

Cope Drilling & Pump Co.
Box 1134
Idaho Falls, Idaho

22-2200

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 37463
Permit No. G- 29465
District No.

Assigned to

*George Ostermiller, Dr.
Ripley S. Howard
Lester J. Sadberry
Newdale - Ida*

1. Name of Applicant: Stanton Howard

Postoffice address: Newdale

County: Fremont

State: Idaho

2. Quantity of water claimed:

(a) Rate of withdrawal in cubic feet per second 4.8 or Idaho
Miners' inches 240 or gallons per minute

(b) Annual withdrawal in acre feet per annum

3. Source of water supply: Subterranean from well

4. Location of point of diversion or well is in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 3
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: drilled well

8. Estimated cost of works: \$12,000

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 five 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 onhand: \$

(b) Treasury stock:

(c) Bonds to be issued:

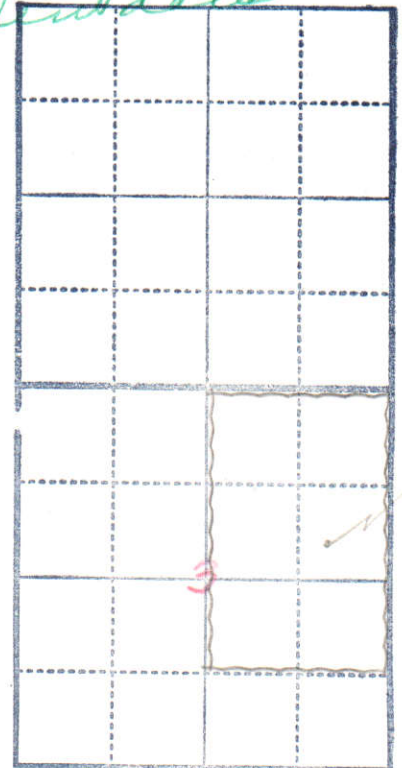
(d) Other resources:

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, except Canyon Creek Early runoff - 116.5 shares total

(a) 4.8 (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.

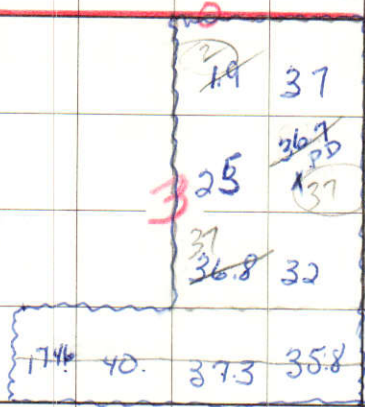
(b) (cubic feet per second, inches or gallons per minute) is for new lands.



Rge. 4/E

Trp. 6 N

Mendota



$$A = 289.96^{240}$$

$$Q = 2.7 \text{ C.F.S.}$$

$$\text{Subd.} = 10$$

For License:

$$\text{AREA} = 170 \text{ ACRES}$$

$$\text{SUBD} = 6$$

$$Q = 2.7 \text{ C.F.S.}$$

VOL = NOT TO EXCEED 595 AC-FT (SEASON IN COMBINATION WITH ALL OTHER RIGHTS)
PRIORITY = MAY 14, 1961 (LATE PROOF)

attending seminar

Dr. Barton J. Jensen of Rexburg left today for Boise to attend an optometry seminary. Dr. Jensen expected to be in the state's capital until Saturday, studying the latest information in the field of optometry.

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

Notice is hereby given that on the 24th day of May, 1966, at Rexburg, County of Madison, State of Idaho before Ray W. Rigby, Notary Public, at 25 North 2nd East, Rexburg, Idaho, proof will be submitted of the completion of works for the diversion of 4.8 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-29405, 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 George Ostermiller, Sr., Rexford S. Howard and Reese J. Godfrey, all of Newdale, 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 4.8 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes and the amount applied to beneficial use is 4.8 cubic feet per second.

4. The point of diversion of said water is SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 3, Twp. 6 N., R. 41, E. Boise Meridian, Madison County, Idaho.

5. The place where said water is used is Sec. 3, Twp. 6 N., R. 41, E.B.M., NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$.

6. The date of priority which

The Rexburg Journal, Rexburg,

said user is prepared to establish is May 14, 1961.

CARL E. TAPPAN

State Reclamation Engineer
Published Apr. 21, 28, May 5,
12, 1966.

29465

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

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1. The name and postoffice address of the person or corporation holding said permit is George Ostermiller, Sr., Rexford S. Howard and Reese J. Godfrey, all of Newdale, 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 4.8 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes and the amount applied to beneficial use is 4.8 cubic feet per second.

4. The point of diversion of said water is SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 3, Twp. 6 N., R. 41, E. Boise Meridian, Madison County, Idaho.

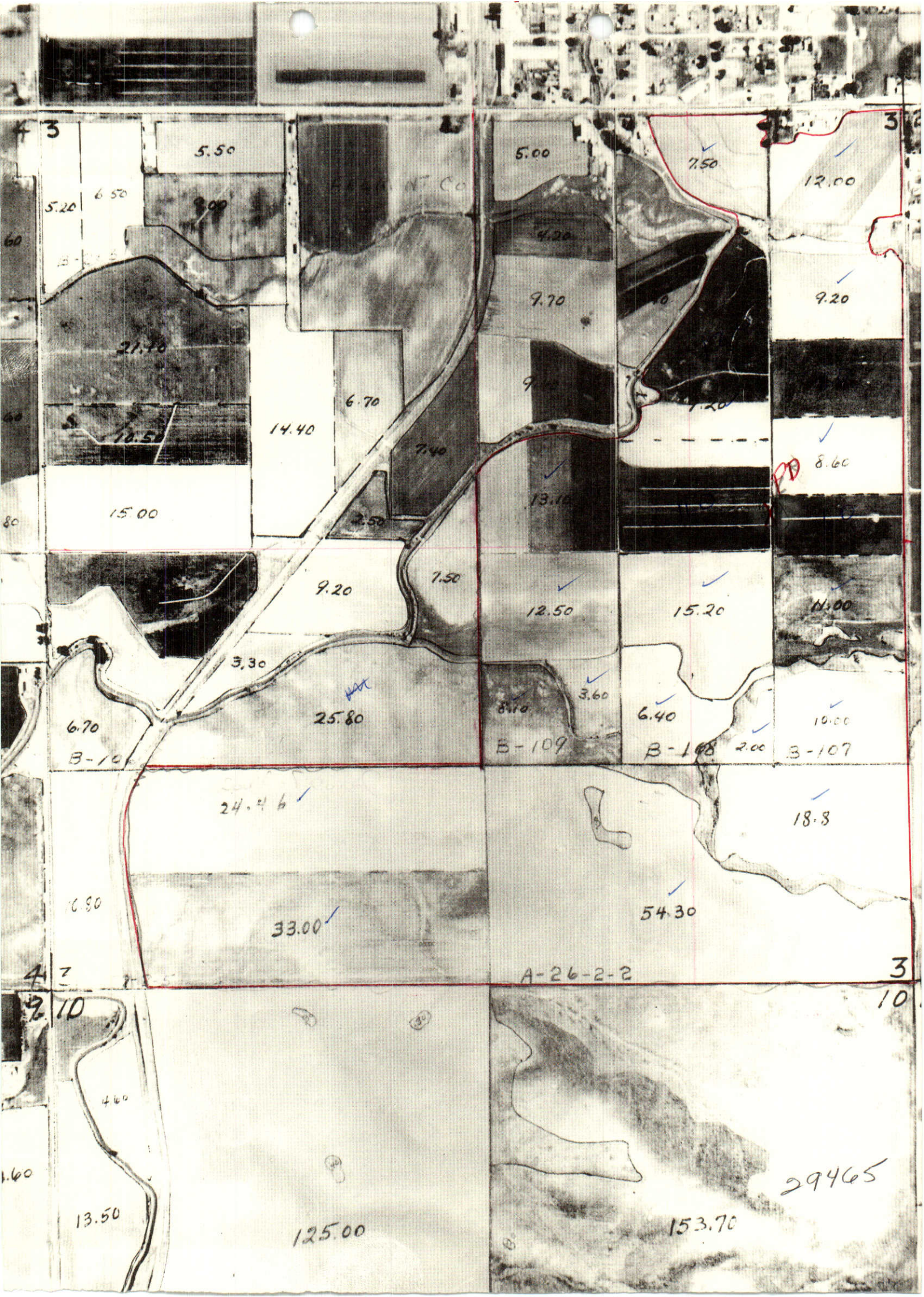
5. The place where said water is used is Sec. 3, Twp. 6 N., R. 41, E.B.M., NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$.

6. The date of priority which said user is prepared to establish is May 14, 1961.

CARL E. TAPPAN

State Reclamation Engineer
Published Apr. 21, 28, May 5,
12, 1966.

29465



The REXBURG STANDARD and
The REXBURG JOURNAL
REXBURG, IDAHO

Affidavit of Publication

STATE OF IDAHO }
County of Madison } ss.

Annette Porter

I, _____,
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 April 21, 1966
and the last publication having been made
on May 12, 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 12th day of May, 1966

John C. Porter
Notary Public.
(SEAL)

My commission expires 6-5-68

NOTICE OF PROOF OF COM-
PLETION OF WORKS

and
APPLICATION OF WATER TO
BENEFICIAL USE

Notice is hereby given that
on the 24th day of May, 1966,
at Rexburg, County of Madison,
State of Idaho before Ray W.
Rigby, Notary Public, at 25
North 2nd East, Rexburg, Idaho,
proof will be submitted of the
completion of works for the
diversion of 4.8 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-29465, 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
George Ostermiller, Sr., Rex-
ford S. Howard and Reese J.
Godfrey, all of Newdale, 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 4.8 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 4.8
cubic feet per second.

4. The point of diversion of
said water is SE1/4NE1/4 of Sec.
3, Twp. 6 N., R. 41, E. Boise
Meridian, Madison County, Ida-
ho.

5. The place where said water
is used is Sec. 3, Twp. 6 N.,
R. 41, E.B.M., NE1/4, N1/2SE1/4.

6. The date of priority which
said user is prepared to esta-
blish is May 14, 1961.

CARL E. TAPPAN
State Reclamation Engineer
Published Apr. 21, 28, May 5,
12, 1966.

RECEIVED
AUG 18 1966

Department of Reclamation

29465

NAME OF APPLICANT STANTON HOWARD....NEWDALE, IDAHO

Form No. 0

Sprinkler Lines →

* Well

George Ostermiller Property

Stanton Howard Property

Reece Godfrey Property

N ←

Section 3

Permit Map No. 29465
As Approved
GEO. N. CARTER
Reclamation Engineer

FEB 24 1961

WATER LICENSE

Water License No. G-29465 Priority May 14, 1961 Amount 2.7 c.f.s.
(late proof)

THIS IS TO CERTIFY, that Stanton Howard - Assignee - George Ostermiller, Sr., Rexford S. Howard and Reese J. Godfrey of Newdale, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated February 14, 1961; that Permit G-29465 was issued pursuant to said application; that the proposed works were completed on or about June 1961, with a storage/or carrying capacity of 2.7 c.f.s., said works consisting of well, pump, motor, pond and sprinkler system; and that on May 24, 1966, proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 595 acre feet per season, when combined with all other rights appurtenant to the same land and shall not exceed that amount with a maximum rate of diversion of 2.7 cubic feet per second of the waters of ground water, tributary of _____, for the purpose of irrigation from April 1 to October 31; 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 Reclamation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is located in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 3, T. 6 N, R. 41 E, 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 595 acre feet per year. when combined with all other rights appurtenant to the same land and shall not exceed that amount.

Description and location of place of use:

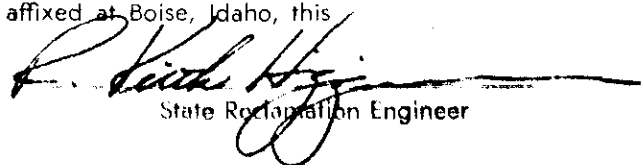
TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
<u>6 N</u>	<u>41 E</u>	<u>3</u>	<u>37</u>	<u>2</u>	<u>25</u>	<u>37</u>									<u>32</u>	<u>37</u>			<u>170</u>

Total number of acres irrigated 170

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

27th day of March, 19 69.


State Reclamation Engineer

22 2200

29465

~~Cope Drilling & Pump Co.~~
~~Box 1134~~
~~Idaho Falls, Idaho~~ 22-2250

APPLICATION FOR PERMIT To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 37463
 Permit No. G- 29465
 District No.

Assigned to George A. Starn Miller
Richard S. Howard
Edward J. Sadler
Idaho Falls

1. Name of Applicant: Stanton Howard
 Postoffice address: Newdale County: Fremont State: Idaho

2. Quantity of water claimed:
 (a) Rate of withdrawal in cubic feet per second 4.8 or Idaho
 Miners' inches 240 or gallons per minute
 (b) Annual withdrawal in acre feet per annum

3. Source of water supply: Subterranean from well

4. Location of point of diversion or well is in the SE 1/4 of the NE 1/4 of Section 3
 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 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: drilled well

8. Estimated cost of works: \$12,000

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 five years.

11. If applicant is a corporation, give:

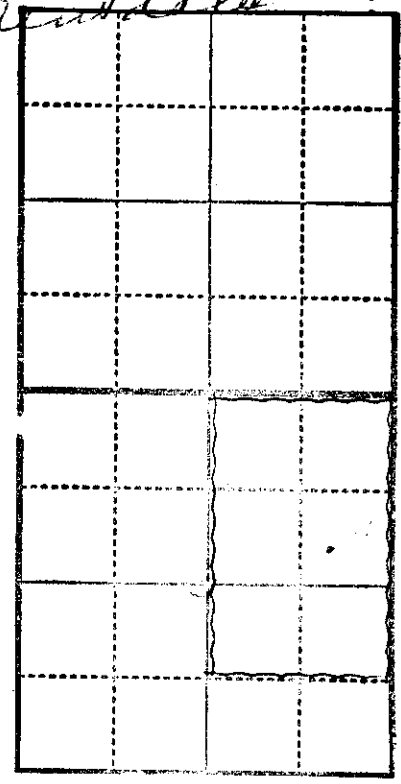
I. (a) Date and place of incorporation:
 (b) Amount of capital stock: \$ (c) Amount paid in: \$
 (d) Names and addresses of directors:

II. The financial resources of the applicant are (a) Cash onhand: \$
 (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, except Canyon Creek Early runoff - 116.5 shares total

(a) 4.8 (cubic feet per second, inches or gallons per minute) of the water herein applied is to be supplemental to the existing water rights.
 (b) (cubic feet per second, inches or gallons per minute) is for new lands.



Remarks: This well is being drilled on my property but it will be used for irrigation of George Ostermillers, my own and Reec Godfrey's property as outlined on the enclosed plat.

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

s/ Stanton Howard Applicant.

By Agent.

Date of first receipt at Department of Reclamation: 9:00 A.M. February 14, 1961

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G— 29465
Recorded in Book 103 Page 29465 Approved February 24, 1961

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 and to continue deligently 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 August 24, 1963

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before February 24, 1966

Witness my hand this 24th day of February, 1961 s/ GEO. N. CARTER
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, Governor of the State of Idaho, and ARNOLD WILLIAMS, 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 24th day of February, 1961

Countersigned:

STATE OF IDAHO

(SEAL)

By s/ ARNOLD WILLIAMS
Secretary of State.

By s/ ROBERT E. SMYLIE
Governor

12.

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
6 N	41 E	3	40	40	40	40									40	40			240
ASSIGNMENT ✓																			
For value received, I hereby assign all of my right, title and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. G-29465* to George Ostermiller, Sr., Rexford S. Howard and Reese J. Godfrey, all of Newdale, Idaho.																			
*in equal, undivided interests.												s/ Stanton Howard Permit Holder							
STATE OF IDAHO) County of Madison)												s/ Carrie Howard Wife of Permit Holder							
On this 13th day of April, 1966, before me, a Notary Public for the State of Idaho, residing at Rexburg, Idaho, personally appeared Stanton Howard and Carrie Howard, known to me to be the persons whose names are subscribed to the within instrument, and duly acknowledged to me that they executed the same.																			
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal, the day and year in this certificate first above written.																			
My Commission expires 1-26-67												s/Ray W. Rigby Notary Public, Residing at Rexburg, Idaho							

LICENSE ISSUED FOR 2.7 SEC. FT.
LICENSE PAGE NO.

RECEIVED
JUN 21 1988

Department of Water Resources

1 June 17, 1988

2
3 State of Idaho
4 Department of Water Resources
5 450 W. State Street
6 Boise, Idaho 83702

7
8 Re: Application for Water Rights or Application to
9 Transfer Water Rights of Dan Ostermiller

10 Dear Sirs:

11 We represent Marvin Whiteman who purchased part of the property
12 which Dr. Ostermiller apparently inadvertently filed for water
13 rights on.

14 You should have received the application within the last month or
15 so from Dr. Ostermiller, which is for 3.2 CFS.

16 Dr. Ostermiller has 91 acres of the land and the water rights, as
17 close as we can determine, travel with the land and therefore he
18 is entitled to 1.73 CFS.

19 Mr. Whiteman recently purchased 77 acres and therefore he is
20 entitled to 1.47 CFS.

21 You will be receiving an application within the next few days,
22 along with appropriate documentation insofar as Mr. Whiteman's
23 application for 1.47 CFS.

24 This will be coming from the offices of Thomas Kerr, P.O. Box
25 853, McCall, Idaho. If you need to contact him, his telephone
26 number is 634-2686.

I spoke with Dr. Ostermiller yesterday and he filed for the 3.2
CFS based upon the fact he did not think that anyone else would
want the water right, however, as I said before, there is an
indication that this water right has, through the years, and
continues to remain with the land and obviously Mr. Whiteman is
interested in that portion of the water right appurtenant to his
lands.

I am writing this letter to avoid any difficulties which may
occur as a result of the application that has already been filed
by Dr. Ostermiller.

If you have any questions please do not hesitate to contact me.

UDELL and ELAM

ATTORNEYS AND COUNSELORS AT LAW
300 LENORA STREET
P.O. BOX 1300A MCALL, IDAHO 83638
PHONE (208) 634-2108

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Yours very truly,



Richard S. Udell

RSU:km

cc: Thomas Kerr

UDELL and ELAM

ATTORNEYS AND COUNSELORS AT LAW
300 LENORA STREET
P.O. BOX 1300A McCALL, IDAHO 83638
PHONE (208) 634-2108

WATER RIGHT NUMBER 22-2200

OWNER LAST NAME - HOWARD
OWNER LAST NAME - OSTERMILLER, SR.
OWNER LAST NAME - HOWARD
OWNER LAST NAME - GODFREY
ADDRESS LINE 1 -
ADDRESS LINE 3 -
SOURCE - GROUNDWATER
STAGE - LICENSE
TOTAL DIV. VOLUME - 595.00 AFA
DIVERSION POINT - SENE 03 06N 41E LOT
FROM - 04-01 TO - 10-31
USE - IRRIGATION

STATUS -
TRFR/AMEND -
REDIV -
USE - IRRIGATION
PLACE OF USE - TWN 06N RNG 41E SEC 03

ADDRESS LINE 2 -
CITY - NEWDALE
TRIBUTARY OF -
PRIORITY - 05-14-1961
WATER DIST. -
0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0
USE DIV. RATE - 2.7000 CFS
TRACT NENE LOT
TRACT SWNE LOT
TRACT NESE LOT

FIRST NAME - STANTON
FIRST NAME - GEORGE
FIRST NAME - REXFORD S.
FIRST NAME - REESE J.

ORIG OWNER - 0
ORIG OWNER -
ORIG OWNER -
ORIG OWNER -

STATE - ID
ZIP CODE - 83436

TOTAL DIV. RATE - 2.7000 -CFS
RIGHT BASIS -
0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0
USE DIV. VOLUME - 595.00 AFA
AC 37 TRACT NWNE LOT AC 02
AC 25 TRACT SENE LOT AC 37
AC 32 TRACT NWSE LOT AC 37
DATE -
TOTAL ACRES 170

DECREE NAME -
REMARKS - ✓
NON IRRIG USE -
OTHER RIGHTS FOR SAME USE -
PROOF DUE -
PROOF MADE - FLD EXAM -
DIVERSION MEANS -

PERMIT/DENIED -
COND. OF APPROVAL - ✓

PROTESTED -
HEARING -
OLD NO. - 29465

IDENT. NO. 22-2200

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]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 29465 1 22-2200
Old No. New No.

Record

1. Original Owner: Stanton HowardPresent Owner: George Ostermiller, Sr., Rexford S. Howard,
Reese J. Godfrey

2. Address:

3. City: Newdale State: 112 Zip:4. A. Source of Water: grw

B. Tributary of:

5. A. Stage (A,P,L,D,S,J): L

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date: 5-14-1961D. County: 65E. Total Diversion Rate: 2.7F. Total Diversion Volume: 595.

G. Transfer/Amendment (P,T of A or blank):

H. Water District:

I. DLE/Carey Act (D,C or blank):

J. Right Basis (for adjudication claims A,B,C only):

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>SE NE</u>	<u>3</u>	<u>6 N</u>	<u>41 E</u>		

7. Period of Use, Use, Diversion Rate/Volume:

from	<u>4-1</u>	to	<u>10-31</u>	for	<u>A</u>	purposes.	Amount <u>2.7/595.</u> (cfs or AC-FT/yr)
from		to		for		purposes.	Amount
from		to		for		purposes.	Amount
from		to		for		purposes.	Amount
from		to		for		purposes.	Amount
from		to		for		purposes.	Amount

8. Use Code: A

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A. Not to exceed 2.7 cfs or 595. cfs w/ all other rts.
B.
C.
D.
E.

11. Other Uses (Non-irrigation explanatory information):

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number: 29465

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval:

14. Diversion Means (brief narrative):

March 27, 1969

Re: Permit No. G-29465

George Ostermiller, Sr., Rexford S. Howard,
and Reese J. Godfrey
Newdale, Idaho 83436

Gentlemen:

Enclosed you will find your Water License issued on the
above numbered permit.

Also enclosed is departmental receipt No. 2782 in the
amount of \$17.00 covering the fees.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kh

Enclosures

29465

January 28, 1969

Re: Permit No. G-29465

George Ostermiller, Sr.
Rexford S. Howard, Reese J. Godfrey
Newdale, Idaho

Gentlemen:

A representative of this department has made an examination of the works covered by your permit G-29465 and has found the following:

Quantity of water diverted: 2.7 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 2.7 c.f.s.*

Purpose of use: Irrigation of 170 acres in NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3,
T. 6 N., P. 41 E., B.M.

The priority date established is: May 14, 1961 (late propf)

A fee totaling \$ 17.00 must be received within 30 days from the date of this letter in order that we can issue you the Certificate of Completion of Works and the License and Certificate of Water Right as described above.

Very truly yours,

Dean R. Schnaible
Reclamation Engineering Administrator

DRS:dj

*The maximum quantity diverted shall not exceed 595 acre feet per season in combination with all other rights.

29465

January 28, 1960

Re: Permit No. 7-29465

George Ostermiller, Sr.
Pexford S. Howard, Reese J. Godfrey
Newdale, Idaho

Gentlemen:

A representative of this department has made an examination of the works covered by your permit 7-29465 and has found the following:

Quantity of water diverted: 2.7 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 2.7 c.f.s.*

Purpose of use: Irrigation of 170 acres in NE¹, NW¹, Sec. 3,
T. 6 N., R. 41 E., S. 8.

The priority date established is: May 14, 1961 (late proof)

A fee totaling \$ 17.00 must be received within 30 days from the date of this letter in order that we can issue you the Certificate of Completion of Works and the License and Certificate of Water Right as described above.

Very truly yours,

Dean R. Schnable
Reclamation Engineering Administrator

DRS:dfj

*The maximum quantity diverted shall not exceed 595 acre feet per season in combination with all other rights.

*fee paid
license
29465 pending
issuance*

DON SAMUELSON
GOVERNOR



✓ DRR
R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

RECEIVED

JAN 17 1969

January 28, 1969

Department of Reclamation

Re: Permit No. G-29465

George Ostermiller, Sr.
Rexford S. Howard, Reese J. Godfrey
Newdale, Idaho

Gentlemen:

29465

A representative of this department has made an examination of the works covered by your permit G-29465 and has found the following:

Quantity of water diverted: 2.7 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 2.7 c.f.s.*

Purpose of use: Irrigation of 170 acres in NE $\frac{1}{4}$, NW $\frac{1}{4}$, Sec. 3, T. 6 N., R. 41 E., B.M.

The priority date established is: May 14, 1961 (late proof)

A fee totaling \$ 17.00 must be received within 30 days from the date of this letter in order that we can issue you the Certificate of Completion of Works and the License and Certificate of Water Right as described above.

Very truly yours,

Dean R. Schnaible

Dean R. Schnaible
Reclamation Engineering Administrator

DRS:dj

*The maximum quantity diverted shall not exceed 595 acre feet per season in combination with all other rights.

24-65
1-21-69

29465

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

Permit No. G-29465

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

1. Name of applicant George Ostermiller, Sr., Rexford S. Howard, Reese J. Godfrey
Newdale, Idaho

2. Source of water supply: subterranean

3. Location of point of diversion: Is in the SE 1/4 of Section 3

T. 6 N R. 41 E County of Madison

4. Describe works as they exist, giving dimensions and capacities of same: U.S. Hollow shaft
100 H.P. 1248503 Byron & Jackson 378693 8" Discharge
into Ditch used for gravity flow and the flow
to the west dumps into a pond General Electric
40 H.P. Motor is use to pump water out
of pond into sprinkler system ~~and~~ P.V. 324103

5. Water is used for: irrigation

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

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

NE 1/4, NW 1/4, Sec. 3, T. 6 N., R. 41 E., B. M.

NEEDS to be amended to include S 1/2 SE 1/4 &
S 1/2 SW 1/4 of Sec 3

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

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

Remarks: Sprinkling meter was used

200 in 574 Sec. $\frac{200}{74} = \frac{100}{37} = 2.7 \text{ c.f.s.}$

IRRIGATION REQUIREMENT = 3.5 AC-FE / ACRE / SEASON
needs amendment to land list to include S 1/2 SE 1/4 + S 1/2 SW 1/4 Sec 3
original permit only for 240 acres

This examination was made on the _____ day of _____, 1968

(Signed) Don Reynolds Examiner.

29465

plat 1
X.H.

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.

George Ostermiller, Sr. pump, mainline,
Rexford S. Howard lateral sprinkler
Reese J. Godfrey
Newdale, Ida. 29465 ✓ 6" 263' H-230'
Permit No. 29465 ✓ 250 nozzles

Completion of Works
Examination for and Beneficial Use

County Madison ✓

Sec. 3 T. 6N R. 41E

Quantity: 4.8 ✓

22-

Source: subterranean ✓

P.D.: SEWNEY, Sec. 3, 6N 41E ✓

Use: irrigation ✓

Extension:

Protest:

Completion of Works:

Other Rights: Canyon Creek early
run-off 116.5 shares

Filed: Feb. 14, 1961

Due: Feb. 24, 1966

Made: May 24, 1966

2

0

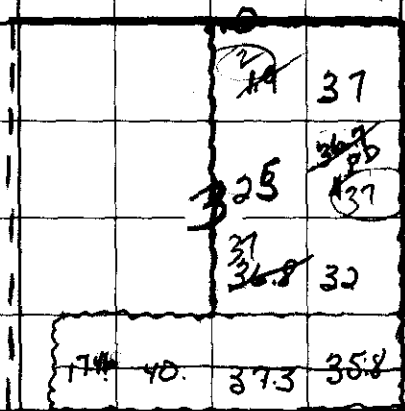
2

29465

Rge. 41E

Trp. 6N

Mendall



38.9 39
61.7 62
68.8 6.9
170 AC
130.56
289.96

A = 289.96 240
Q = 2.7 C.F.S.
Subd. = 10

For License :

AREA = 170 ACRES

SUBD = 6

Q = 2.7 C.F.S.

VOL = NOT TO EXCEED 595 AC-FT (SEASON IN
COMBINATION WITH ALL OTHER RIGHTS
PRIORITY = MAR 14, 1961 (LATE PROOF)

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

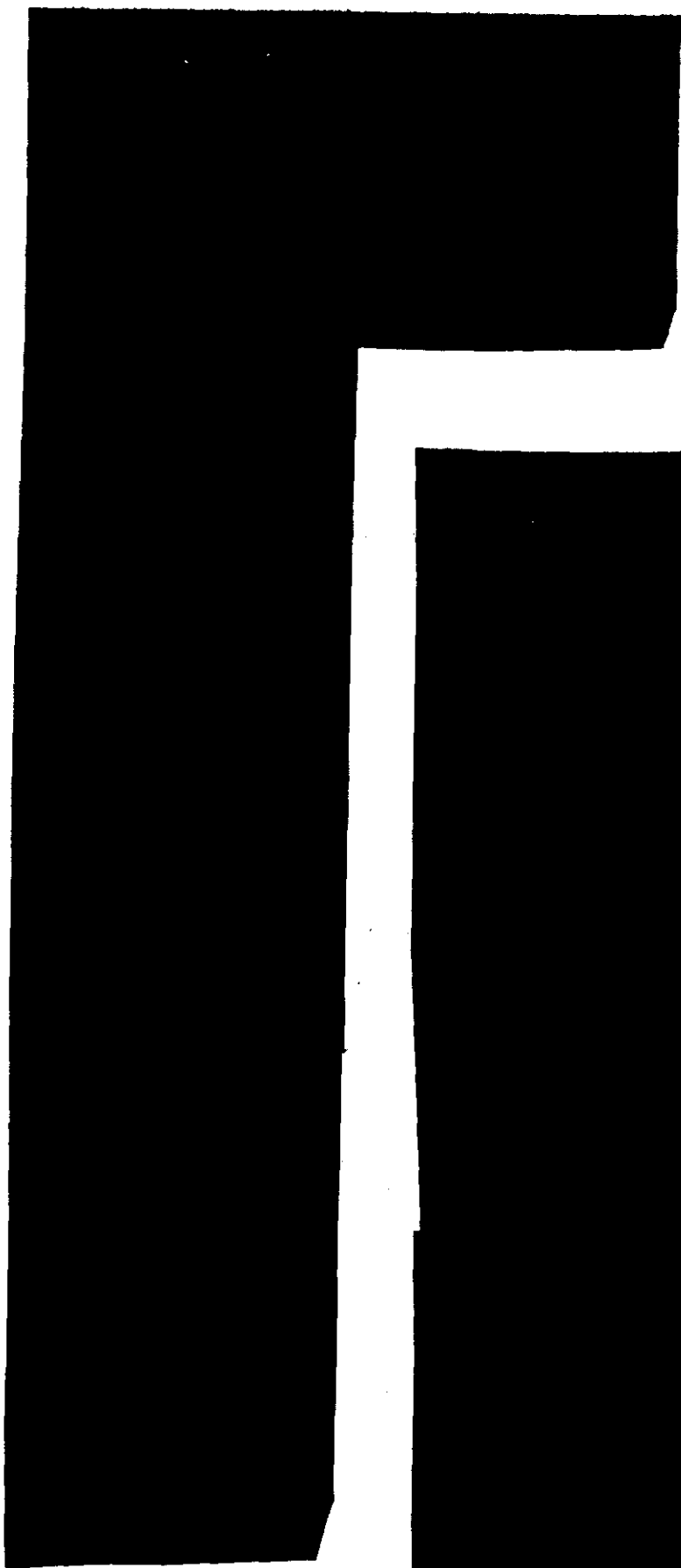
REPORT OF EXAMINER

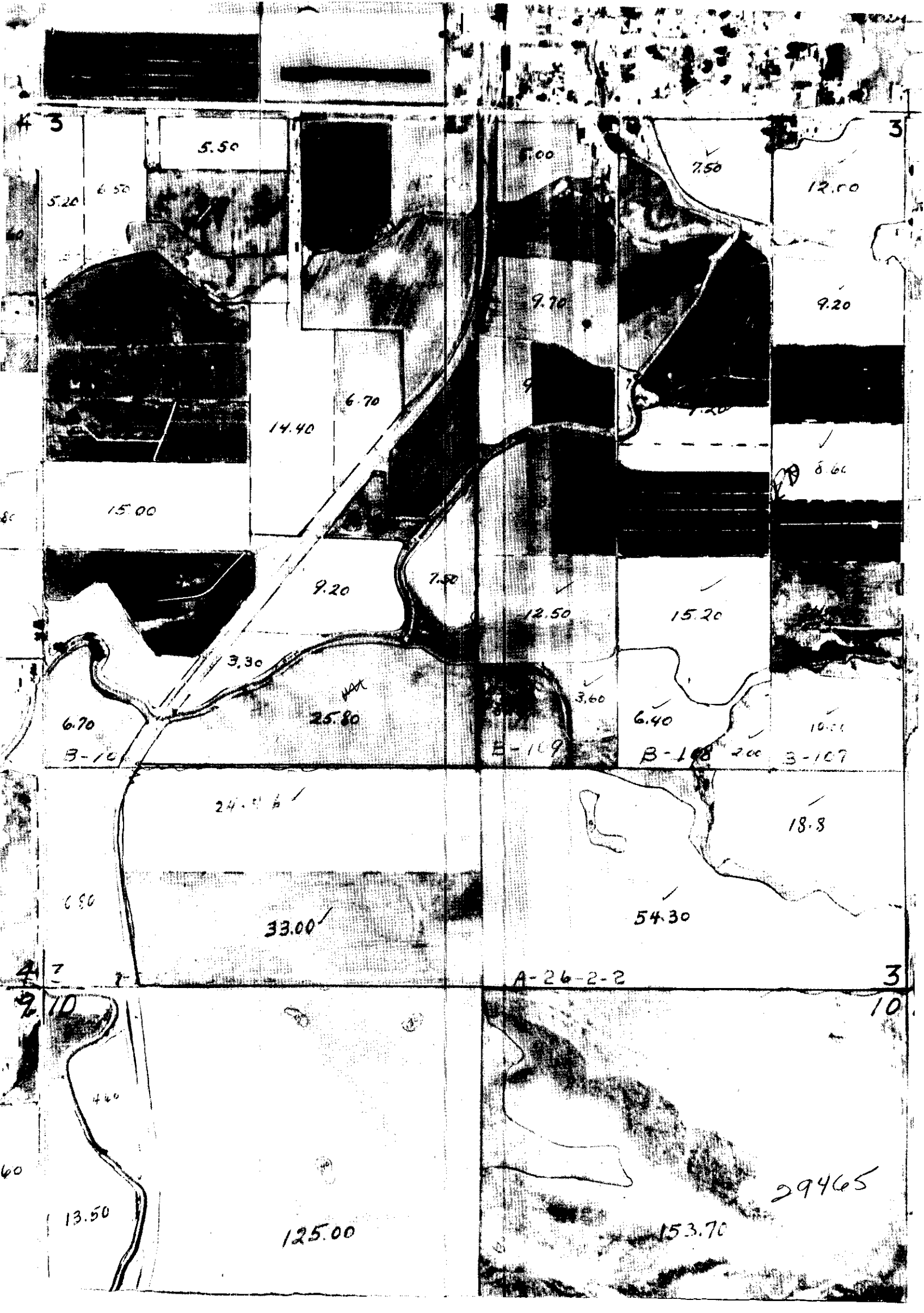
PERMIT NO. G-29565

REPORT ON PROOF OF Completion of Works and Beneficial Use

George Ostermiller, Sr., Rexford S. Howard
Reese J. Godfrey, Newdale, Idaho

29468





4 3

5.50

5.20 6.50

7.50

12.00

9.20

6.70

14.40

15.00

9.20

7.50

12.50

15.20

3.30

25.80

6.70

B-10

3.60

6.40

10.00

B-109

B-108

200

B-107

24.00

18.8

6.00

33.00

54.30

4.7

9.10

4.40

13.50

125.00

A-26-2-2

153.70

29465

3

10

Re: Permit No. **G-29465**

George Ostermiller, Sr.
Rexford S. Howard
Reese J. Godfrey
Newdale, Idaho

Gentlemen:

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-29465**.

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. Russel Bosch
Office Manager

MRB:ew

29465

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G-29465

RECEIVED
AUG 18 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: George Ostermiller, Sr., Newdale, Idaho; Rexford S. Howard, Newdale, Idaho; and Reese J. Godfrey, Newdale, Idaho, all farmers, and P. O.
Address for all three is Newdale, 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-29465, approved February 24, 1961, date of priority is February 24, 1961

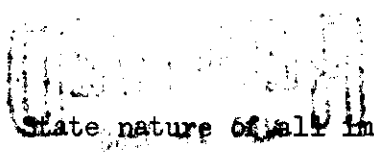
Ques. 4. State source of water supply: subterranean
Give location of point of diversion, showing subdivision, section, township and range
SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 3, Twp. 6 N., R. 41, E.B.M., Madison County, Idaho.

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: 4.8 cfs; Give name of canal or ditch or other works by which water is conducted to such place of use: none
_____; if a well, state depth of well 263'; depth and size of casing 110' of 6" casing; depth to water 230'; if pump is used, state discharge of pump: 360 gal. per min., tell how it was measured or determined well driller's test; if sprinkler irrigation, give number and size of nozzles and operating pressure: 250 11/64 at 45 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 $\frac{1}{4}$ NE $\frac{1}{4}$ (40), NW $\frac{1}{4}$ NE $\frac{1}{4}$ (40), SE $\frac{1}{4}$ NE $\frac{1}{4}$ (40), SW $\frac{1}{4}$ NE $\frac{1}{4}$ (40), NE $\frac{1}{4}$ SE $\frac{1}{4}$ (40) and NW $\frac{1}{4}$ SE $\frac{1}{4}$ (40), of Sec. 3, Twp. 6 N., R. 41, E.B.M., Madison County, Idaho.

29465



State nature of all improvements which have been made as a direct result of said use:
Land has been converted from dry land to irrigated farming land.

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: Cope Drilling & Pump Company, Box 1134, 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 1961 - 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) *George O. Harrison*
Reese J. Spafford
Alford Howard

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 24th day of May, A. D. 1966.

My commission expires: 1-26-67
Lay W. Ligby
Notary Public for Idaho
Residing at Rexburg, Idaho

29465

RECEIVED
AUG 18 1966

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Department of Reclamation

Boise, Idaho

Permit No. G-29465

* * * * *

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:

Elmer Schurndiman, age 55 Newdale, Idaho
Farmer

Ques. 2 Are you acquainted with George Ostermiller, Sr., Rexford the holder of
Permit No. G-29465? How long have you known him and where does he reside?

S. Howard & Reese J. Godfrey,
Yes, I've known all of them about 45 years, and they all reside at
Newdale, Idaho.

Ques. 3. Have you read or heard said Permit No. G-29465 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
SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 3, 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: 4.8 c.f.s. How much water have you seen being so
conveyed? 4.8 c.f.s.

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

NE $\frac{1}{4}$ NE $\frac{1}{4}$ (40), NW $\frac{1}{4}$ NE $\frac{1}{4}$ (40), SE $\frac{1}{4}$ NE $\frac{1}{4}$ (40), SW $\frac{1}{4}$ NE $\frac{1}{4}$ (40), NE $\frac{1}{4}$ SE $\frac{1}{4}$ (40), and
NW $\frac{1}{4}$ SE $\frac{1}{4}$ (40), of Sec. 3, Twp. 6 N., R. 41, E.B.M., Madison County, Idaho.

29465

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 4.8 c.f.s. 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? 1961

Other times you have seen such use: Every year since

(Signed):

Almut Schwerdtfeger

* * * * *

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 24th day of May, A. D. 19 66.

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

My commission expires 1-26-67

29465

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho
Permit No. G-29465

RECEIVED
AUG 18 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:

Clair Robinson 49 Newdale, Idaho Farmer Newdale, Idaho

Ques. 2 Are you acquainted with George Ostermiller, Sr., Rexford S. Howard and Reese J. Godfrey, the holder of Permit No. G-29465? How long have you known him and where does he reside?

Yes, I've known all of them about 40 years, and they all reside at Newdale, Idaho.

Ques. 3. Have you read or heard said Permit No. G-29465 read, and are you familiar with its provisions and conditions: Yes x yes No.

Ques. 4. State source of water supply: subterranean

Give location of place of diversion, showing subdivision, section, township and range SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 3, 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: 4.8 c.f.s. How much water have you seen being so conveyed? 4.8 c.f.s.

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

NE $\frac{1}{4}$ NE $\frac{1}{4}$ (40), NW $\frac{1}{4}$ NE $\frac{1}{4}$ (40), SE $\frac{1}{4}$ NE $\frac{1}{4}$ (40), SW $\frac{1}{4}$ NE $\frac{1}{4}$ (40), NE $\frac{1}{4}$ SE $\frac{1}{4}$ (40), and NW $\frac{1}{4}$ SE $\frac{1}{4}$ (40), of Sec. 3, Twp. 6 N., R. 41, E.B.M., Madison County, Idaho.

29465

RECEIVED
2001 8A 2001

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 farm land,
and requires at least 4.8 c.f.s. 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? 1961
Other times you have seen such use: Every year since

(Signed):

Alair Robinson

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 24th day of May, A. D. 1966.

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

My commission expires 1-26-67

29465

The REXBURG STANDARD and
The REXBURG JOURNAL
REXBURG, IDAHO

RECEIVED

AUG 18 1966

Department of Reclamation

Affidavit of Publication

STATE OF IDAHO }
County of Madison } ss.

Annette Porter

I, 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 April 21, 1966
and the last publication having been made

on May 12, 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 12th day of May, 1966

John C. Porter

Notary Public.

(SEAL)

My commission expires 6-5-68

29465

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

RECEIVED
AUG 18 1966

TELEPHONE
356-3633
AREA CODE 208

Department of Reclamation

The Honorable Carl E. Tappan
State Reclamation Engineer
107 State House
Boise, Idaho 83701

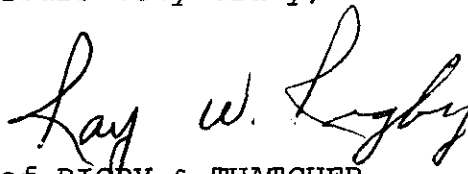
Re: Permit No. G-29465

Dear Mr. Tappan:

Enclosed herewith are depositions of holder and two witnesses concerning the above numbered permit held in the names of George Ostermiller, Sr., Rexford S. Howard and Reese J. Godfrey, together with Affidavit of Publication.

Please advise if there is anything further we can furnish you concerning this matter.

Yours very truly,


of RIGBY & THATCHER

ss
Enclosures

29465

June 2, 1966

Re: Permit No. G-29465

Mr. Ray W. Rigby,
Rigby & Thatcher,
Attorneys at Law,
Box 362,
Rexburg, Idaho 83440

Dear Mr. Rigby:

Pursuant to your letter of May 27, 1966, we
are forwarding the requested depositions.

The forms requested were sent to the permit
holder on the date the advertisement was mailed to the
paper.

Very truly yours,

DONALD W. McELDOWNEY
State Water Rights Clerk

Encl. - Form 16
Form 17A in duplicate
DWMc:pmk

29465

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

RECEIVED
MAY 31 1966
Department of Reclamation

RAY W. RIGBY
GORDON S. THATCHER

May 27, 1966

TELEPHONE
356-3633
AREA CODE 208

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

Re: Permit #G-29465

Dear Mr. Tappan:

We have not received the forms for depositions of holder and witnesses concerning the above numbered permit. Will you please send them to this office.

Yours very truly,

Ray W Rigby
of RIGBY & THATCHER

SS

29465-

April 25, 1966

RE: Permit No. G-29465

Rexburg Standard
Rexburg, Idaho

Gentlemen:

In the legal notice of proof of completion of works and application of water to beneficial in the name of George Ostermiller, Sr., Rexford S. Howard and Reese J. Godfrey will you please change paragraph 1, line 15 to Permit No. G-29465 and send us a tear sheet for proofing?

Very truly yours,

M. Russell Bosch
Office Manager

MRB:mr

29465

ROBERT E. SMYLIE
Governor



CARL E. TAPPAN
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

April 25, 1966

RE: Permit No. G-29465

Rexburg Standard
Rexburg, Idaho

Gentlemen:

In the legal notice of proof of completion of works and application of water to beneficial in the name of George Ostermiller, Sr., Rexford S. Howard and Reese J. Godfrey will you please change paragraph 1, line 15 to Permit No. G-29465 and send us a tear sheet for proofing?

Very truly yours,


M. Russell Bosch
Office Manager

MRB:mr

RECEIVED
MAY 9 1966
Department of Reclamation

29465

April 14, 1966

RE: Permit No. G-29465
George Ostermiller, Sr.
Rexford S. Howard
Reese J. Godfrey all of Newdale, Idaho

Rigby and Thatcher
Attorneys at Law
P.O. Box 362
Rexburg, Idaho

Dear Mr. Rigby:

Enclosed is the assignment on the above numbered permit which has been recorded in this office.

Also enclosed is departmental receipt No. G-10275 in the amount of \$.50 cents covering the fee.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw
Encl: Assignment
Receipt

29465

A S S I G N M E N T

For value received, I hereby assign all of my right, title and interest in and to Permit to appropriate the Public Waters of the State of Idaho, in equal, undivided interests, No. G-29465 / to GEORGE OSTERMILLER, SR., REXFORD S. HOWARD and REESE J. GODFREY, all of Newdale, Idaho.

*

Stanton Howard
Permit Holder

Carrie Howard
Wife of Permit Holder

STATE OF IDAHO)
 :
County of MADISON.)

On this 13th day of April, 1966, before me, a Notary Public for the State of Idaho, residing at Rexburg, Idaho, personally appeared STANTON HOWARD and CARRIE HOWARD, are known to me to be the persons whose names is subscribed to the within instrument, and duly acknowledged to me that they executed the same.

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

My Commission expires 1-26-67

Ray W. Ligby
Notary Public, Residing at
Rexburg, Idaho

* If fractional part of permit is to be assigned, the fractional part of the land to which the assigned fraction is appurtenant should be described by legal subdivisions.

29465

Re: Permit No. G-29465

April 14, 1966

Rexburg Standard
Rexburg, Idaho

Gentlemen:

Enclosed you will find a legal notice which we wish to have published for four consecutive weeks prior to May 24, 1966. The expense of the publication is to be paid by Rexford S. Howard, Reese J. Godfrey, of Newdale, Idaho George Ostermiller, Sr. 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,

CARL E. TAPPAN
State Reclamation Engineer

29465

RECEIVED
MAY 24 1961
DEPARTMENT OF RECLAMATION

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 24th day of May 1966, at Rexburg, County of Madison, State of Idaho before Ray W. Rigby, Notary Public, at (address) 25 North 2nd East, Rexburg, Idaho, proof will be submitted of the completion of works for the diversion of 4.8 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-29465, 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 George Ostermiller, Sr., Rexford S. Howard and Reese J. Godfrey, all of Newdale, 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 4.8 cubic feet per second.

3. The use to which said water has been applied is irrigation, purposes and the amount applied to beneficial use is 4.8 cubic feet per second.

4. The point of diversion of said water is SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 3, Twp. 6 N., R. 41, E. Boise Meridian, Madison County, Idaho.

5. The place where said water is used is Sec. 3, Twp. 6 N., R. 41, E.B.M. NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$.

6. The date of priority which said user is prepared to establish is May 19 1961
February 24, 1961

State Reclamation Engineer

29465

RECEIVED
DEPARTMENT OF RECLAMATION

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) April 13, 1966

(P. O.) Newdale, 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 Standard of
Rexburg, Idaho, Published in
the county in which the works are situated.

Richard Howard
Russell Halfrey
George Othman, Sr.

(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

29465

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

RAY W. RIGBY
GORDON S. THATCHER

April 13, 1966

TELEPHONE
356-3633
AREA CODE 208

APR 14 1966
Department of Reclamation

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

Re: Permit #G-29465

Dear Mr. Tappan:

I enclose herewith Assignment of the above numbered Permit, together with the fee of 50 cents. Also, enclosed is Form 11, Notice, and duplicate Form 36, Notice of Proof of Completion of Works and Application of Water to Beneficial Use, covering the above numbered permit.

Please send forms for depositions to this office.

Yours very truly,

Ray W. Rigby
of RIGBY & THATCHER

ss
Enclosures

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March 25, 1966

RE: Permit No. G-29465

Rexford S. Howard
Box 100
Newdale, Idaho

Dear Mr. Howard:

Enclosed find the forms requested by your letter of March 24.

If the proofs are to be made in your name an assignment to you from Stanton Howard will be required. An assignment form is enclosed. The recording fee for the assignment is \$.50.

Very truly yours,

Donald J. Watts
Office Engineer

DJW:mr

Enc. Forms 36, 11
Assignment

29465

State of Idaho
Department of Reclamation
Boise, Idaho

March 24, 1966

Dear Sir:

I have just been handed a letter from your office, dated March 23, 1966. A notification of cancellation of Permit No. G 29465.

I started buying this Farm from Stanton Howard in 1961, before he had started drilling the Well. He had the arrangements made for drilling the Well and I went ahead with it, and have been using it every year since that time.

I have had the understanding that filling on the Well was all completed by the Cope Drilling & Pump Co. evidently it was not.

If you will give me the information and necessary Forms or tell me where they can be obtained, I will get this taken care of immediately.

Thank you.

Very truly yours,

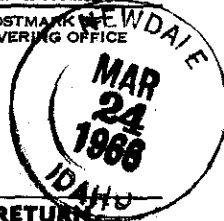
RECEIVED
MAR 25 1966
Rexford S. Howard
Rexford S. Howard
Box 100
Newdale, Idaho

29465

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

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

POSTMARK
DELIVERING OFFICE



RETURN
TO

INSTRUCTIONS: Show name and address below and
complete instructions on other side, where applicable.
Moisten gummed ends, attach and hold firmly to back
of article. Print on front of article RETURN
RECEIPT REQUESTED.

NAME OF SENDER

Dept of Reclamation

STREET AND NO. OR P.O. BOX

Room 107 Statehouse

CITY, STATE, AND ZIP CODE

Boise, Idaho 83701

POD Form 3811 Jan. 1965 685-16-71548-7

29465

INSTRUCTIONS TO DELIVERING EMPLOYEE



Show to whom and when delivered



Show to whom, when, and address where delivered



Deliver ONLY to addressee

(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

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

CERTIFIED NO.

20074

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

DATE DELIVERED

SHOW WHERE DELIVERED (only if requested)

3-24-66

635-16-71548-7 GPO

29465

10/1/63

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

Re: Permit No. G- 29465

March 23, 1966

To Stanton Howard
Newdale, Idaho

It appearing to the State Reclamation Engineer that the terms and conditions of Permit No. G- 29405 to appropriate the Public Waters of the State of Idaho, have not been complied with as to Completion of Works & Beneficial Use Proofs which were due February 24, 1966

YOU ARE HEREBY notified in compliance with Sec. 42-234, Idaho Code that said Permit No. G- 29465 is hereby held for cancellation.

YOU ARE HEREBY required to show cause before the State Reclamation Engineer on or before sixty days from date of this notice why said Permit should not be cancelled.

SAID PERMIT NO. G- 29465 claims the use of 4.8 cubic feet per second of the Subterranean Waters well with point of diversion located: SE 1/4 Sec. 3., Twp. 6 N., R. 41 E.B.M.

MADISON COUNTY

and was approved February 24, 1961.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of my office, at Boise, Idaho, the 23rd day of March, 1966.

cc: Cope Drilling & Pump Co.
P. O. Box 1134
Idaho Falls, Idaho

State Reclamation Engineer

29465

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G - 29465 - Stanton Howard

Dec. 1, 1965

Cope Drilling & Pump Co.
Box 1134
Idaho Falls, Idaho

Gentlemen:

The date for proofs of Completion of Works and Application of water to beneficial use, as set out under terms of Permit No. G29465 are due not later than Feb. 24, 1965

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,

Carl E. Tappan

STATE RECLAMATION ENGINEER

Enc. Form 36 and 11

cc: Stanton Howard
Newdale, Idaho

29465

March 6, 1961

Re: Permit No. G-29465
Stanton Howard

Cope Drilling and Pump Co.,
Box 1134,
Idaho Falls, Idaho.

Gentlemen:

We enclose Permit No. G-29465 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-5682, which was issued to Rexford Howard, covering payment in the amount of \$6.00 for the filing fee of the above mentioned permit.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

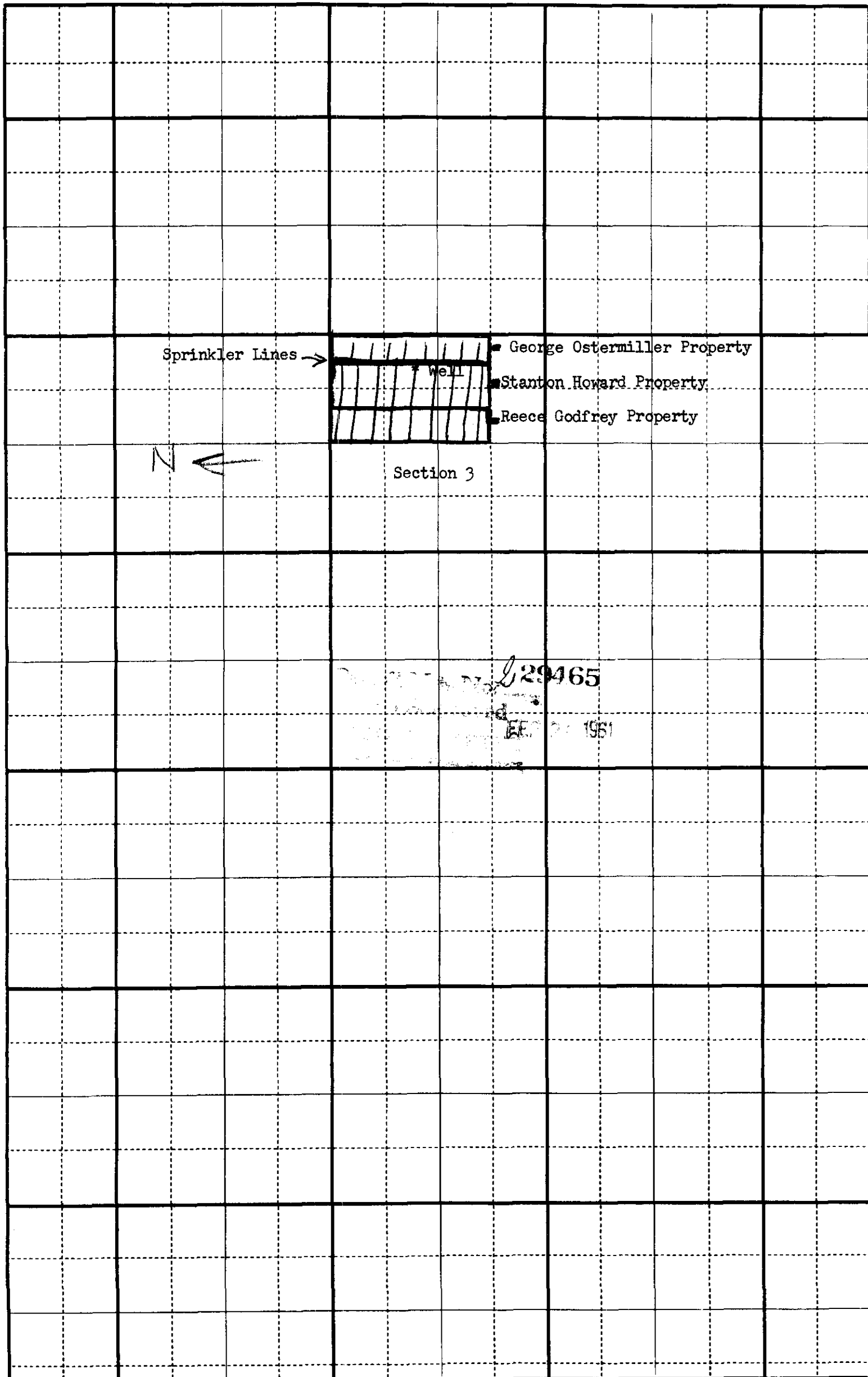
(Mrs.) Edna P. Rule
Chief Clerk

Encl.
EPR:pmk
cc: Stanton Howard
Newdale, Idaho

29465

NAME OF APPLICANT STANTON HOWARD....NEWDALE, IDAHO

Form No. 0



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

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