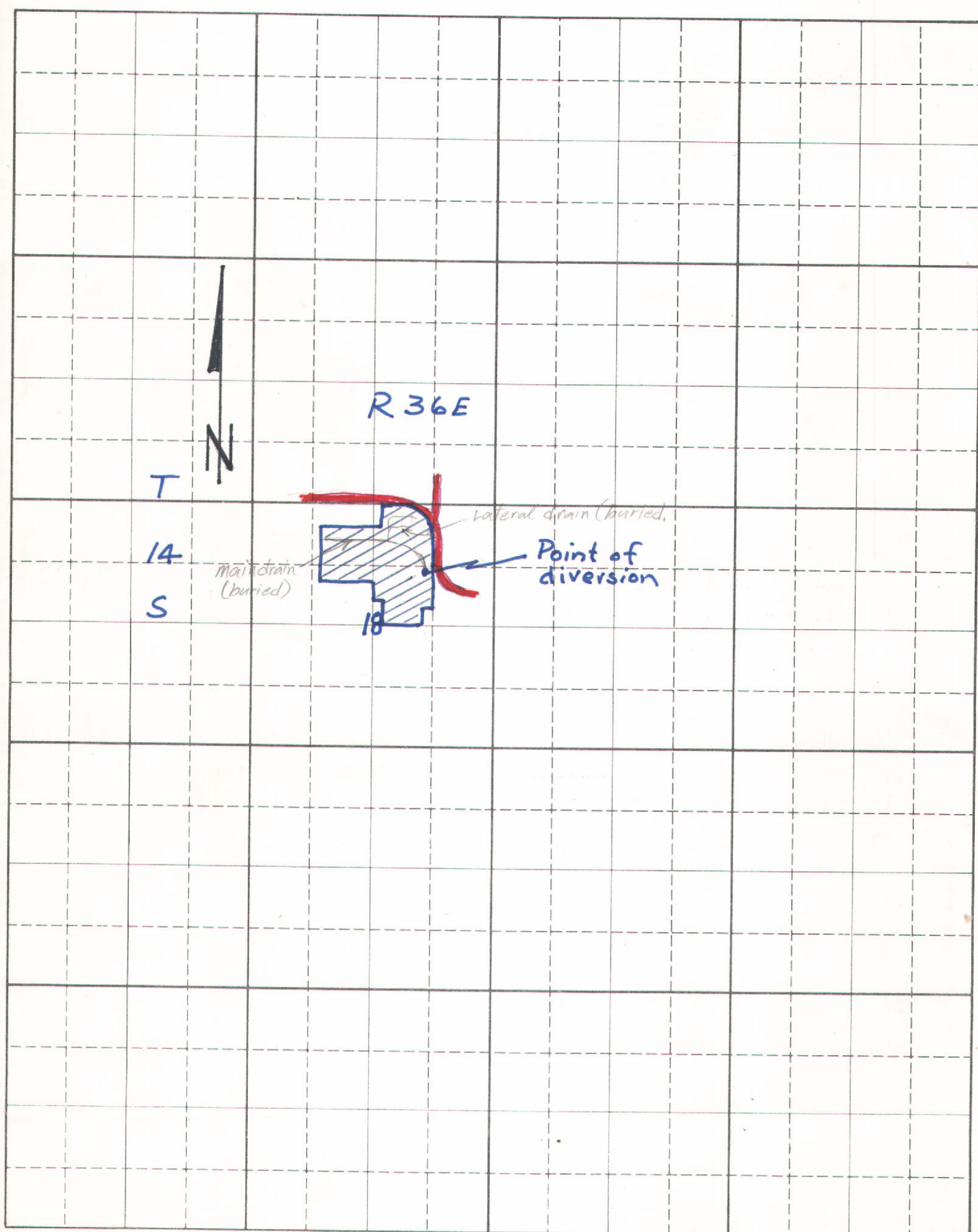


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Will J. Tuttle
(Applicant)

Examiner's Signature

Checked by

Approved by _____

Date _____

4-22-86

Date _____

29 Mar 1984

Date _____

78-58-1

☐ Change P.U. as reflected above

☐ Change P.D., as reflected above

☐ Add P.U. as reflected above

☐ Add P.D. as reflected above

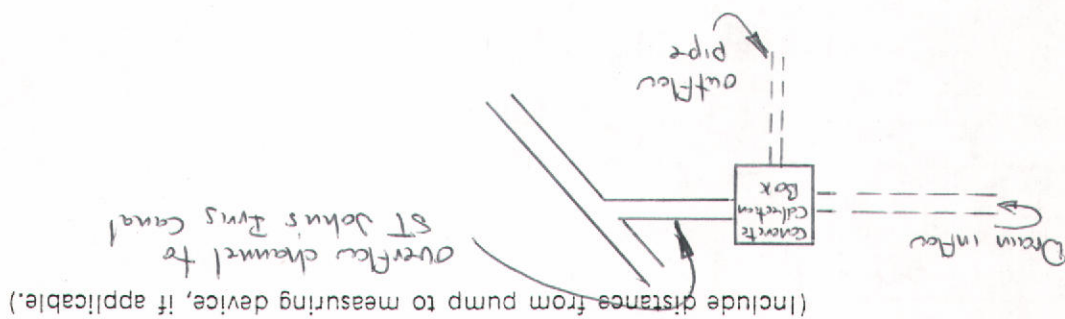
☐ Other☒ None

Recommended Amendments:

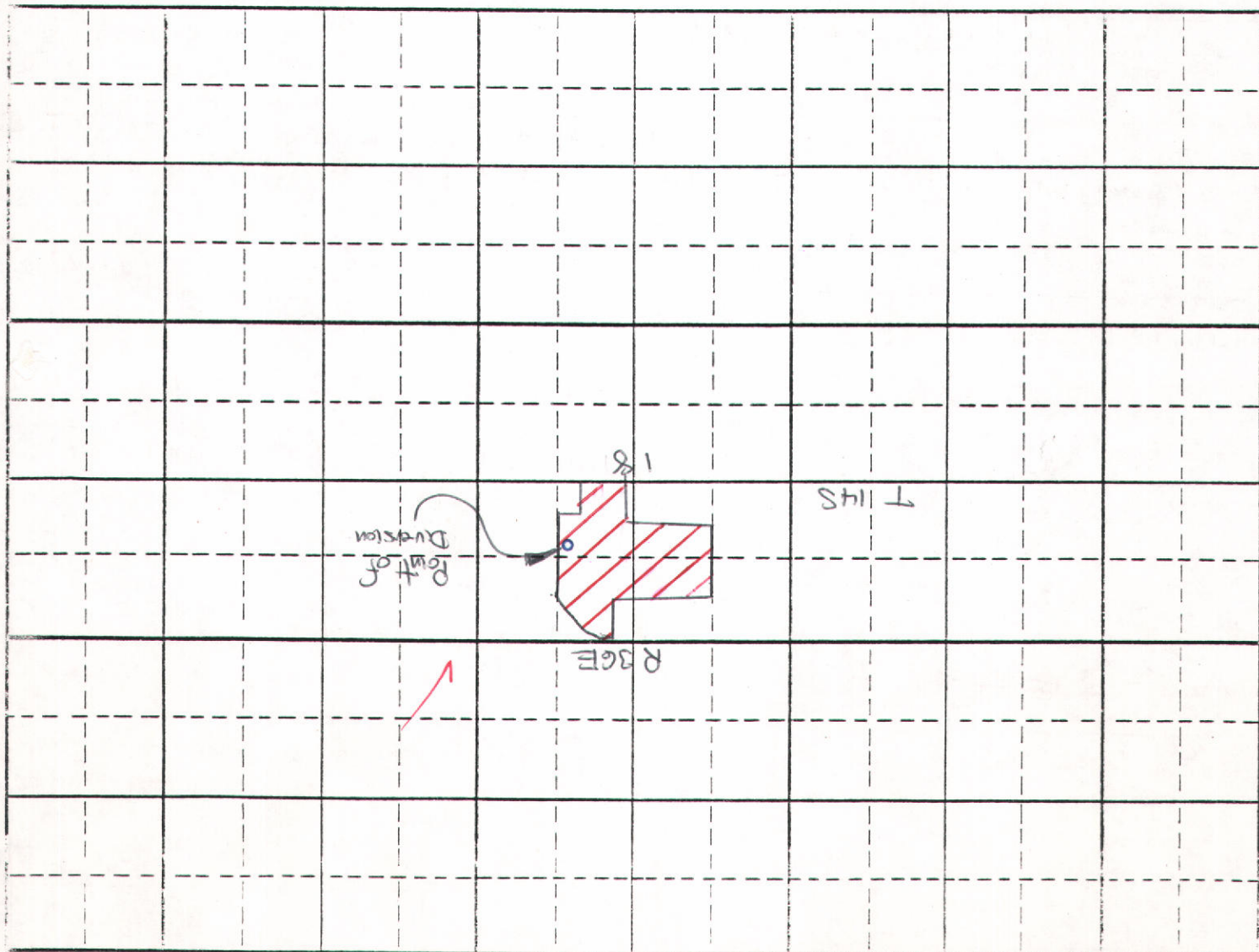
[illegible]

Place(s) of Use

Point(s) of diversion: SW¹/₄ NE¹/₄ Sect. 18 T14S R36E



SCHEMATIC DIAGRAM OF SYSTEM



MAP (Attach Aerial Photo)

MICROFILMED

15-7037

NOT TO SCALE

J-10-L-L
5

R36E

T 14 S



MICROFILMED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 15-7033 Priority August 5, 1976 Amount 0.13 cfs

THIS IS TO CERTIFY, that Dell J. Tuttle
of Malad, Idaho, has complied with the terms and conditions of Permit
No. 15-7033 issued pursuant to Application for Permit dated August 5, 1976,
and has submitted proof to the Department of Water Resources on October 15, 1981,
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 0.13 cfs of water from an unnamed drain,
tributary to Devil Creek, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>April 1</u> to <u>November 1</u>	at <u>0.13</u> cfs and	<u>55.2</u> acre feet
Stockwater	from <u>January 1</u> to <u>December 31</u>	at <u>0.02</u> cfs and	<u>0.7</u> acre feet
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 0.13 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
55.9 acre feet per year, said waters to be diverted within the SW1/4 NE1/4 Section 18,
Twp 14S, Rge 36E in the County of Oneida

Description and location of place of use:

Twp.	Range	Sec.	NE1/4				NW1/4				SW1/4				SE1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
14S	36E	18		28	32		21			12									93

Total number of acres irrigated 93

MICROFILMED

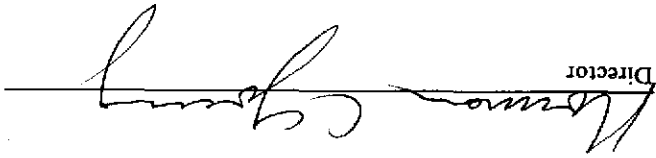
MICROFILMED

CONDITIONS OF APPROVAL

- a. 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.
- b. The right to the use of the water hereby confirmed is restricted and appurtenant to lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.
- c. Any water right confirmed in this license for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this license and shall not give rise to any right or claim against any future rights to the use of water other than hydropower, within the State of Idaho initiated later in time than the priority of this license.
- This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 19TH day of MAY, 19 86.

Acting for the Director



Handwritten mark

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. 15-7033

ORDER

WHEREAS, the above numbered permit was approved with the condition that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on July 1, 1978, the Department adopted a new water measurement condition which states: "An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department"; and,

WHEREAS, the former condition required the permit holder to purchase and install a measuring device or hire a professional engineer to certify the rate of diversion; and,

WHEREAS, the measuring device condition effective July 1, 1978, requires less capital expenditure by the permit holder; and,

WHEREAS, to be equitable to holders of permits issued prior to July 1, 1978, the new condition should be retroactive;

NOW THEREFORE, it is hereby ordered that the condition of approval of this permit related to water measurement is hereby changed as follows: "The permit holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department".

Dated this 18th day of August, 1978.


C. STEPHEN ALLRED
Director

MICROFILMED

15 7033

Identification No. _____

Application No. _____

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

APPLICATION FOR PERMIT

APPROVED

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

1. Name of applicant Dell J. Tuttle Phone: 766-4365
post office address Rt. #1, Box 137, Malad City, Idaho 83252
2. Source of water supply Unnamed drain which is a tributary of St. John Irrig. Canal Co.
3. a. Location of point of diversion is SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 18 Township 14S
Range 36E B.M. Oneida County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into _____ 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 1.86 for Irrigation purpose from Apr. 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.02 for Stockwater purpose from Jan. 1 to Dec. 31 (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. 1.86 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. 4000' x 8" buried drain tile into 2-way
diversion box, ditch to holding pond, relift pump to irrigation ditch and gated
pipe

- 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 _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 10,000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 18 Township 14S
Range 36E 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 200+ head beef cows with calves

(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: _____

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP.	RANGE	SEC.	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	NE 1/4	NW 1/4	SW 1/4	SE 1/4
14S	36E	18		24	34		21			14								
TOTALS																		93

Total number of acres to be irrigated 93

c. Describe any other water rights used for the same purposes as described above.

Three shares in St. Johns Irrigation Canal Co.

9. a. Who owns the property at the point of diversion Applicant

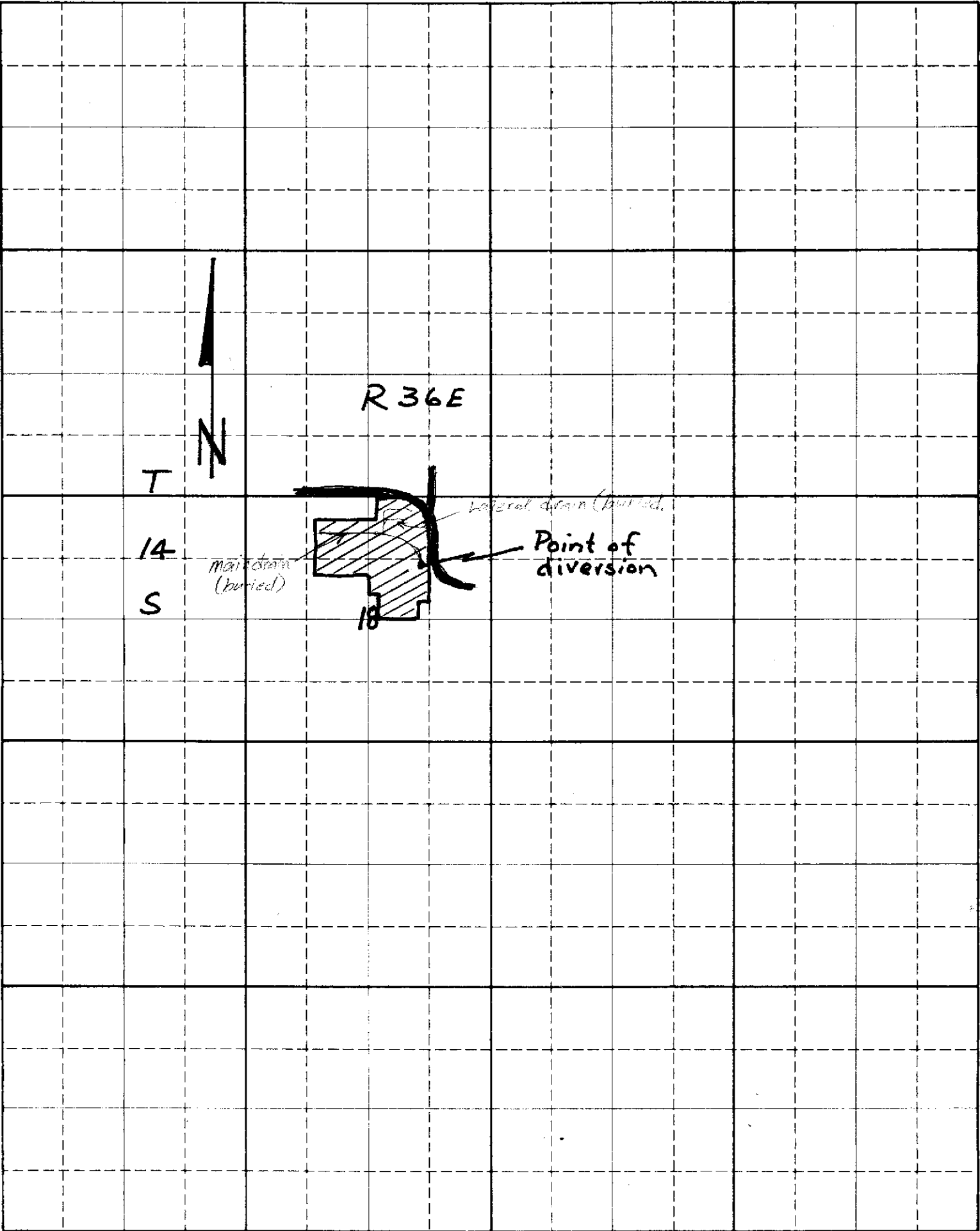
b. Who owns the land to be irrigated or place of use Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the

applicant to make this filing

10. Remarks

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.

Bill J. Tuttle
(Applicant)

[Signature]
Director

Witness my hand this 11 day of December 19 76.

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

permanently installed and maintained as part of the diverting works.

c. Other: A measuring device of a type approved by the Director shall be

before December 1, 19 81.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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

Idaho No. 15-7033, and said application is hereby APPROVED

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Recommended for approval denial by ABC

Hearing held by _____ Date _____

Copies of protests forwarded by _____

Protests filed by: _____

Priority reduced to _____ Reason _____

Publication approved by me Date 8/23/76

Publication dates Aug 12 + Aug 19, 1976

Published in The Idaho Engineer

Publication prepared by me Date 8/10/76

Received by me Date 8-25-76 # 2505

Preliminary check by me Fee \$ 35.00

Received by me Date 8-25-76 Time 11:40 AM

Proposed Priority 8-05-76

AFFIDAVIT OF PUBLICATION

State of Idaho
County of Oneida, ss.

AUG 23 1976
Department of Water Resources
Eastern District Office

Paula Hendel being first duly sworn on
his oath, states: That she is clerk
of the Idaho Enterprise, a newspaper of general circula-
tion in Oneida County, Idaho published weekly at Malad,
in said county, that said newspaper has been published
in said county uninterruptedly and continuously for over
seventy-eight consecutive weeks, prior to the first publi-
cation of the annexed notice or advertisement:

That said Idaho Enterprise was at all of the times of
publication of said notice a newspaper of general circula-
tion made up of at least four pages of at least five
columns each, printed from type matter or stereotyped
forms of at least seventeen and three fourths inches
depth, and said newspaper during all of the times of
publication aforesaid had more than 200 bonafide sub-
scribers thereto living within the county of Oneida in
which said newspaper was published at regular intervals
not less frequently than once a week.

That the annexed notice was published per clipping
attached in the regular and entire edition of said
newspaper and not in any supplement thereof for 2
successive weekly issues thereof the date of the first
publication being the 12 day of August, 1976
the date of the last publication being the 19 day of
August, 1976.

Paula Hendel

Subscribed and sworn to before me this 20th day of
August, 1976

Nanda Edwards
Notary Public, residing at Malad, Idaho

My Commission expires the Live Term day of 19

Costs:

36 lines at 23c per line first insertion \$ 8.28

lines tabulated at 34½c per line \$

15c per line each subsequent insertion \$ 5.40

TOTAL \$ 13.68

(Rates for legal notices are fixed by Idaho law)

NOTICE OF APPLICATION FOR WATER PERMIT

NOTICE IS HEREBY GIVEN
that Dell J. Tuttle, Malad City,
Idaho has on 8-05-76 submitted
Application No. 15-7033 for a
permit to appropriate 1.86 cubic
feet per second of water from an
unnamed drain, tributary to St.
John Irrigation Canal by means
of tile drain, holding pond, and
pump within the SW¼NE¼, Sec.
18, T. 14S, R. 36E, B.M., Oneida
County; to be used from Jan. 1 to
Dec. 31 for stockwatering
purposes for 200+ head of beef
cows and calves, within the
NW¼NE¼, Sec. 18, T. 14S, R.
36E, B.M.; and from Apr. 1 to
Nov. 1 for the irrigation of 93
acres within the W½NE¼,
E½NW¼, Sec. 18, T. 14S, R. 36E,
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
Resources, 1515 Lincoln Road,
Idaho Falls, Idaho, 83401 on or
before August 30, 1976.

R. KEITH HIGGINSON
Director

Published in the Idaho Enter-
prise, Malad City, Idaho on
August 12 and August 19, 1976



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

May 22, 1986

RE: Permit No. 15-7033

Dell J. Tuttle
Rt. 1, Box 137
Malad, ID 83252

Dear Mr. Tuttle:

Enclosed herewith is a copy of the Water Right License issued on the above referenced Permit.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc

Enclosure

ENCLOSURE



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

May 2, 1986

RE: Permit No. 15-7033

Dell J. Tuttle
Rt. 1, Box 137
Malad, ID 83252

Dear Permit Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

If you do not concur with the information shown on the draft license, please advise the Department within ten (10) days. If you have any questions, please let us know; otherwise, the license will be issued as identified on the draft copy.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure



RECEIVED
APR 2 1984State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

Department of Water Resources

15-7033

Permit No.

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:			
☐ Telephone call made: (List Telephone No. used)			
☐ Appointment scheduled for: (Date, time, location)			

EXAMINATION

Date 8-25-82 Accompanied by Dell Tuttle Total Q measured 0.13 cfs ✓
If source is surface water, estimate total flow of source _____
Methods of measurement Bucket + Stopwatch Meets Permit requirements? _____

Measurement calculations:	2 gallons / 2 seconds 60 spm or <u>0.13 cfs</u> ✓	allow <u>0.02 cfs + 0.7 cfs</u> ✓ for stock
$V = 9.3 \text{ acfs} \times 3.5 \text{ af/yr}$ $= 32.55$ ✓		
$V = 0.13 \text{ cfs} \times 1.4835 \times 24 \text{ hr}$ $= 55.18 \approx 55.2 \text{ AF}$		

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
	NA	NA	NA	NA				

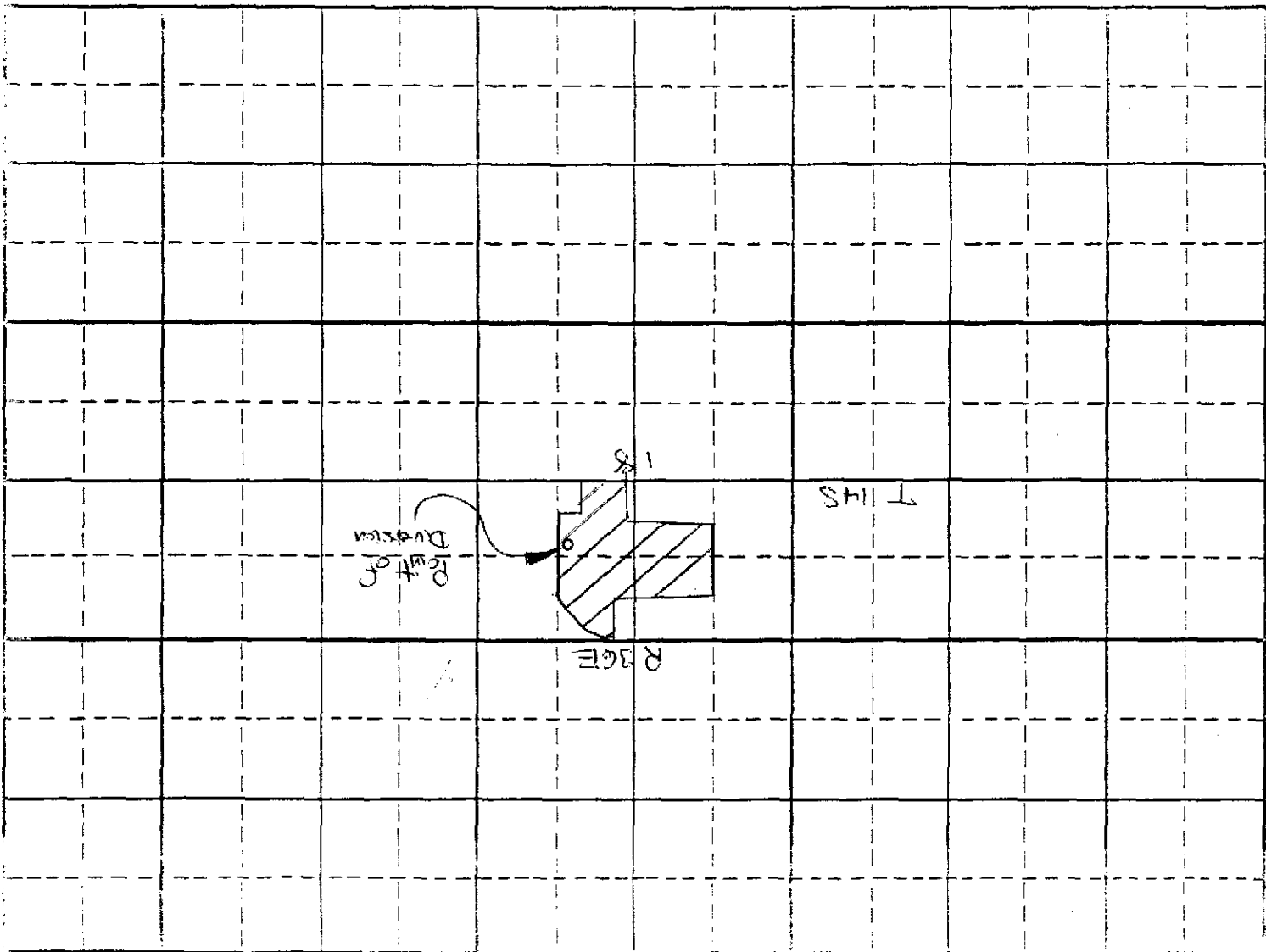
System Description Drain inflow to concrete collection box with overflow to ST. John's
Irrig. canal and outflow pipe to ditch + gated pipe (Gravity Flow)

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

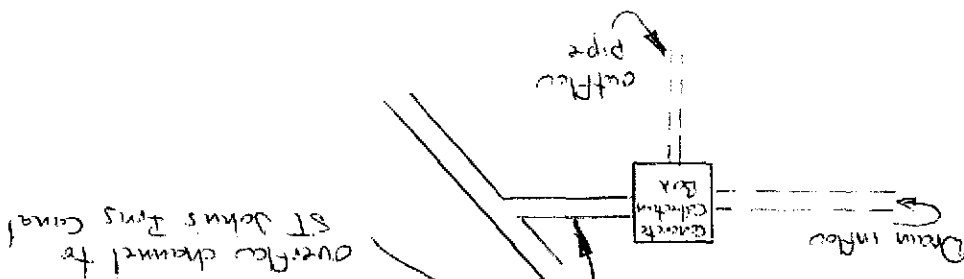
USE	Q (cfs)	V (afa)	FROM	TO
Irrigation ✓	<u>0.13 cfs</u> ✓	<u>55.2</u> ✓	<u>4-1</u> ✓	<u>11-1</u> ✓
Stock ✓ (50 head)	<u>0.02 cfs</u> ✓	<u>0.7</u> ✓	<u>1-1</u> ✓	<u>12-3</u> ✓
Total	<u>0.13 cfs</u> ✓	<u>55.9</u> ✓		

Remarks R16 (3.5) R30P/D overlap per VAX 4/22/86: none**MICROFILMED**



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)



Point(s) of diversion: SW 1/4 NE 1/4 Sect. 18 T14S R36E

Place(s) of Use

TWP.	RGE.	SEC.	NE%			NW%			SE%			SW%			TOTALS		
14S	36E	18	NE%	NW%	SE%	NE%	NW%	SE%	NE%	NW%	SE%	NE%	NW%	SE%	93		

Recommended Amendments:

- ☐ Change P.D. as reflected above
- ☐ Add P.D. as reflected above
- ☒ None
- ☐ Change P.U. as reflected above
- ☐ Add P.U. as reflected above
- ☐ Other

Examiner's Signature

Checked by

Approved by

Date

1-23-84

Date

29 Mar 1984

Date

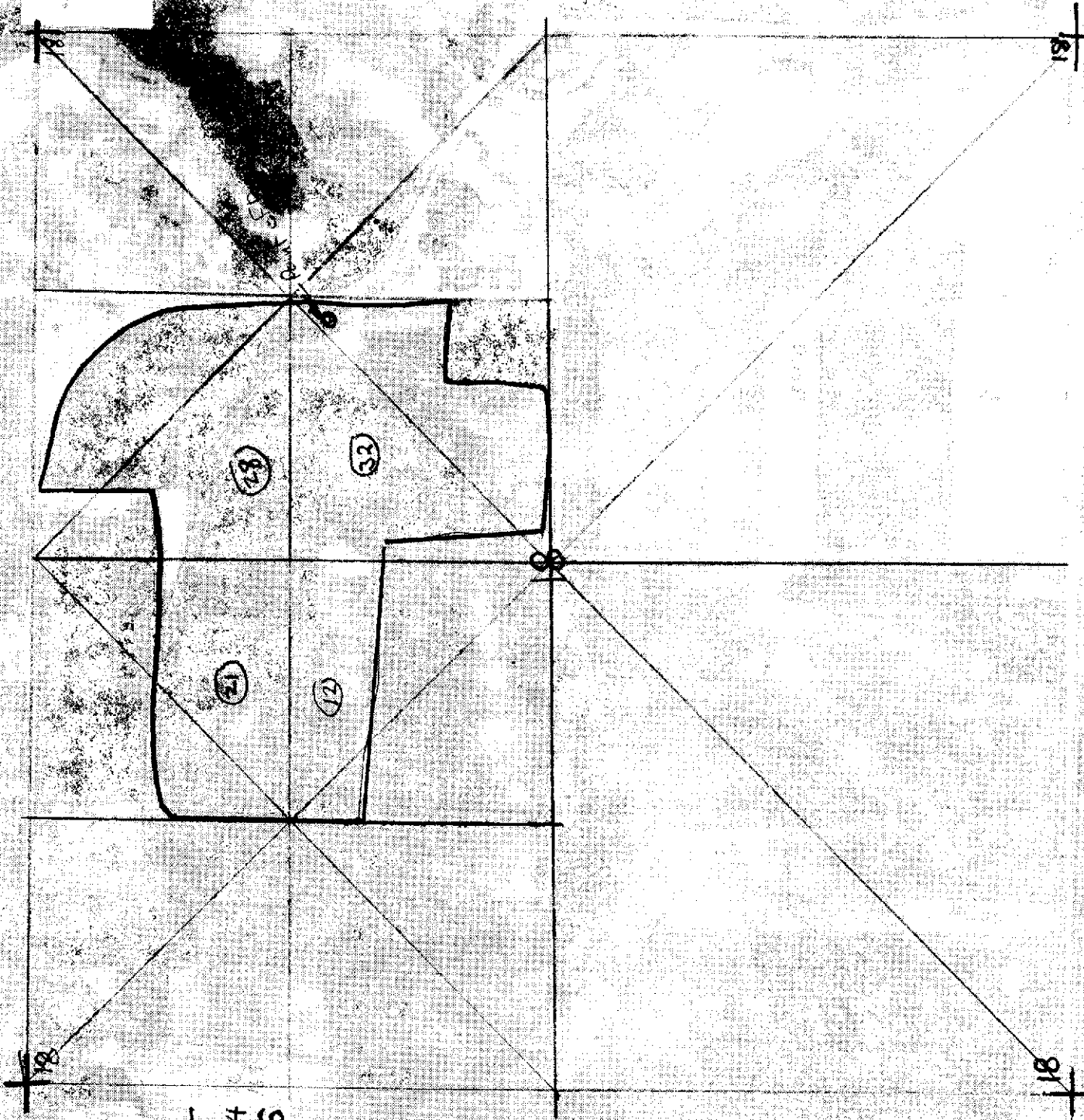
15-7033

NO SCALE

10-11-5

R36E

T4S



MICROFILMED

6-7033
 Dell Tuttle
 (Name)
 Accompanied by: Mr. Tuttle
 EXAMINATION: DATE: 8-25-82

Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No.

Measuring Device Type: Bucket & stopwatch
 Meter: _____ Annubar: _____ Size: _____

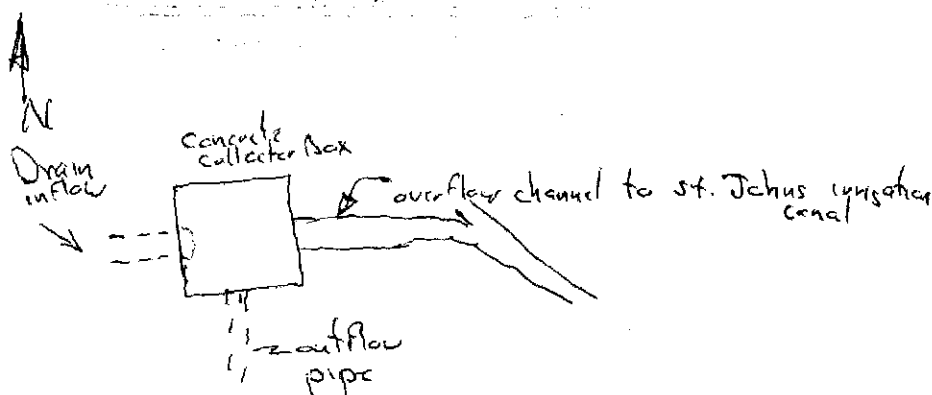
Remarks: Grady system

2 gallons/2 secs

60 gpm

usually runs

70 spm



water is siphon out of ditch to gated pipe which irrigates field

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

December 8, 1981

RE: Permit No. 15-7033

Dell J. Tuttle
Rt. #1, Box 137
Malad, Idaho 83252

Dear Mr. Tuttle:

We acknowledge receipt of the proof of beneficial use card submitted 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 examination, please contact our eastern regional office.

Very truly yours,

BOBBIE R. STEPHENS
Principal Clerk

cc: IDWR - State Office

RECEIVED
DEC 10 1981
IDWR

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 15-7033

Name(s) of Permit Holder: DELL J. TUTTLE

Post Office Address: RT 1 BOX 137

MELAD, IDAHO 83252 Tel. No. 766 4365

Source of Water: Field drain subsurface

Extent of Use:

☐ Domestic	(number of households)
☒ Stockwater <u>50 Cattle</u>	(number and type of stock)
☒ Irrigation <u>10</u>	(acres)
☐ Other	

Measuring Device:	Required?	☐ Yes ☐ No	Installed?	☐ Yes ☐ No
Access Port:	Required?	☒ Yes ☐ No	Installed?	☒ Yes ☐ No

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

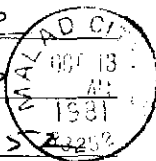
10-13-81
Date

Dell J. Tuttle
Signature of Permit Holder

Dell S. Tuttle

RT / Box 137

Malad, Id. 83255



RECEIVED

OCT 15 1981

Department of Water Resources



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

138753

TUTTLE, DELL T.
RT 1 BOX 137
MALAD, ID 83252

SEPTEMBER 30, 1981

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 15-7033 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE DECEMBER 01, 1981. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY 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. A REQUEST FOR EXTENSION OF TIME FORM IS ENCLOSED FOR YOUR CONVENIENCE. PLEASE NOTE THAT A FEE OF \$15.00 MUST BE SUBMITTED WITH THIS FORM.

EITHER THE BENEFICIAL USE POST CARD 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 WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENCLOSURES

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

December 22, 1980

Dear Wateruser:

The enclosed Order changes the measuring device condition of approval on your water right permit.

The changed condition is less restrictive and provides you the option to install an access port or have your system measured and certified by a professional engineer. Instructions for access port installation are also enclosed.

If you have questions regarding this matter, please contact the Regional Office nearest to you.

Sincerely,

David R. Tuthill Jr.

DAVID R. TUTHILL JR., P.E.
Supervisor, Water Allocations Section

DRT:jg

Enclosures

Northern Region Office
Rt. #5 Box 203, Government Way
Coeur d'Alene, Idaho 83814

Eastern Region Office
1515 Lincoln Road
Idaho Falls, Idaho 83401

Southern Region Office
1041 Blue Lake Boulevard North
Twin Falls, Idaho 83301

Western Region Office
92 South Cole Road
Boise, Idaho 83705

MICROFILMED

December 13, 1976

Re: Permit No. 15-7033

Dell J. Tuttle
Rt. #1, Box 137
Malad City, ID 83252

Dear Mr. Tuttle:

Enclosed is a copy of your approved Application for Permit No. 15-7033 . 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.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

Enclosure: Copy of permit

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 15-7033

☒ Source Surface
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) BR 8-5

In form to receipt

(2) _____

Send Copies to:

_____ Idaho State Health Department
_____ Idaho Fish and Game Department
_____ Bureau of Land Management
☒ St. John Irr. Co.
Request Special Use Permit from U.S.F.S.
☒ Request Easement from B.L.M.
☒ Request Information from Applicant

(3) " "

(4) " "

In form for advertising

(5) " "

Platted on Map No. _____

(6) " "

Located within Water District No. N.A.

(7) " "

Critical groundwater area: yes No

(8) " "

Groundwater levels: N.A.
_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) " "

Other rights on the same place of use Note Permit

(10) _____

Comments: Recommend field review

(11) CW 8-23-76

Affidavit of Publication received(date) Aug. 23, 1976

(12) CW 8-30-76
me 8/6/76

Final date for protests August 30, 1976
Protests received: yes _____ no ☒

(13) RDC 8/30/76

All requested information received from agencies or applicant: yes _____ no _____

(14) " "

Action recommended:

☒ Approve _____ Deny

8/5/76 Proposed Priority

Reason for Reduction _____

☒ Measuring device required

See attached sheet for other conditions of approval

No special conditions for approval

(15) District E By RDC Date 8/30/76

8/6/76
Deet
copy

M E M O

TO:: File

FROM: Ernie Carlsen *EMC*

RE: Pre-Permit Field Exam on 15-7033

DATE: November 30, 1976

On November 29, 1976, in a conversation with Mr. Tuttle, the following items were discussed:

1. The drain is approximately 4,000 feet in length and is buried at a depth of 7 feet with a 4 inch gravel collar surrounding perforated pipe.
2. The purpose of the drain is to remove water from lands owned by Mr. Tuttle that were not farmed before in past years due to their boggy nature.
3. The water collected by the drain has not been of a useable nature prior to the drains installation. The quantity is 250 gpm during the irrigation season.
4. Mr. Tuttle is temporarily disposing of the unused water via a ditch maintained by St. Johns Irrigation Canal Company, but eventually this water will be diverted to a collecting pond at the lower end of the farm.
5. The Water Board for the St. Johns Irrigation Canal Company examined the drain system in the presence of Mr. Tuttle and voiced no objections to his using the water or the construction of the drain.

In light of these findings and the St. Johns Irrigation Canal Company's failure to submit protest, it is my recommendation this permit be granted.

Andy Talbot - WATER MASTER. - not home.

11/29/74 11:00 AM.

WR. THOMAS. neighbor of Tuttle. - Explained lay out of drain system. Field in north west NW $\frac{1}{4}$ NE $\frac{1}{4}$ & NE $\frac{1}{4}$ NW $\frac{1}{4}$ was swampy & difficult to farm. Tuttle laid drain on south side of St. John Irrigation ditch which runs thru his place & then laid out 4 North South lateral drains in NW $\frac{1}{4}$ NE $\frac{1}{4}$ connecting to main drain. The drain outlet is located @ R.D. & if water is not used it runs into the St. John Irrigation ditch. Mr. Thomas indicated that even if ditch is dry the drain still produces water & that having water in the ditch doesn't seem to effect the amount of water in the drain. Before the drains were installed the subwater would collect in a surface pond in SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 18. which ~~was~~ did not develop this year.

Conclusion: Prior to the drain being installed the water in the swampy land was not utilized by the Irrigation Co. & simply made farming difficult. Now the swamp land has dried up & Mr. Tuttle uses the water to flood irrigate the same land with the excess water being diverted into the irrigation companies ditch.

INTER-DEPARTMENT MEMO — 1

FROM Bob Fleenor

DATE September 2, 1976

TO Ron Carlson

SUBJECT 15-7033

Is this water available for appropriation? It may not be if the Canal Company delivers it to downstream users.

RECEIVED

SEP 3 1976

Department of Water Resources
Eastern District Office

Bob F

SIGNATURE

August 9, 1976

RE: Application for Permit No. 15-7033 TUTTLE

St. Johns Irrigation Company
Malad City,
Idaho 83252

Gentlemen:

We are enclosing a copy of an application that may be of interest to your agency. Please review the application and if you have any comments, submit them to our Department as soon as possible. The last date of protest is August 30, 1976, and we are required to take final action shortly thereafter.

If we may be of further assistance, please feel free to contact us.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

Enclosure

August 6, 1976

RE: Application for Permit No. 15-7033 TUTTLE

The Idaho Enterprise
P.O. Box 205
Malad City, Idaho 83252

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 8-23-76 by Cal

RDC:ME

Enclosure: 1 legal

**NOTICE OF APPLICATION
FOR WATER PERMIT**

NOTICE IS HEREBY GIVEN that Dell J. Tuttle, Malad City, Idaho has on 8-05-76 submitted Application No. 15-7033 for a permit to appropriate 1.86 cubic feet per second of water from an unnamed drain, tributary to St. John Irrigation Canal by means of tile drain, holding pond, and pump within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 18, T. 14S, R. 36E, B.M., Oneida County; to be used from Jan. 1 to Dec. 31 for stockwatering purposes for 200+ head of beef cows and calves, within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 18, T. 14S, R. 36E, B.M.; and from Apr. 1 to Nov. 1 for the irrigation of 93 acres within the W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 18, T. 14S, R. 36E, 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 Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before August 30, 1976.

R. KEITH HIGGINSON
Director

Published in the Idaho Enterprise, Malad City, Idaho on August 12 and August 19, 1976.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Dell J. Tuttle,
Malad City, Idaho

has on 8-05-76 submitted Application No. 15-7033
for a permit to appropriate 1.86 cubic feet per second ~~acre feet per annum~~ XXXXXXXXXXXXXXXXXXXX
of water from an unnamed drain, tributary to St. John Irrigation Canal
by means of tile drain, holding pond, and pump
within the SW 1/4 NE 1/4, Sec. 18, T. 14S, R. 36E, B.M., Oneida County;

to be used from Jan. 1 to Dec. 31 for stockwatering purposes for 200+ head
xx of beef cows and calves, within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 18, T. 14S, R. 36E, B.M.;
 for and from Apr. 1 to Nov. 1 for the irrigation of 93 acres within the W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$,
XXXXXXXXXXXX Sec. 18, T. 14S, R. 36E, B.M.
 within the

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 Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before _____ August 30, 1976

R. KEITH HIGGINSON

Director

Published in the Idaho Enterprise, Malad City, Idaho
on August 12 and August 19, 1976.

The
The
The

August 6, 1976

RE: Application for Permit No. 15-7033 TUTTLE

Mr. Dell J. Tuttle
Rt. #1, Box 137
Malad City, Idaho 83252

Dear Mr. Tuttle:

Attached herewith is departmental receipt no. 2505 in the amount of \$35.00
for the above referenced application for permit.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:ME

Attachment

August 2, 1976

Mr. Dell J. Tuttle
Rt. #1, Box 137
Malad City, Idaho 83252

Dear Mr. Tuttle:

Pursuant to our telephone conversation Friday, July 30, 1976, regarding the application for permit you submitted, we find it would be more convenient to retype the application and return for your approval along with your check No. 92-86 in the amount of \$35.00.

Please sign the retyped application at the red check at the bottom of Page 3, and return with the statutory filing fee of \$35.00. Your enclosed check will be acceptable as is.

If you have any questions, please feel free to contact me.

Very truly yours,

LOY H. JOHNSON
Senior Water Resource Agent

LHJ:CW

Attachment

Enclosures