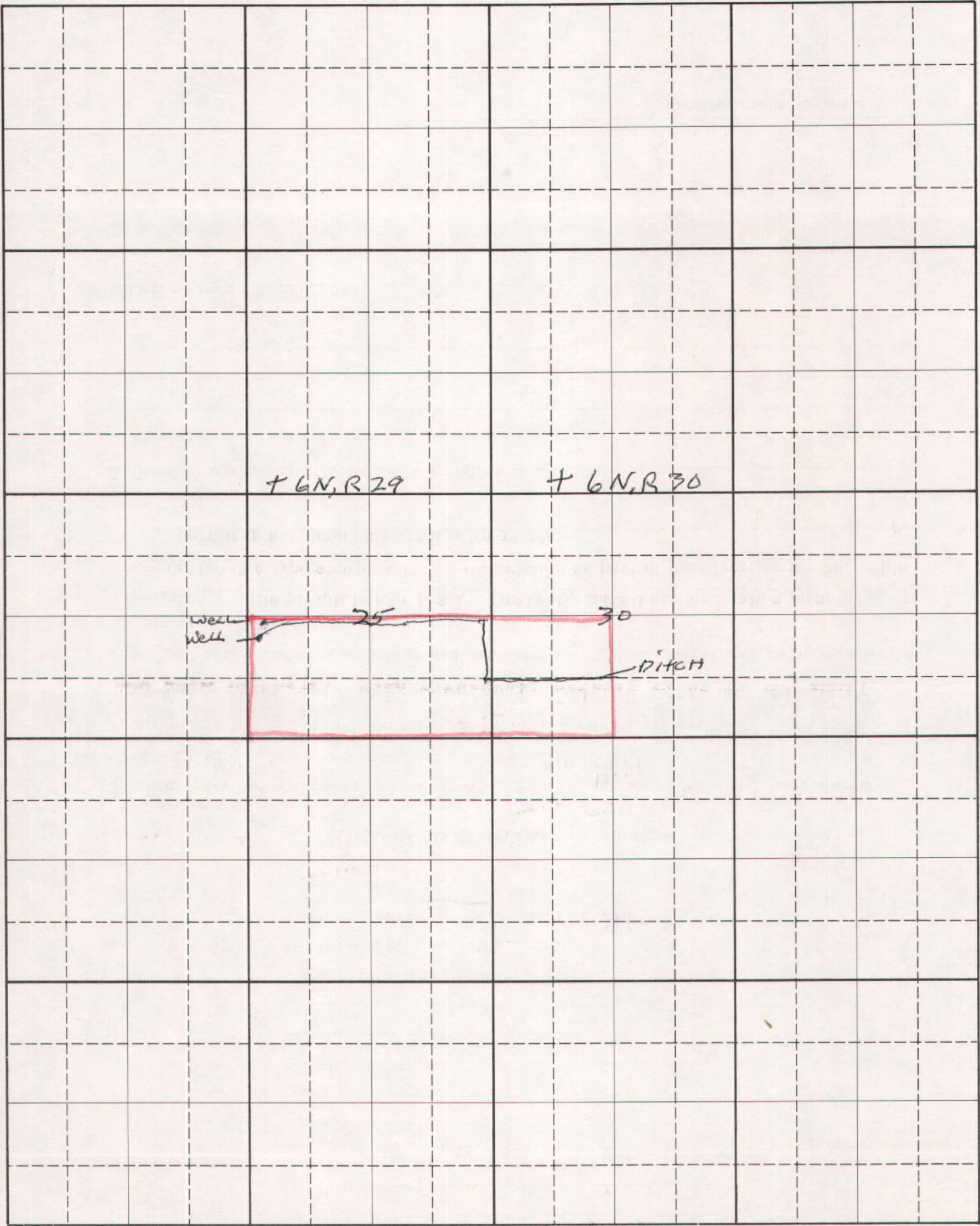


11. Map of proposed project:



Scale: 2 inches equal 1 mile

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

Clark Harshbarger
(Applicant)

TWP. 6N RANGE 29E COUNTY Butte SCALE: 1" = 1 MILE

36 31 32 33 34 35 36 31

LEGEND

- - APPLICANTS WELL
- - IRRIGATION
- - DOMESTIC & STOCK

1 6 5 4 3 2 6

12 7 8 9 10 11 12 7

13 18 17 16 15 14 13 18

24 19 20 21 22 23 24 19

25 30 29 28 27 26 25 30

36 31 32 33 34 35 36 31

1 6 5 4 3 2 1 6

33-7009

Affidavit of Publication

RECEIVED

MAY 6 1970

Department of Reclamation

I, Elizabeth L. Brammer, of the Arco Advertiser, a weekly newspaper of general circulation, published weekly at Arco, Idaho, since March, 1909, do solemnly swear that a copy of this notice, per clipping attached, was published weekly in the regular and entire issue of said newspaper, and not in any supplement thereof, for two (2) consecutive weeks, commencing with the issue dated April 16, 1970

and ending with the issue dated April 23, 1970

Elizabeth L. Brammer

Subscribed and sworn to before me this

27 day of April, 1970

Betty J. Mayo

Notary Public.

Residence: Arco, Idaho.

My commission expires 2-4, 1972

PUBLIC NOTICE

NOTICE OF APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Notice is hereby given that Clark Harshbarger, Howe, Idaho, has on April 1, 1970, submitted Application No. 33-7009 to appropriate the public waters of a groundwater source.

The application proposes a maximum diversion and appropriation of 8.0 cubic feet per second of water to be diverted by wells, pumps and ditches within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ (2 points), Sec. 25, T. 6 N., R. 29 E., B.M., Butte County, and is to be used within the S $\frac{1}{2}$ Sec. 25, T. 6 N., R. 29 E., B.M. and within the SW $\frac{1}{4}$ Sec. 30, T. 6 N., R. 30 E., B.M. from April 1 to October 15 for the irrigation of 480 acres.

Any permit issued pursuant to this application will be subject to ALL PRIOR WATER RIGHTS and subject to the CONTROL OF A STATE WATERMASTER. Any protest against this application must be filed with the Idaho Department of Reclamation on or before May 4, 1970.

R. KEITH HIGGINSON,

State Reclamation Engineer.

Published in the Arco Advertiser, Arco, Idaho, on April 16 and April 23, 1970.

33-7009

Rge - 29E

Rge - 30E

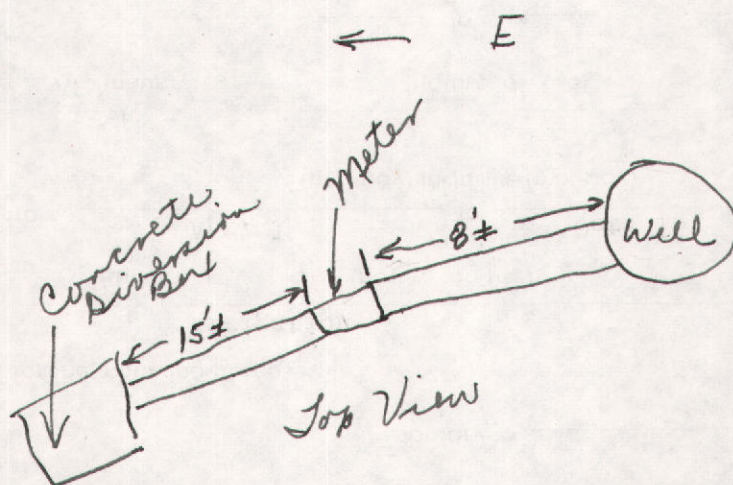
T
6
N

WELL

25 30

39	40	40	39	4.3	40
38	39	39	38	4.4	39

Diagram of System



P 29E



T. 6 N.

COUNTY ROAD

COUNTY ROAD

H O W
DITCH FROM WELL
CULVERT

14 19
15 30

15000
S. 10000

B 18.4

B-162
W. Stauffer
16.9

C 18.1

D 18.0

22.9

B-33
J. Anderson
13.3

36.6

N
36.4

J
26.5

26.5

J-1
22.3

K
34

L
15.5

D
23.9

E
15.5

F
17.5

R 30E

25 30
36 31

L. 4
36 73.5

39

B-1
H. Stucki
STUCKI

36.7 40

B L. 3
22.8 31

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 33-7009 Priority April 1, 1970 Amount 8.0 cfs

THIS IS TO CERTIFY, that J. W. STUCKI

of Rexburg, Idaho, has complied with the terms and conditions of Permit No. 33-7009 issued pursuant to Application for Permit dated April 1, 1970, and has submitted proof to the Department of Water Resources on November 15, 1973, that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity for the diversion of 9.47 cfs of water from a ground water source, 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>Irrigation</u>	from <u>April 1</u> to <u>Oct. 15</u>	at <u>8.0</u> cfs and	<u>1,374 acre feet or</u>
	from _____ to _____	at _____ cfs and	<u>3.0 af per acre</u>
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 8.0 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 1,374 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 25,
Twp. 6 N, Rge. 29 E, B.M. in the County of Butte

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 $\frac{1}{4}$	
6 N	29 E	25									40	39	38	39	39	40	39	38	312
6 N	30 E	30									40	L.3 31	L.4 36	39					146

Total number of acres irrigated 458

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

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

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 10 day of March, 19 75.

Director

MICROFILMED

State of Idaho

Department of Water Administration

RECEIVED

OCT 30 1973
cw

ASSIGNMENT OF PERMIT

Department of Water Administration
Eastern District Office

I, Clark Harshbarger, hereby assign to J. W. Stucki
of Box 345, Rexburg, Idaho Address

CHECK ONE

☒ All my right, title, and interest, in and to Permit No. 33-7009
to appropriate the public waters of the State of Idaho.

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

Made this 2nd day of October, 19 73.

Clark Harshbarger
Permit Holder

Geraldine J. Harshbarger
Spouse of Permit Holder

State of Idaho)
County of Butte) ss.

On this 2nd day of October, 19 73, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged
to me that he (she) (they) executed the same.

Edna H. Mefford
Notary Public residing at
Arco, Idaho

My commission expires: 10-16-1974

32 7009

LICENSE ISSUED FOR 8.0 SEC. FT.
LICENSE PAGE NO. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

Identification No. 33-7009
Application No. _____

APPROVED

ASSIGNED TO: J. W. Stucki, Box 345,
Rexburg, Idaho 83440

1. Name of applicant Clark Harshbarger
post office address Howe, Idaho 83244
2. Source of water supply Underground which is a tributary of _____
3. a. Location of point of diversion is NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 25 Township 6 North
Range 29 E. B.M. Butte County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M.
4. Quantity to be appropriated:
a. Eight cubic feet per second and/or
b. _____ acre feet per annum will be stored.
5. Water will be used for the following purposes:
Irrigation purpose from April 1 to October 15 (both dates inclusive)
_____ purpose from _____ to _____ (both dates inclusive)
_____ purpose from _____ to _____ (both dates inclusive)
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. 2 wells and pumps. Ditches
have been constructed and will carry approximately 1000 inches
of water.

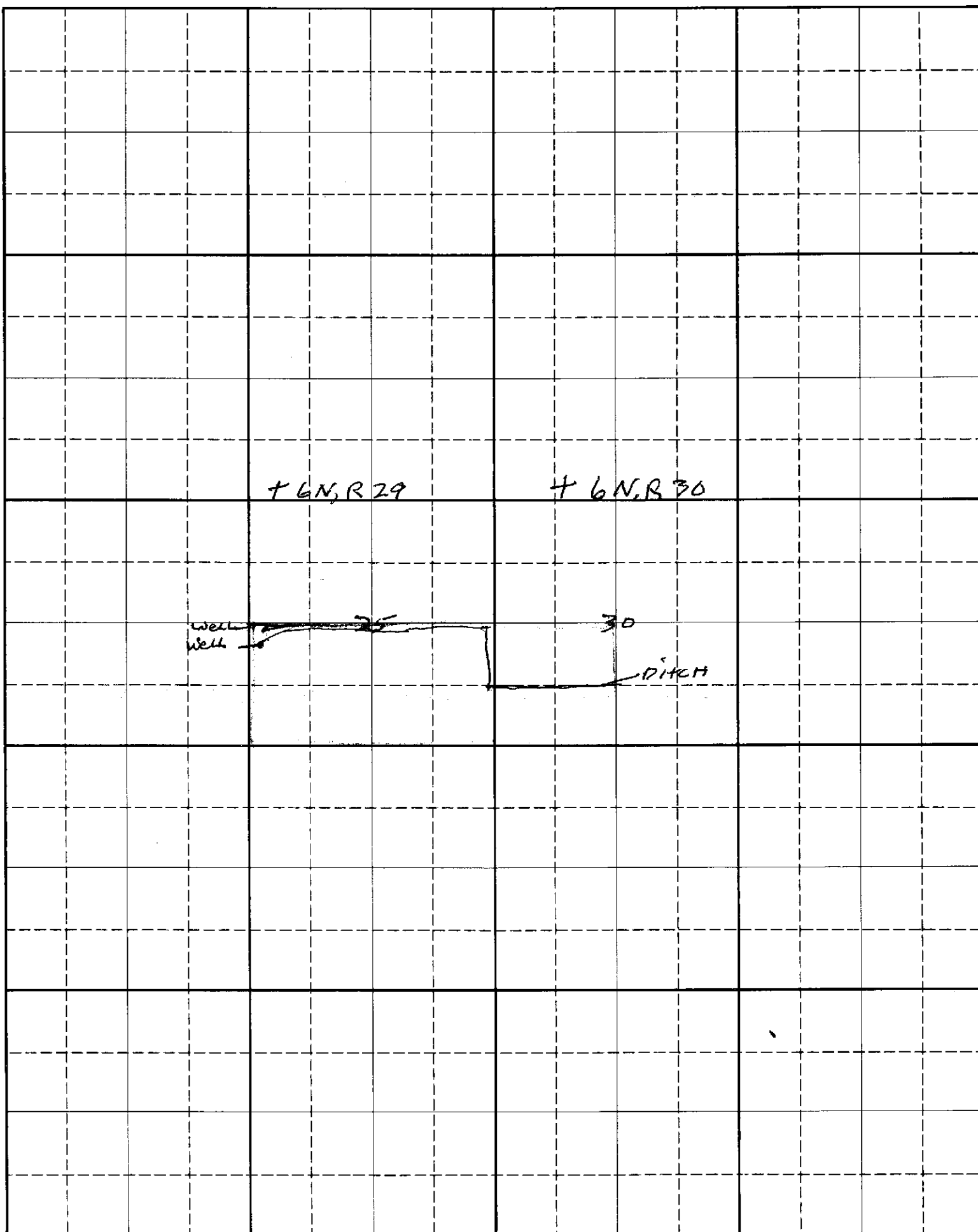
b. Height of storage dam _____ feet; active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet; materials used in storage dam: _____

c. Proposed well diameter is 16 inches; proposed depth of well is 250 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is five years.
b. Estimated construction cost is \$ 16,000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M.
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

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

33-7009

11. Map of proposed project:



Scale: 2 inches equal 1 mile

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

Clark Harsbarger
(Applicant)

33-7009

Received by Bill Date 4-1-78 Time 8:00 a
Preliminary check by Bill Fee \$ 55.00
Received by Bill Date 4-8-78
Publication prepared by Bill Date 4-8-78
Published in the Administration
Publication dates 4-16+23-78
Publication approved Bill Date 5-11-78
Priority reduced to _____ Reason _____
Protests filed by: _____
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by Bill

ACTION OF STATE RECLAMATION ENGINEER

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 33-7009, and said application is hereby APPROVED

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 19 75.

c. Other: The permit holder shall permanently install and maintain a measuring

device of a type approved by the department as part of the diverting works. This
permit is supplemental to all prior rights.

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

Witness my hand this 20th day of May, 19 70.

State Reclamation Engineer

DEPARTMENT OF RECLAMATION

STAFF ANALYSIS

Application No.	33-7009	Name	Clark Harshbarger
Source	groundwater		
Point of Diversion	NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 25, T. 6N, R. 29E, B.M., Butte County		
Quantity	8.0	Use	irrigation
		Period	April 1 - Oct. 15
Quantity		Use	
		Period	
Quantity		Use	
		Period	
Well Size	16	Diameter	Proposed Depth 250 Feet
Use	480 acres		
Date Forwarded	4-8-70	Date Returned	4-6-70
		Received by	Dave

RECOMMENDATIONS: Water table is stable or rising in the immediate area (Water Bulletin's 5 and 11). Ground-water development for irrigation is heavy as evidenced by the driller's logs. Wells are not highly productive with moderate drawdowns. Sediment aquifer.

Allowed Qty.	8.0	Use	IRRIGATION	Period	4-1 to 10-15	AF	1440	AFA	3.0
Maximum Qty.	9.6	Use	IRRIGATION	Period	4-1 to 11-1	AF	1440	AFA	3.0
Qty.		Use		Period		AF		AFA	

ACTION: Approved ☒ Denied ☐

Conditions of approval or reason for denial: Minimum well spacing of 1000 feet should be recommended to avoid possible well interference.

INVESTIGATION By Norman P. Young Title LWR I II
Date April 9, 1970

TWP. 6N RANGE 29E COUNTY Butte SCALE: 1" = 1 MILE

36 31 32 33 34 35 36 31

LEGEND

- - APPLICANT'S WELL
- - DOMESTIC STOCK

1 6 5 4 3 2 6

12 7 8 9 10 11 12 7

13 18 17 16 15 14 13 18

24 19 20 21 22 23 24 19

25 30 29 28 27 26 25 30

36 31 32 33 34 35 36 31

1 6 5 4 3 2 1 6

33-7009

Affidavit of Publication

I, Elizabeth L. Brammer, of the Arco Advertiser, a weekly newspaper of general circulation, published weekly at Arco, Idaho, since March, 1909, do solemnly swear that a copy of this notice, per clipping attached, was published weekly in the regular and entire issue of said newspaper, and not in any supplement thereof,

for two (2) consecutive weeks, commencing with the issue dated April 16, 1970

and ending with the issue dated April 23, 1970

Elizabeth L. Brammer

Subscribed and sworn to before me this

27 day of April, 1970

Betty J. Mayo

Notary Public.

Residence: Arco, Idaho.

My commission expires 2-4, 1973

PUBLIC NOTICE

NOTICE OF APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Notice is hereby given that Clark Harshbarger, Howe, Idaho, has on April 1, 1970, submitted Application No. 33-7009 to appropriate the public waters of a groundwater source.

The application provides for a maximum diversion and appropriation of 8.0 cubic feet per second of water to be diverted by wells, pumps and ditches from the NW 1/4 SW 1/4 12 point Sec. 25, T. 6 N., R. 29 E., Blaine County, and is to be used for the S 1/2 Sec. 25, T. 6 N., R. 29 E., B.M. and within the NW 1/4 Sec. 30, T. 6 N., R. 29 E., B.M. from April 1 to October 1, 1970, for the irrigation of 480 acres.

Any permit issued pursuant to this application will be subject to ALL PRIOR WATER RIGHTS and subject to the provisions of A STATE WATER MASTER. Any protest against this application must be filed with the Idaho Department of Reclamation on or before May 1, 1970.

R. KEITH HIGGINSON,
State Reclamation Engineer

Published in the Arco Advertiser, Arco, Idaho, on April 16 and April 23, 1970.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

Governor

A. KENNETH DUNN

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

March 2, 1987

John Stratman
Metropolitan Life
1001 South 24th Street West
Suite 103
Billings, MT 59102

Brian Fields
Metropolitan Life
P.O. Box 7096
Great Falls, MT 59406

Re: Bob Chambers Water Rights/License Nos. 33-7009, 33-7025, &
33-7065.

Gentlemen:

It has been brought to my attention that a condition on Water Right License No. 33-7065 issued in the name of Robert R. Chambers is incorrect. The condition reads: "This right when combined with 33-7009 and 33-7025 shall provide no more than 3.96 cfs." The condition is not appropriate in that it can be interpreted to mean that License No. 33-7065 restricts the flow rate previously licensed under 33-7009 and 33-7025.

We interpret the Idaho statutes governing licensing for a water right as not giving the authority to adjust previous licenses as part of the licensing process. In other words, License No. 33-7065 cannot reduce the amounts previously licensed under 33-7009 and 33-7025.

We intend to correct the misleading condition shown on License No. 33-7065. The correction process will require a re-examination of Mr. Chambers' system in the summer of 1987. At that time, an amended water right license will be issued, and appropriate conditions attached to reflect the capacity of his system.

I hope that this letter satisfies any questions which have hampered efforts by Mr. Chambers to obtain financing.

Sincerely,

A handwritten signature in cursive script, reading "Gary Spackman".

GARY SPACKMAN, Supervisor
Water Allocation Section

GS:jf

CC: Eastern Region
Bob Chambers



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

March 10, 1975

Re: Permit Nos. 33-7029, & 33-7009

J. Wendell Stucki
Box 345
Rexburg, Idaho 83440

Dear Mr. Stucki:

Enclosed herewith are copies of the water licenses issued on the above referenced permits.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jfr

Enclosure

MICROFILMED

WATER RESOURCE BOARD:

John F. Streiff
Chairman

Franklin Jones
Member

George L. Yost
Vice-Chairman

M. Read Hansen
Member

Donald R. Kramer
Secretary

Scott W. Reed
Member

Edwin C. Schlender
Member

Joseph H. Nettleton
Member

February 18, 1975

J. W. Stucki
Box 345
Rexburg, Idaho 83440

Dear Mr. Stucki:

A representative of this Department has made an examination of the works covered by your Permit No. 33-7009 and has found the following:

Quantity of water diverted: 9.47 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 8.0 cfs

The maximum quantity diverted shall not exceed 1,374 acre feet per year.

Beneficial use: For irrigation of 458 acres within the S₁, Sec. 25, Twp. 6N, Rge. 29E and SW₁, Sec. 30, Twp. 6N, Rge. 30E

Point of diversion: NW₁SW₁, Sec. 25, Twp. 6N, Rge. 29E, B.M.

Priority date established: April 1, 1970

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

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jr

MICROFILMED

42,7

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

RECEIVED

1. Name of permit holder J. W. Stucki

Post office address Box 345, Rexburg, Idaho 83440

Phone NOV 22 1972

Person to contact L3 550 T6NR30E

Phone NOV 22 1972

2. Source of water supply: Groundwater ☒ Surface water ☐ _____
(name spring, stream, etc.)
Tributary to _____

3. Water will be used for the following purposes:

Amount 8 c.f.s. for irrigation
_____ AF/Annum (nature of use)

Period of Use: from Apr. 1 to Oct. 15
(mo.-day) inclusive (mo.-day)

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

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

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

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

Other uses: _____

Permit No. 33-7009
Examination for b/u

4. Total amount to be appropriated:

Max Rate of Diversion 8 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 6N N/S, Range 29E E/W, B.M., Section 25, Subdivision NW $\frac{1}{4}$ SW $\frac{1}{4}$, Butte
County

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

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

Other Points of Diversions: _____

Description of diverting works: Subterranean well - 400 hp pump & motor, 16" casing, 740' deep.

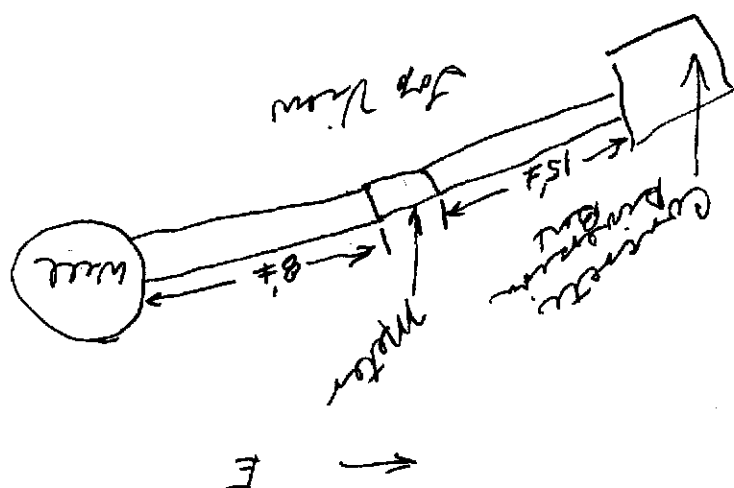
Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
6N	29E	25									40	40	40	40	40	40	40	40	320
6N	30E	30									40	40	40	40					160

MICROFILMED

TOTAL ACREAGE 480

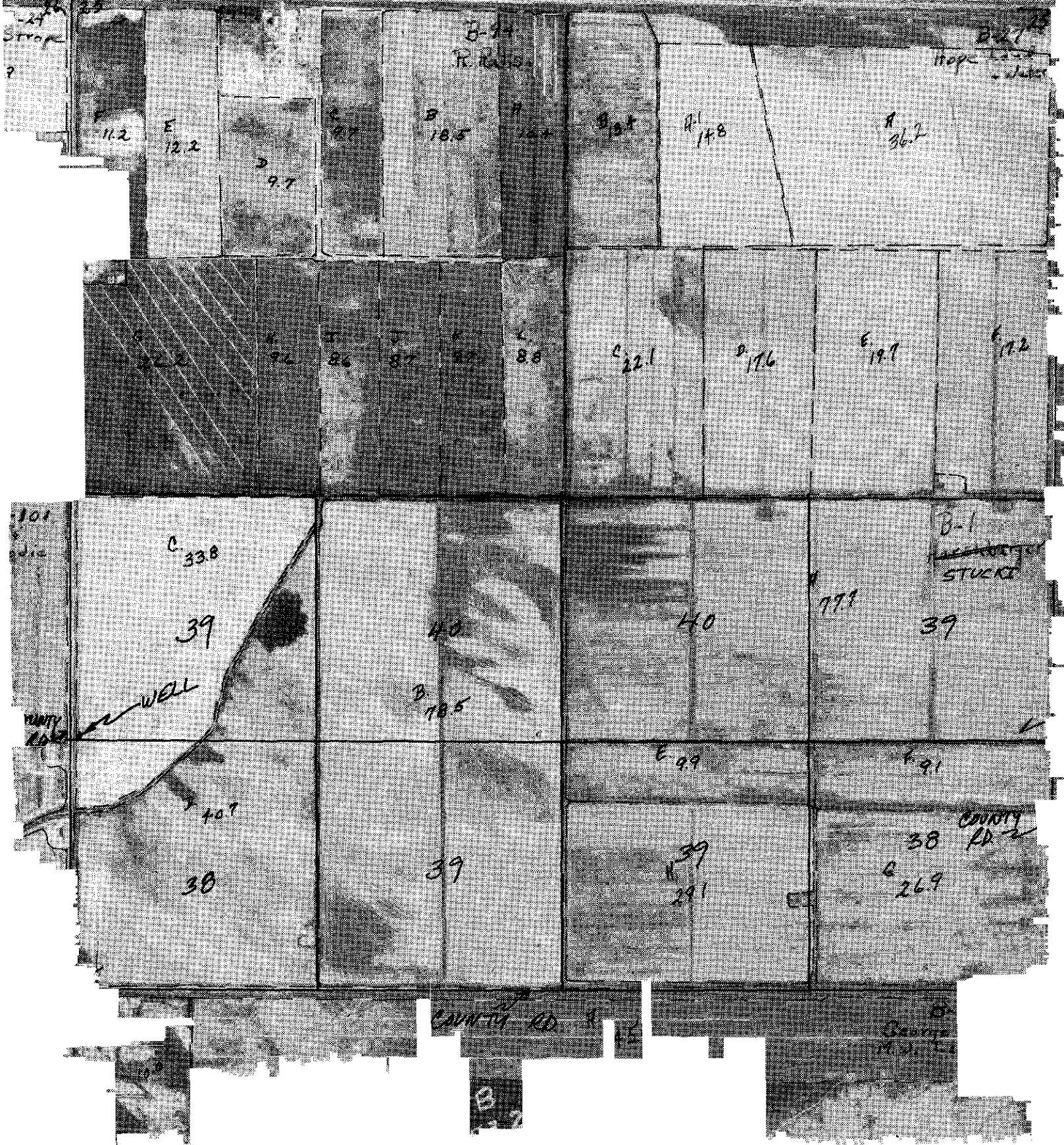


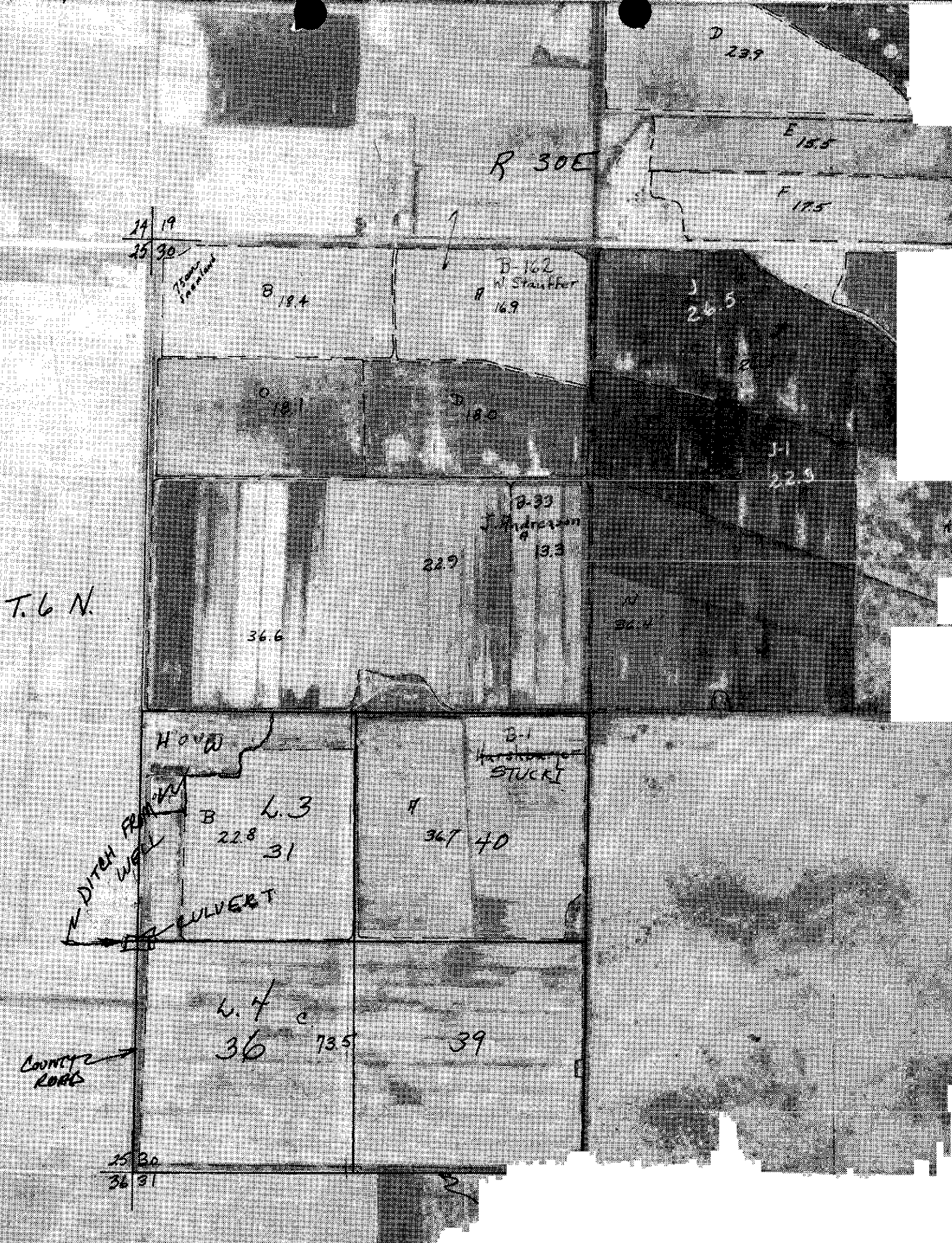
38	39	38	39	38	39
39	40	39	40	40	40

WELL

30

P 29E





D 23.9

R 30E

E 15.5

F 17.5

24 19
25 30

Thompson
Inland

B 18.4

B-162
N. Stauffer
16.9

J 26.5

O 18.1

D 18.0

J-1
22.5

T. 6 N.

36.6

B-33
J. Anderson
19.3

22.9

N
36.4

H 00.0

B-1
H. Anderson
STUCK

N. DITCH FROM
WELL
CULVERT

B L.3
22.8
31

A
36.7 40

COUNTY
ROAD

L. 4
36 73.5

39

25 30
26 31

DATE OF EXAM July 3, 1974

ACREAGE
Found 458
Recommended 458

Irrigation Requirement 3 Ac Ft/Ac

USE
Irrigation Q = 8.0 c.f.s. V = 1168 AF/Ann. from Apr 1 to Oct 15
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ☒

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

Exchange? yes _____ no ☒

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

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

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

Total Q measured 9.47 CFS Method of measurement McCrometer Meter

Total Q recommended 8.0 CFS Meter No. 7214129 Type In line Condition excellent

Total V recommended 1168 AF/ANN

Recommended Amendments:
P.D. _____
Place of Use _____
Other _____
None ☒

MEASUREMENT CALCULATION:
Discharged 435.6 cu ft in 51 seconds = 8.54 CFS
see discharge on exam 33-7025 7/29/74 - Discharged 435.6 cu ft in 46 sec = 9.47 CFS

$V = (458)(3) = 1374 \text{ AF} < (8)(1.983)(200)$
Allow 85% of V under this permit or 1168 AF and remainder
under 33-7025 of total Q diverted under this permit 33-7025
SYSTEM DESCRIPTION:
400 HP G.E. Motor #EJTS33015 with Layne Bowler pump #7406700
12" diam discharge pipe increasing to 14" D through meter then to
cement headbox where water can be diverted north or south

REMARKS:
Contacted Gene Phillips - windrowing hay on ranch
Permit 33-7025 on same well & land

Examiner's Signature John Fischeauer Date July 3, 1974
Checked by Loren O Halmer Date Dec 4, 1974
Approved by _____ Date _____

INTER-DEPARTMENT MEMO — 1

FROM Mechelle

DATE November 14, 1973

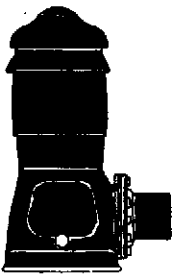
TO Darlene

SUBJECT Permit No. 33-7009

Attached is a letter received this date in regards to the above subject. This permit was assigned to J. W. Stucki on October 30, 1973. Was this information requested?


SIGNATURE

33 7009



Mel Brown

C O M P A N Y

IRRIGATION PUMPS & SPRINKLERS

AREA CODE 208
DIAL 522-7001

Branch Offices at:
TWIN FALLS, IDAHO
MOUNTAIN HOME, IDAHO

IDAHO LICENSED C. E. NO. 646
WYOMING LICENSED C. E. NO. 696
CALIFORNIA LICENSED C. E. NO. 5947
SOUTH DAKOTA LICENSED C. E. NO. 1575

SOUTH UTAH AVENUE
P. O. BOX 1181
IDAHO FALLS, IDAHO
11-12-73 83401

State of Idaho Water Resource Commission
1515 Lincoln Road
Idaho Falls, Idaho 83401

Gentlemen:

This letter is to advise you that J.W. Stucki of Rexburg, Idaho has purchased a 400 HP electric pump capable of producing 4100 gallons per minute at about 300' depth for his farm at Howe, Idaho.

He has also purchased a Micrometer Water Meter to measure the flow of this pump.

Yours very truly,

Mel Brown Company

Leon Esplin

Leon Esplin
Sales Dept.

LE:vr

RECEIVED

NOV 12 1973

Department of Water - Boise, Idaho
Boise, Idaho Office

33 7009

November 23, 1973

Re: Permit No. 33-7009

J. Wendell Stucki
Box 345
Rexburg, Idaho 83440

Dear Mr. Stucki:

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

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

If you have any questions regarding the field exam, please contact our Eastern District Office at 1515 Lincoln Road, Idaho Falls, Idaho.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JC

33 7009

RECEIVED

NOV 15 1973

Department of Water Administration
Eastern District Office

Identification No. _____

Permit No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder J. Wendell Stucki
b) Post Office Address Box 345, Rexburg, Idaho 83440
2. Permit Number 33-7009
3. Date of Priority that you are prepared to establish April 1, 1970
4. a) Source from which water was appropriated groundwater
b) Location of the point of diversion: NW 1/4 SW 1/4, Section 25
Township 6N, Range 29E Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
amount 8.0 ~~cfs~~ for Irrigation purposes from April 1 to Nov. 1 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 8.0 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: Mel Brown Pump Co. made the measurement
They are a qualified and experienced pump company.
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: N.A.
b) Describe the agreement or understanding by which you take water from the works: N.A.
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) Subterranean Well - 400 H.P. Pump & Motor
16 inch casing, 740 ft. well.
b) Describe the type and size of measuring device which you have installed at your point of diversion: McCrometer - 14 inch
c) Give well drillers name and address and date the well was completed Sherman Couch
Burley, Idaho 1969

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

of use

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

Stons

[illegible]

Total number of acres irrigated 450

10. Remarks: In 1969 a 200 H.P. Pump and motore was installed but Mel Brown Pump Company

is installing a 400 H.P. pump and motore which will more adequately irrigate the

• ခရီးစဉ်များ များ

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

(Date)

November 6, 1973

(Signature)

State of Illinois)
County of Madison) ss.

33.

Matham

On this 6th day of November, 1973, personally appeared before me the signers) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

49

day of

November, 1973

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

John S. Taylor

Notary Public residing at _____

Boxing 7/10/10

My commission expires _____

44-92-8



Mel Brown

C O M P A N Y

IRRIGATION PUMPS & SPRINKLERS

AREA CODE 208
DIAL 522-7001

Branch Offices at:
TWIN FALLS, IDAHO
MOUNTAIN HOME, IDAHO

IDAHO LICENSED C. E. NO. 646
WYOMING LICENSED C. E. NO. 696
CALIFORNIA LICENSED C. E. NO. 5947
SOUTH DAKOTA LICENSED C. E. NO. 1575

SOUTH UTAH AVENUE
P. O. BOX 1181
IDAHO FALLS, IDAHO
11-12-73 83401

RECEIVED

NOV 15 1973

Department of Water Administration
Eastern District Office

Mr. Blair Archibald
Federal Land Bank Assoc. of Bft.
188 West Judicial
Blackfoot, Idaho 83221

Dear Mr. Archibald:

This letter is to advise you that J.W. Stucki of Rexburg, Idaho has purchased a 400 HP electric pump capable of producing 4100 gallons per minute at about 300' depth for his farm at Howe, Idaho.

He has also purchased a Micrometer Water Meter to measure the flow of this pump.

Yours very truly,

Mel Brown Company

Leon Esplin

Leon Esplin
Sales Dept.

LE:vr

33 7009

November 1, 1973

Re: Permit No. 33-7009

J. W. Stucki
Box 345
Rexburg, Idaho 83440

Dear Mr. Stucki:

We acknowledge receipt of the assignment conveying the above referenced permit to you. The assignment has been recorded and the Department's records changed.

If you have any questions, please contact us.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JC

WELL DRILLER'S REPORT

State law requires that this report be filed with the State Reclamation Engineer
within 30 days after completion or abandonment of the well.

1. WELL OWNER

Name CLARK and LYNN HARSHBEEGERAddress HOWE IDAHOOwner's Permit No. 33-7009

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement☐ Abandoned (describe method of abandoning)

3. PROPOSED USE

☐ Domestic ☒ Irrigation ☐ Test☐ Municipal ☐ Industrial ☐ Stock

4. METHOD DRILLED

☒ Cable ☐ Rotory ☐ Dug ☐ Other

5. WELL CONSTRUCTION

Diameter of hole 16 inches Total depth 525 feetCasing schedule: ☒ Steel ☐ Concrete

Thickness	Diameter	From	To
<u>250</u> inches	<u>16</u> inches	<u>plus 1</u> feet	<u>393'7"</u> feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Was a packer or seal used? ☐ Yes ☒ NoPerforated? ☐ Yes ☒ NoHow perforated? ☐ Factory ☐ Knife ☐ Torch

Size of perforation _____ inches by _____ inches

Number	From	To
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet

Well screen installed? ☐ Yes ☒ No

Manufacturer's name _____

Type _____ Model No. _____

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

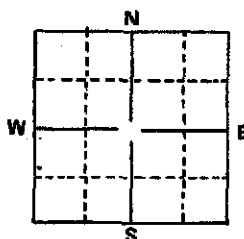
Gravel packed? ☐ Yes ☐ No Size of gravel _____

Placed from _____ feet to _____ feet

Surface seal? ☒ Yes ☐ No To what depth 18 feet.Material used in seal ☐ Cement grout ☒ Puddling clay

6. LOCATION OF WELL

Sketch map location must agree with written location.



33 7009

County _____

_____ 1/4 _____ 1/4 Sec. _____, T. _____ N/S, R. _____ E/W

7. WATER LEVEL

Static water level 259 feet below land surfaceFlowing? ☐ Yes ☒ No G.P.M. flow _____

Temperature _____ ° F. Quality _____

Artesian closed-in pressure _____ p.s.i.

Controlled by ☐ Valve ☐ Cap ☐ Plug

8. WELL TEST DATA

☐ Pump ☒ Bailer ☐ Other

Discharge G.P.M.	Draw Down	Hours Pumped
_____	_____	_____
_____	_____	_____
_____	_____	_____

9. LITHOLOGIC LOG

Hole Diam.	Depth		Material	Water	
	From	To		Yes	No
20	0	3	top soil		
	3	26	large gravel		
16	26	50	sandy gravel		
	50	55	cemented gravel		
	55	61	sandy gravel (cased out)	X	
	61	75	sand		
	75	111	sandy clay		
	111	117	sandy clay		
	117	142	sand		
	142	153	sandstone and clay		
	153	165	sandy clay		
	165	244	clay some sand		
	244	250	sand		
	250	257	sticky clay		
	257	261	clay and gravel		
	261	369	sandy clay		
	369	392	sticky clay and sandstone		
	392	407	gray lava hard		
	407	410	brown lava loose		
	410	428	gray lava solid		
	428	436	red broken lava and		
			lava cinders loose	X	
	436	443	gray lava solid		
	443	449	gray lava hard		
	449	466	brown lava solid		
	466	474	red and brown cinders		
			loose lost most cutting	X	
	474	487	gray lava solid		
	487	492	gray lava hard		
	492	497	brown lava solid		
	497	500	brown clay and boulders		
	500	525	brown clay		

10.

Work started 4-3-70 finished 4-21-

11. DRILLER'S CERTIFICATION

This well was drilled under my supervision and this report is
true to the best of my knowledge.

DRILLER'S CERTIFICATION

Driller's or Firm's Name _____

Number _____

Address _____

Address _____

Signed By _____

Date 33-7009

May 21, 1970

Re: Permit No. 33-7009

Mr. Clark Harshbarger
Howe,
Idaho 83244

Dear Mr. Harshbarger:

We enclose a copy of your approved application for permit 33-7009 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

Very truly yours,

C. Stephen Allred, ~~Assistant~~ Deputy
State Reclamation Engineer

CSA:kh

Enclosures: Copy of permit
Receipt No. 4400 for \$55
2 informational letters

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

cc. Mr. Robert B. Holden
Holden, Holden, Kidwell, Hahn & Crapo
P.O. Box 129
Idaho Falls, Idaho 83401

33-7009

May 5, 1970

Re: Application for Permit No. 33-7009 - Clark Harshbarger
Claim to a Water Right No. 34-4004 - John McAfee

Arco Advertiser
P.O. Drawer C
Arco, Idaho 83213

Gentlemen:

Would you please submit an affidavit of publication and a certified bill in connection with the above referenced item(s). The legal notice was to be published in your paper on April 16 and April 23, 1970.

As the above permit application cannot be approved until we are in receipt of the affidavit, it is important that we receive it as soon as possible.

May we please have your prompt attention to this matter.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR

33-7009

PUBLIC NOTICE

NOTICE OF APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Notice is hereby given that Clark Harshbarger, Howe, Idaho, has on April 1, 1970, submitted Application No. 33-7009 to appropriate the public waters of a groundwater source.

The application proposes a maximum diversion and appropriation of 8.0 cubic feet per second of water to be diverted by wells, pumps and ditches within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ (2 points), Sec. 25, T. 6 N., R. 29 E., B.M., Butte County, and is to be used within the S $\frac{1}{2}$ Sec. 25, T. 6 N., R. 29 E., B.M. and within the SW $\frac{1}{4}$ Sec. 30, T. 6 N., R. 30 E., B.M. from April 1 to October 15 for the irrigation of 480 acres.

Any permit issued pursuant to this application will be subject to ALL PRIOR WATER RIGHTS and subject to the CONTROL OF A STATE WATERMASTER. Any protest against this application must be filed with the Idaho Department of Reclamation on or before May 4, 1970.

R. KEITH HIGGINSON,
State Reclamation Engineer.

Published in the Arco Advertiser, Arco, Idaho, on April 16 and April 23, 1970.

April 8, 1970

Re: Application for Permit No. 33-7009 - Clark Marshbarger
Claim to a Water Right No. 34-4004 -- John McAfee

Arco Advertiser
P.O. Drawer C
Arco, Idaho 83213

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

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

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

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

(Signature of the claimant)

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR
Enc: Legal notices (2)

*Bill submitted
5-11-70
DW*

33-7009

NOTICE OF APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Notice is hereby given that Clark Harshbarger, Howe, Idaho,

has on April 1, 1970,

submitted Application No. 33-7009 to appropriate the public waters of
a groundwater source

~~The proposed uses are~~

The application proposes a maximum diversion and appropriation of 8.0

cubic feet per second ~~444/944~~ of water to be diverted by wells, pumps and
ditches

within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ (2 points),

Sec. 25, T. 6N, R. 29E, B.M., Butte County,

and is to be used within the S $\frac{1}{2}$ Sec. 25, T. 6N, R. 29E, B.M. and within the

SW $\frac{1}{4}$ Sec. 30, T. 6N, R. 30E, B.M. from April 1 to October 15 for the irrigation
of 480 acres

Any permit issued pursuant to this application will be subject to ALL PRIOR
WATER RIGHTS and subject to the CONTROL OF A STATE WATERMASTER. Any protest
against this application must be filed with the Idaho Department of Reclamation on
or before April 27, 1970 5-4-70.

R. KEITH HIGGINSON

State Reclamation Engineer

Published in the Arco Advertiser, Arco, Idaho,

on April 16 and April 23 1970

KD.

33-7009

LAW OFFICES

HOLDEN, HOLDEN, KIDWELL, HAHN & CRAPO

IDAHO FIRST NATIONAL BANK BUILDING

P. O. BOX 129

IDAHO FALLS, IDAHO 83401

TELEPHONE 523-0620

AREA CODE 208

ARTHUR W. HOLDEN (1877-1967)

WILLIAM S. HOLDEN
ROBERT B. HOLDEN
R. VERN KIDWELL
FRED J. HAHN
TERRY L. CRAPO
KENT W. FOSTER
ROBERT E. FARNAM

March 31, 1970

Idaho Department of Reclamation
Room 107
Statehouse
Boise, Idaho 83701

Gentlemen:

We are enclosing application of Clark Harshbarger for
a permit to appropriate the public waters of the State of
Idaho.

Also enclosed is a check in the amount of \$55.00 in
payment of the filing fee.

Very truly yours,

Robert B. Holden
Robert B. Holden

RBH:sr

*all water Rights
Combined 950 inches
Total Acreage 880*

33-7009