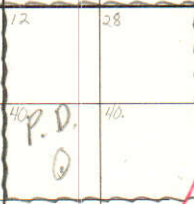


Pgc. 41E

← To Rexburg

Twp. 6 N.



120 Acres

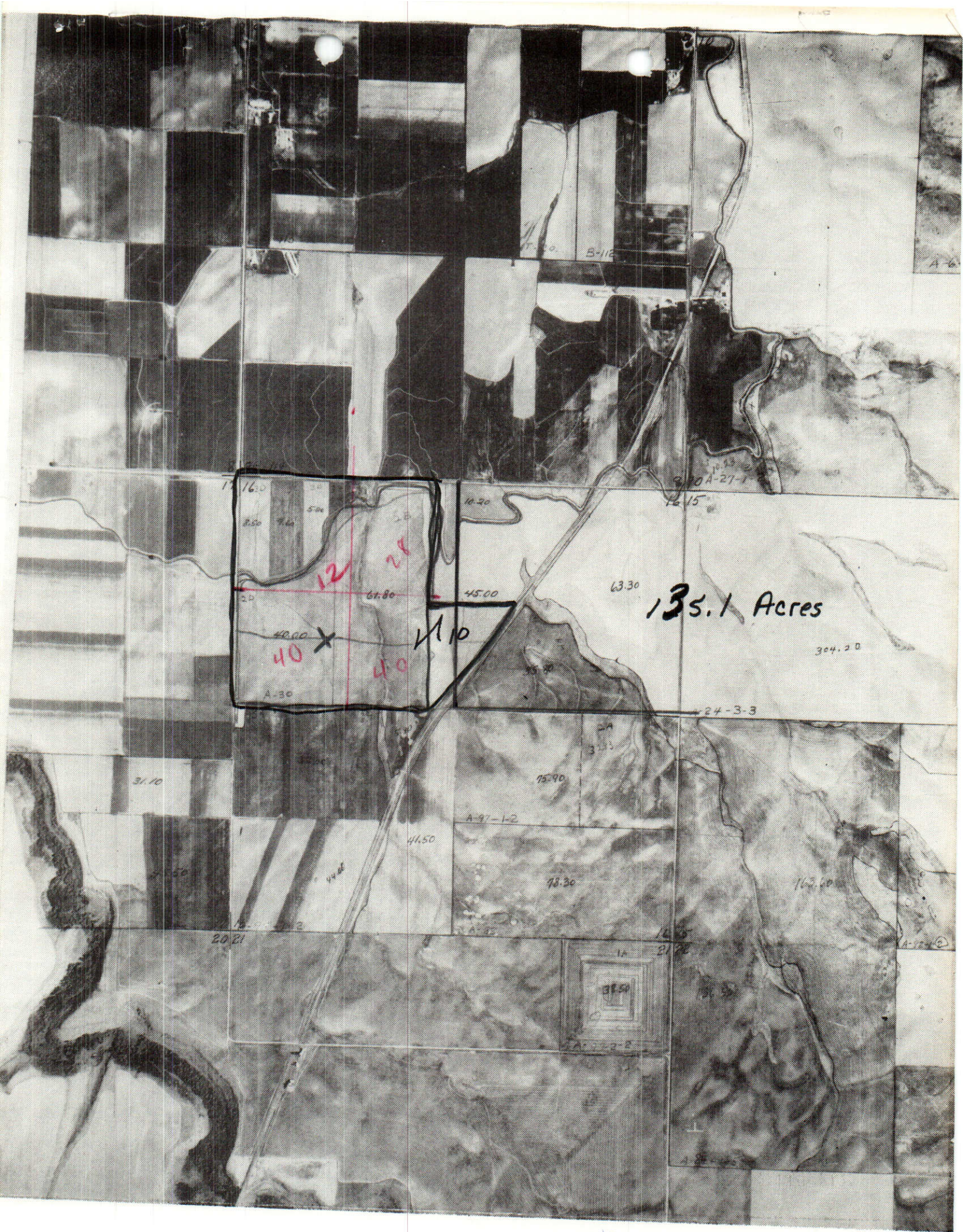
Area = 120 Acres

Sub = 4

Q = 1.29

VOL. = 420 AcFT/Season

Priority = Sept. 18, 1961



30198

22-2215

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

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

Notice of Proof of Completion
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 August 25, 1966
and the last publication having been made
on September 15, 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 15th day of September, 1966

John C. Porter
Notary Public.
(SEAL)

My commission expires 6-5-68

RECEIVED
OCT 7 1966

Department of Reclamation

**NOTICE OF PROOF OF
COMPLETION OF WORKS
AND APPLICATION OF WA-
TER TO BENEFICIAL USE**

Notice is hereby given that
on the 19th day of September
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 2.4 cubic feet per sec-
ond 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-30198, heretofore issued by
the Department of Reclamation
of the State of Idaho.

1. The name and postoffice
address of the person or cor-
poration holding said permit is
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 2.4 cubic
feet per second.

3. The use to which said wa-
ter has been applied is irrigation
purposes and the amount ap-
plied to beneficial use is 2.4
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 NW $\frac{1}{4}$ of Sec. 16,
Twp. 6 N., R. 41, E.B.M., Madi-
son County, Idaho.

6. The date of priority which
said user is prepared to esta-
blish is September 18, 1961.

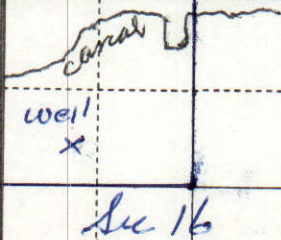
R. Keith Higginson, Deuty
State Reclamation Engineer
(Publ. Aug. 25, Sept. 1, 8, 15,
1966).

30198

NAME OF APPLICANT

Ray Stewart Teton Co. 1960

Form No. 0



Location of well
70 Rods E of 44 Rods N.
of S.W. Corner of NW 1/4
Sec 16-T6N R41 EBM

Permit Map No. 30198
As Approved SEP 19 1961
GEO. N. CARTER
State Reclamation Engineer

**NOTICE OF PROOF OF
COMPLETION OF WORKS
AND APPLICATION OF WA-
TER TO BENEFICIAL USE**

Notice is hereby given that on the 19th day of September 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 completion of works for the diversion of 2.4 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-30198, 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 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 2.4 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 2.4 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 NW $\frac{1}{4}$ of Sec. 16, Twp. 6 N., R. 41, E.B.M., Madison County, Idaho.

6. The date of priority which said user is prepared to establish is September 18, 1961.

R. Keith Higginson, Deuty
State Reclamation Engineer
(Publ. Aug. 25, Sept. 1, 8, 15,
1966).

WATER LICENSE

Water License No. 30198/22-2215 Priority September 18, 1961 Amount 1.49 c.f.s.

THIS IS TO CERTIFY, that Roy Stewart
of Teton City, Idaho, made application for a permit to appropriate the public waters of
the State of Idaho, dated September 18, 1961; that Permit 30198/22-2215 was issued pursuant
to said application; that the proposed works were completed on or about September 19, 1966,
with a storage/or carrying capacity of 1.49 c.f.s., said works consisting of well, pump,
motor, sprinkler system; and that on October 7, 1966,
proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 420
acre feet per season, with a maximum rate of diversion of 1.49 cubic feet per second of the waters
of subterranean, tributary of _____,
for the purpose of irrigation from April 1 to October 31;
and for _____ from _____ to _____; and for
_____ from _____ to _____; and that the use
of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-
mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is
located in SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 16, T. 6N, R. 41E, B.M., and
other additional points _____, in the County of
Madison; and that the amount of water to which such right is
entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially
used for said purposes and shall not exceed 420 acre feet per year.

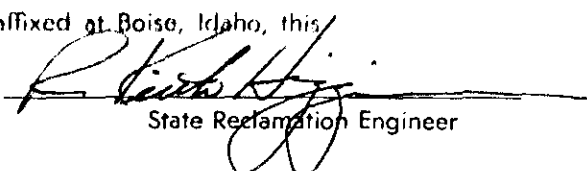
Description and location of place of use:

TWP.	RANG.	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 $\frac{1}{4}$	
6N	41E	16					28	12	40	40									120

Total number of acres irrigated 120

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

Witness the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

29 day of October, 1969.

State Reclamation Engineer

22 2215

30198
22-2215Platted
2013

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 38232
Permit No. G- 30198
District No.

1. Name of Applicant: **Roy Stewart**
Postoffice address: **Teton City** County: **Fremont** State: **Idaho**
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second **2.4** or Idaho
Miners' inches **120** or gallons per minute
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: **Well**
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**
8. Estimated cost of works: \$ **22,500**
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:
 - 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:
40 inches of water in Enterprise Canal
 - (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) **120** (cubic feet per second, inches or gallons per minute) is for new lands.

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					25	15	40	40									120

RECEIVED FOR 10.49 SEC. FT.
 LICENSE PAGE NO.

WATER RIGHT NUMBER 22-2215

OWNER LAST NAME - STEWART

FIRST NAME - ROY

ORIG OWNER -

ADDRESS LINE 1 -

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - TETON

STATE - ID ZIP CODE - 83451 ✓

SOURCE - GROUNDWATER

TRIBUTARY OF -

STAGE - LICENSE

STATUS -

PRIORITY - 09-18-1961 COUNTY - MADISON

TOTAL DIV. RATE -

1.4900 -CFS

TOTAL DIV. VOLUME - 420.00 AFA TRFR/AMEND -

WATER DIST. -

OLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - SWNW 16 06N 41E LOT REDIV -

0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0

FROM - 04-01 TO - 10-31 USE - IRRIGATION

USE DIV. RATE -

1.4900 CFS

USE DIV. VOLUME -

420.00 AFA

USE - IRRIGATION

PLACE OF USE - TWN 06N RNG 41E SEC 16

TRACT NENW LOT

AC 28 TRACT

NWNW LOT

AC 12

TRACT SWNW LOT

AC 40 TRACT

SESW LOT

AC 40

DECREE NAME -

DATE -

TOTAL ACRES

120

REMARKS -

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 30198

PROOF MADE - FLD EXAM - COND. OF APPROVAL -

DIVERSION MEANS -

December 4, 1983

RE: License No. 22-2215

Arden R. Stewart
Teton,
Idaho 83461

Dear Mr. Stewart:

Our office acknowledges receipt of Assignment of Permit for the above referenced water right. However, in reviewing the file I find that the Permit has been licensed.

In Idaho, a licensed water right is considered real property and is aquired when the property to which it is appurtenant to is purchased. Proof to owning the property is proof of owning the water right license.

Therefore, I have put the Assignment of Permit into the file for future reference only and no other action will be taken. I have also enclosed a copy of the license for your records.

If you have any questions please feel free to contact our office.

Sincerely,

KAY WALKER
Chief Clerk

KW:sc
Enclosure

MICROFILMED

RECEIVED

NOV 28 1984

ASSIGNMENT OF LICENSE

NOV 20 1984

Department of Water Resources

Department of Water Resources
Eastern District Office

KNOW ALL MEN BY THESE PRESENTS:

That we, the undersigned, ROY STEWART AND DELILA C. STEWART, of Teton, Idaho 83451, do hereby assign to ARDEN R. STEWART of Teton, Idaho 83451, all of our right, title and interest in and to License No. 22-2215, dated this 17th day of November, 1984.

Roy Stewart
Roy Stewart

Delila C. Stewart
Delila C. Stewart

STATE OF IDAHO,)
 ss.
County of Madison.)

On this 17th day of November, 1984 before me, the undersigned, a Notary Public in and for said State, personally appeared ROY STEWART and DELILA C. STEWART, 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 affixed my official seal the day and year in this certificate first above written.

Thelma Ann Edwards
Notary Public for Idaho
Residing at Rexburg, Idaho
My Commission is for Life

MICROFILMED

IDENT. NO. 72-2215

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

WATER RIGHT
DATA ENTRY LOG

[illegible]

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 2215

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

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

February 4, 1972

Department of Water Administration
356-3633
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. *22-2215*

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

22-2215

October 29, 1969

Re: Permit No. 30198/22-2215

Roy Stewart
Teton City,
Idaho 83451

Dear Mr. Stewart:

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

Also enclosed is departmental receipt No. 3781
in the amount of \$13.00 covering the fees.

Very truly yours,

C. Stephen Allred, Deputy
State Reclamation Engineer

CSA:Mh

Enclosures

100-51
100-1016

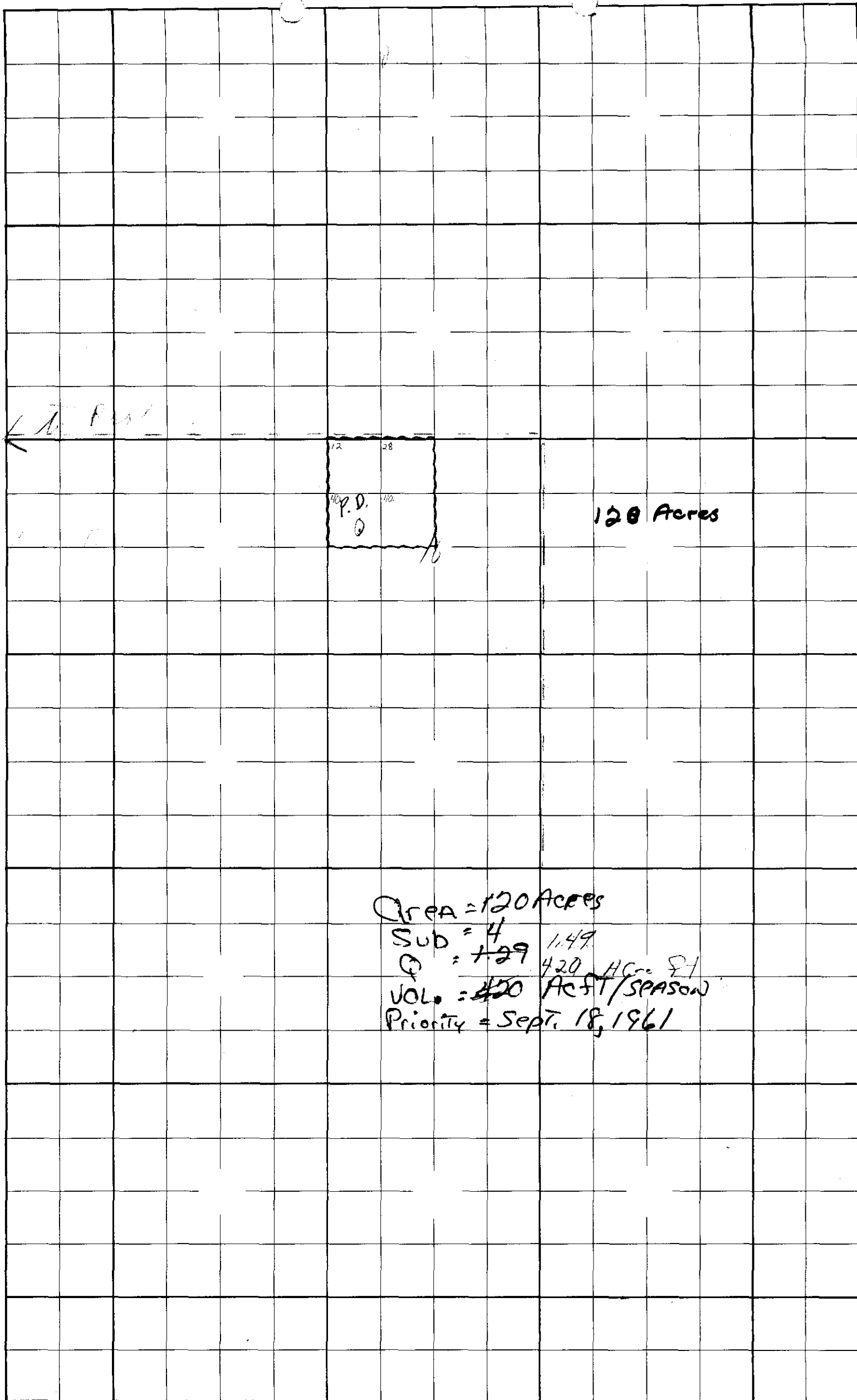
STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. G-30198

REPORT ON PROOF OF Completion of Works & Beneficial Use

30.98
22-2315



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

Permit No. G-30198

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

1. Name of applicant Roy Stewart

2. Source of water supply: Subterranean

3. Location of point of diversion: Is in the SW¹/₄NW¹/₄ of Section 16

T. 6 N R. 41 E County of Madison

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

Holloshaft motor 75 H.P. Ser. # 1270037

Peerless Pump Ser. # 197497

8" Discharge into SPRINKLER SYSTEM

RAIN Bird mod. 30 W.S. 1/4

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):

NW¹/₄, Sec. 16, T. 6 N, R. 41 E, B.M.

120 acres

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

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

Remarks: CONTACT MR. STEWART

(5.69 p.m.) (120 Noz) = 1.49 cfs.
448.8

Allow: 1.49
~~1.49~~ cfs

G-33098 Filled on Same well. 420 acre ft

IRRIGATION Reg. 3.5

This examination was made on the 13 day of July, 1968

(Signed) _____

E.P. P.M.
Examiner.

30198
22-2215
PLAT

Holloshaft
75 HP

1270037

Peerless
197497

8" Discharge

64 61 1/4 14N.
63 65
3

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.

Roy Stewart pump, sprinklers
Teton City, Idaho 16" 400' H-160'

Permit No. G-30198

Examination for Completion of Works & Beneficial Use

County Madison

Sec. 16 T. 6N R. 41E

Quantity: 2.4 c.f.s.

See also 22 - .8 cfs. same well?

Source: Subterranean

P.D.: SW 1/4 NW 1/4, Sec. 16, T. 6 N, R. 41 E, B.M.

Use: Irrigation

Extension:

Protest:

Completion of Works:

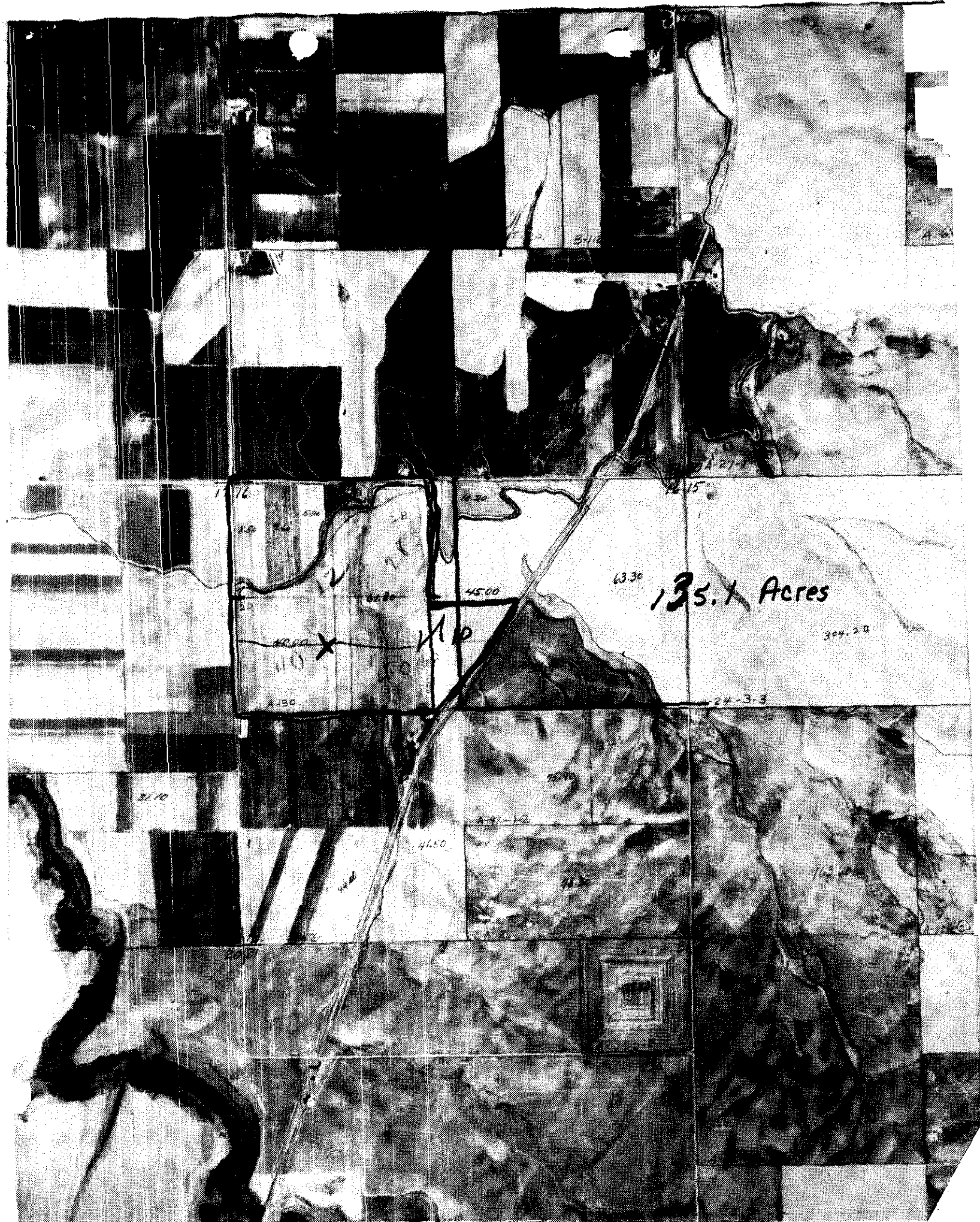
Other Rights: 40 ins. Enterprise Canal

Filed: September 18, 1961

Due: September 19, 1966

Made: September 19, 1966

Priority: September 18, 1961



135.1 Acres

176

45.00

63.30

304.20

24-3.3

41.50

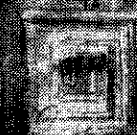
47-1.2

162.00

31.70

94.00

11.30



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
DEPT. OF RECLAMATION

Re: Permit No. 30198/22-2215

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 22-2215 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: 1.36 c.f.s.

The maximum quantity diverted shall not exceed 569 acre feet per season.

Beneficial Use: for irrigation of 120 acres in NW 1/4, Sec. 16,
T. 6N, R. 41E, B.M.

The priority date established is: September 18, 1961

A fee totaling \$ 13.00 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, appearing to read "Dean R. Reynolds".
Dean R. Reynolds
Field Examiner

DRR:mh

30198
22-2215

October 21, 1969

Re: Permit No. 30198/22-2215

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 22-2215 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: 1.36 c.f.s.

The maximum quantity diverted shall not exceed 569 acre feet per season.

Beneficial Use: for irrigation of 120 acres in NW¼, Sec. 16,
T. 6N, R. 41E, B.M.

The priority date established is: September 18, 1961

A fee totaling \$ 13.00 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.

Received fees 10-28-69

Very truly yours,

Dean R. Reynolds
Field Examiner

DRR:mh

*30198
22-2215*

October 17, 1966

Re: Permit No. G-30198

Roy Stewart
Teton City, Idaho

Dear Mr. Stewart:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the ~~Rexburg Journal~~ all submitted in proof of completion of works and beneficial use on Permit No. ~~G-30198~~.

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:rw

30198

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho
Permit No. G-30198

RECEIVED
OCT 7 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: _____

Roy Stewart, Teton City, Idaho, farmer, 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-30198, approved September 19, 1961, date of priority
is September 19, 1961.

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 conveying from point of diversion to place of use: 2.4 cfs; Give name of canal or ditch or other works by which water is conducted to such place of use: _____

_____; if a well, state depth of well 400'; depth and size of casing 62' of 16" casing
322' of 12" casing; depth to water 160'; if pump is used, for this permit plus .8 cfs on Permit No. G-33098, state discharge of pump: 2.4 cfs/; tell how it was measured or determined by well driller's test; if sprinkler irrigation, give number and size of nozzles and operating pressure: 130 nozzles, 11/64ths 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:

NE $\frac{1}{4}$ NW $\frac{1}{4}$ (25), NW $\frac{1}{4}$ NW $\frac{1}{4}$ (15), SW $\frac{1}{4}$ NW $\frac{1}{4}$ (40) and SE $\frac{1}{4}$ NW $\frac{1}{4}$ (40), all in
Sec. 16, Twp. 6 N., R. 41, E.B.M., Madison County, Idaho.

30198

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

Character of land has been improved thus producing better crops. Ground is high and could not be reached by water from canal.

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: June, 1962 - Time used since first use:

Each irrigation season in each year since that time.

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

40 in. of water in Enterprise Canal. Does not reach this high ground.

(sign)

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 19th day of September, A. D. 1966.

Lay W. Lighty

Notary Public for Idaho
Residing at Rexburg, Idaho

My commission expires: 1-26-67

30198

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho
Permit No. G-30198

RECEIVED
OCT 7 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, 265 E. 2nd N., Rexburg, Idaho, farmer, age 32, P. O. Address:
265 E. 2nd N., Rexburg, Idaho.

Ques. 2 Are you acquainted with Roy Stewart, the holder of
Permit No. G-30198? How long have you known him and where does he reside?

Yes, I've known him about 25 years, and he resides at Teton, Idaho.

Ques. 3. Have you read or heard said Permit No. G-30198 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: 2.4 cfs How much water have you seen being so
conveyed? 2.4 cfs

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

NE $\frac{1}{4}$ NW $\frac{1}{4}$ (25), NW $\frac{1}{4}$ NW $\frac{1}{4}$ (15), SW $\frac{1}{4}$ NW $\frac{1}{4}$ (40) and SE $\frac{1}{4}$ NW $\frac{1}{4}$ (40), all in
Sec. 16, Twp. 6 N., R. 41, E.B.M., Madison County, Idaho.

30198

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 land to irrigated land. The water on this property could not reach this high ground.

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? June, 1962
Other times you have seen such use: Each irrigation season since that time.

(Signed):

W. 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 19th day of September, A. D. 19 66.

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

My commission expires 1-26-67

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho
Permit No. G-30198

RECEIVED
JUN 7 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, Idaho.

Ques. 2 Are you acquainted with Roy Stewart, the holder of Permit No. G-30198? How long have you known him and where does he reside?

Yes, I've known him about 40 years, and he resides at Teton, Idaho.

Ques. 3. Have you read or heard said Permit No. G-30198 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, motor, main-line, laterals and sprinklers.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: 2.4 cfs How much water have you seen being so conveyed? 2.4 cfs

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

NE $\frac{1}{4}$ NW $\frac{1}{4}$ (25), NW $\frac{1}{4}$ NW $\frac{1}{4}$ (15), SW $\frac{1}{4}$ NW $\frac{1}{4}$ (40) and SE $\frac{1}{4}$ NW $\frac{1}{4}$ (40), all in
Sec. 16, Twp. 6 N., R. 41, E.B.M., Madison County, Idaho.

30198

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. The only water on the land could not reach this high ground, and it has resulted in a much higher yield.

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? Summer, 1962.
Other times you have seen such use: Each irrigation season since that time.

(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 19th day of September, A. D. 1966

Lay W. Ligby

Notary Public for the State of Idaho

Residing Rexburg, Idaho

My commission expires 1-26-67

30198

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

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

Notice of Proof of Completion
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 August 21, 1966
and the last publication having been made

on September 15, 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

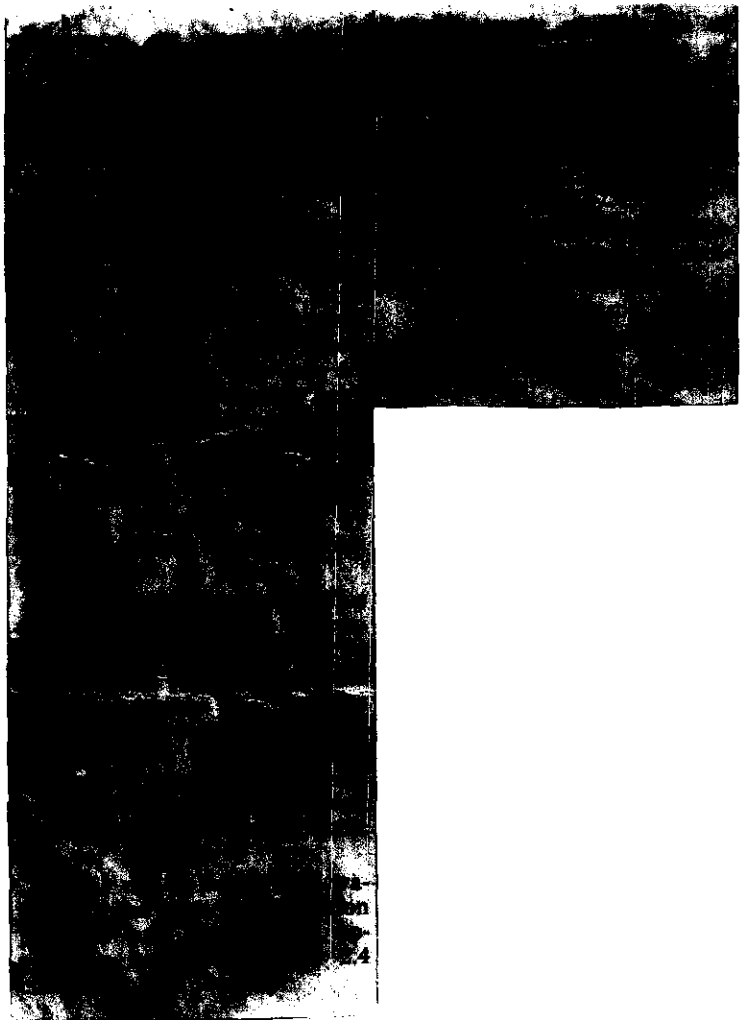
this 15th day of September, 1966

John C. Porter
Notary Public.

(SEAL)

My commission expires 1-1-67

RECEIVED
OCT 7 1966
Department of Reclamation



30198

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

RAY W. RIGBY
GORDON S. THATCHER

October 6, 1966

RECEIVED
OCT 7 1966

TELEPHONE
356.3633
AREA CODE 208

Department of Reclamation

State Department of Reclamation
107 State House
Boise, Idaho 83701

Re: Permit G-30198
Roy Stewart - Teton City, Idaho

Gentlemen:

I enclose herewith affidavit of holder and affidavits of two witnesses concerning the above numbered permit. Also, enclosed is Affidavit of Publication. If there is anything further you need to complete this proof, please advise.

We are sorry for the delay in getting these proofs in, but the newspaper office will not give us the Affidavits in these matters until the holder has paid the bill, and this takes a little time.

Yours very truly,

Ray W. Rigby

of RIGBY & THATCHER

ss
Enclosures

30198

October 5, 1966

RE: Permit G-30198
Roy Stewart - Teton City, Idaho

Ray W. Higby
Attorney at Law
Box 362
Rexburg, Idaho 83440

Dear Mr. Higby:

Your proofs taken on September 19, 1966, in connection with the above numbered permit have not been received in this office.

Would you please forward the depositions of holder and witnesses as well as the affidavit of publication to this office. If these papers are not received your client's permit will have to be cancelled.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw

30198

Re: Permit No. **G-30198**

August 16, 1966

Ray W. Rigby
Attorney at Law
Box 362
Bozberg, Idaho 83440

Dear Mr. Rigby:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. G-30198 in the name of Roy Stewart. Final Proof is to be made before you, as Notary on the 19th day of September, 1966, ~~XXXXXXXXXXXXXXXXXXXX~~ at 25 North Second East, Bozberg, Idaho.

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

It is important that the enclosed depositions be executed by the permit holder and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the time, on the date and before you, as Notary, as stated in the publication notice. 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, that your 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: Applicant

30198

Re: Permit No. G-30198

August 16, 1966

**Rexburg Journal
Rexburg, Idaho**

Gentlemen:

Enclosed you will find a legal notice which we wish to have published for four consecutive weeks prior to September 19, 1966. The expense of the publication is to be paid by Roy 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,

~~XXXXXXXXXXXXXX~~
~~CHARLES E. JAFFAN~~
Deputy State Reclamation Engineer

RKH:mr

Enc. legal notice

30198

RECEIVED
AUG 15 1966

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

Department of Reclamation

Notice is hereby given that at 10 A M., on the 19th day of September 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 2.4 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-30198, 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 **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 2.4 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
2.4 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 NW $\frac{1}{4}$ of Sec. 16, Twp. 6
N., R. 41, E.B.M., Madison County, Idaho.

6. The date of priority ~~which~~ said user is prepared to establish is September 19, 1961

State Reclamation Engineer

30198

RECEIVED
AUG 15 1966

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) August 10, 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.

Roy Stewart
Roy 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

30198

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

RAY W. RIGBY
GORDON S. THATCHER

August 10, 1966

TELEPHONE
356-3633
AREA CODE 208

RECEIVED
AUG 15 1966

Department of Reclamation

State Department of Reclamation
State House
Boise, Idaho

Re: Permit No. G-30198
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

W. L.

30198

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G - 30198

~~Sept.~~
July 1, 1966

/Mr. Roy Stewart
Teton City, Idaho

Dear Mr. Stewart

The date for proofs of Completion of Works and Application of water to beneficial use, as set out under terms of Permit No. G- 30198 are due not later than **Sept. 19, 1966**

Before these proofs can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper within the county in which the land is located. In completing the Notice of proof for publication, the information should be taken from your Permit, including any amendments made in connection with a change of point of diversion or land list, which has been recorded in this department. If changes have been made and no amendments are on record, we advise you request a form for this purpose before your Notice is published.

We enclose Form 36, in duplicate, which is to be filled out and returned to this department at least FORTY (40) DAYS BEFORE THE MENTIONED DATE, (allowing for four weeks publication). Please give the name of the town, the address of the place where the depositions will be executed, and, the name of the notary public before whom you will appear to make the depositions of proof (this may be at any place convenient for you and your two witnesses), the quantity of water filed; for what purpose it is used; the point, or points, of diversion; and the location of use or the lands which are irrigated - - all by legal land description.

Enclosed also is Form 11, which is the authorization for us to have the notice published in the designated county newspaper at your expense. This is to be returned with two Forms 36.

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

Very truly yours,


R. Keith Higgins, Deputy
STATE RECLAMATION ENGINEER

Enc. Form 36 and 11

cc:

30198

September 29, 1961

Re: Permit No. G-30198

Mr. Roy Stewart,
Teton City, Idaho.

Dear Mr. Stewart:

We enclose Permit No. G-30198 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-6550 which was issued covering payment in the amount of \$5.50 for the filing fee of the above mentioned permit.

You will note, under Question 10, that we have changed the required time for completion of works and complete application of the water to the proposed use to five years. However, you may make the required proofs at any time you are prepared to do so within that time.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

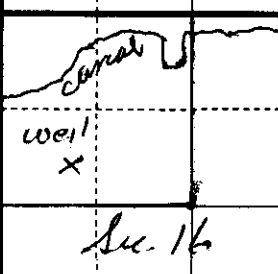
(Mrs.) Edna P. Rule
Chief Clerk

Encl.
EPR:pmk

30198

NAME OF APPLICANT Ray Stewart Teton City Idaho

Form No. 0



Location of well
70 Rods E of 44 Rods N.
of S.W. Corner of NW 1/4
Sec. 16 - T6N R91 EBM

Permit No. 30198
SEP 13 1961
GEO. L. CARTER
State Registration Engineer

September 13, 1961

Re: Application for Permit

Hoy Stewart
Teton City, Idaho

Dear Mr. Stewart:

Returned herewith is your application for permit with attached check for \$5.50 filing fee.

The number of acres listed under 12 should be changed to 120 acres showing the lands to be irrigated under this permit. Also show the canal on the maps. The application must be signed on page 3 before it can be accepted.

Kind correct, sign and return with the filing fee.

Very truly yours,

GEO. N. CARTE
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

T:ew

Enc. application with
attached check

30198

[illegible]