes ✓ No; Acknowledgement sent? ___ Yes

6. Copies made for Region file (see attached supplemental page)? ___ Yes

RECOMMENDED ACTION

1. ✓ Approve

2. ___ Deny due to _____

_____

3. Conditions (special conditions in Water Districts) _____

_____

✓ Also see attached memo for recommendation dated: 3/6/01

4. By _____ Date 3/6/01

MEMO

FROM: Allen Merritt DATE: March 6, 2001
TO: Transfer File No. 5878 (68561)
In the name of: A & B Irrigation District
Water Right(s): 36-02080
36-15127
36-15192
36-15193
36-15194
36-15195
36-15196

SUBJECT: **Review and Recommendation**

The purpose of this transfer is to change the location of one of 174 wells that serve the above listed rights. The well to be abandoned is located in the Tract F (NWNESE) of Section 7, T08S, R24E and is reported to be crooked and contaminated. The replacement well was applied to be within the NWNWSW of Section 6, T08S, R24E or the NESENW of Section 7, T08S, R24E. (Only one replacement well was intended to be drilled.)

****Note that an expedited drilling permit No. 768021 was issued on 2/21/01 (Tag D0016234) for the site in NESENW of Section 7, T08S, R24E.

The transfer was processed without protest.

This application was entered in the VAX and converted to the new system. I re-entered the process an updated applicant, POD, etc. Hopefully the POD list now includes POD_ID for all points which includes approval of T4966. In those tracts where multiple wells exist I went in and added points equal to the number identified in the remarks.

Recommendation

I recommend that this transfer be approved subject to the following conditions:

-Well in NWNESE S7, T08S, R24E be removed from rights and abandoned pursuant to drilling permit requirements.
-Well in NESENW S7, T08S, R24E be added to water rights.
-Proposed well site in NWNWSW S6, T08S, R24E not be included on rights since well ultimately drilled at other proposed site.
-Well in NESENW S7, T08S, R24E is limited to 8.0 cfs diversion rate since fee based on this limit.

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OCT 0 2 2001

Water Right No. X36-02080Z0

season.

12. Right No. 36-15192 is limited to irrigation of 36.3 acres in the place of use described above in a single irrigation season.
13. Right No. 36-15193 is limited to irrigation of 31.4 acres in the place of use described above in a single irrigation season.
14. Right No. 36-15194 is limited to irrigation of 166.1 acres in the place of use described above in a single irrigation season.
15. Right No. 36-15195 is limited to irrigation of 188.1 acres in the place of use described above in a single irrigation season.
16. Right No. 36-15196 is limited to irrigation of 22.1 acres in the place of use described above in a single irrigation season.
17. Right Nos. 36-02080, 36-15127, 36-015192, 36-15193, 36-15194, 36-15195 and 36-15196 when combined shall not exceed a total combined diversion rate of 1100.0 cfs, a total combined annual diversion volume of 265,221.2 af, a total combined annual consumptive use volume of 198,915.9 af, and irrigation of a combined total of 66,305.3 acres within the place of use described above and within the boundaries of A & B Irrigation District.
18. The following legal descriptions each contain 2 points of diversion:
    T07S, R23E, SEC 34, NWSESW - Minidoka
    T07S, R24E, SEC 28, NWSWNE; SEC 30, SWNWSE; SEC 32, SWSENE;
    SEC 33, SENWSE; SEC 35, SWSWSE - Minidoka
    T08S, R21E, SEC 26, NWSENE; SEC 35, SESESE - Jerome
    T08S, R22E, SEC 35, SWSWSE - Minidoka
    T08S, R23E, SEC 01, NENWNE; SEC 04, SWSWSW; SEC 05, NESENE;
    SEC 12, SWSWNE; SEC 12, SESESW; SEC 14, NWNWNW;
    SEC 15, SENENW; SEC 17, NESESE; SEC 19, NWSWSE;
    SEC 23, SWNWSW; SEC 24, NESESW; SEC 28, NWSWSW;
    SEC 29, SESENE - Minidoka
    T08S, R24E, SEC 03, SWSENE; SEC 04, NESWSW; SEC 11, SWNENW;
    SEC 13, NWNWNE; SEC 31, SWSESW - Minidoka
    T08S, R25E, SEC 03, SENENW; SEC 03, NWNWNW; SEC 05, NWNENE;
    SEC 06, NENESE; SEC 12, NWNWNW; SEC 15, NWSWSW;
    SEC 19, NENWNE; SEC 19, SESWNW;
    SEC 23, NWNWNW - Minidoka
    T09S, R22E, SEC 09, NENESW; SEC 18, NESWSE; SEC 33, SENESE
    - Minidoka
    Three points of diversion are located within NWSESE, SEC 03, T09S, R22E, Minidoka.
19. The following convention is used to convert the government lots listed in the above points of diversion and places of use to the official government tract designation: Lot 99 = Tract A;

AP 3/6/01

2 added pod to create pod_id for the additional well.

* This page was not part of the original application received on 11/15/2000. It was added to help explain the application. - C. Skinner

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FILE PROGRESS SUMMARY

A-1 # 5878

APPLICANT: C&B Irrigation WATER RIGHT NO. 36-02080 etc

INIT.	DATE	COMMENT
ath	11/17/00	Staffed to Carey Steiner
CS	12/1/00	GAVE TO MARY FOR ADVERTISING
CS	12/18/00	DAN TEMPLE CALLED, SAID THAT THEY MAY NEED TO CHANGE THE LOCATION OF THE PROPOSED NEW WELL. ASKED THAT WE WOULD NOT ADVERTISE IN THE NEXT WEEK.
CS	12/19/00	DAN TEMPLE STOPPED BY TO AMEND THE APPLICATION TO REFLECT ANOTHER POSSIBLE LOCATION FOR THE PROPOSED NEW WELL. ONLY ONE WELL WILL BE DRILLED AT ONE OF THE TWO POSSIBLE LOCATIONS. SOME FARMERS MAY BE CHANGING IRRIGATION SYSTEMS IN SECTION SIX AND MAYBE SEVEN. THESE POSSIBLE CHANGES WILL DETERMINE EXACTLY WHERE THE WELL WILL BE DRILLED. MR. TEMPLE SAID HE WOULD NOTIFY THE DEPARTMENT AS SOON AS POSSIBLE REGARDING EXACTLY WHERE THE WELL WILL BE DRILLED. TO BE SAFE, MR. TEMPLE SAID BOTH POSSIBLE LOCATIONS SHOULD BE REFLECTED IN THE APPLICATION AND ADVERTISING. ADVERTISE ASAP
MB	1/18/01	Adv. Sch; SP 1/29 & 2/5; IS, LT, PR, NS, TN, 2/1 & 2/8; 2/20/01
MF	2/7/01	Pub. eff. rec. SP 2/1/01; TN (2/9/01), IS (2/9/01); PR 3/22/01 NS (2/13/01); LT (2/12/01)
MB	2/27/01	to ADM for signoff

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OCT 02 2001

m 235-1
16/96 (LDT)

(Internet)

Drilling Permit No. 168021
Drilling Permit I.D. Tag No. D0016234
Water Right Permit No. 36-02080
Injection Permit No.

Basin 36
App 865261
Permit 76802 1

Tran 68561

Transfer Application # 68561

State of Idaho
Department of Water Resources

RECEIVED
FEB 20 2001
Department of Water Resources
Southern Region

APPLICATION FOR DRILLING PERMIT
(FOR THE CONSTRUCTION OF A WELL)

Owner (please print): A+B Irrigation District

Mailing Address: Box 675

City: Rupert State: Id. Zip Code: 83350 Telephone 208-436-3152

Proposed Well Location: Twp. 8, Rge. 24 E, Sec. 7, NE 1/4 SE 1/4 NW 1/4;

Govt Lot No. _____ County Minidoka Lat. ____:____:____ Long. ____:____:____

Street Address of Well Site 160 West 870 North City Rupert
Give at least name of road + Distance to Road or Landmark

Lot, block and subdivision _____

Proposed Use of Well:

[ ] DOMESTIC: The use of water for homes, organization camps, public campgrounds, livestock (1,000 head or less) and for any other purpose in connection therewith, including irrigation of up to ½ acre of land, if the total use is not in excess of 13,000 gpd; or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

Domestic does not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments, unless the use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

NON-DOMESTIC: [X] Irrigation [ ] Municipal [ ] Industrial
[ ] Stock (Over 1,000 Head) [ ] Test [ ] Other _____ (Describe)

[ ] INJECTION

[ ] MONITORING: A well bore schematic and map is required for each blanket permit.
No. of proposed wells: _____

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MAR 13 2001
Department of Water Resources

Well Construction Information:

A. [ ] New well [ ] Modify [X] Replace

B. Proposed Casing Diameter 20" Proposed Maximum Depth 300'

C. Anticipated bottom hole temperature:
[X] 85°F or less (Cold Water Well) [ ] 85°F to 212°F (Low Temp. Geo. Well) [ ] 212° F. or more (Geothermal Well)

Construction Start Date: The week of 2-19-01 if permit is issued

Anticipated Well Driller: Elsing Drilling & Pump Co. Driller's Lic. No. 31
NOTE: The actual well driller must be identified prior to drilling.

Applicant's Signature: Dan Temple Mgr. Date 02-16-01

Address (if different than owner): 175 W 750 Ln. North

City: Rupert State: Id Zip Code: 83350 Telephone 436 3152

Title: Manager
(Owner, Firm Representative, Other)

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OCT 02 2001

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This Permit is Approved Date 2/21/01

If approved, this permit authorizes the construction or modification of a well subject to the following conditions. READ CAREFULLY

GENERAL CONDITIONS:

1. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one (1) yea from the approval date for completion of the well unless an extension has been granted.
2. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well. All wells must be drilled a minimum distance of 100 feet from a drain field. Domestic and Public Water Supply wells must be drilled a minimum of 50 feet and 100 feet respectively from a septic tank.
3. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
4. Approval of this drilling permit does not authorize trespass on the land of another party.
5. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
6. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
7. If a bottom hole temperature of 85° or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
8. Idaho Code, S 55-2201 - 55-2210 requires the applicant and/or his contractors to contact "Digline" (DigLine is a one-call center for utility notification) not less than 2 working days prior to the start of any excavation for this project. The "DigLine" Number for your area is 1-800-342-1585.

SPECIFIC CONDITIONS:

See Attached

Signature of Authorized Department Representative

Southern Region Manager
Title

Receipt No. S023628 Receipted by CH Fee $200.00 Date 2/21/01

EXTENSION OF DRILLING PERMIT

Extension approved by _____ Approval Date _____

This extension expires: _____

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OCT 0 2 2001

Ident No. 768021
Well Tag No. D0016234

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This permit is Approved on Wednesday, February 21, 2001.

If approved, this permit authorizes the construction or modification of a well subject to the following conditions. READ CAREFULY!

CONDITIONS OF APPROVAL:

1. This drilling permit is valid for two (2) months from the approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
2. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required prior to construction of this well. The local Health Department should be contacted for septic tank/drainfield locations. Domestic wells must not be drilled closer than 100' from any drainfield and 50' from any septic tank. Public Water Supply wells must not be drilled closer than 100' from any drainfield or septic tank.
3. The well shall be constructed by a driller currently licensed in the state of Idaho who must maintain a copy of the drilling permit at the drilling site.
4. Approval of this drilling permit does not authorize trespass on the land of another party.
5. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
6. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
7. If a bottom hole temperature of 85 Degrees F (29.44 oC) or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
8. Idaho Code, S 55-2201 - 55-2210 requires the applicant and/or his contractors to contact "Digline" (DigLine is a one-call center for utility notification) not less than 2 working days prior to the start of any excavation for this project. The "Dig Line " Number for your area is &DIG-LINE-NUMBER
9. Please be advised that this drilling permit should be considered and treated as a preliminary permit. If you are in disagreement with this preliminary permit you have fourteen (14) days of the service date of this permit to petition the Department for reconsideration pursuant to Section 67-5243, Idaho Code.
10. The well tag for the drilling permit/start card shall be securely and permanently attached to the well casing through welding or by the use of four closed end domed stainless steel pop rivets. The tag attachment will be done at the time of completion of the well, and prior to removing the drill rig from the drill site.
11. As this is a replacement well, the well being replaced shall be abandoned by a plan approved by the Dept. which meets State minimum construction standards 2,12,1.
12. Applicant requests issuance of this Drilling Permit prior to approval of a Water Right or Transfer of a Water Right. Applicant acknowledges that by accepting a drilling permit and commencing construction he accepts all risk that the diversion of water from this well may not ultimately be approved for use.

Signature of Authorized Dept. Representative

SOUTHERN REGION MANAGER
Title

MICROFILMED

OCT 0 2 2001

Drilling permit No. 768021

Water right No. 36-02080

Transfer Application (#68561)

REQUEST FOR EXPEDITED ISSUANCE OF A DRILLING PERMIT

A+B Irrigation District, Applicant, requests issuance of a drilling permit prior to approval of a water right to withdraw water from the well.

The request is made for the following reason(s):

The existing well in 7-824 has a crooked bore and has been contaminated to an unknown extent by a mercury spill and therefore deemed unusable. A transfer application has been filed by the district but, construction time of the new well is running short, and request that you grant this expedited permit to allow the district to start drilling.

Applicant understands that the drilling permit does not constitute a water right and does not authorize diversion or use of water from the well.

Applicant acknowledges that by accepting a drilling permit and commencing construction he accepts all risk that the well may not ultimately be approved for use.

Date 2-16-01

Signature Dan Temple Mgr.

Applicant

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OCT 0 2 2001

Proof of Publication

The Post Register

RECEIVED
FEB 22 2001
Department of Water Resources
Southern Region

State of Idaho
County of Bonneville

I, ~~S. Bob Bright or~~ Robert Park, first being duly sworn, depose and say: That I am the ~~Production Supervisor or~~ Asst. Prod. Supervisor of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post Register, a newspaper of general circulation, published daily at Idaho Falls, Idaho; said Post Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the First day of November, 1931, and each of said newspapers have been published continuously and uninterruptedly, prior to consolidation, for more than twelve consecutive months and said Post Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post Register for 2 consecutive (days) weeks, first publication having been made on the 1ST day of FEBRUARY, 2001, last publication having been made on the 8TH day of FEBRUARY 2001 at the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Robert Park

Subscribed and sworn to before me, this 14TH day of FEBRUARY, 2001

Ivy Berry

~~Notary~~ Public

My commission expires January 10, 2003

IVY BERRY
NOTARY PUBLIC - IDAHO
My Commission Expires
January 10, 2003

OK
MB
2/27/01

See Reverse

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS

Notice is hereby given that Transfer No. 68561 by A & B IRRIGATION DISTRICT, PO BOX 675; RUPERT ID 83350 has been filed with the Department of Water Resources affecting seven (7) ground water rights diverting a total of 1100 cfs from 174 wells within Jerome and Minidoka Counties for irrigation of 1928.87 acres listed below by Right No., (Diversion Rate) and Priority Date:

36-02080 (1100.0 cfs)-09/09/1948
36-15127 (54.03 cfs)-04/01/1984
36-15192 (0.60 cfs)-04/01/1962
36-15193 (0.52 cfs)-04/01/1965
36-15194 (2.76 cfs)-04/01/1968
36-15195 (3.12 cfs)-04/01/1978
36-15196 (0.37 cfs)-04/01/1981

The applicant requests to abandon an existing contaminated well within NESE, S07, T08S, R24E and drill a replacement within either NWSW, S06 or SENW, S07; both T08S, R24E-Minidoka County for the diversion of 8.0 cfs. Any protest against the proposed changes must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite #200; Twin Falls ID 83301 together with a protest fee of $25.00 on or before February 20, 2001 to be considered by the Department in its decision to grant or deny any part of the proposed change. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director
Published: February 1, 8, 2001

JK
MB
2/27/01

Post Register
GOOD MORNING!

333 Northgate Mile
Idaho Falls, ID 83401
(208)522-1800
February 16, 2001

RECEIVED
FEB 22 2001
Department of Water Resources
Southern Region

DEPT. OF WATER RESOURCES
1341 FILLMORE ST. SUITE 200
TWIN FALLS, IDAHO 83301-3380
736-3033

Account # 546

Published: FEBRUARY 1, 8, 2001

Legal Notice: NOTICE OF PROPOSED TRANSFER NO. 68561
36-02080 et. al.

Please refer to Invoice # or Ad # 132204

PO #

TOTAL COST: $63.44 ok MB 2/27/01

PLEASE INCLUDE ACCOUNT # AND AD # WITH YOUR PAYMENT
THANK YOU

MICROFILMED
OCT 02 2001

AFFIDAVIT of PUBLICATION

RECEIVED

FEB 13 2001

Department of Water Resources
Southern Region

State of Idaho } ss.
County of Jerome }

Norma DeVoe, being first duly sworn, deposes and says that he/she is the printer (publisher) of the Jerome North Side News, a newspaper published every week in Jerome, County of Jerome, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 1st day of February, 2001, and the date of the last publication was on the 8th day of February, 2001.

Norma DeVoe

On this 8th day of February, in the year of 2001, before me, a Notary Public, personally appeared Norma DeVoe, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he/she executed the same.

SHELLEY STURGEON
Notary Public
State of Idaho

Shelley Sturgeon
Notary Public for Idaho
Residing at Jerome
My commission expires: 12/3/05

NORTH SIDE NEWS
Jerome, Idaho

error noted
MB 2/27/01

COST OF PUBLICATION

Number of Picas per Line _____
Number of Lines in Notice _____
Number of Insertions 2X

____	_____	Lines tabular at _____	8.0¢/Pica
____	420.75	Lines straight at 29.45	7.0¢/Pica
____	420.75	Subsequent lines at 25.25	6.0¢/Pica

Affidavit Fee: 2.50

TOTAL COST 57.20

COPY OF NOTICE

(Paste Here)

Changes - At Bdry.
TITLE OF NOTICE

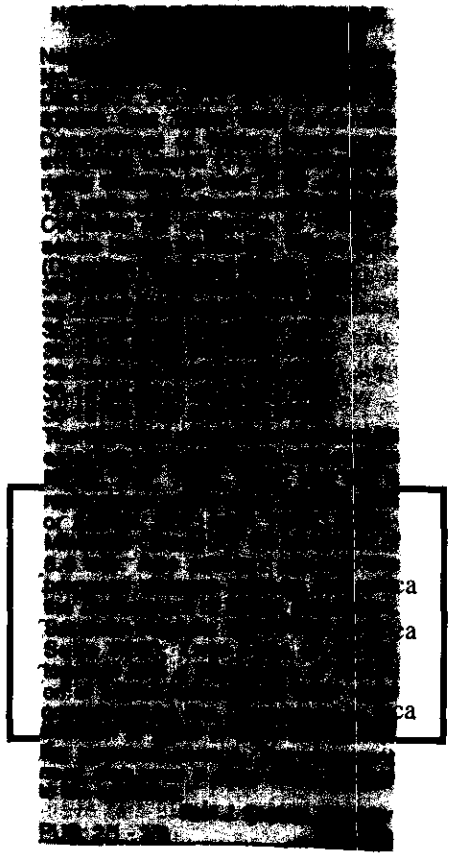
PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

IDWR

BILL TO



№ 8676

34366

MICROFILMED
OCT 02 2001

TRIBUNE PUBLISHING COMPANY, INC.
The Lewiston Morning Tribune
505 C St., P.O.Box 957
Lewiston, Idaho 83501
(208) 743-9411

Date 02/08/2001 INVOICE NO. 252078

Account No. 446620

Description 252078NOTICE OFPROPOSE

Times 2 Lines 48

Tab. Lines

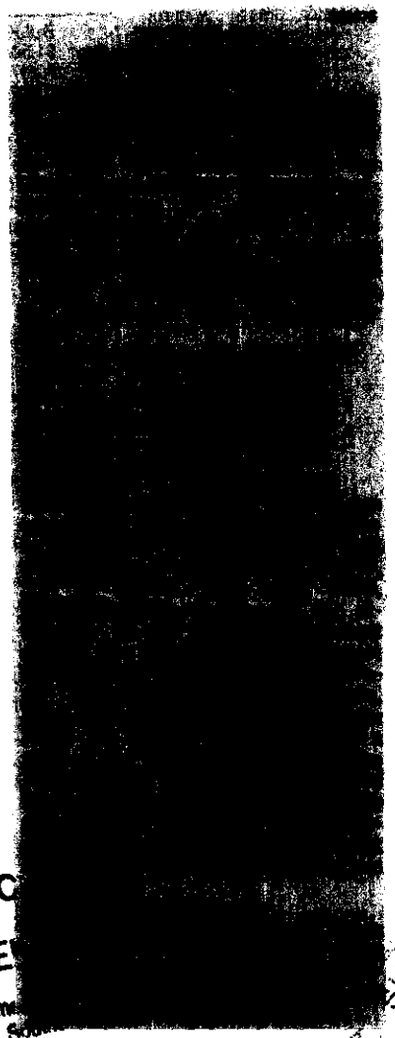
$ 71.76

LEGAL ADVERTISING INVOICE

SOLD TO: DEPT OF WATER RESOURCES
1341 FILLMORE STREET, SUITE 20
TWIN FALLS ID 833013380

NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer to Invoice by No. Only.

AFFIDAVIT OF PUBLICATION



Karen Lewis, being duly sworn, deposes and says, I am the Legal Clerk of the Tribune Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Idaho, publishers of the LEWISTON MORNING TRIBUNE, a newspaper of general circulation published at Lewiston, Nez Perce County, Idaho; That the said Lewiston Morning Tribune is an established newspaper and has been published regularly and issued regularly at least once a day for more than 21 consecutive years next immediately preceding the first publication of this notice, and has been so published uninterrupted for said period; that the 252078NOTICE OF attached hereto and which is made a part of this affadavit was published in the said Lewiston Morning Tribune, 2 time(s). Publication being on 02/01, or once a WEEK for 2 consecutive WEEK, the first publication thereof being on the 02/01/2001, and the last publication thereof being on the 02/08/2001, and said 252078NOTICE OF was so published in the regular and entire issue of said newspaper and was not in a supplement thereof and was so published in every issue and number of the said paper, during the period and times of publication as set forth above.

OK MD 2/27/01

Karen J Lewis

State of Idaho
S.S.
County of Nez Perce

On this 8th day of February in the year of 2001, before me, a Notary Public, personally appeared Karen J Lewis, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

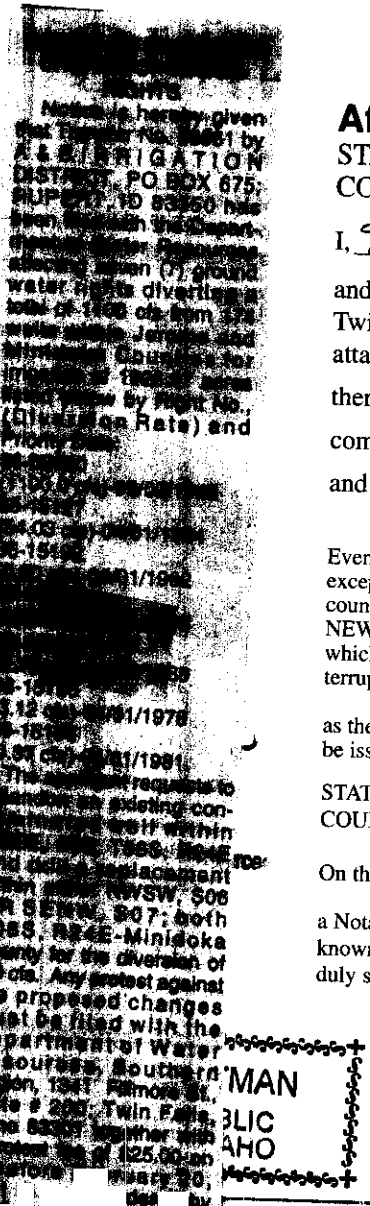
Sheral M. Lantz

Notary Public in and for the State of Idaho, residing at Lewiston, therein
Commission Expires June 4, 03

SHERAL M. LANTZ NOTARY PUBLIC STATE OF IDAHO

REC FE Departm

MICROFILMED
OCT 0 2 2001



Affidavit of Publication

STATE OF IDAHO }
COUNTY OF TWIN FALLS } SS.

№ 33358

I, Ruby Auderheide being first duly sworn upon oath, depose and say that I am principal clerk of the TIMES-NEWS, published daily at, Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper and not in any supplement thereof, for two consecutive weeks, commencing with the issue dated Feb 1, 2001, and ending with the issue dated Feb 8, 2001.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho to be issue thereof, Thursday is announced as the day on which said legal notices will be published.

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 8th day of February in the year 2001, before me, a Notary Public, personally appeared Ruby Auderheide, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Notary Public for Idaho
Residing at Twin Falls, Idaho.
My commission expires: 5/16/06

OK MB 2/9/01

MICROFILMED
OCT 0 2 2001

RETAIN FOR YOUR RECORDS

REMITTANCE ADDRESS	BILL TO
THE TIMES-NEWS - LEGAL P.O. BOX 548, TWIN FALLS ID 83303-0548	DEPT WATER RESOURCES

AD NUMBER	CLASS	SALESPERSON	BILLING DATE	LINES
296724	0050 LEGAL	5	02/08/01	63

AD DESCRIPTION	START DATE	STOP DATE
NOTICE OF PROPOSED CHANGE OF WATER	02/01/01	02/08/01

PUBLICATION	INSERTIONS	RATE	NET AMOUNT	GROSS AMOUNT
4 THE TIMES NEWS LEGAL	2	LGL	60.48	
TOTAL AD CHARGE			60.48	
4 AFFIDAVIT CHARGE		AFFID	2.00	
T#68561				
DAYS RUN				
PURCHASE ORDER #68561		PAY THIS AMOUNT	62.48	62.48*

MESSAGE:

OK
mb
2/9/01

RECEIVED
FEB 09 2001
Department of Water Resources
Southern Region

DETACH AND RETURN THIS PORTION WITH YOUR PAYMENT

THE TIMES-NEWS - LEGAL
P.O. BOX 548, TWIN FALLS, ID 83303-0548

#68561

AD NUMBER	CLASS	START DATE	STOP DATE
296724	050 LEGAL	02/01/01	02/08/01
AD DESCRIPTION: NOTICE OF PROPOSED CHANGE OF WATER		BILLING DATE: 02/08/01	TELEPHONE NUMBER: 208-736-3033

GROSS AMOUNT OF 62.48 DUE AFTER

__ VISA __ MASTERCARD

																EXPIRATION DATE: ___/___	SIGNATURE: _____

CREDIT CARD NUMBER

TOTAL AMOUNT DUE
62.48
ENTER AMOUNT ENCLOSED

DEPT WATER RESOURCES
1341 FILLMORE, SUITE 200
TWIN FALLS, ID 83301

MICROFILMED
OCT 02 2001

2040000000296724000000000000000062480000006248O

The Idaho
Statesman

P.O. Box 40, Boise, Idaho 83707-0040

LEGAL ADVERTISING PROOF OF PUBLICATION

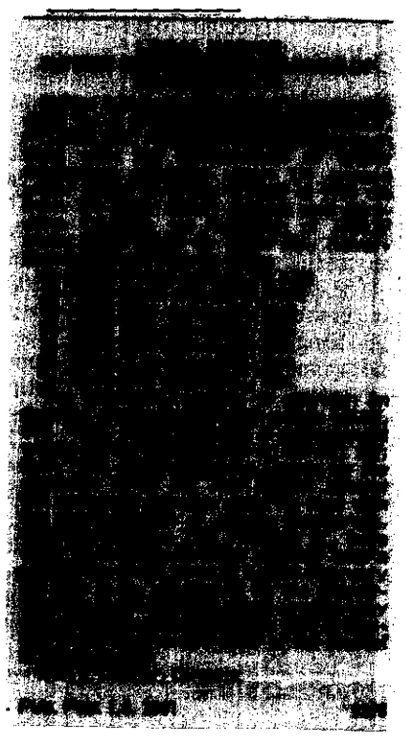
Account #	DTI#	Identification	Amount:
208-736-3033	396092	NOTICE OF PROPOSED CHANGE	$ 66.96

Ordered by:	P.O. #	Rate	Run Dates
MARY BALDWIN		NT	FEBRUARY 1, 8, 2001

IDAHO DEPT. WATER RESOURCES - SOUTH
1341 FILLMORE ST., SUITE 200
TWIN FALLS, IDAHO 83301-3380

Number of Lines: 41

Affidavit	Legal #
1	9398



JANICE HILDRETH, being duly sworn, deposes and says: That she is the Principal Clerk of *The Idaho Statesman,* a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in *The Idaho Statesman,* in conformity with Section 60-108, Idaho Code, as amended for: TWO

[X] consecutive weekly [ ] single
[ ] consecutive daily [ ] odd skip
insertion(s)

beginning with the issue of: FEBRUARY 1, 2001
and ending with the issue of: FEBRUARY 8, 2001

Janice Hildreth

STATE OF IDAHO)
)ss
COUNTY OF ADA

On this 8 day of FEBRUARY in the year of 2001 before me, a Notary Public, personally appeared before me Janice Hildreth known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

ok MB 2/9/01

SONDRA L. BRIGHTMAN NOTARY PUBLIC STATE OF IDAHO

Sondra L. Brightman

Notary Public for Idaho
Residing at: Boise, Idaho
My Commission expires: 6/20/06

RECEIVED
FEB 09 2001
Department of Water Resources
Southern Region

MICROFILMED
OCT 02 2001

SOUTH IDAHO PRESS
BURLEY, IDAHO
AFFIDAVIT OF PUBLICATION

County of Cassia)
) ss
STATE OF IDAHO)

Ruth Holmes, being first duly sworn, deposes a
is a legals clerk of the South Idaho Press, a
published at Burley, Idaho, in the county afores
paper is of general circulation therein. Deponer
that the printed notice attached hereto was
according to law in the regular editions of
Press for 2 consecutive week(s), com
issue dated January 29, 2001, and ending with
February 5, 2001.

Ruth Anne Holm

STATE OF IDAHO)
COUNTY OF)
MINIDOKA)

On this 5th day of February in the year of
me, a Notary Public, personally appeared Ruth
identified to me to be the person whose name is
within instrument, and being by me first duly swo
the statements therein are true, and acknowledge
executed the same.

Kay Moore
Notary Public for Idaho

Residing at: Paul, Idaho

My commission expires: 09-20-2001

Cost of Publication 54.34

Affidavit Fee 5.00

Total Cost 59.34

OK MB 2/7/01

RECEIVED
FEB 07 2001
Department of Water Resources
Southern Region

MICROFILMED
OCT 02 2001

SOUTH IDAHO PRESS
BURLEY, IDAHO
AFFIDAVIT OF PUBLICA

County of Cassia)
) ss
STATE OF IDAHO)

Ruth Holmes, being first duly sworn, deposes and says that she is a legals clerk of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of the South Idaho Press for 2 consecutive week(s), commencing with the issue dated January 29, 2001, and ending with the issue dated February 5, 2001.

Ruth Anne Holmes

STATE OF IDAHO)
COUNTY OF)
MINIDOKA)

On this 5th day of February in the year of 2001 before me, a Notary Public, personally appeared Ruth Holmes, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Kay Moore
Notary Public for Idaho

Residing at: Paul, Idaho

My commission expires: 09-20-2001

Cost of Publication 54.34

Affidavit Fee 5.00

Total Cost 59.34

OK
MB
2/7/01

RECEIVED
FEB 07 2001
Department of Water Resources
Southern Region

MICROFILMED
OCT 02 2001

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS

Notice is hereby given that Transfer No. 68561 by A & B IRRIGATION DISTRICT, PO BOX 675; RUPERT ID 83350 has been filed with the Department of Water Resources affecting seven (7) ground water rights diverting a total of 1100 cfs from 174 wells within Jerome and Minidoka Counties for irrigation of 1928.87 acres listed below by Right No., (Diversion Rate) and Priority Date:

36-02080 (1100.0 cfs)-09/09/1948
36-15127 (54.03 cfs)-04/01/1984
36-15192 (0.60 cfs)-04/01/1962
36-15193 (0.52 cfs)-04/01/1965
36-15194 (2.76 cfs)-04/01/1968
36-15195 (3.12 cfs)-04/01/1978
36-15196 (0.37 cfs)-04/01/1981

The applicant requests to abandon an existing contaminated well within NESE, S07, T08S, R24E and drill a replacement within either NWSW, S06 or SENW, S07; both T08S, R24E-Minidoka County for the diversion of 8.0 cfs. Any protest against the proposed changes must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite #200; Twin Falls ID 83301 together with a protest fee of $25.00 on or before February 20, 2001 to be considered by the Department in its decision to grant or deny any part of the proposed change. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the South Idaho Press on 01/29 & 02/05/01;North Side News, Idaho Statesman, Post Register, Lewiston Morning Tribune and Times News on 02/01 & 02/08/01.

MICROFILMED

OCT 0 2 2001

State of Idaho
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

January 18, 2001

MAGIC VALLEY PUBLISHING
ATTN: **North Side News**
PO BOX 468
JEROME ID 83338

Ladies and Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper.

We have inserted the required publication dates. If you cannot publish the notice on the proposed dates, please contact us immediately.

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

Very truly yours,

Mary Baldwin
Administrative Assistant

Enclosure

MICROFILMED
OCT 0 2 2001

State of Idaho
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

January 18, 2001

ATTN **LEGALS DEPT**
SOUTH IDAHO PRESS
230 E MAIN ST
BURLEY ID 83318

Ladies and Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper.

We have inserted the required publication dates. If you cannot publish the notice on the proposed dates, please contact us immediately.

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

Very truly yours,

Mary Baldwin
Administrative Assistant

Enclosure

MICROFILMED
OCT 0 2 2001

State of Idaho
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

January 18, 2001

ATTN **LEGALS DEPT**
IDAHO STATESMAN
PO BOX 40
BOISE ID 83707

Ladies and Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper.

We have inserted the required publication dates. If you cannot publish the notice on the proposed dates, please contact us immediately.

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

Very truly yours,

Mary Baldwin
Administrative Assistant

Enclosure

MICROFILMED
OCT 0 2 2001

State of Idaho
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

January 18, 2001

ATTN LEGALS DEPT
POST REGISTER
PO BOX 1800
IDAHO FALLS ID 83401

Ladies and Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper.

We have inserted the required publication dates. If you cannot publish the notice on the proposed dates, please contact us immediately.

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

Very truly yours,

Mary Baldwin
Administrative Assistant

Enclosure

MICROFILMED
OCT 0 2 2001

State of Idaho
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

January 18, 2001

ATTN **LEGALS DEPT**
LEWISTON MORNING TRIBUNE
505 C STREET
LEWISTON ID 83501

Ladies and Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper.

We have inserted the required publication dates. If you cannot publish the notice on the proposed dates, please contact us immediately.

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

Very truly yours,

Mary Baldwin
Administrative Assistant

Enclosure

MICROFILMED
OCT 0 2 2001

State of Idaho
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

January 18, 2001

ATTN **LEGALS DEPT**
TIMES NEWS
PO BOX 548
TWIN FALLS ID 83303-0548

Ladies and Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper.

We have inserted the required publication dates. If you cannot publish the notice on the proposed dates, please contact us immediately.

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

Very truly yours,

Mary Baldwin
Administrative Assistant

Enclosure

MICROFILMED
OCT 0 2 2001

Skinner, Corey

From: Merritt, Allen
Sent: Monday, October 23, 2000 9:33 AM
To: Southern Region
Subject: FW: A&B transfer

-----Original Message-----
From: Young, Norm
Sent: Monday, October 23, 2000 9:23 AM
To: Peppersack, Jeff
Cc: Merritt, Allen; Saxton, Glen
Subject: A&B transfer

Jeff: Roger Ling discussed the application and fee for the proposed location of one well in the A&B system. He indicated the diversion rate was 8 cfs for this well and that it is the only well serving this particular canal. He will fill out an application indicating the quantity of water as 8 cfs, showing the acres served and base the fee on 8 cfs. I told him that if there was a problem with this approach, I would call him back. Norm

Allen,

Transfer was advertised as one new well in one of two possible locations. A&B has ~~&~~ decided to drill the new well in the NESENW 1/4 SEC. 7 T08S, R24E. (see drilling permit #768021) TRANSFER APPROVAL SHOULD REFLECT ONLY ONE LOCATION FOR THE NEW WELL.

Corey

Single New P/D

MEMORANDUM

Date: October 23, 2000

To: New Transfer Application File for A and B Irrigation District

From: Jeff Peppersack

Re: Filing Fee for Transfer Application to Change Point of Diversion

The appropriate fee for a transfer application proposing to change the location of one of the points of diversion under Water Right No. 36-02080 (and associated expansion claims) should be based on the fee schedule provided under Section 42-221, Idaho Code. Senate Bill 1337 was recently enacted to amend this section to provide for increased fees. Fees for transfer applications are to be based on the quantity of water sought to be changed. In this case, the quantity sought to be changed should be based on the portion of the total rate used to serve the sub-system that includes the point of diversion to be changed as explained below.

Water Right No. 36-02080 (and associated expansion claims) authorizes 1100 cfs from ground water to be used for irrigation within the service area of the A and B Irrigation District. The A and B Irrigation District system consists of numerous separate irrigation systems. Each sub-system consists of one or more wells that can supply water to distinct parcels of land within the service area. Water Right No. 36-02080 was originally licensed as one right to include all the wells in the overall system rather than multiple rights based on each sub-system. Subsequent transfers to change a point of diversion within the system were treated similarly, maintaining one right to avoid confusion. The SRBA recommendation also maintained the right as a single right (expansion claims were treated as separate rights due to the difference in priority and acreage limitations).

It would not be practical, and would only serve to add confusion to split this right due to a transfer of one of the points of diversion within the system. The appropriate fee should be based on the amount of water used to service the parcels covered under the sub-system that includes the point of diversion to be changed. The quantity of water should be determined based on the historical quantity used to serve the sub-system or, if that information is not available, the proportion of acres served by the sub-system to the total acres authorized under the water right(s).

MICROFILMED

OCT 0 2 2001

Skinner, Corey

From: Peppersack, Jeff
Sent: Thursday, October 19, 2000 3:59 PM
To: Skinner, Corey
Subject: FW: Transfer Fee for A and B Irr. Dist. - Point of Diversion Change

Corey,
The attached messages summarize this fee issue. Norm was not comfortable with the split option. Give me a call when you get a chance to review this.
Jeff

Jeff: Let's see how many wells are involved in this A&B subsystem so we understand what we are asking of them. Norm

Norm,
The reason for basing the fee on the sub-system is an attempt to remain consistent with other transfer applications. As an example, If an owner has one water right with two POD's and wants to change the location of one, will we need to figure out the capacity of the one diversion before we can calculate fees? In most cases, the transfer will authorize the entire flow to be diverted at any diversion under the water right, so in effect, the change is based on the flow rate authorized, not the capacity of a single diversion. Let me know what you think.
Jeff

Jeff: I like the approach except maybe the idea of basing on the subsystem. Still seems to me that the only part being changed is the amount diverted at the point of diversion being moved. A&B, better than any other district in Idaho, has measurements of the rate and volume produced at every well. Norm

-----Original Message-----
From: Peppersack, Jeff
Sent: Thursday, October 19, 2000 8:55 AM
To: Young, Norm
Subject: Transfer Fee for A and B Irr. Dist. - Point of Diversion Change

Norm,
The attached memo addresses the fee issue for the application to be filed by A and B. If you think this is the way to proceed, I will finalize the memo and send a copy to Corey at Southern.

Jeff

Transfer_Fees.doc

Skinner, Corey

From: Peppersack, Jeff
Sent: Friday, October 13, 2000 1:36 PM
To: Skinner, Corey
Subject: A and B transfer

Corey,
I spoke with Pam about this transfer. She had one comment regarding the expansion claims. If the expansion claims were not included, it may not be noticeable now, but it could reduce their usefulness if more and more splits occurred in the future without including them. The volume on the expansion claims would be limited to the remainder diversions of the original right after successive splits. Theoretically, if the entire system were split up without including the expansion claims, the claims would be useless.

Just a thought for their consideration.

Jeff

State of Idaho
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

October 12, 2000

Dan Temple
A & B Irrigation District
P.O. Box 675
Rupert, ID 83350

Dear Mr. Temple:

Pursuant to your recent request please find a water right transfer application, along with instructions, for your reference and possible use.

I have also enclosed a partially completed application based on my understanding of your proposal. This partially completed application includes computer generated "Part 2s" that describe each of the water rights that would need to be involved with the transfer application. I have also included a couple of attachments, labeled "Attachment A" and "Attachment B". "Attachment A" summarizes the water rights involved with the transfer application and "Attachment B" is a list of all the points of diversion (wells) associated with the water rights involved with the transfer application. Note that the well you indicated you are having problems with is listed on "Attachment B", on page 2 of 4. You need to decide what you are going to do with this particular well (abandon or keep the well). There is also a place on the last page (page 4 of 4) of "Attachment B" to describe the location of the new well you are proposing to drill. There are also a few items that need to be completed on the application, if you decide to use the partially completed application. If you decide to prepare your own application, or have another party prepare an application for you, the partially completed application, along with the computer generated "part 2s" and attachments, should be useful in completing another application.

A copy of a map showing the new point of diversion, and if possible, all of your other points of diversion and your entire service area boundary, should be included with your application.

MICROFILMED

OCT 0 2 2001

As previously mentioned, I have included instructions for filing an application for transfer of a water right for your reference. The last page of these instructions lists the new (as of July 1, 2000) filing fee schedule for transfer applications. **Please note that the filing fee for a transfer application involving your water rights (1100 cfs) would be $7810.00.**

If you have any questions, or if I can be of any further assistance, feel free to contact me at your convenience. If you submit a transfer application, send it to our office, attention Corey Skinner. Since I have already started to review your water rights for this proposal, it would probably be most efficient if I continued with the preliminary review of your application.

Sincerely,

Corey Skinner, P.E.
Water Resource Engineer

Enclosures

MICROFILMED
OCT 0 2 2001

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

August 1, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

A & B IRRIGATION DISTRICT
PO BOX 675
RUPERT ID 83350

RE: Water Right Nos. 36-02080/36-15127/36-15192/36-15193/36-15194/
36-15195/36-15196 (Transfer No. 4966)

Dear Water Right Holder(s):

Enclosed is a copy of your approved Transfer of Water Rights for the above referenced water rights (Transfer No. 4966). Please be sure to thoroughly read the Conditions and Remarks listed on the transfer. Also, please be advised that the accompanying transfer approval should be considered and treated as a **preliminary order** of the department issued pursuant to section 67-5243, Idaho Code. Enclosed are instructions for responding to **Preliminary Orders** if you are in disagreement with the approved transfer.

As of July 1, 1996, all water right owners are required to report any change in water right ownership and any change of mailing address to the department.

> If you have acquired any other water right or have changed your mailing address **PRIOR TO** July 1, 1996, you have until July 30, 1998, to record the ownership and/or address change with the department.
>
> If you acquired other water rights or changed your mailing address **AFTER** July 1, 1996, you must notify the department within 120 days of the change.

Failure to report these changes in a timely manner could result in a $100 late filing fee. You can contact any office of the department for more information. If you have any questions concerning your water right listed above you can contact me at (208) 327-7947.

Sincerely,

JIM JOHNSON, Manager
Water Right Permits Section

JJ:klt

Enclosures

MICROFILMED
SEP 1 1 1997

CERTIFICATE OF MAILING

I hereby certify that on the 1st day of August, 1997, I mailed a true and correct copy, postage prepaid, of the foregoing **TRANSFER APPROVAL** to the person(s) listed below:

WATER RIGHT NOS. 36-02080/36-15127/36-15192/36-15193/36-15194/
35/15195/36-15196 (Transfer No. 4966)

A & B IRRIGATION DISTRICT
PO BOX 675
RUPERT ID 83350

Kari Lynn Townsend
Secretary

MICROFILMED
SEP 11 1997

MEMORANDUM

TO: FILE NOS. 36-02080/15127/15192-96

FROM: PAM SKAGGS/STATE OFFICE

SUBJECT: TRANSFER NO. 4966

DATE: July 15, 1997

==========

Transfer No. 4966 adds a point of diversion within the NENESW, S09, T09S, R22E under Right No. 36-02080, 36-15127 and 36-15192-96. The transfer is based on these rights as recommended in the SRBA Basin 36 Director's Report and previously transferred under Transfer No. 4036.

The new well was drilled under Drilling Permit No. 36-94-S-0292-000 and is identified by the applicant as 9C 922. Recommended conditions include irrigation overlap, non-confirmation of claims, multiple points of diversion/measuring devices, permissible place of use, combined limits, West ESPA Water Measurement District, reporting requirement and standard transfer conditions.

MICROFILMED

SEP 1 1 1997

TRANSFER REVIEW SHEET
(06-97)

Transfer # 4966 **Date Reviewed** 07-08-97 GB

Right(s) X36-020820-24 _____ _____ _____ SRBA Basin 36 Directors Report - Transferred TR#4036
X36-15127/15192/15193/15194/15195/15196 "X" prefix records
_____ _____ _____ _____

✓ ~~Print~~ **Split Summary** N/A **Run POU Comparison Report**

B:Change P/D **C:**Add P/D **D:**Change P/U **E:**Change Nature of Use
F:Change Period of Use **G:**Other **H:**Change P/D & Add P/D
I:Change P/D & P/U **J:**Add P/D & Change P/U

Proof of Ownership NA - P/D change only

Transfer ✓ **All of Right** _____ **Portion of Right**
Resulting Split(s) NONE

Check Transfer Against Recorded Right **Season/Vol.** C/4.0

(1) ✓ **Priority** **(2)** ✓ **Use** **(3)** ✓ **Season** **(4)** ✓ **Rate** **(5)** ✓ **Volume**

(6) ✓ **Source** **(7)** ___ **P/D** **(8)** ✓ **P/U** **(9)** NA **Proof/Owner** **(10)** ✓ **Map**

(11) ✓ **Water District** Reporting Basin West Water Measurement Dist. **(12)** Yes **Pertinent Conditions** Carry existing conditions C46 **(13)** No **Expansion** New Well Combined Limits

(7) Add P/D 9S 22E Sec 9 NENESW

Existing Well 36-94-S 0292 -000

Transfer Remarks 2 P/Ds in NENESW P/U ea. rt. 06W, 67A
Conditions R31, T01, T07, T08 T09, T17

Database/Processing Notes **Standard** _____ **Non-Standard** ✓
Special edit approval - _____ / Comment to base WR
Copy X36-020820-24 to T files edit for approval form. / Delete original & replace when transfer is approved. ~~Edit remarks on each AJ "X" to include 2nd P/D.~~
ALL RTS. on "T Files" - Copy to 'X' when approved Delete original "X" records.

Pccommon File ~~Abstd~~ **Transfer Memo Complete** ✓
File Deleted _____ **Database Updated** 08-01-97 GB

Form 222a
6/78

T# 4966

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: AD Date

1. Right number _____ Applicant ATO

2. Type of right: ☐ Decree ☐ License ☐ Claim

3. Purpose of transfer: ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
   ☐ Other _____

4. Check:
   a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
   b. ☒ Description of original point of diversion. ← This only deals with one duct of many
   c. ☒ Description of original place of use. — No Change

5. Amount of land &/or water transferred:
   a. ☒ All of right.
   b. ☐ Part of right *(NOTE! Part B should be filled in only if part of the right is owned by the applicant).*
   c. ☒ Check description of point(s) of diversion. ← other numerous wells not listed part of
   d. ☒ Check description of place of use. — No Change
   e. ☒ Check map (shows p.d. and p.u. after transfer). — Not submitted
   f. ☒ Check for correct signature, notarization, and fee.
   g. ☒ Check proof of ownership of right &/or land from which water is transferred. — N/A
   h. ☒ Check for expansion in use of right. Comments None
   i. ☒ Check for existing water rights from same source, on land water is being transferred to.
      Right number(s) N/A
   j. ☒ Is use within a Watermaster District? ☐ Yes ☒ No
      If yes, what district? _____

FINAL PROCESSING REVIEW BY: AD

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

RECEIVED
FEB 0 3 1997
Department of Water Resources

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny
3. Conditions* See memo 1/30/97
4. By AD Date 1/30/97

** All uses within Watermaster Districts require special conditions.*

T# 4966

RECEIVED

FEB 0 3 1997

Department of Water Resources

FROM: Allen Merritt DATE: January 30, 1997

TO: Transfer File No. 4966
In the Name of: A&B Irrigation District

SUBJECT: Review and Recommendation

This transfer was processed without protest.

This transfer proposes to add 1 well to rights which are presently diverted from a complex diversion system which includes numerous other wells. The legal description of the new well is already included on the rights as recommended in the SRBA since a well already exists in that tract. A second well was drilled nearby to replace the first well but after testing it was determined that both wells would continue to be used. The transfer was filed to record the second well. The SRBA recommendations should be changed to reflect two wells in the tract.

RECOMMENDATION:

I recommend that the transfer be approved subject to standard type conditions:

-Subject to SRBA.
-Measuring device be maintained at the wells and use reported.
-The diversion capacity of all wells and associated rights in system limited to a total of 1100 cfs.

MICROFILMED

SEP 1 1 1997

Proof of Publication

The Post-Register

OK MB 1/17/97

State of Idaho,
County of Bonneville } ss

I, ..., first being duly sworn, depose and say: That I am the ..... of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931, and each of said newspapers have been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eight (78) weeks and said Post-Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post-Register for ..... two ..... consecutive weeks, first publication having been made on the ..... 26th ..... day of ..... December ....., 19 96 ., last publication having been made on the ..... 2nd ..... day of ..... January ....., 19 97 .., and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Bob Boyle

Subscribed and sworn to before me, this ..... 8th ..... day of ..... January ....., 19 97 ....

Patricia O'Malley

Notary Public

My commission expires ~~Jan 3~~ 2003, ~~19~~ ....

B10

STATE OF IDAHO * PATRICIA O'MALLEY * NOTARY PUBLIC

RECEIVED

JAN 16 1997

Department of Water Resources
Southern Idaho Area

SCANNED

SEP 11 1997

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

Notice is hereby given that A & B IRRIGATION DISTRICT, PO BOX 675; RUPERT ID 83350 has filed a transfer application pursuant to Section 42-222 of IDAHO CODE. The purpose of Transfer No. 4966 is to record adding a new well as a point of diversion to a system which has 177 wells and which involves multiple water rights. The new well is located within NE1/4SW1/4, S9, T9S, R22E; Minidoka County. A total of 178 wells located within T07S, R23, 24 & 25E; T08S, R21, 22, 23, 24 & 25E; T09S, R21, 22 & 23E; T10S, R21 & 22E has a combined total of 1100 cfs which is used for the irrigation of 62,604.3 acres in T07,08, 09 & 10S, R21, 22 23, 24 & 25E located within both Minidoka and Jerome Counties.

Water Rt No.	Priority
36-02080	9/9/1948
36-15127	4/1/1984
36-15192	4/1/1962
36-15193	4/1/1965
36-15194	4/1/1968
36-15195	4/1/1978
36-15196	4/1/1981

Any protest against approval of the proposed changes must be filed with the Department of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 together with a protest fee of $25.00 on or before January 13, 1997. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Post Register on 12/26/96 & 1/2/97.

OK
NB
1/17/97

MICROFILMED
JAN 17 1997

The Post Register
333 Northgate Mile
Idaho Falls, ID 83401
(208) 522-1800

January 14, 1997

ACCOUNT #06570

RECEIVED
JAN 16 1997
Department of Water Resources
Southern Region

State of Idaho
Department of Water Resources
1341 Filmore Street Suite 200
Twin Falls, ID 83301

PUBLISHED:December 26th 1996 & January 2nd, 1997.

LEGAL NOTICE:Notice of proposed change of water 36-02080 et al A & B irrigation.
TR# 4966

PO # na

TOTAL COST:$49.92

OK MB 1/17/97

MICROFILMED
SEP 11 1997

TRIBUNE PUBLISHING COMPANY, INC.
The Lewiston Morning Tribune
505 C St., P.O.Box 957
Lewiston, Idaho 83501
(208) 743-9411

Date 12/12/96 INVOICE NO. 131143

Account No. 446620

Description noticeofproposed

Times 2 Lines 39

Tab. Lines

$ 53.63

DEC 20 1996

Department of Water Resources

OK MB 12/31/96

LEGAL ADVERTISING INVOICE

SOLD TO: DEPT OF WATER RESOURCES
222 SHOSHONE ST E
TWIN FALLS ID 83301

NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer to Invoice by No. Only.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

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Water Right No.	Priority
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Karl J. Dreher, Director

Published in the Lewiston Morning Tribune on 12/5 & 12/12/96.

OK

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, ss.
County of Nez Perce

Karen Lewis, being duly sworn, deposes and says, I am the Legal Clerk of the Tribune Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Idaho, publishers of the LEWISTON MORNING TRIBUNE, a newspaper of general circulation published at Lewiston, Nez Perce County, Idaho; That the said Lewiston Morning Tribune is an established newspaper and has been published regularly and issued regularly at least once a day for more than 21 consecutive years next immediately preceding the first publication of this notice, and has been so published uninterrupted for said period; that the noticeofpropose attached hereto and which is made a part of this affadavit was published in the said Lewiston Morning Tribune, 2 time(s). Publication being on 12/05, or once a WEEK for 2 consecutive WEEK, the first publication thereof being on the 12/05/96, and the last publication thereof being on the 12/12/96, and said noticeofpropose was so published in the regular and entire issue of said newspaper and was not in a supplement thereof and was so published in every issue and number of the said paper, during the period and times of publication as set forth above.

Karen J. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS THE 12

day of December 1996

Notary Public in and for the State of Idaho,
residing at Lewiston, therein
Commission Expires 7/27

DEC 2 0 1996

partment of Water Resources

The Idaho Statesman

P.O. BOX 40, BOISE, IDAHO 83707-0040

LEGAL ADVERTISING INVOICE

Amount Due: $88.50

Account Number/Trans. #	Identification		
100632	Notice of Proposed Change of Water Right A & B Irrigation District		
Ordered By	**P.O. Number**	**Rate**	**Run Dates**
Mary Baldwin		NT	December 5, 12, 1996

Mary Baldwin
IDAHO DEPARTMENT OF WATER RESOURCES
Southern Region
222 Shoshone St. E.
Twin Falls ID 83301

Estimated Inches	Real Inches
# Affidavits	**Legal Number**
1	6418

LEGAL NOTICE

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

Notice is hereby given that A & B IRRIGATION DISTRICT, PO BOX 675; RUPERT ID 83350 has filed a transfer application pursuant to Section 42-222 of IDAHO CODE. The purpose of Transfer No. 4966 is to record adding a new well as a point of diversion to a system which has 177 wells and which involves multiple water rights. The new well is located within NE1/4SW1/4, S9, T9S, R22E; Minidoka County. A total of 178 wells located within T07S, R23, 24 & 25E; T08S, R21, 22, 23, 24 & 25E; T09S, R21, 22 & 23E; T10S, R21 & 22E has a combined total of 1100 cfs which is used for the irrigation of 62,604.3 acres in T07,08, 09 & 10S, R21, 22 23, 24 & 25E located within both Minidoka and Jerome Counties.

Water Right No.	Priority Date
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36-15127	4/1/1984
36-15192	4/1/1962
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36-15194	4/1/1968
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36-15196	4/1/1981

Any protest against approval of the proposed changes must be filed with the Department of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 together with a protest fee of $25.00 on or before December 23, 1996. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Pub. December 5 & 12, 1996

6418

LINDA PORTER, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto; that said notice was published in The Idaho Statesman in conformity with Section 60-108, Idaho Code as amended, for Two

☒ consecutive weekly ☐ single

☐ consecutive daily ☐ odd skip

insertion(s) beginning with the issue of December 5, 1996

and ending with the issue of December 12, 1996

Linda Porter

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

On this 12th day of December in the year of 1996, before me, a Notary Public, personally appeared LINDA PORTER known or identified to me to be the person whose name subscribed to the within instrumer and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

JANIE MODIE NOTARY PUBLIC STATE OF IDAHO

Janie Modie

Notary Public for Idaho
Residing at: Boise, Idaho
My commission expires: 5/97

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

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Karl J. Dreher, Director

Published in the Times News on 12/5 & 12/12/96.

Affidavit of Publication

STATE OF IDAHO }
COUNTY OF TWIN FALLS } SS.

DEC 20 1996

No 28852

I, Emily McKnight, being first duly sworn upon oath, depose and say that I am Principle Clerk of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for ~~two~~ ~~consecutive~~ days,

commencing with the issue dated December 5, 19 96,

and ending with the issue dated December 12, 19 96.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 12th day of Dec in the year of 1996, before me,

a Notary Public, personally appeared Emily McKnight,

known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Notary Public for Idaho
Residing at Twin Falls, Idaho.
My commission expires: 3/19/2000

OK MB 12/31/96

RETAIN THIS PORTION FOR YOUR RECORDS

REMITTANCE ADDRESS	BILL TO
THE TIMES-NEWS - LEGAL P.O. BOX 548, TWIN FALLS, ID 83303-0548	DEPT WATER RESOURCES

AD NUMBER	CLASS	SALESPERSON	BILLING DATE	LINES
94963	0050 LEGAL	5	11/27/96	0

AD DESCRIPTION: Water right A&B Irrigation District (T# 4966 (36-02080 et al)

START DATE: 11/27/96 STOP DATE: 11/27/96

PUBLICATION	INSERTIONS	RATE	NET AMOUNT	GROSS AMOUNT
4 THE TIMES NEWS LEGAL	1	LGL		
FLAT CHARGE		FC	50.96	
TOTAL AD CHARGE			50.96	

DAYS RUN

PURCHASE ORDER: legal

PAY THIS AMOUNT 50.96 50.96*

CK MB 12/3

MESSAGE:

DEC 20 1996

Department of [illegible]

DETACH AND RETURN THIS PORTION WITH YOUR PAYMENT

THE TIMES-NEWS - LEGAL

P.O. BOX 548, TWIN FALLS, ID 83303-0548

legal

AD NUMBER	CLASS	START DATE	STOP DATE
94963	050 LEGAL	11/27/96	11/27/96
AD DESCRIPTION: Water right A&B Irrigation District		BILLING DATE: 11/27/96	TELEPHONE NUMBER: 208-736-3033

GROSS AMOUNT OF 50.96 DUE AFTER

__ VISA __ MASTERCARD EXPIRATION DATE: ___/___ SIGNATURE: _____

CREDIT CARD NUMBER

TOTAL AMOUNT DUE: 50.96

ENTER AMOUNT ENCLOSED: $

MICROFILMED SEP 11 1997

DEPT WATER RESOURCES
222 SHOSHONE EAST
TWIN FALLS, ID 83301

2040000000094963000000000000005096000005096

AFFIDAVIT of PUBLICATION

State of Idaho } ss.
County of Jerome }

DEC 16 1996

Department of Water Resource
Southern Region

Patty Nance, being first duly sworn, deposes and says that she is the printer (publisher) of the Jerome North Side News, a newspaper published every week in Jerome, County of Jerome, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 4 day of Dec., 19 96, and the date of the last publication was on the 11 day of Dec., 19 96

Patty Nance

Subscribed and sworn to before me this 12th day of December, 1996.

(SEAL)

Norma DeVoe
NOTARY PUBLIC

12549/7056

NORTH SIDE NEWS
Jerome, Idaho

OK
MB
12/31/96

COST OF PUBLICATION

Number of Picas per Line _____
Number of Lines in Notice _____
Number of Insertions 21
Affidavit Fee $2.25

_____	Lines tabular at	_____	6¢/Pica
488.81	Lines straight at	24.44	5¢/Pica
488.81	Subsequent lines at	19.55	4¢/Pica
	TOTAL COST	46.24	

COPY OF NOTICE

(Paste Here)

Chg. Water Right 36-02080

TITLE OF NOTICE 36-02080

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

A & B Irr. Dist.

BILL TO

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

Notice is hereby given that A & B IRRIGATION DISTRICT, PO BOX 675; RUPERT ID 83350 has filed a transfer application pursuant to Section 42-222 of IDAHO CODE. The purpose of Transfer No. 4966 is to record adding a new well as a point of diversion to a system which has 177 wells and which involves multiple water rights. The new well is located within NE1/4SW1/4, S9, T9S, R22E; Minidoka County. A total of 178 wells located within T07S, R23, 24 & 25E; T08S, R21, 22, 23, 24 & 25E; T09S, R21, 22 & 23E; T10S, R21 & 22E has a combined total of 1100 cfs which is used for the irrigation of 62,604.3 acres in T07,08, 09 & 10S, R21, 22 23, 24 & 25E located within both Minidoka and Jerome Counties.

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36-15196	4/1/1981

Any protest against approval of the proposed changes must be filed with the Department of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 together with a protest fee of $25.00 on or before December 23, 1996. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the North Side News on 12/4 & 12/11/96.

4577

SOUTH IDAHO PRESS
BURLEY, IDAHO
AFFIDAVIT OF PUBLICATION

County of Cassia)
) ss
STATE OF IDAHO)

Amy Cantrell, being first duly sworn, deposes and says that she is the Legals clerk at the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of the South Idaho Press for 2 consecutive week(s), commencing with the issue dated December 19 96, and ending with the issue dated December 19 96.

Amy Cantrell

STATE OF IDAHO)
COUNTY OF)
MINIDOKA)

On this 10th day of December in the year of 1996 before me, a Notary Public, personally appeared Amy Cantrell, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Dawn K Burns
Notary Public for Idaho

Residing at: Rupert, Idaho

My commission expires: 6-28-2000

Cost of Publication 43.20
Notary Fee 50
Total Cost 43.70

RECEIVED
DEC 16 1996
Department of Water Resource
Southern Region

OK
NB
12/9/96

MICROFILMED
SEP 11 1997

96-871

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

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Karl J. Dreher, Director

Published in the South Idaho Press December 2, and 9, 1996.

State of Idaho
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

December 19, 1996

VIRGIL D TEMPLE MGR
A & B IRRIGATION DIST
PO BOX 675
RUPERT ID 83350

Re: Application for Transfer No. 4966 (36-02080 ET AL)

Dear Applicants:

We regret to inform you that the legal advertising of your application in the Post Register was not published as anticipated due to an error by the newspaper.

Therefore, publication has been re-scheduled for 12/26/96 & 1/2/97; the last date for the timely submittal of protests is January 13, 1997.

We apologize for any inconvenience this delay may have caused you. If you have any questions or if this office can be of further assistance, please feel free to contact us.

Sincerely,

Mary A. Baldwin
Senior Secretary

MB

MICROFILMED
SEP 1 1 1997

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Karl J. Dreher, Director

Published in the Post Register on 12/26/96 & 1/2/97.

MICROFILMED
SEP 1 1 1997

State of Idaho
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

December 18, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

ATTENTION-KATHY-LEGALS
POST REGISTER
PO BOX 1800
IDAHO FALLS ID 83402

Gentlemen:

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

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

If you cannot publish the notice on the proposed dates, please contact us immediately.

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

Very truly yours,

Mary Baldwin
Sr. Secretary

Enclosure

MICROFILMED
SEP 1 1 1997

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Karl J. Dreher, Director

Published in the Post Register on 12/26/96 & 1/2/97.

RECEIVED
SEP 1 1 1997

MEMORANDUM

TO: File (TR # 4966, 4968)

FROM: Mary Baldwin

DATE: December 18, 1996

SUBJECT: Publication in the Post Register

Received a t/c from Kathy of the Post Register on 12/17/96 that due to her absence from their office, the camera ready legals submitted for publication on 12/5 & 12/12/96 were not published.

Therefore, new legals were sent and publication scheduled for 12/26/96 & 1/2/97 with the last date for the submitting of timely protests on 1/13/97.

SEP 11 1997

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

Notice is hereby given that A & B IRRIGATION DISTRICT, PO BOX 675; RUPERT ID 83350 has filed a transfer application pursuant to Section 42-222 of IDAHO CODE. The purpose of Transfer No. 4966 is to record adding a new well as a point of diversion to a system which has 177 wells and which involves multiple water rights. The new well is located within NE1/4SW1/4, S9, T9S, R22E; Minidoka County. A total of 178 wells located within T07S, R23, 24 & 25E; T08S, R21, 22, 23, 24 & 25E; T09S, R21, 22 & 23E; T10S, R21 & 22E has a combined total of 1100 cfs which is used for the irrigation of 62,604.3 acres in T07,08, 09 & 10S, R21, 22 23, 24 & 25E located within both Minidoka and Jerome Counties.

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Karl J. Dreher, Director

Published in the South Idaho Press on 12/2 & 12/9/96.

IDAHO DEPARTMENT OF WATER RESOURCES
SOUTH[illegible]N REGION
222 SH[illegible]ONE ST E
TWIN FALLS ID 83301
(208) 736-3033 Fax 736-3037

PHILIP E BATT
GOVERNOR

KARL J DREHER
DIRECTOR

November 22, 1996

SOUTH IDAHO PRESS
PO BOX 190
BURLEY ID 83318

Gentlemen:

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

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

If you cannot publish the notice on the proposed dates, please contact us immediately.

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

Very truly yours,

Mary Baldwin
Sr. Secretary

Enclosure

MICROFILMED
SEP 1 1 1997

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Karl J. Dreher, Director

Published in the North Side News on 12/4 & 12/11/96.

MICROFILMED
SEP 11 1997

IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
222 SHOSHONE ST E
TWIN FALLS ID 83301
(208) 736-3033 Fax 736-3037

PHILIP E BATT
GOVERNOR

KARL J DREHER
DIRECTOR

November 22, 1996

NORTH SIDE NEWS
PO BOX 468
JEROME ID 83338

Gentlemen:

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

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

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Mary Baldwin
Sr. Secretary

Enclosure

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SEP 11 1997

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Karl J. Dreher, Director

Published in the Idaho Statesman on 12/5 & 12/12/96.

IDAHO DEPARTMENT OF WATER RESOURCES
SOUTH[illegible] REGION
222 SHO[illegible]HONE ST E
TWIN FALLS ID 83301
(208) 736-3033 Fax 736-3037

PHILIP E BATT
GOVERNOR

KARL J DREHER
DIRECTOR

November 22, 1996

IDAHO STATESMAN
PO BOX 40
BOISE ID 83707

Gentlemen:

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

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

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Sr. Secretary

Enclosure

[illegible]
SEP 1 1 1997

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Karl J. Dreher, Director

Published in the Lewiston Morning Tribune on 12/5 & 12/12/96.

IDAHO DEPARTMENT OF WATER RESOURCES
SOUTH[illegible] REGION
222 SHOSHONE ST E
TWIN FALLS ID 83301
(208) 736-3033 Fax 736-3037

PHILIP E BATT
GOVERNOR

KARL J DREHER
DIRECTOR

November 22, 1996

LEWISTON MORNING TRIBUNE
606 C STREET
LEWISTON ID 83501

Gentlemen:

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

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Sr. Secretary

Enclosure

[illegible]
SEP 11 [illegible]

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Karl J. Dreher, Director

Published in the Times News on 12/5 & 12/12/96.

IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHI ' REGION
222 SHO..ONE ST E
TWIN FALLS ID 83301
(208) 736-3033 Fax 736-3037

PHILIP E BATT
GOVERNOR

KARL J DREHER
DIRECTOR

November 22, 1996

TIMES NEWS
PO BOX 548
TWIN FALLS ID 83301

Gentlemen:

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

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Mary Baldwin
Sr. Secretary

Enclosure

SEP 1 1 '97

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Karl J. Dreher, Director

Published in the South Idaho Press on 12/2 & 12/9/96.
Published in the North Side News on 12/4 & 12/11/96.
Published in the Idaho Statesman, Post Register, Lewiston Morning Tribune, & Times News on 12/5 & 12/12/96.

OK

IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
222 SHOSHONE ST E
TWIN FALLS ID 83301
(208) 736-3033 Fax 736-3037

PHILIP E BATT
GOVERNOR

KARL J DREHER
DIRECTOR

November 22, 1996

VIRGIL D TEMPLE
A & B IRRIGATION DISTRICT
PO BOX 675
RUPERT ID 83350

Re: Application for Transfer No. 4966 (36-2080, 36-15127, 15192, 36-15193, 36-15194, 36-15195, & 36-15196)

Dear Mr. Temple:

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

Since your application involves the diversion of 10.0 cfs or greater as specified in Sections 42-203A & 42-222 of the Idaho Code, the Department is required to publish notice of your application in the newspaper designated for the county in which the point of diversion is located as well as the major newspaper in **each** of the Department of Water Resources adminstrative regions.

Therefore, this office has scheduled advertising the application as follows:

South Idaho Press on 12/2 & 12/9/96.
North Side News on 12/4 & 12/11/96.
Idaho Statesman, Post Register, Lewiston Morning Tribune, & Times News on 12/5 & 12/12/96.

The advertisement(s) will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests. **The final date for the submitting of protests will be December 23, 1996.**

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

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

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

Very truly yours,

Allen D. Merritt, P.E.
Regional Manager

Form 238-7
4/92

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

USE TYPEWRITER OR BALLPOINT PEN

WELL DRILLER'S REPORT

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

1. WELL OWNER

Name A+B Irrigation District
Address P.O. Box 675 Rupert ID
Drilling Permit No. 36-94-S-0278 ~~-188~~ -881
Water Right Permit No. 36-02080

2. NATURE OF WORK

☐ New well ☑ Deepened ☐ Replacement
☐ Well diameter increase ☐ Modification
☐ Abandoned (describe abandonment or modification procedures such as liners, screen, materials, plug depths, etc. in lithologic log, section 9.)

3. PROPOSED USE

☐ Domestic ☑ Irrigation ☐ Monitor
☐ Industrial ☐ Stock ☐ Waste Disposal or Injection
☐ Other _____ (specify type)

4. METHOD DRILLED

☐ Rotary ☐ Air ☐ Auger ☐ Reverse rotary
☑ Cable ☐ Mud ☐ Other _____ (backhoe, hydraulic, etc.)

5. WELL CONSTRUCTION

Casing schedule: ☐ Steel ☐ Concrete ☐ Other _____

Thickness	Diameter	From	To
_____ inches	_____ inches	+ _____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Was casing drive shoe used? ☐ Yes ☐ No
Was a packer or seal used? ☐ Yes ☐ No
Perforated? ☐ Yes ☐ No
How perforated? ☐ Factory ☐ Knife ☐ Torch ☐ Gun
Size of perforation? _____ inches by _____ inches

Number	From	To
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet

Well screen installed? ☐ Yes ☐ No
Manufacturer _____ Type _____
Top Packer or Headpipe _____
Bottom of Tailpipe _____

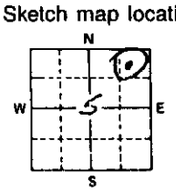
Diameter ____ Slot size ____ Set from ____ feet to ____ feet
Diameter ____ Slot size ____ Set from ____ feet to ____ feet
Gravel packed? ☐ Yes ☐ No ☐ Size of gravel _____
Placed from _____ feet to _____ feet

Surface seal depth ___ Material used in seal: ☐ Cement grout ☐ Bentonite ☐ Puddling clay ☐ _____
Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing ☐ Overbore to seal depth
Method of joining casing: ☐ Threaded ☐ Welded ☐ Solvent Weld ☐ Cemented between strata

Describe access port _____

6. LOCATION OF WELL

Sketch map location **must** agree with written location.



Subdivision Name _____
Lot No. _____ Block No. _____
County Minidoka
Address of Well Site 990 N. 575 E. (give at least name of road)
NE ¼ NE ¼ Sec. 5, T. 8 N ☐ or S ☑, R. 25 E ☑ or W ☐

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7. WATER LEVEL

Static water level 220 feet below land surface.
Flowing? ☐ Yes ☑ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature 57 °F. Quality clear, odorless
Describe artesian or temperature zones below.

8. WELL TEST DATA

☐ Pump ☐ Bailer ☐ Air ☐ Other _____

Discharge G.P.M.	Pumping Level	Hours Pumped

9. LITHOLOGIC LOG

Bore Diam.	Depth From	Depth To	Material	Water Yes	Water No
10"	278	296	Hard Grey Lava		✓
10	296	305	red Cinders	✓	
10	305	324	Black Lava	✓	
10	324	331	Porous Black lava	✓	
10	331	334	Red + Black Lava	✓	
10	334	344	Hard Black Lava		✓
10	344	357	Porous Black Lava (lost 70%)	✓	
10	357	363	Hard Black Lava (cuttings)		✓
10	363	367	Red + Black Lava	✓	
10	367	372	Porous Black Lava	✓	
10	372	393	Hard Black Lava		✓
10	393	408	Light Brown Clay		✓
10	408	410	Hard Black Lava		✓

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10.

Work started Nov. 2, 1994 finished Dec. 14, 1994

11. DRILLER'S CERTIFICATION

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

Firm Name Arlo P Lloyd drilling Firm No. 102
Address Elba Ida Date Jan 4 1995
Signed by Drilling Supervisor Arlo P Lloyd
and
(Operator) _____
(If different than the Drilling Supervisor)

USE ADDITIONAL SHEETS IF NECESSARY — FORWARD THE WHITE COPY TO THE DEPARTMENT

238-7 W

IDAHO DEPARTMENT OF WATER RESOURCES

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FEB 03 1995

Use Typewriter or Ball Point Pen

WELL DRILLER'S REPORT

pg 1 of 2

1. DRILLING PERMIT NO. 36 . 94 . S . 0292 . 000 (200)

Other IDWR No. 36-02080

2. OWNER:

Name A & B Irrigation

Address P.O. Box 675

City Rupert, State ID Zip 83350

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

N / W / E / S — X

Twp. 9 North ☐ or South ☒

Rge. 22 East ☒ or West ☐

Sec. 9 , ____ 1/4 (10 acres) NE 1/4 (40 acres) SE 1/4 (160 acres)

Gov't Lot ____ County Minidoka

Address of Well Site 9A-922

City

(Give at least name of road + Distance to Road or Landmark)

Lt. ____ Blk. ____ Sub. Name ____

4. PROPOSED USE:

☐ Domestic ☐ Municipal ☐ Monitor ☒ Irrigation

☐ Thermal ☐ Injection ☐ Other ____

5. TYPE OF WORK

☐ New Well ☐ Modify or Repair ☒ Replacement ☐ Abandonment

6. DRILL METHOD

☐ Mud Rotary ☒ Air Rotary ☐ Cable ☐ Other ____

7. SEALING PROCEDURES

SEAL/FILTER PACK Material	From	To	AMOUNT Sacks or Pounds	METHOD
Bentonite	0	17	28 S	Poured
Overbore to seal depth				

Was drive shoe used? Y ☒ N ☐

Was drive shoe seal tested? Y ☒ N ☐ How? Air pressure

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
22"	+1	17	.250	Steel	☒	☐	☐	☐
12"	466	540	.250	Steel	☒	☐	☒	☐
					☐	☐	☐	☐

Length of Headpipe ____ Length of Tailpipe ____

9. PERFORATIONS/SCREENS

☒ Perforations Method Factory

☐ Screens Screen Type ____

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
400	471	3/16	x 2½ 32 R	16"	Steel	☒	☐
						☐	☐
						☐	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

258 ft. below ground Artesian pressure ____ lb.

Depth flow encountered ____ ft. Describe access port or control devices: ____

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11. WELL TESTS:

Department of Water Resources
Southern Region

☐ Pump ☐ Bailer ☐ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time

Water Temp. ____ Bottom hole temp. ____

Water Quality test or comments: ____

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Water Y	Water N
24"	0	16	Topsoil		x
18"	16	41	Gray lava		x
	41	56	Tan clay & boulders		x
	56	70	Gray lava		x
	70	74	Broken gray lava		x
	74	97	Gray lava		x
	97	121	Brown clay		x
	121	130	Gray lava		x
	130	134	Broken lava		x
	134	144	Hard gray lava		x
	144	174	Broken gray lava		x
	174	177	Solid lava		x
	177	182	Broken lava		x
	182	199	Gray lava		x
	199	210	Brown lava		x
	210	256	Gray lava		x
	256	271	Brown clay		x
	271	279	Gray lava		x
	279	289	Brown lava		x
	289	301	Gray lava		x
	301	320	Brown clay		x
	320	340	Gray lava		x
	340	355	Black lava		x
	355	357	Broken lava	x	
	357	382	Broken lava & talc	x	
	382	405	Broken gray lava	x	
	405	424	Gray clay		x
	424	443	Solid lava		x
	443	445	Soft lava		x
	445	451	Solid lava		x
	451	457	Broken lava	x	
15"	457	505	Solid lava		x
			(Cont. on next log)		

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Completed Depth ____ (Measurable)

Date: Started ____ Completed ____

13. DRILLER'S CERTIFICATION

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

Firm Name ____ Firm No. ____

Firm Official ____ Date ____

and

Supervisor or Operator ____ Date ____

(Sign once if Firm Official & Operator)

FORWARD WHITE COPY TO WATER RESOURCES

Form 238-7
1/94

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

Use Typewriter or Ball Point Pen

pg 2 of 2

1. DRILLING PERMIT NO. 36 - 94 - S - 0292 - ~~000~~ 200
Other IDWR No. 36-02080

2. OWNER:
Name A & B Irrigation
Address P.O. Box 675
City Rupert State ID Zip 83350

3. LOCATION OF WELL by legal description:
Sketch map location must agree with written location.

N / W / E / S

Twp. 9 North ☐ or South ☒
Rge. 22 East ☒ or West ☐
Sec. 9, ____ 10 acres 1/4 40 acres NE 1/4 160 acres SE 1/4
Gov't Lot ____ County Minidoka

Address of Well Site 9A-922
____ City ____
(Give at least name of road + Distance to Road or Landmark)

Lt. ____ Blk. ____ Sub. Name ____

4. PROPOSED USE:
☐ Domestic ☐ Municipal ☐ Monitor ☒ Irrigation
☐ Thermal ☐ Injection ☐ Other ____

5. TYPE OF WORK
☐ New Well ☐ Modify or Repair ☒ Replacement ☐ Abandonment

6. DRILL METHOD
☐ Mud Rotary ☒ Air Rotary ☐ Cable ☐ Other ____

7. SEALING PROCEDURES

SEAL/FILTER PACK Material	From	To	AMOUNT Sacks or Pounds	METHOD

Was drive shoe used? Y ☐ N ☐
Was drive shoe seal tested? Y ☐ N ☐ How? ____

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
					☐	☐	☐	☐
					☐	☐	☐	☐
					☐	☐	☐	☐

Length of Headpipe ____ Length of Tailpipe ____

9. PERFORATIONS/SCREENS
☐ Perforations Method ____
☐ Screens Screen Type ____

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
						☐	☐
						☐	☐
						☐	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:
____ ft. below ground Artesian pressure ____ lb.
Depth flow encountered ____ ft. Describe access port or control devices: ____

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11. WELL TESTS:
☐ Pump ☐ Bailer ☐ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time

Water Temp. ____ Bottom hole temp. ____
Water Quality test or comments: ____

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Water Y	Water N
			(Cont.)		
	505	535	Brown sand	x	
12"	535	549	Gray lava		x
	549	575	Black sand		
	575	590	Gray clay		x
			(Fill to 530')		

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FEB 03 1995
Department of Water Resources
Southern Region

Completed Depth 530 ft. (Measurable)
Date: Started 12-13-94 Completed 1-27-95

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

Firm Name Elsing Drilling Firm No. 31
Firm Official Arnold Elsing Date 2-2-95
and
Supervisor or Operator Lloyd Reed Date 2-2-95
(Sign once if Firm Official & Operator)

FORWARD WHITE COPY TO WATER RESOURCES

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 29, 1994

Mack Neibaur
Route 1, Box 1478
Paul, ID 83347

RE: Water Right No. 36-02080 for A&B Project

Dear Mr. Neibaur:

Enclosed are copies of several documents from the above numbered water right file. This file was previously numbered G-20736 in the Department's files.

The first document is a copy of the water right license issued to the United States for ground water for the A&B Project. I apologize for the poor quality of the copy but I think you can read the priority date of September 9, 1948 for 1,100 cfs.

As indicated by the copies of the other documents enclosed, there was controversy surrounding the development of this water right and the impact it may have on wells developed by individuals in the area. The license was finally issued in 1965 by then State Engineer, Carl E. Tappan. I think the memorandum dated February 16, 1968 from Mr. Collins to Mr. Higginson explains the resolution of the challenges to the issuance of the license reasonably well.

The entire file is available for your review in our Boise office. I expect the Twin Falls office has a copy of the file on micro-fiche if that would be more convenient for you.

If I can provide you with any additional information about this water right or be of any other assistance please let me know.

Yours truly,

David B. Shaw
Adjudication Bureau Chief

Enc.

cc: Rep. Bruce Newcomb

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SEP 1 1994

Enclosures: License, 2/6/64 Memo Tappan to Gov, 2/24/64 letter AG to Tappan, 2/16/68 memo Collins to Higginson

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 16, 1994

A & B IRRIGATION DISTRICT
PO BOX 675
RUPERT ID 83350-0675

RE: Transfer of Water Right No. 36-02080 and Claim Nos. 36-15127/36-15192/36-15193/36-15194/36-15195/36-15196

Dear Water Right Holder(s):

Enclosed is a copy of your approved Application for Transfer of the above referenced water rights (Transfer No. 4036). Please be sure to thoroughly review the "CONDITIONS/REMARKS:" as listed on the transfer.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

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FEB 2 2 1994

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	UNITED STATES OF AMERICA BUREAU OF RECLAMATION BOISE ID	09/09/1948	IRRIGATION DOMESTIC	00-00 00-00	00-00 00-00	1100.00 CFS	
				TOTAL DIVERSION:		1100.00 CFS	

Water Source: GROUNDWATER Tributary to: Stage: LICENSE

Point(s) of Diversion Capacity: 1100.00 CFS

Pou County:

Remarks: 177 Wells in T07S, R23, 24 & 25E, B.M.; T08S, R21, 22, 23, 24 & 25E, B.M.; T09S, R21, 22 & 23E, B.M.; T10S, R21 & 22E, B.M.; all in the A & B Irrigation District, Northside Pumping Division, Minidoka Project, Idaho.
62,604.3 acres in T07, 08, 09 & 10S, R21, 22, 23, 24 & 25E, B.M.; all within the boundaries of the A & B Irrigation District, Northside Pumping Division, Minidoka Project, Idaho.

Dates: App. Received: Priority Date: 09/09/1948
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date: 06/10/1965

Misc: Water District Number: Field Exam Fee:

Comments: Date: 02/16/1994 User-ID: SKAGGS Subject: TRANSFER NO. 4036
Transfer No. 4036 was filed to change a point of diversion under Right No. 36-02080 and SRBA claims 36-15127/15192/15193/15194/15195 and 15196. The transfer was processed on the SRBA Claim Records as recommended in the Director's report. The approved versions are stored under X prefixes in the Water Right database (36-02080) and the Adjudication database(36-15127/92/93/94/95/96) pending conclusion of the SRBA.
SEE X36-02080 STORED UNDER X36-02080Z0/Z1/Z2/Z3 & Z4. The extended place of use description for Right No. X36-02080 was divided into 5 parts in order to be stored in the database. The

Comments: Date: 02/16/1994 User-ID: SKAGGS Subject: TRANSFER NO. 4036
right itself has not been split under these suffixes.

Audit: 05/20/85 05/28/88 CONVERT 01/26/92 POST-STD 02/10/93 ZIMMERMA
02/16/94 SKAGGS 02/16/94 SKAGGS

TRANSFER REVIEW SHEET

Transfer # 4036 **Date Reviewed** 02-08-94 GS

Right(s) 36-02080(20) 36-15194 36-15127 _____ _____
36-15192 36-15195 _____ SRBA Claims as
36-15193 36-15196 _____ recommended to the Court.

(B) Change P/D C:Add P/D D:Change P/U E:Change Nature of Use
F:Change Period of Use G:Other H:Change P/D & Add P/D
I:Change P/D & P/U J:Add P/D & Change P/U

Proof of Ownership NA

Transfer ✓ **All of Right** _____ **Portion of Right (Part B** _____ **)**

Resulting Split(s) NONE

Check Transfer Against Right C/4.0

(1) ✓ **Priority** (2) ✓ **Use** (3) ✓ **Season** (4) ✓ **Rate** (5) ✓ **Volume**

(6) ✓ **Source** (7) ___ **P/D** (8) ✓ **P/U** (9) NA **Proof/Owner** (10) ✓ **Map**

(11) NA **Water District** (12) Yes **Pertinent Conditions** (13) NO **Expansion**
C03/C05

(7) Add P/D Delete P/D

	Rate		Vol.	Acres
36-02080	1100.0 cfs	(V/FB)	250,411 acft	62,604
15127	99.03 "	(V/FB)	13,029.2 "	3,257.3
15192	.60 "	(V/FB)	145.2	36.3
15193	.52 "	(V/FB)	125.6	31.4
15194	2.76	(V/FB)	664.4	166.1
15195	3.12	(V/FB)	752.4	188.1
15196	.37 "	(V/FB)	88.4	22.1
	Limit 1100.0		265,221.2	66,305.3

Transfer Remarks 3 PDs SESE, S3, T09S, R22E PPU/All rights ~~1100 cfs~~ covered in combined condition

Conditions 046, R31, T01, T07, T16, T08, T17

Database/Processing Notes Single T files (No P/U) on all 36-151...
Copy 20-24 from AJ to WR T file 2080.
Edit Conditions before printing (Combined Remark after T17)
WR/drop T's on 20-24 (Copy all to X) GS 2-16-94
AJ/Copy T files to X in Adj
Delet T files

WR_Reports - XFER-ABDIST.LIS;

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS SUMMARY REPORT

WR-NUMBER:	CURRENT OWNER:	PRIORITY DATE:	STAGE:
T36-02080Z0	A & B IRRIGATION DISTRICT	09/09/1948	LICENSE

PO BOX 675
RUPERT, ID 83350

COUNTY: MINIDOKA
SOURCE: GROUNDWATER
TRIBUTARY:

WATER USE:	DIVERSION RATE:	DIVERSION VOLUME:	PERIOD FROM:	PERIOD TO:
IRRIGATION	1100.000	250416.00	04/01	10/31
TOTAL:	1100.000	250416.00		

POINT OF DIVERSION:	Twp	Rge	Sec	Tract	Lot
	07S	23E	34	NW SE SW	99
		24E	22	NW SW SW	96
				NW NW SE	98
				NE SE SE	97
			23	NW SW NE	99
			26	NW SE NE	99
				NE NW SW	94
			28	NW SW NE	98
			30	SW NW SE	99
			31	NW SW NE	99
			32	SW SE NE	97
			33	SE NW SE	98
			34	SW SE NW	98
			35	SW SW SE	98
		25E	27	NE SE SW	99
			29	NE NE SW	99
			30	NW NE SE	98
			31	NE NE SW	96
			32	NW NE SW	96
			33	NE SW NW	99
			34	SE NE SW	97
	08S	21E	22	NW NE SE	98
			24	NW SE NW	97
			26	NW SE NE	96
			35	SE NE NE	93
				SW SW SW	99
				SE SE SE	97
		22E	30	SW NW SW	96
			35	SW NW NE	99
				SW SW SE	98
		23E	01	NE NW NE	99
				SW SW SW	94
			02	SE NE SW	96
			04	SW SW SW	95
			05	NE SE NE	93
			08	NE NE SE	97
			10	SW SE NE	92
				NE SW SW	96
			12	SW SW NE	96
				SE SE SW	94
			14	NW NW NW	87
			15	SE NE NW	99

WR-NUMBER: T36-0208020 (cont'd)

POINT OF DIVERSION:	Twp	Rge	Sec	Tract	Lot
				SE SE SE	94
			17	NW NE NW	96
				NE SE SE	97
			19	NW SW SE	99
			21	SW SE NE	99
			22	SW SE SW	97
			23	SW NW SW	95
			24	NE NW NW	98
				NE SE SW	95
			25	NW SE NW	97
			26	NW NW SE	94
			27	NE NE NE	99
				SW SE NW	98
				SW SE SW	93
			28	SW NE SW	95
				NW SW SW	93
			29	SE SE NE	91
			31	SE NE SE	95
			34	NW SE SW	97
			35	SE NW NW	90
				NE SW SW	96
				SE NW SE	98
				SE SE SE	95
		24E	01	SE SE NE	98
			03	SW SE NE	99
			04	SW SW NE	97
				NE SW SW	99
			06	SE NE NW	94
				NW NW SW	98
				SE NE SE	91
			07	NW NE SE	94
			08	NE SE NE	97
			10	NW SW NE	98
				SW SW NW	92
				SE SE SW	95
			11	SW NE NW	98
				NW NW SE	95
			12	NE NW NE	97
			13	NW NW NE	90
			14	SW SE SW	95
			15	SE SW NW	97
			18	NE SW NW	96
			21	NE NW NE	95
				NE SW SW	97
			22	SW NE SE	96
			23	SE SE SW	95
			26	SE SW NE	98
			29	SE NW SE	93
			30	SW NE NW	92
				SE NW SE	99
			31	SW SE SW	98
		25E	03	SE NE NW	99
				NW NW NW	96
				NE NE SE	96

WR-NUMBER: T36-0208020 (cont'd)

POINT OF DIVERSION:	Twp	Rge	Sec	Tract	Lot
			05	NW NE NE	95
			06	NE NE SE	98
			11	NW SW SE	93
			12	NW NW NW	99
			13	NW SW SW	99
			14	SW NE SW	97
			15	NW SW SW	94
			17	NW NE NE	95
			19	NE NW NE	90
				SE SW NW	94
			21	NE SE SW	96
			23	NW NW NW	91
			24	SE NW NW	95
	09S	21E	01	NW NE SW	99
			03	NE NW SW	98
				SE SE SW	91
				NW NE SE	95
		22E	03	NW SE SE	99
			07	SE NE NE	97
				NE SE NE	97
			09	SE SW NW	98
				NE NE SW	96
			10	NE SW NE	99
			11	NW NW NE	94
				SE NE NW	94
			15	NE SW NE	97
				SW SW NE	99
			18	NE SW SE	97
			19	NW SW NW	99
			22	SE SW NE	99
			28	NE SE SE	98
			30	NW NE NE	91
			33	SE NE SE	98
		23E	02	NE SE NE	96
			03	NE SE NE	95
				NE NW SW	99
			06	SE SE NE	99
				NW SW SE	92
	10S	21E	02	SW NW SW	95
		22E	03	SE NW SW	91

CONDITIONS: 046 - Right holder shall comply with the drilling permit
- requirements of Section 42-235, Idaho Code.
R31 - This right when combined with all other rights shall provide no
- more than .02 cfs per acre nor more than 4.0 afa per acre for the
- lands above.
T01 - Approval of this transfer in no way confirms the right(s)
- claimed.
T07 - The change authorized by this transfer shall be accomplished
- within one (1) year of the date of this approval.
T08 - Failure to comply with the conditions of this transfer is cause
- for the director to issue an order to show cause why the approval
- of the transfer should not be rescinded.
T16 - The change approved by this transfer is subject to the terms of

Place of Use extensive (36-0208020-24) Not printed here.

WR-NUMBER: T36-02080Z0 (cont'd)

CONDITIONS:

- the court's final decree of this right in the ongoing Snake
- River Basin Adjudication.

T17 - Prior to diversion of water under this approval, the right holder
- shall provide a means of measurement acceptable to the Department
- from all authorized points of diversion which will allow
- determination of the total rate of diversion.

REMARKS: Right No. 36-02080 is limited to irrigation of 62,604 acres in the place of use described above in a single irrigation season. Right No. 36-15127 is limited to irrigation of 3,257.3 acres in the place of use described above in a single irrigation season. Right No. 36-15192 is limited to irrigation of 36.3 acres in the place of use described above in a single irrigation season. Right No. 36-15193 is limited to irrigation of 31.4 acres in the place of use described above in a single irrigation season. Right No. 36-15194 is limited to irrigation of 166.1 acres in the place of use described above in a single irrigation season. Right No. 36-15195 is limited to irrigation of 188.1 acres in the place of use described above in a single irrigation season. Right No. 36-15196 is limited to irrigation of 22.1 acres in the place of use described above in a single irrigation season. Right Nos. 36-02080, 36-15127, 36-015192, 36-15193, 36-15194, 36-15195 and 36-15196 when combined shall not exceed a total combined diversion rate of 1100.0 cfs, a total combined annual diversion volume of 265,221.2 af, a total combined annual consumptive use volume of 198,915.9 af, and irrigation of a combined total of 66,305.3 acres within the place of use described above and within the boundaries of A & B Irrigation District.
The following legal descriptions each contain 2 points of diversion:
T07S, R23E, SEC 34, NWSESW - Minidoka
T07S, R24E, SEC 28, NWSWNE; SEC 30, SWNWSE; SEC 32, SWSENE;
SEC 33, SENWSE; SEC 35, SWSWSE - Minidoka
T08S, R21E, SEC 26, NWSENE; SEC 35, SESESE - Jerome
T08S, R22E, SEC 35, SWSWSE - Minidoka
T08S, R23E, SEC 01, NENWNE; SEC 04, SWSWSW; SEC 05, NESENE;
SEC 12, SWSWNE; SEC 12, SESESW; SEC 14, NWNWNW;
SEC 15, SENENW; SEC 17, NESESE; SEC 19, NWSWSE;
SEC 23, SWNWSW; SEC 24, NESESW; SEC 28, NWSWSW;
SEC 29, SESENE - Minidoka
T08S, R24E, SEC 03, SWSENE; SEC 04, NESWSW; SEC 11, SWNENW;
SEC 13, NWNWNE; SEC 31, SWSESW - Minidoka
T08S, R25E, SEC 03, SENENW; SEC 03, NWNWNW; SEC 05, NWNENE;
SEC 06, NENESE; SEC 12, NWNWNW; SEC 15, NWSWSW;
SEC 19, NENWNE; SEC 19, SESWNW;
SEC 23, NWNWNW - Minidoka
T09S, R22E, SEC 18, NESWSE; SEC 33, SENESE - Minidoka
Three points of diversion are located within NWSESE, SEC 03, T09S, R22E, Minidoka.
The following convention is used to convert the government lots listed in the above points of diversion and places of use to the official government tract designation: Lot 99 = Tract A;
Lot 98 = Tract B; Lot 97 = Tract C; Lot 96 = Tract D;

WR-NUMBER: T36-02080Z0 (cont'd)

REMARKS:

Lot 95 = Tract E; Lot 94 = Tract F; Lot 93 = Tract G;
Lot 92 = Tract H; Lot 91 = Tract J; Lot 90 = Tract K;
Lot 89 = Tract L; Lot 88 = Tract M; Lot 87 = Tract N;
Lot 86 = Tract O; Lot 85 = Tract P; Lot 84 = Tract Q;
Lot 83 = Tract R; Lot 82 = Tract S.

END OF REPORT

Form 222a
6/78

STATE OF IDAHO A & B Irrigation Distrcit
DEPARTMENT OF WATER RESOURCES

TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: Mel Schalte

1. Right number 36-0208020 Applicant A&B Irrigation Dist.
2. Type of right: ☐ Decree ☒ License ☐ Claim
3. Purpose of transfer: ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
   ☒ Other Delete one P/D (well) and add one well to an existing P/D.
4. Check:
   a. ☑ Source ☑ Priority ☑ Amount ☑ Purpose ☑ Period of use
   b. ☑ Description of original point of diversion.
   c. ☐ Description of original place of use.
5. Amount of land &/or water transferred:
   a. ☑ All of right.
   b. ☐ Part of right *(NOTE! Part B should be filled in only if part of the right is owned by the applicant).*
   c. ☑ Check description of point(s) of diversion.
   d. ☐ Check description of place of use.
   e. ☑ Check map (shows p.d. and p.u. after transfer).
   f. ☑ Check for correct signature, notarization, and fee.
   g. ☐ Check proof of ownership of right &/or land from which water is transferred. N/A
   h. ☑ Check for expansion in use of right. Comments No expansion
   i. ☐ Check for existing water rights from same source, on land water is being transferred to.
      Right number(s) _____
   j. ☐ Is use within a Watermaster District? ☐ Yes ☒ No
      If yes, what district? _____

FINAL PROCESSING REVIEW BY: _____

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

RECOMMENDED ACTION

1. ☑ Approve
2. ☐ Deny
3. Conditions* _____
4. By Karen O Haber Date 7/13/93

** All uses within Watermaster Districts require special conditions.*

T #4036

SOUTH IDAHO PRESS
BURLEY, IDAHO
AFFIDAVIT OF PUBLICATION

RECEIVED
MAR 31 1993
Department of Water Resources
Southern Region Office

County of Cassia)
STATE OF IDAHO) ss
)

Kary D. Miller, being first duly sworn, deposes and says that she is the General Manager of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of The South Idaho Press for two consecutive week(s), commencing with the issue dated March 19 19 93, and ending with the issue dated March 26, 19 93.

Kary D Miller

STATE OF IDAHO)
COUNTY OF Cassia)

On this 29th day of March in the year of 1993 before me, a Notary Public, personally appeared Kary Miller, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

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

FEB 22 1994

Cost of Publication 52.92
Notary Fee .50
Total Cost 53.42

OK
MB
4-6-93

RECEIVED
FEB 22 1994

[redacted] CHANGE OF [redacted] RIGHTS

Notice is hereby given that A & B IRRIGATION DISTRICT of Rupert, ID has applied to the Department of Water Resources for changes to abandon one (1) well located in NW1/4NE1/4NE1/4, S20, T09S, R22E that is no longer usable and add one (1) new well located within NW1/4SE1/4SE1/4, S3, T09S, R22E; Minidoka County to the system from groundwater sources and further classified as Transfer # 4036.

The rights to be changed authorize diversion of water for irrigation from 176 wells located within Minidoka and Jerome counties,

TO BE CHANGED AS FOLLOWS

Water Rights to be transferred are listed below and are based on Director's Snake River Basin Adjudication recommendations:

Number	Priority	Amount (cfs)
36-02080Z0	09/09/1948	1100
36-15192	04/01/1962	0.60
36-15193	04/01/1965	0.52
36-15194	04/01/1968	2.76
36-15195	04/01/1978	3.76
36-15196	04/01/1981	0.37
36-15127	04/01/1984	54.03

The total number of wells (176) in the system will not change and the total diversion rate from the system (1100 cfs) will not change.

Any protest against approval of the above proposal must be filed with the DEPARTMENT OF WATER RESOURCES, 222 SHOSHONE ST. E., TWIN FALLS ID 83301 on or before April 5, 1993.

R. Keith Higginson, Director

Published in North Side News on 3/17 & 3/24/93;

Published in the South Idaho Press on March 18, 25, 1993

AFFIDAVIT of PUBLICATION

RECEIVED
MAR 26 1993
Department of Water Resources
Southern Region Office

State of Idaho } ss.
County of Jerome }

Patty Nance, being first duly sworn, deposes and says that she is the printer (publisher) of the Jerome North Side News, a newspaper published every week in Jerome, County of Jerome, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 17 day of March, 1993, and the date of the last publication was on the 24 day of March, 1993.

Patty Nance

Subscribed and sworn to before me this 25th day of March, 1993

(SEAL)

Norma D. Doe
NOTARY PUBLIC

19062/5689
NORTH SIDE NEWS
Jerome, Idaho

OK
NB
3-30-93

COST OF PUBLICATION

Number of Picas per Line _____
Number of Lines in Notice _____
Number of Insertions 2 X's

_____ Lines tabular at _____ 6¢/Pica
594 Lines straight at $29.70 5¢/Pica
_____ Subsequent lines at 23.76 4¢/Pica
TOTAL COST $53.46

COPY OF NOTICE

(Paste Here)

Notice of Proposed Change of Water Rights
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Idaho Department of Water Resources
BILL TO

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS

Notice is hereby given that A & B IRRIGATION DISTRICT of Rupert, ID has applied to the Department of Water Resources for changes to abandon one (1) well located in NW1/4NE1/4NE1/4, S20, T09S, R22E that is no longer usable and add one (1) new well located within NW1/4SE1/4SE1/4, S3, T09S, R22E; Minidoka County to the system from groundwater sources and further classified as Transfer # 4036.

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R. Keith Higginson, Director

PUB: 3/17 and 24 N19062

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R. Keith Higginson, Director

Published in North Side News on 3/17 & 3/24/93; South Idaho Press on 3/19 & 3/26/93.

FEB 2 2 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

11-Mar-1993

NORTHSIDE NEWS
PO BOX 468
JEROME ID 83338

Gentlemen:

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

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

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

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

Very truly yours,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

FEB 2 2 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

11-Mar-1993

SOUTH IDAHO PRESS
PO BOX 190
BURLEY ID 83318

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

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

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

Very truly yours,

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Secretary/Office Coordinator

Enclosure

RECEIVED
FEB 22 1993

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R. Keith Higginson, Director

Published in North Side News on 3/17 & 3/24/93; South Idaho Press on 3/19 & 3/26/93.

FEB 22 1994

10-Mar-1993

VIRGIL TEMPLE MGR
A & B IRRIGATION DISTRICT
PO BOX 675
RUPERT ID 83350

Re: Application for Transfer No. 4036 (36-02080ZO, 36-15192, 36-15193, 36-15194, 36-15195, 36-15196, 36-15127)

Dear Mr. Temple:

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

This office will be advertising the application in the North Side News on 3/17 & 3/24/93 as well as in the South Idaho Press on 3/19 & 3/26/93. The advertisement will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

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

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

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

Very truly yours,

Mel Schulte
Water Right Agent

MS:MB

FEB 2 2 1994

36-02080Z0
A & B IRRIGATION DISTRICT
TRANSFER APPLICATION

1. The purpose of the application is to change a point of diversion by deleting one well and adding a new well at a different 40 acre site.

2. A field exam was conducted on December 14, 1992 with Virgil Temple, general manager of the district.

3. The well to be abandoned, known as #20A922, has had the pump removed. It is located in an area of deep clay formations and has been redrilled several times. According to Virgil Temple they have spent thousands of dollars trying to maintain an adequate flow from the well with no success.

4. The P/U previously irrigated from the abandoned well will be serviced with waste water from adjacent groundwater sources licensed under the same right.

5. The new well will tie into a system in Sections 9 & 10 that need supplemental water due to the reduced flows from a well in section 10 caused by the drought.

6. The total number of wells (176) in the system will not change and the total diversion rate from the system will not change.

FEB 2 2 1994

T# 4036

State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

A & B Irrigation District
P. O. Box 675
Rupert, ID
83350

November 20, 1992

Dear Mr. Temple;

Per our conversation of earlier this week, we have prepared an application for transfer so that you can add one well to your system and delete another well from the system. The signed and notarized form should be returned to this office with a $50. processing fee.

Also enclosed is the approved drilling permit for the deepening of Well 3C921, and your receipt.

If you have any questions, please feel free to contact this office.

Sincerely,

James E. Stanton

James E. Stanton
Sr. Water Resource Agent

2 1994

T#4036

Form 238-7
1-78

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

USE TYPEWRITER OR BALLPOINT PEN

WELL DRILLER'S REPORT

RECEIVED
MAY 17 1982
Department of Water Resources
Southern District Office

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

1. WELL OWNER

Name A-B Irrigation Dist.
Address Rupert, Ida.
Owner's Permit No. N. A.

2. NATURE OF WORK

☐ New well ☒ Deepened ☐ Replacement
☐ Abandoned (describe method of abandoning) _____

3. PROPOSED USE

☐ Domestic ☒ Irrigation ☐ Test ☐ Municipal
☐ Industrial ☐ Stock ☐ Waste Disposal or Injection
☐ Other _____ (specify type)

4. METHOD DRILLED

☐ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary
☒ Cable ☐ Dug ☐ Other _____

5. WELL CONSTRUCTION

Casing schedule: ☐ Steel ☐ Concrete ☐ Other _____

Thickness	Diameter	From	To
.250 inches	16 inches	+ 337 feet	426 feet
inches	inches	feet	feet
inches	inches	feet	feet
inches	inches	feet	feet

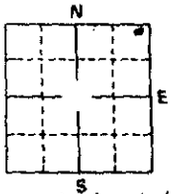
Was casing drive shoe used? ☒ Yes ☐ No
Was a packer or seal used? ☐ Yes ☒ No
Perforated? ☒ Yes ☐ No
How perforated? ☐ Factory ☒ Knife ☐ Torch
Size of perforation 1/2 inches by 3 inches

Number	From	To
45 perforations	340 feet	365 feet
perforations	feet	feet
perforations	feet	feet

Well screen installed? ☐ Yes ☐ No
Manufacturer's name _____
Type _____ Model No. _____
Diameter ___ Slot size ___ Set from ___ feet to ___ feet
Diameter ___ Slot size ___ Set from ___ feet to ___ feet
Gravel packed? ☐ Yes ☐ No ☐ Size of gravel _____
Placed from _____ feet to _____ feet
Surface seal depth _____ Material used in seal: ☐ Cement grout ☐ Puddling clay ☐ Well cuttings
Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing ☐ Overbore to seal depth
Method of joining casing: ☐ Threaded ☐ Welded ☐ Solvent Weld ☐ Cemented between strata
Describe access port _____

6. LOCATION OF WELL

Sketch map location must agree with written location.



Subdivision Name _____
Lot No. _____ Block No. _____
1994
County Minidoka
NE ¼ NE ¼ Sec. 20 T. 9 N/S, R. 22 E/W.

7. WATER LEVEL

Static water level 261 feet below land surface.
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature ___ °F. Quality _____

8. WELL TEST DATA

☐ Pump ☐ Bailer ☐ Air ☐ Other _____

Discharge G.P.M.	Pumping Level	Hours Pumped
Abandoned Well		

9. LITHOLOGIC LOG

Hole Diam.	Depth From	Depth To	Material	Water Yes	Water No
90"	0	373	Old hole	✓	
	373	383	Gray sand (coarse heabes up hole)	✓	
	383	393	Gray sand (fine) some Gray clay	✓	
	393	426	Gray clay (sticky)	✓	
	426	434	Gray broken lava	✓	
	434	467	Gray clay (pipe stopping) Gray lava (Firm)	✓	
	467	477	Gray sandy clay	✓	
	477	482	Gray clay & gray lava	✓	
	482	511	Gray coarse lava	✓	
	511	520	Reddish Brn lava	✓	
	520	526	Brn clay & lava	✓	
	526	530	Tan clay & Gray lava	✓	
	530	540	Reddish Brn clay & Gray lava	✓	
	540	545	Gray lava	✓	
	545	585	Gray & Red coarse lava	✓	
	585	590	Red (coarse) lava	✓	
	590	597	Gray lava (coarse)	✓	
	597	605	Gray lava (broken)	✓	
	605	612	Gray lava (Firm)	✓	✓
	612	617	Reddish brn lava (coarse)	✓	
	617	634	Gray lava (coarse)	✓	
	634	640	Gray lava Some Tan clay	✓	
	640	657	Red & Gray lava (coarse)	✓	
	657	665	Red lava cinders	✓	
	665	670	Red lava & Indens Chat	✓	
			Very of cuttings		
	670	675	Red lava cinders (some Talc)	✓	
	675	685	Gray & Red lava (soft Coarse some Tan clay)	✓	
	685	700	Gray lava with clay	✓	

10.

Work started 12-9-81 finished 3-31-82

11. DRILLERS CERTIFICATION

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

Firm Name Hayden Drlg. Firm No. 375
Address 102 14th St Rupert, Ida. Date 4-29-82
Signed by (Firm Official) Randy Hayden
and
(Operator) Randy Hayden

USE ADDITIONAL SHEETS IF NECESSARY — FORWARD THE WHITE COPY TO THE DEPARTMENT

T # 4036

Form 238-7
11/91

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

MAY 1 1 1992

Department of Water Resources

USE TYPEWRITER OR BALLPOINT PEN

WELL DRILLER'S REPORT

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

1. WELL OWNER

Name A&B Irrigation

Address Rupert, Idaho 83350

Drilling Permit No. 36-92-5-0304-001

Water Right Permit No. 36-2080

2. NATURE OF WORK

☐ New well ☒ Deepened ☐ Replacement
☐ Well diameter increase ☐ Modification
☐ Abandoned (describe abandonment or modification procedures such as liners, screen, materials, plug depths, etc. in lithologic log, section 9.)

3. PROPOSED USE

☐ Domestic ☒ Irrigation ☐ Monitor
☐ Industrial ☐ Stock ☐ Waste Disposal or Injection
☐ Other _____ (specify type)

4. METHOD DRILLED

☐ Rotary ☐ Air ☐ Auger ☐ Reverse rotary
☒ Cable ☐ Mud ☐ Other _____ (backhoe, hydraulic, etc.)

5. WELL CONSTRUCTION

casing in pre-existing hole

Casing schedule: ☐ Steel ☐ Concrete ☐ Other _____

Thickness	Diameter	From	To
_____ inches	_____ inches	+ _____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Was casing drive shoe used? ☐ Yes ☐ No
Was a packer or seal used? ☐ Yes ☐ No
Perforated? ☐ Yes ☐ No
How perforated? ☐ Factory ☐ Knife ☐ Torch ☐ Gun
Size of perforation? _____ inches by _____ inches

Number	From	To
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet

Well screen installed? ☐ Yes ☐ No
Manufacturer _____ Type _____
Top Packer or Headpipe _____
Bottom of Tailpipe _____

Diameter ____ Slot size ____ Set from ____ feet to ____ feet
Diameter ____ Slot size ____ Set from ____ feet to ____ feet
Gravel packed? ☐ Yes ☐ No ☐ Size of gravel _____
Placed from _____ feet to _____ feet

Surface seal depth ___ Material used in seal: ☐ Cement grout
☐ Bentonite ☐ Puddling clay ☐ _____
Sealing procedure used: ☐ Slurry pit
☐ Temp. surface casing ☐ Overbore to seal depth
Method of joining casing: ☐ Threaded ☐ Welded
☐ Solvent Weld ☐ Cemented between strata

Describe access port none

7. WATER LEVEL

Static water level _____ feet below land surface.
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature _____ °F. Quality _____
Describe artesian or temperature zones below.

8. WELL TEST DATA

☐ Pump ☐ Bailer ☐ Air ☐ Other none

Discharge G.P.M.	Pumping Level	Hours Pumped

9. LITHOLOGIC LOG

Bore Diam.	Depth From	Depth To	Material	Water Yes	Water No
16	423	435	red cinders	x	
16	435	447	grey basalt		x
16	447	460	brown sand & clay		x
16	460	535	grey basalt		x
16	535	545	brown clay		x
16	545	560	grey basalt red clay seams		x
16	560	565	red clay		x
16	565	570	black basalt &red clay		x
16	570	580	grey basalt		x
16	580	583	grey basalt & clay caving		x
16	583	585	grey basalt hard		x
16	585	590	grey lava soft		x
16	590	595	grey broken lava		x
16	595	630	clay & broken lava		x
16	630	650	clay & broken lava		x
16	650	680	grey basalt &brown clay seams		x
16	680	690	red basalt		x
16	690	696	grey basalt soft cavey	X	??
16	696	700	grey basalt solid		x

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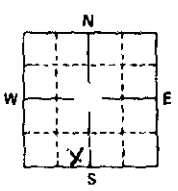
Department of Water Resources
Southern Region Office

10.

Work started Dec.14,1992 finished Feb.8,1993

LOCATION OF WELL

Sketch map location **must** agree with written location.



Subdivision Name _____
Tract J
Lot No. _____ Block No. _____

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County Jerome

SE ¼ SW ¼ Sec. 3, T. 9 N ☐ S ☒ R. 21 E ☒ W ☐

11. DRILLER'S CERTIFICATION

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

Firm Name Kohtz Drilling Firm No. 493
Address 1135 Valley Rd. S. Eden, ID. Date 2/8/93
Signed by Drilling Supervisor _____
and
(Operator) _____
(If different than the Drilling Supervisor)

USE ADDITIONAL SHEETS IF NECESSARY — FORWARD THE WHITE COPY TO THE DEPARTMENT

ATTACHMENT B

Part 1.B. Water Rights To Be Transferred (Based On Director's SRBA Recommendation)

1. Right Number	Priority	Amount	Nature of Use	Period of Use
36-02080Z0	9-9-1948	1100 cfs	Irrigation	4-1 to 10-31
36-15192	4-1-1962	0.60 cfs	"	"
36-15193	4-1-1965	0.52 cfs	"	"
36-15194	4-1-1968	2.76 cfs	"	"
36-15195	4-1-1978	3.76 cfs	"	"
36-15196	4-1-1981	0.37 cfs	"	"
36-15127	4-1-1984	54.03 cfs	"	"

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T#4036

Form 222
1-87

Page 1 of 18

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 4036

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

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Department of Water Resources

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NOV 1 1 1993
Department of Water Resources
Southern Region

Name of applicant A & B Irrigation District Phone 436-3152

Post Office address P.O. Box #675, Rupert, ID 83350

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
   ☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes Delete one well that is no longer usable, & add one new well to the system.

*see attachment B for full listing of rights

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

1.

	Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use	
*	36-02082(US)20	9-9-1948	1100	Irrig.	4-1	to 10-31
						to
						to
						to

2. Total amount of water being transferred 1100 cubic feet per second and/or 26528.2 acre-feet per annum.

3. Source of water Groundwater tributary to _____

4. Point(s) of Diversion: See Attachment C

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

5. Lands irrigated or place of use: No Change

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

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Total acres _____

PART 1

6. General Information:

a. Description of diversion system Many wells + pumps, mainlines + ditches to gravity + sprinkler irrigation.

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

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

N/A

d. Remarks:

Total number of wells in system will not change under this transfer. Transfer is needed due to reduction in groundwater supply due to continuing drought. New well will be known as the 3C922 Well.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

Witness my hand this _____ day of _____, 19____.

FEB 2 2 1994

36-02080Z0
A & B IRRIGATION DISTRICT
TRANSFER APPLICATION

1. The purpose of the application is to change a point of diversion by deleting one well and adding a new well at a different 40 acre site.

2. A field exam was conducted on December 14, 1992 with Virgil Temple, general manager of the district.

3. The well to be abandoned, known as #20A922, has had the pump removed. It is located in an area of deep clay formations and has been redrilled several times. According to Virgil Temple they have spent thousands of dollars trying to maintain an adequate flow from the well with no success.

4. The P/U previously irrigated from the abandoned well will be serviced with waste water from adjacent groundwater sources licensed under the same right.

5. The new well will tie into a system in Sections 9 & 10 that need supplemental water due to the reduced flows from a well in section 10 caused by the drought.

6. The total number of wells (176) in the system will not change and the total diversion rate from the system will not change.

MICROFILMED
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T# 4036

ATTACHMENT A

EXISTING DIVERSION POINTS

Twp.	Rng.	Sec.	Tract	Gov't Tract	No. of Wells	County
7S	23E	34	NW SE SW	A	2	Minidoka
	24E	22	NW SW SW	D	1	"
			NW NW SE	B	1	"
			NE SE SE	C	1	"
		23	NW SW NE	A	1	"
		26	NW SE NE	A	1	"
			NE NW SW	F	1	"
		28	NW SW NE	B	2	"
		30	SW NW SE	A	2	"
		31	NW SW NE	A	1	"
		32	SW SE NE	C	2	"
		33	SE NW SE	B	2	"
		34	SW SE NW	B	1	"
		35	SW SW SE	B	2	"
	25E	27	NE SE SW	A	1	"
		29	NE NE SW	A	1	"
		30	NW NE SE	B	1	"
		31	NE NE SW	D	1	"
		32	NW NE SW	D	1	"
		33	NE SW NW	A	1	"
		34	SE NE SW	C	1	"
8S	21E	22	NW NE SE	B	1	Jerome
		24	NW SE NW	C	1	"
		26	NW SE NE	D	2	"
		35	SE NE NE	G	2	"
			SW SW SW	A	1	"
			SE SE SE	C	1	"
	22E	30	SW NW SW	D	1	Minidoka
		35	SW NW NE	A	2	"
	~~23E~~		~~NE//NW//NE~~			
			SW SW SE	B	1	"
	23E	1	NE NW NE	A	2	"
			SW SW SW	F	1	"
		2	SE NE SW	D	1	"
		4	SW SW SW	E	2	"
		5	NE SE NE	G	2	"
		8	NE NE SE	C	1	"
		10	SW SE NE	H	1	"
			NE SW SW	D	1	"
		12	SW SW NE	D	2	"
			SE SE SW	F	2	"
		14	NW NW NW	N	2	"
		15	SE NE NW	A	2	"
			SE SE SE	F	1	"
		17	NW NE NW	D	1	"
			NE SE SE	C	2	"
		19	NW SW SE	A	2	"
		21	SW SE NE	A	1	"
		22	SW SE SW	C	1	"
		23	SW NW SW	E	2	"

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T-4036

Twp.	Rng.	Sec.	Tract	Gov't Tract	No. of Wells	County
8S	23E	24	NE NW NW	B	1	Minidoka
			NE SE SW	E	2	"
		25	NW SE NW	C	1	"
		26	NW NW SE	F	1	"
		27	NE NE NE	A	1	"
			SW SE NW	B	1	"
			SW SE SW	G	1	"
		28	SW NE SW	E	1	"
			NW SW SW	G	2	"
		29	SE SE NE	J	2	"
		31	SE NE SE	E	1	"
		34	NW SE SW	C	1	"
		35	SE NW NW	K	1	"
			NE SW SW	D	1	"
			SE NW SE	B	1	"
			SE SE SE	E	1	"
	24E	1	SE SE NE	B	1	"
		3	SW SE NE	A	2	"
		4	SW SW NE	C	1	"
			NE SW SW	A	2	"
		6	SE NE NW	F	1	"
			NW NW SW	B	1	"
			SE NE SE	J	1	"
		7	NW NE SE	F	1	"
		8	NE SE NE	C	1	"
		10	NW SW NE	B	1	"
			SW SW NW	H	1	"
			SE SE SW	E	1	"
		11	SW NE NW	B	2	"
			NW NW SE	E	1	"
		12	NE NW NE	C	1	"
		13	NW NW NE	K	2	"
		14	SW SE SW	E	1	"
		15	SE SW NW	C	1	"
		18	NE SW NW	D	1	"
		21	NE NW NE	E	1	"
			NE SW SW	C	1	"
		22	SW NE SE	D	1	"
		23	SE SE SW	E	1	"
		26	SE SW NE	B	1	"
		29	SE NW SE	G	1	"
		30	SW NE NW	H	1	"
			SE NW SE	A	1	"
		31	SW SE SW	B	2	"
	25E	3	SE NE NW	A	2	"
			NW NW NW	D	2	"
			NE NE SE	D	1	"
		5	NW NE NE	E	2	"
		6	NE NE SE	B	2	"
		11	NW SW SE	G	1	"
		12	NW NW NW	A	2	"
		13	NW SW SW	A	1	"
		14	SW NE SW	C	1	"
		15	NW SW SW	F	2	"

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Twp.	Rng.	Sec.	Tract	Gov't Tract	No. of Wells	County
8S	25E	17	NW NE NE	E	1	Minidoka
		19	NE NW NE	K	2	"
			SE SW NW	F	2	"
		21	NE SE SW	D	1	"
		23	NW NW NW	J	2	"
		24	SE NW NW	E	1	"
9S	21E	1	NW NE SW	A	1	Jerome
		3	NE NW SW	B	1	"
			SE SE SW	J	1	"
			NW NE SE	E	1	"
	22E	3	NW SE SE	A	2	Minidoka
		7	SE NE NE	C	1	"
			NE SE NE	C	1	"
		9	SE SW NW	B	1	"
			NE NE SW	D	1	"
		10	NE SW NE	A	1	"
		11	NW NW NE	F	1	"
			SE NE NW	F	1	"
		15	NE SW NE	C	1	"
			SW SW NE	A	1	"
		18	NE SW SE	C	2	"
		19	NW SW NW	A	1	"
		20	NW NE NE	A	1	"
		22	SE SW NE	A	1	"
		28	NE SE SE	B	1	"
		30	NW NE NE	J	1	"
		33	SE NE SE	B	2	"
	23E	2	NE SE NE	D	1	"
		3	NE SE NE	E	1	"
			NE NW SW	A	1	"
		6	SE SE NE	A	1	"
			NW SW SE	H	1	"
10S	21E	2	SW NW SW	E	1	Jerome
	22E	3	SE NW SW	J	1	Minidoka

FEB 22

After

ATTACHMENT C

EXISTING DIVERSION POINTS

Twp.	Rng.	Sec.	Tract	Gov't Tract	No. of Wells	County
7S	23E	34	NW SE SW	A	2	Minidoka
	24E	22	NW SW SW	D	1	"
			NW NW SE	B	1	"
			NE SE SE	C	1	"
		23	NW SW NE	A	1	"
		26	NW SE NE	A	1	"
			NE NW SW	F	1	"
		28	NW SW NE	B	2	"
		30	SW NW SE	A	2	"
		31	NW SW NE	A	1	"
		32	SW SE NE	C	2	"
		33	SE NW SE	B	2	"
		34	SW SE NW	B	1	"
		35	SW SW SE	B	2	"
	25E	27	NE SE SW	A	1	"
		29	NE NE SW	A	1	"
		30	NW NE SE	B	1	"
		31	NE NE SW	D	1	"
		32	NW NE SW	D	1	"
		33	NE SW NW	A	1	"
		34	SE NE SW	C	1	"
8S	21E	22	NW NE SE	B	1	Jerome
		24	NW SE NW	C	1	"
		26	NW SE NE	D	2	"
		35	SE NE NE	G	2	"
			SW SW SW	A	1	"
			SE SE SE	C	1	"
	22E	30	SW NW SW	D	1	Minidoka
		35	SW NW NE	A	2	"
	23E		NE//NW//NE			
			SW SW SE	B	1	"
	23E	1	NE NW NE	A	2	"
			SW SW SW	F	1	"
		2	SE NE SW	D	1	"
		4	SW SW SW	E	2	"
		5	NE SE NE	G	2	"
		8	NE NE SE	C	1	"
		10	SW SE NE	H	1	"
			NE SW SW	D	1	"
		12	SW SW NE	D	2	"
			SE SE SW	F	2	"
		14	NW NW NW	N	2	"
		15	SE NE NW	A	2	"
			SE SE SE	F	1	"
		17	NW NE NW	D	1	"
			NE SE SE	C	2	"
		19	NW SW SE	A	2	"
		21	SW SE NE	A	1	"
		22	SW SE SW	C	1	"
		23	SW NW SW	E	2	"

T #4036

Twp.	Rng.	Sec.	Tract	Gov't Tract	No. of Wells	County
8S	23E	24	NE NW NW	B	1	Minidoka
			NE SE SW	E	2	"
		25	NW SE NW	C	1	"
		26	NW NW SE	F	1	"
		27	NE NE NE	A	1	"
			SW SE NW	B	1	"
			SW SE SW	G	1	"
		28	SW NE SW	E	1	"
			NW SW SW	G	2	"
		29	SE SE NE	J	2	"
		31	SE NE SE	E	1	"
		34	NW SE SW	C	1	"
		35	SE NW NW	K	1	"
			NE SW SW	D	1	"
			SE NW SE	B	1	"
			SE SE SE	E	1	"
	24E	1	SE SE NE	B	1	"
		3	SW SE NE	A	2	"
		4	SW SW NE	C	1	"
			NE SW SW	A	2	"
		6	SE NE NW	F	1	"
			NW NW SW	B	1	"
			SE NE SE	J	1	"
		7	NW NE SE	F	1	"
		8	NE SE NE	C	1	"
		10	NW SW NE	B	1	"
			SW SW NW	H	1	"
			SE SE SW	E	1	"
		11	SW NE NW	B	2	"
			NW NW SE	E	1	"
		12	NE NW NE	C	1	"
		13	NW NW NE	K	2	"
		14	SW SE SW	E	1	"
		15	SE SW NW	C	1	"
		18	NE SW NW	D	1	"
		21	NE NW NE	E	1	"
			NE SW SW	C	1	"
		22	SW NE SE	D	1	"
		23	SE SE SW	E	1	"
		26	SE SW NE	B	1	"
		29	SE NW SE	G	1	"
		30	SW NE NW	H	1	"
			SE NW SE	A	1	"
		31	SW SE SW	B	2	"
	25E	3	SE NE NW	A	2	"
			NW NW NW	D	2	"
			NE NE SE	D	1	"
		5	NW NE NE	E	2	"
		6	NE NE SE	B	2	"
		11	NW SW SE	G	1	"
		12	NW NW NW	A	2	"
		13	NW SW SW	A	1	"
		14	SW NE SW	C	1	"
		15	NW SW SW	F	1	"

FEB 2 2 1991

Twp.	Rng.	Sec.	Tract	Gov't Tract	No. of Wells	County
8S	25E	17	NW NE NE	E	1	Minidoka
		19	NE NW NE	K	2	"
			SE SW NW	F	2	"
		21	NE SE SW	D	1	"
		23	NW NW NW	J	2	"
		24	SE NW NW	E	1	"
9S	21E	1	NW NE SW	A	1	Jerome
		3	NE NW SW	B	1	"
			SE SE SW	J	1	"
			NW NE SE	E	1	"
	22E	3	NW SE SE	A	3	Minidoka
		7	SE NE NE	C	1	"
			NE SE NE	C	1	"
		9	SE SW NW	B	1	"
			NE NE SW	D	1	"
		10	NE SW NE	A	1	"
		11	NW NW NE	F	1	"
			SE NE NW	F	1	"
		15	NE SW NE	C	1	"
			SW SW NE	A	1	"
		18	NE SW SE	C	2	"
		19	NW SW NW	A	1	"
		~~20~~	~~NW NE NE~~	~~A~~	~~1~~	"
		22	SE SW NE	A	1	"
		28	NE SE SE	B	1	"
		30	NW NE NE	J	1	"
		33	SE NE SE	B	2	"
	23E	2	NE SE NE	D	1	"
		3	NE SE NE	E	1	"
			NE NW SW	A	1	"
		6	SE SE NE	A	1	"
			NW SW SE	H	1	"
10S	21E	2	SW NW SW	E	1	Jerome
	22E	3	SE NW SW	J	1	Minidoka

FEB 2 2 1994

Transfer No. 4036

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

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

B 1894

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

Transfer No. 4036

PART 3

B. CHANGES IN NATURE OF USE

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

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

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

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

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

x Lloyd D Tingle, Manager
(Signature of Applicant)

Subscribed and sworn to before me this 23 day of November, 19 92.

Diana Warburton
(Notary Public)

My commission expires 3-21-96

FOR DEPARTMENT USE ONLY

Transfer contains 18 pages and 3 attachments

Received by pp JF Stanton Date 11-25-92 Protest filed by

Prelim. check by MTS Fee $50.00 S015198

Receipted by JF Date 11-25-92

Published in North Side News & Sun Pub. Pages 3/19 & 3/26/93 Copies of protest forwarded by

Pub. dates 3/17 & 3/24/93 Hearing held by Date

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

rec'd. by

Copy of transfer sent to lien holder

A+B Irrigation
Transfer Application
9S, 22E
NORTH
ROAD
Well
WEST
9
10
15
16

T # 4036

 Transfer No. 4036

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

RECEIVED
MAR 1 2 1993
Department of Water Resources

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

   a. Decree No. _____ Decreed to _____

   in case of _____ vs. _____

   dated _____ in _____ county of _____

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

   c. Claim No. 36-02080Z0 on file with the Idaho Department of Water Resources.

   d. Transfer No. _____ which produced this right.

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

   ☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 9-9-1948

5. Water is used for the following purpose:

   amount 1100 cfs (cfs/ac-ft) for Irrig. purposes from 4-1 to 10-31

   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

6. Total amount of water under right 1100 cubic feet per second and/or 250416 acre-feet per annum.

7. Point(s) of Diversion: See Attachment A

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

8. Lands irrigated or place of use: Lands Within District Boundaries

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

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FEB 22 1994

Total acres 62604

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

PART 2

Transfer No. 4036

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

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

MICROFILMED
FEB 2 2 1994

Total acres _____

Form 238-7
11/91

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

USE TYPEWRITER OR BALLPOINT PEN

WELL DRILLER'S REPORT

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

1. WELL OWNER

Name A &B Irrigation PO Box 695

Address Rupert, Idaho

Drilling Permit No. ~~36-9258-0288-001~~ 36-92-S-0288-001

Water Right Permit No. ~~36-02080~~ 36-02080

2. NATURE OF WORK

☐ New well ☒ Deepened ☐ Replacement
☐ Well diameter increase ☐ Modification
☐ Abandoned (describe abandonment or modification procedures such as liners, screen, materials, plug depths, etc. in lithologic log, section 9.)

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Department of Water Resources
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3. PROPOSED USE

☐ Domestic ☒ Irrigation ☐ Monitor
☐ Industrial ☐ Stock ☐ Waste Disposal or Injection
☐ Other _____ (specify type)

4. METHOD DRILLED

☐ Rotary ☐ Air ☐ Auger ☐ Reverse rotary
☒ Cable ☐ Mud ☐ Other _____ (backhoe, hydraulic, etc.)

5. WELL CONSTRUCTION

Casing schedule: ☐ Steel ☐ Concrete ☐ Other none

Thickness	Diameter	From	To
_____ inches	_____ inches	+ _____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Was casing drive shoe used? ☐ Yes ☐ No
Was a packer or seal used? ☐ Yes ☐ No
Perforated? ☐ Yes ☐ No
How perforated? ☐ Factory ☐ Knife ☐ Torch ☐ Gun
Size of perforation? _____ inches by _____ inches

Number	From	To
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet

Well screen installed? ☐ Yes ☐ No
Manufacturer _____ Type _____
Top Packer or Headpipe _____
Bottom of Tailpipe _____

Diameter ____ Slot size ____ Set from ____ feet to ____ feet
Diameter ____ Slot size ____ Set from ____ feet to ____ feet
Gravel packed? ☐ Yes ☐ No ☐ Size of gravel _____
Placed from _____ feet to _____ feet

Surface seal depth ___ Material used in seal: ☐ Cement grout
☐ Bentonite ☐ Puddling clay ☐ _____
Sealing procedure used: ☐ Slurry pit
☐ Temp. surface casing ☐ Overbore to seal depth
Method of joining casing: ☐ Threaded ☐ Welded
☐ Solvent Weld ☐ Cemented between strata

Describe access port _____

7. WATER LEVEL

Static water level _____ feet below land surface.
Flowing? ☐ Yes ☐ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature _____ °F. Quality _____
Describe artesian or temperature zones below.

8. WELL TEST DATA

☒ Pump ☐ Bailer ☐ Air ☐ Other _____

Discharge G.P.M.	Pumping Level	Hours Pumped

9. LITHOLOGIC LOG

Bore Diam.	Depth From	Depth To	Material	Water Yes	Water No
20	247	250	Black lava & Red clay	x	
20	250	260	BLACK BASALT	X	
20	260	270	BLACK BASALT SOFT	X	
20	270	290	BLACK BASALT HARD	X	
20	290	295	BLACK BASALT & REDCLAY	X	
20	295	300	DARK RED CINDERS		
			LOST CUTTINGS	x	
20	300	330	GREY BASALT HARD	X	
20	330	340	GREY BASALT HARD	X	
20	340	360	RED CINDERS	X	
20	360	370	GREY BASALT HARD	X	
20	370	380	GREY BASALT	X	
20	380	390	GREY BASALT& RED CLAY	X	
20	390	400	RED CLAY	X	
20	400	405	GREY BASALT SOFT	X	
20	405	415	GREY BASALT	X	
20	415	425	grey basalt	X	
20	425	427	LOST CUTTINGS	X	
20	427	430	NO CUTTINGS	X	
20	430	440	BLACK BASALT	X	
20	440	450	BLACK BASALT	X	
20	450	460	RED CINDERS	X	
20	460	470	BLACK BASALT	X	
20	470	475	GREY BASALT	X	
20	475	480	GREY BASALT	X	
20	480	485	GREYBASALT	X	
20	485	487	RED CINDERS	X	
20	487	490	GREY BASALT	X	
20	490	495	GREY BASALT	X	
20	495	510	BLACK BASALT	X	

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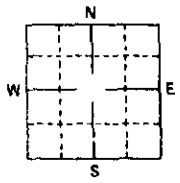
Department of Water Resources

10.

Work started OCT 25 finished Nov.25,1993

6. LOCATION OF WELL

Sketch map location **must** agree with written location.



Subdivision Name SEC24,

~~TOWNSHIP 8S, RAN GE 25E~~

Lot No. _____ Block No. _____

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County Minidoka

NW ¼ NW ¼ Sec. 24, T. 8 S ☒ R. 25 N ☐ E ☒ W ☐

11. DRILLER'S CERTIFICATION

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

Firm Name Kohtz Drilling Firm No. 493

Address Eden, Idaho Date Dec 23, 1993

Signed by Drilling Supervisor _____

and

(Operator) _____
(If different than the Drilling Supervisor)

USE ADDITIONAL SHEETS IF NECESSARY — FORWARD THE WHITE COPY TO THE DEPARTMENT

Form 238-7
8/90

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

USE TYPEWRITER OR BALLPOINT PEN

WELL DRILLER'S REPORT

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

1. WELL OWNER

Name C & O Irrigation

Address [redacted]

Drilling Permit No. 36-71-S-187

Water Right Permit No. A[redacted] 36-4265

2. NATURE OF WORK

☐ New well ☒ Deepened ☐ Replacement
☐ Well diameter increase
☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)

3. PROPOSED USE

☐ Domestic ☒ Irrigation ☐ Test ☐ Municipal
☐ Industrial ☐ Stock ☐ Waste Disposal or Injection
☐ Other _____ (specify type)

4. METHOD DRILLED

☐ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary
☒ Cable ☐ Dug ☐ Other _____

5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____

Thickness	Diameter	From	To
3/16 inches	14" inches	+ 220 feet	280 feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Was casing drive shoe used? ☐ Yes ☒ No
Was a packer or seal used? ☐ Yes ☒ No
Perforated? ☒ Yes ☐ No
How perforated? ☐ Factory ☐ Knife ☒ Torch ☐ Gun
Size of perforation 1/4 inches by 8 inches

Number	From	To
70 perforations	240 feet	260 feet
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet

Well screen installed? ☐ Yes ☒ No
Manufacturer's name _____
Type _____ Model No. _____
Diameter ___ Slot size ___ Set from _____ feet to _____ feet
Diameter ___ Slot size ___ Set from _____ feet to _____ feet
Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____
Placed from _____ feet to _____ feet
Surface seal depth _____ Material used in seal: ☐ Cement grout
☐ Bentonite ☐ Puddling clay ☐ _____
Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing
☐ Overbore to seal depth
Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent Weld
☐ Cemented between strata
Describe access port _____

7. WATER LEVEL

Static water level 212 feet below land surface.
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature 56 °F. Quality good
Describe artesian or temperature zones below.

8. WELL TEST DATA

☐ Pump ☐ Bailer ☐ Air ☐ Other _____

Discharge G.P.M.	Pumping Level	Hours Pumped

9. LITHOLOGIC LOG

Bore Diam.	Depth From	Depth To	Material	Water Yes	Water No
16"	30	220	Brown Clay		
	220	340	Hard Grey Lava		
	340	355	Black & Red Lava		
	355	357	Grey Lava "Pumice"		
	357	520	Grey Lava Blue water talk	X	
	520	382	Grey Lava "Pumice"		
	382	406	Broken Grey Lava		
	406	415	Grey Clay		

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JAN 22 1992
Department of Water Resources
Southern Region Office

10.

Work started 12-1-91 finished 1-10-92

6. LOCATION OF WELL

Sketch map location must agree with written location.

N / W / E / S

Subdivision Name _____
Lot No. _____ Block No. _____

MICROFILMED
MAY 05 1992
FEB 22 1994

County Minidoka
NE ¼ SE ¼ Sec. 9, T. 9 S ☒ N ☐ R. 22 E ☒ W ☐

11. DRILLERS CERTIFICATION

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

Firm Name North West Drilling Firm No. 499
Address 1800 E 16th Burley Date 1-20-92
Signed by (Firm Official) Ray Lem
and
(Operator) Ray Lem

USE ADDITIONAL SHEETS IF NECESSARY — FORWARD THE WHITE COPY TO THE DEPARTMENT

'1M 1 10 63

State of Idaho

License and Certificate of Water Right

Water License No. 20736 Priority Sept. 9, 1948 Amount 1100 c.f.s

THIS IS TO CERTIFY that UNITED STATES OF AMERICA, BUREAU OF RECLAMATION

of Boise, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated Sept. 9, 1948; that Permit No. 20736 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 1100 second feet, was issued thereunder on June 10th, 19 65 showing that said works were completed on the 13th day of January, 1964; and that on the 13th day of January, 19 64 U. S. of America, Bureau of Reclamation

of Boise, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of wells

a tributary of subterranean flow for the purpose of irrigation and domestic, under Use Permit No. 20736 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 13 of Licenses, at Page 8169, on the 10th day of June, 1965.

The right hereby confirmed dates from September 9, 1948.

The Point of Diversion is located see below in the ¼ ¼, Sec. , Twp. , R. , B.M. County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed n 1100 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
177 wells in Township 7 South, Ranges 23, 24 & 25 East, B. M.; Township 8 South, Ranges 21, 22, 23 24 & 25 East, B. M. Township 9 South, Ranges 21, 22 and 23 East B. M.; Township 10 South, Ranges 21 and 22 East, B. M., all in the A & B Irrigation District, Northside Pumping Division, Minidoka Project, Idaho					
62,604.3 acres in Townships 7, 8, 9 and 10 South, Ranges 21, 22, 23, 24 and 25 East, B. M., all within the boundaries of the A & B Irrigation District. North Side Pumping Division, Minidoka Project, Idaho					

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 10th day of June, 19 65.

Carl R Tappan

State Reclamation Engineer.

MICROFILMED

State of Idaho

LICENSE AND CERTIFICATE OF WATER RIGHT

Water License No. 20736

To U. S. of America, Bureau of Reclamation, Boise, Idaho

Source of Supply subterranean

Jerome, Lincoln, Minddoka County

Amount 1100 Sec. Ft.

Point of Diversion 177 wells in T7 S., R. 23, 24, 25 E., B. M., T. 8 S., R. 21, 22, 23, 24 & 25, E., B. M. T. 9 S., R. 21, 22, 23 E. T. 10 S.

Place of Use R. 21 and 22 E.

62,604.3 acres in T. 7, 8, 9 and 10 South, Ranges 21, 22, 23, 24 25 E., B. M., all within the boundaries of the A & B. Irrigation District

Purpose irrigation & domestic

Date of Priority Sept. 9, 1948

Recorded June 10, 1965

in Book 13 of Licenses, Page 8169

MICROFILMED

IM 1 10 63

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OCT 10 1984

State of Idaho

License and Certificate of Water Right

Department of Water Resources

Water License No. 20736 Priority Sept. 9, 1948 Amount 1100 c.f.s

THIS IS TO CERTIFY that UNITED STATES OF AMERICA, BUREAU OF RECLAMATION

of Boise, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated Sept. 9, 1948; that Permit No. 20736 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 1100 second feet, was issued thereunder on June 10th, 19 65 showing that said works were completed on the 13th day of January, 1964; and that on the 13th day of January, 19 64 U. S. of America, Bureau of Reclamation

of Boise, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of wells

a tributary of subterranean flow for the purpose of irrigation and domestic, under Use Permit No. 20736 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 13 of Licenses, at Page 8169, on the 10th day of June, 1965.

The right hereby confirmed dates from September 9, 1948.

The Point of Diversion is located see below in the ¼ ¼, Sec. , Twp. , R. , B.M. County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed n 1100 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
177 wells in Township 7 South, Ranges 23, 24 & 25 East, B. M.; Township 8 South, Ranges 21, 22, 23 24 & 25 East, B. M. Township 9 South, Ranges 21, 22 and 23 East B. M.; Township 10 South, Ranges 21 and 22 East, B. M., all in the A & B Irrigation District, Northside Pumping Division, Minidoka Project, Idaho					
62,604.3 acres in Townships 7, 8, 9 and 10 South, Ranges 21, 22, 23, 24 and 25 East, B. M., all within the boundaries of the A & B Irrigation District. North Side Pumping Division, Minidoka Project, Idaho					

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 10th day of June, 19 65.

Carl R Taggart

State Reclamation Engineer.

RECORDED

State of Idaho

LICENSE AND CERTIFICATE OF WATER RIGHT

Water License No. 20736

To U. S. of America, Bureau of Reclamation, Boise, Idaho

Source of Supply subterranean

~~Jerome, Lincoln, Minddoka~~ County

Amount 1100 Sec. Ft.

Point of Diversion 177 wells in T7 S., R. 23, 24, 25 E., B. M., T. 8 S., R. 21, 22, 23, 24 & 25, E., B. M. T. 9 S., R. 21, 22, 23 E. T. 10 S.

Place of Use R. 21 and 22 E.

62,604.3 acres in T. 7, 8, 9 and 10 South, Ranges 21, 22, 23, 24 25 E., B. M., all within the boundaries of the A & B. Irrigation District

Purpose irrigation & domestic

Date of Priority Sept. 9, 1948

Recorded June 10, 1965

in Book 13 of Licenses, Page 8169

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE $300

POSTMARK OF DELIVERING OFFICE

INSTRUCTIONS.—*Show name, address and number of article below. Complete "Instructions to Delivering Employee" on other side, when applicable. Moisten gummed ends and securely attach to back of article. Endorse front of article RETURN RECEIPT REQUESTED.*

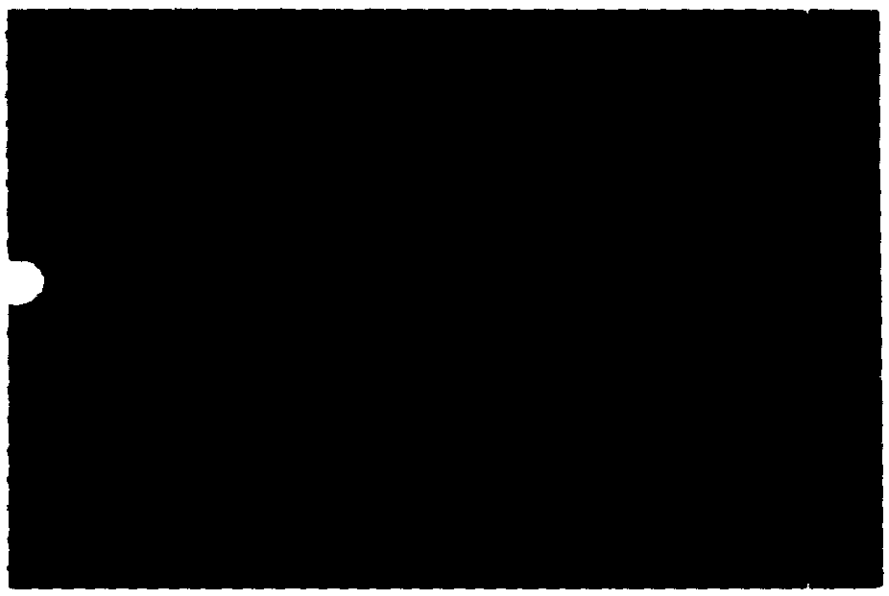
RETURN TO

REGISTERED NO.	NAME OF SENDER
CERTIFIED NO.	STREET AND NO. OR P. O. BOX
INSURED NO.	CITY, ZONE, AND STATE

20736

P&D Form 3811, Dec.

e16—71648-3



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Department of Reclamation

November 8, 1965

Mr. August Bethke
County Clerk
Minidoka County Courthouse
Rupert, Idaho

Re: G. L. Dean and Sons v.
Carl E. Tappan

Dear Mr. Bethke:

In regard to the above matter, I have enclosed a Notice of Change of Attorney and a Motion to Dismiss with an attached Affidavit.

Very truly yours,

FOR THE ATTORNEY GENERAL

WILLIAM D. COLLINS
Assistant Attorney General

WDC/at

Enclosures

PROFILED
DATE 11/06/2007

COPY

IN THE DISTRICT COURT OF THE ELEVENTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF MINIDOKA

G. L. DEAN AND SONS, an Idaho Corporation, Appellant, vs. CARL E. TAPPAN, STATE RECLAMATION ENGINEER, Respondent.	MOTION TO DISMISS

COMES NOW, Respondent, by and through his attorneys of record, ALLAN G. SHEPARD, Attorney General of the State of Idaho, and WILLIAM D. COLLINS, Assistant Attorney General of the State of Idaho, and moves this Court to dismiss the appeal in the above-entitled action on the grounds and for the reasons that the statutory time allowed for appeal has lapsed and further that Appellant has no standing to appeal.

Dated this 8 day of November, 1965.

ALLAN G. SHEPARD
Attorney General
State of Idaho

S/ WILLIAM D. COLLINS
WILLIAM D. COLLINS
Assistant Attorney General
State of Idaho

RECEIVED
NOV 9 1965
Department of Reclamation

CERTIFICATE OF MAILING

I hereby certify that I have this 8 day of November, 1965, served the foregoing Motion to Dismiss by placing true and correct copies of the same in the United States Mail, postage prepaid, addressed to each of the following:

Roger D. Ling
Duffin and Duff
Attorneys at Law
P. O. Box 61
Rupert, Idaho

John R. Coleman
Parry, Robertson and Daly
Attorneys at Law
Fidelity National Bank Building
Twin Falls, Idaho

William Burpee
Field Solicitor
Bureau of Reclamation
P. O. Box 937
Boise, Idaho

S/ WILLIAM D. COLLINS
WILLIAM D. COLLINS
Assistant Attorney General
State of Idaho

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NOV 9 1965
Department of Reclamation

IN THE DISTRICT COURT OF THE ELEVENTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF MINIDOKA

G. L. DEAN AND SONS, an Idaho Corporation, Appellant, vs. CARL E. TAPPAN, STATE RECLAMATION ENGINEER, Respondent.	No. 7656 NOTICE OF CHANGE OF ATTORNEY

NOTICE is hereby given that WILLIAM D. COLLINS, Assistant Attorney General of the State of Idaho, has been appointed to replace STEPHEN W. BOLLER, as associate attorney for CARL E. TAPPAN, State Reclamation Engineer, in the action of Dean and Sons v. Tappan by ALLAN G. SHEPARD, Attorney General of the State of Idaho.

Dated this 8 day of November, 1965.

S/ ALLAN G. SHEPARD
ALLAN G. SHEPARD
Attorney General
State of Idaho

CERTIFICATE OF MAILING

I hereby certify that I have this _____ day of November, 1965, served the foregoing Notice of Change of Attorney by placing true and correct copies of the same in the United States Mail, postage prepaid, addressed to each of the following:

Roger D. Ling Duffin and Duff Attorneys at Law P. O. Box 61 Rupert, Idaho	John R. Coleman Parry, Robertson and Daly Attorneys at Law Fidelity Nat'l Bank Bldg. Twin Falls, Idaho	William Burpee Field Solicitor Bureau of Reclamation P. O. Box 937 Boise, Idaho

S/ ALLAN G. SHEPARD
ALLAN G. SHEPARD
Attorney General
State of Idaho

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NOV 9 1965
Department of Reclamation

November 8, 1965

Mrs. Luella L. Kinsey
County Clerk
Lincoln County Courthouse
Shoshone, Idaho

Re: Clark v. Tappan

Dear Mrs. Kinsey:

In regard to the above matter, I have enclosed a Notice of Change of Attorney and a Motion to Dismiss with an attached Affidavit.

Very truly yours,

FOR THE ATTORNEY GENERAL

WILLIAM D. COLLINS
Assistant Attorney General

WDC/at

Enclosures

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NOV 9 1965
Department of Reclamation

A F F I D A V I T

STEPHEN W. BOLLER, being first duly sworn, upon his oath deposes and says:

I.

That he is a licensed, practicing attorney in the State of Idaho.

II.

That he was an Assistant Attorney General from the period September, 1963 to August, 1965, and was appointed by the Attorney General as the attorney for the State Department of Reclamation.

III.

That as said Department's attorney he was the attorney of record for the respondent in the Minidoka County Case of G. L. Dean and Sons vs. Tappan, and in four other similar actions involving the same questions of law and based upon the same facts, filed in Cassia, Jerome, Blaine and Lincoln Counties. That the titles of these actions are not now known to the affiant.

IV.

That following the filing of said action, he responded with a Motion to Dismiss the Appeal as premature.

V.

That a pre-trial hearing was held on December 1, 1964, before the Honorable Lloyd J. Webb, District Judge of the Eleventh Judicial District, at the Court House, Burley, Cassia County, Idaho.

VI.

That also present at the pre-trial hearing were Lawrence Duffin of Duffin and Duff, attorneys for the appellants, John Daly and John Coleman, Parry, Robertson & Daly, informal amicus curiae for the A & B Irrigation District,

MURPHY, SCHWARTZ & CUNNINGHAM
ATTORNEYS AT LAW
BURLEY AND TWIN FALLS, IDAHO

20736

and William Burpee, Field Solicitor for the United States Bureau of Reclamation.

VII.

That at the pre-trial conference the Cassia County Case was dismissed upon agreement of the parties.

IX.

That all parties to the action agreed that rather than pursue the Jerome, Lincoln, Blaine and Minidoka County actions simultaneously, the decisions in the other three cases would rest upon the Court's decision in the Minidoka County Case G. L. Dean and Sons vs. Tappan. The Court, at that time, agreed to this stipulation, with the reservation that since the Blaine and Lincoln County cases were not in the Eleventh Judicial District, the Court could not hear or control those cases, but could hear the Jerome County Case.

X.

That this affidavit is made at the request of the respondent and the various informal amicus curiae.

SUBSCRIBED AND SWORN to before me this 2nd day of November, 1965.

Notary Public for the State of Idaho, residing at Shoshone, Idaho.

MURPHY, SCHWARTZ & CUNNINGHAM
ATTORNEYS AT LAW
SHOSHONE AND TWIN FALLS, IDAHO

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NOV 9 1965
Department of Reclamation

November 8, 1965

Mrs. Ella McVey
County Clerk
Jerome County Courthouse
Jerome, Idaho

Re: Humphrey v. Tappan

Dear Mrs. McVey:

In regard to the above matter, I have enclosed a Notice of Change of Attorney and a Motion to Dismiss with an attached Affidavit.

Very truly yours,

FOR THE ATTORNEY GENERAL

WILLIAM D. COLLINS
Assistant Attorney General

WDC/at

Enclosures

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Department of Reclamation

IN THE DISTRICT COURT OF THE ELEVENTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF JEROME

BEN KING HUMPHREY, Appellant, vs. CARL E. TAPPAN, STATE RECLAMATION ENGINEER, Respondent.	NOTICE OF CHANGE OF ATTORNEY

NOTICE is hereby given that WILLIAM D. COLLINS, Assistant Attorney General of the State of Idaho, has been appointed to replace STEPHEN W. BOLLER as associate attorney for CARL E. TAPPAN, State Reclamation Engineer, in the action of Humphrey v. Tappan by ALLAN G. SHEPARD, Attorney General of the State of Idaho.

Dated this 8 day of November, 1965.

S/ ALLAN G. SHEPARD
ALLAN G. SHEPARD
Attorney General
State of Idaho

CERTIFICATE OF MAILING

I hereby certify that I have this 8 day of November, 1965, served the foregoing Notice of Change of Attorney by placing true and correct copies of the same in the United States Mail, postage prepaid, addressed to each of the following:

Roger D. Ling Duffin and Duff Attorneys at Law P. O. Box 61 Rupert, Idaho	John R. Coleman Parry, Robertson and Daly Attorneys at Law Fidelity Nat'l Bank Bldg. Twin Falls, Idaho	William Burpee Field Solicitor Bureau of Reclamation P. O. Box 937 Boise, Idaho

S/ ALLAN G. SHEPARD
ALLAN G. SHEPARD
Attorney General
State of Idaho

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Department of Reclamation

IN THE DISTRICT COURT OF THE ELEVENTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF JEROME

BEN KING HUMPHREY,

Appellant,

vs.

CARL E. TAPPAN, STATE RECLAMATION ENGINEER,

Respondent.

MOTION TO DISMISS

COMES NOW, Respondent, by and through his attorneys of record, ALLAN G. SHEPARD, Attorney General of the State of Idaho, and WILLIAM D. COLLINS, Assistant Attorney General of the State of Idaho, and moves this Court to dismiss the appeal in the above-entitled action on the ground and for the reasons that:

I.

The attorneys of record, Lawrence H. Duffin, Attorney for Appellant, and Stephen W. Boller, Attorney for Respondent, agreed at the pre-trial conference held December 1, 1964, in the action of G. L. Dean and Sons, an Idaho Corporation v. Carl E. Tappan, State Reclamation Engineer, District Court of the Eleventh Judicial District of the State of Idaho, County of Minidoka, that the present appeal would rise or fall with the decision handed down in that action, and that the above-mentioned action was dismissed on the ground that the appeal was premature.

II.

The statutory time allowed for appeal has lapsed.

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NOV 9 1965
Department of Reclamation

III.

Appellant has no standing to appeal.

Dated this 8 day of November, 1965.

ALLAN G. SHEPARD
Attorney General
State of Idaho

S/ WILLIAM D. COLLINS
WILLIAM D. COLLINS
Assistant Attorney General
State of Idaho

CERTIFICATE OF MAILING

I hereby certify that I have this 8 day of November, 1965, served the foregoing Motion to Dismiss by placing true and correct copies of the same in the United States Mail, postage prepaid, addressed to each of the following:

Roger D. Ling
Duffin and Duff
Attorneys at Law
PO Box 61
Rupert, Idaho

John R. Coleman
Parry, Robertson and Daly
Attorneys at Law
Fidelity Nat'l Bank Building
Twin Falls, Idaho

William Burpee
Field Solicitor
Bureau of Reclamation
P. O. Box 937
Boise, Idaho

S/ WILLIAM D. COLLINS
WILLIAM D. COLLINS
Assistant Attorney General
State of Idaho

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LINCOLN

SAMUEL A. CLARK, JR. Appellant, vs. CARL E. TAPPAN, STATE RECLAMATION ENGINEER, Respondent.	**NOTICE OF CHANGE OF ATTORNEY**

NOTICE is hereby given that WILLIAM D. COLLINS, Assistant Attorney General of the State of Idaho, has been appointed to replace STEPHEN W. BOLLER as associate attorney for CARL E. TAPPAN, State Reclamation Engineer, in the action of Clark v. Tappan by ALLAN G. SHEPARD, Attorney General, State of Idaho.

Dated this 8 day of November, 1965.

S/ ALLAN G. SHEPARD
ALLAN G. SHEPARD
Attorney General
State of Idaho

CERTIFICATE OF MAILING

I hereby certify that I have this 8 day of November, 1965, served the foregoing Notice of Change of Attorney by placing true and correct copies of the same in the United States Mail, postage prepaid, addressed to each of the following:

Roger D. Ling
Duffin and Duff
Attorneys at Law
P. O. Box 61
Rupert, Idaho

John R. Coleman
Parry, Robertson and Daly
Attorneys at Law
Fidelity Nat'l Bank Bldg.
Twin Falls, Idaho

William Burpee
Field Solicitor
Bureau of Reclamation
P. O. Box 937
Boise, Idaho

S/ ALLAN G. SHEPARD
ALLAN G. SHEPARD
Attorney General
State of Idaho

Department of Reclamation

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LINCOLN

SAMUEL A. CLARK, JR. Appellant, vs. CARL E. TAPPAN, STATE RECLAMATION ENGINEER, Respondent.	**MOTION TO DISMISS**

COMES NOW, Respondent, by and through his attorneys of record, ALLAN G. SHEPARD, Attorney General of the State of Idaho, and WILLIAM D. COLLINS, Assistant Attorney General of the State of Idaho, and moves this Court to dismiss the appeal in the above-entitled action on the grounds and for the reasons that:

I.

The attorneys of record, Lawrence H. Duffin, Attorney for Appellant, and Stephen W. Boller, Attorney for Respondent, agreed at the pre-trial conference held December 1, 1964, in the action of G. L. Dean and Sons, an Idaho Corporation v. Carl E. Tappan, State Reclamation Engineer, District Court of the Eleventh Judicial District of the State of Idaho, County of Minidoka, that the present appeal would rise or fall with the decision handed down in that action, and that the above-mentioned action was dismissed on the ground that the appeal was premature.

II.

The statutory time allowed for appeal has lapsed.

RECEIVED

III.

Appellant has no standing to appeal

Dated this 8 day of November, 1965.

ALLAN G. SHEPARD
Attorney General
State of Idaho

S/ WILLIAM D. COLLINS
WILLIAM D. COLLINS
Assistant Attorney General
State of Idaho

CERTIFICATE OF MAILING

I hereby certify that I have this 8 day of November, 1965, served the foregoing Motion to Dismiss by placing true and correct copies of the same in the United States Mail, postage prepaid, addressed to each of the following:

Roger D. Ling
Duffin and Duff
Attorneys at Law
P. O. Box 61
Rupert, Idaho

John R. Coleman
Parry, Robertson and Daly
Attorneys at Law
Fidelity National Bank Building
Twin Falls, Idaho

William Burpee
Field Solicitor
Bureau of Reclamation
P. O. Box 937
Boise, Idaho

S/ WILLIAM D. COLLINS
WILLIAM D. COLLINS
Assistant Attorney General
State of Idaho

RECEIVED

November 8, 1965

Mr. George F. McCoy
County Clerk
Blaine County Courthouse
Hailey, Idaho

Re: Honsinger v. Tappan

Dear Mr. McCoy:

In regard to the above matter, I have enclosed a Notice of Change of Attorney and a Motion to Dismiss with an attached Affidavit.

Very truly yours,

FOR THE ATTORNEY GENERAL

WILLIAM D. COLLINS
Assistant Attorney General

WDC/at

Enclosures

COPY

20736

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF

THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BLAINE

ROY T. HONSINGER, Appellant, vs. CARL E. TAPPAN, STATE RECLAMATION ENGINEER, Respondent.	NOTICE OF CHANGE OF ATTORNEY

NOTICE is hereby given that WILLIAM D. COLLINS, Assistant Attorney General of the State of Idaho, has been appointed to replace STEPHEN W. BOLLER as associate attorney for CARL E. TAPPAN, State Reclamation Engineer, in the action of Honsinger v. Tappan by ALLAN G. SHEPARD, Attorney General of the State of Idaho.

Dated this 8 day of November, 1965.

S/ ALLAN G. SHEPARD
ALLAN G. SHEPARD
Attorney General
State of Idaho

CERTIFICATE OF MAILING

I hereby certify that I have on this 8 day of November, 1965, served the foregoing Notice of Change of Attorney by placing true and correct copies of the same in the United States Mail, postage prepaid, addressed to each of the following:

Roger D. Ling Duffin and Duff Attorneys at Law P. O. Box 61 Rupert, Idaho	John R. Coleman Parry, Robertson and Daly Attorneys at Law Fidelity Nat'l Bank Bldg. Twin Falls, Idaho	William Burpee Field Solicitor Bureau of Reclamation P. O. Box 937 Boise, Idaho

S/ ALLAN G. SHEPARD
ALLAN G. SHEPARD
Attorney General
State of Idaho

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BLAINE

ROY T. HONSINGER, Appellant, vs. CARL E. TAPPAN, STATE RECLAMATION ENGINEER, Respondent.	MOTION TO DISMISS

COMES NOW, Respondent, by and through his attorneys of record, ALLAN G. SHEPARD, Attorney General of the State of Idaho, and WILLIAM D. COLLINS, Assistant Attorney General of the State of Idaho, and moves this Court to dismiss the appeal in the above-entitled action on the grounds and for the reasons that:

I.

The attorneys of record, Lawrence H. Duffin, Attorney for Appellant, and Stephen W. Boller, Attorney for Respondent, agreed at the pre-trial conference held December 1, 1964, in the action of G. L. Dean and Sons, an Idaho Corporation v. Carl E. Tappan, State Reclamation Engineer, District Court of the Eleventh Judicial District of the State of Idaho, County of Minidoka, that the present appeal would rise or fall with the decision handed down in that action, and that the above-mentioned action was dismissed on the ground that the appeal was premature.

II.

The statutory time allowed for appeal has lapsed.

III.

Appellant has no standing to appeal.

Dated this 8 day of November, 1965.

ALLAN G. SHEPARD
Attorney General
State of Idaho

S/ WILLIAM D. COLLINS
WILLIAM D. COLLINS
Assistant Attorney General
State of Idaho

CERTIFICATE OF MAILING

I hereby certify that I have this 8 day of November, 1965, served the foregoing Motion to Dismiss by placing true and correct copies of the same in the United States Mail, postage prepaid, addressed to each of the following:

Roger D. Ling
Duffin and Duff
Attorneys at Law
P. O. Box 61
Rupert, Idaho

John R. Coleman
Parry, Robertson and Daly
Attorneys at Law
Fidelity National Bank Building
Twin Falls, Idaho

William Burpee
Field Solicitor
Bureau of Reclamation
P. O. Box 937
Boise, Idaho

S/ WILLIAM D. COLLINS
WILLIAM D. COLLINS
Assistant Attorney General
State of Idaho

20226

IN THE DISTRICT COURT OF THE ELEVENTH JUDICIAL DISTRICT

OF THE STATE OF IDAHO, IN AND FOR

FREMONT COUNTY.

G. L. DEAN AND SONS, an Idaho Corporation,

Appellant,

vs.

CARL E. TAPPAN, STATE RECLAMATION ENGINEER,

Respondent.

OPINION ON MOTION TO DISMISS APPEAL.

Civil No. 4609.

This is an appeal, pursuant to 42-224, I.C., from the granting of a license and certificate of water right by the respondent to the United States on June 10, 1965. The appeal was filed September 28, 1965. The respondent moves the dismissal of the appeal on the basis that it is not timely filed.

The appeal provisions of 42-224 provide:

"Such appeal shall be taken within sixty days from the date of such license."

The sixty days lapsed August 9, 1965. The appellant, however, argues that appeal time may be enlarged when the failure to appeal within the allowed time is the result of fraud, misrepresentation or other acts of the respondent causing the appellants to allow the time to lapse. The appellant states, and apparently correctly, that it had no notice of the entry and issuance of the license and no way of knowing of the entry and issuance short of sitting in the respondent's office every day. The respondent contends that the appeal time is jurisdictional and cannot be extended by an action or inaction of the parties or through any act of the Court.

Appeal times are generally held to be jurisdictional and not subject to extention by the parties. Penny v. Nez Perces County, 4 Idaho 642, 645 (1895); [illegible], 142 P2d 423, 149 ALR 1250 (1943); 4 AmJur 2d 782. Notice of the entry of an order is, in the absence of a statute requiring it, not necessary to its validity. Pike v. French, 54 Idaho 104, 108; Cosma v. [illegible], 324 P. 553, 554 (Calif 1958); 49 CJS 236. It would not appear that administrative law rules are any different. 4AmJur2d 620. Absent statute to the contrary, then, the time for appeal must be said to ordinarily run from the entry of the order, not from the time notice is received. 4A CJS 122.

There are, however, decisions and textual statements concluding that fraud or other dereliction of the respondent can excuse an untimely filing by the appellant. 4A CJS 148; 4 AmJur 2d 786; Annot., 149 ALR 1261 (1944). Special circumstances resulting in deprivation of the rights of the appellant have, in some cases, required a relaxation of the rule. Boruff v. U.S., 310 F2d 918, 921 (5th Cir 1962).

The Idaho Rules of Civil Procedure require notice of orders and judgments to be given to the interested parties. Rule 77(d), IRCP. There has been no suggestion, however, by either the courts or the legislature that a failure of compliance with this Rule would result in an extention of time within which to appeal.

The appellant states that certain procedural steps essential to the issuance of the license were not accomplished by the United States. The respondent argues that appellant cannot, in any event, appeal because it failed to lodge formal protests within the time required by law. As I see it, neither question can be decided at this stage of the proceedings. The only question is whether the appeal, on the basis of its filing date, can be considered at all.

It is apparently true that the respondent agreed to keep the appellant's counsel advised of whatever action was taken upon the United States' application for the waters in question. His failure to do so is at least reprehensible and possibly gives rise to a suspicion of a deliberate intention to avoid an appeal. Nevertheless, our law is rather well established that appeal times are jurisdictional and the fact is that the appeal was not filed within the required time. It is the filing and not the notice that starts the time. I am of the opinion that I am without authority to reach any other conclusion. It occurs to me that a direct action against the respondent would be warranted in this case but that question is not before me and I make no comment as to the likelihood of success of such a venture.

The appeal must be dismissed and the motion is granted. Counsel for the respondent will prepare and submit an appropriate order.

DATED this 9th day of February, 1956.

DISTRICT JUDGE.

20736

IN THE DISTRICT COURT OF THE ELEVENTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF JEROME

CIVIL ACTION, CASE NO. 4531

-0-

BEN KING HUMPHREY, Appellant, -vs- CARL E. TAPPAN, State Reclamation Engineer, Respondent.	**NOTICE OF AMENDED APPEAL**

-0-

To the Clerk of the above-entitled court and Carl E. Tappan, State Reclamation Engineer:

TAKE NOTICE that the undersigned hereby amends his appeal filed August 12, 1964 to the Eleventh Judicial District Court, and further appeals from the issuance of License #20736 by the State Reclamation Engineer on the 10th day of June, 1965, under Water Permit No. 20736, issued to the United States Bureau of Reclamation. Appellant is dissatisfied with said License and aggrieved thereby for the reason that said License adversely affects, injures and damages the priority of appellant's water right. Please find attached hereto Appellant's Petition and certified true copies of said License and Protests.

DATED this 28th day of September, 1965.

DUFFIN & DUFF

By ROGER D. LING
Roger D. Ling
Attorneys for Appellant

Address: P. O. Box 61
Corner Fremont & G St.
Rupert, Idaho

20736

RECEIVED
OCT 1 1965
Department of Reclamation

IN THE DISTRICT COURT OF THE ELEVENTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF JEROME

CIVIL ACTION, CASE NO. 4531

-0-

BEN KING HUMPHREY,

Appellant,

-vs-

CARL E. TAPPAN, State Reclamation Engineer,

Respondent.

CERTIFICATE OF SERVICE

-0-

I hereby certify that on Thursday, the 30th day of September, 1965, I served a copy of the Notice of Appeal and Petition Amended of Ben King Humphrey, upon the State Reclamation Engineer and the licensee by depositing in a United States Mail depository at Rupert, Idaho, first class postage prepaid, in sealed envelopes, addressed as follows:

Carl E. Tappan
State Reclamation Engineer
107 State House
Boise, Idaho

H. T. Nelson
U. S. Bureau of Reclamation
Box 937
Boise, Idaho

ROGER D. LING
Roger D. Ling, Member of the Firm
Duffin & Duff
Attorneys for Petitioner-Appellant

20736

IN THE DISTRICT COURT OF THE ELEVENTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF JEROME

CIVIL ACTION, CASE NO. 4531

-0-

BEN KING HUMPHREY, Appellant, -vs- CARL E. TAPPAN, State Reclamation Engineer, Respondent.	PETITION ON AMENDED APPEAL

-0-

TO THE DISTRICT COURT OF THE ELEVENTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF JEROME:

The Petition of Ben King Humphrey respectfully shows the following in support of his Amended Appeal:

STATEMENT OF FACTS

That the petitioner is the owner of a license to use underground water in Jerome County with a priority date subsequent to September 9, 1948, the date the United States Bureau of Reclamation filed its application to use water from the same aquifer. The priority date granted to the United States Bureau of Reclamation in its license issued June 10, 1965, is September 9, 1948.

The Bureau of Reclamation, hereinafter referred to as the "Bureau", received a permit dated September 9, 1948, to appropriate 1,333 c.f.s. of underground water from 306 wells for irrigation purposes, to be applied on 66,664 acres of land in Minidoka and Jerome counties. The Department of Reclamation of the State of Idaho, hereinafter referred to as the "Department", approved said permit on November 5, 1948.

On September 1, 1953, the Bureau was notified by the Department that proof of completion of works must be submitted on or before November 5, 1953. The Bureau, on September 30, 1953, made formal application for an extension of time for this completion of works, to November 5, 1958. On January 8, 1954, the Department, by its then State Reclamation Engineer, Mark R. Kulp, approved an extension of time for a period of two years, to November 5, 1955.

20736

By letter dated February 5, 1954, Mr. Kulp further notified the Bureau, after its inquiry, that a further extension of time beyond November 5, 1955 would be difficult to justify, should an additional extension of time be requested. By letter dated October 21, 1954, Mr. Kulp again notified the Bureau that if a request for an extension of time to November 5, 1958 was to be made, that the request be advertised in a newspaper or newspapers in the county or counties in which the project is located. On September 1, 1955, the Bureau was again notified that Proof of Completion of Works must be submitted on or before November 5, 1955. On October 26, 1955, the Department received an application from the Bureau to extend the time for Completion of Works under said Permit to November 5, 1958. This application was advertised in papers in Minidoka and Jerome counties.

On April 5, 1956, Mark R. Kulp, State Reclamation Engineer, denied the Bureau's application for extension of time for Completion of Works. It was the further decision of the State Reclamation Engineer that the priority date of that part of the right initiated by Permit No. 20736 depending on works constructed prior to November 5, 1955 shall relate back to September 9, 1948 and that the part of the right initiated under Permit No. 20736 and depending on works not completed by November 5, 1955, may relate back to November 5, 1955. No appeal was taken from this decision as is provided by §42-204, Idaho Code, as amended. On October 31, 1956, Mr. Kulp, State Reclamation Engineer, extended the time for Completion of Works for items not completed by November 5, 1955 to November 5, 1958, and extended the time for making Proof of Completion of Works on all work to November 5, 1958.

By letter dated September 22, 1958, the Bureau again made a request to the then State Reclamation Engineer, George N. Carter, for an extension of time for making Proof of Completion of Works on all work under Permit No. 20736 to November 5, 1963. On November 13, 1958, Mr. Carter denied this request and urged that Proof of Completion of Works should then be made. The usual notice and forms for the Proof were enclosed with that letter.

Nothing appeared to have been done on this matter until December, 1963, when the Bureau published its intention to submit Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. 20736 at 10 o'clock A.M. on January 13, 1964. It should be noted that protests were filed against the Bureau's application for extension of time made on September 30, 1953 and all subsequent applications made with the Department, although there was no statutory authority for such protests. Seven protests were filed by interested parties to the intended proof to be made by the Bureau on January 13, 1964 of Completion of Works and Application to Beneficial Use with a priority date of September 9, 1948. Many formal protestswere filed subsequent to the date set for final Proof of Completion of Works and Application to Beneficial Use by the Bureau. It appears that some proof was accepted on January 13, 1964, in that the affidavits of the holder and two witnesses were forwarded to the

office of the Department on February 3, 1964. This receipt by the State Reclamation Engineer was subsequent to the receipt of the formal protests above mentioned. The inspection and examination report required by law to be made prior to the date for Proof of Completion of Works and a similar report required by law to be made and filed prior to the Proof of Application to Beneficial Use, were not made by the Department, nor were such reports caused to be made by another by the Department.

An Opinion concerning Proof of Completion of Works and Application to Beneficial Use on Permit No. 20736 was requested from the Attorney General of the State of Idaho by Mr. Tappan, State Reclamation Engineer. This opinion, bearing the date of February 28, 1964, advised Mr. Tappan that the Permit should be cancelled.

By letter dated June 25, 1964, Carl E. Tappan, the present State Reclamation Engineer, held that Permit No. 20736 would be licensed as follows:

> "The priority date of that part of the right initiated by Permit No. 20736, depending on works constructed prior to November 5, 1955, shall relate back to September 9, 1948 and that part of the right initiated under Permit No. 20736, and depending on works not completed by November 5, 1955, may relate back to November 5, 1955. The licensee will provide a list of the wells and lands which will be licensed under date of priority as set out herein."

There is no indication in the record of whether or not the licensee provided the list of wells as directed in the above decision. This proof could not have been, in any event, submitted on January 13, 1964, the only date ever set for submission of proof for completion of works. Appellant filed his Notice of Appeal to the above decision on August 12, 1964.

On June 10, 1965, Carl E. Tappan, State Reclamation Engineer, issued a Certificate of Completion of Works and a license granting the Bureau the right to use waters from 177 wells for the irrigation of 62,604.3 acres in the amount of 1100 c.f.s., with a priority date of September 9, 1948. No notice was given to the appellant of the issuing of this license and/or the Certificate of Completion of Works, contrary to the assurances given by the State Reclamation Engineer on February 21, 1964, and reaffirmed on February 28, 1964, that all parties would be informed of any action taken. Notice of the issuing of the license was first received on September 8, 1965.

STATEMENT OF ERRORS

The appellant feels himself aggrieved by the priority date contained in the license issued by the Department, and believes the issuing of the license was erroneous on the following grounds and for the following reasons:

1. The holder of Permit No. 20736, and subsequent licensee thereunder, the United States Bureau of Reclamation, is bound by state law in obtaining water rights and should be treated as any other individual, except where the Idaho statutes expressly provide otherwise. (Pioneer Irrigation District vs. American Ditch Association, et al, 50 Idaho 73, 21 P2d 196 (1939). The Bureau has not complied with the applicable Idaho statutes.

2. By the failure of the licensee to appeal the decision of the State Reclamation Engineer dated April 5, 1956, and its failure to appeal the refusal of the State Reclamation Engineer to grant an extension of time in 1958 for Completion of Works, these decisions are conclusive. Section 42-204, Idaho Code; Idaho Power Company vs. City of Buhl, 62 Idaho 351, 111 P2d 1088 (1941).

3. The licensee has failed to comply with the statutory requirements for Proof of Completion of Works, as provided by §42-214 of the Idaho Code. The latest possible date for submission of Proof of Completion of Works was November 5, 1958. The permittee-licensee attempted to prove this on January 13, 1964, over five years beyond the statutory time allowed. Such failure to comply with the conditions of the permit is an abandonment of the rights under the Permit. §42-204, Paragraph 3, Idaho Code. The conditions and limitations of the permit, and the statute governing the issuance of the same, must be substantially complied with in the diligent prosecution and completion of the work within the time and manner provided by law. Washington State Sugar Company vs. Goodrich, 27 Idaho 26, 38, 147 Pac. 1073 (1950).

4. Allowance of a priority, based on the theory of "relation", under the permit, was not proper where the Proof of Completion of Works was not submitted within the time alloted by the permit and the extensions thereto. Speer v. Stefenson, 16 Idaho 707, 716; 102 Pac. 365 (1909): "The right given by the permit is merely a contingent right which may ripen into a complete appropriation or may be defeated by failure of the holder to comply with the requirements of the statute." In Rabido v. Furey, 33 Idaho 56, 190 Pac. 73 (1920), the Court stated at page 63: "Since the State Engineer certified that the water permit granted her was voidable because of failure to make Proof of Completion of Works, we must fall back on the date of the actual application of the water for the date of her priority."

5. The State Reclamation Engineer should have cancelled Permit No. 20736 for it had no legal effect, all rights having been abandoned under the permit as provided by law. Section 42-204 of the Idaho Code and Section 42-311 of the Idaho Code. Even though there was a failure to cancel the above-mentioned permit, the licensee had no claim to any rights under its permit after its abandonment. The office of the Department of Reclamation is required to cancel the permit for the sole purpose of clearing its records. §42-311, Idaho Code. An abandonment of any right under the Permit was further shown by the failure of the licensee to make application for a permit for Completion of Works not completed within the time allowed in the original Permit. §42-215, Idaho Code.

6. The act of the State Reclamation Engineer was prejudicial regarding acceptance of Proof of Completion of Works and of Beneficial use under Permit No. 20736 in refusing to recognize any formal protest made in regard to such submission of proof and his failure to hold a hearing thereon. Prejudice was further shown by the acceptance from the holder of said Permit on January 13, 1964, the affidavits of holder and two disinterested witnesses, without having made or caused to be made a report on the condition of the works and a report of the investigation of the place of use, capacity of ditches and quantity of water beneficially applied, as required by law. §42-217 and §42-215, Idaho Code; Big Wood Canal Co. vs. Chapman, 45 Idaho 380, 393 (1927).

7. The implied extension of time after all rights have been lost by failure to comply with the statutory provisions and prior decisions of the State Reclamation Engineer for the Department of Reclamation, especially when such time was not applied for as provided by §42-204, Idaho Code, was an abuse of discretion by the State Reclamation Engineer and beyond his statutory authority. Additional time may be granted only when required by reason of the status of plans, authorization, construction fund appropriations, construction, or any arrangements which the Secretary of the Interior or his authorized representative has found to be requisite to completion of the construction of such works. The licensee totally failed to establish that any of these enumerated situations existed since 1955 and, in any event, the extension of time for completion of works cannot exceed ten years in all from the date of the permit. §42-204, Idaho Code.

8. The issuance of the license by the State Reclamation Engineer was an arbitrary and capricious act, without reasonable grounds, as it failed to follow the Attorney General's Opinion, attached and made a part hereof as Exhibit "1", after receiving the same by request, there being no conflict in authority to justify his failure to follow it. An Attorney General's opinion is always persuasive and should be approved and followed when based on authoritative legal support. Leddy v. Cornell, 52 Colo. 189, 120 Pac. 153 (1912); Otter Tail Power Company v. Elbow Lake, 234 Minn. 419, 49 NW2d 197 (1951); Van Riper v. Jenkins, 140 N.J. Eq. 99, 45 At1.2d 844 (1946), where the court stated, in describing the duties and powers of the Attorney General: "Among other things, he is called upon to advise those who administer the government of the state and, in the absence of judicial decisions, his opinions become the guide for such executives." Badger v. Hoydale, (CA 8 Minn.) 88 F2d 208 (1937), where the Federal Court, commenting on the effect of the State Attorney General's Opinion, stated: "This opinion is, of course, not binding on this Court, but it is entitled to great respect and should not be departed from lightly."

9. §42-215, Idaho Code sets out provisions regarding the application for a permit for completion of works not completed by the date set for completion, with a priority of all rights relating to such application. This was the proper procedure for the holder

of Permit No. 20736 to pursue and the State Reclamation Engineer was in error in allowing a contrary result.

10. The proof submitted on January 13, 1964 was inadequate and incomplete and of no force and effect in that by the decision of June 25, 1964 by the State Reclamation Engineer it is shown that additional information was to be submitted by the licensee without giving any person the right to protest said information, contrary to the laws in such cases provided. §42-224 and §42-217, Idaho Code.

11. That said issuance of the license takes the property of appellant without due process of law, in violation of the State and Federal Constitution in that his priority date is now inferior to the water right on 62,604.3 acres.

12. That said issuance of the license danies the appellant equal protection of the laws, in violation of the State and Federal Constitution.

DATED this _____ day of September, 1965.

DUFFIN & DUFF

By ROGER D. LING
Roger D. Ling
Attorneys for Appellant

Address: P. O. Box 61
Corner Fremont & G St.
Rupert, Idaho

STATE OF IDAHO)
) ss.
County of Minidoka)

BEN KING HUMPHREY, being first duly sworn on oath, deposes and says:

That he is the appellant in the foregoing Petition on Amended Appeal; that he has read the above and foregoing Petition, knows the contents thereof, and the facts therein stated he believes to be true.

BEN KING HUMPHREY
Ben King Humphrey

Subscribed and sworn to before me this _____ day of September, 1965.

(seal)

Notary Public
Residing at Rupert, Idaho
My Commission Expires _____

20736

IN THE DISTRICT COURT OF THE ELEVENTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF MINIDOKA

CIVIL ACTION, CASE NO. _____

-0-

G. L. DEAN & SONS, an Idaho Corporation,

Appellant,

-vs-

CARL E. TAPPAN, State Reclamation Engineer,

Respondent.

PETITION ON APPEAL

-0-

TO THE DISTRICT COURT OF THE ELEVENTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF MINIDOKA:

The Petition of G. L. Dean & Sons, an Idaho Corporation, respectfully shows:

STATEMENT OF FACTS

That the petitioner is the owner of a license to use underground water in Minidoka County with a priority date subsequent to September 9, 1948, the date the United States Bureau of Reclamation filed its application to use water from the same aquifer. The priority date granted to the United States Bureau of Reclamation in its license issued June 10, 1965 is September 9, 1948.

The Bureau of Reclamation, hereinafter referred to as the "Bureau", received a permit dated September 9, 1948, to appropriate 1,333 c.f.s. of underground water from 306 wells for irrigation purposes, to be applied on 66,664 acres of land in Minidoka and Jerome counties. The Department of Reclamation of the State of Idaho, hereinafter referred to as the "Department", approved said permit on November 5, 1948.

On September 1, 1953, the Bureau was notified by the Department that Proof of Completion of Works must be submitted on or before November 5, 1953. The Bureau, on September 30, 1953, made formal application for an extension of time for this Completion of Works to November 5, 1958. On January 8, 1954, the Department, by its then State Reclamation Engineer, Mark R. Kulp, approved an extension of time for a period of two years, to November 5, 1955.

By letter dated February 5, 1954, Mr. Kulp further notified the Bureau, after its inquiry, that a further extension of time beyond November 5, 1955 would be difficult to justify, should an additional extension of time be requested. By letter dated October 21, 1954, Mr. Kulp again notified the Bureau that if a request for an extension of time to November 5, 1958 was to be made, that the request be advertised in a newspaper or newspapers in the county or counties in which the project is located. On September 1, 1955, the Bureau was again notified that Proof of Completion of Works must be submitted on or before November 5, 1955. On October 26, 1955, the Department received an application from the Bureau to extend the time for Completion of Works under said Permit to November 5, 1958. This application was advertised in papers in Minidoka and Jerome counties.

On April 5, 1956, Mark R. Kulp, State Reclamation Engineer, denied the Bureau's application for extension of time for Completion of Works. It was the further decision of the State Reclamation Engineer that the priority date of that part of the right initiated by Permit No. 20736 depending on works constructed prior to November 5, 1955 shall relate back to September 9, 1948 and that the part of the right initiated under Permit No. 20736 and depending on works not completed by November 5, 1955 may relate back to November 5, 1955. No appeal was taken from this decision as is provided by §42-204, Idaho Code, as amended. On October 31, 1956, Mr. Kulp, State Reclamation Engineer, extended the time for Completion of Works for items not completed by November 5, 1955 to November 5, 1958, and extended the time for making Proof of Completion of Works on all work to November 5, 1958.

By letter dated September 22, 1958, the Bureau again made a request to the then State Reclamation Engineer, George N. Carter, for an extension of time for making Proof of Completion of Works on all work under Permit No. 20736 to November 5, 1963. On November 13, 1958, Mr. Carter denied this request and urged that Proof of Completion of Works should then be made. The usual notice and forms for the proof were enclosed with that letter.

Nothing appeared to have been done on this matter until December, 1963, when the Bureau published its intention to submit Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. 20736 at 10 o'clock A.M. on January 13, 1964. It should be noted that protests were filed against the Bureau's application for extension of time made on September 30, 1953 and all subsequent applications made with the Department, although there was no statutory authority for such protests. Seven protests were filed by interested parties to the intended proof to be made by the Bureau on January 13, 1964 of Completion of Works and Application to Beneficial Use with a priority date of September 9, 1948. Many formal protests were filed subsequent to the date set for final Proof of Completion of Works and Application to Beneficual Use by the Bureau. It appears that some proof was accepted on January 13, 1964, in that the affidavits of the holder and two witnesses were forwarded to the

20736

office of the Department on February 3, 1964. This receipt by the State Reclamation Engineer was subsequent to the receipt of the formal protests above mentioned. The inspection and examination report required by law to be made prior to the date for Proof of Completion of Works and a similar report required by law to be made and filed prior to the Proof of Application to Beneficial Use, were not made by the Department, nor were such reports caused to be made by another by the Department. An Opinion concerning Proof of Completion of Works and Application to Beneficial Use on Permit No. 20736 was requested from the Attorney General of the State of Idaho by Mr. Tappan, State Reclamation Engineer. This opinion, bearing the date of February 28, 1964, advised Mr. Tappan that the Permit should be cancelled.

By letter dated June 25, 1964, Carl E. Tappan, the present State Reclamation Engineer, held that Permit No. 20736 would be licensed as follows:

> "The priority date of that part of the right initiated by Permit No. 20736, depending on works constructed prior to November 5, 1955, shall relate back to September 9, 1948 and that part of the right initiated under Permit No. 20736, and depending on works not completed by November 5, 1955, may relate back to November 5, 1955. The licensee will provide a list of the wells and lands which will be licensed under date of priority as set out herein."

There is no indication in the record of whether or not the licensee provided the list of wells as directed in the above decision. This appellant filed its Notice of Appeal to the above decision on August 12, 1964. A Motion to Dismiss was filed by the Respondent on the grounds that Appellant's appeal was premature under the applicable law and circumstances involved and, after hearing on said Motion on April 20, 1965, the Court ruled on May 7, 1965 that the above-mentioned appeal was premature and the Motion to Dismiss was granted.

On June 10, 1965, Carl E. Tappan, State Reclamation Engineer, issued a Certificate of Completion of Works and a license granting the Bureau the right to use waters from 177 wells for the irrigation of 62,604.3 acres in the amount of 1100 c.f.s., with a priority date of September 9, 1948. No notice was given to the appellant of the issuing of this license and/or the Certificate of Completion of Works, contrary to the assurances given by the State Reclamation Engineer on February 21, 1964, and reaffirmed on February 28, 1964, that all parties would be informed of any action taken. Notice of the issuing of the license was first received on September 8, 1965.

STATEMENT OF ERRORS

The appellant feels itself aggrieved by the priority date contained in the license issued by the Department, and believes the issuing of the license was erroneous on the following grounds, and for the following reasons:

1. The holder of Permit No. 20736, and subsequent licensee thereunder, the United States Bureau of Reclamation, is bound by state law in obtaining water rights and should be treated as any other individual, except where the Idaho statutes expressly provide otherwise. (Pioneer Irrigation District vs. American Ditch Association, et al, 50 Idaho 73, 21 P2d 196 (1939). The Bureau has not complied with the applicable Idaho statutes.

2. By the failure of the licensee to appeal the decision of the State Reclamation Engineer dated April 5, 1956, and its failure to appeal the refusal of the State Reclamation Engineer to grant an extension of time in 1958 for Completion of Works, these decisions are conclusive. (Section 42-204, Idaho Code; Idaho Power Company vs. City of Buhl, 62 Idaho 351, 111 P2d 1088 (1941).

3. The licensee has failed to comply with the statutory requirements for Proof of Completion of Works, as provided by §42-214 of the Idaho Code. The latest possible date for submission of Proof of Completion of Works was November 5, 1958. The permittee-licensee attempted to prove this on January 13, 1964, over five years beyond the statutory time allowed. Such failure to comply with the conditions of the permit is an abandonment of the rights under the Permit. §42-204, Paragraph 3, Idaho Code. The conditions and limitations of the permit, and the statute governing the issuance of the same, must be substantially complied with in the diligent prosecution and completion of the work within the time and manner provided by law. Washington State Sugar Company vs. Goodrich, 27 Idaho 26, 38, 147 Pac. 1073 (1950).

4. Allowance of a priority, based on the theory of "relation", under the permit, was not proper where the Proof of Completion of Works was not submitted within the time allotted by the permit and the extensions thereto. Speer vs. Stefenson, 16 Idaho 707, 716; 102 Pac. 365 (1909): "The right given by the permit is merely a contingent right which may ripen into a complete appropriation or may be defeated by failure of the holder to comply with the requirements of the statute." In Rabido v. Furey, 33 Idaho 56, 190 Pac. 73 (1920), the Court stated at page 63: "Since the State Engineer certified that the water permit granted her was voidable because of failure to make Proof of Completion of Works, we must fall back on the date of the actual application of the water for the date of her priority."

5. The State Reclamation Engineer should have cancelled Permit No. 20736 for it had no legal effect, all rights having been abandoned under the permit as provided by law. Section 42-204 of the Idaho Code and Section 42-311 of the Idaho Code. Even though there was a failure to cancel the above-mentioned permit, the licensee had no claim to any rights under its permit after its abandonment. The office of the Department of Reclamation is required to cancel the permit for the sole purpose of clearing its records. §42-311, Idaho Code. An abandonment of any right under the Permit was further shown by the failure of the licensee to make application for a permit for Completion of Works not completed within the time allowed in the original Permit. §42-215, Idaho Code.

20736

6. The act of the State Reclamation Engineer was prejudicial regarding acceptance of Proof of Completion of Works and of beneficual use under Permit No. 20736 in refusing to recognize any formal protest made in regard to such submission of proof and his failure to hold a hearing thereon. Prejudice was further shown by the acceptance from the holder of said permit on January 13, 1964, the affidavits of holder and two disinterested witnesses, without having made or caused to be made a report on the condition of the works and a report of the investigation of the place of use, capacity of ditches and quantity of water beneficially applied, as required by law. §42-217 and §42-215, Idaho Code; Big Wood Canal Co. vs. Chapman, 45 Idaho 380, 393 (1927).

7. The implied extension of time after all rights have been lost by failure to comply with the statutory provisions and prior decisions of the State Reclamation Engineer for the Department of Reclamation, especially when such time was not applied for as provided by §42-204, Idaho Code, was an abuse of discretion by the State Reclamation Engineer and beyond his atatutory authority. Additional time may be granted only when required by reason of the status of plans, authorization, construction fund appropriations, construction, or any arrangements which the Secretary of the Interior or his authorized representative has found to be requisite to completion of the construction of such works. The licensee totally failed to establish that any of these enumerated situations existed since 1955 and in any event, the extension of time for completion of works cannot exceed ten years in all from the date of the permit. §42-204, Idaho Code.

8. The issuance of the license by the State Reclamation Engineer was an arbitrary and capricious act, without reasonable grounds, as it failed to follow the Attorney General's Opinion, attached and made a part hereof as Exhibit "1", after receiving the same by request, there being no conflict in authority to justify his failure to follow it. An Attorney General's opinion is always persuasive and should be approved and followed when based on authoritative legal support. Leddy v. Cornell, 52 Colo. 189, 120 Pac. 153 (1912); Otter Tail Power Company v. Elbow Lake, 234 Minn. 419, 49 NW2d 197 (1951); Van Riper v. Jenkins, 140 N.J. Eq. 99, 45 Atl.2d 844 (1946), where the court stated, in describing the duties and powers of the Attorney General: "Among other things, he is called upon to advise those who administer the government of the state and, in the absence of judicial decisions, his opinions become the guide for such executives." Badger v. Hoydale, (CA 8 Minn.) 88 F2d 208 (1937), where the Federal Court, commenting on the effect of the State Attorney General's Opinion, stated: "This opinion is, of course, not binding on this Court, but it is entitled to great respect and should not be departed from lightly."

9. §42-215, Idaho Code, sets out provisions regarding the application for a permit for completion of works not completed by the date set for completion, with a priority of all rights relating

20736

to such application. This was the proper procedure for the holder of Permit No. 20736 to pursue and the State Reclamation Engineer was in error in allowing a contrary result.

10. The proof submitted on January 13, 1964 was inadequate and incomplete and of no force and effect in that by the decision of June 25, 1964 by the State Reclamation Engineer it is shown that additional information was to be submitted by the licensee without giving any person the right to protest said information, contrary to the laws in such cases provided. §42-224 and §42-217, Idaho Code.

11. That said issuance of the license takes the property of appellant without due process of law, in violation of the State and Federal Constitution in that its priority date is now inferior to the water right on 62,604.3 acres.

12. That said issuance of the license denies the appellant equal protection of the laws, in violation of the State and Federal Constitution.

DATED this _____ day of September, 1965.

DUFFIN & DUFF

By ROGER D. LING
Roger D. Ling
Attorneys for Appellant

Address: P. O. Box 61
Corner Fremont & G St.
Rupert, Idaho

STATE OF IDAHO)
) ss.
County of Minidoka)

ROGER DEAN, being first duly sworn on oath, deposes and says:

That he is the President of G. L. Dean & Sons, an Idaho Corporation, appellant in the foregoing Petition on Appeal; that he has read the above and foregoing Petition, knows the contents thereof, and the facts therein stated he believes to be true.

ROGER DEAN
Roger Dean

21-2736

Subscribed and sworn to before me this _____ day of September, 1965.

_____
Notary Public
Residing at Rupert, Idaho
My Commission Expires _____

(seal)

29736

RECEIVED
SEP 30 1965
Department of Reclamation

IN THE DISTRICT COURT OF THE ELEVENTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF MINIDOKA

CIVIL ACTION, CASE NO. _____

-0-

G. L. DEAN & SONS, an Idaho Corporation,

Appellant,

-vs-

CARL E. TAPPAN, State Reclamation Engineer,

Respondent.

CERTIFICATE OF SERVICE

-0-

I hereby certify that on Wednesday, the 29th day of September, 1965, I served a copy of the Notice of Appeal and Petition of G. L. Dean & Sons, upon the State Reclamation Engineer and the licensee by depositing in a United States Mail depository at Rupert, Idaho, first class postage prepaid, in sealed envelopes, addressed as follows:

Carl E. Tappan
State Reclamation Engineer
107 State House
Boise, Idaho

H. T. Nelson
U. S. Bureau of Reclamation
Box 937
Boise, Idaho

ROGER D. LING
Roger D. Ling, Member of the Firm
Duffin & Duff
Attorneys for Petitioner-Appellant

30736

Department of Reclamation

IN THE DISTRICT COURT OF THE ELEVENTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF MINIDOKA

CIVIL ACTION, CASE NO. _____

-0-

G. L. DEAN & SONS, an Idaho Corporation,

Appellant,

-vs-

CARL E. TAPPAN, State Reclamation Engineer,

Respondent.

NOTICE OF APPEAL

-0-

To: The Clerk of the Above-entitled Court

TAKE NOTICE that the undersigned hereby appeals to the Eleventh Judicial District Court from the issuance of License #20736 by the State Reclamation Engineer on the 10th day of June, 1965, under Water Permit No. 20736 issued to the United States Bureau of Reclamation. Appellant is dissatisfied with said License and aggrieved thereby for the reason that said License adversely affects, injures and damages the priority of appellant's water right. Please find attached hereto Appellant's Petition and certified true copies of said License and Protests.

DATED this 28th day of September, 1965.

DUFFIN & DUFF

By ROGER D. LING
Roger D. Ling
Attorneys for Appellant

Address: P. O. Box 61
Corner Fremont & G St.
Rupert, Idaho

20736

September 21, 1965

RE: Permit No. 20736
Bureau of Reclamation

Duffin & Duff
Attorneys at Law
Box 61
Rupert, Idaho

Attn: Roger D. Ling

Dear Mr. Ling:

Enclosed is departmental receipt No. 32928 in the amount of $29.20 covering the fees for the certified duplicate copies fo protests filed in connection with the above numbered permit, and of the license, which were previously mailed.

Thank you.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

Enc. receipt

20736

Sept. 16, 1965

Re: License No. 20736

Duffin & Duff
Attorneys at Law
Box 61, Rupert, Idaho

Attn: Roger D. Ling

Dear Mr. Ling:

In response to your letter dated September 14th, we enclose duplicate certified copies of all protests filed in this office prior to the date for making proofs January 13, 1964, also of the license.

This office did not make a complete examination of the works and land irrigated. Final figures of the Bureau of Reclamation were accepted.

The fees total $29.20 for the twenty sheets enclosed.

We have many other protests received after January 13, 1964. Some of these protests are signed at the bottom of a form. If you desire copies of the late protests, do you want full copies of the forms which were signed by a few names?

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enclosure

20736

Duffin and Duff
ATTORNEYS AT LAW
FREMONT AND "G" STREETS
BOX 61
RUPERT, IDAHO 83350

LAWRENCE H. DUFFIN
LARRY R. DUFF
ROGER D. LING

TELEPHONE 436-4774

September 14, 1965

RECEIVED
SEP 15 1965
Department of Reclamation

State Reclamation Engineer
Department of Reclamation
107 State House
Boise, Idaho 83701

In re: License No. 20736 - Bureau of Reclamation

Dear Sir:

Please send 2 certified copies of License No. 20736 to this office, along with duplicate certified copies of all Protests filed against the issuing of said license and 2 certified copies of the Report of Examination of the place of use of such water made by your department.

Upon receipt of your costs in this matter we will send said amount to you.

Very truly yours,

Roger D. Ling

Roger D. Ling

RDL:LA

20736

Duffin and Duff
ATTORNEYS AT LAW
FREMONT AND "G" STREETS
BOX 61
RUPERT, IDAHO 83350

LAWRENCE H. DUFFIN
LARRY R. DUFF
ROGER D. LING

TELEPHONE 436-4774

September 9, 1965

RECEIVED
SEP 10 1965
Department of Reclamation

State Reclamation Engineer
Department of Reclamation
107 State House
Boise, Idaho 83701

In re: License No. 20736 - Bureau of Reclamation

Dear Sir:

Would you please inform us of the date the water license No. 20736 was issued to the A & B Irrigation District.

June 10, 1965

Very truly yours,

Larry R. Duff

LRD:LS

20736

Sept. 10, 1965

Re: License No. 20736
U. S. A., Bureau of Reclamation

Larry Duff
Attorney at Law
Box 61
Rupert, Idaho

Dear Mr. Duff:

The license No. 20736 was issued June 10, 1965.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

20736

Duffin and Duff
ATTORNEYS AT LAW
FREMONT AND "G" STREETS
BOX 61
RUPERT, IDAHO 83350

LAWRENCE H. DUFFIN
LARRY R. DUFF
ROGER D. LING

TELEPHONE 436-4774

September 7, 1965

RECEIVED
SEP 8 1965
Department of Reclamation

Mr. Carl E. Tappan
State Reclamation Engineer
Statehouse
Boise, Idaho

In re: Water Permit No. G-20736

Dear Sir:

Would you please advise us of the present status of the above-mentioned permit.

Thank you.

Very truly yours,

Larry R. Duff

LRD:LS

P 8169

USA BR
1100 CFS Sept. 9, 1948
from 177 wells
in 62,604.3 Ac. in A x B in Dist.

20726

Permit #

U.F.P. Manitoba Prov.
Northside Lumbering Division

20736 [redacted] Location ?

" 24A 8r1 " "

" 2A 1021 "

Logs record

Logs received:

34B7r3	1A8r3 ✓	23B8r5
34A7r3	25A8r3	308r5
32B7r4	28A8r3	23A8r5
32A7r4	4A8r3 ✓	21A8r5
34A7r4	28B8r3	17A8r5
33A7r4	4B8r3 ✓	13A8r5
31A7r4	28C8r3	6B8r5
35B7r4	27B8r3	3E8r5
35A7r4	17A8r3 ✓	6A8r5
30B7r4	21A8r3	5A8r5
30A7r4	26A8r3	5B8r5
26A7r4	5C8r3 ✓	1A9r1 ✓
28B7r4	22A8r3	3A9r1
22C7r4	23A8r3	3B9r1
28A7r4	17B8r3 ✓	3C9r1
22B7r4	5B8r3 ✓	3A9r2
23A7r4	34A8r3	19A9r2
33B7r4	31A8r3	10A9r2
26B7r4	35A8r3	18A9r2
22A7r4	19A8r3	11A9r2
33A7r5	15D8r3 ✓	28A9r2
32A7r5	19B8r3	18B9r2
27A7r5	29A8r3	30A9r2
31A7r5	29B8r3	9B9r2
34A7r5	23B8r3	3B9r2
30A7r5	35D8r3	20A9r2
29A7r5	35C8r3	22A9r2
26B8r1	22A8r4	33B9r2
35B8r1	21B8r4	7A9r2
35D8r1	11B8r4	15A9r2
35C8r1	23A8r4	9A9r2
22A8r1	26A8r4	15B9r2
24A8r1	31A8r4	6B9r3
26A8r1	4A8r4	2A9r3
35A8r1	31B8r4	3B9r3
35A8r2	3B8r4	3A9r3
35B8r2	11C8r4	3A10r2
30A8r2	6B8r4	
24B8r3	29A8r4	
24A8r3	13A8r4	
12C8r3 ✓	13B8r4	
1C8r3 ✓	3A8r4	
2A8r3 ✓	12A8r4	
10B8r3 ✓	30A8r4	
12D8r3 ✓	1A8r5	
12A8r3 ✓	2A8r4	
10A8r3 ✓	6C8r4	
12B8r3 ✓	19C8r5	
15A8r3 ✓	19D8r5	
14A8r3 ✓	14C8r5	
14B8r3 ✓	24A8r5	
15B8r3 ✓	3C8r5	
1B8r3 ✓	19B8r5	
	19A8r5	

Logs missing:

35C8r2
5A8r3 ✓
15C8r3
35B8r3
24C8r3
27A8r3
8A8r3 ✓
17C8r3
4B8r4
4C8r4
6A8r4
7A8r4
8A8r4
10A8r4
10B8r4
14A8r4
15A8r4
18A8r4
22A8r4
30B8r4
3A8r5
3B8r5
11A8r5
12A8r5
12B8r5
15A8r5
15B8r5
7B9r2
11B9r2
28A9r2
33A9r2
6A9r3
2A1021
10C8r4

Extra Logs

15A7r4
24B8r4
20A8r4
33C9r2
22C9r2
22B9r2
23A9r2
7A10r2

20736

65 amendments.

53 54 37 33 8

NOTICE FOR PUBLICATION

NOTICE OF PROOF OF COMPLETION OF CONSTRUCTION AND

APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 a.m. on the 13th day of January, 1964, at the Bureau of Reclamation office, Orchard and Fairview, Boise, Idaho, County of Ada, State of Idaho, before John H. Weber, a Notary Public, proof will be submitted of the diversion of and application to beneficial use of 1100 cubic feet per second of underground water, in accordance with the terms and conditions of Permit No. 20736 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and post office address of the person or corporation holding said permit is United States of America, P. O. Box 937, Boise, Idaho.

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

The amount applied to beneficial use is 1100 c.f.s.

The works of diversion have been completed within the life of the permit.

The point of diversion of said water is 177 wells located in township 7 south, ranges 21, 24, and 25 east, Boise meridian; township 8 south, ranges 21, 22, 23, 24, and 25 east, Boise meridian; township 9 south, ranges 21, 22, and 23 east, Boise meridian; township 10 south, ranges 21 and 22 east, Boise meridian, all within the A & B Irrigation District, North Side Pumping Division, Minidoka Project, Idaho.

The place where said water is used (legal description): 62,604.3 irrigated acres located in townships 7, 8, 9, and 10 south, ranges 21, 22, 23, 24, and 25 east, Boise meridian, Idaho, all within the boundaries of the A & B Irrigation District, North Side Pumping Division, Minidoka Project, Idaho.

The date of priority which said user is prepared to establish is September 9, 1948.

CARL N. KAPPAN
State Reclamation Engineer

20736

NOTICE FOR PUBLICATION

NOTICE OF PROOF OF COMPLETION OF CONSTRUCTION AND

APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 a.m. on the 13th day of January, 1964, at the Bureau of Reclamation offices, Orchard and Fairview, Boise, Idaho, County of Ada, State of Idaho, before John E. Welch, a Notary Public, proof will be submitted of the diversion of and application to beneficial use of 1100 cubic feet per second of underground water, in accordance with the terms and conditions of Permit No. 20736 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and post office address of the person or corporation holding said permit is United States of America, P. O. Box 937, Boise, Idaho.

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

The amount applied to beneficial use is 1100 c.f.s.

The works of diversion have been completed within the life of the permit.

The point of diversion of said water is 177 wells located in township 7 south, ranges 23, 24, and 25 east, Boise meridian; township 8 south, ranges 21, 22, 23, 24, and 25 east, Boise meridian; township 9 south, ranges 21, 22, and 23 east, Boise meridian; township 10 south, ranges 21 and 22 east, Boise meridian, all within the A & B Irrigation District, North Side Pumping Division, Minidoka Project, Idaho.

The place where said water is used (legal description): 62,604.3 irrigated acres located in townships 7, 8, 9, and 10 south, ranges 21, 22, 23, 24, and 25 east, Boise meridian, Idaho, all within the boundaries of the A & B Irrigation District, North Side Pumping Division, Minidoka Project, Idaho.

The date of priority which said user is prepared to establish is September 9, 1948.

CARL E. TAPPAN

[redacted]

20736

Form 17A
1.5 M 7-31-62

A Well and Land list is attached to license record sheet

7/12/65

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Permit No. 20736

* * * * * * * *

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:

Terrance A. Gulley, voting age, Chief, North Side Irrigation Field Division, U.S. Bureau of Reclamation, P.O. Box 751, Burley, Idaho

Ques. 2. Are you acquainted with the United States of America, the holder of Permit No. 20736? How long have you known him and where does he reside:

Ques. 3. Have you read or heard said Permit No. 20736 read, and are you familiar with its provisions and conditions: Yes: Yes No:

Ques. 4. State source of water supply: From underground sources by pumping from 177 wells
State place of diversion: Wells are located as shown on attached Supplement "A"
Describe works for conveying water to place of use: Works consist of pumps drawing water from the wells and discharging into open canals for distribution

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: in excess of 1100 cfs How much water have you seen being so conveyed: Approximately 1100 cfs

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

20736

Ques. 7. If for power or other purposes than irrigation, state how water has been used:

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation:

The land that is being irrigated is generally deep silt loams with calcareous sub-soils frequently with basalt or caliche sub-strata. Three to four acre-feet of water per acre is required for profitable cultivation.

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

Ques. 10. When did you first see this water used: 1955

Other times you have seen such use: During irrigation season in the years 1955 through 1963

(Signed) Lawrence A. Gulley

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 Boise, County of Ada, State of Idaho, on this 13th day of January, A. D., 1964 ~~1963~~.

John H. Welch
Notary Public for State of Idaho
Residing: Boise, Idaho

My commission expires: 6-10-67

July 1, 1965

RE: Permit 20736
U. S. Bureau of Reclamation

Regional Director
Bureau of Reclamation
Box 937
Boise, Idaho

Dear Sir:

Enclosed herewith is Certificate of Completion of Works and License on the above numbered permit.

Also enclosed please find departmental receipt No. G-9363 for the amount of $2417.00.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

(Mrs.) EDNA P. RULE
Chief Clerk

EPR:ct
Enc. License
Certificate of Completion of Works
check, No. 9363 - $2417.00

20736

Court Order attached

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
REGIONAL OFFICE, REGION I
BOX 937
BOISE, IDAHO 83701

IN REPLY
REFER TO: 424

JUN 25

Mr. Carl E. Tappan
State Reclamation Engineer
State of Idaho
107 State House
Boise, Idaho 83701

Dear Mr. Tappan:

Re: Permit No. 20736

Enclosed is United States Treasury Check No. 19,133,802 in the amount of $2417.00 to the State of Idaho. This amount represents the fee for the Certificate of Completion of Works and for License and Certificate of Water Right in connection with Permit No. 20736. It is submitted according to the request in your June 16 letter.

We appreciate your co-operation in handling this complex water right application.

Very truly yours,

Regional Director

Enclosure

20736

June 16, 1965

RE: Permit No. 20736

Regional Director
Bureau of Reclamation
Box 937
Boise, Idaho

Dear Sir:

Upon receipt of the stautory fees totaling $2,417.00, $332.0 0 for the Certificate of Completion of Works and $2085.00 for the License and Certificate of Water Right, we will issue the certificates of water right for 177 wells in Township 7 South, Ranges 23, 24 and 25 East, B.M.; Township 8 South, Ranges 21, 22, 23, 24 and 25 East, B.M.; Township 9 South, Ranges 21, 22 and 23 East, B.M.; Township 10 South, Ranges 21 and 22 East, B.M. for irrigation of 62,604.3 acres in Townships 7, 8, 9 and 10 South, Ranges 21, 22, 23, 24 and 25 East, B.M. all within the boundaries of the A & B Irrigation District, North Side Pumping Division, Minidoka Project, Idaho, with priority of September 9, 1948.

Very truly yours,

CARL B. TAPPAN
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

Sept. 8, 1965

Re: License No. 20736
Bureau of Reclamation

Duffin and Duff
Attorneys at Law
Rupert, Idaho

Attn: Larry R. Duff

Dear Mr. Duff:

Water License No. 20736 has been issued for 1100 c.f.s., priority September 9, 1948, from 177 wells to irrigate 62,604.3 acres within the A & B Irrigation District

Very truly yours

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

20736

rights through its prior filing. Also, such a policy also indicated that the Bureau would be content with a water right priority established by the actual use of proven water. I seriously doubt that the Bureau is able to present any evidence that it is entitled to such consideration within the meaning of the statute. Certainly, the statute contemplates that the grounds for such request must be based on facts and conditions beyond the control of the Bureau and not facts and conditions resulting from the deliberate policy of the Bureau or resulting from their own negligence or indifference. I am not aware that any bona fide request made by the Bureau for appropriations from Congress for the drilling of these wells or the purchasing of pumps for the same was denied.

It is earnestly urged that the State Engineer, in furtherance of justice and the democratic process, exercise his discretion in favor of the individual applicants and against the Bureau, and refuse to grant, or even hear, further proceedings attempting to relate back Permit 20736, or any other permit, and the formal decision of the State Reclamation Engineer of April 5, 1956 be recognized, honored and upheld.

Lollie S McClellan
Protestor

Rt #2 Paul, Idaho
Address

Subscribed and sworn to before me this 30th day of January, 1964.

Lois E. Stephens
Notary Public
Residing at Rupert, Idaho
My Commission Expires: 12/1/65

(seal)

FEB 3 1964

FORMAL PROTEST

STATE OF IDAHO)
) ss.
County of Minidoka)

I do hereby certify and declare that I own an underground water application, filed with the Idaho State Reclamation Engineer subsequent to the U. S. Bureau of Reclamation filing of 1948, and I do hereby protest the attempt now made by the Bureau to date its certificate back to 1948.

Under the Idaho law I, as an individual, have to either pump the water onto the land within the time established or forfeit the priority gained by the filing. There is no legal or moral reason why the Federal Bureau of Reclamation should not be required to live up to the same laws. There should not be one set of rules for the federal government and another set for ordinary individuals. The powerful and the weak should receive the same treatment from the great State of Idaho.

The application of the Bureau of Reclamation to extend time within which to submit proof of the completion of works, and make presentation of the record, was denied in a formal decision by the Idaho State Reclamation Engineer on April 5, 1956. This previous decision by the Idaho State Reclamation Engineer has never been appealed or reversed in any manner and the Bureau of Reclamation's rights have been terminated.

The evidence submitted by the Bureau of Reclamation, in support of its application, affirmatively establishes that it fails to come within the exceptions provided by the Idaho statutes and the application should be peremptorily dismissed.

A decision in favor of the Bureau of Reclamation's application would result in a definite loss of property rights to all the individual water right holders who relied upon the failure of the Bureau of Reclamation to complete the project under the terms of the Idaho state statutes. These same holders of water rights are willing to honor the Bureau of Reclamation's priority as to those lands actually developed and irrigated within the time allowed by law, as previously determined, but believe that any further extension would be not only illegal, but would seriously damage and injure their own water rights.

I am informed, and now believe, that the failure of the Bureau to complete its wells within the five-year period was deliberate and was based on its policy of completing only a few wells per year. The Bureau publicly announced this program in 1948 and claimed that it would only develop the wells indicated in its permit as ground water conditions were proven. This "go slow" policy was relied upon by many individual persons and companies who have drilled wells in this area as proof that the Bureau would not attempt to destroy existing water

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Wayne R Crystal
Protestor

Address: Box 126
Route E Paul Idaho

Subscribed and sworn to before me this 30th day of January, 1964.

Lois E. Stephenson
Notary Public
Residing at Rupert, Idaho
My Commission Expires: 12/1/65

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Loyd Forsinger
Protestor

Address: Box 26
Minidoka, Idaho

Subscribed and sworn to before me this 30th day of January, 1964.

Lois E. Stephenson
Notary Public
Residing at Rupert, Idaho
My Commission Expires: 12/1/65

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Kingsford Evans Inc.
By Alex C. Evans President
Protestor

Address: Box 82
Minidoka, Idaho.

Subscribed and sworn to before me this 30th day of January, 1964.

Lois E. Stephenson
Notary Public
Residing at Rupert, Idaho
My Commission Expires: 12/1/65

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Darwin Neilson
Protestor

Address: Rt 1 Box 131
Paul Idaho

Subscribed and sworn to before me this 30th day of January, 1964.

Lois E Stephenson
Notary Public
Residing at Rupert, Idaho
My Commission Expires 12-1-65

(seal)

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Leon Empstad
Protestor

Address: Rt 1 Box 130
Paul, Idaho

Subscribed and sworn to before me this 30th day of January, 1964.

Lois E. Stephenson
Notary Public
Residing at Rupert, Idaho
My Commission Expires: 12/1/65

(seal)

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Protestor

Address: Box 188
Rupert, Idaho

Subscribed and sworn to before me this 30th day of January, 1964.

Notary Public
Residing at Rupert, Idaho
My Commission Expires: 12/1/65

(seal)

RECEIVED
FEB 3 1956
Department of Reclamation

FORMAL PROTEST

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Leroy A. Williams
Protestor

Address: 737 West 18
Burley, Ida.

Subscribed and sworn to before me this 30th day of January, 1964.

Lois E. Stephenson
Notary Public
Residing at Rupert, Idaho
My Commission Expires 12-1-65

(seal)

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Timothy J. Hollenbacher
Protestor

Address: Route 1
Paul, Idaho

Subscribed and sworn to before me this 30th day of January, 1964.

Lois E. Stephenson
Notary Public
Residing at Rupert, Idaho
My Commission Expires 12-1-64

(seal)

20736

RECEIVED
FEB 1964
Reclamation

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rights through its prior filing. Also, such a policy also indicated that the Bureau would be content with a water right priority established by the actual use of proven water. I seriously doubt that the Bureau is able to present any evidence that it is entitled to such consideration within the meaning of the statute. Certainly, the statute contemplates that the grounds for such request must be based on facts and conditions beyond the control of the Bureau and not facts and conditions resulting from the deliberate policy of the Bureau or resulting from their own negligence or indifference. I am not aware that any bona fide request made by the Bureau for appropriations from Congress for the drilling of these wells or the purchasing of pumps for the same was denied.

It is earnestly urged that the State Engineer, in furtherance of justice and the democratic process, exercise his discretion in favor of the individual applicants and against the Bureau, and refuse to grant, or even hear, further proceedings attempting to relate back Permit 20736, or any other permit, and the formal decision of the State Reclamation Engineer of April 5, 1965 be recognised, honored and uphold.

Leon H. Mehlenbacher
Protestor

Address: RT #1
Paul, Idaho

Subscribed and sworn to before me this 30th day of January, 1964.

Lois E. Stephenson
Notary Public
Residing at Rupert, Idaho
My Commission Expires 12-1-65

(seal)

***

20736

RECEIVED
FEB 1984
Department of Reclamation

FORMAL PROTEST

STATE OF IDAHO)
) ss.
County of Minidoka)

I do hereby certify and declare that I own an underground water application, filed with the Idaho State Reclamation Engineer subsequent to the U. S. Bureau of Reclamation filing of 1948, and I do hereby protest the attempt now made by the Bureau to date its certificate back to 1948.

Under the Idaho law, I, as an individual, have to either pump the water onto the land within the time established or forfeit the priority gained by the filing. There is no legal or moral reason why the Federal Bureau of Reclamation should not be required to live up to the same laws. There should not be one set of rules for the federal government and another set for ordinary individuals. The powerful and the weak should receive the same treatment from the great State of Idaho.

The application of the Bureau of Reclamation to extend time within which to submit proof of the completion of works, and make presentation of the record, was denied in a formal decision by the Idaho State Reclamation Engineer on April 5, 1956. This previous decision by the Idaho State Reclamation Engineer has never been appealed or reversed in any manner and the Bureau of Reclamation's rights have been terminated.

The evidence submitted by the Bureau of Reclamation, in support of its application, affirmatively establishes that it fails to come within the exceptions provided by the Idaho statutes and the application should be peremptorily dismissed.

A decision in favor of the Bureau of Reclamation's application would result in a definite loss of property rights to all the individual water right holders who relied upon the failure of the Bureau of Reclamation to complete the project under the terms of the Idaho state statutes. These same holders of water rights are willing to honor the Bureau of Reclamation's priority as to those lands actually developed and irrigated within the time allowed by law, as previously determined, but believe that any further extension would be not only illegal, but would seriously damage and injure their own water rights.

I am informed, and now believe, that the failure of the Bureau to complete its wells within the five-year period was deliberate and was based on its policy of completing only a few wells per year. The Bureau publicly announced this program in 1948 and claimed that it would only develop the wells indicated in its permit as ground water conditions were proven. This "go slow" policy was relied upon by many individual persons and companies who have drilled wells in this area as proof that the Bureau would not attempt to destroy existing water

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It is earnestly urged that the State Engineer, in furtherance of justice and the democratic process, exercise his discretion in favor of the individual applicants and against the Bureau, and refuse to grant, or even hear, further proceedings attempting to relate back Permit 20736, or any other permit, and the formal decision of the State Reclamation Engineer of April 5, 1966 be recognized, honored and upheld.

Ruel M. Hansen
Protestor

Address: 201 West Sido Dr.
Rupert, Idaho

Subscribed and sworn to before me this 30th day of January, 1964.

Lois E. Stephenson
Notary Public
Residing at Rupert, Idaho
My Commission Expires 12-1-65

(seal)

***

20736

RECEIVED
FEB 3 1964
Department of Reclamation

FORMAL PROTEST

STATE OF IDAHO)
) ss.
County of Minidoka)

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Under the Idaho law, I, as an individual, have to either pump the water onto the land within the time established or forfeit the priority gained by the filing. There is no legal or moral reason why the Federal Bureau of Reclamation should not be required to live up to the same laws. There should not be one set of rules for the federal government and another set for ordinary individuals. The powerful and the weak should receive the same treatment from the great State of Idaho.

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It is earnestly urged that the State Engineer, in furtherance of justice and the democratic process, exercise his discretion in favor of the individual applicants and against the Bureau, and refuse to grant, or even hear, further proceedings attempting to relate back Permit 20736, or any other permit, and the formal decision of the State Reclamation Engineer of April 5, 1956 be recognized, honored and upheld.

Mack W. Neibaur
Protestor

Address: Rt 1
Paul, Idaho

Subscribed and sworn to before me this 30th day of January, 1964.

Lois L. Stephenson
Notary Public
Residing at Rupert, Idaho
My Commission Expires 12-1-65

(seal)

20736

February 3, 1964

W. H. Shillington
Box 201
Rupert, Idaho

Dear Mr. Shillington:

We received your copy of a former letter which was notarized. You complained that you should have been notified that the final date for protest was January 13.

The legal notice in question showed that date.

Very truly yours,

RALPH W. THOMAS
Deputy State Reclamation Engineer

RWT:mr

20736

MORGAN-SHILLINGTON FARM CO.

GERALD MORGAN
Box 53
Phone 531-4267
436-4937
Minidoka, Idaho

W. H. SHILLINGTON
Box 201
Phone 436-6761
436-4255
Rupert, Idaho

RECEIVED
FEB 3 1964
Department of Reclamation

January 2, 1964

Mr. Carl Tappan, Cheif Engineer
Bureau of Reclamation
Boise, Idaho

Dear Mr. Tappan:

We are quite cpncerned over the bureau asking for a September 9, 1948 priority date for all of the water users on bureau lands. Why does this question keep coming up? I beleive we went through this several years ago.

Please consider t! is a protest. The individuals that have acquired land, drilled wells and have managed to hold that land without costing the Government a red cent should at least be given a hearing before this certificate of completion and bendficial use be granted.

We have eleven wells that will have a latter priority thamnthis. The individuals should have these priorites as the wells were drilled and approved. We do have some late priorites ourselves, but we are not asking for a 1948 date on wells dug in 1960.

Very truly yours,

Gerald Morgan

W. H. Shillington

Dea r Sirs: This is a copy of the letter nailed to your office. On January 8th our answer from you said protests not notarized would not be considered. Last Friday when I was in your office I was told the final date was Jan. 13th. We feel we should be entitled to a hearing and that you should have told us in your letter that we only had five days for a notarized protest.

Very truly yours,
Morgan-Shillington Farm Co.
By W. H. Shillington

20736

State of Idaho ss
County of Twin Falls

Before me a Notary Public in and for the County of Twin Falls, State of Idaho, appeared W. H. Shillington and acknowledged to me that he wrote the above letter and subscribed his name before me this 2nd day of January, 1964.

My commission expires 1/22/65

Maxine Paynter, Maxine Pa ynter

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

REGIONAL OFFICE, REGION I
BOX 937
BOISE, IDAHO 83701

IN REPLY
REFER TO: 424

RECEIVED
FEB 3 1964
Department of Reclamation

JAN 31 1964

Mr. Carl E. Tappan
State Reclamation Engineer
107 State House
Boise, Idaho

Dear Mr. Tappan:

Enclosed is the original Affidavit of Publication from the Minidoka County News in connection with Permit No. 20736, Minidoka North Side Pumping Division, Minidoka Project.

Very truly yours,

Acting Regional Director

Enclosure

20736

May 7, 1965

To:
Larry Duff
Stephan Bollar
John Daly
Mr. Burpee

Re: #4405
G. L. Dean & Sons
v
Carl E. Tappan, State
Reclamation Engineer

Gentlemen:

We have been asked to advise you of the following decision which was rendered in the above case on May 6th, 1965 by Judge Lloyd J. Webb:

"Court finds Motion to Dismiss was filed. Filing made under the old water law of 1951 and is subject to old water account. Appeal can be taken under the old law under certain circumstances which have not yet been met.

Court finds the Appeal is premature and Motion to Dismiss is granted."

AUGUST C. BETHKE, CLERK

By Geraldine Devanney
Deputy

COPY

20736

ROBERTSON & DALY
RECEIVED
MAY 8 1965
A.M. P.M.
7 8 9 10 11 12 1 2 3 4 5 6

C.E.T. Ok's processing to issue
6/8/65

Court Order

IN REPLY REFER TO:

UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF THE SOLICITOR

Portland Region
Boise Field Office
P. O. Box 937
Boise, Idaho 83701

MAY 14 1965

May 13, 1965

Mr. Carl E. Tappan
State Reclamation Engineer
107 State House
Boise, Idaho

Dear Mr. Tappan:

Confirming our telephone discussions, Mr. Nelson and Mr. Coleman would like to confer with you concerning the next step to be taken now that the court has dismissed the appeal in connection with the North Side Pumping Division water right permit. For your records, I am enclosing a copy of the notice entered by the clerk of the court on May 7, 1965. We plan to be in your office about 2 p.m. Monday, May 17.

Sincerely yours,

William Burpee
Field Solicitor

Enclosure

20736

PARRY, ROBERTSON & DALY
LAWYERS
FIDELITY BANK BUILDING
TWIN FALLS, IDAHO
83301

R. P. PARRY
T. M. ROBERTSON
JOHN H. DALY
BERT LARSON
C. G. McINTYRE
JOHN R. COLEMAN
JOHN A. ROSHOLT

P. O. BOX 525
TELEPHONE
AREA CODE 208
733-3722

January 18, 1965

JAN 19 1965
Depart... ...ction

Mr. Carl E. Tappan
State Reclamation Engineer
107 State House
Boise, Idaho

Re: Permit No. 20736, North Side
Pumping Division, Minidoka Project

Dear Mr. Tappan:

I received today a copy of a letter dated January 15, 1965, written to you by the Regional Director of the Bureau of Reclamation regarding the above matter.

Following the conference which the Directors of the A & B Irrigation District and I had with you on December 14, 1964, I discussed this matter further with Mr. Allan Shepard. During my discussion of this matter with Mr. Shepard, it was agreed that I may furnish to him for his consideration in this matter a Memorandum of legal authority supporting our position for a 1948 priority and that if possible, after reviewing my Memorandum of authority, he may recommend the issuance of a license with a 1948 priority. I will complete my Memorandum concerning this matter this week and will present it to Mr. Shepard for his consideration. In view of this fact and in view of the existence of the two appeals, it seems to me that the issuance of a license with a split priority should be withheld at least until such time as the pending appeals have been disposed of and Mr. Shepard has had an opportunity to review my Memorandum.

I would appreciate discussing this matter further with you before any further action is taken by you.

Sincerely yours,

JOHN R. COLEMAN

JRC:sjm
Enc.

PARRY, ROBERTSON & DALY
LAWYERS
FIDELITY BANK BUILDING
TWIN FALLS, IDAHO
83301

R. P. PARRY
T. M. ROBERTSON
JOHN H. DALY
BERT LARSON
C. C. McINTYRE
JOHN R. COLEMAN
JOHN A. ROSHOLT

P. O. BOX 525
TELEPHONE
AREA CODE 208
733-3722

January 18, 1965

Honorable Allan G. Shepard
Attorney General
State House
Boise, Idaho

Re: Permit No. 20736, North Side Pumping Division, Minidoka Project

Dear Allan:

With regard to the above matter, I received today a copy of a letter dated January 15, 1965, addressed to Mr. Carl E. Tappan from the Regional Director of the Bureau of Reclamation. Since our conversation concerning this matter on the 15th day of December, 1964, I have been gathering information to present to you regarding the issuance of a water license with a 1948 priority. I will have this information completed some time this week and will forward it to you. In the meantime, it appears to me that the proper procedure in this matter would be for Mr. Tappan to withhold the issuance of a permit with a split priority until such time as I have had an opportunity to present my information to you and we have thereafter had an opportunity to discuss it and that such action should also be withheld until a determination has been made regarding the appeals taken from the action of Mr. Tappan with regard to this filing.

I would appreciate hearing from you concerning this matter if you do not agree with my position as stated in this letter. In order to keep Mr. Tappan informed concerning this situation, I am sending a copy of this letter to him.

Sincerely yours,

JOHN R. COLEMAN

JRC:sjm
CC: Mr. Carl E. Tappan

20736

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

REGIONAL OFFICE, REGION 1
BOX 937, BOISE, IDAHO

IN REPLY
REFER TO: 150

RECEIVED
JAN 15 1965

JAN 15 1965

Mr. Carl E. Tappan
State Reclamation Engineer
107 State House
Boise, Idaho 83701

Dear Mr. Tappan:

In response to your letter of December 21, 1964 there is enclosed a list of wells designated on Supplement A to the Proof of Application of Water to Beneficial Use filed with our letter of January 13, 1964, showing which were completed after November 5, 1955. This tabulation discloses that of the project 177 wells, 110 wells were completed prior to November 5, 1955.

Your letter of December 21, 1964 and the prior letter of June 25, 1964, also asked for a list of lands. We provided in Proof of Beneficial Use, mailed January 13, 1964, a list designated "Supplement B - Tabulation of Irrigable Acreage on North Side Pumping Division - Unit B - Receiving Water Under Permit No. 20736." This list shows a project irrigable acreage by sections of 62,604.3 acres. Of this project acreage it is estimated approximately 21,102.1 acres are served from the wells on the enclosed list completed after November 5, 1955. Thus, 41,502.2 acres of the total project acreage is served from other wells or facilities.

We emphasize that the project is one integrated system, physically, operationally, and financially. Some lands, depending on project operational requirements, can be served from water from several wells. Therefore, it is impracticable and undesirable to designate precise land areas within the project served only by each of the specific wells on the list.

As we have heretofore informed you, both we and the A & B Irrigation District, the organization representing the 600 farm families on the project, are convinced that the project is entitled legally and equitably to a water right with a 1948 priority and that such a priority does no practical harm to any other known water user or water right holder. We have been informed of the appeals now pending

in this proceeding and the representatives of the A & B Irrigation District are assembling material to present to you and to the Attorney General concerning their views. Accordingly, we request that no action be taken on the issuance of a license until there has been an opportunity for you and the Attorney General to receive the views of the A & B Irrigation District and until the pending appeals have been disposed of so that your office does have jurisdiction of the matter.

Sincerely yours,

E. L. White

Acting Regional Director

Enclosure

Copy to: Allan G. Shepard, Attorney General, Boise
Stephen W. Boller, Asst. Attorney General, Boise
John R. Coleman, Parry, Robertson & Daly, Twin Falls
H. W. Van Slyke, Secretary, A & B Irrigation District, Rupert

December 21, 1964

Re: Permit No. 20736

Regional Director
U. S. Bureau of Reclamation
P. O. Box 937
Boise, Idaho

Dear Sir:

Please refer to our order of June 25, 1964, establishing priorities under Permit No. 20736, and defining the conditions upon which a license will be issued, namely - "The priority date of that part of the right initiated by Permit No. 20736, depending on works constructed prior to November 5, 1955, shall relate back to September 9, 1948, and that part of the right initiated under Permit No. 20736, and depending on works not completed by November 5, 1955, may relate back to November 5, 1955."

This department is desirous of issuing a license as specified above upon receipt of a list of the wells and lands to be sumitted by the licensee, and therefore ask that said list be submitted not later than January 15, 1965.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

CET:ew

20736

The Minidoka County News

RUPERT, IDAHO

AFFIDAVIT OF PUBLICATION

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

Vern A. Miller, being first duly sworn, deposes and says that he is the manager 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 consecutive weeks, commencing with the issue dated Dec. 12, 1963, and ending with the issue dated Jan. 19, 1964.

Vern A. Miller

Subscribed and sworn to before me this 2nd day of Dec, 1964

Vern Hunter Notary Public

Cost of Publication .....

Notary Fee .....

Total Cost .....

20736

NOTICE FOR PUBLICATION
NOTICE OF PROOF TO BE MADE OF COMPLETION OF CONSTRUCTION AND APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 a. m. on the 13th day of January, 1964, at the Bureau of Reclamation offices, Orchard and Fairview, Boise, Idaho, County of Ada, State of Idaho, before John H. Welch, a Notary Public, proof will be submitted of the diversion of and application to beneficial use of 1100 cubic feet per second of underground water, in accordance with the terms and conditions of Permit No. 20736 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and post office address of the person or corporation holding said permit is United States of America P. O. Box 937, Boise, Idaho.

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

The amount applied to beneficial use is 1100 c.f.s.

The works of diversion have been completed within the time of the permit.

The point of diversion of said water is 177 wells located in township 7 south, ranges 23, 24, and 25 east, Boise meridian; township 8 south, ranges 21, 22, 23, 24, and 25 east, Boise meridian; township 9 south, ranges 21, 22, and 23 east, Boise meridian; township 10 south, ranges 21 and 22 east, Boise meridian, all within the A & B Irrigation District, North Side Pumping Division, Minidoka Project, Idaho.

The place where said water is used (legal description): 62,604.3 irrigated acres located in townships 7, 8, 9, and 10 south, ranges 21, 22, 23, 24, and 25 east, Boise meridian, Idaho, all within the boundaries of the A & B Irrigation District, North Side Pumping Division, Minidoka Project, Idaho.

The date of priority which said user is prepared to establish is September 9, 1948.

CARL F. TAPPAN
State Reclamation Engineer

No. 965 Dec. 19 - Jan. 9

DEC 1964

The Minidoka County News

RUPERT, IDAHO

AFFIDAVIT OF PUBLICATION

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

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Vern A. Miller

Subscribed and sworn to before me this 2nd day of Dec, 1964

Vern Hunter Notary Public

Cost of Publication .....

Notary Fee .....

Total Cost .....

20736

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The name and post office address of the person or corporation holding said permit is United States of America, P. O. Box 937, Boise, Idaho.

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

The amount applied to beneficial use is 1100 c.f.s.

The works of diversion have been completed within the [illegible] of the permit.

The point of diversion of said water is 177 wells located in township 7 south, ranges 20, 24, and 25 east, Boise meridian; township 8 south, ranges 21, 22, 23, 24, and 25 east, Boise meridian; township 9 south, ranges 21, 22, and 23 east, Boise meridian; township 10 south, ranges 21 and 22 east, Boise meridian, all within the A & B Irrigation District, North Side Pumping Division, Minidoka Project, Idaho.

The place where said water is used (legal description): 62,604.3 irrigated acres located in townships 7, 8, 9, and 10 south, ranges 21, 22, 23, 24, and 25 east, Boise meridian, Idaho, all within the boundaries of the A & B Irrigation District, North Side Pumping Division, Minidoka Project, Idaho.

The date of priority which said user is prepared to establish is September 9, 1948.

CARL F. TAPPAN
State Reclamation Engineer

No. 965 Dec. 19 - Jan. 9

August 27, 1964

Duffin & Duff
P. O. Box 61
Fremont & "G" Streets
Rupert, Idaho

Gentlemen:

Enclosed herewith is departmental receipt number 32405 for the amount of $47.50 received from you to cover photocopying fees.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

(Mrs.) EDNA P. RULE
Chief Clerk

EPR: ct

Enc. Receipt No. 32405, $47.50

20736

R E S U M E

Duffin and Duff letter of 8/6/64

Items # 1 not issued
2 not issued
3 photo copies enclosed
4 not yet examined
5 none

****

Duffin and Duff letter of 8/10/64

Items # 1 Department letter of 1/8/54
2 United States Bureau of Reclamation letter of 5/28/54 and Department reply on 10/21/54.
3 Denial of Application and Decision of Reclamation Engineer, 4/5/56

****

Protests against granting Completion of Works Certificate

Protests received before the last day, 1/14/64, for making protest were all of an informal character. However, protests received after 1/14/64 were all formal. There were 41 protests from permit holders and 10 from non-permit holders.

****

Cost of photo work: $47.55

20736

U.S.B.R. PERMIT NO. 20736

WELL LOGS MISSING

35C822
5A823
15C823
35B823
24C823
27A823
8A823
17C823
4B824
4C824
6A824
7A824
8A824
10A824
10 B824
14A824
15A824
18A824
22A824
30B824
3A825
3B825
11A825
12A825
12B825
15A825
15B825
7B922
11B922
28A922
33A922
6A923
2A1021
10C824

WELL LOGS RECEIVED IN EXCESS OF THOSE REQUIRED FOR WELLS ON BENEFICIAL USE PROOF LIST

15A724
24B824
20A824
33C922
22C922
22B922
23A922
7A1022

To D. ... Room 102 U.S.B.R. 10/28/63

20736

ROBERT E. SMYLIE
Governor

CARL E. TAPPAN
State Reclamation Engineer

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

June 25, 1964

Re: Permit No. 20736

Regional Director
U. S. Bureau of Reclamation
P. O. Box 937
Boise, Idaho

Dear Sir:

Notice of intention to make final proof of Completion of Works and Proof of Application to Beneficial Use was duly published, according to Idaho Statutes, and a date for making such final proof was set for January 13, 1964. Proof was accepted that day. No formal protests were presented.

Affidavits of Holder and two witnesses were forwarded to this office February 3, 1964.

Proof of Completion of Works and Proof of Application to Beneficial Use having been made as advertised, and in accordance therewith, and it appearing that the Department of Reclamation, by its Decision and Order, dated April 5, 1956, had determined that the priority date of that part of the right initiated by Permit No. 20736, depending on works constructed prior to November 5, 1955, shall relate back to September 9, 1948, and that part of the right initiated under Permit No. 20736, and depending on works not completed by November 5, 1955, may relate back to November 5, 1955, therefore, Permit No. 20736 will be licensed as follows:

The priority date of that part of the right initiated by Permit No. 20736, depending on works constructed prior to November 5, 1955, shall relate back to September 9, 1948, and that part of the right initiated under Permit No. 20736, and depending on works not completed by November 5, 1955, may relate back to November 5, 1955. The licensee will provide a list of the wells and lands which will be licensed under the date of priority as set out herein.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

CET:sw

20736

June 25, 1964

Re: Permit No. 20736

Regional Director
U. S. Bureau of Reclamation
P. O. Box 937
Boise, Idaho

Dear Sir:

Notice of intention to make final proof of Completion of Works and Proof of Application to Beneficial Use was duly published, according to Idaho Statutes, and a date for making such final proof was set for January 13, 1964. Proof was accepted that day. No formal protests were presented.

Affidavits of Holder and two witnesses were forwarded to this office February 3, 1964.

Proof of Completion of Works and Proof of Application to Beneficial Use having been made as advertised, and in accordance therewith, and it appearing that the Department of Reclamation, by its Decision and Order, dated April 5, 1956, had determined that the priority date of that part of the right initiated by Permit No. 20736, depending on works constructed prior to November 5, 1955, shall relate back to September 9, 1948, and that part of the right initiated under Permit No. 20736, and depending on works not completed by November 5, 1955, may relate back to November 5, 1955, therefore, Permit No. 20736 will be licensed as follows:

The priority date of that part of the right initiated by Permit No. 20736, depending on works constructed prior to November 5, 1955, shall relate back to September 9, 1948, and that part of the right initiated under Permit No. 20736, and depending on works not completed by November 5, 1955, may relate back to November 5, 1955. The licensee will provide a list of the wells and lands which will be licensed under the date of priority as set out herein.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

CET:ew

ROBERT E. SMYLIE
Governor

CARL E. TAPPAN
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

June 25, 1964

Re: Permit No. 20736

Regional Director
U. S. Bureau of Reclamation
P. O. Box 937
Boise, Idaho

Dear Sir:

Notice of intention to make final proof of Completion of Works and Proof of Application to Beneficial Use was duly published, according to Idaho Statutes, and a date for making such final proof was set for January 13, 1964. Proof was accepted that day. No formal protests were presented.

Affidavits of Holder and two witnesses were forwarded to this office February 3, 1964.

Proof of Completion of Works and Proof of Application to Beneficial Use having been made as advertised, and in accordance therewith, and it appearing that the Department of Reclamation, by its Decision and Order, dated April 5, 1956, had determined that the priority date of that part of the right initiated by Permit No. 20736, depending on works constructed prior to November 5, 1955, shall relate back to September 9, 1948, and that part of the right initiated under Permit No. 20736, and depending on works not completed by November 5, 1955, may relate back to November 5, 1955, therefore, Permit No. 20736 will be licensed as follows:

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Very truly yours,

20736

CARL E. TAPPAN
State Reclamation Engineer

CET:rsw

RECEIVED
MAY 20 19[illegible]
Department of Reclamation

STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
BOISE

ALLAN G. SHEPARD
ATTORNEY GENERAL

May 20, 1964

Mr. Carl Tappan
State Reclamation Engineer
B U I L D I N G

Re: Permit No. 20736

Dear Mr. Tappan:

You have asked me to comment upon the propositions set forth in the Memorandum of Law submitted by the permittee under Permit No. 20736, and a letter from the Regional Director of the Bureau of Reclamation dated 1 May 1964.

The memorandum makes the primary point that by enacting certain provisions which allowed the State Engineer to make extensions of time in connection with permits held by the United States, the Legislature in effect made mandatory such extensions when applied for. As pointed out previously, I disagree with this contention. While the amendments probably were intended for this situation, the language used is not mandatory, and leaves discretion with the Engineer. Further, the failure of the permittee to appeal from an adverse decision, while not mandatory, indicates an acceptance of the decision. This point was covered in the opinion of February 28th, and nothing in the Bureau's Memo indicates any new point to change this opinion.

The Regional Director's letter indicates that it was his understanding that Carter's letter of January 17, 1961, was taken by the permittee as an extension of time. In that letter, Carter pointed out that the ten year period expired two years previous to that date, and asked what the Bureau intended to do. That he suggested the permit would not, "as a matter of procedure," be cancelled, it appears to me indicative of the fact that he was reminding the permittee that it was not being diligent.

Whatever the interpretation put upon Carter's language, the fact remains that the permittee did not diligently pursue the requirements of the law in regard to licensing, and therefore our previous opinion stands.

20736

I have not intended to pick apart either the memo or Nelson's letter; rather, I would point out that I have considered these carefully, together with the original opinion, as well as obtained additional advice from Mr. Dingel of our office, who concurs, and I find no legal ground to change the original opinion.

Very truly yours,

FOR THE ATTORNEY GENERAL

STEPHEN W. BOLLER
Assistant Attorney General

SWB/lr

IN REPLY REFER TO:

UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF THE SOLICITOR

Portland Region
Boise Field Office
P. O. Box 937
Boise, Idaho 83701

MAY 1 1964

Mr. Carl E. Tappan
State Reclamation Engineer
Boise, Idaho

Dear Mr. Tappan:

In accordance with your request growing out of the discussions had in your office with Assistant Attorney General Boller and Mr. Fix representing the A & B Irrigation District, I am providing information concerning the water filing, permit No. 20736, relating to the North Side Pumping Division, Minidoka Project.

This information consists of the enclosed letter from Mr. Nelson indicating the administrative understanding his office had about Mr. Carter's letter of January 17, 1961. Also, I am enclosing a memorandum which covers the information and legal interpretations in support of our view that it is proper and within your authority to now issue a water right for the project under permit No. 20736 with the priority of September 9, 1948, as provided in that permit.

Sincerely yours,

William Burpee

William Burpee
Field Solicitor

Enclosure

Copy to: Mr. Stephen W. Boller
Assistant Attorney General
Boise, Idaho

Mr. Clifford E. Fix
Parry, Robertson & Daly
Twin Falls, Idaho

(with enclosure to each)

20736

Duffin and Duff
ATTORNEYS AT LAW
FREMONT AND "G" STREETS
BOX 61
RUPERT, IDAHO

LAWRENCE H. DUFFIN
LARRY R. DUFF

TELEPHONE 436-4774

April 10, 1964

RECEIVED
APR 13 1964
Reclamation

Mr. Carl Tappan
State Reclamation Engineer
Capitol Building
Boise, Idaho

In re: Formal Protest - Permit 20736

Dear Mr. Tappan:

Please file the enclosed protest signed by Robert Jones of Route 3, Rupert, Idaho.

Very truly yours,

Larry R. Duff

LRD:LS
Encl.

20736

APR 13 1954
Department of Reclamation

FORMAL PROTEST

STATE OF IDAHO)
) ss.
County of Minidoka)

I do hereby certify and declare that I own an underground water application, filed with the Idaho State Reclamation Engineer subsequent to the U. S. Bureau of Reclamation filing of 1948, and I do hereby protest the attempt now made by the Bureau to date its certificate back to 1948.

Under the Idaho law I, as an individual, have to either pump the water onto the land within the time established or forfeit the priority gained by the filing. There is no legal or moral reason why the Federal Bureau of Reclamation should not be required to live up to the same laws. There should not be one set of rules for the federal government and another set for ordinary individuals. The powerful and the weak should receive the same treatment from the great State of Idaho.

The application of the Bureau of Reclamation to extend time within which to submit proof of the completion of works, and make presentation of the record, was denied in a formal decision by the Idaho State Reclamation Engineer on April 5, 1956. This previous decision by the Idaho State Reclamation Engineer has never been appealed or reversed in any manner and the Bureau of Reclamation's rights have been terminated.

The evidence submitted by the Bureau of Reclamation, in support of its application, affirmatively establishes that it fails to come within the exceptions provided by the Idaho statutes and the application should be peremptorily dismissed.

A decision in favor of the Bureau of Reclamation's application would result in a definite loss of property rights to all the individual water right holders who relied upon the failure of the Bureau of Reclamation to complete the project under the terms of the Idaho state statutes. These same holders of water rights are willing to honor the Bureau of Reclamation's priority as to those lands actually developed and irrigated within the time allowed by law, as previously determined, but believe that any further extension would be not only illegal, but would seriously damage and injure their own water rights.

I am informed, and now believe, that the failure of the Bureau to complete its wells within the five-year period was deliberate and was based on its policy of completing only a few wells per year. The Bureau publicly announced this program in 1948 and claimed that it would only develop the wells indicated in its permit as ground water conditions were proven. This "go slow" policy was relied upon by many individual persons and companies who have drilled wells in this area as proof that the Bureau would not attempt to

90736

destroy existing water rights through its prior filing. Also, such a policy also indicated that the Bureau would be content with a water right priority established by the actual use of proven water. I seriously doubt that the Bureau is able to present any evidence that it is entitled to such consideration within the meaning of the statute. Certainly, the statute contemplates that the grounds for such request must be based on facts and conditions beyond the control of the Bureau and not facts and conditions resulting from the deliberate policy of the Bureau or resulting from their own negligence or indifference. I am not aware that any bona fide request made by the Bureau for appropriations from Congress for the drilling of these wells or the purchasing of pumps for the same was denied.

It is earnestly urged that the State Engineer, in furtherance of justice and the democratic process, exercise his discretion in favor of the individual applicants and against the Bureau, and refuse to grant, or even hear, further proceedings attempting to relate back Permit 20736, or any other permit, and the formal decisic of the State Reclamation Engineer of April 5, 1956 be recognized, honored and upheld.

Protestor

Address: R. 3 Big Sky Ranch, Rupert Idaho

Subscribed and sworn to before me this 8th day of April 1964.

Notary Public
Residing at Rupert, Idaho
My Commission Expires 12-1-65

(seal)

~~G-26439~~
6.4 4-1-59 G-2-18-72 W½, 12-7S-24E
P.D. SENW, 12-7S-24E

20736

April 13, 1964

Mr. William Burpee
Office of the Solicitor
Bureau of Reclamation
Boise, Idaho

Dear Mr. Burpee:

During our conversation last March 12th, concerning the matter of Proof of Completion of Works for the Northside extension, it was decided that the Department of Reclamation was to receive a brief from Mr. Fix and yourself before further action by this department. If possible, may we have these briefs by April 24, 1964.

I should state that within the past month we have received a couple of formal protests against allowing a license to the Bureau with the priority sought. These protests, of course, are late, but in view of the rather unsettled status concerning this matter perhaps it should be resolved.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

CET:ew

cc: Clifford E. Fix
Attorney at Law
Twin Falls, Idaho

John Coleman
Attorney at Law
Twin Falls, Idaho

20736

extracted from decision dated
Apr 5, 1956

"

It is the decision of the State Reclamation Engineer that the application for Extension of Time for Completion of Works should be denied and the application is hereby denied.

It is the further decision of the State Reclamation Engineer that the priority date of that part of the right initiated by Permit No 20736 depending on works constructed prior to November 5, 1955, shall relate back to Sept 9, 1948 and that the part of the right initiated under permit No 20736 and depending on work not completed by Nov 5 1955 may relate back to Nov 5, 1955 "

respec 9/2/64 20736

Duffin and Duff
ATTORNEYS AT LAW
FREMONT AND "G" STREETS
BOX 61
RUPERT, IDAHO

LAWRENCE H. DUFFIN
LARRY R. DUFF

TELEPHONE 436-4774

April 1, 1964

RECEIVED
APR 3 1964
Idaho Department of Reclamation

Mr. Carl Tappan
State Reclamation Engineer
Capitol Building
Boise, Idaho

In re: Permit No. 20736 - Formal Protest

Dear Mr. Tappan:

We are enclosing Formal Protest signed by Corless Farms, Route #2, Paul, Idaho.

Very truly yours,

Larry R. Duff

LRD:LS
Encl.

S 25134
S 31001

20736

RECEIVED
APR 2 1964
Department of Reclamation

FORMAL PROTEST

STATE OF IDAHO)
) ss.
County of Minidoka)

I do hereby certify and declare that I own an underground water application, filed with the Idaho State Reclamation Engineer subsequent to the U. S. Bureau of Reclamation filing of 1948, and I do hereby protest the attempt now made by the Bureau to date its certificate back to 1948.

Under the Idaho law I, as an individual, have to either pump the water onto the land within the time established or forfeit the priority gained by the filing. There is no legal or moral reasc why the Federal Bureau of Reclamation should not be required to live up to the same laws. There should not be one set of rules for the federal government and another set for ordinary individuals. The powerful and the weak should receive the same treatment from the great State of Idaho.

The application of the Bureau of Reclamation to extend tim within which to submit proof of the completion of works, and make presentation of the record, was denied in a formal decision by the Idaho State Reclamation Engineer on April 5, 1956. This previous decision by the Idaho State Reclamation Engineer has never been appealed or reversed in any manner and the Bureau of Reclamation's rights have been terminated.

The evidence submitted by the Bureau of Reclamation, in support of its application, affirmatively establishes that it fails to come within the exceptions provided by the Idaho statutes and the application should be peremptorily dismissed.

A decision in favor of the Bureau of Reclamation's application would result in a definite loss of property rights to all the individual water right holders who relied upon the failure of the Bureau of Reclamation to complete the project under the terms of the Idaho state statutes. These same holders of water rights are willi to honor the Bureau of Reclamation's priority as to those lands actually developed and irrigated within the time allowed by law, as previously determined, but believe that any further extension would be not only illegal, but would seriously damage and injure their own water rights.

I am informed, and now believe, that the failure of the Bureau to complete its wells within the five-year period was deliberate and was based on its policy of completing only a few wells per year. The Bureau publicly announced this program in 1948 and claimc that it would only develop the wells indicated in its permit as ground water conditions were proven. This "go slow" policy was relied upon by many individual persons and companies who have drille wells in this area as proof that the Bureau would not attempt to

20736

destroy existing water rights through its prior filing. Also, such a policy also indicated that the Bureau would be content with a water right priority established by the actual use of proven water. I seriously doubt that the Bureau is able to present any evidence that it is entitled to such consideration within the meaning of the statute. Certainly, the statute contemplates that the grounds for such request must be based on facts and conditions beyond the control of the Bureau and not facts and conditions resulting from the deliberate policy of the Bureau or resulting from their own negligence or indifference. I am not aware that any bona fide request made by the Bureau for appropriations from Congress for the drilling of these wells or the purchasing of pumps for the same was denied.

It is earnestly urged that the State Engineer, in furtherance of justice and the democratic process, exercise his discretion in favor of the individual applicants and against the Bureau, and refuse to grant, or even hear, further proceedings attempting to relate back Permit 20736, or any other permit, and the formal decisic of the State Reclamation Engineer of April 5, 1956 be recognized, honored and upheld.

Protestor Howard S. Carlson

Address: Rt. #2 Paul, Idaho

Subscribed and sworn to before me this 26th day of March 1964.

(seal)

Notary Public
Residing at Rupert, Idaho
My Commission Expires 12-1-65

20736

DUFFIN AND DUFF
ATTORNEYS AT LAW
FREMONT AND "G" STREETS
BOX 61
RUPERT, IDAHO 83350

LAWRENCE H. DUFFIN
LARRY R. DUFF

TELEPHONE 436-4774

March 25, 1964

RECEIVED
MAR 30 1964
Department of Reclamation

Mr. Carl Tappan
State Reclamation Engineer
Capitol Building
Boise, Idaho

In re: Permit No. 20736 - Formal Protest

Dear Mr. Tappan:

Enclosed please find Formal Protest signed by Richard Hanks, Route 3, Rupert, Idaho.

Very truly yours,

Larry R. Duff

LRD:LS
Encl.

P.S. Also enclosing Protest signed by J. H. Terry & Sons by John W. Terry, Route 1, Paul, Idaho.

G 21323
G 25692

20736

RECEIVED
MAR 30 1964
Department of Reclamation

FORMAL PROTEST

STATE OF IDAHO)
) ss.
County of Minidoka)

I do hereby certify and declare that I own an underground water application, filed with the Idaho State Reclamation Engineer subsequent to the U. S. Bureau of Reclamation filing of 1948, and I do hereby protest the attempt now made by the Bureau to date its certificate back to 1948.

Under the Idaho law I, as an individual, have to either pump the water onto the land within the time established or forfeit the priority gained by the filing. There is no legal or moral reasc why the Federal Bureau of Reclamation should not be required to live up to the same laws. There should not be one set of rules for the federal government and another set for ordinary individuals. The powerful and the weak should receive the same treatment from the great State of Idaho.

The application of the Bureau of Reclamation to extend tim within which to submit proof of the completion of works, and make presentation of the record, was denied in a formal decision by the Idaho State Reclamation Engineer on April 5, 1956. This previous decision by the Idaho State Reclamation Engineer has never been appealed or reversed in any manner and the Bureau of Reclamation's rights have been terminated.

The evidence submitted by the Bureau of Reclamation, in support of its application, affirmatively establishes that it fails to come within the exceptions provided by the Idaho statutes and the application should be peremptorily dismissed.

A decision in favor of the Bureau of Reclamation's application would result in a definite loss of property rights to all the individual water right holders who relied upon the failure of the Bureau of Reclamation to complete the project under the terms of the Idaho state statutes. These same holders of water rights are willi to honor the Bureau of Reclamation's priority as to those lands actually developed and irrigated within the time allowed by law, as previously determined, but believe that any further extension would be not only illegal, but would seriously damage and injure their own water rights.

I am informed, and now believe, that the failure of the Bureau to complete its wells within the five-year period was deliberate and was based on its policy of completing only a few wells per year. The Bureau publicly announced this program in 1948 and claim that it would only develop the wells indicated in its permit as ground water conditions were proven. This "go slow" policy was relied upon by many individual persons and companies who have drill wells in this area as proof that the Bureau would not attempt to

20736

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It is earnestly urged that the State Engineer, in furtherance of justice and the democratic process, exercise his discretion in favor of the individual applicants and against the Bureau, and refuse to grant, or even hear, further proceedings attempting to relate back Permit 20736, or any other permit, and the formal decision of the State Reclamation Engineer of April 5, 1956 be recognized, honored and upheld.

J. H. Terry and Sons
Protestor by John W. Terry

Address: Rt 1,
Paul, Idaho

Subscribed and sworn to before me this 25th day of March, 1964.

Lois E Stephenson
Notary Public
Residing at Rupert, Idaho
My Commission Expires 12-1-65

(seal)

20736

RECEIVED
MAR 30 1964
Department of Reclamation

FORMAL PROTEST

STATE OF IDAHO)
) ss.
County of Minidoka)

I do hereby certify and declare that I own an underground water application, filed with the Idaho State Reclamation Engineer subsequent to the U. S. Bureau of Reclamation filing of 1948, and I do hereby protest the attempt now made by the Bureau to date its certificate back to 1948.

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The evidence submitted by the Bureau of Reclamation, in support of its application, affirmatively establishes that it fails to come within the exceptions provided by the Idaho statutes and the application should be peremptorily dismissed.

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20736

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Richard Hanks
Protestor

Address: Route # 3
Rupert, Idaho

Subscribed and sworn to before me this 25th day of March, 1964.

Lois E. Stephenson
Notary Public
Residing at Rupert, Idaho
My Commission Expires 12-1-65

(seal)

20736

Duffin and Duff
ATTORNEYS AT LAW
FREMONT AND "G" STREETS
BOX 61
RUPERT, IDAHO

LAWRENCE H. DUFFIN
LARRY R. DUFF

TELEPHONE 436-4774

March 16, 1964

MAR 19 1964
Department of Reclamation

Mr. Carl Tappan
State Reclamation Engineer
Capitol Building
Boise, Idaho

In re: Permit No. 20736 - Formal Protest

Dear Mr. Tappan:

Enclosed please find the Formal Protests of Samuel A. Clark, Jr. and Arthur McClellan concerning the above permit.

Very truly yours,

Larry R. Duff

LRD:LS
Encl.

20736

RECEIVED
MAR 17 1964
Bureau of Reclamation

FORMAL PROTEST

STATE OF IDAHO)
) ss.
County of Minidoka)

I do hereby certify and declare that I own an underground water application, filed with the Idaho State Reclamation Engineer subsequent to the U. S. Bureau of Reclamation filing of 1948, and I do hereby protest the attempt now made by the Bureau to date its certificate back to 1948.

Under the Idaho law I, as an individual, have to either pump the water onto the land within the time established or forfeit the priority gained by the filing. There is no legal or moral reaso why the Federal Bureau of Reclamation should not be required to live up to the same laws. There should not be one set of rules for the federal government and another set for ordinary individuals. The powerful and the weak should receive the same treatment from the great State of Idaho.

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The evidence submitted by the Bureau of Reclamation, in support of its application, affirmatively establishes that it fails to come within the exceptions provided by the Idaho statutes and the application should be peremptorily dismissed.

A decision in favor of the Bureau of Reclamation's application would result in a definite loss of property rights to all the individual water right holders who relied upon the failure of the Bureau of Reclamation to complete the project under the terms of the Idaho state statutes. These same holders of water rights are willin to honor the Bureau of Reclamation's priority as to those lands actually developed and irrigated within the time allowed by law, as previously determined, but believe that any further extension would be not only illegal, but would seriously damage and injure their own water rights.

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20736

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It is earnestly urged that the State Engineer, in furtherance of justice and the democratic process, exercise his discretion in favor of the individual applicants and against the Bureau, and refuse to grant, or even hear, further proceedings attempting to relate back Permit 20736, or any other permit, and the formal decisic of the State Reclamation Engineer of April 5, 1956 be recognized, honored and upheld.

Samuel A. Clark, Jr.
Protestor

Address: P.O. Box 67
Paul, Idaho

Subscribed and sworn to before me this 12th day of March, 1964.

Notary Public
Residing at Rupert, Idaho
My Commission Expires 9-1-66

(seal)

20736

RECEIVED
FEB 28 1964
Bureau of Reclamation

STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
BOISE

ALLAN G. SHEPARD
ATTORNEY GENERAL

February 28, 1964

Mr. Carl Tappan
State Reclamation Engineer
B U I L D I N G

Dear Mr. Tappan:

You have asked for our opinion concerning Proof of Completion of Works and Application to Beneficial Use on Permit No. G-20736, North Side Pumping Division, Minidoka Project, Idaho.

As you have noted, in 1956 former State Reclamation Engineer Mark Kulp ordered that works on the project constructed prior to November 5, 1955, would have a date of priority as of the date of the permit September 9, 1948, while works constructed subsequent to November 5, 1955, would relate back to November 5, 1955, even though all the works were constructed under Permit No. G-20736.

The question you asked is, in essence, this:

> "Should the date of priority as set out by Kulp be allowed, or should the permit be cancelled?"

In approaching the answer to this question, a review of the sequence of events would be helpful.

The Bureau of Reclamation applied in 1948 for a permit to appropriate 1,333 cfs of underground water from 306 wells for irrigation purposes, to be applied on 66,664 acres of land in Minidoka and Jerome Counties. The State Department of Reclamation issued a permit with a date of priority as of September 9, 1948.

Under the applicable law, Section 42-204, Idaho Code, proof of completion of works would then have been due five years later, or on September 9, 1953, and proof of application to beneficial use on September 9, 1959, Sec. 42-217, Idaho Code.

20736

In 1953 when proof of completion of works would have been due, the Bureau of Reclamation made formal application for an extension of time for this completion of works to 1958, because the status of plans and design and construction funds had not progressed to the point where completion of works would have been possible by November 5, 1953.

In early 1954, then State Reclamation Engineer, Mark Kulp, allowed a two year extension to November 5, 1955, stating that private developments had been started in the same area, which presumably used the same source of subterranean water.

In 1955, the Bureau of Reclamation was notified that proof of completion of works would be due November 5, 1955, to which the Bureau of Reclamation replied by way of a formal application for extension of time to November 5, 1958, stating again that completion was impossible due to lack of appropriations by Congress. A number of protests were received and Kulp deferred action until these could be properly considered.

On April 5, 1956, Kulp issued an order whih is the crux of the problem here.

In this order, Kulp denied the application for extension of time for proof of completion of works. He also stated:

> "It is the further decision of the State Reclamation Engineer that the priority date of that part of the right initiated by Permit No. G-20736 depending on works constructed prior to November 5, 1955, shall relate back to September 9, 1948, and that part of the right initiated under Permit No. 20736 and depending on works not completed by November 5, 1955, may relate back to November 5, 1955."

Then, in 1956, Kulp wrote the Bureau of Reclamation:

> "The time for completion of works for items not completed by November 5, 1955, is extended three years from November 5, 1955, and the time for making proof of completion of works on all work is extended to November 5, 1958."

The Bureau of Reclamation then [redacted] asked for a further extension in 1958, to November 5, 1963, which was denied by Kulp's successor, George N. Carter, and he stated, "Proof of completion should now be made."

Apparently, nothing was done by either the Bureau of Reclamation or the Department of Reclamation, for in January, 1961, Carter wrote the Bureau of Reclamation that the time for completion of works was overdue, and that while the permit was subject to cancellation, it would not be cancelled.

In 1963 the Bureau of Reclamation made notice of proof of completion of works and application of water to beneficial use, with a statement that, "The date of priority at which said user is prepared to establish is September 9, 1948."

Thus, the permittee here, the Bureau of Reclamation, is making proof of completion of works some five years later than the date limited for such proof in Kulp's letter in 1956.

Section 42-204, Idaho Code, as it stood in 1948, allowed extensions of time for completion of works only for construction of reservoirs of more than 200,000 acre feet of capacity, which of course was not applicable to the permit here in question.

Session Laws of 1949, Chapter 127, amended Section 42-204, Idaho Code, to add the following provision:

> "3. In connection with permits held by the United States, whether acquired as the original applicant, by assignment or otherwise, the State Reclamation engineer may extend the time for completion of the works for such additional period or periods of time as he may deem necessary upon application supported by a showing that such additional time is required by reason of the status of plans, authorization, construction fund appropriations, construction, or any arrangements which the Secretary of the Interior or his authorized representative has found to be requisite to completion of the construction of such works. The extension of time for completion of works under this provision shall automatically extend the time for completion of the one-fifth required to be done in half the time, and for making proof of application of water to beneficial use."

Thus, in 1955 Kulp had the authority to make an extension of time for completion of works. But the language of the amendment is not mandatory; that is, the granting of an extension is an act within the discretion of the State Reclamation Engineer. The provision states, "The state reclamation engineer may extend the time for completion of works for such additional period or periods of time as he may deem necessary . . . "

Kulp's denial of the extension was within his discretion as State Reclamation Engineer, and his later granting of a three year extension to November 5, 1958, was also within his discretion.

Parenthetically, I might add that Section 42-204, Idaho Code, provides for appeal to the District Court from the endorsement by the Engineer on an application (the Engineer's extension of Permit No. 20736 would be endorsed thereon) the appeal required to be taken within sixty days. The Bureau's failure to appeal is conclusive upon it.

With the Bureau's failure to file proof of completion of works, the last paragraph of Section 42-204, Idaho Code, comes into operation. This states:

> "The holder of any permit who shall fail to comply with the provisions of this section within the time or times specified shall be deemed to have abandoned all right under his permit."

The Bureau was bound by state law. See Pioneer Irr. Dist. vs. American Ditch Assn., et al., 50 Idaho 732, 1 P.2d 196 (1931); U. S. vs. American Ditch Assn., et al., 2 Fed2d 867, D. Idaho (1932); 43 U.S.C.A. 383.

Thus, for failure to file proof of completion of works, the Bureau, as permittee of Permit No. 20736, has technically abandoned its right under the Permit. Abandonments in the field of water rights are not favored, Hodges vs. Trail Creek Irr. Co., 78 Idaho 10, 297 P.2d 524; Graham vs. Leek, 65 Idaho 279, 144 P.2d 475.

Nevertheless, compliance with the statute concerning water right permits and licenses is essential. As the Idaho Supreme Court said in Big Wood Canal Co. vs. Chapman, 45 Idaho 380, 263 Pac. 45, in speaking of the regulation of the appropriation and use of the public waters:

> "These statutes prescribe minutely the steps of procedure to be taken to acquire a right to put such public waters to a beneficial use. By application for permit under such statutes, permittee secures an inchoate right which will ripen into a legal and complete appropriation by compliance with the statutory steps. Such right is merely a contingent right, which may ripen into a complete appropriation, or may be defeated by a failure of the holder to meet the statutory requirements. The permit, therefore, is not an appropriation of the public waters of the state. It is not real property. It is

merely a consent given by the state to construct and acquire real property." 45 Idaho at 402. (Emphasis added).

In Basinger vs. Taylor, 30 Idaho 289, 164 Pac. 522 (1917), Justice Rice stated,

> "A permit merely expresses the consent of the state that the holder may acquire a water right, and if the holder of the permit substantially complies with all the requirements of the statute, to and including the actual application of the water to the beneficial use specified in the application for the permit, he may become the owner of a water right, the priority of which will relate back to the date of the permit; but until all the requirements have been complied with, including the actual application of the water, the holder of the permit has nothing but an inchoate right. Proof of ownership of a permit will not sustain a decree founded upon a pleading alleging ownership of water. After the holder of a permit has fulfilled all the requirements of the statute, and made proof to the state engineer that he has put the water to beneficial use for which the diversion was intended, he is entitled to a license from the state engineer confirming such use. (Sec. 3261, Rev.Codes.) Under the provisions of sec. 3262, such license is prima facie evidence of a water right, but no certificate issued by the state engineer prior to the issuance of such license is made prima facie evidence of a water right.
>
> "In the case of Washington State Sugar Co. v. Goodrich, 27 Ida. 26, at p. 38, 147 Pac. 1073, 1077, this court said: 'The granting by the state engineer of a permit for the right to use of water of this state, in and of itself secures to the applicant no right to the use of the waters applied for in said permit, unless there be a substantial compliance with each and every provision of the statute relating to or in any manner affecting the issuance of such permit, and a fulfilment of the conditions and limitations therein, but a compliance with the conditions and limitations prescribed in such permit initiates a right to the use of the water in the applicant, and said right then becomes a vested one and dates back to the issuance of said permit.'"

Because of the lack of diligence vis-a-vis compliance with the requirements of the law, the inchoate right initiated by Permit No. 20736 has not ripened, and the permit is subject to cancellation.

It is therefore the opinion of the Attorney General that Permit No. 20736 should be cancelled.

As noted above, Kulp's order of April 5, 1956, divided the dates of priority under Permit No. 20736 around November 5, 1955. There is no indication in that order of what statutory or other basis Kulp utilized in making that portion of the order, and our research reveals none. The question of the effect of this order becomes moot, however, in view of our opinion that the permit should be cancelled, should you so decide.

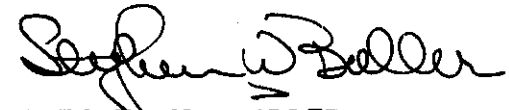
The effect of a cancellation of a permit will be to remove the project as a whole from the purview of statutory licensing provisions, and into the constitutional method of appropriation, on an individual basis. That is, instead of a license giving the North Side Project a priority date of September 9, 1948, each landowner or settler within the project will have a date of priority as of the time when water was actually diverted and applied to beneficial use, Rabido vs. Furey, 33 Idaho 56, 190 Pac. 73 (1920); Jones vs. McIntire, 60 Idaho 338, 91 P.2d 373 (1939); Sec. 42-103, 42-106, Idaho Code.

As you have noted in your abstract of file on Permit No. 20736, there are a large number of wells on private land on the periphery of the project, and while you cannot consider this fact in cancelling the permit, the effect of cancellation will be to place all of the underground water users in that area on an equal footing, rather than allowing lands within the project an earlier priority date, since some of these project lands were put under water at a much later date than many of the private lands. Should the underground aquifer in the Minidoka area ever become depleted and declared a critical groundwater area as per Sec. 42-233(a), this equality may become of great importance.

Should you so decide to cancel Permit No. 20736, you should proceed under Sec. 42-311, Idaho Code.

Very truly yours,

FOR THE ATTORNEY GENERAL



STEPHEN W. BOLLER
Assistant Attorney General

SWB/lr

FORMAL PROTEST

STATE OF IDAHO)
) ss.
County of Minidoka)

I do hereby certify and declare that I own an underground water application, filed with the Idaho State Reclamation Engineer subsequent to the U. S. Bureau of Reclamation filing of 1948, and I do hereby protest the attempt now made by the Bureau to date its certificate back to 1948.

Under the Idaho law I, as an individual, have to either pump the water onto the land within the time established or forfeit the priority gained by the filing. There is no legal or moral reasc why the Federal Bureau of Reclamation should not be required to live up to the same laws. There should not be one set of rules for the federal government and another set for ordinary individuals. The powerful and the weak should receive the same treatment from the great State of Idaho.

The application of the Bureau of Reclamation to extend tir within which to submit proof of the completion of works, and make presentation of the record, was denied in a formal decision by the Idaho State Reclamation Engineer on April 5, 1956. This previous decision by the Idaho State Reclamation Engineer has never been appealed or reversed in any manner and the Bureau of Reclamation's rights have been terminated.

The evidence submitted by the Bureau of Reclamation, in support of its application, affirmatively establishes that it fails to come within the exceptions provided by the Idaho statutes and the application should be peremptorily dismissed.

A decision in favor of the Bureau of Reclamation's application would result in a definite loss of property rights to all the individual water right holders who relied upon the failure of the Bureau of Reclamation to complete the project under the terms of the Idaho state statutes. These same holders of water rights are willi to honor the Bureau of Reclamation's priority as to those lands actually developed and irrigated within the time allowed by law, as previously determined, but believe that any further extension would be not only illegal, but would seriously damage and injure their own water rights.

I am informed, and now believe, that the failure of the Bureau to complete its wells within the five-year period was deliberate and was based on its policy of completing only a few wells per year. The Bureau publicly announced this program in 1948 and claim that it would only develop the wells indicated in its permit as ground water conditions were proven. This "go slow" policy was relied upon by many individual persons and companies who have drille wells in this area as proof that the Bureau would not attempt to

20736

destroy existing water rights through its prior filing. Also, such a policy also indicated that the Bureau would be content with a water right priority established by the actual use of proven water. I seriously doubt that the Bureau is able to present any evidence that it is entitled to such consideration within the meaning of the statute. Certainly, the statute contemplates that the grounds for such request must be based on facts and conditions beyond the control of the Bureau and not facts and conditions resulting from the deliberate policy of the Bureau or resulting from their own negligence or indifference. I am not aware that any bona fide request made by the Bureau for appropriations from Congress for the drilling of these wells or the purchasing of pumps for the same was denied.

It is earnestly urged that the State Engineer, in furtherance of justice and the democratic process, exercise his discretion in favor of the individual applicants and against the Bureau, and refuse to grant, or even hear, further proceedings attempting to relate back Permit 20736, or any other permit, and the formal decisic of the State Reclamation Engineer of April 5, 1956 be recognized, honored and upheld.

G Frank Lomax
Protestor

Address: 609 So G St.
Rupert, Idaho

Subscribed and sworn to before me this 10th day of February, 1964.

Lois E. Stephenson
Notary Public
Residing at Rupert, Idaho
My Commission Expires 12-1-65

(seal)

20736

FORMAL PROTEST

STATE OF IDAHO)
) ss.
County of Minidoka)

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20736

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Arthur McClellan
Protestor

Address: Route 2 Box 131
Paul Idaho

Subscribed and sworn to before me this 12th day of March, 1964.

Jan R Duff
Notary Public
Residing at Rupert, Idaho
My Commission Expires 9-1-66

(seal)

20736

February 28, 1964

Duffin and Duff
Attorneys at Law
Rupert, Idaho

Attn: Larry Duff

Dear Mr. Duff:

I am enclosing a copy of the Attorney General's opinion concerning Water Permit G-20736 to the Bureau of Reclamation. This in accordance with my promise to keep everybody informed of the progress of the matters concerning this permit.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

CET:ew

Enc. copy of Attorney's opinion

20736

February 28, 1964

Re: Permit No. G-20736
Bureau of Reclamation

Honorable Robert E. Smylie
Governor, State of Idaho
BUILDING

My dear Governor:

For your information I am sending you a copy of Attorney General Shephard's opinion concerning the issuance of license following completion of works.

Any further action by this department will not be taken until after a conference with Mr. Burpee and Mr. Fix.

Sincerely yours,

CARL E. TAPPAN
State Reclamation Engineer

CET:ew

Enclosure

20736

February 28, 1964

re: Permit No. G-20736

Clifford E. Fix
Attorney at Law
Fidelity Bank Bldg.
Twin Falls, Idaho

Dear Mr. Fix:

I am enclosing a copy of the Attorney General's opinion relative to the Bureau of Reclamation Permit No. G-20736 in accordance with our promise and your letter of January 30th.

Perhaps we may have a conference some time next week before any order from this office is issued.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

CET:ew
Enclosure :
cc: Wm. Burpee
Office of the Solicitor
Bureau of Reclamation
Box 937, Boise, Idaho

Enclosure:

20736

February 21, 1964

Duffin and Duff
Attorneys at Law
Rupert, Idaho

Attn: Larry R. Duff

Dear Mr. Duff:

I have your letter of February 20th. We have referred the legal questions arising in the matter of Permit No. 20736 to the Attorney General's office and until we have his opinion we do not propose any action.

It is our purpose to keep all parties informed of any action which may follow.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

CET:ew

cc: Steve Boller
Attorney General's
Office

20736

DUFFIN AND DUFF
ATTORNEYS AT LAW
FREMONT AND "G" STREETS
BOX 61
RUPERT, IDAHO 83350

LAWRENCE H. DUFFIN
LARRY R. DUFF

TELEPHONE 436-4774

February 20, 1964

RECEIVED
FEB 21 1964
Department of Reclamation

Mr. Carl Tappan
State Reclamation Engineer
Capitol Building
Boise, Idaho

Dear Mr. Tappan:

We have been informed by Mr. Rodney Hansen that you have turned over the legal question in the contest of the Bureau of Reclamation Permit No. 20736 to the Attorney General for an opinion. We respectfully request, as a representative of a number of landowners who have proved up on private wells in this area, that we be informed of all proceedings in this matter.

Also, if there is anything which we can do to assist you to bring this matter to a fair and equitable conclusion, please feel free to contact us and request the matters which you need.

Respectfully yours,

Larry R. Duff

LRD:LS

20736

February 14, 1964

Honorable Alan Shephard
Attorney General
BUILDING

Attn: Stephen Boller

Dear Sir:

Last January 13th, the Bureau of Reclamation offered proof of Completion of Works and Application of Water to Beneficial Use on Permit No. G-20736. The date of priority is proposed to be September 9, 1948. The development of this project, an area of approximately 65,000 acres, depended on wells and waste water. Wells were located at various locations throughout the area and were constructed as needed by agriculture.

Privately owned land within the project area, and adjoining it, was developed during the same interval of time, also by wells.

A priority of September 9, 1948 would of course allow a priority ahead of many private wells even though government wells were constructed at a considerably later date.

I am enclosing an Abstract of File on Permit G-20736(numbers in the margin refer to tabs in the file), and the Reclamation Department file. The file shows extensions of time were allowed the Bureau, further that the project was not completed within the statutory time limit. (The department has cancelled application for this Reason)

In this file former Engineer Mark R. Kulp had determined that the Bureau could establish two different dates of priority; later Engineer George N. Carter appeared to approve this determination, but sent the usual notice and forms for the proof. (reference to Table 19 and 20 in file)

We have the proof. Are we on firm legal ground to allow

20736

the priority as determined by Mr. Kulp? Or do we administer the law and cancel the permit?

I would appreciate your opinion and if additional information is needed we shall obtain it for you.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

CET:ew

Enc. Abstract
Permit No. G-20736

20736

February 13, 1964

Honorable Rodney Hansen
State Senator
Minidoka County
Route #2, Paul, Idaho

Dear Sir:

Governor Smylie has asked that I reply to your letter addressed to him, and enclose a summary of the progress made in connection with the Bureau of Reclamation filing on the Minidoka Extension Pumping Project.

This is a copy of information I had previously forwarded to the Governor.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

CET:ew

Enc. summary

cc: Honorable Robert E. Smylie
Governor, State of Idaho

20726

February 13, 1964

Mr. Samuel A. Clark
P. O. Box 67
Paul, Idaho

Dear Mr. Clark:

Governor Smylie has asked that I reply to your letter addressed to him, and enclose a summary of the progress made in connection with the Bureau of Reclamation filing on the Minidoka Extension Pumping Project.

This is a copy of information I had previously forwarded to the Governor.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

CET:ew

Enc. summary

cc: Honorable Robert E. Smylie
Governor, State of Idaho

20726

SUMMARY OF BUREAU OF RECLAMATION

Permit No. 20736

Re: Minidoka Extension Pumping Project

Since January 13, 1964, we have been busy assembling information and drawing maps preparatory to rendering a report and letter to the Attorney General for an opinion as to whether or not this department has been, and now is on legal grounds.

During the interval between September 9, 1948 and November 5, 1955, private individuals have constructed upwards of 160 wells within and on adjacent territory. The dates of priority of these wells fall between the two dates of priority as shown above, which had been determined to be proper dates by former Reclamation Engineer, Mark R. Kulp and former Engineer, George M. Carter also approved this division of priority.

Since November 5, 1955, private individuals have drilled 145 wells and placed them to beneficial use, which according to Engineer Kulp's letter would require them to take a late priority, even though the Bureau of Reclamation wells have been drilled in 1963.

These are matters, it seems to me, that we should have a legal opinion on before issuing an order or license to the Bureau establishing priorities.

Our statement is nearly ready to be submitted to the Attorney General for his consideration. He should have it by the first of next week.

20726

DUFFIN AND DUFF
ATTORNEYS AT LAW
FREMONT AND "G" STREETS
BOX 61
RUPERT, IDAHO 83350

LAWRENCE H. DUFFIN
LARRY R. DUFF

TELEPHONE 436-4774

FEB 28 1964
Department of Reclamation

February 27, 1964

Mr. Carl Tappan
State Reclamation Engineer
Capitol Building
Boise, Idaho

Dear Mr. Tappan:

Please file the enclosed Formal Protest in connection with the Bureau of Reclamation water permit matter.

Very truly yours,

Larry R. Duff

LRD:LA
Encl.

20736

STATE OF IDAHO

OFFICE OF THE GOVERNOR

BOISE

ROBERT E. SMYLIE
GOVERNOR

February 10, 1964

RECEIVED
FEB 11 1964
Department of Reclamation

Honorable Carl E. Tappan
State Reclamation Engineer
B U I L D I N G

Dear Carl:

This will acknowledge your letter of February 7, 1964 regarding proof of beneficial use and dates of priority for the Bureau of Reclamation in the Minidoka Extension Pumping Projects.

I would appreciate your replying to Mr. Clark direct, and also to Senator Rodney Hansen, giving them this information .

Thanks for the memo.

Sincerely,

GOVERNOR

RES:c

Sent to the above on 2/13/64

20736

HENRY M. JACKSON, WASH., CHAIRMAN
CLINTON P. ANDERSON, N. MEX.
ALAN BIBLE, NEV.
FRANK CHURCH, IDAHO
ERNEST GRUENING, ALASKA
FRANK E. MOSS, UTAH
QUENTIN N. BURDICK, N. DAK.
LEE METCALF, MONT.
CARL HAYDEN, ARIZ.
GEORGE MC GOVERN, S. DAK.
GAYLORD NELSON, WIS.
THOMAS H. KUCHEL, CALIF.
GORDON ALLOTT, COLO.
LEN B. JORDAN, IDAHO
MILWARD L. SIMPSON, WYO.
E. L. MECHEM, N. MEX.
PETER H. DOMINICK, COLO.

JERRY T. VERKLER, STAFF DIRECTOR

United States Senate

COMMITTEE ON
INTERIOR AND INSULAR AFFAIRS

February 6, 1964

FEB 11 1964
Department of Reclamation

Mr. Carl E. Tappan
State Reclamation Engineer
Bureau of Reclamation
107 State House
Boise, Idaho

Dear Carl:

In line with our telephone conversation concerning some cases pending before you for extensions of permits for the U.S. Bureau of Reclamation on the North Side tract, I am enclosing a copy of a letter I recently received from Mr. Warren W. Heins, Route 3, Rupert, Idaho.

Mr. Heins makes a statement in his fourth paragraph concerning a hearing which I know will be of interest to you, and I trust you will contact him and discuss this particular situation.

I also enclose a copy of a letter I recently wrote to Mr. Everett Warner, District Manager, Capital Company, Rupert, Idaho, on this matter.

Best personal regards, I am

Sincerely yours,

Len

Len B. Jordan
United States Senator

I called Mr Heins and directed his attention to Minidoka County news 7 12/19/63, 14/26/63. 1/2/64 and 1/9/64

20736

Date 1-24-63

Geology

				Formation	Show	Thickness		Location	
							NW SW	23-	
							SENW	26-	
24323			7-15-53				SW NW	29-7S-23E	
									NESE, 29-7S-
29314	Morgan		1-26-61	1-29-61		4.4			
29550	Morgan		1-29-61	2-2-61		3.2			
29855	Morgan		1-24-61	1-24-61		12.8			
30859	Morgan		12-4-62	12-14-62		3.2			

Old Holders Existing Permit # 20736 4-5-66
Received after 1/1/63

#	Name	Filing Date	Issued	Permit	C/W	Licenses	Acres	Land Description
	Cal Bros.	7/15/63	7/15/63			60	SENE	33-7S-23E	E½ 33; NESE, SESE
	"	7/16/66	7/16/66			2106	SESE	33-7S-23E	SE¼, 33-7S-23E
	Geo K. Humphrey	1960		6.4			S½SW¼ SE¼	16-9S-21E	S½ 16-9S-21E
	H. Williams	1964		6.4			S½NW¼ SW¼NE¼	33-7S-21E	E½NE¼ 33; NE¼ 5 NW¼
	K. Thompson	3/24/62	3/24/62			1.96	SESE	21-7S-25E	SENE, E½SE 21-7S-25E
5C624						2.89	SWNE	21-7S-25E	NE¼ E½SE, 21-7S-25E
2-620	Samuel A. Clark, Jr.	2/13/63	2/13/63			338	SWSW	22-6S-21E	NWNE, S½NE, SE¼ 22; S½ 23;
27691	"					183	NESE	22-6S-21E	W½NW¼ 26; NWNE, SENE 27-6S-21E
									NWNE, S½NE, SE¼ 22; SWNW, S½ 23;
30665	"	2/6/64		4.0					E½NW¼ 26; E½NE, NWNE 27-6S-21E
24323	A. P. Blincoe	7/1/63	7/15/63				SWSW	14-6S-21E	W½SW, SESW 14; NWNW 23-6S-21E
						108	SESE, SENW, NWNE	2-7S-23E	NE¼, N½SE, 34; W½NE, SENE, SE¼, NW¼
									NESW, 32-7S-22E
27923	Dana Hiddleston	9/4/63		3.2			NENE, NWNE	22-6S-21E	S½SW, 22; NWNE, NENW 27-6S-21E
28507	Dale H. Humphrey	2/6/64		6.4			C N½	22-8S-26E	N½ 22-8S-26E
30234	"	4/5/66		6.4			C W½	15-7S-25E	W½ 15-7S-25E
30235	"	4/5/66		6.4			C E½	22-7S-25E	E½ 22-7S-25E
30236	"	4/5/66		6.4			C W½	22-7S-25E	W½ 22-7S-25E
24713	Hollis S. McClellan	4/15/63	4/15/63			3.82	SENE	6-9S-22E	SE¼, S½NE S½W, 6-9S-22E
25054						1.61	SENE	6-9S-22E	E½NW, NESW, 6-9S-22E
25359	"	7/15/63	7/15/63						
28230	Gerald Sprague	10/2/64		6.4			NESE	7-9S-27E	E½E, 6; W½W, E; NWNW 8; E½NE, NESW, NWSE, 7-9S-27E
28890	Max Fleck	12/30/64		6.4			SENW	28-6S-24E	E½W, 28; NE¼, N½SE, 29-6S-24E
22598	Reed H. Hamp	1/1/63				2.5	NENE	36-8S-21E	N½ 36-8S-21E
						3.16	NENE	2-8S-21E	E½NE, 2-8S-21E
						45	NWSE	6-6S-21E	N½, E½NW, W½SW, SE¼
									Lots 1, 2, 3, 10, 11, 12,
						75	NWSE	2-7S-22E	NE¼W, S½SW, NW¼SE, 2-
									NE¼ NESE, 36-7S-
		8/15/62	8/15/62			4.4	SWNE	25-7S-22E	NENW, S½NW, NE¼W, 19-7S-23; E½SW,
									SE¼, 24; NE¼ NW¼
									NENW, SENW, NESE, 36-7S-22E

20736

Permit Holders Protesting Permit S-20736 48 B.R.
Received prior to 1-10-64

1-10-64

	Permit #	Name	1 Filing Date	2 Congrty Date	3 Permit	4 Chk	Quantity License	6 P.D.	7	8	9 Land Desc	10
1	23833	Frank Heiban	7/15/52	7/15/53			NW NE	28	7S	23E	N½	1
2		"					NW SW	28	7S	23E	28	2
3							NE SE	28	7S	23E	SW¼, SE¼, 28;	3
4											SENE, SE¼, 29, NE¼ 32;	4
5	23834	Ada Williamson Heiban	11/28/51	11/28/51			NE SENW	33	7S	23E	W½,	5
6	23835	[illegible]					NW SENW	22	7S	23E	N½	6
7	23836		8/19/52		6.4		SW SESW				S½	7
8	23837	Wood	10/13/52		6.26		NESW	15			S½	8
9					12.66		NENE	28			N½	9
10							27.34					10
11	23838	The Capital Co	2-25-53	2-25-53			NW C. NW	26	6S	23E	W	11
12	23839						SW C. SW					12
13	23840						3.18 C. W	34			S NW, SW,	13
14	23841						NE C. NE	35				14
15	23842						1.6 SESW	26	6S	24E	NW	15
16	23843						2.56 NW NE	21			NE	16
17	23844						3.48 SW SE				S½ & NW	17
18	23845						NESE S.½ C. NE	8	7S	24E	SE SW ¼, NE	18
19	23846						3.09 C. SW	5			S½ NW, SW N½ NW	19
20	23847						5.17 C. N½ C. S½	7			NE ¼ NW, S½	20
21	23848						5.08 E. NW	17			NE ¼ NW, S½ NW,	21
22	23849						3.66 C. S½				S½	22
23	23850						NW C. SW C. SE 8.46 C. NE C. SE	18			W½	23
24	23851						2.06 E. SW	8	7S	24E	SW	24
25	23852		6-7-51	6-7-51			2.44 SE NW	26	6S	24E	NW¼, W½ NE	25
26	23853						NW SE 4.34 SE SW				SE¼ SW¼	26
27	23854						2.72 NE SW	35			SW¼,	27
28	23855						C. SE 6.41 C. NE				S½,	28
29	23856						2.49 C. SW	1	7S	24E	SW	29
30	23857						2.36 C. SE				S½	30
31	23858						4.24 C. SE	2			S½,	31
32	23859						2.63 NW SW	3			SW S½ NW	32
33	23860											33

Permit Holders in rotating Permit S. 20736 48 B.R.
Received prior to 1-10-64

1-10-64

Permit #	Name	1. Filing Date	2. Inquiry Date	3. Permit	4. Quantity Cleared	6. Legal Description	7. Acres	8. Legal Description	9. Acres	10. Land Level
1	23490 Roger Heiberg	7/15/52	7/15/52			NE/4 NENE	28	7S-23E	N½	28-7S-23E
2	" "					SW/4 NW/4 SW/4 NE/4 NE/4 SW/4 NE/4 SE/4	38	7S-23E	SW/4, SE/4,	28;
3									SENE, SE/4,	29, NW/4 33-7S-23E
4	" Lyle Williamson Heiberg									
5	23484 Lyle Williamson Heiberg	11/26/51	11/28/51			NW/4 SENW	33	7S-23E	W½,	33-7S-23E
6	23485 " "					NE/4 SENW	22	7S-23E	N½	22-7S-23E
7	23135 " "	8/9/52		6.4		SW/4 SESW	✓	✓	S½	✓ 7S-23E
8	23601 " "	10/15/52		6.26			15	✓	S½	15 7S-23E
9				12.66		NE/4 NENE	28	✓	N½	28 7S-23E
10							27.34			
11	23805 The Imperial Co.	2-25-53	2-25-53			NW/4 SW/4 C. NW/4 SW/4	26	6S-23E	W½	26-6S-23E
12	23809 " " "					3/8 C. W½	34	✓	S½NW SW	34 ✓
13	23806 " " "					1/6 C. NE/4 SESW	26	6S-23E	NW	35-6S-23E
14	23806 " " "					7/56 NWNE	31	✓	NE	31 ✓
15	23810 " " "					3 1/8 SWSE	✓	✓	S½ 9.48	✓ ✓
16	23811 " " "					S½ NESE C. NE	½	7S-23E	SE	5-
17	23814 " " "					3.09 C. SW	5	✓	S½NW¼ NE SW¼ NW¼	8-7S-23E
18	23815 " " "					5.7 C. NW/4 C. SE	7	✓	N½NW	8 ✓
19	23816 " " "					2.08 C. NE/4 C. NW/4	17	✓	NE¼NW¼S½ NE¼NW¼S½NW¼	7 ✓
20	23817 " " "					3.66 C. SW C. NW/4 C. SW	✓	✓	S	17 ✓
21	23820 " " "					8.46 C. NE/4 C. SE	18	✓	All	18 ✓
22	23801 " " "					2.06 C. SW	8	7S-23E	SW	8-7S-23E
23	22153 " " "	6-7-51	6-7-51			2.24 SENW	26	6S-23E	NW¼, W½ NE	26-6S-23E
24	22154 " " "					4/34 NWSE SESW	✓	✓	SEN, SWN	26-6S-23E
25	22155 " " "					2.72 NESW	2	✓	SWN	25-6S-23E
26	22156 " " "					6.1 C. SE C. NE	✓	✓	E½	35 ✓
27	22157 " " "					2.49 C. SW	1	7S-23E	SW	1-7S-23E
28	22158 " " "					2.36 C. SE	✓	✓	SE	✓ ✓
29	22159 " " "					4.94 C. SE	2	✓	S½	2 ✓
30	22160 " " "					2.62 NWSW	3	✓	W½SW¼	3-7S-23E
31										

							Township			

	Permit #	Name	Posting Date	Permit Date	Permit Fee	License	A.D.		Land List	
1	22161	The Capital Co.	6-7-51	6-7-51		SW C. SE C. NE	10	7S-24E	2ac	10-7S-24E
2	22162	"	"	"		6.72 C. NW	15E	"	W½ NE	15 "
3	22163	"	"	"		2.48 C. NW	22	"	NW	22 "
4	22164	"	"	"		5.66 C. SE NE	6	7S-25E	E½ W½ NE, N½ NW SE, S½ NW SE & SW SE, S½ SW & SW SW, S½ SW, SW NW & SW, S½ NE NW & NW SW NW, S½ SW NE, E½ SW NW, E½ NW SW, N½ SE SW & NW SE SW, E½ SW SW, & NW SW SW, S½ NW NW, SW NW NW, & NW SW NW, 6-7S-25E	
5	22165	"	"	"		2.34 SE NW	6	"		
6	22166	"	"	"		4.44 C. NW	7	"	N½	7-7S-25E
7	22167	"	"	"		2.44 C. SW	7	"	S½	" "
8	22168	"	"	"		2.68 C. SE	7	"	SE	" "
9	22169	"	"	"		2.28 C. NE	8	"	NE	8 "
10	22170	"	"	"		2.16 C. NW	8	"	NW	" "
11	22171	"	"	"		2.16 C. SE	8	"	SE	" "
12	22172	"	"	"		3.66 C. SW	9	"	S½ NW SW & W½ SE SW & SE SW E, 9-7S-25E	
13	22173	"	"	"		2.18 C. NE	17	"	NE	17-7S-25E
14	22174	"	"	"		4.82 C. SW	17	"	W½	" "
15	22175	"	"	"		2.16 C. SE	17	"	SE	" "
						131.45				
16										
17	22329	Geo. T. Dixon	2-1-52	2-1-52		2.10 C. NW	35	7S-24E	NW	35-7S-24E
18		Boyer & Dixon	12-7-54	12-7-54		8.44 SE SW	5	8S-24E	N½ SE, S½ SE, W½ SW, S½ W½ SE, E 8S-24E	
19										
20	22719	C. C. Hostetter	1-29-58	1-29-58		3.55 SW NW	32	8S-22E	W½	32-8S-22E
21	10553	"	7-2-62	7-2-62		.49		"		"
22	31047	"	8-18-63	8-18-63		.45 SE SE	30	"	SE	30 "
23						4.45				
24										
25	21880	Roy J. Honeyager	11-25-50	11-25-50		11.18 NW NE	6	8S-24E	W½ NE, NW, NE SW & W½ SE	6-8S-24E
26	22016	Hoteyer	12-26-51	12-26-51		.70 NE SE	1	8S-25E	NE, N½ SE	1-8S-25E
27			5-28-52	5-28-52		2.61 "		"	NE N½ SE & NW, S½ SE	1-8S-24E
28						7.20				

Permit #	Name	Filing Date	Inquiry Date	Permit Issued	Fee	Location	Acres	Land Description
1	22161	H. Lasater Co.	4-7-51	4-7-51		SE of C. NW	NE, 18-7S-24E	18-7S-24E
2	22162	"				273 C. NW	15	N½ NE 15
3	22163	"				278 C. NW	22	NW 22
4	22164	"				566 C. SE	6-7S-25E	E½E½ W½NE N½NWSE S½NWSE S½W½SE S½SW NW, E½, SWNW, S½SW, S½S½ 6-7S-25E
5	22165	"				234 SENW	6	N½NWSE, SWNW, E½SWNE 6-7S-25E
6	22166	"				441 C. NW	7	N½, NWSE, NWSE, 7-7S-25E
7	22167	"				244 C. NE	7	N½ 7-7S-25E
8	22168	"				245 C. SW	7	S½
9	22169	"				268 C. SE		SE
10	22170	"				228 C. NE	8	NE 8
11	22171	"				246 C. NW		NW
12	22172	"				216 C. SE		SE
13	22173	"				266 C. SW	9	S½NW, SW, W½SE, SESE, 9-7S-25E
14	22174	"				218 C. NE	17	NE 17-7S-25E
15	22175	"				182 C. SW	17	W½
						216 C. SE		SE
						131/45		
16								
17								
18	20829	Geo. F. Dean	3-1-48	3-1-48		240 C. NW	35-7S-25E	NW 35-7S-25E
19								
20	25216	Roger E. Dean	10-7-54	10-7-54		241 (NESE) SE of C.	5-8S-25E	NESE, NWSE, NESW, S½SW, 5-8S-25E
21								
22								
23	27219	" Koontz-Sanders	1-29-58	1-29-58				
24	30547	"	7-3-62	7-3-62		265 SWNW	32-8S-25E	W½ 32-8S-25E
25	31047	"	3-18-63	3-18-63		9		
26						SESE	30	SE 30
27						145		
28	21809	Roy A. Hennigen	11-25-50	11-25-50		218 NENE	6-8S-26E	W½NE, NW, NESW, W½SE 6-8S-26E
29	30866	Evelyn "	12-26-62	12-26-62		170 NESE	1-8S-25E	NE, NWSE, E½SW, NESE 1-8S-25E
30	24966	"	5-24-56	5-24-56		246 C. NW		NE, NWSE, E½SW, NESE 1-8S-25E

Permit #	Name	1 Filing Date	2 Inquiry date	3 Yuma City Permit	Cfw	Lic	5	6	7	8	9	10
										— Found List —		
1	29349	Morgan-Shillington Form Co	1-24-61	1-24-61			4/0	NE NW	30 - 7S - 26E	SW, SE, 19; NE NE, NW, 30 - 7S - 26E		
2	29350	"	"	"	3	✓		C. SE	31 - 7S - 25E	SE 31 - 7S - 25E		
3	29351	✓	✓	✓	1	8		C. NE				
4								C. S	28	✓	All 28; S 2 SE, N; SW NW, NW SW, SW SW, 24 - 7S - 25E	
5	20859	✓	✓	12-14-62	3	✓		NE NW	16 - 9S - 22E	N 2 NE, N 2 NW, 16 - 9S - 22E		
6					1	82						
7							4/0					

20726

Permit #	Name	Filing Date	Expiry Date	Permit	Sec	License	—	Rd.	— Legal Desc —
29349	Morgan-Shillington Forest Co.	1-24-61	1-24-61		40	NE¼NW	30	7S-26E	S½W, SE, E½NE, NW, 30-7S-26E
29350	"	"	"	3 yr		C. SE	31	7S-25E	SE 31-7S-25E
29351	"	"	"	1 yr		C. NE			
						C. SW	28	"	All 28; S½SE, N½SW¼NW¼, SW¼SW¼, 24-7S-25E
30859	"	12-14-61		5 yr		NE¼SW	16	9S-22E	N½NE, N½NW, 16-9S-22E
				1 yr	40				

20736

4910 – Buff
8910 – Green
4210 – White

	Permit #	Name	1 Filing Date	2 Inquiry Date	3 Quantity Permit	4 C/W	5 Licensee	6	7 P.D.	8 Land List	9	10
1	20435	Julian Clawson Farms, Inc.	3/1/48	3/1/48			50.48	NESE SWSW NENW SESW SESE NESE	26 25 25 26 25 23	7S-23E	Sec. 24, 25, 26, 27, 33, 34, 35, 36; 7S-23E; S½SW, 30; W½, 31-7S-24E	
2												
3												
4	21709	D. P. Blincoe	9/20/50	9/20/50			9.67	SESW SENW	16 - 8S - 23E	All 16-8S-23E		
5	27980	" "	6/15/59		3.36			Lot 4	6 - 8S - 23E	Lot 4, S½E½SE, 6-8S-23E		
6	24369	Mac Herbold	8/13/53	8/13/53			2.4	NESW	21 - 7S - 24E	NESE, 20; SW¼, 21-7S-24E		
7	20328	Howard A. Hanks	3/1/48	3/1/48			4.26	NESW	21 - 7S - 25E	W½, 21-7S-25E		
8	24767	Jack Alexander	3/9/54				4.8	SWNW	2 - 8S - 25E	NENE, W½NE, NW¼, 2-8S-25E		
9	25261	J. Franck Jonsgen	11/8/54		3.2			NENE	28 - 9S - 25E	N½NE, SENE, NENW, 28; SWSE, 21-9S-25E		
10	29819	Vernon C. Phillips	6/14/61		4.0			SWSW	15 - 12S - 24E	W½SW, 15; NE, E½SW, SE 16-12S-23E		
11	None	Boyd Woodward										
12		~~Mack W. Beebout~~										
13	None	Leon H. Mecklenbacker										
14	"	Quentin J. "										
15		~~Bruce Neibaur~~										
16		~~Benson~~ "										
17		~~Roy J. Hansinger~~										
18	None	~~Theo. A. Hick~~										
19	"	Leonard A. "										
20		~~Morgan-Skillington~~										
21	None	~~Dick Ward~~										
22	"	Dale Butler										
23		~~Rogers Dean~~										
24		~~Capital Co.~~										
25	None	~~Orrie Hanskew~~										
26	"	John Irvine										
27	"	Guy D. Miller										20726
28	"	Warren W. Heins										
29	"	Arthur McClellan										
30												
31												

8510 - Buff
8910 - Green
4210 - White

Permit Holders Protesting Permit G-20736 USBR.

Received after 1/14/63

20736

	Permit #	Name	1 Filing Date	2 Inquiry Date	3 Permit	4 Guaranty C/W	5 License	6	7 T.R.	8 9 10 Land List
1	24373	Crystal Bros.	7/15/53	7/15/53			6.0	SENE	33-7S-23E	E½, 33; NESE, SESE, SWSE, 28-7S-23E
2	26148	" "	1/16/56	1/16/56			2.06	SESE	33-7S-23E	SE¼, 33-7S-23E
3	28645	Dr. Ben K. Humphrey	4/1/60		6.4			C.SW¼, C.SE¼	16-9S-21E	S½, 16-9S-21E
4	28648	Jerry H. Williams	4/1/60		6.4			SWNW, SWNE	33-7S-21E	E½NE, 32; NE¼, S½NW, 33-7S-21E
5	30628	Dell L. Thompson	8/23/62	8/23/62			1.76	SESE	21-7S-25E	SENE, E½SE, 21-7S-25E
6	30629	" "	"	"			2.89	SWNE	21-7S-25E	NE¼, W½SE, 21-7S-25E
7	27690	Samuel A. Clark, Jr.	12/31/58	12/31/58			3.28	SWSW	23-6S-21E	NWNE, S½NE, SE¼, 22; S½, 23;
8										W½NW, 26; N½NE, SENE, 27-6S-21E
9	27691	" "	"	"			4.83	NWSE	22-6S-21E	NWNE, S½NE, SE¼, 22; S½NW, S½, 23;
10										W½NW, 26; E½NE, NWNE, 27-6S-21E
11	30665	" "	8/31/62		4.0			SWSW	14-6S-21E	W½SW, SESW, 14; N½NW, 23-6S-21E
12	24373	A.P. Blincoe	7/15/53	7/15/53			10.0	SESE, SENW, NWNE	31-7S-23E	NE¼, N½SE, 31; W½NE, SENE, SE¼, NW¼,
13										NESW, 32-7S-23E
14	27923	Dona Hiddleston (C.E.)	5/14/59		3.2			NENE, NWNE	25-6S-21E	S½SW, 24; NWNE, NENW, 25-6S-21E
15	28507	Dale H. Klingler	2/26/60		6.4			C.N½	22-8S-26E	N½, 22-8S-26E
16	30234	" "	10/5/61		6.4			C.W½	15-7S-25E	W½, 15-7S-25E
17	30235	" "	"		6.4			C.E½	22-7S-25E	E½, 22-7S-25E
18	30236	" "	"		6.4			C.W½	22-7S-25E	W½, 22-7S-25E
19	24723	Hollis S. McClellan	2/19/54	2/19/54			3.32	SENE	6-9S-22E	SE¼, S½NE, S½SW, 6-9S-22E
20	25059	" "	7/14/54	7/14/54			1.54	SENE	6-9S-22E	W½NW, NESW, 6-9S-22E
21	28234	Gerald Irwin	10/26/59		6.4			NWSE	7-8S-27E	E½SE, 6; W½SW, 5; NWNW, 8; E½NE, NESW,
22										NWSE, 7-8S-27E
23	28890	Max Herbold	7/20/60		6.4			SENW	28-6S-24E	S½NW, 28; NE¼, N½SE, 29-6S-24E
24	22598	Ruel M. Hansen	2/12/52				6.4	NENE	36-8S-21E	N½, 36-8S-21E
25	24060	C.L. Hiddleston	4/27/53	4/27/53			3.16	NENE	25-6S-21E	E½NE, 25-6S-21E, & 1, 3, 5-30-6S-22E
26	24065	J.L. Haynes	4/27/53	4/27/53			4.5	NWSE	24-6S-21E	S½NE, S½NW, N½SW, SE¼, 24-6S-21E
27										Lots 7, 8, 9, 10, 11, 12-19-6S-22E
28	22607	Ralph Mc Guire	2/19/52	2/19/52			7.5	NWSE	25-7S-22E	NESW, S½SW, N½SE, 24; N½SE, 25;
29										NE¼, NESE, 36-7S-22E, W½W, 19-7S-23E
30	22981	" "	8/15/52	8/15/52			4.4	SWNE	25-7S-22E	NENW, S½NW, NESW, 19-7S-23E, E½SW,
31										SE¼, 24; NE¼, NW¼, E½SW, SE¼, 25; NE¼, NENW, SENW, NESE, 36-7S-22E

4910 -
8910 - Green
4210 - White

Protests After 1-14-63

	Permit #	Name	1 Filing Date	2 Priority Dated	3 Permit	Quantity cfs	Location License		6 P.O.D.	7	8 9 10 Land List	
1	25134	Corless Farms	8-28-54	8-28-54			1.82	SWSW	23-9S-22E		S½SE, NWSE, S½SW, 23-9S-22E	163
2	31001	" "	2-27-63		64			SENW	26-8S-22E		NE¼E½NW, E½SW, SE¼ 26-8S-22E	320
3	24323	J.H. Terry & Sons	7-15-53	7-15-53			5.64	SWNE	29-7S-23E		SW¼N½NW, SENW, NE¼SWSE, NWSE, NESE, 29-7S-23E	
4												
5	None	Richard Hanks										
6	27892	Robt. Jones	4-9-59		6.4			SENW	12-7S-24E		W½, 12-7S-24E	
7												
8												
9												
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20736

4910 - Buff
8910 - Green
4210 - White

Permit Holders Protesting Permit G-20736 U.S.B.R. 1-10-64

Received prior to 1-14-64

	Permit #	Name	1 Filing Date	2 Inquiry Date	3 Permit	4 Ch.	Guar. Eff. Date	License	6 R.D.	7	8 Land Desc.	9	10
1	24323	Mack Neibaur	7/15/53	7/15/53				4.1	NENE	28 - 7S - 23E	N½	28 - 7S - 23E	1
2	✓	Darwin ✓	✓	✓				8.76	NWSW NESE	28 - 7S - 23E	SW¼, SE¼, 28;		2
3											SENE, SE¼, 29; NE¼, 32;	7S - 23E	3
4	✓	Dale Miller for Neibaur	✓	✓				4.8	SENW	33 - 7S - 23E	W½,	33 - 7S - 23E	4
5	22484	Bruce Neibaur	11/25/51	11/28/51				4.84	SENW	22 - 7S - 23E	N½	22 - 7S - 23E	5
6	22485	Warren ✓	✓	✓				4.84	SESW	✓ ✓	SW¼	22 7S - 23E	6
7	28139	✓ ✓	8/9/54	—	6.4				NESE	15 ✓	S½	15 7S - 23E	7
8	36041	Mack ✓	10/13/55	—	6.26				NENE	28 ✓	N½	28 7S - 23E	8
9					12.66			27.34					9
10													10
11	23808	The Capital Co.	2-25-53	2-25-53				4.26	C. NW C. SW	26 - 6S - 23E	W½	26 - 6S - 23E	11
12	23809	✓ ✓ ✓	✓	✓				3.18	C. W½	34 - ✓	S½NW, SW,	34 ✓	12
13	23804	✓ ✓ ✓	✓	✓				1.6	C. NE SESW	35 - 26 - 6S - 24E	NW	35 - 6S - 24E	13
14	23806	✓ ✓ ✓	✓	✓				2.56	NWNE	31 ✓	NE	31 - ✓	14
15	23807	✓ ✓ ✓	✓	✓				3.48	SWSE	✓ ✓	S½ 2 9.40	✓ ✓	15
16	23813	✓ ✓ ✓	✓	✓				5.42	NESE C. NE	5 - 8 - 7S - 24E	SE SW, N. NE	5 - 8 - 7S - 24E	16
17	23814	✓ ✓ ✓	✓	✓				3.09	C. SW	5 ✓	S½NW, SW N½NW	5 - 8 - ✓	17
18	23815	✓ ✓ ✓	✓	✓				5.7	C. N½ C. S½	7 ✓	NE, E½NW, S½,	7 - ✓	18
19	23816	✓ ✓ ✓	✓	✓				5.08	C. NE C. NW	17 ✓	NE E½NW, SW NW,	17 - ✓	19
20	23817	✓ ✓ ✓	✓	✓				3.65	C. S½	✓ ✓	S½	17 ✓	20
21	23820	✓ ✓ ✓	✓	✓				8.46	C. NW, C. SW C. NE, C. SE	18 ✓	All	18 ✓	21
22	23801	✓ ✓ ✓	✓	✓				2.06	C. SW	8 7S - 25E	SW	8 - 7S - 25E	22
23	22153	✓ ✓ ✓	6-7-51	6-7-51				2.24	SENW	26 6S - 24E	NW¼, W½ NE	26 - 6S - 24E	23
24	22154	✓ ✓ ✓	✓	✓				4.34	NWSE SESW	✓ ✓	SE¼ SW¼	26 - 6S - 24E	24
25	22155	✓ ✓ ✓	✓	✓				2.72	NESW	35 ✓	SW¼,	35 - 6S - 24E	25
26	22156	✓ ✓ ✓	✓	✓				6.1	C. SE C. NE	✓ ✓	E½,	35 ✓	26
27	22157	✓ ✓ ✓	✓	✓				2.47	C. SW	1 7S - 24E	SW	1 - 7S - 24E	27
28	22158	✓ ✓ ✓	✓	✓				2.36	C. SE	✓ ✓	SE	✓ ✓	28
29	22159	✓ ✓ ✓	✓	✓				4.94	C. SE C. SW	2 ✓	S½,	2 ✓	29
30	22160	✓ ✓ ✓	✓	✓				2.62	NWSW	3 - ✓	SW, S½NW,	3 - 7S - 24E	30
31													31

20736

8910 - Green
4210 - White

	Permit #	Name	1 Tubing Date	2 Capacity Date	3 Permit	4 Formation c/sw	5 License	6	7	8 Land List	9	10	
1	22161	The Capital Co.	6-7-51	6-7-51			8.84	C. NW C. S½ C. NE	10 - 7S - 24E	ALL	10 - 7S - 24E		1
2	22162	"	✓	✓			6.23	C. NE C. W½	15 - ✓	W½ NE	15 - ✓		2
3	22163	✓	✓	✓			2.48	C. NW	22 - ✓	NW	22 - ✓		3
4	22164	✓	✓	✓			5.66	SE NE C. S½	6 - 7S - 25E	E½E½ W½NE N½NWSE, S½NW¼S¼, SW¼SE¼ S½N½SW¼ S½SW¼			4
5	22165	✓	✓	✓			2.34	SE NW	6 - ✓	N½NWSE, SENW¼ E½SWNE¼ Lots 3, 4, 5, N½L6, N½NESW	6 - 7S - 25E		5
6	22166	✓	✓	✓			4.44	C. NW C. NE	7 - ✓	N½	7 - 7S - 25E		6
7	22167	✓	✓	✓			2.44	C. SW	7 - ✓	S½	✓	✓	7
8	22168	✓	✓	✓			2.68	C. SE	✓ ✓	SE	✓	✓	8
9	22169	✓	✓	✓			2.28	C. NE	8 - ✓	NE	8	✓	9
10	22170	✓	✓	✓			2.14	C. NW	✓ ✓	NW	✓	✓	10
11	22171	✓	✓	✓			2.16	C. SE	✓ ✓	SE	✓	✓	11
12	22172	✓	✓	✓			3.66	C. SW	9 ✓	S½NW¼, SW¼, W½SE¼, S½SE¼	9 - 7S - 25E		12
13	22173	✓	✓	✓			2.18	C. NE	17 ✓	NE	17 - 7S - 25E		13
14	22174	✓	✓	✓			4.82	C. NW C. SW	17 ✓	W½	✓	✓	14
15	22175	✓	✓	✓			2.6	C. SE	- ✓	SE	-	✓	15
							131.45						
16													16
17													17
18	20329	Geo. L. Dean	3-1-48	3-1-48			2.0	C. NW	35 - 7S - 25E	NW	35 - 7S - 25E		18
19													19
20	25216	Roger E. Dean	10-7-54	10-7-54			8.4	NESW SESW	5 - 8S - 26E	NWNE, N½NW, N½SE, SWSE, NESW, S½SW¼	5 - 8S - 26E		20
21													21
22													22
23	27219	C. C. Kastenbauder	1-29-58	1-29-58			3.55	SW NW	32 - 8S - 22E	W½	32 - 8S - 22E		23
24	30553	" ✓	7-3-62 ✓	7-3-62 ✓			.9	✓	✓ ✓	✓	✓	✓	24
25	31047	✓ ✓	3-18-63	3-18-63	3½ ✓			SESE	30 - ✓	SE	30 - ✓		25
					3½ ✓		4.45						20736
26													26
27													27
28	21809	Roy T. Hornsinger	11-25-50	11-25-50			4.18	NWNE	6 - 8S - 26E	W½NE, NW, NESW, W½SE,	6 - 8S - 26E		28
29	30866	Evelyn "	12-26-62 ✓	12-26-62 ✓			.92	NESE	1 - 8S - 25E	NE, N½SE,	1 - 8S - 25E		29
30	24966	" ✓	5-26-54	5-26-54			2.4	✓	✓ ✓	NE, N½SE, Lot 6,	6 - 8S - 26E		30
							7.30						
31													31

8910 - Green
4210 - White

Queen City

	Permit #	Name	1 Filing Date	2 Property Date	3 Permit	c/s	5 License	6 — R.D. —	7	8 — Land List —	9	10
1	29349	Morgan-Shillington Farms	1-24-61	1-24-61			40	NENW	30 - 75 - 26E	S½SW, SE, 19; N½NE, NW, 30-75-26E		1
2	29350	✓ ✓	✓	—	3.2			C. SE	31 - 75 - 25E	SE 31 - 75 - 25E		2
3	29351	✓ ✓	✓	—	1.8			C. N½ C. S½	23 - ✓	All 23; S½SE, NE; SWNW, NWSW, SWSW, 24 - 75 - 25E		3
4												4
5	30859	✓ ✓	12-14-62	—	3.2			NENW	16 - 95 - 27E	N½NE, N½NW, 16 - 95 - 27E		5
6					1.2		40					6
7												7
8												8
9												9
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20776

Duffin and Duff
ATTORNEYS AT LAW
FREMONT AND "G" STREETS
BOX 61
RUPERT, IDAHO
TELEPHONE 436-4774

LAWRENCE H. DUFFIN
LARRY R. DUFF

RECEIVED
FEB 10 1964

February 7, 1964

Mr. Carl Tappan
State Reclamation Engineer
Capitol Building
Boise, Idaho

Dear Mr. Tappan:

We are enclosing an additional number of Formal Protests in connection with the Bureau of Reclamation water permit matter.

Very truly yours,

Larry R. Duff

LRD:LS
Encl.

20736

FORMAL PROTEST

STATE OF IDAHO)
) ss.
County of Minidoka)

I do hereby certify and declare that I own an underground water application, filed with the Idaho State Reclamation Engineer subsequent to the U. S. Bureau of Reclamation filing of 1948, and I do hereby protest the attempt now made by the Bureau to date its certificate back to 1948.

Under the Idaho law I, as an individual, have to either pump the water onto the land within the time established or forfeit the priority gained by the filing. There is no legal or moral reaso why the Federal Bureau of Reclamation should not be required to live up to the same laws. There should not be one set of rules for the federal government and another set for ordinary individuals. The powerful and the weak should receive the same treatment from the great State of Idaho.

The application of the Bureau of Reclamation to extend tim within which to submit proof of the completion of works, and make presentation of the record, was denied in a formal decision by the Idaho State Reclamation Engineer on April 5, 1956. This previous decision by the Idaho State Reclamation Engineer has never been appealed or reversed in any manner and the Bureau of Reclamation's rights have been terminated.

The evidence submitted by the Bureau of Reclamation, in support of its application, affirmatively establishes that it fails to come within the exceptions provided by the Idaho statutes and the application should be peremptorily dismissed.

A decision in favor of the Bureau of Reclamation's application would result in a definite loss of property rights to all the individual water right holders who relied upon the failure of the Bureau of Reclamation to complete the project under the terms of the Idaho state statutes. These same holders of water rights are willin to honor the Bureau of Reclamation's priority as to those lands actually developed and irrigated within the time allowed by law, as previously determined, but believe that any further extension would be not only illegal, but would seriously damage and injure their own water rights.

I am informed, and now believe, that the failure of the Bureau to complete its wells within the five-year period was deliberate and was based on its policy of completing only a few wells per year. The Bureau publicly announced this program in 1948 and claimc that it would only develop the wells indicated in its permit as ground water conditions were proven. This "go slow" policy was relied upon by many individual persons and companies who have drille wells in this area as proof that the Bureau would not attempt to

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It is earnestly urged that the State Engineer, in furtherance of justice and the democratic process, exercise his discretion in favor of the individual applicants and against the Bureau, and refuse to grant, or even hear, further proceedings attempting to relate back Permit 20736, or any other permit, and the formal decision of the State Reclamation Engineer of April 5, 1956 be recognized, honored and upheld.

Jack Alexander
Protestor

Address: 510 13th St
Rupert, Idaho

Subscribed and sworn to before me this 3rd day of February, 1964.

Lois E Stephenson
Notary Public
Residing at Rupert, Idaho
My Commission Expires 12-1-65

(seal)

20736

FORMAL PROTEST

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) ss.
County of Minidoka)

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Vernon Co. S. Phillips
Protestor

Address: Rt 1 Box 133
Paul, Idaho

Subscribed and sworn to before me this 3rd day of February, 1964.

Lois C. Stephenson
Notary Public
Residing at Rupert, Idaho
My Commission Expires 12-1-65

(seal)

20736

FORMAL PROTEST

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County of Minidoka)

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20736

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Ralph McQuain

Protestor

Address: 110 Pleasant Way
Rupert Idaho

Subscribed and sworn to before me this 3rd day of February, 1964.

Lois E. Stephenson

Notary Public
Residing at Rupert, Idaho
My Commission Expires 12-1-65

(seal)

20736

RECEIVED
FEB 10 1964

FORMAL PROTEST

STATE OF IDAHO)
) ss.
County of Minidoka)

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20736

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Max Herbold
Protestor

Address: Rupert Idaho
Box 67

Subscribed and sworn to before me this 4th day of February, 1964.

Lois E. Stephenson
Notary Public
Residing at Rupert, Idaho
My Commission Expires 12-1-64

(seal)

20736

FORMAL PROTEST

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) ss.
County of Minidoka)

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20736

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Protestor

Address: Route 2 Paul Idaho

Subscribed and sworn to before me this 14th day of February, 1964.

Notary Public
Residing at Rupert, Idaho
My Commission Expires 12-1-65

(seal)

20736

RECEIVED
FEB 10 1964
Department of Reclamation

FORMAL PROTEST

STATE OF IDAHO)
) ss.
County of Minidoka)

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20736

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M F Irwin

Protestor

Address: Minidoka, Idaho

Subscribed and sworn to before me this 7th day of February, 1964.

Lois E. Stephenson

Notary Public
Residing at Rupert, Idaho
My Commission Expires 12-1-65

(seal)

20736

Magic Valley Farms
S. Clark and Sons
Hiway 24, 8 Miles West of Kimama, Idaho
P. O. Box 514, Paul, Idaho

Berne

February 30, 1964

Governor Robert Smylie
Boise, Idaho

RECEIVED 1964

Ack + Reply
Copy
Big depend. Lib. ck
Copy for Berne
Legislative Budget

Dear Mr. Smylie

The recent move to back date water Permits on Government owned wells in the Burley-Rupert area is grossly unfair to farmers in the area who have developed their own lands and water.

Land values are based largely on the priority of water rights as governed by the date of permit, and this move will certainly decrease the value of privately developed lands, and in some cases even curtail further developments.

Many of the government owned wells are of recent date, some 1963, and these should not have priority over older, privately developed wells.

Your attention on this matter would be appreciated.

Sincerely
Donald A. Clark Jr.

20736

ROBERT E. SMYLIE
GOVERNOR

STATE OF IDAHO
OFFICE OF THE GOVERNOR
BOISE

February 6, 1964

Mr. Samuel A. Clark, Jr.
P.O. Box 67
Paul, Idaho

Dear Mr. Clark:

This will acknowledge your letter of January 30, 1964 which I am referring to Mr. Carl Tappan, State Reclamation Engineer, for his information and such action as is indicated.

I am also asking Mr. Tappan to give me a report on this matter so that I can be of whatever assistance is possible.

With kind regards and every good wish, I am,

Sincerely yours,

GOVERNOR

RES:c

cc: Honorable Carl Tappan
State Reclamation Engineer
Boise, Idaho

97726

February 7, 1964

RE: Permit No. 20736

A and B Irrigation Company
Box 675
Rupert, Idaho

Gentlemen:

Enclosed is departmental receipt No. G-8544 in the amount of $13.00 covering the fee for the abstract of wells in the North Side Pumping Project.

Thank you.

Very truly yours,

CARL F. TAPPAN
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

Enc. receipt

20736

February 7, 1964

Honorable Robert E. Smylie
Governor, State of Idaho
Building

My dear Governor:

Mr. Samuel A. Clark's letter is typical of the protests we have received concerning the proof of beneficial use and dates of priority for the Bureau of Reclamation in the Minidoka Extension Pumping Projects. My memo of February 6th is a rather historical statement of events to date.

Since January 13, 1964, we have been busy assembling information and drawing maps preparatory to rendering a report and letter to the Attorney General for an opinion as to whether this department has been, and is now on legal grounds.

During the interval between September 9, 1948 and November 5, 1955, private individuals have constructed upwards of 160 wells within and on adjacent territory. The dates of priority of these wells fall between the two dates of priority as shown above, which had been determined to be proper dates by former Reclamation Engineer, Mark R. Kulp and former Engineer George N. Carter also approved this division of priority.

Since November 5, 1955, private individuals have drilled 145 wells and placed them to beneficial use, which according to Engineer Kulp's letter would require them to take a late priority, even though the Bureau of Reclamation wells have been drilled in 1963.

These are matters, it seems to me, that we should have a legal opinion on before issuing an order or license to the Bureau establishing priorities

We had hoped to have this matter before the Attorney General within the next ten days. If you have something you wish to discuss on this matter I shall be glad to make myself available at any time.

Most of all, I desire to keep you informed as to progress in the thinking of the people within the project.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

CET:ew

20726

FEB 6 1964

Department of Reclamation

718 Grant Avenue
Twin Falls, Idaho
February 3, 1964

Mr. Carl Tappan
State Reclamation Engineer
State House
Boise, Idaho

Dear Mr. Tappan:

It has come to the attention of the Magic Valley Pumpers Association that the A and B Irrigation District, Rupert, Idaho, is making application for Ground Water Rights for their District--these rights, for the entire District, to date back to the year 1948.

The Magic Valley Pumpers Association feels--in fairness to the other Ground Water appropriators throughout the state--that this application should be broken down to individual wells, and priority granted in accordance with the time of the development of each well. Inasmuch as the A and B District has been in the process of development since 1953, it does not seem possible that all of their land should have the same priority.

At this time we would like to go on record as opposing the issuance of any License for water rights, other than in the same manner as used for the individual.

Yours truly,

S. A. High, President
Magic Valley Pumpers Association

cc: H. W. Van Slyke,
Mgr. A. & B District

20736

Route 2
Paul, Idaho
January 29, 1964

Mr. Carl Tappan
State Reclamation Engineer
State House
Boise, Idaho

Dear Mr. Tappan:

This is to protest the application of the Bureau of Reclamation to include all wells drilled on the Northside Project under the September 1948 filing date. Such action would be unfair to the many private individuals who drilled wells in the early years covered by this application.

We feel that the 1956 decision regarding this question was correct and proper. It is hereby requested that a delegation of the developers of private wells have the privilege of meeting with you prior to takeing action on this application. We would be happy to meet your at your convience.

Sincerely yours,

Rodney A. Hansen

20736

Route 2
Paul, Idaho
January 28, 1964

Mr. Carl Tappan
State Reclamation Engineer
State House
Boise, Idaho

Dear Mr. Tappan:

This is to protest the application of the Bureau of Reclamation to include all well drilled on the North Side Project under the September 1946 filing date. Such action would be unfair to the many private individuals who drilled wells in the first five years covered by this application.

It is hereby requested that a delegation have the privilege of meetin with you prior to taking action on this application

20736

RODNEY HANSEN
MINIDOKA COUNTY

HOME ADDRESS
ROUTE 2
PAUL, IDAHO

COMMITTEES
FINANCE
CHAIRMAN
AGRICULTURE
GUBERNATORIAL APPOINTMENTS

Idaho State Senate

THIRTY-SEVENTH SESSION
CAPITOL BUILDING
BOISE

RECD JAN 31 1964

Route 2
Paul, Idaho
January 29, 1964

The Honorable Robert E. Smylie
Governor of Idaho
State Capitol Building
Boise, Idaho

Dear Governor:

Enclosed is a letter to Mr. Carl Tappan regarding the Bureau of Reclamation application for water rights on the Northside Project.

It seem unfair that wells drilled in 1950 should have a water right that is preceded by a well drilled in 1960.

Anything you might do to help us in this regard would be appreciated.

Sincerely yours,

Rodney A. Hansen

Carl Tappan

20736

ROBERT E. SMYLIE
GOVERNOR

STATE OF IDAHO
OFFICE OF THE GOVERNOR
BOISE

FEB 5 1964
Department of Reclamation

February 4, 1964

Honorable Rodney A. Hansen
State Senator
Minidoka County
Route 2
Paul, Idaho

Dear Rodney:

Thank you for sending me a copy of your letter to Mr. Tappan regarding the Bureau of Reclamation application for water rights on the Northside Project.

I am asking Mr. Tappan for a report on this and as soon as I have the information I will write you further.

With warm personal regards, I am,

Sincerely yours,

GOVERNOR

RES:c

cc: Honorable Carl Tappan
State Reclamation Engineer
Boise, Idaho

20736

FEB 4 1964
Department of Reclamation

Magic Valley Farms
S. Clark and Sons
Hiway 24, 8 Miles West of Kimama, Idaho
P. O. Box 514, Paul, Idaho

January 30, 1964

Mr. Karl Dappan,
State Reclamation Engineer,
State House
Boise, Idaho

Dear Mr. Dappan

I wish to voice a protest to the proposed dating of Government water permits, on all government owned wells in this area, as of 1948.

I feel this is definately unfair to those who have water permits for wells which actually were drilled and operating prior to many of the Government wells, some of which are of very recent drilling.

Sincerily
Samuel A. Clark. J.

20736

STATE OF IDAHO)
) ss.
County of Cassia)

On this 30th day of January, 1964, before me, the undersigned, a Notary Public in and for said State, personally appeared H. A. Clark Jr., known to me to be the person(s) whose name(s) is/~~are~~ subscribed to the within and foregoing instrument, and acknowledged to me that he executed the same.

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

20736

John W. Payne
Notary Public for Idaho,
Residing at: Burley

M E M O R A N D U M

February 6, 1964

TO: HONORABLE ROBERT E. SMYLIE, Governor

From: CARL E. TAPPAN, State Reclamation Engineer

Subject: Re: Permit No. 20736 - Bureau of Reclamation

My dear Governor Smylie:

Referring to Rodney's Hansen's letter of January 29th, and the protest concerning license to the Bureau of Reclamation:

Briefly, the history of this since 1948: The Bureau of Reclamation has constructed 177 wells and have at present, 1963, upwards of 60,000 acres of land in cultivation. Between 1948 and 1963 private individuals have constructed nearly 300 wells adjacent to the same area, the acreage presently undetermined.

In 1953 the Bureau of Reclamation was granted an extension of time of two years. In 1955 an application was made for further extension of time. In 1956, after due publication of application for extension of time, which was published so that interested parties might be informed as to progress, although publication is not required by any statute, a number of protests were received by the Department against the allowing of this extension of time. On October 21, 1956, the State Reclamation Engineer denied the extension of time and stated that -

"It is further the decision of the State Reclamation Engineer that the priority date of that part of the right initiated by Permit No. 20736 depending on works constructed prior to November 5, 1955, shall relate back to September 9, 1948, and that part of the right initiated under Permit No. 20736, and depending on works not completed by November 5, 1955, may r elate back to November 5, 1955."

Again, the Bureau of Reclamation made further application for extension of time on November 15, 1958, and the Department of Reclamation Engineer again stated he found no justification nor statutory authority to extend further the time and stated that the Notice of Proof for the Completion of Works should be made, sending them the usual forms for notice. On August 30,

20736;

1963, application for proof of water to beneficial use forms were mailed to the Bureau of Reclamation and they were notified that the date for such proof was November 5, 1963. Publication of intention to make proof of beneficial use was made in late December of 1963, and the date for making proof was set for January 13, 1964. That proof was made before a Justice of the Peace in Boise and no formal protests were filed in that time.

Since that date many protests have been received, both formal and informal. The present work of the department is now directed towards determining what the order of the development of all wells, with the thought that no serious consequences will be suffered by any one in the project or the adjcining area. This works needs a study of the water table elevations and amount of withdrawals for a study of the effect of the irrigation.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

CET:ew

20726

United States Senate

February 4, 1964

Mr. Everett Warner
District Manager
Capital Company
P. O. Box 347
Rupert, Idaho

Dear Mr. Warner:

Your letter of January 28, 1964, indicates your concern that certain extensions now pending before the State Reclamation Engineer to extend water permits of the U. S. Bureau of Reclamation will be approved. These permits are issued under Idaho State laws, and I feel sure the State Reclamation Engineer will act to the best of his ability to comply with such laws in fairness to all concerned.

I co-sponsored S. 1275, a bill to clarify the relationship between the state and federal government in the control and use of our nation's water resources in the hope of having Congress take action on this measure. My views on states water rights were fully covered in a talk before the National Reclamation Association at Sun Valley on October 24, 1963, when I discussed this proposal in detail. This was placed in the Congressional Record by Senator Kuchel of California, and a copy of the same is enclosed.

Inasmuch as this is a state matter, a decision is pending before the State Reclamation Engineer, and there have been rejections on similar requests in the past by the State Reclamation Engineer's office. It does not seem proper for me to intervene in the matter at this time. I would, however, suggest that you confer with the State Reclamation Engineer and furnish him all the information you may have on the situation.

I trust you will write to me again if I may be of assistance.

Sincerely yours,

Len B. Jordan, U.S.S.

Duffin and Duff
ATTORNEYS AT LAW
FREMONT AND "G" STREETS
BOX 61
RUPERT, IDAHO

LAWRENCE H. DUFFIN
LARRY R. DUFF

TELEPHONE 436-4774

January 31, 1964

Mr. Carl Tappan
State Reclamation Engineer
Capitol Building
Boise, Idaho

Dear Mr. Tappan:

Pursuant to our letter of January 29, 1964, we are enclosing herewith twenty additional Formal Protests in connection with the Bureau of Reclamation water permit matter.

Very truly yours,

Larry R. Duff

Larry R. Duff

LRD:LS
Encl.

20726

RECEIVED
FEB 3 1964
Department of Reclamation

FORMAL PROTEST

STATE OF IDAHO)
) ss.
County of Minidoka)

I do hereby certify and declare that I own an underground water application, filed with the Idaho State Reclamation Engineer subsequent to the U. S. Bureau of Reclamation filing of 1948, and I do hereby protest the attempt now made by the Bureau to date its certificate back to 1948.

Under the Idaho law, I, as an individual, have to either pump the water onto the land within the time established or forfeit the priority gained by the filing. There is no legal or moral reason why the Federal Bureau of Reclamation should not be required to live up to the same laws. There should not be one set of rules for the federal government and another set for ordinary individuals. The powerful and the weak should receive the same treatment from the great State of Idaho.

The application of the Bureau of Reclamation to extend time within which to submit proof of the completion of works, and make presentation of the record, was denied in a formal decision by the Idaho State Reclamation Engineer on April 5, 1956. This previous decision by the Idaho State Reclamation Engineer has never been appealed or reversed in any manner and the Bureau of Reclamation's rights have been terminated.

The evidence submitted by the Bureau of Reclamation, in support of its application, affirmatively establishes that it fails to come within the exceptions provided by the Idaho statutes and the application should be peremptorily dismissed.

A decision in favor of the Bureau of Reclamation's application would result in a definite loss of property rights to all the individual water right holders who relied upon the failure of the Bureau of Reclamation to complete the project under the terms of the Idaho state statutes. These same holders of water rights are willing to honor the Bureau of Reclamation's priority as to those lands actually developed and irrigated within the time allowed by law, as previously determined, but believe that any further extension would be not only illegal, but would seriously damage and injure their own water rights.

I am informed, and now believe, that the failure of the Bureau to complete its wells within the five-year period was deliberate and was based on its policy of completing only a few wells per year. The Bureau publicly announced this program in 1948 and claimed that it would only develop the wells indicated in its permit as ground water conditions were proven. This "go slow" policy was relied upon by many individual persons and companies who have drilled wells in this area as proof that the Bureau would not attempt to destroy existing water

rights through its prior filing. Also, such a policy also indicated that the Bureau would be content with a water right priority established by the actual use of proven water. I seriously doubt that the Bureau is able to present any evidence that it is entitled to such consideration within the meaning of the statute. Certainly, the statute contemplates that the grounds for such request must be based on facts and conditions beyond the control of the Bureau and not facts and conditions resulting from the deliberate policy of the Bureau or resulting from their own negligence or indifference. I am not aware that any bona fide request made by the Bureau for appropriations from Congress for the drilling of these wells or the purchasing of pumps for the same was denied.

It is earnestly urged that the State Engineer, in furtherance of justice and the democratic process, exercise his discretion in favor of the individual applicants and against the Bureau, and refuse to grant, or even hear, further proceedings attempting to relate back Permit 20736, or any other permit, and the formal decision of the State Reclamation Engineer of April 5, 1956 be recognized, honored and upheld.

Nell L Thompson
Protestor

Address: 713 E Street
Rupert Idaho

Subscribed and sworn to before me this 30th day of January, 1964.

Lois E Stephenson
Notary Public
Residing at Rupert, Idaho
My Commission Expires 12-1-65

(seal)

20736

FEB 3 1964

FORMAL PROTEST

STATE OF IDAHO)
) ss.
County of Minidoka)

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C L Tiddleston

Protestor

Address: 1207 St
Rupert Ida

Subscribed and sworn to before me this 31st day of January, 1964.

Lois E. Stephenson

Notary Public
Residing at Rupert, Idaho
My Commission Expires 12-1-65

(seal)

20736

RECEIVED
FEB 3 1964

FORMAL PROTEST

STATE OF IDAHO)
) ss.
County of Minidoka)

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Dick Ward

Protestor

Address: R#1

Paul, Idaho

Subscribed and sworn to before me this 31st day of January, 1964.

Lesi E. Stephenson

Notary Public
Residing at Rupert, Idaho
My Commission Expires 12-1-65

(seal)

20736

FORMAL PROTEST

STATE OF IDAHO)
) ss.
County of Minidoka)

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D. T. Blincoe Inc.
Richard D. Blincoe
Protestor

Address: Heyburn, Idaho

Subscribed and sworn to before me this 31st day of January, 1964.

Lois B. Stephenson
Notary Public
Residing at Rupert, Idaho
My Commission Expires 12-1-65

(seal)

FORMAL PROTEST

STATE OF IDAHO)
) ss.
County of Minidoka)

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J T Haynes
Protestor

502 13th St
Address
Rupert Idaho

Subscribed and sworn to before me this 31st day of January, 1964.

Lois E. Stephenson
Notary Public
Residing at Rupert, Idaho
My Commission Expires: 12/1/65

(Seal)

20736

FORMAL PROTEST

STATE OF IDAHO)
) ss.
County of Minidoka)

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I am informed, and now believe, that the failure of the Bureau to complete its wells within the five-year period was deliberate and was based on its policy of completing only a few wells per year. The Bureau publicly announced this program in 1948 and claimed that it would only develop the wells indicated in its permit as ground water conditions were proven. This "go slow" policy was relied upon by many individual persons and companies who have drilled wells in this area as proof that the Bureau would not attempt to destroy existing water

rights through its prior filing. Also, such a policy also indicated that the Bureau would be content with a water right priority established by the actual use of proven water. I seriously doubt that the Bureau is able to present any evidence that it is entitled to such consideration within the meaning of the statute. Certainly, the statute contemplates that the grounds for such request must be based on facts and conditions beyond the control of the Bureau and not facts and conditions resulting from the deliberate policy of the Bureau or resulting from their own negligence or indifference. I am not aware that any bona fide request made by the Bureau for appropriations from Congress for the drilling of these wells or the purchasing of pumps for the same was denied.

It is earnestly urged that the State Engineer, in furtherance of justice and the democratic process, exercise his discretion in favor of the individual applicants and against the Bureau, and refuse to grant, or even hear, further proceedings attempting to relate back Permit 20736, or any other permit, and the formal decision of the State Reclamation Engineer of April 5, 1956 be recognized, honored and upheld.

Morgan Thorpe Lawrence
By N. Thorpe Lawrence, Jr.
Protestor

Box 201, Rupert, Idaho
Address

Subscribed and sworn to before me this 31st day of January, 1964.

Lois E. Stephenson
Notary Public
Residing at Rupert, Idaho
My Commission Expires: 12/1/65

(seal)

20736

RECEIVED
FEB 3 1964
...mation

FORMAL PROTEST

STATE OF IDAHO)
) ss.
County of Minidoka)

I do hereby certify and declare that I own an underground water application, filed with the Idaho State Reclamation Engineer subsequent to the U. S. Bureau of Reclamation filing of 1948, and I do hereby protest the attempt now made by the Bureau to date its certificate back to 1948.

Under the Idaho law I, as an individual, have to either pump the water onto the land within the time established or forfeit the priority gained by the filing. There is no legal or moral reason why the Federal Bureau of Reclamation should not be required to live up to the same laws. There should not be one set of rules for the federal government and another set for ordinary individuals. The powerful and the weak should receive the same treatment from the great State of Idaho.

The application of the Bureau of Reclamation to extend time within which to submit proof of the completion of works, and make presentation of the record, was denied in a formal decision by the Idaho State Reclamation Engineer on April 5, 1956. This previous decision by the Idaho State Reclamation Engineer has never been appealed or reversed in any manner and the Bureau of Reclamation's rights have been terminated.

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Leonard A. Kiel
Protestor

513-14th St
Address
Rupert Idaho

Subscribed and sworn to before me this 31st day of January, 1964.

Lois E. Stephenson
Notary Public
Residing at Rupert, Idaho
My Commission Expires: 12/1/65

(seal)

20736

FORMAL PROTEST

STATE OF IDAHO)
) ss.
County of Minidoka)

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Theodore A. Hiebert
Protestor

RT. 3.
Address
Rupert Idaho

Subscribed and sworn to before me this 31st day of January, 1964.

Lois E. Stephenson
Notary Public
Residing at Rupert, Idaho
My Commission Expires: 12/1/65

(seal)

20736

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) ss.
County of Minidoka)

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The Minidoka County News

RUPERT, IDAHO

AFFIDAVIT OF PUBLICATION

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

Dean H. Judd, being first duly sworn, deposes and says that he is the Manager 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 consecutive weeks, commencing with the issue dated Dec. 19, 1963 and ending with the issue dated Jan. 9, 1964.

Dean H. Judd

Subscribed and sworn to before me this ___ day of ___, 19__

___ Notary Public

Cost of Publication ___

Notary Fee ___

Total Cost ___

NOTICE [illegible] OF CONSTRUCTION AND APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 a. m. on the 13th day of January, 1964, at the Bureau of Reclamation offices, Orchard and Fairview, Boise, Idaho, County of Ada, State of Idaho, before John H. Welch, a Notary Public, proof will be submitted of the diversion of and application to beneficial use of 1100 cubic feet per second of underground water, in accordance with the terms and conditions of Permit No. 20736 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and post office address of the person or corporation holding said permit is United States of America, P. O. Box 937, Boise, Idaho.

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

The amount applied to beneficial use is 1100 c.f.s.

The works of diversion have been completed within the life of the permit.

The point of diversion of said water is 177 wells located in township 7 south, ranges 23, 24, and 25 east, Boise meridian; township 8 south, ranges 21, 22, 23, 24, and 25 east, Boise [illegible] south, [illegible] east, Boise meridian; [illegible] 22 east, Boise [illegible] within the A & B Irrigation District, North Side Pumping Division, Minidoka Project, Idaho.

The place where said water is used (legal description): 62,604.3 irrigated acres located in townships 7, 8, 9, and 10 south, ranges 21, 22, 23, 24, and 25 east, Boise meridian, Idaho, all within the boundaries of the A & B Irrigation District, North Side Pumping Division, Minidoka Project, Idaho.

The date of priority which said user is prepared to establish is September 9, 1948.

CARL E. TAPPAN
State Reclamation Engineer

No. 965 Dec. 19 - Jan. 9

Private Wells 2/24/64

County	Twp	Rge	Quantity Licensed	Quantity Permit	No. of Wells
Blaine	7S	26E	4.00 1/61	12.80 5/60	3 Lake View 12-5-55
✓	8S	26E	29.20 11/50/10SJ	6.40 3/62	12
			33.20	19.20	15
Jerome	9S	20E	3.88	19.86	8
✓	8S	21E	24.63	127.20	29
✓	9S	21E	33.07	87.36	30
✓	10S	21E	3.40	4.00	3
			64.98	238.42	70
Lincoln	7S	21E	11.90	—	3
✓	7S	23E	53.76	15.14	15
			65.66	15.14	18
Minidoka	8S	21E	25.55	83.56	21
✓	9S	22E	19.14	14.16	10
✓	10S	22E	1.80	6.40	3
✓	7S	23E	86.06	27.20	23
✓	8S	23E	30.10	5.10	13
✓	9S	23E	3.34	2.40	4
✓	6S	24E	10.42	12.00	5
✓	7S	24E	88.46	69.04	45
✓	8S	24E	9.78	2.40	4
✓	7S	25E	115.62	66.16	50
✓	8S	25E	12.70	28.06	20736 22
			402.97	311.48	200
Totals			566.81	584.24	303

PERMIT NO. 20736

CALIPER, ELECTRIC, & GAMMA LOGS ON THE FOLLOWING WELLS ARE FILED IN A SPECIAL LOG BOOK

Located in typist room well log index shelf.

32B724
35A724
35C821
19A823
19B823
23A823
24B823
29A823
13A824
22A824
26A824
3B825
5A825
5B825
6B825
15A825
9A922
10A922
20A922
28A922
3A923

20736

RODNEY HANSEN
MINIDOKA COUNTY

HOME ADDRESS
ROUTE 2
PAUL, IDAHO

COMMITTEES
FINANCE
CHAIRMAN
AGRICULTURE
GUBERNATORIAL APPOINTMENTS

Idaho State Senate

THIRTY-SEVENTH SESSION
CAPITOL BUILDING
BOISE

RECEIVED
JAN 31 1964
Department of Reclamation

Route 2
Paul, Idaho
January 29, 1964

Mr. Carl Tappan
State Reclamation Engineer
State House
Boise, Idaho

Dear Mr. Tappan:

This is to protest the application of the Bureau of Reclamation to include all wells drilled on the Northside Project under the September 1948 filing date. Such action would be unfair to the many private individuals who drilled wells in the early years covered by this application.

We feel that the 1956 decision regarding this question was correct and proper. It is hereby requested that a delegation of the developers of private wells have the privilege of meeting with you prior to takeing action on this application. We would be happy to meet your at your convience.

Sincerely yours,

Rodney A. Hansen

A. J. Schell
Notary Public Idaho.
My Comm Expires
1-20-68

20736

Route 3
Rupert, Idaho
January 29, 1964

RECEIVED
JAN 31 1964
Department of Reclamation

Carl Tappan
State Reclamation Engineer
State House, Boise, Idaho

Dear Sir;

I bought the South half of section 17, Township 7, Range 25 with the understanding that the water rights had been applied for and had prior right ahead of many of the other wells in the area.

One reason for the purchase of this land was the determination of 1956 that any more government wells would be on a later date.

If the determination of the 1948 date for the Bureau of Reclamation is made it will jeopordize the many thousands of dollars invested in our property.

Sincerely,

Warren W. Heins

Warren W. Heins

20236

PARRY, ROBERTSON & DALY
LAWYERS
FIDELITY BANK BUILDING
TWIN FALLS, IDAHO
83301

R. P. PARRY
T. M. ROBERTSON
JOHN H. DALY
CLIFFORD E. FIX
BERT LARSON
C. G. McINTYRE
JOHN R. COLEMAN
WM. P. PHILIPS, JR.

TELEPHONE
AREA CODE 208
733-3722

P-20736

January 30, 1964.

RECEIVED
JAN 31 1964
Department of Reclamation

Mr. Carl E. Tappan,
State Reclamation Engineer,
Department of Reclamation,
107 State House,
Boise, Idaho.

Dear Mr. Tappan:

This will confirm the oral discussion I had with you and Mr. Burpee last Tuesday in Twin Falls regarding the water filings for the A & B Irrigation District. As I understand you will advise Mr. Burpee and me after you have completed your investigation and study of the matter so that we may have a conference with you prior to any further action by your office.

We very much appreciate your cooperation in this matter.

Sincerely yours,

Clifford E. Fix

CLIFFORD E. FIX

CEF:jb

CC: Mr. William Burpee.
A & B Irrigation District.

20736

LAW OFFICE
IRWIN CLAWSON
141 EAST SECOND SOUTH
SALT LAKE CITY 11, UTAH
PHONE EM 4-9903

January 28, 1964

RECEIVED
JAN 31 1964
Department of Reclamation

Carl Tappan, Esq.
Reclamation Engineer
State Capitol
Boise, Idaho

Dear Sir:

Enclosed please find the protest of Julion Clawson Farms, Inc. against further consideration of the matters decided by your office in the denial on April 5, 1956.

The U. S. Bureau of Reclamation is a mighty force, but it should be held to the same rules as the rest are compelled to acknowledge and live up to. This thing was gone into rather carefully prior to the "Denial of Application and Decision of the State Reclamation Engineer", made on April 5, 1956.

It is submitted the matter should not be again re-opened even for the Bureau of Reclamation.

Respectfully submitted,

Irwin Clawson

IRWIN CLAWSON

20736

RECEIVED
JAN 31 1964
Department of Reclamation

STATE OF IDAHO

Bureau of Reclamation

In the Matter of the Application of the U. S. Bureau of Reclamation, Minidoka Northside Extension, for a license and Certificate of Water Right.	)))))	PROTEST OF JULION CLAWSON FARMS, INC.

Comes now Julion Clawson Farms, Inc. and protests the granting of a September 9, 1948 priority or any similar priority for water rights obtained by works completed after November 5, 1953, for the reason that this matter is res adjudicata under the "Denial of Application and Decision of the State Engineer", in the application for the extension of time for completion of works on Permit No. 20736, wherein the State Reclamation Engineer denied the application to extend the time for completion of works beyond November 5, 1955, wherein the State Engineer ruled ". . . . . that the part of the right initiated under Permit No. 20736 and depending on works not completed by November 5, 1955 may relate back to November 5, 1955."

All persons desiring priority were given five years in which to complete their works. This applied to individuals as well as to the U. S. Government. Each had the cost of the well, and the purchase and installation of a pump and the diversion works.

For some reason not quite clear to protestant, the legislature allowed the Federal Government an extension of time as granted by the State Reclamation Engineer, and under which the Bureau of Reclamation got the extension from 1953 to 1955, but the Bureau was under the same obligations as the rest to establish the well, the pump and the diversion works. But it is submitted that the U. S. Bureau of Reclamation should not be able to have the preference over small land owners who have purchased their land, put down their well and obligated their own personal resources for the purchase of a pump and the installation of the diversion works.

The proposal to give priority to works finished after November 5, 1955 is unfair and discriminatory and a depriving of the small land owner of his property in favor of the Government, and if granted will favor the Federal Government with all its great resources, to the disadvantage of the small farmer who was more dependable than the U. S. Bureau of Reclamation in completing the works.

JULION CLAWSON FARMS, INC.

By Irwin Clawson
Irwin Clawson, President

20736

STATE OF UTAH)
: ss.
County of Salt Lake)

IRWIN CLAWSON, being first duly sworn, deposes and says that on behalf of Julion Clawson Farms, Inc. he has signed the foregoing protest and that the facts therein stated are, to the best of his knowledge, true and correct.

Irwin Clawson

Irwin Clawson

Subscribed and sworn to before me this 30th day of January, A.D. 1964.

Anona R. Clawson

NOTARY PUBLIC, Residing at
Salt Lake City, Utah

My commission expires:
8/12/67

20736

Duffin and Duff
ATTORNEYS AT LAW
FREMONT AND "G" STREETS
BOX 61
RUPERT, IDAHO

LAWRENCE H. DUFFIN
LARRY R. DUFF

TELEPHONE 436-4774

January 29, 1964

Mr. Carl Tappan
State Reclamation Engineer
Capitol Building
Boise, Idaho

Dear Mr. Tappan:

We have been retained to represent a number of the local landowners affected by the attempted proof of the United States Bureau of Reclamation of Permit 20736.

We are enclosing [redacted] Formal Protests for filing in this matter. Within the next few days, we should be forwarding an additional number of such protests, all joining with the Julian Clawson Farms, Inc. and Capital Company in vigorously protesting the attempted move by the Bureau of Reclamation.

Based upon the matters as set forth in the Formal Protest, it is submitted that this matter should not be reopened, even for the Bureau.

Very truly yours,

Larry R. Duff

LRD:LS
Encl.

20736

FORMAL PROTEST

STATE OF IDAHO)
) ss.
County of Minidoka)

I do hereby certify and declare that I own an underground water application, filed with the Idaho State Reclamation Engineer subsequent to the U. S. Bureau of Reclamation filing of 1948, and I do hereby protest the attempt now made by the Bureau to date its certificate back to 1948.

Under the Idaho law, I, as an individual, have to either pump the water onto the land within the time established or forfeit the priority gained by the filing. There is no legal or moral reason why the Federal Bureau of Reclamation should not be required to live up to the same laws. There should not be one set of rules for the federal government and another set for ordinary individuals. The powerful and the weak should receive the same treatment from the great State of Idaho.

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The evidence submitted by the Bureau of Reclamation, in support of its application, affirmatively establishes that it fails to come within the exceptions provided by the Idaho statutes and the application should be peremptorily dismissed.

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I am informed, and now believe, that the failure of the Bureau to complete its wells within the five-year period was deliberate and was based on its policy of completing only a few wells per year. The Bureau publicly announced this program in 1948 and claimed that it would only develop the wells indicated in its permit as ground water conditions were proven. This "go slow" policy was relied upon by many individual persons and companies who have drilled wells in this area as proof that the Bureau would not attempt to destroy existing water

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It is earnestly urged that the State Engineer, in furtherance of justice and the democratic process, exercise his discretion in favor of the individual applicants and against the Bureau, and refuse to grant, or even hear, further proceedings attempting to relate back Permit 20736, or any other permit, and the formal decision of the State Reclamation Engineer of April 5, 1956 be recognized, honored and upheld.

Ben K. Humphreys
Protestor

Address: 645 5th St.
Rupert Idaho

Subscribed and sworn to before me this 29th day of January, 1964.

Lois E. Stephenson
Notary Public
Residing at Rupert, Idaho
My Commission Expires 12-1-65

(seal)

20736

JAN 30 1964

Department of Reclamation

FORMAL PROTEST

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) ss.
County of Minidoka)

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Ida Stevens
Protestor

Address: 914 - 9th
Rupert Idaho

Subscribed and sworn to before me this 29th day of January, 1964.

Lois E. Stephenson
Notary Public
Residing at Rupert Idaho
My Commission Expires 12-1-65

(seal)

***

20736

RECEIVED
JAN 30 1964
Department of Reclamation

FORMAL PROTEST

STATE OF IDAHO)
) ss.
County of Minidoka)

I do hereby certify and declare that I own an underground water application, filed with the Idaho State Reclamation Engineer subsequent to the U. S. Bureau of Reclamation filing of 1948, and I do hereby protest the attempt now made by the Bureau to date its certificate back to 1948.

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The application of the Bureau of Reclamation to extend time within which to submit proof of the completion of works, and make presentation of the record, was denied in a formal decision by the Idaho State Reclamation Engineer on April 5, 1956. This previous decision by the Idaho State Reclamation Engineer has never been appealed or reversed in any manner and the Bureau of Reclamation's rights have been terminated.

The evidence submitted by the Bureau of Reclamation, in support of its application, affirmatively establishes that it fails to come within the exceptions provided by the Idaho statutes and the application should be peremptorily dismissed.

A decision in favor of the Bureau of Reclamation's application would result in a definite loss of property rights to all the individual water right holders who relied upon the failure of the Bureau of Reclamation to complete the project under the terms of the Idaho state statutes. These same holders of water rights are willing to honor the Bureau of Reclamation's priority as to those lands actually developed and irrigated within the time allowed by law, as previously determined, but believe that any further extension would be not only illegal, but would seriously damage and injure their own water rights.

I am informed, and now believe, that the failure of the Bureau to complete its wells within the five-year period was deliberate and was based on its policy of completing only a few wells per year. The Bureau publicly announced this program in 1948 and claimed that it would only develop the wells indicated in its permit as ground water conditions were proven. This "go slow" policy was relied upon by many individual persons and companies who have drilled wells in this area as proof that the Bureau would not attempt to destroy existing water

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It is earnestly urged that the State Engineer, in furtherance of justice and the democratic process, exercise his discretion in favor of the individual applicants and against the Bureau, and refuse to grant, or even hear, further proceedings attempting to relate back Permit 20736, or any other permit, and the formal decision of the State Reclamation Engineer of April 5, 1956 be recognized, honored and upheld.

Oak H Butler
Protestor

Address: Rt #3
Rupert Idaho

Subscribed and sworn to before me this 29th day of January, 1964.

Lois E. Stephenson
Notary Public
Residing at Rupert, Idaho
My Commission Expires 12-1-65

(seal)

***

20736

FORMAL PROTEST

STATE OF IDAHO)
) ss.
County of Minidoka)

I do hereby certify and declare that Transamerica Development Company, successor to Capital Company, owns underground water applications, filed with the Idaho State Reclamation Engineer subsequent to the U. S. Bureau of Reclamation filing of 1948, and I do hereby protest the attempt now made by the Bureau to date its certificate back to 1948.

Under the Idaho law, said company has to either pump the water onto the land within the time established or forfeit the priority gained by the filing. There is no legal or moral reason why the Federal Bureau of Reclamation should not be required to live up to the same laws. There should not be one set of rules for the federal government and another set for ordinary individuals. The powerful and the weak should receive the same treatment from the great State of Idaho.

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TRANSAMERICA DEVELOPMENT COMPANY, a
Successor to Capital Company

By Edward Warner, Jr. Manager
Protestor

Address: Box 341, Rupert, Idaho

Subscribed and sworn to before me this 29th day of January, 1964.

Lois E. Stephenson
Notary Public
Residing at Rupert, Idaho
My Commission Expires: 12/1/65

(seal)

20736

RECEIVED
JAN 30 1964
Department of Reclamation

FORMAL PROTEST

STATE OF IDAHO)
) ss.
County of Minidoka)

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April Hansbrew
Protestor

Address: Rt. 3
Rupert, Idaho

Subscribed and sworn to before me this 29th day of January, 1964.

Lois E. Stephenson
Notary Public
Residing at Rupert, Idaho
My Commission Expires 12-1-65

(Seal)

***

20736

JAN 30 1964
Department of Interior

FORMAL PROTEST

STATE OF IDAHO)
) ss.
County of Minidoka)

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Roger Dean
Protestor

Address: 929 J-St.
Rupert Idaho

Subscribed and sworn to before me this 29th day of January, 1964.

Lois L. Stephenson
Notary Public
Residing at Rupert Idaho
My Commission Expires 12-1-65

(seal)

***

FORMAL PROTEST

STATE OF IDAHO)
) ss.
County of Minidoka)

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Howard V. Banks
Protestor

Address: Box 39
Mandolan Idaho

Subscribed and sworn to before me this 29th day of January, 1964.

Lois E. Stephenson
Notary Public
Residing at Rupert, Idaho
My Commission Expires 12-1-65

(seal)

***

20736

FORMAL PROTEST

STATE OF IDAHO)
) ss.
County of Minidoka)

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Warren W. Heins
Protestor

Address: Route 3
Rupert, Idaho "

Subscribed and sworn to before me this 24th day of January, 1964.

Jerry R. Duff
Notary Public
Residing at Rupert, Idaho
My Commission Expires 4-1-66

(seal)

***

FORMAL PROTEST

STATE OF IDAHO)
) ss.
County of Minidoka)

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Guy D Miller
Protestor

Address: Box 155
Paul, Idaho -

Subscribed and sworn to before me this 29th day of January, 1964.

Lois E. Stephenson
Notary Public
Residing at Rupert, Idaho
My Commission Expires 12-1-65

(seal)

***

20736

TRANSAMERICA DEVELOPMENT COMPANY
Successor to

CAPITAL COMPANY

A SUBSIDIARY OF TRANSAMERICA CORPORATION

RECEIVED
JAN 30 1964
Department of Reclamation

HEAD OFFICE, ~~[illegible]~~ Oakland

ADDRESS REPLY TO DISTRICT OFFICE AT

P. O. Box 341
Rupert, Idaho

January 28, 1964

Mr. Carl B. Tappan
State Reclamation Engineer
Capitol Building
Boise, Idaho

Dear Mr. Tappan:

Sometime ago Mr. Laurence Bogert, Corporate Council for our company, wrote to you protesting the attempt being made by the U. S. Bureau of Reclamation to circumvent the law in Idaho in an effort to secure underground water rights ahead of most of the other private pumpers. As far as I know, no acknowledge was made of the receipt ofthis letter, but I am informed by others that such a letter was not sufficient for a protest. Our Attorney is preparing a protest which will be sent to you within the next few days. Before the water rights are granted to the U.S. Bureau of Reclamation, we would appreciate an opportunity to meet with you at a time and place you suggest.

I am sure you are aware of the fact that the U.S. Bureau of Reclamation attempted in 1952 and again in 1955 to have their permits extended in an effort to secure water rights ahead of most of the private pumpers but both requests were denied by Mr. Mark Kulp. It is impossible to understand how consideration can be given to the request now being made by the U.S. Bureau of Reclamation.

Very truly yours,

Everett Warner
District Manager

20736

Rupert, Idaho
Jan. 28, 1964

Mr. Carl Tappan
State Reclaimation Engineer
State House
Boise, Idaho

Dear Sir,

I wish to make this formal protest to the U.S.B.R.trying to establish a 1948 date on their 177 wells and 1100 cubic feet per minute of water from underground waters north of Rupert.

The U.S.B.R. had a permit dated 1948 which they did not complete or prove up on according to state laws by 1953, at which time they asked for an extension and were denied this extension in a determination by the State Reclaimation Engineer in 1956, so I understand.

Since 1948 there has been about 100,000 acres of private land put under cultivation by private capital as against about 63,000. acres of U.S.B.R. land by United States Government public funds.

I protest the U.S.B.R. asking preferential treatment because I believe that the private individual who has spent his private capital should take his fair plac e with the U.S.B.R. on the application date he has used or whatever means of determination is used. I don't believe that government agencies should at any time jeopardize the legal rights of private individuals.

I also protest because the legal notice was at Christmas time when no one was suspecting such a thing (I have talked to no one who saw the legal notice in the paper.). I also protest the hearing being held in Ada county some 175 miles away from the project being involved. I found out about the hearing at 12;30 Jan. 13, 1964 to late to get to a hearing in Boise.

I protest because this date would jeopardize about 100,000 acres of private which could be a blow to the economy of Idaho.

I would like to ask the State Reclaimation Engineer that a hearing could be held that would be fair to all interested parties at Rupert, Idaho where this land is located.

Sincerely Yours
Roger Dean

20736

cc: Rep. Ralph Harding
Senator Frank Church
Senator Len Jordan

Roger Dean
S½ Sec. 36 T7S R23 E.B.M.
NW.¼ Sec. 35 T7S R25 E.B.M.
NE.¼ Sec. 17 T7S R25 E.B.M.

Sec 5, SE¼NW¼, SW¼, SW¼NE¼, W½SE¼
T8S, R26E.B.M.

Subscribed and sworn to before me this 29th day of January, 1964

Notary Public for Idaho
Residing at Rupert, Idaho

January 30, 1964

Mr. Robert Reed, Manager
The Idaho First National Bank
Rupert, Idaho

Dear Mr. Reed:

Replying to your letter of January 29, 1964, Idaho Law requires that intention to make Proof of Beneficial Use of water must be advertised and a date set to receive statements of protest. This was done on January 13, 1964.

Proceedings of this hearing are to be sent to this office for final disposition.

This office now has those proceedings under advisement. Further action depends on our study of these proceedings.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

CET:ew

20736

Route #3
Rupert, Idaho
January 29, 1964

Mr. Earl Tappan, State Reclamation Engineer
Boise, Idaho

RECEIVED
JAN 30 1964
Department of Reclamation

Dear Mr. Tappan,

We understand that the Bureau of Reclamation is endeavoring to change the date of licience for underground water pumping on the Northside Pumping Project ~~from~~ to September 1948.

We would like to protest this action by the Bureau of Reclamation and request that a delegation of Private Pumpers from the northside of Minidoka County be given a hearing by your office to state views on this matter.

20736

Subscribed and ~~sworn~~ to before me this 29 day of Jan. 1964

James O. Bastian
notary public

Sincerely,
Mr. & Mrs. Dale Butler

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

REGIONAL OFFICE, REGION I
BOX 937
BOISE, IDAHO 83701

IN REPLY
REFER TO: 424

RECEIVED
JAN 17 1964
Department of Reclamation

JAN 16 1964

Mr. Carl E. Tappan
State Reclamation Engineer
Department of Reclamation
Boise, Idaho

Re: Groundwater Permit No. 20736

Dear Mr. Tappan:

Enclosed is the original Affidavit of Publication from the North Side News of Jerome, Idaho, in connection with the notice of proof of Completion of Works and Application of Water to Beneficial Use under Permit No. 20736.

Very truly yours,

Acting Regional Director

Copy to: Project Superintendent, Burley, Idaho

20736

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

REGIONAL OFFICE, REGION I
BOX 937
BOISE, IDAHO 83701

IN REPLY
REFER TO: 430

JAN 29 1964

RECEIVED
JAN 30 1964
Department of Reclamation

Mr. Carl E. Tappan
State Reclamation Engineer
State House
Boise, Idaho

Dear Mr. Tappan:

Well logs for five wells on the North Side Pumping Division, Minidoka Project, Idaho, are enclosed in accordance with the recent telephone conversation between Mr. Rhodes, of your office, and Mr. R. E. Lindgren, of our office. As indicated by Mr. Lindgren, our records show completion dates as follows:

Well No.	Completion Date
7B824	March 1948
10A824	November 3, 1952
11A824	February 1948
21A824	February 28, 1951
35C822	November 12, 1955
27C823	April 26, 1950
2A823	October 29, 1954
12A824	June 1, 1955

Please advise if additional information is needed.

Sincerely yours,

Regional Supervisor of Irrigation

Enclosure

20736

RUPERT OFFICE

The Idaho First National Bank

ESTABLISHED 1867

RUPERT, IDAHO

RECEIVED
JAN 30 1964
Department of Reclamation

January 29, 1964

Mr. Carl Tappan,
State Reclamation Engineer
Statehouse
Boise, Idaho

Dear Mr. Tappan:

We have heard reports that U. S. Bureau of Reclamation held hearings in regards to anti-dating their water rights on the Northside Extension of the Minidoka Irrigation District. Our customers tell us that these hearings were not properly advertised or reportedly held without proper notice so that interested parties were unaware that they were being held.

I have no way of knowing whether these reports are true or not but since our local people will be vitally affected, if adverse decisions are made in relation to the date of underground water rights, I would appreciate it if your Office would check into this situation.

It appears that there are many who would covet Idaho water, and since it is the lifeblood of our State and Community we sincerely hope that any hearings in regards to water rights and dates be properly advertised and notices given to all interested parties so that all may have the chance to protect their interests.

Yours very truly,

Robert Reed
Manager

RR:cjh

20736

January 22, 1964

20736

Mr. Paul R. Roesch
Attorney at Law
Jones Building
Walla Walla, Washington

Dear Mr. Roesch:

I acknowledge receipt of your letter dated January 17, 1964.

As you know protestants to a proof of completion must file a statement with the department on or before the date set for such proof, such statement shall show the reason why a license should not be issued and shall be sworn to by such protestants, Idaho Code 42-224.

Notice for making proofs on Permit No. 20736 and the date thereof was duly published according to law.

No protests were offered, the proceedings were forwarded to this office and are now under examination. I do not find that statutes provide for additional time to allow for submission of protests after proofs have been accepted, therefore, any additional action by either applicant or protestant probably should be after final action by this department.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

CET:ew

cc: Mr. William Burpee
Field Solicitor's office
Bureau of Reclamation
Box 937, Boise, Idaho

20736

PAUL R. ROESCH
ATTORNEY AT LAW
JONES BUILDING
SECOND AND MAIN
WALLA WALLA, WASHINGTON
PHONE JACKSON 5-8280

January 17, 1964.

Mr. Carl E. Tappan,
State Engineer, State of Idaho,
Department of Reclamation,
107 State House,
Boise, Idaho.

Dear Mr. Tappan:

Since seeing you in Boise earlier in the week I have talked with Roger E. Dean and some of the other people relative to the proceedings of the U. S. Department of the Interior under Permit No. 20736, concerning the Minidoka North Side Pumping Division proceedings.

It definitely appears that these people will want to submit affidavits or other statements relative to their position in this case and have you give consideration to their side of the picture and the proceedings of the U. S. Bureau.

In summary of matters which we are checking and upon which we are doing research, I might say that we feel the legal proceedings in 1952 were a denial of the applications which the U. S. Bureau is now asking to be reconsidered, and that there is less justification at this time for granting the applications than there was at the previous date. We request an additional twenty days from this date for submission of any documents these people may wish to present before you make your determination.

I have talked with William Burpee, Field Solicitor for the U. S. Department of the Interior, who is handling this matter for his department. He felt he could not agree to a continuance but in view of the fact that no one, so far as I was able to determine, was aware of the publication for the hearing of January 13, 1964, until I actually checked the matter out last Monday, we feel that in fairness to other interested parties this extension of time is a reasonable one and within your discretion to grant. I am

20736

sending a copy of my letter to Mr. Burpee for his information.

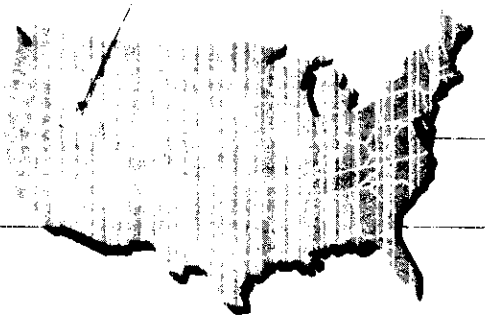
Very truly yours,

Paul R. Roesch.

PRR:ls

cc: Mr. William Burpee

LARGEST HOMESTEAD PROJECT IN U.S.A.
NORTH SIDE PUMPING DIVISION, MINIDOKA PROJECT
76,676 IRRIGABLE ACRES



OFFICE: ELEVENTH AND E STREETS

A & B Irrigation District

P. O. BOX 675 RUPERT, IDAHO DIAL 436-3178

January 16, 1964

OFFICERS

RICHMOND A. BURKS
ROUTE 2, PAUL
PRESIDENT

EDWARD E. SMITH
ROUTE 5, RUPERT
VICE-PRESIDENT

H. W. VAN SLYKE
SECRETARY-TREASURER

DIRECTORS:

FREDRICK P. KASWORM
ROUTE 2, HAZELTON

RUSSELL MOHLMAN
ROUTE 3, RUPERT

HAROLD INGRAM
ROUTE 1, PAUL

State of Idaho
Department of Reclamation
107 State House
Boise, Idaho

Attention: Carl Tappan, State Engineer

Dear Mr. Tappan:

While in Boise for the Irrigation Operators' Winter Conference, the Board of Directors wants to arrange for about a 30-minute conference with you regarding Water Permit #20736.

We had hoped to set one up for Monday afternoon, the 20th, but learned that you will be attending the Compact meeting in Seattle. So one of us will contact your office when we get to Boise and arrange for an appointment.

Sincerely yours,

H. W. Van Slyke

Secretary

20736

AFFIDAVIT of PUBLICATION

State of Idaho, } SS.
County of Jerome }

JAN 17 1964
Department of Reclamation

Walt Hatch, being first duly sworn, deposes and says that he is the printer (publisher) of the Jerome North Side News, a newspaper published every week in Jerome, County of Jerome, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for 4 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 19 day of Dec 19 63, and the date of the last publication was on the 9 day of January, 1964.

Walt Hatch

Subscribed and sworn to before me this 14 day of Jan, 1964.
(SEAL)

Lena M. Hopton
NOTARY PUBLIC

NORTH SIDE NEWS
Jerome, Idaho

COST OF PUBLICATION

Number of Lines in Notice	60	
Number of Insertions	4	
60 Lines at 15c		9.00
180 Lines at 10c		18.00
TOTAL COST		27.00

COPY OF NOTICE
(Paste Here)

Petty Camp
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

United States of America Box 937

BILL TO

[redacted]

No 779

20736

January 14, 1964

Re: Permit No. 20736

U. S. Bureau of Reclamation
Office of the Solicitor
Box 937, Boise, Idaho

Attn: William Burpee

Dear Mr. Burpee:

Enclosed are photo copies of two informal protests in regard to priority under Permit No. 20736, as shown in the legal notice.

I do not believe we sent you copies previously.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. photo copies

TRANSAMERICA DEVELOPMENT COMPANY

formerly CAPITAL COMPANY

January 9, 1964

Mr. Carl Tappan,
State Reclamation Engineer
Bureau of Reclamation
Boise, Idaho.

RECEIVED
JAN 13 1964
Department of Reclamation

Dear Mr. Tappan:

Our company has a large investment in a 9,000 acre ranch located northwest of Rupert, Idaho. This property is irrigated by wells and pumps. This letter is being sent to you to register our strong objections to the attempt by the Bureau to establish a priority of water rights in the area dating back to 1948.

We request that we be put on the Department's mailing list so that we will be adequately notified of any hearings which will be conducted by the State Reclamation Department on this matter of the State's water rights on the Minidoka Northside Pumping Project.

Very truly yours,

LAURENCE S. BOGERT
Corporate Counsel

LSB:vm

CC - Mr. Howard E. Place
- Mr. Everett Warner

20736

1330 BROADWAY - OAKLAND, CALIFORNIA 94612

12-16-63

for A.P. then discussed verbally by Bolton who offered some background of A.P. Wanted it.

Bureau of Reclamation has made application for license for the Minidoka Northside Pumping Project. This project has been under development since 1948, several wells having been constructed as late as 1960. A project of this nature may require development as a continuous program. The Bureau proposes to establish a date of priority for water right as of September 9, 1948.

file work Minidoka Northside Pumping project

29736

Permit # 20736

Jan 13, 1964

Dale B Garner
223 5th St
Rupert Ida

wants to be notified, as soon as it has been determined, when and Where Hearings are to be held

Newcombe also called in regards hearing 1-14-64

20736

20736

Form 16
1.5 M - 7-31-62

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Permit No. 20736

* * * *

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: The United States of America, acting through the Regional Director, Region 1, Bureau of Reclamation, P.O. Box 937, Boise, 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:
The United States of America, Bureau of Reclamation, Boise, Idaho
Regional Director of Region 1, Bureau of Reclamation

Ques. 3. State number, approval date of permit, and date of priority you propose to establish under the permit; Permit No. 20736, approved November 5, 1948
Priority date September 9, 1948

Ques. 4. State source of water supply: Underground sources by pumping from 177 wells
Give location of point of diversion, showing subdivision, section, township and range:

See attached Supplement "A"

Ques. 5. Describe your works of diversion: Water is pumped from 177 wells into canals for delivery to irrigable lands; state amount of water they are capable of conveying from point of diversion to place of use 1100 cfs; Give name of canal or ditch or other works by which water is conducted to such place of use: numerous canals and ditches of North Side Pumping Division/if a well, state depth of well See attached Supplement "C"; depth and size of casing: See attached Supplement "C"; depth to water See attached Supplement "C"; if pump is used, state discharge of pump: 177 pumps discharge 1100 cfs; tell how it was measured or determined: by weir or orifice; if sprinkler irrigation, give number and size of nozzles and operating pressure:

Ques. 6. State for what purpose water is used: for irrigation of 62,604.3 acres of land
If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water :

See attached Supplement "B"

State nature of all improvements which have been made as a direct result of said use:

The irrigated lands are cultivated and improvements normal to a diversified irrigated area have been constructed.

20736

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: See attached Supplement "C"

Ques. 7. If for other than irrigation purposes, state purpose and how used:

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

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:

Ques. 10. State when and in what amount the water diverted under above mentioned permit has been first used: _____ Time used since first use:
Water from some of the 177 wells has been used for irrigation on the North Side Pumping Division since 1950. All 177 wells are now in use. At times the full capacity of each of the 177 wells has been used. The total amount of water used during these times was 1100 cfs.

Ques. 11. Describe all other water rights appurtenant to same place of use:

(sign) H. E. Wilson

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 Boise, County of Ada State of Idaho, on this 13th day of January, A.D. 1964.

John H. Welch

My Commission expires: 6-10-67

20736

Form 17A
1.5 M 7-31-62

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Permit No. 20736

* * * * * * * *

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

DEPOSITION OF WITNESS

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

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

Robert H. Harris, voting age, Regional Engineer,

U.S. Bureau of Reclamation, P.O. Box 937, Boise, Idaho

Ques. 2. Are you acquainted with the United States of America, the holder of Permit No. 20736? How long have you known him and where does he reside:

Ques. 3. Have you read or heard said Permit No. 20736 read, and are you familiar with its provisions and conditions: Yes: Yes No:

Ques. 4. State source of water supply: From underground sources by pumping from 177 wells

State place of diversion: Wells are located as shown on attached Supplement "A"

Describe works for conveying water to place of use: Works consist of pumps drawing water from the wells and discharging into open canals for distribution.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: in excess of 1100 cfs How much water have you seen being so conveyed: Approximately 1100 cfs

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

See attached Supplement "B"

20736

Ques. 7. If for power or other purposes than irrigation, state how water has been used:

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation:

The land that is being irrigated is generally deep silt loams with calcareous sub-soils frequently with basalt or caliche sub-strata. Three to four acre-feet of water per acre is required for profitable cultivation.

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

Ques. 10. When did you first see this water used: 1955

Other times you have seen such use: During irrigation season in the years 1955 through 1963

(Signed) Robert H. Harris

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 Boise, County of Ada, State of Idaho, on this 13th day of January, A. D., 1964.

John H. Welch
Notary Public for State of Idaho
Residing: Boise, Idaho

My commission expires: 6-10-67

20736

January 13, 1964

Re: Permit No. 20736

H. W. Van Slyke, Secretary
A & B Irrigation District
Box 675, Rupert, Idaho

Dear Mr. Van Slyke:

Enclosed are abstracts of subterranean water rights of protestants to proof of beneficial use of water under Permit No. 20736.

Your letter of January 8th mentioned a number of names and there have been some received since you obtained your information.

Our regular fee is $0.25 per abstract and as there are 52 abstracts kindly remit the fee of $13.00.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

20736

20736

614

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
REGIONAL OFFICE, REGION I
BOX 937
BOISE, IDAHO 83701

IN REPLY
REFER TO: 424

JAN 13 1964

Mr. Carl E. Tappan
State Reclamation Engineer
Department of Reclamation
Boise, Idaho

Dear Mr. Tappan:

The final proof of taking for Permit No. 20736 was held at our office at 10:00 a.m. on January 13, 1964. No one appeared who indicated a protest to the proof. I am enclosing the statements of the holder and of two witnesses taken in compliance with our published notice.

Very truly yours,

Regional Director

Enclosure

20736

January 10, 1964

Re: Permit No. 20736

U. S. Bureau of Reclamation
Office of the Solicitor
Boise Field Office
Box 937, Boise, Idaho, 83701

Attention: Mr. William Burpee

Dear Mr. Burpee:

Enclosed herewith photo copy of a protest in connection with your proposed proofs under subject permit.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

H. PETRI
State Water Rights Clerk

HP:ew

Enclosure

20736

Holder Grazing Permit # 20736

Name	1 Filing date	Expired Date	3 Permit	4 Grazing Class	Remarks	Sec.	Twp.	Rge.	Mer.	Sec.	Twp.	Rge.
[illegible]	4/25/52	4/30/62										

20
23

January 8, 1964

Mr Carl E Tappan
State Reclamation Engineer
Boise, Idaho

RECEIVED
JAN 10 1964
Department of Reclamation

Dear Mr. Tappan,

Please consider this letter a protest to the September 9, 1948 date the U. S. Bureau is trying to establish as the priority date on all of the 177 Wells. I realize that some of their wells may qualify for that date, but not all of them.

I have a well drilled in 1950 on private land that had been held and farmed since the first homesteads in this area in the early 1900. I can think of no fair reason why the U.S. Bureau of Reclamation should feel that they should have priority over practically all private irrigation well in this area. It was the first private wells that proved the feasibility of irrigating this land by pumping.

20736

I know that all these wells have not been drilled within five years of the September 9 1948 date. I know that I have complied with the five year limitation on my two wells and believe that all private operators in this area have.

I believe that all should fall in line with no preference.

I shall be glad to come to Boise for a hearing or attend one in this area which would be better if one is called.

Sincerely

Roy A Honsinger

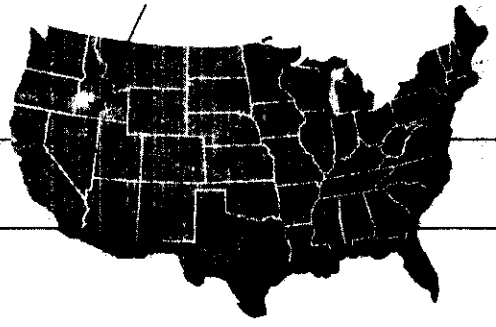
Evelyn D. Honsinger

Box 6

Emmett Ida

20736

LARGEST HOMESTEAD PROJECT IN U.S.A.
NORTH SIDE PUMPING DIVISION, MINIDOKA PROJECT
76,376 IRRIGABLE ACRES



OFFICE: ELEVENTH AND E STREETS

A & B Irrigation District

P. O. BOX 675 RUPERT, IDAHO DIAL 436-3178

January 8th, 1964

RECEIVED
JAN 9 1964
Department of Reclamation

OFFICERS:
RICHMOND A. BURKS
ROUTE 2, PAUL
[redacted]
EDWARD E. SMITH
ROUTE 5, RUPERT
[redacted] PRESIDENT
H. W. VAN SLYKE
SECRETARY-TREASURER
DIRECTORS:
FREDRICK P. KASWORM
ROUTE 2, HAZELTON
RUSSELL MOHLMAN
ROUTE 3, RUPERT
HAROLD INGRAM
ROUTE 1, PAUL

State of Idaho
Carl Tappan, Reclamation Engineer
State House
Boise, Idaho

Dear Mr. Tappan:

RE: The Neibaur (Harmon 12-19-63) and Clinton protest letters on Permit No. 20736

The Neibaurs appear to have interests in lands in Sections 21, 22, 27, 28, 33, and 34 of Township 7 South, Range 23 EBM; also - in Farm Unit B of Section 2 of Township 8 South, Range 23 EBM which is in the North Side Pumping Division (A & B Irrigation District) & which came under cultivation in Irrigation Block 4 in 1956.

Vernon B. Clinton (12-30-63) appears to be connected with the Capital Company or the Capital Farms Company and - as near as we can find out, the land is located in Township 5 South, Range 25 EBM.

Word has come that Roger (1-6-64) Dean, or G. L. Dean and Sons Inc., have filed a written but informal protest.

Will you please furnish us with whatever information you have in your office, regarding the water rights the above landowners claim, particularly their respective dates of priority.

Respectfully,

H. W. Van Slyke

H. W. Van Slyke, Secretary
A & B Irrigation District

cc. Edward E. Smith, President
A & B Irrigation District
Rt. 5, Rupert, Idaho

also Morgan - Shallington
C.C. Kostenbader

20736

MORGAN-SHILLINGTON FARM CO.

GERALD MORGAN
Box 53
Phone 531-4267
436-4937
Minidoka, Idaho

W. H. SHILLINGTON
Box 201
Phone 436-6761
436-4255
Rupert, Idaho

Re 20736

January 2, 1964

Mr. Carl Tappan, Cheif Engineer
Bureau of Reclamation
Boise, Idaho

Dear Mr. Tappan:

We are quite concerned over the bureau asking for a September 9, 1948 priority date for all of the water users on bureau lands. Why does this question keep coming up? I beleive we went through this several years ago.

Please consider this a protest. The individuals that have acquired land, drilled wells and have managed to hold that land without costing the Government a red cent should at least be given a hearing before this certificate of completion and beneficial use be granted.

We have eleven wells that will have a latter priority than this. The individuals should have these priorites as the wells were drilled and approved. We do have some late priorites ourselves, but we are not asking for a 1948 date on wells dug in 1960.

Very truly yours,

Gerald Morgan

Gerald Morgan

W. H. Shillington

W. H. Shillington

Letter Mailed January 8, 1964, as to proper protest

20736

Rupert, Idaho
Jan.6, 1964

Mr. Carl Tappan
State Reclamation Engineer
Boise, Idaho

Dear Mr. Tappan,

Some time last month I noticed a news item in the local paper about the water use on the new developed land north of Rupert. My brother and I are vitaly interested in this because we have many thousands of dollars invested in land that would be affected by the outcome of any decision that would be favorable to the Bureau of Reclamation.

Some years ago this same thing came up and hearings were held and, it was my understanding, a decision was made that these wells would be licensed according to their use. We have been given license by the state that way.

It is strange that the Bureau should ask or expect special privilege as to the use of the water in the underground supply.

Therefore I want to take this opportunity to protest and ask that justice be done to those that have put millions of dollars of their own private money into developing the north side pumping project.

Thank you,

Roger Dean

Roger Dean
909 J. St.
Rupert, Idaho

20736

January 6, 1964

Re: Permit No. 20736
North Side Pumping Division

U. S. Department of the Interior
Office of the Solicitor
Boise Field Office
Box 937, Boise, Idaho, 83701

Attn: William Burpee

Gentlemen:

Enclosed herewith is copy of informal protest (telegram) in connection with your proposed proofs under subject permit.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

H. PETRI
State Water Rights Clerk

HP:ew

Enc. copy of telegram

20736

[redacted]

2 - Box [illegible]
[illegible] Idaho
Jan. 3- 64

[illegible]
[illegible]
[illegible]

Dear Sir Recently I read where the Date of Priority for the four wells in Minidoka County is to be set back to 1948

I wish here & now to enter a protest to setting of this date and wish to be informed of any hearings concerning this subject.

My big objection to this is based on the date set on my proximity I was pumping from 1958 to 1962 when your office made an inspection I was told I was pumping 0.90 sec ft more than I applied for. at that time I was told to apply for a license & certificate of water right for an additional 0.90 sec ft. and the date of priority would be the same as my original license. 20736

My original license was Jan 29-1958 as date of priority, but when it applied for the additional water which I had been pumping and using all the time my proximity was dated July 3, 1962 or more than four years later than it was [illegible] to believe I

would receive

Since lots of the govt wells never put into service after must I see no reason why they should be given an earlier date of priority.

If this can be done what is the advantage of me spending money for license, advertizing and etc. to establish a date which means nothing if it should come to a time when water would be rationed?

Again I say I object very strongly to such an act which would set a date of priority as 1948 on the Govt project irrigation wells

Very truly yours

E E Kostenbader

217.36

UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF THE SOLICITOR

Portland Region
Boise Field Office
P. O. Box 937
Boise, Idaho 83701

December 31, 1963

Mr. Carl E. Tappan
State Reclamation Engineer
Department of Reclamation
Boise, Idaho

Dear Mr. Tappan:

By our letter of December 3 we submitted a suggested form of notice of publication in connection with the completion of proof of construction and application of water to beneficial use for the North Side Pumping Division, Minidoka Project, under Permit No. 20736. We understand that there may have been some materials filed in your office in connection with this matter. It would be appreciated if you would provide us for our information copies of all materials received in connection with the publication of the notice.

Sincerely yours,

William Burpee

William Burpee
Field Solicitor

20736

CLASS OF SERVICE

This is a fast message unless its deferred character is indicated by the proper symbol.

WESTERN UNION

TELEGRAM

W. P. MARSHALL, PRESIDENT

SF-1201 (4-60)

SYMBOLS

DL = Day Letter

NL = Night Letter

LT = International Letter Telegram

The filing time shown in the date line on domestic telegrams is LOCAL TIME at point of origin. Time of receipt is LOCAL TIME at point of destination

M921A PST DEC 30 63 PRA043 KB057

K NA078 PD WUX NEW YORK NY 30 1135A EST 1963 DEC 30 AM 10 27

CARL TAPPAN

STATION RECLAMATION ENGINEER

BOISE IDA

AS OWNER OF 9,300 ACRES OF IRRIGATED FARM LAND NEAR RUPERT I STRONGLY PROTEST THE U.S.; BUREAU OF RECLAMATION'S REQUEST FOR WATER PRIORITY RIGHTS DATING TO 1948. SUCH APPROVAL WOULD BE UNFAIR AND DISCRIMINATORY. I RESPECTFULLY URGE THAT THIS UNREASONABLE REQUEST BE DENIED.

VERNON B CLINTON 60 WEST 40 ST NEW YORK 18 NY (01).

20736

20736

December 30, 1963

Vernon B. Clinton
60 West 40 Street
New York 18, N. Y.

Dear Sir:

This acknowledges receipt of your telegram of December 30, 1963, informally protesting Bureau of Reclamation request for water priority rights of 1948.

A formal protest requires a written statement stating name, address and a clear statement of objections subscribed and sworn to by a qualified protestant.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

CET:vj

Folder not of file copy

20736

December 26, 1963

Re: Permit No. 20736
Minidoka Pumping Division

Bureau of Reclamation
Box 937
Boise, Idaho

Gentlemen:

Enclosed is copy of informal protest received in regard to your proposed proofs of completion of works and beneficial use of the water.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RWT:vj
Enclosure copy protest
cc Darwin Neibaur

20736

Posto Gram from the NORTH SIDE NEWS

Box 131, RT. 1
December 19, 1963

20736 6

The Department of Reclamation
State of Idaho
Boise, Idaho

Dear Mr. Carl Tappan;

This is to inform you that I take violent exception to granting the U.S. Bureau of Reclamation water rights dated the year 1948 as purposed by them.

I feel that the Bureau is unjust in their asking from a moral standpoint. I am sure that legally they can't consolidate all their wells with the first one drilled.

As my brothers and I were some of the very first to drill wells we shouldn't have to give up our water rights.

It's ironic that the people we support with our taxes could come along and take away five or ten years of accumulation and work.

Sincerely yours,

Darwin Neibaur

Darwin Neibaur

cn:DN

NOTICE FOR PUBLICATION

NOTICE OF PROOF OF COMPLETION OF CONSTRUCTION AND

APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 a.m. on the 13th day of January, 1964, at the Bureau of Reclamation offices, Orchard and Fairview, Boise, Idaho, County of Ada, State of Idaho, before John H. Welch, a Notary Public, proof will be submitted of the diversion of and application to beneficial use of 1100 cubic feet per second of underground water, in accordance with the terms and conditions of Permit No. 20736 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and post office address of the person or corporation holding said permit is United States of America, P. O. Box 937, Boise, Idaho.

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

The amount applied to beneficial use is 1100 c.f.s.

The works of diversion have been completed within the life of the permit.

The point of diversion of said water is 177 wells located in township 7 south, ranges 23, 24, and 25 east, Boise meridian; township 8 south, ranges 21, 22, 23, 24, and 25 east, Boise meridian; township 9 south, ranges 21, 22, and 23 east, Boise meridian; township 10 south, ranges 21 and 22 east, Boise meridian, all within the A & B Irrigation District, North Side Pumping Division, Minidoka Project, Idaho.

The place where said water is used (legal description): 62,604.3 irrigated acres located in townships 7, 8, 9, and 10 south, ranges 21, 22, 23, 24, and 25 east, Boise meridian, Idaho, all within the boundaries of the A & B Irrigation District, North Side Pumping Division, Minidoka Project, Idaho. 20736

The date of priority which said user is prepared to establish is September 9, 1948.

CARL E. TAPPAN

State Reclamation Engineer

NOTICE FOR PUBLICATION

NOTICE OF PROOF OF COMPLETION OF CONSTRUCTION AND

APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 a.m. on the 13th day of January, 1964, at the Bureau of Reclamation offices, Orchard and Fairview, Boise, Idaho, County of Ada, State of Idaho, before John H. Welch, a Notary Public, proof will be submitted of the diversion of and application to beneficial use of 1100 cubic feet per second of underground water, in accordance with the terms and conditions of Permit No. 20736 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and post office address of the person or corporation holding said permit is United States of America, P. O. Box 937, Boise, Idaho.

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

The amount applied to beneficial use is 1100 c.f.s.

The works of diversion have been completed within the life of the permit.

The point of diversion of said water is 177 wells located in township 7 south, ranges 23, 24, and 25 East, Boise meridian; township 8 south, ranges 21, 22, 23, 24, and 25 east, Boise meridian; township 9 south, ranges 21, 22, and 23 east, Boise meridian; township 10 south, ranges 21 and 22 east, Boise meridian, all within the A & B Irrigation District, North Side Pumping Division, Minidoka Project, Idaho.

The place where said water is used (legal description) :62,604.3 irrigated acres located in townships 7, 8, 9, and 10 south, ranges 21, 22, 23, 24, and 25 east, Boise meridian, Idaho, all within the boundaries of the A & B Irrigation District, North Side Pumping Division, Minidoka Project, Idaho.

The date of priority which said user is prepared to establish is September 9, 1948.

20736

CARL E. TAPPAN

State Reclamation Engineer

December 13, 1963

Re: Permit No. 20736
United States of America

Mr. Harold T. Nelson,
Regional Director,
U. S. Bureau of Reclamation,
Box 937,
Boise, Idaho.

Dear Mr. Nelson:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. 20736. The proofs are to be made at 10:00 o'clock A.M., on the 13th day of January, 1964, before John H. Welch, Reclamation Offices, Orchard & Fairview, Boise, Idaho, Notary Public.

As of this date we have mailed the Notice to the Minidoka County News & The North Side News, with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof then mail the affidavit of publication and statement of costs to you.

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

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

Very truly yours,

[redacted]
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

Enc.
EPR:pmk
cc: Notary

20736

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) December 3, 1963

(Address) Bureau of Reclamation, Orchard and Fairview,
Box 937, Boise, Idaho

RECEIVED

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at the expense of the Bureau of Reclamation in the December 19 and 26, 1963 issues, and the January 2 and 9, 1964 issues of The Minidoka County News, Rupert, Idaho, and The Northside News, Jerome, Idaho, published in the county in which the works are situated.

Regional Director
U. S. Bureau of Reclamation

(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.

Daniel W. Applegate

Daniel W. Applegate
Registered Professional Engineer
State of Idaho
No. 834

20736

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) December 3, 1963

(Address) Bureau of Reclamation, Orchard and Fairview,
Box 937, Boise, Idaho

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at the expense of the Bureau of Reclamation in the December 19 and 26, 1963 issues, and the January 2 and 9, 1964 issues of The Minidoka County News, Rupert, Idaho, and The Northside News, Jerome, Idaho, published in the county in which the works are situated.

(Signed) H. T. Nelson

Regional Director
U. S. Bureau of Reclamation

(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.

Daniel W. Applegate

Daniel W. Applegate
Registered Professional Engineer
State of Idaho
No. 834

20736

UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF THE SOLICITOR

Portland Region
Boise Field Office
P. O. Box 937
Boise, Idaho

December 3, 1963

Mr. Carl E. Tappan
State Reclamation Engineer
Department of Reclamation
Boise, Idaho

Dear Mr. Tappan:

In accordance with the discussion in your office yesterday with Mr. Clifford E. Fix, representing the A & B Irrigation District, North Side Pumping Division, and representatives of this office, we are submitting a new set of documents with respect to the publication of notice in connection with the taking of proof of completion of works and application of water to beneficial use under Permit No. 20736. These documents will supersede those submitted by our letter of October 18.

We are suggesting in these documents the taking of proof on Monday, January 13, 1964, following four publications on December 19 and 26, 1963, and January 2 and 9, 1964. This time is as rapid as can now be accomplished in view of the discussions we have had concerning the documents submitted with our letter of October 18. Following the taking of proof on January 13, 1964, we will submit to you the material then assembled and, as discussed in our conference, keep you advised of all developments with respect to this matter including, if needed, a presentation on behalf of the directors of the A & B Irrigation District of their views concerning the issuance of a water right certificate with a single priority date.

Sincerely yours,

William Burpee
Field Solicitor

Enclosure

Copy to: Clifford E. Fix
Parry, Robertson & Daly
Twin Falls, Idaho
(with enclosure)

20736

Standard Form No. 1143
7 GAO 5200
1143-105

ADVERTISING ORDER

1377

U. S. Department of the Interior, Bureau of Reclamation
Box 937, Boise, Idaho

December 4, 1963

The Publisher of The Northside News
Jerome, Idaho

AUTHORITY TO ADVERTISE
Date ....., 19.....
No. .....

Sir:

You are hereby authorized to publish the enclosed advertisement relating to application for notice of proof of completion of construction and application of water to beneficial use.

to be set solid, without paragraphing, and without any display in the heading unless otherwise expressly authorized in the specifications attached to the advertisement, in the ..... edition of your paper, 4 times, prior to January 10, 1964 or on December 19 and 26, 1963 and January 2, and 9, 1964
(Give date on which publication is desired)

provided your rates are not in excess of the commercial rates charged to private individuals, with the usual discounts.

Respectfully,

INSTRUMENT OF ASSIGNMENT
Date ....., 19.....
No. .....

W. S. Steere

Title Regional Procurement and Property Officer

INSTRUCTIONS TO PUBLISHERS

Extreme care should be exercised to insure that the specifications for advertising to be set other than solid be definite, clear, and specific since no allowance will be made for paragraphing or for display or leaded or prominent headings, unless specifically ordered, or for additional space required by the use of type other than that specified. Specifications for advertising other than solid will accompany the advertisement copy submitted to the publisher with the advertising order and copies of both documents will be furnished to the General Accounting Office with the voucher. The following is a sample of solid line advertisement set up in accordance with the usual Government requirements.

TREASURY DEPARTMENT, Office of the Supervising Architect, Washington, D. C., May 16, 1913.—Sealed proposals will be received at this office until 3 o'clock p. m. on the 20th day of June, 1913, and then opened, for an electric vault-protection system in the United States post office at Indianapolis, Ind., in accordance with the specification, copies of which may be had at this office or at the office of the custodian at the discretion of the Supervising Architect, O. Wenderoth, Supervising Architect.

Your bill for this service should be rendered upon the voucher form printed on the reverse hereof immediately after the last insertion of the advertisement. The voucher, together with a marked copy of each issue of the paper containing the advertisement, should be addressed to

Bureau of Reclamation, Box 751, Burley, Idaho 83318

If copies of the publication are not available, it will be satisfactory if an affidavit of publication is furnished in lieu thereof.

IMPORTANT

Charges for advertising when a cut, matrix, stereotype, or electrotype is furnished will be based on actual space used and no allowance will be made for shrinkage.

In no case shall an advertisement extend beyond the date and edition herein named for publication.

20736

* U.S. GOVERNMENT PRINTING OFFICE : 1960 O—572727

PUBLIC VOUCHER FOR ADVERTISING

Voucher No......

U. S. .....
(Department or establishment, bureau or office)

Voucher prepared at .....
(Give date and place)

THE UNITED STATES, Dr., To .....
(Name of publication)

.....
(Publisher or proprietor or his representative)

Address .....

PAID BY

To publication of attached advertisement in the above-named publication, as authorized by the attached Advertising Order, on ..... *as follows:*

	AMOUNT Dollars	Cts.
LINE RATES (.....(Name of type) line); .....(Number) [1] {counted / space} LINES for first insertion at ..... per line . . . . . $.....		
..... subsequent insertions of .....(Number) [1] {counted / space} LINES each at ..... per line . . . . . $.....		
OTHER RATES (.....-point per .....(Inch, square, word, or folio)): .....(Number of inches, squares, words, or folios) for first insertion at ..... per .....(Inch, square, word, or folio) $.....		
..... subsequent insertions of .....(Number of inches, squares, words, or folios) each at ..... per .....(Inch, square, word, or folio) $.....		
Amount		
Less discount at .....percent.		
Amount due.....		

(Here paste advertisement clipped from publication, including upper and lower rules, on each copy of voucher)

I certify that the above attached advertisement appeared in the publication on .....
(Give dates advertisement was published)
and that the account as stated is correct and proper for payment.

Date .....

.....
(Authorized Certifying Officer)

[2]Approved for $.....

Differences

.....

.....

.....

Amount verified; correct for .....

(Signature or initials).....

ACCOUNTING CLASSIFICATION (Appropriation Symbol must be shown; other classification optional)

20736

Paid by Check No. .....

[1] Line out words not applicable.
[2] If the ability to certify and authority to approve are combined in one person, one signature only is necessary; otherwise the approving officer will sign in the blank space below "Approved for $.....," and over his official title.

Standard Form No. 1143
GAO 5200
1143-105

ADVERTISING ORDER

No. 1376

U. S. Department of the Interior, Bureau of Reclamation
Box 937, Boise, Idaho

December 4, 19 63

The Publisher of The Minidoka County News
Rupert, Idaho

AUTHORITY TO ADVERTISE
Date ....., 19.....
No. .....

Sir:

You are hereby authorized to publish the enclosed advertisement relating to application for notice of proof of completion of construction and application of water to beneficial use.

to be set solid, without paragraphing, and without any display in the heading unless otherwise expressly authorized in the specifications attached to the advertisement, in the ..... edition of your paper, 4 times, prior to January 10, 1964 or on December 19 and 26, 1963 and January 2, and 9, 1964
(Give date on which publication is desired)

provided your rates are not in excess of the commercial rates charged to private individuals, with the usual discounts.

Respectfully,

INSTRUMENT OF ASSIGNMENT
Date ..... 19.....
No. .....

W. S. Steere

Title Regional Procurement and Property Officer

INSTRUCTIONS TO PUBLISHERS

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Your bill for this service should be rendered upon the voucher form printed on the reverse hereof immediately after the last insertion of the advertisement. The voucher, together with a marked copy of each issue of the paper containing the advertisement, should be addressed to

Bureau of Reclamation, Box 751, Burley, Idaho 83318

If copies of the publication are not available, it will be satisfactory if an affidavit of publication is furnished in lieu thereof.

IMPORTANT

Charges for advertising when a cut, matrix, stereotype, or electrotype is furnished will be based on actual space used and no allowance will be made for shrinkage.

In no case shall an advertisement extend beyond the date and edition herein named for publication.

* U.S. GOVERNMENT PRINTING OFFICE : 1980 O—872727

20736

PUBLIC VOUCHER FOR ADVERTISING

*Voucher No.*_____

U. S. _____
(Department or establishment, bureau or office)

Voucher prepared at _____
(Give date and place)

THE UNITED STATES, Dr., To _____
(Name of publication)

_____
(Publisher or proprietor or his representative)

Address _____

PAID BY

To publication of attached advertisement in the above-named publication, as authorized by the attached Advertising Order, on _____ *as follows:*

	AMOUNT Dollars	Cts.
LINE RATES (_____ (Name of type) line): _____ (Number) [1]{counted / space} LINES for first insertion		
at _____ per line . . . . . $_____		
_____ subsequent insertions of _____ (Number) [1]{counted / space} LINES each at		
_____ per line . . . . . $_____		
OTHER RATES (_____ (Size of type)-point per _____ (Inch, square, word, or folio)): _____ (Number of inches, squares, words, or folios)		
for first insertion at _____ per _____ (Inch, square, word, or folio) $_____		
_____ subsequent insertions of _____ (Number of inches, squares, words, or folios)		
each at _____ per _____ (Inch, square, word, or folio) $_____		
Amount _____		
Less discount at _____ percent.		
Amount due _____		

(Here paste advertisement clipped from publication, including upper and lower rules, on each copy of voucher)

I certify that the above attached advertisement appeared in the publication on _____
(Give dates advertisement was published)
and that the account as stated is correct and proper for payment.

[2]Approved for $_____

Date _____

_____
(Authorized Certifying Officer)

Differences

_____

_____

_____

Amount verified; correct for _____

(Signature or initials)_____

ACCOUNTING CLASSIFICATION (Appropriation Symbol must be shown; other classification optional)

20736

Paid by Check No. _____

[1] Line out words not applicable.
[2] If the ability to certify and authority to approve are combined in one person, one signature only is necessary; otherwise the approving officer will sign in the blank space below "Approved for $_____," and over his official title.

20736

November 4, 1963

COPY

Ltr: 405

Glenn H. Simmons, Acting Project Superintendent
Minidoka Project
1359 Hansen Avenue
Burley, Idaho

Dear Mr. Simmons:

Enclosed are copies of four of the well logs you requested in your letter of October 30, 1963. We do not have the other logs. However we are sending you two other logs in Section 25, Township 7 South, Range 25 East, and one in Section 17, Township 8 South, Range 26 East. We hope they may be of some value to you in your study.

If you could obtain the names of the drillers who drilled the wells for which we have no logs we will contact them and try to get the logs.

Thank you for the map. We can use it in the office here.

If we can be of further assistance please let us know.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

CET:mr

Enc. copies of logs 7

20736

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
MINIDOKA PROJECT OFFICE
1359 HANSEN AVENUE, BURLEY, IDAHO

IN REPLY
REFER TO: 405

October 30, 1963

State Reclamation Engineer
Capitol Building
Boise, Idaho

Dear Sir:

In order to improve our knowledge of the movement of ground water,in and out of the North Side Pumping Division of the Minidoka Project, several deep wells have been selected outside the area to be added to the observation program. Static measurements at these wells are to be made three times a year -- about November 1st, March 15th and July 20th.

Copies of well logs of the following wells are needed, if they are available in your office.

	Description	Type Well	Owner
1.	Sec. 28, Twp. 8 S., R. 22 E.	Production	George Brandon
2.	Sec. 29, Twp. 8 S., R. 22 E.	Production	George Brandon
3.	Sec. 15, Twp. 7 S., R. 25 E. (Drilled 1963)	Production	Dale Klinger Farms Dan Lindauer, original owner
4.	Sec. 25, Twp. 7 S., R. 25 E.	Production	Capital Company
5,	Sec. 32, Twp. 7 S., R. 26 E.	Production	Russel Farms
6.	Sec. 15, Twp. 8 S., R. 26 E.	Production	
7.	Sec. 15, Twp. 8 S., R. 26 E.	Domestic	
8.	Sec. 7, Twp. 8 S., R. 26 E.	Production	

20726

Attached is a map with the approximate location of the above wells marked in red. This map may help you in locating the wells we are interested in at this time.

Very truly yours

Glenn H. Simmons

Glenn H. Simmons
Acting Project Superintendent

Attachment

207736

October 29, 1963

Re: Permit No. 20736
United States of America

Attorney General's Office
Building

Attn: Stephen W. Boller

Dear Mr. Boller:

Enclosed is our file on the noted permit. Pertinent correspondence is clamped together except for proposed legal notice and authority for publication.

Conditions of the Permit
Application filed September 9, 1948
Permit approved November 5, 1948
Proof of Completion of Works due Nov. 5, 1953
Beneficial use of Water Proof due Nov. 5, 1963

In the correspondence, a blue tab, marked #1, is at an order of the State Reclamation Engineer. Blue tab, marked #2, and other correspondence are above tab #1.

Proof of Completion of Works was extended to Nov. 5, 1958, which extends date for beneficial use proof to November 5, 1968, according to ordinary office procedure.

Question: Can this office accept the proposed legal notice which is for proof of completion of works and beneficial use of the water?

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

20736

ROBERT E. SMYLIE
Governor

CARL E. TAPPAN
State Reclamation Engineer

New Burpee
Atty Bus Rec

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

October 29, 1963

Re: Permit No. 20736
United States of America

Attorney General's Office
Building

Attn: Stephen W. Boller

Dear Mr. Boller:

Enclosed is our file on the noted permit. Pertinent correspondence is clamped together except for proposed legal notice and authority for publication.

Conditions of the Permit
Application filed September 9, 1948
Permit approved November 5, 1948
Proof of Completion of Works due Nov. 5, 1953
Beneficial use of Water Proof due Nov. 5, 1963

In the correspondence, a blue tab, marked #1, is at an order of the State Reclamation Engineer. Blue tab, marked #2, and other correspondence are above tab #1.

Proof of Completion of Works was extended to Nov. 5, 1958, which extends date for beneficial use proof to November 5, 1968, according to ordinary office procedure.

Queston: Can this office accept the proposed legal notice which is for proof of completion of works and beneficial use of the water? at this late date - 1963 instead of 1958

Very truly yours,

Ralph W Thomas

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

20736

January 7, 1963

Mr. Roger Dean
909 J Street
Rupert, Idaho

Dear Mr. Dean:

This acknowledges receipt of your letter of protest dated January 6, 1964, protesting the Bureau of Reclamation request for water priority rights of 1948.

A formal protest requires a written statement stating name, address and a clear statement of objections subscribed and sworn to by a qualified protestant.

Very truly yours,

CARL F. TAPPAN
State Reclamation Engineer

CFT:ew

cc: U. S. Dept. of Interior
Office of the Solicitor
Boise Field Office
Attn: William Burpee

Permit No. 20736
Supplement "C"

PRODUCTION WELL DATA

NORTH SIDE PUMPING DIVISION

Well No.	Depth of Well (ft.)	Depth of Casing (ft.)	Size of Casing (inch.)	Original Depth to Water (ft.)	*Name of Driller
1A823	369	0-20	25	235	B
1B823	371	0-25	21	235	B
1C823	298	0-28	21	205	A
1A824	228	0-8	21	167	A
1A921	406	0-12	21	322	A
2A823	327	0-28	28	214	B
2A824	236	0-186	12	165	F
2A923	247	0-106	17	142	B
		173-247	14		
2A1021	646	0-32	24	336	G
3A824	335	0-24	25	184	B
3B824	302	0-23	24	184	B
3A825	359	0-15	25	209	B
3B825	340	0-15	25	209	B
3C825	367	0-29	21	202	D
3D825	258	0-30	17	203	D
3E825	304	0-10	21	211	D
3A921	401	0-88	17	301	A
3B921	390	0-22	21	300	A
3C921	396	0-22	25	302	F
		0-346	20		
3A922	320	0-11	21	222	F
3B922	327	0-16	19	222	F
3A923	380	0-256	19	168	B
3B923	285	0-24	24	134	B
		0-5	17		
		5-243	14		
3A1022	429	0-296	18	255	A
		235-310	17		
		303-400	14		
4A823	368	0-16	25	233	B
4B823	310	0-16	25	232	B
4A824	320	0-49	24	185	B
4B824	313	0-37	24	192	A
4C824	305	0-53	22	195	G
5B823	333	0-9	24	239	B
5C823	388	0-9	24	238	B
5A825	280	0-232	24	199	B
5B825	280	0-224	18	200	B
6A824	364	0-35	21	229	B
6B824	297	0-37	25	220	B
6C824	302	0-20	19	197	F
6A825	257	0-185	18	167	B
6B825	248	0-181	16	165	B
6A923	259	0-130	21	174	B
		0-123	20		
		123-245	18		
6B923	206	0-107	21	158	B

20736

Sheet

Well No.	Depth of Well (ft.)	Depth of Casing (ft.)	Size of Casing (inch.)	Original Depth to Water (ft.)	*Name of Driller
7B824	240	0-34	20	168	A
7A922	543	0-22	26	276	B
		386-454	20		
7B922	352	0-5	21	277	B
8A823	351	0-20	24	233	B
8A824	333	0-30	20	178	B
9A922	323	0-65	23	250	F
		0-176	19		
		168-323	17		
9B922	425	0-18	21	250	F
		0-131	18		
		129-301	16		
10A823	332	0-70	21	204	A
10B823	260	0-7	21	214	A
10A824	258	0-24	24	171	A
10B824	238	0-37	21	154	A
10C824	240	0-22	22	164	G
10A922	309	0-161	19	210	F
11A824	225	0-51	20	167	A
11B824	246	0-47	20	165	B
11C824	234	0-25	20	156	B
11A825	230	0-9	21	178	B
11B922	406	0-231	22	191	A
		297-352	18		
		337-392	16		
11C922	494	0-20	24	197	A
		0-124	22		
		112-313	18		
		311-416	16		
		402-494	12		
12A823	316	0-16	21	211	A
12B823	314	0-14	21	211	A
12C823	289	0-28	25	198	A
12D823	301	0-26	21	197	A
12A824	241	0-18	21	148	E
12A825	272	0-34	26	187	B
12B825	230	0-33	21	187	B
13A824	250	0-48	25	155	B
13B824	209	0-39	20	155	B
13A825	250	0-10	17	157	F
14A823	297	0-8	21	198	A
14B823	279	0-11	21	198	A
14A824	235	0-36	24	131	A
14C825	209	0-14	21	163	I
15A823	307	0-9	25	209	A
15B823	303	0-12	21	209	A
15D823	288	0-10	21	193	B
15A824	232	0-41	21	147	A
15A825	271	0-20	25	152	F
15B825	250	0-12	21	152	F
		0-116	17		

20736

Well No.	Depth of Well (ft.)	Depth of Casing (ft.)	Size of Casing (in.)	Original Depth to Water (ft.)	*Name of Driller
15A922	391	0-24	25	237	E
15B922	370	0-21	21	193	E
		226-246	16		
17A823	270	0-14	21	199	B
17B823	278	0-25	16	193	B
17C823	302	0-268	14	221	A
17A825	211	0-26	21	131	F
18A824	265	0-40	25	182	B
18A922	330	0-10	21	247	E
18B922	310	0-12	12	247	E
19A823	300	0-16	21	216	B
19B823	290	0-35	21	217	B
19A825	219	0-64	25	120	B
19B825	220	0-74	20	120	B
19C825	222	0-31	20	127	E
19D825	222	0-30	21	127	E
19A922	422	0-340	18	293	A
		337-345	16		
		345-387	12		
20A922	381	0-19	21	251	F
21A823	286	0-14	25	187	B
21A824	250	0-33	24	140	B
21B824	347	0-27	21	145	B
21A825	230	0-38	21	127	F
22A724	257	0-12	18	206	I
22B724	303	0-14	21	211	D
22C724	307	0-12	21	197	D
22A821	390	0-14	21	307	A
22A823	281	0-20	25	192	B
22A824	246	0-42	20	132	B
22A922	1000	0-25	24	249	E
		0-384	19		
		360-480	16		
		457-510	12		
		492-691	10		
23A724	295	0-10	21	207	D
23A823	291	0-24	21	195	B
23B823	300	0-18	17	199	B
23A824	260	0-77	24	137	B
23A825	276	0-14	25	160	F
23B825	215	0-20	21	160	F
24A821	400	0-10	17	311	A
24A823	315	0-31	25	149	A
24B823	257	0-22	20	146	A
24C823	240	0-12	21	146	A
24A825	247	0-10	21	155	F
25A823	226	0-24	20	152	A
26A724	262	0-39	21	193	D
26B724	238	0-12	16	169	I
26A821	527	0-17	25	325	A
26B821	587	0-74	21	327	A
26A823	300	0-18	21	163	B

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Well No.	Depth of Well (ft.)	Depth of Casing (ft.)	Size of Casing (in.)	Original Depth to Water (ft.)	*Name of Driller
26A824	208	0-11	25	118	B
27A725	350	0-10	18	203	I
27A823	299	0-20	21	186	B
27B823	229	0-24	21	168	B
27C823	260	0-21	20	178	C
28A724	303	0-24	21	214	D
28B724	353	0-22	21	213	D
28A823	261	0-19	25	183	B
28B823	262	0-18	25	183	B
28C823	251	0-17	21	176	B
28A922	442	0-48	21	230	A
29A725	323	0-258	16	242	D
		258-293	17		
29A823	286	0-145	20	189	B
29B823	250	0-126	20	189	B
29A824	235	0-31	21	119	E
30A724	395	0-13	25	246	B
30B724	394	0-13	25	247	B
30A725	298	0-255	20	227	D
30A822	516	0-19	21	280	A
30A824	258	0-22	21	146	E
30B824	207	0-32	21	124	E
30A922	510	0-17	21	238	A
		0-339	18		
31A724	366	0-38	24	235	B
31A725	252	0-192	17	186	D
		192-221	18		
31A823	236	0-14	21	180	B
		8-140	18		
31A824	302	0-101	24	159	A
		101-175	23		
31B824	270	0-169	21	159	A
32A724	395	0-20	24	211	B
32B724	397	0-26	20	211	B
32A725	234	0-7	21	184	D
		0-152	17		
		152-192	16		
33A724	389	0-25	20	207	B
33B724	286	0-31	21	209	D
33A725	301	0-226	18	204	D
33B922	485	0-325	21	239	A
		0-32	24		
33C922	463	0-277	14	233	A
		277-332	12		
34A723	321	0-28	21	229	B
34B723	324	0-38	21	226	B
34A724	259	0-12	25	187	B
34A725	279	0-97	21	216	D
		97-109	22		

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Well No.	Depth of Well (ft.)	Depth of Casing (ft.)	Size of Casing (inch.)	Original Depth to Water (Ft.)	*Name of Driller
34A823	234	0-234	18	145	B
35A724	270	0-72	25	190	B
35B724	275	0-64	20	190	B
35A821	381	0-23	21	305	A
35B821	360	0-49	21	320	A
35C821	417	0-18	21	330	A
35D821	352	0-20	21	312	A
35A822	246	0-22 0-140	25 22	204	B
35B822	245	0-140	18	204	B
35C822	286	0-13	19	237	F
35A823	266	0-24 0-235	25 18	145	B
35B823	267	0-165	17	143	B
35C823	298	0-216	21	144	B
35D823	231	0-190	16	140	B

* A - Commons Drilling Co., Rupert, Idaho
B - Strasser Drilling Co., Rupert, Idaho
C - Jim Schoonover, Burley, Idaho
D - Denton Drilling Co., Murtaugh, Idaho
E - George Perry, address unknown
F - C. B. Eaton & Sons, Wendell, Idaho
G - Bishop & Denton Drilling Co.
(Company has been dissolved)
H - George Gailey, Murtaugh, Idaho
I - Lyon Drilling Co., 8195 Lankershim Blvd.
North Hollywood, Calif.

20736

Permit No. 20736
Supplement "B"

TABULATION OF IRRIGABLE ACREAGE ON NORTH SIDE PUMPING DIVISION - UNIT B
RECEIVING WATER UNDER PERMIT NO. 20736

Twp. 7 S., Range 23 E., B.M.

Sec.	Irrigated Acreage
34	75.8

Twp. 7 S., Range 24 E., B.M.

Sec.	
22	359.3
23	494.2
26	488.3
27	480.5
28	360.0
29	337.4
30	126.3
31	293.4
32	579.2
33	568.3
34	519.1
35	483.8

Twp. 7 S., Range 25 E., B.M.

Sec.	
27	102.7
29	124.1
30	311.3
31	422.7
32	512.3
33	493.9
34	276.6

Twp. 8 S., Range 21 E., B.M.

Sec.	
22	158.4
23	185.8
24	65.0
25	316.4
26	573.3
27	212.0
33	108.0
34	248.2
35	605.5

20736

Twp. 8 S., Range 22 E., B.M.

Sec.	Irrigated Acreage
30	29.3
35	206.3

Twp. 8 S., Range 23 E., B.M.

Sec.	
1	606.3
2	577.4
3	557.9
4	450.7
5	382.6
6	19.0
8	302.8
9	538.6
10	549.7
11	578.[illegible]
12	594.2
13	606.3
14	571.[illegible]
15	592.3
17	348.3
19	111.4
20	458.7
21	599.9
22	577.5
23	576.3
24	579.1
25	508.0
26	596.4
27	584.7
28	610.0
29	564.6
30	245.1
31	213.2
32	536.2
33	592.4
34	606.0
35	603.0

20736

Twp. 8 S., Range 24 E., B.M.

Sec.	Irrigated Acreage
1	508.3
2	551.9
3	581.2
4	572.4
5	565.2
6	530.3
7	525.7
8	572.6
9	586.5
10	604.3
11	620.7
12	420.0
13	513.9
14	588.9
15	613.7
17	577.1
18	525.1
19	539.6
20	532.7
21	521.1
22	557.9
23	559.9
24	475.6
25	301.9
26	243.0
27	158.7
28	453.0
29	537.4
30	529.0
31	483.6
32	253.8

Twp. 8 S., Range 25 E., B.M.

Sec.	
3	512.0
4	579.2
5	574.3
6	376.0
7	507.4
8	361.3
9	191.4

20736

Twp. 8 S., Range 25 E., M.M.

Sec.	Irrigated Acreage
10	521.9
11	478.3
12	325.8
13	208.0
14	580.6
15	493.9
16	31.9
17	573.7
18	574.9
19	542.5
20	423.2
21	543.9
22	402.9
23	533.5
24	201.2
27	73.9
28	291.9
29	144.6
30	27.6

Twp. 9 S., Range 21 E., M.M.

Sec.	
1	225.2
2	366.3
3	477.2
4	360.0
9	363.4
10	75.0
24	23.4

Twp. 9 S., Range 22 E., M.M.

Sec.	
1	510.6
2	490.6
3	275.8
4	154.0
7	114.4
8	505.9
9	423.4

20736

Twp. 9 S., Range 22 E., M.

Sec.	Irrigated Acreage
10	599.5
11	469.7
12	203.3
15	253.3
17	589.3
18	247.3
19	426.1
20	947.4
21	124.3
22	134.5
28	196.4
29	270.0
30	45.0
32	42.5
33	413.5
34	68.3

Twp. 9 S., Range 23 E.,M.M.

Sec.	
2	214.1
3	323.5
4	209.3
5	269.0
6	282.3
7	32.6

Twp. 10 S., Range 21 E.,M.M.

Sec.	
3	202.4
4	201.3

Twp. 10 S., Range 22 E.,M.M.

Sec.	
3	230.6

Total Irrigated Acreage- - - - - - 62,604.3

20736

Permit No. 20736
Supplement "B"

TABULATION OF IRRIGABLE ACREAGE ON NORTH SIDE PUMPING DIVISION - UNIT B
RECEIVING WATER UNDER PERMIT NO. 20736

Twp. 7 S., Range 23 E., B.M.

Sec.	Irrigated Acreage
34	75.8

Twp. 7 S., Range 24 E., B.M.

Sec.	
22	359.3
23	494.2
26	488.3
27	480.5
28	360.0
29	337.4
30	126.3
31	293.4
32	579.2
33	568.3
34	519.1
35	483.8

Twp. 7 S., Range 25 E., B.M.

Sec.	
27	102.7
29	124.1
30	311.3
31	422.7
32	512.3
33	493.9
34	276.6

Twp. 8 S., Range 21 E., B.M.

Sec.	
22	158.4
23	185.8
24	65.0
25	316.4
26	573.3
27	212.0
33	108.0
34	248.2
35	605.5

20736

Twp. 8 S., Range 22 E., M.M.

Sec.	Irrigated Acreage
30	29.3
35	206.3

Twp. 8 S., Range 23 E., M.M.

Sec.	
1	606.3
2	577.4
3	557.[illegible]
4	450.7
5	382.[illegible]
6	19.0
8	302.8
9	538.6
10	549.7
11	578.[illegible]
12	594.2
13	606.3
14	571.[illegible]
15	592.3
17	348.3
19	111.4
20	459.7
21	599.9
22	577.5
23	576.3
24	579.1
25	508.0
26	596.4
27	584.7
28	610.0
29	564.6
30	245.1
31	213.2
32	536.2
33	592.4
34	606.0
35	603.0

20736

Twp. 8 S., Range 24 E.,F.M.

Sec.	Irrigated Acreage
1	508.3
2	551.9
3	581.2
4	573.4
5	565.2
6	530.3
7	525.7
8	572.6
9	586.5
10	604.3
11	620.7
12	420.0
13	513.9
14	588.5
15	613.7
17	577.1
18	529.1
19	539.6
20	532.7
21	521.1
22	557.9
23	559.9
24	475.6
25	301.9
26	243.0
27	158.7
28	453.0
29	537.4
30	529.0
31	483.6
32	253.8

Twp. 8 S., Range 25 E.,M.M.

Sec.	
3	512.0
4	579.2
5	574.3
6	376.0
7	507.4
8	361.3
9	191.4

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Twp. 8 S., Range 25 E., P.M.

Sec.	Irrigated Acreage
10	521.9
11	478.3
12	325.8
13	208.0
14	580.6
15	493.9
16	31.9
17	573.7
18	574.9
19	542.8
20	423.2
21	543.9
22	402.9
23	533.5
24	201.2
27	73.9
28	291.9
29	114.4
30	27.6

Twp. 9 S., Range 21 E., P.M.

Sec.	
1	225.2
2	366.3
3	477.2
4	360.0
9	363.4
10	75.0
24	23.4

Twp. 9 S., Range 22 E., P.M.

Sec.	
1	510.6
2	490.6
3	275.8
4	154.0
7	114.4
8	505.9
9	423.4

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Twp. 9 S., Range 22 E., M.D.M.

Sec.	Irrigated Acreage
10	599.5
11	469.7
12	203.1
15	253.3
17	585.3
18	247.3
19	426.1
20	547.4
21	124.3
22	134.6
28	196.4
29	278.0
30	45.9
32	42.5
33	413.9
34	68.3

Twp. 9 S., Range 23 E., M.D.M.

Sec.	
2	214.1
3	322.5
4	209.3
5	209.0
6	282.3
7	32.6

Twp. 10 S., Range 21 E., M.D.M.

Sec.	
3	202.4
4	201.3

Twp. 10 S., Range 22 E., M.D.M.

Sec.	
3	230.6

Total Irrigated Acreage- - - - - - 82,604.3

20736

8½ x 11 — 5 columns
With description column

Permit No. 20736
Supplement "A"

WELL NUMBER	LOCATION				
	Description	Section	Twp. South	Range East	
1A823	NW¼NE¼	1	8	23	✓
1B823	NW¼NE¼	1	8	23	✓
1C823	SW¼SW¼	1	8	23	✓
1A824	SE¼NE¼	1	8	24	✓
1A921	NE¼SW¼	1	9	21	✓
2A823	NE¼SW¼	2	8	23	✓
2A824	NE¼SE¼	2	8	24	✓
2A923	SW¼NE¼	2	9	23	✓
2A1021	NW¼SW¼	2	10	21	✓
3A824	SE¼NE¼	3	8	24	✓
3B824	SE¼NE¼	3	8	24	✓
3A825	NE¼NW¼	3	8	25	✓
3B825	NE¼NW¼	3	8	25	✓
3C825	NW¼NW¼	3	8	25	✓
3D825	NW¼NW¼	3	8	25	✓
3E825	NE¼SE¼	3	8	25	✓
3A921	NE¼SE¼	3	9	21	✓
3B921	NW¼SW¼	3	9	21	✓
3C921	SE¼SW¼	3	9	21	✓
3A922	SE¼SE¼	3	9	22	✓
3B922	SE¼SE¼	3	9	22	✓
3A923	NW¼SW¼	3	9	23	✓
3B923	SE¼NE¼	3	9	23	✓
3A1022	NW¼SW¼	3	10	22	✓
4A823	SW¼SW¼	4	8	23	✓
4B823	SW¼SW¼	4	8	23	✓
4A824	SW¼NE¼	4	8	24	✓
4B824	SW¼SW¼	4	8	24	✓
4C824	SW¼SW¼	4	8	24	✓
5B823	SE¼NE¼	5	8	23	✓
5C823	SE¼NE¼	5	8	23	✓
5A825	NE¼NE¼	5	8	25	✓
5B825	NE¼NE¼	5	8	25	✓
6A824	NW¼SW¼	6	8	24	✓
6B824	NE¼NW¼	6	8	24	✓
6C824	NE¼SW¼	6	8	24	✓
6A825	NE¼SW¼	6	8	25	✓
6B825	NE¼SE¼	6	8	25	✓
6A923	SE¼NE¼	6	9	23	✓
1A909	Lot 5	6	9	25	

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8½ x 11 — 5 columns
With description column

WELL NUMBER	LOCATION Description	Section	Twp. South	Range East	
7B824	NE¼SE¼	7	8	24	✓
7A922	NE¼NE¼	7	9	22	✓
7B922	SE¼NE¼	7	9	22	✓
8A823	NE¼SE¼	8	8	23	✓
8A824	SE¼NE¼	8	8	24	✓
9A922	NE¼SW¼	9	9	22	✓
9B922	SW¼NW¼	9	9	22	✓
10A823	SE¼NE¼	10	8	23	✓
10B823	SW¼SW¼	10	8	23	✓
10A824	SW¼NE¼	10	8	24	✓
10B824	SE¼SW¼	10	8	24	✓
10C824	SW¼NW¼	10	8	24	✓
10A922	SW¼NE¼	10	9	22	✓
11A824	NE¼NW¼	11	8	24	✓
11B824	NE¼NW¼	11	8	24	✓
11C824	NW¼SE¼	11	8	24	✓
11A825	SW¼SE¼	11	8	25	✓
11B922	NE¼NW¼	11	9	22	✓
11C922	NW¼NE¼	11	9	22	✓ ← 2 NWSE
12A823	SW¼NE¼	12	8	23	✓
12B823	SW¼NE¼	12	8	23	✓
12C823	SE¼SW¼	12	8	23	✓
12D823	SE¼SW¼	12	8	23	✓
12A824	NW¼NE¼	12	8	24	✓
12A825	NW¼NW¼	12	8	25	✓
12B825	NW¼NW¼	12	8	25	✓
13A824	NW¼NE¼	13	8	24	✓
13B824	NW¼NE¼	13	8	24	✓
13A825	SW¼SW¼	13	8	25	✓
14A823	NW¼NW¼	14	8	23	✓
14B823	NW¼NW¼	14	8	23	✓
14A824	SE¼SW¼	14	8	24	✓
14C825	NE¼SW¼	14	8	25	✓
15A823	NE¼NW¼	15	8	23	
15B823	NE¼NW¼	15	8	23	✓
15D823	SE¼SE¼	15	8	23	✓
15A824	SW¼NW¼	15	8	24	✓
15A825	SW¼SW¼	15	8	25	✓
15B825	SW¼SW¼	15	8	25	✓
15A922	SW¼NE¼	15	9	22	✓

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WELL NUMBER	LOCATION Description	Section	Twp. South	Range East	
15B922	SW¼NE¼	15	9	22	✓
17A823	SE¼SE¼	17	8	23	✓
17B823	SE¼SE¼	17	8	23	✓
17C823	NE¼NW¼	17	8	23	✓
17A825	NE¼NE¼	17	8	25	✓
18A824	SW¼NW¼	18	8	24	✓
18A922	SW¼SE¼	18	9	22	✓
18B922	SW¼SE¼	18	9	22	✓
19A823	Lot 4	19	8	23	✓
19B823	Lot 4	19	8	23	✓
19A825	NW¼NE¼	19	8	25	✓
19B825	NW¼NE¼	19	8	25	✓
19C825	SW¼NW¼	19	8	25	✓
19D825	SW¼NW¼	19	8	25	✓
19A922	SW¼NW¼	19	9	22	✓
20A922	NE¼NE¼	20	9	22	✓
21A823	SE¼NE¼	21	8	23	
21A824	SW¼SW¼	21	8	24	✓
21B824	NW¼NE¼	21	8	24	✓
21A825	SE¼SW¼	21	8	25	✓
22A724	NW¼SE¼	22	7	24	✓
22B724	SW¼SW¼	22	7	24	✓
22C724	SE¼SE¼	22	7	24	✓
22A821	NE¼SE¼	22	8	21	✓
22A823	SE¼SW¼	22	8	23	✓
22A824	NE¼SE¼	22	8	24	✓
22A922	SW¼NE¼	22	9	22	✓
23A724	SW¼NE¼	23	7	24	✓
23A823	NW¼SW¼	23	8	23	✓
23B823	NW¼SW¼	23	8	23	✓
23A824	SE¼SW¼	23	8	24	✓
23A825	NW¼NW¼	23	8	25	✓
23B825	NW¼NW¼	23	8	25	✓
24A821	SE¼NW¼	24	8	21	✓
24A823	SE¼SW¼	24	8	23	✓
24B823	SE¼SW¼	24	8	23	✓
24C823	NW¼NW¼	24	8	23	✓
24A825	NW¼NW¼	24	8	25	✓
25A823	SE¼NW¼	25	8	23	✓
[illegible]	[illegible]	[illegible]	7	[illegible]	✓

? NW SW

20736

WELL NUMBER	LOCATION Description	Section	Twp. South	Range East
26B724	SE¼NE¼	26	7	24
26A821	SE¼NE¼	26	8	21
26B821	SE¼NE¼	26	8	21
26A823	NW¼SE¼	26	8	23
26A824	SW¼NE¼	26	8	24
27A725	SE¼SW¼	27	7	25
27A823	NE¼NE¼	27	8	23
27B823	SE¼SW¼	27	8	23
27C823	SE¼NW¼	27	8	23
28A724	SW¼NE¼	28	7	24
28B724	SW¼NE¼	28	7	24
28A823	SW¼SW¼	28	8	23
28B823	SW¼SW¼	28	8	23
28C823	NE¼SW¼	28	8	23
28A922	SE¼SE¼	28	9	22
29A725	NE¼SW¼	29	7	25
29A823	SE¼NE¼	29	8	23
29B823	SE¼NE¼	29	8	23
29A824	NW¼SE¼	29	8	24
30A724	NW¼SE¼	30	7	24
30B724	NW¼SE¼	30	7	24
30A725	NE¼SE¼	30	7	25
30A822	NW¼SW¼	30	8	22
30A824	NE¼NW¼	30	8	24
30B824	NW¼SE¼	30	8	24
30A922	NE¼NE¼	30	9	22
31A724	SW¼NE¼	31	7	24
31A725	NE¼SW¼	31	7	25
31A823	NE¼SE¼	31	8	23
31A824	SE¼SW¼	31	8	24
31B824	SE¼SW¼	31	8	24
32A724	SE¼NE¼	32	7	24
32B724	SE¼NE¼	32	7	24
32A725	NE¼SW¼	32	7	25
33A724	NW¼SE¼	33	7	24
33B724	NW¼SE¼	33	7	24
33A725	SW¼NW¼	33	7	25
33B922	NE¼SE¼	33	9	22
33C922	NE¼SE¼	33	9	22

SWSE ?

?NWSE

20736

8½ x 11 — 5 columns
With description column

WELL NUMBER	LOCATION				
	Description	Section	Twp. South	Range East	
34B723	SE¼SW¼	34	7	23	✓
34A724	SE¼NW¼	34	7	24	✓
34A725	NE¼SW¼	34	7	25	✓
34A823	SE¼SW¼	34	8	23	✓
35A724	SW¼SE¼	35	7	24	✓
35B724	SW¼SE¼	35	7	24	✓
35A821	NE¼NE¼	35	8	21	✓
35B821	SE¼SE¼	35	8	21	✓
35C821	SE¼SE¼	35	8	21	✓
35D821	SW¼SW¼	35	8	21	✓
35A822	SW¼SE¼	35	8	22	✓
35B822	SW¼SE¼	35	8	22	✓
35C822	NW¼NE¼	35	8	22	✓
35A823	NW¼NW¼	35	8	23	✓
35B823	NW¼SE¼	35	8	23	✓
35C823	SW¼SW¼	35	8	23	✓
35D823	SE¼SE¼	35	8	23	✓

20736

With description attached

Permit No. 20736
Supplement "A"

WELL NUMBER	LOCATION			
	Description	Section	Twp. South	Range East
1A823	NW¼NE¼	1	8	23
1B823	NW¼NE¼	1	8	23
1C823	SW¼SW¼	1	8	23
1A824	SE¼NE¼	1	8	24
1A921	NE¼SW¼	1	9	21
2A823	NE¼SW¼	2	8	23
2A824	NE¼SE¼	2	8	24
2A923	SW¼NE¼	2	9	23
2A1021	NW¼SW¼	2	10	21
3A824	SE¼NE¼	3	8	24
3B824	SE¼NE¼	3	8	24
3A825	NE¼NW¼	3	8	25
3B825	NE¼NW¼	3	8	25
3C825	NW¼NW¼	3	8	25
3D825	NW¼NW¼	3	8	25
3E825	NE¼SE¼	3	8	25
3A921	NE¼SE¼	3	9	21
3B921	NW¼SW¼	3	9	21
3C921	SE¼SW¼	3	9	21
3A922	SE¼SE¼	3	9	22
3B922	SE¼SE¼	3	9	22
3A923	NW¼SW¼	3	9	23
3B923	SE¼NE¼	3	9	23
3A1022	NW¼SW¼	3	10	22
4A823	SW¼SW¼	4	8	23
4B823	SW¼SW¼	4	8	23
4A824	SW¼NE¼	4	8	24
4B824	SW¼SW¼	4	8	24
4C824	SW¼SW¼	4	8	24
5B823	SE¼NE¼	5	8	23
5C823	SE¼NE¼	5	8	23
5A825	NE¼NE¼	5	8	25
5B825	NE¼NE¼	5	8	25
6A824	NW¼SW¼	6	8	24
6B824	NE¼NW¼	6	8	24
6C824	NE¼SE¼	6	8	24
6A825	NE¼SE¼	6	8	25
6B825	NE¼SE¼	6	8	25
6A923	SE¼NE¼	6	9	23
6B923	[illegible]	6	9	23

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WELL NUMBER	LOCATION Description	Section	Twp. South	Range East
1A823	NW¼NE¼	1	8	23
1B823	NW¼NE¼	1	8	23
1C823	SW¼SW¼	1	8	23
1A824	SE¼NE¼	1	8	24
1A921	NE¼SW¼	1	9	21
2A823	NE¼SW¼	2	8	23
2A824	NE¼SE¼	2	8	24
2A923	SW¼NE¼	2	9	23
2A1021	NW¼SW¼	2	10	21
3A824	SE¼NE¼	3	8	24
3B824	SE¼NE¼	3	8	24
3A825	NE¼NW¼	3	8	25
3B825	NE¼NW¼	3	8	25
3C825	NW¼NW¼	3	8	25
3D825	NW¼NW¼	3	8	25
3E825	NE¼SE¼	3	8	25
3A921	NE¼SE¼	3	9	21
3B921	NW¼SW¼	3	9	21
3C921	SE¼SW¼	3	9	21
3A922	SE¼SE¼	3	9	22
3B922	SE¼SE¼	3	9	22
3A923	NW¼SW¼	3	9	23
3B923	SE¼NE¼	3	9	23
3A1022	NW¼SW¼	3	10	22
4A823	SW¼SW¼	4	8	23
4B823	SW¼SW¼	4	8	23
4A824	SW¼NE¼	4	8	24
4B824	SW¼SW¼	4	8	24
4C824	SW¼SW¼	4	8	24
5B823	SE¼NE¼	5	8	23
5C823	SE¼NE¼	5	8	23
5A825	NE¼NE¼	5	8	25
5B825	NE¼NE¼	5	8	25
6A824	NW¼SW¼	6	8	24
6B824	NE¼NW¼	6	8	24
6C824	NE¼SE¼	6	8	24
6A825	NE¼SE¼	6	8	25
6B825	NE¼SE¼	6	8	25
6A923	SE¼NE¼	6	9	23
6B923	Lot 5	6	9	23

20736

8½ x 11 — 5 lashings
With description column

WELL NUMBER	LOCATION Description	Section	Twp. South	Range East
7B824	NE¼SE¼	7	8	24
7A922	NE¼NE¼	7	9	22
7B922	SE¼NE¼	7	9	22
8A823	NE¼SE¼	8	8	23
8A824	SE¼NE¼	8	8	24
9A922	NE¼SW¼	9	9	22
9B922	SW¼NW¼	9	9	22
10A823	SE¼NE¼	10	8	23
10B823	SW¼SW¼	10	8	23
10A824	SW¼NE¼	10	8	24
10B824	SE¼SW¼	10	8	24
10C824	SW¼NW¼	10	8	24
10A922	SW¼NE¼	10	9	22
11A824	NE¼NW¼	11	8	24
11B824	NE¼NW¼	11	8	24
11C824	NW¼SE¼	11	8	24
11A825	SW¼SE¼	11	8	25
11B922	NE¼NW¼	11	9	22
11C922	NW¼NE¼	11	9	22
12A823	SW¼NE¼	12	8	23
12B823	SW¼NE¼	12	8	23
12C823	SE¼SW¼	12	8	23
12D823	SE¼SW¼	12	8	23
12A824	NW¼NE¼	12	8	24
12A825	NW¼NW¼	12	8	25
12B825	NW¼NW¼	12	8	25
13A824	NW¼NE¼	13	8	24
13B824	NW¼NE¼	13	8	24
13A825	SW¼SW¼	13	8	25
14A823	NW¼NW¼	14	8	23
14B823	NW¼NW¼	14	8	23
14A824	SE¼SW¼	14	8	24
14C825	NE¼SW¼	14	8	25
15A823	NE¼NW¼	15	8	23
15B823	NE¼NW¼	15	8	23
15D823	SE¼SE¼	15	8	23
15A824	SW¼NW¼	15	8	24
15A825	SW¼SW¼	15	8	25
15B825	SW¼SW¼	15	8	25
[illegible]	SW¼NW¼	15	9	22

20206

8½ x 11 — 5 columns
With description column

WELL NUMBER	LOCATION Description	Section	Twp. South	Range East
7B824	NE¼SE¼	7	8	24
7A922	NE¼NE¼	7	9	22
7B922	SE¼NE¼	7	9	22
8A823	NE¼SE¼	8	8	23
8A824	SE¼NE¼	8	8	24
9A922	NE¼SW¼	9	9	22
9B922	SW¼NW¼	9	9	22
10A823	SE¼NE¼	10	8	23
10B823	SW¼SW¼	10	8	23
10A824	SW¼NE¼	10	8	24
10B824	SE¼SW¼	10	8	24
10C824	SW¼NW¼	10	8	24
10A922	SW¼NE¼	10	9	22
11A824	NE¼NW¼	11	8	24
11B824	NE¼NW¼	11	8	24
11C824	NW¼SE¼	11	8	24
11A825	SW¼SE¼	11	8	25
11B922	NE¼NW¼	11	9	22
11C922	NW¼NE¼	11	9	22
12A823	SW¼NE¼	12	8	23
12B823	SW¼NE¼	12	8	23
12C823	SE¼SW¼	12	8	23
12D823	SE¼SW¼	12	8	23
12A824	NW¼NE¼	12	8	24
12A825	NW¼NW¼	12	8	25
12B825	NW¼NW¼	12	8	25
13A824	NW¼NE¼	13	8	24
13B824	NW¼NE¼	13	8	24
13A825	SW¼SW¼	13	8	25
14A823	NW¼NW¼	14	8	23
14B823	NW¼NW¼	14	8	23
14A824	SE¼SW¼	14	8	24
14C825	NE¼SW¼	14	8	25
15A823	NE¼NW¼	15	8	23
15B823	NE¼NW¼	15	8	23
15D823	SE¼SE¼	15	8	23
15A824	SW¼NW¼	15	8	24
15A825	SW¼SW¼	15	8	25
15B825	SW¼SW¼	15	8	25
15A922	SW¼NW¼	15		

20736

WELL NUMBER	LOCATION Description	Section	Twp. South	Range East
15B922	[illegible]	15	9	22
17A823	SE¼SE¼	17	8	23
17B823	SE¼SE¼	17	8	23
17C823	NE¼NW¼	17	8	23
17A825	NE¼NE¼	17	8	25
18A824	SW¼NW¼	18	8	24
18A922	SW¼SE¼	18	9	22
18B922	SW¼SE¼	18	9	22
19A823	Lot 4	19	8	23
19B823	Lot 4	19	8	23
19A825	NW¼NE¼	19	8	25
19B825	NW¼NE¼	19	8	25
19C825	SW¼NW¼	19	8	25
19D825	SW¼NW¼	19	8	25
19A922	SW¼NW¼	19	9	22
20A922	NE¼NE¼	20	9	22
21A823	SE¼NE¼	21	8	23
21A824	SW¼SW¼	21	8	24
21B824	NW¼NE¼	21	8	24
21A825	SE¼SW¼	21	8	25
22A724	NW¼SE¼	22	7	24
22B724	SW¼SW¼	22	7	24
22C724	SE¼SE¼	22	7	24
22A821	NE¼SE¼	22	8	21
22A823	SE¼SW¼	22	8	23
22A824	NE¼SE¼	22	8	24
22A922	SW¼NE¼	22	9	22
23A724	SW¼NE¼	23	7	24
23A823	NW¼SW¼	23	8	23
23B823	NW¼SW¼	23	8	23
23A824	SE¼SW¼	23	8	24
23A825	NW¼NW¼	23	8	25
23B825	NW¼NW¼	23	8	25
24A821	SE¼NW¼	24	8	21
24A823	SE¼SW¼	24	8	23
24B823	SE¼SW¼	24	8	23
24C823	NW¼NW¼	24	8	23
24A825	NW¼NW¼	24	8	25
25A823	SE¼NW¼	25	8	23
[illegible]	NW¼SW¼	26	7	24

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WELL NUMBER	LOCATION Description	Section	Twp. South	Range East
15B922	SW¼NE¼	15	9	22
17A823	SE¼SE¼	17	8	23
17B823	SE¼SE¼	17	8	23
17C823	NE¼NW¼	17	8	23
17A825	NE¼NE¼	17	8	25
18A824	SW¼NW¼	18	8	24
18A922	SW¼SE¼	18	9	22
18B922	SW¼SE¼	18	9	22
19A823	Lot 4	19	8	23
19B823	Lot 4	19	8	23
19A825	NW¼NE¼	19	8	25
19B825	NW¼NE¼	19	8	25
19C825	SW¼NW¼	19	8	25
19D825	SW¼NW¼	19	8	25
19A922	SW¼NW¼	19	9	22
20A922	NE¼NE¼	20	9	22
21A823	SE¼NE¼	21	8	23
21A824	SW¼SW¼	21	8	24
21B824	NW¼NE¼	21	8	24
21A825	SE¼SW¼	21	8	25
22A724	NW¼SE¼	22	7	24
22B724	SW¼SW¼	22	7	24
22C724	SE¼SE¼	22	7	24
22A821	NE¼SE¼	22	8	21
22A823	SE¼SW¼	22	8	23
22A824	NE¼SE¼	22	8	24
22A922	SW¼NE¼	22	9	22
23A724	SW¼NE¼	23	7	24
23A823	NW¼SW¼	23	8	23
23B823	NW¼SW¼	23	8	23
23A824	SE¼SW¼	23	8	24
23A825	NW¼NW¼	23	8	25
23B825	NW¼NW¼	23	8	25
24A821	SE¼NW¼	24	8	21
24A823	SE¼SW¼	24	8	23
24B823	SE¼SW¼	24	8	23
24C823	NW¼NW¼	24	8	23
24A825	NW¼NW¼	24	8	25
25A823	SE¼NW¼	25	8	23
[illegible]	NW¼SW¼	26	7	24

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WELL NUMBER	LOCATION			
	Description	Section	Twp. South	Range East
26B724	SE¼NE¼	26	7	24
26A821	SE¼NE¼	26	8	21
26B821	SE¼NE¼	26	8	21
26A823	NW¼SE¼	26	8	23
26A824	SW¼NE¼	26	8	24
27A725	SE¼SW¼	27	7	25
27A823	NE¼NE¼	27	8	23
27B823	SE¼SW¼	27	8	23
27C823	SE¼NW¼	27	8	23
28A724	SW¼NE¼	28	7	24
28B724	SW¼NE¼	28	7	24
28A823	SW¼SW¼	28	8	23
28B823	SW¼SW¼	28	8	23
28C823	NE¼SW¼	28	8	23
28A922	SE¼SE¼	28	9	22
29A725	NE¼SW¼	29	7	25
29A823	SE¼NE¼	29	8	23
29B823	SE¼NE¼	29	8	23
29A824	NW¼SE¼	29	8	24
30A724	NW¼SE¼	30	7	24
30B724	NW¼SE¼	30	7	24
30A725	NE¼SE¼	30	7	25
30A822	NW¼SW¼	30	8	22
30A824	NE¼NW¼	30	8	24
30B824	NW¼SE¼	30	8	24
30A922	NE¼NE¼	30	9	22
31A724	SW¼NE¼	31	7	24
31A725	NE¼SW¼	31	7	25
31A823	NE¼SE¼	31	8	23
31A824	SE¼SW¼	31	8	24
31B824	SE¼SW¼	31	8	24
32A724	SE¼NE¼	32	7	24
32B724	SE¼NE¼	32	7	24
32A725	NE¼SW¼	32	7	25
33A724	NW¼SE¼	33	7	24
33B724	NW¼SE¼	33	7	24
33A725	SW¼NW¼	33	7	25
33B922	NE¼SE¼	33	9	22
33C922	NE¼SE¼	33	9	22
	SE¼SW¼	34	7	23

97402
97436

WELL NUMBER	LOCATION Description	Section	Twp. South	Range East
26B724	SE¼NE¼	26	7	24
26A821	SE¼NE¼	26	8	21
26B821	SE¼NE¼	26	8	21
26A823	NW¼SE¼	26	8	23
26A824	SW¼NE¼	26	8	24
27A725	SE¼SW¼	27	7	25
27A823	NE¼NE¼	27	8	23
27B823	SE¼SW¼	27	8	23
27C823	SE¼NW¼	27	8	23
28A724	SW¼NE¼	28	7	24
28B724	SW¼NE¼	28	7	24
28A823	SW¼SW¼	28	8	23
28B823	SW¼SW¼	28	8	23
28C823	NE¼SW¼	28	8	23
28A922	SE¼SE¼	28	9	22
29A725	NE¼SW¼	29	7	25
29A823	SE¼NE¼	29	8	23
29B823	SE¼NE¼	29	8	23
29A824	NW¼SE¼	29	8	24
30A724	NW¼SE¼	30	7	24
30B724	NW¼SE¼	30	7	24
30A725	NE¼SE¼	30	7	25
30A822	NW¼SW¼	30	8	22
30A824	NE¼NW¼	30	8	24
30B824	NW¼SE¼	30	8	24
30A922	NE¼NE¼	30	9	22
31A724	SW¼NE¼	31	7	24
31A725	NE¼SW¼	31	7	25
31A823	NE¼SE¼	31	8	23
31A824	SE¼SW¼	31	8	24
31B824	SE¼SW¼	31	8	24
32A724	SE¼NE¼	32	7	24
32B724	SE¼NE¼	32	7	24
32A725	NE¼SW¼	32	7	25
33A724	NW¼SE¼	33	7	24
33B724	NW¼SE¼	33	7	24
33A725	SW¼NW¼	33	7	25
33B922	NE¼SE¼	33	9	22
33C922	NE¼SE¼	33	9	22
[illegible]	[illegible]	34	7	23

20736

8½ x 11 — 5 columns
With description column

WELL NUMBER	LOCATION			
	Description	Section	Twp. South	Range East
34B723	SE¼SW¼	34	7	23
34A724	SE¼NW¼	34	7	24
34A725	NE¼SW¼	34	7	25
34A823	SE¼SW¼	34	8	23
35A724	SW¼SE¼	35	7	24
35B724	SW¼SE¼	35	7	24
35A821	NE¼NE¼	35	8	21
35B821	SE¼SE¼	35	8	21
35C821	SE¼SE¼	35	8	21
35D821	SW¼SW¼	35	8	21
35A822	SW¼SE¼	35	8	22
35B822	SW¼SE¼	35	8	22
35C822	NW¼NE¼	35	8	22
35A823	NW¼NW¼	35	8	23
35B823	NW¼SE¼	35	8	23
35C823	SW¼SW¼	35	8	23
35D823	SE¼SE¼	35	8	23

20736

Style 11 — 8 columns
With description column

WELL NUMBER	LOCATION			
	Description	Section	Twp. South	Range East
34B723	SE¼SW¼	34	7	23
34A724	SE¼NW¼	34	7	24
34A725	NE¼SW¼	34	7	25
34A823	SE¼SW¼	34	8	23
35A724	SW¼SE¼	35	7	24
35B724	SW¼SE¼	35	7	24
35A821	NE¼NE¼	35	8	21
35B821	SE¼SE¼	35	8	21
35C821	SE¼SE¼	35	8	21
35D821	SW¼SW¼	35	8	21
35A822	SW¼SE¼	35	8	22
35B822	SW¼SE¼	35	8	22
35C822	NW¼NE¼	35	8	22
35A823	NW¼NW¼	35	8	23
35B823	NW¼SE¼	35	8	23
35C823	SW¼SW¼	35	8	23
35D823	SE¼SE¼	35	8	23

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WELL NUMBER	COMPLETED AFTER 11/5/55 1/	LOCATION Description	Section	Twp. South	Range East
1A823		NW¼NE¼	1	8	23
1B823		NW¼NE¼	1	8	23
1C823		SW¼SW¼	1	8	23
1A824		SE¼NE¼	1	8	24
1A921	Yes	NE¼SW¼	1	9	21
2A823		NE¼SW¼	2	8	23
2A824	Yes	NE¼SE¼	2	8	24
2A923		SW¼NE¼	2	9	23
2A1021	Yes	NW¼SW¼	2	10	21
3A824		SE¼NE¼	3	8	24
3B824		SE¼NE¼	3	8	24
3A825	Yes	NE¼NW¼	3	8	25
3B825	Yes	NE¼NW¼	3	8	25
3C825	Yes	NW¼NW¼	3	8	25
3D825	Yes	NW¼NW¼	3	8	25
3E825	Yes	NE¼SE¼	3	8	25
3A921	Yes	NE¼SE¼	3	9	21
3B921	Yes	NW¼SW¼	3	9	21
3C921	Yes	SE¼SW¼	3	9	21
3A922		SE¼SE¼	3	9	22
3B922	Yes	SE¼SE¼	3	9	22
3A923	Yes	NW¼SW¼	3	9	23
3B923		SE¼NE¼	3	9	23
3A1022	Yes	NW¼SW¼	3	10	22
4A823		SW¼SW¼	4	8	23
4B823		SW¼SW¼	4	8	23
4A824		SW¼NE¼	4	8	24
4B824		SW¼SW¼	4	8	24
4C824	Yes	SW¼SW¼	4	8	24
5B823		SE¼NE¼	5	8	23
5C823		SE¼NE¼	5	8	23
5A825	Yes	NE¼NE¼	5	8	25
5B825	Yes	NE¼NE¼	5	8	25
6A824		NW¼SW¼	6	8	24
6B824		NE¼NW¼	6	8	24
6C824	Yes	NE¼SE¼	6	8	24
6A825	Yes	NE¼SE¼	6	8	25
6B825	Yes	NE¼SE¼	6	8	25
6A923		SE¼NE¼	6	9	23
6B923		Lot 5	6	9	23

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WELL NUMBER	COMPLETED AFTER 11/5/55	LOCATION Description	Section	Twp. South	Range East
7B824		NE¼SE¼	7	8	24
7A922	Yes	NE¼NE¼	7	9	22
7B922	Yes	SE¼NE¼	7	9	22
8A823		NE¼SE¼	8	8	23
8A824		SE¼NE¼	8	8	24
9A922		NE¼SW¼	9	9	22
9B922	Yes	SW¼NW¼	9	9	22
10A823		SE¼NE¼	10	8	23
10B823		SW¼SW¼	10	8	23
10A824		SW¼NE¼	10	8	24
10B824		SE¼SW¼	10	8	24
10C824	Yes	SW¼NW¼	10	8	24
10A922		SW¼NE¼	10	9	22
11A824		NE¼NW¼	11	8	24
11B824		NE¼NW¼	11	8	24
11C824		NW¼SE¼	11	8	24
11A825	Yes	SW¼SE¼	11	8	25
11B922	Yes	NE¼NW¼	11	9	22
11C922	Yes	NW¼NE¼	11	9	22
12A823		SW¼NE¼	12	8	23
12B823		SW¼NE¼	12	8	23
12C823		SE¼SW¼	12	8	23
12D823		SE¼SW¼	12	8	23
12A824		NW¼NE¼	12	8	24
12A825	Yes	NW¼NW¼	12	8	25
12B825	Yes	NW¼NW¼	12	8	25
13A824		NW¼NE¼	13	8	24
13B824		NW¼NE¼	13	8	24
13A825	Yes	SW¼SW¼	13	8	25
14A823		NW¼NW¼	14	8	23
14B823		NW¼NW¼	14	8	23
14A824		SE¼SW¼	14	8	24
14C825		NE¼SW¼	14	8	25
15A823		NE¼NW¼	15	8	23
15B823		NE¼NW¼	15	8	23
15D823		SE¼SE¼	15	8	23
15A824		SW¼NW¼	15	8	24
15A825	Yes	SW¼SW¼	15	8	25
15B825	Yes	SW¼SW¼	15	8	25
15A922	Yes	SW¼NE¼	15	9	22

94402

WELL NUMBER	COMPLETED AFTER 11/5/55 1/	LOCATION Description	Section	Twp. South	Range East
15B922	Yes	SW¼NE¼	15	9	22
17A823		SE¼SE¼	17	8	23
17B823		SE¼SE¼	17	8	23
17C823		NE¼NW¼	17	8	23
17A825	Yes	NE¼NE¼	17	8	25
18A824		SW¼NW¼	18	8	24
18A922	Yes	SW¼SE¼	18	9	22
18B922	Yes	SW¼SE¼	18	9	22
19A823		Lot 4	19	8	23
19B823		Lot 4	19	8	23
19A825		NW¼NE¼	19	8	25
19B825		NW¼NE¼	19	8	25
19C825		SW¼NW¼	19	8	25
19D825		SW¼NW¼	19	8	25
19A922		SW¼NW¼	19	9	22
20A922	Yes	NE¼NE¼	20	9	22
21A823		SE¼NE¼	21	8	23
21A824		SW¼SW¼	21	8	24
21B824		NW¼NE¼	21	8	24
21A825	Yes	SE¼SW¼	21	8	25
22A724	Yes	NW¼SE¼	22	7	24
22B724		SW¼SW¼	22	7	24
22C724		SE¼SE¼	22	7	24
22A821	Yes	NE¼SE¼	22	8	21
22A823		SE¼SW¼	22	8	23
22A824		NE¼SE¼	22	8	24
22A922	Yes	SW¼NE¼	22	9	22
23A724		SW¼NE¼	23	7	24
23A823		NW¼SW¼	23	8	23
23B823		NW¼SW¼	23	8	23
23A824		SE¼SW¼	23	8	24
23A825	Yes	NW¼NW¼	23	8	25
23B825	Yes	NW¼NW¼	23	8	25
24A821	Yes	SE¼NW¼	24	8	21
24A823		SE¼SW¼	24	8	23
24B823		SE¼SW¼	24	8	23
24C823	Yes	NW¼NW¼	24	8	23
24A825		NW¼NW¼	24	8	25
25A823		SE¼NW¼	25	8	23
26A724		NW¼SW¼	26	7	24

20236

WELL NUMBER	COMPLETED AFTER 11/5/55 1/	LOCATION Description	Section	Twp. South	Range East
26B724	Yes	SE¼NE¼	26	7	24
26A821	Yes	SE¼NE¼	26	8	21
26B821	Yes	SE¼NE¼	26	8	21
26A823		NW¼SE¼	26	8	23
26A824		SW¼NE¼	26	8	24
27A725	Yes	SE¼SW¼	27	7	25
27A823		NE¼NE¼	27	8	23
27B823		SE¼SW¼	27	8	23
27C823		SE¼NW¼	27	8	23
28A724		SW¼NE¼	28	7	24
28B724		SW¼NE¼	28	7	24
28A823		SW¼SW¼	28	8	23
28B823		SW¼SW¼	28	8	23
28C823		NE¼SW¼	28	8	23
28A922	Yes	SE¼SE¼	28	9	22
29A725	Yes	NE¼SW¼	29	7	25
29A823		SE¼NE¼	29	8	23
29B823		SE¼NE¼	29	8	23
29A824		NW¼SE¼	29	8	24
30A724		NW¼SE¼	30	7	24
30B724		NW¼SE¼	30	7	24
30A725	Yes	NE¼SE¼	30	7	25
30A822	Yes	NW¼SW¼	30	8	22
30A824		NE¼NW¼	30	8	24
30B824		NW¼SE¼	30	8	24
30A922	Yes	NE¼NE¼	30	9	22
31A724		SW¼NE¼	31	7	24
31A725	Yes	NE¼SW¼	31	7	25
31A823		NE¼SE¼	31	8	23
31A824		SE¼SW¼	31	8	24
31B824		SE¼SW¼	31	8	24
32A724		SE¼NE¼	32	7	24
32B724		SE¼NE¼	32	7	24
32A725	Yes	NE¼SW¼	32	7	25
33A724		NW¼SE¼	33	7	24
33B724	Yes	NW¼SE¼	33	7	24
33A725	Yes	SW¼NW¼	33	7	25
33B922	Yes	NE¼SE¼	33	9	22
33C922	Yes	NE¼SE¼	33	9	22
34A723		SE¼SW¼	34	7	23

20402

WELL NUMBER	COMPLETED AFTER 11/5/55 1/	LOCATION Description	Section	Twp. South	Range East
34B723		SE¼SW¼	34	7	23
34A724		SE¼NW¼	34	7	24
34A725	Yes	NE¼SW¼	34	7	25
34A823		SE¼SW¼	34	8	23
35A724		SW¼SE¼	35	7	24
35B724		SW¼SE¼	35	7	24
35A821	Yes	NE¼NE¼	35	8	21
35B821	Yes	SE¼SE¼	35	8	21
35C821	Yes	SE¼SE¼	35	8	21
35D821	Yes	SW¼SW¼	35	8	21
35A822		SW¼SE¼	35	8	22
35B822		SW¼SE¼	35	8	22
35C822	Yes	NW¼NE¼	35	8	22
35A823		NW¼NW¼	35	8	23
35B823		NW¼SE¼	35	8	23
35C823		SW¼SW¼	35	8	23
35D823		SE¼SE¼	35	8	23
"Relifts"					
17R824		SW¼SE¼	17	8	24
20RR824		NW¼SE¼	20	8	24
20RL824		NW¼SE¼	20	8	24
20RL825		NW¼SE¼	20	8	25
21R824		NW¼SW¼	21	8	24
24RL823		NE¼NW¼	24	8	23
24RR823		NE¼NW¼	24	8	23
28RL922		SE¼NW¼	28	9	22
29R824		SE¼NW¼	29	8	24

1/ All other wells completed prior to November 5, 1955.

20736

Permit No. 20736
Supplement "B"

TABULATION OF IRRIGABLE ACREAGE ON NORTH SIDE PUMPING DIVISION - UNIT B
RECEIVING WATER UNDER PERMIT NO. 20736

Twp. 7 S., Range 23 E., B.M.

Sec.	Irrigated Acreage
34	75.8

Twp. 7 S., Range 24 E., B.M.

Sec.	
22	359.3
23	494.2
26	488.3
27	480.5
28	360.0
29	337.4
30	126.3
31	293.4
32	579.2
33	566.3
34	519.1
35	483.8

Twp. 7 S., Range 25 E., B.M.

Sec.	
27	102.7
29	124.1
30	311.3
31	422.7
32	512.3
33	493.9
34	276.6

Twp. 8 S., Range 21 E., B.M.

Sec.	
22	158.4
23	185.8
24	65.0
25	316.4
26	572.3
27	212.0
33	106.0
34	248.2
35	605.5

23736

Twp. 8 S., Range 22 E., M.D.M.

Sec.	Irrigated Acreage
30	29.3
35	206.3

Twp. 8 S., Range 23 E., M.D.M.

Sec.	
1	606.3
2	577.4
3	557.9
4	450.7
5	382.6
6	19.0
8	302.8
9	538.6
10	549.7
11	578.9
12	594.2
13	606.3
14	571.7
15	592.3
17	348.3
19	111.4
20	458.7
21	599.9
22	577.5
23	576.3
24	579.1
25	508.0
26	596.4
27	584.7
28	610.0
29	564.6
30	245.1
31	213.2
32	536.7
33	592.4
34	606.0
35	603.0

20736

Twp. 8 S., Range 24 E., B.M.

Sec.	Irrigated Acreage
1	508.3
2	551.9
3	581.2
4	573.4
5	565.2
6	530.3
7	525.7
8	572.6
9	586.5
10	604.3
11	620.7
12	420.0
13	513.9
14	588.5
15	613.7
17	577.1
18	529.1
19	539.6
20	532.7
21	521.1
22	557.9
23	559.9
24	475.6
25	301.9
26	243.0
27	158.7
28	453.0
29	537.4
30	529.0
31	483.6
32	253.8

Twp. 8 S., Range 25 E., B.M.

Sec.	
3	512.0
4	579.2
5	574.3
6	376.0
7	507.4
8	361.3
9	191.4

20736

Twp. 8 S., Range 25 E., M.D.M.

Sec.	Irrigated Acreage
10	521.9
11	478.3
12	325.8
13	208.0
14	580.6
15	493.9
16	31.9
17	573.7
18	574.9
19	542.8
20	423.2
21	543.9
22	402.9
23	533.5
24	201.2
27	73.9
28	291.9
29	144.4
30	27.6

Twp. 9 S., Range 21 E., M.D.M.

Sec.	
1	225.2
2	366.3
3	477.2
4	360.0
9	363.4
10	75.0
24	23.4

Twp. 9 S., Range 22 E., M.D.M.

Sec.	
1	510.6
2	490.6
3	275.8
4	154.0
7	114.4
8	505.9
9	423.4

20736

Twp. 9 S., Range 22 E., M.

Sec.	Irrigated Acreage
10	599.5
11	469.7
12	203.1
15	293.3
17	584.3
18	247.3
19	426.1
20	547.4
21	124.3
22	134.6
28	196.4
29	270.0
30	48.0
32	42.5
33	413.5
34	68.3

Twp. 9 S., Range 23 E.,M.M.

Sec.	
2	214.1
3	323.5
4	209.3
5	269.0
6	282.3
7	32.6

Twp. 10 S., Range 21 E.,M.M.

Sec.	
3	200.4
4	201.3

Twp. 10 S., Range 22 E.,M.M.

Sec.	
3	230.6

Total Irrigated Acreage- - - - - - 62,604.3

20736

Re: Permit No. 20736
United States of America

Date: December 13, 1963

[redacted]

Gentlemen:

Enclosed you will find Notice for Publication, once a week for four consecutive weeks prior to January 13, 1964 the date set for proof; the expense of the publication is to be paid by the applicant United States of America, of Box 937, Boise, Idaho to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

Carl E. Tappan

CARL E. TAPPAN
State Reclamation Engineer

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

CET:pmk

20736

P.S. Please publish December 19 and 26, 1963, and January 2, and 9, 1964.

January 17, 1961

RE: Permit No. 20736

Attention: 150

E. F. Nelson, Regional Director
Bureau of Reclamation
P. O. Box 937
Boise, Idaho

Dear Mr. Nelson:

My attention has been called to the requirement of offering proof of Completion of Works on the government's permit No. 20736 appropriating 250 cubic feet per second of subterranean water for the North Side Pumping Division of the Minidoka Project, Idaho. The permit bears date of November 5, 1952.

My letter of November 13, 1958 stated I found no justification nor statutory authority to extend further the time for making the said proof and suggested the proof should then be made.

Section 58-938 cited in your letter of September 22, 1958 as authority for further extension seems to limit a final date for offering a proof of completion of works of "not to exceed ten years in all from the date of the permit". This period for extension of time is described by the final date fixed by the State Reclamation Engineer's letter of October 31, 1956, viz. November 5, 1958.

In statutory theory this permit is now subject to cancellation but as a matter of practice it would not be cancelled.

What is the Bureau's suggestion or wish in this matter?

Very truly yours,

GEO. B. CARTER
State Reclamation Engineer

GBC:mr

20736

IN REPLY REFER TO:

150

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
REGIONAL OFFICE, REGION 1
BOX 937, BOISE, IDAHO

RECEIVED
APR 24 1951
Department of Reclamation
APR 23 1951

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

Dear Mr. Kulp:

Under the terms of Permit No. 20736, approved on November 5, 1948, for the appropriation of underground water in connection with the North Side Pumping Division of the Minidoka Project, Idaho, there is a provision that one-fifth of the work specified was to be completed on or before May 5, 1951.

In compliance with this requirement, I am providing a brief explanation of the work accomplished on the North Side Pumping Division.

Project investigations and a project report have been completed. Preconstruction work and advanced planning work are underway with a Definite Plan Report to be issued in the near future. Four observation wells have been drilled and are operating with automatic recorders to show the effect on ground water due to pumping from deep wells. Contracts were awarded in April of this year for the drilling of six more observation wells. Ten irrigation wells have been drilled and are equipped with electric pumps. A pump was installed in a well which had heretofore been drilled in connection with the Prisoner-of-War Camp. The eleven wells will be operated during the 1951 irrigation season to irrigate 5,238 acres, which area has been leased for agricultural purposes. In addition to the eleven wells, the lateral system has been constructed. Up to March 13, 1951, expenditures have totaled $585,000. We are sending separately, with a copy of this letter, the following drawings:

Drawing No.	Title or Description
701-107-2839	Areas irrigated in 1949-50-51
701-107-2750	Drill log and test results
701-107-2749	Drill log and test results
701-107-2747	Drill log and test results
701-107-2751	Drill log and test results
701-107-2748	Drill log and test results
701-107-2753	Drill log and test results
701-107-2752	Drill log and test results
Table No. 1	Summary of data for purchase and installation of 7 deep well pumps

20736

Similar information as to the initial observation wells is contained in our Project Planning Report No. 1-5.53.1-1, which has heretofore been furnished you.

If you desire any further information in connection with the present progress of work under Permit No. 20736 it will be provided.

Sincerely yours,

F. M. Clinton

Assistant Regional Director

In duplicate

Enclosure

20736

Duffin, Mrs. L. H.
723 "H" Street

THE MINIDOKA COUNTY NEWS

A County-Wide Independent Newspaper Dedicated to Serving the Interests of the Residents of the Minidoka Project

FIFTY-FIRST YEAR | Rupert, Minidoka County, Idaho, Thursday, December 22, 1955 | NUMBER FOURTEEN

Pumpers Plan to Take Water Right to Court

C. of C. Members Back Directors

Action of Rupert Chamber of Commerce directors in approving a resolution favoring an extension of time for the Bureau of Reclamation to complete the North Side Extension project under a 1948 water filing date brought a storm of protest this week from private land pump operators in the area surrounding the government project.

About 14 representatives of the North Side Underground Water association met with the C. of C. directors Monday, requesting them to rescind or modify the resolution which now is in the hands of the state reclamation engineer.

MOTION TO MODIFY FAILS

A motion to modify failed to pass after a lengthy discussion. Another recommending that private pump land owners appoint three men, the homesteaders three and the C. of C. two to meet to discuss the entire problem with Reclamation officials, was approved by the directors. (The proposed meeting was dropped Wednesday after action by the private pumpers in which they declined to meet as long as the C. of C. resolution remained on the records. See separate story).

The directors took the question up again at the dinner meeting of the C. of C. membership Monday evening. Outcome of the meeting was authorization for President Wendell Johnson to contact Mark L. Kulp, reclamation engineer, and urge him to hold a public hearing in Rupert regarding the time extension application. No action was taken on the resolution itself.

BUR-REC ASKED EXTENSION

The Bureau of Reclamation has requested an extension of three years(until Nov. 5, 1958) to complete the wells on the Extension project. The water rights were originally filed for 178 wells, dated November 5, 1948. Under Idaho's water code, the wells must be completed in five years to hold the filing date. At the end of the first five years, Nov. 5, 1953, an application for an extension of five years was asked and the Idaho Reclamation engineer granted a two-year extension which expired Nov. 5, 1955. The current application asks an extension of three more years. The date for filing protests expired December 15, according to a legal notice published by the state reclamation office.

The C. of C. action followed that of an 8-man homesteader committee, elected by the approximately 250 homesteaders now on the project, in which they approved a resolution asking for the extension of time.

PRESENT GI'S NOT HURT

Although all present homesteaders will have a 1948 water right, regardless of any action on the time extension, the homesteader committee felt they should seek an equal water right for all veterans who arrive in the next three years.

At the meeting Tuesday the private pumpers presented their objections with Ralph McQuain

(Continued on page 12)

Just 22,500 Inserts to Go

Mrs. Otis Orchard and Mrs. Forrest Badger start the long, tiresome job of hand inserting sections of the Golden Anniversary edition of the Minidoka County News. The Golden edition will be put in the mails December 28, according to present plans. Printing on the edition was completed Monday night, and the work of folding, inserting, addressing and wrapping will go on for the rest of the week.

Big Golden Anniversary Edition of The News to Go to Subscribers Wed.

The Minidoka County News staff will heave a sigh of relief Wednesday — and mailmen throughout the county will groan.

The big, 40 page Golden Anniversary edition of the News will go into the mail Wednesday morning. Printing on the edition was completed Monday night, and during this week, Mrs. Otis Orchard and Mrs. Forrest Badger have been busy gathering the sections, addressing and mailing.

The edition is in five sections of eight pages each. One hundred and fifty-six pictures of people and places have been used in the edition.

The edition was edited by Steve Lamoreux, former news editor of the News, who is now living in Oregon. With the help of News' correspondents and people in the area, he compliled and edited the many stories, anecdotes and personal histories which appear in the edition. The edition covers particularly the early days of the area and the project.

Printing of the edition began early in September and a total of 22,500 sheets of paper, each measuring 22 x 44 inches, were fed through the newspaper press twice and through the folder once. Gathering the sections into a single paper required 22,500 inserts.

The edition required 2,360 lbs. of paper and about 60 pounds of ink.

Each of the subscribers of the News (almost 3,000 in number) will receive a copy of the edition. Additional copies may be purchased at the News office for 25c.

All complaints and compliments should be directed to Lamoreux at 1551 Villard, Eugene, Oregon.

Canal Operation Report Is Mailed

A detailed printed report of the operation and maintenance costs for the year 1955 is being mailed this weekend to all water users in the Minidoka Irrigation district, Manager George Nickerson reported this week.

The report carries a comparison between 1954 and 1955. It is for the fiscal year from November 1 to November 1.

Total revenue for the year amounted to $217,037 as compared with $215,894 in 1954. On the expense side, however, the operation and maintenance costs ted to $193,772 as compar- $213,004 in 1954— a sav- ly $10 00 T

Pumpers Protest; Censure Chamber

Application by the Bureau of Reclamation for an extension of time to complete wells on the North Side Extension project under a 1948 water right exploded into what promises to be a court battle this week.

In action taken at a meeting of the North Side Underground Water Association Tuesday night, the association's officers were authorized to retain legal counsel to bring suit in the proper court to test the legality of any time extension being granted the Bureau of Reclamation.

The meeting also served as a reorganization meeting of the association and Irwin Clawson of Salt Lake City, president of Julion Clawson Farms, Inc., was elected president; Everett Warner, local manager for Capital company, was named vice president; Lawrence H. Duffin, Rupert attorney, secretary; Roy Honsinger, Minidoka, treasurer; Bill Moller, Charles Hay and Ralph McQuain, directors. The officers also serve as directors.

PASS RESOLUTIONS

In a series of resolutions, the association:

1. Attacked the stand of the board of directors of the Rupert Chamber of Commerce regarding the Bureau's time extension application and declined to meet further with the C. of C. directors regarding the matter as long as the present C. of C. resolution stands on the records,

2. Unanimously endorsed and supported the protest filed by Clawson Farms, Inc., with Mark L. Kulp, Idaho Reclamation Engineer, against an extension of time being granted the government project;

3. Instructed the secretary to wire protests to the governor and state reclamation engineer; and,

4. Instructed the secretary to contact all other ground water associations and inform them of the efforts being made by the Bureau of Reclamation regarding the time extension.

WIRE PROTEST TO STATE

Following is the text of the telegram dispatched to the governor and state reclamation engineer:

"The North Side Underground Water Association, representing established pump farms of more than 50,000 acres with an investment value of over $10 million and using over 280,000 gallons of underground water per minute during the irrigation season, does unanimously endorse the protest filed by Julion Clawson Farms, Inc., to the attempt by the Bureau of Reclamation to destroy water right priority of established private users of underground water. The Bureau action will favor only the persons whose names have not yet been drawn from a glass bowl and deprive hundreds of established farmers of their water priority."

CENSURE C. OF C. ACTION

The text of the resolution regarding the Chamber of Commerce follows:

"Whereas, the Rupert Chamber of Commerce board of directors did, without a membership vote, pass a resolution recommending that established private land owners on the Minidoka North Side Extension be denied their water right priority and,

"Whereas, they refused after full presentation by representatives of

HERE'S MORE ABOUT Water Rights

(Continued from page 1)

and Lawrence Duffin, both of Rupert, acting as spokesmen.

"Why should a homesteader who ... the project later have

gion project, ... of Reclamation officials ...

Some co... was expresse that, if the Bureau of Reclamatio has to accept 1956 water rights o the balance of the project, Con gress might refuse funds to continue.

Both Duffin and McQuain ar-

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The C. of C. action followed that of an 8-man homesteader committee, elected by the approximately 250 homesteaders now on the project, in which they approved a resolution asking for the extension of time.

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he Interes... ursday, Decembe...

HERE'S MORE ABOUT Water Rights

(Continued from page 1)

and Lawrence Duffin, both of Rupert, acting as spokesmen.

"Why should a homesteader who comes on the project later, have an earlier water right than a farmer who has been pumping for several years?" McQuain asked.

Duffin contended that: (1) The C. of C. has no right to favor one group of farmers over another (private pumpers and homesteaders), (2) so long as the law sets 5 years as the maximum to complete development of water right filing, it should apply to the government as well as to individuals or private companies, (3) it is unfair that veterans who have yet not been selected be given prior water rights over private pumpers who have been here for years, and (4) the doctrine of first in use, first in right, should apply.

Directors of the C. of C. explained that the resolution was not intended to "injure private development locally." It was felt, they said, that the government filing in 1948 was in good faith and that the project could have been developed within five years if the federal appropriation had been large enough. It was also noted that private development, outside of the few who were ahead of the government filing date, knew when they drilled wells that filing had been made for the entire project and that the date would be ahead of their water right.

More concern was felt by the C. of C. over some 100,000 acres of land developed in the upper country, with water rights mostly in 1950 and 1951 or later. If the extension isn't granted, those rights will be ahead of the balance of the North Side Extension project, ... of Reclamation officials ...

Some ... was expresse that, if the Bureau of Reclamatio has to accept 1956 water rights o the balance of the project, Con gress might refuse funds to continue.

Both Duffin and McQuain argued that such an implication is "ungrounded" and that it had nothing to do with the issue.

"In fact," Duffin said, " an extension of time for the government to give 1948 rights to homesteaders yet to come is unfair to the homesteaders now on the project who already hold a 1948 right."

For the text of the C. of C. resolution, see this page.

LEGION RESOLVES

The Rupert American Legion post took up the matter at its regular membership meeting Wednesday night.

After lengthy discussion, the Legion approved a motion that reads: "The Rupert post of the American Legion recommends and requests that no partiality be shown on the filing of water rights that are under the jurisdiction of the state reclamation engineer and under the procedure prescribed by Idaho state law."

In discussing the motion, the the Legion members said that many of the private pumpers are also veterans and that the law should apply equaly to both groups — private pumpers and homesteaders. The members felt that if exceptions is made for one group, it should also be made for the other.

...d,

4. Instructed the secretary ... contact all other ground wa... associations and inform them ... the efforts being made by ... Bureau of Reclamation regard... the time extension.

WIRE PROTEST TO STATE

Following is the text of ... telegram dispatched to the gov... nor and state reclamation ... gineer:

"The North Side Undergro... Water Association, represen... established pump farms of m... than 50,000 acres with an inv... ment value of over $10 ... lion and using over 280,000 ... lons of underground water ... minute during the irrigation ... son, does unanimously endorse ... protest filed by Julion Claw ... Farms, Inc., to the attempt ... the Bureau of Reclamation ... destroy water right priority of ... tablished private users of un... ground water. The Bureau ac... will favor only the pers... whose names have not yet ... drawn from a glass bowl and ... prive hundreds of establis... farmers of their water prior...

CENSURE C. OF C. ACTIOI

The text of the resolution ... garding the Chamber of Comm... follows:

"Whereas, the Rupert Char... of Commerce board of direc... did, without a membership ... pass a resolution recommen... that established private ... owners on the Minidoka N... Side Extension be denied ... water right priority and,

"Whereas, they refused after ... presentation by representativ... this organization, to reconsid... recall the above mentioned ... lution,

"Be it therefore resolved ... this organization refuse to ... further with said board of d... tors in regard to this matter.

...n to Take ...

Ask Extension on N. S. Wells

A committee representing homesteaders on the North Side Extension and the directors of the Rupert Chamber of Commerce joined this week in supporting the application of the Bureau of Reclamation for an extension of time to complete wells on the project under a blanket 1948 underground water right.

Separate resolutions to that effect were dispatched to Mark R. Culp, state reclamation engineer, Tuesday.

The Bureau of Reclamation has requested an extension of three years (until November 5, 1958) to complete the wells on the Extension project. The Bureau originally filed water rights for 178 wells to serve the project, dated in 1948. Under Idaho's water code, they must complete them in five years to hold their filing date. At the end of the first five years, November 5, 1953, an application for an extension of two years was granted by the Idaho Reclamation engineer. This extension expired this November and resulted in the present application for one more extension.

In their present extension application, the Bureau of Reclamation notes that 38 wells have been placed in operation, serving 16,118 acres and another 26 wells have been completed. All the rest have been contracted and will be completed by September of 1956.

Unless the extension is granted, Project Engineer Orville Kime said, the North Side Extension project would have two sets of water right dates. The 1948 date would apply to all wells not in service or completed and the balance would require a 1955 or 1956 filing date. If the extension is granted, all water rights on the homesteads would date as of 1948.

An eight-man committee of homesteaders, chairmanned by John Trevino, acted in favor of a supporting resolution at a meeting Monday evening. The committe represents all the homesteaders on the project at present. George Hedlund made the motion, seconded by Ed Hillis and the vote was unanimous.

Although all present homesteaders will have a 1948 water right, regardless of any action by the Idaho Reclamation office, the group felt they should seek an equal water right for all veterans who arrive here in the next three years.

It was also pointed out that the Minidoka Extension project had been contemplated for some 30 years and that water originally set aside in American Fall for surface irrigation had been taken from it. It was only through underground water that the project was made possible and that, morally, the project has a right to the earliest possible filing date. In the discussion, it was also noted that all private operators who drilled wells after 1948 were aware that the government had filed for the entire 178 wells and that reclamation wells, therefore, would carry a prior filing date.

The Rupert C. of C. directors had discussed the situation previously but delayed action until after the homesteader committee had acted, taking the position that the matter of water was a primary concern of the homesteaders themselves.

At another meeting Tuesday, the board voted 8-1 to adopt a resolution supporting the extension request.

Today (Thursday) is the final day, according to a legal notice in The News, that protests or supporting resolutions will be considered by the state.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

NOTICE OF PPLICATION FOR PERMIT TO PPROPRIATE THE UBLIC WATERS OF THE STATE OF IDAHO, IN ACCORDANCE WITH THE ROVISIONS OF SECTION 41-203, IDAHO CODE ANNOTATED.

NOTICE IS HEREBY GIVEN That the United States of America, through the Regional Director, Region 1, U. S. Bureau of Reclamation, of Boise, Idaho, on the 9th day of September, 1948, made application for permit to appropriate One Thousand Three Hundred Thirty-three and Twenty-eight Hundreths (1333.28) cubic feet per second of underground water from 306 wells for irrigation and domestic purposes.

That the points of diversion of said waters, or the location of the wells, are at various points in the following townships, to-wit:

Twp. 9 South, Range 20 East, B. M.; Twps. 8 and 9 South, Range 21 East, B. M.; Twps.; 8 and 9 South, Range 22 East, B.M.; Twps. 8 and 9 South, Range 23 East, B. M.; Twps. 7, and 8 South, Range 24 East, B. M.; Twp. 8 South, Range 25 East, B. M.

That the lands to be irrigated consist of 66,664.3 acres situated in the same townships and ranges as listed above.

That any protests against the approval of this application must be filed in the Department of Reclamation, at Boise, Idaho, within forty (40) days from the date of this notice, and such protest shall state the name and address of the protestant, and shall clearly set forth his objections to the approval of said application.

Dated this 11th day of September, 1948.

MARK R. KULP,
State Reclamation Engineer.

Date of first publication: 9-23-48.
Date of last publication 10-17-48.

SERVICE OF THE FOREGOING, by copy, is hereby acknowledged, this 15th day of September, 1948.

THE UNITED STATES OF AMERICA, Applicant.
By: H. T. NELSON,
Acting Regional Director, Region 1, Bureau of Reclamation.

9-23-3tc

NOTICE OF APPLICATION FOR EXTENSION OF TIME FOR COMPLETION OF WORK

Extension of time for completion of works has been request on Permit No. 20736 issued to the United States Bureau of Reclamation for appropriation of water for the North Side Minidoka Extension Irrigation Project.

All the one hundred seventy-eight (178) wells have been constructed, are under construction or have been contracted. Thirty-eight wells have been completed to date and are serving 16,118 acres. Twenty-six additional wells have been completed and the rest are scheduled to be completed by September, 1956.

Extension of Time is requested to November 5, 1958, under Section 42-204 Idaho Code.

Written objections or expressions of interested parties will be received and considered by the State Department of Reclamation on or before December 15, 1955.

MARK R. KULP
State Reclamation Engineer

No. 594 - Nov. 17 - Nov. 24

June 3 - 1904

North Side Canal Company Petition

The United States of America by
J. T. Neeld Regional Director Upper ...
United States Bureau of Reclamation filed
an application No. 25278 Unit "B" -- relative to the ground
waters intended to be utilized under the
proposed Unit B" North Side Pumping
Division of the Minidoka Project, Idaho.
a Federal reclamation project prepared for
the irrigation and cultivation under the
acts of June 30, 1902 (32 Stat. 388) and all acts
amendatory thereof and supplemental
thereto, known as the Federal Reclamation
Laws. The waters sought are the natural
return flow from existing Federal reclamation
projects in the Snake River Valley. The land
to be irrigated is public land of the
United States.

The quantity of water applied for
1333.28 cubic feet per second the source
proposed to be drawn ground water comprised
in part of canals and return flow from existing
Bureau of Reclamation projects. The
point of diversion is ... The
character of works ... as more fully
set forth in maps accompanying
the application.

20736

PROFILED 11/6/2002
DATE
SCANNED
NOV 07 2002

S 7400
T 7 S R 20 E

The lands to be irrigated are shown on the attached maps entitled "Ground Water Development Plan [5.0(m)-P-48] and the attached arable acreage tabulation totaling 66,664.3 acres.

Notice of application was published as required by Idaho Law. No protests were entered and permit No G 20736 was granted as of the date of application Sept 9, 1948.

—o—

April 23, 1951 J. F. Clinton Assistant Regional Director reported on progress of the project development. Ten irrigation wells have been drilled and are equipped with electric pumps. The prisoner of War camp well was equipped with pump and the eleven wells will be operated during the 1951 irrigation season to irrigate 5,237 acres which has been leased for agricultural purposes.

This report was made prior to the date (May 5, 1951) when one fifth of the work specified was to be completed. In addition to the eleven wells, the lateral system has been constructed. Expenditures have totaled $585,000. (about one tenth of the proposed project estimate)

20736

Sept 1, 1953 The Bureau was promptly notified that proof of Completion of Works must be submitted on or before Nov 5, 1953.

Sept 30, 1953 The Bureau of Reclamation made formal application for extension of time until Nov 5, 1958 (this is for an additional five years) This application states "15 irrigation wells have been drilled. Water is available to 7289 acres 5100 of which were irrigated in 1953." The reason that the United States is unable to complete the remainder of said works and submit proof of completion of works within the required time for the following reason

"The failure of plans, design and construction fund appropriations have not progressed to the point where it is possible to complete the works by November 5, 1953."

January 8th 1954 Engle allowed an extension of time for two years a until Nov 5, 1955. He reasoned that "Appropriations have been made or initiated in the same vicinity, presumably from the same source of supply of subterranean water, by individuals, partnerships, and corporations subsequent to the application for permit by the United States which was affected on permit No 20736.

Next page insert here

20736

Jan 4, 1954

Since there is no statutory provision for advertising application for extension of time or for formal protest and hearing on protests, any such an informal protest has been filed by a subsequent appropriator, all pertinent has been considered by the Department of Reclamation and it seems proper to approve an extension of time for a period of two years instead of a period of two years instead of the 5 years requested in the application.

insert on preceding page

(X) Oct 24 1953.

Kulp wrote to

S. A. Hughes Jerome Twin Falls Idaho,

Irwin Clawson Secy Salt Lake City Utah, The Farmers & Duffin Rupert Idaho stating that the Bureau has made application for extension of time for Completion of Works under permit 20736 for 5 years or until Nov 5, 1958 and that there is no provision for advertising such an application or procedure for making protest against extension of time....

20736

Clawson replied and asked for a date to have all concerned to appear and formally protest the proposed extension of time

(No record of such meeting)

Jan 28, 1954 a letter from the Bureau by Wm. H. Tuttle expressed dissatisfaction with the two year extension and asked to learn the source and basis for the protests for the protests which had been filed and which had been considered by Ruch in arriving at his decision.

February 5, 1954 Ruch replied...

× May 28, 1954 Bureau acknowledges Ruch letter of Feb 5, 1954

Oct 21, 1954 Ruch answered the letter of May 28 and stated sometime prior to Nov 5, 1955 this office will submit a request for extension of time to November 5, 1958 Provided that the request be advertised in a newspaper or newspapers in the county or counties in which the project is located.

Sept 1, 1955 The Bureau was formally notified that proof of Completion of Work would be due Nov 5, 1955.

Oct 25, 1955 The Bureau made formal application for extension of time to Nov 3, 1955

B

Nov 3, 1955 Kulp acknowledged this application and stated "While the development to date seems satisfactory and has progressed in an orderly manner, the fact that there have been subsequent permits issued for the appropriation of subterranean water from what is presumed to be the same source of public water leads me to the conclusion that it is desirable to give published notice of the application for extension of time for completion of work.

We will therefore defer action on the application until notice of the application has been published and interested parties given the opportunity to express their views.

Nov 7 1955 Bureau stated that Kulp's action on letter of Nov 3 was satisfactory.

Publication ordered

C X

Some 35 protests were received and about 9 were against approval of the extension.

April 5, 1956 issued Denial of application and Decision of the State Reclamation Engineer

see Lot 16

Copy 4

42-226
The State has the duty to suspend appropriation and adjudgment of other diversions the same for beneficial use

20736

May 1, 1964

MEMORANDUM FOR THE IDAHO STATE RECLAMATION ENGINEER CONCERNING WATER FILINGS FOR THE NORTH SIDE PUMPING DIVISION, UNIT B, MINIDOKA PROJECT, IDAHO

The United States of America, acting through the Bureau of Reclamation, and for the ultimate benefit of citizens of Idaho who obtained homesteads on this reclamation project made a water filing under the State Water Code for this project. The application was filed with the Idaho State Reclamation Engineer on September 9, 1948, and was approved on November 9, 1948. This filing was for 1333.2 cubic feet per second of public waters of the State of Idaho to be developed from an underground source of water found to exist in the area. Some questions have been raised concerning the approval of proof of completion of works and the application of water to beneficial use filed in connection with this filing. There is no argument that the project has been completed and that a water supply for 637 irrigated farms in Unit B has been developed for the homesteaders now residing on the project. In order to support the issuance of the water right license, the following facts and discussions of the questions raised are offered. As is clearly shown by this memorandum, not only is the State Reclamation Engineer authorized by law to issue a water right license for the project with a priority of September 9, 1948, but also such action is required under the pertinent Idaho water laws, is in keeping with the representations made by the state to the Congress to obtain construction of the project, is consistent with the basis upon which the settlers homesteaded the project lands, and is not in conflict with or prejudical to any other Idaho water users. Conversely, the failure to issue a water right license for the project with a priority of September 9, 1948 would be contrary to the intent of the legislature, would be prejudical to the resident owners of the farms on the project who are the beneficiaries of the project water rights, and would not be detrimental to any non-project water users since no such non-project users formally appeared in the proceeding after repeated formal publications and announcements of the opportunity so to do. Thus, it is believed that this memorandum fully supports our position that a license should be issued with a priority date of September 9, 1948.

Background Information

The public land area which has now been developed as the North Side Pumping Division is composed entirely of public lands and is an area which has had a long history of contemplated development as a Federal reclamation project. A large area of public land, including the area included in the North Side Pumping Division, was withdrawn for reclamation development as the Minidoka Federal reclamation project shortly after the authorization of the reclamation program in 1902. From the outset, the area was proposed to be developed along with the other lands in the Burley-Rupert area as various divisions of a major project development known as the Minidoka Project. The initial area is within the Minidoka Irrigation District, is served by gravity from Minidoka Dam, and is known as the Gravity Division. The lands on the south side of the river were developed by pumping from the river, are in the Burley Irrigation District, and are known as the South Side Pumping Division.

The first storage reservoir built on Snake River is Jackson Lake and this reservoir contained additional capacity intended to be used for the development of the public lands in the Minidoka Project area. However, this additional capacity was made available during the water-short years preceding the 1920's as a supplemental source of supply to already developed lands diverting above American Falls. Thereafter, the American Falls Reservoir was built in the 1920's with sufficient capacity to provide water for the development of the North Side pumping area. Again, however, the water shortages of the 1930's showed the need for the use of the excess capacity in American Falls as a source of supplemental water supply for existing lands already developed. And, the water in American Falls was leased to the various canal companies and irrigation districts then developed in the Snake River area diverting above Milner Dam. Plans to develop the North Side pumping area were continued to be urged upon the Bureau by the various interests in the Minidoka-Rupert-Burley area and the plans to accomplish this grew out of the authorization of the next major storage reservoir in the Upper Snake River Basin, that being the Palisades Project. The basic plan was that the larger part of the leased space in American Falls Reservoir would be made permanently available to the

existing canal and irrigation districts. The remainder of the American Falls Reservoir capacity, supplemented by new storage at Palisades was set aside for a portion of the Minidoka North Side Pumping Division. This plan limited the size of the North Side Pumping Division area that could be served direct from the Snake River. This limited area is known as Unit A of the North Side Pumping Division. The remaining portion of this withdrawn public land area in the North Side Pumping Division area was to be developed in common with the Unit A area but was to be served from ground water. This basic plan was made part of the legislative history and incorporated into the bill which authorized Palisades Reservoir and the North Side Pumping Division. Thus, it can be seen that the various interests in the Snake River Basin comprising Water District No. 36 have long recognized the merits of the North Side Pumping Division area development and that development has been in contemplation over a long period of years.

The foregoing matters were the subject of much public discussion, were widely reported in the press of the local area and of the state at large, were officially announced in correspondence, and in presentations to the Congress and to state governmental officials. The information was readily available to landowners in the Minidoka-Rupert area who were seeking a source of water for private lands.

Authorization of the Project

The North Side Pumping Division was authorized by the Act of September 30, 1950, 64 Stat. 1083. This act in section 2 specifically authorized the project to be constructed and operated under the Federal Reclamation Laws in accord with the Commissioner of Reclamation's report adopted by the Secretary of the Interior on July 1, 1949, except for express modifications made in that report by the Congress, which are not pertinent here. In accordance with the provisions of the Flood Control Act of 1944, the Commissioner's report was circulated before presentation to the Congress to the various state governments for review and comment. The State of Idaho, acting through Governor Robins, reviewed the report and by letter dated August 1, 1949, on behalf of the State of Idaho, said:

"This project has been a part of the over-all planning for nearly 45 years largely because it was, even thus early, recognized that the lands involved were, by the reason of their fertility, climate, and situation and topography, well suited to intensive agricultural use.

"The project, in its major portion, will make beneficial use of Idaho's subterranean waters available in the area as demonstrated by the great amount of investigation work done by the Bureau. Developed by individual units as planned, there should be no deleterious effect on the subterranean water supply, since continuing studies by the Bureau will keep check on this feature.

"Referring again to history, when 500,000 acre-feet of American Falls Reservoir space was reserved for this project, it was naturally implied that as and when the development was feasible the obligation would be met.

"For the above reasons and since new irrigated land in Idaho is in demand and since there is presently none being developed elsewhere exclusively for veterans, this project has the hearty approval of Idaho."

Moreover, the report as reviewed by the State of Idaho, contained this material under the heading "Plan of Development":

"Unit B, with an irrigable area of 64,000 acres, will be served, as indicated earlier, with water pumped from wells. The wells, to be drilled at strategic points, will have an estimated range in capacity from 2 to 6 cubic feet per second and an average static lift of 200 feet. An estimated 309 wells will be required. From each well, small lateral systems will distribute water to several farms. Other facilities include a system of drainage wells, and 21 observation wells from which data can be obtained on regional water table fluctuations.

"Gradual development of Unit B over a period of 11 years is proposed in order to assure that the demands progressively placed upon the ground-water supply can be met satisfactorily."

The foregoing matters are of public record in House Document No. 721, 81st Congress, 2d session, the letter of Governor Robins appearing at page 7, and the discussions of the plan of development appearing at page 58. Attention is called to the fact that the "Plan of Development" section of the report as reviewed by the state indicated a development period of 11 years was proposed.

Moreover, in connection with the Congressional consideration of the authorization of the North Side Pumping Division, Mr. R. P. Parry of Twin Falls, Idaho, was asked by Governor Robins to appear on behalf of the State of Idaho at the hearings of the Subcommittee on Irrigation and Reclamation of the Committee on Public Lands, House of Representatives. In connection with making

a presentation in support of the early authorization and construction of the project, Mr. Parry made the following statement in August of 1949 to the Congress with respect to the Idaho state water rights that would be available for the North Side Pumping Division:

> "Mr. Parry. I believe that has been taken care of by the Bureau in this case as explained by Mr. Stinson yesterday. The Bureau made one blanket filing for all the wells that will be in this project to supply this body of Government land, and it would be my opinion that those wells would all be of equal priority there and that all of the men in there would have an equal right to a proportionate share of water out of this underground stream, which happens, according to geologists, to be really a definite stream flowing with an ascertainable current and flowing a large amount of water, because when we dry up the Snake River in the drought season at Milner Dam where we divert water for the two sides of the river, Twin Falls and Jerome, in the next 60 miles some 5,000 second-feet of water reappear even in the dryest season. That has to come from this underground stream." (Hearings before a Subcommittee on Irrigation and Reclamation of the Committee on Public Lands, House of Representatives, and a Special Subcommittee of the Committee on Interior and Insular Affairs, United States Senate, Eighty-First Congress, First Session on H.R. 5506, page 88).

The joint committees of the Congress holding hearings on the authorization of the North Side Pumping Division were interested in the water rights for the project, and at their request a statement was inserted in the record as follows:

> "The committee understands that water filings with respect to underground water for unit B of the north side pumping division have been made by the United States with the State of Idaho pursuant to the provisions of section 8 of the act of June 17, 1902 (32 Stat. 388), and that as waters are developed through the well program the rights thereto will become appurtenant to the lands on which beneficial use is established. The committee has been told that, while the United States will continue to have an interest in the water rights according to these filings, the beneficial ownership of those rights will be in the water users organizations subject to defeasance only for breach of repayment arrangements." (Hearings before a Subcommittee on Irrigation and Reclamation of the Committee on Public Lands, House of Representatives, and a Special Subcommittee of the Committee on Interior and Insular Affairs, United States Senate, Eighty-First Congress, First Session on H.R. 5506, page 186).

In keeping with these understandings, the Committee on Public Lands of the House of Representatives in reporting favorably on H.R. 5506, the bill which was adopted authorizing the Palisades Project and the North Side Pumping Division Project, included these words in its report (House of Representatives

Report No. 1297, Eighty-First Congress, First Session, August 22, 1949, at page 3):

> "The bill will authorize the development of unit B of the north side pumping division through the drilling of deep wells. This is a novel undertaking under the Federal reclamation law and raised considerable question concerning the handling of water rights. The committee understands that water filings with respect to underground water for unit B of the north side pumping division have been made by the United States with the State of Idaho pursuant to the provisions of section 8 of the act of June 17, 1902 (32 Stat. 388), and that as waters are developed through the well program the rights thereto will become appurtenant to the lands on which beneficial use is established. It is understood that the beneficial ownership of the water rights according to these filings will be in the water users subject to defeasance only for breach of repayment arrangements."

Congressman Sanborn of the Second Idaho Congressional District was a member of the committee at the time.

Thus, it is clear from the legislative history of the authorization of the North Side Pumping Division that state representatives advised the Congress that state water rights with a common priority of September, 1948, would be established for the veterans who were to homestead the public lands involved, and that there would be one blanket water right for all wells involved.

Timely Project Construction Has Been Accomplished

With the authorization of the project in the fall of 1950 by the Congress, construction of the project was undertaken. In keeping with well known and established legislative procedures, presidential budget requests are submitted to the Congress, open public hearings are held by the Congressional committees, and the Congress authorizes appropriations in accordance with its findings on the recommendations presented to it. These programs were made known to, and voted on, by the Congressional delegation of Idaho, and were public knowledge to the state and local officials and other citizens generally. There was ample opportunity for anyone desiring a more rapid rate of development to have presented his point of view to the Congress. The record discloses no presentation on behalf of the government of the State of Idaho for a more rapid construction of the project. The Congress appropriated funds for the construction of the project according to the following tabulation:

Fiscal year ending July 1	Amount
1950	$ 527,500
1953	150,000
1954	953,612
1955	1,898,891
1956	1,963,000
1957	2,768,000
1958	1,475,000
1959	316,000
1960	797,550
1961	320,000
1962	205,000
1963	134,619
1964	68,658

Appropriations for fiscal years 1951 and 1952 were not made due to the Korean War.

Under the program of project construction adopted by the Congress, public notices were issued throughout the United States inviting veterans of the armed forces who were qualified farmers to draw and seek an opportunity to obtain a homestead on the project. An unusually large number of veterans availed themselves of the opportunity to do so. As a result of public drawings and the screening of proposed settlers by a local board of interviewers, the veterans selected and their families were required to settle on the project and establish homes and develop the farms. The following tabulation shows the number of farm units and the years in which the settlers arrived on the project:

Number of Farm Units	Date of Entry
72	1953
85	1954
94	1955
194	1956
143	1957
35	1958
14	1961

Thus, a total of 637 farms were made available for settlement and were settled in a seven-year period.

Meantime, the portion of the project to be developed by diversion of water on the Snake River, known as Unit A, was approved for a state water right under permit No. 26216. Governor Smylie approved this permit on February 29, 1956, with a time for completion of works of March 5, 1961, but with proof of beneficial use of water being required no sooner than March 1, 1971.

In view of the foregoing, it appears fully supported that the development of the project has been as rapid as is reasonably possible, considering the large-scale investment involved, the number of people involved, and other settlement and public problems concerned. The development program is consistent with the eleven-year period estimated in the project plan contained in the report reviewed and approved by the Governor of Idaho by his letter of August 1, 1949.

Status of So-Called Objectors

The statutory procedure for obtaining a water certificate provides for publication of the notice of the initial filing of an application for permit, 42-203 Idaho Code. This was done in connection with the water right permit for the North Side Pumping Division and no one filed a protest. Under the provisions of 42-203 Idaho Code any private landowner could have done so. The legislature has provided no requirement for the publication of notice or the filing of a protest or a procedure for a hearing relating to a request of a permit holder for an extension of the time to complete his project. Moreover, the legislature has provided that a notice shall be published when construction of a project is completed. The law also requires notice of proof of the application of water to a beneficial use of the project. Sections 42-214 and 42-217 Idaho Code. These notices were published in connection with the issued permit applicable to the North Side Pumping Division, but no duly or properly verified protests were filed with the Idaho State Reclamation Engineer's office as is required by these statutes. Moreover, no person appeared at the time and place set in the published notice for the taking of proof to make any protest or make any statements.

In these circumstances, the holder of the issued water right permit who has (1) paid the required fees to the state for the permit, (2) published the required public notices, (3) complied with the required proof taking procedure established by law, and (4) provided the required verified statements as required by law, is entitled to have the proof accepted on the basis of the record made in accordance with the statutory procedures. Matters raised outside the record cannot properly be considered by the state official charged

with the responsibility of taking the actions with respect to the completion of an issued water right permit.

On the other hand, none of the persons objecting to the issuance of a water right license with a priority of September 9, 1948, would be prejudiced by the issuance of the water right license with such a priority, since it would give them the opportunity to appeal the decision if they so desired, and it is appropriate that these persons be required to bear the burden of the expense of any such appeal, rather than the developers and settlers of the project who have met all the expenses of proceeding with the processing of the water right application and of developing the project itself.

Applicable Appeal Procedures

It has been suggested that the permit holder was required to appeal from the decisions of the State Engineer which failed to approve the applications of the permit holder for an extension of time to complete the project works and submit the proofs of completion of works and of the application of water to a beneficial use. And the failure of the permittee to so appeal within 60 days after the issuance of the State Engineer's decision is suggested as being binding upon the permit holder.

There is no support for this suggestion in the state water code.

The Idaho legislature has not required a water right permit holder to appeal from each intermediate procedural action taken by the State Engineer in processing a validly granted water right permit through to the issuance of a water right license. An interpretation that would require an appeal from each intermediate decision in the administrative process in connection with the perfecting of a state water right does violence to the applicable statutes and would place an undue burden of untimely litigation on the courts and on permit holders who have in good faith proceeded to invest funds in the development of a water project in reliance on a water right permit.

The only statutory provision which could possibly require a permit holder to appeal in the circumstances involved with respect to the water right permit for the North Side Pumping Division is section 42-204 Idaho Code as amended,

which statutory provision was cited in Mr. Kulp's decision of April 5, 1956. But consider the language of this section as applied to the duty to appeal.

> "The approval of an application shall be endorsed thereon, and a record made of such endorsement in the Department of Reclamation. The application so endorsed shall constitute a permit and shall be returned to the applicant, and he shall be authorized, on receipt thereof, to proceed with the construction of the necessary works for the diversion of such water, and to take all steps required to apply the water to a beneficial use and to perfect the proposed appropriation.". . .
>
> "Any applicant feeling himself aggrieved by the endorsement made by the Department of Reclamation upon his application may appeal therefrom to the district court of the county in which the point of diversion of the proposed appropriation shall be situated. Such appeal shall be taken within sixty days from the return of the application by the Department of Reclamation, and shall be perfected when the applicant shall have filed in the office of the clerk of such district court a copy of the application, certified by the Department of Reclamation as a true copy, together with the petition to such court, setting forth the appellant's reason for appeal. Such appeal shall be heard and determined upon such competent proof as shall be adduced by the appellant, and such like proof as shall be adduced by the Department or some person duly authorized in its behalf." (Emphasis supplied.)

This language clearly applies to situations in which an applicant for a water right permit is issued a permit with endorsements thereon with which the applicant is dissatisfied. He then can appeal and have his complaint decided judicially before the applicant proceeds to invest money in reliance on an issued water right permit. This procedure obviously is a sound one. In the situation involved on the North Side Pumping Division, however, the matter of concern is not the endorsement on the application for a permit, rather, it is the proper determination of the time established by statute to complete the project and make proofs of completion and of beneficial use of the water after the persons involved are no longer applicants for a permit but are holders of an issued permit and after the permit holder has undertaken the construction of the project and there are established settlers on the project utilizing the water. In the absence of a statutory directive to a water right permit holder to prosecute an appeal to the courts, a permit holder is not required to so prosecute an appeal concerning each administrative action of the State Engineer in connection with the procedural steps necessary to secure a water right license. To do so would lead to a multiplicity of suits, would unduly

burden not only the courts and the administrative process of the State Engineer's office, but would also greatly inconvenience the holder of the issued water right permit.

The Permit Holder Has Proceeded Within the Times Required by Statute and is Entitled to the Issuance of a Water Right License

The statute governing the limitation of time for the completion of project construction by a water right permit holder and the submitting of the proofs of such completion and the proofs of application of water to a beneficial use is 42-204 Idaho Code as amended. In pertinent part, this statute reads as follows:

> "In its endorsement of approval on any application the department shall require that actual construction work shall be complete within a period of five years from the date of such approval, and that one-fifth of such work of construction shall be done within one-half the period of time allowed for the completion of such works, but may limit the application to a less period of time for the completion of such works than is asked for, and likewise the perfecting of the proposed right for a less period than is named in the application, and such endorsement shall give the date when such work shall be completed, also the date when beneficial application of the water to be diverted by such works shall be made for the purposes intended; Provided that:
>
> "1. In cases where the applicant is prevented from proceeding with his work by his failure to obtain necessary consent or final approval or rejection from the federal government because of the pendency of an application for right of way or other matter within the jurisdiction of the United States, or by litigation of any nature which might bring his title to said water in question, the department of reclamation upon proper showing of the existence of any such condition, and being convinced that said applicant is proceeding diligently and in good faith, shall extend the time so that the amount of time lost by such delays shall be added to the time given in the original permit for each and every action required.
>
> "2. The time for completion of works under any permit involving the construction of a reservoir of more than 200,000 acre feet capacity or for the appropriation of water to be impounded in such reservoir of more than 200,000 acre feet capacity, or a diversion of more than 25,000 acre feet in one (1) irrigation season for a project of no less than 5,000 acres, may upon application to the state commissioner of reclamation supported by a showing that additional time is needed on account of the time required for organizing, financing, and constructing works of such large size, be extended by the state commissioner of reclamation for an additional period of seven (7) years, but not to exceed twelve (12) years in all from the date of permit, and that extension of time for completion of works under this proviso shall automatically extend

the time for completion of the twenty per cent (20%) required to be done in half (1/2) the time, and for making proof of application of water to beneficial use: Provided, that no such extension shall be granted unless the applicant for such extension shall show that there has been actually expended toward the construction of said reservoir or diversion (including expenditures for the purchase of rights of way and property in connection therewith) at least $100,000.

"3. In connection with permits held by the United States, whether acquired as the original applicant, by assignment or otherwise, the state reclamation engineer may extend the time for completion of the works for such additional period or periods of time as he may deem necessary upon application supported by a showing that such additional time is required by reason of the status of plans, authorization, construction fund appropriations, construction, or any arrangements which the secretary of the interior or his authorized representative has found to be requisite to completion of the construction of such works. The extension of time for completion of works under this provision shall automatically extend the time for completion of the one-fifth required to be done in half the time, and for making proof of application of water to beneficial use."

In the situation with respect to the water right permit for the North Side Pumping Division, (1) the pace of progress of construction of the project works was a matter within the jurisdiction of the United States acting through the Congress, (2) the project involves the diversion of more than 25,000 acre-feet of water in one irrigation season on a project of more than 5,000 acres with an expenditure in excess of $100,000 having been made towards construction, and (3) the holder of the permit is the United States acting through the Secretary of the Interior pursuant to the Federal Reclamation Laws. On the basis of these facts, it is clear that the North Side Pumping Division fits into each one of the three exceptions made by the legislature to a time period of five years for the construction of the works under a water right permit.

Attention is called to the fact that numbered exception 1 specifically states that the Department of Reclamation upon the proper showing of the existence of the conditions specified in the exception and being convinced that the applicant is proceeding diligently and in good faith, "shall extend the time so that the amount of time lost by such delays shall be added to the time given in the original permit in each and every action required. Thus, this language makes an extension mandatory upon the State Reclamation Engineer.

It is recognized that numbered exception 2 was made applicable by amendment of that provision into the above-quoted form by legislative enactment in 1963. Again, however, this shows that the legislature intended that large-scale projects such as the North Side Pumping Division should be allowed sufficient time to accomplish the development of the project, having in mind the fact that completion of a large project does require more time than a small individual project.

Most importantly, however, it is quite clear that under any interpretation of the language of numbered exception 3, the North Side Pumping Division qualifies for an extension of time. No showing could possibly be made that the project does not clearly come within this legislative direction for an extension of the time for completion of the construction of project works.

The Legislative History of Idaho Water Laws Supports the Validity of the Permits

At the 1949 session of the Idaho legislature, specific action was taken by the legislature to adjust the Idaho state water right procedures as applied to the projects authorized by the Act of September 30, 1950. This enactment is chapter 127 of the Idaho Session Laws which amended section 41-204 of the Idaho Code (now section 42-204 quoted in part above).

The title of this amendatory act reads:

> "Amending section 41-204, Idaho Code Annotated, as amended by chapter 145, 1935 laws, regular session, as amended by chapter 161, 1941 laws, regular session, relating to permits of the Department of Reclamation for the commencement of work to construct irrigation canals and requiring bonds for same: excepting the United States acting through the Bureau of Reclamation of the Department of the Interior from the necessity of giving bonds; authorizing State Reclamation Engineer to extend time for completion of works in connection with permits held by the United States."

This title itself makes it quite clear that it was the intention of the legislature to authorize the State Engineer to extend the time for completion of works in connection with permits held by the United States. Also, the new language inserted in section 42-204 makes it quite clear that the specific intention of the legislature in enacting this amendatory legislation related directly to the projects authorized in the Upper Snake River, particularly

the Palisades Dam and the related North Side Pumping Division. The situation prevailing in 1949 was that a filing had been made for Palisades Reservoir by the Watermaster of Water District No. 36 which was being assigned to the United States. The new language says: "In connection with permits held by the United States whether acquired as the original applicant, by assignment, or otherwise." Thus, this language clearly had application to Palisades Reservoir. It also had application to the North Side Pumping Division by reason of the fact that in 1949 the United States was involved in the Korean situation, and it was well known that public works projects of the United States were being delayed by reason of this involvement.

This legislative intent is further shown by the action of the 1951 legislature when, in adopting a special procedure for obtaining ground water rights, it specifically recognized and confirmed previously pending ground water filings by including this language in section 42-226 Idaho Code:

> "All rights to the use of ground water in this state however acquired before the effective date of this act are hereby in all respects validated and confirmed."

And by including this language in section 42-229:

> "All proceedings commenced prior to the effective date of this act for the acquisition of rights to the use of ground water under the provisions of sections 42-201 - 42-225, Idaho Code, may be completed under the provisions of said sections and rights to the use of ground water may be thereby required."

Although the language used by the legislature in 1949 indicated only that the State Reclamation Engineer "may extend the time," the Idaho Supreme Court has made it quite clear that such legislative enactments are to be considered in terms of the situation with which the legislature was intending to deal. In the recent case of Messenger v. Burns, 382 P. 2d 913, the Supreme Court said:

> "In construing a statute, it is the duty of this court to ascertain the legislative intent, and give effect thereto. In ascertaining this intent, not only must the literal wording of the statute be examined, but also account must be taken of other matters, 'such as the context, the object in view, the evils to be remedied, the history of the times and of the legislation upon the same subject, public policy, contemporaneous construction, and the like.'"

Even more persuasive are the Idaho Supreme Court's interpretations of the word "may" when considered in connection with a statute dealing with the responsibilities of public officials. In Shea v. Owyhee County, 66 Idaho 159, 156 P. 2d 331, the court had this to say:

> "In the case of Hayes v. Los Angeles County, 99 Cal. 74, 33 P. 766, construing a similar statute, syllabus 2 recites:
>
> > 'The word 'may,' in said section, means 'shall.' And, thus construed, the board having no discretion to allow or reject a claim for taxes actually paid a second time, on a refusal to allow such claim, action therefor lies against the county, without also making the state party defendant.'
>
> "In the body of the decision, it is held:
>
> > 'It is urged by respondent that the Code, by providing that the board of supervisors may by order provide for refunding taxes, etc., paid more than once, made it optional with that body whether to do so or not, and that the board, in this instance, having refused to refund, its action is conclusive upon the plaintiff. Where the public interest or private right requires that the thing should be done, then the word 'may' is generally construed to mean the same as 'shall.' People v. (Board of) Supervisors of Livingston County, 68 N.Y. (114), 119. Where the statute directs the doing of a thing for the sake of justice, or the public good, the word 'may' is the same as the word 'shall.' Rex v. Barlow, 2 Salk. 609. Where a statute directs a thing to be done for justice's sake, 'may' means 'shall.' Silvey v. United States, 7 Ct. Cl. (305), 334. Where persons or the public have an interest in having the act done by a public body, 'may,' in such a statute, means 'must.' Phelps v. Hawley, 52 N.Y. (23), 27; People v. (Board of) Supervisors of Otsego Co., 51 N.Y. 401. See (In re) Estate of Ballentine, 45 Cal 696. In Supervisors v. United States, 4 Wall. 435 (18 L. Ed. 419), a statute of Illinois provided that the board of supervisors 'may, if deemed advisable, levy a special tax,' etc. Mr. Justice Swayne sums up the authorities on the question as follows: 'The conclusion to be adduced from the authorities is that where power is given to public officers, in the language of the act before us, or in equivalent language,--whenever the public interest or individual rights call for its exercise,--the language used, though permissive in form, is in fact peremptory. What they are empowered to do for a third person the law requires shall be done. The power is given, not for their benefit, but for his. It is placed with the depositary to meet the demands of right, and to prevent a failure of justice. It is given as a remedy to those entitled to invoke its aid, and who would otherwise be remediless.' Applying the rule enunciated in the foregoing cases, and it is apparent that

a sound and just rule of construction requires the permissive word 'may,' in section 3804, supra, to be construed as 'shall.''

"The Grimes v. Raney case, supra, places its holding on grounds of 'Legislative intention', but in view of the criticism in said case and of the innumerable decisions to the effect that 'Where the public interest or private right requires that the thing should be done, then the word 'may' is generally construed to mean the same as 'shall'', such holding would seem unjustified."

Again, in Malone v. Van Etten, 67 Idaho 294, 178 P. 2d 382, the Idaho Supreme Court in determining the duty of the Public Utilities Commission said:

"In considering sec. 59-804, I.C.A., and the use of the words 'said application may be granted and the commission may issue a permit as prayed for upon good cause shown', may should be construed as must where the applicant for the permit has fully complied with each and every statutory requirement. We think the rule is well settled that: 'Where the public interest or private right requires that the thing should be done, then the word 'may' is generally construed to mean the same as 'shall.'" Hayes v. Los Angeles County, 99 Cal. 74, 33 P. 766, at page 768.

It is clear that the Idaho legislature in enacting chapter 127 of the Idaho Session Laws of 1949 intended to specifically authorize the State Reclamation Engineer in connection with permits held by the United States to extend the time for completion of the work recognizing the complexity of large projects undertaken by the federal government. It is also clear that the legislature in effect directed the State Reclamation Engineer to grant appropriate extensions of time upon application by the federal government. In view of the above quoted decisions of the Idaho Supreme Court it also appears that the court would consider it mandatory upon the State Engineer to issue such extensions of time.

With No Valid Basis Existing in the Record For Not So Doing, the State Engineer Has Authority to Issue to the Water Right Permit Holder the Water Right License

The suggestion has been made that the water right permit be canceled. It is clear, however, from section 42-311 Idaho Code that such action is to be taken only when the Department of Reclamation shall deem it advisable "to clear the records of its office" of permits. It is also clear from section 42-219 Idaho Code that where a water right permit holder has complied with the procedures of the statute with respect to completion of works and submission

of proofs, that a water right license is to be issued, notwithstanding meeting of time periods set out in the water right permit. This section further indicates that on irrigation projects such as the North Side Pumping Division, involving an area of more than 25,000 acres, the water right shall relate to the entire project even though the proof shall have been made after the dates stated in the permit.

As indicated previously, no protests were properly served upon the State Engineer or upon the permit holder in connection with the processing of the water right permit to its statutorily required form of a water right license. This is true notwithstanding the State Engineer's office publishing a notice concerning the request of the permit holder for an extension of time in 1955 even though such notice was not required by the Idaho statutes. It is true that the State Engineer's office has received informal letters (also formal Ltr.) indicating personal preferences about the matter of extending the time as requested by the permit holder. These letters, however, were not served upon the permit holder. No one appeared formally in the proceeding setting out any facts with respect to their relationship to the public waters involved under the permit holder's water right permit or alleging any facts as to any conflict between the project water supply and the lands of a protestant.

Not only were no timely or proper protests filed in any formal manner on the completion of the water right permit to a water right license, but also no one has any valid basis for alleging any real conflict or interference. The State Engineer in his decision of April 5, 1956 himself found this to be the fact in the following language:

> "Geological Survey Circular 371, Ground Water in the North Side Pumping Division, Minidoka Project, Minidoka County, Idaho, says: 'Local lowering of water levels by sustained heavy pumping in the North Side Pumping Division and adjacent areas probably will cause low-order regional lowering of water levels.'
>
> "It is the opinion of the State Reclamation Engineer that water rights initiated in the vicinity of the Project since 1948 would not be seriously injured by approval of the Application for extension of time and it is also the opinion of the State Reclamation Engineer that the water rights of the Project as a whole would not be seriously injured by denial of the Application for Extension of time."

It has been clearly held by the Idaho Supreme Court in Big Wood Canal Company v. Chapman, 45 Idaho 380, 263 Pac. 45, that in upholding the water right permit procedures undertaken by the Big Wood Canal Company that a water right license is valid where there has been substantial compliance with the statutes and that actions taken by the legislature in revising then applicable statutes to permit a longer period of time for the completion of the procedural steps under the state water right procedures was valid as against the complaints of those who would have benefited had the water right license been forfeited.

It appears clear from the statements provided to the State Engineer's office concerning this matter that the real complaint in the statements is not against the administration of the state water right procedures but rather against the applicable law relating to the obtaining of a water right permit and license as established by the legislature. It is clear that the legislature intended and did establish the procedure whereby a large community water project can be undertaken and developed over a period of years with that water project having a priority date for its water supply relating back to the initiation of the enterprise, even though adjacent later developments proceed to completion before the entire community project is developed. This is a matter for legislative policy determination and once the legislative policy has been determined the project which has been undertaken under that policy is entitled to receive the water right license in accordance with the policy as established by the legislature.

Conclusion

The foregoing demonstrates clearly that the applicable law relating to water right procedures not only authorized but in fact directed an extension of time for the completion of the procedures for the North Side Pumping Division. Also, there was an administrative recognition by the State Engineer's office of a defacto postponement of the time for the making of proofs of completion and the application of water to beneficial use.

In the light of discussions between the representatives of the Bureau of Reclamation and Mr. Carter subsequent to Mr. Carter's letter of January 17, 1961, as disclosed in Mr. Nelson's letter to Mr. Tappan dated May 1, 1964, it

seems clear that his statement in the letter that:

> "In statutory theory, this permit is now subject to cancellation but as a matter of practice it would not be cancelled."

was construed and understood by him and the Bureau of Reclamation as an extension of time for completion of works. The Assistant Attorney General, of course, was unaware of this understanding at the time he wrote his opinion of February 28, 1964. No question is raised by anyone as to whether the State Reclamation Engineer had authority to grant this extension. Likewise, no question is raised by anyone that timely action was taken in submitting proof of application to beneficial use.

Thus, the project did in fact comply with all statutory requirements and most certainly there is no basis for canceling the permit and no requirement that it be canceled.

There, therefore, remains the sole question as to what should be the proper date of priority. Mr. Kulp in his decision of April 5, 1956, held that the wells drilled after November 5, 1955 would have a priority of that date and wells drilled before that date would have a priority date of September 9, 1948. It is our view that this order is invalid and was issued without statutory authority. This is recognized by the Assistant Attorney General in his opinion of February 28, 1964. He said:

> "As noted above, Kulp's order of April 5, 1956, divided the dates of priority under Permit No. 20736 around November 5, 1955. There is no indication in that order of what statutory or other basis Kulp utilized in making that portion of the order, and our research reveals none."

Moreover, the North Side Pumping Division Unit B is operated as a unit with all water users participating therein, sharing a common water supply and common expenses. This arrangement is in keeping with the project authorization, written into a project repayment contract which was voted on by the water users and has been confirmed as lawful by a court confirmation proceedings in the district court. Thus, it is both impractical from an engineering point of view to operate the project and distribute the water on the basis of the project having separate priority dates, and even if practical such an

operation would be in conflict with the contractual arrangements which have been approved and confirmed as lawful for the project under applicable Idaho law.

In view of the foregoing, the proper date of priority for all the wells should be in accordance with the terms of the permit, that is, September 9, 1948.

There being no formal appearances or objections, even after several publications and widespread public announcements, the license should be issued with a priority of September 9, 1948 and any burden of appealing the same should be on the so-called objectors rather than on the project.

Respectfully submitted,

William Burpee

William Burpee
Field Solicitor

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Re: Permit No. 20736

Date:

Aug. 30, 1963

Regional Director
Bureau of Reclamation
Box 937
Boise, Idaho

Dear Sir:

The date for proof of application of water to beneficial use, as set out under the terms of Permit No. 20736 is due not later than November 5, 1963.
If by this date you are not prepared to make this proof, you may make it at a later date, however, your priority will be advanced the same length of time for which the proof is late.

Before this proof can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper within the county.

We enclose Form 10, in duplicate, which is to be filled in and returned to this department at least forty (40) days before the above mentioned date and/or before the time you intend to make proof. This form, in duplicate, is to include the time of day, the date, the name of the town, the address of the Notary Public before whom you will appear to make the depositions of proof (this may be at any place that is convenient for you and your two witnesses), the quantity of water, for what purpose it is used, the point or points of diversion and the location of use or lands which are irrigated - by legal land description. Descriptions should be taken from your Permit, including any amendments thereto, as recorded in this department. If changes have been made and no amendments are on record, we advise that you request a form for this purpose before your notice is published.

Also enclosed is Form 11, which is the authorization for us to have the notice published in the designated county newspaper, at your expense. This is to be returned with Forms 10.

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

The amount of water allowed in a license cannot be more than is actually produced and measured and put to beneficial use, and cannot be more than the statutory amount allowable per acre of land actually found by field inspection to have been irrigated at the time of proof.

Very truly yours,

GEO. N. CARTER-CARL E. TAPPAN
State Reclamation Engineer

20736

Enc. Form 10-11

NOTICE FOR PUBLICATION

NOTICE OF PROOF OF COMPLETION OF CONSTRUCTION AND

APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 a.m. on the 13th day of January, 1964, at the Bureau of Reclamation offices, Orchard and Fairview, Boise, Idaho, County of Ada, State of Idaho, before John H. Welch, a Notary Public, proof will be submitted of the diversion of and application to beneficial use of 1100 cubic feet per second of underground water, in accordance with the terms and conditions of Permit No. 20736 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and post office address of the person or corporation holding said permit is United States of America, P. O. Box 937, Boise, Idaho.

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

The amount applied to beneficial use is 1100 c.f.s.

The works of diversion have been completed within the life of the permit.

The point of diversion of said water is 177 wells located in township 7 south, ranges 23, 24, and 25 east, Boise meridian; township 8 south, ranges 21, 22, 23, 24, and 25 east, Boise meridian; township 9 south, ranges 21, 22, and 23 east, Boise meridian; township 10 south, ranges 21 and 22 east, Boise meridian, all within the A & B Irrigation District, North Side Pumping Division, Minidoka Project, Idaho.

The place where said water is used (legal description): 62,604.3 irrigated acres located in townships 7, 8, 9, and 10 south, ranges 21, 22, 23, 24, and 25 east, Boise meridian, Idaho, all within the boundaries of the A & B Irrigation District, North Side Pumping Division, Minidoka Project, Idaho.

The date of priority which said user is prepared to establish is September 9, 1948.

20736

CARL E. TAPPAN

State Reclamation Engineer

January 17, 1961

RE: Permit No. 20736

Attention: 150

H. T. Nelson, Regional Director
Bureau of Reclamation
P. O. Box 937
Boise, Idaho

Dear Mr. Nelson:

My attention has been called to the requirement of offering proof of Completion of Works on the government's permit No. 20736 appropriating 240 cubic feet per second of subterranean water for the North Side Pumping Division of the Minidoka Project, Idaho. The permit bears date of November 5, 1948.

My letter of November 13, 1958 stated I found no justification nor statutory authority to extend further the time for making the said proof and suggested the proof should then be made.

Section 42-204 cited in your letter of September 22, 1958 as authority for further extension seems to limit a final date for offering a proof of completion of works of "not to exceed ten years in all from the date of the permit". This period for extension of time is absorbed by the final date fixed by the State Reclamation Engineer's letter of October 31, 1956, viz. November 5, 1958.

In statutory theory this permit is now subject to cancellation but as a matter of practice it would not be cancelled.

What is the Bureau's suggestion or wish in this matter?

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

GNC:mr

20736

November 13, 1958

Re: Permit No. 20736

Mr. H. T. Nelson, Regional Director
Bureau of Reclamation
P. O. Box 937
Boise, Idaho

Attention: 150

Dear Mr. Nelson:

Thorough consideration has been given to your request of September 22, 1958 for an extension of time of five additional years within which to make Proof of Completion of Works on Permit No. 20736, United States of America Permit Holder. Said permit appropriates 1333.28 cubic feet per second of underground water from various wells for the irrigation of "Unit B", North Side Pumping Division of the Minidoka Project, Idaho, a Federal reclamation project.

The application for the permit was approved by the State November 5, 1948, and by its provisos proof of Completion of Works was required to be made not later than November 5, 1953. Request for an extension of time of five years dated September 30, 1953, within which to make the required proof of Completion of Works was filed in this office and upon considering it the State Reclamation Engineer approved an extension of time of two years only, thus advancing the due date of the required proof to November 5, 1955.

On September 1, 1955 this office mailed to you the usual form notice for making proof of Completion of Works on Permit, said notice stating the proof was required on or before November 5, 1955. In response to the notice you filed in affidavit form, dated October 25, 1955, an application for further extension of three years time within which to make the required proof which would have brought the required proof date forward to November 5, 1958.

The State Reclamation Engineer gave publicity to the request for further time within which to make the required proof, through the newspapers of the two counties in which the project is situated. The published notice invited written objections or expressions on or before December 15, 1955, of interested parties stating same would be received and considered by the Department of Reclamation.

20736

As a result of this public notice various protests against allowing further extension of time for making the proof were filed in the Department of Reclamation office and also a number of recommendations that the government's request for more time be granted. The permit file in this office indicates you were supplied copies of the protests against and recommendations in favor of granting the extension of time requested.

On April 5, 1956 the State Reclamation Engineer denied the request of the United States for three years additional time within which to make its Proof of Completion of Works on Permit No. 20736, stating among other things that:

> " It is the opinion of the State Reclamation Engineer that water rights initiated in the vicinity of the Project since 1948 would not be seriously injured by approval of the Application for extension of time and it is also the opinion of the State Reclamation Engineer that the water rights of the Project as a whole would not be seriously injured by denial of the Application for Extension of Time.
>
> It is the further decision of the State Reclamation Engineer that the priority date of that part of the right initiated by Permit No. 20736 depending on works constructed prior to November 5, 1955, shall relate back to September 9, 1948, and that the part of the right initiated under Permit No. 20736 and depending on works not completed by November 5, 1955, may relate back to November 5, 1955."

On October 31, 1956, the State Reclamation Engineer wrote you further regarding denial of your application for the extension of time requested as follows:

> " As a matter of procedure, Proof of Completion of Works on the whole of the works to be completed under Permit No. 20736 may be submitted as soon as all the works are completed but not later than November 5, 1958.
>
> The time for completion of works for items not completed by November 5, 1955, is extended three years from November 5, 1955, and the time for making proof of completion of works on all work is extended to November 5, 1958."

20736

In view of the previous rulings of the State Reclamation Engineer on this matter, the vehement protests lodged against granting further extensions of time for proof of Completion of Works on this permit and the present status of construction of the North Side Pumping Division of the Minidoka Project no justifiable reason for granting your current request for more time is apparent; consequently Proof of Completion of Works should now be made.

The usual notice and forms for the proof are enclosed.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

GNC/lw
Enclosures

20736

November 13, 1958

Re: Permit No. 20736

Mr. H. T. Nelson, Regional Director
Bureau of Reclamation
P. O. Box 937
Boise, Idaho

Attention: 150

COPY

Dear Mr. Nelson:

Thorough consideration has been given to your request of September 22, 1958 for an extension of time of five additional years within which to make Proof of Completion of Works on Permit No. 207[illegible], United States of America Permit Holder. Said permit appropriates 13[illegible].28 cubic feet per second of underground water from various wells for the irrigation of "Unit B", North Side Pumping Division of the Minidoka Project, Idaho, a Federal reclamation project.

The application for the permit was approved by the State November 5, 1948, and by its provisos proof of Completion of Works was required to be made not later than November 5, 1953. Request for an extension of time of five years dated September 30, 1953, within which to make the required proof of Completion of Works was filed in this office and upon considering it the State Reclamation Engineer approved an extension of time of two years only, thus advancing the due date of the required proof to November 5, 1955.

On September 1, 1955 this office mailed to you the usual form notice for making proof of Completion of Works on Permit, said notice stating the proof was required on or before November 5, 1955. In response to the notice you filed in affidavit form, dated October 25, 1955, an application for further extension of three years time within which to make the required proof which would have brought the required proof date forward to November 5, 1958.

The State Reclamation Engineer gave publicity to the request for further time within which to make the required proof, through the newspapers of the two counties in which the project is situated. The published notice invited written objections or expressions on or before December 15, 1955, of interested parties stating same would be received and considered by the Department of Reclamation.

20736

COPY

As a result of this public notice various protests against allowing further extension of time for making the proof were filed in the Department of Reclamation office and also a number of recommendations that the government's request for more time be granted. The permit file in this office indicates you were supplied copies of the protests against and recommendations in favor of granting the extension of time requested.

On April 5, 1956 the State Reclamation Engineer denied the request of the United States for three years additional time within which to make its Proof of Completion of Works on Permit No. 20736, stating among other things that:

> " It is the opinion of the State Reclamation Engineer that water rights initiated in the vicinity of the Project since 1948 would not be seriously injured by approval of the Application for extension of time and it is also the opinion of the State Reclamation Engineer that the water rights of the Project as a whole would not be seriously injured by denial of the Application for Extension of Time.
>
> It is the further decision of the State Reclamation Engineer that the priority date of that part of the right initiated by Permit No. 20736 depending on works constructed prior to November 5, 1955, shall relate back to September 9, 1948, and that the part of the right initiated under Permit No. 20736 and depending on works not completed by November 5, 1955, may relate back to November 5, 1955."

On October 31, 1956, the State Reclamation Engineer wrote you further regarding denial of your application for the extension of time requested as follows:

> " As a matter of procedure, Proof of Completion of Works on the whole of the works to be completed under Permit No. 20736 may be submitted as soon as all the works are completed but not later than November 5, 1958.
>
> The time for completion of works for items not completed by November 5, 1955, is extended three years from November 5, 1955, and the time for making proof of completion of works on all work is extended to November 5, 1958."

In view of the previous rulings of the State Reclamation Engineer on this matter, the vehement protests lodged against granting further extensions of time for proof of Completion of Works on this permit and the present status of construction of the North Side Pumping Division of the Minidoka Project no justifiable reason for granting your current request for more time is apparent; consequently Proof of Completion of Works should now be made.

The usual notice and forms for the proof are enclosed.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

COPY

GNC/lw
Enclosures

20736

November 13, 1958

Re: Permit No. 20736

Mr. H. T. Nelson, Regional Director
Bureau of Reclamation
P. O. Box 937
Boise, Idaho

Attention: 150

Dear Mr. Nelson:

Thorough consideration has been given to your request of September 22, 1958 for an extension of time of five additional years within which to make Proof of Completion of Works on Permit No. 20736, United States of America Permit Holder. Said permit appropriates 1333.28 cubic feet per second of underground water from various wells for the irrigation of "Unit B", North Side Pumping Division of the Minidoka Project, Idaho, a Federal reclamation project.

The application for the permit was approved by the State November 5, 1948, and by its provisos proof of Completion of Works was required to be made not later than November 5, 1953. Request for an extension of time of five years dated September 30, 1953, within which to make the required proof of Completion of Works was filed in this office and upon considering it the State Reclamation Engineer approved an extension of time of two years only, thus advancing the due date of the required proof to November 5, 1955.

On September 1, 1955 this office mailed to you the usual form notice for making proof of Completion of Works on Permit, said notice stating the proof was required on or before November 5, 1955. In response to the notice you filed in affidavit form, dated October 25, 1955, an application for further extension of three years time within which to make the required proof which would have brought the required proof date forward to November 5, 1958.

The State Reclamation Engineer gave publicity to the request for further time within which to make the required proof, through the newspapers of the two counties in which the project is situated. The published notice invited written objections or expressions on or before December 15, 1955, of interested parties stating same would be received and considered by the Department of Reclamation.

20736

As a result of this public notice various protests against allowing further extension of time for making the proof were filed in the Department of Reclamation office and also a number of recommendations that the government's request for more time be granted. The permit file in this office indicates you were supplied copies of the protests against and recommendations in favor of granting the extension of time requested.

On April 5, 1956 the State Reclamation Engineer denied the request of the United States for three years additional time within which to make its Proof of Completion of Works on Permit No. 20736, stating among other things that:

> " It is the opinion of the State Reclamation Engineer that water rights initiated in the vicinity of the Project since 1948 would not be seriously injured by approval of the Application for extension of time and it is also the opinion of the State Reclamation Engineer that the water rights of the Project as a whole would not be seriously injured by denial of the Application for Extension of Time.
>
> It is the further decision of the State Reclamation Engineer that the priority date of that part of the right initiated by Permit No. 20736 depending on works constructed prior to November 5, 1955, shall relate back to September 9, 1948, and that the part of the right initiated under Permit No. 20736 and depending on works not completed by November 5, 1955, may relate back to November 5, 1955."

On October 31, 1956, the State Reclamation Engineer wrote you further regarding denial of your application for the extension of time requested as follows:

> " As a matter of procedure, Proof of Completion of Works on the whole of the works to be completed under Permit No. 20736 may be submitted as soon as all the works are completed but not later than November 5, 1958.
>
> The time for completion of works for items not completed by November 5, 1955, is extended three years from November 5, 1955, and the time for making proof of completion of works on all work is extended to November 5, 1958."

COPY

In view of the previous rulings of the State Reclamation Engineer on this matter, the vehement protests lodged against granting further extensions of time for proof of Completion of Works on this permit and the present status of construction of the North Side Pumping Division of the Minidoka Project no justifiable reason for granting your current request for more time is apparent; consequently Proof of Completion of Works should now be made.

The usual notice and forms for the proof are enclosed.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

COPY

GNC/lw
Enclosures

29736

IN REPLY REFER TO:

150

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
REGIONAL OFFICE, REGION I
BOX 937, BOISE, IDAHO

SEP 22 1958

RECEIVED
SEP 23 1958
Department of Reclamation

Mr. Geo. N. Carter
State Reclamation Engineer
Boise, Idaho

Dear Mr. Carter:

By letter dated October 31, 1956, Mr. Mark Kulp, then State Reclamation Engineer, extended the time for proof of completion of works under Permit No. 20736 to November 5, 1958. This was as to the completion of the whole of the works and was without regard to works completed prior to November 5, 1955, and those completed thereafter. As you know, Permit No. 20736 relates to the wells to provide water to Unit B of the North Side Pumping Division of the Minidoka Project, a project of the Bureau of Reclamation.

The Bureau of Reclamation is still drilling wells for Unit B of the North Side Pumping Division to complete the Project. We had hoped to complete construction of the wells by this time. As the lands of the Project have been brought under irrigation and the experience of several seasons of operation acquired, however, we have found it necessary to drill a few additional wells (but within the number and area covered in the permit) in the Division to be able to furnish water to meet peak demand periods. These wells to supplement existing wells are either now under construction or planned for early construction.

Although it would be possible to make proof of completion of works on wells and facilities now completed, this would not be desirable as it would unnecessarily complicate the records as to this water filing. Mr. Kulp indicated that proof of completion of works should be treated as a whole for all of the wells and facilities on the Division, and, as stated before, we are not at this time through with construction. It has become necessary, therefore, to request an extension of time for making proof of completion of works under Permit No. 20736. In these circumstances, it is requested that the time for making proof of completion of works on all work under Permit No. 20736 be extended five years to November 5, 1963, pursuant to authority granted to you by Section 42-204 of the Idaho Code. The

20736

rate of construction and settlement on this Project has been as rapid as is practicable, and this additional time to clean up all final construction activities and put the Project into a fully operative and maintenance stage is, we think, fully justifiable.

Sincerely yours,

W= H Tuller

Acting Regional Director

207736

CIRC. 371

GEOLOGICAL SURVEY CIRCULAR 371

GROUND WATER IN THE NORTH SIDE PUMPING DIVISION, MINIDOKA PROJECT MINIDOKA COUNTY, IDAHO

Prepared on behalf of the United States Bureau of Reclamation,
and in cooperation with the Idaho State Department of Reclamation

UNITED STATES DEPARTMENT OF THE INTERIOR
Douglas McKay, Secretary

GEOLOGICAL SURVEY
W. E. Wrather, Director

GEOLOGICAL SURVEY CIRCULAR 371

GROUND WATER IN THE NORTH SIDE PUMPING DIVISION MINIDOKA PROJECT, MINIDOKA COUNTY, IDAHO

By E. G. Crosthwaite and R. C. Scott

Prepared on behalf of the United States
Bureau of Reclamation, and in cooperation
with the Idaho State Department of Reclamation

[illegible]

Washington, D. C. 1956

Free on application to the Geological Survey, Washington 25, D. C.

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290736

GROUND WATER IN THE NORTH SIDE PUMPING DIVISION MINIDOKA PROJECT, MINIDOKA COUNTY, IDAHO

By E. G. Crosthwaite and R. C. Scott

ABSTRACT

The U. S. Bureau of Reclamation proposes to irrigate about 64,000 acres, largely in southern Minidoka County north and west of the Snake River, with ground water from 175 wells; 13,650 additional acres would receive surface water pumped to a high-line canal from Lake Milner. More than 20,000 additional acres nearby is being developed by private capital. Completion of the Federal reclamation project will more than double the irrigated acreage in the North Side Division of the Minidoka Project. The area to be irrigated with ground water is at the south-central edge of the Snake River Plain adjacent to project lands that have been irrigated for many years with Snake River water.

Substantial development of ground water for irrigation of project and private lands began in 1947. By 1953 about 79,000 acre-feet of ground water was being pumped yearly. In four other areas to the east and northeast the estimated pumpage was about 245,000 acre-feet from the same aquifer and tributary aquifers.

The Snake River basalt is the principal water-bearing formation for all irrigation wells in the pumping project and adjacent areas. The Burley lake beds, which occur beneath the area irrigated with surface water, include thin beds of sand and gravel; these and intercalated basalt yield water to industrial, municipal, domestic, and stock wells. Clay and silt, which make up the larger part of the beds, yield little or no water to wells. Older alluvium, which mantles the Rupert terrace and overlies the Burley lake beds, yields considerable amounts of unconfined water at shallow depth. The Minidoka basalt transmits an undetermined volume of water that leaks out of Lake Walcott. Younger alluvium along the channel of the Snake River contains much ground water, but is not an important aquifer because of its small areal extent.

The principal sources of replenishment of ground water in the basalt aquifer are (1) direct infiltration of precipitation, (2) underflow from highlands and tributary valleys adjoining the Snake River Plain, (3) infiltration from surface streams and reservoirs, and (4) infiltration of unconsumed irrigation water. Westward from the project area ground water is discharged naturally from the basalt through springs in the canyon of the Snake River. The estimated yearly discharge from the springs is about 4 million acre-feet of water.

The gross ground-water requirement of reclamation-project lands will be 235,000 acre-feet yearly. The average depth to water table beneath the unit is about 200 feet and the expected average depth of wells is less than 300 feet. The anticipated average discharge from individual wells is about 5.5 cfs. The gross water requirement for 88,500 acres proposed for private development will be about 325,000 acre-feet yearly, but development of the complete acreage probably will require many years.

The foreseeable gross depletion of ground water in the project area and vicinity will be about 275,000 acre-feet yearly. Infiltration from new surface-water irrigation will offset about 30,000 acre-feet of the gross depletion, leaving a net depletion of about 245,000 acre-feet yearly. The volume of water discharged yearly from springs in the Snake River canyon probably will be reduced about 6 percent; slightly less than half the reduction will be caused by pumping on the Federal project. Foreseeable net depletion of ground water elsewhere on the plain and in tributary areas will be about 5 to 10 percent of the total historical spring flow. The proposed ground-water depletion probably would not infringe seriously on water rights at the springs or on surface-water rights downstream from the springs. Owing to the high transmissibility of the aquifer, the pumping will cause a small general lowering of water levels throughout the plain and a somewhat greater lowering in and near large pumping projects. The amount of lowering cannot be predicted at this time.

The main water table, at all places where it has been identified in the project area, is below the channel of the Snake River and the floor of Lake Walcott. The relation of Lake Walcott to the water table is complex and poorly understood, but ground-water pumping on the project is not likely to have a measurable effect on the lake. The Snake River basalt is capable of yielding water copiously to wells with but small drawdown and very little regional lowering of the water table. Decline of water levels during heavy pumping in the project will induce a large underflow of water through the basalt to the project from adjacent areas. Future pumping lifts probably will be not more than 10 feet greater than present lifts.

According to the residual sodium carbonate, percent sodium, and sodium-absorption-ratio methods of

determining water suitability, water from the Snake River basalt is chemically suitable for irrigation. The water is moderately hard but is otherwise suitable for domestic use and for many industrial purposes.

INTRODUCTION

Purpose and Scope of Investigation

Southern Minidoka County and parts of Blaine, Jerome, and Lincoln Counties contain more than 100,000 acres of irrigable land for which irrigation water had not been developed before 1947. Exploration and development of ground water for irrigation began on a modest scale in 1947 and were intensified thereafter. If current trends continue, most of the desirable land will be under irrigation within a few years. The North Side Pumping Division of the Minidoka Project, U. S. Bureau of Reclamation, comprising about 78,000 irrigable acres, is within the area of feasible development, and construction of the project has been authorized by Congress. The adopted plan of the Bureau of Reclamation provides for irrigating 64,000 acres with ground water pumped from wells, and 13,650 acres with surface water pumped from Lake Milner into a high-line canal.

This report was prepared in cooperation with the Idaho State Department of Reclamation on behalf of the Bureau of Reclamation, as an aid to project planning and construction for irrigating the North Side Pumping Division with ground water. A preliminary report (Nace, 1948) on ground water in the project and vicinity was prepared in 1948. The present report contains a reappraisal of the ground-water aspects of the project, based on additional data collected intermittently during several subsequent years and an intensive study

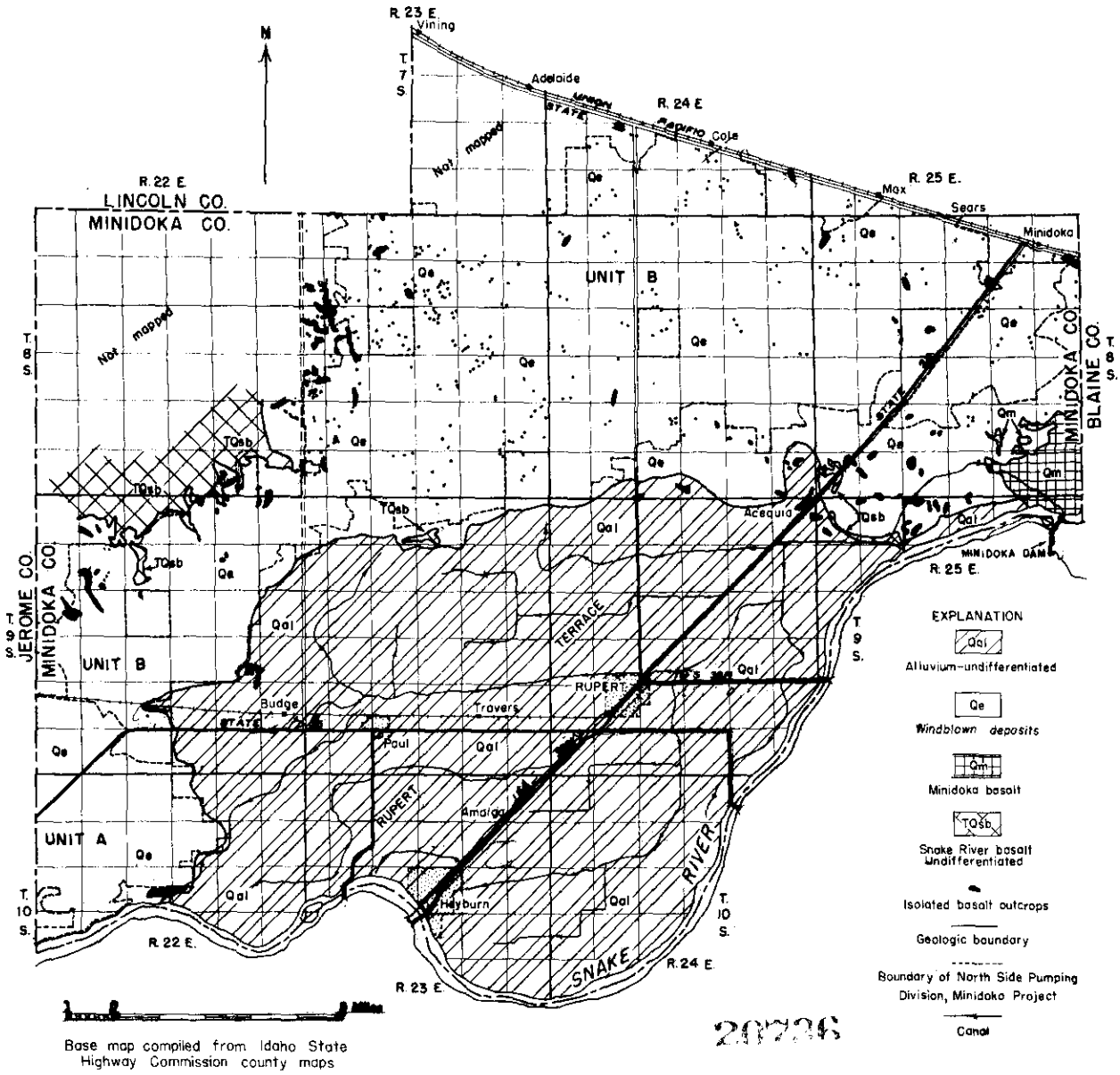


Figure 1.—Geologic map of southern Minidoka County, Idaho.

in 1954. The present report does not entirely supersede the older one, which contains additional information about geology and water-bearing properties of rocks.

The general surface geology of the Snake River Plain, which includes the area now occupied by the North Side Pumping Division, is described by Russell (1902) and Stearns and others (1938). General geologic information and ground-water data are contained in two other reports (Nace, 1948; Fader and Mower, 1952). The Bureau of Reclamation has published a project-plan report (Newell, 1949).

Investigations in the Minidoka Project area by the U. S. Geological Survey were begun in October 1947 under a cooperative agreement with the Idaho State Department of Reclamation. Concurrently, informal technical collaboration was begun with the U. S. Bureau of Reclamation in the collection of hydrologic data. The Geological Survey, the Bureau of Reclamation, and the Idaho State Department of Reclamation have collaborated in the collection of all basic data.

Water levels in project observation wells have been measured by the Geological Survey since 1947. Automatic water-stage recorders are operated by the Bureau of Reclamation on 14 additional observation wells. All irrigation wells drilled before September 1953 have been canvassed. Spirit leveling to wells in the map area (pl. 1) was by the Bureau of Reclamation and the Geological Survey. The geologic map (fig. 1) was compiled from all available data. The water-table contour map (pl. 1) and the depth-to-water map (fig. 2) were prepared as part of the present report.

Ground-water investigations by the Geological Survey are under the general direction of A. N. Sayre,

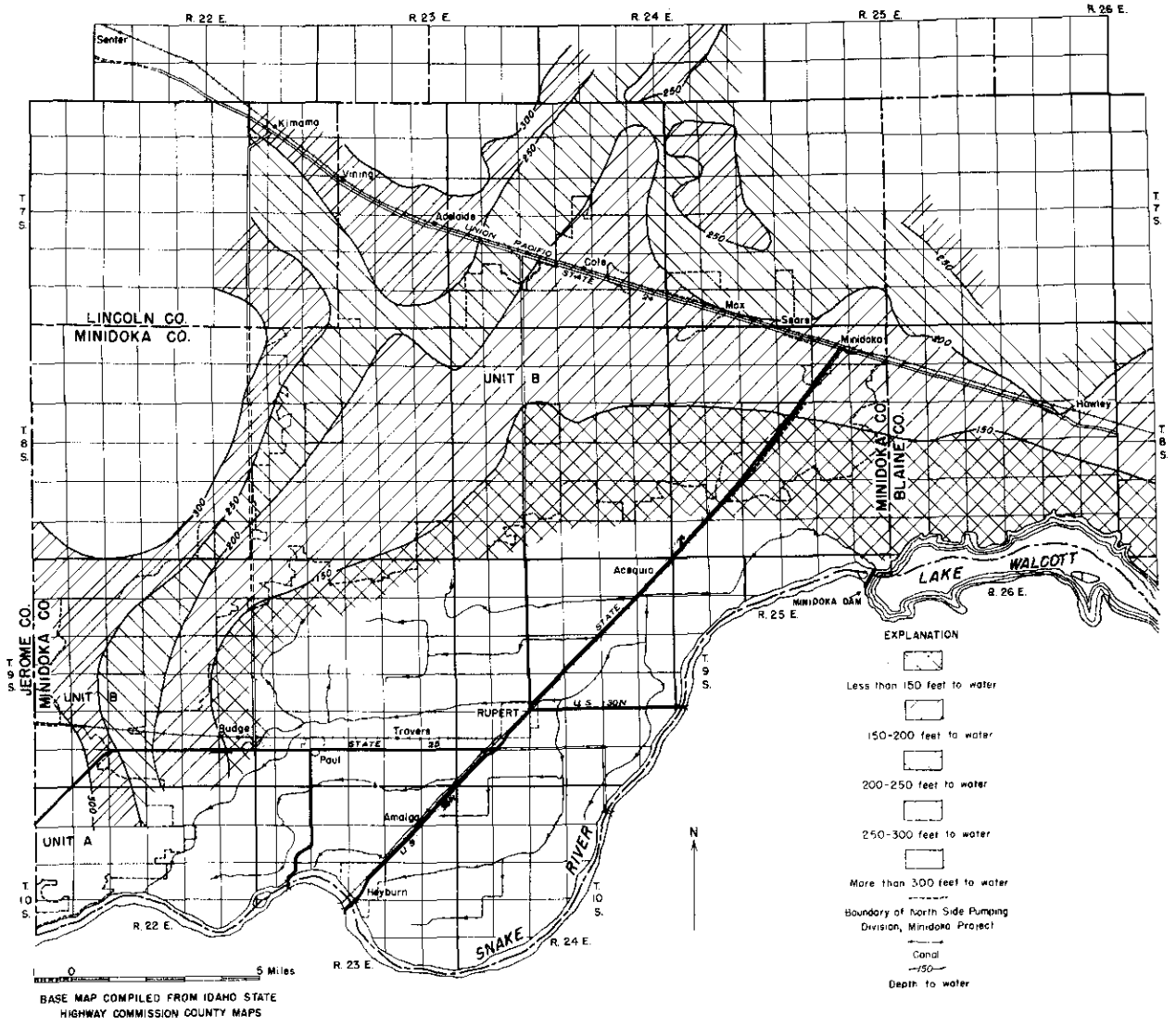


Figure 2.—Approximate depth to water in the Snake River basalt, Minidoka area, Idaho.

chief of the Ground Water Branch. Work in Idaho is supervised by R. L. Nace, district geologist, Boise, Idaho. Work on behalf of the Bureau of Reclamation was done at the request of H. T. Nelson, director, Region 1, U. S. Bureau of Reclamation, Boise, Idaho. The cost of the intensive study in fiscal years 1954 and 1955 was defrayed largely by Bureau of Reclamation funds. Interim work in earlier years was done in cooperation with the Idaho Department of Reclamation, Mark R. Kulp, State reclamation engineer.

Related work by the Geological Survey has been in progress west of the Minidoka Project since 1949. This work includes continuous operation of four gaging stations at the outlets of representative springs, and annual current-meter measurements at the outlets of about 20 large springs.

Location and Size of Area

The Minidoka Reclamation Project consists of several divisions (table 1). The North Side Pumping Division contains about 77,650 acres of irrigable land on the Snake River Plain in Tps. 7–10 S., Rs. 21–25 E., Boise baseline and meridian, chiefly in southern Minidoka County (fig. 3). It covers a slightly elevated belt of land 30 miles long and 2 to 7 miles wide adjacent to the north and west sides of the Gravity Division. Unit A of the Pumping Division (pl. 1) contains about 13,650 irrigable acres in the southwestern part of the project, and Unit B contains about 64,000 irrigable acres in the northern part. The Gravity Division consists of about 72,000 acres of "oldland" (64,000 acres are in Minidoka County).

Table 1.—Divisions of the Minidoka Project

Division	Map symbol (fig. 3)	Source of water	Irrigable acres (rounded)
North Side Gravity Division	A	Minidoka Dam	72,000
North Side Pumping Division	B		
Unit A		Milner Dam	13,650
Unit B		Ground water	64,000
South Side Pumping Division	C	Minidoka Dam	48,000
Gooding Division (except Hunt Unit)	D	Milner Dam	90,000
Hunt Unit	E	do	8,000
Total			375,650

Under the original reclamation plan for the Minidoka Project, the North Side Pumping Division was to be irrigated with Snake River water. Because reservoir-storage space initially available did not provide for the Pumping Division land, development of that land was deferred pending availability of additional upstream

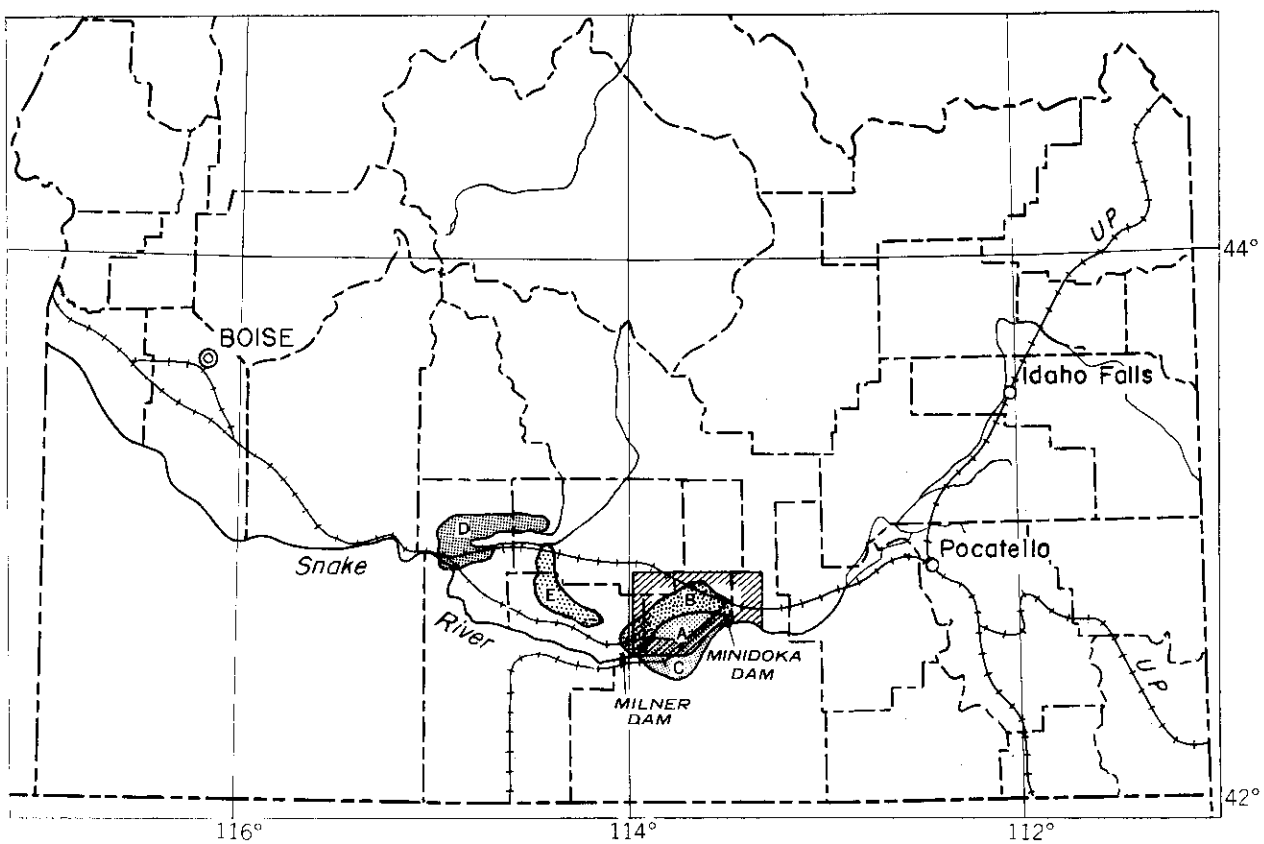
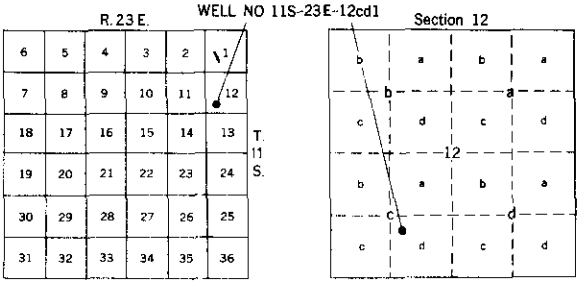


Figure 3.—Index map of southern Idaho showing area covered by this report.

storage space. Availability of a suitable supply of ground water and development of efficient deep-well pumps, however, led to modification of the original plan. This report is concerned with the adequacy of the water supply and the feasibility of its use in Unit B. Data on adjoining areas necessarily are included to set the unit and the water-supply problem in proper geographic and hydrologic perspective.

Well-Numbering System

The well-numbering system used in Idaho by the Geological Survey indicates the locations of wells within official rectangular subdivisions of the public lands, with reference to the Boise baseline and meridian. The first two segments of a number designate the township and range. The third gives the section number, followed by two letters and a numeral, which indicate the quarter section, the 40-acre tract, and the serial number of the well within the tract. Quarter sections are lettered a, b, c, and d in counterclockwise order, from the northeast quarter of each section (see diagram). Within the quarter sections 40-acre tracts are lettered in the same manner. The digits following the letters indicate the order in which the wells were first visited within the 40-acre tracts. Well 11S-23E-12cd1 is in the SE¼SW¼ sec. 12, T. 11 S., R. 23 E., and is the well first visited in that tract.



Acknowledgments

Many well owners, the R. C. Commons Drilling Co., Hittleston and Haynes Co., and A. J. Schoonover and Sons, well drillers, supplied well logs and other data. The Idaho Power Co. furnished power-consumption data on irrigation pumps. The assistance and cooperation of these individuals and companies have been of great value and are gratefully acknowledged.

PHYSIOGRAPHIC HISTORY AND DRAINAGE

The extreme southern part of Minidoka County is a relatively flat stream terrace (herein called the Rupert terrace, see fig. 1), about 18 miles long and 11 miles wide. The terrace, a local feature in the Snake River Plain, is bounded on the north and west by an escarpment 50 to 75 feet high, and on the south by the Snake River. The southern part of the county north of the escarpment is gently rolling terrain that is typical of the Snake River Plain. The North Side Pumping Division is immediately north and west of the escarpment on the rolling plain. In the vicinity of the project the generally flat to rolling surface of the plain is modified by dry gulches, shallow undrained depressions, and small knolls. A few rounded volcanic hills, having long, gentle slopes, rise one hundred to several hundred feet above the general level of the plain. The most prominent of the volcanic hills is Kimama Butte ("Big Kim"), near the northwest corner of the project. The soil of the North Side Pumping Division consists of loose or lightly compacted windblown material, which is anchored at most places by native vegetation. Clearing and plowing make the land vulnerable to wind erosion. Eastward from the town of Minidoka are active sand dunes. Water erosion is inconsequential except along a few short gullies.

In past geologic time the sedimentary and volcanic rocks in the area now occupied by the Snake River Plain were warped and faulted to form a large trough-like depression in which numerous lava flows accumulated. Between these flows, which solidified to form basalt, beds of lake, stream, and windblown sediments were deposited.

At one time, late in the period of accumulation of basalt and associated sediments, the Snake River occupied a wide, deep valley in southern Minidoka County and adjacent areas. Behind a lava dam in this valley a lake was impounded, covering much or all of the area that is now in the North Side Gravity Division. The lake basin was largely filled with sediments and a few intercalated basalt flows. The lake was drained as the Snake River cut its outlet downward, and after disappearance of the lake the Snake River deposited on the lake beds a sheet of older alluvium which now forms an extensive terrace, the Rupert terrace. Volcanic activity in the area continued during alluvial deposition but ended with the extrusion of a basalt flow (Minidoka basalt) along the north side of Lake Walcott. Younger alluvium was deposited thereafter. Deposition of windblown sediment occurred throughout the period of volcanism and continued to comparatively recent time, forming a discontinuous mantle of silt and fine sand on the basalt in much of the plain.

The Snake River Plain slopes southward and southwestward about 23 feet per mile in the Minidoka area. The average altitude along the south side of Craters of the Moon National Monument, north of Minidoka County, is about 5,380 feet above mean sea level; along the Snake River at the southern boundary of the county the average altitude is about 4,150 feet. Owing to the gentle slope of the plain, the small amount of precipitation, and the high moisture-retention capacity of soil which overlies relatively porous basalt, runoff on the plain is small and ephemeral. An integrated drainage system has not developed because most precipitation either restores soil moisture, becomes ground-water recharge, or evaporates. Several drainage canals in the Rupert terrace downstream from Minidoka Dam collect irrigation waste water and discharge into the Snake River. Some waste water drains into intake wells and recharges the regional aquifer.

CLIMATE

Minidoka County has moderately cold winters and warm summers. The mean annual temperature at Rupert is 47.6°F (table 2). The climate is moderated by prevailing westerly winds from the Pacific area,

Table 2.—Mean annual temperature and normal annual precipitation at eight stations on the Snake River Plain

[From records of U. S. Weather Bureau]

	Years 1/ of record	Altitude (feet above mean sea level)	Precipitation (inches)	Temperature (°F)
Richfield	40	4,306	9.73	45.0
Shoshone	46	3,968	10.23	47.0
Hazelton	38	4,060	10.72	49.4
Burley factory	30	4,200	10.00	47.3
Burley	37	4,180	9.39	48.7
Burley CAA airport	17	4,157	9.26	47.7
Paul	20	4,200	10.34	48.0
Rupert	48	4,204	9.95	47.6

1/ Includes some years of fragmentary records.

and the region is sheltered from northern cold waves by the Continental Divide. The average length of the growing season for hardy crops is about 190 days; the average frost-free period is about 130 days.

Precipitation in the southern part of the county is about 8 to 10 inches a year, of which less than 40 percent falls during the growing season (tables 2 and 3). Precipitation is lowest in July, August, and September (table 3). Irrigation is essential for a stable farming economy.

Table 3.—Normal monthly and annual precipitation at Rupert, 1907–53

[From records of U. S. Weather Bureau]

Month	Precipitation (inches)	Percent of annual total
January	1.06	10.65
February	.95	9.55
March	.78	7.84
April	1.02	10.25
May	1.01	10.15
June	.84	8.44
July	.41	4.12
August	.41	4.12
September	.56	5.63
October	.94	9.45
November	1.00	10.05
December	.97	9.75
Annual	9.95	100

The average relative humidity in the area is slightly less than 56 percent. The average monthly evaporation from a class A landpan operated by the Weather Bureau at Minidoka Dam was 9.8 inches during the period May to October. The rate of evaporation varied from 6.0 inches in October to 12.2 inches in August.

Sustained wind velocities of 15 to 20 miles per hour are common on the Snake River Plain, but gusts reach much higher velocities. Wind erosion occurs wherever the native sod is broken and left unprotected. Winds of destructive force, however, are rare. Summer thunderstorms occur infrequently and usually are mild. Losses from lightning are negligible. Hailstorms occasionally strike the area, but these storms generally are limited in extent and seldom are damaging.

AGRICULTURAL DEVELOPMENT

Minidoka County had about 10,000 inhabitants in 1950, according to the U. S. Census of Population, and about a third of the population lived in Rupert. Other small villages and their 1950 population are Paul, 600; Heyburn, 413; Minidoka, 200; and Acequia, 75. The county contained 1,059 farms, comprising 123,334 acres, or 26 percent of the total county area. The number of farm acres increased from 75,174 in 1945 to 123,334 in 1950, and the average size of farms increased from 76 to 116 acres. Ninety-six percent of the farms, covering 103,472 acres, were irrigated in 1950, according to the U. S. Census of Agriculture.

Agricultural products of the county include alfalfa, beans, potatoes, sugar beets, cereals, seeds, dairy products, beef, mutton, and wool. Industries in the area are closely related to agriculture and include milk-processing plants, a sugar factory, and seed and potato warehouses.

Rupert, the county seat of Minidoka County, is served by a branch of the Union Pacific Railroad, by U. S. Highway 30, and by State Highway 25. Two motor freight lines and a bus line pass through the town and air transportation is available 8 miles south of Rupert at the Burley airport.

Surface Water

The principal use of surface water in the Minidoka North Side area is for farm irrigation and yard watering in towns. The main source of irrigation water for the Gravity Division is the Snake River, the diversion being made at Minidoka Dam. Supplemental water is stored in upstream reservoirs. Storage in Lake Walcott is drawn on in years of very low water supply, but lake storage is primarily for power generation. The earliest delivery of water to the Gravity Division was in 1907, and facilities for delivery of gravity water were completed by 1917. The average amount of water diverted to the project during the period 1943–53 was about 450,000 acre-feet a year. Surface water is also used to irrigate about 50,000 acres of the South Side Pumping Division (Burley Irrigation District); water was first available for these lands in 1908. Small quantities are required for stock and industrial uses.

Ground Water

Rupert, Paul, and Minidoka have municipal wells. The Union Pacific Railroad Co., a cheese factory, and a potato warehouse have their own wells. A sugar refinery at Paul utilizes both ground water and surface water for processing sugar beets. Most rural and suburban homes obtain water for domestic use from wells.

Pumping ground water for irrigation in Minidoka County was begun in 1947 by the Julian Clawson Farms, Inc., to irrigate land in the southeast part of T. 7 S., R. 23 E. In 1948 the Bureau of Reclamation drilled three large-bore test wells and thereafter leased these wells with appropriate land parcels to private interests. The success of leased farms demonstrated the general feasibility of ground-water irrigation in the proposed Pumping Division. By the end of 1953, 11 irrigation wells were operating in the Pumping Division, and about 125 private irrigation wells had been drilled on private land nearby. The progress of ground-water development in the area is summarized in table 4. Two hundred or more additional wells may be drilled before development of the project and adjacent private land is complete.

Table 4.—Ground-water development in the Minidoka area

Year	Number of wells	Estimated pumpage (acre-feet per year)	Estimated area irrigated (acres)
1947...	3	.....	.....
1948...	6	.....	.....
1949...	.....	.....	.....
1950...	30	28,000	9,700
1951...	92	68,000	23,800
1952...	.....	72,000	25,000
1953...	136	79,000	26,000

Other areas in the Snake River Plain, north and east of the Pumping Division, also are being reclaimed with ground water, and the estimated amount of ground-water utilization in these areas is about 245,000 acre-feet a year (table 5). Although the tables do not show all pumping developments on the plain, they suggest the current order of magnitude. Other large developments are in prospect in various parts of the plain.

Table 5.—Estimated ground-water pumpage for irrigation northeast of the Minidoka area, 1953

Area	Estimated pumpage (acre-feet)
Western Jefferson County.....	85,000
Western Bingham and northwestern Power Counties.....	125,000
Raft River basin.....	25,000
Michaud Flats.....	10,000
Total.....	245,000

GEOLOGIC FORMATIONS AND THEIR WATER-BEARING PROPERTIES

The geologic formations in the area differ markedly in their water-bearing properties. The materials in them range from highly permeable to nearly impermeable. Permeability influences the rate at which the materials accept recharge, transmit water, and yield water to wells. The physical characteristics, the areal distribution, and the water-bearing properties of the geologic units are summarized in table 6. Their surface distribution is shown on the geologic map (fig. 1). The Burley lake beds do not crop out in the map area but are present at depth.

Younger Alluvial and Windblown Deposits

Windblown silt, sandy clay, and very fine sand mantle most of the volcanic rock in the area and are mixed with alluvium in the deposits beneath the Rupert terrace. The thickness of the windblown material is as much as 50 feet. Beneath much of the area a weakly cemented "hardpan" occurs at depths of 2 to 6 feet in the windblown deposits. These deposits are above the zone of saturation and therefore are not water bearing. The windblown material has a moderately high moisture-retaining capacity, but its permeability is sufficient to allow downward percolation of water. The "hardpan" layers impede percolation.

The younger alluvium, which is restricted to the flood plain and channel of the Snake River, consists of poorly sorted deposits of clay, silt, sand, and clean, water-worn gravel derived mostly from reworked older alluvium. The alluvium contains abundant ground water at shallow depth, but because of its limited areal extent and thickness it is not an important aquifer. On the geologic map the younger alluvium is not differentiated from the older alluvium.

Minidoka Basalt

The Minidoka basalt (Stearns, 1938), which is exposed along the north shore of Lake Walcott, is blue black to dark gray and vesicular. The basalt seemingly originated from cones northeast of Minidoka. Joints and other fractures in the basalt make it quite permeable, and near Lake Walcott the lower part of the formation contains ground water that is recharged by percolation from the lake.

Older Alluvium

Older alluvium underlies the Minidoka basalt and forms the Rupert terrace. The alluvium is chiefly silt and sand, but gravel occurs at some places, especially in the lower part of the formation. It overlies the Burley lake beds, with which its contact may be gradational. Sand and gravel beds in the older alluvium are a principal source of unconfined shallow ground water for domestic, stock, and industrial use in the Gravity Division.

Burley Lake Beds

The ancient lake in which the Burley lake beds were deposited covered the area of the Gravity Division but apparently did not extend into the Pumping Division. The beds are known only from well cuttings, which show that they occur beneath older alluvium in the Gravity Division. On the basis of the log of a deep municipal well in Burley, Stearns (1938) applied the name Burley lake beds to deposits between 15 and 150 feet below the land surface; he did not include in the

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Table 6.—Geologic formations and their hydrologic properties

Formation and age	Thickness (feet)	Map symbol (fig. 1)	Physical character and areal distribution	Water-bearing properties
Windblown deposits; Recent.	0–50+	Qe	Windblown silt, sandy clay, and very fine sand. Mantles most of the basalt area. Mixed with alluvium at some places. Weakly cemented calcareous "hardpan" zone occurs 2–6 feet below the surface. Forms active dunes in Blaine County. Older windblown material locally intercalated with basalt flows.	Fair to good moisture retention, but not water bearing because it occurs above the zone of saturation.
Younger alluvium; Recent. (Not differentiated on geologic map from older alluvium.)	0–10+	Qal	Clay, silt, sand, and clean water-worn gravel and boulders in beach, bar, and channel deposits along the Snake River. Consists predominantly of reworked older alluvium. Locally fossiliferous.	Contains abundant, unconfined ground water at shallow depth, but is unimportant as an aquifer because of its small areal distribution and thickness.
Minidoka basalt; Pleistocene.	10–50+	Qm	Olivine basalt, blue black to black, vesicular. Overlies older alluvium along north shore of Lake Walcott near Minidoka Dam.	Permeable, but degree of permeability not known. Transmits undetermined volume of water that percolates out of Lake Walcott.
Older alluvium; Pleistocene. (Not differentiated on map from younger alluvium.)	0–40+	Qal	Clay, silt, sand and gravel beneath valley floor and stream terraces. Contains fragments of chert, limestone, dolomite, metamorphic, and intrusive igneous rocks, and material derived from lake and ash beds. Present in much of the Gravity Division.	Sandy and gravelly beds yield considerable unconfined ground water to wells at shallow depths. Contains perched ground water in the Gravity Division.
Burley lake beds and intercalated basalt; Pleistocene.	450+	.....	Clay, silt, sand, and fine gravel, unconsolidated to well-compacted. Known only from drill holes in the Rupert-Paul-Burley area. Mantled by alluvium and windblown deposits. Intercalated basalt layers occur 150–225 feet below the land surface and at the bottom of the formation, separating it from the underlying Raft (?) lake beds.	Sand, gravel, and basalt yield moderate amounts of ground water to domestic and industrial wells. Clay and silt low in permeability; they retard drainage of the Gravity Division and at depth serve as confining beds over artesian aquifers.
Snake River basalt; Pliocene to Recent.	.....	TQsb	Olivine basalt, gray to black, dense to vesicular, fine-grained. Has irregular and columnar joints. Contains some broken basalt, cinders, and interflow sediments. Crops out discontinuously in the Pumping Division.	The most important aquifer in the area and the source of ground water for the Pumping Division. Yields large amount of unconfined ground water to wells. Receives recharge readily. Interflow sediments yield little or no water.

unit a deeper sequence of similar deposits between 225 and 475 feet below the surface in the Burley well, underlying a thin layer of basalt. The deeper lake deposits were tentatively considered as a westward extension of the Raft lake beds, because of their similar stratigraphic positions above a 650-foot sequence of volcanic rocks that were penetrated by the Burley city well. The Raft lake beds are exposed along the south shore of Lake Walcott as far west as the mouth of Raft River (about 12 miles east-southeast of Minidoka Dam), where they dip westward about 18 feet per mile. If this dip were maintained westward the beds would lie about 550 feet below the land surface at Burley. The difference between this depth and the actual depth of the beds at Burley was inferred by Stearns to be a result of faulting along the west side of the Raft River.

On the north side of the Snake River the Rupert municipal well (9S-24E-29ad1), and the Amalgamated Sugar Co. well 2 (9S-23E-27bd1) near Paul, penetrate lake beds at depths between 550 and 575 feet. These sediments are more sandy and the clay layers are lighter in color than the shallow lake beds. The two sequences of lake beds are separated by about 135 feet of basalt and nonlacustrine sediments. The third and deepest group of lake beds resembles the Raft lake beds more closely than do the others, and the depth to the third group at Rupert and Paul is more conformable with their dip in outcrop areas. The absence of the third group in the Burley municipal well can be explained by nondeposition or removal by erosion before emplacement of the basalt in the Burley area. For the purposes of this report all lake sediments beneath the alluvium to a depth of about 475 feet are grouped with the Burley lake beds.

The Burley lake beds, as here defined, consist of about 450 feet of compacted to unconsolidated clay and silt, and small amounts of sand and fine gravel. Several basalt layers are intercalated in the lake beds 150 to 225 feet below the land surface and at the base of the formation. The sand, gravel, and basalt are permeable and yield moderate amounts of ground water to domestic, municipal, and industrial wells. The clay and silt beds are very low in permeability and are the base on which shallow ground water is perched in overlying alluvium. At depth these impermeable beds confine artesian water in associated permeable sediments.

Snake River Basalt

The Snake River basalt underlies all of the Minidoka area and most of the Snake River Plain. At most places in the area of proposed ground-water development the basalt is overlain by 2 to 50 feet or more of windblown deposits, but small outcrops are common (fig. 1). In Minidoka County and most other parts of the Snake River Plain the Snake River basalt is the principal water-bearing formation, and it yields water copiously to wells. Intertongued sedimentary beds are saturated below the water table but yield little or no water to wells.

The Snake River basalt consists of many individual flow sheets, 10 to 75 feet thick, which originated at numerous volcanic vents scattered over the Snake River Plain. At some places, where lava flowed into former stream channels, the flow layers are much thicker and highly irregular. A few sedimentary beds are intercalated in the basalt. The total thickness of the basalt is not known. In southern Minidoka County wells 500 feet deep end in basalt.

The rock is predominately olivine basalt, occurring chiefly as dense to vesicular layers having smoothly billowed surfaces. Locally, the basalt surfaces are corded and "ropy". Broken, blocky basalt is uncommon in the Minidoka area. Most of the rock is various shades of gray, but purple, red, and black colors are not rare and color differences are common within individual flows.

Much of the basalt, especially in thick flows, has the characteristic columnar jointing that is produced by shrinkage during cooling. Contacts between many basalt layers are highly irregular; many open spaces occur where rapid chilling and solidification of the upper flow caused granulation and brecciation or prevented close molding to the configuration of the lower flow surface. The open vertical cracks and joints impart high vertical permeability to some layers. On the other hand, some flows are massive, solid, and low in permeability.

WATER RESOURCES

Source and Disposition of Water

The ultimate source of practically all ground water is precipitation. Some precipitation is evaporated, some runs off from the land surface, and some restores soil moisture. The residual water is available for ground-water recharge. Natural discharge of ground water occurs through springs and seeps and by evapotranspiration. Most precipitation in the Minidoka area that is not used to restore soil moisture becomes ground-water recharge because natural surface runoff is very small. All natural local surface drainage is ephemeral. Numerous drainage ditches discharge surface-waste water from the irrigation system and also tap ground water where the drains intercept shallow perched water. Some drains discharge by gravity or pumping into the Snake River. Others discharge into drainage (intake) wells that conduct the water underground. Natural discharge from the main body of ground water is chiefly through springs in the Snake River valley, 20 to 50 miles west of the Pumping Division.

The upstream part of Lake Walcott is continuous with the zone of saturation in adjacent rocks, from which ground water is discharged into the lake. The downstream part of the lake seemingly is perched above the main water table for a distance of about 9 miles above Minidoka Dam. In the early period of reservoir operation the relations of the lake to ground water apparently were somewhat different, because a great deal of water was lost by percolation into the ground. The average yearly volume of water lost during the period 1907 to 1910 was about 428,000 acre-feet; during the middle 1920's the loss was only about 107,000 acre-feet a year (Stearns, 1938). Currently there is an ungaged net gain to Lake Walcott of about 82,000 acre-feet a year (table 7). Reduction of the net percolation loss probably is caused in part by a natural seal of silt and clay on the floor of the reservoir. Also, the lake level is not as high as it formerly was. The upstream part of the lake now gains more ground water that it formerly did; such inflow probably exceeds

Table 7.—Inflow, outflow, and ungaged net gain in storage in Lake Walcott, 1950–53

[Acre-feet per year. Based on records of Water District 36, Snake River, Idaho]

Water year	Inflow			Outflow				Net gain
	Snake River at Neeley	1/ Ungaged surface inflow (estimated)	Total	Snake River near Minidoka	Minidoka diversion canals	Evaporation (estimated)	Total	
1950.....	6,180,700	55,000	6,235,700	5,552,100	791,670	30,000	6,373,770	138,070
1951.....	6,890,900	55,000	6,945,900	6,181,900	817,600	30,000	7,029,500	83,600
1952.....	7,384,800	55,000	7,439,800	6,568,800	841,298	30,000	7,440,098	298
1953.....	4,918,970	55,000	4,973,970	4,254,430	795,575	30,000	5,080,005	106,035
Average.	6,343,842	55,000	6,398,842	5,639,310	811,536	30,000	6,480,842	82,000

1/ Includes Rock and Fall Creeks, Raft River, and springs along north side of Snake River between Raft River and Neeley.

downstream loss by percolation and is the source of the ungaged net gain to Lake Walcott.

Ground Water

Sources, Occurrence, and Movement

The unified body of ground water in the Snake River Plain is replenished perennially from several sources: (1) direct infiltration of precipitation; (2) mass underflow from adjoining highlands; (3) underflow from tributary valleys; (4) infiltration from surface streams; (5) infiltration of unconsumed irrigation water. The gross volume of ground-water recharge from precipitation directly on the Snake River Plain may be large, but the amount per unit area is very small at most places, owing to the low rate of precipitation. On the Minidoka project direct infiltration of precipitation to the ground-water body occurs chiefly in areas of exposed permeable basalt where there is little or no soil to absorb moisture. Important local replenishment of ground water in the Snake River basalt is by percolation from Lake Walcott and by the underflow of the perched ground water in the Rupert terrace.

Little is known about quantities of water contributed to the basalt aquifer from individual sources on the Snake River Plain. The ground water from all sources moves generally westward by underflow and is discharged from springs in the Snake River valley. The Pumping Division is at the center of the southern edge of this ground-water body. Thus, although increments of ground water from local sources are comparatively small, wells in the reclamation area tap a supply maintained by large contributions from outside the Minidoka area.

The approximate position of the main water table in the vicinity of the Pumping Division is shown on plate 1. A perched water table occurs in the southern part of the map area where ground water in alluvium of the Rupert terrace is recharged by percolating irrigation water. The perched water table is not shown on the map, but the area of perching coincides approximately with the area occupied by Quaternary alluvium in the Rupert terrace (fig. 1). The contours of the main water table are tentatively extended only a short distance beneath the area of perched water (pl. 1).

The direction of ground-water flow is west and southwest, about at right angles to the water-table contours. Local recharge from Lake Walcott and the Gravity Division causes local variations in the form of the water table and the direction of the gradients. The gradient of the water table averages about 3 feet per mile beneath most of Unit B of the Pumping Division, but under the western part of the Division the gradient steepens to about 12 feet or more per mile. Local differences in the gradient probably are caused by differences in the permeability of the basalt and by the presence of nonpermeable fine-grained sediments intercalated with the basalt. Some differences may be influenced by the shape and slope of the impermeable floor beneath the main zone of saturation and by local differences in the rate of recharge and replenishment.

Water-Table Fluctuations

Water-table changes in general reflect changes in the amount of ground water in storage, although some momentary and short-term fluctuations are caused by special factors such as earthquake shocks. A general annual rise and fall of the water table occurs during the annual cycle of ground-water recharge and discharge. The downward trend usually commences in October and the rise usually begins in April or May.

During the period of this investigation, 14 automatic water-stage recorders were operated on observation wells in the area, and periodic measurements of water levels were made in 12 additional observation wells (pl. 1). Water-level fluctuations in representative wells are illustrated graphically in figures 4 and 5, which clearly show the yearly rise and fall of the water table.

Well 9S-24E-1db2, on the Rupert terrace near its north edge, is directly and strongly influenced by surface-water irrigation on the Gravity Division. Well 9S-25E-23db1 may be affected by irrigation, by seepage from Lake Walcott, and by underflow from the Raft River valley. Other wells represented in figures 4 and 5 are in or near the pumping project and their water-level fluctuations are typical of those throughout the area of proposed ground-water development.

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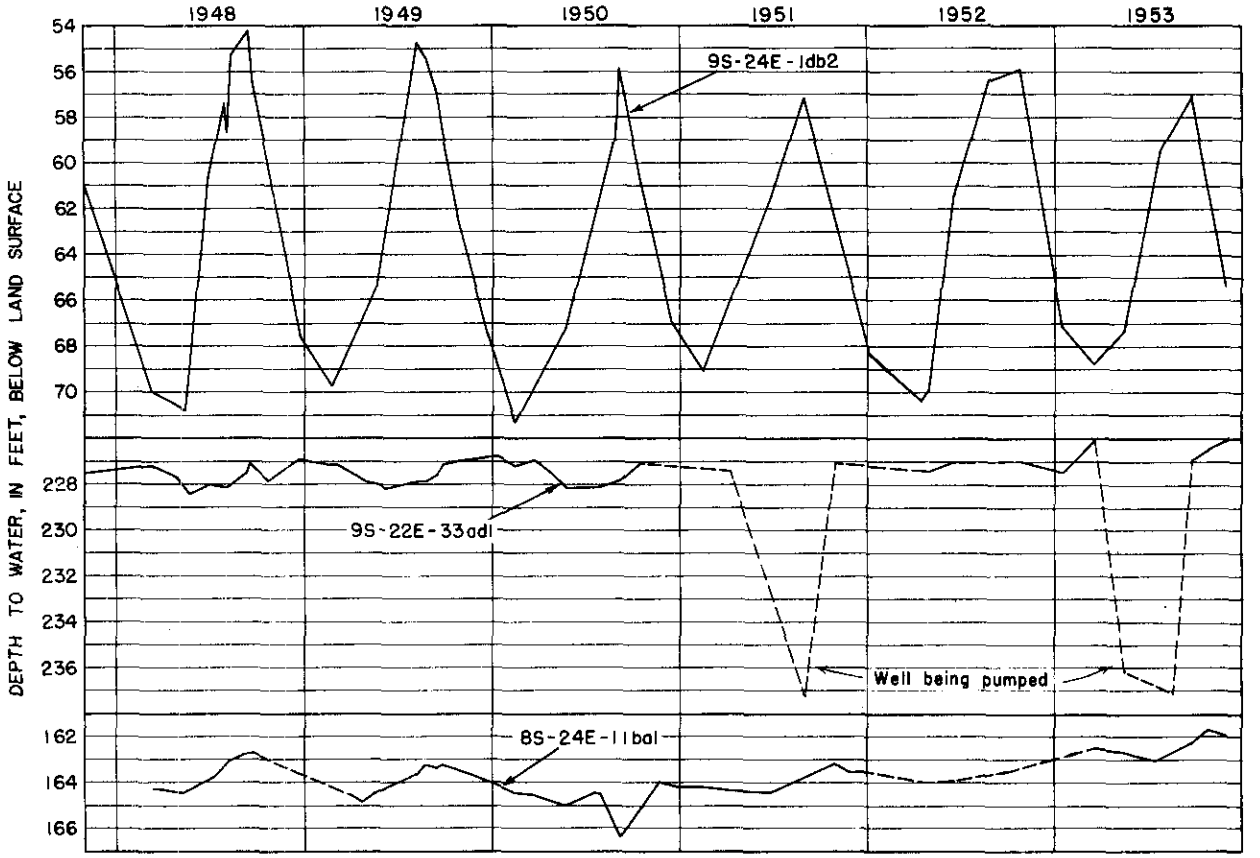

Figure 4.—Water-level fluctuations in wells in Minidoka County, 1948–53.

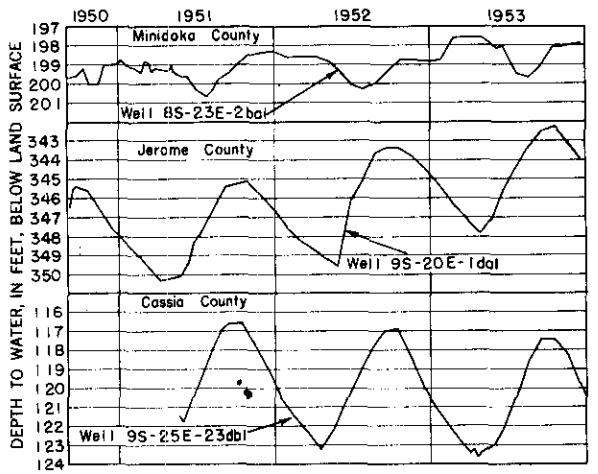

Figure 5.—Water-level fluctuations in wells in the Minidoka project, 1950–53.

The annual range of fluctuations in the basalt aquifer is about 1 to 5 feet and the average is about 2 feet. Longer-term water-level trends and net changes are disclosed by records for the period 1948–53.

Since 1948 a net rise of 0.5 to 3 feet in the water levels in most wells that tap the main basalt aquifer occurred. In well 9S-24E-1db2 (fig. 4) there was an apparent net decline of about 2.5 feet. This well is in the irrigated area at Acequia and the decline might have been caused partly by reduced recharge during recent years of less abundant diversions of surface water for irrigation. Also, the well is measured only six times a year and the actual maximums and minimums may not have been detected. In well 9S-25E-23db1, which taps water in basalt south of the Snake River, there has been a net decline of about a foot in the water level. Water at that location is replenished largely by underflow from the Raft River basin. Underflow probably has been reduced owing to deficient recharge during recent years of subnormal precipitation in the Raft River basin. Underflow from that basin also may influence water levels in the vicinity of Acequia. The length of the period of observations is not sufficient to warrant analytical conclusions at this time. The short-term effects of local pumping are small and difficult to detect in wells that tap water in the main basalt aquifer. In the highly permeable Snake River basalt the drawdown caused by pumping ordinarily is small, and the slope of the cone of influence is so slight that water-level changes can be detected readily only in wells close to a pumped well.

Water levels in most wells fluctuate in response to changes in atmospheric pressure. Figure 6 compares the hydrograph of well 8S-23E-2ba1 with the inverted barometer readings at the Burley station of the U. S. Weather Bureau, from March 29 to April 9, 1953. Barometric fluctuations in water levels must be recognized in hydrographs before the graphs can be interpreted properly, especially in pumping tests where observed water-level fluctuations are small and are used in the calculation of hydraulic constants of aquifers.

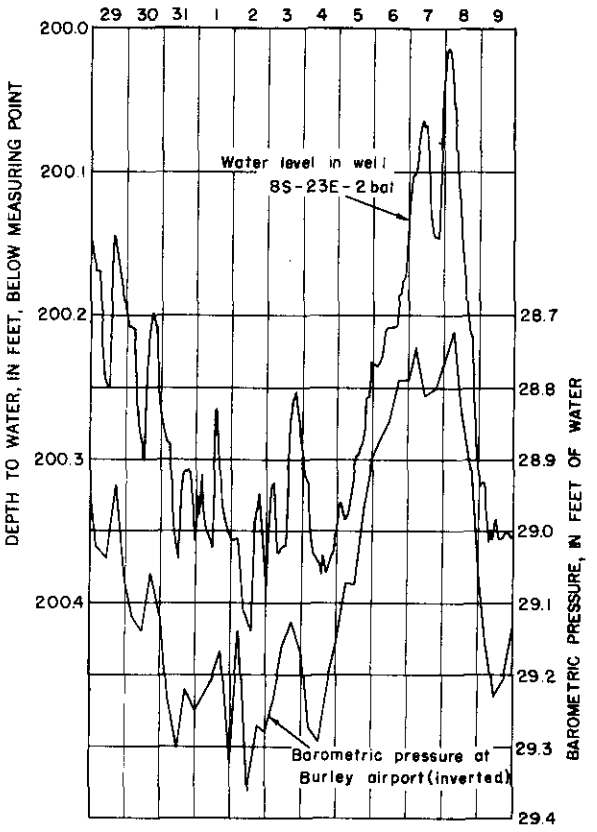

Figure 6.—Graphic comparison of water-level fluctuations in well 8S-23E-2ba1 with barometric pressure at Burley, March 29–April 9, 1953.

Total Water Supply

The average annual ground-water yield of the Snake River basalt constitutes the supply that is perennially available for use. Practically the entire yield of the regional aquifer east of Bliss presumably is discharged through the springs in the Snake River valley above Bliss. Therefore, the aggregate average annual discharge from these springs is an approximate measure of the unused ground water perennially available. During several recent years the estimated annual discharge of the springs was about 4.5 million acre-feet (Crandall, 1953). That amount is somewhat greater than the long-term average because the amount of precipitation on the plain was somewhat greater than average for about 10 preceding years. Moreover, available records do not clearly segregate spring discharge from irrigation waste in the vicinity of the springs, or from the discharge from springs and drains on the south side of the Snake River.

For the purposes of this report the yield of the springs is assumed to be 4.0 million acre-feet a year. The total ground-water yield of the basin could not, of course, be removed by wells during the pumping season.

Underflow of shallow ground water from the Rupert terrace to the regional water table in the Pumping Division was estimated to be about 233,000 acre-feet annually in 1928 (Stearns and others, 1938). The present volume of underflow probably is about the same. Underflow from the Raft River valley also probably contributes at least a few thousand acre-feet of water annually to the aquifer in or near the Pumping Division. A large amount of water enters the ground by percolation from Lake Walcott. Thus, in the vicinity of the Pumping Division, there are large sources of ground-water replenishment independent of plains-wide sources of replenishment to the regional ground-water body.

Ground water that reaches the aquifer in the Pumping Division from local sources obviously amounts to at least a few hundred thousand acre-feet a year. Not all of this could be removed by pumping during the irrigation season. The amount of ground water in so-called permanent storage, however, is large. Heavy pumping would lower water levels locally, steepening the natural ground-water gradients toward the Division and inducing inflow of a large amount of water that otherwise would bypass the area. The amount of induced inflow cannot be estimated at this time. Assuming, however, that there are no impermeable hydraulic barriers around the Pumping Division, it seems probable that water could be pumped in an amount at least several times as great as that available from local sources.

PROPOSED DEVELOPMENT

Private

Adjacent to the east, north, and west sides of the Pumping Division, 129 private wells withdraw annually about 60,000 acre-feet of ground water from the Snake River basalt. Much of the land watered from these wells was homesteaded under the Federal Desert Land Act. Private operations in the area propose to develop about 88,500 acres of desert land, having a probable yearly gross ground-water demand of 325,000 acre-feet.

As of December 31, 1953, forty-nine well-construction permits had been issued by the Idaho State Department of Reclamation for land west of Kimama. Under these permits it is proposed to develop about 35,000 acre-feet of ground water for about 10,000 acres of desert land. As of the above date wells had not been drilled under the permits and it seems unlikely that all the proposed development will occur in the near future.

The total of existing private water-right filings for land in the vicinity of the Minidoka Division is for 1,770 cfs.

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At least several hundred thousand acres of raw land on the Snake River Plain is irrigable, and water for this land must be obtained largely from the ground-water reservoir. Complete development is not expected to occur in less than 20 to 30 years, and it may proceed at an average rate of a few tens of thousands of acres per year. Some of this development will take place in the vicinity of the Pumping Division, where it may proceed more rapidly then in other areas because of the proved permeability of the aquifer, the demonstrated efficient performance of wells, and the generally good soil. The rate of development may be influenced strongly by the prices of power and agricultural products. For present purposes it is estimated that roughly 40,000 acres of private land in the vicinity of the project may be developed within the next 10 years, and that the gross water demand of this land will be about 140,000 acre-feet a year. Thus, within 10 years the total private demand for ground water in the vicinity of the Minidoka Project may be at least 200,000 acre-feet.

North Side Pumping Division

The original plan of the Bureau of Reclamation for the Minidoka Project was to supply water to the entire North Side Pumping Division by pumping from the Snake River into a high-line gravity canal. More recent plans (Newell, 1949) set up two units in the division, Unit A and Unit B (pl. 1). Beneath much of Unit A the depth to ground water is greater than the economically feasible pumping lift, according to studies by the Bureau of Reclamation. Hence Unit A, containing 13,650 irrigable acres of land, would be supplied with about 59,100 acre-feet of water pumped from Lake Milner into a high-line canal. Unit B, containing 64,000 irrigable acres, would be supplied with ground water, pumped at an estimated maximum rate of 1,000 cfs from about 175 wells. The average yield of individual wells would be about 5.5 cfs, and total pumpage would be about 235,000 acre-feet a year. The Bureau of Reclamation has filed with the State of Idaho an application for rights to 1,333 cfs of water.

Farm units will range in size from 90 to 135 irrigable acres. In order to provide flexibility in the pumping and distribution systems, at some pumping sites two wells with different pumping capacities will be installed, and lateral canals will interconnect adjacent farms. Either or both pumps may be operated, according to fluctuations in water demand.

Development of Unit B has been accomplished on an experimental scale. During the 1953 irrigation season about 17,250 acre-feet of ground water was pumped for 5,170 acres of land. Starting in 1953 the rate of development was accelerated and complete development is scheduled for 1959.

Summary

The total of private and Government filings for ground-water rights in the Minidoka Project and vicinity is for 3,103 cfs. Unit B of the North Side Pumping Division ultimately will require about 235,000 acre-feet of ground water each irrigation season. Private development adjacent to Unit B probably will require, within the next 10 years, about 200,000 acre-feet a year, including the 60,000 acre-feet a year now being pumped. Development of all suitable land in the Minidoka area outside of Unit B ultimately might require about 325,000 acre-feet of ground water annually. Assuming that the net consumptive use of irrigation water will be 1.8 acre-feet per acre, the foreseeable net ground-water depletion will be about 275,000 acre-feet a year—115,000 in Unit B and 160,000 in the adjacent area. The probable net depletion by existing and new developments north and east of the Minidoka project may be roughly 350,000 acre-feet. The present and proposed development of all irrigation projects, Federal and private, on the Snake River Plain east of Bliss, ultimately probably will deplete the ground water by two times that amount or more. An increase or decrease of water use in any one area will affect the water levels in all the other areas directly or indirectly, because of the high coefficient of transmissibility of their common aquifer. Each depletion also will affect the discharge of the springs in the Snake River valley.

Depletion of the existing supply of ground water will be offset to some extent by new recharge from surface-water irrigation in Unit A. The Bureau of Reclamation plan for Unit A is to supply 13,650 acres with 4.33 feet of water pumped from the Snake River above Milner Dam. The total volume of pumped surface water will be about 59,100 acre-feet a year, of which about 24,500 acre-feet (1.8 acre-feet per acre) will be used consumptively on the land. Surface water returned to the river as waste is expected to amount to about 4,600 acre-feet. The unconsumed residual water, about 30,000 acre-feet, will percolate downward and recharge the aquifers. The new recharge would occur down the ground-water gradient from Unit B and would not be intercepted directly by pumped wells there. Nevertheless, the regional reservoir would be replenished, reducing net depletion of the ground water and helping to sustain the flow of springs in the Snake River valley.

Palisades reservoir, now under construction, will provide supplemental surface water to land already under irrigation, as well as a total supply for some new land. Ground-water recharge from irrigation on the plain will be increased and will partly offset regional depletion of ground water. During dry years a more nearly normal supply of surface water will be available for irrigation, thus helping to maintain ground-water recharge at a more constant rate.

LIMITING AND CONTROLLING HYDROLOGIC FACTORS

Detailed analysis of limiting and controlling economic factors is beyond the scope of this report, which is concerned chiefly with hydrologic factors. The principal hydrologic factors limiting and controlling the feasibility of developing ground water for the Minidoka North Side Pumping Division are (1) availability of an adequate unappropriated water supply in the main aquifer, (2) the capacity of the aquifer to yield the water and transmit it from the regional body of ground water to the local sources of withdrawal, and (3) the local and regional effects of sustained heavy pumping. These factors affect both the physical and economic feasibility of ground-water pumping. The capacity and efficiency of wells also are important factors.

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Availability of Ground Water

Part of the 4 million acre-feet of water discharged annually from the Snake River basalt by springs in the Snake River valley is used for irrigation, power, public supplies, and industry. New uses of water that deplete spring flow may infringe on established rights.

The total gross water requirement for the North Side Pumping Division and for adjacent competing lands having water rights and licenses is about 3,103 cfs. The net depletion of ground water by consumptive use on these lands will be about 275,000 acre-feet (see p. 13). Some upgradient ground-water rights on the Snake River Plain have equal or earlier priority, but some priorities are later and new licenses would have later priority dates. Hence, it is assumed here that the water rights of the Pumping Division will be equal to or better than most other ground-water rights dated since 1947. If all of these rights are proved up, the estimated total volume of ground-water depletion (consumptive use on irrigated land) will not exceed 500,000 acre-feet, or about 12.5 percent of the yearly discharge of the springs in the Snake River valley. Much of the existing development is on or near the south border of the central basalt plain, and springs in the upstream part of the Snake River valley may be affected more than those in the downstream part by existing and proposed ground-water withdrawals. Segregation of the effects of most individual or unit-group withdrawals on spring discharge cannot be determined. It is anticipated, however, that a 12.5-percent depletion will not infringe seriously on present water use at the springs or on surface-water rights downstream from the springs. If adverse effects occur they probably will be most noticeable at State and Federal fish hatcheries and at hydropower plants that use water directly from large springs.

Capacity of Reservoir Rocks

The phenomenal water-bearing capacity of the Snake River basalt is well established and widely known. Thus, small developments at suitable locations on the plain involve little uncertainty. The hydraulic properties of the Snake River basalt, however, are not well understood, and it is doubtful that the common hydraulic coefficients of transmissibility and storage can be derived or used in the same way they are for common sand and gravel aquifers. Thus, few calculations have been made of the apparent coefficient of transmissibility of the Snake River basalt, and the reliability of the calculations is not known. The tests and calculations utilize the nonequilibrium formula (Theis, 1935; Jacob, 1947), which assumes certain ideal conditions in the aquifer, and which is applicable only if water movement in the aquifer is by laminar flow. It has not been proved that flow in the Snake River basalt is laminar, and it seems likely that turbulence occurs at least in the vicinity of heavily pumped wells. The nonequilibrium method has been used for tentative determinations of hydraulic coefficients because no other method is available at this time. A single aquifer test in the Minidoka area, made by pumping well 8S-24E-8ad2 and using well 8S-24E-8ad1 as an observation well, indicated a coefficient of transmissibility of about 3,000,000 gpd/ft. At other places in the Snake River Plain tests show apparent coefficients of transmissibility ranging from 750,000 to several million gpd/ft. The average in Unit B undoubtedly substantially exceeds 1 million gpd/ft, and is very high in comparison to that of ordinary aquifers in other areas.

The coefficient of storage computed from the test of well 8S-24E-8ad2 was 0.04. Apparent storage coefficients of the basalt at other places in the plain range from 0.01 to 0.05. Low values apparently are characteristic of the Snake River basalt, in which interconnecting water-bearing openings are large, but on the average are quite sparse, giving the rock a low average porosity.

Locally, the transmissibility of the reservoir rocks ranges between wide extremes, and the difference between the performances of individual wells is correspondingly large. Where the transmissibility is in the low range and the drawdown in a pumped well is greater than is desired, improved performance generally is obtained by deepening the well. On the other hand, many wells produce adequate water with only relatively shallow penetration of the aquifer. Thus, though the locations of areas of lower transmissibility cannot be defined in advance, owing to the heterogeneous character of the basalt, the average regional transmissibility is high and is an adequate basis for estimating the average depth and yield for proposed new wells.

Owing to the high regional transmissibility of the Snake River basalt, local depletion of ground water and lowering of water levels ultimately will affect practically the entire aquifer. Hence, heavy pumping that lowers water levels under Unit B will alter the existing pattern of ground-water underflow and will induce underflow to the unit from a large surrounding area. The total amount of lowering of the water table that would be necessary to induce the required amount of underflow to Unit B cannot be computed from available data. It is assumed from general knowledge and observation, however, that the underflow will be adequate without excessive lowering of water levels. This assumption is not supported by positive evidence, but the plan of development of Unit B, by stage-increments of new wells, will allow adequate opportunity for observation of the effects of increasing pumping. Unfavorable effects could be detected early if, as seems unlikely, the transmission capacity of the reservoir rocks is not adequate for the pumping demand.

Withdrawal Capacity of Wells

Very simple well construction will be satisfactory at most well sites in Unit B. Most wells will require only a short length of casing through surface sediments to the basalt bedrock. More casing will be needed at a few localities where wells will penetrate unstable materials such as interflow sediments, loose volcanic cinders, or fractured and blocky basalt. The depth of penetration of wells below the water table will depend on local variations in the permeability of the aquifer and the desired volume of water. The characteristics of existing irrigation wells in the Snake River basalt in the Minidoka area are summarized in table 8. The average depth of these wells and the depth to water are greater than the averages expected of wells in Unit B after complete development. For example, only 11 wells in Unit B are included in the group, and many of the numerous private wells are in areas where the depth to water exceeds the average depth in Unit B.

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The average depth to water in wells in Unit B probably will be between 190 and 200 feet, and the average depth of wells probably will be between 290 and 300 feet.

Table 8.—Characteristics of 137 irrigation wells in Unit B and adjacent area, Minidoka County

[Expressed in feet, except as indicated]

Characteristic	Maximum	Minimum	Average
Depth	552	195	339
Diameter (inches)	30	12	18.5
Length of casing	114	4	22
Depth to water	368	131	238
Penetration of water-bearing zone	332	21	101
Pumping capacity (cfs)	10	1	5 to 6
Drawdown	25	<1	<5
Horsepower of motor	450	60	188

In the vicinity of Unit B the production capacity of wells ranges from moderate to very large, and the average capacity is large. Thus many individual wells are capable of supplying the full water requirement of one to several farm units. There is no question that wells having very simple design in Unit B will supply the required amount of ground water for irrigation, barring the presence in the aquifer of geologic barriers that prevent the regional body of water from moving at the required rate into the local areas of heavy pumpage.

Effects of Sustained Heavy Pumping

Local and Regional Water Levels

Ground-water withdrawals in the North Side Pumping Division and environs have increased in volume each year since 1947, rising from little or none in that year to more than 79,000 acre-feet in 1953. There has not been any appreciable well interference or regional decline of water levels in the Snake River basalt during that time except in well 8S-26E-33bc1. The water level in this well was about half a foot lower in 1953 than in 1952. The effect probably has only local significance. In general there has been a slight net rise of water levels in the Snake River basalt in recent years, ranging from a few inches to almost 3 feet (figs. 4 and 5, wells 8S-23E-2ba1, 8S-24E-11ba1, and 9S-20E-1da1).

Local lowering of water levels by sustained heavy pumping in the North Side Pumping Division and adjacent areas probably will cause low-order regional lowering of water levels.

The foreseeable net annual depletion of ground water in the Minidoka area (about 275,000 acre-feet; see p. 13) is small relative to the total ground-water yield of the Snake River Plain. Unconsumed irrigation water will reach the zone of saturation within a few weeks or months after it is pumped and will offset partly the local effects of pumping. The high rate of transmission of water through the aquifer from surrounding areas also will tend to minimize local lowering of water levels. Large developments elsewhere in the Snake River Plain also will tend to lower water levels, and the net effect probably will be a small general lowering of water levels throughout the plain, with somewhat greater lowering in or near large pumping projects.

Water levels in alluvium and the Burley lake beds in the Gravity Division in 1953 were less than a foot lower than in 1952, probably because less surface water was applied in 1953. Pumping from the regional ground-water reservoir apparently had little effect on water levels in these aquifers.

Lake Walcott and Snake River

Below Minidoka Dam the Snake River gains water from irrigation waste and discharge of shallow ground water from the alluvium in both banks of the river. Pumping in Unit B will not draw directly on the shallow ground water, and will not affect the discharge of shallow ground water to the Snake River in the vicinity of the Minidoka North Side Division.

The main water table, at all places where it has been identified in the vicinity of the project, is below the channel of the Snake River. The main water table also is lower than the floor of the western part of Lake Walcott, but the position of the water table directly under the lake is not known. Ground-water pumping in Unit B will not affect the percolation of water out of Lake Walcott or the Snake River where these are above the main water table.

The alluvium, lake beds(?), and some basalt layers on the north side of Lake Walcott are saturated with ground water that percolates from the lake (fig. 8). In well 8S-26E-33bc1 (figs. 7 and 8) the perched water is about 70 feet above the regional water table. The perched and main water tables converge and meet 3 to 4 miles north of Lake Walcott. South of Lake Walcott a perched water zone has not been detected. Lowered

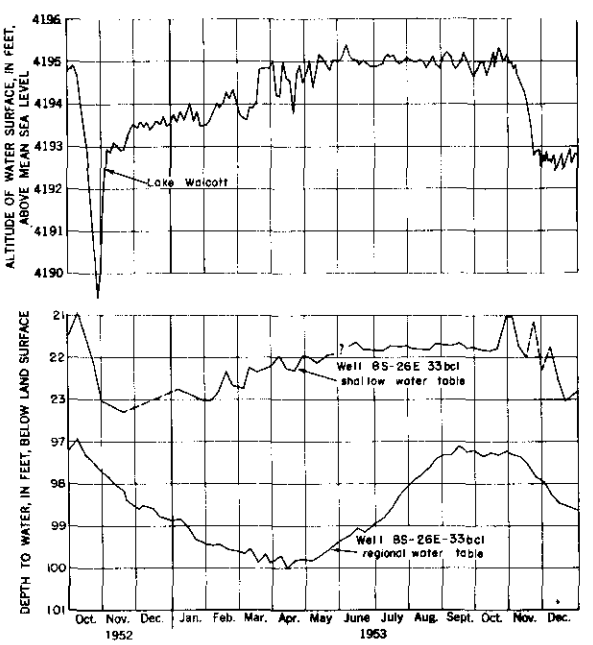

Figure 7.—Water-level fluctuations in well 8S-26E-33bc1 and in Lake Walcott.

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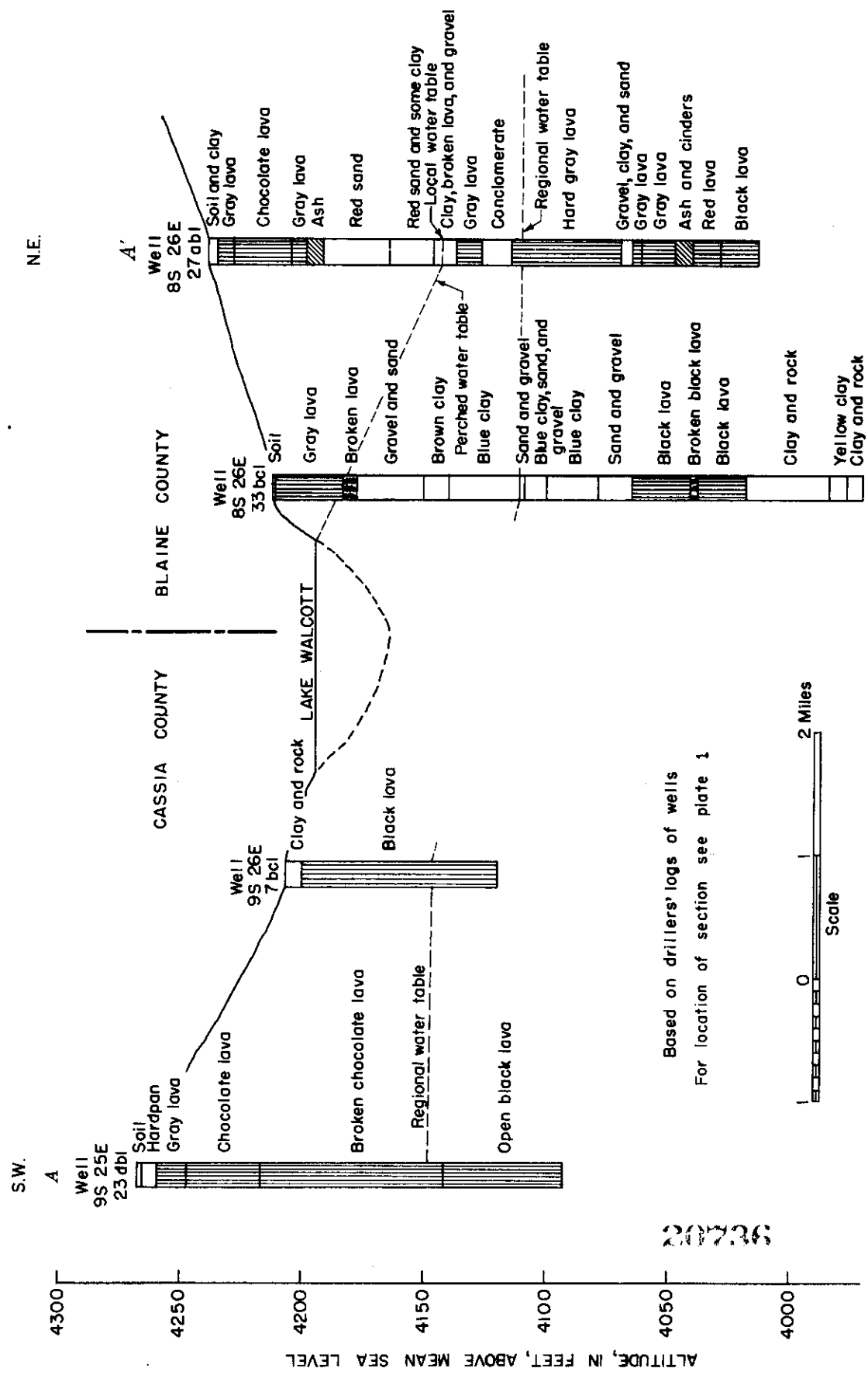

Figure 8.—Relation of Lake Walcott to water levels in nearby wells (generalized).

regional water levels would not appreciably affect the perched water north of the lake.

Springs in the Snake River Valley Below Milner

Ground-water inflow to the upstream segment of Lake Walcott may be reduced by a small lowering of the water table, caused by ground-water pumping in the Minidoka area. The reduction probably will be small and the water thus held in underground storage will not appreciably offset depletion by pumping. Thus, the yearly total volume of water discharged by the springs in the Snake River valley eventually will be reduced by about the amount of the net depletion of ground water in the pumped area. The depletion on Unit B will be about 115,000 acre-feet a year, or about 2.9 percent of the total spring discharge. Total depletion on the project and environs will be about 275,000 acre-feet a year, or about 7 percent of the total. That depletion, however, will be compensated by 30,000 acre-feet of recharge from surface-water irrigation on Unit A.

It is not possible to segregate the effects on spring discharge of depletion on Unit B from the effects of depletion on adjacent private land. Also, it probably is not possible to segregate the effects of either of these from the effects of other developments to the west and east. It seems likely that ground-water development will continue until depletion of spring discharge becomes important. Thereafter, holders of late priority rights will be first affected by restraints that might be imposed. Water rights for Unit B have relatively early priority.

The above summary is oversimplified because some springs probably will be affected more than others. If only a few springs are seriously depleted, local rights on those springs may be adversely affected at an early stage of development.

Quality of Water

Results of chemical analyses of 29 samples of ground water and 7 samples from Lake Walcott are summarized in table 9. Among the factors that determine the chemical suitability of water for irrigation are the ratio of sodium to total cations (percentage of exchangeable sodium), the ratio of bicarbonate to calcium and magnesium, the total amount of dissolved solids, and the amount of boron. The chemical quality of water also affects its utility for domestic and general farm use.

Excessive proportions of sodium cause some types of soil to become impermeable, so that they do not accept water readily and, once wetted, do not drain satisfactorily. The Wilcox method of expressing the sodium hazard (Wilcox, 1948) is to plot the percentage of exchangeable sodium against specific conductance (in micromhos per centimeter, fig. 9). This method does not express an exact ratio of sodium adsorption by the soil. Another method (Richards, 1954) is based on the sodium-adsorption ratio (SAR), expressed by the equation

$$SAR = \frac{Na^{+}}{\sqrt{\frac{Ca^{++} + Mg^{++}}{2}}}$$

in which Na^{+}, Ca^{++}, and Mg^{++} represent respective concentrations, in milliequivalents per liter, of sodium, calcium, and magnesium. The sodium-adsorption ratios of 24 samples of water from the Snake River basalt in the Minidoka area range from 0.57 to 2.2. 1/ Therefore, the sodium hazard is low. 2/

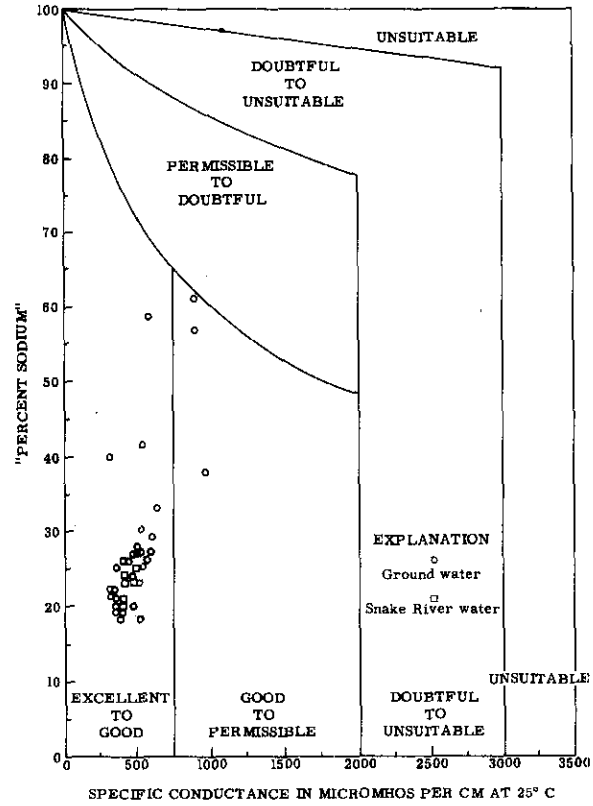

Figure 9.—Classification of irrigation water from the Minidoka area.

Specific conductance of water, a measure of electrical conductivity, is related directly to the ionized solids in the water and hence affords an approximate measure of the amount of dissolved solids. The specific conductance of water also indicates the suitability of the water for irrigation. In general, water having conductivity values less than 750 micromhos is satisfactory for irrigation so far as dissolved solids are concerned. The specific conductance of ground-water samples from the Snake River basalt ranges from 311 to 984 micromhos. Water from well 9S-22E-33ad1, which has by far the highest specific conductance and the highest dissolved mineral content, may not be suitable for use on tight, poorly drained soils.

1/ The ratio for water from some wells listed in table 9 ranges up to 4.4. All wells having ratios higher than 2.2 tap water in Burley lake beds.

2/ Sodium and potassium are reported together in some analyses in table 9 and the combined amount necessarily is treated as sodium to compute the SAR, percentage of exchangeable sodium, and residual sodium carbonate.

Table 9.—Chemical analyses of water from the Minidoka area, 1949-53

[Analyses by U. S. Geological Survey and University of Idaho Agricultural Experiment Station. Chemical constituents in parts per million]

Well or sample no.	Date of collection	Temperature (°F)	pH	Specific conductance (micromhos at 25°C)	Silica (SiO_2)	Iron (Fe)	Manganese (Mn)	Calcium (Ca)	Magnesium (Mg)	Sodium (Na)	Potassium (K)	Bicarbonate (HCO_3)	Carbonate (CO_3)	Sulfate (SO_4)	Chloride (Cl)	Fluoride (F)	Nitrate (NO_3)	Boron (B)	Dissolved solids	Hardness as $CaCO_3$		Percent sodium	Sodium-adsorption ratio	Residual sodium carbonate
																				Total	Noncarbonate			
Ground water: Minidoka County																								
6S-24E-35ca1	6-23-53	58	8.2	337	31	0.01	0	33	13	17	3.2	152	0	29	13	0.7	1.5	0.06	215	136	11	21	0.63	0
-35ca1	9-28-53	.....	7.6	338	37	0	.....	30	13	17	3.5	150	.....	28	12	.8	1.4	.....	199	128	5	22	.65	0
7S-23E-25 & 26[1]	1949	.....	.....	430	.....	.....	.....	39	13	23	7.4	138	10	49	26	.....	.....	.....	.....	.....	.....	24	.82	0
7S-25E-35bb1	6-29-51	.....	7.6	353	34	.01	0	36	14	17	2.4	161	0	32	13	.7	1	.15	224	147	15	20	.61	0
8S-23E-27bd1	9-17-50	57	.....	609	43	.....	.....	58	22	40	.....	249	0	50	44	.....	6.4	.02	386	235	31	27	1.1	0
-27bd1	6-29-51	55	7.8	614	36	.03	0	57	22	37	7.6	249	0	46	42	.3	5.5	.15	377	232	28	25	1.2	0
8S-24E- 7da1	6-11-49	55	.....	502	40	.....	.....	46	16	36	.....	202	.....	43	34	.4	.9	0	316	181	16	30	1.2	0
- 7da1	9-17-50	56.5	7.8	519	39	.02	0	46	18	34	6.1	206	0	46	38	.4	1.5	.02	327	189	20	27	1.2	0
-11ba1	9-17-50	56	.....	477	41	.....	.....	43	17	31	.....	188	0	44	31	.....	.9	.....	300	177	23	27	1.0	0
-11ba1	6-29-51	54	7.8	457	37	.02	0	43	17	26	4	186	0	44	26	.5	1.2	.11	285	177	25	24	.85	0
-16bb1	9-19-50	57	.....	654	42	.....	.....	53	22	51	.....	223	8	57	54	.....	3.1	.....	400	222	26	33	1.5	0
8S-25E- 1cb1, 3	6- 3-53	53	7.7	381	30	.05	0	40	15	17	2.9	162	0	37	14	.6	1.0	.09	244	162	29	18	.57	0
- 1cc1	4- 8-49	.....	.....	388	32	.....	.....	40	15	17	.....	160	.....	39	18	.....	1.5	.01	241	162	30	19	.58	0
-16da1	9-17-50	56	.....	489	46	.....	.....	46	18	32	.....	210	0	43	29	.....	1.2	.02	319	189	17	27	1.0	0
9S-22E-33ad1	6-29-51	.....	7.9	984	32	.01	0	81	30	92	5.2	373	0	105	74	0	9.4	.25	600	326	20	38	2.2	0
9S-24E- 1db2[2]	6-10-49	59	.....	493	26	.....	.....	52	16	20	.....	212	.....	25	25	.4	3.2	.01	272	196	22	27	.62	0
- 1db2[2]	10-27-49	59	.....	576	30	.....	.....	62	18	36	.....	240	0	48	35	.4	13	.....	.....	228	32	26	1.0	0
-29ab3[3]	6- 3-53	71	7.6	901	47	.11	0	40	15	114	19	194	0	21	172	.8	1.1	.18	572	162	2	57	3.9	0
-29ab3[3]	9-29-53	66	7.6	894	50	0	.....	35	14	122	20	195	.....	21	172	.8	1.6	.08	527	145	0	61	4.4	.30
Ground water: Lincoln County																								
7S-23E- 5cc1	6- 3-53	50	7.8	349	31	0.07	0	32	15	18	3.3	150	0	30	17	0.5	1.2	0.08	220	142	19	21	0.66	0
- 5cc1	10- 2-53	.....	8.3	351	36	.00	.....	30	13	20	3.8	149	.....	30	17	.6	1.9	.10	221	128	6	25	.77	0
Ground water: Blaine County																								
7S-26E- 1cc1	6- 3-53	54	7.7	313	30	0.10	0	32	11	15	3.2	146	0	22	13	0.7	1.4	0.08	200	125	5	20	0.58	0
- 1cc1	9-29-53	.....	8.6	311	34	0	.....	32	9.4	19	3.5	139	5	22	12	.8	2.4	.04	202	118	0	25	.76	0
8S-26E-15bd1	6-10-49	57	.....	594	39	.....	.....	35	16	60	.....	193	.....	45	54	.4	1	.02	346	154	0	59	2.11	.10
-15bd1	10-28-49	57	.....	545	39	.....	.....	40	16	53	.....	166	14	44	51	.8	1.6	.....	.....	166	7	41	1.8	0
8S-27E-16cd1	6- 3-53	51	7.3	468	29	.09	0	50	16	22	3.2	178	0	49	28	.4	3	.10	298	191	45	20	.69	0
-16cd1	10- 2-53	.....	7.8	465	35	0	.....	47	15	25	3.8	182	.....	48	27	.6	4.2	.02	297	179	30	23	.81	0
8S-28E-16da1	6- 4-53	50	7.7	523	26	.04	0	59	20	23	3.6	198	0	59	33	.4	2.3	.10	343	229	67	18	.66	0
-16da1	9-29-53	.....	7.6	515	32	.09	.....	56	16	29	3.8	202	.....	58	32	.6	2.4	.08	329	206	40	23	.88	0
Surface water: Snake River at Minidoka Dam																								
[4]	1948-49	.....	.....	410	.....	.....	.....	43	16	19	10.1	158	10	44	26	.....	.....	.....	.....	.....	.....	19	0.64	0
1	6-10-49	68	.....	409	15	.....	.....	44	13	22	.....	166	.....	39	16	0.4	0	0	238	163	16	23	.75	0
2	10-27-49	45	.....	475	24	.....	.....	50	16	29	.....	203	0	48	24	.8	1.8	.....	.....	191	24	25	.91	0
3	9-16-50	62.5	.....	403	15	.....	.....	44	15	21	.....	188	0	36	18	.....	.2	.....	.....	172	17	21	.70	0
4	6-10-49	68	.....	409	15	.....	.....	46	14	19	.....	180	.....	39	17	.4	1	.01	240	172	25	24	.63	0
5	10-27-49	45	.....	472	25	.....	.....	49	17	26	.....	197	0	48	24	.8	1.4	.....	.....	192	31	23	.82	0
6	9-16-50	62.5	.....	403	14	.....	.....	44	15	20	.....	183	0	37	18	.....	.2	.....	.....	172	22	20	.66	0

[1]Average of several composite samples from several wells.
[2]Water from Burley lake beds.
[3]Average of numerous samples.

Calcium and magnesium tend to precipitate from irrigation water that is high in bicarbonate, thereby increasing the relative proportion of sodium in the soil water. The residual sodium carbonate is computed as follows: $(CO_3^{--} + HCO_3^-) - (Ca^{++} + Mg^{++})$, all ions being expressed in milliequivalents per liter. Water containing less than 1.25 milliequivalents per liter of residual sodium carbonate probably is safe; water containing 1.25 to 2.5 milliequivalents per liter is marginal; water having more than 2.5 milliequivalents per liter is unsafe. The range of residual sodium carbonate is from 0 to 0.1 in samples of water from the Snake River basalt and up to 0.3 in water from the Burley lake beds. Water from the basalt, therefore, is safe for irrigation according to that criterion.

A small amount of boron is essential to plant growth, but amounts in excess of the optimum are toxic to many cultivated plants. Boron in amounts less than 0.3 ppm generally is beneficial to plants. The maximum concentration of boron in ground-water samples from the Snake River basalt is 0.25 ppm.

Calcium and magnesium cause hardness in water. Moderate hardness is desirable in irrigation water because the minerals are necessary for plant growth, but excessive hardness is harmful. Excessive hardness also is objectionable in water for domestic and industrial uses. The ground water in the Minidoka area is hard, but the amounts of calcium and magnesium in the water do not affect adversely its suitability for irrigation.

Potassium is necessary for soil fertility, and silica may be important to plant growth and to the development of good soil texture. Fluoride in excess of about 1.5 ppm causes mottling of teeth in children but in smaller amounts it inhibits tooth decay. Excessive iron stains plumbing fixtures and clogs pipes. The amounts of these constituents and those of sulfate, chloride, and nitrate are not excessive in the ground water and surface water in the Minidoka area.

In summary, ground water in the Snake River basalt is suitable for irrigation according to the ordinary criteria for classifying irrigation water. The water is hard but is otherwise generally satisfactory for domestic use. Treatment would be necessary to make the water suitable for many industrial purposes.

CONCLUSIONS AND SUGGESTIONS

The Snake River basalt is the most extensive aquifer in Idaho and the Snake River Plain forms the largest unified ground-water reservoir in the Pacific Northwest. The capacity of the reservoir to yield large quantities of water to wells, with only small drawdown and small regional lowering of water levels has been demonstrated in the Minidoka area and in other parts of the plain. The depth to water beneath Unit B ranges from 120 to more than 300 feet and averages about 200 feet. The proposed heavy pumping in and near Unit B probably will lower the water table only a few feet. Decline of the water table during heavy pumping will induce large inflow of ground water through the basalt from adjacent areas. The decline of water levels thus will be no greater than that required to produce the needed volume of inflow. Equilibrium probably will be reached during each pumping season at some undetermined level lower than present water levels in Unit B. Although the amount of lowering cannot be predicted accurately, it seems unlikely that it will exceed 10 feet. For project-planning purposes, therefore, it is reasonable to assume that future pumping lifts will not be more than 10 feet greater than present lifts.

Perched shallow ground water in the North Side Gravity Division is discharged partly by seepage into the Snake River and partly by underground "spill" off the northern and western edges of the Burley lake beds, on which the shallow water is perched. Pumping in Unit B of the Pumping Division will not affect either the amount of water in perched storage or the rate of natural discharge of this water into the Snake River. The rate and amount of underflow of the perched water to the regional water table also will be unaffected.

The hydrologic relations between Lake Walcott and the main and perched water tables around the lake are not fully disclosed by available evidence. Data from test holes, production wells, and observation wells in the vicinity of the lake, however, do not suggest a direct hydraulic relation between the lake and the main water table in areas that will be affected directly by pumping in Unit B. Therefore, pumping in Unit B probably will not increase percolation loss from the lake.

The Geological Survey currently is studying records of spring discharge and other hydrologic phenomena in the Snake River valley below Milner. The study is not complete, but so far spring discharge has not been found to be appreciably affected by new ground-water developments on the Snake River Plain. Discharge records for representative springs meet the usual standards of accuracy for gage records, with errors of no more than 3 to 5 percent. Future depletion of spring discharge, caused by present and foreseeable future pumping in Unit B and in private projects elsewhere, probably will amount to about 10 to 15 percent of the yearly total discharge from all springs (see p. 14). Thus, depletion probably will be detected readily if springs that are continuously gaged are affected. Accurate records are not available of the total discharge from all springs. The total discharge can be estimated only approximately from incomplete inflow-outflow records of the reach of the Snake River between Milner and King Hill. Hence, available records do not permit accurate computation of small-percentage changes in the total discharge from all the springs.

Owing to the long distance—more than 20 miles—from the western edge of Unit B to the nearest large spring (Devil's Washbowl), effects on spring discharge will be spread over a period much longer than the pumping season. As development on Unit B and in other areas progresses, its effect on the springs will increase gradually. The seasonal fluctuation in rates of discharge may increase and the times of minimum and maximum flow may shift.

An intensive hydrologic study should be made of the Snake River valley from Milner to King Hill, and the study should make special reference to spring discharge: accurate, continuing discharge records should be obtained, and a number of gaging stations should be added to those now operating. Such records might well forestall some controversies and help to resolve others.

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Operation of observation wells in the project area and environs should be continued, and the number of observation stations adjacent to and west of the project should be increased. The seasonal cycle of fluctuations of ground-water levels may change: the range of cyclic fluctuations probably will increase, and the times of high and low levels may shift. Such changes should be matters of record.

The position and configuration of the water table in Unit B and adjacent areas to the north are reasonably well defined by existing data. Elsewhere on the plain they are poorly defined. Accurate water-table mapping should be extended and the map for the project area and environs should be refined and revised periodically to show seasonal and long-term trends in the changing form of the water table. The map would have permanent value as a record of the effects of development and would be useful also as an aid in choosing sites and specifying construction characteristics for new groups of wells.

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INT.-DUP. SEC., WASH., D.C. 91912

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
REGION 1

Schedules, General Provisions, Specifications and Drawing

DRILLING GROUP 7 WATER-SUPPLY WELLS

North Side Pumping Division
Minidoka Project, Idaho

Bids will be received at the office of the Bureau of Reclamation, Rupert, Idaho, until 10 a.m., Mountain Standard Time, March 3, 1955.

(Price $0.50)

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DRILLING GROUP 7 WATER-SUPPLY WELLS

NORTH SIDE PUMPING DIVISION
MINIDOKA PROJECT, IDAHO

Bids will be considered on any or all of the following schedules, but no bid will be considered for only a part of a schedule. Bidders may make such stipulations as they desire regarding a combination of schedules: Provided, That no bid will be considered which reserves a right to determine after bids are opened what schedule or combination of schedules will be accepted as an award of contract. If bidder offers a reduction for a combination of schedules, he shall state the items to which reductions are to be made and all payments under such items will be made at the reduced unit prices regardless of overruns or underruns in estimated quantities.

SCHEDULE NO. 1

Wells Nos. 15A724, 22A724, 26B724, 27A725 and 14C825

Item No.	Work or material	Quantity and price	Amount
1	Drilling 16-inch diameter wells to minimum depths	1185 linear feet, at _____ _____ (words) _____ ($_____) per lin. ft.	$_____
2	Furnishing and placing 16-inch diameter casing	150 linear feet, at _____ _____ (words) _____ ($_____) per lin. ft.	_____
3	Drilling 16-inch diameter wells from minimum depths to maximum depths of 400 feet	250 linear feet, at _____ _____ (words) _____ ($_____) per lin. ft.	_____
4	Furnishing test pump equipment	60 hours, at _____ _____ (words) _____ ($_____) per hr.	_____

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SCHEDULE NO. 1 (Continued)

Item No.	Work or material	Quantity and price	Amount
5	Installing and removing test pump equipment	5 pumping tests, at _____ _____ (words) _____ ($_____) per test.	$_____
6	Performing pumping test	60 hours, at _____ _____ (words) _____ ($_____) per hour.	_____
		Total for Schedule	$_____

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SCHEDULE NO. 2

Wells Nos. 22B724, 22C724, 23A724, 28A724, 28B724, 26A724 and 33B724

Item No.	Work or material	Quantity and price	Amount
7	Drilling 20-inch diameter wells to minimum depths	1740 linear feet, at _____ _____ (words) _____ ($_____) per lin. ft.	$_____
8	Furnishing and placing 20-inch diameter casing	210 linear feet, at _____ _____ (words) _____ ($_____) per lin. ft.	_____
9	Drilling 20-inch diameter wells from minimum depths to maximum depths of 400 feet	350 linear feet, at _____ _____ (words) _____ ($_____) per lin. ft.	_____
10	Furnishing test pump equipment	12 hours, at _____ _____ (words) _____ ($_____) per hour.	_____
11	Installing and removing test pump equipment	7 pumping tests, at _____ _____ (words) _____ ($_____) per test.	_____
12	Performing pumping tests	84 hours, at _____ _____ (words) _____ ($_____) per hour.	_____
		TOTAL FOR SCHEDULE	$_____

SCHEDULE NO. 3

Wells Nos. 3A825, 3B825, 5A825, 5B825, 6A825, 6B825, 12A825, 12B825 and 11A825

Item No.	Work or material	Quantity and price	Amount
13	Drilling 24-inch diameter wells to minimum depths	715 linear feet, at _____ _____ (words) _____ ($_____) per lin. ft.	$_____
14	Furnishing and placing 24-inch diameter casing	90 linear feet, at _____ _____ (words) _____ ($_____) per lin. ft.	_____
15	Drilling 24-inch diameter wells from minimum depths to maximum depths of 400 feet	150 linear feet, at _____ _____ (words) _____ ($_____) per lin. ft.	_____
16	Drilling 20-inch diameter wells to minimum depths	1130 linear feet, at _____ _____ (words) _____ ($_____) per lin. ft.	_____
17	Furnishing and placing 20-inch diameter casing	150 linear feet, at _____ _____ (words) _____ ($_____) per lin. ft.	_____
18	Drilling 20-inch diameter wells from minimum depths to maximum depths of 400 feet	250 linear feet, at _____ _____ (words) _____ ($_____) per lin. ft.	_____

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SCHEDULE NO. 3 (Continued)

Item No.	Work or material	Quantity and price	Amount
19	Drilling 16-inch diameter well to minimum depth	205 linear feet, at _____ _____ (words) _____ ($_____) per lin. ft.	$_____
20	Furnishing and placing 16-inch diameter casing	30 linear feet, at _____ _____ (words) _____ ($_____) per lin. ft.	_____
21	Drilling 16-inch diameter well from minimum depth to maximum depth of 400 feet	50 linear feet, at _____ _____ (words) _____ ($_____) per lin. ft.	_____
22	Furnishing test pump equipment	48 hours, at _____ _____ (words) _____ ($_____) per hour.	_____
23	Installing and removing test pump equipment	9 pumping tests, at _____ _____ (words) _____ ($_____) per test.	_____
24	Performing pumping tests	108 hours, at _____ _____ (words) _____ ($_____) per hour.	_____
		TOTAL FOR SCHEDULE	$_____

SCHEDULE NO. 4

Well Nos. 29A725, 30A725, 31A725, 32A725, 33A725, 34A725, 3C825, 3D825 and 3E825

Item No.	Work or material	Quantity and price	Amount
25	Drilling 20-inch diameter wells to minimum depths	1990 linear feet, at _____ _____ (words) _____ ($ _____) per lin. ft.	$ _____
26	Furnishing and placing 20-inch diameter casing	240 linear feet, at _____ _____ (words) _____ ($ _____) per lin. ft.	_____
27	Drilling 20-inch diameter wells from minimum depths to maximum depths of 400 feet	400 linear feet, at _____ _____ (words) _____ ($ _____) per lin. ft.	_____
28	Drilling 16-inch diameter well to minimum depth	250 linear feet, at _____ _____ (words) _____ ($ _____) per lin. ft.	_____
29	Furnishing and placing 16-inch diameter casing	30 linear feet, at _____ _____ (words) _____ ($ _____) per lin. ft.	_____
30	Drilling 16-inch diameter well from minimum depth to maximum depth of 400 feet	50 linear feet, at _____ _____ (words) _____ ($ _____) per lin. ft.	_____

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SCHEDULE NO. 4 (Continued)

Item No.	Work or material	Quantity and price	Amount
31	Furnishing test pump equipment	12 hours, at _____ _____ (words) _____ ($_____) per hour.	$_____
32	Installing and removing test pump equipment	9 pumping tests, at _____ _____ (words) _____ ($_____) per test.	_____
33	Performing pumping tests	108 hours, at _____ _____ (words) _____ ($_____) per hour.	_____
		TOTAL FOR SCHEDULE	$_____

BUDGETARY INFORMATION
(Construction)

For informational and budgetary purposes only, and not as part of the bid or the contract, the bidder shall fill in the following blanks showing his estimated progress earnings under this contract by fiscal years ending June 30, assuming, for such purposes, commencement of work 30 days after the opening of bids:

Schedule No.	FY '55 (Ending 6/30/55)	FY '56 (Ending 6/30/56)	FY '57 (After 6/30/56)
1	$_____	$_____	$_____
2	$_____	$_____	$_____
3	$_____	$_____	$_____
4	$_____	$_____	$_____

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7-1532
(11-53)
Bureau of Reclamation
(Construction)

GUARANTY

It is hereby guaranteed that all articles, materials, and supplies used will conform to the clause "Buy American Act" of the General Provisions, except as noted below.

_____

_____

_____

_____

The cost of the articles, materials, and supplies listed above will be _____ percent of the total cost of all of the articles, materials, and supplies used.

Interior - Reclamation - Denver, Colo.

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STANDARD FORM 23A
MARCH 1953
PRESCRIBED BY GENERAL
SERVICES ADMINISTRATION
GENERAL REGULATION NO. 13

GENERAL PROVISIONS
(CONSTRUCTION CONTRACTS)

1. DEFINITIONS

(a) The term "head of the department" as used herein shall mean the head or any assistant head of the executive department or independent establishment involved, and the term "his duly authorized representative" shall mean any person authorized to act for him other than the Contracting Officer.

(b) The term "Contracting Officer" as used herein, shall include his duly appointed successor or his authorized representative.

2. SPECIFICATIONS AND DRAWINGS

The Contractor shall keep on the work a copy of the drawings and specifications and shall at all times give the Contracting Officer access thereto. Anything mentioned in the specifications and not shown on the drawings, or shown on the drawings and not mentioned in the specifications, shall be of like effect as if shown or mentioned in both. In case of difference between drawings and specifications, the specifications shall govern. In any case of discrepancy either in the figures, in the drawings, or in the specifications, the matter shall be promptly submitted to the Contracting Officer, who shall promptly make a determination in writing. Any adjustment by the Contractor without this determination shall be at his own risk and expense. The Contracting Officer shall furnish from time to time such detail drawings and other information as he may consider necessary, unless otherwise provided.

3. CHANGES

The Contracting Officer may at any time, by a written order, and without notice to the sureties, make changes in the drawings and/or specifications of this contract and within the general scope thereof. If such changes cause an increase or decrease in the amount due under this contract, or in the time required for its performance, an equitable adjustment shall be made and the contract shall be modified in writing accordingly. Any claim of the Contractor for adjustment under this clause must be asserted in writing within 30 days from the date of receipt by the Contractor of the notification of change: *Provided, however*, That the Contracting Officer, if he determines that the facts justify such action, may receive and consider, and adjust any such claim asserted at any time prior to the date of final settlement of the contract. If the parties fail to agree upon the adjustment to be made the dispute shall be determined as provided in Clause 6 hereof. But nothing provided in this clause shall excuse the Contractor from proceeding with the prosecution of the work as changed. Except as otherwise herein provided, no charge for any extra work or material will be allowed.

4. CHANGED CONDITIONS

The Contractor shall promptly, and before such conditions are disturbed, notify the Contracting Officer in writing of: (1) subsurface or latent physical conditions at the site differing materially from those indicated in this contract, or (2) unknown physical conditions at the site, of an unusual nature, differing materially from those ordinarily encountered and generally recognized as inhering in work of the character provided for in this contract. The Contracting Officer shall promptly investigate the conditions, and if he finds that such conditions do so materially differ and cause an increase or decrease in the cost of, or the time required for, performance of this contract, an equitable adjustment shall be made and the contract modified in writing accordingly. Any claim of the Contractor for adjustment hereunder shall not be allowed unless he has given notice as above required; provided that the Contracting Officer may, if he determines the facts so justify, consider and adjust any such claim asserted before the date of final settlement of the contract. If the parties fail to agree upon the adjustment to be made, the dispute shall be determined as provided in Clause 6 hereof.

5. TERMINATION FOR DEFAULT—DAMAGES FOR DELAY—TIME EXTENSIONS

(a) If the Contractor refuses or fails to prosecute the work, or any separable part thereof, with such diligence as will insure its completion within the time specified in this contract, or any extension thereof, or fails to complete said work within such time, the Government may, by written notice to the Contractor, terminate his right to proceed with the work or such part of the work as to which there has been delay. In such event the Government may take over the work and prosecute the same to completion, by contract or otherwise, and the Contractor and his sureties shall be liable to the Government for any excess cost occasioned the Government thereby, and for liquidated damages for delay, as fixed in the specifications or accompanying papers, until such reasonable time as may be required for the final completion of the work, or if liquidated damages are not so fixed, any actual damages occasioned by such delay. If the Contractor's right to proceed is so terminated, the Government may take possession of and utilize in completing the work such materials, appliances, and plant as may be on the site of the work and necessary therefor.

(b) If the Government does not terminate the right of the Contractor to proceed, as provided in paragraph (a) hereof, the Contractor shall continue the work, in which event he and his sureties shall be liable to the Government, in the amount set forth in the specifications or accompanying papers, for fixed, agreed, and liquidated damages for each calendar day of delay until the work is completed or accepted, or if liquidated damages are not so fixed, any actual damages occasioned by such delay.

(c) The right of the Contractor to proceed shall not be terminated, as provided in paragraph (a) hereof, nor the Contractor charged with liquidated or actual damages, as provided in paragraph (b) hereof because of any delays in the completion of the work due to unforeseeable causes beyond the control and without the fault or negligence of the Contractor, including, but not restricted to, acts of God, or of the public enemy, acts of the Government, in either its sovereign or contractual capacity, acts of another contractor in the performance of a contract with the Government, fires, floods, epidemics, quarantine restrictions, strikes, freight embargoes, and unusually severe weather, or delays of subcontractors or suppliers due to such causes: *Provided*, That the Contractor shall within 10 days from the beginning of any such delay, unless the Contracting Officer shall grant a further period of time prior to the date of final settlement of the contract, notify the Contracting Officer in writing of the causes of delay. The Contracting Officer shall ascertain the facts and the extent of the delay and extend the time for completing the work when in his judgment the findings of fact justify such an extension, and his findings of fact thereon shall be final and conclusive on the parties hereto, subject only to appeal as provided in Clause 6 hereof.

6. DISPUTES

Except as otherwise provided in this contract, any dispute concerning a question of fact arising under this contract which is not disposed of by agreement shall be decided by the Contracting Officer, who shall reduce his decision to writing and mail or otherwise furnish a copy thereof to the Contractor. Within 30 days from the date of receipt of such copy, the Contractor may appeal by mailing or otherwise furnishing to the Contracting Officer a written appeal addressed to the head of the department, and the decision of the head of the department or his duly authorized representatives for the hearings of such appeals shall, unless determined by a court of competent jurisdiction to have been fraudulent, arbitrary, capricious, or so grossly erroneous as necessarily to imply bad faith, be final and conclusive: *Provided*, That, if no such appeal to the head

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of the department is taken, the decision of the Contracting Officer shall be final and conclusive. In connection with any appeal proceeding under this clause, the Contractor shall be afforded an opportunity to be heard and to offer evidence in support of its appeal. Pending final decision of a dispute hereunder, the Contractor shall proceed diligently with the performance of the contract and in accordance with the Contracting Officer's decision.

7. PAYMENTS TO CONTRACTORS

(a) Unless otherwise provided in the specifications, partial payments will be made as the work progresses at the end of each calendar month, or as soon thereafter as practicable, or at more frequent intervals as determined by the Contracting Officer, on estimates made and approved by the Contracting Officer. In preparing estimates the material delivered on the site and preparatory work done may be taken into consideration.

(b) In making such partial payments there shall be retained 10 percent on the estimated amount until final completion and acceptance of all work covered by the contract: *Provided, however,* That the Contracting Officer, at any time after 50 percent of the work has been completed, if he finds that satisfactory progress is being made, may make any of the remaining partial payments in full: *And provided further,* That on completion and acceptance of each separate building, public work, or other division of the contract, on which the price is stated separately in the contract, payment may be made in full, including retained percentage thereon, less authorized deductions.

(c) All material and work covered by partial payments made shall thereupon become the sole property of the Government, but this provision shall not be construed as relieving the Contractor from the sole responsibility for all materials and work upon which payments have been made or the restoration of any damaged work, or as a waiver of the right of the Government to require the fulfillment of all of the terms of the contract.

(d) Upon completion and acceptance of all work required hereunder, the amount due the Contractor under this contract will be paid upon the presentation of a properly executed and duly certified voucher therefor, after the Contractor shall have furnished the Government with a release, if required, of all claims against the Government arising under and by virtue of this contract, other than such claims, if any, as may be specifically excepted by the Contractor from the operation of the release in stated amounts to be set forth therein. If the Contractor's claim to amounts payable under the contract has been assigned under the Assignment of Claims Act of 1940, as amended (41 U. S. C. 15), a release may also be required of the assignee at the option of the Contracting Officer.

8. MATERIALS AND WORKMANSHIP

Unless otherwise specifically provided for in the specifications, all equipment, materials, and articles incorporated in the work covered by this contract are to be new and of the most suitable grade of their respective kinds for the purpose and all workmanship shall be first class. Where equipment, materials, or articles are referred to in the specifications as "equal to" any particular standard, the Contracting Officer shall decide the question of equality. The Contractor shall furnish to the Contracting Officer for his approval the name of the manufacturer of machinery, mechanical and other equipment which he contemplates incorporating in the work, together with their performance capacities and other pertinent information. When required by the specifications, or when called for by the Contracting Officer, the Contractor shall furnish the Contracting Officer for approval full information concerning the materials or articles which he contemplates incorporating in the work. Samples of materials shall be submitted for approval when so directed. Machinery, equipment, materials, and articles installed or used without such approval shall be at the risk of subsequent rejection. The Contracting Officer may in writing require the Contractor to remove from the work such employee as the Contracting Officer deems incompetent, careless, insubordinate, or otherwise objectionable, or whose continued employment on the work is deemed by the Contracting Officer to be contrary to the public interest.

9. INSPECTION

(a) Except as otherwise provided in paragraph (d) hereof all material and workmanship, if not otherwise designated by the specifications, shall be subject to inspection, examination, and test by the Contracting Officer at any and all times during manufacture and/or construction and at any and all places where such manufacture and/or construction are carried on. The Government shall have the right to reject defective material and workmanship or require its correction. Rejected workmanship shall be satisfactorily corrected and rejected material shall be satisfactorily replaced with proper material without charge therefor, and the Contractor shall promptly segregate and remove the rejected material from the premises. If the Contractor fails to proceed at once with the replacement of rejected material and/or the correction of defective workmanship the Government may, by contract or otherwise, replace such material and/or correct such workmanship and charge the cost thereof to the Contractor, or may terminate the right of the Contractor to proceed as provided in Clause 5 of this contract, the Contractor and surety being liable for any damage to the same extent as provided in said Clause 5 for terminations thereunder.

(b) The Contractor shall furnish promptly without additional charge, all reasonable facilities, labor, and materials necessary for the safe and convenient inspection and test that may be required by the Contracting Officer. All inspection and tests by the Government shall be performed in such manner as not unnecessarily to delay the work. Special, full size, and performance tests shall be as described in the specifications. The Contractor shall be charged with any additional cost of inspection when material and workmanship are not ready at the time inspection is requested by the Contractor.

(c) Should it be considered necessary or advisable by the Government at any time before final acceptance of the entire work to make an examination of work already completed, by removing or tearing out same, the Contractor shall on request promptly furnish all necessary facilities, labor, and material. If such work is found to be defective or nonconforming in any material respect, due to fault of the Contractor or his subcontractors, he shall defray all the expenses of such examination and of satisfactory reconstruction. If, however, such work is found to meet the requirements of the contract, the actual direct cost of labor and material necessarily involved in the examination and replacement, plus 15 percent, shall be allowed the Contractor and he shall, in addition, if completion of the work has been delayed thereby, be granted a suitable extension of time on account of the additional work involved.

(d) Inspection of material and finished articles to be incorporated in the work at the site shall be made at the place of production, manufacture, or shipment, whenever the quantity justifies it, unless otherwise stated in the specifications; and such inspection and written or other formal acceptance, unless otherwise stated in the specifications, shall be final, except as regards latent defects, departures from specific requirements of the contract, damage or loss in transit, fraud, or such gross mistakes as amount to fraud. Subject to the requirements contained in the preceding sentence, the inspection of material and workmanship for final acceptance as a whole or in part shall be made at the site. Nothing contained in this paragraph (d) shall in any way restrict the Government's rights under any warranty or guarantee.

10. SUPERINTENDENCE BY CONTRACTOR

The Contractor shall give his personal superintendence to the work or have a competent foreman or superintendent, satisfactory to the Contracting Officer, on the work at all times during progress, with authority to act for him.

11. PERMITS AND RESPONSIBILITY FOR WORK, ETC.

The Contractor shall, without additional expense to the Government, obtain all licenses and permits required for the prosecution of the work. He shall be responsible for all damages to persons or property that occur as a result of his fault or negligence in connection with the prosecution of the work. He shall also be responsible for all materials delivered and work performed until completion and final acceptance, except for any completed unit thereof which theretofore may have been finally accepted.

12. OTHER CONTRACTS

The Government may undertake or award other contracts for additional work, and the Contractor shall fully cooperate with such other contractors and Government employees and carefully fit his own work to such additional work as may be directed by the Contracting Officer. The Contractor shall not commit or permit any act which will interfere with the performance of work by any other contractor or by Government employees.

13. PATENT INDEMNITY

Except as otherwise provided, the Contractor agrees to indemnify the Government and its officers, agents and employees against liability, including costs and expenses, for infringement upon any Letters Patent of the United States (except Letters Patent issued upon an application which is now or may hereafter be, for reasons of national security, ordered by the Government to be kept secret or otherwise withheld from issue) arising out of the performance of this contract or out of the use or disposal by or for the account of the Government of supplies furnished or construction work performed hereunder.

14. ADDITIONAL BOND SECURITY

If any surety upon any bond furnished in connection with this contract becomes unacceptable to the Government, or if any such surety fails to furnish reports as to his financial condition from time to time as requested by the Government, the Contractor shall promptly furnish such additional security as may be required from time to time to protect the interests of the Government and of persons supplying labor or materials in the prosecution of the work contemplated by this contract.

15. COVENANT AGAINST CONTINGENT FEES

The Contractor warrants that no person or selling agency has been employed or retained to solicit or secure this contract upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, excepting bona fide employees or bona fide established commercial or selling agencies maintained by the Contractor for the purpose of securing business. For breach or violation of this warranty the Government shall have the right to annul this contract without liability or in its discretion to deduct from the contract price or consideration the full amount of such commission, percentage, brokerage, or contingent fee.

16. OFFICIALS NOT TO BENEFIT

No member of or Delegate to Congress, or Resident Commissioner, shall be admitted to any share or part of this contract, or to any benefit that may arise therefrom; but this provision shall not be construed to extend to this contract if made with a corporation for its general benefit.

17. BUY AMERICAN ACT

The Contractor agrees that in the performance of the work under this contract the Contractor, subcontractors, material men and suppliers shall use only such unmanufactured articles, materials and supplies (which term "articles, materials and supplies" is hereinafter referred to in this clause as "Supplies") as have been mined or produced in the United States, and only such manufactured supplies as have been manufactured in the United States substantially all from supplies mined, produced, or manufactured, as the case may be, in the United States. Pursuant to the Buy American Act (41 U. S. C. 10a–d), the foregoing provisions shall not apply (i) with respect to supplies excepted by the head of the department from the application of that Act, (ii) with respect to supplies for use outside the United States, or (iii) with respect to the supplies to be used in the performance of work under this contract which are of a class or kind determined by the head of the department or his duly authorized representative not to be mined, produced, or manufactured, as the case may be, in the United States in sufficient and reasonably available commercial quantities and of a satisfactory quality, or (iv) with respect to such supplies, from which the supplies to be used in the performance of work under this contract are manufactured, as are of a class or kind determined by the head of the department or his duly authorized representative not to be mined, produced, or manufactured, as the case may be, in the United States in sufficient and reasonably available commercial quantities and of a satisfactory quality, provided that this exception (iv) shall not permit the use in the performance of work under this contract of supplies manufactured outside the United States if such supplies are manufactured in the United States in sufficient and reasonably available commercial quantities and of a satisfactory quality.

18. CONVICT LABOR

In connection with the performance of work under this contract, the Contractor agrees not to employ any person undergoing sentence of imprisonment at hard labor.

19. NONDISCRIMINATION IN EMPLOYMENT

In connection with the performance of work under this contract, the Contractor agrees not to discriminate against any employee or applicant for employment because of race, creed, color, or national origin; and further agrees to insert the foregoing provision in all subcontracts hereunder except subcontracts for standard commercial supplies or for raw materials.

20. DAVIS-BACON ACT (40 U. S. C. 276a–a(7))

(a) All mechanics and laborers employed or working directly upon the site of the work will be paid unconditionally and not less often than once a week, and without subsequent deduction or rebate on any account (except such payroll deductions as are permitted by the Copeland Act (Anti-Kickback) Regulations (29 CFR, Part 3)) the full amounts due at time of payment, computed at wage rates not less than those contained in the wage determination decision of the Secretary of Labor which is attached hereto and made a part hereof, regardless of any contractual relationship which may be alleged to exist between the Contractor or subcontractor and such laborers and mechanics; and a copy of the wage determination decision shall be kept posted by the Contractor at the site of the work in a prominent place where it can be easily seen by the workers.

(b) In the event it is found by the Contracting Officer that any laborer or mechanic employed by the Contractor or any subcontractor directly on the site of the work covered by this contract has been or is being paid at a rate of wages less than the rate of wages required by paragraph (a) of this clause, the Contracting Officer may (1) by written notice to the Government Prime Contractor terminate his right to proceed with the work, or such part of the work as to which there has been a failure to pay said required wages, and (2) prosecute the work to completion by contract or otherwise, whereupon such Contractor and his sureties shall be liable to the Government for any excess costs occasioned the Government thereby.

(c) Paragraphs (a) and (b) of this clause shall apply to this contract to the extent that it is (1) a prime contract with the Government subject to the Davis-Bacon Act or (2) a subcontract under such prime contract.

21. EIGHT-HOUR LAWS—OVERTIME COMPENSATION

No laborer or mechanic doing any part of the work contemplated by this contract, in the employ of the Contractor

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or any subcontractor contracting for any part of said work contemplated, shall be required or permitted to work more than eight hours in any one calendar day upon such work, except upon the condition that compensation is paid to such laborer or mechanic in accordance with the provisions of this clause. The wages of every laborer and mechanic employed by the Contractor or any subcontractor engaged in the performance of this contract shall be computed on a basic day rate of eight hours per day and work in excess of eight hours per day is permitted only upon the condition that every such laborer and mechanic shall be compensated for all hours worked in excess of eight hours per day at not less than one and one-half times the basic rate of pay. For each violation of the requirements of this clause a penalty of five dollars shall be imposed for each laborer or mechanic for every calendar day in which such employee is required or permitted to labor more than eight hours upon said work without receiving compensation computed in accordance with this clause, and all penalties thus imposed shall be withheld for the use and benefit of the Government: *Provided,* That this stipulation shall be subject in all respects to the exceptions and provisions of the Eight-Hour Laws as set forth in 40 U. S. C. 321, 324, 325, 325a, and 326, which relate to hours of labor and compensation for overtime.

22. APPRENTICES

Apprentices will be permitted to work only under a bona fide apprenticeship program registered with a State Apprenticeship Council which is recognized by the Federal Committee on Apprenticeship, U. S. Department of Labor; or if no such recognized Council exists in a State, under a program registered with the Bureau of Apprenticeship, U. S. Department of Labor.

23. PAYROLL RECORDS AND PAYROLLS

(a) Payroll records will be maintained during the course of the work and preserved for a period of three years thereafter for all laborers and mechanics working at the site of the work. Such records will contain the name and address of each such employee, his correct classification, rate of pay, daily and weekly number of hours worked, deductions made and actual wages paid. The Contractor will make his employment records available for inspection by authorized representatives of the Contracting Officer and the U. S. Department of Labor, and will permit such representatives to interview employees during working hours on the job.

(b) A certified copy of all payrolls will be submitted weekly to the Contracting Officer. The Government Prime Contractor will be responsible for the submission of certified copies of the payrolls of all subcontractors. The certification will affirm that the payrolls are correct and complete, that the wage rates contained therein are not less than the applicable rates contained in the wage determination decision of the Secretary of Labor attached to this contract, and that the classifications set forth for each laborer or mechanic conform with the work he performed.

24. COPELAND (ANTI-KICKBACK) ACT—NONREBATE OF WAGES.

The regulations of the Secretary of Labor applicable to Contractors and subcontractors (29 CFR, Part 3), made pursuant to the Copeland Act, as amended (40 U. S. C. 276c) and to aid in the enforcement of the Anti-Kickback Act (18 U. S. C. 874) are made a part of this contract by reference. The Contractor will comply with these regulations and any amendments or modifications thereof and the Government Prime Contractor will be responsible for the submission of affidavits required of subcontractors thereunder. The foregoing shall apply except as the Secretary of Labor may specifically provide for reasonable limitations, variations, tolerances, and exemptions.

25. WITHHOLDING OF FUNDS TO ASSURE WAGE PAYMENT

There may be withheld from the Contractor so much of the accrued payments or advances as may be considered necessary to pay laborers and mechanics employed by the Contractor or any subcontractor the full amount of wages required by this contract. In the event of failure to pay any laborer or mechanic all or part of the wages required by this contract, the Contracting Officer may take such action as may be necessary to cause the suspension, until such violations have ceased, of any further payment, advance, or guarantee of funds to or for the Government Prime Contractor.

26. SUBCONTRACTS—TERMINATION

The Contractor agrees to insert Clauses 20 through 26 hereof in all subcontracts and further agrees that a breach of any of the requirements of these clauses may be grounds for termination of this contract. The term "Contractor" as used in such clauses in any subcontract shall be deemed to refer to the subcontractor except in the phrase "Government Prime Contractor."

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27. MODIFICATIONS TO GENERAL PROVISIONS.

(a) Clause 5.--In the seventh line from the bottom of Clause 5(c) the period after the word "delay" is deleted, a colon is substituted therefor, and the following is added:

"Provided further, That the contractor shall be excused for delays of suppliers only if the contracting officer shall determine that the materials or supplies to be furnished are not procurable in the open market."

(b) Clause 11.--At the end of Clause 11 the following is added:

"Upon completion of the contract, or final acceptance of any completed unit thereof, the work shall be delivered complete and undamaged."

(c) Clause 13.--At the end of Clause 13 the following is added:

"Any patented invention, the use of which by these specifications is required or permitted in the alternative to be used and which the United States has the right to use royalty free, shall be available to the contractor without the payment of the royalty."

(d) Clause No. 19.--Clause No. 19 is deleted and the following substituted therefor:

"19. NONDISCRIMINATION IN EMPLOYMENT--In connection with the performance of work under this contract, the contractor agrees not to discriminate against any employee or applicant for employment because of race, religion, color, or national origin. The aforesaid provision shall include, but not be limited to, the following: Employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post hereafter in conspicuous places, available for employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of the nondiscrimination clause.

"The contractor further agrees to insert the foregoing provision in all subcontracts hereunder, except subcontracts for standard commercial supplies or raw materials."

SPECIFICATIONS

GENERAL CONDITIONS

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1. Bonds. (a) Bid bond.--The bidder shall furnish guarantee with each bid in an amount not less than 10 percent of the amount of the bid: Provided, That guarantee in excess of $2,000,000 will not be required.

(b) The contractor shall furnish bonds as follows:

(1) Performance bond.--The performance bond shall be furnished in accordance with the following table:

Amount of contract	Performance bond
Up to $1,000,000	Not less than 50 percent of contract
$1,000,000 to $5,000,000	Not less than 40 percent of contract
$5,000,000 to $10,000,000	Not less than 30 percent of contract
$10,000,000 to $25,000,000	Not less than 20 percent of contract
$25,000,000 and over	$5,000,000

Bonds in amounts of $1,000 or less will be made in multiples of $100; in amounts exceeding $1,000 but not exceeding $5,000, in multiples of $500; in amounts exceeding $5,000, in multiples of $1,000: Provided, That the amount of the bond shall be fixed by the contracting officer at the lowest sum that fulfills all conditions of the contract.

(2) Payment bond.--If the amount of the contract exceeds $2,000, the contractor shall furnish to the United States, in addition to the bond required under (b)(1) hereof, a payment bond with a surety or sureties satisfactory to the officer awarding the contract, for the protection of all persons supplying labor and material in the prosecution of the work provided for in the contract, for the use of each such person. Whenever the total amount payable by the terms of the contract shall be not more than $1,000,000, the payment bond shall be in the sum of one-half of the total amount payable by the terms of the contract. Whenever the total amount payable by the terms of the contract shall be more than $1,000,000 and not more than $5,000,000, the payment bond shall be in the sum of 40 percent of the total amount payable by the terms of the contract. Whenever the total amount payable by the terms of the contract shall be more than $5,000,000, the payment bond shall be in the sum of $2,500,000.

2. Climatic conditions. The contracting officer may order the contractor to suspend any work that may be subject to damage by climatic conditions.

3. Rights-of-way. The Government will provide the right-of-way or the site for permanent works or installations, the site for borrow pits, channels, spoil banks, and ditches, and right-of-way for access thereto over routes established by the contracting officer. The contractor will be permitted to use such land for construction purposes, but any additional right-of-way or land desired by the contractor for construction purposes shall be provided by the contractor without expense to the Government.

4. Quantities and unit prices. The quantities noted in the schedule are approximations for comparing bids, and no claim shall be made against the Government for excess or deficiency therein, actual or relative. Payment at the prices agreed upon will be in full for the completed work and will cover materials, supplies, labor, tools, machinery, and all other expenditures incident to satisfactory compliance with the contract, unless otherwise specifically provided.

5. Contractor's cost data. The contracting officer, through his authorized agents, shall have access to all pay rolls, records of personnel, invoices of materials, records of plant and equipment, and any and all other data relevant to the performance of the contract or necessary to determine its costs.

6. Sanitation. The contracting officer may establish sanitary and police rules and regulations for all forces employed under this contract, and if the contractor fails to enforce these rules the contracting officer may enforce them at the expense of the contractor.

7. Extras. The contractor shall, when ordered in writing by the contracting officer, in accordance with Clause 3 of the General Provisions, perform extra work and furnish extra material, not required by the specifications or included in the schedule, but forming an inseparable part of the work contracted for. Extra work and material will ordinarily be paid for at the lump-sum or unit price stated in the order. Whenever, in the judgment of the contracting officer, it is impracticable, because of the nature of the work or for any other reason to otherwise fix the price in the order, the extra work and material shall be paid for at the actual necessary cost as determined by the contracting officer, plus an allowance, not to exceed 15 percent of such actual necessary cost of the extra work and materials, for superintendence, general expense, and profit. The actual necessary cost will include all reasonable expenditures for material, labor (including compensation insurance and social security taxes), and supplies furnished by the contractor, and a reasonable allowance for the use of his plant and equipment, where required, but will in no case include any allowance for office expenses, general superintendence, or other general expenses.

8. Cleaning up. Upon completion of the work the contractor shall remove from the vicinity of the work all plant, buildings, rubbish, unused materials, concrete forms, and other like material, belonging to him or used under his direction during construction, and in

the event of his failure to do so the same may be removed by the Government at the expense of the contractor, and his surety or sureties shall be liable therefor.

9. Protests. If the contractor considers any work demanded of him to be outside of the requirements of the contract, or considers any record or ruling of the contracting officer or of the inspectors to be unfair, he shall immediately upon such work being demanded or such record or ruling being made, ask, in writing, for written instructions or decision, whereupon he shall proceed without delay to perform the work or to conform to the record or ruling, and, within thirty (30) calendar days after date of receipt of the written instructions or decision (unless the contracting officer shall grant a further period of time prior to commencement of the work affected) he shall file a written protest with the contracting officer, stating clearly and in detail the basis of his protest. Except for such protests as are made of record in the manner herein specified and within the time limit stated, the records, rulings, instructions, or decisions of the contracting officer shall be final and conclusive. Instructions and/or decisions of the contracting officer contained in letters transmitting drawings to the contractor shall be considered as written instructions or decisions subject to protest as herein provided.

10. Accident prevention. The contractor shall, at all times, exercise reasonable precautions for the safety of employees in the performance of this contract, and shall comply with all applicable provisions of Federal, State, and municipal safety laws and building and construction codes. The contractor shall also comply with the provisions of the Bureau of Reclamation publication "Safety Requirements for Construction by Contract," in effect on date bids are opened, so far as applicable, as determined by the contracting officer and unless such provisions are incompatible with Federal, State, or municipal laws or regulations. Monthly reports of all lost-time accidents shall be promptly submitted giving such data as may be prescribed by the contracting officer. Nothing in this paragraph shall be construed to permit the enforcement of any laws, codes, or regulations herein specified by any except the contracting officer.

11. Suspension of work. The Government may at any time suspend the whole or any portion of the work under this contract but this right to suspend the work shall not be construed as denying the contractor actual, reasonable, and necessary expenses due to delays, caused by such suspension, it being understood that expenses will not be allowed for such suspensions when ordered by the Government on account of weather conditions or on account of the failure of Congress to make the necessary appropriations for expenditures under this contract.

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SPECIAL CONDITIONS

12. The requirement. It is required that there be constructed and completed, in accordance with the Standard Form of Construction Contract No. 23, including the General Provisions (Standard Form No. 23A), these specifications, and the drawing listed in Paragraph 30 hereof, 30 water-supply wells on Unit B of the North Side Pumping Division, Minidoka Project, Idaho. All wells are to be drilled at the locations shown on the drawing or in the vicinity thereof, as directed by the contracting officer. The work is situated from 10 to 13 miles radial distance from Rupert, Minidoka County, Idaho.

13. Description of the work. The work will be performed in a desert area which is crossed by unimproved roads and access to the work shall be provided by the contractor in accordance with the requirements of Paragraph 22. The work consists of drilling, casing, logging, sampling, and testing wells in accordance with these specifications. Each well shall be completed to the depth designated by the contracting officer and pumping tests, as required, shall be performed. The diameter of each well and the minimum depth to be drilled are tabulated in Paragraph 25. The depth of overburden varies throughout the area. The casing required for each well is estimated to be approximately 30 feet. Casing shall be furnished and placed in accordance with the requirements of Paragraph 26.

14. Rates of wages. Pursuant to the provisions of the Davis-Bacon Act, as amended (49 Stat. 1011; 40 U.S.C. 276(a)), the Secretary of Labor has determined that the following rates of wages are the prevailing rates of wages for the classifications specified in the locality of the work covered by these specifications, and said rates of wages shall be the minimum rates per hour to be paid for the work covered by these specifications:

(Decision No. 0-7255 dated January 21, 1955)

Classification	Rate per hour
Laborers, general	$1.95
Well driller, churn	2.50
Flatrack trucks - 5 tons up to 15 tons	2.10
Mixers (5 bag and over)	2.30
Mixers, mobile	2.45
Truck driver - up to 5 tons and including 4 yds.	2.05
Truck driver - dump - over 4 yds., less than 8 yds.	2.15
Truck driver - dump - 8 yds., less than 12 yds.	2.40
Pumps, under 4 inch	2.05
Pumps, over 4 inch	2.15
Welders - Receive rate prescribed for craft performing operation to which welding is incidental	

Any class of laborers and mechanics not listed above, which will be employed on this contract, shall be classified or reclassified conformably

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to the foregoing schedule. In the event the interested parties cannot agree on the proper classification or reclassification of a particular class of laborers and mechanics to be used, the question, accompanied by the recommendation of the contracting officer, shall be referred to the Secretary of Labor for final determination.

The wage rates contained in this decision are straight hourly wage rates. In some areas management and labor organizations in the construction industry have collectively bargained for health and welfare fund contributions. Such contributions are not included in wage rates determined by the Secretary of Labor for construction projects.

While the wage rates shown are the minimum rates required by these specifications to be paid during the life of the contract, it is the responsibility of bidders to inform themselves as to local labor conditions such as the length of workday or workweek, overtime compensation, health and welfare contributions, labor supply, and prospective changes or adjustments of wage rates. No increase in the contract price will be allowed or authorized on account of the payment of wage rates in excess of those listed herein.

The regulations of the Secretary of Labor, effective July 1, 1951, provide in Title 29, Subtitle A, Part 5.4(b), Code of Federal Regulations, as follows: "All actions changing or modifying an original wage determination prior to the award of the contract or contracts for which the determination was sought shall be applicable thereto but modifications received by the agency later than 5 days before the opening of bids shall not be effective if the award is made within 30 days after the opening of the bids or 90 days from the date of the original wage determination whichever is the earlier."

15. Payments and funds. In preparing estimates for partial payments, consideration will be given to the delivery on the site of items of materials which will become a part of the finished construction work and for which payment in full has been made by the contractor, except that no consideration will be given to individual purchases of less than two hundred dollars ($200.00) for any one item. No consideration will be given to any other preparatory work done. Special provisions relating to payments and funds are as follows:

(a) Section 12 of the Reclamation Project Act of 1939, provides as follows: "When appropriations have been made for the commencement or continuation of construction or operation and maintenance of any project, the Secretary may, in connection with such construction or operation and maintenance, enter into contract for miscellaneous services, for materials and supplies, as well as for construction, which may cover such periods of time as the Secretary may consider necessary but in which the liability of the United States shall be contingent upon appropriations being made therefor" (43 U.S.C. 388).

(b) Under the contract to be entered into under these specifications such work as may be done in excess of the amount for which funds are available for payments set forth in Subparagraph (c), modified pursuant to Subparagraphs (d) and (e) hereof, will be continued with funds to be hereafter appropriated.

(c) The sum of $30,000 has been reserved and is available for payment of contractor's earnings, including retained percentages under the contract, and any contract adjustments thereunder: Provided however, That if these specifications permit award to be made separately on individual schedules, items, or parts or combinations thereof; and if more than one contract is awarded under these specifications, or if award is made on less than a total of all schedules or items hereunder, the Government reserves the right to apportion to the several contracts and/or items of work such amounts out of the total reservation as in the judgment of the contracting officer will constitute a proper apportionment.

(d) If at any time it becomes apparent to the contracting officer that the balance of this reservation is in excess of the estimated amount required to meet all payments due and to become due the contractor because of work performed or to be performed until June 30, 1955, the right is reserved to reduce said reservation by the amount of such excess. The contractor will be advised of any reduction so made.

(e) If the rate of progress of the work is such that it becomes apparent to the contracting officer that the balance of the reservation is less than the estimated amount required to meet all payments due and to become due because of work performed until June 30, 1955, the Government may reserve additional funds for payments under this contract if there be funds available for such purpose. The contractor will be advised of any additional reservation so made.

(f) It is expected that Congress will make additional appropriations applicable to work under this contract, but as to this it must be distinctly understood and agreed that the Government is in no case to be made liable for damages in connection with this contract on account of delays in payments on same due to lack of available funds. Should it become apparent to the contracting officer that available funds will be exhausted before additional funds are appropriated, the contracting officer will give 30 days' written notice to the contractor that work may be suspended by the contractor; but if the contractor so elects, he may continue work under the conditions and restrictions of the specifications, after the time set by such notice, so long as there are funds for inspection and superintendence, concerning which he will be advised; with the understanding, however, that no payment will be made for such work until sufficient additional funds have been provided by the Congress. When funds again become available, the contractor will be notified in writing as to the amount thereof reserved for payments under this contract. The amount so reserved shall be subject to decrease or increase in a manner similar to that provided in Subparagraphs (d) and (e) hereof. Should work be thus suspended, additional time for completion will be allowed equal to

the period during which the work is necessarily so suspended as determined by the dates specified in the above-mentioned notices.

(g) So long as funds are available, payments will be made in accordance with the provisions of the contract. Unless otherwise authorized in writing by the contracting officer, the items of work for which payment will be made shall be limited to those listed and enumerated in the contract. The unit or lump-sum price or prices stated in the contract will be used in determining the amount to be paid and shall constitute full and final compensation for all work.

(h) The procedure above described in this paragraph shall be repeated as often as necessary on account of exhaustion of available funds and the necessity of awaiting the appropriation of additional funds by Congress.

(i) Should Congress fail to provide the expected additional funds during its regular session, the contract may be terminated and considered to be completed at the option of the contractor, without prejudice to him at any time not later than 30 days after payments are discontinued, or if payments have been previously discontinued, not later than 30 days after passage of the Act which would ordinarily carry an appropriation for continuing the work, or after the adjournment of Congress without passing such Act.

16. Commencement, prosecution and completion of work. (a) Completion period.--The contractor shall begin work within thirty (30) calendar days after date of receipt of notice to proceed, and shall complete all of the work within the number of calendar days from the date of such notice shown in the following tabulation: Provided, That for the purposes only of determining the final date for completion, the time between December 15 and March 15, inclusive, shall be excluded: Provided further, That the period allowed for the completion of the work, or any part thereof for which separate completion period is stated, shall be reduced by one (1) calendar day for each calendar day in excess of ten (10) calendar days, or any extension thereof, elapsing between the contractor's receipt of and return of properly executed contract and performance and payment bonds as required in United States Standard Form No. 21:

Schedule No. 1.....460 days plus 1 day for each 10 feet, or fraction thereof, of total depth required in excess of 1185 feet, plus 5 days for each pumping test required, plus 1/2 day for each capacity indicating test.

Schedule No. 2.....460 days plus 1 day for each 10 feet, or fraction thereof, of total depth required in excess of 1740 feet, plus 5 days for each pumpingtest required, plus 1/2 day for each capacity indicating test.

Schedule No. 3.....460 days plus 1 day for each 10 feet, or fraction thereof, of total depth required in excess of 2050 feet, plus 5 days for each pumping test required, plus 1/2 day for each capacity indicating test.

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Schedule No. 4 .....460 days plus 1 day for each 10 feet, or fraction thereof, of total depth required in excess of 2240 feet, plus 5 days for each pumping test required, plus 1/2 day for each capacity indicating test.

The time allowed for completion of the work under each schedule will be as stated above regardless of the number of schedules awarded to any one contractor and the time allowed for completion will run concurrently on all schedules awarded. If, through no fault or negligence on the part of the contractor, the pumping test equipment to be furnished by the Government is not available to the contractor when required, the time allowed for completion of each uncompleted schedule included in the contract will be extended by the actual extent of the delay involved in making the pumping test equipment available to the contractor.

(b) Prosecution of the work.--The capacity of the contractor's construction plant, sequence of operations, method of operation, and the forces employed shall, at all times during the continuance of the contract, be subject to the approval of the contracting officer and shall be such as to insure the completion of the work within the specified period of time.

(c) Priorities.--If performance under these specifications is delayed by operations of the national priorities or material allocation system, the time for performance will be extended to compensate for such delays.

(d) Equipment.--In order to prosecute and complete the work as required above, the contractor shall use drilling equipment of sufficient size and tool weight capacity to perform the drilling in an efficient and satisfactory manner within the time allowed for completion. Past experience sith similar wells in the area has demonstrated a practical requirement for drilling equipment equal to or of greater capacity than Bucyrus-Erie 28-L on 24-inch diameter wells and drilling equipment equal to or of greater capacity than Bucyrus-Erie 24-L on 20-inch and 16-inch diameter wells. The contractor shall provide a bailer of 50-gallon minimum capacity for making capacity indicating tests as required in Paragraph 25.

17. Liquidated damages. The contractor shall pay to the Government as fixed, agreed, and liquidated damages, the sum of twenty-five dollars ($25.00) per day per schedule for each calendar day's delay.

18. Equipment allowances for contract adjustments. (a) General.--If the contractor is ordered to perform extra work in accordance with Paragraph 7 of the specifications, the allowance made for the equipment used on the extra work shall be determined from the schedule of average ownership expense listed in "Contractors' Equipment Ownership Expense" as published by the Associated General Contractors of America and in effect on the date of the contract. The provisions of this paragraph shall apply only for items of the contractor's equipment (including equipment owned by members of joint ventures or subcontractors) used or to be used on the original work contracted for under these specifications.

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Equipment shall be in good operating condition when starting work covered by the order. Rates allowed for eauipment ownership expense for use of items of equipment not listed in the pamphlet shall be established conformably with the items listed.

When extra work is ordered, the contractor shall furnish a complete description of each item of equipment to be used on such extra work, listing the make, model, size, capacity, mounting, type of power and cost. The cost to be used for establishing equipment allowance rates shall be determined by dividing by 2 the sum of the cost of the equipment, fob factory, when purchased by the original owner and the replacement cost of equal equipment fob factory, such cost in no case to exceed replacement cost. The contractor shall furnish evidence of both costs.

Rates determined in accordance with this paragraph make no allowance for the cost of operating equipment such as operating crew labor, servicing labor and equipment, labor and parts for minor field repairs, fuel, oil, grease, and supplies. Allowance will be made in extra work orders for these items in addition to the amounts allowed for equipment use.

(b) Monthly rates.--Rates allowed as ownership expense to the contractor shall be determined by multiplying the cost of the equipment, as computed under the provisions of Subparagraph (a) hereof, by the percentage unit listed under the heading entitled "Expense Per Working Month Percent." In the application of ownership expense rates for the use of equipment, a month for each item will be considered as a period of thirty (30) calendar days measured consecutively, beginning with the first day the equipment is operated on the work covered by the order. The monthly rates will not be subject to deductions for Sundays or holidays and will be allowed for the full calendar period of use.

(c) Shift rates.--Shift rates will be determined by dividing the monthly rate by 26. A shift will be considered as a continuous operating period of 8 hours, and the shift rate shall be used whenever regular use is required for less than 1 month. Allowances for use for less than one full shift when working on a shift basis will be made at a rate proportional to the full-shift rate, and allowance will not be made for idle time, except as specifically provided for in Subparagraph (e) hereof. No allowance will be made for Sundays and holidays when work is not actually performed. Shift rates shall be applicable to all extra work unless monthly rates are stipulated by the contracting officer in advance of performance of the work.

(d) Extra-shift rates.--Extra-shift rates shall be applied to the second and third shifts whenever the equipment is used for more than one shift in any 1 day. The extra-shift rate shall be 50 percent of the basic single-shift rate for each extra shift of actual use. Allowances for use, for less than a full extra shift, will be made at a rate proportional to the extra-shift rate.

(e) Idle time.--Ownership expense allowance will be made at the full-shift rate on regular working days, if the contracting officer determines that the equipment could be used advantageously on other work under the contract and that such use is precluded by impracticability of moving. No payment will be made when equipment is idle because of major repairs. Short periods of idle time normal to regular servicing and for minor repair or maintenance requirements will not be deducted from use or operating time.

(f) Changes.--In determining the equitable adjustment to be allowed for changes ordered by the contracting officer pursuant to Clause No. 3 or 4 of the General Provisions, the allowance for equipment used in the performance of work under the order for changes may at the option of the contracting officer be determined in accordance with the provisions of this paragraph.

19. Materials furnished by the Government. (a) Materials.--The Government will furnish the following materials:

(1) The site for each well.

(2) Containers for drilling samples

(3) One set of equipment for testing wells, other than those listed in Subparagraph 28(c), consisting of:

a. A 300-horsepower General Motors Twin 6, series 71 diesel engine with semi-flexible connecting shaft;

b. A right-angle gear drive capable of transmitting 300 horsepower;

c. A water-lubricated vertical-shaft turbine pump with 16-1/2-inch O.D. bowls, with necessary column pipe in 10-foot lengths, shafting and head;

d. 1500-gallon fuel tank;

e. A discharge pipe equipped with orifice to measure the quantity of water being pumped. (This equipment to be used only with Government-furnished equipment.)

(4) Fuel and lubricants for Government-furnished equipment for making required pumping tests.

Government-furnished equipment and materials for testing wells shall be used only for that purpose and in a manner approved by the contracting officer. The test pump equipment will be made available to the contractor at the Government storage yard or at one of the well sites, and the contractor shall haul and handle the equipment as required to perform the pumping tests. Fuel and lubricants for Government-furnished equipment

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used in performing required pumping tests will be furnished to the contractor at the sites of the wells. The equipment shall remain the property of the Government and, when not in use by the contractor, all items of equipment in possession of the contractor shall be returned to the Government, at the Government storage yard or such other location as designated by the contracting officer, in the same condition as received, reasonable wear and tear excepted. The contractor shall be responsible for loss, destruction of, or damage to any of the Government-owned equipment from any cause whatsoever while said equipment is in the possession of the contractor. No charge will be made to the contractor for the use of the items of equipment or materials listed in this paragraph. The contractor hereby releases and agrees to indemnify and hold harmless the United States, its officers, agents, and employees on account of all damage or claims for damage by whomsoever made, and of any nature whatsoever arising out of or in any manner connected with the contractor's use and operation of the Government-owned equipment furnished for the contractor's use under the contract.

20. Materials to be furnished by the contractor. The contractor shall furnish one set of test pump equipment for testing the wells listed in Subparagraph 28(c); casing pipe; liners; and all other materials and supplies, not specifically mentioned in Paragraph 19, required for completion of the contract. The contractor shall haul and handle all such materials and equipment. The cost of furnishing casing pipe and of hauling, storing, and handling it shall be included in the applicable unit price per linear foot bid in the schedules for furnishing and placing casing. The cost of furnishing test pump equipment and all materials and supplies incidental thereto shall be included in the unit price bid in the schedules for furnishing test pump equipment. The cost of furnishing, hauling, storing, and handling all other materials shall be included in the applicable unit prices bid in the schedules for the work for which the material is required.

21. Camp sites. The contractor will be permitted to use for construction-camp purposes any land available in the vicinity of the work that is the property of the Government: Provided, that such use shall not interfere with any part of the work or of the work of other contractors or of the Government in the vicinity. If private land is used by the contractor for camp or other construction purposes, the contractor shall make all necessary arrangements with the owner and shall pay all rentals or other costs connected therewith. The location, construction, maintenance, operation, and removal of the contractor's camps and of the camps or establishments of all persons or parties in the vicinity, operating, or associated with the contractor, shall be subject to the approval of the contracting officer.

22. Access to the work. Access to the work from existing roads shall be provided by the contractor at his expense. The Government assumes no responsibility for the condition or maintenance of any existing road or structure thereon that may be used by the contractor for performing the work under these specifications and for traveling to and from the site of the work. No direct payment will be made to the contractor

for constructing temporary roads used for construction operations, or for improving, repairing, or maintaining any existing road or structure thereon that may be used by the contractor for performance of the work under these specifications. The cost of all work described in this paragraph shall be included in the prices bid in the schedule for other items of construction work.

23. Safety of the public and other contractors. The contractor shall provide, erect and maintain all necessary barricades, suitable and sufficient red lights, danger signals, and signs, and take all necessary precautions for the protection of the work and safety of the public. The contractor shall take all necessary precautions to protect the work and equipment of other contractors who may be working in the same vicinity, and the contractor under these specifications shall be responsible for any damage caused by his operations. The costs of all work required by this paragraph shall be included in the prices bid in the schedules for other items of work.

24. Disposal of water and excavated material. The contractor shall make satisfactory provision for drainage of the water away from each well. The contractor shall be responsible for any and all damage that may result from disposal of the water. Disposition of excavated material shall be made in the vicinity of each well as directed by the contracting officer.

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DRILLING WELLS

25. Drilling. (a) Drilling.--All wells shall be drilled to at least the minimum diameters and the minimum depths shown in the following tabulation:

Well No.	Minimum Diameter Inches	Minimum Depth Feet	Required capacity Cubic feet per second
		SCHEDULE NO. 1	
15A724	16	260	2.0
22A724	16	245	1.9
26B724	16	230	2.2
27A725	16	245	2.0
14C825	16	205	2.2
		SCHEDULE NO. 2	
22B724	20	255	6.0
22C724	20	240	5.0
23A724	20	250	5.9
28A724	20	255	6.2
28B724	20	255	3.1
33B724	20	250	4.3
26A724	20	235	5.6
		SCHEDULE NO. 3	
3A825	24	250	8.4
3B825	20	250	4.2
5A825	24	240	9.9
5B825	20	240	5.0
6A825	20	205	6.0
6B825	16	205	3.0
12A825	24	225	10.0
12B825	20	225	4.9
11A825	20	210	4.1
		SCHEDULE NO. 4	
29A725	20	275	3.8
30A725	20	270	6.6
31A725	20	225	4.1
32A725	20	225	4.1
33A725	20	245	6.8
34A725	20	250	5.9
3C825	20	250	5.8
3D825	16	250	2.9
3E825	20	250	4.1

Further drilling between the prescribed minimum depth and 400-foot maximum depth may be required after pumping tests, if directed, have been performed. Unless otherwise directed by the contracting officer, the well shall be started in the presence of the contracting officer, or a duly authorized Government inspector, and any work started contrary to this provision will be subject to rejection. If a well is abandoned, the contractor shall immediately start drilling another well at a nearby location designated by the contracting officer. When the drilling has reached the minimum depth specified, if, in the opinion of the contracting officer, a satisfactory water-bearing strata has been encountered and sufficient water depth exists for satisfactory pump operation, drilling shall be discontinued and a pumping test shall be performed if so directed by the contracting officer. If, in the opinion of the contracting officer, a satisfactory water-bearing strata has not been encountered and/or a sufficient water depth for satisfactory pump operation does not exist, he may direct the contractor to continue drilling. When the contracting officer considers the hole to be sufficiently deep, he will direct the contractor to discontinue drilling. Concurrent drilling of paired wells (e.g., Wells Nos. 12A825 and 12B825) will not be permitted. One well of a pair shall be completed before drilling of the second well of the pair is started.

(b) Size.--Each well shall be drilled so that no part of it will have a diameter smaller than the diameter shown in the schedule. The starting diameter of the well may be selected by the contractor. Each well shall be drilled to a depth of not less than the minimum depth and to such greater depth as may be directed by the contracting officer. Through overburden, the drilled hole shall be of such diameter as to accommodate casing pipe having an inside diameter not less than the prescribed minimum diameter of the well. (See Paragraph 26.)

(c) Alinement.--Each well shall be drilled to its minimum depth straight enough to permit all of the following operations:

(1) Performance of a pumping test as described in Paragraph 28.

(2) The following test shall also be made in the presence of a Government inspector: At the beginning of the test, the hoisting equipment shall be placed so that the cable hangs vertically over and coincides with the center of the well at the ground surface. As the drilling bit (of nominal minimum well size) is lowered or raised throughout the well from ground surface to its minimum depth, the position of the cable shall not vary more than 1-1/2 inches horizontally from the center of the well at the ground level when the suspension point is 50 feet above the ground. If a suspension point above or below 50 feet is used, the allowable deviation shall be computed by the following formula:

Allowable deviation in inches = .03 x Height of suspension in feet.

(d) Capacity indicating test.--The contractor shall assist in making capacity indicating tests when directed. The instrument for making these test will be furnished and operated by the Government. Each test will require about 2 hours, during which time the drill bit shall be removed from the well and the contractor shall operate his bailer of 50-gallon minimum capacity as directed. Not more than four of these tests will be required on any one well.

(e) Abandoned well.--Any well which does not satisfy the alinement requirements will be considered an abandoned well. Any well on which the contractor voluntarily stops work before the well is drilled to the depth ordered by the contracting officer, will be considered an abandoned well. Abandoned wells shall be plugged by the contractor with at least 10 cubic feet of concrete placed between 5 and 10 feet from the ground surface, all at the expense of the contractor.

(f) Protection.--During drilling, casing, and testing, the well shall be protected by the contractor from contamination in a manner satisfactory to the contracting officer. The contractor shall bear any expense that may result from any damage to the well, tools or equipment that may be caused by caving, washing, or other disturbances within the well. The contractor shall preserve the well in good condition until completion of all pumping tests required and until the records have been examined by the contracting officer and the work has been accepted by the Government.

(g) Measurement and payment.--The finished well will be measured for payment from the original ground surface to the bottom of the drilled hole or to the depth of drilling directed by the contracting officer, whichever is the lesser depth. The measurement will be made by a Government inspector, or shall be made by the contractor in the presence of a Government inspector, as determined by the contracting officer. Payment for drilling the wells in each schedule to the prescribed minimum depths will be made at the applicable unit price per linear foot bid therefor in the schedule. Payment for drilling the wells in each schedule beyond the prescribed minimum depths, not to exceed a maximum depth of 400 feet in any one well, will be made at the applicable unit price per linear foot bid therefor in the schedule. If, as determined by the contracting officer, any drilling in any well is required at depths in excess of 400 feet, the contractor shall continue drilling to such depth beyond 400 feet as directed and payment for such drilling beyond 400 feet will be made as extra work in accordance with Paragraph 7 of these specifications. No payment will be made for any abandoned well. Prices bid in the schedule for drilling shall include the entire cost of drilling the well, performing alinement and capacity indicating tests, and furnishing all data, equipment, and samples to be furnished by the contractor.

26. Casing. (a) Surface casing.--New casing pipe of inside diameter not less than the prescribed minimum well diameter shall be placed in each well from a point 2 feet above the ground surface to a firm

anchorage at least 2 feet into solid rock. After the casing is anchored in rock, the contractor shall place a grout seal in the lower five feet of the hole between the casing and the wall of the hole, in a manner satisfactory to the contracting officer. Drill cuttings may be mixed with cement to form this grout seal in the proportion of 2 parts cuttings to one part cement. Upon completion of the grouting operation, the remainder of the annular space around the casing above the grout seal shall be backfilled in a manner satisfactory to the contracting officer. If, upon completion of the well, it is found that the casing is not sealed in such manner as to prevent loose material from entering the well, the contractor shall reset the casing.

(b) Liners.--The existence of unstable or caving material below the top of bedrock, which might require the installation of additional casing or liner for the protection of the wells, is not anticipated. If, however, such material is encountered and the contracting officer determines that the installation of additional casing or liner is required, the contractor shall furnish and place such additional casing or liner as directed by the contracting officer. The diameter, type, wall thickness, length, and depth of placement of such additional pipe shall be as directed by the contracting officer. In no case will the contractor be required to remove the surface casing placed and sealed as described above.

(c) Material.--Well casing shall be new and shall have a wall thickness of not less than 3/16 inch. The casing in any one well may be of several sizes, at the option of the contractor, but no casing with an inside diameter smaller than the minimum size listed for the well in the applicable schedule shall be placed in any well except when additional casing or liners may be required, as stated under (b) above. All casing shall be so placed that it will remain centered in the hole. Upon completion of each well, a steel plate cap shall be tack-welded to the top of the casing so that it will fit closely over the casing. This casing cap shall have a 1-1/2-inch diameter hole drilled in the center to permit measurement of water levels in the well. The 1-1/2-inch hole in the cap shall be tapped and fitted with a standard pipe plug or the contractor, at his option, may weld a pipe coupling with screw plug to the cap over the hole.

(d) Measurement and payment.--The length of casing placed in an accepted well from 2 feet above ground to firm anchorage in solid rock will be measured for payment to the nearest 0.5 foot without allowance for lap at joints. Payment for furnishing and placing casing will be made at the applicable unit price bid therefor in the schedule, which unit price shall include all cost of furnishing, handling, placing, and sealing the casing. The contractor shall be entitled to no allowance over and above the unit price bid in the schedule by reason of furnishing and placing casing of larger diameter than the minimum diameter required. No payment will be made for casing installed in an abandoned well as described in Subparagraph 25(e). Payment for furnishing and placing additional casing or liner, as described above will be made as

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extra work in accordance with the provisions of Paragraph 7 of these specifications: Provided however, that only additional casing or liner furnished and placed at the written direction of the contracting officer will be measured for payment.

27. Drilling records. The contractor shall keep and furnish an accurate log of each well in the manner prescribed by the contracting officer including a description of all materials encountered and their locations in the well. The fact that a Government inspector may be present and keeping a record of the drilling will not relieve the contractor from responsibility for furnishing the log. A record of the water level in the well shall be made every 12 hours and at every significant change in the water level. In the case of defective records, the contractor will be required to do such additional work as may be required to complete the records, and the contractor will be entitled to no additional compensation therefor.

28. Pumping tests. (a) Tests required.--At any time after the minimum depth has been drilled, the contractor shall perform pumping tests when so directed by the contracting officer. Each pumping test shall consist of removing the tools, hauling and placing the test pump equipment, pumping at a continuous rate, measuring the water depth in the well, measuring the discharge, preparing a test record, removing the test pump equipment, and replacing drilling tools, if required. The period of pumping shall be as directed by the contracting officer, but will not exceed 72 hours for any one test unless a longer period is required by reason of failure of the pumping equipment. Not more than two pumping tests will be directed for any one well.

(b) Government-furnished test pump equipment.--In accordance with the provisions of Paragraph 19, test pump equipment will be furnished by the Government for testing all wells except those listed under (c) below. The test pump equipment furnished by the Government shall be handled with care and shall be properly maintained by the contractor. Any part of the equipment which is broken in handling by the contractor or any defect in the equipment caused by negligence or carelessness on the part of the contractor shall be repaired in a satisfactory manner by the contractor at his expense. All equipment shall be hauled, installed and removed and stored by the contractor. Storage of the Government-owned equipment while not in use shall be as directed by the contracting officer. An orifice-type measuring device will be furnished by the Government and shall be installed and operated by the contractor during the test for which Government-furnished pump equipment is used. The contractor shall furnish all miscellaneous auxiliary equipment, tools and labor required for making the pumping test.

(c) Contractor-furnished test pump equipment.--The contractor shall furnish all equipment, materials and supplies including pump, prime mover, fuel, lubricants, column pipe and orifice measuring device for testing the following 16-, 20-, and 24-inch diameter wells:

Schedule No. 1 - 15A724, 22A724, 26B724, 27A725 and 14C825

207736

Schedule No. 2 - 28B724

Schedule No. 3 - 3B825, 5B825, 6B825 and 12B825

Schedule No. 4 - 3D825

The equipment shall remain the property of the contractor. The maximum discharge capacity of the pump shall be not less than 4 cubic feet per second at a 200-foot head and shall have a least 240 feet of column and shaft. The contractor shall furnish all miscellaneous auxiliary equipment, tools, and labor required for making the pumping tests.

(d) Performing the pumping tests.--Pumping tests shall be performed at such time and depths as directed by the contracting officer, and simultaneous tests of paired wells may be directed. After the test pump equipment has been installed, the pumping shall be started, regulated, and stopped as directed. During pumping, the pump shall be continuously attended. The contractor shall furnish a detailed record of each test. The contractor shall be responsible for efficient operation of the pumping unit during tests. The Government will install an air-line pressure gage device for measuring the depth of water in each well during the pumping test.

(e) Measurement and payment.--Payment for each installation and removal of test pumping equipment into and out of the well at the direction of the contracting officer, whether Government-furnished or contractor furnished, will be made at the unit price bid in the schedule for installing and removing test pump equipment. Such price shall include all cost of delivering the test pump equipment to the site, removing and replacing the drilling equipment, and installing and removing the test pump equipment. Payment for furnishing test pump equipment will be made at the unit price bid therefor in the schedule, which price shall include all cost of ownership or rental, fuel, lubricants, hauling, storing and all other incidentals necessary for the operation of the pumping equipment. The time that pumping is actually performed at the direction of the contracting officer during a pumping test will be determined to the nearest hour by the contracting officer. Failure or inefficient operation of the pumping or measuring equipment may necessitate repetition of part of the pumping test, which repetition shall be at the expense of the contractor, except that the contractor will be compensated at the bid price for any repetition of pumping made necessary by failure of the Government-furnished pumping equipment: Provided however, that no payment will be made for repetition of pumping made necessary by failure of the Government-furnished pumping equipment if such failure, as determined by the contracting officer, is due to the fault or negligence of the contractor. Payment for performing pumping test will be made at the unit price per hour bid therefor in the schedule.

29. Samples. The contractor shall furnish a representative sample of the material excavated from approximately each 5 feet of depth. Samples shall be obtained from material at the bottom of the well raised by means of a sample bucket or bailer. No sample shall be taken from mate-

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rial that has been raised to the surface by hydraulic action. Samples shall be placed in containers which will be furnished by the Government. Each container shall be clearly and accurately marked to indicate the source of the sample, the time it was obtained, and the individual who obtained the sample. The cost of performing all work and furnishing all materials described in this paragraph shall be included in the applicable unit price per linear foot bid in the schedules for drilling

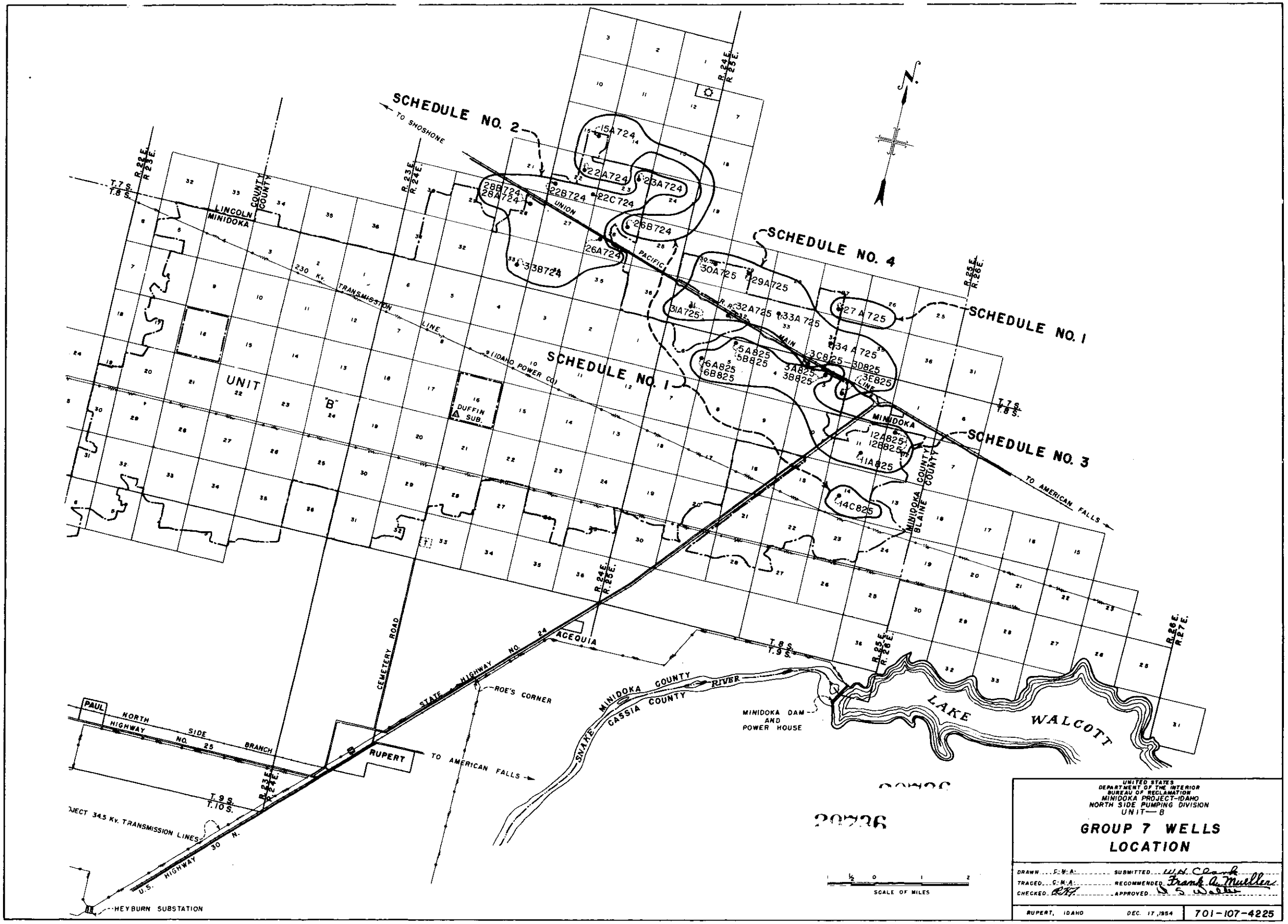
DRAWING

30. Drawing. The following drawing is made a part of these specifications:

701-107-4225 -- Group 7 Wells - Location

The contractor will be furnished such additional copies of the specifications and drawing as may be required for carrying out the work.

20736



GPO 986677

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
MINIDOKA PROJECT-IDAHO
NORTH SIDE PUMPING DIVISION
UNIT—8

GROUP 7 WELLS LOCATION

DRAWN ... F. M. A. ... SUBMITTED ... W. N. Clark
TRACED ... C. M. A. ... RECOMMENDED ... Frank A. Mueller
CHECKED ... RKF ... APPROVED ... U. S. Dodge

RUPERT, IDAHO — DEC. 17, 1954 — 701-107-4225

October 31, 1956

RE: Permit No. 20736

Mr. H. T. Nelson
U.S.Bureau of Reclamation
Box 937
Boise, Idaho

Dear Mr. Nelson:

On April 5, 1956 - In the Matter of the Application for Extension of Time for Completion of Works on Permit No. 20736 by the U. S. Bureau of Reclamation, Minidoka North Side Extension Subterranean Waters - a "Denial of Application and Decision of the State Reclamation Engineer" was issued which stated:-

"It is the further decision of the State Reclamation Engineer, that the priority date of that part of the right initiated by Permit No. 20736 depending on works constructed prior to November 5, 1955, shall relate back to September 9, 1948, and that part of the right initiated under Permit No. 20736 and depending on works not completed by November 5, 1955, may relate back to November 5, 1955."

As a matter of procedure, Proofs of Completion of Works on the whole of the works to be completed under Permit No. 20736 may be submitted as soon as all the works are completed but not later than November 5, 1958.

The time for completion of works for items not completed by November 5, 1955, is extended three years from November 5, 1955, and the time for making proof of completion of works on all work is extended to November 5, 1958.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

K:hll

20736

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

In the matter of the application for Extension of Time for Completion of Works on Permit No. 20736 by the U. S. Bureau of Reclamation Minidoka North Side Extension, Subterranean waters.	DENIAL OF APPLICATION AND DECISION OF THE STATE RECLAMATION ENGINEER

On September 9, 1948, Application was made for permit to appropriate 1333.28 cubic feet per second of unappropriated public underground water from 306 wells for the irrigation of 66664.3 acres of Unit "B" North Side Pumping Division of the Minidoka Project by the United States of America acting through the United States Bureau of Reclamation.

The Application was approved and Permit No. 20736 was issued with one of the requirements of the permit being completion of works by November 5, 1953. In 1953 Application for five years extension of time for Completion of Works was made and two years extension was approved to November 5, 1955, with the informal proviso that any further application for extension of time for Completion of Works would be advertised so that anyone interested might have an opportunity to express his views.

There is statutory authority in Section 42-204 Idaho Code for extension of time beyond the original five year period for federally financed projects.

An Application for a three year extension of time for completion of Works was made by the holder of the Permit in 1955 and the application was advertised in papers in Minidoka and Jerome Counties.

Expressions both for and against the approval of the extension of time were received.

Geological Survey Circular 371, Ground water in the North Side Pumping Division, Minidoka Project, Minidoka County, Idaho, says: "Local lowering of water levels by sustained heavy pumping in the North Side Pumping Division and adjacent areas probably will cause low-order regional lowering of water levels."

It is the opinion of the State Reclamation Engineer that water rights initiated in the vicinity of the Project since 1948 would not be seriously injured by approval of the Application for extension of time and it is also the opinion of the State Reclamation Engineer that the water rights of the Project as a whole would not be seriously injured by denial of the Application for Extension of Time.

It is the decision of the State Reclamation Engineer that the application for Extension of Time for Completion of Works should be denied and the application is hereby denied.

It is the further decision of the State Reclamation Engineer that the priority date of that part of the right initiated by Permit No. 20736 depending on works constructed prior to November 5, 1955, shall relate back to September 9, 1948, and that the part of the right initiated under Permit No. 20736 and depending on works not completed by November 5, 1955, may relate back to November 5, 1955.

Anyone feeling himself aggrieved by this decision and denial of application for extension of time for completion of works under Permit No. 20736 may appeal the same to the District Court for Minidoka County, Idaho, or the District Court for Jerome County, Idaho, as outlined in Section 42-204 of the Idaho Code as amended.

Given under my hand and seal of the State Department of Reclamation at Boise, Idaho, this 5th day of April, 1956.

MARK R. KULP
State Reclamation Engineer

4-5-56

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

In the matter of the application for Extension of Time for Completion of Works on Permit No. 20736 by the U. S. Bureau of Reclamation Minidoka North Side Extension, Subterranean waters.	DENIAL OF APPLICATION AND DECISION OF THE STATE RECLAMATION ENGINEER

On September 9, 1948, Application was made for permit to appropriate 1333.28 cubic feet per second of unappropriated public underground water from 80 wells for the irrigation of 66664.5 acres of Unit "B" North Side Pumping Division of the Minidoka Project by the United States of America acting through the United States Bureau of Reclamation.

The Application was approved and Permit No. 20736 was issued with one of the requirements of the permit being completion of works by November 5, 1955. In 1953 Application for five years extension of time for Completion of Works was made and two years extension was approved to November 5, 1955, with the informal proviso that any further Application for extension of time for Completion of Works would be advertised so that anyone interested might have an opportunity to express his views.

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Expressions both for and against the approval of the extension of time were received.

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It is the opinion of the State Reclamation Engineer that water rights initiated in the vicinity of the Project since 1948 would not be seriously injured by approval of the Application for extension of time and it is also the opinion of the State Reclamation Engineer that the water rights of the Project as a whole would not be seriously injured by denial of the Application for Extension of Time.

It is the decision of the State Reclamation Engineer that the application for Extension of Time for Completion of Works should be denied and the application is hereby denied.

It is the further decision of the State Reclamation Engineer that the priority date of that part of the right initiated by Permit No. 20736 depending on works constructed prior to November 5, 1955, shall relate back to September 9, 1948, and that the part of the right initiated under Permit No. 20736 and depending on works not completed by November 5, 1955, may relate back to November 5, 1955.

20736

Anyone feeling himself aggrieved by this decision and denial of application for extension of time for completion of works under Permit No. 20736 may appeal the same to the District Court for Minidoka County, Idaho, or the District Court for Jerome County, Idaho, as outlined in Section 42-204 of the Idaho Code as amended.

Given under my hand and seal of the State Department of Reclamation at Boise, Idaho, this 5th day of April, 1956.

MARK R. KULP
State Reclamation Engineer

20736

For

Settlers Committee. North Side
Pumping Division
c/o John Trevino Chairman
Rupert ~~Idaho~~

Continental Oil Co.
W. L. Hollenbeck Distributor
Rupert, Idaho

Rupert Abstract Co
c/o Lloyd J. Duert
Rupert Idaho

Roy M Burbank
Cousin Roy's Cafe and Lounge
Rupert

Bishop. Ready Mix
c/o H. B. Bishop Rupert

Minidoka County News
Rupert

20736

Copies of decision to
Against extension of
time for C.W. Amd No 20736

Julian Clawson Farms
% Irwin Clawson
308. Keams Bldg.
Salt Lake City, Utah.

Capital Company
% Everett Warner
P.O Box 619 Rupert Idaho

Lawrence Duffin.
Rupert. Idaho

Warren Neibaur and 26 others
Rupert Idaho

U.S.B.R. Region 1
Boise 2 copies

20736

For Approval of
extension time CW. P # 20736

Idaho Department Store
% Harry Grimes Mgr
Rupert Idaho ✓

L. B. Wrigley Box 501 Paul Idaho ✓

The Idaho First National Bank
John A. Schoonover Pres ✓
Boise Idaho

Reclamation Committee
Burley Chamber of Commerce ✓
Edgar Moorman, Chairman
Burley Idaho

Rupert Chamber of Commerce
Board of Directors ✓
O. N Johnson Pres.
Rupert, Idaho

Idaho First National Bank
Robert Reed Mgr ✓
Rupert Idaho

20736

PROTEST

RECEIVED
JAN 31 1955

We, the owners of underground water applications filed with the Idaho State Reclamation Engineer since the U. S. Bureau of Reclamation filed their application in 1948, protest the extension of time now sought by that Bureau to perfect its application.

We individuals have to either pump the water on to the land within the time established or forfeit the priority gained by the filing. There is no reason on earth why the Federal Bureau of Reclamation should not be required to live up to the same rules. There should not be one set of rules for the Federal Government and another set for ordinary individuals. The powerful and the weak should receive the same treatment from the great State of Idaho.

The extension sought is undemocratic, unfair and unjust. It is an attempt to prefer the great and powerful Federal Bureau of Reclamation at the expense of the small settlers on this land.

It is earnestly urged that the State Engineer, in furtherance of justice and the democratic process of first come, first served, exercise his discretion in favor of the individual applicants and against the Bureau and refuse the extension sought under permit 20736 and all other Bureau of Reclamation permits.

NAME	ADDRESS
Vernon Neibaur	Rupert, Idaho
J H Terry	Rupert Ida
Cecil Terry	Rupert Idaho
Jan F Terry	Rupert Ida
Virgil A. Neibaur	Rupert, Idaho
Darwin Neibaur	Rupert Idaho
Ira A Neibaur	American Falls, Ida.

20736

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NAME	ADDRESS
Stanley Mortensen	Rupert
Grant Mortensen	St. Anthony
Bruce Nielsen	Rupert Idaho
Lawrence H. Griffin	Rupert Ida
Wilbert H. Miller	Rupert Idaho
Reed Hansen	Rupert, Idaho

20736

PROTEST

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It is earnestly urged that the State Engineer, in furtherance of justice and the democratic process of first come, first served, exercise his discretion in favor of the individual applicants and against the Bureau and refuse the extension sought under permit 20736 and all other Bureau of Reclamation permits.

NAME	ADDRESS
Owyhee Farms Inc.	Munidoka Idaho
Howard H. Wright	" "
Margaret A. Wright	
Ray L. Honsinger	Minidoka, Idaho
John J. Bell	Rupert Idaho
Capital Company By Edwayne	Rupert, Idaho
Jack C. McDuath	Lauter Rupert Idaho
Norman J. Kenschied	Rupert Idaho

PROTEST

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We individuals have to either pump the water on to the land within the time established or forfeit the priority gained by the filing. There is no reason on earth why the Federal Bureau of Reclamation should not be required to live up to the same rules. There should not be one set of rules for the Federal Government and another set for ordinary individuals. The powerful and the weak should receive the same treatment from the great State of Idaho.

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It is earnestly urged that the State Engineer, in furtherance of justice and the democratic process of first come, first served, exercise his discretion in favor of the individual applicants and against the Bureau and refuse the extension sought under permit 20736 and all other Bureau of Reclamation permits.

NAME	ADDRESS
Mack Neibaur	Rupert, Idaho.
L. D. Anderson	Rupert, Idaho
Richard D. Blinco	Heyburn, Idaho
D. B. Linscott	Heyburn, Idaho
Gary D. Miller	Paul Idaho

20736

January 10, 1956

RE: Permit No. 20736

Mr. William H. Tuller
Acting Regional Director
Bureau of Reclamation
Regional Office, Region 1
Box 937
Boise, Idaho

Dear Mr.Tuller:

We are returning, herewith, vouchers sent to this Department relative to payment of publication fees for Permit No. 20736, and pending application for Permit to divert 240 cubic feet per second for use in connection with the Unit A Pumping Plant, North Side Pumping Division, Minidoka Project.

These vouchers have been signed by Mr. Kulp, State Reclamation Engineer, Department of Reclamation.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

T:hll
Enc.

2102736

IN REPLY REFER TO:

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
REGIONAL OFFICE, REGION 1
BOX 937, BOISE, IDAHO

RECEIVED
JAN 5 1956
Department of Reclamation

JAN 4 1956

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

Dear Mr. Kulp:

In response to your letters of December 27, 1955, there are enclosed vouchers covering the publication fees for Permit No. 20736 and the pending application for permit to divert 240 cubic feet per second for use in connection with the Unit A Pumping Plant, North Side Pumping Division, Minidoka Project.

Sincerely yours,

Wm H. Tuller

Acting Regional Director

Enclosures

20736

IN REPLY REFER TO:

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
REGIONAL OFFICE, REGION 1
BOX 937, BOISE, IDAHO

RECEIVED
JAN 04 1956
Department of Reclamation

JAN 3 19[illegible]

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

Dear Mr. Kulp:

Thank you for your letter of December 22 sending copies of the documents received in connection with the extension of time for completion of works on Permit No. 20736. We are now analyzing these documents and would like to present some factual material to you concerning this matter prior to your final action under our application for extension of time for completion of works. We hope to have this material to you within the next three weeks.

Sincerely yours,

Wm H. Tuller

Assistant Regional Director

20736

December 27, 1955

RE: Permit No. 20736

Mr. William H. Tuller
C/o U. S. Bureau of Reclamation
Box 937
Boise, Idaho

Dear Mr. Tuller:

We have received the affidavits of publication together with statements of costs in connection with your application for extension of time for completion of works on Permit No. 20736.

The Statement from the North Side News is for $6.75 and from the Minidoka County News for $7.59. Please send us separate vouchers to take care of these amounts.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll

20736

LAW OFFICES

LAWRENCE H. DUFFIN

FISHER BUILDING

RUPERT, IDAHO

December 23, 1955

RECEIVED
DEC 27 1955
Department of Reclamation

Mr. Mark Kulp
State Reclamation Engineer
Capitol Building
Boise, Idaho

Dear Mr. Kulp:

I have been authorized by the Board of Directors of the North Side Underground Water Association to informally advise you of our position in regard to the legality of the extension granted to, and the extension now being requested by, the Bureau of Reclamation for the Minidoka North Side Pumping Project.

We are of the opinion that the application of the statute permitting extensions is unconstitutional with respect to underground water for the following reasons:

1. It violates the due process clause. The statute fails to provide for a hearing. There is no question but that the priority of a water right is a property right. The statute permits an administrative official to grant an extension, at his discretion, to the Bureau, without providing persons holding rights damaged by such extension the opportunity of being heard. Further, there is, as was done in the case of the extension granted in 1953, no notice, no hearing, and no opportunity to examine the evidence submitted in support of the extension. That extension materially damaged all water rights filed in this area that were subsequent to the 1948 filing, but prior to a 1953 filing if the extension had been denied. The statute, obviously, was not intended to apply where there were conflicting rights already established, and, certainly, such application permits the taking of our property without due process of law.

2. It violates the equal protection clause. The Bureau is in no different position than the individual with respect to underground water. There is here no irrigation project with its dams, reservoirs, canals, etc., taking years to complete and depending on progressive grants from Congress. This project could have been physically completed by the Bureau in one year under the original right. The statute, in its application to underground water, fails to provide for any method of extending the permits filed by individuals, yet these individuals may have better grounds than the Bureau for the granting of such extension.

21972;

We, also, seriously doubt the legality of these extensions on the following additional grounds:

We are, and were, informed and believe that the failure of the Bureau to complete its wells within the five year period was deliberate and was based on its policy of completing only a few wells per year. The Bureau publicly announced this program in 1948 and claimed that it would only develop the wells indicated in its permit as ground water conditions were proven. This "go slow" policy was relied upon by many individual persons and companies who have drilled wells in this area as proof the Bureau would not attempt to destroy existing water rights through its prior filing. Also, such a policy also indicated that the Bureau would be content with a water right priority established by the actual use of proven water.

Having had no opportunity to examine the evidence submitted to you in 1953, we, of course, do not know the basis for your decision granting that extension. We seriously doubt, however, that the Bureau was able to present any evidence that it was entitled to such extension within the meaning of the statute. Certainly the statute contemplates that the grounds for such request must be based on facts and conditions beyond the control of the Bureau and not facts and conditions resulting from the deliberate policy of the Bureau or resulting from their own negligence or indifference. We are not aware that any bona fide request made by the Bureau for appropriations from Congress for the drilling of these wells or the purchasing of pumps for the same was denied. If this be the true situation, they have no right, even under the statute, for these extensions, and, consequently, the 1953 extension would be voidable as an illegal abuse of discretion. If the 1953 extension was, and is, illegal, there is nothing to extend now.

In summary, regardless of the law involved, this naked attempt by the Bureau to jockey itself into a better position "come what may and to hell with the rest" is strongly offensive to any spirit of fair play and honesty and reflects nothing but discredit on the Bureau and its representatives.

We are, and will continue to be, most willing to consult with you further regarding any of these matters, either legal or otherwise. We also would welcome the opportunity of being invited to a hearing wherein we could endorse the objection filed by Julion Clawson Farms, Inc. and be allowed the opportunity of being "present and confronted with testifying witnesses and evidence" and

of examining and answering the evidence submitted by the Bureau.

I am enclosing, for your further information, a clipping from our local paper published yesterday.

We offer you our kindest personal regards and best wishes for the holiday season.

Very truly yours,

Lawrence H. Duffin
Secretary, North Side Underground
Water Association

lhd:dd
enc.

22736

STATE OF IDAHO

OFFICE OF THE GOVERNOR

BOISE

ROBERT E. SMYLIE
GOVERNOR

December 22, 1955

RECEIVED
DEC 23 1955
Department of Reclamation

Mr. Lawrence Duffin, Secretary
North Side Underground Water Ass'n
Rupert, Idaho

Dear Mr. Duffin:

Thank you for your wire of yesterday relative to a pending matter in the Department of Reclamation. I have forwarded your wire to the Honorable Mark Kulp, State Reclamation Engineer with the request that he include the wire in the file.

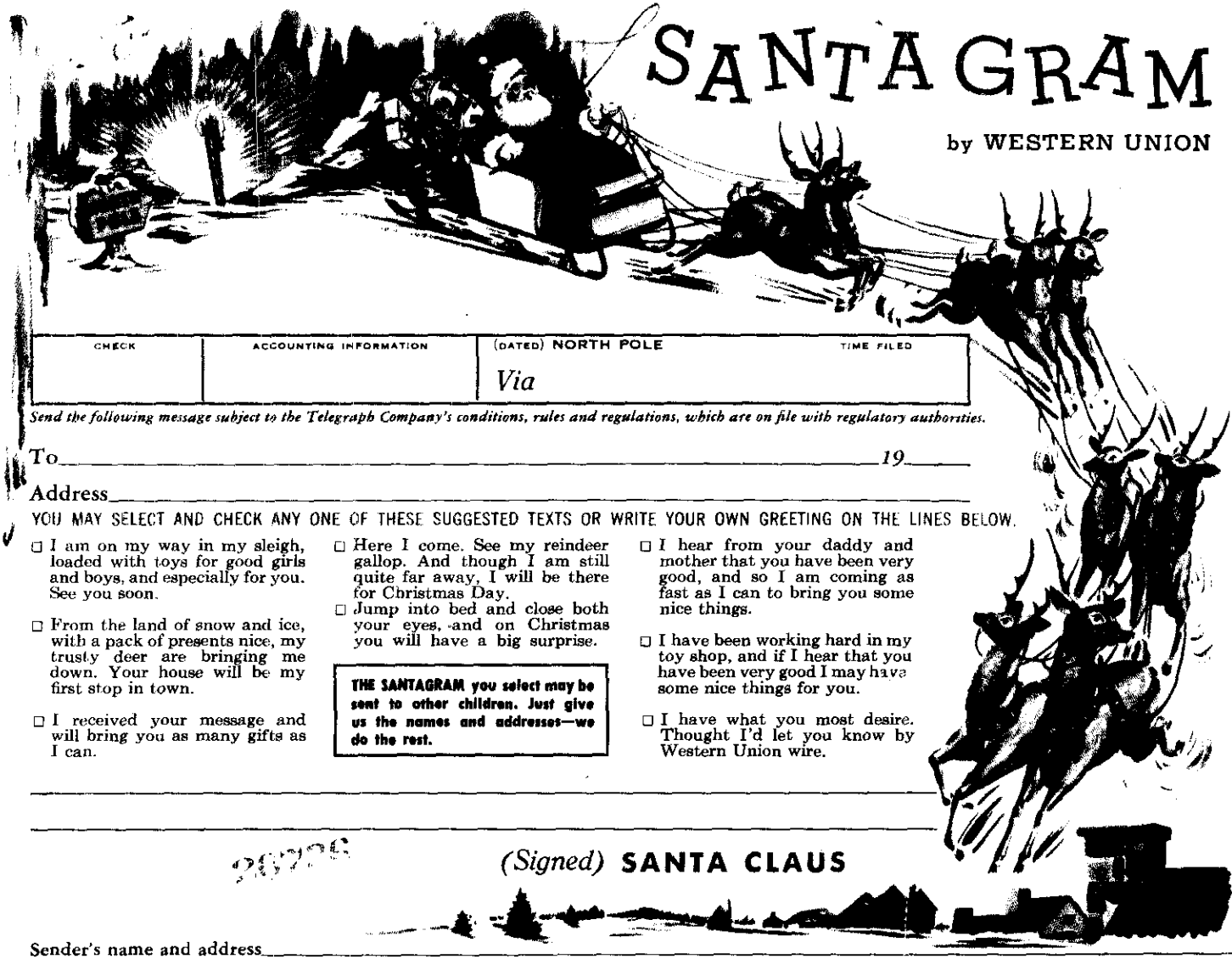
Be assured that your views will have fullest consideration.

Sincerely yours,

GOVERNOR

RES:c

cc: Hon. Mark R. Kulp
State Reclamation Engineer
BUILDING



SANTA GRAM

by WESTERN UNION

CHECK	ACCOUNTING INFORMATION	(DATED) NORTH POLE	TIME FILED
		Via	

Send the following message subject to the Telegraph Company's conditions, rules and regulations, which are on file with regulatory authorities.

To_____ 19____

Address_____

YOU MAY SELECT AND CHECK ANY ONE OF THESE SUGGESTED TEXTS OR WRITE YOUR OWN GREETING ON THE LINES BELOW.

- ☐ I am on my way in my sleigh, loaded with toys for good girls and boys, and especially for you. See you soon.
- ☐ From the land of snow and ice, with a pack of presents nice, my trusty deer are bringing me down. Your house will be my first stop in town.
- ☐ I received your message and will bring you as many gifts as I can.
- ☐ Here I come. See my reindeer gallop. And though I am still quite far away, I will be there for Christmas Day.
- ☐ Jump into bed and close both your eyes, and on Christmas you will have a big surprise.

THE SANTAGRAM you select may be sent to other children. Just give us the names and addresses—we do the rest.

- ☐ I hear from your daddy and mother that you have been very good, and so I am coming as fast as I can to bring you some nice things.
- ☐ I have been working hard in my toy shop, and if I hear that you have been very good I may have some nice things for you.
- ☐ I have what you most desire. Thought I'd let you know by Western Union wire.

_____

_____

(Signed) **SANTA CLAUS**

Sender's name and address_____

780 (54)

ADDITIONAL TEXTS ON REVERSE SIDE

CLASS OF SERVICE

This is a fast message unless its deferred character is indicated by the proper symbol.

WESTERN UNION TELEGRAM

W. P. MARSHALL, PRESIDENT

1201

SYMBOLS

DL = Day Letter

NL = Night Letter

LT = International Letter Telegram

The filing time shown in the date line on domestic telegrams is STANDARD TIME at point of origin. Time of receipt is STANDARD TIME at point of destination

PRA3 09

(40).

PR BYA035 PD=RUPERT IDA 21 223PMM=

:GOVERNOR SMYLIE=

:CAPITOL BLDG BOISE IDA= [illegible] 21 PM 2 58

:THE NORTHSIDE UNDERGROUND WATER ASSN REPRESENTING PUMP FARMS OF OVER 50,000 IRRIGATED ACRES OF AN INVESTMENT VALUE OF OVER 10,000,000 DOLLARS AND NOW USING 280,000 GALLONS OF UNDERGROUND WATER PER MINUTE DURING IRRIGATION SEASON DOES UNAMINOUSLY ATTEMPT ENDORSE PROTEST FILE BY JULIAN CLAWSON FARMS INC. TO THE ATTEMPT BY THE BUREAU OF RECLAMATION TO DESTROY WATER RIGHTS PRIORITY OF [illegible] ESTABLISHED USERS OF UNDERGROUND WATER THE BUREAUS ACTION WILL FAVOR ONLY PERSONS NOT YET DRAWN FROM GLASS BOWLS WILL DEPRIVE HUNDREDS OF ESTABLISHED FARMERS OF THEIR WATER

OF SERVICE

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WESTERN UNION

TELEGRAM

W. P. MARSHALL, PRESIDENT

1201

SYMBOLS

DL=Day Letter

NL=Night Letter

LT=International Letter Telegram

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RIGHTS PRIORITY=

=LAWRENCE DUFFIN SECY NORTH SIDE UNDERGROUND WATER ASSN=

20736

THE COMPANY WILL APPRECIATE SUGGESTIONS FROM ITS PATRONS CONCERNING ITS SERVICE

ADVERTISING PRINTING OFFICE [illegible]

PHONE 721 JEROME, IDAHO

NORTH SIDE NEWS

ONE MEDIUM • ONE COVERAGE • ONE COST

DATE 6 - 1 19[illegible]

M State of Idaho
Dept. of Reclamation
Boise

CASH ☐
CHARGE ☐
ON ACC'T ☐
PD. OUT ☐

DISPLAY ☐ PHOTO ENGRAVING ☐
CLASS ☐ ~~LEGAL~~ ADV. NO. 220
SUPPLIES ☐ PRINTING NO.

QUAN.	DESCRIPTION	AMOUNT
	Notice of application for extension of time for completion of works	6 75
	SUBSCRIPTION: NEW ☐ RENEWAL ☐	
	FROM TO	

2416 BY 207.36

PLEASE RETAIN THIS TICKET FOR YOUR RECORDS
MOORE DEALER - NORTH SIDE NEWS

ESTABLISHED 1908 STATEMENT OFFICIAL NEWSPAPER

• QUALITY PRINTING AT COMPETITIVE PRICES

CITY OF JEROME
COUNTY OF JEROME

NORTH SIDE NEWS

Pioneer Newspaper of the North Side

• ONE NEWSPAPER, ONE COVERAGE, ONE COST

JEROME, IDAHO, Dec. 22, 1955

State of Idaho
Department of Reclamation
Boise, Idaho

PREV. BALANCE		6 75
		20736

(REFER TO ATTACHED SLIPS FOR DETAILED DESCRIPTION)

December 22, 1955

RE: Permit No. 20736

North Side News
Jerome
Idaho

Gentlemen:

We have not yet received your statement for cost of publication on the above numbered Permit of the U. S. Bureau of Reclamation which appeared in your issues of November 24 and December 1, 1955, and about which we wrote you on December 12.

If you will kindly send us this statement we will have it processed for payment.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll

20736

December 22, 1955

RE: Permit No. 20736

North Side News
Jerome
Idaho

Gentlemen:

We have not yet received your statement for cost of publication on the above numbered Permit of the U. S. Bureau of Reclamation which appeared in your issues of November 24 and December 1, 1955, and about which we wrote you on December 12.

If you will kindly send us this statement we will have it processed for payment.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll

20736

December 22, 1955

RE: Permit No. 20736

Mr. William H. Tuller
Assistant Regional Director
Bureau of Reclamation
Box 937
Boise, Idaho

Dear Mr. Tuller:

In reply to your request of December 19 we enclose copies of the several documents received by this department in connection with application for extension of time for completion of works on Permit No. 20736 including both protests and endorsements.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

A:hll

Enc.

20736

CLASS OF SERVICE
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WESTERN UNION
TELEGRAM

W. P. MARSHALL, PRESIDENT

1220 (R 11-54)

SYMBOLS
DL = Day Letter
NL = Night Letter
LT = International Letter Telegram

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(44).

PRA311

PR BYA036 LONG PD=RUPERT IDA 21 223PMM= 1955 DEC 21 PM 3 03

:MARK KULP=

=STATE RECLAMATION ENGINEER CAPITOL BLDG BOISE IDA=

:THE NORTHSIDE UNDERGROUND WATER ASSN REPRESENTING PUMP FARMS OF OVER 50,000 IRRIGATED ACRES OF AN INVESTMENT VALUE OF OVER 10,000,000 DOLLARS AND NOW USING 280,000 GALLONS OF UNDERGROUND WATER PER MINUTE DURING IRRIGATION SEASON DOES UNAMINOUSLY ATTEMPT ENDORSE PROTEST FILE BY JULIAN CLAWSON FARMS INC. TO THE ATTEMPT BY THE BUREAU OF RECLAMATION TO DESTROY WATER RIGHTS PRIORITY OF ESTABLISHED USERS OF UNDERGROUND WATER THE BUREAUS ACTION WILL FAVOR ONLY PERSONS NOT YET DRAWN FROM GLASS BOWLS WILL DEPRIVE HUNDREDS OF ESTABLISHED FARMERS OF THEIR WATER RIGHTS PRIORITY=

:LAWRENCE DUFFIN SECY NORTH SIDE UNDERGROUND WATER ASSN=

RECEIVED
DEC 21 1955
Department of Reclamation

20736

IN REPLY REFER TO:

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
REGIONAL OFFICE, REGION 1
BOX 937, BOISE, IDAHO

DEC 19 1955

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

Dear Mr. Kulp:

In the pending application for extension of time for the completion of works under Permit No. 20736, written notices of comment were to be made available to your office by December 15. In order that we may be fully advised, I would appreciate your providing to me a copy of each communication received under the published notice, both pro and con.

Sincerely yours,

W. H. Tullen

Assistant Regional Director

RECEIVED
DEC 20 1955
Department of Reclamation

20736

STATE OF IDAHO

OFFICE OF THE GOVERNOR

BOISE

ROBERT E. SMYLIE
GOVERNOR

December 19, 1955

RECEIVED
DEC 20 1955
Department of Reclamation

Mr. Irwin Clawson
308 Kearns Building
Salt Lake City, Utah

Dear Mr. Clawson:

I am in receipt of your letter reiterating your protest against the attempt now being made by the United States Bureau of Reclamation to obtain an extension of their permit number 20736.

Your letter will be forwarded to the Honorable Mark Kulp, Reclamation Engineer for the State of Idaho, for his information and files.

Sincerely,

GOVERNOR

RES:H:s

CITY, UTAH

BOX 192
PHONE 119
RUPERT, IDAHO

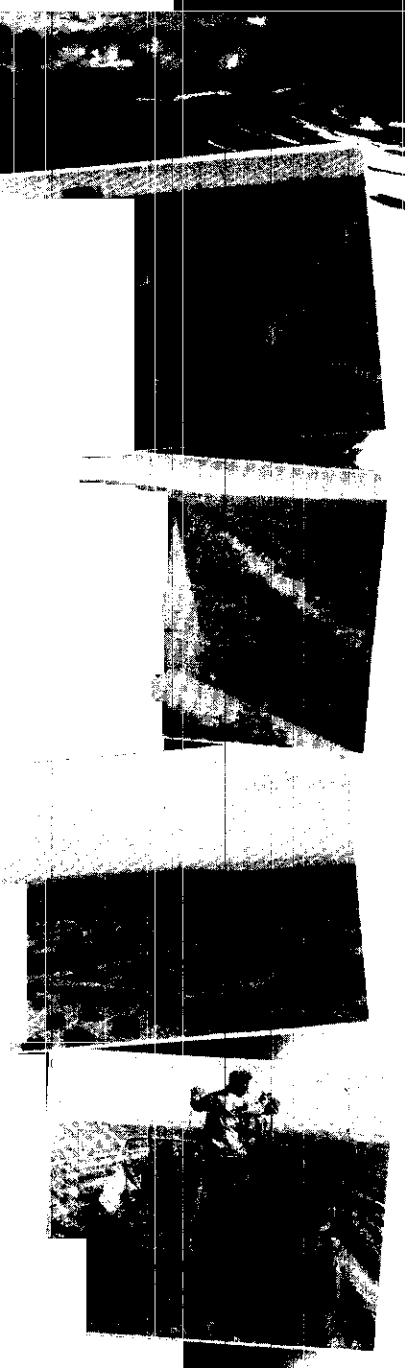
December 16, 1955

Governor Robert E. Smylie
State Capitol
Boise, Idaho

Dear Governor Smylie:

Confirming my telephone conversation of today, permit me to enter a strong protest against the attempt now being made by the United States Bureau of Reclamation, to obtain an extension of their permit number 20736. This relates to an application for appropriation of water. Such an application is made to obtain a priority date earlier than the date of actually using the water on the ground.

Following Julion Clawson's demonstration in 1947 that there was water in great quantities underlying the lava beds, the Bureau of Reclamation, in the fall of 1948, filed application for 178 wells. However, there is a provision in the statute which gives the State Engineer the discretion to extend the time for the Bureau of Reclamation to complete its "works". And this the Bureau has sought to do. This provision in the law is necessary to protect the investment of great sums in reservoirs which take many years to complete and which might become worthless if others could appropriate the water while the dam was being built. However, that is not the situation in well drilling. In the latter operation, it is piece-meal and the appropriation is completed as each well and pump is finished. The Bureau is in no different position than any person. We, and many who have failed to complete the projected development within the allotted time, must take a later filing. This the Bureau seeks to avoid by getting the extension sought.



PPLIED BY
E DEEPWELL
NE PUMPS

20736

Then too, much of the development that has come as the result of pumping has been accomplished under filings made subsequent to 1948. Yet all of these will have inferior rights to those obtained by the Bureau if the extension is granted.

The Bureau has already obtained one extension of two years. Why should it be granted a second one?

The extension will result in a preference to that great and powerful Bureau over the small developer.

It will be unfair, unjust and undemocratic to give this preference to the Bureau. It is urged that the application for the extension be denied.

Respectfully yours,

IRWIN CLAWSON

IC:ih

297736

Paul, Idaho
Box 501
Dec. 14, 1955

Dept. of Interior
Bureau of Reclamation
Boise, Idaho

Attention Mr. Kulp.

As a veteran I was awarded a farm in the last drawing held at Rupert.

I have been given to understand there is a question about the extension of time for the development of this project.

Please consider this letter in favor of this extension of time on the 1948 water rights granted this project.

Thank you.

Sincerely

L. D. Wrigley

RECEIVED
DEC 16 1955
Department of Reclamation

20736

The Idaho First National Bank
ESTABLISHED 1867
BOISE, IDAHO

JOHN A. SCHOONOVER
PRESIDENT

December 15, 1955

RECEIVED
DEC 16 1955
Department of Reclamation

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

Dear Mr. Kulp:

We should like to express our opinion favoring the granting of an extension of time to the Bureau of Reclamation for completion of works on the North Side Minidoka Irrigation Project until November 5, 1958.

In our opinion, such action would be in the interest of best development of the area.

Thanking you, and with best wishes, I remain

Yours very truly,

John A. Schoonover,
President.

JAS:lb

CC: Mr. George N. Carter.

29736

IDAHO DEPARTMENT STORE
"if it isnt right, bring it back"
INCORPORATED
Formerly GOLDEN RULE
RUPERT, IDAHO

RECEIVED
DEC 16 1955
Department of Reclamation

December 15, 1955

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

Dear Mr. Kulp:

It has come to my attention that the North Side Pumping Division might lose certain prior water rights because the Government did not complete the project on time.

Under the circumstances, I do not feel the veterans, to whom the Government is giving these farms, should be penalized on this account. I believe they are entitled to the best water rights. I therefore respectfully request that your office grant at least a two-year extension of time on their original Permit 20731 from the United States Bureau of Reclamation.

Yours very truly,

Harry Grimes

Harry Grimes, Manager
Idaho Department Store

HG:bg

20731

CLASS OF SERVICE
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WESTERN UNION
TELEGRAM

W. P. MARSHALL, PRESIDENT

1220 (R 11-54)

SYMBOLS
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1955 DEC 14 PM 5 41

PR BYA051 LONG NL PD=BURLEY IDA 14=

MARK R CULP=

IDAHO STATE RECLAMATION ENGINEER STATE HOUSE

BOISE IDA=

WE UNDERSTAND U.S. BUREAU OF RECLAMATION HAS REQUESTED EXTENSION OF TIME FOR COMPLETION OF WORK AUTHORIZED UNDER PERMIT NO 20736 ON THE NORTH SIDE PUMPING DIVISION, MINIDOKA PROJECT.

¶THIS PERMIT INVOLVES THE IRRIGATION OF 64,000 ACRES OF LAND FROM SOME 178 DEEP WELLS.

¶THE SATISFACTORY COMPLETION OF THIS PROJECT IS OF VITAL IMPORTANCE TO MAGIC VALLEY AND PARTICULARYLY TO THE CITY OF BURLEY. WE STRONGLY URGE YOUR APPROVAL OF THE BUREAU OF RECLAMATIONS REQUEST FOR EXTENSION OF TIME UNDER PERMIT NO 20736=

=EDGAR MOORMAN, CHAIRMAN RECLAMATION COMMITTEE

BURLEY CHAMBER OF COMMERCE=

NO 20736 64,000 178 NO 20736=.

20736

RECEIVED
DEC 15 1955
Department of Reclamation
9 30 AM

THE COMPANY WILL APPRECIATE SUGGESTIONS FROM ITS PATRONS CONCERNING ITS SERVICE

December 14, 1955

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

Dear Mr. Kulp:

I wish to express my views on the proposed extension of time under Permit No. 20736 to the United States Bureau of Reclamation.

In the past the North Side Pumping Division has lost certain promised surface water rights and I believe that it rightly deserves to hold any early priority date that has been established and should not lose this priority because construction isn't complete. Under the circumstances the project, because of its size and other factors has been constructed as rapidly as possible. It is therefore respectfully requested that your office grant the time extension to November 5, 1958.

Yours very truly,
H. L. Hollenbeck
Distributor for
Continental Oil Co.

RECEIVED
DEC 15 1955
Department of Reclamation

20736 20736

December 14, 1955

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

Dear Mr. Kulp:

Reference is made to Permit No. 20736 to the United States Bureau of Reclamation.

The extension of time on the above permit is of vital importance to the settlers and future settlers of the Unit B area of the North Side Pumping Division project and to all the people of Minidoka Project. I am a business man of Rupert and feel that the project deserves the earlier date of filing.

It is respectfully requested that your office grant the extension of time to November 5, 1958 on Permit No. 20736.

Yours very truly,

H. B. Bishop
Bishop Ready Mix

RECEIVED
DEC 15 1955
Department of Reclamation

20736

December 14, 1955

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

Dear Mr. Kulp:

Reference is made to Permit No. 20736 to the United States Bureau of Reclamation.

The extension of time on the above permit is of vital importance to the settlers and future settlers of the Unit B area of the North Side Pumping Division project and to all the people of Minidoka Project. I am a business man of Rupert and feel that the project deserves the earlier date of filing.

It is respectfully requested that your office grant the extension of time to November 5, 1958 on Permit No. 20736.

Yours very truly,

Lloyd Hunt
Rupert Abstract Co

RECEIVED
DEC 15 1955
Department of Reclamation

20736

RUPERT OFFICE

The Idaho First National Bank

ESTABLISHED 1867

RUPERT, IDAHO

RECEIVED
DEC 15 1955
Department of Reclamation

December 14, 1955

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

Dear Mr. Kulp:

Reference is made to Permit No. 20736 to the United States Bureau of Reclamation.

The extension of time on the above permit is of vital importance to the settlers and future settlers of the Unit B area of the North Side Pumping Division project and to all the people of Minidoka Project. I am a business man of Rupert and feel that the project deserves the earlier date of filing.

It is respectfully requested that your office grant the extension of time to November 5, 1958 on Permit No. 20736.

Yours very truly,

Robert Reed
Manager

RR:cjh

20736

December 14, 1955

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

Dear Mr. Kulp:

Please refer to Permit No. 20736 to the United States Bureau of Reclamation.

As a citizen and business man in Minidoka County, I feel that the United States should be granted a time extension until November 5, 1958 for completion of the irrigation works under Permit No. 20736. The grant of time will benefit more people in Minidoka County and is well justified because the project should not be denied the earlier priority of use.

It is respectfully requested that your office grant the time extension.

Yours very truly,

Roy N. Bullen
owner

Cousin Roy's Cafe & Lounge
Rupert, Idaho

RECEIVED
DEC 15 1955
Department of Reclamation

20736

RUPERT, IDAHO

Chamber of Commerce

HOME OF THE
MINIDOKA NORTH SIDE
EXTENSION PROJECT

RESOLUTION

SUBJECT: Permit No. 20736 Extension of Time for Completion of Work-North Side Pumping Division, Minidoka Project.

WHEREAS, The United States, acting through the U. S. Bureau of Reclamation, has made application for extension of time for Completion of Works on Permit No. 20736 until November 5, 1958. Appropriations have been made or initiated in the same vicinity, presumably from the same source of subterranean water by individuals, partnerships and corporations, subsequent to the application for permit by the United States which was approved as Permit No. 20736. The North Side Pumping Division of Minidoka Project was conceived as an extension to the Minidoka Project almost from the time of the start of construction of the Minidoka Project and through the years from 1908 to 1948 various plans were promulgated and various allocations of stored surface water were promised for the project. Nearly all of this water has now been dedicated to other users. The U. S. Bureau of Reclamation, under Permit No. 20736, has pursued the construction of the irrigation works commensurate with existing conditions and in good faith. Preconstruction work was pursued cautiously to test the subterranean water supply as a precaution to avoid over appropriation of available water and thus protect future water users. Earlier completion of the project would have been possible if this precaution had not been taken. The rate of construction in the beginning of the construction period was carried on to the full extent commensurate with Congressional appropriations of funds. At the present time an orderly but expedient program of construction is being carried on consistent with making available no more new lands in the community than can be readily settled, having in mind the available finances, local settlement problems and other factors.

Whereas, A meeting of the Board of Directors of the Rupert Chamber of Commerce was held December 13, 1955 and a motion made by Dr. R. C. Phillips, seconded by Henry Breazeal that we respectfully request of Mr. Mark R. Kulp, State Reclamation Engineer, that extension of time for completion of works under permit No. 20736 be granted to the United States for reasons stated above. Motion carried.

Dated this thirteenth day of December 1955.

Rupert Chamber of Commerce

By: O. W. Johnson
President.

RECEIVED
DEC 14 1955
...ent of Reclamat...

20736

RESOLUTION

SUBJECT: Permit No. 20736 Extension of Time for Completion of Work - North Side Pumping Division, Minidoka Project

WHEREAS, The United States, acting through the U.S. Bureau of Reclamation, has made application for extension of time for Completion of Works on Permit No. 20736 until November 5, 1958. Appropriations have been made or initiated in the same vicinity, presumably from the same source of subterranean water by individuals, partnerships and corporations, subsequent to the application for permit by the United States which was approved as Permit No. 20736. The North Side Pumping Division of Minidoka Project was conceived as an extension to the Minidoka Project almost from the time of the start of construction of the Minidoka Project and through the years from 1908 to 1948 various plans were promulgated and various allocations of stored surface water were promised for the project. Nearly all of this water has now been dedicated to other users. The U. S. Bureau of Reclamation, under Permit No. 20736, has pursued the construction of the irrigation works commensurate with existing conditions and in good faith. Preconstruction work was pursued cautiously to test the subterranean water supply as a precaution to avoid over appropriation of available water and thus protect future water users. Earlier completion of the project would have been possible if this precaution had not been taken. The rate of construction in the beginning of the construction period was carried on to the full extent commensurate with Congressional appropriations of funds. At the present time an orderly but expedient program of construction is being carried on consistent with making available no more new lands in the community than can be readily settled, having in mind the available finances, local settlement problems and other factors.

20736

WHEREAS, the undersigned are members of a committee duly appointed by the new settlers of the North Side Pumping Division to handle certain matters until such time as an irrigation district is established. We the undersigned, on behalf of the settlers of the North Side Pumping Division, respectfully request of Mr. Mark R. Kulp, State Reclamation Engineer, that extension of time for completion of works under permit No. 20736 be granted to the United States for reasons stated above. We also stand ready to defend further what we believe to be our equitable rights in this matter.

Dated this 12th day of ~~November~~ December 1955.

John Minnis Chairman
Dale C. Stoller Director
Thomas L. Pierce
George Hellund
Ray D. Smith
John O McGinley
Edward J. Hillis
Roger A Thompson

RECEIVED
DEC 14 1955
Department of Reclamation

20736

December 12, 1955

RE: Permit No. 20736

North Side News
Jerome
Idaho

Gentlemen:

We are this morning in receipt of duplicate affidavits of publication in connection with the above numbered Permit of the U. S. Bureau of Reclamation.

However, you did not include the duplicate statements of costs requested in our letter of December 8.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll

20736

CAPITAL COMPANY

A SUBSIDIARY OF TRANSAMERICA CORPORATION

RECEIVED
DEC 9 1955
Department of Reclamation

HEAD OFFICE, SAN FRANCISCO

ADDRESS REPLY TO DISTRICT OFFICE AT

P. O. Box 619
Rupert, Idaho

December 5, 1955

Mr. Mark R. Kulp
State Reclamation Engineer
State Department of Reclamation
Boise, Idaho

Dear Mr. Kulp:

This has reference to the legal notice of the U. S. Bureau of Reclamation in the November 17 and 24 issues of the Minidoka County News whereby they request an extension of time to complete their water development under their present permits.

It is our opinion that this request is unreasonable and for that reason we wish to register our objection to it being granted.

Very truly yours,

Everett Warner
Capital Company

Permits G-23801 to G-23820 inclusive

G-22154 to G-22175 inclusive

20736

THE MINIDOKA COUNTY NEWS

PRINTING AND PUBLISHING

RUPERT, IDAHO

In Account With

STATE OF IDAHO

12-1

Date		Amount
	Previous Balance Due	
	ADVERTISING:	
.....	..... Inches or ..... Lines	
.....	..... Inches or ..... Lines	
.....	..... Inches or ..... Lines	
.....	..... Inches or ..... Lines	
.....	..... Inches or ..... Lines	
	PRINTING	
11-17	NOTICE OF APPLICATION FOR N. S. EXTENSION	7.59
	207236	
	TOTAL	$7.59

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 TWO (2) consecutive weeks, commencing with the issue dated NOV. 17, 1955, and ending with the issue dated NOV. 24, 1955.

Larry H. Robinson

Subscribed and sworn to before me this 1st day of December, 1955

Lloyd Hurst Notary Public

Cost of Publication .....

Notary Fee .....

Total Cost .....

FOR EXTENSION OF TIME FOR COMPLETION OF WORKS

Extension of time for completion of works has been requested on Permit No. 20736 issued to the United States Bureau of Reclamation for appropriation of water for the North Side Minidoka Extension Irrigation Project.

All the one hundred seventy-eight (178) wells have been constructed, are under construction or have been contracted. Thirty-eight wells have been completed to date and are serving 16,118 acres. Twenty-six additional wells have been completed and the rest are scheduled to be completed by September, 1956.

Extension of Time is requested to November 5, 1958, under Section 42-204 Idaho Code.

Written objections or expressions of interested parties will be received and considered by the State Department of Reclamation on or before December 15, 1955.

MARK R. KULP
State Reclamation Engineer
No. 594 - Nov. 17 - Nov. 24

20736

The Minidoka County News

RUPERT, IDAHO

AFFIDAVIT OF PUBLICATION

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

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 TWO (2) consecutive weeks, commencing with the issue dated NOV. 17, 1955, and ending with the issue dated NOV. 24, 1955.

Larry H. Robinson

Subscribed and sworn to before me this 1st day of December, 1955

Lloyd J. Smith Notary Public

Cost of Publication .....

Notary Fee .....

Total Cost .....

FOR COMPLETION OF WORKS

Extension or time for completion of works has been requested on Permit No. 20736 issued to the United States Bureau of Reclamation for appropriation of water for the North Side Minidoka Extension Irrigation Project.

All the one hundred seventy-eight (178) wells have been constructed, are under construction or have been contracted. Thirty-eight wells have been completed to date and are serving 16,118 acres. Twenty-six additional wells have been completed and the rest are scheduled to be completed by September, 1956.

Extension of Time is requested to November 5, 1958, under Section 42-204 Idaho Code.

Written objections or expressions of interested parties will be received and considered by the State Department of Reclamation on or before December 15, 1955.

MARK R. KULP
State Reclamation Engineer

No. 594 - Nov. 17 - Nov. 24

December 8, 1955

RE: Permit No. 20736

North Side News
Jerome
Idaho

Gentlemen:

Since the two weeks publication have been completed on the above numbered Permit of the U. S. Bureau of Reclamation, will you please send us duplicate affidavits of publication together with statement of costs.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll

20736

THE MINIDOKA COUNTY NEWS
RUPERT, IDAHO

Department of Reclamation
DEC 3 1955
RECEIVED

State of Idaho

Bureau of Reclamation
Boise, Idaho

DEC 3 1955

20736

AFFIDAVIT of PUBLICATION

State of Idaho, } SS.
County of Jerome }

W. D. MacKnight, being first duly sworn, deposes and says that he is the printer (publisher) of the Jerome North Side News, a newspaper published every week in Jerome, County of Jerome, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho. known as House Bill 145; that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 24th day of Nov., 19 55, and the date of the last publication was on the 1st day of December, 19 55.

W. D MacKnight

Subscribed and sworn to before me this 1st day of December, 19 55.

(SEAL)

Ray Pearson
NOTARY PUBLIC

JEROME NORTH SIDE NEWS

COST OF PUBLICATION

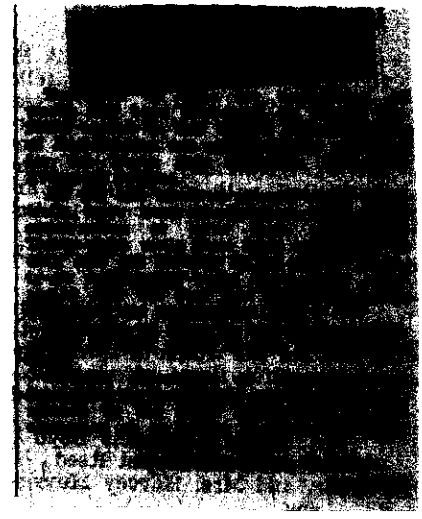
Number of Lines in Notice 27
Number of Insertions 2

27 Lines at 13c $4.05
27 Lines at 6c 2.70
TOTAL COST $6.75

(COST COMPUTED AT RATE OF 13c PER LINE FOR FIRST INSERTION, 6c PER LINE FOR ALL SUCCESSIVE INSERTIONS)

COPY OF NOTICE
(Paste Here)

Notice of Application
TITLE OF NOTICE
for extension of time
PLAINTIFF ATTORNEY
for completion of work.
DEFENDANT
State of Idaho
PLAINTIFF
Dept of Reclamation
BILL TO



20736

No 219

AFFIDAVIT of PUBLICATION

State of Idaho, } SS.
County of Jerome }

W. J. MacKnight, being first duly sworn, deposes and says that he is the printer (publisher) of the Jerome North Side News, a newspaper published every week in Jerome, County of Jerome, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho. known as House Bill 145; that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 24th day of Nov., 19 35, and the date of the last publication was on the 1st day of December, 19 35.

W. J. MacKnight

Subscribed and sworn to before me this 1st day of December, 19 35.

(SEAL)

Guy Stanton
NOTARY PUBLIC

JEROME NORTH SIDE NEWS

COST OF PUBLICATION

A. J.

Number of Lines in Notice 27	
Number of Insertions 2	
27 Lines at ~~15~~	$4.05
27 Lines at ~~6~~	2.70
TOTAL COST	$6.75

(COST COMPUTED AT RATE OF 13c PER LINE FOR FIRST INSERTION, 6c PER LINE FOR ALL SUCCESSIVE INSERTIONS)

COPY OF NOTICE

(Paste Here)

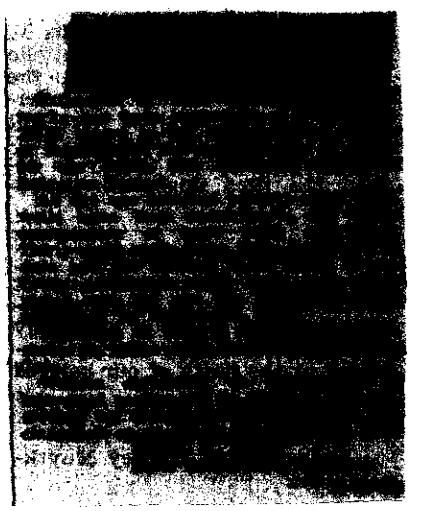
Petition of Application
TITLE OF NOTICE

for Extension of Time
PLAINTIFF ATTORNEY

for Completion of W. L.
DEFENDANT

St. of Ida.
PLAINTIFF

Dept. of Reclamation
BILL TO



20736

No 220

20736

November 29, 1955

Mr. O. W. Johnson, President
Rupert Chamber of Commerce
Rupert, Idaho

Dear Mr. Johnson:

Representative Ray Robbins asked that I give you some information on the situation that resulted in the advertising of a request by the Bureau of Reclamation for an extension of time for the completion of works on the North Side Minidoka pumping extension.

The Bureau was allowed the full statutory five years for completion of works but due to appropriations by the Congress and the desire to see what effect the pumping of the earlier wells would have on the water supply and pumping levels, did not complete the works in the required time.

In 1953, an extension of time of five years was asked and two years was allowed, but upon informal protests by holders of permits later in priority than the Bureau's permit, it was decided that in fairness to them it would be desirable to advertise a further application for extension so that a fair decision could be made.

This year the Bureau applied for a three year extension and the application was advertised.

The Bureau gives as their reason that a denial of an extension would result in having two priorities in their water right and some users from the later wells might be penalized.

The subsequent appropriators claim that the extension of time might penalize them by having the water rights on later developments relate back to the original priority date.

20736

Section 42-304, Idaho Code as amended by Chapter 127 Session Laws 1949, states -- "3. In connection with permits held by the United States, whether acquired as the original applicant, by assignment or otherwise, the State Reclamation Engineer may extend the time for completion of the works for such additional period or periods of time as he may deem necessary upon application supported by a showing that such additional time is required by reason of the status of plans, authorization, construction fund appropriations, construction, or any arrangements which the secretary of interior or his authorized representative has found to be requisite to completion of construction of such works. The extension of time for completion of works under this provision shall automatically extend the time for completion of the one-fifth required to be done in half the time, and for making proof of application of water to beneficial use".

There is, therefore, statutory authority for allowing an extension of time.

Water levels to date have not raised apprehensions that the withdrawals of water to date have resulted in unfavorable water level conditions or that the withdrawals are nearing the safe yield of the aquifer.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

K:hll
cc - Honorable Ray Robbins
Rupert, Idaho

20736

BOX 192
PHONE 119
RUPERT, IDAHO

November 21, 1955

State Reclamation Engineer
State Capitol
Boise, Idaho

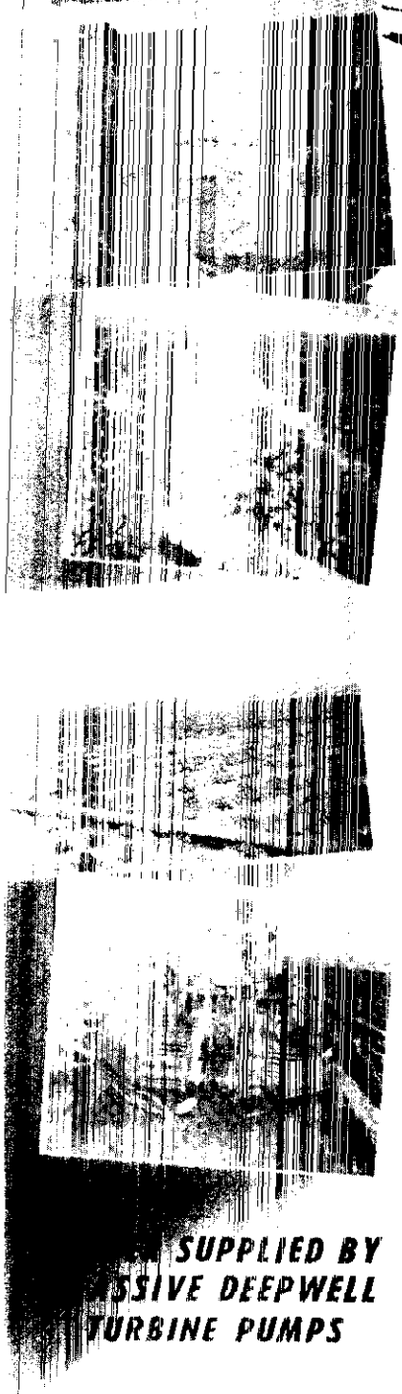
RECEIVED
NOV 25 1955
Department of Reclamation

Dear Mr. Kulp:

Re Extention of Time
Permit No. 20736
United States Bureau of
Reclamation

Please enter the objection of Julion Clawson Farms, Inc. to the proposed extention of time to the United States Bureau of Reclamation for completion of work under the above permit. There is no reason why this agency should have preference over other land owners who are in competion with the agency for a priority on the appropriation of these waters. Julion Clawson Farms, Inc., Intermountain Securities and many other land owners have top priority on the appropriation of these waters. Such individual owners have been compelled to complete their work and make their showing in a designated time. Why shouldn't the government be required to do so too? Why should other developers of land be compelled to take a position behind the Federal Government and refile on the expiration of their original filing date because no extension is open to them, while the Federal Government with its unlimited recources gradually forges ahead and obtains a priority which is undemocratic and foreign to the ideals of the government both state and national.

The law in question was passed, I take it, to provide the Federal Government with needed time in which to develop large surface irrigation projects requiring many years to construct and where the tremendous investment in dams and canals could be lost if the priority was not protected. But that is a very different



20736

situation from the present one where the Federal Government has no more investment in any one well than has a private individual. The government is drilling individual wells, the same as others. It is buying individual pumps the same as the rest of us.

On behalf of the one who initiated all of the Bureau of Reclamation activity as well as that of thousands of others who have tapped these underground waters, I object to the partiality and tremendous advantage being given to the Federal Government if such extention is permitted. I must strongly urge that the State of Idaho does not permit this rank injustice to be perpetrated.

Intermt. Securities- 20434- G-24323-G-26031
Julion Clawson Farms- Permits 20435-20573- G-26032- G-26033

Respectfully yours,

IRWIN CLAWSON

IC:ih

November 22, 1955

RE: Permit No. 20736

North Side News
Jerome
Idaho

Gentlemen:

We have your reply to our letter of November 18 in which you state that you have not received the notice on the above numbered permit.

We do not understand this as it was sent to you on November 8 as per copy, herewith, and has not been returned to this department. However, we enclose another copy of the notice which please publish once a week for two weeks beginning with your issue of November 24, if possible.

Please acknowledge receipt of this notice and furnish this department with a copy of your first issue containing same. When publication is completed, please send duplicate affidavits of publication together with statement of costs to this department.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll
Enc.

20736

November 18, 1955

RE: Permit No. 20736

North Side News
Jerome
Idaho

Gentlemen:

On November 8 we sent you a notice for publication once a week for two weeks beginning with your next issue. This notice was in connection with the above numbered Permit in the name of the U. S. Bureau of Reclamation.

We have carefully checked your issue of November 17 which reached us this afternoon and failed to find the notice but possibly we have overlooked it.

Please advise if this notice was received and if so, be sure to start publication in your next issue.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll

20736

ROBERT E. SMYLIE
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
MARK R. KULP, STATE RECLAMATION ENGINEER
BOISE

November 18, 1955

RECEIVED
NOV 22 '55
Department of Reclamation

RE: Permit No. 20736

North Side News
Jerome
Idaho

Gentlemen:

On November 8 we sent you a notice for publication once a week for two weeks beginning with your next issue. This notice was in connection with the above numbered Permit in the name of the U. S. Bureau of Reclamation.

We have carefully checked your issue of November 17 which reached us this afternoon and failed to find the notice but possibly we have overlooked it.

Please advise if this notice was received and if so, be sure to start publication in your next issue.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By Jeanne L. Anderson
Chief Clerk

A:hll

20736

As of date we have not received any reply to our letter

November 8,1955

RE: Permit No. 20736

North Side News
Jerome
Idaho

Gentlemen:

Enclosed find notice for publication once a week for two weeks beginning with your next issue.

When publication is completed, please send duplicate affidavits of publication together with statement of costs to this department.

Please acknowledge receipt of this notice and furnish this department with a copy of your first issue containing same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll
Enc.

20736

A Brief
MESSAGE . . . from **The Minidoka County News**

11-14-55

Attn: Jeanne L. Anderson

We are in receipt of your puolication notice for the North Side Minidoka Extension Irrigation Project, Permit No. 2073 6. First publication will be Nov. 17 under our No. 594. Last will be Nov. 24.

THE NEWS

20734

THE NEWS
Rupert, Idaho

THIS SIDE OF CARD IS FOR ADDRESS

State of Idaho
Dept. of Reclamation
Attn: Jeanne L. Anderson
Boise, Idaho

20736

ADVERTISEMENT OF NOVEMBER 8, 1955

NOTICE OF APPLICATION FOR
EXTENSION OF TIME FOR
COMPLETION OF WORKS

Extension of time for completion of works has been requested on Permit No. 20736 issued to the United States Bureau of Reclamation for appropriation of water for the North Side Minidoka Extension Irrigation Project.

All the one hundred seventy-eight (178) wells have been constructed, are under construction or have been contracted. Thirty-eight wells have been completed to date and are serving 16,118 acres. Twenty-six additional wells have been completed and the rest are scheduled to be completed by September, 1956.

Extension of Time is requested to November 5, 1958, under Section 42-204 Idaho Code.

Written objections or expressions of interested parties will be received and considered by the State Department of Reclamation on or before December 15, 1955.

MARK R. KULP
State Reclamation Engineer

20736

November 8, 1955

RE: Permit No. 20736

Minidoka County Journal
Rupert
Idaho

Gentlemen:

Enclosed find notice for publication once a week for two weeks beginning with your next issue.

When publication is completed, please send duplicate affidavits of publication together with statement of costs to this department.

Please acknowledge receipt of this notice and furnish this department with a copy of your first issue containing same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll
Enc.

20736

November 8, 1955

RE: Permit No. 20736

Mr. William H. Tuller
Acting Regional Director
Bureau of Reclamation
Box 937
Boise, Idaho

Dear Mr. Tuller:

In accordance with your letter of November 7, we are sending to the North Side News of Jerome and the Minidoka County Journal at Rupert copy of notice of application for extension of time for completion of works on the above numbered Permit.

The matter of payment for publication can be handled as you suggest and the newspapers have been instructed to furnish this department with affidavits of publication together with statements of costs.

We shall then notify you of the amount of publication costs in order that vouchers may be drawn up to cover same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

A:hll

20736

IN REPLY REFER TO:

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
REGIONAL OFFICE, REGION 1
BOX 937, BOISE, IDAHO

RECEIVED
NOV 8 1955
Department of Reclamation

NOV 7 1955

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

Dear Mr. Kulp:

In connection with your letter of November 3 concerning our application for an extension of time to complete the works under Permit No. 20736 relating to the North Side Pumping Division of the Minidoka Project, the form of notice attached to your letter is satisfactory to me. It would be appreciated if your office would arrange for the publication of the notice in the usual manner and submit your billing to this office for payment.

Sincerely yours,

Wm H. Tuller

Wm. H. Tuller
Acting Regional Director

20736

November [illegible], 1955

Mr. William H. Tuller
Acting Regional Director
Bureau of Reclamation
Box 937
Boise, Idaho

RE: Permit No. 20736
Extension of Time for
Completion of Work

Dear Mr. Tuller:

I have your application for further extension of time for completion of works under Permit No. 20736.

While the development to date seems satisfactory and has progressed in an orderly manner, the fact that there have been subsequent permits issued for the appropriation of subterranean water from what is presumed to be the same source of public water leads us to the conclusion that it is desirable to give published notice of the application for extension of time for completion of works.

We will, therefore, defer action on the application until notice of the application has been published and interested parties given the opportunity to express their views.

We are attaching a suggested form of notice to be published for two weeks in papers of general circulation in Jerome and Minidoka Counties at your expense.

Very truly yours,

[illegible] R. KULP
[illegible] Reclamation Engineer

K:hll
Enc.

20736

November 3, 1955

Mr. William H. Tuller
Acting Regional Director
Bureau of Reclamation
Box 937
Boise, Idaho

RE: Permit No. 20736
Extension of Time for
Completion of Work

Dear Mr. Tuller:

I have your application for further extension of time for completion of works under Permit No. 20736.

While the development to date seems satisfactory and has progressed in an orderly manner, the fact that there have been subsequent permits issued for the appropriation of subterranean water from what is presumed to be the same source of public water leads us to the conclusion that it is desirable to give published notice of the application for extension of time for completion of works.

We will, therefore, defer action on the application until notice of the application has been published and interested parties given the opportunity to express their views.

We are attaching a suggested form of notice to be published for two weeks in papers of general circulation in Jerome and Minidoka Counties at your expense.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

K:hll
Enc.

20736

IN REPLY REFER TO:

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
REGIONAL OFFICE, REGION 1
BOX 937, BOISE, IDAHO

RECEIVED
OCT 26 1955
Department of Reclamation

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

OCT 25 1955

Dear Mr. Kulp:

As you will recall we made application on September 30, 1953 for the extension of time from November 5, 1953 to November 5, 1958 to provide proof of completion of construction under Permit No. 20736 relating to the North Side Pumping Division of the Minidoka Project. Your office granted the extension until November 5, 1955 and as a result of subsequent conferences and correspondence it was indicated that a further application should be made at that time for the needed extension from November 5, 1955 to cover the originally planned orderly construction of the project. Accordingly, there is enclosed an application in the usual affidavit form requesting the three-year extension until November 5, 1958.

In support of the application please refer to our letter of May 28, 1954 which detailed the then completed construction and the programing of future work. This letter indicated that we would provide you with information concerning any changes in location of wells and irrigable area that were found to be necessary upon the basis of the more detailed design and construction work. Accordingly, there are enclosed two prints of a drawing designated "Unit B Ground Water Development Plan", drawing No. 701-107-4338. There is also enclosed a new tabulation of irrigable acreage consisting of seven sheets. You will note that the tabulation and well locations are within the gross acreage shown on the permit and the variation in acreages and location of wells is minor. The acreage shown on the new tabulation is 66,656 rather than 66,664.3 shown on the tabulation accompanying the permit.

If you desire any further information and supporting data to justify the extension of the time to complete the work within the three-year period requested, it will be provided promptly. There is indication in correspondence that you are considering the possibility of giving formal notice of the request for extension prior to taking action on it. We have no objection to this, if you now decide it is necessary or desirable.

Sincerely yours,

Wm H. Tuller

Wm. H. Tuller
Acting Regional Director

Enclosures

20736

5/7/47 } Rl.
5/8/69

Page 1 line 23 to 30

~~By~~

Contingent right of permittee

By application for permit, permittee secures inchoate right which will upon ~~com~~ into legal and complete appropriation by compliance with statutory steps.

Act of Sept 30, 1950 64 Stat 1083 -

HD 721 81st Congress 2nd Session

Page 25

Page 7
Page 58 (*) — { 309 wells est. also drainage wells and 21 observation wells.

also H.R. 5506 page 186 81st Congress First Sess
H.R. Report no 1297 81st Congress First Sess
Aug 22, 1949.

Page 9

line 3 to 10

Government takes the position that non project users should start a suit in the event they protest issuance of a license.

line 21 what is "intermediate procedural" action? I know of no "intermediate" action is a final action

Page 10

line 3-15 taken from context. note the provision in the ~~shaptest~~ bottom of page 24 Vol 5.

~~top page 13~~ 20736

(*) 6400 acres Gradual development over a period of 11 years is proposed in order to assure that the demands progressively placed upon the ground-water supply can be met satisfactorily

Merely amendatory to the previous paragraph

See Hazen report on Mark Isaak
Rempel's discussion

Consumptive use of water
Jensen-Johnson method see
ASCE Vol 107 (1942) page 1243
this shows 2.30 acft per acre
87% over diversion Jrrigation loss

Ramelli & Slack water requirement
at Twin Falls tract
page 89 HP 721 per 1000 farms = 10.30 acft annually

page 14 ---- may be completed. ---
following this the statute " In construing a statute, it is the duty of this court to ascertain the legislative intent and give effect thereto. in ascertaining this intent --- the literal wording must be examined but also ---
--- other matters such as the context, ---.
in the instant quote from 42-201 - 42-224 there are two methods to complete a right of appropriating water. An applicant has a choice, it "may be completed" by a constitutional process or it "may be completed" by the permit method

20736

Page 16 line 19 to 21
The amendment reads ---; the State Reclamation Engineer may extend the time for completion of works for such additional period or periods of time as he may deem necessary. upon application supported by a showing that such additional time is required by reason of --- --- fund appropriation ---.

Page 16 line 29 & 30

~~The off~~

The department deems it advisable to clear the records of its office of permits or neglected when the owners of which have failed to comply with the law.

Page 17 line 1

"license is to be issued", if the department is satisfied that the law has been fully complied with--, (see 42-219 line 4)

(Page 35 line 12) Note 42-219 --"--all the licenses which relate to the same permit and which bear the same date of priority shall be numbered alike.

↓

(Again over it)

Page 6 line 13 to 17. (Sess Lat 1917) where is this commencement? or advise

The commencement ~~of work~~ shall consist ~~of~~ ~~the~~ ~~work~~ ~~done~~ ~~in~~ ~~such~~ ~~manner~~ ~~as~~ ~~will~~ ~~develop~~ ~~the~~ ~~full~~ ~~supply~~ ~~of~~ ~~water~~ ~~and~~ ~~developed~~ ~~through~~ ~~the~~ ~~same~~ ~~for~~ ~~which~~ ~~the~~ ~~rights~~ ~~thereto~~ ~~will~~ ~~become~~ ~~appurtenant~~ ~~to~~ ~~the~~ ~~lands~~ ~~on~~ ~~which~~ ~~beneficial~~ ~~use~~ ~~is~~ ~~established~~.

I can read no ~~commencement~~ commitment on the state part of establishing a pre set priority.

Brent

Page 7

page 6 line ~~25~~ 29 Idaho had no reason to urge "rapid construction" line 1 even 2 year delay because no appropriation allowed would not extend beyond November 5, 1955. because 2 years had been allowed. see Culp letter of Jan 5, 1954.

Page 8 line 2 we can ~~=~~ question that the development has been as rapid as possible. Brief

line 5

Report 1297 has no reference to 11 year period or any other length of time.

line 12 why should they (or anyone) ~~if~~ file a protest.
line 16 Kulp admits this as
line 22 correct
24 "
line 28 the matter of issuing license is not limited to these items.
line 32 in this case what matter "outside the record" have been introduced.

Page 9 line 3 - 10 it would appear that an applicant, any applicant, is required to comply with the statutes and he, the applicant, should take the necessary legal steps to appeal action of the department.

Page 10 line 16 don't see any application for this in instant case.

Page 12 line 6 application for extension supported by a showing do we have it was one ~~made~~ submitted

7

20736

20736

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

REGIONAL OFFICE, REGION I
BOX 937
BOISE, IDAHO 83701

IN REPLY
REFER TO:
150

MAY 1 1964

Mr. Carl E. Tappan
State Reclamation Engineer
Boise, Idaho

Dear Mr. Tappan:

In connection with your consideration of the completion of the water right documents for the North Side Pumping Division, Minidoka Project, Idaho, there have been discussions with you by representatives of this office and representatives of the A & B Irrigation District. This relates particularly to the proper procedures to be followed in connection with permit No. 20736, which covers the diversions from wells for the major area of the project, known as Unit B. You indicated particular interest in the understandings that were had following the issuance of Mr. Kulp's decision dated April 5, 1956, supplemented by his letter of October 31, 1956, together with Mr. Carter's letter of January 17, 1961.

You are particularly interested in our understanding of the intent involved in Mr. Carter's letter of January 17, 1961, which contained these words: "In statutory theory, this permit is now subject to cancellation but as a matter of practice it would not be cancelled. What is the Bureau's suggestion or wish in this matter?"

It is my understanding that following this letter there were discussions with State Engineer Carter in which the factual situation with respect to the development of the project was considered—this being that the entire project works had not then been fully completed. It was evident that the Bureau could not in truth make proof of completion in these circumstances. This being the factual situation, it was our understanding from the discussions that Mr. Carter's office would let stand the prior administrative determinations of the State Engineer's office that proof of completion of works and application of water to beneficial use would be made at one time for the entire project as always had been contemplated by the project authorization. This understanding with Mr. Carter as to the time the submission of the proofs of completion of the project works and use of water was also in keeping with the previous decision of Mr. Kulp, supplemented by

20736

the decision of Mr. Carter as evidenced in the letter of January 17, 1961, that the statutory proofs were not required to be submitted until they could be made and that the water right permit would not be canceled. Further, it was our understanding that this administrative decision was in keeping with the uniform practice of the State Engineer's office in never canceling outstanding permits where the project covered in the permit was in fact being developed and completed. Not one single case was known to exist in the State of Idaho where construction of a water development project had been started under authority of a state issued water right permit and the permit had thereafter been canceled while construction and settlement of the project was in progress. On the other hand, there were many cases where the time between issuance of the permit and completion of the project extended over a period of many years.

In keeping with this understanding we have submitted to your office the statutory proof documents which are in accordance with the facts of development of the North Side Pumping Division.

I should also point out that the constructed North Side Pumping Division Federal Reclamation Project has added over 600 new family farms, complete with farmers and their families in residences, on the North Side Pumping Division area. This economic opportunity for new farm families in the Burley-Rupert area has been an exceedingly successful one, and has added much to the economy of the local area, to southern Idaho, and to the nation. This development has been carried out at a pace as rapid as was thought to be desirable by the Congress in making construction funds available therefor, having in mind the local problems of providing farm to market road construction, providing school facilities for the new farm families, and providing local financing and other community developments to market the products and to provide necessary services for the people involved.

It is hoped that there is sufficient flexibility in the administration of the state's water laws that these resident farm settlers, who are veterans of the nation's armed forces, can obtain the protection of the state-administered water rights for their farms under the laws of the State of Idaho on a project-wide basis in a manner consistent with the authorization of the project by the Congress and in a manner that affords these farm families the protection of a state-granted water right priority.

look at Congressional record

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I have been informed by the board of directors of the irrigation district that the settlers and their families are greatly concerned that the state water rights for the project can be made available in the manner contemplated under the project authorization with the priority of September 9, 1948 as contained in the water permit issued for the project.

Sincerely yours,

Regional Director

Copy to: Mr. Stephen W. Boller
Assistant Attorney General
Boise, Idaho

Mr. Clifford E. Fix
Parry, Robertson & Daly
Twin Falls, Idaho

20226

UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF THE SOLICITOR

IN REPLY REFER TO:

Portland Region
Boise Field Office
P. O. Box 937
Boise, Idaho 83701

April 22, 1964

RECEIVED
APR 23 1964
Department of Reclamation

Mr. Carl E. Tappan
State Reclamation Engineer
Boise, Idaho

Dear Mr. Tappan:

As indicated in our telephone conversation today, prior commitments have prevented me from being able to comply with your request of April 13 to have material available to you in connection with the proof of completion of works for the North Side extension water right permit. I appreciate very much your oral consent in allowing an additional week for the presentation of this brief.

Sincerely yours,

William Burpee
Field Solicitor

Copy to: Clifford E. Fix
Parry, Robertson & Daly
Twin Falls, Idaho

John R. Coleman
Parry, Robertson & Daly
Twin Falls, Idaho

20736

WELL NUMBER	LOCATION Description	Section	Twp. South	Range East	Drilled	MAXIMUM DISCHARGE RATE
34B723	SE¼SW¼	34	7	23	5/18/55	3.32
34A724	SE¼NW¼	34	7	24	3/24/54	7.26
34A725	NE¼SW¼	34	7	25	7/28/56	6.78
34A823	SE¼SW¼	34	8	23	5/4/55	4.44
35A724	SW¼SE¼	35	7	24	7/22/54	8.94
35B724	SW¼SE¼	35	7	24	4/24/54	3.99
35A821	NE¼NE¼	35	8	21	10/3/56	4.83
35B821	SE¼SE¼	35	8	21	6/30/56	6.27
35C821	SE¼SE¼	35	8	21	8/6/56	6.57
35D821	SW¼SW¼	35	8	21	7/14/56	6.10
35A822	SW¼SE¼	35	8	22	7/29/55	9.90
35B822	SW¼SE¼	35	8	22	8/20/55	4.96
35C822	NW¼NE¼	35	8	22	11/12/55	2.60
35A823	NW¼NW¼	35	8	23	6/15/55	7.64
35B823	NW¼SE¼	35	8	23	8/30/55	2.10
35C823	SW¼SW¼	35	8	23	9/55	4.09
35D823	SE¼SE¼	35	8	23	9/21/55	2.00
(17)			17			1086.74
"Relifts"						
17R824	SW¼SE¼	17	8	24		3.30
20RR824	NW¼SE¼	20	8	24		7.26
20RL824	NW¼SE¼	20	8	24		2.50
20RL825	NW¼SE¼	20	8	25		3.00
21R824	NW¼SW¼	21	8	24		4.00
24RL823	NE¼NW¼	24	8	23		2.96
24RR823	NE¼NW¼	24	8	23		5.90
28RL922	SE¼NW¼	28	9	22		6.10
29R824	SE¼NW¼	29	8	24		2.40

20736

P/2 legals

~ 1124.16 CFS

also —

see folder 2

paper clips

tabulation

irrigable acreage

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WELL NUMBER	LOCATION Description	Section	Twp. South	Range East	DRILLED	MAXIMUM DISCHARGE RATE
1A823	NW¼NE¼	1	8	23	9/10/54	10.10
1B823	NW¼NE¼	1	8	23	8/30/54	4.66
1C823	SW¼SW¼	1	8	23	5/5/54	8.20
1A824	SE¼NE¼	1	8	24	4/16/55	8.00
1A921	NE¼SW¼	1	9	21	1/27/56	7.68
2A823	NE¼SW¼	2	8	23	10/29/54	5.63
2A824	NE¼SE¼	2	8	24	7/18/56	2.17
2A923	SW¼NE¼	2	9	23	9/13/55	2.17
2A1021	NW¼SW¼	2	10	21	2/12/60	4.84
3A824	SE¼NE¼	3	8	24	7/16/54	9.56
3B824	SE¼NE¼	3	8	24	3/25/54	4.81
3A825	NE¼NW¼	3	8	25	1/13/56	7.90
3B825	NE¼NW¼	3	8	25	2/27/56	8.06
3C825	NW¼NW¼	3	8	25	12/27/55	6.33
3D825	NW¼NW¼	3	8	25	1/13/56	3.32
3E825	NE¼SE¼	3	8	25	3/19/57	4.33
3A921	NE¼SE¼	3	9	21	7/20/54	2.52
3B921	NW¼SW¼	3	9	21	8/17/52	7.78
3C921	SE¼SW¼	3	9	21	11/9/54	8.14
3A922	SE¼SE¼	3	9	22	8/26/55	9.62
3B922	SE¼SE¼	3	9	22	8/26/54	4.85
3A923	NW¼SW¼	3	9	23	12/16/55	5.42
3B923	SE¼NE¼	3	9	23	10/29/56	2.36
3A1022	NW¼SW¼	3	10	22	2/28/54	4.10
4A823	SW¼SW¼	4	8	23	11/4/54	10.54
4B823	SW¼SW¼	4	8	23	11/30/54	4.81
4A824	SW¼NE¼	4	8	24	1/25/54	9.77
4B824	SW¼SW¼	4	8	24	9/23/52	9.47
4C824	SW¼SW¼	4	8	24	4/5/60	4.71
5B823	SE¼NE¼	5	8	23	4/12/55	7.20
5C823	SE¼NE¼	5	8	23	2/28/55	3.42
5A825	NE¼NE¼	5	8	25	7/1/57	11.40
5B825	NE¼NE¼	5	8	25	7/23/57	5.62
6A824	NW¼SW¼	6	8	24	1/17/50	11.40
6B824	NE¼NW¼	6	8	24	4/3/54	6.03
6C824	NE¼SE¼	6	8	24	8/4/54	2.10
6A825	NE¼SE¼	6	8	25	4/3/57	6.90
6B825	NE¼SE¼	6	8	25	9/22/56	3.70
6A923	SE¼NE¼	6	9	23	7/21/50	9.55
6B923	Lot 5	6	9	23	8/18/55	4.59

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WELL NUMBER	LOCATION Description	Section	Twp. South	Range East		MAXIMUM DISCHARGE RATE
✓ 7B824	NE¼SE¼	7	8	24	3/48	7.84
√ 7A922	NE¼NE¼	7	9	22	5/29/57	9.41
✓ 7B922	SE¼NE¼	7	9	22	2/11/57	8.38
√ 8A823	NE¼SE¼	8	8	23	6/6/50	9.84
√ 8A824	SE¼NE¼	8	8	24	10/15/56	7.90
√ 9A922	NE¼SW¼	9	9	22	4/2/57	8.02
√ 9B922	SW¼NW¼	9	9	22	8/3/54	5.00
√ 10A823	SE¼NE¼	10	8	23	6/21/54	4.00
√ 10B823	SW¼SW¼	10	8	23	6/2/54	1.83
√ 10A824	SW¼NE¼	10	8	24	11/3/52	10.13
√ 10B824	SE¼SW¼	10	8	24	2/2/53	6.25
√ 10C824	SW¼NW¼	10	8	24	10/23/57	5.90
√ 10A922	SW¼NE¼	10	9	22	9/9/55	4.13
√ 11A824	NE¼NW¼	11	8	24	2/48	8.20
√ 11B824	NE¼NW¼	11	8	24	12/10/53	4.20
√ 11C824	NW¼SE¼	11	8	24	3/1/54	5.92
√ 11A825	SW¼SE¼	11	8	25	9/5/56	6.23
√ 11B922	NE¼NW¼	11	9	22	4/11/56	4.72
√ 11C922 not pumping ?	NW¼NE¼	11	9	22	1/10/56	5.04
√ 12A823	SW¼NE¼	12	8	23	6/7/54	9.82
√ 12B823	SW¼NE¼	12	8	23	7/3/54	3.49
√ 12C823	SE¼SW¼	12	8	23	4/24/54	9.30
√ 12D823	SE¼SW¼	12	8	23	5/13/54	4.37
√ 12A824	NW¼NE¼	12	8	24	6/1/56	6.21
√ 12A825	NW¼NW¼	12	8	25	10/29/56	10.72
√ 12B825	NW¼NW¼	12	8	25	8/23/56	5.03
√ 13A824	NW¼NE¼	13	8	24	5/1/54	12.36
√ 13B824	NW¼NE¼	13	8	24	6/1/54	5.40
√ 13A825	SW¼SW¼	13	8	25	6/18/56	3.12
√ 14A823	NW¼NW¼	14	8	23	7/23/54	7.16
√ 14B823	NW¼NW¼	14	8	23	8/9/54	3.08
√ 14A824	SE¼SW¼	14	8	24	12/31/52	8.70
√ 14C825	NE¼SW¼	14	8	25	6/22/55	2.36
√ 15A823	NE¼NW¼	15	8	23	7/22/54	9.54
√ 15B823	NE¼NW¼	15	8	23	8/9/54	4.71
√ 15D823	SE¼SE¼	15	8	23	7/5/55	2.31
√ 15A824	SW¼NW¼	15	8	24	5/1/54	6.25
√ 15A825	SW¼SW¼	15	8	25	12/30/66	10.96
√ 15B825	SW¼SW¼	15	8	25	3/22/56	4.34
√ 15A922	SW¼NE¼	15	9	22	2/15/57	2.24

WELL NUMBER	LOCATION Description	Section	Twp. South	Range East	Drilled	MAXIMUM DISCHARGE RATE
15B922	SW¼NE¼	15	9	22	4/6/57	2.72
17A823	SE¼SE¼	17	8	23	1/24/55	5.89
17B823	SE¼SE¼	17	8	23	3/28/55	3.09
17C823	NE¼NW¼	17	8	23	11/19/54	2.30
17A825	NE¼NE¼	17	8	25	6/2/56	7.50
18A824	SW¼NW¼	18	8	24	4/22/50	9.90
18A922	SW¼SE¼	18	9	22	12/30/55	6.72
18B922	SW¼SE¼	18	9	22	3/12/56	2.72
19A823	Lot 4	19	8	23	6/9/55	7.65
19B823	Lot 4	19	8	23	7/7/55	4.06
19A825	NW¼NE¼	19	8	25	6/29/54	10.41
19B825	NW¼NE¼	19	8	25	6/25/54	5.60
19C825	SW¼NW¼	19	8	25	8/23/54	7.90
19D825	SW¼NW¼	19	8	25	9/24/54	3.70
19A922	SW¼NW¼	19	9	22	9/8/55	4.83
20A922	NE¼NE¼	20	9	22	9/8/56	7.14
21A823	SE¼NE¼	21	8	23	1/24/55	8.95
21A824	SW¼SW¼	21	8	24	11/29/53	9.30
21B824	NW¼NE¼	21	8	24	2/26/51	7.65
21A825	SE¼SW¼	21	8	25	4/6/56	9.65
22A724	NW¼SE¼	22	7	24	6/14/56	2.94
22B724	SW¼SW¼	22	7	24	8/4/55	6.96
22C724	SE¼SE¼	22	7	24	7/7/55	6.84
22A821	NE¼SE¼	22	8	21	8/27/56	6.80
22A823	SE¼SW¼	22	8	23	3/3/55	5.98
22A824	NE¼SE¼	22	8	24	11/9/53	7.03
22A922	SW¼NE¼	22	9	22	10/1/56	2.31
23A724	SW¼NE¼	23	7	24	8/30/55	5.20
23A823	NW¼SW¼	23	8	23	3/11/55	6.90
23B823	NW¼SW¼	23	8	23	9/21/55	3.19
23A824	SE¼SW¼	23	8	24	12/11/53	10.70
23A825	NW¼NW¼	23	8	25	2/18/56	7.03
23B825	NW¼NW¼	23	8	25	12/30/55	7.34
24A821	SE¼NW¼	24	8	21	9/4/56	2.10
24A823	SE¼SW¼	24	8	23	3/1/54	10.09
24B823	SE¼SW¼	24	8	23	1/13/54	6.74
24C823	NW¼NW¼	24	8	23	11/28/56	7.92
24A825	NW¼NW¼	24	8	25	11/2/55	5.64
25A823	SE¼NW¼	25	8	23	9/14/54	3.62
26A724	NW¼SW¼	26	7	24	6/9/55	6.36

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WELL NUMBER	LOCATION Description	Section	Twp. South	Range East		MAXIMUM DISCHARGE RATE
26B724	SE¼NE¼	26	7	24	5/24/56	2.97
26A821	SE¼NE¼	26	8	21	9/24/56	5.88
26B821	SE¼NE¼	26	8	21	11/12/55	7.12
26A823	NW¼SE¼	26	8	23	2/1/55	4.06
26A824	SW¼NE¼	26	8	24	12/10/53	10.16
27A725	SE¼SW¼	27	7	25	3/26/56	2.03
27A823	NE¼NE¼	27	8	23	5/29/50	6.00
27B823	SE¼SW¼	27	8	23	12/31/54	4.64
27C823	SE¼NW¼	27	8	23	4/26/60	4.92
28A724	SW¼NE¼	28	7	24	7/11/55	7.28
28B724	SW¼NE¼	28	7	24	6/18/55	3.95
28A823	SW¼SW¼	28	8	23	10/27/54	10.90
28B823	SW¼SW¼	28	8	23	11/14/54	6.60
28C823	NE¼SW¼	28	8	23	12/7/54	5.79
28A922	SE¼SE¼	28	9	22	2/2/56	2.90
29A725	NE¼SW¼	29	7	25	2/5/57	4.87
29A823	SE¼NE¼	29	8	23	3/18/54	10.10
29B823	SE¼NE¼	29	8	23	3/18/54	4.70
29A824	NW¼SE¼	29	8	24	4/26/54	5.72
30A724	NW¼SE¼	30	7	24	9/23/54	8.31
30B724	NW¼SE¼	30	7	24	9/28/54	4.34
30A725	NE¼SE¼	30	7	25	1/22/57	7.46
30A822	NW¼SW¼	30	8	22	5/30/56	4.13
30A824	NE¼NW¼	30	8	24	4/55	6.25
30B824	NW¼SE¼	30	8	24	7/30/54	3.67
30A922	NE¼NE¼	30	9	22	3/22/56	7.16
31A724	SW¼NE¼	31	7	24	5/15/54	4.54
31A725	NE¼SW¼	31	7	25	5/25/56	5.10
31A823	NE¼SE¼	31	8	23	5/29/55	7.12
31A824	SE¼SW¼	31	8	24	1/19/54	9.77
31B824	SE¼SW¼	31	8	24	2/9/54	4.34
32A724	SE¼NE¼	32	7	24	9/30/53	9.28
32B724	SE¼NE¼	32	7	24	9/20/53	5.70
32A725	NE¼SW¼	32	7	25	3/12/56	5.07
33A724	NW¼SE¼	33	7	24	1/6/54	6.56
33B724	NW¼SE¼	33	7	24	4/29/56	4.59
33A725	SW¼NW¼	33	7	25	11/9/55	6.85
33B922	NE¼SE¼	33	9	22	3/3/56	6.92
33C922	NE¼SE¼	33	9	22	11/5/56	3.54
34A723	SE¼SW¼	34	7	23	6/24/55	7.62

(40

Re: Permit No. 20736
United States of America

Date: December 13, 1963

North Side News,
Jerome, Idaho

Gentlemen:

Enclosed you will find Notice for Publication, once a week for four consecutive weeks prior to January 13, 1964 the date set for proof; the expense of the publication is to be paid by the applicant United States of America of Box 937, Boise, Idaho to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

Carl E. Tappan

CARL E. TAPPAN
State Reclamation Engineer

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

20736

CET:pmk

P.S. Please publish December 19 and 26, 1963, and January 2 and 9, 1964.

December 13, 1963

Re: Permit No. 20736
United States of America

Mr. Harold T. Nelson,
Ragional Director,
U. S. Bureau of Reclamation,
Box 937,
Boise, Idaho.

Dear Mr. Nelson:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. 20736. The proofs are to be made at 10:00 o'clock A.M., on the 13th day of January, 1964, before John H. Welch, Reclamation Offices, Orchard & Fairview, Boise, Idaho, Notary Public.

As of this date we have mailed the Notice to the Minidoka County News & The North Side News, with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof then mail the affidavit of publication and statement of costs to you.

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

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

Very truly yours,

GEORGE CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

Enc.
EPR:pmk
cc: Notary

20736

NOTICE FOR PUBLICATION

NOTICE OF PROOF OF COMPLETION OF CONSTRUCTION AND

APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 a.m. on the 13th day of January, 1964, at the Bureau of Reclamation offices, Orchard and Fairview, Boise, Idaho, County of Ada, State of Idaho, before John H. Welch, a Notary Public, proof will be submitted of the diversion of and application to beneficial use of 1100 cubic feet per second of underground water, in accordance with the terms and conditions of Permit No. 20736 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and post office address of the person or corporation holding said permit is United States of America, P. O. Box 937, Boise, Idaho.

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

The amount applied to beneficial use is 1100 c.f.s.

The works of diversion have been completed within the life of the permit.

The point of diversion of said water is 177 wells located in township 7 south, ranges 23, 24, and 25 east, Boise meridian; township 8 south, ranges 21, 22, 23, 24, and 25 east, Boise meridian; township 9 south, ranges 21, 22, and 23 east, Boise meridian; township 10 south, ranges 21 and 22 east, Boise meridian, all within the A & B Irrigation District, North Side Pumping Division, Minidoka Project, Idaho.

The place where said water is used (legal description) :62,604.3 irrigated acres located in townships 7, 8, 9, and 10 south, ranges 21, 22, 23, 24, and 25 east, Boise meridian, Idaho, all within the boundaries of the A & B Irrigation District, North Side Pumping Division, Minidoka Project, Idaho.

The date of priority which said user is prepared to establish is September 9, 1948.

20736

CARL E. TAPPAN
State Reclamation Engineer

#20736

Township	Range	Section	Sub-division	Well No.
9 S.	20 E.	12	SE¼ NE¼	287
		13	NW¼ NE¼	288
8 S.	21 E.	24	SW¼ NW¼	291
		22	NE¼ SE¼	299
		25	NW¼ SW¼	292
			SW¼ SW¼	293
		26	SW¼ NE¼	294
			SE¼ NW¼	295
		27	SW¼ NE¼	300
		32	SW¼ SE¼	305
		33	SE¼ SE¼	304
		34	SE¼ NW¼	301
			SE¼ SW¼	302
			SE¼ SE¼	303
		35	NE¼ NE¼	296
			SE¼ SW¼	298
			SE¼ SE¼	297
9 S.	21 E.	1	NW¼ NE¼	249
			NE¼ SW¼	250
		2	NE¼ SE¼	252
		3	SE¼ NE¼	260
			NE¼ SW¼	261
			SE¼ SW¼	262
		4	SE¼ NE¼	271
		5	S½ SW¼	278
		7	NE¼ NE¼	283
			NE¼ NW¼	284
			NW¼ SE¼	285
		8	NE¼ SE¼	279
		9	NE¼ NE¼	272
			SW¼ NE¼	273
	10	10	SE¼ NW¼	263
			NE¼ SE¼	264
		11	SW¼ NE¼	254
			SW¼ NW¼	253
			SW¼ SW¼	255
		15	NW¼ SE¼	265
		17	NW¼ NE¼	280
			NW¼ SW¼	281
		18	NW¼ NW¼	286
		20	SE¼ SE¼	282
		21	SE¼ NE¼	274
	NE¼ SE¼		NE¼ SW¼	275
		22	N½ NW¼	266
		24	SW¼ NW¼	251
		26	NE¼ NE¼	256
			N½ SW¼	257
		27	NE¼ SW¼	267
			SW¼ SW¼	268
20736			SE¼ SE¼	269
	28	28	SW¼ NE¼	277
			SE¼ NE¼	276
		34	NW¼ SE¼	270
		35	NE¼ NW¼	258
			S½ N½	259

Township	Range	Section	Sub-division	Well No.
8 S.	22 E.	30	SW¼ SW¼	290
		35	NW¼ NE¼	289
		24	NW¼ SE¼	194
		25	NW¼ NE¼	195
			SE¼ NW¼	196
			SE¼ SE¼	197

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Township	Range	Section	Sub-division	Well No.
9 S.	22 E.	1	NW¼ NE¼	198
			NE¼ NW¼	199
			NE¼ SE¼	200
		2	NW¼ NE¼	203
			NW¼ NW¼	202
			NW¼ SW¼	205
			NW¼ SE¼	204
		3	SE¼ NW¼	211
			NE¼ SW¼	212
		4	NW¼ SE¼	224
		7	NE¼ NE¼	244
			NW¼ SE¼	245
		8	NE¼ NE¼	234
			NW¼ SW¼	235
			SE¼ SE¼	236
		9	SE¼ NW¼	225
			SW¼ SE¼	226
			SE¼ SE¼	227
		10	W½ NE¼	214
			NE¼ NW¼	213
			NE¼ SE¼	215
		11	NW¼ NE¼	206
			NW¼ SE¼	207
		12	SW¼ NE¼	201
		14	NE¼ NE¼	208
		15	NE¼ NE¼	216
			SW¼ NE¼	218
			SW¼ NW¼	217
			SW¼ SW¼	219
			SW¼ SE¼	220
		17	NW¼ NW¼	237
			SE¼ NW¼	238
			SW¼ SE¼	239
		18	SW¼ SE¼	246
		19	SW¼ NW¼	247
			SE¼ SE¼	248
		20	NW¼ NW¼	240
			NW¼ SE¼	241
		21	NW¼ NW¼	228
			NE¼ SW¼	229
		22	S½ NE¼	222
			NW¼ NW¼	221
			NE¼ SW¼	223
		23	NW¼ NE¼	209
			SW¼ NW¼	210
		28	NE¼ NW¼	230
			SE¼ SE¼	231
		29	NW¼ NW¼	242
		32	SW¼ NE¼	243
		33	NW¼ NE¼	(Existing well)
			SE¼ NE¼	(Existing well)
			NW¼ SW¼	232
			NE¼ SE¼	233

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Township	Range	Section	Sub-division	Well No.
8 S.	23 E.	1	NW¼ NE¼	107
			SE¼ NW¼	108
			NW¼ SE¼	109
		2	E½ NE¼	122
			NE¼ SW¼	123
			SE¼ SW¼	124
		3	NE¼ NE¼	140
			NE¼ NW¼	141
			SE¼ NW¼	142
		4	SW¼ NE¼	160
			SW¼ NW¼	159
		5	SW¼ NE¼	173
			SW¼ NW¼	174
			SW¼ SW¼	175
		8	NW¼ NE¼	176
			SW¼ SW¼	177
			NE¼ SE¼	163
		9	NE¼ NE¼	162
			NE¼ NW¼	161
			NE¼ SE¼	164
		10	SE¼ NE¼	144
			NE¼ NW¼	143
			SE¼ SW¼	145
		11	NE¼ NW¼	125
		12	NE¼ NW¼	110
			SW¼ NE¼	111
			SE¼ SW¼	113
			NW¼ SE¼	112
		13	SW¼ NE¼	115
			SW¼ NW¼	114
			SE¼ SW¼	116
		14	NE¼ NW¼	127
			NW¼ NW¼	126
			SW¼ SE¼	129
		15	NW¼ NE¼	147
			NW¼ NW¼	146
			NE¼ SW¼	148
			SW¼ SE¼	149
			NE¼ SE¼	128
		16	NE¼ SE¼	(Existing Private Well)
		17	E½ NW¼	178
			SW¼ SW¼	180
			SE¼ SE¼	179
		20	NE¼ NE¼	181
			W½ SE¼	182
		21	SE¼ NE¼	165
			SE¼ SE¼	166
		22	NW¼ NW¼	150
			SE¼ SW¼	151
		23	SW¼ NW¼	130
			NE¼ SW¼	131
			NW¼ SW¼	132
		24	SW¼ NW¼	117
			NE¼ SW¼	118
			SE¼ SW¼	119

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Township	Range	Section	Sub-division	Well No.
8 S.	23 E.	25	SE¼ NW¼	120
			SE¼ SW¼	121
		26	NW¼ NE¼	134
			NW¼ NW¼	133
			SE¼ SE¼	135
		27	SE¼ NW¼	Well C
			SE¼ SE¼	152
		28	SE¼ NW¼	167
			SW¼ SW¼	169
			NW¼ SE¼	168
		29	NW¼ NE¼	183
			SE¼ NE¼	184
			SW¼ SE¼	185
		30	NE¼ NE¼	188
		31	NW¼ NE¼	189
			SW¼ NE¼	190
			NE¼ SE¼	191
		32	NE¼ NE¼	186
		33	NW¼ NE¼	170
			NW¼ SW¼	171
			SE¼ SW¼	172
		34	SW¼ NE¼	153
			SE¼ NW¼	154
			NW¼ SW¼	155
			SE¼ SW¼	156
		35	SE¼ NE¼	137
			NE¼ NW¼	136
			SW¼ SW¼	138
9 S.	23 E.	2	SW¼ NE¼	139
		3	NW¼ NE¼	157
			SW¼ NW¼	158
		5	NE¼ SE¼	187
		6	NE¼ NE¼	192
		7	NW¼ NE¼	193
7 S.	24 E.	27	NE¼ SW¼	46
			SE¼ SE¼	47
		30	SW¼ SE¼	88
		31	NW¼ NE¼	89
			SW¼ SE¼	90
		32	NW¼ NW¼	71
			NE¼ SE¼	72
		34	SE¼ NW¼	48
			SW¼ SE¼	49
		35	NE¼ SW¼	29
			NW¼ SE¼	30
			SW¼ SE¼	31
8 S.	24 E.	2	E½ NE¼	32
			NW¼ SW¼	33
			NE¼ SE¼	34
		3	NW¼ NE¼	51
			W½ NW¼	50
			NW¼ SE¼	52

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Township	Range	Section	Sub-division	Well No.
8 S.	24 E.	4	SW¼ NE¼	61
			W½ SW¼	63
			NW¼ SE¼	62
		5	NE¼ NE¼	74
			NW¼ NE¼	73
			SW¼ SW¼	76
			NE¼ SE¼	75
		6	NE¼ NW¼	91
			SE¼ NW¼	92
			NW¼ SW¼	93
		7	NE¼ NW¼	94
			SW¼ SW¼	95
			NE¼ SE¼	Well B
		8	SE¼ NE¼	77
			SW¼ NE¼	78
			SE¼ SE¼	79
		9	NW¼ NE¼	65
			NW¼ NW¼	64
		10	NW¼ NE¼	53
			SW¼ NE¼	54
			SW¼ NW¼	55
			SE¼ SW¼	57
			NW¼ SE¼	56
		11	NE¼ NW¼	Well A
			SW¼ NE¼	35
			SW¼ SE¼	36
		13	SE¼ SW¼	23
			NW¼ NE¼	22
			SE¼ SE¼	24
		14	NW¼ NE¼	37
			NW¼ NW¼	38
			SE¼ SW¼	40
			NW¼ SE¼	39
			SW¼ SE¼	41
		15	NW¼ NW¼	58
		17	NE¼ NW¼	80
			SW¼ SW¼	81
		18	SW¼ NW¼	96
			NE¼ SW¼	98
			NW¼ SW¼	97
			SE¼ SE¼	99
		19	SW¼ SW¼	101
			NE¼ SE¼	100
		20	SE¼ NW¼	82
			SW¼ SE¼	83
		21	NW¼ NE¼	66
			SW¼ NW¼	68
			NW¼ SE¼	67
		22	SW¼ NW¼	59
			NW¼ SE¼	60

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Township	Range	Section	Sub-division	Well No.
8 S.	24 E.	23	SW¼ NW¼	42
			NW¼ SW¼	43
			SW¼ SE¼	44
		24	NE¼ NE¼	25
			SE¼ SW¼	26
		25	NW¼ NW¼	27
			SW¼ SW¼	28
		26	SW¼ NE¼	45
		28	SE¼ NE¼	70
			NW¼ NE¼	69
		29	SW¼ NE¼	84
			NE¼ SW¼	85
			NW¼ SE¼	86
		30	NW¼ NW¼	102
			NW¼ SE¼	103
		31	NE¼ NE¼	104
			NW¼ SW¼	105
			SE¼ SW¼	106
		32	NW¼ SW¼	87
8 S.	25 E.	13	NW¼ SW¼	1
		14	NE¼ SW¼	3
			SW¼ SW¼	4
		15	W½ SW¼	6
		17	NE¼ SE¼	13
		18	SW¼ NE¼	15
			NW¼ SW¼	16
			SE¼ SE¼	18
		19	NW¼ NE¼	19
			NW¼ NW¼	17
			NW¼ SW¼	20
			SW¼ SE¼	21
		20	SW¼ NE¼	14
		21	NE¼ NE¼	8
			NW¼ NE¼	9
			NE¼ SW¼	11
			NE¼ SE¼	10
		22	SE¼ NE¼	7
			NE¼ SE¼	306
		23	NW¼ NW¼	5
		24	NW¼ NW¼	2
		28	NW¼ NE¼	12

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Township	Range	Section	Sub-division	Well No.
9 S.	20 E.	12	$SE\frac{1}{4}$ $NE\frac{1}{4}$	287
		13	$NW\frac{1}{4}$ $NE\frac{1}{4}$	288
8 S.	21 E.	24	$SW\frac{1}{4}$ $NW\frac{1}{4}$	291
		22	$NE\frac{1}{4}$ $SE\frac{1}{4}$	299
		25	$NW\frac{1}{4}$ $SW\frac{1}{4}$	292
			$SW\frac{1}{4}$ $SW\frac{1}{4}$	293
		26	$SW\frac{1}{4}$ $NE\frac{1}{4}$	294
			$SE\frac{1}{4}$ $NW\frac{1}{4}$	295
		27	$SW\frac{1}{4}$ $NE\frac{1}{4}$	300
		32	$SW\frac{1}{4}$ $SE\frac{1}{4}$	305
		33	$SE\frac{1}{4}$ $SE\frac{1}{4}$	304
		34	$SE\frac{1}{4}$ $NW\frac{1}{4}$	301
			$SE\frac{1}{4}$ $SW\frac{1}{4}$	302
			$SE\frac{1}{4}$ $SE\frac{1}{4}$	303
		35	$NE\frac{1}{4}$ $NE\frac{1}{4}$	296
			$SE\frac{1}{4}$ $SW\frac{1}{4}$	298
			$SE\frac{1}{4}$ $SE\frac{1}{4}$	297
9 S.	21 E.	1	$NW\frac{1}{4}$ $NE\frac{1}{4}$	249
			$NE\frac{1}{4}$ $SW\frac{1}{4}$	250
		2	$NE\frac{1}{4}$ $SE\frac{1}{4}$	252
		3	$SE\frac{1}{4}$ $NE\frac{1}{4}$	260
			$NE\frac{1}{4}$ $SW\frac{1}{4}$	261
			$SE\frac{1}{4}$ $SW\frac{1}{4}$	262
		4	$SE\frac{1}{4}$ $NE\frac{1}{4}$	271
		5	$S\frac{1}{2}$ $SW\frac{1}{4}$	278
		7	$NE\frac{1}{4}$ $NE\frac{1}{4}$	283
			$NE\frac{1}{4}$ $NW\frac{1}{4}$	284
			$NW\frac{1}{4}$ $SE\frac{1}{4}$	285
		8	$NE\frac{1}{4}$ $SE\frac{1}{4}$	279
		9	$NE\frac{1}{4}$ $NE\frac{1}{4}$	272
			$SW\frac{1}{4}$ $NE\frac{1}{4}$	273
		10	$SE\frac{1}{4}$ $NW\frac{1}{4}$	263
			$NE\frac{1}{4}$ $SE\frac{1}{4}$	264
		11	$SW\frac{1}{4}$ $NE\frac{1}{4}$	254
			$SW\frac{1}{4}$ $NW\frac{1}{4}$	253
			$SW\frac{1}{4}$ $SW\frac{1}{4}$	255
		15	$NW\frac{1}{4}$ $SE\frac{1}{4}$	265
		17	$NW\frac{1}{4}$ $NE\frac{1}{4}$	280
			$NW\frac{1}{4}$ $SW\frac{1}{4}$	281
		18	$NW\frac{1}{4}$ $NW\frac{1}{4}$	286
		20	$SE\frac{1}{4}$ $SE\frac{1}{4}$	282
		21	$SE\frac{1}{4}$ $NE\frac{1}{4}$	274
			$NE\frac{1}{4}$ $SW\frac{1}{4}$	275
		22	$N\frac{1}{2}$ $NW\frac{1}{4}$	266
		24	$SW\frac{1}{4}$ $NW\frac{1}{4}$	251
		26	$NE\frac{1}{4}$ $NE\frac{1}{4}$	256
			$N\frac{1}{2}$ $SW\frac{1}{4}$	257
		27	$NE\frac{1}{4}$ $SW\frac{1}{4}$	267
			$SW\frac{1}{4}$ $SW\frac{1}{4}$	268
			$SE\frac{1}{4}$ $SE\frac{1}{4}$	269
		28	$SW\frac{1}{4}$ $NE\frac{1}{4}$	277
			$SE\frac{1}{4}$ $NE\frac{1}{4}$	276
		34	$NW\frac{1}{4}$ $SE\frac{1}{4}$	270
		35	$NE\frac{1}{4}$ $NW\frac{1}{4}$	258
			$S\frac{1}{2}$ $N\frac{1}{2}$	259

20736

20736

Township	Range	Section	Sub-division	Well No.
8 S.	22 E.	30	SW¼ SW¼	290
		35	NW¼ NE¼	289
		24	NW¼ SE¼	194
		25	NW¼ NE¼	195
			SE¼ NW¼	196
			SE¼ SE¼	197

20736

Township	Range	Section	Sub-division	Well No.
9 S.	22 E.	1	NW¼ NE¼	198
			NE¼ NW¼	199
			NE¼ SE¼	200
		2	NW¼ NE¼	203
			NW¼ NW¼	202
			NW¼ SW¼	205
			NW¼ SE¼	204
		3	SE¼ NW¼	211
			NE¼ SW¼	212
		4	NW¼ SE¼	224
		7	NE¼ NE¼	244
			NW¼ SE¼	245
		8	NE¼ NE¼	234
			NW¼ SW¼	235
			SW¼ SE¼	236
		9	SE¼ NW¼	225
			SW¼ SE¼	226
			SE¼ SE¼	227
		10	W½ NE¼	214
			NE¼ NW¼	213
			NE¼ SE¼	215
		11	NW¼ NE¼	206
			NW¼ SE¼	207
		12	SW¼ NE¼	201 OUT SIDE AREA
		14	NE¼ NE¼	208
		15	NE¼ NE¼	216
			SW¼ NE¼	218
			SW¼ NW¼	217
			SW¼ SW¼	219
			SW¼ SE¼	220
		17	NW¼ NW¼	237
			SE¼ NW¼	238
			SW¼ SE¼	239
		18	SW¼ SE¼	246
		19	SW¼ NW¼	247
			SE¼ SE¼	248
		20	NW¼ NW¼	240
			NW¼ SE¼	241
		21	NW¼ NW¼	228
			NE¼ SW¼	229
		22	S½ NE¼	222
			NW¼ NW¼	221
			NE¼ SW¼	223
		23	NW¼ NE¼	209
			SW¼ NW¼	210
20736		28	NE¼ NW¼	230
			SE¼ SE¼	231
		29	NW¼ NW¼	242
		32	SW¼ NE¼	243
		33	NW¼ NE¼	(Existing well)
			SE¼ NE¼	(Existing well)
			NW¼ SW¼	232
			NE¼ SE¼	233

Township	Range	Section	Sub-division	Well No.
8 S.	23 E.	1	NW¼ NE¼	107
			SE¼ NW¼	108
			NW¼ SE¼	109
		2	E½ NE¼	122
			NE¼ SW¼	123
			SE¼ SE¼	124
		3	NE¼ NE¼	140
			NE¼ NW¼	141
			SE¼ NW¼	142
		4	SW¼ NE¼	160
			SW¼ NW¼	159
		5	SW¼ NE¼	173
			SW¼ NW¼	174
			SW¼ SW¼	175
		8	NW¼ NE¼	176
			SW¼ SW¼	177
			NE¼ SE¼	163
		9	NE¼ NE¼	162
			NE¼ NW¼	161
			NE¼ SE¼	164
		10	SE¼ NE¼	144
			NE¼ NW¼	143
			SE¼ SW¼	145
		11	NE¼ NW¼	125
		12	NE¼ NW¼	110
			SW¼ NE¼	111
			SE¼ SW¼	113
			NW¼ SE¼	112
		13	SW¼ NE¼	115
			SW¼ NW¼	114
			SE¼ SW¼	116
		14	NE¼ NW¼	127
			NW¼ NW¼	126
			SW¼ SE¼	129
		15	NW¼ NE¼	147
			NW¼ NW¼	146
			NE¼ SW¼	148
			SW¼ SE¼	149
			NE¼ SE¼	128
		16	NE¼ SE¼	(Existing Private Well)
	20726	17	E½ NW¼	178
			SW¼ SW¼	180
			SE¼ SE¼	179
		20	NW¼ NE¼	181
			W½ SE¼	182
		21	SE¼ NE¼	165
			SE¼ SE¼	166
		22	NW¼ NW¼	150
			SE¼ SW¼	151
		23	SW¼ NW¼	130
			NE¼ SW¼	131
			NW¼ SW¼	132
		24	SW¼ NW¼	117
			NE¼ SW¼	118
			SE¼ SW¼	119

Township	Range	Section	Sub-division	Well No.
8 S.	23 E.	25	SE¼ NW¼	120
			SE¼ SW¼	121
		26	NW¼ NE¼	134
			NW¼ NW¼	133
			SE¼ SE¼	135
		27	SE¼ NW¼	Well C
			SE¼ SE¼	152
		28	SE¼ NW¼	167
			SW¼ SW¼	169
			NW¼ SE¼	168
		29	NW¼ NE¼	183
			SE¼ NE¼	184
			SW¼ SE¼	185
		30	NE¼ NE¼	188
		31	NW¼ NE¼	189
			SW¼ NE¼	190
			NE¼ SE¼	191
		32	NE¼ NE¼	186
		33	NW¼ NE¼	170
			NW¼ SW¼	171
			SE¼ SW¼	172
		34	SW¼ NE¼	153
			SE¼ NW¼	154
			NW¼ SW¼	155
			SE¼ SW¼	156
		35	SE¼ NE¼	137
			NE¼ NW¼	136
			SW¼ SW¼	138
9 S.	23 E.	2	SW¼ NE¼	139
		3	NW¼ NE¼	157
			SW¼ NW¼	158
		5	NE¼ SE¼	187
		6	NE¼ NE¼	192
		7	NW¼ NE¼	193
7 S.	24 E.	27	NE¼ SW¼	46
			SE¼ SE¼	47
		30	SW¼ SE¼	88
		31	NW¼ NE¼	89
			SW¼ SE¼	90
		32	NW¼ NW¼	71
			NE¼ SE¼	72
		34	SE¼ NW¼	48
			SW¼ SE¼	49
		35	NE¼ SW¼	29
			NW¼ SE¼	30
			SW¼ SE¼	31
8 S.	24 E.	2	E½ NE¼	32
			NW¼ SW¼	33
			NE¼ SE¼	34
		3	NW¼ NE¼	51
			W½ NW¼	50
			NW¼ SE¼	52

20736

Township	Range	Section	Sub-division	Well No.
8 S.	24 E.	4	SW¼ NE¼	61
			W½ SW¼	63
			NW¼ SE¼	62
		5	NE¼ NE¼	74
			NW¼ NE¼	73
			SW¼ SW¼	76
			NE¼ SE¼	75
		6	NE¼ NW¼	91
			SE¼ NW¼	92
			NW¼ SW¼	93
		7	NE¼ NW¼	94
			SW¼ SW¼	95
			NE¼ SE¼	Well B
		8	SE¼ NE¼	77
			SW¼ NE¼	78
			SE¼ SE¼	79
		9	NW¼ NE¼	65
			NW¼ NW¼	64
		10	NW¼ NE¼	53
			SW¼ NE¼	54
			SW¼ NW¼	55
			SE¼ SW¼	57
			NW¼ SE¼	56
		11	NE¼ NW¼	Well A
			SW¼ NE¼	35
			SW¼ SE¼	36
		13	SE¼ SW¼	23
			NW¼ NE¼	22
			SE¼ SE¼	24
		14	NW¼ NE¼	37
			NW¼ NW¼	38
			SE¼ SW¼	40
			NW¼ SE¼	39
			SW¼ SE¼	41
		15	NW¼ NW¼	58
		17	NE¼ NW¼	80
			SW¼ SW¼	81
		18	SW¼ NW¼	96
			NE¼ SW¼	98
			NW¼ SW¼	97
			SE¼ SE¼	99
		19	SW¼ SW¼	101
			NE¼ SE¼	100
		20	SE¼ NW¼	82
			SW¼ SE¼	83
		21	NW¼ NE¼	66
			SW¼ NW¼	68
			NW¼ SE¼	67
		22	SW¼ NW¼	59
			NW¼ SE¼	60

20736

Township	Range	Section	Sub-division	Well No.
8 S.	24 E.	23	SW¼ NW¼	42
			NW¼ SW¼	43
			SW¼ SE¼	44
		24	NE¼ NE¼	25
			SE¼ SW¼	26
		25	NW¼ NW¼	27
			SW¼ SW¼	28
		26	SW¼ NE¼	45
		28	SE¼ NE¼	70
			NW¼ NW¼	69
		29	SW¼ NE¼	84
			NE¼ SW¼	85
			NW¼ SE¼	86
		30	NW¼ NW¼	102
			NW¼ SE¼	103
		31	NE¼ NE¼	104
			NW¼ SW¼	105
			SE¼ SW¼	106
		32	NW¼ SW¼	87
8 S.	25 E.	13	NW¼ SW¼	1
		14	NE¼ SW¼	3
			SW¼ SW¼	4
		15	W½ SW¼	6
		17	NE¼ SE¼	13
		18	SW¼ NE¼	15
			NW¼ SW¼	16
			SE¼ SE¼	18
		19	NW¼ NE¼	19
			NW¼ NW¼	17
			NW¼ SW¼	20
			SW¼ SE¼	21
		20	SW¼ NE¼	14
		21	NE¼ NE¼	8
			NW¼ NE¼	9
			NE¼ SW¼	11
			NE¼ SE¼	10
		22	SE¼ NE¼	7
			NE¼ SE¼	306
		23	NW¼ NW¼	5
		24	NW¼ NW¼	2
		28	NW¼ NE¼	12

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T. 9S. R. 20 E Sec. 12 SE NE No 281
Sec. 13 NW NE No 288

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T.8S. R.21E.	Sec 14	SW NW	No 21
	Sec 22	NE SE	No 299
	Sec 25	Nw SW	No 292
		SW SW	No 293
	Sec 26	SW NE	No 294
		SE NW	No 295
	Sec 27	SW NE	No 300
	Sec 32	Sw SE	No305
	Sec 33	SE SE	No304
	Sec. 34	SE NW	No 301
		SE SW	No 302
		SE SE	No 303
	Sec 35	NE NE	No 296
		SE SW	No 298
		SE SE	No 297

T.9S. R.21E.	Sec. 1	Nw NE	No. 249
		NE Sw	No. 250
	Sec. 2	NE SE	No. 252
	sec. 3	SE NE	No. 260
		NE. SW.	No. 261
		SE Sw	No. 262
	Sec. 4	SE. Ne.	No. 271
	Sec. 5	S½ SW	No. 278
	Sec 7	NE NE	No. 283
		NE NW	No. 284
		NW SE	No. 285
	Sec. 8	NE SE	No. 279
	Sec 9	NE NE	No. 272
		sw NE	No. 273
	Sec. 10	SE NW	No. 263
		NE SE	No. 264

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T9S R21E

Sec.	SW NE	No 254
	SW NW	No 253
	SW SW	No 255
Sec. 15	NW SE	No 265
Sec. 17	NW NE	No 280
	NW SW	No 281
Sec. 18	NW NW	No 286
Sec. 20	SE SE	No 282
Sec. 21	SE NE	No 274
	NE SW	No 275
Sec 22	N½ NW	No. 266
Sec 24	SW NW	No. 251
Sec 26	NE NE	No. 256
	N½ SW	No. 257
Sec27	NE SW	No. 267
	SW SW	No. 268
	SE SE	No. 269
Sec. 28	SW NE	No 277
	SE NE	No 276
Sec 34	NW SE	No 270
Sec 35	NE NW	No 258
	S½ N½	No 259

T. 9 S. R. 22 E.

Sec. 1	NW NE	No. 198
	NE NW	No. 199
	NE SE	No. 200
Sec. 2	Nw NE	No. 203
	Nw Nw	No. 202
	Nw Sw	No. 205
	NW SE	No. 204
Sec. 3	SE Nw	No. 211
	NE Sw	No. 212
Sec. 4	Nw SE	No. 224
Sec. 7	NE NE	No. 244
	Nw SE	No. 245
Sec. 8	NE NE	No. 234
	Nw Sw	No. 235
	Sw SE	No 236
Sec. 9	SE Nw	No 225
	Sw SE	No. 226
	SE SE	No. 227
Sec. 10	w½ NE	No. 214
	NE Nw	No. 213
	NE SE	No. 215
Sec. 11	Nw NE	No. 206
	NW SE	No. 207
Sec. 12	SW NE	No. 201
Sec. 14	NE NE	No. 208
Sec. 15	NE NE	No. 216
	SW NE	No. 218
	Sw Nw	No. 217
	Sw Sw	No. 219
	SW SE	No 220
Sec. 17	NW Nw	No. 237
	SE Nw	No. 238
	Sw SE	No 239
Sec. 18	Sw SE	No 246

20706

T8S R22E	Sec. —	SW SW	No 290 —
	Sec 35	NW NE	No 289
	Sec 24	NW SE	No. 194
	Sec 25	NW NE	No 195
		SE NW	No 196
		SE SE	No 197

Thurston

20736

T. 9 S. R. 22 E.	Sec. 19	SW NW	No. 247
		SE SE	No. 248
	Sec. 20	NW NW	No. 240
		NW SE	No. 241
	Sec. 21	NW NW	No. 228
		NE SW	No. 229
	Sec. 22	S½ NE	No. 222
		NW NW	No. 221
		NE SW	No. 223
	Sec. 23	NW NE	No. 209
		SW NW	No. 210
	Sec. 28	NE NW	No. 230
		SE SE	No. 231
	Sec. 29	NW NW	No. 242
	Sec 32	SW NE	No. 243
	Sec 33	NW NE	(Existing well)
		SE NE	(Existing well)
		NW SW	No. 232
		NE SE	No. 233

T. 8 S. R. 23 E

Sec. 1	NW NE	No. 107
	SE NW	No. 108
	NW SE	No. 109
Sec. 2	E½ NE	No. 122
	NE SW	No. 123
	SE SE	No. 124
Sec. 3	NE NE	No. 140
	NE NW	No. 141
	SE NW	No. 142
Sec 4	SW NE	No. 160
	SW NW	No. 159
Sec. 5	SW NE	No 173
	SW NW	No. 174
	SW SW	No. 175
Sec. 8	NW NE	No. 176
	SW SW	No. 177
	NE SE	No. 163
Sec 9.	NE NE	No. 162
	NE NW	No. 161
	NE SE	No 164
Sec 10	SE NE	No 144
	NE NW	No 143
	SE SW	No. 145
Sec 11	NE NW	No. 125
Sec 12	NE NW	No 110
	SW NE	No. 111
	SE SW	No. 113
	NW SE	No. 112
Sec. 13	SW NE	No 115
	SW NW	No 114
	SE SW	No. 116

20776

T.8S. R.23E.	Sec. 14	NE NW	No. 127
		Nw Nw	No. 126
		Sw SE	No. 129
	Sec 15	Nw NE	No. 147
		Nw Nw	No 146
		NE Sw	No 148
		Sw SE	No 149
		NE SE	No 128
	Sec 16	NE SE	(Existing Private Well)
	Sec 17	E½ Nw	No 178
		Sw Sw	No 180
		SE SE	No 179
	Sec 20	Nw NE	No. 181
		W½ SE	No. 182
	Sec 21	SE NE	No 165
		SE SE	No 166
	Sec 22	Nw Nw	No. 150
		SE Sw	No 151
	Sec 23	Sw Nw	No 130
		NE Sw	No. 131
		Nw Sw	No. 132
	Sec 24	Sw Nw	No. 117
		NE Sw	No. 118
		SE Sw	No 119
	Sec. 25	SE Nw	No. 120
		SE Sw	No. 121
	Sec 26	NW NE	No. 134
		NW NW	No. 133
		SE SE	No. 135
	Sec 27	SE Nw	Well C
		SE SE	No. 152
	Sec 28	SE Nw	No. 167
		Sw Sw	No. 169
		Nw SE	No. 168

T.8S. R.23E	Sec 29	NW NE	No. 183
		SE NE	No. 184
		SW SE	No. 185
	Sec 30	NE NE	No. 188
	Sec. 31	NW NE	No. 189
		SW NE	No. 190
		NE SE	No. 191
	Sec. 32	NE NE	No. 186
	Sec 33	NW NE	No. 170
		NW SW	No. 171
		SE SW	No. 172
	Sec 34	SW NE	No. 153
		SE NW	No. 154
		NW SW	No. 155
		SE SW	No. 156
	Sec 35	SE NE	No. 137
		NE NW	No. 136
		SW SW	No 138

T.9S. R.23E	Sec 2	SW NE	No 139
	Sec. 3	NW NE	No. 157
		SW NW	No. 158
	Sec. 5	NE SE	No. 187
	Sec. 6	NE NE	No. 192
	Sec. 7	NW NE	No. 193

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T. 7S. R. 24E	Sec. 27	NE SW	No. 46
		SE SE	No. 47
	Sec. 30	SW SE	No. 88
	Sec. 31	NW NE	No. 89
		SW SE	No. 90
	Sec. 32	NW NW	No. 71
		NE SE	No. 72
	Sec. 34	SE NW	No. 48
		SW SE	No. 49
	Sec 35.	NE SW	No. 29
		NW SE	No. 30
		SW SE	No. 31

20736

T.8 S. R.24E.	Sec. 2	E½ NE	No. 32
		Nw Sw	No. 33
		NE SE	No. 34
	Sec. 3	Nw NE	No. 51
		W½ Nw	No. 50
		Nw SE	No. 52
	Sec. 4	Sw NE	No. 61
		W½ SW	No. 63
		NW SE	No. 62
	Sec. 5	NE NE	No. 71
		Nw NE	No. 73
		Sw SW	No. 76
		NE SE	No 75
	Sec. 6	NE Nw	No. 91
		SE Nw	No. 92
		Nw Sw	No. 93
	Sec. 7	NE Nw	No. 94
		Sw Sw	No. 95
		NE SE	well B
	Sec. 8	SE NE	No. 77
		Sw NE	No. 78
		SE SE	No. 79
	Sec. 9	Nw NE	No. 65
		Nw Nw	No. 64
	Sec. 10	Nw NE	No. 53
		Sw NE	No. 54
		Sw Nw	No. 55
		SE Sw	No. 57
		Nw SE	No. 56
	Sec. 11	NE Nw	well A
		Sw NE	No. 35
		Sw SE	No. 36

20736

T.8S. R.24E.

Sec 13	SE SW	No. 23
	NW NE	No. 22
	SE SE	No. 24
Sec. 14	NW NE	No 37
	NW NW	No. 38
	SE SW	No. 40
	NW SE	No. 39
	SW SE	No. 41
Sec. 15	NW NW	No. 58
Sec. 17	NE NW	No. 80
	SW SW	No. 81
Sec. 18	SW NW	No. 96
	NE SW	No. 98
	NW SW	No. 97
	SE SE	No. 99
Sec. 19	SW SW	No. 101
	NE SE	No. 100
Sec. 20	SE NW	No. 82
	SW SE	No. 83
Sec. 21	NW NE	No. 66
	SW SW	No. 68
	NW SE	No. 67
Sec. 22	SW NW	No. 59
	NW SE	No. 60
Sec. 23	SW NW	No. 42
	NW SW	No. 43
	SW SE	No. 44
Sec. 24	NE NE	No. 25
	SE SW	No. 26
Sec. 25	NW NW	No. 27
	SW SW	No. 28
Sec 26	SW NE	No. 45

20736

T. 8 S.	R. 24 E.	Sec. 28	SE NE	No. 70
			NW NW	No. 69
		Sec. 29	SW NE	No. 84
			NE SW	No. 85
			NW SE	No. 86
		Sec. 30	NW NW	No. 102
			NW SE	No. 103
		Sec. 31	NE NE	No. 104
			NW SW	No. 105
			SE SW	No. 106
		Sec. 32	NW SW	No. 87

T.8 S. R.25 E.	Sec. 13	Nw Sw	No. 1
	Sec. 14	NE SW	No. 3
		SW SW	No. 4
	Sec. 15	W½ SW	No. 6
	Sec. 17	NE SE	No. 13
	Sec. 18	Sw NE	No. 15
		Nw Sw	No. 16
		SE SE	No. 18
	Sec. 19	Nw NE	No. 19
		Nw Nw	No. 17
		Nw Sw	No. 20
		Sw SE	No. 21
	Sec. 20	Sw NE	No. 14
	Sec. 21	NE NE	No. 8
		Nw NE	No. 9
		NE SW	No. 11
		NE SE	No. 10
	Sec. 22	SE NE	No. 7
		NE SE	No. 306
	Sec. 23	Nw Nw	No. 5
	Sec. 24	Nw Nw	No. 2
	Sec. 28	Nw NE	No 12

20736

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) December 3, 1963

(Address) Bureau of Reclamation, Orchard and Fairview,
Box 937, Boise, Idaho

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at the expense of the Bureau of Reclamation in the December 19 and 26, 1963 issues, and the January 2 and 9, 1964 issues of The Minidoka County News, Rupert, Idaho, and The Northside News, Jerome, Idaho, published in the county in which the works are situated.

Regional Director
U. S. Bureau of Reclamation

(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.

Daniel W. Applegate

Daniel W. Applegate
Registered Professional Engineer
State of Idaho
No. 834

20736

9[illegible]

Posto Gram from the NORTH SIDE NEWS JEROME [illegible]

and conditions of Permit No. 20736 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and post office address of the person or corporation holding said permit is United States of America, P. O. Box 937, Boise, Idaho.

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

The amount applied to beneficial use is 1100 c.f.s.

The works of diversion have been completed within the life of the permit.

The point of diversion of said water is 177 wells located in township 7 south, ranges 23, 24, and 25 east, Boise meridian; township 8 south, ranges 21, 22, 23, 24, and 25 east, Boise meridian; township 9 south, ranges 21, 22, and 23 east, Boise Meridian; township 10 south, ranges 21 and 22 east, Boise meridian, all within the A & B Irrigation District, North Side Pumping Division, Minidoka Project, Idaho.

The place where said water is used (legal description): 62,604.3 irrigated acres located in townships 7, 8, 9, and 10 south, ranges 21, 22, 23, 24, and 25 east, Boise meridian, Idaho, all within the boundaries of the A & B Irrigation District, North Side Pumping Division, Minidoka Project, Idaho.

The date of priority which said user is prepared to establish is September 9, 1948.

CARL E. TAPPAN,
State Reclamation Engineer.

12-19-4tc

NOTICE FOR PUBLICATION.

NOTICE OF PROOF OF COMPLETION OF CONSTRUCTION AND APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 a.m. on the 13th day of January, 1964, in the Bureau of Reclamation offices, Orchard and Fairview, Boise, Idaho, County of Ada, State of Idaho, before John H. Welch, a Notary Public, proof will be submitted of the diversion of and application to beneficial use of 1100 cubic feet per second of underground water, in accordance with the terms

20726

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
REGIONAL OFFICE, REGION 1
BOX 937, BOISE, IDAHO

IN REPLY
REFER TO: 424

RECEIVED
OCT 21 1963
Department of Reclamation

OCT 18 1963

Mr. Carl E. Tappan
State Reclamation Engineer
State Capitol Building
Boise, Idaho

Permit No. 29736

Dear Mr. Tappan:

Enclosed in duplicate is a notice for publication in connection with the completion of construction and application of water to beneficial use in the North Side Pumping Division, Minidoka Project.

Also enclosed are orders for publication of the notice in The Minidoka County News in Rupert, Idaho, and The Northside News in Jerome, Idaho. The original of the publication order should be submitted to the newspaper named thereon along with your notice for publication. When the order is completed by the newspaper the cost of printing will be paid directly to the newspaper.

Very truly yours,

R. H. Harris

Acting Regional Director

Enclosures

Copy to: Project Superintendent, Burley, Idaho (w/encl.)

20736

15
1
22
30
33
77
8

Oct. 25, 1955

Ltr. applic. to 11/5/18 requested for 9/10 on 1¼ miles
GNC Letter 1/17/61 notes cancellation due but "
as a matter of practice it appears must be
cancelled."

Standard Form No. 1143
7 GAO 5200
1143-105

ADVERTISING ORDER

No. 1217

U. S. Department of the Interior, Bureau of Reclamation October 18, 1963
Box 937, Boise, Idaho

The Publisher of The Northside News
Jerome, Idaho

AUTHORITY TO ADVERTISE
Date ....., 19.....
No. .....

Sir:

You are hereby authorized to publish the enclosed advertisement relating to application for notice of proof of completion of construction and application of water to beneficial use

to be set solid, without paragraphing, and without any display in the heading unless otherwise expressly authorized in the specifications attached to the advertisement, in the ..... edition of your paper, 4 times, prior to November 22, 1963 or on October 31, November 7, 14, and 21
(Give date on which publication is desired)
provided your rates are not in excess of the commercial rates charged to private individuals, with the usual discounts.

Respectfully,

INSTRUMENT OF ASSIGNMENT
Date ....., 19.....
No. .....

W. S. Steere
Regional Procurement and
Title Property Officer

INSTRUCTIONS TO PUBLISHERS

Extreme care should be exercised to insure that the specifications for advertising to be set other than solid be definite, clear, and specific since no allowance will be made for paragraphing or for display or leaded or prominent headings, unless specifically ordered, or for additional space required by the use of type other than that specified. Specifications for advertising other than solid will accompany the advertisement copy submitted to the publisher with the advertising order and copies of both documents will be furnished to the General Accounting Office with the voucher. The following is a sample of solid line advertisement set up in accordance with the usual Government requirements.

TREASURY DEPARTMENT, Office of the Supervising Architect, Washington, D. C., May 16, 1913.—Sealed proposals will be received at this office until 3 o'clock p. m. on the 20th day of June, 1913, and then opened, for an electric vault-protection system in the United States post office at Indianapolis, Ind., in accordance with the specification, copies of which may be had at this office or at the office of the custodian at the discretion of the Supervising Architect, O. Wenderoth, Supervising Architect.

Your bill for this service should be rendered upon the voucher form printed on the reverse hereof immediately after the last insertion of the advertisement. The voucher, together with a marked copy of each issue of the paper containing the advertisement, should be addressed to

Bureau of Reclamation, Box 937, Boise, Idaho 83701

If copies of the publication are not available, it will be satisfactory if an affidavit of publication is furnished in lieu thereof.

IMPORTANT

Charges for advertising when a cut, matrix, stereotype, or electrotype is furnished will be based on actual space used and no allowance will be made for shrinkage.

In no case shall an advertisement extend beyond the date and edition herein named for publication.

* U.S. GOVERNMENT PRINTING OFFICE : 1960 O—572727

20736

PUBLIC VOUCHER FOR ADVERTISING

Voucher No......

U. S. .....
(Department or establishment, bureau or office)

Voucher prepared at .....
(Give date and place)

THE UNITED STATES, Dr., To .....
(Name of publication)

.....
(Publisher or proprietor or his representative)

Address .....

PAID BY

To publication of attached advertisement in the above-named publication, as authorized by the attached Advertising Order, on ..... *as follows:*

	AMOUNT Dollars	Cts.
LINE RATES (.....(Name of type) line): .....(Number) [1] {counted / space} LINES for first insertion at ..... per line . . . . . $.....		
..... subsequent insertions of .....(Number) [1] {counted / space} LINES each at ..... per line . . . . . $.....		
OTHER RATES (.....(Size of type)-point per .....(Inch, square, word, or folio)): .....(Number of inches, squares, words, or folios) for first insertion at ..... per .....(Inch, square, word, or folio) $.....		
..... subsequent insertions of .....(Number of inches, squares, words, or folios) each at ..... per .....(Inch, square, word, or folio) $.....		
Amount		
Less discount at .....percent.		
Amount due		

(Here paste advertisement clipped from publication, including upper and lower rules, on each copy of voucher)

I certify that the above attached advertisement appeared in the publication on .....
(Give dates advertisement was published)
and that the account as stated is correct and proper for payment.

[2] Approved for $.....

Date .....

.....
(Authorized Certifying Officer)

Differences

Amount verified; correct for .....

(Signature or initials).....

ACCOUNTING CLASSIFICATION (Appropriation Symbol must be shown; other classification optional)

20736

Paid by Check No. .....

[1] Line out words not applicable.
[2] If the ability to certify and authority to approve are combined in one person, one signature only is necessary; otherwise the approving officer will sign in the blank space below "Approved for $....," and over his official title.

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) October 18, 1963

(P. O.) Box 937, Boise, Idaho

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the October 31, November 7, 14 and 21 issues of The Minidoka County News, Rupert, Idaho, The Northside News, Jerome, Idaho, published in the county in which the works are situated.

L. H. Hanie

Acting Regional Director
U. S. Bureau of Reclamation

(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.

Frank A. Mueller

Registered Professional Engineer
State of Colorado
No. 3581

20736

NOTICE FOR PUBLICATION

NOTICE OF PROOF OF COMPLETION OF CONSTRUCTION AND

APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A.M. on the 25th day of November, 1963, at Boise, Idaho, County of Ada, State of Idaho, before John H. Welch, a Notary Public, proof will be submitted of the diversion of and application to beneficial use of 1100 cubic feet per second of underground water, in accordance with the terms and conditions of Permit No. 20736 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and post office address of the person or corporation holding said permit United States of America, P. O. Box 937, Boise, Idaho

The use to which said water has been applied is Irrigation

The amount applied to beneficial use is 1100 cfs

The works of diversion have been completed within the life of the permit.

The point of diversion of said water is 177 wells located in Township 7 South, Ranges 23, 24 and 25 East, Boise Meridian; Township 8 South, Ranges 21, 22, 23, 24 and 25 East, Boise Meridian; Township 9 South, Ranges 21, 22 and 23 East, Boise Meridian; Township 10 South, Ranges 21 and 22 East, Boise Meridian, all within the A&B Irrigation District, North Side Pumping Division, Minidoka Project, Idaho

The place where said water is used (LEGAL DESCRIPTION) 62,604.3 irrigated acres located in Townships 7, 8, 9 and 10 South, Ranges 21, 22, 23, 24 and 25 East, Boise Meridian, Idaho, all within the boundaries of the A&B Irrigation District, North Side Pumping Division, Minidoka Project, Idaho.

The date of priority which said user is prepared to establish is Sept. 9, 1948

20736

State Reclamation Engineer

Standard Form No. 1143
7 GAO 5200
1143-105

ADVERTISING ORDER

1218

U. S. Department of the Interior, Bureau of Reclamation October 18, 1963
Box 937, Boise, Idaho

The Publisher of The Minidoka County News
Rupert, Idaho

AUTHORITY TO ADVERTISE
Date ....., 19.....
No. .....

Sir:

You are hereby authorized to publish the enclosed advertisement relating to application for notice of proof of completion of construction and application of water to beneficial use
to be set solid, without paragraphing, and without any display in the heading unless otherwise expressly authorized in the specifications attached to the advertisement, in the ..... edition of your paper, 4 times, prior to November 22, 1963 or on October 31, November 7, 14, and 21
(Give date on which publication is desired)
provided your rates are not in excess of the commercial rates charged to private individuals, with the usual discounts.

Respectfully,

INSTRUMENT OF ASSIGNMENT
Date ....., 19.....
No. .....

W. S. Steere
Regional Procurement and
Title Property Officer

INSTRUCTIONS TO PUBLISHERS

Extreme care should be exercised to insure that the specifications for advertising to be set other than solid be definite, clear, and specific since no allowance will be made for paragraphing or for display or leaded or prominent headings, unless specifically ordered, or for additional space required by the use of type other than that specified. Specifications for advertising other than solid will accompany the advertisement copy submitted to the publisher with the advertising order and copies of both documents will be furnished to the General Accounting Office with the voucher. The following is a sample of solid line advertisement set up in accordance with the usual Government requirements.

TREASURY DEPARTMENT, Office of the Supervising Architect, Washington, D. C., May 16, 1913.—Sealed proposals will be received at this office until 3 o'clock p. m. on the 20th day of June, 1913, and then opened, for an electric vault-protection system in the United States post office at Indianapolis, Ind., in accordance with the specification, copies of which may be had at this office or at the office of the custodian at the discretion of the Supervising Architect, O. Wenderoth, Supervising Architect.

Your bill for this service should be rendered upon the voucher form printed on the reverse hereof immediately after the last insertion of the advertisement. The voucher, together with a marked copy of each issue of the paper containing the advertisement, should be addressed to

Bureau of Reclamation, Box 937, Boise, Idaho 83701

If copies of the publication are not available, it will be satisfactory if an affidavit of publication is furnished in lieu thereof.

IMPORTANT

Charges for advertising when a cut, matrix, stereotype, or electrotype is furnished will be based on actual space used and no allowance will be made for shrinkage.

In no case shall an advertisement extend beyond the date and edition herein named for publication.

20736

* U.S. GOVERNMENT PRINTING OFFICE : 1960 O—572727

PUBLIC VOUCHER FOR ADVERTISING

Voucher No. 1018

U. S. Department of the Inerior
(Department or establishment, bureau or office)

Voucher prepared at Box 937, Boise, Idaho August 30, 1963
(Give date and place)

THE UNITED STATES, Dr., To Western Construction
(Name of publication)

(Publisher or proprietor or his representative)

Address 609 Mission Street, San Francisco 5, California

PAID BY

To publication of attached advertisement in the above-named publication, as authorized by the attached Advertising Order, on ..... *as follows:*

	AMOUNT Dollars	Cts.
LINE RATES (____ (Name of type) line): ____ (Number) [1]{counted / space} LINES for first insertion at ____ per line . . . . . $		
____ subsequent insertions of ____ (Number) [1]{counted / space} LINES each at ____ per line . . . . . $		
OTHER RATES (____ (Size of type) point per ____ (Inch, square, word, or folio)): ____ (Number of inches, squares, words, or folios) for first insertion at ____ per ____ (Inch, square, word, or folio) $		
____ subsequent insertions of ____ (Number of inches, squares, words, or folios) each at ____ per ____ (Inch, square, word, or folio) $		
Amount		
Less discount at ____ percent.		
Amount due		

(Here paste advertisement clipped from publication, including upper and lower rules, on each copy of voucher)

I certify that the above attached advertisement appeared in the publication on ____ (Give dates advertisement was published) *and that the account as stated is correct and proper for payment.*

Date ____

[2]Approved for $____

____ (Authorized Certifying Officer)

Differences

Amount verified; correct for

(Signature or initials) ____

ACCOUNTING CLASSIFICATION (Appropriation Symbol must be shown; other classification optional)

20736

Paid by Check No. ____

[1] Line out words not applicable.
[2] If the ability to certify and authority to approve are combined in one person, one signature only is necessary; otherwise the approving officer will sign in the blank space below "Approved for $____," and over his official title.

NOTICE FOR PUBLICATION

NOTICE OF PROOF OF COMPLETION OF CONSTRUCTION AND

APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A.M. on the 25th day of November, 1963, at Boise, Idaho, County of Ada, State of Idaho, before John H. Welch, a Notary Public, proof will be submitted of the diversion of and application to beneficial use of 1100 cubic feet per second of underground water, in accordance with the terms and conditions of Permit No. 20736 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and post office address of the person or corporation holding said permit United States of America, P. O. Box 937, Boise, Idaho

The use to which said water has been applied is Irrigation

The amount applied to beneficial use is 1100 cfs

The works of diversion have been completed within the life of the permit.

The point of diversion of said water is 177 wells located in Township 7 South, Ranges 23, 24 and 25 East, Boise Meridian; Township 8 South, Ranges 21, 22, 23, 24 and 25 East, Boise Meridian; Township 9 South, Ranges 21, 22 and 23 East, Boise Meridian; Township 10 South, Ranges 21 and 22 East, Boise Meridian, all within the A&B Irrigation District, North Side Pumping Division, Minidoka Project, Idaho

The place where said water is used (LEGAL DESCRIPTION) 62,604.3 irrigated acres located in Townships 7, 8, 9 and 10 South, Ranges 21, 22, 23, 24 and 25 East, Boise Meridian, Idaho, all within the boundaries of the A&B Irrigation District, North Side Pumping Division, Minidoka Project, Idaho.

The date of priority which said user is prepared to establish is Sept. 9, 1948

20736

State Reclamation Engineer

Standard Form No. 1143
GAO 5200
1143-105

ADVERTISING ORDER

No. 1377

U. S. Department of the Interior, Bureau of Reclamation
Box 937, Boise, Idaho

December 4, 1963

The Publisher of The Northside News
Jerome, Idaho

AUTHORITY TO ADVERTISE
Date ....., 19.....
No. .....

Sir:

You are hereby authorized to publish the enclosed advertisement relating to application for notice of proof of completion of construction and application of water to beneficial use.

to be set solid, without paragraphing, and without any display in the heading unless otherwise expressly authorized in the specifications attached to the advertisement, in the ..... edition of your paper, 4 times, prior to January 10, 1964 or on December 19 and 26, 1963 and January 2, and 9, 1964
(Give date on which publication is desired)

provided your rates are not in excess of the commercial rates charged to private individuals, with the usual discounts.

Respectfully,

INSTRUMENT OF ASSIGNMENT
Date ....., 19.....
No. .....

W. S. Steere

Title Regional Procurement and Property Officer

INSTRUCTIONS TO PUBLISHERS

Extreme care should be exercised to insure that the specifications for advertising to be set other than solid be definite, clear, and specific since no allowance will be made for paragraphing or for display or leaded or prominent headings, unless specifically ordered, or for additional space required by the use of type other than that specified. Specifications for advertising other than solid will accompany the advertisement copy submitted to the publisher with the advertising order and copies of both documents will be furnished to the General Accounting Office with the voucher. The following is a sample of solid line advertisement set up in accordance with the usual Government requirements.

TREASURY DEPARTMENT, Office of the Supervising Architect, Washington, D. C., May 16, 1913.—Sealed proposals will be received at this office until 3 o'clock p. m. on the 20th day of June, 1913, and then opened, for an electric vault-protection system in the United States post office at Indianapolis, Ind., in accordance with the specification, copies of which may be had at this office or at the office of the custodian at the discretion of the Supervising Architect, O. Wenderoth, Supervising Architect.

Your bill for this service should be rendered upon the voucher form printed on the reverse hereof immediately after the last insertion of the advertisement. The voucher, together with a marked copy of each issue of the paper containing the advertisement, should be addressed to

Bureau of Reclamation, Box 751, Burley, Idaho 83318

If copies of the publication are not available, it will be satisfactory if an affidavit of publication is furnished in lieu thereof.

IMPORTANT

Charges for advertising when a cut, matrix, stereotype, or electrotype is furnished will be based on actual space used and no allowance will be made for shrinkage.

In no case shall an advertisement extend beyond the date and edition herein named for publication.

* U.S. GOVERNMENT PRINTING OFFICE : 1960 O—572727

20736

Standard Form No. 1143
7 GAO 5200
1143-105

ADVERTISING ORDER

No. 1376

U. S. Department of the Interior, Bureau of Reclamation
Box 937, Boise, Idaho

December 4, 19 63

The Publisher of The Minidoka County News
Rupert, Idaho

AUTHORITY TO ADVERTISE
Date ....., 19.....
No. .....

Sir:

You are hereby authorized to publish the enclosed advertisement relating to application for notice of proof of completion of construction and application of water to beneficial use.

to be set solid, without paragraphing, and without any display in the heading unless otherwise expressly authorized in the specifications attached to the advertisement, in the ..... edition of your paper, 4 times, prior to January 10, 1964 or on December 19 and 26, 1963 and January 2, and 9, 1964
(Give date on which publication is desired)

provided your rates are not in excess of the commercial rates charged to private individuals, with the usual discounts.

Respectfully,

W. S. Steere

Title Regional Procurement and Property Officer

INSTRUMENT OF ASSIGNMENT
Date ....., 19.....
No. .....

INSTRUCTIONS TO PUBLISHERS

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* U.S. GOVERNMENT PRINTING OFFICE : 1960 O—572727

20736

10/25/55

PERMIT NO. 20736
EXTENSION OF TIME FOR COMPLETION OF WORKS
UNDER SECTION 42-204, IDAHO CODE

STATE OF IDAHO)
) ss.
County of Ada)

I, Wm. H. Tuller, Acting Regional Director, Region 1, Bureau of Reclamation, Box 937, Boise, Idaho, acting on behalf of the United States, being first duly sworn upon oath, depose and say:

That the United States of America, acting through the Bureau of Reclamation, is the owner and holder of a permit to appropriate the public waters of the State of Idaho, No. 20736.

That under the terms and conditions of said permit, completion of works is required to be established by November 5, 1955.

That the United States has heretofore in good faith performed the following work and taken the following steps to bring about the completion of the said works described under the said permit, to wit:

In 1952 a contract was let for drilling five additional wells to add to the ten previously drilled in order to provide sufficient acreage for a public land opening, (Group 1). Construction of the laterals from the wells and completion work on the wells was accomplished during the latter part of 1952 and during 1953. A total of 7,289 acres of land was farmed in 1954 from 15 wells discharging a total of 114.6 c.f.s.

In 1954 an additional well was drilled to supplement water on one well system under Group 1 increasing the total acreage of Group 1 to 7,333.9 and a total discharge of the wells serving Group 1 lands of 115.4 c.f.s.

In July 1953 a contract was let for the drilling of 22 wells (Group 2) with a total discharge of 139.9 c.f.s., to serve an additional 8,783.9 acres. This contract was completed and accepted in August of 1954. Construction of laterals from the wells and completion work was completed and accepted in September and October, 1954 respectively.

In November 1954 contracts were let for the drilling of 30 wells (Group 3) to serve an additional 10,647.6 acres. These contracts were completed and accepted in July 1955. Construction of laterals from the wells and completion work on the wells is under contract at the present time and is scheduled to be completed in the fall of 1955 and the spring of 1956.

Thirty-eight wells discharging 255.3 c.f.s. are in operation at the present time serving a total of 16,117.8 acres in Groups 1 and 2.

In March 1954 a contract was let to drill 33 wells to serve an additional 10,635 acres (Group 4). Twenty-six wells on this contract have been completed at the present time with the remaining 7 wells scheduled to be completed in October 1955. Construction of laterals to serve this acreage is under contract at the present time and is scheduled to be completed in the fall of 1956 or the spring of 1957.

20736

In the spring and midsummer of 1955 contracts were let on 77 wells to serve an additional 26,600 acres (Groups 5, 6, and 7). These contracts are scheduled to be completed as follows: Group 5, September 1956; Group 6, August 1956; Group 7, September 1956.

As noted above, construction of laterals to serve the Group 4 lands is under contract at the present time.

Completion work on the wells will be accomplished during the summer and fall of 1956.

Contracts for construction of laterals from Groups 5, 6, and 7 wells are scheduled to be let in the spring of 1956 with work to continue through 1957 and part of the spring of 1958. Completion work on the wells in Groups 5, 6, and 7 is scheduled to be completed in the spring of 1958.

Land opening drawings, acreages, and first year of irrigation will be as follows by groups:

Group	Approximate Acreage	Land Opening Drawing	First year of irrigation
1	7,333.9	1953	1954
2	8,783.9	1954	1955
3	10,647.6	1955	1956
4 & Unit A	24,285.0	1956	1957
5, 6, & 7	26,600.0	1957	1958

The necessary surveys, investigations, design work, farm unit layout, and other work, have been undertaken and are in progress to carry out the orderly construction of the project on the program above outlined. In combination with the Unit A direct diversion from the Snake River, approximately $3,234,000 of construction costs were completed as of June 30, 1955, and an additional $2,395,000 of construction cost is programed and now in progress during fiscal year ending June 30, 1956. The additional work to complete project construction of $4,130,000 is planned for expenditure as indicated.

That the United States is unable to complete the remainder of the said works and submit proof of completion of works within the required time for the following reasons, to wit:

An orderly construction program consistent with making available no more new lands in the community than can be readily settled, having in mind the available finances, local settlement problems, and other factors, dictates a construction program which is as set out above, and prevents completion of the works on a schedule any more rapid than that proposed. It is infeasible and costly to the project settlers to proceed with the work program any faster than indicated above, and it has been impossible to complete the works within the time of the existing permit with the funds made available by the Congress.

Wherefore, the United States makes application to the State Reclamation Engineer to extend the time for completion of works under the said permit to November 5, 1958, pursuant to the provisions of Section 42-204, Idaho Code.

Wm H. Tuller
Acting Regional Director
Region 1, Bureau of Reclamation

Subscribed and sworn to before me this 25th day of October 1955.

R. N. Harris
Notary Public for Idaho
Residing at Boise, Idaho
My commission expires 6/18/57

(SEAL)

20736

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UNDER SECTION 42-204, IDAHO CODE

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20736

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Acting Regional Director
Region 1, Bureau of Reclamation

Subscribed and sworn to before me this 25th day of October 1955.

R. H. Harris
Notary Public for Idaho
Residing at Boise, Idaho
My commission expires 6/18/57

(SEAL)

20736

Minidoka Pumping Extension Well

9/1/55

T 8 S R 21 E

Sec 22

24

26

26

35

35

35

35

T 9 S R 21 E

1

3

3

3

8

8

11

24

35

T 9 S R 22 E

25

30

35

35

35

3

3

7

9

9

10

11

Observation well 3 miles East

2 Private wells 1 and 2 miles E

Private well 1 mile E

3 Private wells 1 to 4 miles E

2 Pvt. wells 1 mile E

20736

9S-22E

15
15

18
18

19

20
20

22

22
22

23

28

30

33
33

10S-22E

3

7S-23E

24
24 B 4/15/53
5/18/55

8S-23E

1 A
6/14/54
1 B 8/30/54
4/12/54
1 C 5/5/54

2 4

4
4

5
5

8 S 23E

8		6/4/54
10	A	6/21/54
		5/14/52
10	B	6/2/52
		5/6/54
12	A	6/7/52
[redacted]		6/8/52
12	B	7/3/54
		4/7/54
12	C	4/24/52
[redacted]		4/26/52
12	D	5/13/52
		7/6/52
14	A	7/23/52
[redacted]		7/24/52
14	B	8/19/52
		6/20/52
15	A	7/22/52
[redacted]		7/22/52
15	B	8/9/52
15		
17		
17		
[redacted]		
17		
19		
[redacted]		
19		
21		
22		
23		
[redacted]		
23		1/15/52
24	A	3/1/52
[redacted]		12/14/53
24	B	1/13/52
		8/19/52
25	A	9/14/52
26		
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27		
27		
28		
28		
[redacted]		
28		

20776

8S 23E

29 [redacted]

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9S 23E

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7S 24E

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23

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26

28 [redacted]

28

30 A 9/11/54

30 B 9/23/54
9/26/54
5/26/54

31 A 5/15/54

32 [redacted]

32 1/4/54

33 A 4/5/54

34 A 3/26/54

20736

7S 24E

35
[redacted]
35

8S 24E

1 A	5/27/55 6/16/55
2	
3	
[redacted]	
3	
4	
4	
6	
6 B	4/3/54
6	
7	
8	
10	
10	
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11	
[redacted]	
11	
12 A	? ?
13	
[redacted]	
13	
14	
15	
18	
20 A	12/11/53 9/19/53
21 B	Comp 11/9/53
21	
22 A	9/27/53 11/9/53

2

20775

27

8 S 24 E

• 23		
• 26		
o 27	3/6/52	
• 29 A	4/26/54	
	?	
• 30 A	June 1955	
• 30	11/15/52	
31 A	1/19/52	
	11/21/52	
31 B	2/9/52	8

7S-25E

27		
29 1		
30		
31		
32		
33	5/19/55	
34 A	6/24/55	7

8S-25E

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8 S 25E

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19 C 8/23/54

19 D 9/24/54

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20325

20325

October 21, 1954

RE: Permit No. 20736

Mr. William H. Tuller
Assistant Regional Director
Bureau of Reclamation, Region 1
Box 937
Boise, Idaho

Dear Mr. Tuller:

Answering your letter of May 28, 1954, File 151, on extension of time for completion of works under Permit No. 20736.

Extension of time was approved to November 5, 1955, on your request for extension to November 5, 1958.

Sometime prior to November 5, 1955, this office will entertain a request for extension of time to November 5, 1958, provided: that the request be advertised in a newspaper or newspapers in the county or counties in which the project is located.

This will afford an opportunity to holders of permits issued subsequent to Permit No. 20736 to present evidence as to the effects of an extension on their water rights or uncompleted water rights.

We do not wish to hamper the development of the project but believe that the interests of the correlative appropriators should be considered.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

K:hll

20736

October 21, 1954

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MARK R. KULP
State Reclamation Engineer

K:hll

20736

Form No. 7

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

September 1, 1955

Regional Director
U. S. Bureau of Reclamation
Box 937
Boise, Idaho

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Boise, Idaho,

Dear Sir:—

I enclose herewith blank form upon which to give notice that you are prepared and desire to submit proof of completion of works under your permit No. 20736.

This form should be filled out and mailed to the Department of Reclamation, at least 60 days before the date upon which proof is to be submitted, which proof MUST be on or before November 5, 1955. Upon receipt of the blank properly filled out, notice of publication will be sent to the paper direct from this office, which notice must be published a period of four weeks prior to the date of proof.

The proof may be submitted at any place convenient to you and two witnesses, where there is a notary public or other officer authorized to administer oaths.

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

20736

Very truly yours,

MARK R. KULP
State Reclamation Engineer

U.S. BUREAU OF RECLAMATION

MINIDOKA PROJECT NORTH SIDE PUMPING DIVISION

IRRIGABLE ACREAGE TABULATION OF UNIT "B"

T 8 S - R 24 E

Section	Irrigable Acres
1	493
2	562
3	581
4	577
5	543
6	515
7	529
8	571
9	576
10	599
11	611
12	523
13	515
14	580
15	612
16	Private
17	566
18	527
19	536
20	521
21	541
22	550
23	606
24	476
25	285
26	342
27	403
28	436
29	546
30	527
31	487
32	256
TOTALS	15,993

20736

U.S. BUREAU OF RECLAMATION

MINIDOKA PROJECT NORTH SIDE PUMPING DIVISION

IRRIGABLE ACREAGE TABULATION OF UNIT "B"

T 8 S - R 25 E

Section	Irrigable Acres
3	473
4	531
5	592
6	369
7	516
8	267
9	224
10	475
11	489
12	325
13	222
14	576
15	457
16	65
17	592
18	576
19	532
20	297
21	519
22	391
23	511
24	199
27	66
28	265
29	127
30	28
TOTALS	9,733

20726

U.S. BUREAU OF RECLAMATION

MINIDOKA PROJECT NORTH SIDE PUMPING DIVISION

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T 8 S - R 25 E

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16	65
17	592
18	576
19	552
20	297
21	519
22	391
23	511
24	199
27	66
28	265
29	127
30	28
TOTALS	9,733

U.S. BUREAU OF RECLAMATION

MINIDOKA PROJECT NORTH SIDE PUMPING DIVISION

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T 8 S - R 24 E

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31	487
32	256
TOTALS	15,993

207.36

U.S. BUREAU OF RECLAMATION

MINIDOKA PROJECT NORTH SIDE PUMPING DIVISION

IRRIGABLE ACREAGE TABULATION OF UNIT "B"

T 7 S - R 23 E

Section	Irrigable Acres
34	76
TOTALS	76

T 7 S - R 24 E

Section	Irrigable Acres
15	113
22	368
23	527
26	444
27	480
28	345
29	335
30	127
31	293
32	479
33	531
34	505
35	499
TOTALS	5,046

T 7 S - R 25 E

Section	Irrigable Acres
27	104
29	120
30	275
31	417
32	523
33	508
34	275
TOTALS	2,222

20736

U.S. BUREAU OF RECLAMATION

MINIDOKA PROJECT NORTH SIDE PUMPING DIVISION

IRRIGABLE ACREAGE TABULATION OF UNIT "B"

T 7 S - R 23 E

Section	Irrigable Acres
34	76
TOTALS	76

T 7 S - R 24 E

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15	113
22	368
23	527
26	444
27	480
28	345
29	335
30	127
31	293
32	479
33	531
34	505
35	499
TOTALS	5,046

T 7 S - R 25 E

Section	Irrigable Acres
27	104
29	120
30	275
31	417
32	523
33	508
34	275
TOTALS	2,222

20734

U.S. BUREAU OF RECLAMATION

MINIDOKA PROJECT NORTH SIDE PUMPING DIVISION

IRRIGABLE ACREAGE TABULATION OF UNIT "B"

T 8 S - R 23 E

Section	Irrigable Acres
1	609
2	570
3	532
4	479
5	369
8	294
9	532
10	581
11	559
12	599
13	602
14	563
15	567
17	340
19	90
20	458
21	601
22	555
23	478
24	588
25	510
26	590
27	584
28	616
29	581
30	275
31	225
32	507
33	570
34	606
35	606
TOTALS	15,636

28736

U.S. BUREAU OF RECLAMATION

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T 8 S - R 23 E

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22	555
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27	584
28	616
29	581
30	275
31	225
32	507
33	570
34	606
35	606
TOTALS	15,636

20736

U.S. BUREAU OF RECLAMATION

MINIDOKA PROJECT NORTH SIDE PUMPING DIVISION

IRRIGABLE ACREAGE TABULATION OF UNIT "B"

T 9 S - R 23 E

Section	Irrigable Acres
2	[illegible]
3	299
4	275
5	[illegible]
6	272
7	[illegible]
TOTALS	1,171

T 10 S - R 22 E

Section	Irrigable Acres
3	248
TOTALS	248

TOTALS - UNIT "B" = 66,656

287736

U.S. BUREAU OF RECLAMATION

MINIDOKA PROJECT NORTH SIDE PUMPING DIVISION

IRRIGABLE ACREAGE TABULATION OF UNIT "B"

T 9 S - R 22 E

Section	Irrigable Acres
1	515
2	465
3	284
4	132
7	117
8	481
9	415
10	587
11	518
12	196
14	467
15	589
17	508
18	251
19	413
20	579
21	579
22	500
23	280
28	472
29	535
30	251
31	34
32	63
33	630
34	173
TOTALS	10,058

20736

U.S. BUREAU OF RECLAMATION

MINIDOKA PROJECT NORTH SIDE PUMPING DIVISION

IRRIGABLE ACREAGE TABULATION OF UNIT "B"

T 9 S - R 22 E

Section	Irrigable Acres
1	515
2	465
3	284
4	152
7	117
8	241
9	415
10	587
11	516
12	196
14	467
15	589
17	508
18	251
19	413
20	579
21	579
22	580
23	240
28	472
29	515
30	251
31	34
32	63
33	630
34	173
TOTALS	10,058

20736

U.S. BUREAU OF RECLAMATION

MINIDOKA PROJECT NORTH SIDE PUMPING DIVISION

IRRIGABLE ACREAGE TABULATION OF UNIT "B"

T 9 S - R 21 E

Section	Irrigable Acres
1	290
2	447
3	484
4	234
7	80
8	335
9	392
10	263
11	38
17	230
18	20
33	70
34	235
35	194
TOTALS	3,312

20736

U.S. BUREAU OF RECLAMATION

MINIDOKA PROJECT NORTH SIDE PUMPING DIVISION

IRRIGABLE ACREAGE TABULATION OF UNIT "B"

T 8 S - R 21 E

Section	Irrigable Acres
22	167
23	188
24	48
25	314
26	586
27	237
33	120
34	213
35	630
TOTALS	2,503

T 8 S - R 22 E

Section	Irrigable Acres
24	105
25	337
30	31
35	185
TOTALS	658

20736

U.S. BUREAU OF RECLAMATION

MINIDOKA PROJECT NORTH SIDE PUMPING DIVISION

IRRIGABLE ACREAGE TABULATION OF UNIT "B"

T 9 S - R 21 E

Section	Irrigable Acres
1	290
2	447
3	404
4	234
7	80
8	335
9	392
10	263
11	30
17	230
18	20
33	70
34	235
35	194
TOTALS	3,312

20736

U.S. BUREAU OF RECLAMATION

MINIDOKA PROJECT NORTH SIDE PUMPING DIVISION

IRRIGABLE ACREAGE TABULATION OF UNIT "B"

T 8 S - R 21 E

Section	Irrigable Acres
22	167
23	188
24	48
25	314
26	586
27	237
33	120
34	213
35	630
TOTALS	2,503

T 8 S - R 22 E

Section	Irrigable Acres
24	105
25	337
30	31
35	185
TOTALS	658

20236

IN REPLY REFER TO:

151

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
REGIONAL OFFICE, REGION I
BOX 937, BOISE, IDAHO

RECEIVED
MAY 29 1954
Department of Reclamation

Mr. Mark R. Kulp
State Reclamation Engineer
Department of Reclamation
Boise, Idaho

MAY 28 1954

Dear Mr. Kulp:

This letter relates to the extension of time for completion of works under Permit No. 20736, which applies to Unit B of the North Side Pumping Division of the Minidoka Project.

Your letter of February 5 indicated some doubt as to whether a further extension of time beyond November 5, 1955 to complete the construction of project works would be justified. As discussed in our recent conference, I am providing you with the pertinent facts as to the construction schedule so that recognition can be given now by you to the desirability of a further extension of time, subject, of course, to there being worked out, either through a change in state law or by a mutually satisfactory arrangement at that time, appropriate publication of notice and hearing as to such time extension.

As you are aware, the construction program for the North Side Pumping Division of the Minidoka Project is a matter directly hinged to the availability of appropriations by the Congress. The Congress has, so far, proceeded on the basis of an orderly program that takes into account the problems of assuring that sufficient time is available to make the necessary detailed land classification, locate the wells with precision, design and lay out the farm unit laterals, and plan the farm units so that each veteran settler will be assured of an adequate farm unit, both as to layout and size. The first group of wells, consisting of 15, to serve about 7,259 irrigable acres, are now under irrigation. The second group, consisting of 22 wells to serve about 8,894 acres, are now being constructed and irrigation will be provided during 1955. The third group of wells, consisting of 30, are now being preliminarily designed, farm units laid out, and detailed engineering work done so that they will be completed by the end of 1955 for irrigation during 1956. This group will serve about 10,684 irrigable acres. The foregoing three groups of wells will be completed within the time now set under Permit No. 20736 as presently extended. Under present plans, however, the program is so designed as to carry forward the design, land classification, necessary survey and other work so that the fourth group of wells, consisting of 32 in number, to irrigate 10,964 acres, will be irrigated in 1957, and the fifth, sixth, and seventh

20736

group of wells, containing 73 in number, covering 26,205 acres, will be completed for irrigation in 1958. Although not covered by the permit, it should also be noted that Unit A, containing approximately 13,000 acres, will also be brought in for irrigation during 1957. Taking into account Unit A, it will be seen that there is now underway an orderly program to bring in a large area of land at what is regarded to be the most feasible rate, the program, to summarize, being as follows:

Wells	Area	First year of irrigation
15	7,259	1954
22	8,894	1955
30	10,648	1956
32 and Unit A	24,000	1957
73	26,205	1958

Even if it were feasible to do so, it would be most undesirable to complete in the early fall of 1955 the works to serve the 36,000 additional pump acres now scheduled for completion for irrigation in 1957 and 1958. We have been informed that power would not be available for pumping except on an exchange basis and at steam rates. Also, some idea of the settlement problems that would be involved in such an accelerated program can be foreseen from the fact that to serve the group one wells consisting of 15, covering 7,259 acres, the Farm Home Administration invested in loans to develop 72 farm units $900,000, and it is doubtful that financing could be made available from all sources to meet settlement needs, should such a large block as an additional 36,000 acres be brought in at the end of 1955. It has been determined that an additional $2,000,000 of funds would be required for construction in fiscal year 1955, and about a similar amount in 1956 to undertake such an expedited program. From all aspects, then, it is our belief that the orderly program now undertaken by the Congress is the most desirable, both for the benefit of having a satisfactory time to complete the necessary engineering and design work, as well as from the point of view of the local community, the veteran settlers, and all other state and federal agencies who must cooperate in providing the services, financing, and other community facilities to bring into development a new irrigated area.

It is hoped that the foregoing will provide for your records the basis for your indicating now that there is sufficient justification for the holding of a hearing, sometime before November 1955, looking toward extending the time of completion. Also, in accordance with our discussions, we will provide you at an early date with a

revision of the permit to indicate the changes in location of wells and irrigable area that have been found to be necessary upon the basis of a more thorough land classification, ground water surveys, and other detailed design work.

Your interest and cooperation in furthering the orderly development of the North Side Pumping Division and in working out, under state procedures, a water permit that will allow all the project settlers to have a common priority date on this project, is very much appreciated. As you are aware, this project does not have a common water distribution system, thereby precluding the exchange of water from area to area. It therefore becomes exceedingly important to have a water permit issued so that all wells can be operated on the same basis as to priority, since all lands will be generally and jointly liable for project costs.

Sincerely yours,

W. H. Tiller

Assistant Regional Director

20736

February 5, 1954

RE: Permit No. 20736

Mr. William H. Tuller
Acting Regional Director
Bureau of Reclamation
P. O. Box 937
Boise, Idaho

Extension of time for Completion of Works

Dear Mr. Tuller:

The extension of time for completion of works under Permit No. 20736 was approved for two years instead of the five years requested for the reason given in our letter of January 8, 1954.

It is the intention of the State Department of Reclamation to suggest amendment to Section 42-204 Idaho Code to provide for the advertising of application for extension of time so that subsequent apropriators or permit holders may be informed and have a statutory proceedure for making protests.

At the end of the present two year approved extension of time for completion of works the permit holder will still be permitted to apply for an additional extension of time whether the suggested amendment is passed or not, but in case of protests after advertising or no protests without advertising an intensive investigation will be made to determine the proper public policy.

It is expected that a further extension of time will be difficult to justify.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

/tr

Well Log in Well Log File

20736

√

February 5, 1954

RE: Permit No. 20736

Mr. William H. Tuller
Acting Regional Director
Bureau of Reclamation
P. O. Box 937
Boise, Idaho

Extension of time for Completion of Works

Dear Mr. Tuller:

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At the end of the present two year approved extension of time for completion of works the permit holder will still be permitted to apply for an additional extension of time whet er the suggested amendment is passed or not, but in case of protests after advertising or no protests without advertising an intensive investigation will be made to determine the proper public policy.

It is expected that a further extension of time will be difficult to justify.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

/br

20736

IN REPLY REFER TO:

151

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
REGIONAL OFFICE, REGION 1
BOX 937, BOISE, IDAHO

JAN 27 1954

Mr. Mark F. Kulp
State Reclamation Engineer
Department of Reclamation
Boise, Idaho

RECEIVED
JAN 28 1954
Department of Reclamation

Dear Mr. Kulp:

We have received your letter of January 8 extending the time for completion of works under Permit No. 20736 for a two-year period until November 5, 1955. As you are aware, Permit No. 20736 relates to the North Side Pumping Division of the Minidoka Project.

In our application for an extension of time, the request was made under Section 42-204, Idaho Code, for a period of five years until November 5, 1958. Our program is such that under the present rate of construction through the money made available by the Congress, the entire North Side pumping area will not be completed by November 5, 1955, and unless steps are taken now to step up greatly the rate of appropriations and development for the project, a further extension of the period of time to complete the works will be required. Accordingly, we must know now, to meet your requirements, whether or not the project must be completed under Permit No. 20736 by the extension date of November 5, 1955. As we understand proviso 3 of Section 42-204, Idaho Code, the State Reclamation Engineer is authorized to grant additional extensions of time upon proper showing. It is important for us to know now, however, whether or not such a further extension of time request would be rejected on the basis of the determinations made by you in your letter of January 8.

As indicated above, if the orderly, presently-planned construction program cannot be carried out, it will be necessary to inform the various interests of your determination and make available to them now the opportunity to step up the program so that it can be completed within the time period allowed by you for the completion of works under Permit No. 20736. In this connection it would be helpful to know the source and basis for the protest filed to the requested extension which was considered by you in arriving at the decision made in your letter of January 8.

Sincerely yours,

W. H. Tullen

Regional Director

20736

20736

January 8, 1954

U. S. Bureau of Reclamation
Regional Office, Region 1
Box 937
Boise, Idaho

ATT: Mr. F. M. Clinton
Acting Regional Director

Extension of time for
Completion of Works on
Permit No. 20736.

Dear Mr. Clinton:

The United States, acting through the U. S. Bureau of Reclamation, has made application for extension of time for Completion of Works on Permit No. 20736, for five years or until November 5, 1958.

Appropriations have been made or initiated in the same vicinity, presumably from the same source of supply of subterranean water, by individuals, partnerships and corporations, subsequent to the application for permit by the United States which was approved as Permit No. 20736.

Since there is no statutory provision for advertising application for extension of time or for formal protests and hearings on protests, and since an informal protest has been filed by a subsequent appropriator, all pertinent information has been considered by the Department of Reclamation and it seems proper to approve an extension of time for a period of two years instead of the five years requested in the application.

Accordingly, the application for extension of time for Completion of Works under Permit No. 20736 will be approved to November 5, 1955.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

K/re

Copy to Julian Clawson
James -

20736

LAW OFFICE
IRWIN CLAWSON
141 East Second South
Salt Lake City 1, Utah
Phone 9-2058

October 28, 1953

RECEIVED
OCT 29 1953
Department of Reclamation

Department of Reclamation
State of Idaho
State Capitol
Boise, Idaho

Attention: Mr. Kulp

Dear Mr. Kulp:

Re: Permit No. 20736

I am in receipt of your favor of October 24th, stating that the U. S. Bureau of Reclamation has made application for an extension of five years under the above permit.

The granting of the extension sought will result in giving an arbitrary advantage without justification.

Julion Clawson Farms, Inc. and Intermountain Securities Corporation, as two of the numerous applicants who are now subsequent to Permit No. 20736, would like an opportunity of formally protesting any extension.

Will you kindly set a date when it will be convenient for all concerned to appear on this matter?

Thanking you for your courtesy in notifying me, and awaiting word as to when it will be convenient to appear, I remain

Cordially yours,

Irwin Clawson

IC:AE

IRWIN CLAWSON

IN REPLY REFER TO:

150

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
REGIONAL OFFICE, REGION 1
BOX 937, BOISE, IDAHO

RECEIVED
OCT 26 1954
Department of Reclamation

OCT 25 1954

Mr. Mark R. Kulp
State Reclamation Engineer
Department of Reclamation
Boise, Idaho

Dear Mr. Kulp:

Thank you for your letter of October 21 in connection with the extension of time for completion of works under Permit No. 20736 relating to Unit B of the North Side Pumping Division, Minidoka Project. We will prepare and submit to you a request for extension of time for completion of works beyond November 5, 1955. As heretofore indicated in our discussions, there is no objection to the proposal that the requested extension, when received, be advertised in the newspapers in the counties involved.

Sincerely yours,

W. H. Tullen

Acting Regional Director

20736

October 24, 1953

RE: Permit No. 20736

S. A. High & Sons
1760 Kimberly Road
Twin Falls, Idaho

Gentlemen:

The U. S. Bureau of Reclamation has made application for extension of time for completion of works under Permit No. 20736 for 5 years or until November 5, 1958.

There is no provision for advertising such an application or procedure for making protest against extension of time, but since you have asked to be notified in the event of such application for extension of time, I will be pleased to have a statement of any views you may have on the matter.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

K:fg

20736

October 24, 1953

RE: Permit No. 20736

Mr. Irwin Clawson
141 East Second South
Salt Lake City, Utah

Dear Mr. Clawson:

The U. S. Bureau of Reclamation has made application for extension of time for completion of works under Permit No. 20736 for 5 years, or until November 5, 1958.

There is no provision for advertising such an application or procedure for making protest against extension of time, but since you have asked to be notified in the event of such application for extension of time, I will be pleased to have a statement of any views you may have on the matter.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

K:fg

20736

October 24, 1953

RE: Permit No. 20736

Mr. Lawrence H. Duffin
Box 61
Rupert, Idaho

Dear Mr. Duffin:

The U. S. Bureau of Reclamation has made application for extension of time for completion of works under Permit No. 20736 for 5 years or until November 5, 1958.

There is no provision for advertising such an application, or procedure for making protest against extension of time, but since you have asked to be notified in the event of such application for extension of time, I will be pleased to have a statement of any views you may have on the matter.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

K:fg

20736

IN REPLY REFER TO:

151

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
REGIONAL OFFICE, REGION I
BOX 937, BOISE, IDAHO

SEP 30 1953

RECEIVED
OCT 1 1953
Department of Reclamation

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

Dear Mr. Kulp:

Under the terms of permit No. 20736, approved on November 5, 1948, for the appropriation of ground water, in connection with the North Side Pumping Division of the Minidoka project, there is a provision that proof of completion of construction be made on or before November 5, 1953. In our letter of April 23, 1951, we provided you with information as to the status of the work at that time. I now find that complete construction will require an additional five years, and accordingly there is enclosed an application for extension of time for completion of work, which has been prepared having in mind the provisions of Section 42-204 Idaho Code.

If you desire any further information in connection with the present progress of work under permit No. 20736, or any further information relating to plans for completion, it will be provided to you.

Sincerely yours,

F. M. Clinton

Acting Regional Director

Enclosure

20736

LAW OFFICE
IRWIN CLAWSON
141 EAST SECOND SOUTH
SALT LAKE CITY 1, UTAH
PHONE 9-2058

May 4, 1953

RECEIVED
MAY 5 1953
Department of Reclamation

Department of Reclamation
State Capitol
Boise, Idaho

Dear Mr. Kulp:

Re: Extension to the U. S. Bureau of Reclamation on their filings

In our conversation last Thursday, you pointed out that the Federal Government had until November, as I recall, in which they might apply for an extension of time for completion of works, due to the failure of Congress to appropriate money for faster development.

At that time you stated that if such an application was made you would have to ask for a legal opinion as to your authority to extend the time. It would be greatly appreciated if you would advise me as soon as any application is made, so that I may have an opportunity to consult with the Attorney General on the lack of authority to grant such an extension.

I think this is a matter in which a great many are interested, and if the commissioner has authority to extend the time under these circumstances, the Bureau can hold their priority indefinitely.

Trusting you can see your way clear to notify me, I remain

Cordially yours,

IC:AE

IRWIN CLAWSON

PERMIT NO. 20736
EXTENSION OF TIME FOR COMPLETION OF WORKS
UNDER SECTION 42-204, IDAHO CODE

STATE OF IDAHO)
) ss.
County of Ada)

I, Regional Director, Region 1, Bureau of Reclamation, Box 937, Boise, Idaho, acting on behalf of the United States, being first duly sworn upon oath, depose and say:

That the United States of America, acting through the Bureau of Reclamation, is the owner and holder of a permit to appropriate the public waters of the State of Idaho, No. 20736.

That under the terms and conditions of said permit, completion of works is required to be established by November 5, 1953.

That the United States has heretofore in good faith performed the following work and taken the following steps to bring about the completion of the said works described under the said permit, to wit:

15 irrigation-water-supply wells have been drilled; a contract has been awarded for drilling 22 additional wells, and the contractor has started drilling; 15 observation wells have been drilled; 15 pumping units have been installed and water is available to 7,289 acres, 5,100 of which were irrigated in 1953; surveys have been made and 7,289 acres to be irrigated by the first 15 wells will be awarded to veteran settlers this fall. Continuing surveys and investigations, design, farm unit layout, and other work, have been undertaken. Approximately $1,000,000 has been expended in connection with the construction of the project.

That the United States is unable to complete the remainder of the said works and submit proof of completion of works within the required time for the following reasons, to wit:

The status of plans, design and construction fund appropriations have not progressed to the point where it is possible to complete the works by November 5, 1953. The completion of these procedures, including the amount of work required to provide adequate planning of well locations, farm units, laterals, and other works, as well as the time required to complete construction, will require an additional five years, or until November 5, 1958.

Wherefore, the United States makes application to the State Reclamation Engineer to extend the time for completion of works under the said permit to November 5, 1958, pursuant to the provisions of Section 42-204, Idaho Code.

F. M. Clinton
Acting Regional Director
Region 1, Bureau of Reclamation

Subscribed and sworn to before me this 30th day of Sept., 1953.

R. H. Harris
Notary Public for Idaho,
Residing at Boise, Idaho

(SEAL)

My commission expires: 6/18/57

20736

PERMIT NO. 20736
EXTENSION OF TIME FOR COMPLETION OF WORKS
UNDER SECTION 42-204, IDAHO CODE

STATE OF IDAHO)
) ss.
County of Ada)

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20736

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F. M. Clinton
Acting Regional Director
Region 1, Bureau of Reclamation

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/s/ R. H. Harris
Notary Public for Idaho,
Residing at Boise, Idaho

(SEAL)

My commission expires: 6/18/57

IN REPLY REFER TO:

150

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
REGIONAL OFFICE, REGION I
BOX 937, BOISE, IDAHO

RECEIVED
APR 24 1951
Department of Reclamation

APR 23 1951

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

Dear Mr. Kulp:

Under the terms of Permit No. 20736, approved on November 5, 1948, for the appropriation of underground water in connection with the North Side Pumping Division of the Minidoka Project, Idaho, there is a provision that one-fifth of the work specified was to be completed on or before May 5, 1951.

In compliance with this requirement, I am providing a brief explanation of the work accomplished on the North Side Pumping Division.

Project investigations and a project report have been completed. Preconstruction work and advanced planning work are underway with a Definite Plan Report to be issued in the near future. Four observation wells have been drilled and are operating with automatic recorders to show the effect on ground water due to pumping from deep wells. Contracts were awarded in April of this year for the drilling of six more observation wells. Ten irrigation wells have been drilled and are equipped with electric pumps. A pump was installed in a well which had heretofore been drilled in connection with the Prisoner-of-War Camp. The eleven wells will be operated during the 1951 irrigation season to irrigate 5,238 acres, which area has been leased for agricultural purposes. In addition to the eleven wells, the lateral system has been constructed. Up to March 13, 1951, expenditures have totaled $585,000. We are sending separately, with a copy of this letter, the following drawings:

Drawing No.	Title or Description
701-107-2839	Areas irrigated in 1949-50-51
701-107-2750	Drill log and test results
701-107-2749	Drill log and test results
701-107-2747	Drill log and test results
701-107-2751	Drill log and test results
701-107-2748	Drill log and test results
701-107-2753	Drill log and test results
701-107-2752	Drill log and test results
Table No. 1	Summary of data for purchase and installation of 7 deep well pumps

20736

Similar information as to the initial observation wells is contained in our Project Planning Report No. 1-5.53.1-1, which has heretofore been furnished you.

If you desire any further information in connection with the present progress of work under Permit No. 20736 it will be provided.

Sincerely yours,

F. M. Clinton

Assistant Regional Director

In duplicate

Enclosure

20736

IN REPLY REFER TO

UNITED STATES
DEPARTMENT OF THE INTERIOR

150

BUREAU OF RECLAMATION
REGIONAL OFFICE, REGION I
BOX 937, BOISE, IDAHO

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State Reclamation Engineer
Boise, Idaho

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701-107-2751	Drill log and test results
701-107-2748	Drill log and test results
701-107-2753	Drill log and test results
701-107-2752	Drill log and test results
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If you desire any further information in connection with the present progress of work under Permit No. 20736 it will be provided.

Sincerely yours,

Assistant Regional Director

In duplicate

Enclosure

Plans filed in Roll file A-172

20736

November 24, 1948

Mr. H. T. Nelson,
Acting Regional Director,
Bureau of Reclamation
Box # 937
Boise, Idaho

Dear Mr. Nelson:

We return vouchers for payment of publication costs in connection with Permit No. 20736, covering group of wells for use of Unit "B", Minidoka North Side Pumping Project, which have been duly signed by the State Reclamation Engineer.

Very truly yours,

MARK T. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encls.

20736

UNITED STATES
DEPARTMENT OF THE INTERIOR

BUREAU OF RECLAMATION
Region 1
P. O. Box 937 - Boise, Idaho

PLEASE REFER IN REPLY TO
1-150

NOV 23

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

Dear Mr. Kulp:

We have received your letter of November 3 enclosing affidavits of publication and statements of costs from the Jerome North Side News and the Lincoln County Journal in connection with notice of application to appropriate water from a group of wells for the use of Unit "B", Minidoka North Side Pumping, Minidoka Project.

In response to your request, vouchers have been made out and are enclosed for your signature, one for each of the newspapers. Please sign in ink where indicated and return to this office for payment.

Very truly yours,

H. T. Nelson,
Acting Regional Director

Enclosures (2)

RECEIVED
Department of Reclamation

20736

20736

January 24, 1949

Lincoln County Journal
Shoshone, Idaho

Gentlemen:

We enclose U. S. Treasurer's check in the amount of $13.20 endorsed to your order in payment of the enclosed statement for publication of notice of application of the U. S. Bureau of Reclamation to appropriate underground water, which appeared in your paper from September 24 to October 8, 1948, inclusive.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/gt
Encl.

CC: U. S. Bureau of Reclamation

20736

20736

January 24, 1949

Jerome North Side News
Jerome, Idaho

Gentlemen:

We enclose U. S. Treasurer's check in the amount of $13.40 endorsed to your order in payment of the enclosed statement for publication of notice of application of the U. S. Bureau of Reclamation to appropriate underground water, which appeared in your paper from September 23 to October 7, 1948, inclusive.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/gt
Encl.

CC: U. S. Bureau of Reclamation

20736

Standard Form No. 1034a—Rev.
Form approved by
Comptroller General, U. S.
May 26, 1938
(Amended August 15, 1941)

PUBLIC VOUCHER FOR PURCHASES AND SERVICES OTHER THAN PERSONAL

D. O. Vou. No. _____

Bu. Vou. No. 28954

GENERAL ACCOUNTING OFFICE PREAUDIT

Certified for payment in the sum of $_____

Comptroller General of the United States

By _____

U. S. Dept. of Interior, Bureau of Reclamation
(Department, bureau, or establishment)

Voucher prepared at Boise, Idaho
(Give place and date)

THE UNITED STATES, Dr.,

To State Reclamation Engineer
(Payee)

Address Boise, Idaho

Payee's Account No. _____

PAID BY

(For use of Paying Office)

No. and Date of Order	Date of Delivery or Service	Articles or Services (Enter description, item number of contract or general supply schedule, and other information deemed necessary) Terms _____% Discount Cash _____ days	Quantity	UNIT PRICE Cost	UNIT PRICE Per	AMOUNT Dollars	AMOUNT Cts.
		Brought forward from continuation sheet(s)					
		Fee for publication of statutory notice of application for ground water to be utilized on proposed Unit "B", North Side Pumping Division, Minidoka Project, Idaho				13	40
		Publication in Jerome County, Idaho					

Shipped from _____ to _____ Weight _____ Government B/L No. _____ Total 13 40

(Payee must NOT use this space)

Differences _____

Account verified; correct for 13 40

(Signature or initials) _____

State Reclamation Engineer

Mark R. Kulp State Reclamation Engineer

Contract No. _____ Date _____ Req. No. _____ Date _____ Invoice Rec'd _____

4

13.40

MEMORANDUM

JAN 17 1949 Authorized Certifying Officer. Geo. B. Snow Chief Clerk

ACCOUNTING CLASSIFICATION (for completion by Administrative Office)

Appropriation, limitation, or project symbol	Appropriation title	Limit'n or Proj't Amount	Appropriation Amount
14X0300.063	Minidoka Project, Idaho: Construction		$13.40

Allotment symbol	Amount	Obligations liquidated	COST ACCOUNT Symbol	COST ACCOUNT Amount	OBJECTIVE CLASSIFICATION Symbol	OBJECTIVE CLASSIFICATION Amount

Paid by { Check No. _____ dated _____, 19____, for $_____ } { on Treasurer of the United States in favor of payee named above.

Cash, $_____, on _____, 19____, Payee _____
(Sign original only)

* When a voucher is signed or receipted in the name of a company or corporation, the name of the person writing the company or corporate name, as well as the capacity in which he signs, must appear. For example: "John Doe Company, per John Smith, Secretary", or "Treasurer", as the case may be.

† If the ability to certify and authority to approve are combined in one person, one signature only is necessary; otherwise the approving officer will sign in the blank space below "Approved for $_____", and over his official title.

Per _____

Title _____

U. S. GOVERNMENT PRINTING OFFICE 16—22900a-1

METHOD OF OR ABSENCE OF ADVERTISING

(Section 3709 of the Revised Statutes)

1. After advertising in newspapers.

2. (*a*) After advertising by circular letters sent to _____ dealers.

(*b*) And by notices posted in public places.

(If notices were not posted in addition to advertising by circular letters sent to dealers, explanation of such omission must be made. The notation on the certificate on the face of the voucher must be "2(*a*)(*b*)" or "2(*a*)", depending on whether or not notices were posted.)

3. Without advertising under an exigency of the service which existed prior to the order and would not admit of the delay incident to advertising.

4. Without advertising in accordance with federal statutes (32 Stat. 388) and state statutes (sec. 11-202 Idaho Code Annotated)

5. Without advertising, it being impracticable to secure competition because of _____

(Here state in detail the nature of the exigency or circumstances under which the securing of competition was impracticable under 3 and 4)

NOTE.—The above form "Method of or Absence of Advertising" is to be used when purchases are made or services secured under proper authority without written agreement in any form. In case of a written agreement (formal contract, proposal, and acceptance, or less formal agreement) Standard Form No. 1036—Revised should be used for abstracting the method of or absence of advertising and award of contract. (See General Regulations No. 51, Supplement No. 6, General Accounting Office, Aug. 20, 1930.)

16—22909-1

Standard Form No. 1034a—Rev.
Form approved by
Comptroller General, U. S.
May 26, 1938
(Amended August 15, 1941)

PUBLIC VOUCHER FOR PURCHASES AND SERVICES OTHER THAN PERSONAL

D. O. Vou. No. _____

Bu. Vou. No. 28953

GENERAL ACCOUNTING OFFICE PREAUDIT		PAID BY
Certified for payment in the sum of $_____	U. S. Dept. of Interior, Bureau of Reclamation (Department, bureau, or establishment)	
Comptroller General of the United States	Voucher prepared at Boise, Idaho (Give place and date)	
By _____	THE UNITED STATES, Dr.,	
	To State Reclamation Engineer (Payee)	
	Address Boise, Idaho	
	Payee's Account No. _____	(For use of Paying Office)

No. and Date of Order	Date of Delivery or Service	Articles or Services (Enter description, item number of contract or general supply schedule, and other information deemed necessary) Terms _____% Discount Cash _____ days	Quantity	UNIT PRICE Cost	UNIT PRICE Per	AMOUNT Dollars	AMOUNT Cts.
		Brought forward from continuation sheet(s)					
		Item for publication of statutory notice of application for ground water to be utilized on proposed Unit "F", North Side Pumping Division, Minidoka Project, Idaho				13 20	
		Publication in Lincoln County, Idaho					
						13 20	

Shipped from _____ to _____ Weight _____ Government B/L No. _____ Total _____

(Payee must NOT use this space)

State Reclamation Engineer

Differences _____

Account verified; correct for 13 20

(Signature or initials) _____

Contract No. _____ Date _____ Req. No. _____ Date _____ Invoice Rec'd _____

4

13.20

MEMORANDUM

Geo. B. Snow
Chief Clerk
Authorized Certifying Officer.

ACCOUNTING CLASSIFICATION (for completion by Administrative Office)

Appropriation, limitation, or project symbol	Appropriation title	Limit'n or Proj't Amount	Appropriation Amount
14X0100.963	Minidoka Project, Idaho: Construction		13.20

Allotment symbol	Amount	Obligations liquidated	COST ACCOUNT Symbol	COST ACCOUNT Amount	OBJECTIVE CLASSIFICATION Symbol	OBJECTIVE CLASSIFICATION Amount

13.20

Paid by { Check No. _____ dated _____, 19____, for $_____ } on Treasurer of the United States in favor of payee named above.
{ Cash, $_____, on _____, 19____, Payee _____ (Sign original only) }

* When a voucher is signed or receipted in the name of a company or corporation, the name of the person writing the company or corporate name, as well as the capacity in which he signs, must appear. For example: "John Doe Company, per John Smith, Secretary", or "Treasurer", as the case may be.
† If the ability to certify and authority to approve are combined in one person, one signature only is necessary; otherwise the approving officer will sign in the blank space below "Approved for $_____", and over his official title.

Per _____

Title _____

U. S. GOVERNMENT PRINTING OFFICE 16—22900a-1

METHOD OF OR ABSENCE OF ADVERTISING

(Section 3709 of the Revised Statutes)

1. After advertising in newspapers.

2. (*a*) After advertising by circular letters sent to _____ dealers.

(*b*) And by notices posted in public places.

(If notices were not posted in addition to advertising by circular letters sent to dealers, explanation of such omission must be made. The notation on the certificate on the face of the voucher must be "2(*a*) (*b*)" or "2(*a*)", depending on whether or not notices were posted.)

3. Without advertising under an exigency of the service which existed prior to the order and would not admit of the delay incident to advertising.

4. Without advertising in accordance with federal statutes (32 Stat. 308) and state statutes (sec. 11-202 Idaho Code Annotated)

5. Without advertising, it being impracticable to secure competition because of _____

(Here state in detail the nature of the exigency or circumstances under which the securing of competition was impracticable under 3 and 4)

NOTE.—The above form "Method of or Absence of Advertising" is to be used when purchases are made or services secured under proper authority without written agreement in any form. In case of a written agreement (formal contract, proposal, and acceptance, or less formal agreement) Standard Form No. 1036—Revised should be used for abstracting the method of or absence of advertising and award of contract. (See General Regulations No. 51, Supplement No. 6, General Accounting Office, Aug. 20, 1930.)

16—22900-1

November 10, 1948

Re: Permit No. 20736

U. S. Bureau of Reclamation
Box 937
Boise, Idaho

Attention: Mr. H. T. Nelson

Dear Mr. Nelson:

We enclose Permit No. 20736 issued on your application to appropriate underground water for use on "Unit B", North Side Pumping Division of the Minidoka Project.

We also enclose Depertmental Receipt No. 20952 for the $358.25 filing fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/gt
Encls.

20736

November 3, 1948

Re: Application No. 28278

Mr. H. T. Nelson
Acting Regional Director, Region 1
Bureau of Reclamation
P. O. Box 937
Boise, Idaho

Dear Mr. Nelson:

We have now received affidavits of publication and statements of costs from the Jerome North Side News and the Lincoln County Journal in connection with notice of the application of the U. S. Bureau of Reclamation to appropriate water from a group of wells in Jerome and Lincoln counties. These affidavits and statements are enclosed herewith.

In your letter of September 17 you enclosed one voucher for the payment of publication costs. However, since the only way we can handle these payments is by endorsing your check to the newspapers, it is necessary that there should be two vouchers covering these two separate items.

We are returning the one voucher herewith with the request that you substitute two in the amount indicated in the enclosed statements.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

20736

A/gt
Encls.

November 1, 1948

Jerome North Side News
Jerome, Idaho

Gentlemen:

We thank you for the duplicate affidavits of publication of notice of application for permit of the U. S. Bureau of Reclamation, which was published September 23 to October 7, inclusive.

However, you did not send duplicate statement of publication costs that we requested and we shall appreciate receiving same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/gt

20736

app. 18278

October 26, 1948

Lincoln County Journal
Shoshone, Idaho

Gentlemen:

Please send us duplicate affidavits of publication together with duplicate statements of costs for notice of the application of the U. S. Bureau of Reclamation to appropriate water from a group of wells.

This notice was sent you on September 20 and no doubt has been published although we have received no acknowledgement from you, nor have we received a copy of the paper containing the notice as requested.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/gt

20736

app. 18278

October 26, 1948

Jerome North Side News
Jerome, Idaho

Gentlemen:

Please send us duplicate affidavits of publication together with duplicate statements of costs on notice of application of the U. S. Bureau of Reclamation to appropriate water from a group of wells, which was published in your paper from September 23 to October 17, 1948, inclusive.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/gt

20736

AFFIDAVIT of PUBLICATION

State of Idaho, } SS.
County of Jerome }

W. T. MacKnight, being first duly sworn, deposes and says that he is the printer (publisher) of the Jerome North Side News, a newspaper published every week in Jerome, County of Jerome, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for Three consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 23rd day of Sept., 1948, and the date of the last publication was on the 7th day of October, 1948

W. T. MacKnight

Subscribed and sworn to before me this 20th day of October, 1948

(SEAL)

Clark Ellis
NOTARY PUBLIC

JEROME NORTH SIDE NEWS

COST OF PUBLICATION

20736

Number of Lines in Notice	67	
Number of Insertions	3	
67 Lines at 10c		6.70
134 Lines at 5c		6.70
TOTAL COST		13.40

(COST COMPUTED AT RATE OF 10c PER LINE FOR FIRST INSERTION, 5c PER LINE FOR ALL SUCCESSIVE INSERTIONS)

COPY OF NOTICE
(Paste Here)

Notice of Application

TITLE OF NOTICE

Appr. Public Waters of State

PLAINTIFF ATTORNEY

DEFENDANT

State Reclamation

STATE OF [illegible]

NOTICE OF APPLICATION [illegible]

IDAHO CODE ANN. [illegible]

NOTICE IS HEREBY GIVEN that the United States of America, through the Regional Director, Region 1, U. S. Bureau of Reclamation, of Boise, Idaho, on the 9th day of September, 1948, made application for permit to appropriate [illegible] Thousand Three Hundred and Twenty-eight (83.28) cubic feet per second of [illegible] for irrigation and domestic purposes.

That the points of diversion of said waters, or the location of the wells, are at various points in the following townships, to-wit:

Twp. 9 South, Range 20 East, B. M.; Twps. 8 and 9 South, Range 21 East, B. M.; Twps. 8 and 9 South, Range 22 East, B.M.; Twps. 8 and 9 South, Range 23 East, B. M.; Twps. 7, and 8 South, Range 24 East, B. M.; Twp. 8 South, Range 25 East, B. M.

That the lands to be irrigated consist of 66,654.3 acres situated in the same townships and ranges as listed above.

That any protests against the approval of this application must be filed in the Department of Reclamation, at Boise, Idaho, within forty (40) days from the date of this notice, and such protest shall state the name and address of the protestant, and shall clearly set forth his objections to the approval of said application.

Dated this 11th day of September, 1948.

MARK R. KULP,
State Reclamation Engineer.

Date of first publication: 9-23-48.
Date of last publication 10-17-48.
Last date for protest: Oct. 23, 1948.

SERVICE OF THE FOREGOING, by copy, is hereby acknowledged this 13th day of September, 1948.

THE UNITED STATES OF AMERICA, Applicant,

By [illegible]
Regional Director, Region 1, Bureau of Reclamation.

UNTY JOURNAL—Page Seven

STATE OF IDAHO
Department of Reclamation

Notice of Application for permit to appropriate the public waters of the State of Idaho, in accordance with the provisions of Section 41-203, Idaho Code Annotated.

NOTICE IS HEREBY GIVEN, that the United States of America, through the Regional Director, Region 1, U. S. Bureau of Reclamation, of Boise Idaho, on the 9th day of September, 1948, made application for permit to appropriate One Thousand Three Hundred Thirty-three and Twenty-eight

Date of first publication: September 24.

Date of last publication: October 8.

Service of the foregoing, by copy, is hereby acknowledged, this 15th day of September, 1948.

THE UNITED STATES OF AMERICA, Applicant
By
H. T. NELSON,
Acting Regional Director, Region 1, Bureau of Reclamation.

(S24-O8)

AFFIDAVIT OF PUBLICATION

State of Idaho, County of Lincoln—ss.

Herb. H. Love, being first duly sworn, says that he is the publisher and printer of the Lincoln County Journal, a newspaper published weekly at Shoshone, Idaho, having legal publication rights within the State of Idaho, and that the notice, a true copy of which is hereto attached, was published in said newspaper for 3 consecutive weekly issues, beginning with the issue of Sept. 24, 1948, and ending with the issue of Oct. 8, 1948.

Herb H Love

Subscribed and sworn to before me this

27 day of Oct., 1948

Notary Public, Shoshone, Idaho.

October 2, 1948

Re: Application No. 28278

Mr. R. T. Nelson,
Acting Regional Director
U. S. Bureau of Reclamation
Boise, Idaho

Dear Mr. Nelson:

We acknowledge receipt of your letter of October 1, 1948, enclosing brown-line tracings, which we have placed on file with your application to appropriate underground water for Unit "B" of the North Side Pumping Division of the Minidoka Project.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A

20736

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

Region 1
P. O. Box 937 - Boise, Idaho

OCT 1948

RECEIVED
OCT
Department of Reclamation

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

Dear Mr. Kulp:

As requested in your letter of September 11 in connection with the application to appropriate water for the proposed Unit "B", North Side Pumping Division of the Minidoka Project, there are enclosed brown-line tracings of each sheet of the prints which accompanied our application.

Yours very truly,

Acting Regional Director

Enclosures (3)

20736

September 25, 1948

Jerome North Side News
Jerome, Idaho

Gentlemen:

We acknowledge receipt of your issue of September 23, 1948, containing notice of application of the United States to appropriate underground water. We find same to be correct with one very important exception.

Near the bottom of the notice after " date of last publication" should be inserted "last date for protest: October 21, 1948." as you will note from the copy we sent you.

This is very important so please be sure to include it in your other two issues.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/gt

21726

September 20, 1948

Lincoln County Journal
Shoshone, Idaho

Gentlemen:

We enclose notice for publication once a week for three consecutive weeks beginning with your next issue.

When publication is completed please send us affidavit of publication in duplicate and also statement of publication costs.

Please acknowledge receipt of this notice and send us a copy of the first issue containing same in order that we may check same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/gt

Enc.

20736

September 20, 1948

Mr. H. T. Nelson
Acting Regional Director, Region 1
Bureau of Reclamation
P. O. Box 937
Boise, Idaho

Dear Mr. Nelson:

We return herein voucher for the $338.25 filing fee which has been signed by the State Reclamation Engineer.

Notice in connection with this application is being sent to the Lincoln County Journal published at Shoshone, Idaho, and the North Side News published at Jerome, Idaho, with instructions to publish same once a week for three consecutive weeks commencing with their next issue and to send us the affidavit of publication together with statement of costs.

When these statements have been received we shall advise you as to the amount.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/gt

Enc.

20736

September 20, 1948

North Side News
Jerome, Idaho

Gentlemen:

We enclose notice for publication once a week for three consecutive weeks beginning with your next issue..

When publication is completed please send us affidavit of publication in duplicate and also statement of publication costs.

Please acknowledge receipt of this notice and send us a copy of the first issue containing same in order that we may check same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/gt

Enc.

20736

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

Region 1
P. O. Box 937 - Boise, Idaho

SEP 17 1948

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

Dear Mr. Kulp:

In accordance with your letter of September 16, I am enclosing revised voucher.

Also enclosed for your use when publication costs are determined is a voucher covering those costs.

Very truly yours,

Acting Regional Director

Enclosures (2)

20736

September 16, 1948

Mr. H. T. Nelson
Acting Regional Director, Region 1
Bureau of Reclamation
P. O. Box 937
Boise, Idaho

Dear Mr. Nelson:

Thank you for your letter of September 15 acknowledging service of notice in connection with the application to appropriate water for the proposed Unit "B", North Side Pumping Division of the Minidoka Project.

Since the land is located in both Minidoka and Jerome Counties we are sending a notice to the Minidoka County News published at Rupert and the Jerome North Side News published at Jerome with instructions to publish them once a week for three consecutive weeks and to send you the affidavits of publication together with statement of publications costs.

Since your voucher for the filing fee can not be signed until Mr. Kulp returns to the office on Monday, we are returning same with the suggestion that it be made out payable to the State Reclamation Engineer instead of to the Commissioner of Reclamation, the former title of the head of this Department.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/gt

Enc.

20736

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

Region 1
P. O. Box 937 - Boise, Idaho

RECEIVED
SEP 16 1939
Department of Reclamation

SEP 15 19[illegible]

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

Dear Mr. Kulp:

As requested by your letter of September 11 in connection with the application to appropriate underground water for the proposed Unit "B", North Side Pumping Division of the Minidoka Project, I have signed and am returning the notice for publication. Also there is returned, executed, your Form No. 11 authorizing publication of the notice.

Tracings of the prints accompanying our filing are being secured and will be furnished to you shortly.

Very truly yours,

Acting Regional Director

Enclosures (2)

20736

Form No. 11

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) September 15, 1948

(P. O.) Box 937, Boise, Idaho

STATE RECLAMATION ENGINEER

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

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

..... Acting Regional Director, Region 1
Bureau of Reclamation

(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.

20736

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

NOTICE OF APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO, IN ACCORDANCE WITH THE PROVISIONS OF SECTION 41-203, IDAHO CODE ANNOTATED

NOTICE IS HEREBY GIVEN That the United States of America, through the Regional Director, Region 1, U. S. Bureau of Reclamation, of Boise, Idaho, on the 9th day of September, 1948, made application for permit to appropriate One Thousand Three Hundred Thirty-three and Twenty-eight Hundredths (1333.28) cubic feet per second of underground water from 306 wells for irrigation and domestic purposes.

That the points of diversion of said waters, or the location of the wells, are at various points in the following townships, to-wit:

Twp. 9 South, Range 20 East, B.M.; Twps. 8 and 9 South, Range 21 East, B.M.; Twps. 8 and 9 South, Range 22 East, B.M.; Twps. 8 and 9 South, Range 23 East, B. M.; Twps. 7, and 8 South, Range 24 East, B. M.; Twp. 8 South, Range 25 East, B. M.

That the lands to be irrigated consist of 66,664.3 acres situated in the same townships and ranges as listed above.

That any protests against the approval of this application must be filed in the Department of Reclamation, at Boise, Idaho, within forty (40) days from the date of this notice, and such protest shall state the name and address of the protestant, and shall clearly set forth his objections to the approval of said application.

Dated this 11th day of September, 1948

Mark R Kulp

MARK R. KULP
State Reclamation Engineer

Date of first publication:_____
Date of last publication:_____
Last date for protest: October 21, 1948

SERVICE OF THE FOREGOING, by copy, is hereby acknowledged, this 15th day of September, 1948

The United States of America

Applicant

By

Acting Regional Director, Region 1,
Bureau of Reclamation

20736

Standard Form No. 1034a—Rev.
Form approved by
Comptroller General, U. S.
May 26, 1938
(Amended August 15, 1941)

PUBLIC VOUCHER FOR PURCHASES AND SERVICES OTHER THAN PERSONAL

D. O. Vou. No. _____

Bu. Vou. No. 28652

GENERAL ACCOUNTING OFFICE PREAUDIT		PAID BY
Certified for payment in the sum of $_____	U. S. Dept. of Interior - Bureau of Reclamation (Department, bureau, or establishment)	
Comptroller General of the United States	Voucher prepared at Boise, Idaho October 6, 1948 (Give place and date)	
By _____	THE UNITED STATES, Dr.,	
	To State Reclamation Engineer (Payee)	
	Address Boise, Idaho	
	Payee's Account No. _____	(For use of Paying Office)

No. and Date of Order	Date of Delivery or Service	Articles or Services (Enter description, item number of contract or general supply schedule, and other information deemed necessary) Terms _____% Discount Cash _____ days	Quantity	UNIT PRICE Cost	UNIT PRICE Per	AMOUNT Dollars	AMOUNT Cts.
		Brought forward from continuation sheet(s)					
		Filing fee for application for ground water to be utilized on proposed Unit "B", North Side Pumping Division of Minidoka Project, Idaho	1333.28 cfs	.25 first cfs .25 balance		338 25	
						338 25	

Shipped from _____ to _____ Weight _____ Government B/L No. _____ Total

(Payee must NOT use this space)

Differences _____

Account verified; correct for _____ 338 25

(Signature or initials) _____

State Reclamation Engineer

Mark R. Kulp State Reclamation Engineer

Contract No. _____ Date _____ Req. No. _____ Date _____ Invoice Rec'd _____

4

338.25

MEMORANDUM

S.F., Mareum
Superintendent.

ACCOUNTING CLASSIFICATION (for completion by Administrative Office)

Appropriation, limitation, or project symbol	Appropriation title	Limit'n or Proj't Amount	Appropriation Amount
11X6100.063	Minidoka Project, Idaho: Construction		$338.25
	(North Side Pumping)		

Allotment symbol	Amount	Obligations liquidated	COST ACCOUNT Symbol	COST ACCOUNT Amount	OBJECTIVE CLASSIFICATION Symbol	OBJECTIVE CLASSIFICATION Amount
					10	338.25
W.O. IN.8-317	338.25	-	103	338.25		

Paid by { Check No. _____ dated _____, 19____, for $338.25 } on Treasurer of the United States in favor of payee named above.
{ Cash, $_____, on _____, 19____, Payee _____ } (Sign original only)

* When a voucher is signed or receipted in the name of a company or corporation, the name of the person writing the company or corporate name, as well as the capacity in which he signs, must appear. For example: "John Doe Company, per John Smith, Secretary", or "Treasurer", as the case may be.
† If the ability to certify and authority to approve are combined in one person, one signature only is necessary; otherwise the approving officer will sign in the blank space below "Approved for $_____", and over his official title.

Per _____

Title _____

U. S. GOVERNMENT PRINTING OFFICE 16—229008-1

METHOD OF OR ABSENCE OF ADVERTISING

(Section 3709 of the Revised Statutes)

1. After advertising in newspapers.

2. (*a*) After advertising by circular letters sent to _____ dealers.

(*b*) And by notices posted in public places.

(If notices were not posted in addition to advertising by circular letters sent to dealers, explanation of such omission must be made. The notation on the certificate on the face of the voucher must be "2(*a*) (*b*)" or "2(*a*)", depending on whether or not notices were posted.)

3. Without advertising under an exigency of the service which existed prior to the order and would not admit of the delay incident to advertising.

4. Without advertising in accordance with federal statutes (32 Stat. 388) and state statutes (sec. 41-202 Idaho Code Annotated)

5. Without advertising, it being impracticable to secure competition because of _____

(Here state in detail the nature of the exigency or circumstances under which the securing of competition was impracticable under 3 and 4)

NOTE.—The above form "Method of or Absence of Advertising" is to be used when purchases are made or services secured under proper authority without written agreement in any form. In case of a written agreement (formal contract, proposal, and acceptance, or less formal agreement) Standard Form No. 1036—Revised should be used for abstracting the method of or absence of advertising and award of contract. (See General Regulations No. 51, Supplement No. 6, General Accounting Office, Aug. 20, 1930.)

16—22300-1

September 11, 1948

Re: Application No. 28278

Mr. R. J. Newell, Regional Director
U. S. Bureau of Reclamation
P. O. Box 937
Boise, Idaho

Dear Mr. Newell:

We acknowledge receipt of your application to appropriate 1333.28 cubic feet per second of underground water to be used on proposed Unit "B", North Side Pumping Division of the Minidoka Project, which has been duly placed on file.

Although duplicate prints accompany this filing, the statutes require a tracing on filings of this size which we will ask you to kindly furnish.

We return voucher for the $538.25 filing fee which has been duly signed by the State Reclamation Engineer.

We also enclose duplicate notice for publication in connection with this application. Please sign and return the original, retaining the copy for your own files.

As the land to be irrigated includes land in both Minidoka and Jerome Counties, publication will be required in both counties. In returning the notice please also return Form 11 which is your authorization for us to have the notice published in the two designated county newspapers at your expense.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

20736

A/gt

Encls.

ABSTRACT OF FILE ON PERMIT NO. G-20736

September 9, 1948

Permit filed for 1333.28 cubic feet per second. This application relates to the ground waters intended to be utilized under the proposed Unit B, North Side Pumping Division of the Minidoka Project, a Federal Reclamation Project.

The waters include waste and return flow from existing Federal Reclamation projects in the Snake River Valley.

The source of waters is underground water at various wells, the approximate location of which are shown on accompany maps.

No protests against allowing Permit G-20736 were received after legal publication of notice to appropriate water.

Permit allowed as of September 9, 1948 - Note plans filed in Roll File A-172. Tab. #1

Area proposed to be irrigated 66,664.3 acres.

April 23, 1951

F. M. Clinton reports -

"Project investigation and a project report have been completed. Reconstruction work and advanced planning work are under way with a definite Plan Report to be issued in the near future. Four observation wells have #2 been drilled, automatic recorders installed. Contracts awarded in April of 1951 for six more observation wells. Ten irrigation wells have been drilled and equipped with pumps; 11 wells will be operated during 1951 to irrigate 5238 acres which area has been leased fr agricultural purposes. In addition to the eleven wells the lateral system has been constructed.

Expenditures to date - $585,000.00

20736

September 1, 1953, Kulp sent notice to Bureau of Reclamation to prepare notice of intention to make proof of completion of works. Tab. #3

September 30, 1953 -

Bureau wrote and stated - "that after writing this letter of April 23, 1951, they needed an additional 5 years for completion of works and sent an application for extension of time of 5 years, or until November 5, 1958." This application states " 15 irrigation water-supply wells have been drilled; 22 additional wells contracted; 15 observation wells have been drilled. Water is available to 7289 acres, 5100 of which were irrigated in 1953. Continuing with surveys and investigations, design of farm units, etc. $1,000,000.00 has been spent. The reasons are "the status of plans, design and construction fund appropriations have not progressed to the point where it is possible to complete the works by November 5, 1953. The completion of these procedures, including the amount of work required to provide adequate planning of well locations, farm units, laterals, and other works, as well as the time required to complete construction will require an additional 5 years or until November 5, 1958" #4

October 24, 1953

Kulp wrote to S. A. High and Sons, Twin Falls, Irwin Clawson, Salt Lake City and Mr. Duffin, Rupert, Idaho, in which he notified these gentlemen of the Bureau application for extension of time because there is no provision for advertising such an application, or for making protest against extension of time, but since they had asked to be notified he (Kulp) thus notified them and stated he would be pleased to receive a statement of their views. #5

Clawson replied and asked for a date to have all concerned to appear and formally protest the proposed extension (No record of such meeting.) #6

January 8, 1954 -

Kulp wrote to the Bureau and allowed an extension of time for two years or until November 5, 1955. #7

January 28th

A letter from the Bureau by Tuller expressed dissatisfaction with the two year extension and asked to learn the source and basis for the protests which has been filed and which had been considered by Kulp in arriving at his decision. #8

February 5, 1954

Kulp replied "the extension of time was granted because there is no statutory provision for advertising application for extension of time, or for formal protests, and hearings on protests, and since an informal protest has been filed by a subsequent appropriator and after considering all pertinent information it seemed proper to allow two years instead of five." #9 (continuing with February 5th letter) It is the intention of the State of Idaho, Department of Reclamation to suggest amendment to Section 42-204, Idaho Code to provide for the advertising of Application of Extension of Time so that subsequent appropriators or permit holders may be informed and have a statutory procedure for making protests."

At the end of the present two year extension the permit holder will still be permitted to apply for additional extensions of time whether an amendment is passed or not, in either case, an intensive investigation will be made to determine the proper public poling.

It is expected that a further extension of time will be difficult to justify."

May 28, 1954

The Bureau acknowledged the letter of February 5, 1954, which expressed doubt as to whether a further extension of time would be justified, and as per conference, (No notes about) this letter contained a statement of what had been done and what remained to do (I note one sentence that required examination as follows)

"Although not covered by the permit it should also be noted that Unit A, Permit 26216, containing appoximately 13,000 acres, will also be brought in for irrigation during 1957." #10

It is also stated that "even if it were feasible to do it would be most undersirable to complete in the early fall of 1955 the works to serve the 36,000 additional pump acres now scheduled for completion for irrigation in 1957 and 1958. The last paragraphs emphasize the desirability for a common priority for all of the project settlers.

October 21, 1954

Kulp wrote "sometime prior to November 5, 1955, this office will entertain a request for extension of time to November 5, 1958, providing that the request be advertised in a newspaper or newspapers in the county or counties inwhich the project is located. #11

September 1, 1955

The Bureau of formally notified that proof of completion of works would be due November 5, 1955. #12

October 25, 1955

The Bureau made formal application for extension of time to November 5, 1958, and stated that the United States was unable to complete the remainder #13

of the said works and submit proof of completion within the required time for the following reasons: because among other factors, it is infeasible and costly to the project settlers to proceed with the work program any faster than indicated, and it has been impossible to complete the works within the time limit of the existing permit with the funds made available by the Congress. #14

November 3, 1955

Kulp acknowledged this application and stated that action would be deferred until notice of application had been published and interested parties had expressed their views. #15

After publication of this application, protests numbered up to 35 or so were received, and about nine letters urging approval of the application were mailed in.

April 5, 1956

Kulp denied this application for extension of time and gave the further decision of the State Reclamation Engineer that the priority of that part of the right initiated by Permit No. 20736, depending on works constructed prior to November 5, 1955, shall relate back to September 9, 1948. The record furnished this department shows 106 wells were constructed prior to November 5, 1955, and therefore, according to Kulp's letter of April 5, 1956, are entitled to a priority dating back to September 9, 1948, and that part of the right initiated under Permit No. 20736, and depending on works not completed by November 5, 1955, may relate back to November 5, 1955. The record shows that 71 wells have been completed since November 5, 1955, and according to letter of April 5, 1956, are entitled to a priority dated November 5, 1955. #16

October 31, 1956

Kulp wrote to the Bureau stating that "As a matter of procedure, Proofs of Completion of Works on the whole of the works to be completed under Permit 20736 may be submitted as soon as all the works are completed, but not later than November 5, 1958. - and added - "The time for Completion of Works for items not completed by November 5, 1955, is extended three years from November 5, 1955, and the time for making proof of completion of works on all work is extended to November 5, 1958. #17

September 22, 1958

Bureau requested a further extension of time of 5 years to November 5, 1963. #18

November 13, 1958

State Reclamation Engineer, George N. Carter, denied this request and sent the usual notice and forms for the proof. #19

January 17, 1961

Carter wrote to the Bureau and among other things, stated that - "In statutory theory this permit is now subject to cancellation but as a matter of practice it would not be cancelled and asked what is the Bureau's suggestion or wish in this matter?" #20

August 30, 1963

The Bureau was notified that Proof of Beneficial Use would be due not later than November 5, 1963. Notice for publication for Notice of Proof of Completion of Construction and Application of Water to Beneficial Use was sent out and a date of November 25, 1963 was set.

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Several informal conferences were held with the Bureau and the date of November 5, 1963 was informally extended and finally set for January 13, 1964, after publication of intention to make proof. Proofs were

accepted on that day.

There were no formal protests presented. Affidavits of Holder and two Witnesses forwarded to this office February 3, 1964.

Since February 3, 1963, many protests have been received, some of them are notarized, others are letters protesting that the same early priority for all government wells will not be in accordance with the facts. Our study of this project shows that approximately 300 wells have been constructed during the same period of years that the Bureau project was being developed. Since December of 1955, 145 wells have been constructed. There are, therefore, approximately 155 wells which would have a priority ahead of the Bureau's priority of November 5, 1955.

The point insistently asserted is that many Bureau wells were constructed subsequently to many privately owned wells.

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

Region 1
P. O. Box 937 - Boise, Idaho

SEP 8 1

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

Dear Mr. Kulp:

In connection with Unit "B", North Side Pumping Division of the Minidoka Project there is enclosed for filing, in accordance with the Idaho water statutes, an application for permit to appropriate the public waters of the State of Idaho. The permit relates to 1333.28 cubic feet per second of underground waters comprised in part of waste and return flow of existing Bureau of Reclamation projects.

Also enclosed is a voucher in the amount of $338.25 to cover the statutory filing fee. The voucher should be executed in the space indicated and returned to this office.

Yours very truly,

Regional Director

Enclosures
Application, with maps
and tabulation (in duplicate)
Voucher

20736

9/8/48

UNITED STATES BUREAU OF RECLAMATION

MINIDOKA PROJECT NORTH SIDE PUMPING DIVISION

ARABLE ACREAGE TABULATION OF UNIT "B"

T. 8 S. - R. 25 E.

Section	Arable Acres
13	186.5
14	290.4
15	322.8
17	436.1
18	577.1
19	535.4
20	626.9
21	591.3
22	508.2
23	512.1
24	206.6
27	39.0
28	177.7
29	150.5
30	26.0
Total	5,186.6

T. 7 S. - R. 24 E.

Section	Arable Acres
27	186.2
29	14.0
30	60.5
31	279.6
32	527.1
33	78.2
34	522.1
35	496.0
Total	2,163.7

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UNITED STATES BUREAU OF RECLAMATION

MINIDOKA PROJECT NORTH SIDE PUMPING DIVISION

ARABLE ACREAGE TABULATION OF UNIT "B"

T. 8 S. - R. 24 E.

Section	Arable Acres
1	199.9
2	600.5
3	646.0
4	573.5
5	629.5
6	541.7
7	565.3
8	642.0
9	598.7
10	632.6
11	637.9
12	158.5
13	564.6
14	636.4
15	635.7
17	633.3
18	558.4
19	565.8
20	541.4
21	592.6
22	594.5
23	627.6
24	546.5
25	376.9
26	301.9
27	74.1
28	493.5
29	569.9
30	585.1
31	511.0
32	230.5
33	4.0
Total	16,069.8

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UNITED STATES BUREAU OF RECLAMATION

MINIDOKA PROJECT NORTH SIDE PUMPING DIVISION

ARABLE ACREAGE TABULATION OF UNIT "B"

T. 8 S. - R. 22 E.

Section	Arable Acres
24	111.5
25	365.0
30	47.5
31	23.0
35	171.5
Total	718.5

T. 9 S. - R. 23 E.

Section	Arable Acres
2	199.5
3	247.7
4	290.3
5	394.0
6	335.5
7	39.5
Total	1,506.5

T. 8 S. - R. 21 E.

Section	Arable Acres
22	169.5
23	190.0
24	49.0
25	420.0
26	590.0
27	251.0
32	44.5
33	88.0
34	374.5
35	635.0
Total	2,611.5

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UNITED STATES BUREAU OF RECLAMATION

MINIDOKA PROJECT NORTH SIDE PUMPING DIVISION

ARABLE ACREAGE TABULATION OF UNIT "B"

T. 9 S. - R. 22 E.

Section	Arable Acres
1	593.0
2	625.8
3	448.0
4	186.5
7	153.0
8	632.5
9	498.5
10	639.5
11	581.0
12	390.5
14	446.5
15	646.0
17	621.5
18	290.5
19	418.0
20	587.2
21	633.0
22	606.3
23	362.5
28	517.5
29	446.8
30	101.3
31	149.0
32	160.0
33	505.0
34	104.5
Total	11,343.9

T. 9 S. - R. 20 E.

Section	Arable Acres
12	280.0
13	332.5
Total	612.5

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UNITED STATES BUREAU OF RECLAMATION

MINIDOKA PROJECT NORTH SIDE PUMPING DIVISION

ARABLE ACREAGE TABULATION OF UNIT "B"

T. 9 S., R. 21 E.

Section	Arable Acres
1	316.5
2	467.5
3	471.0
4	399.5
5	358.5
7	388.0
8	420.0
9	553.5
10	600.0
11	349.5
12	14.0
14	56.0
15	510.0
17	392.5
18	496.5
19	23.0
20	221.0
21	472.0
22	84.0
23	252.5
24	63.5
26	143.0
27	599.0
28	402.0
32	43.0
33	71.0
34	513.5
35	424.0
Total	9,109.5

Total tabulated arable acres in Unit "B" . . . 66,664.3

20736

NOTICE OF APPLICATION FOR EXTENSION OF TIME FOR COMPLETION OF WORKS

Extension of time for completion of works has been requested on Permit No. 20736 issued to the United States Bureau of Reclamation for appropriation of water for the North Side Minidoka Extension Irrigation Project.

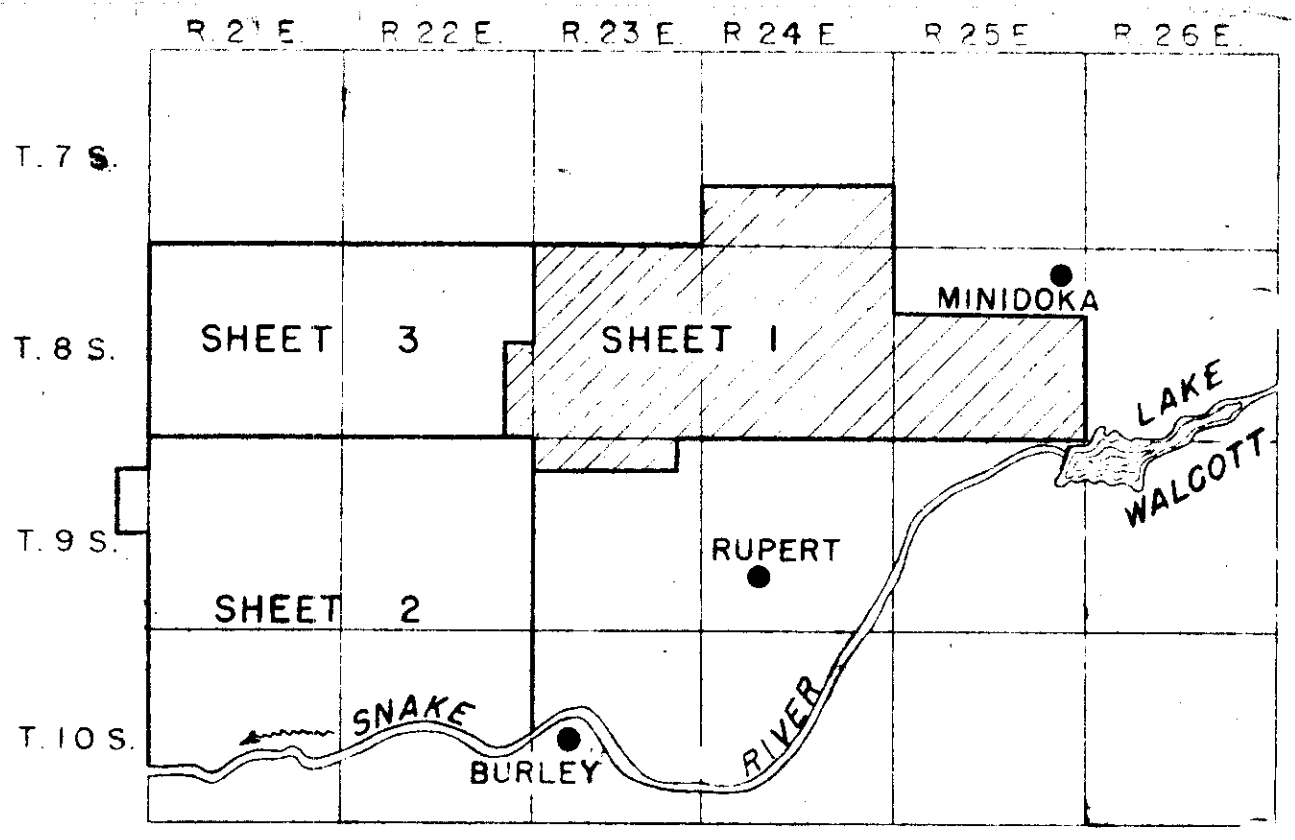
All the one hundred seventy-eight (178) wells have been constructed, are under construction or have been contracted. Thirty-eight wells have been completed to date and are serving 16,118 acres. Twenty-six additional wells have been completed and the rest are scheduled to be completed by September, 1956.

Extension of Time is requested to November 5, 1958, under Section 42-204 Idaho Code.

Written objections or expressions of interested parties will be received and considered by the State Department of Reclamation on or before December 15, 1955.

MARK R. KULP,
State Reclamation Engineer.

11-24-2tc



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INDEX MAP

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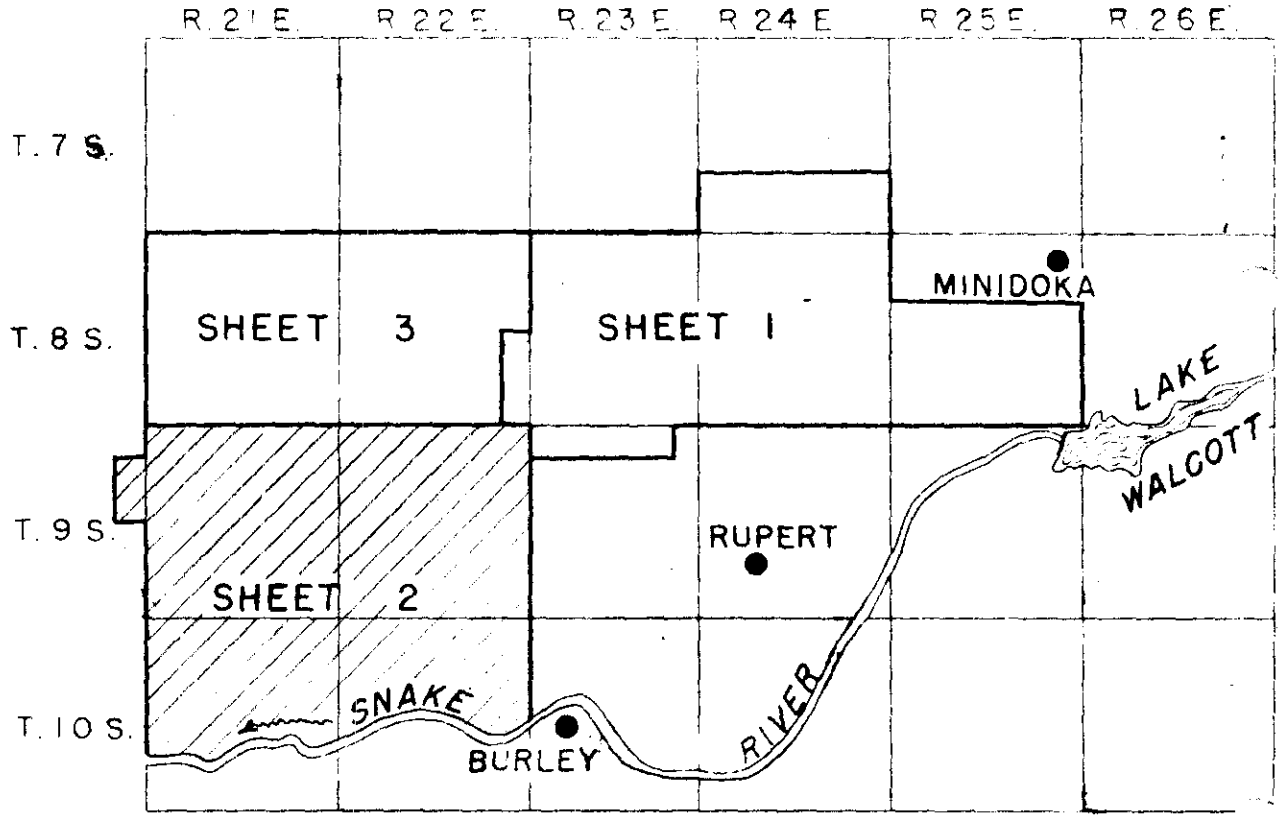
6 0 6 12

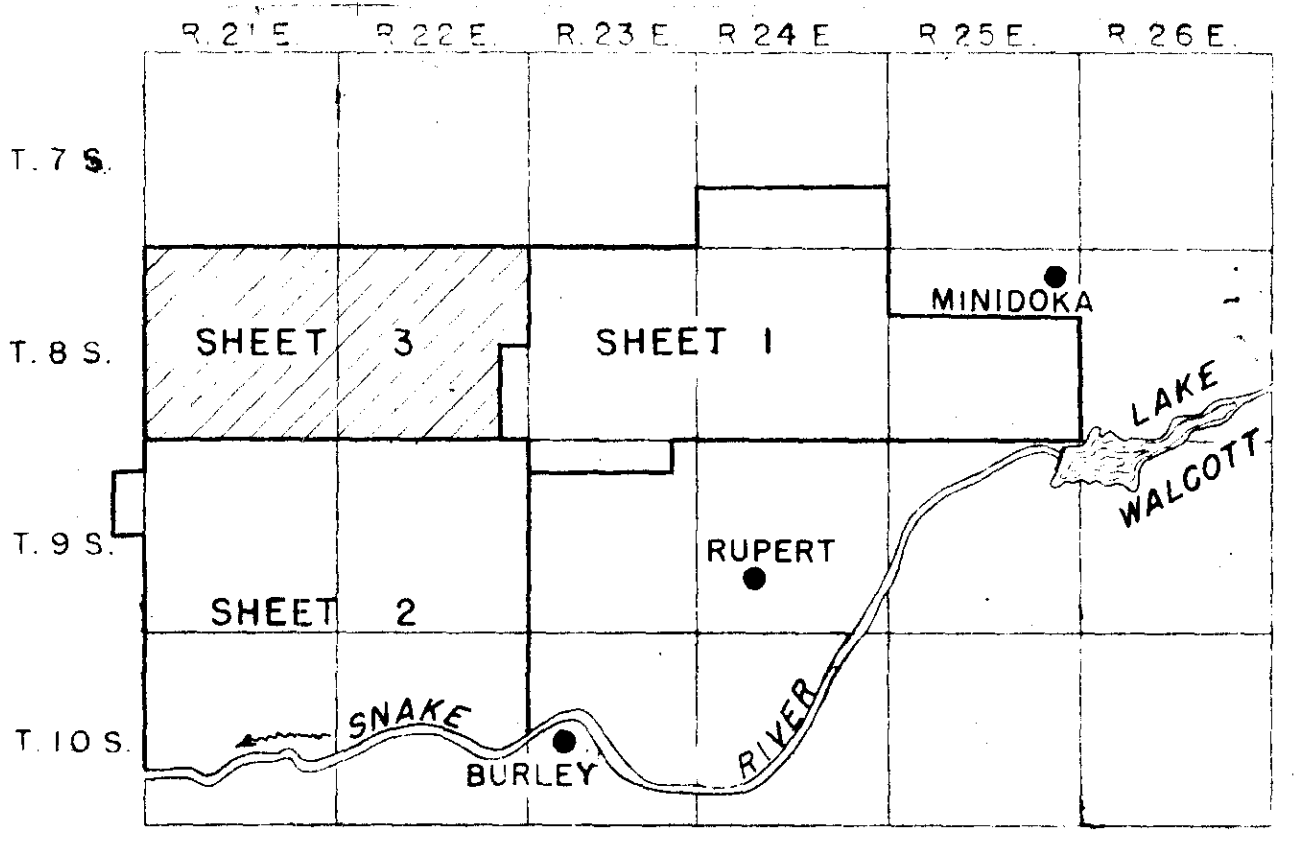
SCALE IN MILES



INDEX MAP

6 0 6 12

SCALE IN MILES



INDEX MAP

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6 0 6 12

SCALE IN MILES

IN THE DISTRICT COURT OF THE ELEVENTH JUDICIAL DISTRICT

OF THE STATE OF IDAHO, IN AND FOR

MINIDOKA COUNTY.

G. L. DEAN AND SONS, an Idaho Corporation,

Appellant,

vs.

CARL E. TAPPAN, STATE RECLAMATION ENGINEER,

Respondent.

OPINION ON MOTION TO DISMISS APPEAL.

Civil No. 4609.

DOCKETED
1-10-66

This is an appeal, pursuant to 42-224, I.C., from the granting of a license and certificate of water right by the respondent to the United States on June 10, 1965. The appeal was filed September 28, 1965. The respondent moves the dismissal of the appeal on the basis that it is not timely filed.

The appeal provisions of 42-224 provide:

> "Such appeal shall be taken within sixty days from the date of such license.."

The sixty days lapsed August 9, 1965. The appellant, however, argues that appeal time may be enlarged when the failure to appeal within the allowed time is the result of fraud, misrepresentation or other acts of the respondent causing the appellants to allow the time to lapse. The appellant states, and apparently correctly, that it had no notice of the entry and issuance of the license and no way of knowing of the entry and issuance short of sitting in the respondent's office every day. The respondent contends that the appeal time is jurisdictional and cannot be extended by an action or inaction of the parties or through any act of the Court.

Appeal times are generally held to be jurisdictional and not subject to extention by the parties. Petty v. New Perces County, 4 Idaho 642, 645 (1895); Re [illegible], 142 P2d 423, 149 ALR 1250 (1943); 4 AmJur 2d 782. Notice of the entry of an order is, in the absence of a statute requiring it, not necessary to its validity. Fite v. French, 54 Idaho 104, 108; Cowee v. Marsh, 324 P2d 553, 554 (Calif 1958); 49 CJS 236. It would not appear that administrative law rules are any different. 2 AmJur2d 630. Absent statute to the contrary, then, the time for appeal must be said to ordinarily run from the entry of the order, not from the time notice is recieved. 4A CJS 122.

There are, however, decisions and textual statements concluding that fraud or other dereliction of the respondent can excuse an untimely filing by the appellant. 4A CJS 148; 4 AmJur 2d 786; Arnot., 149 ALR 1261 (1944). Special circumstances resulting in deprivation of the rights of the appellant have, in some cases, required a relaxation of the rule. Boruff v. U.S., 310 F2d 913, 921 (5th Cir 1962).

The Idaho Rules of Civil Procedure require notice of orders and judgments to be given to the interested parties. Rule 77(d), IRCP. There has been no suggestion, however, by either the courts or the legislature that a failure of compliance with this Rule would result in an extention of time within which to appeal.

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36-2080

The appellant states that certain procedural steps essential to the issuance of the license were not accomplished by the United States. The respondent argues that appellant cannot, in any event, appeal because it failed to lodge formal protests within the time required by law. As I see it, neither question can be decided at this stage of the proceedings. The only question is whether the appeal, on the basis of its filing date, can be considered at all.

It is apparently true that the respondent agreed to keep the appellant's counsel advised of whatever action was taken upon the United States' application for the waters in question. His failure to do so is at least censurable and possibly gives rise to a suspicion of a deliberate intention to avoid an appeal. Nevertheless, our law is rather well established that appeal times are jurisdictional and the fact is that the appeal was not filed within the required time. It is the filing and not the notice that starts the time. I am of the opinion that I am without authority to reach any other conclusion. It occurs to me that a direct action against the respondent would be warranted in this case but that question is not before me and I make no comment as to the likelihood of success of such a venture.

The appeal must be dismissed and the motion is granted. Counsel for the respondent will prepare and submit an appropriate order.

DATED this 9th day of February, 1966.

L. J. Webb

DISTRICT JUDGE.

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M E M O R A N D U M

February 16, 1968

TO: R. KEITH HIGGINSON, State Reclamation Engineer

FROM: WILLIAM D. COLLINS, Assistant Attorney General

SUBJECT: Legal Proceedings Regarding Permit No. G-20736 from 1964 to 1967.

On June 25, 1964, Carl E. Tappan, State Reclamation Engineer, sent to the ~~original~~ Director, United States Bureau of Reclamation, Boise, Idaho, a letter stating that a license would be issued for permit No. G-20736. Suit was brought in five separate counties between August 12 and August 20, 1964, challenging the validity of the license.

Humphrey v. Tappan, Jerome County
Eleventh Judicial District

Honsinger v. Tappan, Blaine County,
Fourth Judicial District

Clark v, Tappan, Lincoln County
Fourth Judicial District

G. L. Dean & Sons, Inc. v. Tappan
Minidoka County, Eleventh Judicial District

McCarty v. Tappan, Cassia County
Eleventh Judicial District

All five suits were denominated as notices of appeal and were appealing from the decision of June 24, 1964, by Carl E. Tappan.

A pretrial hearing was held in the Cassia County Appeal on December 1, 1964, before the Honorable Lloyd J. Webb, District Judge of the Eleventh Judicial District, at the Courthouse, Burley,

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Idaho, and at that hearing all parties to the action agreed that the Cassia County Appeal be dismissed and that the appeals pending in Jerome, Lincoln, Blaine and Minidoka Counties rest upon the Court's decision in the Minidoka County appeal. The Court, at that time, agreed to this Stipulation, with a reservation that since the Blaine and Lincoln County Cases were not in the Eleventh Judicial District, the Court could not hear or control those cases. Upon this Stipulation, Respondent's then attorney of record, Stephen W. Boller, Assistant Attorney General, filed a Motion to Dismiss in the Minidoka County Appeal on the ground that the appeal had been prematurely taken and on the further ground that the Appellant had no standing to appeal. Appellant's attorney together with Respondent's attorney and counsel for A and B Irrigation District, appearing as amicus curiae, filed briefs and presented oral argument to the Court. On May 6, 1965, the Honorable Lloyd J. Webb, granted the Motion to Dismiss, in which he stated:

> "Court finds Motion to Dismiss was filed. Filing made under the old water law of 1951 and is subject to old water account. Appeal can be taken under the old law under certain circumstances which have not yet been met.
>
> "Court finds the Appeal is premature and Motion to Dismiss is granted." (Civil Action No. 4405)

Motions to Dismiss were not made in the other cases by Respondent's counsel because of the Stipulation entered into with Appellant's counsel at the pretrial hearing held in the Cassia County Appeal.

On June 10, 1965, State Reclamation Engineer, Carl E. Tappan, granted a license for permit No. G-20736 without notifying 36-2080 20736

the protestants including the five persons who had brought the previous appeals. On September 28, 1965, Appellant's attorney prepared an Amended Notice of Appeal which was filed in this action and a Notice of Appeal which was filed in the Minidoka action and served them upon the State Reclamation Engineer on September 30, 1965, some 112 days after the license was issued. No Amended Notice of Appeals or Notice of Appeals were ever filed in the Blaine and Lincoln County Appeals. Respondent's attorney, William D. Collins, Assistant Attorney General, on November 8, 1965, prepared and served by mailing, Motions to Dismiss in the Minidoka, Lincoln, Blaine, and Jerome County Appeals. On December 21, 1965, oral argument on the Motion to Dismiss was presented in the Minidoka County Appeal. On February 9, 1966, the Honorable Lloyd J. Webb, granted the Motion to Dismiss upon the ground that the Court was without jurisdiction since the time for appeal had lapsed and that Respondent's alleged agreement that he would keep Appellant's counsel advised of whatever action would be taken upon the United States' application for the waters in question could not extend the time for perfecting the appeal.

On March 3, 1966, Respondent's Motion to Dismiss in both the Lincoln and Blaine County Appeals was heard by the Honorable Charles Scoggin of the Fourth Judicial District of the State of Idaho. On March 17, 1966, the Motions to Dismiss were granted in both Appeals.

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20756

On March 21, 1966, Respondent's Motion to Dismiss in the Jerome County case was heard by the Honorable Theron W. Ward of the Eleventh Judicial District. Judgment and Order of Dismissal of that Appeal was entered in January of 1967.

The several appellant's were represented by the firm of Duffin & Duff in Jerome. The licensee's assignee, A and B Irrigation District, participated in all negotiations and arguments in support of the state's Motion to Dismiss by amicus curiae brief through the firm of Parry, Robertson & Daly in Twin Falls and, primarily, John R. Coleman and John Daly of that firm. The licensee, Bureau of Reclamation, through the Field Solicitor, William Burpee, was present at the hearing on the second Motion to Dismiss in the Minidoka case, but did not formally appear in any of the actions. Mr. Burpee, however, was kept advised of all motions and was supplied briefs in support thereof and was informed of the final outcome in each action.

I have attached hereto all Orders of Dismissal, and where Findings of Fact and Conclusions of Law were entered pursuant to the orders of dismissal, those motions have also been enclosed.

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IN THE DISTRICT COURT OF THE ELEVENTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF JEROME.

BEN KING HUMPHREY, Appellant, vs. CARL E. TAPPAN, State Reclamation Engineer, Respondent.	Civil Case No. 4531

JUDGMENT AND ORDER OF DISMISSAL

DOCKETED
1-23-67

The motion of respondent for dismissal of the appeal herein and the amendment thereto came on regularly for hearing before the Court on the 21st day of March, 1966. Appellant appeared by his attorneys, Duffin & Duff; respondent appeared by William D. Collins, Assistant Attorney General of the State of Idaho, and Parry, Robertson & Daly, Twin Falls, Idaho, amicus curiae, appeared on behalf of the A & B Irrigation District. Oral arguments were had and written briefs were submitted, and the Court took the matter under advisement, and the Court being fully advised in the premises, and having made and entered herein its Findings of Fact and Conclusions of Law,

NOW, THEREFORE, IT IS HEREBY ORDERED that respondent's motion to dismiss the appeal herein and the amendment thereto be, and the same is hereby, granted, and the attempted appeal herein be, and the same is hereby, dismissed.

DATED this ____ day of January, 1967.

District Judge

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IN THE DISTRICT COURT OF THE ELEVENTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF JEROME.

BEN KING HUMPHREY, Appellant, vs. CARL E. TAPPAN, State Reclamation Engineer, Respondent.	Civil Case No. 4531 FINDINGS, CONCLUSIONS AND ORDER

DOCKETED 1-23-67

The motion of respondent for dismissal of the appeal herein and the amendment thereto came on regularly for hearing before the Court on the 21st day of March, 1966. Appellant appeared by his attorneys, Duffin & Duff; respondent appeared by William D. Collins, Assistant Attorney General of the State of Idaho, and Parry, Robertson & Daly, Twin Falls, Idaho, amicus curiae, appeared on behalf of the A & B Irrigation District. Oral arguments were had and written briefs were submitted, and the Court took the matter under advisement, and the Court, being fully advised in the premises, makes the following findings of fact and conclusions of law:

FINDINGS OF FACT

I.

On September 9, 1948, the United States of America, Bureau of Reclamation, filed an application to appropriate subterranean waters of the State of Idaho and the State Reclamation Engineer issued Permit No. G-20736 to the applicant.

II.

Proof of application to beneficial use under said permit was subsequently set for January 13, 1964, upon which day the Bureau of Reclamation formally submitted proof that the water represented by the right applied for in said permit had been put to beneficial use.

III.

Under date of June 25, 1964, the State Reclamation Engineer wrote a letter relating to said permit which letter was neither a license nor a refusal to grant a license.

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IV.

On August 12, 1964, appellant herein filed a notice of appeal from the action of the State Reclamation Engineer on June 25, 1964. At about the same date similar attempted appeals were filed in the following cases involving the same permit and similar facts:

(a) G. L. Dean & Sons, Inc., Appellant, vs. Carl E. Tappan, State Reclamation Engineer, Respondent, brought in the District Court of the Eleventh Judicial District of the State of Idaho, in and for the County of Minidoka;

(b) Samuel A. Clark, Jr., Appellant, vs. Carl E. Tappan, State Reclamation Engineer, Respondent, brought in the District Court of the Fourth Judicial District of the State of Idaho, in and for the County of Lincoln;

(c) Roy T. Honsinger, Appellant, vs. Carl E. Tappan, State Reclamation Engineer, Respondent, brought in the District Court of the Fourth Judicial District of the State of Idaho, in and for the County of Blaine.

V.

It was agreed by counsel for the parties to all of these actions before District Judge Lloyd Webb in connection with the Minidoka County case of Dean v. Tappan that, to avoid duplication, all of the appeals would rise or fall upon the determination of Judge Webb in said Minidoka County case. The question of whether or not an appeal could be taken from the letter of the State Reclamation Engineer dated June 25, 1964, was presented to Judge Webb who concluded and ruled that the appeal could not be maintained because it was prematurely filed. Judge Webb's holding was that no appeal could be taken from the letter of the State Reclamation Engineer but only from a license issued or the refusal of the State Reclamation Engineer to issue such a license. By the stipulation of the parties, the determination of Judge Webb should have disposed of the notice of appeal in this case dated August 12, 1964. All that remained was the ministerial act of having the appeal dismissed. For reasons which do not appear herein, the attempted appeal in this case was not dismissed, and the attempted appeals in the Lincoln and Blaine County cases were not dismissed at that time.

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VI.

On June 10, 1965, the State Reclamation Engineer issued a license to the United States of America, Bureau of Reclamation, pursuant to said Permit No. G-20736.

VII.

On October 1, 1965, appellant filed herein what was entitled "Amended Notice of Appeal" dated September 28, 1965. At about the same time a notice of appeal was filed in this Court in Minidoka County in a new proceeding entitled identically to the Minidoka case above mentioned. The respondent filed motions to dismiss in the new Minidoka County case of Dean v. Tappan and filed herein an amendment to his previous motion to dismiss.

VIII.

The motion to dismiss the Minidoka County case of Dean v. Tappan was presented to Judge Lloyd Webb who concluded that the appeal could not be maintained since it was not filed within the time provided by Idaho Code, § 42-224. Pursuant to this conclusion, Judge Webb granted the motion to dismiss in the Minidoka County case and that case was dismissed in February of 1966. Thereafter, the motions to dismiss the attempted appeals in the Lincoln and Blaine County cases were heard by Judge Scoggin and the motions granted and the attempted appeals in those cases were dismissed.

IX.

United States of America, Bureau of Reclamation, applied for and obtained its right to the use of the ground water, which is the subject of said Permit No. G 20736 and the license of the State Reclamation Engineer issued on June 10, 1965, under Chapter 2 of Title 42, Idaho Code.

X.

Appellant herein has failed to comply with the provisions of Idaho Code, § 42-224.

CONCLUSIONS OF LAW

I.

The attempted appeal herein is controlled by the provisions of Idaho Code, § 42-224, and not by the provisions of Idaho Code, § 42-237 (e).

II.

The attempted appeal from the letter of the State Reclamation Engineer dated June 25, 1964, was premature, since the letter of the State Reclamation Engineer dated June 25, 1964, constituted neither a license

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nor the refusal of the State Reclamation Engineer to issue such a license.

III.

Appellant's Amended Notice of Appeal by which appellant attempts to appeal from the issuance of the license by the State Reclamation Engineer on June 10, 1965, does not give this Court jurisdiction because it was not filed within the time allowed by the provisions of Idaho Code, § 42-224; such an Amended Notice of Appeal is ineffectual to revive the attempted premature appeal.

IV.

Respondent's Motion to Dismiss the appeal herein and the amendment thereto should be granted and the attempted appeal herein should be dismissed.

Let Judgment be entered accordingly.

DATED January ____, 1967.

_____
District Judge

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IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LINCOLN

* * * * * * * *

SAMUEL A. CLARK, JR.,

Appellant,

-vs-

CARL E. TAPPAN, STATE RECLAMATION ENGINEER,

Respondent.

ORDER

* * * * * * * *

Respondent's motion to dismiss, having come on regularly for hearing on the 3rd day of March, 1966, and all parties having been represented by counsel, and the Court being fully advised in the premises and having determined that the appeal taken in this case by the appellant is premature,

IT IS HEREBY ORDERED, That respondent's motion to dismiss the above entitled action be, and the same is hereby granted.

3867/7

DATED This 17th day of March, 1966.

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
County of Lincoln, State of Idaho
Filed MAR 17 1966
Luella L. Heiney
CLERK
DEPUTY

Charles Leggett
District Judge

CERTIFICATE OF MAILING

I hereby certify that on the 16th day of March, 1966, I served the foregoing Order by causing to be deposited a copy thereof in the post office at Twin Falls, Idaho, enclosed in envelopes with postage prepaid addressed to the following:

Duffin & Duff
Attorneys at Law
Rupert, Idaho
Attorneys for Appellant

William D. Collins
Assistant Attorney General
State House
Boise, Idaho
Attorney for Respondent

John R. Robertson
Of Parry, Robertson & Daly
Attorneys for A & B Irrigation District
Amicus curiae in this action

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IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BLAINE

* * * * * * *

ROY T. HONSINGER,

Appellant,

-vs-

CARL E. TAPPAN, STATE RECLAMATION ENGINEER,

Respondent.

ORDER

* * * * * * *

Respondent's motion to dismiss, having come on regularly for hearing on the 3rd day of March, 1966, and all parties having been represented by counsel, and the Court being fully advised in the premises and having determined that the appeal taken in this case by the appellant is premature,

IT IS HEREBY ORDERED, That respondent's motion to dismiss the above entitled action be, and the same is hereby granted.

DATED This____day of March, 1966.

/s/ Charles Scoggin
District Judge

CERTIFICATE OF MAILING

I hereby certify that on the 16th day of March, 1966, I served the foregoing Order by causing to be deposited a copy thereof in the post office at Twin Falls, Idaho, enclosed in envelopes with postage prepaid addressed to the following:

Duffin & Duff
Attorneys at Law
Rupert, Idaho
Attorneys for Appellant

William D. Collins
Assistant Attorney General
State House
Boise, Idaho
Attorney for Respondent

/s/ John R. Coleman
Of Parry, Robertson & Daly
Attorneys for A & B Irrigation District
Amicus curiae in this action

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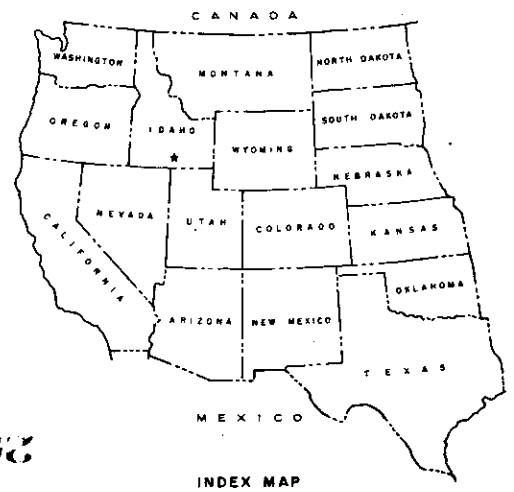
20736



INDEX MAP

MINIDOKA PROJECT

IDAHO

(REGION 1)

MAP No. 17-107-1200

SCALE OF MILES

5 0 5 10 15 20 25

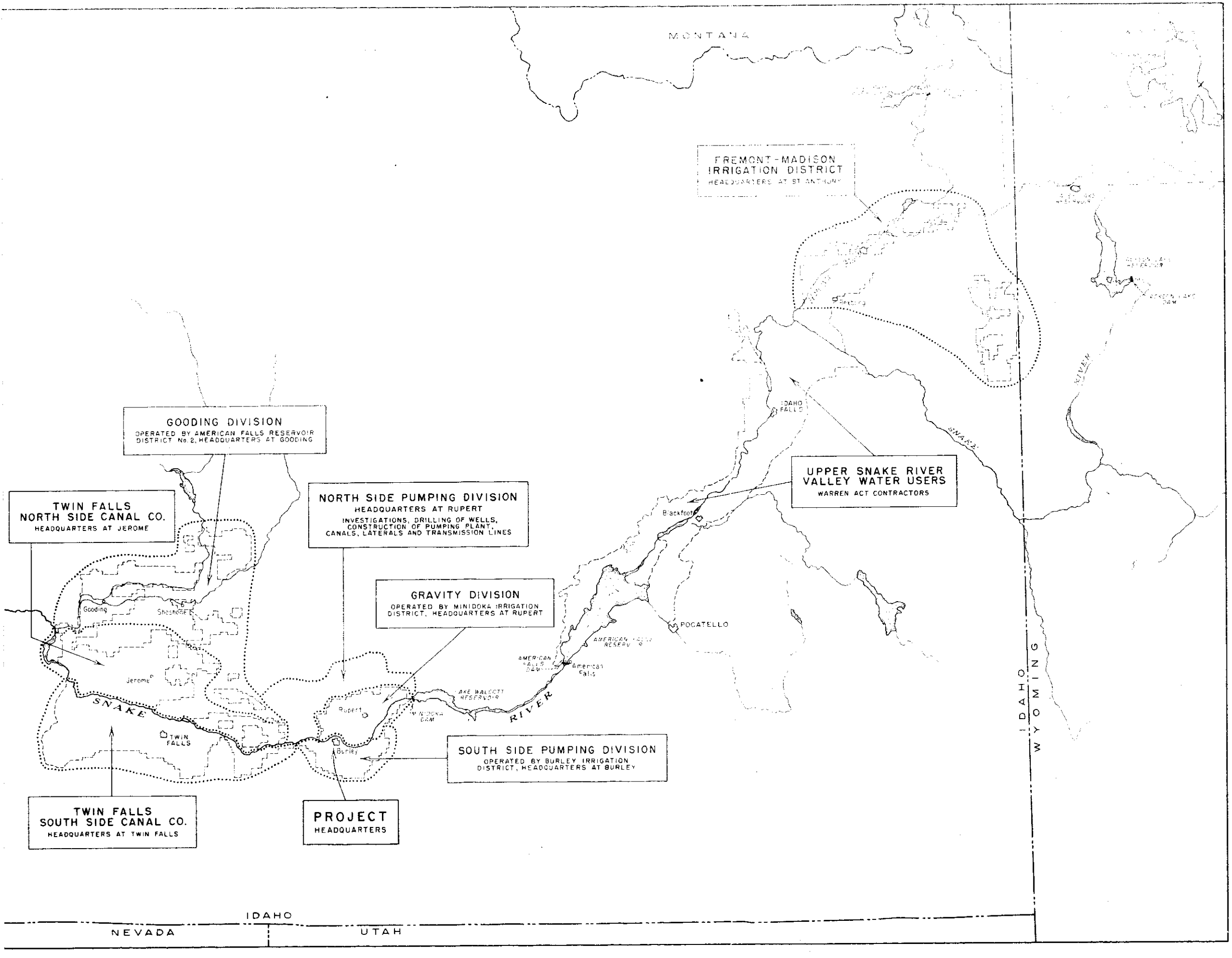
AUGUST 1952

EXPLANATION

BUREAU OF RECLAMATION COMPLETED AND AUTHORIZED WORKS

- CANAL
- TRANSMISSION LINE
- PUMPING PLANT
- POWER PLANT
- PROJECT HEADQUARTERS
- AREA BENEFITED BY PROJECT WORKS
- AREA WHICH MAY BE BENEFITED IN FUTURE

UNITED STATES
DEPARTMENT OF THE INTERIOR
DOUGLAS McKAY SECRETARY
BUREAU OF RECLAMATION
WILBUR A. DEXHEIMER COMMISSIONER



GENERAL DATA - MINIDOKA PROJECT, IDAHO

PLANTS OF THE PROJECT

The Minidoka Project has a total constructed capacity of [illegible] cubic feet per second and an authorized capacity of [illegible] cubic feet per second, divided by divisions as follows:

Division	Constructed capacity	Active storage capacity	Location
Minidoka	[illegible]	1,771,000	On Snake River near American Falls, Idaho.
Jackson Lake	847,000	847,000	On South Fork of Snake River at Moran, Wyoming.
Island Park	[illegible]	127,000	On South Fork of Snake River, Idaho.
Grassy Lake	15,400	15,400	On Grassy Creek tributary to South Fork of Snake River, Yellowstone National Park.
Palisades	1,400,000	1,400,000	On Snake River near Swan Valley, Idaho.

The majority of the canals and laterals which have been constructed by the Bureau of Reclamation are now operated and maintained by the irrigation districts and include the following:

a. Minidoka North Side Canal, 1,[illegible] cubic feet per second capacity, extends from Minidoka Dam to the farm area north of the Snake River in Minidoka County and delivers water to the Gravity Division.

b. Minidoka South Side Canal with a 1,[illegible] cubic feet per second capacity extends from the Minidoka Dam to the Burley Irrigation District. This canal serves the South Side Pumping Division and approximately 8,000 acres of gravity land in Cassia County.

c. Milner-Gooding Canal, 2,[illegible] cubic feet per second capacity, runs from Milner Dam to head of the Gooding Division north of the Snake River in Jerome, Lincoln and Gooding Counties.

d. Cross Cut Canal runs from the Cross Cut Diversion Dam on the North Fork of the Snake River near Ashton, Idaho, to the Island Park Reservoir, 127,000 acre-feet capacity.

The Bureau of Reclamation operates the Minidoka Power Plant at Minidoka Dam, Idaho, a transmission and substation system consisting of approximately [illegible] miles of 46,000-volt transmission line, and [illegible] substations with an ultimate capacity of [illegible] kilowatts. The present installed capacity of [illegible] kilowatts now furnishes power for the project pumps and lights for communities in Cassia and Minidoka Counties.

WATER SUPPLY

Water for the Minidoka Project comes from the Snake River watershed which has an area of 22,[illegible] square miles. At Heise, immediately below the American Falls Reservoir, an average annual runoff of [illegible],000,000 acre-feet of water has been recorded over the last fifty-two years. (1911-1962 incl.)

IRRIGATION

Natural flow of the Snake River and some of its tributaries and water stored in the reservoirs at Jackson Lake, Grassy Lake, Island Park, American Falls and Lake Walcott, are delivered at numerous diversion points to the Fremont-Madison Irrigation District, the Gravity Irrigation District, the Minidoka Irrigation District, the American Falls Reservoir District No. 2 and some 35 Warren Act Contractors. The water requirement at the farm varies widely, depending upon the location and type of soil, but for most of the project lands is about 4 acre-feet of water per year.

AGRICULTURE

The soil of the irrigable areas of the project is sandy loam, clay loam and volcanic ash. The elevation of the project lands varies from 5,[illegible] feet to a low of approximately 2,[illegible] feet.

Approximately 1,[illegible],[illegible] acres of irrigable lands [illegible] can receive a full or a supplemental water supply from present facilities. With the completion of the South Side Pumping Division, this total will be raised to 1,[illegible],[illegible], divided as follows:

Gravity Division (Minidoka Irrigation District)	[illegible]
South Side Pumping Division (Burley Irr. District)	[illegible]
Gooding Division (American Falls Res. Dist. No. 2)	[illegible]
Fremont-Madison Irrigation District	[illegible]
Warren Act Contractors	[illegible]
North Side Pumping Division (Various)	[illegible]
	1,[illegible],[illegible]

The principal products of the project are [illegible], sugar beets, clover seed, alfalfa seed, seed potatoes, small grains, dairy products, sheep and cattle.

CLIMATE

The project has a [illegible] growing season, the temperature ranges from [illegible] of 33 degrees below zero to 105 degrees with an average of [illegible] degrees. The average [illegible] growing period is about 200 days. The total growing season rainfall [illegible] depending upon the location within the project. The maximum annual precipitation ranges from [illegible] inches at Burley to [illegible] inches at Island Park.

MARKETS

The principal markets for grain is raised or produced on the project are Chicago, Los Angeles and San Francisco for potatoes; Boston for wool; and San Francisco, Ogden, Denver, and Omaha for livestock. Most of the forage, dairy and poultry products, as well as sugar beets, are disposed of locally.

GPO 985211

GRAND TOTAL 2,085

TWP. 7S - RGE. 23E.

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7S - RGE 24E.

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35	ALL

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8S - 22E

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8S - 23E

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20736

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31	8
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14	16
15	15
16	2
17-19	16 EACH

9S - 23E

SEC. 2	16 EA.
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	23	13
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	30	13
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337 - 40's	34	3

10S - 22E

12 - 40's	Sec.	3 12

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

OFFICIAL BUSINESS

POSTAGE AND FEES PAID
U. S. DEPARTMENT OF THE INTERIOR

Maps of wells and original lists of P.D's and land description
Permit #20736, U.S.B.R.
Minidoka North Side
PUMPING PROJECT

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Maps

Sept. 1-55