

Box 44E

↑ TO GEORGETOWN

BEAR RIVER

8

Bannington

70

17

SEE NOTE ON #7

Q measured 3 CFS
Q recommended .3 CFS
Volume 87.8
Acreage -
Found 29
recommended 29
Subdv. 3
Ammendments
☒ None
☐ P.D.
☐ Place of use
☐

Stockwater Q .02 CFS
3 AF/A
Apr 15 - Oct 15
Irrigation 87 AF = (29)(3)
Stockwater .8 AF

TO
MONTPELIER

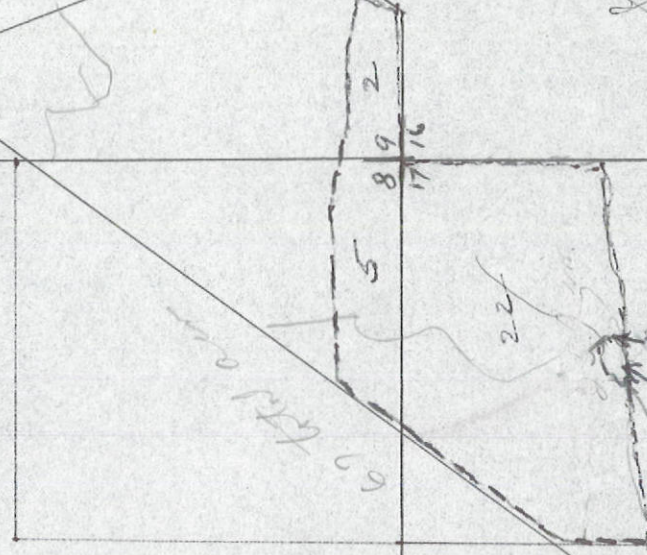
11-2-29

54
8

R. 44E.

T 12 S.

BENNINGTON



Sketch from
Bear Lake Co. 4505
Photo.

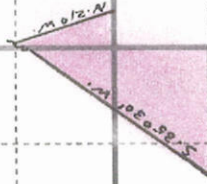
MICROFILMED

Commencing at the Southwest corner of Section 9, Township 12 South, Range 44 East, Boise Meridian in Idaho; running thence East 7.00 chains; thence North 21°00' W. along street to intersection of "Mile-Creek"; thence following a meander line along the center of "Mile Creek" 5.00 chains; thence South 35°30' W. 47.50 chains; thence East 27.00 chains; thence North 20.00 chains to the place of beginning.

TOWNSHIP 12 SOUTH, RANGE 44 EAST, BOISE MERIDIAN, IDAHO

8

9



17

16

30565

Permit Map No. 12.1862

As Approved 12.1862

GEO. N. CARTER

State Reclamation Engineer

8

9



17

16

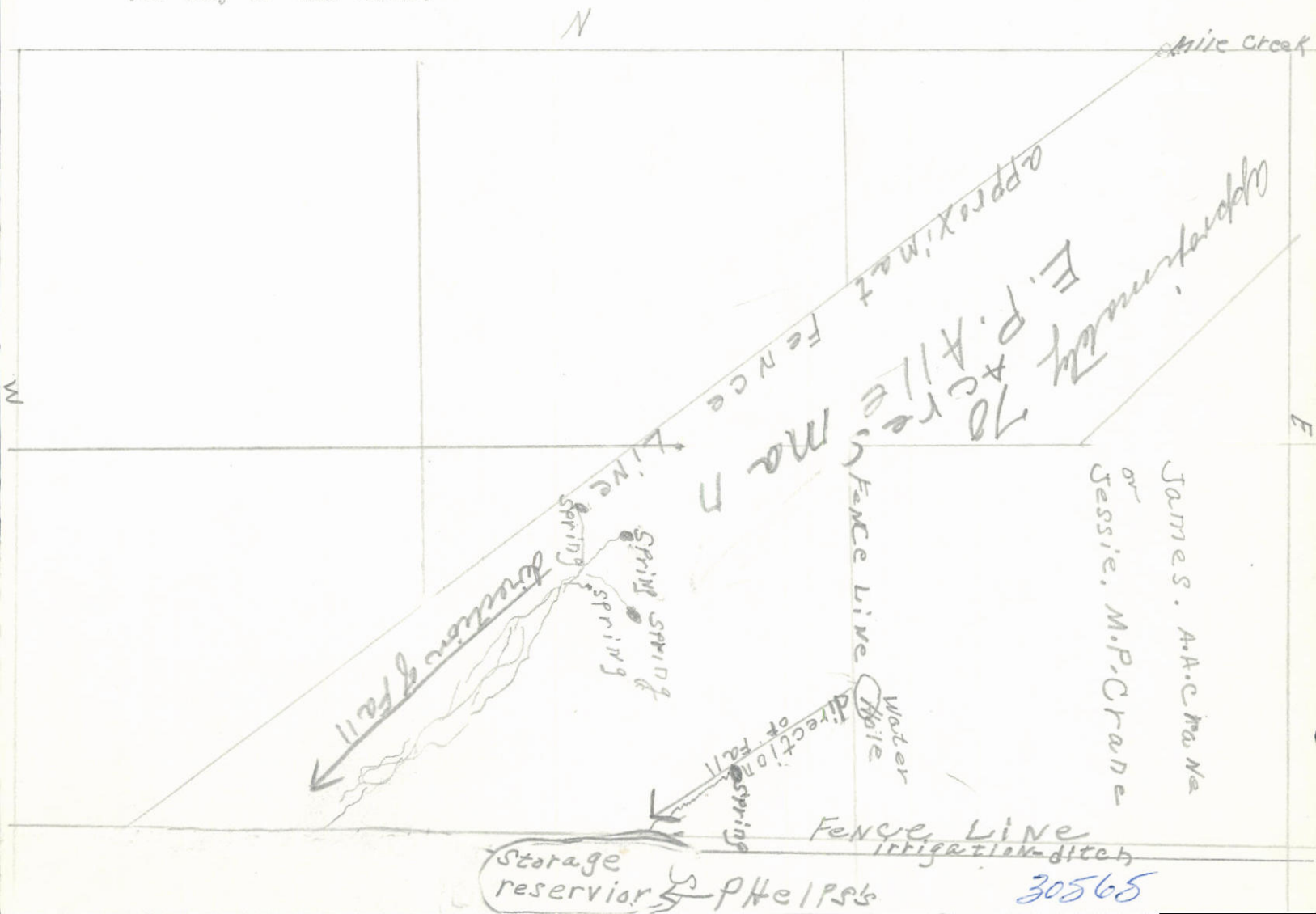
Please give us whatever information you can that would help us to accomplish these projects with a minimum of cost to us. Let us know if this information is correct and if this is the proper procedure. Are we entitled to develop and use the water from these springs if we develop them?

Sincerely

Edgar P. Allenman

Edgar P. Alleman
Bennington, Idaho

PS. I am going to attempt to make a drawing of these springs and the lay of the land.



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 30565/11-2129 Priority July 3, 1962 Amount 0.3 cfs

THIS IS TO CERTIFY, that EDGAR PETER ALLEMAN
of Bennington, Idaho, has complied with the terms and conditions of Permit
No. 30565/11-2129 issued pursuant to Application for Permit dated July 3, 1962,
and has submitted proof to the Department of Water Resources on June 9, 1967,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.3 cfs of water from springs & seepage,
tributary to _____, 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
<u>Stockwater</u> from <u>Jan. 1</u> to <u>Dec. 31</u> at <u>0.3</u> cfs and			<u>2.0 acre feet</u>
<u>Irrigation</u> from <u>April 15</u> to <u>Oct. 15</u> at <u>0.3</u> cfs and			<u>87.0 acre feet or</u>
from _____ to _____ at _____ cfs and			<u>3.0 af per acre</u>

(both dates inclusive)

Subject, however, to the condition that no more than 0.3 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
89.0 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 17,
Twp. 12 S, Rge. 44 E, B. M. in the County of Bear Lake

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 $\frac{1}{4}$	
12 S	44 E	8																5	5
		9										2							2
		17	22																22

Total number of acres irrigated 29

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 11 day of
February, 19 75.

MICROFILMED

Director

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

11- 2129

APPLICATION No. 38627
PERMIT No. 30565
DISTRICT No.

1. Name of Applicant: Edgar Peter Alleman
Postoffice address: Bennington County: 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: (c) Bond to be issued:
(b) Treasury stock: (d) Other resources:
2. Quantity of water claimed: 315 Gallons per minute or 0.7 cubic feet per second.
3. Source of water supply: Springs and seepage which is a tributary of
4. Location of point of diversion: feet distant from the
corner of Section , T. , R. , B.M., and is in the NE $\frac{1}{4}$ NE $\frac{1}{4}$
of section 17 , T. 12 S , R. 44 E., B. M., County of Bear Lake
5. Water is to be used for Irrigation and stock watering
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: \$ Approximately \$1,000.00
8. Kind of works: Dams and spring development
9. Height of dam 8 feet; length of dam at top 80 feet; length of dam at bottom 25
feet; material used in dam: concrete, and sod
10. Size of headgate: Width 10" feet; height 10" 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.
To be used for pump and sprinkler irrigation
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:
Springs and seepage on land owned by me.

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

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

s/ Edgar P. Alleman *Applicant.*

By _____ Agent.

Date of first receipt at Department of Reclamation: 9:00 A.M. July 3, 1962

Returned to applicant for correction: July 3, 1962

Corrected application received: July 9, 1962

Approval of State Reclamation Engineer

The number of this permit is 30565

Recorded in Book 107 Page 30565 Approved July 12, 1962

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 12, 1962 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 12, 1965**

The whole of said work to be completed on or before July 12, 1967

Beneficial use of water appropriated in accordance herewith, to be made on or before July 12, 1967

WITNESS My hand this 12 day of July, 1962

s/ CARL E. TAPPAN

Ass't. State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, _____ ROBERT E. SMYLLIE _____, Governor of the State of Idaho,
and _____ ARNOLD WILLIAMS _____, 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 12.....

day of July, 1962.

STATE OF IDAHO

Countersigned:

(SEAL) By s/ ARNOLD WILLIAMS

By s/ ROBERT E. SMYLLIE

Governor.

Secretary of State.

REMARKS: The water will be used for pump and sprinkler type irrigation system during irrigation seasons, and for watering of stock throughout the year, when not in use water will be released to continue from our property onto the land where previously run to continue to Bear River during the season not in use.

14.

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
12 S	44 EBM	17 9 8	38	3														41 A 13.85 A 14 A	
Total Number of Acres to be irrigated																		68.85 A	
LICENSE ISSUED FOR 03 EC. FL. LICENSE PAGE NO. 1																			

12-31-85

01 WATER RIGHT NUMBER - 11-2129 ✓

02 OLD (D) NUMBER - 30565

LAST NAME

03001 - ALLEMAN

FIRST NAME

04001 - EDGAR PETER

ORIG. OWNER

05001 - C

06 ADD LINE 1 -

07 ADD LINE 2 -

08 ADD LINE 3 -

09 CITY - BENNINGTON

10 STATE - ID

11 ZIP - 83219 ✓

12 STAGE - L LICENSE

13 STATUS -

SOURCE

14001 - SPRINGS ✓

TRIBUTARY OF

14002 - UNNAMED STREAM ✓

15001 - ✓

15002 - BEAR RIVER ✓

16 DIVERSION MEANS -

17 COUNTY - 07 BEAR LAKE

18 DIVERSION CAPACITY - .300 ✓

19 TOTAL DIVERSION RATE - .300

20 TOTAL DIVERSION VOLUME - 89.00

21 WATER DISTRICT - 11 ✓

----- DIVERSION POINTS -----										
TRACT	SEC	TWN	RNG	LOT	RFLG	S T R E A M I N D E X F I E L D S				
22001 - NENE	23001 - 17	24001 - 12S	25001 - 44E ✓	26001 -	27001 -					
			28001 - 0	100.0	168.0	0.0	0.0	0.0	0.0	0.0
										1.6

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 - NENE	35001 - 22	36001 -	
30002 - 01 IRRIGATION	31002 - 12S	32002 - 44E	33002 - 09	34002 - SWSW	35002 - 02	36002 -	
30003 - 01 IRRIGATION	31003 - 12S	32003 - 44E	33003 - 08	34003 - SESE	35003 - 05	36003 -	

TOTAL ACRES: 29 ✓

----- WATER USE -----					
PERIOD FROM	PERIOD TO	USE CODE / USE	DIVERSION RATE	DIVERSION VOLUME	
37001 - 0415	38001 - 1015	39001 - 01 IRRIGATION	40001 - 0.300	41001 - 87.00	
37002 - 0101	38002 - 1231	39002 - 04 STOCKWATER	40002 - 0.300	41002 - 2.00	

42 DECREE PLAINTIFF NAME -

43 DECREE DEFENDANT NAME -

REMARKS

44001 - SOURCES ARE SPRINGS & SEEPAGE. ✓

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	- 3-JUL-1962	55 LICENSE	- 11-FEB-1975 ✓	63 TRANSFER/AMENDED	-			
48 PROOF DUE	-	56 APPL RECEIVED	-	64 DLE/CAREY ACT	-			
49 PROOF MADE	-	57 FIELD EXAM MADE	-	65 FLAG_1	-			
50 APPROVE/DENIED-		58 DECREE	-	66 FLAG_2	-			

----- D A T E S ----- D A T E S ----- F L A G S -----

51	PROTESTED	-	59	START WORK	-	67	FLAG_3	-
52	HEARING	-	60	ORDER SHOW CAUSE	-			
53	VERIFIED	-	61	DATE_1	-			
54	LAST UPDATE	- 24-DEC-1999	62	DATE_2	-			

9/78

IDENT. NO.

11-2129

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E SWATER RIGHT
DATA ENTRY LOGInitialsDateItem

Original form entered

Edit Report Correct

Date Protested

Date of Hearing

Date Approved/Denied
(Proof due date, stage and/or status,
conditions of approval, water district)

Record Verified

Amendment Approved

Extension Approved

Partial Proof

Proof Complete

Field Exam Received

Field Exam Accepted
and changes entered

License Signed

Transfer Approved

CRA

2-14-79

KP

C February 12, 1975

Re: Permit No. 30565/11-2129

O Edgar Peter Alleman
Box 240
Bennington, Idaho 83219

Dear Mr. Alleman:

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

We are also enclosing Receipt no. 769 in the amount of \$11.00 covering the licensing fee.

Y Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jfr

Enclosures

MICROFILMED

Bremington Idaho
10 Feb. 1975

Department of Water Resources

Statehouse

Bowie Idaho 83720

FEB 11 1975

FILED

Dear Sirs:

In reply to your letter of
Feb. 7. 1975.

I am enclosing a check for
eleven dollars for license of
water covered by permit no. 30565/
11-2129. as requested. Thank you.

Sincerely,

Tracy Shady T. Allman
{ Mrs. Edgar Allen Allman

Box 240

Bremington, Idaho

83219

MICROFILMED

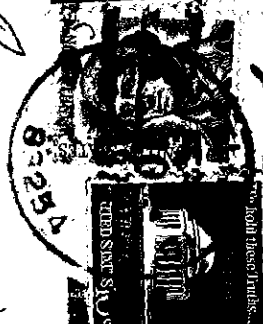
Receipt
#169

Harley S. Warner
Post Office
Box 240

Delaware 13219

RETURN RECEIPT
REQUESTED

State of Delaware
Department of Motor Vehicles
Statehouse
Dover, Delaware 19720



MAIL
680253
CERTIFIED

February 7, 1975

Mrs. Edgar Peter Allen
Bemington,
Idaho 83219

Dear Mrs. Allen:

A representative of this Department has made an examination of the works covered by Permit No. 30565/11-2129 and has found the following:

Quantity of water diverted: 0.3 cfs Source: springs & seepage

Amount of water that can be recognized as beneficially used under Idaho law: 0.3 cfs

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

Beneficial use: Stockwatering purposes and the irrigation of 29 acres within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 9; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 17; Twp. 12S, Rge. 44E, B.M.

Priority date established: July 3, 1962

A fee totaling \$11.00 must be received within 30 days of the date of this letter in order that we can issue a water license as set forth above. If you do not concur with these findings, please contact us within the 30-day period.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:DR

MICROFILMED

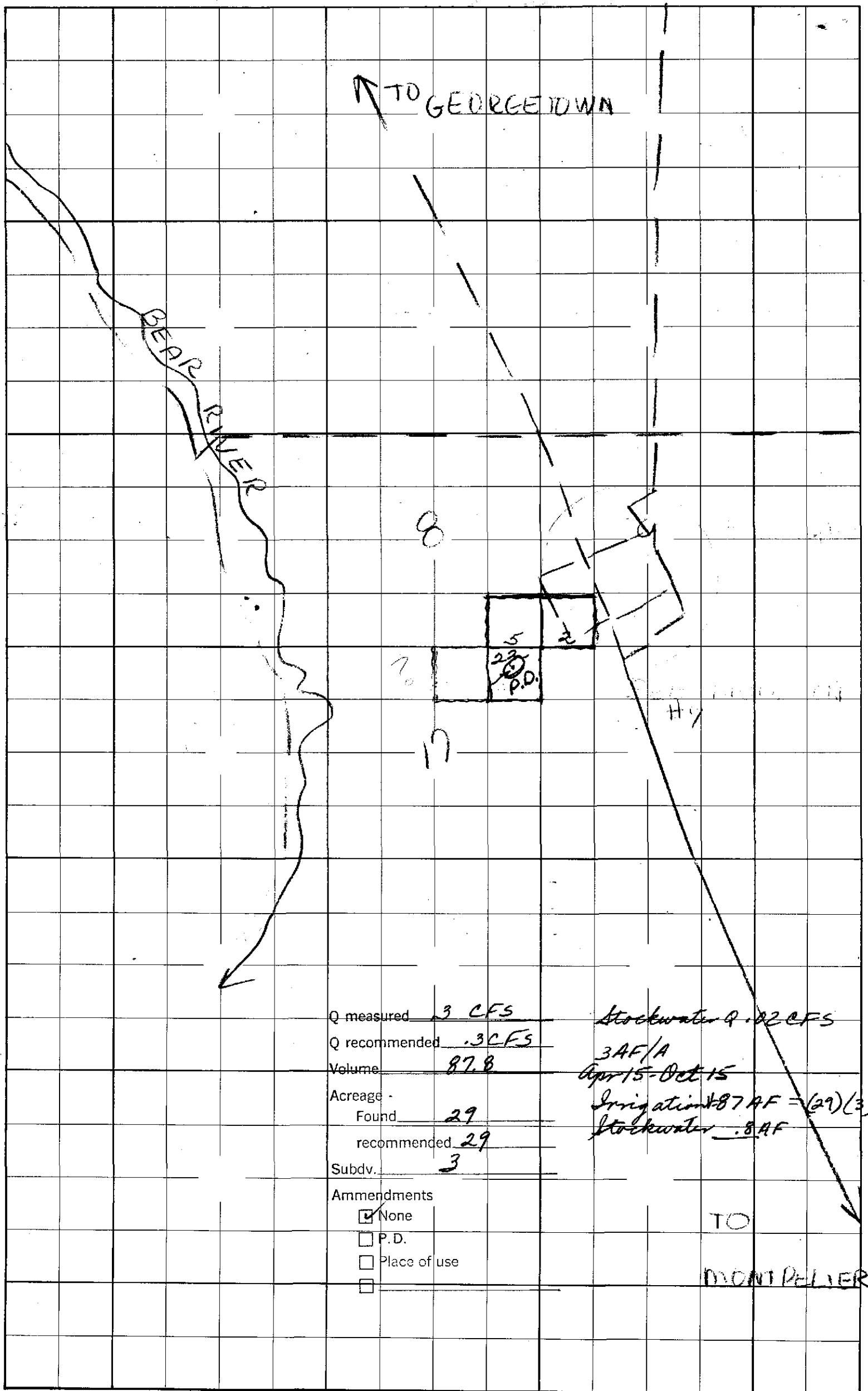
STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. 30565 / 11-2129

REPORT ON PROOF OF Completion of Works & Beneficial Use ✓

MICROFILMED



MICROFILMED

T 125.

R. 44E

Sketch from
Bear Lake Co. 4505
Okato

Bennington

69 ft/ sec

6.2 ft/ sec

2.2

5

8
9
2

12

5
4

11-2-77

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

Mrs E. P. Alleman
847-1969

Permit No. 30565 7/11-2/29

This proof is for C/W and B/U

In Water District No.

1. Name of applicant Edgar Peter Alleman (deceased 1971)

2. Source of water supply: springs and seepage

3. Location of point of diversion: Is in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 17

T. 12 S R. 44 E County of Bear Lake

4. Describe works as they exist, giving dimensions and capacities of same:

Earth filled dam 8' vertical height - Crest length 30 feet impounding small rectangular reservoir pond 15' x 20'. Water was diverted from pond by tractor & portable pump to 6 rainbird sprinkler heads - est flow into pond 10-15 miner's inches

5. Water is used for: irrigation and stock watering

6. State whether or not water has been turned into works of diversion: ~~no~~ yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 17; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 9; SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8, T. 12 S, R. 44 E, B.M.

NOTE: depositions state NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 17 and permit states NW $\frac{1}{4}$ NE $\frac{1}{4}$ (N $\frac{1}{2}$ NE $\frac{1}{4}$)

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

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

Remarks:

System shown by Mrs. E. P. Alleman & son
Sprinkler system not presently used, diversion dam remains in place - Last season ^{sprinkler system} used 1970.
100 head of sheep - 13 dairy cattle - 6 head horses 12 gal/day/head
pond in NE $\frac{1}{4}$ NE $\frac{1}{4}$ S. 17 T. 12 S R. 44 E. Dimensions and HP of tractor & pump not available, therefore cannot estimate rate of diversion out of reservoir. Land now owned by Mrs. Edgar P. Alleman

This examination was made on the

7th day of August, 1974

(Signed)

John Deebauer

Examiner.

No one home
Should contact owner
before making exam
7/13/67
7.6

INSTRUCTIONS TO EXAMINERS

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

Edgar Peter Alleman
Bennington, Idaho
Shirley (wife)

dam - 80' long, 16' base, 8' top, 10' high
ditches + sprinklers - 4" discharge
6-13/32-80"

Permit No. 30565 / 11-2129

Portable pump
tractor

Examination for C/W and B/U

County Bear Lake

Sec. 17 T. 12 S. R. 44 E

Quantity: 0.7 c. f. s.

Source: subterranean

P.D.: NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 17, T. 12 S, R. 44 E, B. M.

Use: irrigation and stock watering

Extension:

Protest:

Completion of Works:

Other Rights:

Filed: July 3, 1962

Due: July 12, 1967

Made: June 9, 1967

Priority: July 3, 1962

INTER-DEPARTMENT MEMO — 1

FROM John R. Ferebauer

DATE February 4, 1975

TO Darlene

SUBJECT PERMIT NO. 11-2129

Find attached my exam report and proposed license for Permit No. 11-2129 in the name of Edgar Peter Alleman.

MICROFILMED

John

SIGNATURE

DATE 1/30/75

FROM Darlene

TO John or Bill (?)

SUBJECT Permit 11-2129 - Edgar Peter Alleman

Attached is a letter we received from Mrs. Alleman. Since I don't know if the exam has been completed, I don't know how to answer this.

Would you please answer her inquiry, or send me the necessary info and I will. Please note that she asked for a "prompt rely".

Thanks for your help, don't know what I would do without you!

MICROFILMED

SIGNATURE

RECEIVED

Summington, S.D.

23 January 1976

23 1975

Department of Water Resources

State of South Dakota

Department of Water Administration

Attention: B. Keith Haggins, Director

Sioux Falls

Dear Sirs,

I am writing in regard to permit no. 11-3129

In June or early July of 1974

One of the water examiners was

here.

We at that time were in the process of installing a sprinkler irrigation system on part of our land.

We as soon as my husband had recently passed away and had been undergoing heart surgery we were not operational and had this permit at that time.

MICROFILMED

Find when the system being
worked on in 1974 is completed.
There would be only 40 acres
for which water would be available.
Leaving 29 acres which I still
need this permit to accommodate.

I was informed by your
examiner that he felt enough
labor, accomplishment and
supplies had been done to
warrant the permit to be
finalized. That I should receive
the same in about two weeks.

As to date I have not heard
anything concerning this. Will
you please inform me as to
why I have not received same.

I am very desirous of obtaining
this permit; insuring water usage
as I am able to utilize it.

I have **MICROFILMED** sprinkler pipes
and reinforced concrete dams
constructed for storage.

Please advise me about
this matter so I may be
better able to make plans for
the future.

I am not willing to relinquish
rights to this water which
runs on my property.

Thank you very much.

May I have a prompt reply.

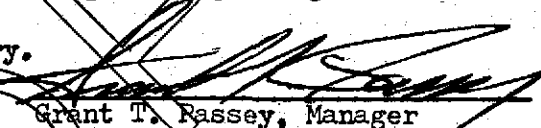
Sincerely,
(Mrs) Edgar Peter Allenman
(Shirley L. Allenman)
Box 240

Bennington Idaho 83319

MICROFILMED

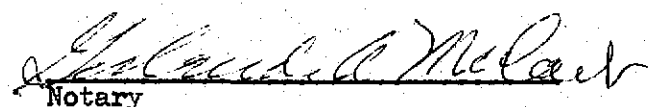
AFFIDAVIT

We, hereby, certify that at the time this document was first notarized, and later notarized by another Notary, that this was done in the same Office and that this Office was open during date of protest, and during this time no protest was received. Mr. Wright being Manager of the Office and Mrs. McCart his Secretary.


Grant T. Rassey, Manager
Timeway Department
First Security Bank of Idaho, N.A.
Montpelier, Idaho

State of Idaho)
County of Bear Lake) ss

Subscribed and sworn to before me this 29th day of June 1967


Notary
State of Idaho
Residing: Montpelier, Idaho

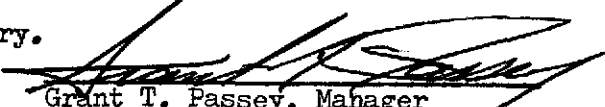
My Commission expires:
September 16, 1967

30565

RECEIVED
JUN 30 1967
DEPT. OF FINANCE
STATE OF IDAHO

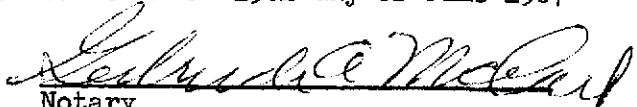
A F F I D A V I T

We, hereby, certify that at the time this document was first notarized, and later notarized by another Notary, that this was done in the same Office and that this Office was open during date of protest, and during this time no protest was received. Mr. Wright being Manager of the Office and Mrs. McCart his Secretary.


Grant T. Passey, Manager
Timeway Department
First Security Bank of Idaho, N.A.
Montpelier, Idaho

State of Idaho)
County of Bear Lake) ss

Subscribed and sworn to before me this 29th day of June 1967


Notary
State of Idaho
Residing: Montpelier, Idaho

My Commission expires:
September 16, 1967

30565

June 30, 1967

Re: Permit No. 30565

Mr. Edgar Peter Alleman
Bennington, Idaho 83219

Dear Mr. Alleman:

We acknowledge receipt of the depositions and affidavit of publication in the
News-Examiner submitted as proof of completion of works and beneficial use on Permit 30565.

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

Very truly yours,

Donald W. McKidowney
Water Rights Clerk

DWM:dj

30565



First Security Bank of Idaho

NATIONAL ASSOCIATION

MONTPELIER OFFICE

MONTPELIER, IDAHO

RECEIVED

JUN 30 1967

DEPT. OF FINANCE
STATE OF IDAHO

June 29, 1967

Mr. Donald McEldowney
State of Idaho
Department of Reclamation
State House 107
Boise, Idaho 83701

Re: Permit No. 30565

Dear Sir:

As per our phone conversation of June 27th, I have prepared an Affidavit certifying that the signing and notarizing, etc., took place in one and the same Office and that it was open during protest time, if someone would have wanted to protest. Trust you will find this in order and that this can now be processed.

Thank you

Very truly yours,

W. G. Wright
W. G. Wright, Mgr.

By Gertrude McCart, Sec.

P. S. As I explained to you Mr. Wright, our Manager was called to Alabama due to the death of his Brother and I do not know just when he will return - thus I have had Mr. Passey, our Timeway Manager sign the Affidavit.

gmc

P. S. Am enclosing Deposition of Holder as I believe you told me to return this to you.

gmc

30565



First Security Bank of Idaho

NATIONAL ASSOCIATION

MONTPELIER OFFICE

MONTPELIER, IDAHO

June 16, 1967

RECEIVED
JUN 19 1967

Department of Reclamation

847-1075

State of Idaho
Department of Reclamation
107 State House
Boise, Idaho 83701

Gentlemen:

Re: Permit 30565

Referring to above captioned permit under date of June 13, 1967
by way of explanation -

At the time these depositions were first processed - Mr. Wright was a Notary Public - however, since that time his Commission had expired and he did not renew same - thus the difference in Notarys. Gertrude McCart is Mr. Wright's Secretary, having been commissioned a Notary in his stead, and she notarized these papers. In view of the above explanation, could the original depositions be processed or must we start at the beginning, and advertise again, etc. Thank you kindly for advising.

Very truly yours,

W. G. Wright
W. G. Wright
Manager

WGW:gmc

30565

June 13, 1967

Re: Permit 30565

Edgar Peter Alleman
Box 240
Bennington, Idaho

Dear Mr. Alleman:

Returned herewith are the depositions of holder and witness and affidavit of permit for the above referenced permit. These depositions are being returned as unacceptable.

Please be advised, the Attorney General of the State of Idaho has ruled that a permit must be advertised correctly for four consecutive weeks in order that the proof of application of water to beneficial use be acceptable. Whereas, the notice of publications forms 36A and 11 were submitted to this office on May 5, 1967, showing Warren G. Wright as notary public to whom protestants could appear to submit protest on the above referenced permit and before whom you were required to appear to complete the notarized depositions. As Mr. Wright was one of the witnesses for the depositions and not the notary public, you will be required to readvertise your permit for four consecutive weeks and submit new depositions on permit 30565.

We are enclosing a completed notice of publication form 36 and form 11 which you are requested to sign and return promptly to this department so that we may proceed in readvertising this permit at your expense.

Please contact us if you have any questions on the matter.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:nw

Enclosure: Depositions
Forms 36 and 11

Per Steve Allred

30565

THE NEWS-EXAMINER

MONTPELIER, IDAHO

RECEIVED
JUN 12 1967

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 four
successive weeks, commencing with the issue
dated May 11, 1967
and ending with the issue
dated June 1, 1967.

W. Jerome Taylor
Publisher and Foreman.

Subscribed and sworn to before me this 2nd

NOTICE OF COMPLETION OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE

NOTICE is hereby given that
on the 9th day of June, 1967, at
Montpelier, County of Bear Lake,
State of Idaho, before Warren
G. Wright, Notary Public, at
Montpelier, Idaho, proof will be
submitted of the completion of
works for the diversion of 0.7 cu-
bic feet per second of the waters
of Springs and seepage, and of
the application to beneficial use
of said water, in accordance
with the terms and conditions of
Permit No. 30565, heretofore
issued by the Department of
Reclamation of the State of
Idaho.

1. The name and postoffice
address of the person or corpor-
ation holding said permit is:
Edgar Peter Alleman, PO Box
240, Bennington, Idaho. Zip:
83219.

2. Said works of diversion
will be fully completed on the
date set for such completion and
the amount of water which said
works are capable of conveying
to the place of use is 0.7 cubic
feet per second.

3. The use to which said wa-
ter has been applied is Irrigation
and stock watering purposes,
and the amount applied to bene-
ficial use is 0.7 cubic feet per
second.

4. The point of diversion of
said water is NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 17,
T. 12 S, R. 44 E, B. M.

5. The place where said wa-
ter is issued is N $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 17;
SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 9; SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 8, T. 12 S, R. 44 E, B. M.
Total 68.85 acres.

6. The date of priority which
said user is prepared to estab-
lish is July 3, 1962.

R. KEITH HIGGINSON
State Reclamation Engineer
(m-11/18/25; j-1)

1967
Public.

30565

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. 30565

RECEIVED
JUN 12 1967

Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

To C. Alleman, Water

DEPOSITION OF HOLDER

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

Edgar Peter Alleman, Bennington, Idaho. farming. Box 240.

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf: _____

Ques. 3. State number, approval date of permit, and date of priority: _____

38627, 12 July 1962, 3 July 1962

Ques. 4. State source of water supply: Springs and seepage.

Give location of point of diversion, showing subdivision, section, township and range

NE $\frac{1}{4}$ NE $\frac{1}{4}$, SEC 17, T. 12S, R. 44 E.E.M.

Ques. 5. Describe your works of diversion: Dam. 80 Ft. long; 16 ft base and

8 ft top; 10 Ft. high.; state amount of water they are capable of con-

veying from point of diversion to place of use: 450 gals. Min. Give name of canal or ditch

or other works by which water is conducted to such place of use: Ditching and

sprinkler irrigation if a well, state depth of well -----; depth and size of

casing -----; depth to water -----; if pump is used,

state discharge of pump: 4 inch discharge all how it was measured or determined -----

pressure gauge and timed gals. Min. if sprinkler irrigation, give number and size

of nozzles and operating pressure: 12 heads, 80A. 80 lb. pressure. Head large

on 1 inch risers ; large hole 13/32; small hole 7/32.

Ques. 6. State for what purpose water is used: irrigation and stock watering

(If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water:

NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 17; 38 Acres, NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 17; 3 acres. SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 9; 13.85 A.

SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 8; 14 Acres: Total acres 68.85 acres. T. 12. S. R. 44 E.E.M.

30565

State nature of all improvements which have been made as a direct result of said use:

Improved pasture, increased amount of hay and grain produced.

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: _____

Ques. 7. If for other than irrigation purposes, show full legal description of place of use and state purpose for which water is used:

Used in the pasture for stock watering purposes.

Ques. 8: If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder:

Owner.

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: July 3, 1962 - Time used since first use:

During irrigation seasons in 1963; 1964; 1965; 1966 and May and

June 1967 whenever the ground required. used the year round
for watering sheep and cattle and horses.

Ques. 10. Describe all other water rights appurtenant to same place of use: _____

This water was deeded with the property when we bought the place in
191946 .

(sign) Edgar Peter Allen

I hereby certify that the foregoing testimony was read to the above subscribed, before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in

Montpelier, County of Bear Lake

State of Idaho, on this 9 day of June, A. D. 1969.

My commission expires: September 16, 1969

Shirley A. McQuest
Notary
Residing, Montpelier, Idaho

30865

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. 30565

RECEIVED
JUN 12 1967
Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case.

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

Bert Westlake 47 Bennington Idaho Well Drilling

Ques. 2 Are you acquainted with Edgar Peter Alleman, the holder of
Permit No. 30565 ? How long have you known him and where does he reside?

18 YEARS
Bennington, Bear Lake County, Idaho

Ques. 3. Have you read or heard said Permit No. 30565 read, and are you familiar
with its provisions and conditions: Yes YES No. _____

Ques. 4. State source of water supply: Springs and seepage

Give location of place of diversion, showing subdivision, section, township and range
NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 17, T. 12 S, R. 44 E.B.M.

Describe works for conveying water to place of use: Diversion Dam, ditching
and sprinkler irrigation.

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 315 G.P.M. How much water have you seen being so
conveyed? SAME

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:

NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 17; 38 acres. NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 17; 3 acres. SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 9;
13.85 acres. SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 8; 14 acres . Total 68.85 acres.
T. 12. S. R. 44 E.B.M.

30565

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

In the pasture for stock watering purposes

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned? If so, in what way and to what extent? None.

Ques. 10. When did you first see this water used? June 1962.

Other times you have seen such use: during irrigation seasons each year since 1962.

(Signed):

Bert Westlake

* * * * *

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Montpelier

 , County of Bear Lake, State of Idaho, on this 9 day of June, A. D. 19 67

Stephen A. McCook

Notary Public for the State of Idaho

Residing Montpelier, Idaho

My commission expires September 16, 1969

30865

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. 30565

* * * * *

RECEIVED
JUN 12 1967

Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case.

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

Warren G Wright, 42, 460 North 9th St. Montpelier, Idaho
Rancher & Banker

Ques. 2 Are you acquainted with Edgar Peter Alleman, the holder of
Permit No. 30565 ? How long have you known him and where does he reside?

2 1/2 years Bennington, Bear Lake Co. Idaho

Ques. 3. Have you read or heard said Permit No. 30565 read, and are you familiar
with its provisions and conditions: Yes ☒ No. ☐

Ques. 4. State source of water supply: springs and seepage.

Give location of place of diversion, showing subdivision, section, township and range

NE 1/4 NE 1/4, Sec. 17, T. 12 S, R. 44 E.B.M.

Describe works for conveying water to place of use: Diversion Dam, Ditching
and sprinkler irrigation.

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 315 GPM How much water have you seen being so
conveyed? same

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:

NE 1/4 NE 1/4, Sec. 17; 38 acres. NE 1/4 NW 1/4, Sec. 17; 3 acres. SW 1/4 SW 1/4, Sec. 9;
13.85 acres. SE 1/4 SE 1/4, Sec. 8; 14 acres. Total 68.85 Acres.
T. 12. S, R. 44 E, B. M.

30565

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

In pasture for stock watering purposes.

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Land not reclaimed but water increases productivity

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned? If so, in what way and to what extent? None.

Ques. 10. When did you first see this water used? 1962.

Other times you have seen such use: During irrigation season each year since 1962;.

(Signed):

Thomas L. Wright

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Montpelier

Bear Lake, County of Idaho, State of Idaho, on this 9 day of June, A. D. 19 67

Julius A. McKee

Notary Public for the State of Idaho

Residing Montpelier, Idaho

My commission expires September 16, 1969

30565

WATER TO BENEFICIAL USE

NOTICE is hereby given that on the 9th day of June, 1967, at Montpelier, County of Bear Lake, State of Idaho, before Warren G. Wright, Notary Public, at Montpelier, Idaho, proof will be submitted of the completion of works for the diversion of 0.7 cubic feet per second of the waters of Springs and seepage, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 30565, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is: Edgar Peter Alleman, PO Box 240, Bennington, Idaho. Zip: 83219.

2. Said works of diversion will be fully completed on the date set for such completion and the amount of water which said works are capable of conveying to the place of use is 0.7 cubic feet per second.

3. The use to which said water has been applied is Irrigation and stock watering purposes, and the amount applied to beneficial use is 0.7 cubic feet per second.

4. The point of diversion of said water is NE¹/₄NE¹/₄, Sec. 17, T. 12 S, R. 44 E, B. M.

5. The place where said water is issued is N¹/₂NE¹/₄, Sec. 17; SW¹/₄SW¹/₄, Sec. 9; SE¹/₄SE¹/₄, Sec. 8, T. 12 S, R. 44 E, B. M. Total 68.85 acres.

6. The date of priority which said user is prepared to establish is July 3, 1962.

R. KEITH HIGGINSON
State Reclamation Engineer
(m-11|18|25; j-1)

THE NEWS-EXAMINER

MONTPELIER, IDAHO

RECEIVED
JUN 12 1967

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 four
successive weeks, commencing with the issue
dated May 11, 1967,
and ending with the issue

dated June 1, 1967.

W. Jerome Taylor
Publisher and Foreman.

Subscribed and sworn to before me this 2nd day of June, 1967.

Lon L. Bayne
Notary Public.

30565

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. 30565

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

DEPOSITION OF HOLDER

RECEIVED
JUN 12 1967

Department of Reclamation

RECEIVED
JUN 30 1967
DEPT. OF FINANCE
STATE OF IDAHO

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

Edgar Peter Alleman, Bennington, Idaho, farming. Box 240.

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf: _____

Ques. 3. State number, approval date of permit, and date of priority: _____

App 38627, 12 July 1962, 3 July 1962 Permit No. 30565

Ques. 4. State source of water supply: Springs and seepage.

Give location of point of diversion, showing subdivision, section, township and range

NE $\frac{1}{4}$ NE $\frac{1}{4}$, SEC 17, T. 12S, R. 44 E.B.M.

Ques. 5. Describe your works of diversion: Dam, 80 Ft. long; 18 ft base and

8 ft top; 10 Ft. high.; state amount of water they are capable of con-

veying from point of diversion to place of use: 450 gals. Min. Give name of canal or ditch

or other works by which water is conducted to such place of use: Ditching and

sprinkler irrigation if a well, state depth of well -----; depth and size of

casing-----; depth to water -----; if pump is used,

state discharge of pump: 4 inch discharge tell how it was measured or determined

pressure gauge and timed gals. Min. if sprinkler irrigation, give number and size

of nozzles and operating pressure: 12 heads, 80A. 80 lb. pressure. Head large

on 1 inch risers; large hole 13/32; small hole 7/32.

Ques. 6. State for what purpose water is used: irrigation and stock watering

(If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water:

NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 17; 38 Acres. NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 17; 3 acres. SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 9; 13.85 A.

SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 8; 14 Acres: Total acres 68.85 acres. T. 12 S. R. 44 E.B.M.

May have to be
readvertised

30565

DA

State nature of all improvements which have been made as a direct result of said use:

~~Improved pasture~~, increased amount of hay and grain produced.

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: _____

Ques. 7. If for other than irrigation purposes, show full legal description of place of use and state purpose for which water is used:

Used in the pasture for stock watering purposes.

Ques. 8: If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder:

Owner.

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: July 3, 1962 - Time used since first use:

Daring irrigation seasons in 1963; 1964; 1965; 1966 and May and June 1967 whenever the ground required. used the year round for watering sheep and cattle and horses.

Ques. 10. Describe all other water rights appurtenant to same place of use: _____

This water was deeded with the property when we bought the place in 1946.

(sign)

Edgar Peter Allen

I hereby certify that the foregoing testimony was read to the above subscribed, before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in

Montpelier

, County of Bear Lake

State of Idaho, on this 9 day of June, A. D. 19 69.

My commission expires: September 16, 1969

Julius A. McEnt
Notary

Residing, Montpelier, Idaho

30568

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. 30565

RECEIVED
JUN 12 1967

Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case.

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

Bert Westlake 47 Bennington Idaho Well Drilling

Ques. 2 Are you acquainted with Edgar Peter Alleman, the holder of
Permit No. 30565? How long have you known him and where does he reside?

18 YEARS
Bennington, Bear Lake County, Idaho

Ques. 3. Have you read or heard said Permit No. 30565 read, and are you familiar
with its provisions and conditions: Yes YES No.

Ques. 4. State source of water supply: Springs and seepage

Give location of place of diversion, showing subdivision, section, township and range
NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 17, T. 12 S. R. 44 E.B.M.

Describe works for conveying water to place of use: Diversion Dam, ditching
and sprinkler irrigation.

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 315 G.P.M. How much water have you seen being so
conveyed? SAME

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:

NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 17; 38 acres. NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 17; 3 acres. SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 9;
13.85 acres. SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 8; 14 acres. Total 68.85 acres.
T. 12. S. R. 44 E.B.M.

30565

Ques. 7. If, for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

In the pasture for stock watering purposes

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned? If so, in what way and to what extent? None.

Ques. 10. When did you first see this water used? June 1962.

Other times you have seen such use: during irrigation seasons each year since 1962.

(Signed):

Bert Westlake

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Montpelier

 , County of Bear Lake, State of Idaho, on this 9 day of June, A. D. 19 67

Joseph A. McCall

Notary Public for the State of Idaho

Residing Montpelier, Idaho

My commission expires September 16, 1969

30565

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. 30565

RECEIVED
JUN 12 1967

Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case.

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

Warren G Wright, 42, 460 North 9th St. Montpelier, Idaho
Rancher & Banker

Ques. 2 Are you acquainted with Edgar Peter Alleman, the holder of
Permit No. 30565? How long have you known him and where does he reside?

25 years Bennington, Bear Lake Co. Idaho

Ques. 3. Have you read or heard said Permit No. 30565 read, and are you familiar
with its provisions and conditions: Yes ☒ No. ☐

Ques. 4. State source of water supply: springs and seepage.

Give location of place of diversion, showing subdivision, section, township and range
NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 17, T. 12 S, R. 44 E.B.M.

Describe works for conveying water to place of use: Diversion Dam, Ditching
and sprinkler irrigation.

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 315 GPM How much water have you seen being so
conveyed? SAME

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:

NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 17; 38 acres. (NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 17; 3 acres. SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 9;
13.85 acres. SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8; 14 acres. Total 68.85 Acres.
T. 12 S, R. 44 E, B. M.

30565

not subject to taxation

In pasture for stock watering purposes.

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Land not reclaimed but Water increases Productivity

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned?

If so, in what way and to what extent? **None.**

Ques. 10. When did you first see this water used? 1962.

Other times you have seen such use: During irrigation season each year since
1962:.

(Signed):

med): Harmon L. May Jr.

* * * * *

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Montpelier

Bear Lake /, County of Idaho /, State of Idaho, on
this 9 / day of June /, A. D. 19 67 /

John A. Marsh

Notary Public for the State of Idaho

Residing Montpelier, Idaho

My commission expires September 16, 1969

30565

RECEIVED
MAY 5 1967

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) 3 May 1967

(P. O.) Box 240 Bennington, Idaho zip: 83219

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published
at my expense in the News-Examiner of

Montpelier, Idaho Published in ✓

the county in which the works are situated.

Edgar P. Alleman

(In case of canals or other works designed to divert and
carry more than 50 cubic feet of water per second, the following certificate
must be signed by a well known and competent engineer)

I hereby certify that the facts set forth in the attached
notice are true.

Engineer

30865

NOTICE OF COMPLETION OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE

NOTICE is hereby given that on the 9th day of June, 1967, at Montpelier, County of Bear Lake, State of Idaho, before Warren G. Wright, Notary Public, at Montpelier, Idaho, proof will be submitted of the completion of works for the diversion of 0.7 cubic feet per second of the waters of Springs and seepage, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 3565, heretofore issued by the Department of Reclamation of the State of Idaho. 30565

1. The name and postoffice address of the person or corporation holding said permit is: Edgar Peter Alleman, PO Box 240, Bennington, Idaho. Zip: 83219.

2. Said works of diversion will be fully completed on the date set for such completion and the amount of water which said works are capable of conveying to the place of use is 0.7 cubic feet per second.

3. The use to which said water has been applied is Irrigation and stock watering purposes, and the amount applied to beneficial use is 0.7 cubic feet per second.

4. The point of diversion of said water is NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 17, T. 12 S, R. 44 E, B. M.

5. The place where said water is issued is NE $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 17; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 9, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8, T. 12 S, R. 44 E, B. M. Total 68.85 acres.

6. The date of priority which said user is prepared to establish is July 3, 1962.

R. KEITH HIGGINSON
State Reclamation Engineer
(m-11/18/25; j-1)

NOTICE OF PROOF OF COMPLETION OF WORKS
and
APPLICATION OF WATER TO BENEFICIAL USE

RECEIVED
MAY 5 1967
DEPARTMENT OF RECLAMATION

NOTICE is hereby given that at 10 A.M., on the 2 day of June 1967, at Montpelier, County of Bear Lake, State of Idaho, before Warren G. Wright, Notary Public, at (address) Montpelier Idaho, proof will be submitted of the completion of works for the diversion of 0.7 cubic feet per second of the waters of springs and seepage, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 30565, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is: Edgar Peter Alleman P O Box 240 Bennington, Idaho Zip: 83219

2. Said works of diversion will be fully completed on the date set for such completion and the amount of water which said works are capable of conveying to the place of use is 0.7 cubic feet per second.

3. The use to which said water has been applied is irrigation and stock watering purposes, and the amount applied to beneficial use is 0.7 cubic feet per second.

4. The point of diversion of said water is located in NE $\frac{1}{4}$ OF NE $\frac{1}{4}$ Sec. 17; township 12 Range 44 EBM.

5. The place where said water is used is NE $\frac{1}{4}$ OF NE $\frac{1}{4}$ sec. 17; SW $\frac{1}{4}$ OF SW $\frac{1}{4}$ of sec. 9; SE $\frac{1}{4}$ OF SE $\frac{1}{4}$ Sec. 8 Township 12, Range 44 EBM.

Total 68.85 acres.

6. The date of priority which said user is prepared to establish is 1 June 1962

State Reclamation Engineer

30565

May 5, 1967

Re: Permit No. 30565

Edgar Peter Alleman
P.O. Box 240
Bennington, Idaho 83219

Dear Mr. Alleman:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. 30565. The proofs are to be made ~~at~~ at dusk, on the 9th day of June, 19 67, before Warren G. Wright, Montpelier, Idaho, Notary Public.

As of this date, we have mailed the Notice to the News-Examiner, with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof then mail the Affidavit of Publication and statement of costs to you.

It is important that the enclosed depositions be executed by you and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the place, on the date, and at the time and before the Notary, as advertised. It is very important and necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been signed, the Notary's seal has been placed on each and that all depositions, (holder and two witnesses) are being returned. Also be sure to enclose the AFFIDAVIT OF PUBLICATION

Very truly yours,

DWMaw

Donald W. McEldowney
Water Rights Clerk

Encl.

cc: Notary

30565

May 5, 1967

Re: Permit No. 30565

News-Examiner
Montpelier, Idaho

Gentlemen:

Enclosed you will find a legal notice which we wish to have published for four consecutive weeks prior to June 9, 1967. The expense of the publication is to be paid by Edgar Peter Alleman of P.O. Box 240, Bennington, Idaho 83219, to whom you should furnish proof of publication on or prior to the above date.

Please acknowledge receipt of this notice and furnish this office with a copy or tear sheet of the notice for checking prior to the first publication.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:aw

Called May 16, 1967
to change permit no.
30565
ms

30565

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Re: Permit No. 30565

Date:
May 1, 1967

Edgar Peter Alleman
Bennington, Idaho
83219

Dear Mr. Alleman:

Under the terms of your Permit No. 30565 you are required to make proofs of completion of works and application of water to beneficial use on or before **July 12, 1967**

Before this proof can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper in the county.

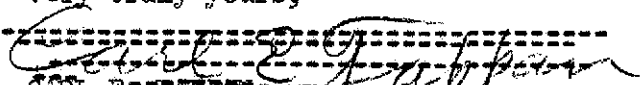
We enclose Form 36-A in duplicate, which is to be filled in and returned to this department at least forty (40) days before the above mentioned date and/or before the time you intend to make proof (this may be at any place that is convenient for you and your two witnesses), the quantity of water, for what purpose it is used, the point or points of diversion and the location of use, or lands which are irrigated - - by legal description. Descriptions should be taken from your Permit, including any amendments thereto, as recorded in this department. If changes have been made and no amendments are on record, we advise that you request a form for this purpose before your notice is published, or you may have to readvertise and complete another set of proof forms.

Also enclosed is Form 11, which is the authorization for us to have the notice published in the designated county newspaper, at your expense. This is to be returned with Forms 36-A

At the time we send the notice to the newspaper we will send you the forms for the depositions of holder and two disinterested witnesses. It is important that the depositions be executed at the time, on the date set, and at the place named, before the Notary Public as advertised in the publication notice.

The amount of water allowed in a license cannot be more than is actually produced and measured and put to beneficial use, and cannot be more than the statutory amount allowable per acre of land actually found by the field inspection to have been irrigated at the time of proof.

Very truly yours,



CARL E. TAPPAN: KEITH HIGGINSON
State Reclamation Engineer

Enc. 36A and 11
cc:

30565

July 3, 1962

Re: Application No. 38627

Edgar Peter Alleman
Bennington, Idaho

Dear Mr. Alleman:

Returned herewith is your application for permit with attached receipt No. 31120 for \$5.00 filing fee.

The point of diversion under 4 has been changed to agree with your map.

Kindly complete the acreage in each 40-acre sub-division under 14, on page two, including the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 17, which you have not shown. Checks have been marked in the proper columns, as shown on your map.

Return the application when completed which must not be later than 60 days.

Very truly yours,

GEO. W. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. application with
receipt

30565

Permit No. 30565

July 19, 1962

Mr. Edgar P. Alleman,
Bennington, Idaho.

Dear Mr. Alleman:

We enclose Permit No. 30565 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. 31120 which was issued covering payment in the amount of \$ 5.00 for the filing fee of the above mentioned permit was ~~immediately returned~~ returned to you with our letter of July 3, 1962.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:pmk

Enc.

30565

NAME OF APPLICANT EDGAR P. ALLEMAN - - Bennington, Idaho

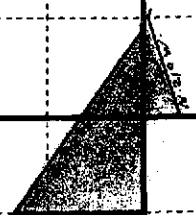
Form No. 0

Commencing at the Southwest corner of Section 9, Township 12 South, Range 44 East, Boise Meridian in Idaho; running thence East 7.00 chains; thence North 21°00' W. along street to intersection of "Mile Creek"; thence following a meander line along the center of "Mile Creek" 5.00 chains; thence South 35°30' W. 47.50 chains; thence East 27.00 chains; thence North 20.00 chains to the place of beginning.

TOWNSHIP 12 SOUTH, RANGE 44 EAST, BOISE MERIDIAN, IDAHO

8

9



17

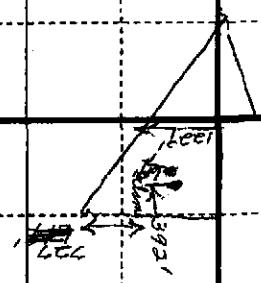
16

30565

Permit Map No. _____
As Approved DEC 12 1962
GEO. N. CARTER
State Reclamation Engineer

8

9



17

16

30565

March 14, 1962

RE: Application for Permit

Edgar P. Alleman
Bennington, Idaho

Dear Mr. Alleman:

Your letter of March 12 asks some very legal questions which can only be answered in general.

The State Statutes provide that any one can divert any unappropriated water. When your neighbor dug his reservoir, he apparently dried your spring and thereby took water which you had been using.

The neighbor has been using water running on to his land from your other springs which he is entitled to do as it had escaped from your control. I would not attempt to say how much right he has to that water.

Generally speaking, any water developed by draining wet ground belongs to the person who dug the drain and several District Courts have issued decrees for such water which was declared to be independent of the stream flow.

If you drill or dig a well at or near your group of springs you will probably dry the springs, especially if you pump the water from the well.

Your attorney should be able to give you much better advise than we can as we do not know the conditions on the ground.

We enclose two application forms, one for surface water and one for subterranean water.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Ralph W. Thomas
Deputy State Reclamation Engineer

RWT:mr
Enc. Form 1, 3, Instructions

30565

Bennington, Idaho
12 March 1962

State of Idaho
Department of Reclamation
Room 107 State House
Boise, Idaho

RECEIVED
MAR 13 1962

Department of Reclamation

Dear Sirs:

Please send me two applications for Permit to appropriate the subterranean waters of the State of Idaho. with the instructions pertaining to them.

I would also like some special advice and help.

A neighbor (namely Grove M. Phelps) who borders us on our south line has dug a storage reservoir about six feet south of our fence line. much of his land south and east of this reservoir was very wet. He put drainage tile through this to drain it to his reservoir. on our property about two hundred feet north of fence line we had a good spring which we used for livestock. and about twenty acres of wet pasture. When he dug the reservoir he dried up this spring and also that field, which was too wet to plow now it is so dry it is practically useless. We cannot even utilize it for any kind of pasture because of no water for livestock to drink.

Please inform us what must be done to regain this water. We understand water for household and livestock use holds priority over irrigation water. I do not know, at least to our knowledge he has never filed for a permit for this reservoir. He obtained government aid to build this reservoir, through the A S C program.

We have five other springs about $\frac{1}{4}$ mile north and west of the above described spring. This water percolates through the wet pasture and is used for the watering of livestock. sometimes some of this water has run through our fence and has been used by the neighbors adjoining for irrigation purposes. We want to develop these springs for irrigation purposes as well as for livestock use. We want to develop the heads of the springs and build a reservoir to catch the spring run off and catch the run off from these springs for irrigating. This water does not run in a well defined ditch channel. It has grass growing in the entire channel except about twenty feet just before it goes into the irrigation ditch on Grove M. Phelps's fence due to back up water when the irrigation ditch is full enough to make it back up there.

He informs us this water belongs to him because he has used the run off for a number of years. The past two years it has not run even to this fence line. According to two lawyers we have talked to he has to give us back water for livestock use in the south

30565

south field. and that we should be able to develop and store the water and utilize it from these other springs as long as we are able to do this before it gets into a well defined ditch channel.

We would like to file on these springs for this purpose , also for a well to be drilled for the same purpose.

Please give us whatever information you can that would help us to accomplish these projects with a minimum of cost to us. Let us know if this information is correct and if this is the proper procedure. Are we entitled to develop and use the water from these springs if we develop them?

Sincerely

Edgar P. Alleman

Edgar P. Alleman
Bennington, Idaho

PS. I am going to attempt to make a drawing of these springs and the lay of the land.

