BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF TRANSFER NO. 3854 OF WATER RIGHT NO. 34-02366 IN THE NAME OF MICHAEL B. OR DIANE BEITZ	**ORDER GRANTING EXTENSION OF TIME TO COMPLETE TRANSFER**

On September 9, 1991, the Department approved the above referenced Application for Transfer with a condition that:

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

On August 6, 1992, the Department approved an Order granting a one year extension of time to complete the transfer.

The right holder has notified the Department that the transfer has not yet been accomplished due to drought conditions.

The right holder has requested an extension of time for completion of the transfer and has shown reasonable cause for the delay.

IT IS, THEREFORE, HEREBY ORDERED that the right holder of Transfer No. 3854 is granted an extension to September 9, 1994 in which to accomplish the transfer.

Dated this 7th day of May, 1993.

L. Glen Saxton

L. GLEN SAXTON
Chief, Water Allocation Bureau

MICROFILMED
MAY 18 1993

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF TRANSFER NO. 3856 4	
OF WATER RIGHT NO. 34-02366B IN THE	**ORDER GRANTING EXTENSION OF TIME TO COMPLETE TRANSFER**
NAME OF MICHAEL B. OR DIANE BEITZ	

On September 9, 1991, the Department approved the above referenced Application for Transfer with a condition that:

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

The Department has requested notification that the transfer has been completed.

The present owner of the property has notified the Department that the transfer has not yet been accomplished and has requested an extension of time for completion of the transfer.

IT IS, THEREFORE, HEREBY ORDERED that the right holder of Transfer No. 3854 is granted a one year extension period in which to accomplish the transfer.

Dated this 6th day of August, 1992.

L. Glen Saxton

L. GLEN SAXTON
Chief, Water Alloc. Bureau

MICROFILMED
MAY 18 1993

Form 222
1-87

Page 1 of 6

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 3854

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

APPROVED

Name of applicant MICHAEL B. OR DIANE BEITZ Phone 208-527-3403

Post Office address P.O. Box 93, ARCO, ID. 83213

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
   ☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes ORIGINAL PLACE OF USE UNDER LICENSE HAS BEEN SUBDIVIDED AND SOLD AS SEPERATE PARCELS. APPLICANT WISHES TO TRANSFER PORTION OF LICENSE TO WELL HE NOW OWNS ON PORTION OF PROPERTY HE HAS PURCHASED

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

1.

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
34-02366	MAY 12, 1960	0.09	IRRIGATION	4/1 to 11/1
				to
				to
				to

2. Total amount of water being transferred 0.09 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water GROUNDWATER tributary to _____

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	SW	~~NE~~	35	4N	26E	BUTTE	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
4N	26E	35			7.0														7.0

SEP 27 1991

Total acres 7.0

Transfer No. 3854

PART 1

6. General Information:

a. Description of diversion system 50' x 6" WELL (EXISTING) WITH 2HP SUBMERSIBLE PUMP. PIPED INTO PORTABLE MAINLINE WITH 5 SPRINKLER HEADS. THE WELL ALSO SUPPLIES WATER TO 1 HOME. CLAIMED IN SRBA UNDER NOTICE NO. A34-10121.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? X Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes. WESTONE BANK, BOISE IDAHO.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

NO CHANGE IN PLACE OF USE.

d. Remarks:

POINT OF DIVERSION DESCRIBED AS: LOT 10, BLOCK 11 OF HAMMOND SUBDIVISION, BUTTE COUNTY.
PLACE OF USE DESCRIBED AS: LOTS 1-10 BLOCK 12 AND LOTS 1, 2, 3, 4, 5, 7, 8, 9, 10 BLOCK 11 OF HAMMOND SUBDIVISION, BUTTE COUNTY, IDAHO.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 34-02366

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

See attached sheet for conditions of approval.

SEP 27 1991

Witness my hand this 9th day of September, 19 91.

R. Glen Saxton

Chief, Water Allocation Bureau

ATTACHMENT
CONDITIONS OF APPROVAL

Transfer of Water Right No. 34-02366

Transfer No. 3854

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

2. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.

3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

4. The well shall be cased with unperforated casing and sealed to a minimum depth of 150 feet or to the first confining layer, whichever is deeper. Both the owner and the well driller are charged with the responsibility of taking whatever steps might be necessary to prevent the shallow "perched" ground water from entering the well.

5. The permit holder shall notify the Department at least five (5) days prior to the start of well construction in order that the Department can observe the work.

6. Diversion and use of water from the well is subject to the control of the watermaster of Water District No. 34, the Big Lost River.

7. The Director retains jurisdiction of the construction of the well or reconstruction of an existing well to require mitigation or reconstruction of the well if prior water rights are injured as determined by the Director.

Dated this 9th day of September, 1991.

L. Glen Saxton

L. GLEN SAXTON
Chief, Water Allocation Bureau

RECEIVED
SEP 27 1991

 Transfer No. 3854

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
   a. Decree No. _____ Decreed to _____
   in case of _____ vs. _____
   dated _____ in _____ county of _____
   b. License No. 34-02366 issued by the Idaho Department of Water Resources.
   c. Claim No. _____ on file with the Idaho Department of Water Resources.
   d. Transfer No. _____ which produced this right.
2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:
   ☒ Tax Notice ☐ Warranty Deed ☐ Other _____
3. Source of water GROUNDWATER tributary to _____
4. Date or priority MAY 12, 1960
5. Water is used for the following purpose:
   amount 0.68 (cfs/~~ac-ft~~) for IRRIGATION purposes from 4/1 to 11/1
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
6. Total amount of water under right 0.68 cubic feet per second and/or _____ acre-feet per annum.
7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	NW	SE	35	4N	26E	BUTTE	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
4N	26E	35			31											19			50

SEP 27 1991

Total acres 50

9. Describe any other water rights used for the same purpose as described above NONE

PART 2

Transfer No. 3854

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

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. amount 0.09 (cfs/~~ac-ft~~) for IRRIGATION purposes from 4/1 to 11/1
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	~~SE~~	~~SW~~	~~NE~~	35	4N	26E	BUTTE	
		NW	SE					

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
4N	26E	35			7.0														7.0

Total acres _____

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

1. amount 0.59 (cfs/~~ac-ft~~) for IRRIGATION purposes from 4/1 to 11/1
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	~~NE~~	NW	SE	35	4N	26E	BUTTE	

3. Lands irrigated or place of use:

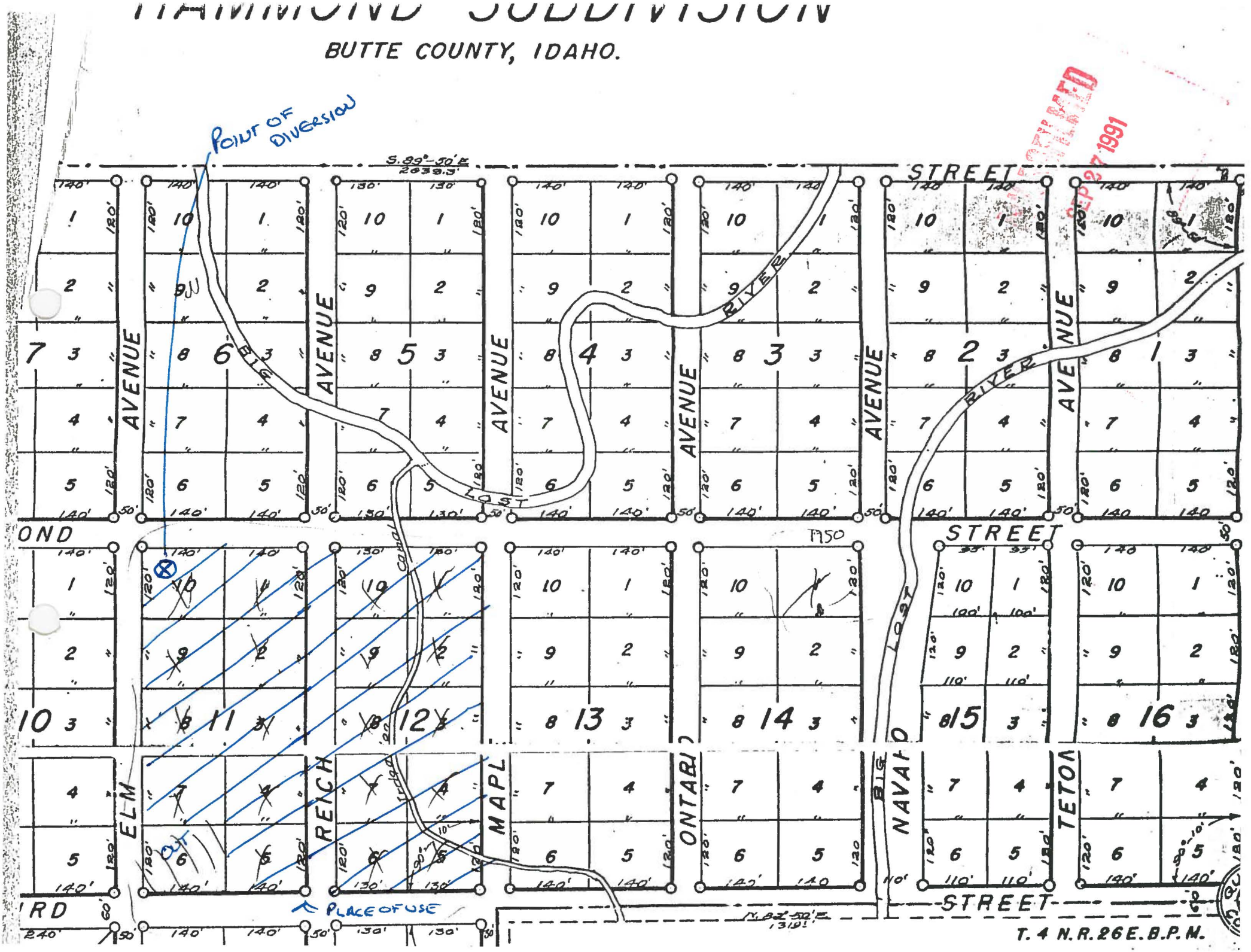
Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
4N	26E	35			24											19			43

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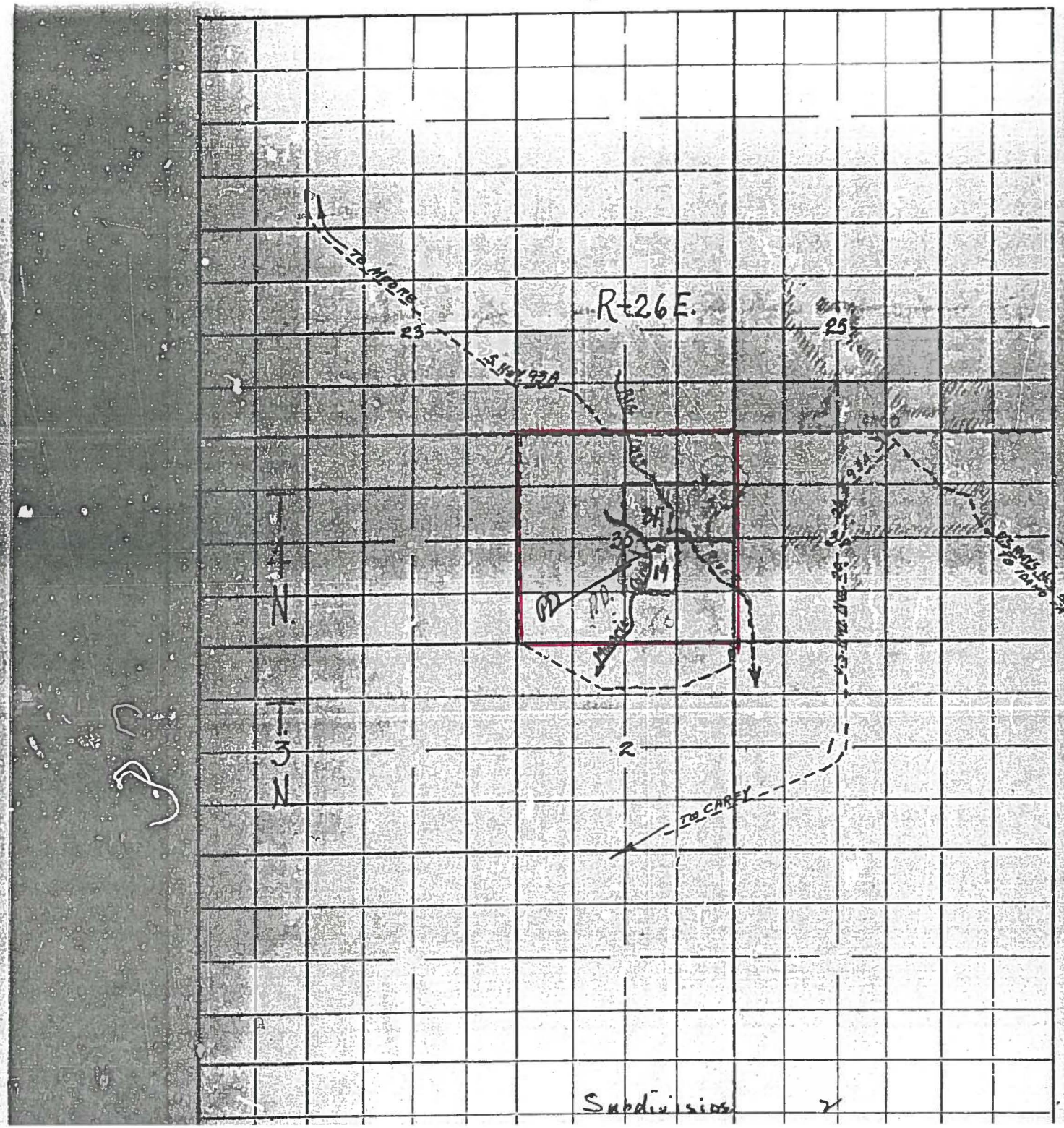
Total acres 43

DIAMOND SUBDIVISION

BUTTE COUNTY, IDAHO.



MAP from original Field exam 34-02366



Form 23

This proo

1. Name

2. Sourc

3. Locat

T.

4. Descr

Tanks

HG"

7/32"

5. Water

6. State

7. List l

of acr

than 1

8. What

Remarks:

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SEP 27 1991

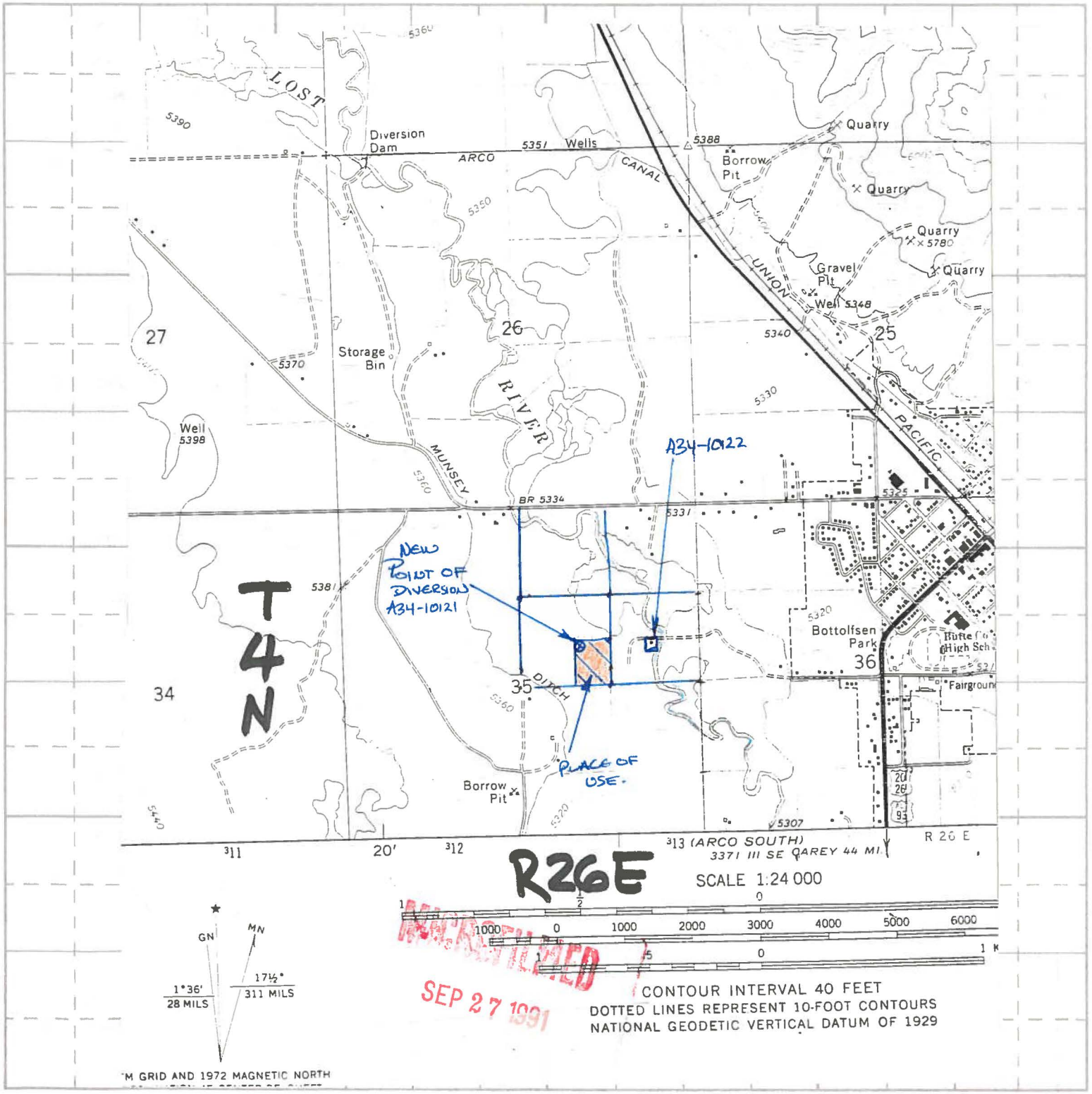
Transfer No. 3854

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

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



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

Transfer No. 3854

PART 3

B. CHANGES IN NATURE OF USE

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

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Michael B. [illegible]
(Signature of Applicant)

Subscribed and sworn to before me this 10 day of October, 19 89.

(Notary Public)

My commission expires 22 August 1994

ASSIT SEC 10-10-89

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by DW Date 6-7-91 Protest filed by _____

Prelim. check by HWS Fee 50.00 _____

Receipted by HWS Date 6-7-91 # E 016182 _____

Published in Arco Advertiser Copies of protest forwarded by _____

Pub. dates 7-18 ; 25-91 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☑ approval ☐ denial

_____ rec'd. _____ by RDC

Copy of transfer sent to lien holder _____

RECORDED

SEP 27 1991

BUTTE COUNTY ASSESSOR
P. O. BOX 157
ARCO, ID 83213

THIS IS NOT A BILL

PARCEL NO. RP A0850012001A A

TAX CODE 4-00

PRESORTED
FIRST CLASS MAIL
U. S. POSTAGE PAID
PERMIT NO. 005
ARCO, ID 83213

CATEGORY DESCRIPTION	LOTS / ACRES	MARKET VALUE
15 RUR SUB RES		1,790
37 BLDG RES SUB		1,190
		2,980*

1990
TAXPAYERS
VALUATION
ASSESSMENT NOTICE

Taxes are based on the valuation listed on this statement

IF THERE ARE ANY QUESTIONS REGARDING THIS STATEMENT NOTIFY THE ASSESSOR'S OFFICE BEFORE

JUNE 22, 1990

See the reverse side for further references
KEEP THIS COPY FOR YOUR RECORDS

PROPERTY ADDRESS
PREVIOUS NUMBER
AMMOND SUB DIV
LK 12 ALL

Mail To:
BEITZ, MICHAEL B
& BEITZ, MARY DIANE

P O BOX 93
ARCO, ID 83213

BUTTE COUNTY ASSESSOR
P. O. BOX 157
ARCO, ID 83213

THIS IS NOT A BILL

PARCEL NO. RP A0850011001A A

TAX CODE 4-00

PRESORTED
FIRST CLASS MAIL
U. S. POSTAGE PAID
PERMIT NO. 005
ARCO, ID 83213

CATEGORY DESCRIPTION	LOTS / ACRES	MARKET VALUE
15 RUR SUB RES		3,470
37 BLDG RES SUB		46,350
HOMEOWNER EXEMPTION --->		23,175
		26,645*

1990
TAXPAYERS
VALUATION
ASSESSMENT NOTICE

Taxes are based on the valuation listed on this statement

IF THERE ARE ANY QUESTIONS REGARDING THIS STATEMENT NOTIFY THE ASSESSOR'S OFFICE BEFORE

JUNE 22, 1990

See the reverse side for further references
KEEP THIS COPY FOR YOUR RECORDS

RECEIVED
SEP 27 1991

PROPERTY ADDRESS
PREVIOUS NUMBER
AMMOND SUB DIV
LK 11 LOTS 1-5 INCL
OTS 7-10 INCL

Mail To:
BEITZ, MICHAEL B
& BEITZ, MARY DIANE

P O BOX 93
ARCO, ID 83213

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resource

Receipt No: E016182

Date: 6/ 7/1991
Time: 13:16:29

Received
From: BEITZ. DIANE

Type of Payment	Program A cct	Amount
APPLIC. FOR TRANSFER- 34-02366	530199 1238 6390	50.00

Total $50.00

CHECK 2234

Region: EASTERN Signature: H.W. Jones

MICROFILMED
SEP 27 1991

Colleen Babcock

STATE OF IDAHO }
COUNTY OF BUTTE }

On this 25 day of July
in the year of 1991, before me, a Notary Public,
personally appeared
Colleen Babcock
known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Thomas D. Cam
Notary Public for Idaho
Residing at Arco, Id.
My commission expires: 12-17-91

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO.'S 33-02125 & A33-02125

Notice is hereby given that J.R. Simplot Co. of Boise, ID, has applied to the Department of Water Resources to change the following described water right(s) pursuant to section 42-222 of Idaho Code.

WATER RIGHT AS RECORDED:
Water Right No. 33-02125
Basis of right: License
Source: Groundwater
Priority Date: 6-8-1966
Amount of Water: 10 cfs
Use: Irrigation
Points of Diversion: NENE, Sec 31
SESE Sec 32 T6N, R30E
Place of Use: 634 acres in:
N½, Sec 31,
S½, Sec 32, T6N, R30E, BUTTE COUNTY

WATER RIGHT CLAIMED IN SNAKE RIVER BASIN ADJUDICATION:
Adjudication Claim No. A33-02125
Name: J.R. Simplot
Basis of claim: License
Source: Groundwater
Priority Date: 6-8-1966
Amount of water: 10 cfs
Use: Irrigation
Points of Diversion:
NWNW, Sec 1, T5N, R29E;
SWNW, Sec 5,
SENW, Sec 6, T5N, R30E;
NENE, Sec 31,
SESE, Sec 32, T6N, R30E
Place of Use: 3029 acres in:
Sec 1, T5N, R29E;
Sec 5,
Sec 6, T5N, R30E;
N½, Sec 31,
S½, Sec 32,
NE, NENW, S½NW, SW, Sec 33, T6N, R30E, BUTTE COUNTY

WATER RIGHT NO. 33-02125 & ADJUDICATION CLAIM NO. A33-02125 TO BE CHANGED AS FOLLOWS:
Points of Diversion:
NWNW, Sec 1, T5N, R29E;
NENE, Sec 31,
SESE, Sec 32, T6N, R30E
Place of Use: 634 acres in:
N½, Sec 31,
S½, Sec 32,
SE, Sec 35, T6N, R30E, BUTTE COUNTY

Any protests against the proposed change must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, ID 83402, on or before August 5, 1991.

R. Keith Higginson
Director

Published in the Arco Advertiser on July 18 & 25, 1991.

NOTICE OF PROPOSED CHANGE OF A WATER RIGHT NO. 34-02366

Notice is hereby given that Michael B. or Diane Beitz, Arco, ID, has applied to the Department of Water Resources to change point of diversion and place of use of the waters of a groundwater source. The right sought to be changed is evidenced by a license and recorded as follows:

LICENSE NO. 34-02366
AMOUNT: .68 cfs
PRIORITY: 5-12-1960
POINT(S) OF DIVERSION: NENWSE, Sec 35, T 4N, R 26E, Butte County
The water is used from April 1 to November 1 to irrigate 50 acres within the SWNE, NWSE, Sec 35, T 4N, R 26E, B.M.

TO BE CHANGED AS FOLLOWS:
Only .09 cfs will be diverted from the SESWNE, Sec 35, T 4N, R 26E, and used to irrigate 7 acres within the SWNE, Sec 35, T 4N, R 26E, Butte County.

Any protests against the proposed change must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, ID 83402, on or before August 5, 1991.

R. Keith Higginson
Director

Published in the Arco Advertiser on July 18 & 25, 1991.

34-07555

HUGGINS, CHARLES
RT. 1 BOX 216
ARCO, ID 83213
Source: UNNAMED STREAM
Tributary: SINKS
Diversion Pt: SESW Sec 20 T 04N R 25E
Use: STOCKWATER (.020 CFS)
Total Diversion: (.020 CFS)
Date Filed: 7/2/1991
In: T04N R25E S02 SWNE
The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before AUGUST 5, 1991.

R. Keith Higginson
Director

Published 7/18/1991 & 7/25/1991

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SEP 27 1991

7632+

State of Idaho
License and Certificate of Water Right

Water License No. G-28697 Amount .68 c.f.s.

Water District No. Priority May 12, 1960

THIS IS TO CERTIFY that JAMES C. ANDERSON

of Arco, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated May 12, 19 60; that Permit No. G-28697 was issued under said application; that Certificate of Completion of works, with a carrying capacity of .68 second feet, was issued thereunder on July 11, 19 63, showing that said works were completed on the 28th day of February, 19 63; and that on the 28th day of February, 19 63,

JAMES C. ANDERSON

of Arco, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well, a tributary of subterranean flow, for the purpose of irrigation, under Use Permit No. G-28697 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 12 of Licenses at page 7632, on the 11 day of July, 19 63;

The right hereby confirmed dates from May 12, 19 60;

The Point of Diversion is located

in the NW ¼ SE ¼, Sec. 35, Tp. 4 N., R. 26 E., B. M. Butte 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 .68 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
4 N.	26 E.	35	SW¼ NE¼	40	31
			NW¼ SE¼	40	19
			Total number of acres to be irrigated:		50

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 11th day of July, 19 63.

/s/ RALPH W. THOMAS
Deputy State Reclamation Engineer.

(SEAL)

34 23E

G-28697

O. T. Jones
Box 156
Arco, Idaho

34-2366

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 36676
Permit No. G- 28697
District No.

1. **Name of Applicant:** James C. Anderson

   Postoffice address: Box 293, Arco **County:** Butte **State:** Idaho

2. **Quantity of water claimed:**

   (a) **Rate of withdrawal in cubic feet per second** 1.6 **or Idaho Miners' inches** or gallons per minute

   (b) **Annual withdrawal in acre feet per annum**

3. **Source of water supply:** Irrigation well

4. **Location of point of diversion or well is in the** SW ¼ **of the** NE ¼ **of Section** 35

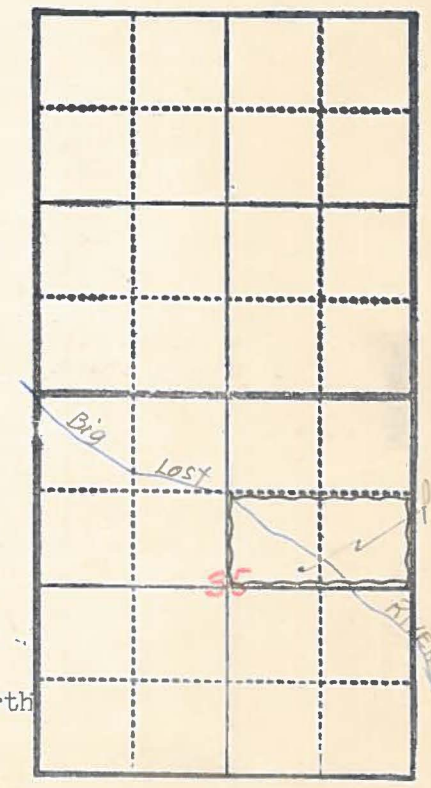
   Twp. 4 North , **Rge.** 26 E , **B.M., County of** Butte

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** SE SW ¼ **of the** NE NE ¼ **of Section** 35 , **Twp.** 4 North **Rge.** 26 E. , **B.M.**

   (b) **Waste water or sewage effluent is to be returned to** Big Lost River **at a point in the** SE ¼ **of the** NE ¼ **of Section** 35 , **Twp.** 4 North , **Rge.** 26 E , **B.M.**



7. **Kind of works:** Cased well, pump, ditches, sprinkler system

8. **Estimated cost of works:** $ 2,000.00

9. (a) **Is reservoir to be used?** no

   (b) **Capacity of reservoir:**

10. **The time required for the completion of such work and complete application of the water to the proposed use is** 5 **years.**

11. **If applicant is a corporation, give:**

   I. (a) **Date and place of incorporation:**

   (b) **Amount of capital stock: $** (c) **Amount paid in: $**

   (d) **Names and addresses of directors:**

   II. **The financial resources of the applicant are** (a) **Cash on hand: $**

   (b) **Treasury stock:** (c) **Bonds to be issued:**

   (d) **Other resources:**

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:** 60 inches of 1901 dated 9-1-01

   (a) 1.6 **(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: The 1901 right on this land is off so much of the time that all it amounts to is a flood right.

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/ James C. Anderson *Applicant.*

By O. T. Jones *Agent.*

Date of first receipt at Department of Reclamation: 1:00 P.M. May 12, 1960

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G— 28697

Recorded in Book 101 Page 28697 Approved May 17, 1960

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 deligently 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 November 17, 1962

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before May 17, 1965

Witness my hand this 17th day of May, 1960

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 17th day of May, 1960

Countersigned:

(SEAL)

By s/ ARNOLD WILLIAMS
Secretary of State.

STATE OF IDAHO

By s/ ROBERT E. SMYLIE
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	
4 N	26 E	35			X	X													80

Application for Amendment
POINT OF DIVERSION
Permit No. G-28697

Comes now James C. Anderson and represents to the State Reclamation Engineer of the State of Idaho: That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. G-28697. That the point of diversion is described in said Permit as being located: $SW\frac{1}{4}NE\frac{1}{4}$, Sec. 35, T. 4 North, Rge. 26 E.B.M.

That he now requests that the point of diversion be changed to a point located: in the $NW\frac{1}{4}SE\frac{1}{4}$, Sec. 35, T. 4 N., Rge. 26 E.B.M.

That the reason fro desiring to make such change is as follows: a typegraphical error in original permit. That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.

Signed at Arco, Idaho, this 1st day of July, 1963.

/s/ James C. Anderson

Date of Receipt at Department of Reclamation: July 5, 1963

APPROVAL OF STATE RECLAMATION ENGINEER

I, Ralph W. Thomas, Deputy State Reclamation Engineer of the State of Idaho, HEREBY APPROVE the above and foregoing application for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. G-28697. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

/s/ RALPH W. THOMAS
Deputy State Reclamation Engineer

Recorded: July 11, 1963

Application for Amendment
LAND LIST
Permit No. G-28697

Comes now James C. Anderson, and represents to the STATE RECLAMATION ENGINEER of the State of Idaho: That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. G-28697, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

$SW\frac{1}{4}NE\frac{1}{4}$, $NW\frac{1}{4}SE\frac{1}{4}$, Sec. 35, Twp 4 North, Rge 26, E.B.M., making a total of 80 acres of irrigatable land.

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

Signed at Arco, Idaho this 1st day of July, 1963

/s/ James C. Anderson

Date of receipt at office of Department of Reclamation: July 5, 1963

APPROVAL OF STATE RECLAMATION ENGINEER

I, Ralph W. Thomas, Deputy State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. G-28697. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

/s/ RALPH W. THOMAS
Deputy State Reclamation Engineer

Recorded: July 11, 1963

Permit No. G-28697
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that JAMES C. ANDERSON of Arco, County of Butte, and State of Idaho, the holder of Permit No. G-28697, issued upon Application No. G-36676 bearing date of priority of May 12, 1960, authorizing the diversion of 1.6 second feet of waters of a well County of Butte, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State or 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 .68 second feet of the waters of a well from subterranean flow; that the point of diversion of said waters $NW\frac{1}{4}SE\frac{1}{4}$, Sec. 35, T. 4 N., R. 26 E.,B.M. and that the lands proposed to be irrigated by the use of said water are described as follow to-wit:

50 acres in the $SW\frac{1}{4}NE\frac{1}{4}$, $NW\frac{1}{4}SE\frac{1}{4}$, Sec. 35, T. 4 N., R. 26 E.,B.M.

Witness my hand this 11th day of July, A. D. 1963.

/s/ RALPH W. THOMAS
Deputy State Reclamation Engineer

Proof of Completion of Works Made: February 28, 1963

LICENSE ISSUED FOR .68 SEC. FT.
page 7632

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 11, 1993

VERNON ROBERT KUBIAK
PO BOX 809
ARCO ID 83213-0809

RE: Transfer No. 3854 of Water Right No. 34-02366B

Dear Mr. Kubiak:

Enclosed please find an Order which grants extension of time to complete the above referenced transfer.

If you have any questions, or I can be of further assistance, please feel free to contact me at (208) 327-7947.

Sincerely,

JIM JOHNSON
Water Right Supervisor

JJ:dc

Enclosure

MICROFILMED
MAY 18 1993

RECEIVED
APR 2 6 1993
Department of Water Resources

April 22, 1993

L. Glen Saxton, Chief Water Allocation Bureau
State Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720-9000

Dear Sir,

I request an extension for completing the Transfer No. 3856 of Water Right No. 34-02366B until August 30, 1994.

Due to the changing water table level and the uncertainty of the drought, I am requesting this extension to postpone drilling a new well until conditions have stabilized.

Vernon Robert Kubiak
P.O. Box 809
Arco, ID 83213
(208) 526-3957 Work
(208) 527-3369 Home

MICROFILMED
MAY 1 8 1993

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

August 11, 1992

RE: Water Right No. 34-02366B (Michael &/or Diane Beitz)

Vernon Kubiak
Box 809
Arco, ID 83213

Dear Water Right Holders:

Enclosed is an order granting an extension of time in which to complete your previously approved transfer of water right.

At the end of the extension period, the department will again contact you regarding completion of the transfer.

Sincerely,

Sharla Curtis

SHARLA CURTIS
Sr. Water Resource Agent

Enclosure

MICROFILMED
AUG 12 1992

RECEIVED
JUN 1 1 1992
Department of Water Resources

June 08, 1992

State of Idaho
Department of Water Resources
1301 North Orchard Street, Statehouse Mail
Boise, ID 83720-9000

Dear Sir/Madam

I request a extension to delay drilling a well for Water Right No. 34-02366, Transfer No. 3854.

The assigned due date for completion of drilling is September 09, 1992, per the Conditions of Approval for the above transfer. I would, however, like to extend the due date to September 09, 1993, to allow the drought situation time to stabilize and subsequently prevent any redrilling expense.

If you have any questions, please contact me at (208) 526-3957 (Work) or (208) 527-3369 (Home).

Thank you,

Vernon Robert Kubiak
P.O. Box 809
Arco, ID 83213

Per telecon on 7/24/92, Mr. Kubiak purchased this property from the Betz's.
a cc of the order extending the completion of the transfer should be sent to Mr Kubiak.
SC

MICROFILMED
AUG 1 2 1992

September 11, 1991

RE: Transfer of Water Right No. 34-02366

Michael B Beitz
Diane Beitz
PO Box 93
Arco ID 83213

Dear Water Right Holder(s):

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 3854). Be sure to note any conditions of approval as listed on the second page.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosure

APPROVED
SEP 27 1991

MEMORANDUM

TO: FILE

FROM: TIM LUKE

DATE: September 3, 1991

RE: TRANSFER NO. 3854/LICENSE NO. 34-2366

==========

This transfer seeks to add a point of diversion and split the licensed right according to ownership. Approval of the application is recommended with the conditions below.

1) <<T07>> The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.

2) <<T08>> Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.

3) <<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.

Note: ALSO Add condition No.s 1 through 4 on Attached memo dated 6-13-1991

SEP 27 1991

MEMORANDUM

To: File 34-2444

From: L. Glen Saxton LGS

RE: ADDITIONAL CONDITIONS OF APPROVAL - TRANSFER 3824

Date: June 13, 1991

The following conditions of approval are applicable for transfer 3824 to be consistent with other recent transfer approvals in Basin 34 and to minimize potential interference with other water rights.

1. The well shall be cased with unperforated casing and sealed to a minimum depth of 150 feet or to the first confining layer, whichever is deeper. Both the owner and the well driller are charged with the responsibility of taking whatever steps might be necessary to prevent the shallow "perched" ground water from entering the well.

2. The permit holder shall notify the department at least five (5) days prior to the start of well construction in order that the department can observe the work.

3. Diversion and use of water from the well is subject to the control of the watermaster of Water District No. 34, the Big Lost River.

4. The Director retains jurisdiction of the constuction of the well to require mitigation or reconstruction of the well if prior water rights are injured as determined by the Director.

RECEIVED
SEP 27 1991

7-5-91 -HWJ

Form 222a
6/78

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: HWJ

1. Right number 34-2366 Applicant Michael or Diane Beitz
2. Type of right: ☐ Decree ☒ License ☐ Claim
3. Purpose of transfer: ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
   ☐ Other _____
4. Check:
   a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
   b. ☒ Description of original point of diversion.
   c. ☒ Description of original place of use.
5. Amount of land &/or water transferred:
   a. ☐ All of right.
   b. ☒ Part of right *(NOTE! Part B should be filled in only if part of the right is owned by the applicant).*
   c. ☒ Check description of point(s) of diversion.
   d. ☒ Check description of place of use.
   e. ☒ Check map (shows p.d. and p.u. after transfer).
   f. ☒ Check for correct signature, notarization, and fee.
   g. ☒ Check proof of ownership of right &/or land from which water is transferred.
   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) NA
   j. ☒ Is use within a Watermaster District? ☐ Yes ☐ No
      If yes, what district? _____

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on _____ Received on _____
2. Is transfer published correctly? ☒ Yes ☐ No DOP 8-5-91
3. Protest received? ☐ Yes ☐ No

RECOMMENDED ACTION

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

RECEIVED
AUG 29 1991
Department of Water Resources

4. By RDC Date 8/23/91

* *All uses within Watermaster Districts require special conditions.*

Copy sent

NOTICE OF PROPOSED CHANGE OF A WATER RIGHT
NO. 34-02366

Notice is hereby given that Michael B. or Diane Beitz, Arco, ID, has applied to the Department of Water Resources to change point of diversion and place of use of the waters of a groundwater source. The right sought to be changed is evidenced by a license and recorded as follows:

LICENSE NO. 34-02366 AMOUNT: .68 cfs

PRIORITY: 5-12-1960

POINT(S) OF DIVERSION: NENWSE, Sec 35, T 4N, R 26E, Butte County

The water is used from April 1 to November 1 to irrigate 50 acres within the SWNE, NWSE, Sec 35, T 4N, R 26E, B.M.

TO BE CHANGED AS FOLLOWS:

Only .09 cfs will be diverted from the SESWNE, Sec 35, T 4N, R 26E, and used to irrigate 7 acres within the SWNE, Sec 35, T 4N, R 26E, Butte County.

Any protests against the proposed change must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, ID, 83402, on or before August 5, 1991.

R. Keith Higginson
Director

Published in the Arco Advertiser on July 18 & 25, 1991.

APPROVED
SEP 27 1991

State of Idaho
DEPARTMENT OF WATER RESOURCES
150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

12-Jul-1991

MICHAEL OR DIANE BEITZ
PO BOX 93
ARCO ID 83213

RE: Application No. 34-02366

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in Arco Advertiser on July 18 & 25, 1991. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

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

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

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

Sincerely,

Harold Jones ES

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

RECEIVED
SEP 27 1991

July 11, 1963

RE: Permit No. G-28697

James C. Anderson
Arco, Idaho

Dear Mr. Anderson:

Enclosed are the Certificate of Completion of Works and License and Certificate of Water Right on the above numbered permit, and the amendments to the point of diversion and the land list. Also enclosed is departmental receipt No. G-8081 in the amount of $11.00 covering the fees for the certificates and for recording the amendments.

Very truly yours,

CARL E. TAPPAN
Acting State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

Enc. license
receipt
certificate
amendments 2

28697

Application for Amendment

LAND LIST

Permit No. G-28697

Comes now James C Anderson, and represents to the STATE RECLAMATION ENGINEER of the State of Idaho:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. G-28697, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

Sw¼NE¼,NW¼SE¼ Sec 35 Twp 4 North Rge 26, E.B.M.

, making a total of 80 acres. of irrigatable land

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

Signed at Arco, Idaho this 1st day of July, 1963

James C Anderson

Date of receipt at office of Department of Reclamation: July 5, 1963

APPROVAL OF STATE RECLAMATION ENGINEER

I, Ralph W. Thomas, Deputy State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. G-28697. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

Ralph W Thomas

Deputy State Reclamation Engineer

Recorded: July 11, 1963

28697

Permit No. G-28697

Comes now James C Anderson and represented to the State Reclamation Engineer of the State of Idaho:

That he is (are) the owner X and holder X of Permit to Appropriate the Public Waters of the State of Idaho, No. G-28697.

That the point__ of diversion is described in said Permit as being located:

SW¼NE¼ Sec 35 Twp 4 North, RGe 26, E.B.M.

That __ he __ now requests that the point__ of diversion be changed to a point __ located: in the NW¼SE¼ Sec. 35 Twp 4 N, Rge 26, E.B.M.

That the reason for desiring to make such change is as follows:

a typeagraphical error in oringinal permit

That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.

Signed at Arco, Idaho, this 1st day of July, 19 63.

James C Anderson

Date of Receipt at Department of Reclamation: July 5, 1963

APPROVAL OF STATE RECLAMATION ENGINEER

I, Ralph W. Thomas, Deputy State Reclamation Engineer of the State of Idaho, HEREBY APPROVE the above and foregoing application for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. G-28697. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

Ralph W Thomas

Deputy State Reclamation Engineer

Recorded in Book 101 of Permits, at Page 28697
July 11, 19 63

28697

PUBLIC NOTICE

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

Notice is hereby given that at 10:00 a. m., on the 28th day of February, 1963, at Arco, County of Butte, State of Idaho, before O. T. Jones, Notary Public, at Arco, Idaho, proof will be submitted of the completion of works for the diversion of 1.6 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-28697, 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 James C. Anderson, Arco, Idaho, P. O. Box 293.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 1.6 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 1.6 cubic feet per second.

4. The point of diversion of said water is SW¼ NE¼, Sec. 35, Twp. 4 N., Rge. 26 E. B. M.

5. The place where said water is used is S½ NE¼, Section 35, Twp. 4 N., Rge. 26 E.B.M.

6. The date of priority which said user is prepared to establish is May 12, 1960.

28697

GEO. N. CARTER,
State Reclamation Engineer.

Pub. Jan. 31, thru Feb. 21, 1963.

July 5, 1963

Re: Permit No. G-28697

James C. Anderson
Arco, Idaho

Dear Mr. Anderson:

We received your check for $9.00 and amendment to the point of diversion and place of use of the water.

Our letter of June 13 showed $9.00 statutory fees for the two certificates, however, it also shows in next to the last paragraph that there is a fee of $1.00 for recording an amendment or $2.00 for the two amendments.

Kindly remit the $2.00 due to complete the file and the certificates will be issued.

Very truly yours,

CARL E. TAPPAN, Acting
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RWT:vj

28697

ROBERT E. SMYLIE
Governor

State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE

July 5, 1963

Re: Permit No. G-28697

James C. Anderson
Arco, Idaho

Dear Mr. Anderson:

We received your check for $9.00 and amendment to the point of diversion and place of use of the water.

Our letter of June 13 showed $9.00 statutory fees for the two certificates, however, it also shows in next to the last paragraph that there is a fee of $1.00 for recording an amendment or $2.00 for the two amendments.

Kindly remit the $2.00 due to complete the file and the certificates will be issued.

Very truly yours,

CARL E. TAPPAN, Acting
State Reclamation Engineer

By: Ralph W Thomas

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RWT:vj

IDAHO TERRITORIAL CENTENNIAL 1863 1963

500 - June 20-62

State of Idaho

DEPARTMENT OF RECLAMATION

Boise, Idaho

June 13, 1963

Re: Permit No. G-28697

James C. Anderson
Arco, Idaho

Dear Mr. Anderson:

Our field engineer's report on his inspection of proof of completion of works and application of water to beneficial use under the terms of Permit No. G-28697 shows the well is (~~are~~) capable of conveying 34 miner's inches, or .68 c.f.s. of water for the irrigation of 50 acres.

Upon receipt of the statutory fees, totaling $ 9.00 , which consists of a Completion of Works fee of $ 5.00 and License and Certificate of Water Right fee of $ 4.00 - based at the rate of $2.00 for each 40-acre subdivision - we will issue the Certificate of Completion of Works and the License and Certificate of Water Right confirming the right, with priority of May 12, 1960 to the use of .68 second feet of subterranean water with the point of diversion in the NW¼SE¼, Sec. 35 for irrigation of 50 acres in the SW¼NE¼, NW¼SE¼, Sec. 35, T. 4 N., R. 26 E.,B.M.

Your permit shows the point of diversion to be in the SW¼NE¼, Sec. 35. It is therefore necessary to amend the point of diversion.

Since your permit did not include the NW¼SE¼, Sec. 35 it will be necessary also to amend the land list if you want the extra land included in the license. Complete the enclosed forms, submit them with the above mentioned statutory fees, plus an additional fee of $2.00 for recording the amendments, and the certificate and license will be issued.

If you do not want the extra land included the fees will total $8.00, the land will be restricted to the lands shown on the permit which are actually irrigated, and the amount of water will be reduced to 31 inches.

Very truly yours,

CARL E. TAPPAN
Acting State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

Enc. amendment forms

28697

Form 23

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF ENGINEER

Permit No. G-28697

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

1. Name of applicant James C. Anderson

2. Source of water supply: a well

3. Location of point of diversion: Is in the SW¼NE¼ of Section 35

T. 4 N R. 26 E County of Butte

4. Describe works as they exist, giving dimensions and capacities of same: JAC (18 HP) Case Tractor # JAC 5265210, Peereless Centrifugal Pump # PB 3X2X8 1682 4"X3" to Sprinkler lines, 35 lengths. — 19-4" lengths and 16-3" lengths 7/32" nozzles.

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):

S½NE¼, Sec. 35, T. 4 N., R. 26 E., B.M.

NOTE / Amend land list to include. NW¼SE¼ Sec 35, 4N, 26E.

Amend POD from: SW¼NE¼ to NW¼SE¼ sec 35, 4N, 26E.

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

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

Remarks: Mr. James Anderson along

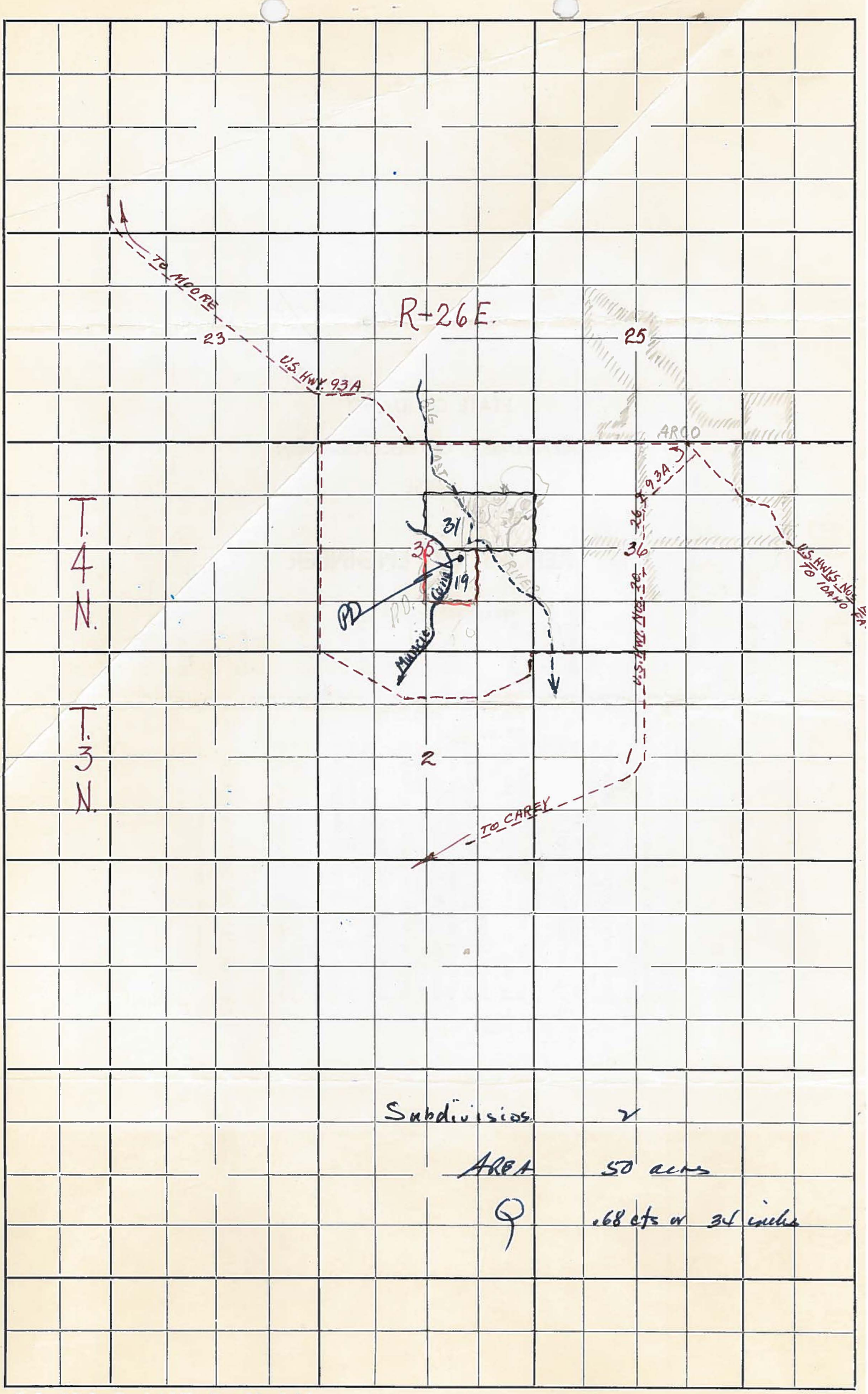
Measured by taking pressure readings along line.

This examination was made on the 11th day of June, 1963

(Signed) Leon Johnson

Examiner.

28697



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

28697

June 4, 1963

Re: Permit No. G-28697

James C. Anderson
Arco, Idaho

Dear Mr. Anderson:

This is a follow up of the notice from the Department of Reclamation office that an inspection would be made on your water filing as soon as possible.

I will plan to inspect your permit on or about the week of June 10, 1963.

Please arrange to be on the premises so that you can accompany me over the work.

Very truly yours,
CARL E. TAPPAN, Assistant
GEO. N. CARTER
State Reclamation Engineer
By

_____

Field Engineer

LHJ:mr

28697

1M April 1962

March 7, 1963

Re: Permit No.
G-28697

James C. Anderson
Arco, Idaho

Dear Mr. Anderson:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the Arco Advertiser _____, all submitted in proof of completion of works and beneficial use on Permit No. G-28697.

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

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

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR: mr

28697

RECEIVED
MAR 6 1963
Department of Reclamation

Affidavit of Publication

I, Dolly Cross, of the Arco Advertiser, a weekly newspaper of general circulation, published weekly at Arco, Idaho, since March, 1909, do solemnly swear that a copy of this notice, per clipping attached, was published weekly in the regular and entire issue of said newspaper, and not in any supplement thereof, for 4 (four) consecutive weeks, commencing with the issue dated Jan., 31, 1963 and ending with the issue dated Feb., 21, 1963

Dolly Cross

Subscribed and sworn to before me this 25 day of Feb., 1963

Betty J. Mayo
Notary Public.

Residence: Arco, Idaho.
My commission expires 2-4, 1965

PUBLIC NOTICE

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

Notice is hereby given that at 10:00 a. m., on the 28th day of February, 1963, at Arco, County of Butte, State of Idaho, before O. T. Jones, Notary Public, at Arco, Idaho, proof will be submitted of the completion of works for the diversion of 1.6 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-28697, 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 James C. Anderson, Arco, Idaho, P. O. Box 293.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 1.6 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 1.6 cubic feet per second.

4. The point of diversion of said water is SW¼ NE¼, Sec. 35, Twp. 4 N., Rge. 26 E. B. M.

5. The place where said water is used is S½ NE¼, Section 35, Twp. 4 N., Rge. 26 E.B.M.

6. The date of priority which said user is prepared to establish is May 12, 1960.

GEO. N. CARTER,
State Reclamation Engineer.
Pub. Jan. 31, thru Feb. 21, 1963.

21.12
28687

Form 16.

RECEIVED
MAR 6 1963
Department of Reclamation

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G-28697

Proof of Application of Water to Beneficial Use

and Completion of Works

Deposition of Holder

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

Ans. James C. Anderson, Merchant, A & A Grocery, Arco, Idaho

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

Ans.

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

Ans. G-28697, May 17, 1960 5-12-60

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

Ans. Subterranan Flow,(Underground water) irrigation Well, Located in the SW¼NE¼ of Section 35, Twp 4 North, Range 26 E B M in Butte County, Idaho

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

Ans. Irrigation Well 40 feet deep, with 22 inch cement casing, Gasoline Power driven pump, which delivers 1.6 cubic feet of water (80) miners inches, which is measured by tube mearurement, and conveyed over the said land by ditches and sprinkler system.

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

Ans. Most of the entire 80 acres has been paceed under irrigation with this well, and is now growing crops, Alfalfa, Grass & Grain, all as a direct result of this improvement.

See item 10

Ques. 6-a If this is a ground water permit, give name and address of person that drilled the well.

Ans. Yes, Robert Spraker and LLoyd Merrill, Arco, Idaho.

Log in

28607

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

Ans. irrigation purposes only

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

Ans. none

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

Ans. none

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

Ans. To irrigate the S½NE¼ of section 35, Twp 4 North, Range 26 E B M in Butte County, Idaho. 1.6 Cubic feet of water

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

Ans. For irrigation purposes only on the S½NE¼ of sec 35, Twp 4 North, Range 26 E B M in Butte County, Idaho.

(Sign) James L Anderson

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 Arco, Idaho, County of Butte, State of Idaho, on this 28 day of February, A. D. 19 63.

O. T. Jones

My commission expires November 6, 1966 Arco, Idaho.

28697

Form 17A
1.5 M 7-31-62

RECEIVED
MAR 6 1963
Department of Reclamation

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Permit No. G-28697

* * * * * * * *

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:

Margaret Gaffner, Age 40 years, Housewife and Realestate Steno, Arco, Idaho

Ques. 2. Are you acquainted with James C. Anderson, the holder of Permit No. G-28697 ? How long have you known him and where does he reside:

24 years, Arco, Idaho

Ques. 3. Have you read or heard said Permit No. G-28697 read, and are you familiar with its provisions and conditions: Yes: yes No:

Ques. 4. State source of water supply: irrigation Well

State place of diversion: SW¼NE¼ of Section 35, Twp 4 North, Range 26 E B M in Butte, County, Idaho

Describe works for conveying water to place of use: irrigation well 40 feet deep with a 22 inch Cement casing, Gasoline driven pump, and ditches, and some sprinkler system.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: 1.6 cubic feet How much water have you seen being so conveyed: 1.6 cubic feet

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

Almost all of the S½NE¼ of section 35, Twp 4 North, Range 26 E B M in Butte, County, Idaho.

28697

Ques. 7. If for power or other purposes than irrigation, state how water has been used:

irrigation purposes only

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:

Mountain Loam Soil, one miners inch per acre

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent: none

Ques. 10. When did you first see this water used: irrigation season of 1960

Other times you have seen such use: 1960, 1961, 1962.

(Signed) Margaret L Gaffner

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 Arco, Idaho, County of Butte, State of Idaho, on this 28 day of Feb, A. D., ~~####~~, 1963.

D. F. Jones

Notary Public for State of Idaho

Residing: Arco, Idaho

My commission expires: Nov 6, 1966.

2869

Form 17A
1.5 M 7-31-62

RECEIVED
MAR 6 1963
Department of Reclamation

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Permit No. G-28697

* * * * * * * *

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:

Charles A. Jones, Realestate Agent, Auctioneer, Arco, Idaho.
Age 37 years

Ques. 2. Are you acquainted with James C. Anderson, the holder of Permit No. G-28697 ? How long have you known him and where does he reside:

24 years, Arco, Idaho.

Ques. 3. Have you read or heard said Permit No. G-28697 read, and are you familiar with its provisions and conditions: Yes: Yes No: _____

Ques. 4. State source of water supply: Irrigation Well

State place of diversion: SW¼NE¼ Section 35, Twp 4 North, Range 26 E B M
Butte, County, Idaho.

Describe works for conveying water to place of use: Irrigation Well with cement casing 22 inch, Gasoline Driven Pump, that delivers 80 miners inches, with ditches and some sprinkler system.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: 1.6 Cubic feet How much water have you seen being so conveyed: 1.6 cubic feet

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

Most all of the 80 acres-- S½NE¼ of section 35 Twp 4 North, Range 26 E B M in Butte County, Idaho.

28697

Ques. 7. If for power or other purposes than irrigation, state how water has been used:

irrigation only

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:

80 acres , one miners inch per acre

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent: none

Ques. 10. When did you first see this water used: Summer of 1960

Other times you have seen such use: Summers of 1960, 1961, 1962.

(Signed) [signature]

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 Arco, Idaho, County of Butte, State of Idaho, on this 28 day of Feb, A. D., ####, 1963.

[signature]

Notary Public for State of Idaho

Residing: Arco, Idaho

My commission expires: Nov 6, 1966

28697

Form No. 11
2M - 10/60

RECEIVED
JAN 28 1963
Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) January 23, 1963

(P. O.) P. O. Box 293, Arco, 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 Arco Advertiser of Arco, Idaho published in the county in which the works are situated.

James L. Anderson

(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.

28697

o. 36

RECEIVED
JAN 23 19
Department of Reclamation

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

Notice is hereby given that at 10:00 A. M., on the 28 day of February 19 63, at Arco, County of Butte, State of Idaho, before ~~Kenneth Brown~~ O. T. Jones, Notary Public, at (address) Arco, Idaho, proof will be submitted of the completion of works for the diversion of 1.6 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-28697, 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 James C. Anderson, Arco, Idaho P. O. Box 293

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 1.6 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 1.6 cubic feet per second.

4. The point of diversion of said water is SW¼NE¼ Sec. 35., Twp. 4 N., Rge. 26 E.B.M.

5. The place where said water is used is S½NE¼ Sec. 35., Twp. 4 N., Rge. 26 E.B.M.

6. The date of priority which said user is prepared to establish is May 12, 1960.

GEO. N. CARTER
State Reclamation Engineer

1200
6-28-61

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G-28697

Date: January 23, 1963

Arco Advertiser,
Arco, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to February 28, 1963 the date set for proof; the expense of the publication is to be paid by the applicant

James C. Anderson of P.O.Box 293, Arco, Idaho

to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice and furnish this office with a copy or tear sheet of the first publication.**

Very truly yours,

Geo N. Carter

GEO. N. CARTER
State Reclamation Engineer

** If the first copy is not received in this office for checking purposes and errors appear in subsequent issues, it is possible that re-publication of corrected copy will be at your own expense.

Encl.

28297

January 23, 1963

Re: Permit No. G-28697

James C. Anderson,
P. O. Box 293,
Arco, Idaho.

Dear Mr. Anderson:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. G-28697 . The proofs are to be made at 10:00 o'clock A.M., on the 28th day of February, 19 63, before O. T. Jones, Arco, Idaho, Notary Public.

As of this date we have mailed the Notice to the Arco Advertiser Arco, Idaho, 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,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

Enc.
EPR:pmk
cc: Notary

28697

May 25, 1960

Re: Permit No.G-28697
James C. Anderson

Mr. O. T. Jones,
Box 156,
Arco, Idaho.

Dear Mr. Jones:

We enclose Permit No. G-28697 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. G-4816 which was issued covering payment in the amount of $5.25 for the filing fee of the above mentioned permit.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

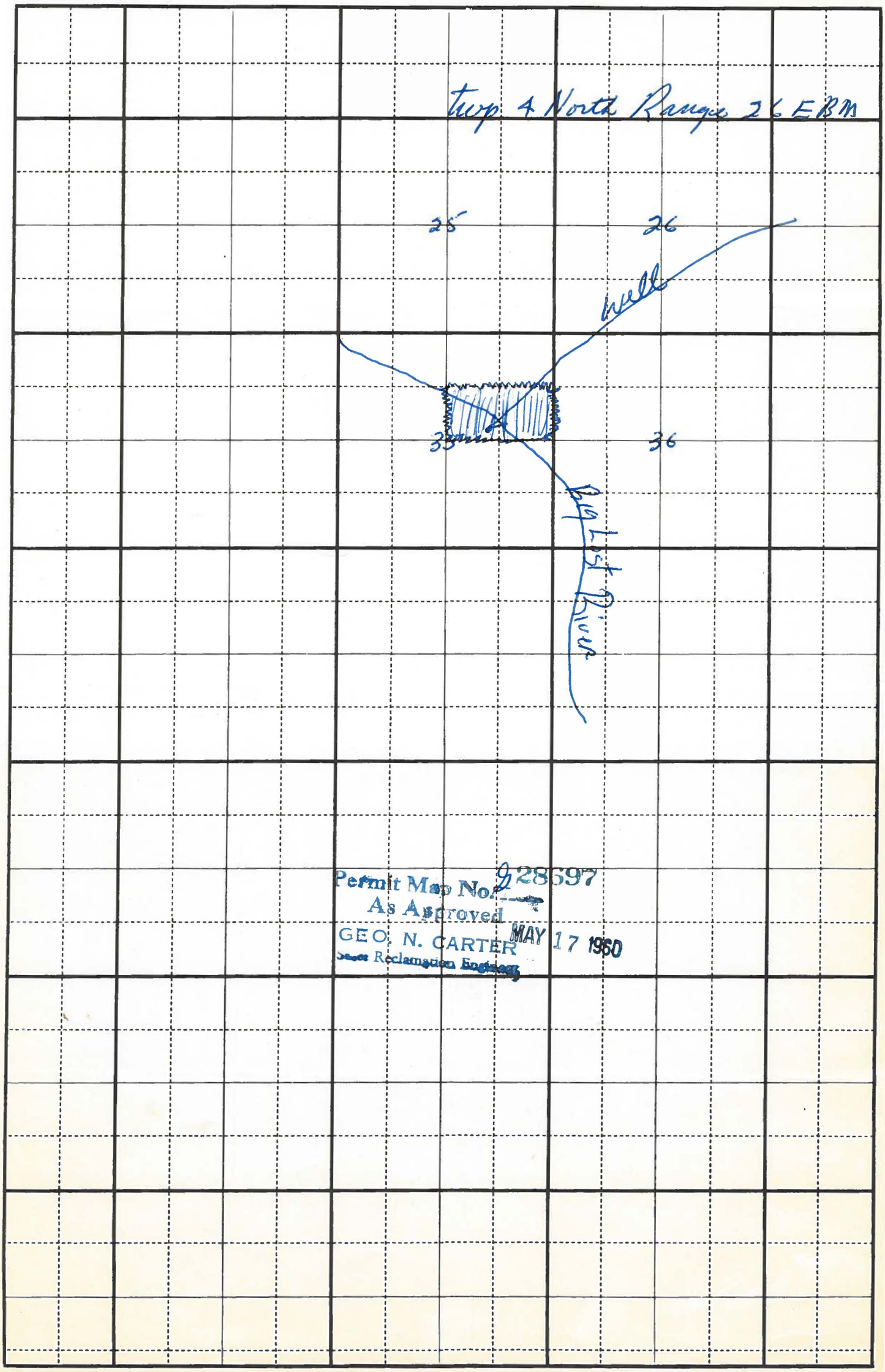
(Mrs.) Edna P. Rule
Chief Clerk

Encl.
EPR:PMK
cc: James C. Anderson
Arco, Idaho

28697

NAME OF APPLICANT James C Anderson, Arco, Idaho

Form No. 0



Permit Map No. 28697
As Approved
GEO. N. CARTER
State Reclamation Engineer
MAY 17 1960

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

28697

SNAP-A-WAY FORMS SENDER: SNAP OUT YELLOW COPY ONLY. SEND WHITE AND PINK COPIES WITH CARBON INTACT

GrayLine GrayLine GrayLine GrayLine GrayLine GrayLine GrayLine GrayLine GrayLine

SPEED LETTER

TO Mr Geo N Carter
Reclamation Engineer
State House
Boise, Idaho

FROM O T Jones
Arco, Idaho

SUBJECT Well application for James C Anderson

MESSAGE

5/11/19 60

Dear Mr Carter;

Please find enclosed application for James C Anderson of Arco, Idaho. We are enclosing the application and Maps in duplicate, also check.

Thank you for your help and coopperation in this matter, and may we hear from you soon.

Yours Truly

SIGNED O T Jones, Arco, Idaho

O T Jones

REPLY

/ /19

SIGNED

FORM 44-902 U. S. A.

RECIPIENT: RETAIN WHITE COPY, REPLY ON PINK COPY

28697

SENDER: SNAP OUT YELLOW COPY ONLY. SEND WHITE AND PINK COPIES WITH CARBON INTACT 28697