

R 44 E



East Wright
C. 1851

Grove Phelps
C. 1851

LHP
10/27/72

John D. Brown
C. 1851

Mer

1817
1920

1716
2021

42

41

Claude

225

L.H. Spence
C. 1851

1920
3029

11 2145

State of Idaho
Department of Water Administration
LICENSE OF WATER RIGHT

License of Water Right No. 32954/11-2145 Priority June 30, 1966 Amount 0.25 cfs

THIS IS TO CERTIFY, that RALPH E. STEPHENS
of Montpelier, Idaho, has complied with the terms and conditions of Permit
No. 32954/11-2145 issued pursuant to Application for Permit dated June 30, 1966,
and has submitted proof to the Department of Water Administration on June 17, 1969,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 0.26 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from unnamed springs
tributary of the Bear River, is hereby confirmed in the following amounts:
Amount 0.25 cfs for Irrigation from April 15 to Oct. 15 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 0.25 cfs of water be diverted at
any one time, said waters to be diverted within the _____

NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 17, Twp. 12 S, Rge. 44 E, B. M.

in the county of Bear Lake; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 39 acre feet per year or
3.0 acre feet per acre.

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 $\frac{1}{4}$	
12S	44E	17										13							13

Total number of acres irrigated 13

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 4TH day of

June, 19 73.


Director

11 2145

✓ 32954
D
11-2145

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

APPLICATION No. 41147
PERMIT No. 32954
DISTRICT No.

1. Name of Applicant: Ralph E. Stephens
Postoffice address: 502 North 2nd Street, MontpelieCounty: Bear Lake 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: .25 cubic feet per second.
3. Source of water supply: Unnamed springs which is a tributary of Bear River
4. Location of point of diversion: 660' East 3300' South feet distant from the NW corner of Section 17, T. 12 S, R. 44 E, B.M., and is in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of section 17, T. 12 S, R. 44 E, B. M., County of Bear Lake
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: \$ 500.00
8. Kind of works: pipe (sprinkling system)
9. Height of dam feet; length of dam at top feet; length of dam at bottom
feet; material used in dam:
10. Size of headgate: Width feet; height feet.
11. Ditch: Width at bottom 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 3 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:

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/ RALPH E. STEPHENS Applicant.

By Agent.

Date of first receipt at Department of Reclamation: June 30, 1966 9:00 A.M.

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 32954
Recorded in Book 115 Page 32954 Approved July 5, 1966
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 September 5, 1966 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 January 5, 1968
The whole of said work to be completed on or before July 5, 1969
Beneficial use of water appropriated in accordance herewith, to be made on or before July 5, 1969

WITNESS My hand this 5th day of July, 1966. /s/ R. KEITH HIGGINSON, Deputy State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, Governor of the State of Idaho, and LOUIS E. CLAPP, 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 5th day of July, 1966.

Countersigned: STATE OF IDAHO
(SEAL) By /s/ LOUIS E. CLAPP Secretary of State. By /s/ W. E. DREVLLOW, Acting Governor.

REMARKS: This property is owned by Emma Ruth Stephens and deeded in her name and is free of all emcumbances. This property is used by Ralph E. Stephens and taxes paid by Ralph E. Stephens, a son to Mrs. Stephens.

14.

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	
12 S	44 E	17			15		15

LICENSE ISSUED FOR 0.25 SEC. FT.
LICENSE PAID FOR 0.25 SEC. FT.

Identification No. 32954
Permit No. 32954

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

RECEIVED

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

JUN 17 1969 ✓

Department of Reclamation

1. a) Name of Permit Holder Ralph E. Stephens ✓
b) Post Office Address Montpelier, Idaho ✓
2. Permit Number 32954 ✓
3. Date of Priority that you are prepared to establish June 30, 1966 ✓
4. a) Source from which water was appropriated unnamed springs ✓
b) Location of the point of diversion: NW 1/4 SW 1/4 Section 17 ✓ see letter of June 23rd
Township 12S Range 44E ✓ Boise Meridian, Other points of diversion: _____

5. a) The amount of water and use to which the water has been applied:
amount .25 CFS for Irrigation purposes from May 1 to Oct. 30 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount .25 CFS for Stock Watering purposes from Jan 1 to Dec 31 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 .25 ✓ 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: John Taggart - of The Soil Conservation service - V type measuring weir

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: _____
b) Describe the agreement or understanding by which you take water from the works: _____
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) _____
b) Describe the type and size of measuring device which you have installed at your point of diversion: _____
c) Give well drillers name and address and date the well was completed _____

32954

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use this water has been used for stock watering purposes for many years

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

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	
12S	44E	17	~~NE1/4~~				X	X											

Total number of acres irrigated 7 ✓

10. Remarks: _____

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

6-12-69 ✓ (Date) Ralph E. Stephens ✓ (Signature)

State of Idaho ✓
County of Bear Lake ss.

On this 16th day of June, 1969, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

[Signature] ✓
Notary Public residing at Montpelier, Idaho

My commission expires August 28, 1970 ✓

WRR100
11-2145

VERIFIED KAW
1-3-86

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

PAGE 1
1-JAN-1986 19:23:33

01 WATER RIGHT NUMBER - 11-2145 ✓ 02 ELD (D) NUMBER - 32954

03001 - STEPHENS LAST NAME

04001 - RALPH E. FIRST NAME

05001 - C ORIG. OWNER

06 ADD LINE 1 - 502 N. 2ND ST. ✓

07 ADD LINE 2 -

08 ADD LINE 3 -

09 CITY - MONTPELIER

10 STATE - ID

11 ZIP - 832540000 ✓

12 STAGE - L LICENSE

13 STATUS -

SOURCE
14001 - SPRINGS

TRIBUTARY OF
15001 - BEAR RIVER

16 DIVERSION MEANS -

17 COUNTY - 07 BEAR LAKE

18 DIVERSION CAPACITY - .260 ✓

19 TOTAL DIVERSION RATE - .250

20 TOTAL DIVERSION VOLUME - 39.00

21 WATER DISTRICT - 11 ✓

----- DIVERSION POINTS -----													
TRACT	SEC	TWN	RNG	LOT	RPLG	S T R E A M I N D E X F I E L D S							
22001 - NWSW	23001 - 17	24001 - 12S	25001 - 44E	26001 - 27001 -									
			28001 - 0	100.0	150.0	0.0	0.0	0.0	0.0	0.0	0	0	0.3

29 NON-IRRIGATION USE -

----- PLACE OF USE -----							
USE CODE / USE	TWN	RNG	SEC	TRACT	ACRES	LOT	
30001 - 01 IRRIGATION	31001 - 12S	32001 - 44E	33001 - 17	34001 - NWSW	35001 - 13	36001 -	
							TOTAL ACRES: 13 ✓

----- WATER USE -----				
PERIOD FROM	PERIOD TO	USE CODE / USE	DIVERSION RATE	DIVERSION VOLUME
37001 - 0415	38001 - 1015	39001 - 01 IRRIGATION	40001 - 0.250	41001 - 39.00

42 DECREE PLAINTIFF NAME -

43 DECREE DEFENDANT NAME -

REMARKS
44001 -

APPROVAL CONDITIONS: 45001 - ✓

46 OTHER RIGHTS FOR SAME USE -

----- D A T E S -----			----- D A T E S -----			----- F L A G S -----		
47 PRIORITY	- 30-JUN-1966		55 LICENSE	- 4-JUN-1973 ✓		63 TRANSFER/AMENDED	-	
48 PROOF DUE	-		56 APPL RECEIVED	-		64 OLE/CAREY ACT	-	
49 PROOF MADE	-		57 FIELD EXAM MADE	-		65 FLAG_1	-	
50 APPROVE/DENIED	-		58 DECREE	-		66 FLAG_2	-	
51 PROTESTED	-		59 START WORK	-		67 FLAG_3	-	
52 HEARING	-		60 ORDER SHOW CAUSE	-				
53 VERIFIED	-		61 DATE_1	-				
54 LAST UPDATE	- 31-DEC-1985		62 DATE_2	-				

WATER RIGHT
DATA ENTRY LOG

[illegible]

C June 5, 1973

O Re: Permit No. 32954/11-2145

P Mr. Ralph E. Stephens
502 North 2nd Street
Montpelier, Idaho 83254

Y Dear Mr. Stephens:

Enclosed please find a copy of the Water License issued on the above referenced permit.

Sincerely,

Bobby D. Fleenor
Assistant Director

kss

Enclosure

11 2145

May 31, 1973

Mr. Ralph E. Stephens
502 No. 2nd St.
Montpelier, Idaho 83254

Dear Mr. Stephens:

A representative of this Department has made an examination of the works covered by your Permit No. 32954/11-2145 and has found the following:

Quantity of water diverted: 0.26 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 0.25 cfs

The maximum quantity diverted shall not exceed 39 acre feet per year.

Beneficial use: Irrigation of 13 acres within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 17, Twp. 12S, Rge. 44E, B.M.

Point of diversion: NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 17, Twp. 12S, Rge. 44E, B.M.

Priority date established: June 30, 1966

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

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

11 2145

Source of supply Springs that are in bottom of Sloughs
a tributary of Bear River
Location of P.D.(s) _____

Water is used for Irrigation
Quantity of water found 0.26 cfs
How was the measurement made? Pitot tube & Gage
Measurement calculations _____

30 25- 5/32" Nozzles in system
36 42 psi = 4.56 gpm x 25 = .26 cfs
44
48
50
51208 41.6 = 42 psi

Diversion works description and diagram

30IP International 4cyl gasoline engine
#64HTA7373, Berkeley centrifugal
pump #N10938 3"X4" flange mounted
for portability, to 4" portable main line and
laterals 25- 5/32" nozzles

Indicate area irrigated in each subdivision on the map.

Total acreage irrigated 13

If water is used for purposes other than irrigation, fully describe how the water is used and what is done with it after the use.

No other use. It is not necessary to
divert water for livestock use as they can drink
from the spring fed sloughs.

Who represented the permit holder at the examination?

The owner Mr. Ralph E. Stephens

Recommended allowance for licensing 0.26 cfs

Description of required amendments. Comments. NA

Report checked? _____

Examination date 6/14/72

Signature Lynn Johnson

V Norm C. Young 10/27/72

R 44 E

Grave Phelps

Wright

1840

10/27/92

John D. Phelps
1832

Wright

1716
2021

1817
1920

225

1920
3/29

25

021
022 102
1115
521

11
20211
076
0912
521

THE NEWS-EXAMINER

MONTPELIER, IDAHO

RECEIVED

AUG 20 1969

Department of Reclamation

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,)
County of Bear Lake,) ss.

W. Jerome Taylor

being first duly sworn, deposes and says
he is Publisher and Foreman of the
News-Examiner; that the said News-Examiner
is a weekly newspaper published at Montpelier,
County of Bear Lake, State of Idaho, of general
circulation in said County and State.

That the notice attached was published in
the said News-Examiner, and not in a
supplement, for two
successive weeks, commencing with the issue
dated July 10, 1969
and ending with the issue
dated July 17, 1969

W. Jerome Taylor
Publisher and Foreman.

NOTICE OF EXISTING
WATER PERMIT

Notice is hereby given that Ralph
E. Stephens, 502 North 2nd Street,
Montpelier, Idaho has received an
approved permit No. 32954 issued by
the Idaho State Reclamation De-
partment authorizing the diversion
of .25 cubic feet per second of water
from Unnamed springs which is a
tributary of Bear River subject to
all prior rights. The priority to be
established under this permit is
June 30, 1966 and the permit was
approved July 5, 1966. Water is to
be diverted by pipe and sprinkling
system from a point within the
NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 17, T. 12 S, R. 44
E, B. M., Bear Lake County to be
used for irrigation in the NW $\frac{1}{4}$ SW $\frac{1}{4}$
Sec. 17, T. 12 S, R. 44 E, B. M.

Proof of the application of the
water to beneficial use is to be sub-
mitted to the Department on or
before July 5, 1969. Any protests

against the issuance of a license
for the above referenced permit
should be filed with the Department
of Reclamation within ten (10) days
of the last date of publication of this
notice or prior to the licensing of
the permit. Licensing may com-
mence prior to the date beneficial
use proof is due without further
notice.

R. KEITH HIGGINSON

State Reclamation Engineer

Published in The News-Examiner,
Montpelier, Idaho on July 10 and
July 17, 1969.

(j-10/17)

Subscribed and sworn to before me this 22nd day of July, 1969

Tom L. Bingham
Notary Public.

August 13, 1969

Re: Permit No. 32954

Ralph E. Stephens
502 North 2nd St.
Montpelier, Idaho

Dear Mr. Stephens:

On August 8th, 1969, we wrote the News-Examiner at Montpelier and they advised that they had sent the affidavit of publication to you. May we ask that you forward this affidavit to the Department as soon as possible.

We are returning the bill for publication to you for your records.

Upon receipt of the affidavit of publication we can continue to process permit 32954 for a license.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR

Enc: Bill of publication

32954
11-2145

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

RECEIVED

AUG 11 1969

August 8, 1969

Department of Reclamation

Re: Permit No. 32954 - Ralph E. Stephens

News-Examiner
P.O. Box 278
Montpelier, Idaho 83254

Gentlemen:

Enclosed is a copy of the PAID bill for publication for the above referenced permit.

May we ask that you please forward an affidavit of publication to the Department of Reclamation as soon as possible for this permit in order that we might continue to process said permit for a license.

Your cooperation in this matter is appreciated.

Very truly yours,

A handwritten signature in cursive script, reading "Donald W. McEldowney".

Donald W. McEldowney
Appropriation Examiner

DWM:DR

Enc: Copy of paid bill

WE MAILED THE AFFIDAVIT FOR THIS PUBLICATION
DIRECTLY TO MR. STEPHENS IN MONTPELIER, PER
YOUR INSTRUCTIONS.

The News-Examiner
By Patricia L. Lafferty

32954
11-2143

August 8, 1969

Re: Permit No. 32954 - Ralph E. Stephens

News-Examiner
P.O. Box 278
Montpelier, Idaho 83254

Gentlemen:

Enclosed is a copy of the PAID bill for publication for the above referenced permit.

May we ask that you please forward an affidavit of publication to the Department of Reclamation as soon as possible for this permit in order that we might continue to process said permit for a license.

Your cooperation in this matter is appreciated.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR

Enc: Copy of paid bill

11-2143
32954

July 1, 1969

Re: Permit No. 32954

Ralph E. Stephens
502 North 2nd St.
Montpelier, Idaho

Dear Mr. Stephens:

Thank you for your response to our letter of June 23, 1969. We have changed your proof form to correspond with permit 32954.

Before a license can be issued you must submit an affidavit of publication to this department. The affidavit may be obtained from the News-Examiner, P.O. Box 278, Montpelier, Idaho upon payment of the bill of publication.

Prior to the issuance of the license a field examination must also 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 someone other than yourself should be contacted by the examiner, please advise.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR

E. Ham type
9-9-69
DC

32954

July 1, 1969

Re: Permit No. 32954
Ralph E. Stephens

News-Examiner
P.O. Box 278
Montpelier, Idaho 83254

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 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 can not publish the notice on the proposed dates, please contact the Department of Reclamation immediately.

The expense of the publication is to be paid by Ralph E. Stephens, 502 North 2nd St., Montpelier, Idaho,
to whom you should furnish an affidavit of publication.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR
Enc: Legal notice

32954

**NOTICE OF EXISTING
WATER PERMIT**

Notice is hereby given that Ralph E. Stephens, 502 North 2nd Street, Montpelier, Idaho has received an approved permit No. 32954 issued by the Idaho State Reclamation Department authorizing the diversion of .25 cubic feet per second of water from Unnamed springs which is a tributary of Bear River subject to all prior rights. The priority to be established under this permit is June 30, 1966 and the permit was approved July 5, 1966. Water is to be diverted by pipe and sprinkling system from a point within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 17, T. 12 S, R. 44 E, B. M., Bear Lake County to be used for Irrigation in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 17, T. 12 S, R. 44 E, B. M.

Proof of the application of the water to beneficial use is to be submitted to the Department on or before July 5, 1969. Any protests against the issuance of a license for the above referenced permit should be filed with the Department of Reclamation 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

State Reclamation Engineer

Published in The News-Examiner,
Montpelier, Idaho on July 10 and
July 17, 1969.

(j-10|17)

RECEIVED
JUL 7 1969
Department of Reclamation

1

RECEIVED

JUN 17 1969

NOTICE OF EXISTING WATER PERMIT

Department of Reclamation

Notice is hereby given that Ralph E. Stephens, 502 North 2nd Street,
Montpelier, Idaho has received an approved permit No.
32954 issued by the Idaho State Reclamation Department authorizing the
diversion ~~/9407426~~ of .25 cubic feet per second ~~4474/1444/1444/1444~~
of water from Unnamed springs which is a tributary of Bear River,
subject to all prior rights. The priority to be established under this permit is
June 30, 1966 and the permit was approved July 5, 1966.
Water is to be diverted by pipe and sprinkling system
from a point within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 17, T. 12 S, R. 44 E, B.M., Bear Lake
County
to be used for Irrigation
in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 17, T. 12 S, R. 44 E, B.M.

Proof of the application of the water to beneficial use is to be submitted to the
Department on or before July 5, 1969. Any protests against
the issuance of a license for the above referenced permit should be filed with the
Department of Reclamation 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
State Reclamation Engineer

Published in the News-Examiner, P.O. Box 278, Montpelier, Idaho 83254 on
July 10 and July 17, 1969.

State Reclamation Engineer:

Permit No. 32954

You are hereby authorized to have the attached notice published at may expense in
the News-Examiner of Montpelier, Idaho;
published in the county in which the works are situated.

Ralph E. Stephens
(Signature)

502 N 2nd St.
(Address)
June 12, 1969
(Date)

32954

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

June 23, 1969

RECEIVED

JUN 23 1969

Department of Reclamation

Re: Permit No. 32954

Ralph E. Stephens
502 No. 2nd St.
Montpelier, Idaho

*Dear Sir,
I am sorry I made a mistake
on here, I wasn't careful enough I guess
This is correct
Thank you
Ralph E. Stephens*

Dear Mr. Stephens:

We acknowledge receipt of your affidavit submitted as proof of beneficial use for permit 32954.

However, there seems to be a question as to the lands being irrigated. Your proof form lists 7 acres in the N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 17; whereas permit 32954 lists 15 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 17. Which description is correct?

If you are irrigating land in the N $\frac{1}{2}$ NW $\frac{1}{4}$ of Sec. 17, you will need to complete the enclosed application for amendment in order to amend the land list on the permit. The application for amendment must be accompanied by a \$5.00 filing fee.

We will hold up advertising the legal notice on this permit until we have received an answer from you on the above matter.

Very truly yours,

Donald W. McEldowney
Donald W. McEldowney
Appropriation Examiner

DWM:DR

Enc: Application for Amendment

32954

June 23, 1969

Re: Permit No. 32954

Ralph E. Stephens
302 No. 2nd St.
Montpelier, Idaho

Dear Mr. Stephens:

We acknowledge receipt of your affidavit submitted as proof of beneficial use for permit 32954.

However, there seems to be a question as to the lands being irrigated. Your proof form lists 7 acres in the N $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 17; whereas permit 32954 lists 15 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 17. Which description is correct?

If you are irrigating land in the N $\frac{1}{2}$ SW $\frac{1}{4}$ of Sec. 17, you will need to complete the enclosed application for amendment in order to amend the land list on the permit. The application for amendment must be accompanied by a \$5.00 filing fee.

We will hold up advertising the legal notice on this permit until we have received an answer from you on the above matter.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR

Enc: Application for Amendment

37959

May 1, 1969

Re: Permit No. 32954

Ralph E. Stephens
502 North 2nd Street
Montpelier, Idaho

Dear Mr. Stephens:

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, stating that you have been issued a permit and are now submitting proof of beneficial use. 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 it upon request at any time.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR

Enc: Order
Proof package
Proof due notice
Advertising package

32954

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 32954)

in the name of Ralph E. Stephens)

ORDER MODIFYING REQUIREMENTS
FOR COMPLETION OF PERMIT TO
APPROPRIATE WATER

502 North 2nd Street, Montpelier, Idaho)

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,

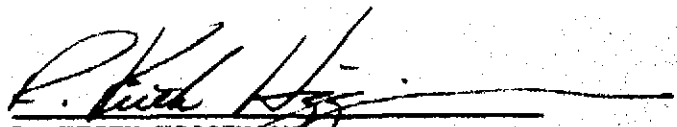
WHEREAS, on August 1, 1968, the Department of Reclamation adopted Rules of Practice and Procedures for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. 32954 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 Procedures 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 Reclamation of the application of the water to beneficial use on or before July 5, 1969. 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 30th day of April, 1969.


R. KEITH HIGGINSON
State Reclamation Engineer

32954

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Show to whom, date, and address where delivered ☐ Deliver ONLY to addressee
(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

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

CERTIFIED NO.

20986

INSURED NO.

DATE DELIVERED

1

Ralph E. Stephens

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

Geraldine Stephens

SHOW WHERE DELIVERED (only if requested)

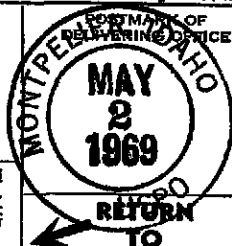
3

5-2-69

32954

**POST OFFICE DEPARTMENT
OFFICIAL BUSINESS**

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



INSTRUCTIONS: Show name and address below and complete instructions on other side, where applicable. Moisten gummed ends, attach and hold firmly to back of article. Print on front of article **RETURN RECEIPT REQUESTED.**

NAME OF SENDER

**Department of Reclamation
Annex # 2 Stateh. use**

STREET AND NO. OR P.O. BOX

Boise, Idaho 83707

POST OFFICE, STATE, AND ZIP CODE

POD Form 3841 Apr. 1957 058-16-71649-10

May 1, 1969

Re: Permit No. 32954

Ralph E. Stephens
502 North 2nd Street
Montpelier, Idaho

Dear Mr. Stephens:

One of the conditions of the approval of your permit
32954 was that proof of application of the water to
beneficial use be submitted to this office on or before _____
July 5, 1969.

Enclosed is an affidavit form which must be used to submit
this proof. You may request an extension of time provided the
delay is for reasonable cause as indicated in Section 42-204, ICA.

Either the proof or a request for extension 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.



State Reclamation Engineer

Enclosure: Proof form
DR

Form 5

32954

July 8, 1966

Re: Permit No. 32954

Ralph E. Stephens
502 North 2nd Street
Montpelier, Idaho

Dear Mr. Stephens:

We enclose Permit No. 32954 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer

We also enclose Departmental Receipt No. 33279 which was issued covering payment in the amount of \$ 5.00 for the filing fee of the above mentioned permit.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

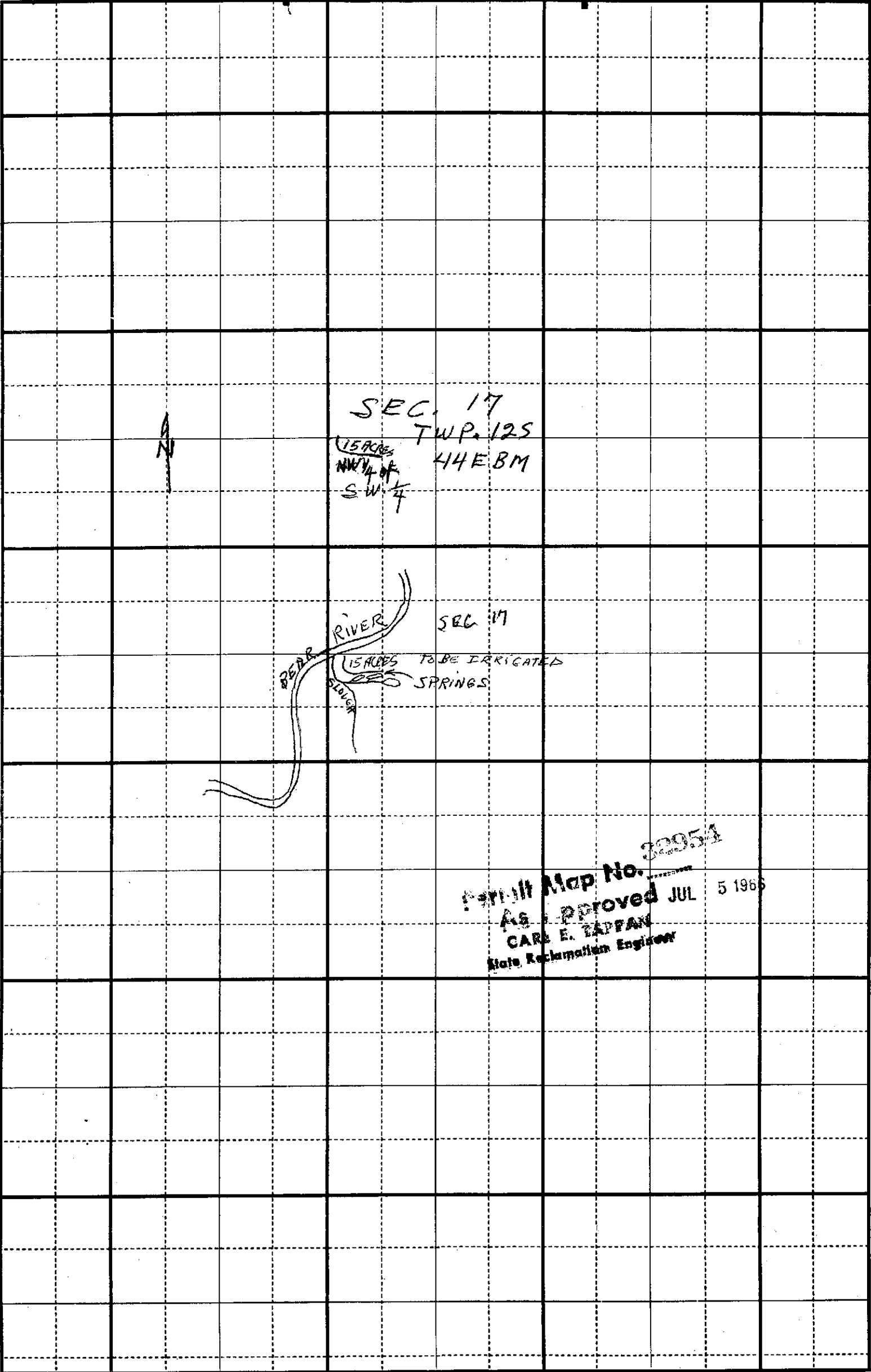
MRB:ejw

Enc: permit
receipt

32954

NAME OF APPLICANT RALPH E. STEPHENS

Form No. 0



Permit Map No. 32954
AS APPROVED JUL 5 1966
CARL E. TAPPAN
State Reclamation Engineer