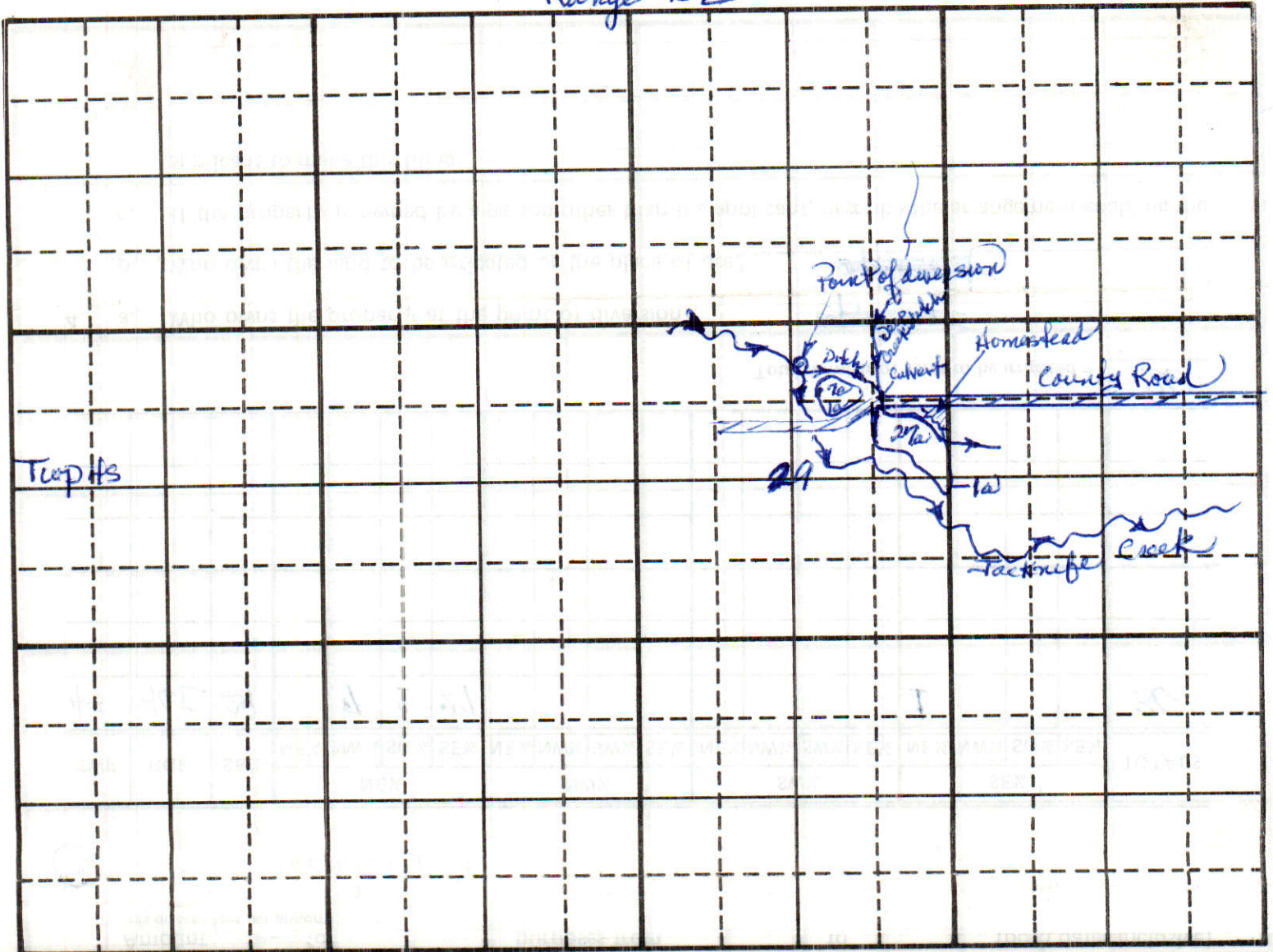


Complete the following map by showing land and point of diversion as proposed by this amendment.

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

Range 40E



Scale: 2 inches equal 1 mile.

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

Signed at _____, this 11 day of May, 1980.

Rep. A. Spackman
(Signature)

FOR DEPARTMENT USE ONLY

16048

Preliminary check by Jim Fee = \$20.00

Received by sg Date 5-27-1980

N/A Publication prepared by _____ Date _____

N/A Published in _____

N/A Publication dates _____

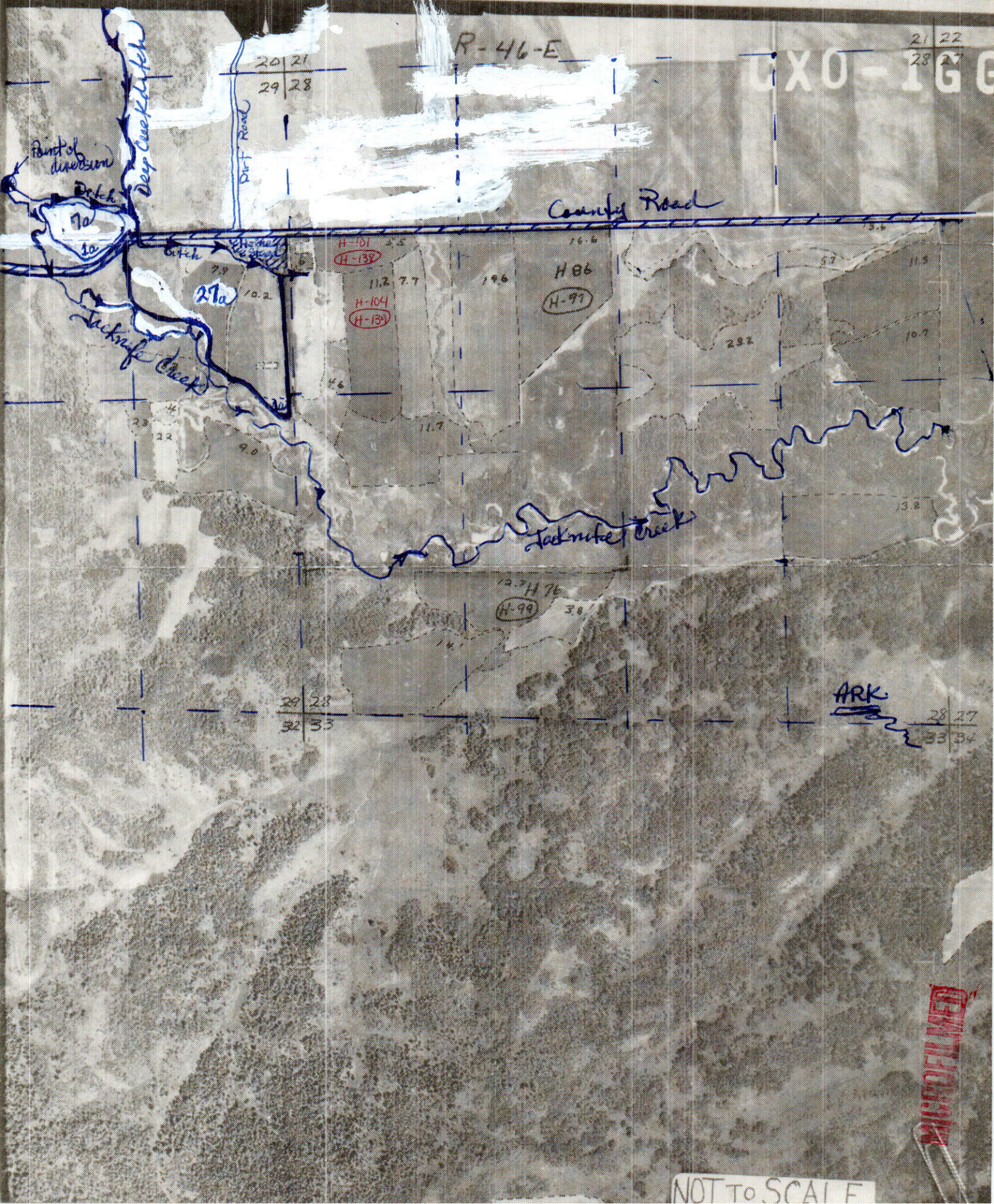
ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, C. STEPHEN ALLRED, of the Department of Water Resources hereby

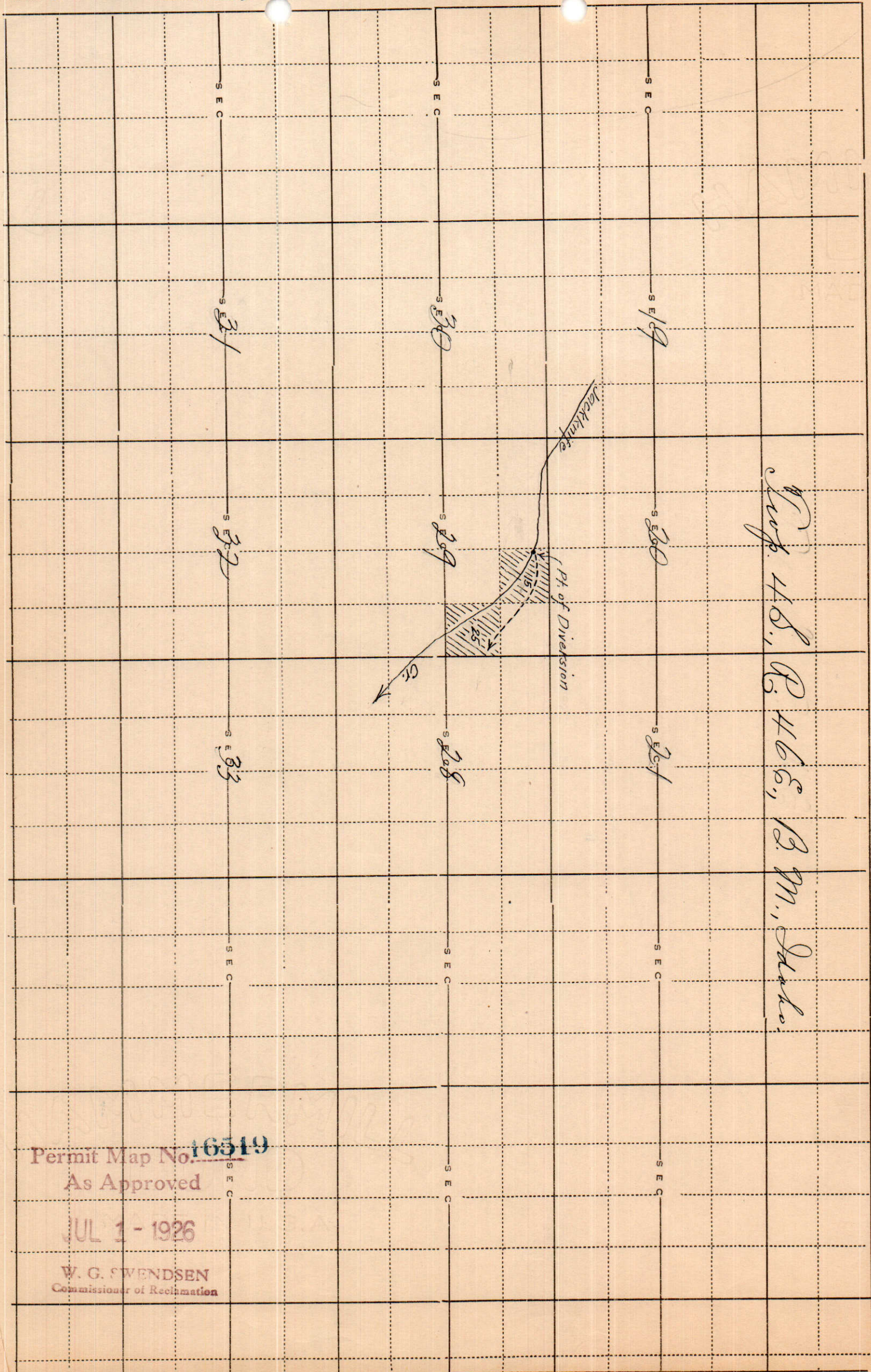
APPROVE the above referenced Amendment for Permit No. 24-2030.

Witness my hand this 13 day of June, 1980.

Stephen Allred
Director



E. A. Spackman



Tract 468, R. 468, B. 37, S. 37, T. 37

Permit Map No. 16519

As Approved

JUL 1 - 1926

W. G. SWENDSEN
Commissioner of Reclamation

16519

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 24-2030 Priority (late proof)
September 26, 1968 Amount 0.72 cfs

THIS IS TO CERTIFY, that REX SPACKMAN
of Ashton, Idaho, has complied with the terms and conditions of Permit
No. 24-2030 issued pursuant to Application for Permit dated June 28, 1926,
and has submitted proof to the Department of Water Resources on September 29, 1975,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 1.96 cfs of water from Jackknife Creek,
tributary to Salt River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	<u>from April 15 to October 15</u>	<u>at .72 cfs</u>	<u>and 108 acre feet</u>
_____	_____	_____	_____
_____	_____	_____	_____

(both dates inclusive)

Subject, however, to the condition that no more than 0.72 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
108 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 29, Twp. 4S,
Rge. 46E, B.M. in the County of Bonneville

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 $\frac{1}{4}$	
4S	46E	29			1	27													36

Total number of acres irrigated 36

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

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 29 day of
May, 19 80.


Director

STATE OF IDAHO

RECEIVED

MAY 19 1960

APPLICATION FOR AMENDMENT OF A PERMIT

Department of Water Resources

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

Comes now Rex Spackman Phone

of (address) State Fish Hatchery, Ashton, Idaho 83420, and represents to the
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho
No. 24-2030, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NO CHANGE 1/4, Section, Township, Range, B.M.,
County of. Other points of diversion:

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

Amount 0.72 for Irrigation purposes from 4-15 to 10-15 (both dates inclusive)
(cfs or acre feet per annum)
Amount for purposes from to (both dates inclusive)
(cfs or acre feet per annum)
Amount for purposes from to (both dates inclusive)
(cfs or acre feet per annum)
Amount for purposes from to (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated:

TWP	RGE	SEC	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	
4S	46E	29		7	1	27									1				36

Total number of acres to be irrigated = 36

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

MICROFILMED

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

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

Range 40E

Twp 4S

Point of diversion

Homestead County Road

Tackniff Creek

29

29a

1a

Scale: 2 inches equal 1 mile.

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

Signed at _____, this 11 day of May, 1980.

Rep. A. Spackman
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by Jim Fee = \$20.00

Received by ag Date 5-27-1980

N/A Publication prepared by _____ Date _____

N/A

Published in _____

N/A Publication dates _____

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, C. STEPHEN ALLRED, of the Department of Water Resources hereby

APPROVE the above referenced Amendment for Permit No. 24-2030.

Witness my hand this 13 day of June, 1980

C. Stephen Allred
Director

State of Idaho
Department of Water Resources
ASSIGNMENT OF PERMIT

545
750
NOV 21 1979
ck 6
Department of Water Resources
Eastern District Office

I, E.A. Spackman, hereby assign to Rex Spackman

of State Fish Hatchery, Ashton, ID 83420

Address

NOV 16 1979

RECEIVED

CHECK ONE



All my right, title, and interest in and to Permit No. 24-2030 Department of Water Resources to appropriate the public waters of the State of Idaho.



The following described portion of my right, title, and interest in and to Permit No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within each 40 acre subdivision, the point of diversion and the amount of water in cubic feet per second for direct diversion, or acre feet for storage)

Made this 9th day of November, 19 79.

E.A. Spackman
Permit Holder

Wendell

Spouse of Permit Holder

State of Idaho)
County of Fremont) ss.

On this 9th day of November, 19 79, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

seal

James E. Holcomb
Notary Public residing at
Ashton, Idaho

My commission expires:

5/8/83

MICROFILMED

R

Proof of Publication

The Post-Register

State of Idaho,
County of Bonneville } ss.

I, E. F. McDermott, first being duly sworn, depose and say: That I am the Principal Clerk of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931, and each of said newspapers having been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eighty (78) weeks and said Post-Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post-Register for two consecutive weeks, first publication having been made on the 27th day of November, 1975, last publication having been made on the 4th day of December, 1975, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this 5th day of December, 1975.

Karesdale
Notary Public

My commission expires April 5, 1979.

B10, 1M

**NOTICE OF EXISTING
WATER PERMIT**
Notice is hereby given that E. A. Spackman of Freedom, Wyoming, has received an approved Permit No. 16519/24-2030 issued by the Idaho Department of Water Resources authorizing the diversion of 0.80 cubic feet per second of water from Jackknife Creek. The priority to be established under this permit is September 26, 1968, and the permit was approved July 1, 1976. Water is to be diverted by headgate and ditch from a point within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 29, Twp. 4 S, Rge. 46 E.B.M., Bonneville County, to be used for irrigation purposes in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 29, Twp. 4 S, Rge. 46 E.B.M.
Proof of the application of the water to beneficial use was submitted to the Department on September 29, 1975. Any protest against the issuance of the license for the above referenced permit should be filed with the Idaho Dept. of Water Resources, State Capitol, Boise, Idaho, 83720, within ten (10) days of the last date of publication of this notice.
R. KEITH HIGGINSON
Director
Published in the Idaho Falls Post-Register, Idaho Falls, Idaho, on November 27, 1975 and December 4, 1975.

STATE OF IDAHO

ORDER

WHEREAS, on July 1, 1926, the Department approved said application and issued Permit No. 16519/24-2030 with the condition that one-fifth of the work be completed on or before July 1, 1927; and that the whole of said works be completed on or before July 1, 1928; and that the water be appropriated to a beneficial use on or before July 1, 1933; and

WHEREAS, on September 2, 1975, the Department notified the permit holder that Permit No. 16519/24-2030 was subject to cancellation for failure to make proof of beneficial use of water on or before July 1, 1933; and

WHEREAS, Section 42-218a of the Idaho Code provides that in the event that proof of beneficial use is submitted after the deadline set forth in the conditions of approval, the priority date of such permit shall be advanced the same number of days that said proof is late;

Dated this 2/ day of October, 1975.

100-443887-100

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

IN THE MATTER OF Permit No. 16519/
24-2030 in the name of E. A. Spackman

ORDER MODIFYING THE REQUIREMENTS
FOR COMPLETION OF PERMIT TO
APPROPRIATE WATER

WHEREAS, the 39th Idaho Legislature made certain amendments to the Idaho Water Law; and

WHEREAS, these changes raised questions as to the procedures to be followed by holders of permits issued prior to the effective date of the amendments, May 31, 1967; and

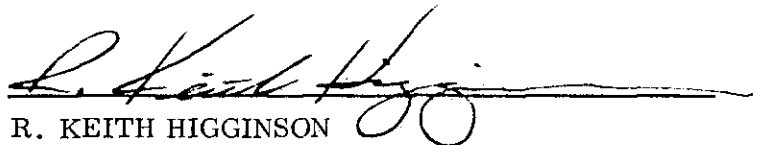
WHEREAS, on August 1, 1968, the Department of Water Resources (formerly the Department of Reclamation) adopted Rules of Practice and Procedure for the processing of such permits issued prior to May 31, 1967; and

WHEREAS, Permit No. 16519/24-2030 was issued previous to that date;

NOW THEREFORE, the requirements for completion of the above numbered permit are hereby modified to conform to the adopted Rules of Practice and Procedure as follows:

1. The above numbered permit will be completed under the terms of Title 42, Chapter 2, Idaho Code, as amended by the 39th Idaho Legislature.
2. The conditions of the above numbered permit are modified as follows:
 - a. Notice of the issuance of the permit will be published at the permit holders expense for two weekly issues in a newspaper of general circulation in the county in which the point of diversion lies.

Dated this 21 day of October, 1975.


R. KEITH HIGGINSON
Director

RECORDED
INDEXED

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

24-2030

Application No. 23368
Permit No. 16519
District No.

1. Name of Applicant: E. A. Spackman

Postoffice address: Freedom

County: Lincoln

State: Wyoming

I. If applicant is a corporation, give:

(a) Date and place of incorporation:

(b) Amount of capital stock:

(c) Amount paid in:

(d) Names and addresses of directors:

II. The financial resources of the applicant are:

(a) Cash on hand:

(b) Treasury stock:

(c) Bonds to be issued:

(d) Other resources:

2. Quantity of water claimed: 0.8 cubic feet per second.

3. Source of water supply: Jackknife Creek which is a tributary of Salt River

4. Location of point of diversion: feet distant from the
corner of Section , T. , R. , B. M., and is in the NW $\frac{1}{4}$ NE $\frac{1}{4}$
of Section 29 , T. 4 S. R. 46 E., B. M., County of Bonneville

5. Water is to be used for: irrigation

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

(a) Point of use of water: feet distant from corner of Section
T. , R. , B. M., in the of Section , T. , R. , B. M.

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

(c) Water is to be returned to at a point feet
distant from the corner of Section , T. , R. , B. M., in the
of Section , T. , R. , B. M.

7. Estimated cost of works: \$ 100.00

8. Kind of works: repairing headgate and enlarge ditch

9. Height of dam feet; length of dam at top feet; length of dam at bottom
feet; material used in dam:

10. Size of headgate: Width 4 feet; height 2 feet

11. Ditch: Width at bottom 2 $\frac{1}{2}$ feet; width at water line 3 feet; depth of water 1
feet; dimensions of flume

Diameter of pipe inches; length of conduit 1/2 miles.

Average grade per mile 5 feet

12. The time required for the completion of such work is 2 years.

13. The time required for the complete application of the water to the proposed use is 5 additional years.

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

15. (a) Is reservoir to be used? **No.** If so, fill in (b) and (c) below.
 (b) Name of reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

14 Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
4S.	46 E.	29	15				25												40

PERMIT NO. 16519
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that E. A. Spackman, of Freedom, County of Lincoln, and State of Wyoming, the holder of Permit No. 16519, issued upon Application No. 23368, bearing date of priority of June 28, 1926, authorizing the diversion of 0.8 second feet of the waters of Jackknife Creek, County of Bonneville, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 0.8 second feet of the waters of Jackknife Creek; that the point of diversion of said waters is in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 29, Twp. 4 S., R. 46 E., B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: NW $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 29, Twp. 4 S., R. 46 E., B. M.

Witness my hand this 2nd day of July, A. D. 1928.

GEO. N. CARTER
Commissioner of Reclamation

Proof of Completion of Works made June 28, 1928.
Certificate issued July 2, 1928.



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

June 13, 1980

Rex Spackman
State Fish Hatchery
Ashton, Idaho 83420

Dear Mr. Spackman,

RE: License No. 24-2030

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit.

Also enclosed is a copy of the approved Application for Amendment along with Receipt No. 16048 in the amount of \$ 20.00 .

Sincerely,

JAN GROVER
Water Rights Supervisor

JG/kw
Enclosure

APPROFILMED



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

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

April 23, 1980

Rex Spackman
State Fish Hatchery
Ashton, Idaho 83420

Dear Mr. Spackman,

A representative of this Department made an examination of the works covered by your Permit No. 24-2030 on July 19, 1979, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 0.72 cfs Source: Jacknife Creek

The maximum quantity diverted shall not exceed 108 acre feet
per year.

Point of diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 29, Twp. 4S, Rge. 46E, B.M.

Beneficial use: Irrigation of 36 acres within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 29, Twp. 4S, Rge. 46E.

Priority date established: September 26, 1968

In order for the Department to issue the above license, it will be necessary for you to amend the permit to correspond with the findings of the field examiner. We are enclosing a partially completed amendment form for your use in this matter.

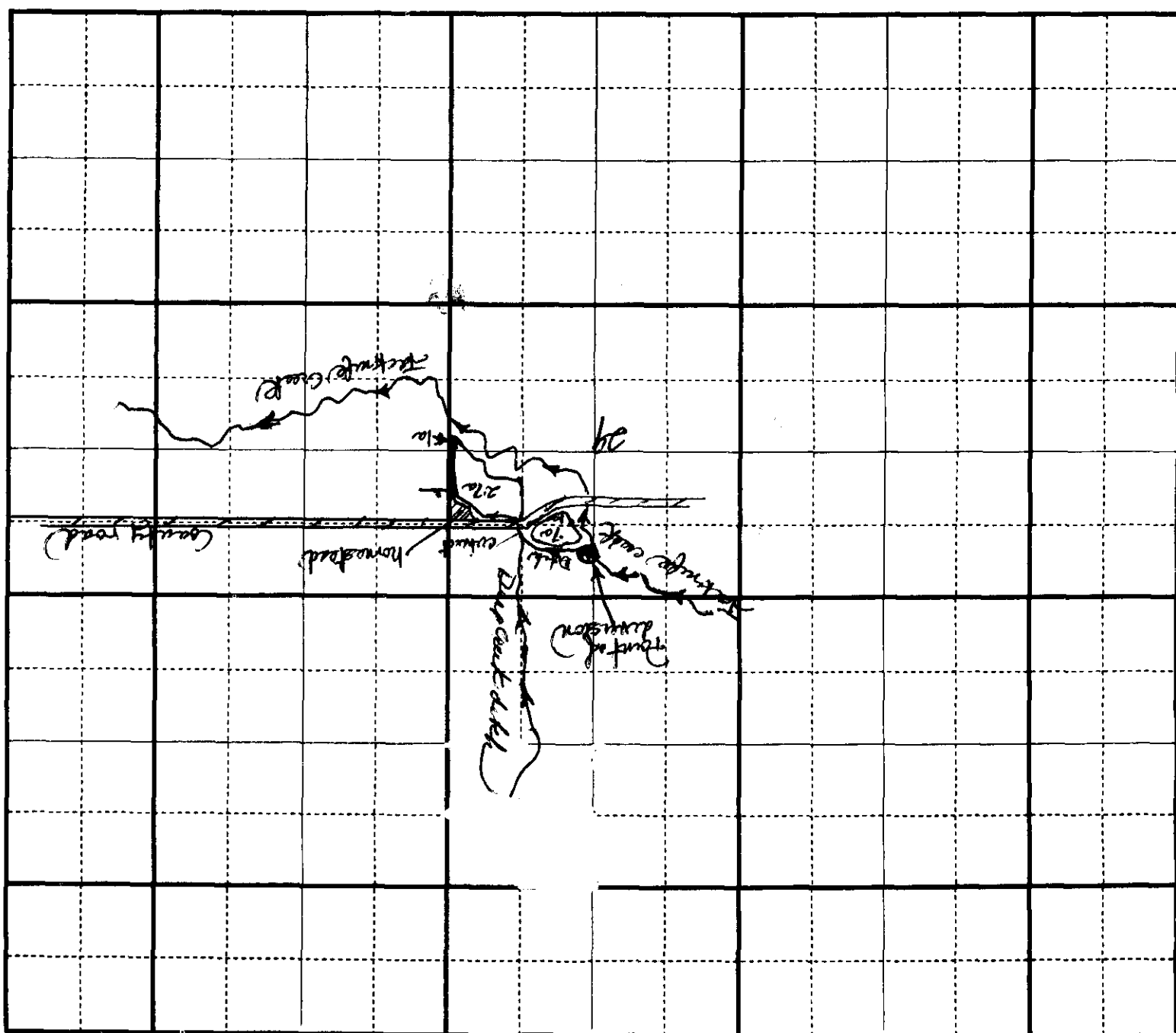
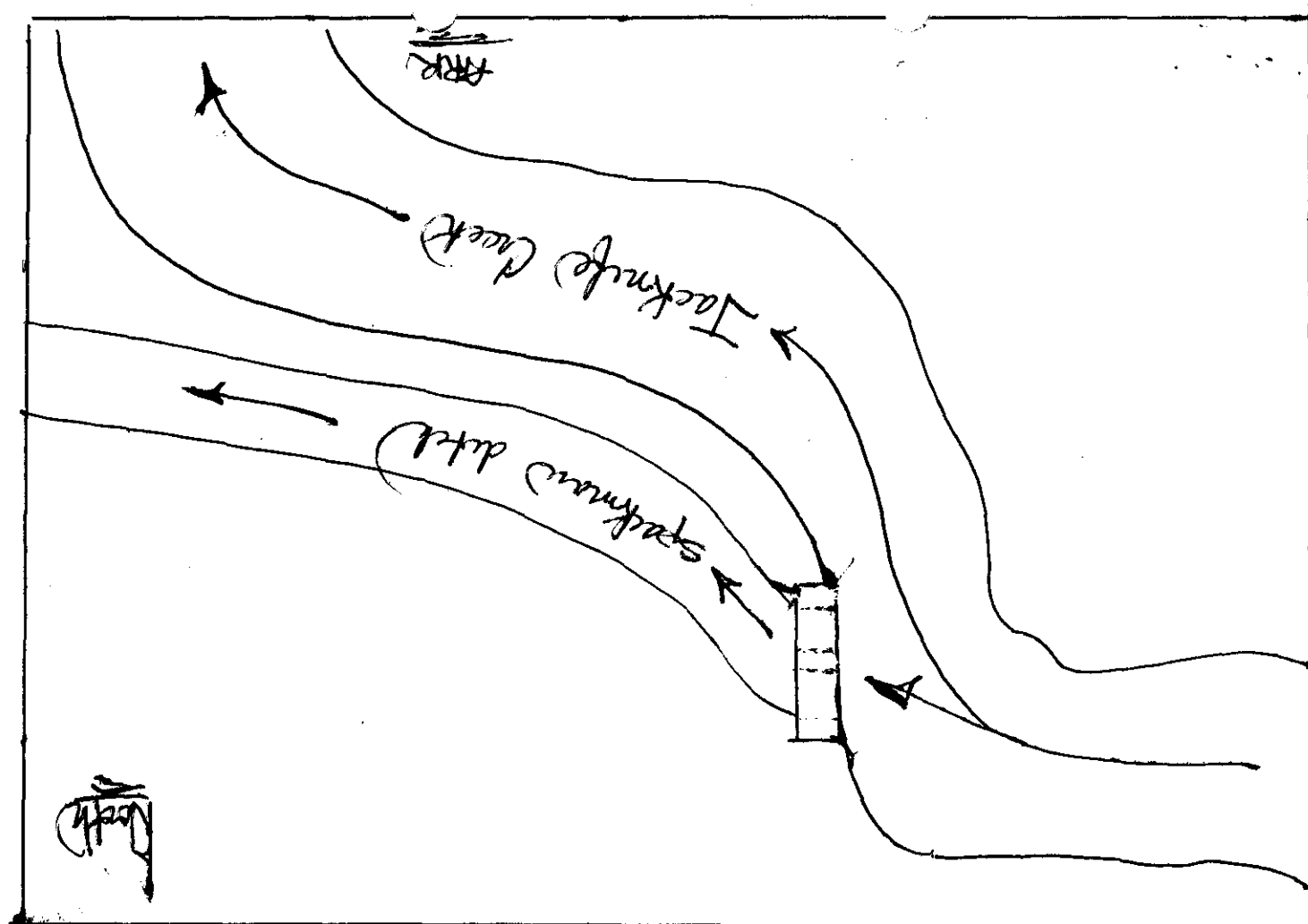
Please sign the amendment application and return it to this office along with a \$20.00 filing fee within 30 days in order that we might issue your license as set forth above. If you do not concur with these findings or have any questions, please contact us within the 30-day period.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG:j
Enclosure

MICROFILMED



DATE OF EXAM 19th day of July, 1979

ACREAGE
Found 36a
Recommended 36a

Irrigation Requirement 3.0 Ac Ft/Ac

USE

Irrigation Q = .72 c.f.s. V = 108 AF/Ann. from June 1 to Sept. 20
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no X

Name source: n/a
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Exchange? yes _____ no X

Name source exchanged with: n/a
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of injection: n/a
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of exchange: n/a
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Total Q measured 1.96 cfs Method of measurement Department current meter

Total Q recommended .72 cfs Meter No. R-1009 Type Pygmy Condition std

Total V recommended 108 AF/yr

Recommended Amendments:

P.D. _____
Place of Use See rough draft amendment
Other _____
None _____

MEASUREMENT CALCULATION:
See reverse side for pygmy meter measurement - Q = 1.96 cfs
Note: This ditch is shared by McGowan, Robinson Ranches, and Spackman.

Volume = 36a x 3.0 AF/a/yr = 108 AF/yr < 1.9835 x .72 cfs x 112 d/s = 159.9 AF/yr

SYSTEM DESCRIPTION:
Water is diverted from Jacknife Creek through a headgate and into a 2' wide x 1' deep ditch which is shared by McGowan, Robinson Ranch, and Spackman. The water is discharged into a second ditch which directs water from Deep Creek and then traverses beneath the county road and onto Spackman's property. Spackman is first on the ditch. The acreage is flood irrigated by directing ditch water with a canvas dam. The Acreage is diked north to south. Hay is raised on acreage south of the county road - Pasture is irrigated north of the county road. The irrigation system was shown & described by E.A. Spackman.

Examiner's Signature Anthony R. Kozlowski Date Dec 7, 1979

Checked by John D. Carlson Date 12/13/79

Approved by _____ Date _____

Pymy meter me - uement

<u>meas</u>	<u>Distance</u>	<u>depth</u>	<u>width</u>	<u>Area</u>	<u>Rev.</u>	<u>time</u>	<u>Vel</u>	<u>Discharge</u>
1.	RB	—	—	—	—	—	—	—
2.	.25	.40	.25	.10	40	42	.956	.096
3.	.50	.82	.25	.21	50	46	1.090	.229
4.	.75	1.12	.25	.28	100	68	1.450	.406
5.	1.00	1.25	.25	.31	60	42	1.410	.136
6.	1.25	1.20	.25	.30	60	41	1.450	.435
7.	1.50	1.10	.25	.275	60	41	1.450	.399
8.	1.75	.75	.25	.188	60	45	1.32	.248
9.	LB	—	—	—	—	—	—	—

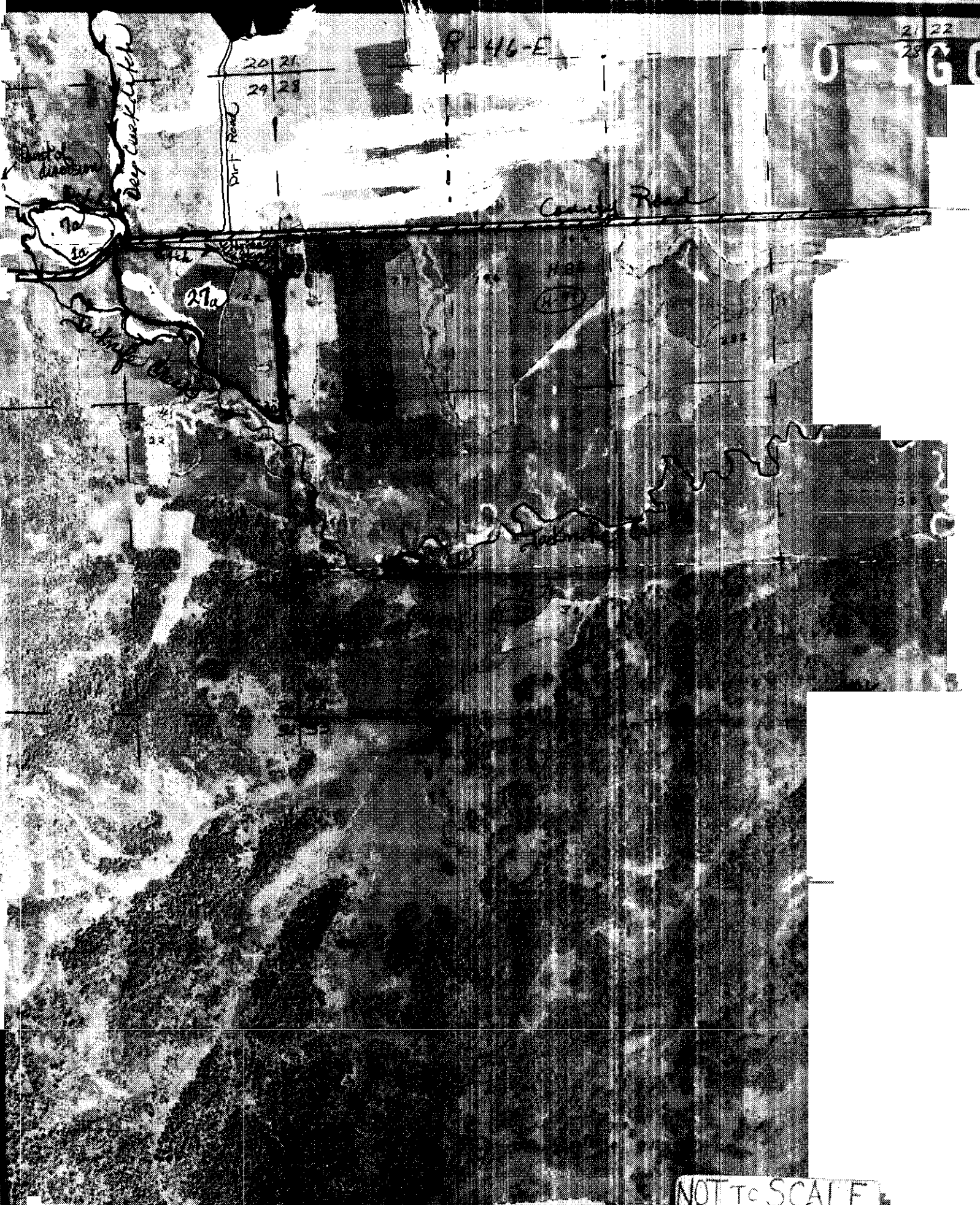
$$\underline{Q_{total}} = 1.95 \text{ cfs}$$

measurement was made
in the shared ditch
on Spackman's property.
The ditch is 2' wide
and approx 1' deep.

P-46-E

10-160

20 21
29 28



NOT TO SCALE

E. R. D. But I am
not sure of the property boundaries
and I am not sure of the points of
diversion.

Tony

I've outlined the property boundaries in blue and areas to
be irrigated in red. I've also showed roughly points of
diversion.

If this isn't clear, call me and maybe I can straighten
it out over the telephone.

F.R.D.

RECEIVED

NOV 14 1979

Department of Water Resources
Eastern District Office



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

January 31, 1978

RE: Permit No. 24-2030

E. A. &/or Rex A. Spackman
Freedom,
Wyoming 83120

Gentlemen:

Our records show that a field examination of your irrigation system still needs to be completed. As this examination has been in our files for many years, we are looking forward to its completion this coming irrigation season. Upon completion of the exam, a license will be issued to you for the amount of water you are actually putting to a beneficial use.

Please contact me at this office when you are irrigating the lands described on your permit.

Thank you for your assistance in this matter.

Very truly yours,

ANTHONY R. KOZLOWSKI
Water Resource Agent

ARK:cw

RECEIVED
JAN 31 1978
WATER RESOURCES
IDAHO FALLS, IDAHO

November 28, 1979

Rex Spackman
State Fish Hatchery
Ashton, ID 83420

Re: Permit No. 24-2030

Dear Mr. Spackman:

This office acknowledges receipt of the assignment conveying the above referenced permit to you. The assignment has been entered into the Department's records.

Enclosed for your records is a copy of the permit.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG:pb

Enclosure



January 7, 1976

Re: Permit No's. 24-2030 and 24-2031

E. A. Spackman
c/o Rex Spackman
Box 748
Twin Falls, Idaho 83301

Dear Mr. Spackman:

We acknowledge receipt of the affidavit of publication submitted in connection with Permit No. 24-2030. We also have withdrawn 24-2031 from our records.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell during which part of the irrigation season this examination will be made, but our examiner will try to contact you at the time he makes the exam so that you may show him the system.

If you have any questions regarding the field exam, please contact our District Office in Idaho Falls.

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:JFR

State Of Idaho
Dept. Water Resources
Boise, Idaho.

Twin Falls, Idaho
Dec. 19, 1975

Enclosed is a proof of publication for water permit number 24-2030.

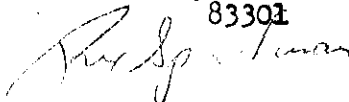
In regards to permit number 24-2031, my dad and I have decided to go no farther on this one because it was not proved up on. There was a misunderstanding between us on the name of the original spring. He was referring to one spring and I to to another, so we don't have any claim on the Water Crest Spring.

We do however claim use of water out of Jackknife Creek. I hope this proof of publication is the material you need.

Sorry for the delay.

Thank You.
Rex A. Spackman
Box 748
Twin Falls, Idaho.

83301



RECEIVED

DEC 22 1975

Department of Water Resources

INTER-DEPARTMENT MEMO — 1

FROM Colleen

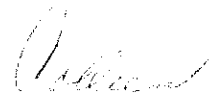
DATE December 30, 1975

TO Darlene

SUBJECT Permit No. 24-2030

Rex Spackman came into the office yesterday with this affidavit. He said he had already submitted one to the Boise office but was not sure it had been received. He asked me if I would send a copy of it to the person who should have it. SO HERE IT IS!

RECEIVED
DEC 31 1975
FBI - BOISE



SIGNATURE



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

December 18, 1975

Re: Permit No's. 24-2030 & 24-2031

E. A. Spackman
Freedom,
Wyoming 83120

Dear Mr. Spackman:

As of this date, we have not received the affidavit of publication to be submitted in connection with Permit No. 24-2030.

We cannot schedule a field examination, or issue a license until this affidavit of publication is received.

Please submit the affidavit within 10 days in order that this permit may remain in good standing with our office.

Also note that we have not yet received authorization to advertise Permit No. 24-2031.

Please submit the authorization to this office along with the affidavit of publication.

Sincerely,

JANICE ROHM
Secretary

JFR

cc: Rex A. Spackman
Box 748
Twin Falls, ID 83301

Microfilm

NOV 18 1975

NOTICE OF EXISTING WATER PERMIT

Department of Water Resources
Eastern District Office

Notice is hereby given that **E. A. Spackman of Freedom, Wyoming,**

_____ has received an approved Permit No. 16519/24-2030 issued by the Idaho Department of Water Resources authorizing the diversion ~~XXXXXX~~ of 0.80 cubic feet per second ~~XXXXXX~~ ~~per second~~ of water from Jackknife Creek

The priority to be established under this permit is September 26, 1968,
and the permit was approved **July 1, 1926**

Water is to be diverted by headgate and ditch
from a point within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 29, Twp. 4 S, Rge. 46 E, B.M.,
Bonneville County,
to be used for irrigation purposes
in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 29, Twp. 4 S, Rge. 46 E, B.M.

Proof of the application of the water to beneficial use was ~~disclosed~~ submitted to the Department on ~~September 29, 1975~~ September 29, 1975. Any protest against the issuance of the license for the above referenced permit should be filed with the Idaho Dept. of Water Resources, State Capitol, Boise, Idaho, 83720, within ten (10) days of the last date of publication of this notice ~~or~~ ~~protest to the licensing of the proposed water use shall be deemed to be a protest to the beneficial use of the water.~~

R. KEITH HIGGINSON

Director

Published in the Idaho Falls Post Register, Idaho Falls, Idaho,
on, November 27, 1975 and December 4, 1975

Permit No. 16519/24-2030

Director:

You are hereby authorized to have the above notice published at my expense in the Idaho Falls Post Register of Idaho Falls, Idaho; published in the county in which the works are situated.

E. A. Spackman
(Signature) E. A. Spackman

FREEDOM Wyoming
(Address)

Nov. 14, 1975
(Date)

PLEASE BILL REX A. SPACKMAN
BOX 748
TWIN FALLS, IDAHO

November 19, 1975

Re: Permit No. **16519/24-2030**

Idaho Falls Post Register
Box 1800
Idaho Falls, Idaho 83401

Gentlemen:

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

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

The expense of the publication is to be paid by:

Rex A. Spackman
Box 748
Twin Falls, Idaho 83301

to whom you should furnish an affidavit of publication.

Very truly yours,

JANICE ROHM
Secretary

JR

November 19, 1975

Re: Permit No. 16519/24-2030

E. A. Spackman
c/o Rex A. Spackman
Box 748
Twin Falls, Idaho 83301

Dear Mr. Spackman:

We have caused the legal notice for the above referenced permit to be published in the Idaho Falls Post Register on November 27 and December 4, 1975.

You will be required to submit an affidavit of publication to this office. The affidavit may be obtained from the above mentioned newspaper upon payment of the publication fees. We have asked the newspaper to bill you direct.

We also need your permission to advertise Permit No. 16520/24-2031. However, we cannot do this until you return the form which was sent with the form for Permit No. 16519/24-2030. A copy of that form is enclosed.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:jfr

Enclosure

October 21, 1975

Re: Permits No. 16519/24-2030
16520/24-2031

Mr. E. A. Spackman
Freedom,
Wyoming 83120

Dear Mr. Spackman:

This office acknowledges receipt of your proof affidavits submitted in connection with the above referenced permits. Enclosed you will find Orders which advance the priority date under each permit.

During the 1967 session of the Idaho Legislature, certain amendments were made in the law pertaining to the procedures for making proof of beneficial use of water. In order for the Department to comply with these changes, Rules of Practice and Procedure were adopted on August 1, 1968. Generally, these procedures and the amended law make it simpler for a permit holder to make proof.

The enclosed Orders modify your permits to comply with these rules and regulations. As a part of the new procedure, you will be required to publish a notice at your expense for two consecutive weeks in a newspaper as prescribed by the Department. If you will sign the return the enclosed advertising authorizations, we will cause the notices to be published and ask the newspaper to bill you direct.

Please return the authorizations at your earliest convenience. If you should have questions regarding any of the above matters, please do not hesitate to contact us.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

ddr

Enc: Orders (4)
Advertising authorizations (2)



RECEIVED

SEP 29 1975

Department of Water Resources
Eastern District Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Identification No. _____

Permit No. 24-2030

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder E. A. SPACKMAN
b) Post Office Address Freedom, Idaho
2. Permit Number 24-2030
3. Date of Priority that you are prepared to establish June 28, 1926
4. a) Source from which water was appropriated Jackknife Creek
b) Location of the point of diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 29
Township 4S, Range 46E Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
Amount 0.80 cfs for Irrigation purposes from June 1 to Sept. 20 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 0.80 cfs and/or acre-feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: _____
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____
b) Describe the agreement or understanding by which you take water from the works: _____
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) Concrete diversion in stream to earth ditches.
b) Describe the type and size of measuring device which you have installed at your point of diversion: _____
c) Give well driller's name and address and the date the well was completed: _____
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: _____

1-5-76

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4S	46E	29		15		25													40

Total number of acres irrigated 40

10. Remarks: _____

The above information is a true statement of the extent to which the above numbered permit has been developed.

Sept 29 1975 E A Spackman
(Date) (Signature)

State of Idaho)
) ss.
County of Bonneville)

On this 29th day of September, 19 75, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Loren O. Holman
Notary Public residing at Idaho Falls
Idaho

My commission expires March 21, 1979

September 19, 1975

Re: Permits No. 16519/24-2030
16520/24-2031

Mr. Rex Spackman
P.O. Box 748
Twin Falls, Idaho 83301

Dear Mr. Spackman:

Pursuant to our phone conversation of this date, I am herewith forwarding copies of the above referenced permits.

As per our discussion, you will note that the permits propose a specific priority date, June 28, 1926, and in order to perfect the permits your father was required to make proof of application of the water to beneficial use on or before July 1, 1930 and July 1, 1933. Since this was not accomplished at that time, the permits are subject to cancellation. Idaho law requires that the priority of permits be advanced the same number of days that said proof is late; this would mean that if proof were made now, the permits would end up with a 1968 and 1971 priority.

Enclosed are two proof of beneficial use affidavits in the event your father wishes to make the required proof. Also enclosed are two Claim to a Water Right forms should he also decide to file a record of the earlier use of the water.

If it would be more convenient for you to handle these matters for your father, he can delegate that authority to you by completing the enclosed Power of Attorney. If you have further questions regarding the permits or proof &/or claim procedures, please contact this office or our District Office in Twin Falls.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

ddr

Enc: Copies of permits
Proof affidavits (2)
Claim forms (2)
Power of Attny

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

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

- ☐ Show to whom and date delivered..... 15¢
☐ Show to whom, date, & address of delivery.. 35¢
☐ DELIVER ONLY TO ADDRESSEE and
show to whom and date delivered..... 65¢
☐ DELIVER ONLY TO ADDRESSEE and
show to whom, date, and address of
delivery 85¢

2. ARTICLE ADDRESSED TO:

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	32184	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE

4. DATE OF DELIVERY

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S
INITIALS

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

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

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

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



RETURN
TO



September 2, 1975

CERTIFIED MAIL # 32184

Re: Permit No. 16519 (New No. 24-2030)

E. A. Spackman
Freedom,
Wyoming 83120

Dear Mr. Spackman:

It appearing to the Department of Water Resources (formerly the Department of Water Administration) that the terms and conditions of Permit 16519/24-2030 to appropriate the public waters of the State of Idaho have not been complied with as to failure to submit proof of beneficial use of water due on July 1, 1933, you are hereby notified that under the provisions of Section 42-311, Idaho Code, as amended, said permit is hereby held for cancellation, and you are required to show cause before the Director of the Department of Water Resources on or before October 12, 1975, why said permit should not be cancelled.

Permit 16519/24-2030 claims the use of 0.8 cubic feet per second of water from Jackknife Creek, the point of diversion was to be located within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 29, Twp. 4 S, Rge. 46 E, B.M. and the permit was approved July 1, 1926.

s/ R. Keith Higginson

R. KEITH HIGGINSON
Director

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

May 8, 1933

Mr. E. A. Spackman
Freedom, Wyoming

Dear Sir:—

I enclose herewith blank notice of proof of application of water to beneficial use under your permit No. 16519, which should be filled out and returned to this office at least 60 days before the date upon which you wish to make proof. The date for proof, as set out in your permit, is July 1, 1933, and, if proof is submitted subsequent to said date, your priority will be brought down a length of time equal to the time elapsing between the date proof should have been made and the date proof is actually made.

Yours truly,

R. W. FARIS
~~REGISTERED~~
Commissioner of Reclamation.

16519

July 2, 1928

Re: Permits 16519-16520

Mr. E. A. Spackman
Freedom, Wyoming

Dear Sir:

Enclosed you will find Certificates of Completion of Works issued under the above numbered permits, with receipts for fees paid.

Very truly yours,

GEO. N. CARTER
Commissioner of Reclamation

By

Chief Clerk

Encl.

16519

Permit No.

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF ^{Wyoming}~~IDAHO~~,
County of Lincoln } ss

E.A. Spackman, being first duly sworn, upon his oath deposes and says:
First: That he is the holder and owner of Permit to appropriate the Public Waters of the state of Idaho, No. 16519, and that his postoffice address is Freedom
State of Wyoming

Second: That the name of the stream from which said water is to be diverted is Jack Knife Creek

Third: That the point of diversion of said water is in the N.W. 1/4 of N.E. 1/4 Sec. 29 Tp. 4 South Range 46 East, Boise Meridian

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by July 1st, 1928, 19.....

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

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

I. Kind of works: Repairing Headgate and enlarging ditch
(Reservoir, dam, ditch, flume, pipe or otherwise.)

II. Dimensions of work:

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

(State whether wood, earth, stone or concrete.)

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

(c) Size of headgate: Width 4 feet, height 2 feet.

(d) Conduit Ditch width at bottom 2 1/2 feet, width at water line 3
(State whether ditch, flume or pipe.)
feet, depth of water 1 feet; diameter of pipe --- inches, average grade per mile is 5 feet. Length of conduit is 1/2 miles.

Seventh: That said works are capable of conducting to the place of intended use 0.8
.....second feet of water.

Eighth: That water appropriated under said permit is available for 40 acres of land described as follows: 15 acres in the NW 1/4 of NE 1/4 and 25 acres in SE 1/4 of NE 1/4 Sec. 29 Tp 4 South, Range 46 East, Boise Mer.

Ninth: Remarks: That

E.A. Spackman
(Sign here)

Subscribed and sworn to before me this 28th day of June, 19 28

My commission expires Oct. 16th, 1931

Paul Berman
Notary Public.

16519

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

April 5, 1928

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

E. A. Speckman,
Freedom, Wyoming.

Boise, Idaho,

Dear Sir:—

Under the terms of your permit No. 16519 you are required to complete your diversion works on or before July 1, 1928 ¹⁶⁵¹⁷ I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

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

Yours truly,

GEO. W. CARTER

Commissioner of Reclamation.

16519

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

Permit No. 16519

Mr. E. A. Spackman
Freedom, Wyoming
Dear Sir:

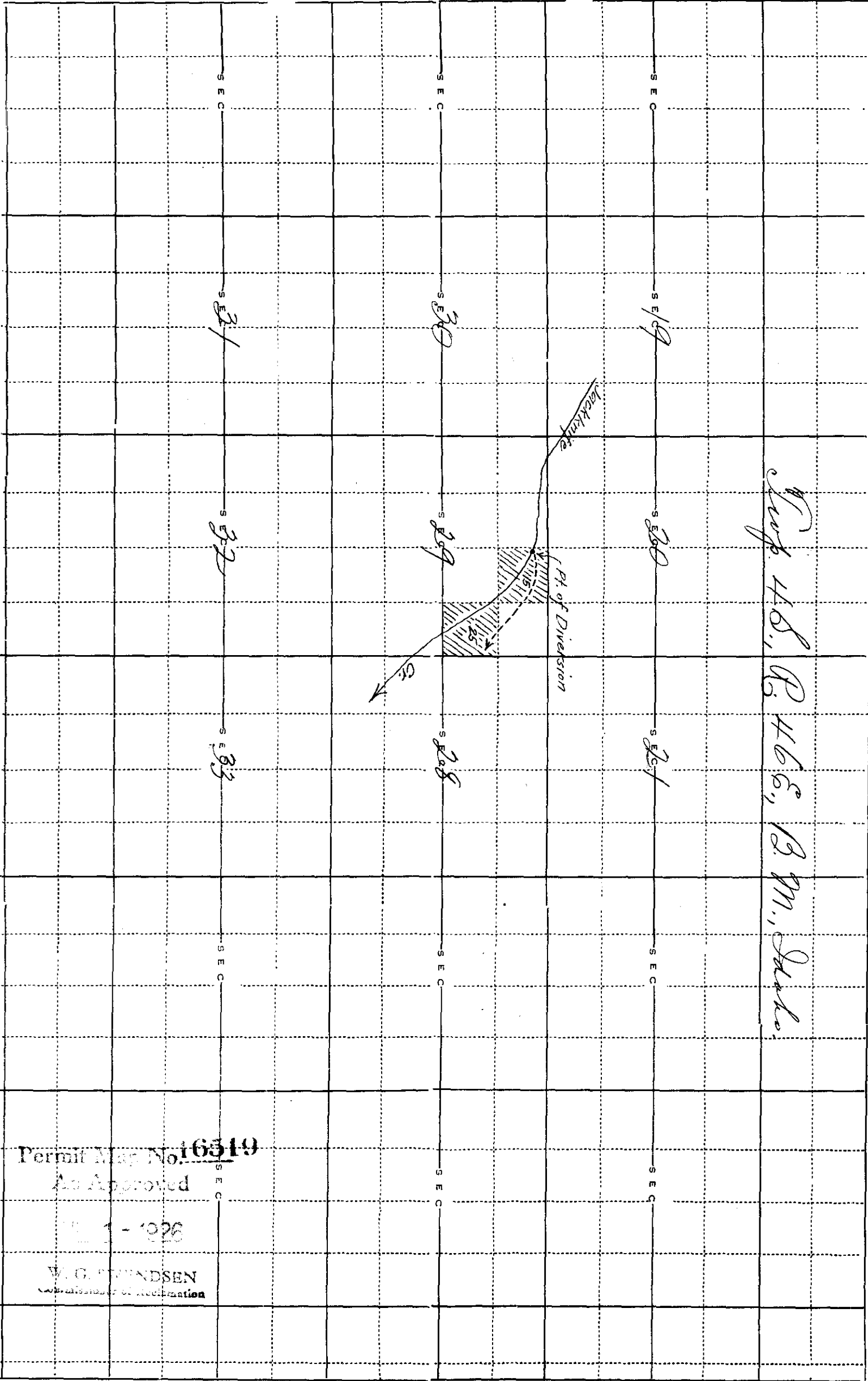
Boise, Idaho,
July 6, 1926

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 page.

W. G. SWENDSEN
Commissioner of Reclamation.

16519

E. H. Speckman



Prop. 46, R. 46 E., T. 3 N., S. 40 W.

Permit Map No. 16519

As Approved

1-1926

W. G. SWENDSEN
Commissioner of Reclamation