

ITEM C.1.

LINE 1

32 sprinklers

27 psi

* 5/32
 X - 9/64
 X - 5/32
 X - 5/32
 X - 9/64

ALL SPRINKLERS
Model 30W

Avg pressure

37 psi

Nozzles
(30 - 5/32")
(2 - 9/64")

5/32
(27)

47 psi

LINE 2

32 sprinklers/line

16.5 psi

X - 5/32
 X
 X
 X } 5/32
 X
 X - 5/32
 X - 9/64
 X - 11/64
 X - 5/32
 X - 5/32
 X - 5/32
 X - 5/32
 X - 11/64

Avg pressure
29.25 psi

5/32

Nozzles
(25 - 5/32")
(2 - 9/64")
(5 - 11/64")

X - 11/64
 X - 5/32
 X - 11/64
 X - 9/64
 X - 11/64
 X - 5/32
 X - 5/32
 X - 5/32
 X - 5/32

42 psi

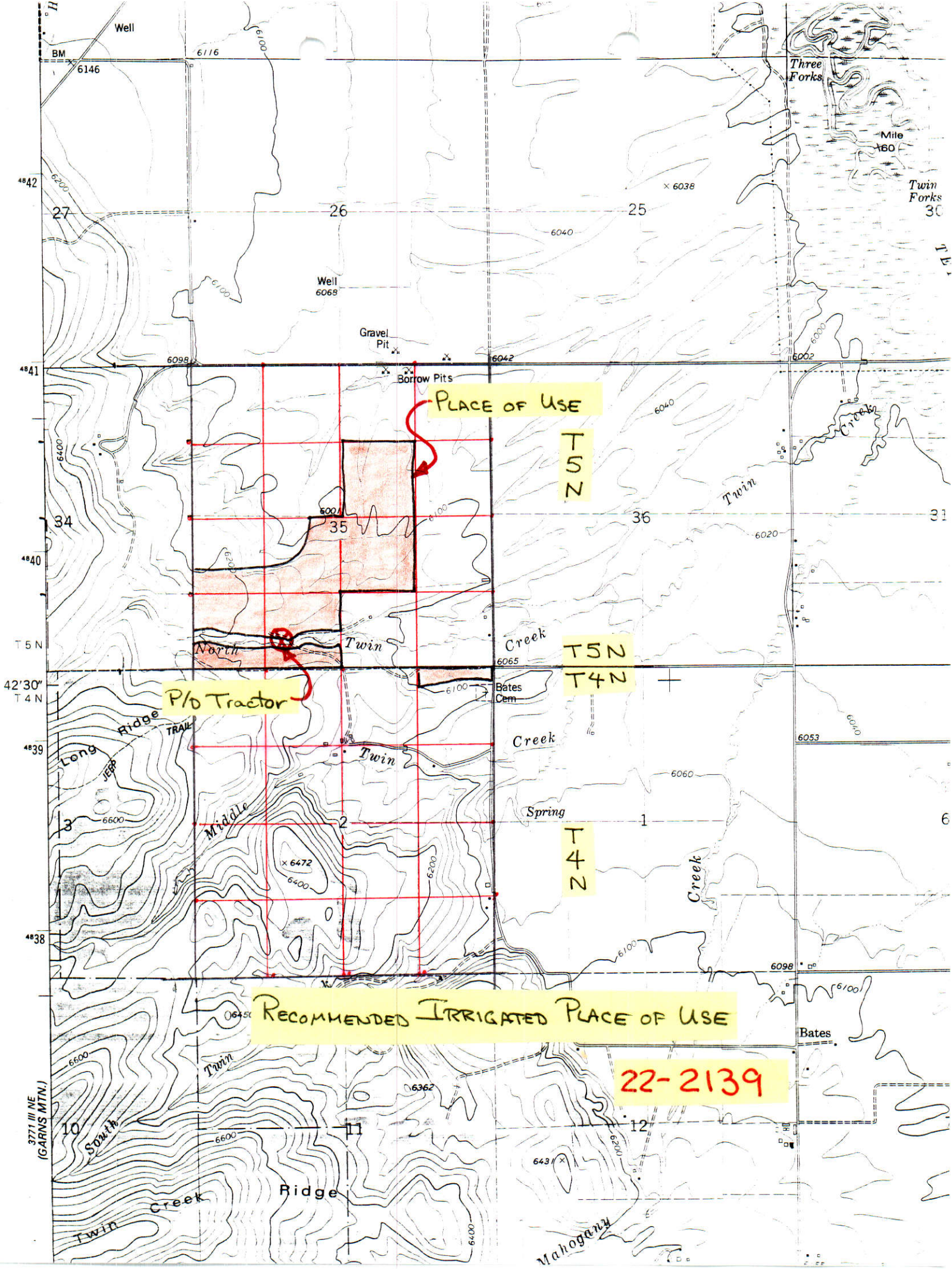
MAINLINE

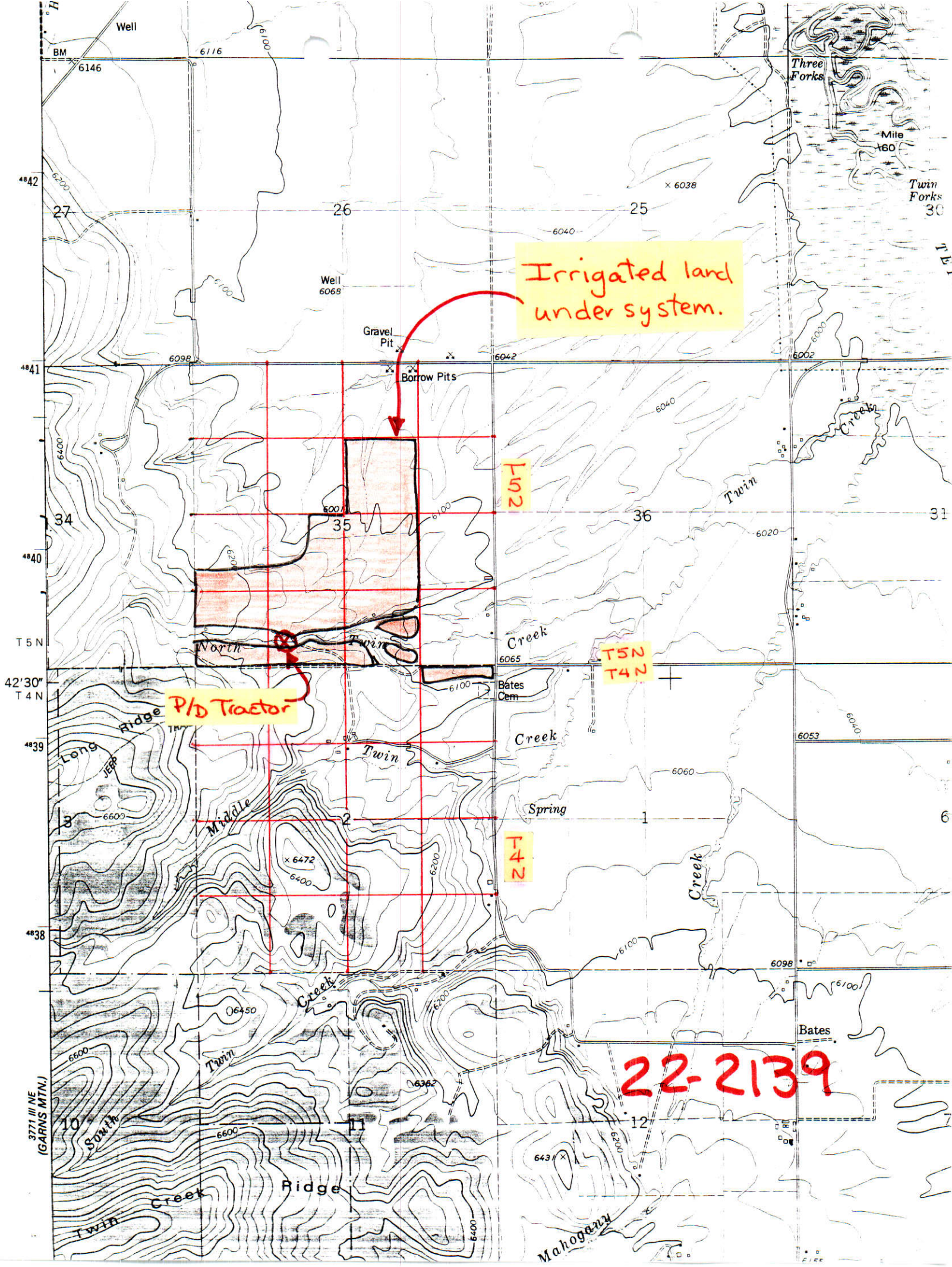
Tractor Pump

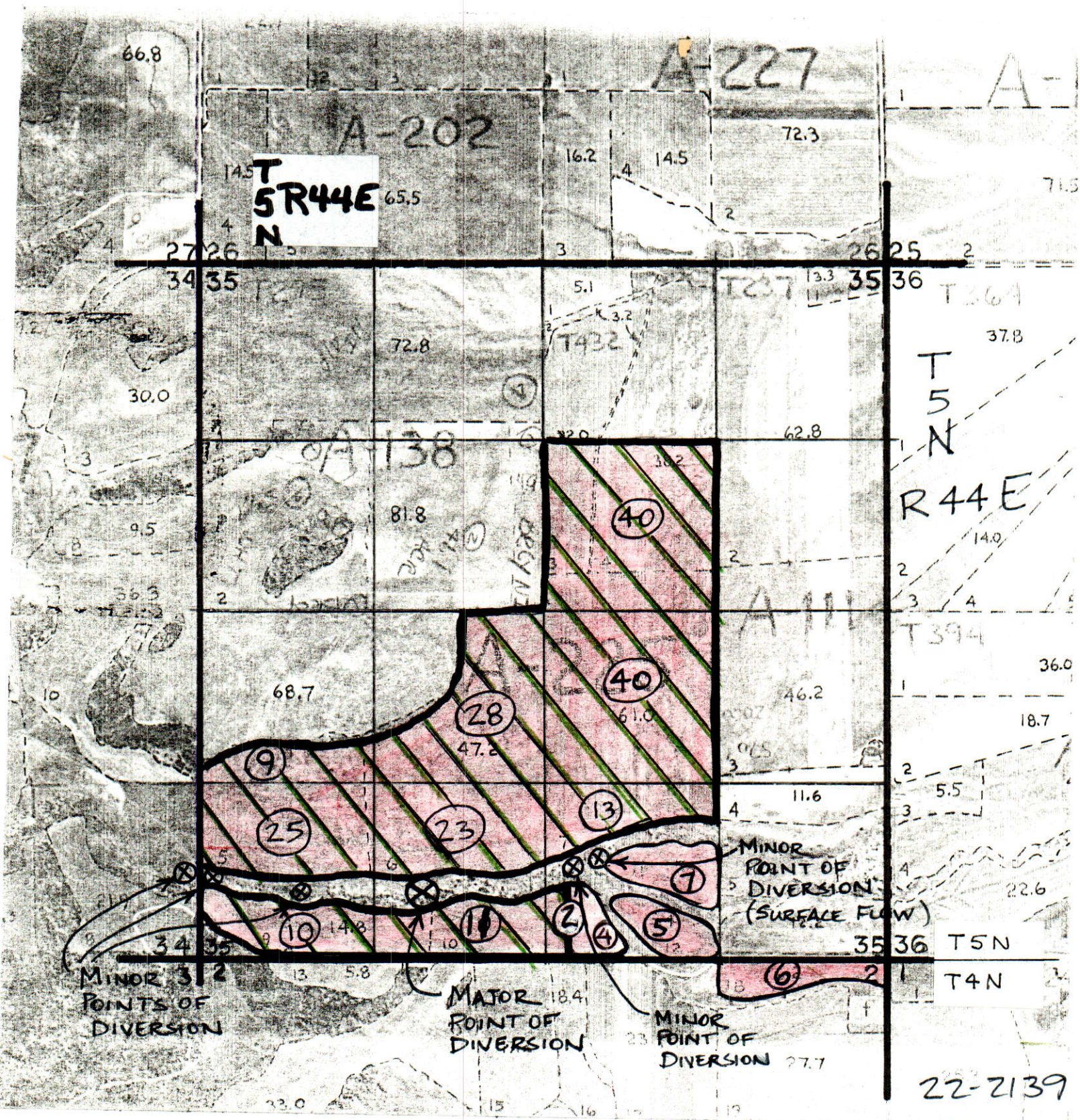
$$Q_1 = 135.264 \text{ gpm} \\ = 0.301 \text{ cfs}$$

$$Q_2 = 124.142 \\ = 0.276 \text{ cfs}$$

$$Q_{\text{TOTAL}} = 0.58 \text{ cfs}$$

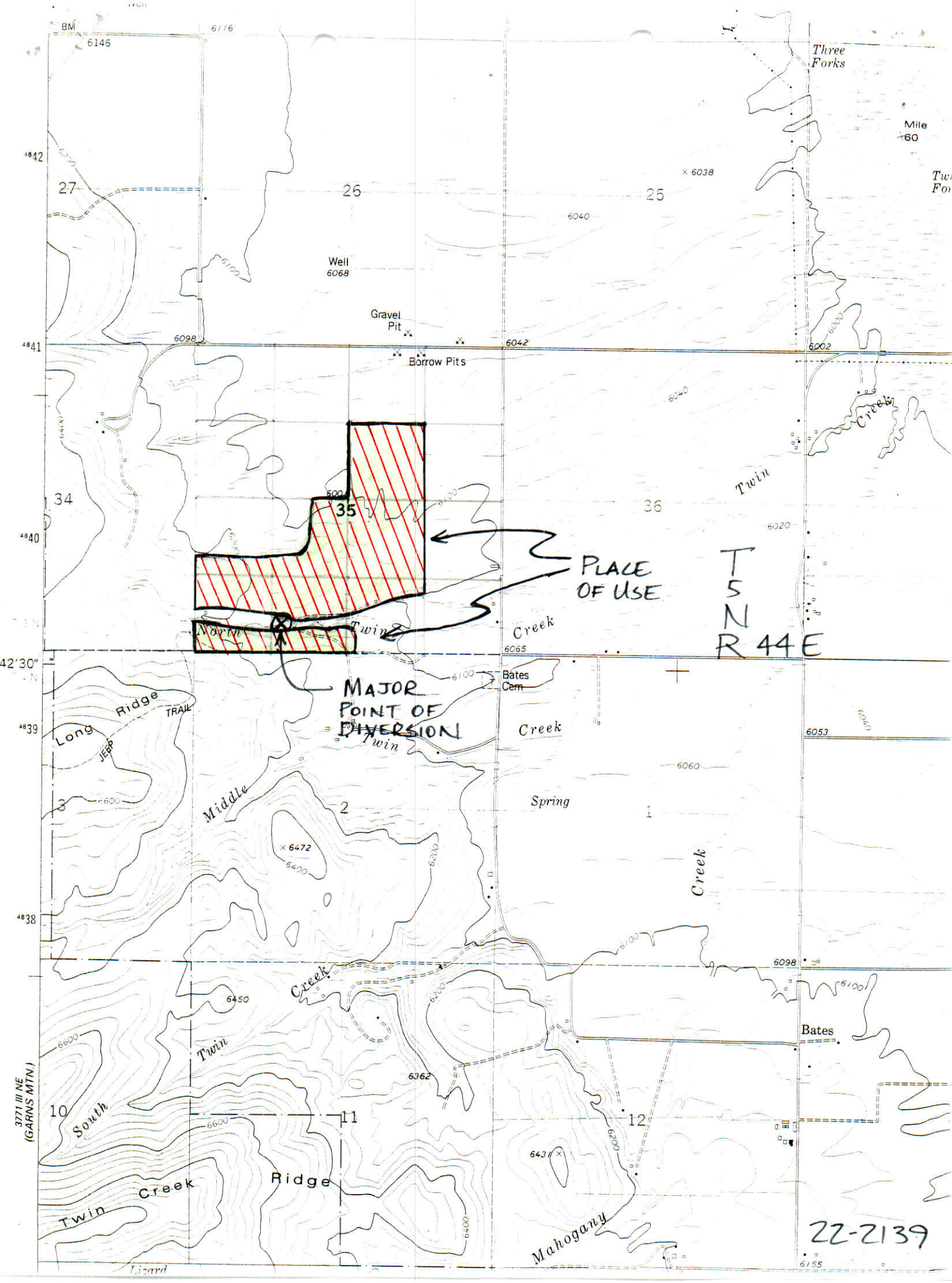






22-2139

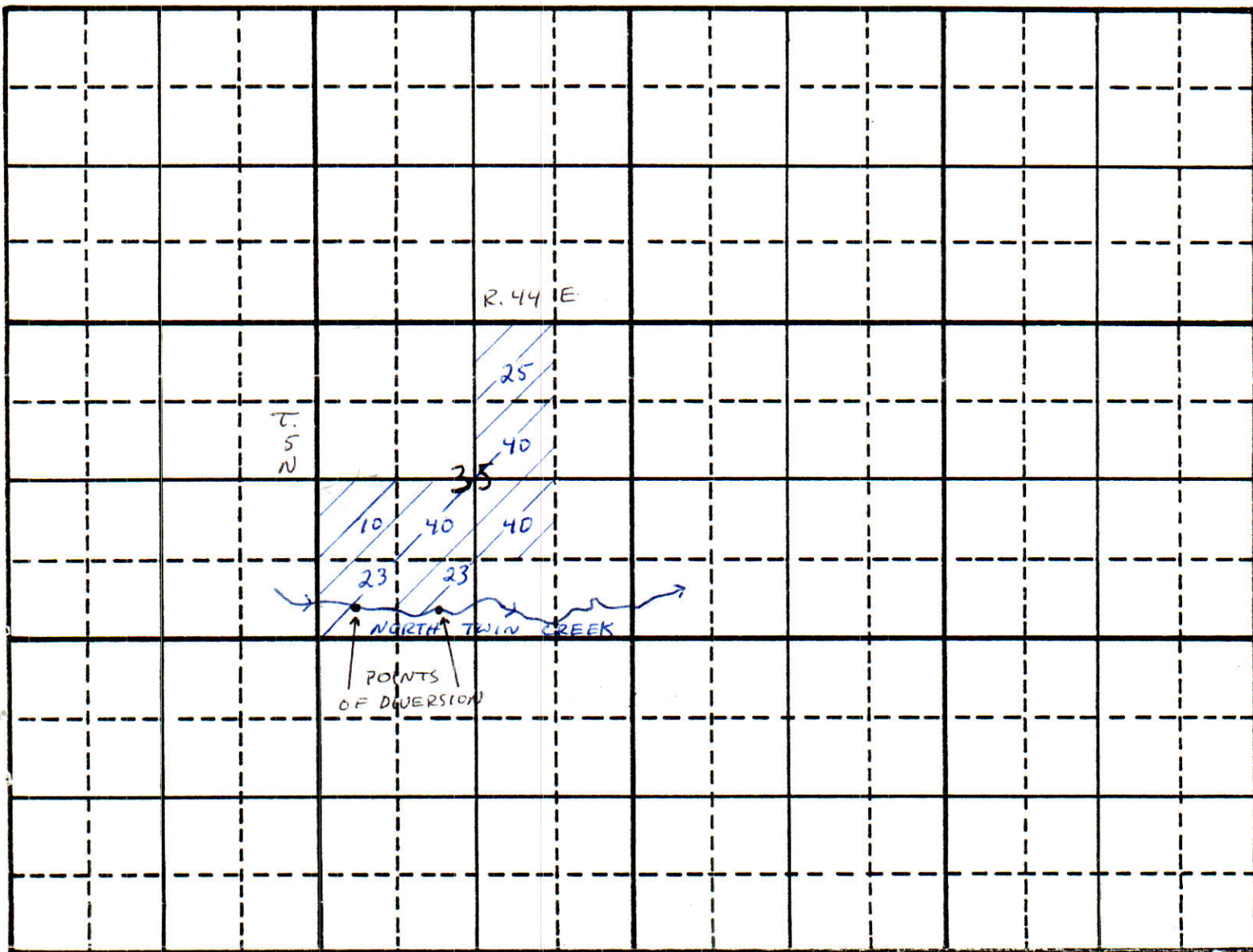






Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Driggs Idaho, this 2 day of February, 19 81.
Fred Bowen
(Signature)

FOR DEPARTMENT USE ONLY

SK 22 Dec 1980
Preliminary check by _____ Fee = \$20.00 rec'd 2/3
Publication prepared by _____ Date _____
Publication dates _____
Receipted by kw Date 2/4/1981 #17021
Published in _____

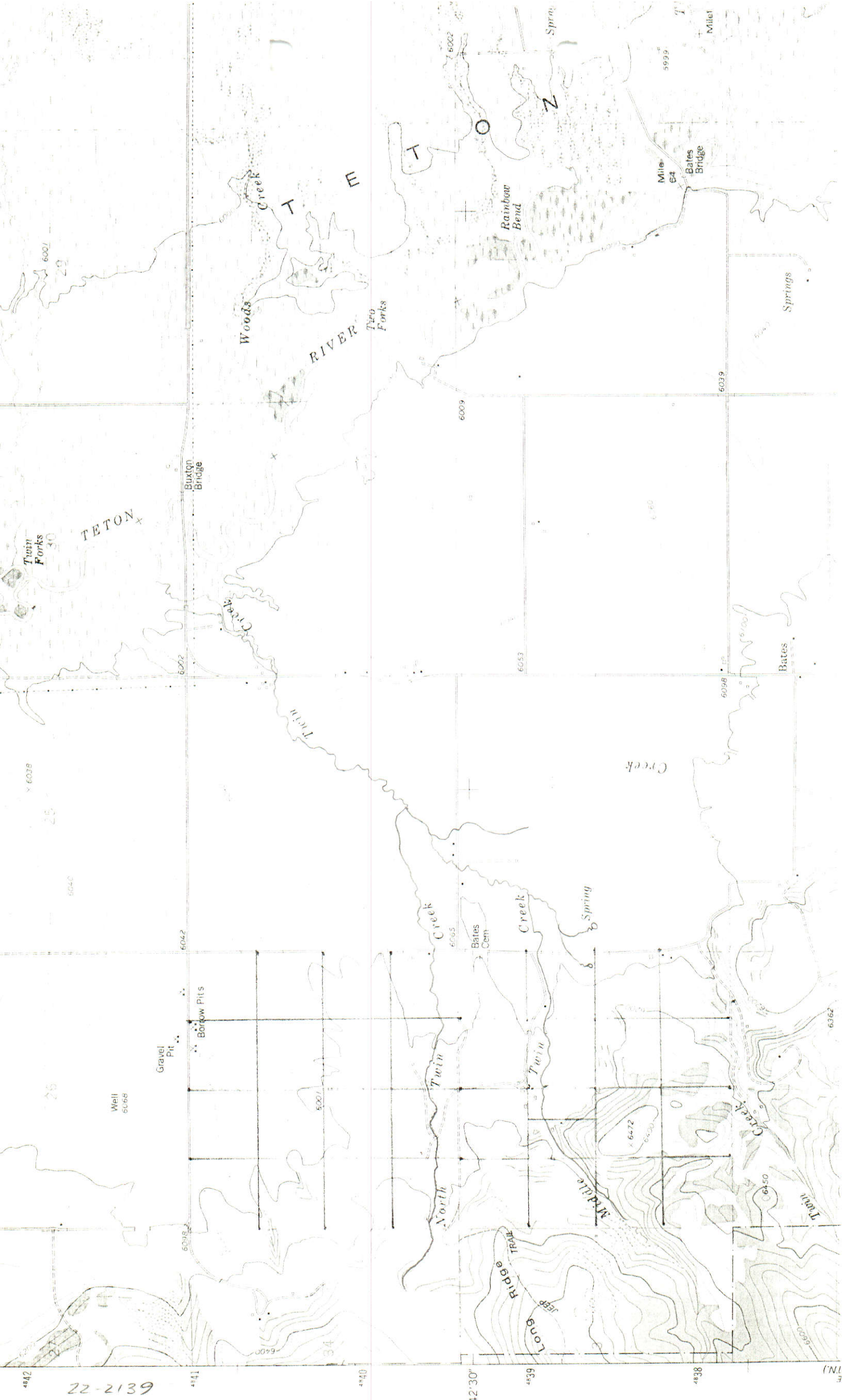
ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, A. KENNETH DUNN, Director of the Department of Water Resources hereby
Approve the above Application for Amendment for Permit No. 21604/22-2139.

Witness my hand this _____ day of _____, 19 85.

Director

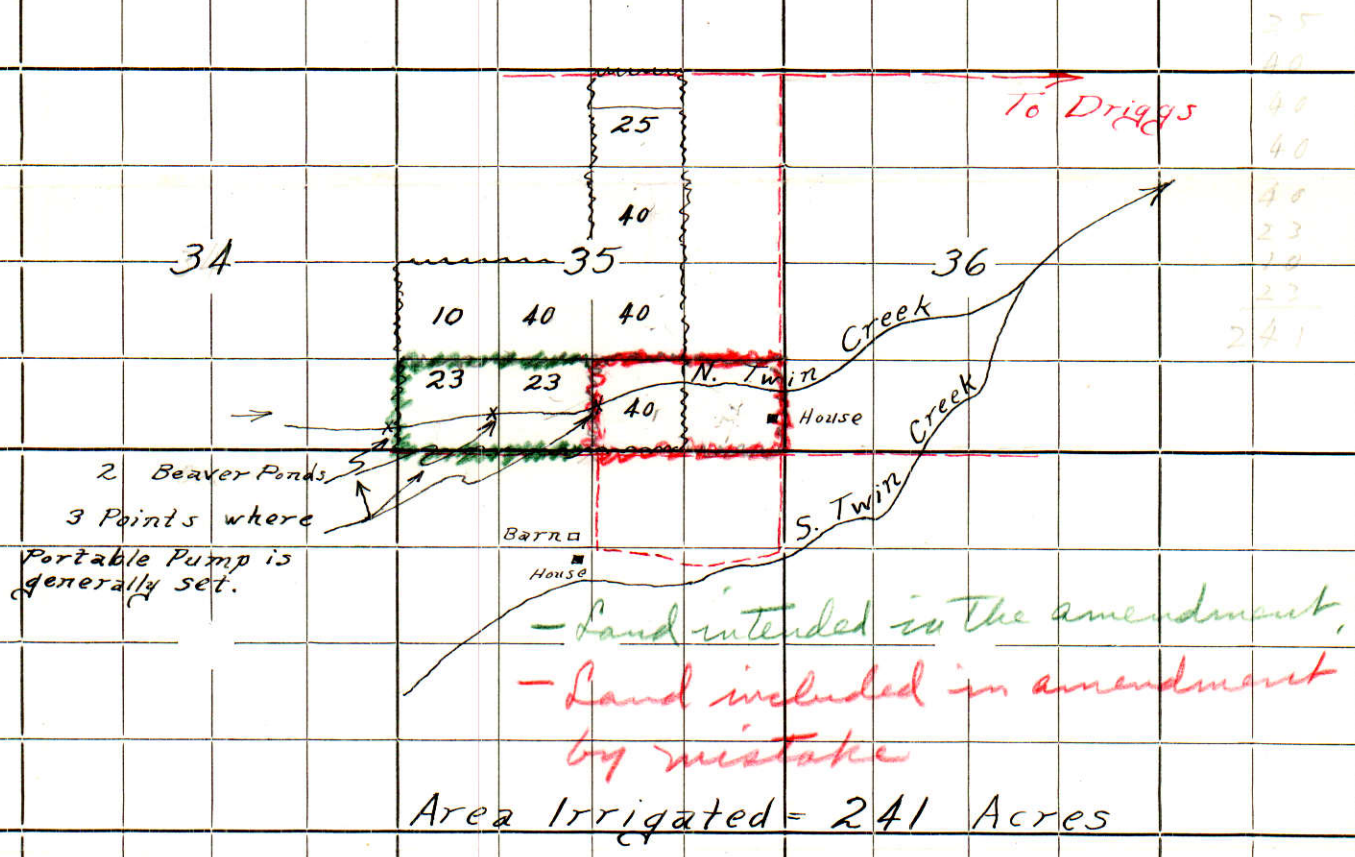
158 ✓



22-2139

T. 5 N.

T. 5 N., R. 44 E.



155 acres covered in original permit

Fred Bowen, Driggs, Idaho

Permit No. 21604

Examination for Beneficial use

County Teton

S 35 T. 5 N., R. 44 E.

Q-1.6 cfs.

S - N. Twin Creek

1300'-5" mainline aluminum pipe
1300'-4" lateral aluminum pipe
Centrifugal pump 3" intake x 3" discharge
3" x 15' suction hose
3" x 10" discharge hose to mainline

Rain Master pump and motor
unit #91503

Wisconsin aircooled engine #
1421744 size $3\frac{1}{4} \times 3\frac{1}{4}$

20 H.P. RPM blow gasoline
Model VF4

mounted on rubber-tired wheel
Alfalfa, potatoes, grain, grass

Harold Forbush atty.

33 heads $5\frac{13}{32} \times \frac{13}{16}$ 35# pressure

Rain bird 40

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.

Priority July 17, 1950

Due Oct. 19, 1952

AFFIDAVIT OF PUBLICAT

State of Idaho, }
County of Teton, } ss.

I, V. E. Lansberry
being first duly sworn, depose and say.

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

Notice- Proof Application of Water

And affiant further says that said at-
tached notice, advertisement or publica-
tion, as per clipping attached, was pub-
lished in said newspaper, in the regular
and entire issue thereof, and not in any
supplement issue thereof, for four
consecutive issues thereof; first publica-
tion having been made on the 15th
day of July, 19 52,
and last publication on the 7th
day of August, 19 52.

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

Subscribed in my presence and sworn
to before me this 14 day of

August, 19 52

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

My Commission expires

Oct 16, 19 55

Notice for Publication

NOTICE OF PROOF APPLICA- TION OF WATER TO BENE- FICIAL USE

Notice is hereby given that at
10:00 a.m. on the 15th day of Aug-
ust, 1952, at Driggs, County of
Teton, State of Idaho, before H.
S. Forbush, a Notary Public, proof
will be submitted of the applica-
tion to beneficial use of 1.6 cubic
feet per second of the waters of
North Twin Creek in accordance
with the terms and conditions of
Permit No. 21604 heretofore issued
by the Dept. of Reclamation of the
State of Idaho.

The name and postoffice address
of the person or corporation hold-
ing said permit are Fred Bowen,
Driggs, Idaho.

The use to which said water has
been applied is irrigation.

The amount applied to beneficial
use is 1.6 cu. ft. per second.

The place where said water is
used: NW $\frac{1}{4}$ NE $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$
and NW $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ of SW $\frac{1}{4}$;
S $\frac{1}{2}$ SE $\frac{1}{4}$, all in Section 35, Twp. 5,
North, Range 44, E. B. M. total 280
acres.

The name of the canal or ditch
or other works by which said
water is conducted to such place
of use is none (the water is ap-
plied by means of a sprinkling sys-
tem).

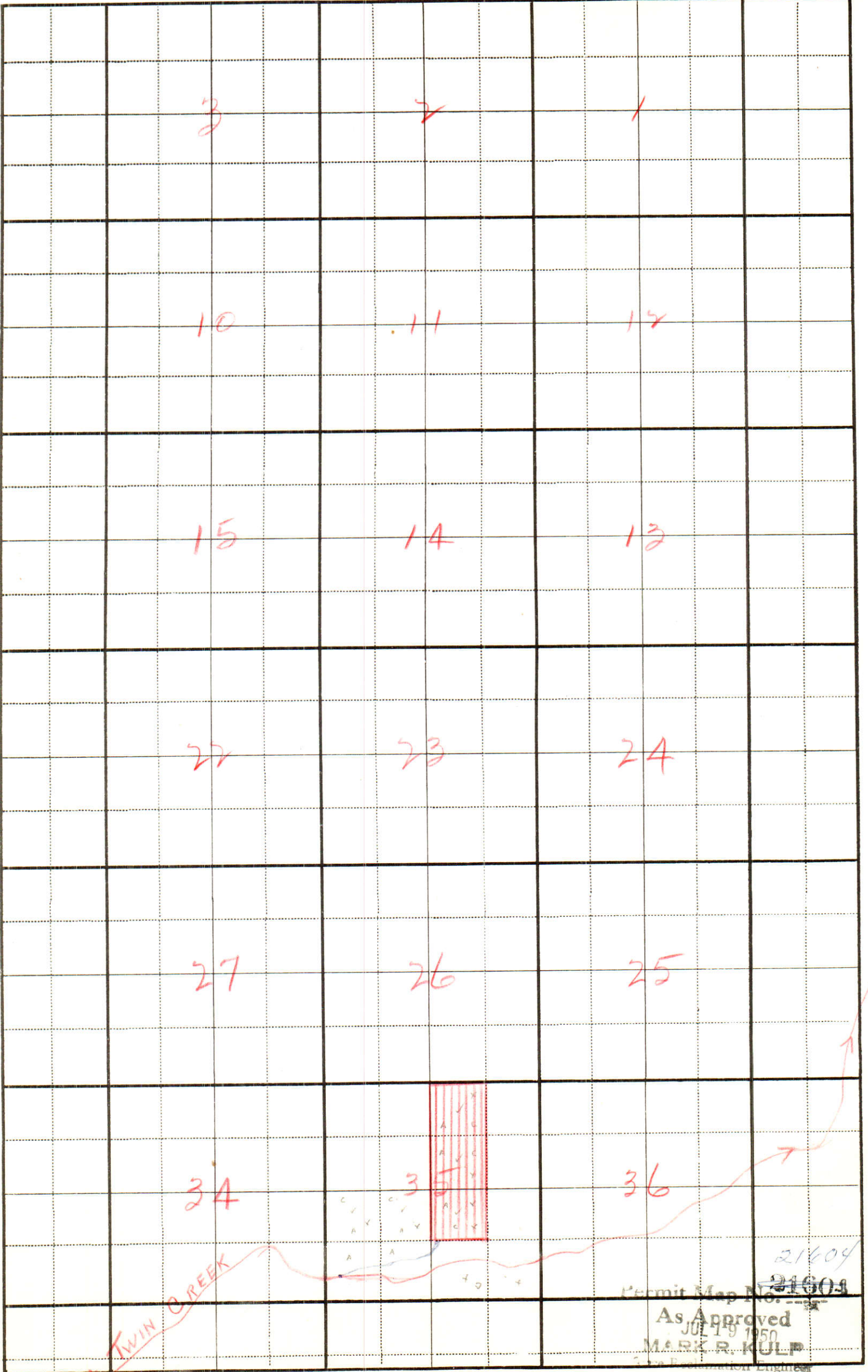
The right to take water from
such works is based upon Permit
No. 21604.

The source of supply from which
such water is diverted is North
Twin Creek.

The date of priority which said
user is prepared to establish is
July 17, 1950.

MARK R. KULP,
State Reclamation Engineer
Pub. J17-24-31-A7

21604



BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PROTEST AGAINST LICENSE NO.)
22-2139 IN THE NAME OF FRED BOWEN)
_____)

ORDER

WHEREAS, on July 17, 1950, Fred Bowen of Driggs, Idaho applied to the Department of Water Resources for a permit to appropriate 1.60 cubic feet per second of water from North Twin Creek tributary to Teton River for the irrigation of 120 acres; and,

WHEREAS, on July 23, 1951, proof of completion of works was submitted to the Department of Water Resources and notices of application of water to beneficial use was advertised in the Teton Valley News, Driggs, Idaho for four consecutive issues beginning July 17, 1952; and,

WHEREAS, on August 13, 1952, the Department of Water Resources received a protest from A. F. Murdock, Raymond Ripplinger, and Sterling Murdock against issuance of a water right license; and,

WHEREAS, on December 5, 1975, Sterling Murdock withdrew his protest; and,

WHEREAS, on October 22, 1981, the Department of Water Resources held a hearing in the Teton County Courthouse, concerning the matter, at which hearing the protestants, Raymond Ripplinger and Ivan Kay, successor to A. F. Murdock, failed to appear; and,

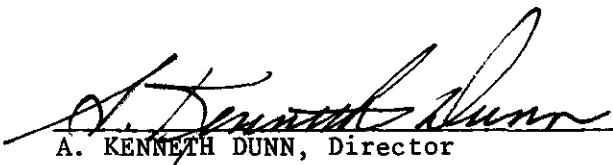
WHEREAS, on October 31, 1981, a Show Cause Order was sent requesting the protestants show cause on or before November 20, 1981 why their protest should not be set aside for failure to appear at the hearing; and,

WHEREAS, the protestant, Raymond Ripplinger responded but failed to show adequate cause; and,

WHEREAS, Ivan Kay, successor to A. F. Murdock failed to respond,

IT IS, THEREFORE, HEREBY ORDERED that the protest of Raymond Ripplinger and Ivan Kay be DISMISSED for failure to Show Cause.

Dated this 27th day of July, 1984.


A. KENNETH DUNN, Director

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 29317
 PERMIT No. 21604
 DISTRICT No.

1. Name of Applicant: FRED BOWEN

Postoffice address: Driggs

County: Teton

State: Idaho

I. If applicant is a corporation, give:

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

II. The financial resources of the applicant are:

- (a) Cash on hand:
- (b) Treasury stock:
- (c) Bonds to be issued:
- (d) Other resources:

2. Quantity of water claimed: 1.6 cubic feet per second.

3. Source of water supply: North Twin Creek which is a tributary of Teton River

4. Location of point of diversion: 350 ft. N. and 500 ft. E. ~~feet distant~~ from the S. W. corner of Section 35, T. 5 N., R. 44 E., B. M., and is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35, T. 5 N., R. 44 E., B. M., County of Teton

5. Water is to be used for Irrigation.

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section

T., R., B. M., in the of Section, T., R., B. M.

(b) Amount of power generated: H.P., under feet head.

(c) Water is to be returned to at a point feet

distant from the corner of Section, T., R., B. M., in the of Section, T., R., B. M.

7. Estimated cost of works: \$ 200.00

8. Kind of works: Earth ditch

9. Height of dam feet; length of dam at top feet; length of dam at bottom

feet; material used in dam:

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom 2 feet; width at water line 2 $\frac{1}{2}$ feet; depth of water feet;

dimensions of flume:

Diameter of pipe inches; length of conduit About 1/4 miles.

Average grade per mile feet.

12. The time required for the completion of such work is One years.

13. The time required for the complete application of the water to the proposed use is One year 3 months additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None

16. (a) Is reservoir to be used?

If so, fill in (b) and (c) below:
- (b) Name of Reservoir and number of Storage Permit:
- (c) Date of filing of Application for Storage Permit and Name of Applicant:

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

FRED BOWEN

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 9:00 A. M. July 17, 1950

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 21604
Recorded in Book 77 Page 21604 Approved July 19, 1950
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 he 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 September 19, 1950 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.
One-fifth of the work above specified to be completed on or before January 19, 1951
The whole of said work to be completed on or before July 19, 1951
Beneficial use of water appropriated in accordance herewith, to be made on or before October 19, 1952
WITNESS My hand this 19th day of July, 1950

MARK R. KULP

State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, C. A. A. ROBINS, Governor of the State of Idaho, and J. D. "CY" PRICE, 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 19th day of July, 1950.

STATE OF IDAHO

Countersigned:

(SEAL)

By J. D. "CY" PRICE Secretary of State.

By C. A. ROBINS Governor.

REMARKS:

14.

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
5 N.	44 E.	35		40		40	APPLICATION FOR AMENDMENT TO PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO, NO. 21604. Comes now Fred Bowen, and represents to the State Reclamation Engineer of the State of Idaho. That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 21604, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows: NW $\frac{1}{4}$ NE $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 35, Twp. 5 N, R 44, 40M; N $\frac{1}{2}$ of SW $\frac{1}{4}$ Section 35, Twp. 5 N, R 44 40M, making a total of 200 acres. That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change. Signed at Driggs, Idaho, this 23rd day of March, 1951. Date of receipt at Office of Department of Reclamation March 27, 1951. APPROVAL OF STATE RECLAMATION ENGINEER I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 21604. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will be adversely affected thereby.								40	120			
			FRED BOWEN										MARK R. KULP State Reclamation Engineer						

Permit No. 21604
 CERTIFICATE OF COMPLETION OF WORKS

To All Whom It May Concern:

This is to certify that FRED BOWEN of Driggs, County of Teton, and State of Idaho, the holder of Permit No. 21604, issued upon Application No. 29317 bearing date of priority of July 17, 1950, authorizing the diversion of 1.6 second feet of the waters of North Twin Creek, a tributary of Teton River, County of Teton, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 1.6 second feet of the waters of North Twin Creek; that the point of diversion of said waters in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 35, Township 5 North, Range 44 East, B.M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, and N $\frac{1}{2}$ SW $\frac{1}{4}$ Section 35, Township 5 North, Range 44 East, B.M.

Witness my hand this 19th day of July, A.D. 1951.

MARK R. KULP
 State Reclamation Engineer

Proof of Completion of Works made June 23, 1951.

Certificate of Completion of Works issued July 19, 1951.

APPLICATION FOR AMENDMENT
 TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
 OF THE STATE OF IDAHO, NO. 21604.

Comes now Fred Bowen, and represents to the State Reclamation Engineer of the State of Idaho.

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 21604, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows: NW $\frac{1}{4}$ NE $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ of SW $\frac{1}{4}$; S $\frac{1}{2}$ SE $\frac{1}{4}$, all in Section 35, Twp. 5, North, Range 44, E.B.M., making a total of 280 acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Driggs, Idaho, this -- day of March, 1952.

FRED BOWEN

Date of receipt at Office of Department of Reclamation April 7, 1952.

APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 21604. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

MARK R. KULP
 State Reclamation Engineer

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JUN 20 1997

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 22-2139

1. Owner: Fred Bowen % Milo D or Evelyn Bowen

Phone No. (208) 354-2434

Current Address: 639 W 125 S Driggs Id 83422

2. Accompanied by: _____

EXAM. DATE: 7 July 1989

Address: _____

Phone No. _____

Relationship to Permit Holder: _____

3. Source: N. Twin Ck tributary to Teton R

B. OVERLAP REVIEW

1. Other water rights with same place of use: 22-2213 (Groundwater) 22-00028 (N. Twin Creek)

☒ Copies Attached

2. Other water rights with same point of diversion: 22-2213 (G.W)

☐ Copies Attached

☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached

SEE ATTACHED Diagram

Scale: 1" = _____

2. ☐ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

☐ Photo of Diversion and System Attached

(required for all but single household domestic groundwater, and stockwater.

☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).

System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

PTO Driven Pump attached to a tractor so that pump can be moved to various p/d's along creek

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Tractor	John Deere 4010			Berkeley	B4J RBM CCW
					7475007

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

5. Point(s) of Diversion: SEE EXAM 22-2139 dtd 6-25-1986

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks

6. Place(s) of Use:

Indicate Method of Determination

Twp.	Rge.	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	
5N	44E	35			40						28	9	35	34		40	31		217
4N	44E	2			6														6
Total																			223ac
RECOMMENDED PLACE OF USE																			
4N	44E	2			6														6
5N	44E				40						28	9	35	34		40			186

192ac Total

Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Pitot tube			N/A	N/A	NA	
Pressure Gage		Ashcroft	N/A	N/A	0-50	
Pressure Gage		Ashcroft	N/A	N/A	0-100	

2. Measurements:

Line #1 (30- $\frac{5}{32}$ " nozzles; 2- $\frac{9}{64}$ " nozzles; Avg. Pressure 37psi)
 Line #2 (25- $\frac{5}{32}$ " nozzles; 2- $\frac{9}{64}$ " nozzles; 5- $\frac{1}{64}$ " nozzles; Avg. Pressure 29.25)

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method:

$$Q_{TOTAL} = 0.58 \text{ cfs}$$

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3); Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 192 \text{ ac} \times 3.0 = 576 \text{ afa}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (0.58 \text{ cfs}) \times (244) \times (1.9835) = 286.2 \text{ afa}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 246.2 \text{ afa}$$

2. Volume Calculations for Other Uses:

H. REMARKS AND OVERLAP REVIEW ANALYSIS

[illegible]

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	4/15	10/15	0.58 cfs	210.56 ft ³
		Totals:	0.58 cfs	210.56 ft ³

2. Recommended Amendments

- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☒ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

J. AUTHENTICATION

Field Examiner's Name KEITH, C WILSON

Signature Keith Wilson

Certification Date _____

Field Report Preparation Date _____

CONSULTANT SEAL

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

FLOW CALCULATIONS

From Rainbird Chart Table No. 3-Model 30W

PSI	9/64	5/32	11/64	
25	2.90	3.52	4.24	> 29.25 psi Line 2
30	3.16	3.85	4.64	
35	3.4	4.16	5.02	> 37 psi Line 1
40	3.63	4.45	5.37	

LINE 1: 30-5/32" sprinklers Nozzles
2-9/64" "

9/64"

$$\frac{37 \text{ psi} - 35 \text{ psi}}{40 \text{ psi} - 35 \text{ psi}} = \frac{x \text{ gpm}}{3.63 - 3.40}$$

$$\frac{2 \text{ psi}}{5 \text{ psi}} = \frac{x \text{ gpm}}{0.23 \text{ gpm}} \quad x = 0.092 \text{ gpm}$$

$$\therefore 9/64 \text{ discharge @ } 37 \text{ psi} = 3.40 \text{ gpm} + 0.092 \text{ gpm}$$

$$\underline{Q_{9/64} = 3.492 \text{ gpm}}$$

5/32"

$$\frac{37 \text{ psi} - 35 \text{ psi}}{40 \text{ psi} - 35 \text{ psi}} = \frac{x}{4.45 \text{ gpm} - 4.16}$$

$$\frac{2 \text{ psi}}{5 \text{ psi}} = \frac{x}{0.29} \quad x = 0.116$$

$$\therefore 5/32 \text{ discharge @ } 37 \text{ psi} = 4.16 \text{ gpm} + 0.116 =$$

$$\underline{Q_{5/32} = 4.276 \text{ gpm}}$$

22-02139

FLOW CALCULATIONS: (cont)

Flow Line 1 =

$$Q_1 = 2(Q_{9/64}) + 30(Q_{5/32}) = 2(3.492 \text{ gpm}) + 30(4.276 \text{ gpm})$$

$$Q_1 = 6.984 \text{ gpm} + 128.28 \text{ gpm}$$

$$Q_1 = 135.264 \text{ gpm} = 0.301 \text{ cfs}$$

LINE 2: 25-5/32" sprinkler nozzles
2-9/64" "
5-1/64" "

1 1/64"

$$\frac{29.25 \text{ psi} - 25 \text{ psi}}{30 \text{ psi} - 25 \text{ psi}} = \frac{x}{4.64 \text{ gpm} - 4.24 \text{ gpm}}$$

$$\frac{4.25 \text{ psi}}{5 \text{ psi}} = \frac{x}{0.4} \quad x = 0.34$$

$$\therefore 1 1/64" \text{ discharge @ } 29.25 \text{ psi} = 4.24 \text{ gpm} + 0.34 =$$

$$Q_{1 1/64} = 4.58 \text{ gpm}$$

5/32"

$$\frac{4.25 \text{ psi}}{5 \text{ psi}} = \frac{x}{3.85 - 3.52} \quad x = 0.28$$

$$\therefore 5/32" \text{ discharge @ } 29.25 \text{ psi} = 3.52 \text{ gpm} + 0.28 =$$

$$Q_{5/32} = 3.80 \text{ gpm}$$

9/64"

$$\frac{4.25 \text{ psi}}{5 \text{ psi}} = \frac{x}{3.16 - 2.90} \quad x = 0.221$$

$$\therefore 9/64" \text{ discharge @ } 29.25 \text{ psi} = 2.90 \text{ gpm} + 0.22 =$$

$$Q_{9/64} = 3.121 \text{ gpm}$$

22-2139

FLOW CALCULATION: (cont)

Flow Line 2:

$$Q_2 = 5(Q_{1/64}) + 25(Q_{5/32}) + 2(Q_{9/64})$$

$$= 5(4.58\text{gpm}) + 25(3.80\text{gpm}) + 2(3.121\text{gpm})$$

$$Q_2 = 22.9\text{gpm} + 95\text{gpm} + 6.242\text{gpm}$$

$$Q_2 = 124.142\text{ gpm}$$

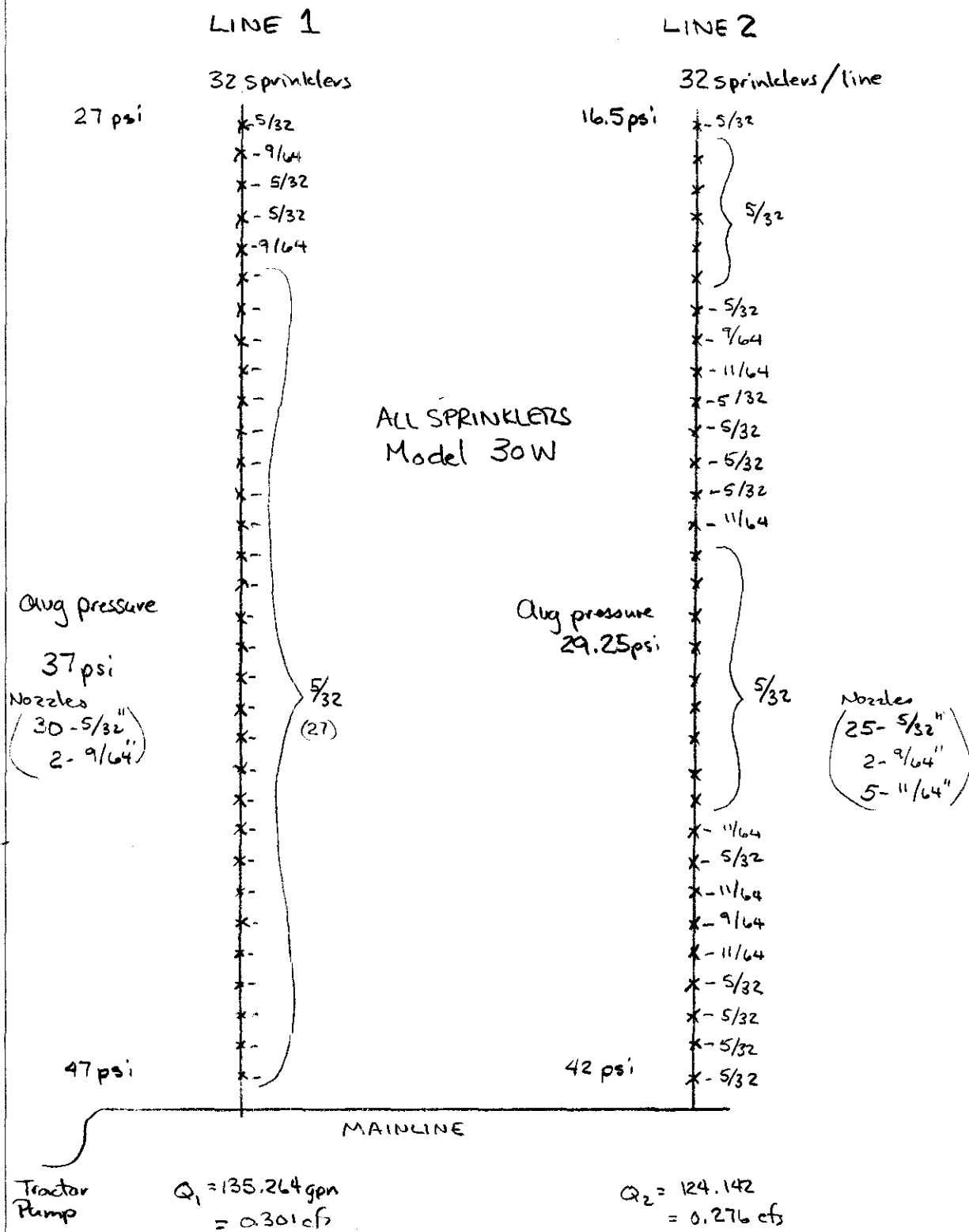
Total Measured Discharge

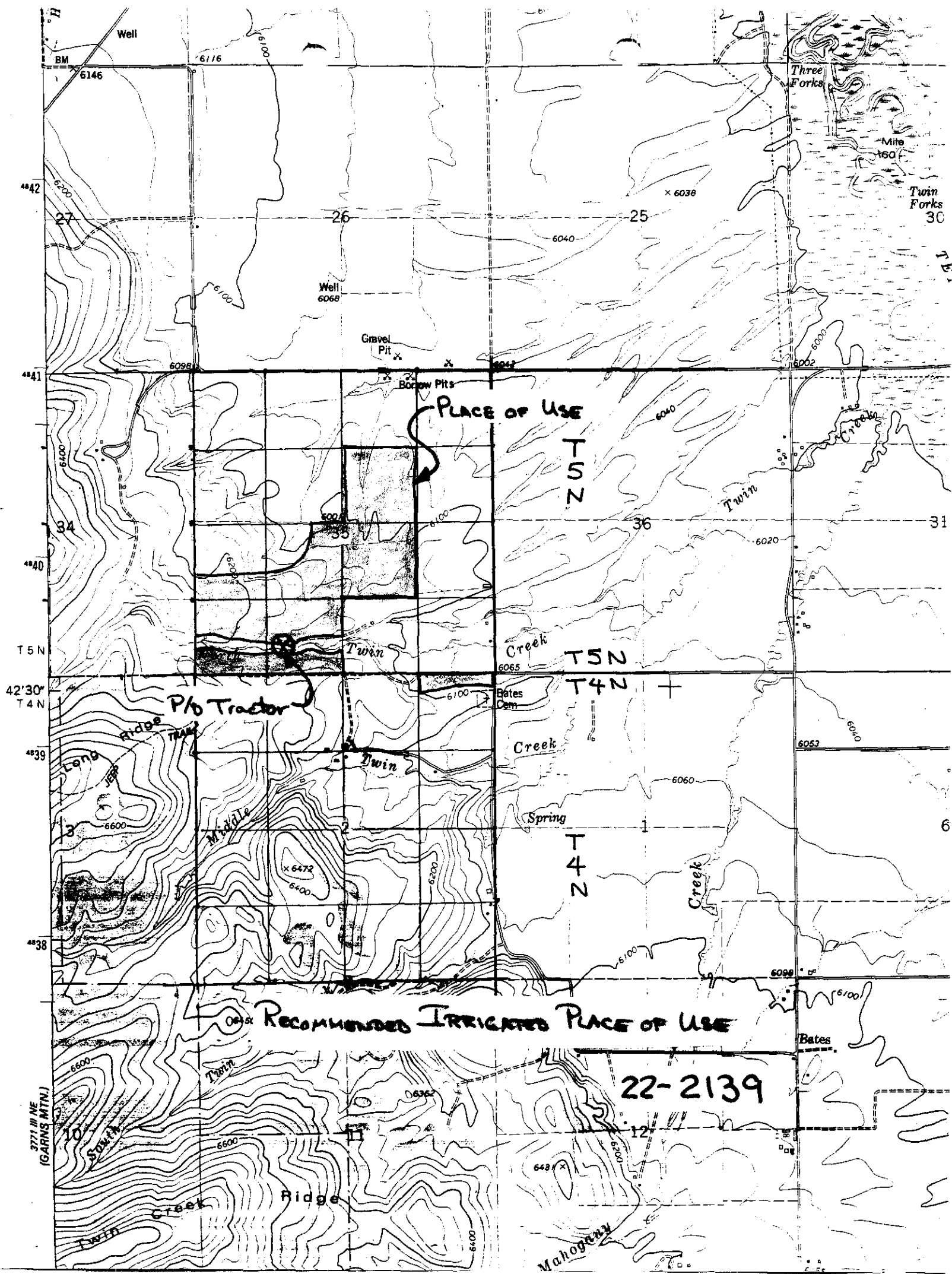
$$Q_T = Q_1 + Q_2 = 135.264\text{gpm} + 124.142\text{gpm}$$
$$= 259.406\text{gpm}$$

$$Q_T = 0.5779991\text{ cfs}$$

$$Q_T = \underline{0.58\text{ cfs}}$$

ITEM C. 1.





Well

BM 6146

6116

6100

Three Forks

Mile 100

Twin Forks 30

Well 6068

Gravel Pit

Borrow Pits

PLACE OF USE

T5N

Twin

42°42'

27

26

25

6040

x 6038

42°41'

6098

6042

6000

6002

34

42°40'

T5N

42°30' T4N

42°39'

P/O Tractor

Twin

Creek

T5N

T4N

Bates

Creek

Spring

T4N

6053

6040

6060

Creek

6098

6100

Recommended Irrigated PLACE OF USE

Bates

22-2139

3771 M NE (GARNES MTN.)

Twin

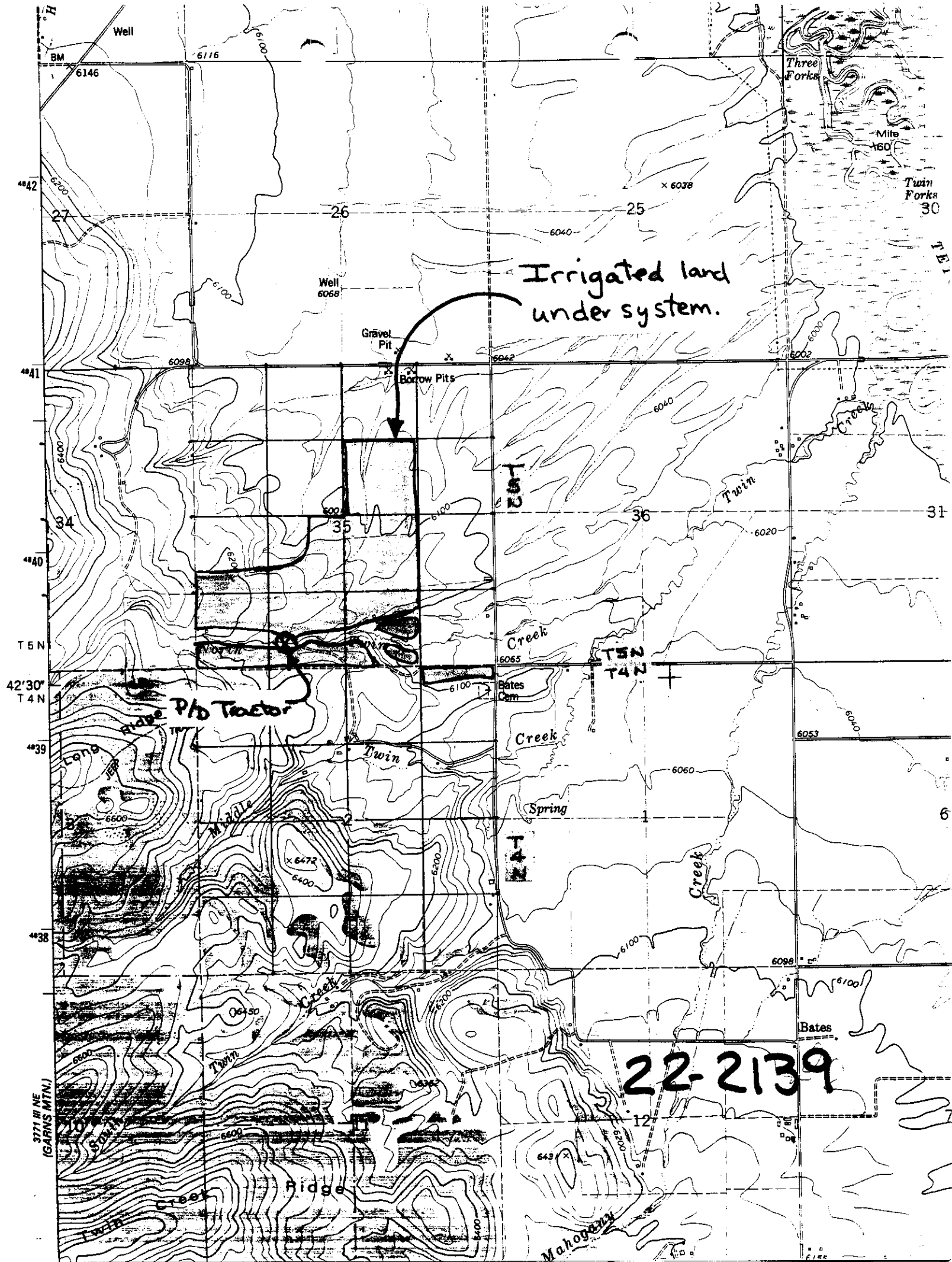
6600

Ridge

Creek

Twin

Mahogany



6.8

T
SR44E
N

27

A-

72.3

71.5

25 2

5.1

T237

13.2 25

36

T364

37.8

T
5
N

R44E

30.0

67A 130

62.8

14.0

2

3

4

T394

36.0

68.7

46.2

18.7

11.6

2

3

5.5

22.6

35 36

T5N

T4N

DIVERSION

DIVERSION 27.7

22-2139

33.0

15

16

17

19



June 5, 1997

RE: Permit 22-02139

RECEIVED

JUN 12 1997

Department of Water Resources
Eastern Region

Dear Sirs:

Over the last 5-6 years the use of this right has been sporadic. During good water years when we have had sufficient water to fill the senior rights on this small stream then this permit has been used.

But there have been at least 3 of the last 6 years when water was not available to fill this permit.

The users have been very cooperative in regard to regulation.

Sincerely,

Dee O'Brien

Deputy Watermaster
WD-01



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 9, 1997

Dee O'Brien
128 East Wallace
Driggs, ID 83422

RE: Permit 22-02139

Dear Dee:

The issuance of the permit was protested by down stream users on August 11, 1952. The first exam was completed on August 27, 1952. On October 22, 1981, the department held a hearing in which the protestants failed to appear. A Show Cause Order was issued and one of the protestants responded but failed to show adequate cause, and the protest was dismissed on July 27, 1984.

The Boise office is reluctant to issue a license based on an exam dated August 27, 1952. Therefore, the second field exam was completed for 22-02139 on July 7, 1989 (copy enclosed). In addition to the field examination the Boise office wanted a memo from the WD-01 hydrographer describing your knowledge of any use under this permit.

Please send your memo/letter to me and I will include it in the exam file and forward the file to Boise for licensing.

I realize that a lot of time have passed on this permit, but your prompt response will be appreciated.

Sincerely,

Keith C. Wilson
Senior Resource Agent

From: DWR03::SCURTIS 10-JAN-1997 13:50:00.23
To: DWR70::KWILSON
CC:
Subj:

Keith, the last thing filed in 22-02139 is a memo from you to me dated 1/3/91 stating that an exam had been done in July of 1989 to make a measurement from the diversion and that during the write up of the exam it had been determined that: 1) review of the place of use with the applicant is necessary, and 2) a report from the deputy watermaster should accompany the completed exam. You stated that when the licensing write-up was completed, the exam would be forwarded to Boise.

Since quite a period of time has gone by and nothing more has been received, I thought I'd touch base with you to see what's happening at your end. Let me know if there's anything I can do here to help you with this.

Sharla

TO: SHARLA CURTIS

03 JAN 1991

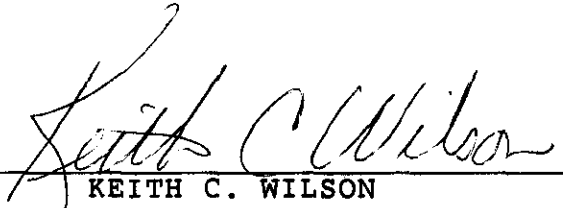
FROM: KEITH C. WILSON - EASTERN

SUBJECT: STATUS OF 22-2139

A FIELD EXAM WAS DONE ON 7 JULY 1989 TO MAKE A MEASUREMENT FROM THE DIVERSION. DURING THE WRITE UP OF THE EXAM IT WAS DETERMINED THAT:

1. REVIEW OF THE PLACE OF USE W/APPLICANT IS NECESSARY.
2. A REPORT FROM THE DEPUTY WATERMASTER SHOULD ACCOMPANY THE COMPLETED EXAM.

WHEN THE LICENSING WRITE UP IS COMPLETED THE EXAM WILL BE FORWARDED TO BOISE.



KEITH C. WILSON

INTER-DEPARTMENT MEMO

TO: Eastern

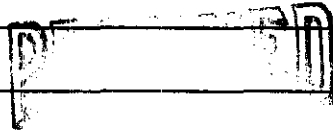
SUBJECT: 22-2139

FROM: Sharla

DATE: 12/13/90

Please give me an update on what's happening concerning a re-examination of 22-2139. Attached is Gary Spackman's memo and report dated 6/86.

Thanks!



DEC 11 1990

Department of Water Resources
Eastern District Office

() For your information

() Response required

signature

RECEIVED

INTER-DEPARTMENT MEMO — 1

FROM

GARY SPACKMAN

JUL 1 1986

DATE JUNE 27, 1986

TO

JIM JOHNSON ^{Department of Water Resources}

SUBJECT

PERMIT # 22-2139 - LICENSING EXAM

Milo Bowen, the son of Fred Bowen, stated that none of the land to be irrigated under the permit had been irrigated from North Twin Creek since the summer of 1984. Several of the smaller points of diversion have not been used for 4-5 years. I did notice a stack of 5" mainline pipe and some 3" and 4" center riser sprinkler pipe with considerable growth around and over the pipe. I ~~recommend~~ that licensing be deferred until actual use can be confirmed. We will keep originals.

GARY SPACKMAN
SIGNATURE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Permit No. 22-2139

Phone No. 354-2276

1. Owner: FRED BOWEN Phone No. 354-2276
Current Address: 163 No. 2nd EA, DRIGGS, IDAHO
2. Accompanied by: MILB BOWEN & MIKE BOWEN EXAM. DATE: JUNE 25, 1986
Address: RFD, DRIGGS, IDAHO Phone No. 354-2434
Relationship to Permit Holder: SON & GRANDSON, Respectively
3. Source: NORTH TWIN CREEK tributary to TETON RIVER

Well/Diversion* No.	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	TRACTOR	-	-	BERKELEY	B4J RBM CCW
	(John Deere 400 or David Brown 1212)			CENTUGAL	747 5007
				(PTO DRIVEN)	

*Code with points of diversion, system diagram & photos on reverse side. Disregard if only one.

- 5. System Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)**

TRACTOR DRIVEN PORTABLE BERKELEY PUMP - PUMP MOVED TO
VARIOUS POINTS OF DIVERSION ALONG CREEK - ALSO ONE SURFACE
DIVERSION THROUGH DITCHES

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

7. Measurements ☐ Additional data/computation sheets attached

NO MEASUREMENT MADE - MILO BOWEN STATED THERE HAS BEEN NO IRRIGATION SINCE SUMMER OF 1984.

- | 8. Point(s) of Diversion: | Indicate Method of Determination |
|---------------------------|----------------------------------|
|---------------------------|----------------------------------|

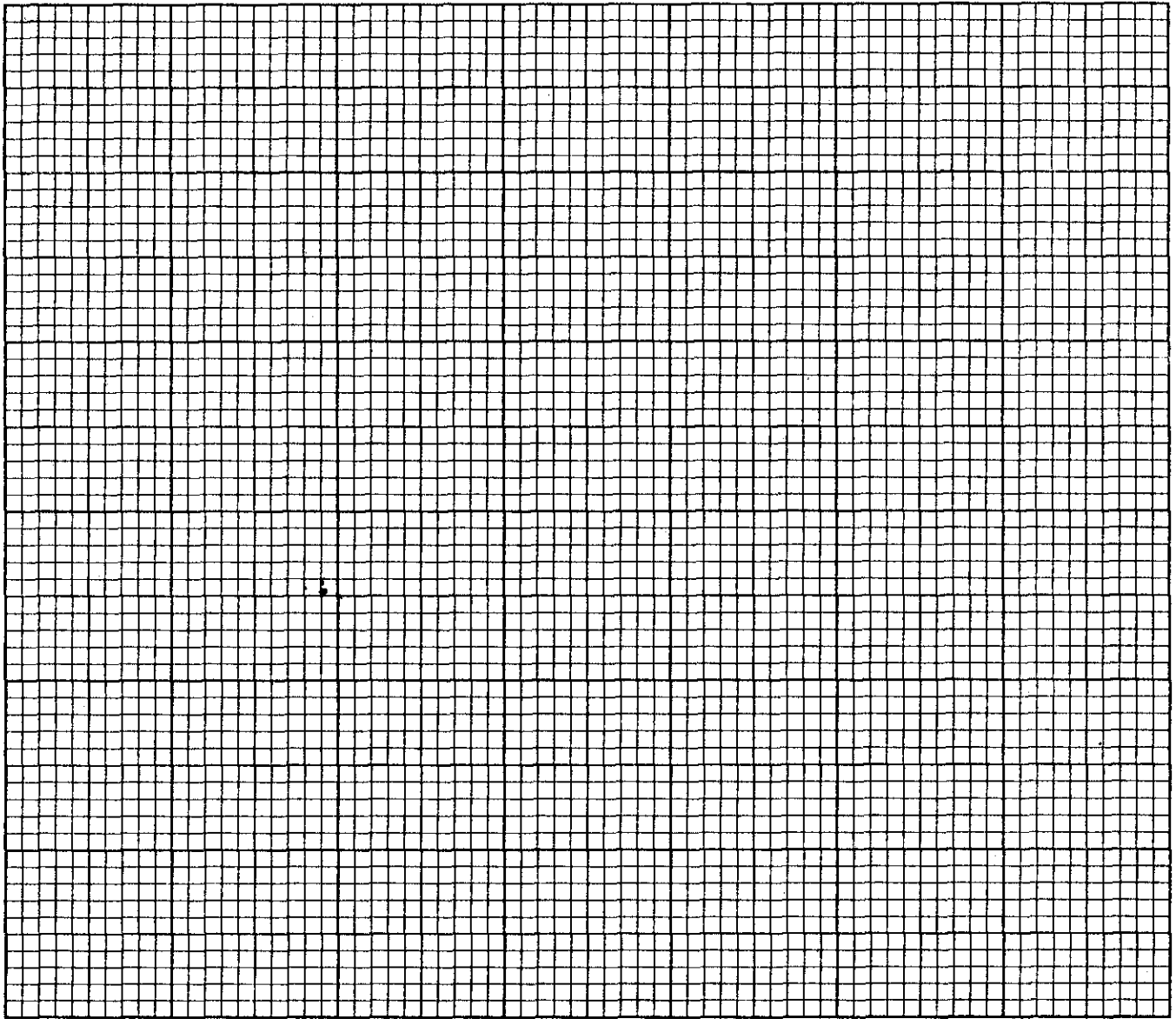
Ident #	1/4	1/4	1/4	Sec.	Twp.	Rge.	Survey Information from Known Corner	County	Remarks
		SE	SW	35	5N	44E		TETON	MAJOR DIVERSION
		SW	SW	35	5N	44E		TETON	TWO P.D.'S
		SE	SE	34	5N	44E		TETON	
		SW	SE	35	5N	44E		TETON	TWO P.D.'S one is surface

9. Irrigation - give acres served by system at time of exam.

Place(s) of Use:	Indicate Method of Determination
------------------	----------------------------------

Twp.	Rge.	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		
5N	44E	35			40							28	9	35	34		40	15		201
Total Acres																			201	

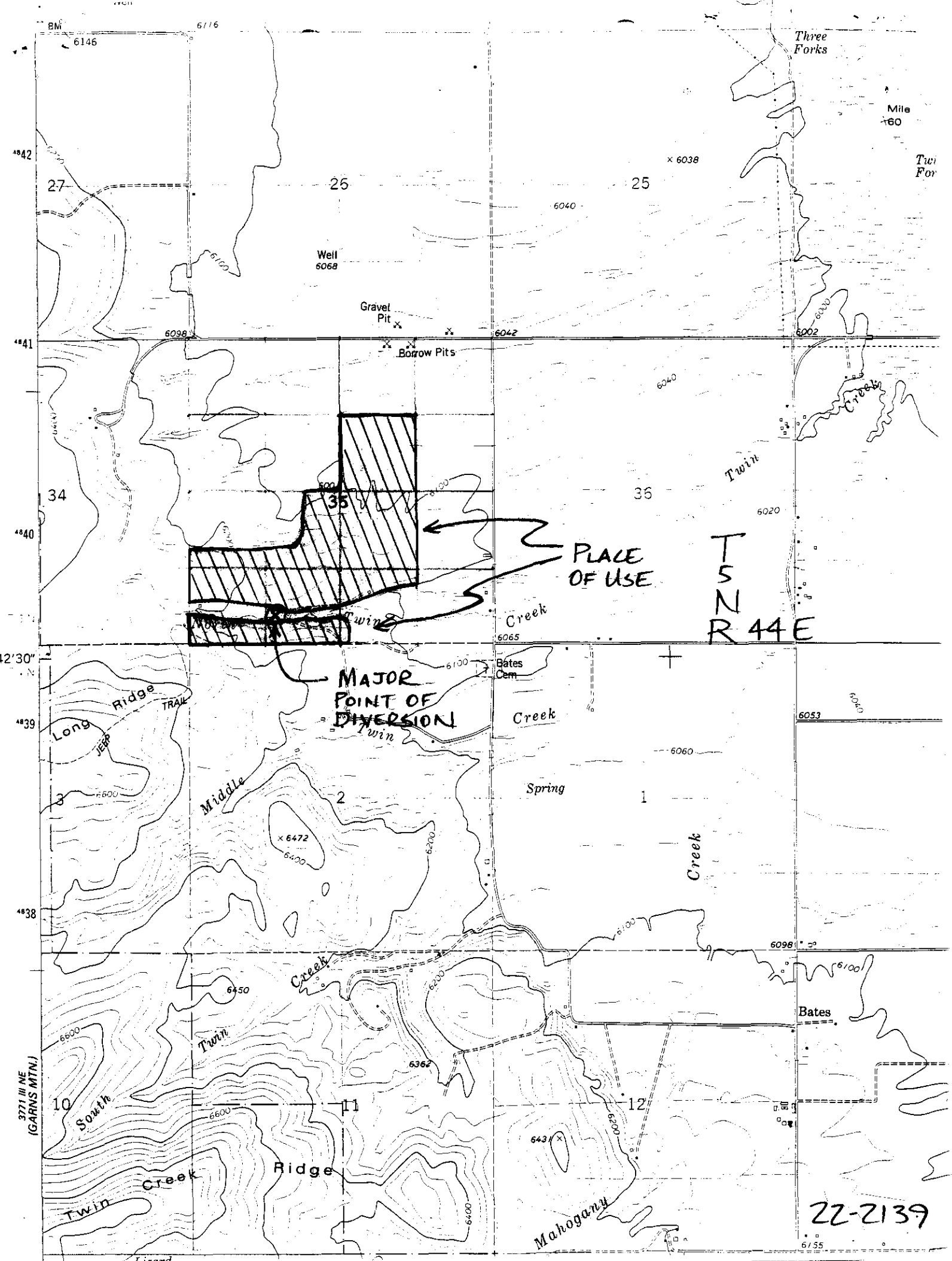
10. Other water rights on these lands 22-0028 22-2213
11. Other water right diverted from same p.d. _____
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☐ Photo of Diversion & System Attached ☒ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached
14. Remarks Applicant's son is presently dry farming the place of use. Water from North Twin Creek has not been applied to the claimed place of use since the summer of 1984. I recommend that an examiner confirm actual irrigation prior to licensing - An amendment changing the place of use will also be necessary. May also require addition of PD's
15. Recommended Amendments
- | | | |
|--|--|--------------------------------|
| ☐ Change P.D. as reflected above | ☐ Add P.D. as reflected above | ☐ None |
| ☒ Change P.U. as reflected above | ☐ Add P.U. as reflected above | ☐ Other |
16. Examiner's/Consultant's Signature Gary Spackman Date 6/27/86
- Consultant's License Number _____
- IDWR Director's Authorization to Conduct Beneficial Use Examination _____

Date

CONSULTANT SEAL



CROSS HATCHED
AREA IS AREA
EXAMINER WOULD
RECOMMEND FOR
LICENSING.



RECEIVED

MAY 15 1986

INTER-DEPARTMENT MEMO — 1

DATE April 25, 1986.

FROM E. Carlsen

TO J. Johnson.

Department of Water Resources

SUBJECT Licensing of 22-2139

To respond to Norm's request of confirming perpetual use of water under permit 22-2139 we need a copy of the permit and subsequent amendments. — attached

Please have a copy of these items sent to us.

Thanks.

RECEIVED

JUN 19 1986

Department of Water Resources
Eastern District Office

SIGNATURE

SC

Car's report of 6/25/86
returned to reg
on 12/13/90 for
re-exam since
nothing has ever been
rec'd from the region
SC

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use.

Comes now Fred Bowen

of (address) Driggs, Idaho 83422, and represents to the

Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 21604/22-2139, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SW ¼ SW ¼, Section 35, Township 5N, Range 44E, B.M., County of Teton. Other points of diversion: SE ¼ SW ¼, Sec. 35, Twp. 5N, Rge. 44E, B.M., Teton County

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

NO CHANGE

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

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

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

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

3. Place of use or land to be irrigated:

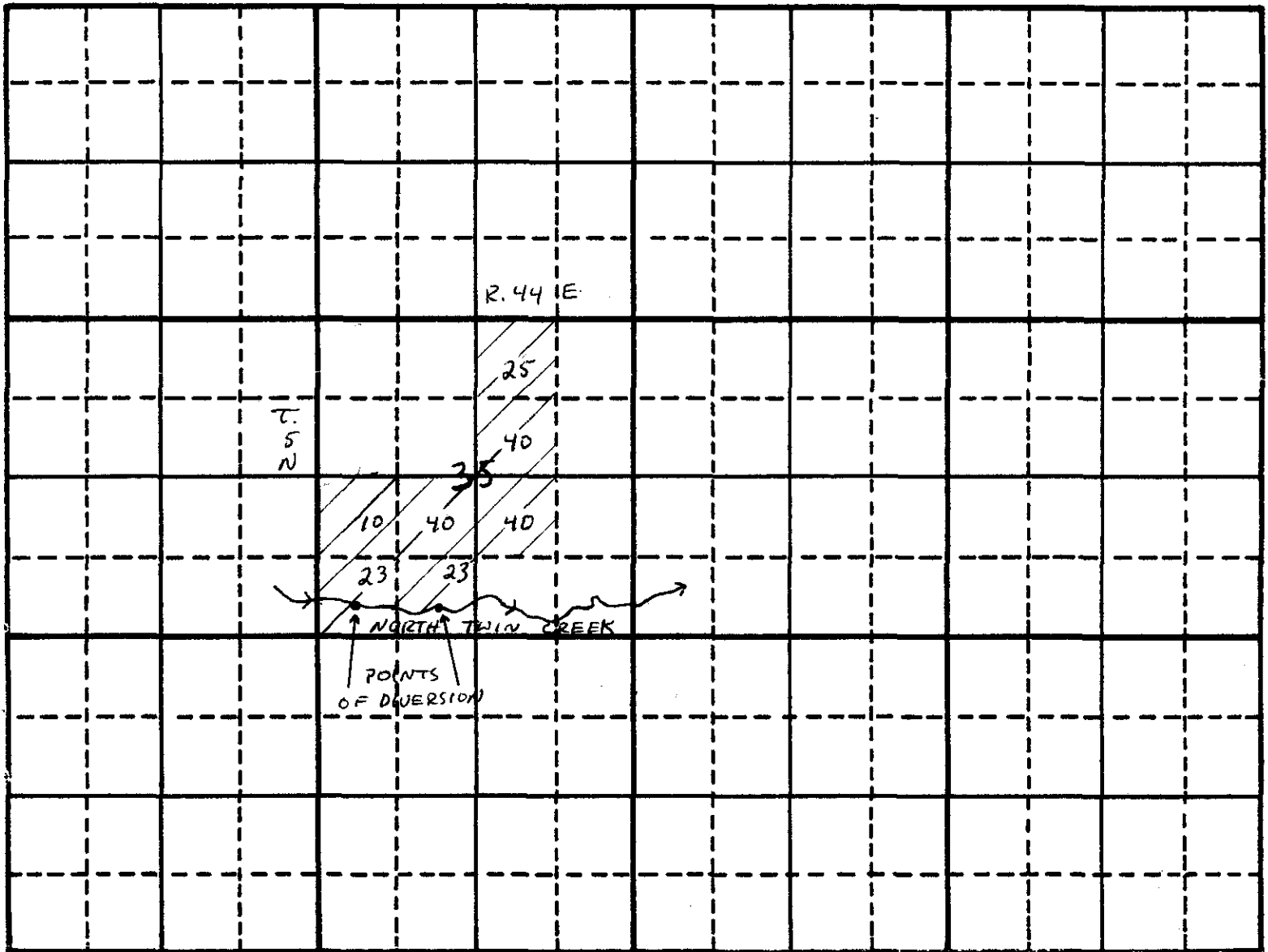
TWP	RGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5N	44E	35		25	40						40	10	23	23		40			201

Total number of acres to be irrigated = 201

4. a. Who owns the property at the point of diversion? Applicant
- b. Who owns the land to be irrigated or the place of use? Applicant
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing:

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Driggs Idaho, this 2 day of February, 1981.
Fred Bowen
(Signature)

JK 22 Dec 1980

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = \$20.00 rec'd 2/3

Received by KW Date 2/4/1981 # 17021

Publication prepared by _____ Date _____

Published in _____

Publication dates _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, A. KENNETH DUNN, Director of the Department of Water Resources hereby

Approve the above Application for Amendment for Permit No. 21604/22-2139.

Witness my hand this _____ day of _____, 19 85.

Director

AKD

INTER-DEPARTMENT MEMO — 1

FROM Jim

DATE 3-26-86

TO ERNIE

RECEIVED
MAR 31 1986

Department of Water Resources
Eastern District Office

SUBJECT LICENSING OF 22-2139

Ernie, This file is waiting for conformation that water is still being used. I discussed this with Ron 10-9-85, I guess he forgot to follow-up. On 12-23-85 I sent a memo to Ron with a copy of Worm's memo attached. I date I still haven't heard anything.

Could you please look into this? Thanks.

SIGNATURE

RECEIVED

MAY 15 1986

INTER-DEPARTMENT MEMO — 1

DATE April 25, 1986.

FROM E. Carlsen

TO J. Johnson.

Department of Water Resources

SUBJECT Licensing of 22-2139

To respond to Norm's request of confirming perpetual
use of water under permit 22-2139 we need a copy of
the permit and subsequent amendments. — attached
Please have a copy of these items sent to us.

Thanks.

RECEIVED

JUN 19 1986

Department of Water Resources
Eastern District Office

SIGNATURE

SN

INTER-DEPARTMENT MEMO — 1

FROM

Ron

TO

Keith

SUBJECT

22-2139

DATE

10/10/85

What do you know about #45?

Exam done - 27 Aug 1952

Hand description not the same noted by field Examiner - applicant told

Protest were made to issuance of right

SIGNATURE

INTER-DEPARTMENT MEMO — 1

DATE 12-23-85

FROM Jim

TO Ron

SUBJECT 22-2139

RECEIVED

JAN 2 1986

Department of War Resources
Eastern District Office

This one slipped thru the cracks on me and I didn't follow-up as quickly as I should have.
Would you please respond to Bob F.'s memo? Thanks.

SIGNATURE

RECEIVED

INTER-DEPARTMENT MEMO — 1

FROM Bob

OCT 10 1985

DATE 10-3-85

TO Ron

Department of Water Resources
Eastern District Office

SUBJECT 22-2139

Attached is Norms memo concerning the licensing of permit 22-2139.
Please augment the record with a memo that shows the continued
use of the water during the life of this permit.

SIGNATURE

INTER-DEPARTMENT MEMO — 1

FROM NCH

DATE 9/26/85

TO FLEENOR

SUBJECT 22-2139

I am reluctant to issue a license on a 33yr old field exam particularly when protests arguing that water has not been used have been set aside on procedural grounds. File should be augmented with memo's from field examiners or the W.D.-01 hydrographer to document that use has been made in recent years.

SIGNATURE

September 28, 1984

RE: Permit No. 21604/22-2139

Fred Bowen
Driggs,
Idaho 83422

Dear Mr. Bowen:

Enclosed is an Order dismissing the protests against issuance of a license for the above referenced permit.

Please be advised that any person who does not agree with the decision of the Director may appeal therefrom within thirty (30) days to the District Court.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Supervisor, Water Allocation Section

DRT:sc

Enclosure

cc: Ivan Kay
Raymond Ripplinger

MEMORANDUM

TO: File 22-2139

FROM: Jim Johnson *Jim*

DATE: September 18, 1984

RE: License Review

Permit filed on 7/17/1950 for 1.6 cfs for irrigation of 120 acres.
Location of P/D - SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 35, Twp 5N, Rge 44E

Permit amended (approved) 3/27/1951 - lands added for a total of 200 acres.

Permit amended 4/7/1952 - lands added for a total of 280 acres. Approved

Protest received 8/13/1952 from Raymond Ripplinger & Sterling Murdock.

Proof of application of water to beneficial use received 8/18/1952.

Field examination conducted 8/27/1952
Found: 241 acres irrigated

Correspondence 7/30/1953 requested change in P/U to correct error made in 4/7/1952 amendment.

Correspondence 8/1/1953 stated that S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 35 will drop out and S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 35 will not be included.

Pre-license letter sent 9/8/1975. Sent amendment of permit to allow 201 acres.

Correspondence received 11/24/1975. Permit holder paid for license fee but not amendment fee - per correspondence sent to him by the Dept. 10/31/1975.

Correspondence sent 11/28/1975 to protestants Murdock & Ripplinger.

On 12/22/1975, Dept. received protest withdrawal from Murdock.

On 12/10/1975, Dept. received letter from Ripplinger - he did not withdraw his protest.

On 2/2/1981, Dept. received Application for Amendment of Permit from permit holder.

TO: File 22-2139
DATE: September 18, 1984
PAGE: 2

On 6/10/1981, Eastern Region requested to pursue matter of outstanding protest against issuance of license.

On 10/27/1981 conference to hear the protest was held. Protestants did not appear.

On 5/7/1984 region returned matter to State Office for issuing order.

On 7/27/1984 Order signed dismissing protest.

On 9/13/1984 State Office reviewed file for processing of license.

Recommended action

1. Approve the Amendment of Permit Application received 2/2/1981 by the permit holder.

Reason for doing this is as follows:

- a) The point of diversion described in the previous pre-license letter sent 9/8/1975 shows P/D in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 35, Twp 5N, Rge 44E. This description does not completely match the points of diversion found on the field examination.

The 2/2/1981 amendment reflects present locations of the p/d's and since license has not yet been issued, the amendment should be allowed.

- b) The 2/2/1981 amendment does not change the p/u nor does it change the acres found in the field examination.
- c) The amendment, if approved, would properly describe the location of the water right and would satisfy requirement for issuance of a license.

Issue License. By approving the amendment of permit, the license can be issued.

2. Send Order to protestant. Done - 9-28-84
3. Wait 30 days then issue license. ok to Issue 4-15-85

9-13-84

From: Kay

To : File 22-2139

Re : Capacity of System

Comparison of pump discharge capacity vs. amount permit holder filed proof of beneficial use on.

Permit holder stated that 370 gal. per minute were discharged.

$$\underline{370 \div 448.8 = 0.824 \approx 0.82 \text{ cfs}}$$

Find quantity when assuming pressure ranges from 60 psi to 80 psi ~~at~~ ^{at the} pump, and assuming water lift is between 10 to 20 feet. We know that the pump is a 20 Hp. Calculations:

$$\textcircled{1} \frac{20 \times 8.8 \times 80\%}{10 + (60 \times 2.3)} = \frac{140.8}{148} = 0.95 \text{ cfs.}$$

$$\textcircled{2} \frac{20 \times 8.8 \times 80\%}{20 + (60 \times 2.3)} = \frac{140.8}{158} = 0.89 \text{ cfs}$$

$$\textcircled{3} \frac{20 \times 8.8 \times 80\%}{10 + (80 \times 2.3)} = \frac{140.8}{194} = 0.72 \text{ cfs}$$

page 2

$$\textcircled{4} \frac{20 \times 8.8 \times 80\%}{20 + (80 \times 2.3)} = \frac{140.8}{204} = 0.69 \text{ cfs}$$

Conclusion:

Since pressure at pump is not known and the exact water lift is not known, the calculations show that 0.82 cfs is within the above identified parameters and therefore should be allowed. OK

Discharge for two-vane sprinkler heads with $\frac{13}{64} \times \frac{5}{32}$ nozzles is not known (none with ~~this~~ this size on Rainbird references); therefore sprinkler head discharge estimate was not used. OK

Overlap Review for 22-2139

per micro-fische 9-13-84:

p/d → Sec. 34 - none ✓
Sec. 35 - 22-2213 gw ✓
22-0028 N. Twin Ct.
p/u → 22-2213 Lic. ✓

22-0028 - see copy attached -
covers land in SWSE of
Sec. 35, 5N, 44E; from North
Twin Creek → same source,
p/d may be same, overlapping
p/u - recommend we
disallow this land & p/d from
license of Right 22-2139.
1" per acre allowed under
22-0028.

22-2213 - Lic., gw., different source,
covers same land in
Sec. 35 - Recommend R16(3.0). ✓
see copy attached - 52

kw

with point of diversion and for the irrigation of the lands described in Paragraph XVIII of the Findings of Fact.

22-0025 13. That the plaintiff, Henry Freese is awarded the right to the use of .8 cubic foot per second or 40 miners inches of the waters of Trail Creek with a priority date of January 22nd, 1916, with point of diversion and for the irrigation of the lands described in Paragraph XIX of the Findings of Fact.

22-0026 14. That the plaintiff, Howard Tonks, is awarded the right to the use of 3.2 cubic feet per second or 160 miners inches of the waters of Trail Creek, with a priority date of January 22nd, 1916, with point of diversion and for the irrigation of the lands described in Paragraph XX of the Findings of Fact.

22-0027 15. That the plaintiff, L. F. Boulson, is awarded the right to the use of 3.2 cubic feet per second of 160 miners inches of the waters of Trail Creek, with a priority date of January 22nd, 1916, with point of diversion and for the irrigation of the lands described in Paragraph XXI of the Findings of Fact.

22-0028 16. That the plaintiff, A. W. Clark, Administrator of the estates of Edward and Jane Ellis, deceased, is awarded the right to the use of 6.4 cubic feet per second or 320 miners inches of the waters of Mahogany Creek, with point of diversion and for the irrigation of the lands described in Paragraph XXII of the Findings of Fact.

22-0029 17. That the plaintiff, Walter Wood, is awarded the right to the use of 1.6 cubic feet per second or 80 miners inches of Mahogany Creek, with a date of priority of January 22nd, 1916, with point of diversion and for use upon the lands described in Paragraph XXIII of the Findings of Fact.

22-0027 18. That the plaintiff, Walter Wood, is awarded the right to .8 cubic feet per second or 40 miners inches of the waters of South Twin Creek, with priority date of January 22nd, 1916, and with point of diversion and for the irrigation of the lands described in Paragraph XXIII of the Findings of Fact.

22-0028 19. That the plaintiff, Walter Wood, is awarded the

right to the use of .8 cubic feet per second or 10 miners inches of the waters of North Twin Creek, with a priority date of January 22nd, 1916, and with point of diversion and for the irrigation of the lands described in Paragraph XXIII of the Findings of Fact.

22 0029/20. That the plaintiff, Larna Lustig, is awarded the right to the use of 1.6 cubic feet per second or 80 miners inches, of the waters of Mahogany Creek, with priority date of January 22nd, 1916, with point of diversion and for the irrigation of the lands described in Paragraph XXIV of the Findings of Fact.

22 0030/21. That the plaintiff, Golden R. Wood, is awarded the right to the use of 3.2 cubic feet per second or 160 miners inches of the waters of Mahogany Creek, with a priority date of January 22nd, 1916, with point of diversion and for the irrigation of the lands described in Paragraph XXV of the Findings of Fact.

22 0031/22. That the plaintiff, A. C. Hurton, is awarded the right to the use of 1.6 cubic feet per second or 80 miners inches of the waters of Mahogany Creek, with point of diversion and for the irrigation of the lands described in XXVI of the Findings of Fact.

22 0032/23. That the plaintiff, Louie Hurton, is awarded the right to the use of 3.2 cubic feet per second or 160 miners inches of the waters of Mahogany Creek, with priority date of January 22nd, 1916, with point of diversion and for the irrigation of the lands described in Paragraph XXVII of the Findings of Fact.

22 0033/24. That the plaintiff, Louie Hurton, is awarded the right to the use of 3.2 cubic feet per second or 160 miners in Horseshoe Creek, with a priority date of January 22nd, 1916, and with point of diversion and for the irrigation of the lands described in Paragraph XXVII of the Findings of Fact.

22 0034/25. That the plaintiff, William Furrace, is awarded the right to the use of 6.4 cubic feet per second or 320 miners inches of the waters of Mahogany Creek, with priority date of January 22nd, 1916, and with point of diversion and for the irrigation of the lands described in Paragraph XXVIII of the Findings of Fact.

above described lands during each irrigating season, which has been in addition to any other rights fixed, decreed, or granted to the plaintiff, or his predecessors in interest.

XXIII.

That the plaintiff, Walter Wood, is the owner of or has an estate in the following described lands, to-wit:

W $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 1; NE-SE $\frac{1}{4}$ of section 2, in township 4 north, range 44 E.B.M.,

and is the owner of a ditch through which he conveys water from Mahogany Creek, with the point of diversion located in the SE-SW $\frac{1}{4}$ of section 12 in township 4 north, range 44 E.B.M., and the plaintiff, or his predecessor in interest, on or before and ever since the 22nd day of January, 1916, has so diverted 1.6 cubic feet per second or 80 miners inches of the waters of said creek, and has applied the same to beneficial use in the irrigation of said lands during each irrigating season, which has been in addition to any other rights fixed, decreed, or granted to the said plaintiff or his predecessors in interest, and,

Also, the SE-SE $\frac{1}{4}$ of section 2, township 4, north, range 44 E.B.M.,

and is the owner of a ditch through which he conveys water from South Twin Creek, with the point of diversion located in the SE-SW $\frac{1}{4}$ of section 2, township 4 north, range 44 E.B.M., and the plaintiff, or his predecessor in interest, on or before and ever since the 22nd day of January, 1916, has so diverted .8 cubic foot per second or 40 miners inches of the waters of said creek, and has applied the same to beneficial use in the irrigation of the above described lands during each irrigating season, which has been in addition to any other rights fixed, decreed, or granted to the said plaintiff, or his predecessors in interest, and, -

→ Also: The SW-SE $\frac{1}{4}$ of section 35 in township 5 north, range 44 E.B.M.,

and is the owner of a ditch through which he conveys water from North Twin Creek, with the point of diversion located in the SW-SE $\frac{1}{4}$ of section 35, in township 5 north, range 44 E.B.M., and

the plaintiff, or his predecessors in interest, on or before and ever since the 22nd day of January, 1916, has so diverted .8 cubic feet per second or 40 miners inches of the waters of said creek, and has applied the same to beneficial use in the irrigation of the above described lands during each irrigating season, which has been in addition to any other rights fixed, decreed, or granted to the said plaintiff, or his predecessors in interest.

XXIV.

That the plaintiff, Norma Lustin, is the owner of or has an estate in the following described lands, to-wit:

W $\frac{1}{2}$ SW $\frac{1}{4}$ of section 5 in township 4 north, range 45 E.B.M.,

and is the owner of a ditch through which she conveys water from Mahogany Creek, with the point of diversion located in Lot 7, of section 6 in township 4 north, range 45 E.B.M., and the plaintiff, or her predecessor in interest, on or before and ever since the 22nd day of January, 1916, has so diverted 1.6 cubic feet per second or 80 miners inches of the waters of said creek, and has applied the same to beneficial use in the irrigation of the above described lands during each irrigating season, which has been in addition to any other rights fixed, decreed, or granted to the said plaintiff, or her predecessors in interest.

XXV.

That the plaintiff, Golden R. Wood, is the owner of or has an estate in the following described lands, to-wit:

E $\frac{1}{4}$ NW $\frac{1}{4}$ of section 12; E $\frac{1}{4}$ SW $\frac{1}{4}$ of section 1, in township 4 north, range 44 E.B.M.,

and is the owner of a ditch through which he conveys water from Mahogany Creek, with the point of diversion located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of section 12, in township 4 north, range 44 E.B.M., and the plaintiff, or his predecessor in interest, on or before and ever since the 22nd day of January, 1916, has so diverted 3.2 cubic feet per second or 160 miners inches of the waters of said creek, and has applied the same to beneficial use in the irrigation of the above described lands during each irrigating season, which has

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 29891/22-2213 Priority August 8, 1961 Amount 1.70 cfs

THIS IS TO CERTIFY, that MILO BOWEN

of Driggs, Idaho, has complied with the terms and conditions of Permit No. 29891/22-2213 issued pursuant to Application for Permit dated June 29, 1961 and has submitted proof to the Department of Water Resources on August 12, 1966 (late proof) that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity for the diversion of 1.70 cfs of water from a ground water source tributary to _____, and that the permit holder has applied to a beneficial use and established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>April 15</u> to <u>Oct. 15</u>	at <u>1.70</u> cfs and	<u>616 acre feet or</u>
	from _____ to _____	at _____ cfs and	<u>3.0 af per acre</u>
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 1.70 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 616 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 35, Twp. 5 N, Rge. 44 E, B. M. in the County of Teton

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 $\frac{1}{4}$	
5 N	44 E	35		40	40						38	39	35	36		40	28		296
4 N	44 E	2		L.2 38			L.3 36	L.4 29											103

Total number of acres irrigated 399

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 5 day of February, 19 75.

MICROFILMED

Director

M E M O

TO: File
FROM: Ernest Carlsen *EMC*
DATE: May 7, 1984
RE: License 22-2139

Following receipt of the licensing amendment in 1981, it was determined that the outstanding protests would have to be considered before the license could be issued. In October, 1981 the Department scheduled a conference to be held in Driggs, Idaho. Neither of the protestants appeared at the hearing, and because they failed to show cause, it was decided to issue an Order removing their protest. Though this action will clear the way for issuing the license, the questions raised by the protestants still need to be considered by the Department. The primary issue raised by the protestants concerned the adverse impacts to existing water rights. In the 1950's when Mr. Bowen initiated the use, his diversion was above the others and there ~~was~~ limited regulation by the water district in this area. Since then the regulatory capabilities of water district have improved considerably for the Teton Basin, and this control should prevent injury to existing water rights.

Another issue needing examination is the availability of water to fill a right with a 1950 priority. There are no measurement records for Twin Creeks on file with the Department. But, discussions with Dee O'Brian, hydrologist for W.D. #1 about this right reveal there are times early in the irrigation season when water is available. According to Mr. O'Brian water also becomes available when the creek flows are not sufficient to reach the low diversions. Under these conditions Mr. Bowen is the only party that can beneficially use the water.

March 30, 1984

RE: Twin Creek

Dee O'Brien
Box 331
Driggs, ID 83422

Dear Mr. O'Brien:

A recent review of Department records raised several questions concerning Twin Creek and its tributaries in Teton Valley.

As hydrologist for Water District #01 in this area, it is hoped your knowledge of this drainage will help in answering these questions.

Basically, we need an explanation of how you regulate the creek and which water rights you have recognized. I am particularly interested in Mr. Milo Bowman's possible diversion of water under amended permit #22-2139.

This permit has a proposed priority of July 17, 1950 for the irrigation of land in Section 35, Twp. 5N, Rge. 44E. Our records show the two points of diversion are in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 35, Twp. 5N, Rge. 44E.

Your efforts to provide a prompt response will be appreciated.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:jk

354-2211

NOV 17 1981

DYH995, Ida

Dear Sir,

RECEIVED
NOV 23 1981
Department of Water Resources
Eastern District Office

the hearing scheduled to
consider protest against the
matter of issuance of license
in the name of Fred Bowen, because
we were busy on the farm and
seldom in town to pick up mail
sent certified. We requested the
Post Office to bring it out. They
said it had to be picked up in
person. The morning the fellow
called and said he was in town
I had a truck full of cattle
ready to leave for the sale.
We never had any word of the
hearing.

My Reasons for objection
to the issuance of licence
to Fred Bowen are

1- There isn't enough
water in the creek to fill
what rights are all ready
decreed.

2- Since he started to file he
has drilled a well and doesn't
need creek water.

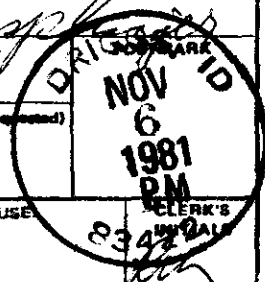
after 30 years this subject
should be outlawed.

Raymond Risslinger

PS Form 3811, Jan 1979

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

SENDER: Complete Items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.								
1. The following service is requested (check one.) ☒ Show to whom and date delivered. \$ ☐ Show to whom, date and address of delivery. \$ ☐ RESTRICTED DELIVERY Show to whom and date delivered. \$ ☐ RESTRICTED DELIVERY. Show to whom, date, and address of delivery. \$ ____								
(CONSULT POSTMASTER FOR FEES) 1								
2. ARTICLE ADDRESSED TO: <i>Raymond Ripplinger</i> <i>Chicago, IL 83442</i>								
3. ARTICLE DESCRIPTION: <table border="1"> <tr> <td>REGISTERED NO.</td> <td>CERTIFIED NO.</td> <td>INSURED NO.</td> </tr> <tr> <td></td> <td>12807</td> <td></td> </tr> </table>			REGISTERED NO.	CERTIFIED NO.	INSURED NO.		12807	
REGISTERED NO.	CERTIFIED NO.	INSURED NO.						
	12807							
(Always obtain signature of addressee or agent)								
I have received the article described above. SIGNATURE ☐ Addressee ☐ Authorized agent <i>Julia Ripplinger</i>								
4. DATE OF DELIVERY <i>11-6-81</i>								
5. ADDRESS (Complete only if requested)								
6. UNABLE TO DELIVER BECAUSE								



UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, and 3 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

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



**RETURN
TO**



DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT OFFICE
150 SHOUR AVE.
IDAHO FALLS, IDAHO 83401

(Name of Sender)

(Street or P.O. Box)

(City, State, and ZIP Code)

PS Form 3811, Jan. 1979

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.								
1. The following service is requested (check one.) ☒ Show to whom and date delivered.....¢ ☐ Show to whom, date and address of delivery.....¢ ☐ RESTRICTED DELIVERY Show to whom and date delivered.....¢ ☐ RESTRICTED DELIVERY. Show to whom, date, and address of delivery.\$ ____								
(CONSULT POSTMASTER FOR FEES)								
2. ARTICLE ADDRESSED TO: <i>Evan Kay</i> <i>Wiggo, SD 82422</i>								
3. ARTICLE DESCRIPTION: <table border="1"> <tr> <td>REGISTERED NO.</td> <td>CERTIFIED NO.</td> <td>INSURED NO.</td> </tr> <tr> <td></td> <td>12806</td> <td></td> </tr> </table>			REGISTERED NO.	CERTIFIED NO.	INSURED NO.		12806	
REGISTERED NO.	CERTIFIED NO.	INSURED NO.						
	12806							
(Always obtain signature of addressee or agent)								
I have received the article described above. SIGNATURE ☐ Addressee ☐ Authorized agent								
4. DATE OF DELIVERY <i>10/31/81</i>		POSTMARK NOV 2 1981 PM CLERK'S INITIALS <i>SC</i>						
5. ADDRESS (Complete only if requested)								
6. UNABLE TO DELIVER BECAUSE:								

UNITED STATES POSTAL SERVICE
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- Endorse article "Return Receipt Requested" adjacent to number.

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



**RETURN
TO**



DEPARTMENT OF WATER RESOURCES

EASTERN DISTRICT OFFICE

150 SHOUR AVE.

IDAHO FALLS, IDAHO 83401

(Name of Sender)

NOV 3 1981

(Street or P.O. Box)

Department of Water Resources
Eastern District Office

(City, State, and ZIP Code)

PS Form 3877, September 1979
 ACCEPTANCE OF REGISTERED, INSURED, C.O.D. AND CERTIFIED MAIL

NAME AND ADDRESS OF SENDER

IDAHO FALLS, ID 83401

Indicate type of mail
☐ Registered
☐ Insured
☐ COD
☒ Certified

I certify that we have
☐ Commercial Insurance
☐ A deductible clause of \$

Affix stamp here if issued as certificate of mailing or for additional copies of this bill.
 POSTMARK AND DATE OF RECEIPT

NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS	POSTAGE	FEES	Handling Charge	Actual Value (If Registered)	DUE SENDER IF C.O.D.	R. R. FEE	S.O. FEE	S. H. FEE	REG. DEL. FEE	REMARKS
1 12806	Irwin Kay, Driggs, Id.	18	75							60	23-2/39
2 12807	Raymond Ripplinger, Driggs, Id.										
3											
4											
5											
6											
7											
8											
9											
10											
11											
12											
13											
14											
15											

TOTAL NUMBER OF PIECES LISTED BY SENDER

2

TOTAL NUMBER OF PIECES RECEIVED AT POST OFFICE

2

POSTMASTER, PER (Name of receiving employee)

[Signature]

The full declaration of value is required on all domestic and international registered mail. Commercial Insurance—Payment of the full registry fee is required on articles valued up to \$1,000 or the full amount of the deductible if the deductible exceeds \$1,000. The maximum indemnity payable is \$25,000 for registered mail, \$500 for COD and \$500 for insured mail. Special handling charges apply only to third- and fourth-class parcels. Special delivery service also includes special handling service.

October 29, 1981

RE: Application for Issuance of License No. 22-2139

Mr. Ivan Kay
Driggs,
Idaho 83422

Dear Mr. Kay:

Since you did not appear at the hearing scheduled to consider your protest against the above captioned application, enclosed please find a typed statement requesting withdrawal of the protest and an Order to Show Cause.

If the reasons for your objection have been resolved and you do not wish to pursue the matter, simply sign the withdrawal of protest and return it to this office. However, if you still wish to protest the issuance of Mr. Bowen's license then you must comply with the order to show cause.

You should be aware that if Mr. Bowen's license is approved it will be junior to all prior water rights and subject to control by the watermaster of Water District No. 1, Snake River.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

Enclosures

October 29, 1981

RE: Application for Issuance of License No. 22-2139

Mr. Raymond Ripplinger
Driggs,
Idaho 83422

Dear Mr. Ripplinger:

Since you did not appear at the hearing scheduled to consider your protest against the above captioned application, enclosed please find a typed statement requesting withdrawal of the protest and an Order to Show Cause.

If the reasons for your objection have been resolved and you do not wish to pursue the matter, simply sign the withdrawal of protest and return it to this office. However, if you still wish to protest the issuance of Mr. Bowen's license then you must comply with the order to show cause.

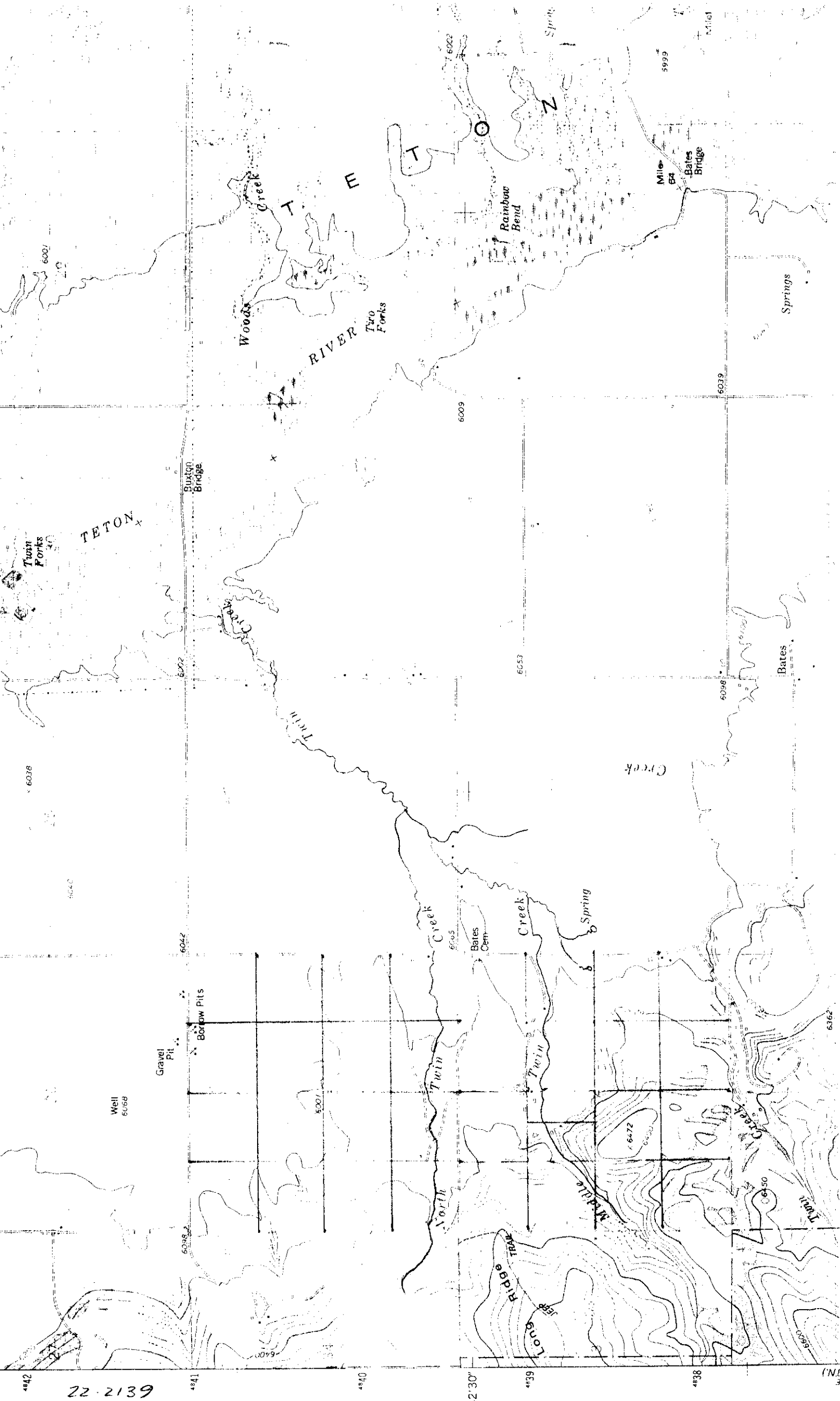
You should be aware that if Mr. Bowen's license is approved it will be junior to all prior water rights and subject to control by the watermaster of Water District No. 1, Snake River.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

Enclosures



22-2139

48°42'

48°40'

48°38'

48°36'

48°34'

22-0598

22-0045

22-0046

22-0047

22-0048

22-2117

22-2109

22-2139

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF ISSUANCE OF LICENSE)
NO. 22-2139 IN THE NAME OF FRED)
BOWEN)

SHOW CAUSE ORDER

WHEREAS, on July 17, 1950, Fred Bowen, Driggs, Idaho applied to the Department of Water Resources for a permit to appropriate 1.60 cfs of water from North Twin Creek tributary to Teton River for irrigation of 120 acres.

WHEREAS on July 23, 1951 proof of completion of works was submitted to the Department of Water Resources and notices of application of water to beneficial use was advertised in the Teton Valley News, Driggs, Idaho for four consecutive issues beginning July 17, 1952.

WHEREAS on August 13, 1952 the Department of Water Resources received a protest from A. F. Murdock, Raymond Ripplinger and Sterling Murdock against issuance of a water right license and on December 5, 1975 Sterling Murdock withdrew his protest.

WHEREAS pursuant to the Idaho Statutes that existed prior to May 31, 1967, a hearing concerning this matter was held on Tuesday, October 22, 1981, at 9:00 a.m. in the Courtroom, Teton County Courthouse, Driggs, Idaho at which time the protestants, Raymond Ripplinger and Ivan Kay, successor to A. F. Murdock, failed to appear.

IT IS, THEREFORE, HEREBY ORDERED that the protestants show cause on or before November 20, 1981, why their protest should not be set aside for failure to appear at the hearing.

Dated this 30th day of October, 1981.



RONALD D. CARLSON

Eastern Regional Supervisor

22-2139 - Fred Bowen

Courtroom, Teton County Courthouse, Driggs, Idaho

Tuesday, October 27, 1981 (9:00 a.m.)

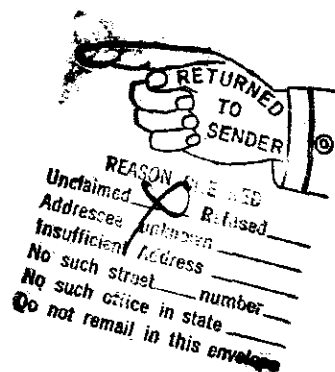
ROSTER OF ATTENDANCE

Hearing Officer _____

Name	Address	Representing
Milo D. Bowen	Rt 2 Box 1224	Fred Bowen

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern District Office
150 Shoup • Idaho Falls, Idaho
83402

10-10
10-16
10-25



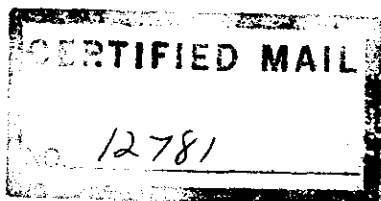
Mr. Raymond Ripplinger
Driggs,
Idaho 83422

RECEIVED

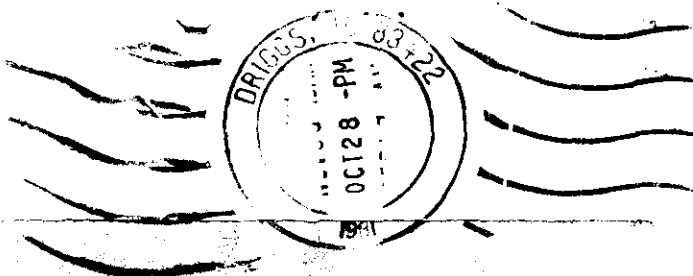
OCT 29 1981

Department of Water Resources
Eastern District Office

1st Notice 10/10/81



RETURN RECEIPT REQUESTED



RENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one.)
☐ Show to whom and date delivered.....
☐ Show to whom, date and address of delivery.....
☐ RESTRICTED DELIVERY
Show to whom and date delivered.....
☐ RESTRICTED DELIVERY.
Show to whom, date, and address of delivery.....
(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
Raymond Kieplinger
Driggs Id.

3. ARTICLE DESCRIPTION:
REGISTERED NO. CERTIFIED NO. INSURED NO.
12781
(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☐ Addressee ☐ Authorized agent

4. DATE OF DELIVERY POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

U.S. POST OFFICE
DRIGGS, ID 83422
PSN: 1570-000-470

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF ISSUANCE OF A WATER)	
RIGHT LICENSE NO. 22-2139 IN THE NAME)	
OF FRED BOWEN)	NOTICE OF HEARING
_____)	AND/OR CONFERENCE

On July 17, 1950, Fred Bowen, Driggs, Idaho applied to the Department of Water Resources for a permit to appropriate 1.60 cfs of water from North Twin Creek tributary to Teton River for the irrigation of 120 acres of land. The permit was granted and on July 23, 1951 proof of completion of works was submitted to the Department of Water Resources. Notice of proof application and water to beneficial use was advertised for four consecutive issues beginning on July 17, 1952 in the Teton Valley News, Driggs, Idaho, and was subsequently protested by A. F. Murdock and Raymond Ripplinger.

Because the application was filed pursuant to the Idaho Statutes that existed prior to May 31, 1967, the Department has set this matter for conference and/or hearing for Tuesday, October 27, 1981, at 9:00 a.m. in the Courtroom, Teton County Courthouse, Driggs, Idaho. The hearing will be held in accordance with Chapter 2, Title 42, of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

The Department will be prepared to hear evidence and testimony on any or all of the following three issues:

1. Has the permittee diverted and beneficially used unappropriated public water?
2. Has the appropriation of water under the proposed water right caused injury to a prior existing water right?
3. Has the water been used beneficially in accordance with the terms and conditions on the permit.

Any party may request in writing five (5) days before any hearing that the oral proceedings thereof be taken in the form of stenographic notes at the expense of the requesting party. Any party

may have such stenographic notes of the oral proceedings, or part thereof, transcribed at his own expense. A taped record of the proceedings will be maintained for the appeal period.

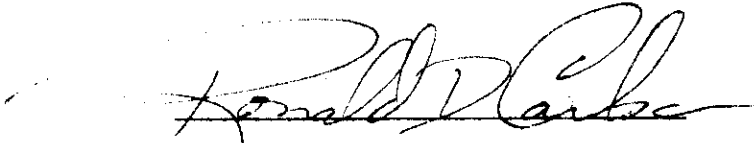
If the hearing is conducted by a hearing officer appointed by the Director, rather than the Director himself, a proposed decision will be submitted to the parties and the parties may be afforded an opportunity to file exceptions to the proposed decision and present briefs and oral arguments to the Director prior to the issuance of a final decision by the Director. This procedure is required by Idaho Code, Section 67-5211.

By written stipulation the parties may waive compliance with Idaho Code, Section 67-5211. If the hearing is conducted by a hearing officer, the hearing officer will ask the parties at the close of the hearing whether they would like to make such a stipulation.

Failure to waive compliance with Idaho Code, Section 67-5211 will not prejudice the Director's review of the parties evidence and arguments. However, such a waiver will shorten the decision-making process and may expedite substantially the issuance of a final decision. Whether compliance of Section 67-5211 is waived will not affect a party's right to petition for a rehearing of the final decision pursuant to Rule 11 of the Department's Rules of Practice and Procedure or affect a party's right to appeal the final decision to the district court.

Failure to appear at the time and place set for hearing by the applicant or protestant(s) may allow the Department to dismiss without prejudice the protest(s) or the application for issuance of a license. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

Dated this 9th day of October, 1981.


Regional Supervisor

October 16, 1981

Ms. Bonnie Reese
Teton County Courthouse
Driggs, ID 83422

Dear Ms. Reese:

This is to confirm the use of the Courtroom for conference and/or hearing to be held by this office on Tuesday, October 27, 1981, at 9:00 a.m.

Thank you for your cooperation in this matter.

Very truly yours,

COLLEEN WRAY
Adm. Secretary

PS Form 3841, Jan. 1979

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one.)

☐ Show to whom and date delivered. c

☒ Show to whom, date and address of delivery. c

☐ RESTRICTED DELIVERY
Show to whom and date delivered. c

☐ RESTRICTED DELIVERY.
Show to whom, date, and address of delivery. \$

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
*Ivan Kay
Muggs, Id.*

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	13782	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent
Carl Muggs

4. DATE OF DELIVERY
10/10/81

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS
BJK

POSTMARK
OCT 14 1981 PM

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, and 3 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.



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



DEPARTMENT OF VALUE RESOURCES

EASTERN DISTRICT OFFICE

180 CANBY AVE.

IDAHO FALLS, IDAHO 83401

(Name of Sender)

(Street or P.O. Box)

(City, State, and ZIP Code)

RETURN
TO:

OCT 15 1981

Eastern District Office

PS Form 3811, Jan. 1973

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one.)
☐ Show to whom and date delivered.....
☒ Show to whom, date and address of delivery.....
☐ RESTRICTED DELIVERY
 Show to whom and date delivered.....
☐ RESTRICTED DELIVERY.
 Show to whom, date, and address of delivery.\$____

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
Grid Bowen
Beige Id.

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	12780	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

Rhonda Bowen

4. DATE OF DELIVERY
 10-14-81

5. ADDRESS (Complete only if...)

6. UNABLE TO DELIVER BECAUSE

POSTMARK
 10 14 1981 PM
 3422

CLEARANCE
 INITIALS

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, and 3 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

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



DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT OFFICE
150 CHURCH AVE.
IDAHO FALLS, IDAHO 83401

RETURN
TO
POSTAL
DIVISION



OCT 15 1981

Department of Water Resources
Eastern District Office

(Name of Sender)

(Street or P.O. Box)

(City, State, and ZIP Code)

PS Form 3877, Sept. 1979
 ACCEPTANCE OF REGISTERED, INSURED, AND CERTIFIED MAIL

NAME AND ADDRESS OF SENDER

DEPARTMENT OF WATER RESOURCES
 EASTERN DISTRICT OFFICE
 150 SHOU? AVE.
 IDAHO FALLS, IDAHO 83401

Indicate type of mail
☐ Registered
☐ Insured
☐ COD
☒ Certified

I certify that we have
☐ Commercial Insurance
☐ A deductible clause of \$

Affix stamp here if issued as certificate of mailing or for additional copies of this bill.
 POSTMARK AND DATE OF RECEIPT

1	NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS	POSTAGE	FEE	Handling Charge	Actual Value (If Registered)	DUE SENDER IF C.O.D.	R. R. FEE	S.O. FEE	S. H. FEE	REG. DEL. FEE	REMARKS
1	12780	Fred Hansen, Riggs, Id.	18	75				60				22-2139
2	12781	Raymond Kippinger, Riggs, Id.	"	"				"				"
3	12782	Ivan Kay, Riggs, Id.										"
4	12783	Garrett Samuel, Box 602, Ashton										21-2012 21-2034
5	12784	Mary Smith, 305 2nd W, Ketchikan										"
6	12785	Gremont Madison, P.O. Box 5, Strat.										"
7	12786	Barbar Cherry, Box 472, Ashton, Id.										"
8	12787	Bruce & Lucille Fuller, Box 145, Ellis, Id.										75-7258
9	12788	James C Ferndon, P.O. Box 789, Salmon										"
10	12789	Richard McDaniel, Box 13, Ellis										"
11	12790	James L Stoddard, Rt #1, Box 120, Salmon										74-7092 74-7093
12	12791	Gene Foster, P.O. Box 129, St. Paul, Id.										74-0409 74-0247
13	12792	James Ferndon, Ferndon Hotel, Salmon										"
14	12793	Norm Jurey, P.O. Box 127, Salmon										"
15	12794	M J Chamberlain, 701 Whitcomb, Ketchikan, Alaska		95								"

TOTAL NUMBER OF
 PIECES LISTED BY
 SENDER

15

TOTAL NUMBER OF
 PIECES RECEIVED
 AT POST OFFICE

15

POSTMASTER, PER (Name of receiving employee)

CBF

The full declaration of value is required on all domestic and international registered mail. Commercial Insurance—Payment of the full registry fee is required on articles valued up to \$1,000 or the full amount of the deductible if the deductible exceeds \$1,000. The maximum indemnity payable is \$25,000 for registered mail, \$400 for COD and \$400 for insured mail. Special handling charges apply only to third- and fourth-class parcels. Special delivery service also includes special handling service.

October 9, 1981

RE: Issuance of License No. 22-2139 BOWEN

Mr. Ivan Kay
Driggs,
Idaho 83422

Dear Mr. Kay:

It is the Department's understanding that you currently own the farm which belonged to A. F. Murdock. In August, 1952, Mr. Murdock protested the issuance of License No. 22-2139 to Mr. Fred Bowen for the diversion of water from North Twin Creek for irrigation. Since the protest was never resolved, the Department is now scheduling the matter for hearing.

To familiarize you with the case in addition to the notice of hearing, we have also enclosed a copy of the permit, the licensing amendment, and Mr. Murdock's protest, which was also signed by Sterling Murdock and Raymond Ripplinger. However, Sterling Murdock later withdrew his protest.

In preparing for the hearing you may want to discuss the matter with Raymond Ripplinger or come to our office and review the file.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

Enclosures

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF ISSUANCE OF A WATER)	
RIGHT LICENSE NO. 22-2139 IN THE NAME)	
OF FRED BOWEN)	NOTICE OF HEARING
_____)	AND/OR CONFERENCE

On July 17, 1950, Fred Bowen, Driggs, Idaho applied to the Department of Water Resources for a permit to appropriate 1.60 cfs of water from North Twin Creek tributary to Teton River for the irrigation of 120 acres of land. The permit was granted and on July 23, 1951 proof of completion of works was submitted to the Department of Water Resources. Notice of proof application and water to beneficial use was advertised for four consecutive issues beginning on July 17, 1952 in the Teton Valley News, Driggs, Idaho, and was subsequently protested by A. F. Murdock and Raymond Ripplinger.

Because the application was filed pursuant to the Idaho Statutes that existed prior to May 31, 1967, the Department has set this matter for conference and/or hearing for Tuesday, October 27, 1981, at 9:00 a.m. in the Courtroom, Teton County Courthouse, Driggs, Idaho. The hearing will be held in accordance with Chapter 2, Title 42, of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

The Department will be prepared to hear evidence and testimony on any or all of the following three issues:

1. Has the permittee diverted and beneficially used unappropriated public water?
2. Has the appropriation of water under the proposed water right caused injury to a prior existing water right?
3. Has the water been used beneficially in accordance with the terms and conditions on the permit.

Any party may request in writing five (5) days before any hearing that the oral proceedings thereof be taken in the form of stenographic notes at the expense of the requesting party. Any party

may have such stenographic notes of the oral proceedings, or part thereof, transcribed at his own expense. A taped record of the proceedings will be maintained for the appeal period.

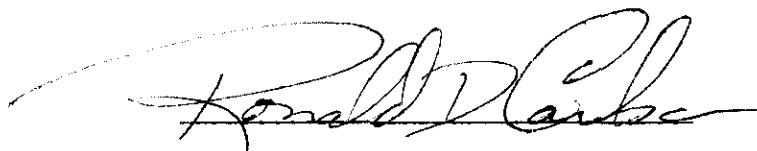
If the hearing is conducted by a hearing officer appointed by the Director, rather than the Director himself, a proposed decision will be submitted to the parties and the parties may be afforded an opportunity to file exceptions to the proposed decision and present briefs and oral arguments to the Director prior to the issuance of a final decision by the Director. This procedure is required by Idaho Code, Section 67-5211.

By written stipulation the parties may waive compliance with Idaho Code, Section 67-5211. If the hearing is conducted by a hearing officer, the hearing officer will ask the parties at the close of the hearing whether they would like to make such a stipulation.

Failure to waive compliance with Idaho Code, Section 67-5211 will not prejudice the Director's review of the parties evidence and arguments. However, such a waiver will shorten the decision-making process and may expedite substantially the issuance of a final decision. Whether compliance of Section 67-5211 is waived will not affect a party's right to petition for a rehearing of the final decision pursuant to Rule 11 of the Department's Rules of Practice and Procedure or affect a party's right to appeal the final decision to the district court.

Failure to appear at the time and place set for hearing by the applicant or protestant(s) may allow the Department to dismiss without prejudice the protest(s) or the application for issuance of a license. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

Dated this 9th day of October, 1981.


Regional Supervisor

RECEIVED

INTER-DEPARTMENT MEMO — 1

FROM JIM J.

JUN 10 1981

DATE 6/1/81

TO RON C.

Department of Water Resources
Eastern District Office

SUBJECT MATTER OF RESOLVING PROTESTS BEFORE PROCESSING
THE AMENDMENT AND ISSUING A LICENSE

Proper Action NEEDED ON THIS file has been a topic
of discussion AROUND HERE AND FINALLY WE DECIDED
THAT BEST COURSE OF ACTION WOULD BE TO SET
A HEARING DATE FOR THE PROTESTS.

I DOUBT THAT ~~AND~~ THE PROTESTANTS will show out
at least the file will show the proper procedure.

SIGNATURE

MEMORANDUM

DRT
TO: Dave Tuthill, Bob Fleenor
FROM: Jim Johnson *Jim*
DATE: May 7, 1981
RE: Protest against approval of application 22-2139

We recently received an amendment of a permit from Fred Bowen and in reviewing this file I find that we still are not able to complete the licensing process, because of a pending protest by Raymond Ripplinger.

According to the file Mr. Ripplinger responded to our letter of November 28, 1975, however, I am not sure that we can interpret it as a withdrawal of protest.

It appears that we need to have further correspondence to get this issue resolved.

Please, review and provide any suggestions on how we should proceed.

DRT COMMENTS (5/11)

1. Permit shows 200 acres, Amendment app shows 201 acres $\therefore$ acreage. Amendment app must be reduced. (Amended to 280 ac 4-7-1982)
Jim
2. Apparently protests are outstanding in the names of both ~~A.F. Murdock~~ and Raymond Ripplinger. It looks to me like a conference/hearing is necessary.

BDF

1. The protestants to the license should be notified of the proposed amendment and again asked if the amendment satisfies their protest.
2. Determine Mr A.F. Murdock predecessor and notify them of the pending amendment and license.
3. If protests are not withdrawn have region set for a hearing.

RECEIVED

FEB 5 1981

State of Idaho
Department of Water Resources

Department of Water Resources

AMENDMENT ANALYSIS SHEET

INITIAL REVIEW BY: Steve McCormick

Right Number 22-239 Applicant Fred Bowan

Purpose of Amendment: ☐ Change point of diversion. ☐ Add diversion point(s).

☐ Increase amount. ☒ Change place of use. ☐ Other _____

CHECK:

- No Change
- ☒ Description of amended point(s) of diversion.
 - ☒ Amount, nature and period of use. If increased, delay date of priority.
 - ☒ Description of amended places of use. If expanded, delay date of priority.
 - ☒ Ownership of point of diversion and place of use.
 - ☒ Map.
 - ☒ Signature (must be permit holder).
 - ☒ Fee.
 - ☒ Existing water rights from the same source, amended place of use.
 - ☒ Right number(s) None
 - ☐ Yes ☒ No Should amendment be advertised?
 - ☐ Yes ☒ No Should date of priority be delayed? If yes, to what date? _____

FINAL REGIONAL PROCESSING REVIEW:

- ☐ Affidavit of publication received.
- ☐ Amendment published correctly.
- ☐ Protests processed.
- ☒ Approve.
- ☐ Deny.

Conditions Watermaster control, meaning device.

By EMC Date 2-4-81

STATE OFFICE PROCESSING:

- ☐ Amendment correct and complete. By _____ Date _____
- ☐ Approved copy sent to applicant and to Region. By _____ Date _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Statehouse
Boise, Idaho 83720

~~Mr. A. F. Murdock~~
~~Driggs,~~
~~Idaho~~ 83422





STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

STATE HOUSE BOISE, IDAHO 83720

November 28, 1975

Re: Permit No. 21604/22-2139 - Fred Bowen

Mr. A. F. Murdock
Driggs,
Idaho 83422

Dear Mr. Murdock:

We are in the process of updating the Department's records and find that in August, 1952, you filed a protest against issuance of a license under the above referenced permit.

A field examination was made on August 27, 1952, and the examiner found that 0.83 cfs was being diverted from North Twin Creek for the irrigation of 201 acres in the W $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35, Twp. 5 N, Rge. 44 E, B.M.

In an attempt to resolve this matter, the Department is prepared to hold a conference &/or hearing. The points that may be considered are:

1. Has the permittee diverted and beneficially used unappropriated public water?
2. Has the operation of the proposed water right under the permit caused injury to a prior existing water right?
3. Has the water been placed to beneficial use in accordance with the terms and conditions of the permit?

Unless we hear otherwise from you within 30 days, the matter will be set for conference &/or hearing and you will be notified of the time and place. However, if you no longer have an objection to the issuance of this license, please sign and return the 'withdrawal of protest' at the bottom of this letter.

If you have questions regarding this matter, please contact us within the 30-day period.

Sincerely,

Bobby D. Fleenor

BOBBY D. FLEENOR
Chief, Water Rights

I, the undersigned, hereby withdraw my protest against issuance of a water license under Permit No. 21604/22-2139.

Signed at _____ this _____ day of _____ 1975.

A. F. Murdock



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

STATE HOUSE BOISE, IDAHO 83720

November 28, 1975

Re: Permit No. 21604/22-2139 - Fred Bowen

Mr. Sterling A. Murdock
Driggs,
Idaho 83422

Dear Mr. Murdock:

We are in the process of updating the Department's records and find that in August, 1952, you filed a protest against issuance of a license under the above referenced permit.

A field examination was made on August 27, 1952, and the examiner found that 0.83 cfs was being diverted from North Twin Creek for the irrigation of 201 acres in the W $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35, Twp. 5 N, Rge. 44 E, B.M.

In an attempt to resolve this matter, the Department is prepared to hold a conference &/or hearing. The points that may be considered are:

1. Has the permittee diverted and beneficially used unappropriated public water? *yes*
2. Has the operation of the proposed water right under the permit caused injury to a prior existing water right? *no*
3. Has the water been placed to beneficial use in accordance with the terms and conditions of the permit? *yes*

Unless we hear otherwise from you within 30 days, the matter will be set for conference &/or hearing and you will be notified of the time and place. However, if you no longer have an objection to the issuance of this license, please sign and return the 'withdrawal of protest' at the bottom of this letter.

If you have questions regarding this matter, please contact us within the 30-day period.

Sincerely,

Bobby D. Fleenor

BOBBY D. FLEENOR
Chief, Water Rights

I, the undersigned, hereby withdraw my protest against issuance of a water license under Permit No. 21604/22-2139.

Signed at Driggs, Ida. this 5 day of Dec. 1975.

Sterling A. Murdock
Sterling A. Murdock

Dear Sir

In answer to permit no 21604/22-2139 Fred Bowen
I would like to know if he would receive
this permit if I withdraw.

He has drilled a well & also has sold his
farm to his son:

We have had water every since, he quite using
water from ^{the} ditch.

After 20 yrs I would think he would not get this
permit

RECEIVED

DEC 10 1915
Department of Water Resources

Sincerely
Raymond Ripfinger

November 28, 1975

Re: Permit No. 21604/22-2139
Fred Bowen

Mr. Milo Bowen
Route # 2
Driggs, Idaho 83422

Dear Mr. Bowen:

Enclosed is departmental receipt No. 3234 for \$14.00 covering the licensing fee for the above referenced permit.

As you may recall, a protest was filed by A. F. Murdock, Raymond Ripplinger and Sterling A. Murdock against the issuance of a license under this permit. Therefore, the matter of protest must be resolved before the license could be issued.

We will attempt to notify the protestants to determine if a conference &/or hearing will be necessary. The points that may be considered at that time are:

1. Has the permittee diverted and beneficially used unappropriated public water?
2. Has the operation of the proposed water right under the permit caused injury to a prior existing water right?
3. Has the water been placed to beneficial use in accordance with the terms and conditions of the permit?

We have enclosed a copy of the protest for your review. If a conference &/or hearing is necessary, you will be notified of the time and place.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:DR
Enc: Receipt # 3234
Copy of protest

November 28, 1975

Re: Permit No. 21604/22-2139 - Fred Bowen

Mr. A. F. Murdock
Driggs,
Idaho 83422

Dear Mr. Murdock:

We are in the process of updating the Department's records and find that in August, 1952, you filed a protest against issuance of a license under the above referenced permit.

A field examination was made on August 27, 1952, and the examiner found that 0.83 cfs was being diverted from North Twin Creek for the irrigation of 201 acres in the W $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35, Twp. 5 N, Rge. 44 E, B.M.

In an attempt to resolve this matter, the Department is prepared to hold a conference &/or hearing. The points that may be considered are:

1. Has the permittee diverted and beneficially used unappropriated public water?
2. Has the operation of the proposed water right under the permit caused injury to a prior existing water right?
3. Has the water been placed to beneficial use in accordance with the terms and conditions of the permit?

Unless we hear otherwise from you within 30 days, the matter will be set for conference &/or hearing and you will be notified of the time and place. However, if you no longer have an objection to the issuance of this license, please sign and return the 'withdrawal of protest' at the bottom of this letter.

If you have questions regarding this matter, please contact us within the 30-day period.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

I, the undersigned, hereby withdraw my protest against issuance of a water license under Permit No. 21604/22-2139.

Signed at _____ this _____ day of _____ 1975.

A. F. Murdock

November 28, 1975

Re: Permit No. 21604/22-2139 - Fred Bowen

Mr. Raymond Ripplinger
Driggs,
Idaho 83422

Dear Mr. Ripplinger:

We are in the process of updating the Department's records and find that in August, 1952, you filed a protest against issuance of a license under the above referenced permit.

A field examination was made on August 27, 1952, and the examiner found that 0.83 cfs was being diverted from North Twin Creek for the irrigation of 201 acres in the W $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35, Twp. 5 N, Rge. 44 E, B.M.

In an attempt to resolve this matter, the Department is prepared to hold a conference &/or hearing. The points that may be considered are:

1. Has the permittee diverted and beneficially used unappropriated public water?
2. Has the operation of the proposed water right under the permit caused injury to a prior existing water right?
3. Has the water been placed to beneficial use in accordance with the terms and conditions of the permit?

Unless we hear otherwise from you within 30 days, the matter will be set for conference &/or hearing and you will be notified of the time and place. However, if you no longer have an objection to the issuance of this license, please sign and return the 'withdrawal of protest' at the bottom of this letter.

If you have questions regarding this matter, please contact us within the 30-day period.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

I, the undersigned, hereby withdraw my protest against issuance of a water license under Permit No. 21604/22-2139.

Signed at _____ this _____ day of _____ 1975.

Raymond Ripplinger

November 28, 1975

Re: Permit No. 21604/22-2139 - Fred Bowen

Mr. Sterling A. Murdock
Driggs,
Idaho 83422

Dear Mr. Murdock:

We are in the process of updating the Department's records and find that in August, 1952, you filed a protest against issuance of a license under the above referenced permit.

A field examination was made on August 27, 1952, and the examiner found that 0.83 cfs was being diverted from North Twin Creek for the irrigation of 201 acres in the W $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35, Twp. 5 N, Rge. 44 E, B.M.

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2. Has the operation of the proposed water right under the permit caused injury to a prior existing water right?
3. Has the water been placed to beneficial use in accordance with the terms and conditions of the permit?

Unless we hear otherwise from you within 30 days, the matter will be set for conference &/or hearing and you will be notified of the time and place. However, if you no longer have an objection to the issuance of this license, please sign and return the 'withdrawal of protest' at the bottom of this letter.

If you have questions regarding this matter, please contact us within the 30-day period.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

I, the undersigned, hereby withdraw my protest against issuance of a water license under Permit No. 21604/22-2139.

Signed at _____ this _____ day of _____ 1975.

Sterling A. Murdock

FOR THE ATTENTION OF

R. Keith Higginson
Director

WRITE IT
Don't Say It!
NOV 24 1975

REPLY REQUESTED

yes, please

FOR CORRESPONDENCE ~~DEPARTMENT OF~~ DEPARTMENT OF Water Resources

SUBJECT Permit # 21604 / 22-2139

DATE Nov. 20

Enclosed please find a check in the amount of \$14.00 as requested by certified mail to my father Fred Bowen.

You also said we are required to show cause why said permit should not be cancelled: "I was not aware that this permit was not paid." 2- The water is needed to water the crops 3- I will try to comply with other provisions if any. - Please notify me of any other provisions which need my immediate attention.

Is this licensing fee permanently paid now or am I required to renew it at any given time?

Signed

Milo D. Bowen
Rt 2 Driggs, Ida. 83422

PS Form 3811, Jan. 1975

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.								
1. The following service is requested (check one). ☐ Show to whom and date delivered..... 15¢ ☐ Show to whom, date, & address of delivery.. 35¢ ☐ RESTRICTED DELIVERY. Show to whom and date delivered..... 65¢ ☐ RESTRICTED DELIVERY. Show to whom, date, and address of delivery 85¢								
2. ARTICLE ADDRESSED TO:								
3. ARTICLE DESCRIPTION: <table border="1"> <tr> <td>REGISTERED NO.</td> <td>CERTIFIED NO.</td> <td>INSURED NO.</td> </tr> <tr> <td></td> <td>325-29</td> <td></td> </tr> </table> (Always obtain signature of addressee or agent) I have received the article described above. SIGNATURE ☐ Addressee ☐ Authorized agent <i>Fred De...</i>			REGISTERED NO.	CERTIFIED NO.	INSURED NO.		325-29	
REGISTERED NO.	CERTIFIED NO.	INSURED NO.						
	325-29							
4. DATE OF DELIVERY 11/7/75		POSTMARK						
5. ADDRESS (Complete only if requested)								
6. UNABLE TO DELIVER BECAUSE:		CLERK'S INITIALS						

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, and 3 on reverse side.
- Moisten gummed ends and attach to back of article.

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



**RETURN
TO**



**DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720**

October 31, 1975

CERTIFIED MAIL

#32529

Re: Permit No. 21604/22-2139

Fred Bowen
163 No. 2nd East
Driggs, Idaho 83422

Dear Mr. Bowen:

It appearing to the Department of Water Resources (formerly the Department of Water Administration) that the terms and conditions of Permit 21604/22-2139 to appropriate the public waters of the State of Idaho have not been complied with as to failure to submit licensing fee in the amount of \$14.00, you are hereby notified that under the provisions of Section 42-311, Idaho Code, as amended, said permit is hereby held for cancellation, and you are required to show cause before the Director of the Department of Water Resources on or before December 10, 1975, why said permit should not be cancelled.

Permit 21604/22-2139 claims the use of 1.6 cubic feet per second of water from North Twin Creek, tributary to the Teton River, the point of diversion was to be located within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 35, Twp. 5 N, Rge. 44 E, B. M. and the permit was approved July 19, 1950.

s/ R. Keith Higginson

R. KEITH HIGGINSON
Director

*See fee paid
Receipt # 3234 da*

September 8, 1975

Mr. Fred Bowen
163 N. 2 E.
Driggs, Idaho 83422

Dear Mr. Bowen:

In reviewing our files, we find that the licensing procedure was never completed under your Permit No. 21604 (New No. 22-2139).

The field report of August, 1952, has been examined and the water was being used as follows:

Amount of water that could be recognized as beneficially used under Idaho law: 0.83 cfs Source: North Twin Creek

The maximum quantity diverted could not exceed 301 acre feet, or 3.0 acre feet per acre, per year.

Point of diversion: SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 35, Twp. 5 N, Rge. 44 E, B.M.

Beneficial use: Irrigation of 201 acres within the W $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35, Twp. 5 N, Rge. 44 E, B.M.

Priority date established: July 17, 1950

As the land found being irrigated differs from that land described under the permit, it would be required that the permit be amended prior to issuance of a license. We have enclosed a partially completed application for amendment for your consideration. Please note that there is a \$10.00 filing fee in connection with the amendment and also a \$14.00 licensing fee, making a total fee due of \$24.00.

You will also recall that protests against the issuance of a license were received from A. F. Murdock, Raymond Ripplinger and Sterling A. Murdock. Therefore, the matter of protest would also have to be resolved before the Department could issue a license as set forth above.

Please advise us within 30 days of the date of this letter if you are interested in this license. If we have not heard from you within the 30-day period, we will assume you are no longer interested in this water right and we will initiate the cancellation of this permit.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:DR
Enc: App for amend

✓
August 1, 1953

RE: Permit No. 21604
Mr. Fred Bowen

Mr. H. S. Forbush
Attorney at Law
Driggs, Idaho

Dear Mr. Forbush:

Your letter of July 30, 1953, has been duly discussed with the State Reclamation Engineer. His decision in the matter is:

1. When license is issued, the $S\frac{1}{2}$ $SE\frac{1}{4}$ Section 35 will automatically drop out inasmuch as the one forty has a full decree right and the other did not have water applied to it by Mr. Bowen.

2. The $S\frac{1}{2}$ $SW\frac{1}{4}$ Section 35 cannot be included in the license because it does not appear anywhere in the records as having been included.

That will allow a license appurtenant to the land as listed after the first amendment, or to the $W\frac{1}{2}$ $NE\frac{1}{4}$, $NW\frac{1}{4}$ $SE\frac{1}{4}$, and $N\frac{1}{2}$ $SW\frac{1}{4}$.

We hope you can send in statement from the protestants withdrawing the protest. As soon as it is received, a license will be issued for 0.83 second foot of water from North Twin Creek, or 370 gallons per minute as stated by Mr. Bowen in his deposition.

The license fee for this will amount to \$10.00, being at the rate of \$2.00 for each 40 acre subdivision on which the water has been applied.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

H:fg

21604

H. S. FORBUSH

Attorney at Law

DRIGGS, IDAHO

RECEIVED
AUG 1 1953
Department of Reclamation

July 30, 1953

Mr. Mark R. Kulp
State Engineer
Department of Reclamation
Boise, Idaho

Dear Sir:

RE: permit No. 21604 in name of Fred Bowen

Mr. E.N. Humphrey was in the office yesterday, consulting with me on the water appropriation made by the above named person, whose license to so appropriate is pending issuance.

When the land and water system was examined last year by Mr. Larsen, it was determined that through error and mistake, eighty acres of realty which was being benefited by water, had actually not been included in the description in the publication of beneficial use, and accordingly, some eighty acres, forty of which had decreed rights and forty of which belonged to another, had inadvertently been included.

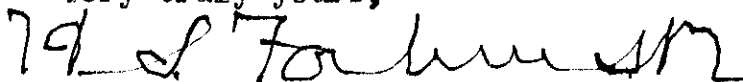
From the description of the real property, approved by Mr. Larsen, proof of which you have, the South half of the Southeast Quarter of Section thirty-five Twp. four, N. R. forty-four, should have been excluded and must be deleted from the description. The South half of the Southwest Quarter of said section and township, on the other hand, was not included and the same must be included in the area to be benefited.

I am anxious to know if said correction might be properly made upon the license when it is issued; so that it will not be necessary to readvertise the lands embraced, being benefited by the water, or that we shall not be required to make a transfer of water from some land to other lands after the license has been issued?

I feel that Mr. Bowen would greatly appreciate not having to incur additional expense and difficulty in establishing his license. Hence, if, after considering the circumstances in the premises, you can make this correction without prejudice, I shall be very pleased.

Mr. Humphrey has indicated that he would consult with you on the above matter, also.

Very truly yours,



H. S. Forbush

21604

July 22, 1953

RE: Permit No. 21604

Mr. H. S. Forbush
Attorney at Law
Driggs, Idaho

Dear Mr. Forbush:

I hope to call on you sometime Wednesday, July 29, 1953, to discuss
Permit No. 21604 with you.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

H:fg

21604

✓
July 3, 1953

RE: Permit No. 21604

Mr. H. S. Forbush
Attorney at Law
Driggs, Idaho

Dear Mr. Forbush:

I will make a regular tour of inspections in the area of Driggs within the next few weeks. At that time I will call on you regarding Permit No. 21604.

There seems to be sufficient land in the permit that is irrigated so that the amount of water will not need to be reduced. After license is issued, a simple transfer can be made to make the water appurtenant to all the land on which it is used.

I will need also to recheck the amount of water actually being used.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

H:fg

21604

July 3, 1953

Mr. H. S. Forbush
Attorney at Law
Driggs, Idaho

Dear Mr. Forbush:

Enclosed find blank forms for filing on underground water as per your request.

Teton County has not been declared a critical area in the meaning of the new statute.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

H:fg
Enc.

21604

H. S. FORBUSH

Attorney at Law
DRIGGS, IDAHO

RECEIVED
JUL 3 1953
Department of Reclamation

July 1st, 1953

State of Idaho
Department of Reclamation
Mark R. Kulp, engineer
Boise, Idaho

Dear Mr. Humphrey:

RE: permit no. 21604 in name of Fred Bowen

I refer to your letter of September 16th, 1952, wherein you make reference to the above permit number.

At the time a representative from your office contacted Mr. Bowen for final examination, preliminary to the issuance of a license to appropriate water, covering certain lands, it was then determined, possibly, that an error had been made in the description of the land to be covered by the water. At that time, I wrote you concerning the necessity of re-advertising, and your reply was made on the 16th of September, 1952.

I am anxious to know just what will be required to get this erroneous description corrected, and if it will be necessary to re-advertise? I hope that it can be handled in some other manner.

I should, therefore, appreciate your advice in the premises, if you will kindly consult the file and make a determination in the case; so that Mr. Bowen may do whatever you think necessary in order that his permit license may be issued.

I should also like to have forwarded application forms to secure a permit to appropriate the underground waters of the state, as provided for in 42-232 I.C. amended 1953.

I should further like to inquire as to whether Teton County has been declared a critical area in the meaning of the new statute?

Thanking you very kindly for your early reply,

I am very truly yours,


H. S. Forbush

21604

21604 Fred B. Bn, Driggs

Prior = July 17-1950

Q = 1.6 cfs. S. = N. Twin Creek

C/W = " 19-51

B/U = Oct 19-53

P.D. = SWSW-S35-5N. - 44E.

Irrigation : Ditch 1/4 mi. long.

For 5N-44E-S35-
NW NE ✓
SW NE ✓ 1200.
NW SE ✓

Changed Mar 23, 51 N 1/2 SW 1/4 added. = 2000 total

C/w certificate issued July 19-1957

Land list changed again in Mar. 1952 S 1/2 SE 1/4 added, 2800 total

✓
September 16, 1952

RE: Permit No. 21604

Mr. H. S. Forbush
Attorney at Law
Driggs, Idaho

Dear Mr. Forbush:

A quick check-up shows that the published notice under Permit No. 21604 covered all the land listed in the amended permit so if any was omitted in the inspection, the inspection can be made again and credit given wherever due providing, of course, this permit has not proceeded too far towards license.

We are still extremely busy with inspections that must be made this season, and will not be able to take care of this immediately, but as soon as the work slows off a bit we will take care of this matter.

In the meantime, no further action will be taken towards bringing this permit to license until the case has been studied carefully.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

H:fg

21604

DON CHOULES,
Chairman of the Board

R. R. CHRISTIANSEN,
Village Clerk

ARDEN STEVENS,
Marshall and Fire Chief

J. E. PENFOLD,
Watermaster - Maintenance

VILLAGE OF DRIGGS

TETON COUNTY, IDAHO

DRIGGS, IDAHO

September 8th, 1952

COMMITTEES

Finance and Appropriations:
WILLIS MOFFAT
LEONARD JENSEN

Streets, Walks, Public Parks
and Grounds:
WILLIAM ELLIS,
WILLIS MOFFAT

Driggs Municipal Water System,
Power, Lights and Public
Utilities:
LEONARD JENSEN
JESSE ALLER

Sanitation, Public Welfare and
Public Safety:
JESSE ALLER
WILLIAM ELLIS

RECEIVED
SEP 10 1952

Department of Reclamation

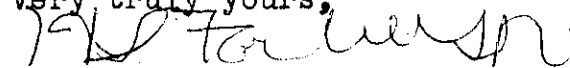
Mr. Mark R. Kulp
State Engineer
Department of Reclamation
State Capitol Building
Boise, Idaho

Dear Sir:

RE: permit number 21060 in name Village of Driggs

I enclose authorization for the publication of the notice of beneficial use of said waters under the above numbered permit, together with the necessary notices thereof, one of which is to be published in the Teton Valley News at Driggs, Idaho.

Very truly yours,



H. S. Forbush, attorney for Village of Driggs

P. S. RE: permit number 21604 in name of Fred Bowen

Sometime ago one of the field agents of your department, made final inspection of the project under the above permit number, whereupon it was learned that part of the description intended to be embraced and benefited by the water appropriation, had not been included by virtue of mistake.

As Mr. Bowen's attorney, I am anxious to see that he is not allowed to suffer because of my mistake in this matter, and wish to know if such portion not included, may still be inserted, without having to go through statutory methods of transferring water.

Your immediate reply and reference into this matter will be deeply appreciated.

Mr. Larsen was the field agent who brought this to my attention.

Very truly yours,

21604

Form 23

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

Permit No. 21604

This proof is for Beneficial use

In Water District No.

1. Name of applicant Fred Bowen, Driggs, Idaho
2. Source of water supply: North Twin Creek
3. Location of point of diversion: Is in the Various points along creek of Section 35
T. 5 N. R. 44 E. County of Teton
4. Describe works as they exist, giving dimensions and capacities of same: Rain Master pump and engine unit # 91503. Centrifugal pump - 3" intake and 3" discharge. 15' of 3" suction hose intake. 10' of 3" discharge hose to mainline. Wisconsin air cooled engine # 1 421 744, size 3 1/4 x 3 1/4, 20 HP., RPM. blank, gasoline operated, model VF4, mounted on two rubber tired wheels. Rain Bird 40 sprinkler system, 35 heads, 5/32" x 13/64" nozzles, 35 lbs. pressure. 1300' of 5" mainline pipe and 1300' of 4" dia. lateral pipe. All pipe is aluminum.
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):
W 1/2 NE 1/4, NW 1/4 SE 1/4, N 1/2 SW 1/4 and S 1/2 SE 1/4 Section 35, Township 5 North, Range 44 East, B. M.
See Map

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

8. What large stream would the water here appropriated finally reach? North Twin Creek
- Remarks: The entire unit, pump and pipe, is portable and can be installed anywhere. There are three general locations where the unit has been installed (See Map).
Crops: Alfalfa, potatoes, grain, and grass seed.

This examination was made on the 27th day of August, 1952

(Signed)

Alfred J. Larson
Examiner.

21604

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.

Fred Bowen, Driggs, Idaho

Permit No. 21604

Examination for Beneficial use

County Teton

S 35 T. 5 N., R. 44 E.

Q-1.6 cfs.

S - N. Twin Creek

1300' 5" main line aluminum pipe

1300' 4" lateral aluminum pipe

Centrifugal pump 3" intake 4" discharge

3" x 15' suction hose

3" x 10' discharge hose to mainline

Rain Master pump and motor unit #91503

Wisconsin aircooled engine # 1,421,744 size 3 1/4 x 3 1/4

20 H.P. RPM blank gasoline Model VF4

mounted on mobile 2 wheel unit

Alfalfa, potatoes, grain, grass

Harold Forbush atty.

33 heads 5/32 x 13/16 35# pressure

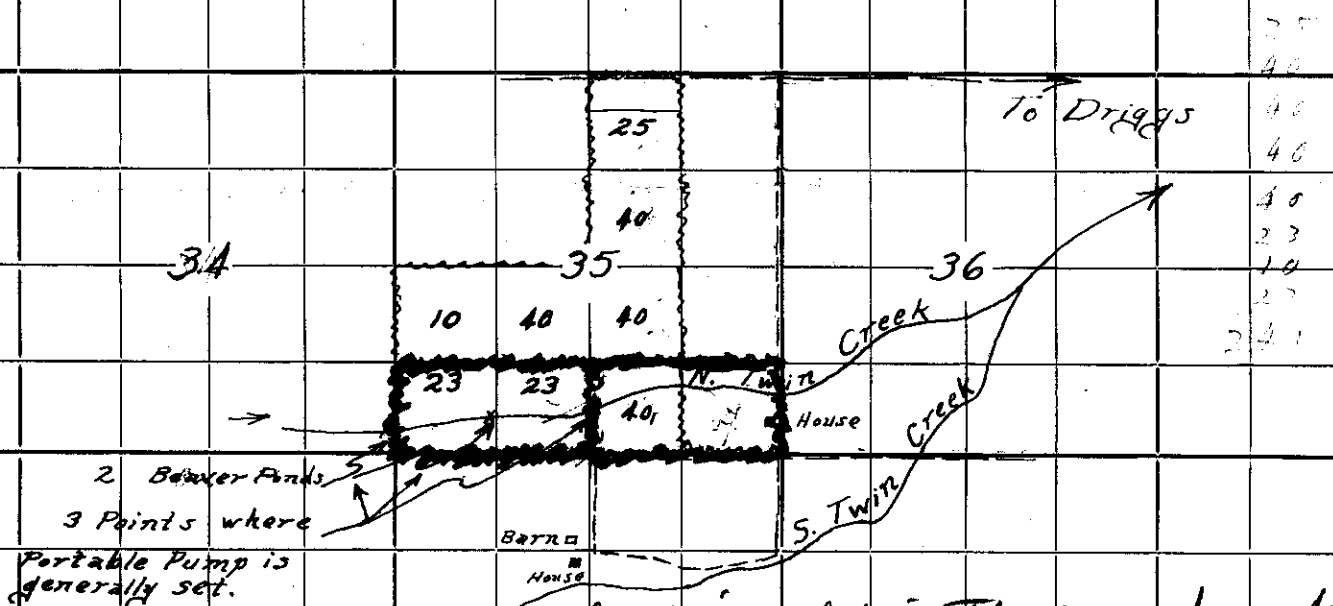
Rim lid 40

Priority July 17, 1950

Due Oct. 19, 1950

7 5 A.

T. 5 N., R. 44 E.



155 acres covered in original permit

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 21604

REPORT ON PROOF OF Beneficial use

Fred Bowen, Driggs, Idaho

.83 cfs
DWRK

August 19, 1952

RE: Permit No. 21604

Mr. H. S. Forbush
Attorney at Law
Briggs, Idaho

Dear Mr. Forbush:

We acknowledge receipt of your letter of August 15, 1952, enclosing depositions of Fred Bowen and two witnesses, also affidavit of publication in the Teton Valley News, all submitted in proof of beneficial use under Permit No. 21604 in the name of Fred Bowen.

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 and contact Mr. Bowen at the time he makes the examination so that arrangements may be made to show him over the grounds.

On August 13, 1952, we received a protest from A. F. Murdock, Raymond Ripplinger, and Sterling A. Murdock, against the issuance of a license under this permit, but before final action is taken the matter will be fully investigated by this department.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
cc: Mr. Fred Bowen

21604

H. S. FORBUSH

Attorney at Law

DRIGGS, IDAHO

August 15th, 1952

RECEIVED
AUG 18 1952
Department of Reclamation

Mr. Mark R. Kplp
State Engineer
Department of Reclamation
Boise, Idaho

Dear Sir:

RE: permit No. 21604 in name of Fred Bowen

You will please find enclosed depositions of Mr. Bowen as permit holder and two disinterested witnesses who have seen the performance of the pumping equipment. Also, enclosed is the affidavit of publication of final proof of beneficial application of the waters appropriated.

I trust that the enclosures are in due form.

Very truly yours,



H. S. Forbush

21604

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
AUG 18 1952
Department of Reclamation

Permit No. 21604

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Fred Bowen, Driggs, Idaho, Farmer, Driggs, Idaho

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

Ans.

Ques. 3 State number and date of permit, and date of priority you propose to establish under the permit.

Ans. No. 21604 Dated July 19, 1950

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. North Twin Creek which is a tributary of Teton River. It's a portable Steelume Irrigation System that can be moved along the creek to various points of diversion.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and 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, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined.

Ans. Through a Steelume Pump 370 gal. are discharged per min. This was determined by the pressure of discharge from the pump.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation purposes for cultivated land. Description of land:

NW $\frac{1}{4}$ NE $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ of SW $\frac{1}{4}$; (S $\frac{1}{2}$ SE $\frac{1}{4}$) all in section 35, Twp. 5, North, Range 44, E.B.M.

21604

Ques. 7. If for other than irrigation purposes; state how applied, amount of horse power generated, etc.

Ans. _____

Ques. 8. What is the minimum amount of water required for the purpose specified above?

1.6. cubic feet per second.

Ans. _____

Ques. 9. 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.

Ans. _____

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. The water has been used in the summers of 1951 and 52 in the amount of 370 gal. per min. of water has been applied to the lands herein described by means of a Steelume Sprinkling System.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. _____

(Sign) Ed Brown

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 Driggs, Idaho.
County of Teton, State of Idaho, on this 15th day of August,
A. D. 1952,

W. L. Forney

My commission expires Dec. 28, 1953.

21604

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 21604

Proof of Application of Water to Beneficial Use

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.

Ans. Renno Williams, 41, Driggs, Idaho, machine mechanic, Driggs, Idaho.

Ques. 2. Are you acquainted with Fred Bowen, the holder of Permit No. 21604? How long have you known him and where does he reside?

Ans. 25 years. Driggs, Idaho.

Ques. 3. Have you read or heard read said Permit No. 21604, and are you familiar with its provisions and conditions?

Ans. Yes.

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. North Twin Creek. It's a portable Steelume Sprinkling System that can be moved along the creek to various points of diversion.

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

Ans. 370 gal. per minute or 41 miner's inches.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation purposes for cultivated land. Description of land; NW $\frac{1}{4}$ NE $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ of SW $\frac{1}{4}$; S $\frac{1}{2}$ SE $\frac{1}{4}$, all in Section 35, Twp. 5, North, Range 44, E.B.M.

21604

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. _____

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.

Ans. 280 acres. 80 inches.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No.

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I have watched the performance of the water sprinkler at
various times during the summer of 1952.

(Signed) Renno Williams

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 Driggs,

County of Teton, State of Idaho, on this 15th day of August,

A. D. 19 52.

79 J. F. Williams

Notary Public.

My commission expires Dec. 28, 1953.

21604

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 21604

Proof of Application of Water to Beneficial Use

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.

Ans. Maurice Roberts, 51, Driggs, Idaho, Irrigation Equipment seller,
Driggs, Idaho.

Ques. 2. Are you acquainted with Fred Bowen, the
holder of Permit No. 21604? How long have you known him and where does
he reside?

Ans. 20 years. Driggs, Idaho.

Ques. 3. Have you read or heard read said Permit No. 21604, and are you
familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for con-
veying water from point of diversion to place of use.

Ans. North Twin Creek. It's a portable Steelume Sprinkling System
that can be moved along the creek to various points of diversion.

Ques. 5. How many second feet of water do you estimate said works will safely con-
duct to place of use, and how much water have you seen being so conveyed?

Ans. 370 gals. per minute or 41 miner's inches.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give
each subdivision in which water has been used and number of acres irrigated in each
subdivision.) State whether cultivated or natural meadow land and the nature of all im-
provements which have been made as a direct result of said use.

Ans. Irrigation purposes for cultivated land. Description of land:
NW $\frac{1}{4}$ NE $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ of S $\frac{1}{2}$; S $\frac{1}{2}$ SE $\frac{1}{4}$, all in Section 35,
Nwp. 5, North, Range 44, E.B.M.

21604

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. _____

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.

Ans. 280 acres. 80 inches.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. N8.

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I have sold, installed, and watched the performance of the
water sprinkler during the summers of 1951 and 1952.

(Signed) Maurice Roberts

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 Driggs, Idaho,

County of Teton, State of Idaho, on this 15th day of August,

A. D. 1952

H. D. Forlun

Notary Public.

My commission expires Dec. 28, 1953.

✓
August 13, 1952

Re: Permit No. 21604

Mr. A. F. Murdock
Driggs, Idaho

Dear Mr. Murdock:

I have the letter of protest on Permit No. 21604, Fred Bowen, for 1.6 cubic feet per second of the waters of North Twin Creek, signed by you, Raymond Ripplinger and Sterling Murdock.

If we find that the law has been complied with in Permit No. 21604, and license is issued for a definite amount of water, the priority of the right will be July 17, 1950, and subject to all existing rights.

We will make a full investigation of your protest before final action is taken.

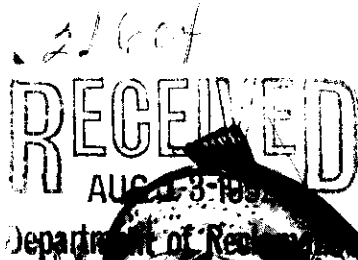
Very truly yours,

MARK R. KULP

State Reclamation Engineer

CC Lynn Crandall

21604



- Laggas Ada
Aug 11 1912
Bureau of Rec -

Gentlemen -

Of Mark R Kulp -
State Reclamation Engineer

We saw our water master

Mr Cooper - He referred us
to Mr Crandell - And

Mr Crandell told us to
write a letter of protest

to you about the Fred-
Bower filling - No 21604

We are all down the creek
from him. The last

two years he has taken
our water, for his pumping
system. He has put the water
on ground where it has
never been used before

We feel that if, his application
is granted, it would very
~~very~~ bad for us

He shut the creek off dry
to use for his sprinkler
and when we went for water
he would not let it come down
the old ditch to our land.

We hope you will investigate
this before granting his
~~our~~ application (as enclosed
in News Paper - Clipping)
~~enclosed~~

Yours very truly -
A. S. Murdock

+ Raymond Rippling

+ Sterling Murdock.

AFFIDAVIT OF PUBLICAT

State of Idaho, } ss.
County of Teton,

I, V. E. Lanzberry
being first duly sworn, depose and say.

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

Notic - Proof Application

of water

And affiant further says that said at-
tached notice, advertisement or publica-
tion, as per clipping attached, was pub-
lished in said newspaper, in the regular
and entire issue thereof, and not in any
supplement issue thereof, for four
consecutive issues thereof; first publica-
tion having been made on the 13th
day of July, 19 52,
and last publication on the 7th
day of August, 19 52.

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

Subscribed in my presence and sworn
to before me this 14 day of

August, 19 52
W. E. Lanzberry

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

My Commission expires

Oct 16, 19 55

Notice for Publication

NOTICE OF PROOF APPLICA- TION OF WATER TO BENE- FICIAL USE

Notice is hereby given that at
10:00 a.m. on the 15th day of Aug-
ust, 1952, at Driggs, County of
Teton, State of Idaho, before H.
S. Forbush, a Notary Public, proof
will be submitted of the applica-
tion to beneficial use of 1.6 cubic
feet per second of the waters of
North Twin Creek in accordance
with the terms and conditions of
Permit No. 21604 heretofore issued
by the Dept. of Reclamation of the
State of Idaho.

The name and postoffice address
of the person or corporation hold-
ing said permit are Fred Bowen,
Driggs, Idaho.

The use to which said water has
been applied is irrigation.

The amount applied to beneficial
use is 1.6 cu. ft. per second.

The place where said water is
used: NW $\frac{1}{4}$ NE $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$
and NW $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ of SW $\frac{1}{4}$;
S $\frac{1}{4}$ SE $\frac{1}{4}$, all in Section 35, Twp. 5,
North, Range 44, E. B. M. total 280
acres.

The name of the canal or ditch
or other works by which said
water is conducted to such place
of use is none (the water is ap-
plied by means of a sprinkling sys-
tem).

The right to take water from
such works is based upon Permit
No. 21604.

The source of supply from which
such water is diverted is North
Twin Creek.

The date of priority which said
water is prepared to establish is
Aug 27, 1950.

MARK R. KULP,
State Reclamation Engineer
Pub. J17-24-31-A7

21604

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. 21604

Date: July 8, 1952

Teton Valley News

Driggs, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **August 15, 1952**, the date set for proof, the expense of the publication to be paid by the applicant, **Fred Bowen** of **Driggs, Idaho**, to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice, and furnish this office with a copy of the first publication.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

By **Chief Clerk**

21604

**NOTICE FOR PUBLICATION
NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE**

Notice is hereby given that ~~1950~~ **15th** A. M. on the **August** day of **1952**,
at **Driggs**, County of **Teton**, State of Idaho, before
H. S. Forbush, a Notary Public, proof will be submitted of the
application to beneficial use of **1.6** cubic feet per second of the waters of **North Twin Creek**
in accordance with the terms and conditions of Permit No. **21604**
heretofore issued by the **Dept. of Reclamation** of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are.....

~~Driggs, Idaho.~~ name: **Fred Bowen**, **Driggs, Idaho**

The use to which said water has been applied is **irrigation**

The amount applied to beneficial use is **1.6 Cu. ft. per second**

The place where said water is used (~~the following description of the place where said water is used~~)
~~is as follows:~~ **NW $\frac{1}{4}$ NE $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ of SW $\frac{1}{4}$; S $\frac{1}{2}$ SE $\frac{1}{4}$, all in**
Section 35, TWP. 5, North, Range 44, E. B. M. total 280 acres.

The name of the canal or ditch or other works by which said water is conducted to such place of
use is **none (the water is applied by means of a sprinkling system.)**

The right to take water from such works is based upon Permit No. **21604**

The source of supply from which such water is diverted is **North Twin Creek**

The date of priority which said user is prepared to establish is **July 29, 1950**

MARK R. KULP

State Reclamation Engineer.

21604

✓
July 1, 1952

RE: Permit No. 21604

Mr. H. S. Forbush
Attorney at Law
Driggs, Idaho

Dear Mr. Forbush:

We acknowledge receipt of your letter of June 28, 1952, in connection with beneficial use on Permit No. 21604 of Fred Bowen.

We shall send to the Teton Valley News copy of notice with instructions to publish same once a week for four consecutive weeks prior to August 15, 1952, the date set for proof and to send Mr. Bowen the affidavit of publication together with statement of costs.

We enclose the necessary forms of deposition to be used in connection with this proof and at the time set, Mr. Bowen should appear before you together with two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder for the purpose of executing the depositions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

21604

H. S. FORBUSH

Attorney at Law
DRIGGS, IDAHO

June 28, 1952

RECEIVED
JUL 1 1952
Department of Reclamation

Mr. Mark R. Kulp
State Engineer
Department of Reclamation
Boise, Idaho

Dear Sir:

RE: PERMIT No. 21604 in name of Fred Bowen

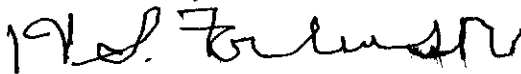
You will please find enclosed authorization for publication of notice of beneficial use under the above permittee of said waters.

You will note that the date for the making of said proof is fixed for the 15th of August, 1952.

I trust that the enclosures are in proper form.

Thanking you very much,

I am,



H. S. Forbush

21604

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date)..... June 28, 1952.....

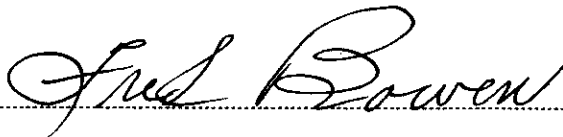
(P. O.)..... Driggs, Idaho.....

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho.

Dear Sir:

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



(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.

✓
April 10, 1952

RE: Permit No. 21604

Mr. H. S. Forbush
Attorney at Law
Driggs, Idaho

Dear Mr. Forbush:

We enclose the application of Fred Bowen for amendment to the land list in Permit No. 21604 which has been approved by the State Reclamation Engineer and recorded in this department.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

21604

H. S. FORBUSH

Attorney at Law
DRIGGS, IDAHO

April 5, 1952

RECEIVED
APR 7 1952
Department of Reclamation

Mr. Mark R. Kulp
State Engineer
Department of Reclamation
Boise, Idaho

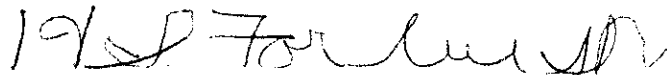
Dear Sir:

RE: ~~XXXXX~~ 21604 in name of Fred Bowen

I herewith enclose application for amendment for a
an additional amount of land to be benefited by the water
appropriated under the permit as stated above.

Thanking you very much,

I am very truly



H. S. Forbush

21604

✓
July 23, 1951

Re: Permit No. 21604

Mr. Fred Bowen
Driggs, Idaho

Dear Mr. Bowen:

We enclose Certificate of Completion of Works issued under Permit No. 21604 for the diversion of 1.6 second foot of water from North Twin Creek, with point of diversion in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 35, Township 5 North, Range 44 East, B.M., for irrigation of land in the W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ and N $\frac{1}{2}$ SW $\frac{1}{4}$ of said Section.

We also enclose Departmental Receipt No. 21604 for the \$5.00 fee paid in connection with this proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh
Enc.

21604

HAROLD S. FORBUSH

Teton County Prosecuting Attorney

DRIGGS, IDAHO

June 25, 1951

RECEIVED
JUN 27 1951

Department of Reclamation

Mr. Mark R. Kulp
Department of Reclamation
Boise, Idaho

Dear Sir:

RE: proof of works in name of Fred Bowen

Herewith is enclosed is proof of works of diversion of
waters made under proper application, together with the statutory
filing fee of \$5.00.

Very truly yours,



H. S. Forbush

21604

Permit No. 21604

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Teton

ss.

Fred Bowen

, being first duly sworn, upon his oath deposes and says:

First: That he is the holder and owner of Permit to appropriate the Public Waters of the State of Idaho, No. 21604, and that his postoffice address is Driggs
State of Idaho

Second: That the name of the stream which said water is to be directed is
North Twin

Third: That the point of diversion of said water is 350 ft. N. & 500 ft. E.
from the SW corner of Section 35, T. 5 N. R. 44 EBM. and is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$
of Section 35, T. 5 N. R. 44 EBM., County of Teton, State of Idaho

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by July 19, 1951

Fifth: That the use for which said water is intended is irrigation

Sixth: That on the date above mentioned, the works constructed under said permit were (or ~~were not~~) fully completed and consisted of the following:

I. Kind of works: earth ditch
(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

(a) Height of dam.....feet, length of dam at top.....feet, length of dam at bottom.....feet. Material used in construction.....

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir.....acre feet.

(c) Size of headgate: Width.....feet, height.....feet.

(d) Conduit ditch width at bottom 2 feet, width at water line 2 $\frac{1}{2}$
(State whether ditch, flume or pipe)

feet, depth of water.....feet; diameter of pipe.....inches, average grade per mile is.....feet. Length of conduit is 1 miles.

Seventh: That said works are capable of conducting to the place of intended use.....
1.6 second feet of water.

Eighth: That water appropriated under said permit is available for 200
acres of land described as follows: NW $\frac{1}{4}$ NE $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section
35, Twp. 5 N. R. 44, EBM N $\frac{1}{2}$ of SW $\frac{1}{4}$ Section 35, Twp. 5 N. R. 44 EBM

Ninth: Remarks: That at present the applicant is using a rain
~~maker on the lands herein described taking the water directly~~
from the creek. However a conduit transporting the water
~~through part of the land will facilitate the use of the rain maker.~~

Fred Bowen
(Sign Here)

Subscribed and sworn to before me this 23rd day of June, 1951

My commission expires Dec. 28, 1953

Notary Public.

21604

May 23, 1951

Re: Permit No. 21604

Mr. Harold S. Forbush
Attorney at Law
Driggs, Idaho

Dear Mr. Forbush:

In reply to your letter of May 22, 1951, the first proof, or proof of completion of works should be made on Form 6 enclosed, executed before a Notary Public, and returned to this Department with the statutory fee of \$5.00.

The statutes require publication of a notice in a county newspaper for four consecutive weeks prior to making proof of beneficial use. This notice should be made in duplicate on Form 10, setting time and place, and naming the Notary Public before whom the proof is to be made. The time, of course, should be set sufficiently far ahead to allow for the four weeks' publication.

Both copies of Form 10 to be returned to this Department, together with Form 11, which is your authorization for us to have the notice published at your expense in the designated newspaper. We shall then send a copy of the notice to the newspaper with instructions in regard to publishing.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

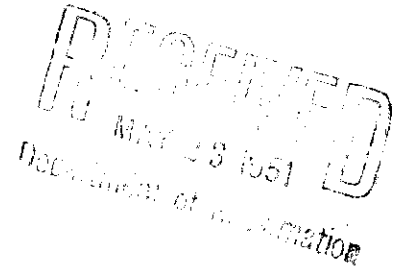
RWT:bh
Enc.

21604

HAROLD S. FORBUSH

Teton County Prosecuting Attorney

DRIGGS, IDAHO



May 22, 1951

Mr. Mark R. Kulp

State Engineer

Department of Reclamation

Boise, Idaho

Dear Sir:

RE: 21604 in the name of Fred Bowen

The above named applicant for appropriation of the waters described in said permit, now wishes to make final proof of completion of works and can likewise make proof of having actually diverted waters upon the land described in said application.

Therefore, upon receipt of the necessary forms for the making of said proofs, the said Fred Bowen, permit holder, will forthwith return same.

Very truly yours,

H. S. Forbush

21604

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Mr. Fred Bowen

Driggs, Idaho

Boise, Idaho **May 1, 1951**

Dear Sir:-

Under the terms of your permit No. 21604 you are required to complete your diversion works on or before July 12, 1951. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Yours truly,

MARK R. KULP

State Reclamation Engineer

21604

March 29, 1951

Re: Permit No. 21604

Mr. H. S. Forbush
Attorney at Law
Driggs, Idaho

Dear Mr. Forbush:

We return the application of Fred Bowen for amendment to the land list in Permit No. 21604, which has been approved by the State Reclamation Engineer and duly recorded.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh
Enc.

21604

HAROLD S. FORBUSH

Teton County Prosecuting Attorney

DRIGGS, IDAHO

March 26, 1951

RECEIVED
MAR 27 1951

Department of Reclamation

Mr. Mark R. Kulp
State Engineer
Department of Reclamation
Boise, Idaho

Dear Mr. Kulp:

Re: Permit No. 21604 in the name of
Fred Bowen

Enclosed is Fred Bowen's Application for Amendment To Permit to appropriate the Public Waters of the State of Idaho, No. 21604, which, you will note, amounts to an extension of place of use for the appropriated water under the above permit, rather than a complete change of place of use.

The permit as originally issued authorized the use of water on the first 120 acres as above described herein, and the enclosed amendment requests an extension of use on an additional 80 acres but does not in-any-way ask for an additional appropriation of water.

I trust that the enclosed application is the proper document for the enclosed request and that the same is in due form.

Very truly yours,



H. S. Forbush

1.6 c. 72 - No. Twin Creek - Teton Co.
W2N2 - NWSE Sec 35-

21604

March 20, 1951

Re: Permit No. 21604

Mr. Harold S. Forbush
Attorney at Law
Driggs, Idaho

Dear Mr. Forbush:

Reference is made to your letter of March 17, 1951, in which you state that Fred Bowen wishes to change the place of use in his Permit No. 21604.

We enclose the necessary form of application for such amendment which should be executed by Mr. Bowen and returned to this Department for approval and record.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh
Enc.

21604

HAROLD S. FORBUSH

Teton County Prosecuting Attorney

DRIGGS, IDAHO

March 17, 1951

RECEIVED
MAR 20 1951
Department of Reclamation

Mr. Mark R. Kulp
State Engineer
Department of Reclamation
Boise, Idaho

Dear Sir:

RE: permit No. 21604 to appropriate water, being the
permit granted to Fred Bowen

The above named applicant wishes to make an application
to your department for the change of beneficial use of the
water la ter to be used. You will note from the drawing on
file in your office that said place of use as indicated
covers the following described land, to-wit: NW $\frac{1}{4}$ of NE $\frac{1}{4}$
and SW $\frac{1}{4}$ of NE $\frac{1}{4}$ and NW $\frac{1}{4}$ of SE $\frac{1}{4}$, Section 35, Twp. 5 N, R 44, E.B.M.

It is being requested that permission be given to change
the place of use to the following described la nds: N $\frac{1}{2}$
of SW $\frac{1}{4}$ Section 35, Twp. 5 N, R 44, E.B.M.

I trust that should additional information be required,
you will immediately foward the necessary forms.

Thank you most sincerel y,

I am very truly,

H. S. Forbush
H. S. Forbush

21604.

July 25, 1950

Re: Permit No. 21604

Mr. Harold S. Forbush
Attorney at Law
Driggs, Idaho

Dear Mr. Forbush:

We enclose Permit No. 21604 in the name of Fred Bowen, and direct his 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. 22519 for the \$5.25 filing fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bn
Enc.

21604

BOWEN

FORM No. 0

9 7 1

10 11 1

15 14 13

22 23 24

27 26 25

34 35 36

21604

Permit Map No. 21604

As Approved

JUL 19 1950

MARK R. KULP

SCALE: 2 INCHES EQUAL 1 MILE. DRAW PLAN IN INK.

HAROLD S. FORBUSH
Attorney at Law
DRIGGS, IDAHO

July 15, 1950

Mr. Mark R. Kulp
State Engineer
Department of Reclamation
Boise, Idaho

RECEIVED
JUL 17 1950
Department of Reclamation

Dear Sir:

Enclosed herewith is the application of Fred Bowen for the
filing on 80 inches of water of the North Twin Creek.

Accompanied with said application is his personal check in
the sum of \$5.25, the fee for filing said application.

I trust that the map, together with the application is in
proper form.

Respectfully,

H.S. Forbush

21604

Notice for Publication

NOTICE OF PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 a.m. on the 15th day of August, 1952, at Driggs, County of Teton, State of Idaho, before H. S. Forbush, a Notary Public, proof will be submitted of the application to beneficial use of 1.6 cubic feet per second of the waters of North Twin Creek in accordance with the terms and conditions of Permit No. 21604 heretofore issued by the Dept. of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Fred Bowen, Driggs, Idaho.

The use to which said water has been applied is irrigation.

The amount applied to beneficial use is 1.6 cu. ft. per second.

The place where said water is used: NW $\frac{1}{4}$ NE $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ of SW $\frac{1}{4}$: S $\frac{1}{4}$ SE $\frac{1}{4}$, all in Section 35, Twp North, Range 44, E. B. M. total

acres.

The name of the canal or ditch or other works by which said water is conducted to such place of use is none (the water is applied by means of a sprinkling system).

The right to take water from such works is based upon Permit No. 21604.

The source of supply from which such water is diverted is North Twin Creek.

The date of priority which said user is prepared to establish is July 17, 1950.

MARK R. KULP,
State Reclamation Engineer
Pub. J17-24-31-A7 7-17-52

Notice for Publication
NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 a.m. on the 15th day of August, 1952, at Driggs, County of

Teton, State of Idaho, before H. S. Forbush, a Notary Public, proof will be submitted the application to beneficial of 1.6 cubic feet per second of the waters of North Twin Creek in accordance with the terms and conditions of Permit No. 21604 heretofore issued by the Dept. of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Fred Bowen, Driggs, Idaho.

The use to which said water has been applied is irrigation.

The amount applied to beneficial use is 1.6 cu. ft. per second.

The place where said water is used: NW $\frac{1}{4}$ NE $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ of SW $\frac{1}{4}$; S $\frac{1}{2}$ SE $\frac{1}{4}$, all in Section 35, Twp. 5, North, Range 44, E. B, M. total 280 acres.

The name of the canal or ditch or other works by which said water is conducted to such place of use is none (the water is applied by means of a sprinkling system).

The right to take water from such works is based upon Permit No. 21604.

The source of supply from which such water is diverted is North Twin Creek.

The date of priority which said user is prepared to establish is July 17, 1950.

MARK R. KULP,

State Reclamation Engineer

Pub. J17-24-31-A7