

Meridale

Rge. 41E

Trwp. 6N.

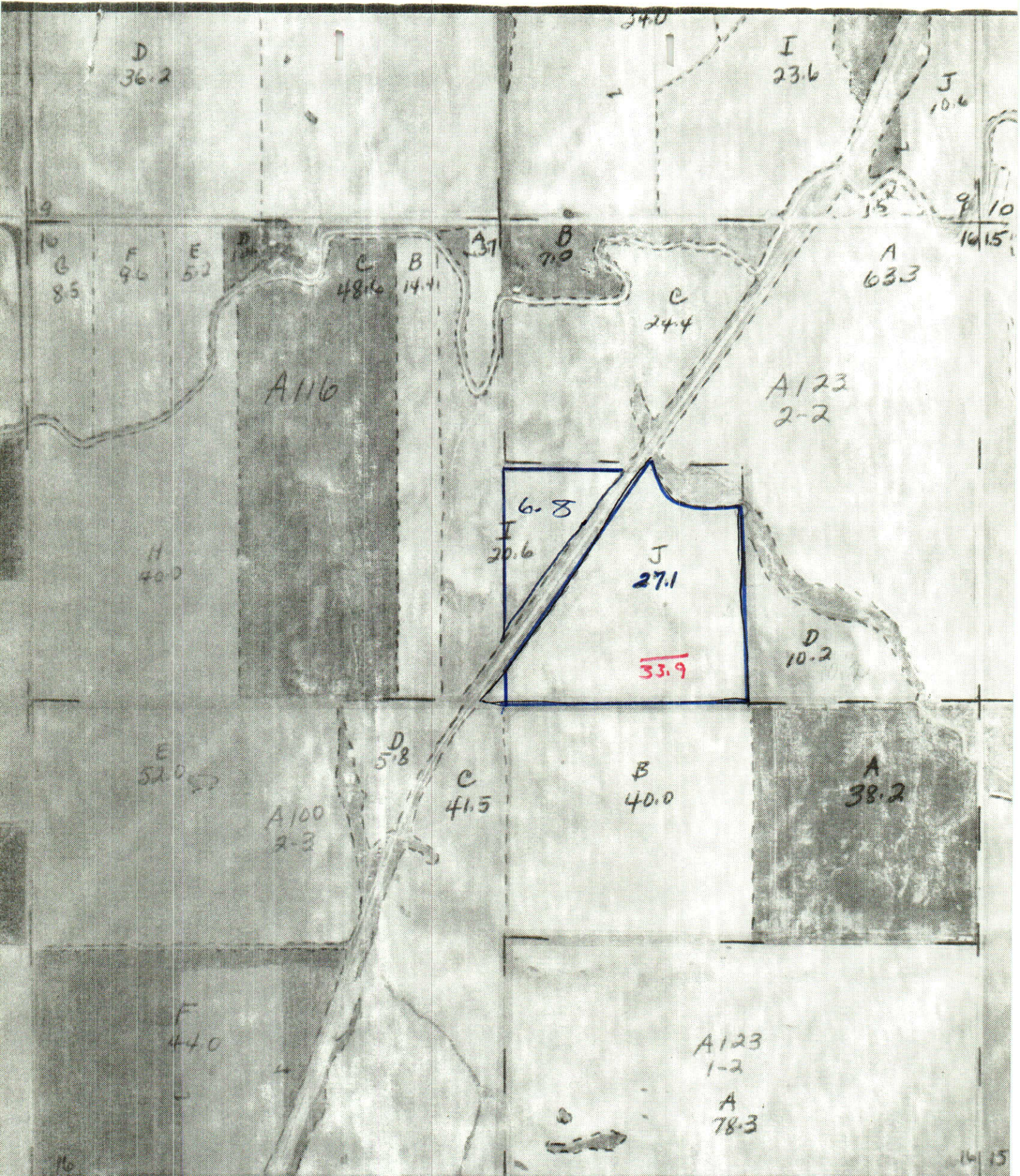
PD



33.9

Area = 10^{6.8}
Sub = 1
Q = ^{.136}_{.2}
VOL = 4 Acft/season
Priority = August 15, 1966

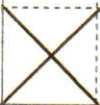
Q measured 1.49 1.50
Q recommended .542 .678
Volume 94.8 Ac ft/Sec
Acreage = 27.1 33.9
Found 27.1 33.9
recommended 27.1 33.9
Subdv. 1
Amendments
☒ None
☐ P.D.
☐ Place of use
☐



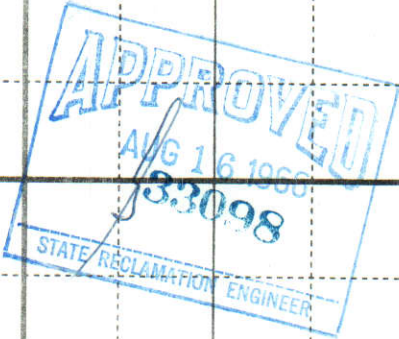
NAME OF APPLICANT Arden R. Stewart & Roy Stewart

Form No. 0

Well x



Sec. 16, Twp. 6 N., R. 41, E.B.M.



The REXBURG STANDARD and
The REXBURG JOURNAL
REXBURG, IDAHO

Affidavit of Publication

STATE OF IDAHO }
County of Madison } ss.

I, Annette Porter,
being first duly sworn, depose and say,
that I am the printer of THE REXBURG

Standard, a newspaper printed and
published weekly at Rexburg, Madison
County, Idaho; and I do solemnly swear
that the

Notice of Proof of Completion
of Works and Application of
Water to Beneficial Use

a copy of which notice appears attached
hereto, was published in the regular and
entire issue of said newspaper, and not in

any supplement issue thereof for four
consecutive issues, the first publication hav-

ing been made on October 11, 1966,
and the last publication having been made

on November 1, 1966.

Further, that said newspaper is one of
general circulation in said county; that it
is a legal newspaper, conforming to legal
specifications under the Idaho Statutes; that
it has at least two hundred bona fide sub-
scribers living within the county of publica-
tion; and that it has been continuously and
uninterruptedly published in said county dur-
a period of seventy-eight consecutive weeks
prior to the first publication of the said not-
ice.

Annette Porter

Subscribed to and sworn to before me

this 1st day of November, 1966.

John C. Porter
Notary Public.

(SEAL)

My commission expires 6-5-68

RECEIVED
NOV 16 1966
Department of Reclamation

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

Notice is hereby given that
on the 8th day of November
1966, at Rexburg, County of
Madison, State of Idaho before
Ray W. Rigby, Notary Public,
at 25 North Second East, proof
will be submitted of the com-
pletion of works for the diver-
sion of .8 cubic feet per se-
cond of underground water from
a well, and of the application
to beneficial use of said water,
in accordance with the terms
and conditions of Permit No.
G-33098, heretofore issued by
the Department of Reclamation
of the State of Idaho.

1. The name and postoffice
address of the person or corpor-
ation holding said permit is Ar-
den R. Stewart & Roy Stewart,
Teton City, Idaho.

2. Said works of diversion will
be fully completed on the date
for such completion, and the
amount of water which said
works are capable of conveying
to the place of use is .8 cubic
feet per second.

3. The use to which said wa-

ter has been applied is irriga-
tion, purposes and the amount
applied to beneficial use is .8
cubic feet per second.

4. The point of diversion of
said water is SW 1/4 NW 1/4 of Sec.
16, Twp. 6 N., R. 41, E.B.M.,
Madison County, Idaho.

5. The place where said water
is used is SW 1/4 NE 1/4 of Sec.
16, Twp. 6 N., R. 41, E.B.M.

6. The date of priority which
said user is prepared to estab-
lish is August 15, 1966.

R. KEITH HIGGINSON
State Reclamation Engineer
(Publ. Oct. 11, 18, 25, Nov. 1,
1966)

33098

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 33098/22-2277 Priority August 15, 1966 Amount 0.68 cfs

THIS IS TO CERTIFY, that Arden R. Stewart & Roy Stewart
of Teton City, Idaho, have, ~~has~~ complied with the terms and conditions of Permit
No. 33098/22-2277 issued pursuant to Application for Permit dated August 15, 1966,
and has submitted proof to the Department of Water Administration on November 8, 1966,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 1.5 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:
Amount 0.68 cfs for irrigation from April 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 0.68 cfs of water be diverted at
any one time, said waters to be diverted within the _____

SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 16, Twp. 6 N, Rge. 41 E, B. M.

in the county of Madison; 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 118.6 acre feet per year or _____
3.5 acre feet per acre.

Description and location of place of use:

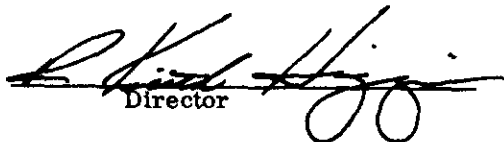
TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
6 N	41 E	16			33.9														33.9

Total number of acres irrigated 33.9

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 9 day of

March, 19 72.


Director

22 2277

✓ 33098
8.0.

22-2317

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 41299
Permit No. G- 33098
District No.

1. Name of Applicant: Arden R. Stewart and Roy Stewart
Postoffice address: Teton City County: Fremont State: Idaho
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second .8 or Idaho
Miners' inches or gallons per minute
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 16
Twp. 6 N , Rge. 41 E , B.M., County of Madison
5. Water is to be used for: irrigation
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: electric pump, with mainline, sprinklers and laterals
8. Estimated cost of works: \$ 5,000.00
9. (a) Is reservoir to be used? no
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is
years. 5
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: none
 - (a) - (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) .8 (cubic feet per second, inches or gallons per minute) is for new lands.

LICENSE ISSUED FOR 0.68 SEC. FT.
 LICENSE PAGE NO. _____

Address all communications to:

Arden R. Stewart

P. O. Teton City, Idaho

APPLICATION FOR PERMIT

TO APPROPRIATE THE SUBTERRANEAN WATERS OF THE STATE OF IDAHO

Application No. G. 41297

Permit No. G. 33098

Water District No.

RECEIVED
JUN 15 1966
Department of Reclamation

1. Name of applicant: Arden R. Stewart & Roy Stewart

Post office address Teton City County Fremont State Idaho

2. Quantity of water claimed: .8 cfs

3. Source of water supply: Subterranean

4. Location of point of diversion or well is in the SW 1/4 of the NW 1/4 of Section 16

Twp. 6 N., Rge. 41 E., B.M., County of Madison

5. Water is to be used for: irrigation

6. If for domestic, municipal, industrial or recreational purposes give:

(a) Point of use of water is in the 1/4 of the 1/4 of Section

Twp., Rge., B.M.

(b) Waste water or sewage effluent is to be returned to

at a point in the 1/4 of the 1/4 of Section, Twp., Rge., B.M.

7. Kind of Works: electric pump, with mainline, sprinklers & laterals

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

9. (a) Is reservoir to be used? No

(b) Capacity of reservoir:

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

5 years.

11. If applicant is a corporation, give:

I. (a) Date and place of incorporation:

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

(d) Names and addresses of directors:

33098

Remarks: This land will be irrigated from the same well

as is described in Permit No. G-30198 in the name of

Roy Stewart.

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.

Arden A. Stewart

Roy Stewart

Applicant

By _____, Agent

33098

Approval of State Reclamation Engineer

The number of this permit is 33098

Recorded in Book 115 Page 33098 Approved AUG 10 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 before _____

One-fifth of the work above specified to be completed on or before February 15, 1969

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before August 15, 1971

Witness my hand this 16th day of August, 19 66

R. Keith Higgins
Deputy 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 16th day of August, 19 66

Countersigned:

By

Louis E. Clapp
Secretary of State

STATE OF IDAHO

By

Robert E. Smyllie
Governor

No. 33098

PERMIT

Date of first receipt at office of State Reclamation Engineer

August 15, 1966 3:00 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

33098

March 10, 1972

Re: Permit No. 33098/22-2277

Arden R. & Roy Stewart
Teton City,
Idaho 83451

Gentlemen:

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

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

Enc: Licence

cc: Eastern District Office

22 2277

February 24, 1972

Re: Permit No. 33098/22-2277

Arden R. & Roy Stewart
Teton City,
Idaho 83451

Gentlemen:

Upon a further examination and evaluation of an aerial photograph of your property, as requested in recent correspondence from Gordon S. Thatcher, it appears that the portion within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ west of the railroad track was omitted from the acreage proposed on your license in connection with the above referenced permit. Therefore, a license is now proposed as follows:

Amount of water that can be recognized as beneficially used under
Idaho law: 0.68 cfs

The maximum quantity of water diverted shall not exceed 118.6 acre
feet per year.

Beneficial use: Irrigation of 33.9 acres within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 16,
Twp. 6 N, Rge. 41 E, B.M.

Point of diversion: SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 16, Twp. 6 N, Rge. 41 E, B.M.

Date of priority: August 15, 1966

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

Enclosed is departmental receipt No. 8073 in the amount of \$7.00 covering the licensing fee.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

Enc: Receipt #8073

cc: Gordon S. Thatcher

bc: Eastern District Office

22 2277

RIGBY & THATCHER
ATTORNEYS AT LAW
25 NORTH SECOND EAST
P. O. BOX 437
REXBURG, IDAHO 83440

RECEIVED

FEB 17 1972

RAY W. RIGBY
GORDON S. THATCHER
G. RICH ANDRUS

Department of Water Administration
356-3633
AREA CODE 208

State of Idaho
Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

Re: Permit No. 22-2277 - Arden R. and Roy Stewart
License No. 22-2215 - Roy Stewart

ATTENTION: James Booker

Dear Mr. Booker:

Your letter of February 11, 1972, clarifies and solves the major problem we had had in this.

However, one discrepancy remains. You have approved Arden Stewart's permit for only 27.1 acres. The 27.1 acres includes only that property which is east of the railroad. There is also approximately 7 or 8 acres west of the railroad which is irrigated under this same permit and should be included in the license. He owns the entire 40 acres on which the 27.1 acres is located, and the additional acreage should also be included. Since your letter of January 18, 1972, requested payment of the \$7.00 fee within 30 days we enclose Mr. Stewart's check in that amount herewith. However, we do request the allowance of the additional acreage and of the additional water based upon the additional acreage.

Thank you very much.

Yours very truly,


of RIGBY & THATCHER

GST/bw

Enclosure - check

22-2277

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

February 11, 1972

Re: Permit No. 22-2277 Arden R. Stewart and Roy Stewart
License No. 22-2215 - Roy Stewart

Rigby & Thatcher
Attorneys at Law
P. O. Box 437
Rexburg, Idaho 83440

ATTENTION: Gordon S. Thatcher

Dear Mr. Thatcher:

Pursuant to your letter of February 4, 1972, we have researched our records and have found the following information:

License No. 22-2215 was issued for the irrigation of 120 acres in the NW $\frac{1}{4}$ of Sec. 16, T. 6N, R. 41E, B.M. The priority for this license is September 18, 1961.

Permit No. 22-2277 is presently acceptable for licensing upon receipt of the \$7.00 fee requested in our letter of January 18, 1972. It will be issued for .54 c.f.s. covering 27.1 acres. The priority under this permit is August 15, 1966.

The license on Permit No. 22-2277 can be issued as there is no conflict between it and License No. 22-2215. The total amount beneficially used on these two uses cannot exceed 1.50 c.f.s. when combined. We are assuming that these two systems are both supplied by the same well.

If we can be of further assistance in this matter, please feel free to contact this Department.

Very truly yours,

James Booker
Appropriation Examiner

JB/bb

22 2277

RIGBY & THATCHER
ATTORNEYS AT LAW
25 NORTH SECOND EAST
P. O. BOX 437
REXBURG, IDAHO 83440

RAY W. RIGBY
GORDON S. THATCHER
G. MICHAEL ANDRUS

February 4, 1972

TELEPHONE
350-3033
AREA CODE 208

Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

Re: Permit No. 22-2277 - Arden R. and Roy Stewart

Gentlemen:

Thank you for the materials which you sent to me with your January 28, 1972 *letter*.

Thereafter the Stewarts brought to me some additional material. It appears that two applications were filed pertaining to the same well. One is the above referenced application filed under Permit No. G-33098. The other is an earlier application, by Roy Stewart, under Permit No. G-30198. I believe that proof was submitted on both applications. *22-2277*

Your letter of January 18, 1972, indicated 1.5 cubic feet per second being diverted, and the maximum amount that could be recognized as 0.54 cfs.

Would you please check the file on the earlier permit, and see if with the two permits together, for the same well, that the amount diverted would not be in excess of that which could be recognized.

Please advise.

Yours very truly,


of RIGBY & THATCHER

GST/bw

22 2277

January 28, 1972

Re: Permit No. 22-2277 - Arden R. and Roy Stewart

RIGBY & THATCHER
Attorneys at Law
Post Office Box #437
25 N 2 E
Rexburg, Idaho 83440

ATTENTION: Gordon S. Thatcher

Dear Mr. Thatcher:

Pursuant to the request of Senator Rigby in our telephone conversation of January 27, 1972, please find enclosed a copy of the above referenced permit. Also enclosed, please find a copy of the fee letter and examination report with map, all in connection with the above referenced permit.

If we may be of any further assistance to you in this, or any other matter, please do not hesitate to contact this Department.

Sincerely,

Bobby D. Fleenor
Assistant Director

BDF:CS

Enc: referenced copies

January 18, 1972

Arden R. & Roy Stewart
Teton City,
Idaho 83451

Gentlemen:

A representative of this Department has made an examination of the works covered by your Permit No. 33098/22-2277 and has found the following:

Quantity of water diverted: 1.5 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 0.54 cfs

The maximum quantity of water diverted shall not exceed 94.9 acre feet per year.

Beneficial use: Irrigation of 27.1 acres within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 16, Twp. 6N, Rge. 41E, B.M.

Point of diversion: SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 16, Twp. 6N, Rge. 41E, B.M.

The priority date established is: August 15, 1966

A fee totaling \$7.00 must be received within 30 days from the date of this letter in order that we can issue you a Water License as set forth in this letter.

Our field examination also indicates that your rate of diversion exceeds that authorized by your permit. Unless you have another valid permit for other grounds to be irrigated from this same well or other beneficial uses of this water, you must reduce your rate of diversion to that allowed by law. If you have any questions regarding this matter, please contact us.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

22 2277

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

Permit No. G-33098/22-2277

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

1. Name of applicant Arden R. and Roy Stewart

2. Source of water supply: subterranean

3. Location of point of diversion: Is in the SW 1/4 of Section 16
T. 6 N R. 41 E County of Madison

4. Describe works as they exist, giving dimensions and capacities of same:

Holloshaft motor 75 HP Ser. # 1270037
Peerless Pump Ser. # 197497
8" Discharge into sprinkler system

5. Water is used for: Irrigation

6. State whether or not water has been turned into works of diversion: _____

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

SW 1/4, Sec. 16, T. 6 N, R. 41 E, B.M. (40 acres)

Serial Photo Shows ~~33.9~~ 33.9 Acres irrigated
Booke 20 Aug 70

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

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

Remarks: _____

(120002)(5.6 gpm) = 1.4973262
448.8

Allow - 2 cfs
136 cfs
23.80 acre ft

This examination was made on the 13 day of July, 1969

18 Aug 70 James Booke P.M.
Examiner.

PLAT

INSTRUCTIONS TO EXAMINERS

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

22 2277

3.5
6.5
23.50

Arden R. and Roy Stewart
Teton City, Idaho 16" 400'
sprinkler system H - 160'
G-33098 / 22-2277
Permit No.

Examination for Completion of Works & Beneficial Use

County Madison

Quantity: 0.8 c.f.s. Sec. 16 T. 6N R. 41E

Source: subterranean

P.D.: SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 16, T. 6 N, R. 41 E, B.M.

Use: irrigation

Extension:

Protest:

Completion of Works:

Other Rights:

Filed: August 15, 1966

Due: August 16, 1971

Made: November 8, 1966

Priority: August 15, 1966

6/11

6/11

PD

27.1

33.9

Area = 10.6.8

Sub = 1

Q = 1.36

VOL = 4.136

Priority = August 15, 1966

Q measured 1.19 1.50

Q recommended .33.9

Volume 94.8 AC 14/504

Acreage = 27.1 33.9

Found 27.1 33.9

recommended 27.1 33.9

Subdv. 1

Amendments

☒ None

☐ P.D.

☐ Place of use

☐

Form 23
2M-4-65

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. G-33098/22-2277

REPORT ON PROOF OF Completion of Works & Beneficial Use

6.84
1.1

22 2277

D
36.2

I
23.6

J
10.6

9/10
14/15

F
9.6

E
5.2

B
14.4

A
63.3

C
24.4

A123
2-2

6.8

I
20.6

J
27.1

33.9

D
10.2

D
5.8

C
41.5

B
40.0

A123
1-2

A
78.3

22 2277

October 29, 1969

Re: Permit No. 33098/22-2277

Arden R. Stewart
Teton City,
Idaho 83451

Dear Mr. Stewart:

After reviewing your letter and permit, be informed that a re-examination will be conducted during the 1970 irrigation season to be sure the examiner did not over look some of the land irrigated.

We are returning your check and another fee letter will be sent to you after the re-examination. If you have any further questions, please feel free to contact this office.

Very truly yours,

Dean R. Reynolds
Field Examiner

DRR:MH

33098/22-2277

October 25, 1969

Dear Sirs:

After examining a description of the permit issued to me no. 33098/25-2277 I would like to call your attention to the following items.

The amount irrigated should be about 36 acres instead of 6.8 acres that you have listed.

You have 23.8 acre feet per season as the amount diverted for this purpose. I am not aware of the correct amount here but I am sure that it would be more than 23.8 acre feet.

Everything else on the permit appears to be correct as far as I can tell.

Would you please check this permit and see if these items can be corrected?

Thank you very much.

Sincerely,
Arden Stewart

Dr. J. H. ...

22-2277
33098

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

October 21, 1969

RECEIVED

Department of Reclamation

Re: Permit No. 33098/22-2277

Arden R. & Roy Stewart
Teton City,
Idaho 83451

Dear Mr. Stewart:

A representative of this department has made an examination of the works covered by your Permit 22-2277 and has found the following:

Quantity of water diverted: 1.49 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho law: .136 c.f.s.

The maximum quantity diverted shall not exceed 23.8 acre feet per season.

Beneficial Use: for irrigation of 6.8 acres in SWANEX, Sec. 16,
T. 6N, R. 41E, B.M.

The priority date established is: August 15, 1966

A fee totaling \$ 7.00 must be received within 30 days from the date of this letter in order that we can issue you the Water License as described above.

Very truly yours,

A handwritten signature in cursive script that reads "Dean R. Reynolds".

Dean R. Reynolds
Field Examiner

DRR:mb

33098/22-2277

October 21, 1969

Re: Permit No. 33098/22-2277

Arden R. & Roy Stewart
Teton City,
Idaho 83451

Dear Mr. Stewart:

A representative of this department has made an examination of the works covered by your Permit 22-2277 and has found the following:

Quantity of water diverted: 1.49 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho law: .136 c.f.s.

The maximum quantity diverted shall not exceed 23.8 acre feet per season.

Beneficial Use: for irrigation of 6.8 acres in SW1/4 Sec. 16,
T. 6N, R. 41E, B.M.

The priority date established is: August 15, 1966

A fee totaling \$ 7.00 must be received within 30 days from the date of this letter in order that we can issue you the Water License as described above.

Very truly yours,

Dean R. Reynolds
Field Examiner

DRR:mh

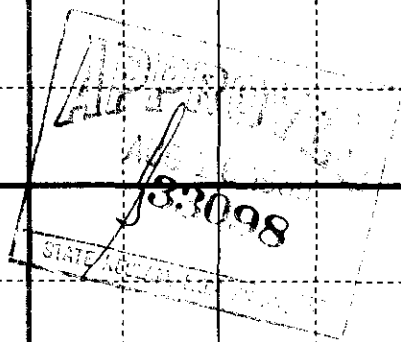
22-2277
33098

NAME OF APPLICANT. Arden R Stewart & Roy Stewart

Form No. 0

Well x

Sec. 16, Twp. 6 N., R. 41, E.B.M.



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

33098

H. J. Schenck
XXXXXXXXXX

November 18, 1966

Re: Permit No. G-33098

Arden E. and Roy Stewart
Teton, City, Idaho

Gentlemen:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the Rexburg Standard all submitted in proof of completion of works and beneficial use on Permit No. G-33098.

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

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

Very truly yours,

M. Russell Bosch
Office Manager

MRB:nw

33098

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho
Permit No. G-33098

NOV 16 1966
Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and ~~Completion of Works~~

DEPOSITION OF HOLDER

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

Arden R. Stewart and Roy Stewart, Teton City, Idaho, farmers, P. O.
Address: Teton City, Idaho.

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

Ques. 3. State number, approval date of permit, and date of priority: _____

Permit No. G-33098, approved August 16, 1966, date of priority is August / 16, 1966.

Ques. 4. State source of water supply: Subterranean
Give location of point of diversion, showing subdivision, section, township and range
SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 16, Twp. 6 N., R. 41, E.B.M., Madison County, Idaho.

Ques. 5. Describe your works of diversion: well, with pump, mainline, laterals
and sprinklers; state amount of water they are capable of con-
veying from point of diversion to place of use: .8 cfs/ on this permit; Give name of canal or ditch
or other works by which water is conducted to such place of use: None

62' of 16" casing; if a well, state depth of well 400'; depth and size of
casing 322' of 12" casing; depth to water 160'; if pump is used,
state discharge of pump: .8 cfs/ on this permit; tell how it was measured or determined
well driller's test.; if sprinkler irrigation, give number and size
of nozzles and operating pressure: 60 lbs.

Ques. 6. State for what purpose water is used: irrigation
(If for irrigation, name each subdivision in which used and number of acres in
each subdivision that have actually been irrigated with said water:

SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 16, Twp. 6 N., R. 41, E.B.M. (40) acres

33098

State nature of all improvements which have been made as a direct result of said use:

Character of land has been improved, and produces better crops.

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: Andrews Well Drilling, Idaho Falls, Idaho.

Ques. 7. If for other than irrigation purposes, show full legal description of place of use and state purpose for which water is used:

Ques. 8: If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder:

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: Spring, 1965 - Time used since first use:

Each irrigation season since that time.

Ques. 10. Describe all other water rights appurtenant to same place of use: _____

None

(sign)

Arden B. Stewart
Roy Stewart

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

Rexburg, County of Madison

State of Idaho, on this 8th day of November, A. D. 1966.

My commission expires: 1-26-67

Ray W. Rigby
Notary Public for Idaho
Residing at Rexburg, Idaho

33098

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho
Permit No. G-33098

RECEIVED
NOV 16 1966
Department of Reclamation

* * * * *

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

DEPOSITION OF WITNESS

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

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

T. Kay Baker, age 32, 265 E. 2nd N., Rexburg, Idaho, farmer, P. O.

Address: 265 E. 2nd N., Rexburg, Idaho.

Ques. 2 Are you acquainted with Arden R. & Roy Stewart, the holder of
Permit No. G-33098? How long have you known him and where does he reside?

Yes, I've known them both all my life, and they reside at Teton, Idaho.

Ques. 3. Have you read or heard said Permit No. G-33098 read, and are you familiar
with its provisions and conditions: Yes X No.

Ques. 4. State source of water supply: Subterranean

Give location of place of diversion, showing subdivision, section, township and range
SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 16, Twp. 6 N., R. 41, E.B.M., Madison County, Idaho.

Describe works for conveying water to place of use: Well, with pump, mainline,
laterals and sprinklers.

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: .8 cfs on this permit How much water have you seen being so
conveyed? .8 cfs

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:

SW $\frac{1}{4}$ NE $\frac{1}{4}$ (40) of Sec. 16, Twp. 6 N., R. 41, E.B.M.

33098

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

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

Land has been converted from dry farm land to irrigated land,
and requires at least .8 cfs for profitable cultivation.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned?
If so, in what way and to what extent? No

Ques. 10. When did you first see this water used? Spring, 1965.
Other times you have seen such use: Irrigation season 1966.

(Signed):

Thomas H. Baker

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in

Rexburg, County of Madison, State of Idaho, on
this 8th day of November, A. D. 19 66.

Lay W. Ligby
Notary Public for the State of Idaho
Residing Rexburg, Idaho

My commission expires 1-26-67

33098

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G-33098

RECEIVED
NOV 16 1966
Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and Completion of Works

DEPOSITION OF WITNESS

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

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

E. H. Quirl, age 68, Teton City, Idaho, retired farmer, Box 71, Teton City, Idaho.

Ques. 2 Are you acquainted with Arden R. & Roy Stewart, the holder of Permit No. G-33098? How long have you known him and where does he reside?

Yes, I've known Roy 40 years and Arden all his lifetime, and they both reside at Teton City, Idaho.

Ques. 3. Have you read or heard said Permit No. G-33098 read, and are you familiar with its provisions and conditions: Yes x No.

Ques. 4. State source of water supply: Subterranean

Give location of place of diversion, showing subdivision, section, township and range
SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 16, Twp. 6 N., R. 41, E.B.M., Madison County, Idaho.

Describe works for conveying water to place of use: Well, with pump, mainline, laterals and sprinklers.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: .8cfs on this permit How much water have you seen being so conveyed? .8 cfs

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving full legal description:

SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 16, Twp. 6 N., R. 41, E.B.M. (40 acres)

33098

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.
Land has been reclaimed from dry farm land to irrigated land and produces better crops; requires at least .8cfs for profitable irrigation.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned?
If so, in what way and to what extent? No

Ques. 10. When did you first see this water used? Spring, 1965
Other times you have seen such use: Irrigation season 1966.

(Signed):

E. H. Quirk

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in

Rexburg, County of Madison, State of Idaho, on this 8th day of November, A. D. 1966

Lay W. Luby
Notary Public for the State of Idaho
Residing Rexburg, Idaho

My commission expires 1-26-67

33098

**The REXBURG STANDARD and
The REXBURG JOURNAL**
REXBURG, IDAHO

§

Affidavit of Publication

STATE OF IDAHO }
County of Madison } ss.

I, Marion Porter
being first duly sworn, depose and say,
that I am the printer of THE REXBURG

Standard, a newspaper printed and
published weekly at Rexburg, Madison
County, Idaho; and I do solemnly swear
that the

notice of proof of completion
of works and application of
water for beneficial use

a copy of which notice appears attached
hereto, was published in the regular and
entire issue of said newspaper, and not in

any supplement issue thereof for four
consecutive issues, the first publication hav-

ing been made on October 11, 1966,
and the last publication having been made

on November 1, 1966.

Further, that said newspaper is one of
general circulation in said county; that it
is a legal newspaper, conforming to legal
specifications under the Idaho Statutes; that
it has at least two hundred bona fide sub-
scribers living within the county of publica-
tion; and that it has been continuously and
uninterruptedly published in said county dur-
a period of seventy-eight consecutive weeks
prior to the first publication of the said not-
ice.

Marion Porter

~~~~~

Subscribed to and sworn to before me

this 1st of November, 1966.

John C. Porter  
Notary Public.

(SEAL)

My commission expires 1-1-68

RECEIVED  
NOV 16 1966  
Department of Reclamation

ter has been applied in irriga-  
tion, purposes and the amount  
applied to beneficial use is 5  
cubic feet per second.  
4. The point of application of  
said water is Section 14 of Twp.  
16, Twp. 6 N., R. 20 E.,  
Madison County, Idaho.  
5. The place where said water  
is used is Section 14 of Twp.  
16, Twp. 6 N., R. 20 E.,  
Madison County, Idaho.  
6. The date of publication of  
said notice is September 1, 1966.  
R. KEITH HIGGINS  
State Reclamation Engineer  
Oct. 11, 1966 Nov. 1, 1966

Notice is hereby given that on the 1st day of November 1966, the Reclamation Engineer of Madison County, Idaho, has received from Ray H. Higgins, a notice of completion of works and application of water for beneficial use in connection with the construction of a canal in the county of underpinned water from the main canal of the Reclamation Engineer of Madison County, Idaho, and the terms and conditions of said No. 1 canal are as follows: No. 1 canal is a gravity canal by which water is conveyed from the main canal of the Reclamation Engineer of Madison County, Idaho, to the place of application of said water for beneficial use. 1. The Reclamation Engineer of Madison County, Idaho, has the right to inspect and to cause to be inspected the works at any time and from time to time to the place of application of said water for beneficial use. 3. The canal to which said wa-

33098

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

RAY W. RIGBY  
GORDON S. THATCHER

November 15, 1966

TELEPHONE  
356-3633  
AREA CODE 208

RECEIVED  
NOV 16 1966

Department of Reclamation

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

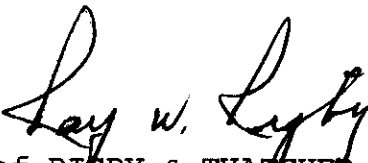
Re: Permit No. G-33098  
Arden R. Stewart & Roy Stewart

Dear Mr. Higginson:

I enclose herewith Deposition of Holders and Depositions of Two Witnesses concerning the above numbered permit and the application of water to beneficial use by the holders. Also, enclosed is Affidavit of Publication.

If you need anything further to complete this submission of proof, please advise.

Yours very truly,

  
of RIGBY & THATCHER

ss  
Enclosures

33098

September 27, 1966

Re: Permit No. G-33098

Arden R. Stewart & Roy Stewart  
Teton City, Idaho

Gentlemen:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. G-33098. The proofs are to be made at 11 o'clock, on the 8th day of November, 1966. before Ray W. Rigby Notary Public.

As of this date, we have mailed the Notice to the Rosburg Journal, with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof then mail the Affidavit of Publication and statement of costs to you.

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

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

Very truly yours,

M. Russell Bosch  
Office Manager

Encl.

cc: Notary

MRB:rw

33098

checked with  
off. 12-13 66  
nw

September 27, 1966

Re: Permit No. G-33098

Rexburg Journal  
Rexburg, Idaho

Gentlemen:

Enclosed you will find a legal notice which we wish to have published for four consecutive weeks prior to November 8, 1966. The expense of the publication is to be paid by Arden R. Stewart of Teton City, Idaho to whom you should furnish proof of publication on or prior to the above date.

Please acknowledge receipt of this notice and furnish this office with a copy or tear sheet of the notice for checking at least one week prior to the first publication.

Very truly yours,

~~XXXXXXXXXXXX~~

State Reclamation Engineer

RKH:nw

33098

RECEIVED  
SEP 27 1966

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

Notice is hereby given that at 10 A. M., on the 8th day of November  
1966, at Rexburg, County of Madison, State of Idaho  
before Ray W. Rigby, Notary Public, at (address) 25 North  
Second East, proof will be submitted of the completion  
of works for the diversion of .8 cubic feet per second of underground water from a  
well, and of the application to beneficial use of said water, in accordance with the  
terms and conditions of Permit No. G-33098, heretofore issued by the Department of  
Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit  
is Arden R. Stewart & Roy Stewart, Teton City, Idaho.

2. Said works of diversion will be fully completed on the date for such completion,  
and the amount of water which said works are capable of conveying to the place of  
use is .8 cubic feet per second.

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

4. The point of diversion of said water is SW $\frac{1}{4}$ NW $\frac{1}{4}$  of Sec. 16,  
Twp. 6 N., R. 41, E.B.M., Madison County, Idaho.

5. The place where said water is used is SW $\frac{1}{4}$ NE $\frac{1}{4}$  of Sec. 16, Twp. 6 N., R.  
41, E.B.M.

6. The date of priority which said user is prepared to establish is August 15,  
1966.

State Reclamation Engineer

33098

RECEIVED  
SEP 27 1966

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) September 26, 1966

(P. O.) Teton City, Idaho

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published  
at my expense in the Rexburg Journal of  
Rexburg, Idaho, published in the  
county in which the works are situated.

Arden R. Stewart

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

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

\_\_\_\_\_  
Engineer

33098

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

RAY W. RIGBY  
GORDON S. THATCHER

September 26, 1966

RECEIVED  
SEP 27 1966

TELEPHONE  
356-3633  
AREA CODE 208

Department of Reclamation

State Department of Reclamation  
State House  
Boise, Idaho

Re: Permit No. G-33098  
Arden R. Stewart and Roy Stewart

Gentlemen:

I enclose herewith Form No. 11, Notice, together with two copies of Form No. 36, Notice of Proof of Completion of Works and Application of Water to Beneficial Use in the above entitled matter. Please send forms for depositions of holder and witnesses to this office. Thank you.

Yours very truly,

*Ray W. Rigby*  
of RIGBY & THATCHER

ss  
Enclosures

33098

August 30, 1966

Re: Permit No. G-33098

Arden R. Stewart  
Teton City, Idaho

Gentlemen:

We enclose Permit No. **G-33098** 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. **G-10734** 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**

**M. RUSSELL BOSCH**  
Office Manager

**MRB:ejw**

33098

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

RAY W. RIGBY  
GORDON S. THATCHER

August 11, 1966

TELEPHONE  
356-3633  
AREA CODE 208

33098

RECEIVED  
AUG 15 1966

Department of Reclamation

The Honorable Carl E. Tappan  
State Reclamation Engineer  
State House  
Boise, Idaho

Re: Application for Permit  
Arden R. Stewart & Roy Stewart

Dear Mr. Tappan:

I enclose herewith Application for Permit for the above mentioned persons, together with our check for \$5.00 to cover the filing fee. Please return the approved Application to this office.

Yours very truly,

*Ray W. Rigby*  
of RIGBY & THATCHER

SS  
Enclosures 2

33098