

Affidavit of Publication

RECEIVED

AUG 13 1975

Department of
Eastern District Office

I, Le Ella Cammack, 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 2 consecutive weeks, commencing with

the issue dated June 26, 1975

and ending with the issue dated July 3, 1975

Le Ella Cammack

Subscribed and sworn to before me this

8th day of August, 1975

OT Jones
Notary Public

Residence: Arco, Idaho.

My commission expires Nov 6, 1980

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that
Darrell Barrett, Howe, Idaho,
has received an approved Per-
mit No. 32439/33-2121 issued
by the Idaho Department of
Water Resources authorizing
the diversion of 3.2 cubic feet
per second of water from a
ground water source. The pri-
ority to be established under
this permit is July 9, 1965, and
the permit was approved July
16, 1965.

Water is to be diverted by
well, pump and motor from a
point within the NW $\frac{1}{4}$ SW $\frac{1}{4}$
and NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 27, Twp.
6N, Rge. 29 E, B.M., Butte
County, to be used for the ir-
rigation of 160 acres in the
SW $\frac{1}{4}$, Sec. 27, Twp. 6 N, Rge.
29 E, B.M.

Proof of the application of
the water to beneficial use was
submitted to the Department
on November 1, 1974. Any pro-
test against the issuance of the
license for the above refer-
enced permit should be filed
with the Idaho Dept. of Water
Resources, State Capitol, Boise,
Idaho, 83720, within ten (10)
days of the last date of publi-
cation of this notice.

R. KEITH HIGGINSON
Director

Published in the Arco Adver-
tiser at Arco, Idaho, on June
26, 1975 and July 3, 1975.

MICROFILMED

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29N

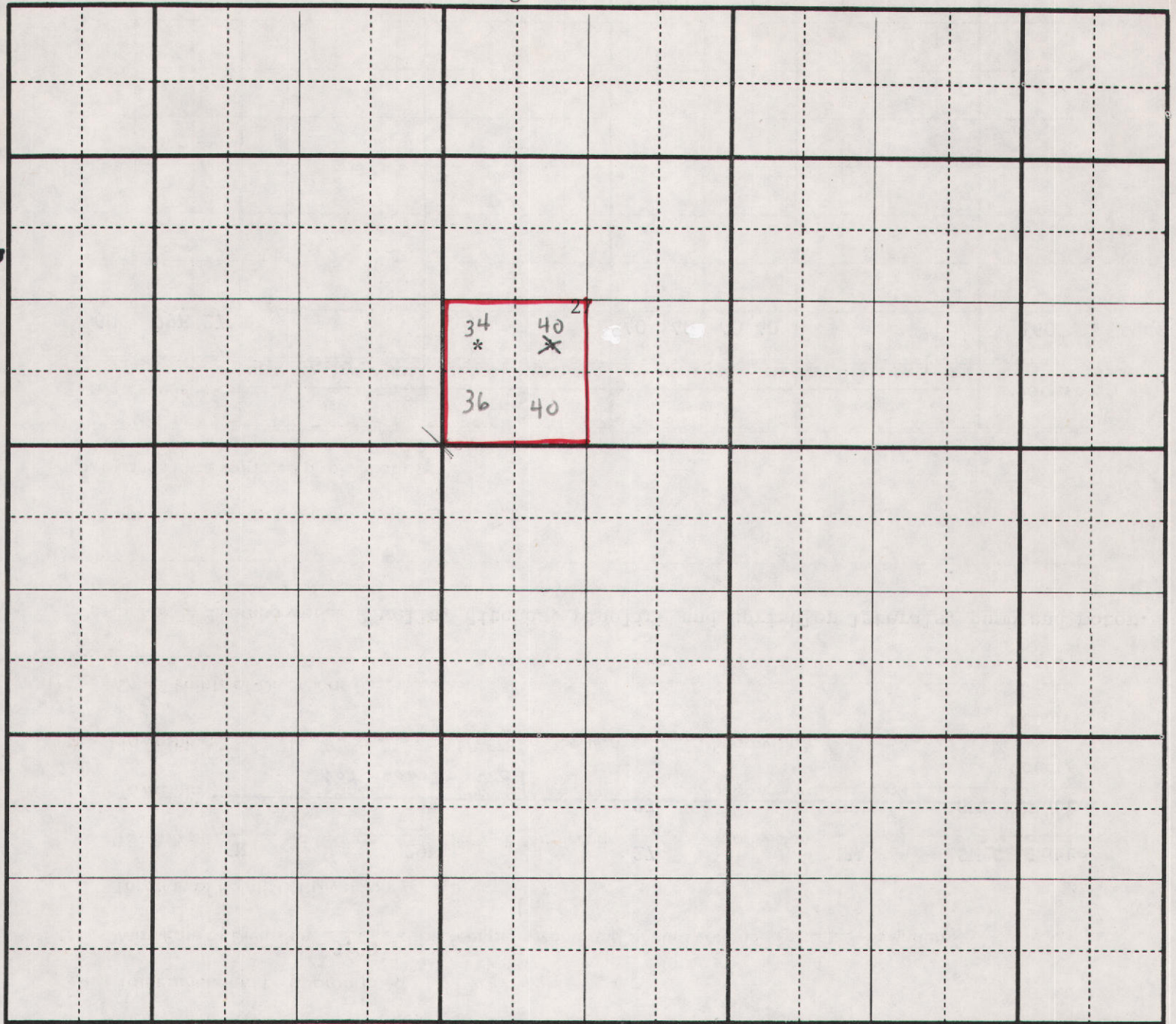
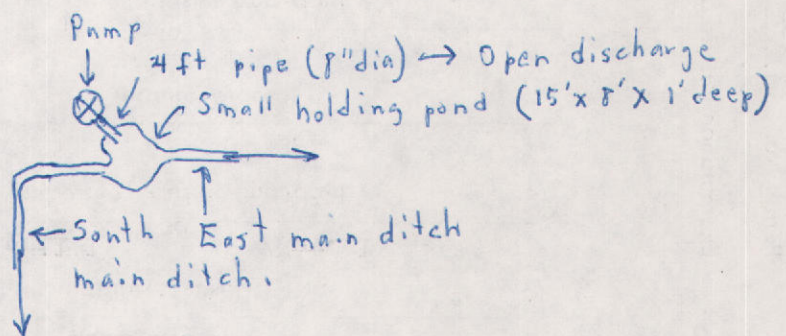


Diagram of System

↑
N





July 26, 1965

Re: Permit No. ~~G-32438 & G-32439~~
Doug Cushman & Newton H. Foster
Permit No. G-32440 - Samuel A. Clark, Jr.

Mr. Harley H. McDowell,
Idaho Land and Appraisal Service,
P. O. Box 2161,
Boise, Idaho.

Dear Mr. McDowell:

G-32438, G-32439 and
G-32440

We enclose Permit No. G-32440 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. G-9451 which was issued covering payment in the amount of \$ 15.75 for the filing fee of the above mentioned permit. ~~and for Agent sent to Permit G-27904.~~

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl.

EPR:pmk
cc: Doug Cushman
Newton H. Foster
Samuel A. Clark, Jr.

G 32439

NAME OF APPLICANT..... Doug Cushman and Newton H. Foster.....

Form No. 0

Township 6 North - Range 29 East, B.M.

Section 27

• well

• well

Permit Map No. 32439

As Approved

CARL E. TAPPAN JUL 16 1965

State Reclamation Engineer

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 33-2121 Priority July 9, 1965 Amount 2.03 cfs

THIS IS TO CERTIFY, that DARRELL BARRETT
of Howe, Idaho, has complied with the terms and conditions of Permit
No. 33-2121 issued pursuant to Application for Permit dated July 9, 1965,
and has submitted proof to the Department of Water Resources on November 1, 1974,
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 2.03 cfs of water from a groundwater 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
Irrigation	from <u>April 1</u> to <u>November 1</u>	at <u>2.03</u> cfs and	<u>450</u> acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 2.03 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
450 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 27,
Twp. 6N, Rge. 29E, B.M. in the County of Butte

Description and location of place of use:

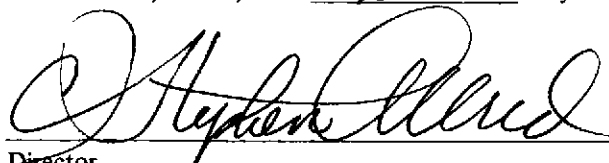
Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
6N	29E	27									40	34	36	40					150

Total number of acres irrigated 150

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 23 day of
March, 19 78.


Director

Affidavit of Publication

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AUG 13 1975

Department of
Eastern District Office

Le Ella Cammack, 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 2 consecutive weeks, commencing with

the issue dated June 26, 1975

and ending with the issue dated July 3, 1975

Le Ella Cammack

Subscribed and sworn to before me this

27th day of August, 1975

O. Jones
Notary Public

Residence: Arco, Idaho.

My commission expires Nov 6, 1980

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that
Durrell Barrett, Howe, Idaho,
has received an approved Per-
mit No. 32439/33-2121 issued
by the Idaho Department of
Water Resources authorizing
the diversion of 3.2 cubic feet
per second of water from a
ground water source. The pri-
ority to be established under
this permit is July 9, 1965, and
the permit was approved July
16, 1965.

Water is to be diverted by
well, pump and motor from a
point within the NW $\frac{1}{4}$ SW $\frac{1}{4}$
and NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 27, Twp.
6N, Rge. 29 E, B.M., Butte
County, to be used for the ir-
rigation of 160 acres in the
SW $\frac{1}{4}$, Sec. 27, Twp. 6 N, Rge.
29 E, B.M.

Proof of the application of
the water to beneficial use was
submitted to the Department
on November 1, 1974. Any pro-
test against the issuance of the
license for the above refer-
enced permit should be filed
with the Idaho Dept. of Water
Resources, State Capitol, Boise,
Idaho, 83720, within ten (10)
days of the last date of publi-
cation of this notice.

R. KEITH HIGGINSON
Director

Published in the Arco Adver-
tiser at Arco, Idaho, on June
26, 1975 and July 3, 1975.

RECORDED

State of Idaho
Department of Water Resources

RECEIVED
OCT 13 1974

ASSIGNMENT OF PERMIT

Department of Water Resources
Eastern District Office

I, Dwaine A. Nef, hereby assign to Darrell Barrett
of Howe, Idaho

Address

CHECK ONE



All my right, title, and interest in and to Permit No. G-32438
to appropriate the public waters of the State of Idaho. G-32439 G-32440



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 listing 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 _____ day of _____, 19 _____.

Dwaine A. Nef
Permit Holder

Dwaine A. Nef
Spouse of Permit Holder

State of Idaho)

County of Bonneville) ss.

On this 18th day of October, 19 74, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

LeRoy Hester
Notary Public residing at

2286 Logan Drive, Idaho Falls, ID

My commission expires:

11/11/77

MICROFILMED

785-0820

State of Idaho

Department of Water Administration

RECEIVED
OCT 18 1974

ASSIGNMENT OF PERMIT

Doug las Cushman and
I, Newton H Foster, hereby assign to Dwaine Foster District Office

of Arco Idaho

Address

G-32438

G-32439

G-32440

CLICK HERE

☒ All ~~my~~ our right, title, and interest, in and to Permit No. G-32440 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 listing 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 4th day of September, 19 74

Doug Cushman
Newton H Foster
Permit Holder

Spouse of Permit holder

State of Idaho)
County of Bingham) ss.

On this 4th day of September, 19 74, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Carol A. Ostberg
Notary Public residing at
Blackfoot, Idaho

My commission expires: Sept 16, 1976

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPLICATION FOR EXTENSION OF TIME

RECEIVED

State of Idaho)
County of)

Permit No. 33-2121
Department of Reclamation

Doug Rushman and
Newton H. Fisher,
(name)

OF 4415 Riverfront Rd.
(address)

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

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Waters of the State of Idaho No. 33-2121.

That under the terms and conditions of said permit, work thereunder was required to be completed by July 16, 1970.

That he has heretofore performed the following work described under said permit: Wells have been drilled and all is in

order except the installation of pumps
& power

Costing \$ 16,096.⁰⁰

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: Unable to purchase

pumps & power at this time

WHEREFORE, he asks that the State Reclamation Engineer extend the time for the completion of obligations under said permit to July 16, 1975.

Doug Rushman
(signature)

Subscribed and sworn before me this 18 day of May, 1970.

Rayd T. Ralph
(notary public)

My commission expires 9-8-1970

ACTION OF THE STATE RECLAMATION ENGINEER

I, R. Keith Higginson, State Reclamation Engineer of the State of Idaho, hereby approve the above application for extension of time for permit
No. 33-2121 to July 16, 1975.

Witness my hand this 26th day of May, 1970.

R. Keith Higginson
State Reclamation Engineer

*IF OTHER THAN HOLDER, Power of Attorney must be supplied. Forms are obtainable through the Department of Reclamation, Statehouse Annex II, Boise, Idaho 83707.

32439

33-2121

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. G-32439/33-2121)

in the name of Doug Cushman and Newton H.)

Foster, 445 Riverton Road, Blackfoot, Idaho)

ORDER MODIFYING REQUIREMENTS
FOR COMPLETION OF PERMIT TO
APPROPRIATE WATER

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

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

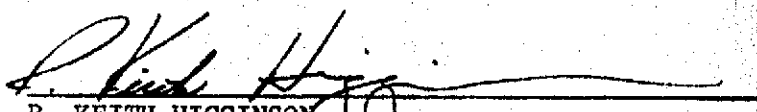
WHEREAS, on August 1, 1968, the Department of Reclamation adopted Rules of Practice
and Procedures for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. G-32439 was issued previous to that date;

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

1. The above-numbered permit will be completed under the terms of Title 42,
Chapter 2, Idaho Code, as amended by the 39th Idaho Legislature.
2. The conditions of the above-numbered permit are modified as follows:
 - a. Notice of the issuance of the permit will be published at the permit
holders expense for two weekly issues in the official newspaper of
the county in which the point of diversion lies.

Dated this 20th day of FEBRUARY, 1970.


R. KEITH HIGGINSON
State Reclamation Engineer

32439

33-2121

APPLICATION FOR PERMIT To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 40591
Permit No. G- 32439
District No.

1. Name of Applicant: Doug Cushman and Newton H. Foster
Postoffice address: 445 Riverton Road Blackfoot County: Bingham State: Idaho
2. Quantity of water claimed: 3.2
(a) Rate of withdrawal in cubic feet per second or Idaho
Miners' inches or gallons per minute
(b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ &
NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 27
Twp. 6 N , Rge. 29 E , B.M., County of Butte
5. Water is to be used for: irrigation
6. If for municipal, industrial or recreational purposes, give:
(a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.
(b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: 2 wells, ditches, pipeline & sprinkler laterals, pump & motor
8. Estimated cost of works: \$ 15,000
9. (a) Is reservoir to be used? no
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 5
years.
11. If applicant is a corporation, give:
I. (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 onhand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None
(a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
(b) 3.2 (cubic feet per second, inches or gallons per minute) is for new lands.

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.

By s/ Harley M. McDowell ^{sl}_d Agent.

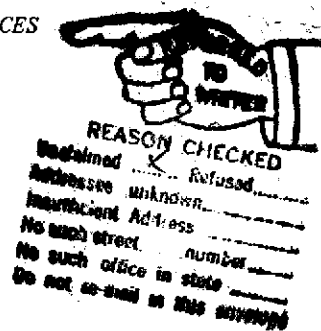
Corrected application received:

By s/ ROBERT E. SMYLIE
Governor

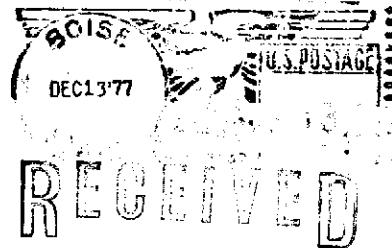
12.

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	
6 N	29 E	27									40	40	40	40					160

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



12/21
assess office has
nothing. kw.



DEC 19 1977

Department of Water Resources

~~Darrell Barrett~~
~~Howe, ID 83244~~

MOVED, left
no address

Re-sent to c/o Wayne Butler assess office
Howe, Idaho 27-8288

Please file 33-2121

~~March 30, 1978~~

resent 4/2/78

Re: Permit No. G-32499/33-2121

Darrell Barrett
Howe, ID 83244

Dear Mr. Barrett:

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

Sincerely,

JAN GROVER
Water Rights Supervisor

JG:lr

RECEIVED

December 13, 1977

*Re-sent on 3/17/78
to c/o Wayne Butler (new owner)
Howe, ID*

Re: Permit No. G-32439/33-2121

Darrell Barrett
Howe, ID 83244

Dear Mr. Barrett:

A representative of this Department made an examination of the works covered by your Permit No. 33-2121 on October 29, 1976 and has found the following:

Amount of water that can be recognized as beneficially used
under Idaho law: 2.03 cfs Source: groundwater

The maximum quantity diverted shall not exceed 450 acre feet
per year.

Point of diversion: NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 27, Twp. 6N, Rge. 29E, B. M.

Beneficial use: Irrigation of 150 acres within SW $\frac{1}{4}$, Sec. 27,
Twp. 6N, Rge. 29E, B. M.

Priority date established: July 9, 1965

If you do not concur with these findings please contact us within 10 days, otherwise
a water license will be issued as set forth above.

We are sending a copy of this letter to Wayne Bulter since we have been advised that
he now owns this ground.

Sincerely,

BOBBY D. FLEENOR
Chief, Operations Bureau

BDF/kaw
cc to Wayne Bulter

RECEIVED

3. Water will be used for the following purposes:

Other uses: _____

Permit No. 33-2121

Examination for b/u

Other Points of Diversions: _____

6. Lands to be irrigated or place of use.

[illegible]

	150
TOTAL ACREAGE	160

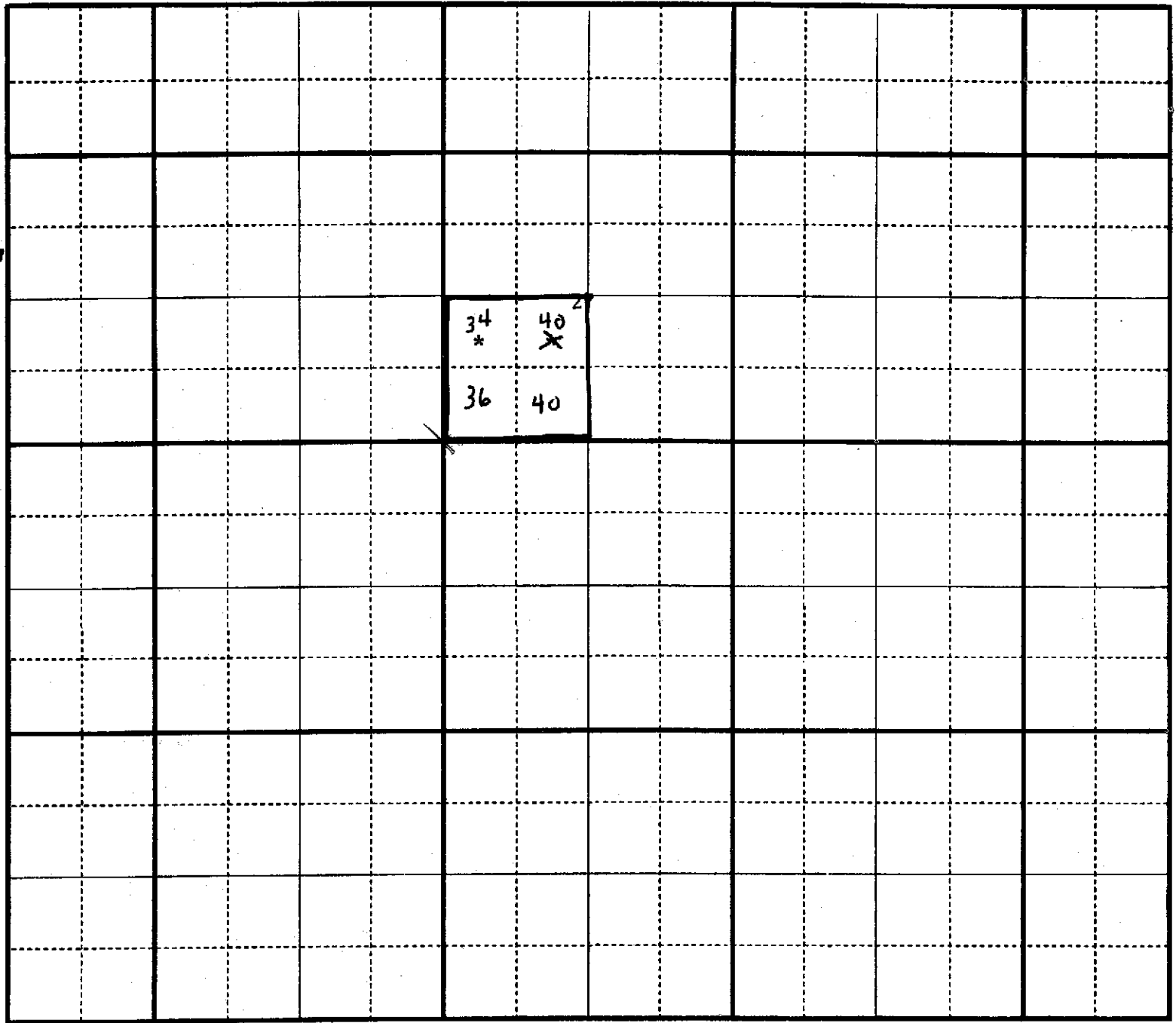
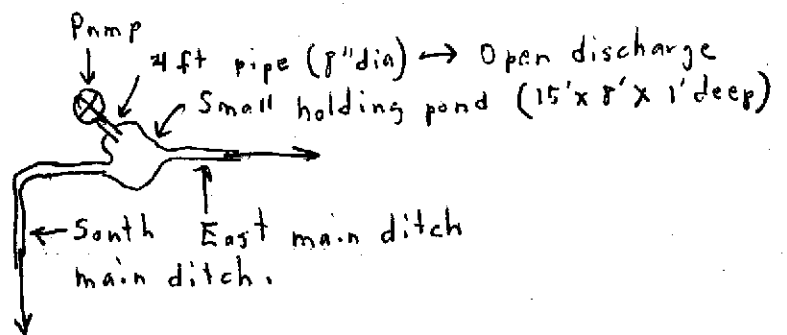
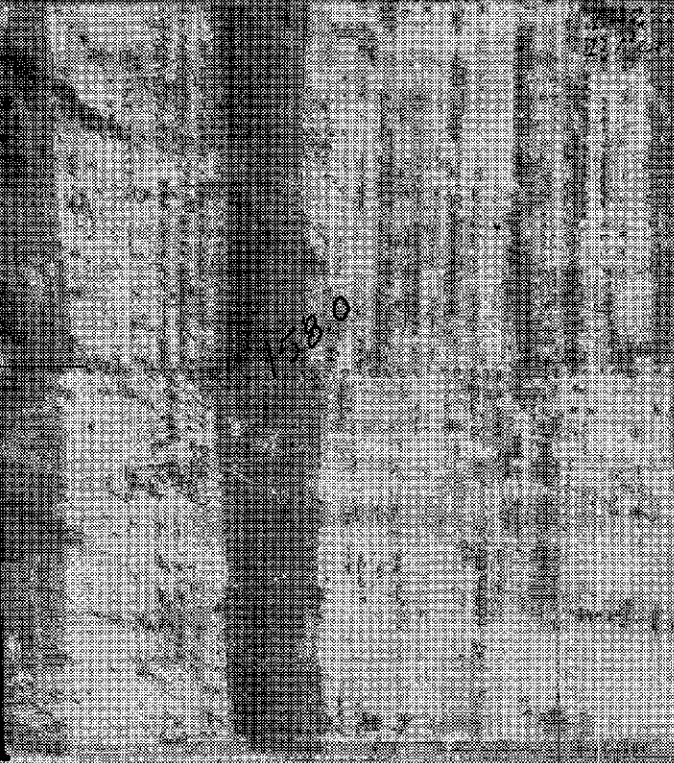
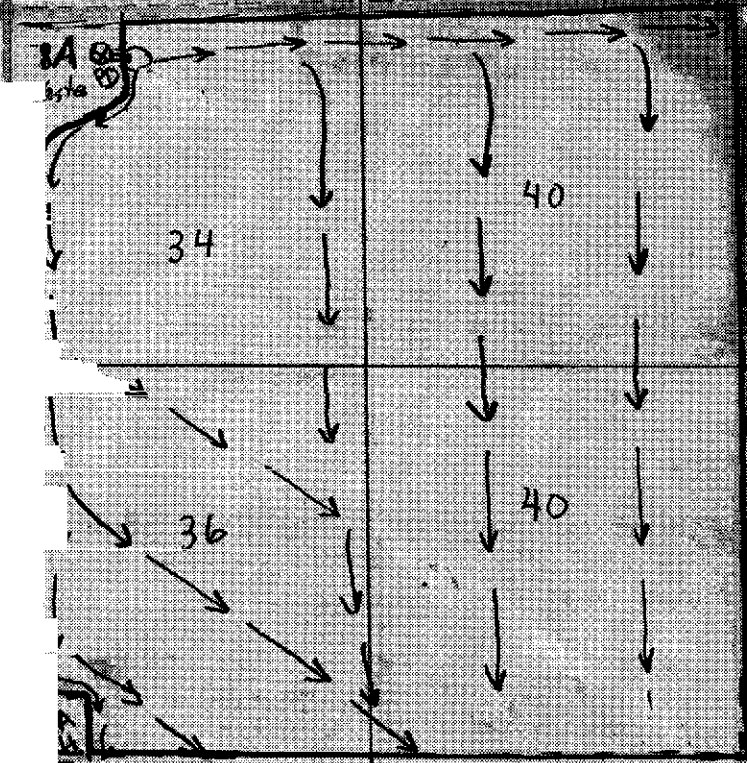


Diagram of System

↑
N





DATE OF EXAM 7/27/76

ACREAGE
Found 150 A
Recommended 150 A

Irrigation Requirement 3.0 Ac Ft/Ac

USE
Irrigation Q = 2.03 c.f.s. V = 450 AF/Ann. from Apr 1 to Nov 1
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no X

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

Exchange? yes _____ no X

Name source exchanged with: _____
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 2.03 cfs Method of measurement Portable Flow meter

Total Q recommended 2.03 cfs Meter No. 61016 Type Sparking Condition Good

Total V recommended 450 AF/ann Flow meas: 101 AF / 215 sec ^{229-1st run, and}
2149 = 215 sec

Recommended Amendments: None

P.D. _____
Place of Use _____
Other _____
None _____

MEASUREMENT CALCULATION:

$$Q = \left(\frac{.01 \text{ AF}}{215 \text{ sec}} \right) \left(\frac{43.56 \text{ ft}^3}{1 \text{ AF}} \right) = 2.03 \text{ cfs}$$

$$Q_{\text{theo}} = \frac{(40)(8.814)(.80)}{100 + 0 (\text{open disch.})} = 2.82 \text{ cfs}$$

SYSTEM DESCRIPTION:

Pump - motor: 1/2 40 HP SN 955246 Johnston Pump - model 18940;
main - 8" - 4 ft to open discharge. Field then irrigated by
d. takes

REMARKS:

System shown by Jay Collister & Newton Stanger,

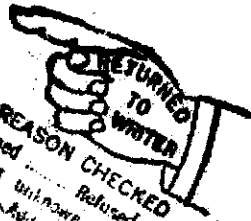
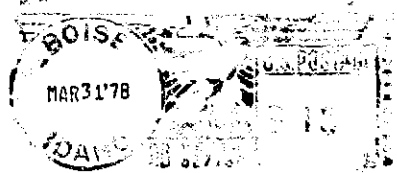
Need assignment from Barrett to: Wayne Butler -
sent 9/23/76

Examiner's Signature Ernest M. Carlson Date 10/29/76

Checked by Larry Johnson Date 10/29/76

Approved by _____ Date _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Boise, Idaho 83720



REASON CHECKED
Unclaimed
Addressee
Inadequate Address
No such street
No such office in state
No such email in this envelope

Darrell Barrett

Op Wayne Butler (new owner)
~~Howe, ID 83244~~
Howe, Id. 83244

Lat

August 25, 1975

Re: Permit No. 33-2121

Darrell Barrett
Howe,
Idaho 83244

Dear Mr. Barrett:

We acknowledge receipt of the affidavit of publication submitted in connection with the above referenced permit.

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

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

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:JFR

RECEIVED

NOTICE OF EXISTING
WATER PERMIT

Notice is hereby given that Darrell Barrett, Howe, Idaho, has received an approved Permit No. 32439/33-2121 issued by the Idaho Department of Water Resources authorizing the diversion of 3.2 cubic feet per second of water from a ground water source. The priority to be established under this permit is July 9, 1965, and the permit was approved July 16, 1965.

Water is to be diverted by well, pump and motor from a point within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 27, Twp. 6N, Rge. 29 E, B.M., Butte County, to be used for the irrigation of 160 acres in the SW $\frac{1}{4}$, Sec. 27, Twp. 6 N, Rge. 29 E, B.M.

Proof of the application of the water to beneficial use was submitted to the Department on November 1, 1974. Any protest against the issuance of the license for the above referenced permit should be filed with the Idaho Dept. of Water Resources, State Capitol, Boise, Idaho, 83720, within ten (10) days of the last date of publication of this notice.

R. KEITH HIGGINSON
Director

Published in the Arco Advertiser at Arco, Idaho, on June 26, 1975 and July 3, 1975.

MICROFILMED

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ARCO ADVERTISER

P.O. Drawer C
ARCO, IDAHO 83213



MICROFILMED

Department of Water Resources
State house
Boise, Idaho 83720

June 18, 1975

Re: Permit No. 32439/33-2121

Darrell Barrett
Howe,
Idaho 83244

Dear Mr. Barrett:

We have caused the legal notice for the above referenced permit to be published in the Arco Advertiser of Arco, Idaho on June 26 and July 3, 1975.

You will be required to submit an affidavit of publication to this office. The affidavit may be obtained from the above mentioned newspaper upon payment of the publication fee. We have asked the newspaper to bill you direct.

Sincerely,

JANICE F. ROHM
Secretary

jfr

RECEIVED
JUN 21 1975
FBI - IDAHO

June 18, 1975

Re: Permit No. 32429/33-2121

Arco Advertiser
Box "C"
Arco, Idaho 83213

Gentlemen:

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

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

The expense of the publication is to be paid by:

Darrell Barrett, Howe, ID 83244

to whom you should furnish an affidavit of publication.

Very truly yours,

JANICE F. ROHM
Secretary

jfr

Encl: Legal notice

MICROFILMED

NOTICE OF EXISTING WATER PERMIT

JUN 21

Notice is hereby given that Darrell Barrett, Howe, Idaho Department of Water Resources
has received an approved Permit No.

32439/33-2121 issued by the Idaho Department of Water Resources authorizing the diversion ~~storage~~ of 3.2 cubic feet per second ~~per annum~~ of water from a ground water source.

The priority to be established under this permit is July 9, 1965 and the permit was approved July 16, 1965.

Water is to be diverted by well, pump and motor from a point within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 27, Twp. 6 N, Rge. 29 E, B. M., Butte County, to be used for the irrigation of 160 acres in the SW $\frac{1}{4}$, Sec. 27, Twp. 6 N, Rge. 29 E, B. M.

Proof of the application of the water to beneficial use was ~~is to be~~ submitted to the Department on ~~or before~~ November 1, 1974. Any protest against the issuance of the license for the above referenced permit should be filed with the Idaho Dept. of Water Resources, State Capitol, Boise, Idaho, 83720, within ten (10) days of the last date of publication of this notice ~~or~~ prior to the licensing of the permit. Licensing may commence prior to the date ~~beneficial use proof is due without further notice~~

R. KEITH HIGGINSON

Director

Arco Advertiser at Arco, Idaho,

Published in the _____ on June 26, 1975 and July 3, 1975.

Permit No. 32439/33-2121

Director:

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

Darrell Barrett
(Signature)

Howe Idaho
(Address)

6/14/75
(Date)

MICROFILMED

● SENDER: Complete items 1 and 2.

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

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

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

2. ARTICLE ADDRESSED TO:

3. ARTICLE DESCRIPTION:

REGISTERED NO.

CERTIFIED NO.

INSURED NO.

32108

(Always obtain signature of addressee or agent)

I have received the article described above

SIGNATURE

Harrell Barrett

M.B.

4.

DATE OF DELIVERY

POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S
INITIALS

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

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

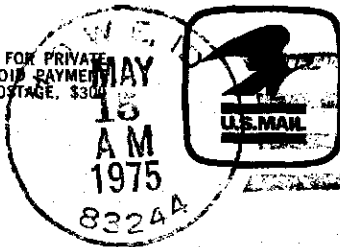
- Complete items 1 and 2 on reverse side.
- Moisten gummed ends and attach to back of article.

**RETURN
TO**



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

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



MICROFILMED

May 13, 1975

CERTIFIED MAIL

#32108

Re: Permit No. 32439/33-2121

Darrell Barrett
Howe,
Idaho 83244

Dear Mr. Barrett:

On November 15, 1974, we requested that you submit an advertising authorization in connection with the above referenced permit. You were advised that when notice of this permit had been published, a field examination could be scheduled and a water license issued.

We have failed to receive said advertising authorization and, as a result, are unable to complete licensing procedures under the permit. Therefore, you are hereby notified that under the provisions of Section 42-311, Idaho Code, as amended, Permit No. 32439/33-2121 is hereby held for cancellation for failure to complete the permit as required, and you are required to show cause before the Director of the Department of Water Resources on or before June 22, 1975, why said permit should not be cancelled.

Permit 32439/33-2121 claims the use of 3.2 cfs of water from a ground water source within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ & NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 27, Twp. 6 N, Rge. 29 E, B. M., and the permit was approved July 16, 1965.

A. KENNETH DUNN
Administrator,
Operations Division

AKD:DR

RECEIVED
MAY 13 1975

February 14, 1975

Re: Permit No. 32439/33-2121

Darrell Barrett
Howe,
Idaho 83244

Dear Mr. Barrett:

On November 15, 1974, we forwarded an advertising authorization to you for your signature in connection with the above referenced permit.

As of this date we have not received this authorization. Please be advised that a field examination cannot be scheduled and a water license issued until the permit is advertised.

Please return the signed authorization form within 10 days so that this permit may remain in good standing.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG

RECEIVED
FEB 17 1975

RECEIVED

NOV 1 1974

Department of Water Resources
Eastern District Office

Department of Water Resources
Eastern District Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Identification No. _____

Permit No. 33-2121

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Darrell Barrett

b) Post Office Address Howe, Idaho

2. Permit Number 33-2121

3. Date of Priority that you are prepared to establish July 9, 1965

4. a) Source from which water was appropriated ground water

b) Location of the point of diversion: NW 1/4 SW 1/4, Section 27

Township 6N, Range 29E Boise Meridian, Other points of diversion: _____

NE 1/4 SW 1/4, Sec. 27, T. 6N, R. 29E, B.M.

5. a) The amount of water and use to which the water has been applied:

Amount 3.2 for Irrigation purposes from Apr. 1 to Nov. 1 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)

Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)

Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)

b) Total amount appropriated 3.2 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: Snake River Equipment Co.

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:
NA.

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) 40 Hp motor, 10" pump and open ditches

b) Describe the type and size of measuring device which you have installed at your point of diversion:
2' rectangular weir in a concrete distribution box

c) Give well driller's name and address and the date the well was completed:
Doug Cushman, Blackfoot, 1965

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

Exam typed 8-25-75 by js

MICROFILMED

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

N.A.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6N	29E	27									40	40	40	40					160

Total number of acres irrigated 160

10. Remarks: _____

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

11/1/74
(Date)

Carroll Barrett
(Signature)

State of Idaho)

County of Bonneville) ss.

On this 1st day of November, 19 74, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Ronald D Carlson
Notary Public residing at FIRTH
IDAHO

My commission expires 2/14/78



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

November 15, 1974

Mr. Darrell Barrett
Howe,
Idaho 83244

Re: Permits No. 32438/33-2120
32439/33-2121

Dear Mr. Barrett:

This office has received an assignment by Dwaine A. Nef conveying permits 32438, 32439 and 32440 to you. The Department has recorded the assignment in connection with permits 32438 and 32439 and our records have been changed accordingly.

Please be advised that we cannot process that part of the assignment which conveys permit 32440 since said permit was allowed to lapse. Our records also show that this permit was in the name of Samuel A. Clark, therefore, an assignment could not be made by Mr. Nef.

We also acknowledge receipt of the affidavits submitted as proof of beneficial use for the above referenced permits. Before a field examination can be scheduled and water licenses issued under these permits, it will be necessary that notice of permit 32439 be published at your expense for two consecutive weeks in a newspaper as prescribed by the Department. If you will sign and return the enclosed advertising authorization we will cause the legal notice to be published.

We are enclosing, for your records, a copy of the approved application for amendment for permit 32438/33-2120. If you have any questions regarding the above matters, please feel free to contact us.

Sincerely,

D. Darlene Reich
D. Darlene Reich
Water Rights Supervisor

ddr
Encl: Advertising authorization
Copy of amend/32438

cc: Mr. Dwaine A. Nef

WATER RESOURCE BOARD:

John F. Streiff
Chairman
Franklin Jones
Member

George L. Yost
Vice-Chairman
M. Reed Hansen
Member

Donald R. Kramer
Secretary
Scott W. Reed
Member

Edwin C. Schlender
Member
Joseph H. Nettleton
Member

MICROFILMED

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Show to whom, date, and
address where delivered

☐ Deliver ONLY
to addressee

(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

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

CERTIFIED NO.

1

INSURED NO.

2

DATE DELIVERED

SHOW WHERE DELIVERED *(only if requested)*

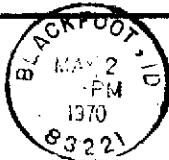
3

5-2-76

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

**POST OFFICE DEPARTMENT
OFFICIAL BUSINESS**

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



**POSTAGE WILL BE
PAID BY ADDRESSEE**

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

**RETURN
TO**

NAME OF SENDER

STREET AND NO. OR P.O. BOX

POST OFFICE, STATE, AND ZIP CODE

**Department of Reclamation
Annex # 2 Statehouse
Boise, Idaho 83707**

May 27, 1970

Re: Permit No. 33-2120 and 33-2121

Doug Cushman & Newton H. Foster
445 Riverton Road
Blackfoot, Idaho 83221

Gentlemen:

Enclosed please find copies of the APPROVED extensions of time for the above referenced permits. The time within which to submit proof of beneficial use has been extended to July 16, 1975, for both permits. The Department will notify you 60 days in advance of this due date.

If we may be of further service, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR
Enclosures (2)

32439

33-2121

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

May 8, 1970

Re: Permit No. 33-2120 and 33-2121

Doug Cushman & Newton H. Foster
445 Riverton Road
Blackfoot, Idaho 83221

Gentlemen:

Pursuant to your letter of May 4, 1970, we are enclosing the Department's forms to be used in requesting an extension of time in connection with the above referenced permits.

You may request an extension of up to five years. Please be advised that the applications for extension of time must be received by the Department on or before the date that proof of beneficial use is due, July 16, 1970.

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

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR
Enclosures (2)

32439

33-2121

EXPLORATION PROBING

PHONE: 785-0928

Doug Cushman

DRILLING COMPANY

Irrigation and Domestic Wells
Any Size—Any Place—Any Time

445 RIVERTON ROAD

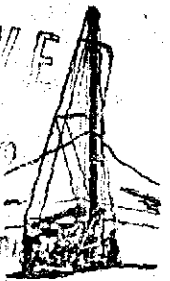
BLACKFOOT, IDAHO

May - 4, 1970

RECEIVED

MAY 6 1970

Department of Reclamation



Mr. Keith Higgins,
Reclamation Engineer
Boise, Idaho

Dear Mr. Higgins:

I would like to request an extension of time
for filing application of water to beneficial
use for permit # - G - 32438/33-21-20 -

also # G - 3249/33-21-21. Could this be a
one year extension?

Thank You.

Sincerely,

Doug Cushman

Newton H. Foster

by

Mr. Douglas Cushman

32439

33-21-1

May 1, 1970

Re: Permit No. G-32439/33-2121

Deug Cushman & Newton H. Foster
445 Riverton Road
Blackfoot, Idaho 83221

Gentlemen:

One of the conditions of the approval of your permit no. G-32439/33-2121 was that proof of application of the water to beneficial use be submitted to this office on or before July 16, 1970.

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

Either the proof or a request for extension of time must be received by this department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.

R. Keith Higginson

State Reclamation Engineer

Enc: Proof form
dr
cc: Idaho Land & Appraisal

CERTIFIED MAIL

#21817

32439

33-2121

February 20, 1970

Re: Permit No. G-32439/33-2121

Doug Cushman & Newton H. Foster
445 Riverton Road
Blackfoot, Idaho 83221

Gentlemen:

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

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

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

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:JMB

Enc. Order
Advertising package

cc. Idaho Land & Appraisal, Box 1603, Boise, Idaho

33-2121

32439

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Doug Cushman and Newton H. Foster, 445 Riverton

Road, Blackfoot, Idaho has received an approved permit No.

G-32439/33-2121 issued by the Idaho State Reclamation Department authorizing the

diversion ~~storage~~ of 3.2 cubic feet per second ~~acre/feet/ft/annum~~

of water from a groundwater source.

subject to all prior rights. The priority to be established under this permit is

July 9, 1965 and the permit was approved July 16, 1965.

Water is to be diverted by two wells, ditches, pipeline and sprinklers, pump and motor

from a point within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 27, T. 6 N, R. 29 E. B. M.,

Butte County

to be used for irrigation

in the SW $\frac{1}{4}$, Sec. 27, T. 6 N, R. 29 E., B. M.

Proof of the application of the water to beneficial use is to be submitted to the department on or before July 16, 1970. Any protests against the issuance of a license for the above referenced permit should be filed with the Department of Reclamation within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Arco Advertiser, Arco, Idaho on

and

33-2121

32439

Well #1

RECEIVED

FEB 27 1967

REPORT OF WELL DRILLER

State of Idaho

Department of Reclamation

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

WELL OWNER:

Name Newton FosterAddress Gaviota, CaliforniaOwner's Permit No. 932439NATURE OF WORK (check): Replacement well ☐New well ☒ Deepened ☐ Abandoned ☐Water is to be used for: IrrigationMETHOD OF CONSTRUCTION: Rotary ☐ Cable ☒Dug ☐ Other ☐

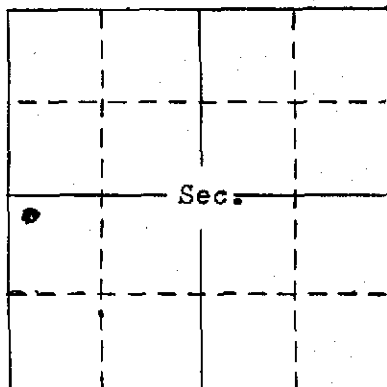
(explain)

CASING SCHEDULE: Threaded ☐ Welded ☐16 "Diam. from 0 ft. to 205' 11 1/2 ft."Diam. from ft. to ft."Diam. from ft. to ft."Diam. from ft. to ft.Thickness of casing: .281 Material:Steel ☒ concrete ☐ wood ☐ other ☐

(explain)

PERFORATED? Yes ☒ No ☐ Type of perforator used: mill perforatorSize of perforations: 1/4 " by 3 "perforations from 74 ft. to 204 ft.perforations from ft. to ft.perforations from ft. to ft.perforations from ft. to ft.WAS SCREEN INSTALLED? Yes ☐ No ☐Manufacturer's name Type Model No. Diam. Slot size Set from ft. to ft.Diam. Slot size Set from ft. to ft.CONSTRUCTION: Well gravel packed? Yes ☐No. ☒ size of gravel Gravelplaced from ft. to ft. Surface sealprovided? Yes ☐ No ☒ To what depth? ft. Material used in seal: Did any strata contain unusable water? Yes ☐No. ☒ Type of water: Depth of strata ft. Method of sealingstrata off: Surface casing used? Yes ☐ No. ☐Cemented in place? Yes ☐ No ☐

Locate well in section

LOCATION OF WELL: County Butte4W 1/4 SW 1/4 Sec. 27 T. 6 N. 29 E. 1/4Boise Meridian

Use other side for additional remarks

Size of drilled hole: 16 " Total
depth of well: 250 " Standing water
level below ground: 74 " Temp.
Fahr. ° Test delivery: gpm
or cfs Pump? ☐ Bail ☐

Size of pump and motor used to make test:

Length of time of test: Hrs. Min.Drawdown: ft. Artesian pressure: ft.above land surface Give flow cfsor gpm. Shutoff pressure: Controlled by: Valve ☐ Cap ☐ Plug ☐No control ☐ Does well leak around casing?Yes ☐ No ☐

DEPTH MATERIAL WATER

FROM TO YES OR NO

FEET FEET

0 70 gravel & clay no70 91 gravel yes91 101 sand & gravel yes101 114 clay-sand & gravel yes114 117 sandstone no117 127 gravel & clay yes127 132 gravel yes132 135 clay & gravel yes135 138 clay sand & gravel yes138 142 sand & gravel yes142 150 sand & clay yes150 155 clay no155 169 sandstone no169 198 clay no198 207 clay & gravel yes207 216 sandstone yes216 245 clay & sand yes245 250 clay noWork started: Oct. 15, 1966Work finished: Jan. 12, 1967

Well Driller's Statement: This well was drilled under my supervision and this report is true to the best of my knowledge.

Name Doug Cushman Drilling Co.Address: 445 River to go Rd - BlackfootSigned by: Joseph L. ZupinLicense No. 275 Date: Jan. 24, 1967

932439

July 26, 1949

Re: Permit No. ~~C-38438~~ & ~~C-38439~~
Doug Cushman & Norton E. Foster
Permit No. ~~C-38440~~ - Samuel A. Clark, Jr.

Mr. Marley H. McDowell,
Irrigation and Approval Service,
P. O. Box 2121,
Boise, Idaho.

Dear Mr. McDowell:

We enclose Permit No. ~~C-38438~~, ~~C-38439~~ and ~~C-38440~~ 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. ~~C-9451~~ which was issued covering payment in the amount of \$~~19.75~~ for the filing fee of the above mentioned permit. ~~and for amount sent to Permit C-38440.~~

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl.

EPR:pmk

cc: Doug Cushman
Norton E. Foster
Samuel A. Clark, Jr.

432439

Township 6 North - Range 29 East, B.M.

Section 27

• well

• well

Patented July 1, 1902
No. 32439
UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Said Act of Congress