

Griffeth

13-2282

8	9
17	16

Bear River Pump

4" diam aluminum pipe

End of pipe

Point of Diversion
Drain

Area irrigated by neighbor

Neighboring Point of Diversion

Area irrigated by neighbor

12" diam buried plastic pipe

MICROFILMED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 13-2282 Priority April 7, 1967 Amount 1.42 cfs

THIS IS TO CERTIFY, that LOIS D. GRIFFETH

of Preston, Idaho, has complied with the terms and conditions of Permit No. 13-2282 issued pursuant to Application for Permit dated April 7, 1967, and has submitted proof to the Department of Water Resources on May 20, 1975, 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 1.42 cfs of water from an unnamed drain, tributary to Bear River, 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>1.42</u> cfs and	<u>249</u> acre feet
	from _____ to _____	_____ cfs and	_____
	from _____ to _____	_____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 1.42 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 249 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, Twp. 15S, Rge. 39E, B.M. in the County of Franklin

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 $\frac{1}{4}$	
15S	39E	17									20		5		31		14		71

Total number of acres irrigated 71

Condition:

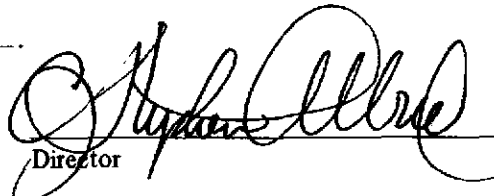
Use of water under this license is subject to control by the watermaster of State Water District 11, Bear River.

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 31 day of December, 19 79.

RECORDED


Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use.

Comes now LOIS D. GRIFFETHof (address) Route 1 Rexburg, Idaho, and represents to the
Director of the Idaho Department of Water Resources:That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho
No. 13-2282, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SE ¼ SE ¼, Section 17, Township 15S, Range 39E, B.M.,
County of Franklin. Other points of diversion: _____

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 1.42 for Irrigation purposes from April 1 to November 1 (both dates inclusive)
(cfs or acre feet per annum)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated:

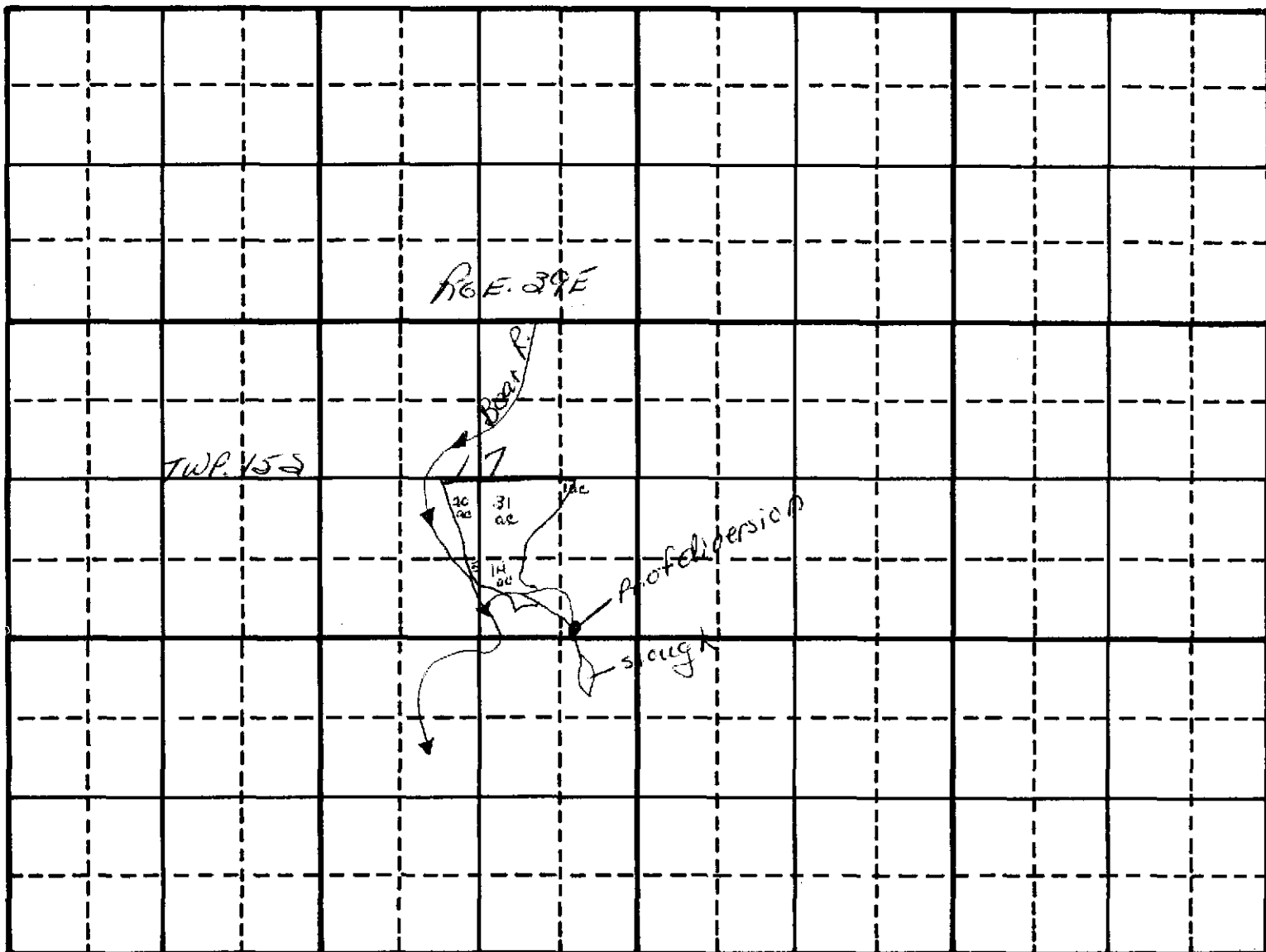
TWP	RGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
15S	39E	17									20			5	1	31	14		71

Total number of acres to be irrigated = 71

4. a. Who owns the property at the point of diversion? Applicant
b. Who owns the land to be irrigated or the 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: _____

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile.

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

Signed at Preston, Idaho, this 19 day of Dec, 19 79.

Louis D. Griffith
(Signature)

FOR DEPARTMENT USE ONLY

#15743

Preliminary check by JS Fee = \$20.00

Received by JS Date 12/27/79

Publication prepared by _____ Date _____

Published in N/A

Publication dates N/A

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, C. STEPHEN ALLRED, Director of the Department of Water Resources hereby

APPROVE the above referenced Application for Amendment of Permit No. 13-2282.

Witness my hand this 31 day of _____ December, 19 79

Stephen Allred
Director

33554
NW
13-2300

**Application For Permit
To Appropriate the Public Waters of the State of Idaho**

ASSIGNED TO:

Lois D. Griffeth
5-So. 2nd East
Preston

APPLICATION No. 41787
PERMIT No. 33554
DISTRICT No.

1. Name of Applicant: Melvin Griffeth

Postoffice address: Preston

County: Franklin

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:

(b) Treasury stock:

(c) Bond to be issued:

(d) Other resources:

2. Quantity of water claimed: 1.5

cubic feet per second.

3. Source of water supply: Newly created drain

which is a tributary of Bear River.

4. Location of point of diversion: 20' S 165' W

feet distant from the NE

corner of Section 20, T. 15 S, R. 39 E, B.M., and is in the NE $\frac{1}{4}$ NE $\frac{1}{4}$

of section 20, T. 15 S, R. 39 E, B. M., County of Franklin

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 of , 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: \$ 3,000.00

8. Kind of works: Reservoir, ditch and pipeline

9. Height of dam 8 feet; length of dam at top 60 feet; length of dam at bottom 50

feet; material used in dam: Dirt

10. Size of headgate: Width 4 inches ~~feet~~; height 8 feet.

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

dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

12. The time required for the completion of such work is 5 years.

13. The time required for the complete application of the water to the proposed use is -0- 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: Useage right from water that has been running down this natural channel.

16. (a) Is reservoir to be used? 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.

/s/ MELVIN P. GRIFFETH Applicant.

By Agent.

Date of first receipt at Department of Reclamation: April 7, 1967 9:00 A.M.

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 33554
Recorded in Book 117 Page 33554 Approved April 19, 1967
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 June 19, 1967 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 October 19, 1969
The whole of said work to be completed on or before April 19, 1972
Beneficial use of water appropriated in accordance herewith, to be made on or before April 19, 1972

WITNESS My hand this 19th day of April, 1967.
/s/ R. KEITH HIGGINSON
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, DON SAMUELSON, Governor of the State of Idaho,
and EDSON H. DEAL, 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 19th

day of April, 1967.
COUNTERSIGNED: STATE OF IDAHO
(SEAL) By /s/ DON SAMUELSON Governor.
By /s/ EDSON H. DEAL Secretary of State.

REMARKS: Eldon Tanner and Theo Bell have developed drain water on their land in Sec. 15, T 15 S., R 30 E., B.M. This water is diverted into natural drain which ends up running over applicants land before entering into Bear River. Applicant intends catching drain water & storing it in small holding pond. Then running it through a gravity flow sprinkler system to the property shown to be irrigated. After this water gets into the natural drain, it ends up by washing out the applicants lands as described in permit. Therefore, the applicant feels that he should have the right to the use of the water where the originating parties are not taking care of their excess water.

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	
15S	39E	17			155	54035	100

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR EXTENSION OF TIME

State of Idaho)

County of Franklin)

Permit No. 33554-13-2282

Mrs. Melvin B. Griffith of 5, South 2nd East, Briston
(name) (address)

State of Idaho, being first duly sworn, upon his oath deposes and says:

That he is the holder, or the duly authorized agent of the holder *, of Permit to appropriate the Public Waters of the State of Idaho No. 3354-13-2282

That under the terms and conditions of said permit, work thereunder was required to be completed on or before April 19, 19 72.

That he has heretofore performed the following work described under said permit:

The ditch & part of the reservoir has been
completed.

Costing \$ 400⁰⁰

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: Mrs. Griffith, permit holder, had an extended
illness & passed away January 15, 1971.

Wherefore, he asks that the Department of Water Administration extend the time for the completion of obligations under said permit to June 1, 19 75.

Mrs. Melvin B. Griffith
(signature) *

Subscribed and sworn before me this 29 day of Feb, 19 72.

seal

My commission expires 11-15-74

Glenn M. Acord
(notary public)

ACTION OF THE DEPARTMENT OF WATER ADMINISTRATION

I, R. Keith Higginson, Director of the Idaho Department of Water Administration, State of Idaho, hereby approve the above application for extension of time for Permit No.
33554/13-2282 to June 1, 1975.

Witness my hand this 4 day of May, 19 72.

R. Keith Higginson
Director

* IF OTHER THAN HOLDER, Power of Attorney must be supplied. Forms are available through the Department of Water Administration, Statehouse - Annex 2, Boise, Idaho, 83707.

RECEIVED
APR 5 1972

RECEIVED
APR 5 1972

State of Idaho

Department of Water Administration

ASSIGNMENT OF PERMIT

Department of Water Administration

Department of Water Administration

I, Melvin P. Griffith (deceased) hereby assign to Lois D. Griffith
of 5 - South 2nd East - Preston, Idaho 83243
Address

☒ All my right, title, and interest, in and to Permit No. 13-2282
to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in and
to Permit No. 13-2282 to appropriate the public waters of the State
of Idaho. (Describe that portion of the permit being assigned by list-
ing the acreage within each 40-acre subdivision, the point of diversion
and the amount of water in cubic feet per second for direct diversion,
or acre feet for storage.)

Made this 5 day of April, 1972.

Lois D. Griffith
Permit Holder
LOIS D. GRIFFETH, executrix of the Estate
of Melvin P. Griffith Deceased,
Lois D. Griffith
Spouse of Permit Holder
LOIS D. GRIFFETH

State of Idaho)
County of Franklin) ss.

On this 5th day of April, 19 72, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged
to me that he (she) (they) executed the same.

James M. [Signature]
Notary Public residing at Preston

My commission expires: January 1973

13 2282

Preston Idaho

Dec. 3, 1970

R. Keith Higginson
Director, Idaho Dept. of Water Adm.
Statehouse
Boise, Idaho

Dear Sir:

This letter will convey my protest to the granting of a water license to permit #33554/132282, in the name of Melvin Griffeth, for the following reasons:

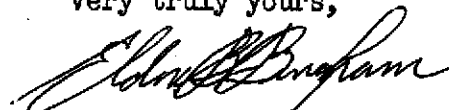
1. I own the land on which the proposed diversion is to be located, (NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 20 T.15S R. 39E. EM) and I forbid the use of this property for this use.

2. I presently hold two diversion rights, on the same stream but below that proposed diversion point, prior dated to April 7, 1967, which I am using at the present time; Water License No 24153, dated May 1, 1953 and permit # 33429 dated Jan. 18, 1967. This is a drainage system. The flow from this stream is very erratic and would be unuseable except for a small reservoir in my system which stores the surges and from which I can divert a fairly constant stream. This reservoir is below the diversion for which Mr. Griffeth is asking, and it could be rendered useless by improper or untimely use of this diversion, or from sedimentation from an improper diversion device. I am enclosing, herewith, a copy of a letter which I sent Mr. Griffeth in January, 1969, in which my objections are stated to him. Some of the erosion referred to in the letter has already occurred with the resultant damage to my storage reservoir.

To Mr. Griffeth
3. As a result of this letter, a meeting was held with the members of the Franklin County Commissioners, Preston City council, Mr. Griffeth and myself. In as much as the ditch from Mr. Griffeth's trash diversion dam, to Mr. Griffeth's farm crossed county and city owned property, it was a public matter. At that meeting, Mr. Griffeth promised to provide the plans and information, also appropriated contracts, for approval before proceeding to do any more work in this diversion. To date, I have received nothing from Mr. Griffeth. There has been no effort to divert water from this diversion during the 1969 and 1970 irrigation seasons.

Again, I protest the granting of this license.

Very truly yours,



Eldon B. Bingham
Rt. 3, Preston, Idaho
83263

Preston, Idaho

January 8, 1969

Mr. Melvin Griffeth
Preston, Idaho

Dear Sir:

Early in the month of November, 1968, when I verbally protested to you about your putting an earthen dam in the city-county drain on county land near my property north of the airport, you took great pains to point out to me that it was only a thin, narrow dam that could easily be removed; and that you would be responsible for removing said dam before freezing weather began. Yesterday, upon inspecting this area, we found that rather than being removed the dam had been considerably reinforced with straw and was substantially intact; there having only been a small hole cut in the south end of it. This hole had the appearance of only recently having been made, and it has been made in such a way that the winter flood waters will be directed to erode the south bank of the ditch; thus changing the channel of the drain in this area. We are concerned about the damage such erosion will cause to the land and the new fence we have recently constructed in this area. Also, since we have only this last year had to spend considerable money dredging the dirt from my storage reservoir which came from the erosion of the old Merrill-Neilson dam in this same area, we are concerned about mud residue from this ditch. The matter of greatest concern to us, however, is this evidence to the unreliability and hazards of doing such important business on a verbal basis. This change you have made tends to qualify your proclaimed intention to honor and respect our property and rights in this area. A pile of dirt or straw or trash or trees so placed does not, in our opinion, constitute a legitimate diversion device. Since November you have made two appointments to further discuss this matter with us and have failed to keep either of them. We now request that you submit to us the following instruments, in writing, to show your intentions in this area:

1. A suitable contract which will adequately protect and guarantee our rights. This contract should recognize that this is an established drainage ditch; that for many years, in addition to field and drain runoff in the spring and summer, it is also used by farmers in the area to dispose of their surplus, unwanted, and unneeded canal water by dumping it directly from the canal to the drain; therefore, any water entering this drainage ditch is surplus water, regardless of its source, and becomes public water. It should recognize our rights to collect and store, as well as to divert water from this source. Because of this storage feature in our irrigation system, no water can be considered as surplus to our rights until this storage is full, even though we are diverting water at the same time the storage is filling. Because this is a drainage ditch, the flow fluctuation of the water is extreme, and occurs at all times of the day and night. We should be guaranteed that all the waters in this fluctuating stream will reach our storage until it is full at all times, according to our needs, during the irrigation season, and without interference. It must protect us from adverse rights, damages either from erosion or untimely water diversion, and give us the ultimate right of control. It should also cover the construction, operation, and maintenance of a suitable and proper diversion **13-2282**

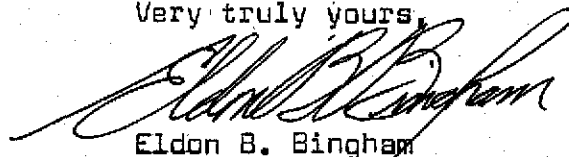
(Protest letter to Melvin Griffeth, cont., page 2)

2. A set of plans by a competent engineer giving details of your diversion works, including size, capabilities, and installation requirements to be safe against the demands of floods and high water as well its diversion function. The same to be installed in such a manner as to prevent damage to the area by stream erosion.
3. Details of your diversion plan, and how it will operate to recognize and protect our established rights without the likelihood of human error.
4. We would like it further agreed that this approved diversion works will be installed, properly operated and maintained, or this diversion will be abandoned with no rights established. We further feel that these works should be properly installed before any more diversion of water is accomplished in this area.

We feel that if it is properly done, there possibly exists an opportunity for you in this area. We believe that the above requests are reasonable and could provide the basis for achieving this opportunity for you.

Until the objectives of this letter are met, however, we have no alternative but to again restate our objection to your activities in this area; and to notify you that we must hold you responsible for any and all damages we may sustain as a result of your activities in this matter.

Very truly yours,



Eldon B. Bingham

Nov. 26, 1970

the District Ranger, Preston, Idaho, or the Forest Supervisor at 429 South Main, Logan, Utah.

Legal No. 1842—Pub. Nov. 19, 26, Dec 3 10, 17, 1970.

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Melvin Griffeth, Preston, Idaho, has received an approved Permit No. 33554/13-32 issued by the Idaho Department of Water Administration authorizing the diversion of 1.5 cubic feet per second of water from a drain, tributary to the Bear River. The priority to be established under this permit is April 7, 1967 and the permit was approved April 19, 1967.

Water is to be diverted by reservoir, ditch and pipeline from a point within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 20, T. 15S, R. 39E, B.M., Franklin County, to be used for irrigation in the E $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 15S, R. 39E, B.M.

Proof of the application of the water to beneficial use is to be submitted to the Department on or before April 19, 1972. Any protests against

the issuance of the license for the above referenced permit should be filed with the Idaho Department of Water Administration within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON,
Director, Idaho Dept. of
Water Administration
STATEHOUSE,
Boise, Idaho

Published in the Preston Citizen, Preston, Idaho, on November 26, and December 3, 1970.

Legal No. 1844—Pub. Nov. 26, Dec 3, 1970.

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 33554/13-2282)
in the name of MELVIN GRIFFETH)
_____)

ORDER MODIFYING REQUIREMENTS
FOR COMPLETION OF PERMIT TO
APPROPRIATE WATER

WHEREAS, the 39th Idaho Legislature made certain amendments to the Idaho Water Law; and,

WHEREAS, these changes raised questions as to the procedures to be followed by holders of permits issued prior to the effective date of the amendments, May 31, 1967; and,

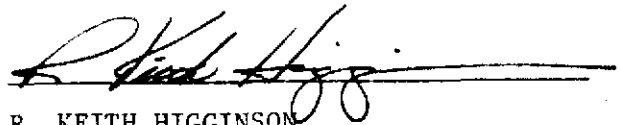
WHEREAS, on August 1, 1968, the Department of Water Administration adopted Rules of Practice and Procedure for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. 33554 was issued previous to that date;

NOW THEREFORE, the requirements for completion of the above numbered permit are hereby modified to conform to the adopted Rules of Practice and Procedure as follows:

1. The above numbered permit will be completed under the terms of Title 42, Chapter 2, Idaho Code, as amended by the 39th Idaho Legislature.
2. The conditions of the above numbered permit are modified as follows:
 - a. Notice of the issuance of the permit will be published at the permit holders expense for two weekly issues in the official newspaper of the county in which the point of diversion lies.
 - b. The permittee will not be required to submit proof of completion of works as originally specified, but will be required to submit proof to the Department of Water Administration of the application of the water to beneficial use on or before April 19, 1972. The permit holder should be aware that failure to complete one-fifth (1/5) of the works within one-half (1/2) of the time originally set for completion of works may be grounds for cancellation at the instance of the Department.

Dated this 3 day of November, 1970.


R. KEITH HIGGINSON
Director

Nº 1844

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

ss.

County of Franklin

Wayne D. Bell

being duly sworn,

deposes and says:

That he is the *Co. publisher* of THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for *two* consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

November 26, 19 *70*, and ending

with the issue of *December 3*, 19 *70*

Wayne D. Bell

Fees, \$ *11.73*

Subscribed and sworn to before me this *4* day

of *December*, 19 *70*.

De Ann D. Liddis

Notary Public, Residing at Preston, Idaho

My Commission Expires *March*, 19 *74*.

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Melvin Griffith, Preston, Idaho, has received an approved Permit No. 33554/13-2282 issued by the Idaho Department of Water Administration authorizing the diversion of 1.5 cubic feet per second of water from a drain, tributary to the Bear River. The priority to be established under this permit is April 7, 1967 and the permit was approved April 19, 1967.

Water is to be diverted by reservoir, ditch and pipeline from a point within the NE¼ NE¼ Sec. 20, T. 15S, R. 39E, B.M., Franklin County, to be used for irrigation in the E½ SW¼, N½ SE¼, SW¼ SE¼, Sec. 17, T. 15S, R. 39E, B.M.

Proof of the application of the water to beneficial use is to be submitted to the Department on or before April 19, 1972. Any protests against

the issuance of the license for the above referenced permit should be filed with the Idaho Department of Water Administration within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON,
Director, Idaho Dept. of
Water Administration
STATEHOUSE,
Boise, Idaho

Published in the Preston Citizen, Preston, Idaho, on November 26, and December 3, 1970.

Legal No. 1844—Pub. Nov. 26, Dec. 3, 1970.

13 2282

L D S BOOKS
&
GENEALOGY SUPPLIES

THE PRESTON CITIZEN

"Published Every Thursday"

PRINTING • OFFICE SUPPLIES • PUBLISHING

PHONE 852-0155

PRESTON, IDAHO

Customer's

Order No.

Date *12-4 1970*

Sold To

Address

Melvin Griffith

Sold By	Cash	C.O.D.	Charge	On Acct.	Mdse. Ret.	Pd. Out	
	✓						

QUAN.	DESCRIPTION	PRICE	AMOUNT
	<i>Legal No- 1844</i>		<i>11 73</i>
	<i>13 2282</i>		
		TAX	
<i>Thank You</i>		In case of claims or returned goods please present this bill.	
		TOTAL	<i>11 73</i>

No. 15632

Rec'd by

D.S.

UARCO INCORPORATED

RS 510-3

RECEIVED

APR 7 1967

9:00 A.M. - M.L.
Department of Reclamation
cash #5.25

APPLICATION FOR PERMIT NO. 4178.2-M.L.

APPLICATION FOR TRANSFER NO. _____

33554

Receiving -- Appearance review _____

Action - - - Permit Application

Fee receiving \$5.25, 4-7-67-M.L.

Application review _____

Returned for correction _____

Rejection _____ Returned to sender _____

Approval _____

Processing -- Recording Permit Applications

Assign Permit No. APR 1 1967

Record page & folder APR 1 1967

Index APR 19 1967

Plats NW

Proof - - - Certificate of Completion of Works

Review _____

Returned for correction _____

Rejection _____ Returned to sender _____

Approval _____

Fee receiving _____

Proof (cont.) -- 60 day notice: Bu _____ Cw/Bu _____

No reply _____ Pre can _____ Can. _____

Reply _____

Advertise _____ Review _____

Inst. to news _____

Depositions & inst. to holder _____

Check tear sheet _____

Readvertise _____

Do not readvertise _____

Depositions & affidavit check _____

Reject _____ Return to sender _____

Approval _____ Exam report _____

Examination -- Notification letter _____

Exam _____ Date _____ Exam review _____

Fee letter _____ Fee receipt _____

Amount \$ _____

Licensing -- License & Certificate

State Engineers Signature _____

Return to holder _____

BKM-OK

33554

Rec. No. 33726

525

Copy to
Russ Slater
Bear R. Wm.
Soda SpringsForm No. 1
5M 1-65

Address all communications to

Melvin Griffith

P. O. Preston, Idaho

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 41787

Permit No. 33554

District No.

RECEIVED
APR 7 1967
7:00 A.M.
Department of Reclamation

1. Name of Applicant: Melvin Griffith
Post Office address: Preston County: Franklin State: Idaho

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:

The financial resources of the applicant are: (a) Cash on hand: \$

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

(d) Other resources:

2. Quantity of water claimed: 1.5 cubic feet per second

3. Source of water supply: Newly created drain
which is tributary of Bear River

4. Location of point of diversion: 2013 165'W feet distant from the NE corner
of Section 20, Twp. 15 S, Rge. 32 E, B. M., and is in the 165'W
of Section 20, Twp. 15 S, Rge. 39 E B.M., County of Franklin

5. Water is to be used for: Irrigation

6. If for any non-irrigation purpose, give:

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

Twp., Rge., B. M., in the of Section, Twp., Rge., 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, Twp., Rge., B. M., in the

of Section, Twp., Rge., B. M.

7. Estimated cost of works: \$ 3,000.00

8. Kind of works: Reservoir, Ditch and Pipe line
(Reservoir, dam, ditch, flume, pipe, etc.)

9. Height of dam 6' feet; length of dam at top 60' feet; length of dam at bottom 50'

feet; material used in dam Dirt
(If height of dam will exceed 10 feet or will store more than 100 acre feet of water, send to Department of Reclamation for regulations.)

10. Size of headgate: Width 4' feet; Height 8' feet

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

Dimensions of flume; Diameter of pipe inches;

Length of conduit miles. Average grade per mile feet.

33554

13. The time required for the complete application of the water to the proposed use is 0 additional years.

(Give irrigable acreage in each 40-acre subdivision)

[illegible]

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: usage right
from water that has been running down this natural channel.

33554

16. (a) Is reservoir to be used? (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:

Remarks: Eldon Tanner and Theo Bell have developed drain water on their land in Section 15 Twp 15 SR 39 EBM. This water is diverted into natural drain which ends up running over applicants land before entering into Bear River.

Applicant intends catching drain water and storing it in small holding pond. Then running it through a gravity flow sprinkler system to the property shown to be irrigated.

After this water gets into the natural drain, it ends up by washing out the applicants land as described in permit. Therefore the applicant feels that he should have the right to the use of the water where the originating parties are not taking care of their excess water.

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.

Melvin P. Griffith
Applicant.

By _____, Agent

Affidavit of Permission to File on Springs

(Not to be used when spring is situated on lands owned by applicant.)

We, Eldon S. Tanner and Theo J. Bell of Preston, County of Franklin, State of Idaho, do hereby certify that I am the owner

of the land on which the drain mentioned in the application of Melvin Griffith is located, to-wit: in E¹SW¹ and W¹SE¹ Sec. 15 Twp 15 SR 39 EBM.

and that I do hereby grant unto the said Melvin Griffith permission to file on the said spring as set forth in the foregoing application. Water from said drain after passing the above described property.

STATE OF IDAHO)
County of Franklin) ss.

On this 12th day of January, 1967, before me, a Notary Public for the State of Idaho, residing at Preston, Idaho, personally appeared Eldon S. Tanner and Theo J. Bell known to me to be the persons whose names are subscribed to the foregoing certificate, and acknowledged to me that they executed the same.

Witness my hand and seal, the day and year in this certificate first above written.

My commission expires 5-12-70

Notary Public.

Approval of State Reclamation Engineer

The number of this permit is 33554

Recorded in Book 117 Page 33554 proved APR 19 1967

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 before

Work to begin on or before June 19, 1967, and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before October 19, 1969

The whole of said work to be completed on or before April 19, 1972

Beneficial use of water appropriated in accordance herewith, to be made on or before April 19, 1972

Witness my hand this 19th day of April, 19 67

R. Keith Higgins
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, DON SAMUELSON Governor of the State of Idaho,

and EDSON H. DEAL 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 19th day of April, 19 67.

Countersigned:

By *Edson H. Deal*
Secretary of State.

STATE OF IDAHO

By *Don Samuelson*
Governor.

No. 33554

PERMIT

Date of first receipt at office of State
Reclamation Engineer

April 7, 1967 9:00 A.M.

Returned to applicant for correction

Corrected application received

Fees, \$ 5.25

FILING FEES FOR USE PERMIT:

For the first Sec. Ft. \$5.00

For each additional Sec. Ft. or Fraction

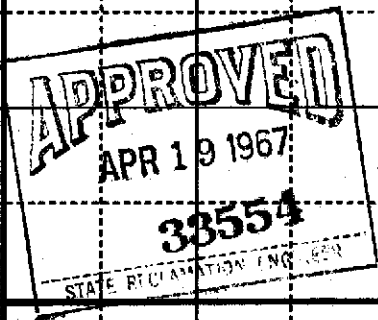
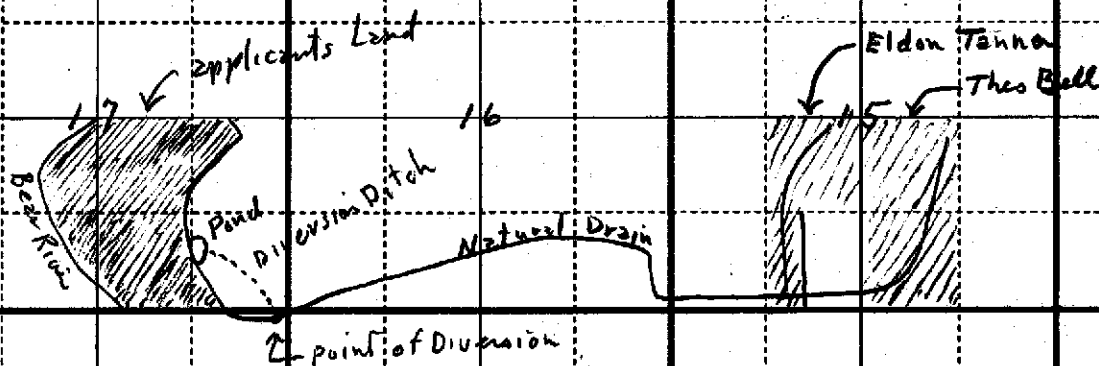
Thereof .25

NAME OF APPLICANT

Melvin Griffeth

Form No. 0

Twp 15 SR 39 EBM



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

33554

January 9, 1980

Re: Permit No. 13-2282

Lois D. Griffeth
5South, 2nd East
Preston, ID 83263

Dear Ms. Griffeth:

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

Also enclosed is a copy of the approved application for amendment along with Receipt No. 15743 in the amount of \$20.00.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG:j
Enclosure

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 384-2215

November 14, 1979

Lois D. Griffith
Route 1
Rexburg, Idaho 83440

Dear Ms. Griffith,

RE: Permit No. 13-2282

A representative of this Department made an examination of the works covered by your Permit No. 13-2282 on June 22, 1978, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 1.42 cfs Source: an unnamed drain

The maximum quantity diverted shall not exceed 249 acre feet
per year.

Point of diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, Twp. 15S, Rge. 39E, B.M.

Beneficial use: Irrigation of 71 acres within the E $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$,
S $\frac{1}{2}$ SE $\frac{1}{4}$, Twp. 15S, Rge. 39E.

Priority date established: April 7, 1967

In order for the Department to issue the above license, it will be necessary for you to amend the permit to correspond with the findings of the field examiner. We are enclosing a partially completed amendment form for your use in this matter.

Please sign the amendment application and return it to this office along with a \$20.00 filing fee within 30 days in order that we might issue your license as set forth above. If you do not concur with these findings or have any questions, please contact us within the 30-day period.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG/kw
Enclosure

Re: Permit No. 13-2282

Preston, Idaho

November 6, 1979

Lois D. Griffeth

Mr. Jan Grover
Idaho Dept. of Water Resources
Boise, Idaho

Dear Sir:

In response to your letter of November 2, 1979, I submit the following:

I hereby withdraw my protest to this permit no. 13-2282 since the diversion point has been changed from section 20 to section 17. This change will place the diversion point downstream from my property so it will not interfere with my water rights.

It was further agreed at the hearing on this matter held in Preston last spring that the induction of new water into this drain by change in upstream use, rent, or purchase, would be subject to prior fulfilling the needs of my water rights before being applied to this permit. This agreement to eliminate the need of the almost impossible task of measuring proportionate shares.

With agreement on these two items, it will not be necessary to schedule any further hearings or to continue this protest.

Very truly yours,

Edna L. Thompson

*Please
pull
to Chan*

November 2, 1979

Re: Permit No. 13-2282

Eldon B. Bingham
Route #3
Preston, ID 83263

Dear Mr. Bingham:

A field examination has been conducted for the above referenced permit. You have filed a protest against the issuance of a license for this permit. These are the findings of the field examiner:

Amount of water that can be recognized as beneficially used under
Idaho law: 1.42 cfs Source: unn. drain
trib. Bear River

The maximum quantity diverted shall not exceed 249 acre feet per
year.

Point of diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, Twp. 15S, Rge. 39E, B.M.

Beneficial use: Irrigation of 71 acres within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$,
NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, Twp. 15S, Rge. 39E, B.M.

Priority date established: April 7, 1967

If you do not wish to continue your protest, please contact us within 15 days.
If we do not hear from you a hearing will be scheduled shortly.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG:j

cc: Lois D. Griffeth X

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Statehouse
Boise, Idaho 83720

Lois D. Griffeth
Route #1
Rexburg, ID 83440

Unintelligible
Addressed unknown
Insufficient address
No such street
No such office in state
Do not re-mail in this envelope

RECEIVED

NOV 13 1979

Department of Water Resources

November 2, 1979

Re: Permit No. 13-2282

Eldon B. Bingham
Route #3
Preston, ID 83263

Dear Mr. Bingham:

A field examination has been conducted for the above referenced permit. You have filed a protest against the issuance of a license for this permit. These are the findings of the field examiner:

Amount of water that can be recognized as beneficially used under
Idaho law: 1.42 cfs Source: unn. drain
trib. Bear River

The maximum quantity diverted shall not exceed 249 acre feet per
year.

Point of diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, Twp. 15S, Rge. 39E, B.M.

Beneficial use: Irrigation of 71 acres within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$,
NE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, Twp. 15S, Rge. 39E, B.M.

Priority date established: April 7, 1967

If you do not wish to continue your protest, please contact us within 15 days.
If we do not hear from you a hearing will be scheduled shortly.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG:j

cc: Lois D. Griffith

MICROFILMED

100

your oratory

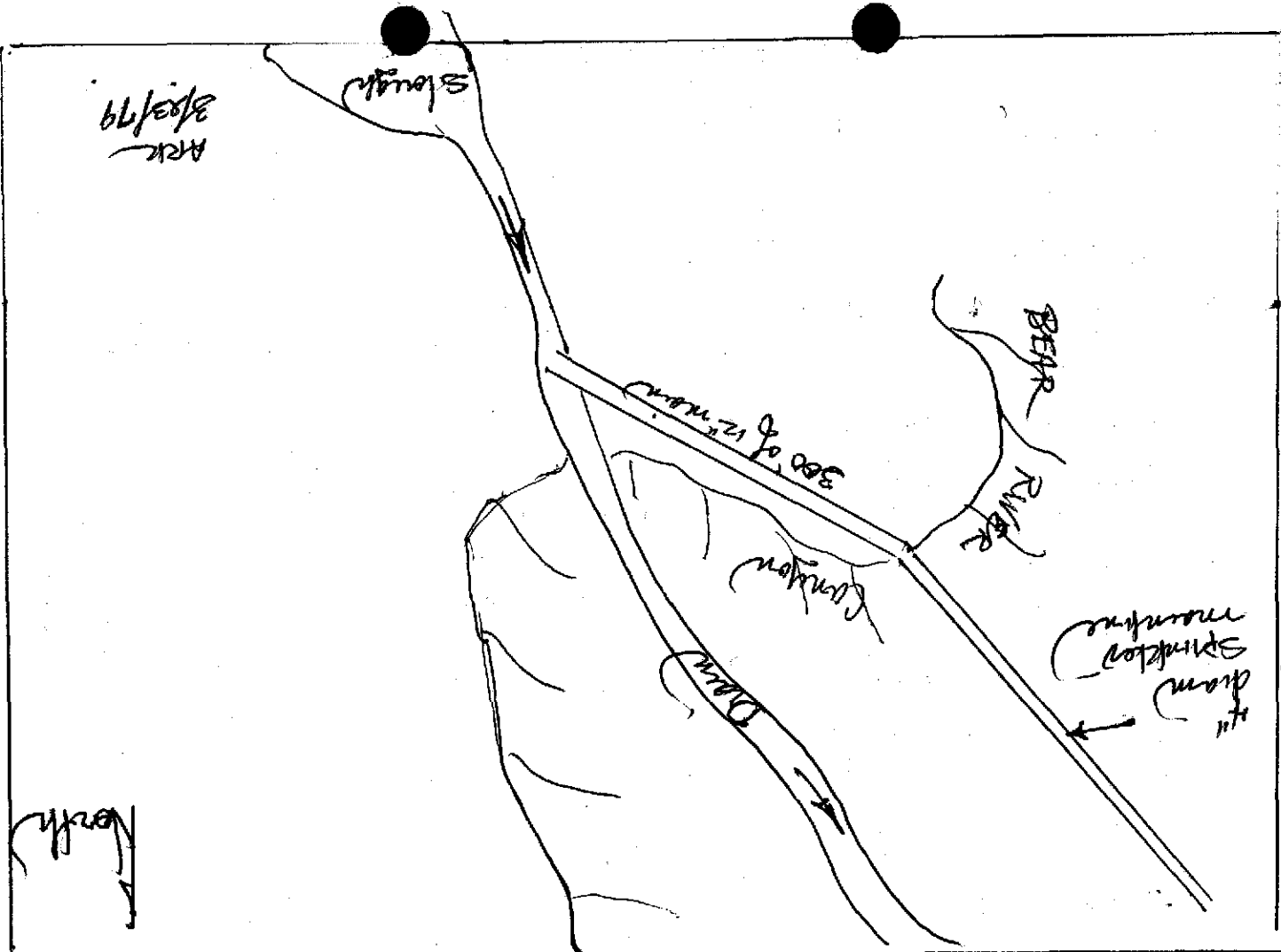
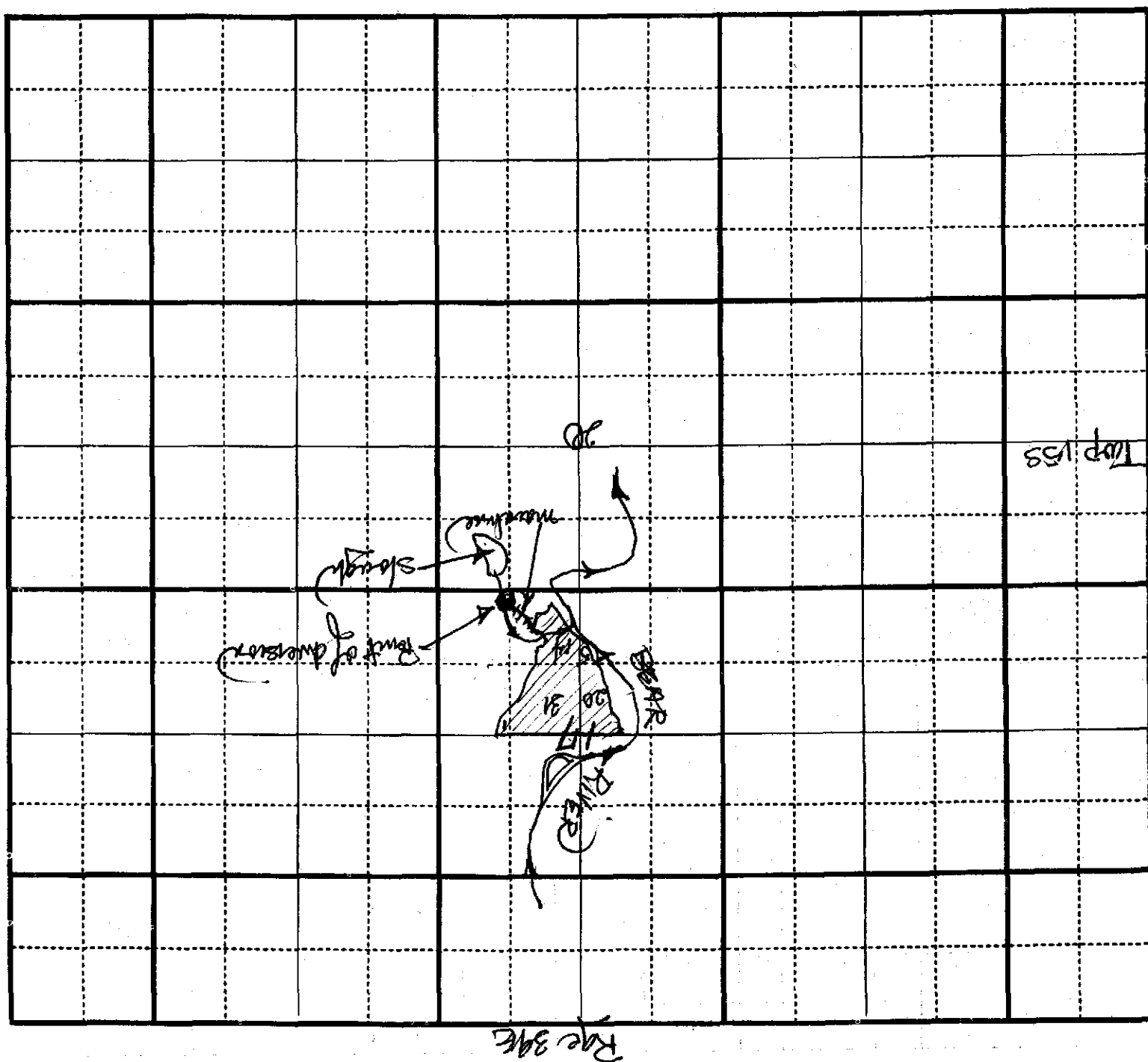
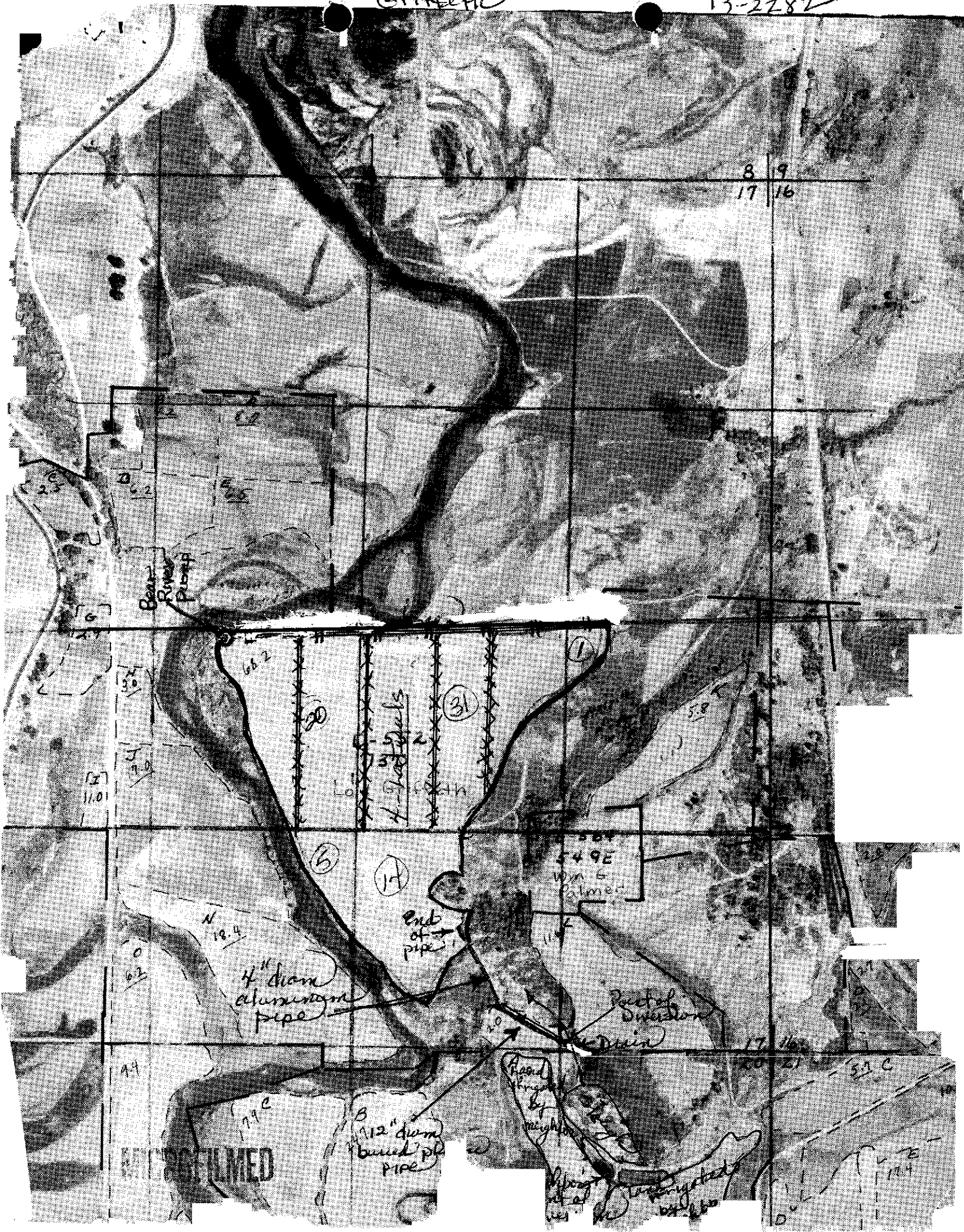


Diagram of System



13-2282



DATE OF EXAM 6/22/1978

ACREAGE
Found 71 ac
Recommended 71 ac

Irrigation Requirement 3.5 Ac Ft/Ac

USE
Irrigation Q = 1.42 c.f.s. V = 248.5 AF/Ann. from April 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 X

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

Exchange? yes _____ no X

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

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

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

Total Q measured none Method of measurement none

Total Q recommended 1.42* Meter No. n/a Type n/a Condition n/a

Total V recommended 248.5 AF/yr

Recommended Amendments:

P.D. SESE Sec 17 Twp 15S Rge 34E B. M. County of Franklin
Place of Use See rough draft amendment
Other _____
None _____

MEASUREMENT CALCULATION:

Q by assignment - 1.42 cfs.
 $V = 71 \text{ ac} \times 3.5 \text{ AF/ac} = 248.5 \text{ AF/yr} < 1.9835 \times 215 \times 150 = 639.7 \text{ AF/yr}$

SYSTEM DESCRIPTION:

Surface water from an unnamed drain is diverted into a
@ 12" diam buried mainline that extends a horizontal distance
of 300' from the point of diversion to the edge of the Bear River Canyon
The diverted water is then conveyed downhill via the force
of gravity and is discharged into a 4" diam. aluminum pipe, which further
conveys the diverted water a vertical distance of approximately 75' into
a gravity flow sprinkler system where it is used to supplement Bear River
Q determined at water hearing - permit holder should be allowed
to divert 1.42 cfs when water is available

Examiner's Signature Anthony R. Kozlowski Date 3/23/79

Checked by John D. Cannon Date 4/10/79

Approved by _____ Date _____

water needed for the irrigation of the applicant's lands.

On Jan 19, 1978 talked with Mrs. Guffitt about
the need to complete this examination. Mr.
Guffitt will return the call later in order
to discuss the permit & schedule an exam.

ARR 1/19/78

13-2282 Priority April 7, 1967

Permit Holder

Lois D. Griffeth

Protestant

Eldon B. Bingham

Exams Made 7-21-76

Re examine 6-22-78

This is actually the 3rd Water User on the drain

All the Users are upstream from this point of diversion

Amendment needed to change the PD to SE SE Sec 17

{ Griffeth's right from Deep Ck that they divert from Bear River
License 19160 and Permit 18134

→ This License Supplemental -

✗ -

Bingham pond will hold about 1 to 2 acre feet -

RECEIVED

License

24153- 13-2175

R.H. Bingham & Eldon Bing

1.0 cfs. May 1, 1953

unnamed stream

NENE Sec 20 15 S 39 E

• 50 AC. irrig.

31 NENE

15 SENE

4 SENE

33429

13-2279. —

1.0 cfs -

Surplus water from tanner & ball drain.

13-7033 - Deep Cr.

MEMO TO FILE

On June 22, 1978, another attempt was made to complete a water right field examination for permit No. 13-2282. The source of water described on the permit was indicated as being a drain tributary to the Bear River and the point of diversion indicated as being located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 20, Twp. 15S, Rge. 39E, B.M., County of Franklin.

The examination revealed that the source of water was, in reality, an unnamed slough located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19, T. 15S, Rge. 39E, and that the location of the point of diversion had been incorrectly described on the permit.

Irrigation water is diverted by the applicant from an unnamed channel or drain. If left unimpeded, the channel conveys water from the slough to the canyon floor, where it is discharged directly into the Bear River. When irrigation water is available, it is diverted from the drain into a 12" diameter buried plastic pipe, that extends for a horizontal distance of approximately 300 feet to the edge of the Bear River Canyon.

The diverted water is then conveyed downhill via the force of gravity and is discharged into a 4" diameter aluminum pipe, which further conveys the diverted water a vertical distance of approximately 75 feet in a gravity flow sprinkler system where it is used to supplement Bear River water decreed for the irrigation of the applicant's land.

At the time the exam was conducted, the drain was completely dry and no water was available for appropriation under this permit. The sprinkler pipe had been disconnected from the system and lands under this filing were being irrigated with Bear River water only.

Another diversion was located on the slough and was in use at the time the exam was made. A centrifugal pump and motor, apparently owned by the applicant's neighbor, was diverting water from this source for the irrigation of lands located in the N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 20, T. 15S, R. 39E, B.M., county of Franklin (see aerial photo). This diversion appears to have significantly drawn down the level of water in the slough. Indeed, to the point where no water is available at the applicant's point of diversion. If the applicant is to obtain benefit of this water, the other diversion will have to be curtailed. There is not enough water in the slough this year for both water users. It would appear that this source of water will benefit only the water user having the earlier priority.

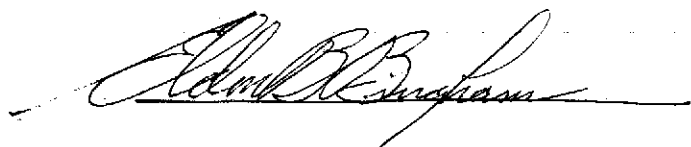
Anthony R. Kozlowski
ANTHONY R. KOZLOWSKI
Water Resource Agent

IN THE MATTER OF
PERMIT #13-2282

WITH DRAW
OF
PROTEST.

I, Eldon Bingham, agree to withdraw my protest
against permit #13-2282 provided the permit is amended
to change the point of diversion to the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 17
Twp. 15S. R 39E. This point being below my point of
diversion and on the applicants property.

Signed at Preston this 14th day of March, 1979.



MICROFILMED

- ~~1- Type an amendment to permit changing the point of diversion to SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 17 Twp. 15 S. R. 39 E.~~
- ~~2- Send typed amendment & power of attorney to
Lorenzo Griffith
5 South 2nd East
Preston, Idaho~~
- ~~3- Notify Eldon Bingham when amendment has been processed.~~

- 1- Complete a rough draft license for new p.d. along with licensing amendment & forward to Boise.
- 2- Determine status of field exam on permit 13-2279 in the name of Eldon Bingham.

R O S T E R O F A T T E N D A N C E

13-2282 - Lois D. Griffeth

Conference Room, Butte County Bank, Arco, Idaho

March 14, 1979 - 9:00 a.m.

NAME

ADDRESS

REPRESENTING

Lois D. Griffeth

5 South 2nd East, Preston.

Lois D. Griffeth

Ellen Blingham

Rt 3 Preston, Idaho.

Self.

MICROFILMED

March 7, 1979

Franklin County Courthouse
Clerk of the District Court
Preston, Idaho 83263

Dear Sir:

This is to confirm the use of the Jury Room for conference and/or hearing to be held by this office on Wednesday, March 14, 1979 at 9:00 a.m. until approximately 4:00 p.m.

Thank you for your cooperation in this matter.

Very truly yours,

RONALD D. CARLSON
Supervisor
Eastern Region

RDC:dh

RECEIVED
MAR 14 1979
DISTRICT COURT

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

In the Matter of Protests Against the
Issuance of a Water License for Permit
No. 13-2282 in the Name of LOIS D. GRIFFITH

NOTICE OF CONFERENCE
AND/OR HEARING

On April 19, 1967, application for permit No. 13-2282 was approved for the diversion of 1.5 cubic feet per second of water from a newly created drain which is a tributary to the Bear River with a point of diversion within NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 20, T. 15S, R. 39E, for the irrigation of 100 acres.

On December 3, 1970 the Department received protest against the issuance of a Water License to permit No. 13-2282 from Eldon B. Bingham. Proof of Beneficial Use was filed with the Department of Water Resources on May 21, 1975, and the licensing field exam was completed on June 22, 1978.

The Department has set the matter of protest for conference and/or hearing for Wednesday, March 14, 1979, at 9:30 a.m., in the Butte County Bank, Arco, Idaho. Any hearing will be held in accordance with the Rules and Regulations of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

Any party may request in writing five (5) days before any hearing that the oral proceedings thereof be taken in the form of stenographic notes. Any party may have such stenographic notes of the oral proceedings, or part thereof, transcribed at his own expense. A taped record of the proceedings will be maintained for the appeal period.

Failure to appear at the time and place set for hearing by the applicant or protestants may allow the Department without prejudice to dismiss the protest. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

Dated this 2nd day of March, 1979.


RONALD D. CARLSON

Supervisor, Eastern Region

RECEIVED

13-2282

DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT OFFICE
1515 LINCOLN ROAD
IDAHO FALLS, IDAHO 83401

Name and Address of Sender

1515 LINCOLN ROAD
IDAHO FALLS, IDAHO 83401

Indicate type of mail:
☐ REGISTERED ☐ C.O.D.
☒ CERTIFIED

Attach stamp here if issued on certificate of mailing or for additional copies of this bill.
POSTMARK AND DATE OF RECEIPT

NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET AND POST OFFICE ADDRESS	POSTAGE	FEE	R.R. FEE	UNIT. DEL. PER	ACTUAL VALUE	HANDLING CHARGE	REMARKS
1	1232	Wheat & Sugar, Bellevue, ID, Box 126, RR	15	80	45			29-2454
2	1233	Wheat & Sugar, E. Woodley, Pullman, ID						"
3	1234	Wheat & Sugar, E. Woodley, Pullman, ID						13-2237
4	1235	Wheat & Sugar, E. Woodley, Pullman, ID						"
5	1236	Wheat & Sugar, E. Woodley, Pullman, ID						"
6	1237	Wheat & Sugar, E. Woodley, Pullman, ID						"
7	1238	Wheat & Sugar, E. Woodley, Pullman, ID						"
8	1239	Wheat & Sugar, E. Woodley, Pullman, ID						"
9	1240	Wheat & Sugar, E. Woodley, Pullman, ID						13-2238
10	1241	Wheat & Sugar, E. Woodley, Pullman, ID						"
11	1242	Wheat & Sugar, E. Woodley, Pullman, ID						"
12	1243	Wheat & Sugar, E. Woodley, Pullman, ID						27-2127
13	1244	Wheat & Sugar, E. Woodley, Pullman, ID						"
14	1245	Wheat & Sugar, E. Woodley, Pullman, ID						13-2232
15	1246	Wheat & Sugar, E. Woodley, Pullman, ID						"
16	1247	Wheat & Sugar, E. Woodley, Pullman, ID						34-2493
17	1248	Wheat & Sugar, E. Woodley, Pullman, ID						"
18	1249	Wheat & Sugar, E. Woodley, Pullman, ID						"
19								
20								

TOTAL NO. OF PIECES LISTED BY SENDER: 18
TOTAL NO. OF PIECES RECEIVED AT P.O.: 18
POSTMARK AND DATE OF RECEIPT: 13-2282
DECLARATION OF VALUE IS REQUIRED ON INTERNATIONAL REGISTERED MAIL

FORM MUST BE MADE OUT IN INK OR BALL POINT PEN



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

March 23, 1978

MEMO

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

RECEIVED

MAR 31 1978

Department of Water Resources
Eastern District Office

TO: Ron Carlson
FROM: Jim Johnson *J.S.*
RE: Permit No. 13-2282

Bob Fleenor has asked me to respond to your memo of February 15, 1978.

In going through this file, I find that it appears that it was decided to have a field exam completed prior to holding a hearing on the protest. Through circumstances described in Bill Rhoades' memo of October 1, 1975, a field exam had not been made until July 21, 1976, which was done by Bill Graham. Based upon Bill's recommendation, a letter was sent to Lois D. Griffith asking him to show cause why the permit should not be cancelled. Attached is a letter received November 18, 1977, from Mr. Griffith explaining some of the circumstances. On December 12, 1978, I met with Mr. Griffith and the results of the meeting are summarized on the attached memo.

It appears that another field exam should be made during the week of June 15, 1978, and Mr. Griffith should be contacted.

Depending on the outcome of the field exam, a date should be scheduled for a hearing between Mr. Griffith and Mr. Bingham before a license is issued.

ENCLOSURE

*Edna B. Bingham
Route 3
Preston, Idaho*

Copy in area files

M E M O R A N D U M

TO: Bob Fleenor
FROM: Ron Carlson
RE: Permit No. 13-2282
DATE: ~~August 29, 1977~~ February 15, 1978

We are still holding the above referenced permit in our protest file with a note attached that no hearing will be held until proof is due unless the permit holder requests is sooner and we have a copy of an extension of time extending the proof due date to June 1, 1975.

Would you please check what the present status of this permit is and if we need to take any action on the protest?

Jim

Please answer Ron's memo 3/20/78

RECEIVED
FEB 21 1978
FBI - WASH DC

INTER-DEPARTMENT MEMO — 1

FROM Jim Johnson

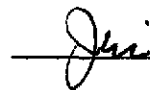
DATE 12-4-77

TO File

SUBJECT

Mr. Melvin Griffith was in today ^{and} concerned about this permit. He feels that water is being used now would like another field exam. He stressed that he be contacted when the exam is made. If possible he would like to have the exam done during the week of June 15 1978.

cc: District MICROFILMED



SIGNATURE

RECEIVED

NOV 18 1977

Department of Water Resources

November 16, 1977

Mr. C. Stephen Allred, Director
Department of Water Resources
State Office, 373 W. Franklin Street
Boise, Idaho 83720

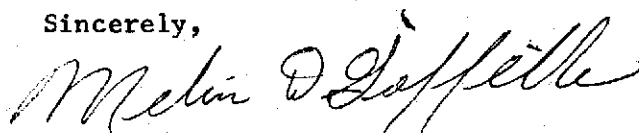
Dear Mr. Allred:

I received your letter dated October 18, 1977, referring to Permit No. 33554/13-2282. I called your office in Boise on November 15 and talked to Mr. Jim Johnson. He called me back on November 16 informing me of the urgency of this letter.

I would like to explain, if possible, the situation that is existing. My father passed away several years ago and mother has been renting the farm to some of the local farmers and I'm sure you realize the problem that exists with this kind of a situation. We have not been able to get the renters to prove up on this water in the way that it should have been done. I believe a little water was used during the summer of 1976 but very little. But in the summer of 1977 there was a considerable amount of water used to sprinkle the farm. However, we didn't follow through to see that it was approved. This fall my mother purchased approximately \$4,500 worth of main line pipe to be used the summer of 1978 to irrigate this land. We would hope that the permit would not be cancelled at this time and we would like to proceed as we have outlined and would appreciate it if we could make an appointment and have someone inspect the farm when in operation in July of 1978.

I would appreciate personally going over the project with someone from your office. I will be in Boise December 5 and 6 of 1977 and will stop in at our office to clarify any questions that you might have.

Sincerely,

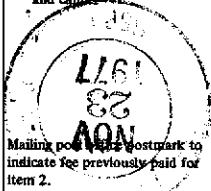


Melvin D. Griffeth
Route 1
Rexburg, Idaho 83440

MICROFILMED

P.S. I am the oldest son of Lois D. Griffeth, 5 South 2nd East, Preston, Idaho 83263.

1b. For return receipt after mailing
attach 25¢ postage in this space
and cancel



CUSTOMER - Complete items 1 or 2 and 3 through 6 below.
Add your address in the "RETURN TO" space on reverse.

- ☐ 1^a. **AFTER MAILING**: provide name of person who signed for article and date delivered
(attach 25¢ postage at left)
- ☐ 2^a. **DUPLICATE**: provide name of person who signed for article and date of delivery
- ☐ 2^b. **DUPLICATE**: provide name of person who signed for article, date of delivery, and place of delivery

3a. REGISTERED NO.

3b. CERTIFIED NO.

3c. INSURED NO.

32674

4. MAILING DATE

10/18/77

5. CONTENTS (if known)

6. ARTICLE ADDRESSED TO

LOUIS D GRIFFITH, 580 2nd E, Preston 10 8376-3

7. TO

LOUIS D. GRIFFITH

8. DATE OF DELIVERY

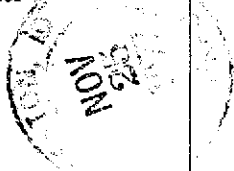
11-7-77

9. ADDRESS (Complete only if requested)

10. CLERK'S INITIALS

Rba

11. POSTMARK OF DELIVERY OFFICE



POSTAL
RECORDS
SHOW
DELIVERY

UNITED STATES POSTAL SERVICE

Washington, DC 20260

OFFICIAL BUSINESS

RETURN TO: (Enter name and address of
customer making inquiry)

Water Rescue Board
STATE HOUSE
BOISE, ID 83720

RECEIVED

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

NOV 28 1977



Department of Water Resources

TO: POSTMASTER

~~PRESTON, ID~~
~~83263~~

DELIVERY OFFICE: (After completion - cross out your address and return to customer shown above)

- file* *13-2282*
- **SENDER:** Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).

- ☐ Show to whom and date delivered..... 15¢
- ☐ Show to whom, date, & address of delivery..
- ☐ **RESTRICTED DELIVERY.**
Show to whom and date delivered..... 65¢
- ☐ **RESTRICTED DELIVERY.**
Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	32674	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

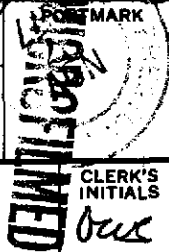
Jois E. Griffith

4. DATE OF DELIVERY

11-7-77

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:



UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

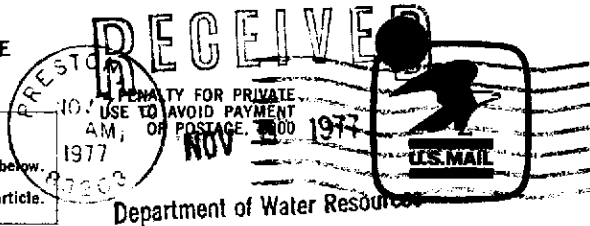
Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, and 3 on reverse side.
- Moisten gummed ends and attach to back of article.

**RETURN
TO**



**DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720**





State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

October 18, 1977

Re: Permit No. 33554/13-2282

*Certified Mail
32674*

Lois D. Griffith
5 South 2nd East
Preston, ID 83263

Dear Ms. Griffith:

It appearing to the Department of Water Resources (formerly the Department of Water Administration) that the terms and conditions of Permit No. 33554/13-2280 to appropriate the public waters of the State of Idaho have not been complied with as to failure to beneficially use the water as stated under this permit, and therefore, you are hereby notified that under the provisions of Section 42-311, Idaho Code, as amended, said permit is hereby held for cancellation, and you are required to show cause before the Director of the Department of Water Resources on or before November 18, 1977, why said permit should not be cancelled.

Permit No. 33554/13-2282 claims the use of 1.5 cubic feet per second of water from a drain, tributary to the Bear River, the point of diversion was to be located within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 20, Twp. 15S, Rge. 39E, B.M., and the permit was approved April 19, 1967.


C. STEPHEN ALLRED, Director

M E M O

TO: Darlene Reich
FROM: Bill Graham
RE: Field Examination for Water Right No. 13-2282
DATE: September 21, 1976

I examined the specified land of Lois D. Griffith on 7/21/76. I found no sign of any water being diverted (or of any functional diversion facilities) to the land described in the field report. Furthermore, to the knowledge of his neighbor, Mr. Elden Bingham, no water had been diverted to this land within the past five years.

I, therefore, recommend that Permit No. 13-2282 be cancelled.

UNRECORDED

INTER-DEPARTMENT MEMO — 1

FROM Bill Rhoads

DATE October 1, 1975

TO Janice

SUBJECT Permit No. 13-2282 GRIFFITH

Spoke with Mel Griffith over the telephone this day concerning the above referenced permit. It will be impossible to perform a proof of beneficial use examination at this time. The drain that supplies the water for his irrigation system has had the water terminated in it for this year.

Mr. Griffith indicated he will contact us at the height of the irrigation season in 1976 so that we may perform this exam.

MICROFILMED

SIGNATURE

To

Bill

Date

9-22-75

Time

9:05A

WHILE YOU WERE OUT

M

Mel Griffith

of

Phone

356-6654

Area Code

Number

Extension

TELEPHONED

PLEASE CALL

CALLED TO SEE YOU

WILL CALL AGAIN

WANTS TO SEE YOU

URGENT

RETURNED YOUR CALL

Message

*Please Contact
upon return to
office.**CLW*
Operator

MICROFILMED

*Bill
What this is
done.*

RECEIVED

SEP 5 1975

Department of Water Resources
Eastern District Office

INTER-DEPARTMENT MEMO — 1

FROM WATER RIGHTS

TO EASTERN

DATE 9-04-75

SUBJECT The following permits need to have field examinations done on them unless
already done so:

13-2282

*← not in file This was
in file!*

*Ken do you have this exam
Don't have Log.*

on

MICROFILMED

Janice

SIGNATURE

9/10/75 L.H.J.

Best information in Memphis in the opinion
reached from us granted an extension from
to June 1, 1975

There is from a newly created drain
in the amount of 1.5 cfs.

M E M O R A N D U M

TO: Bob Fleenor
FROM: Ron Carlson *RDC*
RE: Permit No. 13-2282
DATE: August 29, 1977

We are still holding the above referenced permit in our protest file with a note attached that no hearing will be held until proof is due unless the permit holder requests it sooner and we have a copy of an extension of time extending the proof due date to June 1, 1975.

Would you please check what the present status of this permit is and if we need to take any action on the protest?

MAILED

May 28, 1975

Re: Permit No. 13-2282

Lois D. Griffith
5 South 2nd East
Preston, ID 83263

Dear Mrs. Griffith:

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 during which part of the irrigation season this examination will be made, however, our examiner will try to contact you at the time he makes the exam so that you may show him the system.

If you have any questions concerning the field exam, please contact our District Office in Idaho Falls.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG

MICROFILMED

RECEIVED
MAY 20 1975

Department of Water Resources
Eastern District Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Identification No. _____

Permit No. 13-2282

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Department of Water Resources

MAY 21, 1975

1. a) Name of Permit Holder Lois D. Griffeth
b) Post Office Address 5 South 2nd East, Preston, Idaho
2. Permit Number 13-2282
3. Date of Priority that you are prepared to establish April 7, 1967
4. a) Source from which water was appropriated Drain (Tributary to Bear River)
b) Location of the point of diversion: NE 1/4 NE 1/4, Section 20
Township 15S, Range 39E Boise Meridian, Other points of diversion:
5. a) The amount of water and use to which the water has been applied:
Amount 1.5 for Irrigation purposes from Apr. 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 1.5 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: Estimated by myself.
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:
N.A.
b) Describe the agreement or understanding by which you take water from the works:
N.A.
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) Divert whole drain onto land by dirt dam and open cut into drain bank.
b) Describe the type and size of measuring device which you have installed at your point of diversion:
No measuring device required.
c) Give well driller's name and address and the date the well was completed: N.A.
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use:

Exam typed 5/22/75 By ja

MICROFILMED

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

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
15S	39E	17									15			5	5	40	35		100

Total number of acres irrigated 100

10. Remarks:

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

May 20, 1975

(Date)

Lore D. Griffith

(Signature)

State of Idaho)

County of Bonneville) ss.

On this 20th day of May, 1975, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Loren O Halmer

Notary Public residing at Idaho Falls

Idaho

My commission expires March 21, 1979

SENDER: Complete items 1 and 2.

Add your address in the "RETURN TO" on reverse.

1. The following service is requested (check one).

- ☐ Show to whom and date delivered..... 15¢
☐ Show to whom, date, & address of delivery.. 35¢
☐ DELIVER ONLY TO ADDRESSEE and
show to whom and date delivered..... 65¢
☐ DELIVER ONLY TO ADDRESSEE and
show to whom, date, and address of
delivery 85¢

2. ARTICLE ADDRESSED TO:

3. ARTICLE DESCRIPTION:

REGISTERED NO.

CERTIFIED NO.

INSURED NO.

26723

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE

4. *Fred D. Gifford*

DATE OF DELIVERY

APR 1975

POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S
INITIALS

PM 3811, Nov. 1973

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

MICROFILMED

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

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

- Complete items 1 and 2 on reverse side.
- Moisten gummed ends and attach to back of article.

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



**RETURN
TO**

MICROFILMED

March 31, 1975

CERTIFIED MAIL

#26723

Re: Permit No. 33554 (New #13-2282)

Mrs. Lois D. Griffeth
5 - South 2nd East
Preston, ID 83263

Dear Mrs. Griffeth:

One of the conditions of approval of your water Permit No. 33554/13-2282 (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, 1975. 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

RKH:jg
Enc: Proof affidavit

May 5, 1972

Re: Permit No. 33554/13-2282

Mrs. Lois D. Griffeth
5 - South 2nd East
Preston, Idaho 83263

Dear Mrs. Griffeth:

This is to acknowledge receipt of the assignment submitted in connection with the above referenced permit. The assignment has been recorded and the Department's records changed accordingly.

Enclosed please find a copy of the APPROVED application for extension of time for this permit. The time within which to submit proof of beneficial use has been extended to June 1, 1975. The Department will notify you sixty days in advance of the proof due date.

If we may be of assistance at any time, please do not hesitate to contact us.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enc: Copy of extension

bc: Eastern District Office
Enc: Copy of assignment
Copy of extension

13 2282

April 10, 1972

Re: Permit No. 13-2282

Mrs. Melvin Griffeth
Preston,
Idaho 83263

Dear Mrs. Griffeth:

We are returning your assignment of permit form, submitted in connection with the above referenced permit, as we will require the completion of two items before it can be processed.

Please place a check mark of some kind under the first category in which all right, title and interest is assigned to you.

Also, please indicate the date the assignment was made, under the proper spaces.

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

Very truly yours,

James Booker
Appropriation Examiner

JB:CS

Enc: referenced assignment form

13 2282

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

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



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

March 3, 1972

Re: Permit No. 13-2282

Mrs. Melvin Griffeth
Preston,
Idaho 83263

Dear Mrs. Griffeth:

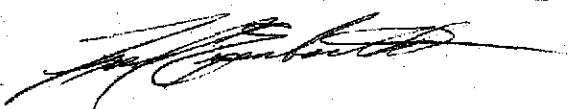
We have received your application for extension of time and have begun processing.

Before we can approve the application, you must submit an assignment form to this office, assigning the above referenced permit to you. This should be done by the executor of the estate. If you are the executor, please complete the form assigning it to your name from you as executor.

If you have any further questions in reference to this matter, please feel free to contact this Department.

Very truly yours,

RECEIVED
APR 5 1972


Fred Eisenbarth
Appropriation Examiner

PE:cs

Enc: assignment form

Department of Water Administration

Dear Sir: Will it be possible for you to get the description of the diversion point in office - Permit no. 13-2282 and fill in the assignment of permit.
Thank you.

Lois D. Griffeth
Preston, Idaho 83263

13-2282

March 3, 1972

Re: Permit No. 13-2282

Mrs. Melvin Griffeth
Preston,
Idaho 83263

Dear Mrs. Griffeth:

We have received your application for extension of time and have begun processing.

Before we can approve the application, you must submit an assignment form to this office, assigning the above referenced permit to you. This should be done by the executor of the estate. If you are the executor, please complete the form assigning it to your name from you as executor.

If you have any further questions in reference to this matter, please feel free to contact this Department.

Very truly yours,

Fred Eisenbarth
Appropriation Examiner

FE:cs

Enc: assignment form

February 15, 1972

Re: Permit No. 33554/13-2282

Mrs. Melvin P. Griffith
Preston,
Idaho 83263

Dear Mrs. Griffith:

Enclosed please find our Department's application for extension of time form. Please complete all appurtenant items, have your signature notarized and return it to our office.

If we can be of any assistance in helping you complete this form, please do not hesitate to contact this Department.

Very truly yours,

Fred Eisenbarth
Appropriation Examiner

FE/bb

Enclosure

13 2282

February 8, 1972

State of Idaho
Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

Re: Permit No. 33554/13-2282 Extension of Time

Dear Mr. Higginson:

I hereby request an extension of time in regards to the above mentioned permit.

The illness and passing of Mr. Griffith a year ago has certainly delayed our projected completion date.

We would appreciate a formal recognition and approval of our request for an extension of time.

Cordially yours,

Mrs. Melvin S. Griffith

13 2282

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S).
REQUIRED FEE(S) PAID.



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.

23303

1

Louis D. Griffith

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

DATE DELIVERED

SHOW WHERE DELIVERED (*only if requested*)

3

13-2282-13-2282

**POST OFFICE DEPARTMENT
OFFICIAL BUSINESS**

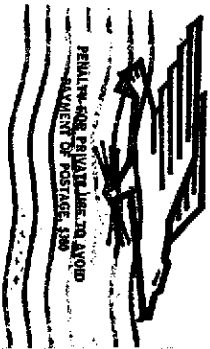


POSTMARK OF DELIVERING OFFICE

Print your name and address below. If you want to restrict delivery, or to have the address of delivery shown on this receipt, check block(s) on other side. Moisten gummed ends and attach this card to back of article.



**RETURN
TO**



PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE \$30

13 2282 DEPARTMENT OF WATER ADMINISTRATION

STATEHOUSE - ANNEX #2

BOISE, IDAHO 83707

January 28, 1972

CERTIFIED MAIL

* 13303

Re: Permit No. 33554/13-2282

Melvin Griffeth
Preston,
Idaho 83263

Dear Mr. Griffeth:

One of the conditions of approval of your water Permit No. 33554/13-2282 (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 April 19, 1972. 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

R. KEITH HIGGINSON
Director

Enc: Proof affidavit
dr

13 2282

December 11, 1970

Re: Permit No. 13-2282 (33354)

C
Mr. Eldon B. Bingham
Route 3
Preston, Idaho 83263

Dear Mr. Bingham:

O
We have received your protest against licensing of Permit No. 13-2282 and a copy has been sent to Mr. Griffith. This protest will be placed on file and considered when the permittee submits his statement of beneficial use. This statement is due on or before April 19, 1972. If no agreement between you and the permit holder can be reached before that date, a conference and/or hearing will be necessary to resolve the protest. The points that may be considered at that time are:

- P
Y
1. Has the permittee diverted and beneficially used unappropriated public water?
 2. Has the operation of the proposed water right under this permit caused injury to a prior existing water right?
 3. Has the water been placed to beneficial use in accordance with the terms and conditions of the permit?

If a conference and/or hearing is necessary, you will be notified of the time and place.

If we may be of any assistance, please contact us.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:kh

13 2282

December 11, 1970

Re: Permit No. 13-2282 (33554)

C
Melvin Griffith
Preston,
Idaho 83263

Dear Mr. Griffith:

O
A protest has been received against your Permit No. 13-2282. This protest was filed by Eldon B. Bingham and a copy of the protest is enclosed with this letter. This protest will be placed on file and considered when you submit your statement of beneficial use which is due on or before April 19, 1972. If an agreement between you and the protestant cannot be reached before that time, a conference and/or hearing will be necessary to resolve the protest. The points that may be considered at that time are:

- P
Y
1. Has the permittee diverted and beneficially used unappropriated public water.
 2. Has the operation of the proposed water right under this permit caused injury to a prior existing water right.
 3. Has the water been placed to beneficial use in accordance with the terms and conditions of the permit.

If a conference and/or hearing is necessary, you will be notified of the time and place.

If we may be of any assistance, please contact us.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:kh

Enclosure: Copy of protest

13 2282

December 7, 1970

Re: Permit No. 33554/13-2282

Mr. Melvin Griffeth
Preston,
Idaho 83263

Dear Mr. Griffeth:

We acknowledge receipt of the affidavit of publication submitted in connection with the above referenced permit. Since proof of beneficial use of the water is not required until April 19, 1972, the Department will notify you sixty days in advance of this date as to further requirements. We wish to advise you, however, that if you have fulfilled the requirements under the permit you may submit proof anytime prior to the above date.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG

13 2282

November 16, 1970

Re: Permit No. 33554/13-2282

Mr. Melvin Griffeth
Preston,
Idaho 83263

Dear Mr. Griffeth:

The legal notice for the above-referenced permit is being published in the

Preston Citizen, Preston, Idaho on November 26,
and December 3, 1970.

You will be required to submit an affidavit of publication to this department.
The affidavit may be obtained from the above-mentioned newspaper upon payment of
the bill of publication.

Thank you for your cooperation in this matter.

Very truly yours,

Donald W. McElDowney
Appropriation Supervisor

DWM:CM

November 16, 1970

Re: Permit No. 33554/13-2282

The Preston Citizen
Post Office Box # 472
Preston, Idaho 83263

Gentlemen:

Enclosed is a legal notice which we wish to have published for two consecutive weekly issues of your newspaper. We have inserted the publication dates, allowing ample time for you to submit to 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 the Department of Water Administration immediately.

The expense of the publication is to be paid by Melvin Griffeth, Preston,
Idaho, to whom you should furnish
an affidavit of publication.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:CM

Enc: Legal Notice

RECEIVED

No.

Department of

Water is to be diverted by reservoir, ditch and pipeline
from a point within the NE¹/₄NE¹/₄ Sec. 20, T. 15S, R. 39E, B.M., Franklin
County,
to be used for irrigation
in the E¹/₂SW¹/₄, N¹/₂SE¹/₄, SW¹/₄SE¹/₄, Sec. 17, T. 15S, R. 39E, B.M.

R. KEITH HIGGINSON, Director
Idaho Dept. of Water Administration
STATEHOUSE, Boise, Idaho

Permit No. 13-2282

You are hereby authorized to have the above notice published at my expense in the Preston Citizen of Preston, Idaho; published in the county in which the works are situated.

Greeter, Idaho 83263
(Address)

- SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).

- ☒ Show to whom and date delivered \$
☐ Show to whom, date, and address of delivery \$
☐ RESTRICTED DELIVERY
 Show to whom and date delivered \$
☐ RESTRICTED DELIVERY
 Show to whom, date, and address of delivery . \$ _____
 (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO

Edson B. Brigham
Rt #3
Prescott, Id 83263

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	1245	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☒ Authorized agent

4. *Alison McDonald*

DATE OF DELIVERY

3/3/79

POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

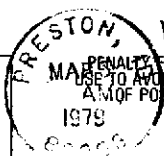
CLERK'S
INITIALS

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP CODE in the space below.

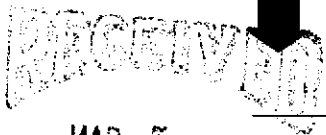
- Complete items 1, 2, and 3 on the reverse.
- Moisten gummed ends and attach to front of article if space permits. Otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.



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



**RETURN
TO**



MAR 5 1979

DEPARTMENT OF WATER RESOURCES

EASTERN DISTRICT OFFICE

1515 LINCOLN ROAD

IDAHO FALLS, IDAHO 83401

(Name of Sender)

Department of Water Resources
Eastern District Office

(Street or P.O. Box)

(City, State, and ZIP Code)

- **SENDER:** Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one)

- ☒ Show to whom and date delivered \$
☐ Show to whom, date, and address of delivery \$
☐ RESTRICTED DELIVERY
 Show to whom and date delivered \$
☐ RESTRICTED DELIVERY
 Show to whom, date, and address of delivery \$
 (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:

Lt. D. Griffith
52nd St
Piscataway, NJ 08853

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	1246	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

4. *William J. Griffith*

DATE OF DELIVERY

3 Mar. 79.

POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S
INITIALS

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

- Print your name, address, and ZIP CODE in the space below.
- Complete items 1, 2, and 3 on the reverse.
 - Moisten gummed ends and attach to front of article if space permits. Otherwise affix to back of article.
 - Endorse article "Return Receipt Requested" adjacent to number.

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



RETURN
TO
RECEIVED

MAR 5 1979

Department of Water Resources
Eastern District Office

DEPARTMENT OF WATER RESOURCES

EASTERN DISTRICT OFFICE

1515 LINCOLN ROAD

IDAHO FALLS, IDAHO 83401

(Name of Sender)

(Street or P.O. Box)

(City, State, and ZIP Code)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern District Office
1515 Lincoln Road • Idaho Falls, Idaho
83401

RETURNED RECEIPTS

13-2282

November 10, 1970

Re: Permit No. 33554 (New No. 13-2282)

Mr. Melvin Griffeth
Preston,
Idaho 83263

Dear Mr. Griffeth:

During the 1967 session of the Idaho Legislature, certain amendments were made in the law pertaining to the procedures for making proof of beneficial use of water. In order for the Department to comply with these changes, Rules of Practice and Procedure were adopted on August 1, 1968. Generally, these procedures and the amended law make it simpler for a person to make proof and relieve the permit holder from making separate proofs of completion of works and beneficial use of water.

The enclosed order modifies your permit to comply with these rules and regulations. As a part of the new procedure, you will be required to publish a notice at your expense for two consecutive weeks in a paper as prescribed by the Department; previously, a permit holder had to publish a notice for four weeks when he submitted proof under his permit.

If you will complete the enclosed forms, we will cause the notice to be published. Should you require additional forms or information, we will be glad to supply them upon request at any time.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR
Enc: Order
Advertising package

April 27, 1967

Re: Permit No. 33554

Malvin Griffith
Preston, Idaho

Dear Mr. Griffith:

33554

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

XXXXXXXXXXXXXX

33726

We also enclose Departmental Receipt No. _____ which was issued covering payment in the amount of \$_____, ~~was given to you at the time you were in our office.~~ filing fee of the above mentioned permit.

Very truly yours,

permit

M. RUSSELL BOSCH
Office Manager

MRB:ajw

Enc:

cc: Russ Stoker
Bear River Watermaster
Soda Springs, Idaho

33554