

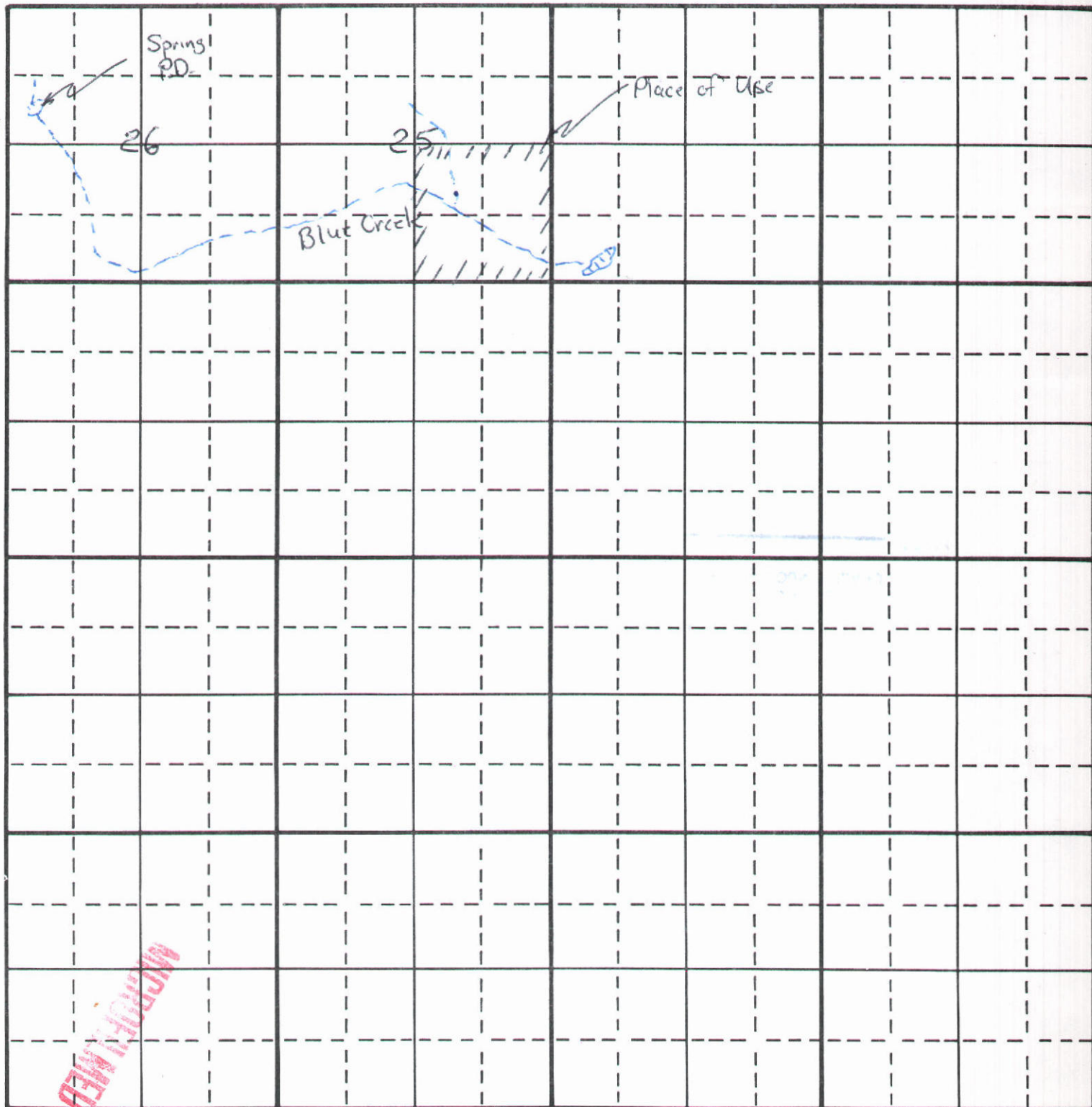
c. Describe the lands of place of use to which the right will be transferred:

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	
10N	33E	25													40	40	40	40	160

Total number of acres to be irrigated 160

4. Describe any other water rights used for the same purpose as described above. NONE
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.

R33E



WARRANTY DEED

THIS INDENTURE, Made this 8th day of May, 19 78
by and between LaVERE F. PARK and GERTRUDE PARK, husband and wife

of the County of Jefferson, State of Idaho, the part ies of the first
part, and LELAND H. SPEELMON and CAROLE SPEELMON, husband and wife

of the County of Jefferson, State of Idaho, the part ies of the second
part.

WITNESSETH, That the said part ies of the first part, for and in consideration of the sum of
Ten dollars and no/100----- DOLLARS
lawful money of the United States of America, and other good and valuable considerations, to
in hand paid by part ies of the second part, the receipt whereof is hereby acknowledged, ha
granted, bargained and sold by these presents do grant, bargain, sell, convey and confirm
unto the said part ies of the second part and to their heirs and assigns forever, all the follow-
ing described real estate, situate in the County of Clark, State of Idaho, to wit:

Township 9 North, Range 33 East of the Boise Meridian, Clark County, Idaho.
Section 1: E 1/2 E 1/2, lying North of Highway.

Township 9 North, Range 34 East of the Boise Meridian, Clark County, Idaho.
Section 6: W 1/2 NW 1/4, lying North of Highway.

Township 10 North, Range 34 East of the Boise Meridian, Clark County, Idaho.
Section 31: W 1/2 W 1/2,
LESS the North 400 feet.

LESS AND EXCEPTING the oil, mineral and geothermal rights on said property.

TOGETHER with all installed mainlines thereon, together with the dwelling
house located thereon and two metal granaries.



UNRECORDED

**NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
No. 32-2101**

Notice is hereby given that Leland H. Speelmon, Dubois, Idaho, has applied to the Department of Water Resources for a change in the place of use of the waters of springs tributary to Blue Creek. The right is evidence by License No. 32-2101 and is recorded as follows:

AMOUNT: 2.22 cfs

PRIORITY: June 23, 1958

POINT OF DIVERSION:
SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 26, T. 10N,
R. 33E, B.M., Clark County.

The water is used to

Irrigate 186 acres within the
W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 6, T. 9N, R.
34E; SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$,
Sec. 31, T. 10N, R. 34E, B.M.

**TO BE CHANGED AS
FOLLOWS**

The water will be used to
irrigate 160 acres within the
SE $\frac{1}{4}$, Sec. 25, T. 10N, R. 33E,
B.M.

Any protest against ap-
proval of the above proposed
change of water right must
be filed with the Idaho Dep-

Any protest against ap-
proval of the above proposed
change of water right must
be filed with the Idaho Depart-
ment of Water Resources,
150 Shoup, Idaho Falls,
Idaho, 83402, on or before Oc-
tober 13, 1981.

A KENNETH DUNN
Director

Published September 24 and
October 1, 1981.

Affidavit of Publication,

JEFFERSON COUNTY STAR

OCT 16 1981

Department of Water Resources
Eastern District Office

STATE OF IDAHO,

County of Jefferson

ss

I, Marie B. Nye, do solemnly swear that I am the
Publisher 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 at the times herein mentioned said
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 2 consecutive issues thereof; first publication having been made on
the

Twenty-fourth day of September, 19 81

and the last publication on the

First day of October, 19 81

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 bonafide subscribers in
Jefferson County.

Marie B. Nye
Publisher

Subscribed in my presence and sworn to before me this First
day of October, 19 81.

[SEAL]

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

My commission expires Life, 19

Publication Fee: \$ 21.38

RECEIVED

H. R. HARN
"FOR ALL YOUR INSURANCE NEEDS"
P. O. Box 7 — Tel. FRontier 4-5115
DUBOIS, IDAHO

TO Department of Reclamation
ATTENTION Roy W. Thompson, Office Mgr.
STREET State Capitol Building
CITY Boise, STATE Idaho

SUBJECT Applications of R. K. Stoddard,
Dubois, Idaho
REPLY ATT'N OF _____
DATE June 18, 1958

With reference to your letter of April 25th, I first want to thank you for all your trouble in this matter.

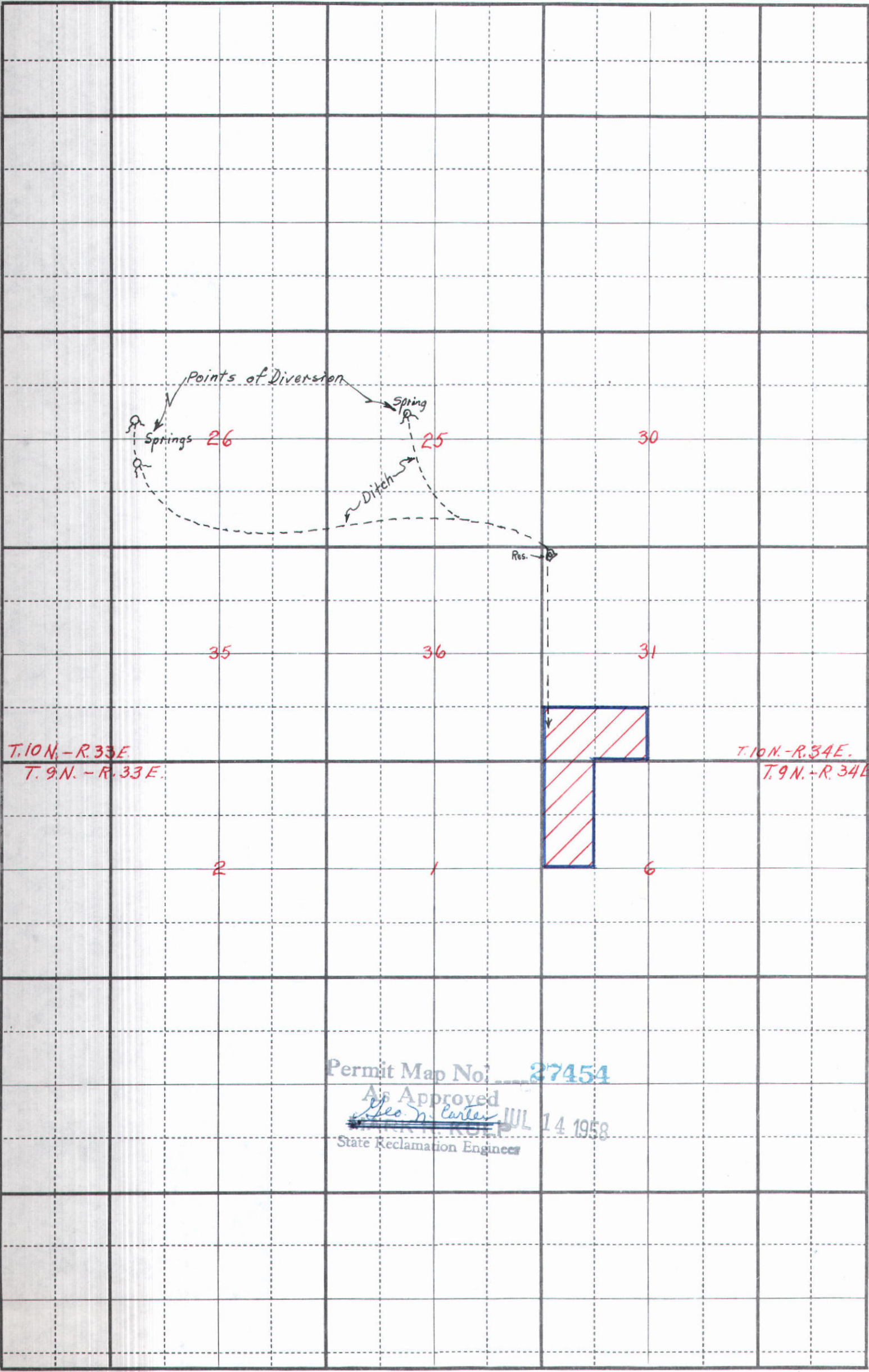
The Applications are returned as you prepared them, together with my Check No. 254 for \$9.75 and my check No. 440 for \$5.00, the two checks making up the total of \$14.75 that you state is the proper fee.

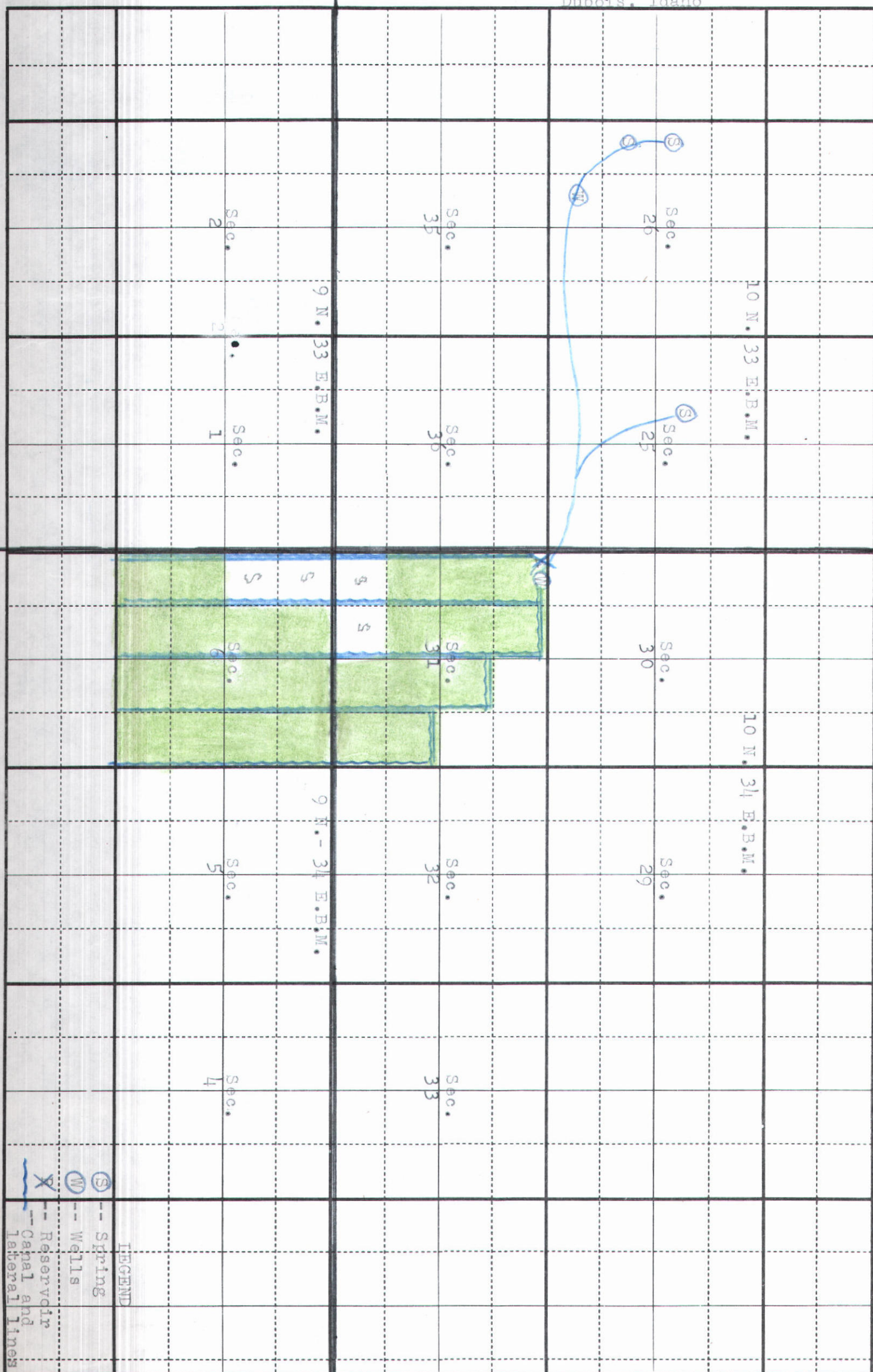
H. R. Harn
H. R. Harn

cc: R. K. Stoddard
Star Route
Dubois, Idaho

Reg: Be sure to return Permits direct to me.
H. R. Harn

DATE - REPLY





Chen. \$975

Address all communications to:

(Form No. 3)

H. R. Harn, P.O. Box 7
P.O. Dubois, Idaho

APPLICATION FOR PERMIT

TO APPROPRIATE THE SUBTERRANEAN WATERS OF THE STATE OF IDAHO

Application No. G Void
Permit No. G Supplemented By other permits
District No. 1001

1. Name of applicant: R. K. Stoddard
Post office address Dubois County Clark State Idaho

2. Quantity of water claimed: 20 c.f.s.
(a) Rate of withdrawal in cubic feet per second 20 or Idaho Miner's
inches _____ or gallons per minute _____
(b) Annual withdrawal in acre feet per annum _____

3. Source of water supply: Springs to be developed and subterranean wells.
_____ of springs are in the SE 1/4 NW 1/4, Sec. 25, SW 1/4 NW 1/4, Sec. 26,
_____ and NW 1/4 SW 1/4, Sec. 26

4. Location of point of diversion or wells in the SE 1/4 of the SW 1/4 of Section 26, Twp. 10, North,
Range 33 E.B.M. and NW 1/4 NW 1/4, Sec. 31,
Twp. 10 N., Rge. 34 E., B. M., County of Clark

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 _____ 1/4 of the _____ 1/4 of Section _____,
Twp. _____, Rge. _____, B. M.
(b) Waste water or sewage effluent is to be returned to _____
at a point in the _____ 1/4 of the _____ 1/4 of Section _____, Twp. _____, Rge. _____, B. M.

7. Kind of Works: Excavation of spring and drilling two wells, all located
on my own lands.

8. Estimated cost of works: \$ 5,000.00

9. (a) Is reservoir to be used? Yes, located on my own land.
(b) Capacity of reservoir: 120 acre feet

10. The time required for the completion of such work and complete application of the water to the proposed use is
5 years.

Approval of State Reclamation Engineer

The number of this permit is G_____.

Recorded in Book_____ Page_____ Approved_____

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$_____ to be filed before_____

Work to begin on or before_____, and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before_____.
The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on

or before_____

Witness my hand this_____ day of_____, 195_____.

State Reclamation Engineer

IN TESTIMONY WHEREOF, We_____, Governor of the State of Idaho,

and_____, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this_____ day of_____, 195_____.

Countersigned:

STATE OF IDAHO

By_____ Secretary of State

By_____ Governor.

No. G_____

PERMIT

Date of first receipt at office of State
Reclamation Engineer

9:00 a.m. 4-11-58

Returned to applicant for correction

Corrected application received

Fees, \$ 9.75

FILING FEES FOR USE PERMIT:

For the first Sec. Ft._____ \$5.00

For each additional Sec. Ft. or Fraction

Thereof _____ .25

Proof Of Publication

RECEIVED
JUL 9 1963
Department of Reclamation

RECEIVED

JUL 3 1963

J. A. TERTELING & SONS, INC.

STATE OF IDAHO }
County of Clark } ss:

M. L. Phippen being
first duly sworn, deposes and says that he is the

chief clerk
of THE CLARK COUNTY
ENTERPRISE, a weekly newspaper published in
Dubois, Clark County, in the State of Idaho. That

the Proof of Completion
a true copy of which is hereto attached was pub-
lished in THE CLARK COUNTY ENTERPRISE

for 4 consecutive weeks, first publication

having been made on the 23rd day of

May, 1963 and the last

publication having been made on the 13th

day of June, 1963.

That said paper has been continuously and un-
interruptedly published in said county during a
period of seventy-eight consecutive weeks prior
to the first publication of said notice or advertise-
ment, and is a newspaper within the meaning of
the laws of Idaho.

M. L. Phippen

SUBSCRIBED AND SWORN TO before me

this 2nd day of July, A. D., 1963

R. RHULE LEONARDSON
CLERK OF DISTRICT COURT
CLARK COUNTY, IDAHO

Notary Public.

My commission expires 1964

PUBLIC NOTICE

NOTICE OF PROOF OF COM- PLETION OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE

NOTICE is hereby given that at
10 A.M., on the 8th day of July,
1963, at Boise, County of Ada,
State of Idaho, before Mary P.
Beavers, Notary Public, at 630
First Security Bank Bldg., Boise,
Idaho, proof will be submitted of
the completion of works for the
diversion of 3.2 cubic feet per sec-
ond of the waters of 3 Unnamed
springs, and of the application to
beneficial use of said water, in ac-
cordance with the terms and con-
ditions of Permit No. 27454, here-
tofore issued by the Department
of Reclamation of the State of
Idaho.

1. The name and postoffice ad-
dress of the person or corporation
holding said permit is: J. A. Ter-
teling & Sons, Inc., Box 1428,
Boise, Idaho.

2. Said works of diversion will
be fully completed on the date set
for such completion and the
amount of water which said works
are capable of conveying to the
place of use is 4.8 cubic feet per
second.

3. The use to which said water
has been applied is irrigation pur-
poses, and the amount applied to
beneficial use is 3.2 cubic feet per
second.

4. The point of diversion of said
water is SW $\frac{1}{4}$ NW $\frac{1}{4}$ & NW $\frac{1}{4}$ SW-
 $\frac{1}{4}$ Sec. 26, and SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec.
25, T. 10 N., R. 34 E., B.M.

5. The place where said water
is used is W $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 6, T. 9
N., R. 34 E. W $\frac{1}{2}$ SW $\frac{1}{4}$, 35 Ac. of
SW $\frac{1}{4}$ NW $\frac{1}{4}$ and 5 Ac. of NW $\frac{1}{4}$ -
NW $\frac{1}{4}$ Sec. 31, T. 10 N., R. 34 E.,
B.M. Total 200 acres.

6. The date of priority which
said user is prepared to establish
is June 23, 1958.

Geo. W. Carter

State Reclamation Engineer

Publish May 23, 30, June 6, 13,
1963.

Geo. W. Carter

RECEIVED

NOV 15 2000

2ND NOV 14 AM 11:42

Department of Water Resources

FILED
TWIN FALLS CO., IDAHO
SRBA

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA

ORDER OF PARTIAL DECREE

Case No. 39576

For Water Right 32-02101

On August 24, 2000, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 32-02101 is hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED NOV 14 2000.



BARRY WOOD
Administrative District Judge and
Presiding Judge of the
Snake River Basin Adjudication

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)

Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 32-02101

200 NOV 14 AM 11:42
FILED
T-SRBA
JAN 11 2000
IDAHO

NAME AND ADDRESS: BLUE SPRINGS RANCH
C/O JIM W TARPLEY
HC 61 BOX 1140
DUBOIS, ID 83423

SOURCE: BLUE CREEK SPRING
SPRINGS
BLUE CREEK

TRIBUTARY: BLUE CREEK
BLUE CREEK
SINKS

QUANTITY: 2.22 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 8.44 CFS. COMBINED RIGHT NOS.:
32-07026, 32-07070, 32-07085, 32-11147

PRIORITY DATE: 06/23/1958

POINT OF DIVERSION: T10N R33E S25 NESENW Within Clark County
S26 NESWNW
SENESW
R34E S30 LOT 04 (SWSW)

PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 04-01 TO 11-01 2.22 CFS

PLACE OF USE: Irrigation Within Clark County
T09N R33E S01 LOT 01 (NENE)39.0 SENE 40.0
NESE 25.0
R34E S06 LOT 01 (NENE)22.0 LOT 02 (NWN)37.0
SWNE 5.0 LOT 03 (NENW)40.0
LOT 04 (NWNW)40.0 LOT 05 (SWNW)38.0
SENE 23.0 LOT 06 (NWSW) 4.0
T10N R33E S25 NESW 9.0 NWSW 9.0
LOT 03 (NESE) 2.0 NWSE 13.0
LOT 04 (SESE)14.0
R34E S30 LOT 04 (SWSW) 6.0 SESW 2.0
S31 NENW 35.0 LOT 01 (NWNW)10.0
LOT 02 (SWNW)35.0 SENW 40.0
NESW 40.0 LOT 03 (NWSW)40.0
LOT 04 (SWSW)40.0 SESW 38.0
646.0 Acres Total

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 646 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-07026, 32-07070,
32-07085, 32-11147

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 160 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

A handwritten signature in cursive script, appearing to read "B Wood", is written over a horizontal line.

Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

RECEIVED

NOV 15 2000

Department of Water Resources

2000 NOV 14 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)

CERTIFICATE OF MAILING

Case No. 39576)
_____)

Water Right(s): 32-02101

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 32-02101 was mailed
on November 14, 2000, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

BLUE SPRINGS RANCH
Represented by:
CHARLES C. JUST
PO BOX 50271
IDAHO FALLS, ID 83405
Phone: 208-523-9106

DIANA DELANEY
Chief Deputy Clerk

CERTIFICATE OF MAILING

RECEIVED

MAY 20 2002

PAGE 1
11/14/00

**THIS
RIGHT HAS BEEN
DECREED IN THE
SRBA**

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPROVED

APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

Name of applicant Leland H. Speelman

Phone 657-2274

Post Office address Dubois, Idaho 83423

A. DESCRIPTION OF RIGHT AS RECORDED

- 1 Right evidenced by:

a. Decree No. Decreed to (Name) in case of vs dated in in county of (Name of court)

b. License No 32-2101 issued by the Idaho Department of Water Resources

c. Claim No. on file with the Idaho Department of Water Resources
- 2 If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant Applicant owns land to which license is appurtenant
3. Source of water Springs tributary to Blue Creek
4. Date of priority 6/23/1958
5. Water is used for the following purposes:

amount 2.22 cfs for Irrigation purposes from 4/1 to 11/1

amount for purposes from to

amount for purposes from to (month/day — both dates inclusive)
- 6 Total amount of water under right: a. 2.22 cfs cubic feet per second &/or b. acre feet per annum
- 7 Location of original point of diversion is SW ¼ of NW ¼ of Section 26 Township 10N Range 33E, B.M., in Clark County
- Additional points of diversion, if any
8. Lands irrigated or place of use:

TWP	RANGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9N	34E	6						40	38										78
10N	34E	31							30			40	38						108

Total number of acres to be irrigated 186

- 9 Describe any other water rights used for the same purpose as described above #32-2023 (Being transferred also)
- 10 To your knowledge, has any portion of this water right undergone a period of one or more consecutive years of nonuse? NO If yes, describe in item D, REMARKS

B DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1 Amount of water. a _____ cubic feet per second
 &/or
 b _____ acre feet per annum

Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B M, _____ County

Additional points _____

3. Place of use:

TWP	RANGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information

a. Amount of water to be diverted 2.22 cfs c.f.s. &/or _____ acre feet

b. Description of diverting works Pipeline to holding pond then pipeline to place of use.

c. Describe the reasons for the proposed changes No access to water on present P.O.U.

2. Change in point of diversion No change

Point of diversion _____ ¼ _____ ¼, Section _____ Township _____

Range _____, B.M., _____ County

Additional points _____

3. Change in place of use

a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No xx. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract

Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer

No change

MICHAEL
WELLS

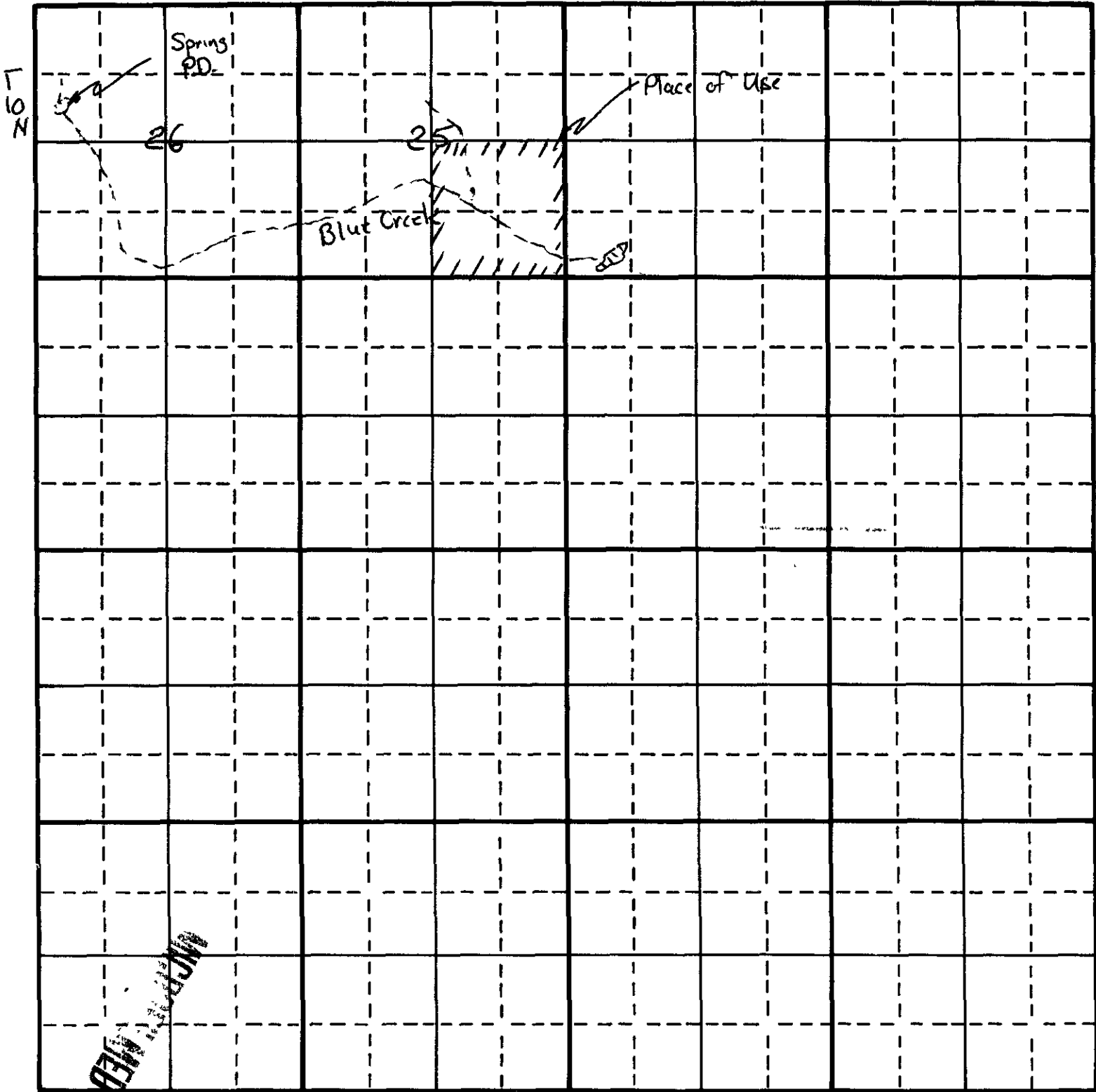
c Describe the lands & place of use to which the right will be transferred.

TWP	RANGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
10N	33E	25													40	40	40	40	160

Total number of acres to be irrigated 160

- 4 Describe any other water rights used for the same purpose as described above. NONE
- 5 Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated Show clearly the land involved by section, township and range number.

R33E



D REMARKS

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right The information contained in this application is true to the best of my knowledge I understand that any willfull misrepresentations made in this application may result in voiding its approval.

[Signature]
(Signature of Applicant)

Subscribed and sworn to before me this 16 day of Sept, 19 81

[Signature]
H. R. HULL, JR.
CLERK OF DISTRICT COURT
CLARK COUNTY, IDAHO

My commission expires _____ BY _____ DEPUTY

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 32-2101 and said application is hereby Approved, subject to the following limitations and conditions:

Witness my hand this 30th day of November, 19 81

[Signature]
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by <u>CW</u>	Date <u>9-16-81</u>	Protest filed by _____
Prelim. check by <u>KCW</u>	Fee <u>50.00</u>	_____
Receipted by <u>CW</u>	Date <u>9-16-81</u> # <u>19073</u>	_____
Published in <u>Rigby Star</u>	Copies of protest forwarded by _____	
Pub. dates <u>Sept. 24, October 1, 1981</u>	Hearing held by _____ Date _____	
Waterm. recommendation requested on _____	Recommended for <u>approval</u> denial	
_____ rec'd. _____	by <u>[Signature]</u> <u>[Signature]</u> DET	

RECORDED

WARRANTY DEED

THIS INDENTURE, Made this 8th day of May
by and between LAVERNE F. PARK and GERTRUDE PARK, husband and wife

of the County of Jefferson, State of Idaho, the part ies of the first
part, and LELAND H. SPEELMON and CAROLE SPEELMON, husband and wife

of the County of Jefferson, State of Idaho, the part ies of the second
part

WITNESSETH, That the said part ies of the first part, for and in consideration of the sum of
Ten dollars and no/100----- DOLLARS
lawful money of the United States of America and other good and valuable considerations, to
in hand paid by part ies of the second part the receipt whereof is hereby acknowledged, ha
granted, bargained and sold by these presents do grant, bargain, sell, convey and confirm
unto the said part ies of the second part and to their heirs and assigns forever, all the follow-
ing described real estate, situate in the County of Clark, State of Idaho, to wit

Township 9 North, Range 33 East of the Boise Meridian, Clark County, Idaho
Section 1 E 1/2 E 1/2, lying North of Highway

Township 9 North, Range 34 East of the Boise Meridian, Clark County, Idaho
Section 6 W 1/2 NW 1/4, lying North of Highway

Township 10 North, Range 34 East of the Boise Meridian, Clark County, Idaho
Section 31 W 1/2 W 1/2
LESS the North 400 feet.

LESS AND EXCEPTING the oil mineral and geothermal rights on said property
TOGETHER with all installed mainlines thereon, together with the dwelling
house located thereon and two metal granaries

**NOTICE OF PROPOSED
CHANGE OF WATER RIGHT**
No. 32-2101

Notice is hereby given that
Leland H. Speelman, Dubois,
Idaho, has applied to the
Department of Water
Resources for a change in the
place of use of the waters of
springs tributary to Blue
Creek. The right is evidenced
by License No. 32-2101 and is
recorded as follows:

AMOUNT: 2.22 cfs
PRIORITY: June 23, 1958
POINT OF DIVERSION:
SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 20, T. 10N,
R. 33E, B.M., Grant County.
The water is used to

irrigate 186 acres within the
W $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8, T. 9N, R.
34E; SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$,
Sec. 31, T. 10N, R. 34E, B.M.

**TO BE CHANGED AS
FOLLOWS**

The water will be used to
irrigate 186 acres within the
SE $\frac{1}{4}$, Sec. 25, T. 10N, R. 33E,
B.M.

Any protest against ap-
proval of the above proposed
change of water right must
be filed with the Idaho Depr-

Any protest against ap-
proval of the above proposed
change of water right must
be filed with the Idaho Depart-
ment of Water Resources,
150 Shoup, Idaho Falls,
Idaho, 83402, on or before Oc-
tober 13, 1981.

A KENNETH DUNN
Director

Published September 24 and
October 1, 1981.

Affidavit of Publication.

JEFFERSON COUNTY STAR

STATE OF IDAHO.

County of Jefferson

ss

I, Marie B. Nye, do solemnly swear that I am the
Publisher 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 at the times herein mentioned said
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 6 consecutive issues thereof, first publication having been made on the

Twenty-fourth day of September, 19 81

and the last publication on the

First day of October, 19 81

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 bonafide subscribers in
Jefferson County

Marie B. Nye
Publisher

Subscribed in my presence and sworn to before me this First
day of October, 19 81.
[SEAL]

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

My commission expires Life, 19

Publication Fee \$ 21.58

STATEMENT

JEFFERSON COUNTY STAR

04

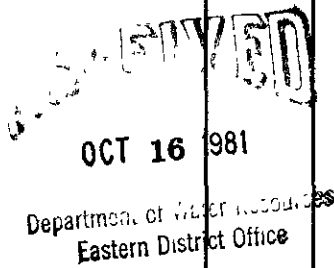
134 W. Main
 Rigby, Idaho 83442
 745-8701

Customer's Order # _____ Date September 29 19 81

Sold To Idaho Dept of Water

Address 150 Shoup Ave

Idaho Falls, ID 83402

Edition Date	Description	Inches	Open Rate	Amount
9-24-81	Notice 32-2101	45	@.28.5	12.83
9-17-81	" "	"	@.19	8.55
				21.38
MICROFILMED  OCT 16 1981 Department of Water Resources Eastern District Office				
Total				
Monthly Cum. Inches _____				
Monthly Earned Rate _____				
Monthly Earned Discount _____				
Total Monthly Charge				
Previous Balance				
Finance Charge				
Total Due				

Monthly earned rate & contractual rate applies only when account is paid by the 15
 Accounts are due and payable 10th of month following invoice date Finance Charge of 1½% per month
 is computed which is An Annual Percentage Rate of 18% and will be charged on past due accounts

State of Idaho
License and Certificate of Water Right

Water License No. 27454 Amount 2.22 c.f.s.
Water District No. Priority June 23, 1958

THIS IS TO CERTIFY that R. K. STODDARD - Assignee - J. A. TERTELING & SONS, Inc. of Dubois, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated June 23, 1958; that Permit No. 27454 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 2.22 second feet, was issued thereunder on September 4, 1963, showing that said works were completed on the 8th day of July, 1963; and that on the 8th day of July, 1963,

R. K. STODDARD - Assignee - J. A. TERTELING & SONS, Inc. of Boise, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of two unnamed springs, a tributary of, for the purpose of irrigation, under Use Permit No. 27454 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 12 of Licenses at page 7701, on the 4 day of September, 1963; The right hereby confirmed dates from June 23, 1958;

The Point of Diversion is located SE 1/4 NW 1/4, Sec. 25; in the SW 1/4 NW 1/4, Sec. 26, Tp. 10 N., R. 33 E., B. M. Clark County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 2.22 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
9 N.	34 E	6	NW 1/4 NW 1/4	40	40
			SW 1/4 NW 1/4	40	38
10 N.	"	31	SW 1/4 NW 1/4	35	30
			NW 1/4 SW 1/4	40	40
			SW 1/4 SW 1/4	40	38
Total number of acres to be irrigated:					186

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 4th day of September, 1963.

CARL E. TAPPAN
State Reclamation Engineer.

(SEAL)

State of Idaho
License and Certificate of Water Right

Water License No. G-24017 Amount 2.88 c.f.s.
Water District No. Priority April 10, 1953

THIS IS TO CERTIFY that VINCENT B. TOBIN
of Bridge, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated April 10, 19 53 ; that Permit No. G-24017
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
2.88 second feet, was issued thereunder on September 6, 19 63, showing that said works
were completed on the 6th day of July, 19 55 ; and that on the 6th
day of July, 19 55 ,

VINCENT B. TOBIN
of Bridge, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of two wells
, a tributary of subterranean flow, for the purpose of irrigation
, under Use Permit No. G-24017 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
12 of Licenses at page 7702, on the 6th day of September, 19 63 ;

The right hereby confirmed dates from April 10, 19 53 ;
The Point of Diversion is located NW 1/4 NE 1/4 (Lot 2)
in the SE 1/4 NE 1/4, Sec. 6, Tp. 15 S., R. 27 E., B. M. Cassia County
That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 2.88 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
14 S.	27 E.	31	NW 1/4 SE 1/4	40	15
			SW 1/4 SE 1/4	40	30
15 S.	27 E.	6	NW 1/4 NE 1/4 (12)	40	40
14 S.	27 E.	30	SE 1/4 SE 1/4	40	40
		31	NE 1/4 NE 1/4	40	40
			SW 1/4 NE 1/4	40	40
			SE 1/4 NE 1/4	40	40
			NE 1/4 SE 1/4	40	40
			NW 1/4 SE 1/4	40	25
			SW 1/4 SE 1/4	40	4
			SE 1/4 SE 1/4	40	40
15 S.	27 E.	32	SW 1/4 SW 1/4	40	10
		5	NW 1/4 NW 1/4	40	10
		6	NE 1/4 NE 1/4	40	40
			SE 1/4 NE 1/4	40	33

Total number of acres to be irrigated: 447 or place

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
6th day of September, 19 63 .

CARL E. TAPPAN
State Reclamation Engineer.

(SEAL)

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

32-2101

APPLICATION No. 35387
PERMIT No. 27454
DISTRICT No.

H. R. Harn
P. O. Box 7
Dubois, Idaho

1. Name of Applicant: R. K. STODDARD

Postoffice address: Dubois,

County: Clark

State: Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
(b) Amount of capital stock:
(c) Amount paid in:
(d) Names and addresses of directors:

II. The financial resources of the applicant are:

- (a) Cash on hand:
(b) Treasury stock:
(c) Bond to be issued:
(d) Other resources:

2. Quantity of water claimed: 3.20 cubic feet per second.

3. Source of water supply: Three un-named springs which is a tributary of Non-tributary

4. Location of point of diversion: In the SW¹/₄ NW¹/₄ and NW¹/₄ SW¹/₄ Section 26 and corner of Section , T. , R. , B.M., and is in the SE¹/₄ NW¹/₄ of section 25, T. 10 NR. 33 E., B. M., County of Clark

5. Water is to be used for Irrigation

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section T. , R. , B.M., in the of Section of , T. , R. , B.M.

(b) Amount of power generated: H.P., under feet head.

(c) Water is to be returned to at a point feet distant from the corner of Section , T. , R. , B.M., in the of Section , T. , R. , B.M.

7. Estimated cost of works: \$ 100.00

8. Kind of works: Cleaning out springs and distribution ditches

9. Height of dam feet; length of dam at top feet; length of dam at bottom feet; material used in dam:

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom 2 feet; width at water line 5 feet; depth of water 1 feet; dimensions of flume:

Diameter of pipe inches; length of conduit 1 miles.

Average grade per mile feet.

12. The time required for the completion of such work is 5 years.

13. The time required for the complete application of the water to the proposed use is 6 additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None

16. (a) Is reservoir to be used? If so, fill in (b) and (c) below:
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

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

/s/ R. K. Stoddard
Applicant.

By

/s/ H. R. Harn
Agent.

Date of first receipt at Department of Reclamation: 9:00 A. M. June 23, 1958

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 27 454

Recorded in Book 97 Page 27454 Approved July 14, 1958

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before September 14, 1958 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before January 11, 1961

The whole of said work to be completed on or before July 14, 1963

Beneficial use of water appropriated in accordance herewith, to be made on or before July 14, 1969

WITNESS My hand this 14th day of July, 1958

/s/ GEO. N. CARTER
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We,.....ROBERT E. SMYLLIE....., Governor of the State of Idaho,
and JAS. H. YOUNG....., Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this.....11th.....
day of July....., 19..58.

STATE OF IDAHO

STATE OF IDAHO

(SEAL) By /s/ JAS. H. YOUNG
Secretary of State.

By /s/ ROBERT E. SMYLIE
Governor.

REMARKS: Springs are located on applicant's own land and do not flow off of Applicant's land, or flow into any live or public water course.

14.

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
9 N.	33 E.	6					40	40										80	
10 N.	33 E.	31										40	40					80	
Total number of acres to be irrigate																		160	
<u>ASSIGNMENT OF WATER RIGHTS</u>																			
FOR VALUE RECEIVED, we, the undersigned, hereby assign, transfer and set over to J. A. TERTELING & SONS, INC., an Idaho corporation, whose address is 611 First Security Bank Building, Boise, Idaho, all of my right, title and interest in and to the Permit to appropriate the Public Waters of the State of Idaho No. 27454 approved by State Reclamation Engineer of the State of Idaho on July 14, 1958, and having a priority of June 23, 1958. See file.																			
/s/ R. K. Stoddard R. K. Stoddard /s/ Pearl Stoddard Pearl Stoddard																			
STATE OF IDAHO)) ss. County of Clark)																			
On this 23rd day of March, 1962, before me, a Notary Public in and for said State, personally appeared R. K. STODDARD and PEARL STODDARD, husband and wife, known to me to be the persons whose names are subscribed to the going instrument, and acknowledged to me that they executed the same.																			
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.																			
/s/ Grant Bowen Notary Public for Idaho Residence: Dubois, Idaho																			
(SEAL)																			

Application for Amendment
LAND LIST
Permit No. 27454

Comes now J. A. TERTELING & SONS, Inc., and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 27454, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

$\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 6, T. 9 N., R. ~~34~~ E.; $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 31, T. 10 N., R. ~~34~~ E.; 35 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 31, 5 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 31, T. 10 N., R. ~~34~~ E., making a total of 200 acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Boise, Idaho, this 14th day of May, 1963.

s/ J. A. TERTELING & SONS, Inc.
Alden C. Carlson, Engineer

Date of receipt at office of Department of Reclamation: May 14, 1963.

APPROVAL OF STATE RECLAMATION ENGINEER

I, RALPH W. THOMAS, Deputy State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 27454. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

s/ RALPH W. THOMAS, Deputy
State Reclamation Engineer

Recorded: May 15, 1963

Permit No. 27454
CERTIFICATE OF COMPLETION OF WORKS

✓
T ALL WHOM IT MAY CONCERN:

This is to certify that R. K. STODDARD - Assignee - J. A. TERTELING & SONS, Inc. of Dubois, County of Clark, and State of Idaho, the holder of Permit No. 27454, issued upon Application No. 35387, bearing date of priority of June 23, 1958, authorizing the diversion of 3.2 second feet of waters of three unnamed springs, County of Clark, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 2.22 second feet of the waters of two unnamed springs; that the point of diversion of said waters SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 25; SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 26, T. 10 N., R. 33 E., B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit:

186 acres in W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 6, T. 9 N., R. 34 E., SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 31, T. 10 N., R. 34 E., B. M.

Witness my hand this 4th day of September, A. D. 1963.

s/ CARL E. TAPPAN
State Reclamation Engineer

Proof of Completion of Works Made: July 8, 1963

LICENSE ISSUED FOR 2.22 SEC. FT.

page 7701

**THIS
RIGHT HAS BEEN
DECREED IN THE
SRBA**

December 3, 1981

RE: Applications for Transfer of Water Rights Nos. 32-2023 and 32-2101

Leland H. Speelman
DuBois,
Idaho 83423

Dear Mr. Speelman:

Enclosed herewith are copies of the approved applications for transfer of the above referenced water rights (Transfer No. 2596 and Transfer No. 2597). Be sure to note the conditions of approval on the fourth page of Transfer No. 2597.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Supervisor, Water Allocation Section

DRT:kw
Enclosures

DEC 10 1981
MILWAUKEE

INTER-DEPARTMENT MEMO — 1

FROM Dave T

DATE 11/27/81

TO Glen

SUBJECT T2596 & T2597

These two transfers apps if approved would remove surface water rights from lands currently irrigated by fairly junior groundwater systems (32-7026 & 32-7070). Although this could be technically termed an expansion, to me it is acceptable because the groundwater rights are so new. Therefore I recommend approval of both.

Dave

SIGNATURE

Kay: Please send these
first thing.

Thanks, Dave

INTER-DEPARTMENT MEMO — 1

FROM Jim Johnson

DATE 11/24/81

TO Files 32-2023 and 32-2101

SUBJECT Overlap review on Transfer Nos. 2597 and 2596

Per telecon with Ernie Carlsen - he said that Mr. Parks the original owner of the land that Mr. Speelman had purchased in 1978 (described in item 8) had sold the land without the surface water rights and that Mr. Speelman had agreed to transfer the rights to other land that Mr. Parks owned (described in item 3c). Mr. Parks is now selling this land and needs to have the transfer approved so that the new buyer will sign the contract.

The lands identified in item 8 are now being irrigated by groundwater under licenses 32-7026 and 32-7070.

SIGNATURE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

32 2101

INITIAL REVIEW BY: K.C. Wilson

1. Right number 32-2101 Applicant Lee Speedman

2. Type of right: ☐ Decree ☒ License ☐ Claim

3. Purpose of transfer: ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Other _____

4. Check:

(a) ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use

(b) ☒ Description of original point of diversion.

(c) ☒ Description of original place of use.

5. Amount of land &/or water transferred:

(a) ☒ All of right.

b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).

(c) ☒ Check description of point(s) of diversion.

(d) ☒ Check description of place of use.

(e) ☒ Check map (shows p.d. and p.u. after transfer).

f. ☒ Check for correct signature, notarization, and fee.

g. ☐ Check proof of ownership of right &/or land from which water is transferred.

h. ☒ Check for expansion in use of right. Comments— Reduction in acres irrigated
1) Cactus water is being transferred from a being irrigated by
G.W. under license 32-7070 & 32-7026

i. ☒ Check for existing water rights from same source, on land water is being transferred to.

Right number(s) 32-2023 - also being transferred -
No other right one found on meadow for new lands

j. ☒ Is use within a Watermaster District? ☐ Yes ☒ No

If yes, what district? _____

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on _____ Received on _____

2. Is transfer published correctly? ☒ Yes ☐ No

3. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve

2. ☐ Deny

3. Conditions* _____

4. By Ernest Carlson Date Oct 26-81

RECEIVED
OCT 26 1981

Department of Water Resources

32 2101

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

[illegible]

September 22, 1981

Leland Speelman
Dubois
Idaho 83423

RE: Applications for Transfer #32-2023 & 32-2101

Dear Mr. Speelman:

Our office has commenced advertising of the above captioned applications with the last date of protest tentatively scheduled for October 13, 1981. However, before they can be recommended for final action, we need verification that you own the lands the water is being transferred from. Normally, copies of warranty deeds are sufficient for providing the needed documentation. To assist you we have enclosed the first page of each application which lists the lands in question.

To prevent unnecessary delays, it is hoped you will be able to furnish this information prior to the last date of protest. Feel free to contact me should you have any questions.

Respectfully submitted,

ERNEST M. CARLSEN
Asst. Regional Supervisor

EMC:brs

enc: as stated



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V Evans
Governor

150 Shoup
Idaho Falls, Idaho 83401
(208) 525-7161

A Kenneth Dunn
Director

September 22, 1981

Leland Speelmon
Dubois
Idaho 83423

RE: Applications for Transfer #32-2023 & 32-2101

Dear Mr. Speelmon:

Our office has commenced advertising of the above captioned applications with the last date of protest tentatively scheduled for October 13, 1981. However, before they can be recommended for final action, we need verification that you own the lands the water is being transferred from. Normally, copies of warranty deeds are sufficient for providing the needed documentation. To assist you we have enclosed the first page of each application which lists the lands in question.

To prevent unnecessary delays, it is hoped you will be able to furnish this information prior to the last date of protest. Feel free to contact me should you have any questions.

Respectfully submitted,

ERNEST M. CARLSEN
Asst. Regional Supervisor

EMC:brs

enc: as stated

154-2023-001

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

No. 32-2101

Notice is hereby given that Leland H. Speelmon, Dubois, Idaho, has applied to the Department of Water Resources for a change in the place of use of the waters of springs tributary to Blue Creek. The right is evidence by License No. 32-2101 and is recorded as follows:

AMOUNT: 2.22 cfs

PRIORITY: June 23, 1958

POINT OF DIVERSION: SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 26, T. 10N, R. 33E, B.M.,
Clark County.

The water is used to irrigate 186 acres within the W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 6, T. 9N, R. 34E; SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 31, T. 10N, R. 34E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be used to irrigate 160 acres within the SE $\frac{1}{4}$, Sec. 25, T. 10N, R. 33E, B.M.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup, Idaho Falls, Idaho, 83402, on or before October 13, 1981.

A. KENNETH DUNN

Director

Published in the Rigby Star, Rigby, Idaho, on September 24 and October 1, 1981

RECEIVED
SEP 24 1981
RIGBY, IDAHO

10/1

WATER RIGHT NUMBER 32-2101
ACT
ION
N OWNER LAST NAME - SIODDARD
N OWNER LAST NAME - J. A. TERTELLING & SONS INC.

WATER RIGHTS EDIT REPORT

04/05/79

FIRST NAME - R. K.

ORIG OWNER - O

CITY - BOISE

STATE - ID

SOURCE - SPRINGS

STAGE - LICENSE

DIVERSION POINT - SWNW 26-10N-33E

USE - IRRIGATION

USE - IRRIGATION

USE - IRRIGATION

USE DIV. RATE - 2.2200CFS

PLACE OF USE - T4N 09N RNC 34E SEC 06 TRACT NW4NW

PLACE OF USE - T4N 10N RNC 34E SEC 31 TRACT SW4NW

TRACT SWSW

PRIORITY - 06-23-1958

COUNTY - CLARK

TOTAL DIV. RATE -

2.2200CFS

AC 40 TRACT SW4NW

AC 30 TRACT NW4NW

AC 38

OLD NO. - 27454

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT
DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 27454 1 32-2101
 Old No. New No.

Record

1. Original Owner: R. K. Stoddard

Present Owner: J. A. Turteling & Sons Inc.

2. Address:

3. City: Bosse State: Ind Zip:

4. A. Source of Water: Spring

B. Tributary of:

5. A. Stage (A,P,L,D,S,J): L

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date: 6-23-1958

D. County: 33

E. Total Diversion Rate: 2.22

F. Total Diversion Volume:

G. Transfer/Amendment (P,T of A or blank):

H. Water District:

I. DLE/Carey Act (D,C or blank):

J. Right Basis (for adjudication claims A,B,C only):

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion:	<u>SWNW</u>	<u>26</u>	<u>10N</u>	<u>33E</u>		

7. Period of Use, Use, Diversion Rate/volume:

from _____ to _____ for A purposes. Amount 2.22
 (cfs or AC-FT/yr)

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

8. Use Code:

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A.
B.
C.
D.
E.

11. Other Uses (Non-irrigation explanatory information):

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number: 27454

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval: _____

14. Diversion Means (brief narrative):

dlc 4-2-79

FOR ALL INFORMATION
P. O. BOX 1000, Boise, Idaho 83725

RECEIVED
JUN 23 1958

Department of Reclamation

TO Department of Reclamation
ATTENTION Roy W. Thompson, Office Mgr.
STREET State Capitol Building
CITY Boise, STATE Idaho

SUBJECT Applications of R. K. Stoddard,
Dubois, Idaho
REPLY ATT'N OF
DATE June 18, 1958

With reference to your letter of April 25th, I first want to thank you for all your trouble in this matter.

The Applications are returned as you prepared them, together with my Check No. 254 for \$9.75 and my check No. 446 for \$5.00, the two checks making up the total of \$14.75 that you state is the proper fee.

H. R. Harn

cc: R. K. Stoddard
Star Route
Dubois, Idaho

Pay: Be sure to return permits direct to me,
H. R. Harn

DATE - REPLY

27454

27454

FOR A ... NEEDS
P. O. Box ... 4-3115
DUBOIS, IDAHO

TO Department of Reclamation
ATTENTION Roy W. Thompson, Office Mgr.
STREET State Capitol Building
CITY Boise, STATE Idaho

SUBJECT Applications of R. K. Stoddard,
Dubois, Idaho
REPLY ATT'N OF
DATE June 18, 1958

With reference to your letter of April 25th, I first want to thank you for all your trouble in this matter.

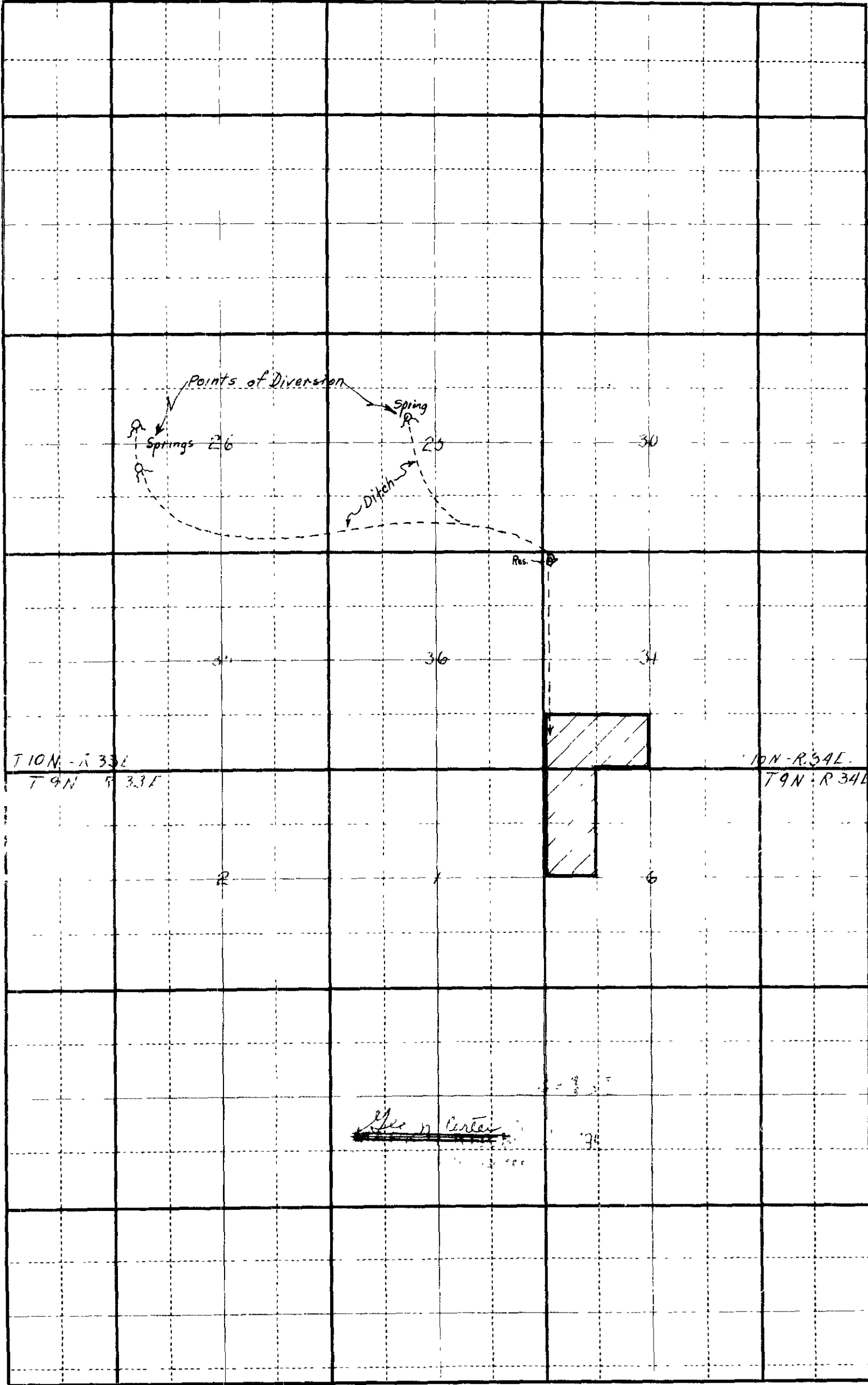
The Applications are returned as you prepared them, together with my Check No. 254 for \$9.75 and my check No. 440 for \$5.00, the two checks making up the total of \$14.75 that you state is the proper fee.

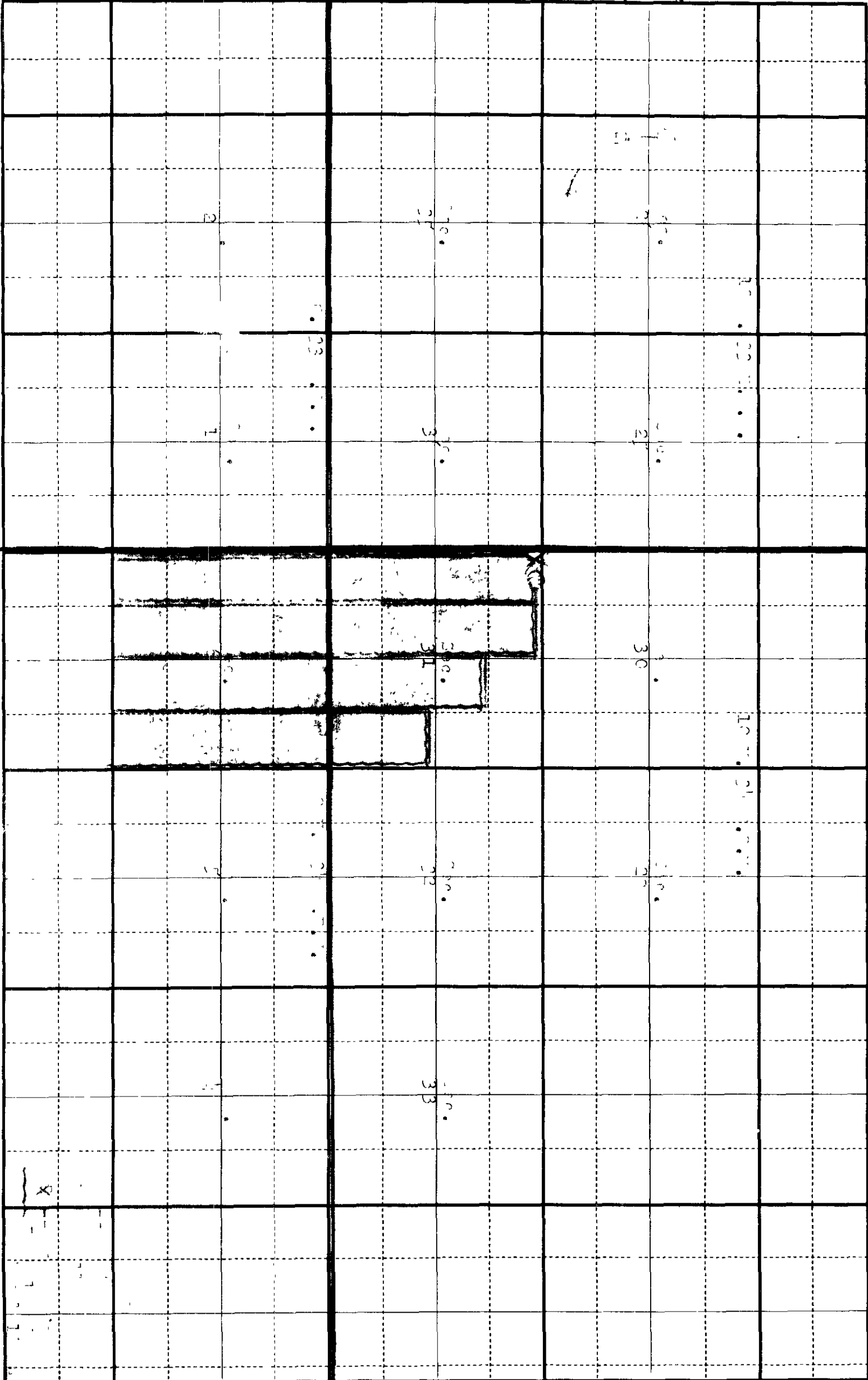
H. R. Harn

cc: R. K. Stoddard
Star Route
Dubois, Idaho

My ... to ... must ...
1/1/11

DATE - REPLY





SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

(Form No. 3)

Address all communications to.

H. R. Harn, P.O. Box 7

P.O. Dubois, Idaho

APPLICATION FOR PERMIT

TO APPROPRIATE THE SUBTERRANEAN WATERS OF THE STATE OF IDAHO

Application No. G. Y. 1

Permit No. G. 7

District No. 1

1. Name of applicant. R. K. Stoddard

Post office address Dubois County Clark State Idaho

2. Quantity of water claimed: 20 c.f.s.

(a) Rate of withdrawal in cubic feet per second 20 or Idaho Miner's
inches _____ or gallons per minute _____

(b) Annual withdrawal in acre feet per annum _____

3. Source of water supply: Springs to be developed and subterranean wells.

_____ of springs are in the SE 1/4 NW 1/4, Sec. 25, SW 1/4 NW 1/4, Sec. 26,
_____ and NW 1/4 SW 1/4, Sec. 26

4. Location of point of diversion or wells in the SE 1/4 of the SW 1/4 of Section 26, Twp. 10, North,
Range 33 E.B.M. and NW 1/4 NW 1/4, Sec. 31,
Twp. 10 N., Rge. 34 E., B. M., County of Clark

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 _____ 1/4 of the _____ 1/4 of Section _____,
Twp. _____, Rge. _____, B. M.

(b) Waste water or sewage effluent is to be returned to _____
at a point in the _____ 1/4 of the _____ 1/4 of Section _____, Twp. _____, Rge. _____, B. M.

7. Kind of Works Excavation of spring and drilling two wells, all located
on my own lands.

8. Estimated cost of works: \$ 5,000.00

9. (a) Is reservoir to be used? Yes, located on my own land.

(b) Capacity of reservoir: 120 acre feet

10. The time required for the completion of such work and complete application of the water to the proposed use is
5 years.

27454

I. (a) Date and place of incorporation: _____

(b) Amount of capital stock \$ _____ (c) Amount paid in: \$ _____

(d) Names and addresses of directors: _____

(d) Other resources: _____

(Give irrigable acreage in each 40-acre subdivision)

13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:-----

(b) 20 (cubic feet per second, inches or gallons per minute) is for new lands.

Remarks.

By R. E. Stoddard, Agent

By _____, Agent

27454

Approval of State Reclamation Engineer

The number of this permit is G_____.

Recorded in Book_____ Page_____ Approved _____

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$_____ to be filed before_____

Work to begin on or before _____, and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before _____
The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before _____

Witness my hand this_____ day of _____, 195_____.

State Reclamation Engineer

IN TESTIMONY WHEREOF, We _____, Governor of the State of Idaho,

and _____, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this _____ day of _____, 195_____.

Countersigned:

STATE OF IDAHO

By _____
Secretary of State

By _____
Governor.

No G_____	
PERMIT	
Date of first receipt at office of State Reclamation Engineer 2-2-27 1-58	
Returned to applicant for correction	
Corrected application received	
Fees, \$ 1.75	
FILING FEES FOR USE PERMIT:	
For the first Sec. Ft. \$5.00	
For each additional Sec. Ft. or Fraction	
Thereof .25	

April 14, 1958

Re: Application for Permit
R. K. Stoddard

Mr. H. R. Harn
P. O. Box 7
Dubois, Idaho

Dear Mr. Harn:

This will acknowledge receipt of the Application for Permit in the name of R. K. Stoddard.

We cannot approve said application in its present form without modification or additional information. You state that applicant intends to develop springs. If this is correct, the department would have to have measurements on said springs before and after development in order to determine the amount of water developed. Developed water from springs would be determined subterranean water and could be filed on with point of diversion and source of supply the same as from wells. Flowing water from springs is considered surface water and would have to be filed on by separate form, Form No. 1, which is used for filings on public water such as rivers, creeks, springs and lakes.

We will hold the original application, as applications are not required in duplicate, therefore, we are returning to you the duplicate copy and we would appreciate the following information and offer some suggestions that may be helpful in formulating the present application whereby the same may be approved by this department.

Question - Are the springs filed on flowing surface water?

Question - If the springs are flowing, does the water from said springs reach any live public stream?

Question - Does the water flowing from springs sink in the ground before reaching a public or live water course?

Mr. H. R. Harn

-2-

April 11, 1958

By development of the springs, the source of supply may be considered as underground water source, derived through wells. This would eliminate the springs from the application.

With this change, the application would be subject to approval, however, if you can give us all the facts as to the springs, we can then inform you as to proper filing necessary for approval.

If you can modify the wording on the enclosed application, you can make your change on same and we will change the original copy after getting the information in this department.

We will hold your check to the amount of \$9.75 with the original application.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

RWT:lw
Encls. (1)

27454

April 18, 1958

RECEIVED
APR 21 1958
Department of Reclamation

Department of Reclamation
State Capitol Building
Boise, Idaho

Re: Application for Permit - R. K. Stoddard.

Attn: Roy W. Thompson, Office Mgr.

Dear Roy:

Thank you very much for your letter of April 14th, and when sending in this Application I fully realized there would probably be some corrections necessary, and which accounts for my sending in two copies.

I will attempt to answer some of your questions in this letter, and as I have been attempting to get to Boise for quite some time, if we cannot straighten it out by correspondence, I am sure we can when I arrive there.

In answer to Question 1, the springs flow (all 3 locations) approximately 160 inches, and this water is being used on the S $\frac{1}{2}$ SW $\frac{1}{4}$ of Sec. 31, and the W $\frac{1}{2}$ NW $\frac{1}{4}$ of Sec. 6 (refer to map in Application). This land is owned by Stoddard and there may be a filing on record in your office.

In answer to Question 2, the present flow from the three spring locations does not reach any live public stream.

In answer to Question 3, all of the springs are located on Stoddard's land and never flow off on land belonging to the public or others. Stoddard utilizes all the water for his private use.

If you can perfect this Application from the foregoing information, please feel free to do so, and your efforts will be greatly appreciated.

Sincerely yours,

H. R. Hann

HRH/pl

27454

April 25, 1958

Re: Application for Permit
R. K. Stoddard

Mr. H. R. Harn
P. O. Box 7
Dubois, Idaho

Dear Mr. Harn:

In reply to your letter of April 18, 1958, in which you answered our office letter of April 14th, in regard to Mr. R. K. Stoddard's permit.

From what information you have in your letter, we have prepared two applications in the name of Mr. R. K. Stoddard. One application is on Form No. 3, a form which is used for filing on subterranean waters. The other application is made out on Form No. 1, which is used for surface water, such as streams, springs and so forth.

We are sending these back to you for signature and approval of Mr. Stoddard in lieu of the application you sent in which filed on springs and subterranean water included on the same application.

We are also returning your check to the amount of \$9.75 and will request that you substitute a check to the amount of \$14.75, listed as follows: - subterranean filing fee - \$9.00
spring filing fee \$5.75

Please feel free to correct these applications providing the same does not meet with Mr. Stoddard's and your approval.

Very truly yours,

MARK R. KJLP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

RWT:lw
Enclosures - (2) Check Attach d

27454

XXXXXX

July 25, 1958

Re: Permit No. 27454
R. K. Stoddard

Mr. H. R. Harn
P. O. Box 7
Dubois, Idaho

Dear Mr. Harn:

We enclose Permit No. 27454, in the name of R. K. Stoddard, 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. 29168, which was issued covering payment in the amount of \$.75 for the filing fee of the above mentioned permit.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Mrs. Edna P. Rulledge
Chief Clerk

EPH:lw
Encls: (2)
cc: R. K. Stoddard
Dubois, Idaho

27454

April 5, 1962

RE: Permits No. 27453, 27454, R. K. Stoddard
28156, George and Clayton Boodry
License No. 27116, Fred L. Norue

J. A. Tarteling & Sons
611 First Security Bank Building
Boise, Idaho

Gentlemen:

Enclosed are assignments of Permit No. 27453, 27454, and 28156, and receipts No. 31007 for \$1.30 for assignments No. 27454 and 28156, and No. 66393 for \$0.70 for assignment of Permit No. 27453.

Also enclosed is assignment of Permit No. 27116 which was not recorded. This permit has been licensed; water license transfers of ownership are not recorded in this office. The water right goes with the land and should be identified in the deed to the land.

Very truly yours,

GEO. H. CARTER
State Reclamation Engineer
By

Carl E. Tappan
Assistant State Reclamation Engineer

CET:MET:mr

Enc. assignments 4
receipts 2

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Re: Permit No. 27454

Date:

May 1, 1963

J. A. Terteling & Son
Boise, Idaho

Dear Sirs:

Under the terms of your Permit No. 27454 you are required to make proofs of completion of works and application of water to beneficial use on or before July 14, 1963.

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

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

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

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

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

Very truly yours,



GEO. N. CARTER

State Reclamation Engineer

Enc. Form 36-A-11

27454

Application for Amendment

LAND LIST

Permit No. 27454

Department of Reclamation

MAY 14 1963

Comes now J. A. Terteling & Sons Inc., and represents to the STATE RECLAMATION ENGINEER of the State of Idaho:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. 27454, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

0 1/2 NW 1/4 Sec 6 T1N R3E.

0 1/2 SW 1/4 Sec 31 T10N R3E

35 Ac. SW 1/4 NW 1/4 Sec 31 " "

5 Ac NW 1/4 NW 1/4 Sec 31 " "

, making a total of 200 acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Boise Ida. this 14th day of May, 1963

J. A. Terteling & Sons Inc.
Robert D. Terteling
 Engineer

Date of receipt at office of Department of Reclamation May 14, 1963

APPROVAL OF STATE RECLAMATION ENGINEER

Ralph W. Thomas, Deputy

I, ~~Robert D. Terteling~~, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. 27454. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

Recorded in Book 97 of
 Permits, at Page 27454
 May 15, 1963

Ralph W. Thomas
 Deputy
 State Reclamation Engineer

27454

May 15, 1963

Re: Permit No. 27454

J. A. Terteling & Sons, Inc.
611 First Security Bank Bldg.
Boise, Idaho

Gentlemen:

Enclosed is the Application for Amendment to the
land list which has been recorded in this office, in connection
with the above numbered permit.

Departmental receipt No. 31559 was handed to you in
this office covering the fee of \$1.00 for recording.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

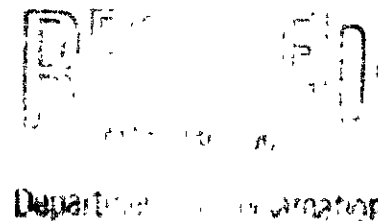
By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. amendment

Telephone 5/15/63: Change Range to 34EBM. on amendment.



NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) May 14, 1963

(P. O.) P. O. Box 1428, Boise, Idaho

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the Clark County Enterprise of Dubois, Idaho published in the county in which the works are situated. *Clark County*

J. A. TERTELING & SONS, INC.

Allen C. Terling

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

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

Engineer

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

NOTICE is hereby given that at 10 A.M., on the 8th day of July 19 63, at Boise, County of Ada, State of Idaho, before Mary P. Beavers, Notary Public, at (address) 630 First Security Bank Bldg., Boise, Ida., proof will be submitted of the completion of works for the diversion of 3.2 cubic feet per second of the waters of from 3 unnamed springs, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 27454, heretofore issued by the Department of Reclamation of the State of Idaho,

1. The name and postoffice address of the person or corporation holding said permit is: J. A. Terteling & Sons, Inc., Box 1428, Boise, Idaho

2. Said works of diversion will be fully completed on the date set for such completion and the amount of water which said works are capable of conveying to the place of use is 4.8 cubic feet per second.

3. The use to which said water has been applied is Irrigation purposes, and the amount applied to beneficial use is 3.2 cubic feet per second.

4. The point of diversion of said water is SW $\frac{1}{4}$ NW $\frac{1}{4}$ & NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 26, and SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 25, T. 10 N., R. 34 E., B.M.

5. The place where said water is used is W $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 6, T. 9 N., R. 34 E. W $\frac{1}{2}$ SW $\frac{1}{4}$, 35 Ac. of SW $\frac{1}{4}$ NW $\frac{1}{4}$ and 5 Ac. of NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 31, T. 10 N., R. 34 E., B.M.

Total 200 acres.

6. The date of priority which said user is prepared to establish is June 23, 1958

Geo. A. Carter

State Reclamation Engineer

27454

1200
6-28-61

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

Re: Permit No. 27454
J. A. Terteling & Sons, Inc.

Date: May 16, 1963

Clark County Enterprise,
Dubois, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to **July 8, 1963** the date set for proof; the expense of the publication is to be paid by the applicant

J. A. Terteling & Sons, Inc. of **Box 1428, Boise, Idaho** to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice and furnish this office with a copy or tear sheet of the first publication.**

Very truly yours,


GEO. N. CARTER
State Reclamation Engineer

** If the first copy is not received in this office for checking purposes and errors appear in subsequent issues, it is possible that re-publication of corrected copy will be at your own expense.

Encl.

27454

May 16, 1963

Re: Permit No. 27454

J. A. Terteling & Sons,
Box 1428,
Boise, Idaho.

Gentlemen:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. 27454. The proofs are to be made at 10:00 o'clock A.M., on the 8th day of July, 1963, before Mary P. Beavers, 630 First Security Bank Bldg., Boise, Idaho, Notary Public.

As of this date we have mailed the Notice to the Clark County Enterprise Dubois, Idaho, with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof then mail the affidavit of publication and statement of costs to you.

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

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

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

Enc.
EPR:pmk
cc: Notary

27454

J. A. TERTELING & SONS, INC.

PLEASE ADDRESS
ALL COMMUNICATIONS
TO THE FIRM

HOME OFFICE: BOISE, IDAHO

July 8, 1963

State of Idaho
Department of Reclamation
Boise, Idaho

Gentlemen:

Attached hereto are copies of the following for
Proof of Application of Water to Beneficial Use and Com-
pletion of Works of Permit No. 27454 properly signed and
notarized on July 8, 1963;

1. Deposition of Permit Holder
2. Deposition of two witnesses
3. Proof of publication

Very truly yours,

J. A. TERTELING & SONS, INC.



Alden C. Carlson

ACC:mb
Encl.

27454

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Department

Reclamation

✓
Permit No. 27454

**Proof of Application of Water to Beneficial Use
and Completion of Works
Deposition of Holder**

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

Ans. L. J. Montgomery, Vice-President, Box 1428, Boise, Idaho

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

Ans. J. A. Terteling & Sons, Inc., Idaho corporation, Boise, Ida. Vice-President

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. Permit No. 27454 dated July 14, 1958. Priority date of June 23, 1958.

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Three or more springs located at SW $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 26 and SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 25 T. 10 N., R. 34 E. B.M. (See attachment 5/15/62)

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. Concrete lined canal from springs in Sec. 26 for distance of approximately two miles. Pick up water from springs in Sec. 25 and conduct water approximately one mile further to upper end of land. Canals capable of carrying 4.8 cu. ft. per second.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Water is used for irrigation of cultivated land in the W $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 6, T. 9 N., R. 34 E. and W $\frac{1}{2}$ SW $\frac{1}{4}$; 35 acres of SW $\frac{1}{4}$ NW $\frac{1}{4}$; and 5 acres of NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 31, T. 10 N., R. 34 E. B.M. W $\frac{1}{2}$ NW $\frac{1}{4}$?

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

Ans.

Ques. 7. If for other than irrigation purposes; state how applied, amount of horse power generated, etc.

Ans. Only for irrigation

Ques. 8. What is the minimum amount of water required for the purpose specified above?

Ans. _____

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. The ranch was purchased by J. A. Terteling & Sons, Inc., from R. K. Stoddard and the water permit was transferred along with land.

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. All water from springs has been diverted for irrigation of above mentioned land for past five years.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. No other water is available for the above described land.

(Sign) *Montgomery*

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

State of Idaho, on this 8th day of July, A. D. 1963,

Mary P. Beavers

My commission expires Dec. 19, 1964

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
JUL 9 1965
Department of Reclamation

PERMIT NO. 27454

Proof of Application of Water to Beneficial Use
and Completion of Works
Deposition of Witness

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

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

Ans. Lloyd W. Shelby, 6705 Hummel Dr., Boise, Idaho. Engineer. Age 43

Ques. 2. Are you acquainted with J. A. Terteling & Sons, Inc., the holder of Permit No. 27454? How long have you known him and where does he reside? Fourteen years.

Ans. Boise, Idaho

Ques. 3. ~~Have~~ you read or heard read said Permit No. 27454 and are you familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. The source of water is from three unnamed springs, and is diverted into approximately two miles of concrete lined canal and approximately one mile of unlined canal to the land.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. Safely conduct 200 inches 100 plus inches.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Water used for irrigation of cultivated land. Water to be used in W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 6, T. 9 N., R. 34 E., and W $\frac{1}{2}$ SW $\frac{1}{4}$, and 35 Acres of SW $\frac{1}{4}$ NW $\frac{1}{4}$ and 5 acres of NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 31 T. 10 N., R. 34 E., B.M. Total 200 acres.

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. Only irrigation.

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

Ans. Good cultivated soil and should have 160 inches plus for profitable cultivation.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I have visited location and have helped plan the development of the land

(Signed)

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Boise, County of Ada, State of Idaho, on this 8th day of July, A. D. 19 63.

Mary P. Beavers
Notary Public.

My commission expires Dec. 19, 1964

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. Water is only used for irrigation.

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

Ans. Land has good soil and good irrigation slope. Approximately 3.2 c.f.s.
would be required for full irrigation of land.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No interest except as an engineering employee of the permit holder.

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I have witnessed the use of the water a number of times during the past
5 years. The amount of water varies and is somewhat lower this year than
in the past years.

(Signed)

Eden Carlson

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Boise,
County of Ada, State of Idaho, on this 8th day of July,
A. D. 19 63.

Mary P. Beavers

Notary Public.

My commission expires Dec. 19, 1964.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
JUL 9 1936

Department of Reclamation

PERMIT NO. 27454

Proof of Application of Water to Beneficial Use
and Completion of Works
Deposition of Witness

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

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

Ans. Alden C. Carlson, Age 52, 3205 Crescent Rim, Boise, Idaho. Engineer

Ques. 2. Are you acquainted with J. A. Terteling & Sons, Inc., the holder of Permit No. 27454 - Yes? How long have you known him and where does he reside?

Ans. Fourteen years, Boise, Idaho

Ques. 3. Have you read or heard read said Permit No. 27454, and are you familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Water is from three main springs and some smaller springs and approximately two miles of concrete canal plus approximately one mile of unlined canal has been constructed to conduct water to land.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. Approximately 4.8 c.f.s. can be conducted. I have seen approximately 3.2 c.f.s. in canals.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Water is used for irrigation of cultivated land in the W $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 6, T. 9 N., R. 34 E. and W $\frac{1}{2}$ SW $\frac{1}{4}$; 35 acres of SW $\frac{1}{4}$ NW $\frac{1}{4}$ and 5 acres of NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 31, T. 10 N. R. 34 E., B.M.

27454

1M April 1962

July 11, 1963

Re: Permit No.

27454

Mr. L. J. Montgomery, Vice-Pres.,
J. A. Terteling & Sons, Inc.,
611 First Security Bank Bldg.,
Boise, Idaho.

Dear Mr. Montgomery:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the Clark County Enterprise Dubois, Idaho, all submitted in proof of completion of works and beneficial use on Permit No.

Before final action is taken in the matter, the law requires that a field examination be made by an engineer from this department.

We cannot tell just when this examination will be made, but our field engineer will try and contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours ,

~~JOSEPH W. OSARTEN~~

State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:pmk

27454

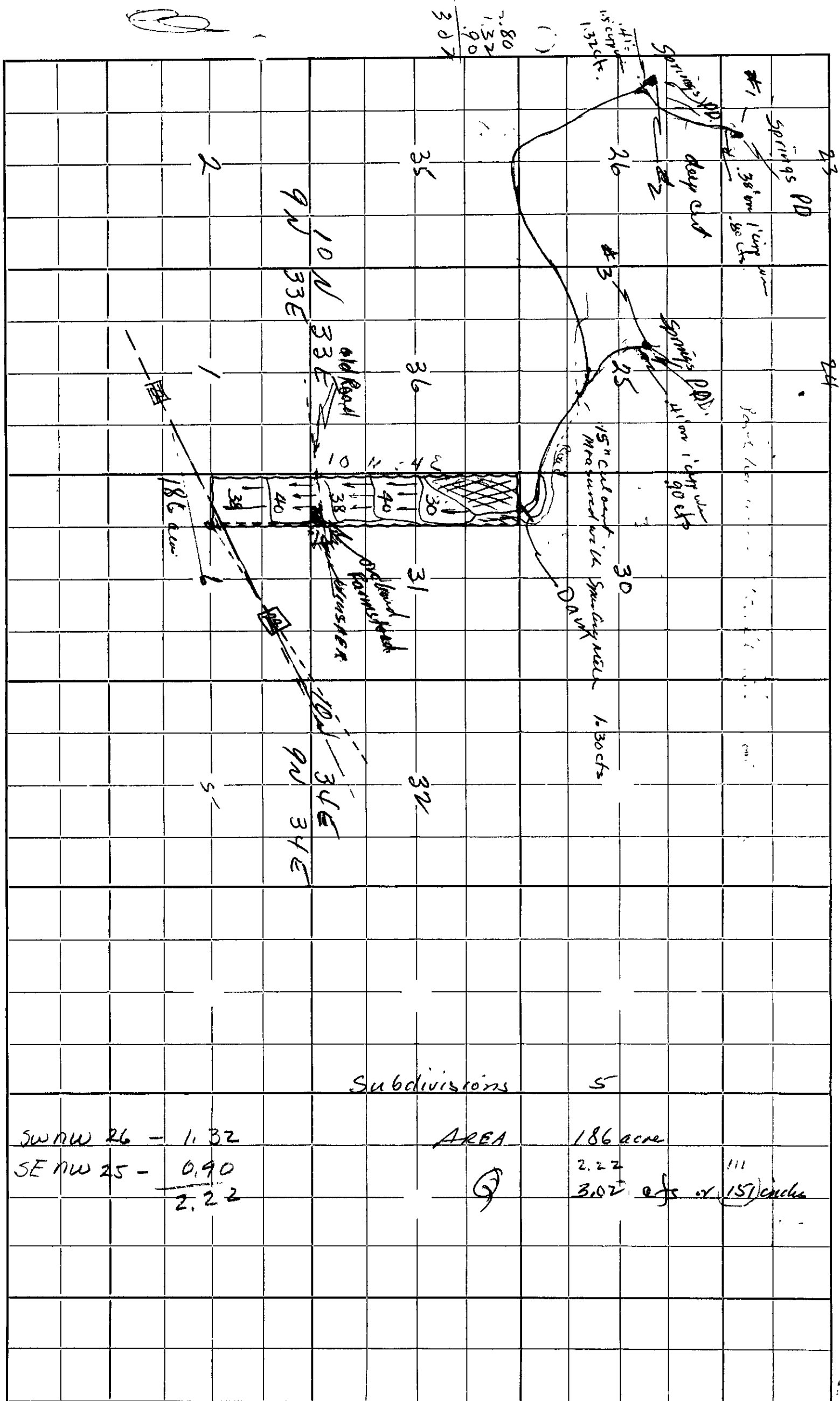
STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 27454

REPORT ON PROOF OF Completion of Works and Beneficial Use

L. J. Montgomery, Vice-President
J. A. Terteling & Sons, Inc.,
611 First Security Bank Bldg.,
Boise, Idaho



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

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

Permit No. 27454This proof is for Completion of Works and Beneficial Use In Water District No. _____1. Name of applicant J. A. Terteling & Sons, Inc.,2. Source of water supply: Three un-named springs3. Location of point of diversion: Is in the SE 1/4 SW 1/4 Sec. 26 of Section 25T. 10 N R. 33 E County of Clark

4. Describe works as they exist, giving dimensions and capacities of same: Springs developed with a dig down into the water bearing gravel and diverted into ditches. Starting at spring SW 1/4 Sec. 26 there is approximately 2 mile of concrete ditch 1' bottom, 3' top x 18" deep. badly broken up from frost heaves.

5. Water is used for: Irrigation6. State whether or not water has been turned into works of diversion: yes

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

SW 1/4, Sec. 6, T. 9 N., R. 34 E.; NW 1/4, Sec. 31, T. 10 N., R. 34 E.;
35 acres SW 1/4, Sec. 31, 5 acres NW 1/4, Sec. 31, T. 10 N., R. 34 E.;

Total 200 acres

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

8. What large stream would the water here appropriated finally reach? ✓Remarks: Mr. Grant Bowen, Farm Manager alongAmend spring in NW SW Sec 26 to SE 1/4 SW 1/4 Sec. 23, 10 N., R. 33 E.Measured by 1.5' and 1.0' Cipolletti weirs. Noted at each spring on map.This examination was made on the 5th day of August, 1963

(Signed)

Larry Johnson

Examiner.

J. A. Terteling & Sons, Inc.
611 First Security Bank Bldg.
Boise, Idaho 3663576

Under well drilling

Permit No. 27454

Examination for Completion of Works and
Beneficial Use Proofs

County Clark

Sec. 25 T. 10N R. 33 EBM

Quantity: 3.2 cfs

Source: 3 Un-named Springs

P.D.s See inside

Use: Irr.

Filed: 23 June 1958

Due: 14 July 1969

Extension:

Protest:

Completion of Works:

Other Rights: None

INSTRUCTIONS TO EXAMINERS

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

Dep. Agent of Reclamation

August 20, 1963

RE: Permit No. 27454

L. J. Montgomery, Vice President
J. A. Terteling & Sons, Inc.
600 First Security Bank Building
Boise, Idaho

Dear Mr. Montgomery:

Our field engineer's report on his inspection of proof of completion of works and application of water to beneficial use under the terms of Permit No. 27454 shows the ditches are capable of conveying 111 miner's inches, or 2.22 c.f.s. of water for irrigation of 186 acres.

Upon receipt of the statutory fees, totaling \$15.00, which consist of a Completion of Works fee of \$5.00 and License and Certificate of Water Right fee of \$10.00, based at the rate of \$2.00 for each 40-acre subdivision, we will issue the Certificate of Completion of Works and License and Certificate of Water Right, confirming the right with priority of June 23, 1958, to the use of 2.22 second feet of surface water with the points of diversion in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 25; SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 26, T. 10 N., R. 33 E., B. 1, from two unnamed springs for irrigation of 186 acres in the W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 6, T. 10 N., R. 34 E., B. 1; SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 31, T. 10 N., R. 34 E., B. 1.

The spring you developed in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 23 is not shown in the permit and cannot be included in this water right.

Very truly yours,

RALPH L. THOMAS
Deputy State Reclamation Engineer

RWT:mr

J. A. TERTELING & SONS, INC.

PLEASE ADDRESS
ALL COMMUNICATIONS
TO THE FIRM

HOME OFFICE: BOISE, IDAHO

August 30, 1963

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

Re. Permit 27454

Gentlemen;

Attached is our check for the amount of \$15.00 for
Completion of Works fee of \$5.00 and License and Certificate of
Water Right fee of \$10.00 on above permit.

Please complete this permit as per your letter of
August 20, 1963. Thanking you, we remain

Very truly yours,

J. A. TERTELING & SONS, INC.


A. C. Carlson

ACC/M1

27454

Sept. 4, 1963

Re: Permit No. 27454

J. V. Montgomery, Vice-Pres.
J. A. Terteling & Sons, Inc.
600 First Security Bank Bldg.
Boise, Idaho

Dear Mr. Montgomery:

Enclosed are Certificate of Completion of Works and
License and Certificate of Water Right on the above numbered permit.

Also enclosed is departmental receipt No. 31774, in
the amount of \$15.00 covering fees.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. certificates
receipt

PUBLIC NOTICE

NOTICE OF PROOF OF COM- PLETION OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE

NOTICE is hereby given that at 10 A.M., on the 8th day of July, 1963, at Boise, County of Ada, State of Idaho, before Mary P. Beavers, Notary Public, at 630 First Security Bank Bldg., Boise, Idaho, proof will be submitted of the completion of works for the diversion of 3.2 cubic feet per second of the waters of 3 Unnamed springs, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 27454, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is: J. A. Terteling & Sons, Inc., Box 1428, Boise, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion and the amount of water which said works are capable of conveying to the place of use is 4.8 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 3.2 cubic feet per second.

4. The point of diversion of said water is SW $\frac{1}{4}$ NW $\frac{1}{4}$ & NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 26, and SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 25, T. 10 N., R. 34 E., B.M.

5. The place where said water is used is W $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 6, T. 9 N., R. 34 E., W $\frac{1}{2}$ SW $\frac{1}{4}$, 35 Ac. of SW $\frac{1}{4}$ NW $\frac{1}{4}$ and 5 Ac. of NW $\frac{1}{4}$ -NW $\frac{1}{4}$ Sec. 31, T. 10 N., R. 34 E., B.M. Total 200 acres.

6. The date of priority which said user is prepared to establish is June 23, 1958.

Geo. W. Carter

State Reclamation Engineer
Publish May 23, 30, June 6, 13,
1963.