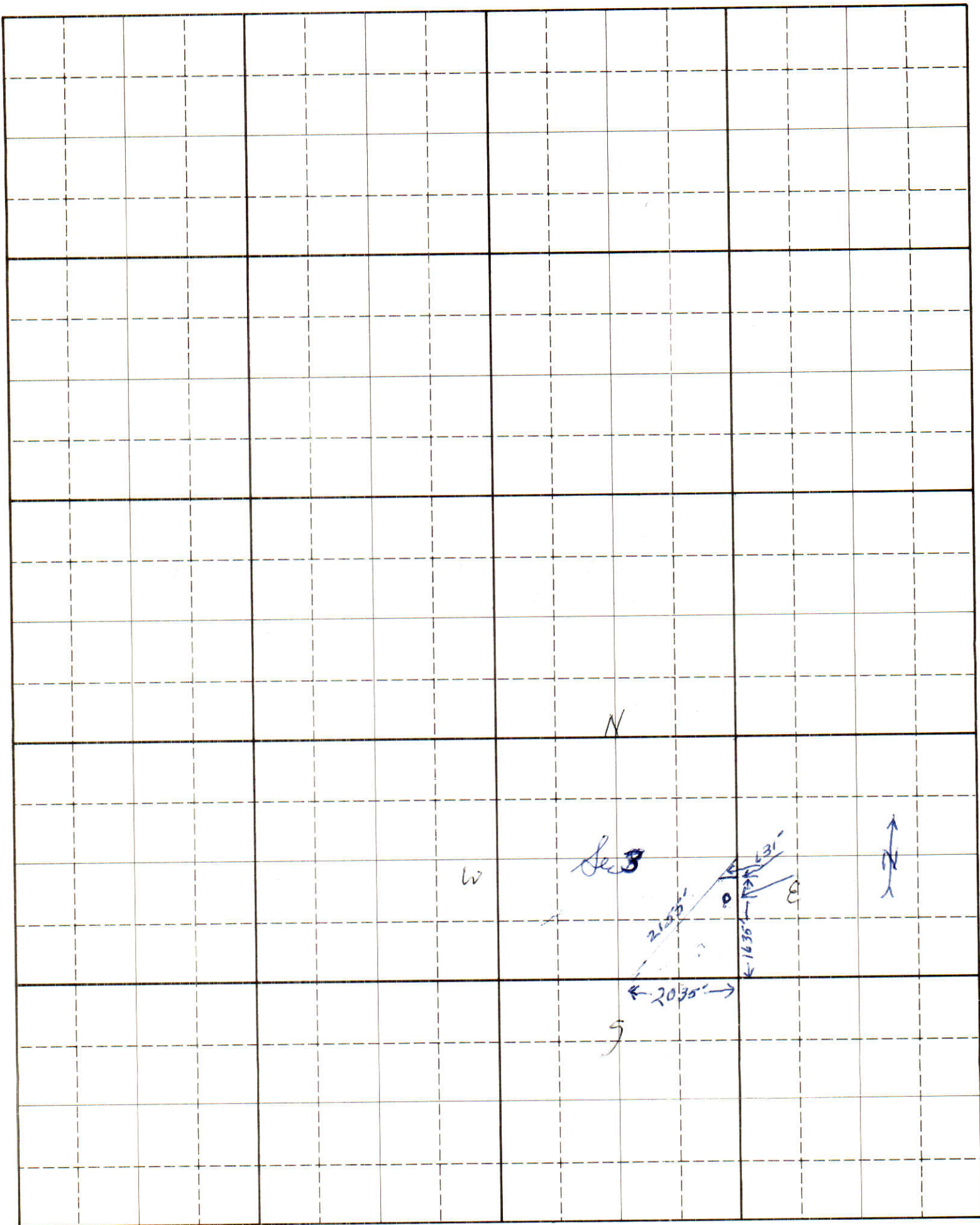


11. Map of proposed project:



Scale: 2 inches equal 1 mile

R428302

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

Robert W. Roberts
(Applicant)

21-7003

AFFIDAVIT OF
PUBLICATION

State of Idaho

County of Fremont

ss.

Carol Bessay

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

That she is the *editor* of The Ashton Herald, a newspaper as defined by Idaho Codes Annotated, section 58-106, as amended, and that said newspaper is a weekly newspaper published at Ashton, Idaho, in Fremont County, Idaho, having a general circulation in said county, and that said newspaper has been printed and published as a weekly newspaper in said county for more than 78 consecutive weeks prior to the first publication of the attached notice, advertise-

ment or publication of

*Application for water
to Elbert W. Roberts*

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

for *2* consecutive issues thereof; first publication

having been made on the *25*

day of *April*, 19*68*,

and the last publication on the

2 day of *May*

196*8*.

And affiant further says that at the times herein mentioned said newspaper was made up of at least eight pages of at least five columns each, printed from type matter, of at least sixteen inches deep.

Carol Bessay

Subscribed in my presence and

sworn to before me this *5*

day of *May*,

196*8*.

James E. Holcomb
Notary Public for the
State of Idaho, resi-
(SEAL) dence and post office
address: *St. Anthony Ashton*
Idaho.

Public Notice

NOTICE OF
APPLICATION FOR WATER

Notice is hereby given that Elbert W. Roberts, Ashton, Idaho has on March 20, 1968 applied for permit to divert 1.0 cubic feet per second of water from a subterranean source under application No. 21-7003. Water will be diverted by a well, pump and ditches within the NE1/4SE1/4, sec. 3, T. 8 N.R. 42 E.B.M., Fremont County and is to be used from January 1 to December 31 for domestic purposes and from May 20 to September 30 for irrigation purposes in the NE1/4SE1/4, S1/2SE1/4, sec. 3, T. 8 N. R. 42 E.B.M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HUGGINSON
State Reclamation Engineer

(A.H. APRIL 25, MAY 2, 1968)

RECEIVED

MAY 8 1968

Department of Reclamation

21-7003

bill submitted 5-8-68

[illegible]

21 7003

8002 12

8002 12

Permit No. 21-7003

Name of Applicant Elbert W. Roberts, Ashton, Idaho

Source of Water Ground water

a tributary of _____

Location of P.D. NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3, T. 8 N, R. 42 E, B. M.,

Fremont County

Water is used for * Domestic & Irrigation

Quantity of water claimed: Permit 1.0 cfs Depositions .02 cfs

Type of measuring device installed or method of measurement and general description of diversion works 3/4" pipe at 30# pressure, 640 gal. per hour

Housley Pumps-St. Anthony, Idaho

Land to be irrigated or place of use:			Description
TWP.	RGE.	SEC.	
8N	42E	3	NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ 50 acres

Filed: 3-20-68 Total acreage 50

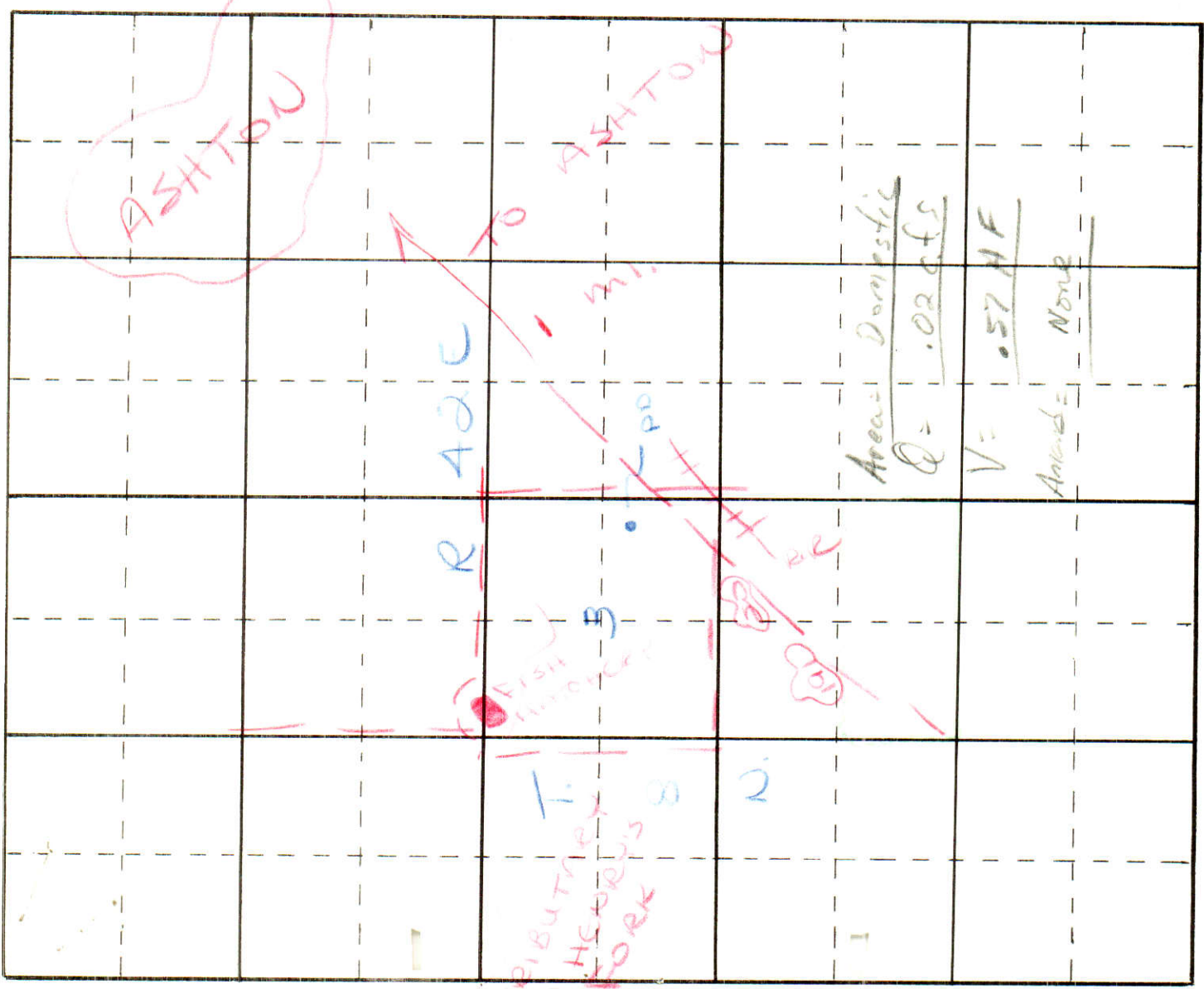
Made: June 4, 1969 Due: June 1, 1969

Priority: March 20, 1968

Other rights and acreage covered: (Indicate amounts, source, licensed or decreed, and acreage covered by subdivision; also show land covered on the map.)

*At time Proof Form was returned "Irrigation pump was not installed yet but should be within 15 days"

Proof Form is attached.



State of Idaho
Department of Water Administration
LICENSE OF WATER RIGHT

License of Water Right No. 21-7003 Priority 3-20-68 Amount 0.02 cfs

THIS IS TO CERTIFY, that Elbert W. Roberts
of Ashton, Idaho, has complied with the terms and conditions of Permit
No. 21-7003 issued pursuant to Application for Permit dated March 20, 1968,
and has submitted proof to the Department of Water Administration on June 4, 1969,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 0.02 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of EST, is hereby confirmed in the following amounts:

Amount 0.02 cfs for Domestic from Jan. 1 to Dec. 31 (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Subject, however, to the condition that no more than 0.02 cfs of water be diverted at
any one time, said waters to be diverted within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, of Sec. 3, T. 8 N, R. 42 E,
B.M.

in the county of Fremont; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 0.57 acre feet per year or _____
N/A acre feet per acre.

Description and location of place of use:

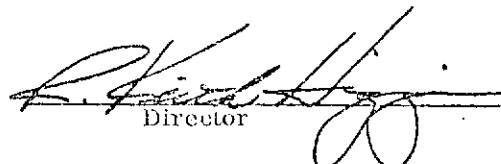
TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
42E	8 N	3													X				
D.W. 11-16-83																			

Total number of acres irrigated _____

SCANNED
MAR 9 2004

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 17th day of
June, 19 71.


Director

21 7003

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION

OF THE

STATE OF IDAHO

IN THE MATTER OF REMOVAL OF THE MEASURING)
DEVICE REQUIREMENT FOR PERMIT NO. 21-7003)
in the name of ELBERT W. ROBERTS)
_____)

ORDER

WHEREAS, on March 20, 1968, Elbert W. Roberts applied to the Department of Water Administration (formerly the Department of Reclamation) for a permit to appropriate 1.0 cubic feet per second of water from a ground water source within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 3, T. 8N, R. 42E, B.M., Fremont County, to be used for irrigation and domestic purposes; and,

WHEREAS, on May 31, 1968, the Department approved said application and issued Permit No. 21-7003 with the conditions that proof of construction of works and application of water to beneficial use be submitted to the Department on or before June 1, 1969, and the permit holder permanently install and maintain a measuring device of a type approved by the Department as part of the diverting works; and,

WHEREAS, on June 4, 1969, the Department received the required proof of construction of works and application of water to beneficial use; and,

WHEREAS, it has been determined by the Department that a measuring device is not required at this time for a determination of the quantity of water appropriated under the above referenced permit;

IT IS, THEREFORE, HEREBY ORDERED that the condition of approval that the permit holder permanently install and maintain a measuring device of a type approved by the Department as part of the diverting works be REMOVED from Permit No. 21-7003.



C. STEPHEN ALLRED
Deputy Director

BDF:DR

21 7003

LICENSE ISSUED FOR .02 SEC. FT.
LICENSE PAGE NO. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho

Identification No. 21-7003
Application No. 32412

1. Name of applicant Elbert W. Roberts
post office address Ashton Idaho
2. Source of water supply Well which is a tributary of _____
3. a. Location of point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 3 Township 8N
Range 42 E B.M. Tremont County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into none at a point in none $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section 3 Township 8N Range 42 E B.M.
4. Quantity to be appropriated: cu ft
a. 1.0 cubic feet per second and/or
b. none acre feet per annum will be stored.
5. Water will be used for the following purposes:
Domestic purpose from 1-1- to 12-31 (both dates inclusive)
Irrigation purpose from 5-20 to 9-30 (both dates inclusive)
_____ purpose from _____ to _____ (both dates inclusive)
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. pump from
under ground into ditches on property

b. Height of storage dam _____ feet; active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet; materials used in storage dam: _____

c. Proposed well diameter is 10 inches; proposed depth of well is 100 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is approximately 1 year
b. Estimated construction cost is \$ 2250.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 3 Township 8N
Range 42 E B.M.
(2) Amount of power to be generated: none hp under none feet of head.
(3) List number of each kind of livestock to be watered 10 cows
and household use
(4) Name of municipality to be served none, or number of families to be
supplied with domestic water 1 self
(5) If water is to be used for other purposes describe: none

21-7003

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

[illegible]

Total number of acres to be irrigated 50

c. Describe any other water rights used for the same purposes none

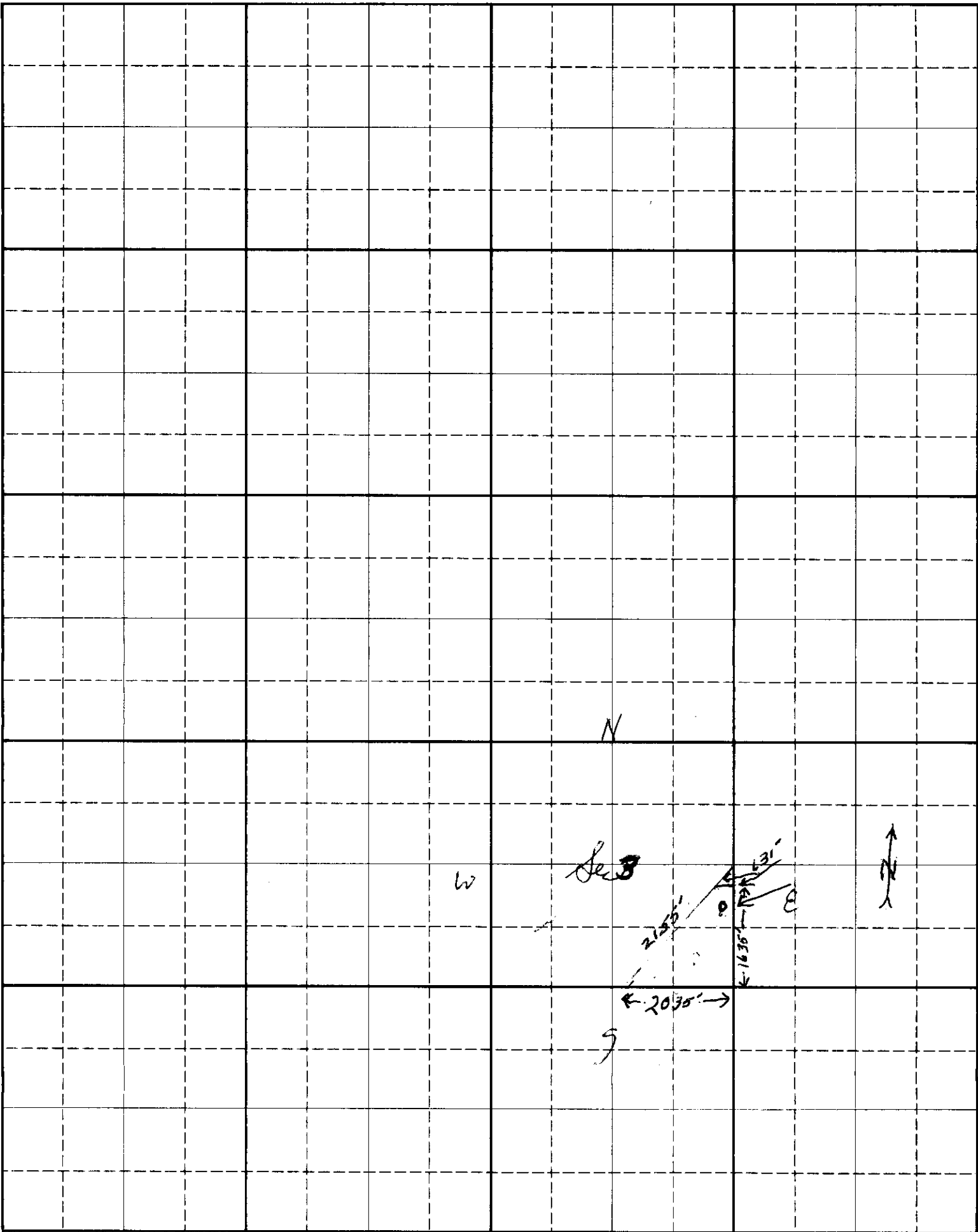
9. a. Who owns the property at the point of diversion E W Roberts

b. Who owns the land to be irrigated or place of use E. W. Roberts

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks _____

11. Map of proposed project:



Scale: 2 inches equal 1 mile

R428302

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

Ernest W. Roberts
(Applicant)

21-7003

Received by ef Date 3-20-68 Time 8:00a
Preliminary check by SS Fee \$ 3.20
Receipted by ef Date 3-20-68
Publication prepared by BS Date 4-17-68
Published in Oakton Herald
Publication dates 4-25 and 5-2
Publication approved BS Date 4-24-68
Priority reduced to _____ Reason _____

Protests filed by: none

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by ef BS

ACTION OF STATE RECLAMATION ENGINEER

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 21-7003, and said application is hereby APPROVED. **APPROVED**

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 1969.
- c. Other: The applicant shall permanently install a measuring device of a type approved by the department as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 31 day of May, 1968.

R. Keith Higgins
State Reclamation Engineer

Identification No. 21-7003

Permit No. 21-7003

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

RECEIVED

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

JUN 4 1969

Department of Reclamation

1. a) Name of Permit Holder Elbert W. Roberts
b) Post Office Address Ashton Idaho
2. Permit Number 21-7003
3. Date of Priority that you are prepared to establish 3-20-68
4. a) Source from which water was appropriated Under ground
b) Location of the point of diversion: NE 1/4 SE 1/4, Section 3
Township 8N, Range 42 E Boise Meridian, Other points of diversion: _____

5. a) The amount of water and use to which the water has been applied:
amount 4-1-69 for Domestic purposes from 4-1-69 to 6-1-69 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)

b) Total amount appropriated _____ cfs and/or acre feet per annum

c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: 3/4" pipe at 30" pressure 140 gal per hour Honsley Bumpas - St Anthony Idaho.

6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:

a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____

b) Describe the agreement or understanding by which you take water from the works: _____

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) 10" well casing, 149 ft deep motor 30 HP with 80' alum rated at 500 gal per minute

b) Describe the type and size of measuring device which you have installed at your point of diversion: _____

c) Give well drillers name and address and date the well was completed

Cope Well Drilling, Idaho Falls Idaho

21-7003

of use Domestic water.

sign: No irrigation as yet. Will start in
about 2 weeks.

[illegible]

10. Remarks: Irrigation pumps is not installed as yet
but should be within 15 days

May 20, 1969
(Date)

Elbert W. Roberts
(Signature)

State of Idaho)
County of Twin) ss.

On this 2nd day of June, 19 69, personally appeared before me the
signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Notary Public residing at Ashtabula, Indiana

My commission expires 7/31/69

AFFIDAVIT OF
PUBLICATION

State of Idaho

County of Fremont

SS.

Carol Bessy

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

That she is the *editor* of The Ashton Herald, a newspaper as defined by Idaho Codes Annotated, section 58-106, as amended, and that said newspaper is a weekly newspaper published at Ashton, Idaho, in Fremont County, Idaho, having a general circulation in said county, and that said newspaper has been printed and published as a weekly newspaper in said county for more than 78 consecutive weeks prior to the first publication of the attached notice, advertise-

ment or publication of

*Application for water
to Elbert W Roberts*

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

for *2* consecutive issues thereof; first publication having been made on the *25* day of *April*, 19*68*, and the last publication on the *2* day of *May*, 196*8*.

And affiant further says that at the times herein mentioned said newspaper was made up of at least eight pages of at least five columns each, printed from type matter, of at least sixteen inches deep.

Carol Bessy
Subscribed in my presence and

sworn to before me this *2* day of *May*,

196*8*.

James E. Holcomb
Notary Public for the
State of Idaho, resi-
(SEAL) dence and post office
address: *St. Anthony*
Idaho.

Public Notice

NOTICE OF
APPLICATION FOR WATER

Notice is hereby given that Elbert W. Roberts, Ashton, Idaho has on March 20, 1968 applied for permit to divert 1.0 cubic feet per second of water from a subterranean source under application No. 21-7003. Water will be diverted by a well, pump and ditch within the NE1/4SE1/4, sec. 3, T. 8 N. R. 42 E.B.M., Fremont County and is to be used from January 1 to December 31 for domestic purposes and from May 30 to September 30 for irrigation purposes in the NE1/4SE1/4, S1/4SE1/4, sec. 3, T. 8 N. R. 42 E.B.M.

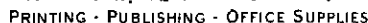
Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer

(A.R. APRIL 25, MAY 2, 1968)

Department of Reclamation

21-7003



ASHTON, IDAHO

Order No. _____ Date May 7 1968

Name R. Keith Henson

Address State Reclamation Eng. Boise

[illegible]

98-46-YV

ALL claims and returned goods **MUST** be accompanied by this bill.

20313

Rec'd by

ed by this bill.

June 18, 1971

Re: License No. 21-7003 - Elbert W. Roberts

Elbert W. Roberts
Ashton,
Idaho 83420

Dear Mr. Roberts:

Please find enclosed the above referenced license.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:CR

Enclosure

May 5, 1971

Re: Permit No. 21-7003

Mr. Elbert W. Roberts
Ashton,
Idaho 83420

Dear Mr. Roberts:

A representative of this Department has made an examination of the works covered by your Permit No. 21-7003 and has found the following:

Quantity of water diverted: 0.02 cubic feet per second

Amount of water that can be recognized as beneficially used under Idaho law: 0.02 cubic feet per second

The maximum quantity diverted shall not exceed 0.57 acre feet per season.

Beneficial use: Domestic purposes within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3, T. 8N,
R. 42E, B.M., Fremont County

The priority date established is: March 20, 1968.

If you do not concur with these findings, please advise us within 30 days; otherwise, a license will be issued as set forth in this letter.

Please find enclosed an Order which removes the measuring device requirement from the above referenced permit.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR
Enclosure

21 7003

LICENSING DATA ANALYSIS

- Permit No. 21-7003
- Name license is to be issued in Elbert W. Roberts
Assignment required - Yes ☐ No ☒
- Date of first receipt 3-20-68 Date proof due 6-1-69 Made 6-4-69
- Priority ☐ Late proof - Yes ☒ No ☐ ?
- Source Ground Water tributary ☐
- Point of diversion:
Twp. 8 N/S, Rge. 42 E/W, B.M., Sec. 3, NE 1/4 SE 1/4
Twp. N/S, Rge. E/W, B.M., Sec. , 1/4 SE 1/4
Twp. N/S, Rge. E/W, B.M., Sec. , 1/4 SE 1/4
Amendment required - Yes ☐ No ☐
- Beneficial use for license:
Amt. 1.02 for Domestic from ITNN to 31 Dec AF 57
Amt. for from to AF
Amt. for from to AF
Amount not to exceed at any one time 1.02 c.f.s. or 57 acre feet per season or acre feet per acre
Amendment required - Yes ☐ No ☒
- Permitted Amount: 1.0 c.f.s. Volume for season AF
- Measured Amount: 1.02 Reason for reduction Domestic only
Well has gone dry
- Description and location of place of use:

Twp	Rge	Sec	NE 160				NW 160				SW 160				SE 160				Total
			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 $\frac{1}{4}$	
8N	42E	3													6		7	37	50

Total No. of acres 50

- Supplemental acreage - Yes ☐ No ☒
- Total permitted acres 50
- Amendment required - Yes ☐ No ☒
11. Remarks: Domestic only NO IRRIGATION
12. Measuring device required - Yes ☒ No ☒
13. Type of letter required: Fee ☐ Notice ☒
14. Analysis by Bocher Date 3 Nov 70 Checked by Date
special letter to order to remove measuring device

Permit No. 21-7003

Elbert W. Roberts, Ashton, Idaho

Source of Water	Ground water
-----------------	--------------

a tributary of _____

Location of P.D. NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3, T. 8 N, R. 42 E, B. M.,

Fremont County

* Domestic & Irrigation

Quantity of water claimed: Permit 1.0 cfs Depositions .02 cfs

Type of measuring device installed or method of measurement and general description of diversion works 3/4" pipe at 30# pressure, 640 gal. per hour

Housley Pumps-St. Anthony, Idaho

Land to be irrigated or place of use:			Description	
TWP.	RGE.	SEC.		
8N	42E	3	NE ~~4~~ SE ~~4~~ , S ~~1~~ / ~~2~~ SE ~~4~~	50 acres

Total acreage	50
---------------	----

Filed: 3-20-68 Due: June 1, 1969

Made: June 4, 1969
Priority: March 20, 1968

Other rights and acreage covered: (Indicate amounts, source, licensed or decreed, and acreage covered by subdivision; also show land covered on the map.

*At time Proof Form was returned "Irrigation pump was not installed yet but should be within 15 days"

Proof Form is attached.

Source of supply well
a tributary of _____
Location of P.D.(s) NE 1/4 Sec. 3, SW 1/4 Sec. 4
Water is used for Domestic Only
Quantity of water found .02
How was the measurement made? enclosed system
Measurement calculations _____

.02 is Maximum Allowable for
1 hour hold

Division works description and diagram

Centurion 1/2 H.P. 345 RPM
Serial 8-107769-20
Pump
240V 221
Set. ST 6-254
26 lbs pressure

Indicate area irrigated in each subdivision on the map.
Total acreage irrigated None

If water is used for purposes other than irrigation, fully describe how the water is used and what is done with it after the use.

Well was originally drilled for irrigation but
the well went dry and will only produce enough
for domestic purposes (garden & household)

Who represented the permit holder at the examination?

Mrs. Roberts

Recommended allowance for licensing .02

Description of required amendments. Comments.

Report checked? NR

Examination date 15 July 70

Signature [Signature]

Identification No. 21-7003Permit No. 21-7003STATE OF IDAHO
DEPARTMENT OF RECLAMATION

RECEIVED

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

JUN 4 1969

Department of Reclamation

1. a) Name of Permit Holder Albert L. Roberts
b) Post Office Address Ashton Idaho2. Permit Number 21-70033. Date of Priority that you are prepared to establish 3-20-684. a) Source from which water was appropriated Undergroundb) Location of the point of diversion: NE 1/4 SE 1/4 Section 3Township S 22, Range 42 E, Boise Meridian, Other points of diversion: _____

5. a) The amount of water and use to which the water has been applied:

amount 4-1-69 for Domestic purposes from 4-1-69 to 6-1-69 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)

b) Total amount appropriated _____ cfs and/or acre feet per annum

c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: 3/4" pipe at 30" pressure 640 gal
per hour Housley Bump - St. Anthony, Idaho.

6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:

a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____

b) Describe the agreement or understanding by which you take water from the works: _____

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean

source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) 10" well casing, 149 ft deep
motor 30 HP with 80' column rated at 500 gal
per minute

b) Describe the type and size of measuring device which you have installed at your point of diversion: _____

c) Give well drillers name and address and date the well was completed

Cope Well Drilling, Idaho Falls Idaho

21 7003

of use Domestic water

[illegible]

10. Remarks: Integration package is not installed as yet
but should be within 15 days

May 20, 1969
(Date)

Elbert W. Roberts
(Signature)

21 7003

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE — ANNEX 2
BOISE, IDAHO 83707

July 28, 1969

Re: Permit No. 21-7003

Mr. Elbert W. Roberts
Ashton, Idaho

Dear Mr. Roberts:

Please find enclosed an order REINSTATING your permit.

Before a license can be issued, a field examination must be made by a representative from this department.

We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system. If someone other than yourself should be contacted, please advise.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:TC

Enc: reinstatement order

Exam Typed
9-10-69
gmb

21-7003

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF REINSTATEMENT OF PERMIT NO.)

ORDER OF REINSTATEMENT

21-7003 in the name of Elbert W. Roberts)

WHEREAS, Elbert W. Roberts applied to the Department of Reclamation on March 20, 1968, for a permit to appropriate the public waters of the State of Idaho; and,

WHEREAS, the application proposed the diversion of 1.0 cubic foot per second of the waters of a groundwater source from a point of diversion within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 3, T. 8 N, R. 42 E, B. M., Fremont County for use in the E $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3, T. 8 N, R. 42 E, B. M.; and,

WHEREAS, on May 31, 1968, Permit No. 21-7003 was approved with the conditions that an adequate measuring device of a type approved by the Department of Reclamation be installed and that proof of the application of the water to beneficial use be submitted on or before June 1, 1969; and,

WHEREAS, on April 3, 1969, the permit holder was notified by certified mail that he was required to submit proof of application of the water to beneficial use and was instructed as to the steps to be taken to make that proof; and,

WHEREAS, the required proof was not received on June 1, 1969; and,

WHEREAS, on June 4, 1969, the Department of Reclamation received the required proof of beneficial use; and,

WHEREAS, on June 1, 1969, Permit No. 21-7003 lapsed in accordance with Section 42-218a of the Idaho Code; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause as to why the permit should be reinstated;

THEREFORE, IT IS HEREBY ORDERED, that the date for proof of the application of water to beneficial use be extended to June 4, 1969;

IT IS FURTHER ORDERED, that Permit No. 21-7003 be REINSTATED and that the priority remain March 20, 1968.

Dated this 31st day of July, 1969.


R. KEITH HIGGINSON
State Reclamation Engineer

by Jack A. Barnett
JACK A. BARNETT, Deputy
State Reclamation Engineer

21-7003

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

July 1, 1969

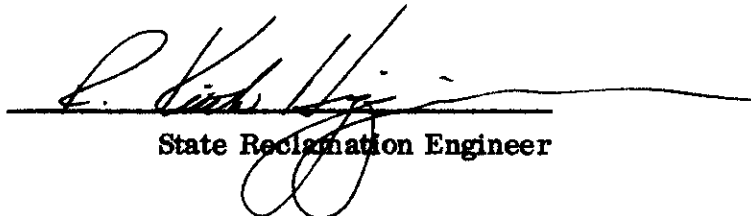
Re: Permit No. 21-7003

Mr. Elbert W. Roberts
Ashton, Idaho

Dear Mr. Roberts:

You are hereby notified that under the provisions of Section 42-218a, Idaho Code, Permit 21-7003 has lapsed.

You are further advised that the department cannot reinstate the permit except upon a showing of reasonable cause within sixty days from the date of this notice of lapsing.


State Reclamation Engineer

RKH:tg

Form 7

21-7003

Re: Permit No. 21-7003

Dear Mr. Roberts:

You are further advised that the department cannot reinstate the permit except upon a showing of reasonable cause within sixty days from the date of this notice of lapsing.

RKH: tg

Form 7

NAME AND ADDRESS OF SENDER

Dept. of Reclamation

Indicate type of mail

☐ INSURED ☐ C. O. D. ☒ CERTIFIED

Affix stamp here if issued as certificate of mailing or for additional copies of this bill.

POSTMARK AND DATE OF RECEIPT

2089

NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS	POSTAGE	FEE	DUE SENDER IF C. O. D.	ENDORSEMENT ¹	R. R. FEE	S. D. FEE	S. H. FEE	RESTRICTED DELIVERY FEE	REMARKS
1	20912 Mr. Harry C. (Phonstone) Route #1	.06	.30			.10				37-7016
2	Thompson, Bellevue Washington									
3	20913 Mr. Elbert D. Roberts, Ashton, Idaho	.06	.30			.10				21-7003
5	20914 Independent Meat Co, Boyce, Idaho	.06	.30			.10				47-7026
6	Idaho Falls, Idaho									
7	20915 Mr. Harry J. Clement, Route 4, Blackfoot, Idaho	.06	.30			.10				35-7016
8										
9	20916 Boise Chateau Corp, Box 7488, Boise, Idaho	.06	.30			.10				63-7072
10										
11	20917 Boise Valley Broadcasters, Inc., Box 2400, Boise, Idaho	.06	.30			.10				63-7076
12										
13	20918 Dean & Dean Mfg. Co. Route #4, Idaho Falls, Idaho	.06	.30			.10				35-7012
14										
15										
16										
17										
18										
19										
20										



TOTAL NUMBER OF PIECES LISTED BY SENDER

7 (Seven)

TOTAL NUMBER OF PIECES RECEIVED AT POST OFFICE

7

POSTMASTER, PER (Name of receiving employee)

[Signature]

¹ Mark "F" if "Fragile," "P" if "Perishable," "E" if "Eggs," "EH" if "Eggs for Hatching," "B" if "Butter," "FL" if "Fragile-Liquid," and "FLU" if "Fragile-Liquid-This Side Up."
² Special-handling charges apply only to fourth-class parcels. Special-delivery service also includes special-handling service.

U. S. GOVERNMENT PRINTING OFFICE

CAS-16-72948-2

21-7003

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Show to whom, date, and
address where delivered

☐ Deliver ONLY
to addressee

(Additional charges required for these services)

RECEIPT

Received the ~~numbered~~ article described below.

REGISTERED NO.

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

CERTIFIED NO.

INSURED NO.

DATE DELIVERED

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

SHOW WHERE DELIVERED (only if requested)

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

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

RECEIVED

APR 8 1969

POSTMAN'S OFFICE
DELIVERED

7
A.M.
1969

83420

RETURN
TO

INSTRUCTIONS: Show name and address of sender and complete instructions of delivery, where applicable. Moisten gummed flap and hold firmly to back of article. Print on front of article RETURN RECEIPT REQUESTED.

NAME OF SENDER

Department of Reclamation

STREET AND NO. OR P.O. BOX

Annex #2 Statehouse

POST OFFICE, STATE

Boise, Idaho 83707

955-18-71548-10

POD Form 3811 Apr. 1967

April 2, 1969

Re: Permit No. 21-7003

Mr. Elbert W. Roberts
Ashton,
Idaho

Dear Mr. Roberts:

One of the conditions of the approval of your permit
21-7003 was that proof of application of the water to
beneficial use be submitted to this office on or before June
1, 19 69.

Enclosed is an affidavit form which must be used to submit
this proof. You may request an extension of time provided the
delay is for reasonable cause as indicated in Section 42-204, ICA.

Either the proof or a request for extension must be received
by this department on or before the above mentioned date, otherwise
the permit will lapse and be of no further force or effect.



State Reclamation Engineer

RKH:ks

Enclosure: Proof form

21-7003

June 3, 1968

Re: Permit 21-7003

Mr. Elbert W. Roberts
Ashton
Idaho 83420

Dear Mr. Roberts:

We enclose a copy of your approved application for permit 21-7003 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:mjl

Enclosure: Copy of Application
Receipt No. 676 for \$20.00

LEGAL - - - - -

NOTICE OF
APPLICATION FOR WATER

4124

Notice is hereby given that ~~Elbert W. Roberts, Ashton, Idaho~~ has on ~~March 20, 1968~~ applied for permit to divert ~~1.0~~ cubic feet per second of water from a ~~subterranean~~ source under application No. ~~21-7003~~. Water will be diverted by a ~~well, pump and ditches~~ within the ~~NE1/4SE1/4~~, sec. ~~8~~, T. ~~8~~ N.R. ~~42~~ E.B.M., Fremont County and is to be used from ~~January 1 to December 31~~ for domestic purposes and from ~~May 20 to September 30~~ for irrigation purposes in the ~~NE1/4SE1/4, S1/2SE1/4, sec. 8, T. 8 N. R. 42 E.B.M.~~

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer

(A.H. APRIL 25, MAY 2, 1968)

21-7003

April 17, 1978

Re: Application No. 21-7003
Elbert W. Roberts

Ashton Herald
Ashton,
Idaho 83420

Gentlemen:

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

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

An affidavit of publication must be submitted to the Department of Reclamation, along with the publication bill. In order to receive payment, the following certification must appear on the bill:

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of same has been paid.

(Do not sign this letter)

Signature of claimant

Very truly yours,

Donald W. McElldowney
Appropriation Examiner

DWM:ks

Enclosure: legal notice

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that Elbert W. Roberts, Ashton, Idaho

has on March 20, 1968

applied for permit to divert ~~store~~ 1.0 cubic feet per second ~~acre/foot~~
of water from a subterranean source

under application No. 21-7003. Water will be diverted by a well, pump
and ditches within the N¹/₂SE¹/₄, sec. 3, T. 8 N, R.
42 E, R.M., Fremont County

and is to be used from January 1 to December 31 for domestic purposes
and from May 20 to September 30 for irrigation purposes
in the N¹/₂SE¹/₄, S¹/₂SE¹/₄, sec. 3, T. 8 N, R. 42 E, B.M.

Any protest against this application must be filed with the Department of
Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Ashton Herald, Ashton, Idaho
April 25 May 2
on _____ and _____.

21-7003

April 2, 1968

Re: Application No. 21-7003

Albert W. Roberts
Bohton,
Idaho

Dear Mr. Roberts:

We are returning your original application for permit for clarification before proceeding with the advertising.

We will require some additional information under Item 6, description of the diverting works. You have listed a pump. Please advise the department as to other diverting works that you intend to use such as sprinkler system, ditches, pipelines, and etc.

Inasmuch as you have filed for domestic use from January 1 to December 31 of each year, we will also require an answer to Item 8a1, place of use for your domestic water, by public land survey subdivision, section, township, and range.

We must also have an answer to Item 8b of the application, land list. You have shown your lands to be irrigated are located in the township 8 North, Range 42 East, section 3. However, you have indicated 50 acres in the SE $\frac{1}{4}$. The map you have drawn indicates that the 50 acres is found in parts of 3 subdivisions, the NE $\frac{1}{4}$, SE $\frac{1}{4}$, SW $\frac{1}{4}$, sec. 3. Please insert under Item 8b, the total number of acres found in each of these subdivisions.

Upon completion of the above listed items, please return your application for processing.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DW:ks

Enclosure: Original application

21-7003