

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A22-02200
Date Received: 8/12/1988
Receipt No: E001389
Received By: PM

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BOYD E. HOWARD 208-458-4318
Address: 150 CHURCH ST.
NEWDALE, ID 83436
OR
Name: REESE J. GODFREY 208-458-4179
Address: 8671 EAST HIWAY 33
NEWDALE, ID 83436
OR
Name: JUNIOR OSTERMILLER 208-458-4135
Address: EAST HIWAY 33
NEWDALE, ID 83436

A2202200



2. Date of Priority: MAY 14, 1961

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	41E	3	SE	NE			MADISON

5. Description of diverting works:
WELL AND PUMP WITH SPRINKLERS AND DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S. (or)	A.F.A.
IRRIGATION	04/01	11/01	2.700	

7. Total Quantity Appropriated is:
2.700 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 370.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A22-02200

Page 1

Date: 08/12/88

MICROFILMED

OCT 29 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06N	41E	3	NE		NE		IRR	25.0
			NW		NE		IRR	2.0
			SW		NE		IRR	23.0
			SE		NE		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
							Section Acres	170.0
							Total Acres	170.0

11. Place of use in counties: MADISON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

14. Remarks:

THIS RIGHT COVERS LAND OWNED BY EACH OF THE CURRENT CLAIMANTS.

15. Basis of Claim: LICENSE
Water Right Number: 29465

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): *Joseph L. Howard* Date: 8-14-88

Date: _____

State of Idaho)
County of Fremont) SS.

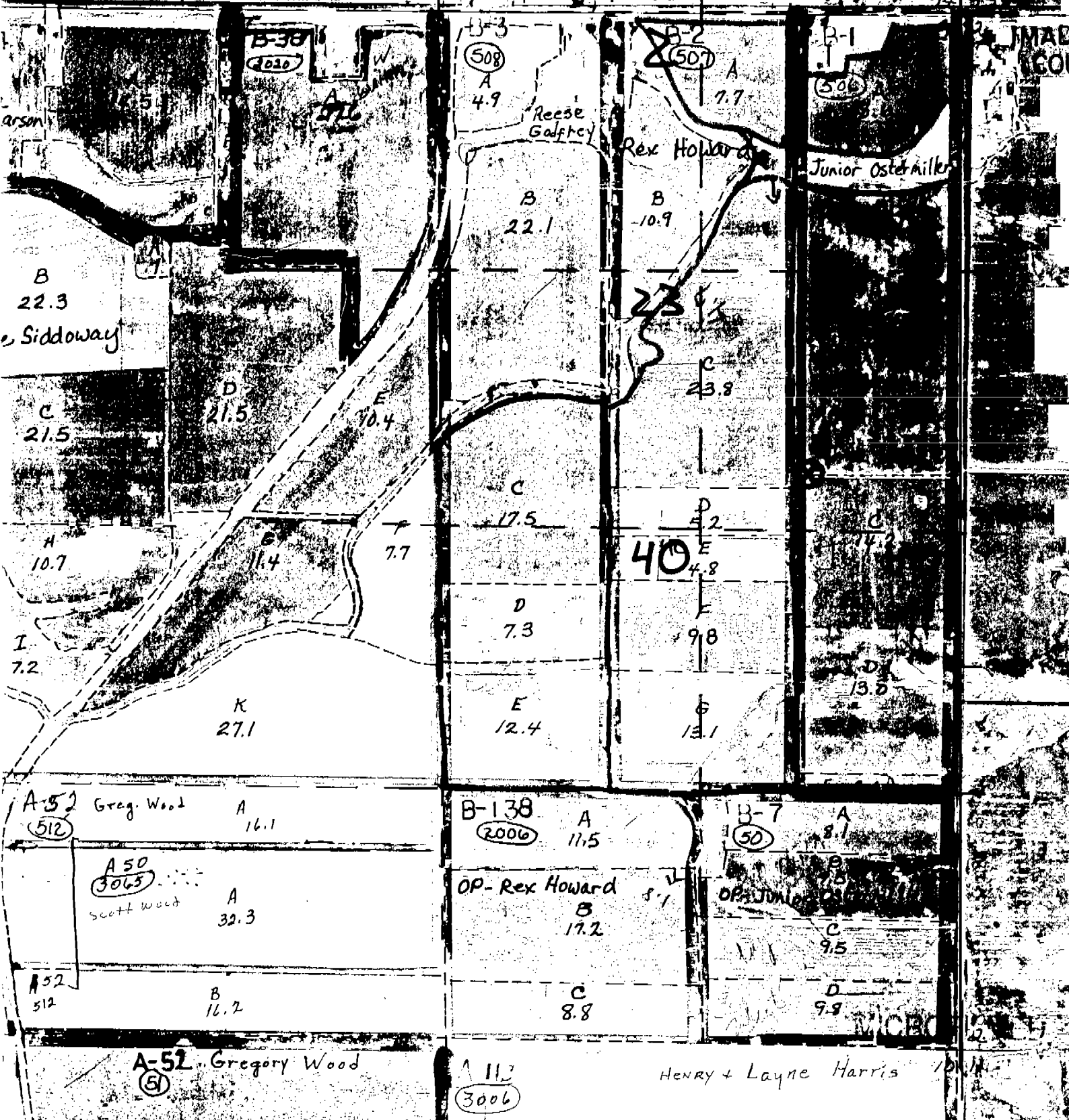
Subscribed and sworn (or affirmed) before me this 14th day
of August 19 88

Susan Lott
Notary Public

Seal

Residing at Newdale, Fremont Co.
My Commission Expires 3-18-1994

A22-02000



Log for claim 22-02200

Spatial Dynamics LTD

8/6/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
06n41e	3	NENE	25	30	Indiscernible
06n41e	3	NWNE	2	1.8	
06n41e	3	SWNE	23	24	
06n41e	3	SENE	40	39	
06n41e	3	NESE	40	38	
06n41e	3	NWSE	40	39	
Totals:			170	171.8	

WATER LICENSE

Water License No. G-29465 Priority May 14, 1961 Amount 2.7 c.f.s.
(late proof)

THIS IS TO CERTIFY, that Stanton Howard - Assignee - George Ostermiller, Sr., Rexford S. Howard and Reese J. Godfrey
of Newdale, Idaho, made application for a permit to appropriate the public waters of

the State of Idaho, dated February 14, 1961; that Permit G-29465 was issued pursuant

to said application; that the proposed works were completed on or about June 1961

with a storage/or carrying capacity of 2.7 c.f.s., said works consisting of well, pump,

motor, pond and sprinkler system; and that on May 24, 1966

proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 595
when combined with all other rights appurtenant to the same land and shall not exceed
acre feet per season/ with a maximum rate of diversion of 2.7 cubic feet per second of the waters that
amount

of ground water, tributary of _____,

for the purpose of Irrigation from April 1 to October 31

and for _____ from _____ to _____; and for

_____ from _____ to _____; and that the use

of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-

mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is

located in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 3, T. 6 N, R. 41 E, B.M., and

other additional points _____, in the County of

Madison; and that the amount of water to which such right is

entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially

used for said purposes and shall not exceed 595 acre feet per year. when combined with all other rights
appurtenant to the same land and shall not exceed that amount.

Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
<u>6 N</u>	<u>41 E</u>	<u>3</u>	<u>37</u>	<u>2</u>	<u>25</u>	<u>37</u>									<u>32</u>	<u>37</u>			<u>170</u>

Total number of acres irrigated 170

The right to the use of the water hereby confirmed is restricted to the lands or place of use herein described,

as provided by the laws of Idaho.

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

27th day of March, 19 69

R. Keith Hogg
State Reclamation Engineer

22 2200

89465

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Cop. Filling & Pump Co.
Box 154
Idaho Falls, Idaho

22-2200

Application No. G- 37463
Permit No. G- 29465
District No.

Assigned to

George Ostermiller, Jr.
Raymond J. Sadler
Howard

1. Name of Applicant: Stanton Howard

Postoffice address: Newdale

County: Fremont

State: Idaho

2. Quantity of water claimed:

(a) Rate of withdrawal in cubic feet per second 4.8 or Idaho
Miners' inches 240 or gallons per minute

(b) Annual withdrawal in acre feet per annum

3. Source of water supply: Subterranean from well

4. Location of point of diversion or well is in the SE 1/4 of the NE 1/4 of Section 3
Twp. 6 N , Rge. 41 E , B.M., County of Madison

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 1/4 of the 1/4 of Section , Twp.
Rge. , B.M.

(b) Waste water or sewage effluent is to be returned to
at a point in the 1/4 of the 1/4 of Section , Twp. , Rge. , B.M.

7. Kind of works: drilled well

8. Estimated cost of works: \$12,000

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 five 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:

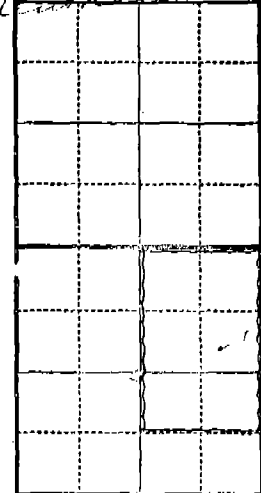
(d) Other resources:

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, except Canyon Creek Early runoff - 116.5 shares total

(a) 4.8 (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) (cubic feet per second, inches or gallons per minute) is for new lands.



Remarks: This well is being drilled on my property but it will be used for irrigation of George Ostermillers, my own and Reec Godfrey's property as outlined on the enclosed plat.

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.

s/ Stanton Howard

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 9:00 A.M. February 14, 1961

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G- 29465

Recorded in Book 103 Page 29465 Approved February 24, 1961

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ to be filed on or before

Work to begin on or before and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before August 24, 1963

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before February 24, 1966

Witness my hand this 24th day of February, 1961

s/ GEO. N. CARTER
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, Governor of the State of Idaho, and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 24th day of February, 1961.

Countersigned:

STATE OF IDAHO

(SEAL)

By s/ ARNOLD WILLIAMS

Secretary of State.

By s/ ROBERT E. SMYLIE

Governor

12.

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6 N	41 E	3	40	40	40	40									40	40			240
ASSIGNMENT ✓																			
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, No. G-29465 to George Ostermiller, Sr., Rexford S. Howard and Reese J. Godfrey, all of Newdale, Idaho.																			
*in equal, undivided interests.																			
STATE OF IDAHO) County of Madison)																			
On this 13th day of April, 1966, before me, a Notary Public for the State of Idaho, residing at Rexburg, Idaho, personally appeared Stanton Howard and Carrie Howard, known to me to be the persons whose names are subscribed to the within instrument, and duly acknowledged to me that they executed the same.																			
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal, the day and year in this certificate first above written.																			
My Commission expires 1-26-67																			
															s/ Ray W. Rigby Notary Public, Residing at Rexburg, Idaho				

LICENSE ISSUED FOR 2.7 SEC. FT.
LICENSE PAGE NO.

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

Permit No. G-29465

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

1. Name of applicant George Ostermiller, Sr., Rexford S. Howard, Reese J. Godfrey
Newdale, Idaho

2. Source of water supply: subterranean

3. Location of point of diversion: Is in the SE 1/4 of Section 3

T. 6 N R. 41 E County of Madison

4. Describe works as they exist, giving dimensions and capacities of same: U.S. Hall shaft
100 H.P. 1248503 Byron & Jackson 378693 8" Discharge
into Ditch used for gravity flow and the flow
to the west dumps into a pond General Electric
40 H.P. Motor is used to pump water out
of pond into sprinkler system P.V. 324103

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):

NE 1/4, N 1/2 SE 1/4, Sec. 3, T. 6 N., R. 41 E., B. M.

NEEDS to be amended to include S 1/2 SE 1/4 +
S 1/2 SW 1/4 of Sec. 3

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

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

Remarks: Sprinkling meter was used

200 in 574 Sec. $\frac{200}{74} = \frac{100}{37} = 2.7027$

REGULATED REQUIREMENT = 3.5 AC-FT / ACRE / SEASON
needs amendment to land list to include S 1/2 SE 1/4 + S 1/2 SW 1/4 Sec 3
original permit only for 240 acres

This examination was made on the

day of

1968

(Signed)

Don Reynolds

Examiner.

29465

plat
att

George Ostermiller, Sr. *pump, mainline*
Rexford S. Howard
Reese J. Godfrey *laterals, sprinklers*
Newdale, Ida. *6" 563' H-230'*
Permit No. G-29465 ✓ *250 nozzles*

Completion of Works
Examination for and Beneficial Use

County Madison

Quantity: 4.8
22-

Source: subterranean

P.D.: SEANEX, Sec. 3, 6N 41E

Use: irrigation

Extension:

Protest:

Completion of Works:

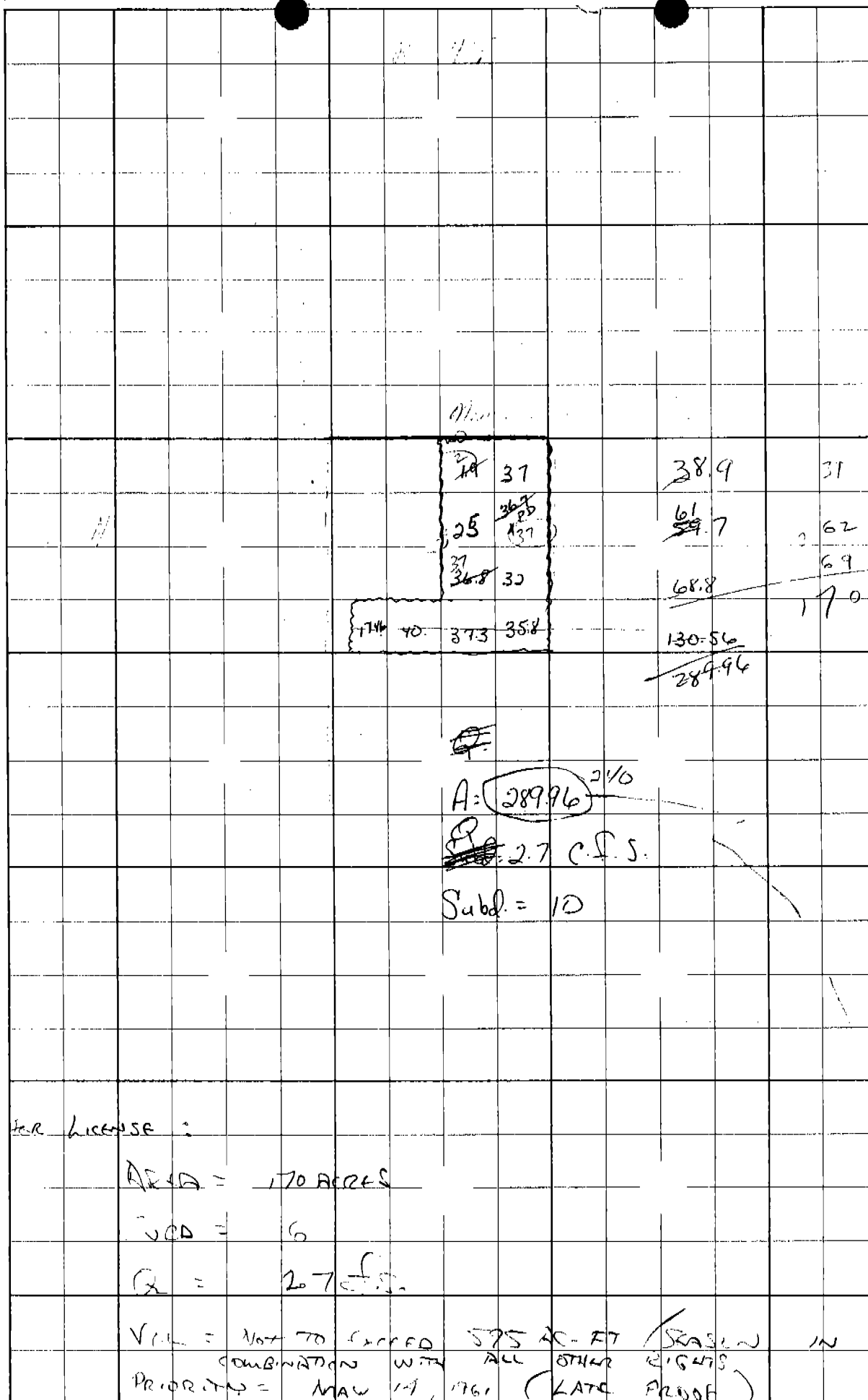
Other Rights: Canyon Creek early
run-off 116.5 shares

Filed: Feb. 14, 1961

Due: Feb. 24, 1966

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.



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. G-29465

REPORT ON PROOF OF Completion of Works and Beneficial Use

George Ostermiller, Sr., Rexford S. Howard
Reese J. Godfrey, Newdale, Idaho

