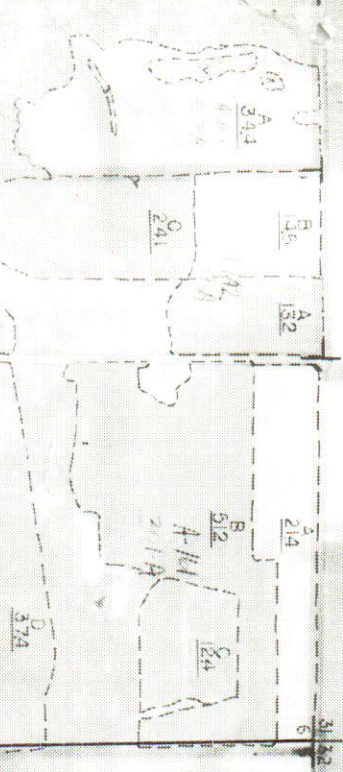




SECTION 6

A 143
200-A

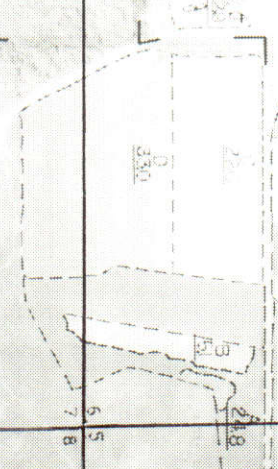
SECTION 5

A-280
280-A

A-280
280-A

SECTION 4

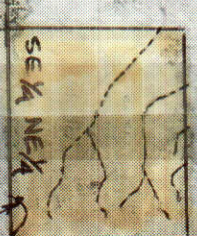
DEC 14 1989



NE 1/4 SECTION 8

A-189
283-A

SECTION 7

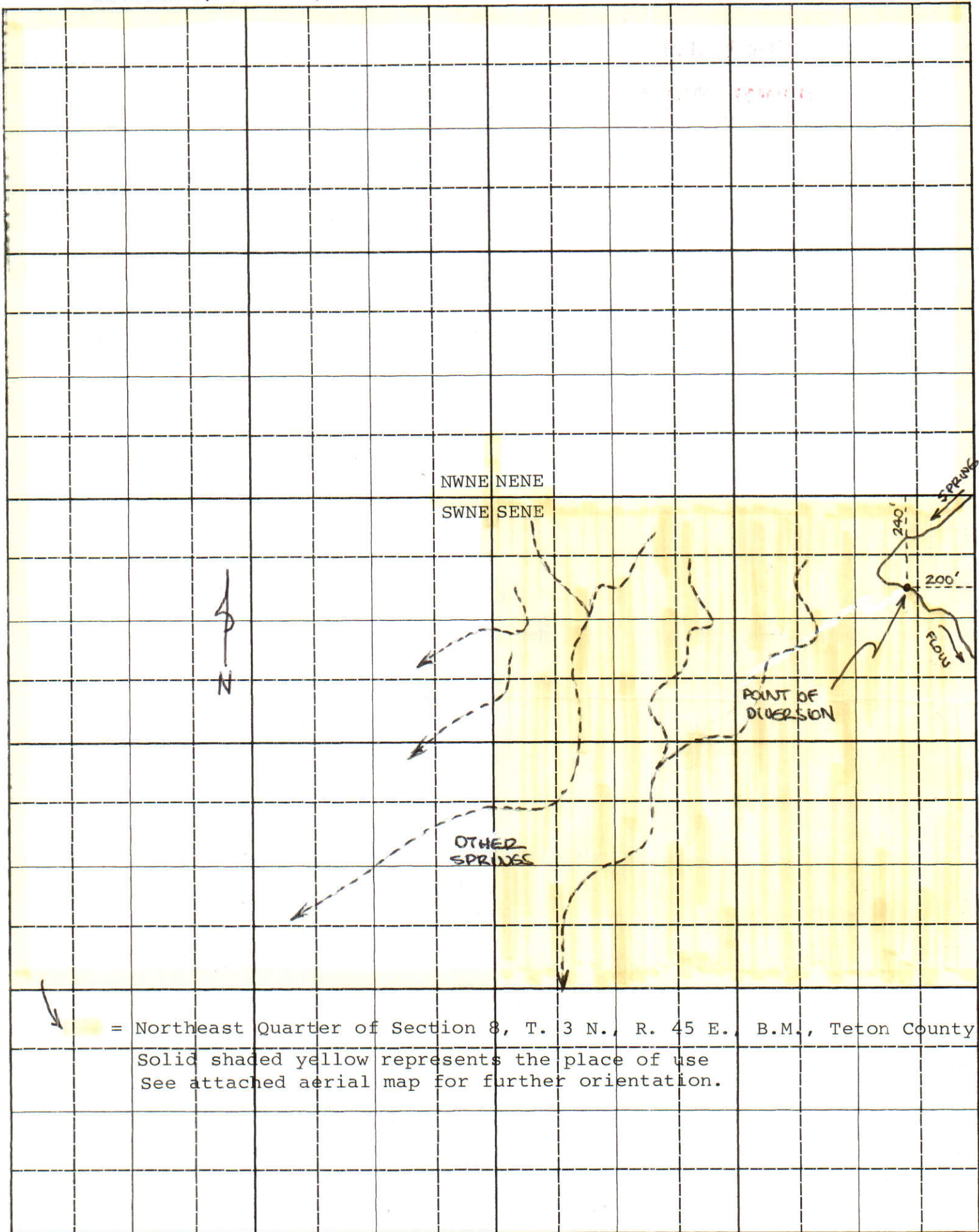


SECTION 9



11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

SECTION 8, T. 3 N., R. 45 E., B.M. (THE NORTHEAST QUARTER)



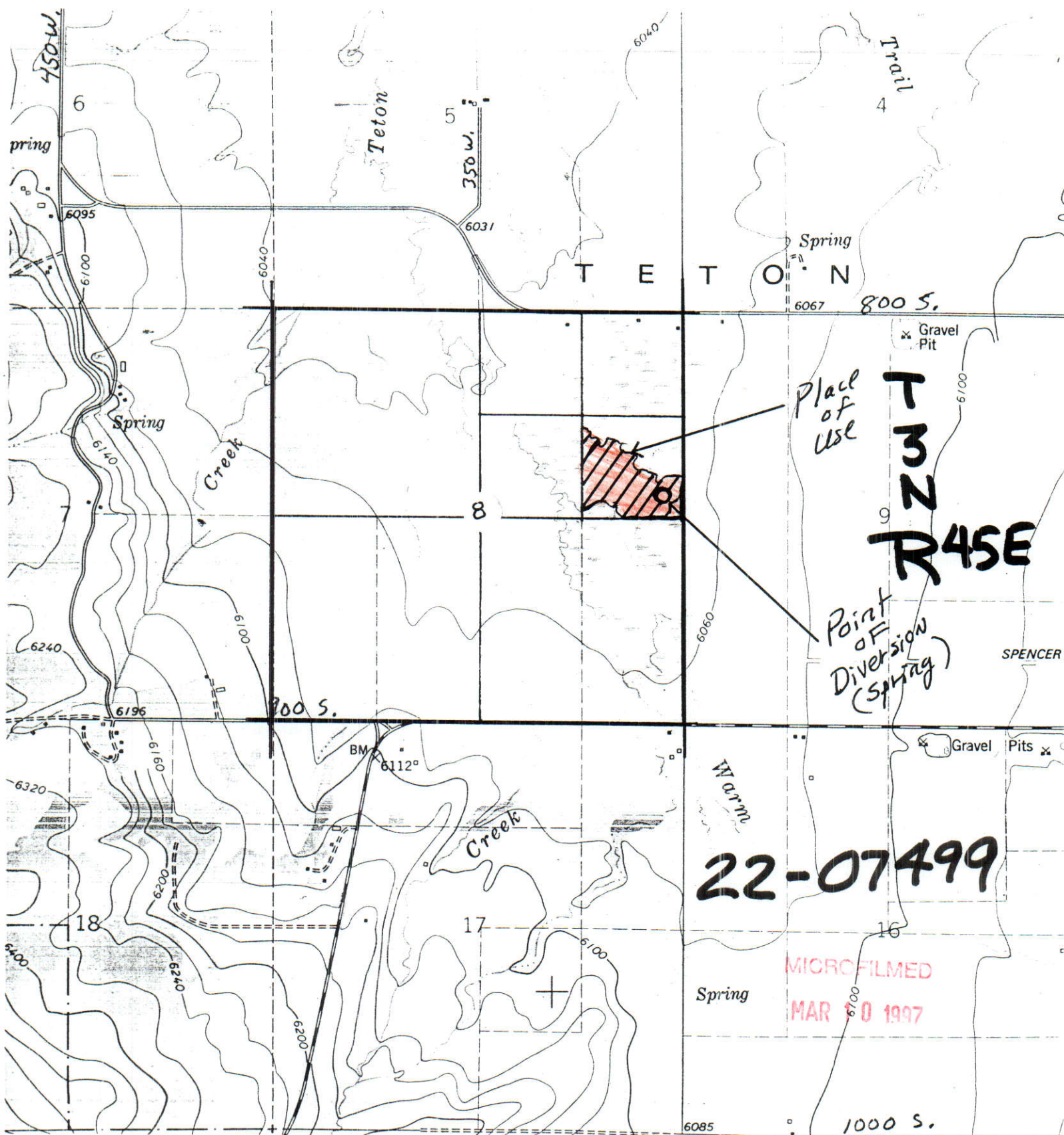
Scale: 8 inches = $\frac{1}{2}$ mile. Each small square = 165 feet.

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

MICROFILMED

DEC 14 1989

J. Wendell Bayley
(Applicant)
Chloe H. Bayley



T508
259

PWT

6 5
7 8

T368
338

5 4
8 9

22-07499

PWT

WETLAND

NHEL

T
3
N

R45E

8

1343
165

2 NHEL
86

NHEL

NOT FILMED
3 JUL 1997

NHEL

NHEL

6
8.0

NHEL

10
7 8
8 17

CRP
GN69
90-99

PLACE OF
USE

POINT OF
DIVERSION

DICTIONARY
(300117)

22-07499

8 9
17 16



Examiner: Steven Garrison.



RECEIVED
FEB 10 1997

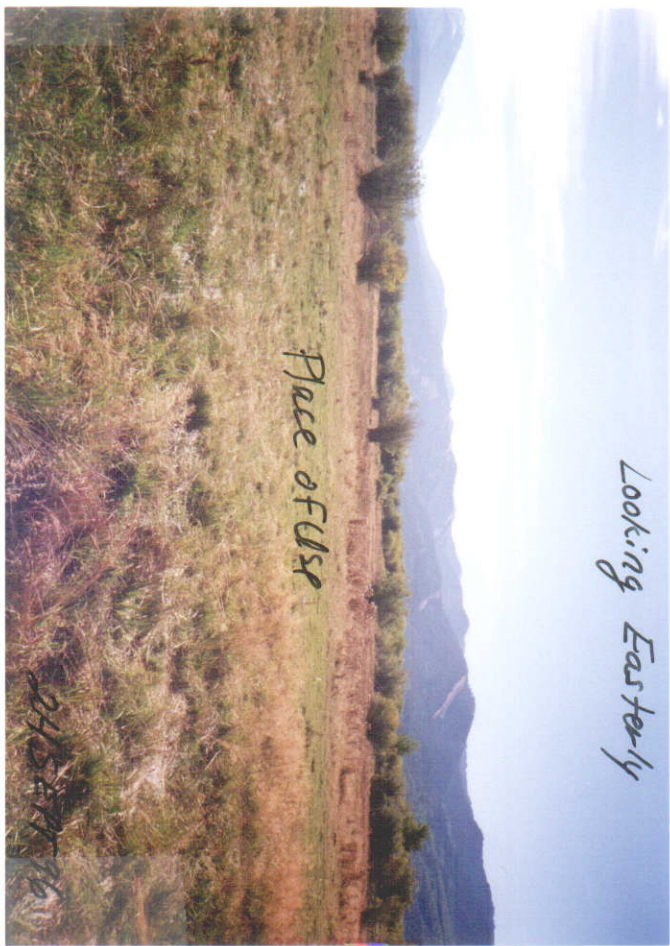
22-7499



Looking Easterly

Place of US

24 SEP 76

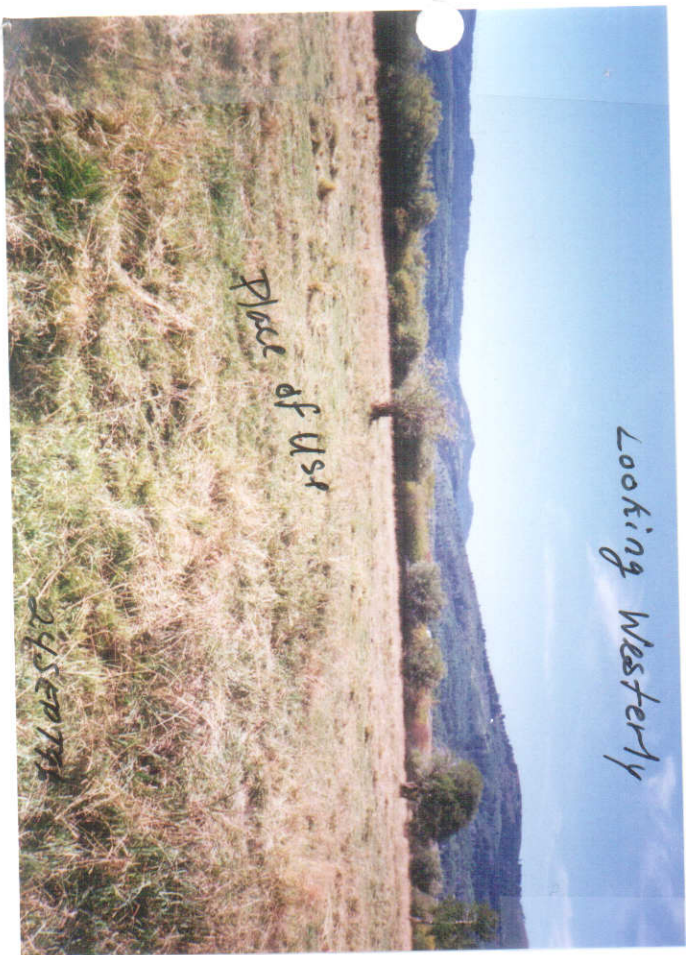


Looking Easterly

Place of US

24 SEP 76

SEP 10 1977



Looking Westerly

Place of US

24 SEP 76



Looking Westerly

Place of US

24 SEP 76

Examiner: Steven Garrison

22-7499



Examiner: Steven Garrison



MICROFILMED 22-7499
MAR 10 1997

Place
of
Use



Place of Use — Looking East



22-7499

UNRECORDED



22-7499

MICROFILMED
MAY 4 9 1977

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 22-07499

Priority: June 18, 1985

Maximum Diversion Rate:

0.46 CFS

Maximum Diversion Volume:

77.5 AF

This is to certify, that WENDELL J BAGLEY
CHLOE H BAGLEY

800 S 303 W

VICTOR ID 83455

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 18, 1985; and has submitted Proof of Beneficial Use on December 30, 1991. An examination indicates that the works have a diversion capacity of 1.400 cfs of water from:

SPRING

tributary to TETON RIVER

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.44 CFS	77.0 AF
STOCKWATER	01/01 to 12/31	0.02 CFS	0.5 AF
	Totals	0.46 CFS	77.5 AF

LOCATION OF POINT(S) OF DIVERSION:

SESENE, Sec. 8, Township 03N, Range 45E
TETON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N	45E	8	SENE	22		22

Total number of acres irrigated: 22

PLACE OF USE:

STOCKWATER, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

RECORDED
1992 JUN 18 1017

State of Idaho
Department of Water Resources

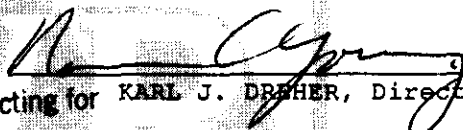
WATER RIGHT LICENSE

WATER RIGHT NO. 22-07499

CONDITIONS OF APPROVAL AND REMARKS

5. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
6. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
7. A measuring device and lockable controlling works of a type approved by this Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
8. Use of water under this water right will be regulated by the watermaster of State Water District No. 01.
9. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 26TH day of FEBRUARY, 1997.


Acting for KARL J. DREHER, Director

RECEIVED
FEB 10 1997

Form 217
RECEIVED
DEC 30 1991

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

Department of Water Resources

For Office Use Only
Amt. of Fee \$ 15.00
Date 12/30/91
Receipt No. 2022804
Received by WB

85
1-25-92
C023064
DB

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 22-07499 Telephone No. 787-2701
2. Name(s) of Permit Holder(s): J. Wendell Bagley + Chloe H. Bagley
3. Post Office Address: 800 South 303 West Victor, Idaho 83455
4. Source of Water: Sub Water or late spring

- a. If ground water, well driller's name: _____ Date drilled: _____
b. Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use:

Domestic _____ (No. of households) Irrigation 40 (No. of acres)
Stockwater 40 (No. and type of stock) Other _____

6. Total rate and/or volume for which proof is submitted _____ cfs _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? ☒ Yes ☐ No Installed? ☒ Yes ☐ No
OR
Flow Measurement Port: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No

8. Fee Enclosed: \$ 15.00 (See License Examination Fee Schedule)

9. Person to contact to accompany the Department representative during the field examination:

J. Wendell Bagley 787-2701
Name Telephone No.
800 South 303 West Victor Idaho 83455
Address

10. The above information is my true statement of the extent to which the above permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

FEB 06 1992

Date Jan 25 1992 Signature (and title if on behalf of a company or organization) J. Wendell Bagley Chloe H. Bagley

Will be examined and locatable in the spring.
state water meter, for down, pump. said he had a flow meter
which would work with any well, but he had to have a pump.

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 22-07499

Proposed Priority: June 18, 1985

Maximum Diversion Rate:

0.82 CFS

This is to certify, that **WENDELL J. BAGLEY**
CHLOE H. BAGLEY
RT. 1 BOX 633
VICTOR, ID 83455

has applied for a permit to appropriate water from:

SPRING

tributary of **TETON RIVER**

and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/01 to 11/01	0.80 CFS
STOCKWATER	01/01 to 12/31	0.02 CFS
	Totals	0.82 CFS

LOCATION OF POINT(S) OF DIVERSION:

SENE Sec. 8, Township 03N, Range 45E
TETON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N	45E	8	SENE	40		40

Total number of acres irrigated:

40

PLACE OF USE: STOCKWATER, same as IRRIGATION use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **January 1, 1992**.
2. Subject to all prior water rights.
3. Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.
4. The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
5. The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.

MICROFILMED

DEC 14 1989

State of Idaho
Department of Water Resources**Permit To Appropriate Water**

NO. 22-07499

CONDITIONS/REMARKS:

6. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works prior to diversion of water under this permit.
7. Use of water under this permit is subject to control by the watermaster of State Water District No. 01.
8. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

7th day of December, 1989.

for R. Keith Higginson, Director

MICROFILMED

DEC 14 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant J. WENDELL BAGLEY & CHLOE H. BAGLEY Phone 208-787-2701
Husband and Wife
Post office address Route 1, Box 633, Victor, Idaho 83455
2. Source of water supply Spring (unnamed) which is a tributary of Teton River
3. Location of point of diversion is SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 8 Township 3 North
Range 45 E, B.M. Teton County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.028 for stockwatering purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs) PER TELECON 6/21/85

Amount 0.8 for irrigation purposes from April 1 to NOV. 1 (both dates inclusive)
(cfs)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

- a. 0.828 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

- a. Description of ditches, flumes, pumps, headgates, etc. For irrigation use:
Gravity feed submerged pipe with bridge-type or dam structure.
No diversion works necessary for stockwatering.
- b. Height of storage dam None feet, active reservoir capacity None acre-feet; total reservoir capacity None acre-feet, materials used in storage dam: None
Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is two years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

- a. If water is not for irrigation:
(1) Give the place of use of water: SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 8 Township 3 North
Range 45 E, B.M.
- (2) Amount of power to be generated: _____ horsepower under _____ feet of head.
- (3) List number of each kind of livestock to be watered 100 beef cattle
- (4) Name of municipality to be served None, or number of families to be supplied with domestic water None.
- (5) If water is to be used for other purposes describe: None

MICROFILMED

DEC 14 1989

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
3N	45 E	8				40													40

Total number of acres to be irrigated 40

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

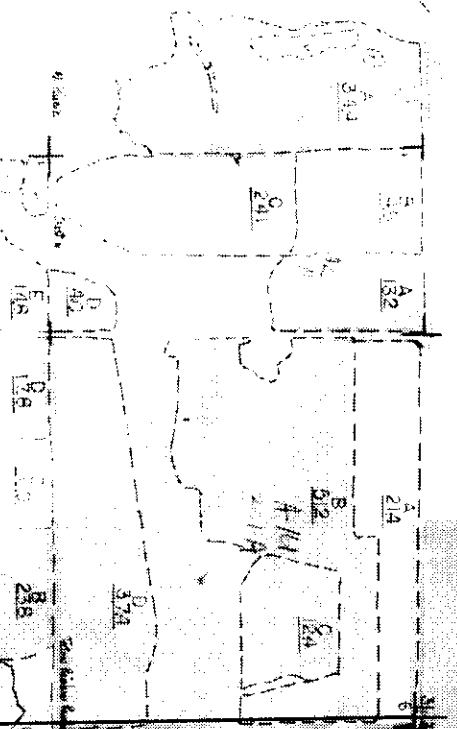
9. a. Who owns the property at the point of diversion Applicant

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

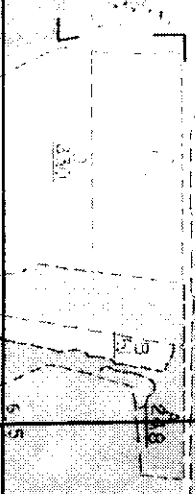
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing (Not Applicable)

10. Remarks

DEC 14 1989



SECTION 6

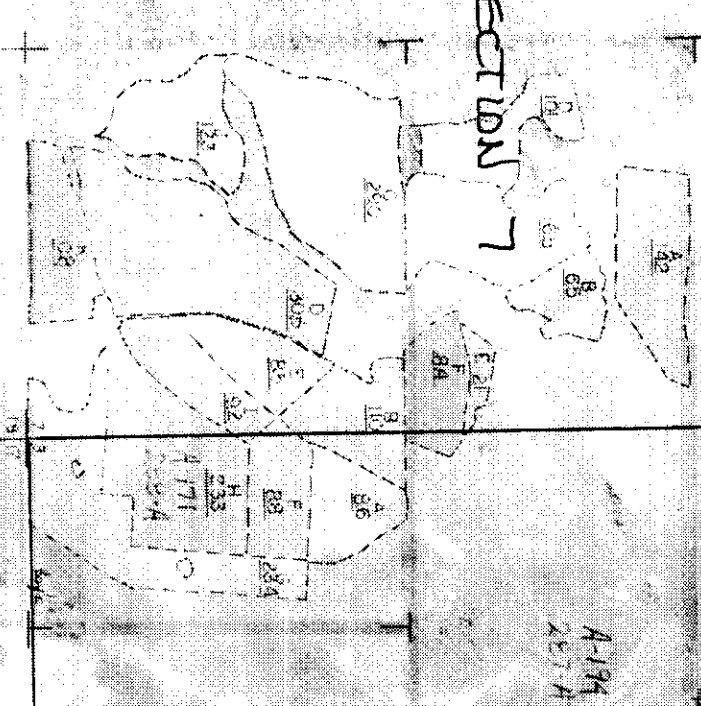


SECTION 5



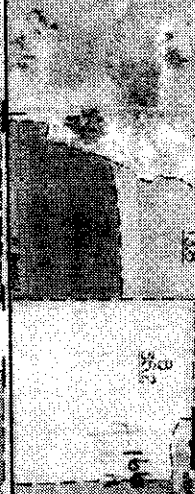
NE 1/4 SECTION 6

SECTION 7

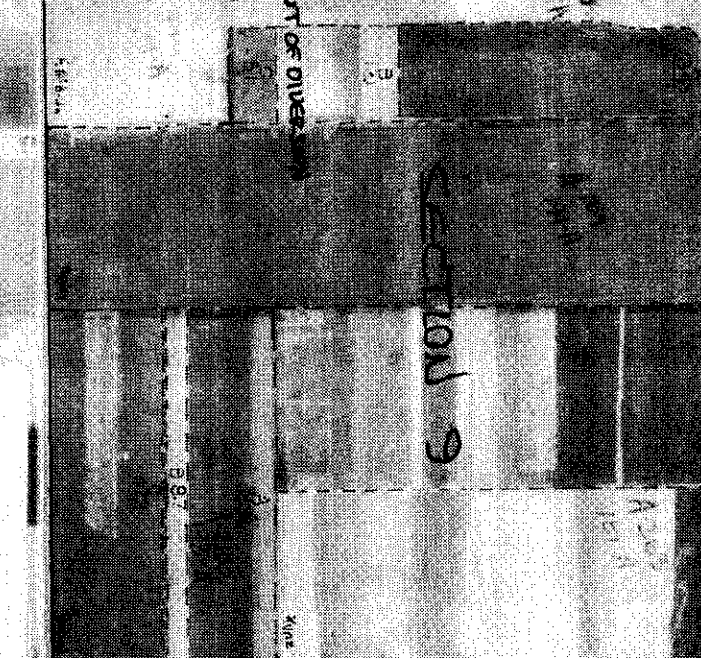


N

SECTION 4



SECTION 9

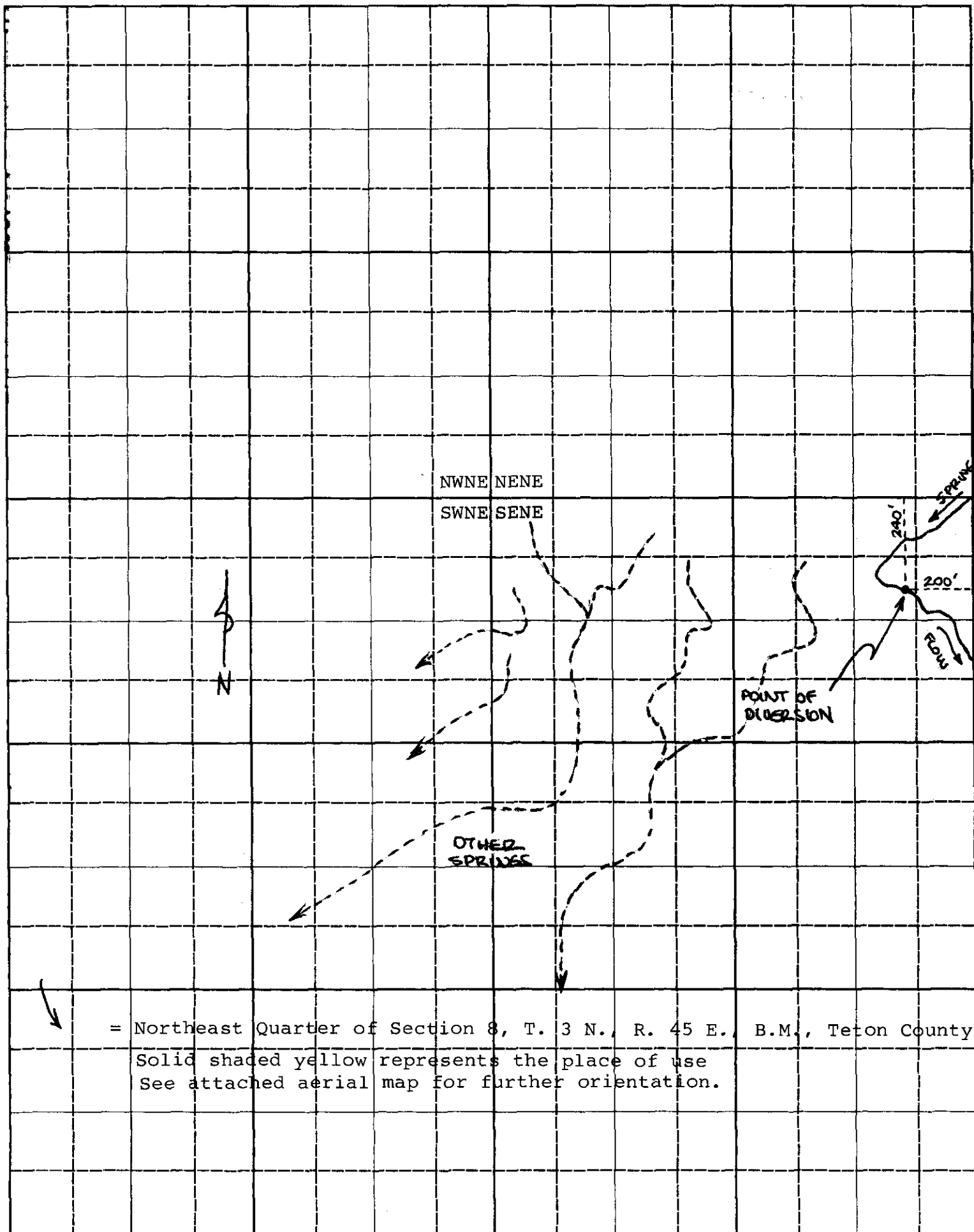


UNCLASSIFIED

UNCLASSIFIED

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

SECTION 8, T. 3 N., R. 45 E., B.M. (THE NORTHEAST QUARTER)



Scale: 8 inches = $\frac{1}{2}$ mile. Each small square = 165 feet.

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

RECEIVED
DEC 14 1961

J. Wendell Bagley
(Applicant)
Chloe H. Bagley

Received by CW Date 6-18-85 Time 12:45
Preliminary check by Myr Fee \$ 45.00 #33345
Receipted by CT Date 6-21-85
Publication prepared by CT Date 8-1-85
Published in Teton Valley News
Publication dates 10-5 & 12-89
Publication approved RB Date 10-23-89
Protests filed by: none

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for ☒ approval ☐ denial by HWT

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

1. Approval of said application is subject to the following limitations and conditions:
 - a. SUBJECT TO ALL PRIOR WATER RIGHTS.
 - b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19____.
 - c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
 - d. Other:

NOT RECORDED

DEC 14 1989

AFFIDAVIT OF PUBLICATION

State of Idaho

County of Teton

I, Nadine Doose,
being first duly sworn deposes and
say that I am the Secretary
of the Teton Valley News, a
newspaper as defined by Idaho
Codes Annotated, Section 58-106,
as amended, and that said
newspaper is a weekly newspaper
printed and published at Driggs, in
Teton County, Idaho, having a
general circulation in said county,
and that said newspaper has been
printed in said county for more
than 78 consecutive weeks prior to
the first publication of the attached
notice, advertisement or
publication of

Notice of application
for Water Right

And affiant further says that
said attached notice, adver-
tisement, or publication, as per
clipping attached, was published in
said newspaper, in the regular and
entire issue thereof, and not in any
supplement issue thereof, for two
consecutive issues thereof; first
publication having been made on
the 5 day of Oct, 1989.

And affiant further says that at
the times herein mentioned said
newspaper was made up of at least
eight pages of at least five columns
each, printed from type matter, of
at least sixteen inches deep.

Nadine Doose

Subscribed in my presence and
sworn to before me this 17th day of
Oct, 1989
(SEAL) Notary Public for the state
of Idaho residence and postoffice
address, Driggs, Idaho.

Nelda A. Ruck
My Commission expires

12-2 1991

RECEIVED

OCT 19 1989

Department of Water Resources
Eastern District Office

NOTICE OF APPLICATION FOR WATER RIGHT

The following application(s)
have been filed to appropriate the
public waters of the State of
Idaho:

22-07492
EGBERT, RICHARD
TETONIA, ID 83452
Source: GROUNDWATER
Diversion Pt: NENE Sec 32 T 06N
R 45E
Use: IRRIGATION (3.200 CFS)
Date Filed: 5-29-1985
In: T06N R45E S32 NENE NWNE
SWNE SENE 160.0 ACRES

TOTAL

22-07499
BAGLEY, WENDELL J.
BAGLEY, CHLOE H.
RT. 1 BOX 633
VICTOR, ID 83455
Source: SPRING
Tributary: TETON RIVER
Diversion Pt: SENE Sec 8 T 03N R
45E
Use: IRRIGATION (.800 CFS)
STOCKWATER (.022 CFS)
Date Filed: 6-18-1985
In: T03N R45E S08 SENE 40.0
ACRES TOTAL

22-07505

HOOPES, J. CLINT
P.O. BOX 98
TETONIA, ID 83452

Source: TETON RIVER
Tributary: HENRY'S FORK
Diversion Pt: NWSE Sec 3 T 06N
R 44E
Use: IRRIGATION (6.400 CFS)
Date Filed: 7-01-1985
In: T07N R43E S27 NESW
NWSW SWSW SESW
S28 NESE NWSE SWSE SESE
320.0 ACRES TOTAL

The permit(s) will be subject to
all prior water rights. Protests may
be submitted based on the criteria
of Sec. 42-203A, Idaho Code
and/or the new public interest
criteria of Sec. 42-203C, Idaho
Code. Protests must be filed with
the Director, Dept. of Water
Resources, 150 Shoup Ave., Suite
15, Idaho Falls, Idaho 83402 on or
before OCTOBER 23, 1989.

R. Keith Higginson
Director

Published in the Teton Valley
News October 5 and 12, 1989.

MICROFILMED

DEC 14 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 27, 1997

WENDELL J & CHLOE H BAGLEY
800 S 303 W
VICTOR ID 83445

RE: WATER RIGHT NO. 22-07499

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration within fourteen (14) days after issuance as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of this order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

MICROFILMED

ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The Department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or

- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

If you have questions, please contact me at (208) 327-7946.

Sincerely,

A handwritten signature in cursive script, appearing to read "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

c: Eastern Region

Enclosures

UNRECORDED
MAR 30 1997

CERTIFICATE OF MAILING

I hereby certify that on the 27th day of February, 1997, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER (Approved License)** to the person(s) listed below:

Water Right No. 22-07499

**WENDELL J & CHLOE H BAGLEY
800 S 303 W
VICTOR ID 83445**



Sharla Curtis
Water Resource Agent

4
MAR 10 1997

LICENSE REVIEW CHECKLIST

PERMIT NO. 22-07499

DATE 2/14/97

REVIEWER: SHARLA

NAME	Change <u>—</u>	OK <u>✓</u>	Address Change <u>NO</u>
SOURCE	<u>—</u>	<u>✓</u>	Is change clarification of originally intended source? <u>—</u>
POINT OF DIV	<u>—</u>	<u>✓</u>	If not, prepare Notice of Intent to Void <u>—</u>
PLACE OF USE	<u>—</u>	<u>✓</u>	Amendment required <u>NO</u>

Does map agree with written description? ✓ yes — no

OVERLAPS — P/D — P/U

RATE OF DIV

Permitted Rate	<u>.82</u> cfs
Fee limit	<u>1.0</u> cfs <u>\$10000</u>
Measured	<u>1.4</u> cfs
Theoretical	<u>—</u> cfs

Recommended Total Div Rate .46 cfs

ANNUAL VOLUME/
NATURE OF USES —

✓ Use

Dry
Stack

Volume Calculation

22 x 3.5 = 77 af

.5 af

— af

— af

SUBTOTAL 77.5 af

Flow rate .44 cfs X 183 days X 1.98 = 159.4 af

Total volume recommended 77.5 af

(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

CONDITIONS

R04 Watermaster Control WD# 01

R43 GW Measurement/Measuring Device

R30 Overlap

— Use-specific conditions

048,049

Advancement of Priority Date Required — yes ✓ no

SRBA Claim Filed NA

Adjustment Memo —

1st Amend Letter NA

2nd Amend Letter NA

nothing stated as to compliance - retain cond.

picture of headgate does not confirm

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 22-7499

1. Owner: J. Wendell Bagley / Chloe H. Bagley Phone No. 787-2701

Current Address: 800 South 303 West Victor, ID 83455

2. Accompanied by: J. Wendell Bagley EXAM DATE: 23 SEPT 96

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: Salt Spring tributary to Teton River

B. OVERLAP REVIEW

1. Other water rights with the same place of use: NONE

2. Other water rights with the same point of diversion: NONE

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SE	SE	NE	8	03N	45E	Teton	ON site

2. Place(s) of Use:

Indicate Method of Determination ON site

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	45E	8				5/20												5/22	

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MAR 10 1997
FEB 06 1997

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe I.d. as applicable.

Scale: 1" = _____

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for Irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
SWOFFER						

2. Measurements:

RECORDED

MAR 10 1957

E. NARRATIVE/REMARKS/COMMENTS

Mr. Bagley uses a combination of the spring and sub-water to irrigate pastureland, for up to 40 head of cattle. *Forty (40) head of cattle is pastured at the time of exam.

Applicant requests 0.80 CFS Irrigation } on 40 acres.
0.02 CFS Stock }

After viewing property and walking property with applicant it is agreed that there is only 22 acres of land that is actually irrigated. Recommend 0.02 CFS for stock.

Mr. Bagley irrigates the 22 acres identified with flood irrigation from a ditch with headgate, culvert, and two additional dams to back up ditches. Subwater also plays role in watering identified acreage.

Swaffer - 1.45 CFS.

Recommend as wet per acre - 0.44 CFS irrigation
0.02 CFS Stock

TOTAL 0.46 CFS

*Although the Swaffer O-note calculations were not done "perfectly", from the information on the note the minimum allowable would be 1.40 gfs.

Have conditions of permit approval been met? ☒ yes ☐ no

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MAR 10 1997

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method:

$$Q = 1.40 \text{ cfs}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \frac{22 \text{ AC} (3.5 \text{ AF})}{1} = 77 \text{ AF/A}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \frac{.44 \text{ cfs} (184) (1.9835)}{1} = 161 \text{ AF}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 77 \text{ AF/A}$$

2. Volume Calculations for Other Uses:

$$40 \text{ Hd} = 0.50 \text{ AF/A}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	4-15	10-15	0.44	77 AF
STOCKWATER	1-1	12-31	0.02	0.50
Totals:			0.46	77.5

2. Recommended Amendments

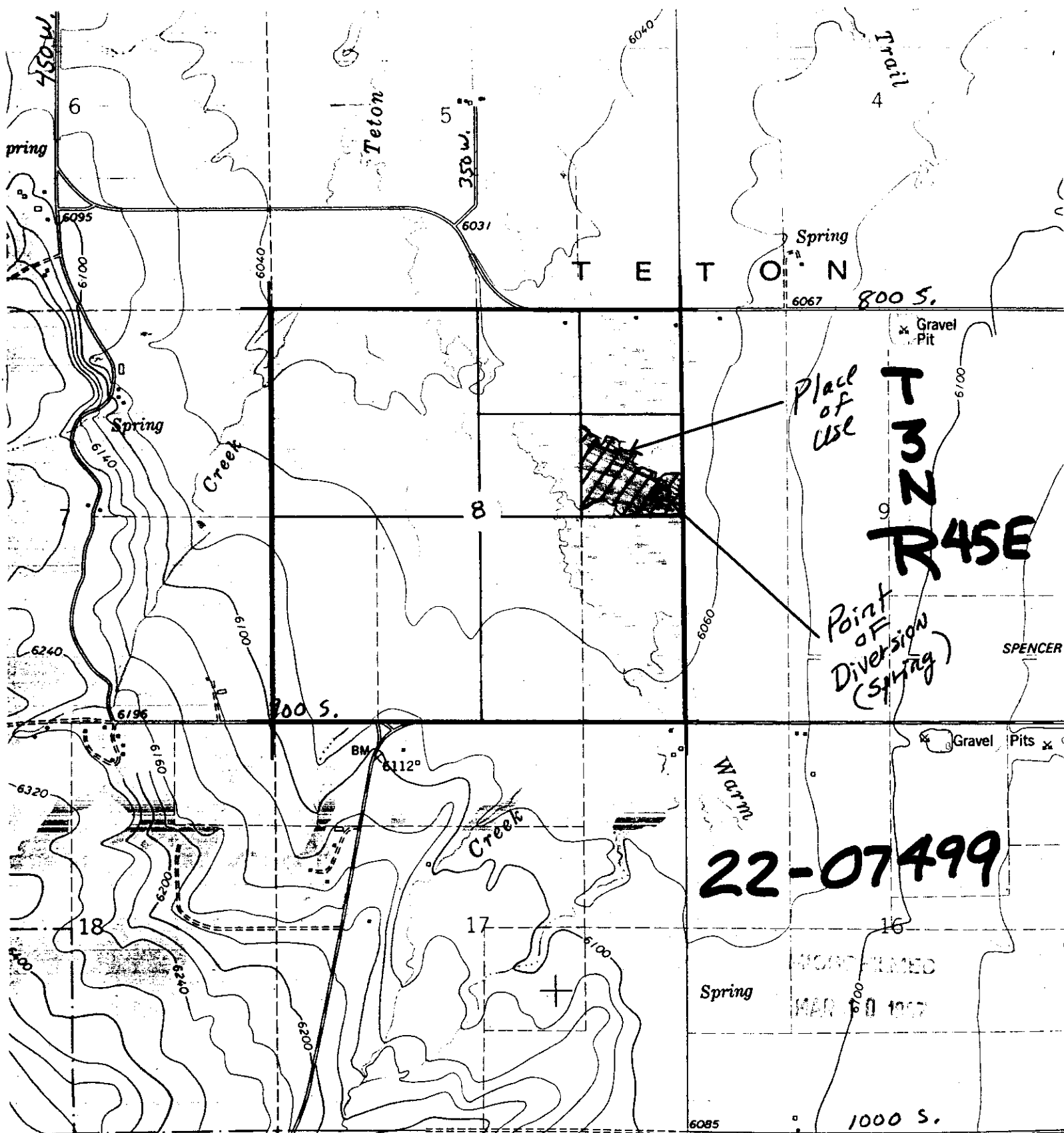
☒ Change P.D. as reflected above ^{TO 10 AC.} ☐ Add P.D. as reflected above ☐ None
☒ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATION

Field Examiner's Name Steven Garrison Date 23 SEPT 96

Reviewer Greg Taylor Date 12/11/96

MICROFILMED
MAR 12 1997



PWT

368
338

22-07499

PWT

T
3
N

R45E

8

POINT OF
DIVERSION

PLACE OF
USE

22-07499

NHEL

NHEL

CRP
GN69
50-59

DISCHARGE MEASUREMENT NOTES

Checked by _____

22-67499

1. *Journal of the American Medical Association*, 2000; 283: 2689-2694.

Angle cor- sistent	Dist. from initial point	Width	Depth	Obser- vation depth	Revo- lutions	Time in sec- onds	VELOCITY		Adjusted for hor. angle or	Area	Discharge
							At point	Mean in ver- tical			
	0.3	.05	0		REW	0					
	0.8	.50	.75	.5			.42				
	1.3	.50	.80	.5			1.14				
	1.8	.50	.80	.5			1.74				
	2.3	.50	.50	.5	LEW		.59				
	0.3	.25			REW						
	0.8	.50	.75				.42			.375	.158
	1.3	.50	.80				1.14			.400	.456
	1.8	.50	.80				1.74			.400	.696
	2.3	.30	.50				.59			.150	.088
	2.4	.05			LEW					1.32	1.40
	5.1	2.10									

0

WIGHT FILMED
MAR 10 1957

V = 1.06

22-07499

MAR 10 1961

 $V = 1.06$

22-07499

100-100000

MICROFILMED
MAR 10 1967

DISCHARGE MEASUREMENT

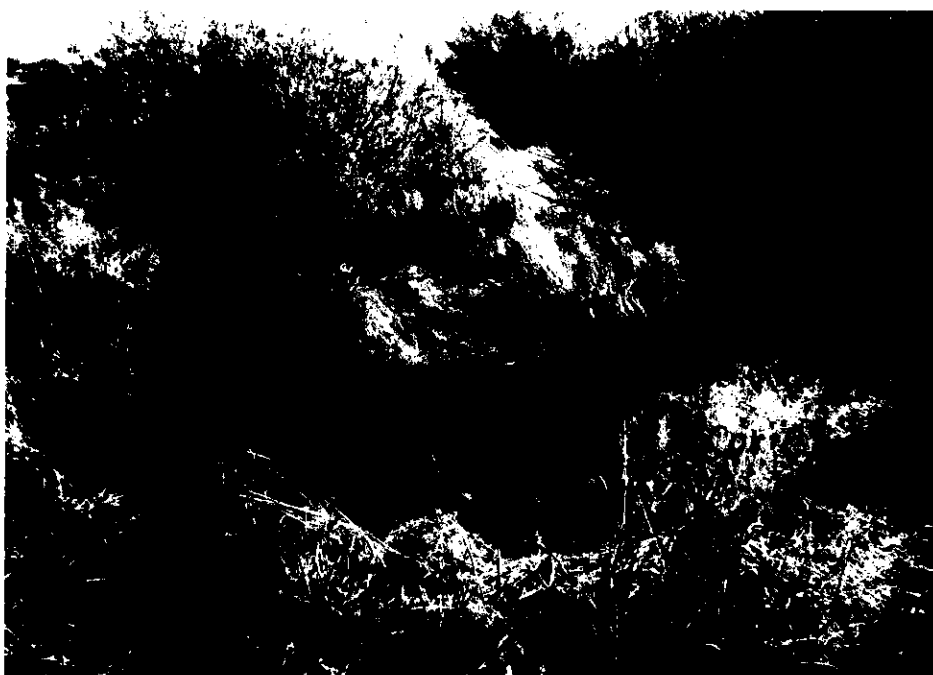
NOTES

22-07499

111

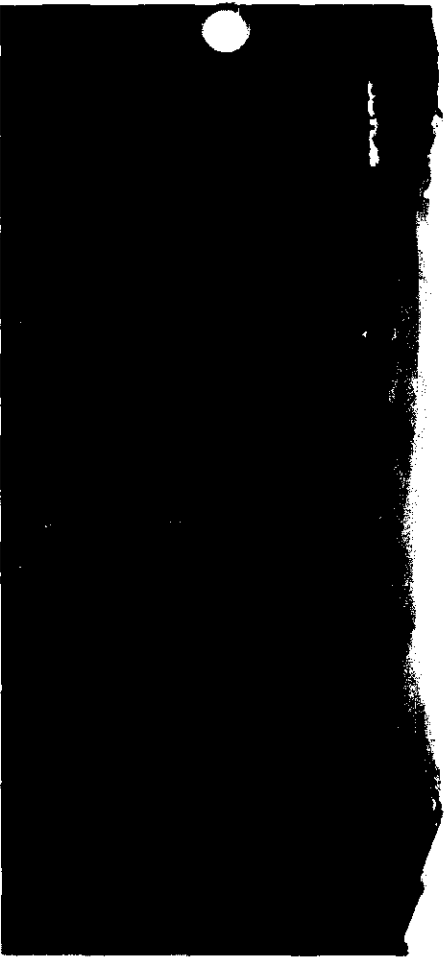


Examiner: Steven Garrison.

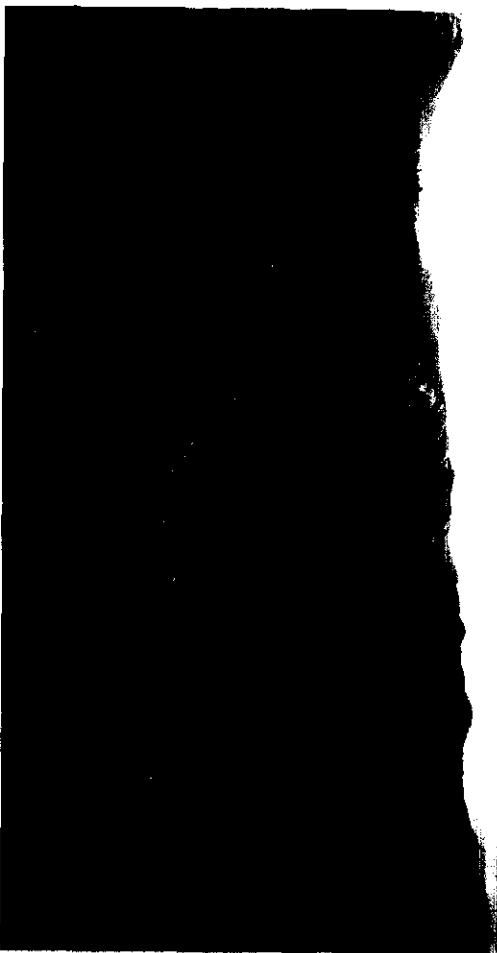


22-7499

Looking Eastward

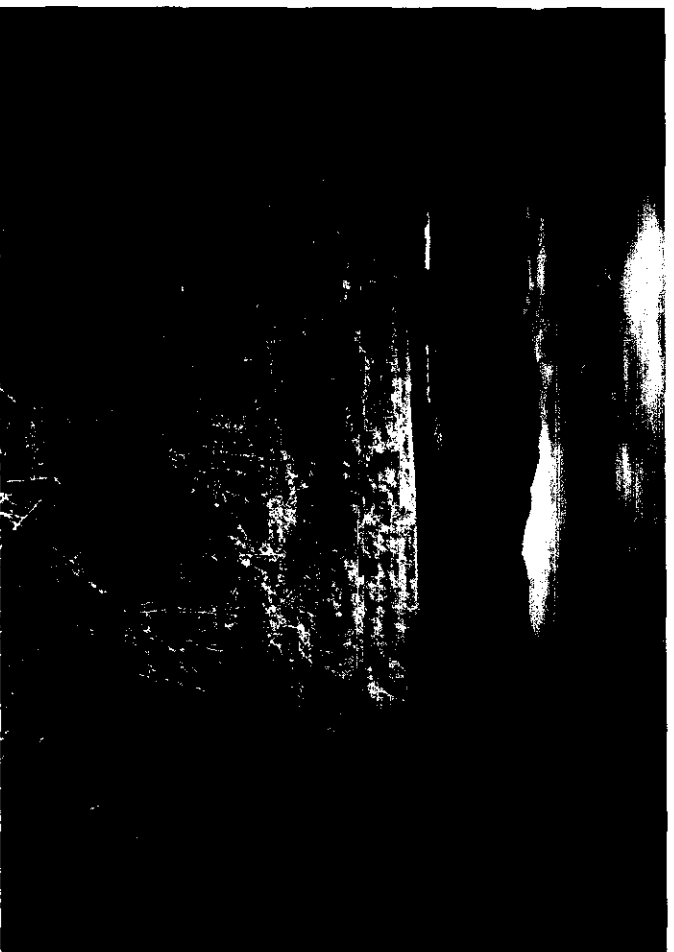
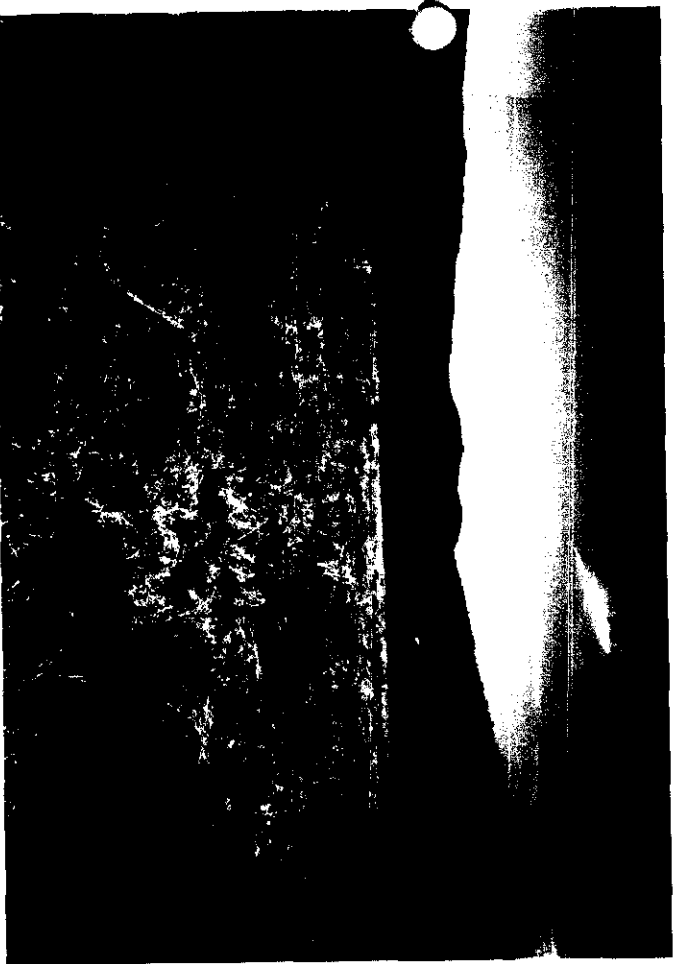


Looking



Examiner: Steven Garrison

22-7499





Examiner: Steven Garrison

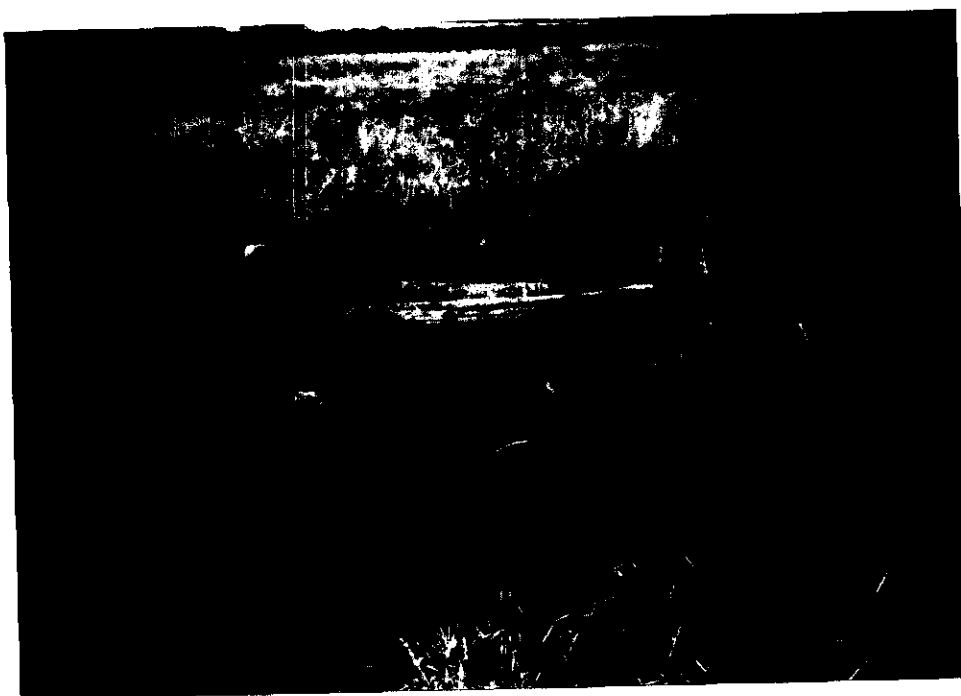


UNION-PAID 22-7499

Place
of
Use



Place of Use — Looking East



22-7499



22-7499

10/10/10

10/10/10

Negatives
22-7499

MAILED

1937

January 31, 1992

WENDELL J. BAGLEY
CHLOE H. BAGLEY
800 SOUTH 303 WEST
VICTOR ID 83455

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 22-07499

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

I note that the permit issued to you by the department requires the installation of a lockable device to allow the department to determine the rate of diversion. The proof which you submitted does not show that you have installed this equipment.

The installation of the lockable device must be complete by the time the department representative conducts the examination of your system unless the department has rescinded the requirement prior to the field examination. In some cases, the equipment requirement can be rescinded because the equipment cannot be physically installed, is not appropriate or can be accommodated with other measuring methods.

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

RECEIVED

FEB 06 1992

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 22-07499 Reviewed by Klg Date 12/30/91

GENERAL CONSIDERATIONS

yes Name same as permit?
no Address same as permit?
yes Proof timely received? If not, complete calculation below.

SOURCE OF WATER

✓ Surface water source
Ground water source
NA Drilling permit required?
/ Copy in the file? Drilling Permit No. _____
/ Amount paid for permit _____ Correct?
/ Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
Amount Submitted
Correct?

MEASURING DEVICE

yes Required?
Installed?
Waiver requested?

PRIORITY CALCULATION

Date proof received NA
Date proof due _____ - _____
No. of days late _____ = _____
Priority Date _____ + _____
New Priority Date _____

DEFICIENCIES OR ACTION ITEMS

needs \$100 fee + Sept \$15 - needs an additional \$85
has lockable device been installed?

proof acceptable

DATA ENTRY

New Address 800 South 303 West 12/30/91 Klg Proof Made 12/30/91 Klg
1/31/92



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 30, 1991

J. Wendell Bagly
800 South 303 West
Victor, ID 83455

Re: Permit No. 22-07499

Dear Permit Holder:

Returned is the Proof of Beneficial Use form submitted to this office on December 27, 1991. It does not indicate the total rate of diversion. Your permit was issued for .82 cfs. When the total maximum rate of diversion is greater than 0.04 cfs, a license examination fee is required to be submitted with the proof. A license examination fee based on a rate of flow of .82 cfs. is \$100. Note the back of the enclosed instruction sheet/fee schedule.

Also, one of the conditions of your permit states that a measuring device and lockable controlling works be installed prior to diversion of water. Please indicate on the form whether or not you have complied with this condition.

Please return the proof and fee to me within 20 days of the date of this mailing. Upon receipt of the proof form and fee, we will continue processing your proof by notifying the region that a field exam is needed.

If you have any questions or if I can be of any further assistance, please feel free to contact me.

Sincerely,

Karen L. Gustafson
Karen L. Gustafson
Secretary/Records Manager

Enclosures

RECEIVED
FEB 06 1992

December 27, 1991

Dear Department of Water Resources,

Concerning the recent letter that was sent to us on the 40 acre water rights we have talked to the state water inspector, Dee O'Brien. Last summer we did use the water rights. Dee felt that the now existing structure will be satisfactory for this coming year.

J. Wendell Bagley & Chas H. Bagley
Victor Idaho 83455
800 S. 303 W.

STATE OF IDAHO

County of Teton

J. Wendell Bagley Appeared before me on this
27 day of December 1991 and did set his
signature on the Same.

Paul W. West
Notary Public

expires MAY 22, 1991

NOTARIZED

FEB 06 1992

138122
October 31, 1991

WENDELL J. BAGLEY
CHLOE H. BAGLEY
RT. 1 BOX 633
VICTOR ID 83455

PROOF DUE NOTICE

RE: PERMIT NO. 22-07499

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before January 1, 1992. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Nina Shields
Secretary/Records Manager

Enclosures

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FEB 06 1992

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

Statehouse
Boise, Idaho 83720
(208) 327-7900
December 8, 1989

WENDELL J. BAGLEY
CHLOE H. BAGLEY
RT. 1 BOX 633
VICTOR, ID 83455

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. P22-07499

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

Be sure to note the special condition requiring you to install a measuring device and lockable controlling works that will enable the watermaster to control the rate of diversion.

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

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DEC 14 1989

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: G. F. RAMSEY

APPLICATION NUMBER: 22-7499

CHECK:

JUN 21 1985

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.

Field check by: _____

Date: _____

Comments: _____

- ☒ Fee.
☐ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☐ No* In form to receipt.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: _____

Date: _____

PROCESSING:

- ☐ Yes ☒ No Platted by: _____ Map No. _____
☐ Yes ☒ No Other rights on same place of use. _____
☒ Yes ☐ No* In form for advertising.
Final date for protests: 10-23-89
☐ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: _____
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☒ Yes ☐ No Measuring device required.
☐ Yes ☒ No Access port required.
☒ Yes ☐ No Will water be delivered by watermaster? If yes, what district? WD 01 ✓
6-18-85 Date of priority recommended.
Special conditions of approval or cover letter. < 01J7 < 057 WD 01
Snake River

App. in NON-TRUST area-
OK to allow 2 yrs. to develop

By: HWS

Date: 10-23-89

STATE OFFICE REVIEW:

ADP, P17 05(01) 26 48 49 01J

- ☐ See attached sheet for more information.

By: KW

Date: 11/28/89

001 C3 1889

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

27-Sep-1989

J. Wendell Bagley
Rt. 1, Box 633
Victor, ID 83455

RE: Application for Permit No. 22-7499

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the Teton Valley News. The advertisement will be published for two consecutive 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.

If the application is not protested, it will be forwarded to our state office in about five weeks. 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. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

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

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

NOTIFIED

DEC 14 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

SEPTEMBER 22, 1989

TETON VALLEY NEWS
P.O. BOX 509
DRIGGS, ID 83422

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before OCTOBER 23, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

RECEIVED
FILMED

DEC 14 1989

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have been filed to appropriate the public waters of the State of Idaho:

RECEIVED

DEC 14 1989

22-07499

BAGLEY, WENDELL J.
BAGLEY, CHLOE H.
RT. 1 BOX 633
VICTOR, ID 83455

Source: SPRING

Tributary: TETON RIVER

Diversion Pt: SENE Sec 8 T 03N R 45E

Use: IRRIGATION (.800 CFS)
 STOCKWATER (.022 CFS)

Date Filed: 6/18/1985

In: T03N R45E S08 SENE

40.0 ACRES TOTAL

RECORDED

DEC 14 1989

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42- A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before OCTOBER 23, 1989.

R. Keith Higginson, Director

Published 10/05/1989 & 10/12/1989

UNFILMED

DEC 14 1989

22-7499

BAGLEY, WENDELL J. &/or CHLOE H.

RT. 1 BOX 633, VICTOR, ID 83455

Source: SPRING trib. to TETON RIVER

Date Filed: 06/18/1985

Diversion Pt: SENE Sec 08 T 03N R 45E

Use: IRRIGATION	(0.80 CFS)
STOCKWATER	(0.0220 CFS)

In: SENE Sec 08 T 03N R 45E FOR 40 ACRES

RECORDED

DEC 14 1989

