

Affidavit of Publication

THE RIGBY STAR

RECEIVED

AUG 19 1968

Department of Reclamation

STATE OF IDAHO
County of Jefferson

ss.

I, Hope B. Jones, do solemnly swear that I am the printer of THE RIGBY STAR, a weekly newspaper as defined by Idaho Codes annotated section 58-106 as amended, and that said newspaper is a weekly newspaper, printed and published at Rigby, Jefferson County, Idaho, having a general circulation in said county, and that said newspaper has been printed and published as a weekly newspaper, in said county for more than 78 consecutive weeks prior to the first publication of the attached notice.

And affiant further says that said attached notice, advertisement or publication as per clipping attached, was published in said newspaper in the regular and entire issue thereof, and not in any supplement issue thereof, for

two Consecutive issues thereof; first publication having been made on the

25th day of *July*, 19*68*

and the last publication on the

1st day of *August*, 19*68*

And affiant further says that at the times herein mentioned said newspaper was made up of at least four pages of at least five columns each, printed from type matter of at least seventeen and three-fourths inches depth; and that there are a least two hundred bona fide subscribers in Jefferson County.

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that Don M. Burtenshaw, Terreton, Idaho has on July 3, 1968 applied for permit to divert 6.4 cubic feet per second of water from subterranean source under application No. 31-7012. Water will be diverted by well, pump, and ditches within the SE 1/4 NW 1/4, Sec. 5, Twp. 6N., Rge. 34E., B.M. in Jefferson County and is to be used from April 1 to November 1 for irrigation and from January 1 to December 31 for domestic and stockwater in NW 1/4 Sec. 5, NE 1/4, Sec. 6, Twp. 6N., Rge. 34 E., B.M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer
Publish July 25, August 1, 1968.

K.H.

Hope B Jones

Subscribed in my presence and sworn to before me this *15th*

day of *August*, 19*68*
(SEAL)

R.H. Harmon
Notary Public for the State of Idaho,
Residence and P. O. Address, Rigby, Idaho.

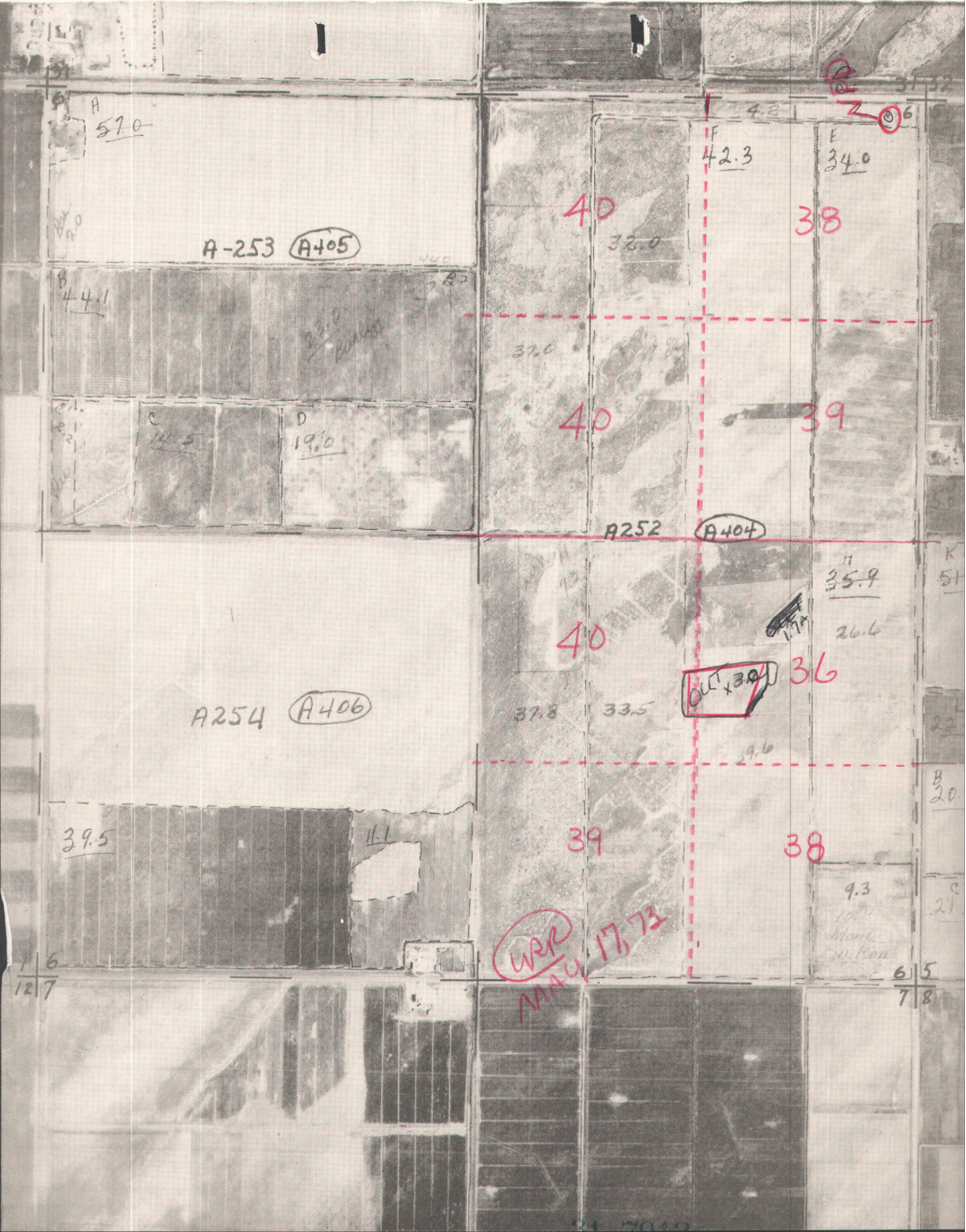
My commission expires _____, 19____

Publication Fee: \$*5.75*

MY COMMISSION EXPIRES JULY 15, 1969

31-7012

bill sub. - 8-19-68



State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 31-7012 Priority July 3, 1968 Amount 6.29 cfs

THIS IS TO CERTIFY, that GARTH E. SODERQUIST
of Terreton, Idaho, has complied with the terms and conditions of Permit
No. 31-7012 issued pursuant to Application for Permit dated July 3, 1968,
and has submitted proof to the Department of Water Administration on November 17, 1972,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 6.75 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:

Amount 6.20 cfs for Irrigation from April 1 to Nov. 1 (both dates inclusive)

Amount 0.09 cfs for Stockwater from Jan. 1 to Dec. 31 (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Subject, however, to the condition that no more than 6.29 cfs of water be diverted at
any one time, said waters to be diverted within the _____

NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 6, Twp. 6 N, Rge. 34 E, B.M.

in the county of Jefferson, and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 1,085 acre feet per year or _____

3.5 acre feet per acre for irrigation use and 5.4 acre feet per year for
stockwater use with the total amount not to exceed 1,090.4 acre feet per year.

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	34 E	6	38	40	40	39									36	40	39	38	310
		6	X	X	X	X				(stockwater)					X	X	X	X	

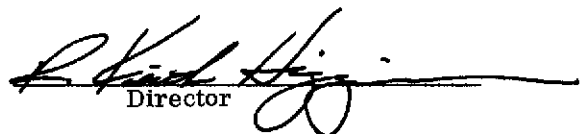
Total number of acres irrigated 310

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

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 19 day of

June, 19 73.


Director

31-7012

Rect # 8771

Comes now Don M. Burtenshaw of (address) _____

Monteview, Idaho

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho

1. Point of diversion: NE 1/4 NE 1/4, Sec. XXXX 6, T. 6N.

mo. - day mo. - day

irrigation purposes from April 1, to November 1 (both dates incl.)

Domestic purposes from January 1 to December 31 (both dates incl.)

Stock water _____ purposes from January 1, _____ to December 31 (both dates incl.)

_____ purposes from _____ to _____ (both dates incl.)

3. Place of use or land to be irrigated:

Total number of acres to be irrigated

31 7012

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40 acre subdivisions, sections, townships, ranges, and ditches.

Scale: 2 inches equal 1 mile

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

Signed at Rigby, Idaho, this 14th day of August, 19 72.

Don M. Brantner
(signature)

ACTION OF STATE RECLAMATION ENGINEER

Dept. of Water Admin.

I, R. KEITH HIGGINSON, Director, ~~State Reclamation Engineer~~ of the State of Idaho,

hereby approve the above application for amendment for Permit No. 31-7012.

Witness my hand this 7 day of September, 19 72.

R. Keith Higgins
State Reclamation Engineer

RECEIVED

State of Idaho

RECEIVED

MAR 5 1973

Department of Water Administration

MAR 5 1973

Department of Water Administration

ASSIGNMENT OF PERMIT

Department of Water Administration
Eastern District Office

I, Don M. Burtenshaw, hereby assign to Garth E. Soderquist
of P. O. Box 94, Terreton, Idaho,
Address

CHECK ONE

☒

All my right, title, and interest, in and to Permit No. 31-7012
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 5th day of March, 19 73.

Don M. Burtenshaw

Permit Holder

Beverly Burtenshaw

Spouse of Permit Holder

State of Idaho)
County of Jefferson) ss.

On this 5th day of March, 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.

Wince J. Garry
Notary Public residing at
Rigby, Idaho

My commission expires: 8-31-74

31 7012

Identification No. 31-7012
Application No. 42637

ASSIGNED TO:

Garth E. Soderquist
P. O. Box 94
Terreton, ID

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
APPLICATION FOR PERMIT

APPROVED

To appropriate the Public Waters of the State of Idaho

LICENSE ISSUED FOR 6.29 SEC. FT.
LICENSE PAGE NO. _____

- Name of applicant Don M. Burtenshaw
post office address Terreton, Idaho
2. Source of water supply Subterranean which is a tributary of _____
3. a. Location of point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 5 Township 6N
Range 34 E.B.M. Jefferson 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. 6.4 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 Nov. 1 (both dates inclusive)
Domestic purpose from Jan. 1 to December 31 (both dates inclusive)
Stock Water purpose from Jan. 1 to December 31 (both dates inclusive)
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. subterranean well, pump and ditches
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 20 inches; proposed depth of well is 400 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.
b. Estimated construction cost is \$ 15,000.00.
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: _____

31-7012

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6 N	34	5					40	40	40	40									160
6 N	34	6	40	40	40	40													160

Total number of acres to be irrigated 320

c. Describe any other water rights used for the same purposes None

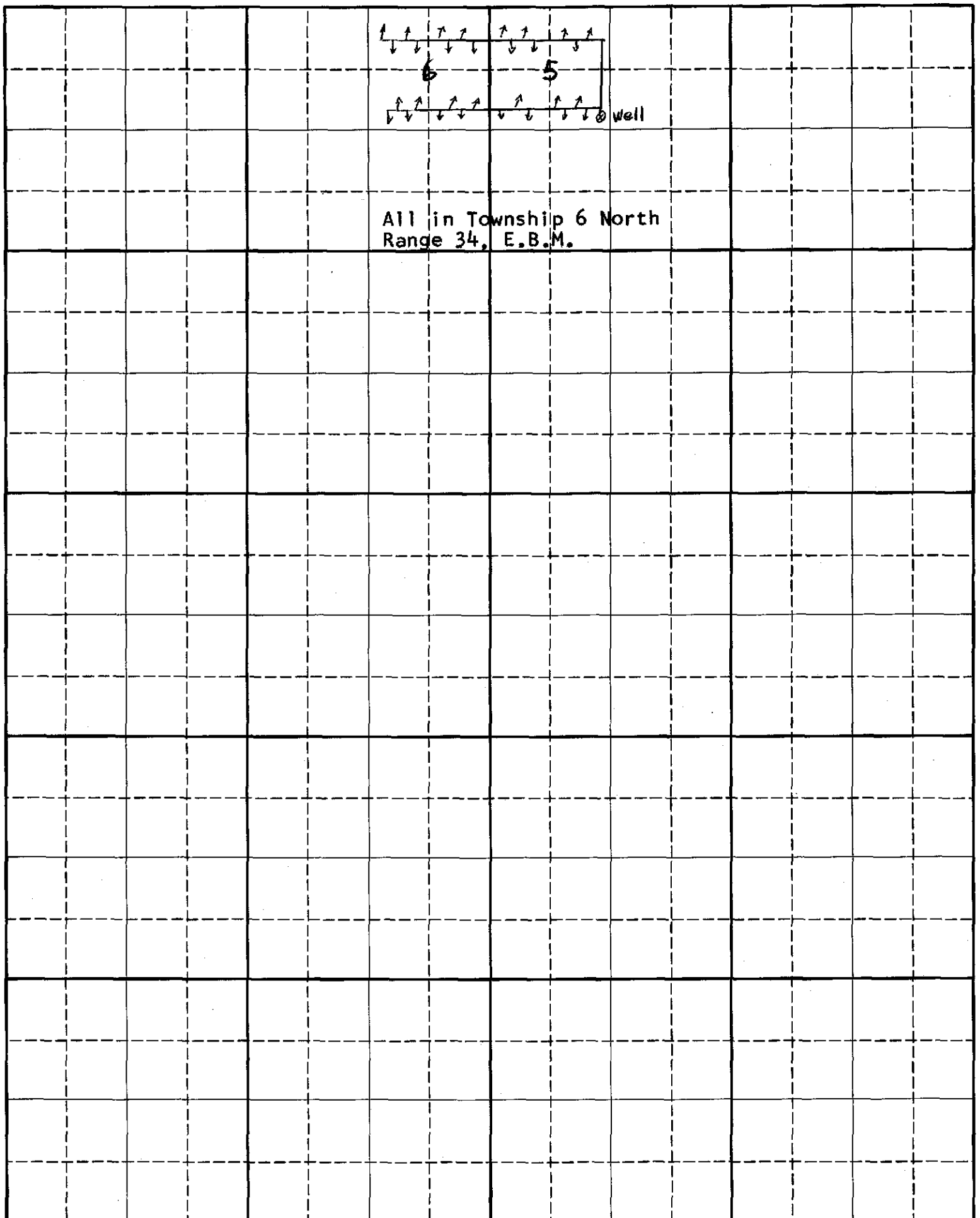
9. a. Who owns the property at the point of diversion applicant

b. Who owns the land to be irrigated or place of use applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks _____

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.

Don M. Burtenshaw
(Applicant)

31-7012

Received by if Date 7-3-68 Time 2:30pm
Preliminary check by over Fee \$ 50.00
Receipted by if Date 7-8-68
Publication prepared by if Date 7-16-68
Published in Boyer Star
Publication dates 7-25 and 8-1-68
Publication approved if Date 7-23-68
Priority reduced to _____ Reason _____

Protests filed by: none
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by AD Delic

ACTION OF STATE RECLAMATION ENGINEER

APPROVED

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 31-7012, 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 September 1, 19 73.
- c. Other: The applicant shall permanently install a measuring device of a type approved by the department as part of the diverting works.

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

Witness my hand this 16th day of September 19 68.

Jack A. Barnett
Deputy State Reclamation Engineer

Affidavit of Publication

THE RIGBY STAR

STATE OF IDAHO
County of Jefferson

ss.

I, Hope B. Jones, do solemnly swear that I am the printer of THE RIGBY STAR, a weekly newspaper as defined by Idaho Codes annotated section 58-106 as amended, and that said newspaper is a weekly newspaper, printed and published at Rigby, Jefferson County, Idaho, having a general circulation in said county, and that said newspaper has been printed and published as a weekly newspaper, in said county for more than 78 consecutive weeks prior to the first publication of the attached notice.

And affiant further says that said attached notice, advertisement or publication as per clipping attached, was published in said newspaper in the regular and entire issue thereof, and not in any supplement issue thereof, for

Two Consecutive issues thereof; first publication having been made on the

25th day of *July*, 19*68*

and the last publication on the

1st day of *August*, 19*68*

And affiant further says that at the times herein mentioned said newspaper was made up of at least four pages of at least five columns each, printed from type matter of at least seventeen and three-fourths inches depth; and that there are at least two hundred bona fide subscribers in Jefferson County.

Hope B. Jones

Subscribed in my presence and sworn to before me this *15th*

day of *August*, 19*68*

(SEAL)

R. H. Thurman

Notary Public for the State of Idaho,
Residence and P. O. Address, Rigby, Idaho.

My commission expires _____, 19____

Publication Fee: \$*275*

MY COMMISSION EXPIRES JULY 15, 1969

NOTICE OF PUBLICATION

Notice is hereby given that Don M. Burtenshaw, Terreton, Idaho has on July 3, 1968 applied for permit to divert 6.4 cubic feet per second of water from subterranean source under application No. 31-7012. Water will be diverted by well, pump, and ditches within the SE 1/4 NW 1/4, Sec. 5, Twp. 6N., Rge. 34E., B.M. in Jefferson County and is to be used from April 1 to November 1 for irrigation and from January 1 to December 31 for domestic and stockwater in NW 1/4 Sec. 5, NW 1/4, Sec. 6, Twp. 6N., Rge. 34E., B.M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer
Publish July 20, August 1, 1968.

31-7012

bill sub. - 8-19-68

June 21, 1973

Re: Permit No. 31-7012

Mr. Garth E. Soderquist
P. O. Box 94
Terreton, Idaho 83450

Dear Mr. Soderquist:

Enclosed herewith is a copy of the Water License issued on the above referenced permit.

Sincerely,

BOBBY D. FLENNOR
Assistant Director

jc
Enclosure

31 7012

June 6, 1973

Mr. Garth E. Soderquist
P. O. Box 94
Terreton, Idaho 83450

Dear Mr. Soderquist:

A representative of this Department has made an examination of the works covered by your Permit No. 31-7012 and has found the following:

Quantity of water diverted: 6.75 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 6.29 cfs

The maximum quantity diverted shall not exceed 1,090.4 acre feet per year.

Beneficial use: Stockwater purposes and the irrigation of 310 acres within the E $\frac{1}{2}$ Sec. 6, Twp. 6N, Rge. 34E, B.M.

Point of diversion: NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 6, Twp. 6N, Rge. 34E, B.M.

Priority date established: July 3, 1968

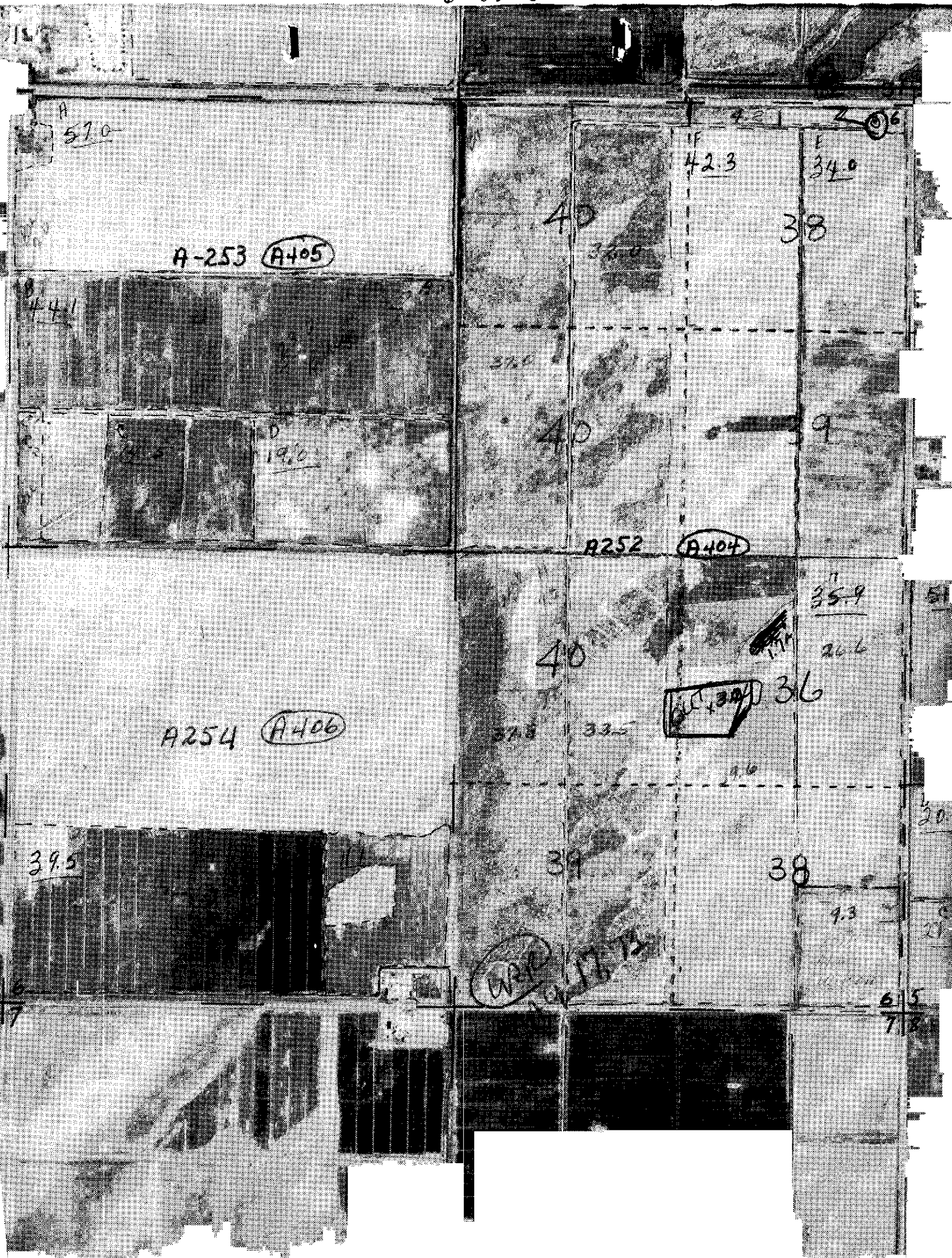
If you do not concur with these findings, please advise us within 10 days; otherwise, a license will be issued as set forth in this letter.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

31 7012



DEPARTMENT OF WATER ADMINISTRATION

FIELD REPORT

1. Name of permit holder Don M. Burtenshaw *1501 2nd GARTH*
 Post office address Monteview, Idaho Phone _____
 Person to contact _____ Phone _____

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

3. Water will be used for the following purposes:

Amount 6.4 c.f.s. for Irrigation
 _____ AF/Annum (nature of use)

Period of Use: from April 1 to Nov. 1
 (mo.-day) inclusive (mo.-day)

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

Period of Use: from Jan. 1 to Dec. 31
 (mo.-day) inclusive (mo.-day)

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

Period of Use: from Jan. 1 to Dec. 31
 (mo.-day) inclusive (mo.-day)

Other uses: _____

Permit No. 31-7012
 Examination for _____ b/u

4. Total amount to be appropriated:

Max Rate of Diversion 6.4 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 6 N N/S, Range 34 E E/W, B.M., Section 6, Subdivision NE 1/4 NE 1/4, Jefferson
 County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____
 County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____
 County

Other Points of Diversions: _____

Description of diverting works: well, pump, motor (12" discharge pipe w/10" machine orifice,
35" head)

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

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	
6N	34E	6	40	40	40	40									40	40	40	40	320
			X	X	X	X	(stockwater)								X	X	X	X	
			X	(domestic)															

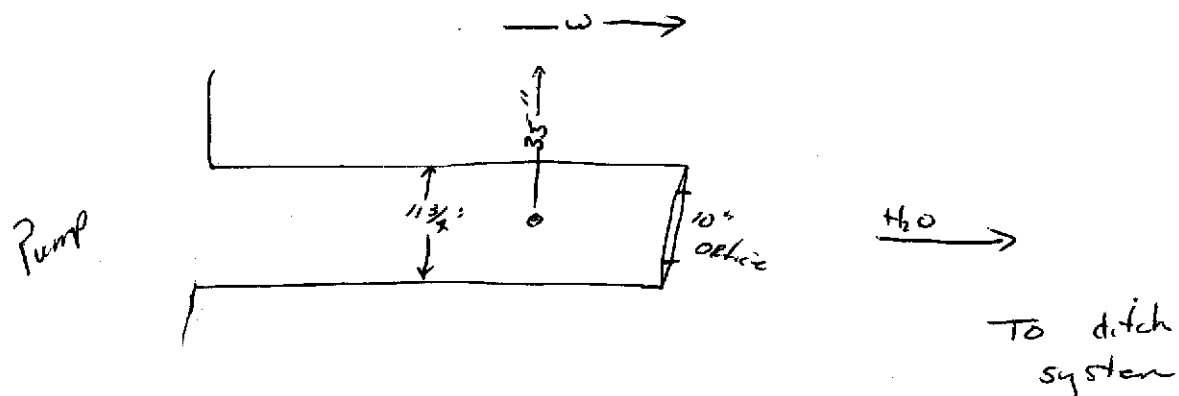
31 7012

TOTAL ACREAGE

320

[illegible]

Diagram of System



DATE OF EXAM MAY 17, 1973

ACREAGE
Found 310
Recommended 310

Irrigation Requirement 310 Ac Ft/Ac

The soil is porous sand, $\therefore$ increase to 3.54 $\frac{1}{2}$ $\frac{1}{2}$ $\frac{1}{2}$

USE
Irrigation Q = 6.20 c.f.s. V = 1185 AF/Ann. from April 1 to Nov 1
Domestic Q = c.f.s. V = 930.0 AF/Ann. from to
Livestock Q = 109 c.f.s. V = 5.4 AF/Ann. from Jan 1 to Dec 31

Is water co-mingled? yes no X

Name source: N.A.
twp. N/S, Rge E/W, B.M., Sec. , Sub. $\frac{1}{4}$ $\frac{1}{4}$ County

Exchange? yes no X

Name source exchanged with: N.A.
twp. N/S, Rge E/W, B.M., Sec. , Sub. $\frac{1}{4}$ $\frac{1}{4}$ County

Point of injection: N.A.
twp. N/S, Rge E/W, B.M., Sec. , Sub. $\frac{1}{4}$ $\frac{1}{4}$ County

Point of exchange: N.A.
twp. N/S, Rge E/W, B.M., Sec. , Sub. $\frac{1}{4}$ $\frac{1}{4}$ County

Total Q measured 6.75 cfs Method of measurement Orifice plate tube

Total Q recommended 6.29 Meter No. Type Condition

Total V recommended 935.4 AF/Ann 310 (3.5) = 1,085
1190

Recommended Amendments:

P.D.
Place of Use
Other
None X

MEASUREMENT CALCULATION:

$$Q = \frac{K}{D} \times \frac{D}{N_{25h}} = \frac{.813 \times 78.54 \times 47.43}{35} = 3228.55 = 6.75 \text{ cfs}$$

$$H = 35'' \text{ in manometer} = 448.8$$

$$310 \text{ Ac} \times 3.5 \text{ A/F/A} = 1085 \text{ A/F/A}$$
$$310 \text{ Ac} \times 3.5 = 1185 \text{ A/F/A}$$

SYSTEM DESCRIPTION:

200 Hp. 1800 RPM Hollow shaft U.S. Motors. Pump Motor
Serial # 1387256

(pump) Win + Roth ser # 6332

REMARKS: System and land shown by owner Mr. Keith Lodgequist
350 head range cattle
No Domestic development under this permit

Examiner's Signature William Rhoads Date May 17, 1973

Checked by Norman C. Young, P.E. Date May 18, 1973

Approved by Date

March 8, 1973

Re: Permit No. 31-7012

Mr. Garth E. Soderquist
P. O. Box 94
Terreton, ID 83450

Dear Mr. Soderquist:

Enclosed is a copy of an assignment for Permit No. 31-7012 from Mr. Don M. Burtenshaw to yourself. The assignment has been recorded in the Department's records.

We are also enclosing a copy of the Permit. Please note the conditions of approval as listed on the fourth page of the Application.

Very truly yours,

Donald W. McEldowney
Water Rights Administrator

DWM/cd

Enc: Copy of Assignment
Copy of Permit

31 7012

January 10, 1973

Re: PermitNo. 31-7012

**Mr. Don M. Burtenshaw
Montevue,
Idaho 83435**

Dear Mr. Burtenshaw:

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 240 South Holmes, Idaho Falls, Idaho.

Sincerely,

**BOBBY D. FLEENOR
Assistant Director**

BDF:DR

**bc: Eastern District Office
Enc: Field exam report**

31 7012

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION



Cecil D. Andrus
Governor
R. Keith Higginson
Director

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

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

November 29, 1972

Re: Permit No. 31-7012

Mr. Don M. Burtenshaw
Monteview,
Idaho 83435

Dear Mr. Burtenshaw:

We are in receipt of your affidavit submitted as proof of beneficial use for the above referenced permit. However, in reviewing that affidavit, you do not indicate that you have installed the measuring device as required by the condition of approval of your permit.

We cannot accept your proof unless you have installed a measuring device of a type approved by this Department; therefore, we are herewith returning your proof affidavit.

We have enclosed a list of the types of measuring devices accepted by this Department. If you have any questions, please feel free to contact us.

Sincerely,

Bobby D. Fleenor
BOBBY D. FLEENOR
Assistant Director

RECEIVED

1973
Department of Water Administration

BDF:DR
Enclosures (2)

cc: Grant L. Young,
Attorney at Law

*Dear Sir;
Number 7 b has
been completed and herewith
is re-submitted.*

*Very truly yours,
Don M. Burtenshaw*

31 7012

RECEIVED

NOV 21 1972

Identification No. _____

Permit No. 31-7012

Department of Water Administration

STATE OF IDAHO

Eastern District Office

DEPARTMENT OF RECLAMATION

RECEIVED

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

NOV 17 1972

Department of Water Administration

Don M. Burtenshaw

Department of Water Administration

Eastern District Office

b) Post Office Address Montevieu, Idaho2. Permit Number 31-70123. Date of Priority that you are prepared to establish 7-8-684. a) Source from which water was appropriated subterranean wellb) Location of the point of diversion: NE 1/4 NE 1/4, Section 6Township 6 N, Range 34 East Boise Meridian, Other points of diversion: _____

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

amount 6.4 c.f.s. for irrigation purposes from April 1 to Nov 1 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)amount _____ for domestic purposes from Jan 1 to Dec 31 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)amount _____ for stock water purposes from Jan 1 to Dec 31 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)b) Total amount appropriated 6.4 cfs and/or acre feet per annumc) 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: Garth Soderquist, experience as an irrigator, Used measurement device, 6.4 c.f.s.

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: ~~subterranean well~~ not applicableb) Describe the agreement or understanding by which you take water from the works: not applicable

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) pump size: 3 stage/ 16 inch cmc; motor size: 200 horse power; 1/2 Inch well casing; 396 feet deep240 feet of 10 inch casing, outer casing 18 inchb) Describe the type and size of measuring device which you have installed at your point of diversion: 12" discharge pipe with a 10" machine orifice, 35" headc) Give well drillers name and address and date the well was completed Hopkins Brothers, Thornton, Idaho. completed _____ The well was re-drilled to a depth of 396 feet in 1968. We have been unable to find the date of original drilling.Exam typed 1-10-73 by du

31 7012

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use for stock watering purposes on each 40 acres of farm. Domestic use at well.

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

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	
6N	34E	6	40	40	40	40									40	40	40	40	320

Total number of acres irrigated 320

10. Remarks:

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

November 20, 1972

(Date)

X

(Signature)

State of IDAHO)

County of Jefferson) ss.

On this 20th day of November, 19 72, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Notary Public residing at Rigby, Idaho

My commission expires 8-31-74

November 29, 1972

Re: Permit No. 31-7012

Mr. Don M. Burtenshaw
Montevue,
Idaho 83435

Dear Mr. Burtenshaw:

We are in receipt of your affidavit submitted as proof of beneficial use for the above referenced permit. However, in reviewing that affidavit, you do not indicate that you have installed the measuring device as required by the condition of approval of your permit.

We cannot accept your proof unless you have installed a measuring device of a type approved by this Department; therefore, we are herewith returning your proof affidavit.

We have enclosed a list of the types of measuring devices accepted by this Department. If you have any questions, please feel free to contact us.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enclosures (2)

cc: Grant L. Young,
Attorney at Law

31 7012

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
EASTERN DISTRICT OFFICE



Cecil D. Andrus
Governor
R. Keith Higginson
Director

240 South Holmes Avenue
Idaho Falls, Idaho 83401
(208) 523-7186

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

November 17, 1972

Mr. Grant L. Young
Attorney at Law
115 North Clark
Rigby, Idaho 83442

Dear Mr. Young:

We received the Proof of Beneficial Use form you submitted for Mr. Don M. Burtenshaw.

You will note on Page 2, under Mr. Burtenshaw's signature this document has to be notarized.

If you will please have this notarized and return to this office we can continue processing.

Very truly yours,

LOY H. JOHNSON
Water Resource Supervisor

LHJ:cw

Enclosure: Proof of Beneficial Use form

Sanny!

31 7012

RECEIVED

NOV 21 1972

Department of Water Administration
Eastern District Office

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Identification No. _____
Permit No. 31-7012

RECEIVED

NOV 17 1972

Department of Water Administration
Eastern District Office

1. a) Name of Permit Holder Don M. Burtenshaw
b) Post Office Address Montevue, Idaho
2. Permit Number 31-7012
3. Date of Priority that you are prepared to establish 7-8-68
4. a) Source from which water was appropriated subterranean well
b) Location of the point of diversion: NE 1/4 NE 1/4, Section 6
Township 6 N, Range 34 East Boise Meridian, Other points of diversion:
5. a) The amount of water and use to which the water has been applied:
amount 6.4 c.f.s. for irrigation purposes from April 1 to Nov 1 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for domestic purposes from Jan 1 to Dec 31 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for stock water purposes from Jan 1 to Dec 31 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 6.4 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: Garth Soderquist, experience as
an irrigator, Used measurement device, 6.4 c.f.s.
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: XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX not applicable
b) Describe the agreement or understanding by which you take water from the works: not applicable
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) pump size: 3 stage/ 16 inch cmc
200 horse power; 1/2 Inch well casing; 396 feet deep
240 feet of 10 inch casing, outer casing 18 inch
b) Describe the type and size of measuring device which you have installed at your point of diversion: _____
c) Give well drillers name and address and date the well was completed Hopkins Brothers,
Thornton, Idaho. completed The well was re-drilled
to a depth of 396 feet in 1968. We have been unable to find the date of
original drilling.

COPY

31 7012

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use for stock watering purposes on each 40 acres of farm. Domestic use at well.

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

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
6N	34E	6	40	40	40	40									40	40	40	40	320

Total number of acres irrigated 320

10. Remarks:

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

November 20, 1972
(Date)

X [Signature]
(Signature)

State of IDAHO)
County of Jefferson) ss.

On this 20th day of November, 19 72, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

[Signature]
Notary Public residing at Rigby, Idaho

My commission expires 8-31-74

COPY

MEMORANDUM

RECEIVED

NOV 15 1972

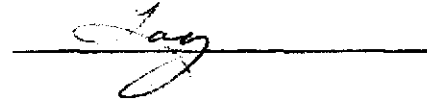
Department of Water Administration

TO: Bob Fleenor
FROM: Loy Johnson
RE: Permit No. 31-7012
DATE: November 14, 1972

Some time ago I forwarded you a letter and a memo in regard to Garth Soderquist, requesting a Proof of Beneficial Use on this permit. At that time I was not aware that this permit had been transferred from one party to another. This permit was originally issued to Don Burtenshaw.

Grant Young, Attorney in Rigby, Idaho, is supposed to be handling the final papers on this permit for Mr. Soderquist.

If you would please check to see if the beneficial use has been made and send the field exam report, we can probably complete this exam this year. He probably has requested a loan and this is the emergency for final completion.



*Loy will contact Grant Young about BU not being submitted
11/16/72 BDF*

31 7012

M E M O

RECEIVED

OCT 19 1972

TO: Bob Fleenor

FROM: Loy Johnson

DATE: October 18, 1972

Department of Water Administration

Attached is a copy of a letter from Garth Soderquist from Terreton, stating that he has made final proof on his permit and has sent it to Boise for final processing.

It is possible he is applying for a loan and would like to have his license issued so he can secure his loan. If you will send the ~~final~~ examiner's report over we can make the examination.

Field

Loy

31-7012

31 7012

RECEIVED

OCT 17 1972

Department of Water Administration
Eastern District Office

Territon, Idaho
October 16, 1972
Telephone 663-4538

Idaho Department of Water Administration
240 South Holmes Ave.
Idaho Falls, Idaho
Attention Mr. Norm Young

Dear Sir,

I am making final proof for
beneficial use on an irrigation well.
In talking to Don Shenton, water-
master of Camas Creek drainage district,
he asked me to contact you for making
the water measurement.

I have a 12 inch discharge pipe
with a 10 inch orifice attached to the
end and a small orifice on the
side for a tube.

Final proof papers have been sent
to Boise.

I would appreciate your help in
finishing this filing.

Sincerely yours,
Guth Bergquist

Don Burtenshaw 31-7012

31 7012

Grant Young

Section 4 AEC

3 miles

2 mi North Territon Stars

1/4 Sec 3 mi W 1 mi N of Well

320 acres

September 7, 1972

Re: Permit No. 31-7012

**Mr. Don M. Burtenshaw
Montevue,
Idaho 83435**

Dear Mr. Burtenshaw:

**Enclosed please find a copy of the approved application for amendment for the
above referenced permit.**

**We have also enclosed a proof of beneficial use affidavit for your use in the
event you wish to make proof at this time.**

Sincerely,

**BOBBY D. FLEENOR
Assistant Director**

**BDF:DR
Enc: Copy of amendment
Proof affidavit**

**cc: Grant L. Young
Enc: Copy of amendment
Receipt #8771
Proof affidavit**

31 7012

LAW OFFICES
YOUNG & GEORGE
RIGBY, IDAHO 83442
115 North Clark

Grant L. Young
H. Reynold George

RECEIVED
AUG 30 1972

Department of Water Administration

August 29, 1972

State of Idaho
Department of Reclamation
Statehouse
Boise, Idaho 83707

Re: Permit No. 31-7012 Don M. Burtenshaw

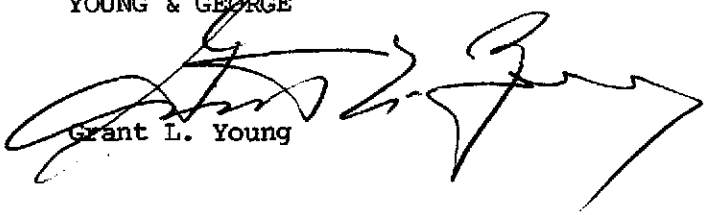
Dear Sir:

Enclosed please find Application for Amendment together with fee of \$10.00. As soon as this amendment is approved, my client would like to make final proof on this permit. It would be appreciated if you would send the necessary forms for this.

Thank you for your courtesy in this matter.

Yours very truly,

YOUNG & GEORGE


Grant L. Young

GLY/vk
Encs. 2

31 7012

May 19, 1972

Mr. Grant L. Young
YOUNG & GEORGE
115 North Clark
Rigby, Idaho 83442

Re: Permit No. 31-7012 - Don M. Burtenshaw

Dear Mr. Young:

Pursuant to your letter of May 18th, please find enclosed an application for amendment form along with a proof of application of water to beneficial use affidavit for your use in connection with the above referenced permit.

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

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enclosures

31 7012

LAW OFFICES
YOUNG & GEORGE
RIGBY, IDAHO 83442
115 North Clark

Grant L. Young
H. Reynold George

RECEIVED

MAY 17 1972

Department of Water Administration

May 16, 1972

Department of Reclamation
Statehouse - Annex 2
Boise, ID 83707

ATTN: DONALD W. McELDOWNEY

Re: Permit No. 31-7012
Don M. Burtenshaw

Dear Mr. McEldowney:

My client desires to make final proof on the above captioned permit. Before this is done an amendment should be made in the permit to correct the point of diversion and the land that the water is to be used on. I would appreciate your sending me the necessary forms to accomplish this purpose.

Thank you for your courtesy.

Yours very truly,

YOUNG & GEORGE

Grant L. Young

GLY/bj

cc. Don Burtenshaw

Garth Soderquist

31 7012

April 16, 1969

Re: Permit No. 31-7012
Don M. Burtenshaw

Mr. Grant L. Young
115 North Clark
Rigby, Idaho

Dear Mr. Young:

Please find enclosed a copy of permit number 31-7012 which you requested in your letter of April 14, 1969. Please remit a fee of \$1.00 to cover the charge for this copy.

Also find enclosed "proof of application of water to beneficial use" form with an instruction sheet for your client to complete. This form must be submitted to the Department before September 1, 1973.

If we may be of further help, please advise.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR

Enc: Copy of permit #31-7012
Proof form

31-7012

APR 15 1968

Department of Reclamation

April 14, 1969

RECL. INGR.

Date

Re: Application for Permit
Don M. Burtenshaw

31-7012

Bv

~~Grant L. Young~~

31-7012

September 18, 1968

Re: Permit No. 31-7012

Don M. Burtenshaw
Terreton,
Idaho 83450

Dear Mr. Burtenshaw:

We enclose a copy of your approved application for permit 31-7012
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
State Reclamation Engineer

CSA:kh

Enclosures: Copy of application
Receipt No. 1070 for \$50.00
2 informational letters

31-7012

August 13, 1968

Re: Claim No. 31-4002
Hamer Canal Company, Inc.

Application No. 31-7012
Don M. Burtenshaw

Rigby Star
Rigby,
Idaho 83442

Gentlemen:

As of this date we have not received the bills of publication or the affidavits of publication for the above referenced claim and application.

Claim No. 31-4002 was advertised in your newspaper on June 6 and June 13 of this year. We have written several letters requesting the above items but have had no reply. Your immediate attention is requested.

Application No. 31-7012 was advertised in your newspaper on July 25 and August 1, 1968.

Your cooperation will be greatly appreciated.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

31-7012

**NOTICE OF APPLICATION
FOR WATER**

Notice is hereby given, that Don M. Burtenshaw, Terreton, Idaho has on July 3, 1968 applied for permit to divert 6.4 cubic feet per second of water from subterranean source under application No. 31-7012. Water will be diverted by well, pump, and ditches within the SE 1/4 NW 1/4, Sec. 5, Twp. 6N., Rge. 34E., B.M. in Jefferson County and is to be used from April 1 to November 1 for irrigation and from January 1 to December 31 for domestic and stockwater in NW 1/4 Sec. 5; NE 1/4 Sec. 6, Twp. 6N., Rge. 34 E., B.M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer
Publish July 25, August 1, 1968.

July 18, 1968

Re: Permit No. 31-7012
Don M. Burtenshaw

Rigby Star
Rigby,
Idaho 83442

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 can not 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 same has been paid.

Signature of claimant

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:kh

Enclosure

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that Don M. Burtenshaw, Tarryton, Idaho
has on July 3, 1968
applied for permit to divert ~~stream~~ 6.4 cubic feet per second ~~acre feet~~
of water from subterranean source
under application No. 31-7012. Water will be diverted by well, pump,
and ditches within the SE 1/4 Sec. 5, Twp. 6 N., Rge.
34 E., B.M. in Jefferson County
and is to be used from April 1 to November 1 for irrigation and farm
January 1 to December 31 for domestic and stockwater
in NW 1/4 Sec. 5, NE 1/4 Sec. 6, Twp. 6 N., Rge. 34 E., B.M.

Any protest against this application must be filed with the Department of
Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Rigby Star
on July 25th and August 1st.

LAW OFFICES
YOUNG & GEORGE
RIGBY, IDAHO
115 North Clark

Grant L. Young
H. Reynold George

July 2, 1968

RECEIVED
JUL 8 1968
Department of Reclamation

Donald W. McEldowney
Appropriation Examiner
Department of Reclamation
Statehouse - Annex 2
Boise, Idaho 83707

Re: Application for Permit
Don M. Burtenshaw

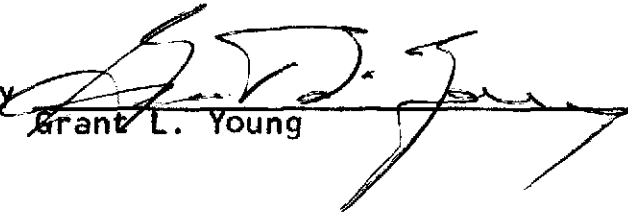
Dear Mr. McEldowney:

Pursuant to your request, please find enclosed the
Amended Application to appropriate subterranean waters
together with \$50.00 filing fee.

Yours very truly,

YOUNG & GEORGE

By


Grant L. Young

GLY/jg

Encls.

31-7012