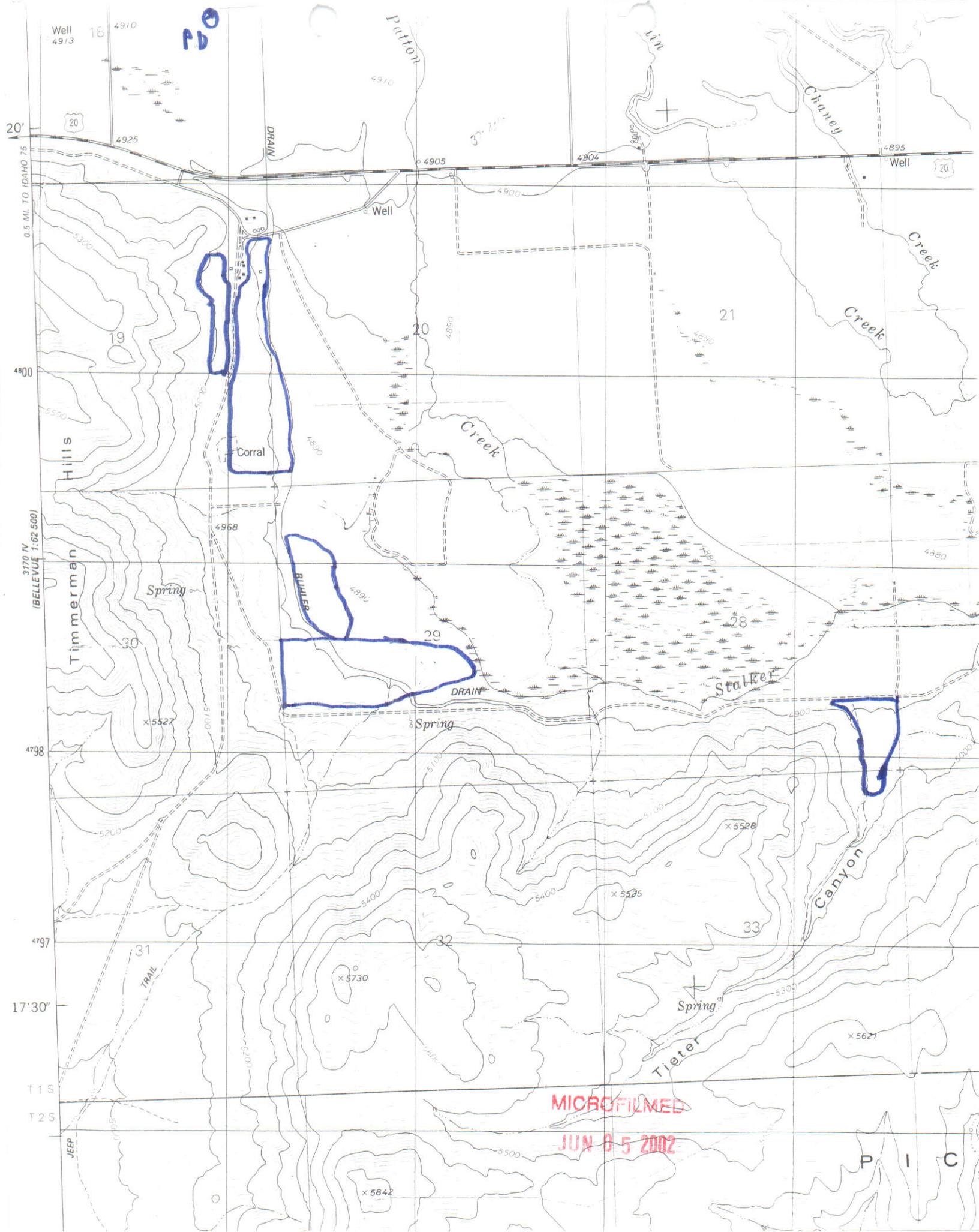


T# 4059 Spring



MICROFILMED

JUN 05 2002

P I C

AFFIDAVIT of PUBLICATION

RECEIVED

MAR 24 1993

Department of Water Resources
Southern Region Office

State of Idaho, }
County of Blaine } SS.

On this 17th day of Mar, in the year 1993, before me a Notary Public of said State, personally appeared **DANIEL J. GORHAM**, known or identified to me to be the person whose name is subscribed to be the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same. As the publisher of the Wood River Journal, he/she attests that said newspaper has been continuously and and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 10 day of Mar, 1993, and the date of the last publication was on the 17 day of Mar, 1993.

Daniel J. Gorham

Subscribed and sworn to before me this 17th day of Mar, 1993.
(SEAL)

Roberta McKeehan

NOTARY PUBLIC

8599 MICROFILMED
WOOD RIVER JOURNAL
Hailey, Idaho JUN 5 2002

OK MB
3-30-93

COST OF PUBLICATION

Number of Picas per Line	
Number of Lines in Notice	<u>63</u>
Number of Insertions	
Lines tabular at	<u>63</u>
Lines straight at	<u>31.50</u>
Subsequent lines at	<u>28.35</u>
TOTAL COST	<u>64.85</u>

COPY OF NOTICE (Paste Here)

Proposed change of
TITLE OF NOTICE
Water Change Rights

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept of Water Resources
BILL TO T.F.

Proposed Change of Water Rights

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS

Notice is hereby given that JOHN F. STEVENSON of Bellevue, ID has applied to the Department of Water Resources for changes to place of use from groundwater sources and further classified as Transfer # 4059.

The rights to be changed authorize diversion of water from one (1) well located in S18, T01S, R19E within Blaine County. The rights are recorded in part as follows:

Number: 37-02576
Priority: 07-13-1955
Amount: 4.69 cfs
Acres: 240

Number: A37-02576
Priority: 07-13-1955
Amount: 4.69 cfs
Acres: 432

TO BE CHANGED AS FOLLOWS

A portion of this water right (A37-02576) will be diverted from one (1) well located in S18, T01S, R19E and will be used for irrigation of 317 acres (not more than 240 acres to be irrigated per year) within Blaine County using a total diversion rate of 4.69 cfs.

Any protest against approval of the above proposal must be filed with the DEPARTMENT OF WATER RESOURCES, 222 SHOSHONE ST. E., TWIN FALLS ID 83301 on or before March 29, 1993.

R. Keith Higginson, Director

Publish Wood River Journal

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.

RECEIVED
AUG 2 1 1957
Department of Reclamation

Earl W. Hutchison
Gannett, Idaho

Permit No. G-25823

Examination for Completion of Works & Beneficial Use

County Blaine

18-1S.-19E.

Q = 4.8 c.f.s.

Sz Well.

P.D. = SE. NE, Sec. 18, T. 1S. - R. 19E.

Use = Irrigation

Filed = July 13, 1955

Due = July 25, 1957

Drilled Well 170' x 8"

Booster Pump -
Centrifugal
10" c.p.

Motor U.S. #985715 - 11 25
Lifts water (about 100')
up to hillside ditch
about 40'

Meter - Idaho Power Co.
Serial # 24900565
Co. No. T 112X
Demand 1.5 x 15

RECEIVED
JUL 1 5 1957

Department of Reclamation

Affidavit of Publication

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

Notice is hereby given that at 10:00 A. M., on the 9th day of July, 1957, at Hailey, County of Blaine, State of Idaho, before Ray McCoy, Notary Public, proof will be submitted of the completion of works for the diversion of 4.8 cubic feet per second of underground waters from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-25823 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person holding said permit are Earl W. Hutchison, Gannett, 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 4.8 cubic feet per second.

4. The point of diversion of said water is in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 18, Twp. 1 S., Rge. 19 E.

5. The place where said water is used is SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 19, W $\frac{1}{2}$ -NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29 E $\frac{1}{2}$ -NE $\frac{1}{4}$, Sec. 30, all in Twp. 1 S., Rge. 19 E.

6. The date of priority which said user is prepared to establish is July 13, 1955.

Mark R. Kulp
State Reclamation Engineer
pub. 6/6-27

STATE OF IDAHO, } ss.
County of Blaine, }

BERWYN BURKE, being first duly sworn deposes and says that he is now and at all times herein mentioned has been the publisher of The Hailey Times, which is now, and at all times herein mentioned has been a newspaper as defined in Section 58-106 of the Idaho Code Annotated as amended by Chapter 38 of the Laws of 1939, and printed, regularly issued and published weekly at Hailey, in Blaine County, Idaho, and having a general circulation in said county, and not less than 200 bona fide subscribers living within said county, and that said newspaper has been continuously and uninterruptedly so printed and published as a weekly newspaper in said county during the period of 78 consecutive weeks prior to the first publication of the annexed true copy and at all times since, and that said annexed true copy was so published in the regular edition of said newspaper, The Hailey

Times, and not in any supplement thereof, for four consecutive weeks commencing with the first publication thereof on the

6th day of June, 1957
and ending with the last publication thereof on the

27th day of June, 1957

Cost of this publication is \$ 22.44

Berwyn Burke
BERWYN BURKE, Publisher.

Subscribed and sworn to before me, this 28th day
of June, 1957

R. J. McCoy
Notary Public for Idaho
Residing at Hailey,
Blaine County, Idaho.

J 25823

NAME OF APPLICANT Earl C. Hutchison

Form No. 0

Twp. 1.S. Range 19.E.

18
Point of Diversion Well,

17

19

20

30

29

Permit Map No. **9-25823**

As Approved

JUL 25 1955
MARK R. KULP
State Reclamation Engineer

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

25823

NOTICE OF PROOF OF
COMPLETION OF WORKS

APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 10:00 A. M., on the 9th day of July, 1957, at Hailey, County of Blaine, State of Idaho, before Ray McCoy, Notary Public, proof will be submitted of the completion of works for the diversion of 4.8 cubic feet per second of underground waters from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-25823 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person holding said permit are Earl W. Hutchison, Gannett, 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 4.8 cubic feet per second.

4. The point of diversion of said water is in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 18, Twp. 1 S., Rge. 19 E.

5. The place where said water is used is SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 19, W $\frac{1}{2}$ -NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29 E $\frac{1}{2}$ -NE $\frac{1}{4}$, Sec. 30, all in Twp. 1 S., Rge. 19 E.

6. The date of priority which said user is prepared to establish is July 13, 1955.

Mark R. Kulp

State Reclamation Engineer
pub. 6/6-27

June 13, '57

NOTICE OF PROOF OF
COMPLETION OF WORKS

APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 10:00 A. M., on the 9th day of July, 1957, at Hailey, County of Blaine, State of Idaho, before Ray McCoy, Notary Public, proof will be submitted of the completion of works for the diversion of 4.8 cubic feet per second of underground waters from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-25823 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person holding said permit are Earl W. Hutchison, Gannett, 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 4.8 cubic feet per second.

4. The point of diversion of said water is in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 18, Twp. 1 S., Rge. 19 E.

5. The place where said water is used is SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 19, W $\frac{1}{2}$ -NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29 E $\frac{1}{2}$ -NE $\frac{1}{4}$, Sec. 30, all in Twp. 1 S., Rge. 19 E.

6. The date of priority which said user is prepared to establish is July 13, 1955.

Mark R. Kulp
State Reclamation Engineer
pub. 6/6-27

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

Notice is hereby given that at 10:00 A. M., on the 9th day of July, 1957, at Hailey, County of Blaine, State of Idaho, before Ray McCoy, Notary Public, proof will be submitted of the completion of works for the diversion of 4.8 cubic feet per second of underground waters from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-25823 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person holding said permit are Earl W. Hutchison, Gannett, 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 4.8 cubic feet per second.

4. The point of diversion of said water is in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 18, Twp. 1 S., Rge. 19 E.

5. The place where said water is used is SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 19, W $\frac{1}{2}$ -NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29 E $\frac{1}{2}$ -NE $\frac{1}{4}$, Sec. 30, all in Twp. 1 S., Rge. 19 E.

6. The date of priority which said user is prepared to establish is July 13, 1955.

Mark R. Kulp
State Reclamation Engineer
6/20/57 pub. 6/6-27

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

Notice is hereby given that at 10:00 A. M., on the 9th day of July, 1957, at Hailey, County of Blaine, State of Idaho, before Ray McCoy, Notary Public, proof will be submitted of the completion of works for the diversion of 4.8 cubic feet per second of underground waters from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-25823 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person holding said permit are Earl W. Hutchison, Gannett, 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 4.8 cubic feet per second.

4. The point of diversion of said water is in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 18, Twp. 1 S., Rge. 19 E.

5. The place where said water is used is SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 19, W $\frac{1}{2}$ -NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29 E $\frac{1}{2}$ -NE $\frac{1}{4}$, Sec. 30, all in Twp. 1 S., Rge. 19 E.

6. The date of priority which said user is prepared to establish is July 13, 1955.

Mark R. Kulp
State Reclamation Engineer
pub. 6/6/27

Hailey Times

State of Idaho
License and Certificate of Water Right

Water License No. G-25823 Amount 4.69 c.f.s.
Water District No. Priority July 13, 1955

THIS IS TO CERTIFY that EARL W. HUTCHISON
of Gannett, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated July 13, 1955; that Permit No. G-25823
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
4.69 second feet, was issued thereunder on October 16, 1957, showing that said works
were completed on the 9th day of July, 1957; and that on the 9th
day of July, 1957, EARL W. HUTCHISON

of Gannett, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
(artesian), a tributary of subterranean, for the purpose of Irrigation
, under Use Permit No. G-25823 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
10 of Licenses at page 6126, on the 16th day of October, 1957;
The right hereby confirmed dates from July 13, 1955;

The Point of Diversion is located
in the SE 1/4 NE 1/4, Sec. 18, Tp. 1 S., R. 19 E., B. M. County Blaine
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 4.69 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
1 S.	19 E.	19	SE 1/4 SE 1/4	40	40
			NE 1/4 NE 1/4	40	40
		29	SE 1/4 NE 1/4	40	40
			NW 1/4 NW 1/4	40	40
			SW 1/4 NW 1/4	40	40
			NW 1/4 SW 1/4	40	40
			Total number of acres irrigated - - -240		

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
16th day of October, 1957.

/s/ Mark R. Kulp
State Reclamation Engineer.

(SEAL)

State of Idaho
License and Certificate of Water Right

Water License No. 22333 Amount .32 c.f.s.
Water District No. Priority August 23, 1951

THIS IS TO CERTIFY that P. H. KENNY
of Vay, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated August 23, 1951; that Permit No. 22333
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
.43 second feet, was issued thereunder on August 30, 1956, showing that said works
were completed on the 27th day of August, 1956; and that on the 28th
day of November, 1956, PATRICK H. KENNY
of Vay, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Hoodoo Creek
, a tributary of Bend Oreille River, for the purpose of Irrigation
, under Use Permit No. 22333 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
10 of Licenses at page 6125, on the 16th day of October, 1957;
The right hereby confirmed dates from August 23, 1951;
The Point of Diversion is located
in the SE 1/4 NE 1/4, Sec. 12, Tp. 55 N., R. 4 W., B. M. County Bonner
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 .32 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
55 N.	4 W.	12	SE 1/4 NE 1/4	25	30
			SW 1/4 NE 1/4	25	30
			Total number of acres irrigated	- - -	-60

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
16th day of October, 1957.

/s/ Mark R. Kulp
State Reclamation Engineer.

(SEAL)

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 33688
Permit No. G- 25823
District No.

1. Name of Applicant: EARL W. HUTCHISON
Postoffice address: Gannett County: Blaine State: Idaho
2. Quantity of water claimed: 4.8 cubic feet per second
 (a) Rate of withdrawal in cubic feet per second. 4.8 or Idaho
 Miners' inches 240 or gallons per minute.
 (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean Flow (Well)
4. Location of point of diversion or well is/ in the at a point 600 feet East of SW corner of SE $\frac{1}{4}$ NE $\frac{1}{4}$
 SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 18
 Twp. 1 S. , Rge. 19 E. , B.M., County of Blaine
5. Water is to be used for: Irrigation purposes
6. If for municipal, industrial or recreational purposes, give:
 (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
 Rge. , B.M.
 (b) Waste water or sewage effluent is to be returned to
 at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Well, Pump and ditches
8. Estimated cost of works: \$ 1,600.00
9. (a) Is reservoir to be used? No
 (b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is Two years.
11. If applicant is a corporation, give:
 I. (a) Date and place of incorporation:
 (b) Amount of capital stock: \$ (c) Amount paid in: \$
 (d) Names and addresses of directors:
 II. The financial resources of the applicant are (a) Cash on hand: \$
 (b) Treasury stock: (c) Bonds to be issued:
 (d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: 810 Rights decreed-
 400 (Four Hundred) miners inches, date of Priority, July, 1904 Water from swamp on lands as decreed
 in the case of Frost, et al Alturas Water Co. et al.
 (a) 4.8 (cubic feet per second, ~~inches or gallons per minute~~) of the water herein applied for is to be supple-
 mental to the existing water rights.
 (b) (cubic feet per second, inches or gallons per minute) is for new lands.

Remarks:

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

EARL W. HUTCHISON
By
Applicant.
Agent.

Date of first receipt at Department of Reclamation: 9:00 A.M. July 13, 1955
Returned to applicant for correction:
Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G-25823
Recorded in Book 91 Page 25823 Approved July 25, 1955
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 25, 1955 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 July 25, 1956
The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before July 25, 1956
Witness my hand this 25th day of July, 1955

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, Governor of the State of Idaho, and IRA H. MASTERS, 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 25th day of July, 1955.

Countersigned:

STATE OF IDAHO

(SEAL) By IRA H. MASTERS, Secretary of State. By ROBERT E. SMYLIE, Governor

12.

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
1 S.	19 E.	19																40	40
		29					40	40				40						120	
		30	40			40												80	
Total Number of Acres to be Irrigated																			240
Permit No. <u>G-25823</u>																			
Certificate of Completion of Works																			
TO ALL WHOM IT MAY CONCERN:																			
This is to certify that EARL W. HUTCHISON of Gannett, County of Blaine, and State of Idaho, the holder of Permit No. G-25823, issued upon Application No. G-33688 bearing date of priority of July 13, 1955, authorizing the diversion of 4.8 second feet of the waters of subterranean flow from a well (artesian) County of Blaine, 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 4.69 second feet of the waters of subterranean flow from a well (artesian) and that the point of diversion of said waters SE ¹ / ₄ NE ¹ / ₄ of Section 18, Township 1 South, Range 19 East, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 240 acres in the SE ¹ / ₄ SE ¹ / ₄ Section 19; E ¹ / ₂ NE ¹ / ₄ Section 30; W ¹ / ₂ NW ¹ / ₄ , NW ¹ / ₄ SW ¹ / ₄ Section 29, all in Township 1 South, Range 19 East, B.M. Proof of Completion of Works made: July 9, 1957.																			
Witness my hand this 16th day of October, A.D. 1957																			
/s/ Mark R. Kulp State Reclamation Engineer																			
Proof of Completion of Works made: July 9, 1957																			
Certificate of Completion of Works issued: October 16, 1957.																			
LICENSE ISSUED FOR 4.69 SEC. FL.																			



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 7, 2002

RECEIVED

MAR - 8 2002

JOHN F. STEVENSON
#36 HILLSIDE RANCH ROAD
BELLEVUE ID 83313

Department of Water Resources

Re: Applications for Transfer Nos. 4059/67775 & 4060/67776

Dear Mr. Stevenson:

This office acknowledges receipt of your request to withdraw the above referenced applications.

This action classifies the Applications as null, void and of no further consideration by the Idaho Department of Water Resources.

By copy of this letter, the protestants have been informed of this action. Please refer to the attached Certificate of Mailing.

If you have any questions or if this office can be of further assistance, please feel free to contact us.

Very truly yours,



Allen D. Merritt, P.E.
Regional Manager

AM:MB

Enclosure

MICROFILMED

MAR 8 5 2002

CERTIFICATE OF MAILING

I hereby certify that on the 7th day of March, 2002 a true and correct copy of the above and foregoing document was forwarded with all required charges prepared, by Regular U.S. Mail to the parties listed:

Mary Baldwin

Secretary

LEE PETERSON WATERMASTER
WATER DISTRICT #37
PO BOX T
SHOSHONE ID 83352

WALTER SCHOOLCRAFT
PO BOX 87
SHOSHONE ID 83352

JOHN D. FLOOD
STAR ROUTE BOX 317
PICABO ID 83348

RICHARD L. BARRY
151 WEST MAGIC RD
SHOSHONE ID 83352

ATTN LYNN HARMON
BIG WOOD CANAL CO
PO BOX C
SHOSHONE ID 83352

GORDON SORENSON
PO BOX 513
SHOSHONE ID 83352

EVAN GUTHRIE
200 E 42 N
SHOSHONE ID 83352

CRAIG VAUGHN
728 E 1020 N
RICHFIELD ID 83349

PETE APPELL
PO BOX 15
RICHFIELD ID 83349

CLINT & LOUIS VAUGHN
1095 N 850 E
RICHFIELD ID 83349

RODNEY L. HUBSMITH
PO BOX 65
RICHFIELD ID 83349

A.W. MOLYNEUX
1174 GANNETT PICABO RD
BELLEVUE ID 83313

DICK PAYNE
PO BOX 113
CAREY ID 83320

JIM RITTER
554 E HWY 26
RICHFIELD ID 83349

DEAN ROGERS III
28 HILLSIDE RANCH RD
GANNETT ID 83313

MICROFILMED

JUN 05 2002

HILLSIDE RANCH

36 HILLSIDE RANCH ROAD, BELLEVUE, IDAHO 83313

March 6th '02

Dear Allen,

Thank you for your letter of Feb 25th.

It do believe it would be best to
withdraw the applications referred
to at this time.

Thank you.

Sincerely,

John

RECEIVED

MAR 07 2002

Department of Water Resources
Southern Region

MICROFILMED

MAR 05 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESRECEIVED
Transfer No. 4059

JAN 23 1992

Department of Water Resources
Southern Region Office

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant John F. Stevenson Phone 788-4826Post Office address #36 Hillside Ranch Rd., Bellevue, ID 83313

RECEIVED

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

MAR - 8 2002

2. Describe the reason for the proposed changes One of the fields watered by this right will no longer be irrigated. Water is being moved to other fields historically watered by the system but not licensed. This transfer is being made in conjunction with a transfer of 37-0118 in order to create a 58-acre marsh for wildlife habitat.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>37-02576</u>	<u>7-13-1955</u>	<u>4.69</u>	<u>Irrig.</u>	<u>4-1</u> to <u>11-1</u>
<u>A37-02576</u>	<u>"</u>	<u>"</u>	<u>"</u>	<u>"</u> to <u>"</u>
				to
				to

2. Total amount of water being transferred 4.69 cubic feet per second and 720 acre-feet per annum.

3. Source of water Groundwater

4. Point(s) of Diversion: No Change

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	Local name for diversion

5. Lands irrigated or place of use: * Not more than 240 acres to be irrigated per year

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
15	19E	19	3			26									25.5			17.5	72
		20									2	4							6
		27						24			23								47
		28			14	19								27	8.5		21.5	90	
		29					9	20		26	28.5				6.5			100	
		33	2																2

Total acres * 317

PART 1

6. General Information:

a. Description of diversion system Existing artesian well, discharge into Buhler Drain. 4 re-lift pumps in Buhler Drain to 3 $\frac{1}{2}$ sprinkler systems. One gravity diversion pipeline.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

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

Land will no longer be irrigated.

d. Remarks:

432 acres were historically irrigated on this ranch. After the pending transfers of 37-0118 & 37-2576, 317 acres will be irrigated. Also, a 53-acre marsh will be maintained (dam was built to present form in 1986). Well will not be used to maintain marsh.

along Buhler Drain

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

WITHDRAWN

Witness my hand this _____ day of _____, 19 _____.

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JUN 05 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 37-02576 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 7-13-1955

5. Water is used for the following purpose:

amount 4,69 cfs for Irrig. purposes from 4-1 to 11-1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 4,69 cubic feet per second and/or 720 acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	NE	18	15	17E	Blaine	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
15	19E	19																40	40
		29						40	40			40							120
		30	40			40													80

Total acres 240

9. Describe any other water rights used for the same purpose as described above 37-0118 (license supplements
decree Blaher Drain right as needed in early season)

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

Yes If yes, describe Land has never been used as licensed, but full acreage has been irrigated.

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

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JUN 05 2002

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. A37-02576 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☒ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 7-12-1955

5. Water is used for the following purpose:

amount 4.69 cfs for Irrig. purposes from 4-1 to 11-1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 4.69 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	NE	18	15	19E	Blaine	

8. Lands irrigated or place of use:

Twp.	Rge.	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	
15	19E	19	3			26									25.5			33	87.5
		20									2	7.5							9.5
		27						24			23								47
		28			14	19									27	8.5		26.5	90
		27						19	30		26	38.5				6.5			120
		30	40			34									2				76

33 2

10/10/2002

Total acres 432 2

9. Describe any other water rights used for the same purpose as described above A37-00118, A37-02681

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

Yes If yes, describe 115 acres have been in federal set-aside since 1983.**B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED**

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 152 cfs for Irrig. purposes from 4-1 to 11-1
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of Diversion: Same

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	NW	NW	29	15	19E	B/gine	Re-diversion in Buhler Drain via Pump #2, mainline to sprinklers

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
15	19E	19																15.5	15.5
		20											3.5						3.5
		29						10	10										20
		30	40			29									2				76

Total acres 115**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount 317 cfs for Irrig. purposes from 4-1 to 11-1
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of Diversion: Same

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

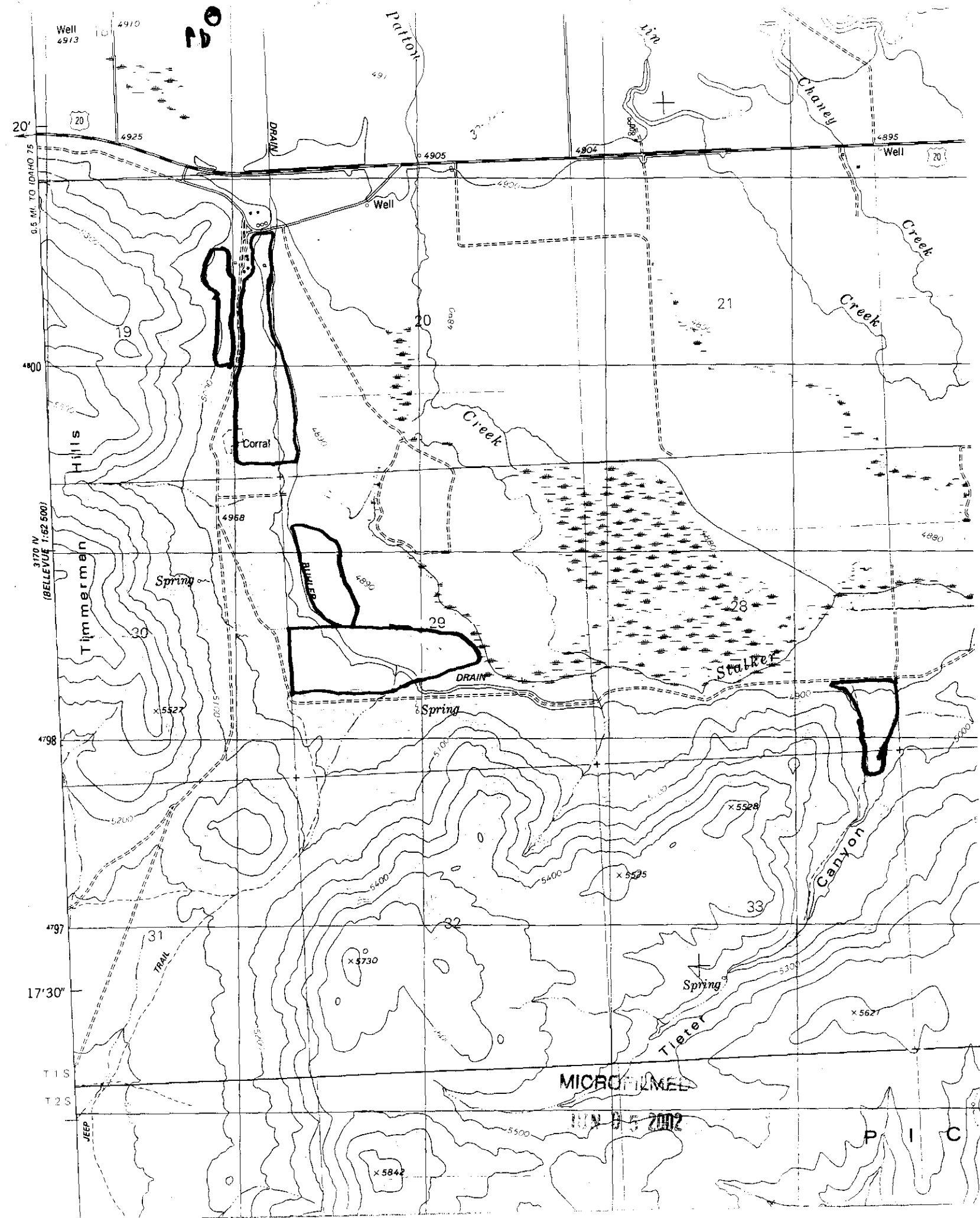
3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
15	19E	19	3			26									25.5			12.5	72
		20									2	4							6
		29						9	20		26	28.5				6.5			100
		28			14	19									27	8.5		21.5	90
		27							24			23							47

33 2

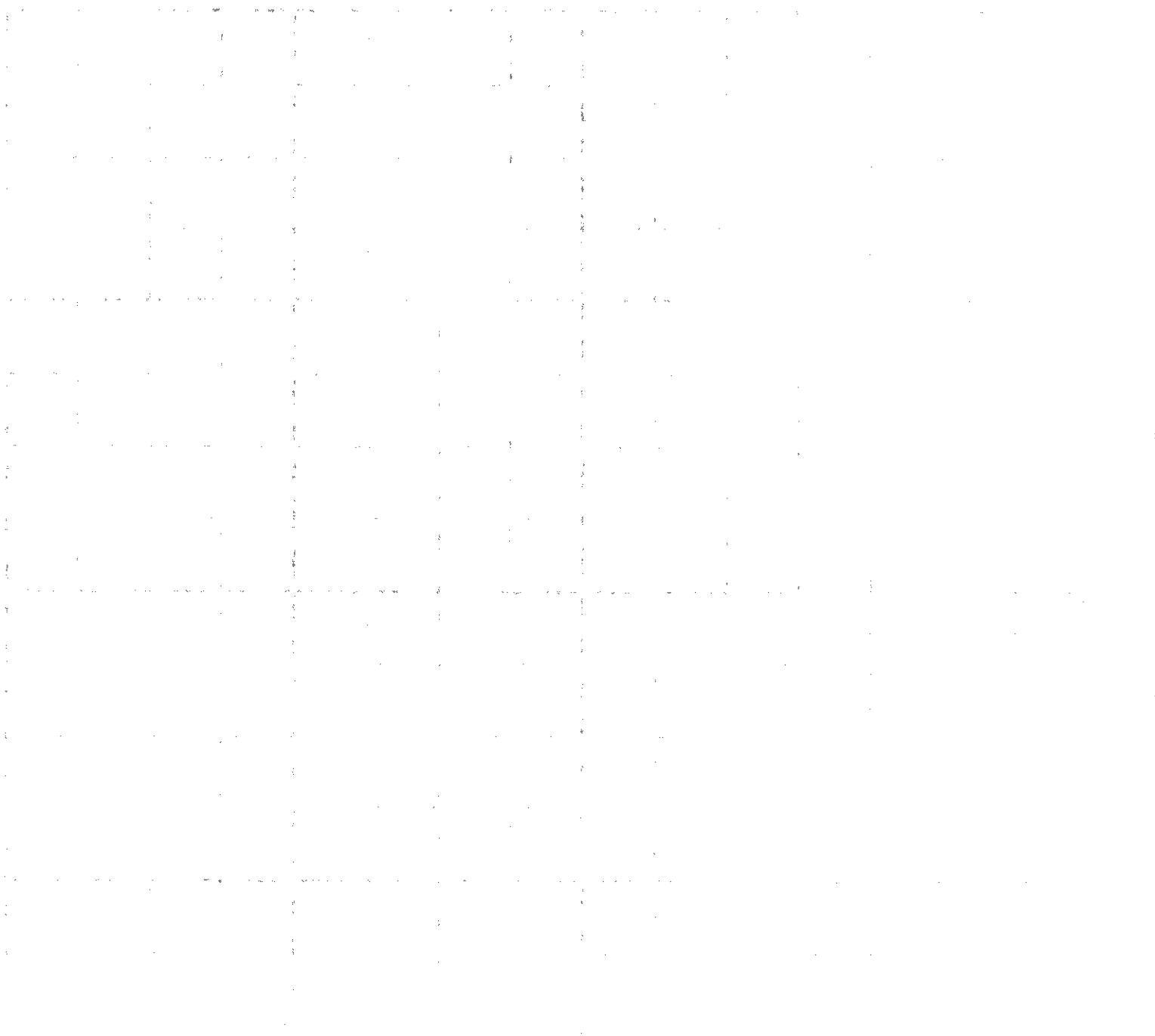
Total acres 317 2

T# 4059



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.**



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JUN 05 2002

SCALE: 2 inches equal 1 mile. Draw plan in ink.

PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

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 willful misrepresentations made in this application may result in voiding its approval.

[Signature]
(Signature of Applicant)

Subscribed and sworn to before me this 21st day of January, 19 92.

Twin Falls, Idaho

[Signature]
(Notary Public)

My commission expires July 18, 1995

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and 1 attachments

Received by J.E. Stenton Date 1-23-92 Protest filed by _____

Prelim. check by _____ Fee \$50.00 5014084

Receipted by [Signature] Date 1-23-92

Published in Wood River Journal Copies of protest forwarded by _____

Pub. dates 3/10 & 3/17/93 Hearing held by _____ Date _____

Watermaster recommendation requested on 3/16/93 Recommended for ☐ approval ☐ denial

_____ rec'd. 3/29/93 by _____

Copy of transfer sent to lien holder _____

MICROFILMED

JUN 25 2002

WARRANTY DEED

RECEIVED

For Value Received

FRANK G. PIERRET, JR., and PATRICIA R. PIERRET, husband and wife

MAR 08 1993

the grantors, do hereby grant, bargain, sell and convey unto

Department of Water Resources
Southern Region Office
Idaho

ELL STEVENSON, an unmarried man, 36 Hillside Ranch Rd. Bellevue, Id.

the grantee, the following described premises, in Blaine County Idaho, to-wit:

Parcel I: Township 1 south of Range 19 east of the Boise Meridian, Blaine County, State of Idaho:

- Section 19: E 1/2 SE 1/4; SE 1/4 NE 1/4; all that portion of the NE 1/4 NE 1/4 lying south of the public road;
- Section 20: W 1/2 SW 1/4; all that portion of the NW 1/4 NW 1/4 lying south of the public road; NE 1/4 SW 1/4; S 1/2 NW 1/4; all of NE 1/4 NW 1/4 EXCEPT that portion thereof deeded to the State of Idaho by deed recorded February 10, 1969, under Recorder's Instrument No. 132006, records of Blaine County, Idaho;
- Section 27: SW 1/4 NW 1/4; W 1/2 SW 1/4;
- Section 28: S 1/2 NE 1/4; N 1/2 SW 1/4; N 1/2 SE 1/4; NW 1/4; SE 1/4 SE 1/4;
- Section 29: E 1/2 NE 1/4; SW 1/4 NE 1/4; W 1/2 NW 1/4; SE 1/4 NW 1/4; N 1/2 SW 1/4; N 1/2 SE 1/4;
- Section 30: E 1/2 NE 1/4;
- Section 33: E 1/2 NE 1/4;

Parcel II: Township 1 south of Range 19 east of the Boise Meridian, Blaine County, State of Idaho:

- Section 20: SW 1/4 SE 1/4; SE 1/4 SW 1/4;
- Section 29: NW 1/4 NE 1/4; NE 1/4 NW 1/4;

Parcel III: Township 1 north of Range 18 east of the Boise Meridian, Blaine County, State of Idaho:

- Section 24: SE 1/4 SE 1/4;

Township 1 north of Range 19 east of the Boise Meridian, Blaine County, State of Idaho:

- Section 19: Lot 4;
- Section 30: Lot 1 and NE 1/4 NW 1/4;

Together with all grazing rights and water rights appurtenant thereto. TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantors do hereby covenant and with the said Grantee, that they are the owner s in fee simple of said premises; that they are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated:

12-28-74

Frank G. Pierret Jr.
Patricia R. Pierret

STATE OF ~~Idaho~~ ^{Washington} COUNTY OF ~~Franklin~~ ^{Franklin}
On this 28th day of December, 1974,
before me, a notary public in and for said State, personally
appeared

FRANK G. PIERRET, JR., and
PATRICIA R. PIERRET, husband and
wife

to be the persons whose names are
subscribed to the within instrument, and acknowledged to
me that they executed the same.

Notary Public
Idaho
Wash.

Residing at ^{Franklin}
Comm. Expires 11/7/75

349339

Deed

BLAINE CO. REQUEST
OF: John Stevenson

'93 JAN 26 AM 10 29

MARY GREEN, CLERK

FEES \$3⁰⁰

MICROFILMED

JUN 05 2002

INSTRUMENT NO.

AFFIDAVIT of PUBLICATION

RECEIVED

MAR 24 1993

State of Idaho, }
County of Blaine } SS.

Department of Water Resources
Southern Region Office

On this 17th day of Mar, in the year 1993, before me a Notary Public of said State, personally appeared **DANIEL J. GORHAM**, known or identified to me to be the person whose name is subscribed to be the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same. As the publisher of the Wood River Journal, he/she attests that said newspaper has been continuously and and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 10 day of Mar, 1993, and the date of the last publication was on the 17 day of Mar, 1993.

Daniel J. Gorham

Subscribed and sworn to before me this 17th day of Mar, 1993.
(SEAL)

Roberta McKeen

NOTARY PUBLIC

8599 MICROFILMED
WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line	
Number of Lines in Notice	<u>63</u>
Number of Insertions	
Lines tabular at	<u>63</u> 6c / Pica
Lines straight at	<u>31.50</u> 5c / Pica
Subsequent lines at	<u>28.35</u> 4c / Pica
TOTAL COST	<u>64.85</u> 5.00

COPY OF NOTICE
(Paste Here)

Proposed Change of
TITLE OF NOTICE
Water Change Rights

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept of Water Resources
BILL TO *T.F.*

JANUARY 1993
NOTICE OF PROPOSED CHANGE OF
WATER RIGHTS

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS

Notice is hereby given that JOHN F. STEVENSON of Boise, ID has applied to the Department of Water Resources for change to place of use from groundwater pump and further classified as Transfer # 4099.

The rights to be changed authorize diversion of water from one (1) well located in S18, T18N, R10E within Blaine County. The rights are reserved in part as follows:

Number: 57-00306
Priority: 07-13-1905
Amount: 4.69 cfs
Acres: 200

Number: 57-00306
Priority: 07-13-1905
Amount: 4.69 cfs
Acres: 200

TO BE DIVIDED AS FOLLOWS

A portion of this water right (AS7-00306) will be diverted from one (1) well located in S18, T18N, R10E and will be used for irrigation of 317 acres (not more than 240 acres to be irrigated per year) within Blaine County using a total diversion rate of 4.69 cfs.

Any protest against approval of the above proposal must be filed with the DEPARTMENT OF WATER RESOURCES, 122 BROADWAY ST., E., TWIN FALLS ID 83401 on or before March 29, 1993.

R. Keith Higinson, Director

Publish: Wood River Journal



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 25, 2002

John F. Stevenson
#36 Hillside Ranch Rd
Bellevue, ID 83313

RE: Transfer Application No. 4059 and 4060

Dear Mr. Stevenson:

As you may recall several years ago you filed two applications for transfer to modify water rights from ground water and the Buhler Drain in association with development of a wildlife area. Both transfer applications were protested by numerous water users in the area. To date no conference or hearing has been held regarding these protested matters.

The purpose of this letter is to inquire of your continued interest in your applications. Please let me know within **30 days** of your continued interest.

Do you want to withdraw the applications? Do you want our office to continue to hold the applications? Do you want to schedule a conference and/or a hearing? What dates are you available to hold a conference?

If you have questions, please feel free to contact me at this office.

Sincerely,

Allen Merritt, PE
Southern Region Manager

MICROFILMED
JUN 05 2002

#4017
mg

LIST, T# 4059 (37-02576, John F. Stevenson)

Applicant:

<fname>JOHN F
<lname>STEVENSON
<addr>#36 HILLSIDE RANCH RD
<city>BELLEVUE ID 83313
<letter>
<>

Protestants:

<fname>JERRY
<lname>NANCE
WATER DISTRICT #37, 37M
<addr>PO BOX T
<city>SHOSHONE ID 83352
<letter>protest acknowledgement
<>

<fname>RICHARD M
<lname>ONEIDA
BIG WOOD CANAL CO
<addr>PO BOX C
<city>SHOSHONE ID 83352
<letter>protest acknowledgement
<>

<fname>EVAN
<lname>GUTHRIE
<addr>200 E 42 N
<city>SHOSHONE ID 83352
<letter>protest acknowledgement
<>

<fname>PETE
<lname>APPELL
<addr>PO BOX 15
<city>RICHFIELD ID 83349
<letter>protest acknowledgement
<>

<fname>RODNEY L
<lname>HUBSMITH
<addr>PO BOX 65
<city>RICHFIELD ID 83349
<letter>protest acknowledgement
<>

<fname>DICK
<lname>PAYNE
<addr>PO BOX 113
<city>CAREY ID 83320
<letter>protest acknowledgement
<>

<fname>JIM
<lname>RITTER
<addr>554 E HWY 26
<city>RICHFIELD ID 83349
<letter>protest acknowledgement
<>

MICROFILMED

JUN 05 2002

<fname>WALTER
<lname>SCHOOLCRAFT
<addr>PO BOX 87
<city>SHOSHONE ID 83352
<letter>protest acknowledgement
<>

<fname>RICHARD L
<lname>BARRY
<addr>151 WEST MAGIC RD
<city>SHOSHONE ID 83352
<letter>protest acknowledgement
<>

Undeliverable
4/14/93

<fname>GORDON
<lname>SORENSEN
<addr>PO BOX 513
<city>SHOSHONE ID 83352
<letter>protest acknowledgement
<>

<fname>CRAIG
<lname>VAUGHN
<addr>728 E 1020 N
<city>RICHFIELD ID 83349
<letter>protest acknowledgement
<>

<fname>CLINT & LOUIS
<lname>VAUGHN
<addr>1095 N 850 E
<city>RICHFIELD ID 83349
<letter>protest acknowledgement
<>

<fname>A W
<lname>MOLYNEUX
<addr>1174 GANNETT PICABO RD
<city>BELLEVUE ID 83313
<letter>protest acknowledgement
<>

<fname>CARL H
<lname>NELLIS
IDAHO FISH & GAME
<addr>PO BOX 428
<city>JEROME ID 83338
<letter>protest acknowledgement
<>

Protest
Withdrawn
6/28/93

<fname>DEAN R
<lname>ROGERS III
<addr>28 HILLSIDE RANCH RD
<city>GANNETT ID 83313
<letter>protest acknowledgement
<>

MICROFILMED

JUN 05 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

29-Jun-1993

R. KEITH HIGGINSON
Director

CARL H NELLIS
IDAHO FISH & GAME
PO BOX 428
JEROME ID 83338

RE: Application for Transfer No. 4059 (37-02576 & T# 4060
(37-0118)

Dear Mr. Nellis:

This office acknowledges receipt of the withdrawal of your protest against the above referenced application.

Since there were multiple protestants, the concerns of the other protestants will need to be addressed by the Department before final processing of the application can be completed.

The Department will continue review of the application without further contact with you unless information is requested.

Please feel free to contact this office if you have any questions regarding this procedure.

Very truly yours,

Loren O. Holmes, P.E.
Southern Region Manager

LH:MB

cc: John F. Stevenson

MICROFILMED
JUN 05 2002



IDAHO FISH & GAME

REGION 4

868 East Main Street / Box 428
Jerome, Idaho 83338-0428

June 24, 1993

Mr Loren Holmes
Idaho Dept. of Water Resources
222 Shoshone St. E.
Twin Falls, Idaho 83301

RECEIVED

JUN 28 1993

Department of Water Resources
Southern Region Office

RE: Water Right Transfers 4059 and 4060

Dear Loren,

After the 6/22/93 site review of this proposed transfer we will withdraw our protest of water right transfers 4059 and 4060. We appreciate your cooperation in this matter.

Sincerely,

Carl H. Nellis
Regional Supervisor

cc: IDFG-Natural Resource Policy Bureau (Robertson)
IDFG-Legal (Goddard)
IDFG-Hayspur (Esselman)
Stevenson

MICROFILMED
JUN 05 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
222 Shoshone Street East • Twin Falls, Idaho • 83301

4/10/93
mk
f

RECEIVED

APR 14 1993

Department of Water Resources
Southern Region Office

MICROFILMED

JUN 9 8 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

07-APR-1993

R. KEITH HIGGINSON
Director

RICHARD L BARRY
151 WEST MAGIC RD
SHOSHONE ID 83352

RE: APPLICATION FOR TRANSFER NO. 4059 (37-02576) & T# 4060
(37-02576)

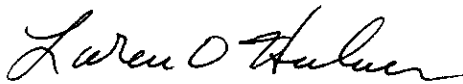
Dear Mr. Barry:

Your protest against the approval of the above referenced application has been received and a copy has been sent to the applicant with the suggestion that he contact you directly to determine the exact nature of the protest and, if possible, to resolve the matter without action by the Department.

The attachment to this letter describes the issues which the Department must consider in taking action on an application. It also gives a brief description of the conference and hearing procedure followed by the Department in resolving protested applications.

If you have any questions or if this office can be of further assistance, please feel free to contact us.

Very truly yours,


Loren O. Holmes, P.E.
Southern Region Manager

LH:MB
Enclosure

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JUN 05 2002

CONFERENCE AND HEARING PROCEDURE

IN THE MATTER OF A PROTESTED APPLICATION FOR TRANSFER

In accordance with IDAHO CODE, Section 42-222, the following issues are involved in the consideration of the application and protest(s):

- 1) Are other water rights injured by the transfer?
- 2) Does the change constitute enlargement in the use of the original water right?
- 3) Is the change consistent with the conservation of water resources within the state of Idaho?
- 4) Does the change conflict with the local public interest?

PROCEDURE

The procedure normally followed by the department in arriving at a decision on the issues which must be considered is to first hold a conference in the matter and then, if necessary, hold a hearing. If a hearing is held a written decision is issued based on the hearing record.

CONFERENCE

Preliminary to holding a hearing, a pre-hearing conference is held to familiarize the department and the parties with the matter and to determine if a resolution of the protest(s) is possible without the need for a hearing.

At the conference the department may formulate and simplify the issues, obtain admissions of fact and of documents which will avoid unnecessary proof, arrange for the exchange of proposed exhibits or prepared expert testimony prior to the hearing, limit the number of witnesses, consolidate the examination of witnesses, and advise the parties of the procedure which will be followed at any subsequent hearing.

HEARING

Any party may request in writing five (5) days before any hearing that the oral proceedings thereof be taken in the form of stenographic notes at the expense of the requesting party. Any party may have such stenographic notes of the oral proceedings, or part thereof, transcribed at his own expense. A taped record of the proceedings will be maintained for the appeal period.

If the hearing is conducted by a hearing officer appointed by the Director, rather than the Director himself, a proposed decision will be issued and the parties will be afforded the opportunity to file exceptions to the proposed decision and present briefs and oral arguments to the Director prior to the issuance of a final decision by the Director. This procedure is required by IDAHO CODE, Section 42-1701A.

The parties by written stipulation, may waive their right to a proposed decision, however, the failure of either party to waive a proposed decision will not prejudice the director's review of a party's evidence and arguments. However, such a waiver will shorten the decision making process and may expedite substantially the issuance of a final decision. Whether compliance with Section 42-1701A is waived will not affect a party's right to petition for a rehearing of the final decision pursuant to rule 11 of the Department's Rules of Practice and Procedure or affect a party's right to appeal the final decision to the District Court.

Under the provisions of the IDAHO CODE, Sections 42-1701A and 67-5215, any court review of the department's decision on appeal shall be confined to the record created before the department.

EFFECT OF FAILURE TO APPEAR AT A CONFERENCE OR HEARING

Failure to appear at the time and place set for a conference or hearing by the applicant or protestant(s) may allow the department to dismiss without prejudice the protest(s) or the application. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

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JUN 05 2012



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

07-APR-1993

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

JOHN F STEVENSON
#36 HILLSIDE RANCH RD
BELLEVUE ID 83313

RE: APPLICATION FOR TRANSFER NO. 4059 (37-02576) & T# 4060
(37-00118B)

Dear Mr. Stevenson:

Enclosed are copies of protests filed against the above referenced applications.

The Department suggests you contact the protestant(s) directly to determine the exact nature of the protest(s) and, if possible, to resolve the matter without action by the Department.

The attachment to this letter describes the issues which the Department must consider in taking action on an application. It also gives a brief description of the conference and hearing procedure followed by the Department in resolving protested applications.

If you have any questions or if this office can be of further assistance, please feel free to contact us.

Very truly yours,

Loren O. Holmes, P.E.
Southern Region Manager

LH:MB
Enclosure(s)

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JUN 05 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

07-APR-1993

R. KEITH HIGGINSON
Director

JERRY NANCE
WATER DISTRICT #37, 37M
PO BOX T
SHOSHONE ID 83352

RE: APPLICATION FOR TRANSFER NO. 4059 (37-02576) & T# 4060
(37-02576)

Dear Mr. Nance:

Your protest against the approval of the above referenced application has been received and a copy has been sent to the applicant with the suggestion that he contact you directly to determine the exact nature of the protest and, if possible, to resolve the matter without action by the Department.

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Very truly yours,

Loren O. Holmes, P.E.
Southern Region Manager

LH:MB
Enclosure

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JUN 05 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

07-APR-1993

R. KEITH HIGGINSON
Director

RICHARD M ONEIDA MGR
BIG WOOD CANAL CO
PO BOX C
SHOSHONE ID 83352

RE: APPLICATION FOR TRANSFER NO. 4059 (37-02576) & T# 4060
(37-02576)

Dear Mr. Oneida:

Your protest against the approval of the above referenced application has been received and a copy has been sent to the applicant with the suggestion that he contact you directly to determine the exact nature of the protest and, if possible, to resolve the matter without action by the Department.

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Very truly yours,

Loren O. Holmes, P.E.
Southern Region Manager

LH:MB
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JUN 05 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

07-APR-1993

R. KEITH HIGGINSON
Director

EVAN GUTHRIE
200 E 42 N
SHOSHONE ID 83352

RE: APPLICATION FOR TRANSFER NO. 4059 (37-02576) & T# 4060
(37-02576)

Dear Mr. Guthrie:

Your protest against the approval of the above referenced application has been received and a copy has been sent to the applicant with the suggestion that he contact you directly to determine the exact nature of the protest and, if possible, to resolve the matter without action by the Department.

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Very truly yours,

Loren O. Holmes, P.E.
Southern Region Manager

LH:MB
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State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

07-APR-1993

R. KEITH HIGGINSON
Director

PETE APPELL
PO BOX 15
RICHFIELD ID 83349

RE: APPLICATION FOR TRANSFER NO. 4059 (37-02576) & T# 4060
(37-02576)

Dear Mr. Appell:

Your protest against the approval of the above referenced application has been received and a copy has been sent to the applicant with the suggestion that he contact you directly to determine the exact nature of the protest and, if possible, to resolve the matter without action by the Department.

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Very truly yours,

Loren O. Holmes, P.E.
Southern Region Manager

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State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

07-APR-1993

R. KEITH HIGGINSON
Director

RODNEY L HUBSMITH
PO BOX 65
RICHFIELD ID 83349

RE: APPLICATION FOR TRANSFER NO. 4059 (37-02576) & T# 4060
(37-02576)

Dear Mr. Hubsmith:

Your protest against the approval of the above referenced application has been received and a copy has been sent to the applicant with the suggestion that he contact you directly to determine the exact nature of the protest and, if possible, to resolve the matter without action by the Department.

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Very truly yours,

Loren O. Holmes, P.E.
Southern Region Manager

LH:MB
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JUN 05 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

07-APR-1993

R. KEITH HIGGINSON
Director

DICK PAYNE
PO BOX 113
CAREY ID 83320

RE: APPLICATION FOR TRANSFER NO. 4059 (37-02576) & T# 4060
(37-02576)

Dear Mr. Payne:

Your protest against the approval of the above referenced application has been received and a copy has been sent to the applicant with the suggestion that he contact you directly to determine the exact nature of the protest and, if possible, to resolve the matter without action by the Department.

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Loren O. Holmes, P.E.
Southern Region Manager

LH:MB
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JUN 05 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

07-APR-1993

R. KEITH HIGGINSON
Director

JIM RITTER
554 E HWY 26
RICHFIELD ID 83349

RE: APPLICATION FOR TRANSFER NO. 4059 (37-02576) & T# 4060
(37-02576)

Dear Mr. Ritter:

Your protest against the approval of the above referenced application has been received and a copy has been sent to the applicant with the suggestion that he contact you directly to determine the exact nature of the protest and, if possible, to resolve the matter without action by the Department.

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Very truly yours,

Loren O. Holmes, P.E.
Southern Region Manager

LH:MB
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JUN 05 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

07-APR-1993

R. KEITH HIGGINSON
Director

WALTER SCHOOLCRAFT
PO BOX 87
SHOSHONE ID 83352

RE: APPLICATION FOR TRANSFER NO. 4059 (37-02576) & T# 4060
(37-02576)

Dear Mr. Schoolcraft:

Your protest against the approval of the above referenced application has been received and a copy has been sent to the applicant with the suggestion that he contact you directly to determine the exact nature of the protest and, if possible, to resolve the matter without action by the Department.

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Very truly yours,

Loren O. Holmes, P.E.
Southern Region Manager

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JUN 05 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

07-APR-1993

R. KEITH HIGGINSON
Director

RICHARD L. BARRY
151 WEST MAGIC RD
SHOSHONE ID 83352

RE: APPLICATION FOR TRANSFER NO. 4059 (37-02576) & T# 4060
(37-02576)

Dear Mr. Barry:

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Very truly yours,

Loren O. Holmes, P.E.
Southern Region Manager

LH:MB
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JUN 05 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

07-APR-1993

R. KEITH HIGGINSON
Director

A W MOLYNEUX
1174 GANNETT PICABO RD
BELLEVUE ID 83313

RE: APPLICATION FOR TRANSFER NO. 4059 (37-02576) & T# 4060
(37-02576)

Dear Mr. Molyneux:

Your protest against the approval of the above referenced application has been received and a copy has been sent to the applicant with the suggestion that he contact you directly to determine the exact nature of the protest and, if possible, to resolve the matter without action by the Department.

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Loren O. Holmes, P.E.
Southern Region Manager

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JUN 05 2012



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

07-APR-1993

R. KEITH HIGGINSON
Director

CARL H NELLIS
IDAHO FISH & GAME
PO BOX 428
JEROME ID 83338

RE: APPLICATION FOR TRANSFER NO. 4059 (37-02576) & T# 4060
(37-02576)

Dear Mr. Nellis:

Your protest against the approval of the above referenced application has been received and a copy has been sent to the applicant with the suggestion that he contact you directly to determine the exact nature of the protest and, if possible, to resolve the matter without action by the Department.

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Very truly yours,

Loren O. Holmes, P.E.
Southern Region Manager

LH:MB
Enclosure

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JUN 05 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

07-APR-1993

R. KEITH HIGGINSON
Director

GORDON SORENSON
PO BOX 513
SHOSHONE ID 83352

RE: APPLICATION FOR TRANSFER NO. 4059 (37-02576) & T# 4060
(37-02576)

Dear Mr. Sorenson:

Your protest against the approval of the above referenced application has been received and a copy has been sent to the applicant with the suggestion that he contact you directly to determine the exact nature of the protest and, if possible, to resolve the matter without action by the Department.

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Very truly yours,

Loren O. Holmes, P.E.
Southern Region Manager

LH:MB
Enclosure

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JUN 05 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

07-APR-1993

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

CRAIG VAUGHN
728 E 1020 N
RICHFIELD ID 83349

RE: APPLICATION FOR TRANSFER NO. 4059 (37-02576) & T# 4060
(37-02576)

Dear Mr. Vaughn:

Your protest against the approval of the above referenced application has been received and a copy has been sent to the applicant with the suggestion that he contact you directly to determine the exact nature of the protest and, if possible, to resolve the matter without action by the Department.

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Very truly yours,

Loren O. Holmes, P.E.
Southern Region Manager

LH:MB
Enclosure

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JUN 05 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

07-APR-1993

R. KEITH HIGGINSON
Director

CLINT & LOUIS VAUGHN
1095 N 850 E
RICHFIELD ID 83349

RE: APPLICATION FOR TRANSFER NO. 4059 (37-02576) & T# 4060
(37-02576)

Gentlemen:

Your protest against the approval of the above referenced application has been received and a copy has been sent to the applicant with the suggestion that he contact you directly to determine the exact nature of the protest and, if possible, to resolve the matter without action by the Department.

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Very truly yours,

Loren O. Holmes, P.E.
Southern Region Manager

LH:MB
Enclosure

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JUN 15 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

07-APR-1993

R. KEITH HIGGINSON
Director

DEAN R ROGERS III
28 HILLSIDE RANCH RD
GANNETT ID 83313

RE: APPLICATION FOR TRANSFER NO. 4059 (37-02576) & T# 4060
(37-02576)

Dear Mr. Rogers:

Your protest against the approval of the above referenced application has been received and a copy has been sent to the applicant with the suggestion that he contact you directly to determine the exact nature of the protest and, if possible, to resolve the matter without action by the Department.

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Very truly yours,

Loren O. Holmes, P.E.
Southern Region Manager

LH:MB
Enclosure

MICROFILMED
JUN 9 5 2002

RECEIVED

MAR 29 1993

Department of Water Resources
Southern Region Office

March 26, 1993

Protest of John F. Steveson Proposed Water Rights

We the undersigned protest the transfer of water from Buhler Drain transfer number 4060 because:

If the water in question is used for nonconsumption use measuring devises must be in place before such use is started. Before a change of water permit is granted, there should be a history established to prove or disprove what happens to the water flow in and out of the man made pond.

Buhler Drain (transfer number 4060) does not now flow 8 c.f.s of water on the wettest of years. How can 8 c.f.s of water be guaranteed without infringing on other people's water rights?

The change of water transfer number 4059 should not be allowed as the original permit was issued as supplemental to Buhler Drain not instead of Buhler Drain water.

Transfer number 4059 is well water not drain or surface water, where as Buhler Drain is surface water.

Thank You,

NAME

ADDRESS

Evan Luther

200E-42N - SHOSHONE-IDAHO 83352

Pete Appell

Box 15 Richfield Ida 83349

Wesley R. Hulsmitt

Box 65 Richfield 83349

Dick Payne

Box 113 Cary Idaho 83720

Jim Richter

554 E Hy 26 Richfield 83349

Walter Schodern

Box 87 Shoshone Ida 83352

- Walter Schodern

MICROFILMED

JUN 05 2002

RECEIVED

MAR 29 1993

Department of Water Resources
Southern Region Office

March 26, 1993

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Transfer number 4059 is well water not drain or surface water, where as Buhler Drain is surface water.

Thank You,

NAME

ADDRESS

Richard L. Barry

151 West Magic road Shoshone, Id 83352

Jordan Brown

Box 513 Shoshone, Id

Craig Vaughn

1228 E 1020N Richfield, Id. 83349

Louis W. Vaughn

1095N 850 Richfield Id. 83349

Clint Vaughn

1095N. 850E Richfield Id. 83349

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JUN 05 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES



LEE R. PETERSON
Watermaster

WATER DISTRICT NO. 37 & 37 M

P.O. Box T
Shoshone, Idaho 83352
(208) 886-2451

Loren Holmes
Idaho Department of
Water Resources
222 Shoshone St. East
Twin Falls, Idaho 83301

March 26, 1993

Dear Loren,

The Advisory Board of Water District 37 & 37M choose to protest the John Stevenson transfers #4059 And #4060.

Members of the of the Board include Jim Eakin, Jerry Nance, Bob Esterbrook, John Koyle, Brian Ross, Bill Arkoosh, Bud Purdy and Kenneth Ohlinger.

Sincerely,

Jerry Nance
Advisory Board
Water District 37 & 37M

RECEIVED

MAR 29 1993

Department of Water Resources
Southern Region Office

MICROFILMED

JUN 16 2002

Big Wood Canal Company

112 S. Apple P.O. Box C
Shoshone, Idaho 83352
886-2331

FEBRUARY 11, 1993

IDAHO DEPARTMENT OF WATER RESOURCES
222 Shoshone St. East
Twin Falls, Idaho 83301

RE: Application for Permits No.
37-0000118, A37-00118, 37-00118B,
A37-00118B, 37-02576 & A37-02576
John F. Stevenson

The Big Wood Canal Company would like to protest the applications filed by JOHN F. STEVENSON on grounds the diversion and transfer of this water could be detrimental to the storage of irrigation water in Magic Reservoir.

Sincerely,


Richard M. Oneida
Manager

RMO/mae

RECEIVED

MAR 29 1993

Department of Water Resources
Southern Region Office

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JUN 05 2002



IDAHO FISH & GAME

REGION 4
868 East Main Street
Jerome, ID 83338
(208) 324-4350

RECEIVED

MAR 23 1993

Department of Water Resources
Southern Region Office

March 19, 1993

Mr Loren Holmes
Idaho Dept. of Water Resources
222 Shoshone St. E.
Twin Falls, Idaho 83301

RE: Water Right Transfers 4059 and 4060

Dear Loren,

We would like to protest the above mentioned water right transfers on the grounds that not enough information is provided to fully evaluate impacts to fish and wildlife. We have also received unconfirmed reports that an illegal stream alteration may also have already occurred to complete one of the proposed transfers.

When conditions allow we would like to meet on-site with the applicant and Id. Dept. of Water Resource agent for further explanation. Please contact Dave Parrish, Environmental Staff Biologist for the on-site meeting.

Sincerely,

Dave Parrish

for Carl H. Nellis
Regional Supervisor

cc: IDFG-Natural Resource Policy Bureau (Robertson)
IDFG-Legal (Goddard)
IDFG-Hayspur (Esselman)

Cecil D. Andrus / Governor
Jerry M. Conley / Director

MICROFILMED

APR 9 5 2002



Working for wildlife since 1938

I, Bill Molyneux, do hereby protest Application for Transfer #4059 & 4060 in the name of John Stevenson. I believe that approval of these transfers will damage downstream water users by reducing stream flows thru increased seepage and evaporation losses.

Sincerely,



A. W. (Bill) Molyneux
1174 Gannett-Picabo Rd.
Bellevue, ID
83313

3-18-1993

RECEIVED

MAR 18 1993

Department of Water Resources
Southern Region Office

MICROFILMED
JUN 05 2002

RECEIVED

APPLICATION FOR TRANSFER OF WATER RIGHT

NO. 4059

MAR 29 1993

RECOMMENDATION OF WATERMASTER

Department of Water Resources
Southern Region Office

I, Lee R. Peterson, watermaster of Big Wood, Little Wood, Rivers & Silver Creek
of Water District No. 37 & 37M, County of Blaine, Lincoln, & Gooding, State of Idaho,
whose address is P O Box T, Shoshone, Idaho 83352

have read the attached copy of the application for transfer of water right for _____

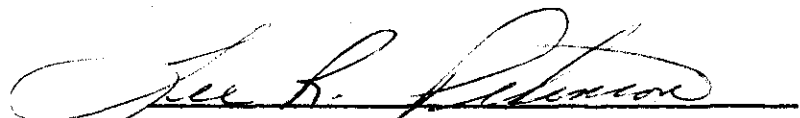
Johne F. Stevenson, and to the best of my knowledge believe the
(name)
application to be true.

A. I hereby endorse the above numbered Application for Transfer and recommend
that the Director of the Department of Water Resources approve the transfer subject to
the following conditions: A measuring device be installed within the
spillway for measurement into Stalker Creek, and a right of way to
to the structure for Watermaster and Deputy.

OR

B. I do not endorse approval of the above numbered Application for Transfer as re-
quested for the following reasons: _____

Dated at Shoshone, Idaho, this 5th day of March 19 93.


(signature)

MICROFILMED

JUN 05 2002

RECEIVED

MAR 08 1993

Department of Water Resources
Southern Region Office

HILLSIDE RANCH

36 HILLSIDE RANCH ROAD, BELLEVUE, ID 83313

3-5-93

Dear Mr. Jones:

Thank you for your two
letters of March 1st. In accordance
with paragraph four I am
enclosing a copy of a deed
to property which includes the
subject property.

Sincerely yours,

John F. Stevenson

MICROFILMED

JUN 05 2002

NOTICE OF PROPOSED CHANGE OF
WATER RIGHTS

Notice is hereby given that JOHN F. STEVENSON of Bellevue, ID has applied to the Department of Water Resources for changes to place of use from groundwater sources and further classified as Transfer # 4059.

The rights to be changed authorize diversion of water from one (1) well located in S18, T01S, R19E within Blaine County. The rights are recorded in part as follows:

Number: 37-02576
Priority: 07-13-1955
Amount: 4.69 cfs
Acres: 240

Number: A37-02576
Priority: 07-13-1955
Amount: 4.69 cfs
Acres: 432

TO BE CHANGED AS FOLLOWS

A portion of this water right (A37-02576) will be diverted from one (1) well located in S18, T01S, R19E and will be used for irrigation of 317 acres (not more than 240 acres to be irrigated per year) within Blaine County using a total diversion rate of 4.69 cfs.

Any protest against approval of the above proposal must be filed with the DEPARTMENT OF WATER RESOURCES, 222 SHOSHONE ST. E., TWIN FALLS ID 83301 on or before March 29, 1993.

R. Keith Higginson, Director

Published in Wood River Journal
on 3/10 & 3/17/93.

MICROFILMED

JUN 05 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

02-Mar-1993

R. KEITH HIGGINSON
Director

WOOD RIVER JOURNAL
PO BOX 988
HAILEY ID 83333

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 required publication dates. If time allows, please submit a galley proof for review before publication.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

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. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

MICROFILMED

JUN 05 2002

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS

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R. Keith Higginson, Director

Published in Wood River Journal on 3/10 & 3/17/93.

MICROFILMED
JUN 05 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

01-Mar-1993

R. KEITH HIGGINSON
Director

JOHN F STEVENSON
#36 HILLSIDE RANCH RD
BELLEVUE ID 83313

Re: Application for Transfer No. 4059, (37-02576, A37-02576)

Dear Mr. Stevenson:

The Department of Water Resources acknowledges receipt of your Application for Transfer.

This office will be advertising the application in the Wood River Journal on 3/10 and 3/17/93. The advertisement will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

Before we can forward your application to our state office for approval we must include in the file evidence of ownership of the land to which the water is appurtenant such as copies of deeds, tax records, etc. and/or a notarized statement from any lien holder on the property.

State Office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

Douglas Jones, E. I. T.
Water Resources Engineering Specialist

DJ:MB

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JUN 05 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

16-Feb-1993

R. KEITH HIGGINSON
Director

LEE PETERSON WATERMASTER
WATER DISTRICT #37
PO BOX T
SHOSHONE ID 83352

Re: Application for Transfer of Water Right No. (T# 4059),
37-02576, A37-02576

Dear Mr. Peterson:

Enclosed is a copy of an Application for Transfer of a Water Right within your District, and Watermaster's Recommendation Form.

Section 42-222 of the IDAHO CODE requires that the watermaster must be advised of proposed changes in water rights in the water district and must notify the Department of his recommendation on the application.

Please complete the enclosed recommendation form and return it to this office.

Processing of the application can be completed in 20 days, therefore, your prompt response to this request will be appreciated.

If you have any questions about the application, please contact this office or the applicant.

Sincerely,

Douglas Jones, E.I.T.
Water Resources Engineering Specialist

DJ:MB

Enclosures

MICROFILMED

1990 5 2002

Transfer Analysis 12/5/91 Douglas Jones
John F Stevenson 37-0118 4-2576

- Applicant intends to change nature of use from irrigation to wildlife storage.
- Water rights as recorded do not identify rights as used.
- Field work by Jim Stanton was done to sort out water diversion and usages currently exercised.
- Amended SRBA claims were filed to represent the current system.
- Present place of use includes 432 acres under 37-0118 4-02576.
- Total diversion rate available is 12.56 cfs, required is 8.64.

~~License 37-2576 covered land that originally was partially irrigated by 0118 decree.~~

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JUN 9 5 2002

- Since licensing groundwater has been combined with ~~used as supplement to surface water~~

T# 4059

on entire 432 acres.

- Air photo and visual observation evidence supports expanded acres under 42-1416 (1).
- Diversion rate per acre under
 - a) A37-0118 = 0.019 cfs/ac
 - b) A37-02576 = 0.011 cfs/ac
 - c) Combined = 0.02 cfs/ac (limitation).
- Transfer proposes abandonment of 115 acres ^{of im.} to provide for 53 acre pond ^{an avg.} of 2' deep, w/ 1 AFA/ac consumptive required (Brackney analysis) (53 AFA)
- 115 acres has
 - a) headgate reg't of 345 AFA
 - b) cons reg't of 288 AFA
 - c) diversion reg't of 2.3 cfs
- Proposed transfer involves Buhler Drain which, once it enters Stevens's property, is not diverted by anyone else from entry point to confluence with Patton Cr.

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JUN 05 2002

Pg 3 Transfer Analysis 37-0115, -2576

- Net effect of transfer is to decrease irrigation demand on Buhler Drain.

~~Diversion rate for wildlife storage determined by rate applied by irrigation system on land to be abandoned. Pump in Buhler Drain provided water to 104, $\frac{1}{64}$ " nozzles at 60 psi $\approx 1.52 cfs$~~

per amended
transfer 37-0118
4 filing transfer
on 37-2576

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JUN 05 2002

T# 4059

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: D Jones

1. Right number 37-2576 Applicant Stevenson, John F.
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. See proof in transfer on 37-0118
- h. ☒ Check for expansion in use of right. Comments Permissible place of use
- i. ☒ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) A 37-2681
- j. ☒ Is use within a Watermaster District? ☒ Yes ☐ No
If yes, what district? 37

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* _____

WITHDRAWN

4. By _____ Date _____

October 16, 1957

Re: Permit No. G-25823

Mr. Earl W. Hutchison
Cannett,
Idaho

Dear Mr. Hutchison:

Enclosed is the Certificate of Completion of Works and the License and Certificate of Water Right issued under Permit No. G-25823, confirming the right with priority of July 13, 1955, to your use of 4.69 second feet of subterranean water from an artesian well located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 18, for irrigation of 240 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 19; E $\frac{1}{4}$ NE $\frac{1}{4}$ Section 30; W $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 29, all in Township 1 South, Range 19 East, B.M.

Enclosed also is departmental receipt #G-2920 for \$17.00, issued as receipt of the five dollar fee for the Certificate of Completion of Works and twelve dollars for the License fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR:nls
Enc.

G 25823

September 17, 1957

Re: Permit No. G-25823

Mr. Earl W. Hutchison
Garnett,
Idaho

Dear Mr. Hutchison:

Our field engineer's report on the inspection of the completion of construction work and application of water to beneficial use under the terms of Permit No. G-25823 shows that your well is capable of conveying $234\frac{1}{2}$ miner's inches (4.69 c.f.s.) of water for irrigation of 240 acres. This permit is now entitled to a Certificate of Completion of Works and a License and Certificate of Water Right.

Upon receipt of the statutory fees, total of \$17.00, we will issue the Certificate of Completion of Works (for which the fee is five dollars) and the License (twelve dollars—based at the rate of two dollars for each 40-acre subdivision) confirming the right with priority of July 13, 1955, to your use of 4.69 second feet of subterranean water with the point of diversion in the $SE\frac{1}{4}NE\frac{1}{4}$ of Section 18, for irrigation of 240 acres in the $SE\frac{1}{4}SE\frac{1}{4}$ Section 19; $E\frac{1}{2}NE\frac{1}{4}$ Section 30; $W\frac{1}{2}NW\frac{1}{4}$, and the $NW\frac{1}{4}SW\frac{1}{4}$ of Section 29, all in Township 1 South, Range 19 East, B.M.

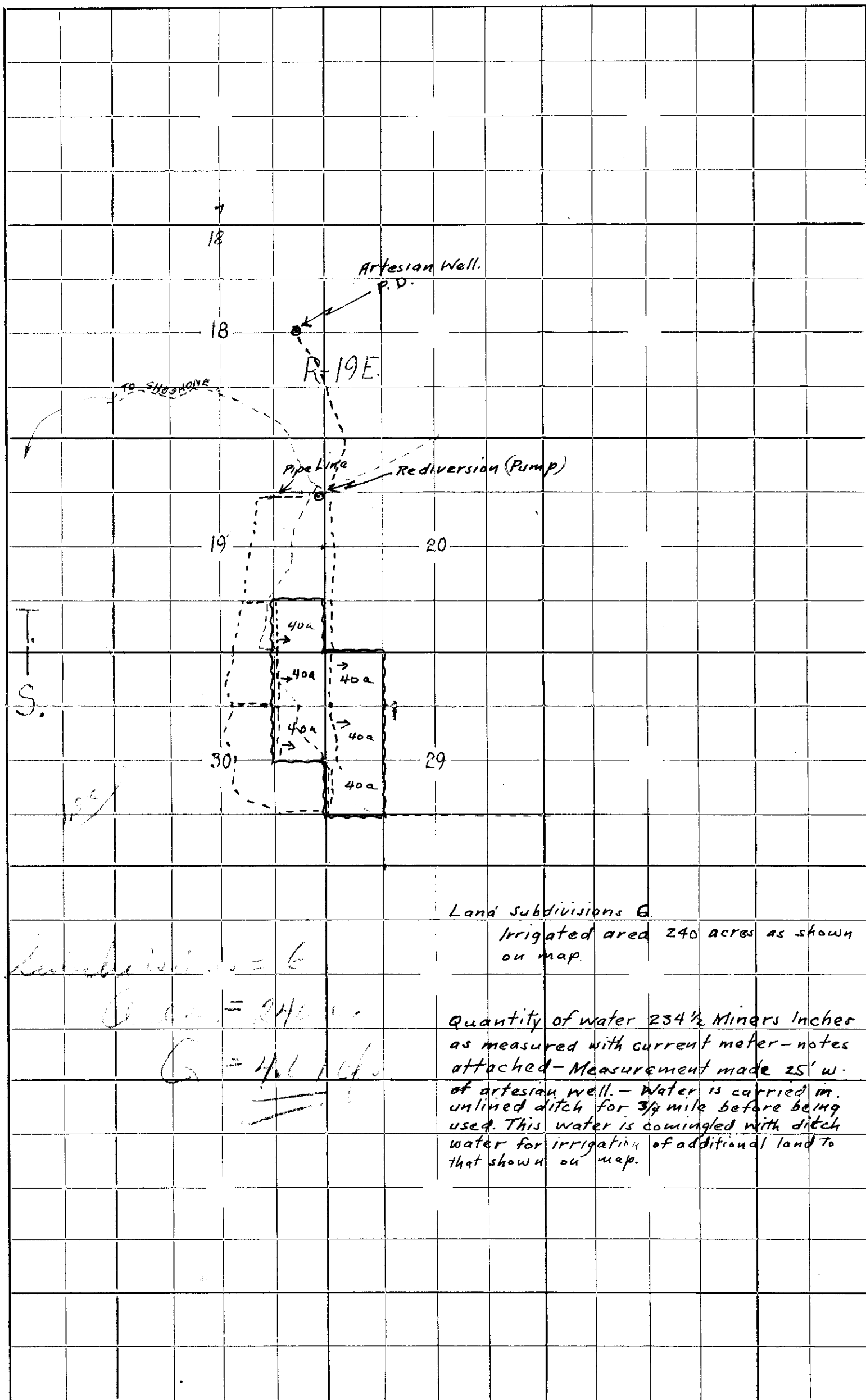
Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR:nls

G25823



Land subdivisions G

Irrigated area 240 acres as shown on map.

Land subdivisions = 6

Area = 240 ac.

G = 4.1 1/4

Quantity of water 234 1/2 Miners Inches as measured with current meter - notes attached - Measurement made 25' w. of artesian well. - Water is carried in. unlined ditch for 3/4 mile before being used. This water is combined with ditch water for irrigation of additional land to that shown on map.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-25823

REPORT ON PROOF OF Completion of Works & Beneficial Use

Earl W. Hutchison, Cannett, Idaho

4.69 cfs
mrr

Appl. = 4.8 c.f.s.
Sub = 6
Acres = 240

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.

RECEIVED
AUG 21 1957

Department of Reclamation

Earl W. Hutchison
Gannett, Idaho

Permit No. G-25823

Examination for Completion of Works & Beneficial Use

County Blaine

18-1S.-19E.

Q = 4.8 c.f.s.

Sz Well.

P.D. = SE. NE, Sec. 18, T. 1S. - R. 19E.

Use = Irrigation

Filed = July 13, 1955

Recd = July 25, 1957

Drilled Well 170' x 8"

Booster Pump
Centrifugal
10" Cop.

Motor U.S. #985715 - R 25
Lifts water (approx)
up to hillside ditch
about 40'

Meter - Idaho Power Co.
serial # 24900
Co No T 412 X
Demand 19 x 10

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

Permit No. G-25823

This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant Earl W. Hutchison
2. Source of water supply: Subterranean flow from a well
3. Location of point of diversion: Is in the SE 1/4 of Section 18
T. 1 S. R. 19 E., S.M. County of Blaine
4. Describe works as they exist, giving dimensions and capacities of same: Drilled well 170' x 8"
(Artesian)
Rediversion - Pump: Centrifugal - Motor U.S. #985715-TP-25 - Estimated lift 30-40 ft
discharge about 100 miners inches - Discharges through pipe line (8") to upper
ditch.
5. Water is used for: Irrigation
6. 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):

SE 1/4 of Sec. 19., NE 1/4, NW 1/4, NE 1/4 of Sec. 29., and
NE 1/4 SE 1/4 of Sec. 30., all in Twp. 1 S., Rge. 19 E., S.M.

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

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

Remarks: _____

This water commingles with surface supply - Part of it is also pumped to
upper ditch at intervals

This examination was made on the 6th day of August, 1955

(Signed) _____

Examiner.

25823

July 16, 1957

Re: Permit No. G-25823

Mr. Earl W. Hutchison
Gannett, Idaho

Dear Mr. Hutchison:

We acknowledge receipt of the Deposition of Holder and two witnesses, also affidavit of publication in the Hailey Times, all submitted in proof of Completion of Works and Beneficial Use on Permit No. G-25823.

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.

We are returning your statement of cost which you will undoubtedly require for your files.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR:lw
Encl. 1

25823

RECEIVED
JUL 15 1957

Department of Reclamation

Affidavit of Publication

STATE OF IDAHO, } ss.
County of Blaine, }

BERWYN BURKE, being first duly sworn deposes and says that he is now and at all times herein mentioned has been the publisher of The Hailey Times, which is now, and at all times herein mentioned has been a newspaper as defined in Section 58-106 of the Idaho Code Annotated as amended by Chapter 38 of the Laws of 1939, and printed, regularly issued and published weekly at Hailey, in Blaine County, Idaho, and having a general circulation in said county, and not less than 200 bona fide subscribers living within said county, and that said newspaper has been continuously and uninterruptedly so printed and published as a weekly newspaper in said county during the period of 78 consecutive weeks prior to the first publication of the annexed true copy and at all times since, and that said annexed true copy was so published in the regular edition of said newspaper, The Hailey

Times, and not in any supplement thereof, for four consecutive weeks commencing with the first publication thereof on the

6th day of June, 1957 and ending with the last publication thereof on the

27th day of June, 1957

Cost of this publication is \$ 22.44

Berwyn Burke
BERWYN BURKE, Publisher.

Subscribed and sworn to before me, this 28th day of June, 1957

A. J. McLog
Notary Public for Idaho
Residing at Hailey,
Blaine County, Idaho.

25823

COMPLETION OF WORKS and APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A. M., on the 9th day of July, 1957, at Hailey, County of Blaine, State of Idaho, before Ray McCoy, Notary Public, proof will be submitted of the completion of works for the diversion of 4.8 cubic feet per second of underground waters from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 6-10-57, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person holding said permit are Earl W. Hutchinson, Gannett, 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 4.8 cubic feet per second.

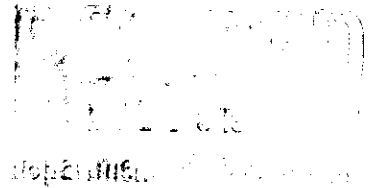
4. The point of diversion of said water is in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 18, Twp. 1 S., Rge. 19 E.

5. The place where said water is used is SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 19, W $\frac{1}{4}$ -NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29 E $\frac{1}{2}$ -NE $\frac{1}{4}$, Sec. 30, all in Twp. 1 S., Rge. 19 E.

6. The date of priority which said user is prepared to establish is July 13, 1955.

Mark R. Kulp
State Reclamation Engineer
pub. 6/6-57

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



Permit No. G. 25823

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. Earl W. Hutchison, Gannett, Idaho. Farmer, Gannett, 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. Not for Corp.

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

Ans. G-25823, Dated ~~Sept. 25~~ July 25, 1955

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

Ans. Source is underground water; Point of Diversion is at a point 600 Ft East of the SW corner of SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 18 T 1 S. R. 19 E.B.M. Blaine County, Idaho.

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. Artisian well, irrigation ditches, they can convey 260 inches as a minimum

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. Irrigation on SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 19 and NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 29 and NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 30 all in T 1 S. R. 19 E.B.M. Blaine County, Idaho. containing 260 acres more or less.

25823

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

Ans. Just irrigation.

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

Ans. One inch per acre, at the land, is the very minimum possible.

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. Permit issued to me.

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

Ans. During the irrigating seasons of 1955, 1956 and 1957 approximately 5.5 cu. ft per second was used, in each season we irrigated the land 4 times.

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. Some other water filters into this ditch, the amount is unknown, but we feel is very small.

(Sign)

Earl W. Hutchinson

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 Hailey, County of Blaine

State of Idaho, on this 9th day of July, A. D. 1957.

My commission expires March 31, 1959

Earl W. Hutchinson
R. H. McCoy

A25823

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RE
Department of Reclamation

Permit No. G- 25823

Proof of Application of Water to Beneficial Use

Deposition of Witness and Completion of Works

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. H.B. Bickett, age 54, Gannett, Idaho, Farmer, Gannett, Idaho.

Ques. 2. Are you acquainted with Earl W. Hutchison, the holder of Permit No. G- 25823? How long have you known him and where does he reside?

Ans. Known him for 8 years, he resides at Gannett, Idaho.

Ques. 3. Have you read or heard read said Permit No. G- 25823, 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. Artisian well- at a point 600 ft. East of the SW corner of the SE 1/4 Section 18 T 1 S. R. 19 E.B.M. Blaine County, Idaho.

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. 5.5 Cu Ft. per Sec. Artisian

Ques. 6. (Pump) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. 5.5 Cu. Ft. per Sec. By height of water flow from an 8 in. pipe.

25823

Ques. 7. 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. The Water is used for irrigation on the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 19 and NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 29 and NE $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 30 T 1 S. R. 19 E.B.M. Blaine County, Idaho.

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. Not for power.

Ques. 9. (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. Mountain Loan 260 acres I estimate that 1 Cu. In. per second is the very minimum water for this land.

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. NONE.

Ques. 11. 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. Each irrigation season for the past 2 years and so far this season 1957.

(Signed)

H. B. Bickett

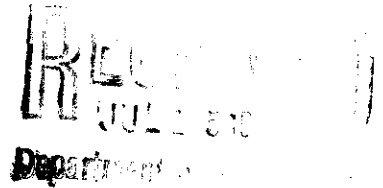
I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Hailey, County of Blaine, State of Idaho, on this 9 day of July, A. D. 1957.

R. N. McCoy
Notary Public.

My commission expires March 31, 1959

25823

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



Permit No. G-25823

Proof of Application of Water to Beneficial Use

Deposition of Witness and Completion of Works

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. Carl Schöessler, 46, Gannett, Idaho. Farmer, Gannett, Idaho.

Ques. 2. Are you acquainted with Earl W. Hutchison, the holder of Permit No. G-25823? How long have you known him and where does he reside?

Ans. 15 years, Gannett, Idaho.

Ques. 3. Have you read or heard read said Permit No. G.25823, 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. Underground water, at a point 600 ft. East of the SW corner of SE 1/4 of Section 18 T 1 S. R. 19 E.B.M. Blaine County, Idaho. Irrigation Ditches.

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. 5.5 Cu. Ft. per Sec.
Artisian

Ques. 6. (~~Pump~~) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. 5.5 Cu. Ft. Per Sec. By height of water flow from an 8 in. pipe.

G 25823

Ques. 7. 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. The water is used to irrigate. The SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 19 NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 29 NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 30 all in T. 1 S. R. 19 E.B.M. Blaine County, Idaho. being 260 acres more or less.
and the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 29 1 S. R. 19 E.B.M.

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. Not for power

Ques. 9. (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. Mountain Loam,
260 acres it is estimated 1 in. per acre is the minimum.

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No.

Ques. 11. 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. Each irrigation season for the past 3 years (including 1957)
The land has used the full amount of water produced 260 miner's inches.

(Signed) Carl Schoessler

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 Hailey, County of Blaine, State of Idaho, on this 9 day of July, A. D. 19 57.

R. N. McLaughlin
Notary Public.

My commission expires March 31, 1959

25823

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
ROOM 107 STATE HOUSE
BOISE, IDAHO

RE: Permit No. G-25823
Earl W. Hutchison

Date: **June 3, 1957**

The Hailey Times
Hailey, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **July 9th, 1957** the date set for proof, the expense of the publication to be paid by the applicant, **Earl W. Hutchison** of **Gannett, 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 of the first publication, in order that we may check same.

Very truly yours,

MARK R. KULP

State Reclamation Engineer
By

Chief Clerk

ER:vm
Encl.

A 25823

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

Notice is hereby given that at 10:00 A. M., on the 9th day of July, 1957, at Hailey, County of Blaine, State of Idaho, before Ray McCoy, Notary Public, proof will be submitted of the completion of works for the diversion of 4.8 cubic feet per second of underground waters from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-25823 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person ~~of whom application~~ holding said permit are Earl W. Hutchison, Garnett, 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 4.8 cubic feet per second.

4. The point of diversion of said water is ~~600 ft. East of SW corner of SE 1/4~~ in the SE 1/4, Sec. 18, Twp. 1 S., Rge. 19 E.

5. The place where said water is used is SE 1/4 Sec. 19, W 1/4 NW 1/4, Sec. 29 NE 1/4, Sec. 30, all in Twp. 1 S., Rge. 19 E.

6. The date of priority which said user is prepared to establish is July 13, 1955.

J 25823

MARK R. KULP
State Reclamation Engineer

June 3, 1957

RE: Permit No. G-25823

Mr. Earl W. Hutchison
Garnett, Idaho

Dear Mr. Hutchison:

We acknowledge the completed proof of Completion of Works and Beneficial Use proof on Permit No. G-23823 to be made July 9, 1957, before Mr. Ray McCoy, Notary Public.

We shall send a copy of the Notice to the Hailey Times with instructions to publish it once a week for four weeks prior to that date and to send you the affidavit of publication together with statement of costs.

At the time set, you should appear before Mr. McCoy, Notary Public, together with two disinterested witnesses who are familiar with the terms of the Permit and the work done thereunder for the purpose of executing the enclosed depositions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

ER:vm
Encl.
cc.

Ray McCoy
Hailey, Idaho

825823

May 24, 1957

Re: Permit No. G-25823

Mr. Earl W. Hutchison
Gannett, Idaho

Dear Mr. Hutchison:

We wish to acknowledge receipt of your Notice of Proof of Completion of Works and Application of Water to Beneficial Use, which you mailed to this department in connection with the above captioned permit.

As you know, depositions by yourself and from each of two witnesses must be sworn to before a Notary Public, and as you are required to name a Notary in filling out your Notice of Proof, we wish for you to name the Notary before whom you and your two witnesses wish to appear for the purpose declaring your deposition.

You state under question (5) answering the question "The place where said water is used is 240 acres in Section 19, 29 and 30, Township 1 South Range 19 East B. M."; this land description is to indefinite and we wish that you would show the actual legal description of the land to be irrigated. In each of the three sections we will await this information prior to publication.

We are returning herewith one of the signed forms that you filled out so that you can make corrections on same and return to this department.

Very truly yours,

MARK E. KULP
State Reclamation Engineer
By

Roy H. Thompson
Office Manager

RHT:lw
Encls.

25823

RECEIVED
MAY 2 1957

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE
Department of Reclamation

(Date) 16, 5, 57

Address
Hammett Idaho
City State

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the Harley Times of Hailey Idaho published in the county in which the works are situated.

By Paul W. Hutcheson

(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

25823

STATE OF IDAHO

County of Twin Falls

ss.

On this 16 day of May, 19 57, before
me, the undersigned, a Notary Public in and for said State, personally appeared
Earl W. Hutchison

known to me to be the person..... whose name is subscribed
to the within instrument and acknowledged to me that
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.

Dudley Leonard
Notary Public for the State of Idaho,
residing at
Twin Falls, Idaho

My Commission Expires July 2 19 57

825823

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

Notice is hereby given that at P. M., on the 16 day of May, 19 57, at ~~Trion Falls~~ Blaine, County of Gannett, State of Idaho, before me, proof will be submitted of the completion of works for the diversion of 4.8 cubic feet per second of underground waters from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G 25823 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 are Gannett, 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 4.8 cubic feet per second.

4. The point of diversion of said water is at point 600 feet East of SW corner of SE $\frac{1}{4}$ NE $\frac{1}{4}$ in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of 18- 1 S - 19 E. B. M.

5. The place where said water is used is 240 acres in Sections 19, 29 and 30 Township 1 South, Range 19, E. B. M.

6. The date of priority which said user is prepared to establish is July 25, 1953.

825823

State Reclamation Engineer

XX

S T A T E O F I D A H O

RE: Permit No. G-25823

DEPARTMENT OF RECLAMATION

Mr. Earl W. Hutchison
Gannett, Idaho

May 1, 1957

Dear Sir:

We enclose herewith blank notice for proof of completion of works and application of water to beneficial use under your Permit No. G-25823. This notice should be filled out in duplicate and returned to this office at least 40 days before the date upon which you wish to make this proof, in order to allow time for the four weeks' publication required by law.

This proof must be submitted before a Notary Public or other officer authorized by law to administer oaths.

The date for proof, as set out in your permit, is not later than July 25, 1957.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

825823

RE: Permit Nos. G-25055, G-25769, G-25823 and G-25929

SEE LETTER IN FILE # G-25055

25823

July 29, 1955

RE: Permit No. G-25823

Mr. Earl W. Hutchison
Gannett
Idaho

Dear Mr. Hutchison:

We enclose Permit No. G-25823 and direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer

We also enclose departmental receipt No. G-1369 for the \$6.00 filing fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll
Enc.

25823

NAME OF APPLICANT Earl J. Hutchison,

Form No. 0

Twp. 1.S. Range 19.E.

18 17
Point of Diversion Well,

19

20

30

29

Permit Map No. 4-25823

As Approved

JUL 25 1955

MARK R. KULP

State Reclamation Engineer

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

4-25823

**NOTICE OF PROOF OF
COMPLETION OF WORKS**

**APPLICATION OF WATER
TO BENEFICIAL USE**

Notice is hereby given that at 10:00 A. M., on the 9th day of July, 1957, at Halley, County of Blaine, State of Idaho, before Ray McCoy, Notary Public, proof will be submitted of the completion of works for the diversion of 4.8 cubic feet per second of underground waters from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-25823 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person holding said permit are Earl W. Hutchison, Gannett, 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 4.8 cubic feet per second.

4. The point of diversion of said water is in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 18, Twp. 1 S., Rge. 19 E.

5. The place where said water is used is SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 19, W $\frac{1}{2}$ -NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29 E $\frac{1}{2}$ -NE $\frac{1}{4}$, Sec. 30, all in Twp. 1 S., Rge. 19 E.

6. The date of priority which said user is prepared to establish is July 13, 1955.

Mark R. Kalp

State Reclamation Engineer
pub. 6/6-27

**NOTICE OF PROOF OF
COMPLETION OF WORKS**

**APPLICATION OF WATER
TO BENEFICIAL USE**

Notice is hereby given that at 10:00 A. M., on the 9th day of July, 1955, at Hailey, County of Blaine, State of Idaho, before Ray McGary, Notary Public, proof will be submitted of the completion of works for the diversion of 4.8 cubic feet per second of underground waters from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-25823 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person holding said permit are Earl W. Hutchison, Gannett, 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 4.8 cubic feet per second.

4. The point of diversion of said water is in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 19, Twp. 1 S., Rge. 19 E.

5. The place where said water is used is SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 19, W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29, NE $\frac{1}{4}$, Sec. 30, all in Twp. 1 S., Rge. 19 E.

6. The date of priority when said user is prepared to establish is July 13, 1955.

Mark R. Kulp
State Reclamation Engineer
pub. 67

**NOTICE OF PROOF OF
COMPLETION OF WORKS
or
APPLICATION FOR WATER
TO BENEFICIAL USE**

Notice is hereby given that at 10:00 A. M., on the 9th day of July, 1957, at Hailey, County of Blaine, State of Idaho, before Ray McCoy, Notary Public, proof will be submitted of the completion of works for the diversion of 4.8 cubic feet per second of underground waters from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-25823 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person holding said permit are Earl W. Hutchison, Gannett, 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 4.8 cubic feet per second.

4. The point of diversion of said water is in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 18, Twp. 1 S., Rge. 19 E.

5. The place where said water is used is SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 19, W $\frac{1}{2}$ -NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29 E $\frac{1}{2}$ -NE $\frac{1}{4}$, Sec. 30, all in Twp. 1 S., Rge. 19 E.

6. The date of priority which said user is prepared to establish is July 13, 1955.

Mark R. Kulp
State Reclamation Engineer
pub. 6/6-27

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

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1. The name and postoffice address of the person holding said permit are Earl W. Hutchison, Gannett, 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 4.8 cubic feet per second.

4. The point of diversion of said water is in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 18, Twp. 1 S., Rge. 19 E.

5. The place where said water is used is SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19, W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29 E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 30, all in Twp. 1 S., Rge. 19 E.

6. The date of priority which said user is prepared to establish is July 13, 1955.

Mark R. Kulp

State Reclamation Engineer

Hailey Times

pub. 6/6/57