

DESCRIBE RIGHT HELD BY USER WITH WHOM YOU WISH TO EXCHANGE WATER

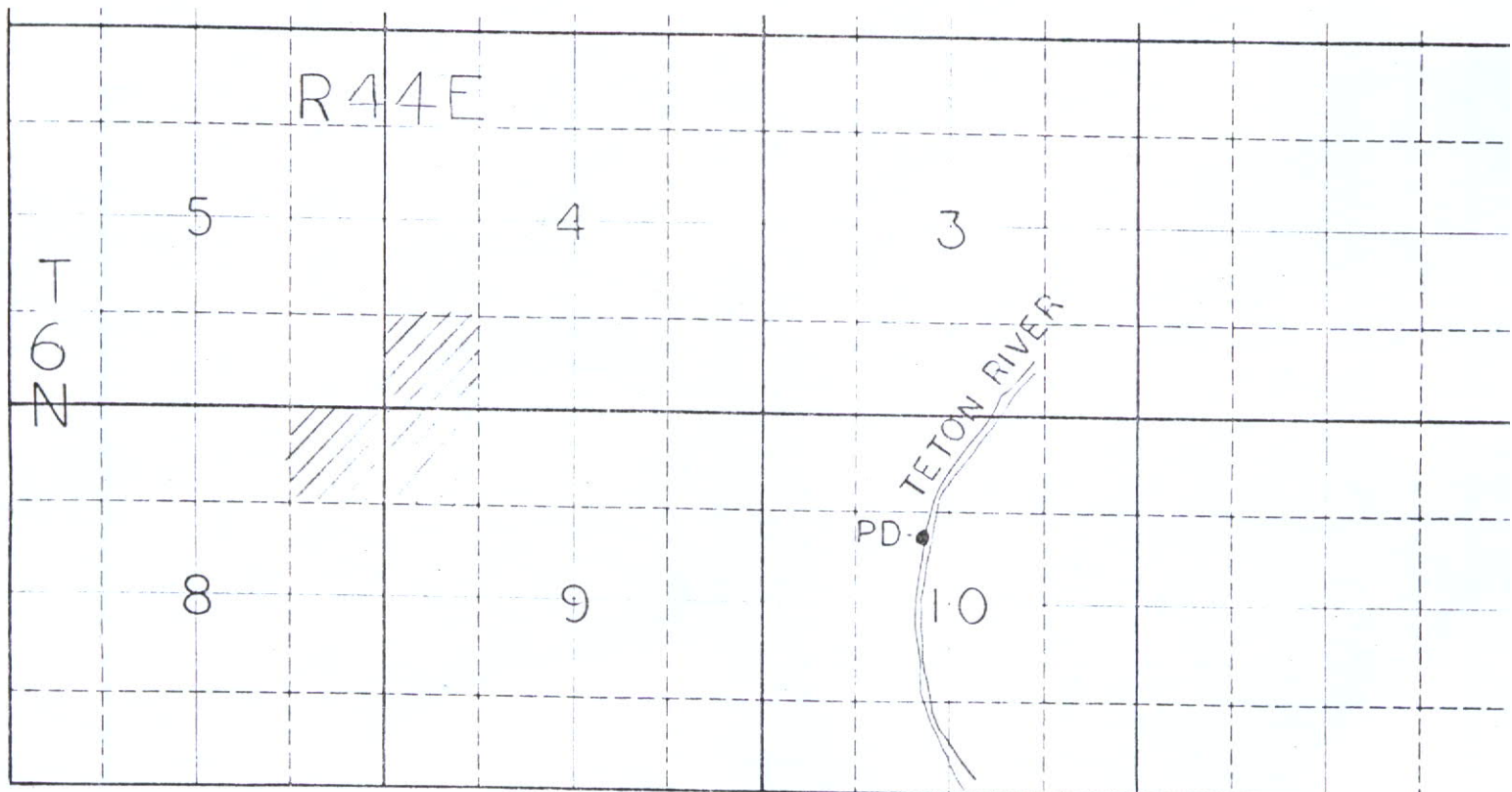
9. Name of Right Holder _____
Post office address _____
10. Source of water _____ tributary to _____
(Name of stream or source)
11. Name of canal or ditch _____
12. Amount of water a. _____ c.f.s. and/or
b. _____ acre feet/annum
13. Right obtained by:
a. Decree to _____ in Case of _____
(Name)
vs. _____, Dated _____ in _____
(Name of Court)
Court, County of _____. Fully describe decree (if known) _____

b. Permit, License, or Claim No. _____ in the records of the Department of
Reclamation.

EXCHANGE

14. 2.4 c.f.s and/or 106 acre feet per annum of water diverted at the
point described in line 7 and will be delivered into Henrys Fork Snake at a point in
SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 28, Township 13N, Range 43E, B.M.,
in _____ County; ~~Additional points, if any~~ Water will then be diverted
from the Henrys Fork at a point within NW $\frac{1}{4}$ SE $\frac{1}{4}$ 14, T, 8N, R. 41E.
15. In lieu thereof 2.4 c.f.s. and/or 106 acre feet per annum will be diverted
from Teton River at a point within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 10,
Township 6N, Range 44E, B.M., in Teton County.
16. Explanation Stored water originally owned by Dale E. Sykes was exchanged
at a different point on the Teton River. This exchange will only change
the point of diversion on the Teton and will not effect the manner
in which the exchange originally took place.

In the space below draw a sketch map showing your point of diversion under the exchange,
where you will return the replacement water, land irrigated, and the general location of your
conveyance system. Include any other information which would help in understanding the pro-
posed exchange.



MICROFILMED

POINTS OF DIVERSION - LIST OF CANALS INCLUDED IN PROPOSED FREMONT-MADISON IRRIGATION DISTRICT

Name of Canal	(N):(E): T.:D.:Sec.:	h0 acres	Course and Distance	County
1 Dewey	North Fork Snake: 8 :41 :12	SW ¹ / ₄ NE ¹ / ₄ S	42°30'W, 2267' from NE cor. Sec. 12	Fremont
2 Last Chance	" " " " " " " "	NE ¹ / ₄ SE ¹ / ₄ S	58°30'W, 2170'	"
3 St. Anthony	" " " " " " " "	NE ¹ / ₄ NE ¹ / ₄ S	45°47'W, 880'	"
4 Farmers Friend	" " " " " " " "	SW ¹ / ₄ NE ¹ / ₄ S	58°15'W, 2950'	"
5 Twin Groves *	" " " " " " " "	NE ¹ / ₄ SE ¹ / ₄ N	4°19'W, 1622'	"
6 Salem Union	" " " " " " " "	NE ¹ / ₄ SE ¹ / ₄ N	51°50'E, 2110'	"
7 Egin	" " " " " " " "	SW ¹ / ₄ NE ¹ / ₄ S	58°01'E, 3530'	"
8 Union	" " " " " " " "	SE ¹ / ₄ NE ¹ / ₄ S	84°02'E, 1674'	"
9 Independent	" " " " " " " "	NE ¹ / ₄ SE ¹ / ₄ S	23°22'W, 1286'	"
10 Consolidated	" " " " " " " "	NE ¹ / ₄ SE ¹ / ₄ N	16°27'W, 2623'	"
11 Yellowstone P & I	" " " " " " " "	SW ¹ / ₄ SE ¹ / ₄ N	5°00'E, 1250'	"
12 Harringfeldt	" " " " " " " "	SE ¹ / ₄ SW ¹ / ₄ N	84°00'E, 2604'	"
13 Marysville	" " " " " " " "	SE ¹ / ₄ SW ¹ / ₄ S	42°30'E, 2100'	"
14 Farmers Own	" " " " " " " "	NE ¹ / ₄ SE ¹ / ₄ S	38°50'W, 630'	"
15 Enterprise	" " " " " " " "	NE ¹ / ₄ SW ¹ / ₄ S	82°00'E, 2200'	"
16 Fall River	" " " " " " " "	NE ¹ / ₄ SW ¹ / ₄ N	78°45'E, 2250'	"
17 Chester	" " " " " " " "	SE ¹ / ₄ SW ¹ / ₄ N	9°00'E, 1660'	"
18 Kerr	" " " " " " " "	NE ¹ / ₄ NE ¹ / ₄ S	76°30'W, 1850'	"
19 Wilford	" " " " " " " "	NE ¹ / ₄ NE ¹ / ₄ S	58°00'W, 950'	"
20 Soddaway	" " " " " " " "	SE ¹ / ₄ NE ¹ / ₄ S	6°46'W, 2085'	"
21 Good Luck	" " " " " " " "	SW ¹ / ₄ NE ¹ / ₄ N	32°00'E, 740'	"
22 Teton Irrig. & Mfg. Co.	" " " " " " " "	SW ¹ / ₄ NE ¹ / ₄ S	80°30'E, 343'	"
23 Pioneer	" " " " " " " "	SE ¹ / ₄ SE ¹ / ₄ N	72°11'W, 1455'	"
24 Stewart	" " " " " " " "	NE ¹ / ₄ NE ¹ / ₄ S	45°00'W, 600'	"
25 Pincock-Dyngton	" " " " " " " "	SE ¹ / ₄ NE ¹ / ₄ S	44°25'E, 2059'	"
26 Teton Island Feeder	" " " " " " " "	SE ¹ / ₄ NE ¹ / ₄ S	1°27'W, 590'	"
27 Salem Irrig.	" " " " " " " "	SE ¹ / ₄ NE ¹ / ₄ S	80°00'W, 1200'	"
28 Roxana	North Fork, Teton River: 6 :40 :6	NE ¹ / ₄ NE ¹ / ₄ S		Madison

*Diversion now from Farmers Friend Canal

(continued)

County

29	Island Ward	North Fork, Teton	6	40	6	NW $\frac{1}{4}$ NE $\frac{1}{4}$	N	44°00'W, 2100'	from $\frac{1}{4}$	cor. bet. 5 & 6	Madison
30	Pincock-Carner	South Fork,	7	40	36	SW $\frac{1}{4}$ NE $\frac{1}{4}$	S	45°00'W, 2480'	"	NE	Fremont
31	Woodmansee	"	6	40	1	NE $\frac{1}{4}$ NE $\frac{1}{4}$	S	71°16'E, 1869'	"	NW	Madison
32	Buxburg City	"	6	40	10	SE $\frac{1}{4}$ SE $\frac{1}{4}$	N	28°40'W, 1334'	"	SE	"
33	Buxburg Irrig.	"	6	40	20	NE $\frac{1}{4}$ NE $\frac{1}{4}$	S	37°00'W, 1000'	"	NE	"
34	Westfield	"	6	40	19	SE $\frac{1}{4}$ NE $\frac{1}{4}$	N	89°00'E, 2550'	"	$\frac{1}{4}$	bet. 24 & 19
35	Squirrel Creek	Squirrel Creek	8	44	3	SW $\frac{1}{4}$ SE $\frac{1}{4}$	N	61°00'W, 2350'	"	SE	Sec. 3
36	Yellowstone	"	8	44	8	SE $\frac{1}{4}$ NE $\frac{1}{4}$	S	23°00'W, 1750'	"	NE	Sec. 8,
37	Conant Creek	Conant Creek	8	44	27	SW $\frac{1}{4}$ NE $\frac{1}{4}$	N	10°20'E, 2730'	"	SW	Sec. 27
38	N. Salem Agr. & Milling	North Fork, Teton	7	40	33	SE $\frac{1}{4}$ NW $\frac{1}{4}$	N	1°30'W, 3040'	"	S $\frac{1}{4}$	Sec. 33
39	Cross Cut Canal	North Fork, Snake	8	41	14	NW $\frac{1}{4}$ SE $\frac{1}{4}$	N	41°13'W, 2150'	"	SE	Sec. 14

DESCRIPTION OF DISTRICT LANDS

To accompany Application for Permit to Construct a Reservoir on North Fork (Henry's Fork) Snake River

HARRISON COUNTY

(T)(E) T. R. Sec.	N E 1/4				N W 1/4				S W 1/4				S E 1/4				Total Acres
	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6 38 25: 1/0			1/0						1/0		1/0	1/0	1/0	1/0	1/0	1/0	360
26:												1/0			1/0	1/0	120
6 39 1: 1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	640
2: 1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	640
3: 1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	576.22
					1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	
					1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	
5: 1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	640
6: 1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	320
7: 1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	320
8: 1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	560
9: Lot 8, 54.17 1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	579.51
					1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	
10: 1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	640
11: 1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	640
12: 1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	640
13: 1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	1/0	640

(N)(E) T. R. Sec.	N E 1/4				N W 1/4				S E 1/4				Total acres
	NE 1/4	NE 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NW 1/4	SW 1/4	SE 1/4	NW 1/4	SW 1/4	SE 1/4
6 39 14	40	40	40	40	40	40	40	40	40	40	40	40	640
15	40	40	40	40	40	40	40	40	40	40	40	40	640
16	40	40	40	40	40	40	40	40	40	40	40	40	632.57
17	23.50 Lot 1	50.40 Lot 2	12.45 Lot 6	34.60 Lot 9									280.68
18	40	40	40	40									320
19	40	40	40	36.68 Lot 7									297.45
20	40	40	40										477.55
21	40	40	40	40	40	40	40	40	40	40	40	40	640
22	40	40	40	40	40	40	40	40	40	40	40	40	640
23	40	40	40	40	40	40	40	40	40	40	40	40	640
24	40	40	40	40	40	40	40	40	40	40	40	40	640
25	40	40	40	40	40	40	40	40	40	40	40	40	640
26	40	40	40	40	40	40	40	40	40	40	40	40	640
27	40	40	40	40	40	40	40	40	40	40	40	40	640
28	40	40	40	40	40	40	40	40	40	40	40	40	640

(N)(E) T. R. Sec.	N E 1/4				N W 1/4				S E 1/4				Total acres
	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6 39 29 : 1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	6.0
30 : 1.0			1.0										80
32 : 1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	6.0
33 : 1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	6.0
34 : 1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	6.0
35 : 1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	6.0
36 : 1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	6.0
6 40 1 : 1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	6.0
2 : 1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	6.0
3 : 1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	6.0
4 : 1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	5.20
5 : 1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	6.0
6 : 1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	6.0
7 : 1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	6.0
8 : 1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	6.0
9 : 1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	6.0
10 : 1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	6.0
11 : 1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	6.0

(N)(E)	N E $\frac{1}{4}$						S W $\frac{1}{4}$						S E $\frac{1}{4}$						Total Acres
	T. R. Sec.	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$						
6	10	12	10	10	10	10	10	10	10	10	10	10	10	640					
13	10	10	10	10	10	10	10	10	10	10	10	10	10	320					
14	10	10	10	10	10	10	10	10	10	10	10	10	10	320					
15	10	10	10	10	10	10	10	10	10	10	10	10	10	640					
16	10	10	10	10	10	10	10	10	10	10	10	10	10	640					
17	10	10	10	10	10	10	10	10	10	10	10	10	10	640					
18	10	10	10	10	10	10	10	10	10	10	10	10	10	640					
19	10	10	10	10	10	10	10	10	10	10	10	10	10	40					
20	10	10	10	10	10	10	10	10	10	10	10	10	10	320					
21	10	10	10	10	10	10	10	10	10	10	10	10	10	160					
6	11	5	10	20	10	10	10	10	10	10	10	10	10	160					
6	10	10	10	10	10	10	10	10	10	10	10	10	10	640					
7	20	10	20	10	10	10	10	10	10	10	10	10	10	160					
18	10	10	10	10	10	10	10	10	10	10	10	10	10	120					
7	39	19	10	10	10	10	10	10	10	10	10	10	10	160					
20	10	10	10	10	10	10	10	10	10	10	10	10	10	640					
21	10	10	10	10	10	10	10	10	10	10	10	10	10	640					
22	10	10	10	10	10	10	10	10	10	10	10	10	10	640					

(M)(E) T. R. Sec.	N 1/2				N W 1/2				S W 1/2				S E 1/2				Total acres
	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	
7 39 27 :	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	160
28 :	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
29 :	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
30 :	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	600
31 :	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	240
32 :	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	560
33 :	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	160
34 :	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	160
Lot 7:																	
35 :	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
36 :	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
7 40 31 :	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
32 :	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
33 :	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
34 :	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
35 :	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
TOTAL ACRES IN MADISON COUNTY																	42,375.08

FREMONT COUNTY

[illegible]

45.00 17.17!
Lot 2 Pt. of Lot 1

56.65
Lot 2
40

!24.00	54.10	62.12	...	!51.05	26.10
#Lot 3	Lot 4	Lot 5		#Lot 7	Lot 6

$$\begin{array}{r} 359.54 \\ \underline{459.54} \end{array}$$

(N)(E)	N E 1/4				N W 1/4				S E 1/4				Total
T. R. Sec.	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	acres
7 10	:	:	:	:	:	:	:	:	:	:	:	:	160
2	:	:	:	:	:	:	:	:	:	:	:	:	240
5	:	40	:	:	:	40	40	40	:	40	40	40	160
6	:	:	:	:	:	:	:	:	:	:	:	:	160
7	40	40	40	:	40	40	40	40	40	40	40	40	280
8	:	40	40	:	:	40	40	40	40	40	40	40	480
9	:	:	40	40	:	40	40	40	:	40	:	:	280
10	40	40	:	:	40	40	40	40	40	40	40	40	25.20 59.60 475.16 Lot 4 Lot 3: Lot 5 Lot 6
11	:	:	:	:	:	40	40	40	40	40	40	40	320.
12	:	:	40	40	40	40	40	40	40	40	40	40	560
13	40	40	40	40	40	40	40	40	40	40	40	40	640
14	40	40	40	40	40	40	40	40	40	40	40	40	640
15	40	40	40	40	40	40	40	40	40	40	40	40	598.24
16	:	:	51.90 45.00 Lot 6 Lot 7	:	:	:	40.50 33.90 Lot 5 Lot 4	:	:	:	:	:	398.30
17	40	40	40	39.69: 40	40	40	40	:	:	:	:	:	319.69
18	40	40	40	40	40	40	40	40	40	40	40	40	480
19	:	40	40	40	32.00 40	33.67 22.20 Lot 2 Lot 6	32.53 Lot 4	40	40	40	40	40	520.4

(N)(E)	N E $\frac{1}{4}$				S E $\frac{1}{4}$				Total acres
T. R. Sec.	NE $\frac{1}{4}$	NE $\frac{1}{4}$	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 $\frac{1}{4}$: NE $\frac{1}{4}$ NW $\frac{1}{4}$
7 40	37.05 Lot 1	40	40	33.20 36.15 Lot 2 Lot 3	40	40	40	40	626.36
21	40	40	40	40	40	40	40	40	640
22	40	40	40	40	40	40	40	40	640
23	40	40	40	40	40	40	40	40	640
24	40	40	40	40	40	40	40	40	640
25	40	40	40	40	40	40	40	40	640
26	40	40	40	40	40	40	40	40	640
27	40	40	40	40	40	40	40	40	640
28	40	40	40	40	40	40	40	40	640
29	40	40	40	40	40	40	40	40	640
30	40	40	40	40	40	40	40	40	640
36	40	40	40	40	40	40	40	40	640
4	40	40	40	40	40	40	40	40	600
5	40	40	40	40	40	40	40	40	520
6	40	40	40	40	40	40	40	40	640
7	40	40	40	40	40	40	40	40	640

(N)(E)	N E $\frac{1}{4}$				N W $\frac{1}{4}$				S W $\frac{1}{4}$				S E $\frac{1}{4}$				Total Acres
T. R. Sec.	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 $\frac{1}{4}$	
7 1/1	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
9	:	:	:	:	:	40	40	:	:	40	40	40	40	40	40	40	360
10	:	:	:	:	:	40	40	:	:	:	:	:	:	:	:	:	80
15	:	:	:	:	:	40	40	:	:	40	:	:	:	:	:	:	120
16	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
17	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
18	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
19	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
20	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	480
21	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
28	:	40	40	40	:	40	40	40	40	40	40	40	40	40	40	40	400
29	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
30	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
31	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
32	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
33	:	:	:	:	:	40	:	:	:	:	:	:	:	:	:	:	40

(H)(E)	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	Total Acres
T. R. Sec. :	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	Total Acres
8 10 28 :	10	10	10	10	60
29 :	10	10	10	10	120
31 :	10	10	20	20	120
32 :	10	10	10	10	240
33 :	10	10	10	10	80
34 :	10	10	10	10	240
35 :	10	10	10	10	240
36 :	10	10	10	10	160
8 11 12 :	10	10	10	10	160
13 :	10	10	10	10	352.20
14 :	10	10	10	10	361.25
15 :	10	10	10	10	160
21 :	10	10	10	10	60
22 :	10	10	10	10	560
23 :	10	10	10	10	542.95
24 :	10	10	10	10	516.45
25 :	10	10	10	10	320
26 :	10	10	10	10	640
27 :	10	10	10	10	640
28 :	10	10	10	10	640
29 :	10	10	10	10	640
30 :	10	10	10	10	640
31 :	10	10	10	10	640
32 :	10	10	10	10	640
33 :	10	10	10	10	640
34 :	10	10	10	10	640
35 :	10	10	10	10	640
36 :	10	10	10	10	640
37 :	10	10	10	10	640
38 :	10	10	10	10	640
39 :	10	10	10	10	640
40 :	10	10	10	10	640
41 :	10	10	10	10	640
42 :	10	10	10	10	640
43 :	10	10	10	10	640
44 :	10	10	10	10	640
45 :	10	10	10	10	640
46 :	10	10	10	10	640
47 :	10	10	10	10	640
48 :	10	10	10	10	640
49 :	10	10	10	10	640
50 :	10	10	10	10	640
51 :	10	10	10	10	640
52 :	10	10	10	10	640
53 :	10	10	10	10	640
54 :	10	10	10	10	640
55 :	10	10	10	10	640
56 :	10	10	10	10	640
57 :	10	10	10	10	640
58 :	10	10	10	10	640
59 :	10	10	10	10	640
60 :	10	10	10	10	640
61 :	10	10	10	10	640
62 :	10	10	10	10	640
63 :	10	10	10	10	640
64 :	10	10	10	10	640
65 :	10	10	10	10	640
66 :	10	10	10	10	640
67 :	10	10	10	10	640
68 :	10	10	10	10	640
69 :	10	10	10	10	640
70 :	10	10	10	10	640
71 :	10	10	10	10	640
72 :	10	10	10	10	640
73 :	10	10	10	10	640
74 :	10	10	10	10	640
75 :	10	10	10	10	640
76 :	10	10	10	10	640
77 :	10	10	10	10	640
78 :	10	10	10	10	640
79 :	10	10	10	10	640
80 :	10	10	10	10	640
81 :	10	10	10	10	640
82 :	10	10	10	10	640
83 :	10	10	10	10	640
84 :	10	10	10	10	640
85 :	10	10	10	10	640
86 :	10	10	10	10	640
87 :	10	10	10	10	640
88 :	10	10	10	10	640
89 :	10	10	10	10	640
90 :	10	10	10	10	640
91 :	10	10	10	10	640
92 :	10	10	10	10	640
93 :	10	10	10	10	640
94 :	10	10	10	10	640
95 :	10	10	10	10	640
96 :	10	10	10	10	640
97 :	10	10	10	10	640
98 :	10	10	10	10	640
99 :	10	10	10	10	640
100 :	10	10	10	10	640

(N)(E)	N E 1/4				N W 1/4				S E 1/4				Total acres
T. R. Sec.	NE 1/4	NE 1/4	SE 1/4	SE 1/4	NW 1/4	NW 1/4	SW 1/4	SW 1/4	SE 1/4	SE 1/4	SW 1/4	SE 1/4	
26	40	40	40	40	40	40	40	40	40	40	40	40	640
27	40	11.45 Lot 7	39.65 Lot 1	40	40	40	29.20 Lot 6	22.00 Lot 2	15.10 Lot 5	15.05 Lot 4	39.15 Lot 3	40	559.60
28	40	40	40	40	40	40	40	40	40	40	30.60 Lot 1	40	630.60
29	40	40	40	40	40	40	40	40	40	40	40	40	280
31	40	40	40	40	40	40	40	40	40	40	40	40	320
32	40	40	35.15 Lot 6	40	40	40	40	40	40	40	40	40	475.15
33	26.56 Lot 1	23.85 Lot 2	33.70 Lot 3	26.15 Lot 4	13.30 Lot 6	23.00 Lot 4	40	40	40	40	40	40	541.41
34	40	40	40	40	40	40	40	40	40	40	40	40	640
35	40	40	40	40	40	40	40	40	40	40	40	40	600
1	40	40	40	40	40	40	40	40	40	40	40	40	640
2	40	40	40	40	40	40	40	40	40	40	40	40	640
3	40	40	40	40	40	40	40	40	40	40	40	40	640
4	40	40	40	40	40	40	40	40	40	40	40	40	560
5	40	40	40	40	40	40	40	40	40	40	40	40	320
6	40	40	40	40	40	40	40	40	40	40	40	40	320

(N)(E)	N E 1/4				N W 1/4				S W 1/4				S E 1/4				Total acres
T. R. Sec.	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6 42	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	560
10	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
11	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
12	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
13	40	40	40	40	40	40	40	40	40	40	40	40	40	40	20	20	600
14	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	560
15	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	80
16	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	200
19	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	120
20	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	160
21	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	200
23	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	160
24	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	240
30	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	480
43	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	160
1	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	280
3	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	480
4	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	480
5	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	480

(N)(E)	N E $\frac{1}{4}$				N W $\frac{1}{4}$				S W $\frac{1}{4}$				S E $\frac{1}{4}$				Total Acres
T. R. Sec. :	NE	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 $\frac{1}{4}$	
45	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
7	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	160
9				40	40										40	40	160
10	40		40	40					40	40	40	40	40	40	40	40	440
11	40	40	40	40	40	40	40	40					40	40	40	40	320
12													40	40	40	40	160
15	40	40	40	40	40	40	40	40									320
16		40	40				40				40		40	40			280
17					40						40						120
18		40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	560
19	40	40	40	40	40	40	40	40			40	40					440
20						40	40										80
21	40	40		40	40		40	40			40						280
22				40	40	40	40	40	40	40	40	40					300
27				40	40	40	40	40			40		20	40	40	40	300
28													40		40		80
29		40		40	40	40	40	40	40	40	40	40					200
30					40	40		40	40	40	40	40					80

(N)(E)	N E $\frac{1}{4}$				N W $\frac{1}{4}$				S W $\frac{1}{4}$				S E $\frac{1}{4}$				Total Acres
T. E. Sec.: 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 $\frac{1}{4}$																	
8 45	31	40	40	40	40												160
33	40	20	20	40													160
34					40	40	40										120
8 44	5				40	40	40	40	40								240
6	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
7	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
8	40	40	40	40				40	40	40	40						400
17					40												40
18	40	40	40	40	40	40	40	40									320
9 42	13		40					40	40	40	40	40	40	40	40	40	360
22	40	40		40				40	40	40	40	40	40	40	40	40	440
23	40	40						40	40	40	40	40	40	40	40	40	480
24	40	40	40	40	40			40	40	40							280
25			40	40	40			40									240
26	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
27	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	560
28			40	40	40			40									280

(N)(E)	N E 1/4				N W 1/4				S E 1/4				Total Acres
T. R. Sec. :	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	
9 42 33:													80
34:	40	40	40	40	40	40	40	40	40	40	40	40	640
35:	40	40	40	40	40	40	40	40	40	40	40	40	640
36:	40		40			40	40	40	40	40	40	40	520
9 43 13:										40	40		80
18:										40			40
19:		40	40	40	40	40	40	40	40	40	40	40	520
20:					40	40	40	40		40	40	40	240
21:									40				80
22:													40
23:	40		40		40				40	40	40		320
24:			40	40		40			40	40	40		480
25:	40			40					40			40	240
27:		40	40	40		40	40	40	40	40	40		440
28:	40	40	40	40	40	40	40	40	40	40	40	40	640
29:	40	40	40	40	40	40	40	40	40	40	40	40	640
30:	40	40	40	40	40	40	40	40	40	40	40	40	640

(N)(E)		N E $\frac{1}{4}$				N W $\frac{1}{4}$				S W $\frac{1}{4}$				S E $\frac{1}{4}$				
T. R. Sec.	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 $\frac{1}{4}$	Total Acres	
9 45	31 : 40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640	
	32 : 40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640	
	33 : 40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640	
	34 : :	:	:	:	40	40	40	40	40	40	40	40	:	:	:	:	560	
	35 : :	40	40	:	:	:	40	40	40	40	40	:	:	:	40	40	520	
	36 : 40	40	:	:	:	40	40	:	20	20	40	:	:	:	40	:	320	
9 44	18 :	:	:	:	:	:	:	:	:	:	:	:	40	40	40	40	240	
	19 : 40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	480	
	20 : :	:	:	:	:	:	:	:	40	40	40	40	40	40	40	40	320	
	21 : :	:	:	:	40	40	:	:	40	40	40	40	:	:	40	40	320	
	22 : :	:	:	:	40	:	40	:	40	40	40	40	:	:	:	:	240	
	29 : :	:	:	:	40	40	40	40	40	40	40	40	40	40	40	40	480	
	30 : :	:	:	:	40	40	40	40	40	40	40	40	40	40	40	40	480	
	31 : :	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	240	
	32 : :	40	40	:	40	40	:	:	40	40	40	40	40	40	40	40	400	
	:	:	:	:	:	:	:	:	40	40	:	:	:	:	:	:	80	

VILLAGE OF ASHTON, IDAHO				GRAY'S ADDITION TO THE TOWN OF ST. ANTHONY, IDAHO			
Lot	Block	Acres	Lot	Block	Acres		
E and G	:	:		:	:		
4, 5 and 6	9	:	The west 80 feet of	:	:		
	:	:	lots 5 and 6	5	:	0.25	
3 and 4	39	:		:	:		
11 and 12	42	:		:	:		
13	44	:		:	:		
12	57	:		:	:		
5 and 6	60	:		:	:		
5 and 6	63	:		:	:		
5 and 6	65	:		:	:		
1 and 2	75	:		:	:		

TOTAL ACREAGE WRENNANT COUNTY, 74,193.25
 brought forward " " MADISON COUNTY, 42,375.08
 TOTAL 116,568.33

DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT OFFICE
150 SHOUF AVE.
150 SHOUF AVE.
150 SHOUF AVE.

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

NAME AND ADDRESS OF SENDER	NUMBER OF ARTICLE	DATE OF MAILING	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.D. FEE	S.H. FEE	REST. DEL. FEE	REMARKS
13071	1		John Thomas 108497 St. Louis	21	75								21-215615
13072	2		William Freeman Rt #1 Sugar City										22-7304 21-2315-16
13073	3		Armenian Methodist 108497 St. Louis										22-7304 21-2315-16
13074	4		Armenian Methodist 108497 St. Louis										22-7304 21-2315-16
13075	5		Armenian Methodist Rt #4 108497 St. Louis										
13076	6		Armenian Methodist Rt #4 St. Louis										
13077	7		Armenian Methodist Rt #2 St. Louis										
13078	8		Armenian Methodist 2336 B. Brown St. Anthony										
13079	9		Armenian Methodist Rt #1										
13080	10		Armenian Methodist Rt #1										
13081	11		Armenian Methodist Rt #1										
13082	12		Armenian Methodist Rt #1										
13083	13		Armenian Methodist Rt #1										
13084	14		Armenian Methodist Rt #1										
13085	15		Armenian Methodist Rt #1										
TOTAL NUMBER OF PIECES LISTED BY SENDER	15		TOTAL NUMBER OF PIECES RECEIVED AT POST OFFICE	15									
POSTMASTER, PER (Name of receiving employee)													
A. B. B. B.													

FORM MUST BE COMPLETED BY TYPEWRITER, INK OR BALL POINT PEN

U.S. GOVERNMENT PRINTING OFFICE: 1979-301-994

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.

6. To grant this transfer will pose a tremendous policing problem to the Department of Water Resources, because appropriators on Teton Creek will continue to use that water, and applicant will insist on using the storage downriver on applicant's lands even during those times when, if said storage right remained on Teton Creek, there would be no water in the creek to fill the storage rights.

7. Water rights of the Wilford Canal Company and its shareholders will be injured.

WHEREFORE, Protestant asks that the Department not grant said application.

DATED this 2nd day of June, 1983.

WILFORD CANAL COMPANY

By: Art Beech
President

End - Protest
to the
Department of
Water Resources
June 2, 1983
Art Beech

UNRECORDED

June 2, 1983

RECEIVED

JUN 6 1983

Department of Water Resources
Eastern District Office

To: Water Resource Board
Idaho Falls, Idaho 83448

Gentlemen:

The W.J.R.M. DITCH CO. objects to the transfer of 106 acre feet of Island Park storage that Earl Hoopes has applied for; The reason being that it would be a detrimental situation for the W.J.R.M. Ditch co during the irrigation season. The Fremont-Madison indicates that they cannot handle the extra amount of water during the peak irrigation time.

Sincerely

Woodmansee- Johnson Rexburg Mill Ditch Co.

Dell Palmer
Dell Palmer Chairman

Rondo Barrus
Rondo Barrus Secretary

NOTICE OF APPLICATION
FOR EXCHANGE OF WATER

Notice is hereby given that ECHO Ranch, Teton Co, Idaho, has applied to the Department of Water Resources for an exchange of the waters of Island Park storage right held by Fremont Madison Irrigation District evidenced by License Nos. 21-2156 and 21-2157 and are recorded as follows: 21-2156 AMOUNT: 114,000 AF, PRIORITY: 3/14/55, 21-2157 AMOUNT: 21,000 AF, PRIORITY: 6/12/40.

The water is used to irrigate the applicants lands within the Fremont Irrigation District. They are 120 acres within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 4, NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 8 and NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 9, T. 6N, R. 44E, B.M.

PROPOSED EXCHANGE

2.4 cfs of water will be delivered into Henry's Fork, Snake River at a point in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 28, T. 13N, R. 43E, B.M. and then be diverted from the Henry's Fork at a point within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 14, T. 6N, R. 41E. In lieu thereof the water will be diverted from the Teton River at a point within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 10, T. 6N, R. 44E, B.M. Teton County. This exchange will only change the point of diversion on the Teton and will not effect the manner in which the exchange originally took place.

Any protest to the above proposed change of water must be filed with the Department of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83401 on or before June 6, 1983.

A. KENNETH DUNN
Director

Publ. May 19 and 26, 1983 CN

MICROFILMED

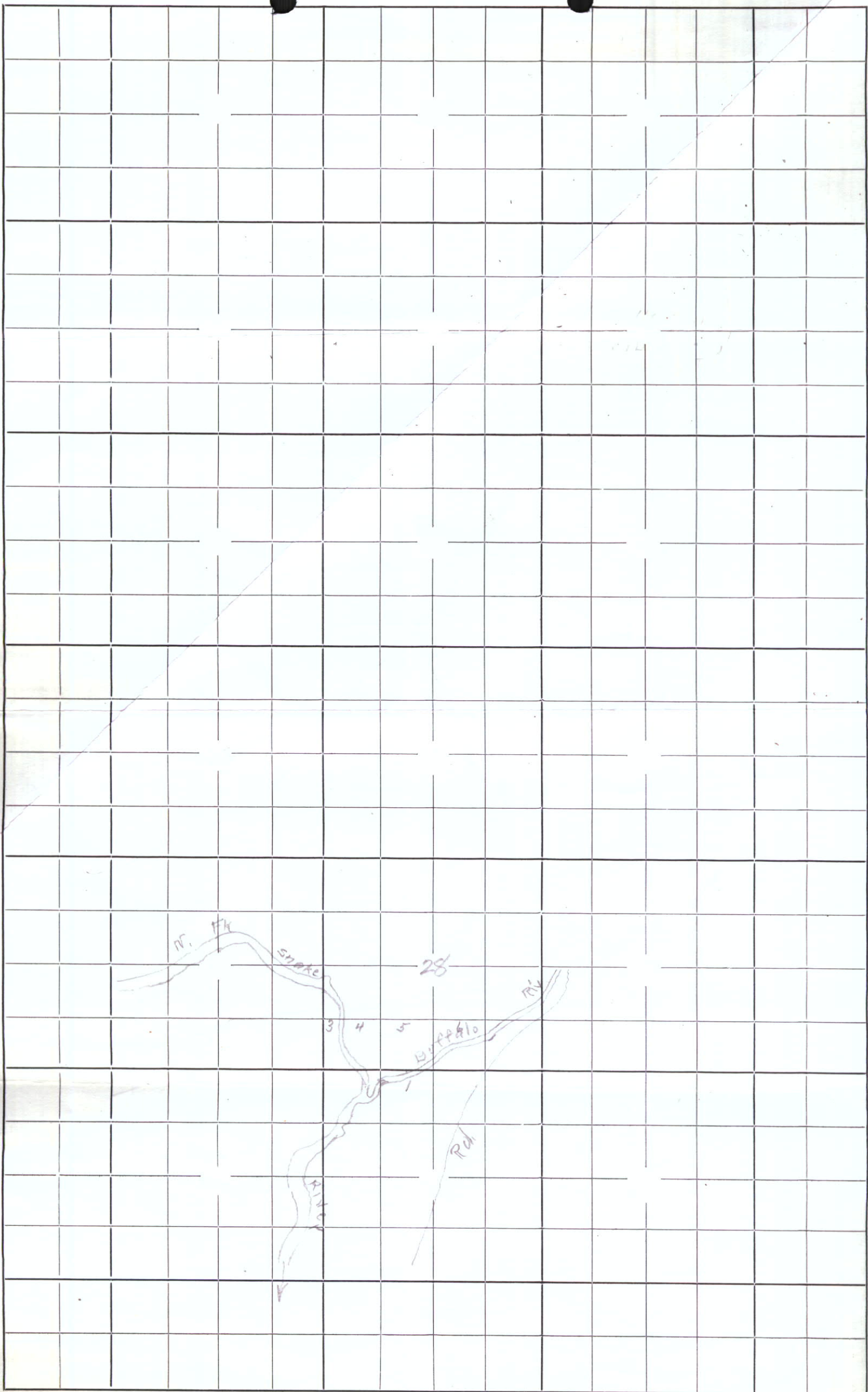
MICROFILMED

OPERATION OF CROSS CUT DURING 1977

PLATE NO. 23-A

24 hour Second-Feet																																	PLATE NO. 23-A	
LOCATION	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	TOTAL		
MAY																																		
Diverted at Head	195	200	193	202	191	192	195	188	188	193	205	201	200	310	316	309	312	304	312	265	240	244	244	242	182	140	138	114	134	135	132	6,624		
Inflow from Fall River Canal	5	5	30	30	28	23	22	23	22	24	23	22	23	23	23	24	24	23	22	24	24	22	22	22	23	23	23	22	22	21	693			
North Branch Diversion	91	94	95	95	95	97	97	95	96	96	98	97	97	91	93	95	97	95	94	89	87	85	86	84	77	78	75	73	76	77	2,776			
Middle Branch Diversion	79	79	86	84	81	79	79	80	78	79	88	87	87	94	94	93	75	75	75	65	66	67	66	67	56	49	48	42	45	46	2,243			
Below Fall River Canal Divers.	30	35	47	53	42	39	41	36	36	42	45	39	39	145	152	145	164	157	165	132	111	114	114	113	72	36	35	22	32	32	2,295			
Cross Cut at End	40	40	40	40	44	36	36	36	36	36	36	36	36	36	36	36	125	125	131	131	141	89	92	106	106	106	31	37	31	25	25	22	1,940	
JUNE																																		
Diverted at Head	207	213	314	317	316	324	330	329	325	348	244	232	223	225	215	215	302	308	314	356	401	398	501	494	487	116	486	512	510	544	10,142			
Inflow from Fall River Canal	24	25	27	28	29	25	21	14	14	18	22	19	16	16	14	16	16	16	14	14	16	16	13	12	12	10	10	8	11	10	503			
North Branch Diversion	86	86	96	96	101	96	96	95	95	97	86	85	83	85	83	85	92	95	95	95	95	95	87	86	94	69	97	99	100	2,740				
Middle Branch Diversion	59	79	94	96	100	105	108	114	114	122	81	0	0	80	79	77	104	112	112	133	131	118	116	116	84	35	84	86	86	86	2,719			
Below Fall River Canal Divers.	86	73	151	153	144	147	147	134	130	147	99	183	156	76	70	70	117	117	121	172	188	200	311	304	321	22	315	335	335	382	5,181			
Cross Cut at End	62	62	133	136	130	135	119	112	108	112	84	139	130	130	55	55	55	113	110	141	157	157	157	239	239	40	287	287	315	315	4,304			
JULY																																		
Diverted at Head	545	274	535	565	576	277	176	582	585	604	579	596	591	410	434	438	440	447	442	441	138	494	494	527	338	322	330	320	319	319	314	13,505		
Inflow from Fall River Canal	10	12	7	11	9	7	7	7	6	6	6	6	6	3	3	3	3	3	2	2	2	2	2	2	0	5	5	8	8	6	5	164		
North Branch Diversion	86	27	95	87	88	91	81	91	90	91	90	88	88	81	34	28	30	30	28	27	27	24	24	32	10	51	51	52	52	0	1,726			
Middle Branch Diversion	76	14	122	105	103	103	80	104	107	107	83	102	97	84	48	42	42	49	49	49	49	52	52	54	35	68	92	86	85	85	11	2,131		
Below Fall River Canal Divers.	396	243	325	354	394	90	22	394	394	412	412	412	412	248	405	371	371	371	367	367	64	420	420	443	293	205	192	190	170	175	305	9,708		
Cross Cut at End	371	313	334	334	353	155	65	362	362	364	386	393	395	11	373	353	353	353	353	353	258	287	380	247	359	242	215	204	204	204	311	9,679		
AUGUST																																		
Diverted at Head	319	321	317	321	327	335	333	273	260	312	312	313	316	319	316	322	317	316	309	244	240	240	236	235	240	248	245	246	247	246	251	8,576		
Inflow from Fall River Canal	1	1	2	2	3	2	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	53			
North Branch Diversion	0	25	29	30	30	2	2	46	45	60	60	61	25	32	34	1	1	1	1	1	1	1	1	32	32	34	34	34	34	35	43	804		
Middle Branch Diversion	12	61	61	55	60	15	26	24	24	78	78	78	53	52	52	18	19	18	18	16	23	23	43	43	45	43	40	40	37	35	65	1,256		
Below Fall River Canal Divers.	308	233	229	235	240	320	306	204	192	175	175	175	236	236	231	304	298	298	291	228	217	217	163	161	164	173	173	173	177	184	151	6,867		
Cross Cut at End	302	225	245	239	239	262	289	289	214	191	185	190	228	215	250	234	250	265	265	218	218	207	163	149	149	157	157	157	157	157	157	6,622		
SEPTEMBER																																		
Diverted at Head	252	249	246	247	249	247	247	247	245	284	322	290	259	252	30	163	295	288	280	283	286	217	149	134	119	114	109	109	111	111	6,334			
Inflow from Fall River Canal	8	8	9	9	8	8	8	8	8	8	6	4	4	4	4	5	5	4	4	4	4	4	4	5	6	6	5	5	5	5	179			
North Branch Diversion	43	50	57	57	57	57	57	57	57	57	57	57	57	57	32	5	7	4	7	22	36	36	37	34	32	32	28	25	25	26	26	1,056		
Middle Branch Diversion	62	64	67	67	66	66	67	67	66	75	84	55	26	25	14	16	17	34	50	51	52	44	36	35	34	34	33	33	34	34	1,405			
Below Fall River Canal Divers.	155	143	131	132	134	132	131	131	130	160	189	209	229	124	20	145	275	236	193	200	201	143	85	72	59	58	56	56	56	56	4,049			
Cross Cut at End	151	128	106	106	107	107	107	110	112	133	154	164	174	145	122	151	140	101	164	160	158	120	82	66	51	48	46	44	41	41	3,573			
Season loss = 1930 + 28,108 = 7,047.																																		
Total into Teton River for Season = 26,128 cfs = 51,825 ac-ft.																																		

Plate No. 23A



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

SS.

County of Fremont

Ruth H. Hanau
being first duly sworn, upon his oath,
deposes and says:

That he is the publisher of The Fremont County 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 St. Anthony, 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, advertisement or publication

of *Notice - Water to*
Beneficial Use

And affiant further says that said attached 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 *4* consecutive issues thereof;
first publication having been made

on the *6* day of *April*

19*50*, and last publication on the

27 day of *April*

19*50*.

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.

Ruth H. Hanau

Subscribed in my presence and

sworn to before me this *34th*

day of *August*, 19*50*

Robert Fisher

(Seal)

Notary Public for the
State of Idaho, residence
and post office address:
St. Anthony, Idaho

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

Notice is hereby given that at 10:00 a.m., on the 5th day of May, 1950, at Burley, County of Cassia, State of Idaho, before Lex H. Kunau, Notary Public, proof will be submitted of the application to beneficial use of 135,000 acre-feet annually of the waters of the North Fork (Henry's Fork) of the Snake River, in accordance with the terms and conditions of Permit Nos. R-590 and R-686, heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are: The United States of America, acting through Harold T. Nelson, Regional Director, Region 1, Bureau of Reclamation, P. O. Box 937, Boise, Idaho.

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

and domestic purposes.

The amount applied to beneficial use is 135,000 acre-feet of water annually.

The place where said water is used (if for irrigation give full and accurate description of the lands irrigated) is on the lands within the Fremont-Madison Irrigation District in the Counties of Fremont and Madison.

The name of the canals or ditches or other works by which said water is conducted to such place of use are: Dewey, Last Chance, St. Anthony, Farmers Friend, Twin Groves, Salem Union, Egin, Union, Independent, Consolidated, Yellowstone P & I, Harringfeldt, Marysville, Farmers Own, Enterprise, Fall River, Chester, Kerr, Wilford, Siddoway, Good Luck, Teton Irrigation & Manufacturing Company, Pioneer, Stewart, Pincock-Byington, Teton Island Feeder, Salem Irrigation, Roxana, Island Ward, Pincock-Garner, Woodmansee, Rexburg City, Rexburg Irrigation, Westfield, Squirrel Creek, Yellowstone, Conant Creek, N. Salem Agr. & Milling, and Cross Cut Canal.

The right to take water from such works is based upon Permit Nos. R-590 and R-686.

The source of supply from which such water is diverted is the North Fork (Henry's Fork) of the Snake River.

The date of priority which said user is prepared to establish is March 14, 1935 for 114,000 acre feet under permit No. R-590, and June 12, 1945 for 21,000 acre feet under permit No. R-686.

MARK R. KULP

State Reclamation Engineer
Pub. April 6, 20, 27, 1950

R-686

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

ss.

County of Fremont

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

That he is the publisher of The Fremont County 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 St. Anthony, 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, advertisement or publication

**Notice for publication,
of Notice of proof application of
water to beneficial use.**

And affiant further says that said attached 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 4 consecutive issues thereof;
first publication having been made

on the 6 day of April

1950, and last publication on the
27th day of April

1950

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.

Ruth Hanawalt
Subscribed in my presence and
sworn to before me this 8th

day of June, 1950

(Seal)

Notary Public for the
State of Idaho, residence
and post office address:
St. Anthony, Idaho

ST. ANTHONY, IDAHO

issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are: The United States of America, acting through Harold T. Nelson, Regional Director, Region 1, Bureau of Reclamation, P. O. Box 937, Boise, Idaho.

The use to which said water has been applied is for irrigation and domestic purposes.

The amount applied to beneficial use is 135,000 acre-feet of water annually.

The place where said water is used (if for irrigation give full and accurate description of the lands irrigated) is on the lands within the Fremont-Madison Irrigation District in the Counties of Fremont and Madison.

The name of the canals or ditches or other works by which said water is conducted to such place of use are: Dewey, Last Chance, St. Anthony, Farmers Friend, Twin Groves, Salem Union, Egin, Union, Independent, Consolidated, Yellowstone P & I, Harringfeldt, Marysville, Farmers Own, Enterprise, Fall River, Chester, Kerr, Wilford, Siddoway, Good Luck, Teton Irrigation & Manufacturing Company, Pioneer, Stewart, Pincock-Byington, Teton Island Feeder, Salem Irrigation, Roxana, Island Ward, Pincock-Garner, Woodmansee, Rexburg City, Rexburg Irrigation, Westfield, Squirrel Creek, Yellowstone, Conant Creek, N. Salem Agr. & Milling, and Cross Cut Canal.

The right to take water from such works is based upon Permit Nos. R-590 and R-686.

The source of supply from which such water is diverted is the North Fork (Henry's Fork) of the Snake River.

The date of priority which said user is prepared to establish is March 14, 1935, for 114,000 acre feet under permit No. R-590, and June 12, 1940, for 21,000 acre feet under Permit No. R-686.

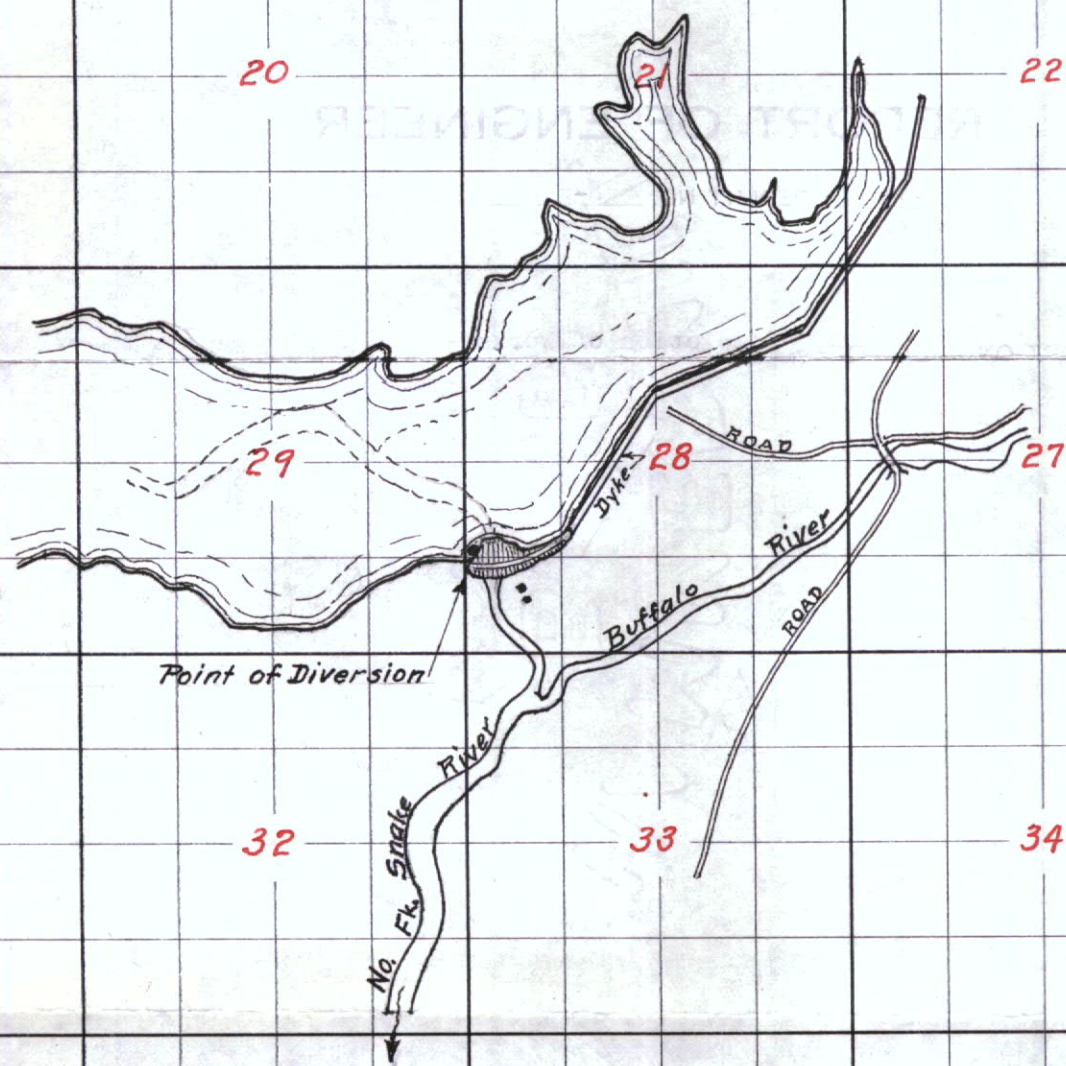
MARK R. KULP

State Reclamation Engineer
Pub. April 6, 13, 20, 27, 1950

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

Notice is hereby given that at 10:00 a.m., on the 5th day of May, 1950, at Burley, County of Cassia, State of Idaho, before Lex H. Kunau, Notary Public, proof will be submitted of the application to beneficial use of 135,000 acre-feet annually of the waters of the North Fork (Henry's Fork) of the Snake River, in accordance with the terms and conditions of Permit Nos. R-590 and R-686, heretofore

R-686



AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Fremont, } ss.

I, W. A. Lansberry, do solemnly swear that I am the printer and publisher of THE ASHTON HERALD, a weekly newspaper of general circulation, published once a week at Ashton, Fremont County, State of Idaho; that said newspaper has been continuously and uninterruptedly published in said County and City, during a period of seventy-eight consecutive weeks prior to the first publication of the.....

NOTICE FOR PUBLICATION

Notice is hereby given that at 10:00 a. m., on the 16th day of June, 1943, at St. Anthony, County of Fremont, State of Idaho, before H. G. Fuller, Notary Public, proof will be submitted of the completion of works for the diversion of 21,000 acre feet per annum of the waters of North Fork or Henry's Fork of Snake River in accordance with the terms and conditions of a certain permit heretofore issued by the Commissioner of Reclamation of the State of Idaho.

1. The name of the person or corporation holding said permit is United States of America, through B. E. Stoutemyer, District Counsel, 603 Postoffice Building, Portland, Oregon.

2. The postoffice address of such person or principal place of business of such corporation is c/o Bureau of Reclamation, Burley, County of Cassia, State of Idaho.

3. The number of such permit is R-686, and the date of the completion of such work was November 11, 1938.

4. Said water is to be used for irrigation and domestic purposes.

5. Said works of diversion were fully completed prior to the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 21,000 acre feet per annum in addition of the water supply provided under Permit R-590.

6. The amount of lands for which said water is available is approximately 116,677.18 acres, particularly described as follows: the lands included within the boundaries of the Fremont-Madison Irrigation District, in Fremont and Madison counties, Idaho.

JAMES SPOFFORD,
State Reclamation Engineer.
Pbu, May 20-27 Jun 3-10.

Notice for Publication

in the above entitled action; that the notice attached hereto, and which is a part of this affidavit and a part of the proof of publication, was published in said newspaper.....**Four**..... consecutive weeks; first publication having been made on the**20** day of **May**....., 19**43**., and last publication on the **10** day of **June**....., 19**43**.; that said notice was published in the regular and entire issue of every number of the paper during the period and time of publication, and that the notice was published in the newspaper and not in a supplement.

W. A. Lansberry

Printer and Publisher.

Subscribed and sworn to before me this **26**.....day of **June**....., A. D., 19**43**....

Hiram G. Fuller

Notary Public.

My commission expires **Mar 16**....., 19**44**

R-686

November 15, 1940

Re: Permit No. R-686

Mr. B. E. Stoutemyer,
District Counsel,
Bureau of Reclamation,
603 Post Office Bldg.
Portland, Oregon.

Dear Sir:

We duly received your letter of November 7th, enclosing bond of the Maryland Casualty Company, in the amount of \$1,000, in connection with Permit No. R-686, for the enlargement of Island Park Reservoir on Henry's Fork of Snake River.

This bond has been approved, and placed on file in this department.

Very truly yours,

JAMES SPOTFORD
Commissioner of Reclamation
By

Chief Clerk

JLA
CC to Superintendent
Bureau of Reclamation
Burley, Idaho

R-686

November 12, 1940

Re: Permit No. R-686

Hon. C. A. Bottolfsen,
Governor of Idaho,
B U I L D I N G.

Dear Governor Bottolfsen:

We are enclosing herewith, for your approval, bond of the Maryland Casualty Company, in the amount of \$1,000, tendered in connection with Permit No. R-686, of the United States of America, acting through B. E. Stoutemyer, District Counsel, Bureau of Reclamation.

This permit is for the storage and use of 21,000 acre feet of the waters of the North Fork (Henry's Fork) of Snake River.

Very truly yours,

JAMES SPOTFORD
Commissioner of Reclamation
By

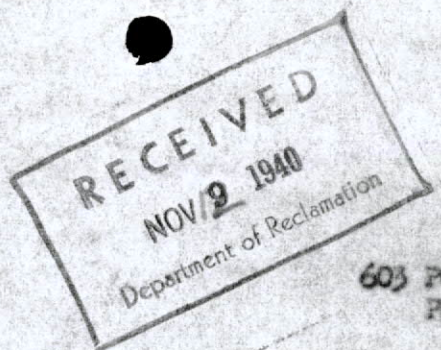
Chief Clerk

JLA
Encl.

R 686

Fremont-Madison I D
State Commr. of Reclamation, Boise

cc - of letter to Commissioner
Chief Engineer
Supt. Burley



603 Post Office Building
Portland, Oregon, November 7, 1940

Bradley Sheppard Agency,
Maryland Casualty Company
1109 Main Street,
Boise, Idaho.

Gentlemen:

Replying to your letter of November 5.

I am returning the so-called General Application Form which was enclosed with your letter, which is evidently not suitable to a case where the United States Government is the holder of the permit in question.

The questionnaire in regard to assets and liabilities and all other questions are absurd as applied to the United States. The Maryland Casualty Company knows what the assets and liabilities of the United States are fully as well as I do and won't need any information from me as to whether the United States is an endorser on any notes or bonds or has failed in business, or is threatened with any law suits, etc., etc., etc.

If you desire an agreement with someone to pay the premium on the bond you should send a suitable form to the Fremont-Madison Irrigation District at St. Anthony, Idaho. This district has agreed to pay the premium on this bond and the district is greatly interested in the reservoir as it receives the benefits of the water from the reservoir.

I would say in this connection that the Comptroller General of the United States recently ruled that fiscal agents of the United States should not pay, or agree to pay, premiums on bonds of this kind. This is based on the ruling in the case of Bryant v. United States, 111 U.S. 477; 28 L. ed. 196 and other similar cases in which it was held that the United States was not required to give bond, and may have the benefit of the state statute without giving the bond provided for therein. The district however did not wish to take the risk of failing to file a bond in connection with this permit and therefore agreed to pay the necessary premium on the bond.

Trusting that this will be satisfactory to you, I am

Very truly yours

encl

E. E. Stouteney, District Counsel

R-686

NE 1/4 NW 1/4, S 1/2 NW 1/4, S 1/2 Section 8;
NE 1/4, S 1/2 NW 1/4, S 1/2 of Section 9; S 1/2
S 1/2 NW 1/4 (Section 10); NE 1/4, S 1/2 NW 1/4,
S 1/2 Section 11; All of Sections 12, 13, 14,
15 and 16; E 1/2, E 1/2 SW 1/4 Section 17;
All of Section 23; N 1/2 Section 24;
NE 1/4 NE 1/4, S 1/2 NE 1/4, S 1/2, S 1/2 NW 1/4
Section 25; Lots 1, 2, 3, 4, 5, 6, 7,
S 1/2 NW 1/4 Section 26;
Township 7 N., Range 40 E., B. M.:
SE 1/4 NW 1/4, NE 1/4 SW 1/4, S 1/2 SW 1/4 Section
2; NW 1/4 NE 1/4, SW 1/4, NW 1/4 SE 1/4
Section 5; SE 1/4 Section 6; NE 1/4, SW 1/4,
W 1/2 NW 1/4, N 1/2 SE 1/4 Section 7;
NW 1/4 NE 1/4, S 1/2 NE 1/4, S 1/2 NW 1/4,
N 1/2 SW 1/4, SE 1/4 SW 1/4, SE 1/4 Section 8;
S 1/2 NE 1/4; NE 1/4 NW 1/4, SW 1/4 Section 9;
N 1/2 NE 1/4, W 1/2, S 1/2 SE 1/4 Section 10; S 1/2
Section 11; S 1/2 NE 1/4, NW 1/4, S 1/2 Section
12; All of Sections 13 and 14; NE 1/4, Lot
3, S 1/2 NW 1/4, S 1/2 Section 15; Lots 4, 5,
6, 7, S 1/2 SW 1/4, SE 1/4 Section 16; N 1/2
Section 17; N 1/2, SW 1/4 Section 18;
S 1/2 NE 1/4, NW 1/4, S 1/2 Section 19; All of
Sections 20, 21, 22, 23, 24, 25, 26, 27, 28,
29, 30, 36.
Township 7 N., Range 41 E., B. M.:
All of Section 4; NE 1/4, NE 1/4 NW 1/4,
S 1/2 NW 1/4, S 1/2 Section 5; S 1/2 Section 6;
All of Sections 7 and 8; W 1/2 NW 1/4,
W 1/2 SW 1/4, SE 1/4 SW 1/4, SE 1/4 Section 9;
W 1/2 NW 1/4, Section 10; W 1/2 NW 1/4,
NW 1/4 SW 1/4 Section 15; All of Sections
16, 17, 18 and 19; N 1/2, N 1/2 S 1/2 Section
20; All of Section 21; W 1/2 NE 1/4, W 1/2
Section 28; All of Sections 29, 30, 31 and
32; NW 1/4 NW 1/4 Section 33;
Township 8 N., Range 40 E., B. M.:
SE 1/4 SW 1/4, SW 1/4 SE 1/4 Section 28;
N 1/2 SE 1/4, SW 1/4 SE 1/4 Section 29; NE 1/4
Section 31; NE 1/4, N 1/2 SE 1/4 Section 32;
N 1/2 NE 1/4 Section 33; S 1/2 NE 1/4,
N 1/2 NW 1/4, N 1/2 SE 1/4 Section 34;
S 1/2 NW 1/4, SW 1/4 Section 35; NW 1/4 NE 1/4
Section 36;
Township 8 N., Range 41 E., B. M.:
SE 1/4 Section 12; NE 1/4, Lots 1, 3, 4, 5,
10, SE 1/4 NW 1/4 Section 13; SW 1/4 Section
14; S 1/2 SE 1/4 Section 15; N 1/2, SW 1/4,
S 1/2 SE 1/4 Section 21; N 1/2, N 1/2 SW 1/4,
SE 1/4 SW 1/4, Lots 2 and 3, NW 1/4 SE 1/4
Section 22; NW 1/4 NW 1/4, Lots 5 and 6,
SE 1/4 SW 1/4, SE 1/4 Section 23; N 1/2 NE 1/4,
E 1/2 NW 1/4, S 1/2 SW 1/4, S 1/2 SE 1/4 Section 24;
All of Sections 25, 26, 27 and 28;
E 1/2 NE 1/4, SE 1/4 SW 1/4, SE 1/4 Section 29;
E 1/2 Section 31; N 1/2, W 1/2 SW 1/4, S 1/2 SE 1/4
Section 32; All of Sections 33 and 34;
N 1/2 NE 1/4, SW 1/4 NE 1/4, NW 1/4, N 1/2 SW 1/4,
NW 1/4 SE 1/4 Section 35;
Township 8 N., Range 42 E., B. M.:
All of Sections 1, 2 and 3; NE 1/4,
S 1/2 NW 1/4, S 1/2 Section 4; SE 1/4 NE 1/4,
N 1/2 SW 1/4, SE 1/4 SW 1/4, SE 1/4 Section 5;
E 1/2 Section 8; N 1/2, N 1/2 SW 1/4, SE 1/4 Sec-
tion 9; All of Sections 10, 11 and 12;
NE 1/4, W 1/2 NW 1/4, NW 1/4 SW 1/4, N 1/2 SE 1/4
Section 13; All of Section 14; N 1/2, SW 1/4,
N 1/2 SE 1/4 Section 15; SE 1/4 NE 1/4,
NE 1/4 SE 1/4 Section 16; S 1/2 SW 1/4,
W 1/2 SE 1/4, SE 1/4 SE 1/4 Section 19;
W 1/2 NE 1/4, NW 1/4 SE 1/4 Section 20;
SW 1/4 NE 1/4, SE 1/4 NW 1/4, NE 1/4 SW 1/4,
NW 1/4 SE 1/4 Section 21; SW 1/4, NE 1/4 SE 1/4
Section 23; S 1/2 NE 1/4, N 1/2 SW 1/4 Section
24; W 1/2 NE 1/4, NW 1/4 Section 30;
Township 8 N., Range 43 E., B. M.:
N 1/2, SW 1/4 Section 1; NW 1/4 Section 3;
N 1/2 NE 1/4, N 1/2 NW 1/4, SW 1/4 NW 1/4,
S 1/2 SW 1/4 Section 4; N 1/2, SW 1/4 Section
5; All of Section 6; N 1/2, SW 1/4, NE 1/4 SE 1/4
Section 7; N 1/2 NW 1/4, S 1/2 SE 1/4 Section 9;
NE 1/4 NE 1/4, S 1/2 NE 1/4, S 1/2 Section 10;
N 1/2 Section 11; SE 1/4 Section 12; N 1/2
Section 15; S 1/2 NE 1/4, SE 1/4 NW 1/4,
N 1/2 SW 1/4, N 1/2 SE 1/4 Section 16;
NW 1/4 NW 1/4, W 1/2 SW 1/4 Section 17;
S 1/2 NE 1/4, NW 1/4, S 1/2 Section 18; N 1/2,
NW 1/4 SW 1/4, S 1/2 SW 1/4 Section 19;
W 1/2 NW 1/4 Section 20; N 1/2 NE 1/4,
SE 1/4 NE 1/4, NE 1/4 NW 1/4, S 1/2 NW 1/4,
SW 1/4 SW 1/4 Section 21; W 1/2 Section 22;
N 1/2 NW 1/4, SW 1/4 NW 1/4, W 1/2 SW 1/4,
NW 1/4 SE 1/4, S 1/2 SE 1/4 Section 27; E 1/2 SE 1/4
Section 28; SW 1/4 NE 1/4, NW 1/4 Section 29;
SE 1/4 NW 1/4, NE 1/4 SW 1/4 Section 30; NE 1/4
Section 31; NE 1/4, NE 1/4 SE 1/4 Section 33;
NW 1/4 NW 1/4, S 1/2 NW 1/4 Section 34;
Township 8 N., Range 44 E., B. M.:
NW 1/4, N 1/2 SW 1/4 Section 5; All of Sec-
tions 6 and 7; NE 1/4, S 1/2 NW 1/4, SW 1/4
Section 8; NW 1/4 NW 1/4 Section 17; N 1/2
Section 18;
Township 9 N., Range 42 E., B. M.:
SW 1/4 NE 1/4, S 1/2 Section 13; N 1/2 NE 1/4,
SE 1/4 NE 1/4, NE 1/4 NW 1/4, SW 1/4 NW 1/4,
NW 1/4 SW 1/4, S 1/2 SW 1/4, NE 1/4 SE 1/4,
S 1/2 SE 1/4 Section 22; N 1/2 NE 1/4,
S 1/2 NW 1/4, S 1/2 Section 23; NE 1/4,
W 1/2 SW 1/4, SE 1/4 SE 1/4, Section 24;
S 1/2 NE 1/4, SE 1/4 NW 1/4, N 1/2 SE 1/4,
SE 1/4 SE 1/4 Section 25; All of Section 26;
NE 1/4, E 1/2 NW 1/4, S 1/2 Section 27;
S 1/2 NE 1/4, SE 1/4 NW 1/4, SE 1/4 Section 28;
S 1/2 SE 1/4 Section 33; All of Sections 34
and 35; NE 1/4 NE 1/4, S 1/2 NE 1/4, S 1/2 NW 1/4,
S 1/2 Section 36;
Township 9 N., Range 43 E., B. M.:
W 1/2 SE 1/4 Section 13; SW 1/4 SW 1/4 Section
18; S 1/2 NE 1/4, NW 1/4, NE 1/4 SW 1/4,
S 1/2 SW 1/4, SE 1/4 Section 19; SW 1/4,
S 1/2 SE 1/4 Section 20; E 1/2 SE 1/4 Section 21;
SE 1/4 SW 1/4 Section 22; E 1/2 NE 1/4,
SE 1/4 NW 1/4, E 1/2 SW 1/4, N 1/2 SE 1/4,
SW 1/4 SE 1/4 Section 23; S 1/2 NE 1/4,
W 1/2 NW 1/4, S 1/2 Section 24; E 1/2 NE 1/4,
N 1/2 SW 1/4, E 1/2 SE 1/4 Section 25;
W 1/2 NE 1/4, NE 1/4 NW 1/4, S 1/2 NW 1/4, SW 1/4,
W 1/2 SE 1/4 Section 27; All of Sections 28,
29, 30, 31, 32 and 33; W 1/2, SE 1/4 SE 1/4
Section 34; W 1/2 NE 1/4, S 1/2 NW 1/4,
N 1/2 SW 1/4, S 1/2 SE 1/4 Section 35; N 1/2 NE 1/4,
W 1/2 NW 1/4, SW 1/4, SE 1/4 SE 1/4 Section 36;
Township 9 N., Range 44 E., B. M.:
S 1/2 SW 1/4, SE 1/4 Section 18; N 1/2, SW 1/4
Section 19; S 1/2 Section 20; N 1/2 NW 1/4,
SW 1/4, S 1/2 SE 1/4 Section 21; E 1/2 NW 1/4,
SW 1/4 Section 22; W 1/2, SE 1/4 Section 29;
W 1/2, SE 1/4 Section 30; N 1/2 NW 1/4,
S 1/2 SW 1/4, W 1/2 SE 1/4 Section 31; S 1/2 NE 1/4,
S 1/2 Section 32; S 1/2 NW 1/4 Section 33;
Also Lots E, G, 4, 5 and 6 Block 9, Lots
3 and 4 Block 39, Lots 11 and 12 Block
42, Lot 13, Block 44, Lot 12, Block 57,
Block 63, Lots 5 and 6, Block 65, Lots 1
and 2, Block 75, Village of Ashton, Idaho;
and the West 80 feet of Lots 5 and 6,
Block 5, Gray's Addition to the town of
St. Anthony, Idaho.
A total of 74,193.25 acres in Fremont
County.
That any protests against the approval
of this application must be filed in the
Department of Reclamation of the State
of Idaho within forty (40) days from the
date of this Notice; such protest shall
state the name and address of the pro-
testant and shall clearly set forth his ob-
jections to the approval of said application.
Dated this 27th day of July, 1940.
JAMES SPOFFORD,
Commissioner of Reclamation

NOTICE OF APPLICATION TO APPROPRIATE WATER IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 145, 1935 SESSION LAWS.
State of Idaho, Department of Reclamation.
NOTICE IS HEREBY GIVEN That on the 12th day of June, 1940, The United States of America, acting through B. E. Stoutemeyer, District Counsel, Bureau of Reclamation, Portland, Oregon, made application No. 26412 to store and appropriate Twenty-one Thousand (21,000) acre feet per annum of the waters of North Fork (Henry's Fork) of Snake River, a tributary of Snake River, for irrigation and domestic purposes;
That the point of outlet of the reservoir is located N. 12 degrees 30 minutes E. 1300 feet distant from the Southwest corner of Section 18, Township 13 North, Range 43 East, E. M. and is in Lot 3 of Section 28, Township 13 North Range 43 East, B. M.
That the lands proposed to be irrigated by the use of said water are described as follows, to-wit:
Township 6 N., Range 38 E., B. M.:
E 1/2 NE 1/4, NE 1/4 SW 1/4, S 1/2 SW 1/4, SE 1/4 Section 25; SE 1/4 SW 1/4, S 1/2 SE 1/4 Section 26;
Township 6 N., Range 39 E., B. M.:
All of Sections 1, 2, 3 and 5; E 1/2 Section 6; E 1/2 Section 7; N 1/2, N 1/2 SW 1/4, SE 1/4 Section 8; All of Sections 9, 10, 11, 12, 13, 14, 15 and 16; E 1/2 Section 17; E 1/2 Section 18; E 1/2 Section 19; NE 1/4, S 1/2 Section 20; All of Sections 21, 22, 23, 24, 25, 26, 27, 28 and 29; E 1/2 NE 1/4 Section 30; All of Sections 32, 33, 34, 35 and 36;
Township 6 N., Range 40 E., B. M.:
All of Sections 1, 2 and 3; N 1/2, W 1/2 SW 1/4, NE 1/4 SE 1/4, S 1/2 SE 1/4 Section 4; All of Sections 5, 6, 7, 8, 9, 10, 11 and 12; N 1/2 Section 13; N 1/2 Section 14; All of Sections 15, 16, 17 and 18; SE 1/4 NE 1/4 Section 19; N 1/2 Section 20; NW 1/4 Section 21;
Township 6 N., Range 41 E., B. M.:
W 1/2 NE 1/4, W 1/2, S 1/2 SE 1/4 Section 5; All of Section 6; N 1/2 NE 1/4, SW 1/4 NE 1/4, W 1/2, W 1/4 SE 1/4 Section 7; N 1/2 NW 1/4, SW 1/4 NW 1/4, NW 1/4 SW 1/4 Section 18;
Township 7 N., Range 39 E., B. M.:
SE 1/4 Section 19; All of Sections 20, 21 and 22; NW 1/4 Section 27; All of Sections 28 and 29; N 1/2, N 1/2 SW 1/4, SE 1/4, SE 1/4 SW 1/4 Section 30; W 1/2 NE 1/4, E 1/2 NW 1/4, N 1/2 SE 1/4 Section 31; N 1/2, SW 1/4, W 1/2 SE 1/4 Section 32; NE 1/4 Section 33; Lots 5, 6, 7, E 1/2 SE 1/4 Section 34; All of Sections 35 and 36;
Township 7 N., Range 40 E., B. M.:
All of Sections 31, 32, 33, 34 and 35.
A total of 42,375.08 acres in Madison County.
Township 7 N., Range 39 E., B. M.:
SE 1/4 NE 1/4, E 1/2 SW 1/4, SE 1/4 Section 1;

AFFIDAVIT OF PUBLICATION

I swear that I am the printer and publisher of THE ASHTON general circulation, published once a week at Ashton, Fremont newspaper has been continuously and uninterruptedly published in said County and City, during a period of seventy-eight consecutive weeks prior to the first publication of the
Notice of application to appropriate water
in the above entitled action; that the notice attached hereto, and which is a part of this affidavit and a part of the proof of publication, was published in said newspaper four consecutive ~~issues~~ first publication having been made on the 8 day of August, 1940, and last publication on the 29 day of August, 1940; that said notice was published in the regular and entire issue of every number of the paper during the period and time of publication, and that the notice was published in the newspaper and not in a supplement.

W.A. Lansberry
Printer and Publisher.

Subscribed and sworn to before me this 27th day of Sept, A. D., 1940
Liram G. Fuller
Notary Public.

My commission expires Mar 16, 1941
R-686

Section 25; Lots 1, 2, 3, 4, 5, 6, 7, S1/2NW1/4 Section 26; Township 7 N., Range 40 E., B. M.: SE1/4NW1/4, NE1/4SW1/4, S1/2SW1/4 Section 2; NW1/4NE1/4, SW1/4, NW1/4SE1/4 Section 5; SE1/4 Section 6; NE1/4, SW1/4, W1/2NW1/4, N1/2SE1/4 Section 7; NW1/4NE1/4, S1/2NE1/4, S1/2NW1/4, N1/2SW1/4, SE1/4SW1/4, SE1/4 Section 8; S1/2NE1/4; NE1/4NW1/4, SW1/4 Section 9; N1/2NE1/4, W1/2, S1/2SE1/4 Section 10; S1/2 Section 11; S1/2NE1/4, NW1/4, S1/2 Section 12; All of Sections 13 and 14; NE1/4, Lot 3, S1/2NW1/4, S1/2 Section 15; Lots 4, 5, 6, 7, S1/2SW1/4, SE1/4 Section 16; N1/2 Section 17; N1/2, SW1/4 Section 18; S1/2NE1/4, NW1/4, S1/2 Section 19; All of Sections 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 36.

Township 7 N., Range 41 E., B. M.: All of Section 4; NE1/4, NE1/4NW1/4, S1/2NW1/4, S1/2 Section 5; S1/2 Section 6; All of Sections 7 and 8; W1/2NW1/4, W1/2SW1/4, SE1/4SW1/4, SE1/4 Section 9; W1/2NW1/4 Section 10; W1/2NW1/4, NW1/4SW1/4 Section 15; All of Sections 16, 17, 18 and 19; N1/2, N1/2S1/2 Section 20; All of Section 21; W1/2NE1/4, W1/2 Section 28; All of Sections 29, 30, 31 and 32; NW1/4NW1/4 Section 33.

Township 8 N., Range 40 E., B. M.: SE1/4SW1/4, SW1/4SE1/4 Section 28; N1/2SE1/4, SW1/4SE1/4 Section 29; NE1/4 Section 31; NE1/4, N1/2SE1/4 Section 32; N1/2NE1/4 Section 33; S1/2NE1/4, N1/2NW1/4, N1/2SE1/4 Section 34; S1/2NW1/4, SW1/4 Section 35; NW1/4NE1/4 Section 36.

Township 8 N., Range 41 E., B. M.: SE1/4 Section 12; NE1/4, Lots 1, 3, 4, 5, 10, SE1/4NW1/4 Section 13; SW1/4 Section 14; S1/2SE1/4 Section 15; N1/2, SW1/4, S1/2SE1/4 Section 21; N1/2, N1/2SW1/4, SE1/4SW1/4, Lots 2 and 3, NW1/4SE1/4 Section 22; NW1/4NW1/4, Lots 5 and 6, SE1/4SW1/4, SE1/4 Section 23; N1/2NE1/4, E1/2NW1/4, S1/2SW1/4, S1/2SE1/4 Section 24; All of Sections 25, 26, 27 and 28; E1/2NE1/4, SE1/4SW1/4, SE1/4 Section 29; E1/2 Section 31; N1/2, W1/2SW1/4, S1/2SE1/4 Section 32; All of Sections 33 and 34; N1/2NE1/4, SW1/4NE1/4, NW1/4, N1/2SW1/4, NW1/4SE1/4 Section 35.

Township 8 N., Range 42 E., B. M.: All of Sections 1, 2 and 3; NE1/4, S1/2NW1/4, S1/2 Section 4; SE1/4NE1/4, N1/2SW1/4, SE1/4SW1/4, SE1/4 Section 5; E1/2 Section 8; N1/2, N1/2SW1/4, SE1/4 Section 9; All of Sections 10, 11 and 12; NE1/4, W1/2NW1/4, NW1/4SW1/4, N1/2SE1/4 Section 13; All of Section 14; N1/2, SW1/4, N1/2SE1/4 Section 15; SE1/4NE1/4, NE1/4SE1/4 Section 16; S1/2SW1/4, W1/2SE1/4, SE1/4SE1/4 Section 19; W1/2NE1/4, NW1/4SE1/4 Section 20; SW1/4NE1/4, SE1/4NW1/4, NE1/4SW1/4, NW1/4SE1/4 Section 21; SW1/4, NE1/4SE1/4 Section 23; S1/2NE1/4, N1/2SW1/4 Section 24; W1/2NE1/4, NW1/4 Section 30.

Township 8 N., Range 43 E., B. M.: N1/2, SW1/4 Section 1; NW1/4 Section 3; N1/2NE1/4, N1/2NW1/4, SW1/4NW1/4, S1/2SW1/4 Section 4; N1/2, SW1/4 Section 5; All of Section 6; N1/2, SW1/4, NE1/4SE1/4 Section 7; N1/2NW1/4, S1/2SE1/4 Section 9; NE1/4NE1/4, S1/2NE1/4, S1/2 Section 10; N1/2 Section 11; SE1/4 Section 12; N1/2 Section 15; S1/2NE1/4, SE1/4NW1/4, N1/2SW1/4, N1/2SE1/4 Section 16; NW1/4NW1/4, W1/2SW1/4 Section 17; S1/2NE1/4, NW1/4, S1/2 Section 18; N1/2, NW1/4SW1/4, S1/2SW1/4 Section 19; W1/2NW1/4 Section 20; N1/2NE1/4, SE1/4NE1/4, NE1/4NW1/4, S1/2NW1/4, SW1/4SW1/4 Section 21; W1/2 Section 22; N1/2NW1/4, SW1/4NW1/4, W1/2SW1/4, NW1/4SE1/4, S1/2SE1/4 Section 27; E1/2SE1/4 Section 28; SW1/4NE1/4, NW1/4 Section 29; SE1/4NW1/4, NE1/4SW1/4 Section 30; NE1/4 Section 31; NE1/4, NE1/4SE1/4 Section 33; NW1/4NW1/4, S1/2NW1/4 Section 34; Township 8 N., Range 44 E., B. M.: NW1/4, N1/2SW1/4 Section 5; All of Sections 6 and 7; NE1/4, S1/2NW1/4, SW1/4 Section 8; NW1/4NW1/4 Section 17; N1/2 Section 18.

Township 9 N., Range 42 E., B. M.: SW1/4NE1/4, S1/2 Section 13; N1/2NE1/4, SE1/4NE1/4, NE1/4NW1/4, SW1/4NW1/4, NW1/4SW1/4, S1/2SW1/4, NE1/4SE1/4, S1/2SE1/4 Section 22; N1/2NE1/4, S1/2NW1/4, S1/2 Section 23; NE1/4, W1/2SW1/4, SE1/4SE1/4, Section 24; S1/2NE1/4, SE1/4NW1/4, N1/2SE1/4, SE1/4SE1/4 Section 25; All of Section 26; NE1/4, E1/2NW1/4, S1/2 Section 27; S1/2NE1/4, SE1/4NW1/4, SE1/4 Section 28; S1/2SE1/4 Section 33; All of Sections 34 and 35; NE1/4NE1/4, S1/2NE1/4, S1/2NW1/4, S1/2 Section 36.

Township 9 N., Range 43 E., B. M.: W1/2SE1/4 Section 13; SW1/4SW1/4 Section 18; S1/2NE1/4, NW1/4, NE1/4SW1/4, S1/2SW1/4, SE1/4 Section 19; SW1/4, S1/2SE1/4 Section 20; E1/2SE1/4 Section 21; SE1/4SW1/4 Section 22; E1/2NE1/4, SE1/4NW1/4, E1/2SW1/4, N1/2SE1/4, SW1/4SE1/4 Section 23; S1/2NE1/4, W1/2NW1/4, S1/2 Section 24; E1/2NE1/4, N1/2SW1/4, E1/2SE1/4 Section 25; W1/2NE1/4, NE1/4NW1/4, S1/2NW1/4, SW1/4, W1/2SE1/4 Section 27; All of Sections 28, 29, 30, 31, 32 and 33; W1/2, SE1/4SE1/4 Section 34; W1/2NE1/4, S1/2NW1/4, N1/2SW1/4, S1/2SE1/4 Section 35; N1/2NE1/4, W1/2NW1/4, SW1/4, SE1/4SE1/4 Section 36.

Township 9 N., Range 44 E., B. M.: S1/2SW1/4, SE1/4 Section 18; N1/2, SW1/4 Section 19; S1/2 Section 20; N1/2NW1/4, SW1/4, S1/2SE1/4 Section 21; E1/2NW1/4, SW1/4 Section 22; W1/2, SE1/4 Section 29; SW1/4 Section 22; W1/2, SE1/4 Section 29; W1/2, SE1/4 Section 30; N1/2NW1/4, S1/2SW1/4, W1/2SE1/4 Section 31; S1/2NE1/4, S1/2 Section 32; S1/2NW1/4 Section 33; Also Lots E, G, 4, 5 and 6 Block 9, Lots 3 and 4 Block 39, Lots 11 and 12 Block 42, Lot 13, Block 44, Lot 12, Block 57, Lots 5 and 6, Block 60, Lots 5 and 6, Block 63, Lots 5 and 6, Block 65, Lots 1 and 2, Block 75, Village of Ashton, Idaho; and the West 80 feet of Lots 5 and 6, Block 5, Gray's Addition to the town of St. Anthony, Idaho.

A total of 74,193.25 acres in Fremont County.

That any protests against the approval of this application must be filed in the Department of Reclamation of the State of Idaho within forty (40) days from the date of this Notice; such protest shall state the name and address of the protestant and shall clearly set forth his objections to the approval of said application.

Dated this 27th day of July, 1940.

JAMES SPOFFORD, Commissioner of Reclamation.

Date of first publication August 8, 1940. Date of last publication August 29, 1940. Last date for protest: September 5, 1940.

SERVICE of the foregoing, by copy, is hereby admitted this 31 day of July, 1940. B. E. STOUTEMYER.

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NOTICE OF APPLICATION TO APPROPRIATE WATER IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 145, 1935 SESSION LAWS.

State of Idaho, Department of Reclamation.

NOTICE IS HEREBY GIVEN That on the 12th day of June, 1940, The United States of America, acting through B. E. Stoutemyer, District Counsel, Bureau of Reclamation, Portland, Oregon, made application No. 26412 to store and appropriate Twenty-one Thousand (21,000) acre feet per annum of the waters of North Fork (Henry's Fork) of Snake River, a tributary of Snake River, for irrigation and domestic purposes;

That the point of outlet of the reservoir is located N. 12 degrees 30 minutes E. 1300 feet distant from the Southwest corner of Section 18, Township 13 North, Range 43 East, E. M., and is in Lot 3 of Section 28, Township 13 North Range 43 East, B. M.

That the lands proposed to be irrigated by the use of said water are described as follows, to-wit:

Township 6 N., Range 38 E., B. M.: E1/2NE1/4, NE1/4SW1/4, S1/2SW1/4, SE1/4 Section 25; SE1/4SW1/4, S1/2SE1/4 Section 28;

Township 6 N., Range 39 E., B. M.: All of Sections 1, 2, 3 and 5; E1/2 Section 6; E1/2 Section 7; N1/2, N1/2SW1/4, SE1/4 Section 8; All of Sections 9, 10, 11, 12, 13, 14, 15 and 16; E1/2 Section 17; E1/2 Section 18; E1/2 Section 19; NE1/4, S1/2 Section 20; All of Sections 21, 22, 23, 24, 25, 26, 27, 28 and 29; E1/2NE1/4 Section 30; All of Sections 32, 33, 34, 35 and 36.

Township 6 N., Range 40 E., B. M.: All of Sections 1, 2 and 3; N1/2, W1/2SW1/4, NE1/4SE1/4, S1/2SE1/4 Section 4; All of Sections 5, 6, 7, 8, 9, 10, 11 and 12; N1/2 Section 13; N1/2 Section 14; All of Sections 15, 16, 17 and 18; SE1/4NE1/4 Section 19; N1/2 Section 20; NW1/4 Section 21;

Township 6 N., Range 41 E., B. M.: W1/2NE1/4, W1/2, S1/2SE1/4 Section 5; All of Section 6; N1/2NE1/4, SW1/4NE1/4, W1/2, W1/2SE1/4 Section 7; N1/2NW1/4, SW1/4NW1/4, NW1/4SW1/4 Section 18;

Township 7 N., Range 39 E., B. M.: SE1/4 Section 19; All of Sections 20, 21 and 22; NW1/4 Section 27; All of Sections 28 and 29; N1/2, N1/2SW1/4, SE1/4, SE1/4SW1/4 Section 30; W1/2NE1/4, E1/2NW1/4, N1/2SE1/4 Section 31; N1/2, SW1/4, W1/2SE1/4 Section 32; NE1/4 Section 33; Lots 5, 6, 7, E1/2SE1/4 Section 34; All of Sections 35 and 36;

Township 7 N., Range 40 E., B. M.: All of Sections 31, 32, 33, 34 and 35.

A total of 42,375.08 acres in Madison County.

Township 7 N., Range 39 E., B. M.: SE1/4NE1/4, E1/2SW1/4, SE1/4 Section 1;

AFFIDAVIT OF PUBLICATION

I swear that I am the printer and publisher of THE ASHTON general circulation, published once a week at Ashton, Fremont newspaper has been continuously and uninterruptedly published in said County and City, during a period of seventy-eight consecutive weeks prior to the first publication of the.....
Notice of application to appropriate water in the above entitled action; that the notice attached hereto, and which is a part of this affidavit and a part of the proof of publication, was published in said newspaper.....four..... consecutive ~~same~~ first publication having been made on the 8 day of August, 1940, and last publication on the 29 day of August, 1940; that said notice was published in the regular and entire issue of every number of the paper during the period and time of publication, and that the notice was published in the newspaper and not in a supplement.

M.A. Lansberry
Printer and Publisher.

Subscribed and sworn to before me this 27th day of July, A. D., 1940.

Liram G. Fuller
Notary Public.

My commission expires March 16, 1944.

R-686

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

Boise, Idaho, July 10, 1940

Application No. R-26412

Superintendent
U. S. Bureau of Reclamation
Burley, Idaho

SIR:

Application which has been filed under the above number is herewith returned for correction in the following particulars:

1. Check totals of land list as shown on pages 1, 6 and 10
2. Submit map showing reservoir and dam site up to 135,000 acre feet, as map submitted under Permit No. R-590 only carried up to 114,000 acre feet.

You are allowed 60 days from date of first return for correction, as stamped in second line on back of application, to file completed application. If received after that date application can be refiled under a new number with later priority, requiring additional fee.

Yours truly,
JAMES SPOTFORD

COMMISSIONER OF RECLAMATION.

By _____
Deputy Commissioner

Encl: App. 26412
cc to R. L. Stouteneger

R-686



train for me!"

at eyestrain gradually robbed me
favorite books and magazines.
my new glasses! Now, reading is
r me." How about YOU? See the
metrist here for a complete eye

Glasses Are Not Needed!



**Dispensing Opticians
IDAHO FALLS**

$S\frac{1}{2}$ Section 11; All of Sections 12, 13, 14,
15 and 16; $E\frac{1}{2}$, $E\frac{1}{2}SW\frac{1}{4}$ Section 17;
All of Section 23; $N\frac{1}{2}$ Section 24;
 $NE\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{2}NE\frac{1}{4}$, $S\frac{1}{2}$, $S\frac{1}{2}NW\frac{1}{4}$
Section 25; Lots 1, 2, 3, 4, 5, 6, 7,
 $S\frac{1}{2}NW\frac{1}{4}$ Section 26;
Township 7 N., Range 40 E., B. M.:
 $SE\frac{1}{4}NW\frac{1}{4}$, $NE\frac{1}{4}SW\frac{1}{4}$, $S\frac{1}{2}SW\frac{1}{4}$ Sec-
ti; $NW\frac{1}{4}NE\frac{1}{4}$, $SW\frac{1}{4}$, $NW\frac{1}{4}SE\frac{1}{4}$
Section 5; $SE\frac{1}{4}$ Section 6; $NE\frac{1}{4}$, $SW\frac{1}{4}$,
 $W\frac{1}{2}NW\frac{1}{4}$, $N\frac{1}{2}SE\frac{1}{4}$ Section 7;
 $NW\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{2}NE\frac{1}{4}$, $S\frac{1}{2}NW\frac{1}{4}$,
 $N\frac{1}{2}SW\frac{1}{4}$, $SE\frac{1}{4}SW\frac{1}{4}$, $SE\frac{1}{4}$ Section 8;
 $S\frac{1}{2}NE\frac{1}{4}$; $NE\frac{1}{4}NW\frac{1}{4}$, $SW\frac{1}{4}$ Section 9;
 $N\frac{1}{2}NE\frac{1}{4}$, $W\frac{1}{2}$, $S\frac{1}{2}SE\frac{1}{4}$ Section 10; $S\frac{1}{2}$
Section 11; $S\frac{1}{2}NE\frac{1}{4}$, $NW\frac{1}{4}$, $S\frac{1}{2}$ Section
12; All of Sections 13 and 14; $NE\frac{1}{4}$, Lot
3, $NW\frac{1}{4}$, $S\frac{1}{2}$ Section 15; Lots 4, 5,
6, $S\frac{1}{2}SW\frac{1}{4}$, $SE\frac{1}{4}$ Section 16; $N\frac{1}{2}$
Section 17; $N\frac{1}{2}$, $SW\frac{1}{4}$ Section 18;
 $S\frac{1}{2}NE\frac{1}{4}$, $NW\frac{1}{4}$, $S\frac{1}{2}$ Section 19; All of
Sections 20, 21, 22, 23, 24, 25, 26, 27, 28,
29, 30, 36.

Block 5, Gray's Addition to the town of
St. Anthony, Idaho.

A total of 74,193.25 acres in Fremont
County.

That any protests against the approval
of this application must be filed in the
Department of Reclamation of the State
of Idaho within forty (40) days from the
date of this Notice; such protest shall
state the name and address of the pro-
testant and shall clearly set forth his ob-
jections to the approval of said application.

Dated this 27th day of July, 1940.

JAMES SPOFFORD,

Commissioner of Reclamation.

Date of first publication August 8, 1940.

Date of last publication August 29, 1940.

Last date for protest: September 5, 1940.

SERVICE of the foregoing, by copy, is
hereby admitted this 31 day of July, 1940.

B. E. STOUTEMYER.

PUBLIC LAND SALE

Department of the Interior, U.
S. Land Office at Blackfoot, July
11, 1940.

Notice is hereby given that, as
directed by the Commissioner of
the General Land office, under
provisions of Section 2455, R. S.,
pursuant to the application of
Ernest M. Bowman, of Ashton,
Idaho, RD No. 1, Serial No.
049408, we will offer at public
sale, to the highest bidder, but at
not less than \$0.50 per acre, at 11
o'clock A. M., on the 11th day of
September, 1940, next, at this of-
fice, the following tract of land:
Lot 4 Sec. 31, T. 9 N., R. 42 E., B.
M., containing 39.91 acres.

The sale will not be kept open,
but will be declared closed when
those present at the hour named
have ceased bidding. The person
making the highest bid will be re-
quired to immediately pay to the
Receiver the amount thereof.

Any persons claiming adversely
the above-described land, are ad-
vised to file their claims, or ob-
jections, on before the time
designated for sale.

FRANK E. DeKAY, Register
15-19*

AUGUST 8 1940

in- fearful scene. From each of these
in- countries arose thick black clouds
as which soon joined into one; and
nd through this mass gleamed a dark
red light, by which I saw hordes
r- of armed men who, moving with
e- the cloud, marched by land and
a- sailed by the sea to America,
which country was presently en-
veloped in the volume of the
y cloud. And I dimly saw these
os vast armies devastate the whole
d country, and pillage and burn the
villages and cities and towns
which I had beheld springing up.
As my ear listened to the thun-
dering of cannon, clashing of
swords, and shouts and cries of
the millions in mortal combat, I
again heard the mysterious voice
saying—"Son of the Republic,
look and learn." When the voice
had ceased, the dark, shadowy
angel placed his trumpet once
more to his lips, and blew a long
and fearful blast.

"Instantly, light, as from a
thousand suns, shone down from
above me, and pierced and broke
into fragments the dark cloud
which enveloped America. At the
same moment I saw the angel
upon whose forehead still shone
the word Union, and who bore
our national flag in one hand,
and a sword in the other, descend
from heaven, attended by legions
of bright spirits. These immedi-
ately joined the inhabitants of
America, who seemed to take
courage, again closed up their
ranks and renewed the battle.
Again, amid the fearful noise of
the conflict, I heard a mysterious
voice saying—"Son of the Repub-
lic, look and learn."

"As the voice ceased, the shad-
ow angel, for the last time, dip-
ped water from the ocean and
sprinkled it on America. Instantly
the dark cloud rolled back, to-
gether with the armies it had
brought, leaving the inhabitants
of the land victorious.

J. C. Siddoway, Teton.
H. B. Peterson, Wilford.
STATE REPRESENTATIVE:
W. A. Lansberry, Ashton.
Sam Schwendiman, Newdale.
COUNTY COMMISSIONER (First Dis-
trict):
L. C. Hendrickson, Drummond.
Glen Troth, Ashton.
COUNTY COMMISSIONER (Third dis-
trict):
H. G. Bauer, St. Anthony, R. 1.
G. Otto Neilson, St. Anthony, R. 2.
J. H. Stoddard, Parker.
SHERIFF:
Edwin C. Hill, St. Anthony.
COUNTY TREASURER:
L. Eric Johnson, St. Anthony.
PROBATE JUDGE:
O. K. Meservy, St. Anthony.
PROSECUTING ATTORNEY:
Herbert Skalet, St. Anthony.
SUPERINTENDENT OF PUBLIC
INSTRUCTION:
C. Merrill Cruser, St. Anthony, R. 2.
ASSESSOR:
Floyd Law, Twin Groves.
L. B. Pocock, St. Anthony, R. 1.
SURVEYOR:
F. deStwolinski, Ashton.
CORONER:
W. M. Hansen, St. Anthony.
JUSTICES OF PEACE:
Two from each precinct in county.
CONSTABLE:
One from each precinct in the county.
PRECINCT COMMITTEEMAN:
Arrangee: W. C. Trude.
Ashton: W. R. Cunningham.
Drummond: M. P. Bowersox.
Egin: Joseph Cruser.
Fall River: Hyrum S. Brown.
Farnum: Walter H. Bratt.
Grainville: George Amen.
Green Timber: Carl A. Reimann.
Heman: J. F. Wardle.
Henry's Lake—
Highland: L. C. Marsden.
Island Park: Sam A. Trude.
Kelly: Fred J. Lenz.
Lamont: Alex Hill.
Marysville: Z. N. Egbert.
Newdale: J. W. Stocks.
North Salem: W. J. Price.

Vote to RETAIN

JOHN
THOMAS

IN THE

U. S. SENATE



- He stands for the preservation and defense of America and its institutions.
- He stands for the protection of the Idaho farmer's markets.
- He stands for the preservation of Idaho's mining and timber markets.
- He is the only stockman and farmer in the United States Senate.
- He is the man best qualified by ability and experience to represent Idaho.

John Thomas was ELECTED to the Senate in 1928 by a majority of approximately 37,000 votes.

Idaho and America needs men like John Thomas in this crisis.

(Paid for by Friends)

John Thomas in the United States Senate because he actively opposes in Congress the sugar beet allotment which strangles Idaho farmers in favor of peon workers in foreign countries. (Name on file).

Just a few weeks left SEE THE NEW YORK AND SAN FRANCISCO WORLD'S FAIRS *Now!*



New York World's Fair
Closes October 27



San Francisco World's Fair
Closes September 29

SAVE TIME—TRAVEL IN COMFORT—ON THE TRAIN
Fine, fast, air-conditioned Union Pacific trains offer . . . freedom from highway hazards . . . delicious dining car meals . . . Registered Nurse-Stewardess service.

SPECIAL LOW ROUND TRIP FARES

TO NEW YORK			TO SAN FRANCISCO Via LOS ANGELES		
\$91 ⁰⁵	\$65 ³⁵	\$61 ⁵⁵	\$45 ⁷⁵	35 ⁹⁵	31 ⁹⁵
Round Trip in Standard Pullmans— Berth Extra.	Round Trip in Challenger Sleeping Cars; Berth Extra.	Round Trip in comfortable Coaches.	Round Trip in Standard Pullmans— Berth Extra.	Round Trip in Challenger Sleeping Cars; Berth Extra.	Round Trip in Comfortable Coaches.

Ask about \$90 fare in Coaches and \$135 in Pullmans for circle trip to both the New York and San Francisco Fairs and return.



J. T. LYON, Agent

UNION PACIFIC RAILROAD

ROAD OF THE Streamliners AND THE Challengers

Ask about travel on credit—no money down—pay later

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

IN THE MATTER OF PROTESTS AGAINST APPROVAL OF	)	ORDER ADOPTING
	)	
APPLICATION FOR EXCHANGE OF WATER RIGHT NOS.	)	PROPOSED MEMORANDUM
	)	
21-2156 AND 21-2157 IN THE NAME OF EHCO RANCH	)	DECISION AND ORDER
	)	

WHEREAS, A. Kenneth Dunn, Director of the Department of Water Resources having issued and served a copy to the parties on March 27, 1984, a Proposed Memorandum Decision and Order in the above-captioned matter, pursuant to Idaho Code, Section 67-5211; and,

WHEREAS, exceptions must be received by the Director on or before the 15th day it was served on the parties; and,

WHEREAS, exceptions were received from Fremont Madison Irrigation District on April 12, 1984, which is the 16th day after it was served to the parties; and,

WHEREAS, a response to the exceptions was received from Ehco Ranch on April 25, 1984; and,

WHEREAS, even though the exceptions were not received timely, the Director feels in the interest of reaching the best decision possible, the exceptions must be considered and responded to as follows:

1) Exceptions No. 1 and 2. The Director purposely did not make a finding that the water was sold "as available" since that is true of all storage water transported across the Crosscut Canal. To make a finding that this storage water is inferior to other storage water transported through the Crosscut Canal is not reasonable. The amount of water sold, 106 acre feet, is a volume; and if that amount was sold by the district knowing that it would not deliver that amount, then the sale smacks of fraud. Under this arrangement, storage could be sold "as available" with the district knowing it would be delivered only part of the time thus allowing the district to sell that same storage water twice. We don't feel this was ever the intent of the district. Therefore, the storage water must have been sold "as available" meaning when the reservoirs have water stored to satisfy the water rights and when the capacity of the Crosscut Canal is adequate to carry the water. There was no evidence presented that this 106 acre feet of storage delivered though the Crosscut Canal is inferior to any other water stored in the same reservoir under the same water

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right and delivered through the Crosscut Canal.

2) Exception No. 3. The May 10, 1983 conference and agreement signed at the conference is not viewed as the consent of the district to the exchange, but as an agreement that the Department has the jurisdiction to decide the matter. If the district had taken the position, as it appears they desire to now, that the Department had no jurisdiction to decide, then the advertising of the exchange and the hearing process would be meaningless.

3) Exception No. 4. The Director disagrees that Finding No. 13 is contrary to the testimony. The testimony of the district and the President of the Grand Teton Canal Company was that when no water was taken from the Teton Creek under the exchange, then no water is needed to be released from storage and conveyed through the Crosscut Canal to satisfy downstream users. This, of course, is logical but it does not mean a restriction was placed on the original exchange. See the previous answer to Exception Nos. 1 and 2.

4) Exception No. 5. The Director disagrees. See the answer to Exception No. 3.

5) Exception No. 6. No conclusion can be reached other than no enlargement has occurred since the same amount, 106 acre feet of storage is requested to be delivered to the same number of acres, 120, as was originally irrigated.

WHEREAS, after considering the exceptions of the protestant, Fremont Madison Irrigation District and the response of the applicant, Ehco Ranch, the Director finds that no change in the Proposed Memorandum Decision and Order is warranted;

THEREFORE, IT IS HEREBY ORDERED that the Proposed Memorandum Decision and Order dated March 23, 1984 is adopted and issued as the Final Decision and Order.

Dated this 19th day of June, 1984.


A. KENNETH DUNN
Director

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JUN 21 1984

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR EXCHANGE
OF WATER RIGHT NO. 21-2156 AND 21-2157
IN THE NAME OF EHCO RANCH

} PROPOSED
} MEMORANDUM DECISION
} AND ORDER
}

On April 6, 1983, Earl Hoopes, President of Ehco Ranch, Inc. applied to the Department of Water Resources (IDWR) to exchange 106 acre-feet of water represented by storage shares in the Fremont Madison Irrigation District for natural flow on the Teton River. This water, stored in Island Park Reservoir under right Nos. 21-2156 and 21-2157, would be released for rediversion through the Crosscut Canal to replace water used by the applicant on the upper Teton River. The subject shares were purchased from Dale E. Sykes and have been traditionally used through the Grand Teton Canal which is a tributary to the Teton River located upstream from the Crosscut Canal. While this exchange of natural flow for stored water apparently had been allowed for many years, no application for exchange had ever been made to, or approved by the Director of the IDWR.

The applicant is now seeking the Director's approval pursuant to Idaho Code, Sec. 42-240, to make 106 acre-feet of stored water appurtenant to 120 acres in the SW1/4SW1/4, Sec. 4; NE1/4NE1/4, Sec. 8; NW1/4NW1/4, Sec. 9; Twp. 6N, Rge. 44E, B.M. The application indicates that this water will be exchanged for water delivered into the Teton River through the Crosscut Canal at a rate not to exceed 2.40 cubic feet per second from a point on the Teton River within the SE1/4NW1/4, Sec. 10, Twp. 6N, Rge. 44E, B.M.

Because the Department's records indicate rights 21-2156 and 21-2157 are held by Fremont Madison Irrigation District, the Department held a conference on May 10, 1983 to determine if Ehco Ranch, Inc. had the authority to apply for the exchange. Earl Hoopes and Roger Hoopes, Attorney at Law, represented the applicant at the conference. The Fremont Madison Irrigation District was represented by Max Mortensen, Chairman of the Board of Directors, and Mary Smith and Brent Moss of the law firm Smith, Hancock, and Moss. At the conclusion of the conference, the representatives of the Fremont Madison Irrigation District requested the application be processed in the normal manner.

Notice of the application was published in the Teton Valley News,

MEMORANDUM

Driggs, Idaho and the Chronicle News, St. Anthony, Idaho on May 19 and 26, 1983. Protests subsequently were received from the Teton Irrigation and Manufacturing Company, Rexburg Irrigation Company, Fremont Madison Irrigation District, Teton Island Canal Company, Wilford Canal Company, The Teton River Protective Association, Pincock-Byington Canal Company, Woodmansee-Johnson Ditch, Roxana Canal, Pioneer Canal Company, and Stewart Ditch. The reasons given for objecting to the proposed exchange are summarized as follows:

1) The proposed use by the applicant will reduce the quantity of water under existing water rights.

2) Applicant obtained storage rights which had heretofore been appurtenant to land which had been irrigated from Teton Creek in Teton County, Idaho. This creek doesn't always have water during the irrigation season to furnish storage rights in addition to natural flow rights. Therefore, this transfer if granted, at least without some restrictions would result in an enlargement of the right to the storage water, because historically the water users on Teton Creek cannot avail themselves of storage rights unless there is water in the creek in excess of the natural rights.

3) If there is insufficient water in the Teton River to furnish natural flow and storage rights, the watermaster uses what is known as the Crosscut Canal to transfer storage water from Island Park Reservoir through the North Fork of the Snake River and through the Crosscut Canal to the Teton River. The Crosscut Canal is already overtaxed and it would be impossible to transfer any more storage water into the Teton River system.

4) The change will constitute an enlargement in the use of the original right.

5) By applicant's own declarations before the Board of Directors of the Fremont Madison Irrigation District, applicant has adequate water for the irrigation of its property, but is seeking a cheaper water supply.

6) To grant this transfer will pose a tremendous policing problem to the Department of Water Resources because appropriators on Teton Creek will continue to use that water, and applicant will insist on using the storage down river on applicant's land even during those times when, if said storage right remained on Teton Creek, there would be no water in the creek to fill the storage rights.

The requisite administrative hearing was held on July 20, 1983 at the Fremont County Courthouse. The applicant was represented by Earl Hoopes and

Roger Hoopes, Attorney at Law. Representing the protestant, Fremont Madison Irrigation District, was Dale Swensen, Secretary; Max Mortensen, Chairman, Brent Moss and Mary Smith, Attorneys at Law. The protestants, Teton Irrigation and Manufacturing Company, Rexburg Irrigation Company, Teton Island Canal Company, Wilford Canal Company, Teton River Protective Association, Roxana Canal, Pioneer Canal Company and Stewart Ditch were also represented. The protestants, Pincock-Byington Canal Company and Woodmansee-Johnson Ditch, were not represented. The Department has considered the following information, testimony, and evidence; and based upon the Director's understanding of the law, makes the following Findings of Fact, Conclusions of Law, and Order.

REVIEW OF EVIDENCE

- 1) Application for exchange file No. 21-2156 and 21-2157 in the name of Ehco Ranch Inc.
- 2) Water right license 21-2156 and 21-2157 in the files of the IDWR.
- 3) Hearing tapes numbered one through eight.
- 4) Applicant's motion to dismiss the protest of the Teton River Protective Association.
- 5) Applicant's motion to dismiss the protest of the Fremont Madison Irrigation District.
- 6) Fremont Madison's reply to the applicant's motion to dismiss protest.
- 7) Applicant's Exhibit A - lease agreement between Grand Teton Canal and Earl Hoopes for the years 1977 through 1981.
- 8) Applicant's Exhibit B - letter authorizing transfer of stored water from the Grand Teton Canal.
- 9) Applicant's Exhibit C - Bill of Sale between Dale E. Skyes and Earl Hoopes for 106 acre-feet of stored water.
- 10) Applicant's Exhibit D - request of applicant to Fremont Madison Irrigation District for the transfer of 106 acre-feet of stored water.
- 11) Applicant's Exhibit E - letter dated March 21, 1983 from Fremont Madison Irrigation District - Re: Bylaws and minutes of March 16, 1983 board meeting.
- 12) Protestant's Exhibit A - Minutes of March 16, 1983 Board of Director's Meeting, Fremont Madison Irrigation District.
- 13) Protestant's Exhibit B - Minutes of April 5, 1983 Board of Director's Meeting, Fremont Madison Irrigation District.

14) Protestant's Exhibit C-1 - flow records for Crosscut Canal middle and end for November 1, 1980 through October 31, 1981.

15) Protestant's Exhibit C-2 - daily flow records for the Crosscut Canal from November 1, 1979 through October 31, 1980; daily flow records for Teton River near St. Anthony, and Henry's Fork near Rexburg from March 1 through October 30, 1978; daily flows at various points on the Crosscut Canal between May 1 and September 30, 1977.

FINDINGS OF FACT

1) Between 1979 and 1983, the amount of ground irrigated by the applicant from the Teton River had increased from 160 acres to 2,600 acres. Water used on this land was obtained through a combination of surface water permits granted by the IDWR, leasing Fremont Madison storage, purchases of water from individuals and companies, and through the exchange of surface water for ground water.

2) The Fremont Madison Irrigation District was organized to contract with the federal government to provide federal storage water from Island Park and Grassy Lake Reservoirs to district lands and to operate and maintain the Crosscut Canal. The only lands within the district boundaries that are assessed by the district are those to which stored water is appurtenant. Lands within the district to which stored water has not been made appurtenant are not assessed by Fremont Madison Irrigation. Several canal companies exist within Fremont Madison Irrigation District. Stored water was sold by the district to the individuals within these companies rather than to the company as a whole.

3) During the time period between January 1, 1977 and December 31, 1981, the applicant leased 200 acre-feet of stored water from users within the Grand Teton Canal for use on lands he owns above the Crosscut Canal. During this time, he was credited with having this water in the records of the Fremont Madison irrigation District.

4) Ehco Ranch, Inc. requested Fremont Madison's approval to change the point of diversion and place of use of these storage shares at a Board of Director's meeting on March 8, 1983. The request was tabled by the directors. On March 16, 1983, the Board of Directors again considered the Ehco Ranch request at which time it was denied.

5) On March 28, 1983, Ehco Ranch, Inc. paid \$3,890.20 to DESA Corporation for 106 acre-feet of storage water it owned in Island Park Reservoir. This water had previously been appurtenant to lands served by the

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Grand Teton Canal, which diverts water from Teton Creek in Teton County.

6) On April 1, 1983, Ehco Ranch, Inc. submitted a written request to Fremont Madison Irrigation District asking that 106 acre-feet of Fremont Madison storage be removed from the W1/2SW1/4, SW1/4SW1/4, Sec. 12, Twp. 5N, Rge. 45E, B.M.; and made appurtenant to the SW1/4SW1/4, Sec. 4, NE1/4NE1/4, Sec. 8, NW1/4NW1/4, Sec. 9 all in Twp. 6N, Rge. 44E B.M., Teton County.

7) The Board of Directors of the Fremont Madison Irrigation District reaffirmed their decision to deny the change requested by Ehco Ranch Inc. on April 5, 1983.

8) On April 6, 1983, Ehco Ranch, Inc. applied to the IDWR to exchange 106 acre-feet of Island Park storage for an equal amount of water from the Teton River.

9) A conference between Fremont Madison and the applicant was held on May 10, 1983 at which time the representatives of the irrigation district signed an authorization for the Ehco Ranch application for exchange to be processed by the IDWR thus removing the question of applicant's right to file as an issue.

10) All diversions of water from the Teton River are under the control of the Watermaster of Snake River Water District No. 1.

11) Fremont Madison has traditionally maintained only limited and inconsistent control over secondary sales of stored water within the district. All evidence indicates that sales of stored water by the district were intended to transfer the ownership of space in Island Park or Grassy Lake Reservoirs to the purchaser. In this context, Fremont Madison is a proper protestant to proposed changes that may affect the operation of their system, i.e. the Crosscut Canal.

12) The expansion of an irrigation water right can happen if more water is used than specified in the water right or the amount of land irrigated under the right is increased.

13) Fremont Madison Irrigation District previously agreed to deliver 106 acre-feet of storage through the Crosscut Canal in exchange for the water diverted through the Grand Teton Canal. There were no restrictions placed on this sale which would limit the use to exchanges on Teton Creek.

14) The capacity of the Crosscut Canal has, at times been insufficient to carry all of the stored water needed on the Teton River when Fremont Madison Irrigation District's annual rental of stored water to users on the Teton are included.

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15) Because of irrigation development which has taken place above the Crosscut Canal during the past ten years, regulation of the Teton River has become much more critical.

16) The Teton River Protective Association, Inc. was organized to represent the collective interests of the canals diverting below the Crosscut Canal. The association was incorporated until November, 1982 but as an entity holds no water rights, owns no land and operates no system and is, therefore, not subject to injury by the Department's action in this matter.

CONCLUSIONS OF LAW

1) Ehco Ranch is the owner of 106 acre-feet of space in Island Park Reservoir which was originally sold by the Fremont Madison Irrigation District to replace natural flow diverted above the Crosscut Canal.

2) When Fremont Madison Irrigation District instructed the IDWR to process Ehco Ranch's application for exchange, the question of who the proper applicant for storage exchange within the district boundaries became moot.

3) Decisions relative to the operation of the Crosscut Canal are the responsibility of the Fremont Madison Irrigation District. However, the district may not authorize the exchanges which would require recognition by the watermaster unless the exchange has been approved by the Director of the IDWR.

4) The proposed exchange will not result in an enlargement in the use of the original right, or necessarily cause injury to other water rights on the Teton River.

5) The approval of an exchange application does not necessarily compel the Fremont Madison Irrigation District to carry the subject storage through the Crosscut Canal. However, to the extent that excess water is available on the Teton River the exchange potentially can be made without use of the Crosscut Canal.

6) The protest of the Teton River Protective Association should be dismissed since it duplicates the protests of the canal companies that comprise the association.

7) Ehco Ranch Inc. is entitled to approval of its application for exchange subject to certain conditions.

ORDER

IT IS, THEREFORE, ORDERED and Application for Exchange of Water Right Nos. 21-2156 and 21-2157 in the name of Ehco Ranch Inc. is hereby APPROVED subject to the following conditions:

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FEB 11 1983

1) A measuring device of a type approved by the IDWR shall be permanently installed and maintained as part of the diverting works.

2) The exchange is under the control of the Watermaster of Water District No. 1.

3) During those times when the Crosscut Canal does not have sufficient capacity to carry all storage supplies needed on the Teton River, the watermaster shall distribute available storage supplies pursuant to the instructions of the Fremont Madison Irrigation District. If stored water is to be delivered to replace water used by upstream users, then the watermaster shall first recognize those exchanges which have been approved by the Director of the Department of Water Resources.

IT IS FURTHER ORDERED that the protests of the Pincock-Byington Canal Company and the Woodmansee-Johnson Ditch be dismissed for failure to appear at the hearing and the protest of the Teton River Protective Association be dismissed as being redundant.

Dated this 23 day of March, 1984.


BOBBY D. FLEENOR
Hearing Officer

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MARCH 23 1984

Identification No. _____
Exchange No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPROVED

APPLICATION FOR EXCHANGE OF WATER

APPLICANT'S RIGHT - Describe the water right under which you wish to exchange water

1. Name of Right Holder EHCO Ranch
Post office address P.O. Box 97, Tetonia, Idaho 83452
2. Right obtained by:
a. Decree to _____ in Case of _____
(Name)
vs. _____, Dated _____ in _____
(Name of Court)
Court, County of _____. Fully describe decree Purchase of
shares in Fremont Madison Irrigation District
- b. Permit, License, or Claim No. A. 21-2156
B. 21-2157 in the records of the Department of
Reclamation. Island Park storage right held by Fremont Madison
Irrigation District.
3. Source of water Island Park Reservoir tributary to Henry's Fork Snake River
(Name of stream or source)
4. Date of Priority of Right A. 3/14/35
B. 6/12/40
5. Amount of water a. _____ c.f.s. and/or *Applicant owns
b. A. 114,000 acre feet/annum 106 af of space
B. 21,000
6. Water is used for Irrigation from April 1 to Nov 1
(Purpose) (Month-Day) (Month-Day)
_____ from _____ to _____
(Purpose) (Month-Day) (Month-Day)
7. Location of point of diversion is Lot 3 of Section 28,
Township 13N, Range 43E, B.M., in Fremont County;
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
			APPLICANT'S LANDS WITHIN FREMONT IRRIGATION DISTRICT																
6 N	44 E	4											40						40
		8	40																40
		9					40												40

MICROFILMED

DESCRIBE RIGHT HELD BY USER WITH WHOM YOU WISH TO EXCHANGE WATER

9. Name of Right Holder _____
Post office address _____

10. Source of water _____ tributary to _____
(Name of stream or source)

11. Name of canal or ditch _____

12. Amount of water a. _____ c.f.s. and/or
b. _____ acre feet/annum

13. Right obtained by:

a. Decree to _____ in Case of _____
(Name)

vs. _____, Dated _____ in _____
(Name of Court)

Court, County of _____. Fully describe decree (if known) _____

b. Permit, License, or Claim No. _____ in the records of the Department of Reclamation.

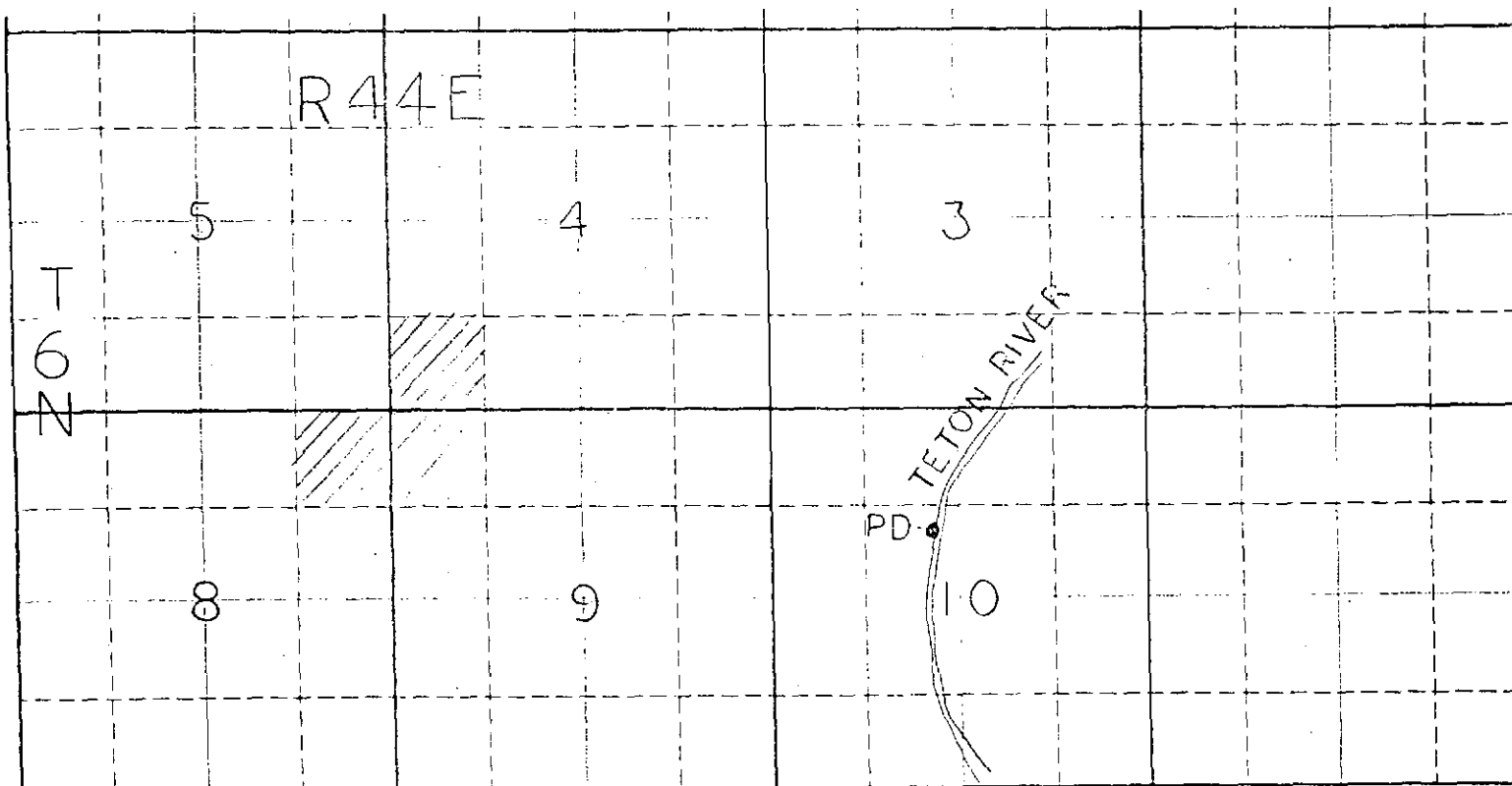
EXCHANGE

14. 2.4 c.f.s and/or 106 acre feet per annum of water diverted at the point described in line 7 and will be delivered into Henrys Fork Snake at a point in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 28, Township 13N, Range 43E, B.M., in _____ County; ~~Additional points, if any~~ Water will then be diverted from the Henrys Fork at a point within NW $\frac{1}{4}$ SE $\frac{1}{4}$ 14, T, 8N, R. 41E.

15. In lieu thereof 2.4 c.f.s. and/or 106 acre feet per annum will be diverted from Teton River at a point within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 10, Township 6N, Range 44E, B.M., in Teton County.

16. Explanation Stored water originally owned by Dale E. Sykes was exchanged at a different point on the Teton River. This exchange will only change the point of diversion on the Teton and will not effect the manner in which the exchange originally took place.

In the space below draw a sketch map showing your point of diversion under the exchange, where you will return the replacement water, land irrigated, and the general location of your conveyance system. Include any other information which would help in understanding the proposed exchange.



MICROFILMED

I hereby assert that no one will be injured by such exchange and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

Elco Ranch Inc.
By E. C. Hooper (President)
(Signature of Applicant)

Subscribed and sworn to before me this 6th day of April, 1983.

Ronald D. Carter
(Notary Public)

My commission expires 2/14/84

ACTION OF THE STATE RECLAMATION ENGINEER

I have examined Application for Exchange of Water No. 21-2156 21-2157 and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions: PURSUANT TO PROPOSED MEMORANDUM DECISION AND ORDER AND ORDER ADOPTING PROPOSED MEMORANDUM DECISION AND ORDER.

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

Witness my hand this 19th day of June, 1984.

Stewart Allen
Director

FOR DEPARTMENT USE ONLY

Received by _____ Date _____ Time _____ Preliminary check by _____

Fee \$ 50.00 Receipted by BP Date 4-6-83 # 28008 Publication prepared by BP

Date _____ Published in Memont City Chronicle Dates 5/19 + 5/26/83

Affidavit of Publication received 5/25 + 4/3/83 Publication approved by CW

Republished Dates _____

Protests Filed By:

Copies
Forwarded

Protestant	Address	Date Filed	by	Date	Action Taken
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<u>Stewart Medicine, etc.</u>			<u>CW</u>	<u>6-10-83</u>	
-------------------------------	--	--	-----------	----------------	--

(List included)

Agreement needed _____ Agreement received _____

Hearings held at _____ Date _____

Recommended for approval denial by _____

(Title)

MICROFILMED

EXPLANATION OF EXCHANGE

EARL HOOPES, President of EHC0 Ranch Inc. has purchased shares of stock in Island Park Reservoir. The purpose of this exchange is only to change the point of rediversion on the Teton and coincidentally the lands within the Fremont Madison Irrigation District.

This exchange has been prepared showing EHC0 Ranch as applicant because only those shares owned by EHC0 Ranch Inc. are involved and the original exchange approved by Fremont Madison will not be affected. Fremont Madison has arbitrarily rejected the change proposed and EHC0 Ranch Inc. questions their authority to prevent use of stored water within the district without proper cause and therefore, is seeking to exchange storage it has purchased pursuant to 42-240 Idaho Code.

RECEIVED
MAY 10 1962

AMERICAN REALTY WEST

20 SOUTH MAIN STREET, DRIGGS, IDAHO 83422
TELEPHONE (208) 354-2348

JOHN A. McKELLAR, BROKER
RICHARD T. KNIGHT, SALES ASSOCIATE
MITCHEL C. NEIBAUR, SALES ASSOCIATE

February 23, 1983

Mr. Dan Letham, Secretary
Grand Teton Canal Co.
Driggs, ID. 83422

RE: Sykes - Transfer of Fremont-Madison Storage Water

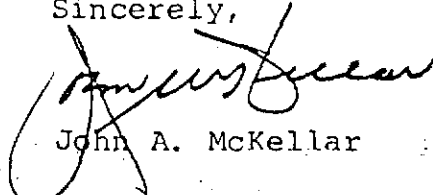
Dear Dan:

Mr. Sykes is seeking authorization for the transfer of 106 acre feet of Fremont-Madison Storage Water that has been appurtant to Mr. Sykes property described as follows:

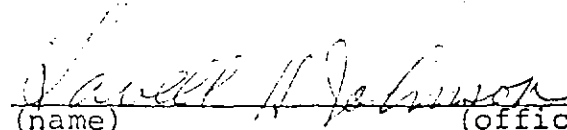
W $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 12, 5-45. To complete the transfer an authorization of the Canal Company is needed. Would you please review this and have the necessary signature placed below.

Thank you for your assistance.

Sincerely,

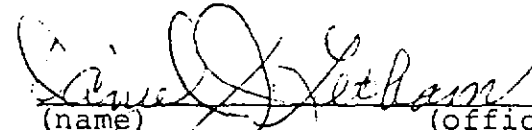

John A. McKellar

Authorization is hereby granted:
Grand Teton Canal Co.


(name)

(office)

President


(name)

(office)

Secretary

AMERICAN REALTY WEST

REQUEST FOR TRANSFER

To: Fremont-Madison Irrigation District

COPY

The undersigned, EHCO RANCH INC., respectfully requests Fremont-Madison Irrigation District to approve the transfer of 106 acre feet of storage water previously used on the following described real property:

W1/2 SW1/4, SW1/4 SW1/4 Sec. 12 Twp. 5N R 45 E.B.M.

To the following described real property:

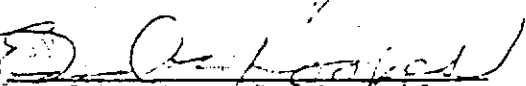
SW1/4 SW1/4 Sec. 4. NE1/4 NE1/4 Sec. 8, NW1/4 NW1/4 Sec. 9, all in Twp 6N, R.44 E.B.M. Teton County Idaho.

Said storage water has been previously purchased from Dale E. Sykes doing business as DESA Inc. Copies of the Bill of Sale and Authorization of Grand Teton Canal Company are attached.

Dated this 1st day of April 1983.

EHCO RANCH INC.

BY:


Earl N. Hoopes, President

RECORDED

BILL OF SALE

DESA, INC., Seller herein, of Driggs, Teton County, Idaho, in consideration of Three Thousand Eight Hundred Ninety Dollars and Twenty Cents (\$3,890.20), paid me by EHCO RANCH, INC., an Idaho Corporation with its principal address at P. O. Box 97, Tetonia, Teton County, Idaho, Purchaser herein, receipt of which is hereby acknowledged, does grant, sell, transfer, and deliver to Purchaser One Hundred Six acre feet of storage water stored by the Fremont-Madison Irrigation District in the Island Park Reservoir. Said water in the past has been appurtuant to Seller's property described as follows:

W1/2SE1/4, SW1/4SW1/4 Sec. 12-5-45

Buyer shall have all rights and title to the storage water in itself and its executors, administrators, and assigns.

Seller is the lawful owner of the storage water and the storage water is free from all encumbrances. Seller has good right to sell the storage water and will warrant and defend the right against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, Buyer and Seller have executed this Agreement on the date affixed adacent to their respective signatures.

EHCO RANCH, INC.

DESA INC.

BY: Earl N. Hoopes
EARL N. HOOPES Date
President 3-23-83

BY: Dale E. Sykes 3-28-83
DALE E. SYKES Date
President

ACCEPTANCE AND APPROVAL

The transfer of storage water evidenced by the above Bill of Sale is hereby accepted and approved by Fremont-Madison Irrigation District.

FREMONT-MADISON
IRRIGATION DISTRICT

BY: _____ Date

RECORDED

AGREEMENT FOR THE LEASE OF STORAGE WATER
BETWEEN
THE GRAND TETON CANAL CO
AND
EARL HOOPES

WE, THE GRAND TETON CANAL CO., HEREBY AGREE TO LEASE TO
EARL HOOPES TWO HUNDRED (200) ACRE FEET OF ISLAND PARK
STORAGE WATER FOR A PERIOD OF FIVE YEARS. IN RETURN FOR THIS
WATER EARL HOOPES AGREES TO PAY THE SUM OF \$2.00 PER ACRE FOOT
(\$400.00) ON OR BEFORE THE FIRST OF SEPTEMBER OF EACH YEAR.
SHOULD THE COST PER ACRE FOOT OF WATER IN THE MADISON-FREMONT
IRRIGATION CO. INCREASE TO MORE THAN \$2.00 PER ACRE FOOT TO
THE STOCKHOLDERS OF THE GRAND TETON CANAL CO. EARL HOOPES
AGREES TO PAY THE INCREASED PRICE.

IT IS FURTHER STIPULATED THAT IN THE EVENT OF A WATER SHORTAGE
AND THAT THE GRAND TETON CANAL CO. HAS NEED OF SAID WATER THAT THIS
AGREEMENT WILL BE NULL AND VOID FOR THAT YEAR.

TERM OF THE AGREEMENT** JANUARY 1, 1977 TO DECEMBER 31, 1981

IN WITNESS WHEREOF, WE, THE AFORESAID PARTIES, HAVE AFFIXED
OUR SIGNATURES.

WITNESSES

THE GRAND TETON CANAL CO.

Lawell Johnson PRESIDENT

Don Lechay SECRETARY

Earl Hoopes EARL HOOPES

MICROFILMED

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR EXCHANGE
OF WATER RIGHT NOS. 21-2156 AND 21-2157
IN THE NAME OF EHCO RANCH

CERTIFICATE OF MAILING

I HEREBY CERTIFY That on this the 28th day of June, 1984, a true and correct copy of the foregoing ORDER ADOPTING PROPOSED MEMORANDUM DECISION AND ORDER was mailed, postage prepaid to:

Earl Hoopes, President
Ehco Ranch
P. O. Box 97
Tetonia, ID 83452

Diana S. Richman
Teton Irrigation & Manufacturing Co.
Rt. 1
Sugar City, ID 83448

Fremont Madison Irrigation District
P. O. Box 5
St. Anthony, ID 83445

Keith Erikson
Rexburg Irrigation Co.
Rt. 4, Box 192
Rexburg, ID 83440

Darrell C. Neville
Teton Island Canal Co.
Rt. 1, Box 26
Rexburg, ID 83440

Wilford Canal Co.
J. T. Beech, President
Rt. 1
St. Anthony, ID 83445

Reed Oldham
Teton River Protective Association
Rt. 2, Box 297
Rexburg, ID 83440

Mary Smith, Attorney
30 S. 2nd W.
Rexburg, ID 83440

Dean Crain, President
Pincock Byington Canal Co.
HC 60, Box 1199
Teton, ID 83451

Dell Palmer
Woodmansee-Johnson Ditch
Sugar City, ID 83448

Robert Orme
Roxana Canal
Rt. 2, Box 144
Rexburg, ID 83440

Elmer Klein
Pioneer Canal Co.
Box 27
Teton, ID 83451

Norval W. Birch
Stewart Ditch
236 E. Main
St. Anthony, ID 83445


RITA I. FLECK
Secretary/Records Manager
Idaho Department of Water Resources

RECORDED
INDEXED

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

IN THE MATTER OF APPLICATION FOR EXCHANGE)	
OF WATER RIGHT NOS. 21-2156 AND 21-2157)	ORDER ISSUING
IN THE NAME OF EHCO RANCH)	PROPOSED DECISION
_____)	

A. Kenneth Dunn, Director of the Department of Water Resources, having reviewed the attached proposed decision prepared by his appointee, BOBBY D. FLEENOR, who conducted the hearing or who has read the record in this case, hereby approves the same as a proposal for decision pursuant to Idaho Code, § 67-5211 and orders that said proposed decision and a copy of this order be served upon each of the parties to these proceedings who appeared at the hearing on May 10, 1984, of this matter or upon their attorneys in accordance with Rule 7.3 of the Rules of Practice and Procedure of this Department.

Each party to these proceedings who appeared at the hearing is hereby afforded the opportunity, pursuant to Idaho Code §§ 42-1701A and 67-5211, to file exceptions to the attached proposed decision and to present briefs and oral arguments in accordance with the provisions of this order. Exceptions may not be filed and briefs and oral arguments may not be presented by parties who did not appear at the hearing of this case. If no timely and proper exceptions are received, an order by the Director will be entered adopting and issuing the proposed decision as his final decision.

I.
EXCEPTIONS

A. To be considered by the Director, exceptions must:

1. be received by the Director on or before the 15th day following the day of service of this Order and the proposed decision,
2. specifically identify the portions of the proposed decision to which exceptions are made and specifically state the grounds for those exceptions, and
3. be sent to each of the parties who appeared or their attorneys.

B. Exceptions not in compliance with the above stated requirements will not be considered and will be deemed an acceptance of the proposed decision.

II.
BRIEFS

A. Any briefs in support of exceptions to the proposed decision shall be filed with the Director at the same time that party's exceptions are filed with the Director.

B. Any party desiring to file a brief in response to any exceptions filed by any other party may do so by filing such brief with the Director on or before the 15th day following the last day any exceptions by any other party were served upon that party desiring to respond.

RECORDED
INDEXED

III.
ORAL ARGUMENTS

A. No oral arguments before the Director on the proposed decision will be held unless specifically requested by a party filing exceptions to the proposed decision and unless that request is filed with the Director concurrently with the filing of that party's exceptions.

B. If oral arguments have been properly requested by a party filing exceptions, any other party, upon reasonable notice to the Director, shall have the right to present oral arguments in response to the exceptions filed.

C. Oral arguments before the Director on exceptions to the proposal for decision shall be heard at the discretion of the Director, pursuant to Idaho Code, § 42-1701A. After all exceptions, briefs and requests for oral arguments have been received, the Director will decide whether to hear oral arguments. If oral arguments are to be heard, the Director will, within a reasonable time, set the case for oral arguments and notify each party of the place, date and hour the oral arguments will take place and of the period of time allocated for the arguments of this case. Unless the Director orders otherwise, all oral arguments shall be heard in Boise, Idaho.

IV.
CERTIFICATION OF SERVICE

A. All exceptions, briefs, requests for oral arguments and other matters filed with the Director in connection with the proposed decision shall be served on all other parties to these proceedings in accordance with Rule 7.2.

V.
FINAL DECISION

A. Following the submission of all exceptions and briefs and oral arguments, if they are heard, the Director shall issue a final decision adopting, modifying or rejecting and replacing the proposed decision. Copies of the decision and order shall be served on all parties.

Dated this 26th day of March, 1984.


A. KENNETH DUNN
Director
Department of Water Resources

MICROFILMED

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR EXCHANGE
OF WATER RIGHT NOS. 21-2156 AND 21-2157
IN THE NAME OF EHCO RANCH

CERTIFICATE OF MAILING

I HEREBY CERTIFY That on this the 27th day of March, 1984, true and correct copies of the foregoing ORDER ISSUING PROPOSED DECISION and PROPOSED MEMORANDUM DECISION AND ORDER were mailed, postage prepaid to:

Earl Hoopes, President
Ehco Ranch
P. O. Box 97
Tetonia, ID 83452

Diana S. Richman
Teton Irrigation & Manufacturing Co.
Rt. 1
Sugar City, ID 83448

Fremont Madison Irrigation District
P. O. Box 5
St. Anthony, ID 83445

Keith Erikson
Rexburg Irrigation Co.
Rt. 4, Box 192
Rexburg, ID 83440

Darrell C. Neville
Teton Island Canal Co.
Rt. 1, Box 26
Rexburg, ID 83440

Wilford Canal Co.
J. T. Beech, Pres.
Rt. 1
St. Anthony, ID 83445

Reed Oldham
Teton River Protective Association
Rt. 2, Box 297
Rexburg, ID 83440

Mary Smith, Attorney
30 S. 2nd W.
Rexburg, ID 83440

Dean Crain, President
Pincock Byington Canal Co.
HC 60, Box 1199
Teton, ID 83451

Dell Palmer
Woodmansee-Johnson Ditch
Sugar City, ID 83448

Robert Orme
Roxana Canal
Rt. 2, Box 144
Rexburg, ID 83440

Elmer Klein
Pioneer Canal Co.
Box 27
Teton, ID 83451

Norval W. Birch
Stewart Ditch
236 E. Main
St. Anthony, ID 83445



RITA T. FLECK
Secretary/Records Manager
Idaho Department of Water Resources

RECORDED

THE CHRONICLE-NEWS

ST. ANTHONY, IDAHO

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
County of Fremont } ss

I, Carol R. Nash

being first duly sworn, depose and say, that I am the printer of THE CHRONICLE-NEWS, a weekly newspaper printed and published weekly at St. Anthony, Fremont County, Idaho; and I do solemnly swear that the Notice of Application For Exchange of Water

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

supplement issue thereof for two consecutive issues, the first publication having been made on May 19, 1983 and the last publication having been made on May 26, 1983

Further, that said newspaper is one of general circulation in said county; that it is a legal newspaper, conforming to legal specifications under the Idaho Statutes; that it has at least two hundred bona fide subscribers living within the county of publication; and that it has been continuously and uninterruptedly published in said county during a period of seventy-eight consecutive weeks prior to the first publication of the said notice.

Carol R. Nash

Subscribed to and sworn to before me
this May 27, 1983

[Signature]
Notary Public.

(SEAL)

My commission expires lifetime

NOTARILY

RECEIVED

JUN 3 1983

Department of Water Resources
Eastern District Office

NOTICE OF APPLICATION FOR EXCHANGE OF WATER

Notice is hereby given that ECHO Ranch, Tetonia, Idaho, has applied to the Department of Water Resources for an exchange of the waters of Island Park storage right held by Fremont Madison Irrigation District evidenced by License Nos. 21-2156 and 21-2157 and are recorded as follows: 21-2156 AMOUNT: 114,000 AF. PRIORITY: 3/14/35; 21-2157 AMOUNT: 21,000 AF. PRIORITY: 6/12/40.

The water is used to irrigate the applicants lands within the Fremont Irrigation District. They are 120 acres within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 4, NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 8 and NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 9 T. 6N, R. 44E, B.M.

PROPOSED EXCHANGE

2.4 cfs of water will be delivered into Henry's Fork, Snake River at a point in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 28, T. 13N, R. 43E, B.M. and then be diverted from the Henry's Fork at a point within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 14, T. 8N, R. 41E. In lieu thereof the water will be diverted from the Teton River at a point within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 10, T. 6N, R. 44E, B.M. Teton County. This exchange will only change the point of diversion on the Teton and will not effect the manner in which the exchange originally took place.

Any protest to the above proposed change of water must be filed with the Department of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83401 on or before June 6, 1983.

A. KENNETH DUNN
Director

Publ. May 19 and 26, 1983; CN

AFFIDAVIT OF PUBLICATION

State of Idaho)

) ss

County of Teton)

I, Janet Holgers
being first duly sworn depose and
say that I am the Bookkeeper
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
Teton 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 publica-
tion of

Notice of Application for Exchange of Water

And affiant further says that said
attached 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 19 day of May, 1983
and last publication of the 26 day
of May, 1983

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.

Janet Holgers

Subscribed in my presence and
sworn to before me this 20 day of
May, 1983

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

Frederic A. Rub
My Commission expires

12/2, 1986

MICROFILMED

NOTICE OF APPLICATION FOR EXCHANGE OF WATER

Notice is hereby given that
EHCO Ranch, Tetonia, Idaho,
has applied to the Department
of Water Resources for an ex-
change of the waters of Island
Park storage right held by
Fremont-Madison Irrigation
District evidenced by License
Nos. 21-2156 and 21-2157 and
are recorded as follows:

21-2156

Amount: 114,000 AF
Priority: 3-14-35

21-2157

Amount: 21,000 AF
Priority: 6-12-40

The water is used to irrigate
the applicant's lands within the
Fremont Irrigation District.
They are 120 acres within the

SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 4, NE $\frac{1}{4}$ NE $\frac{1}{4}$
Sec. 8 and NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 9,
T. 6N, R. 44E, B.M.

PROPOSED EXCHANGE

2.4 cfs of water will be
delivered into Henry's Fork,
Snake River at a point in the
SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 28, T. 13N, R.
43E, B.M. and then be diverted
from the Henry's Fork at a
point within the NW $\frac{1}{4}$ SE $\frac{1}{4}$
Sec. 14, T. 8N, R. 41E. In lieu
thereof the water will be diver-
ted from the Teton River at a
point within the SW $\frac{1}{4}$ NW $\frac{1}{4}$
Sec. 10, T. 6N, R. 44E, B.M.
Teton County. This exchange
will only change the point of
diversion on the Teton and will
not effect the manner in which
the exchange originally took
place.

Any protest to the above
proposed change of water must
be filed with the Department of
Water Resources, 150 Shoup
Ave., Suite 15, Idaho Falls,
Idaho 83401 on or before June
6, 1983.

A. Kenneth Dunn
Director

Published in the Teton
Valley News May 19 and 26,
1983.

RECEIVED
MAY 25 1983
Department of Water Resources
Eastern District Office

Exchange No. 2675

21-2156

21-2157

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPLICATION FOR EXCHANGE OF WATER

APPROVED

APPLICANT'S RIGHT - Describe the water right under which you wish to exchange water

1. Name of Right Holder Fremont-Madison Irrigation District
Post office address P.O. Box 5, St. Anthony, Idaho 83445

2. Right obtained by:

- a. Decree to _____ in Case of _____
(Name)

vs. _____, Dated _____ in _____
(Name of Court)

Court, County of _____ . Fully describe decree _____ .

- b. Permit, License, or Claim No. A. 21-2156
B. 21-2157 in the records of the Department of Reclamation.

3. Source of water Island Park Reservoir tributary to Henry's Fork Snake River
(Name of stream or source)

4. Date of Priority of Right A. 3/14/35
B. 3/14/35 - Palisades contracts provide that
21-2157 shall be considered same as
5. Amount of water a. ~~A 114,000~~ c.f.s. and/or 2156.

5. Amount of water a. ~~A. 114,000~~ c.f.s. and/or 2156.
b. B. 21,000 acre feet/annum

6. Water is used for Irrigation from Jan. 1 to Dec. 31
(Purpose) (Month-Day) (Month-Day)
- from to
(Purpose) (Month-Day) (Month-Day)

7. Location of point of diversion is Lot 3 ~~xx~~ $\frac{1}{4}$ of Section 28,
Township 13N, Range 43E, B.M., in Fremont County;
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

[illegible]

Total number of acres to be irrigated_____

DESCRIBE RIGHT HELD BY USER WITH WHOM YOU WISH TO EXCHANGE WATER

9. Name of Right Holder Farmers Own Ditch Co.
Post office address Ashton, Idaho 83420
10. Source of water Falls River tributary to Henry's Fork
(Name of stream or source)
11. Name of canal or ditch Farmers Own Ditch
12. Amount of water a. _____ c.f.s. and/or
b. 8,165 acre feet/annum
13. Right obtained by:
a. Decree to _____ in Case of _____
(Name)
vs. _____, Dated _____ in _____
(Name of Court)
Court, County of _____. Fully describe decree (if known) _____

- b. Permit, License, or Claim No. _____ in the records of the Department of Reclamation.
- EXCHANGE (Allow 6894.9 AF for 21-2156U and 1270.1 AF for 21-2157Q) DRI 3-3-83
14. _____ c.f.s and/or 8,165 acre feet per annum of water diverted at the point described in line 7 and will be delivered into N.F. Snake River at a point in Lot 3 $\frac{1}{4}$ of Section 28, Township 13N, Range 43E, B.M., in Fremont County; Additional points, if any _____
15. In lieu thereof _____ c.f.s. and/or 8,165 acre feet per annum will be diverted from Falls River at a point within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 35, Township 9N, Range 43E, B.M., in Fremont County.
16. Explanation Priority of Exchange - 1938
Taken by Diversion Dam & Headgates & Canal
Place of Use - Lands under irrigation by the Ditch Co.

In the space below draw a sketch map showing your point of diversion under the exchange, where you will return the replacement water, land irrigated, and the general location of your conveyance system. Include any other information which would help in understanding the proposed exchange.

MICROFILMED

I hereby assert that no one will be injured by such exchange and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

J. May Mortensen
(Signature of Applicant)

Subscribed and sworn to before me this 7th day of March, 19 80.

Dah L. Swanson
(Notary Public)

My commission expires life

ACTION OF THE DEPARTMENT OF WATER RESOURCES.

I have examined Application for Exchange of Water No. 21-2156U/2157Q and said application is hereby Approved.

1. Approval of said application is subject to the following limitations and conditions: _____
1. A measuring device of a type approved by the Dept. shall be permanently installed & maintained as part of the diverting works for the points of diversion specified in items 14 & 15 of the exchange. 2. The use of storage water under this exchange is subject to control by the watermaster of State Water District 01, Snake River 3. Storage water under this exchange shall be delivered after all other natural flow rights in effect at that time on Falls River.

Witness my hand this 8th day of March, 19 83.

L. Glen Saxton
L. Glen Saxton
Chief Operations Bureau

FOR DEPARTMENT USE ONLY

Received by kw Date 3/10/80 Time 12:00 Preliminary check by _____
Fee \$ 35.00 Receipted by kw Date 4/1/80 # 13902 Publication prepared by kw
Date 4/10/80 Published in Ashton Herald Dates 4/17 & 4/24/80
Affidavit of Publication received 4-30-1980 Publication approved by GP
Republished Dates _____

Protests Filed By:		Copies Forwarded			
Protestant	Address	Date Filed	by	Date	Action Taken

Agreement needed _____ Agreement received _____
Hearings held at _____ Date _____
Recommended for approval denial by GMC Dax
(Title)

RECEIVED

Exchange No. 2674

21-2156

21-2157

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPLICATION FOR EXCHANGE OF WATER

APPROVED

APPLICANT'S RIGHT - Describe the water right under which you wish to exchange water

1. Name of Right Holder Fremont-Madison Irrigation District
Post office address P.O. Box 5, St. Anthony, Idaho 83445
2. Right obtained by:
a. Decree to _____ in Case of _____
(Name)
vs. _____, Dated _____ in _____
(Name of Court)
Court, County of _____. Fully describe decree _____

_____ A. 21-2156
b. Permit, License, or Claim No. B. 21-2157 in the records of the Department of Reclamation.
3. Source of water Island Park Reservoir tributary to Henry's Fork Snake River
(Name of stream or source)
4. Date of Priority of Right B. 3/14/35 - Palisades contracts provide that 21-2157 shall be considered same as 2156.
5. Amount of water a. A. 114,000 c.f.s. and/or 2156.
b. B. 21,000 acre feet/annum
6. Water is used for Irrigation from Jan. 1 to Dec. 31
(Purpose) (Month-Day) (Month-Day)
_____ from _____ to _____
(Purpose) (Month-Day) (Month-Day)
7. Location of point of diversion is Lot 3 1/4 of Section 28,
Township 13N, Range 43E, B.M., in Fremont County;
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

[illegible]

Total number of acres to be irrigated_____

9. Name of Right Holder Fred & Lloyd Griffel
Post office address Ashton, Idaho 83420

11. Name of canal or ditch

13. Right obtained by:

a. Decree to _____ in Case of _____
(Name)

Court, County of _____, Fully describe decree (if known)

EXCHANGE (Allow 168.9 AF for 21-2156T and 31.1 AF for 21-2157P) Dec 3-83

15. In lieu thereof _____ c.f.s. and/or 200 acre feet per annum will be diverted from Falls River at a point within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 33, Township 9N, Range 44E, B. M., in Fremont County.

In the space below draw a sketch map showing your point of diversion under the exchange, where you will return the replacement water, land irrigated, and the general location of your conveyance system. Include any other information which would help in understanding the proposed exchange.

Microfilm

I hereby assert that no one will be injured by such exchange and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

J. J. Jorgensen
(Signature of Applicant)

Subscribed and sworn to before me this 7th day of March, 1980.

Dale L. Swenson
(Notary Public)

My commission expires life

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I have examined Application for Exchange of Water No. 21-2156T/2157P and said application is hereby Approved.

1. Approval of said application is subject to the following limitations and conditions: 1. A measuring device of a type approved by the Dept. shall be permanently installed & maintained as part of the diverting works for the points of diversion specified in items 14 & 15 of the exchange. 2. The use of storage water under this exchange is subject to control by the watermaster of State Water District 01, Snake River. 3. Storage water under this exchange shall be delivered after all other natural flow rights in effect at that time on Falls River.

Witness my hand this 8th day of March, 1983.

L. Glen Saxton
L. Glen Saxton
Chief Operations Bureau

FOR DEPARTMENT USE ONLY

Received by kw Date 3/11/80 Time 12:00 Preliminary check by _____
Fee \$ 35.00 Receipted by kw Date 4/1/80 # 13904 Publication prepared by kw
Date 4/10/80 Published in Ashton Herald Dates 4/17/80 & 4/24/80
Affidavit of Publication received 4-30-1980 Publication approved by JP
Republished Dates _____

Protests Filed By: _____ Copies Forwarded _____
Protestant _____ Address _____ Date Filed _____ by _____ Date _____ Action Taken _____

Agreement needed _____ Agreement received _____
Hearings held at _____ Date _____
Recommended for approval denial by Carol L. Carlson, DNR
(Title)

NOT RECORDED

Exchange No. 2673

21-2156

21-2157

APPLICATION FOR EXCHANGE OF WATER *APPROVED*

1. Name of Right Holder Fremont-Madison Irrigation District
Post office address P.O. Box 5, St. Anthony, Idaho 83445

a. Decree to _____ in Case of _____
(Name)

vs. _____, Dated _____ in _____
(Name of Court)

Court, County of _____ . Fully describe decree

3. Source of water Island Park Reservoir tributary to Henry's Fork Snake River
(Name of stream or source)

A. 3/14/35

4. Date of Priority of Right B. 3/14/35 - Palisades contracts provide that
21-2157 shall be considered same as

5. Amount of water a. A. 114,000 c.f.s. and/or 2156.
b. B. 21,000 acre feet/annum

6. Water is used for Irrigation from Jan. 1 to Dec. 31
(Purpose) (Month-Day) (Month-Day)

from to
(Purpose) (Month-Day) (Month-Day)

7. Location of point of diversion is Lot 3 ~~xx~~ $\frac{1}{4}$ of Section 28,
Township 13N, Range 43E, B.M., in Fremont County;
Additional points of diversion, if any _____

[illegible]

Total number of acres to be irrigated_____

DESCRIBE RIGHT HELD BY USER WITH WHOM YOU WISH TO EXCHANGE WATER

9. Name of Right Holder Gail Blanchard

Post office address Chester, Idaho 83421

10. Source of water Falls River tributary to Henry's Fork Snake River
(Name of stream or source)

(Name of stream or source)

11. Name of canal or ditch

12. Amount of water a. _____ c.f.s. and/or

b. 5 acre feet/annum

13. Right obtained by:

a. Decree to _____ in Case of _____
(Name)

(Name)

vs. _____, Dated _____ in _____
(Name of Court)

(Name of Court)

Court, County of _____ Fully describe decree (if known) _____

b. Permit, License, or Claim No. _____ in the records of the Department of Reclamation.

EXCHANGE (Allow 4.2 AF for 21-2156S and .8 AF for 21-2157N) 027 3-4-63

14. _____ c.f.s and/or _____ 5 _____ acre feet per annum of water diverted at the point described in line 7 and will be delivered into Henrys Fork Snake River point in Lot 34 1/4 of Section 28, Township 13N, Range 43E, B.M., in Fremont County; Additional points, if any _____

15. In lieu thereof _____ c.f.s. and/or 5 acre feet per annum will be diverted from Falls River at a point within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 13, Township 8, Range 41E, B.M., in Fremont County.

16. Explanation Priority of-Exchange - June 1938
 Place of Use - Lot 5 South of Road & Lots 6 & 7 Section 13,
 T. 8N, R. 41E, Fremont County. Taken by Pump.

Place of Use - Lot 5 South of Road & Lots 6 & 7 Section 13,

T. 8N, R. 41E, Fremont County. Taken by Pump.

In the space below draw a sketch map showing your point of diversion under the exchange, where you will return the replacement water, land irrigated, and the general location of your conveyance system. Include any other information which would help in understanding the proposed exchange.

[illegible]

I hereby assert that no one will be injured by such exchange and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

J. May Mortensen
(Signature of Applicant)

Subscribed and sworn to before me this 7th day of March, 19 80.

Dale E. Swenson
(Notary Public)

My commission expires life

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I have examined Application for Exchange of Water No. 21-2156S/2157N and said application is hereby Approved.

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

1. A measuring device of a type approved by the Dept. shall be permanently installed & maintained as part of the diverting works for the point of diversion specified in items 14 & 15 of the exchange. 2. The use of storage water under this exchange is subject to control by the watermaster of State Water District 01, Snake River. 3. Storage water under this exchange shall be delivered after all other natural flow rights in effect at that time on Falls River.

Witness my hand this 8th day of March, 19 83.

L. Glen Saxton
L. Glen Saxton
Chief Operations Bureau

FOR DEPARTMENT USE ONLY

Received by kw Date 3/11/80 Time 12:00 Preliminary check by _____
Fee \$ 35.00 Receipted by kw Date 4/1/80 #13902 Publication prepared by kw
Date 4/10/80 Published in Ashton Herald Dates 4/17 & 4/24/80
Affidavit of Publication received 4-30-1980 Publication approved by kw
Republished Dates _____

Protests Filed By:

Copies
Forwarded

Protestant	Address	Date Filed	by	Date	Action Taken
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Agreement needed _____ Agreement received _____

Hearings held at _____ Date _____

Recommended for approval denial by EWK DRS

(Title)

RECEIVED

Identification No. _____
Exchange No. 2672
21-2156
21-2157

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
APPLICATION FOR EXCHANGE OF WATER

APPROVED

APPLICANT'S RIGHT - Describe the water right under which you wish to exchange water

1. Name of Right Holder Fremont-Madison Irrigation District
Post office address P.O. Box 5, St. Anthony, Idaho 83445
2. Right obtained by:
a. Decree to _____ in Case of _____
(Name)
vs. _____, Dated _____ in _____
(Name of Court)
Court, County of _____. Fully describe decree _____

_____ A. 21-2156
b. Permit, License, or Claim No. B. 21-2157 in the records of the Department of Reclamation.
3. Source of water Island Park Reservoir tributary to Henry's Fork Snake River
(Name of stream or source)
4. Date of Priority of Right A. 3/14/35
B. 3/14/35 - Palisades contracts provide that
21-2157 shall be considered same as
5. Amount of water a. A. 114,000 c.f.s. and/or 2156
b. B. 21,000 acre feet/annum
6. Water is used for Irrigation from Jan. 1 to Dec. 31
(Purpose) (Month-Day) (Month-Day)
_____ from _____ to _____
(Purpose) (Month-Day) (Month-Day)
7. Location of point of diversion is Lot 3 $\frac{1}{4}$ of Section 28,
Township 13N, Range 43E, B.M., in Fremont County;
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
			LANDS WITHIN				FREMONT-MADISON				IRRIGATION				DISTRICT				

Total number of acres to be irrigated _____

DESCRIBE RIGHT HELD BY USER WITH WHOM YOU WISH TO EXCHANGE WATER

9. Name of Right Holder Larry Orme

Post office address Ashton, Idaho 83420

10. Source of water Squirrel Creek tributary to Falls River
(Name of stream or source)

11. Name of canal or ditch Orme Ditch

12. Amount of water a. _____ c.f.s. and/or

b. 100 acre feet/annum

13. Right obtained by:

a. Decree to _____ in Case of _____
(Name)

vs. _____, Dated _____ in _____
(Name of Court)

Court, County of _____ Fully describe decree (if known) _____

b. Permit, License, or Claim No. _____ in the records of the Department of Reclamation.

EXCHANGE (Allow 84.4 AF for 21-2156R and 15.6 AF for 21-2157M) Der 3-7-83

14. _____ c.f.s and/or 100 acre feet per annum of water diverted at the point described in line 7 and will be delivered into Henrys Fork at a point in Lot 3~~1~~ ~~1~~¹ of Section 28, Township 13N, Range 43E, B.M., in Fremont County; Additional points, if any _____

15. In lieu thereof _____ c.f.s. and/or _____ 100 _____ acre feet per annum will be diverted from Squirrel Creek at a point within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 17, Township 8N, Range 44E, B. M., in Fremont County.

16. Explanation Priority of Exchange - 100 A.F. June 1953
Place of Use - NW $\frac{1}{4}$; W $\frac{1}{2}$ NE $\frac{1}{4}$; N $\frac{1}{2}$ S $\frac{1}{2}$ 17-8-44

In the space below draw a sketch map showing your point of diversion under the exchange, where you will return the replacement water, land irrigated, and the general location of your conveyance system. Include any other information which would help in understanding the proposed exchange.

[illegible]

I hereby assert that no one will be injured by such exchange and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

J. Max Mortensen
(Signature of Applicant)

Subscribed and sworn to before me this 7th day of March, 19 80.

Dale L. Swanson
(Notary Public)

My commission expires life

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I have examined Application for Exchange of Water No. 21-2156R/2157M and said application is hereby Approved.

1. Approval of said application is subject to the following limitations and conditions: _____
1. A measuring device of a type approved by the Dept. shall be permanently installed & maintained as part of the diverting works for the points of diversion specified in items 14 & 15 of the exchange. 2. The use of storage water under this exchange is subject to control by the watermaster of State Water District 01, Snake River. 3. Storage water under this exchange shall be delivered after all other natural flow rights in effect at that time on Squirrel Creek.

Witness my hand this 8th day of March, 19 83.

L. Glen Saxton
L. Glen Saxton
Chief Operations Bureau

FOR DEPARTMENT USE ONLY

Received by kw Date 3/11/80 Time 12:00 Preliminary check by _____
Fee \$ 35.00 Receipted by kw Date 4/1/80 Date # 13903 Publication prepared by kw
Date 4/10/80 Published in Ashton Herald Dates 4/17/80 & 4/24/80
Affidavit of Publication received 4-30-1980 Publication approved by _____
Republished Dates _____

Protests Filed By:		Copies Forwarded			
Protestant	Address	Date Filed	by	Date	Action Taken

Agreement needed _____ Agreement received _____
Hearings held at _____ Date _____
Recommended for approval denial by ENC DM
(Title)

RECEIVED

9. Name of Right Holder Henry Griffel
Post office address Ashton, Idaho 83420

11. Name of canal or ditch

13. Right obtained by:

a. Decree to _____ in Case of _____
(Name)

Court, County of _____ . Fully describe decree (if known) _____

EXCHANGE (Allow 29.6AF for 21-2156Q and 5.4 AF for 21-2157L) Dnr 3-4-83

15. In lieu thereof _____ c.f.s. and/or 35 acre feet per annum will be diverted from Falls River at a point within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 35, Township 9N, Range 43E, B.M., in Fremont County.

In the space below draw a sketch map showing your point of diversion under the exchange, where you will return the replacement water, land irrigated, and the general location of your conveyance system. Include any other information which would help in understanding the proposed exchange.

A blank sheet of graph paper featuring a grid of squares. The grid consists of solid horizontal and vertical lines forming large squares, with dashed horizontal and vertical lines further subdividing each large square into four smaller ones. A diagonal line runs from the top-left corner towards the bottom-right, passing through the center of the page. In the bottom-left corner, there is a small, dark, rectangular stamp or mark containing some illegible text.

I hereby assert that no one will be injured by such exchange and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

J May Mortensen
(Signature of Applicant)

Subscribed and sworn to before me this 7th day of March, 19 80.

Dale L. Swenson
(Notary Public)

My commission expires life

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I have examined Application for Exchange of Water No. 21-21560/2157L and said application is hereby Approved.

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

1. A measuring device of a type approved by the Dept. shall be permanently installed & maintained as part of the diverting works for the points of diversion specified in items 14 & 15 of the exchange. 2. The use of storage water under this exchange is subject to control by the watermaster of State Water District 01, Snake River. 3. Storage water under this exchange shall be delivered after all other natural flow rights in effect at that time on Falls River.

Witness my hand this 8th day of March, 19 83.

L. Glen Saxton

L. Glen Saxton
Chief Operations Bureau

FOR DEPARTMENT USE ONLY

Received by kw Date 3/11/80 Time 12:00 Preliminary check by _____

Fee \$ 35.00 Receipted by kw Date 4/1/80 # 13903 Publication prepared by kw

Date 4/10/80 Published in Ashton Herald Dates 4/17 & 4/24/80

Affidavit of Publication received 4-30-1980 Publication approved by gw

Republished Dates _____

Protests Filed By:

Copies
Forwarded

Protestant	Address	Date Filed	by	Date	Action Taken
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Agreement needed _____ Agreement received _____

Hearings held at _____ Date _____

Recommended for approval denial by MC BK

(Title)

Exchange No. 2670

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPROVED

1. Name of Right Holder Fremont-Madison Irrigation District
Post office address P.O. Box 5, St. Anthony, Idaho 83445

a. Decree to _____ in Case of _____
(Name)

vs. _____, Dated _____ in _____
(Name of Court)

Court, County of _____ . Fully describe decree

3. Source of water Island Park Reservoir tributary to Henry's Fork Snake River
(Name of stream or source)

4. Date of Priority of Right A. 3/14/35
B. 3/14/35 - Palisades contracts provide that
21-2157 shall be considered same as

5. Amount of water a. ~~A. 114,000~~ c.f.s. and/or 2156.
b. B. 21,000 acre feet/annum

6. Water is used for Irrigation from Jan. 1 to Dec. 31
(Purpose) (Month-Day) (Month-Day)

from to
(Purpose) (Month-Day) (Month-Day)

7. Location of point of diversion is Lot 3 ~~xx~~ $\frac{1}{4}$ of Section 28,
Township 13N, Range 43E, B.M., in Fremont County
Additional points of diversion, if any

[illegible]

Total number of acres to be irrigated _____

DESCRIBE RIGHT HELD BY USER WITH WHOM YOU WISH TO EXCHANGE WATER

9. Name of Right Holder Marysville Canal Co.

Post office address Ashton, Idaho 83420

10. Source of water Falls River tributary to Henry's Fork Snake River
(Name of stream or source)

11. Name of canal or ditch Marysville Canal

12. Amount of water a. c.f.s. and/or

b. 19,126 acre feet/annum

13. Right obtained by:

a. Decree to _____ in Case of _____
(Name)

vs. _____, Dated _____ in _____
(Name of Court)

Court, County of _____ . Fully describe decree (if known) _____

b. Permit, License, or Claim No. _____ in the records of the Department of Reclamation.

EXCHANGE (Allow 16150.8 AF for 21-2156P and 2975.2 AF for 21-2157K) *MSR 3-1-83*

14. _____ c.f.s and/or 19,126 acre feet per annum of water diverted at the point described in line 7 and will be delivered into N.F. Snake River at a point in Lot 3~~4~~ $\frac{1}{4}$ of Section 28, Township 13N, Range 43E, B.M., in Fremont County; Additional points, if any

15. In lieu thereof _____ c.f.s. and/or 19,126 acre feet per annum will be diverted from Falls River at a point within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 35, Township 9N, Range 44E, B.M., in Fremont County.

16. Explanation Priority of Exchange - ~~1938~~¹⁹³⁹ 1938.

Taken by Diversion Dam & Headgates & Canal

Place of Use - Lands under irrigation by Canal Co.

In the space below draw a sketch map showing your point of diversion under the exchange, where you will return the replacement water, land irrigated, and the general location of your conveyance system. Include any other information which would help in understanding the proposed exchange.

MICROFILM

I hereby assert that no one will be injured by such exchange and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

[Signature]
(Signature of Applicant)

Subscribed and sworn to before me this 7th day of March, 1980.

[Signature]
(Notary Public)

My commission expires life

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I have examined Application for Exchange of Water No. 21-2156P/2157K and said application is hereby Approved.

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

1. A measuring device of a type approved by the Dept. shall be permanently installed & maintained as part of the diverting works for the points of diversion specified in items 14 & 15 of the exchange. 2. The use of storage water under this exchange is subject to control by the watermaster of State Water District 01, Snake River. 3. Storage water under this exchange shall be delivered after all other natural flow rights in effect at that time on Fall River.

Witness my hand this 8th day of March, 1983.

[Signature]
L. Glen Saxton
Chief Operations Bureau

FOR DEPARTMENT USE ONLY

Received by kw Date 3/11/80 Time 12:00 Preliminary check by _____
Fee \$ 35.00 Receipted by kw Date 4/1/80 #13902 Publication prepared by kw
Date 4/10/80 Published in Ashton Herald Dates 4/17 & 4/24/80
Affidavit of Publication received 4-3-1980 Publication approved by JD
Republished Dates _____

Protests Filed By:

Copies
Forwarded
by

Protestant Address Date Filed Date Action Taken

Agreement needed _____ Agreement received _____

Hearings held at _____ Date _____

Recommended for approval denial by Ernest Carlson Dir

(Title)

RECEIVED

Exchange No. 2669

APPROVED

APPLICANT'S RIGHT - Describe the water right under which you wish to exchange water

1. Name of Right Holder Fremont-Madison County Irrigation District
Post office address Box 5, St. Anthony, ID
2. Right obtained by:
a. Decree to _____ in Case of _____
(Name)
vs. _____, Dated _____ in _____
(Name of Court)
Court, County of _____. Fully describe decree _____

- b. Permit, License, or Claim No. A. 21-2156
B. 21-2157 in the records of the Department of
Reclamation.
3. Source of water Island Park Reservoir tributary to Henry's Fork Snake River
(Name of stream or source)
A. 3/14/35
4. Date of Priority of Right B. 6/12/40
5. Amount of water a. _____ c.f.s. and/or
A. 114,000
b. B. 21,000 acre feet/annum
6. Water is used for Irrigation from April 1 to Nov 1
(Purpose) (Month-Day) (Month-Day)
_____ from _____ to _____
(Purpose) (Month-Day) (Month-Day)
7. Location of point of diversion is Lot 3 $\frac{1}{4}$ $\frac{1}{4}$ of Section 28,
Township 13N, Range 43E, B. M., in Fremont County;
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

[illegible]

Total number of acres to be irrigated _____

USER WITH WHOM YOU WISH TO EXCHANGE WATER

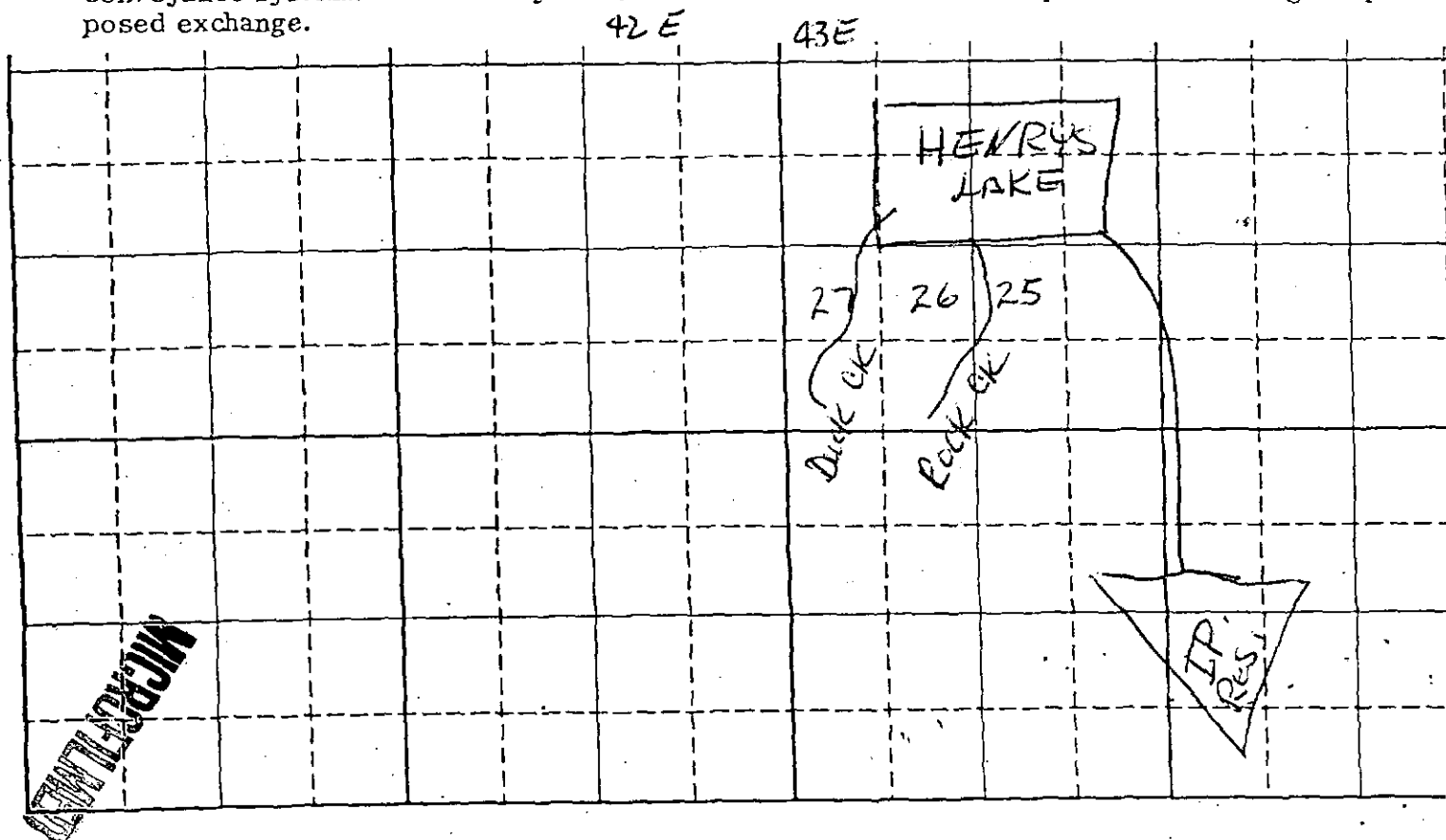
9. Name MRS. MAUD LYON
 Post office address RT #4 Box 10 IDAHO FALLS 83401
10. Source of water So. Fork DUCK & ROCK tributary to NORTH Fork SNAKE River
 (Name of stream or source)
11. Name of canal or ditch _____
12. Amount of water a. _____ c.f.s. and/or
 b. 60 acre feet/annum
13. Right obtained by:
 a. Decree to _____ in Case of _____
 (Name)
 vs. _____, Dated _____ in _____
 (Name of Court)
 Court, County of _____. Fully describe decree (if known) _____

 b. Permit, License, or Claim No. _____ in the records of the Department of Reclamation.

EXCHANGE (Allow 50.7 AF for 21-2156N and 9.3 AF for 21-2157J)

14. _____ c.f.s and/or 60 acre feet per annum of water diverted at the point described in line 7 and will be delivered into NORTH Fork S.R. at a point in Lot 3 $\frac{1}{4}$ of Section 28, Township 13N, Range 43E, B.1 in FREEMONT County; Additional points, if any _____
15. In lieu thereof _____ c.f.s. and/or 60 acre feet per annum will be diver from S.F.R. Duck & Rock at a point within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 25 Township 15N, Range 42E, B.M., in FREEMONT County.
16. Explanation PRIORITY of Exchange → JUNE 1956 Ad P.d NW SW
Place of Use → NW $\frac{1}{4}$ Sec 26 T15N R42E Sec 27 T15N R42E

In the space below draw a sketch map showing your point of diversion under the exchange, where you will return the replacement water, land irrigated, and the general location of your conveyance system. Include any other information which would help in understanding the proposed exchange.



I hereby assert that no one will be injured by such exchange and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

Maudie C Lyon
(Signature of Applicant)

Subscribed and sworn to before me this 11 day of March, 1980.

Kathlyn A. Walker
(Notary Public)

My commission expires 2/15/1983

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I have examined Application for Exchange of Water No. 21-2156N/2157J and said application is hereby Approved.

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

A measuring device of a type approved by the Dept. shall be permanently installed & maintained as part of the diverting works for the points of diversion specified in items 14 & 15 of the exchange.

2. The use of storage water under this exchange is subject to control by the watermaster of State Water District 01, Snake River.

3. Storage water under this exchange shall be delivered after all other natural flow rights in effect at that time on S. Fork Duck Creek & Rock Creek.

Witness my hand this 8th day of March, 1983.

L. Glen Saxton
L. Glen Saxton
Chief Operations Bureau

FOR DEPARTMENT USE ONLY

Received by BR Date 3/11/80 Time 3:10 Preliminary check by _____

Fee \$ 35.00 Received by kw Date 3/11/80 # 13849 Publication prepared by kw

Date 4/10/80 Published in Ashton Herald Dates 4/17 & 4/24/80

Affidavit of Publication received _____ Publication approved by _____

Republished Dates _____

Protests Filed By:

Copies
Forwarded

Protestant	Address	Date Filed	by	Date	Action Taken
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Agreement needed _____ Agreement received _____

Hearings held at _____ Date _____

Recommended for approval denial by EMC DRT

(Title)

Exchange No. 2668

APPROVED

1. Name of Right Holder	Fremont-Madison Irrigation District
Post office address	P.O. Box 5, St. Anthony, Idaho 83445

a. Decree to _____ in Case of _____
(Name)

vs. _____, Dated _____ in _____
(Name of Court)

Court, County of _____ Fully describe decree _____

3. Source of water Island Park Reservoir tributary to Henry's Fork Snake River
(Name of stream or source)

5. Amount of water a. ~~A. 114,000~~ c.f.s. and/or 2156.
b. B. 21,000 acre feet/annum

_____ from _____ to _____
(Purpose) (Month-Day) (Month-Day)

7. Location of point of diversion is Lot 3 ~~4x~~ $\frac{1}{4}$ of Section 28,
Township 13N, Range 43E, B.M., in Fremont County;
Additional points of diversion, if any _____

[illegible]

Total number of acres to be irrigated _____

DESCRIBE RIGHT HELD BY USER WITH WHOM YOU WISH TO EXCHANGE WATER

9. Name of Right Holder Squirrel Creek Canal

Post office address Ashton, Idaho 83420

10. Source of water Squirrel Creek tributary to Conant Creek
(Name of stream or source)

(Name of stream or source)

11. Name of canal or ditch Squirrel Creek Canal

12. Amount of water a. _____ c.f.s. and/or

b. 240 acre feet/annum

13. Right obtained by:

a. Decree to _____ in Case of _____
(Name)

(Name)

vs. _____, Dated _____ in _____
(Name of Court)

(Name of Court)

Court, County of _____ . Fully describe decree (if known) _____

b. Permit, License, or Claim No. _____ in the records of the Department of Reclamation.

EXCHANGE (Allow 202.7 AF for 21-2156M and 37.3 AF for 21-2157H). DZT 3-4-83

14. _____ c.f.s and/or 240 acre feet per annum of water diverted at the point described in line 7 and will be delivered into Henrys Fork at a point in Lot 3 ~~xx~~ ~~xx~~ of Section 28, Township 13N, Range 43E, B.M., in Fremont County; Additional points, if any _____

15. In lieu thereof c.f.s. and/or 240 acre feet per annum will be diverted from Squirrel Creek at a point within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3, Township 8N, Range 44E, B.M., in Fremont County.

16. Explanation	Priority of Exchange - 140 Acre Feet	June 1956
	100 Acre Feet	June 1938.

Place of Use: Lands watered under the Squirrel Creek Canal (Legal attache

In the space below draw a sketch map showing your point of diversion under the exchange, where you will return the replacement water, land irrigated, and the general location of your conveyance system. Include any other information which would help in understanding the proposed exchange.

MICROFILMED

I hereby assert that no one will be injured by such exchange and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

J. May Mortimer
(Signature of Applicant)

Subscribed and sworn to before me this 7th day of March, 19 80.

Dale L. Swensen
(Notary Public)

My commission expires life

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I have examined Application for Exchange of Water No. 21-2156M/2157H and said application is hereby Approved.

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

1. A measuring device of a type approved by the Dept. shall be permanently installed & maintained as part of the diverting works for the points of diversion specified in items 14 & 15 of the exchange. 2. The use of storage water under this exchange is subject to control by the watermaster of State Water District 01, Snake River. 3. Storage water under this exchange shall be delivered after all other natural flow rights in effect at that time on Conant Creek & Tributaries.

Witness my hand this 8th day of March, 19 83.

L. Glen Saxton
L. Glen Saxton
Chief Operations Bureau

FOR DEPARTMENT USE ONLY

Received by fw Date 3/11/80 Time 12:00 Preliminary check by _____
Fee \$ 35.00 Receipted by fw Date 4/1/80 #13906 Publication prepared by kw
Date 4/10/80 Published in Ashton Herald Dates 4/17 & 4/24/80
Affidavit of Publication received 4-30-1980 Publication approved by J/L
Republished Dates _____

Protestant	Address	Date Filed	Copies Forwarded by	Date	Action Taken

Agreement needed _____ Agreement received _____
Hearings held at _____ Date _____
Recommended for approval denial by SNC DLT
(Title)

RECEIVED

Exchange No. 2667

21-2157

APPROVED

1. Name of Right Holder	Fremont-Madison Irrigation District
Post office address	P.O. Box 5, St. Anthony, Idaho 83445

a. Decree to _____ in Case of _____
(Name)

vs. _____, Dated _____ in _____
(Name of Court)

Court, County of _____ . Fully describe decree _____

~~A. 21-2156~~

(Name of stream or source)

4. Date of Priority of Right B. 3/14/35 - Palisades contracts provide that

21-2157 shall be considered same as
c.f.s. and/or 2156.

5. Amount of water a. ~~A. 114,000~~ c.f.s. and/or
b. B. 21,000 acre feet/annum

6. Water is used for Irrigation from Jan. 1 to Dec. 31
(Purpose) (Month-Day) (Month-Day)

_____ from _____ to _____
(Purpose) (Month-Day) (Month-Day)

7. Location of point of diversion is Lot 3 ~~xx~~ $\frac{1}{4}$ of Section 28,
Township 13N, Range 43E, B.M., in Fremont County;
Additional points of diversion, if any

8. Lands irrigated or place of use:

[illegible]

Total number of acres to be irrigated_____

Micro-Enterprises

Microfilm

I hereby assert that no one will be injured by such exchange and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

J. Glen Saxton
(Signature of Applicant)

Subscribed and sworn to before me this 7th day of March, 19 80.

Dale L. Swenson
(Notary Public)

My commission expires life

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I have examined Application for Exchange of Water No. 21-2156L/2157G and said application is hereby Approved.

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

1. A measuring device of a type approved by the Dept. shall be permanently installed & maintained as part of the diverting works for the points of diversion specified in items 14 & 15 of the exchange. 2. The use of storage water under this exchange is subject to control by the watermaster of State Water District 01, Snake River. 3. Storage water under this exchange shall be delivered after all other natural flow rights in effect at that time on Falls River.

Witness my hand this 8th day of March, 19 83.

L. Glen Saxton
L. Glen Saxton
Chief Operations Bureau

FOR DEPARTMENT USE ONLY

Received by kw Date 3/11/80 Time 12:00 Preliminary check by _____
Fee \$ 35.00 Receipted by kw Date 4/1/80 # 13903 Publication prepared by kw
Date 4/10/80 Published in Ashton Herald Dates 4/17 & 4/24/80
Affidavit of Publication received 4-30-1980 Publication approved by JH
Republished Dates _____

Protests Filed By: _____

Copies
Forwarded

Protestant	Address	Date Filed	by	Date	Action Taken
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Agreement needed _____ Agreement received _____

Hearings held at _____ Date _____

Recommended for approval denial by EMC DPA

(Title)

DESCRIBE RIGHT HELD BY USER WITH WHOM YOU WISH TO EXCHANGE WATER

9. Name of Right Holder Donald Potter
Post office address Chester, Idaho 83421

10. Source of water Falls River tributary to Henry's Fork Snake River
(Name of stream or source)

11. Name of canal or ditch _____

12. Amount of water a. _____ c.f.s. and/or
b. 50 _____ acre feet/annum

13. Right obtained by:

a. Decree to _____ in Case of _____
(Name)

vs. _____, Dated _____ in _____
(Name of Court)

Court, County of _____ . Fully describe decree (if known)

b. Permit, License, or Claim No. _____ in the records of the Department of Reclamation.

EXCHANGE (Allow 42.2 AF for 21-2156K and 7.8 AF for 21-2157F) DNR 3-4-83

14. _____ c.f.s and/or _____ 50 _____ acre feet per annum of water diverted at the point described in line 7 and will be delivered into Henry's Fork Snake River point in Lot 3 ~~xx~~ $\frac{1}{4}$ of Section 28, Township 13N, Range 43E, B.M., in Fremont County; Additional points, if any

15. In lieu thereof _____ c.f.s. and/or 50 _____ acre feet per annum will be diverted from Falls River at a point within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 21, Township 8N, Range 42E, B.M., in Fremont County.

16. Explanation Priority of June 1957
Place of Use - NE $\frac{1}{2}$ Sec. 29, T.8N., R.42E., Fremont County.
Taken by pump

In the space below draw a sketch map showing your point of diversion under the exchange, where you will return the replacement water, land irrigated, and the general location of your conveyance system. Include any other information which would help in understanding the proposed exchange.

[illegible]

MICROFILMED

I hereby assert that no one will be injured by such exchange and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

J. May Mortensen
(Signature of Applicant)

Subscribed and sworn to before me this 7th day of March, 19 80.

Dale Z. Swenson
(Notary Public)

My commission expires life

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I have examined Application for Exchange of Water No. 21-2156K/2157F and said application is hereby Approved.

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

1. A measuring device of a type approved by the Dept. shall be permanently installed & maintained as part of the diverting works for the points of diversion specified in items in 14 & 15 of the exchange. 2. The use of storage water under this exchange is subject to control by the watermaster of State Water District 01, Snake River. 3. Storage water under this exchange shall be delivered after all other natural flow rights in effect at that time on Fall River.

Witness my hand this 8th day of March, 19 83.

L. Glen Saxton
L. Glen Saxton
Chief Operations Bureau

FOR DEPARTMENT USE ONLY

Received by EW Date 3/11/80 Time 12:00 Preliminary check by _____
Fee \$ 35.00 Received by EW Date 4/1/80 # 3903 Publication prepared by kw
Date 4/10/80 Published in Ashton Herald Dates 4/17 & 4/24/80
Affidavit of Publication received 4-30-1980 Publication approved by JW

Republished Dates _____

Protests Filed By:

Copies
Forwarded

Protestant	Address	Date Filed	by	Date	Action Taken
------------	---------	------------	----	------	--------------

Agreement needed _____ Agreement received _____

Hearings held at _____ Date _____

Recommended for approval denial by MMC DMT

(Title)

RECEIVED

* Palisades contracts provide that 21-2157
priority shall be considered same as 21-2156. Total number of acres to be irrigated _____

USER WITH WHOM YOU WISH TO EXCHANGE WATER

9. Name Laird & Sons
 Post office address % J. A. Laird, DuBois, Idaho 83423
10. Source of water Twin Creek tributary to North Fork Snake River
 (Name of stream or source)
11. Name of canal or ditch _____
12. Amount of water a. _____ c.f.s. and/or
 b. 50 acre feet/annum
13. Right obtained by: No Specific Right
 a. Decree to _____ in Case of _____
 (Name)
 vs. _____, Dated _____ in _____
 (Name of Court)
 Court, County of _____. Fully describe decree (if known) _____

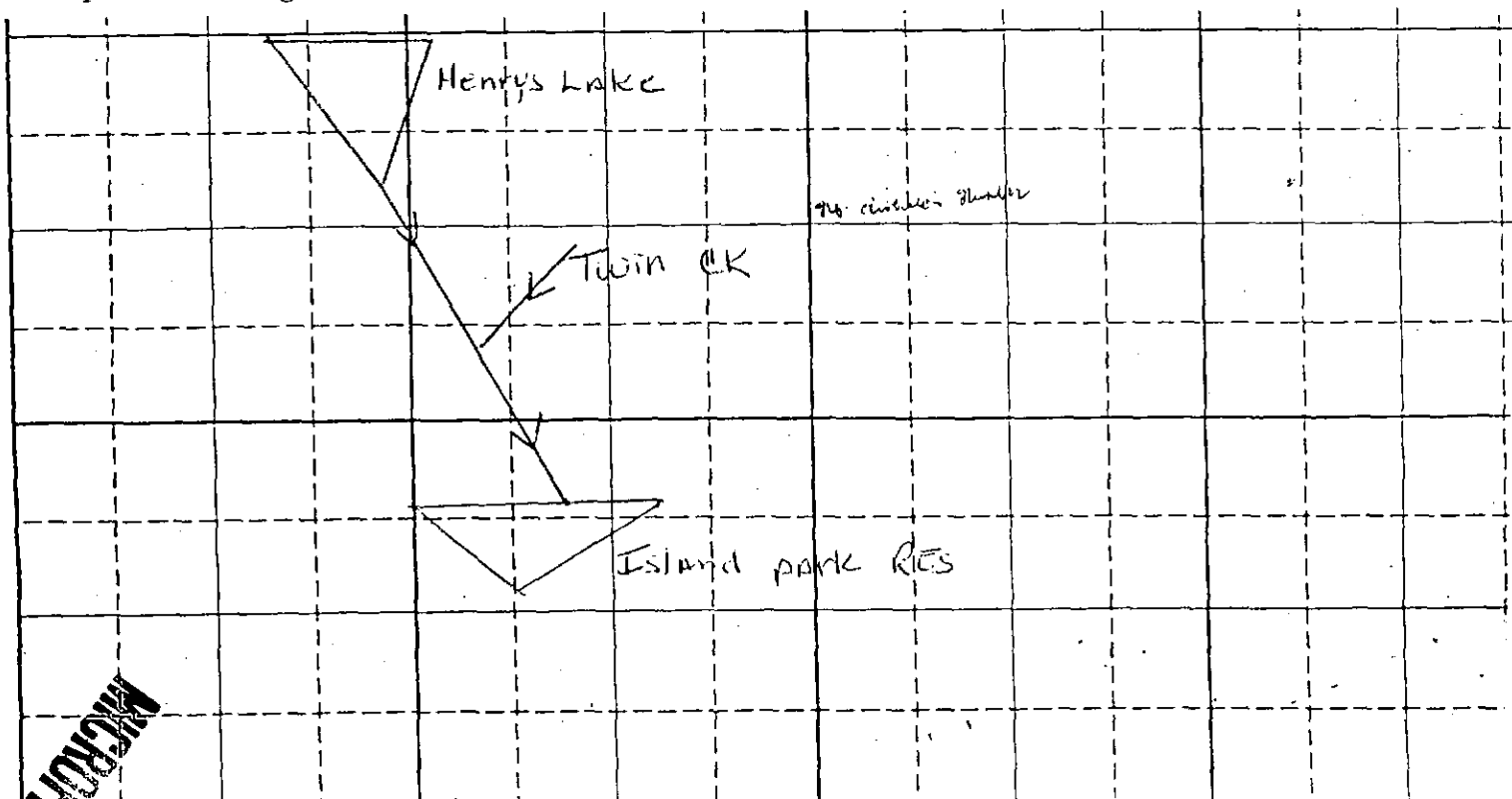
 b. Permit, License, or Claim No. _____ in the records of the Department of Reclamation.

EXCHANGE (Allow 42.2 AF for 21-2156J and 7.8 AF for 21-2157E) DRT 3-4-83

14. _____ c.f.s and/or 50 acre feet per annum of water diverted at the point described in line 7 and will be delivered into _____ at a point in Lot 3 $\frac{1}{4}$ $\frac{1}{4}$ of Section 28, Township 13N, Range 43E, B.M. in Fremont County; Additional points, if any _____
15. In lieu thereof _____ c.f.s. and/or 50 acre feet per annum will be diverted from Twin Creek at a point within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 36 Township 15N, Range 43E, B.M., in Fremont County.
16. Explanation Priority of exchange purchased June 1, 1953

Place of Use: NW $\frac{1}{4}$, Sec. 36, T. 15N, R. 43E *

In the space below draw a sketch map showing your point of diversion under the exchange, where you will return the replacement water, land irrigated, and the general location of your conveyance system. Include any other information which would help in understanding the proposed exchange.



I hereby assert that no one will be injured by such exchange and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

Chairman of the Board, [Signature]
(Signature of Applicant)

Subscribed and sworn to before me this 18 day of September, 19 79.

[Signature]
(Notary Public)

My commission expires life

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I have examined Application for Exchange of Water No. 21-2156J/2157E and said application is hereby approved.

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

- (1) The storage water used through this exchange shall be delivered after all natural flow rights on Twin Creek in effect at the time.
(2) A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works on Twin Creek. (3) Use of water under this exchange is subject to control by the watermaster of State Water District No. 1, Snake River.

Witness my hand this 8th day of March, 19 83.

[Signature]
L. Glen Saxton
Chief Operations Bureau

FOR DEPARTMENT USE ONLY

Received by dh Date 10-02-79 Time 11:30 a.m. Preliminary check by ARK
Fee \$ 35.00 Receipted by dh Date 10-02-79 #13733 Publication prepared by caj
Date 10-11-79 Published in Ashtone Herald Dates 10/18 & 10/25/79
Affidavit of Publication received 10-31-79 Publication approved by gp
Republished Dates _____

Protests Filed By:		Copies Forwarded			
Protestant	Address	Date Filed	by	Date	Action Taken

Agreement needed _____ Agreement received _____
Hearings held at _____ Date _____
Recommended for approval denial by Jin DRT
(Title)

RECEIVED

* Palisades contracts provide that 21-2157 priority shall be considered same as 21-2156. Total number of acres to be irrigated _____

USER WITH WHOM YOU WISH TO EXCHANGE WATER

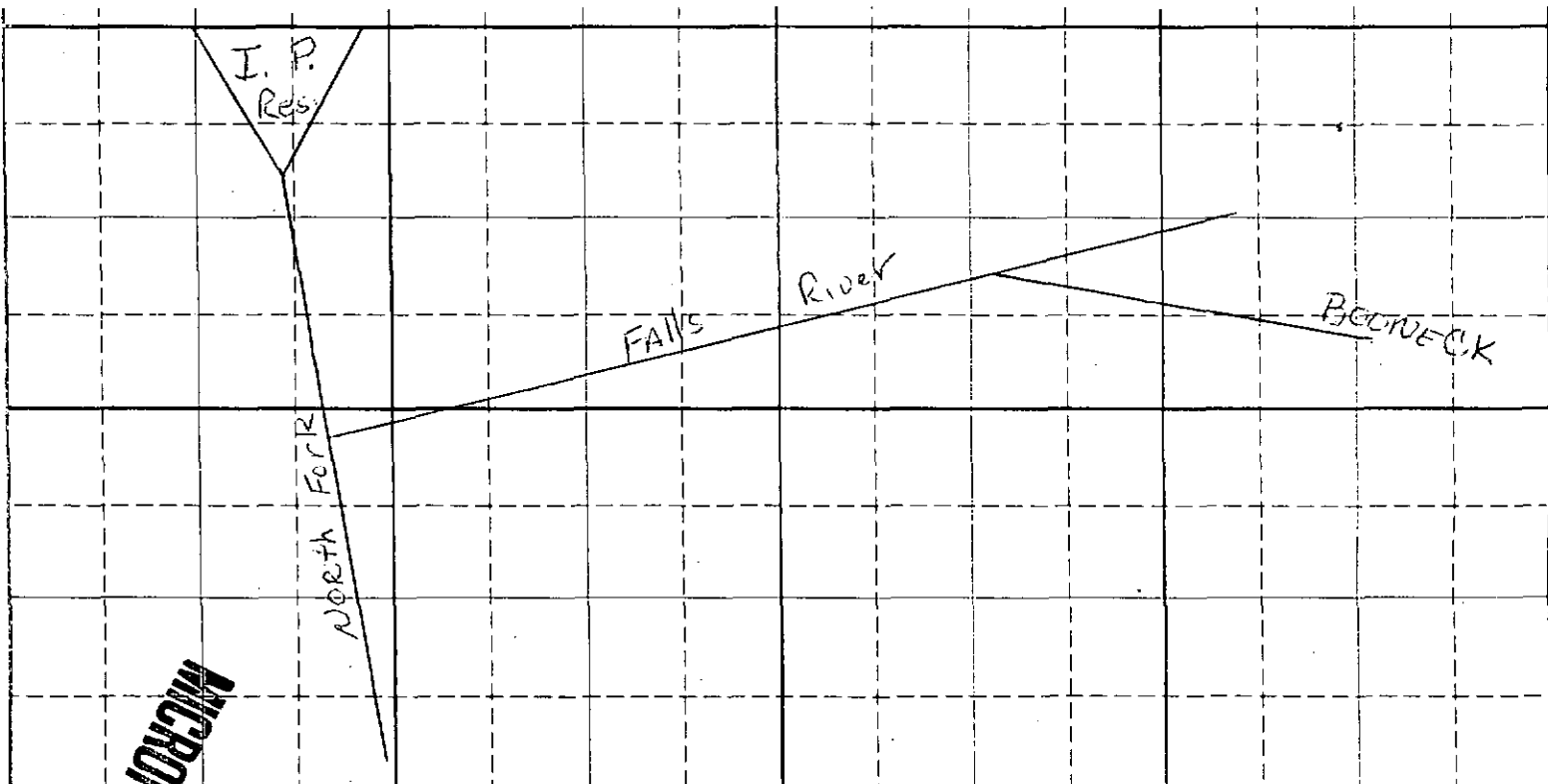
9. Name Boom Creek Canal Co.
 Post office address P.O. Box 86, Ashton Id. 83420
10. Source of water Boon Creek tributary to Falls River
 (Name of stream or source)
11. Name of canal or ditch _____
12. Amount of water a. _____ c.f.s. and/or
 b. 860 acre feet/annum
13. Right obtained by: No specific Right
 a. Decree to _____ in Case of _____
 (Name)
 vs. _____, Dated _____ in _____
 (Name of Court)
 Court, County of _____. Fully describe decree (if known) _____

- b. Permit, License, or Claim No. _____ in the records of the Department of Reclamation.

EXCHANGE (Allow 726.2 AF for 21-2156H and 133.8 AF for 21-2157D) 3-4-83

14. _____ c.f.s and/or 860 acre feet per annum of water diverted at the point described in line 7 and will be delivered into Snake River, North Fork at a point in Lot 3 $\frac{1}{4}$ of Section 28, Township 13N, Range 43E, B.M., in Fremont County; Additional points, if any _____
15. In lieu thereof _____ c.f.s. and/or 860 acre feet per annum will be diverted from Boom Creek at a point within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 4, Township 8N, Range 45E, B.M., in Fremont County.
16. Explanation Priority of exchange - 60 acre feet - purchased June 1, 1956.
800 acre feet - purchased June 1, 1975 *

In the space below draw a sketch map showing your point of diversion under the exchange, where you will return the replacement water, land irrigated, and the general location of your conveyance system. Include any other information which would help in understanding the proposed exchange.



* Place of use within lands of Fremont-Madison Irrigation District

DRT 12/27/79

I hereby assert that no one will be injured by such exchange and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

Chairman of the Board,

(Signature of Applicant)

Subscribed and sworn to before me this 18 day of September, 1979.

(Notary Public)

My commission expires life

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I have examined Application for Exchange of Water No. 21-2156H/2157D and said application is hereby approved.

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

(1) The storage water used through exchange shall be delivered after all natural flow rights in effect at the time. (2) A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works for Boom Creek Canal Co. (3) Use of water under this exchange is subject to control by the watermaster of State Water District No. 1, Snake River.

Witness my hand this 9 day of March, 1983.

L. Glen Saxton
Chief Operations Bureau

FOR DEPARTMENT USE ONLY

Received by dh Date 10-01-79 Time 11:30 a.m. Preliminary check by ARK
Fee \$ 35.00 Receipted by dh Date 10-02-79 Publication prepared by cw
Date 10-11-79 Published in Astoria Herald Dates 10/8 & 10/25/79
Affidavit of Publication received 10-31-79 Publication approved by JLD
Republished Dates

Protests Filed By:

Copies
Forwarded

Protestant Address Date Filed by Date Action Taken

Agreement needed Agreement received

Hearings held at Date

Recommended for approval denial by J.J. DRI

(Title)

Identification No.

21-2156/

21-2157

Exchange No. 2372

APPROVED

APPLICANT'S RIGHT - Describe the water right under which you wish to exchange water

1. Name of Right Holder Fremont-Madison County Irrigation District
Post office address Box 5, St. Anthony, ID
2. Right obtained by:
a. Decree to _____ in Case of _____
(Name)
vs. _____, Dated _____ in _____
(Name of Court)
Court, County of _____. Fully describe decree _____

- b. Permit, License, or Claim No. A. 21-2156
B. 21-2157 in the records of the Department of
Reclamation.
3. Source of water Island Park Reservoir tributary to Henry's Fork Snake River
(Name of stream or source)
4. Date of Priority of Right A. 3/14/35
B. 6/12/40*
5. Amount of water a. _____ c.f.s. and/or
b. A. 114,000
B. 21,000 acre feet/annum
6. Water is used for Irrigation from April 1 to Nov 1
(Purpose) (Month-Day) (Month-Day)
_____ from _____ to _____
(Purpose) (Month-Day) (Month-Day)
7. Location of point of diversion is Lot 3 $\frac{1}{4}$ $\frac{1}{4}$ of Section 28,
Township 13N, Range 43E, B.M., in Fremont County;
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

[illegible]

* Palisades contracts provide that 21-2157 priority shall be considered same as 21-2156. Total number of acres to be irrigated _____

USER WITH WHOM YOU WISH TO EXCHANGE WATER

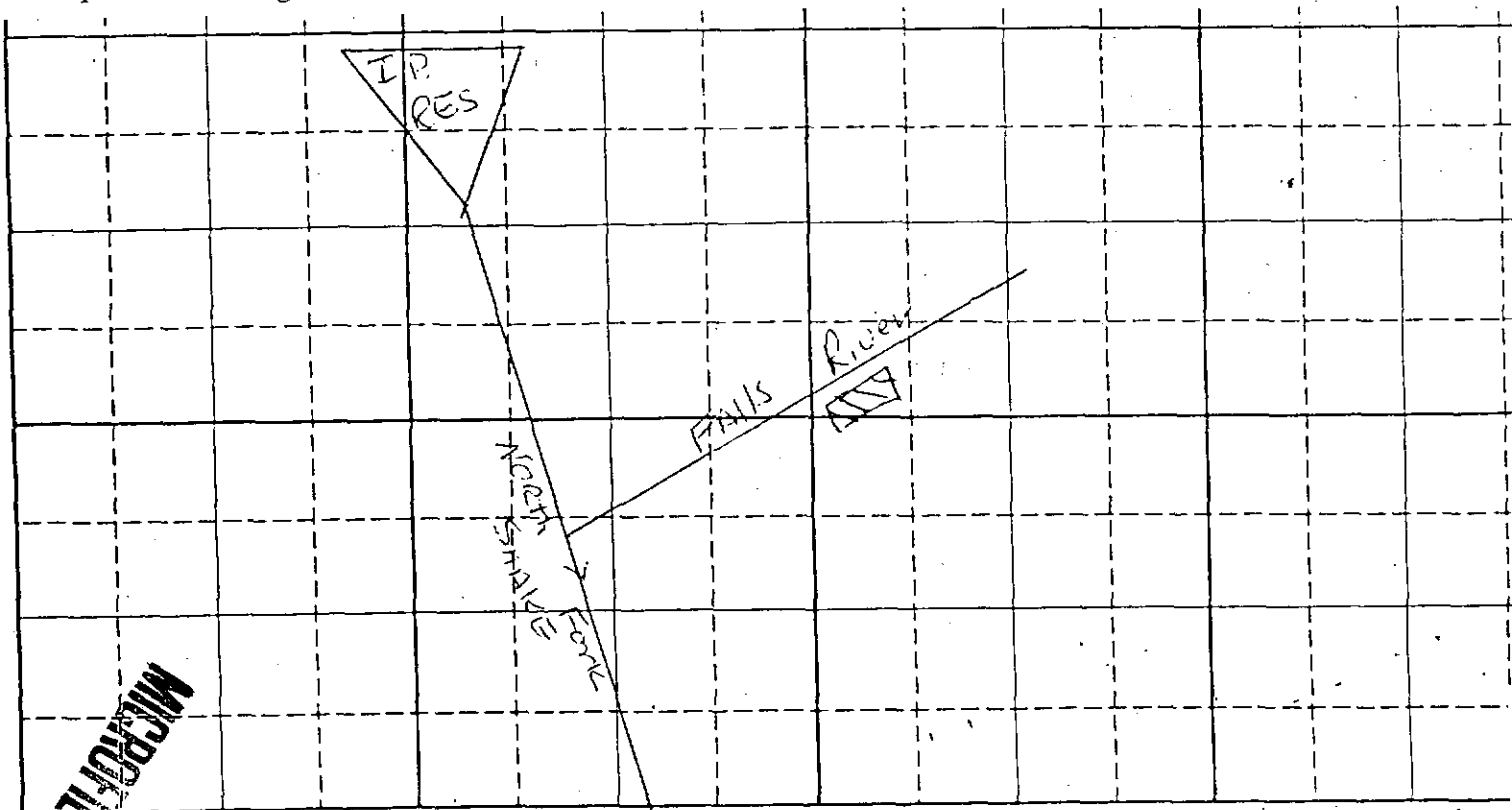
9. Name David P. Reinke
 Post office address P.O. Box 41 Ashton, ID 83420
10. Source of water Falls River tributary to North Fork of the Snake River
 (Name of stream or source)
11. Name of canal or ditch _____
12. Amount of water a. _____ c.f.s. and/or
 b. 100 acre feet/annum
13. Right obtained by:
 a. Decree to _____ in Case of _____
 (Name)
 vs. _____, Dated _____ in _____
 (Name of Court)
 Court, County of _____. Fully describe decree (if known) _____

 b. Permit, License, or Claim No. _____ in the records of the Department of Reclamation.

EXCHANGE (Allow 84.4 AF for 21-2156G and 15.6 AF for 21-2157C)

14. _____ c.f.s and/or 100 acre feet per annum of water diverted at the point described in line 7 and will be delivered into North Fork Snake at a point in Lot 3 $\frac{1}{4}$ $\frac{1}{4}$ of Section 28, Township 13N, Range 43E, B.M. in Fremont County; Additional points, if any _____
15. In lieu thereof _____ c.f.s. and/or 100 acre feet per annum will be diverted from Falls River at a point within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 4 Township 8N, Range 43E, B.M., in Fremont County.
16. Explanation Priority of exchange June 1, 1975
Place of Use S $\frac{1}{2}$ NE $\frac{1}{4}$, 29 AC. NE $\frac{1}{4}$ SE $\frac{1}{4}$, 40 AC. SW $\frac{1}{4}$ NW $\frac{1}{4}$ 3AC. Sec. 3 T. 8N, R. 43E/ *

In the space below draw a sketch map showing your point of diversion under the exchange, where you will return the replacement water, land irrigated, and the general location of your conveyance system. Include any other information which would help in understanding the proposed exchange.



Place of use within lands of Freemont-Madison Irrigation District

DRT. 12/27/79.

I hereby assert that no one will be injured by such exchange and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

Chairman of the Board, J. Max Johnston
(Signature of Applicant)

Subscribed and sworn to before me this 18 day of September, 19 79.

Nelson Johnson
(Notary Public)

My commission expires life

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I have examined Application for Exchange of Water No. 21-21566/2157C and said application is hereby approved.

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

(1) The storage water used through exchange shall be delivered after all natural flow rights in effect at the time. (2) A totalizing measuring device of a type approved by this Department shall be permanently installed and maintained in the SE 1/4 NE 1/4, Sec. 4, Twp. 3N, Rge. 43E, as part of the diverting works. (3) The use of water under this exchange is subject to control of the watermaster of State Water District No. 1, Snake River.

Witness my hand this 8th day of March, 19 83.

L. Glen Saxton
L. Glen Saxton
Chief Operations Bureau

FOR DEPARTMENT USE ONLY

Received by dh Date 10-01-79 Time 11:30 a.m. Preliminary check by ARK
Fee \$ 35.00 Receipted by DH Date 10-02-79 Publication prepared by CU
Date 10-11-79 Published in Ashton Herald Dates 10/18 + 10/25/79
Affidavit of Publication received 10-31-79 Publication approved by J.D
Republished Dates

Protests Filed By:			Copies Forwarded		
Protestant	Address	Date Filed	by	Date	Action Taken

Agreement needed Agreement received
Hearings held at Date
Recommended for approval denial by J. M. DET
(Title)

RECEIVED

Identification No.

Exchange No. 2371

APPROVED

AMENDED

1. Name of Right Holder Fremont-Madison County Irrigation District
Post office address Box 5, St. Anthony, ID

a. Decree to _____ in Case of _____
(Name)

vs. _____, Dated _____ in _____
(Name of Court)

Court, County of _____ . Fully describe decree _____

A. 21-2156

3. Source of water Island Park Reservoir tributary to Henry's Fork Snake River
(Name of stream or source)

A. 3/14/35

B. 6/12/40 *

a. _____ c.f.s. and/or _____

b. A. 114,000
B. 21,000 acre feet/annum

6. Water is used for Irrigation from April 1 to Nov 1
(Purpose) (Month-Day) (Month-Day)

from to
(Purpose) (Month-Day) (Month-Day)

7. Location of point of diversion is Lot 3 $\frac{1}{4}$ $\frac{1}{4}$ of Section 28,
Township 13N, Range 43E, B.M., in Fremont County;
Additional points of diversion, if any

8. Lands irrigated or place of use:

LANDS WITHIN FREMONT IRRIGATION DISTRICT

*Palisades contract provide that 21-2157 priority shall be considered same as 21-2156. Total number of acres to be irrigated_____

USER WITH WHOM YOU WISH TO EXCHANGE WATER

9. Name KEITH NYBORG

Post office address Rt. #2, Ashton, Idaho 83420

10. Source of water Conant Creek tributary to North Fork Snake River
(Name of stream or source)

11. Name of canal or ditch _____

12. Amount of water a. _____ c.f.s. and/or

b. 230 acre feet/annum

13. Right obtained by: No specific right

a. Decree to _____ in Case of _____
(Name)

vs. _____, Dated _____ in _____
(Name of Court)

Court, County of _____. Fully describe decree (if known) _____

b. Permit, License, or Claim No. _____ in the records of the Department of Reclamation.

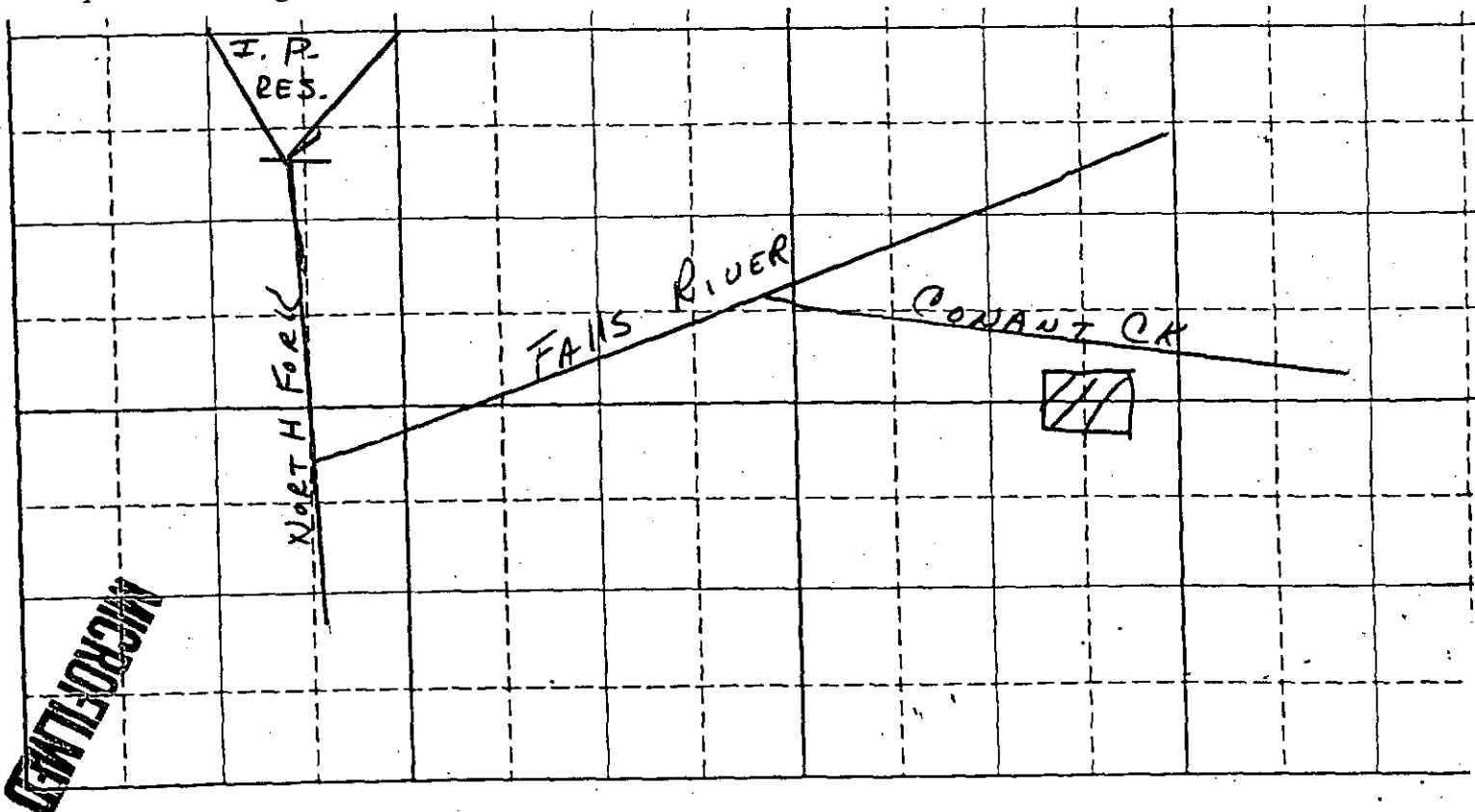
EXCHANGE (Allow 194.2 AF for 21-2156F and 35.8 AF for 21-2157B) DER 3-7-83

14. _____ c.f.s and/or 230 acre feet per annum of water diverted at the point described in line 7 and will be delivered into North Fork Snake at a point in Lot 3 ~~XX~~ ~~XX~~ of Section 28, Township 13N, Range 43E, B.M. in Fremont County; Additional points, if any _____

15. In lieu thereof _____ c.f.s. and/or 230 acre feet per annum will be diverted from Conant Creek at a point within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 29 Township 8N, Range 44E, B.M., in Fremont County.

16. Explanation 230 AF storage exchanged for 230 AF Conant Creek taken by pump for Keith Nyborg. Priority of Exchange 200 AF - 6-01-1975; 30 AF - 3-14-35.

In the space below draw a sketch map showing your point of diversion under the exchange, where you will return the replacement water, land irrigated, and the general location of your conveyance system. Include any other information which would help in understanding the proposed exchange.



I hereby assert that no one will be injured by such exchange and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

J. Glen Saxton
(Signature of Applicant)

Subscribed and sworn to before me this 14th day of November, 1979.

Dale L. Swensen
(Notary Public)

My commission expires life

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I have examined Application for Exchange of Water No. 21-2156F/2157B and said application is hereby Approved.

1. Approval of said application is subject to the following limitations and conditions: _____
1. A measuring device of a type approved by the Dept. shall be permanently installed & maintained as part of the diverting works for the points of diversion specified in items 14 & 15 of the exchange. 2. The use of storage water under this exchange is subject to control by the watermaster of State Water District 01, Snake River. 3. Storage water under this exchange shall be delivered after all other natural flow rights in effect at that time on Conant Creek.

Witness my hand this 8th day of March, 1983.

L. Glen Saxton
L. Glen Saxton
Chief Operations Bureau

FOR DEPARTMENT USE ONLY

Received by OW Date 11-15-79 Time 11:10 A Preliminary check by BR
Fee \$ 20⁰⁰ Receipted by OW Date 11-15-79 Publication prepared by OW
Date 11-15-79 Published in Ashton World Dates Nov 22 & 29-1979
Affidavit of Publication received _____ Publication approved by _____
Republished Dates _____

Protests Filed By:

Protestant	Address	Date Filed	Copies Forwarded by	Date	Action Taken

Agreement needed _____ Agreement received _____
Hearings held at _____ Date _____
Recommended for approval denial by DW
(Title)

RECEIVED

Identification No. 21-2157

Exchange No. 2370

APPROVED

APPLICANT'S RIGHT - Describe the water right under which you wish to exchange water

1. Name of Right Holder Fremont-Madison County Irrigation District
Post office address Box 5, St. Anthony, ID
2. Right obtained by:
a. Decree to _____ in Case of _____
(Name)
vs. _____, Dated _____ in _____
(Name of Court)
Court, County of _____. Fully describe decree _____

_____ A. 21-2156
b. Permit, License, or Claim No. B. 21-2157 in the records of the Department of
Reclamation.
3. Source of water Island Park Reservoir tributary to Henry's Fork Snake River
(Name of stream or source)
A. 3/14/35
4. Date of Priority of Right B. 6/12/40 *
5. Amount of water a. _____ c.f.s. and/or
b. A. 114,000
B. 21,000 acre feet/annum
6. Water is used for Irrigation from April 1 to Nov 1
(Purpose) (Month-Day) (Month-Day)
_____ from _____ to _____
(Purpose) (Month-Day) (Month-Day)
7. Location of point of diversion is Lot 3 $\frac{1}{4}$ $\frac{1}{4}$ of Section 28,
Township 13N, Range 43E, B.M., in Fremont County;
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

[illegible]

* Palisades contracts provide that 21-2157 priority shall be considered same as 21-2156. Total number of acres to be irrigated _____

USER WITH WHOM YOU WISH TO EXCHANGE WATER

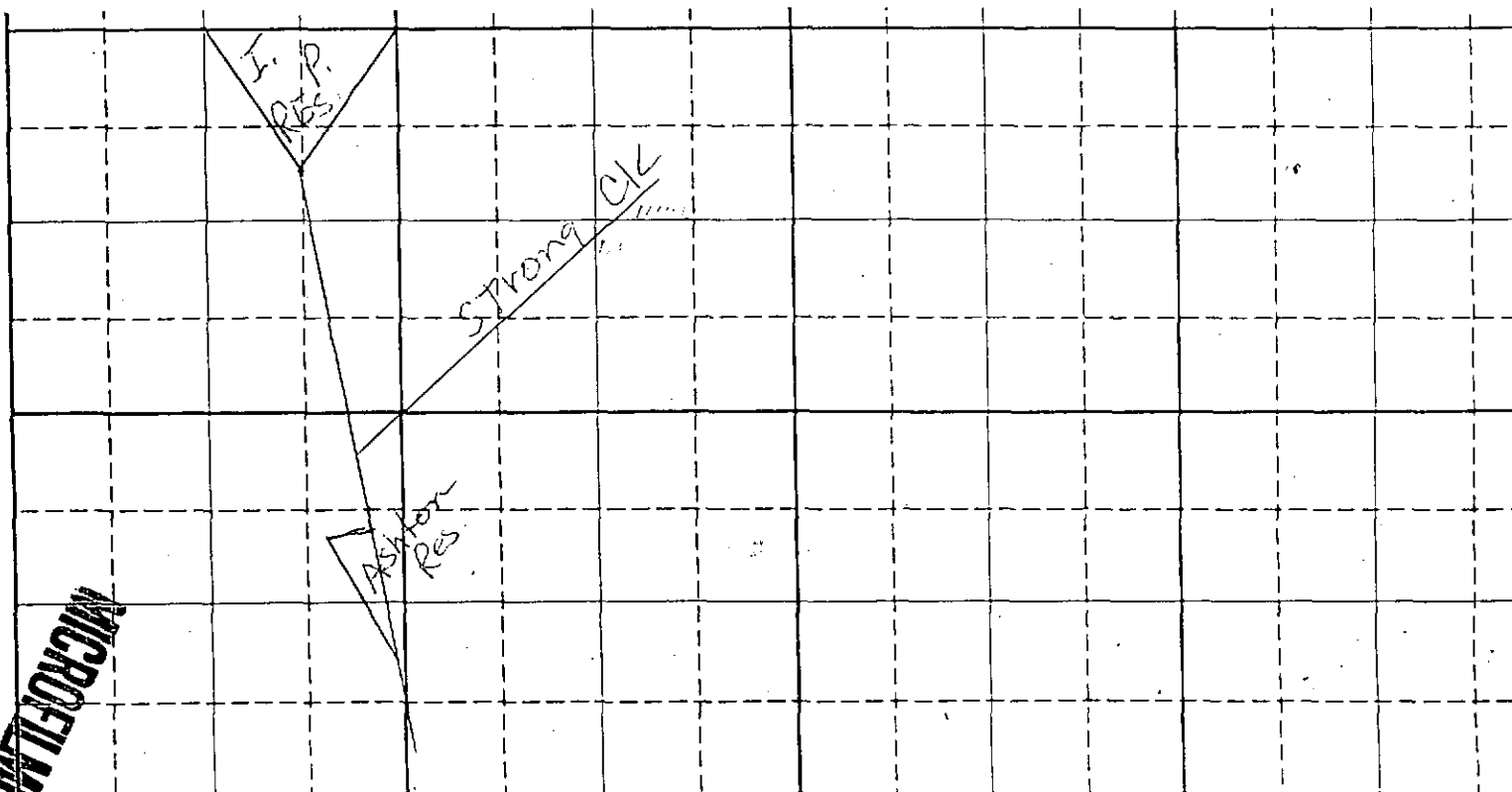
9. Name Edward Howell
 Post office address Box 216 Ashton Id. 83420
10. Source of water Strong Creek tributary to North Fork Snake River
 (Name of stream or source)
11. Name of canal or ditch _____
12. Amount of water a. _____ c.f.s. and/or
 b. 100 acre feet/annum
13. Right obtained by: No specific Right
 a. Decree to _____ in Case of _____
 (Name)
 vs. _____, Dated _____ in _____
 (Name of Court)
 Court, County of _____. Fully describe decree (if known) _____

 b. Permit, License, or Claim No. _____ in the records of the Department of
 Reclamation.

EXCHANGE (Allow 84.4 AF for 21-2156E and 15.6 AF for 21-2157A) DM 3-4-83

14. _____ c.f.s and/or 100 acre feet per annum of water diverted at the
 point described in line 7 and will be delivered into North Fork Snake River at a point in
Lot 3 $\frac{1}{4}$ $\frac{1}{4}$ of Section 28, Township 13N, Range 43E, B.M.
 in Fremont County; Additional points, if any _____
15. In lieu thereof _____ c.f.s. and/or 100 acre feet per annum will be diverted
 from Strong Creek at a point within the NE $\frac{1}{4}$ SE & NWSE $\frac{1}{4}$ of Section 17,
 Township 9N, Range 43E, B.M., in Fremont County.
16. Explanation Priority of exchange 100 AF purchased June 1, 1956
100 AF I.P. storage exchanges for 100 AF Strong Creek taken by pump for Edward Howell
in all of Sec. 17, T. 9N, R. 43E. *

In the space below draw a sketch map showing your point of diversion under the exchange, where you will return the replacement water, land irrigated, and the general location of your conveyance system. Include any other information which would help in understanding the proposed exchange.



* Place of use within lands of Fremont-Madison Irrigation District
 DRT 12/27/79

I hereby assert that no one will be injured by such exchange and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

Chairman of the Board,

(Signature of Applicant)

Subscribed and sworn to before me this 18 day of September, 19 79.

(Notary Public)

My commission expires life

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I have examined Application for Exchange of Water No. 21-2156E/2157A and said application is hereby approved.

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

(1) The storage water used through this exchange shall be delivered after all natural flow rights on Strong Creek in effect at the time. (2) A totalizing measuring device of a type approved by this Department shall be permanently installed and maintained in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, and NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, Twp. 9N, Rge. 43E, as part of the diverting works. (3) Use of water under this exchange is subject to control by the watermaster of State Water District No. 1, Snake River.

Witness my hand this 8th day of March, 19 83.

L. Glen Saxton
Chief Operations Bureau

FOR DEPARTMENT USE ONLY

Received by dh Date 10-01-79 Time 11:30 a.m. Preliminary check by ARK

Fee \$ 35.00 Received by dh Date 10-02-79 Publication prepared by aw

Date 10-11-79 Published in Ashtox Herald Dates 10/18 + 10/25/79

Affidavit of Publication received 10-31-79 Publication approved by JD

Republished Dates _____

Protests Filed By:

Copies
Forwarded

Protestant	Address	Date Filed	by	Date	Action Taken
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Agreement needed _____ Agreement received _____

Hearings held at _____ Date _____

Recommended for approval denial by Jim DRT

(Title)

Final ni Lar f

REMARKS (Continued) has acquired the right to store 114,000 acre feet in the reservoir on the North Fork of Snake River described above, and this application is for 21,000 acre feet in addition to the same. (See Permit No. R-590).

IN TESTIMONY WHEREOF, We, C. A. BOTTOLFSSEN, Governor of the State of Idaho, and GEO. H. CURTIS, 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 28th day of September, 1940.

(Seal)

Countersigned:
By GEO. H. CURTIS
Secretary of State.

STATE OF IDAHO
By C. A. BOTTOLFSSEN
Governor

PERMIT NO. R-656

CERTIFICATE OF COMPLETION OF RESERVOIR AND RIGHT TO STORE WATER

Amount 21,000 Acre Feet

Priority June 12, 1940

This is to certify that UNITED STATES OF AMERICA, C/o Bureau of Reclamation, of Burley, County of Cassia, and State of Idaho, the holder of Permit No. R-686, issued upon Application No. R-26412, bearing date of priority of June 12, 1940, authorizing the construction of a reservoir and the right to store the waters of North Fork (Henry's Fork) Of Snake River, a tributary of Snake River, County of Fremont, State of Idaho, for irrigation and domestic purposes, has fully complied with the laws of the State of Idaho relating to the proof of completion of the works as set out and described in said Permit; that said works are adequate for the storage of 21,000 acre feet of water annually; that the location of the outlet of said reservoir is in Lot 3 of Section 28, Township 13 North, Range 43 East, Boise Meridian; that a right to store the said waters has been perfected in accordance with the laws of Idaho and is hereby confirmed by the State Reclamation Engineer and entered of record in Volume R-3 of Permits at page 686, records of the Department of Reclamation on the 7th day of February, 1944; that the right hereby confirmed dates from June 12, 1940; and that the amount of water to which said right is, by this certificate, entitled to store annually shall not exceed 21,000 acre feet.

Witness the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 7th day of February, A. D. 1944.

JAMES SPOFFORD
State Reclamation Engineer

Proof of completion of works made June 16, 1943
Certificate of Completion of Works issued February 7, 1944.

LICENSE ISSUED FOR 21,000 AC. FT.
page 4857

**POINTS OF DIVERSION - LIST OF CANALS
INCLUDED IN PROPOSED FREMONT-MADISON IRRIGATION DISTRICT**

Name of Canal	(N):(E):	T.: R.: Sec.: 40 acres	Course and Distance	County
1 Dewey	North Fork Snake:	8 :41 :12	:S 12°30'W, 2267' from NE cor. Sec. 12	Fremont
	(Henry's Fork)	:	:	:
2 Last Chance	" "	8 :41 :14	:NW 1/4 S 58°30'W, 2470'	" 1/2 " bet. 13 & 14: "
3 St. Anthony	" "	8 :41 :33	:NE 1/4 S 45°47'W, 880'	" 1/2 " " 28 & 33: "
4 Farmers Friend	" "	8 :41 :33	:S 58°15'W, 2950'	" NE " Sec. 33: "
5 Twin Groves *	" "	8 :41 :32	:N 4°19'W, 1622'	" SE " Sec. 32: "
6 Salem Union	" "	8 :41 :32	:N 31°50'E, 2410'	" 1/2 cor. bet. 5 & 32: "
7 Egin	" "	7 :40 :1	:SW 1/4 S 58°01'E, 3530'	" NW " Sec. 1: "
8 Union	" "	7 :40 :1	:SE 1/4 N 81°02'E, 1674'	" 1/2 " bet. 1 & 2: "
9 Independent	" "	7 :40 :2	:NE 1/4 S 23°22'W, 1286'	" 1/2 " bet. 1 & 2: "
10 Consolidated	" "	7 :40 :10	:NE 1/4 N 16°27'W, 2623'	" SE " Sec. 10: "
11 Yellowstone P & I	Fall River	9 :45 :32	:SW 1/4 N 5°00'E, 1250'	" SW " Sec. 32: "
12 Harringfeldt	" "	9 :45 :31	:SE 1/4 N 81°00'E, 2604'	" SW " Sec. 31: "
13 Marysville	" "	9 :44 :35	:SE 1/4 S 42°30'E, 2100'	" NW " Sec. 35: "
14 Farmers Own	" "	9 :43 :35	:NE 1/4 S 38°50'W, 630'	" 1/4 " bet. 35 & 36: "
15 Enterprise	" "	8 :42 :22	:NE 1/4 N 50°00'E, 2200'	" SW " Sec. 22: "
16 Fall River	" "	8 :42 :29	:NE 1/4 S 82°00'W, 760'	" NE " Sec. 29: "
17 Chester	" "	8 :42 :20	:SE 1/4 SW 1/4 N 78°45'E, 2250'	" SW " Sec. 20: "
18 Kerr	" "	8 :42 :20	:NE 1/4 SW 1/4 N 9°00'E, 1660'	" SW " Sec. 20: "
19 Wilford	Teton River	7 :41 :28	:NW 1/4 S 76°30'W, 1850'	" NE " Sec. 28: "
20 Siddoway	" "	7 :41 :28	:NE 1/4 S 58°00'W, 950'	" NE " Sec. 28: "
21 Good Luck	" "	7 :41 :29	:SE 1/4 S 6°46'W, 2085'	" NE " Sec. 29: "
22 Teton Irrig. & Mfg. Co.	" "	7 :41 :28	:SW 1/4 N 32°00'E, 740'	" 1/2 " bet. 28 & 29: "
23 Pioneer	" "	7 :41 :29	:NE 1/4 S 80°30'E, 343'	" 1/2 " bet. 29 & 30: "
24 Stewart	" "	7 :41 :30	:SE 1/4 N 45°00'W, 600'	" SE " Sec. 30: "
25 Pincock-Byington	" "	7 :40 :36	:NE 1/4 S 72°11'W, 1435'	" NE " Sec. 36: "
26 Teton Island Feeder	" "	7 :40 :36	:SE 1/4 S 44°25'E, 2059'	" NW " Sec. 36: "
27 Salem Irrig.	Teton Island Feeder:	7 :40 :34	:SE 1/4 N 1°27'W, 590'	" S 1/4 " Sec. 34: Madison
28 Roxana	North Fork, Teton River:	6 :40 :6	:NE 1/4 S 80°00'W, 1200'	" NE " Sec. 6: "

*Diversion now from Farmers Friend Canal

(continued)

Canals -- Fremont-Madison Irrigation District (continued)

Name of Canal				(N)	(E)		T	R	Sec.	40 acres	Course and Distance		County
29 Island Ward	North Fork, Teton	: 6	: 40	: 6	: NW	: NE	N	44°00'	W, 2100'	from 1/4 cor. bet. 5 & 6		Madison	
30 Pincock-Garner	South Fork, "	: 7	: 40	: 36	: SW	: NE	S	45°00'	W, 2180'	" NE " Sec. 36		Fremont	
31 Woodmansee	" " "	: 6	: 40	: 1	: NE	: NW	S	71°16'	E, 1869'	" NW " Sec. 1		Madison	
32 Rexburg City	" " "	: 6	: 40	: 10	: SE	: SE	N	28°40'	W, 1334'	" SE " Sec. 10		"	
33 Rexburg Irrig.	" " "	: 6	: 40	: 20	: NE	: NE	S	37°00'	W, 1000'	" NE " Sec. 20		"	
34 Westfield	" " "	: 6	: 40	: 19	: SE	: NW	N	89°00'	E, 2550'	" 1/4 " bet. 24 & 19		"	
35 Squirrel Creek	Squirrel Creek	: 8	: 44	: 3	: SW	: SE	N	61°00'	W, 2350'	" SE " Sec. 3		Fremont	
36 Yellowstone	" "	: 8	: 44	: 8	: SE	: NE	S	23°00'	W, 1750'	" NE " Sec. 8,		"	
37 Conant Creek	Conant Creek	: 8	: 44	: 27	: SW	: NE	N	10°20'	E, 2790'	" SW " Sec. 27		Teton	
38 N. Salem Agr. & Milling	North Fork, Teton	: 7	: 40	: 33	: SE	: NW	N	1°30'	W, 3040'	" S 1/4 " Sec. 33		Fremont	
39 Cross Cut Canal	: North Fork, Snake	: 8	: 41	: 14	: NW	: SE	N	41°13'	W, 2150'	" SE " Sec. 14		"	

Date of Notice July 27 19 40
Date of Publication Aug. 8- Aug. 29 19 40
Last Date for Protest Sept. 5 19 40

IF PROTESTED

Date of Notice of Hearing _____ 19 ____
Date of Hearing _____ 19 ____
Notice of Appeal Filed _____ 19 ____

APPLICATION FOR PERMIT

To Construct a Reservoir and Store and Appropriately
The Public Waters of the State of Idaho

Application No. R 26412
Permit No. R 686

Supt. U.S. Bureau of Reclamation
Burley, Idaho
with copy to District Counsel
603 P.O. Bldg.
Portland, Oregon

I. Name of Applicant: UNITED STATES OF AMERICA, acting through B. E. Stoutemyer, District Counsel Bureau of Reclamation
Postoffice address: 603 P.O. Building, Portland County Multnomah State Oregon

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:

(Receipts from sale of public lands, repayments into the Reclamation Fund under Reclamation Act and funds allocated under provisions of

II. The financial resources of the corporation are: (the National Industrial Recovery Act- Act of June 16, 1933- 48 Stat, 195)

(a) Cash on hand: \$

(b) Treasury Stock: \$

(c) Bonds to be issued: \$

(d) Other resources:

2. Quantity of water to be stored: 21,000 Acre Feet per annum, in addition to 114,000 Acre Feet per annum under Permit No. R-590
3. Source of water supply is North Fork (Henry's Fork of Snake River) a tributary of Snake River.
4. The outlet of the proposed reservoir is located N. 12° 30' E. 1300' distant from the Southwest corner of Section 28, Township 13 N., Range 43 E., B. M. and is in the $\frac{1}{4}$ of Section 28, Township 13 N., Range 43 E., B. M. County of Fremont

5. Fill out either (a) or (b).

(a) The reservoir is located in the channel of North (Henry's) Fork of Snake River

(Creek) (River).

(b) The reservoir is to be filled through a feeder canal, the point of diversion for which is located

(bearing)

feet distant from

the corner of Section

, Township

, Range

, B. M., and is in the

$\frac{1}{4}$ of

$\frac{1}{4}$ of

Section

, Township

, Range

, B. M.; width at bottom

feet, width at top

feet, depth of water

feet; average grade per mile

feet; Capacity

cubic feet per second.

6. (a) The area of the high water line of the reservoir is 7,794 acres (at elevation 5,307)

acres.

(b) The reservoir capacity is One Hundred Thirty-five Thousand (135,000) (of main dam) 1580 feet; (of dike) 7850 feet;

acre feet.

7. Height of reservoir dam 90.5 feet, length at top / feet, length at bottom 200 feet, size of outlet 13 feet in diameter; tunnel 824 feet long

The dam is to be constructed of materials as follows: Concrete rock and earth, with an earth-fill dike in Sections 22, 27 and 28, T. 13 N., R. 43 E., Boise Meridian.

(If height will exceed 10 feet, plans must be approved by Department of Reclamation, before beginning construction.)

8. (a) Will water stored in reservoir be diverted to canal or aqueduct, thence to land to be irrigated without commingling with natural flow of North Fork of Snake River (Creek) (River)? No

8(b) Water stored in reservoir will be carried both in channel of North Fork of Snake River to headworks already constructed therein and in a new canal from said stream by diversion works constructed at a point immediately below the mouth of Fall River, the new canal connecting with the South Branch of Fall River Canal and, through an extension of said last named canal, to Teton River (See District map)

9. Amount of water claimed from stored in reservoir

(Creek) (River) (Spring) in addition to that cubic feet per second.

10. Water is to be used for irrigation and domestic

purposes.

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

(a) Point of use of water

(bearing)

feet, distant from

Corner of Section

, Township

, Range

B. M. and is in the

$\frac{1}{4}$ of

$\frac{1}{4}$ of Section

, Township

, Range

, B. M.

(b) Amount of power generated:

H. P., under

feet head.

(c) Water is to be returned to

(Creek) (River) (Spring) at a point

(bearing)

feet

distant from the

corner of Section

, Township

, Range

, B. M., in

the

$\frac{1}{4}$ of

$\frac{1}{4}$ of Section

, Township

, Range

B. M.

12. Water stored in accordance with this Permit will be carried to place of use through a canal heretofore constructed under the terms of Permit No.

, which is hereby referred to and made a part hereof.

(Dam, canal, flume, pipe, etc.)

13(a) ~~and materials as follows~~ Attached hereto is a list of canals for which such storage is intended and the place of their respective diversions

(If height will exceed 10 feet, plans must be approved by Department of Reclamation, before beginning construction.)

15. Size of headgate: Width _____ feet, Height _____ feet.

16/ Diversion Canal: Width at bottom 24 feet, width at water line 42 feet, depth of water 6 feet, Dimensions of Flume

Diameter of Pipe	inches;	Length of Conduit	6.6	miles.	Average grade per mile	1.58	feet.
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17. Estimated cost of Works: Storage Works: \$ 1,300,000 Diversion Works: \$ 320,000

18. Time required for completion of work **Five** years .

19. Time required for complete application of water to proposed beneficial use is Six years.

20. The land to be irrigated is described in the following tabulation, attached list:

(Give Irrigable acreage in each 40-acre subdivision.)

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 $\frac{1}{4}$	

Total Number of Acres to be Irrigated

Remarks: The United States has constructed a reservoir of One Hundred Thirty-five Thousand (135,000) acre-feet capacity by an earth-fill dam across the North Fork of the Snake River approximately one-half mile above its confluence with Buffalo River and has constructed Grassy Lake Reservoir on a tributary of Fall River, and a canal from the North Fork of Snake River to connect with the south branch of Fall River Canal, and an enlargement and an extension of Fall River Canal to Teton River. It is proposed to use existing canals as follows, for the distribution and use of water so stored or water for which the same may be exchanged. The water thus stored is for use on lands, under said canal, now unirrigated and to supplement the water supply of lands already irrigated. Accompanying this application are Maps No. 42-D-192 and 193 in duplicate, showing the works under the above mentioned plans and the area and location of the lands to be irrigated. The United States

BE IT KNOWN That the undersigned hereby makes application for permit to construct a reservoir and store and appropriate the public waters of Idaho as herein set forth, and that the enclosed map is hereby made a part of this application.

UNITED STATES OF AMERICA

Applicant.

By B. E. Stoutemyer

Agent.

Date of first receipt at office of Commissioner of Reclamation 3:00 P.M. June 12, 1940 District Counsel, Bureau of Reclamation

Returned to applicant for correction **July 10, 1940**

Corrected application received July 24, 1940

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is R 686

Recorded in book R **3** , page **686**

Approved September 28, 1940

This is to certify that I have examined the within application for a permit to construct a reservoir and store and appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ 1,000 , to be filed on or before November 27, 1940

Work to begin on or before _____ and to continue diligently and uninterrupted to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One fifth of the work above specified to be completed on or before **March 28, 1943**

The whole of said work to be completed on or before **September 28, 1945**

Beneficial use of water stored in accordance herewith, to be made on or before September 28, 1951

Witness my hand this 28th day of September

10 40

JAMES SPOFFORD

Commissioner of Reclamation.

DESCRIPTION OF DISTRICT LANDS

Company Application for Permit to Construct a Reservoir
on North Fork (Henry's Fork) Snake River

HARRISON COUNTY

		N E $\frac{1}{4}$				N W $\frac{1}{4}$				S W $\frac{1}{4}$				S E $\frac{1}{4}$				Total
(T)(E)																		Acres
T. R.	Sec.	NE $\frac{1}{4}$	NE $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NE $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NE $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NE $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
6	38	25: 40			40				40			40	40	40	40	40	40	360
	26:												40			40	40	120
6	39	1: 40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
	2: 40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
	3: 40	40	40	40	40	19.50	45.08	27.22	33.70	40	31.12	40	40	40	40	40	40	596.2
						Lot 3	Lot 7	Lot 6	Lot 4:		Lot 5							
	5: 40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
	6: 40	40	40	40	40									40	40	40	40	320
	7: 40	40	40	40	40									40	40	40	40	320
	8: 40	40	40	40	40	40	40	40	40	40	40			40	40	40	40	560
	9: Lot 8,	54.47	40		40	47.10	40	50.00	18.00	36.80	31.90	19.10	41.84	40	40	40	40	579.51
						Lot 1		Lot 2	Lot 7:	Lot 6	Lot 3	Lot 4	Lot 5:					
	10: 40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
	11: 40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
	12: 40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
	13: 40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640

(R)(E)		NE 1/4				NW 1/4				SW 1/4				SE 1/4				Total
T. R.	Sec.	NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SE 1/4	SW 1/4	acres
6	39	14 : 40	40	40	40 : 40	40	40	40 : 40	40	40	40 : 40	40	40	40	40	40	40	: 640
	15	: 40	40	40	: 40	40	40	: 40	40	40	: 40	40	40	40	40	40	40	: 640
	16	: 40	40	40	: 40	32.57	40	: 40	40	40	: 40	40	40	40	40	40	40	: 632.57
						Lot 2												
	17	23.50	50.40	12.43	34.60									40	37.60	41.95	40	: 280.68
		Lot 1	Lot 2	Lot 8	Lot 9										Lot 7	Lot 6		
	18	: 40	40	40	40									40	40	40	40	: 320
	19	: 40	40	40	38.88									23.30	40	36.25	33.02	: 297.45
					Lot 7									Lot 6		Lot 5	Lot 8	
	20	: 40	40	40	40				40	37.55	40	40	40	40	40	40	40	: 477.55
										Lot 3								
	21	: 40	40	40	40 : 40	40	40	40 : 40	40	40	40 : 40	40	40	40	40	40	40	: 640
	22	: 40	40	40	40 : 40	40	40	40 : 40	40	40	40 : 40	40	40	40	40	40	40	: 640
	23	: 40	40	40	40 : 40	40	40	40 : 40	40	40	40 : 40	40	40	40	40	40	40	: 640
	24	: 40	40	40	40 : 40	40	40	40 : 40	40	40	40 : 40	40	40	40	40	40	40	: 640
	25	: 40	40	40	40 : 40	40	40	40 : 40	40	40	40 : 40	40	40	40	40	40	40	: 640
	26	: 40	40	40	40 : 40	40	40	40 : 40	40	40	40 : 40	40	40	40	40	40	40	: 640
	27	: 40	40	40	40 : 40	40	40	40 : 40	40	40	40 : 40	40	40	40	40	40	40	: 640
	28	: 40	40	40	40 : 40	40	40	40 : 40	40	40	40 : 40	40	40	40	40	40	40	: 640

(T)(R)		NE 1/4				NW 1/4				SW 1/4				SE 1/4				Total acres
T. R. Sec:	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4		
6 39	29	: 40	40	40	40	: 40	40	40	40	: 40	40	40	40	: 40	40	40	40	: 640
	30	: 40			40	:				:				:				: 80
	32	: 40	40	40	40	: 40	40	40	40	: 40	40	40	40	: 40	40	40	40	: 640
	33	: 40	40	40	40	: 40	40	40	40	: 40	40	40	40	: 40	40	40	40	: 640
	34	: 40	40	40	40	: 40	40	40	40	: 40	40	40	40	: 40	40	40	40	: 640
	35	: 40	40	40	40	: 40	40	40	40	: 40	40	40	40	: 40	40	40	40	: 640
	36	: 40	40	40	40	: 40	40	40	40	: 40	40	40	40	: 40	40	40	40	: 640
6 40	1	: 40	40	40	40	: 40	40	40	40	: 40	40	40	40	: 40	40	40	40	: 640
	2	: 40	40	40	40	: 40	40	40	40	: 40	40	40	40	: 40	40	40	40	: 640
	3	: 40	40	40	40	: 40	40	40	40	: 40	40	40	40	: 40	40	40	40	: 640
	4	: 40	40	40	40	: 40	40	40		: 40	40		: 40		40	40	: 520	
	5	: 40	40	40	40	: 40	40	40	40	: 40	40	40	40	: 40	40	40	40	: 640
	6	: 40	40	40	40	: 40	40	40	40	: 40	40	40	40	: 40	40	40	40	: 640
	7	: 40	40	40	40	: 40	40	40	40	: 40	40	40	40	: 40	40	40	40	: 640
	8	: 40	40	40	40	: 40	40	40	40	: 40	40	40	40	: 40	40	40	40	: 640
	9	: 40	40	40	40	: 40	40	40	40	: 40	40	40	40	: 40	40	40	40	: 640
	10	: 40	40	40	40	: 40	40	40	40	: 40	40	40	40	: 40	40	40	40	: 640
	11	: 40	40	40	40	: 40	40	40	40	: 40	40	40	40	: 40	40	40	40	: 640

(U)(B)		N E 1/2				N U 1/2				S U 1/2				S E 1/2				Total Acres
T. R.	Sec.	NB 1/2	NE 1/2	SW 1/2	SE 1/2	NE 1/2	NU 1/2	SW 1/2	SE 1/2	NE 1/2	NU 1/2	SW 1/2	SE 1/2	NE 1/2	NU 1/2	SW 1/2	SE 1/2	Total Acres
6	40	12	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		13	40	40	40	40	40	40	40									320
		14	40	40	40	40	40	40	40									320
		15	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		16	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		17	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		18	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		19			40													40
		20	40	40	40	40	40	40	40									320
		21				40	40	40	40									160
6	41	5		40	20		40	40	40	40	40	40				40	40	460
		6	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		7	20	40	20		40	40	40	40	40	40			20	20		440
		18				20	40	40			20							120
7	39	19												40	40	40	40	160
		20	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		21	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		22	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640

(1)(2)		N E 1/4				N W 1/4				S W 1/4				S E 1/4				Total acres
T. R.	Sec.	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	
7	39	27	:	:	:	40	40	40	40	:	:	:	:	:	:	:	:	160
		28	: 40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		29	: 40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		30	: 40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	600
		31	:	40	40	40	40	40	40	40	40	40	40	40	40	40	40	240
		32	: 40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	560
		33	: 40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	160
		34	:		40.50:									40	33.30	48.60	40	210.40
					Lot 7:										Lot 6	Lot 5		
		35	: 40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		36	: 40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
7	40	31	: 40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		32	: 40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		33	: 40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		34	: 40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		35	: 40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
TOTAL ACRES IN MADISON COUNTY																		12,375.08

FREMONT COUNTY

		N E 1/4				N W 1/4				S E 1/4				S W 1/4				Total Acres
(T) (L)	T. R. Sec.	NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SE 1/4	SW 1/4	
7	39	1		40				40		40	40	40	40	40	40	40	40	280
		8						40	40	40	40	40	40	40	40	40	40	280
		9	40	40	40		40	40	40	40	40	40	40	40	40	40	40	560
		10					40	40	40	40	40	40	40	40	40	40	40	400
		11	40	40	40		40	40	40	40	40	40	40	40	40	40	40	560
		12	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		13	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		14	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		15	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		16	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		17	40	40	40			40		40	40	40	40	40	40	40	40	400
		23	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		24	40	40	40	40	40	40										320
		25	40	40	40		36.65	40	40	40	40	40	40	40	40	40	40	516.65
		26		45.00	17.17		Lot 2	40	40	24.00	54.10	62.12	51.05	26.10				359.54
				Lot 2 Pt. of Lot 1				Lot 3	Lot 4	Lot 5		Lot 7	Lot 6					

(N)(E)	N E 1/4				N W 1/4				S W 1/4				S E 1/4				
T. R. Sec.	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	Total acres
7	40	2						40	40		40	40					160
									40	40	40	40		40			240
		5	40										40	40	40	40	160
		6															
									40	40	40	40	40	40			480
		7	40	40	40	40	40	40	40	40	40	40	40	40	40	40	480
		8		40	40	40		40	40	40		40	40	40	40	40	480
		9		40	40	40			40	40	40	40					200
		10	40	40		40	40	40	40	40	39.88	30.50			25.20	59.60	475.18
											Lot 4	Lot 3:			Lot 5	Lot 6	
		11							40	40	40	40	40	40	40	40	320
		12		40	40	40	40	40	40	40	40	40	40	40	40	40	560
		13	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		14	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		15	40	40	40	40	38.24	40	40	40	40	40	40	40	40	40	598.24
							Lot 3										
		16		31.90	43.00				49.50	33.90	40	40	40	40	40	40	398.30
				Lot 6	Lot 7				Lot 5	Lot 4							
		17	40	40	40	39.69	40	40	40								319.69
					Lot 1:												
		18	40	40	40	40	40	40	40	40	40	40					480
		19		40	40	32.00	40	33.67	22.20	40	32.53	40	40	40	40	40	520.4
					Lot 2		Lot 3	Lot 6		Lot 4							

(T)(E)		N E $\frac{1}{4}$				N W $\frac{1}{4}$				S E $\frac{1}{4}$				S W $\frac{1}{4}$				Total
T. R.	Sec.	NE	NE $\frac{1}{4}$	SE $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NE $\frac{1}{4}$	SE $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NE $\frac{1}{4}$	SE $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NE $\frac{1}{4}$	SE $\frac{1}{4}$	SE $\frac{1}{4}$	acres
7	40	20	40 37.03	40	40 : 33.20	36.15	40	40	40	40	40	40	40	40	40	40	40	626.36
			Lot 1		Lot 2	Lot 3												
		21	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		22	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		23	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		24	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		25	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		26	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		27	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		28	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		29	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		30	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		36	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
7	41	4	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	600
		5	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	320
		6																
		7	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640

(H)(E)	N E $\frac{1}{4}$				N W $\frac{1}{4}$				S W $\frac{1}{4}$				S E $\frac{1}{4}$				
T. R. Sec.	NE $\frac{1}{4}$	N $\frac{1}{2}$	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 $\frac{1}{4}$	Total Acres
8 10 28	:	:	:	:	:	:	:	:	:	:	:	:	40	:	40	:	80
29	:	:	:	:	:	:	:	:	:	:	:	:	40	40	40	:	120
31	40	40	20	20	:	:	:	:	:	:	:	:	:	:	:	:	120
32	40	40	40	40	:	:	:	:	:	:	:	:	40	40	:	:	240
33	40	40	:	:	:	:	:	:	:	:	:	:	:	:	:	:	80
34	:	40	40	:	40	40	:	:	:	:	:	:	40	40	:	:	240
35	:	:	:	:	:	40	40	40	40	40	40	:	:	:	:	:	240
36	:	40	:	:	:	:	:	:	:	:	:	:	:	:	:	:	40
8 11 12	:	:	:	:	:	:	:	:	:	:	:	:	40	40	40	40	160
13	40	40	40	40	32.00	34.20	40	23.90	22.25	39.65	:	:	:	:	:	:	352.20
	:	:	:	:	Lot 1	Lot 3	:	Lot 5	Lot 4	Lot 10	:	:	:	:	:	:	381.25
14	:	:	:	:	:	:	:	40	40	40	40	:	:	:	:	:	160
15	:	:	:	:	:	:	:	:	:	:	:	:	:	40	40	:	80
21	40	40	40	40	40	40	40	40	40	40	40	:	:	40	40	:	560
22	40	40	40	40	40	40	40	40	40	:	40	28.50	40	34.15	:	:	512.95
	:	:	:	:	:	:	:	:	:	:	:	Lot 3	Lot 2	:	:	:	
23	:	:	:	:	36.35	40	40.10	:	:	:	40	40	40	40	40	:	316.45
	:	:	:	:	Lot 6	Lot 5	:	:	:	:	:	:	:	:	:	:	
24	40	40	:	:	40	:	40	:	:	40	40	:	:	40	40	:	320
25	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	:	640

(U)(B)		NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Total acres
T. R.	Sec.	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 $\frac{1}{4}$	
8	41	26	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
	27	40	11.45	39.65	40	40	40	29.20	22.00	43.10	15.05	39.15	40	40	40	40	40	559.60
			Lot 7	Lot 1				Lot 6	Lot 2	Lot 5	Lot 4	Lot 3						
	28	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	30.60	630.60
	29	40			40							40		40	40	40	40	280
	31	40	40	40	40									40	40	40	40	320
	32	40	40	40	35.15	40	40	40	40	40	40.28				40	40	40	475.43
	33	26.56	23.85	33.70	40	26.15	40	13.30	23.00	40	40	34.85	40		40	40	40	541.41
		Lot 1	Lot 2	Lot 3	Lot 4	Lot 6	Lot 4	Lot 5										
			8															
	34	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
	35	40	40	40		40	40	40	40	40					40			400
8	42	1	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
	2	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
	3	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
	4	40	40	40	40		40	40	40	40	40	40	40	40	40	40	40	560
	5				40				40	40		40		40	40	40	40	320
	6	40	40	40	40									40	40	40	40	320

(N)(E)			N E $\frac{1}{4}$				N W $\frac{1}{4}$				S W $\frac{1}{4}$				S E $\frac{1}{4}$				Total acres
T. R. Sec.			NE $\frac{1}{4}$	N $\frac{1}{2}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	N $\frac{1}{2}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	N $\frac{1}{2}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	N $\frac{1}{2}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
8 12	9		40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	560
	10		40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
	11		40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
	12		40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
	13		40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	360
	14		40	40	40	40	40	40	40	40	40	40	40	40	40	40	20	20	600
	15		40	40	40	40	40	40	40	40	40	40	40	40	40	40			560
	16					40									40				80
	19												40	40		40	40	40	200
	20			40	40											40			120
	21				40					40	40					40			160
	23										40	40	40	40	40				200
	24				40	40						40	40						160
	30			40	40		40	40	40	40									240
8 13	1		40	40	40	40	40	40	40	40	40	40	40	40					480
	3						40	40	40	40									160
	4		40	40			40	40	40				40	40					280
	5		40	40	40	40	40	40	40	40	40	40	40	40					480

(N)(S)		NE $\frac{1}{2}$				NW $\frac{1}{2}$				SE $\frac{1}{2}$				SW $\frac{1}{2}$				Total
T. R. Sec.		NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Acres
8 43 6		40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
7		40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	490
9						40	40									40	40	160
10		40		40	40					40	40	40	40	40	40	40	40	440
11		40	40	40	40	40	40	40	40									320
12														40	40	40	40	160
15		40	40	40	40	40	40	40	40									320
16				40	40				40	40	40			40	40			280
17						40					40	40						120
18				40	40	40	40	40	40	40	40	40	40	40	40	40	40	560
19		40	40	40	40	40	40	40	40		40	40	40					440
20							40	40										80
21		40	40		40			40	40			40						280
22						40	40	40	40	40	20	40	40					300
27						40	40	40			40	40			20	40	40	300
28														40			40	80
29				40		40	40	40	40									200
30									40	40								80

(U)(E)		NE 1/4				NW 1/4				SE 1/4				SW 1/4				Total Acres
T. E. Sec.	Sec.	NE 1/4	NE 1/4	NE 1/4	NE 1/4	NW 1/4	NW 1/4	NW 1/4	NW 1/4	SE 1/4	SE 1/4	SE 1/4	SE 1/4	SW 1/4	SW 1/4	SW 1/4	SW 1/4	
8	43	31	40	40	40													160
	33	40	20	20	40								40					160
	34					40	40	40										120
8	44	5			40	40	40	40	40	40								240
	6	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
	7	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
	8	40	40	40	40		40	40	40	40	40	40						400
	17					40												40
	18	40	40	40	40	40	40	40	40									320
9	42	13		40					40	40	40	40	40	40	40	40	40	360
	22	40	40		40	40			40	40	40	40	40		40	40		440
	23	40	40				40	40	40	40	40	40	40	40	40	40	40	480
	24	40	40	40	40				40	40							40	280
	25			40	40			40					40	40			40	240
	26	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
	27	40	40	40	40	40			40	40	40	40	40	40	40	40	40	560
	28			40	40			40					40	40	40	40		280

(11)(E)			N E 1/4				N W 1/4				S W 1/4				S E 1/4				
T. R. Sec.	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	Total Acres		
9 42 33:															40	40	80		
34:	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640		
35:	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640		
36:	40		40	40			40	40	40	40	40	40	40	40	40	40	520		
9 43 13:														40	40		80		
18:											40						40		
19:			40	40	40	40	40	40	40		40	40	40	40	40	40	520		
20:									40	40	40	40			40	40	240		
21:													40			40	80		
22:												40					40		
23:	40			40			40	40				40	40	40	40		320		
24:			40	40	40	40		40	40	40	40	40	40	40	40	40	480		
25:	40			40				40	40					40		40	240		
27:		40	40		40		40	40	40	40	40	40		40	40		440		
28:	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640		
29:	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640		
30:	40	40	40	40	40	40	40	40	40	40	30	40	40	40	40	40	630		

(H)(E)		N E $\frac{1}{4}$				N W $\frac{1}{4}$				S W $\frac{1}{4}$				S E $\frac{1}{4}$				Total	Acres
T. R.	Sec.	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 $\frac{1}{4}$		
9	43	31	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640	
		32	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640	
		33	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640	
		34				40	40	40	40	40	40	40					40	360	
		35		40				40	40	40	40					40	40	320	
		36	40	40			40	40		20	20	40	40				40	320	
9	44	18										40	40	40	40	40	40	240	
		19	40	40	40	40	40	40	40	40	40	40						480	
		20								40	40	40	40	40	40	40	40	320	
		21				40	40			40	40	40				40	40	320	
		22				40		40	40	40	40	40						240	
		29				40	40	40	40	40	40	40	40	40	40	40	40	480	
		30				40	40	40	40	40	40	40	40	40	40	40	40	480	
		31				40	40					40	40		40	40		240	
		32		40	40					40	40	40	40	40	40	40	40	400	
								40	40									80	

VILLAGE OF ASHTON, IDAHO

GRAY'S ADDITION TO THE TOWN OF ST. ANTHONY, IDAHO

Lot	Block	Acres	Lot	Block	Acres
B and C					
4, 5 and 6	9		The west 80 feet of Lots 5 and 6	5	0.25
3 and 4	39				
11 and 12	42				
13	44				
12	57				
5 and 6	60				
5 and 6	63				
5 and 6	65				
1 and 2	75				

TOTAL ACRES IN TOWN OF ST. ANTHONY, 74,193.25

Brought forward " MADISON COUNTY, 42,375.08

TOTAL 116,568.33

Island Park Reservoir

State of Idaho
License and Certificate of Water Right

Water License No. R-686 Amount 21,000 acre feet
Water District No. Priority June 12, 1940

THIS IS TO CERTIFY that U. S. A. BUREAU OF RECLAMATION
of Boise, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated June 12, 1940; that Permit No. R-686
was issued under said application; that Certificate of Completion of works, with a ~~storage~~ ^{storage} capacity of
21,000 ~~acre feet~~ ^{acre feet}, was issued thereunder on February 7, 1944, showing that said works
were completed on the 16th day of June, 1943; and that on the 5th
day of May, 1950,

U. S. A. BUREAU OF RECLAMATION
of Boise, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of North fork
(Henry's fork), ~~tributary of~~ of Snake River, for the purpose of irrigation and domestic
use, under Use Permit No. R-686 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
8 of Licenses at page 4857, on the 24th day of November, 1951;

The right hereby confirmed dates from June 12, 1940;
The Point of ~~Diversion~~ ^{outlet} is located in Lot 3, Section 28,
~~in the~~ ^{1/4} ~~1/4~~ ^{1/4} Sec. 13 N., R. 43 E., B. M. Fremont County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 21,000 acre ~~cubic feet per second~~ feet per annum.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
			Supplemental use on approximately 112,000 acres of land within the Fremont-Madison Irrigation District.		

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
24th day of November, 1951.

(SEAL) MARK R. KULP
State Reclamation Engineer

State of Idaho
License and Certificate of Water Right

Water License No. 19192

Amount 0.08 second foot

Water District No.

Priority September 25, 1949

THIS IS TO CERTIFY that W. A. KNAUFF
of Route 1, Emmett, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated August 1, 1941; that Permit No. 19192
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.5 second foot, was issued thereunder on September 15, 1942, showing that said works
were completed on the 10th day of September, 1942; and that on the 27th
day of October, 1950,

W. A. KNAUFF
of Emmett, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of an artesian
well, tributary of (subterranean flow), for the purpose of irrigation, domestic
and stock uses, under Use Permit No. 19192 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
8 of Licenses at page 4858, on the 24th day of November, 1951;

The right hereby confirmed dates from September 25, 1949;

The Point of Diversion is located

in the SW 1/4 SW 1/4, Sec. 27, Tp. 7 N., R. 3 W., B. M. Gem County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 0.08 cubic foot per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
7 N.	3 W.	27	SW 1/4 SW 1/4	3	3

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
24th day of November, 1951.

(SEAL)

MARK R. KULP
State Reclamation Engineer

Property #1
Water Usage History

RECEIVED
JUN 28 1985
Department of Water Resources

January 19, 1984

To Whom It May Concern,

I, William Arthur Blanchard and my Wife, Clara Blanchard of Chester, Idaho declare in this written statement that upon purchasing a portion of the property of Gail and Jacqueline Blanchard of Chester, Idaho on the 19th day of September 1963 that they Gail and Jacqueline Blanchard did retain for irrigation purposes on Lots 5, South of the County Road, 6 and 7 located in Section 13, Township 8 N., Range 41 E.B.M. the following water rights:

.50 c.f.s. (25 Miner Inches) A.S. Farnsworth (Priority of June 1
21-0051 1890)

.57 c.f.s. (28½ Miner Inches) H. Smith (Priority of July 16, 190
21-8106

(Claim) → 1.50 c.f.s. (75 Miner Inches) A.S. Anderson (Priority of Oct. 16,
needing adjudication Slough/Spring Water 21-4028 1888)

5 A.F. Fremont-Madison Irrigation Storage Water (Priority March
A21-2156 and B21-2157 14, 1935)

20 Shares Marysville Irrigation Company #200 Certificate (Priority
W. W. Winters 1895 and August 20, 1940)

Notorization Certification

Subscribed and sworn to before me this
23rd day of January, 1984.

Alicia L. Richards
Notary Public

Signed,

William Arthur Blanchard
William Arthur Blanchard

Clara Blanchard
Clara Blanchard

Gail Blanchard
Gail Blanchard

Jacqueline Blanchard
Jacqueline Blanchard

Thanks,
Gail Blanchard

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State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

June 19, 1984

Earl Hoopes
Ehco Ranch
P. O. Box 97
Tetonia, ID 83452

Dear Mr. Hoopes:

Re: Application for Exchange of Water Right Nos. 21-2156 and 21-2157

Enclosed is a copy of the approved Application for Exchange of Water Right Nos. 21-2156 and 21-2157 along with a copy of the Proposed Memorandum Decision and Order and a copy of the Order Adopting Proposed Memorandum Decision and Order. Please direct your attention to the conditions of approval as set forth in the proposed memorandum.

Be sure to note the special condition requiring you to install and maintain a measuring device as part of your diversion works. Enclosed is a sheet listing the different types of measuring devices accepted by this office.

Any person who does not agree with the decision of the Department may request a rehearing before the Director within twenty (20) days or may appeal directly to the district court within thirty (30) days of the date the decision is mailed.

Sincerely,

David R. Tuttle Jr.

for L. GLEN SAXTON
Chief, Operations Bureau

LGS:rf

cc: See Certificate of Mailing

Enclosures

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APR 25 1984

R. J. Hoopes, Esq.
HOOPES, SMITH & PACKER
P.O. Box 70
Rexburg, Idaho 83440
(208) 356-9000

Department of Water Resources

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR	)	
EXCHANGE NO. 21-2156 and 21-2157	)	APPLICANT'S RESPONSE
IN THE NAME OF EHCO RANCH.	)	TO FREMONT-MADISON
	)	IRRIGATION DISTRICT'S
	)	EXCEPTIONS TO PROPOSED
	)	DECISION OF 3/23/84
	)	

COMES NOW the above named applicant, EHCO RANCH, INC. by and through its attorney of record R. J. HOOPES, ESQ. of the firm HOOPES, SMITH & PACKER of Rexburg, Madison County, Idaho and responds to Fremont-Madison Irrigation District's Exceptions to the Proposed Decision of the Department of Water Resources.

GENERAL STATEMENT

Before addressing one by one the Exceptions of the Irrigation District, applicant wishes to point out that the Exceptions set forth by Fremont-Madison Irrigation District are not well founded because the Irrigation District fails to recognize the basic water law and basic propositions applicable to this application as they are set forth in the Findings of the Department. Those basic points of law and propositions applicable to this case which the Exceptions of Fremont-Madison Irrigation District tend to ignore are as follows:

1. Paragraph 2 of the Findings of Fact points out that stored water was sold by Fremont-Madison Irrigation District to individuals and not to companies organized by those individuals.

2. Paragraph 11 of the Findings of Fact indicates that the sale of stored water by Fremont-Madison Irrigation District

APPLICANT'S RESPONSE
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was intended to transfer ownership of space in Island Park or Grassy Lake Reservoirs to the purchaser.

3. Paragraph 13 of the Findings of Fact indicates that Fremont-Madison had agreed, prior to the purchase of this water by Ehco Ranch, to deliver 106 acre feet of storage water through the Crosscut Canal. There were no restrictions placed on this sale which would limit the use to exchanges on Teton Creek.

4. Paragraph 10 of the Findings of Fact correctly states that "all diversions of water from the Teton River are under the control of the Water Master of Snake River Water District No. 1."

5. Paragraph 3 of the Conclusions of Law indicates that Fremont-Madison Irrigation District may not authorize exchanges which would require recognition by the Water Master unless the exchange has been approved by the Director of the Idaho Department of Water Resources.

RESPONSE TO EXCEPTIONS

Applicant will now address one by one the exceptions to the proposed decision set forth by Fremont-Madison Irrigation District.

1. Exception No. 1 is that the Director failed to make findings consist with the testimony that "stored water on Teton Creek was sold" as available "without any guarantee of delivery."

It should first be pointed out that there was no reliable testimony to the effect that there was a limitation on the sale. No documentation was presented and no one testified who was a party to the original sale. Furthermore, it should be pointed out that such a proposition is simply illogical. No one would purchase stored water for a certain price knowing that he may never use it while another purchaser would pay the same price knowing full well that he would have unrestricted use of the water. Finally, Fremont-Madison Irrigation District sold storage space in the Island Park Reservoir. To now state in the Exceptions that they sold "stored water on Teton Creek" is inaccurate. Fremont-Madison Irrigation District owns no water

stored on Teton Creek and has no right to sell stored water on Teton Creek. Finding No. 11 indicates that the sale was a transfer of ownership of space in Island Park Reservoir.

2. Exception No. 2 is that the Director failed to find that when Teton Creek failed to reach the river there was no longer any storage water available for delivery. By selling the storage water Fremont-Madison Irrigation District agreed to deliver 106 acre feet of storage water to the mouth of the Crosscut Canal. Whether or not Teton Creek reaches the river at any particular time is irrelevant.

3. Exception No. 3 is an objection to Finding No. 9 dealing with the consent of Fremont-Madison Irrigation District. In reading the exception one would believe that the Department of Water Resources found that Fremont Irrigation District had consented to the transfer. Applicant does not feel that the Director has ever indicated that Fremont-Madison Irrigation District consented to the transfer. The applicant understands Finding No. 9 as a finding that Fremont-Madison Irrigation District, by giving its consent, has recognized the fact that the Idaho Department of Water Resources is the proper entity to approve or reject the transfer; that Fremont-Madison Irrigation District is not the proper entity to approve or reject the transfer; and that Fremont-Madison Irrigation District has simply consented to let the Idaho Department of Water Resources carry out its statutory responsibility. Such a finding is consistent with Finding No. 10 which indicates that all diversions of water from the Teton River are under the control of the Water Master of Snake River Water District No.1.

4. Exception No. 4 is an objection to Finding No. 13, simply stating that the finding is contrary to the testimony. Applicant believes the finding is not only consistent with the testimony but is also consistent with the law in this matter.

5. Exception No. 5 deals with the statutory authority of the Idaho Department of Water Resources and sights Idaho Code Section 42-422. Applicant would first point out that such a

Section (42-422) does not exist. Furthermore, applicant would point out that the consent of Fremont-Madison Irrigation District is not required and is simply irrelevant in this matter. As is consistent with the law and the findings, Fremont-Madison Irrigation District has agreed to deliver 106 acre feet of storage water to the mouth of the Crosscut Canal. That water is there comingled with waters of the Teton River. At that point, Fremont-Madison Irrigation District has fulfilled its contractual obligations and no longer has any further obligations, control, or authority concerning that water. Once the water is comingled with waters of the Teton River, disposition or the use of the water is under the direction and control of the Water Master of Snake Water District No. 1.

6. Paragraph No. 6 deals with an expansion. In refuting this one needs only to examine Findings No. 6, 8, & 12. As is correctly pointed out in Finding No. 12, an expansion occurs when there is (1) more water used, or (2) the same amount of water used on more acres. Ehco Ranch purchased 106 acre feet of storage water that was appurtuant to 120 acres of real property. Ehco Ranch proposed to use that same amount of water (106 acre feet) on the same amount of land (120 acres). There is indeed no expansion.

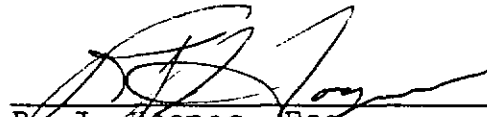
CONCLUSION

When the Exceptions proposed by Fremont-Madison Irrigation District are reviewed carefully in light of the very well defined Findings of Fact in the proposed decision as well as the law in this matter, one quickly realizes that the Exceptions are without merit. Simply stated, Fremont-Madison Irrigation District has sold storage space in Island Park Reservoir for 106 acre feet of storage water which has been purchased by Ehco Ranch, Inc., the applicant herein. As part of that original sale, Fremont-Madison Irrigation District has agreed to deliver that amount of stored water through the Cross Cut Canal to there be comingled with the waters of the Teton River. Once that has been done the Water

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Master for the Snake River Irrigation District No. 1 assumes the responsibility and control for the water. The Water Master is the proper person to approve or disapprove diversions or changes in points of diversion of that water. Fremont-Madison Irrigation District is not the proper entity to approve or disapprove such changes in points of diversion.

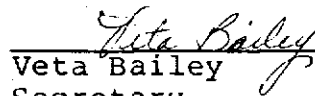
Respectfully submitted this 24th day of April, 1984.


R. J. Hoopes, Esq.
HOOPES, SMITH & PACKER
Attorney for Applicant

CERTIFICATE OF MAILING

I HEREBY CERTIFY that a true and correct copy of the foregoing was on this date served upon the person named below, at the address set out below his name, by mailing to him a true and correct copy of said document in a properly addressed envelope in the United States mail, postage prepaid.

DATED this 24th day of April, 1984.


Veta Bailey
Secretary
HOOPES, SMITH & PACKER

Mary Smith
SMITH, HANCOCK, MOSS &
DALLING
30 South 2nd West
Rexburg, Idaho 83440

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APR 12 1984

Department of Water Resources

Mary Smith
Brent J. Moss
SMITH, HANCOCK, MOSS & DALLING
30 South Second West
Rexburg, ID 83440

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

IN THE MATTER OF THE APPLICATION FOR EXCHANGE) EXCEPTIONS TO
OF WATER RIGHT NOS. 21-2156 and 21-2157) PROPOSED DECISION
IN THE NAME OF EHCO RANCH) OF 3-23-84
)

Fremont-Madison Irrigation District objects to the
proposed Decision as follows:

1. Failure of Director to make findings consistent with testimony that stored water on Teton Creek was sold "as available" without any guaranty of delivery.
2. Failure to find from testimony that when Teton Creek failed to reach the river there was no longer any storage water available for delivery even though records may reflect there is still storage in the reservoir.
3. Pursuant to Finding Number 9, it appears the Director has announced that because Fremont-Madison agreed to allow the matter to be published, it had therefore, consented to the transfer. However, there has never been any consent from the District to transfer the water as required by Idaho Code, Section 42-108. The only purpose in consenting to allow I.D.W.R. to file notice was so that any and all objections would be presented. To this date the I.D.W.R. has still not received consent of the District to do any more than hold a hearing to consider the application.

1 EXCEPTIONS TO PROPOSED
DECISION OF 3-23-84

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4. In response to Finding Number 13, the District suggests such finding is contrary to all testimony presented by the District or canal companies, including the President of the Grand Teton Canal Company.

5. The Order approving the exchange is beyond the statutory authority of I.D.W.R. for the reason that no "consent" for the exchange of water has ever been given by the District, Idaho Code, Section 42-422. The District's understanding of the May stipulations was that a hearing could be held for the purpose of allowing affected water users to voice their concern, however, as far as the District was concerned, there was never any consent to the exchange. The file in this matter is consistent in that regard.

6. Paragraph 4 of "Conclusions of Law" finds no enlargement of the right. However, testimony at the hearing indicated that there was no guarantee all the storage water could be used at any time since when Teton Creek failed to reach the Teton River the right to use storage water ceased. The transfer herein without restricting it to the creek reaching the river, will allow full use of the right whether or not the storage is or would have been actually available on Teton Creek where it originated.

Fremont-Madison therefore objects to the entry of the proposed decision. Further, the District resubmits its brief filed subsequent to the hearing in this matter where its concerns are set out in more detail.

DATED this 10th day of April, 1984.


Mary Smith


Brent J. Moss

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CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this 10th day of April, 1984, I mailed a true copy of the foregoing Exceptions to Proposed Decision of 3-23-84 to:

Earl Hoopes, President
Ehco Ranch
P. O. Box 97
Tetonia, ID 83452

Fremont Madison Irrigation
District
P. O. Box 5
St. Anthony, ID 83445

Darrell C. Neville
Teton Island Canal Co.
Route 1, Box 26
Rexburg, ID 83440

Reed Oldham
Teton River Protective
Association
Route 2, Box 297
Rexburg, ID 83440

Dell Palmer
Woodmansee-Johnson Ditch
Sugar City, ID 83448

Robert Orme
Roxana Canal
Route 2, Box 144
Rexburg, ID 83440

Norval W. Birch
Stewart Ditch
236 East Main
St. Anthony, ID 83440

Diana S. Richman
Teton Irrigation &
Manufacturing Co.
Route 1
Sugar City, ID 83448

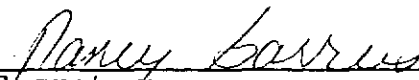
Keith Erikson
Rexburg Irrigation Co.
Route 4, Box 192
Rexburg, ID 83440

Wilford Canal Co.
J. T. Beech, Pres.
Route 1
St. Anthony, ID 83445

Mary Smith, Attorney
30 South Second West
Rexburg, ID 83440

Dean Crain, President
Pincock Byington Canal Co.
HC 60, Box 1199
Teton, ID 83451

Elmer Klein
Pioneer Canal Co.
Box 27
Teton, ID 83451


Secretary

WAPROF-11-1-10

OK to file

SMITH, HANCOCK & MOSS

Attorneys at Law

SEP 6 1983

MARY SMITH
J. D. HANCOCK
BRENT J. MOSS
VAL DEAN DALLING, JR.
W. LLOYD ADAMS (1885-1968)

30 SOUTH 2nd WEST
REXBURG, IDAHO 83440
PHONE: 208-356-5493

September 2, 1983

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DEPARTMENT OF WATER RESOURCES
FARMER DISTRICT OFFICE

Mr. Bobby D. Fleenor
Hearing Officer
Department of Water Resources
450 West State
Boise, Idaho 83720

Re: Application of Ehco Ranch

Dear Mr. Fleenor:

Enclosed please find Reply to Applicant's
Motion to Dismiss Protest in the above matter.

Yours very truly,

Mary Smith
Mary Smith

slb

Enclosure

RECORDED

Mary Smith
Brent J. Moss
SMITH, HANCOCK & MOSS
Attorneys at Law
30 South 2nd West
Rexburg, Idaho 83440
356-5493

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR	)	REPLY TO APPLICANT'S MOTION
EXCHANGE NO. 21-2156 and 21-2157	)	TO DISMISS PROTEST
IN THE NAME OF EHCO RANCH.	)	

The above captioned matter came on regularly for hearing before the Department of Water Resources on July 20, 1983 at Fremont County Courthouse in Fremont County, Idaho. The Fremont-Madison Irrigation District filed a protest relative to the exchange requested by applicant and that protest is, of course, on file. However, in responding to Applicant's Motion to Dismiss Protest, Fremont-Madison would make the following observations:

1. Applicant alleges that Fremont-Madison

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Irrigation District has a conflict of interest in filing this protest for the reason that, "... by this protest protestant is showing preference towards some members of the district over other members of the district. All members of the district should receive equal treatment from protestant because the law requires notice between the rights of shareholders within an irrigation district."

Fremont-Madison Irrigation District received the application for transfer some time ago and had hearings on it. The minutes of those hearings were introduced at the hearing before the director. The concerns of Fremont-Madison Irrigation District were expressed in those minutes and basically were to the effect that if applicant's requests were granted the water right would be enlarged and would thus injure other water users.

The enlargement of the right would come about as a result of applicant's ^(pump) well which is located in the upper reaches of the Teton River and thus makes water accessible on a year round basis. The water right that applicant seeks to transfer is for storage water presently being diverted on Teton Creek in the Teton Basin. When Teton Creek does not reach the Teton River there is no longer any storage water available as explained by the various witnesses that testified at the hearing. There are times when the storage water is not capable of being delivered because Teton Creek no longer reaches the

question of
enlargement does
need consideration.

Is this true with
dedicated
exchange storage.

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NOTE: When Teton Creek fails
to reach Teton River, it is
no longer subject to the
priorities of W.D. #1 &
storage water is not ² needed.

REPLY TO APPLICANT'S
MOTION TO DISMISS PROTEST

river. However, in this case with applicant's pump in the Teton River itself, the entire amount of storage water could be pumped out whether or not Teton Creek in fact spills into the river.

As far as a conflict of interest question, the logical conclusion to that argument would be that Fremont-Madison Irrigation District could never deny or protest any application for change in point of diversion for the reason that those seeking it are members of the district and to protest would be a conflict of interest. Such position completely negates any ability of the board to make the necessary decisions it needs to make in the administration of stored water within the district and therefore, is completely untenable.

2. As to the applicant's allegation that the district fails to meet statutory requirements in its organization, et cetera, the protestant submits that such a decision is beyond the jurisdiction of the Department of Water Resources. Additionally, Idaho Code Section 43-301 et. seq. does not mandate by-laws, et cetera. The department's concern on any application for transfer or exchange would be limited to whether or not the irrigation district's consent has been obtained for the exchange or transfer and then would the use of the water would be enlargement or would other users be injured by the proposed exchange of transfer, Idaho Code Section 42-222.

3. The applicant's final motion to dismiss rests on

*What about
Section 43-304?*

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the allegation that the district has no standing to object to a proposed change in point of diversion because it is not a water user. In fact, the district is not a water user, but is responsible for all stored water within the district and for proper administration of the same. To say that the district, therefore, does not have standing regarding a change in the use of that water or point of diversion of that water seems ludicrous.

Having thus discussed the arguments raised on applicant's motion to dismiss, the district's position is that the department has no standing whatsoever, even to review the application as filed. Idaho Code Section 42-108 provides in part:

"The person entitled to the use of water or owning any land to which water has been made appertenant either by a decree of the court or under the provisions of the constitution and statutes of this state, may change the point of diversion, period of use, or nature of use, ..., if the water rights of others are not injured by such change in point of diversion, place of use, period of use, or nature of use, provided: ~~If~~ if the right to the use of such water, ... is represented by shares of stock in a corporation, or if such works or system is owned and/or managed by an irrigation district, no change in the point of diversion, place of use, period of use, or nature of use shall be made or allowed without the consent of such corporation or irrigation district;...."

In addition to the foregoing, Idaho Code Section 42-222 provides in part:

"(1) Any person, ... who shall desire to

No stock issued.
What works are owned &
managed by Fremont
Madison Irrigation District?
Island Park, Grassy, &
Cross Cut or all natural
channels within boundary.

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change the point of diversion, place of use, period of use or nature of use of all or part of the water, ... shall first make application to the Department of Water Resources for approval of such change.... Upon receipt of such application it shall be the duty of the Director of the Department of Water Resources to examine same, obtain any consent required by Section 42-108, Idaho Code, and if otherwise proper cause the notice of the proposed change to be published..."

Fremont-Madison Irrigation District submits that it is clear from the statutes quoted above that the consent of Fremont-Madison Irrigation District is required before any change in place of use can be authorized and until that consent has been obtained the Department of Water Resources has no jurisdiction to proceed in the matter.

The position of Fremont-Madison Irrigation District has thus remained consistent since the filing of this application and the district maintains the testimony presented at the hearing supports their contention that to allow this particular transfer would be an enlargement or an enhancement of the water right as it now exists on Teton Creek.

In this particular case the water can not be physically delivered from the Island Park Dam to the point of use, and as Mr. Johnson, the President of the Grand Teton Canal Company, testified, when Teton Creek no longer reaches the Teton River the storage water is gone. Mr. Hoopes, however, has his pump sitting directly in the Teton River for waters available at all times. Under those circumstances he does not desire to be limited to the use of his storage water only until Teton Creek

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no longer reaches the river. He states that the water can be delivered on an exchange basis through the cross cut canal at a point substantially below his pumps. The testimony and the exhibits at the hearing indicated there are various times during the year when the cross-cut canal is simply at its full capacity and no delivery of that water would be available. At other times perhaps water could be delivered, however, the district's position is that to allow

Mr. Hoopes the full use of his 120 acre feet whether or not Teton Creek reaches the river is an enhancement of the right that he is seeking to transfer. That enhancement is to the detriment of other water users along the Teton River that depend upon that water for irrigation.

In addition, Mr. Hoopes himself testified that he does not need the water, but would like to have it as a backup source. His testimony further indicated that in the past seven to eight years his irrigation of ground has increased from 160 acres to well over 2,000 acres. All of this ground is being irrigated with water acquired since approximately 1970. The district submits that to allow the exchanges proposed without any limitations on the availability of water from Teton Creek is therefore, an enhancement and an enlargement of the water right sought to be transferred and that it should not be transferred because other water users with priority dates substantially ahead of any water owned by Mr. Hoopes would be injured. The

MICROFILMED

district has refused to give its consent and in view of those circumstances the Department of Water Resources is without jurisdiction to act further in the matter.

DATED this 2nd day of September, 1983.

Respectfully submitted,

Mary Smith
Mary Smith

Brent J. Moss
Brent J. Moss

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this 2nd day of September, 1983, I mailed a true copy of the foregoing Reply to Applicant's Motion to Dismiss Protest to Roger Hoopes, attorney for applicant at P. O. Box 70, Rexburg, Idaho 83440

Sharon L. Brown
Secretary

MICROFILMED

September 1, 1983

RE: Application for Exchange No. 21-2156/21-2157

Brent Moss
Attorney at Law
30 South Second West
Rexburg, ID 83440

Dear Mr. Moss:

At the conclusion of the Department's hearing on July 20, 1983, concerning the above captioned application, you stated a summary brief would be furnished responding to your motion for dismissal on the grounds the Department lacked jurisdiction in the matter. Subsequent to the hearing, administrative action has been postponed pending arrival of your brief. Since the Department is obligated to render a decision in a timely manner, your brief needs to be submitted for consideration. If you intend for the brief to be part of the record, it must be in this office by September 19, 1983.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

RECORDED

R. J. Hoopes. Esq.
HOOPES & SMITH
Attorneys at Law
P. O. Box 70
Rexburg, Idaho 83440
(208) 356-9335

RECEIVED

AUG 15 1983

Department of Water Resources

RECEIVED
AUG 26 1983

Department of Water Resources
Eastern District Office

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF THE APPLICATION OF)
EHCO RANCH, INC.,) EXPLANATION OF
) TESTIMONY

COMES NOW, EARL N. HOOPES, President of the within
Applicant, EHCO RANCH, INC., and enters this Explanation of his
Testimony given before the Hearing Officer on the 20th day of
July, 1983. Said Explanation is made for the following reasons:

1. After the Hearing held on the 20th day of July, 1983,
and having had an opportunity to reflect on the testimony
given, Mr. Hoopes feels that one particular statement in
his testimony may have led to some confusion and
2. So that there will be no confusion, Mr. Hoopes wishes
to further explain his position.

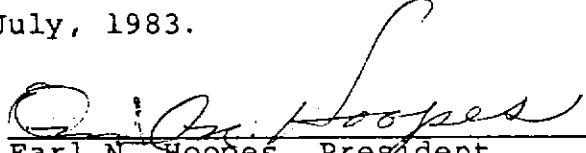
On cross-examination by the attorney for Protestant,
Fremont-Madison Irrigation District, Mr. Hoopes was asked the
purchase price of the storage water which he had purchased. Mr.
Hoopes recalls that reference was made to the Bill of Sale which
had previously been introduced into, and admitted into evidence
indicating that the amount paid was Three Thousand Eight Hundred
Ninety Dollars and Twenty Cents (\$3,890.20). That statement was
correct and that is the amount of money that had been paid for
the storage water. However, the record should also reflect that
Mr. Hoopes had agreed to pay an additional amount of money for
the storage water should the Application to Transfer be granted.
The additional amounts of monies to be paid, if any, cannot be
determined at this time because it is contingent upon the amount
of money which Applicant has to spend in an effort to complete

EXPLANATION
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the transfer. However, in no event shall the total purchase price for the 106 acre feet of storage water exceed Five Thousand Three Hundred Dollars (\$5,300.00).

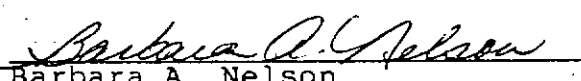
DATED this _____ day of July, 1983.


Earl N. Hoopes, President
EHCO RANCH, INC.

CERTIFICATE OF MAILING

I HEREBY CERTIFY that a true and correct copy of the foregoing was on this date served upon the person named below, at the address set out below his name, by mailing to him a true and correct copy of said document in a properly addressed envelope in the United States mail postage prepaid.

DATED this 25th day of July, 1983.


Barbara A. Nelson
Secretary
HOOPES & SMITH

J. T. Beech, President
Wilford Canal Company
Route 1
St. Anthony, ID 83445

Keith Erikson, President
Rexburg Irrigation Company
South of Rexburg
Rexburg, ID 83440

Darrell C. Neville, President
Teton Island Canal Company
Hibbard
Rexburg, ID 83440

Mary Smith, Attorney for
Fremont Madison Irrigation District
P O. Box 427
Rexburg, ID 83440

Norval Birch
Steward Ditch Canal Company
236 East Main
St. Anthony, ID 83445

Elmer Klein, President
Pioneer Canal Company
113 East Main
Teton, ID 83451

Reed Oldham, President
Teton River Protective Association, Inc.
Hibbard
Rexburg, ID 83440

EXPLANATION
9942a

REPRODUCED

INTER-DEPARTMENT MEMO — 1

FROM

DATE

TO

SUBJECT

original hearing
notes in file 21-2156

MICROFILMED

SIGNATURE

Courtroom, Fremont County Courthouse, St. Anthony, Idaho

Wednesday, July 20, 1983 (9:00 a.m.)

ROSTER OF ATTENDANCE

Hearing Officer

Bob Fleener

Name

Address

Representing

- J. Hoyer	Rexburg Idaho	Ehco Ranch
Burt Hoopes	Tetonia, Ida	Ehco Ranch
Earl Hoopes	Tetonia Ida	Ehco Ranch
Dale L. Swensen	St. Anthony	Fremont-Madison Irrig. D
- Burt J. Hoyer	Rexburg, Id	"
- Mary Smith	Rexburg, Id	"
J. Hoyer	Rexburg, Id	"
Donnie Ouel	Tetonia Ida	Fremont Madison Irr. D
Norman William	Ashton Idaho	"
Reed Oldham	Rexburg Idaho	Teton protective association
L. T. B. Kauer	Rexburg Idaho	Teton Island Feeder canal
Keith Erikson	Rexburg Idaho	Salem irrigation can
Jack H. Smith	Rexburg Idaho	Rexburg Irr. & Fremont MAO
J. Hoyer	Nowada "	Rexburg Irrigation
James S. Hoyer	Tetonia, Ida	Rexburg Irrigation
Ross Clements	Rexburg Ida	Idaho Water Land Conservancy
Vivian Bagley	Rexburg Ida	Teton Irr. & Mfg. canal
George A. Briggs	Tetonia Idaho	Island ward Canal co.
Frank E. Hoyer	Rt #1 Box 30 St. Anthony	North Salem Irrigation
Ed Rindlerbacher	Rt 2 Box 72 Rexburg	Teton Irr. & Mfg. co.
Lawell Johnson	Diggs Idaho	Wilford Irrigation & Mfg.
Don W. Zollinger	Rt 2 Rexburg	Roxana canal co.
Allen Hoopes	Tetonia Idaho	Island Teton canal
Marv Hoopes	Tetonia, Idaho	Roxana Canal
Ken Mackay	Rexburg Idaho	Island Ranch
Evel Johnson	St. Anthony Idaho	Ehco Ranch
Dee O'Brien	Diggs Idaho	Teton Island Canal
G. T. Beech	St. Anthony Idaho	Wilford canal co.
Gerald Klein	St. Anthony Idaho	Deputy Watermaster Dist #1
		Wilford Canal co.
		Pioneer Canal co.

Mike Buel
Darrell Neville
Keith Walker
Kiyoshi Sakata
A. Emery Davis

St. Anthony Idaho
Reensburg
Reensburg
Reensburg
St. Anthony

Anna-Thompson Canal
Stewart Canal
Heron Island Canal
Teton Island Canal
Teton Island Canal
Teton Island Canal
Gremont Lurg. Dist.

WICPACU 111111

July 15, 1983

Fremont County Clerk
Fremont County Courthouse
St. Anthony, Idaho 83455

ATTN: Betty Hill

Dear Ms. Hill:

This is to confirm the use of the Courtroom for conference and/or hearing to be held by this office on Wednesday, July 20, 1983 for the complete day and on Thursday, July 21, 1983 from 9:00 a.m. until 4:00 p.m.

Thank you for your cooperation in this matter.

Very truly yours,

COLLEEN WRAY
Adm. Secretary

RECEIVED
JUL 16 1983

DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT OFFICE
150 SHOUP 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.
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NAME AND ADDRESS OF SENDER	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. D. FEE	S. H. FEE	REST. DEL. FEE	REMARKS
	1	13071 Elmer Brown P.O. Box 197, Idaho Falls, Id.	21	75				60				21-2156/57
	2	13072 Diana Lockman Rt #1 Sugar City										
	3	13073 Everett Madison P.O. Box 5 St. Anthony										22-7304 21-7315-16
	4	13074 Mary Smith 39 So 2nd W Kelburg										22-7304 31-7315-16
	5	13075 Billie Wickham Rt #4 Box 192 Kelburg										
	6	13076 Fred Lockman Rt #2 St. Anthony										
	7	13077 Capt. Robert Pt #2 St. Anthony										
	8	13078 Donald Fisher 236 E Main St Anthony										
	9	13079 T. J. J. Jones P.O. Box 1										
	10	12440 John J. Jones P.O. Box 1										
	11	211										
	12	13082										
	13	13083 Robert Jones Rt #2 Box 142 Kelburg										
	14	13084 Linda Barnes Box 326 Sugar City										
	15	13085 Bill J. Jones Sugar City										
TOTAL NUMBER OF PIECES LISTED BY SENDER	TOTAL NUMBER OF PIECES RECEIVED AT POST OFFICE		POSTMASTER, PER (Name of receiving employee)		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.							
15	15		J. R. Jones									

original receipt
in file 21-2156/57

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

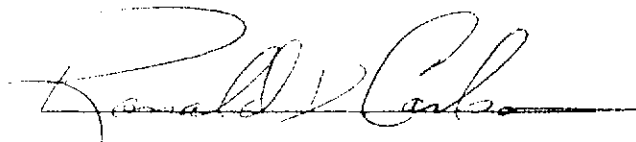
IN THE MATTER OF APPLICATION FOR EXCHANGE)
NO. 21-2156 AND 21-2157 IN THE NAME OF)
EHCO RANCH)

NOTICE OF HEARING
AND/OR CONFERENCE

On April 6, 1983, Ehco Ranch filed with the Department of Water Resources an application to exchange the public waters of the State of Idaho. On May 6, 1983, the Department received a protest against approval of said application from Fremont Madison Irrigation District. Additional protests were received by the Department from Teton Irrigation & Mfg. Company, Rexburg Irrigation Company, Teton Island Canal Company, Wilford Canal Company, Teton River Protective Association, Pincock Byington Canal Company, Woodmansee-Johnson Ditch, Roxana Canal, Pioneer Canal Company and Stewart Ditch.

The Department has set the matter of protest for hearing for Wednesday, July 20, 1983, at 9:00 a.m. in the Courtroom Fremont County Courthouse, St. Anthony, Idaho. The hearing will be held in accordance with provisions of 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.

Dated this 7th day of July,
1983.



RONALD D. CARLSON

Eastern Regional Supervisor

MICROFILMED

PROTESTANTS - 21-2156/2157 Ehco Ranch

6-6-83 Fremont Madison Irrigation District
P.O. Box 5
St. Anthony, ID 83445

Mary Smith, Attorney
30 South 2nd West
Rexburg, ID 83440

6-2-83 Diana S. Richman
Teton Irrigation & Mfg. Co.
Rt. #1
Sugar City, Idaho 83448

6-2-83 Keith Erikson
Rexburg Irrigation Co.
Rt. #4, Box 192
Rexburg, ID 83440

6-6-83 Darrell C. Neville
Teton Island Canal Company
Rt. No. 1, Box 26
Rexburg, ID 83440

6-6-83 Wilford Canal Company
J. T. Beech, Pres.
Rt. #1
St. Anthony, ID 83445

Errol Johnson
Rt. #1, Box 75
St. Anthony, ID 83445

6-6-83 Mr. Reed Oldham
Teton River Protective Association
Rt. #2, Box 297
Rexburg, ID 83440

6-6-83 Dean Crain, President
Pincock Byington Canal Co.
H.C. 60, Box 1199
Teton, ID 83451

6-6-83 Woodmansee-Johnson Ditch
Dell Palmer
Sugar City, ID 83448

Rondo Barrus
Box 326
Sugar City, ID 83448

6-6-83 Roxana Canal
Robert Orme
Rt. #2, Box 144
Rexburg, ID 83440

Ed Rindlisbacher
Rt. #2, Box 72
Rexburg, ID 83440

Dean W. Zollinger
Rt. #2
Rexburg, ID 83440

6-6-83 Pioneer Canal Company
Elmer Klein
Box 27
Teton, ID 83451

Alfred Klein
Teton, ID 83451

6-6-83 Stewart Ditch
Norval W. Birch
236 E. Main
St. Anthony, ID 83445

Boyd Hollist
Rt. #2
St. Anthony, ID

Reed W. Ashcraft
Rt. #2
St. Anthony, ID

MICROFILMED

June 10, 1983

RE: Application for Exchange No. 21-2156/2157 EHC0 RANCH

Fremont Madison Irrigation District
P.O. Box 5
St. Anthony, ID 83445

Gentlemen:

This is to acknowledge receipt of the protest filed against the above referenced application for exchange. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for exchange:

1. Are other water rights injured by the exchange?
2. Does the change constitute an enlargement in the use of the original right?
3. Will the proposed use under this exchange conflict with the local public interest?

You will be notified at a later date as to the time and place set for conference and/or hearing.

If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw

cc: IDWR - State Office
Mary Smith, Attorney

June 10, 1983

RE: Application for Exchange No. 21-2156/2157 EHC0 RANCH

Diana S. Richman
Teton Irrigation & Mfg. Co.
Rt. #1
Sugar City, ID 83448

Dear Ms. Richman:

This is to acknowledge receipt of the protest filed against the above referenced application for exchange. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for exchange:

1. Are other water rights injured by the exchange?
2. Does the change constitute an enlargement in the use of the original right?
3. Will the proposed use under this exchange conflict with the local public interest?

You will be notified at a later date as to the time and place set for conference and/or hearing.

If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw

cc: IDWR - State Office

June 10, 1983

RE: Application for Exchange No. 21-2156/2157 EHCO RANCH

Keith Erikson
Rexburg, Irrigation Co.
Rt. #4, Box 192
Rexburg, ID 83440

Dear Mr. Erikson:

This is to acknowledge receipt of the protest filed against the above referenced application for exchange. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for exchange:

1. Are other water rights injured by the exchange?
2. Does the change constitute an enlargement in the use of the original right?
3. Will the proposed use under this exchange conflict with the local public interest?

You will be notified at a later date as to the time and place set for conference and/or hearing.

If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw

cc: IDWR - State Office

June 10, 1983

RE: Application for Exchange No. 21-2156/2157 EHCO RANCH

Darrell C. Neville
Teton Island Canal Co.
Rt. No. 1, Box 26
Rexburg, ID 83440

Dear Mr. Neville:

This is to acknowledge receipt of the protest filed against the above referenced application for exchange. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for exchange:

1. Are other water rights injured by the exchange?
2. Does the change constitute an enlargement in the use of the original right?
3. Will the proposed use under this exchange conflict with the local public interest?

You will be notified at a later date as to the time and place set for conference and/or hearing.

If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw

cc: IDWR - State Office

June 10, 1983

RE: Application for Exchange No. 21-2156/2157 EHC0 RANCH

Mr. J. T. Beech, President
Wolford Canal Company
Rt. #1
St. Anthony, ID 83445

Dear Mr. Beech:

This is to acknowledge receipt of the protest filed against the above referenced application for exchange. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for exchange:

1. Are other water rights injured by the exchange?
2. Does the change constitute an enlargement in the use of the original right?
3. Will the proposed use under this exchange conflict with the local public interest?

You will be notified at a later date as to the time and place set for conference and/or hearing.

If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw

cc: IDWR - State Office
Errol Johnson

June 10, 1983

RE: Application for Exchange No. 21-2156/2157 EHCO RANCH

Mr. Reed Oldham
Teton River Protective Association
Rt. #2, Box 297
Rexburg, ID 83440

Dear Mr. Oldham:

This is to acknowledge receipt of the protest filed against the above referenced application for exchange. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for exchange:

1. Are other water rights injured by the exchange?
2. Does the change constitute an enlargement in the use of the original right?
3. Will the proposed use under this exchange conflict with the local public interest?

You will be notified at a later date as to the time and place set for conference and/or hearing.

If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw

cc: IDWR - State Office

June 10, 1983

RE: Application for Exchange No. 21-2156/2157 EHCO RANCH

Dean Crain, President
Pincok Byington Canal Co.
H.C. 60 Box 1199
Teton City, ID 83451

Dear Mr. Crain:

This is to acknowledge receipt of the protest filed against the above referenced application for exchange. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for exchange:

1. Are other water rights injured by the exchange?
2. Does the change constitute an enlargement in the use of the original right?
3. Will the proposed use under this exchange conflict with the local public interest?

You will be notified at a later date as to the time and place set for conference and/or hearing.

If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw

cc: IDWR - State Office

June 10, 1983

RE: Application for Exchange No. 21-2156/2157 EHC0 RANCH

Dell Palmer
Woodmansee-Johnson Ditch
Sugar City, ID 83448

Dear Mr. Palmer:

This is to acknowledge receipt of the protest filed against the above referenced application for exchange. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for exchange:

1. Are other water rights injured by the exchange?
2. Does the change constitute an enlargement in the use of the original right?
3. Will the proposed use under this exchange conflict with the local public interest?

You will be notified at a later date as to the time and place set for conference and/or hearing.

If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw

cc: IDWR - State Office
Rondo Barrus

June 10, 1983

RE: Application for Exchange No. 21-2156/2157 ECHO RANCH

Robert Orme
Roxana Canal Company
Rt. #2, Box 144
Rexburg, ID 83440

Dear Mr. Orme:

This is to acknowledge receipt of the protest filed against the above referenced application for exchange. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for exchange:

1. Are other water rights injured by the exchange?
2. Does the change constitute an enlargement in the use of the original right?
3. Will the proposed use under this exchange conflict with the local public interest?

You will be notified at a later date as to the time and place set for conference and/or hearing.

If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw

cc: IDWR - State Office
Edward Rindlisbacher
Dean W. Zollinger

June 10, 1983

RE: Application for Exchange No. 21-2156/2157 EHCO RANCH

Elmer Klein
Pioneer Canal Company
Box 27
Teton, ID 83451

Dear Mr. Klein:

This is to acknowledge receipt of the protest filed against the above referenced application for exchange. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for exchange:

1. Are other water rights injured by the exchange?
2. Does the change constitute an enlargement in the use of the original right?
3. Will the proposed use under this exchange conflict with the local public interest?

You will be notified at a later date as to the time and place set for conference and/or hearing.

If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw

cc: IDWR - State Office
Alfred Klein

June 10, 1983

RE: Application for Exchange No. 21-2156/2157 EHCO RANCH

Stewart Ditch
Norval W. Birch
236 E. Main
St. Anthony, ID 83445

Dear Mr. Birch:

This is to acknowledge receipt of the protest filed against the above referenced application for exchange. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for exchange:

1. Are other water rights injured by the exchange?
2. Does the change constitute an enlargement in the use of the original right?
3. Will the proposed use under this exchange conflict with the local public interest?

You will be notified at a later date as to the time and place set for conference and/or hearing.

If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw

cc: IDWR - State Office
Boyd K. Hollist
Reed W. Ashcraft

June 10, 1983

RE: Application for Transfer No. 21-2156/2157

Elco Ranch
P.O. Box 97
Tetonia, ID 83452

Dear Mr. Hoopes:

Enclosed please find a copy of the protests filed against the above referenced application. You should be aware that the following are the items we can consider at a conference and/or hearing in either approving or denying an application for exchange:

1. Are other water rights injured by the exchange?
2. Does the change constitute an enlargement in the use of the original right?
3. Will the proposed use under this exchange conflict with the local public interest?

You will be notified at a later date as to the time and place set for conference and/or hearing. Legal counsel is not mandatory at a proceeding before the Department, although you may desire to employ an attorney in your behalf.

If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:CW

Enclosure

NOTICE OF APPLICATION FOR EXCHANGE OF WATER

Notice is hereby given that EHCO Ranch, Tetonia, Idaho, has applied to the Department of Water Resources for an exchange of the waters of Island Park storage right held by Fremont Madison Irrigation District evidenced by License Nos. 21-2156 and 21-2157 and are recorded as follows:

21-2156 AMOUNT: 114,000 AF PRIORITY: 3/14/35

21-2157 AMOUNT: 21,000 AF PRIORITY: 6/12/40

The water is used to irrigate the applicants lands within the Fremont Irrigation District. They are 120 acres within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 4, NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 8 and NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 9, T. 6N, R. 44E, B.M.

PROPOSED EXCHANGE

2.4 cfs of water will be delivered into Henrys Fork, Snake River at a point in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 28, T. 13N, R. 43E, B.M. and then be diverted from the Henrys Fork at a point within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 14, T. 8N, R. 41E. In lieu thereof the water will be diverted from the Teton River at a point within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 10, T. 6N, R. 44E, B.M. Teton County. This exchange will only change the point of diversion on the Teton and will not effect the manner in which the exchange originally took place.

Any protest to the above proposed change of water must be filed with the Department of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83401 on or before June 6, 1983.

A. KENNETH DUNN

Director

Published in the Fremont County Chronicle and the Teton Valley News on 5/19 & 5/26/83.

RECEIVED

SMITH, HANCOCK & MOSS

Attorneys at Law

MARY SMITH
J. D. HANCOCK
BRENT J. MOSS
VAL DEAN DALLING, JR.
W. LLOYD ADAMS (1885-1968)

30 SOUTH 2nd WEST
REXBURG, IDAHO 83440
PHONE: 208-356-5493

June 3, 1983

RECEIVED

JUN 6 1983

Department of Water Resources
Eastern District Office

Department of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83401

Gentlemen:

I am enclosing herewith Protest of the
Fremont-Madison Irrigation District pertaining to the
Ehco Ranch exchange and change of point of diversion of
2.4 cfs Island Park storage water.

Yours very truly,

Mary Smith
Mary Smith

slb

Enclosure

RECEIVED

RECEIVED

JUN 6 1983

Department of Water Resources

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF THE APPLICATION)	
OF EHCO RANCH TO EXCHANGE AND)	PROTEST OF THE FREMONT-
CHANGE POINT OF DIVERSION OF)	MADISON IRRIGATION
2.4 cfs ISLAND PARK STORAGE)	DISTRICT
WATER.)	
)	

Comes now the Fremont-Madison Irrigation District, a quasi-municipal corporation of the State of Idaho, with its office and post office address at St. Anthony, Idaho, and in response to the following Notice of Application for Exchange of Water:

NOTICE OF APPLICATION
FOR EXCHANGE OF WATER

Notice is hereby given that ECHO RANCH, Tetonia, Idaho, has applied to the Department of Water Resources for an exchange of the waters of Island Park storage right held by Fremont-Madison Irrigation District evidenced by License Nos. 21-2156 and 21-2157 and are recorded as follows: 21-2156 AMOUNT: 114,000 AF; PRIORITY: 3/14/35; 21-2157 AMOUNT: 21,000 AF; PRIORITY: 6/12/40.

The water is used to irrigate the applicants lands within the Fremont Irrigation District. They are 120 acres within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 4, NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 8, and NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 9, T. 6 N., R. 44 E.B.M.

PROPOSED EXCHANGE

2.4 cfs of water will be delivered into Henry's Fork, Snake River at a point in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 28, T. 13 N., R. 43 E.B.M. and then be diverted from the Henry's Fork at a point within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 14, T. 8 N., R. 41 E. In lieu thereof the water will be diverted from the Teton River at a point within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 10, T. 6 N., R. 44 E.B.M. Teton County. This exchange will only change the point of diversion on the Teton and will not effect the manner in which the exchange originally took place.

Any protest to the above proposed change of water must be filed with the Department of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83401 on or before June 6, 1983.

A. Kenneth Dunn
Director

Publ. May 19 and 26, 1983.CN

makes the following protest against the approval of such application.

RECEIVED

1. 106af of Island Park storage rights are appurtenant to the W $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 12, Township 5 North, Range 45 East, Boise Meridian, in Teton County, Idaho, which is designated herein as the Dale E. Sykes property. That the storage water for this property comes from the Grand Teton Canal through Teton Creek in Teton County, Idaho. The history of the water flow from Teton Creek shows that in nearly all years the flow will not reach the river after July 15, and there is not a sufficient flow in Teton Creek to fill natural flow rights and storage rights.

2. Ehco Ranch, applicant, claims to have acquired the above storage rights which are to be diverted from the Teton River at a point within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 10, Township 6 North, Range 44 East, Boise Meridian, Teton County, Idaho, to irrigate 120 acres within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 4, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 8, and NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 9, Township 6 North, Range 44 East, Boise Meridian, Teton County, Idaho.

3. There is a distance of approximately 15 miles from the original point of diversion from Teton Creek and applicant's proposed point of diversion, and there is no canal or other means of conveying the 106af of storage water directly to applicant's property. Applicant proposes to pump 2.4 cfs of water from the Teton River at a point in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 10, Township 6 North, Range 44 E.B.M., and in exchange therefor, transfer 2.4 cfs of Island Park storage water from the Island Park Reservoir through the Cross Cut Canal, which is a canal constructed to deliver Island Park storage water from the North or Henry's Fork of Snake River to the Teton River in order to fill Island Park storage rights from the Teton River.

4. The Cross Cut Canal does not have the capacity to deliver an additional 2.4 cfs of storage water to the Teton River in exchange, as proposed by applicant. Because of the inability of the Cross Cut Canal to carry the 2.4 cfs of storage water proposed to be exchanged by applicant, the canal

MICROFILMED

companies and individuals who have storage rights carried in the Teton River would be deprived of their water and their water rights would be injured by such exchange and the change in the point of diversion. The Fremont-Madison Irrigation District therefor refused to give its consent for applicant to make such exchange and change the point of diversion.

5. The exchange or change in point of diversion would constitute an enlargement in the use of the original right. The proposed exchange or change in point of diversion would give applicant a full natural flow water right.

6. The water supply itself is not sufficient to warrant a change of the point of diversion and/or exchange of Island Park stored water for natural flow of the Teton River. It will reduce the quantity of water under existing rights.

7. It will conflict with local public interest.

8. The Board of Directors of Fremont-Madison Irrigation District were informed by applicant that it had sufficient water for its lands, but that this 106af would be cheaper to use.

WHEREFORE, the Fremont-Madison Irrigation District respectfully requests that the application of Ehco Ranch for change of point of diversion and exchange of Island Park storage water for natural flow of the Teton River be denied.

Norman Hillam
Norman Hillam, Chairman of the
Board of Directors of the
Fremont-Madison Irrigation
District

STATE OF IDAHO)
 : ss.
County of Madison)

NORMAN HILLAM, being first duly sworn, says that he is the Vice-Chairman of the Board of Directors of the Fremont-Madison Irrigation District and he makes this verification for and on behalf of said District; that affiant

MICROFILMED

has read the foregoing Protest and knows the contents thereof
and as to the matters and things therein alleged, affiant
believes the same to be true.

Barbara Hillan

Subscribed and sworn to before me this 3rd day of
June, 1983.

Mary J. Smith

Notary Public
Residing at Rexburg, Idaho
My Commission Expires: Life

(SEAL)

NOTARY PUBLIC

1252750

JUN 6 1983

Department of Water Resources
Eastern District Office

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF THE APPLICATION OF)
ECHO RANCH, INC.,) PROTEST
)

COMES NOW, TETON ISLAND CANAL COMPANY and protests the granting of the above referred to application on the following grounds:

1. The proposed use by the applicant will reduce the quantity of water under existing water rights.
2. Applicant obtained storage rights which had heretofore been appurtenant to land which had been irrigated from Teton Creek in Teton County, Idaho. This creek doesn't always have water during the irrigating season to furnish storage rights in addition to natural flow rights. Therefore, this transfer, if granted, at least without some restrictions, would result in an enlargement of the right to the storage water, because historically the water users on Teton Creek cannot avail themselves of storage rights unless there is water in the creek in excess of the natural flow rights.
3. If there is insufficient water in the Teton River to furnish natural flow rights and storage rights, the water-master uses what is known as the cross-cut canal to transfer storage water from Island Park Reservoir through the North Fork of the Snake River and through the cross-cut to the Teton River. That cross-cut canal is already overtaxed and it would be impossible to transfer any more storage water into the Teton River system.
4. The change will constitute an enlargement in the use of the original right.
5. By applicant's own declarations before the Board of Directors of the Fremont-Madison Irrigation District, applicant has adequate water for the irrigation of its property, but is seeking a cheaper water supply.

MICROFILMED

6. To grant this transfer will pose a tremendous policing problem to the Department of Water Resources, because appropriators on Teton Creek will continue to use that water, and applicant will insist on using the storage downriver on applicant's lands even during those times when, if said storage right remained on Teton Creek, there would be no water in the creek to fill the storage rights.

7. Water rights of the Teton Island Canal Company and its shareholders will be injured.

WHEREFORE, Protestant asks that the Department not grant said application.

DATED this 3rd day of June, 1983.

TETON ISLAND CANAL COMPANY

By: *Darrell C. Neville*
Darrell Neville, President

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JUN 6 1983

Department of Water Resources
Eastern District Office

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF THE APPLICATION OF)
ECHO RANCH, INC.,) PROTEST
)

COMES NOW, TETON RIVER PROTECTIVE ASSOCIATION, INC.
and protests the granting of the above referred to application
on the following grounds:

1. The proposed use by the applicant will reduce the quantity of water under existing water rights.
2. Applicant obtained storage rights which had heretofore been appurtenant to land which had been irrigated from Teton Creek in Teton County, Idaho. This creek doesn't always have water during the irrigating season to furnish storage rights in addition to natural flow rights. Therefore, this transfer, if granted, at least without some restrictions, would result in an enlargement of the right to the storage water, because historically the water users on Teton Creek cannot avail themselves of storage rights unless there is water in the creek in excess of the natural flow rights.
3. If there is insufficient water in the Teton River to furnish natural flow rights and storage rights, the water-master uses what is known as the cross-cut canal to transfer storage water from Island Park Reservoir through the North Fork of the Snake River and through the cross-cut to the Teton River. That cross-cut canal is already overtaxed and it would be impossible to transfer any more storage water into the Teton River system.
4. The change will constitute an enlargement in the use of the original right.
5. By applicant's own declarations before the Board of Directors of the Fremont-Madison Irrigation District, applicant has adequate water for the irrigation of its property, but is seeking a cheaper water supply.

MICROFILMED

6. To grant this transfer will pose a tremendous policing problem to the Department of Water Resources, because appropriators on Teton Creek will continue to use that water, and applicant will insist on using the storage downriver on applicant's lands even during those times when, if said storage right remained on Teton Creek, there would be no water in the creek to fill the storage rights.

7. Water rights of the Teton River Protective Association and its shareholders will be injured.

WHEREFORE, Protestant asks that the Department not grant said application.

DATED this 6th day of June, 1983.

TETON RIVER PROTECTIVE ASSOCIATION, INC.

By: Reed L. Edwards

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JUN 6 1983

Department of Water Resources
Eastern District Office

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF THE APPLICATION OF)
ECHO RANCH, INC.,) PROTEST
)

COMES NOW, WILFORD CANAL COMPANY and protests the
granting of the above referred to application on the following
grounds:

1. The proposed use by the applicant will reduce the quantity of water under existing water rights.
2. Applicant obtained storage rights which had heretofore been appurtenant to land which had been irrigated from Teton Creek in Teton County, Idaho. This creek doesn't always have water during the irrigating season to furnish storage rights in addition to natural flow rights. Therefore, this transfer, if granted, at least without some restrictions, would result in an enlargement of the right to the storage water, because historically the water users on Teton Creek cannot avail themselves of storage rights unless there is water in the creek in excess of the natural flow rights.
3. If there is insufficient water in the Teton River to furnish natural flow rights and storage rights, the water-master uses what is known as the cross-cut canal to transfer storage water from Island Park Reservoir through the North Fork of the Snake River and through the cross-cut to the Teton River. That cross-cut canal is already overtaxed and it would be impossible to transfer any more storage water into the Teton River system.
4. The change will constitute an enlargement in the use of the original right.
5. By applicant's own declarations before the Board of Directors of the Fremont-Madison Irrigation District, applicant has adequate water for the irrigation of its property, but is seeking a cheaper water supply.

UNRECORDED

6. To grant this transfer will pose a tremendous policing problem to the Department of Water Resources, because appropriators on Teton Creek will continue to use that water, and applicant will insist on using the storage downriver on applicant's lands even during those times when, if said storage right remained on Teton Creek, there would be no water in the creek to fill the storage rights.

7. Water rights of the Wilford Canal Company and its shareholders will be injured.

WHEREFORE, Protestant asks that the Department not grant said application.

DATED this 2nd day of June, 1983.

WILFORD CANAL COMPANY

By: W. H. Beach
President

Handwritten notes:
Gail - Beach
10/10/83
10/10/83
10/10/83
10/10/83

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JUN 10 1983

RECEIVED

JUN 6 1983

Department of Water Resources
Eastern District Office

June 2, 1983

Department of Water Resources
150 Shoup Ave. Suite 15
Idaho Falls, Idaho 83401

Dear Sirs:

The Pincock Byington Canal Company protests the 106 acre feet of Island Park storage water that Earl Hoopes has applied for.

The Fremont Madison denied the request. For reason of over burdening of the Cross Cut Canal, also for the reason the creek from which this water comes, goes dry in the summer.

We believe these facts to be true.

Sincerely yours, .

Alan Crain

Alan Crain
President of the Pincock Byington
Canal Company

RECORDED

June 2, 1983

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JUN 6 1983

Department of Water Resources
Eastern District Office

To: Water Resource Board
Idaho Falls, Idaho 83448

Gentlemen:

The W.J.R.M. DITCH CO. objects to the transfer of 106 acre feet of Island Park storage that Earl Hoopes has applied for; The reason being that it would be a detrimental situation for the W.J.R.M. Ditch co during the irrigation season.

The Fremont-Madison indicates that they cannot handle the extra amount of water during the peak irrigation time.

Sincerely

Woodmansee- Johnson Rexburg Mill Ditch Co.

Dell Palmer
Dell Palmer Chairman

Rondo Barrus
Rondo Barrus Secretary

NOTICE OF APPLICATION
FOR EXCHANGE OF WATER

Notice is hereby given that ECHO Ranch, Teton, Idaho, has applied to the Department of Water Resources for an exchange of the waters of Island Park storage right held by Fremont Madison Irrigation District and used by License Nos. 21-2156 and 21-2157 and are recorded as follows: 21-2156 AMOUNT: 114,000 AF; PRIORITY: 6/14/05; 21-2157 AMOUNT: 21,000 AF; PRIORITY: 6/12/40.

The water is used to irrigate the applicants lands within the Fremont Irrigation District. They are 120 acres within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 4, NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 8 and NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 9, T. 6N, R. 44E, B.M.

PROPOSED EXCHANGE

2.4 cfs of water will be delivered into Henry's Fork, Snake River at a point in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 28, T. 13N, R. 43E, B.M. and then be diverted from the Henry's Fork at a point within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 14, T. 6N, R. 41E. In lieu thereof the water will be diverted from the Teton River at a point within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 10, T. 6N, R. 44E, B.M. Teton County. This exchange will only change the point of diversion on the Teton and will not effect the manner in which the exchange originally took place.

Any protest to the above proposed change of water must be filed with the Department of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83401 on or before June 6, 1983.

A. KENNETH DUNN
Director

Post May 19 and 26, 1983.CN

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JUN 6 1983

June 3, 1983

Roxana Canal Company

Department of Water Resources
Eastern District Office

Robert Orme, sec.

Route 2 Box 144

Rexburg, Idaho

83440

To whom it may concern;

The Roxana Canal Company wishes to protest the application applied for by The ECHO Ranch, of Tetonia, Idaho, for transfer of water with license Nos. 21-2156 and 21-2157.

The reason for this protest is we feel like the crosscut Canal runs full capacity when needed at the present time.

NOTICE OF APPLICATION
FOR EXCHANGE OF WATER

Notice is hereby given that ECHO Ranch, Tetonia, Idaho, has applied to the Department of Water Resources for an exchange of the waters of Island Park storage right held by Fremont Madison Irrigation District evidenced by License Nos. 21-2156 and 21-2157 and are recorded as follows: 21-2156 AMOUNT: 114,000 AF; PRIORITY: 3/14/35; 21-2157 AMOUNT: 21,000 AF; PRIORITY: 6/12/40/.

The water is used to irrigate the applicants lands within the Fremont Irrigation District. They are 120 acres within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 4, NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 8 and NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 9, T. 6N, R. 44E, B.M.

PROPOSED EXCHANGE

2.4 cfs of water will be delivered into Henry's Fork, Snake River at a point in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 28, T. 13N, R. 43E, B.M. and then be diverted from the Henry's Fork at a point within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 14, T. 8N, R. 41E. In lieu thereof the water will be diverted from the Teton River at a point within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 10, T. 6N, R. 44E, B.M. Teton County. This exchange will only change the point of diversion on the Teton and will not effect the manner in which the exchange originally took place.

Sincerely,

Edward Rindlsbacher
Dean W. Gollinger
Robert Orme

Any protest to the above proposed change of water must be filed with the Department of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83401 on or before June 6, 1983.

A. KENNETH DUNN
Director

Publ. May 19 and 26, 1983.CN

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JUN 6 1983

Department of Water Resources
Eastern District Office

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF THE APPLICATION OF)
ECHO RANCH, INC.,) PROTEST
)

COMES NOW, PIONEER CANAL COMPANY and protests the
granting of the above referred to application on the following
grounds:

1. The proposed use by the applicant will reduce the quantity of water under existing water rights.
2. Applicant obtained storage rights which had heretofore been appurtenant to land which had been irrigated from Teton Creek in Teton County, Idaho. This creek doesn't always have water during the irrigating season to furnish storage rights in addition to natural flow rights. Therefore, this transfer, if granted, at least without some restrictions, would result in an enlargement of the right to the storage water, because historically the water users on Teton Creek cannot avail themselves of storage rights unless there is water in the creek in excess of the natural flow rights.
3. If there is insufficient water in the Teton River to furnish natural flow rights and storage rights, the water-master uses what is known as the cross-cut canal to transfer storage water from Island Park Reservoir through the North Fork of the Snake River and through the cross-cut to the Teton River. That cross-cut canal is already overtaxed and it would be impossible to transfer any more storage water into the Teton River system.
4. The change will constitute an enlargement in the use of the original right.
5. By applicant's own declarations before the Board of Directors of the Fremont-Madison Irrigation District, applicant has adequate water for the irrigation of its property, but is seeking a cheaper water supply.

RECEIVED

6. To grant this transfer will pose a tremendous policing problem to the Department of Water Resources, because appropriators on Teton Creek will continue to use that water, and applicant will insist on using the storage downriver on applicant's lands even during those times when, if said storage right remained on Teton Creek, there would be no water in the creek to fill the storage rights.

7. Water rights of the Pioneer Canal Company and its shareholders will be injured.

WHEREFORE, Protestant asks that the Department not grant said application.

DATED this 2nd day of June, 1983.

PIONEER CANAL COMPANY

By:

Elmer Klein
President

Elmer Klein

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JUN 6 1983

Department of Water Resources
Eastern District Office
BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF THE APPLICATION OF)
ECHO RANCH, INC.,) PROTEST
)

COMES NOW, STEWART DITCH CANAL COMPANY and protests
the granting of the above referred to application on the
following grounds:

1. The proposed use by the applicant will reduce the quantity of water under existing water rights.
2. Applicant obtained storage rights which had heretofore been appurtenant to land which had been irrigated from Teton Creek in Teton County, Idaho. This creek doesn't always have water during the irrigating season to furnish storage rights in addition to natural flow rights. Therefore, this transfer, if granted, at least without some restrictions, would result in an enlargement of the right to the storage water, because historically the water users on Teton Creek cannot avail themselves of storage rights unless there is water in the creek in excess of the natural flow rights.
3. If there is insufficient water in the Teton River to furnish natural flow rights and storage rights, the water-master uses what is known as the cross-cut canal to transfer storage water from Island Park Reservoir through the North Fork of the Snake River and through the cross-cut to the Teton River. That cross-cut canal is already overtaxed and it would be impossible to transfer any more storage water into the Teton River system.
4. The change will constitute an enlargement in the use of the original right.
5. By applicant's own declarations before the Board of Directors of the Fremont-Madison Irrigation District, applicant has adequate water for the irrigation of its property, but is seeking a cheaper water supply.

MICROFILMED

6. To grant this transfer will pose a tremendous policing problem to the Department of Water Resources, because appropriators on Teton Creek will continue to use that water, and applicant will insist on using the storage downriver on applicant's lands even during those times when, if said storage right remained on Teton Creek, there would be no water in the creek to fill the storage rights.

7. Water rights of the Stewart Ditch Canal Company and its shareholders will be injured.

WHEREFORE, Protestant asks that the Department not grant said application.

DATED this 2nd day of June, 1983.

STEWART DITCH CANAL COMPANY

By: Wm. L. Birch
By: Don't & Harold
By: Robert R. Wright
By: _____
By: _____
By: _____
By: _____
By: _____

MICROFILMED

RECEIVED

JUN 2 1983

Department of Water Resources
Eastern District Office

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF THE APPLICATION OF)
ECHO RANCH, INC.,) PROTEST
)

COMES NOW, REXBURG IRRIGATION COMPANY and protests the granting of the above referred to application on the following grounds:

1. The proposed use by the applicant will reduce the quantity of water under existing water rights.
2. Applicant obtained storage rights which had heretofore been appurtenant to land which had been irrigated from Teton Creek in Teton County, Idaho. This creek doesn't always have water during the irrigating season to furnish storage rights in addition to natural flow rights. Therefore, this transfer, if granted, at least without some restrictions, would result in an enlargement of the right to the storage water, because historically the water users on Teton Creek cannot avail themselves of storage rights unless there is water in the creek in excess of the natural flow rights.
3. If there is insufficient water in the Teton River to furnish natural flow rights and storage rights, the water-master uses what is known as the cross-cut canal to transfer storage water from Island Park Reservoir through the North Fork of the Snake River and through the cross-cut to the Teton River. That cross-cut canal is already overtaxed and it would be impossible to transfer any more storage water into the Teton River system.
4. The change will constitute an enlargement in the use of the original right.
5. By applicant's own declarations before the Board of Directors of the Fremont-Madison Irrigation District, applicant has adequate water for the irrigation of its property, but is seeking a cheaper water supply.

RECORDED

6. To grant this transfer will pose a tremendous policing problem to the Department of Water Resources, because appropriators on Teton Creek will continue to use that water, and applicant will insist on using the storage downriver on applicant's lands even during those times when, if said storage right remained on Teton Creek, there would be no water in the creek to fill the storage rights.

7. Water rights of the Rexburg Irrigation Company and its shareholders will be injured.

WHEREFORE, Protestant asks that the Department not grant said application.

DATED this 27th day of May, 1983.

REXBURG IRRIGATION CANAL COMPANY

By: *W. J. [Signature]*
President

RECEIVED
MAY 30 1983

May 31, 1983

Department of Water Resources
Shoup Ave. 150 , Suite 15,
Idaho Falls, Idaho 83401

Dear Sirs:

The Board of Directors of the Teton Irrigation and Manufacturing Co.
Route #1, Sugar City, Idaho 83448 wants to register a protest for
the application for Exchange of water that was advertized for the
Echo Ranch, Tetonis Idaho. We agree with the denial of transfer
made by the Fremont-Madison Irrigation Dist.

Sincerely,
Teton Irrigation & Mfg. Co.
Biana S. Richman, Sec.

Biana S. Richman

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JUN 2 1983

Department of Water Resources
Eastern District Office

FROM RON

DATE 5/16/83

TO FILE

SUBJECT CONFERENCE

NOTE: THE CONFERENCE HELD
MAY 10, 1983 WAS SIMPLY TO
DETERMINE APPLICANT'S RIGHT
TO FILE

SIGNATURE

MICROFILMED

IN THE MATTER OF)
APPLICATION FOR)
EXCHANGE 21-2156/57) Agreement
IN THE NAME OF)
EHCO RANCH)

We agree that the Dept of
water resources should process
this application in the normal
way, and proceed immediately
with the advertising as required by
law

Signed at Idaho Falls Idaho this
10th day of May 1983.

J. Max Mortensen
Earl C. Hoopes

MICROFILMED

EXCHANGE 21-2156/57

EHCO RANCH

May 10, 1983

106 AF at 2.4 cfs Island Park to Teton

Fremont Madison Protestant - Mary Smith

Brent Moss Atty

Applicant - Roger Hoopes Atty

ISSUES

who has right to initiate application

Applicant tried to initiate exchange thru Fremont Madison before filing exchange w/ dept.

About $\frac{1}{2}$ water into pipeline is storage Hastings, $\rightarrow$ Baggeley, $\rightarrow$ Sykes, $\rightarrow$ Hoopes.

Hoopes has leased the water for several years before purchase.

Fremont Madison objects

Because of capacity of crosscut.

Roger Hoopes.

Fremont Madison - has no contracts of sale for water sold.

WHAT CONTROL DOES FREMONT MADISON HAVE OF STORAGE CHANGES WITHIN DISTRICT?

WHO CAN INITIATE EXCHANGE?

RECEIVED
MAY 11 1983

ISSUE

WHAT CONTROL DOES FREMONT MADISON
HAVE OVER DELIVERY OF STORAGE
SOLD WITH IN DISTRICT WHERE
THEY OPERATE OR MAINTAIN NO
SYSTEM OF CANALS?

WHAT CONTROL DOES FREMONT MADISON
HAVE OVER EXCHANGES OF STORAGE
DIVERTED THROUGH THE CROSS CUT
DOES A STOCK HOLDER HAVE A RIGHT
TO INITIATE AN EXCHANGE WITHIN
THE DISTRICT WITHOUT DISTRICT
APPROVAL? WHERE DISTRICT F IS THE
OWNER OF RECORD WITH THE DEPT?

RECEIVED
FEB 11 1900

21-2156 & 2157

May 10, 1983

Earl Hoopes

1. Would water be demanded thru the crosscut for this right at more times than the existing users -

~~Water~~ Water was

- Rex Ord and Ron Ord - both were approved -

- This exchange has been denied by Fremont Madison -

- Does he have a right to exchange the water without the permission of Fremont Madison -

Water has been leased for use on this land - from Grand Teton Canal Co. - Teton Creek

The decreed rights - are concerned that on dry years the crosscut canals would ~~be~~ not have sufficient capacity -

Originally sold to Mr. Hastings by Fremont Madison -

Is Hoopes entitled to initiate an application -

42-108 -

RECEIVED
FALL RIVER CANAL
MAY 1977

OPERATION OF CROSS CUT DURING 1977																																		
24 hour Second-Feet																																		
MAY																																		
LOCATION	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	TOTAL		
Diverted at Head	195	200	193	202	191	192	195	188	188	193	205	201	200	310	316	309	312	304	312	265	240	244	244	242	182	140	138	114	134	135	132	6,624		
Inflow from Fall River Canal	5	5	30	39	23	23	22	23	22	24	23	22	23	23	23	24	24	23	22	24	24	22	22	23	23	23	23	22	22	21	693			
North Branch Diversion	91	94	95	95	96	97	97	95	96	96	96	97	97	91	93	95	97	95	94	89	87	85	86	84	77	78	75	73	75	77	77	2,776		
Middle Branch Diversion	79	79	86	84	81	79	79	80	78	79	81	87	87	94	94	93	75	75	75	65	66	67	66	67	56	49	45	42	45	46	46	2,243		
Below Fall River Canal Divers.	30	35	47	53	42	39	41	36	36	42	45	39	39	145	152	145	164	157	165	132	111	114	114	113	72	36	35	22	32	32	30	2,295		
Cross Cut at End	40	40	40	40	44	36	36	36	36	36	36	36	36	36	36	36	36	36	36	36	36	36	36	36	36	36	36	36	36	36	36	1,940		
JUNE																																		
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30				
Diverted at Head	207	213	314	317	316	326	330	329	325	348	244	232	223	225	215	215	302	305	314	386	401	365	501	494	487	116	486	512	510	544	10,142			
Inflow from Fall River Canal	24	25	27	25	29	25	21	14	14	15	22	16	16	16	16	14	16	16	14	14	16	16	13	12	12	10	10	5	11	10	593			
North Branch Diversion	36	36	96	96	101	96	96	95	95	97	86	85	83	85	85	85	92	95	95	95	95	95	95	87	86	94	69	97	99	100	2,740			
Middle Branch Diversion	59	79	94	96	100	105	108	114	124	122	81	0	0	80	79	77	109	112	112	133	131	118	116	116	84	35	84	86	86	86	2,719			
Below Fall River Canal Divers.	56	73	151	153	144	147	147	134	130	147	99	163	155	76	70	70	117	117	121	172	189	200	311	304	321	22	315	335	335	332	5,186			
Cross Cut at End	62	62	133	136	130	125	119	112	103	112	84	129	133	130	55	55	55	113	110	141	157	157	157	239	239	40	287	257	315	315	4,304			
JULY																																		
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31			
Diverted at Head	545	274	535	565	576	277	176	531	555	604	579	596	591	410	434	435	440	447	442	441	135	454	494	527	335	322	330	320	319	319	314	13,505		
Inflow from Fall River Canal	10	12	7	11	89	7	7	7	6	6	6	6	6	3	3	3	3	3	2	2	2	2	2	2	0	5	5	8	5	6	5	164		
North Branch Diversion	56	27	95	87	83	91	81	91	90	91	90	85	85	81	34	26	30	30	23	27	27	24	24	32	10	51	51	52	52	0	1,726			
Middle Branch Diversion	76	14	122	105	103	103	80	104	107	107	83	102	97	84	48	42	42	49	49	49	49	52	52	54	35	65	92	86	85	55	11	2,712		
Below Fall River Canal Divers.	396	243	325	354	394	90	22	394	394	412	412	412	412	248	405	371	371	371	367	367	64	420	420	443	293	205	192	190	190	155	305	9,765		
Cross Cut at End	371	213	334	334	353	155	65	362	362	364	388	583	395	11	373	353	353	353	353	353	255	287	350	247	359	242	215	204	204	204	311	9,679		
AUGUST																																		
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31			
Diverted at Head	319	321	317	321	327	335	333	273	260	312	312	313	316	319	318	322	317	316	309	244	240	240	236	235	240	245	245	246	247	246	251	8,576		
Inflow from Fall River Canal	1	1	2	2	3	2	1	2	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	5	53		
North Branch Diversion	0	13	29	30	30	2	2	46	45	60	60	61	25	32	34	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	804		
Middle Branch Diversion	12	61	61	55	60	15	26	24	24	75	73	75	53	52	52	18	19	15	15	16	23	23	43	43	45	43	40	40	37	35	65	1,255		
Below Fall River Canal Divers.	305	233	229	235	240	320	306	204	192	175	175	175	236	236	231	304	295	295	291	232	217	217	163	161	164	173	173	173	177	154	151	6,867		
Cross Cut at End	302	225	245	239	239	262	289	289	214	191	185	190	225	215	250	234	250	265	265	218	218	207	163	149	149	157	157	157	157	157	157	6,622		
SEPTEMBER																																		
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31			
Diverted at Head	252	249	246	247	249	247	247	245	284	322	290	259	252	30	163	295	288	280	253	296	217	149	134	119	114	109	109	111	111		6,334			
Inflow from Fall River Canal	8	3	9	9	8	8	8	8	3	8	8	6	4	4	5	5	4	4	4	4	4	4	4	4	5	6	5	5	5	5	179			
North Branch Diversion	43	50	57	57	57	57	57	57	57	57	32	5	7	1	4	7	22	36	36	37	34	32	32	32	32	23	23	25	26	26	1,056			
Middle Branch Diversion	62	64	67	67	66	66	67	67	66	75	54	55	26	25	14	16	17	34	50	51	52	44	36	35	34	34	33	33	34	34	1,403			
Below Fall River Canal Divers.	155	143	131	132	134	132	131	131	130	160	189	209	229	124	20	143	275	236	193	200	201	143	85	72	59	58	56	56	56	56	4,049			
Cross Cut at End	151	123	106	106	107	107	107	110	112	133	154	154	174	145	122	131	140	101	164	160	153	120	52	66	51	48	46	44	41	41	3,553			
Season loss = 1980 + 25,108 = 7,047.																																		
Total into Teton River for Season = 26,128 cfs = 51,825 ac-ft.																																		

[illegible]

04/07/81

TOTAL OF DIVERSIONS, TETON RIVER, SOUTH LEIGH CREEK TO ST ANTHONY
DISCHARGE, CUBIC FEET PER SECOND, IRRIGATION YEAR NOVEMBER 1979 TO OCTOBER 1980
MEAN VALUES

DAY	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT
1	6	---	---	---	---	0	0	0	153	84	38	9
2	6	---	---	---	---	0	4	0	155	90	38	10
3	6	---	---	---	---	0	4	0	145	88	51	10
4	6	---	---	---	---	0	4	0	136	60	52	8
5	6	---	---	---	---	0	4	0	141	92	52	6
6	6	---	---	---	---	0	4	0	121	88	43	12
7	6	---	---	---	---	0	4	0	127	77	34	19
8	6	---	---	---	---	0	4	0	134	69	35	8
9	6	---	---	---	---	0	4	0	141	60	23	10
10	6	---	---	---	---	0	0	0	136	60	16	10
11	6	---	---	---	---	0	0	9	151	54	20	6
12	6	---	---	---	---	0	0	9	153	83	16	0
13	6	---	---	---	---	0	0	11	152	100	16	0
14	6	---	---	---	---	0	0	11	153	97	16	0
15	0	---	---	---	---	0	0	15	155	83	16	0
16	0	---	---	---	---	0	0	2	159	53	16	0
17	0	---	---	---	---	0	0	17	139	44	7	0
18	0	---	---	---	---	0	0	21	141	18	7	0
19	0	---	---	---	---	0	0	36	137	19	10	0
20	0	---	---	---	---	0	0	44	139	36	9	0
21	0	---	---	---	---	0	0	44	132	35	10	0
22	0	---	---	---	---	0	0	37	121	34	9	0
23	0	---	---	---	---	0	0	60	131	34	9	0
24	0	---	---	---	---	0	0	69	132	29	9	0
25	0	---	---	---	---	0	0	80	124	11	9	0
26	0	---	---	---	---	0	0	87	96	19	6	0
27	0	---	---	---	---	0	0	117	80	37	6	0
28	0	---	---	---	---	0	0	113	89	37	9	0
29	0	---	---	---	---	0	0	114	130	57	9	0
30	0	---	---	---	---	0	0	147	128	62	9	0
31	---	---	---	---	---	---	0	---	117	57	---	0
TOTAL	84	0	0	0	0	0	30	1043	4150	1768	599	110
MEAN	3	0	0	0	0	0	1	35	134	57	20	4
MAX	6					0	4	147	159	100	52	19
MIN	0					0	0	0	80	11	6	0
AC-FT	167	0	0	0	0	0	60	2100	8200	3500	1200	218
WATER YEAR 1980 TOTAL 7785 MEAN 21 AC-FT 15400												

04/07/81

04/07/81

TOTAL OF DIVERSIONS, TETON RIVER, BELOW ST ANTHONY
DISCHARGE, CUBIC FEET PER SECOND, IRRIGATION YEAR NOVEMBER 1979 TO OCTOBER 1980
MEAN VALUES

DAY	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT
1	200	---	---	---	---	100	423	538	1217	845	423	374
2	200	---	---	---	---	93	490	488	1205	799	393	414
3	200	---	---	---	---	93	565	487	998	776	392	411
4	200	---	---	---	---	117	565	519	922	765	402	409
5	130	---	---	---	---	117	710	517	996	768	412	438
6	129	---	---	---	---	117	711	527	894	780	466	467
7	129	---	---	---	---	118	684	558	920	778	463	460
8	129	---	---	---	---	118	661	554	956	780	458	458
9	129	---	---	---	---	118	678	557	998	744	461	458
10	129	---	---	---	---	118	704	566	1098	756	475	457
11	129	---	---	---	---	118	695	640	1052	770	467	386
12	128	---	---	---	---	133	597	706	1087	763	530	432
13	128	---	---	---	---	133	573	750	1051	693	567	435
14	128	---	---	---	---	133	567	815	1014	720	569	377
15	125	---	---	---	---	133	561	854	1089	687	481	333
16	125	---	---	---	---	133	578	873	1130	716	483	270
17	125	---	---	---	---	133	577	943	1115	645	486	260
18	127	---	---	---	---	173	633	940	1106	583	433	210
19	126	---	---	---	---	173	662	1018	1049	569	429	208
20	126	---	---	---	---	174	671	1015	1026	506	416	223
21	126	---	---	---	---	183	682	1066	1011	513	433	221
22	126	---	---	---	---	183	683	1106	971	497	417	221
23	126	---	---	---	---	206	645	1204	900	458	416	223
24	140	---	---	---	---	207	643	1178	862	455	360	229
25	140	---	---	---	---	261	601	1104	877	453	351	230
26	140	---	---	---	---	260	561	1161	788	401	358	230
27	140	---	---	---	---	396	564	1257	795	410	346	228
28	126	---	---	---	---	395	558	1247	803	422	341	228
29	112	---	---	---	---	417	541	1210	764	421	341	228
30	112	---	---	---	---	418	526	1198	783	419	340	314
31	---	---	---	---	---	---	522	---	775	403	---	328
TOTAL	4130	0	0	0	0	5471	18831	25598	30256	19292	12909	10160
MEAN	138	0	0	0	0	182	607	853	976	622	430	328
MAX	200					418	711	1257	1217	845	569	467
MIN	112					93	423	487	764	401	340	208
AC-FT	8200	0	0	0	0	10900	37400	50800	60000	38300	25600	20200

WATER YEAR 1980 TOTAL 126600 MEAN 346 AC-FT 251200

OFFICE OF THE
ENGINEER

STATION NUMBER 1305001RF

CROSSCUT R&L DIVE
DISCHARGE, IN CUBIC FEET PER SECOND, IRRIGATION YEAR NOVEMBER 1978 TO OCTOBER 1979
MEAN VALUES

RUN DATE 02/29/80

DAY	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT
1	30	0	0	0	0	0	10	69	38	134	152	32
2	30	0	0	0	0	0	9	68	37	183	151	32
3	30	0	0	0	0	0	8	64	72	256	150	32
4	30	0	0	0	0	0	9	66	57	264	150	32
5	30	0	0	0	0	0	10	65	55	262	149	32
6	30	0	0	0	0	0	10	64	53	259	147	32
7	30	0	0	0	0	0	8	64	55	275	150	32
8	30	0	0	0	0	0	6	67	48	280	150	32
9	30	0	0	0	0	0	6	67	42	283	146	32
10	30	0	0	0	0	0	5	67	42	275	143	32
11	30	0	0	0	0	0	12	70	61	269	142	22
12	30	0	0	0	0	0	20	72	180	278	127	20
13	28	0	0	0	0	0	20	72	296	287	112	14
14	28	0	0	0	0	0	20	72	296	195	108	14
15	28	0	0	0	0	0	20	75	294	186	113	13
16	0	0	0	0	0	0	22	75	292	181	112	13
17	0	0	0	0	0	0	25	75	286	181	111	13
18	0	0	0	0	0	0	26	72	263	197	111	13
19	0	0	0	0	0	0	28	72	290	197	105	13
20	0	0	0	0	0	0	28	53	315	197	153	13
21	0	0	0	0	0	0	44	56	311	198	152	13
22	0	0	0	0	0	0	60	64	300	194	152	12
23	0	0	0	0	0	0	60	62	290	188	150	12
24	0	0	0	0	0	0	59	60	729	194	149	12
25	0	0	0	0	0	0	58	57	219	195	147	11
26	0	0	0	0	0	0	57	62	216	194	148	10
27	0	0	0	0	0	0	57	59	161	193	33	10
28	0	0	0	0	0	0	66	53	153	223	34	4
29	0	0	0	---	0	0	66	56	150	159	34	4
30	0	0	0	---	0	0	68	40	147	154	34	4
31	---	0	0	---	0	---	69	---	135	155	---	4
TOTAL	444	0	0	0	0	0	964	1940	5383	6686	3715	564
MEAN	14.8	0	0	0	0	0	31.0	64.6	173.6	215.6	123.8	18.1
MAX	30	0	0	0	0	0	69	75	315	287	153	32
MIN	28	0	0	0	0	0	5	40	37	134	33	4
AC-FT	880	0	0	0	0	0	1912	3847	10677	13261	7368	1118
IRR YR 1979	TOTAL	19696	MEAN	1041.3	MAX	315	MIN	4	AC-FT	34067		

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FEB 27 1980

STATION NUMBER 11550FIR

CROSSCUT AT END

RUN DATE 02/29/80

DISCHARGE, IN CUBIC FEET PER SECOND, IRRIGATION YEAR NOVEMBER 1979 TO OCTOBER 1979
MEAN VALUES

DAY	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT
1	30	0	0	0	0	15	5	77	32	142	140	30
2	30	0	0	0	0	15	5	77	32	180	142	30
3	30	0	0	0	0	15	5	78	46	273	145	28
4	30	0	0	0	0	15	5	80	34	273	143	26
5	30	0	0	0	0	15	5	90	41	275	154	25
6	30	0	0	0	0	15	5	84	37	277	142	25
7	20	0	0	0	0	15	5	89	38	280	138	30
8	10	0	0	0	0	15	4	89	34	277	136	30
9	10	0	0	0	0	15	4	84	30	275	134	30
10	10	0	0	0	0	15	7	80	31	268	132	30
11	10	0	0	0	0	15	10	90	164	263	136	22
12	10	0	0	0	0	15	10	80	172	270	0	15
13	10	0	0	0	0	15	10	86	263	278	96	15
14	15	0	0	0	0	15	10	86	267	180	96	10
15	15	0	0	0	0	15	12	86	268	172	96	10
16	15	0	0	0	0	15	15	90	265	172	96	10
17	0	0	0	0	0	15	18	95	248	174	96	9
18	0	0	0	0	0	15	20	95	231	196	96	9
19	0	0	0	0	0	15	20	95	248	200	96	7
20	0	0	0	0	0	15	40	98	277	204	96	7
21	0	0	0	0	0	15	40	98	233	199	95	6
22	0	0	0	0	0	15	40	65	250	188	95	4
23	0	0	0	0	0	15	40	65	268	186	132	4
24	0	0	0	0	0	15	38	80	202	185	132	6
25	0	0	0	0	0	15	35	80	202	183	133	6
26	0	0	0	0	0	15	35	80	186	182	134	6
27	0	0	0	0	0	15	40	80	153	182	84	6
28	0	0	0	0	0	15	40	66	153	151	33	6
29	0	0	0	---	0	15	42	52	150	148	33	5
30	0	0	0	---	0	15	45	52	146	146	31	5
31	---	0	0	---	0	---	61	---	146	142	---	5
TOTAL	305	0	0	0	0	450	671	2427	4845	6521	3212	457
MEAN	10.1	0	0	0	0	15.0	21.6	80.9	156.2	210.3	107.0	14.7
MAX	30	0	0	0	0	15	61	98	277	280	154	30
MIN	10	0	0	0	0	15	4	52	30	142	31	4
AC-FT	604	0	0	0	0	892	1330	4613	9610	12934	6371	906
IRR YR 1979	TOTAL	14888	MEAN	1574.0	MAX	280	MIN	4	AC-FT	37464		

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07/15/81

04/07/81

13049560 CROSSCUT CANAL
DISCHARGE, CUBIC FEET PER SECOND, IRRIGATION YEAR NOVEMBER 1979 TO OCTOBER 1980
MEAN VALUES

DAY	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT
1	0	0	---	---	---	0	84	60	192	192	102	50
2	0	---	---	---	---	0	86	55	228	170	104	51
3	0	---	---	---	---	0	88	65	223	151	95	52
4	0	---	---	---	---	0	76	55	188	132	92	53
5	0	---	---	---	---	0	82	52	161	135	92	53
6	0	---	---	---	---	0	84	49	154	135	96	53
7	0	---	---	---	---	0	95	49	147	135	100	48
8	0	---	---	---	---	0	100	48	155	135	105	50
9	0	---	---	---	---	0	104	47	162	129	105	73
10	0	---	---	---	---	0	106	45	158	132	84	96
11	0	---	---	---	---	0	84	52	161	136	95	40
12	0	---	---	---	---	0	86	116	164	182	95	38
13	0	---	---	---	---	0	82	127	212	142	78	36
14	0	---	---	---	---	0	74	122	261	103	61	44
15	0	---	---	---	---	0	74	144	189	149	44	44
16	0	---	---	---	---	0	77	165	234	124	41	42
17	0	---	---	---	---	0	78	158	249	124	41	42
18	0	---	---	---	---	0	63	150	249	124	49	42
19	0	---	---	---	---	0	60	127	194	121	48	42
20	0	---	---	---	---	0	59	147	198	105	46	42
21	0	---	---	---	---	0	61	145	202	90	46	38
22	0	---	---	---	---	0	63	156	200	87	46	36
23	0	---	---	---	---	0	72	166	213	66	46	34
24	0	---	---	---	---	0	67	178	213	76	46	34
25	0	---	---	---	---	0	58	154	223	87	46	33
26	0	---	---	---	---	0	47	152	176	87	53	33
27	0	---	---	---	---	0	41	150	162	87	50	33
28	0	---	---	---	---	0	40	152	149	87	50	33
29	0	---	---	---	---	0	41	170	154	102	50	33
30	0	---	---	---	---	0	44	188	160	104	51	33
31	---	---	---	---	---	---	45	---	176	103	---	33
TOTAL	0	0	0	0	0	0	2221	3444	5907	3732	2057	1364
MEAN	0	0	0	0	0	0	72	115	191	120	69	44
MAX	0	0	0	0	0	0	106	188	261	192	105	96
MIN	0	0	0	0	0	0	40	45	147	66	41	33
AC-FT	0	0	0	0	0	0	4400	6800	11700	7400	4100	2700

WATER YEAR 1980 TOTAL 18700 MEAN 51 AC-FT 37100

Storage Allocated To The Cross-cut Canal

I. Below Mouth of Cross-cut:

A: Lower Teton Canals	25,947 A.F.
B: Miscellaneous (Pumpers)	521 A.F.
Total	26,468 A.F.

II. Above Mouth of Cross-cut:

A: Teton Basin Canals	6,728 A.F.
B: miscellaneous (Pumpers)	898 A.F.
Total	7,626 A.F.

III Total Storage on Teton River 34,094 A.F.

78% on lower Teton
22% on upper Teton

MICROFILMED

THIS APPLICATION HAS NOT BEEN ADVERTISED.
WE NEED TO DETERMINE IF HOOPES HAS RIGHT
TO INITIATE APPLICATION.

ENCLOSURE

21-2156/57 - Ehco Ranch

Idaho Falls Public Library, Room 1, Idaho Falls, Idaho

(Tuesday, May 10, 1983, (11:00 a.m.)

ROSTER OF ATTENDANCE

Hearing Officer Bob Fleenor & Ron Carlson

Name	Address	Representing
Bzem J. Moss	Reeburg, Idaho	Fremont Madison
J. Max Mortensen	Reeburg At 2 Box 87	" "
Mary Smith	"	" "
John B. Kauer	Box #4, Reeburg, Idaho	" "
R. J. Weger	P.O. Box 70 Reeburg	Ehco Ranch
Earl Kasper	Teton	Ehco Ranch
Norman Williams	Ashley	Fremont Madison
Dale L. Swenson	St. Anthony	" "

ENCLOSURE

WHEREFORE, the Fremont-Madison Irrigation District respectfully requests that the application of Ehco Ranch for change of point of diversion and/or exchange of Island Park storage water for natural flow of the Teton River be denied.

James Max Mortensen
James Max Mortensen, Chairman of
the Board of Directors of the
Fremont-Madison Irrigation
District

STATE OF IDAHO)
 : ss.
County of Madison)

JAMES MAX MORTENSEN, being first duly sworn, says that he is the Chairman of the Board of Directors of the Fremont-Madison Irrigation District and he makes this verification for and on behalf of said District; that affiant has read the foregoing Protest and knows the contents thereof and as to the matters and things therein alleged, affiant believes the same to be true.

James Max Mortensen

Subscribed and sworn to before me this 6th day of May, 1983.

Mary Smith
Notary Public
Residing at Rexburg, Idaho
My Commission Expires: Life

(SEAL)

CERTIFICATE

I hereby certify that I hand delivered a true and correct copy of the foregoing Protest to Roger J. Hoopes, Attorney for Ehco Ranch, at 110 East Main, Rexburg, Idaho, this 6th day of May, 1983.

Sharon L. Brown
Secretary

RECEIVED
MAY 10 1983

INTER-DEPARTMENT MEMO — 1

DATE April 8, 1983

FROM H. Jones + Ron Carlson

TO Bob Fleenor

SUBJECT EHCO RANCH Exchange

Fremont-Madison Irrigation District has turned down EHCO RANCH's request for a transfer of place of use of stored water shares they purchased. Ron is curious to see if the enclosed application for exchange was anywhere near feasible. Ron would appreciate your opinion, comments or questions.

H.W. Jones

SIGNATURE

* Copy sent to Norm Young
To: Ron + Harold

Notify F.M.I.D. so they can object in writing. We will hold a protest hearing with one issue being whether EHCO is the proper applicant on the exchange.

Eventually the exchange will need to be advertised unless it is withdrawn or denied.

Bob

~~FILED~~

NAME AND
ADDRESS
OF SENDER

1	13066	Knapp, S. H. (1900)
2	13067	Knapp, S. H. (1901)
3	13068	Knapp, S. H. (1902)
4	13069	Knapp, S. H. (1903)
5	13070	Knapp, S. H. (1904)
6		
7		
8		
9		
10		
11		
12		
13		
15		

TOTAL NUMBER OF
PIECES RECEIVED
AT POST OFFICE.

Wald

FORM MUST BE COMPLETED BY TYPEWRITER, INK OR BALL POINT PEN ☆ U.S. GOVERNMENT PRINTING OFFICE: 1979-301-994

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).
☒ Show to whom and to whom

☒ Show to whom and date delivered

☐ Show to whom, date, and address of delivery

☐ RESTRICTED DELIVERY

2. ☐ **RESTRICTED DELIVERY**
(The restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL \$

3. ARTICLE ADDRESSED TO:

Mary Smith, Attorney
30 South 2nd West
Rexburg, ID 83440

4. TYPE OF SERVICE:

☐ REGISTERED ☐ INSURED
☒ CERTIFIED ☐ COD
☐ EXPRESS MAIL

ARTICLE NUMBER

13069

(Always obtain signatures of addressee or agent)
have received the article described in the above advertisement.

SIGNATURE ☐ ☐ ☐

SIGNATURE *M* ☐ Addressee ☐ Authorized agent

DATE OF DELIVERY

6. ADDRESSEE'S ADDRESS (Only if requested)

7. UNABLE TO DELIVER BECAUSE:

7a. EMPLOYEE'S
INITIALS

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

Value (Registered)	DUPLICATE	R. R.	S. D.	S. H.	REST. DEL. FEE
	IF C.O.D.	FEE	FEE	FEE	REMARKS

[illegible]

POSTMARK
1083
27
08

RECIBO AL VIZO

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

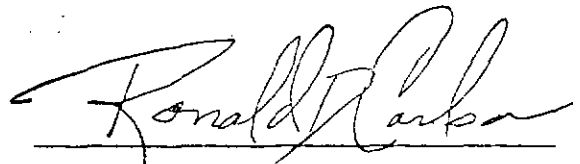
IN THE MATTER OF APPLICATION FOR EXCHANGE
NO. 21-2156 AND 21-2157 IN THE NAME OF
EHCO RANCH

NOTICE OF CONFERENCE

On April 6, 1983, Ehco Ranch Inc. of Teton, Idaho filed with the Department of Water Resources an application to exchange Island Park stored water for the natural flow of the Teton River. The Department notified the Fremont-Madison Irrigation District, the water right holder of record, who has objected to the proposed exchange.

The Department has, therefore, scheduled the matter for conference on Tuesday, May 10, 1983, at 11:00 a.m. in Meeting Room I, Idaho Falls Public Library, 457 Broadway, Idaho Falls, Idaho. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

Dated this 20th day of April, 1983.



RONALD D. CARLSON

Eastern Regional Supervisor

RECEIVED
MAY 10 1983

April 13, 1983

Dale Swensen
Fremont Madison Irrigation District
P.O. Box 5
St. Anthony, ID 83445

Dear Dale:

Enclosed, for your review, please find a copy of an exchange filed by
Ehco Ranch.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:CW

Enclosure

MICROFILMED

INTER-DEPARTMENT MEMO — 1

FROM

Kay Walker *kw*

DATE March 8, 1983

TO

Water Right No. 21-2157

SUBJECT

Exchange Nos. 2370, 2371, 2372, 2373, 2374, 2666, 2667, 2668, 2669,
2670, 2671, 2672, 2673, 2674 and 2675

See Water Right File No. 21-2156 for all correspondence regarding the above
referenced exchanges.

REPRODUCTION

SIGNATURE

WATER RIGHT NUMBER 21-2156

OWNER LAST NAME - U. S. BUREAU OF RECLAMATION

FIRST NAME -

ORIG OWNER -

ADDRESS LINE 1 -

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY -

STATE -

ZIP CODE -

SOURCE - HENRY'S LAKE, NORTH FORK

TRIBUTARY OF -

STAGE - DECREE

STATUS -

PRIORITY - 03-14-1935

COUNTY -

TOTAL DIV. RATE -

.0000 -CFS

TOTAL DIV. VOLUME - 114000.00 AFA TRFR/AMEND -

WATER DIST. - 01

DLE/CAREY ACT -

RIGHT BASIS - 8

DIVERSION POINT - 0000 28 13N 43E LOT 03 REDIV -

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

SWSW 28 13N 43E LOT 03 REDIV -

272.0

489.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

93.1

FROM - 00-00 TO - 00-00 USE - IRRIGATION

USE DIV. RATE -

.0000

CFS

USE DIV. VOLUME -

114000.00 AFA

USE -

PLACE OF USE - TWN

RNG

SEC

DATE -

TOTAL ACRES

0

DECREE NAME -

REMARKS -

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. -

PROOF MADE -

FLD EXAM -

COND. OF APPROVAL -

DIVERSION MEANS -

NO PART A

WATER RIGHT NUMBER 21-2156B

OWNER LAST NAME - LOOSLY

FIRST NAME - LYNN

ORIG OWNER -

OWNER LAST NAME - MADISON-FREMONT IRRIGATION DIST.

FIRST NAME -

ORIG OWNER -

ADDRESS LINE 1 -

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY -

STATE -

ZIP CODE -

SOURCE - CONANT CREEK

TRIBUTARY OF -

STAGE - LICENSE

STATUS -

PRIORITY - 03-14-1935

COUNTY -

TOTAL DIV. RATE -

4.0000 -CFS

TOTAL DIV. VOLUME - .00 AFA TRFR/AMEND -

WATER DIST. - 01

DLE/CAREY ACT -

RIGHT BASIS - C

DIVERSION POINT - SWSE 17 08N 43E LOT 00 REDIV -

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

SESW 16 08N 43E LOT 00 REDIV -

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

SWSE 17 08N 43E LOT REDIV -

272.0

489.0

13.0

3.0

0.0

0.0

0.0

0.0

0.0

0.0

1.4

SESW 16 08N 43E LOT REDIV -

272.0

489.0

13.0

3.0

0.0

0.0

0.0

0.0

0.0

0.0

2.4

FROM - 00-00 TO - 00-00 USE - IRRIGATION

USE DIV. RATE -

4.0000

CFS

USE DIV. VOLUME -

.00 AFA

USE -

PLACE OF USE - TWN

RNG

SEC

DECREE NAME -

DATE -

TOTAL ACRES

0

REMARKS -

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. -

PROOF MADE -

FLD EXAM -

COND. OF APPROVAL -

DIVERSION MEANS -

WATER RIGHT NUMBER 21-2157

OWNER LAST NAME - U. S. BUREAU OF RECLAMATION

FIRST NAME -

ORIG OWNER -

ADDRESS LINE 1 -

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY -

STATE -

ZIP CODE -

SOURCE - SNAKE RIVER, NORTH FORK

TRIBUTARY OF -

STAGE - LICENSE

STATUS -

PRIORITY - 06-12-1940 COUNTY -

TOTAL DIV. RATE -

.0000 -CFS

TOTAL DIV. VOLUME - 21000.00 AFA TRFR/AMEND -

WATER DIST. - 01

DLE/CAREY ACT -

RIGHT BASIS - C

DIVERSION POINT - 0000 28 13N 43E LOT 03 REDIV -

0.0 0.0 0.0 0.0 0.0

0.0 0.0 0.0 0.0 0.0 0.0

SWSW 28 13N 43E LOT 03 REDIV -

272.0 489.0 0.0 0.0 0.0

0.0 0.0 0.0 0.0 0.0 93.1

FROM - 00-00 TO - 00-00 USE - IRRIGATION

USE DIV. RATE -

.0000 CFS

USE DIV. VOLUME - 21000.00 AFA

USE -

PLACE OF USE - TWN

RNG

SEC

DATE -

TOTAL ACRES

0

DECREE NAME -

REMARKS -

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. -

PROOF MADE -

FLD EXAM -

COND. OF APPROVAL -

DIVERSION MEANS -

November 26, 1951

RE: Permit Nos. R-590 and R-686

U. S. Bureau of Reclamation
Box 937
Boise, Idaho

Gentlemen:

We enclose license and certificate of water right issued under Permit No. R-590, confirming your right to the storage of 114,000 acre feet of water from the North fork (Henry's fork) of Snake River, with priority of March 14, 1935, for supplemental use on land within the Fremont-Madison Irrigation District.

We also enclose license and certificate of water right issued under Permit No. R-686, for the storage of an additional 21,000 acre feet of water from the North fork (Henry's fork) of Snake River, with priority of June 12, 1940, for supplemental use on the same land.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fs
Enc.

2-686

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. R-686

REPORT ON PROOF OF Beneficial use

21000 ac.
mark

app. 21,000 ac.
(in addition to R590)

R-686

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

Permit No. R-686This proof is for Beneficial use In Water District No. _____

1. Name of applicant U.S.A., Bureau of Reclamation (See James Spofford, Burley, Idaho)
2. Source of water supply: North Fork (Henry's Fork) Snake River (Island Park Reservoir)
3. Location of point of diversion: Is in the Lot 3 of Section 28
T. 13 N. R. 43 E. County of Fremont
4. Describe works as they exist, giving dimensions and capacities of same: _____

5. Water is used for: Irrigation and domestic purposes
6. State whether or not water has been turned into works of diversion: _____

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

Lands within the Fremont-Madison Irrigation District, in the counties of Teton, Fremont and Madison; Approximately 112,000 acres.

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

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

Remarks: _____

The Burley office was asked to make a recheck on the land plats. They took considerable time to do it and submitted a statement on Apr 20-57. See letter R-590.

This examination was made on the 22 day of Nov, 1957(Signed) E. H. Humphrey Examiner.

R-686

U. S. Bureau of Reclamation
Boise, Idaho

Permit No. R-686

Island Park Reservoir

Examination for Beneficial use

County Fremont

1377-43E

Q = 21000 acre feet.

S = Same as R-590

P.D. =

Area = 7794 acres.

H = 90.5'

Get amt of land

not previously covered.

for Skiles - Engr. U.S.B.R.

RECEIVED
NOV 21 1951

Department of Reclamation

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.

September 12, 1950

Re: Permits Nos. R-590 and R-686

Mr. F. M. Clinton
Acting Regional Director
Bureau of Reclamation
Box 937
Boise, Idaho

Dear Mr. Clinton:

We acknowledge receipt of your letter of September 11, 1950, enclosing Affidavits of Publication in connection with Beneficial Use Proof under the above numbered Permits.

Before final action is taken, the law requires that an examination be made by an Engineer from this Department.

We can not say just when this examination will be made but we will try and contact Mr. Spofford at the time for making the examination so arrangements may be made to show our Engineer over the project.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bn

R-686

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

ss.

County of Fremont

Ruth H. Hanau
being first duly sworn, upon his oath,
deposes and says:

That he is the publisher of The Fremont County News, a newspaper as defined by Idaho Codes Annotated, section 63-106, as amended, and that said newspaper is a weekly newspaper printed and published at St. Anthony, 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, advertisement or publication

of *Notice Water*
Beneficial Use

And affiant further says that said attached 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 *4* consecutive issues thereof;
first publication having been made

on the *6* day of *April*

19*50*, and last publication on the

27 day of *April*

19*50*

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.

Ruth H. Hanau

Subscribed in my presence and

sworn to before me this *34th*

day of *August*, 19*50*

Robert Fisher

(Seal)
Notary Public for the
State of Idaho, residence
and post office address:
St. Anthony, Idaho

NOTICE FOR PUBLICATION
NOTICE OF PROOF APPLICA-
TION OF WATER TO
BENEFICIAL USE

Notice is hereby given that at 10:00 a.m., on the 5th day of May, 1950, at Burley, County of Cassia, State of Idaho, before Lex H. Kunau, Notary Public, proof will be submitted of the application to beneficial use of 135,000 acre-feet annually of the waters of the North Fork (Henry's Fork) of the Snake River, in accordance with the terms and conditions of Permit Nos. R-590 and R-686, heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are: The United States of America, acting through Harold T. Nelson, Regional Director, Region 1, Bureau of Reclamation, P. O. Box 937, Boise, Idaho.

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

and domestic purposes.

The amount applied to beneficial use is 135,000 acre-feet of water annually.

The place where said water is used (if for irrigation give full and accurate description of the lands irrigated) is on the lands within the Fremont-Madison Irrigation District in the Counties of Fremont and Madison.

The name of the canals or ditches or other works by which said water is conducted to such place of use are: Dewey, Last Chance, St. Anthony, Farmers Friend, Twin Groves, Salem Union, Egin, Union, Independent, Consolidated, Yellowstone P & I, Harringfeldt, Marysville, Farmers Own, Enterprise, Fall River, Chester, Kerr, Wilford, Siddoway, Good Luck, Teton Irrigation & Manufacturing Company, Pioneer, Stewart, Pincock-Byington, Teton Island Feeder, Salem Irrigation, Roxana, Island Ward, Pincock-Garner, Woodmansee, Rexburg City, Rexburg Irrigation, Westfield, Squirrel Creek, Yellowstone, Conant Creek, N. Salem Agr. & Milling, and Cross Cut Canal.

The right to take water from such works is based upon Permit Nos. R-590 and R-686.

The source of supply from which such water is diverted is the North Fork (Henry's Fork) of the Snake River.

The date of priority which said user is prepared to establish is March 14, 1937 for 114,000 acre feet under permit No. R-590, and June 12, 1937 for 21,000 acre feet under permit No. R-686.

MARK R. KUL

State Reclamation Engineer
Pub. April 6, 20, 27, 1950

R-686

R-590 + 686

June 5, 1950

The Fremont County News
St. Anthony, Idaho

Gentlemen:

We acknowledge receipt of statement in triplicate in the amount of \$19.25, for publication of Beneficial Use Proof on Permits Nos. R-590 and R-686, appearing in your issue of April 6 to April 27, inclusive.

However, we have not received the duplicate Affidavits of Publication which we requested in our letter of May 31, 1950.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh

R-686

May 31, 1950

Re: Permits No. R-590 and R-686

Mr. F. H. Clinton
Regional Director
Bureau of Reclamation
Box 931
Boise, Idaho

Dear Mr. Clinton:

We acknowledge receipt of your letter of May 17, 1950, enclosing depositions in Proof of Beneficial Use under the above numbered Permits.

In accordance with our arrangement per Mr. Stoeve, we are writing the Fremont County News, as per copy of letter enclosed.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh
Enc.

R-686

✓
May 31, 1950

Fremont County News
St. Anthony, Idaho

Gentlemen:

Reference is made to Notice of Beneficial
Use Proof on Permits Nos. R-590 and R-686 of the
United States Bureau of Reclamation which was pub-
lished in your paper from April 6, to April 27, 1950,
inclusive.

Please send this Department Affidavit of
Publication in duplicate, together with duplicate
statement of publication costs.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bn
CC: Mr. F. M. Clinton.

R-686

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. R-686

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. James Spofford - 1359 Hansen Avenue, Burley, Idaho
Superintendent, Minidoka Project, 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. United States of America. I am the duly authorized officer in charge of the Minidoka Project, including this reservoir.

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

Ans. R-686 - September 28, 1940 - June 12, 1940

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

Ans. North (Henry's) Fork on Snake River in Lot 3, Section 28, Township 13 North, Range 43, E. B. M., Fremont County, Idaho.

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.

Ans. The description of works is as set forth in Permit R-590, except that the reservoir was constructed to the larger capacity of 135,000 acre-feet. The names of the canals or ditches or other works by which said water is conducted to such place of use are listed on the attached sheet.

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. For irrigation and domestic purposes for 112,000 acres, more or less (supplemental use), located in the Fremont-Madison Irrigation District, Fremont, and Madison Counties, Idaho.

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

Ans. _____

R-686

Not

Ques. 8. What is the minimum amount of water required for the purpose specified above?
Ans. 21,000 acre-feet in addition to the 114,000 under Permit R-590

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. Since 1939 by gravity diversion in annual amount of 21,000 acre feet for irrigation and domestic purposes/more or less (supplemental use) on 112,000 acre feet

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.

and Teton River
Ans. Early priority rights on Henry's Fork, Fall River/for lands in this district range in dates from 1879 to 1916, also storage rights for 114,000 acre feet under permit 590, dated March 14, 1935, Henry's Lake 80,000 acre feet priority May 15, 1917, and Grassy Lake storage of 15,182 acre feet under Wyoming permit no. 4631.

United States of America
(Sign) by James Spafford, Superintendent

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 Burley, County of Cassia, State of Idaho, on this 5 day of May, A. D. 1950.

My commission expires 11-20-50

Names of canals or ditches or other works by which said water is conducted to such place of use: (See ques. 5)

Dewey, Last Chance, St. Anthony, Farmers Friend, Twin Groves, Salem Union, Egin, Union, Independent, Consolidated, Yellowstone P & I, Harringfeldt, Marysville, Farmers Own, Enterprise, Fall River, Chester, Kerr, Wilford, Siddoway, Good Luck, Teton Irrigation & Manufacturing Company, Pioneer, Stewart, Pincock-Byington, Teton Island Feeder, Salem Irrigation, Roxana, Island Ward, Pincock-Garner, Woodmansee, Rexburg City, Rexburg, Irrigation, Westfield, Squirrel Creek, Yellowstone, Conant Creek, N. Salem Agr. & Milling, and Cross Cut Canal.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. R-686**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. R. Willis Walker, 54 years, Rexburg, Idaho. Dairy farmer.

Ques. 2. Are you acquainted with The United States of America, the holder of Permit No. R-686? How long have you known him and where does he reside?

Ans. Many years. Resides in Washington, D. C.

Ques. 3. Have you read or heard read said Permit No. R-686, 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. Henry's Fork of Snake River, water is directed from outlet of Island Park Reservoir and conveyed by natural stream bed of Henry's Fork, Teton River and Cross Cut Canal to place of use.

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. 1,200 second feet. Same amount

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. Fremont, Madison and Teton Counties, Idaho, or Fremont-Madison Irrigation. Irrigation for 112,000 acres.

The names of the canals or ditches or other works by which said water is conducted to such place of use are listed on the attached sheet.

R-686

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

Ans. None

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. Cultivated, volcanic ash and clay soil.

2.5 feet to 15 acre feet per acre

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

Ans. I own 478 acres under the Project, about 312 under cultivation, the balance pasture.

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 seen 112,000 feet used on these lands, under the district.

(Signed)

Reverie Walker

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 Burley

County of Cassia, State of Idaho, on this 5 day of May

A. D. 1950

L. H. Kuman
Notary Public.

My commission expires 11-20-50

Names of canals or ditches or other works by which said water is conducted to such place of use: (See ques. 5)

Dewey, Last Chance, St. Anthony, Farmers Friend, Twin Groves, Salem Union, Egin, Union, Independent, Consolidated, Yellowstone P & I, Harringfeldt, Marysville, Farmers Own, Enterprise, Fall River, Chester, Kerr, Wilford, Siddoway, Good Luck, Teton Irrigation & Manufacturing Company, Pioneer, Stewart, Pincock-Byington, Teton Island Feeder, Salem Irrigation, Roxana, Island Ward, Pincock-Garner, Woodmansee, Rexburg City, Rexburg Irrigation, Westfield, Squirrel Creek, Yellowstone, Conant Creek, N. Salem Agr. & Milling, and Cross Cut Canal.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. R-686

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. Melvin Luke, 66 years, Rexburg, Idaho, farmer, Manager of Fremont-
Madison Irrigation District and Deputy Water Master

Ques. 2. Are you acquainted with The United States of America, the holder of Permit No. R-686? How long have you known him and where does he reside?

Ans. Yes, many years. Principal place of business, Washington, D. C.

Ques. 3. Have you read or heard read said Permit No. R-686, 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. Henry's Fork of Snake River, outlet of Island Park Reservoir, located in
Section 28, T. 13 N., R. 43 E., B. M.. Water is conveyed from outlet of
reservoir to lands within Fremont-Madison Irrigation District by natural
channels of Henry's Fork and Cross Cut Canal.

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. Said works will safely conduct 1,200-second feet, and I have seen this
amount used.

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 for 112,000 acres, more or less, located within Fremont-
Madison Irrigation District in Fremont, Madison and Teton Counties, Idaho.
The names of the canals or ditches or other works by which said water is
conducted to such place of use are listed on the attached sheet.

R-686

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

Ans. None

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. Volcanic ash and clay soils, water used varies from 2 1/2 to 15 acre feet
per acre.

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

Ans. Yes. I own 90 acres of irrigable land within the project.

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 been Deputy Water Master on this portion of Snake River and
have observed its use on 112,000 acres.

(Signed) Melvin Lube

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 Burley
County of Cassia, State of Idaho, on this 5 day of May.

A.D. 1950

My commission expires 11-20-50

Lex H. Hunsan
Notary Public.

Names of canals or ditches or other works by which said water is conducted to such place of use: (See ques. 5)

Dewey, Last Chance, St. Anthony, Farmers Friend, Twin Groves, Salem Union, Egin, Union, Independent, Consolidated, Yellowstone P & I, Harringfeldt, Marysville, Farmers Own, Enterprise, Fall River, Chester, Kerr, Wilford, Siddoway, Good Luck, Teton Irrigation & Manufacturing Company, Pioneer, Stewart, Pincock-Byington, Teton Island Feeder, Salem Irrigation, Roxana, Island Ward, Pincock-Garner, Woodmansee, Rexburg City, Rexburg Irrigation, Westfield, Squirrel Creek, Yellowstone, Conant Creek, N. Salem Agr. & Milling, and Cross Cut Canal.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

County of Fremont

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

That he is the publisher of The Fremont County 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 St. Anthony, 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 73 consecutive weeks prior to the first publication of the attached notice, advertisement or publication

Notice for publication,
of ~~Notice of proof application of~~
water to beneficial use.

And affiant further says that said attached 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 4 consecutive issues thereof; first publication having been made

on the 6 April

50 day of

19 and last publication on the 27th April

day of

1950

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 8th

day of June 1950

Notary Public for the State of Idaho, residence and post office address: St. Anthony, Idaho

ST. ANTHONY, IDAHO

issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are: The United States of America, acting through Harold T. Nelson, Regional Director, Region 1, Bureau of Reclamation, P. O. Box 937, Boise, Idaho.

The use to which said water has been applied is for irrigation and domestic purposes.

The amount applied to beneficial use is 135,000 acre-feet of water annually.

The place where said water is used (if for irrigation give full and accurate description of the lands irrigated) is on the lands within the Fremont-Madison Irrigation District in the Counties of Fremont and Madison.

The name of the canals or ditches or other works by which said water is conducted to such place of use are: Dewey, Last Chance, St. Anthony, Farmers Friend, Twin Groves, Salem Union, Egin, Union, Independent, Consolidated, Yellowstone P & I, Harringfeldt, Marysville, Farmers Own, Enterprise, Fall River, Chester, Kerr, Wilford, Siddoway, Good Luck, Teton Irrigation & Manufacturing Company, Pioneer, Stewart, Pincock, Byington, Teton Island Feeder, Salem Irrigation, Roxana, Island Ward, Pincock-Garner, Woodmansee, Rexburg City, Rexburg Irrigation, Westfield, Squirrel Creek, Yellowstone, Conant Creek, N. Salem Agr. & Milling, and Cross Cut Canal.

The right to take water from such works is based upon Permit Nos. R-590 and R-686.

The source of supply from which such water is diverted is the North Fork (Henry's Fork) of the Snake River.

The date of priority which said user is prepared to establish is March 14, 1935, for 114,000 acre feet under permit No. R-590, and June 12, 1940, for 21,000 acre feet under Permit No. R-686.

MARK R. KULP
State Reclamation Engineer
Pub. April 6, 13, 20, 27, 1950

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

Notice is hereby given that at 10:00 a.m., on the 5th day of May, 1950, at Burley, County of Cassia, State of Idaho, before Lex H. Kunau, Notary Public, proof will be submitted of the application to beneficial use of 135,000 acre-feet annually of the waters of the North Fork (Henry's Fork) of the Snake River, in accordance with the terms and conditions of Permit Nos. R-590 and R-686, heretofore

R-686

March 30, 1950

Re: Permits Nos. R-590 and R-686

Mr. F. M. Clinton
Assistant Regional Director
Bureau of Reclamation
Box 937
Boise, Idaho

Dear Mr. Clinton:

We acknowledge receipt of your letter of March 27, 1950, enclosing Notice of Beneficial Use Proof to be made under the above numbered Permits on May 5, 1950, at Burley, Idaho, before Lex H. Kunsu, Notary Public.

We have had to change this notice in one particular as the priority to be established under Permit No. R-590 is March 14, 1935 for 114,000 acre feet, but the priority for the 21,000 acre feet under Permit No. R-686 is June 12, 1940.

A copy of the notice will be sent to the Fremont County News with instructions to publish it once a week for four consecutive weeks prior to May 5, 1950, and to send the Affidavit of Publication, together with statement of costs, to you.

We shall send Mr. Kunsu the necessary forms of deposition to be used in making these proofs, and at the time set, a representative of the Bureau of Reclamation, together with two disinterested witnesses, should appear before Mr. Kunsu for the purpose of executing the depositions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bn

R-686

July 6, 1945

Re: Permit No. R-686

Mr. S. R. Marean, Superintendent
U. S. Bureau of Reclamation
Burley, Idaho

Dear Mr. Marean:

Reference is made to your letter of July 5th,
in reply to notice sent you of completion of
works proof under Permit No. R-686.

Your statement in regard to proof having been
made and certificate of completion issued
is absolutely correct, and there is nothing
further to be done on this permit until 1951,
when proof of beneficial use will be due.

This notice was sent you through mistake- our
index showing that this proof was due in September,
1945- and we overlooked the fact that it had
already been taken care of.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R-686



UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

Burley, Idaho

July 5, 1945

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

Dear Sir:

Receipt is acknowledged of forms from your office regarding the proof of completion of works in connection with our permit No. R-686 (North Fork of Snake River).

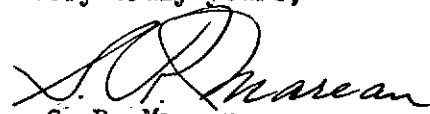
We would appreciate receiving some further information on this matter before completing these forms, as our records indicate that this has already been taken care of.

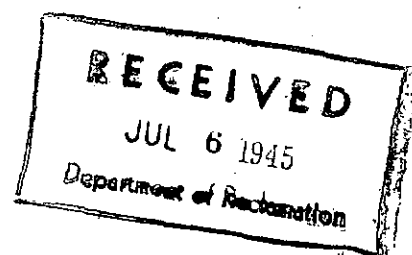
There were two permits issued for the Island Park reservoir work, the original one for 114,000 acre feet of water and the second for 21,000 acre feet. The original permit, No. R-590 was completed by Certificate of Completion of Reservoir and Right to Store Water on April 12, 1940.

According to our records, although the proof for the second permit, R-686, was not due until September 28, 1945, the work was completed long ago and it was decided to go ahead with the proof of completion of works. A hearing was held at St. Anthony, Idaho on June 16, 1943, and all papers forwarded to the office of the State Reclamation Engineer; inspection was made by the state engineer, and Certificate of Completion of Reservoir and Right To Store Water, Permit No. R-686, was furnished this office under date of February 7, 1944. OK

It is requested that you check your records and advise us if they agree with the above statements.

Very truly yours,


S. R. Marean
Superintendent



R-686

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Mr. S. R. Mearns, Supt.
U. S. Bureau of Reclamation
Burley, Idaho

Boise, Idaho, July 3, 1945

Dear Sir:—

I enclose herewith blank form upon which to give notice that you are prepared and desire to submit proof of completion of works under your permit No. 686. (No. Fork (Henry's Fork) Snake River)

This form should be filled out and mailed to the Department of Reclamation, at least 60 days before the date upon which proof is to be submitted, which proof MUST be on or before ~~Sept. 23, 1945~~. Upon receipt of the blank properly filled out, notice for publication will be sent to the paper direct from this office, which notice must be published a period of four weeks prior to the date of proof.

The proof may be submitted at any place convenient to you and two witnesses, where there is a notary public or other officer authorized to administer oaths.

The certificate that shall be issued under this proof does not give you a perpetual right to the use of the water for which application is made, as it only confirms the completion of the 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.

Very truly yours,

MARK R. KULP

~~Commissioner of Reclamation~~
State Reclamation Engineer

R-686

February 8, 1944

Re: Permit No. R-686

Mr. S. M. Mearns, Sup't.,
U. S. Bureau of Reclamation,
Burley, Idaho

Dear Mr. Mearns:

We enclose herewith Certificate of Completion of Works, issued under the above numbered permit, to store 21,000 acre feet of water from the North Fork (Henry's Fork) of Snake River, in Lot 3, Section 28, Township 13 North, Range 43 Eastm B.M., Fremont County, for irrigation and domestic purposes.

The Departmental Receipt No. 18455, for the \$27.20 fee in connection with completion of works proof, is also enclosed.

Very truly yours,

JAMES SPOFFORD
State Reclamation Engineer
By

Chief Clerk

A
Encls.

R-686

January 19, 1944

Re: Permit No. R-686

Mr. S. R. Marean, Sup't.
U. S. Bureau of Reclamation,
Burley, Idaho

Dear Mr. Marean:

We now have on file the report of our Field Engineer on examination for completion of works under the above numbered permit- Island Park Reservoir.

Our engineer found that the works would be capable of storing 21,000 acre feet of water from the North Fork, or Henry's Fork, of Snake River.

Therefore, upon receipt of the statutory fee of \$27.20, a Certificate of completion of works will be issued.

This is at the rate of \$5.00 for the first 2,500 acre feet, and 30 cents for each additional 250 acre feet.

Very truly yours,

JAMES SPOFFORD
State Reclamation Engineer
By

Chief Clerk

A

R-686

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

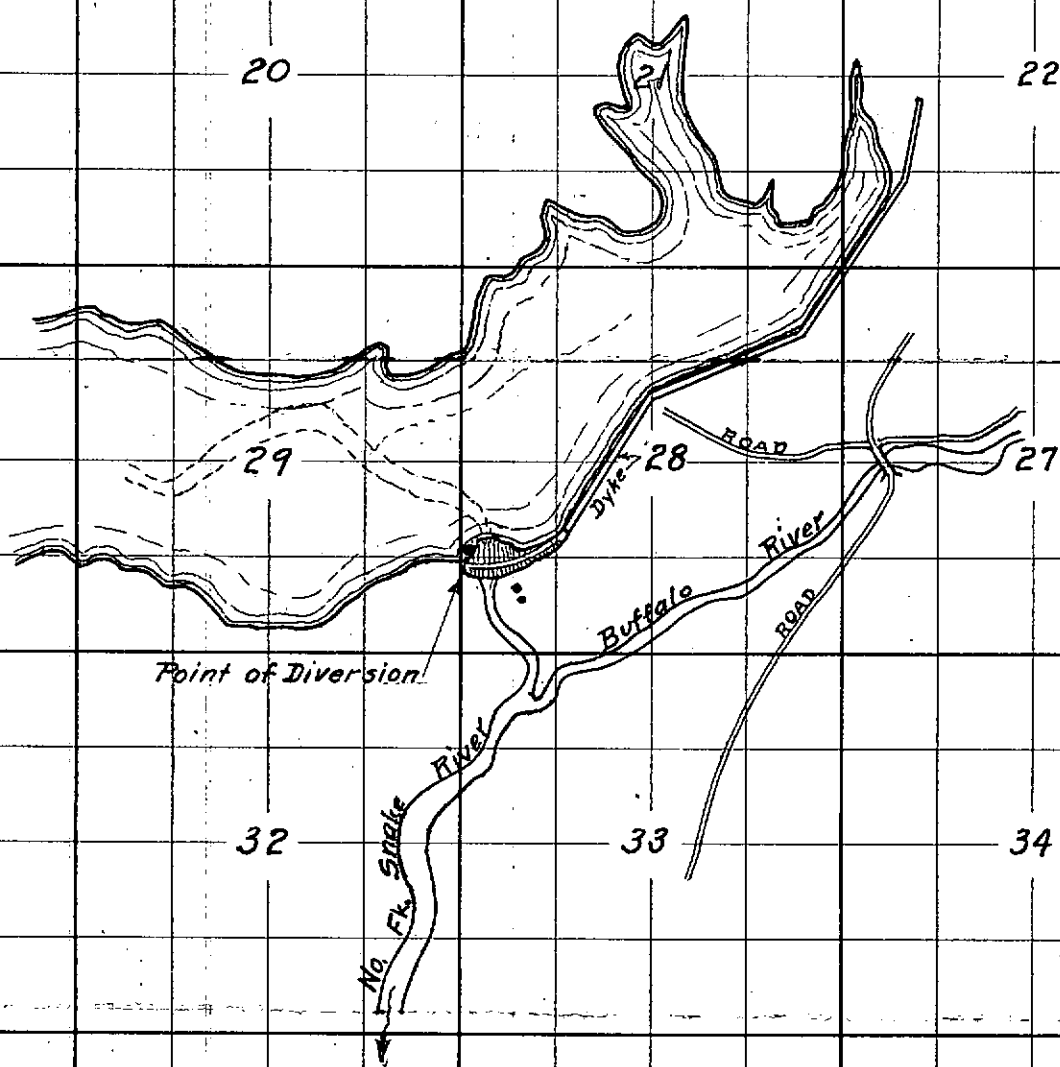
REPORT OF ENGINEER

PERMIT NO. R-686

REPORT ON PROOF OF Completion of Works

Chas. M. M. M. → 21,000 af.
Fee - \$ 27.20

R-686



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. R 686

This proof is for Completion of Works

In Water District No. _____

1. Name of applicant United States of America
2. Source of water supply: North Fork or Henry's Fork of Snake River
Reservoir outlet
3. Location of point of diversion: Is in the Lot 3 of Section 28
T. 13 N. R. 43 E. County of Fremont

4. Describe works as they exist, giving dimensions and capacities of same: An Earth fill Dam 1580
feet long X 9ft high, 40ft. top width; has two reinforced concrete cut-
off walls, and a dyke extension of about a mile in length.
Control Gates are operated by Gas Engine power; diameter of outlet
tunnel, 13 feet. Area of reservoir 7794 acres, and capacity 127265 Acre
Feet.

5. Water is used for: Irrigation and domestic purposes
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 for other than irrigation): 116,677.18 acres, more or less, in the Fremont-Madison Irrigation District
in Fremont and Madison Counties, Idaho

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

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

Remarks: _____

This examination was made on the 30th. day of September, 19 43

(Signed)

Frederick H. Johnson

Examiner.

R-686

65^a
United States of America
(Island Park Reservoir)

Permit No. R-686

Examination for Completion of Works

County Fremont

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 a 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.
-

December 15, 1943

Re: Permit No. R-686

Hayes & Raeder Agency
Owyhee Hotel Building
Boise, Idaho

Mr. Lew D. Raeder

Gentlemen:

Reference is made to your letter of December 14, 1943, in regard to \$1,000 bond of the Maryland Casualty Company in connection with Permit No. R-686.

Proof of completion of works under this permit was made June 16, 1943, and this will be your authority to discontinue the bond as to future liability, effective from this date, it being understood that the surety will remain liable for all past acts in accordance with the terms of the bond.

Very truly yours,

JAMES SPOFFORD
State Reclamation Engineer
By

Chief Clerk

R-686

MARYLAND CASUALTY COMPANY

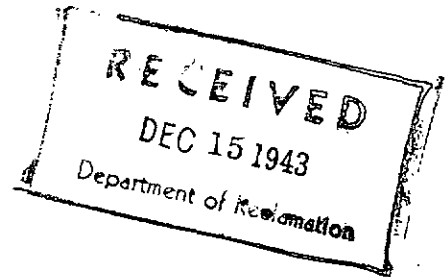
STEWART McDONALD, CHAIRMAN OF THE BOARD AND PRESIDENT

HAYES & RAEDER AGENCY

GENERAL AGENTS

OWYHEE HOTEL BUILDING, BOISE, IDAHO
PHONE 373

December 14, 1943



Commissioner of Reclamation
State House
Boise, Idaho

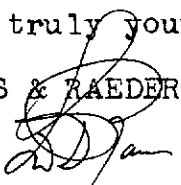
Dear Sir:

On November 4, 1940, Maryland Casualty Company filed bond for \$1,000.00 covering water permit No. 686 for enlargement of Island Park Reservoir under application No. R26412. I understand final proof has been made and inasmuch as our bond is continuous in form, if the above is true, will it be possible to secure release from your department to this effect?

Appreciating your early advices, we are

Very truly yours,

HAYES & RAEDER AGENCY

By: 

Lew D. Raeder

LDR:dem

R686

CW-6-16-43

R-686

✓
June 30, 1943

Re: Permit No. R-686

Mr. S. R. Marean,
Superintendent Minidoka Project
Burley, Idaho

Dear Mr. Marean:

This is to acknowledge receipt of your letter of June 28th, enclosing affidavit of publication from the Ashton Herald, in connection with completion of works proof under the above numbered permit.

The matter has been referred to our Field Engineer for examination and report.

We cannot say just when this examination will be made, since this Department has but one field engineer, who makes examinations all over the State.

However, Mr. Tolman, Field Engineer for this Department, will try and contact you at the time set for the examination, so that arrangements may be made to show him over the ground.

Very truly yours,

JAMES SPOFFORD
State Reclamation Engineer
By

Chief Clerk

A

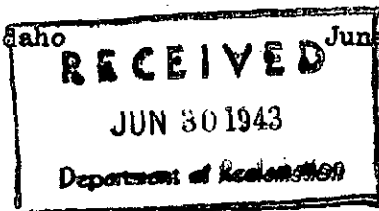
R-686

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

Burley, Idaho

June 28, 1943

Mr. James Spofford
State Reclamation Engineer
Boise, Idaho



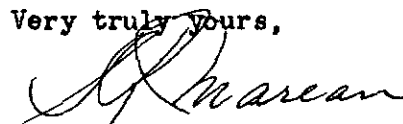
Dear Mr. Spofford:

Reference is made to your letter of June 23, 1943, regarding the affidavit of publication in connection with permit R-686, Island Park reservoir.

Forwarded herewith is the affidavit in question which was received from the publisher this morning.

encl

Very truly yours,


S. R. Marean
Superintendent

R-686

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Fremont, } ss.

I, W. A. Lansberry, do solemnly swear that I am the printer and publisher of THE ASHTON HERALD, a weekly newspaper of general circulation, published once a week at Ashton, Fremont County, State of Idaho; that said newspaper has been continuously and uninterruptedly published in said County and City, during a period of seventy-eight consecutive weeks prior to the first publication of the

NOTICE FOR PUBLICATION

Notice is hereby given that at 10:00 a.m., on the 16th day of June, 1943, at St. Anthony, County of Fremont, State of Idaho, before H. G. Fuller, Notary Public, proof will be submitted of the completion of works for the diversion of 21,000 acre feet per annum of the waters of North Fork or Henry's Fork of Snake River in accordance with the terms and conditions of a certain permit heretofore issued by the Commissioner of Reclamation of the State of Idaho.

1. The name of the person or corporation holding said permit is United States of America, through B. E. Stoutemyer, District Counsel, 603 Postoffice Building, Portland, Oregon.

2. The postoffice address of such person or principal place of business of such corporation is c/o Bureau of Reclamation, Burley, County of Cassia, State of Idaho.

3. The number of such permit is R-686, and the date of the completion of such work was November 11, 1938.

4. Said water is to be used for irrigation and domestic purposes.

5. Said works of diversion were fully completed prior to the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 21,000 acre feet per annum in addition of the water supply provided under Permit R-590.

6. The amount of lands for which said water is available is approximately 116,677.18 acres, particularly described as follows: the lands included within the boundaries of the Fremont-Madison Irrigation District, in Fremont and Madison counties, Idaho.

JAMES SPOFFORD,

Notice for Publication

in the above entitled action; that the notice attached hereto, and which is a part of this affidavit and a part of the proof of publication, was published in said newspaper.....**FOUR**..... consecutive weeks; first publication having been made on the 20 day of May, 1943, and last publication on the 10 day of June, 1943; that said notice was published in the regular and entire issue of every number of the paper during the period and time of publication, and that the notice was published in the newspaper and not in a supplement.

W. A. Lansberry

Printer and Publisher.

Subscribed and sworn to before me this 26 day

of June, A. D., 1943.

Frank J. Fuller

Notary Public.

My commission expires Mar 16, 1944

R-686

June 23, 1943

Re: Permit No. R-686

Mr. S. R. Marcan, Superintendent
Minidoka Project
Burley, Idaho

Dear Mr. Marcan:

This is to acknowledge receipt of the deposition of yourself, and two witnesses, in connection with completion of works under the above numbered permit on Island Park Reservoir.

This will follow the usual procedure provided by statute, and be referred to our Field Engineer for examination and report.

Meanwhile, we have not received the affidavit of publication, which the Ashton Herald was to furnish you. As this is necessary to complete the proof, will you please see that such an affidavit is sent us?

Very truly yours,

JAMES SPOTFORD
State Reclamation Engineer
By

Chief Clerk

R-686

St. Anthony, Idaho

June 16, 1943

Mr. James Spofford
State Reclamation Engineer
State of Idaho
Boise, Idaho

RECEIVED

JUN 17 1943

Department of Reclamation

Dear Sir:

Reference is made to Permit R-686, Island Park Reservoir.

In connection with the above permit, a hearing was held at 10:00 a.m. this morning in the office of the Fremont-Madison Irrigation District, for proof of completion of works.

The enclosed statements were read and signed by the following:

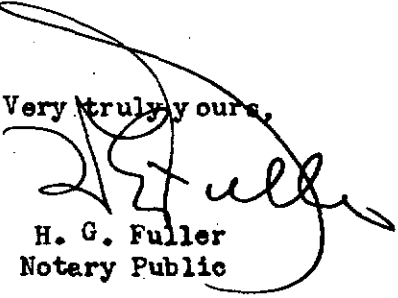
Deposition of Witness - Melvin Luke

Deposition of Holder - S. R. Marean, for the
United States

Also enclosed is a statement received from Mr. H. A. Parker, who was the construction engineer in charge of the Upper Snake River project when the Island Park reservoir and Cross Cut canal were completed.

In accordance with statutory provisions, the hearing was advertised in the Ashton Herald, a newspaper published in Fremont County, in the issues of May 20, May 27, June 3 and June 10.

Very truly yours,


H. G. Fuller
Notary Public

encls

R-686

PERMIT NO. R-686

Proof of Completion of Works

DEPOSITION OF HOLDER

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

Ans. S. R. Marean, Superintendent, Minidoka Project, Burley, Idaho, acting as agent for the United States, the holder of the permit.

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business, your position with reference to same, and your authority for appearing in its behalf.

Ans. The United States of America, acting under the provisions of the Federal Reclamation Act of June 17, 1902, 32 Stat. 388. Principal place of business, Washington, DC (address correspondence concerning this permit to District Counsel, Bureau of Reclamation 603 Postoffice Building, Portland, Oregon). My authority is that I am the duly authorized officer of the United States in charge of the Upper Snake River project which includes the Island Park Reservoir.

Ques. 3. State number and date of permit, amount of water you are authorized to divert, source, and point of diversion.

Ans. R-686, June 12, 1940; 21,000 acre feet per annum (in addition to the water covered by permit No. R-590) at Island Park Reservoir on Henry's Fork of Snake River, with reservoir outlet located in Lot 3, Sec. 28, Twp. 13 N., Rge. 43 E., B.M. in Fremont County, Idaho.

Ques. 4. State purpose for which water is to be used, and, if for irrigation, state the number of acres and give description of the land you intend to reclaim.

Ans. For irrigation and domestic purposes, for the irrigation of 116,677.18 acres, more or less, located in the Fremont-Madison Irrigation District in Fremont and Madison counties, Idaho.

Ques. 5. State whether or not the water has been turned into your works of diversion, and, if so, when and to what extent.

Ans. The water was turned into the reservoir to the full capacity thereof in the spring of 1939. The maximum storage water in the reservoir, 135,000 acre feet, was reached in May, 1939.

Ques. 6. State whether or not the works of diversion are fully completed, and whether or not they comply in all respects with the terms of the permit.

Ans. The works of diversion are fully completed, and comply in all respects with the terms of the permit, and more than comply therewith.

Ques. 7. If the works of diversion do not comply with all the terms of your permit, state fully those particulars in which there is any variance.

Ans. The reservoir was constructed to a slightly larger capacity than described in permit R-590, and this permit (R-686) is to provide for the additional storage space. The reservoir has a maximum capacity of about 135,000 acre feet at high water stage of the reservoir.

Ques. 8. Give description of works, state dimensions and capacity of each part, and give cost of same.

Ans. The description of works is as set out in permit R-686. The cost of the Island Park Reservoir was approximately \$1,620,000. The cost of the diversion dam and Cross Cut canal is approximately \$320,000. The capacity of the reservoir is 135,000 acre feet, and of the Cross Cut Canal 591 second feet at the point of diversion from the river.

(Sign here.)

S. R. Marean

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 St. Anthony,

County of Fremont, State of Idaho, on this 16th day of June, A. D. 1943.

(Sec. 1)

H. G. Fuller

My Commission expires

Nov. 16, 1944

Notary Public for Idaho, Resident at Ashton, Idaho.

R-686

Permit No. R-686**Proof of Completion of Works****DEPOSITION OF WITNESS**

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

Ans. Melvin Luke, St. Anthony, Idaho, Manager of Fremont-Madison
Irrigation DistrictQues. 2. Are you acquainted with The United States of America, the holder of Permit No. R-686, authorizing the diversion of 21,000 acre second feet of the waters of Henry's Fork of Snake River, at Island Park for irrigation and domestic purposes? How long have you known him, and where does he reside?Ans. Yes. For many years. Principal place of business at Washington, D. C.Ques. 3. Have you read or heard read said Permit No. R-686, and are you familiar with its terms and conditions?Ans. Yes

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. The lands of the Fremont-Madison irrigation district, including 116,677
acres of various types of soil, including some sandy and gravelly land. It requires
from 2 to 6 acre feet of water per acre at the land for profitable cultivation.

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. Yes.

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans. Island Park reservoir, as described in the permit R-686. Diversion dam
and Cross Cut canal as described in the permit. My estimate of the capacity of the
Island Park reservoir is 135,000 acre feet, and of the Cross Cut canal, 591 second
feet at the point of diversion from the river.

(seal)

(Sign here.) Melvin LukeI 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, at my office in St. Anthony,
County of Fremont, State of Idaho, on this 16th
day of June, A. D. 1943.

H. G. Fuller

Notary Public for Idaho, residing in
Ashton, Idaho. My commission
expires: Nov 16, 1944 R-686

The Depositions of two Witnesses, in this form, taken separately, required in each case.

Permit No. R-686

Proof of Completion of Works

DEPOSITION OF WITNESS

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

Ans. H. A. Parker, Irrigation Engineer, Columbia Basin Project, Ephrata, Washington

Ques. 2. Are you acquainted with The United States of America, the holder of Permit No. R-686, authorizing the diversion of 21,000 acre second-feet of the waters of Henry's Fork of Snake River, at Island Park Reservoir for irrigation purposes? How long have you known him, and where does he reside?

Ans. Yes. For many years. Principal place of business at Washington, D. C.

Ques. 3. Have you read or heard read said Permit No. R-686, and are you familiar with its terms and conditions?

Ans. Yes

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. The lands of the Fremont-Madison irrigation district, including 116,677 acres of various types of soil, including some sandy and gravelly land. It requires from 2 to 6 acre feet of water per acre at the land for profitable cultivation.

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. Yes.

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity.

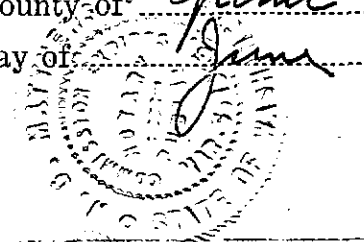
Ans. Island Park reservoir, as described in the permit R-686. Diversion dam and Cross Cut canal as described in the permit. My estimate of the capacity of the Island Park reservoir is 135,000 acre feet, and of the Cross Cut canal, 591 second feet at the point of diversion from the river.

(Sign here.)

H. A. Parker

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, at my office in Ephrata

County of Grant, State of Washington, on this 8th day of June, A. D. 1943



W. J. MacLean
Notary Public in and for the State of Washington
Residing in Ephrata
My commission expires March 5, 1945

R-686

State of Idaho

DEPARTMENT OF RECLAMATION BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

Re: Permit No. R- 686

BOISE, IDAHO, June 7, 1943

Mr. H. G. Fuller
Notary Public
Ashton, Idaho

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 686 (Island Park Reservoir)

DEPOSITION OF PERMIT HOLDER,
DEPOSITIONS OF TWO WITNESSES.

In submitting this proof the following instructions should be CAREFULLY followed out, since failure to do so may result in the loss of rights:

1. On June 16, 1943, the date set for proof, the enclosed forms (one for permit holder and one each for two disinterested witnesses) should be filled out and sworn to, at Ashton, Idaho before H. G. Fuller, Notary Public

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice.

When these have been received, together with report of the examining engineer, if everything is properly executed, you will be further advised as to fees due, etc., before certificate is issued.

Yours truly.

JAMES SPOTFORD
Commissioner of Reclamation.
State Reclamation Engineer

R-686

April 19, 1943

Re: Permit No. R-686

The Ashton Herald
Ashton, Idaho

Gentlemen:

We are enclosing herewith Advertising Order, relative to publication of Notice of Completion of Works proof under the above numbered permit.

Will you please send this Department copies of your four issues containing this publication.

Very truly yours,

JAMES SPOFFORD
State Reclamation Engineer
By

Chief Clerk.

A
Encl.

R-686

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) April 15, 1943

(P. O.) Burley, Idaho

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

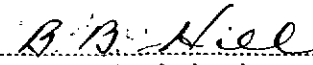
Dear Sir:

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


S. R. Mearns
Superintendent, Minidoka Project

(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.

B. E. Hill 
Assistant Engineer.

ADVERTISING ORDER

No. _____

(If signed by the head of a department or establishment, a separate letter of authority to advertise is unnecessary. See instructions relative to written authority on reverse hereof.)

U. S. Department of Interior, Bureau of Reclamation, Minidoka Project
(Department or establishment, bureau or office)

Publisher of the
Ashton Herald
Ashton, Idaho

Washington, D. C., Burley, Idaho

Letter of authority to advertise:
Date **April 9, 1943**
No. _____

SIR: You are hereby authorized to publish the inclosed advertisement relating to **Island Park Reservoir permit R-686**

to be set solid, without paragraphing, and without any display in the heading unless otherwise expressly authorized in the specifications attached to the advertisement or in "Remarks" below (see instructions on reverse hereof), in the **weekly** edition of your paper, **four** times, prior to **June 16, 1943** (Publish on **May 20, May 27, June 3 and June 10**)

(Give dates on which publication is desired, if preferred)

provided your charges for the same do not exceed the sworn rates on file, or to be filed in this department or establishment and such rates are not in excess of the **commercial rates charged to private individuals**, with the usual discounts:

Your bill for this service should be rendered upon the inclosed voucher form immediately after the last insertion of the advertisement. The voucher, together with this advertising order and a marked copy of each issue of the paper containing the advertisement, should be addressed to **Bureau of Reclamation, Burley, Idaho**

The voucher must be certified by the publisher or publishers, or other person authorized to sign for him or them.

Remarks:

Respectfully,

S. R. Mearns

(Title)

Superintendent, Minidoka Proj

R-686

INSTRUCTIONS TO PUBLISHERS

TAKE NOTICE! READ CAREFULLY!

With the view of obviating delays in the adjustment and payment of accounts for official advertising, attention is invited to the following:

WRITTEN AUTHORITY FOR PUBLICATION REQUIRED

"No advertisement, notice, or proposal for any executive department of the Government, or for any bureau thereof, or for any office therewith connected, shall be published in any newspaper whatever, except in pursuance of written authority for such publication from the head of such department; and no bill for any such advertising; or publication, shall be paid unless presented, with such bill, a copy of such written authority." (Section 3828, Revised Statutes.)

ADVERTISING RATES

"That hereafter all advertisements, notices, proposals for contracts, and all forms of advertising required by law for the several departments of the Government, may be paid for at a price not to exceed the commercial rate charged to private individuals, with the usual discounts; such rates to be ascertained from the sworn statements to be furnished by the proprietors or publishers of the newspapers proposing so to advertise." (Act of June 20, 1878, 20 Stat. 216.)

Blanks upon which to render the sworn statements required by the above law are furnished by the executive departments and establishments upon application. The affidavits so filed need not be renewed until rates are changed.

The filing of a statement of rates in one department or establishment can not be construed as a notice to another department or establishment that rates have been filed. Such statements must be furnished to each department or establishment, or bureau or office thereof, advertising.

The departments and establishments prefer *counted-line rates*, as they furnish fewer opportunities for mistakes and misunderstandings in the settlement of bills than do rates based upon the space line, inch, square, word, or folio. If the commercial rates of a publication are by the space line, inch, square, word, or folio, the Government counted-line rates should preferably be quoted which would be relatively the same or less; otherwise the said commercial rates should be quoted. "Special," "local," or "reading" rates can not be allowed.

Changes in advertising rates or ownership of newspapers should be promptly reported to the departments and establishments.

WHEN ADVERTISEMENTS MUST BE SET SOLID

In auditing bills no allowance will be made for *displayed* or *headed* advertisements or *prominent headings* unless otherwise expressly authorized. Unless so authorized the matter must be set up *solid, without paragraphing*, and should be in the *type specified in the sworn statement* of rates on file in the departments and establishments. If other type be used, no allowance shall be made for additional space on that account. All abbreviations in copy must be strictly followed.

The following is a sample of solid line advertisement set up in accordance with the usual Government requirements:

TREASURY DEPARTMENT, Office of the Supervising Architect, Washington, D. C., May 10, 1913.—Sealed proposals will be received at this office until 3 o'clock p. m. on the 20th day of June, 1913, and then opened, for an electric vault-protection system in the United States post office at Indianapolis, Ind., in accordance with the specification, copies of which may be had at this office or at the office of the custodian at the discretion of the Supervising Architect, O. Wenderoth, Supervising Architect.

The particular column or page of the paper in which advertisements appear is left entirely to the option of the publisher.

In no case must an advertisement extend beyond the morning of the date herein named for the opening of the bids, sale of material, public hearings, etc., or the dates herein named for publication.

RENDERING OF VOUCHERS

Every account for official advertising must be rendered upon the standard form of voucher and be accompanied by the Advertising Order, copy of general letter of authority to advertise, and a copy of each issue of the publication in which the advertisement appeared. If copy of general letter of authority to advertise has been previously furnished, reference may be made on the voucher to the month in which filed, in lieu of attaching another copy to the voucher. This form of Advertising Order may, in cases where only the publication of an advertisement in one paper is involved, be used as a combined written authority of the head of the department or establishment to advertise and an order on the publisher to publish the advertisement therein described; but in cases where more than one advertisement and/or newspaper is involved, it will be used as an order on the publisher based on a previous general letter of authority to advertise. If copies of the publication are not available, it will be satisfactory to furnish in lieu thereof an affidavit of publication.

All vouchers for advertising must be made out and certified with durable ink. No delible or fugitive inks, pencils, or stamps are permitted to be used in preparing them.

Notice for Publication

Notice is hereby given that at 10:00 a.m., on the 16th day of June, 1943, at St. Anthony, County of Fremont, State of Idaho, before H. G. Fuller, Notary Public, proof will be submitted of the completion of works for the diversion of 21,000 acre feet per annum of the waters of North Fork or Henry's Fork of Snake River in accordance with the terms and conditions of a certain permit heretofore issued by the Commissioner of Reclamation of the State of Idaho.

1. The name of the person or corporation holding said permit is United States of America, through B. E. Stoutemyer, District Counsel, 603 Postoffice Building, Portland, Oregon.

2. The postoffice address of such person or principal place of business of such corporation is c/o Bureau of Reclamation, Burley, County of Cassia, State of Idaho.

3. The number of such permit is R-686, and the date of ~~made~~ the completion of such work was November 11, 1938.

4. Said water is to be used for irrigation and domestic purposes.

5. Said works of diversion ~~which~~ ^{were} fully completed prior to the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 21,000 acre feet per annum in addition to the water supply pro- ~~vided under Permit R-590.~~

6. The amount of lands for which said water is available is approximately 116,677.18 acres, particularly described as follows: the lands included within the boundaries of the Fremont-Madison Irrigation District, in Fremont and Madison counties, Idaho.

James Spofford
State ~~Commissioner~~ Reclamation. Engineer

R-686

April 19, 1943

Re: Permit No. R-686

Mr. S. R. Marean, Superintendent,
U. S. Bureau of Reclamation,
Burley, Idaho

Dear Mr. Marean:

We acknowledge receipt of papers in connection with publication of notice of Completion of Works proof under the above numbered permit, to be made at Ashton, on June 16th, 1943, before Mr. H. G. Faller, Notary Public.

The notice has been sent to the Ashton Herald, with your instructions, etc., in regard to publishing same, and about ten days prior to the date set we shall send Mr. Muller the forms of deposition required.

Meanwhile, we are enclosing a set of these depositions for your own use in contacting your witness or witnesses who are residing elsewhere at the present time.

Very truly yours,

JAMES SPOFFORD
State Reclamation Engineer

By

Chief Clerk

A
Encls.

R-686

April 1, 1943

Re: Permit No. R-686

Mr. S. R. Marean, Sup't.
Bureau of Reclamation
Burley, Idaho

Dear Mr. Marean:

We are in receipt of your letter of March 30th, in regard to completion of works proof on the Island Park reservoir, Permit No. R-686.

Under separate cover we are sending you the forms which you request.

In regard to the use of one of the engineers employed during the construction of this project, as a witness, will say that one of the blanks for witness can be sent to either Mr. Parker or Mr. Jerman, who can execute same before a Notary Public, and return it to the Notary before whom the other depositions will be taken- so that all can be sent in together to this office.

We think that this will take care of the matter very satisfactorily.

Very truly yours,

JAMES SPOFFORD
State Reclamation Engineer

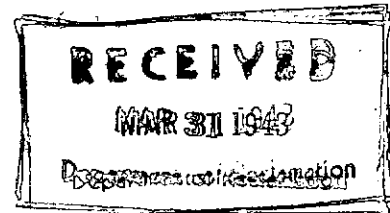
By

Chief Clerk

A

R-686

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
Burley, Idaho



March 30, 1943

Mr. James Spofford
State Reclamation Engineer
Boise, Idaho

Dear Mr. Spofford:

The Bureau of Reclamation desires to submit proof of completion of works on Permit R-686, Island Park reservoir, during the coming summer, and it is requested that the following forms be furnished for our use in this connection:

8 each:

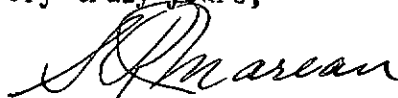
Form 8, Notice for Publication
Form 11, Letter authorizing publication of notice
Form 14, Deposition of Witness
Form 15, Deposition of Holder

In this connection, our legal department advises that it would be well to have an irrigation engineer as one of the witnesses. All of the engineers who were employed during construction of the Island Park unit have long since been transferred to other projects. Please advise if Mr. Lynn Crandall of Idaho Falls would be accepted as an engineering witness in this proof.

In the event Mr. Crandall would not be accepted as an engineering witness, it would be necessary for us to obtain the deposition of one of the engineers formerly employed on the Upper Snake River project. In the interest of economy in time and travel restrictions due to the war, please advise if it would be possible for us to obtain a deposition from one of these engineers and have him either mail it to this office to be taken to the hearing, or have him mail it directly to the notary public before whom the hearing would be held. Mr. H. A. Parker, now irrigation engineer on the Coulee Basin project, and Mr. I. D. Jerman, now resident engineer on the Newton project, were formerly employed on this work, their signatures are familiar, also, to the notary before whom the hearing would be held.

Thanking you in advance for your early attention to this matter,
I am

Very truly yours,


S. R. Marean
Superintendent

R-686

R-686

XXXXXXXXXXXX

C. A. BOTTFOLPSEN
XXXXXXXXXXXX

XXXXXXXXXXXXXXXXXXXX
JAMES SPOFFORD, State Reclamation Engineer

February 25, 1943

Mr. D. G. Tyree
Acting District Counsel
U. S. Bureau of Reclamation
603 Post Office Building
Portland, Oregon

Dear Mr. Tyree:

Reference is made to your letter of February 20, 1943, concerning permit R-686, also Senate Bills No. 80, 114 and 123.

The records of this office disclose that the Completion of Works Proof on Permit R-686, Island Park Reservoir, Upper Snake River, will be due on or before September 28, 1945. If the construction is completed, this proof can be made at any time and the forms for such proof are enclosed.

Copies of Senate Bills No. 80, 114 and 123 (with amendment) are enclosed for your information. Senate Bill No. 80 has passed both Houses and is on the Governor's desk. Senate Bill No. 114 passed the Senate yesterday and was transmitted to the House today, and I believe it will receive favorable consideration. Senate Bill No. 123 is amended and is up for third reading today in the Senate, and if no further opposition develops it should pass the House on suspension of rules tomorrow. The Legislature will probably adjourn Saturday.

Very truly yours,

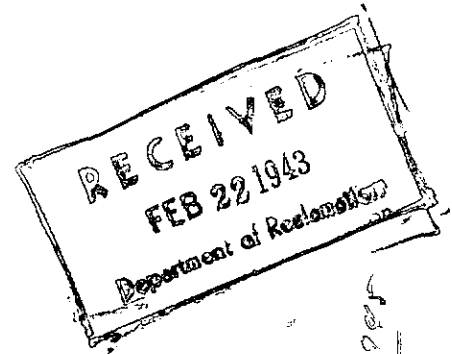
JAMES SPOFFORD
State Reclamation Engineer

JS:djb
Encls.

R-686

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

603 Post Office Building
Portland, Oregon
February 20, 1943



Mr. James Spofford,
Commissioner of Reclamation,
State Capitol Building,
Boise, Idaho.

Dear Mr. Spofford:

In connection with Permit No. R-686 issued to the United States of America for the construction of the Island Park Reservoir, Upper Snake Storage Project, it appears that notice of completion must be filed on or before March 28, 1943.

Please forward us the necessary forms for filing the notice of completion.

In a letter received today from Mr. Newell it appears that you have been lending considerable assistance in connection with the passage of Senate Bills No. 114 and 123. We appreciate your efforts very much and sincerely hope that these bills will be passed. If you can obtain copies of the printed forms and also a printed copy of Senate Bill No. 80 and forward the same in the enclosed franked envelope we would appreciate it also.

Very truly yours,

D. G. Tyree,
Acting District Counsel.

Enc.

R-686

MARYLAND CASUALTY COMPANY

Bradley-Sheppard Agency,
General Agents,
1109 Main Street, Boise, Idaho.

Nov. 13 1940

Mr. B.E. Stoutemyer, District Counsel
Bureau of Reclamation,
603 Post Office Building,
Portland, Oregon

Dear Mr. Stoutemyer:

In connection with your letter of November 7, I can appreciate how you probably misunderstood our request contained in our letter of November 5.

Most certainly, we agree with you that it is not necessary to take the financial statement of the United States of America, and neither was it out thought to hold you responsible for this premium. This latter point has already been taken care of, and our only reason in sending you the application was by reason of the fact that it is necessary for us to have a signed application for the bonding company, and inasmuch as you are shown on the bond as co-principal, we felt that your signature on the application, without its being completed, would suffice for bonding purposes.

In view of this, I am wondering if you can not comply with our request and simply acknowledge the enclosed application on the reverse side on the line marked "applicant".

No additional information as far as your personal standing is concerned is necessary, inasmuch as you are co-principal with the United States of America. I again state that the arrangements have been made with the Fremont-Madison Irrigation district for the payment of this bond.

Assuring you that we will more than appreciate your cooperation, we are

Very truly yours,

BRADLEY SHEPPARD AGENCY
By Lew D. Raeder

R-686

RECEIVED

NOV 18 1940

Department of Reclamation

603 Post Office Building
Portland, Oregon
November 16, 1940

Bradley-Sheppard Agency,
Maryland Casualty Company,
1109 Main Street,
Boise, Idaho.

Gentlemen:

Replying to your letter of November 13, 1940, would say that I am not in any way a principal in connection with this water filing, or with the bond filed in connection therewith. The application for this water filing was made by the United States Government, and permit issued to the United States Government, and stands in the name of the United States -- not in my name. In so far as I have acted in the matter, I have acted purely as an officer or agent of the government on behalf of the United States.

The filing of a bond in connection with this water filing is purely a formal matter, which is carried out because it is provided for in the state statute. But the State has never attempted to hold anybody liable on such a bond, and it is the opinion of attorneys who have examined the matter that there is no liability on the bond.

In the case of most of the bonds which have been filed in connection with such water permits issued to the United States Government, the surety company alone has signed the bond without anybody signing as principal, at least it has been frequently handled in that way. And in view of the trouble and annoyance we have had with this most recent bond, handled through your company, I think I will have to ask in the future that bonds of this kind be secured through companies that are willing to issue the bond without requiring a signature on the bond on behalf of the holder of the permit, which in this case is the United States government.

The Fremont-Madison Irrigation District is receiving the entire benefit of the water supply made available under this

R-686

permit, and for that reason is assuming the responsibility for making payment of the premiums. It may be that the district would be willing to sign your form of application for bond, but I would not care to do so.

Very truly yours,

B. E. Stoutemyer
District Counsel

cc (w. encl):
State Commissioner of Reclamation,
Boise, Idaho ✓
Fremont-Madison Irrigation Dist.,
Ashton, Idaho.

November 15, 1940

Re: Permit No. R-686

Mr. E. E. Sturtevant,
District Counsel,
Bureau of Reclamation,
603 Post Office Bldg.,
Portland, Oregon.

Dear Sir:

We duly received your letter of November 7th, enclosing
bond of the Maryland Casualty Company, in the amount of
\$1,000, in connection with Permit No. R-686, for the en-
largement of Island Park Reservoir on Henry's Fork of
Snake River.

This bond has been approved, and placed on file in this
department.

Very truly yours,

JAMES SPOTFORD
Commissioner of Reclamation

By

Chief Clerk

JLA
CC to Superintendent
Bureau of Reclamation
Barley, Idaho

R-686



STATE OF IDAHO

OFFICE OF THE GOVERNOR

BOISE

C. A. BOTTOLFSEN
GOVERNOR

November 14, 1940

RECEIVED

NOV 14 1940

Department of Reclamation

Mr. James Spofford
Department of Reclamation
B U I L D I N G

Dear Mr. Spofford:

Transmitted herewith for your files
is the approved bond tendered in connection with
Permit #R-686 of the United States of America,
acting through B.E. Stoutemyer, District Counsel,
Bureau of Reclamation, in the amount of \$1,000,
written by the Maryland Casualty Company.

Yours very truly,

A handwritten signature in cursive script, appearing to read "C.A. Bottolfsen".

C.A. Bottolfsen
Governor

R-686

November 12, 1940

Re: Permit No. R-686

Hon. C. A. Bottolfson,
Governor of Idaho,
B U I L D I N G.

Dear Governor Bottolfson:

We are enclosing herewith, for your approval, bond of the Maryland Casualty Company, in the amount of \$1,000, tendered in connection with Permit No. R-686, of the United States of America, acting through B. E. Stoutmeyer, District Counsel, Bureau of Reclamation.

This permit is for the storage and use of \$1,000,000 feet of the waters of the North Fork (Henry's Fork) of Snake River.

Very truly yours,

JAMES SPOFFORD
Commissioner of Reclamation
By

JLA
Encl.

Chief Clerk

R-686

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

603 Post Office Building
Portland, Oregon, November 7, 1940

Commissioner of Reclamation,
State of Idaho,
Boise, Idaho.

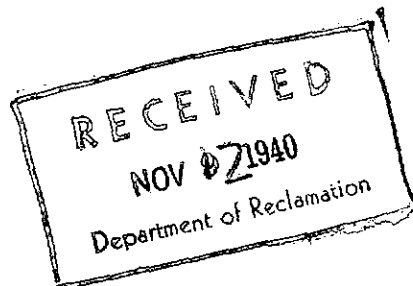
Dear Sir:

Please find enclosed surety company bond in the sum of \$1,000.00 signed by Maryland Casualty Company, which please file in connection with Permit R-686 for the enlargement of Island Park reservoir on Henry's Fork of Snake River.

Very truly yours

encl.

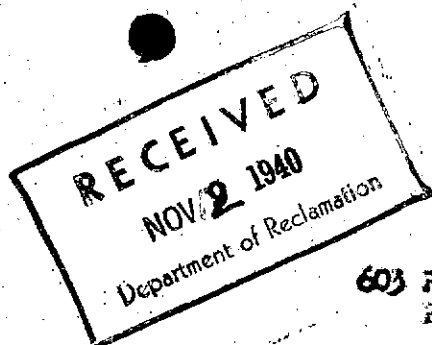
B. E. Stoutemyer
B. E. Stoutemyer
District Counsel



R-686

Fremont-Madison I D
State Commr. of Reclamation, Boise

cc - of letter to Commissioner
Chief Engineer
Supt. Burley



603 Post Office Building
Portland, Oregon, November 7, 1940

Bradley Sheppard Agency,
Maryland Casualty Company
1109 Main Street,
Boise, Idaho.

Gentlemen:

Replying to your letter of November 5.

I am returning the so-called General Application Form which was enclosed with your letter, which is evidently not suitable to a case where the United States Government is the holder of the permit in question.

The questionnaire in regard to assets and liabilities and all other questions are absurd as applied to the United States. The Maryland Casualty Company knows what the assets and liabilities of the United States are fully as well as I do and won't need any information from me as to whether the United States is an endorser on any notes or bonds or has failed in business, or is threatened with any law suits, etc., etc., etc.

If you desire an agreement with someone to pay the premium on the bond you should send a suitable form to the Fremont-Madison Irrigation District at St. Anthony, Idaho. This district has agreed to pay the premium on this bond and the district is greatly interested in the reservoir as it receives the benefits of the water from the reservoir.

I would say in this connection that the Comptroller General of the United States recently ruled that fiscal agents of the United States should not pay, or agree to pay, premiums on bonds of this kind. This is based on the ruling in the case of Bryant v. United States, 111 U.S. 479; 26 L. ed. 186 and other similar cases in which it was held that the United States was not required to give bond, and may have the benefit of the state statute without giving the bond provided for therein. The district never did not wish to take the risk of failing to file a bond in connection with this permit and therefore agreed to pay the necessary premium on the bond.

Trusting that this will be satisfactory to you, I am

Very truly yours

encl

E. L. Stoutemyer, District Counsel

R-684

Bond.

KNOW ALL MEN BY THESE PRESENTS, That United States of America acting through B.E.Stoutemyer, District Council, Bureau of Reclamation, Portland, Oregon of _____, as principal, and _____

Maryland Casualty Company, Baltimore, Maryland

_____, as surety, are held and firmly bound unto the State of Idaho in the full and just sum of One thousand and no/100 (\$ 1000.00) Dollars, lawful money of the United States, to the payment of which sum, well and truly to be made, said principal and surety bind themselves, their heirs, administrators, executors and assigns, jointly and severally, under the terms and conditions hereinafter set forth.

The terms of this obligation are such that, whereas the above named principal on the 12th day of June, 1940, filed in the office of the Commissioner of Reclamation in Boise, Idaho, a certain application for permit to appropriate the public waters of the State of Idaho, the said application being thereupon numbered No R26412, in accordance with which said application the Commissioner of Reclamation granted and issued to the said principal herein a certain permit numbered No R686, a full, true and complete copy of which application No R26412 and permit No R686, is of record in the office of the Commissioner of Reclamation in Book R3 of Permits, at Page 686.

Now, if the above bounden principal shall faithfully carry to completion the said works of diversion as specified in said application No R26412 and permit No R686, in the manner and form prescribed therein and within the time therein allowed, then the above obligation to be void, otherwise to remain in full force and effect.

IN WITNESS WHEREOF, The said principal and surety have hereunto set their hands and seals, this 4th day of November, 1940.

WITNESSES:

United States of America (SEAL)
by B.E. Stoutemyer its agent (SEAL)
Principal

Countersigned by

MARYLAND CASUALTY COMPANY (SEAL)

Resident Agent Boise, Idaho
STATE OF IDAHO,

By _____
attorney-in-fact

County of _____ ss:

_____ of _____ and _____ of _____ whose names

are subscribed to the within and foregoing obligation as sureties thereto, each being duly sworn, upon oath for himself deposes and says:

That he is a resident and freeholder of the State of Idaho, and that he is worth the sum named in said obligation, to wit, \$ _____, over and above all his debts and liabilities, exclusive of property exempt from execution.

Approved: _____

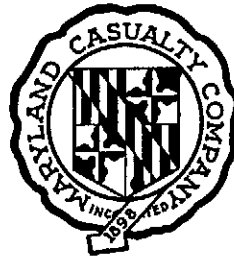
Governor

Subscribed and sworn to before me this _____ day of _____, 19 _____

R-686

**BOND OF
MARYLAND CASUALTY
COMPANY**

BALTIMORE



ON BEHALF OF

United States of America etal

IN FAVOR OF

State of Idaho

Amount \$ 1000.00

Dated Nov. 4 19 40

H. G. Fuller, Agent
Ashton, Idaho

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Permit No. R-686

Boise, Idaho, ~~October 3,~~ 1940

Dear Sir:

I enclose herewith above numbered permit. BE SURE AND
NOTE LIMITATIONS AND CONDITIONS OF SAME as
given under approval of the Commissioner of Reclamation on
the ~~third~~^{fourth} page.

JAMES SPOFFORD

Superintendent U.S. Bureau Reclamation
Burley, Idaho

CC to District Counsel
Portland, Oregon

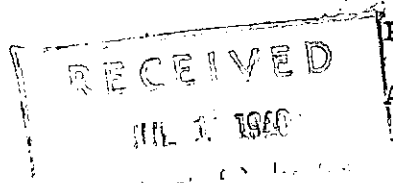
Commissioner of Reclamation.

R-686

PAYEE'S COPY

The enclosed check covers the following supplies and/or services furnished to the Bureau of Reclamation, at Shoshone, Idaho:

for filing fee for add'l water at Island Park reservoir



Payee: State of Idaho
Dept. of Reclamation
 Address: Boise, Idaho

ALLEN
 CHIEF DISBURSING

OFFICER
 DIVISION OF
 DISBURSEMENT
 TREASURY DEPT.
 CK. SYM. 94-445

The above amount is covered by your invoice No. _____, Dated _____

Deductions from invoice (if any) \$ _____, for R-686

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise

Permit No. R-686

NOTICE

You are advised that in order to keep this permit in force a bond in the sum of \$ **1,000** must be filed in the office of the Commissioner of Reclamation on or before November 27 19 40 conditioned upon faithfully carrying to completion the works of diversion as specified in said permit and in the application therefor.

Superintendent U. S. Bureau Reclamation
Burley, Idaho

JAMES SPOFFORD

Commissioner of Reclamation

CC to District Counsel
Portland, Oregon

R-686

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

603 Post Office Building
Portland, Oregon
September 20, 1940



Mr. James Spofford,
Commissioner of Reclamation,
Boise, Idaho.

Re: Application No. 26412

Dear Sir:

Reference is made to your letter of September 12, 1940, addressed to the Construction Engineer, Ashton, Idaho, in which you state that upon furnishing of the affidavit of publication from the Ashton Herald you will be in a position to issue the permit. Accordingly, there is enclosed herewith the affidavit of W. A. Lansberry, printer and publisher of the Ashton Herald, dated September 14, 1940, showing that the notice was published in said newspaper in four consecutive issues from August 8 to August 29, 1940 inclusive.

enc.

Very truly yours,

Frederick G. Hamley
Frederick G. Hamley
Acting District Counsel

L-686

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Fremont, } ss.

I, W. A. Lansberry, do solemnly swear that I am the printer and publisher of THE ASHTON HERALD, a weekly newspaper of general circulation, published once a week at Ashton, Fremont County, State of Idaho; that said newspaper has been continuously and uninterruptedly published in

said County and City, during a period of seventy-eight consecutive weeks prior to the first publication of the

Notice of application to appropriate water
in the above entitled action; that the notice attached hereto, and which is a part of this affidavit and a part of the proof of publication, was published in said newspaper *four* consecutive ~~times~~ first publication having been made on the *8* day of *August*, 19*40*, and last publication on the *29* day of *August*, 19*40*; that said notice was published in the regular and entire issue of every number of the paper during the period and time of publication, and that the notice was published in the newspaper and not in a supplement.

W. A. Lansberry
Printer and Publisher.

Subscribed and sworn to before me this *29th* day of *Sept*, A. D., 19*40*

Liram G. Fuller
Notary Public.

My commission expires *Mar 16*, 19*41*

2-686

NOTICE OF APPLICATION TO APPROPRIATE WATER IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 145, 1935 SESSION LAWS.

State of Idaho, Department of Reclamation.

NOTICE IS HEREBY GIVEN That on the 12th day of June, 1940, The United States of America, acting through B. E. Stoutemyer, District Counsel, Bureau of Reclamation, Portland, Oregon, made application No. 26412 to store and appropriate Twenty-one Thousand (21,000) acre feet per annum of the waters of North Fork (Henry's Fork) of Snake River, a tributary of Snake River, for irrigation and domestic purposes:

That the point of outlet of the reservoir is located N. 12 degrees 30 minutes E. 1300 feet distant from the Southwest corner of Section 18, Township 13 North, Range 43 East, E. M., and is in Lot 3 of Section 28, Township 13 North Range 43 East, B. M.

That the lands proposed to be irrigated by the use of said water are described as follows, to-wit:

Township 6 N., Range 38 E., B. M.: E1/2 NE1/4, NE1/4 SW1/4, S1/2 SW1/4, SE1/4 Section 25; SE1/4 SW1/4, S1/2 SE1/4 Section 26;

Township 6 N., Range 39 E., B. M.: All of Sections 1, 2, 3 and 5; E1/2 Section 6; E1/2 Section 7; N1/2, N1/4 SW1/4, SE1/4 Section 8; All of Sections 9, 10, 11, 12, 13, 14, 15 and 16; E1/2 Section 17; E1/2 Section 18; E1/2 Section 19; NE1/4, S1/2 Section 20; All of Sections 21, 22, 23, 24, 25, 26, 27, 28 and 29; E1/2 NE1/4 Section 30; All of Sections 32, 33, 34, 35 and 36.

Township 6 N., Range 40 E., B. M.: All of Sections 1, 2 and 3; N1/2, W1/2 SW1/4, NE1/4 SE1/4, S1/2 SE1/4 Section 4; All of Sections 5, 6, 7, 8, 9, 10, 11 and 12; N1/2 Section 13; N1/2 Section 14; All of Sections 15, 16, 17 and 18; SE1/4 NE1/4 Section 19; N1/2 Section 20; NW1/4 Section 21;

Township 6 N., Range 41 E., B. M.: W1/2 NE1/4, W1/2, S1/2 SE1/4 Section 5; All of Section 6; N1/2 NE1/4, SW1/4 NE1/4, W1/2, W1/2 SE1/4, Section 7; N1/2 NW1/4, SW1/4 NW1/4, NW1/4 SW1/4 Section 18;

Township 7 N., Range 39 E., B. M.: SE1/4 Section 19; All of Sections 20, 21 and 22; NW1/4 Section 27; All of Sections 28 and 29; N1/2, N1/2 SW1/4, SE1/4, SE1/4 SW1/4 Section 30; W1/2 NE1/4, E1/2 NW1/4, N1/2 SE1/4 Section 31; N1/2 SW1/4, W1/2 SE1/4 Section 32; NE1/4 Section 33; Lots 5, 6, 7, E1/2 SE1/4 Section 34; All of Sections 35 and 36;

Township 7 N.

...nails, etc. Try putting
...sundry catching on door
...pockets of kitchen aprons
...strainer.

...foods and to wipe out
...greasy pans, to wipe up
...the sink. Use the paper
...lace a roll of paper towel
...Your kitchen towels this
...ling water.

...ready to use the pot rinse
...sugar in the pot. When
...To prevent this, store in
...flavor to tea made in
...teapots sometimes give a
...ed in a dry, dark place.

...of tartar and cereals light
...powder, spices, soda,
...Keep coffee, tea, sugar,
...salad oil in a dry, cold
...a bottle will soften it.

...one that has become hard
...The spoon of vinegar poured



...e can fit. The top has
...a slip you make to your
...figure-battery, and to fit
...ly planned to do its part
...Here's a design (1892-B)
...pomed line they should
...have the smooth, suave,
...expect your small-waisted
...ant just wear any old slip
...up to te to
...your foot
...Nas
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NOTICE OF APPLICATION TO APPROPRIATE WATER IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 145, 1935 SESSION LAWS.

State of Idaho, Department of Reclamation.

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That the lands proposed to be irrigated by the use of said water are described as follows, to-wit:

Township 6 N., Range 38 E., B. M.:
E1/2 NE1/4, NE1/4 SW1/4, S1/2 SW1/4, SE1/4 Section 25; SE1/4 SW1/4, S1/2 SE1/4 Section 26;

Township 6 N., Range 39 E., B. M.:
All of Sections 1, 2, 3 and 5; E1/2 Section 6; E1/2 Section 7; N1/2, N1/2 SW1/4, SE1/4 Section 8; All of Sections 9, 10, 11, 12, 13, 14, 15 and 16; E1/2 Section 17; E1/2 Section 18; E1/2 Section 19; NE1/4, S1/2 Section 20; All of Sections 21, 22, 23, 24, 25, 26, 27, 28 and 29; E1/2 NE1/4 Section 30; All of Sections 32, 33, 34, 35 and 36.

Township 6 N., Range 40 E., B. M.:
All of Sections 1, 2 and 3; N1/2, W1/2 SW1/4, NE1/4 SE1/4, S1/2 SE1/4 Section 4; All of Sections 5, 6, 7, 8, 9, 10, 11 and 12; N1/2 Section 13; N1/2 Section 14; All of Sections 15, 16, 17 and 18; SE1/4 NE1/4 Section 19; N1/2 Section 20; NW1/4 Section 21;

Township 6 N., Range 41 E., B. M.:
W1/2 NE1/4, W1/2, S1/2 SE1/4 Section 5; All of Section 6; N1/2 NE1/4, SW1/4 NE1/4, W1/2, W1/2 SE1/4 Section 7; N1/2 NW1/4, SW1/4 NW1/4, NW1/4 SW1/4 Section 18;

Township 7 N., Range 39 E., B. M.:
SE1/4 Section 19; All of Sections 20, 21 and 22; NW1/4 Section 27; All of Sections 28 and 29; N1/2, N1/2 SW1/4, SE1/4, SE1/4 SW1/4 Section 30; W1/2 NE1/4, E1/2 NW1/4, N1/2 SE1/4 Section 31; N1/2, SW1/4, W1/2 SE1/4 Section 32; NE1/4 Section 33; Lots 5, 6, 7, E1/2 SE1/4 Section 34; All of Sections 35 and 36;

Township 7 N., Range 40 E., B. M.:
All of Sections 31, 32, 33, 34 and 35.
A total of 42,375.08 acres in Madison County.

Township 7 N., Range 39 E., B. M.:
SE1/4 NE1/4, E1/2 SW1/4, SE1/4 Section 1;

NW 1/4, NE 1/4
S1/2 Section 11; All of Sections 12, 13, 14, 15 and 16; E1/2, E1/2 SW1/4 Section 17; All of Section 23; N1/2 Section 24; NE1/4 NE1/4, S1/2 NE1/4, S1/2, S1/2 NW1/4 Section 25; Lots 1, 2, 3, 4, 5, 6, 7, S1/2 NW1/4 Section 26;

Township 7 N., Range 40 E., B. M.:
SE1/4 NW1/4, NE1/4 SW1/4, S1/2 SW1/4 Section 2; NW1/4 NE1/4, SW1/4, NW1/4 SE1/4 Section 5; SE1/4 Section 6; NE1/4, SW1/4, W1/2 NW1/4, N1/2 SE1/4 Section 7; NW1/4 NE1/4, S1/2 NE1/4, S1/2 NW1/4, N1/2 SW1/4, SE1/4 SW1/4, SE1/4 Section 8; S1/2 NE1/4; NE1/4 NW1/4, SW1/4 Section 9; N1/2 NE1/4, W1/2, S1/2 SE1/4 Section 10; S1/2 Section 11; S1/2 NE1/4, NW1/4, S1/2 Section 12; All of Sections 13 and 14; NE1/4, Lot 3, S1/2 NW1/4, S1/2 Section 15; Lots 4, 5, 6, 7, S1/2 SW1/4, SE1/4 Section 16; N1/2 Section 17; N1/2, SW1/4 Section 18; S1/2 NE1/4, NW1/4, S1/2 Section 19; All of Sections 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36.

Township 7 N., Range 41 E., B. M.:
All of Section 4; NE1/4, NE1/4 NW1/4, S1/2 NW1/4, S1/2 Section 5; S1/2 Section 6; All of Sections 7 and 8; W1/2 NW1/4, W1/2 SW1/4, SE1/4 SW1/4, SE1/4 Section 9; W1/2 NW1/4, Section 10; W1/2 NW1/4, NW1/4 SW1/4, Section 15; All of Sections 16, 17, 18 and 19; N1/2, N1/2 S1/2 Section 20; All of Section 21; W1/2 NE1/4, W1/2 Section 28; All of Sections 29, 30, 31 and 32; NW1/4 NW1/4 Section 33;

Township 8 N., Range 40 E., B. M.:
SE1/4 SW1/4, SW1/4 SE1/4 Section 28; N1/2 SE1/4, SW1/4 SE1/4 Section 29; NE1/4 Section 31; NE1/4, N1/2 SE1/4 Section 32; N1/2 NE1/4 Section 33; S1/2 NE1/4, N1/2 NW1/4, N1/2 SE1/4 Section 34; S1/2 NW1/4, SW1/4 Section 35; NW1/4 NE1/4 Section 36;

Township 8 N., Range 41 E., B. M.:
SE1/4 Section 12; NE1/4, Lots 1, 3, 4, 5, 10, SE1/4 NW1/4 Section 13; SW1/4 Section 14; S1/2 SE1/4 Section 15; N1/2, SW1/4, S1/2 SE1/4 Section 21; N1/2, N1/2 SW1/4, SE1/4 SW1/4, Lots 2 and 3, NW1/4 SE1/4 Section 22; NW1/4 NW1/4, Lots 5 and 6, SE1/4 SW1/4, NE1/4 Section 23; N1/2 NE1/4, E1/2 NW1/4, S1/2 SW1/4, S1/2 SE1/4 Section 24; All of Sections 25, 26, 27 and 28; E1/2 NE1/4, SE1/4 SW1/4, SE1/4 Section 29; E1/2 Section 31; N1/2, W1/2 SW1/4, S1/2 SE1/4 Section 32; All of Sections 33 and 34; N1/2 NE1/4, SW1/4 NE1/4, NW1/4, N1/2 SW1/4, NW1/4 SE1/4 Section 35;

Township 8 N., Range 42 E., B. M.:
All of Sections 1, 2 and 3; NE1/4, S1/2 NW1/4, S1/2 Section 4; SE1/4 NE1/4, N1/2 SW1/4, SE1/4 SW1/4, SE1/4 Section 5; E1/2 Section 8; N1/2, N1/2 SW1/4, SE1/4 Section 9; All of Sections 10, 11 and 12; NE1/4, W1/2 NW1/4, NW1/4 SW1/4, N1/2 SE1/4 Section 13; All of Section 14; N1/2, SW1/4, N1/2 SE1/4 Section 15; SE1/4 NE1/4, NE1/4 SE1/4 Section 16; S1/2 SW1/4, W1/2 SE1/4, SE1/4 SE1/4 Section 19; W1/2 NE1/4, NW1/4 SE1/4, Section 20; SW1/4 NE1/4, SE1/4 NW1/4, NE1/4 SW1/4, NW1/4 SE1/4 Section 21; SW1/4, NE1/4 SE1/4 Section 23; S1/2 NE1/4, N1/2 SW1/4 Section 24; W1/2 NE1/4, NW1/4 Section 30;

Township 8 N., Range 43 E., B. M.:
N1/2, SW1/4 Section 1; NW1/4 Section 3; N1/2 NE1/4, N1/2 NW1/4, SW1/4 NW1/4, S1/2 SW1/4 Section 4; N1/2, SW1/4 Section 5; All of Section 6; N1/2, SW1/4, NE1/4 SE1/4 Section 7; N1/2 NW1/4, S1/2 SE1/4 Section 9; NE1/4 NE1/4, S1/2 NE1/4, S1/2 Section 10; N1/2 Section 11; SE1/4 Section 12; N1/2 Section 15; S1/2 NE1/4, SE1/4 NW1/4, N1/2 SW1/4, N1/2 SE1/4 Section 16; NW1/4 NW1/4, W1/2 SW1/4, Section 17; S1/2 NE1/4, NW1/4, S1/2 Section 18; N1/2, NW1/4 SW1/4, S1/2 SW1/4 Section 19; W1/2 NW1/4, Section 20; N1/2 NE1/4, SE1/4 NE1/4, NE1/4 NW1/4, S1/2 NW1/4, SW1/4 SW1/4 Section 21; W1/2 Section 22; N1/2 NW1/4, SW1/4 NW1/4, W1/2 SW1/4, NW1/4 SE1/4, S1/2 SE1/4 Section 27; E1/2 SE1/4 Section 28; SW1/4 NE1/4, NW1/4 Section 29; SE1/4 NW1/4, NE1/4 SW1/4 Section 30; NE1/4 Section 31; NE1/4, NE1/4 SE1/4, Section 33; NW1/4 NW1/4, S1/2 NW1/4 Section 34;

Township 8 N., Range 44 E., B. M.:
NW1/4, N1/2 SW1/4 Section 5; All of Sections 6 and 7; NE1/4, S1/2 NW1/4, SW1/4 Section 8; NW1/4 NW1/4, Section 17; N1/2 Section 18;

Township 9 N., Range 42 E., B. M.:
SW1/4 NE1/4, S1/2 Section 13; N1/2 NE1/4, SE1/4 NE1/4, NE1/4 NW1/4, SW1/4 NW1/4, NW1/4 SW1/4, S1/2 SW1/4, NE1/4 SE1/4, S1/2 SE1/4 Section 22; N1/2 NE1/4, S1/2 NW1/4, S1/2 Section 23; NE1/4, SE1/4 NW1/4, Section 24; W1/2 SW1/4, SE1/4 SE1/4, Section 25; All of Section 26; NE1/4, E1/2 NW1/4, S1/2 Section 27; S1/2 NE1/4, SE1/4 NW1/4, SE1/4 Section 28; S1/2 SE1/4 Section 33; All of Sections 34 and 35; NE1/4 NE1/4, S1/2 NE1/4, S1/2 NW1/4, S1/2 Section 36;

Township 9 N., Range 43 E., B. M.:
W1/2 SE1/4 Section 13; SW1/4 SW1/4 Section 18; S1/2 NE1/4, NW1/4, NE1/4 SW1/4, S1/2 SW1/4, SE1/4 Section 19; SW1/4, S1/2 SE1/4, Section 20; E1/2 SE1/4 Section 21; SE1/4 SW1/4, Section 22; E1/2 NE1/4, SE1/4 NW1/4, E1/2 SW1/4, N1/2 SE1/4, SW1/4 SE1/4, Section 23; S1/2 NE1/4, W1/2 NW1/4, S1/2 Section 24; E1/2 NE1/4, N1/2 SW1/4, E1/2 SE1/4, Section 25; W1/2 NE1/4, NE1/4 NW1/4, S1/2 NW1/4, SW1/4, W1/2 SE1/4 Section 27; All of Sections 28, 29, 30, 31, 32 and 33; W1/2, SE1/4 SE1/4 Section 34; W1/2 NE1/4, S1/2 NW1/4, N1/2 SW1/4, S1/2 SE1/4 Section 35; N1/2 NE1/4, W1/2 NW1/4, SW1/4, SE1/4 SE1/4 Section 36;

Township 9 N., Range 44 E., B. M.:
S1/2 SW1/4, SE1/4 Section 18; N1/2, SW1/4 Section 19; S1/2 Section 20; N1/2 NW1/4, SW1/4, S1/2 SE1/4, Section 21; E1/2 NW1/4, SW1/4 Section 22; W1/2, SE1/4 Section 29; W1/2, SE1/4, Section 30; N1/2 NW1/4, S1/2 SW1/4, W1/2 SE1/4, Section 31; S1/2 NE1/4, S1/2 Section 32; S1/2 NW1/4, Section 33;

Also Lots E. G. 4, 5 and 6 Block 9, Lots 3 and 4 Block 39, Lots 11 and 12 Block 42, Lot 13, Block 44, Lot 12, Block 57, Lots 5 and 6, Block 60, Lots 5 and 6, Block 63, Lots 5 and 6, Block 65, Lots 1 and 2, Block 75, Village of Ashton, Idaho; and the West 80 feet of Lots 5 and 6, Block 5, Gray's Addition to the town of St. Anthony, Idaho.

A total of 74,193.25 acres in Fremont County.

That any protests against the approval of this application must be filed in the Department of Reclamation of the State of Idaho within forty (40) days from the date of this Notice; such protest shall state the name and address of the protestant and shall clearly set forth his objections to the approval of said application.

Dated this 27th day of July, 1940.

JAMES SPOFFORD,

Commissioner of Reclamation.

Date of first publication August 8, 1940.

Date of last publication August 29, 1940.

Last date for protest: September 5, 1940.

SERVICE of the foregoing, by copy, is hereby admitted this 31 day of July, 1940.

B. E. STOUTEMYER.

AFFIDAVIT OF PUBLICATION

I swear that I am the printer and publisher of THE ASHTON general circulation, published once a week at Ashton, Fremont newspaper has been continuously and uninterruptedly published in said County and City, during a period of seventy-eight consecutive weeks prior to the first publication of the Notice of application to appropriate water in the above entitled action; that the notice attached hereto, and which is a part of this affidavit and a part of the proof of publication, was published in said newspaper four consecutive issues, first publication having been made on the 8 day of August, 1940, and last publication on the 29 day of August, 1940; that said notice was published in the regular and entire issue of every number of the paper during the period and time of publication, and that the notice was published in the newspaper and not in a supplement.

M.A. Lansberry

Printer and Publisher.

Subscribed and sworn to before me this 27th day

of July 27, 1940

James G. Fitch

Notary Public.

My commission expires March 16, 1941

R-686

7

Permitting

September 12, 1940

Re: Application No. 26412

Construction Engineer,
U. S. Bureau of Reclamation,
Ashton, Idaho.

Dear Sir:-

The last date for protest under the above
numbered application for Permit was September
5th, and no protest has been filed.

If you will obtain the Affidavit of Publication
from the Ashton Herald, and send it to us, we
will be in position to issue the permit.

Very truly yours,

JAMES SPOTFORD
Commissioner of Reclamation
By

JLA

Chief Clerk

R-686

August 17, 1968

Re: Application No. 26412

THE ASHTON HERALD
Ashton, Idaho.

Gentlemen:-

In checking over the Notice appearing in your paper in connection with the above numbered application, we note the following errors:

In the second column, in the paragraph commencing "Township 8 N., Range 41 E., B.M.", in the 11th line, change S $\frac{1}{2}$ Sec. 29 to SE $\frac{1}{2}$ Sec. 29.

In the same column, in the paragraph commencing "Township 8 N., Range 43 E., B.M.", there is a repetition. Delete the line reading "SW $\frac{1}{4}$, NW $\frac{1}{4}$ Section 29", which is the fourth line from the bottom of that paragraph.

In the same column, in the paragraph commencing "Township 9 N., Range 42 E., B.M.", in the 5th line, the last description should be NE $\frac{1}{4}$ instead of NW $\frac{1}{4}$.

Please have these corrections made in the next week's publication, and send us a copy of the paper containing the corrected notice.

Very truly yours,

JAMES SPOFFORD
Commissioner of Reclamation
By

JLA

Chief Clerk

R-6846

August 7, 1940

Re: Application No. 28412

THE ASHTON HERALD,
Ashton, Idaho.

Gentlemen:-

In further reference to our letter of August 5th,
in which we enclosed Notice in connection with the
above numbered application, to be published once a
week for three consecutive weeks:

At the request of Mr. E. E. Stoutemyer, District
Counsel for the Bureau of Reclamation, we are enclosing
herewith the advertising order and voucher forms
required by the Government.

Very truly yours,

JAMES SPOFFORD
Commissioner of Reclamation
By

Chief Clerk

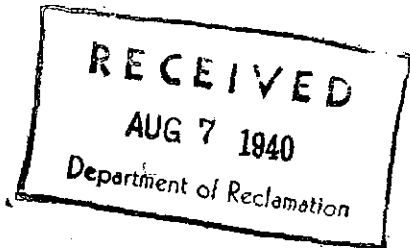
JLA
Encls.
CC to E. E. Stoutemyer

2686

UNITED STATES
DEPARTMENT OF THE INTERIOR

BUREAU OF RECLAMATION

603 Post Office Building
Portland, Oregon
August 6, 1940



Mr. James Spofford,
State Commissioner of Reclamation,
Boise, Idaho.

Dear Sir:

Re: Application No. 26412

Referring to your letter of July 27, 1940 on the above subject, and to our notice of August 2, in connection with our recent application for appropriation of the additional water required for filling the Island Park Reservoir to the capacity of 135,000 acre-feet.

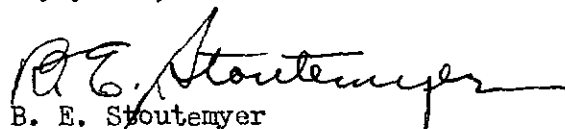
We have just received from the Commissioner a letter, under date of August 3, reading:

"Reference is made to your letter of July 31. We have wired you authority to have the notice published. There are enclosed forms which you should use for authorizing the advertisement and vouchering the bill in favor of the selected newspaper. The Ashton Herald seems to be published on Thursdays so that it may not be possible to publish notice in it before August 8."

together with printed forms which the present government regulations require be used in this connection.

I have signed the enclosed advertising order. Although I assume you have already ordered the printing, it is requested that you forward the enclosed forms to the publisher in the usual way, so that he will more readily be able to collect his printing bill without getting into conflict with the government regulations.

Very truly yours,


B. E. Stoutemyer
District Counsel

encls

R-686

August 5, 1940

Re: Application No. 26412

THE ASHTON HERALD
Ashton, Idaho.

Gentlemen:-

Enclosed you will find notice for publication once a week for three (3) consecutive weeks prior to September 5, 1940, the last date set for protest.

The expense of the publication is to be paid by the U. S. Bureau of Reclamation, and the proof of publication, together with the statement for the cost, should be sent to the Bureau of Reclamation, at Ashton, Idaho.

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

Very truly yours,

JAMES SPOFFORD

Commissioner of Reclamation

By

Chief Clerk

JLA
Encls.

R-686

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) August 2, 1940

(P. O.) Portland, Oregon

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published ~~at my expense~~ in the Ashton Herald of Ashton, Idaho, published in the county in which the works are situated. You are authorized to publish the said notice at the expense of the Bureau of Reclamation and bill should be sent to said Bureau at Ashton, Idaho.

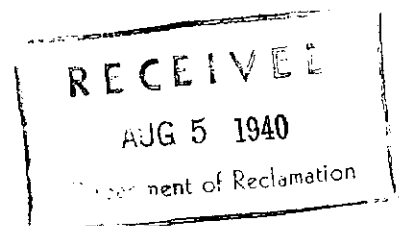
AM

R. E. Stoutemyer
District Counsel

(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.



R-686

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

NOTICE OF APPLICATION TO APPROPRIATE WATER IN ACCORDANCE WITH THE PROVISIONS
OF CHAPTER 145, 1935 SESSION LAWS

NOTICE IS HEREBY GIVEN That on the 12th day of June, 1940, The United States of America, acting through B. E. Stortemyer, District Counsel, Bureau of Reclamation, Portland, Oregon, made application No. 26412 to store and appropriate Twenty-one Thousand (21,000) acre feet per annum of the waters of North Fork (Henry's Fork) of Snake River, a tributary of Snake River, for irrigation and domestic purposes;

That the point of outlet of the reservoir is located N. 12°30' E. 1300 feet distant from the Southwest corner of Section 28, Township 13 North, Range 43 East, B.M., and is in Lot 3 of Section 28, Township 13 North, Range 43 East, B.M.

That the lands proposed to be irrigated by the use of said water are described as follows, to-wit:

Township 6 N., Range 38 E., B.M.

E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ Section 25;
SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 26;

Township 6 N., Range 39 E., B.M.

All of Sections 1, 2, 3 and 5;
E $\frac{1}{2}$ Section 6;
E $\frac{1}{2}$ Section 7;
NE $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ Section 8;
All of Sections 9, 10, 11, 12, 13, 14, 15 & 16;
E $\frac{1}{2}$ Section 17;
E $\frac{1}{2}$ Section 18;
E $\frac{1}{2}$ Section 19;
NE $\frac{1}{4}$, S $\frac{1}{2}$ Section 20;
All of Sections 21, 22, 23, 24, 25, 26, 27, 28 & 29;
E $\frac{1}{2}$ NE $\frac{1}{4}$ Section 30;
All of Sections 32, 33, 34, 35 & 36.

Township 6 N., Range 40 E., B.M.

All of Sections 1, 2 & 3;
NE $\frac{1}{2}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 4;
All of Sections 5, 6, 7, 8, 9, 10, 11, & 12;
NE $\frac{1}{2}$ Section 13;
NE $\frac{1}{2}$ Section 14;
All of Sections 15, 16, 17 & 18;
SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 19;
NE $\frac{1}{2}$ Section 20;
NW $\frac{1}{4}$ Section 21;

Township 6 N., Range 41 E., B.M.

W $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 5;
All of Section 6;
N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 7;
N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 18;

Township 7 N., Range 39 E., B.M.

SE $\frac{1}{4}$ Section 19;
All of Sections 20, 21 & 22;
NW $\frac{1}{4}$ Section 27;
All of Sections 28 & 29;
NE $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ Section 30;
W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ Section 31;
NE $\frac{1}{2}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 32;
NE $\frac{1}{4}$ Section 33;
Lots 5, 6, 7, E $\frac{1}{2}$ SE $\frac{1}{4}$ Section 34;
All of Sections 35 & 36.

Township 7 N., Range 40 E., B.M.

All of Sections 31, 32, 33, 34 & 35

A total of 42,375.08 acres in Madison County

Township 7 N., Range 39 E., B.M.

SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ Section 1;
NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ Section 8;
NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ Section 9;
S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ Section 10;
NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ Section 11;
All of Sections 12, 13, 14, 15 & 16;
E $\frac{1}{2}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 17;
All of Section 23;
N $\frac{1}{2}$ Section 24;
NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ Section 25;
Lots 1, 2, 3, 4, 5, 6, 7, S $\frac{1}{2}$ NW $\frac{1}{4}$ Section 26;

Township 7 N., Range 40 E., B.M.

SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 2;
NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 5;
SE $\frac{1}{4}$ Section 6;
NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 7;
NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ Section 8;
S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ Section 9;
N $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 10;
S $\frac{1}{2}$ Section 11;
S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, S $\frac{1}{2}$ Section 12;
All of Sections 13 & 14;
NE $\frac{1}{4}$, Lot 3, S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ Section 15;
Lots 4, 5, 6, 7, S $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ Section 16;
N $\frac{1}{2}$ Section 17;
N $\frac{1}{2}$, SW $\frac{1}{4}$ Section 18;
S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, S $\frac{1}{2}$ Section 19;
All of Sections 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 36

Township 7 N., Range 41 E., B.M.

All of Section 4;
NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ Section 5;
S $\frac{1}{2}$ Section 6;
All of Sections 7 & 8;
W $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ Section 9;
W $\frac{1}{2}$ NW $\frac{1}{4}$ Section 10;
W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 15;
All of Sections 16, 17, 18 & 19
N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$ Section 20;
All of Section 21;
W $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ Section 28;
All of Sections 29, 30, 31 & 32;
NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 33

Township 8 N., Range 40 E., B.M.

SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 28;
N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 29;
NE $\frac{1}{4}$ Section 31;
NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ Section 32;
N $\frac{1}{2}$ NE $\frac{1}{4}$ Section 33;
S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ Section 34;
S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ Section 35;
NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 36;

Township 8 N., Range 41 E., B.M.

SE $\frac{1}{4}$ Section 12;
NE $\frac{1}{4}$, Lots 1, 3, 4, 5, 10, SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 13;
SW $\frac{1}{4}$ Section 14;
S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 15;
N $\frac{1}{2}$, SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 21;
N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Lots 2 & 3, NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 22;
NW $\frac{1}{4}$ NW $\frac{1}{4}$ - Lots 5 & 6, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ Section 23;
N $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 24;
All of Sections 25, 26, 27 & 28;
E $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ Section 29;
E $\frac{1}{2}$ Section 31;
N $\frac{1}{2}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 32;
All of Sections 33 & 34;
N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 35;

Township 8 N., Range 42 E., B.M.

All of Sections 1, 2 & 3;
 NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ Section 4;
 SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ Section 5;
 E $\frac{1}{2}$ Section 8;
 NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ Section 9;
 All of Sections 10, 11 & 12;
 NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ Section 13;
 All of Section 14;
 NE $\frac{1}{4}$, SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ Section 15;
 SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 16;
 S $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 19;
 W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 20;
 SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 21;
 SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 23;
 S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ Section 24;
 W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ Section 30;

Township 8 N., Range 43 E., B.M.

N $\frac{1}{2}$, SW $\frac{1}{4}$ Section 1;
 NW $\frac{1}{4}$ Section 3;
 N $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 4;
 NE $\frac{1}{4}$, SW $\frac{1}{4}$ Section 5;
 All of Section 6;
 NE $\frac{1}{4}$, SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 7;
 N $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 9;
 NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ Section 10;
 NE $\frac{1}{4}$ Section 11;
 SE $\frac{1}{4}$ Section 12;
 NE $\frac{1}{4}$ Section 15;
 S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ Section 16;
 NW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ Section 17;
 S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, S $\frac{1}{2}$ Section 18;
 NE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 19;
 W $\frac{1}{2}$ NW $\frac{1}{4}$ Section 20;
 N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 21;
 NE $\frac{1}{4}$ Section 22;
 N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 27;
 E $\frac{1}{2}$ SE $\frac{1}{4}$ Section 28;
 SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ Section 29;
 SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 30;
 NE $\frac{1}{4}$ Section 31;
 NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 33;
 NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ Section 34;

Township 8 N., Range 44 E., B.M.

NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ Section 5;
 All of Sections 6 & 7;
 NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ Section 8;
 NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 17;
 NE $\frac{1}{4}$ Section 18;

Township 9 N., Range 42 E., B.M.

SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ Section 15;
 N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 22;
 N $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ Section 23;
 NE $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 24;
 S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 25;
 All of Section 26;
 NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ Section 27;
 S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ Section 28;
 S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 33;
 All of Sections 34 & 35;
 NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ Section 36;

Township 9 N., Range 43 E., B.M.

W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 13;
 SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 18;
 S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ Section 19;
 SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 20;
 E $\frac{1}{2}$ SE $\frac{1}{4}$ Section 21;
 SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 22;

(Township 9 N., Range 43 E., B.M.- Continued)

E $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 23;
S $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ Section 24;
E $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ Section 25;
W $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 27;
All of Sections 28, 29, 30, 31, 32 & 33;
W $\frac{1}{2}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 34;
W $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 35;
N $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 36;

Township 9 N., Range 44 E., B.M.

S $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ Section 18;
N $\frac{1}{2}$, SW $\frac{1}{4}$ Section 19;
S $\frac{1}{2}$ Section 20;
N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 21;
E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ Section 22;
W $\frac{1}{2}$, SE $\frac{1}{4}$ Section 29;
W $\frac{1}{2}$, SE $\frac{1}{4}$ Section 30;
N $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 31;
S $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ Section 32;
S $\frac{1}{2}$ NW $\frac{1}{4}$ Section 33;

Also Lots E, G, 4, 5 & 6 Block 9, Lots 3 & 4 Block 39, Lots 11 & 12, Block 42, Lot 13, Block 44, Lot 12, Block 57, Lots 5 & 6, Block 60, Lots 5 & 6, Block 63, Lots 5 & 6, Block 65, Lots 1 & 2, Block 75, Village of Ashton, Idaho; and the West 80 feet of Lots 5 & 6, Block 5 Gray's Addition to the town of St. Anthony, Idaho.

A total of 74,193.25 acres in Fremont County

That any protests against the approval of this application must be filed in the Department of Reclamation of the State of Idaho within forty (40) days from the date of this Notice; such protest shall state the name and address of the protestant and shall clearly set forth his objections to the approval of said application.

Dated this 27th day of July, 1940.

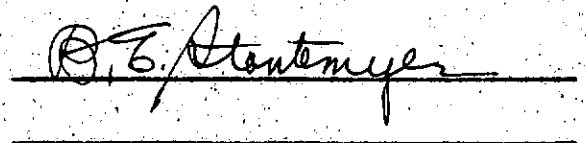

JAMES SPOFFORD
Commissioner of Reclamation.

Date of first publication:

Date of last publication:

Last date for protest: September 5, 1940

SERVICE OF THE foregoing, by copy, is hereby admitted, this 31st
day of July 1940.


R. B. Stentmyer

July 27, 1940

Re: Application No. 25412

Mr. B. E. Stontmeyer,
District Counsel,
U. S. Bureau of Reclamation,
No. 603 Post Office Bldg.,
Portland, Oregon.

Dear Mr. Stontmeyer:-

We are enclosing herewith duplicate Notices which have been prepared in connection with the above numbered application, in accordance with the provisions of Section 41-203 of the Idaho Code Annotated, as amended by Chapter 145 of the Session Laws of 1935, for your acknowledgment of service.

Please sign both of these and return to this office promptly, together with the enclosed form of authorization to have the notice published in a newspaper that you may designate in Fremont County.

Upon return of these papers we shall send the Notice to the paper designated, with instructions to publish it once a week for three consecutive weeks.

Very truly yours,

JAMES SPORFORD
Commissioner of Reclamation
By

Chief Clerk

JLA
Encls.
CC to Superintendent
U. S. Bureau of Reclamation
Barley, Idaho

R-686

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

NOTICE OF APPLICATION TO APPROPRIATE WATER IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 145, 1935 SESSION LAWS

NOTICE IS HEREBY GIVEN That on the 12th day of June, 1940, The United States of America, acting through B. E. Stoutemyer, District Counsel, Bureau of Reclamation, Portland, Oregon, made application No. 26412 to store and appropriate Twenty-one Thousand (21,000) acre feet per annum of the waters of North Fork (Henry's Fork) of Snake River, a tributary of Snake River, for irrigation and domestic purposes;

That the point of outlet of the reservoir is located N. 12°30' E. 1300 feet distant from the Southwest corner of Section 28, Township 13 North, Range 43 East, B.M., and is in Lot 3 of Section 28, Township 13 North, Range 43 East, B.M.

That the lands proposed to be irrigated by the use of said water are described as follows, to-wit:

Township 6 N., Range 38 E., B.M.
 $E\frac{1}{2}NE\frac{1}{4}$, $NE\frac{1}{2}SW\frac{1}{4}$, $S\frac{1}{2}SW\frac{1}{4}$, $SE\frac{1}{4}$ Section 25;
 $SE\frac{1}{4}SW\frac{1}{4}$, $S\frac{1}{2}SE\frac{1}{4}$ Section 26;
 Township 6 N., Range 39 E., B.M.
 All of Sections 1, 2, 3 and 5;
 $E\frac{1}{2}$ Section 6;
 $E\frac{1}{2}$ Section 7;
 $N\frac{1}{2}$, $N\frac{1}{2}SW\frac{1}{4}$, $SE\frac{1}{4}$ Section 8;
 All of Sections 9, 10, 11, 12, 13, 14, 15 & 16;
 $E\frac{1}{2}$ Section 17;
 $E\frac{1}{2}$ Section 18;
 $E\frac{1}{2}$ Section 19;
 $NE\frac{1}{4}$, $S\frac{1}{2}$ Section 20;
 All of Sections 21, 22, 23, 24, 25, 26, 27, 28 & 29;
 $E\frac{1}{2}NE\frac{1}{4}$ Section 30;
 All of Sections 32, 33, 34, 35 & 36.
 Township 6 N., Range 40 E., B.M.
 All of Sections 1, 2 & 3;
 $N\frac{1}{2}$, $W\frac{1}{2}SW\frac{1}{4}$, $NE\frac{1}{4}SE\frac{1}{4}$, $S\frac{1}{2}SE\frac{1}{4}$ Section 4;
 All of Sections 5, 6, 7, 8, 9, 10, 11, & 12;
 $N\frac{1}{2}$ Section 13;
 $N\frac{1}{2}$ Section 14;
 All of Sections 15, 16, 17 & 18;
 $SE\frac{1}{4}NE\frac{1}{4}$ Section 19;
 $N\frac{1}{2}$ Section 20;
 $NW\frac{1}{4}$ Section 21;
 Township 6 N., Range 41 E., B.M.
 $W\frac{1}{2}NE\frac{1}{4}$, $W\frac{1}{2}$, $S\frac{1}{2}SE\frac{1}{4}$ Section 5;
 All of Section 6;
 $N\frac{1}{2}NE\frac{1}{4}$, $SW\frac{1}{4}NE\frac{1}{4}$, $W\frac{1}{2}$, $W\frac{1}{2}SE\frac{1}{4}$ Section 7;
 $N\frac{1}{2}NW\frac{1}{4}$, $SW\frac{1}{4}NW\frac{1}{4}$, $NW\frac{1}{4}SW\frac{1}{4}$ Section 18;
 Township 7 N., Range 39 E., B.M.
 $SE\frac{1}{4}$ Section 19;
 All of Sections 20, 21 & 22;
 $NW\frac{1}{4}$ Section 27;
 All of Sections 28 & 29;
 $N\frac{1}{2}$, $N\frac{1}{2}SW\frac{1}{4}$, $SE\frac{1}{4}SW\frac{1}{4}$, $SE\frac{1}{4}$ Section 30;
 $W\frac{1}{2}NE\frac{1}{4}$, $E\frac{1}{2}NW\frac{1}{4}$, $N\frac{1}{2}SE\frac{1}{4}$ Section 31;
 $N\frac{1}{2}$, $SW\frac{1}{4}$, $W\frac{1}{2}SE\frac{1}{4}$ Section 32;
 $NE\frac{1}{4}$ Section 33;
 Lots 5, 6, 7, $E\frac{1}{2}SE\frac{1}{4}$ Section 34;
 All of Sections 35 & 36.
 Township 7 N., Range 40 E., B.M.
 All of Sections 31, 32, 33, 34 & 35

A total of 42,375.08 acres in Madison County

Township 7 N., Range 39 E., B.M.

SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ Section 1;
NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ Section 8;
NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ Section 9;
S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ Section 10;
NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ Section 11;
All of Sections 12, 13, 14, 15 & 16;
E $\frac{1}{2}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 17;
All of Section 23;
N $\frac{1}{2}$ Section 24;
NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ Section 25;
Lots 1, 2, 3, 4, 5, 6, 7, S $\frac{1}{2}$ NW $\frac{1}{4}$ Section 26;

Township 7 N., Range 40 E., B.M.

SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 2;
NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 5;
SE $\frac{1}{4}$ Section 6;
NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ Section 7;
NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ Section 8;
S $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ Section 9;
N $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 10;
S $\frac{1}{2}$ Section 11;
S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, S $\frac{1}{2}$ Section 12;
All of Sections 13 & 14;
NE $\frac{1}{4}$, Lot 3, S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ Section 15;
Lots 4, 5, 6, 7, S $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ Section 16;
N $\frac{1}{2}$ Section 17;
N $\frac{1}{2}$, SW $\frac{1}{4}$ Section 18;
S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, S $\frac{1}{2}$ Section 19;
All of Sections 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 36

Township 7 N., Range 41 E., B.M.

All of Section 4;
NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ Section 5;
S $\frac{1}{2}$ Section 6;
All of Sections 7 & 8;
W $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ Section 9;
W $\frac{1}{2}$ NW $\frac{1}{4}$ Section 10;
W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 15;
All of Sections 16, 17, 18 & 19
N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$ Section 20;
All of Section 21;
W $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ Section 28;
All of Sections 29, 30, 31 & 32;
NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 35

Township 8 N., Range 40 E., B.M.

SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 28;
N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 29;
NE $\frac{1}{4}$ Section 31;
NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ Section 32;
N $\frac{1}{2}$ NE $\frac{1}{4}$ Section 33;
S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ Section 34;
S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ Section 35;
NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 36;

Township 8 N., Range 41 E., B.M.

SE $\frac{1}{4}$ Section 12;
NE $\frac{1}{4}$, Lots 1, 3, 4, 5, 10, SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 13;
SW $\frac{1}{4}$ Section 14;
S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 15;
N $\frac{1}{2}$, SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 21;
N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Lots 2 & 3, NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 22;
NW $\frac{1}{4}$ NW $\frac{1}{4}$ - Lots 5 & 6, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ Section 23;
N $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 24;
All of Sections 25, 26, 27 & 28;
E $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ Section 29;
E $\frac{1}{2}$ Section 31;
N $\frac{1}{2}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 32;
All of Sections 33 & 34;
N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 35;

Township 8 N., Range 42 E., B.M.

All of Sections 1, 2 & 3;
 $NE\frac{1}{4}$, $S\frac{1}{2}NW\frac{1}{4}$, $S\frac{1}{2}$ Section 4;
 $SE\frac{1}{4}NE\frac{1}{4}$, $N\frac{1}{2}SW\frac{1}{4}$, $SE\frac{1}{4}SW\frac{1}{4}$, $SE\frac{1}{4}$ Section 5;
 $E\frac{1}{2}$ Section 8;
 $NE\frac{1}{4}$, $N\frac{1}{2}SW\frac{1}{4}$, $SE\frac{1}{4}$ Section 9;
 All of Sections 10, 11 & 12;
 $NE\frac{1}{4}$, $W\frac{1}{2}NW\frac{1}{4}$, $NW\frac{1}{4}SW\frac{1}{4}$, $N\frac{1}{2}SE\frac{1}{4}$ Section 13;
 All of Section 14;
 $NE\frac{1}{4}$, $SW\frac{1}{4}$, $N\frac{1}{2}SE\frac{1}{4}$ Section 15;
 $SE\frac{1}{4}NE\frac{1}{4}$, $NE\frac{1}{4}SE\frac{1}{4}$ Section 16;
 $S\frac{1}{2}SW\frac{1}{4}$, $W\frac{1}{2}SE\frac{1}{4}$, $SE\frac{1}{4}SE\frac{1}{4}$ Section 19;
 $W\frac{1}{2}NE\frac{1}{4}$, $NW\frac{1}{4}SE\frac{1}{4}$ Section 20;
 $SW\frac{1}{4}NE\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}$, $NE\frac{1}{4}SW\frac{1}{4}$, $NW\frac{1}{4}SE\frac{1}{4}$ Section 21;
 $SW\frac{1}{4}$, $NE\frac{1}{4}SE\frac{1}{4}$ Section 23;
 $S\frac{1}{2}NE\frac{1}{4}$, $N\frac{1}{2}SW\frac{1}{4}$ Section 24;
 $W\frac{1}{2}NE\frac{1}{4}$, $NW\frac{1}{4}$ Section 30;

Township 8 N., Range 43 E., B.M.

$N\frac{1}{2}$, $SW\frac{1}{4}$ Section 1;
 $NW\frac{1}{4}$ Section 3;
 $N\frac{1}{2}NE\frac{1}{4}$, $N\frac{1}{2}NW\frac{1}{4}$, $SW\frac{1}{4}NW\frac{1}{4}$, $S\frac{1}{2}SW\frac{1}{4}$ Section 4;
 $N\frac{1}{2}$, $SW\frac{1}{4}$ Section 5;
 All of Section 6;
 $N\frac{1}{2}$, $SW\frac{1}{4}$, $NE\frac{1}{4}SE\frac{1}{4}$ Section 7;
 $N\frac{1}{2}NW\frac{1}{4}$, $S\frac{1}{2}SE\frac{1}{4}$ Section 9;
 $NE\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{2}NE\frac{1}{4}$, $S\frac{1}{2}$ Section 10;
 $N\frac{1}{2}$ Section 11;
 $SE\frac{1}{4}$ Section 12;
 $N\frac{1}{2}$ Section 15;
 $S\frac{1}{2}NE\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}$, $N\frac{1}{2}SW\frac{1}{4}$, $N\frac{1}{2}SE\frac{1}{4}$ Section 16;
 $NW\frac{1}{4}NW\frac{1}{4}$, $W\frac{1}{2}SW\frac{1}{4}$ Section 17;
 $S\frac{1}{2}NE\frac{1}{4}$, $NW\frac{1}{4}$, $S\frac{1}{2}$ Section 18;
 $N\frac{1}{2}$, $NW\frac{1}{4}SW\frac{1}{4}$, $S\frac{1}{2}SW\frac{1}{4}$ Section 19;
 $W\frac{1}{2}NW\frac{1}{4}$ Section 20;
 $N\frac{1}{2}NE\frac{1}{4}$, $SE\frac{1}{4}NE\frac{1}{4}$, $NE\frac{1}{4}NW\frac{1}{4}$, $S\frac{1}{2}NW\frac{1}{4}$, $SW\frac{1}{4}SW\frac{1}{4}$ Section 21;
 $N\frac{1}{2}$ Section 22;
 $N\frac{1}{2}NW\frac{1}{4}$, $SW\frac{1}{4}NW\frac{1}{4}$, $W\frac{1}{2}SW\frac{1}{4}$, $NW\frac{1}{4}SE\frac{1}{4}$, $S\frac{1}{2}SE\frac{1}{4}$ Section 27;
 $E\frac{1}{2}SE\frac{1}{4}$ Section 28;
 $SW\frac{1}{4}NE\frac{1}{4}$, $NW\frac{1}{4}$ Section 29;
 $SE\frac{1}{4}NW\frac{1}{4}$, $NE\frac{1}{4}SW\frac{1}{4}$ Section 30;
 $NE\frac{1}{4}$ Section 31;
 $NE\frac{1}{4}$, $NE\frac{1}{4}SE\frac{1}{4}$ Section 33;
 $NW\frac{1}{4}NW\frac{1}{4}$, $S\frac{1}{2}NW\frac{1}{4}$ Section 34;

Township 8 N., Range 44 E., B.M.

$NW\frac{1}{4}$, $N\frac{1}{2}SW\frac{1}{4}$ Section 5;
 All of Sections 6 & 7;
 $NE\frac{1}{4}$, $S\frac{1}{2}NW\frac{1}{4}$, $SW\frac{1}{4}$ Section 8;
 $NW\frac{1}{4}NW\frac{1}{4}$ Section 17;
 $N\frac{1}{2}$ Section 18;

Township 9 N., Range 42 E., B.M.

$SW\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{2}$ Section 13;
 $N\frac{1}{2}NE\frac{1}{4}$, $SE\frac{1}{4}NE\frac{1}{4}$, $NE\frac{1}{4}NW\frac{1}{4}$, $SW\frac{1}{4}NW\frac{1}{4}$, $NW\frac{1}{4}SW\frac{1}{4}$, $S\frac{1}{2}SW\frac{1}{4}$, $NE\frac{1}{4}SE\frac{1}{4}$, $S\frac{1}{2}SE\frac{1}{4}$ Section 22;
 $N\frac{1}{2}NE\frac{1}{4}$, $S\frac{1}{2}NW\frac{1}{4}$, $S\frac{1}{2}$ Section 23;
 $NE\frac{1}{4}$, $W\frac{1}{2}SW\frac{1}{4}$, $SE\frac{1}{4}SE\frac{1}{4}$ Section 24;
 $S\frac{1}{2}NE\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}$, $N\frac{1}{2}SE\frac{1}{4}$, $SE\frac{1}{4}SE\frac{1}{4}$ Section 25;
 All of Section 26;
 $NE\frac{1}{4}$, $E\frac{1}{2}NW\frac{1}{4}$, $S\frac{1}{2}$ Section 27;
 $S\frac{1}{2}NE\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}$, $SE\frac{1}{4}$ Section 28;
 $S\frac{1}{2}SE\frac{1}{4}$ Section 33;
 All of Sections 34 & 35;
 $NE\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{2}NE\frac{1}{4}$, $S\frac{1}{2}NW\frac{1}{4}$, $S\frac{1}{2}$ Section 36;

Township 9 N., Range 43 E., B.M.

$W\frac{1}{2}SE\frac{1}{4}$ Section 13;
 $SW\frac{1}{4}SW\frac{1}{4}$ Section 18;
 $S\frac{1}{2}NE\frac{1}{4}$, $NW\frac{1}{4}$, $NE\frac{1}{4}SW\frac{1}{4}$, $S\frac{1}{2}SW\frac{1}{4}$, $SE\frac{1}{4}$ Section 19;
 $SW\frac{1}{4}$, $S\frac{1}{2}SE\frac{1}{4}$ Section 20;
 $E\frac{1}{2}SE\frac{1}{4}$ Section 21;
 $SE\frac{1}{4}SW\frac{1}{4}$ Section 22;

(Township 9 N., Range 43 E., B.M.-- Continued)

E $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 23;
S $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ Section 24;
E $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ Section 25;
W $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 27;
All of Sections 28, 29, 30, 31, 32 & 33;
W $\frac{1}{2}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 34;
W $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 35;
N $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 36;
Township 9 N., Range 44 E., B.M.

S $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ Section 18;
N $\frac{1}{2}$, SW $\frac{1}{4}$ Section 19;
S $\frac{1}{2}$ Section 20;
N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 21;
E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ Section 22;
W $\frac{1}{2}$, SE $\frac{1}{4}$ Section 29;
W $\frac{1}{2}$, SE $\frac{1}{4}$ Section 30;
N $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 31;
S $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ Section 32;
S $\frac{1}{2}$ NW $\frac{1}{4}$ Section 33;

Also Lots E, G, 4, 5 & 6 Block 9, Lots 3 & 4 Block 39, Lots 11 & 12, Block 42, Lot 13, Block 44, Lot 12, Block 57, Lots 5 & 6, Block 60, Lots 5 & 6, Block 63, Lots 5 & 6, Block 65, Lots 1 & 2, Block 75, Village of Ashton, Idaho; and the West 80 feet of Lots 5 & 6, Block 5 Gray's Addition to the town of St. Anthony, Idaho.

A total of 74,193.25 acres in Fremont County

That any protests against the approval of this application must be filed in the Department of Reclamation of the State of Idaho within forty (40) days from the date of this Notice; such protest shall state the name and address of the protestant and shall clearly set forth his objections to the approval of said application.

Dated this 27th day of July, 1940.


JAMES SPOFFORD
Commissioner of Reclamation.

Date of first publication:

Date of last publication:

Last date for protest: September 5, 1940

SERVICE OF THE foregoing, by copy, is hereby admitted, this _____
day of _____ 1940.

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

603 Post Office Building
Portland, Oregon, July 23, 1940

Mr. James Spofford,
State Commissioner of Reclamation,
Boise, Idaho

RECEIVED

JUL 24 1940

Department of Reclamation

Re: Application No. R-26412
Island Park reservoir

Dear Sir:

By reference from the Superintendent of the Bureau of Reclamation at Burley, Idaho (through our Construction Engineer at Ashton) we have your letter of July 10, 1940 returning Application No. R-26412 for correction in the following particulars:

- (1) Check totals of land list as shown on pages 1, 6 and 10.
- (2) Submit map showing reservoir and dam site up to 135,000 acre-feet, as map submitted under Permit No. R-590 only carried up to 114,000 acre-feet.

The totals on pages 1, 6 and 10 have been corrected and an additional correction was made on page 8, line 7 (from the top) where the figure "460" was changed to "640" to correspond with the across-page total. The totals on pages 5 and 17 have also been corrected, indicating that the grand total is now 116,568.33 acres. The cross-page additions have been checked, and we believe that all corrections are now shown.

Drawing No. 42-D-877 is enclosed herewith in duplicate. This shows the elevation of the spillway crest as 6302.0 feet. The table in the upper left-hand corner of the map shows that at this elevation the reservoir has a storage capacity of 127,265 acre-feet. When there is a depth of but one foot of water flowing over the spillway crest, the storage capacity would be 135,205 acre-feet as shown in the bottom line of the table opposite the contour elevation of 6303 feet. Since the completion of the dam the water flowing over the spillway crest has reached as high a depth as 1.21 feet. Thus it is possible to store more than 127,265 acre-feet when there is water flowing over the spillway. Also, it is necessary to refill and store additional water each year to offset seepage losses. Therefore, part of the water applied for will be used in refilling the reservoir during the irrigation season as much as possible after it has already filled once to its capacity and has been drawn down. We are enclosing the original application as corrected, together with 2 copies of map 42-D-877, one of which is bound with the original application.

encl.

Very truly yours

R. E. Stoutmeyer
District Counsel

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

Boise, Idaho, July 10, 1940

Application No. R-26412

Superintendent
U. S. Bureau of Reclamation
Burley, Idaho

SIR:

Application which has been filed under the above number is herewith returned for correction in the following particulars:

1. Check totals of land list as shown on pages 1, 6 and 10
2. Submit map showing reservoir and dam site up to 135,000 acre feet, as map submitted under Permit No. R-590 only carried up to 114,000 acre feet.

You are allowed 60 days from date of first return for correction, as stamped in second line on back of application, to file completed application. If received after that date application can be refiled under a new number with later priority, requiring additional fee.

Yours truly,
JAMES SPOTFORD

COMMISSIONER OF RECLAMATION.

By _____
Deputy Commissioner

Encl. App. 26412
cc to B. L. Stouteneger

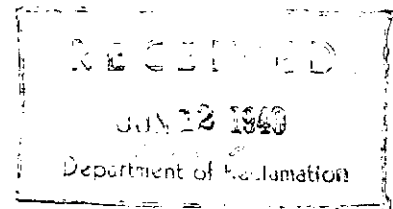
R-686

UNITED STATES
DEPARTMENT OF THE INTERIOR

BUREAU OF RECLAMATION

603 Post Office Building
Portland, Oregon
June 11, 1940

Mr. James Spofford,
Commissioner of Reclamation,
Boise, Idaho.

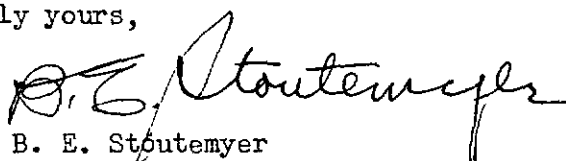


Dear Mr. Spofford:

Replying to your letter of June 6, 1940, we are enclosing herewith a voucher covering the filing fee of \$25.75 in connection with the application for permit to appropriate 21,000 acrefeet of water to be stored in Island Park Reservoir.

After the voucher has been signed on behalf of the State, please return the voucher to this office and we will put it in line for payment.

Very truly yours,


B. E. Stoutemyer
District Counsel

encl

2-686

June 6, 1940

Mr. B. E. Stouteney,
District Counsel,
U. S. Bureau of Reclamation,
No. 603 Post Office Bldg.
Portland, Oregon.

Dear Sir:

We are in receipt of duplicate application
for permit to appropriate 21,000 acre feet
of water to be stored in Island Park Reservoir
on the North Fork of Snake River.

The filing fee will amount to \$25.75, being at
the rate of \$5.00 for the first 250 acre feet,
and 25 cents for each additional 250 acre feet.

Very truly yours,

JAMES SPOTFORD

Commissioner of Reclamation

By

D:A

Deputy Commissioner

R-686

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

603 Post Office Building
Portland, Oregon, June 4, 1940

Mr. James Spofford,
State Commissioner of Reclamation,
Boise, Idaho

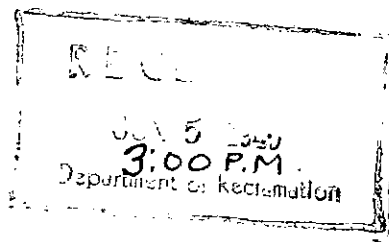
Dear Sir:

Enclosed in duplicate is application for permit to appropriate 21,000 acre-feet of water to be stored in our Island Park Reservoir on the North Fork of Snake River in addition to 114,000 acre-feet under permit R-590.

It is requested that you file the enclosed application with supporting data and advise this office of the amount of the filing fee.

Very truly yours
encl. in duplicate

B. E. Stoutemyer
B. E. Stoutemyer
District Counsel,



R-686

(Form No. 2)

Superintendent, U. S. Bureau of Reclamation

P. O. Burley, Idahowith copy to District Counsel, 603 P.O.Bldg., Portland
Oregon

APPLICATION FOR PERMIT

To Construct a Reservoir and Store and Appropriate
The Public Waters of the State of Idaho

Application No. R.....

Permit No. R.....

1. Name of Applicant: United States of America, acting through B. E. Stouteneger,
Postoffice address: District Counsel, Bureau of Reclamation
County _____ State _____

Bureau of Reclamation, 603 Post Office Building, Portland, Oregon

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 corporation are: (Receipts from sale of public land, repayments
into the Reclamation Fund under Reclamation
Act and funds allocated under the provisions
of the National Industrial Recovery Act -
Act of June 16, 1933 - 48 Stat. 195).

(a) Cash on hand: \$.....

(b) Treasury Stock: \$.....

(c) Bonds to be issued: \$.....

(d) Other resources:

2. Quantity of water to be stored: Twenty-one thousand (21,000) acre feet per annum.

(in addition to 111,000 acre-feet under Permit R-520).

3. Source of water supply is: North Fork (Henry's Fork) of Snake River (Creek) (River) (Spring), a tributaryof SNAKE River.4. The outlet of the proposed reservoir is located N. 12° 30' E. 1300 feet, distant from the southwestcorner of Section 28, Township 13 N., Range 43 E., B. M., and is in the Lot 3 1/4 of 1/4of Section 28, Township 13 N., Range 43 E., B. M. County of Fremont

5. Fill out either (a) or (b).

(a) The reservoir is located in the channel of North (Henry's) Fork of Snake River (Creek) (River).(b) The reservoir is to be filled through a feeder canal, the point of diversion for which is located.....
(bearing)

.....feet, distant from the.....corner of Section....., Township....., Range.....

B. M., and is in the 1/4 of 1/4 of Section....., Township....., Range..... B. M.;

width at bottom.....feet, width at top.....feet, depth of water.....feet; average grade

per mile.....feet; Capacity.....cubic feet per second.

6. (a) The area of the high water line of the reservoir is 7,794 acres (at elevation 6,307) acres.(b) The reservoir capacity is One hundred thirty-five thousand (135,000) acre feet.7. Height of reservoir dam 90.5 feet, length at top.....feet, length at bottom.....feet, size ofoutlet 13 feet by in diameter; tunnel 62 1/2 feet long. / of dam 200The dam is to be constructed of materials as follows: concrete
rock and earth, with an earth-fill dike in sections 22, 27 and 28, T. 13 N., R. 43 E.Boise Meridian.

(If height will exceed 10 feet, plans must be approved by Department of Reclamation, before beginning construction.)

8. (a) Will water stored in reservoir be diverted to canal or aqueduct, thence to land to be irrigated without comming-

ling with natural flow of North Fork of Snake River (Creek) (River)? No.

R-686

9. Amount of water claimed from..... (Creek) (River) (Spring) in addition
to that stored in reservoir..... cubic feet per second.

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

Township....., Range....., B. M. and is in the $\frac{1}{4}$ of $\frac{1}{4}$ of Section.....,

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

....., B. M., in the $\frac{1}{4}$ of $\frac{1}{4}$ of Section....., Township....., Range....., B. M.

13. Kind of diversion works: Already constructed (Dam)

(Dam, canal, flume, pipe, etc.)

(If height will exceed 10 feet, plans must be approved by Department of Reclamation, before beginning construction.)

16. ^{New} Diversion Canal: Width at bottom 24 feet, width at water line 12 feet, depth of water 6

six and 6/10 (6.6)

17. Estimated cost of Works: Storage Works: \$ 1,300,000 Diversion Works: \$ 320,000

18. Time required for completion of work.....**five (5)**.....years.

19. Time required for complete application of water to proposed beneficial use is ten (10) years.

20. The land to be irrigated is described in the ~~following~~ attached list.

(Give Irrigable acreage in each 40-acre subdivision.)

Total Number of Acres to be Irrigated.....

Remarks: The United States has constructed a reservoir of One Hundred thirty-five thousand (135,000) acre-feet capacity by an earth-fill dam across the North Fork of Snake River approximately one-half mile above its confluence with Buffalo River and has constructed Grassy Lake Reservoir on a tributary of Fall River, and a canal from the North Fork of Snake River to connect with the south branch of Fall River canal, and an enlargement and an extension of Fall River canal to Teton River. It is proposed to use existing canals as follows, for the distribution and use of water so stored or water for which the same may be exchanged. The water thus stored is for use on lands, under said canal, now unirrigated and to supplement the water supply of lands already irrigated. Accompanying this application are maps No. 12-D-192 and 193 in duplicate showing the works under the above mentioned plans and the area and location of the lands proposed to be irrigated. The United States has acquired the right to store 114,000 acre-feet in the reservoir on the North Fork of Snake River described above, and this application is for twenty-one thousand (21,000) acre-feet in addition to the same. (See Permit R-590).

BE IT KNOWN That the undersigned hereby makes application for permit to construct a reservoir and store and appropriate the public waters of Idaho as herein set forth, and that the enclosed map is hereby made a part of this application.

UNITED STATES OF AMERICA

Applicant.

By D. B. Stoutmeyer Agent.
District Counsel, Bureau of Reclamation

Affidavit of Permission to Store and Appropriate the Water of Springs

(Not to be used when spring is situated on lands owned by applicant)

I, _____, of _____, County of _____
State of _____, do hereby certify that I am the owner or
lessee of the land on which the spring mentioned in the application of _____ is
located, to-wit: _____
and that I do hereby grant unto the said _____ permission to file on the said spring
as set forth in the foregoing application for permit to construct reservoir and store and appropriate the water from said
spring.

STATE OF IDAHO,

ss.

County of _____

On this _____ day of _____, 19____, before me, a Notary Public for the State of Idaho, residing at _____,
personally appeared _____
known to me to be the person whose name _____ subscribed to the foregoing certificate, and acknowledged to me
that he executed the same.

Witness my hand and seal, the day and year in this certificate first above written.

Notary Public.

My commission expires _____

R-686

Approval of Commissioner of Reclamation

The number of this permit is R.....

Recorded in book R....., page..... Approved

This is to certify that I have examined the within application for a permit to construct a reservoir and store and appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitation and conditions:

Bond in the sum of \$....., to be filed on or before

Work to begin on or before..... and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before

The whole of said work to be completed on or before.....

Beneficial use of water stored in accordance herewith, to be made on or before.....

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

Commissioner of Reclamation.

No. R.....

STORAGE PERMIT

Date of first receipt at office of Commissioner of Reclamation

5:00 PM June 12, 1940

Returned to applicant for correction

July 10, 1940

Corrected application received

July 24, 1940

Fees, \$ 25.75 Paid.

FILING FEES FOR STORAGE PERMITS:

For the first 250 acre-feet..... 5.00
\$1.00

For each additional 250 acre-feet or

fraction thereof..... 25-
\$0.40

FOR NORMAL FLOW PERMITS:

For the first Second foot..... 5.00
\$1.00

For each additional second foot or

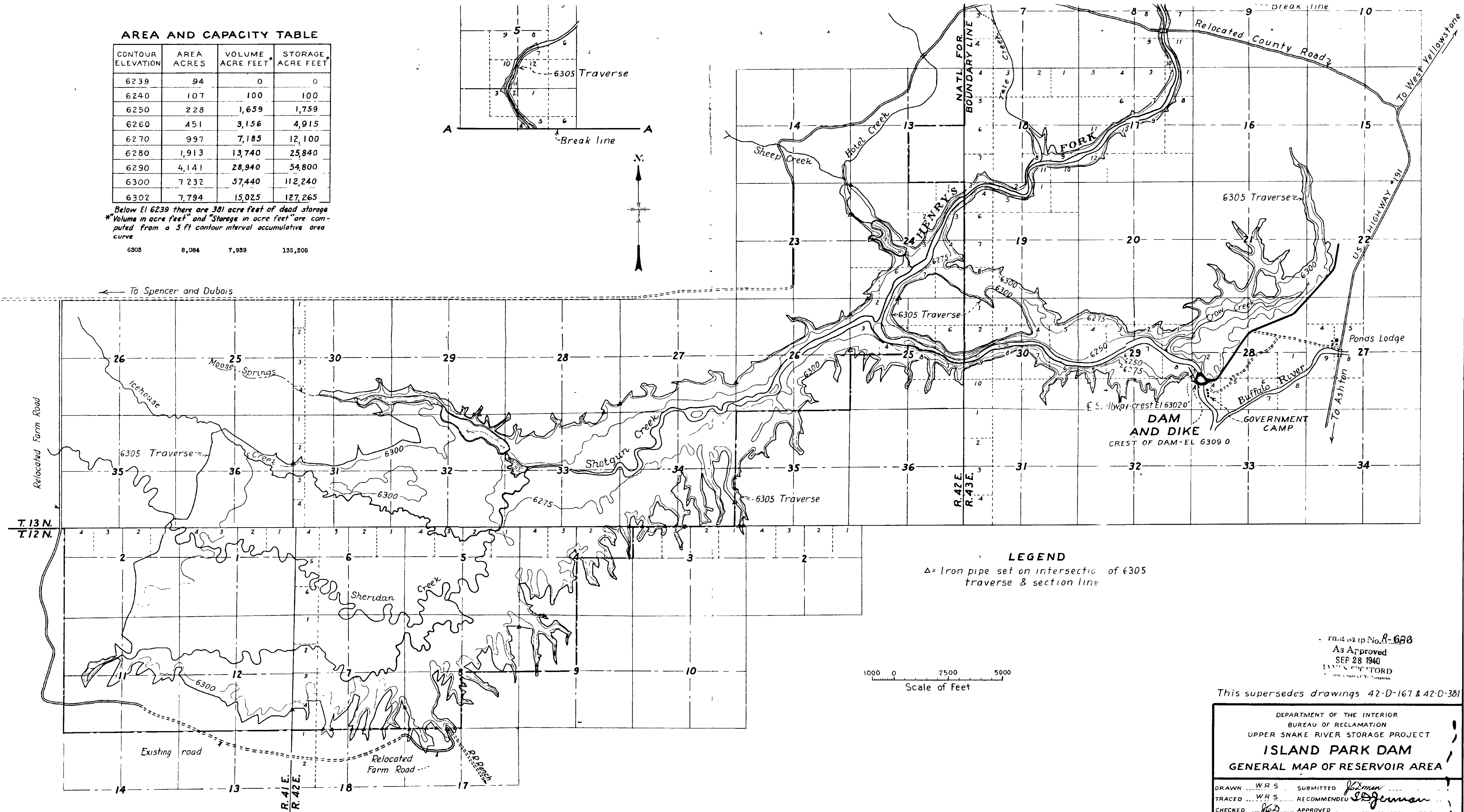
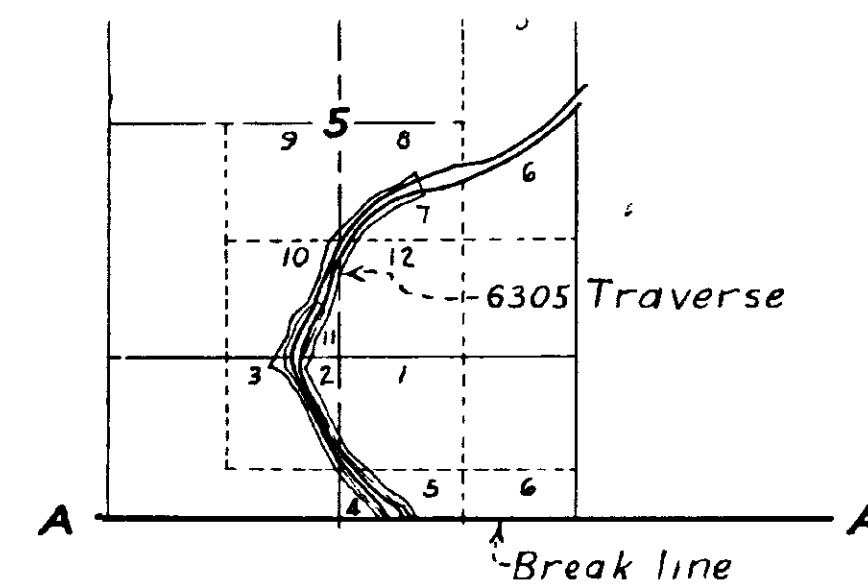
fraction thereof..... 25-
\$0.40

AREA AND CAPACITY TABLE

CONTOUR ELEVATION	AREA ACRES	VOLUME ACRE FEET*	STORAGE ACRE FEET
6239	94	0	0
6240	107	100	100
6250	228	1,659	1,759
6260	451	3,156	4,915
6270	997	7,185	12,100
6280	1,913	13,740	25,840
6290	4,141	28,940	54,800
6300	7,232	57,440	112,240
6302	7,794	15,025	127,265

Below El 6239 there are 391 acre feet of dead storage
 Volume in acre feet and "Storage in acre feet" are computed from a 5 ft contour interval accumulative area curve

6303 8,084 7,939 135,205



LEGEND
 Δ= Iron pipe set on intersection of 6305 traverse & section line

1000 0 2500 5000
 Scale of Feet

Final map No. 8-688
 As Approved
 SEP 28 1940
 T. A. S. COFFORD
 U. S. Bureau of Reclamation

This supersedes drawings 42-D-167 & 42-D-381

DEPARTMENT OF THE INTERIOR BUREAU OF RECLAMATION UPPER SNAKE RIVER STORAGE PROJECT ISLAND PARK DAM GENERAL MAP OF RESERVOIR AREA			
DRAWN	W. R. S.	SUBMITTED	W. R. S.
TRACED	W. R. S.	RECOMMENDED	W. R. S.
CHECKED	W. R. S.	APPROVED	W. R. S.
221	ASHTON, IDAHO, MAR 10 1939	42-D-877	

21-2157