

4285

FASSETT
-2405

31

EAST

RECEIVED
FEB 22 1996

T # 4744

RANCHO VERDE

-2062

HERBOEL
-2550

MICKELSEN
-2231 -2675

Rancho VERDE

-02221

FASSETT -2664

30

ROAD

FASSETT
-12650

4285

1100 NORTH

Aqueduct

FASSETT
-2405

31

RECORDED
FEB 2 1996

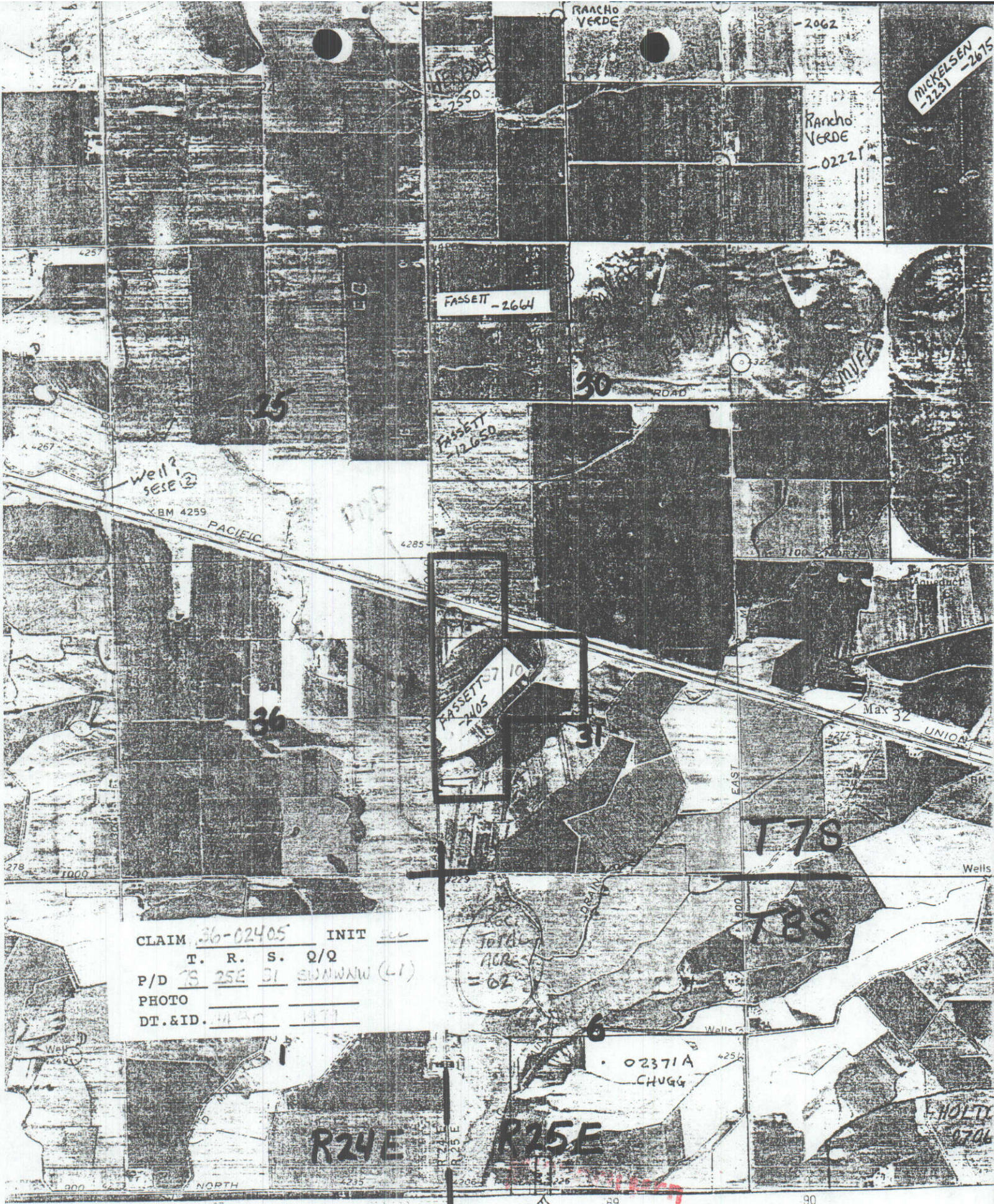
EAST

Max 32

UNION

T78

T# 4744 Wells



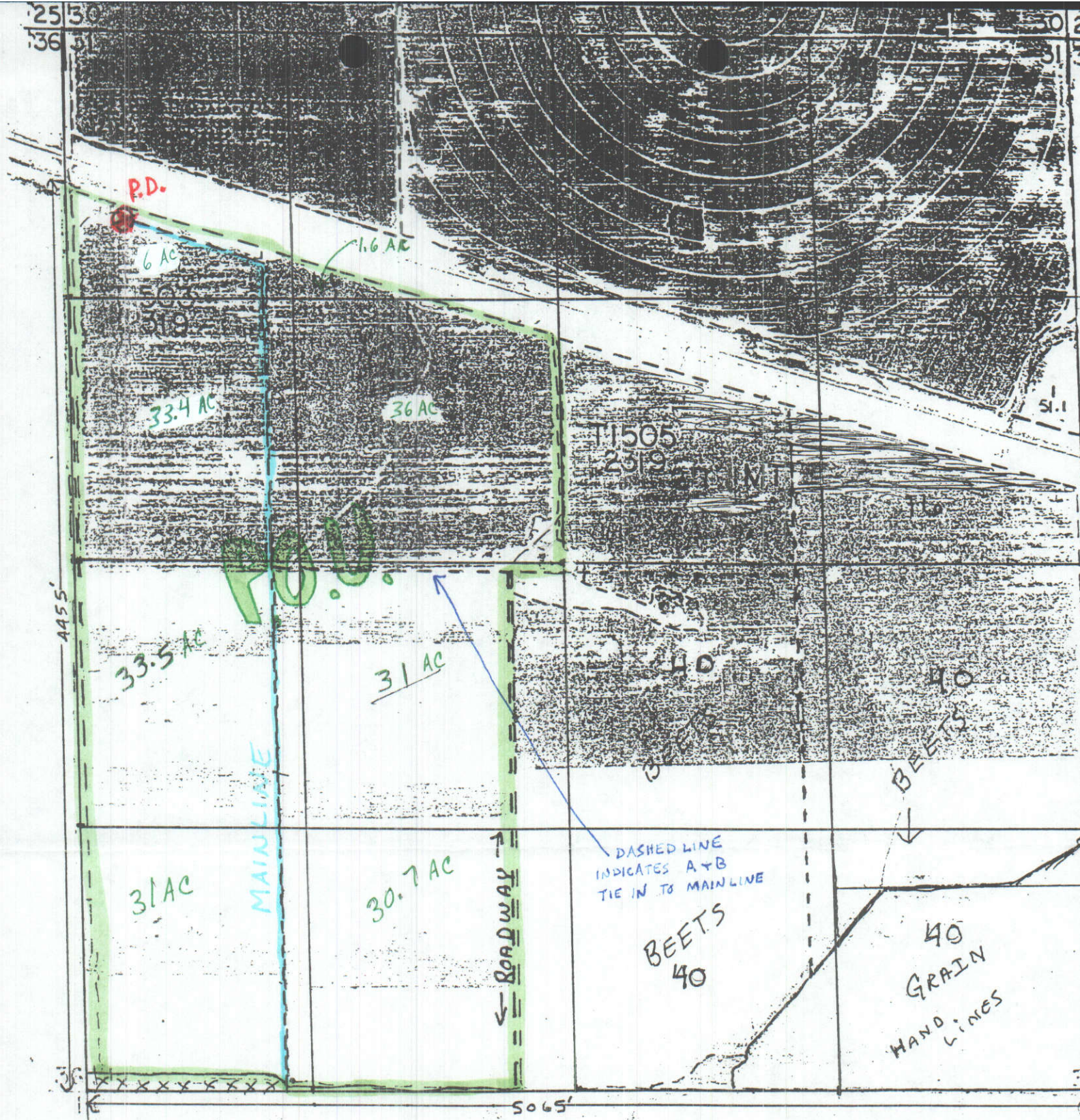
CLAIM 36-02405 INIT SEC
T. R. S. Q/Q
P/D 78 25E 31 SWNW 1/4 (L1)
PHOTO _____
DT.&ID. 4/20/77 MTT

ACRES
= 62

FP 2371 B
March 1996

SCALE 1:24,000

T #4744



T 07 S , R 25 E

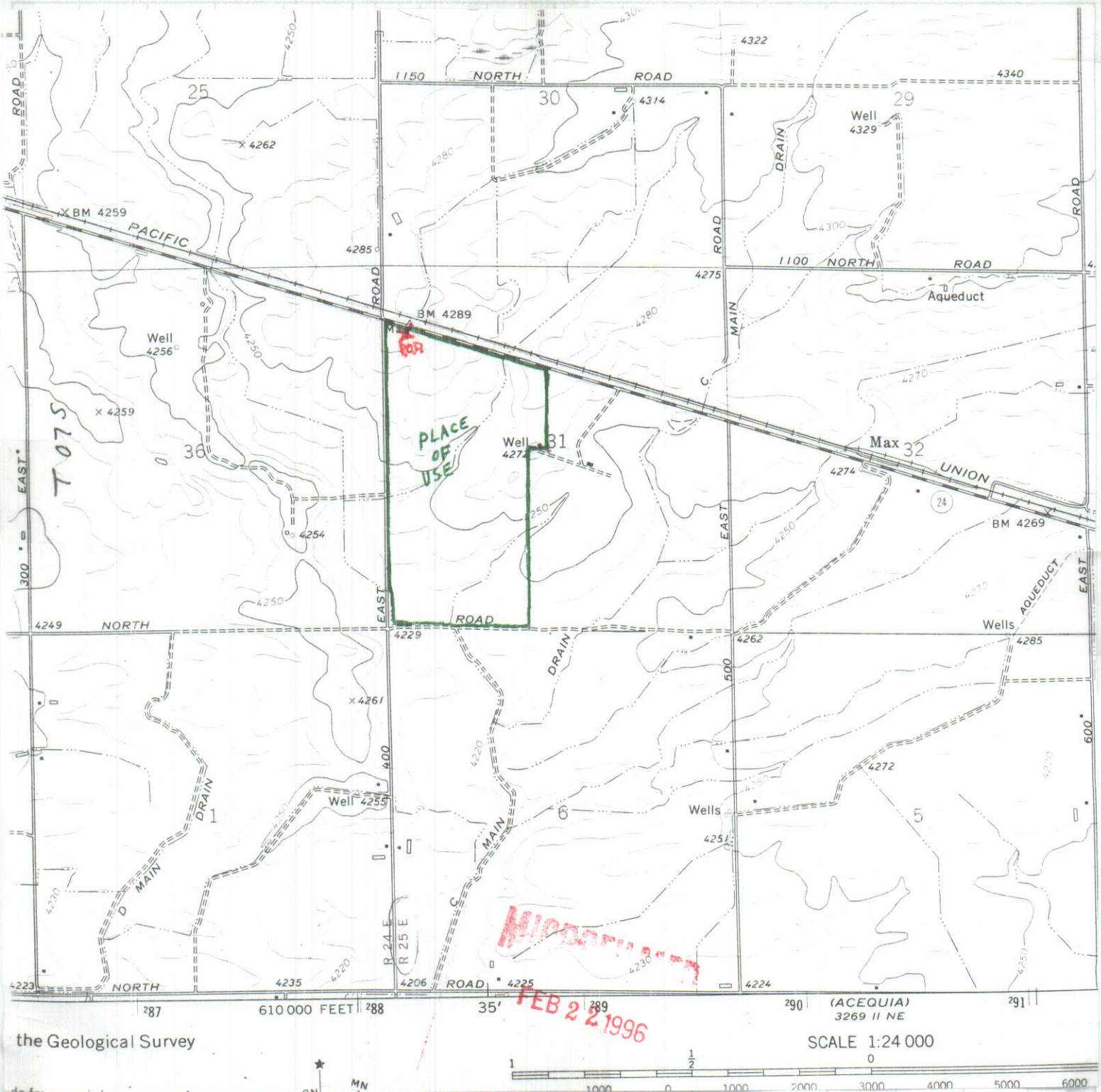
SECTION 31

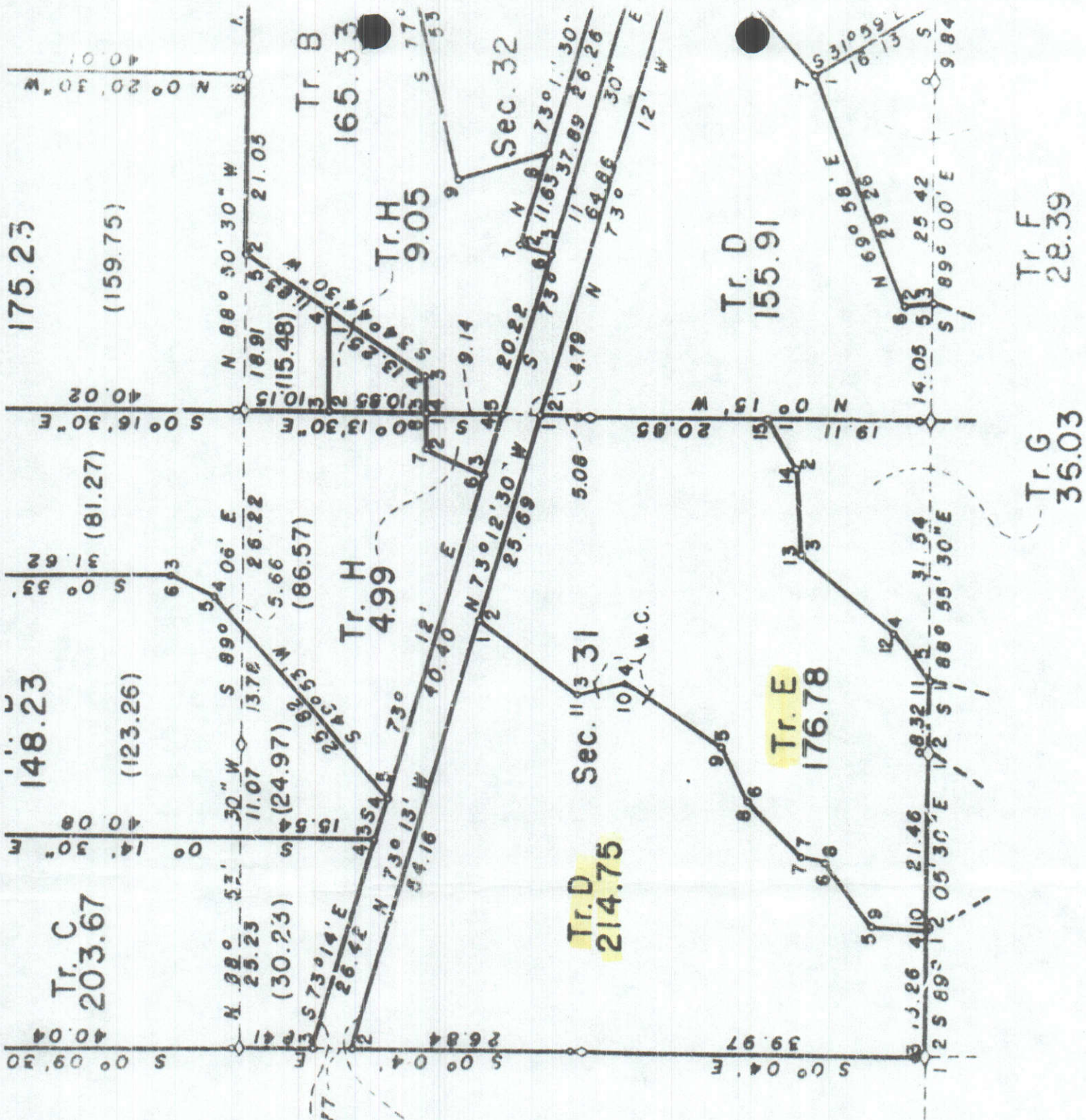
FEB 22 1996

T # 4744

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.





RECORDED

FEB 22 1996

T # 4744

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

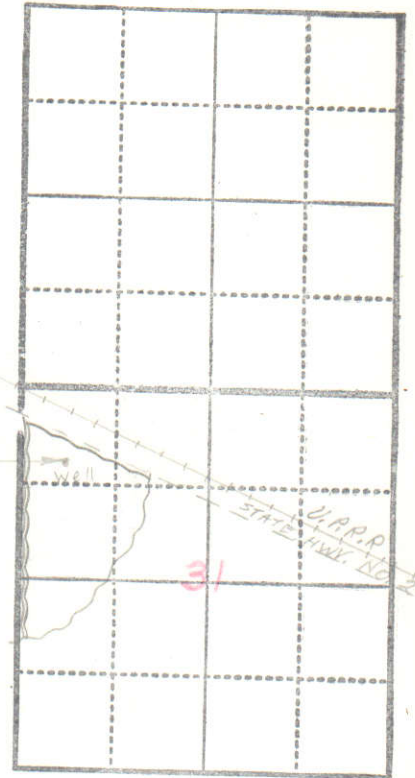
36-2405

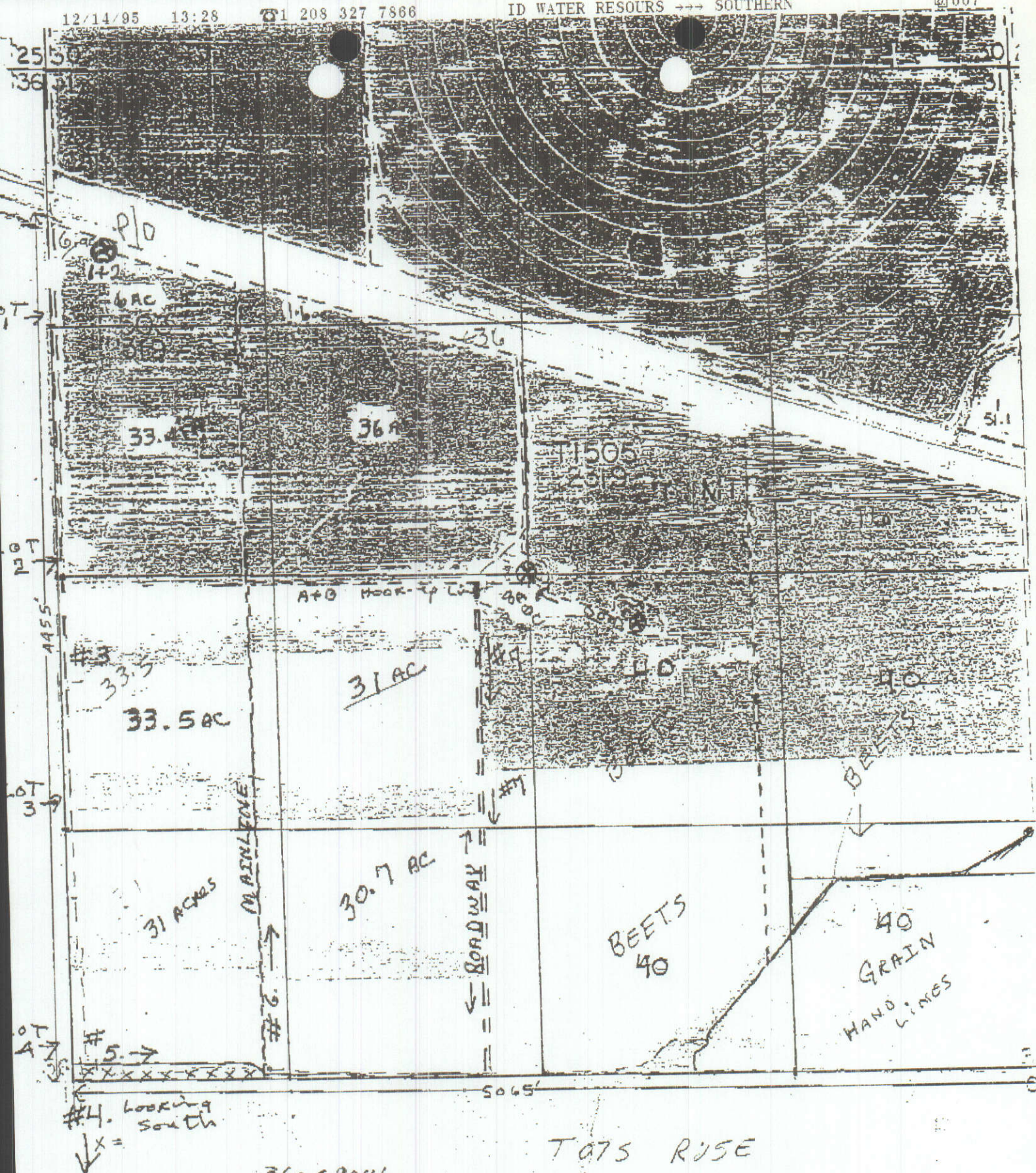
FHA letter in file

Assigned to David L. Tippet
See assignment

Application No. G- 36223
Permit No. G- 28259
District No.

1. Name of Applicant: William Eugene Barnard
Postoffice address: Rupert County: Minidoka State: Idaho.
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second 1.76 or Idaho
Miners' inches 88 or gallons per minute
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Deep well
4. Location of point of diversion or well is in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 31
Twp. 7 S, Rge. 25 E, B.M., County of Minidoka
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Well, pump and ditches
8. Estimated cost of works: \$ 8,880.00
9. (a) Is reservoir to be used? No
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources: FHA
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None
 - (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) 1.76 c.f.s. (cubic feet per second, inches or gallons per minute) is for new lands.



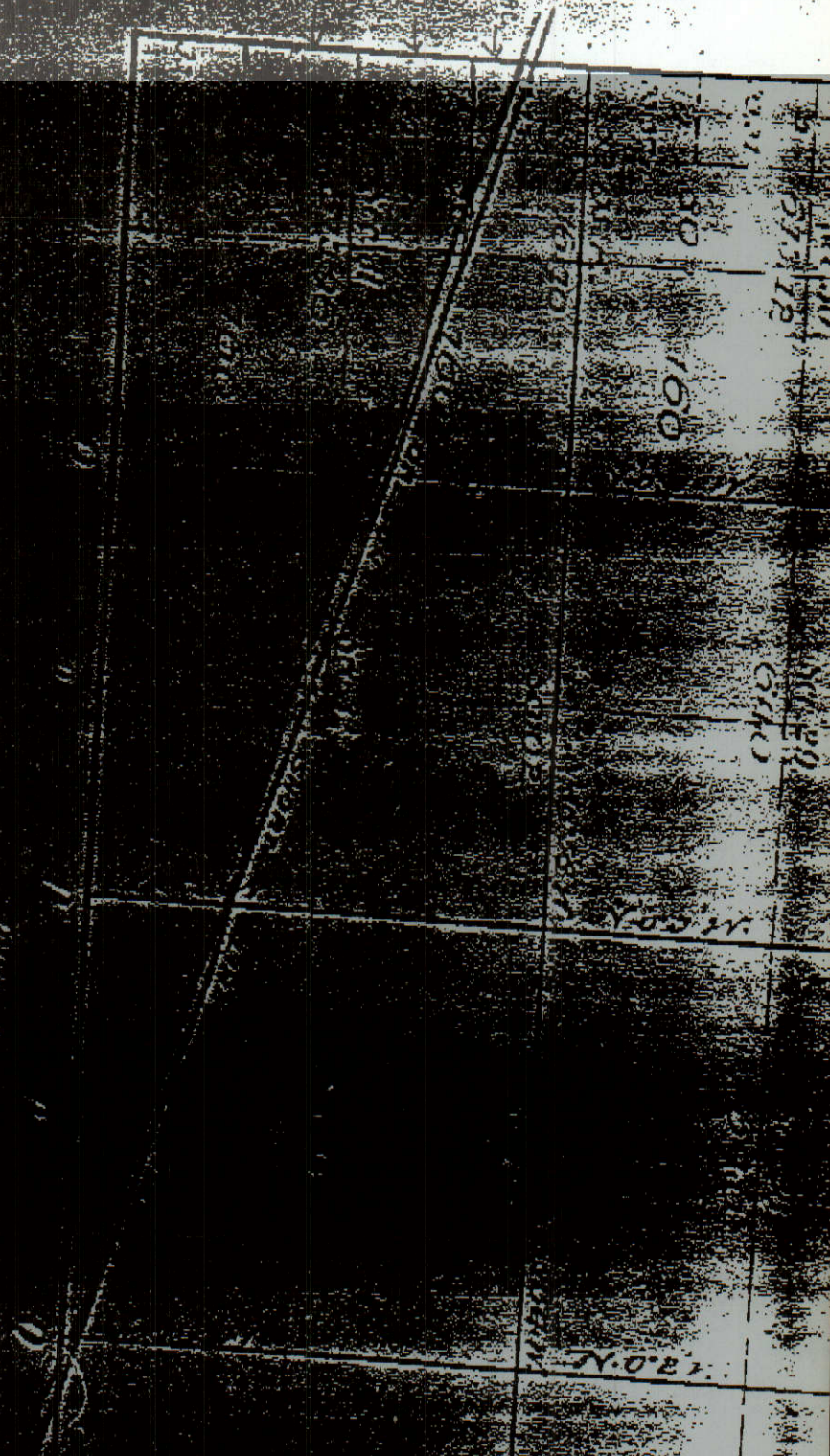


T075 R15E
SEC 31

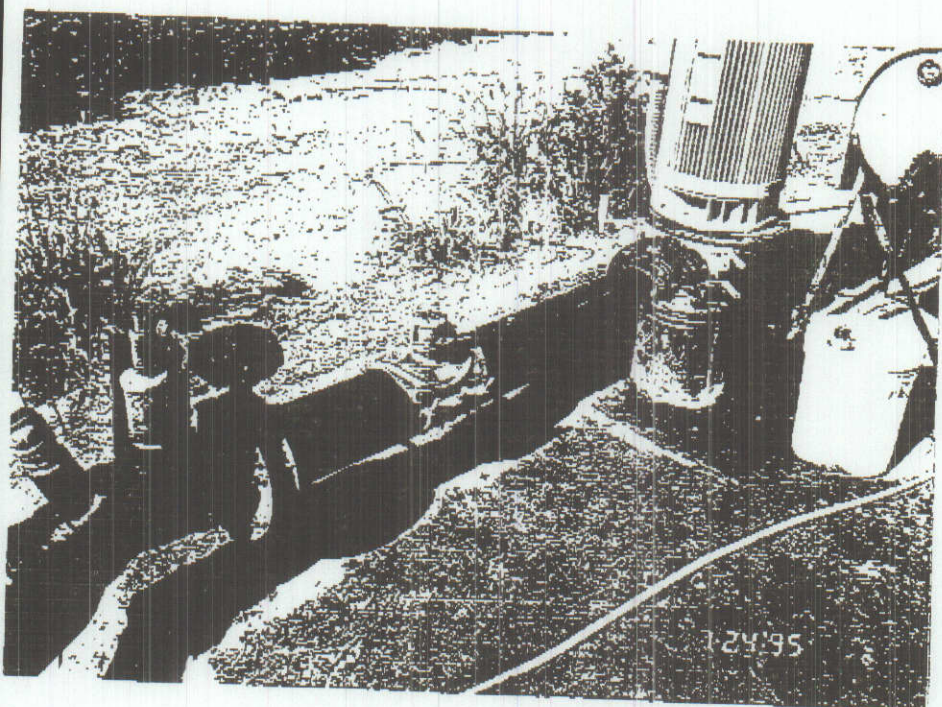
36-08046
36-02405

FEB 22 1996

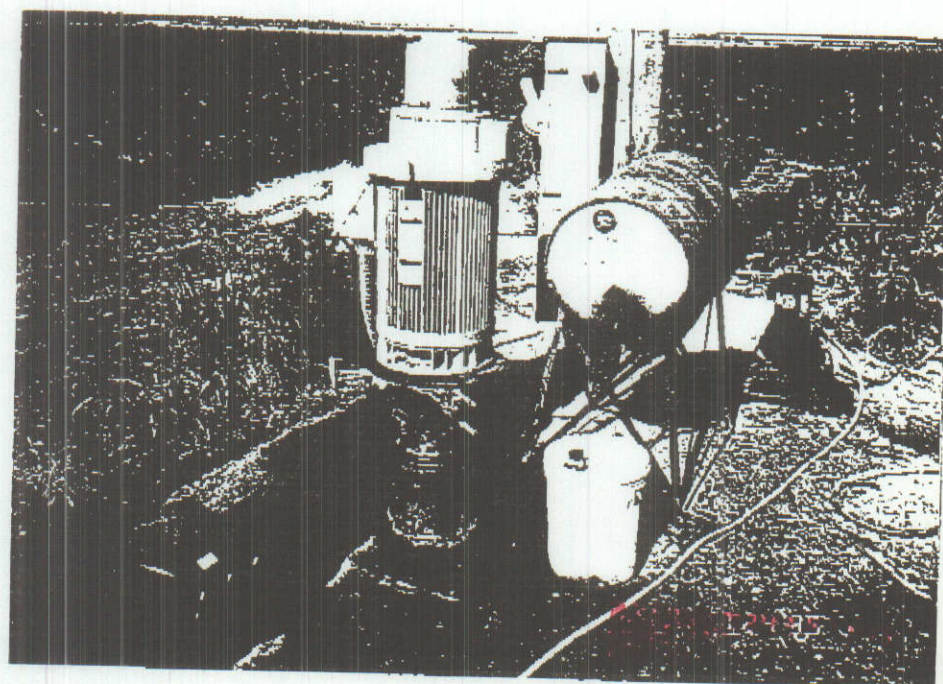
FEB 22 1996



36-08046

1. view of measuring
meter @ P.O.D

2. view of P.O.D



FEB 22 1996

May 31, 1962

Re: Permit No. G-28259

William E. Barnard
Box 26
Acequia, Idaho

Dear Mr. Barnard:

Our field engineer's report on his inspection of proof of completion of works and application of water to beneficial use under the terms of Permit No. G-28259 shows the well is (are) capable of conveying 62 miner's inches, or 1.24 c.f.s. of water for the irrigation of 62 acres.

Upon receipt of the statutory fees, totaling \$ 13.00 , we will issue the Certificate of Completion of Works (fee \$5.00) and the License and Certificate of Water Right (fee \$ 8.00 , based at the rate of \$2.00 for each 40-acre subdivision) confirming the right, with priority of November 9, 1959 to the use of 1.24 second feet of subterranean water with the point of diversion in NW1/4, Sec. 31, T. 7 S., R. 25 E., to irrigate 62 acres in NW1/4, S1/4, NW1/4, Sec. 31, T. 7 S., R. 25 E.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

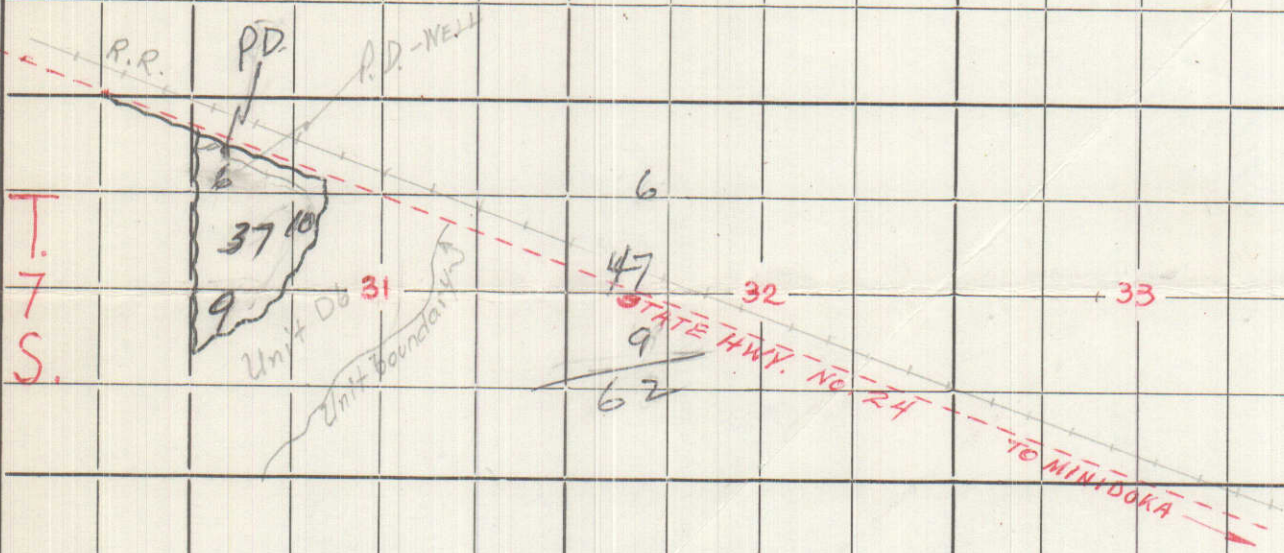
By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

28259

R-25E.



3 Per 4 min 11 Sec. = $1.19 \times 10.5 = 1.25$

Subdivisions 4

AREA 62 Acres

Q 1.25 for 62 acres

V = 496 AC 71/ Season

Q-2 10

William E. Barnard
Box 26
Acequia, Idaho
Permit No. G-28259

Per Bill Cresson
Minidoka Livestock Dist

Examination for Completion of Works & Beneficial Use

County..... Minidoka

Sec. 31 T. 7S R. 25E B. 7m.

Quantity: 1.76 a.f.s.

Source: Well

P.D.: NW. 1/4, S. 3, T. 7S, R. 25E.

Use: Irrigation

Filed: Nov. 9, 1954

Due: Nov. 20, 1964

Extension: —

Completion of Works: —

Other Rights: none

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

RECEIVED
MAY 29 1962

Department of Reclamation

12/29/61

RECEIVED

JAN 2 1962

Department of Reclamation

Geo. W. Carter
Reclamation Engineer

Dear Sir.

I have requested inspection
for beneficial use of water
for permit # G-28259.

The water was in use
for the year 1961.

F.H.A. in Rupert is
pressing me for this
proof.

Would you please
advise.

Very truly yours
W.E. Barnard
Rt 2

Rupert, Idaho
Phone HE6-4961

Filed Nov. 9, 1959

Due Nov. 20, 1964

Proof Made Sept 9, 1960

28259

RECEIVED
SEP 1 21960

The Minidoka County News

RUPERT, IDAHO

AFFIDAVIT OF PUBLICATION

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

Junior Ross, being first
duly sworn, deposes and says that he is the
Manager.....publisher of The Minidoka County
News, a weekly newspaper published at Rupert,
Idaho, in the county aforesaid, and that the paper
is of general circulation therein. Deponent further
states that the printed notice attached hereto was
duly published according to law in the regular
weekly editions of The Minidoka County News

for four..... consecutive weeks, commencing
with the issue date Aug. 11....., 1960....., and
ending with the issue dated Sept. 1....., 1960.....

Junior Ross
Subscribed and sworn to before me this

9th day of Sept......, 1960.....

John Hunter Notary Public

Cost of Publication

Notary Fee

Total Cost

NOTICE OF PROOF OF COM-
PLETION OF WORKS and AP-
PLICATION OF WATER TO
BENEFICIAL USE.

Notice is hereby given that at
1:00 P. M., on the 9th day of
September, 1960, at Acequia,
County of Minidoka, State of
Idaho, before R. L. Balch, No-
tary Public, at Rupert, Idaho,
proof will be submitted of the
completion of works for the di-
version of 1.76 cubic feet per
second of underground water
from a well; and of the applica-
tion to beneficial use of said
water, in accordance with the
terms and conditions of Permit
No. G28259, heretofore issued by
the Department of Reclamation
of the State of Idaho.

1. The name and postoffice
address of the person or copora-
tion holding said permit is W. E.
Barnard, Box 26, Acequia, Ida-
ho.

2. Said works of diversion will
be fully completed on the date
set for such completion, and the
amount of water which said
works are capable of conveying
to the place of use is 1.76 cubic
feet per second.

3. The use to which said water
has been applied is row crop ir-
rigation purposes, and the
amount applied to beneficial use
is 1.76 cubic feet per second.

4. The point of diversion of
said water is NW $\frac{1}{4}$ of the NW $\frac{1}{4}$
of Section 31 Twp 7S Rge, 25E
B M County Minidoka.

5. The place where said water
is used is NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 31, T. 7S., R. 25 E. B. M.

6. The date of priority which
said user is prepared to estab-
lish is Nov. 9, 1959.

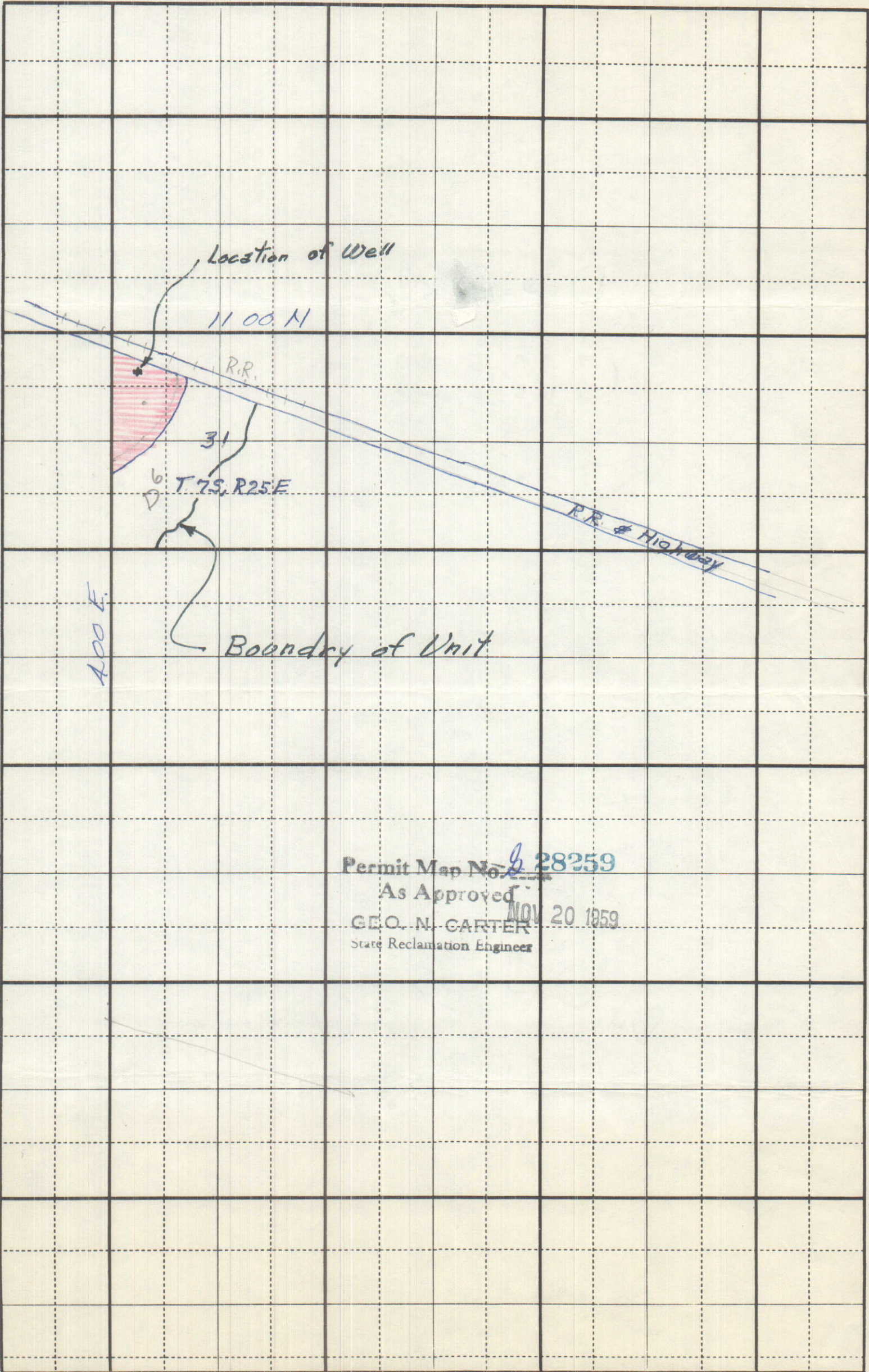
Geo. N. Carter
State Reclamation
Engineer

No. 901 - Aug. 11 - Sept. 1

28259

NAME OF APPLICANT William E. Barnard

Form No. 0



Permit Map No. 28259
As Approved
GEO. N. CARTER
State Reclamation Engineer
NOV 20 1959

SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

28259

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4744
WATER RIGHT NO. 36-02405

This is to certify that: **LYLE FASSETT**
RT 3 BOX 242
RUPERT ID 83350

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	1.24 CFS	248.0 AF

SOURCE

GROUNDWATER

Priority: 11/09/1959

LOCATION OF POINT(S) OF DIVERSION: Lot 96(NWNW), Sec. 31, Township 07S, Range 25E
MINIDOKA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07S	25E	31	Lot 96(NENW) 1.6	Lot 96(NWNW) 6	Lot 96(SWNW) 33.4	
			Lot 96(SENW) 36	Lot 96(NESW) 31	Lot 96(NWSW) 33.5	
			Lot 95(SWSW) 4	Lot 96(SWSW) 27	Lot 95(ESW) 24	
			Lot 96(ESW) 6			202.5
				Total number of acres irrigated:		* 202.5

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. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.

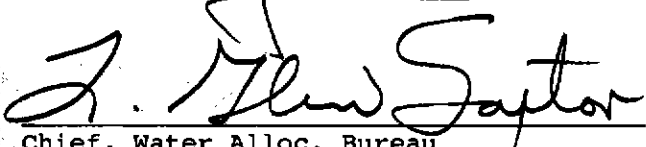
FEB 22 1996

TRANSFER NO. 4744
WATER RIGHT NO. 36-02405

CONDITIONS OF APPROVAL AND REMARKS

3. 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.
4. 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.
5. The right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
- * 6. Right No. 36-02405 is limited to the irrigation of 62.0 acres in the place of use described above in a single irrigations season. Use of this right is combined with water from A and B Irrigation District.

Dated this 13th day of February, 1996.


Chief, Water Alloc. Bureau


FEB 22 1996

Page 1 of STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 4744APPLICATION FOR TRANSFER OF WATER RIGHT RECEIVED
PART 1
JAN 2 1996Name of applicant LYLE FASSETT Phone (208) 338-4480
Post Office address ROUTE 3, BOX 242 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 CREATE PPU, CORRECT ERROR ON LICENSE
2. Describe the reason for the proposed changes CREATE NEW WATER RIGHT TO REFLECT CHANGES IN ORIGINAL SYSTEM.

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

1. Right Number 36-02405 Priority 11/09/1959 Amount (cfs/ac-ft) 1.24 Nature of Use IRRIGATION Period of Use 04/01 to 10/31
2. Total amount of water being transferred 1.24 cubic feet per second and/or 248 acre-feet per annum.
3. Source of water GROUNDWATER tributary to
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
<u>1</u>		<u>NW</u>	<u>NW</u>	<u>31</u>	<u>07S</u>	<u>2SE</u>	<u>MINIDOKA</u>	

5. Lands irrigated or place of use: PERMISSABLE PLACE OF USE NOT TO EXCEED 62 ACRES/ANN

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	
<u>07S</u>	<u>2SE</u>	<u>31</u>					<u>1.6</u>	<u>6.0</u>	<u>33.4</u>	<u>36.0</u>	<u>31.0</u>	<u>33.5</u>	<u>31.0</u>	<u>30.7</u>					<u>203.2</u>
								<u>LOT 1</u>	<u>LOT 2</u>			<u>LOT 3</u>	<u>LOT 4</u>						

Total acres 203.2

PART 1

6. General Information:

a. Description of diversion system WELL, PUMP, MAINLINE AND SPRINKLER SYSTEM
(A+B IRRIGATION SHARES USE SAME MAINLINE AND SPRINKLER SYSTEM
PERMIT 36-08046 USES SAME WELL, PUMP, MAINLINE AND SPRINKLER SYSTEM)

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:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

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

RECEIVED
 FEB 22 1966

FEB 22 1966

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. 36-02405

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	1.24 CFS	248.0 AF

SOURCE

GROUNDWATER

Priority: 11/09/1959

LOCATION OF POINT(S) OF DIVERSION: Lot 1(SWNWNW), Sec. 31, Township 07S, Range 25E
MINIDOKA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07S	25E	31	Lot 1(NWNW) 6	Lot 2(SWNW) 37	SENE 10	62
			Lot 3(NWSW) 9			62
			Total number of acres irrigated:			62

CONDITIONS/REMARKS:

1. USE OF THIS RIGHT IS COMBINED WITH WATER FROM
A & B IRRIGATION DIST.

RECORDED

FEB 22 1996

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. 36-02405 issued by the Idaho Department of Water Resources.

c. Claim No. 36-02405 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 11/09/1959

5. Water is used for the following purpose:

amount 1.24 cfs for IRRIGATION purposes from 04/01 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 1.24 cubic feet per second and/or 248.0 acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
1	SW	NW	NW	31	07S	25E	MINIDOKA	

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	
07S	25E	31						6.0	37.0	10.0		9.0							62.0
								11	12			13							

Total acres 62.0

9. Describe any other water rights used for the same purpose as described above A + B IRRIGATION

SHARES (LICENSE # X36-02080 Z0) , PERMIT 36-08046

PART 2Transfer No. 4744

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

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

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

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

4285

FASSETT
-2405

31

EAST

FEB 8 2 1996

T # 4744

RANCHO VERDE

-2062

MICKELSEN
-2231 -2674

RANCHO
VERDE
-02221

FASSETT -2664

30

ROAD

FASSETT
-12650

4285

FASSETT
-2405

31

27996

EAST

T78

Max 32

UNION

T# 4744 Wells

T # 4744

biological Survey
the Soil Conservation Service
14700 N. 73rd Ave. - scale

253
363

P.D.

6 AC

1.6 AC

33.4 AC

36 AC

T1505

2319

4455'

33.5 AC

31 AC

40

40

BEETS

31 AC

30.7 AC

DASHED LINE
INDICATES A+B
TIE IN TO MAINLINE

BEETS
40

40
GRAIN
HAND
LINES

ROADWAY

5065'

X =

T07 S , R 25 E

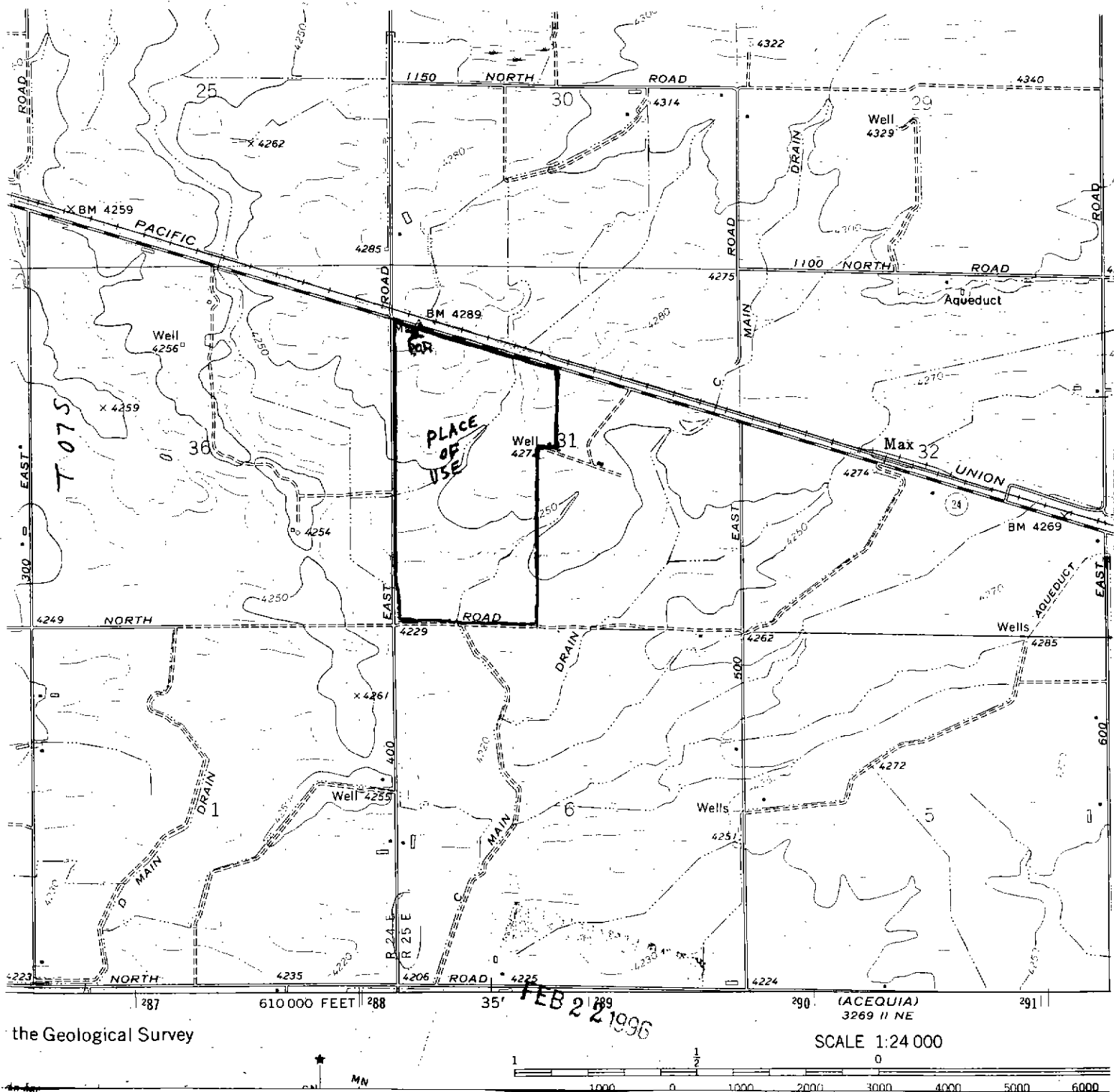
SECTION 31

FEB 22 1996

T # 4744

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.

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.

Jale Farnut

(Signature of Applicant)

Subscribed and sworn to before me this 13th day of November, 19 95.Mary A. Baldwin

(Notary Public)

My commission expires 10/16/1998**FOR DEPARTMENT USE ONLY**Transfer contains 6 pages and 4 attachmentsReceived by RS Date 10/27/95 Protest filed by NonePrelim. check by J.F. Stanton Fee \$100.00 5018611Receipted by CS Date 10/27/95Published in So. Ed. Press Copies of protest forwarded by _____Pub. dates 11/1 + 11/8/96 Hearing held by _____ Date _____Watermaster recommendation requested on N/A Recommended for ☒ approval ☐ denial_____ rec'd. _____ by ADM

Copy of transfer sent to lien holder _____

FEB 22 1996

RECEIVED

NOV 13 1995

Department of Water Resources
Southern Region

MAKE CHECK PAYABLE TO:
MINIDOKA CO TAX COLLECTOR
ELAYNE WHITE
PO BOX 474, RUPERT, ID 83350
PHONE 436-7188

TAX BILL/RECEIPT CODE AREA 8-00

TAX YEAR 1994 BILL NO 6786

PARCEL NUMBER
RP07S25E3100D0A
84,138
41,154

1ST TAX 903.69 2ND TAX 903.69 FULL TAX 1,807.38
HALF PEN INT COST TOT
INT COST TOT

TOT MV 125,292

TOT ACS 214.800

TAXING DISTRICT **RATE** **AMOUNT**

STATE .000000000 533.16
COUNTY .004255370 124.40
INDIGENT - CO .000992835 755.28
SCHOOL .006028122 157.92
HIGHWAY .001260337 43.40
CEMETERY 1 .000346295 82.24
COUNTY FIRE .000656419 50.98
HOSPITAL .000406818 60.00
SOLID WASTE FEE .013946196 1,807.38
TOTALS 1,807.38
NET TAX/SPECIALS DUE 1,807.38

FASSETT LYLE
RT 3 BOX 242
RUPERT ID 83350

TRACT D IN 31-7-25

1000 N 0400 E

*** IMPORTANT ***
PLEASE READ BOTH FRONT AND BACK

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
APPLIED TO THE OLDEST DELINQUENT YEAR.

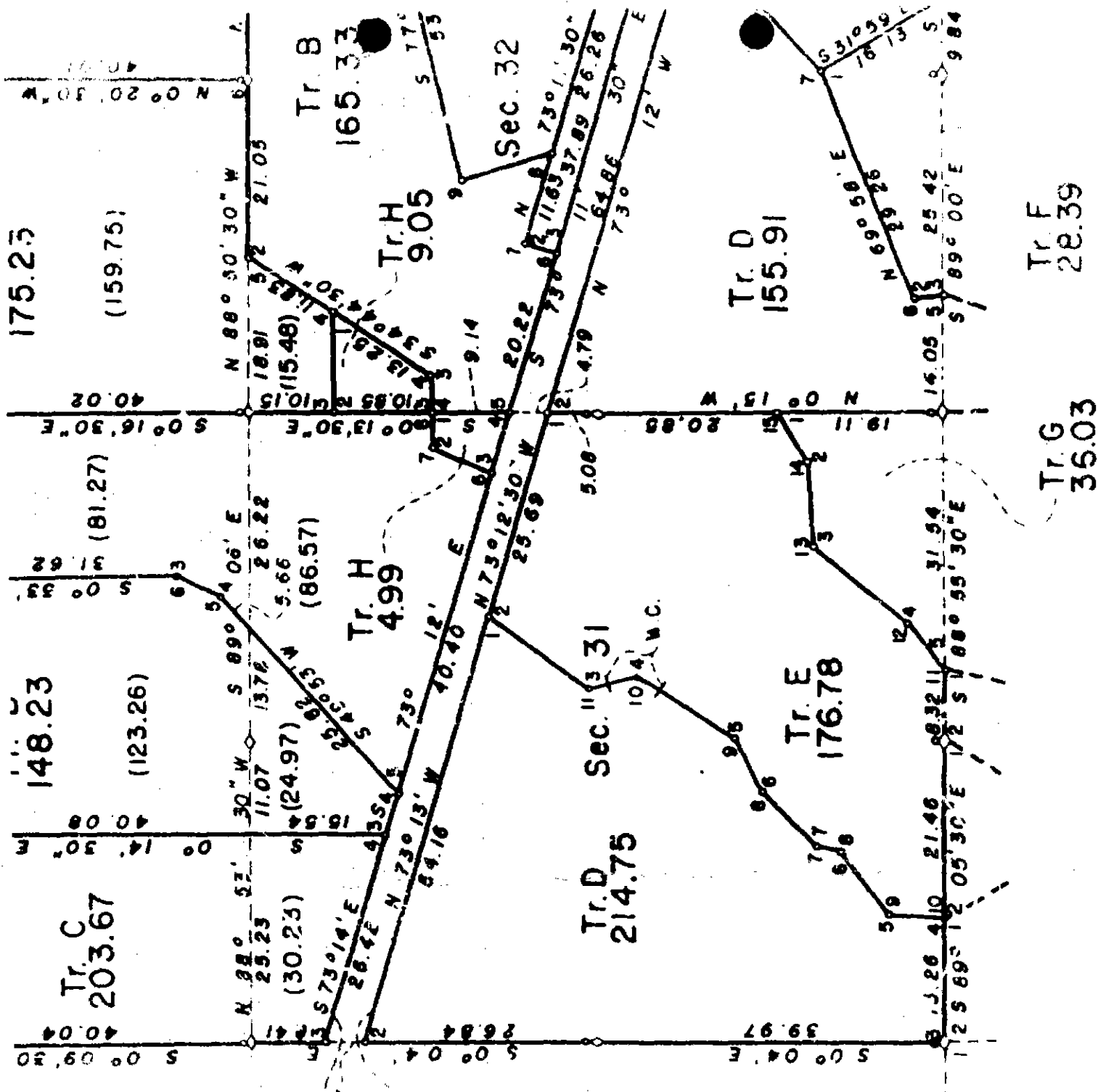
TO AVOID LATE CHARGES, PAYMENTS MUST BE
RECEIVED OR POSTMARKED BY THE DUE DATE.

KEEP TOP PORTION FOR YOUR RECORDS.

PERSONAL CHECKS ARE YOUR RECEIPT
SUBJECT TO BANK CLEARANCE.

FEB 22 1996

4744



NORTH ROW LINE OF
THE UNION PACIFIC R.R.
MAIN LINE

SOUTH ROW LINE OF
STATE HIGHWAY NO.
24

FEB 22 1996

T # 4744

THIS RIGHT HAS BEEN SUPERCEDED BY A ~~SECRET~~

Director's Report

CASE NAME ^{SRBA} *Director's Report for Basin 36*

~~DECREE DATE~~ *10-26-1992*

SEE DECREE FILE NO. _____

RECEIVED

FEB 22 1996

ALL ACTIONS TAKEN BEYOND THIS POINT HAVE BEEN BASED ON THE
DECREED VERSION OF THIS RIGHT & MAY MODIFY THE DECREED RIGHT.

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

36-2405

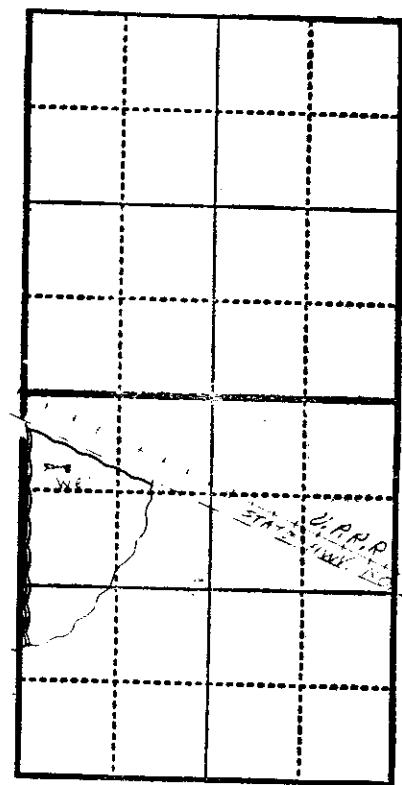
Application No. G- 36223
Permit No. G- 28259
District No.

FHA letter in file

Assigned to David L. Tupper
See assignment

1. Name of Applicant: William Eugene Barnard
Postoffice address: Rupert County: Minidoka State: Idaho.
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second 1.76 or Idaho
Miners' inches 88 or gallons per minute
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Deep well
4. Location of point of diversion or well is in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 31
Twp. 7 S, Rge. 25 E, B.M., County of Minidoka
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Well, pump and ditches
8. Estimated cost of works: \$ 8,880.00
9. (a) Is reservoir to be used? No
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources: FHA
12. The land to be irrigated is described in the following tabulation:

13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None
 - (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) 1.76 c.f.s. (cubic feet per second, inches or gallons per minute) is for new lands.



Remarks:

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

s/ W. E. Barnard

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 8:00 A.M. November 9, 1959

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G— 28259

Recorded in Book 99 Page 28259 Approved November 20, 1959

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 May 20, 1962

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before November 20, 1964

Witness my hand this 20th day of November, 1959

s/ GEO. N. CARTER

STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLLIE, Governor of the State of Idaho, and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 20th day of November, 1959.

Countersigned:

STATE OF IDAHO

(SEAL)

By s/ ARNOLD WILLIAMS

By s/ ROBERT E. SMYLLIE

Governor

Secretary of State.

12.

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 $\frac{1}{4}$	
7 S	25 E	31					X	X	X	X			X					88 acres	
							Unit D ⁶ ground above canal												
							A S S I G N M E N T												
			For value received, I hereby assign my right, title, and interest in and to Permit to appropriate the Public Waters of the State of Idaho, No. G-28259, to David L. Hofstetter aka David Hofstetter and Betty J. Hofstetter, of Rupert, Idaho.																
																	s/ WILLIAM E. BARNARD Permit Holder (single)		
			State of Idaho	)															
				)	ss														
			County of Minidoka	)															
			On this 8 day of June, 1962, before me, a Notary Public for the State of Idaho, residing at Route #2, Rupert, personally appeared William E. Barnard, known to me to be the person whose name is subscribed to the within instrument, and duly acknowledged to me that he executed the same.																
			IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal, the day and year in this certificate above written.																
																	LYNN N. BRADSHAW Notary Public Residing at Route #2, Rupert, Idaho		
			(SEAL)																
			My commission expires 2-1-65																
																		LICENSE ISSUED FOR 1.24 SEC. F1. LICENSE PAGE NO. _____	

WATER LICENSE

Water License No. G-28259/36-2405 Priority November 9, 1959 Amount 1.24 c.f.s.

THIS IS TO CERTIFY, that William Eugene Barnard - Assignee - David L. & Betty J. Hofstetter of Rupert, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated November 9, 1959; that Permit G-28259/36-2405 was issued pursuant to said application; that the proposed works were completed on or about 1960 with a storage/or carrying capacity of 1.24 c.f.s., said works consisting of well, pump, and motor; and that on September 9, 1960 proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 496 acre feet per season, with a maximum rate of diversion of 1.24 cubic feet per second of the waters of ground-water, tributary of _____, for the purpose of Irrigation from April 1 to October 31; and for _____ from _____ to _____; and for _____ from _____ to _____; and that the use of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is located in NW 1/4 NW 1/4, Sec. 31, T. 7 S, R. 25 E, B.M., and other additional points _____, in the County of Minidoka; and that the amount of water to which such right is entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes and shall not exceed 496 acre feet per year.

Description and location of place of use:

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	
7 S	25 E	31					6	37	10		9								62

Total number of acres irrigated 62

The right to the use of the water 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

23rd day of February, 19 70

R. Kirk Higgins
State Reclamation Engineer

36 2405

36-2405
28259



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 13, 1996

Lyle Fassett
Rt 3 Box 242
Rupert ID 83350

Re: Transfer of Water Right No. 36-02405

Dear Water Right Holder(s):

Enclosed is a copy of your approved Transfer of Water Right for the above referenced water right (Transfer No. 4744). Please be sure to thoroughly review the "Conditions/Remarks:" as listed on the transfer.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', written over the typed name and title.

JIM JOHNSON, Manager
Water Right Permits Section

JJ:rl

Enclosure

RECEIVED

FEB 22 1996

TO: File

DATE: February 7, 1996

FROM: Jim Stanton

SUBJECT: App. for Transfer #4744, 36-08046

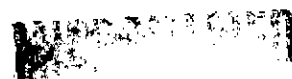
In response to your letter of 2-2-96 to Lyle Fassett, Mr. Fassett has come to my office to explain the confusion over property ownership under this transfer. Ronald Fassett is Lyle's son, and Ronald actually farms all the property. The two traded about 25 acres on the east side of Lyle's ground for about the same acreage on the west side of Ron's ground to facilitate the installation of handlines, but the trade has not been recorded with the county assessor. So there does not appear to be a problem with approving the transfer due to this discrepancy in the county records.

OK - 2-7-96
Lyle Fassett

RECEIVED

FEB 08 1996

Department of Water Resources



FEB 22 1996



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 2, 1996

Lyle Fassett
Rt. 3 Box 242
Rupert, ID 83350

RE: Application for Transfer No. 4744
Water Right No. 36-02405
Overlapping Permit No. 36-08046

Dear Mr. Fassett:

I have recently reviewed the above referenced application for transfer in preparation for final approval. I am writing you because a question was raised through the review process that must be addressed before proceeding with the approval. I hope you can assist me with some additional information about your water rights and irrigation system.

Your transfer proposes to change the place of use under this right and identifies a total land base of 203.2 acres. This land is irrigated by a combination of License No. 36-02405 (62.0 acres), Permit No. 36-08046 (31.0 acres) and A & B Irrigation District water under Right No. 36-0208020.

Minidoka County Assessor's office indicated that you are not the sole owner of the irrigated land covered by the above identified water rights. A portion of the property is owned by Ronald Fassett. Since your permit had indicated that you owned all of the land covered by the water right, please explain under what arrangement you have with the land owner to use your water rights on his land.

I will withhold the transfer from further processing for 10 days from the date you should receive this letter to allow for your response. I appreciate your help in clarifying this matter. If you have any questions, please contact me directly at 327-7943 and I will be happy to help you.

Sincerely,

PAMELA SKAGGS
Sr. Water Resource Agent

RECEIVED MIA

FEB 2 2 1996

MEMORANDUM

TO: FILE NO. 36-02405

FROM: PAM SKAGGS^{PS}/STATE OFFICE

SUBJECT: TRANSFER NO. 4744

DATE: January 29, 1996

=====

Transfer No. 4744 was filed to change the place of use and identify a permissible place of use of 203.2 acres under Right No. 36-02405.

This right is limited to irrigation of 62.0 acres within the place of use and is used in combination with other groundwater rights, Permit No. 36-08046 and A & B Irrigation District shares, to serve the total 203.2 acres. The 07-24-95 field report for Permit No. 36-08046 confirmed the permissible place of use as described on the transfer application.

No expansion occurs through this transfer; the right is more fully described within the larger system. Recommended conditions include irrigation overlap, future measuring devices/annual reporting and standard transfer conditions.

RECEIVED

FEB 22 1996

TRANSFER REVIEW SHEET

(04-95)

Transfer # 4744

Date Reviewed 01-26-95

Right(s) 36-02405 - Per SRBA Director's Report Basin 36

☒ Print Split Summary ☒ 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 '94 Tax Notice - Covers P/U as described per Director's Report
The P/P/U described is owned by Lyle & Ronald Fassett - separate owners (see POU
report) Lyle owns tract D & Ronald Tract E *

Transfer ☒ All of Right ☐ Portion of Right
Resulting Split(s) NONE

Check Transfer Against 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) ☒ Proof/Owner (10) ☒ Map
(11) NA Water District (12) NO Pertinent Conditions (13) NO Expansion
Limit acres

(8) Identify P/P/U / adjust acres

Both GLW Source

Supplemental Rt. / A+B IRR District - Comingled & Permit 36-08046

Transfer Remarks P/P/U / 162 Acres
Conditions R31, OIM, T07, T08, T09.

* Modified (Remarks) Already active measurement district.

Database/Processing Notes T File

Copy to an X prefix when approved - Comment to blank WR
* P/P/U total acres & remark

WR Reports File Fassett.lis;

Transfer Memo Complete ☒

* Mr. Lyle Fassett explained to J. Stanton, Southern Region office, that an informal land swap between his son Ronald has occurred. Ronald farms all the land & this informal agreement allows Lyle to irrigate on the acres recorded as Ronald's. See Memo dated 2-7-96.

WR0749NP
No. T36-02405

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 02/02/96
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LYLE FASSETT RT 3 BOX 242 RUPERT ID 83350 (208) 532-4480	11/09/1959	IRRIGATION	04-01 10-31	1.240 CFS	248.00 AFA
TOTAL DIVERSION:					1.240 CFS	248.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T07S R25E S31 Lot 96(NWNW)

MINIDOKA County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
07S	25E	31	:					96-01	96-06	96-33	96-36	96-31	96-33	95-04	95-24	:	202.5
07S	25E	31	:										96-27	96-06		:	
																TOTAL ACRES	* 202.5

Pou County: MINIDOKA

Other Rights: SEE CONDITIONS

Other Water Rights with Same Point(s) of Diversion and Source:
36-02405 36-08046

Other Water Rights Listing Overlapping Place(s) of use:
X36-0208020

Conditions of Approval:

- R31 - This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
- T07 - The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
- T08 - Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
- T09 - Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Remarks: The right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.

* Right No. 36-02405 is limited to the irrigation of 62.0 acres in the place of use described above in a single irrigations season. Use of this right is combined with water from A and B Irrigation District.

WR0749NP
No. T36-02405

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 02/02/96
PAGE: 2

Dates: App. Received: 10/27/1995 Priority Date: 11/09/1959
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee:

Comments: Date: 12/21/1995 User-ID: MBALDWIN Subject: TRANSFER NO. 4744
T# 4744 filed on 10/27/95 proposes to create a permissible place
of use not to exceed 62 acres/annum.
The transfer is based on the right as recommended in the SRBA
Basin 36 Director's Report & will be stored under an X prefix
pending conclusion of the adjudication.
(Note: Irrigation District Tracts D & E are identified as Lot
Nos. 96 & 95.)

Audit: 12/21/95 MBALDWIN 01/26/96 SCURTIS 01/26/96 PSKAGGS 02/01/96 PSKAGGS

.....

Overlap with A+B Irr. District / water comingled in system.
Permit No. 36-08046

Minidoka Co Assessor Office(436-7181)

Ownership Tract D & E

T075 R25E S31 NW (A11D)
SW (D+E)

$S\frac{1}{2}$ SW contains portions of both D & E

Lyle Fassettt owns Tract D = Lot 96

Ronald Fassett owns Tract E = Lot 95

01-30-96 28

WR5747NP

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION NUMBER INDEX

DATE: 01/26/96
PAGE: 1

WATER RIGHT
NUMBER

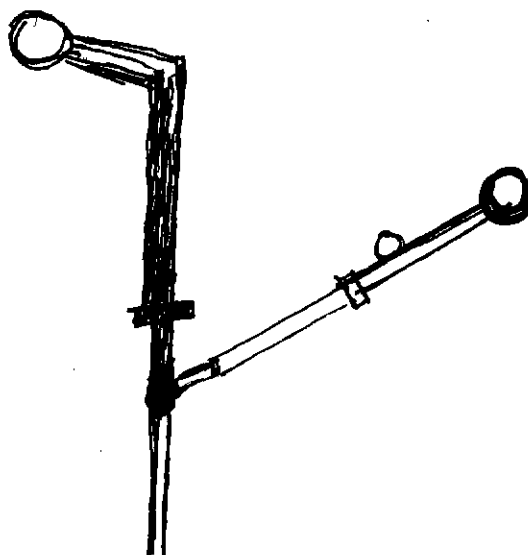
NAME

CFS

36-02405

FASSETT, LYLE

1.24



203

Son's
Father

100

- A & B -

T#4744

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

TIAL REVIEW BY: JF Stanton

1. Right number 36-02405 Applicant Lytle Fasset

2. Type of right: ☐ Decree ☒ License ☐ Claim

3. Purpose of transfer: ☐ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☒ Other Create PPU

4. Check:

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

b. ☒ Description of original point of diversion.

c. ☒ Description of original place of use.

5. Amount of land &/or water transferred:

a. ☒ All of right.

b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).

c. ☒ Check description of point(s) of diversion.

d. ☒ Check description of place of use.

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

f. ☒ Check for correct signature, notarization, and fee.

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

h. ☒ Check for expansion in use of right. Comments See attached memo

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

Right number(s) 36-08046, A+B Irrigation District shares

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

If yes, what district? _____

NAL PROCESSING REVIEW BY: ADm

1. Watermaster recommendation requested on NA Received on _____

2. Is transfer published correctly? ☒ Yes ☐ No

3. Protest received? ☐ Yes ☒ No

COMMENDED ACTION

1. ☒ Approve

2. ☐ Deny

3. Conditions* - Meters device
- Limit to 62 Ac in PPU
- Coordinate approval with Licensing of 36-08046.

4. By ADm Date 1/24/96

All uses within Watermaster Districts require special conditions.

RECEIVED
JAN 26 1996
Department of Water Resources
T # 1744

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

96-007

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 36-02405, TRANSFER #4744

Notice is hereby given that LYLE FASSETT, RT. 3, BOX 242; RUPERT ID 83350 has applied to the Department of Water Resources to change the following described water right pursuant to Section 42-222 of IDAHO CODE.

The purpose of this application is to correct an error on license and create a permissible place of use for 62 acres/annum with Permit L36-08046 and A & B Irrigation District shares. WATER RIGHT AS RECOMMENDED IN DIRECTOR'S REPORT FOR BASIN 36 IN SNAKE RIVER BASIN ADJUDICATION:

License No. 36-02405

Priority: 11/9/1959

Source: groundwater

Amount: 1.24 cfs

Use: irrigation (4/1-10/31)

Point of Diversion: Lot 1 (SW1/4NW1/4NW1/4), S31, T7S, R25E;

Minidoka County.

Place of Use: 62 acres within W1/2NW1/4, SE1/4NW1/4, NW1/4SW1/4, S31, T7S, R25E.

CHANGES AS FOLLOWS:

Place of Use: W1/2, S31, T7S, R25E.

Any protest against approval of the proposed change of water right application 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 18, 1996. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the South Idaho Press on January 1 and 8, 1996.

being first duly sworn, deposes and says that she is the General South Idaho Press, a daily newspaper published at Burley, Idaho, in aid and that the paper is of general circulation therein. Deponent the printed notice attached hereto was duly published according to editions of the South Idaho Press for TWO consecutive week(s), the issue dated January 1, 1996, and ending with the issue 2, 1996.

Kary D Miller

lay of January in the year of 1996 before me, a Notary appeared Kary D. Miller, known or identified to me to be the person described to the within instrument, and being by me first duly sworn, statements therein are true, and acknowledged to me that she

Laura K. Burns
Notary Public for Idaho

Residing at: Rupert, Idaho

My commission expires: 6-28-2000

Cost of Publication

47.52

Notary Fee

.50

Total Cost

48.02

RECEIVED

JAN 16 1996

Department of Water Resources
Southern Region

FEB 22 1996

SOUTH IDAHO PRESS
BURLEY, IDAHO
AFFIDAVIT OF PUBLICATION

County of Cassia)
) ss
STATE OF IDAHO)

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 January 1 1996, and ending with the issue dated January 8 1996.

Kary D Miller

STATE OF IDAHO)
COUNTY OF)
MINIDOKA)

On this 11th day of January in the year of 1996 before me, a Notary Public, personally appeared Kary D. 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 she executed the same.

Laura K. Burns

Notary Public for Idaho

Residing at: Rupert, Idaho

My commission expires: 6-28-2000

Cost of Publication 47.52
Notary Fee .50
Total Cost 48.02

RECEIVED

JAN 16 1996

Department of Water Resources
Southern Region

OK
MB
1/16/96

FEB 22 1996
1996

LEGAL
STATEMENT

MEMBER OF ASSOCIATED PRESS
IDAHO NEWSPAPER ASSOCIATION

PHONE 678-2201

SOUTH IDAHO PRESS

ESTABLISHED 1904
230 EAST MAIN P.O. BOX 190
BURLEY, IDAHO 83318
January 12, 1996

PUBLISHED
DAILY
MONDAY
THROUGH
FRIDAY
AND SUNDAY
MORNINGS

Department of Water Resources
222 Shoshone St East
Twin Falls, Idaho 83301-6105

TERMS:
ALL ACCOUNTS
DUE AND
PAYABLE ON
20TH OF MONTH
FOLLOWING CHARGE

96-007 Notice of Proposed Change

\$ 48.02

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

DATE	DESCRIPTION	TIMES RUN	LINES	COST PER LINE	CHARGES	BALANCE
				BALANCE FORWARD		
January 8, 1996 Notary <i>36-2405</i> <i>T # 4744</i>		2	44	1.08	47.52 .50	
						48.02

96-007 Notice of Proposed Change

RECEIVED
JAN 16 1996
Department of Water Resources
Southern Region

OK MB 1/16/96

Thank You

PAY LAST
AMOUNT IN
THIS COLUMN

SOUTH IDAHO PRESS
BURLEY, IDAHO

FEB 22 1996

**NOTICE OF PROPOSED CHANGE
OF WATER RIGHT**

NO. 36-02405, TRANSFER #4744

Notice is hereby given that LYLE FASSETT, RT. 3, BOX 242; RUPERT ID 83350 has applied to the Department of Water Resources to change the following described water right pursuant to Section 42-222 of IDAHO CODE.

The purpose of this application is to correct an error on license and create a permissible place of use for 62 acres/annum with Permit L36-08046 and A & B Irrigation District shares.

**WATER RIGHT AS RECOMMENDED
IN DIRECTOR'S REPORT FOR
BASIN 36 IN SNAKE RIVER BASIN
ADJUDICATION:**

License No. 36-02405

Priority: 11/9/1959

Source: groundwater

Amount: 1.24 cfs

Use: irrigation (4/1-10/31)

Point of Diversion: Lot 1
(SW1/4NW1/4NW1/4), S31, T7S, R25E;
Minidoka County.

Place of Use: 62 acres within
W1/2NW1/4, SE1/4NW1/4,
NW1/4SW1/4, S31, T7S, R25E.

CHANGES AS FOLLOWS:

Place of Use: W1/2, S31, T7S, R25E.

Any protest against approval of the proposed change of water right application 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 18, 1996. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in South Idaho Press on 1/1
& 1/8/96.

RECORDED

FEB 22 1996



State of Idaho
DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

December 21, 1995

PHILIP E. BATT
Governor

KARL J. DREHER
Director

SOUTH IDAHO PRESS
PO BOX 190
BURLEY ID 83318

Gentlemen:

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

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

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

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

Very truly yours,

Mary Baldwin
Sr. Secretary

Enclosure

RECEIVED

FEB 22 1996

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
NO. 36-02405, TRANSFER #4744

Notice is hereby given that LYLE FASSETT, RT. 3, BOX 242; RUPERT ID 83350 has applied to the Department of Water Resources to change the following described water right pursuant to Section 42-222 of IDAHO CODE.

The purpose of this application is to correct an error on license and create a permissible place of use for 62 acres/annum with Permit L36-08046 and A & B Irrigation District shares.

WATER RIGHT AS RECOMMENDED IN DIRECTOR'S REPORT FOR BASIN 36 IN SNAKE RIVER BASIN ADJUDICATION:

License No. 36-02405
Priority: 11/9/1959
Source: groundwater
Amount: 1.24 cfs
Use: irrigation (4/1-10/31)
Point of Diversion: Lot 1 (SW1/4NW1/4NW1/4), S31, T7S, R25E; Minidoka County.
Place of Use: 62 acres within W1/2NW1/4, SE1/4NW1/4, NW1/4SW1/4, S31, T7S, R25E.

CHANGES AS FOLLOWS:

Place of Use: W1/2, S31, T7S, R25E.

Any protest against approval of the proposed change of water right application 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 18, 1996. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in South Idaho Press on 1/1 & 1/8/96.

RECEIVED

FEB 22 1996

TO: File

DATE: December 15, 1995

FROM: Jim Stanton

SUBJECT: App. for Transfer, Lyle Fassett

In addition to the license proposed for transfer, Mr. Fassett owns permit 36-08046. This permit was examined for the license this past summer, so I do not plan to re-visit the property. Both the license and the permit are served by the same water system.

When looking at the SRBA claims of the A & B Irrigation District, the permit, and the license, it does not appear that the proposed transfer would increase the number of irrigated acres if approved. The PPU proposed on the transfer is the same as what was found to be irrigated during the licensing exam last July. The transfer appears to be approvable as filed.

RECORDED

FEB 22 1996

T # 4744

12/14/95

13:26

☎ 1 208 327 7866

ID WATER RESOURCES --- SOUTHERN

001



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

FAX

Date:

12-14-95

Number of pages including cover sheet:

13

To:

Jim Stanton
Southern

Phone:

Fax phone:

CC:

From:

Brenda Chapman

Phone:

327-5452

Fax phone:

327-7866

REMARKS:

☐

Urgent

☐

For your review

☐

Reply ASAP

☐

Please comment

Per your request. ... Copy of exam for
36-08046.Happy Holidays
Brenda

RECEIVED

FEB 9 1996

Form 219
6/92STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORTRECEIVED
OCT 10 1995

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 36-08046 ✓1. Owner: FASSETT, LYLE Phone No. 208 532-4480Current Address: Route #3 Box 242 Rupert, ID 833502. Accompanied by: MR FASSETT EXAM DATE: 07-24-95Address: Same Phone No. Same

Relationship to Permit Holder: _____

3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 36-02405

2. Other water rights with the same point of diversion: _____

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

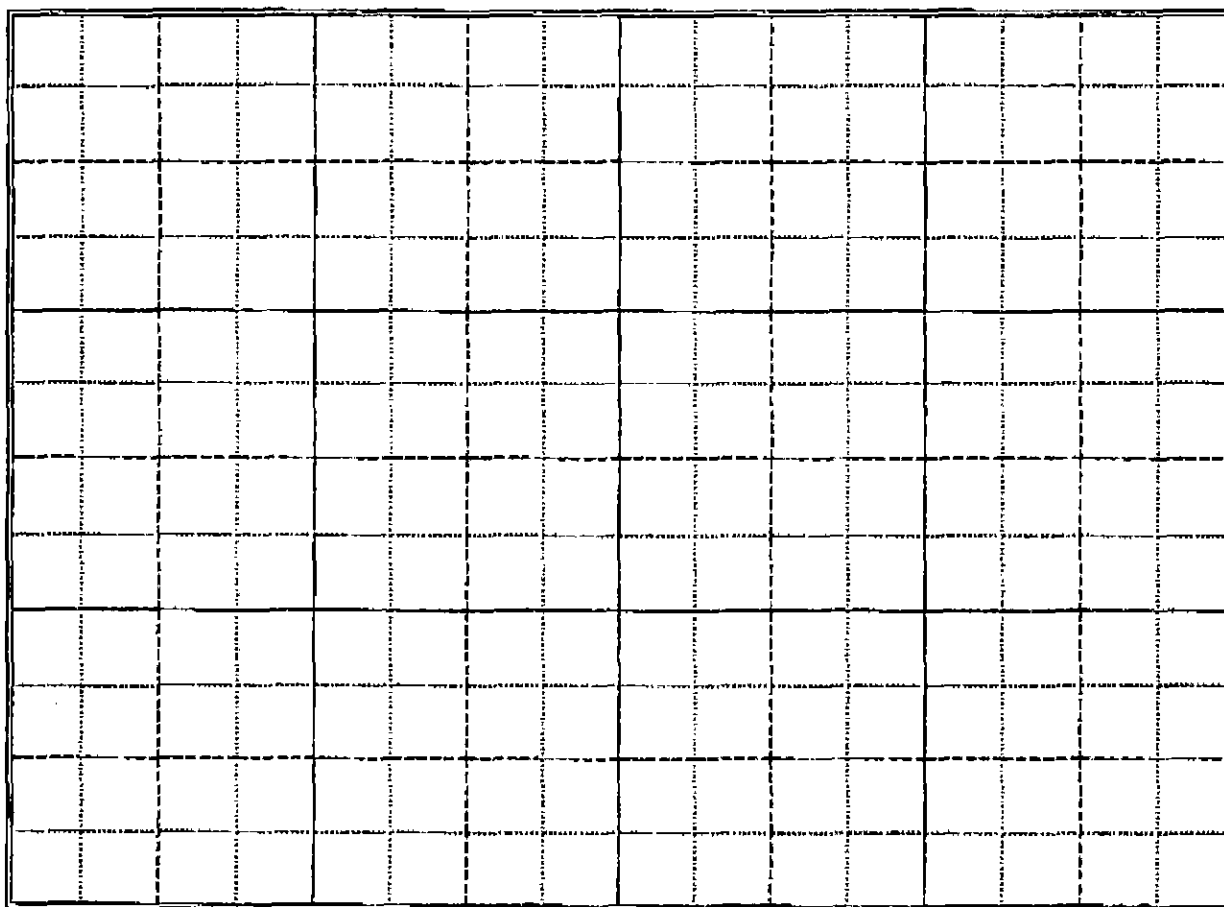
Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
1	01		NW	NW	31	07S	25E	MINIDOKA	ORTHO PHOTO QUAD MAP

2. Place(s) of Use: PERMISSIBLE P/U NOT TO EXCEED 31 ACRES/ANNUUM Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	25E	31					16.4	6.0	33.4	36.0	31.0	33.5	31.0	30.7					203.2
							LOT 1	LOT 2			LOT 3	LOT 4							
							↑	↑			↑	↑							

FEB 22 1996

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. SEE AERIAL PHOTO



Scale: 1" = _____

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
1.	TUNGSTEN GE	100	3L9-0003B	Lilly	

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: TOTALIZING METER X 100 gpm. 3 TRIED MEASUREMENTS
1 min each ① = 760 gpm ② 760 gpm ③ 700 gpm = 776 gpm = 1.64 cfs

FEB 22 1996

E. NARRATIVE/REMARKS/COMMENTS

THE SYSTEM CONSISTS OF A 10" WELL DRILLED TO 380' DEEP WITH
A DYNAMIC PUMPING LEVEL OF 225' (These figures are averaged
from well logs located in the immediate vicinity of P/O.) ✓

WATER IS DIVERTED TO HANDLINES USED TO IRRIGATE -P
IRREGULAR, UPPER-END FIELDS.

WATER IS DIVERTED BY MAINLINE TO LOWER END OF
PROPERTY. MAINLINE IS USED IN COMBINATION, AND IS COMINGLED
WITH A+B IRR SHARES.

NOTE: THERE IS A TRANSFER BEING PROCESSED FOR 36-02405 ✓
TO CREATE A PPU FOR 203.2 ACRES TOT.

Have conditions of permit approval been met? yes no

RECEIVED
FEB 22 1996

FEB 22 1996

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method: IN SYSTEM Flowmeter & stop watch

Readings: 1. 760 gpm
 2. 760 gpm
 3. 700 gpm } 736 gpm = 1.64 cfs System Capacity

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 31 \times 4 \text{ FHR} = 124 \text{ afa}$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 1.64 \times 214 \times 1.9835 = 694 \text{ afa}$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 124 \text{ afa}$$

2. Volume Calculations for Other Uses:

Recommend Lic for 36-08046 when combined w/ 36-02405, SHALL NOT EXCEED 1.64 cfs
 Also, recommend 372 afa for IRR of 93 acres in 203.2 PPU.

H. RECOMMENDATIONS. Also, when all rights are combined in the PPU (203.2), They
 SHALL NOT EXCEED 0.02 cfs per acre, NOR 4.0 afa per acre.

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>IRRIGATION</u>	<u>04-01</u>	<u>10-31</u>	<u>0.62</u>	<u>124 afa</u>
Totals:			<u>0.62</u>	<u>124 afa</u>

2. 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

I. AUTHENTICATION

Field Examiner's Name Dallas Tryon Date 07-24-95

Reviewer _____ Date _____

SEAL

FEB 22 1996

GROUNDWATER MEASUREMENT REQUIREMENT ANALYSIS

FILE: 96-08046

DATE: _____

BY: _____

THEORETICAL RATE OF FLOW: $Q = \frac{(8.8) \times (H.P.) \times (EFF.)}{TDH}$

Q = CFS

H.P. = Total Brake Horsepower of pumping plant (including booster)

EFF. = Pumping plant efficiency (ASSUME 70% OR 0.70)

TDH = total dynamic head = [(LIFT) + (PSI X 2.31)]

LIFT = depth to water in FEET from land surface to pumping water level

PSI = pumping pressure measured in psi near pump
(if open discharge assume zero [0])

$$Q = \frac{(8.8) \times (10.0) \times (0.70)}{[(...225...) + (...57... \times 2.31)]} = \frac{616}{337} = 1.7$$

LIFT FROM:

measurement ()

owner ()

area estimate ()

well logs ()

Booster (Y) (N)

PSI FROM:

measurement ()

owner ()

estimate ()

owner gage ()

NOTES ON PUMP:

Motor Make, Serial or ID

Pump Make, Serial or ID, rating

REMARKS

ANNUAL VOLUME ANALYSIS

POTENTIAL Acre Feet/Acre/Annum = $\frac{(\text{DAYS IN SEASON}) \times (1.98) \times (Q)}{(\text{RECOMMENDED ACRES IRRIGATED})}$

(season) (days)

3/15 - 11/15 246

4/1 - 11/1 215

4/15 - 10/15 184

3/1 - 12/1 276

$$\text{POTENTIAL} = \frac{(...214...) \times (1.98) \times (...1.7...)}{(...31...)} = 23 \text{ a/c}$$

POTENTIAL = 23 a/cREQUIRED Acre Feet/Acre/Annum = 31 x 3 = 93 a/c

(AF/Ann/Ac irrigation requirement from chart for area)

NOTE that this is NOT Consumptive use

IF POTENTIAL IS GREATER THAN REQUIRED THEN NO MEASUREMENT NECESSARY ()

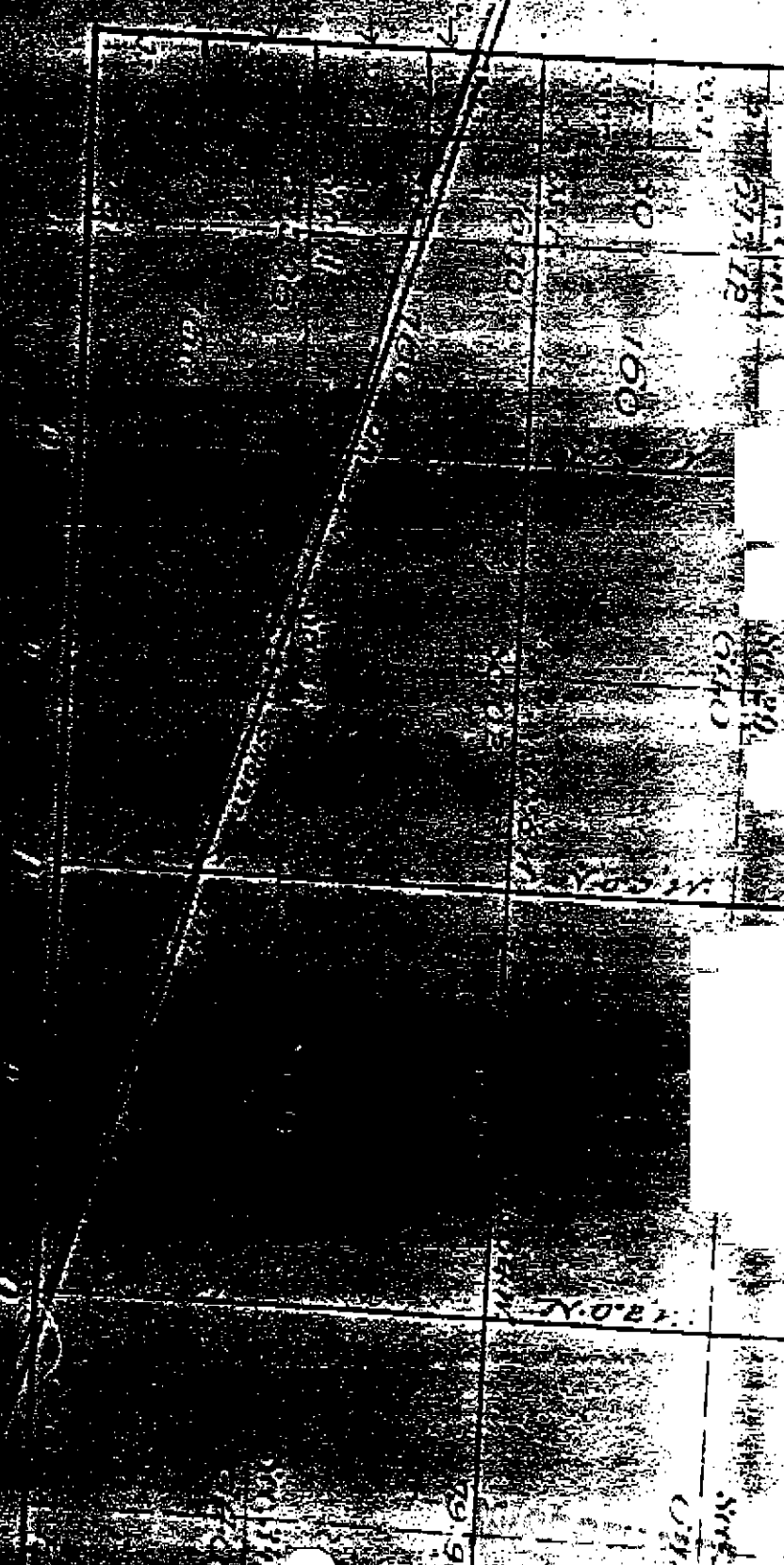
IF POTENTIAL IS LESS THAN REQUIRED THEN MEASUREMENT IS NECESSARY ()

FEB 22 1996

966122 FEB 22 1996

0710

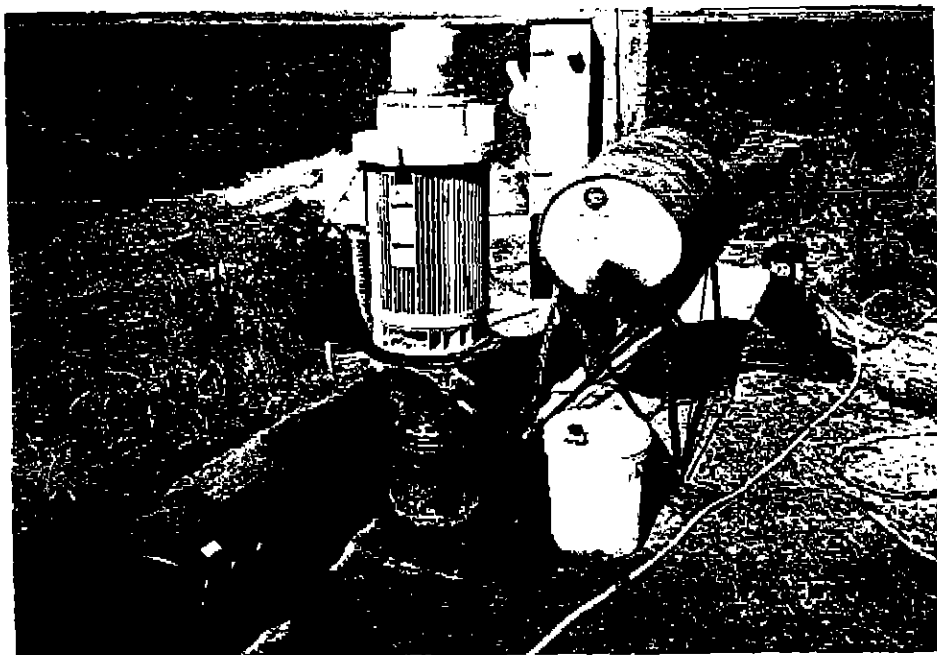
N.O.B.



36-08046

1. view of measuring
meter @ P.O.D

2. view of P.O.D



FEB 22 1996

February 24, 1970

Re: Permit No. G-28259/36-2405

C
O
P
Y

Mr. Lynn N. Bradshaw, County Supervisor
U. S. Department of Agriculture
Farmers Home Administration
Rupert, Idaho 83350

Dear Mr. Bradshaw:

Enclosed herewith is the Water License issued on the above numbered permit and departmental receipt No. 4210 in the amount of \$13 covering the licensing fees. Please forward this license to the proper owners.

Very truly yours,

C. Stephen Allred, Deputy
State Reclamation Engineer

CSA:kh

Enclosures

28259
36-2405

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION
P. O. Box 677
Rupert, Idaho 83350

February 10, 1970

Mr. Donald W. McEldowney
Appropriation Examiner
Department of Reclamation
Boise, Idaho 83707

RECEIVED

FEB 11 1970

Department of Reclamation

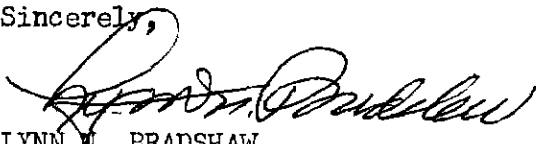
Dear Mr. McEldowney:

Re: Permit No. G-28259/36-2405

I am in receipt of your February 6, 1970 letter regarding the above. I am enclosing the check of David Hofstetter for the required licensing fee of \$13.00 and would appreciate your issuing the license and forwarding the same to this office at the address shown above.

Thank you.

Sincerely,


LYNN M. BRADSHAW
County Supervisor

LNB/cc
Encl.

28259
36-2405

February 6, 1970

Re: Permit No. C-28259/36-2405

Mr. Lynn N. Bradshaw, County Supervisor
U. S. Department of Agriculture
Farmers Home Administration
Rupert, Idaho 83350

Dear Mr. Bradshaw:

Permit No. 36-2405 has been assigned from William Eugene Barnard to David L. Hofstetter and the license proposed has not been issued due to failure of the permit holder to submit the required licensing fee of \$13. We are enclosing a copy of our, May 31, 1962, fee letter. Upon receipt of the \$13, we shall proceed to issue a license in connection with this permit.

If we can be of further assistance, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:kh

Enclosure: copy of letter 5/31/62

*has Paid
2-13-70
K.H.*

*36-2405
28259*

36-2405

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION
Rupert, Idaho

RECEIVED

Department of Reclamation

State Reclamation Engineer
State House
Boise, Idaho 83702

February 5, 1970

Dear Sir:

We would appreciate it very much if you would advise us if a water license was issued on Permit G 28259 as requested in our letter to you of 1-9-70.

Thank you.

Sincerely,



Lynn N. Bradshaw
County Supervisor

LNB/k

28259
36-2405

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION
Rupert, Idaho

RECEIVED
JAN 10 1970
Department of Reclamation

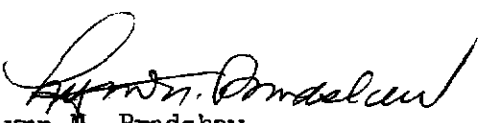
State Reclamation Engineer
State House
Boise, Idaho 83702

January 9, 1970

Dear Sir:

Would you please advise us if a water license was issued
on Permit G 28259? This permit was in the name of W. E. Barnard
in Minidoka County, Idaho. The property irrigated from this
well is in Section 31, Township 7 South, Range 25 EBM.

Sincerely,


Lynn M. Bradshaw
County Supervisor

36-2405
28259

May 31, 1962

Re: Permit No. C-28259

William E. Barnard
Box 26
Acoquia, Idaho

Dear Mr. Barnard:

Our field engineer's report on his inspection of proof of completion of works and application of water to beneficial use under the terms of Permit No. C-28259 shows the well is (are) capable of conveying 62 miner's inches, or 1.24 c.f.s. of water for the irrigation of 62 acres.

Upon receipt of the statutory fees, totaling \$ 13.00 , we will issue the Certificate of Completion of Works (fee \$5.00) and the License and Certificate of Water Right (fee \$ 8.00 , based at the rate of \$2.00 for each 40-acre subdivision) confirming the right, with priority of November 9, 1959 to the use of 1.24 second feet of subterranean water with the point of diversion in NE1/4, Sec. 31, T. 7 S., R. 25 E., to irrigate 62 acres in NW1/4, S1/4, NW1/4, Sec. 31, T. 7 S., R. 25 E.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

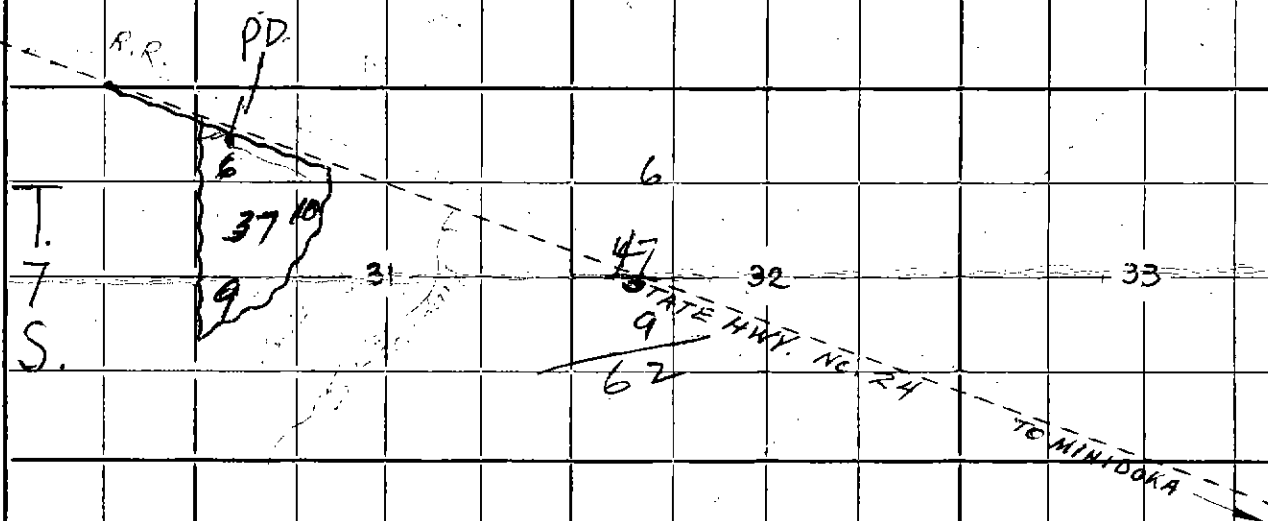
Dy:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

28259

R-25E.



3 Per 4111m 11' 100' = 1.19 x 105 = 1.25

Subdivisions 4

AREA 62 Acres

Q 1.24 of 62 inches

V = 496 AC 71/ Season

Q-2 x 10

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-28259

REPORT ON PROOF OF Completion of Works & Beneficial Use
William E. Barnard
Box 26
Acerquia, Idaho

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

Permit No. G-28259

This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant William E. Barnard

2. Source of water supply Deep well

3. Location of point of diversion: Is in the NW¹4NW¹4 of Section 31

T. 7 S. R. 25 E. County of Minidoka

4. Describe works as they exist, giving dimensions and capacities of same: 25 HP Louis
Allis Induction Motor #1369212 AR-GO Pump Co. Pump #60A2924
8" discharge

5. Water is used for: Irrigation

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

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

NW¹4, NW¹4SW¹4 Sec. 31, T. 7 S., R. 25 E., B.M. (Unit D ground above canal)

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

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

Remarks: David Hofstetter new owner and William Barnard along

Measured with Sparking Meter 3 Rev. 4 min - 11 sec.

This examination was made on the 24th day of May, 1962

(Signed)

Lynn Johnson

Examiner.

28259

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When ground is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as houses, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

RECEIVED

MAY 29 1962

Department of Reclamation

County: Butte

Section: 116

Survey: 116

P.D.: NW 1/4, S 3, T. 7S, R. 35E.

Owner: Dr. J. H. H. H.

Plat: 116

Date: May 20, 1964

Examiner: —

Completion of work: —

Other Remarks: None

25259

June 18, 1962

Re: Permit No. G-28259

David L. Hofstetter
Idaho, Idaho

Dear Mr. Hofstetter:

Enclosed is the Assignment of the above numbered permit to you from William E. Barnard, which has been recorded in this office.

Also enclosed is departmental receipt No. G-7043 in the amount of \$0.50 covering fee.

Very truly yours,

GEO. W. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Ryle
Chief Clerk

EPR:ew

Enc. assignment
receipt

28259

June 12, 1962

Re: Permit No. G-28259

Lynn M. Bradshaw, Co. Supervisor
Farmers Home Administration
Rupert, Idaho

Dear Mr. Bradshaw:

Returned herewith is the assignment of
permit signed by William E. Barnard.

Mr. Barnard's wife will also have to sign
or a note made that Mr. Barnard is single.

There is a \$0.50 fee for recording assign-
ments on our form.

Very truly yours,

GEO. M. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT :ew

28259

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION

Rupert, Idaho

RECEIVED
JUN 11 1962
Department of Reclamation

June 8, 1962

State Reclamation Engineer
State House
Boise, Idaho

Gentlemen:

We are enclosing the assignment covering permit
Number G 28259 from William E. Barnard to David L.
Hofstetter.

We are also advising you that this Administration
has a mortgage covering the water rights under the
above mentioned permit.

Please return this original assignment, or a copy,
when it has served it's purpose with your office.

Sincerely,


Lynn N. Bradshaw
County Supervisor

attachment-1

28259

12/29/61

RECEIVED

JAN 2 1962

Department of Reclamation

Geo. W. Carter
Reclamation Engineer

Dear Sir:

I have requested inspection
for beneficial use of water
for permit # G-28259.

The water was in use
for the year 1961.

F.H.A. in Report is
granting me for this
project.

Would you please
advise.

Very truly yours

W.E. Barnard

Rt 2

Reupert, Idaho

Phone HE6-4961

Dated Nov 1961

Due June 1964

Profs. Made Apr 2, 1960

28259

January 2, 1961

RE: Permit No. G-28259

W. F. Barnard
Rt 2
Rupert, Idaho

Dear Mr. Barnard:

Your letter of December 29 in regard to the certificates of water right under your permit has been received.

The field engineer will inspect your project next irrigation season, after which the certificates can be issued.

You have made the proofs of completion of works and beneficial use of the water. We do not understand why the Farmers Home Administration should be pressing you for the certificates.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Ralph W. Thomas
Deputy State Reclamation Engineer

RWT:mr

cc: Farmers Home Administration, Rupert

28259

September 13, 1960

RE: Permit No. G-28259

William E. Barnard
Box 26
Acequia, Idaho

Dear Mr. Barnard:

We acknowledge receipt of the Deposition of Holder and two witnesses, also affidavit of publication in the Minidoka County News, all submitted in proof of completion of works and beneficial use on Permit No. G-28259.

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

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

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr
cc Rupert Abstract Company

28259

RECEIVED
SEP 12 1960

The Minidoka County News

RUPERT, IDAHO

AFFIDAVIT OF PUBLICATION

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

Junior Ross, being first
duly sworn, deposes and says that he is the
Manager publisher of The Minidoka County
News, a weekly newspaper published at Rupert,
Idaho, in the county aforesaid, and that the paper
is of general circulation therein. Deponent further
states that the printed notice attached hereto was
duly published according to law in the regular
weekly editions of The Minidoka County News

for four consecutive weeks, commencing
with the issue date Aug. 11, 1960, and
ending with the issue dated Sept. 1, 1960.

Junior Ross
Subscribed and sworn to before me this

7th day of Sept, 1960.

John G. Foster Notary Public

Cost of Publication

Notary Fee

Total Cost

NOTICE OF PROOF OF COM-
PLETION OF WORKS and AP-
PLICATION OF WATER TO
BENEFICIAL USE.

Notice is hereby given that at
4 P. M., on the 9th day of
September, 1960, at Rupert,
County of Minidoka, State of
Idaho, before R. L. Wish, No-
tary Public, at Rupert, Idaho,
proof will be submitted of the
completion of works for the di-
version of 1.76 cubic feet per
second of underground water
from a well, and of the applica-
tion to beneficial use of said
water, in accordance with the
terms and conditions of Permit
No. G28259, heretofore issued by
the Department of Reclamation
of the State of Idaho.

1. The name and postoffice
address of the person or corpora-
tion holding said permit is Wm.
Barnard, Box 26, Acersburg, Ida-
ho.

2. Said works of diversion will
be fully completed on the date
set for such completion, and the
amount of water which said
works are capable of conveying
to the place of use is 1.76 cubic
feet per second.

3. The use to which said water
has been applied is row crop ir-
rigation purposes, and the
amount applied to beneficial use
is 1.76 cubic feet per second.

4. The point of diversion of
said water is NW $\frac{1}{4}$ of the NW $\frac{1}{4}$
of Section 31 Twp 7S Rge, 25E
B. M. County Minidoka.

5. The place where said water
is used is NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 31, T. 7S., R. 25 E. B. M.

6. The date of priority which
said user is established
to be Aug. 11.

Geo. N. Carter
State Reclamation
Engineer

No. 001-4 Aug. 11 - Sept. 1

28259

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
SEP 11 1959

Department of Reclamation

Permit No. G-28259

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

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

Ans. William E. Barnard; residence: farm 15½ miles NE of Rupert, Idaho;
occupation: farming and building contractor; P.O.: Box 26, Acequia, Idaho

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

Ans. -----

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

Ans. G-28259 dated Nov. 20, 1959 - date of priority Nov. 9, 1959

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

Ans. Source: Deep Well; Point of diversion: NW corner of NW¼NW¼, Sec. 31,
T 7 S, R 25 EBM

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

Ans. Depth of well: 250 ft.; casing 22" for 17 ft. and 16" for 60 ft.;
depth to water 20½ ft.; Discharge of pump 1.76 cu ft./sec measured by
engineer for Argo Pump Co.

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

Ans. water is used for irrigating farm crops on NW¼NW¼ (40 acres);
SW¼NW¼ (30 acres); NE¼NW¼ (18 acres) of Sec. 31, T 7 S, R 25 EBM;
cultivated ~~garden~~ ground and row crops

28259

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

Ans. - - - irrigation only purpose

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

Ans. - - - - -

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

Ans. - - - - original permit holder

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

Ans. water has been used during farm irrigating season of 1960 on farming acreages as set forth in Quest. No. 6- water has been used in full amount of 1.76 cu ft/sec.

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

Ans. no other water supply

(Sign) *William E. Barnard*

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed

and sworn to before me, at my office in Rupert County of Minidoka

State of Idaho, on this 9th day of September A. D. 1960.

Robert J. Balch

My commission expires 7/1/61

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
JUN 12 1960
Department of Reclamation

Permit No. G-28259

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

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

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

Ans. Henry H. Holland, 41, R.F.D. # 3, Rupert, Idaho; occupation: farmer
R.F.D. # 3, Rupert, Idaho (13 miles NE of Rupert, Idaho)

Ques. 2. Are you acquainted with William E. Bernard, the holder of Permit No. G-28259? How long have you known him and where does he reside? ~~XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX~~

Ans. Yes - 3 yrs. acquaintance; he resides on farm 15 1/2 miles NE of
Rupert, Idaho.

Ques. 3. Have you read or heard read said Permit No. G-28259, and are you familiar with its provisions and conditions?

Ans. yes

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

Ans. Deep well - NW corner of NW 1/4 NW 1/4 Sec. 31, T. 7. S., R. 25 EBM - place of
diversion; conveyed through ditches to irrigate crops

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

Ans. 1.76 cu ft/sec can safely be conducted - I have seen this amount
conveyed

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

Ans. 1.76 cu/ft/sec delivered by pump - this was measured by
engineer for Argo Pump Co.

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

Ans. water is used for irrigating farm crops on NW $\frac{1}{4}$ NW $\frac{1}{4}$ (40 acres); SW $\frac{1}{4}$ NW $\frac{1}{4}$ (30 acres); NE $\frac{1}{4}$ NW $\frac{1}{4}$ (18 acres) of Sec. 31, T 7 S, R 25 EBM; cultivated ground and row crops

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

Ans. used for irrigation solely

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

Ans. silt loam soil with sloping contour- estimate of water required is 1" to acre

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

Ans. no

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

Ans. farming season of 1960- personal observation- have seen continuous irrigation and full amount being conveyed

(Signed)

Henry H. Holland

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 Rupert, County of Minidoka, State of Idaho, on this 9th day of September, A. D. 1960.

Robert J. Balch

Notary Public.

My commission expires 7/1/61

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
SEP 12 1960
Dept. of Reclamation

Permit No. G-28259

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

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

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

Ans. Howard L. Specht, age 39, farm 15 $\frac{1}{2}$ miles NE of Rupert, Idaho;
occupation: farming; R.F.D. # 3, Rupert, Idaho

Ques. 2. Are you acquainted with William E. Barnard, the
holder of Permit No. G-28259? How long have you known him and where does
he reside?

Ans. yes - acquaintance 2 yrs. - he resides on farm 15 $\frac{1}{2}$ miles NE of
Rupert, Idaho

Ques. 3. Have you read or heard read said Permit No. G-28259, and are you
familiar with its provisions and conditions?

Ans. yes

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

Ans. Deep well - place of diversion: NW corner of NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 31, T 7
S, R 25 EBM; conveyed through ditches to irrigate crops

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

Ans. 1.76 cu ft/sec can be conveyed - I have seen this amount conveyed

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

Ans. 1.76 cu ft/sec - this was measured by engineer for Argo Pump Co.

28259

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

Ans. water is used for irrigating farm crops on NW $\frac{1}{4}$ NW $\frac{1}{4}$ (40 acres); SW $\frac{1}{4}$ NW $\frac{1}{4}$ (30 acres); NE $\frac{1}{4}$ NW $\frac{1}{4}$ (18 acres) of Sec. 31, T 7 S, R 25 EBM; cultivated ground and row crops

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

Ans. used for irrigation solely

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

Ans. silt loam soil with sloping contour- estimate of water required is 1" per acre

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

Ans. no

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

Ans. during farming season of 1960 by personal observation- I have seen continuous irrigation and full amount of water being conveyed

(Signed)

Howard C. Speck

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 Rupert, County of Minidoka, State of Idaho, on this 9th day of September, A. D. 1960.

Robert J. Balch

Notary Public.

My commission expires 7/1/61

ESTABLISHED 1913

F. J. FRUIT
R. L. BALCH

LOANS
INSURANCE

RUPERT ABSTRACT COMPANY
TITLE INSURANCE

*Member of the American Title Association
and Idaho Title Association*
RUPERT, IDAHO

September 9, 1960

RECEIVED
SEP 12 1960
Department of Reclamation

George N. Carter
State Reclamation Engineer
Department of Reclamation
Boise, Idaho

Re: Permit No. G-28259 - W. E. Barnard

Gentlemen:

We are herewith enclosing the following papers in connection with the Notice of Proof of Completion of Works and Application of Water to Beneficial Use of the above named entryman to be used on NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 31, Township 7 South, Range 25 East, Boise Meridian:

Testimony of Claimant
Testimony of Witness - Howard L. Specht
Testimony of Witness - Henry H. Holland
Proof of Publication

Very truly yours,

RUPERT ABSTRACT COMPANY

By Larman Nielsen

cn
encls.

28259

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date)

7/29/60

(P. O.)

Accequia, 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

Minidoka County News

of

Rupert Idaho

published in

the county in which the works are situated.

M E Barnard

(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.

RECEIVED
AUG 2 1960

Department of Reclamation

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

September
Notice is hereby given that at 1:00 P.M., on the 9th day of July
1960, at Aceguia, County of Minidoka, State of Idaho,
before R.L. Balch, Notary Public, at (address) Rupert
Idaho, proof will be submitted of the completion of
works for the diversion of 1.76 cubic feet per second of underground water
from a well, and of the application to beneficial use of said water, in accordance
with the terms and conditions of Permit No. G 28259, heretofore issued by
the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said
permit is W E Barnard Box 26 Aceguia, Idaho

2. Said works of diversion will be fully completed on the date set for such com-
pletion, and the amount of water which said works are capable of conveying to the
place of use is 1.76 cubic feet per second.

3. The use to which said water has been applied is row crop irrigation
purposes, and the amount applied to beneficial use is
1.76 cubic feet per second.

4. The point of diversion of said water is NW 1/4 of the NW 1/4 of
Section 31 Twp 7S Rge. 25 E. B.M. County Minidoka

5. The place where said water is used is Same as above
NW 4, NW 4 SW 4, Sec. 31, T. 7S. - R. 25E, B.M.

6. The date of priority which said user is prepared to establish is Nov. 9th
1959.

Geo. H. Keaster

State Reclamation Engineer

28259

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
Boise, Idaho

Re: Permit No. G-28259
W. E. Barnard

Date: August 2, 1960

Minidoka County News,
Rupert, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to **September 9, 1960** the date set for proof; the expense of the publication is to be paid by the applicant

W. E. Barnard of **Box 26, Acequia, 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,

GEO. N. CARTER
State Reclamation Engineer
By

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

** 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.

Encl.
EPR:pmk

28259

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

August 2, 1960

Re: Permit No. G-28259

DEPOSITIONS ARE OF NO VALUE

UNLESS AFFIDAVIT OF PUBLICATION

IS ATTACHED

Mr. W. E. Barnard,
Box 26,
Acoquia, Idaho.

Dear Mr. Barnard:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. G-28259. The proofs are to be made at 1:00 o'clock P.M., on the 9th day of September, 1960, ~~####~~ before R. L. Balch, Rupert, Idaho, Notary Public.

As of this date we have mailed the Notice to the Minidoka County News with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof and then mail the affidavit of publication and statement of costs to you.

It is important that the enclosed depositions be executed by 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,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. ~~Edna P. Balch~~
Chief Clerk

Encl.

EPR:jmk

cc: Notary

28259

July 28, 1960

RE: Permit No. G-28259
William E. Barnard

Robert J. Harrison, Supervisor
Farmers Home Administration
Rupert, Idaho

Dear Mr. Harrison:

The permanent permit record has been marked in regard to the mortgage,
and your letter has been placed in the file.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

RT:ER:mr

28259 OT

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION
Rupert, Idaho

RECEIVED
JUL 27 1960
Department of Reclamation

July 26, 1960

State Reclamation Engineer
Department of Reclamation
State House
Boise, Idaho

Dear Sir:

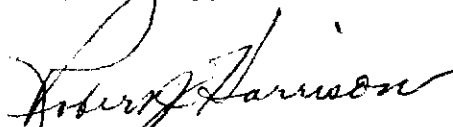
Subject: William E. Barnard - Water permit #G 28259

As the result of a soil and water loan, the United States Department of Agriculture, Farmers Home Administration received a mortgage on William E. Barnard's Real Estate. This mortgage covers all water rights on the following real estate discription:

Farm Unit D, Tract D, Section Thirty-one (31), Township Seven (7) South, Range Twenty-five (25) East, Boise Meridian, Minidoka County, Idaho, of the North Side Pumping Division of the Minidoka Project, Idaho (as shown by plat dated March 21, 1957, filed in the office of the County Recorder, Minidoka County, Idaho).

Part of the land will be irrigated by private deep well. Mr. Barnard has agreed that he will not assign or amend the permit without the consent of the Farmers Home Administration.

Respectfully,



Robert E. Harrison
County Supervisor

28259

November 30, 1959

Re $\frac{1}{4}$ Permit No. G-28259

Mr. William E. Barnard,
Box 242,
Rupert, Idaho.

Dear Mr. Barnard:

We enclose Permit No. G-28259 in which we direct your attention to the limitations and conditions as given on the fourth page under Approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. G-4438 which was issued covering payment in the amount of \$5.25 for the filing fee of the above mentioned permit.

Very truly yours,

GEO. W. CARTER
State Reclamation Engineer
By

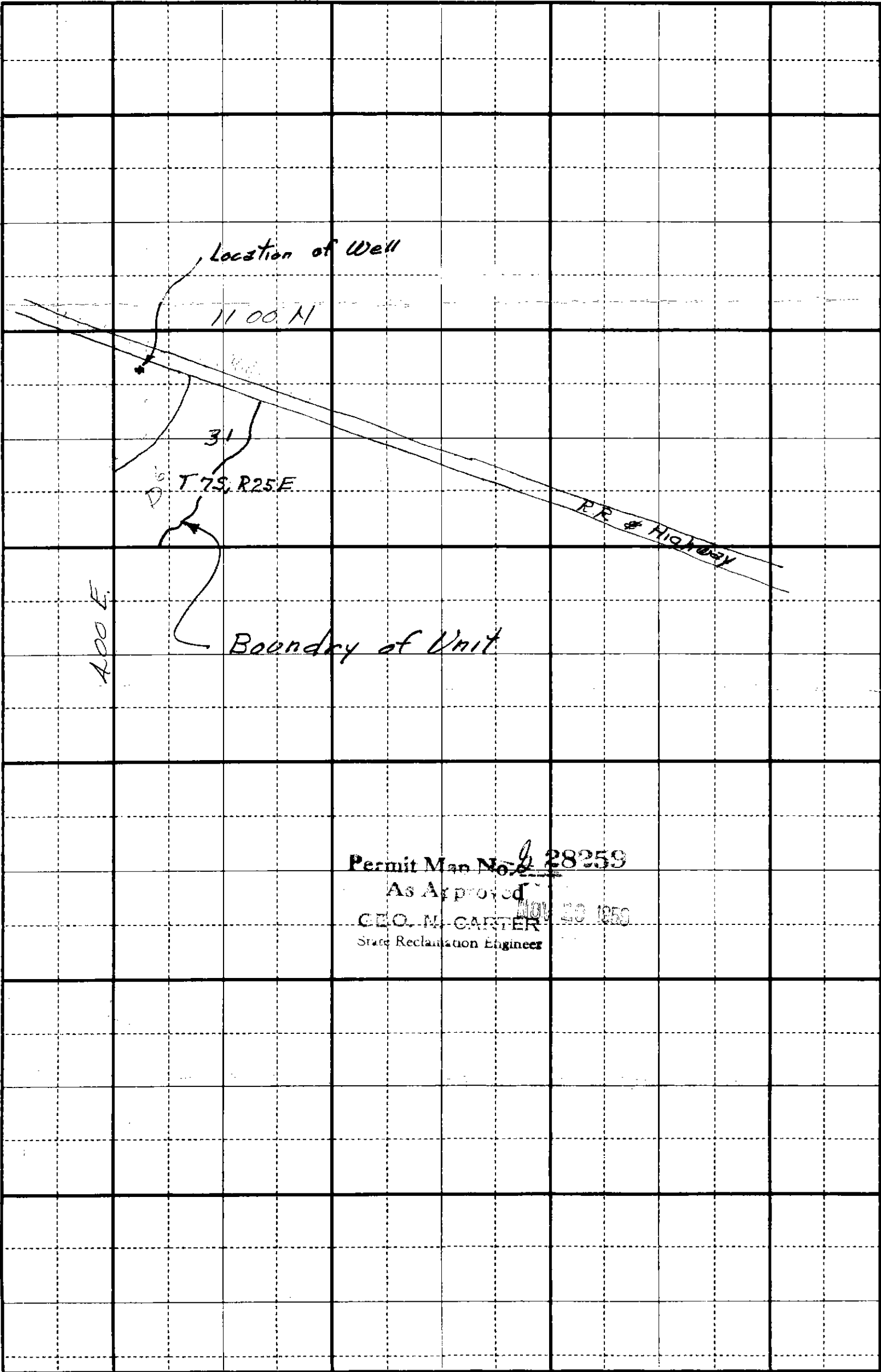
(Mrs.) Edna P. Rutledge
Chief Clerk

Encl.
EPR:pmk

28259

NAME OF APPLICANT William E. Barnard

Form No. 0



Permit Map No. 28259
As Approved
GEO. M. CARTER
State Reclamation Engineer

NOV 23 1959

November 4, 1959

RE: Application for Permit

William Eugene Barnard
Box 242
Rupert, Idaho

Dear Mr. Barnard:

Enclosed is the application for permit to appropriate subterranean water you submitted.

The quantity of water claimed has been changed to 1.76 cubic feet per second to agree with 88 miner's inches and the 88 acres to be irrigated. Under 7, kind of works, we show well, pump and ditches which can be changed if you will use sprinkler system. The time has been changed to 5 years under 10. Under 12 the land list has been changed to agree with the map. Remarks have been crossed out as all pertinent information is shown in other places.

Show the location of the well on the maps; also the boundary of your unit.

Return the application promptly with the filing fee of \$5.25 enclosed.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Ralph Thomas
Office Engineer

RT:mr
enc. application

2825 9

NOTICE OF PROOF OF COM-
PLETION OF WORKS and AP-
PLICATION OF WATER TO
BENEFICIAL USE.

Notice is hereby given that at 1:00 P. M., on the 9th day of September 1960, at Acequia, County of Minidoka, State of Idaho, before R. L. Balch, Notary Public, at Rupert, Idaho, proof will be submitted of the completion of works for the diversion of 1.76 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G29259, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is W. E. Barnard, Box 26, Acequia, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 1.76 cubic feet per second.

3. The use to which said water has been applied is row crop irrigation purposes, and the amount applied to beneficial use is 1.76 cubic feet per second.

4. The point of diversion of said water is NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 31 Twp 7S Rge, 25E B M County Minidoka.

5. The place where said water is used is NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 31, T. 7S., R. 25 E. B. M.

6. The date of priority which said user is prepared to establish is Nov. 9, 1959.

Geo. N. Carter

State Reclamation
Engineer

No. 901 - Aug. 11 - Sept. 1

28259