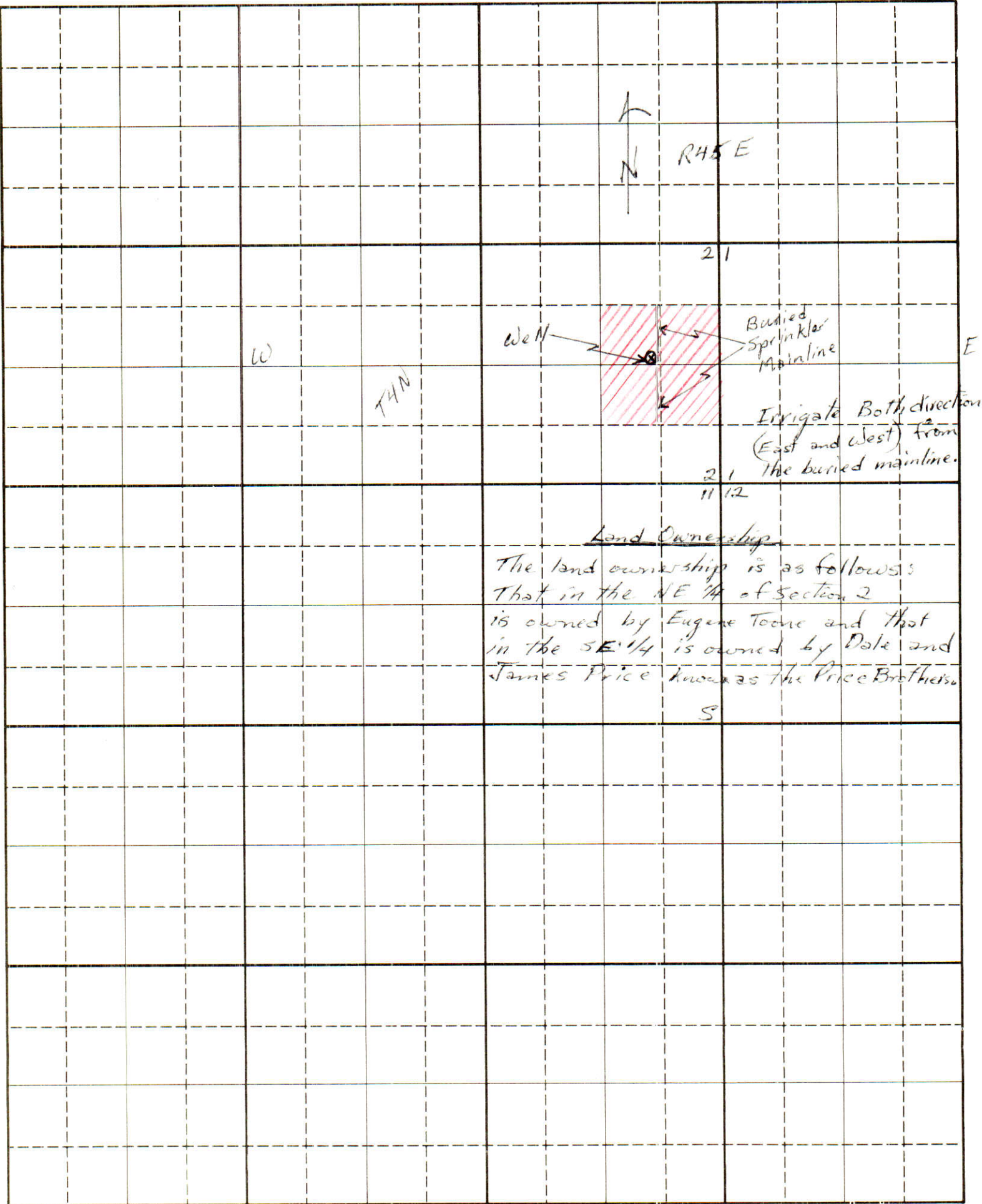


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

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

Eugene Toome
James W. Price
Dale K. Price
(Applicant)

AFFIDAVIT OF PUBLICATION

State of Idaho, ss.
County of Teton

I, Eleanor Hermes
being first duly sworn depose and say

that I am the Publisher
of the Teton Valley News, a news-
paper as defined by Idaho Codes Anno-
tated, Section 58-106, as amended, and
that said newspaper is a weekly news-
paper printed and published at Driggs,
in Teton County, Idaho, having a gen-
eral circulation in said county, and that
said newspaper has been printed in
said county for more than 78 consecu-
tive weeks prior to the first publication
of the attached notice, advertisement
or publication of

Water Permit

And affiant further says that said
attached notice, advertisement or pub-
lication, 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 15 day of April
19 71

and last publication on the 22
day of April, 19 71

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 seven-
teen and three-fourths inches deep.

Eleanor Hermes

Subscribed in my presence and sworn

to before me this 22 day of
April, 19 71

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

My Commission expires

Sam E. Sewell, Notary Public
My Commission Expires 1973

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Eu-
gene Toone, 5708 East Burns,
Tucson, Arizona; Dale K. Price,
Driggs, Idaho; and James W.
Price, Driggs, Idaho; have on
February 3, 1971, submitted Appli-
cation No. 22-7043 for a permit to
appropriate 3.2 cubic feet per sec-
ond of water from a ground water
source by means of well, pump
and ditches within the SW $\frac{1}{4}$ NE $\frac{1}{4}$,
Sec. 2, T. 4N, R. 45E, B.M., Teton
County, to be used from May 1 to
Nov. 1 for the irrigation of 160
acres within the S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$,
Sec. 2, T. 4N, R. 45E, B.M.

If issued, this permit will be
subject to all prior water rights.
Protests against the granting of
the permit must be filed with the
Idaho Department of Water Ad-
ministration, Statehouse, Boise,
Idaho, 83707, on or before May 31,
1971.

R. KEITH HIGGINSON
Director

Published in the Teton Valley
News, Driggs, Idaho, on April 15
and April 22, 1971.

RECEIVED

APR 23 1971

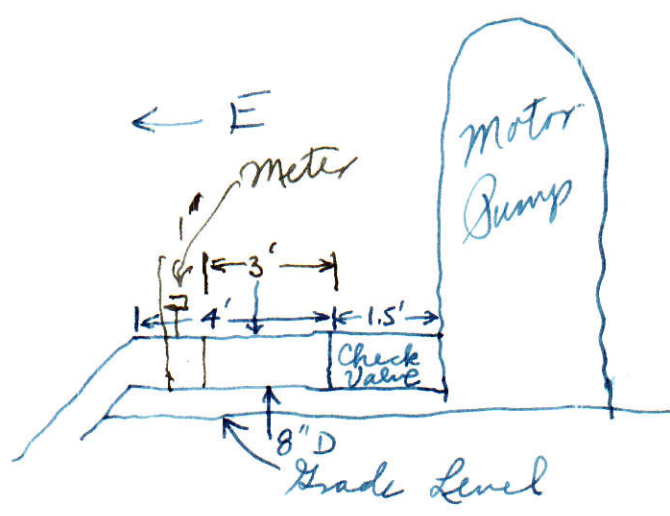
22 7043

T
4
N

PD

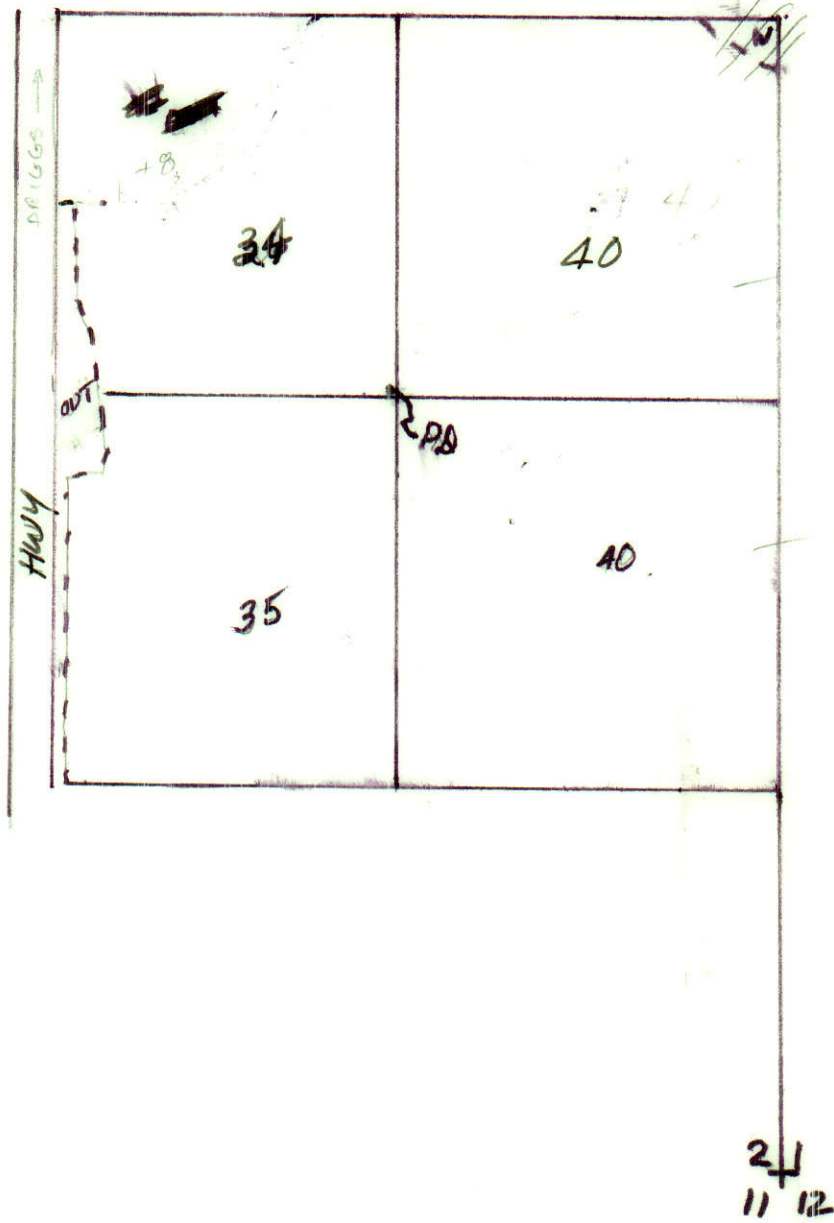
4 2	40
35	40

Diagram of System



SS 5043

↑
N



8" = 1 mi

Sketch from
Duton Co ASES
photo
7/31/73 84 : 22-7043

State of Idaho
Department of Water Administration

WATER RIGHT LICENSE

License of Water Right No. 22-7043 Priority Feb. 3, 1971 Amount 2.05 cfs

THIS IS TO CERTIFY, that Eugene Toone, Dale K. Price, James W. Price
of Tucson, Arizona & Driggs, Idaho, has complied with the terms and conditions of Permit
No. 22-7043 issued pursuant to Application for Permit dated February 3, 1971,
and has submitted proof to the Department of Water Administration on June 1, 1973,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 2.05 cfs of water from a ground water source,
tributary to _____, and that the permit holder has applied to a beneficial use &
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u> from <u>May 1</u> to <u>Nov. 1</u> at <u>2.05</u> cfs and <u>447 acre feet or</u>			
_____ from _____ to _____ at _____ cfs and <u>3.0 af per acre</u>			
_____ from _____ to _____ at _____ cfs and _____			

(both dates inclusive)

Subject, however, to the condition that no more than 2.05 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
447 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 2,
Twp. 4 N, Rge. 45 E, B. M. in the County of Teton

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
4 N	45 E	2			84	40									40	35			149

Total number of acres irrigated 149

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

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

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

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

Director

22-7043

Identification No. 22-7043

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR PERMIT

APPROVED

LICENSE ISSUED FOR 2.25 SEC. FT.
LICENSE PAGE NO. _____

To Appropriately the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

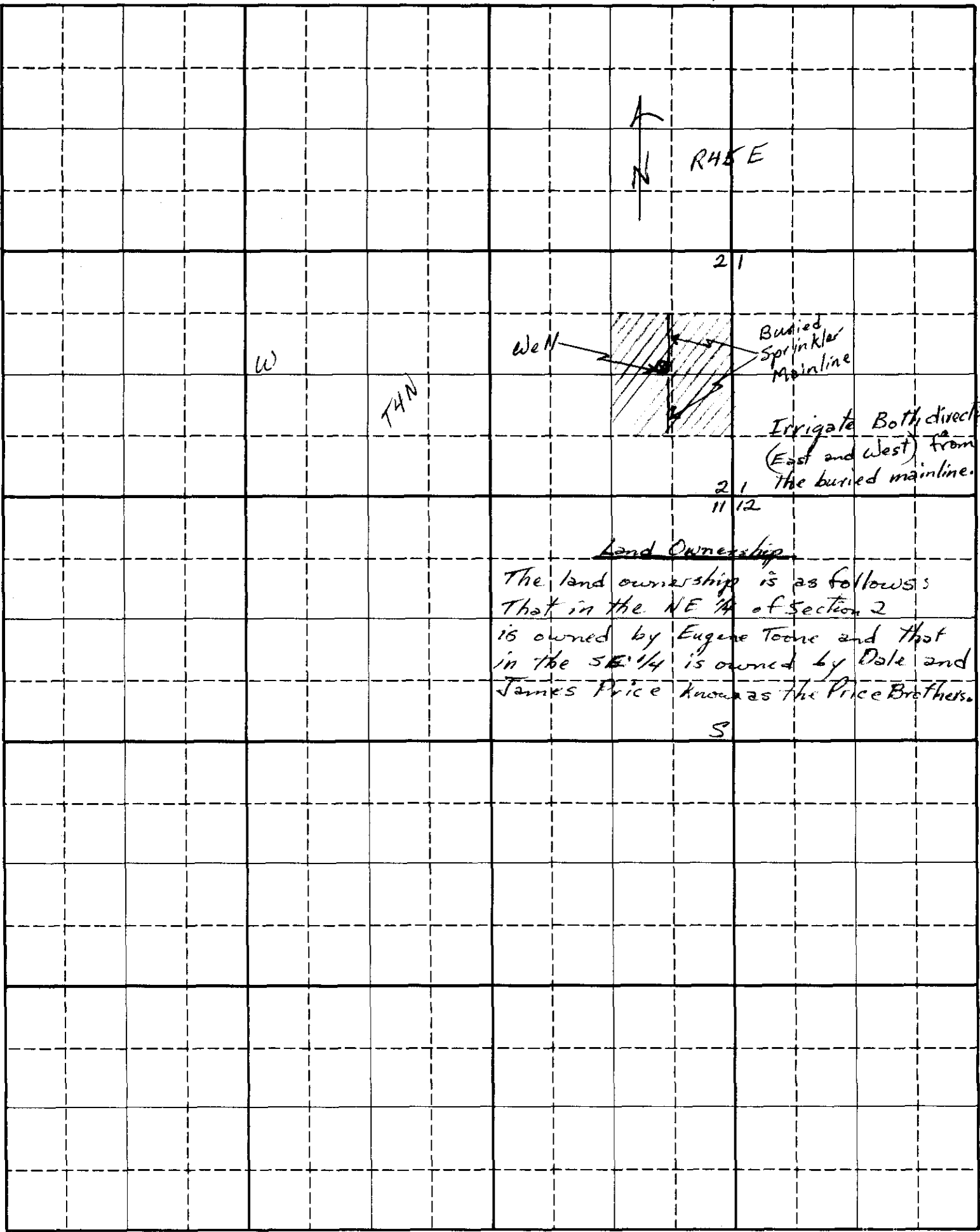
1. Name of applicant EUGENE TOONE - DALE K. PRICE - JAMES W. PRICE
post office address 5708 EAST BURNS DR1995 Idaho DR1995, Idaho
TUBSON, ARIZONA
2. Source of water supply GROUND WATER which is a tributary of _____
3. a. Location of point of diversion is SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 2 Township 4N
Range 4SE B.M. TETON County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into NONE at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 3.20 4 cfs for irrigation purpose from MAY 1 to NOV 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 3.2 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. PUMP 60 HP. Pipeline
8" & 6" Buried MAIN LINE (SPRINKLER SYSTEM)

- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is 16 inches; proposed depth of well is 108 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 2 years.
b. Estimated construction cost is \$ 12,650.⁰⁰
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____.
(5) If water is to be used for other purposes describe: _____

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

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

Eugene Toome
James O. Price
Dale K. Price
(Applicant)

Received by ej Date 2-3-71 Time 2:00
 Preliminary check by du Fee \$ 35
 Receipted by ej Date 2-18-71
 Publication prepared by dr Date 3-2-71
 Published in Teton Valley News
 Publication dates 4-15 & 4-22, 1971
 Publication approved du Date 4-28-71
 Priority reduced to _____ Reason _____

 Protests filed by: _____

 Copies of protests forwarded by _____
 Hearing held by _____ Date _____
 Recommended for approval denial by D. R. H. B. F. C.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 22-7043, and said application is hereby APPROVED.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 1973.
- c. Other: The permit holders shall permanently install and maintain as part of the diverting works a measuring device at the point of diversion of a type approved by this Department.
This permit is supplemental to all prior rights.

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

Witness my hand this 12th day of May 1971.


 Director

DEPARTMENT OF WATER ADMINISTRATION

STAFF ANALYSIS

Application No. 22-7043 Name Eugen Toone, Dale K. Price, James W. PriceSource ground waterPoint of Diversion SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 2, T. 4N, R. 45E, B.M., Teton CountyQuantity 3.20 Use irrigation Period May 1 - Nov. 1

Quantity _____ Use _____ Period _____

Quantity _____ Use _____ Period _____

Well Size _____ Diameter 16 in. Proposed Depth 108 FeetUse 160 acresDate Forwarded 3-3-71Date Returned 3-5-71Received by J.D.

COMMENTS: WATER TABLE FLUCTUATES FROM YEAR TO YEAR
but does not appear to be falling (W.B.#18). Well
appears to have been already drilled as log has been
filed. Sediment aquifer. Yields should be good
because of gravel layers. Static depth to water
is 30 ft. Nearby well has yield of 28 gpm per ft. of
drawdown. Limited number of irrig. wells have been drilled in the area.

RECOMMENDED:

Applied: Qty. 3.2 cfs Use irrig Period 5-1 to 10-15 AF/A 3.0 AF 480

Qty. _____ Use _____ Period _____ AF/A _____ AF _____

Qty. _____ Use _____ Period _____ AF/A _____ AF _____

Maximum: Qty. 3.2 cfs Use irrig Period 4-15 to 10-15 AF/A 3.0 AF 480

Qty. _____ Use _____ Period _____ AF/A _____ AF _____

Qty. _____ Use _____ Period _____ AF/A _____ AF _____

ACTION: Approved X

Denied _____

Conditions of approval or reason for denial: Acceptance of shorter irrigation
season or written justification of the later season
requested.

INVESTIGATION

By Norman C. YoungTitle W. R. EngerDate 3-5-71

AFFIDAVIT OF PUBLICATION

State of Idaho, ss.
County of Teton

I, Eleanor Hermes
being first duly sworn depose and say

that I am the Publisher
of the Teton Valley News, a news-
paper as defined by Idaho Codes Anno-
tated, Section 58-106, as amended, and
that said newspaper is a weekly news-
paper printed and published at Driggs,
in Teton County, Idaho, having a gen-
eral circulation in said county, and that
said newspaper has been printed in
said county for more than 78 consecu-
tive weeks prior to the first publication
of the attached notice, advertisement
or publication of

Water Permit

And affiant further says that said
attached notice, advertisement or pub-
lication, 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 15 day of April
19 71

and last publication on the 22
day of April, 19 71

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 seven-
teen and three-fourths inches deep.

Eleanor Hermes

Subscribed in my presence and sworn

to before me this 22 day of
April, 19 71

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

My Commission expires

May 1, 1973

Eleanor Hermes

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Eu-
gene Toome, 3708 East Burns,
Tucson, Arizona; Dale K. Price,
Driggs, Idaho; and James W.
Price, Driggs, Idaho; have on
February 3, 1971, submitted Appli-
cation No. 22-7043 for a permit to
appropriate 3.2 cubic feet per sec-
ond of water from a ground water
source by means of well, pump
and ditches within the SW $\frac{1}{4}$ NE $\frac{1}{4}$,
Sec. 2 T. 4N, R. 45E, B.M., Teton
County, to be used from May 1 to
Nov. 1 for the irrigation of 160
acres within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$,
Sec. 2 T. 4N, R. 45E, B.M.

If issued, this permit will be
subject to all prior water rights.
Protests against the granting of
the permit must be filed with the
Idaho Department of Water Ad-
ministration, Statehouse, Boise,
Idaho, 83707, on or before May 31,
1971.

R. KEITH HIGGINSON

Director

Published in the Teton Valley
News, Driggs, Idaho, on April 15
and April 22, 1971.

22 7043

**CHANGE OF ADDRESS
NOTICE TO
CORRESPONDENTS**

Show Below Name of Correspondent

No. and Street, Apt., Suite, P.O. Box or R.R. No. (In care of)
Post Office, State, and ZIP Code

RECEIVED

AUG 27 1974

Department of Water Resources

Department of Water Resources
Statehouse
Boise, Idaho 83720

Re: permit no. 22-7043

August 20, 1974

Re: Permit No. 22-7043

Dale K. & James W. Price
Driggs,
Idaho 83422

Gentlemen:

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

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jfr

Enclosure

cc: Eugene Toone
5108 East Burns
Tuscon, Arizona 85711

Encl: Copy of water license

22-7043

August 1, 1974

Dale K. & James W. Price
Driggs,
Idaho 83422

Gentlemen:

A representative of this Department has made an examination of the works covered by your Permit No. 22-7043 and has found the following:

Quantity of water diverted: 2.05 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 2.05 cfs

The maximum quantity diverted shall not exceed 447 acre feet per year.

Beneficial use: For irrigation of 149 acres within the S₁NE₄, N₁SE₄, Sec. 2, Twp. 4N, Rge. 45E

Point of diversion: SW₁NE₄, Sec. 2, Twp. 4N, Rge. 45E, B.M.

Priority date established: February 3, 1971

If you do not concur with these findings, please advise us within 10 days; otherwise, a license will be issued as set forth in this letter.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jfr

cc: Eugene Toone
1108 East Burns
Tuscon, Arizona 85711

22-7043

RECEIVED

MAY 22

Department of Water Administration

ok to file

copy sent to Eastern Dist. office

BDF 5/22/74

May 20, 1974

A. Kenneth Dunn
Deputy Director
State of Idaho
Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

Dear Mr. Dunn,

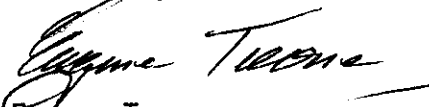
This letter is to advise you that a measuring device of a type approved by the Department has been installed as part of the diverting works for permit No. 22-7043.

This measuring device was purchased from and installed by Gem State Irrigation in Rexburg, Idaho. Bob Lee, from Gem State Irrigation, was the engineer with whom we worked with the installation of this measuring device.

If there are any other questions or requirements concerning this matter, please contact me directly.

Please note that my address is 5708 East Burns and not 5108 East Burns as you have recorded.

Sincerely,


Eugene Toone
5708 East Burns
Tucson, Arizona 85711

Type of device installed:

Mc Crometer - in line water meter
installed in discharge pipe

22-7043

60.85
40.35

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

RECEIVED

1. Name of permit holder Eugene Toone - Dale K. Price - James W. Price
Post office address 5108 East Burns Driggs, Idaho 83422 Driggs, Idaho 83422 Phone 354-2381
Person to contact _____
2. Source of water supply: Groundwater ☒ Surface water ☐
(name spring, stream, etc.)
Tributary to _____

3. Water will be used for the following purposes:

Amount 3.2 c.f.s. for irrigation
_____ AF/Annum (nature of use)

Period of Use: from May 1 to Nov. 1
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

Permit No. 22-7043
Examination for b/u

4. Total amount to be appropriated:

Max Rate of Diversion 3.2 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 4N N/S, Range 45E E/W, B.M., Section 2, Subdivision SW $\frac{1}{4}$ NE $\frac{1}{4}$, Teton
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____
County

Other Points of Diversions: _____

Description of diverting works: 40 h.p. pump, 16" casing, well-108' deep.

Measuring device required: yes ☒ no ☐

6. Lands to be 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 $\frac{1}{4}$	
4N	45E	2			40	40									40	40			160

22 7043

TOTAL ACREAGE

160

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4
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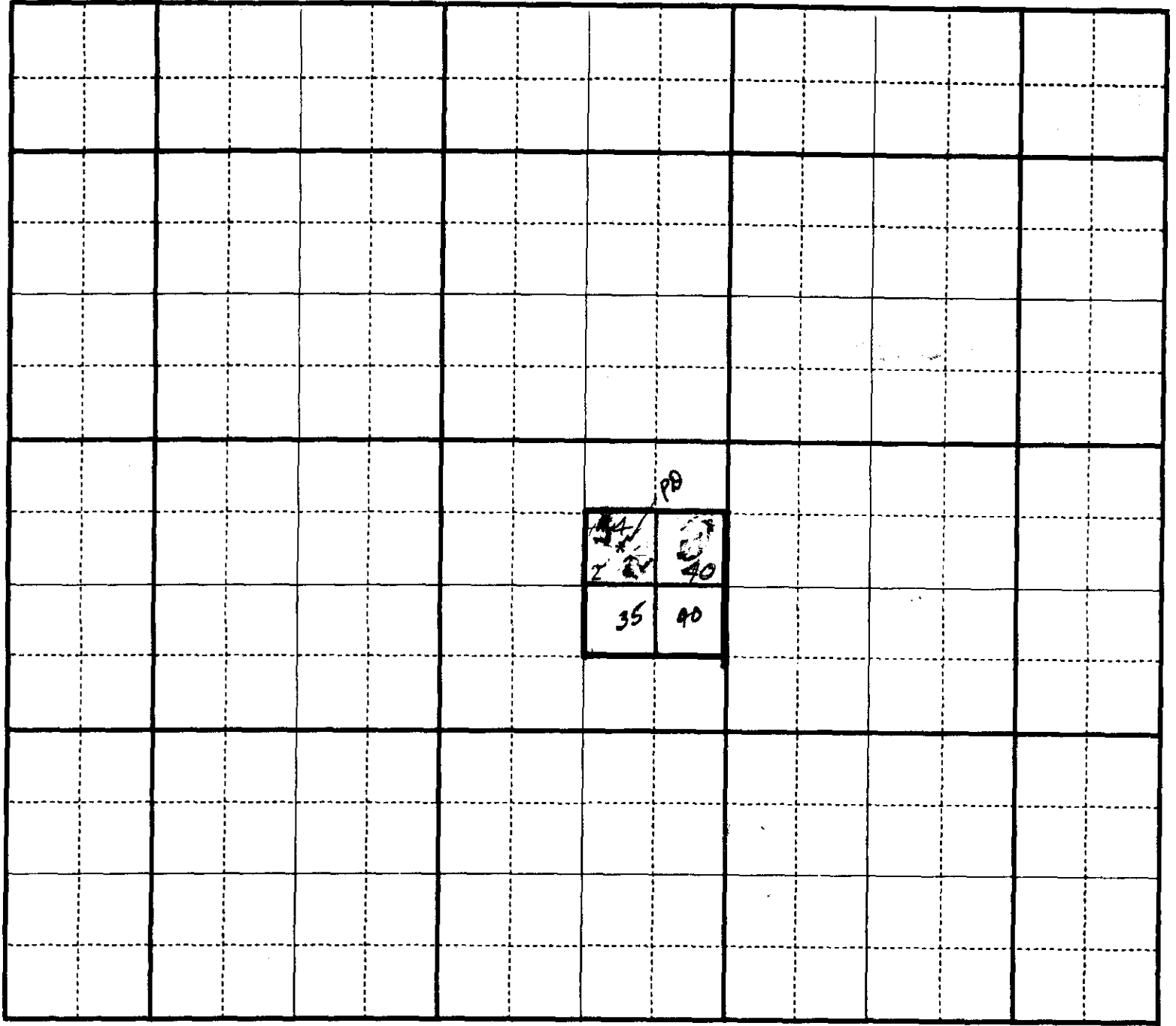
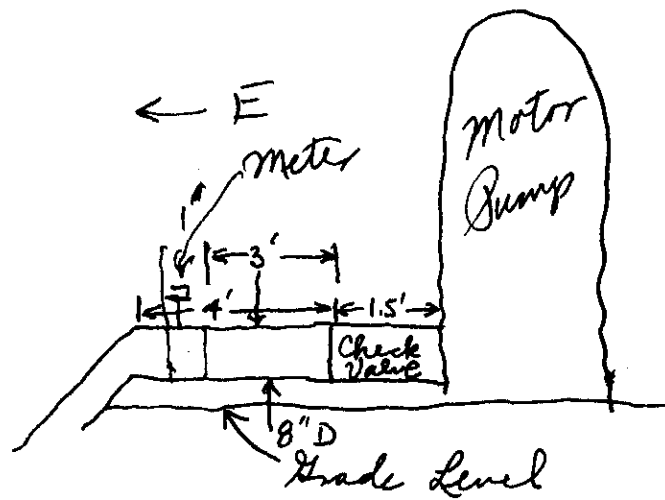
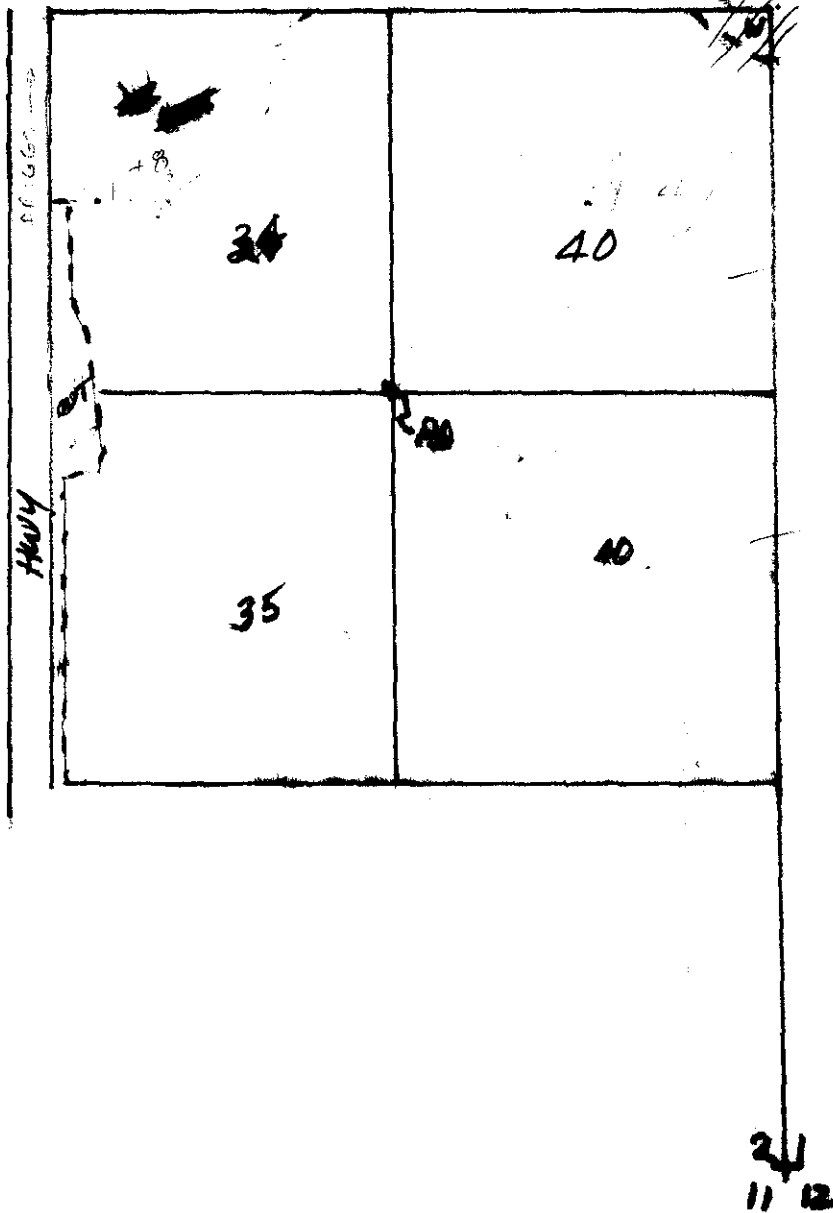


Diagram of System



↑
N

SS 2042



Sketch from
Deton Co ASES
photo
7/5/73 84 22-7043

DATE OF EXAM July 31, 1973

ACREAGE
Found 149
Recommended 149

Irrigation Requirement 3 Ac Ft/Ac

USE
Irrigation Q = 2.05 c.f.s. V = 447 AF/Ann. from May 1 to Nov 1
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ☒

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

Exchange? yes _____ no ☒

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

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

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

Total Q measured 2.05 CFS Method of measurement Rototube

Total Q recommended 2.05 CFS Meter No. 73-B-318 Type Saddle Condition good

Total V recommended 447 AF McCrometer saddle type meter

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None ☒

MEASUREMENT CALCULATION:

4 lines of 1/64" Model 30WS at 33 heads per line. 65# av. psi. 6.83 gal/min/head x 132 heads = 902 gal/min ÷ 448.8 = 2.05 CFS
 $V = (149 \text{ ac.}) (3) = 447 < (2.05)(1.983)(185)$

SYSTEM DESCRIPTION:

40 HP Westinghouse motor #7101 w/ L-B pump #44820 8" discharge east to buried main north & south

REMARKS:

Unable to locate permit holder - No evidence of measuring device installation
Measuring Device Installation confirmed 5/22/74 JF.
System shown by Joe Price

Examiner's Signature John Ferbauer Date July 31, 1973

Checked by W.R. Rhoads Date Oct 30, 1973

Approved by _____ Date _____

INTER-DEPARTMENT MEMO — 1

FROM John Ferebauer

TO Darlene

SUBJECT Exam No. 22-7043

RECEIVED
DATE APR 26 1974

APR 26 1974
Department of Water Administration

This exam was apparently sent to Boise in error. Please return it so that we can confirm measuring device installation.

*The applicants have until
June 1, 1974, to install
a measuring device.
Attached is the field exam
and license draft. ds*

John

SIGNATURE

22-7043

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)

(Additional charges required for these services)

☐ Show address
where delivered

☐ Deliver ONLY
to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

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

CERTIFIED NO.

INSURED NO.

1
2

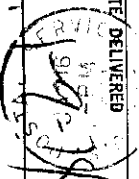
SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

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

3

22-7643



U.S. POSTAL SERVICE
OFFICIAL BUSINESS



Postmark of Delivering Office

SENDER INSTRUCTIONS

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

JAN

RETURN TO

Department of Water Administration

22-7043

RECEIVED

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)

(Additional charges required for these services)

☐ Show address
where delivered

☐ Deliver ONLY
to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

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

CERTIFIED NO.

INSURED NO.

1
2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

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

3

7023

U.S. POSTAL SERVICE
OFFICIAL BUSINESS

3706

20

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300

Postmark of Delivering Office

SENDER INSTRUCTIONS

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

8432
1974
RETURN
TO

STATIONER'S OFFICE #2
BOISE, IDAHO 83702
RATION



STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor
R. Keith Higginson
Director

614 State Street
Statehouse - Annex 2
Boise, Idaho 83720
(208) 384-2190



Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

January 14, 1973

CERTIFIED MAIL

*#25095
also see
certified #
below for
Toone*

Re: Permit No. 22-7043 - Eugene Toone, Dale K. Price, James W. Price

Dale K. & James W. Price
Driggs,
Idaho 83422

Gentlemen:

On July 31, 1973, this office inspected the water diversion works and place of use described in Permit No. 22-7043. Our examiner found no measuring device of a type approved by the Department installed as part of your diverting works. Such a measuring device is an express condition which must be met prior to approval of a license for your permit.

As you may be aware, your water right cannot be confirmed by the issuance of a license, unless all of the conditions of approval are met. In the event that a license is not issued and the permit lapses, further diversion of the water under the permit would be illegal.

You are, therefore, allowed until June 1, 1974, to install an acceptable measuring device under this permit. Please advise this office on or before the June 1 deadline of the type of device installed. We have enclosed a list of the types of measuring devices accepted by this Department. If you should have any questions, please do not hesitate to contact us.

Sincerely,

A. Kenneth Dunn
A. KENNETH DUNN
Deputy Director

DDR:jc
Enclosure

cc: Eugene Toone
5108 East Burns
Tucson, Arizona 85711

CERTIFIED MAIL

*#
25096*

22 7043

June 13, 1973

Re: Permit No. 22-7043 - Eugene Toone, Dale K. Price,
James W. Price

Dale K. Price & James W. Price
Driggs,
Idaho 83422

Gentlemen:

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

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

If you have any questions regarding the field exam, please contact our Eastern District Office at 240 South Holmes, Idaho Falls, Idaho.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:jc

cc: Eugene Toone
5108 East Burns
Tucson, Arizona 85711

22 7043

Identification No. _____

Permit No. 22-7043

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

RECEIVED
JUN 1 1973
pjc

1. a) Name of Permit Holder Eugene Toome — Dale K. Price, James W. Price
b) Post Office Address 5708 E Burns - Turron, Ariz. 85711 - Driggs, Ida. 83422
2. Permit Number 22-7043
3. Date of Priority that you are prepared to establish 2/3/71
4. a) Source from which water was appropriated Ground Water
b) Location of the point of diversion: SW 1/4 NE 1/4, Section 2
Township 4 N, Range 45 E Boise Meridian, Other points of diversion: _____

5. a) The amount of water and use to which the water has been applied:
amount 3.2 for irrigation purposes from May 1 to Nov 1 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 3.2 cfs and/or acre feet per annum

c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: measurement taken when well was tested - test completed by ~~Mr. Price~~ person at Agriculture Service in Blackfoot, Idaho

6. If the means of diversion and conveyance are owned by someone other than the Permit Holder: Blackfoot, Idaho
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: not applicable

b) Describe the agreement or understanding by which you take water from the works: 40 H.P. pump - Buried 8" and 6" Mainline for Sprinkler System,

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) 40 H.P. pump - 16" casing - well 108' deep

b) Describe the type and size of measuring device which you have installed at your point of diversion: _____

This being a well at time of installation a removable capped opening was installed to be used in testing well and measurement of water

- c) Give well drillers name and address and date the well was completed Level also a thimble in
Heptin's Brothers propane it can be
Box 1 - Thornton, Idaho measured by size of pipe
March 1971 completion size of nozzle etc.
note

Exam typed 6/26/73 by jc

If this is not
satisfactory please
let me know,

22 7043

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use _____

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

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	
4N	45E	2			40	40													
		2													40	40			160

Total number of acres irrigated 160

10. Remarks: _____

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

April 16, 1973
(Date)

Eugene T. Dine
(Signature)

State of Arizona
County of Pima ss.

On this 16 day of April, 1973, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

May M. Burrows
Notary Public residing at Tucson, Arizona

My Commission Expires April 17, 1978

My commission expires _____

Identification No. _____

Permit No. 22-7043

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Department of Water Administration

VED

APR 1 1973

1. a) Name of Permit Holder Eugene Toome - Dale K. Price, James W. Price
b) Post Office Address 5708 E. Burns, Tucson, Arizona 85711 - Delgado, Idaho 83422
2. Permit Number 22-7043
3. Date of Priority that you are prepared to establish 2-3-71
4. a) Source from which water was appropriated Ground Water
b) Location of the point of diversion: SW 1/4 NE 1/4, Section 2
Township 4N, Range 4SE Boise Meridian, Other points of diversion: Teton County
5. a) The amount of water and use to which the water has been applied:
amount 3.2 for irrigation purposes from MAY 1 to NOV 1 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 3.2 cfs and/or acre feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: well was tested and Report made by Agriculture Services Co. Bladefort Idaho
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: not applicable
b) Describe the agreement or understanding by which you take water from the works: not applicable
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) 46 HP Electric motor - buried 8' x 6" inch main line - well 108' deep
b) Describe the type and size of measuring device which you have installed at your point of diversion: at time of installation a ~~steel~~ capped opening for measuring depth of reservoir water and to use in testing well - also as this is in pipe line
c) Give well drillers name and address and date the well was completed we can measure by
Hopkin Brothers number of lines, size of
RT1 Thornton, Idaho muzzles etc.
march 1971 (completion)

(note:) if this is not satisfactory - please notify.

22 7043

22 7033

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use not applicable

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

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	
4N	4SE	2			40	40													
		2													40	40			160

Total number of acres irrigated 160

10. Remarks:

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

5-29-73
(Date)

Dale K. Price James A. Price
(Signature) (Signature)

State of Idaho)
County of Teton) ss.

On this 29th day of May, 1973, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Regatta Ladd
Notary Public residing at Shugart

My commission expires June 22, 1975

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)

(Additional charges required for these services)

☐ Show to whom, date and address
where delivered

☐ Deliver **ONLY**
to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

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

CERTIFIED NO.

24397

①

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

②

DATE DELIVERED

4-3-73

③

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

22 7043

U.S. POSTAL SERVICE
OFFICIAL BUSINESS



Postmark of Delivering Office



PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE, \$300

SENDER INSTRUCTIONS

Print in the space below your name, address, including ZIP Code.

- If special services are desired, check block(s) on other side.
- Moisten gummed ends and attach to back of article.

**RETURN
TO,**

DEPARTMENT OF WATER ADMINISTRATION 88 7043
STATEHOUSE • ANNEX #2
BOISE, IDAHO 83707

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)

(Additional charges required for these services)

☐

Show to whom, date and address
where delivered

☐

Deliver ONLY
to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

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

CERTIFIED NO.

24396

①

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

②

DATE DELIVERED

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

4/4/73

③

22 7943

U.S. POSTAL SERVICE
OFFICIAL BUSINESS



PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE, \$300

Postmark of Delivering Office

SENDER INSTRUCTIONS

Print in the space below your name, address, including ZIP Code.

- If special services are desired, check block(s) on other side.
- Moisten gummed ends and attach to back of article.

**RETURN
TO**

DEPARTMENT OF WATER ADMINISTRATION

STATEHOUSE - ANNEX #2

BOISE, IDAHO 83707

22 7043

PS Form 3811 Nov. 1970 c35-10-81277-1

March 30, 1973 CERTIFIED MAIL

#24396

Re: Permit No. 22-7043 - Eugene Toone, Dale K. Price, James W. Price

Dale K. Price & James W. Price
Driggs,
Idaho 83422

Gentlemen:

One of the conditions of approval of your water Permit No. 22-7043 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before June 1, 1973. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

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

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



R. KEITH HIGGINSON
Director

22 7043

Enc: Proof affidavit
cc: Eugene Toone
5108 East Burns
Tucson, Arizona 85711
CERTIFIED MAIL

#24397

May 13, 1971

**Re: Permit No. 22-7043-Eugene Toone, Dale K. Price, &
James W. Price**

**Eugene Toone
5708 East Burns
Tucson, Arizona 85711**

Dear Mr. Toone:

Enclosed is a copy of your approved Application for Permit No. 22-7043. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Very truly yours,

**BOBBY D. FLEENOF
Assistant Director**

BDF:kh

Enclosures

C: Dale K. Price and James W. Price

22 7043

May 13, 1971

Re: Permit No. 22-7043 - Eugene Toone, Dale K. Price, &
James W. Price

Dale K. Price
Driggs,
Idaho 83422

Dear Mr. Price:

Enclosed is a copy of your approved Application for Permit No. 22-7043. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Very truly yours,

BOBBY D. FLEENOF
Assistant Director

BDF:kh

Enclosures

C: Eugene Toone, & James W. Price

22 7043

May 13, 1971

Re: Permit No. 22-7043 - Eugene Toone, Dale K. Price, &
James W. Price

James W. Price
Driggs,
Idaho 83422

Dear Mr. Price:

Enclosed is a copy of your approved Application for Permit No. 22-7043. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:kh

Enclosures

C: Eugene Toone and Dale K. Price

April 2, 1971

Re: Application No. 22-7043 - Eugene Toone, Dale K. Price &
James W. Price

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 ample time for you to submit us a galley proof for our review before publication.

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

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

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

(signature of claimant)

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR
Enc: Legal notice

*Bill submitted
4-28-71
ds*

22 7043

22 7043

TEAR SHEETS
From The
TETON VALLEY NEWS
Driggs, Idaho

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Eugene Toone, 5708 East Burns, Tucson, Arizona; Dale K. Price, Driggs, Idaho; and James W. Price, Driggs, Idaho; have on February 3, 1971, submitted Application No. 22-7043 for a permit to appropriate 3.2 cubic feet per second of water from a ground water source by means of well, pump and ditches within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 2, T. 4N, R. 45E, B.M., Teton County, to be used from May 1 to Nov. 1 for the irrigation of 160 acres within the S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 2, T. 4N, R. 45E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, on or before May 31, 1971.

R. KEITH HIGGINSON
Director

Published in the Teton Valley News, Driggs, Idaho, on April 15 and April 22, 1971.

O.K.
4-9-71
J.J.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Eugene Toone, 5708 East Burns, Tucson, Arizona;
Dale K. Price, Driggs, Idaho; and James W. Price, Driggs, Idaho; have on
~~March~~ February 3, 1971, submitted Application No. 22-7043
for a permit to appropriate 3.2 cubic feet per second ~~surface water~~
of water from a ground water source
by means of well, pump and ditches
within the SW¹/₄NE¹/₄ Sec. 2, T. 4N, R. 45E, B.M., Teton County,

to be used from May 1 to Nov. 1
for the irrigation of 160 acres

within the SW¹/₄NE¹/₄, N¹/₂SE¹/₄, Sec. 2, T. 4N, R. 45E, B.M.

issued

If ~~made~~, this permit will be subject to all prior water rights. Protests
against the granting of the permit must be filed with the Idaho Department of Water
Administration, Statehouse, Boise, Idaho, 83707, on or before May 3, 1971.

R. KEITH HIGGINSON
Director

Published in the Teton Valley News, Driggs, Idaho,
on April 15 and April 22, 1971.

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

March 31, 1971

Re: Application No. 22-7043 - Eugene Toone, Dale K. Price &
James W. Price

Teton Valley News
Driggs,
Idaho 83422

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application. The legal notice was to have been published on March 11, and March 18, 1971.

If you have already submitted the above items, please disregard this letter. Your cooperation is most appreciated.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

We never did receive a publication for the above, it could have been lost in the mail, or not sent from your office.

DWM:cr

H. ^W. Hermes

22 7043

March 31, 1971

Re: Application No. 22-7043 - Eugene Toone, Dale K. Price &
James W. Price

Teton Valley News
Driggs,
Idaho 83422

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application. The legal notice was to have been published on March 11, and March 18, 1971.

If you have already submitted the above items, please disregard this letter. Your cooperation is most appreciated.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:cr

22 7043

March 2, 1971

Re: Application No. 22-7043 - Eugene Toone, Dale K. Price &
James W. Price

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 ample time for you to submit us a galley proof for our review before publication.

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

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

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

(signature of claimant)

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

Visit

DWM:DR
Enc: Legal notice

22 7043

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Eugene Toone, 5708 East Burns, Tucson, Arizona;
Dale K. Price, Driggs, Idaho; and James W. Price, Driggs, Idaho, have on
11/11/61 February 3, 1971, submitted Application No. 22-7043
for a permit to appropriate 3.2 cubic feet per second Acres/feet/ft/ft
of water from a ground water source
by means of well, pump and pipeline
within the SW 1/4, Sec. 2, T. 4N, R. 45E, B.M., Teton County,

to be used from May 1 to Nov. 1
for the irrigation of 160 acres

within the SW 1/4, N 1/2, Sec. 2, T. 4N, R. 45E, B.M.

If ^{issued} ~~made~~, this permit will be subject to all prior water rights. Protests
against the granting of the permit must be filed with the Idaho Department of Water
Administration, Statehouse, Boise, Idaho, 83707, on or before March 29, 1971.

R. KEITH HIGGINSON
Director

Published in the Teton Valley News, Driggs, Idaho,
on March 11 and March 18, 1971.

*Resent
1-2-71
see letter of
3-31-71*

22 7043

February 18, 1961

Eugene Toone
5708 East Burns
Tucson, Arizona 85711

Dear Mr. Toone:

Attached herewith is Departmental Receipt No. 5645 in the amount of

\$35.00 for Application for permit in the name of,

which was received in this office under the above date.

Eugene Toone,
Dale K. Price
James W. Price

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure

February 4, 1971

Mr. Eugene Toone
5708 East Burns
Tucson, Arizona

Dear Mr. Toone:

We are once again in receipt of your application for permit. The application appears to be in order. However, you have listed a somewhat excessive quantity of water for irrigational use. The maximum quantity that we could approve for 160 acres under normal conditions would be 3.20 c.f.s., instead of the 4.0 c.f.s. that you have listed.

Unless we hear from you within ten (10) days, disagreeing with this quantity of 3.20 c.f.s., we will process the application for this amount.

If you should have any questions in reference to this matter, please do not hesitate to contact us.

Very truly yours,

Dorian Clay
Appropriation Examiner

DC:cm

41
January 19, 1971

Mr. Eugene Toone
5708 East Burns
Tucson, Arizona

Dear Mr. Toone:

We are returning your application for permit and personal check #91-13 in the amount of \$5.75. The application for permit that you have submitted is on one of our old forms, which we can no longer accept, as they do not contain enough information to suffice our present needs. We are enclosing one of our current forms with instructions for your use in this matter. Please note the fee schedule on the third page of the instructions.

If we may be of any further assistance in this matter, please do not hesitate to contact us.

Very truly yours,

Dorian Clay
Appropriation Examiner

DC:cm

Enc: original application for permit
check #91-13 (\$5.75)
new application for permit form
instructions for filing the permit

22 7043