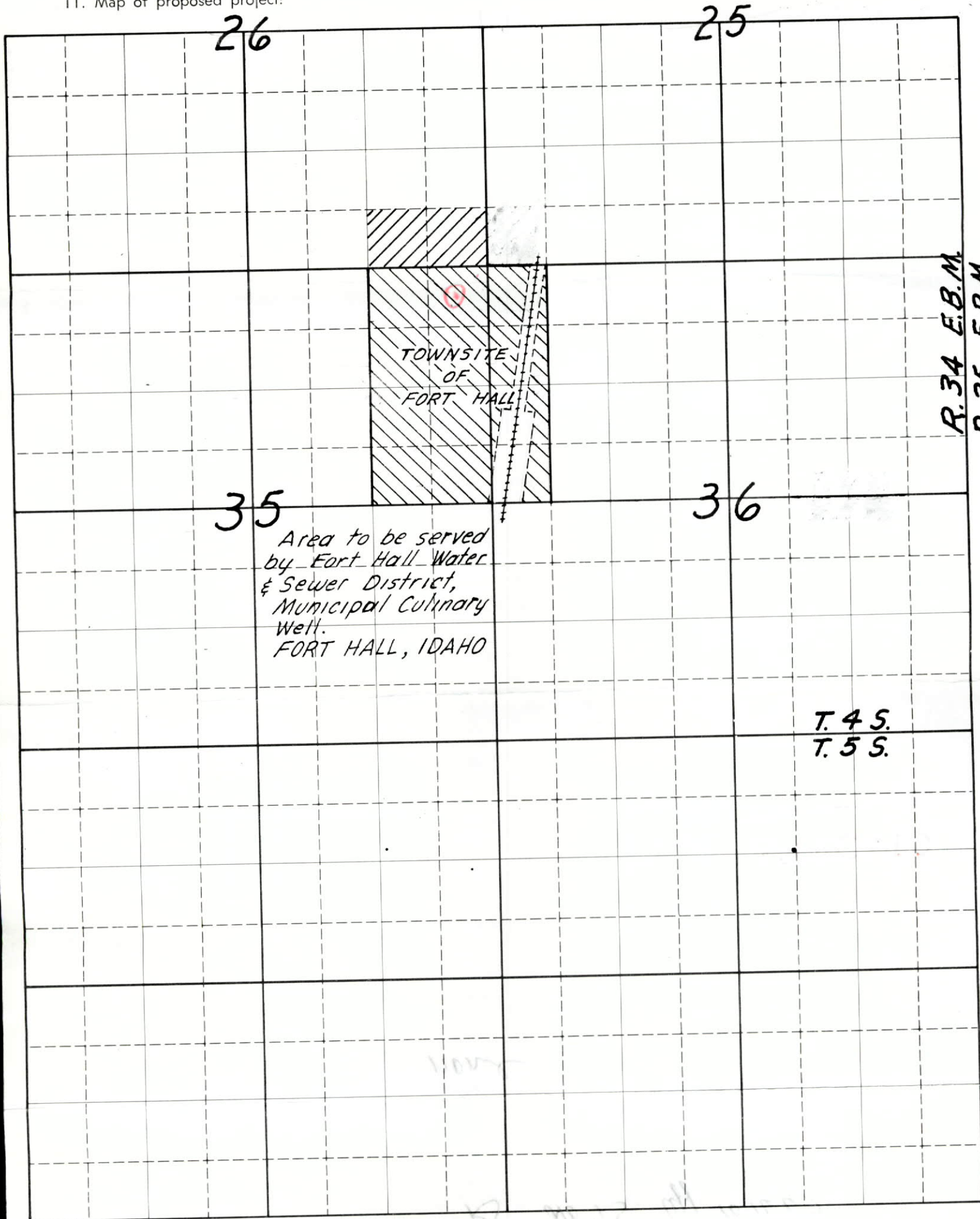


11. Map of proposed project:



Scale: 2 inches equal 1 mile

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

Harold D. Schmidt
(Applicant)

Fort Hall Water and Sewer District
c/o Harold D. Schmidt
P. O. Box 105
Fort Hall, Idaho

27-7000

OCT 16 1967

Reclamation

NOTICE OF APPLICATION
FOR WATER

Notice is hereby given that Fort Hall Water and Sewer District has on July 27, 1967, applied for permit to store 0.5 cubic feet per second of water from a subterranean source under application No. 27-7000. Water will be diverted by a well and a pump within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 35, T. 4 S, R. 34 E., and 111 Block 39 of the Townsite of Fort Hall, Bingham County, and is to be used from January 1 to December 31 for municipal (culinary) purposes in the Fort Hall Water and Sewer District Distribution System.

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

R. KEITH HIGGINSON
State Reclamation Engineer
Pub.: Oct. 5 and 12
(501)

should be
diverted - see
other aff.

AFFIDAVIT of PUBLICATION

County of Bingham

State of Idaho

ss.

I, Dwight R. Brown do solemnly

Publisher

swear that I am the Publisher of The Blackfoot News which is a daily newspaper of general circulation published each day except Saturday and Sunday at Blackfoot, Bingham County, Idaho, said newspaper having been so published at Blackfoot aforesaid for more than one year past; that said newspaper heretofore complied with all the provisions of Chapter 154 of the Sessions Laws of Idaho of 1933, approved March 11, 1933, and duly designated, pursuant to law, a particular day of the week as the day on which legal notices required by law or by the order of any Court of competent jurisdiction within the State of Idaho shall be published to-wit: Friday of each week; that the notice attached hereto and which is a part of this affidavit and part of the proof of publication was, published in said

Thursday

Friday issue of said newspaper 2 consecutive

weeks, the first publication having been made on

the 5th day of October, 1967,

and the last publication having been made on the

12th day of October, 1967; that said notice was published in the regular and entire issue of every number of the paper as aforesaid during the period and time of publication, and that notice was published in the newspaper and not in a supplement.

Dwight R. Brown

Subscribed and sworn to before me this 13th

day of October, 1967

Sharon L. Olson

Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
June 1, 1969.

27-7000

RECEIVED
AUG 21 1967
Department of Reclamation

AFFIDAVIT of PUBLICATION

County of Bingham

State of Idaho

ss.

I, Drury L. Brown do solemnly

Publisher

swear that I am the _____ of
The Blackfoot News which is a daily newspaper of gen-
eral circulation published each day except Saturday and
Sunday at Blackfoot, Bingham County, Idaho, said news-
paper having been so published at Blackfoot aforesaid
for more than one year past; that said newspaper here-
before complied with all the provisions of Chapter 154 of
the Sessions Laws of Idaho of 1933, approved March 11,
1933, and duly designated, pursuant to law, a particular
day of the week as the day on which legal notices re-
quired by law or by the order of any Court of compe-
tent jurisdiction within the State of Idaho shall be pub-
lished to-wit: Friday of each week; that the notice at-
tached hereto and which is a part of this affidavit and
part of the proof of publication was, published in said

~~Thurs.~~

~~Friday~~ issue of said newspaper 2 consecutive
weeks, the first publication having been made on
the 10th day of August, 1967,

and the last publication having been made on the

17th day of August, 1967; that said
notice was published in the regular and entire issue of
every number of the paper as aforesaid during the per-
iod and time of publication, and that notice was pub-
lished in the newspaper and not in a supplement.

Drury L. Brown
Subscribed and sworn to before me this 18th

day of August, 1967

Sharon L. Olson

Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
June 1, 1969.

Legal Notice

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that
Fort Hall Water and Sewer Dis-
trict has on July 27, 1967, ap-
plied for permit to divert 0.5
cubic feet per second of water
from a subterranean source un-
der application No. 27 - 7000.
Water will be diverted by well
and pump within the NE1/4 NE
1/4, Sec. 35, T. 4S, R. 34E,
B.M. and 111 Block 39 of the
Townsite of Fort Hall, Bingham
County to December 31 for muni-
cipal (culinary) purposes in the
Fort Hall Water and Sewer Dis-
trict Distribution System.

Any protest against this ap-
plication must be filed with the
Department of Reclamation with-
in ten days from the last date of
publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer
Pub.: Aug. 10 and 17
(453)

*Incorrect aff - to be re-adv. at Newspaper
expense.*

27-7000

David Barton

7/26/71 78°

Engineer
L. J. Hall

1400132

522-803

10

208

33

Description

--	--

Total acreage

ate amounts, source, licensed or decreed, and

show land covered on the map.

1

27 7090

State of Idaho
Department of Water Administration
LICENSE OF WATER RIGHT

License of Water Right No. 27-7000 Priority July 27, 1967 Amount 0.5 cfs

THIS IS TO CERTIFY, that Fort Hall Water and Sewer District
of Fort Hall, Idaho, has complied with the terms and conditions of Permit
No. 27-7000 issued pursuant to Application for Permit dated July 27, 1967
and has submitted proof to the Department of Water Administration on November 29, 1968
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 0.5 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:

Amount 0.5 cfs for municipal from Jan. 1 to Dec. 31 (both dates inclusive)

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

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

Subject, however, to the condition that no more than 0.5 cfs of water be diverted at
any one time, said waters to be diverted within the _____

NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 35, Twp. 4 S, Rge. 34 E, B. M.

in the county of Bingham; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 362 acre feet per year ~~xx~~

~~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 $\frac{1}{4}$	
4 S	34 E	26																X	
		35	X			X									X	X	X	X	
		36					X	X											

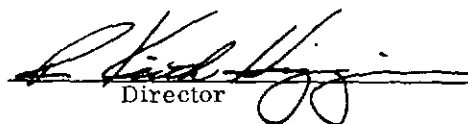
Total number of acres irrigated _____

A measuring device of a type approved by the Department shall be permanently
maintained as part of the diverting works.

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 20 day of

December, 19 71.


Director

27 7000



RECEIVED



NOV 29 1968

Identification No. 27--7000

Department of Reclamation

Permit No. 27-7000

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder FORT HALL WATER AND SEWER DISTRICT

b) Post Office Address FORT HALL, IDAHO

2. Permit Number 27-7000

3. Date of Priority that you are prepared to establish July 27, 1968

4. a) Source from which water was appropriated Deep Well

b) Location of the point of diversion: NE 1/4 NE 1/4, Section 35

Township 4 S., Range 34 E. Boise Meridian. Other points of diversion: _____

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

amount 2.5 cfs for Municipal purposes from Jan. 1 to Dec. 31 incl. 70
(cfs and/or acre feet per annum) (Mo-Day) (Mo-Day)

amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Mo-Day) (Mo-Day)

amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Mo-Day) (Mo-Day)

b) Total amount appropriated 2.5 cfs and/or ~~acre feet~~ per annum

c) Describe how and by whom measurement of rate of flow or amount of storage was made

NOTE and the qualifications of the person making the measurement: Deep well pump discharged into a reinforced concrete reservoir 34 ft. diam. in filling it took an average of 6 min 6 sec. to raise one foot. = 6791 gal. or 1113 gpm. = 2.5 cfs.

3. 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: Distribution pipe 8" x 6" x 4" and 2" pipe.

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) 16" Well casing 12" pump, 25 H.P. 300 ft. Well (see log.)

Pumping from 30 ft. static level. Surface water sealed off from entering

well casing. Deep well pump discharges into a 100,000 gal. Concrete Reservoir

Two booster pumps are used to pump directly into the distribution mains.

1 is a variable speed 30 H.P. pump and # 2 is a 40 H.P. constant speed pump.

Distribution mains are 8", 6", 4" and 2" pipe. (Cast iron & Galv.)

Test pump on well produced 2200 g/m. with a 0.5 ft. drawdown.

27-7000

b) Describe the type and size of measuring device which you have installed at your point of diversion: Also Venturi meter has been installed in line leading out from the pump house to the municipal mains. direct reading totalizer

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

Jack Cushman, 1405 South Broadway, Blackfoot, Idaho completed Jan.30, 1968

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use Municipal use in the Townsite of Fort Hall, Idaho

9. Irrigation uses: Describe the lands irrigated by giving the acreage irrigated within each 40 acre subdivision.

WP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total number of acres irrigated _____

10. Remarks: _____

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

FORT HALL WATER AND SEWER DISTRICT

10-18-68

(Date)

By.

Harold D. Schmidt
Chairman of the Board.
(Signature)

State of Idaho)

AM.

County of Bingham)

On this 18th day of Oct., 19 68, personally appeared before me the signor (s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same for the Fort Hall Water and Sewer District.

David E. Benton

Notary Public residing at Idaho Falls,

My commission expires 10-10-69

RECEIVED
JUL 27 1967

Identification No. 27-7000
Application No. 41971

Department of Reclamation

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

APPROVED

LICENSE ISSUED FOR 0.5 SEC. FT.
LICENSE PAGE NO. _____

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

~~EXPIRED~~ 1-16-69

1. Name of applicant Fort Hall Water and Sewer District
post office address c/o Harold D. Schmidt P. O. Box 105, Fort Hall, Idaho 83203
2. Source of water supply Subterranean which is a tributary of _____
3. a. Location of point of diversion is N. E. 1/4 of N. E. 1/4 of Section 35 Township 4 S.
Range 34 E. B.M. Bingham County; additional points of diversion if any: _____
also 111 Block 39 of the Townsite of
Fort Hall, Idaho
- b. If water is not consumed, it will be discharged into Sewage Lagoon at a point in S. W. 1/4
of N. W. 1/4 of Section 25 Township 4 S. Range 34 E. B.M.
4. Quantity to be appropriated:
 - a. 0.5 cubic feet per second and/or
 - b. _____ acre feet per annum will be stored.
5. Water will be used for the following purposes:
(Culinary) Municipal purpose from Jan 1 to Dec. 31 (both dates inclusive)
_____ purpose from _____ to _____ (both dates inclusive)
_____ purpose from _____ to _____ (both dates inclusive)
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. Municipal Deep Well and
Village Distribution System
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet; materials used in storage dam: _____
 - c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 1 1/2 years.
b. Estimated construction cost is \$ 140,000.
E. 1/2, N. E. 1/4, Sec. 35
and S. 1/2, S. E. 1/4, S. E. 1/4, Sec. 26
and W. 1/2, W. 1/2, N. W. 1/4, Sec. 36
T. 4 S., R. 34 E. B.M.
8. Description of proposed uses: Municipal purposes
 - a. If water is **not** for irrigation:
 - (1) Give the place of use of water: _____ 1/4 of _____ 1/4 of Section _____ Township _____
Range _____ B.M.
 - (2) Amount of power to be generated: _____ hp under _____ feet of head.
 - (3) List number of each kind of livestock to be watered _____
 - (4) Name of municipality to be served Fort Hall, Idaho, or number of families to be
supplied with domestic water 120.
 - (5) If water is to be used for other purposes describe: Industry in Fort Hall

27-7000

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

[illegible]

Total number of acres to be irrigated_____

c. Describe any other water rights used for the same purposes_____

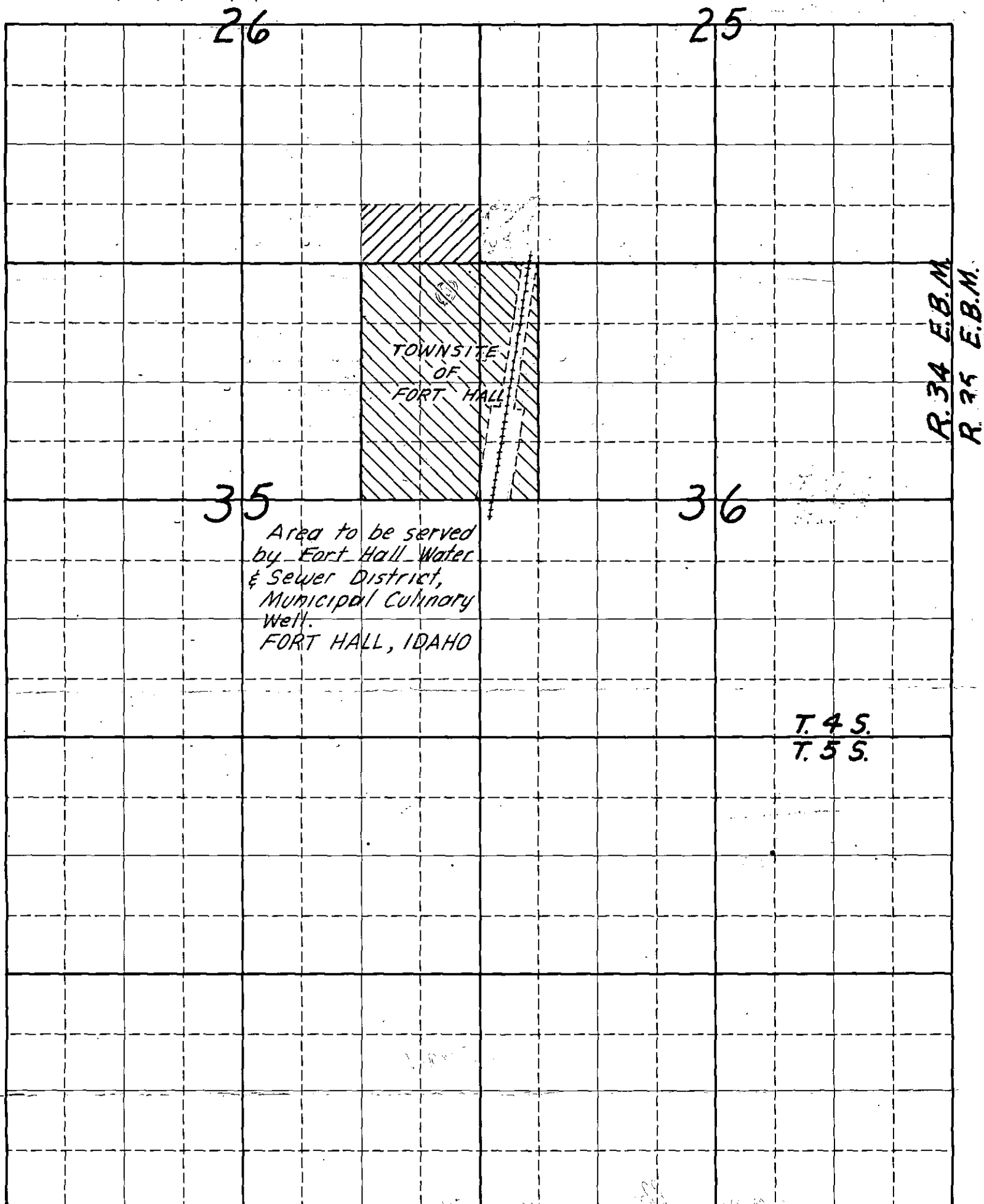
9. a. Who owns the property at the point of diversion Fort Hall Water and Sewer District

b. Who owns the land to be irrigated or place of use _____

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

10. Remarks _____

11. Map of proposed project:



Scale: 2 inches equal 1 mile

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

Harold D. Schmidt
(Applicant)

Fort Hall Water and Sewer District
c/o Harold D. Schmidt
P. O. Box 105
Fort Hall, Idaho

27-700(c)

Received by LO Date 7-27-67 Time 9:15 Am
Preliminary check by Duke Fee \$ 10.00
Received by LO Date 7-27-67
Publication prepared by KS Date 7-31-67
Published in Blackfoot Times
Publication dates Aug. 10-17
Publication approved KS Date NO T.S. aff. 10-16-67
Priority reduced to _____ Reason _____

Protests filed by: none

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by C.D. PR R.H. Job

ACTION OF STATE RECLAMATION ENGINEER

APPROVED
~~LAPSED~~ 1-6-69

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 27-7000, and said application is hereby APPROVED.

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

- SUBJECT TO ALL PRIOR WATER RIGHTS.
- Proof of construction of works and application of water to beneficial use shall be submitted on or before December 1, 19 68.
- Other: The applicant shall permanently install a measuring device of a type approved by the department as part of the diverting works.

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

Witness my hand this 6th day of November 19 67.

L. Keith Higgins
State Reclamation Engineer

OCT 16 1967

Reclamation

NOTICE OF APPLICATION
FOR WATER

Notice is hereby given that Fort Hall Water and Sewer District has on July 27, 1967, applied for permit to ~~store~~ 0.5 cubic feet per second of water from a subterranean source under application No. 27-7000. Water will be diverted by a well and a pump within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 35, T. 4 S., R. 34 E., and 111 Block 39 of the Townsite of Fort Hall, Bingham County, and is to be used from January 1 to December 31 for municipal (community) purposes in the Fort Hall Water and Sewer District Distribution System.

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

R. KEITH HIGGINSON
State Reclamation Engineer
Pub.: Oct. 5 and 12
(501)

AFFIDAVIT of PUBLICATION

County of Bingham

State of Idaho

ss.

I, Dwight L. Brown do solemnly

Publisher

swear that I am the Publisher of The Blackfoot News which is a daily newspaper of general circulation published each day except Saturday and Sunday at Blackfoot, Bingham County, Idaho, said newspaper having been so published at Blackfoot aforesaid for more than one year past; that said newspaper heretofore complied with all the provisions of Chapter 154 of the Sessions Laws of Idaho of 1933, approved March 11, 1933, and duly designated, pursuant to law, a particular day of the week as the day on which legal notices required by law or by the order of any Court of competent jurisdiction within the State of Idaho shall be published to-wit: Friday of each week; that the notice attached hereto and which is a part of this affidavit and part of the proof of publication was, published in said

Thursday

Every issue of said newspaper 2 consecutive

weeks, the first publication having been made on

the 5th day of October, 1967,

and the last publication having been made on the

12th day of October, 1967; that said notice was published in the regular and entire issue of every number of the paper as aforesaid during the period and time of publication, and that notice was published in the newspaper and not in a supplement.

Dwight L. Brown

Subscribed and sworn to before me this 13th

day of October, 1967

Sharon L. Olson

Notary Public for the State of Idaho,

Residing at Blackfoot, Idaho

My commission expires

June 1, 1969.

27-7000

Legal Notice

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that Fort Hall Water and Sewer District has on July 27, 1967, applied for permit to divert 0.5 cubic feet per second of water from a subterranean source under application No. 27-7000. Water will be diverted by well and pump within the NE 1/4 NE 1/4, Sec. 35, T. 4S, R. 84E, B.M. and 111 Block 39 of the Townsite of Fort Hall, Bingham County to December 31 for municipal (culinary) purposes in the Fort Hall Water and Sewer District Distribution System.

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

R. KEITH HIGGINSON
State Reclamation Engineer
Pub.: Aug. 10 and 17.
(453)

RECEIVED
AUG 21 1967
Department of Reclamation

AFFIDAVIT of PUBLICATION

County of Bingham
State of Idaho

I, Drury L. Brown do solemnly

swear that I am the Publisher of The Blackfoot News which is a daily newspaper of general circulation published each day except Saturday and Sunday at Blackfoot, Bingham County, Idaho, said newspaper having been so published at Blackfoot aforesaid for more than one year past; that said newspaper heretofore complied with all the provisions of Chapter 154 of the Sessions Laws of Idaho of 1933, approved March 11, 1933, and duly designated, pursuant to law, a particular day of the week as the day on which legal notices required by law or by the order of any Court of competent jurisdiction within the State of Idaho shall be published to-wit: Friday of each week; that the notice attached hereto and which is a part of this affidavit and part of the proof of publication was, published in said

Thurs.
~~Thurs.~~ issue of said newspaper 2 consecutive weeks, the first publication having been made on the 10th day of August, 1967.

and the last publication having been made on the 17th day of August, 1967; that said notice was published in the regular and entire issue of every number of the paper as aforesaid during the period and time of publication, and that notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me this 18th

day of August, 1967.

Sharon L. Olson
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
June 1, 1969.

Incorrect off - to be re-adv. at Newspaper expense.

27-7000

The Blackfoot News

P. O. Box 70

BLACKFOOT, IDAHO 83221

State of Idaho, Dept. of Reclamation

107 State House

Boise, Idaho 83701

Notice of Application for Water

28 lines @ .13 per line

3.64

28 lines @ .10 per line

2.80

\$6.44

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

THE BLACKFOOT NEWS

Claimant (Firm Name)

By

Name and Title Drury R. Brown, Publisher

Memo

To: Shelley Keen

From: Brian W. Patton



Date: February 12, 2001

Re: Water Right 27-07000
Fort Hall Water & Sewer District

The Fort Hall Water & Sewer District has dissolved itself, leaving an outstanding balance of \$25,991 due to the Water Resource Board. With the District's dissolution, legally, the District's assets and liabilities revert to Bingham County. The County's intent is to transfer ownership of the system to the Shoshone-Bannock Tribe.

As the attached mortgage shows, the Board holds the District's water right (27-07000), among other things, as security. We want to make sure that the water right is not transferred to the Tribe without the o.k. from the Board. Please let me know if there are any problems.

Thanks

470350

IDAHO WATER RESOURCE BOARD

MORTGAGE

This MORTGAGE is made and entered into this 17th day of May 1998 by and between the FORT HALL WATER & SEWER DISTRICT (Sponsor) and the IDAHO WATER RESOURCE BOARD (Board) an agency of the State of Idaho.

WITNESSETH:

The Sponsor, for and in consideration of the funds advanced to the Sponsor, under that "Idaho Water Resource Board Water Management Account Loan Contract Agreement" (Agreement) and that "Idaho Water Resource Board Promissory Note" (Note), both dated the 17th day of May 1998, by and between the Sponsor and the Board, has granted, bargained, sold, conveyed, assigned, transferred and set over and by these presents does grant, bargain, sell, convey, assign, transfer and set over unto the Board, its successors and assigns, forever, the following described property to secure the payment of that certain Agreement and Note of the 17th day of May 1998, in the principal sum not to exceed TWENTY EIGHT THOUSAND ONE HUNDRED AND THIRTY TWO DOLLARS (\$28,132.00), delivered and executed by the Sponsor, as makers to the Board as secured party and payee, with terms and conditions as more particularly designated therein.

REAL PROPERTY - All of the interest of the FORT HALL WATER AND SEWER DISTRICT in the District's water system and related land located in T4S, R34E, Sections 25, 26, 35, 36:

Together with all water rights, wells, well pumps, dams, ditches, ditch rights, pipelines, lagoons, flumes, aqueducts, canals, water storage facilities, water treatment facilities, water collection facilities, water meters, water mains, water lines, appropriations, franchises, rights-of-way, easements, and all other rights and privileges owned by the Sponsor or belonging to, or with, leading to, connected with, or usually had or enjoyed in connection with the above described real property, or any part thereof, whether or not limited to those water rights appurtenant to the above described real property covered or evidenced by licenses or permits issued by the State of Idaho, Department of Water Resources, as follows, to-wit:

Water Rights:

27-07000 - This water right is a license, with a priority date of July 27, 1967, to divert groundwater for the purposes of municipal water supply. The point of diversion is located at T04S, R34E, Section 35, NE NE. The total diversion rate is 0.5 cfs.

To HAVE AND TO HOLD the above described real property and all of the same and to the Board, its successors and assigns.

1. DEFAULT: In the event that the Sponsor shall fail to pay any of the sums of money when due under the Note: shall fail to comply with any of the terms, conditions, covenants or provisions of this MORTGAGE: then, as often as such failure of payment or breach of terms, conditions, covenants or provisions shall occur, the Board may at any time thereafter declare the whole of the principal sum, or so much thereof as at the time of such declaration may remain unpaid, together with all sums of interest accrued thereon paid by the Sponsor on the Note or paid by the Sponsor under the provisions of this MORTGAGE, to be at once payable, and the Board may, at any time after such failure of payment or breach of terms, conditions, covenants or provisions, as aforesaid, proceed to compel

BIGHAM COUNTY RECORDER
BLACKFOOT, IDAHO

98 OCT 19 AM 11:53

RECORDED AT THE FORT HALL
DEPT. OF WATER RESOURCES

State of Idaho / Dept of Water Resources
P.O. Box 83720
 Boise, ID 83720-0082

payment to be paid of the full amount due and payable and to proceed to foreclose this MORTGAGE and to compel payment to be paid of the full amount due and payable, or may exercise every right and remedy as a secured party under the law.

2. **FORECLOSURE:** It is also agreed that should this MORTGAGE be foreclosed, then in the decree of foreclosure entered in such action, the property described therein may be sold en masse, or as one lot or parcel, at the option of the Board. In the event of sale on foreclosure of this MORTGAGE, should the premises sell for less than the sum required to satisfy the entire indebtedness and all costs, the deficiency shall stand as a judgment against the Sponsor and be collectible in the manner provided by law, and the Sponsor further agrees that the amount for which said mortgaged property may sell at foreclosure sale upon lawful notice shall be conclusively deemed in any foreclosure suit to be the reasonable value of such property.

3. **WARRANTY:** The Sponsor has covenanted, agreed and represented, and do hereby covenant, agree and represent to and with the Board as follows:

- a. That the Sponsor does warrant and will defend title unto the Board against claims and demands of all persons whomsoever against all of the property subject to this MORTGAGE.
- b. That the Sponsor will pay all sums of money specified in the Note referred to above, promptly as it becomes due, and that the Sponsor will pay all taxes, assessments and other charges that may be levied or assessed on any property subject to this MORTGAGE when and as the same shall become due and payable, and that they will comply with all terms and conditions of this MORTGAGE and any violation thereof shall constitute a default hereunder.

4. BUILDINGS AND IMPROVEMENTS

- a. Sponsor agrees to keep all buildings and improvements now erected or which may hereafter be erected on all of the property subject hereto and all personal property hereinabove described and subject hereto, including personal property hereafter acquired and used by the Sponsor in connection with and as part of the water system and facilities, continuously insured against loss or damage by fire, tornado or windstorm, and such other insurance protection as may from time to time in its sole discretion be required by the Board. All such insurance shall be by an insurance company or companies and in terms, amounts and forms acceptable to the Board, with loss, if any, payable to the Board as its interest may appear, pursuant to a security clause attached which shall be satisfactory to the Board. Forthwith, upon the issuance of such policies, the Sponsor shall deliver the same, and all renewals thereof, to the Board; also the Sponsor shall deliver to the Board receipts for premiums paid thereon at least ten (10) days prior to the expiration of any existing policy. In the event of foreclosure of this MORTGAGE, and other transfer of title to the property covered hereby in extinguishment of the indebtedness secured hereby, all right, title and interest of the Sponsor in and to any insurance policies then in force concerning this property shall pass to the purchaser or Board.
- b. In case any of said buildings or improvements or any of the personal property subject hereto are destroyed or damaged by fire, explosion, windstorm, hail, or by any other casualty against which insurance shall have been required by the Board, then the insurance proceeds shall be used exclusively toward the repair or replacement of the property damaged and any funds not required for such repair or replacement shall, at the Board's election, be applied toward payment of the debt secured hereby, either in whole or in part, and whether then due or not; by the use of such proceeds the unpaid portion of the loan shall remain in force. Any such proceeds held by Board for repairs or replacements shall be so held without payment or allowance of interest.

- c. To keep the buildings upon the lands continuously used during the continuance of this MORTGAGE; to keep the premises and improvements thereon in good condition and repair and not to commit or suffer any waste thereof; and not to remove any buildings without the consent of the Board. The Board shall have the right to inspect the property at such reasonable times and intervals as the Board may desire.

5. ATTORNEY FEES AND COSTS:

- a. In the event suit is instituted to assert any right or privilege under this MORTGAGE, the Board may recover therein as attorney fees such sums as the court may adjudge reasonable in addition to the costs and disbursements allowed by law or court rule, together with the cost of any abstract of title or evidence of title procured and used in such proceeding and covering said property.
- b. In the event the Board becomes a party plaintiff or defendant in any suit or legal proceeding in relation to the property described or referred to or the lien or security interest created in or by this MORTGAGE or any security agreement given by Sponsor in connection herewith, Sponsor agrees to pay on demand all reasonable attorney fees paid or incurred by the Board in connection with such suit or proceeding, including, but not limited to, any expenses paid or incurred in procuring or continuing abstracts of title, title reports or title policies and search of the records for the purpose of such litigation, and all such sums paid shall bear interest at the highest rate for which it is lawful to contract and shall constitute a lien upon the premises and property and be secured hereby, and in default of immediate repayment thereof by Sponsor after demand, the whole indebtedness secured hereby shall, at the option of the Board, become due and payable without notice.

6. RELEASE OF PROPERTY: The Board may release for such consideration, or none, as it may require, any portion of the above described premises or property without in anyway impairing or affecting the liens and priority herein provided for in the MORTGAGE, compared to any subordinate lienholder as to the remainder of the security.

7. RECEIVER: In the event foreclosure proceedings are instituted for a breach of the terms and conditions of this MORTGAGE, the Board shall, at its election, as a matter of right and without regard to the sufficiency of the security or of waste or danger of misapplication of any of the properties of the Sponsor, be entitled forthwith to have a receiver appointed of all or any part of the property hereby secured, and the Sponsor hereby expressly consents to the appointment of a receiver by the court of competent jurisdiction and expressly stipulate, covenant and agree that such receiver may remain in possession and control of the secured property so elected until the final determination of such suit or proceeding.

8. ADDITIONAL AND COLLATERAL SECURITY: The Sponsor agrees, upon request by the Board, to assign to the Board, as additional and collateral security for the payment of the indebtedness hereby secured, any and all leases of the secured property, or any part thereof, hereafter made, and that no such lease shall be assigned to any party other than the Board without first obtaining the written consent of the Board to any such assignment.

9. PAYMENT OF OBLIGATIONS BY THE BOARD: If Sponsor shall fail to keep the attached buildings and irrigation equipment insured and to deliver the policies to the Board, or if insurance premiums, taxes, assessments, rentals, grazing fees, or other charges on leases, permits or allotments secured or assigned to the Board, or other charges are not paid by the Sponsor as required, the Board may at its option and without waiver of any rights arising out of any breach of any of the covenants, procure such insurance and pay such insurance premiums, taxes, assessments, and other charges and also may redeem said premises from tax sale without obligation to inquire into the validity of such taxes, assessments, charges and tax sales, the receipt of the proper officers being conclusive evidence of the validity and amount thereof. All amounts so paid by the Board and all costs, expenses and attorney

fees mentioned in the Note shall forthwith be due to the Board with interest thereon from the date of such payments at the highest rate for which it is now lawful to contract; and such amounts shall be added to and be deemed a part of the debt secured by this instrument.

10. AFTER ACQUIRED TITLE: The Sponsor further covenants and agrees that in the event title in fee simple to any of the lands covered by the aforesaid leases, permits or allotments or any of the property subject to this MORTGAGE shall hereafter be acquired by the Sponsor, it is understood and agreed that such lands shall, upon such acquisitions, become subject to the lien of this MORTGAGE to the same extent as though such lands had originally been included herein, and, further, that all of the terms, covenants, conditions and stipulations of this MORTGAGE shall extend and be applicable to any such property hereafter so acquired.

11. SUBROGATION: The Board shall be subrogated for further security to the lien, though released of record, of any and all prior encumbrances upon the premises subject to this MORTGAGE.

12. CONDEMNATION: In the event any part of the property herein described is condemned or taken by any person or entity, any award made therein shall be paid to the Board and the Board shall have the option of applying such award or any part of it to any obligations secured hereby and releasing any balance not so applied to the person or persons to whom such award was made.

13. CHATTELS AND PERSONAL PROPERTY: Except for the purpose of making replacements of the CHATTELS and other personal property subject to this MORTGAGE and which the Sponsor now has or hereafter has or acquires and uses in connection with and as a part of the water system and facilities hereinabove described, the Sponsor will not see or dispose of any of the CHATTELS or personal property, nor attempt to do so, nor part with possession of any of the same, nor permit it to be removed from the secured, or from the adjoining or adjacent lands where such property may be located, while this MORTGAGE shall remain in force and effect, without the written consent of the Board, which consent shall not unreasonably be withheld. Except in so far as prevented therefrom by fire, strikes, riots, acts of God, or other unavoidable casualties, the CHATTELS and personal property subject to this MORTGAGE shall at all times while this MORTGAGE remains in force and effect be kept and maintained by the Sponsor, at the Sponsor's expense, in first class order, condition and repair, and the Sponsor shall from time to time make all replacements of such property which may reasonably be necessary for the irrigation and cultivation of the secured premises, and the Sponsor will neither commit nor suffer any damages or waste on or to the secured premises and such property nor do or permit to be done anything that may lessen or impair the value of the secured property, real or personal, or the lien or security thereof.

14. LEASES OR OTHER INSTRUMENTS OR AGREEMENTS SUBORDINATED: Sponsor covenants and agrees that each and every term, condition and covenant of any and all leases or other instruments or agreements, oral or written, between the Sponsor and the Board relating to or affecting in any way the property hereinbefore described or referred to, or any part thereof, shall be and are hereby made subject and subordinate to all of the terms, conditions and covenants of this MORTGAGE.

15. TIMELY PERFORMANCES: Sponsor covenants and agrees to fully and timely perform each and every term, provision and condition of any and all instruments evidencing the Sponsor's easements, rights-of-way, licenses or other rights, privileges or interest in appurtenant to or used or enjoyed in connection with the installation, utilization or maintenance of its irrigation facilities, used or to be used in the irrigation of any of the real property hereinbefore described and referred to or for access thereto, required to be performed by the Sponsor and hereby assigns such instruments and all of their rights and interest therein to the Board as further security hereunder. Any such assignment shall not affect any of the terms and conditions hereof, and shall terminate or be subject to reassignment by the Board to the Sponsor upon payment of the entire indebtedness secured or to be secured hereby. The Board shall have and is hereby granted the right as its option, at any time within twenty days before performance or payment is required, to perform on behalf of the Sponsor of any or all of the terms, provisions and conditions in such instrument, or any of them, required to be performed by the Sponsor and to pay or expend any

and all sums of money as the Board, in its sole and exclusive judgment and discretion, shall deem necessary to prevent the termination of the instruments, or any of them, or the abandonment or loss of any of the Sponsor's rights or privileges therein or thereby provided, and the Sponsor hereby agrees immediately to repay the Board, without notice or demand, any sums so paid or expended with interest thereon at the same rate as specified in the Note secured hereby on the principal thereof after default and maturity, and all such sums paid or expended by the Board with interest shall become a part of the indebtedness secured hereby, and in default of immediate repayment therefore by the Sponsor, the whole indebtedness secured hereby shall at the option of the Board become due and payable forthwith without notice.

16. BOARD TO BE HELD HARMLESS FROM PROJECT DAMAGE: The Sponsor agrees to indemnify the State of Idaho, the Idaho Water Resource Board, and their officers, agents, and employees against and to hold the same free and harmless from any and all claims, demands, damages, losses, costs, expenses, or liability due or incident to, either in whole or in part and whether directly or indirectly, the design, construction, operation, repair, maintenance, existence, or failure of the project, or of any of its works or facilities. The Sponsor may be required by the Board to carry a reasonable coverage of liability insurance for this purpose.

17. INTERPRETATION: Words used herein shall include the singular or plural, and feminine, masculine or neuter as the context may require, and, if this instrument is executed by two or more persons or parties, the obligation and liabilities hereunder of such Sponsor shall be joint and several.

18. CONTINUING OBLIGATION: The rights and obligations herein shall inure to and be binding upon the successors, heirs, executors, administrators, and assigns of the respective parties.

19. APPLICABLE LAW: This MORTGAGE shall be governed and construed according to the laws of the State of Idaho.

IN WITNESS WHEREOF, Sponsor has hereunto affixed hands and seals as of the day and year of this instrument.

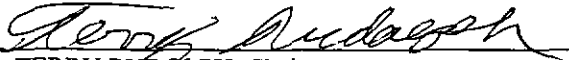
DATED this 17th of May, 1998.

IDAHO WATER RESOURCE BOARD
1301 North Orchard Street
Statehouse Mail
Boise, ID 83720-9000

FORT HALL WATER & SEWER DISTRICT
Route 6 Box 590
Pocatello, ID 83220

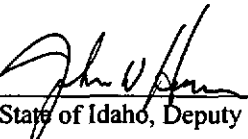


KARL J. DREHER, Director
Idaho Department of Water Resources



TERRY REDOLPH, Chairman

Approved as to Legal
Form:



State of Idaho, Deputy Attorney General



DAELINE PFAFF, Board of Directors
AKP

ACKNOWLEDGMENT

STATE OF IDAHO)

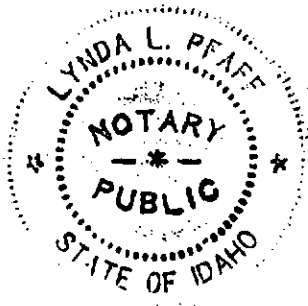
County of Bannock)

On this 13th day of August, 1998, before me

the undersigned, a Notary Public in and for said State, personally appeared

Terry Rudolph and Daeline Pfaff, known to me to be the
Board Members of the Fort Hall Water & Sewer District
executed the instrument on behalf of said District, and acknowledged to me that
State of Idaho Department
of Water Resources executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in
this certificate first above written.



470350

Lynda L. Pfaff
NOTARY PUBLIC for State of Idaho
Residing at 917 Cahoon Road for Idaho
Idaho, Commission expires:
11/11/02

December 22, 1971

Re: Permit No. 27-7000

Fort Hall Water and Sewer District
Fort Hall,
Idaho 83203

Gentlemen:

Enclosed herewith is the Water License issued on the above referenced permit.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enc: License
cc: Eastern District Office

27 7000

December 9, 1971

Fort Hall Water & Sewer District
Fort Hall,
Idaho 83203

Gentlemen:

A representative of this department has made an examination of the works covered by your Permit No. 29-7000 27-7000 and has found the following:

Quantity of water diverted: 0.5 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho law: 0.5 c.f.s.

The maximum quantity diverted shall not exceed 362 acre feet per season.

Beneficial Use: Municipal purposes within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 26; E $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 35; W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 36; Twp. 4S, Rge. 34E, B.M.

Point of diversion: NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 35, Twp. 4S, Rge. 34E, B.M.

The priority date established is : July 27, 1967

If you do not concur with these findings, please advise us within 10 days; otherwise, a license will be issued as set forth in this letter.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

27 7000

BDF:DR

Fort Hall Vicinity

35

Q measured estimated Estimated

Q recommended sets 0.5 cfs

Volume 365 A.P. 200 A.P.?

Acreage 362 A.P. 362 A.P. BF/DW

Found municipal municipal

recommended

Subdv.

Amendments

☒ None

☐ P.D.

☐ Place of use

☐

I recommend for license for 15 cfs

Evidence shows that the

System will produce more than 15 cfs

Re-examine A measuring device should be installed
7/26/71 JS

Permit No. 27-7000

Name of Applicant Fort Hall Water and Sewer District

Source of Water sub. Harold Schmidt, Chairman

a tributary of P.O. Box 125, Fort Hall

Location of P.D. NE 1/4, Sec. 35, T. 4 S, R. 34 E, B.M., Bingham Co.

David Benton
Engineer
1400 Benton
522-8033

Water is used for municipal

Quantity of water claimed: Permit 0.5 c.f.s. Depositions 2.5 c.f.s.

Type of measuring device installed or method of measurement and general description
of diversion works 300'x16"; 25 h.p. motor; concrete reservoir;
pipe; Venturi meter

Land to be irrigated or place of use:

TWP. RGE. SEC. Description

Fort Hall, Idaho, & Vicinity

Filed - July 27, 1967

Due - December 1, 1968

Made - October 18, 1968

Priority - July 27, 1967

Total acreage

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

0002 22
27 7000

Source of supply Well

a tributary of —

Location of P.D.(s) NE⁴ NE⁴ 35, T.4S., R.34E.

Water is used for Municipal

Quantity of water found not measured.

How was the measurement made? —

Measurement calculations 300' deep well cased with 16" casing then reduced to 12" to the 190' level. Balance uncased. 30' lift. Pump driven by 25 h.p. motor with water stored in 100,000 gal. underground concrete tank. water is then pumped by a constant speed 40 h.p. motor and a variable speed 30 h.p. motor as necessary to serve 120 families. Also used for fire protection. there is 18 fire hydrants on 6" main line. Pump from well has been rated at 1200 g.p.m.

Diversion works description and diagram

Inspected pump house from outside. Was locked and Engineer lives in Idaho falls. Got above information by telephone.

27 7000

Indicate area irrigated in each subdivision on the map.

Total acreage irrigated none

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

Serves 120 families with domestic water + fire protection. The following records of total accumulated hours of pump operation were obtained from Mr. Benton. 8/3/68 - 12.2 hrs; 12/30/68 - 215.5 hrs; 4/25/70 - 1102.6 hrs @ approx 1100 gpm. Average daily operation during float period was 1.35 hr/day or 945 gpd, for the second period it was 1.83 hr/day or 1256.5 gpd. Because of the increase in hrs/day, the date of the records, and the fact one having two winter periods & only one summer the allowed volume should be increased to 2000 acf.

Who represented the permit holder at the examination?

Mr. David Benton, Idaho falls (1400 Benton St.)

Recommended allowance for licensing 0.5 c.f.s.

Description of required amendments. Comments. The U.S. Indian Bureau may hook on to system. Their well pumps sand and they plan to hook on to this well or drill a new one for their use. Mr. Benton can supply total pumped last year if necessary. Address is 1400 Benton St. Idaho falls. (This has not happened.) Meter is an outflow from storage tank out on pump discharge. David Benton, P.E., has measured the time required for pump to fill the storage tank and determined a pumping rate of 1050 to 1110 gpm. System is obviously capable of producing more than the requested 0.5 cfs.

Report checked? —

Examination date 2-11-70

9-16-71

Signature Robert W. Hamilton

Norman C. Young

my
2/11/70

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF REINSTATEMENT OF PERMIT NO. 27-7000)

in the name of FORT HALL WATER AND SEWER DISTRICT)

ORDER OF REINSTATEMENT

WHEREAS, the Fort Hall Water and Sewer District applied to the Department of Reclamation on July 27, 1967 for a permit to appropriate the public waters of the State of Idaho, proposing the diversion of 0.5 cubic feet per second of the Re: Permit No. 27-7000 waters of a ground water source for use in sections 26, 35, and 36, T. 4 S, R. 34 E, B.M., Bingham County, Idaho; and,

WHEREAS, on November 6, 1967, Permit No. 27-7000 was approved with the Fort Hall Water and Sewer District c/o Harold D. Schmidt as the measuring device of a type approved by the Department of Reclamation, P. O. Box 105, Fort Hall, Idaho 83203 and that proof of application of the water to beneficial use be submitted on or before December 1, 1968; and,

WHEREAS, on October 3, 1968, the permit holder was notified by certified mail that the department has received the proof of beneficial use forms submitted in connection with the above referenced permit. Before a license can be issued a field examination must be made by a representative from this department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system. If someone other than you should be contacted by the examiner, please contact us.

WHEREAS, on December 3, 1968 the Department of Reclamation caused the permit to lapse for failure to submit proof of beneficial use; and,

WHEREAS, Permit No. 27-7000 was lapsed in error;

WHEREFORE, IT IS HEREBY ORDERED that Permit No. 27-7000 be REINSTATED with Donald W. McElDowney as the Appropriation Examiner on loss in the date of priority.

DWM:ks 11th day of January, 1969.
enclosure: order

R. Keith McGinnis
State Reclamation Engineer

27-7000

Hand Typed

27-7000

January 15, 1969

Re: Permit No. 27-7000
Fort Hall Water and Sewer District

Mr. David E. Benton, P.E.
Project Engineer
1400 Benton Street
Idaho Falls, Idaho

Dear Mr. Benton:

Thank you for your letter of January 10, 1969. The department has reviewed the files and has found the proof of beneficial use papers filed in connection with the above referenced permit. Enclosed is a copy of the order of reinstatement which has been forwarded to the Fort Hall Water and Sewer District.

If we may be of further assistance, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

dWM:ks
enclosure: Copy of order of reinstatement

27-7000

RECEIVED

JAN 18 1969

REPORT OF WELL DRILLER
State of Idaho

Department of Reclamation

State law requires that this report shall be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

WELL OWNER:

Name Fort Hall Sewer & Water Dist.

Address Fort Hall Idaho

Owner's Permit No. 27-7000

NATURE OF WORK (check): Replacement well ☐

New well ☒ Deepened ☐ Abandoned ☐

Water is to be used for: Domestic

METHOD OF CONSTRUCTION: Rotary ☐ Cable ☒

Dug ☐ Other ☐

(explain)

CASING SCHEDULE: Threaded ☐ Welded ☒

28 "Diam. from 0 ft. to 50 ft.

16 "Diam. from 0 ft. to 154 ft.

12 "Diam. from 140 ft. to 190 ft.

"Diam. from ft. to ft.

Thickness of casing: 3/16-5/16 Material:

Steel ☒ concrete ☐ wood ☐ other ☐

(explain)

PERFORATED? Yes ☐ No ☒ Type of perforator used:

Size of perforations: " by "

perforations from ft. to ft.

perforations from ft. to ft.

perforations from ft. to ft.

perforations from ft. to ft.

WAS SCREEN INSTALLED? Yes ☐ No ☒

Manufacturer's name

Type Model No.

Diam. Slot size Set from ft. to ft.

Diam. Slot size Set from ft. to ft.

CONSTRUCTION: Well gravel packed? Yes ☐

No. ☒ size of gravel Gravel

placed from ft. to ft. Surface seal

provided? Yes ☐ No ☐ To what depth?

 ft. Material used in seal:

Did any strata contain unusable water? Yes ☒

No. ☐ Type of water: Sandy

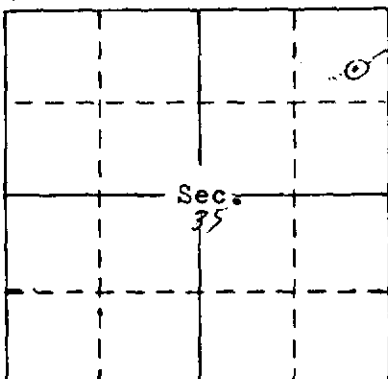
Depth of strata 18 ft. Method of sealing

strata off: Neat Cement

Surface casing used? Yes ☒ No. ☐

Cemented in place? Yes ☒ No ☐

Locate well in section



LOCATION OF WELL: County Bingham

NE 1/4 NE 1/4 Sec. 35 T. 4 N. S. R. 34 E.

Use other side for additional remarks

Size of drilled hole: 28-16-12 Total depth of well: 300 Standing water level below ground: 29 Temp. Fahr. 56 Test delivery: 2200 gpm or cfs Pump? ☒ Bail ☐

Size of pump and motor used to make test:

10 " Pump- 100 B.H.P.

Length of time of test: 33 Hrs. 30 Min.

Drawdown: 9 " Artesian pressure: ft.

above land surface Give flow cfs

or gpm. Shutoff pressure:

Controlled by: Valve ☐ Cap ☒ Plug ☐

No control ☐ Does well leak around casing? Yes ☐ No ☒

DEPTH		MATERIAL	WATER YES OR NO
FROM	TO		
FEET	FEET		
0	20	Sand	
20	24	Sandy clay	
24	40	clay	
40	45	sandy clay	
45	55	gravel	
55	65	sand some gravel	yes
65	107	gravel water	yes
107	120	clay & gravel	no
120	130	clay small amount of gravel	no
130	133	sand and gravel	yes
133	154	broken lava (Blk)	yes
154	170	hand lava	no
170	176	broken lava (Blk)	no
176	186	clay brown	no
186	188	broken lava (Blk)	no
188	202	hand lava (Blk)	No
202	237	Brown sand stone some	yes
237	261	lava (Blk)	no
261	272	Pross lava some	yes
272	285	red lava hard	no
285	300	lava * cinders some crevices	yes

Work started: October 23-67

Work finished: January 30-68

Well Driller's Statement: This well was drilled under my supervision and this report is true to the best of my knowledge.

Name: Jack Cushman

Address: 1405 South Broadway

Signed by: Jack Cushman

License No. 94 Date: February 20-68

27-7000

RECEIVED

JAN 13 1969

BENTON ENGINEERING

Consulting Engineers

DAVID E. BENTON, P.E.
RES. PH. 522-5046

LLOYD J. BENTON
RES. PH. 522-8314

Department of Reclamation
1400 BENTON ST.

IDAHO FALLS, IDAHO
PH. 522-8033



Jan. 10, 1969

R. Keith Higginson
State Reclamation Engineer
107 State House
Boise, Idaho 83701

Dear Mr. Higginson:

When I saw Mr. Harold Schmidt of the Fort Hall Water and Sewer District yesterday he gave me a form letter that he had received from you stating that Permit 27-7000 had lapsed. The Proof of Application of Water to Beneficial Use form (copy enclosed) was mailed to the Department of Reclamation, Statehouse Annex 2, Boise, Idaho about the 20th of Nov. 1968 and should have been received prior to the deadline of Dec. 1, 1968. If there was something else that needed to be sent to you we were not aware of it.

Would you please advise us as to what real status of this permit is now. We figured that possibly that it got directed to the wrong office or that the form letter was sent out in error. Please let us know what we should do now.

Sincerely yours,

David E. Benton, P.E.
Project Engineer

27-7000

Identification No. 27--7000

Permit No. 27-7000

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE JAN 13 1969

1. a) Name of Permit Holder FORT HALL WATER AND SEWER DISTRICT
b) Post Office Address FORT HALL, IDAHO
2. Permit Number 27-7000
3. Date of Priority that you are prepared to establish July 27, 1968
4. a) Source from which water was appropriated Deep Well
b) Location of the point of diversion: NE 1/4 NE 1/4, Section 35
Township 4 S., Range 34 E. Boise Meridian. Other points of
diversion:
5. a) The amount of water and use to which the water has been applied:
amount 2.5 cfs for Municipal purposes from Jan. 1 to Dec. 31 incl.
(cfs and/or acre feet per annum) (Mo-Day) (Mo-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Mo-Day) (Mo-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Mo-Day) (Mo-Day)
b) Total amount appropriated 2.5 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: Deep well pump discharged into
a reinforced concrete reservoir 34 ft. diam. in filling it took an average of 6 min
6 sec. to raise one foot - 6791 gal or 1113 gpm - 2.5 cfs.
Measurement taken by District's Engr. David E. Benton, P.E.
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: ~~Distribution pipe 8", 6", 4" and 2" pipe.~~
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) 16" Well casing 12" pump, 25 H.P. 300 ft. Well (see log.)
Pumping from 30 ft. static level. Surface water sealed off from entering
well casing. Deep well pump discharges into a 100,000 gal. Concrete Reservoir
Two booster pumps are used to pump directly into the distribution mains.
1 is a variable speed 30 H.P. pump and # 2 is a 40 H.P. constant speed pump.
Distribution mains are 8", 6", 4" and 2" pipe. (Cast iron & Galv.)

b) Describe the type and size of measuring device which you have installed at your point of diversion: Also Venturi meter has been installed in line leading out from the pump house to the municipal mains. direct reading totalizer

c) Give well drillers name and address and date the well was completed Jack Cushman, 1405 South Broadway, Blackfoot, Idaho completed Jan.30, 1968

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use Municipal use in the Townsite of Fort Hall, Idaho

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

WP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total number of acres irrigated _____

10. Remarks: _____

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

FORT HALL WATER AND SEWER DISTRICT

10-17-68
(Date)

By Harold D. Schmidt
Chairman of the Board.
(Signature)

State of Idaho)
County of Bingham)

On this 18th day of Oct., 19 68, personally appeared before me the signer (s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same, for the Fort Hall Water and Sewer District.

David E. Benton
Notary Public residing at Idaho Falls,

My commission expires 10-10-69

27-7000

December 3, 1968

Re: Permit No. 27-7000

LAPSED

Fort Hall Water and Sewer District
c/o Harold D. Schmidt
P. O. Box 105
Fort Hall, Idaho 83203

Gentlemen:

You are hereby notified that under the provisions of Section 42-218a,
Idaho Code, Permit 27-7000 has lapsed.

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

R. Keith Higginson

State Reclamation Engineer

RKH:KS

Form 7

27-7000

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

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

65-16-71548-10

POD Form 3811 Apr. 1967

27-7000

INSTRUCTIONS: Show name and address below and complete instructions on other side, where applicable. Moisten gummed ends, attach and hold firmly to back of article. Print on front of article RETURN RECEIPT REQUESTED.



RETURN
TO

NAME OF SENDER

Department of Reclamation
Annex # 2 Statehouse

STREET AND NO. OR P.O. BOX

POST OFFICE, STATE, AND ZIP CODE Boise, Idaho 83707

27-7000

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Show to whom, date, and address where delivered ☐ Deliver ONLY to addressee
(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

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

CERTIFIED NO.

20406

INSURED NO.

DATE DELIVERED

OCT 12 1968

1

2

3

Gert Hall
Water & Sewer Dept.

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

Rhonda Schmidt

SHOW WHERE DELIVERED (only if requested)

c55-16-71548-10

gpo

27-7000

RD

NAME AND ADDRESS OF SENDER

West of Spokane office

Indicate type of mail
☐ INSURED
☒ CERTIFIED
☐ C. O. D.

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

POSTMARK AND DATE OF RECEIPT

3635

NUMBER OF ARTICLE

NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS

POSTAGE

FEE

DUE SENDER

ENDORSE

MENT

R. R.

FEE

S. D.

FEE

S. H.

FEE

RESTRICTED DELIVERY FEE

REMARKS

27-7000

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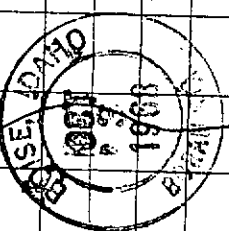
27-7000

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27-7000



TOTAL NUMBER OF PIECES LISTED BY SENDER

TOTAL NUMBER OF PIECES RECEIVED AT POST OFFICE

POSTMASTER, PER (Name of receiving employee)

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

October 3, 1969

Re: Permit No. 27-7000

Fort Hall Water and Sewer District
c/o Harold D. Schmidt
P. O. Box 105
Fort Hall, Idaho 83203

Gentlemen:

One of the conditions of the approval of your permit 27-7000 was that proof of application of the water to beneficial use be submitted to this office on or before December 1, 19 68.

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

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



State Reclamation Engineer

Enclosure: Proof form

RECEIVED

MAR 15 1968

REPORT OF WELL DRILLER
State of Idaho

Department of Reclamation requires that this report shall be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

WELL OWNER:

Name Fort Hall Sewer & Water Dist.

Address Fort Hall, Idaho

Engineer: David E. Benton, 1400 Benton Idaho

Owner's Permit No. 27-7000 Falls, Ida.

NATURE OF WORK (check): Replacement well ☐

New well ☒ Deepened ☐ Abandoned ☐

Water is to be used for: (Domestic) Municipal

METHOD OF CONSTRUCTION: Rotary ☐ Cable ☒

Dug ☐ Other ☐

(explain)

CASING SCHEDULE: Threaded ☐ Welded ☒

28 "Diam. from 0 ft. to 50 ft.

16 "Diam. from 0 ft. to 154 ft.

12 "Diam. from 140 ft. to 190 ft.

"Diam. from ft. to ft.

Thickness of casing: 3/16-5/16 Material:

Steel ☒ concrete ☐ wood ☐ other ☐

(explain)

PERFORATED? Yes ☐ No ☒ Type of perforator used:

Size of perforations: " by "

perforations from ft. to ft.

perforations from ft. to ft.

perforations from ft. to ft.

perforations from ft. to ft.

WAS SCREEN INSTALLED? Yes ☐ No ☒

Manufacturer's name

Type Model No.

Diam. Slot size Set from ft. to ft.

Diam. Slot size Set from ft. to ft.

CONSTRUCTION: Well gravel packed? Yes ☐

No. ☒ size of gravel Gravel

placed from ft. to ft. Surface seal

provided? Yes ☐ No ☐ To what depth?

ft. Material used in seal:

Did any strata contain unusable water? Yes ☒

No. ☐ Type of water: Sandy

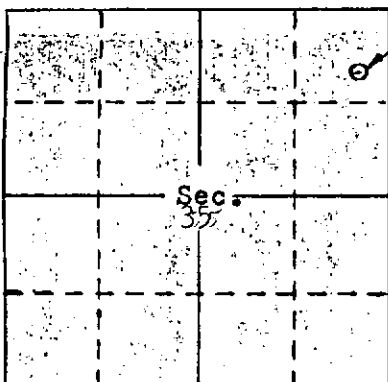
Depth of strata 18 ft. Method of sealing

strata off: Neat Cement

Surface casing used? Yes ☒ No. ☐

Cemented in place? Yes ☒ No ☐

Locate well in section



LOCATION OF WELL: County Bingham

NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 35 T. 4 N. R. 34 E. ~~NE~~

Size of drilled hole: 28-16-12" Total

depth of well: 300' Standing water

level below ground: 29' Temp.

Fahr. 56 ° Test delivery: 2200 gpm

or cfs Pump? ☒ Bail ☐

Size of pump and motor used to make test:

10" Pump --100 B.H.P.

Length of time of test: 33 Hrs. 30 Min.

Drawdown: 9" ~~10"~~ Artesian pressure: ft.

above land surface Give flow 5 cfs

or gpm. Shutoff pressure:

Controlled by: Valve ☒ Cap ☒ Plug ☐

No control ☐ Does well leak around casing?

Yes ☐ No ☒

DEPTH MATERIAL WATER

FROM TO YES OR NO

FEET FEET

8 20 Sand

20 24 Sandy Clay

24 40 Clay

40 45 Sandy Clay

45 55 Gravel

55 65 Sand some gravel yes

65 107 Gravel water yes

107 120 Clay & gravel no

120 130 Clay small amount of gravel no

130 133 Sand and gravel yes

133 154 Broken lava (Blk) yes

154 170 Hard lava no

170 176 Broken lava (Blk) no

176 186 Clay brown no

186 188 Broken lava (Blk) no

188 202 Hard lava (Blk) no

202 237 Brown sand stone some yes

237 261 Lava (Blk) no

261 272 Pross lava some yes

272 285 Red lava hard no

285 300 Lava cinders some crevices yes

Use other side for additional remarks.

27-7-12

27-7000

REPORT OF WELL DRILLER
State of IdahoRECEIVED
APR 8 1968
Department of Reclamation

State law requires that this report shall be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

WELL OWNER:

Name Fort Hall Senior & Water Dist.Address Fort Hall, IdahoOwner's Permit No. 27-7000NATURE OF WORK (check): Replacement well ☐
New well ☒ Deepened ☐ Abandoned ☐Water is to be used for: DomesticMETHOD OF CONSTRUCTION: Rotary ☐ Cable ☒
Dug ☐ Other ☐

(explain)

CASING SCHEDULE: Threaded ☐ Welded ☒

28" Diam. from 0 ft. to 50 ft.

16" Diam. from 0 ft. to 154 ft.

12" Diam. from 140 ft. to 190 ft.

"Diam. from ft. to ft.

Thickness of casing: 3/16 - 5/16 Material:Steel ☒ concrete ☐ wood ☐ other ☐

28" 3/16" temp. 16" 5/16 12" Liner 1/4"

(explain)

PERFORATED? Yes ☐ No ☒ Type of

perforator used:

Size of perforations: " by "

perforations from ft. to ft.

perforations from ft. to ft.

perforations from ft. to ft.

perforations from ft. to ft.

WAS SCREEN INSTALLED? Yes ☐ No ☐

Manufacturer's name

Type Model No.

Diam. Slot size Set from ft. to ft.

Diam. Slot size Set from ft. to ft.

CONSTRUCTION: Well gravel packed? Yes ☐No. ☒ size of gravel Gravel

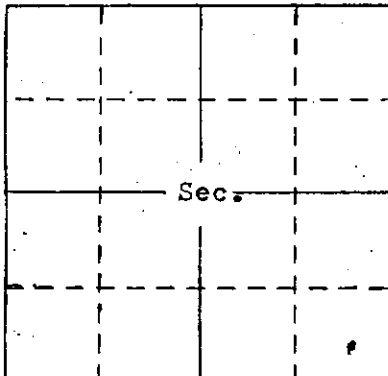
placed from ft. to ft. Surface seal

provided? Yes ☐ No ☐ To what depth?

ft. Material used in seal:

Did any strata contain unusable water? Yes ☒No. ☐ Type of water: SANDYDepth of strata 18 ft. Method of sealingstrata off: Heat CementSurface casing used? Yes ☒ No. ☐Cemented in place? Yes ☒ No ☐

Locate well in section

LOCATION OF WELL: County BenewahNE 1/4 Sec. 35 T. 4 S. R. 34 E.

SE SE

Use other side for additional remarks

Size of drilled hole: 28-16-12 Totaldepth of well: 300 Standing waterlevel below ground: 29 Temp.Fahr. 56 ° Test delivery: 2200 gpmor cfs Pump? ☒ Bail ☐

Size of pump and motor used to make test:

10" Pump - 100 B.H.P.Length of time of test: 33 Hrs. 30 Min.Drawdown: 9 ft. Artesian pressure: ft.

above land surface Give flow cfs

or gpm. Shutoff pressure:

Controlled by: Valve ☐ Cap ☒ Plug ☐No. control ☐ Does well leak around casing?Yes ☐ No ☒

DEPTH MATERIAL WATER

FROM TO YES OR NO

FEET FEET

0 20 SAND

20 24 SANDY CLAY

24 40 CLAY

40 45 SANDY CLAY

45 55 Gravel

55 65 SAND some gravel YES

65 107 Gravel water YES

107 120 CLAY & Gravel NO

120 130 CLAY small amount of gravel NO

130 133 SAND and gravel YES

133 154 Broken lava (B.K.) YES

154 170 Hard lava NO

170 176 Broken lava (B.K.) NO

176 186 CLAY brown NO

186 188 Broken lava (B.K.) NO

188 202 Hard lava (B.K.) NO

202 237 Brown sand stone some YES

237 261 Lava (B.K.) NO

261 272 Press lava some YES

272 285 Red lava hard NO

285 300 Lava cinder some gravel YES

November 6, 1967

Re: Permit 27-7000

Fort Hall Water & Sewer District
c/o Harold D. Schmidt
P.O. Box 105
Fort Hall, Idaho 83203

Gentlemen:

We enclose a copy of your approved application for permit 27-7000 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:nw

Enclosure: Copy of application
Receipt No. G-11694 for \$10.00

September 26, 1967

Re: Application No. 27-7000

Blackfoot News
Blackfoot,
Idaho 83221

Gentlemen:

We are enclosing a copy of a legal notice submitted to you on July 31, 1967 on the above referenced application. The affidavit of publication received on August 21, 1967 indicates that part of the original notice was omitted during the publication.

Therefore, we will require this notice to be republished for two consecutive issues in its original form at your expense. When the publication has been completed, please forward a corrected affidavit of publication to this office.

Please contact us if you have any further questions on the matter.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:ks

Enclosures: legal notice
copy of incorrect affidavit

27-7000

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that Fort Hall Water and Sewer District
has on July 27, 1967
applied for permit to ~~divert~~ store 0.5 cubic feet per second ~~divert~~
of water from a subterranean source
under application No. 27-7000. Water will be diverted by a well
and a pump within the NE 1/4, Sec. 35, T. 4 S, R. 34 E.,
and 111 Block 39 of the Townsite of Fort Hall, Bingham County
and is to be used from January 1 to December 31 for municipal (culinary)
purposes
in the Fort Hall Water and Sewer District Distribution System.

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

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Blackfoot News, Blackfoot, Idaho,
on October 5 and October 12.

27-7000

RECEIVED

AUG 4 1967

Department of Reclamation

NOTICE OF APPLICATION
FOR WATER

Notice is hereby given that Fort Hall Water and Sewer District has on July 27, 1967, applied for permit to divert 0.5 cubic feet per second of water from a subterranean source under application No. 27-7000. Water will be diverted by well and pump within the NE 1/4 NE 1/4, Sec. 23, T. 4S, R. 34E, B.M. and 121 Block 39 of the Townsite of Fort Hall, Bingham County, and is to be used from January 1 to December 31 for municipal (culinary) purposes in the Fort Hall Water and Sewer District Distribution System.

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

R. KEITH HIGGINSON

State Reclamation Engineer

Pub.: Aug 10 and 10
(453)

17

17

27-7000

July 31, 1967

Re: Application 27-7000

The Blackfoot News
Blackfoot,
Idaho 83221

Gentlemen:

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

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

The expense of this publication is to be paid by the Department of Reclamation to whom you must furnish an affidavit of publication with the bill as soon as the publication is completed.

Very truly yours,

Donald W. McElowney
Water Right Clerk

DWM:ks

Enclosures: legal notice

P.S. Please send a certified bill in order to receive prompt payment.

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that Fort Hall Water and Sewer District
July 27, 1967
has on _____ applied for permit to (divert) ////
0.5 (cubic feet per second) //////// of water from _____ a sub-
terranean source _____ under application No. 27-7000. Water will be
diverted by _____ well and pump _____ NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 35, T. 4S, R.
34E, B.M. and 111 Block 39 of the _____ January 1
~~Townsite of Fort Hall, Bingham County~~ and is to be used from _____
to December 31 for municipal (culinary) purposes
in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 35, T. 4S, R. 34E the Fort Hall Water and Sewer District
Distribution System

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

R. KEITH HIGGINSON

State Reclamation Engineer

Blackfoot News

Blackfoot

Published in the _____ August 10 _____ August 17 _____

Idaho, on _____ and _____.

27-7000
Form 2