

10Q

TRANSFER NO.	NAME	AMOUNT C.F.S.	BALANCE C.F.S.	RIGHT NO.
2139	Hibbert Farms, Inc.	1.90	0	22-2142

TRANSFER

T
R
A
N
S
F
E
R

MICROFILMED

AFFIDAVIT OF PUBLICATION

State of Idaho)
)ss
 County of Teton)

I, Louise L. Norton
 being first duly sworn depose and say

that I am the publisher
 of the Teton Valley News, a newspaper as defined by Idaho Codes Annotated, Section 58-106, as amended, and that said newspaper is a weekly newspaper printed and published in Driggs, in Teton County, Idaho, having a general circulation in said county, and that said newspaper has been printed in said county for more than 78 consecutive weeks prior to the first publication of the attached notice, advertisement or publication of

Notice of Proposed Change of Water Right
A 22-2142 - Hibbert Farms

And affiant further says that said attached notice, advertisement or publication, as per clipping attached, was published in said newspaper, in the regular and entire issue thereof, and not in any supplement issue

thereof, for 2 consecutive issues thereof; first publication having been

made on the 28 day of July
 1977 on August 4, 1977

And affiant further says that at the times herein mentioned said newspaper was made up of at least six pages of at least eight columns each, printed from type matter, of at least twenty inches deep.

Louise L. Norton

Subscribed in my presence and sworn to before me this 8 day of August, 1977.

(SEAL) Notary Public for the State of Idaho, residence and postoffice address, Driggs, Idaho.

Martha C. Daughless
 My Commission expires

9-20, 1979

RECEIVED

AUG 9 1977

Department of Water Resources
 Eastern District Office

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
 No. 22-2142
 Notice is hereby given that Hibbert Farms, Inc., Driggs, Idaho, have applied to the Department of Water Resources for a change in the point of diversion of the waters of a ground-water source. The right sought to be changed is evidenced by License No. 22-2142 and is recorded as follows:
 AMOUNT: 190 cfs. PRIORITY: Dec. 19, 1950. POINT OF DIVERSION: NE 1/4 Sec. 31, T. 5N, R. 46E, B.M., Teton Co., Idaho.
 The water is used to irrigate 100 acres within the SE 1/4 NE 1/4, N 1/2 SE 1/4, Sec. 31, T. 5N, R. 46E, B.M.
TO BE CHANGED AS FOLLOWS:
 The water to be diverted within Sec. 31, T. 5N, R. 46E, B.M., Teton County, Idaho.
 Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, 1000 Falls, Idaho, 83401, on or before August 15, 1977.
 C. STEPHEN ALLRED
 Director
 Filed for the purpose of the proposed change of water right.

(Optional)

Recorded ☐	Platted ☐	Key Punched ☐	To Treasurer ☐
Microfilmed ☐	Deed Card ☐	Master File ☐	
Indexed ☐	Compared ☐	Abstracted ☐	

(DO NOT WRITE ABOVE THIS LINE)

WARRANTY DEED

WALTER H., DURTSCHI and JOAN H. DURTSCHI, husband and wife; GRANTOR(S)
 of Driggs County of Teton State of Idaho
 hereby CONVEYS, GRANTS and WARRANTS TO
 NED Q. HIBBERT and VERDA H. HIBBERT, husband and wife,

GRANTEE(S)
 of Driggs County of Teton State of Idaho
 for the sum of Ten Dollars and other valuable consideration Dollars (\$10.00---)

the following described tract(s) of land in Teton County, State of Idaho:
 Beginning at the Northeast Corner of the Northeast quarter of the Southeast quarter of Sec. 31, Township 5 North, Range 46, E. B. M.; and running thence South 80 rods; thence West 80 rods; thence Northeasterly to the point of beginning;
 Also the Southeast quarter of the Northwest Quarter; the North Half of the Southwest Quarter of Sec. 32; Township 5 North, Range 46, E.B.M.;
 Also the Northeast corner of the Southwest Quarter of the Northwest Quarter of Sec. 32, Township 5 North, Range 46, E.B.M. and running thence South 80 rods; thence West 80 rods; thence Northeasterly to the point of beginning;
 Southeast Quarter of Northeast Quarter of Sec. 31; and North Half of the Northwest Quarter of Sec. 32; and beginning at the West Quarter corner of said Section and running thence North 80 rods; thence East 80 rods; thence Southwesterly to the point of beginning; all in Township 5 North, Range 46, E. B. M.;
 All the above descriptions subject to a Federal Land Bank Mortgage;
 Southwest Quarter of the Northeast Quarter;
 Also Beginning at the East Quarter corner of Sec. 31, and running thence West 80 rods; thence South 80 rods; thence Northeasterly to the point of beginning;
 Also the Northwest quarter of the Southeast Quarter; Northeast Quarter of the Southwest Quarter; Beginning at the West quarter corner of Sec. 31; thence running South 575 feet; thence East 1320 feet; thence North 575 feet; thence West 1320 feet to the point of beginning; all in Township 5 North, Range 46, E. B. M.;
 Also 4 rods on the South side of Lot 2 of Sec. 32, Township 5 North, Range 46, E. B. M. as a right-of-way easement.

Location of above described property

House No.

Street

WITNESS the hand of said Grantors this

5th

day of March A.D. 19 75

Walter H. Durtschi

Joan H. Durtschi

(NOTARY SEAL)

 State of Idaho
 County of Teton

} ss.

On the 5th day of March A.D. 19 75

personally appeared before me Walter H. Durtschi and Joan H. Durtschi, husband and wife;

the signer(s) of the within instrument, who duly acknowledged to me that they executed the same.

Donna C. Douglas
 (NOTARY PUBLIC)

Residing at: Driggs, Idaho

My Commission expires: 9-30-75

MAIL DEED TO:

MAIL TAX NOTICE TO:

Name

Address

City & State

Zip

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROVED
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

Name of applicant Hibbert Farms, Inc. Phone 307-353-2556
Post office address Driggs, Idaho 83422

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. 22-2142 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 _____
Applicant purchased from Durtchi. Copy of deed attached
3. Source of water ground water tributary to _____
4. Date of priority 12-19-50
5. Water is used for the following purposes:
amount 1.90 for Irrigation purposes from Apr. 1 to Nov. 1
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day – both dates inclusive)
6. Total amount of water under right: a. 1.90 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 31
Township 5N Range 46E, B.M., in Teton 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 $\frac{1}{4}$	
5N	46E	31				40									20	40			100

Total number of acres to be irrigated 100

MAILED

B. DESCRIPTION OF PORTION OF RIGHT FOR WHICH THE CHANGE IS REQUESTED (If the entire right is requested changed, omit part B)

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

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

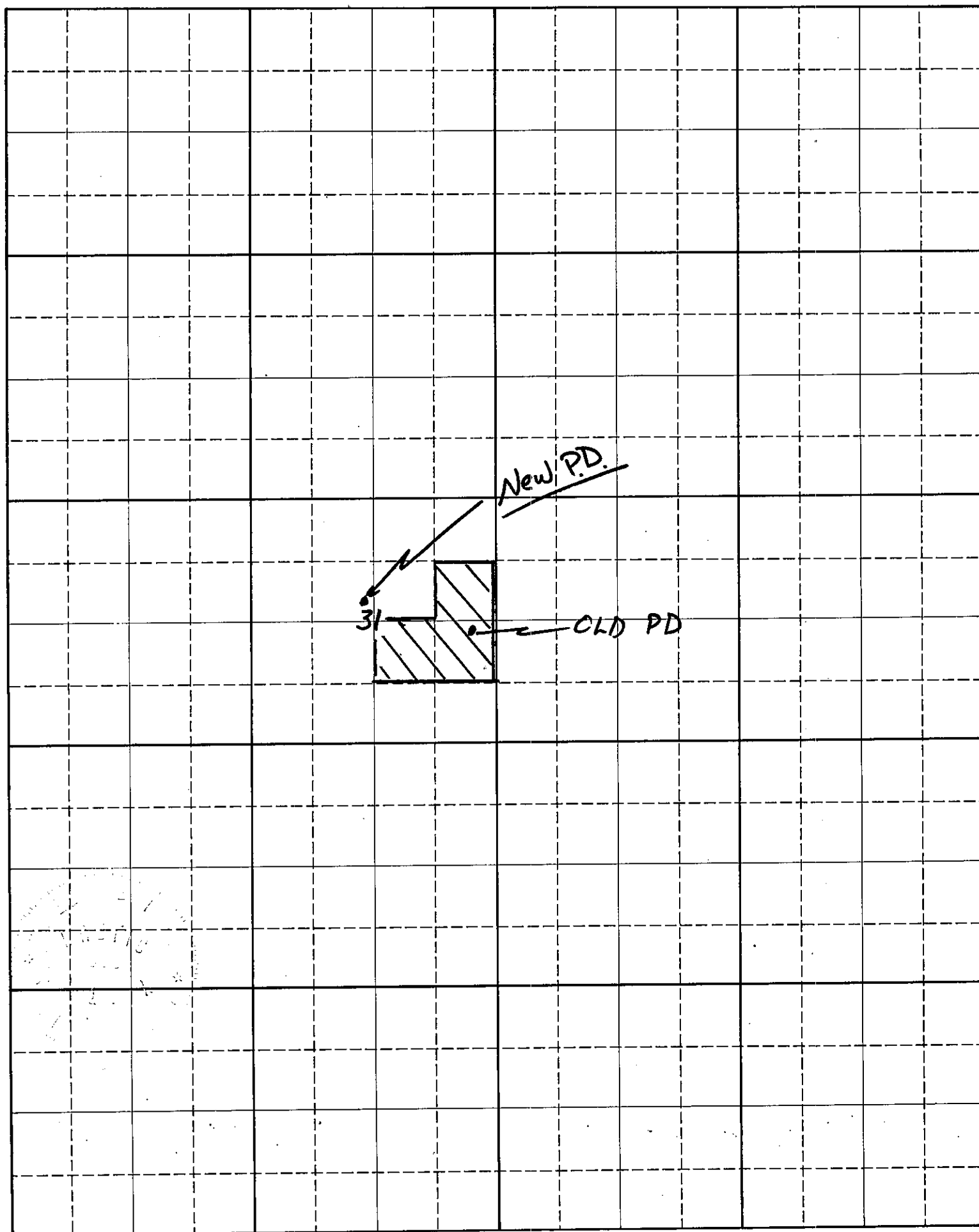
C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion
- a. Amount of water to be diverted 1.90 c.f.s. &/or _____ acre feet
- b. Point(s) of diversion SE ¼ NW ¼, Section 31 Township 5N
Range 46E, B.M., Teton County
Additional points _____
- c. Description of diverting works well, pump and sprinkler
- d. Describe the reasons for applying for a change in the point(s) of diversion _____
Old well dried up and have redrilled at the above location
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 _____

- 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.

APPROVED

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.

Hebert Farm Inc.
Neil Z. Hebert Pres.
(Signature of applicant)

Subscribed and sworn to before me this 21st day of July, 19 77

[Signature]
(Notary public)

My commission expires 6/15/81

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 22-2142, and said application is hereby APPROVED.

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

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

Witness my hand this 11 day of October, 19 77

[Signature]
Deputy Director

FOR DEPARTMENT USE ONLY

Received by CW Date 7-21-77
Prelim. check by [Signature] Fee 30.00
Receipted by CW Date 7-21-77 # 8286
Published in Ston Valley News
Pub. dates July 28 & Aug. 4-1977
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 RDC SS

October 19, 1977

Re: Transfer of Water Right No. 22-2142

Hibbert Farms, Inc.
Driggs, ID 83422

Gentlemen:

Enclosed is your approved copy of Transfer No. 2139 on Water Right No. 22-2142.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF/kaw
Enclosure

MICROFILMED

August 15, 1977

RE: Application for Transfer No. 22-2142

Hibbert Farms, Inc.
Driggs, Idaho
83422

Gentlemen:

The Department has completed the initial processing of the above referenced application for transfer; however, final processing can not be completed until we receive either your purchase agreement or deed.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

LOY H. JOHNSON
Senior Water Resource Agent

LHJ:CW

RECEIVED

July 22, 1977

RE: Application for Transfer No. 22-2142
Application for Permit No. 22-7250 HIBBERT

Teton Valley News
Driggs,
Idaho 83422

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 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.

An affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

Bill submitted 8-09-77 by Cal

RDC:CW

Enc: Legal Notice (2)

RECEIVED

**NOTICE OF PROPOSED
CHANGE OF WATER RIGHT**

No. 22-2142

Notice is hereby given that Hibbert Farms, Inc., Driggs, Idaho, have applied to the Department of Water Resources for a change in the point of diversion of the waters of a ground-water source. The right sought to be changed is evidenced by License No. 22-2142 and is recorded as follows:

AMOUNT: 1.90 cfs; PRIORITY: Dec. 19, 1950; POINT OF DIVERSION: NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 31, T. 5N, R. 46E, B.M., Teton County.

The water is used to irrigate 100 acres within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 31, T. 5N, R. 46E, B.M.

**TO BE CHANGED
AS FOLLOWS**

The water will be diverted within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 31, T. 5N, R. 46E, B.M., Teton County.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401, on or before August 15, 1977.

C. STEPHEN ALLRED
Director

Published in the Teton Valley News, Driggs, Idaho, on July 28 and August 4, 1977.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

No. 22-2142

Notice is hereby given that Hibbert Farms, Inc., Driggs, Idaho, have applied to the Department of Water Resources for a change in the point of diversion of the waters of a ground-water source. The right sought to be changed is evidenced by License No. 22-2142 and is recorded as follows:

AMOUNT: 1.90 cfs

PRIORITY: Dec. 19, 1950

POINT OF DIVERSION: NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 31, T. 5N, R. 46E, B.M.,
Teton County.

The water is used to irrigate 100 acres within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 31, T. 5N, R. 46E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be diverted within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 31, T. 5N, R. 46E, B.M., Teton County.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401, on or before August 15, 1977.

C. STEPHEN ALLRED

Director

Published in the Teton Valley News, Driggs, Idaho, on July 28 and August 4, 1977.

RECORDED
INDEXED
JUL 28 1977
M. J. H. H.

DEPARTMENT OF WATER RESOURCES

TRANSFER ANALYSIS SHEET

1. Source groundwater Name Hibbert Farms

2. Right Being Transferred Right No. 22-2142

a. ☐ Decree Transfer No. _____

☒ License

☐ Use

b. ☒ Priority 12-19-50

c. ☒ Location - Original P. D.

d. ☒ " - Original P. U.

e. ☒ " - New P.D.

f. ☒ " - New P.U.

g. ☒ Amount

☒ All

☐ Part

3. ☒ Proof of Ownership of Right

Comment Lic 22-2142

4. ☒ Expansion of Right

Comment No expansion has occurred
only the point of diversion has
been changed

5. ☒ Map

6. ☒ Signature

7. ☒ Fee

8. Watermaster's Comments n/a

9. Comments None

10. Initial Review by ARL

Date 1/22/77

11. Recommended Action

☒ Approve

☐ Deny

☒ Conditions Measuring Dev NONE Required S.S.

By ROC

Date 8/24/77

Copy
Sent

✓
August 17, 1955

RE: Permit No. 21832

Mr. Alfred Durtschi
Driggs
Idaho

Dear Mr. Durtschi:

We enclose License and Certificate of Water Right issued under Permit No. 21832 confirming your right to the use of 1.9 second feet or 95 inches of water from a well in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 31, Township 5 North, Range 46 East, B.M. with priority date of December 19, 1950, for irrigation of land in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 31.

We also enclose departmental receipt No. 27501 for the \$6.00 license fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll
Enc.

21832
MICROFILMED
1968



ROBERT E. SMYLLIE
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER
BOISE

June 30, 1955

RE: Permit No. 21832

RECEIVED
AUG 15 1955
Department of Reclamation

Mr. Alfred Durtschi
Driggs
Idaho

Dear Mr. Durtschi:

The report of our field engineer on examination for beneficial use on your permit No. 21832 shows that your well in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 31, Township 5 North, Range 46 East, B.M. will deliver 95 inches of water which has been used to irrigate 100 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and N $\frac{1}{2}$ SE $\frac{1}{4}$ of said Section.

A License can therefore be issued for 95 inches or 1.9 second feet of water from said well upon receipt of the License fee amounting to \$6.00.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By

Jeanne L. Anderson

Chief Clerk

A:hll

21832
MICROFILMED

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 21832

REPORT ON PROOF OF Beneficial Use

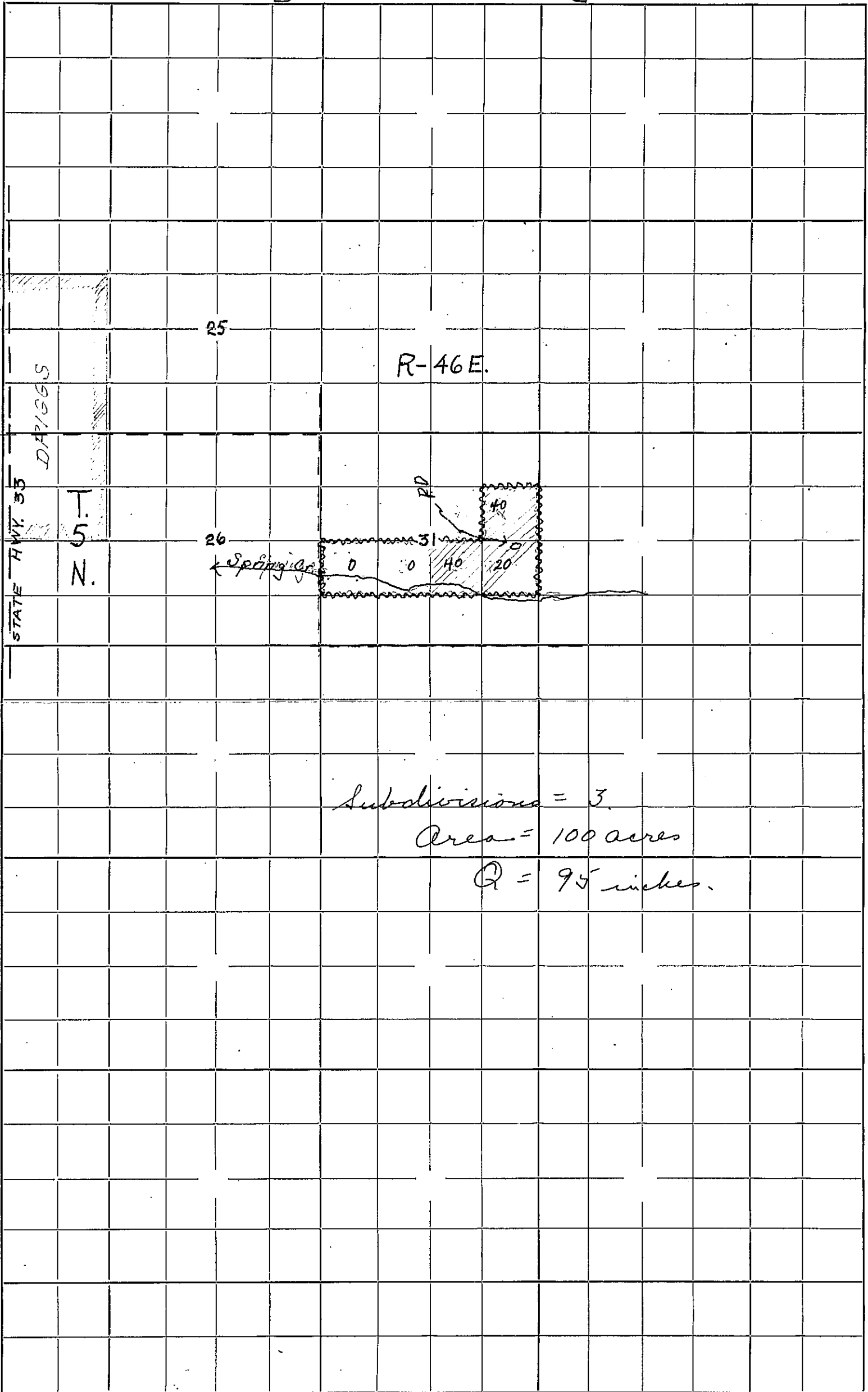
ALFRED DURTSCHI, Driggs, Idaho

App. 4 cfs

*1.9 cfs
smrk*

*100 acms
3-40's*

RECEIVED



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

Permit No. 21832

This proof is for Beneficial Use In Water District No. _____

1. Name of applicant Alfred Durtschi, Driggs, Idaho

2. Source of water supply: Subterranean from a well

3. Location of point of diversion: Is in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31

T. 5 N. R. 46 E. County of Teton

4. Describe works as they exist, giving dimensions and capacities of same: The source is a large sump approximately 15' to 20' deep. This is a sprinler system. Equipment consists of a Rainmaster unit powered by a 55 h.p. Chrysler gas engine, model No. IND7A, Type 263, Serial No. 54517. Pump is horizontal centrifugal, size 6 inch intake by 5 inch outlet into a 6 inch aluminum main, 300 feet long. 700 feet of 5 inch main, 1/2 mile of 4 inch lateral line, 66 sprinkler heads, originally size 1/8 by 3/16. They have been drilled larger to discharge more water. Checked with a 5 gallon can and stop watch, shows delivery of 1.437 inches per head on an average head.

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):

SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ and N $\frac{1}{2}$ SE $\frac{1}{4}$ Section 31, Twp. 5 North, Range 46 East, B. M.

See the map

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

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

Remarks: _____

This examination was made on the 3rd day of June, 1955

(Signed) E. H. Humphrey Examiner.

21832

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

RECEIVED
JUN 22 1955
Department of Reclamation

Alfred Durtschi,
Driggs, Idaho
Permit No. 21832

Examination for Beneficial Use

County Teton

31-5N-46E

Q = 4.0 c.f.s.

S = Well

P.D. = NE, SE., Sec. 34, T. 5 N., R. 40 E.

Use = Irrigation

Driggs, Dec. 26, 1950
Lancaster, Dec. 26, 1950

P/W = 12-15-51

5/32 x 3/16

65 nozzles @ 45

1/2 mi. 4" PL pipe

600' x 6"

1/4 mi - x 5" pipe

See spec. on other permit.

October 30, 1953

RE: Permit No. 21832

Mr. H. S. Forbush
Attorney at Law
Driggs, Idaho

Dear Mr. Forbush:

In accordance with your letter of October 28, 1953, we have corrected the depositions submitted in proof of beneficial use on Permit No. 21832 of Alfred Durtschi to conform to the descriptions given in the permit and the published notice.

These proofs have been placed on file together with the affidavit of publication in the Teton Valley News, but 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 Mr. Durtschi at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
cc: Mr. Alfred Durtschi

RECEIVED
21832

H. S. FORBUSH

Attorney at Law
DRIGGS, IDAHO

October 28th, 1953

RECEIVED
OCT 30 1953
Department of Reclamation

Mr. Mark R. Kulp
State Engineer
Department of Reclamation
Boise, Idaho

Dear Sir:

RE: permit no. 21832 in name of Alfred Durtschi

I have your letter of the 27th instance, referring to the above permit number and documents of proof of beneficial use in connection with the appropriation of water made thereunder.

As I do not have the deposition of Mr. Durtschi or his witnesses, or copies thereof from which also to check, I must conclude that since same do not compare accurately with the description given in the application form and proof published in the paper, same must be in error.

Mr. Durtschi has not included more land to be benefited by the appropriated water, and hence no additional land is now sought for beneficial use.

In consequence of an apparent mistake or error made in giving the description, I therefore, authorize you to make correction of same, so as to have the depositions conform with the descriptions given in the application and proof of publication. I express my appreciation for you having done this, or if you will do this in your office.

Very truly yours,



H. S. Forbush

21832

✓

October 27, 1953

RE: Permit No. 21832

Mr. H. S. Forbush
Attorney at Law
Driggs, Idaho

Dear Mr. Forbush:

Your letter of October 9, 1953, enclosing depositions of Alfred Durtschi and two witnesses, also affidavit of publication in the Teton Valley News was duly received, but due to pressure of work we have just gotten around to checking same, and note that the land description as given in Question 6 of Mr. Durtschi's deposition and Question 7 of the depositions of his two witnesses is different than as given in the permit and also in the legal publication.

The permit describes the $SE\frac{1}{4} NE\frac{1}{4}$, $N\frac{1}{2} SW\frac{1}{4}$ and $N\frac{1}{2} SE\frac{1}{4}$ Section 31, Township 5 North, Range 46 East, B.M., but the proofs describe the $SW\frac{1}{4} NE\frac{1}{4}$, $SE\frac{1}{4} NE\frac{1}{4}$ (or $S\frac{1}{2} NE\frac{1}{4}$), $SW\frac{1}{4} NW\frac{1}{4}$, $SE\frac{1}{4} NW\frac{1}{4}$ (or $S\frac{1}{2} NW\frac{1}{4}$), and the $NE\frac{1}{4} SE\frac{1}{4}$ of said section.

If this is an error in the proofs, we can correct same upon authorization to do so.

On the other hand, if there has been a change in the place of use it will be necessary to apply for an amendment to the land list and it will probably also be necessary to republish notice of proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

21832

MICROFILMED

H. S. FORBUSH

Attorney at Law
DRIGGS, IDAHO

RECEIVED
OCT 12 1953
Department of Reclamation

October 9th, 1953

Mr. Mark R. Kulp
State Engineer
Department of Reclamation
Boise, Idaho

Dear Sir:

RE: Permit number 21832 in name of Alfred Durtschi

Please find enclosed the depositions of two disinterested persons, together with the deposition of the permit holder, pertaining to proof of beneficial use of the waters under the above permit. Also, is enclosed the affidavit of publication of beneficial use of said waters.

It is to be hoped that all of said documents are in due and proper form, preparatory to the issuance of a license for said appropriatuoon upon the showing of your field inspector in due course of time.

Very truly yours,


H. S. Forbush

many 1 to

21832
RECEIVED

AFFIDAVIT OF PUBLICAT

State of Idaho, }
County of Teton, } ss.

I, W. E. Lansberry
being first duly sworn, depose and say.

That I am the Publisher
of the Teton Valley News, a newspaper
as defined by Idaho Codes Annotated,
Section 58-106, as amended, and that
said newspaper is a weekly newspaper,
printed and published at Driggs, in Te-
ton County, Idaho, having a general
circulation in said county, and that said
newspaper has been printed in said
county for more than 78 consecutive
weeks prior to the first publication of
the attached notice, advertisement or
publication of

Notice of Proof Application
of Water to Beneficial Use

And affiant further says that said at-
tached notice, advertisement or publica-
tion, as per clipping attached, was pub-
lished in said newspaper, in the regular
and entire issue thereof, and not in any
supplement issue thereof, for 4

consecutive issues thereof; first publica-
tion having been made on the 10th
day of September, 1953
and last publication on the 12th
day of October, 1953

And affiant further says that at the
times herein mentioned said newspaper
was made up of at least four pages of at
least five columns each, printed from
type matter, of at least seventeen and
three-fourths inches deep.

W. E. Lansberry

Subscribed in my presence and sworn
to before me this 3rd day of

September, 1953
M. M. Miner

Notary Public for the State of
Idaho, residence and postoffice
(SEAL) address, Driggs, Idaho.

My Commission expires
Oct 16, 1955

NOTICE FOR PUBLICATION
NOTICE OF PROOF APPLICA-
TION OF WATER TO BENE-
FICIAL USE

Notice is hereby given that at
10 a.m. on the 8th day of October,
1953, at Driggs, Idaho, County of
Teton, State of Idaho, before H.
S. Forbush, Notary Public, proof
will be submitted of the applica-
tion to beneficial use of Four (4)
cubic feet per second of the wa-
ters of Subterranean Waters—(well
in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 31 Twp. 5 N.,
Range 46 E., B. M.) in accordance
with the terms and conditions of
Permit No. 21832 heretofore issued
by the Department of Reclamation
of the State of Idaho.

The name and postoffice address
of the person or corporation hold-
ing said permit are Alfred Durt-
schi, Driggs, Idaho.

The use to which said water has
been applied is Irrigation.

The amount applied to beneficial
use is Four Cubic Feet.

The place where said water is
used is SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$,
N $\frac{1}{2}$ SE $\frac{1}{4}$ Section 31, Twp. 5 North,
Range 46 East, B. M.

The right to take water from
such works is based upon Permit
No. 21832.

The source of supply from which
such water is diverted is: Well.

The date of priority which said
user is prepared to establish is
December 19, 1950. 21832

MARK R. KULP,
State Reclamation Engineer
Pub. S10-17-24-01

MICROFILMED
21832-2

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 21832

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Alfred Durtschi, east of Driggs, farmer, Driggs, 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. Permit #21832, Dec. 26, 1950 12-18-50

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

Ans. Subterranean water (well) West 544 ft. distant from the E $\frac{1}{4}$ of Sec. 31
T. 5 N. Range 46 E.B.M. is the NE $\frac{1}{4}$ SE $\frac{1}{4}$

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.

Ans. A well uncurbed several feet each way in dimension, using a pump
with sprinkling system, or pipe line (6") with flood system. Can use 4 Cu.Ft
per second; Depth 22 feet, 16X35 ft. dimension.

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

Ans. Irrigation on cultivated land. on NE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$,
SE $\frac{1}{4}$ SW $\frac{1}{4}$ 200 acres, in Sec. 31, Township 5 North, Range 46 E.B.M.
SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$

21832

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

Ans.

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

Ans.

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.

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

Ans. ~~I used the sprinkling system on the above described land during the crop season of 1952; and at this time the sprinkling system would use about 95 in. of water, but however by flood irrigation the pump would throw through the outlet about 4 cu. ft. per second 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. ~~Under authority of Permit #21831, I am licensed to use 95 inches of water diverted from Spring Creek, the same beneficially used as a supplemental supply for said land, within described.~~

(Sign) Alfred Durtzchi

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 Driggs, Idaho County of Teton, State of Idaho, on this 8th day of October,

A. D. 1953,

R. L. Forbush
Notary Public residing at Driggs, Idaho

My commission expires Dec. 28, 1953

21832

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 21832

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.

Ans. Maurice Roberts, 55, Driggs, Idaho, irrigation expert, and sprinkler dealer.

Ques. 2. Are you acquainted with Alfred Durtschi, the holder of Permit No. 21832? How long have you known him and where does he reside?

Ans. 8 years; he resides east of Driggs.

Ques. 3. Have you read or heard read said Permit No. 21832, and are you familiar with its provisions and conditions?

Ans. yes.

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Subterranean water (well), West 544 ft. distant from the E $\frac{1}{4}$ corner of Sec. 31, Range 46 E.B.M. is in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 31, Tn. 5 N. A well 16x35 by 22 ft. deep, connected thereto is a Erecos steel tube Pump and Sprinkling system, through which the water may be beneficially applied to place of use or the water may be pumped through pipe and ditch to place of use.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. 4 cu. ft. through outlet of pump and through ditch, as less amount for sprinkler is used.

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. 200 inches or 4 cu. ft. will flow from the outlet, as measured by a meter apparatus.

MICROFILMED
21832

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. ~~SE¹/₄ NE¹/₄, N¹/₂ SW¹/₄, N¹/₂ SE¹/₄~~
~~200 acres in Sec. 31, Township 5 N. Range 46 E.B.M.~~
~~As a result of the water appropriation the land will produce better~~
~~grain and potatoes.~~

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

Ans. _____

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

Ans. ~~gravely loam soil; 3 inches of water per acre to be applied every~~
~~fifteen days.~~

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. ~~No.~~

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. ~~I saw the water from said well being used at various times during~~
~~the 1952 crop season, pumping water through a ditch to the place of use,~~
~~and, or through the sprinkling system.~~

(Signed) _____

Maurice Robert

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 Driggs, Idaho, County of Teton, State of Idaho, on this 8th day of October, A. D. 1953.

F. D. Tolman

Notary Public.

My commission expires Dec. 28, 1953

21832

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 21832

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.

Ans. Rudolph Kaufman, Jr., Driggs, Idaho, farmer, age 53.

Ques. 2. Are you acquainted with Alfred Durtschi, the holder of Permit No. 21832? How long have you known him and where does he reside? all my life, he resides east of Driggs.

Ans.

Ques. 3. Have you read or heard read said Permit No. 21832, and are you familiar with its provisions and conditions?

Ans. yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Subterranean water (well), West 544 ft. distant from the E¹/₄ corner of Sec. 3, Range 46 E.B.M., is in the NE¹/₄ SE¹/₄ Section 31, Tn. 5 N., A well uncurbed several feet each way in dimension, using a pump with sprinkling system, or pipe line 6" with flood system.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. 4 cu. feet per second, through outlet of pump or ditch, and sufficient water to operate sprinkling system.

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount? 4 cu. ft. per second, I have seen the sprinkling system in operation

Ans.

21832
RECORDED

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation; cultivated land, ~~NE 1/4, SE 1/4, SW 1/4, NW 1/4, NE 1/4, SE 1/4, SW 1/4, NW 1/4~~,
~~SE 1/4~~ - 200 acres. in Sec. 31, Township 5 N. Range 34 E. B. M.
~~SE 1/4 NE 1/4, N 1/2 SW 1/4, N 1/2 SE 1/4~~

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

Ans.

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

Ans. Heavy loam, some gravel; 4 cu. ft. per second.

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. None

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. Saw the sprinkling system in operation in the summer of 1952, and it appeared to me that 4 cu. second feet of water could be pumped out onto the land, however a less amount would be used through the sprinkling system.

(Signed) Rudolph Kaufman Jr.

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 Driggs, Idaho, County of Teton, State of Idaho, on this 8th day of October, A. D. 1953.

W. L. Forster
Notary Public.

My commission expires Dec. 28, 1953.

21832

September 12, 1953

RE: Permit No. 21832

Teton Valley News
Driggs
Idaho

Gentlemen:

We thank you for the copy of your issue of September 10, 1953, containing notice of proof of beneficial use in connection with Permit No. 21832 of Alfred Durtschi.

In checking same, we find a misspelled word which was no fault of yours but was in the copy sent you.

The word "subterranean" in the 9th line should be corrected in subsequent issues.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

21832
[Stamp]

✓
September 8, 1953

RE: Permit No. 21832

Mr. H. S. Forbush
Attorney at Law
Driggs, Idaho

Dear Mr. Forbush:

Through an oversight, the notice for beneficial use on permit No. 21832 of Alfred Durtschi was not sent to the Teton Valley News in time for four weeks publication prior to October 1, 1953. We were so advised by letter received this morning from the publisher.

We have accordingly changed the date for making this proof to October 8, 1953.

If this date will not be convenient for you or Mr. Durtschi, please advise the newspaper of another date and notify us accordingly.

Very truly yours,

Mark R. Kulp
State Reclamation Engineer
By

Chief Clerk

A:re

CC:2

Dear Mr. Lansberry:
The enclosed is for your information.

21832
MICROFILMED

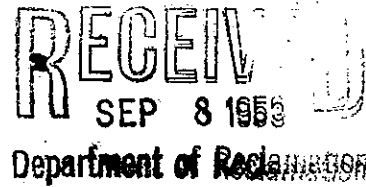
TETON VALLEY NEWS

Published Every Thursday

V. E. LANSBERRY, Publisher

DRIGGS, IDAHO

Sept 4 -



Dept of Reclamation:

Boise:

Gentlemen:

We received a Notice for Publication
(Permit No. 21832) Alfred Hartschi, with instructions
to publish 4 times prior to Oct 1. This is
impossible, as there are only 3 weeks left - Sept. 10-17.

Notice did not arrive in time for Sept 3
publication.

Please advise

V.E. Lansberry 21832

✓
September 1, 1953

RE: Permit No. 21832

Mr. H. S. Forbush
Attorney at Law
Driggs, Idaho

Dear Mr. Forbush:

We have sent to the Teton Valley News notice of Beneficial Use proof to be made October 1, 1953, on Permit No. 21832 in the name of Alfred Durtschi with instructions to publish it once a week for four weeks prior to that date and to send Mr. Durtschi the affidavit of publication together with statement of cost.

We enclose the forms of deposition to be used in making this proof and at the time set, Mr. Durtschi should appear before you together with two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder for the purpose of executing the depositions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:pj
Enc.

cc 76 W

21832
NOTICE REVENUE

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Re: Permit No. 21832

Date: September 1, 1953

Teton Valley News

Driggs, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to October 4, 1953 the date set for proof, the expense of the publication to be paid by the applicant, **Alfred Durtschi** of **Driggs,** **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 of the first publication, in order that we may check same.

Very truly yours,

MARK R. KULP

State Reclamation Engineer
By

Chief Clerk

21832

RECEIVED

NOTICE FOR PUBLICATION
NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 10 A. M. on the 1st day of October, 1953
at Driggs, Idaho, County of Teton, State of Idaho, before
H. S. Forbush, Notary Public, proof will be submitted of the
application to beneficial use of Four (4) cubic feet per second of the waters of Subterrean Waters--
(well in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 31/ Twp. 5 N., Range 46 E., B.M.) in accordance with the terms and conditions of Permit No. 21832
heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are _____

Alfred Durtschi, Driggs, Idaho

The use to which said water has been applied is Irrigation

The amount applied to beneficial use is Four Cubic Feet

The place where said water is used (If for irrigation, give full and accurate description of the lands irrigated)

All in
NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 31-5-46

NW $\frac{1}{4}$ SE $\frac{1}{4}$
SE $\frac{1}{4}$ SW $\frac{1}{4}$

NE $\frac{1}{4}$ SW $\frac{1}{4}$ All in Section 31-5-46

NW $\frac{1}{4}$ SW $\frac{1}{4}$

SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ Section 31, Twp. 5 North, Range 46 East, B. M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is _____

The right to take water from such works is based upon Permit No. 21832

The source of supply from which such water is diverted is Well

The date of priority which said user is prepared to establish is December 12th, 1950

MARK R. KULP

State Reclamation Engineer.

21832
MICROFILMED

H. S. FORBUSH

Attorney at Law
DRIGGS, IDAHO

RECEIVED
AUG 22 1953
Department of Reclamation

August 19, 1953

Mark R. Kulp
State Engineer
Department of Reclamation
Boise, Idaho

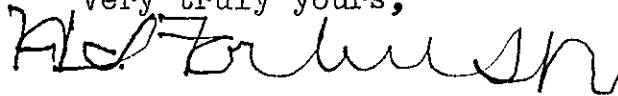
Dear Sir:

RE: Permit number 21832 in name of Alfred Durtschi

I herewith enclose authorization for the publication of notice of beneficial use of water under the above appropriation, together with notice for the making of the proofs in the Teton Valley news, all in behalf of Mr. Alfred Durtschi, the permit holder herein named.

I trust that the enclosed are in due and regular form.

Very truly yours,



H. S. Forbush

21832 MICROFILMED

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date).....August 19, 1953.....

(P. O.).....Driggs, 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
Teton Valley News.....of Driggs, Idaho.....published in
the county in which the works are situated.

Olyped Durtzsch

(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.

MICROFILMED
21832

✓
July 31, 1953

RE: Permit No. 21832

Mr. Alfred Durtschi
Driggs
Idaho

Dear Mr. Durtschi:

Upon return to the office I checked regarding your permit for a well of which you spoke when we were on the inspection trip.

I find that you have Permit No. 21832 for the well and that the blanks for beneficial use proof were mailed you on December 26, 1952, and that nothing further has been done regarding this permit.

The proof should be made immediately and mailed in as you are losing priority day by day when the proof is not made.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

A:fg
Enc.

21832
HUMPHREY

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

DEPARTMENT OF RECLAMATION

Boise, Idaho

October 1, 1952

Mr. Alfred Durtschi

Driggs, Idaho

Dear Sir:

We enclose herewith blank notice for proof of application of water to beneficial use under your Permit No. 21832. This notice should be filled out in duplicate and returned to this office at least 40 days before the date upon which you wish to make this proof, in order to allow time for the four weeks' publication required by law.

This proof must be submitted before a Notary Public or other officer authorized by law to administer oaths.

The date for proof, as set out in your permit, is not later than December 26, 1952, and if proof is submitted later than said date, your priority will be brought down a length of time equal to the time elapsing between the date the proof is due and the date proof is actually made.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

51832
MICROFILMED

December 17, 1951

RE: Permits Nos. 21831 and 21832

Mr. H. S. Forbush
Attorney at Law
Driggs, Idaho

Dear Mr. Forbush:

We enclose certificates of completion of works issued under Permits Nos. 21831 and 21832 in the name of Alfred Durtachi.

Permit No. 21831 is for the diversion of 4 second feet of water from Spring Creek, and Permit No. 21832 is for the diversion of 4 second feet of supplemental water from a well, all for the irrigation of the SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ and N $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 31, Township 5 North, Range 46 East, B.M.

We also enclose departmental receipt No. 24038 for the \$10.00 paid in connection with completion of works proofs.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

RECEIVED

21832

Permit No. 21832

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

ss.

County of Teton

Alfred Durtschi, being first duly sworn, upon his oath deposes and says:

First: That he is the holder and owner of Permit to Appropriate the Public Waters of the State of Idaho, No. 21832, and that his postoffice address is Driggs

State of Idaho

DIVERTED

Second: That the name of the stream which said water is to be directed is

Dug well (ground water)

Third: That the point of diversion of said water is West 544 feet distant from the E $\frac{1}{4}$ corner of Section 31, T5N, R.46 EBM, and is in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 31, T. 5N. R. 46 E.B.M. County of Teton.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by December 26, 1951.

Fifth: That the use for which said water is intended is irrigation.

Sixth: That on the date above mentioned, the works constructed under said permit were (or were not) fully completed and consisted of the following:

I. Kind of works well pump and pipe line (sprinkling system)
(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

(a) Height of dam feet, length of dam at top feet, length of dam at bottom feet. Material used in construction

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir acre feet.

(c) Size of headgate: Width feet, height feet.

(d) Conduit width at bottom feet, width at water line
(State whether ditch, flume or pipe)

feet, depth of water feet; diameter of pipe inches, average grade per mile is feet. Length of conduit is miles.

Seventh: That said works are capable of conducting to the place of intended use four second feet of water.

Eighth: That water appropriated under said permit is available for 200 acres of land described as follows: SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, all in Section 31, T. 5 N. R. 46 E.B.M.

Ninth: Remarks: That the well is 35 feet long and 21 feet deep and ten feet wide

Alfred Durtschi
(Sign Here)

Subscribed and sworn to before me this 15th day of December, 1951

My commission expires Dec. 28, 1953.

Notary Public.

21832

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS

Mr. Alfred Durtschi

PROOF OF COMPLETION OF WORKS

Driggs, Idaho

Boise, Idaho

October 1, 1951

Dear Sir:-

Under the terms of your permit No. 21832 you are required to complete your diversion works on or before December 26, 1951. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Yours truly,

MARK R. KULP

State Reclamation Engineer

21832 FILED

December 29, 1950

Re: Permits Nos. 21831 and 21832

Mr. Harold J. Forbush
Attorney at Law
Briggs, Idaho

Dear Mr. Forbush:

Through some delay in the Postoffice Department, your letters of December 16, enclosing applications of Alfred Burtschi, reached us a day apart, which will make the priorities of the two Permits a day apart.

We enclose Permit No. 21831 for four (4) second feet of water from Spring Creek, and Permit No. 21832 for the same amount of subterranean water from a well, and direct attention to the limitations and conditions of these Permits as given on the fourth page, under approval of the State Reclamation Engineer.

We also enclose Departmental Receipts Nos. 22920 and 22923 for the filing fees of \$5.75 each, which accompanied the applications.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

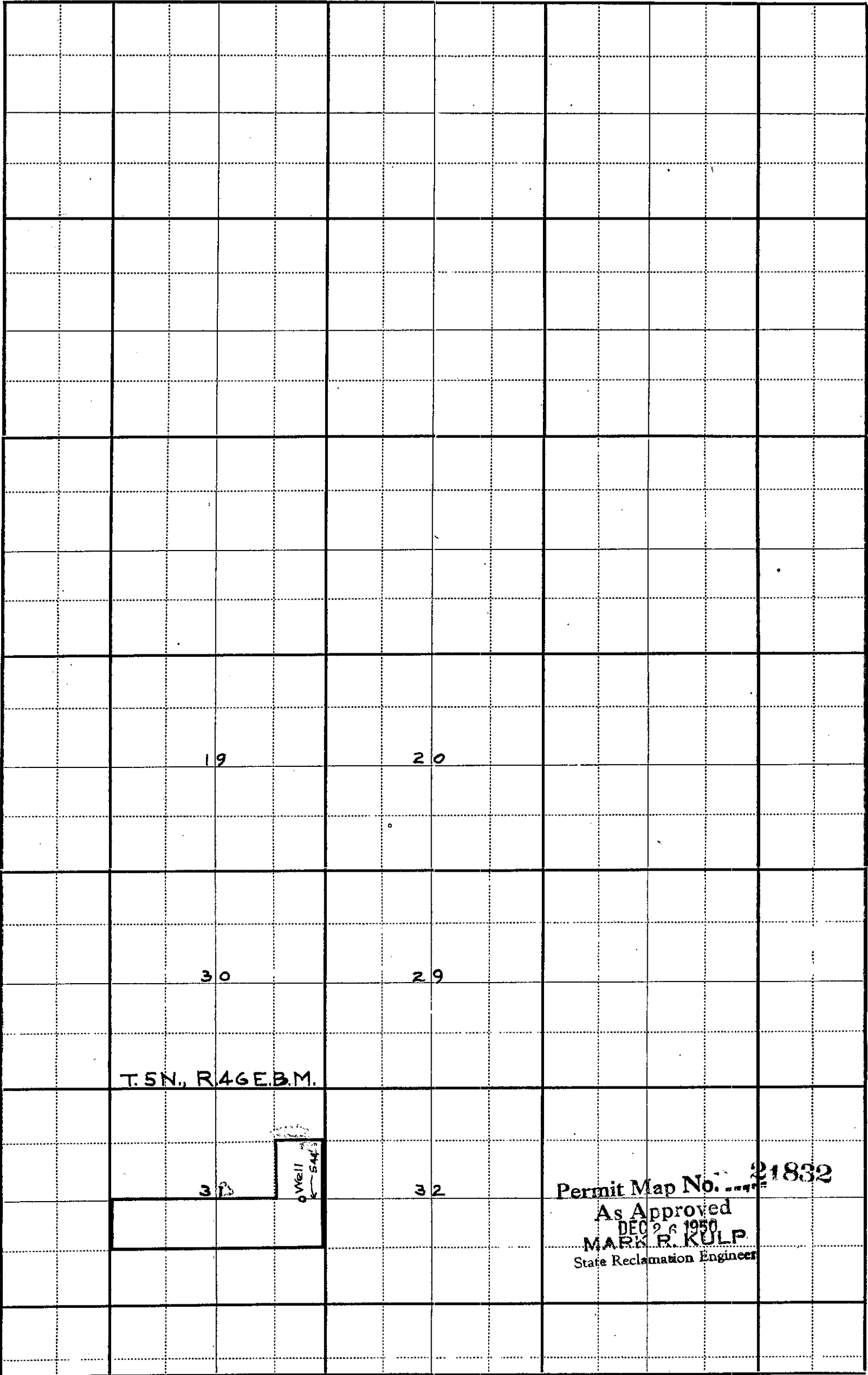
A:bh
Enc.

21832

MICROFILMED

NAME OF APPLICANT ALFRED DURTSCHI

Form No. 0



SCALE: 2 INCHES EQUAL 1 MILE. DRAW PLAN IN INK.

21832

HAROLD S. FORBUSH

Teton County Prosecuting Attorney

DRIGGS, IDAHO

December 16, 1950

RECEIVED
DEC 19 1950
9 am
Department of Reclamation

State Engineer
Dept. of Reclamation
Boise, Idaho

Dear Sir:

Enclosed is the form for the application
of Underground water.

Also enclosed is check in the amount of
\$5.75 covering filing fee.

Trusting that the same is in good form.

Yours truly,

H. S. Forbush

H. S. Forbush

21832

16. (a) Is reservoir to be used? No _____ If so, fill in (b) and (c) below:
 (b) Name of Reservoir and number of Storage Permit: _____
 (c) Date of filing of Application for Storage Permit and Name of Applicant: _____

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

ALFRED DURTSCHI *Applicant.*

By _____ Agent.

Date of first receipt at Department of Reclamation: 9:00 A. M. December 19, 1950

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 21832
Recorded in Book 78 Page 21832 Approved December 26, 1950
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 February 26, 1951 and to continue diligently and uninterruptedly to completion,
unless temporarily interrupted by circumstances over which permit holder has no control.
One-fifth of the work above specified to be completed on or before June 26, 1951
The whole of said work to be completed on or before December 26, 1951
Beneficial use of water appropriated in accordance herewith, to be made on or before December 26, 1952

WITNESS My hand this 26th day of December, 1950

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, C. A. ROBINS, Governor of the State of Idaho,
and J. D. "CY" PRICE, 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 26th day of December, 1950.

STATE OF IDAHO

day of _____, 19____.

Countersigned: _____

(SEAL) _____

By _____ J. D. "CY" PRICE _____

Secretary of State.

STATE OF IDAHO

By _____ C. A. ROBINS _____

Governor.

REMARKS: This filing is supplemental to Permit No. 21831.

14.

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	
5 N.	46 E.	31	40								40 40				40 40				200
CERTIFICATE OF COMPLETION OF WORKS																			
TO ALL WHOM IT MAY CONCERN:																			
This is to certify that ALFRED DURTSCHI of Driggs, County of Teton, and State of Idaho, the holder of Permit No. 21832, issued upon Application No. 29550 bearing date of priority of December 19, 1950, authorizing the diversion of Four (4) second feet of the waters of A well (subterranean flow) County of Teton, State of Idaho, for irrigation (supplemental) 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 Four (4) second feet of the waters of said well; that the point of diversion of said waters is in the NE ¹ / ₄ SE ¹ / ₄ Section 31, Township 5 North, Range 46 East, B.M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: SE ¹ / ₄ NE ¹ / ₄ , NE ¹ / ₄ SW ¹ / ₄ , NW ¹ / ₄ SW ¹ / ₄ , NE ¹ / ₄ SE ¹ / ₄ and NW ¹ / ₄ SE ¹ / ₄ Section 31, Township 5 North, Range 46 East, B.M.																			
Witness my hand this 17th day of December, A.D. 1951.																			
MARK R. KULP State Reclamation Engineer																			
Proof of completion of works made December 15, 1951. Certificate of completion of works issued December 17, 1951.																			
LICENSE ISSUED FOR 1.9 SEC. 31 P. 5543																			

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 29550
PERMIT No. 21832
DISTRICT No.

1. Name of Applicant: ALFRED DURTSCHI

Postoffice address: Driggs

County: Teton

State: Idaho

I. If applicant is a corporation, give:

(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:

(c) Bonds to be issued:

(b) Treasury stock:

(d) Other resources:

2. Quantity of water claimed: Four (4)

cubic feet per second.

3. Source of water supply: Dug well (ground water)

which is a tributary of

4. Location of point of diversion: West 544

feet distant from the E $\frac{1}{4}$

corner of Section 31, T. 5 N., R. 46 E., B.M., and is in the NE $\frac{1}{4}$ SE $\frac{1}{4}$

of Section 31, T. 5 N., R. 46 E., B.M., County of Teton

5. Water is to be used for Irrigation.

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section

T., R., B.M., in the of Section, T., R., B.M.

(b) Amount of power generated: H.P., under feet head.

(c) Water is to be returned to at a point feet

distant from the corner of Section, T., R., B.M., in the
of Section, T., R., B.M.

7. Estimated cost of works: \$ 2,500.00

8. Kind of works: Well, pump and pipe line (Sprinkling system)

9. Height of dam feet; length of dam at top feet; length of dam at bottom

feet; material used in dam:

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom feet; width at water line feet; depth of water feet;

dimensions of flume:

Diameter of pipe 6" inches; length of conduit miles.

Average grade per mile feet.

12. The time required for the completion of such work is One years.

13. The time required for the complete application of the water to the proposed use is One additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None (See Permit No. 21831)

16. (a) Is reservoir to be used? No If so, fill in (b) and (c) below:
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

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

ALFRED DURTSCHI

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 9:00 A. M. December 19, 1950

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 21832

Recorded in Book 78

Page 21832

Approved December 26, 1950

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 February 26, 1951 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before June 26, 1951

The whole of said work to be completed on or before **December 26, 1951**

Beneficial use of water appropriated in accordance herewith, to be made on or before December 26, 1952

WITNESS My hand this 26th day of December, 1950

MARK R. KULP

State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, C. A. ROBINS, Governor of the State of Idaho.

and J. D. "CY" PRICE, 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 26th

day of December 19 50

STATE OF IDAHO

Countersigned:

C. A. ROBINS

(SEAL)

By

By J. D. "CY" PRICE

Governor.

Secretary of State.

REMARKS: This filing is supplemental to Permit No. 21831.

14.

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 $\frac{1}{4}$	
5 N.	46 E.	31	40								40 40				40 40				200
CERTIFICATE OF COMPLETION OF WORKS																			
TO ALL WHOM IT MAY CONCERN:																			
This is to certify that ALFRED DURTSCHI of Driggs, County of Teton, and State of Idaho, the holder of Permit No. 21832, issued upon Application No. 29550 bearing date of priority of December 19, 1950, authorizing the diversion of Four (4) second feet of the waters of A well (subterranean flow) County of Teton, State of Idaho, for irrigation (supplemental) 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 Four (4) second feet of the waters of said well; that the point of diversion of said waters is in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 31, Township 5 North, Range 46 East, B.M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 31, Township 5 North, Range 46 East, B.M.																			
Witness my hand this 17th day of December, A.D. 1951.																			
MARK R. KULP State Reclamation Engineer																			
Proof of completion of works made December 15, 1951. Certificate of completion of works issued December 17, 1951.																			
LICENSE ISSUED FOR 1.9 SEC. FT. P. 5543																			

State of Idaho
License and Certificate of Water Right

Water License No. 21832

Amount 1.9 second feet

Water District No.

Priority December 12, 1950

THIS IS TO CERTIFY that ALFRED DURTSCHI
of Driggs, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated December 19, 1950; that Permit No. 21832
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
four second feet, was issued thereunder on December 17, 1951, showing that said works
were completed on the 15th day of December, 1951; and that on the 8th
day of October, 1953,

ALFRED DURTSCHI
of Driggs, 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
~~contributor of~~ (subterranean flow), for the purpose of irrigation
under Use Permit No. 21832 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
9 of Licenses at page 5543, on the 17th day of August, 1955;

The right hereby confirmed dates from December 19, 1950;

The Point of Diversion is located
in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 31, Tp. 5 N., R. 46 E., B. M. Teton 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 1.9 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
5 N.	46 E.	31	SE $\frac{1}{4}$ NE $\frac{1}{4}$	40	40
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	40	--
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	40	--
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	40	20
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	40	<u>40</u>
			Number of Acres Actually Irrigated - - - -		

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
17th day of August, 1955.

MARK R. KULP

State Reclamation Engineer.

(SEAL)

22 2142

MICROFILMED

State of Idaho
License and Certificate of Water Right

Water License No. 21832

Amount 1.9 second feet

Water District No.

Priority December 19, 1950

THIS IS TO CERTIFY that ALFRED DURTSCHI
of Driggs, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated December 19, 1950; that Permit No. 21832
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
four second feet, was issued thereunder on December 17, 1951, showing that said works
were completed on the 15th day of December, 1951; and that on the 8th
day of October, 1953,

ALFRED DURTSCHI
of Driggs, 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
~~contributor of~~ (subterranean flow), for the purpose of irrigation
under Use Permit No. 21832 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
9 of Licenses at page 5543, on the 17th day of August, 1955;
The right hereby confirmed dates from December 19, 1950;

The Point of Diversion is located
in the NE 1/4 SE 1/4, Sec. 31, Tp. 5 N., R. 46 E., B. M. Teton 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 1.9 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
5 N.	46 E.	31	SE $\frac{1}{4}$ NE $\frac{1}{4}$	40	40
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	40	--
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	40	--
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	40	20
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	40	<u>40</u>
			Number of Acres Actually Irrigated - - -		

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
17th day of August, 1955.

(SEAL)

MARK R. KULP
State Reclamation Engineer.

22 2142

MICROFILMED