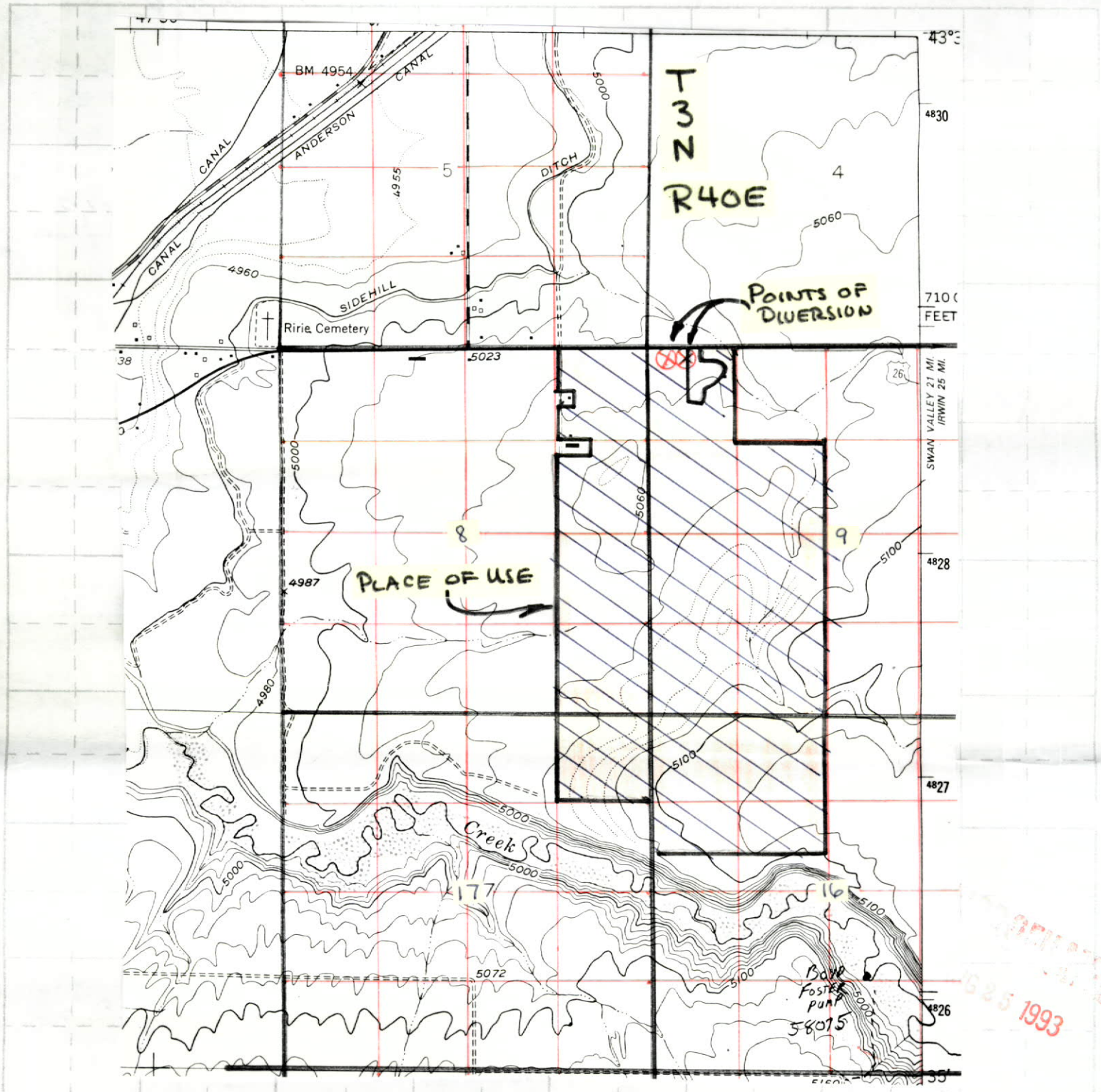


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

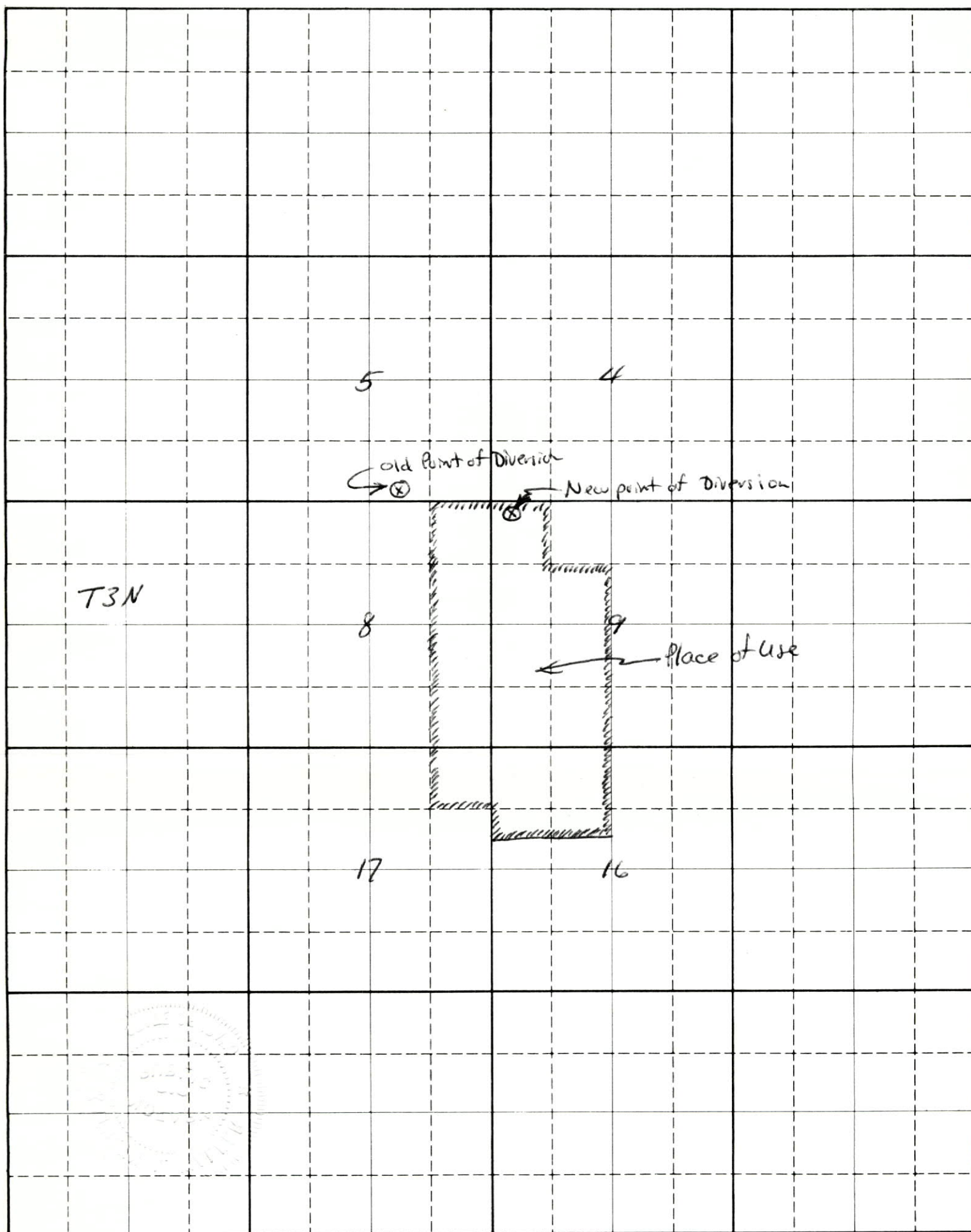
- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

3. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.

R 40 E



SCALE: 2 inches equal 1 mile. Draw plan in ink.

NOTED

Proof of Publication

The Post-Register

State of Idaho,
County of Bonneville } ss.

I, J. Robb Brady, first being duly sworn, depose and say: That I am the Principal Clerk of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931, and each of said newspapers having been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eighty (78) weeks and said Post-Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post-Register for two consecutive weeks, first publication having been made on the 9th day of April, 1981, last publication having been made on the 16th day of April, 1981, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this 16th day of April, 1981
Dean R. Napier
Notary Public

My commission expires September 30, 1984

B10, 1M,

NOTICE OF PROPOSED CHANGE OF WATER RIGHT No. 25-2123

Notice is hereby given that Leo Parker, Box 26, Ririe, Idaho, has applied to the Department of Water Resources for a change in the point of diversion of the waters of a ground-water source. The right sought to be changed is evidenced by License No. 25-2123 and is recorded as follows:

AMOUNT: 7.50 cfs
PRIORITY: Aug. 8, 1956
POINT OF DIVERSION:
SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5, T. 3N, R. 40E, B.M.
Bonneville County.

The water is used to irrigate 600 acres within the E $\frac{1}{2}$ E $\frac{1}{2}$, Sec. 8, NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 9, NW $\frac{1}{4}$, Sec. 16, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 17, T. 3N, R. 40E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be diverted within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 9, T. 3N, R. 40E, B.M., Bonneville County.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup, Idaho Falls, Idaho, 83401 on or before April 27, 1981.

C. STEPHEN ALLRED
Director

Published: April 9, 16, 1981

RECEIVED

APR 20 1981

Department of Water Resources
Eastern District Office

Proof of Publication

The Post-Register

State of Idaho, }
County of Bonneville } ss

I, S. BOB BRIGHT or TED DELEZENE, first being duly sworn, depose and say: That I am the Production Supervisor or Assis. Prod. Supervisor of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931, and each of said newspapers have been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eight (78) weeks and said Post-Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post-Register for two consecutive weeks, first publication having been made on the 6th day of May 19. 93 ., last publication having been made on the 13th day of May 19.93 ., and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this . 19th . day of May 1993 .

Susan Magran
Notary Public

My commission expires July 1 19.97 .

B10

NOTICE OF PROPOSED CHANGE OF A WATER RIGHT TRANSFER NO. 4114

Notice is hereby given that Leo Parker has applied to the Department of Water Resources to change point of diversion of the waters of a groundwater source. The rights sought to be changed are evidenced by licenses and recorded as follows:

LICENSE NO. 25-02123

AMOUNT: 7.5 cfs

PRIORITY: 8/8/1956

POINT(S) OF DIVERSION: SWSE SEC 5 NWNW SEC 9 T3N R40E, BONNEVILLE COUNTY

The water is used from April 1 to November 1 to irrigate 600 acres within the E1/2E1/2 SEC 8 W1/2NW SENW SW SEC 9 NW SEC 16 NENE SEC 17 T3N R40E, B.M.

LICENSE NO. 25-07068

AMOUNT: 1.56 cfs

PRIORITY: 4/21/1975

POINT(S) OF DIVERSION: SWSE SEC 5 NWNW SEC 9 T3N R40E, BONNEVILLE COUNTY

The water is used from April 1 to November 1 to irrigate 594 acres within the E1/2E1/2 SEC 8 W1/2NW SENW SW

SEC 9 NW SEC 16 NENE SEC 17, B.M.

TO BE CHANGED AS FOLLOWS:

The water will be diverted from the NWNW SEC 9 (OLD WELL) NWNW SEC 9 (NEW WELL) T3N R40E, BONNEVILLE COUNTY

Any protests against the proposed change must be filed with the Idaho Department of Water Resources, 900 N. Skyline Dr., Idaho Falls, ID, 83402, on or before May 24, 1993.

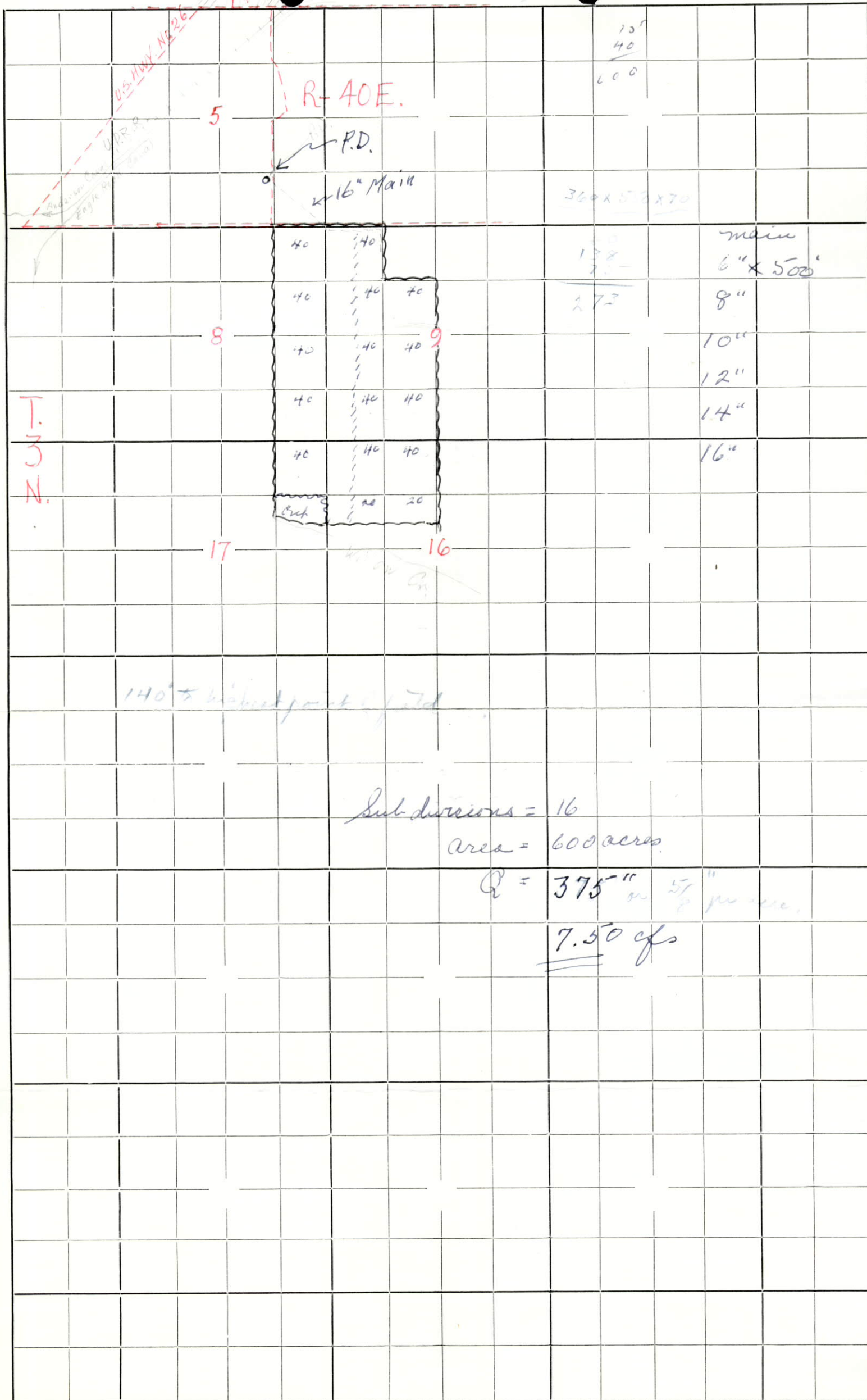
R. Keith Higginson
Director

Published: May 6, 13, 1993

AUG 25 1993

60 x 110 x 500 x 70
60 x 52'

5.02 gpm per head
27.4' x 13' = 356"



T.
3
N.

140' to highest point of field

Subdivisions = 16

Area = 600 acres

Q = 375" or 5/8" per sec.

7.50 cfs

PROOF OF PUBLICATION

RECEIVED
AUG 25 1959
Department of Reclamation

STATE OF IDAHO }
County of Bonneville } ss.

I Aden Hyde, first being duly sworn, depose and say that I am the ~~printer/foreman~~ principal clerk of the Idaho Falls Publishing Company, an Idaho corporation, Bonneville County, Idaho, being publishers of the Eastern Idaho Farmer, legal newspaper of general circulation, published weekly at Idaho Falls, Idaho, having been published continuously and uninterruptedly in conformity with the provisions of Section 60-106, Idaho Code, for more than seventy-eight (78) weeks prior to the first publication of the legal notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in the Eastern Idaho Farmer for 4 consecutive weeks, first publication having been made on the July 23 day of July, 19 59, last publication having been made on the 13 day of August, 19 59, and that notice was published in regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this 17 day of August, 19 59.
Edna A. Wheeler
Notary Public.

My Commission Expires May 9, 19 63

LEGAL NOTICES

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

Notice is hereby given that 10 a. m., on the 20th day of August 1959, at Idaho Falls, County of Bonneville, State of Idaho, before Reginald R. Reeves, Notary Public, at Smith-Hart Building, proof will be submitted of the completion of works for the diversion of 8.24 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-26524 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 L. W. Brown, Route No. 2, Rigby, 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 8.24 cubic feet per second.

3. The use to which said water has been applied is irrigation of crops, and the amount applied to beneficial use is 8.24 cubic feet per second.

4. The point of diversion of said water is SW 1/4 SE 1/4, section 5, Twp. 3, N. Range 40, E. B. M.

5. The place where said water is used is the east half of the east half of section 8; the west half of the northwest quarter; the southeast quarter of the northwest quarter and the southwest quarter of section 9; the north half of the northwest quarter and the north half of the south half of the northwest quarter of section 16; the northeast quarter of the northeast quarter of section 17, all in township 3, north of range 40, E. B. M.

6. The date of priority which said user is prepared to establish is August 8, 1953.

GEO. N. CARTER
State Reclamation Engineer
EIF, July 23, 30. Aug. 6, 13

D26524

amended land list
 \ = land list in Notice.

8

17



Amendment needed for S²S²NW⁴,
 Sec 6.

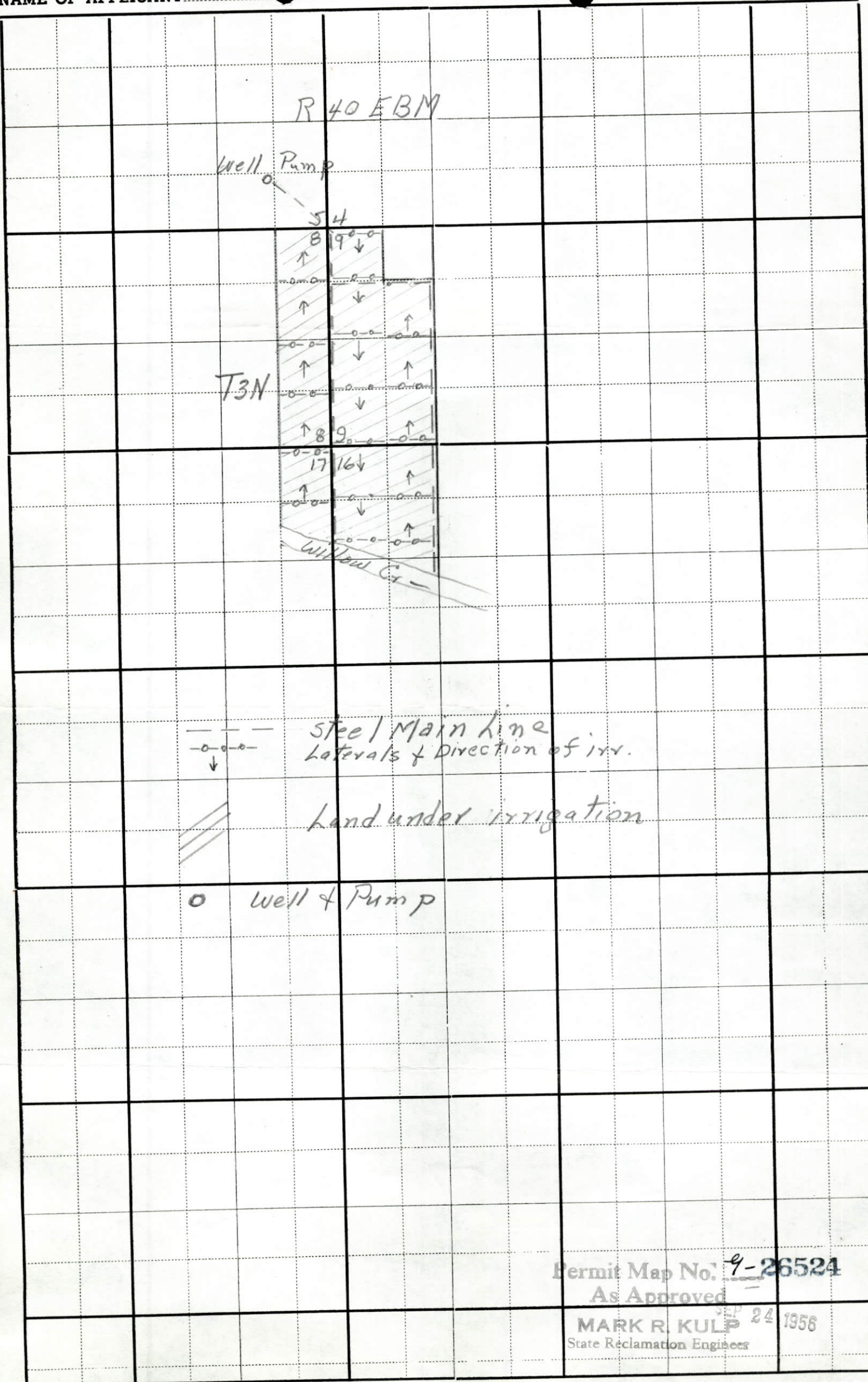
SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

S26524

NAME OF APPLICANT

L. W. TOWN

Form No. 0



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4114
WATER RIGHT NO(S). 25-02123/25-07068

This is to certify that: **LEO PARKER**
PO BOX 26
RIRIE ID 83443

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 25-02123 :			
IRRIGATION	04/01 to 10/31	7.50 CFS	2376.0 AF
Priority: 08/08/1956			
Right No. 25-07068 :			
IRRIGATION	04/01 to 10/31	1.56 CFS	662.2 AF
Priority: 04/21/1975			

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

NWNW , Sec. 9, Township 03N, Range 40E
BONNEVILLE 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>
03N	40E	8	NENE 37	SENE 38	NESE 40	155
			SESE 40			
		9	NWNW 33	SWNW 40	SENW 40	
			NESW 40	NWSW 40	SWSW 40	
			SESW 40			273
		16	NENW 40	NWNW 40	SWNW 23	
			SENW 23			126
		17	NENE 40			40
Total number of acres irrigated:						594

CONDITIONS/REMARKS:

RECORDED

AUG 25 1993

TRANSFER NO. 4114
WATER RIGHT NO(S). 25-02123/25-07068

CONDITIONS/REMARKS:

1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
2. 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.
3. 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.
4. Two points of diversion are located within NWNW, S09, T03N, R40E.

Dated this 20TH day of July, 1993.

for John Johnson
Chief, Water Alloc. Bureau

RECEIVED
AUG 25 1993

\$50.00

Form 222
1-87

Page _____ of _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 4114

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Leo Parker Phone 538-7980

Post Office address Box 26 Kire Idaho 83443

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Eliminate 1/2 mile of mainline to make operation of system easier.

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

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>25-7068</u>	<u>21 April 1975</u>	<u>1.56 cfs</u>	<u>Irrigation</u>	<u>4/1</u> to <u>11/1</u>
<u>25-2123</u>	<u>8 Aug 1956</u>	<u>7.50 cfs</u>	<u>Irrigation</u>	<u>4/1</u> to <u>11/1</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 9.06 cubic feet per second and/or _____ 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
		NW	NW	9	3N	40E	Bonneville	Old well
		NW	NW	9	3N	40E	Bonneville	New well

5. 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	
3N	40E	8	37			38									40			40	155
		9					33	40	40	40	40	40	40	40					273
		16					40	40	23	23									126
		17	40																40

Total acres

594

PART 1**6. General Information:**

a. Description of diversion system Two wells, boosters, mainline to sprinklers

b. Are the lands from which ^{10/1/98} ~~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:

NONE

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 _____

FILED

AUG 25 1998

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. 25-2123 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. T2531 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 8 Aug 1956

5. Water is used for the following purpose:

amount 7.5 cfs for IRRIGATION purposes from 4/1 to 11/1
(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 7.5 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SE	5	3N	40E	Bonneville	
		NW	NW	9	3N	40E	Bonneville	

8. 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	
3N	40E	8	40			40									40			40	160
		9						40	40	40	40	40	40	40					280
		16					40	40	20	20									120
		17	40																40

AUG 25 1993

Total acres 600

9. Describe any other water rights used for the same purpose as described above Lic 25-7068

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 _____

RECEIVED
AUG 25 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 25-7068 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

☐ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 21 April 1975

5. Water is used for the following purpose:

amount 1.56 cfs for Irrigation purposes from 4/1 to 4/1
(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 1.56 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SE	5	3N	40E	Bonneville	
		NW	NW	9	3N	40E	Bonneville	

8. 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	
3N	40E	8	37			38									40			40	155
		9						33	40	40	40	40	40	40					273
		16					40	40	23	23									126
		17	40																40

Total acres 594

9. Describe any other water rights used for the same purpose as described above Lic 25-2123

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

NO

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

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

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

2. Point(s) of Diversion:

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

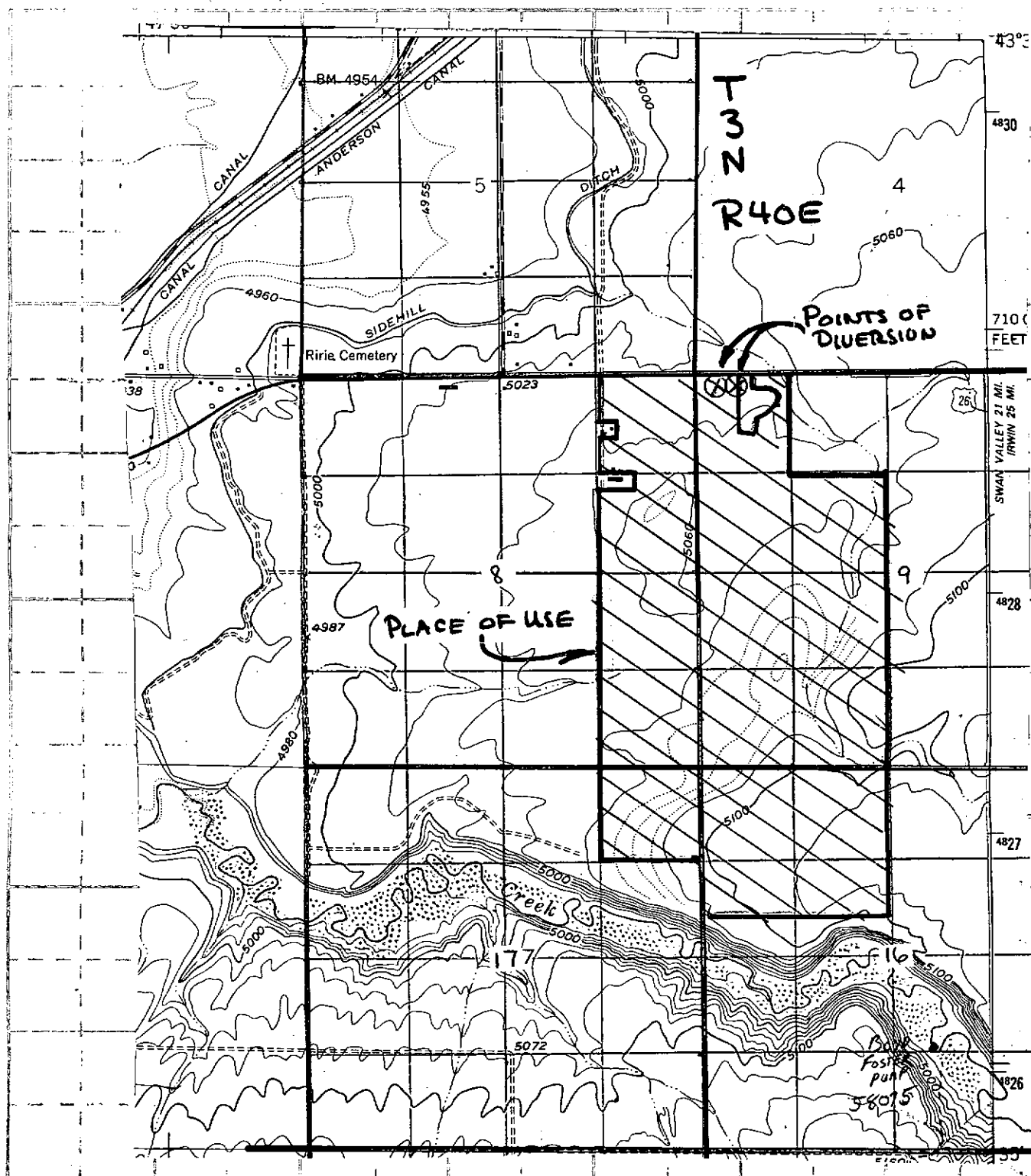
3. Lands irrigated or place of use:

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

Total acres _____

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**

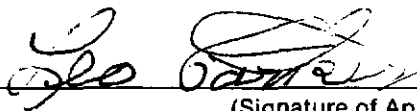
1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

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.



(Signature of Applicant)

Subscribed and sworn to before me this 26th day of April, 1993.

BETTY J. THOMPSON, NOTARY PUBLIC

RESIDING AT IDAHO FALLS, IDAHO

My commission expires

MY COMMISSION EXPIRES: 6-30-94



(Notary Public)

EO 18496 / \$ 50.00 **FOR DEPARTMENT USE ONLY**

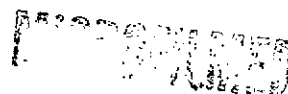
Transfer contains _____ pages and _____ attachments

Received by Jo Date 4-26-93 Protest filed by _____Prelim. check by _____ Fee 50.00

Receipted by _____ Date _____

Published in Past-Register Copies of protest forwarded by _____Pub. dates May 6 & 13-93 Hearing held by _____ Date _____Watermaster recommendation requested on _____ Recommended for ☒ approval ☐ denialby RDC

Copy of transfer sent to lien holder _____



AUG 25 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

APPROVED

To Change the Point of Diversion and/or the Place of Use

Name of applicant Leo Parker Phone 538-7980
Post office address Box 26, Ririe, ID 83443

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
- a. Decree to _____ (Name)
in case of _____ vs _____
dated _____ in _____ county of _____ (Name of court)
- b. License No. 25-2123 issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources
2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____
3. Source of water groundwater tributary to _____
4. Date of priority August 8, 1956
5. Water is used for the following purposes:
amount 7.5 cfs for irrigation purposes from April 1 to Nov. 1
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____ (month/day - both dates inclusive)
6. Total amount of water under right: a. 7.5 cubic feet per second
&/or
b. _____ acre feet per annum
7. Location of original point of diversion is SW ¼ of SE ¼ of Section 5
Township 3N Range 40E, B.M., in Bonneville County
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
3N	40E	8	40			40									40			40	160
		9					40	40	40	40	40	40	40						280
		16					40	40	20	20									120
		17	40																40

Total number of acres to be irrigated 600

Describe any other water rights used for the same purposes as described above Permit 25-7068

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County _____
Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion

- a. Amount of water to be diverted 7.5 c.f.s. &/or _____ acre feet
- b. Point(s) of diversion SW ¼ SE ¼, Section 5 Township 3N
Range 40E, B.M., Bonneville County
Additional points NW¼NW¼, Sec. 9, T. 3N, R. 40E

- c. Description of diverting works Well, pump, 14" main line, hand lines, center pivot and booster pump.
- d. Describe the reasons for applying for a change in the point(s) of diversion Adding additional point of diversion for system.

2. Change in place of use NO CHANGE

- a. Describe the lands or place of use to which the right will be transferred:

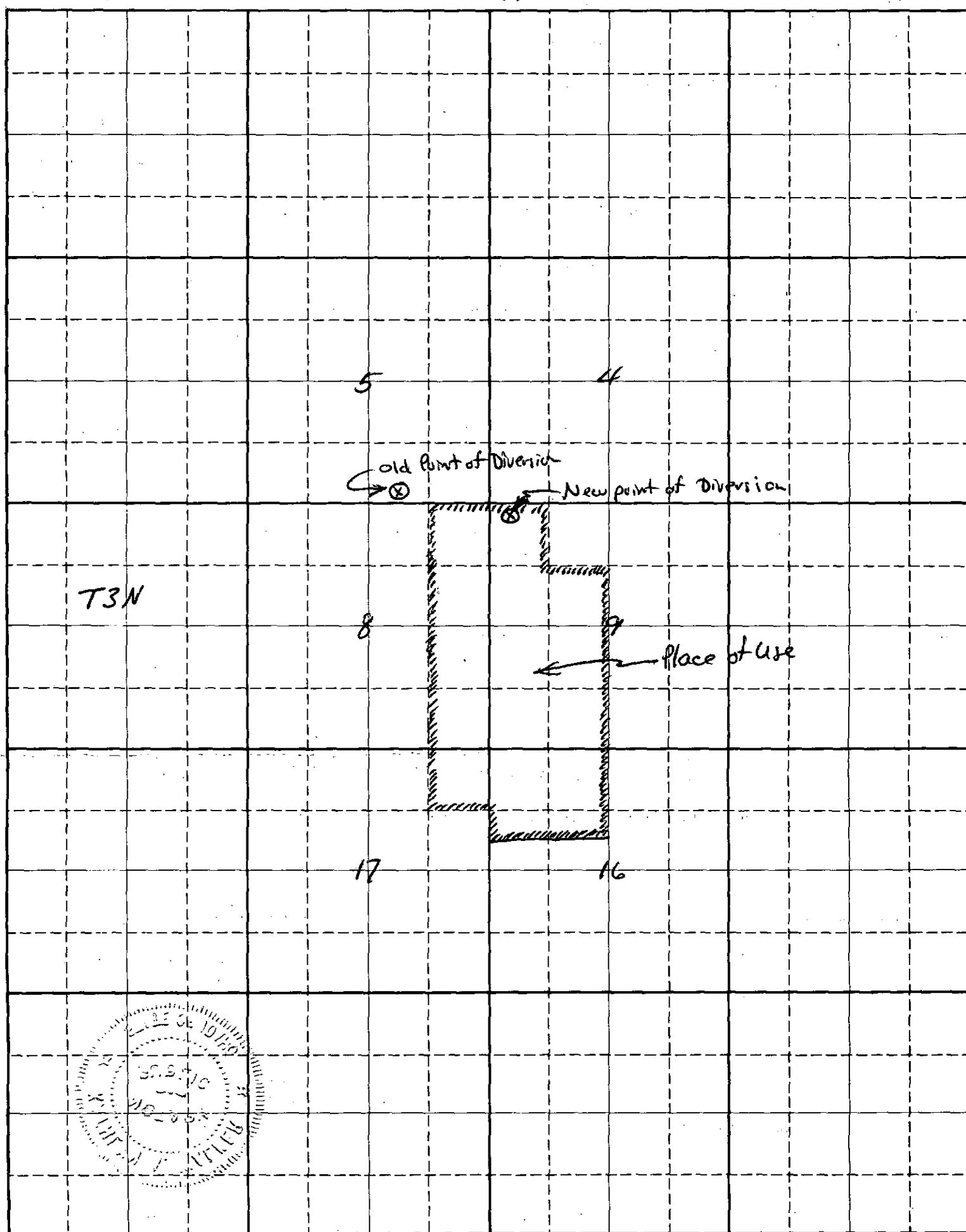
TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

MICROFILMED

3. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.

R 40 E



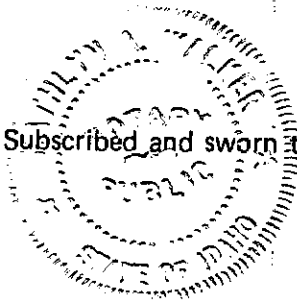
SCALE: 2 inches equal 1 mile. Draw plan in ink.

MICROFILMED

4. Remarks _____

RECEIVED

I hereby assert that no one will be injured by such change and 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.



Leo Parker
(Signature of applicant)

Subscribed and sworn to before me this 30 day of March, 19 81.

Kathleen A. Walker
(Notary public)

My commission expires 2/15/1983

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 25-2123 and said application is hereby approved, subject to the following limitations and conditions:

Witness my hand this 23rd day of June, 19 81.

L. Glen Saxton

L. GLEN SAXTON
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by KCW Date 30 Mar 81 Protest filed by _____

Prelim. check by EMC Fee: 50.

Receipted by KCW Date 3/30/81 #17143

Published in Post Register Copies of protest forwarded by _____

Pub. dates 4/9 & 4/16/81 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for approval denial

_____ rec'd. by EMC, Det

BONNEVILLE COUNTY NOTICE AND RECEIPT

KEEP TOP PORTION FOR YOUR RECORDS
PLEASE READ REVERSE SIDE
YOUR CANCELLED CHECK IS YOUR RECEIPT

1992

	MARKET VALUE	TAX CODE AREA	PARCEL NUMBER	BILL NUMBER
L	53603	125-00	RP03N40E093048A	39082
I	11379			

64982 NW1/4 NW1/4 LESS 1.6 A HWY,
W1/2 SW1/4 NW1/4,
W1/2 NW1/4 SW1/4,
SEC 9, T 3N, R 40

WAC 1.230

77.170 LEO PARKER FAMILY TRUST
ACRES P O BOX 26
RIRIE ID 83443-0026

STATE
COUNTY
GENERAL SCHOOL
252 SCHOOL
SHELTON CEM
JEFFERSON FIRE
AMBULANCE

LANDFILL
LIBRARY

005414 351.82
006788 1441.10
000179 11.64
001592 103.46
000389 JORDAN, TH 25.28
BONNEVILLE COUNTY

FULL PAYMENT

TAX 986.30
PEN.
INT.
COST
TOT.
1ST INSTALLMENT
TAX 493.15
PEN.
INT.
COST
TOT.
2ND INSTALLMENT
TAX 493.15
PEN.
INT.
COST
TOT.

30.00
23.00

TOTAL .014362 986.30

RECEIVED

AUG 25 1993

Proof of Publication

The Post-Register

State of Idaho, }
County of Bonneville } ss.

I, J. Robb Brady, first being duly sworn, depose and say: That I am the Principal Clerk of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931, and each of said newspapers having been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eighty (78) weeks and said Post-Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post-Register for two consecutive weeks, first publication having been made on the 9th day of April, 1981, last publication having been made on the 16th day of April, 1981, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this 16th day of April, 1981

Dean R. Napier
Notary Public

My commission expires September 30, 1984

B10, 1M,

NOTICE OF PROPOSED CHANGE OF WATER RIGHT No. 25-2123

Notice is hereby given that Leo Parker, Box 28, Ririe, Idaho, has applied to the Department of Water Resources for a change in the point of diversion of the waters of a ground-water source. The right sought to be changed is evidenced by License No. 25-2123 and is recorded as follows:

AMOUNT: 7.50 cfs
PRIORITY: Aug. 8, 1956
POINT OF DIVERSION:
SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5, T. 3N, R. 40E, B.M.
Bonneville County.

The water is used to irrigate 600 acres within the E $\frac{1}{2}$ E $\frac{1}{4}$, Sec. 8, NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 9, NW $\frac{1}{4}$, Sec. 16, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 17, T. 3N, R. 40E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be diverted within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 9, T. 3N, R. 40E, B.M., Bonneville County.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup, Idaho Falls, Idaho, 83401 on or before April 27, 1981.

C. STEPHEN ALLRED
Director

Published: April 9, 16, 1981

RECEIVED

APR 20 1981

Department of Water Resources
Eastern District Office

State of Idaho
License and Certificate of Water Right

Water License No. G-26524 Amount 7.50 c.f.s.
Water District No. _____ Priority August 8, 1956

THIS IS TO CERTIFY that L. W. BROWN - Assignee - L. W. BROWN and SONS
of Rigby, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated August 8, 19 56; that Permit No. G-26524
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
7.50 second feet, was issued thereunder on November 20, 19 59, showing that said works
were completed on the 20 day of August, 19 59; and that on the 20
day of August, 1959,

L. W. BROWN - Assignee - L. W. BROWN and SONS
of Rigby, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
, a tributary of subterranean flow, for the purpose of irrigation
, under Use Permit No. G-26524 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
11 of Licenses at page 6829, on the 20 day of November, 19 59;

The right hereby confirmed dates from August 8, 19 56;

The Point of Diversion is located
in the SW 1/4 SE 1/4, Sec. 5, Tp. 3 N., R. 40 E., B. M. County Bonneville
That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 7.50 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
3 N.	40 E.	8	NE 1/4 NE 1/4	40	40
			SE 1/4 NE 1/4	40	40
			NE 1/4 SE 1/4	40	40
			SE 1/4 SE 1/4	40	40
		9	NW 1/4 NW 1/4	40	40
			SW 1/4 NW 1/4	40	40
			SE 1/4 NW 1/4	40	40
			NE 1/4 SW 1/4	40	40
			NW 1/4 SW 1/4	40	40
			SW 1/4 SW 1/4	40	40
		16	SE 1/4 SW 1/4	40	40
			NE 1/4 NW 1/4	40	40
			NW 1/4 NW 1/4	40	40
			SW 1/4 NW 1/4	40	20
		17	SE 1/4 NW 1/4	40	20
			NE 1/4 NE 1/4	40	40

Total number of acres to be irrigated 600
The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
20 day of November, 1959.

GEO. N. CARTER
State Reclamation Engineer.

(SEAL)

State of Idaho

License and Certificate of Water Right

Water License No. G-23142Amount 4.0 c.f.s.

Water District No. _____

Priority October 4, 1952

THIS IS TO CERTIFY that

ILETA M. BROWNof Chilly, Idaho

, made application for a permit to appropriate the

public waters of the State of Idaho, dated October 4, 19 52; that Permit No. G-23142 was issued under said application; that Certificate of Completion of works, with a carrying capacity of

4.0 second feet, was issued thereunder on November 23, 19 59, showing that said works were completed on the 10 day of December, 19 58; and that on the 10 day of December, 19 58,

ILETA M. BROWNof Chilly

, State of

Idaho

, made proof to the satisfaction of the

State Reclamation Engineer

of Idaho, of the right to use the waters of a well, a tributary of subterranean flow, for the purpose of irrigation, under Use Permit No. G-23142 of the Department of Reclamation

and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

11 of Licenses at page 6830, on the 23 day of November, 19 59;

The right hereby confirmed dates from October 4, 19 52;

The Point of Diversion is located _____

in the NE 1/4 SW 1/4, Sec. 11, Tp. 9 N., R. 21 E., B. M. Custer County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 4.0 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
9 N.	21 E.	11	NE $\frac{1}{4}$ NE $\frac{1}{4}$	40	20
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	40	20
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	40	40
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	40	40
			NE $\frac{1}{4}$ NW $\frac{1}{4}$	40	20
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	40	40
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	40	40
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	40	40
			Total number of acres to be irrigated:		260

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

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

23 day of November, 19 59.

GEO. N. CARTER

State Reclamation Engineer.

(SEAL)

MTG: JOHN HANCOCK

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

25-2123

Alvin Deppa
Smith Hart Bley
Edwards Falls

Application No. G-34429
 Permit No. G-26524
 District No.

Assigned to L. W. Brown
Rt #2 - Rigby

1. Name of Applicant: L. W. BROWN
 Postoffice address: Rigby, Rt. #2 County: Jefferson State: Idaho
2. Quantity of water claimed: Irrigation well - 8.24 c.f.s.
 (a) Rate of withdrawal in cubic feet per second. 8.24 or Idaho
 Miners' inches 412" or gallons per minute. 3720 gpm
 (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Irrigation Well (Subterranean flow)
4. Location of point of diversion or well is in the SW 1/4 of the SE 1/4 of Section 5
 Twp. 3 N. , Rge. 40 E. , B.M., County of Bonneville
5. Water is to be used for: Irrigation of crop land.
6. If for municipal, industrial or recreational purposes, give:
 (a) Point of use of water is in the 1/4 of the 1/4 of Section , Twp.
 Rge. , B.M.
 (b) Waste water or sewage effluent is to be returned to
 at a point in the 1/4 of the 1/4 of Section , Twp. , Rge. , B.M.
7. Kind of works: Deep well turbine pump and sprinkler system.
8. Estimated cost of works: \$65,000.00
9. (a) Is reservoir to be used?
 (b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 2 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 onhand: \$
 (b) Treasury stock: (c) Bonds to be issued:
 (d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None
 (a) No (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) 3720 gpm (cubic feet per second, inches or gallons per minute) is for new lands.

Remarks: Thank you.

Idaho as herein set forth.

Applicant.

Agent.

Returned to applicant for correction: August 8, 1956

Corrected application received: September 13, 1956

Approval of State Reclamation Engineer

The number of this permit is G-26524

Recorded in Book 94 Page 26524 Approved September 24, 1956

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 November 24, 1956 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 September 24, 1957

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before September 24,

Witness my hand this 24th day of September, 1956.

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, Governor of the State of Idaho,
and JAS. H. YOUNG, 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 24th
day of September, 1956

STATE OF IDAHO

By ROBERT E. SMYLIE

By JAS. H. YOUNG

Secretary of State.

12.

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
3 N.	40 E.	9					40	40	40		40	40	40	40					280
		8	40			40								40		40		160	
		16					40	40	40	40								160	
		17	40			40												80	
Total Number of Acres to be Irrigated - - -																		680	
A sprinkler system using steel main lines and portable laterals is being installed in such a manner to enable us to irrigate <u>all</u> of each legal subdivision described above.																			

Application for Amendment
To Permit to appropriate the Public Waters
of the State of Idaho, No. G-26524

Comes now L. W. Brown, and represents to the State Reclamation Engineer of the State of Idaho. That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-26524, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows: The east $\frac{1}{2}$ of the east $\frac{1}{2}$ (E $\frac{1}{2}$ E $\frac{1}{2}$) Section 8; the west $\frac{1}{2}$ of the west $\frac{1}{2}$ (W $\frac{1}{2}$ W $\frac{1}{2}$) of Section 9; the southeast $\frac{1}{4}$ of the northwest $\frac{1}{4}$, (SE $\frac{1}{4}$ NW $\frac{1}{4}$) and the east $\frac{1}{2}$ of the southwest $\frac{1}{4}$ (E $\frac{1}{2}$ SW $\frac{1}{4}$) of Section 9; the north $\frac{1}{2}$ of the northwest quarter (N $\frac{1}{2}$ NW $\frac{1}{4}$) and the north half of the south half of the northwest $\frac{1}{4}$ (N $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$) of Section 16, the northeast $\frac{1}{4}$ of the northeast $\frac{1}{4}$ (NE $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 17, all in township 3 north, range 40 E.B.M., making a total of 600 acres. That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Idaho Falls, this day of July, 1958

/s/ L. W. Brown

Date of receipt at office of Department of Reclamation
July 30, 1958

APPROVAL OF STATE RECLAMATION ENGINEER

I, Geo. N. Carter, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-26524. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

/s/ E. N. Humphrey
Deputy State Reclamation Engineer

Approved and recorded:
July 30, 1958

PERMIT NO. G-26524
APPLICATION FOR EXTENSION OF TIME FOR
COMPLETION OF WORKS

L. W. Brown, of Route # 2, Rigby, State of Idaho, being first duly sworn, upon his oath deposes and says: He is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-26524. Under the terms and conditions of said permit, construction work thereunder was required to be completed by September 24, 1958.

That he has heretofore performed the following work described under said permit - All of the property described in the application has already been brought under overhead irrigation by use of completed pumping and pipe system of irrigation.

That he is unable to complete the remainder of the work within the required time, for the following reasons, to-wit:

The work is completed, but applicant needs more time for proof of completion.

WHEREFORE, He asks that the Commissioner of Reclamation extend the time for the completion of works under said permit to June 1, 1959.

/s/ L. W. Brown

Subscribed and sworn to before me this 1st day of October, 1958.

/s/ Reginald R. Reeves
Notary Public

My commission expires - Residing at Idaho Falls, Idaho

Date of receipt at office of Department of Reclamation - October 3, 1958.

APPROVAL OF COMMISSIONER OF RECLAMATION

Geo. N. Carter

I, ~~Geo. N. Carter~~ Deputy State Reclamation Engineer of the State of Idaho, hereby extend the time for the completion of construction work under Permit to appropriate the Public Waters of the State of Idaho, No. G-26524, to June 1, 1959.

Witness my hand this 5th day of October, 1958.

/s/ E. N. Humphrey
Deputy State Reclamation Engineer

A S S I G N M E N T

For value received, I hereby assign all my right, title and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. G-26524 to L. W. BROWN AND SONS, Route #2, Rigby, Idaho.

s/ L. W. BROWN
Permit Holder

s/ ADA BROWN
Wife, of Permit Holder

STATE OF IDAHO)
County of Jefferson) ss

On this 15 day of November, 1959, before me, a Clerk of the District Court for the State of Idaho, residing at Rigby, Idaho, personally appeared L. W. BROWN and ADA BROWN, known to me to be the persons whose names are subscribed to the within instrument, and duly acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notorial Seal, the day and year in this certificate first above written.

s/ EILEEN Madsen
Clerk of the District Court
Twelfth Judicial District
Residing at Rigby, Idaho

(SEAL)

Recorded: November 20, 1959

Permit No. G-26524
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that L. W. BROWN - Assignee - L. W. BROWN and SONS of Rigby, County of Jefferson, and State of Idaho, the holder of Permit No. G-26524, issued upon Application No. G-34429 bearing date of priority of August 8, 1956, authorizing the diversion of 8.24 second feet of the waters of a well, County of Bonneville, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 7.50 second feet of the waters of a well from subterranean flow; that the point of diversion of said waters SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5, T. 3 N., R. 40 E., B. M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit:

600 acres in E $\frac{1}{2}$ E $\frac{1}{2}$, Sec. 8; NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 9; NW $\frac{1}{4}$, Sec. 16; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 17, T. 3 N., R. 40 E., B. M.

Witness my hand this 20 day of November, A. D., 1959

s/ GEO. N. CARTER
State Reclamation Engineer

Proof of Completion of Works Made: August 20, 1959.

LICENSE ISSUED FOR 7.50 SEC. FL.

Page 6829

WELL DRILLER'S REPORT

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

1. WELL OWNER

Name LEO PARKER
Address P.O. Box 24, Ririe, ID.
Owner's Permit No. 25-93-E-167-000

7. WATER LEVEL

Static water level 81 feet below land surface.
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature COLD OF. Quality _____
Describe artesian or temperature zones below.

2. NATURE OF WORK

WR #25-02123

- ☒
- New well
- ☐
- Deepened
- ☐
- Replacement
-
- ☐
- Well diameter increase
-
- ☐
- Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log).

8. WELL TEST DATA

☐ Pump ☐ Bailor ☐ Air ☒ Other

Discharge G.P.M. _____ Pumping Level _____ Hours Pumped _____

3. PROPOSED USE

- ☐
- Domestic
- ☒
- Irrigation
- ☐
- Test
- ☐
- Municipal
-
- ☐
- Industrial
- ☐
- Stock
- ☐
- Waste Disposal or Injection
-
- ☐
- Other _____ (specify type)

4. METHOD DRILLED

- ☐
- Rotary
- ☐
- Air
- ☐
- Hydraulic
- ☐
- Reverse rotary
-
- ☒
- Cable
- ☐
- Dug
- ☐
- Other

5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other

Thickness	Diameter	From	To
<u>250</u> inches	<u>20</u> inches	<u>1</u> feet	<u>104</u> feet
<u>250</u> inches	<u>16</u> inches	<u>87</u> feet	<u>152</u> feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Was casing drive shoe used? ☒ Yes ☐ No
Was a packer or seal used? ☐ Yes ☒ No
Perforated? ☒ Yes ☐ No
How perforated? ☐ Factory ☐ Knife ☒ Torch ☐ Gun
Size of perforation 3/8 inches by 12 inches

20"	Number	From	To
<u>51</u> perforations	<u>95</u> feet	<u>60</u> feet	
<u>16"</u> <u>99</u> perforations	<u>144</u> feet	<u>85</u> 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 _____ feetSurface seal depth 25+ Material used in seal: ☐ Cement grout
☐ Bentonite ☒ Puddling clay ☐Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing
☒ Overbore to seal depth
Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent
Weld☐ Cemented between strataDescribe access port 2" VENT PIPE

9. LITHOLOGIC LOG

Bore Diam.	Depth		Material	Water	
	From	To		Yes	No
22	0	26	BROWN CLAY		X
	26	40	GRAY SHALE		
	40	45	HARD GRAY TOLITE		
	45	47	VERY HARD TOLITE RED		
	47	52	BROKEN TOLITE RED & GRAY		
	52	54	BROKEN TOLITE RED		
	54	61	BROWN CLAY & SAND		
	61	70	RED CLAY SAND PEA		
			GRAVEL		
	70	75	RED SAND		
	75	80	RED CLAY & SAND		
	80	89	RED & WHITE SOFT		
			SANDSTONE LITTLE GRAVEL		
			AND LAVA		
	89	98	SOFT BROWN SANDSTONE		
			& CLAY		
	98	103	BROWN CLAY & SOFT SANDSTONE		X
	103	105	BROKEN GRAY LAVA		
	105	109	GRAY BASALT		
	109	113	SOFT GRAY LAVA		X
	113	120	HARD RED & GRAY BASALT		
	120	126	SOFT RED & GRAY LAVA LOOSE		X
	126	132	HARD BLACK & RED LAVA		X
	132	135	HARD BLACK LAVA		X
	135	139	LOOSE BLACK LAVA		X
	139	143	BLACK LAVA LOOSE		X
	143	157	Broken Black Lava		X

RECEIVED

RECEIVED

NOV 15 1993

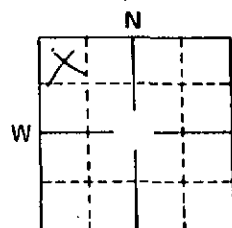
NOV 09 1993

Department of Water Resources

Department of Water Resources
Eastern District Office

6. LOCATION OF WELL

Sketch map location must agree with written location.



Subdivision Name _____

Lot No. _____ Block No. _____

County BONNEVILLENW 1/4 NW 1/4 Sec. 9 T. 3N S. 40 E. 40

11. DRILLERS CERTIFICATION

I/We certify that all minimum well construction standards were
complied with at the time the rig was removed.Firm Name Charles J. French Firm No. 106Address Lava Date 10-22-93Signed by (Firm Official) Charles J. French

and

(Operator) Charles J. French



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

July 22, 1993

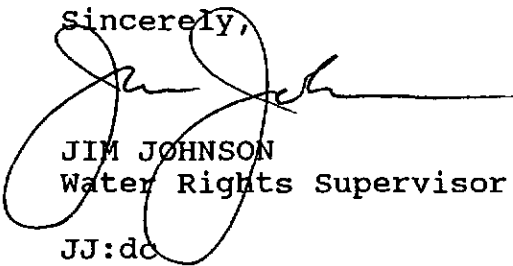
LEO PARKER
PO BOX 26
RIRIE ID 83443

RE: Transfer of Water Right Nos. 25-02123/25-07068

Dear Water Right Holder(s):

Enclosed is a copy of your approved Application for Transfer of the above referenced water rights (Transfer No. 4114). Please be sure to thoroughly review the "CONDITIONS/REMARKS:" as listed on the transfer.

Sincerely,


JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

RECEIVED

AUG 25 1993

TRANSFER REVIEW SHEET

Transfer # 4114

Date Reviewed 7-19-93
08

Right(s) 25-02123 _____

25-07068 _____

☒ Change P/D ☐ Add P/Ds ☒ Change P/U ☐ Change Use

Proof of Ownership N/A '92 Tax Notice attached

Transfer ☒ All of Right ☐ Portion of Right (Part B _____)

Resulting Split(s) NONE

Check Transfer Against Right

(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) ☒ Pertinent Conditions (13) NO Expansion

(3) Standard Season 4-1 to 10-31

(5) 2123 NO VOL on License 594 Acres x 4.0 = 2376 ac-ft < Vol
7068 3.5 ac-ft per acre on License, but exceeds Vol - Limit to Vol
 $1.56 \times 214 \times 1.9835 = 662.2 \text{ ac-ft}$

(7) Change P/D - Drop P/D in Sec 5 + Add 2nd P/D to NWNW, Sec 9.

(8) Reduces 2123 10 acres - From 600 to 594.

Removes Acres from NENE, S08 (3 Acres) + Adds to SWNW, S16 (3 Acres)
SENE, S08 (2 Acres) SENW, S16 (3 Acres)
NWNW, S09 (7 Acres)

No Proof of Ownership for S08.

P/U matches 7068. - All acres remain in original 24/45 -

Transfer Remarks 2 P/Ds/NWNW, Sec 9

Conditions R31, T08, T09

Database/Processing Notes Create "T" Files

WR0749NP
No. T25-07068

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

DATE: 07/19/93
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LEO PARKER PO BOX 26 RIRIE ID 83443 (208) 538-7980	04/21/1975	IRRIGATION	04-01 10-31	1.56 CFS	662.2 AFA
TOTAL DIVERSION:					1.56 CFS	662.2 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T03N R40E S09 NW NW

Place of use Legal Description for: IRRIGATION

NE												NW				SW				SE						
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM		
			:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
03N	40E	8	:	37			38	:					:					:	40			40	:		155.0	
03N	40E	9	:					:		33	40	40	:	40	40	40	40	:					:		273.0	
03N	40E	16	:					:	40	40	23	23	:					:					:		126.0	
03N	40E	17	:	40				:					:					:					:		40.0	
																							TOTAL ACRES	594.0		

Pou County: BONNEVILLE

Other Water Rights with Same Point(s) of Diversion and Source:
25-02123 25-07068

Other Water Rights Listing Overlapping Place(s) of use:
25-02123 25-07068

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.
- 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: Two points of diversion are located within NWNW, S09, T03N, R40E.

Dates:	App. Received:	Priority Date:	04/21/1975
	Proof Due Date: 06/01/1976	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date: 04/12/1982		

Misc: Water District Number: Field Exam Fee:

WR0749NP
No. T25-07068

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

DATE: 07/19/93
PAGE: 2

=====

Comments: Date: 07/19/1993 User-ID: SKAGGS Subject: TRANSFER NO. 4114
Transfer No. 4114 was filed to change the point of diversion on
this right, and change the point of diversion and place of use on
Right No. 25-02123.

Audit: 07/19/93 SKAGGS

WR0749NP
No. 125-02123

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

DATE: 07/19/93
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LEO PARKER PO BOX 26 RIRIE ID 83443 (208) 538-7980	08/08/1956	IRRIGATION	04-01 10-31	7.50 CFS	2376.0 AFA
TOTAL DIVERSION:					7.50 CFS	2376.0 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T03N R40E S09 NW NW

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	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
03N	40E	8	:	37								:									:	40						:	155.0
03N	40E	9	:									:		33	40	40					:							:	273.0
03N	40E	16	:									:	40	40	23	23					:							:	126.0
03N	40E	17	:	40								:									:							:	40.0
																										TOTAL ACRES	594.0		

Pou County: BONNEVILLE

Other Water Rights with Same Point(s) of Diversion and Source:
25-02123 25-07068

Other Water Rights Listing Overlapping Place(s) of use:
25-02123 25-07068

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.
- 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: Two points of diversion are located within NWNW, S09, T03N, R40E.

Dates:	App. Received:	Priority Date:	08/08/1956
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		08/01/1979

Misc: Water District Number: Field Exam Fee:

WR0749NP
No. T25-02123

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

DATE: 07/19/93
PAGE: 2

=====

Comments: Date: 07/19/1993 User-ID: SKAGGS Subject: TRANSFER NO. 4114
Transfer No. 4114 was filed to change the point of diversion and
the place of use of this right and change the point of diversion
on 25-07068.

Audit: 07/19/93 SKAGGS

4-26-93
4-28-93

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: HWT

1. Right number 25-7068 25-2123 Applicant Leo Parker
4114
2. Type of right: ☐ Decree ☒ License ☐ Claim
3. Purpose of transfer: ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Other _____
4. Check:
 - a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☐ Period of use
 - b. ☒ Description of original point of diversion.
 - 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. Still need evidence of ownership of other structures
 - h. ☒ Check for expansion in use of right. Comments NA
 - i. ☒ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) NA
 - j. ☒ Is use within a Watermaster District? ☐ Yes ☒ No
If yes, what district? _____

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on _____ Received on _____
2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny
3. Conditions* _____

4. By [Signature] Date 7/6/93 DOP May 24, 1993

MEMORANDUM

To: Transfer 25-02123, 25-07068
From: Paul Meyer
Date: 6 July 1993

RE: Field Investigation

On 16 June 1993, I conducted a verification examination on the historic points of diversion for 25-02123 and 25-07068. At that time it was noted that there was evidence of historic use of the water as originally licensed.

I recommend that the transfer requesting addition on a point of diversion be approved under the following condition:

1. Water rights 25-02123 and 25-07068 are still subject to review by the Snake River Basin Adjudication staff to determine validity of the licensed rights.

A handwritten signature, possibly reading "PM", is written in dark ink.

RECEIVED

AUG 25 1993

Proof of Publication

The Post-Register

State of Idaho, }
County of Bonneville } ss

I, S. BOB BRIGHT or TED DELEZENE, first being duly sworn, depose and say: That I am the Production Supervisor or Asst. Prod. Supervisor of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931, and each of said newspapers have been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eight (78) weeks and said Post-Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post-Register for two consecutive weeks, first publication having been made on the 6th day of May, 1993, last publication having been made on the 13th day of May, 1993, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this 19th day of May, 1993,
Susan Magrann
Notary Public

My commission expires July 1, 1997.

B10

NOTICE OF PROPOSED CHANGE OF A WATER RIGHT TRANSFER NO. 4114

Notice is hereby given that Leo Parker has applied to the Department of Water Resources to change point of diversion of the waters of a groundwater source. The rights sought to be changed are evidenced by licenses and recorded as follows:

LICENSE NO. 25-02123

AMOUNT: 7.5 cfs

PRIORITY: 8/8/1956

POINT(S) OF DIVERSION: SWSE SEC 5 NWNW SEC 9 T3N R40E, BONNEVILLE COUNTY

The water is used from April 1 to November 1 to irrigate 600 acres within the E1/2E1/2 SEC 8 W1/2NW SENW SW SEC 9 NW SEC 16 NENE SEC 17 T3N R40E, B.M.

LICENSE NO. 25-07068

AMOUNT: 1.56 cfs

PRIORITY: 4/21/1975

POINT(S) OF DIVERSION: SWSE SEC 5 NWNW SEC 9 T3N R40E, BONNEVILLE COUNTY

The water is used from April 1 to November 1 to irrigate 594 acres within the E1/2E1/2 SEC 8 W1/2NW SENW SW

SEC 9 NW SEC 16 NENE SEC 17, B.M.
TO BE CHANGED AS FOLLOWS:

The water will be diverted from the NWNW SEC 9 (OLD WELL) NWNW SEC 9 (NEW WELL) T3N R40E, BONNEVILLE COUNTY

Any protests against the proposed change must be filed with the Idaho Department of Water Resources, 900 N. Skyline Dr., Idaho Falls, ID, 83402, on or before May 24, 1993.

R. Keith Higginson
Director

Published: May 6, 13, 1993

AUG 25 1993

27-Apr-1993

LEO PARKER
PO BOX 26
RIRIE ID 83443

RE: Application for Transfer of a Water Right No. 25-07068 &
25-02123

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your permit for a water right transfer. This office is currently in the process of advertising the application in the Post Register on May 6 & 13, 1993. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in about five weeks. State Office Personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a transfer is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,


Harold W. Jones
Water Right Supervisor

HWJ:rb

RECEIVED

AUG 25 1993

NOTICE OF PROPOSED CHANGE OF A WATER RIGHT
TRANSFER NO. 4114

Notice is hereby given that Leo Parker has applied to the Department of Water Resources to change point of diversion of the waters of a groundwater source. The rights sought to be changed are evidenced by licenses and recorded as follows:

LICENSE NO. 25-02123 AMOUNT: 7.5 cfs

PRIORITY: 8/8/1956

POINT(S) OF DIVERSION: SWSE SEC 5 NWNW SEC 9 T3N R40E,
BONNEVILLE COUNTY

The water is used from April 1 to November 1 to irrigate 600 acres within the E1/2E1/2 SEC 8 W1/2NW SENW SW SEC 9 NW SEC 16 NENE SEC 17 T3N R40E, B.M.

LICENSE NO. 25-07068 AMOUNT: 1.56 cfs

PRIORITY: 4/21/1975

POINT(S) OF DIVERSION: SWSE SEC 5 NWNW SEC 9 T3N R40E,
BONNEVILLE COUNTY

The water is used from April 1 to November 1 to irrigate 594 acres within the E1/2E1/2 SEC 8 W1/2NW SENW SW SEC 9 NW SEC 16 NENE SEC 17, B.M.

TO BE CHANGED AS FOLLOWS:

The water will be diverted from the NWNW SEC 9 (OLD WELL) NWNW SEC 9 (NEW WELL) T3N R40E, BONNEVILLE COUNTY

Any protests against the proposed change must be filed with the Idaho Department of Water Resources, 900 N. Skyline Dr.,

RECEIVED

AUG 25 1993

Idaho Falls, ID, 83402, on or before May 24, 1993.
R. Keith Higginson
Director

Published in the Post-Register on May 6 & 13, 1993.

RECEIVED
AUG 25 1993

June 25, 1981

Leo Parker
Box 26
Ririe, ID 83443

Dear Mr. Parker,

RE: Transfer of Water Right No. 25-2123

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 2531). Be sure to note the conditions of approval as listed on the fourth page.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Supervisor, Water Allocation Section

DRT:mr

Enclosure

RECEIVED
JUL 1 1981
WATER DIVISION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: Ernest Carlson

1. Right number 25-2123 Applicant Leo Parker
2. Type of right: ☐ Decree ☒ License ☐ Claim
3. Purpose of transfer: ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Other _____

4. Check:

- a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use *not on license*
- 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. No Change
- 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 None

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

Right number(s) permit 25-7068 ok Jim

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

If yes, what district? _____

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on N/A Received on _____
2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny

Conditions* _____

4. By Ernest Carlson Date April 30, 1981

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

No. 25-2123

Notice is hereby given that Leo Parker, Box 26, Ririe, Idaho, has applied to the Department of Water Resources for a change in the point of diversion of the waters of a ground-water source. The right sought to be changed is evidenced by License No. 25-2123 and is recorded as follows:

AMOUNT: 7.50 cfs

PRIORITY: Aug. 8, 1956

POINT OF DIVERSION: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5, T. 3N, R. 40E, B.M.
Bonnevill County.

The water is used to irrigate 600 acres within the E $\frac{1}{2}$ E $\frac{1}{2}$, Sec. 8, NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 9, NW $\frac{1}{4}$, Sec. 16, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 17, T. 3N, R. 40E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be diverted within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 9, T. 3N, R. 40E, B.M., Bonneville County.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup, Idaho Falls, Idaho, 83401 on or before April 27, 1981.

C. STEPHEN ALLRED

Director

Published in the Post Register, Idaho Falls, Idaho on April 9 and 16, 1981.

RECORDED
APR 16 1981

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 26524 125-2123
 OTd No. New No.

Record

1. Original Owner: L. W. Brown

Present Owner: L. W. Brown + Sons

2. Address:

3. City: Regby State: Id Zip:

4. A. Source of Water: Gw

B. Tributary of:

5. A. Stage (A,P,L,D,S,J): L

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date: 8-8-1956

D. County: 21

E. Total Diversion Rate: 7.5

F. Total Diversion Volume:

G. Transfer/Amendment (P,T of A or blank):

H. Water District:

I. DLE/Carey Act (D,C or blank):

J. Right Basis (for adjudication claims A,B,C only):

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>SWSE</u>	<u>5</u>	<u>3N</u>	<u>40E</u>		

7. Period of Use, Use, Diversion Rate/Volume:

from _____ to _____ for A purposes. Amount 7.5
 (cfs or AC FT/yr)

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

8. Use Code: *A*

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A.
B.
C.
D.
E.

11. Other Uses (Non-irrigation explanatory information):

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number: 26524

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval: _____

14. Diversion Means (brief narrative):

November 20, 1959

Re: Permit No. G-26524

L. W. Brown and Sons
Route #2
Rigby, Idaho

Gentlemen:

Enclosed is Assignment of Permit No. G-26524 from L. W. Brown to L. W. Brown and Sons.

We also enclose Certificate of Completion of Works and License and Certificate of Water Right issued on Permit No. G-26524.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rutledge
Chief Clerk

EPR:ew
Enc. assignment
certificate
license

G26524

KT

November 3, 1959

Re: Permit G-26524

Mr. L. W. Brown
Route #2
Rigby, Idaho

Dear Mr. Brown:

Enclosed is assignment form and receipt No. G-4424 in the amount of \$37.00 statutory fees.

You and your wife should sign on the indicated lines before a Notary Public and return promptly to this office. The Certificate of Completion of Works and License and Certificate of Water Right will be made out in the name of L. W. Brown and Sons upon receipt of the assignment.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rutledge
Chief Clerk

RT:
EPR:ew

26524

RT

7
EX Amos 37.00
Rigby Idaho
Nov. 2. 1959

RECEIVED
NOV 3 1959
Department of Reclamation

State of Idaho
Dept. of Reclamation,
Boise Idaho,

Dear Sir:

I am sending \$37.00 for the
License and Certificate of Water Right.
Permit No. B-26524.

We would like to have the
Certificates made for L. W. Brown
and sons rather than just L. W.
Brown if this can be done.

Thank you

L. W. Brown

R #2

Rigby Idaho

B26524

October 27, 1959

Re: Permit No. G-26524

L. W. Brown
Rt 2
Rigby, Idaho

Dear Mr. Brown:

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-26524 shows the well is (~~are~~) capable of conveying 375 miner's inches, or 7.50 c.f.s. of water for the irrigation of 600 acres.

Upon receipt of the statutory fees, totaling \$ 37.00 , we will issue the Certificate of Completion of Works (fee \$5.00) and the License and Certificate of Water Right (fee \$ 32.00 , based at the rate of \$2.00 for each 40-acre subdivision) confirming the right, with priority of August 8, 1956 to the use of 7.50 second feet of subterranean water with the point of diversion in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5 for irrigation of 600 acres in the E $\frac{1}{2}$ E $\frac{1}{2}$ of Section 8; W $\frac{1}{2}$ W $\frac{1}{2}$ of Section 9; SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 9; N $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 16; NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 17 all in Township 3 North, Range 40 East, Boise Meridian.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rutledge
Chief Clerk

EPR:mr

S26524

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Andrews drilled

REPORT OF ENGINEER

Permit No. G-26524

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

1. Name of applicant L. W. Brown

2. Source of water supply: Subterranean flow from a well

3. Location of point of diversion: Is in the SW $\frac{1}{4}$ E $\frac{1}{4}$ of Section 5

T. 3 N R. 40 E.B.M. County of Bonneville

4. Describe works as they exist, giving dimensions and capacities of same: 160' x 20" cast 90' to rock

h = 60' lift = same 5 lat. lines 4" Al. 49 sprinklers per line
1/64" singles, Rainbird 30 @ 35# pressure.

US 60 hp vert motor 758046, 12" x 30" Cyl.

150' up N.S. her. motor 1100925 to Peerless Cent. Pump 8" x 6" into 10" main

2nd Cent. outlet = duplicate into 16" main line no protection. Corrosion 9' x 11'

5. Water is used for: irrigation of crop land

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):

E $\frac{1}{2}$ E $\frac{1}{2}$ of Sec. 8; W $\frac{1}{2}$ W $\frac{1}{2}$ of Sec. 9; SE $\frac{1}{4}$ NW $\frac{1}{4}$ and the E $\frac{1}{2}$ SW $\frac{1}{4}$ of Sec. 9; N $\frac{1}{2}$ NW $\frac{1}{4}$ and the N $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$ of Sec. 16; NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 17., all in Twp. 3 N., Rge. 40 E.B.M.
making a total of 600 acres

Bank of control panels on west 8'

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

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

Remarks: _____

Mr. Brown along
Harvesting potatoes. Operation not possible.

Q = by calculation

This examination was made on the 7 day of Oct, 1959

G26524

(Signed)

E. N. Humphrey Examiner.

L. W. Brown
Rt. #2, Rigby, Idaho

Permit No. G-26524

The Oct 8.

Examination for Completion of Works & Beneficial Use

County Bonneville

5-3N. -40E

Q- 8.24 c.f.s.

S. 2 Well

P.W. 2-SW. SE., Sec. 5, T. 3N. -R. 40E

1/4 " 1/2, 1/2 C. 1/2

1/4 " 1/2, 1/2 C. 1/2

1/4 " 1/2, 1/2 C. 1/2

1/4 " 1/2, 1/2 C. 1/2

1/4 " 1/2, 1/2 C. 1/2

From Aug. 8, 1955

Due on Sept. 24, 1959

no other work

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

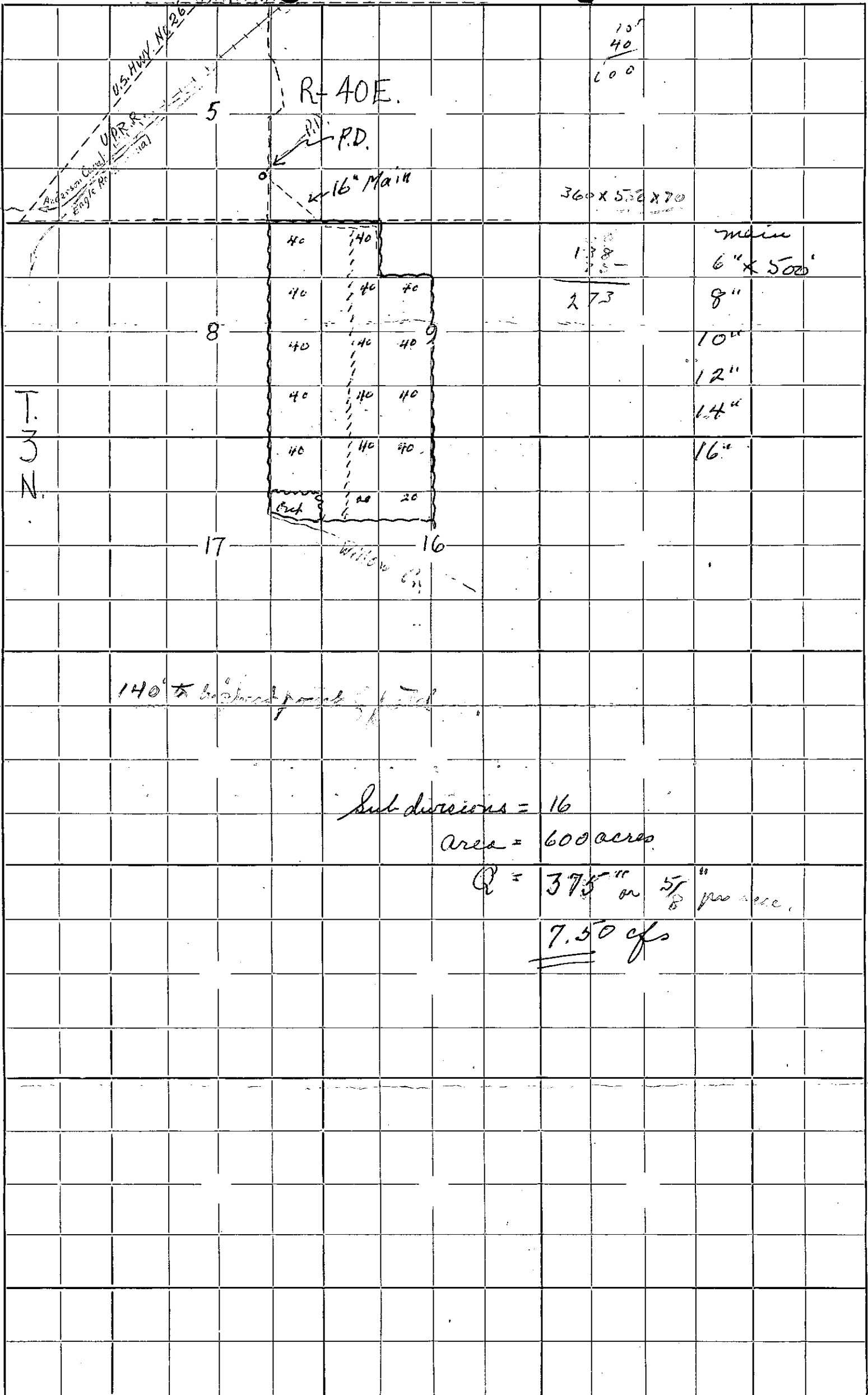
OCT 22 1959

Department of Reclamation

60 x 11.5 = 690

60 x 52 = 3120

5.02 gpm per head
27.4 x 13 = 356



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-26524

REPORT ON PROOF OF Completion of Works & Beneficial Use

L. W. Brown, Rt. #2, Rigby, Idaho

September 29, 1959

Re: Permit # G-26524

Mr. L. W. Brown
Route #2
Rigby, Idaho

Dear Mr. Brown:

Statutes requires a field inspection in connection with the proofs on Permit # G-26524 before license and certificate of water right can be issued.

Such inspection and report on same is required for any and all permits being brought to license within this State.

An inspecting Engineer from this Department requests that you or someone familiar with the terms of the permit and representing you be prepared to accompany him on the inspection, on Thursday, October 8,

1959.

If he cannot get in touch with you by phone or otherwise he will drive to the well location or point of diversion given in the permit.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

E. N. Humphrey
Deputy

ENH:ew

26524

August 27, 1959

RE: Permit No. G-26524

Mr. L. W. Brown
Route #2
Rigby, Idaho

Dear Mr. Brown:

We acknowledge receipt of the Deposition of Holder and two witnesses, also affidavit of publication in the Eastern Idaho Farmer, all submitted in proof of completion of works and beneficial use on Permit No. G-26524.

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. Rutledge
Chief Clerk

EPR

cc: Alvin Derman
Smith-Hart Building
Idaho Falls, Idaho

26524

ALVIN DENMAN
ATTORNEY AND COUNSELLOR AT LAW
SMITH-HART BUILDING
IDAHO FALLS, IDAHO
—
TELEPHONE JACKSON 2-2513

RECEIVED
AUG 25 1959
Department of Reclamation

August 21, 1959

State Reclamation Engineer
Boise
Idaho

Dear Sir:

Proof of publication of notice of proof of completion of works and application of water to beneficial use for L. W. Brown, permit No. G 26524, together with deposition of Dewain C. Foster, Bartley R. Purser, and L. W. Brown are enclosed herewith.

Very truly yours,

Alvin Denman

AD/sfe

Enclosures

26524

Ques. 7. Ans. (Cont.)

acres. This is all irrigated land. There are no other subdivisions than as noted. No natural meadow. Improvements 2 spud cellars, 3 labor houses, and 1 3/4 miles of under ground water pipe.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
AUG 25 1959
Department of Reclamation

Permit No. G-26524

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. L. W. Brown, Route #2, Rigby, Idaho, farmer.

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. not applicable.

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

Ans. G-26524, September 24, 1956, August 8, 1956.

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

Ans. Irrigation well, The southwest quarter of the southeast quarter of Section 5, Township 3 N., R. 40, E., B.M., County of Bonneville.

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. Deep well turbine pump and sprinkler system, 450 inches, no ditch, 160 feet deep, 20 inch casing, 60 feet to water. 400 inches, determined by sprinkler system. 1 1/64 size, #30, 35 pounds of pressure.

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. Irrigation adjacent portions of sections 8, 9, 16, 17, all in Township 3, N. range 40, E. B. M., consisting of 600 acres. The number of acres in each subdivision consists of the following: Section 8, 160 acres; section 9, 280 acres; section 17, 40 acres; section 16, 120 acres. This is all irrigated land. There are no other subdivisions than as noted. No natural meadow. Improvements 2 spud cellars, 3 labor houses, and 1 3/4 miles of under ground water pipe.

B26524

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

Ans. not applicable

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

Ans. not applicable

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. not applicable

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

Ans. Summer of 1957 and 1958, sprinkling system, 3217 gal. per minute, for cultivation of crops.

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. not applicable

(Sign)

L. W. Brown

L. W. Brown

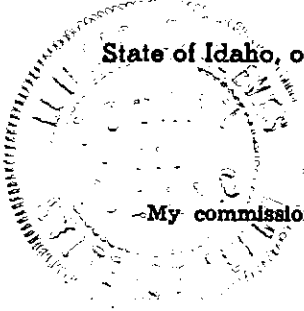
I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed

and sworn to before me, at my office in Idaho Falls, County of Bonneville

State of Idaho, on this 20th day of August, A.D. 1959.

Reginald R. Reeves
Reginald R. Reeves
Notary Public
Idaho Falls, Idaho

My commission expires May 1, 1961.



B26524

**STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO**

RECEIVED
APR 25 1939
Department of Reclamation

Permit No. G-26524

**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. Bartley R. Purser, 46, Rigby, Idaho, Manager, Retail Store,
318 West Main Street, Rigby, Idaho.

Ques. 2. Are you acquainted with L. W. Brown, the holder of Permit No. G-26524? How long have you known him and where does he reside?

Ans. Yes, 12 years. Route #2, Rigby, Idaho.

Ques. 3. Have you read or heard read said Permit No. G-26524, 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.

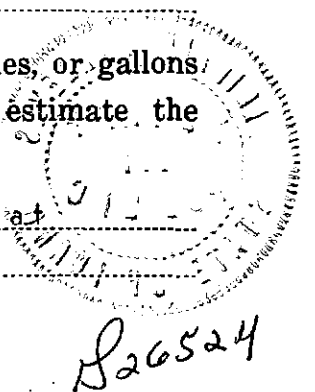
Ans. Irrigation well, The southwest quarter of the southeast quarter
of Section 5, T. 3 N., R. 40 E., B.M.

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. 450 inches. 360 inches.

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. 360. 637 sprinkler nozzles, 11/64 inches diameter, at
35 pounds pressure.



2
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. Irrigation, adjacent portions of sections 8, 9, 16, 17, all in T. 3 N., R. 40, consisting of 600 acres. The number of acres in each section consist of the following: Section 8, 160 acres; section 9, 280 acres; section 17, 40 acres; section sixteen, 120

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

Ans. not applicable

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

Ans. Dry farm land. 360 inches

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.

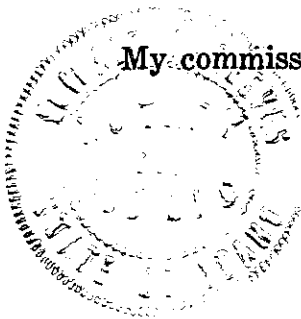
Ans. As friend and neighbor, have made frequent visits to applicant's farm during entire period of development and have observed operation of sprinkler system and crops resulting therefrom.

(Signed) Bartley R. Purser
Bartley R. Purser

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 Idaho Falls, County of Bonneville, State of Idaho, on this 20th day of August, A. D. 1959.

Reginald R. Reeves
Reginald R. Reeves Notary Public.
Idaho Falls, Idaho

My commission expires May 1, 1961.



S26524

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
AUG 2 5 1959
Department of Reclamation

Permit No. G-26524

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. Dewain C. Foster, 31, Farmer, Route 2, Rigby.

Ques. 2. Are you acquainted with L. W. Brown, the holder of Permit No. G-26524? How long have you known him and where does he reside?

Ans. Yes, 25 years. Route #2, Rigby, Idaho

Ques. 3. Have you read or heard read said Permit No. G-26524, 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.

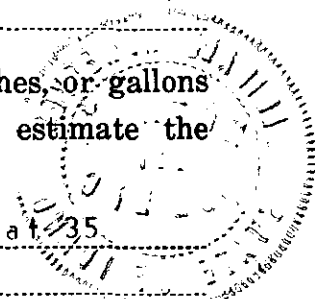
Ans. Irrigation well. The southwest quarter of the southeast quarter of section 5, T. 3 N., R. 40 E., B.M.

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. 450 inches; 360 inches.

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. 360. 637 sprinkler nozzles, 11/64 inches diameter at 35 pounds pressure.



26524

2 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. Irrigation, adjacent portions of sections 8, 9, 16, 17, all in T. 3 N., R. 40, E. B.M., consisting of 600 acres. The number of acres in each section consist of the following: Section 8, 160 acres; section 9, 280 acres; section 17, 40 acres; section 16,

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

Ans. not applicable

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

Ans. Dry farm land. 360 inches.

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

2 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. As friend and neighbor, have made frequent visits to applicant's farm during entire period of development and have observed operation of sprinkler system and crops resulting therefrom. In addition, we have exchanged labor.

(Signed)

Dewain C. Foster
Dewain C. Foster

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 Idaho Falls, County of Bonneville, State of Idaho, on this 20th day of August, A. D. 1959.

Reginald R. Reeves
Reginald R. Reeves Notary Public.
Idaho Falls, Idaho

My commission expires May 1, 1961.



S26524

Ques. 7. Ans. (Cont.)

120 acres. This is all irrigated land. There are no other subdivisions than as noted. No natural meadow. Improvements 2 spud cellars, 3 labor houses, and 1 3/4 miles of under ground water pipe.

PROOF OF PUBLICATION

RECEIVED
AUG 25 1959
Department of Reclamation

STATE OF IDAHO
County of Bonneville

ss.

I, Aden Hyde, first being duly sworn, depose and say that I am the ~~printer/foreman~~ principal clerk of the Idaho Falls Publishing Company, an Idaho corporation, Bonneville County, Idaho, being publishers of the Eastern Idaho Farmer, legal newspaper of general circulation, published weekly at Idaho Falls, Idaho, having been published continuously and uninterruptedly in conformity with the provisions of Section 60-106, Idaho Code, for more than seventy-eight (78) weeks prior to the first publication of the legal notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in the Eastern Idaho Farmer for 4 consecutive weeks, first publication having been made on the July 23 day of July, 19 59, last publication having been made on the 13 day of August, 19 59, and that notice was published in regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this 17 day of August, 19 59

Aden Hyde
Edna A. Wheeler
Notary Public.

My Commission Expires

May 9, 19 63

LEGAL NOTICES

NOTICE OF WORK COMPLETION

APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that on the 20th day of August, 1959, at Idaho Falls, County of Bonneville, State of Idaho, before Reginald B. Reeves, Notary Public, at Smith Hart Building, proof will be submitted of the completion of works for the diversion of 8.24 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-26523 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and post office address of the person or corporation holding said permit is L. W. Brown, Route No. 2, Rigby, Idaho.
2. Said works of diversion will be fully completed on the date set for water to be applied to beneficial use.
3. The use to which said water has been applied is irrigation of crops, and the amount applied to beneficial use is 8.24 cubic feet per second.
4. The point of diversion of said water is SW 1/4 SE 1/4, section 5, Twp. 3, N. Range 40, E. B. M.
5. The place where said water is used is the east half of the east half of section 8; the west half of the northwest quarter; the southeast quarter of the northwest quarter; and the southwest quarter of section 9; the north half of the northwest quarter; and the northwest quarter of section 16; the northeast quarter of section 17 all in township 3, north of range 40, E. B. M.
6. The date of priority which said user is prepared to establish is August 8, 1953.

GEO. N. CARTER
State Reclamation Engineer
EIF, July 23, 30. Aug. 6, 13

26524



EASTERN IDAHO

FARMER

A Regional Farm Newspaper

RECEIVED
JUL 9 1959

Department of Reclamation

Published by the **IDAHO FALLS PUBLISHING COMPANY** Phone JA 3-1500

- PRINTERS
- PUBLISHERS
- ENGRAVERS

P. O. BOX 778

456 CAPITAL AVENUE

IDAHO FALLS, IDAHO

July 7, 1959

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

Sear Sir:

Re: Permit No. G-26524

Received copy of legal advertisement for L. W.
Brown, Route 2, Rigby. We will publish on July 23 and 30
and August 6 and 13 as per your instructions.

We will send you checking copy of the July 23
insertion and proof of publication will be sent to Mr.
Brown on completion of the four publications.

Thanks

EASTERN IDAHO FARMER

Irv Duddleson
By Irv Duddleson
Advertising Manager

526524

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

July 6, 1959

Re: Permit No. 0-26524
L. W. Brown

Mr. Alvin Derman,
Attorney at Law,
Smith-Hart Bldg.,
Idaho Falls, Idaho.

Dear Mr. Derman:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. 0-26524. The proofs are to be made at 10:00 o'clock A.M., on the 20th day of August, 1959, before Reginald R. Reeves, Notary Public.

As of this date we have mailed the Notice to the Eastern Idaho Farmer 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. Rutledge
Chief Clerk

026524

EPR:

cc: Notary- Reginald R. Reeves

cc: L. W. Brown

ALVIN DENMAN
ATTORNEY AND COUNSELLOR AT LAW
SMITH-HART BUILDING
IDAHO FALLS, IDAHO
TELEPHONE JACKSON 2-2513

RECEIVED
JUL 6 1959
Department of Reclamation

June 26, 1959

State Reclamation Engineer
Boise, Idaho

Dear Sir:

The notice regarding the application of L. W. Brown, Permit G-26524, contains the description of the northwest quarter of section 16. This should read, the "north half of the northwest quarter and the north half of the south half of the northwest quarter of section 16." Accordingly, a new notice of proof of completion of works is enclosed.

The Post Register has found the notice it printed and has submitted proof of publication to me, but since neither this notice nor the depositions which I sent to you will be of any use, I am retaining them in my files.

Very truly yours,

Alvin Denman

AD/chw

G26524

RECEIVED
JUL 6 1959
Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) July 2, 1959
(P.O.) Route #2, Rigby, 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 Eastern Idaho Farmer of Idaho Falls, published in the county in which the works are situated. [Bonneville County]

L. W. Brown by
Alvin W. Brown
L. W. Brown
his attorney

(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.

526521

Engineer.

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) July 2, 1959

(P.O.) Route #2, Rigby, 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 Eastern Idaho Farmer of Idaho Falls, published in the county in which the works are situated. [Bonneville County]

L. W. Brown

(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
JUL 27 1959NOTICE OF PROOF OF COMPLETION OF WORKS
and
APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that 10 A.M., on the 20th day of August 1959, at Idaho Falls, County of Bonneville, State of Idaho, before Reginald R. Reeves, Notary Public, at Smith-Hart Building, proof will be submitted of the completion of works for the diversion of 8.24 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-26524 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 L. W. Brown, Route #2, Rigby, 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 8.24 cubic feet per second.

3. The use to which said water has been applied is irrigation of crops, and the amount applied to beneficial use is 8.24 cubic feet per second.

4. The point of diversion of said water is SW $\frac{1}{4}$ SE $\frac{1}{4}$, section 5, twp. 3, N. Range 40, E.B.M.,

5. The place where said water is used is the east half of the east half of section 8; the west half of the northwest quarter, the southeast quarter of the northwest quarter and the southwest quarter of section 9; the north half of the northwest quarter and the north half of the south half of the northwest quarter of section 40; the northeast quarter of the northeast quarter of section 17 all in township 3, north of range 40, E.B.M.

6. The date of priority which said user is prepared to establish is August 8, 1956.

G26524

Don H. Carter

State Reclamation Engineer

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

DEPARTMENT OF RECLAMATION
Boise, Idaho

Date: July 6, 1959

Re: Permit No. G-26524
L. W. Brown

Eastern Idaho Farmer,
Idaho Falls, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to August 20, 1959 the date set for proof; the expense of the publication is to be paid by the applicant

L. W. Brown

of Route #2, Rigby, 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

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.

826524

June 18, 1959

Re: Permit G-26524
L. W. Brown

Mr. Alvin Denman
Attorney at Law
Smith Hart Bldg.
Idaho Falls, Idaho

Dear Mr. Denman:

Enclosed again are the depositions of the holder and the two witnesses.

The deposition of the holder does show the acreage in each section, however the subdivisions are not shown. Section 16 shows 40 acres and Sec. 17 shows 120 acres while the legal notice shows 160 acres in Section 16 and only 40 acres in Section 17. Kindly show the subdivisions as requested in the question. If the land list varies as shown on the deposition from that shown in the legal notice, an amendment to the land list will be necessary and it might be necessary to readvertise. The depositions of the witnesses do not appear to have been changed to show the correct land list.

We do not have the affidavit of publication from the Idaho Falls Post Register. We do have one issue of the publication and a letter from the paper showing that the notice would be published April 15, 22, 29 and May 6, 1959.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

GNC:RT:ew

J 26524

RT

ALVIN DENMAN
ATTORNEY AND COUNSELLOR AT LAW
SMITH-HART BUILDING
IDAHO FALLS, IDAHO
—
TELEPHONE JACKSON 2-2518

RECEIVED
JUN 17 1959
Department of Reclamation

June 15, 1959

State Reclamation Engineer
Boise, Idaho

Dear Sir:

The Post-Register which published the notice of completion of works and application of water to beneficial use, Permit No. G-26524, L. W. Brown, reports after repeated calls that it cannot find that it published the notice, and yet both Brown, Mr. Reeves, before whom the deposition was taken, and I definitely recall having seen the notice in the paper. The Post-Register reports that the proof of publication in cases such as this is customarily sent to you. May I suggest that you search your files to see if it has been received? If it has not been received, will you kindly give me the dates of publication?

The completed deposition is enclosed.

Very truly yours,

Alvin Denman

AD/chw

Enclosure

G26524

June 3, 1959

Re: Permit No. G-26524
L. W. Brown

Mr. Alvin Denman
Attorney at Law
Smith-Hart Bldg.
Idaho Falls, Idaho

Dear Mr. Denman:

Enclosed are the depositions of the holder and two witnesses, proof of completion of works and application of water to beneficial use.

The holder and his two witnesses should complete Question 6 to show each subdivision and number of acres irrigated as shown by the question.

Complete the depositions and return promptly to this office, enclosing the affidavit of publisher which was not included when depositions were received.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rutledge
Chief Clerk

EPR:ew
depositions
holder and witnesses

G26524

RT

ALVIN DENMAN
ATTORNEY AND COUNSELLOR AT LAW
SMITH-HART BUILDING
IDAHO FALLS, IDAHO
TELEPHONE JACKSON 2-2513

RECEIVED
JUN 3 1959
Department of Reclamation

June 1 1959
RECEIVED
JUN 17 1959
Department of Reclamation

State Reclamation Engineer
Boise, Idaho

Dear Sir:

The depositions of Bartley R. Purser, Dewain C. Foster and L. W. Brown on proof of application of water to beneficial use and completion of use, permit No. 26524, L. W. Brown, are enclosed with this letter.

Very truly yours,

Alvin Denman

AD/chw

Enclosure
Depositions

26524

The Post-Register

MORNING, EVENING, SUNDAY

IDAHO FALLS, IDAHO

April 15, 1959

RECEIVED
APR 16 1959
Department of Reclamation

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

Dear Mr. Carter:

We want to thank you for your legal notice, Permit No. G-26524 which is to be published April 15, 22, 29, May 6, 1959.

We will be very happy to send you a tear sheet after the first publication. If we can be of further assistance, please let us know.

Sincerely,

THE POST-REGISTER

Shirley McDermott

Shirley McDermott
Legal Advertising

SM:kg

G26524

April 10, 1959

RE: Permit No. G-26524

Mr. L. W. Brown
Rigby, Idaho

Dear Mr. Brown:

This acknowledges the Notice of Proof of Completion of Works and Beneficial Use under Permit No. G-26524. The Proofs are to be made at 10:00 A. M. on the 29th day of May, before Reginald Reeves, Notary Public.

As of this date we have mailed the Notice to the Idaho Falls Post Register 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, 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. Rutledge
Chief Clerk

EPR

cc: Reginald Reeves
Home Investment Bldg.,
Idaho Falls, Idaho

826524

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
Boise, Idaho

Date: April 10, 1959

RE: Permit No. G-26524

Idaho Falls Post Register
Idaho Falls, Idaho

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to May 29, 1959 the date set for proof;

the expense of the publication is to be paid by the applicant

Mr. L. W. Brown of Rigby, 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

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.

ER

26524

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

Notice is hereby given that at 10 A.M., on the 29th day of May, 1959, at Idaho Falls, Idaho, County of Bonneville, State of Idaho, before Reginald R. Reeves, Notary Public, at (address) Home Investment Bldg., Idaho Falls, Idaho, proof will be submitted of the completion of works for the diversion of 8.24 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-26524 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 L. W. Brown, Rigby, 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 8.24 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 8.24 cubic feet per second.

4. The point of diversion of said water is SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 5., Twp. 3 N., Rge. 40E.B.M.

5. The place where said water is used is E $\frac{1}{2}$ E $\frac{1}{2}$ Sec. 8; W $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ Sec. 9; NW $\frac{1}{4}$ Sec. 16; NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 17 all in Twp. 3 N., Rge. 40 E.B.M.

6. The date of priority which said user is prepared to establish is August 8, 1956.

26524

Geo. N. Carter
State Reclamation Engineer

RECEIVED
APR 8 1959

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) April 7, 1959

(P.O.) Route #2, Rigby, 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
Idaho Falls Post Register of Idaho Falls published in
the county in which the works are situated.

Donnerville Co. -

L. W. Brown

L. W. Brown

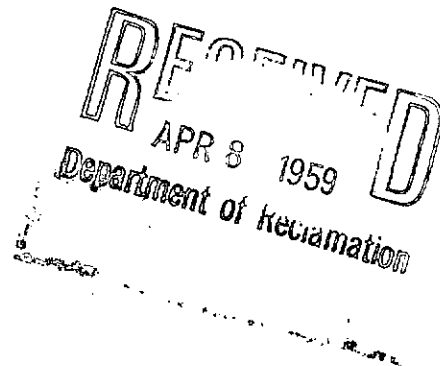
*by Alvin DeMunn
his atty.*

(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.

1526524



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

Notice is hereby given that at 10 A, M., on the 29th day of May, 19 59, at Idaho Falls, Ida., County of Bonneville, State of Idaho, before Reginald R. Reeves, Notary Public, at (address) Home Investment Bldg., Idaho Falls, Idaho, proof will be submitted of the completion of works for the diversion of 8.24 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-26524 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 L. W. Brown, Rigby, 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 8.24 cubic feet per second.

3. The use to which said water has been applied is ~~agricultural~~ irrigation purposes, and the amount applied to beneficial use is 8.24 cubic feet per second.

4. The point of diversion of said water is SW⁴ SE⁴ Sec. 5 T. 3 N. R. 40 E southwest quarter, southeast quarter, section 5, township 3, north range 40, E. B. M.

5. The place where said water is used is east half of the east half of section 8, the west half of the northwest quarter and the southeast quarter of the northwest quarter and the southwest quarter of section 9, the northwest quarter of section 16, and the northeast quarter of the northeast quarter of section 17, township 3, north of range 40, E. B. M.

6. The date of priority which said user is prepared to establish is August 8, 1956.
E² E² Sec. 8; W² NW⁴, SE⁴ NW⁴, SW⁴ Sec. 9;
NW⁴ Sec. 16; NE⁴ NE⁴ Sec. 17 all in T3N R40E

826524

State Reclamation Engineer

RT

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
Boise, Idaho

Re: Permit No. G-26524

Date: April 1, 1959

Mr. Alvin Danman L. W. Brown
Attorney at Law, Smith Hart Bldg.
Idaho Falls, Idaho

Dear Sir:

The date for proofs of Completion of Works and Application of Water to Benefi-
cial Use, as set out under the terms of Permit No. G- 26524 are due not later
than June 1, 1959.

Before these proofs can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper within the county in which the land is located. In completing the Notice of proof for publication, the information should be taken from your Permit, including any amendments made in connection with a change of point of diversion or land list which has been recorded in this department. If changes have been made and no amendments are on record, we advise that you request a form for this purpose before your Notice is published.

We enclose Form 36, in duplicate, which is to be filled out and returned to this department at least forty (40) days before the above mentioned date, (allowing for four weeks publication). Please give the name of the town, the address of the place where the depositions will be executed, and, the name of notary public before whom you will appear to make the depositions of proof (this may be at any place convenient for you and your two witnesses), the quantity of water filed; for what purpose it is used; the point of, or points of diversion; and the location of use or the lands which are irrigated -- all by legal land description.

Enclosed also is Form 11, which is the authorization for us to have the notice published in the designated county newspaper at your expense. This is to be returned with Form 36.

At the time we send the notice to the newspaper we will send to you the forms for the depositions of holder and two disinterested witnesses. It is important that the depositions be executed at the time, on the date set, at the place named and before the notary public, as advertised in the publication notice.

Very truly yours,

GEO. N. CARTER
STATE RECLAMATION ENGINEER

Enclosures
cc L. W. Brown

G26524

926524

October 7, 1958

Mr. Alvin Denman
Attorney At Law
Smith-Hart Building
Idaho Falls, Idaho

Dear Mr. Denman:

We have your letter of October 2nd enclosing an Application for Amendment to the land list in connection with Permit No. G-26524, in the name of L. W. Brown.

In checking this amended application, we find that it is identical with an amendment filed last July and recorded in this department. Since the land description was worded a little differently than the recorded amendment, Mr. Brown may possibly have overlooked the fact. For that reason we are enclosing a sketch map on which we have checked (first - in ink, the land described in this latter amendment application and (second - in red - the land covered by the amendment originally recorded).

We are returning Mr. Brown's Application for Extension of Time to June 1, 1959, which has been approved and recorded in this department. This should be attached to the original permit of which it now becomes a part.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Mrs. Edna P. Rutledge
Chief Clerk

EPR/A/lw
Enclosures
cc: Mr. L. W. Brown
Rt. # 2
Rigby, Idaho

926524

ALVIN DENMAN
ATTORNEY AND COUNSELLOR AT LAW
SMITH-HART BUILDING
IDAHO FALLS, IDAHO
—
TELEPHONE JACKSON 2-2513

October 2, 1958

RECEIVED
OCT 2 1958

Department of Reclamation

8-26524

State Reclamation Engineer
Boise, Idaho

Dear Sir:

Pursuant to the instructions contained in your letter of September 18 to L. W. Brown, his application for extension of time for completion of works and also application for amendment to permit to appropriate the waters of the state are both enclosed with this letter. Mr. Brown does not have the date originally fixed for the completion of the work. It will therefore be necessary for you to insert this date in his application for extension of time. You will note he is not asking for an extension of time because of his failure to complete the work. This work has been completed. He is asking for an extension of time only because it is necessary to amend the description.

I am sorry that these papers have been delayed, but it has been impossible for me to contact him as he is in the harvest field from 6 a.m. to 12 midnight every day.

Very truly yours,

Alvin Denman

AD/cjh

approved 9-24-58
done 9-24-58

826524

Permit No. G-26524

Application for Extension of Time FOR COMPLETION OF WORKS

L. W. Brown

Route 2,

State of Idaho, being first duly sworn, upon his oath deposes and says:

He is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho

No. G-26524

Under the terms and conditions of said permit, construction work thereunder was required to be completed by September 24, 1958

That he has heretofore performed the following work described under said permit:

All of the property described in the application has already been brought under overhead irrigation by use of completed pumping and pipe system of irrigation

costing \$

That he is unable to complete the remainder of the work within the required time, for the following reasons, to-wit:

The work is completed, but applicant needs more time for proof of completion.

WHEREFORE, He asks that the Commissioner of Reclamation extend the time for the completion of works under said permit to June 1, 1959, 19

Subscribed and sworn to before me this 1 day of Oct, 1958

My commission expires

Date of receipt at office of Department of Reclamation

L. W. Brown
Reginald L. Reeves
Notary Public.
Residing at Idaho Falls, Idaho
Oct. 9-1958

APPROVAL OF COMMISSIONER OF RECLAMATION.

I, Geo. N. Carter, State Reclamation Engineer of the State of Idaho, hereby extend the time for the completion of construction work under Permit to Appropriate the Public Waters of the State of Idaho, No. G-26524 to

June 1, 1959

Witness my hand this 5th day of October

1958

G26524

E. H. Humphrey
Deputy State Reclamation Engineer

September 18, 1958

Re: Permit No. G-26524

Mr. L. W. Brown,
Route # 2
Rigby, Idaho

Dear Mr. Brown:

We are this morning in receipt of a letter from Mr. Alvin Denman, Attorney-at-law, in reply to office letter addressed you on September 11th, in regard to your Permit No. G-26524, in which he states that you never received any depositions in connection with proofs of completion of works and beneficial use on this permit, which are due on September 24, 1958

Reference to the files would indicate that the word "depositions" in office letter of September 11th was an error, and referred to the forms of notice to be published in connection with these proofs, which were returned to you on July 17th.

Since this notice must be published once a week for four weeks prior to the date set for proof, it is now obviously too late to make these proofs on September 24th. We, therefore, enclose a form of application for extension for an additional six months, which you may execute before a Notary Public and return to this department for approval and record.

It is important that this be attended to at once, in order to show a legal extension before the due date of September 24th.

We also enclose a form of application for a further amendment, which Mr. Denman requested us to send you. This should also be promptly executed and returned to this department.

When the extension has been allowed and the amendment approved, we shall then send you other forms of notice for publication in connection with these proofs, together with instructions.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

A
Encl.
CC to Alvin Denman

Chief Clerk

26524

ALVIN DENMAN
ATTORNEY AND COUNSELLOR AT LAW
SMITH-HART BUILDING
IDAHO FALLS, IDAHO
—
TELEPHONE JACKSON 2-2513

September 17, 1958

RECEIVED
SEP 18 1958
Department of Reclamation

State Reclamation Engineer
Boise, Idaho

Dear Sir:

L. W. Brown, of route 2, Rigby, has asked me to answer your letter of September 11, which you state that he failed to return the depositions of proof of completion of works and application of water to beneficial use. He tells me he has never received these depositions. Will you kindly send the form for these depositions to him?

He has discovered another error in the description. Accordingly, it will be necessary for him to file a still further amendment. Will you kindly send him a form for an amendment?

I presume that because it will be necessary to amend the description the hearing heretofore noticed for September 24 cannot be had at that time. Is this correct?

Very truly yours,

Alvin Denman

cjh

26524

September 11, 1958

Re: Permit No. G-26524

Mr. L. W. Brown
Route # 2
Rigby, Idaho

Dear Mr. Brown:

We wish to refer you to our office letter of July 17, 1958 which reads as follows: -

"We are returning the Notice of Proof of Completion of Works and Application of Water to Beneficial Use, for correction.

TWP. 3 North, Range 40 E.B.M. - Section 8 - E $\frac{1}{2}$
Twp. 3 North, Range 40 E.B.M. - Section 9 - NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$
Twp. 3 North, Range 40 E.B.M. - Section 16 - NW $\frac{1}{4}$
Twp. 3 North, Range 40 E.B.M. - Section 17 - E $\frac{1}{2}$ NE $\frac{1}{4}$

However, the land list in the Notice of Proof of Completion of Works and Application of Water to Beneficial Use is different. If our record of the land list is correct, no amendment will be necessary, however, if the land list as given on the Proof is correct, an amendment will be needed and we are enclosing one for that purpose."

The amendment was received in this department on July 30, 1958 and recorded, however you failed to return the Depositions of Proof of Completion of Works and Application of Water to Beneficial Use.

Will you kindly give this matter your attention and return the Depositions of Proof to this department so that we may complete this file.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Mrs. Edna P. Rutledge
Chief Clerk

EPR:lw

P26524

~~XXXXXXXXXX~~
GEO. N. CARTER

July 30, 1958

Re: Permit No. G-26524

Mr. L. W. Brown
Route #2
Rigby, Idaho

Dear Mr. Brown:

Enclosed is the Application for Amendment to Permit No. G-26524 as approved by the State Reclamation Engineer and recorded in the Department of Reclamation in Book 94 of Permits at Page 26524 amending the list of land as described on record to read as follows: "E $\frac{1}{2}$ E $\frac{1}{2}$ Section 8; W $\frac{1}{2}$ W $\frac{1}{2}$ Section 9; SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 9; N $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ Section 16; NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 17, Township 3 North, Range 40 East, B.M., making a total of 600 acres". This amendment should now be attached to the original permit to which it refers and of which it becomes a part.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Chief Clerk

EPR:nls
Enc.

26524

JUL 30 1958

To Permit to appropriate the Public Waters
of the State of Idaho, No. G-26524

Comes now L. W. Brown, and represents to the State Reclamation Engineer of the State of Idaho.

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-26524, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

The east $\frac{1}{2}$ of the east $\frac{1}{2}$ of section 8; the west $\frac{1}{2}$ of the west $\frac{1}{2}$ of section 9; the southeast $\frac{1}{4}$ of the northwest $\frac{1}{4}$, and the east $\frac{1}{2}$ of the southwest $\frac{1}{4}$ of section 9; the north $\frac{1}{2}$ of the west quarter and the north half of the south half of the north $\frac{1}{2}$ and the southeast $\frac{1}{4}$ of the northeast $\frac{1}{4}$, and the east $\frac{1}{2}$ of the northwest $\frac{1}{4}$ of section 16, the northeast $\frac{1}{4}$ of the northeast $\frac{1}{4}$ of section 17, all in township 3, north of range 40, E. B. M.

, making a total of 600 acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Idaho Falls, this July day of July, 1958.

L. W. Brown

Date of receipt at office of Department of Reclamation July 30, 1958

APPROVAL OF STATE RECLAMATION ENGINEER

I, Geo. M. Garter, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-26524. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

Recorded: July 30, 1958

G-26524

G. M. Humphrey

State Reclamation Engineer

July 17, 1958

Re: Permit No. G-26524

Mr. L. W. Brown
Route 2
Rigby, Idaho

Dear Mr. Brown:

We are returning the Notice of Proof of Completion of Works and Application of Water to Beneficial Use, for correction.

Our records show the land list as follows: -

Tw. 3 North, Range 40 E.B.M. - Section 8 - E¹/₄
Tw. 3 North, Range 40 E.B.M. - Section 9 - NE¹/₄, S¹/₂SW¹/₄, SW¹/₄
Tw. 3 North, Range 40 E.B.M. - Section 16 - NE¹/₄
Tw. 3 North, Range 40 E.B.M. - Section 17 - E¹/₄

However, the land list in the Notice of Proof of Completion of Works and Application of water to Beneficial Use is different. If our record of the land list is correct, no amendment will be necessary, however, if the land list as given on the Proof is correct, an amendment will be needed and we are enclosing one for that purpose.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Mrs. Edna P. Rutledge
Chief Clerk

EPH:lw
Encls. (3)
Application for Amendment

G26524

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

D E P A R T M E N T O F R E C L A M A T I O N

B O I S E

RE: Permit No. G-26524

Date July 1, 1958

Mr. L. W. Brown
Route #2
Rigby, Idaho

Dear Sir:

The date for proofs of completion of works and application of water to beneficial use, as set out under the terms of Permit No. G-26524 are due not later than September 24, 1958.

Before these proofs can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper within the county in which the land is located. In completing the Notice of proof for publication, the information should be taken from your Permit, including any amendments made in connection with a change of point of diversion or land list which has been recorded in this department. If changes have been made on no amendments are on record, we advise that you request a form for this purpose before your Notice is published.

We enclose Form 36, in duplicate, which is to be filled out and returned to this department at least forty (40) days before the above mentioned date, (allowing for four weeks publication). Please give the name of the town, the address of the place where the depositions will be executed, and, the name of the notary public before whom you will appear to make the depositions of proof (this may be at any place convenient for you and your two witnesses), the quantity of water filed; for what purpose it is used; the point or points of diversion; and the location of use or the lands which are irrigated--all by legal land description.

Enclosed also is Form 11, which is the authorization for us to have the notice published in the designated county newspaper at your expense. This is to be returned with Form 36.

At the time we send the notice to the newspaper we will send to you the forms for the depositions of holder and two disinterested witnesses. It is important that the depositions be executed at the time, on the date set, at the place named and before the notary public, as advertised in the publication notice.

Very truly yours,
GEO. N. CARTER
~~MARK RYKOW~~
State Reclamation Engineer

Enclosures

826524

October 10, 1956

RE: Permit No. G-26524

Mr. L. W. Brown
Route 2
Rigby, Idaho

Dear Mr. Brown:

We enclose Permit No. G-26524 and 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-2126 for the \$7.00 filing fee.

As per your recent request, we are enclosing two additional applications for permit to appropriate the subterranean waters of the State of Idaho, for two additional wells, together with a pamphlet giving regulations and instructions in regard to filing same.

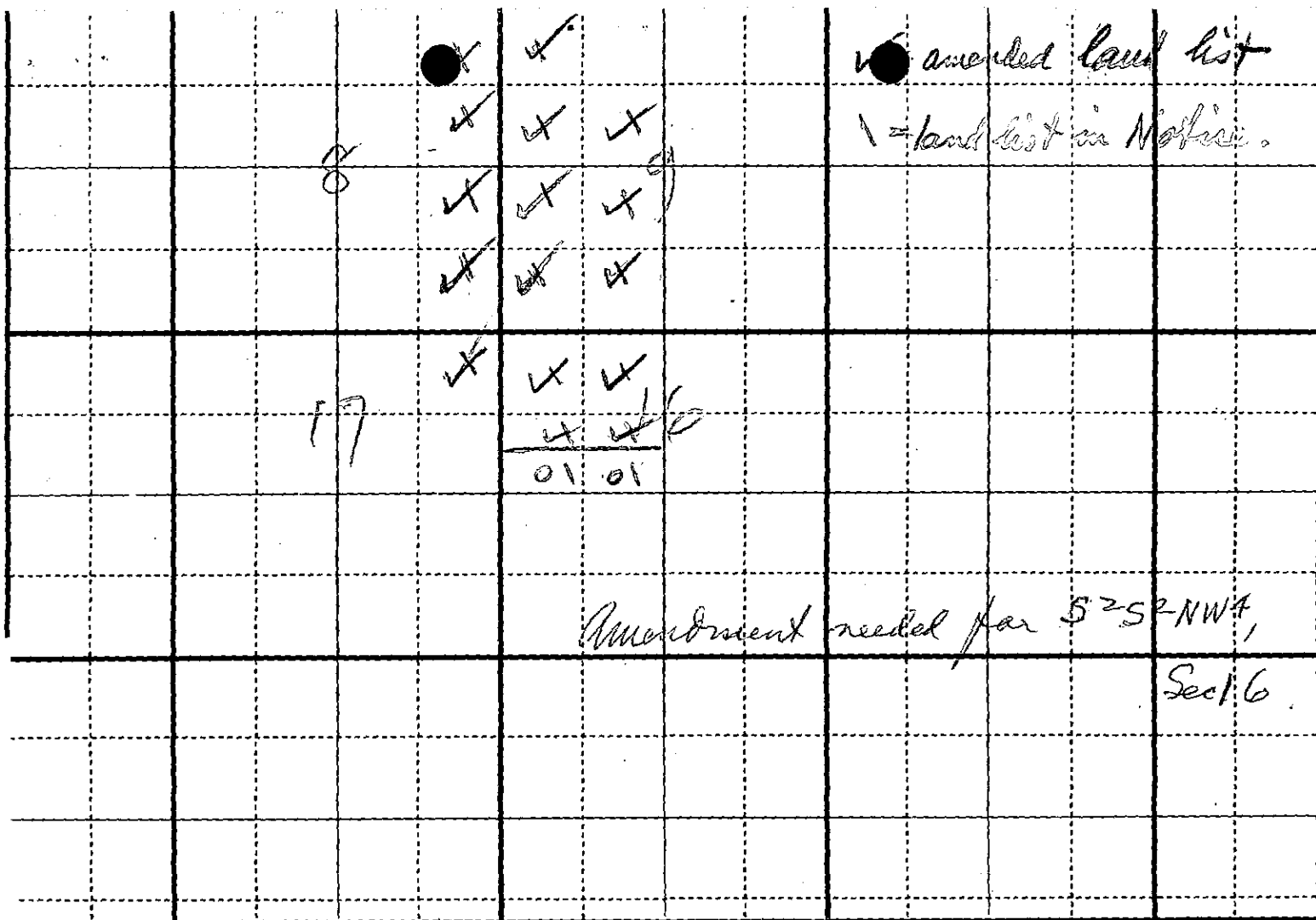
Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

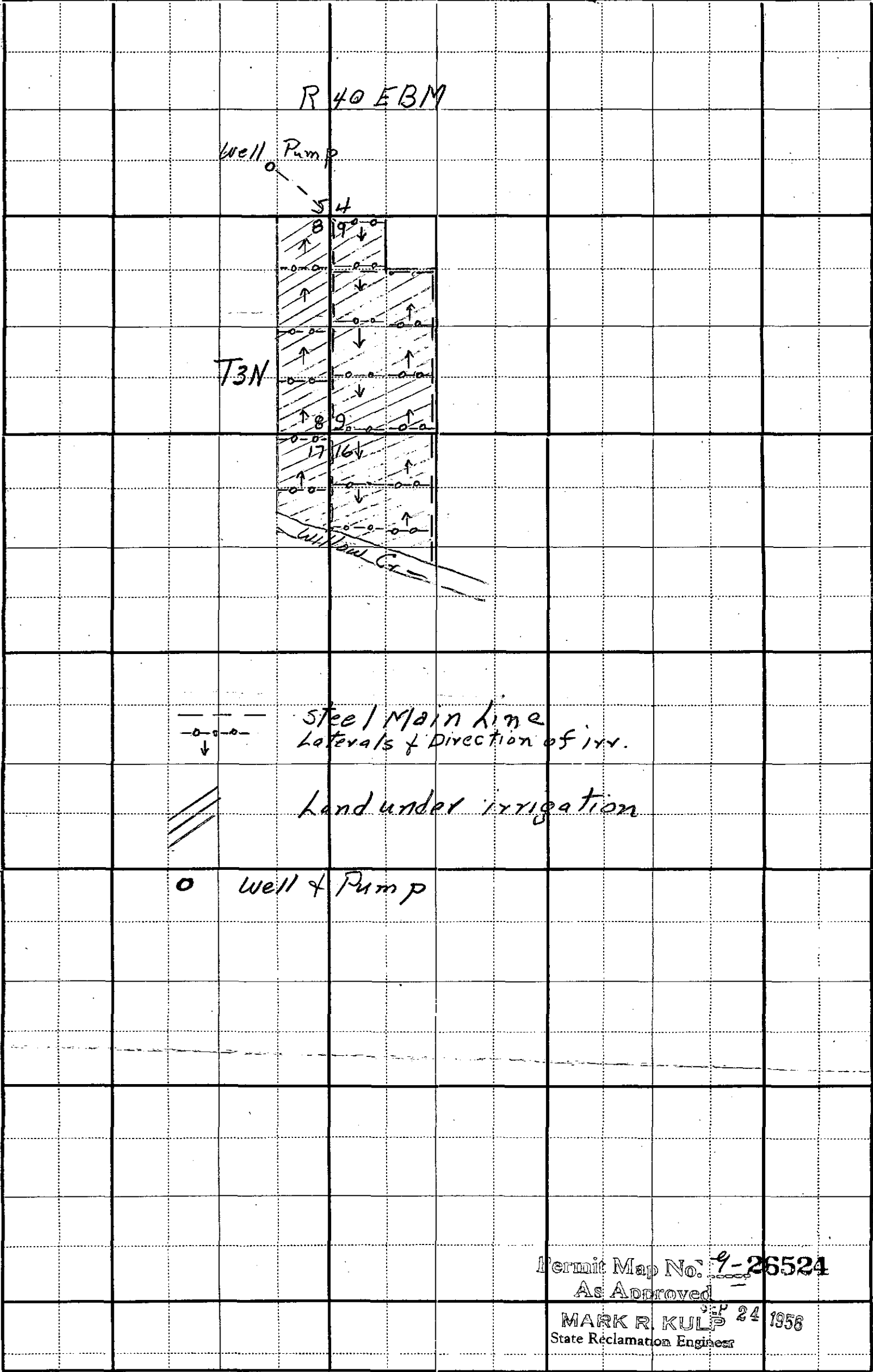
R:hll
Enc.

P 26524



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

S26524



September 18, 1956

Mr. L. W. Brown
Route #2
Rigby, Idaho

Dear Mr. Brown:

In reply to your request we enclose 3 forms of application for permit to appropriate subterranean water from a well together with a pamphlet giving regulations and instructions in regard to filing same.

When each of these applications are approved, they will be signed by the proper State Officials and sent you as use permits under which you may proceed with the construction of the work described in the applications.

In order to complete your water right, proofs of completion of works and application of the water to beneficial use are required. The time required for making these proofs should be indicated under Question 10.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR

826524

August 20, 1956

Mr. L. W. Brown
Route # 2
Rigby, Idaho

Dear Mr. Brown:

We are in receipt of an Application for Permit to appropriate the subterranean waters of the State of Idaho from a well located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 5, Township 3 North, Range 40 East.

We are returning said application for additional information. It will be necessary that you answer question 2 showing the amount of cubic feet per second or the number of miners inches of water to be filed on.

Also answer No. 3 showing the source of water supply as subterranean.

Please answer questions 7, 8, and 10.

Under question 12 it will be necessary to show the number of acres to be irrigated under each 40 acre subdivision by following the tabulation form.

Also please answer question 13.

It will also be necessary to furnish sketch maps in duplicate showing the location of the well and the lands to be irrigated by coloring or cross-hatching.

We are returning your check to the amount of \$5.00 which maybe returned with the corrected application.

The filing fees are based on \$5.00 for the first second foot and 25 cents for each additional second foot, or fraction thereof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

T:cu
Enc.

B24524

NOTICE OF PROOF OF COMPLETION
OF WORKS

APPLICATION FOR WATER TO
BENEFICIAL USE

Notice is hereby given that at 10 A.M., on the 29th day of May, 1959, at Idaho Falls, Idaho, County of Bonneville, State of Idaho, before Reginald R. Reeves, Notary Public, at Home Investment Bldg., Idaho Falls, Idaho, proof will be submitted of the completion of works for the diversion of 8.24 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-26524, 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 L. W. Brown, Rigby, 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 8.24 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 8.24 cubic feet per second.

4. The point of diversion of said water is SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 5, Twp. 3 N., Rge. 40E.B.M.

5. The place where said water is used is E $\frac{1}{4}$ E $\frac{1}{4}$ Sec. 8; W $\frac{1}{4}$ NW $\frac{1}{4}$ E $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ Sec. 9; NW $\frac{1}{4}$ Sec. 16; NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 17, all in Twp. 3 N., Rge. 40 E.B.M.

6. The date of priority which said user is prepared to establish is August 8, 1956.

GEO. N. CARTER
State Reclamation Engineer
Pub: Apr 15, 22, 29, May 6, 1959.

LEGAL NOTICES

Eastern Idaho Farmer 8/13

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

Notice is hereby given that 10 a. m., on the 20th day of August 1959, at Idaho Falls, County of Bonneville, State of Idaho, before Reginald R. Reeves, Notary Public, at Smith-Hart Building, proof will be submitted of the completion of works for the diversion of 8.24 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. C-26524 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 L. W. Brown, Route No. 2, Rigby, 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 8.24 cubic feet per second.

3. The use to which said water has been applied is irrigation of crops, and the amount applied to beneficial use is 8.24 cubic feet per second.

4. The point of diversion of said water is $SW\frac{1}{4}$ $SE\frac{1}{4}$, section 5, twp. 3, N. range 40, E. B. M.,

5. The place where said water is used is the east half of the east half of section 8; the west half of the northwest quarter, the southeast quarter of the northwest quarter and the southwest quarter of section 9; the north half of the northwest quarter and the north half of the south half of the northwest quarter of section 16; the northeast quarter of the northeast quarter of section 17 all in township 3, north of range 40, E. B. M.,

6. The date of priority which said user is prepared to establish is August 8, 1955.

GEO. N. CARTER
State Reclamation Engineer
EIF, July 23, 30. Aug. 6, (13)

LEGAL NOTICES

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

Notice is hereby given that 10 a. m., on the 20th day of August 1959, at Idaho Falls, County of Bonneville, State of Idaho, before Reginald R. Reeves, Notary Public, at Smith-Hart Building, proof will be submitted of the completion of works for the diversion of 8.24 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-26524 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 L. W. Brown, Route No. 2, Rigby, 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 8.24 cubic feet per second.

3. The use to which said water has been applied is irrigation of crops, and the amount applied to beneficial use is 8.24 cubic feet per second.

4. The point of diversion of said water is SW $\frac{1}{4}$ SE $\frac{1}{4}$, section 5, Twp. 3, N. Range 40, E. B. M. —

5. The place where said water is used is the east half of the east half of section 8; the west half of the northwest quarter, the southeast quarter of the northwest quarter and the southwest quarter of section 9; the north half of the northwest quarter and the north half of the south half of the northwest quarter of section 16; the northeast quarter of the northeast quarter of section 17 all in township 3, north of range 40, E. B. M.

6. The date of priority which said user is prepared to establish is August 8, 1954.

GEO. N. CARTER
State Reclamation Engineer
EIF, July 23, 30, Aug. 6, 13