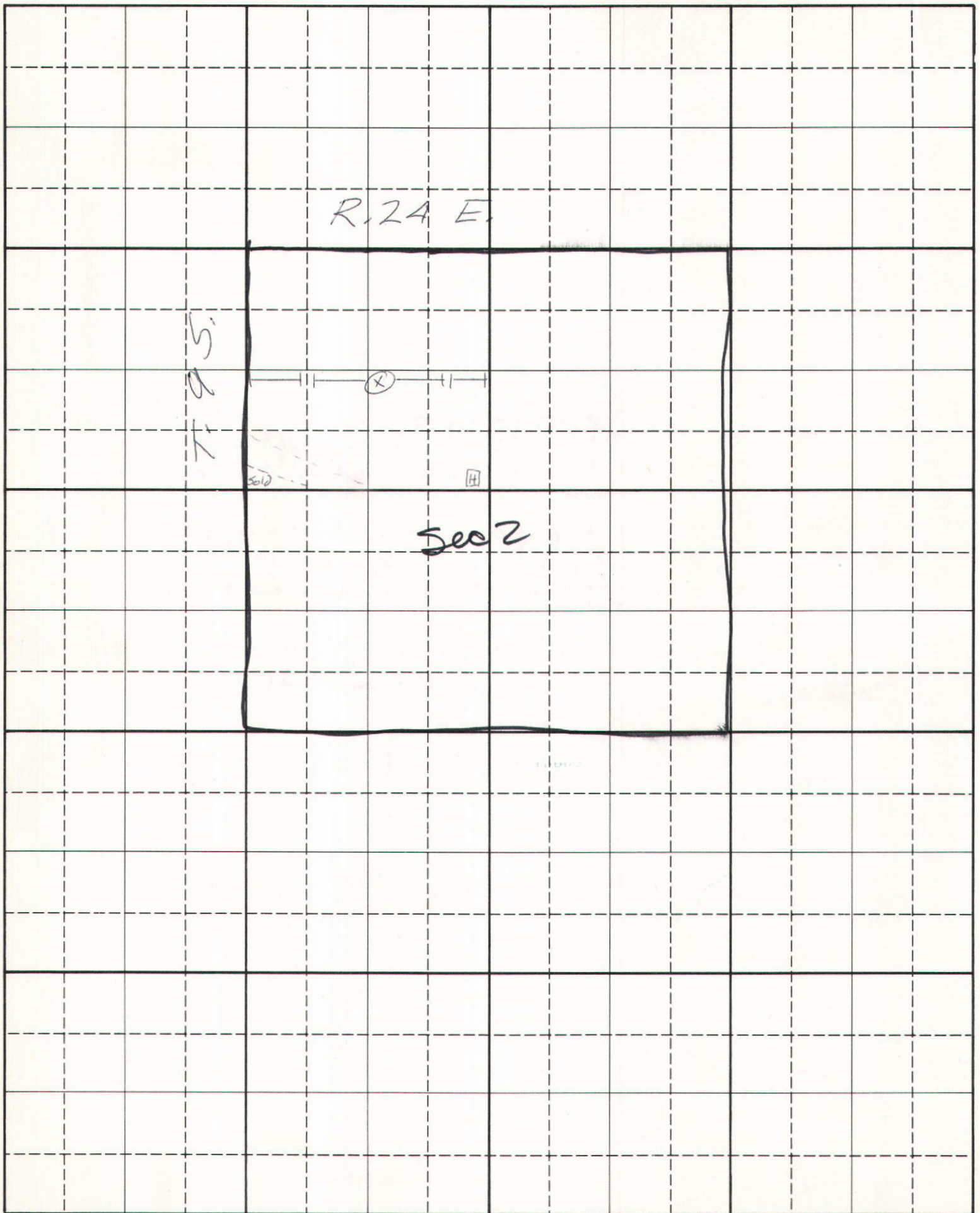


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

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.

Otis L. Oston
(Applicant)

36 7266

RECEIVED

OCT 18 1972

Department of Water Administration
Southern District Office

The Minidoka County News

RUPERT, IDAHO

AFFIDAVIT OF PUBLICATION

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

Ruth DeThomas, being first
duly sworn, deposes and says that he is the

Editor 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

2 consecutive weeks, commencing
with the issue dated Oct. 10, 1972, and
ending with the issue dated Oct. 17, 1972

Ruth DeThomas
Subscribed and sworn to before me this

17th day of Oct, 1972
Ann Hunter Notary Public

Cost of Publication

Notary Fee

Total Cost

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that
Otis L. Orton, Route 2, Hey-
burn, Idaho, has on Sept. 27,
1972, submitted Application No.
36-7266 for a permit to appro-
priate 2.8 cubic feet per sec-
ond of water from a ground-
water source by means of well,
pump, mainline, and sprinkler
system within the SE1/4NW1/4,
Sec. 2, T. 9S, R. 24E, B.M.,
Minidoka County, to be used
from March 15 to Nov. 15 for
the irrigation of 140 acres with-
in the NW1/4, Sec. 2, T. 9S,
24E, B.M.

If issued, this permit will
be subject to all prior water
rights. Protests against the
granting of the permit must be
filed with the Idaho Department
of Water Administration, 1041
Blue Lakes Boulevard North,
Twin Falls, Idaho 83301 on or
before October 27, 1972.

R. KEITH HIGGINSON
Director

Published in the Minidoka
County News, Rupert, Idaho, on
Oct. 10 and Oct. 17, 1972.
No. 586 - Oct. 10, 17, 1972

36 7266

35

2 A279

A257

A292

35

2

(207A)

(98A)

(97A)

B
20.6

A
137.3

B
33.3 OUT

51.5

C
29.1

A281
(102A)

A282
(103A)

A230
(67A)

A169
(101A)

A
36.4

A188

(105A)

35.2

66.7

A
74.6

A
36.5

NOT RECORDED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

(late proof)

License of Water Right No. 36-7266 Priority November 13, 1972 Amount 1.66 cfs

THIS IS TO CERTIFY, that J. Berkeley & Roscoe O. Orton
of Heyburn, Idaho, has complied with the terms and conditions of Permit
No. 36-7266 issued pursuant to Application for Permit dated September 26, 1972,
and has submitted proof to the Department of Water Resources on February 9, 1978,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 1.66 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	<u>from March 15 to November 15</u>	<u>at 1.66 cfs</u>	<u>and 532.0 acre feet</u>
_____	_____ from _____ to _____ at _____ cfs	_____	_____ and _____
_____	_____ from _____ to _____ at _____ cfs	_____	_____ and _____

(both dates inclusive)

Subject, however, to the condition that no more than 1.66 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
532.0 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 2, Twp.
9S, Rge. 24E in the County of Minidoka

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
9S	24E	2					40	40	33	20									133

Total number of acres irrigated 133

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 30 day of
November, 19 81.

Acting for the Director

Norman C. Young

State of Idaho
Department of Water Resources

RECEIVED

5/5
750

FEB 9 1978

ASSIGNMENT OF PERMIT

Department of Water Resources

I, Otis L. Orton, hereby assign to J Berkelex & Roscoe O. Orton
of Herbarn Idaho, Rt. #2, and 635 Chad drive Rexburg, Idaho.
Address

CHECK ONE



All my right, title, and interest in and to Permit No. 36-7266
to appropriate the public waters of the State of Idaho.



The following described portion of my right, title, and interest in and to Permit
No. 36-7266 to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

all in NW 1/4 of Sec. 2, T.9S R. 24 E BM. NW 1/4 40a, SE 1/4 35a.
NE 1/4 40a. SE 1/4 30a.

Made this 7 day of Feb, 1978.

Otis L Orton
Permit Holder

Ethel M. Orton
Spouse of Permit Holder

State of Idaho)
County of IDAHO Mandoka) ss.

On this 7 day of Feb, 1978, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

Loa M. Koch

Notary Public residing at Barley, Idaho

My commission expires:
2/25/81

n

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 36-7266

IN THE NAME OF OTIS L. ORTON

ORDER OF REINSTATEMENT

WHEREAS, on September 26, 1972, Otis L. Orton filed an application for permit with the Department of Water Resources to appropriate 2.80 cubic feet per second of groundwater to be diverted within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 2, Twp. 9S, Rge. 24E, B.M., Minidoka County, to be used for irrigation purposes; and,

WHEREAS, on November 13, 1972, the Department approved said application and issued Permit No. 36-7266 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before November 1, 1977; and,

WHEREAS, on August 31, 1977, the Department notified the permit holder by certified mail that proof of beneficial use of water was due and instructed the permit holder as to the steps to be taken to make said proof; and,

WHEREAS, on November 10, 1977, the Department notified the permit holder that Permit No. 36-7266 had lapsed for failure to submit proof of beneficial use of water; and,

WHEREAS, on December 19, 1977, the Department received the required proof of beneficial use of water; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within 60 days from the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing as to why said permit should be reinstated;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 36-7266 be REINSTATED and the priority advanced to November 13, 1972.

Dated this 3 day of January, 1978.


BOBBY D. FLEENOR
Chief, Operations Bureau

MICROFILMED

APPROVED

Identification No. _____

Application No. 36-7266

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant OTIS L. ORTON
post office address Route #2, Heyburn, Idaho 83336 Phone: 678-5812
2. Source of water supply Groundwater which is a tributary of _____
3. a. Location of point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 2 Township 9S
Range 24E B.M. Minidoka County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 2.8 for Irrigation purpose from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 2.8 cubic feet per second ~~and~~/or
b. 560 acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. _____
120' well w/20" casing. 75hp pump w/6" mainline w/3" and 4" laterals w/sprinkler
system.

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is 20" inches; proposed depth of well is 120 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 14,000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____.
(5) If water is to be used for other purposes describe: _____

36 7266

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

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
9S	24E	2					40	40	25	35									140

Total number of acres to be irrigated 140

c. Describe any other water rights used for the same purposes as described above.
 NONE

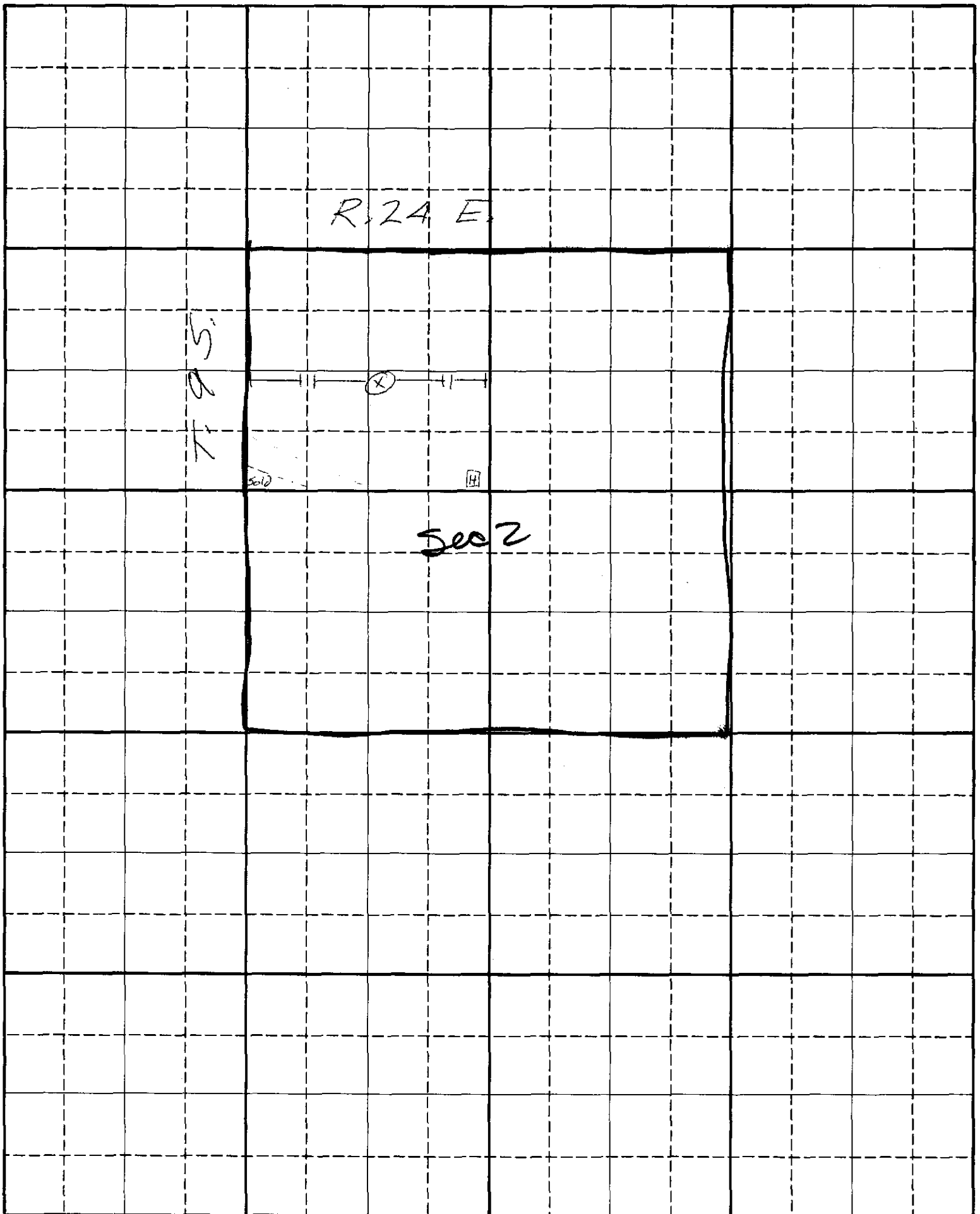
9. a. Who owns the property at the point of diversion APPLICANT

b. Who owns the land to be irrigated or place of use APPLICANT

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

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.

Otis L. Ostrom
(Applicant)

38 7266

Received by alw Date 9-27-72 Time 3:30pm

Preliminary check by CB Fee \$ 45.00

Receipted by alw Date 9-26-72

Publication prepared by alw Date 9-29-72

Published in Minidoka County News, Rupert, Idaho

Publication dates 10-10 & 10-17-72

Publication approved alw Date 10-18-72

Priority reduced to 0 Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 36-7266, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- SUBJECT TO ALL PRIOR WATER RIGHTS.
- Proof of construction of works and application of water to beneficial use shall be submitted on or before November 1, 1977.
- Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 13th day of November, 1972.

R. Keith Higin
Director

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)			Application No. <u>36-7266</u> Name <u>Otis L. Orton</u>
(2)			Check: ☒ Signature ☒ Point of Diversion ☒ Quantity of Water and Period of Use ☒ Description of Diverting Works ☒ Time required for C/W and application of water to B/U ☒ Place of Use ☒ Map ☒ Fee
(3)			Send copies to: ☐ Idaho State Health Department ☐ Idaho Fish and Game Department ☐ Bureau of Land Management
(4)			☐ Request Special Use Permit from U.S.F.S. ☐ Request Easement from B.L.M.
(5)	<u>alu</u>	<u>9-29-72</u>	In form for advertising
(6)	<u>alu</u>	<u>10-18-72</u>	Affidavit of Publication received
(7)	<u>alu</u>		Final date for protests <u>Oct 27, 1972</u> Protests received: yes ☐ no ☒
(8)			Date and Place of hearing Decision reached at hearing
(9)			Located within Water District No.
(10)	<u>AK</u>		Critical groundwater area: yes ☐ no ☒
(11)	<u>AK</u>		Groundwater levels: ☐ Decline (comment) ☒ Stable (comment) ☐ Increasing (comment)
(12)			Comments:
(13)			Action recommended: ☒ Approve Priority <u>9-26-72</u> ☐ Deny Reason for Reduction <u>A</u> See attached sheet for conditions of approval No conditions for approval
(14)			District <u>Southern</u> By <u>Bob Haynes</u> Date <u>11-2-72</u> Title <u>Dist Engr</u>

RECOMMENDEDCONDITIONS OF APPROVAL

☒ A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

☐ Measuring devices of a type approved by this Department shall be permanently installed and maintained at the point of diversion and the point of effluent discharge.

☐ Use of water under this permit is supplemental to all existing water rights with the same purpose and place of use.

☐ Maximum rate of diversion shall not exceed _____ c.f.s.

☐ Settling ponds shall be installed which are capable of reducing the silt load in the return water to such a level that the quality of the waters of _____ Creek will not be impaired for other beneficial uses.

☐ Return water shall be treated to insure that the effluent meets (interstate) (intrastate) stream water quality standards.

☐ Use of water under this permit is subject to control by the watermaster of State Water District No. _____, _____ River.

☐ The proposed well shall not be drilled within _____ feet of another well.

☐ The issuance of this permit in no way grants any right-of-way or easement across the land of another person.

☐ The permit shall not be assigned or sold without first securing the written approval of the Department of Water Administration.

☐ This permit cannot be assigned, mortgaged, or conveyed without complying with Section 42-208, Idaho Code.

☐ Other: _____

RECEIVED

OCT 18 1972

Department of Water Administration
Southern District Office

The Minidoka County News

RUPERT, IDAHO

AFFIDAVIT OF PUBLICATION

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

Ruth DeThomas, being first
duly sworn, deposes and says that he is the
Editor 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
2 consecutive weeks, commencing
with the issue dated Oct. 10, 1972, and
ending with the issue dated Oct. 17, 1972.

Subscribed and sworn to before me this

17th day of Oct, 1972
Don Hunter Notary Public

Cost of Publication

Notary Fee

Total Cost

FOR WATER PERMIT

Notice is hereby given that
Otis L. Orton, Route 2, Hey-
burn, Idaho, has on Sept. 27,
1972, submitted Application No.
36-7266 for a permit to appro-
priate 2.8 cubic feet per sec-
ond of water from a ground-
water source by means of well,
pump, mainline, and sprinkler
system within the SE1/4NW1/4,
Sec. 2, T. 9S, R. 24E, B.M.,
Minidoka County, to be used
from March 15 to Nov. 15 for
the irrigation of 140 acres with-
in the NW1/4, Sec. 2, T. 9S,
24E, B.M.

If issued, this permit will
be subject to all prior water
rights. Protests against the
granting of the permit must be
filed with the Idaho Department
of Water Administration, 1041
Blue Lakes Boulevard North,
Twin Falls, Idaho 83301 on or
before October 27, 1972.

R. KEITH HIGGINSON
Director

Published in the Minidoka
County News, Rupert, Idaho, on
Oct. 10 and Oct. 17, 1972.
No. 366 - Oct. 10, 17, 1972

36 7266



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

November 10, 1981

RE: Permit No. 36-7266

J. Berkeley & Roscoe O. Orton

Route #2

Heyburn, ID 83336

Gentlemen:

A representative of this Department has made an examination of the works covered by your Permit No. 36-7266, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 1.66 cfs Source: groundwater

The maximum quantity diverted shall not exceed 532.0 acre feet per year.

Point(s) of diversion: SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 2, Twp. 9S, Rge. 24E, Minidoka County

Beneficial use: Irrigation of 133 acres within the NW $\frac{1}{4}$, Sec. 2, Twp. 9S,
Rge. 24E

Priority date established: November 13, 1972 (late proof)

Conditions (if any):

you do not concur with these findings please contact us within 10 days, otherwise
water license will be issued as set forth above.

Sincerely,

JIM JOHNSON

Water Distribution Supervisor

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

December 1, 1981

RE: Permit No. 36-7266

J. Berkeley & Roscoe O. Orton
Route #2
Heyburn, ID 83336

Gentlemen:

Enclosed is a copy of the Water Right License issued on the above
referenced Permit.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

Enclosure

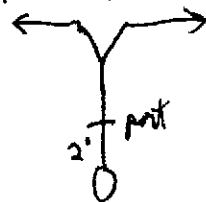
MICROFILMED

UNCLASSIFIED

MAP (Attach Aerial Photo)

SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)



Point(s) of diversion: SE 1/4 NW 1/4 Sec. 2 T. 9S R. 24E

Place(s) of Use

TWP.	RGE.	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
9S	24E	2					40	40	32	20									132

Recommended Amendments:

- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

Examiner's Signature J. F. Stanton Date 6-24-81
 Checked by [Signature] Date 10/2/81
 Approved by [Signature] Date 11/10/81

RECEIVED

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36.5
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(105A)

A188

(103A)

A282

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C

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B

(98A)

A257

A292

(207A)

A279

35

35
2

February 22, 1978

Re: Permit No. 36-7266

J. Berkeley and Roscoe O. Orton
Route 2
Heyburn, Idaho 83336

Gentlemen:

We acknowledge receipt of the assignment conveying the above referenced permit to you. The assignment has been entered into the Department's records.

Sometime during the irrigation season a field examiner from this Department will contact you about making a field examination so this permit may be licensed. He will try to contact you before he makes the exam so that you may show him the system. If you have any questions regarding the field exam, please contact our Regional Office in Twin Falls. Please note that this permit was filed on 140 acres and your proof was filed for 145 acres. In order to use the extra five acres, a new application for permit will have to be filed for those five acres.

If you have any questions, please do not hesitate to contact us.

Sincerely,

JAN GROVER
Supervisor,
Water Rights

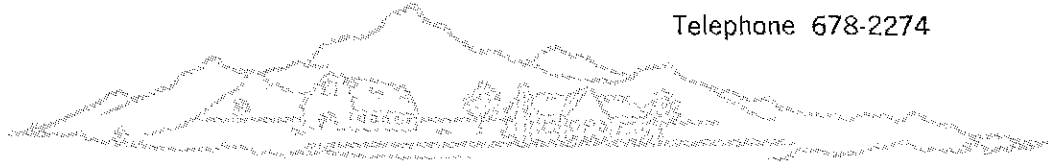
JG:JFR

cc: 635 Chad Dr.
Rexburg, ID 83440

Orton Realty

401 East Main Street
Burley, Idaho 83318

Area Code 208
Telephone 678-2274



We Buy — Sell — Trade

Farms & Ranches

Acreages & Subdivisions

February 8 1978

RECEIVED

FEB 9 1978

Re: Permit No. 36-7266

Department of Water Resources

Janice Renk
Water Rights
Statehouse
Boise, Idaho 83720

Dear Janice Renk

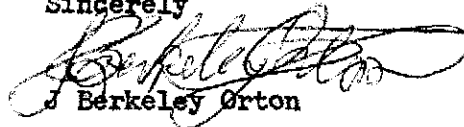
I am sending you the forms and papers that should take care of my application for our water license. Also find inclosed an aerial photo obtained from the A.S.C. Office, showing the property which we want the water for and which also shows the location of the pump and well.

Also find the Assignment of Permit, from my father to my brother and me.

If there is anything that we have overlooked or done wrong, please let us know, so that we can correct it.

Thanks for you coperation.

Sincerely



Berkeley Orton

MEMBER:



NATIONAL ASSOCIATION OF REAL ESTATE BOARD
MAGIC VALLEY EXCHANGERS ASSOCIATION
IDAHO CHAPTER AND NATIONAL
INSTITUTE OF FARM & LAND BROKERS
BURLEY-RUPERT MULTIPLE LISTING SERVICE

REALTOR

"Under All is the Land
Own Some of It"

January 3, 1978

Re: Permit No. 36-7266

Otis L. Orton
Route 2
Heyburn, Idaho 83336

Dear Mr. Orton:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit. Enclosed is an Order of Reinstatement; please note that the priority has been advanced to November 13, 1972.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this exam will be made, but our examiner will try to contact you at the time he makes the exam so that you may show him the system.

Enclosed is an assignment of permit form for your use in assigning this permit to your sons. You may assign it to both you and your sons if you wish to then any of you would be able to sign forms and it would be in all of your names.

If you have any questions regarding this matter, please do not hesitate to contact us.

Sincerely,

JANICE RENK
Water Rights

Encls.

Identification No. _____
Permit No. 36-7266

RECEIVED

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

FEB 9 1978

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Department of Water Resources

1. a) Name of Permit Holder Otis L. Orton
b) Post Office Address Hexburn, Idaho 83336
2. Permit Number 36-7266
3. Date of Priority that you are prepared to establish 9-26-72
4. a) Source from which water was appropriated Well
b) Location of the point of diversion: SE 1/4 NW 1/4, Section 2
Township 9 S, Range 24 E, Boise Meridian, Other points of diversion: _____

5. a) The amount of water and use to which the water has been applied:
Amount 2.8 cfs for Irrigation purposes from April 5 to Oct 30 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)

b) Total amount appropriated 2.8 cfs up to 435 ac ft cfs and/or acre-feet per annum

c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Meter Has not been read by anyone of authority

6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: OWNER
b) Describe the agreement or understanding by which you take water from the works: _____

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) 20 inch casing, well is 111 ft. deep. Lava from 8 ft. to 110 ft.; 60 HP shallow well turbine, static water 64 ft., column set at 96 ft., 100 HP panel, 10 ft. suction pipe.
b) Describe the type and size of measuring device which you have installed at your point of diversion: 8" McCrometer Flow Meter Mc 01400

c) Give well driller's name and address and the date the well was completed: Sherman Couch
Rt #1 Hexburn, Idaho

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: _____

field exam 1/4/78
topped on 1st pass
for the 1st pass
submitted

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision:

[illegible]

10. Remarks: _____

Feb 8, 1978
(Date)


(Signature)

Lee M. Korb
Notary Public residing at Berkeley, Idaho

My commission expires 2-23-81

Identification No. _____

Permit No. 36-7266

RECEIVED

DEC 19 1977

Coff

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE Department of Water Resources

1. a) Name of Permit Holder Otis L. Orton

b) Post Office Address Rt. #2 Heyburn, Idaho

2. Permit Number _____

3. Date of Priority that you are prepared to establish _____

4. a) Source from which water was appropriated well

b) Location of the point of diversion: E. 1/4 NW 1/4, Section 2

Township 9 S., Range 24 East Boise Meridian, Other points of diversion: _____

none

5. a) The amount of water and use to which the water has been applied:

Amount 2 1/2 cfs for Irrigation purposes from May 1, 1975 to Sept 15, 1975 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)

Amount 2 1/2 cfs for May Irrig. purposes from May 1, 1976 to Oct 1, 1976 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)

Amount 2 1/3 for Irrig purposes from Apr 20, 1977 to Sept 10, 1977 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)

b) Total amount appropriated 2 1/3 April through October cfs and/or acre-feet per annum

c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Meeter was put on to meas
ure it. 8" piezometer

6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:

a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:

b) Describe the agreement or understanding by which you take water from the works:

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) pipe line

b) Describe the type and size of measuring device which you have installed at your point of diversion:

c) Give well driller's name and address and the date the well was completed: Sherman Couch

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use:

Irrigation

Exam typed 11/4/78 by [signature]

11/10/78

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9S	24E	2	✓	✓			✓	✓	✓	✓									

Total number of acres irrigated ~~145~~ 145

10. Remarks: We are irrigating about 145 acres. we
miss the S½ of S½ of SE¼ of NW¼ and a small
piece below the canal in the SW¼ of the NW¼.

The above information is a true statement of the extent to which the above numbered permit has been developed.

Dec
 (Date)

Otis L. Ostrow
 (Signature)

State of Idaho)
) ss.
 County of Minidoka)

On this 13 day of Nov., 1977, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

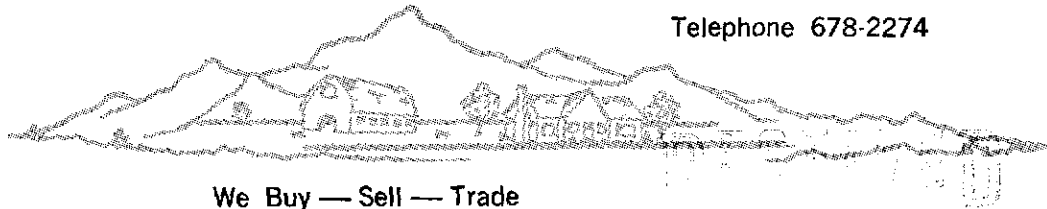
Loa M. Korb
 Notary Public residing at Burley, Idaho

My commission expires 2/23/81

Orton Realty

401 East Main Street
Burley, Idaho 83318

Area Code 208
Telephone 678-2274



We Buy — Sell — Trade

Farms & Ranches

Acreages & Subdivisions

December 16, 1977

Mr Stephen Allred

State of Idaho
Dept. of Water Resources
Boise, Idaho

Dear Mr. Allred,

My sons who were in with me have taken over the place and somehow I have forgotten when proof had to be made on this water. Since I applied for the permit should I continue on with the proof in my name or have one of my sons sign for the beneficial use of the water?

They had the ground in grain in 1975, Potatoes in 1976 and Barley 1977, I have given approximate turn on dates for water. Some years may be a little earlier or later and of course, we shut off when we don't need the water.

The pump may be inspected at any time.

Sincerely,

Otis L. Orton
ORTON REALTY

OC:ds

MEMBER:



REALTOR

NATIONAL ASSOCIATION OF REAL ESTATE BOARD
MAGIC VALLEY EXCHANGERS ASSOCIATION
IDAHO CHAPTER AND NATIONAL
INSTITUTE OF FARM & LAND BROKERS
BURLEY-RUPERT MULTIPLE LISTING SERVICE

"Under All is the Land
Own Some of It"



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

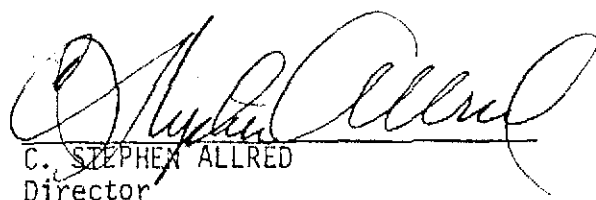
November 10, 1977

Otis L. Orton
Rt. 2
Heyburn, Idaho 83336

Dear Mr. Orton:

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, Permit No. 36-7266 has lapsed since you have not notified us that you have completed the project by the date required on your permit. You were provided forms for that purpose in our notice to you dated August 31, 1977.

Your permit cannot be reinstated unless you submit the proof of beneficial use affidavit, enclosed, or show other reasonable cause why the permit should be reinstated within 60 days from the date of this lapse notice.



C. STEPHEN ALLRED
Director

CSA:jfr

Encl.

RECEIVED
NOV 14 1977
WATER RESOURCES

August 31, 1977

CERTIFIED MAIL

138919

Re: Permit No. 36-7266

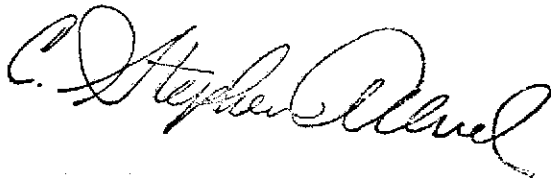
Otis L. Orton
Rt. 2
Heyburn, Idaho 83336

Dear Mr. Orton:

One of the conditions of approval of your water Permit No. 36-7266 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before November 1, 1977. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.



C. STEPHEN ALLRED
Director

CSA:jfr

Enc: Proof affidavit

RECEIVED
MICHIGAN
1977

WELL DRILLER'S REPORT

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

RECEIVED
4/26/73
Department of Water Administration

1. WELL OWNER

Name OTIS ORTON & ERNEST NORBERRY

Address ACEQUITA IDAHO

Owner's Permit No. 36-7266

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement

☐ Abandoned (describe method of abandoning)

3. PROPOSED USE

☐ Domestic ☒ Irrigation ☐ Test

☐ Municipal ☐ Industrial ☐ Stock

4. METHOD DRILLED

☒ Cable ☐ Rotary ☐ Dug ☐ Other

5. WELL CONSTRUCTION

Diameter of hole 20 inches Total depth 111 feet

Casing schedule: ☒ Steel ☐ Concrete

Thickness	Diameter	From	To
<u>1/2</u> inches	<u>20</u> inches	<u>0</u> feet	<u>9</u> feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Was a packer or seal used? ☐ Yes ☐ No

Perforated? ☐ Yes ☐ No

How perforated? ☐ Factory ☐ Knife ☐ Torch

Size of perforation _____ inches by _____ inches

Number	From	To
_____ perforations	_____ feet	_____ 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 _____

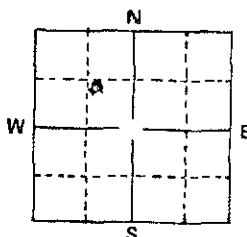
Placed from _____ feet to _____ feet

Surface seal? ☒ Yes ☐ No To what depth 9 feet

Material used in seal ☒ Cement grout ☐ Puddling clay

6. LOCATION OF WELL

Sketch map location must agree with written location.



County Blaine 36 7266

SE 1/4 NW 1/4 Sec. 9 T. 9 S. R. 24 E

7. WATER LEVEL

Static water level 64 feet below land surface

Flowing? ☐ Yes ☐ No G.P.M. flow _____

Temperature _____ ° F. Quality _____

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

Controlled by ☐ Valve ☐ Cap ☐ Plug

8. WELL TEST DATA

☐ Pump ☒ Bailer ☐ Other

Discharge G.P.M.	Draw Down	Hours Pumped
_____	_____	_____
_____	_____	_____
_____	_____	_____

9. LITHOLOGIC LOG

Hole Diam.	Depth		Material	Water	
	From	To		Yes	No
20	0	8	sand		
	8	39	gray lava solid		
	39	54	red lava solid		
	54	75	gray lava firm		
	75	90	gray & red lava cinders	X	
	90	110	gray lava firm	X	
	110	111	brown clay		

10.

Work started 9-1-72 finished 9-20-72

11. DRILLER'S CERTIFICATION

This well was drilled under my supervision and this report is true to the best of my knowledge.

SHERMAN COUCH WELL DRILLING 161
Driller's or Firm's Name Number

3407 Mauna Vista Dr, Burley Idaho
Address

Sherman Couch 9-1-72
Signed By Date

November 15, 1972

Re: 36-7266

Otis L. Orton
Route #2
Heyburn, Idaho 83336

Dear Mr. Orton:

Enclosed is a copy of your approved Application for Permit No. 36-7266. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF: cd

Enclosures

36 7266

September 29, 1972

Re: Application No. 36-7266 - Otis L. Orton

Minidoka County News
625 Fremont Ave.
Rupert, Idaho 83350

Gentlemen:

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

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

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

" I hereby certify that the foregoing account is just and correct,
that the amount claimed is legally due, after allowing all just
credits, and that no part of the same has been paid."

(signature of claimant)

Very truly yours,

Bob Haynes
District Engineer
Southern District

BH:alw

Enc: Legal Notice

Bill submitted 10-18-72 by alw

36 7266

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Otis L. Orton,
Route 2, Heyburn, Idaho
has on Sept. 27, 1972 submitted Application No. 36-7266
for a permit to appropriate 2.8 cubic feet per second ~~acre feet per annum~~
of water from a groundwater source
by means of well, pump, mainline, and sprinkler system
within the SE1/4, Sec. 2, T. 9S, R. 24E, B.M., Minidoka

to be used from March 15 to Nov. 15
for the irrigation of 140 acres

within the NW1/4, Sec. 2, T. 9S, R. 24E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 1041 Blue Lakes Boulevard North, Twin Falls, Idaho, 83301 on or before October 27, 1972.

R. KEITH HIGGINSON

Director

Published in the Minidoka County News, Rupert, Idaho
on Oct. 10 and Oct. 17, 1972

36 7266