

TRANSFER NO.	NAME	AMOUNT C.F.S.	BALANCE C.F.S.	RIGHT NO.
2199	Ron W. Claar	1.92	0	45-7032

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STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

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

APPROVED

Name of applicant Ron W. Claar Phone 678-5856

Post office address Route #3, Burley, ID 83318

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
- a. Decree to in case of dated in county of
- b. License No. 45-7032 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
- Use not to be transferred - Land & water right acquired by purchase.
3. Source of water Ground water tributary to
4. Date of priority Dec. 18, 1968
5. Water is used for the following purposes:
- amount 1.92 cfs for irrigation purposes from Mar. 1 to Nov. 1
- amount for purposes from to
- amount for purposes from to
6. Total amount of water under right: a. 1.92 cubic feet per second &/or b. acre feet per annum
7. Location of original point of diversion is SW ¼ of NW ¼ of Section 12
- Township 12S Range 21E., B.M., in Cassia 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	
12S	21E	12	40	40	40	40	40	40	40	40									320

B. DESCRIPTION OF PORTION OF RIGHT FOR WHICH THE CHANGE IS REQUESTED (If the entire right is requested changed, 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 1.92 c.f.s. &/or _____ acre feet

b. Point(s) of diversion SE ¼ NW ¼, Section 12 Township 12S
Range 21E., B.M., Cassia County
Additional points SW¼NW¼, Sec. 12; SE¼SE¼, Sec. 1, Twp. 12S, Rge. 21E., B.M.

c. Description of diverting works Wells, pumps, sprinkler systems

d. Describe the reasons for applying for a change in the point(s) of diversion To inter-connect all through wells on Applicant's farm to provide back-up for well or pump failure

2. Change in place of use

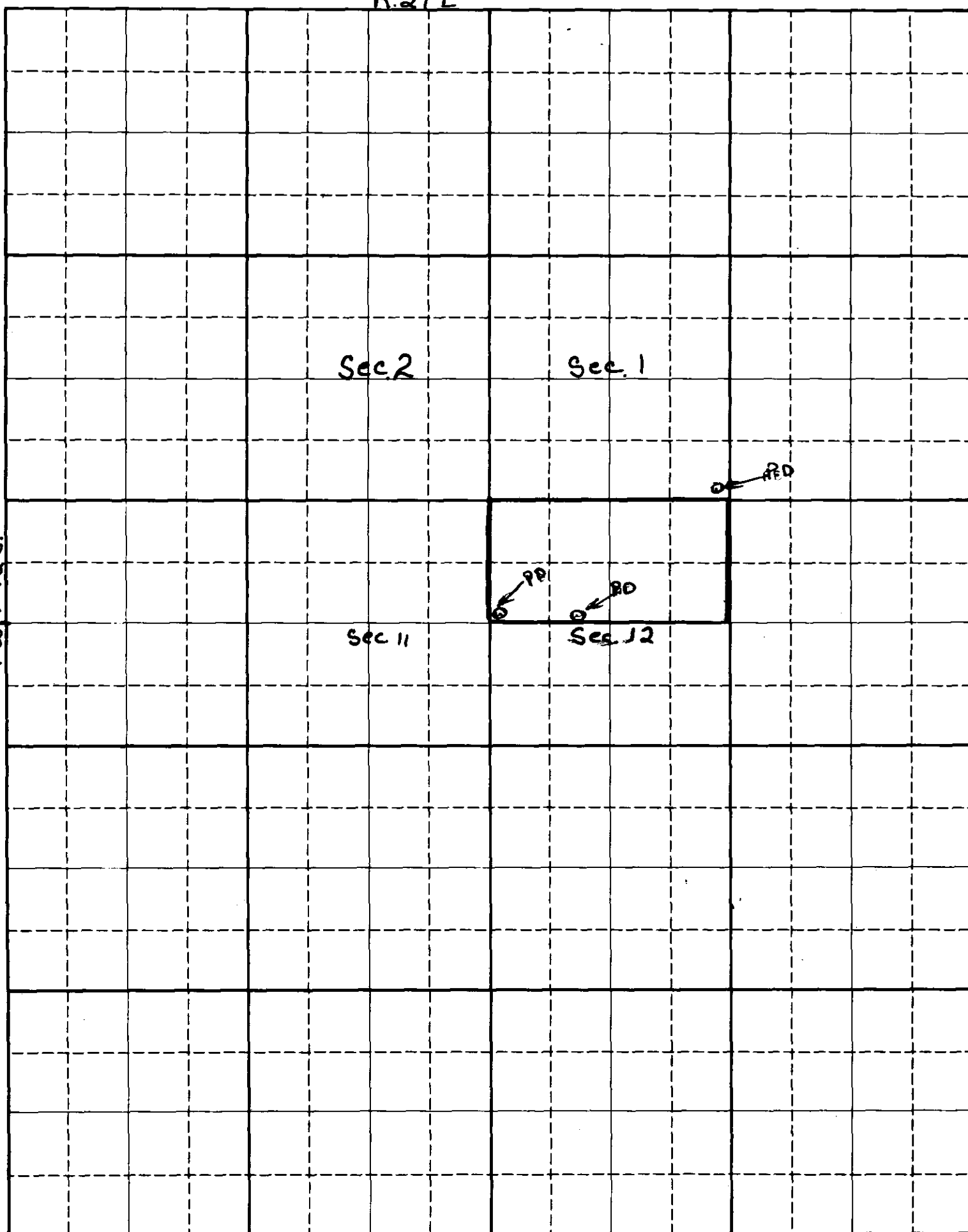
- a. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
12S	21E	12	40	40	40	40	40	40	40	40									320

Total number of acres to be irrigated 320

- b. 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.21E



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

3. Remarks _____

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.

R. W. Clark
(Signature of applicant)

Subscribed and sworn to before me this 20th day of November, 19 77.

[Signature]
(Notary public)

My commission expires 9-22-1981

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 45-7032 and said application is hereby APPROVED, subject to the following limitations and conditions:
A measuring device of a type approved by this Department shall be permanently maintained as part of the diverting works.

Witness my hand this 29 day of January, 19 78.

[Signature]
Deputy Director

FOR DEPARTMENT USE ONLY

Received by TCB Date 11-30-77
Prelim. check by [Signature] Fee \$30.00
Receipted by Sm Date 11/30/77 #7448
Published in South Idaho Press
Pub. dates 12/13/77 + 12/20/77
Watermaster recommendation requested on _____
_____ rec'd. _____

Protest filed by _____
Copies of protest forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial
by Michael L. Steele J.S.

RECEIVED

DEC 29 1977

Department of Water Resources
Southern District Office

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
STATE OF IDAHO) ss.

Cindy Duffin, being first

duly sworn, deposes and says that she is the

Bookkeeper of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of

The South Idaho Press for 2 times consecutive weeks, commencing with the issue

dated Dec 13, 1977, and ending

with the issue dated Dec 20, 1977.

Cindy Duffin

Subscribed and sworn to before me

this 27th day of Dec

1977.

Norma M. Peterson Notary Public

Cost of Publication

Notary Fee

Total Cost 11.55

NOTARY PUBLIC

RUPERT, IDAHO. MY COMMISSION

EXPIRES JUNE 21, 1981



OK
12/30/77

MICROFILM

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

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

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The South Idaho Press for 2 times consecutive weeks, commencing with the issue dated Dec 13 1977, and ending

with the issue dated Dec 20 1977.

Cindy Duffin

Subscribed and sworn to before me this 27th day of Dec

1977.

Thomas M. Peterson Notary Public

Cost of Publication

Notary Fee

Total Cost 11.55

NOTARY PUBLIC

RUPERT, IDAHO. MY COM. EXPIRES

EXPIRES JUNE 21, 1981

77-554

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 45-7032

NOTICE IS HEREBY given that Ron W. Claar of Burley, Idaho, has applied to the Department of Water Resources for a change of the point of diversion of the waters of a ground water source. The right sought to be changed is evidenced by License No. 45-7032 and is recorded as follows: Amount: 1.92 cfs; Priority: Dec. 18, 1968; Point of diversion: SW 1/4 NW 1/4, Sec. 12, Twp. 12S., Rge. 21E., B.M., Cassia County. The water is used for irrigation purposes of 320 acres within the N 1/4 of Sec. 12, Twp. 12S., Rge. 21E., B.M.

TO BE CHANGED AS FOLLOWS:

Point of diversion: SE 1/4 NW 1/4, SW 1/4 NW 1/4, Sec. 12; SE 1/4 SE 1/4, Sec. 1, Twp. 12S., Rge. 21E., B.M., Cassia County.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Dept. of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, ID 83301, on or before December 30, 1977.

C. Stephen Allred
Director

Published in the South Idaho Press on December 13 & 20, 1977.

OK
12/20/77

State of Idaho

Department of Water Administration

WATER RIGHT LICENSE

License of Water Right No. 45-7032 Priority Dec. 18, 1968 Amount 1.92 cfs

THIS IS TO CERTIFY, that FRANCIS M. CARTER
of Burley, Idaho, has complied with the terms and conditions of Permit
No. 45-7032 issued pursuant to Application for Permit dated December 18, 1968,
and has submitted proof to the Department of Water Administration on December 31, 1973,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 1.92 cfs of water from a ground water source,
tributary to _____, and that the permit holder has applied to a beneficial use &
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u> from <u>March 1</u> to <u>Nov. 1</u> at <u>1.92</u> cfs and			<u>932 acre feet or</u>
			<u>4.0 af per acre</u>
from _____ to _____ at _____ cfs and			
from _____ to _____ at _____ cfs and			

(both dates inclusive)

Subject, however, to the condition that no more than 1.92 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
932 acre feet per year, said waters to be diverted within the SW¹/₄ NW¹/₄ of Sec. 12,
Twp. 12 S, Rge. 21 E, B.M. in the County of Cassia

Description and location of place of use:

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
12 S	21 E	12	40	40	40	40	40	40	40	40									320

Total number of acres irrigated 320

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

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

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 28 day of
September, 19 74.

MICROFILMED

Director

Identification No. 45-7032

Application No. _____

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

LICENSE ISSUED FOR 1.92 cfs 3632 ft
 LICENSE PAGE NO. 1

APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho

(TYPE OR PRINT IN INK)

1. Name of applicant FRANCIS M. CARTER
 post office address 3632 Overland Avenue, Burley, Idaho

2. Source of water supply underground which is a tributary of _____

3. a. Location of point of diversion is SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 12 Township 12 S
 Range 21 E B.M. Cassia County; additional points of diversion if any: SE $\frac{1}{4}$
NW $\frac{1}{4}$ Section 12, Township 12 South, Range 21 East Boise Meridian.

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
 of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____

4. Water will be used for the following purposes:

Amount 6.4 for irrigation purpose from 3-1- to 11-1- (both dates inclusive)
(cfs or acre-feet per annum)
 Amount 0.21 for domestic purpose from 11-1-1 to 3-1-12-31 (both dates inclusive) per letter 12-17-68
(cfs or acre-feet per annum)
 Amount 103 for stockwater purpose from 1-1 to 12-31 (both dates inclusive) per letter 12-17-68
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 6.4 cubic feet per second and/or
 b. _____ acre feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. open ditches & concrete headgates

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
 capacity _____ acre feet, materials used in storage dam: _____
 Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)

c. Proposed well diameter is 20 inches; proposed depth of well is 1,000 feet.

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
 is 5 years.

b. Estimated construction cost is \$ 7,500.00.

8. Description of proposed uses:

a. If water is **not** for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
 Range _____ B.M. _____

(2) Amount of power to be generated: _____ hp under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
 supplied with domestic water one.

(5) If water is to be used for other purposes describe: _____

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

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
12S	21 ^g	12	40	40	40	40	40	40	40	40									320

Total number of acres to be irrigated 320

c. Describe any other water rights used for the same purposes None

9. a. Who owns the property at the point of diversion Francis M. Carter

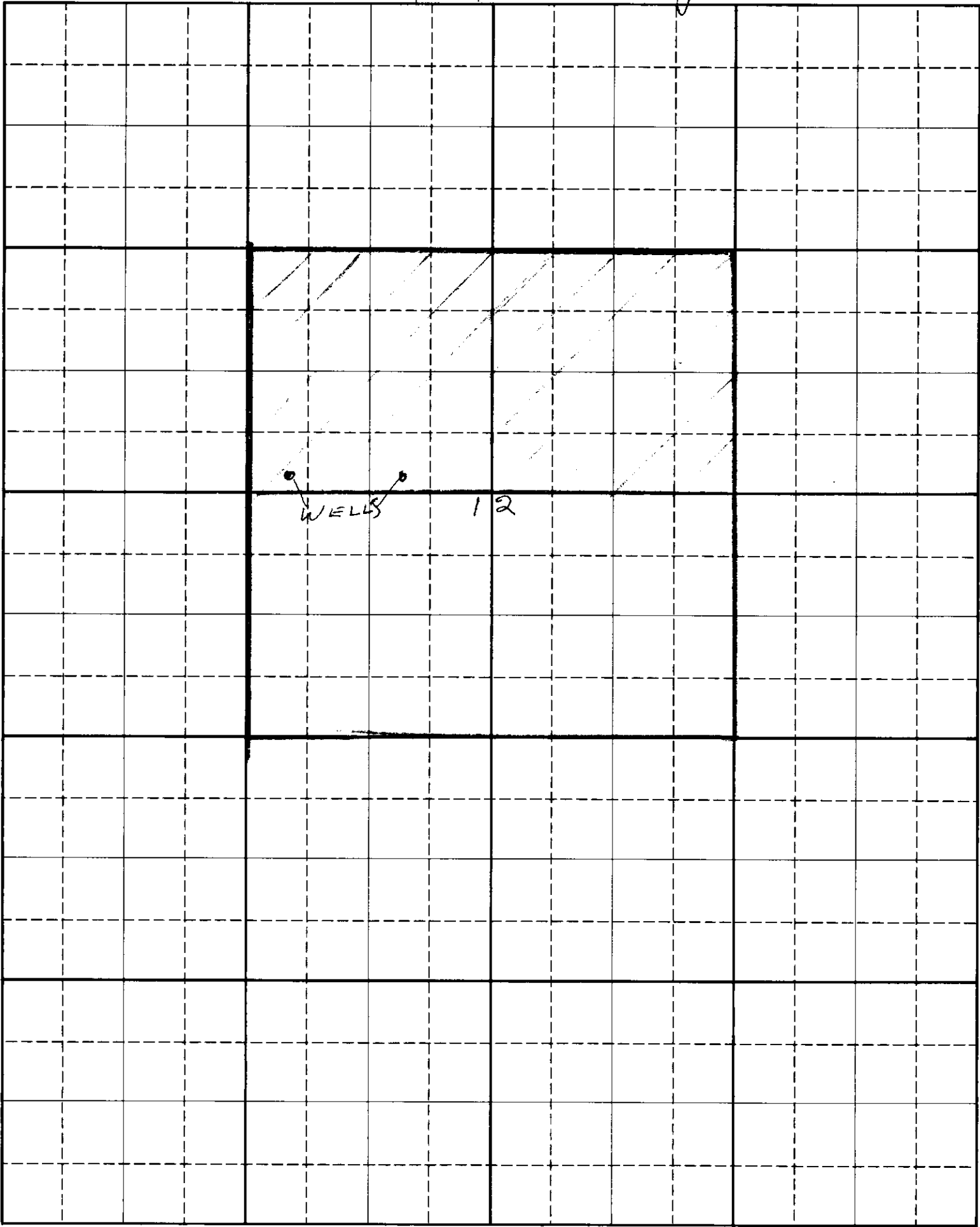
b. Who owns the land to be irrigated or place of use Francis M. Carter

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

10. Remarks _____

11. Map of proposed project:

TWP 12S Rge 21 E BM.



Scale: 2 inches equal 1 mile

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

Francis M Carter
(Applicant)
by Herman G Sedke
agent
45 70 Ref: 12

Received by McK Date 12-18-68 Time 8:AM
Preliminary check by McK Fee \$ 50.⁰⁰
Receipted by ej Date 12-19-68
Publication prepared by JS Date 1-14-69
Published in Idaho Press
Publication dates 1-23 & 30-69
Publication approved JS Date 1-12-69
Priority reduced to _____ Reason _____

Protests filed by: none 2-10-69

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for ☒ approval ☐ denial by James CK

APPROVED

ACTION OF STATE RECLAMATION ENGINEER

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 45-7032, and said application is hereby APPROVED

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before February 1, 19 74.
- c. Other: The applicant shall permanently install a measuring device of a type approved by the department as part of the diverting works.

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

Witness my hand this 11 day of February 19 69.

L. Keith Higgins
State Reclamation Engineer

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

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

Ruth Chambers, being first

duly sworn, deposes and says that she is the

Bushkeeper of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of

The South Idaho Press for 2

consecutive weeks, commencing with the issue

dated January 23 1969, and ending

with the issue dated January 30, 1969.

Ruth Chambers

Subscribed and sworn to before me

this 30th day of January

1969.

Edith Raustett Notary Public

Cost of Publication \$ 7.75

Notary Fee _____

Total Cost _____

My commission expires October 23, 1971



45 7032

bill submitted 2-7-69

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

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

Ruth Chambers, being first

duly sworn, deposes and says that: He is the

Ruth Chambers of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of

The South Idaho Press for consecutive weeks, commencing with the issue dated January 23, 1969, and ending with the issue dated January 30, 1969.

Ruth Chambers

Subscribed and sworn to before me

this 23 day of January

1969.

Keith Higginson Notary Public

Cost of Publication

Notary Fee

Total Cost

My commission expires October 23, 1971

69-23

**NOTICE OF APPLICATION
FOR WATER**

Notice is hereby given that Francis M. Carter, 3632 Overland Avenue, Burley, Idaho, has on December 18, 1968, applied for permit under application No. 45-7032 to divert 6.4 cubic feet per second of water from a ground water source. Water will be diverted by a well, ditches, and headgates within the SW 1/4, NE 1/4, SE 1/4 NW 1/4, sec. 12, T. 12 S., R. 21 E., B.M., Cassia County, and to be used from March 1 to November 1 for irrigation and from January 1 to December 31 for domestic and stock water in the NW 1/4, sec. 12, T. 12 S., R. 21 E., B.M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

/s/ R. Keith Higginson
State Reclamation Engineer
Published in the South Idaho Press, Burley, Idaho, on January 23 and January 30, 1969.

45 1002

Bill submitted 2-7-69

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION
2211 Overland Avenue
Burley, Idaho 83318

RECEIVED

APR 18 1979

Department of Water Resources

State of Idaho, Department of Water Administration
Statehouse
Boise, Idaho 83707

April 16, 1979

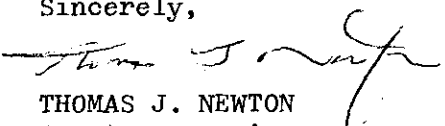
Dear Sirs:

This is to advise that Co-Ida Farms, Incorporated, which is operated by Ronald W. Claar and Marjorie L. Claar, husband and wife, of 429 East 42nd Street; Burley, Idaho 83318 of Cassia County, Idaho, have obtained financial assistance from this Agency. In doing so, they have pledged "Application for Water Permit number 45-7330 dated March 8, 1978", Application for Water Permit number 45-7117 dated February 15, 1973 and License Number 45-7032 with priority date of December 18, 1968" as additional security for the assistance as it pertains to the real estate also pledged as security.

We request that a note be placed in the files concerning the above applications and permit regarding this transaction. When the appropriation of water through the use of deep wells is pledged as additional security the holders of same agree not to assign, transfer or make any changes in the permits, etc which would be adverse to the interests of Farmers Home Administration without advising FmHA, in writing, of the change(s) requested and also obtaining written permission from FmHA to make saide change(s).

Please sign the enclosed copy of this letter and return same to the office as acknowledgment of the request for our use in our files.

Sincerely,


THOMAS J. NEWTON
County Supervisor

"The above letter has been placed in the files in connection with the above listed applications and permit and license 45-7032."

(Date)

(Name and Title)

cc: Southern District Office
1041 Blue Lake Blvd., North
Twin Falls, Idaho 83301

Farmers Home Administration is an Equal Opportunity Lender.
Complaints of discrimination based on race, sex, religion,
national origin or marital status should be sent to:
Secretary of Agriculture, Washington, D. C. 20250

February 2, 1978

Re: Transfer No. 2199

Ron W. Clear
Route #3
Burley, ID 83318

Dear Mr. Clear:

Enclosed is a copy of the approved Application for Transfer of a Water Right No. 45-7032. Please note the conditions of approval as listed on the fourth page.

Sincerely,

DAVID B. SHAW
Water Allocation Supervisor

DBS/kw
Enclosure

MICROFILMED

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 45-7032

Notice is hereby given that Ron W. Claar of Burley, Idaho, has applied to the Department of Water Resources for a change of the point of diversion of the waters of a ground water source. The right sought to be changed is evidenced by License No. 45-7032 and is recorded as follows:

Amount: 1.92 cfs

Priority: Dec. 18, 1968

Point of diversion: SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 12, Twp. 12S, Rge. 21E., B.M., Cassia County.

The water is used for irrigation purposes of 320 acres within the N $\frac{1}{2}$ of Sec. 12, Twp. 12S, Rge. 21E., B.M.

TO BE CHANGED AS FOLLOWS:

Point of diversion: ~~SE $\frac{1}{4}$ NW $\frac{1}{4}$~~ , ~~SW $\frac{1}{4}$ NW $\frac{1}{4}$~~ , Sec. 12; ~~SW $\frac{1}{4}$ NW $\frac{1}{4}$~~ , Sec. 1, Twp. 12S, Rge. 21E., B.M., Cassia County.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Dept. of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, ID 83301, on or before December 30, 1977.

C. STEPHEN ALLRED

Director

Published in the South Idaho Press on 12/13 and 12/20/77.

MICROFILMED

77-555

**NOTICE OF PROPOSED CHANGE
OF WATER RIGHT
NO. 45-7032**

NOTICE IS HEREBY given that Ron W. Clair of Burley, Idaho, has applied to the Department of Water Resources for a change of the point of diversion of the waters of a ground water source. The right sought to be changed is evidenced by License No. 45-7032 and is recorded as follows: Amount: 1.92 cfs; Priority: Dec. 18, 1968; Point of diversion: SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 12, Twp. 12S., Rge. 21E., B.M., Cassia County. The water is used for irrigation purposes of 320 acres within the N $\frac{1}{2}$ of Sec. 12, Twp. 12S., Rge. 21E., B.M.

TO BE CHANGED AS FOLLOWS:

Point of diversion: SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 12; SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 1, Twp. 12S., Rge. 21E., B.M., Cassia County.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Dept. of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, ID 83301, on or before December 30, 1977.

W. Stephen Alfred
Director

MICROFILMED

266° 13' 54" 132° 48' 54"

...to the irrigation purposes of 320 acres...

...the point of diversion...

...

...

...

...

...

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...

...

December 7, 1977

South Idaho Press
Box 190
Burley, ID 83318

Re: Transfer of Water Right No. 45-7032 - Ron W. Claar

Gentlemen:

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

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

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

Sincerely,

Michael L. Steele
Southern Region Supervisor

MLS:sm

Enc.

Bill submitted: _____

MICROFILMED

C
October 3, 1974

Re: Permit No. 45-7032

O
Mr. Francis Carter
3632 Overland Avenue
Burley, Idaho 83318

P
Dear Mr. Carter:

Enclosed is a copy of the water license issued on the above referenced permit.

Sincerely,

Y
BOBBY D. FLEENOR
Chief, Water Rights

BDF:jfr

Enclosure

MICROFILMED

September 12, 1974

**Mr. Francis M. Carter
3682 Overland Ave.
Burley, Idaho 83318**

Dear Mr. Carter:

A representative of this Department has made an examination of the works covered by your Permit No. 45-7682 and has found the following:

Quantity of water diverted: 1.92 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 1.92 cfs

The maximum quantity diverted shall not exceed 932 acre feet per year.

Point of diversion: SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 12, Twp. 12S, Rgs. 21E, B.M.

Beneficial use: Irrigation of 320 acres within the N $\frac{1}{2}$ of Sec. 12, Twp. 12S, Rgs. 21E, B.M.

Priority date established: Dec. 18, 1968

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

Sincerely,

**BOBBY D. FLEENOR
Chief, Water Rights**

BDF:DR

cc: Southern District Office

MICROFILMED

RECEIVED

SEP 6 1974

Department of Water Resources

Burley, Idaho
Sept. 5 1974

State Of Idaho
Department Of Water Administration
Statehouse-Annex 2
Boise, Idaho 83707

Dear Sirs:

I am writeing concerning water permit No. 45-7032
Sometime in December or January we submitted an affidavit
as proof of beneficial use and later in the year your
field representative from Twin Falls made the inspection
at the well. I have been expecting to hear from you as to
final proof but ^{at} this time have not. I would appreciate your
reply and thank you very much.

Yours Truly,

Francis M. Carter
Francis M. Carter

MICROFILMED

RECEIVED

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

JAN 10 1974

678-7824
Department of Water Administration
Southern District Office
Phone
Ron Cla 678-5856
Phone

1. Name of permit holder Francis M. Carter
Post office address 3632 Overland Ave., Burley, ID 83318
Person to contact _____
2. Source of water supply: Groundwater ☒ Surface water ☐ _____
(name spring, stream, etc.)
Tributary to _____

3. Water will be used for the following purposes:
Amount 6.4 c.f.s. for irrigation
_____ AF/Annum (nature of use)
Period of Use: from Mar. 1 to Nov. 1
(mo.-day) inclusive (mo.-day)
Amount .02 c.f.s. for domestic
_____ AF/Annum (nature of use)
Period of Use: from Jan. 1 to Dec. 31
(mo.-day) inclusive (mo.-day)
Amount .03 c.f.s. for stockwater
_____ AF/Annum (nature of use)
Period of Use: from Jan. 1 to Dec. 31
(mo.-day) inclusive (mo.-day)
Other uses: _____

Permit No. 45-7032
Examination for b/u

4. Total amount to be appropriated:
Max Rate of Diversion 6.4 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:
Township 12S N/S, Range 21E E/W, B.M., Section 12, Subdivision SW $\frac{1}{4}$ NW $\frac{1}{4}$, Cassia
County Cassia
Township 12S N/S, Range 21E E/W, B.M., Section 12, Subdivision SE $\frac{1}{4}$ NW $\frac{1}{4}$, Cassia
County _____
Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____
County _____
Other Points of Diversions: _____

Description of diverting works: 1,000 gal. pump w/200 hp motor; 10" well casing in 1,203' well. Conveyed by 10" underground mainline and 2 lockwood pivot systems.

Measuring device required: yes ☒ no ☐

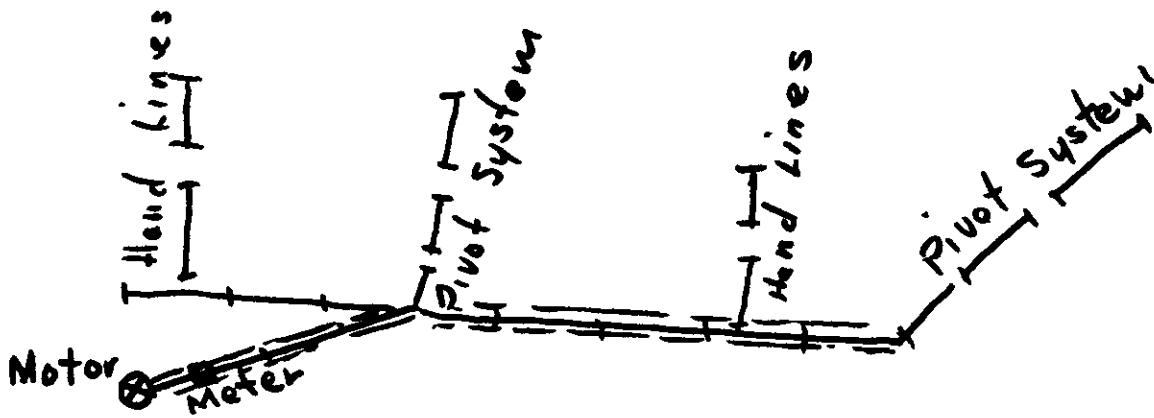
6. Lands to be irrigated or place of use. (Note to examiner: Place of use of domestic & stockwater not designated on permit)

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
12S	21E	12	40	40	40	40	40	40	40	40									320

MICROFILMED

40	40	40	40
40 *	40 x	40	40
	1 2		

Diagram of System



DATE OF EXAM 5-20-74

ACREAGE
Found 320
Recommended 320

Irrigation Requirement 4.0 Ac Ft/Ac

USE
Irrigation Q = 1.92 c.f.s. V = 931.4 AF/Ann. from March-1 to Nov-1-245
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ☒

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no ☒

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured 860 gal/min = 1.92 c.f.s. Method of measurement Badger Meter

Total Q recommended 1.92 c.f.s. Meter No. M0555174 Type Badger Condition good

Total V recommended 931.4 Ac Ft/ANN

Recommended Amendments:

P.D. ✓ only one pump & motor SW NW, Sec 12
Place of Use ✓ T 12S - 21E
Other ✓
None ✓

MEASUREMENT CALCULATION:

$Q = 1.92 \text{ c.f.s. } (860 \text{ gal/min} \div 448.8 \text{ gal/min} = 1 \text{ c.f.s.})$
 $V = 931.4 \text{ Ac Ft/ANN. } (1.92 \text{ Ac Ft} \times 1.92 \text{ c.f.s.} \times 245 \text{ days})$
 $320 \text{ Acres} \times 4.0 = 1280 \text{ Ac Ft/ANN.}$

SYSTEM DESCRIPTION:

G.E. Motor 200 Hp. BH J209123
Laurel & Fowler Pump.
Two Pivot Systems w/ Hand Lines.

REMARKS:

only one point of diversion.
No Domestic nor stockwatering use.

Examiner's Signature Spencer Lunderbury Date 7-5-74

Checked by Bob Haynes Date 7-23-74

Approved by _____ Date _____

G.E. Motor, 1.25 hp
200 Hp.

ser. # BH 7209121

Bodger Meter
MOSS5174

860 gal/min.

January 9, 1974

Re: Permit No. 45-7032

**Francis M. Carter
3632 Overland Ave.
Burley, Idaho 83318**

Dear Mr. Carter

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

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

If you have any questions concerning the field exam, please contact our Southern District Office at 1041 Blue Lakes Blvd., North, Twin Falls, Idaho.

Sincerely,

**D. Darlene Reich
Water Rights Supervisor**

DDR:JC

**cc: Roger D. Ling
Attorney at Law**

45 7032

Identification No. 45-7032

Permit No. 45-7032

**STATE OF IDAHO
DEPARTMENT OF RECLAMATION**

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

RECEIVED

DEC 31 1973 *kip*

Department of Water Administration

1. a) Name of Permit Holder Francis M. Carter
 b) Post Office Address 3632 Overland Ave., Burley, Idaho
2. Permit Number 45-7032
3. Date of Priority that you are prepared to establish December 18, 1968
4. a) Source from which water was appropriated Underground
 b) Location of the point of diversion: Southwest Northwest 1/4, Section 12
Township 12 South, Range 21 East, Boise Meridian, Other points of diversion:
5. a) The amount of water and use to which the water has been applied:
 amount 6.4 CFS for Irrigation purposes from March 1 to November 1 incl.
 (cfs and/or acre feet per annum) (Month-Day) (Month-Day)
 amount .02 for Domestic purposes from Jan. 1 to Dec. 31 incl.
 (cfs and/or acre feet per annum) (Month-Day) (Month-Day)
 amount .03 CFS for Stockwater purposes from Jan. 1 to Dec. 31 incl.
 (cfs and/or acre feet per annum) (Month-Day) (Month-Day)
 b) Total amount appropriated 6.45 cfs ~~and/or acre feet~~ per annum
 c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Ronald Claar who operated the pump during the irrigation season. Measurement was made by capacity of the pump and size of the sprinkler system.
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
 a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____
 b) Describe the agreement or understanding by which you take water from the works: _____
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) 1,000 gallon pump with 200 Horse-power motor; 10 inch well casing in 1,203 foot well. Conveyed by ten inch underground mainline and two lockwood pivot systems
 b) Describe the type and size of measuring device which you have installed at your point of diversion: Ten inch badger water meter, Serial No. M055174
 c) Give well drillers name and address and date the well was completed Ray Commons, Route No. 1, Rupert, Idaho
Well completed April 1, 1971

Exam typed 1/9/74 by jcr

45 7032

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use Water has been used occasionally for culinary purposes and for the watering of livestock

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

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
12S	21E	12	40	40	40	40	40	40	40	40									320

Total number of acres irrigated 320

10. Remarks:

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

December 27, 1973
(Date)

Francis M. Carter
(Signature)

State of IDAHO)
County of Minidoka) ss.

On this _____ day of December, 19 73, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Logwa Pine
Notary Public residing at Rupert, Idaho

My commission expires 10/30/76

ROGER D. LING
ROBERT M. NIELSEN

LING & NIELSEN
ATTORNEYS AT LAW
TOEBALING BUILDING
P. O. BOX 396
RUPERT, IDAHO 83350

AREA CODE 208
TELEPHONE 436-4717

December 28, 1973

RECEIVED

DEC 31 1973

Department of Water Administration
614 State Street
Statehouse - Annex 2
Boise, Idaho 83707

Department of Water Administration

Re: Permit No. 45-7032

Dear Gentlemen:

Enclosed please find Proof of Application of Water to Beneficial Use under the above permit. No aerial photos of this property could be obtained. If you desire an aerial photo before granting the license, please advise and we will continue our efforts to obtain the same.

Very truly yours,


Roger D. Ling

RDL:sac

Enclosure

45 7032

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)

☐ Show address
where delivered

☐ Deliver ONLY
to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

CERTIFIED NO.

24991

1

Francis M. Carter

INSURED NO.

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

12-1-73

SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

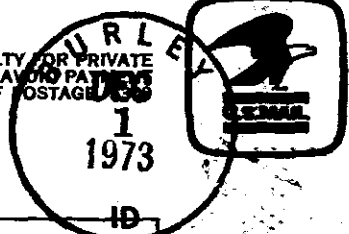
3

45 7032

PS Form 3811 Sep. 1972 68-16-81277-2

U.S. POSTAL SERVICE
OFFICIAL BUSINESS

PENALTY FOR PRIVATE
USE TO ADD TO POSTAGE
OF POSTAGE



Postmark of Delivering Office

SENDER INSTRUCTIONS

Print in the space below your name, address, including ZIP Code.
• If special services are desired, check block(s) on other side.
• Moisten gummed ends and attach to back of article.

RETURN
TO

DEPARTMENT OF WATER ADMINISTRATION
STATEHOUSE - ANNEX #2
BOISE, IDAHO 83707

45 7031

November 30, 1973

CERTIFIED MAIL

#24991

Re: Permit No. 45-7032

Francis M. Carter
3632 Overland Ave.
Burley, Idaho 83318

Dear Mr. Carter:

One of the conditions of approval of your water Permit No. 45-7032 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before February 1, 1974. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

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

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



R. KEITH HIGGINSON
Director

45 7032

Enc: Proof affidavit

cc: Roger D. Ling, Attorney
Toebling Bldg., Box 396
Rupert, Idaho 83350

ROGER D. LING
ROBERT M. NIELSEN

LING & NIELSEN
ATTORNEYS AT LAW
TOEBALING BUILDING
P. O. BOX 396
RUPERT, IDAHO 83350

AREA CODE 208
TELEPHONE 436-4717

November 14, 1973

Department of Water Administration
State of Idaho
Statehouse
Annex #2
Boise, Idaho 83702

Re: Permit No. 45-7032

Dear Gentlemen:

Would you please send proof of construction of works and application of water to beneficial use forms to this office so that a license can be obtained on the above permit.

Very truly yours,

Roger D. Ling/sac

Roger D. Ling

RDL:sac

*Sent proof of b/u
form.*

Jan

45 7032

45 7032

February 14, 1960

Re: Permit No. 45-7032

**Mr. Francis M. Carter
2632 Overland Avenue
Burley, Idaho 83318**

Dear Mr. Carter:

We enclose a copy of your approved application for permit 45-7032
in which we direct your attention to the limitations and conditions as given
on the fourth page under approval of the State Reclamation Engineer.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CRA:ah

**Enclosures: Copy of application
Receipt No. 2414 for \$50.
2 informational letters**

**cc. Mr. Herman E. Bodine
P.O. Box 249
Burley, Idaho 83318**

45 7032

Notice is hereby given that Francis M. Carter, 3622 Overland Avenue, Burley, Idaho, has on December 18, 1968, applied for permit under application No. 45-7032 to divert 6.4 cubic feet per second of water from a ground water source. Water will be diverted by a well, ditches, and headgates within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, sec. 12, T. 12 S, R. 21 E, B.M., Cassia County, and is to be used from ~~March to November 11~~ for irrigation and from January 1 to December 31 for domestic and stock water in the NW $\frac{1}{4}$ sec 12, T. 12 S, R. 21 E, B.M. OR

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

/s/ R. Keith Higginson
State Reclamation Engineer
Published in the South Idaho Press,
Burley, Idaho, on January 23 and
January 30, 1969.

45 7032

678-2201
Called 1-22-69

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

January 14, 1969

Re: Application No. 43-7007 - United States of America, Bureau of Sports Fisheries
Application NO. 45-7032 - Francis M. Carter
Claim No. 43-4016 - P.D. King
Claim No. 43-4017 - P.D. King

South Idaho Press
Box 190
Burley, Idaho 83318

Gentlemen:

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

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

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

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

Signature of claimant

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks
enclosure: legal notices (4)

45 7032

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that Francis M. Carter, 3632 Overland Avenue, Burley,

Idaho

has on December 18, 1968

applied for permit under application No. 45-7032 \ to divert ~~40 cfs~~

6.4

cubic feet per second above foot of water from a ground
water source

ditches, and headgates

. Water will be diverted by a well,
within the SW 1/4,

SE 1/4 NW 1/4, sec. 12, T. 12 S, R. 21 E, B.M., Cassia County

and is to be used from March 1 to November 11 for

irrigation and from January 1 to December 31 for domestic and stock water

in the NE 1/4, sec. 12, T. 12 S, R. 21 E, B.M.

Any protest against this application must be filed with the Department of
Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the South Idaho Press, Burley, Idaho

on January 23 and January 30, 1969

45 7032

57

HERMAN E. BEDKE

ATTORNEY AT LAW
POST OFFICE BOX 249
BURLEY, IDAHO 83318

TEL. 678-2401

1416 OVERLAND

December 17, 1968

Mr. Donald W. McEldowney
Appropriation Examiner
State of Idaho
Department of Reclamation
Statehouse - Annex 2
Boise, Idaho 83707

Re: Application for Permit, Francis M. Carter

Dear Mr. McEldowney:

In answer to your letter of December 16, please amend the above application to have .05 cubic feet per second, and have the culinary water period to read January 1 to December 31 of each year.

The reason that Mr. Carter needs a little extra is that there will be considerable livestock to water, especially during the winter months.

Also, you will find my check in the amount of \$5.00, which you requested as the filing fee for 6.4 cubic feet per second.

Yours truly,


HERMAN E. BEDKE

HEB:bhm
Enclosure

45 7032

December 16, 1968

Re: Application for Permit
Francis M. Carter

Herman E. Bedke
Attorney at Law
P. O. Box 249
Burley, Idaho 83318

Dear Mr. Bedke:

We are in receipt of your letter of November 27, 1968, your firm's check in the amount of \$45.00, and Mr. Carter's application for permit. Please be advised that the filing fee for 6.4 cubic feet per second is \$50.00. Therefore, if you would submit an additional \$5.00, we would be glad to process the application.

We have one other question concerning the quantity of water you have requested for domestic supply. You have requested 1.0 cubic feet per second for domestic purposes which we assume you wish for a year around use. If this is correct, please advise the department to change the period of use from 11-1 and 3-1 each year to January 1 to December 31 of each year.

Also, the quantity of water seems extremely excessive; however, if you would advise the department as to what to insert under Item 8a4 of the application, wherein the number of families to be served by the domestic water is requested, possibly we would assist you in a more adequate quantity of water to file upon. Our normal suggested rate of filing would be .02 cubic feet per second for each single family dwelling.

Your assistance in this matter is greatly appreciated.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DW:aks

45 7032

HERMAN E. BEDKE

ATTORNEY AT LAW
POST OFFICE BOX 249
BURLEY, IDAHO 83318

TEL. 678-2401

1416 OVERLAND

November 27, 1968

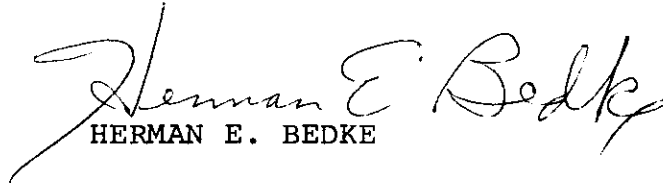
Department of Reclamation
State of Idaho
Boise, Idaho

Re: Francis M. Carter

Gentlemen:

I am enclosing an Application for Permit in regard to the application of Francis M. Carter, together with my trust check in the sum of \$45.00 as payment for the filing of the same.

Yours truly,


HERMAN E. BEDKE

HEB:cc
Enclosures

45 7032