

Box 42E

Qatar
(Pop 1240)

July 1961

from
Qatar
to (20)

Aug 20

35
⑤ ④
③

85.4 Acres

to
Chastell

Area = 85.4 Acres

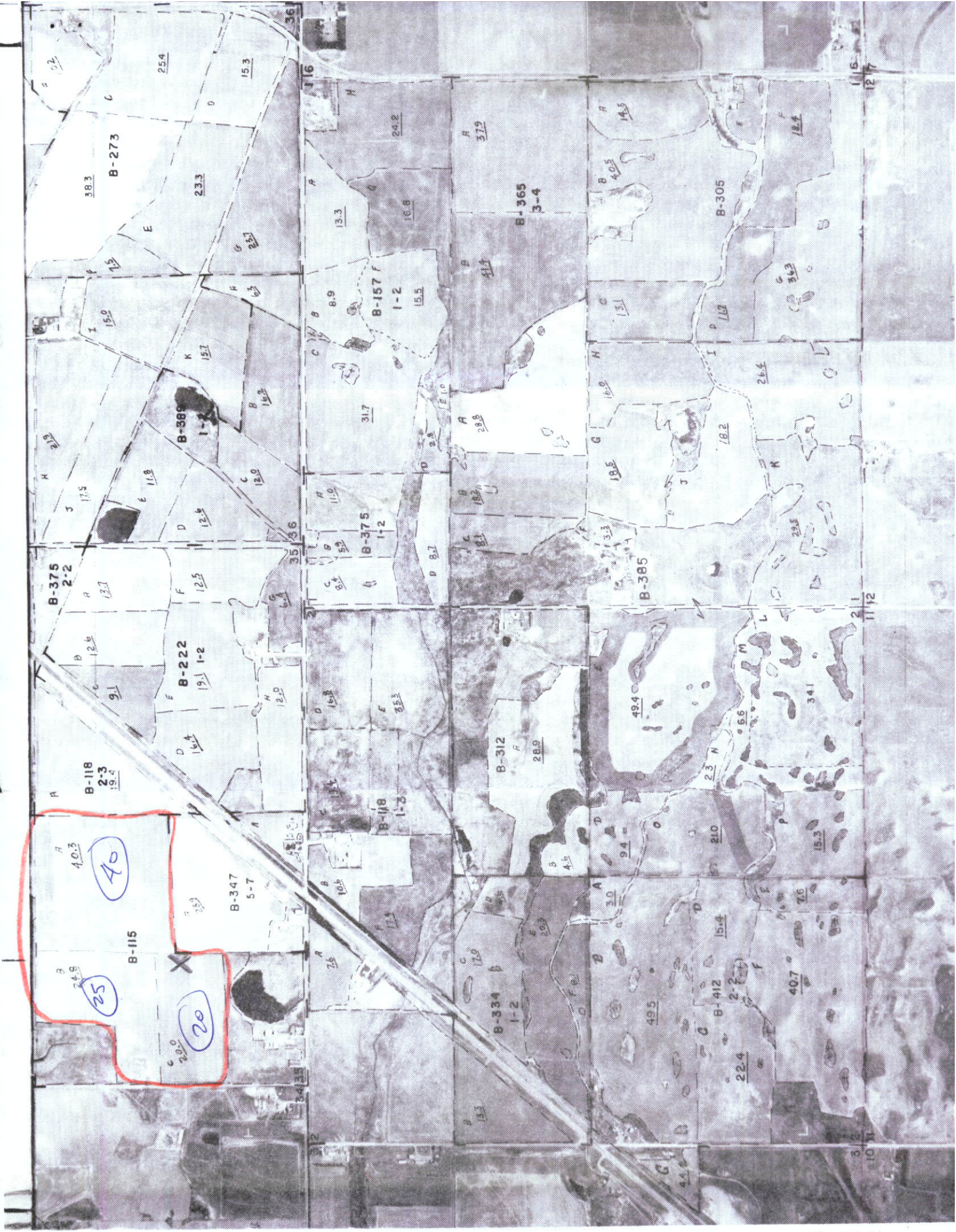
Sub. = 3

Q = 1.7

Vol = 255.3 Acft/second

Priority = July 31 1962

allow 1.7 acfs.



AFFIDAVIT OF
PUBLICATION

State of Idaho
County of Fremont

ss.

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

That he is the
of ~~The Chronicle News~~, a news-
paper as defined by Idaho
Codes Annotated, and that said
newspaper is a weekly news-
paper printed and published at
St. Anthony, in Fremont County,
Idaho, having a general circula-
tion in said county, and that
said newspaper has been print-
ed and published as a weekly
newspaper in said county for
more than 78 consecutive weeks
prior to the first publication of
the attached notice, advertise-

ment or publication of

Proof of Completion

of works

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

for consecutive is-
sues thereof; first publication

having been made on the 22

day of June, 1967,
and the last publication on the

13 day of July

1967.

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 seven-
teen and three-fourths inches
deep.

Subscribed in my presence and

sworn to before me this 14

day of July

1967.

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

ASHTON
HERALD

RECEIVED
JUL 24 1967

Department of Reclamation

Legal Notice

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

Notice is hereby given that
on the 14th day of July 1967,
at Ashton, County of Fremont,
State of Idaho before James
Harrell, Notary Public, at
855 E. Maple, Ashton, Idaho,
proof will be submitted of
the completion of works for
the diversion of 2.34 cubic
feet per second of under-
ground water from a well,
and of the application to bene-
ficial use of said water, in
accordance with the terms
and conditions of Permit No.
G-30597, heretofore issued by
the Department of Reclama-
tion of the State of Idaho.

1. The name and postoffice
address of the person or corp-
oration holding said permit is
Daniel S. Hess, RFD, No. 1,
Ashton, Idaho.

2. Said works of diversion
will be fully completed on the
date for such completion, and
the amount of water which
said works are capable of
conveying to the place of use
is 2.34 cubic feet per second.

3. The use to which said
water has been applied is ir-
rigation purposes and the
amount applied to beneficial
use is 2.34 cubic feet per
second.

4. The point of diversion
of said water is SW $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 35, T. 9 N, R. 42 E, B.
M.

5. The place where said
water is used is N $\frac{1}{2}$ SW $\frac{1}{4}$, S-
W $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 35, T. 9 N. R.
42 E, B.M.

6. The date of priority
which said user is prepared
to establish is July 31, 1962.

R. KEITH HIGGINSON
State Reclamation
Engineer

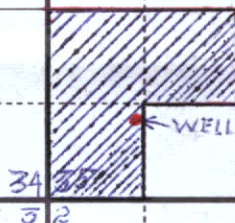
(AH JUNE 22, 29, JULY 6,
13 1967)

30597

NAME OF APPLICANT Daniel S. Mess, Box 60 RFD #1, Ashton, Idaho

Form No. 0

R 42E



Permit Map No. 30597
As Approved

GEO. N. CARTER
State Registration Engineer
AUG 3 1962

WATER LICENSE

Water License No. G-30597/21-2129 Priority July 31, 1962 Amount 1.7 c.f.s.

THIS IS TO CERTIFY, that DANIEL S. HESS
 of Ashton, Idaho, made application for a permit to appropriate the public waters of
 the State of Idaho, dated July 31, 1962; that Permit G-30597/21-2129 was issued pursuant
 to said application; that the proposed works were completed on or about June 1963,
 with a storage/or carrying capacity of 1.8 c.f.s., said works consisting of
well, and pump; and that on July 14, 1967,
 proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 255.3
 acre feet per season, with a maximum rate of diversion of 1.7 cubic feet per second of the waters
 of ground-water, tributary of _____,
 for the purpose of Irrigation from April 1 to October 31;
 and for _____ from _____ to _____; and for
 _____ from _____ to _____; and that the use
 of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-
 mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is
 located in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 35, T. 9 N, R. 42 E, B.M., and
 other additional points _____, in the County of
Fremont; and that the amount of water to which such right is
 entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially
 used for said purposes and shall not exceed 255.3 acre feet per year.

Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
9 N	42 E	35									40	25	20						85

Total number of acres irrigated 85

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

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

29th day of October, 1969

[Signature]
 State Reclamation Engineer

21 2129

30597
21-2129 related

21- 2129

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 38669
Permit No. G- 30597
District No.

1. Name of Applicant: Daniel S. Hess
Postoffice address: Box 60, RFD #1, / Ashton County: Fremont State: Idaho
2. Quantity of water claimed: 2.34 cubic feet per second
 - (a) Rate of withdrawal in cubic feet per second or Idaho
Miners' inches or gallons per minute
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the SW 1/4 of the SW 1/4 of Section 35
Twp. 9 N , Rge. 42 E , B.M., County of Fremont
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the 1/4 of the 1/4 of Section , Twp.
Rge. , B. M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the 1/4 of the 1/4 of Section , Twp. , Rge. , B. M.
7. Kind of works: Drilled well for sprinkler irrigation system
8. Estimated cost of works: \$6,700 for well and system
9. (a) Is reservoir to be used? No
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash onhand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:
 - 0.75 cfs from Fremont-Madison Irrigation District
 - (a) 2.34 (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) (cubic feet per second, inches or gallons per minute) is for new lands.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9 N	42 E	35										40	40	37					117
LICENSE ISSUED FOR <u>1.7</u> SEC. F1 LICENSE PAGE NO. <u> </u>																			

October 29, 1969

Re: Permit No. G-30597/21-2129

Mr. Daniel S. Hess
Box 60, R.F.D. # 1
Ashton, Idaho 83420

Dear Mr. Hess:

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

Also enclosed is departmental receipt No. 3765 in the amount of \$11.00 covering the licensing fees.

Very truly yours,

C. Stephen Allred, Deputy
State Reclamation Engineer

CSA:kh
Enclosures

30597
21-2129

October 17, 1969

Re: Permit No. 30597/21-~~2129~~

Daniel S. Hess
Box 60, R.F.D. #1
Ashton, Idaho 83420

Dear Mr. Hess:

A representative of this department has made an examination of the works covered by your Permit 21-2129 and has found the following:

Quantity of water diverted: 1.8 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho law: 1.7 c.f.s.

The maximum quantity diverted shall not exceed 255.3 acre feet per season.

Beneficial Use: for irrigation of 85.1 acres in N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$,
Section 35, T. 9N, R. 42E, BM.

The priority date established is: July 31, 1962

A fee totaling \$ 11.00 must be received within 30 days from the date of this letter in order that we can issue you the Water License as described above.

Very truly yours,

C. Stephen Allred, Assistant
Reclamation Engineer

CSA:mh

30597
21-2129

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

October 17, 1969

RECEIVED
Department of Reclamation

Re: Permit No. 30597/21-2129

Daniel S. Hess
Box 60, R.F.D. #1
Ashton, Idaho 83420

Dear Mr. Hess:

A representative of this department has made an examination of the works covered by your Permit 21-2129 and has found the following:

Quantity of water diverted: 1.8 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho law: 1.7 c.f.s.

The maximum quantity diverted shall not exceed 255.3 acre feet per season.

Beneficial Use: for irrigation of 85.1 acres in N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$,
Section 35, T. 9N, R. 42E, BM.

The priority date established is: July 31, 1962

A fee totaling \$ 11.00 must be received within 30 days from the date of this letter in order that we can issue you the Water License as described above.

Very truly yours,

C. Stephen Allred, Assistant
Reclamation Engineer

CSA:mh

30597
21-2129

Enclosed check no. 2459 for
\$ 11.00 dated Oct 23, 1969 - thanks D. Hess

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. G-30597

REPORT ON PROOF OF Completion of Works & Beneficial Use

Section
(Pop 1240)

July 1961

From
1240
July 1962

(25)

(10)

(20)

85.5 Acres

30
Arrested

Area = 85.5 Acres

Sub. = 3

Q = 1.7

VOL = 255.3 Acft/second

Priority = July 31 1962

1.7 cfs.



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

Permit No. G-30597

This proof is for C/W & B/U In Water District No.

1. Name of applicant Daniel S. Hess

2. Source of water supply: subterranean

3. Location of point of diversion: Is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35
T. 9 N R. 42 E County of Fremont

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

General Electric 30 HP. Ser # SWJ 511295
Peerless Pump Ser # 194775 8" Discharge
into 4 $\frac{1}{4}$ mile laterals of RAW Bird mod 30 w/s
2 LAT. $\frac{3}{16}$ Noz & 2 are $\frac{1}{4}$

5. Water is used for: irrigation

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

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

N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 35, T. 9 N, R. 42 E, B.M. 117 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: CONTACTED MRS. H. E. HESS Adm. 234

$(66)(5.10 \text{ gpm}) = 376.2 \text{ gpm}$
 $(66)(681) = 449.46 \text{ gpm}$
 $\frac{376.2 + 449.46}{2} = 412.83 \text{ gpm} = 1.8 \text{ cfs}$

Irrigation req. 3.0

This examination was made on the 11 day of July, 1966

(Signed)

Dean Reynolds
Examiner.
21-2129
30597

PLAT

GE 30HP
5WJ511295
mod.
5K6247XC1A
Peerless Pump
194775
8" Discharge
3/16

G 44 42
G 45 43
P 40 1/64
P 43 41 1/64

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.

Daniel S. Hess
Box 60 RFD #1
Ashton, Idaho

Drilled well
12" - 130'
14-30'

Permit No. G-30597

4 1/4 mile laterals

Examination for C/W & B/U

County Fremont

Quantity: 2.34 c.f.s.
Sec. 35 T. 9N R. 42E

Source: subterranean

P.D.: SW 1/4 SW 1/4, Sec. 35, T. 9 N, R. 42 E, B.M.

Use: irrigation

Extension:

Protest:

Completion of Works:

Other Rights: 0.75 c.f.s. from Fremont-Madison Irr. District

Filed: July 31, 1962

Due: August 3, 1967

Made: July 14, 1967

Priority: July 31, 1962

August 2, 1967

Re: Permit No. G-30597

Mr. Daniel S. Hess
R.F.D. # 1
Ashton, Idaho 83420

Dear Mr. Hess:

We acknowledge receipt of the depositions and affidavit of publication in the
Ashton Herald submitted as proof of com-
pletion of works and beneficial use on Permit G-30597.

Before a certificate and license of water right can be issued, a field examination must be made by a representative from this department. We cannot tell just when this examination will be made, but our field examiner will try to contact you at the time he makes the examination so that you may show him the system.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:dj

30597

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. _____

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and Completion of Works

DEPOSITION OF HOLDER

RECEIVED
JUL 24 1967

Department of Reclamation

RECEIVED
AUG 9 1967

Department of Reclamation

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

Daniel S. Hess, Farmer, RFD #1, Ashton, Idaho

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

Owner

Ques. 3. State number, approval date of permit, and date of priority: G-30597

August 3, 1962 July 31
August 3, 1962

Ques. 4. State source of water supply: Subterranean

Give location of point of diversion, showing subdivision, section, township and range
N 1/2 of SW 1/4,
SW 1/4 of the SW 1/4 of Section 35, Township 9 North, Range 42, BE. NB. M.

Ques. 5. Describe your works of diversion: drilled well for Sprinkler irrigation system

_____ ; state amount of water they are capable of conveying from point of diversion to place of use: 2.34 cu. ft. ; Give name of canal or ditch

or other works by which water is conducted to such place of use: well

_____ ; if a well, state depth of well 130' ; depth and size of casing 12" ; depth to water 30' ; if pump is used,

state discharge of pump: _____ ; tell how it was measured or determined _____

30 HP Motor

_____ ; if sprinkler irrigation, give number and size of nozzles and operating pressure: 4 - 1/4 mile laterals

Ques. 6. State for what purpose water is used: irrigation
(If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water:

No log

*Accepted
Asst.*

D. H.

30597

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

NONE

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: Sherman Hess, Ashton, Idaho

Ques. 7. If for other than irrigation purposes, show full legal description of place of use and state purpose for which water is used:

N/A

Ques. 8: If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder:

N/A

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: _____ - Time used since first use:

June, 1963 and every summer since that time.

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

(sign)

Samuel L. Hess

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

ASHTON

County of

FREMONT

State of Idaho, on this 14th day of July, A. D. 1967.

My commission expires: 7/31/69

James H. Hines
Notary Public for the State of Idaho
Residing Ashton, Idaho

30597

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

RECEIVED
JUL 24 1967
Department of Reclamation

Permit No. _____

RECEIVED
JUL 2 1967
Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and Completion of Works

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case.

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

Ferron W. Sonderegger, 46, Sugar City, Idaho. Teacher. Box 115, Sugar City, Idaho.

Ques. 2 Are you acquainted with Daniel S. Hess, the holder of
Permit No. G-30597? How long have you known him and where does he reside?

13 years Ashton, Idaho

Ques. 3. Have you read or heard said Permit No. G-30597 read, and are you familiar
with its provisions and conditions: Yes X No. _____

Ques. 4. State source of water supply: Subterranean

Give location of place of diversion, showing subdivision, section, township and range
N 1/2 of SW 1/4,
SW 1/4 of the SW 1/4 of Section 35, Township 9E, Range 42 E. B. M., County of
Fremont

Describe works for conveying water to place of use: drilled well for sprinkler irrigation
system

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 2.34 cu. ft. How much water have you seen being so
conveyed? 2.34 cu. ft.

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:
N 1/2 of SW 1/4,
120 Acres - SW 1/4 of the SW 1/4 of Section 35, Twp. 9E, Rge 42E B.M., County
of Fremont

30897

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

N/A

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.

N/A

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned?

If so, in what way and to what extent? N/A

Ques. 10. When did you first see this water used? June, 1962

Other times you have seen such use: Every summer since that time.

(Signed):

Ferron St. Sandregger

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 _____

ASHTON, County of FREMONT, State of Idaho, on this 14th day of July, A. D. 1967.

Joe Harris
Notary Public for the State of Idaho
Residing Ashton, Idaho

My commission expires 7/31/69

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

Permit No. _____

RECEIVED
JUL 24 1967

Department of Reclamation

RECEIVED
AUG 2 1967

Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case.

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

G. Merrill Evans, 34, Lumber Goods Manager, Box 575, Ashton, Idaho 83420

Ques. 2 Are you acquainted with Daniel S. Hess, the holder of

Permit No. G-30597? How long have you known him and where does he reside?

11 years, Ashton, Idaho

Ques. 3. Have you read or heard said Permit No. G-30597 read, and are you familiar with its provisions and conditions: Yes X No _____

Ques. 4. State source of water supply: Subterranean

Give location of place of diversion, showing subdivision, section, township and range
N 1/2 of SW 1/4, SW 1/4 of the SW 1/4 of Section 35, Township 9 E, Range 42 E, B. M.

Describe works for conveying water to place of use: drilled well for sprinkler irrigation system

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: 2.34 cu. ft. How much water have you seen being so conveyed? 2.34 cu. ft.

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

N 1/2 of SW 1/4, 120 Acres - SW 1/4 of the SW 1/4 of Section 35, Twp. 9E, Rge 42E B.M., County of Fremont

30597

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

N/A

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.

N/A

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned?

If so, in what way and to what extent? NO

Ques. 10. When did you first see this water used? June, 1962

Other times you have seen such use: Every summer since that time.

(Signed):

B Merrill Earnest

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

ASHTON, County of FREMONT, State of Idaho, on this 14th day of July, A. D. 1967

[Signature]

Notary Public for the State of Idaho

Residing Ashton, Idaho

My commission expires 7/31/69

Ricks College
REXBURG, IDAHO, 83440

DANIEL S. HESS, Administrative Assistant



JOHN L. CLARKE, PRESIDENT
RECEIVED
AUG 2 1967

Department of Reclamation

August 1, 1967

Mr. Donald W. McEldowney
Water Rights Clerk
Department of Reclamation
Room 107, State House
Boise, Idaho 83701

Dear Mr. McEldowney:

Enclosed is the revised information that you requested for proof of application of water - Permit No. G-30597.

Very truly yours,

Daniel S. Hess
Administrative Assistant

DSH:bs

Encl. 3

30597

July 24, 1967

Re: Permit No. G-30597

Mr. Daniel S. Hess
R.F.D. # 1
Ashton, Idaho 83420

Dear Mr. Hess:

We are writing in regards to the depositions of holder and witnesses which you submitted for the above referenced permit.

Before we can accept these depositions, there must be several corrections made. Question 4 and Question 6 on the holder deposition must be completed, including township and range in the description. On the witness depositions, Question 9 must be answered, as it is applicable to the situation.

Please correct these depositions and return promptly.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:dj

Enc: Depositions

P. S. We are also enclosing your advertising receipt. We do not need it for our files.

30597

AFFIDAVIT OF
PUBLICATION

State of Idaho
County of Fremont

ss.

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

That he is the
of ~~The Chronicle News~~, a news-
paper as defined by Idaho
Codes Annotated, and that said
newspaper is a weekly news-
paper printed and published at
St. Anthony, in Fremont County,
Idaho, having a general circula-
tion in said county, and that
said newspaper has been print-
ed and published as a weekly
newspaper in said county for
more than 78 consecutive weeks
prior to the first publication of
the attached notice, advertise-

ment or publication of

Proof of Completion
of works

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

for consecutive is-
sues thereof; first publication

having been made on the 22

day of June, 1967,
and the last publication on the

13 day of July

1967

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 seven-
teen and three-fourths inches
deep.

J. H. Hunsaker
Subscribed in my presence and

sworn to before me this 14

day of July

1967

Phyllis Hopper Dietzel
Notary Public for the
State of Idaho, resi-
(SEAL) dence and post office
address: St. Anthony,
Idaho.

ASHTON
HERALD

RECEIVED
JUL 24 1967

Department of Reclamation

Legal Notice

**NOTICE OF PROOF
OF COMPLETION
OF WORKS AND
APPLICATION OF WATER
TO BENEFICIAL USE**

Notice is hereby given that
on the 14th day of July 1967,
at Ashton, County of Fremont,
State of Idaho before James
Harrell, Notary Public, at
855 E. Maple, Ashton, Idaho,
proof will be submitted of
the completion of works for
the diversion of 2.34 cubic
feet per second of under-
ground water from a well,
and of the application to bene-
ficial use of said water, in
accordance with the terms
and conditions of Permit No.
G-30597, heretofore issued by
the Department of Reclama-
tion of the State of Idaho.

1. The name and postoffice
address of the person or corp-
oration holding said permit is
Daniel S. Hess, RFD, No. 1,
Ashton, Idaho.

2. Said works of diversion
will be fully completed on the
date for such completion, and
the amount of water which
said works are capable of
conveying to the place of use
is 2.34 cubic feet per second.

3. The use to which said
water has been applied is ir-
rigation purposes and the
amount applied to beneficial
use is 2.34 cubic feet per
second.

4. The point of diversion
of said water is SW $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 35, T. 9 N., R. 42 E., B.
M.

5. The place where said
water is used is N $\frac{1}{2}$ SW $\frac{1}{4}$, S-
W $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 35, T. 9 N., R.
42 E., B.M.

6. The date of priority
which said user is prepared
to establish is July 31, 1962.

R. KEITH HIGGINSON
State Reclamation
Engineer

(AH JUNE 22, 29, JULY 6,
13 1967)

30597

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

RECEIVED
JUL 24 1967
Department of Reclamation

Permit No. _____

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and Completion of Works

DEPOSITION OF HOLDER

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

Daniel S. Hess, Farmer, RFD #1, Ashton, Idaho

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

Owner

Ques. 3. State number, approval date of permit, and date of priority: G-30597

August 3, 1962 July 31
August 3, 1962

Ques. 4. State source of water supply: Subterranean

Give location of point of diversion, showing subdivision, section, township and range

SW 1/4 of the SW 1/4 of Section 35

Ques. 5. Describe your works of diversion: drilled well for Sprinkler irrigation system

_____ ; state amount of water they are capable of con-

veying from point of diversion to place of use: 2.34 cu. ft. ; Give name of canal or ditch

or other works by which water is conducted to such place of use: well

_____ ; if a well, state depth of well 130' ; depth and size of

casing 12" ; depth to water 30' ; if pump is used,

state discharge of pump: _____ ; tell how it was measured or determined _____

30 HP Motor

_____ ; if sprinkler irrigation, give number and size

of nozzles and operating pressure: 4 - 1/4 mile laterals

Ques. 6. State for what purpose water is used: irrigation

(If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water:

30597

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

NONE

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: Sherman Hess, Ashton, Idaho

Ques. 7. If for other than irrigation purposes, show full legal description of place of use and state purpose for which water is used:

N/A

Ques. 8: If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder:

N/A

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: _____ - Time used since first use:

June, 1963 and every summer since that time.

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

(sign)

Samuel L. Hess

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

ASHTON

County of

FREMONT

State of Idaho, on this 14th day of July, A. D. 1967.

My commission expires: 7/31/69

Samuel L. Hess
Notary Public for the State of Idaho
Residing Ashton, Idaho

30597

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

RECEIVED
JUL 24 1965
Department of Reclamation

Permit No. _____

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case.

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

G. Merrill Evans, 34, Lumber Goods Manager, Box 575, Ashton, Idaho 83420

Ques. 2 Are you acquainted with Daniel S. Hess, the holder of
Permit No. G-30597? How long have you known him and where does he reside?

11 years, Ashton, Idaho

Ques. 3. Have you read or heard said Permit No. G-30597 read, and are you familiar
with its provisions and conditions: Yes X No. _____

Ques. 4. State source of water supply: Subterranean

Give location of place of diversion, showing subdivision, section, township and range
SW 1/4 of the SW 1/4 of Section 35

Describe works for conveying water to place of use: drilled well for sprinkler irrigation
system

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 2.34 cu. ft. How much water have you seen being so
conveyed? 2.34 cu. ft.

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

120 Acres - SW 1/4 of the SW 1/4 of Section 35, Twp. 9N Rge 42E B.M., County
of Fremont

30597

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

N/A

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.

N/A

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned?

If so, in what way and to what extent? N/A

Ques. 10. When did you first see this water used? June, 1962

Other times you have seen such use: Every summer since that time.

(Signed):

B. Russell Evans

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

ASHTON, County of FREMONT, State of Idaho, on this 14th day of July, A. D. 1967

[Signature]
Notary Public for the State of Idaho

Residing Ashton, Idaho

My commission expires 7/31/69

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. _____

RECEIVED
JUL 24 1967
Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case.

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

Ferron W. Sonderegger, 46, Sugar City, Idaho. Teacher. Box 115, Sugar City, Idaho.

Ques. 2 Are you acquainted with Daniel S. Hess, the holder of Permit No. G-30597? How long have you known him and where does he reside?

13 years Ashton, Idaho

Ques. 3. Have you read or heard said Permit No. G-30597 read, and are you familiar with its provisions and conditions: Yes X No. _____

Ques. 4. State source of water supply: Subterranean

Give location of place of diversion, showing subdivision, section, township and range

SW 1/4 of the SW 1/4 of Section 35

Describe works for conveying water to place of use: drilled well for sprinkler irrigation system

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: 2.34 cu. ft. How much water have you seen being so conveyed? 2.34 cu. ft.

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

120 Acres - SW 1/4 of the SW 1/4 of Section 35, Twp. 9N Rge 42E B.M., County of Fremont

30597

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

N/A

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.

N/A

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

Ques. 10. When did you first see this water used? June, 1962

Other times you have seen such use: Every summer since that time.

(Signed):

Ferron B. Sanderegger

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

ASHTON, County of FREMONT, State of Idaho, on this 14th day of July, A. D. 1967

Joe Harris
Notary Public for the State of Idaho

Residing Ashton, Idaho

My commission expires 7/31/69

RECEIVED
JUN 21 1967
Department of Reclamation

HOLD FOR PROOFING
NOTICE OF PROOF
OF COMPLETION
OF WORKS AND
APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that, on the 14th day of July, 1967, at Ashton, County of Fremont, State of Idaho before James Harrell, Notary Public, at 855 E. Maple, Ashton, Idaho, proof will be submitted of the completion of works for the diversion of 2.34 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-30597, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Daniel S. Hess, RFD, No. 1, Ashton, Idaho

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 2.34 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes and the amount applied to beneficial use is 2.34 cubic feet per second.

4. The point of diversion of said water is SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 35, T. 9 N, R. 42 E, B. M.

5. The place where said water is used is N $\frac{1}{2}$ SW $\frac{1}{4}$, S-W $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 35, T. 9 N. R. 42 E, B.M.

6. The date of priority which said user is prepared to establish is July 31, 1962.

R. KEITH HIGGINSON
State Reclamation
Engineer

(AH JUNE 22, 29, JULY 6,
13 1967)

30597

June 9, 1967

Re: Permit G-30597

Ashton Herald
Ashton, Idaho

Gentlemen:

Enclosed is a legal notice which we wish to have published for four consecutive weeks prior to July 14, 1967. The expense of the publication is to paid by Daniel S. Hess, RFD #1, Ashton, Idaho

_____ ,
to whom you should furnish the affidavit of publication on or before the above date. Please acknowledge receipt of this notice by furnishing this office with a tear sheet for checking prior to the first publication.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:nw

30597

Re: Permit G-30597

Dear Mr. Hess:

DW M:nw

30597

Department of Accounting

20597

NOTICE OF PROOF OF COMPLETION OF WORKS Department of Reclamation
and
APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at _____, on the 14th day of July, 1967, at Ashton, County of Fremont, State of Idaho before James Harrell, Notary Public, at (address) 855 E. Maple, Ashton, Idaho, proof will be submitted of the completion of works for the diversion of 2.34 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-30597, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is **Daniel S. Hess, RFD, #1, Ashton, Idaho**

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is **2.34** cubic feet per second.

use is 2.34 cubic feet per second.

3. The use to which said water has been applied is to irrigate farm crops ^{irrigation}
_____, purposes and the amount applied to beneficial use is
2.34 cubic feet per second.

4. The point of diversion of said water, is 1 mile S.W. of Ashton

SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 35, T. 9 N R. 42 E B.M.

5. The place where said water is used is ~~1 mile S.W. of Ashton~~

N $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 35, T. 9N R. 42 E B.M.

6. The date of priority which said user is prepared to establish is ~~August 3, 1962~~

July 31, 1962

State Reclamation Engineer

30597

mw

RECEIVED
JUN 9 1967

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date)

June 7, 1967

(P. O.)

RFD 1

TO THE STATE RECLAMATION ENGINEER

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.

Daniel L. Hess

(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

30597

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

June 1, 1967

Re: Permit No. G - 30597

Daniel S. Hess
Box 60, R. F. D. #1
Ashton, Idaho

Dear Mr. Hess:

The date for proofs of Completion of Works and Application of water to beneficial use, as set out under terms of Permit No. G- 30597 are due not later than August 3, 1967

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

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

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

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

Very truly yours,

STATE RECLAMATION ENGINEER

Enc. Form 36 and 11

cc:

30597

RICKS COLLEGE

DR. DANIEL S. HESS
ADMINISTRATIVE ASSISTANT

REXBURG, IDAHO

September 5, 1962

RECEIVED
SEP 6 1962

Department of Reclamation

G-30597

Mr. George N. Carter,
State Reclamation Engineer
DEPARTMENT OF RECLAMATION
107 State House
Boise, Idaho

Dear Mr. Carter:

I have received Permit No. G-30597 for my subterranean water well. This project is now completed and I find that this is very valuable to irrigate my crops. The application for permit is correctly made out.

The well log was made November 14, 1961. The formation is: 1' to 6' is top soil; 6' to 85' is basalt; 85' to 105' is red clay and sand; and 105' to 131' is black cinders.

I am employed at Ricks College as assistant to the President and we have drilled a well here on our campus to be used for sprinkling irrigation on our farm project. I would like to make an application for a permit for this well. Would you please send the correct forms to me. Thank you.

Sincerely yours,

Daniel S. Hess

Daniel S. Hess
Box 60, R F D #1,
Ashton, Idaho

DSH:ih

30597

Re: Permit No.
G-30597

August 8, 1962

Mr. Daniel S. Hess,
Box 60, RFD #1,
Ashton, Idaho.

Dear Mr. Hess:

We enclose Permit No. G-30597 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. G-7221 which was issued covering payment in the amount of \$ 5.50 for the filing fee of the above mentioned permit. ~~was handed to you~~

Well logs are an important part of your recorded water right and State Statutes require that well drillers' supply logs on all wells, whether irrigation, domestic, drain or stock wells, to be filed in the Department of Reclamation. In view of the rapidly increasing demand for ground water, the lowering of the ground water level, and the creation of critical ground water areas, it is important that you, as owner, make sure a log on your well is filed in this office.

Very truly yours,

GEO. W. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

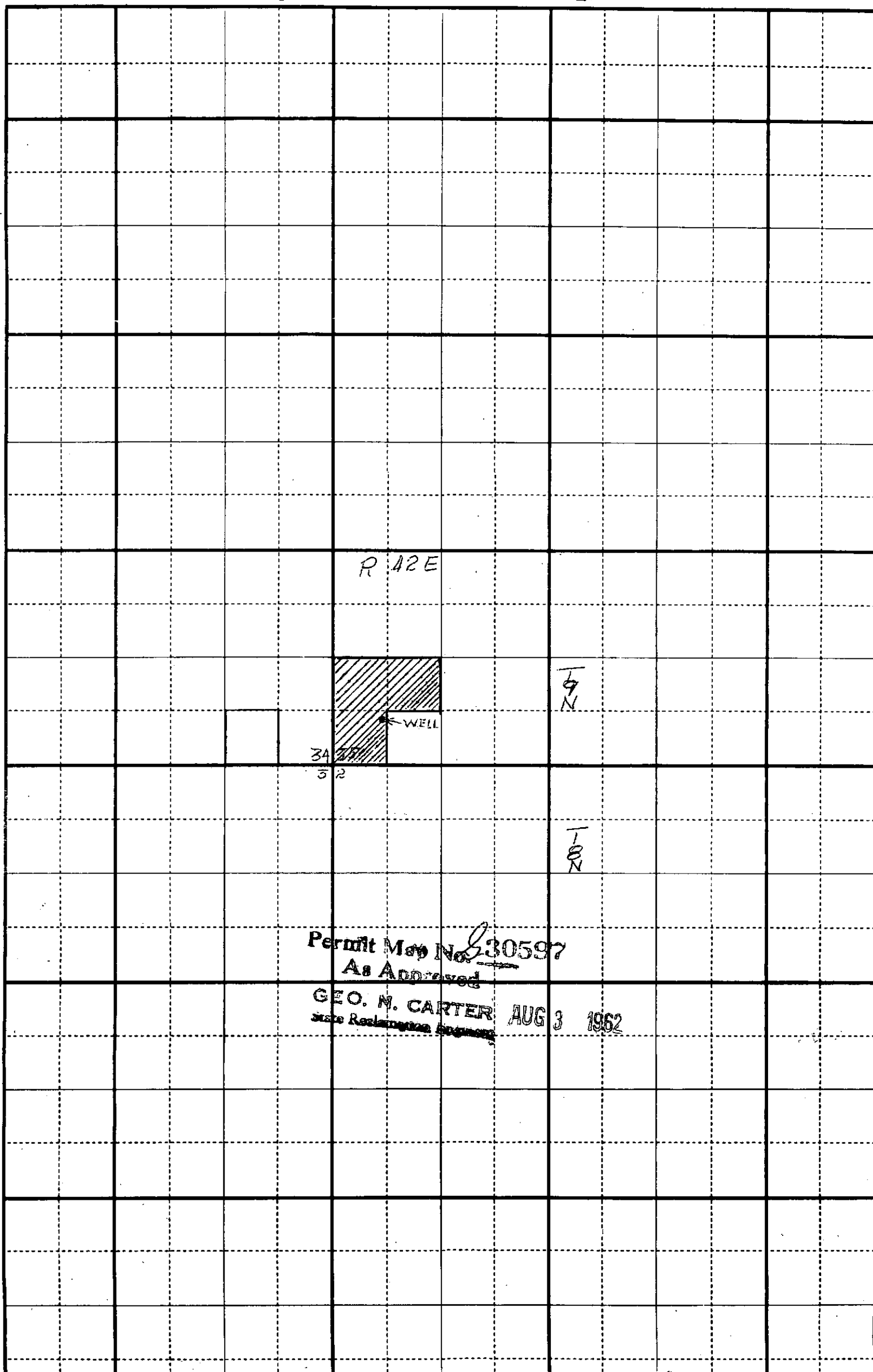
EPR:pmk
Enc.

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

30597

NAME OF APPLICANT.

Daniel S. Mess, Box 60 RFD #1, Ashton, Idaho

Form No. 0

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

30597