

AFFIDAVIT OF PUBLICATION

State of Idaho, { ss.
County of Teton

I, Louise I. Norton
being first duly sworn depose and say

that I am the publisher
of the Teton Valley News, a news-
paper as defined by Idaho Codes Anno-
tated, Section 58-106, as amended, and
that said newspaper is a weekly news-
paper printed and published at Driggs,
in Teton County, Idaho, having a gen-
eral circulation in said county, and that
said newspaper has been printed in
said county for more than 78 consecu-
tive weeks prior to the first publication
of the attached notice, advertisement
or publication of

Notice of existing
water permit

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

for 2 consecutive issues thereof;
first publication having been made on

the 9 day of September

1971

and last publication on the 16

day of September, 1971

And affiant further says that at the
times herein mentioned said newspaper
was made up of at least four pages
of at least five columns each, printed
from type matter, of at least seven-
teen and three-fourths inches deep.

Louise I. Norton

Subscribed in my presence and sworn

to before me this 16 day of

September, 1971

(SEAL) Notary Public for the State of
Idaho, residence and postoffice
address, Driggs, Idaho.

My Commision expires

_____, 19____

PUBLIC NOTICE

**NOTICE OF EXISTING
WATER PERMIT**

Notice is hereby given that Wel-
don E. & Gary W. Grandy, Box
226, Victor, Idaho, have received
an approved Permit No. 33169/22-
2279 issued by the Idaho Depart-
ment of Water Administration au-
thorizing the diversion of 0.7 cubic
feet per second of water from Big
Spring (0.5 cfs) and Forest Spring
(0.2 cfs). The priority to be estab-
lished under this permit is Sep-
tember 9, 1966, and the permit was
approved September 12, 1966.

Water is to be diverted by pump
and pipe from a point within the
NE $\frac{1}{4}$ SE $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 22,
T. 3N, R. 45E, B.M., Teton County,
to be used for irrigation purposes
in the N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22,
T. 3N, R. 45E, B.M.

Proof of the application of the
water to beneficial use was submit-
ted to the Department on August
10, 1971. Any protest against the
issuance of the license for the above
referenced permit should be filed
with the Idaho Dept. of Water Ad-
ministration, Statehouse, Boise, Ida-
ho, 83707, within ten (10) days of
the last date of publication of this
notice.

R. KEITH HIGGINSON
Director

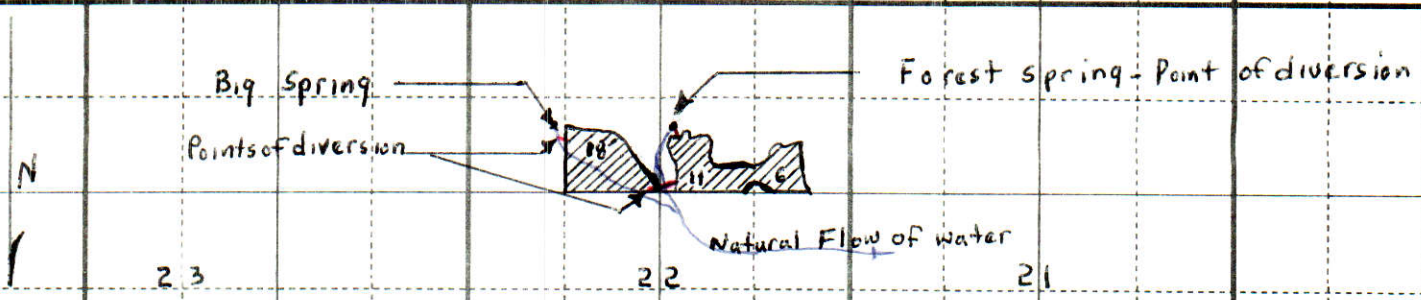
Published in the Teton Valley
News, Driggs, Idaho on September
9th and September 16th, 1971.



26

27

28



T3N, R45E

- Route of ditch or sprinkler pipe

33169

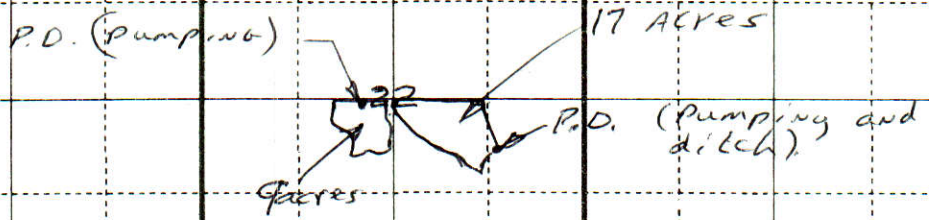


Diagram of System

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 33169/22-2279 Priority Sept. 9, 1966 Amount 0.52 cfs

THIS IS TO CERTIFY, that Weldon E. & Gary W. Grandy
of Victor, Idaho, have, ~~has~~ complied with the terms and conditions of Permit
No. 33169/22-2279 issued pursuant to Application for Permit dated September 9, 1966,
and has submitted proof to the Department of Water Administration on August 10, 1971,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 1.85 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from Big Spring & Forest Spring (natural springs)
tributary of Pine Creek, is hereby confirmed in the following amounts:
Amount 0.52 cfs for Irrigation from June 1 to Nov. 1 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 0.52 cfs of water be diverted at
any one time, said waters to be diverted within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ (Big Spring) and
NE $\frac{1}{4}$ SW $\frac{1}{4}$ (Forest Spring) of Sec. 22, Twp. 3 N, Rge. 45 E, B.M.
in the county of Teton; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 78 acre feet per year or
3.0 acre feet per acre.

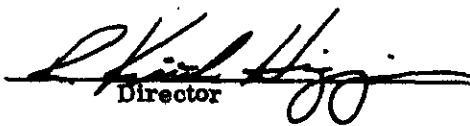
Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
3 N	45 E	22									9						17		26

Total number of acres irrigated 26

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 7 day of
September, 19 72.


Director

22 2279

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Weldon E. & Gary W. Grandy
 b) Post Office Address Box 226 Victor, Idaho 83455
2. Permit Number 33169/ 22-2279
3. Date of Priority that you are prepared to establish September 9, 1966
4. a) Source from which water was appropriated Big Spring & Forest Spring
 b) Location of the point of diversion: Big S. NE SE
Forest NE 1/4 SW 1/4, Section 22
 Township 3N, Range 45 E Boise Meridian, Other points of diversion: none
5. a) The amount of water and use to which the water has been applied:
 amount .7 cfs for irrigation purposes from June 1 to Nov. 1 incl.
 (cfs and/or acre feet per annum) (Month-Day) (Month-Day)
 amount _____ for _____ purposes from _____ to _____ incl.
 (cfs and/or acre feet per annum) (Month-Day) (Month-Day)
 amount _____ for _____ purposes from _____ to _____ incl.
 (cfs and/or acre feet per annum) (Month-Day) (Month-Day)
 b) Total amount appropriated .7 cfs and/or acre feet per annum
 c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Calculated by Weldon E. Grandy, chemist, based on a weir measurement from experience received as a water master.
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
 a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: not applicable
 b) Describe the agreement or understanding by which you take water from the works: not applicable
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) Tractor power-takeoff Berkley irrigation pump pumps into a 4 inch portable aluminum lateral line. Part of the water is used by a common field ditch of 10" x 10" dimensions. Pumping is from natural stream channel.
 b) Describe the type and size of measuring device which you have installed at your point of diversion: Pump itself is the only measuring device and wier measurement of the ditch.
 c) Give well drillers name and address and date the well was completed not applicable

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use not applicable

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

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
3N	45 EBM	22									11	6				18			35

Total number of acres irrigated 35

10. Remarks: Big Spring and Forest Spring reach live water only during the Spring runoff.
During the remaining months of the year a great deal of water from these springs is lost
into the ground due to the porous stream bed. Reduction of this water loss is realized
by usage of the water near the spring sources.

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

August 6, 1971
 (Date)

Gay V. Grandy
 (Signature)

State of Idaho)
 County of Teton) ss.

On this 9 day of August, 19 71, personally appeared before me the
 signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Lynd S. Kesteven
 Notary Public residing at Victor, Ida

My commission expires Feb 21, 1975

AFFIDAVIT OF PUBLICATION

State of Idaho, }
County of Teton } ss.

I, Louise J. Norton
being first duly sworn depose and say

that I am the publisher
of the Teton Valley News, a news-
paper as defined by Idaho Codes Anno-
tated, Section 58-106, as amended, and
that said newspaper is a weekly news-
paper printed and published at Driggs,
in Teton County, Idaho, having a gen-
eral circulation in said county, and that
said newspaper has been printed in
said county for more than 78 consecu-
tive weeks prior to the first publication
of the attached notice, advertisement
or publication of

Notice of existing
water permit

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

for 2 consecutive issues thereof;
first publication having been made on

the 9 day of September
1971

and last publication on the 16
day of September, 1971

And affiant further says that at the
times herein mentioned said newspaper
was made up of at least four pages
of at least five columns each, printed
from type matter, of at least seven-
teen and three-fourths inches deep.

Louise J. Norton

Subscribed in my presence and sworn

to before me this 16 day of
September, 1971

(SEAL) Notary Public for the State of
Idaho, residence and postoffice
address, Driggs, Idaho.
My Commission expires

19

PUBLIC NOTICE

**NOTICE OF EXISTING
WATER PERMIT**

Notice is hereby given that Wel-
don E. & Gary W. Grandy, Box
226, Victor, Idaho, have received
an approved Permit No. 33100/22-
2279 issued by the Idaho Depart-
ment of Water Administration au-
thorizing the diversion of 0.7 cubic
feet per second of water from Big
Spring (0.5 cfs) and Forest Spring
(0.2 cfs). The priority to be estab-
lished under this permit is Sep-
tember 9, 1971. The permit was
approved 12, 1968.

Water is to be diverted by pump
and pipe from a point within the
NE $\frac{1}{4}$ SE $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 22,
T. 3N, R. 45E, B.M., Teton County,
to be used for irrigation purposes
in the N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22,
T. 3N, R. 45E, B.M.

Proof of the application of the
water to beneficial use was submit-
ted to the Department on August
11, 1971. Any protest against the
issuance of the license for the above
reference permit should be filed
with the Idaho Dept. of Water Ad-
ministration, Statehouse, Boise, Ida-
ho, 83707, within ten (10) days of
the last date of publication of this
notice.

R. KEITH HIGGINSON
Director

Published in the Teton Valley
News, Driggs, Idaho on September
9th and September 16th, 1971.

22 2279

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

✓ 22-30
2279

APPLICATION No. 41376
PERMIT No. 33169
DISTRICT No.

Weldon E. Grandy
2270 Hollywood Avenue
Salt Lake City, Utah 84003

1. Name of Applicant: Weldon E. and Gary W. Grandy
Postoffice address: 2270 Hollywood Avenue; S.L.C. County: Salt Lake State: Utah
I. If applicant is a corporation, give:
(a) Date and place of incorporation:
(b) Amount of capital stock:
(c) Amount paid in:
(d) Names and addresses of directors:
II. The financial resources of the applicant are:
(a) Cash on hand:
(b) Treasury stock:
(c) Bond to be issued:
(d) Other resources:
2. Quantity of water claimed: Big Spring 0.5 and Forest Sp. 0.2 cubic feet per second.
3. Source of water supply: Big Spring and Forest Spring / natural springs which is a tributary of Pine Creek (See remarks)..
Big Spring 1478
4. Location of point of diversion: Forest Spring 2832 feet distant from the East 1/4 corner of Section 22, T. 3 N, R. 45 E, B.M., and is in the Big Spring NE 1/4 SE 1/4 Forest Sp. NE 1/4 SW 1/4 of section 22, T. 3 N, R. 45 E, B. M., County of Teton
5. Water is to be used for irrigation
6. If for mining, milling, power or manufacturing purposes, give:
(a) Point of use of water: feet distant from corner of Section T. , R. , B.M., in the of Section of , T. , R. , B.M.
(b) Amount of power generated: H.P., under feet head.
(c) Water is to be returned to at a point feet distant from the corner of Section , T. , R. , B.M., in the of Section , T. , R. , B.M.
7. Estimated cost of works: \$ 200.00
8. Kind of works: Big spring - Pump and Motor; Forest Spring - ditch.
9. Height of dam feet; length of dam at top feet; length of dam at bottom feet; material used in dam:
10. Size of headgate: Width feet; height feet.
11. Ditch: Width at bottom 10 inches ~~feet~~; width at water line 10 inches ~~feet~~; depth of water 4 inches ~~feet~~; dimensions of flume:
Diameter of pipe 4 inch sprinkler inches; length of conduit miles.
Average grade per mile feet.
12. The time required for the completion of such work is 5 years.
13. The time required for the complete application of the water to the proposed use is -0- additional years.
14. The land to be irrigated is described in the following tabulation: See remarks.
15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: two second feet of Pole Creek for N 1/2 SE 1/4, Section 22 and no rights for N 1/2 SW 1/4, Section 22 (See remarks).

16. (a) Is reservoir to be used? no If so, fill in (b) and (c) below:
(b) Name of Reservoir and number of Storage Permit:
(c) Date of filing of Application for Storage Permit and Name of Applicant:

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

/s/ WELDON E. GRANDY and Applicant.
By /s/ GARY W. GRANDY Agent.

Date of first receipt at Department of Reclamation: September 9, 1966 8:00 A.M.

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 33169
Recorded in Book 116 Page 33169 Approved September 12, 1966
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 November 12, 1966 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.
One-fifth of the work above specified to be completed on or before March 12, 1969
The whole of said work to be completed on or before September 12, 1971
Beneficial use of water appropriated in accordance herewith, to be made on or before September 12, 1971

WITNESS My hand this 12th day of September, 1966.

/s/ R. KEITH HIGGINSON
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, ROBERT E. SMYLLIE, Governor of the State of Idaho,
and LOUIS E. CLAPP, 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 12th day of September, 1966.

Countersigned: STATE OF IDAHO
(SEAL) By /s/ LOUIS E. CLAPP Secretary of State.
By /s/ ROBERT E. SMYLLIE Governor.

REMARKS:

Remarks: 3. Big Spring and Forest Spring flow into Pine Creek during spring runoff.
14. During the remaining months of the year a great deal of water from these springs is lost into the ground before it reaches Pine Creek, due to the porous stream bed.
15. During most of the growing season, there is less than 0.5 second foot in Pole Creek. During dry years the waters from Pole Creek do not reach our property during the latter part of the growing season. Pole Creek does not supply us sufficient water to irrigate our land of 165 acres.
Big Spring is located on our own deeded property. Forest Spring is located 10 feet outside our deeded property on U. S. Government land (Targhee National Forest).

Twp.		R		33169		LICENSE ISSUED FOR 0.52 SEC. FT. LICENSE PAGE NO. _____		Totals
3	N	1						35

16. (a) Is reservoir to be used? no If so, fill in (b) and (c) below:
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

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

/s/ WELDON E. GRANDY and *Applicant.*

By /s/ GARY W. GRANDY Agent.

Date of first receipt at Department of Reclamation: September 9, 1966 8:00 A.M.

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 33169

Recorded in Book 116 Page 33169 Approved September 12, 1966

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 November 12, 1966 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before March 12, 1969

The whole of said work to be completed on or before September 12, 1971

Beneficial use of water appropriated in accordance herewith, to be made on or before September 12, 1971

WITNESS My hand this 12th day of September, 1966.

/s/ R. KEITH HIGGINSON
State Reclamation Engineer.

IN TESTIMONY WHEREOF, I, ROBERT E. SMYLIE, Governor of the State of Idaho,

and _____ s instrument to

be executed is 12th

day of

(SEAL)

By

Governor.

REMARKS:

14.

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
3 N	45 E	22									11	6					18		35

LICENSE ISSUED FOR 0.52 SEC. FT.
 LICENSE PAGE NO.

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 33169/22-2279)	
in the name of WELDON E. & GARY W. GRANDY)	ORDER MODIFYING REQUIREMENTS
)	FOR COMPLETION OF PERMIT TO
)	APPROPRIATE WATER
)	

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

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

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

WHEREAS, Permit No. 33169 was issued previous to that date;

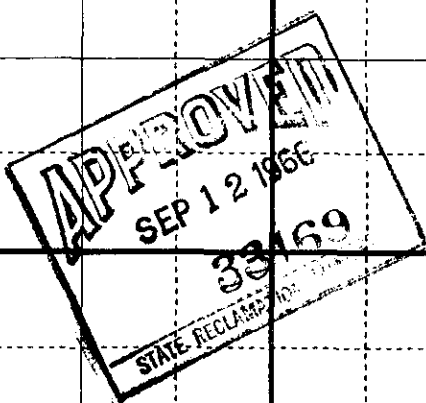
NOW THEREFORE, the requirements for completion of the above numbered permit are hereby modified to conform to the adopted Rules of Practice and Procedure as follows:

1. The above numbered permit will be completed under the terms of Title 42, Chapter 2, Idaho Code, as amended by the 39th Idaho Legislature.
2. The conditions of the above numbered permit are modified as follows:
 - a. Notice of the issuance of the permit will be published at the permit holders expense for two weekly issues in the official newspaper of the county in which the point of diversion lies.
 - b. The permittee will not be required to submit proof of completion of works as originally specified, but will be required to submit proof to the Department of Water Administration of the application of the water to beneficial use on or before September 12, 1971. The permit holder should be aware that failure to complete one-fifth (1/5) of the works within one-half (1/2) of the time originally set for completion of works may be grounds for cancellation at the instance of the Department.

Dated this 12TH day of October, 1970.


R. KEITH HIGGINSON
Director

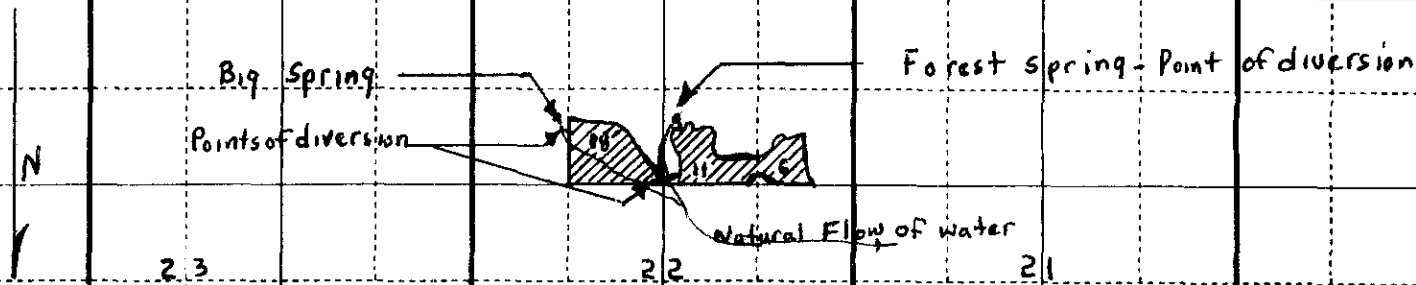
22-2279
33169



26

27

28



T3N, R45E

- Route of ditch or sprinkler pipe

Address all communications to

Weldon E. Grandy
P. O. 2270 Hollywood Ave., Salt Lake City, Utah
84003

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 41376
33169
Permit No. _____
District No. _____

RECEIVED
SEP 9 1966
8:00 A.M.
Department of Reclamation

1. Name of Applicant: Weldon E. & Gary E. Grandy
Post Office address 2270 Hollywood Ave., Salt Lake City, County Salt Lake State Utah
If applicant is a corporation, give:

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

The financial resources of the applicant are: (a) Cash on hand: \$ _____
(b) Treasury stock: _____ (c) Bonds to be issued: _____
(d) Other resources: _____

2. Quantity of water claimed: Big Spring 0.5 & Forest Spring 0.2 cubic feet per second
3. Source of water supply: Big Spring & Forest Spring (natural springs)
which is tributary of Pine Creek (See remarks)
4. Location of point of diversion: Big Spring 1478 feet distant from the East 1/4 corner
of Section 22, Twp. 3 N, Rge. 45 E, B. M., and is in the Big Spring NE 1/4 Of S. E. 1/4
of Section 22, Twp. 3 N, Rge. 45 E, B. M., County of Teton
5. Water is to be used for: irrigation
6. If for any non-irrigation purpose, give:
(a) Point of use of water: _____ feet distant from _____ corner of Section _____
Twp. _____, Rge. _____, B. M., in the _____ of Section _____, Twp. _____, Rge. _____, B. M.
(b) Amount of power generated: _____ H. P., under _____ feet head.
(c) Water is to be returned to _____ at a point _____ feet
distant from the _____ corner of Section _____, Twp. _____, Rge. _____, B. M., in the
_____ of Section _____, Twp. _____, Rge. _____, B. M.
7. Estimated cost of works: \$ 200.00
8. Kind of works: Big Spring-Pump & Motors Forest Spring-ditch.
(Reservoir, dam, ditch, flume, pipe, etc.)
9. Height of dam _____ feet; length of dam at top _____ feet; length of dam at bottom _____
feet; material used in dam _____
(If height of dam will exceed 10 feet or will store more than 100 acre feet of water, send to Department of Reclamation for
Regulations.)
10. Size of headgate: Width _____ feet; Height _____ feet
11. Ditch: Width at bottom 10 inches; Width at water line 10 inches; Depth of water 4 inch
Dimensions of flume _____; Diameter of pipe 4" sprinkler inches;
Length of conduit _____ miles. Average grade per mile _____ feet.

33169

4

16. (a) Is reservoir to be used? no (If so, fill in (b) and (c) below.)

(b) Name of reservoir and number of Storage Permit:

(c) Date of filing of Application for Storage Permit and Name of Applicant:

Remarks: 3. Big Spring and Forest Spring flow into Pine Creek during Spring runoff. During the remaining months of the year a great deal of water from these springs is lost into the ground before it reaches Pine Creek, due to the porous stream bed.

15. During most of the growing season, there is less than 0.5 second foot in Pole Creek. During dry years the waters from Pole Creek do not reach our property during the latter part of the growing season. Pole Creek does not supply us sufficient water to irrigate our land of 165 acres.

Big Spring is located on our own deeded property. Forest Spring is located 10 feet outside our deeded property on U. S. Government land (Targhee National Forest).

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.

Weldon E. Grandy
Gary W. Grandy

Applicant.

By, Agent

Affidavit of Permission to File on Springs

(Not to be used when spring is situated on lands owned by applicant.)

I, ..., of, County of, State of, do hereby certify that I am the owner of the land on which the spring mentioned in the application of is located, to-wit:

and that I do hereby grant unto the said permission to file on the said spring as set forth in the foregoing application.

STATE OF IDAHO

County of) ss.

On this day of, 19....., before me, a Notary Public for the State of Idaho, residing at, personally appeared..... known to me to be the person... whose name... subscribed to the foregoing certificate, and acknowledged to me that he... executed the same.

Witness my hand and seal, the day and year in this certificate first above written.

My commission expires

Notary Public.

33169

L 116

Approval of State Reclamation Engineer

33169

The number of this permit is.....

SEP 12 1966

Recorded in Book 116 Page 33169 Approved
This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$..... to be filed before.....

Work to begin on or before November 12, 1966, 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 March 12, 1969

The whole of said work to be completed on or before September 12, 1971

Beneficial use of water appropriated in accordance herewith, to be made on or before September 12, 1971

Witness my hand this 12th day of September, 1966

R. Keith Higgins
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLLIE Governor of the State of Idaho,

and LOUIS E. CLAPP 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 12th day of September, 1966

Countersigned:

By *Louis E. Clapp*
Secretary of State

STATE OF IDAHO

By *Robert E. Smyllie*
Governor.

No. 33169

PERMIT

Date of first receipt at office of State Reclamation Engineer

September 9, 1966 8:00 A.M.

Returned to applicant for correction

Corrected application received

Fees, \$ 5.00

FILING FEES FOR USE PERMIT:

For the first Sec. Ft. \$5.00

For each additional Sec. Ft. or Fraction

Thereof 25

33169

September 11, 1972

Re: Permit No. 33169/22-2279

C
Weldon E. & Gary W. Grandy
Box 226
Victor, Idaho 83455

O
Gentlemen:

O
Enclosed herewith is your Water License issued on the above referenced permit.

Sincerely,

P
BOBBY D. FLEENOR
Assistant Director

Y
BDF:DR
Enc: License

bc: Eastern District Office

22 2279

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2

Boise, Idaho 83707

(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

August 24, 1972

Weldon E. & Gary W. Grandy
Box 226
Victor, Idaho 83455

Gentlemen:

A representative of this Department has made an examination of the works covered by your Permit No. 33169/22-2279 and has found the following:

Quantity of water diverted: 1.85 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 0.52 cfs

The maximum quantity diverted shall not exceed 78 acre feet per season.

Beneficial use: Irrigation of 26 acres within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ (9) and NW $\frac{1}{4}$ SE $\frac{1}{4}$ (17), Sec. 22, Twp. 3 N, Rge. 45 E. B. M.

Point of diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$ (Big Spring) and NE $\frac{1}{4}$ SW $\frac{1}{4}$ (Forest Spring) of Sec. 22, Twp. 3 N, Rge. 45 E. B. M.

The priority date established is: Sept. 9, 1966

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

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DF

22 2279

ION OR office AD
354-2302 DRUGS

354-2302 DRIGGS

- TOTAL ACREAGE**

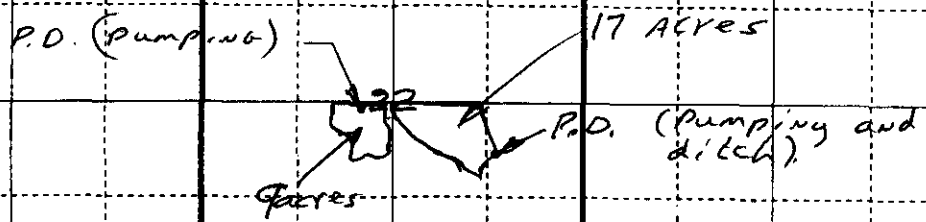
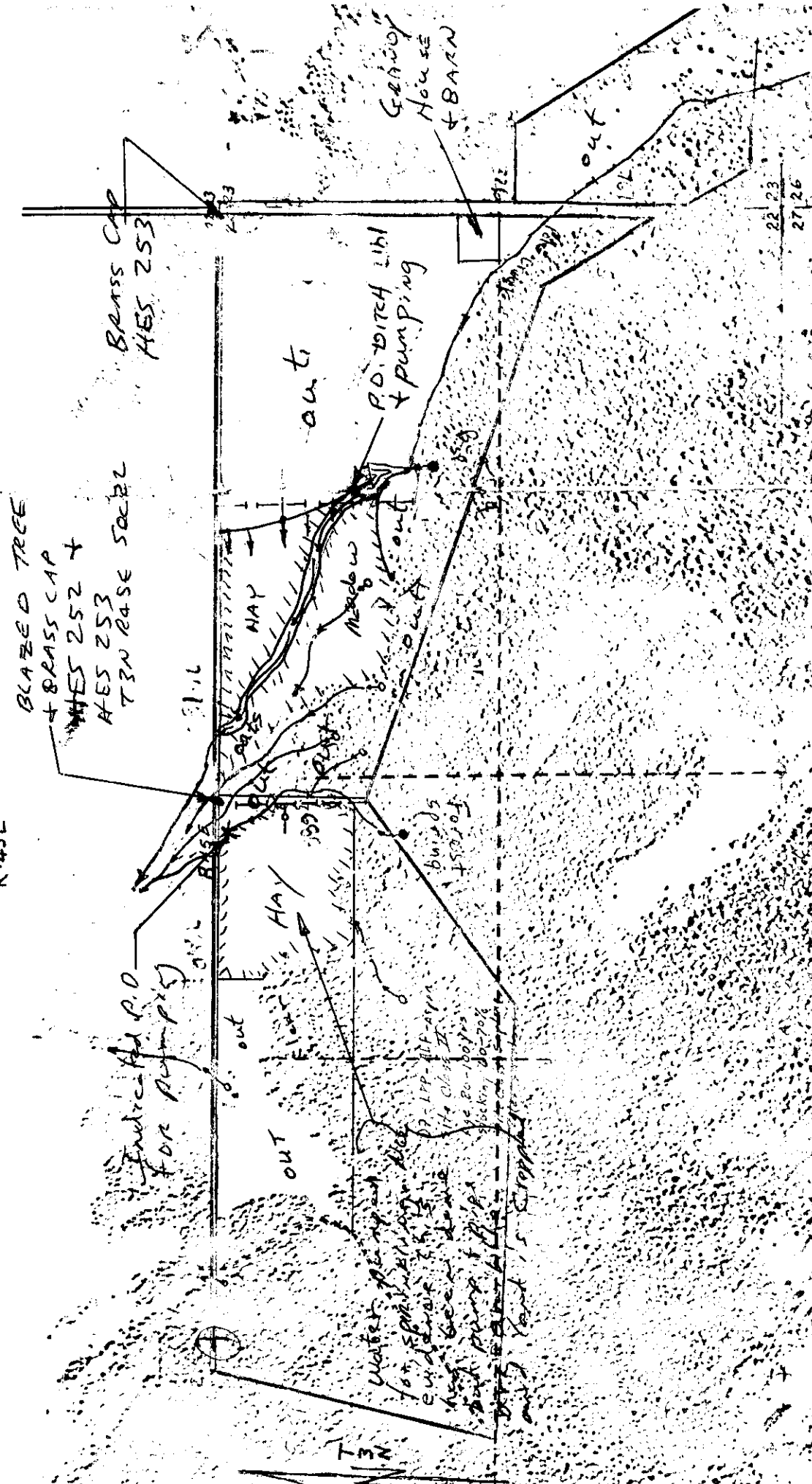


Diagram of System

GRANDY
FARM NO. 69
DATE 8-67
SCALE 8" = 1 MI. ACRES 186.17
PHOTO NO. 69
WELDON & GAFF
LETON
IDAHO

R.45E



6/29/22

LJ-200
1-63

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Date 6-8-72 DISCHARGE MEASUREMENT NOTES

GRANDY #2 River at FOREST SPRING

Angle coefficient	Dist. from initial point	Width	Depth	Observation depth	Revolutions	Time in seconds	VELOCITY		Adjusted for hor. angle or	Area	Discharge
							At point	Mean in vertical			
2.25	EDGE of water										
2.50	0.32	0.2	0.5	10	42				.274	0.075	0.021
2.75	0.25	0.2	0.5	12	40				.333	0.050	0.017
3.00	0.15	0.2	0.5	25	35				.727	0.050	0.036
3.25	0.375	0.2	0.5	35	43				.826	0.075	0.062
3.50	EDGE of water										
											0.136
											$\approx 61 \text{ gpm}$
											Pgmy R 796
This represents the quantity of water available for pumping at this indicated diversion point.											
Pump was not running or set-up.											
Total of 2 diversions ≈ 1.85 cfs											

No. 2 of 2 Sheets. Comp. by NCF Chk. by _____

	.0	.10	.20	.30	.40	.50	.60	.75
--	----	-----	-----	-----	-----	-----	-----	-----

22-2219

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Date 6/28, 1972 DISCHARGE MEASUREMENT NOTES

GRANDY DIVERSION ^{River at} BIG SPRING

[illegible]

No. 1 of 2 Sheets. Comp. by NEP

Chk. by ~~22-227~~ u

.0	.10	.20	.30	.40	.50	.60	.70	.75
----	-----	-----	-----	-----	-----	-----	-----	-----

DATE OF EXAM June 28, 1972

ACREAGE
Found 26
Recommended 26

Irrigation Requirement 3.0 Ac Ft/Ac

USE
Irrigation Q = 0.52 c.f.s. V = 78 AF/Ann. from 6/1 to 11/1
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no X

Name source: Two Springs: Big Springs and Forest Springs
twp. 3 N/S, Rge 45 E/W, B.M., Sec. 22, Sub. NE SE TETON
NE SW County

Exchange? yes _____ no X

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

Point of injection: N.A.
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 1/4 _____
County

Point of exchange: N.A.
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 1/4 _____
County

Total Q measured 1.85 cfs Method of measurement pygmy meter

Total Q recommended 0.52 Meter No. R-796 Type pygmy Condition good

Total V recommended 78 A-F/YR

Recommended Amendments:
P.D. _____
Place of Use _____
Other _____
None X

MEASUREMENT CALCULATION:
See attached flow meter calculation sheets (2).

SYSTEM DESCRIPTION:
Berkley Power take-off operated pump - 6" discharge & 8" intake - 4" SPRINKLER pipes HAND MOVE LATERALS. No name plates on pump to indicate capacity

REMARKS:
Gary Granoy Accompanied me on exam. The land indicated has been cropped but I could not be certain that the sprinkler had been used on the fields that were indicated as being irrigated by pumping.

Examiner's Signature Norman C. Young Date 6/29/72
Checked by _____ Date _____
Approved by _____ Date _____

INTER-DEPARTMENT MEMO — 1

FROM

Darlene

DATE June 20, 1972

TO

Norm

SUBJECT

Permit # 33169/22-2279 - Weldon E. & Gary W. Grandy

The protest on this permit has been resolved. If you need a copy of the agreement, please advise.

Would you please made this a priority EXAM (the exam report should already be in your office).

Also, might I ask that you send all priority exams to my attention so that I may process asap. Thanks for your continued cooperation.

22 2279


SIGNATURE

Victor, Ida.
April 17, 1972

RECEIVED

JUN 8

Department of Water Administration

Re: Water Permit No. 22-2279

TO WHOM IT MAY CONCERN:

Gary W. Grandy of Victor, Idaho, is hereby authorized to represent us as our agent in legal matters pertaining to the water right agreement between Lester E. Moulton and Gary W. Grandy. He has full power to sign for the partnership of, Weldon E. Grandy, Anona B. Grandy, Gary W. Grandy, and LaVon G. Grandy, any necessary documents required to complete the transaction of business with Lester E. Moulton &/or Idaho Water Administration.

We the undersigned grant this authority to Gary W. Grandy for and in behalf of the above mentioned partnership.

Weldon E. Grandy
Weldon E. Grandy

Anona B. Grandy
Anona B. Grandy

LaVon G. Grandy
LaVon G. Grandy

Subscribed and sworn to before me a
Notary Public in and for the State
of Idaho this 1st day of June, 1972

Sybil S. Kearsley
Dated at Victor, Idaho

My commission expires Feb. 21, 1975

22 2279

February 14, 1972

Re: Permit No. 33169/22-2279 - Weldon E. & Gary W. Grandy

Mr. Ray W. Rigby
RIGBY & THATCHER
P.O. Box 362
Rexburg, Idaho 83440

Dear Mr. Rigby:

We acknowledge receipt of the Agreement for Water Right between Gary W. Grandy and Lester E. Moulton in connection with the above referenced permit.

Since this permit is in the name of Weldon E. and Gary W. Grandy, the agreement must include both Weldon E. and Gary W. Grandy as parties of the first part, or ratification submitted that Gary W. Grandy has the power to act in behalf of Weldon E. Grandy.

We appreciate your cooperation in this matter.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

22 2279

RIGBY & THATCHER
ATTORNEYS AT LAW
25 NORTH SECOND EAST
P. O. BOX 862
REXBURG, IDAHO 83440

RECEIVED

DEC 13 1971

RAY W. RIGBY
GORDON S. THATCHER

December 9, 1971

Department of Water Administration
TELEPHONE 56.3633
AREA CODE 208

Mr. Bobby D. Fleenor
Assistant Director
State of Idaho
Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

Re: Permit No. 33169/22-2279 - Weldon E &
Gary W. Grandy

Dear Mr. Fleenor:

As per your request of November 4, 1971, we have typed up the Agreement for Water Right between Grandy's and Lester E. Moulton, had it executed by all parties and enclose herewith that executed agreement. If we can be of further assistance to you, please let us know.

Yours very truly,

Ray W. Rigby
of RIGBY & THATCHER

RWR/lh

Enclosure

22 2279

AGREEMENT FOR WATER RIGHT

THIS INSTRUMENT Represents an agreement made between GARY W. GRANDY, Party of the First Part; and LESTER E. MOULTON, Party of the Second Part; on water right to Big Spring and Forest Spring which are both tributary to Little Warm Creek.

1. The Party of the First Part does hereby recognize and acknowledge the decreed water right to Albert Smith for the amount of forty miners inches of water in Little Warm Creek under priority date of April 1, 1896, in the District Court of the Sixth Judicial District of the State of Idaho, in and for the County of Fremont on the 16th day of December, 1910. Said water right is appurtenant to the land owned by Lester E. Moulton described as:

The NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 21, Twp. 3 N., Rge. 45 E.B.M.

2. Party of the First Part will only divert, for his beneficial use, waters from Big Spring and Forest Spring which are surplus to the forty miners inches decreed, as above stated, or which are not being used by the Party of the Second Part.

Party of the First Part will refrain from water usage whenever the Party of the Second Part gives verbal notice that he is diverting the decreed water on the above described land and not receiving his 40 miners inches.

3. Both parties of this agreement are entitled to measure the flow of water in the Little Warm Creek in order to maintain that the Party of the First Part is abiding by the covenant No. 2 previously stated.

Should the parties of this agreement be unable to agree on the amount of water flow at a particular time, both parties agree that a qualified water master will be called upon to measure the water. Both parties will abide by the water masters decision.

4. Party of the Second Part has no protest against the issuance of a license in connection with Permit No. 33169/22-2279 as long as the Party of the First Part is willing to abide by the other covenants of this agreement.

We, the undersigned parties of this agreement state under oath that we have read the foregoing Agreement for Water Right, that we have knowledge of and understand its content, that to the best of our knowledge it is true and correct.

PARTY OF THE FIRST PART

PARTY OF THE SECOND PART

x Gary W. Grandy

x Lester E. Moulton

STATE OF IDAHO,)
SS
County of Teton.)

On this 4 day of ^{December}~~November~~, 1971, before me, the undersigned, a Notary Public in and for said State, personally appeared GARY W. GRANDY and LESTER E. MOULTON, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year in this certificate first above written.

Lynn S. Keene
Notary Public for Idaho
Residing at Victor, Ida
My Commission Expires: Feb 24, 1975

November 4, 1971

Re: Permit No. 33169/22-2279
Weldon E. & Gary W. Grandy

Mr. Ray W. Rigby
RIGBY & THATCHER
P. O. Box 362
Rexburg, Idaho 83440

Dear Mr. Rigby:

We acknowledge receipt of your letter of November 3rd with the attached agreement. It would be helpful if you would have the agreement typed and executed, as we are concerned about the permanency of this copy in our files.

We appreciate your help in this matter.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:dr
Enc: Agreement
cc: Eastern Dist. Office
Dept. of Water Admn.

22 2279

not receiving his 40 minutes in bed.

3. Both parties of this agreement are entitled to measure the flow of water in the Little Naam creek in order to maintain that the party of the first part is abiding by the covenant No. 2 previously stated.

Should the parties of this agreement be unable to agree on the amount of water flow at a particular time, both parties agree that a qualified water master ^{will} be called upon to measure the water. Both parties will abide by the water master's decision.

4. Party of the second part has no protest against the issuance of a permit in connection with Permit No. 33169/22-2279 in long as the party of the first part is willing to abide by the other covenants of this agreement.

We the undersigned parties of this agreement state under oath that we have read the foregoing Agreement free and without any fraud, that we have knowledge of and understand the contents thereof, that to the best of our knowledge it is true and correct.

Party of the First Part

Party of the Second Part

Gary W. Granda

Barley F. Moulton
22 2279

COPY

1

AGREEMENT FOR WATER RIGHT

Deposited 11-1-71

This instrument represents an agreement made between Gary W. Grandy, party of the first part; and Lester E. Moulton, party of the second part; on water right to Big Spring and Forest Spring which are both tributary to Little Warm Creek

1. The party of the first part do hereby recognize and acknowledge the decreed water right to Albert Smith for the amount of forty miners inches of water in Little Warm Creek under priority date of April 1, 1896, in the District Court of the Sixth Judicial District of the State of Idaho, in and for the mining claim on the 16th day of December, 1910. Said water right is appurtenant to the land owned by Lester E. Moulton described as NE 1/4 NW 1/4 of Section 21 T. 3 N., R. 9 E. 4 S. E. B. M.

2. Party of the first part will only divert, for his beneficial use, waters from Big Spring & Forest Spring which are surplus to the forty miners inches decreed, as above stated, or which are not being used by the party of the second part.

Party of the first part will refrain from water usage whenever the party of the second part gives verbal notice that he is diverting the decreed water on the above described land and

RIGBY & THATCHER
ATTORNEYS AT LAW
25 NORTH SECOND EAST
P. O. BOX 862
REXBURG, IDAHO 83440

RAY W. RIGBY
GORDON S. THATCHER

November 3, 1971

RECEIVED
TELEPHONE
856-8688
AREA CODE 208
Department of Water Administration

Mr. Bobby D. Fleenor
Assistant Director
State of Idaho
Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

Re: Permit No. 33169/22-2279 - Weldon E & Gary W.
Grandy

Dear Mr. Fleenor:

I enclose herewith a copy of the agreement reached by the Grandy's and Lester E. Moulton concerning Grandy's application for water license. It was written and agreed to by the parties, and I have not typed it but am sending it in the form in which they prepared it. If it needs to be in a formal form and notarized, we would appreciate you returning it and we will comply with your request.

Yours very truly,

Ray W. Rigby
of RIGBY & THATCHER

RWR/lh

Enclosure

22 2279

October 7, 1971

Re: Water Permit No. 22-2279

Mr. Gary W. Grandy
P.O. Box 226
Victor, Idaho 83455

Dear Mr. Grandy:

After talking to you by telephone yesterday about the protest that has been filed against your Permit No. 22-2279, I checked with our Boise office on the questions you had. It appears that the protestant, Mr. Lester Moulton, may still have some title to the water right from Warm Creek, even though he assigned this right to the Trail Creek Association. Assuming that the protestant is a member of the Trail Creek Association, he may have some interest in their water rights and may legally be able to protest licensing of your permit. This is a legal point that can probably best be answered by your attorney.

If the agreement that you indicated that you have with the protestant is satisfactory to you, having the protestant withdraw his protest will allow us to continue the licensing procedures. If the protest is not withdrawn, we will need to hold a hearing following our examination of your water usage. I believe that our examination of your use under this right should probably be delayed until spring when the largest amount of water is being used.

If you have any questions, please contact me at this office, and I will be happy to help you in any way I can.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:bj

bc: Boise Office

22 2279

September 28, 1971

Re: Permit No. 33169/22-2279

Weldon E. & Gary W. Grandy
Box 226
Victor, Idaho 83455

Gentlemen:

We are enclosing a copy of the protest filed by Lester E. Moulton against the issuance of a license in connection with your permit as referenced above.

The protest will be placed on file and considered after the Department has conducted a field examination. If an agreement between you and the protestant cannot be reached before the field exam is completed, a conference and/or hearing will be necessary to resolve the protest. If a conference and/or hearing is necessary, you will be notified of the time and place.

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

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enc: Copy of protest

September 28, 1971

Re: Permit No. 33169/22-2279 - Weldon E. & Gary W. Grandy

Mr. Lester E. Moulton
Route # 1
Victor, Idaho 83455

Dear Mr. Moulton:

We acknowledge receipt of your protest filed against the licensing of the above referenced permit and a copy of the protest has been forwarded to the permit holders.

The protest will be placed on file and considered after the Department has conducted a field examination. If an agreement between you and the permit holders cannot be reached before a field examination is completed, a conference and/or hearing will be necessary to resolve the protest. If a conference and/or hearing is necessary, you will be notified of the time and place.

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

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

cc: Rigby & Thatcher
Attorneys at Law

844

RIGBY & THATCHER
ATTORNEYS AT LAW
25 NORTH SECOND EAST
P. O. BOX 362
REXBURG, IDAHO 83440
September 22, 1971

RAY W. RIGBY
GORDON S. THATCHER

TELEPHONE
356.3638
AREA CODE 208

Idaho Department of Water Administration
Statehouse
Boise, Idaho 83707

Dear Sir:

We enclose herewith Protest to Change of Water
Right by Lester E. Moulton against Weldon E. Grandy and
Gary W. Grandy.

Yours very truly,

G. Rich Ambrose

of RIGBY & THATCHER

bw

Enclosure

PROTEST TO CHANGE OF WATER RIGHT

TO: IDAHO DEPARTMENT OF WATER ADMINISTRATION
Statehouse
Boise, Idaho 83707

PLEASE TAKE NOTICE That the undersigned hereby protests against the proposed issuance of a license to Weldon E. Grandy and Gary W. Grandy, Box 226, Victor, Idaho, under approved Permit No. 33169/22-2279 authorizing diversion of 0.5 cfs of the waters of Big Spring and 0.2 cfs of the waters of Forest Spring to the above named applicants and in support of the protest respectfully represents as follows:

1. Lester Moulton, the undersigned protestant, owns, among other lands, land described as follows:

NE $\frac{1}{4}$, NE $\frac{1}{4}$ of Section 21, Twp. 3 N., Rge. 45 E.B.M.

2. Appurtenant to the above described land is a water right decreed to Albert Smith for the amount of forty inches of water in Little Warm Creek under priority date of April 1, 1896, in the District Court of the Sixth Judicial District of the State of Idaho, in and for the County of Fremont on the 16th day of December, 1910.
3. The so-called Big Spring and the so-called Forest Spring named in the above permit are tributary to Warm Creek and the above referred to forty inch decree held by protestant encompasses the entire flow of Warm Creek and the flow of all streams tributary to Warm Creek.

Protestant has personal knowledge that the above named applicants have not diverted and applied waters of Big Spring and Forest Spring to a beneficial use.

DATED This 22nd day of September, 1971.

Lester E. Moulton
Protestant

RT #1 Victor, Idaho
Address

I, Lester Moulton, the undersigned protestant, depose and state under oath: that I have read the foregoing Protest to Change of Water Right; that I have knowledge of and understand its content, that to the best of my knowledge it is true and correct.

Lester E. Moulton

SUBSCRIBED AND SWORN To before me this 22nd day of September, 1971.

Gloria G. Andrus

Notary Public for Idaho
Residing at Rexburg, Idaho
My Commission Expires: 10-8-74

CONVERSATION MEMORANDUM

FILE 33/69/22-2279
9-21-1971 - 9:50 AM

NAME OF PARTY GARY GRADY

EMPLOYEE Don Mc Elroy

RE: Mr. Grady called to advise his neighbor
was submitting a protest because he wanted
to protect an 1896 40" Right on Little Warm
Creek which is recorded in the County records.
Mr. Grady knows his right is subject to any prior
right. The protestant is under the new Trail
Creek project and may not regain the claimed
1896 right in the future.

September 24, 1971

Re: Permit No. 33169/22-2279

Weldon E. & Gary W. Grandy
Box 226
Victor, Idaho 83455

Gentlemen:

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

Before a license can be issued, a field examination must be made by a representative from this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/BB

22 2279

September 2, 1971

Re: Permit No. 33169/22-2279

Gary W. Grandy
Box 226
Victor, Idaho

Dear Mr. Grandy:

The legal notice for the above-referenced permit is being published in the
Teton Valley News, Driggs, Idaho on September 9th
and September 16th, 1971.

You will be required to submit an affidavit of publication to this department.
The affidavit may be obtained from the above-mentioned newspaper upon payment of
the bill of publication.

Thank you for your cooperation in this matter.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/BB

September 2, 1971

Re: Permit No. 33169/22-2279 - Weldon E. & Gary W. Grandy

Teton Valley News
Driggs,
Idaho 83422

Gentlemen:

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

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

The expense of the publication is to be paid by Gary W. Grandy, Box 226,
Victor, Idaho, to whom you should furnish
an affidavit of publication.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/BB

Enc: legal notice

22 2279

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Weldon E. & Gary W. Grandy, Box 226,
Victor, Idaho, have ~~has~~ received an approved Permit No.
33169/22-2279 issued by the Idaho Department of Water Administration auth-
orizing the diversion ~~storage~~ of 0.7 cubic feet per second ~~2000000~~
~~2000000~~ of water from Big Spring (0.5 cfs) and Forest Spring (0.2 cfs).
The priority to be established under this permit is September 9, 1966,
and the permit was approved September 12, 1966.

Water is to be diverted by pump and pipe
from a point within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 22, T. 3N, R. 45E, B.M.,
Teton County,

to be used for irrigation purposes
in the N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, T. 3N, R. 45E, B.M.

Proof of the application of the water to beneficial use was ~~is to be~~
submitted to the Department on ~~no later than~~ August 10, 1971. Any protest
against the issuance of the license for the above referenced permit should
be filed with the Idaho Dept. of Water Administration, Statehouse, Boise,
Idaho, 83707, within ten (10) days of the last date of publication of this
notice ~~or upon receipt of the permit or the beginning of the project.~~

R. KEITH HIGGINSON

Director

Published in the Teton Valley News, Driggs, Idaho
on September 9th and September 16th, 1971.

Permit No. 33169/22-2279

Director:

You are hereby authorized to have the above notice published at my expense in the Teton Valley News of Driggs, Idaho; published in the county in which the works are situated.

May W. M. Sandy
(Signature)

Box 226
(Address)

August 23, 1971
(Date)

Victor, Idaho 22 2279

August 20, 1971

Re: Permit No. 33169/22-2279

Weldon E. & Gary W. Grandy
Box 226
Victor, Idaho 83455

Gentlemen:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

Please be advised that before the Department can schedule a field examination and issue a license, it will be required that notice of your permit be published in a newspaper as prescribed by the Department for two consecutive weeks at your expense. We are enclosing a copy of the legal notice along with an authorization to publish. If you will complete and return the form, we will cause the notice to be published. Your cooperation in this matter will be greatly appreciated.

Very truly yours,

Dorian Clay
Appropriation Examiner

DC:DR
Enc: Adv. auth.

22 2279

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S).
REQUIRED FEE(S) PAID.

☐ Show to whom, date and address
where delivered

☐ Deliver ONLY
to addressee

RECEIPT

Received the numbered article described below.

REGISTERED NO.

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

CERTIFIED NO.

22880

1

2

Weldon E. Gandy

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

DATE DELIVERED

JUL 6 - 1971

3

SHOW WHERE DELIVERED (*only if requested*)

22 2279

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS



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

POSTMARK OF DELIVERING OFFICE

Print your name and address below. If you want to restrict delivery, or to have the address of delivery shown on this receipt, check block(s) on other side. Moisten gummed ends and attach this card to back of article.

RETURN
TO



DEPARTMENT OF WATER RESOURCES

STATIONER
BOISE, IDAHO 83707

22 2279

PCD Form 3811 Apr. 1969 c55-16-71548-11

July 1, 1971

CERTIFIED MAIL #22880

Re: Permit No. 33169/22-2279

Weldon E. & Gary W. Grandy
2270 Hollywood Ave.
Salt Lake City, Utah 84003

Gentlemen:

One of the conditions of approval of your water Permit No. 33169/22-2279 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before September 12, 1971. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

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


R. KEITH HIGGINSON
Director

Enc: Proof affidavit
dr

CE 0279

October 21, 1970

Re: Permit No. 33169/22-2279

Weldon E. and Gary W. Grandy
2270 Hollywood Avenue
Salt Lake City, Utah 84003

Gentlemen:

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

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

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

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG

Enc: order
advertising package

22-2279
33169

August 21, 1970

Re: Permit No. 22-2279

C Gary W. Grandy
Post Office Box # 226
Victor, Idaho 83455

Dear Mr. Grandy:

O We are enclosing our application for amendment form, which you may use to include domestic use and stock watering on your irrigation right. Please list all of the uses you propose to make of the waters on this application.

P The application for amendment must be submitted with a \$5.00 fee for evaluation. We will let you know as soon as possible as to the outcome of the application.

Very truly yours,

Y Donald W. McEldowney
Appropriation Supervisor

By: Dorian Clay

DWM:cm:dc

Enc: application for amendment form

22-2279
33169

Box 226
Victor, Idaho 83455

State Reclamation Engineer
State of Idaho
Statehouse - Annex #2
Boise, Idaho 83707

Re: Permit No. 33169

Gentlemen:

We are in possession of an approved water permit dated September 12, 1966, for irrigation of land from two springs of water on our property.

During the past years, we have had a well at our house on the property at a depth of forty-five (45) feet. This well has gone dry repeatedly about the middle of January each year, causing us to haul water for domestic use and stock watering.

We hereby desire an ammendment to our water permit No. 33169 to use part of this water for domestic use and stock watering. We will run a two (2) inch pipe 1050 feet directly East from the "Big Spring" and locate our pump at the spring. We will have a lift of fifty (50) feet during this distance.

I am not sure if this is the proper procedure for this change. We will still use the water for the original purpose also, as stated in the permit.

We are anxious to get this line dug and the pipe laid during the good weather and hope that you can give us an approval of this ammended permit or else let us know what must be done before we can move ahead.

Sincerely,

Gary W. Grandy
Gary W. Grandy

22-2279
33169

November 19, 1968

Re: Permit No. 33169

Messrs Weldon E. and Gary W. Grandy
2270 Hollywood Avenue
Salt Lake City, Utah

Gentlemen:

Thank you for your letter of November 19, 1968. Please be advised that you have complied with the terms and conditions as of this date. Proof of the beneficial use of the water will be required on or before September 12, 1971. The department will advise you prior to this date and supply you with the necessary papers. However, if you use the water beneficially before this time, please advise the department and we will transmit the papers to you so that you may submit your proof prior to the September 12, 1971 date.

Please contact us if we may be of further assistance.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:KS

33169

2270 Hollywood Ave.
Salt Lake City, Utah 84111
Nov. 16, 1968

RECEIVED

NOV 19 1968

State of Idaho
Dept. of Reclamation
R. Keith Higginson, Engineer
107 State House
Boise, Idaho 83701

Department of Reclamation
Re: Permit 33169

Dear Mr. Higginson:

The application for permit number 33169 dated Sept. 12, 1966 specified that one-fifth of the work was to be completed by March 12, 1969. This application was for 0.7 second feet of water on two springs on our property in Teton County, Idaho.

I should like to report our progress, and request a reply if anything further will be necessary before March 12, 1969.

We planned on using an electric pump for pumping the water for irrigation and checked with Falls River Rural Electric Co-Op. on this matter. They supply the current to our ranch, but do not have the 220 volt line with correct phase for a pump at this location. Bonneville Power is completing its power line into the area this fall and will be supplying additional power to Fall River Rural Electric. Fall River Rural Electric have stated that with this additional current that they will probably be able to supply us with the current for our pump within one or two years. Should they be unable to do this we will purchase a gasoline pump.

We are in the process of buying sprinkling pipe and will in all probability have it by next spring or sooner. I have enclosed some photostat copies of letters confirming our plans for purchasing a sprinkling system.

Leon Thompson of the Teton County Soil Conservation office has prepared a soil and water conservation map for us, and has also surveyed and run lines for our sprinkling system.

We will have fully completed the work on this system so that we will be able to use the water from these springs before Sept. 12, 1971, final date for completion.

We believe we have completed the necessary requirements set up for the March 12, 1969 date, but would appreciate a reply from you confirming this.

Sincerely yours,

Weldon E. Grandy
Weldon E. Grandy

4 enclosures

33169

270 Hollywood Ave.,
Salt Lake City, Utah
Oct. 27th, 1968

Dear Gary,

I received the enclosed letter from
Marshall Orr yesterday about the pipe
we wanted to buy. I have also
enclosed the letter I had written to
him.

I thought you should know what
to expect. If you have any solutions
or want to talk to me, call at home
after 4:00 p.m.

Dad

33169

Marshall D. Orr
Gen State Dirig. Ins.
Roxburg, Idaho

Dear Mr. Grandy,

In reply to your letter sent to me concerning the lateral pipe quoted you last summer, the man who has the pipe wants to sell all of his portable system.

At the time I talked to you he was trying to sell any part of it, but now he wants to sell all or nothing. I'm sorry but that's his decision. If he changes his mind, we will try to see you when you come up or if you could stop in here at Gen State Dirig we could talk to you at that time.

We have quite a few inquiries to trade old hook and latch laterals for new laterals for next spring. So there is a possibility! Will see you in November.

Yours Truly ³³¹⁶⁹
M D Orr

GEM STATE IRRIGATION INC.
SOUTH YELLOWSTONE HWY.
REXBURG, IDAHO 83440



Weldon E. Grandy
2270 Hollywood Ave.
Salt Lake City, Utah 84108

At the time I talked to you
he was trying to sell any part of
it, but now he wants to sell all
or nothing. I'm sorry but that's
his decision. If he changes his
mind, we will try to see you
when you come up or if you could
stop in here at Gem State Irrig
we could talk to you at that time.

We have quite a few inquiries
to trade old hook and latch laterals
for new laterals for next spring. So
there is a possibility! Will see you
in November

Yours Truly
W. E. Grandy

33169

INVOICE

GEM STATE IRRIGATION, INC.

BOX 73 - SOUTH YELLOWSTONE HIWAY

PHONE 208 - 364-6633

REXBURG, IDAHO 83440

CUSTOMER'S ORDER NO.	PHONE NO.	DATE					
SOLD TO	<i>Grandy</i>						
ADDRESS							
CITY							
SOLD BY	CASH	C.O.D.	CHARGE	ON ACCT.	MDSR. RETD.	PAID-OUT	
QUANTITY	DESCRIPTION					PRICE	AMOUNT
630	5" Used Mainline w/ D.E. 90' feet					567.00	
2	Used Green Lateral's						
676/feet	1/4 U.O. R.B. + D.E. 1300' / 80' line 33/875					1750.00	
1	Used Pump					600.00	
	Lining					50.00	
	Installation					50.00	
						\$3017.00	
						TAX	
						TOTAL	
02676	Thank You.						

In case of claims of returned goods, please present this bill.

Form 1040-2

33169

2270 Hollywood Ave.
Salt Lake City, Utah 84108
Oct. 12, 1968

Marshall D. Orr
Assistant Manager
Gem State Irrigation, Inc.
Box 73- South Yellowstone Highway
Rexburg, Idaho

Dear Mr. Orr:

In July of 1968, my son, Gary and I checked with you regarding some pipe and a pump for a sprinkling system. At that time you listed as a bid some used good Green 4" lateral pipe w/V.O. R.B. & D.E. and quoted a price of 67¢/ft. delivered to our ranch at Victor, Idaho. You indicated we could purchase all or any part of the pipe you had on hand.

If you still have some of this sprinkling pipe we would like to buy 700 ft. of it at present and have it delivered to our ranch at Victor.

If you still have it for sale, please write up a bill of sale or contract and mail to me and I will mail you a check for \$100.00 and pay the balance when it is delivered and checked.

My son will be in Victor and at the ranch on Nov. 8th and 9th. If it could be delivered one of those days, he could check with you then. He will be either at the ranch or Wendell Gillette's home in Victor. Wendell Gillette's home is on the highway just as you enter Victor. There is a sign on his shop by his home that says "Gillette's Rock Shop." The ranch is 2½ miles southwest of Victor along a county road. I have enclosed a diagram showing how to get to the ranch. The pipe should be stacked in the field just north of a shed that is to the north of the barn.

I would appreciate an early reply. If you have the pipe let me know if you will be able to deliver it Nov. 8th or 9th.

Sincerely yours,

Weldon E. Grandy
Weldon E. Grandy

33169

September 26, 1966

Re: Permit No. 33169

Weldon E. Grandy
2270 Hollywood Avenue
Salt Lake City, Utah 84003

Dear Mr. Grandy:

We enclose Permit No. 33169 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. 33404 which was issued covering payment in the amount of \$5.00 for the filing fee of the above mentioned permit.

Very truly yours,

Enc. permit, receipt

MRB:ejw

M. RUSSELL BOSCH
Office Manager

33169

2270 Hollywood Ave.
Salt Lake City, Utah
Sept. 7, 1966

33169

State Reclamation Engineer
State Dept. of Reclamation
Room 107, State House
Boise, Idaho 83701

RECEIVED
SEP 9 1966
Department of Reclamation

Dear Sir:

My son and I should like to file an application for .7 second foot of water right to be used for irrigation on our property in Teton County, Idaho.

I have enclosed the application for the Permit, two maps, and a check in the amount of \$5.00 for filing fee.

Sincerely yours,

Weldon E. Grandy
Weldon E. Grandy

33169