

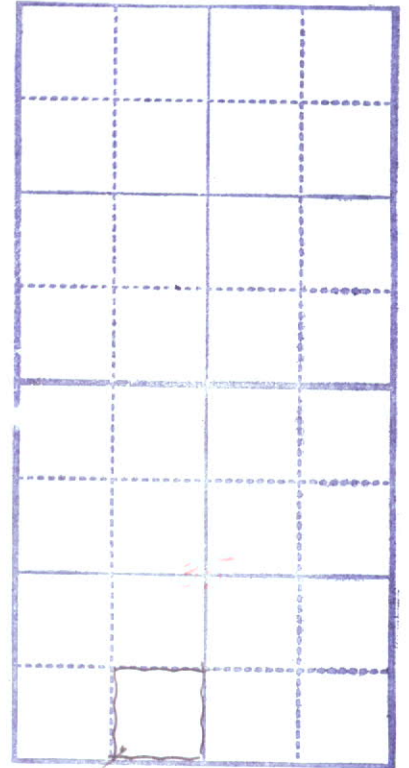
APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

21-2118

Application No. G- 37532
Permit No. G- 29531
District No.

1. Name of Applicant: H. E. Hess
Postoffice address: Ashton County: Fremont State: Idaho
2. Quantity of water claimed: 32 inches
(a) Rate of withdrawal in cubic feet per second 0.64 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 SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ 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 $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.
(b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Sprinkler Irrigation System
8. Estimated cost of works: \$ 2,500
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:
21 shares of water-Farmers Own Ditch - amount varies
(a) 32" (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.



P.D.

Age 42 E

Twp. 9 N.

35

P.D. 32
①

23.9 Acres

+ section

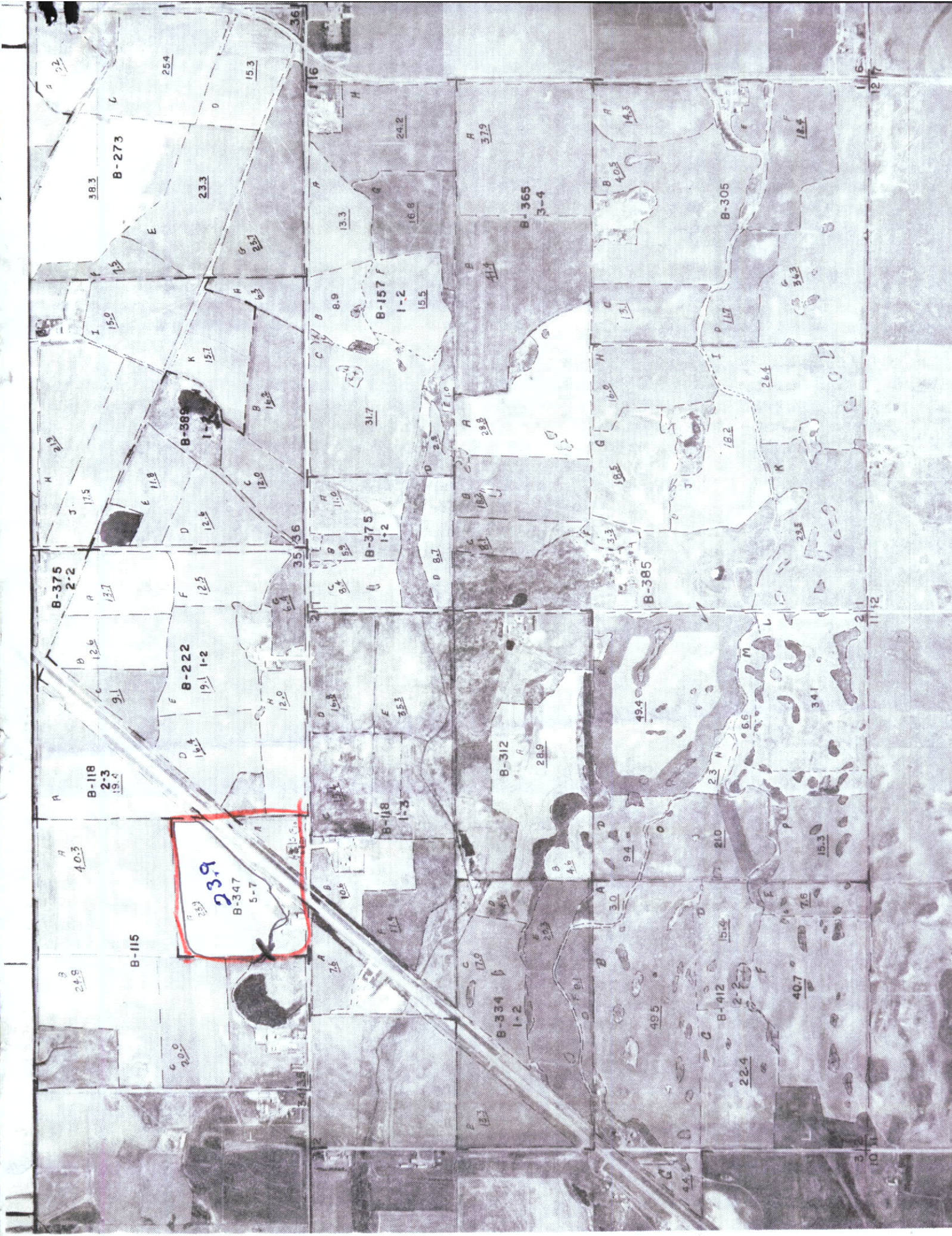
Area = 23.9 Acres

Sub. = 1

Q = .31

Vol. = 71.7 Acft/season

Priority = March 29, 1961 (late proof)



21-2118 27531

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

Permit No. G-29531This proof is for Completion of Works & Beneficial Use In Water District No. _____1. Name of applicant H.E. Hess2. Source of water supply: a well3. Location of point of diversion: Is in the SE 1/4 SW 1/4, of Section 35T. 9 N R. 42 E., B.M. County of Fremont

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

Brook motor Corporation 10 HP Ser. # 284C-EF7095Berkley Pump Ser. # 8506888 mod. 2 1/2 WPCentral Pump One Lateral of Rain bird mod. 3000
33 Noz.contacted Mrs. Hess5. 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):

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

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

8. What large stream would the water here appropriated finally reach? SnakeRemarks: contacted Mrs. H.E. Hess

$$\frac{(33 \text{ Noz.})(4.22 \text{ gpm})}{448.8} = .31 \text{ cfs}$$

Irrigation req. 3.0This examination was made on the 12 day of July, 1947

(Signed) _____

Don Reynolds

Examiner.

29531
21-2118PLAT

AFFIDAVIT OF
PUBLICATION

State of Idaho

County of Fremont

ss.

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

That she is the editor
of The Ashton Herald, a news-
paper as defined by Idaho
Codes Annotated, section 58-106,
as amended, and that said
newspaper is a weekly news-
paper published at Ashton,
Idaho, 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

Notice 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 4 consecutive is-
sues thereof; first publication

having been made on the 24

day of Feb, 1966,

and the last publication on the

17 day of Mar

1966.

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.

Nancy Anderson

Subscribed in my presence and

sworn to before me this 25th

day of March

1966.

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

RECEIVED
JUN 2 1966

Department of Reclamation

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

Notice is hereby given that
on the 23rd day of March 1966,
at Rexburg, County of Madi-
son, State of Idaho before Ray
W. Rigby, Notary Public, at
25 North 2nd East, Rexburg,
Idaho, proof will be submitted
of the completion of works for
the diversion of .64 cubic feet
per second of underground wa-
ter, from a well, and of the ap-
plication to beneficial use of
said water, in accordance with
the terms and conditions of
Permit No. G-29531, heretofore
issued by the Department of
Reclamation of the State of
Idaho.

1. The name and postoffice
address of the person or cor-
poration holding said permit
is H. E. Hess, 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 con-
veying to the place of use is
.64 cubic feet per second.

3. The use to which said
water has been applied is irri-
gation, purposes and the a-
mount applied to beneficial
use is .64 cubic feet per
second.

4. The point of diversion of
said water is SE $\frac{1}{4}$ SW $\frac{1}{4}$ of
Sec. 35, Twp. 9 N., R. 42,
E.B.M., Fremont County, Ida-
ho.

5. The place where said wa-
ter is used is SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec.
35, Twp. 9 N., R. 42, E.B.M., Fre-
mont County, Idaho.

6. The date of priority which
said user is prepared to estab-
lish is February 28, 1961.

Carl E. Tappan
State Reclamation Engineer
(Ah Feb. 24, Mar. 3, 10, 17,

66) notary pub. of Idaho

29531

WATER LICENSE

Water License No. G-29531/21-2118 Priority March 21, 1961 Amount 0.31 c.f.s.
(late proof)

THIS IS TO CERTIFY, that H. E. HESS
of Ashton, Idaho, made application for a permit to appropriate the public waters of
the State of Idaho, dated February 28, 1961; that Permit G-29531/21-2118 was issued pursuant
to said application; that the proposed works were completed on or about April 1961,
with a storage/or carrying capacity of 0.31 c.f.s., said works consisting of
well, pump and motor; and that on March 23, 1966,
proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 71.7
acre feet per season, with a maximum rate of diversion of 0.31 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 SE $\frac{1}{4}$ 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 71.7 acre feet per year.

Description and location of place of use:

TWP.	RANCE	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												23.9					23.9

Total number of acres irrigated 23.9

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, 19 69.

R. David Higgs
State Reclamation Engineer

21 2118

29531
21-2118

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

21-2118

Application No. G- 37532
Permit No. G- 29531
District No.

1. Name of Applicant: H. E. Hess

Postoffice address: Ashton

County: Fremont

State: Idaho

2. Quantity of water claimed: 32 inches

(a) Rate of withdrawal in cubic feet per second 0.64 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 SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 35
Twp. 9 N , Rge. 12 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 $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.

(b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.

7. Kind of works: Sprinkler Irrigation System

8. Estimated cost of works: \$ 2,500

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 on hand: \$

(b) Treasury stock:

(c) Bonds to be issued:

(d) Other resources:

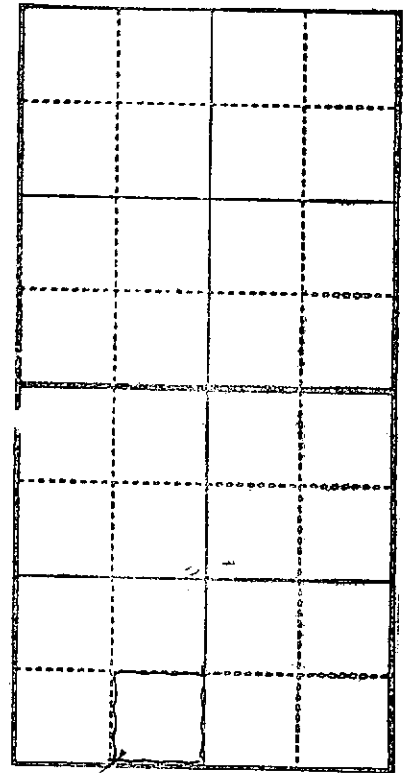
12. The land to be irrigated is described in the following tabulation:

13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:

21 shares of water-Farmers Own Ditch - amount varies

(a) 32" (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.



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

By _____ Agent.

Returned to applicant for correction:

Corrected application received:

The number of this permit is G— 29531

Recorded in Book 104 Page 29531 Approved March 2, 1961

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

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before _____ and to continue 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 September 2, 1963

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before March 2, 1966

Witness my hand this 2nd day of March, 1961 s/ GEO. N. CARTER
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLLIE, Governor of the State of Idaho,
and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 2nd
day of March, 19 61

Countersigned:

STATE OF IDAHO

(SEAL)

By s/ ARNOLD WILLIAMS Secretary of State.

12.

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
9 N	42 E	35																32	
LICENSE ISSUED FOR 0.31 SEC. FT. LICENSE PAGE NO. _____.																			

October 29, 1969

Re: Permit Nos. G-29531/21-2118 and G-29532/21-2119

Mr. H. E. Hess
Ashton,
Idaho 83420

Dear Mr. Hess:

Enclosed you will find your Water Licenses issued on the above
numbered permits.

Also enclosed is departmental receipt No. 3766 in the amount of
\$14.00 covering the licensing fees.

Very truly yours,

C. Stephen Allred, Deputy
State Reclamation Engineer

CSA:kh
Enclosures

21-2118
29531

DON SAMUELSON
GOVERNOR



STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

October 17, 1969

R. KEITH HIGGINSON
State Reclamation Engineer
RECEIVED
OCT 22 1969
Department of Reclamation

Re: Permit No. 29531/21-2118

H. E. Hess
Ashton, Idaho 83420

Dear Mr. Hess:

A representative of this department has made an examination of the works covered by your Permit 21-2118 and has found the following:

Quantity of water diverted: .31 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho law: .31 c.f.s.

The maximum quantity diverted shall not exceed 21.7 acre feet per season.

Beneficial Use: for irrigation of 23.9 acres in SE 1/4, Sec. 35,
T. 9N, R. 42E, B.M.

The priority date established is: March 21, 1961 (late proof)

A fee totaling \$ 7.00 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,

A handwritten signature in cursive script, reading "C. Stephen Allred".

C. Stephen Allred, Assistant
Reclamation Engineer

CSA:mh

21-2118
29531

October 17, 1969

Re: Permit No. 29531/21-2118

H. E. Hess
Ashton, Idaho 83420

Dear Mr. Hess:

A representative of this department has made an examination of the works covered by your Permit 21-2118 and has found the following:

Quantity of water diverted: .31 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho law: .31 c.f.s.

The maximum quantity diverted shall not exceed 71.7 acre feet per season.

Beneficial Use: for irrigation of 23.9 acres in SE1/4, Sec.35,
T. 9N, R. 42E, B.M.

The priority date established is: March 21, 1961 (late proof)

A fee totaling \$ 7.00 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

29531
21-2118

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-29531

REPORT ON PROOF OF Completion of Works & Beneficial Use

P.D. 32
0

23.9 Acres

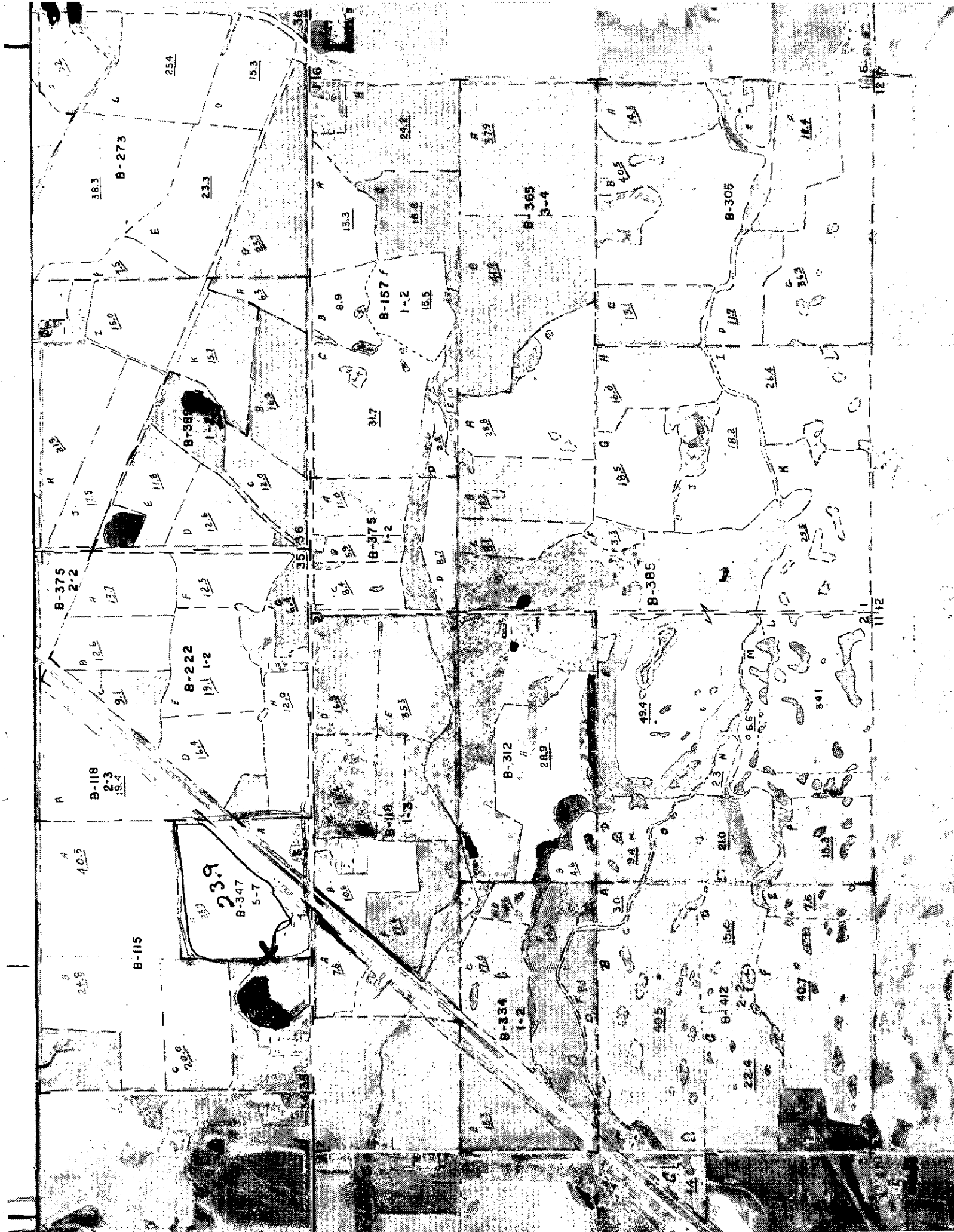
Area = 23.9 Acres

Sub. = 1

Q = .31

Vol. = 71.7 AcFT/season

Priority = March 29, 1961 (late proof)



21-2118 29531

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

Permit No. G-29531This proof is for Completion of Works & Beneficial Use In Water District No. _____1. Name of applicant H.E. Hess2. Source of water supply: a well3. Location of point of diversion: Is in the SE 1/4 SW 1/4, of Section 35T. 9 N R. 42 E., B.M. County of Fremont

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

Brook motor Corporation 10 HP Ser. # 284C-EF7095Berkley Pump Ser. # 8506888 mod. 2 1/2 WPCentral Pump One Lateral of Rain bird mod. 3005
33 Noz.contacted Mrs. Hess5. 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):

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

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

8. What large stream would the water here appropriated finally reach? SnakeRemarks: contacted Mrs. H.E. Hess

$$\frac{(33 \text{ Noz.})(4.22 \text{ gpm})}{448.8} = .31 \text{ cfs}$$

Irrigation req. 3.0This examination was made on the 12 day of July, 1967

(Signed)

Don Reynolds

Examiner.

29531
21-2118PLAT

BROOK MOTOR CORPORATION

10 HP

#284C-E47095

Berkeley Pump

5506888

mod

2 1/2 WP

CENTRIFUGAL

1/4 RAIN BIRD

38 34

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.

H.E. Hess
Ashton, Idaho

Permit No. G-29531

Examination for ~~Completion of Works & Beneficial Use~~

County Fremont

Quantity: Sec. 35 T. 9 NR. 42 E., B.M.
0.64 c.f.s.

Source: a well

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

Use: Irrigation

Filed: February 28, 1961

Dec: March 2, 1966

Extension:

Made March 23, 1966

Protest:

Priority: March 21, 1961

Completion of Works:

Other Rights: 21 shares Farmers Own Ditch

Made March 23, 1966

June 17, 1966

Re: Permit No. ~~B.~~ G-29531, G-29532

H. E. Hess
Ashton, Idaho

Dear Mr. Hess:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the ~~Ashton Herald~~ all submitted in proof of completion of works and beneficial use on Permit No. ~~G-2953, G-29532~~

Before final action is taken in the matter, the law requires that a field examination be made by an engineer from this department.

We cannot tell just when this examination will be made, but our field engineer will try to contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

M. Russell Bosch
Office Manager

MRB:mr

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho
Permit No. G-29531

RECEIVED
JUN 2 1966
Department of Reclamation

* * * * *

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

DEPOSITION OF HOLDER

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

H. E. Hess, Ashton, Idaho, farmer, P. O. Address: 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:

Ques. 3. State number, approval date of permit, and date of priority: _____

Permit No. G-29531, approved March 2, 1961, date of priority 3-2-61

Ques. 4. State source of water supply: subterranean

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

SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 35, Twp. 9 N., R. 42, E.B.M., Fremont County, Idaho.

Ques. 5. Describe your works of diversion: well, with pump, mainline, laterals and sprinklers

; state amount of water they are capable of conveying from point of diversion to place of use: 32"

; Give name of canal or ditch or other works by which water is conducted to such place of use: _____

; if a well, state depth of well 130'

; depth and size of casing 5" deep, 16"

; depth to water 3 $\frac{1}{2}$ '

; if pump is used, state discharge of pump: 300 gal. per min.

tell how it was measured or determined _____

by size of impellor on pump _____; if sprinkler irrigation, give number and size of nozzles and operating pressure: 32 nozzles, 3/16 in., with 60 lbs. operating pressure.

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:

Twp. 9 N., R. 42, E.B.M. - Sec. 35 - SE $\frac{1}{4}$ SW $\frac{1}{4}$ (32).

SW
Per
Telephone conversation
to D
6-2-1966

Log in

29531

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

Land has been changed from primarily dry land to irrigated farm land,
and thus I can raise better crops.

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled
the well: A. C. Morris & Sons, Rigby, Idaho.

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

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

Quest. 9: State when and in what amount the water diverted under above mentioned permit
has been first used: April, 1961 32" - Time used since first use:

Each irrigation season since that time.

Ques. 10. Describe all other water rights appurtenant to same place of use: None
Originally owned 21 shares in Farmers Own Ditch, but the same has been
sold.

(sign) ✓ J E Ness

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 him-
self to be, and that said testimony was subscribed and sworn to before me, at my office in

Rexburg, County of Madison
State of Idaho, on this 23rd day of March, A. D. 1966.

My commission expires: 1-26-67

Ray W Rigby
Notary Public for Idaho
Residing at Rexburg, Idaho

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G-29531

RECEIVED
JUN 2 1965
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:

S. M. Clark, age 37, Ashton, Idaho, farmer, Ashton, Idaho.

Ques. 2 Are you acquainted with H. E. Hess, the holder of
Permit No. G-29531 ? How long have you known him and where does he reside?

Yes, I've known him about 25 years. He resides at Ashton, Idaho

Ques. 3. Have you read or heard said Permit No. G-29531 read, and are you familiar
with its provisions and conditions: Yes x No.

Ques. 4. State source of water supply: subterranean

Give location of place of diversion, showing subdivision, section, township and range
SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 35, Twp. 9 N., R. 42, E.B.M., Fremont County, Idaho.

Describe works for conveying water to place of use: Well, with pump, mainline,
laterals and sprinklers.

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 32" How much water have you seen being so
conveyed? 32"

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description: ✓
Twp. 9 N., R. 42, E.B.M. - Sec. 35 - SE $\frac{1}{4}$ SW $\frac{1}{4}$ (32). ✓

29531

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

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Land was originally dry farm land, and now has been changed to irrigated land. Requires at least 32" for profitable cultivation.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned? If so, in what way and to what extent? No ✓

Ques. 10. When did you first see this water used? April, 1961.

Other times you have seen such use: Each irrigation season since that time.

(Signed):

A. M. Clark

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Rexburg.

 , County of Madison, State of Idaho, on this 23rd day of March, A. D. 19 66.

Lay W. Ligby

Notary Public for the State of Idaho

Residing Rexburg, Idaho

My commission expires 1-26-67

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G-29531

* * * * *

RECEIVED
JUN 2 1965

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:

Ivan Crouch, age 49 years, Ashton, Idaho, farmer, Ashton, Idaho

Ques. 2 Are you acquainted with H. E. Hess, the holder of
Permit No. G-29531? How long have you known him and where does he reside?

Yes, I've known him about 40 years, and he resides at Ashton, Idaho.

Ques. 3. Have you read or heard said Permit No. G-29531 read, and are you familiar
with its provisions and conditions: Yes x No.

Ques. 4. State source of water supply: subterranean

Give location of place of diversion, showing subdivision, section, township and range
SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 35, Twp. 9 N., R. 42, E.B.M., Fremont County, Idaho

Describe works for conveying water to place of use: well, with pump, mainline,
laterals and sprinklers.

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 32" How much water have you seen being so
conveyed? 32"

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

Twp. 9 N., R. 42, E.B.M. - Sec. 35 - SE $\frac{1}{4}$ SW $\frac{1}{4}$ (32).

29531

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

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.
Land has been converted to irrigated land from dry land, and requires
at least 32" for profitable cultivation.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned?
If so, in what way and to what extent? No

Ques. 10. When did you first see this water used? Spring, 1961.

Other times you have seen such use: Each irrigation season since that time.

(Signed):

Ivan Houch

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Rexburg

 , County of Madison, State of Idaho, on
this 23rd day of March, A.D. 19 66.

Lay W. Ryby

Notary Public for the State of Idaho

Residing Rexburg, Idaho

My commission expires 1-26-67

AFFIDAVIT OF
PUBLICATION

State of Idaho

County of Fremont

ss.

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

That she is the editor
of The Ashton Herald, a news-
paper as defined by Idaho
Codes Annotated, section 58-106,
as amended, and that said
newspaper is a weekly news-
paper published at Ashton,
Idaho, 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

Notice 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 4 consecutive is-
sues thereof; first publication

having been made on the 24

day of Feb, 1966,

and the last publication on the

17 day of Mar

1966.

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.

Nancy Anderson
Subscribed in my presence and

sworn to before me this 25th

day of March

1966.

Carl E. Tappan

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

RECEIVED
JUN 2 1866

Department of Reclamation

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

Notice is hereby given that
on the 23rd day of March 1966,
at Rexburg, County of Madri-
son, State of Idaho before Ray
W. Rigby, Notary Public, at
25 North 2nd East, Rexburg,
Idaho, proof will be submitted
of the completion of works for
the diversion of .64 cubic feet
per second of underground wa-
ter, from a well, and of the ap-
plication to beneficial use of
said water, in accordance with
the terms and conditions of
Permit No. G-29531, heretofore
issued by the Department of
Reclamation of the State of
Idaho.

1. The name and postoffice
address of the person or cor-
poration holding said permit
is H. E. Hess, 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 con-
veying to the place of use is
.64 cubic feet per second.

3. The use to which said
water has been applied is irri-
gation, purposes and the a-
mount applied to beneficial
use is .64 cubic feet per
second.

4. The point of diversion of
said water is SE $\frac{1}{4}$ SW $\frac{1}{4}$ of
Sec. 35, Twp. 9 N., R. 42,
E.B.M., Fremont County, Ida-
ho.

5. The place where said wa-
ter is used is SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec.
35, Twp. 9 N., R. 42, E.B.M., Fre-
mont County, Idaho.

6. The date of priority which
said user is prepared to estab-
lish is February 28, 1961.

Carl E. Tappan
State Reclamation Engineer
(Ah Feb 24, Mar 3, 10, 17,
1966) Ashton

29531

Re: Permit No. G-29531 & G-29532
H. E. Hess

February 9, 1966

Mr. Ray W. Rigby,
Attorney at Law,
Box 362,
Rexburg, Idaho 83440

Dear Mr. Rigby:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. G-29531 & G-29532, in the name of H. E. Hess as Notary on the 23rd day of March, 1966 ~~xxxxxxxxxxxxxxxxxx~~ at 25 North 2nd East, Rexburg, Idaho.

As of this date, we have mailed the Notice to the Ashton Herald Ashton, Idaho, with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof and then mail the Affidavit of Publication and statement of costs to you.

It is important that the enclosed depositions be executed by the permit holder and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the time, on the date and before you, as Notary, as stated in the publication notice. It is very important and necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been signed, that your Notary's seal has been placed on each and that all depositions, (holder and two witnesses) are being returned. Also be sure to enclose the AFFIDAVIT OF PUBLICATION.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk
cc: Applicant

2953

Re: Permit No. G-29531 & G-29532
H. E. Hess

Feb. 9, 1966

Ashton Herald,
Ashton, Idaho.

Gentlemen:

Enclosed you will find a legal notice which we wish to have published for four consecutive weeks prior to March 23, 1966. The expense of the publication is to be paid by Ray W. Rigby, Attorney of Box 362, Rexburg, Idaho to whom you should furnish proof of publication on or prior to the above date.

Please acknowledge receipt of this notice and furnish this office with a copy or tear sheet of the notice for checking at least one week prior to the first publication.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

29531

Now 36 - 4M
1/65

RECEIVED
FEB 9 1966

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

Department of Reclamation

Notice is hereby given that at 10 A.M., on the 23rd day of March
1966, at Rexburg, County of Madison, State of Idaho
before Ray W. Rigby, Notary Public, at (address) 25 North 2nd East, Rexburg, Idaho, proof will be submitted of the completion
of works for the diversion of .64 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-29531, 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 H. E. Hess, 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 .64 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
.64 cubic feet per second.

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

5. The place where said water is used is SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 35, Twp. 9 N., R.
42, E.B.M., Fremont County, Idaho.

6. The date of priority which said user is prepared to establish is

March 2, 1961 Febru. 28, 1961

Carl E. Tappan

State Reclamation Engineer

2953

RECEIVED
FEB 9 1966

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) February 7, 1966

(P. O.) Ashton, Idaho

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published
at my expense in the ASHTON HERALD of
Ashton, Idaho, Published in
the county in which the works are situated.

A. E. Nes

(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

29531

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

RAY W. RIGBY
GORDON S. THATCHER

February 7, 1966

RECEIVED
FEB 9 1966

TELEPHONE
356.8633
AREA CODE 208

Department of Reclamation

State Reclamation Department
107 State House
Boise, Idaho

Re: Permit No. G-29531 - H. E. Hess
Permit No. G-29532 - H. E. Hess

Gentlemen:

Enclosed herewith are Notice of Proof of Completion of Works and Application of Water to Beneficial Use, Form No. 36, in duplicate, and Notice, Form No. 11, covering each of the above numbered permits. Will you please send us the necessary forms to submit proof.

Yours very truly,


of RIGBY & THATCHER

ss
Enclosures

29531

March 16, 1961

Re: Permit No. G-29531 ✓
Permit No. G-29532

Mr. H. E. Hess,
Ashton, Idaho.

Dear Mr. Hess:

We enclose Permit Nos. G-29531 and G-29532 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-5734 which was issued covering payment in the amount of \$10.00 for the filing fee of the above mentioned permits.

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.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

Encl.
EPR:pmk

29531

NAME OF APPLICANT H. E. H., Ashton, Idaho

Form No. 0

R42E
Sec 35

T
9
N

well → X

Permit Map No. 29531
As Approved
GEO. N. CARTER
Reclamation Engineer

MAR 2 1961

February 23, 1961

Re: Application for Permit

Mr. H. E. Hess
Ashton, Idaho

Dear Mr. Hess:

Returned herewith ^{are} ~~is~~ your two applications for permit.

You may return the applications with the filing fee of
\$5.00 for each application.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rale
Chief Clerk

RT:
EPR:ew

29531

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G - 29531; G 29532

m January 1, 1966

H. E. Hess
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-29531 are due not later than **March 2, 1966**
G-29532 **March 2, 1966**

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

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

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

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

Very truly yours,

CARL E. TAPPAN

STATE RECLAMATION ENGINEER

Enc. Form 36 and 11 (2 sets)

cc:

29531

LEGALS

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

Notice is hereby given that on the 23rd day of March 1966, at Rexburg, County of Madison, State of Idaho, before Ray W. Rigby, Notary Public, at 25 North 2nd East, Rexburg, Idaho, proof will be submitted of the completion of works for the diversion of .64 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-29531, 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 H. E. Hess, 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 .64 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 .64 cubic feet per second.

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

5. The place where said water is used is SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 35, Twp. 9 N., R. 42, E.B.M., Fremont County, Idaho.

6. The date of priority which said user is prepared to establish is February 28, 1961. ✓

Carl E. Tappan
State Reclamation Engineer
(Ah - Feb. 24, Mar. 3, 10, 17, '66)

29531