

45-02591

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4193
WATER RIGHT NO(S). 45-02476/45-02574/45-02591/45-07048
45-07347 and Claim No. 45-10310

This is to certify that: **HEPWORTH FAMILY LIMITED PARTNERSHIP**
RT 2 BOX 2206
BURLEY ID 83318

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. 45-02476 :			
IRRIGATION	04/01 to 10/31	4.61 CFS	1947.7 AF
Priority: 03/29/1954			
Right No. 45-02574 :			
IRRIGATION	04/01 to 10/31	0.77 CFS	325.3 AF
Priority: 07/18/1959			
Right No. 45-02591 :			
IRRIGATION	04/01 to 10/31	3.74 CFS	1124.0 AF
Priority: 10/05/1959			
Right No. 45-07048 :			
IRRIGATION	04/01 to 10/31	2.50 CFS	1056.2 AF
Priority: 03/03/1970			
Right No. 45-07347 :			
IRRIGATION	04/01 to 10/31	4.50 CFS	1901.2 AF
Priority: 06/29/1978			
Claim No. 45-10310 :			
IRRIGATION	04/01 to 10/31	6.30 CFS	1260.0 AF
Priority: 05/01/1978			
Total		22.42 CFS	7614.4 AF

SOURCE

GROUNDWATER

RECORDED
FEB 07 1994

TRANSFER NO. 4193
WATER RIGHT NO(S). 45-02476/45-02574/45-02591/45-07048
45-07347 and Claim No. 45-10310

LOCATION OF POINT(S) OF DIVERSION:

NENE , Sec. 25, Township 11S, Range 21E
 SWNW , Sec. 25, Township 11S, Range 21E
 NESE , Sec. 25, Township 11S, Range 21E
 SESE , Sec. 26, Township 11S, Range 21E
 CASSIA County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
11S 21E 25	NENE 40	NWNE 40	SWNE 40	
	SENE 40	NENW 40	NWNW 40	
	SWNW 40	SENW 40	NESW 40	
	NWSW 40	SWSW 40	SESW 40	
	NESE 40	NWSE 40	SWSE 39	
	SESE 39			638
26	NENE 39	NWNE 39	SWNE 40	
	SENE 39	NENW 39	NWNW 39	
	SWNW 40	SENW 40	NESW 40	
	NWSW 40	SWSW 39	SESW 39	
	NESE 40	NWSE 40	SWSE 39	
	SESE 40			632
				1270

Total number of acres irrigated:

1270

CONDITIONS/REMARKS:

1. 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.
2. All rights when combined shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
3. The combined annual volume of water under Right Nos. 45-02476, 45-02574, 45-02591, 45-07048, 45-07347 and SRBA Claim No. 45-10310 shall not exceed 5080.0 acre feet.
4. Right No. 45-02476 is limited to the irrigation of 588 acres in the place of use described above in a single irrigation season.
5. Right No. 45-02574 is limited to the irrigation of 248 acres in the place of use described above in a single irrigation season.
6. Right No. 45-02591 is limited to the irrigation of 281 acres in the place of use described above in a single irrigation season.
7. Right No. 45-07048 is limited to the irrigation of 274 acres in the place of use described above in a single irrigation season.
8. Right No. 45-07347 is limited to the irrigation of 937 acres in the place of use described above in a single irrigation season.
9. Right No. 45-10310 is limited to the irrigation of 588 acres in the place of use described above in a single irrigation season.

FEB 07 1994

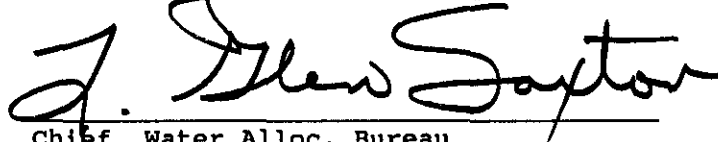
TRANSFER NO. 4193

WATER RIGHT NO(S). 45-02476/45-02574/45-02591/45-07048
45-07347/45-10310

CONDITIONS/REMARKS:

10. Prior to diversion of water from the newly authorized well, the right holder shall install flow measurement ports or other measuring devices as specified by the Department at each point of diversion.
11. Approval of this transfer in no way confirms the right claimed under SRBA Claim No. 45-10310.
12. Two points of diversion located in NWSWNW, S25, T11S, R21E.

Dated this 31st day of January, 1994.


Chief, Water Alloc. Bureau

REC 07 1994

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 Hepworth dba Hepworth Farms

Phone 678-5790

Post office address Route 2 Box 171A, Burley, Idaho 83318

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. 45-2476, 45-2574, 45-2591 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
thru purchase
3. Source of water ground water tributary to N/A
4. Date of priority see Inclosure 1
5. Water is used for the following purposes: see Inclosure 1
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)
6. Total amount of water under right: a. _____ cubic feet per second see Inclosure 1
&/or
b. _____ acre feet per annum
7. Location of original point of diversion is _____ ¼ of _____ ¼ of Section _____
Township _____ Range _____, B.M., in _____ County
Additional points of diversion, if any see Inclosure 1
8. Lands irrigated or place of use: see Inclosure 1

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

APPROVED

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 9.12 c.f.s. &/or - acre feet
- b. Point(s) of diversion SW NW
NE NE ¼ ¼, Section 25 Township 11S
Range 21E, B.M., Cassia County
Additional points NE½SE½ Sec. 25; NE½SE½, SW½SE½ Sec. 26 T. 11S R. 21E
- c. Description of diverting works 4 existing wells, pumps, sprinkler system
- d. Describe the reasons for applying for a change in the point(s) of diversion applicant wishes to tie all wells together in a common system for more-efficient irrigation of his farm

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 _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
APPLICATION FOR TRANSFER OF WATER RIGHT
XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

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

INCLOSURE 1

Name of applicant _____ Phone _____

Post office address _____

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. 45-2591 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 ground water tributary to _____

4. Date of priority 10-5-59

5. Water is used for the following purposes:

amount 3.74 cfs for irrigation purposes from Mar 15 to Nov 15

amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____

(month/day – both dates inclusive)

6. Total amount of water under right: a. 3.74 cubic feet per second

&/or
b. _____ acre feet per annum

7. Location of original point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 25

Township 11S Range 21E, B.M., in Cassia County

Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
11S	21E	25									40	40	40	40	34	23	26	38	281

Total number of acres to be irrigated 281

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

INCLOSURE 1

Name of applicant _____ Phone _____

Post office address

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree to

in case of _____ (Name)
vs _____

dated _____ in _____ county of _____
(Name of court)

b. License No. 45-2574 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 ground water tributary to

4. Date of priority 7-18-59

5. Water is used for the following purposes:

amount 0.77 for irrigation purposes from Mar 15 to Nov 15

amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____
(month/day – both dates inclusive)

6. Total amount of water under right: a. 0.77 cubic feet per second
&/or
b. _____ acre feet per annum

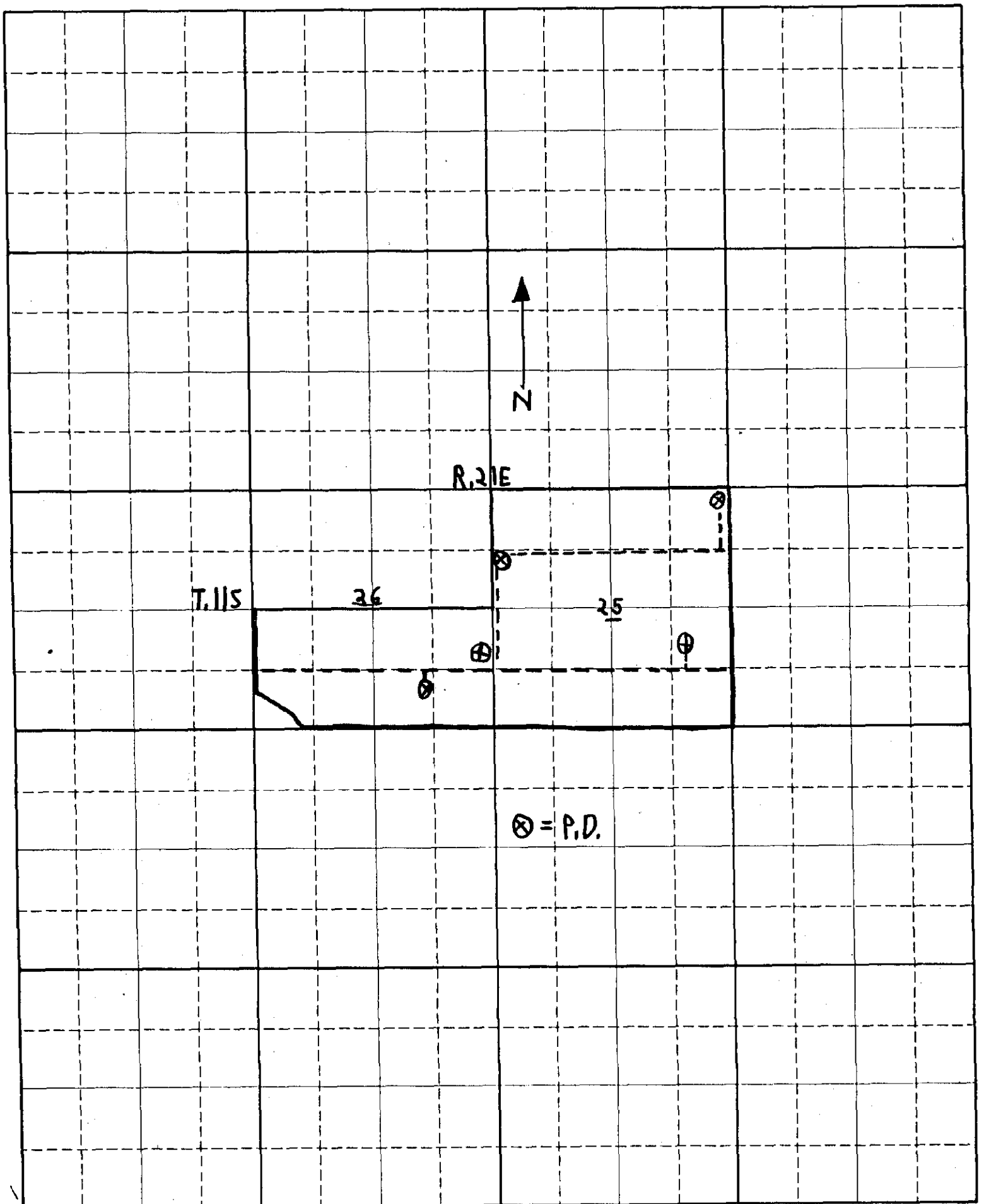
7. Location of original point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 25
Township 11S Range 21E, B.M., in Cassia County
Additional points of diversion, if any

8. Lands irrigated or place of use:

[illegible]

Total number of acres to be irrigated 248

- 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.



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.

Ron Hysmith
(Signature of applicant)

Subscribed and sworn to before me this 17th day of June, 19 78.

[Signature]
(Notary public)

My commission expires 2/22/81

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 45-2476, 45-2574, & 45-2591 and said application is hereby APPROVED, subject to the following limitations and conditions:

1. The maximum rate of diversion shall not exceed 9.12 cubic feet per second.
2. The maximum annual volume of water authorized to be diverted by this transfer shall not exceed 3188 acre feet.

Witness my hand this 24th day of August, 19 78.

Norman C. Young
Administrator

FOR DEPARTMENT USE ONLY

Received by JS Date 6-29-78
Prelim. check by ADM Fee \$30.00 #10485
Receipted by SM Date 6/29/78
Published in South Idaho Press
Pub. dates 7/18 * 7/25/78
Watermaster recommendation requested on N/A
_____ rec'd. _____

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

State of Idaho

License and Certificate of Water Right

Water License No. G-28196 Priority October 5, 1959 Amount 3.74 c.f.s.

THIS IS TO CERTIFY that Mrs. Henry E. Giles-Assignee-JAY O. TILBY

of Burley, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated October 5, 1959; that Permit No. G-28196 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 3.74 second feet, was issued thereunder on March 1, 1968, showing that said works were completed on the 31 day of October, 1966; and that on the 31 day of October, 1966 Mrs. Henry F. Giles

of Jerome, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of a well

a tributary of subterranean flow for the purpose of irrigation under Use Permit No. G-28196 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 ~~xx~~ ~~Volume~~ ~~xx of Licenses, at Page xx~~, on the 1 day of March, 1968.

The right hereby confirmed dates from October 5, 1959.

The Point of Diversion is located

in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 25, Twp. 11 S, R. 21 E, B.M., Cassia County.

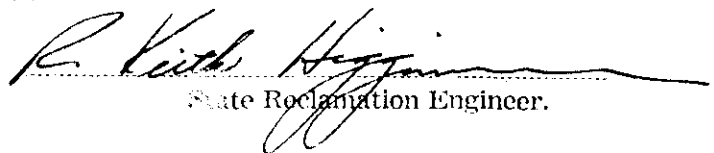
That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 3.74 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
11 S	21 E	25	SW $\frac{1}{4}$	160	160
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	40	34
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	40	23
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	40	26
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	40	38
Total number of acres irrigated:					281

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 1 day of March, 1968.


State Reclamation Engineer.

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)

STATE OF IDAHO) ss.

Cindy Duffen being first
duly sworn, deposes and says that she is the

Clark of the South Idaho
Press, a daily newspaper published at Bur-
ley, Idaho, in the county aforesaid and that
the paper is of general circulation therein.
Deponent further states that the printed no-
tice 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 7-18 1978 and ending
with the issue dated 7-25 1978

Cindy Duffen

Subscribed and sworn to before me

this 26th day of July
1978.

Notary Public

Cost of Publication 22.05

Notary Fee 22.05

Total Cost 22.05

NOTARY PUBLIC RESIDING AT
RUPERT, IDAHO. MY COMMISSION
EXPIRES JUNE 21, 1981

7B 290

NO. OF PROPOSED
CHANGES OF WATER RIGHT
No. 45-2476, 45-2574, 45-2591

NOTICE IS HEREBY GIVEN that Ron
Hepworth, dba Hepworth Farms, 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 rights sought to be changed
are evidenced by License No. 45-
2476, 45-2574 & 45-2591 and are
recorded as follows:

45-2476 - Amount: 4.61 cfs,
Priority: 3-29-54, Point of Diver-
sion: NE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec.
26, Twp. 11 S., Rge. 21 E., B.M.,
Cassia County. The water is used for
irrigation purposes of no more than
320 acres at one time within the
N $\frac{1}{2}$, Sec. 25; S $\frac{1}{2}$, Sec. 26, Twp.
11 S., Rge. 21 E., B.M.

45-2574 - Amount: 0.77 cfs,
Priority: 7-18-59, Point of Diver-
sion: NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 25, Twp. 11
S., Rge. 21 E., B.M., Cassia County.
The water is used for irrigation pur-
poses of 248 acres within the N $\frac{1}{2}$,
Sec. 25, Twp. 11 S., Rge. 21 E.,
B.M.

45-2591 - Amount: 3.74 cfs,
Priority: 10-5-59, Point of Diver-
sion: NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 25, Twp. 11
S., Rge. 21 E., B.M., Cassia County.
The water is used for irrigation
purposes of 281 acres within the
S $\frac{1}{2}$, Sec. 25, Twp. 11 S., Rge. 21
E., B.M.

TO BE CHANGED AS FOLLOWS

Amount: 9.12 cfs. (No change),
Point of Diversion: SW $\frac{1}{4}$ NW $\frac{1}{4}$,
NE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 25;
NE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 26,
Twp. 11 S., Rge. 21 E., B.M.,
Cassia County.

The applicant wishes to tie all
wells together in a common system
for more efficient irrigation of his
farm.

The water will be used for
irrigation purposes as stated above.

Any protest against approval of
the above proposed change of water
right must be filed with the Idaho
Department of Water Resources,
1041 Blue Lakes Blvd. North, Twin
Falls, Idaho 83301, on or before
August 4, 1978.

C. Stephen Allred
Director

Published in the South Idaho Press
on July 18 and 25, 1978.

MICROFILMED

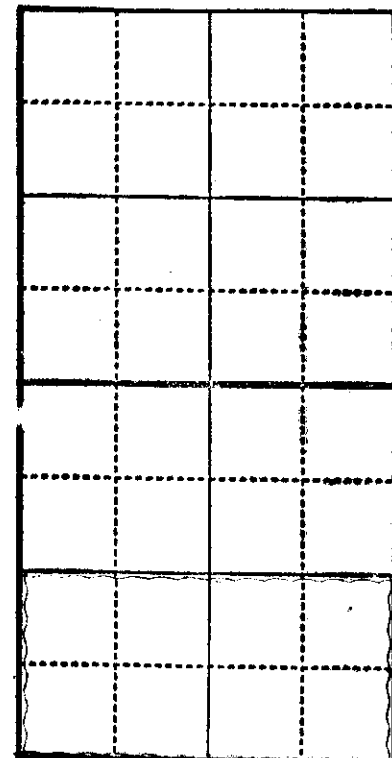
APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 36157
Permit No. G- 28196
District No.

45-2571
Jay O. Gilbey
Box 265 -
Furley Idaho

1. Name of Applicant: Mrs. Henry E. Giles
Postoffice address: Jerome County: Jerome State: Idaho
2. Quantity of water claimed: 6.4 cubic feet per second
(a) Rate of withdrawal in cubic feet per second 6.4 or Idaho
Miners' inches 320 or gallons per minute
(b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 25
Twp. 11 S. , Rge. 21 E. , B.M., County of Cassia
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:
(a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.
(b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Well, pump and ditches
8. Estimated cost of works: \$18,000
9. (a) Is reservoir to be used? No
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:
I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None
(a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
(b) 6.4 (cubic feet per second, inches or gallons per minute) is for new lands.



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

Agent.

Allowed: April 12, 1962

STATE RECLAMATION ENGINEER.

Governor

12.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals	
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼		
11 S	21 E	25										40	40	40	40	40	40	40	40	320
STATE OF IDAHO DEPARTMENT OF RECLAMATION WHEREAS, Permit No. G-28196, in the name of Mrs. Henry E. Giles, requires proofs of completion of works and beneficial use to be made on or before October 15, 1964; and, WHEREAS, said Permit was used in connection with Desert Land Entry Idaho Serial # 010965; and, WHEREAS, Applicant was prevented from proceeding with construction pending allowance of said Desert Land Entry, which was not allowed until April 12, 1962. NOW, THEREFORE, An Extension of Time is allowed for Completion of Works and Beneficial Use Proofs on Permit No. G-28196, to April 12, 1967, or the length of time applicant was prevented from proceeding pending allowance of his Desert Land Entry and a similar extension is allowed for ever other act required under the terms and conditions of Permit No. G-28196. Signed at Boise, Idaho, this 23rd day of January, 1964. s/ RALPH W. THOMAS Deputy State Reclamation Engineer																				

A S S I G N M E N T ✓

FOR VALUE RECEIVED, I hereby assign all of my right, title and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, Permit No. G-28196 to Jay O. Tilby, Box 265, Burley, Idaho.

/s/ HENRY E. GILES,
Permit Holder

HELEN B. GILES,
Wife of Permit Holder

State of Utah)
 : ss
County of Salt Lake)

On this 8th day of March, 1967, before me, a Notary Public for the State of Utah, residing at Salt Lake City, Utah, personally appeared Henry E. Giles and wife, Helen B. Giles, known to me (I.D.) 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 Notarial Seal the day and year in this certificate first above written.

/s/ VIOLA B. HUTTON,
Notary Public residing at
Salt Lake City, Utah

My commission expires: 7-18-1967.

PERMIT NO. G-28196

CERTIFICATE OF COMPLETION OF WORKS ✓

TO ALL WHOM IT MAY CONCERN:

This is to certify that Mrs. Henry E. Giles-Assignee-JAY O. TILBY of Burley, County of Cassia, and State of Idaho, the holder of Permit No. G-28196, issued upon Application No. G-36157 bearing date of priority of October 5, 1959, authorizing the diversion of 6.4 second feet of waters of a well County of Cassia, 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 the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 3.74 second feet of the waters of a well, from subterranean flow; that the point of diversion of said waters is in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 25, Township 11 South, Range 21 East, Boise Meridian; and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit: S $\frac{1}{2}$ Section 25, Township 11 South, Range 21 East, Boise Meridian.

Proof of Completion of Works made: October 31, 1966

Witness my hand this 1 day of March, A.D. 1968

S/ R. KEITH HIGGINSON
State Reclamation Engineer

LICENSE ISSUED FOR 3.74 SEC. FT.
LICENSE PAGE NO. 28196.

WR0749NP
No. T45-02591

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

DATE: 12/16/93
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	HEPWORTH FAMILY LIMITED PARTNERSHIP RT 2 BOX 2206 BURLEY ID 83318 (208) 678-5790	10/05/1959	IRRIGATION	04-01 10-31	3.74 CFS	1124.0 AFA
TOTAL DIVERSION:					3.74 CFS	1124.0 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T11S R21E S25 NE NE SW NW NE SE
S26 SE SE

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	SUM
11S	21E	25	:	40		40		40		40		40		40		40		40		638.0
11S	21E	26	:	39		39		40		39		40		39		40		40		632.0
TOTAL ACRES																				1270.0

Pou County: CASSIA

Other Rights: 45-2476 & 45-2574.

Other Water Rights with Same Point(s) of Diversion and Source:

45-02476 45-02574 45-02591 45-07048 45-07347 T45-02476 T45-02574 T45-07048 T45-07347 T45-10310

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

45-02476 45-02574 45-02591 45-07048 45-07347 45-07579 T45-02476 T45-02574 T45-07048 T45-07347
T45-10310

Conditions of Approval:

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

Remarks:

Two points of diversion located in NWSWNW, S25, T11S, R21E.
The combined annual volume of water under this right and Right
Nos. 45-02476/02574/07048/07347 and SRBA Claim No. 45-10310
shall not exceed 5080.0 acre feet.
Right No. 45-02591 is limited to the irrigation of 281 acres in
the place of use described above in a single irrigation season.
Right No. 45-02476 is limited to the irrigation of 588 acres in
the place of use described above in a single irrigation season.
Right No. 45-02574 is limited to the irrigation of 248 acres in
the place of use described above in a single irrigation season.

WR0749NP
No. T45-02591

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

DATE: 12/16/93
PAGE: 2

Remarks: Right No. 45-07048 is limited to the irrigation of 274 acres in the place of use described above in a single irrigation season. Right No. 45-07347 is limited to the irrigation of 937 acres in the place of use described above in a single irrigation season. Right No. 45-10310 is limited to the irrigation of 588 acres in the place of use described above in a single irrigation season. Prior to diversion of water from the newly authorized well, the right holder shall install flow measurement ports or other measuring devices as specified by the Department at each point of diversion.

Dates: App. Received: 06/07/1993 Priority Date: 10/05/1959
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date: 12/26/1979

Misc: Water District Number: Field Exam Fee:

Comments: Date: 07/29/1993 User-ID: BALDWIN Subject: TRANS. #4193
Trans. #4193 was filed to change the point of diversion under this right and Right Nos. 45-02476/02574/07048/07347 and Adjudication Claim No. 45-10310.

Audit: 12/16/93 SKAGGS

MEMORANDUM

TO: FILE 45-02591

FROM: PAM SKAGGS

RE: TRANSFER # 4193

DATE: 8-2-93

Original Transfer Application, Form and correspondence
regarding the above referenced Transfer is located within
file # 45-02476.

RECEIVED

FEB 07 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

August 25, 1978

Re: Transfer No. 2266

Ron Hepworth
dba Hepworth Farms
Route #2, Box 171A
Burley, ID 83318

Dear Mr. Hepworth:

Enclosed is a copy of your approved Application for Transfer of Water Right No.'s 45-2476, 45-2574 and 45-2591. Be sure to note the conditions of approval as listed on the fourth page.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:k
Enclosure

MICROFILMED

WARRANTY DEED

For Value Received JAY O. TILBY and MARY TILBY, husband and wife

the grantor s, do hereby grant, bargain, sell and convey unto

RONALD M. HEPWORTH and LOLITA HEPWORTH, husband and wife, and
WILLIAM G. HEPWORTH and ALICE HEPWORTH, husband and wife,
Route 2, Burley, Idaho 83318

the grantee s, the following described premises, to-wit:

Township 11 South, Range 21 East, Boise Meridian

Section 25: ALL

Section 26: S $\frac{1}{2}$

ALL IN CASSIA COUNTY, STATE OF IDAHO

SUBJECT to any and all rights of way and easements and negative easements or restrictions of record with respect to said real estate; and also subject to any and all rights of way and easements for utilities, ditches, or roads not shown by public records but presently existing over and upon said real estate.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s their heirs and assigns forever. And the said Grantor s do hereby covenant to and with the said Grantee s, that they are the owner s in fee simple of said premises; that said premises are free from all incumbrances except as above described.

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: February 15, 1977

STATE OF IDAHO, COUNTY OF CASSIA

On this 15th day of February, 1977,
before me, a notary public in and for said State, personally
appeared JAY O. TILBY and MARY TILBY
husband and wife,

known to me to be the person s whose name s are
subscribed to the within instrument, and acknowledged to
me that they executed the same.

Douglas F. Wolf
Notary Public
Burley, Idaho
Residing at Burley
Comm. Expires

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at the request of

at _____ minutes past _____ o'clock m.,
this _____ day of _____,
19 _____, in my office, and duly recorded in Book
of Deeds at page _____

Ex-Officio Recorder

By _____
Fees \$ _____
Mail to: _____

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: ADM

S.O.R. 3.3

1. Right number AS-2476/2574/2591 Applicant Ron Hepworth dba Hepworth Farms
2. Type of right: ☐ Decree ☒ Licenses ☐ 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. ATTACHMENT No. 1
 - c. ☒ Description of original place of use. " "
5. Amount of land &/or water transferred:
 - a. ☒ All of rights
 - 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. \$30.00 6-29-78
 - g. ☒ Check proof of ownership of right &/or land from which water is transferred. Not submitted as of 7/11/78 ADM
✓ Received 5-11-78 J.J.
 - h. ☒ Check for expansion in use of right. Comments _____
 - i. ☒ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) No Change in Lands
 - j. ☒ Is use within a Watermaster District? ☐ Yes ☒ No
If yes, what district? _____

FINAL PROCESSING REVIEW BY: J.J.

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

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny

3. Conditions* # 2, # 7 ≈ (9.12 cfs)

The maximum annual volume of water authorized to be diverted by this transfer shall not exceed 3188 acre feet

4. By Loren O'Halloran Date 8-14-78
J.J. 8-18-78

* All uses within Watermaster Districts require special conditions.

cc Sent to Boise 7/11/78 sm

RECEIVED
AUG 17 1978

Department of Water Resources

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

No. 45-2476, 45-2574, 45-2591

Notice is hereby given that Ron Hepworth, dba Hepworth Farms, 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 rights sought to be changed are evidenced by License No. 45-2476, 45-2574, & 45-2591 and are recorded as follows:

45-2476

Amount: 4.61 cfs

Priority: 3-29-54

Point of diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 26, Twp. 11S, Rge. 21E., B.M., Cassia County.

The water is used for irrigation purposes of no more than 320 acres at one time within the N $\frac{1}{2}$, Sec. 25; S $\frac{1}{2}$, Sec. 26, Twp. 11S, Rge. 21E., B.M.

45-2574

Amount: 0.77 cfs

Priority: 7-18-59

Point of diversion: NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 25, Twp. 11S, Rge. 21E., B.M., Cassia County.

The water is used for irrigation purposes of 248 acres within the N $\frac{1}{2}$, Sec. 25, Twp. 11S, Rge. 21E., B.M.

45-2591

Amount: 3.74 cfs

Priority: 10-5-59

Point of diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 25, Twp. 11S, Rge. 21E., B.M., Cassia County.

The water is used for irrigation purposes of 281 acres within the S $\frac{1}{2}$, Sec. 25, Twp. 11S, Rge. 21E., B.M.

TO BE CHANGED AS FOLLOWS

Amount: 9.12 cfs (No change)

Point of diversion: SW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 25; NE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 26, Twp. 11S, Rge. 21E., B.M., Cassia County.

The applicant wishes to tie all wells together in a common system for more

efficient irrigation of his farm.

The water will be used for irrigation purposes as stated above.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, ID 83301, on or before August 4, 1978.

C. STEPHEN ALLRED

Director

Published in the South Idaho Press on 7/18 & 7/25/78.

MICROFILMED



John V. Evans
Governor

C. C. J. Alfred
Director

OFFICE OF THE
DIRECTOR
SOUTHERN REGION

July 11, 1978

South Idaho Press
Box 190
Burley, ID 83318

Re: Transfer of Water Right - Ron Hepworth dba Hepworth Farms

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,

Loren O. Holmes
Southern Region Supervisor

LOH:sm

Enc.

RECEIVED
JUL 12 1978

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that Mrs. Henry E. Giles-Assignee-JAY O. TILBY
 of Burley, County of Cassia, and State of
 Idaho, the holder of Permit No. G-28196, issued upon
 Application No. G. 36157 bearing date of priority of October 5, 1959, authorizing the
 diversion of 6.4 second feet of waters of a well

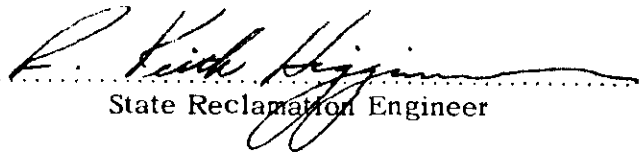
County of Cassia, State of Idaho, for irrigation
 purposes, has fully complied with the provisions of the laws of the State of Idaho
 relating to the proof of completion of the works of diversion set out and described in said
 Permit; that said works are adequate for diverting and conveying to the place of intended
 use 3.74 second feet of the waters of a well, from subterranean
 flow;

that the point of diversion of said waters is in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 25, Township
 11 South, Range 21 East, Boise Meridian;

and that the lands proposed to be irrigated by the use or place of use of said water are
 described as follows, to-wit: S $\frac{1}{2}$ Section 25, Township 11 South, Range
 21 East, Boise Meridian.

Proof of Completion of Works made: October 31, 1966

Witness my hand this 1 day of March, A. D. 19 68


 State Reclamation Engineer

March 1, 1968

Re: Permit No. G-28196

Jay C. Tilby
Box 265
Burley, Idaho 83318

Dear Mr. Tilby:

Enclosed are your Certificate of Completion of Works and License and Certificate of Water Right on the above numbered permit.

Also enclosed is departmental receipt No. 263 in the amount of \$21.00 covering the fees.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kd

Enclosures: Certificates
Receipt

28196

Burley, Idaho
December 18, 1967

Department of Reclamation,
Dear Mr. McEldowney,

Enclosed is the #21 for
Certificate of Completion of Works
and Licensed Certificate of Water
Right for well drilled by me
on permit G 28196.

RECEIVED Jay O. Tilley
Box 265
Burley, Idaho
DEC 19 1967

Department of Reclamation

28196

December 4, 1967

Re: Permit G-28196

Jay O. Tilby
Box 265
Burley, Idaho 83318

Dear Mr. Tilby:

A representative of this department has made an examination of the works covered by your permit G-28196 and has found the following:

Quantity of water diverted: 3.74 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 3.74 c.f.s.

Purpose of use: Irrigation of 281 acres in S₄, Sec. 25,

T. 11 S. R. 31 E. B.M.

The priority date established is: October 5, 1959.

A fee totaling \$ 21.00 must be received within 30 days from the date of this letter in order that we can issue you the Certificate of Completion of Works and the License and Certificate of Water Right as described above.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:rw

28196

December 4, 1967

Re: Permit G-28196

Jay O. Tilby
Box 265
Burley, Idaho 83318

Dear Mr. Tilby:

A representative of this department has made an examination of the works covered by your permit G-28196 and has found the following:

Quantity of water diverted: 3.74 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 3.74 c.f.s.

Purpose of use: irrigation of 281 acres in S $\frac{1}{2}$, Sec. 25,
T. 11 S, R. 21 E, B.M.

The priority date established is: October 5, 1959.

A fee totaling \$ 21.00 must be received within 30 days from the date of this letter in order that we can issue you the Certificate of Completion of Works and the License and Certificate of Water Right as described above.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:nw

28196

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. G-28196

REPORT ON PROOF OF Completion of Works & Beneficial Use

Ry. 21E.

To Boundary

Prop. 11 S.

25				PD	
40	40	28	34		~~142~~ 137
40	40	26	38		144
80	80	49	72		281
				121	
				160	
				281	

Area - 281 A

Subd - 8

Q - 3.74 cfs

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

Permit No. G-28196

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

1. Name of applicant Mrs. Henry E. Giles

2. Source of water supply: Subterranean

3. Location of point of diversion: Is in the N $\frac{1}{2}$ Sec. 25 of Section 25

T. 11 S R. 21 E County of Cassia

4. Describe works as they exist, giving dimensions and capacities of same:

300 H.P. U.S. Motor # 1374252

Layne + Bowler pump # D11423 1900 gpm @ 510'

10" discharge to concrete lined ditches.

5. Water is used for: irrigation

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

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

S $\frac{1}{2}$, Sec. 25, T. 11 S, R. 21 E, B.M.

(320 acres)

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

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

Remarks: X=14 $\frac{1}{2}$ @ y=6 X=204 @ y=12 10" d

(y=6 6.85 x .545 = 3.733 c.f.s.) (y=12 6.7 x .545 = 3.65 c.f.s.)

This is operated in conjunction with another desert entry covering N $\frac{1}{2}$ sec. 25 and water is used in N $\frac{1}{2}$ also. This is a temporary arrangement and the N $\frac{1}{2}$ will be watered by a well under G-27778

This examination was made on the 29th day of June, 1967.

(Signed)

Don Webb & Dean Reynolds
Examiner.

Plat -
28/8/6

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.
-

Mrs. Henry E. Giles *well & pump*
509 S. Birch Street *Q-2100g.p.m.*
Jerome, Idaho *H-435*

Permit No. G-28196 *? 680'*

CHECK DEGREE

Examination for Completion of Works & Beneficial Use

County Cassia

Sec. 25 T. 11 S. R. 21 E

Quantity: 6.4 c.f.s.

Source: Subterranean

P.D.: NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 25, T. 11 S, R. 21 E, B.M.

Use: Irrigation

Extension: Yes

Protest:

Completion of Works:

Other Rights:

Filed: October 5, 1959

Due: April 12, 1967

Made: October 31, 1966

Priority: October 5, 1959

28196

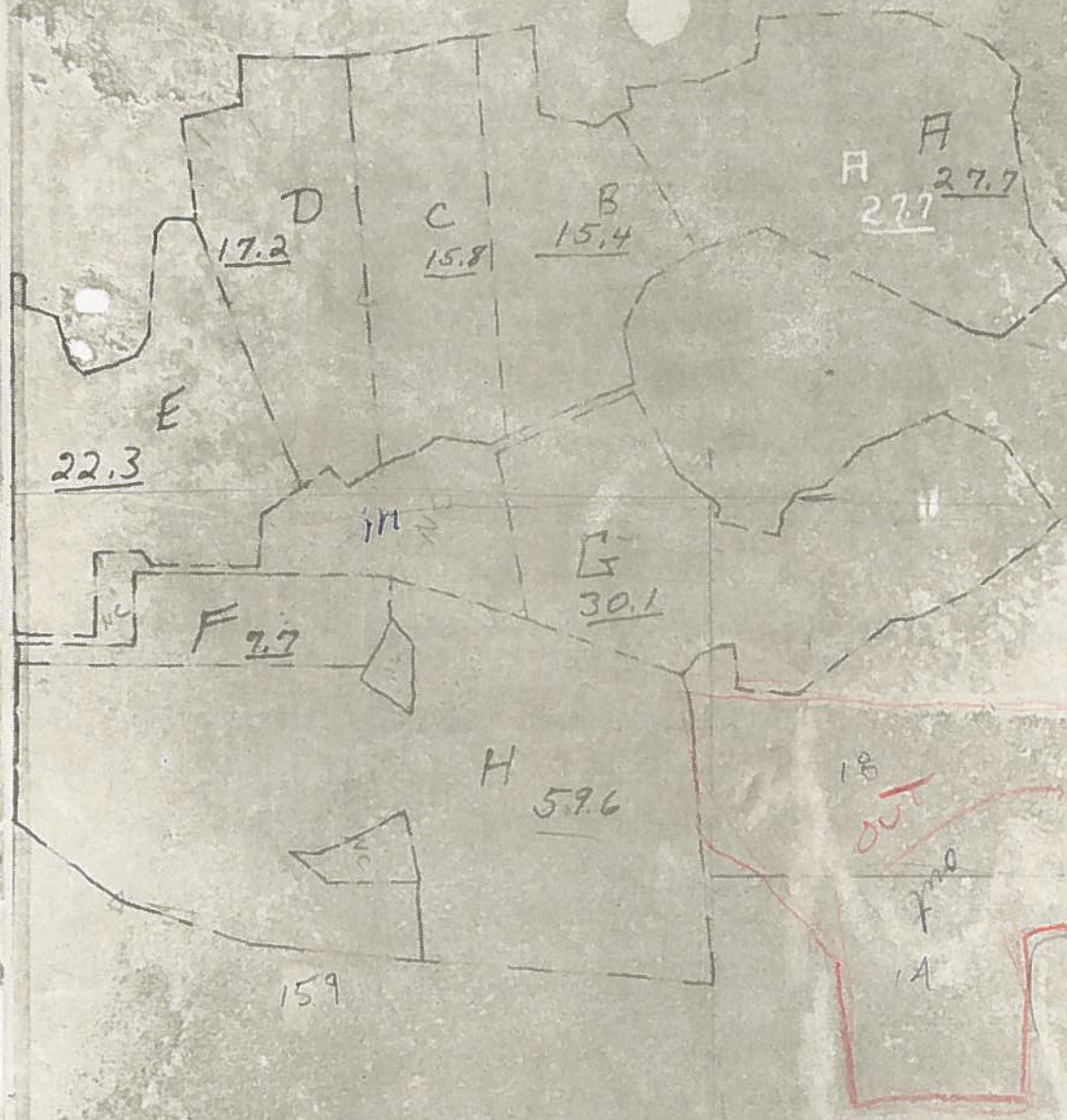
24

25

24

25

27-62-9
P.D. 11/11/11



P.D.

18
OUT
1A

120
159
259

$$V = \frac{4.01 \times 1.208}{\sqrt{1.002}}$$

14.5

$$\begin{array}{r} 2 \quad 4 \quad 2 \\ \sqrt{16.0000} \\ 16 \\ \hline 0000 \end{array}$$

$$\begin{array}{r} 200 \\ 12 \overline{) 240} \\ \underline{24} \\ 0 \end{array}$$

$$\begin{array}{r} 1.208 \\ 880 \end{array}$$

$$\begin{array}{r} 4.01 \\ 1.21 \\ \hline 4.01 \\ 802 \\ 101 \\ \hline 48521 \end{array}$$

2.42

$$\begin{array}{r} 6.86 \\ 707 \overline{) 48521} \\ \underline{4242} \\ 6100 \\ \underline{5656} \\ 4440 \end{array}$$

6.5

$$\begin{array}{r} 3 \\ 6.86 \\ \times .545 \\ \hline 3430 \\ 2144 \\ \hline 3430 \\ 367870 \end{array}$$

$$\begin{array}{r} 6.85 \\ .545 \\ \hline 3425 \\ 2740 \\ \hline 3425 \\ \hline 373225 \end{array} \times 1 = 3.73 \text{ cu. ft / sec}$$

$$\begin{array}{r} 545 \\ 6.7 \\ \hline 3815 \\ 3270 \\ \hline 3.6515 \end{array}$$

$$\begin{array}{r} 3.73 \\ 3.65 \\ \hline .08 \text{ cfs} \end{array}$$

$$\begin{array}{r} 4.01 \\ 2.25 \\ \hline 2005 \\ 802 \\ \hline 801 \\ 190225 \end{array}$$

707

March 14, 1967

RE: Permits G-27778 and G-28196

Jay O. Tilby
Box 265
Burley, Idaho

Dear Mr. Tilby:

Enclosed herewith is amendment to point of diversion and the two amendments on the above referenced permits. We have recorded the same in this department.

Also enclosed is departmental receipt No. G-11435 in the amount of \$1.00. This amount covers the recording fee for the assignments. Departmental receipt No. G-11419 in the amount of \$1.00 was given to you at an earlier date. This was for the recording of the amendment to the point of diversion.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw

Encl: Receipt
Assignments (2)
Amendment

28196

RECEIVED

MAR 13 1967

ASSIGNMENT

Department of Information received, I hereby assign ALL of my right, title and interest

in and to Permit to appropriate the Public Waters of the State of Idaho, Permit

No. G28196 to JAY C. TILBY

Address: Box 265

* Burley, Idaho

Henry E. Giles
Permit Holder

Helen B. Giles
Wife of Permit Holder

STATE OF Utah)
IDAHO)
County of Salt Lake) ss

On this 8th day of March, 1967, before me, a Notary
Public for the State of Utah, residing at Salt Lake City, Utah,
personally appeared Henry E. Giles and wife Helen B. Giles
(I.O.)
known to me, to be the person whose name are is 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 Notarial
Seal, the day and year in this certificate first above written.

Charles B. Hutton
Notary Public
Residing at Salt Lake City, Utah

My commission expires: 7-18-1967

Note:

* If fractional part of permit is to be assigned, the fractional part of the land
to which the assigned fraction is appurtenant should be described by legal sub-
divisions.

XXXXXXXXXX

November 7, 1966

Re: Permit No. G-28196

Mrs. Henry E. Giles
509 South Birch
Jerome, Idaho

Dear Mrs. Giles:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the ~~Buxley Herald Bulletin~~ all submitted in proof of completion of works and beneficial use on Permit No. G-28196.

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 to contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

M. Russell Bosch
Office Manager

MRB:nw

P.S. Enclosed is receipt for legal publication. We do not need it for our files.

28196

28196

The Burley Herald-Bulletin

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)

) ss:

STATE OF IDAHO)

Walter W. Schramm, being first

duly sworn, deposes and says that he is the

Editor

of Burley Herald-Bulletin, a weekly 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 weekly editions of Burley Herald-Bulletin for

four (4) consecutive weeks, commencing

with the issue dated October 3, 1966, and

ending with the issue dated October 24, 66

Subscribed and sworn to before me this

26th day of October, 1966

Ruth Schramm, Notary Public

Cost of Publication

Notary fee

Total Cost

66-303

NOTICE OF PROOF OF COMPLETION OF WORKS

APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that on the 31st day of October, 1966, at Burley, County of Cassia, State of Idaho, before Alfred Crane Sr., Notary Public, at Cassia County Court House, proof will be submitted of the completion of works for the diversion of 6.40 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-28196, 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 Mrs. Henry E. Giles, 509 So. Birch, Jerome, 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 6.40 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 6.40 cubic feet per second.

4. The point of diversion of said water is NE 1/4, Sec. 25, T 11 S, R 21 E.B.M.

5. The place where said water is used is South 1/2, Sec. 25, T 11 S, R 21 E.B.M.

6. The date of priority which said user is prepared to establish is October 5, 1959.

R. KEITH HIGGINSON
State Reclamation Engineer
Published in the Burley Herald-Bulletin October 3, 10, 17, 24, 1966.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G28196

RECEIVED
NOV 1 1966

Department of Reclamation

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: _____

Mrs. Henry C. Giles - 309 S. Birch Jerome Idaho

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

none

Ques. 3. State number, approval date of permit, and date of priority: _____

G28196 - October 15, 1959 - October 5, 1959

Ques. 4. State source of water supply: _____

Give location of point of diversion, showing subdivision, section, township and range

NE 1/4, SE 1/4 Sec 25, T11S, R21E BM

Ques. 5. Describe your works of diversion: Well & pump

_____ ; state amount of water they are capable of conveying from point of diversion to place of use: _____ ; 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 680 feet, depth and size of

well from 270 ft to 350 ft ; depth to water 432 ft ; if pump is used,

state discharge of pump: 210 gal per minute tell how it was measured or determined tested

by Lamer & Bowler test pump ; if sprinkler irrigation, give number and size

of nozzles and operating pressure: none

Ques. 6. State for what purpose water is used: Irrigation

(If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water:

<u>NE 1/4, SE 1/4 Sec 25, T11S, R21E</u>	<u>NE 1/4, SW 1/4 Sec 25, T11S, R21E</u>
<u>SE 1/4, SE 1/4 "</u>	<u>SE 1/4, SW 1/4 "</u>
<u>NW 1/4, SE 1/4 "</u>	<u>NW 1/4, SW 1/4 "</u>
<u>SW 1/4, SE 1/4 "</u>	<u>SW 1/4, SW 1/4 "</u>

log in

28186

State nature of all improvements which have been made as a direct result of said use:

Electric 300 HP pump, motor, switches, concrete ditch, graded dirt ditches

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: Jay O. Tilley Box 265 Burley Idaho

Ques. 7. If for other than irrigation purposes, show full legal description of place of use and state purpose for which water is used: Driller License No 145
none

Ques. 8: 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:

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: May 1966 - Time used since first use:

All of irrigation and farming season of 1966

Ques. 10. Describe all other water rights appurtenant to same place of use: none

(sign) Mrs. Henry E. Hiles

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

Burley, County of Cassia
State of Idaho, on this 31st day of October, A. D. 1966.

My commission expires: _____

Alfred Crane Jr
Justice of Peace
1st District

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

NOV 1 1966
Department of Reclamation

Permit No. G28196 -

and Completion of Works

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

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:

Dick Redman, 42, 2320 Miller Ave Burley Idaho
Coop Supply Mgr.

Ques. 2 Are you acquainted with Mr & Mrs Giles, the holder of
Permit No. G28196? How long have you known him and where does he reside?

1-year

Ques. 3. Have you read or heard said Permit No. G28196 read, and are you familiar
with its provisions and conditions: Yes U No.

Ques. 4. State source of water supply: Well + pump

Give location of place of diversion, showing subdivision, section, township and range
NE 1/4, SE 1/4, Sec 25, T11S, R21E BM

Describe works for conveying water to place of use: Lugm + Bowler 300 HP
electric pump, concrete ditches, and graded dirt ditches

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 450 second feet or 225 inches How much water have you seen being so
conveyed? 450 second feet or 225 inches

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:

<u>NE 1/4, SE 1/4 Sec 25, T11S, R21E BM</u>	<u>NE 1/4 SW 1/4 S25, T11S, R21E</u>
<u>NW 1/4, SE 1/4 - "</u>	<u>SE 1/4 SW 1/4 - "</u>
<u>SE 1/4 SE 1/4 - "</u>	<u>NW 1/4 SW 1/4 - "</u>
<u>SW 1/4 SE 1/4 - "</u>	<u>SW 1/4 SW 1/4 - "</u>

Ques. 7. If for other than irrigation purposes, show full legal description of place
for use, and state purpose for which water is used.

none

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and
give your estimate of the amount of water required for its profitable cultivation.

Good farming land - brush cleared
Requires $\frac{3}{8}$ inches of water per acre

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned?

If so, in what way and to what extent?

no

Ques. 10. When did you first see this water used?

May 1966

Other times you have seen such use:

All summer of 1966

(Signed):

Dick Redrich

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

Burley, County of Cassia, State of Idaho, on
this 31st day of October, A. D. 1966

Alfred Crane
Justice Peace ~~Notary Public~~ for the State of Idaho
Residing Burley Idaho

My commission expires _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G28196

RECEIVED
NOV 1 1966
Department of Reclamation

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:

Ralph King 45 576 W 24th Boise Idaho
Jm Co-op Supply

Ques. 2 Are you acquainted with _____, the holder of

Permit No. G28196? How long have you known him and where does he reside?

Two years

Ques. 3. Have you read or heard said Permit No. G28196 read, and are you familiar

with its provisions and conditions: Yes ✓ No. _____

Ques. 4. State source of water supply: Well + pump

Give location of place of diversion, showing subdivision, section, township and range

NE 1/4, SE 1/4, Sec 25, T11S, R21E BM

Describe works for conveying water to place of use: Lapine Bowler 300 HP

electric pump, concrete ditch and graded dirt ditches

Ques. 5. How many second feet of water do you estimate said works will safely conduct

to place of use: 450 second feet How much water have you seen being so

conveyed? or 225 inches 450 second feet or 225 inches

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving

full legal description:

NE 1/4, SE 1/4 Sec 25, T11S, R21E BM NE 1/4 SW 1/4 Sec 25, T11S, R21E BM

SE 1/4, SE 1/4 " " SE 1/4 SW 1/4 " "

NW 1/4, SE 1/4 " " NW 1/4 SW 1/4 " "

SW 1/4, SE 1/4 " " SW 1/4 SW 1/4 " "

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

APR 13 1966

none

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Good farm land - brush cleared -

Requires 7.5 inches per acre.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned?

If so, in what way and to what extent? No

Ques. 10. When did you first see this water used? May 1966

Other times you have seen such use: All summer 7 1966

(Signed):

Ralph House

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

Burley, County of Cassia, State of Idaho, on this 31st day of October, A. D. 1966

Justice Place Notary Public for the State of Idaho
Residing Burley IDAHO

My commission expires _____

RECEIVED
SEP 20 1966

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) September 19, 1966

(P. O.) Burley, 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 Shradd Bulletin of
Burley published in the
county in which the works are situated.

Wesley B. Giles

(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

10/1/63

NOTICE OF PROOF OF COMPLETION OF WORKS

SEP 20 1966

and
APPLICATION OF WATER TO BENEFICIAL USE

Department of Reclamation

Notice is hereby given that ~~Alfred Crane Jr.~~, on the 31st day of October, 1966 at Burley, County of Cassia, State of Idaho, before Alfred Crane Jr., Notary Public, at (address) Cassia County Court House, proof will be submitted of the completion of works for the diversion of 6.40 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-28196, 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 Mrs. Henry C. Olsen, 509 S. Birch, Jerome
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 6.40 cubic feet per second. ~~3.20~~
3. The use to which said water has been applied is Irrigation, purposes, and the amount applied to beneficial use is 6.40 cubic feet per second.
4. The point of diversion of said water is NE $\frac{1}{4}$ SE $\frac{1}{4}$ - Section 25 T11S, R21E BM
5. The place where said water is used is South $\frac{1}{2}$ Sec 25, T11S, R21E BM.
6. The date of priority which said user is prepared to establish is October 5, 1959.

State Reclamation Engineer

28196

September 23, 1966

Re: Permit No. G-28196

Herald Bulletin
Burley, Idaho

Gentlemen:

Enclosed you will find a legal notice which we wish to have published for four consecutive weeks prior to October 31, 1966. The expense of the publication is to be paid by Helen B. Giles of 509 S. Birch, Jerome, Idaho to whom you should furnish proof of publication on or prior to the above date.

Please acknowledge receipt of this notice and furnish this office with a copy or tear sheet of the notice for checking at least one week prior to the first publication.

Very truly yours,


State Reclamation Engineer

BKH:nw

28196

September 23, 1966

Re: Permit No. **0-28196**

Mrs. Henry E. Giles
309 S. Birch
Jerome, Idaho

Dear Mrs. Giles:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. **0-28196**. The proofs are to be made at **11 o'clock**, on the **31st** day of **October**, 19 **66**, before **Alfred Crane, Sr.** Notary Public.

As of this date, we have mailed the Notice to the **Herald** **Bulletin**, with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof then mail the Affidavit of Publication and statement of costs to you.

It is important that the enclosed depositions be executed by you and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the place, on the date, and at the time and before the Notary, as advertised. It is very important and necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been signed, the Notary's seal has been placed on each and that all depositions, (holder and two witnesses) are being returned. Also be sure to enclose the **AFFIDAVIT OF PUBLICATION**

Very truly yours,

M. Russell Beach
Office Manager

Encl.

cc: Notary

MB:aw

28196

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

WHEREAS, Permit No. G-28196, in the name of Mrs. Henry E. Giles, requires proofs of completion of works and beneficial use to be made on or before October 15, 1964; and,

WHEREAS, said Permit was used in connection with Desert Land Entry Idaho Serial # 010965; and,

WHEREAS, Applicant was prevented from proceeding with construction pending allowance of said Desert Land Entry, which was not allowed until April 2, 1962;

NOW, THEREFORE, An Extension of Time is allowed for Completion of Works and Beneficial Use Proofs on Permit No. G-28196, to April 12, 1967, or the length of time applicant was prevented from proceeding pending allowance of his Desert Land Entry and a similar extension is allowed for every other act required under the terms and conditions of Permit No. G-28196.

Signed at Boise, Idaho, this 23rd day of January, 1964

Deputy State Reclamation Engineer

January 23, 1964

Re: Permit No. G-27778; G-28196
H. E. Giles & Mrs. Henry E. Giles

U. S. Bureau of Land Management
P. O. Box 2237
Boise, Idaho

Gentlemen:

Enclosed are Extensions of Time on the above permits
as follows:

Permit No. G-27778, in the name of H. E. Giles, extension
to April 12, 1967, in connection with Desert Land Entry #010169

Permit No. G-28196, in the name of Mrs. Henry E. Giles,
extension of time to April 12, 1967, in connection with Desert Land
Entry No. 010965.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. extensions

January 23, 1964

Re: Permit No. G-27778 - H. E. Giles
" " G-28196 - Mrs. Henry E. Giles

Henry E. Giles
509 South Birch
Jerome, Idaho

Dear Sir:

Enclosed are Extensions of Time on the above numbered permits to April 12, 1967, which have been recorded in the office.

Copies of these extensions have been forwarded to the U. S. Bureau of Land Management.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. extensions (2)

28196



UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

Land Office
P. O. Box 2237
Boise, Idaho

IN REPLY REFER TO:

BO:VBS
Baha 010943

APR 12 1962

Mrs. Henry E. Giles

Melan Martha Giles

200 West 2509 So. Birch
Jerome, Idaho

RECEIVED

NOTICE OF ALLOWANCE

Department of Reclamation

Dear **Mrs. Giles:**

Your **Desert Land Entry**, Serial No. **Baha 010943**,
Receipt No. **034094**, for **64**
_____, Section **23**,
Township **11 N.**, Range **31 E.**, Boise Meridian, Idaho,
containing **200** acres, has this day been allowed, subject
to any valid existing rights and your further compliance with laws
and regulations applicable thereto. In correspondence relating to
this entry, always refer to the serial number shown above.

**Subject to the Act of July 17, 1914, which may require the
reservation of all oil and gas deposits to the United States.**

Sincerely yours,

c.c. State Reclamation

Michael H. Sloan
Land Office Manager

October 22, 1959

Re: Permit No. G-28196
Mrs. Henry E. Giles

Bureau of Land Management,
P.O.Box 2237,
Boise, Idaho.

Gentlemen:

We enclose two copies of Permit No. G-28196
one of which has been certified, to be used in connec-
tion with Desert Land Entry filed in your office by
permit holder, Mrs. Henry E. Giles, of 509 S. Birch St.,
Jerome, Idaho.

Very truly yours,

GEO. W. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rutledge
Chief Clerk

Encl.
EPR:spk
cc: Mrs. Henry E. Giles

28196

October 22, 1959

Re: Permit No. G-28196

Mrs. Henry E. Giles,
509 S. Birch St.,
Jerome, Idaho.

Dear Mrs. Giles:

We enclose Permit No. G-28196 in which we direct your attention to the limitations and conditions as given on the fourth page under Approval of the State Reclamation Engineer.

By this same mail, we have sent to the Bureau of Land Management, two copies of this permit, one of which has been certified, to be used in connection with the Desert Land Entry filed in that office. A copy of that letter is enclosed.

Departmental Receipt No. G-4368, which was issued covering payment in the amount of \$8.50, which includes \$6.50 for the filing fee and \$2.00 for the copies sent to the Bureau of Land Management, was given to you while in our office.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

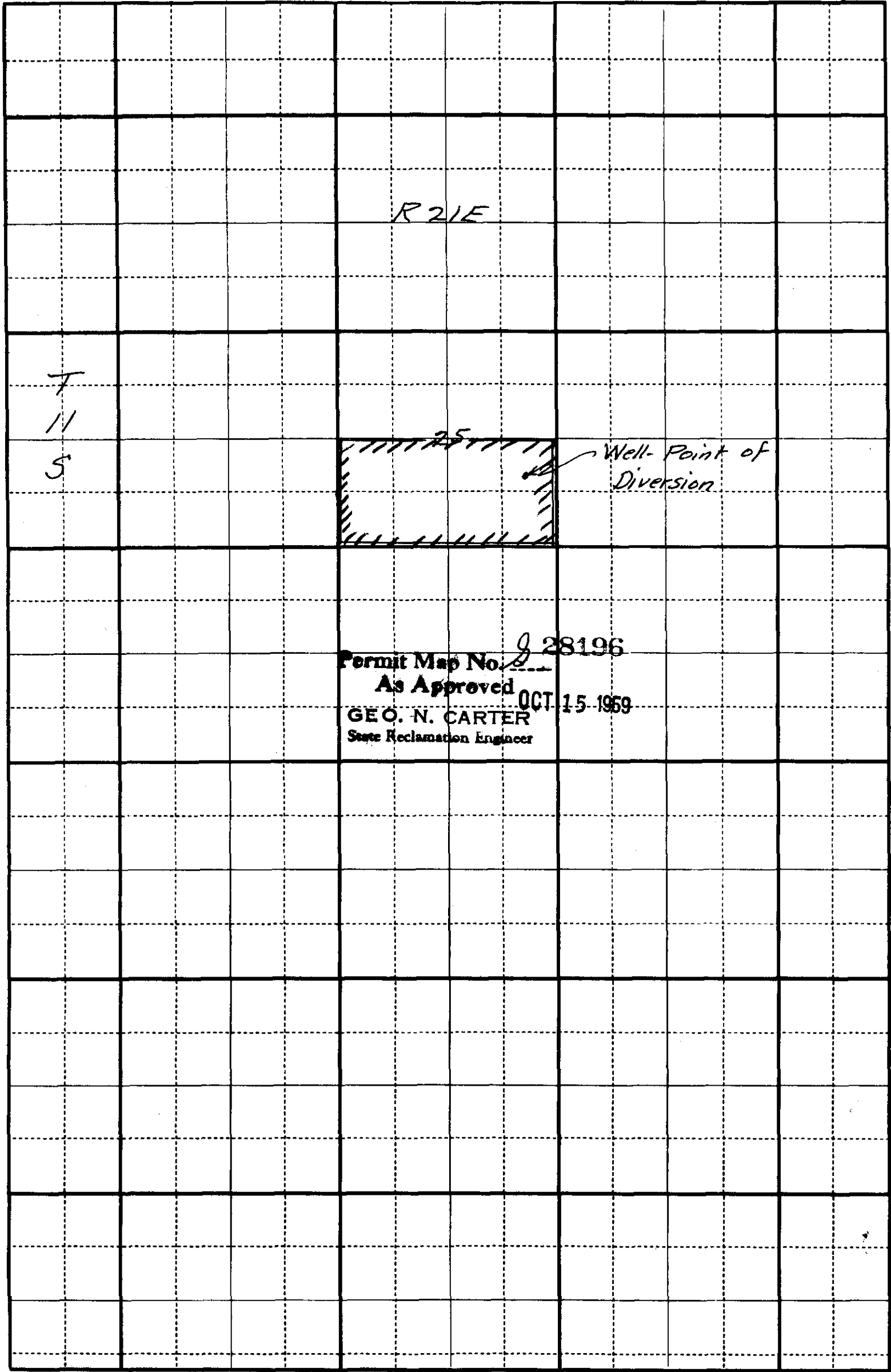
(Mrs.) Edna P. Rutledge
Chief Clerk

Encl.
EPR:spak

28196

NAME OF APPLICANT Mrs. Henry E. Giles

Form No. 0



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

28196

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

Notice is hereby given that on the 31st day of October, 1906, at Burley, County of Cassia, State of Idaho, before Alfred Crane Sr., Notary Public, at Cassia County Court House, proof will be submitted of the completion of works for the diversion of 640 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-28196, 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 Mrs. Henry E. Giles, 509 So. Birch, Jerome, 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 640 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 640 cubic feet per second.

4. The point of diversion of said water is NE 1/4, SE 1/4, Sec. 26, T 12 S, R 24 E.B.M.

5. The place where said water is used is South 1/4, Sec. 26, T 12 S, R 24 E.B.M.

6. The date of priority which said user is prepared to establish is October 5, 1909.

R. KEITH HIGGINSON
State Reclamation Engineer
Published in the Burley Herald-Bulletin October 3, 10, 17, 24, 1906.

RECEIVED

OCT. 14 1959

Department of Reclamation

Jerome Idaho

Oct 12 1959

Q-27778
Dear Sirs

My correct address is

Mrs. H. E. Stiles

509 So. Birch

Jerome Idaho

Mrs. H. E. Stiles

28196