

[illegible]

James H. H. H. H.
(Applicant)

Proof of Publication
The Post-Register

RECEIVED

AUG 18 1976

Department of Water Resources
Eastern District Office

State of Idaho, {
County of Bonneville { ss.

I, Ted L. Delezene, first being duly sworn, depose and say: That I am the Foreman 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 5th day of August, 19 76, last publication having been made on the 12th day of August, 19 76, 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 17th day of August, 19 76

Ted L. Delezene

Karey Hale

Notary Public

My commission expires April 5, 19 79

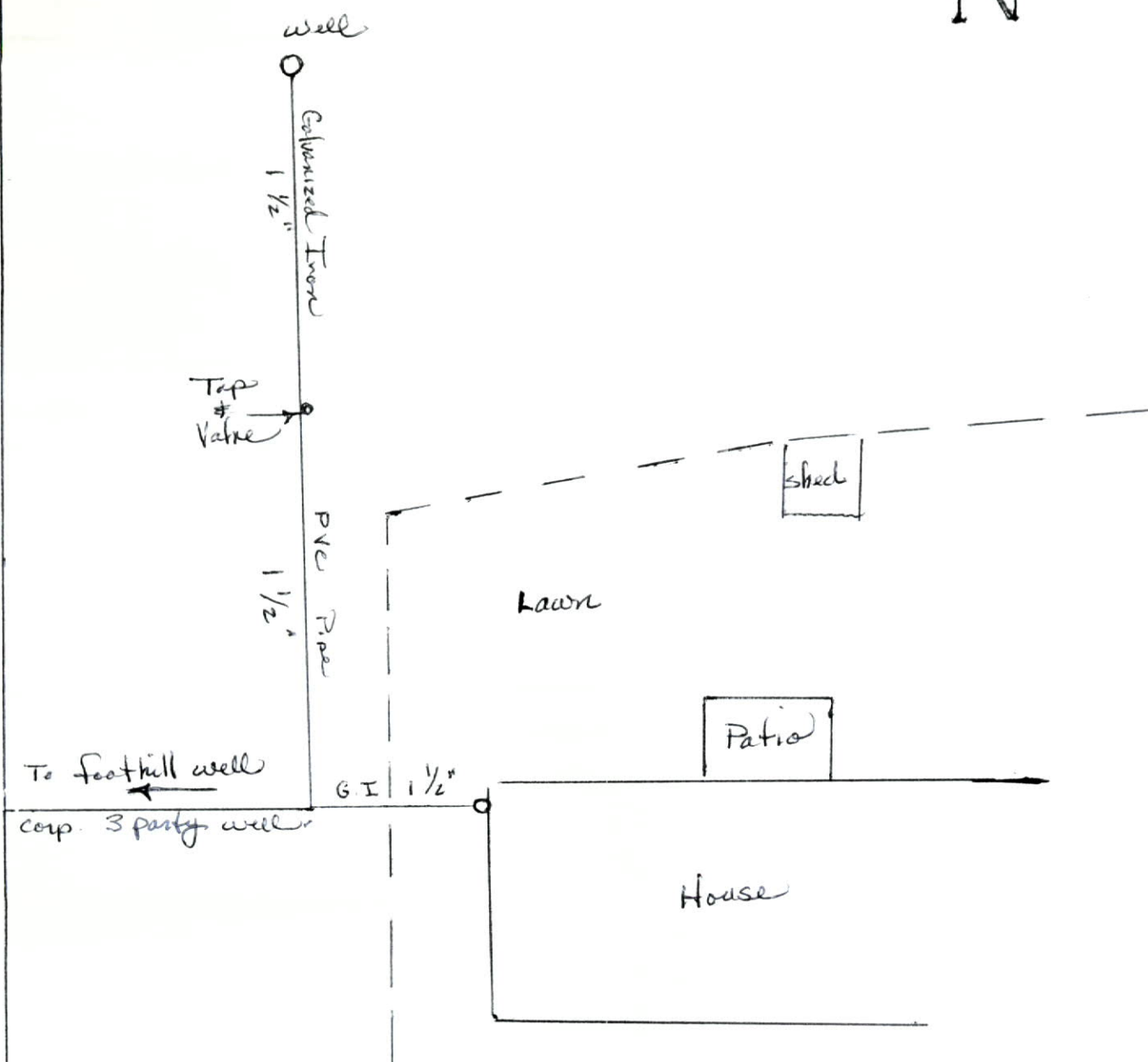
B10, 1M

NOTICE OF APPLICATION
FOR WATER PERMIT
Notice is hereby given that Bruce L. Schmalz, Idaho Falls, Idaho has on 7-26-76 submitted Application No. 25-7097 for a permit to appropriate 0.04 cubic feet per second of water from a ground-water source by means of well and pump within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19, T. 2N, R. 39E, B.M., Bonneville County, to be used from Jan. 1 to Dec. 31 for domestic purposes for one family within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19, T. 2N, R. 39E, B.M.
If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before August 23, 1976.
R. KEITH HIGGINSON
Director
Published: August 5 and 12, 1976

Bruce L. Schmatz

25-7097

N



Scale 1" = 20'

ARK 2/14/78



Manifold

(3 lines)

(3 lines)
Manifold

house & garage

low sprinkler system

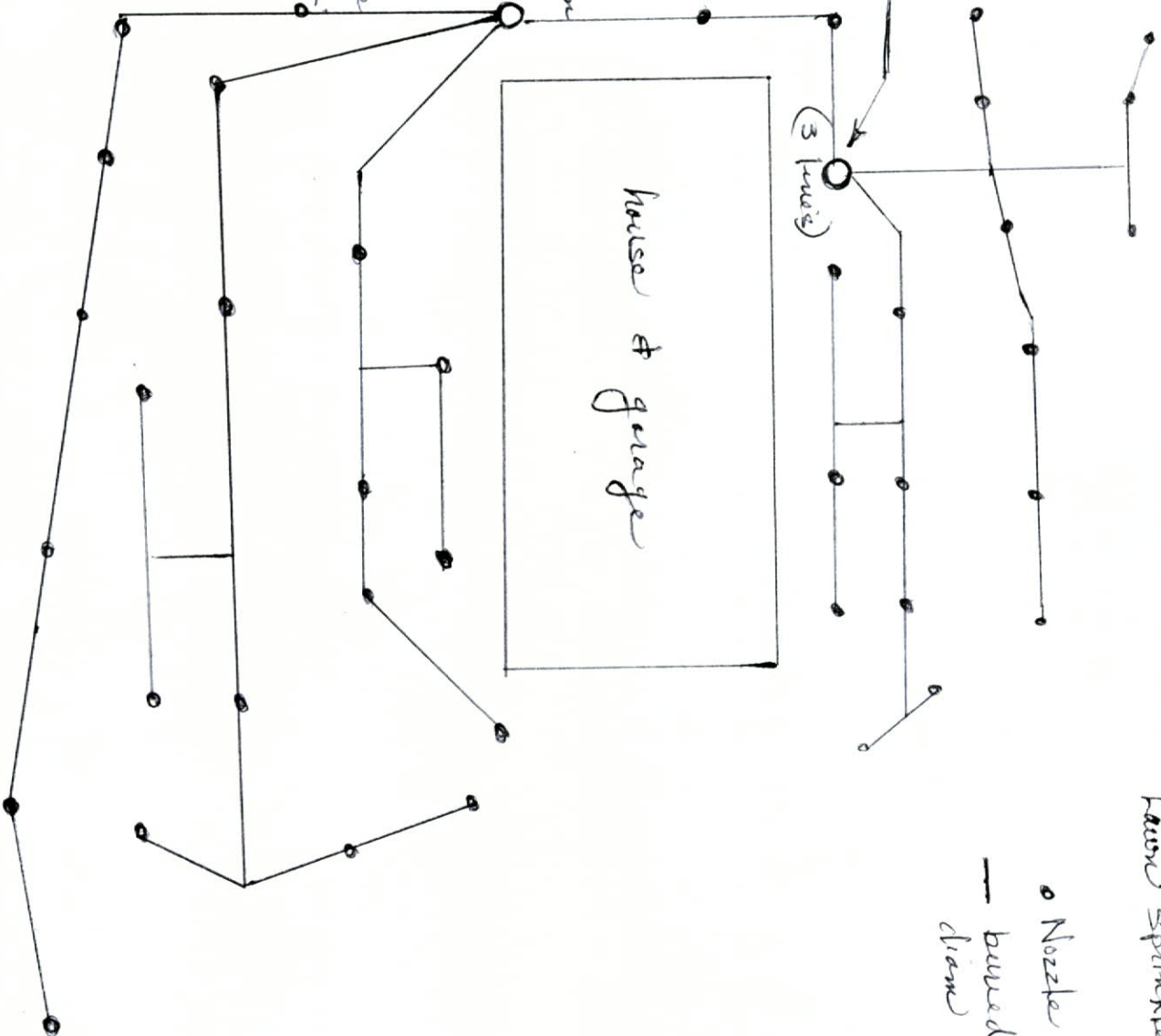
• Nozzle Heads.
— buried 1 1/4 to 3/4" diam lines

Each Manifold has 3 solenoid valves operated by timers that deliver water to each line in 20 min intervals. All lines function over a period of 3 hours.

Manifolds are needed as there is not enough water or pressure to operate all the lines simultaneously.

8300 sq ft of lawn sprinkled

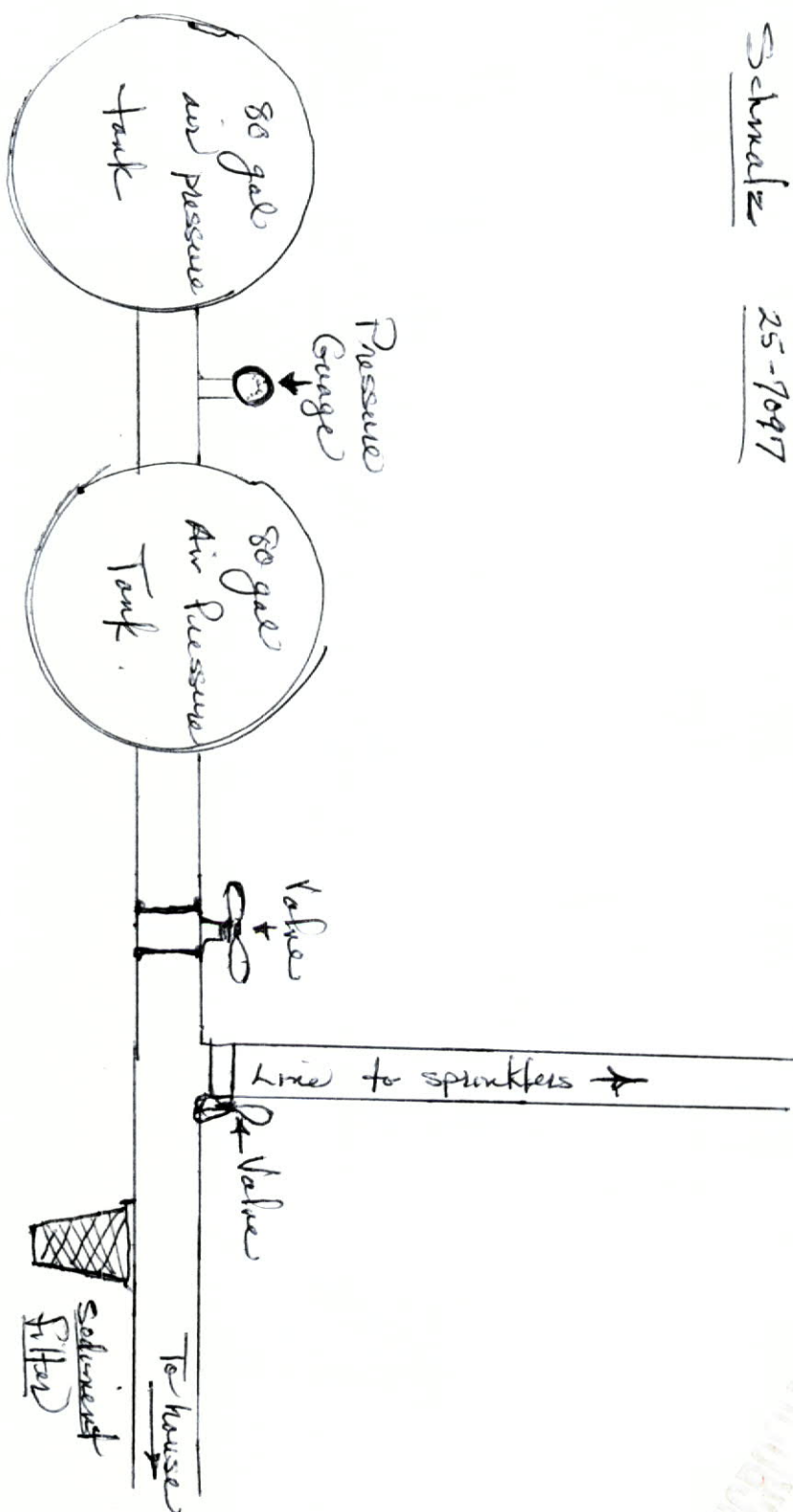
there are approx. 40 nozzles in this system.



ARK 2/14/78

Bruce L. Schnitz

25-7097



ARK 2/14/78

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

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.

Quinn L. Schmalz
(Applicant)

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 25-7097 Priority July 26, 1976 Amount .04 cfs

THIS IS TO CERTIFY, that BRUCE L. SCHMALZ
of Idaho Falls, Idaho, has complied with the terms and conditions of Permit
No. 25-7097 issued pursuant to Application for Permit dated July 26, 1976,
and has submitted proof to the Department of Water Resources on January 17, 1978,
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 .08 cfs of water from a groundwater source,
tributary to _____, 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>Domestic</u>	from <u>January 1</u> to <u>December 31</u> at <u>.04</u> cfs and <u>1.20</u> acre feet		
	from _____ to _____ at _____ cfs and _____		
	from _____ to _____ at _____ cfs and _____		

(both dates inclusive)

Subject, however, to the condition that no more than .04 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 is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1.20 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19, Twp. 2N,
Rge. 39E, B. M. in the County of Bonneville

Description and location of place of use:

Twp.	Range	Sec.	NEW				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NEW	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NEW	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NEW	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NEW	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
2N	39E	19																X	

Total number of acres irrigated _____

This license when used in combination with License No. 25-7091 shall allow the
diversion of no more than .04 cfs at any one time and no more than 1.20 acre
feet per year.

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 31 day of

May, 1978.

Director

MICROFILMED

25 7097

Identification No. _____

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
 (TYPE OR PRINT IN INK)

1. Name of applicant Bruce L. Schmalz Phone: 522-6262
 post office address Rt. #1, Box 76, Idaho Falls, Idaho 83401
2. Source of water supply ground water which is a tributary of _____
3. a. Location of point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 19 Township 2N
 Range 39E B.M. Bonneville County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
 of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
 Amount 0.04 for Domestic purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
 Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
 Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
 a. 0.04 cubic feet per second and/or
 b. _____ acre feet per annum.
6. Proposed diverting works:
 a. Description of ditches, flumes, pumps, headgates, etc. well, pump, pressure system

- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
 Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is 6 inches; proposed depth of well is 300 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.
 b. Estimated construction cost is \$ 7500.00
8. Description of proposed uses:
 a. If water is **not** for irrigation:
 (1) Give the place of use of water: SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 19 Township 2N
 Range 39E 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 _____, or number of families to be supplied with domestic water one
 (5) If water is to be used for other purposes describe: _____

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

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated_____

c. Describe any other water rights used for the same purposes as described above._____

1/3 interest in No. 25-7091

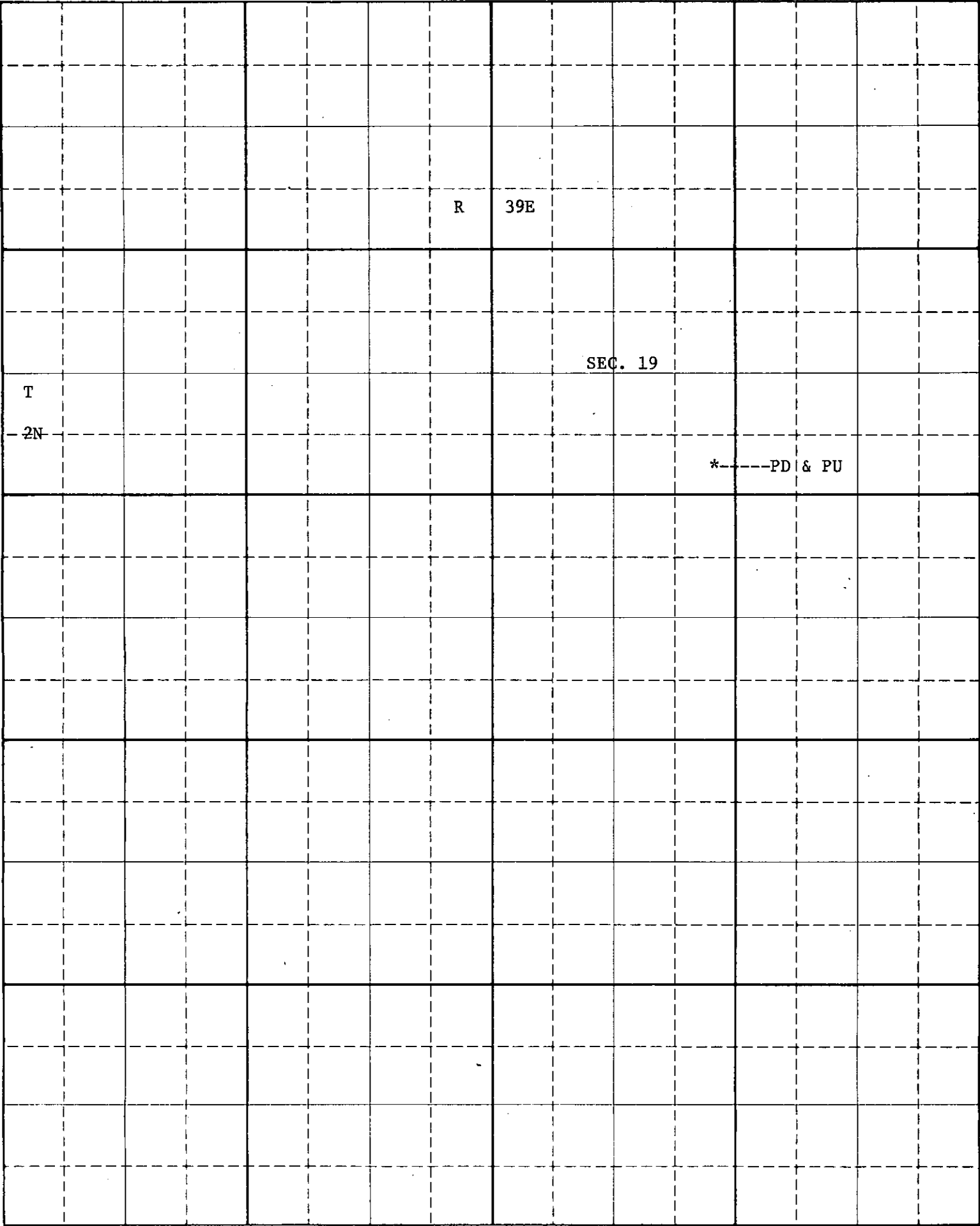
9. a. Who owns the property at the point of diversion Applicant

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

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: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

[Signature]
(Applicant)

Proposed Priority 7-26-76

Received by CW Date 8-02-76 Time 10:35A.
CW Date 7-26-76 Time 10:05A.

Preliminary check by JW Fee \$ 10.00

Receipted by CW Date 7-28-76 # 2483

Publication prepared by CW Date 7-28-76

Published in Last Register

Publication dates Aug 5 + 12, 1976

Publication approved the Date 8/18/76

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by ORT

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 25-7097, and said application is hereby APPROVED.

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 19 81.

c. Other: _____

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

Witness my hand this 30 day of August, 19 76.

R. Karl Hjorne
Director

RECEIVED

AUG 16 1976

Proof of Publication The Post-Register

Department of Water Resources
Eastern District Office

State of Idaho,
County of Bonneville } ss.

I, Ted L. Delezene, first being duly sworn, depose and say: That I am the Foreman 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 5th day of August, 19 76, last publication having been made on the 12th day of August, 19 76, 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 17th day of August, 19 76

Ted L. Delezene

Karl Scholz
Notary Public

My commission expires April 5, 19 79

B10, 1M

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Bruce L. Schmalz, Idaho Falls, Idaho has on 7-28-76 submitted Application No. 25-7097 for a permit to appropriate 0.04 cubic feet per second of water from a ground-water source by means of well and pump within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19, T. 2N, R. 39E, B.M., Bonneville County; to be used from Jan. 1 to Dec. 31 for domestic purposes for one family within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19, T. 2N, R. 39E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before August 23, 1976.

R. KEITH HIGGINSON
Director
Published: August 5 and 12, 1976

WATER RIGHT NUMBER 25-7097

OWNER LAST NAME - SCHMALZ
ADDRESS LINE 1 - RT. 1 BOX 76
ADDRESS LINE 3 -FIRST NAME - BRUCE L.
ADDRESS LINE 2 -
CITY - IDAHO FALLS
TRIBUTARY OF -ORIG OWNER -
STATE - ID ZIP CODE - 83401

SOURCE - GROUNDWATER

STAGE - LICENSE STATUS - PRIORITY - 07-26-1976 COUNTY - BONNEVILLE TOTAL DIV. RATE - .0400 -CFS
TOTAL DIV. VOLUME - 1.20 AFA TRFR/AMEND - WATER DIST. - DLE/CAREY ACT - RIGHT BASIS -
DIVERSION POINT - SFSE 19 02N 39E LOT REDIV - 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0
FROM - 01-01 TO - 12-31 USE - DOMESTIC USE DIV. RATE - .0400 CFS USE DIV. VOLUME - 1.20 AFA
USE - DOMESTIC PLACE OF USE - TWN 02N RNG 39E SEC 19 TRACT SESE LOT AC

DECREE NAME -

DATE -

TOTAL ACRES 0

REMARKS - THIS RT. WHEN COMBINED WITH RT. 25-7091 SHALL ALLOW THE DIVERSION
OF NO MORE THAN .04 CFS AT ANY ONE TIME AND NO MORE THAN
1.20 AF/YR.

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. -

PROOF MADE - FLD EXAM - COND. OF APPROVAL -

DIVERSION MEANS -

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

[illegible]

June 1, 1978

Re: Permit No. 25-7097

Bruce L. Schmalz
Route #1, Box 76
Idaho Falls, ID 83401

Dear Mr. Schmalz:

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

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:kw
Enclosure

RECORDED
JUN 11 1978

May 2, 1978

Mr. Bruce L. Schmalz
Route #1, Box 76
Idaho Falls, ID 83401

Dear Mr. Schmalz:

The 0.04 cfs amount listed in our letter of April 18, 1978, is the maximum amount we can allow for this license. It is the amount you applied for when you filed the application for permit and a license cannot be issued for more than the amount of the permit.

Also, this permit cannot be changed to reflect irrigation purposes. In order to obtain an irrigation permit, a new application for permit must be filed.

If you do not want the license issued for this permit, please contact us immediately. If we do not hear from you within 15 days we will license the permit according to our letter of April 18.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG:lt

APPROVED
MAY 10 1978

BRUCE L. SCHMALZ

Route 1, Box 76
Idaho Falls, Idaho
83401
(208) 522-6262

April 20, 1978

RECEIVED

APR 24 1978

Department of Water Resources

Department of Water Resources
Statehouse
Boise, Idaho 83720

Attention: Jan Grover

Re: Permit No. 25-7097

Dear Ms. Grover:

Your letter of April 18, 1978 regarding reconciliation of the misunderstanding concerning the above permit and Permit 25-7091 is acknowledged. I do not concur with the findings outlined with regard to the maximum rate of withdrawal of 0.04 cfs, which is equivalent to about 18 gallons per minute. The well is equipped with a 3HP-220V single phase 19 stage pump, with a rated capacity of about 25 gallons per minute at a head of 265 feet, or the average operation condition. This is obviously in excess of the rate which you quoted as being allowable.

Our homestead is located on a 1.7 acre tract, within which we are attempting to maintain about 12,000 square feet of lawn and shrubbery. A smaller pump which would meet the 0.04 cfs limitation would be inadequate for this purpose, as well as impractical and incapable of meeting any reasonable peak emergency demand such as minor fire protection.

With the ever increasing cost of electricity, I have no immediate plans to increase the amount of irrigation, however I had originally hoped to utilize more of the 1.7 acre lot for a garden. This would be precluded by the total limitation of 1.20 acre feet per year.

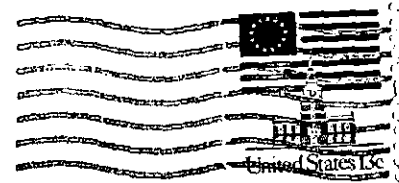
I observe other land developments in the local vicinity which are larger than my tract and which are irrigated with ground water (from wells which I suspect are not licensed). In view of the restriction being imposed in our case, I am wondering if we should give up on the entire matter, or what the possibilities are of licensing it as an irrigation well.

Very truly yours,

Bruce L. Schmalz

Copy to: Dept. of Water Resources
Idaho Falls, Idaho

Bruce L. Schmalz
Route 1, Box 76
Idaho Falls, Idaho 83401



Department of Water Resources
Statehouse
Boise, Idaho 83720

PAID
100.00

April 18, 1978

Re: Permit No. 25-7097

Bruce L. Schmalz
Route #1, Box 76
Idaho Falls, ID 83401

Dear Mr. Schmalz:

Our Department was in error regarding relinquishment of your Permit No. 25-7097. There was a misunderstanding between our District and State offices. Permit No. 25-7097 is still an active file and a license is being prepared. The relinquishment of your right, title and interest in and to the well in Permit No. 25-7091 has been placed in that file.

When our examiner made an exam of this system on February 14, 1978, he found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 0.04 cfs Source: groundwater

The maximum quantity diverted shall not exceed 1.20 acre feet per year.

Point of diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19, Twp. 2N, Rge. 39E, B.M.

Beneficial Use: Domestic use within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19, Twp. 2N, Rge. 39E, B.M.

Priority date established: July 26, 1976.

If you do not concur with these findings, please contact us within 10 days. If we do not hear from you a license will be issued as set forth above.

We hope this error has not caused too much inconvenience for you.

Sincerely,

JAN GROVER
Water Rights Supervisor

BRUCE L. SCHMALZ

Route 1, Box 76
Idaho Falls, Idaho
83401
(208) 522-6262

April 1, 1978

RECEIVED

APR 5 1978

Department of Water Resources

Department of Water Resources
State Office
373 W. Franklin Street
Boise, Idaho

Attention: Jan Grover

Dear Ms. Grover

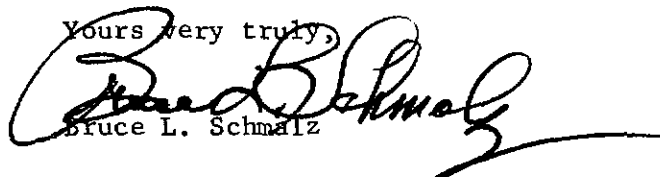
I have your letter of March 31, 1978, nullifying the permit issued to me on August 30, 1976 with the number 25-7097. Pursuant to receiving this permit I proceeded to construct the well and to complete pump and plumbing installation. I then filed proof of "Application of Water to Beneficial Use" form on January 18, 1978. In response the Eastern Region D.W.R. sent an inspector to verify the situation. In doing so, he arbitrarily informed me that I could not be granted a license due to the fact that I was a party to and a one-third owner in a corporate association (Foothill Well Corporation), formed under the laws of the State of Idaho, Chapter 10, Title 30, Idaho Code, which had also filed for a permit and license with the assigned number 25-7091.

In order to not compromise my own permit and license, No. 25-7097, I relinquished all rights and privileges to the well with permit No. 25-7091 (Foothill Well Corporation), and severed all connections. This leaves me no privilege right in the Foothill Well, No. 25-7091, and now you have made null and void my application and permit 25-7097 for my own well. In other words my efforts to work with your office and comply with your regulations to establish a legitimate clear title to my own well have left me without any permit, right, or privilege.

I am eager to obtain a documented permit and license for my water system. I have vital concern, in that wells are being drilled indiscriminately in this area to the extent that the ground water source could become limited, and it is my desire to establish a prior right, should this occur.

Your attention to this matter at your earliest convenience will be appreciated.

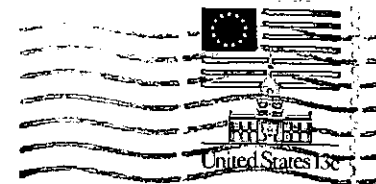
Yours very truly,


Bruce L. Schmalz

Copies to: Eastern Regional Office D.W.R.
1515 Lincoln Road
Idaho Falls, Idaho 83401

C. Stephen Allred, Director
Dept. of Water Resources
373 W. Franklin St.
Boise, Idaho 83720

Bruce L. Schmalz
Route 1, Box 76
Blaho Falls, Idaho 83401



Department of Water Resources
State Office
373.W. Franklin Street
Boise, Idaho

Attention: Jan Grover

RECEIVED

April 1, 1978

APR 5 1978

Department of Water Resources

Department of Water Resources
State Office
373 W. Franklin Street
Boise, Idaho

Attention: Jan Grover

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DIRECTOR	CH
DEPUTY DIR.	
RESO. ADMIN.	JK
RESO. ANALYSIS	
OPER. BUREAU	
TECH. SER. BUR.	
PROJ. STUD. BUR.	
LEGAL	
FISCAL	
PERSONNEL	
FILES	

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Your attention to this matter at your earliest convenience will be appreciated.

Yours very truly,

Bruce L. Schmalz

Copies to: Eastern Regional Office D.W.R.
1515 Lincoln Road
Idaho Falls, Idaho 83401

C. Stephen Allred, Director
Dept. of Water Resources
373 W. Franklin St.
Boise, Idaho 83720

RECEIVED

DEPARTMENT OF WATER RESOURCES
FIELD REPORT

JAN 23 1978

1. Name of permit holder

Department of Water Resources
Post office address _____
Eastern District Office

er Bruce L. Schmaiz
Ht. 1, Box 76, Idaho Falls

Phone 522-6262

Person to contact

Phone

2. Source of water supply: Groundwater ☒ Surface water ☐ _____
(name spring, stream, etc.)
Tributary to _____

3. Water will be used for the following purposes:

Amount 0.04 c.f.s. for AF/Annum

(nature of use)

Period of Use: from

(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum

(nature of use)

Period of Use: from

(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum

(nature of use)

Period of Use: from

(mo.-day) inclusive (mo.-day)

Other uses:

4. Total amount to be appropriated:

Max Rate of Diversion 0.04 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 2N N/S, Range 39E E/W, B.M., Section 19, Subdivision Se 1/4 Se 1/4 Don County

County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____

County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____

County

Other Points of Diversions:

Description of diverting works:

3 hp, 150' deep, 6" casing

Measuring device required: yes ☐ no ☒

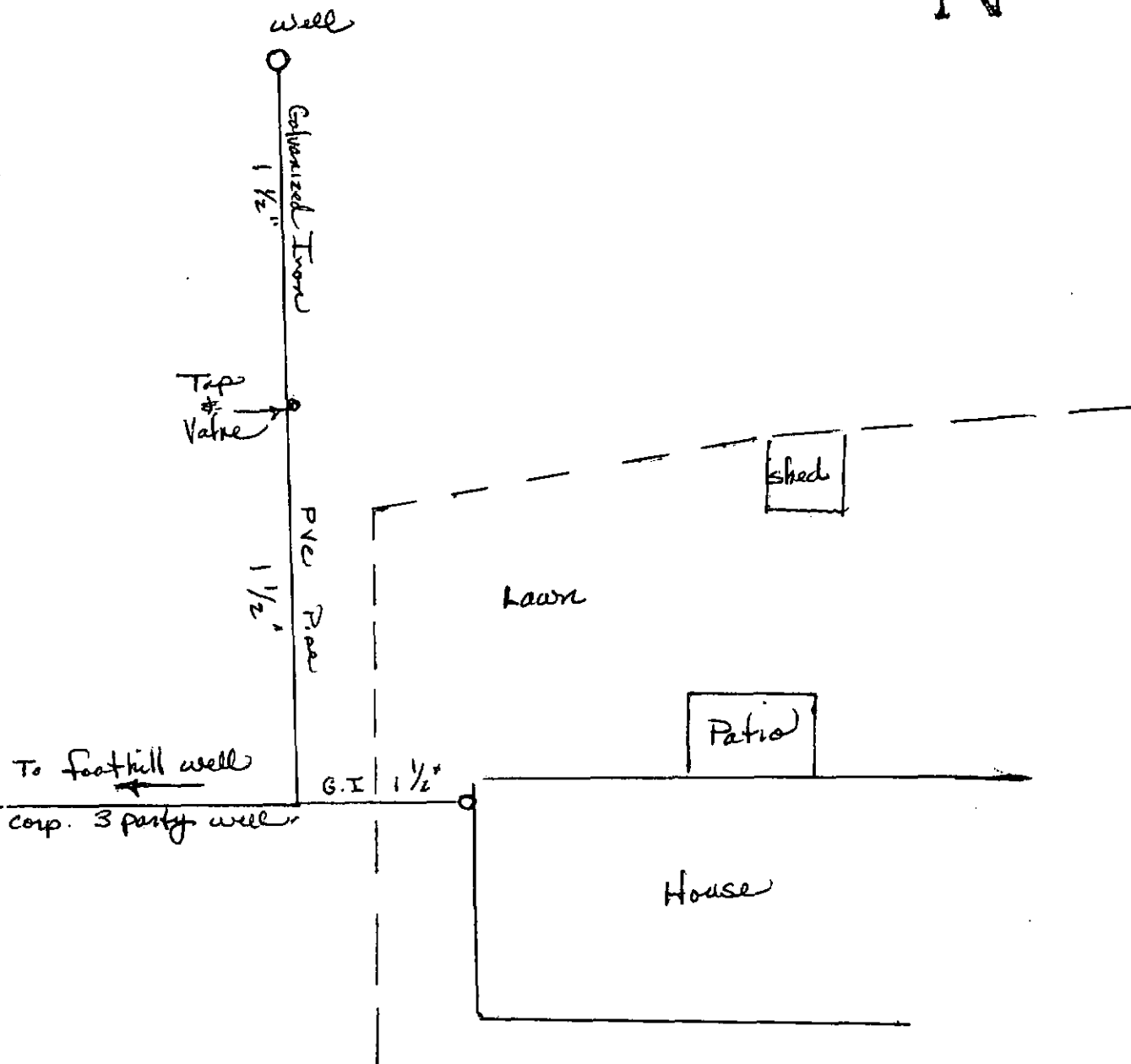
6. Lands to be irrigated or place of use.

[illegible]**TOTAL ACREAGE**

Bruce L. Schmatz

25-7097

N



Scale 1" = 20'

ARK 2/14/78



Mainfold

Each Manifold has 3 solenoid valves

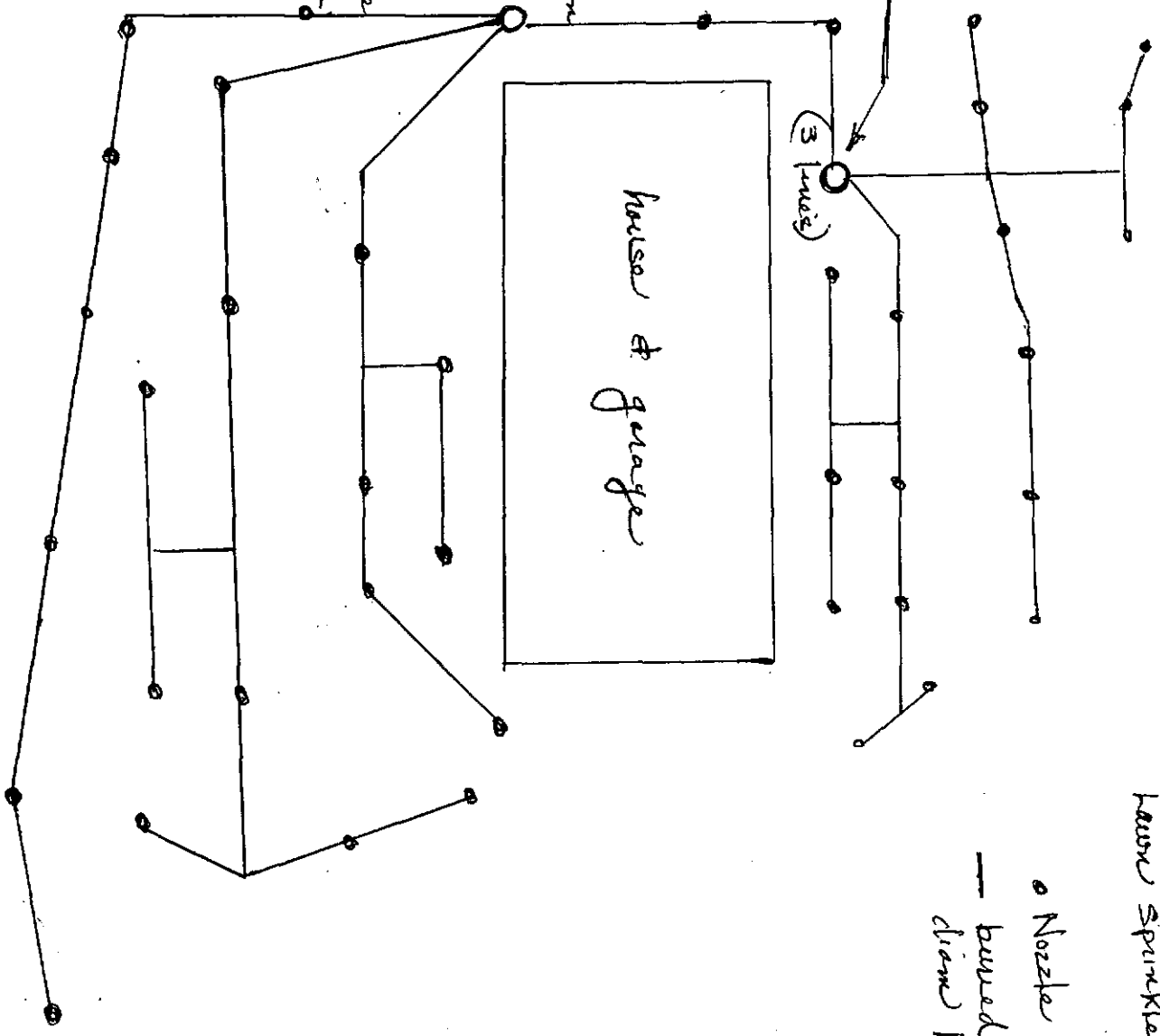
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(3 lines)

Manifolds are needed as there is not enough water or pressure to operate all the lines simultaneously

8300 sq ft of lawn sprinkled

there are approx. 40 nozzles in this system



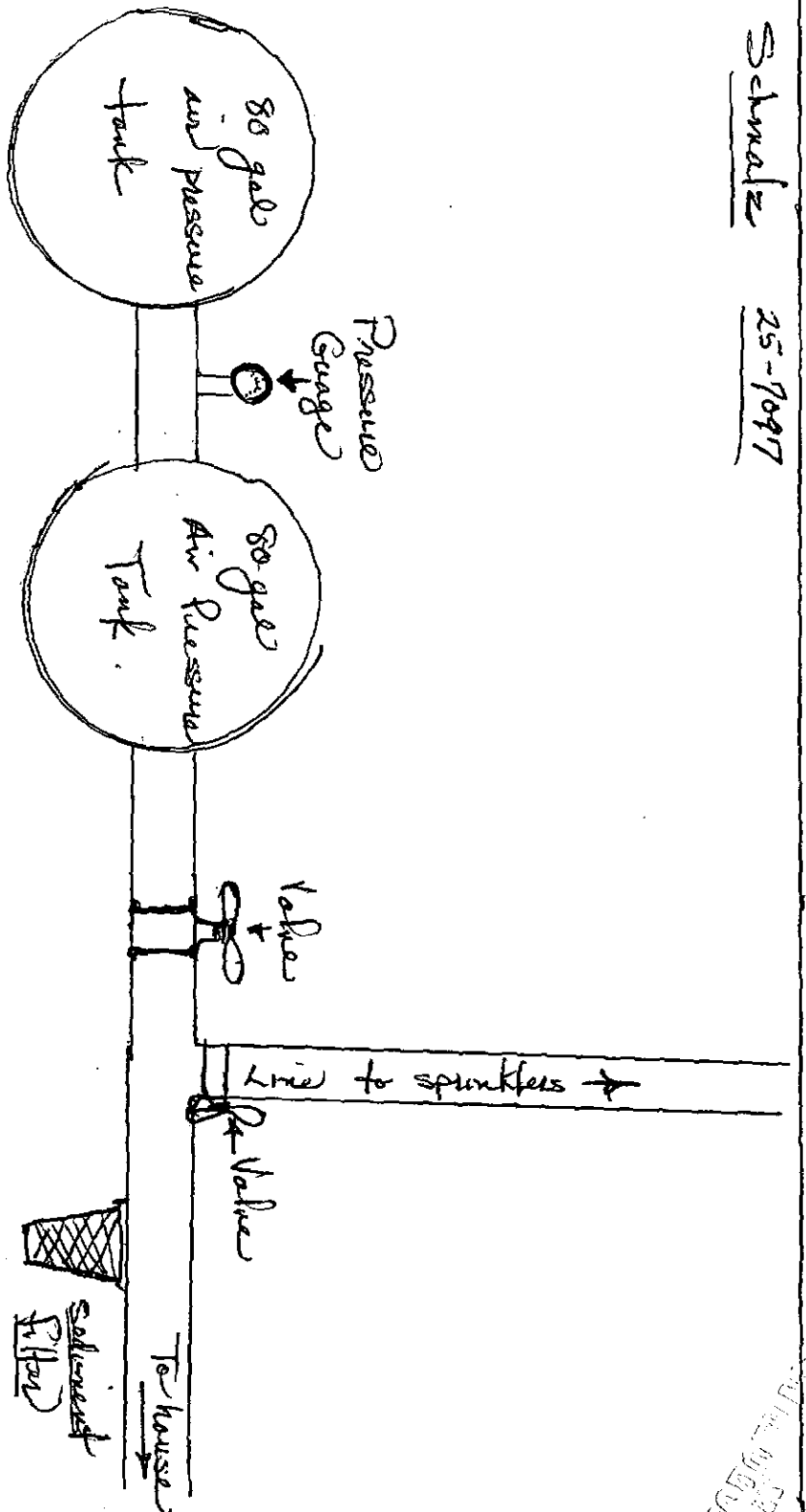
lawn sprinkler system

o Nozzle Heads
— buried 1 1/4 to 3/4 inch lines

ARX 2/14/78

Bruce L. Schnatz

25-7097



ARK 2/17/78

DATE OF EXAM 2/13/78

ACREAGE
Found n/a
Recommended n/a

Irrigation Requirement n/a Ac Ft/Ac

USE
Irrigation Q = .04 c.f.s. V = 1.20 AF/Ann. from Jan 1 to Dec 31
Domestic Q = .04 c.f.s. V = 1.20 AF/Ann. from Jan 1 to Dec 31
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 .08 cfs (theoretical) Method of measurement n/a

Total Q recommended .04 cfs Meter No. n/a Type n/a Condition n/a

Total V recommended 1.20 AF/yr

Recommended Amendments:

P.D.
Place of Use
Other
None

MEASUREMENT CALCULATION:

$$\frac{(H.P.) (efficiency of pump) (constant)}{(SWP) + (FSI) (constant)} = \frac{(3) (.70) (8.814)}{(150) + (40) (2.301)} = .08 cfs$$

$V = 1.20 \text{ AF/yr}$

SYSTEM DESCRIPTION:

Groundwater is diverted from a 305' deep well, 6 in casing, static water level is 150' by a 3 H.P. Staritz Seals & Reebuck submersed pump & motor, mfr - 42G28/9N2 19 stage, design series 20. Groundwater is delivered to house by approx. 120' of buried conduit. Pressure is maintained in the system between 40-60 psi. by 2 80 gal pressure tanks.

REMARKS: Mr. Schmale owns a 1/3 interest in the foothill well corporation under license 25-7091. He is now in the process of relinquishing his interest as he has drilled his own well under permit 25-7091. However the works of diversion from the foothill well have not been removed. Therefore, it will be necessary to condition this license.

Examiner's Signature Anthony R. Kozlowski Date 2/14/78

Checked by Ernest M Carlson Date 2/21/78

Approved by Date

Schmale residence contains 2 toilets, 3 sinks, 1 bathtub & 2 showers, washing machine, dishwasher, water heater, and 3 outlet valve

1st st. to end.
turn Right 1 mi So.

1st house
Brown Brick with pole

Call Back at 2:00 p.m.

March 31, 1978

Re: Permit No. 25-7097

Bruce L. Schmalz
Route #1, Box 76
Idaho Falls, ID 83401

Dear Mr. Schmalz:

We acknowledge receipt of the relinquishment submitted for the above referenced permit.

This permit will now become null and void and will be removed from our records.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG/lw

Relinquishment invalid
was taken for the wrong
permit. It was to relinquish
a portion of license No. 25-7091
in order that Mr. Schmalz
be issued this license for
same right in ~~the~~ 25-7091.
This permit is not
relinquished.
JG
4/3/78

January 19, 1978

Re: Permit No. 25-7097

Bruce L. Schmalz
Rt. 1, Box 76
Idaho Falls, Idaho 83401

Dear Mr. Schmalz;

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of 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 you have any questions regarding the field examination, please contact our Regional Office in Idaho Falls.

Sincerely,

JANICE RENK
Water Rights

1770000-1111

RECEIVED

JAN 17 1978

Department of Water Resources
Eastern District Office

Identification No. _____

Permit No. 25-7097

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Bruce L. Schmalz
b) Post Office Address Rt. # 1, Box 76 Idaho Falls, Idaho 83401 PH. 522-6262
2. Permit Number 25 7097
3. Date of Priority that you are prepared to establish 7-26-76
4. a) Source from which water was appropriated ground water
b) Location of the point of diversion: SE ¼ SE ¼, Section 19
Township 2N, Range 39E Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
Amount 0.04 for Domestic purposes from Jan. 1 to Dec. 31 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 0.04 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: Max. Rate of Flow 30 GPM @ 40 PSIG as per pump performance curves and measurement of volume flow vs time free flow.
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) 3 HP 19 Stage single phase, 3 wire pump in 6 in. ID well water level 150 ft. below land surface.
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: Doug Cushman Drilling Co. 945 S. Broadway, Blackfoot, Idaho: Completed August 4, 1977
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: Domestic (household and landscaping)

1/19/78

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

T	R	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

Total number of acres irrigated _____

10. Remarks: _____

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

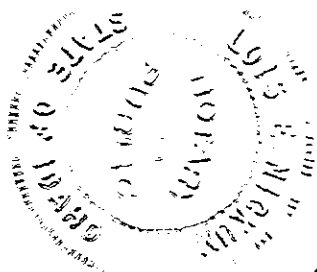
Jan 17, 1978
(Date)

Bruce L. Elms
(Signature)

State of Idaho)

County of Boonneville) ss.

On this 17th day of January, 19 78, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.



My commission expires Life

Ruth E. Tucker
Notary Public residing at 1764 Carmel
Idaho Falls, Idaho

August 31, 1976

Re: Permit No. 25-7097

Bruce L. Schmalz
Rt. #1, Box 76
Idhaho Falls, ID 83401

Dear Mr. Schmalz:

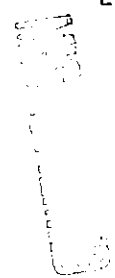
Enclosed is a copy of your approved Application for Permit No. 25-7097 . We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:mef

Enclosure





STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT

Cecil D. Andrus
Governor

R. Keith Higginson
Director

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

July 28, 1976

RE: Application for Permit No. 25-7097

Bruce L. Schmalz
Rt. #1, Box 76
Idaho Falls, Idaho 83401

Dear Mr. Schmalz:

Attached herewith is departmental receipt No. 2483 in the amount of \$10.00 for the above referenced application.

Pursuant to our telephone conversation, we have taken the liberty of retyping your application. Please review this application, sign and return to this office as soon as possible. We have begun the processing of your application however, final action can not be taken until the retyped application has been returned.

If you have any questions, please feel free to contact this office.

Very truly yours,

LOY H. JOHNSON
Senior Water Resource Agent

Ind.

July 29, 1976-

LHJ:CW

Attachment

Enclosure

Returned herewith.

Thank You

Identification No. 25 7097
Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

25

1. Name of applicant Bruce L. Schmalz Phone: 522-6262
post office address Rt # 1 Box 76, Idaho Falls, 83401
2. Source of water supply ground water which is a tributary of _____
3. a. Location of point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 19 Township 2N
Range 39 E.B.M. Bonneville County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into Not Applicable at a point in _____ $\frac{1}{4}$
of SE $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 0.02 for irrigation of lawn & landscaping (domestic) purpose from April 1 to Oct. 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.04 for domestic purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 0.04 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Pump (5 H.P. motor)
plumbed to dwelling

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is 6 inches; proposed depth of well is 300 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 0.5 years.
b. Estimated construction cost is \$ 7,500.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 19 Township 2N
Range 39 E.B.M.
(2) Amount of power to be generated: NA hp under _____ feet of head.
(3) List number of each kind of livestock to be watered NA

(4) Name of municipality to be served NA, or number of families to be
supplied with domestic water One.
(5) If water is to be used for other purposes describe: NA.

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

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total number of acres to be irrigated < 1.0

c. Describe any other water rights used for the same purposes as described above.

Shared 1/3 interest in cooperatively owned well.

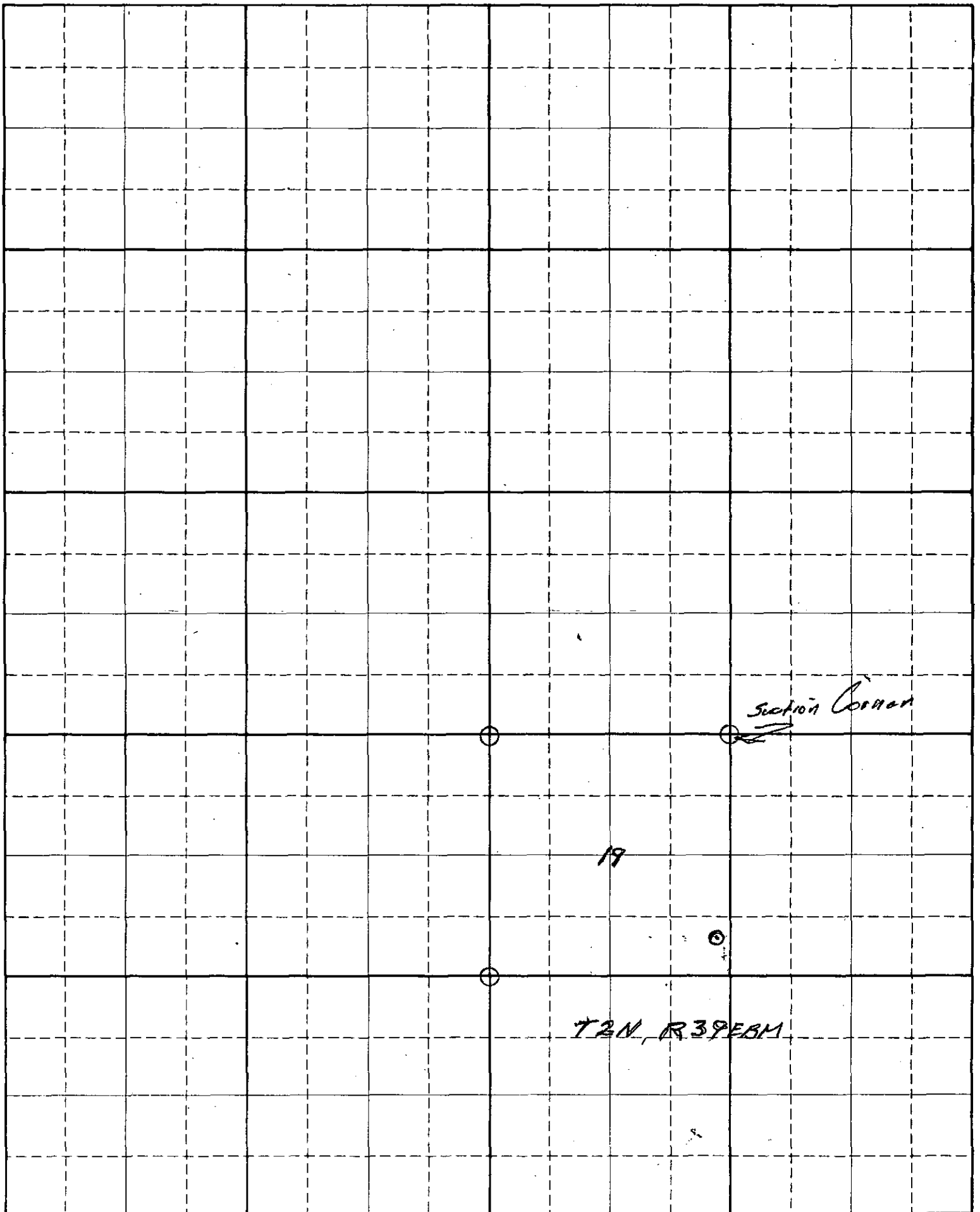
9. a. Who owns the property at the point of diversion Applicant

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

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: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

David L. Schmalz
(Applicant)

Received by lw Date 7-26-76 Time 10:05 A.
Preliminary check by LHJ Fee \$ 10.00
Received by lw Date 7-28-76 # 2483
Publication prepared by lw Date 7-28-76
Published in Post Register
Publication dates Aug 3 + 12, 1976
Publication approved _____ Date _____
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19____.

c. Other: _____

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

Witness my hand this _____ day of _____ 19____.

Director

July 28, 1976

RE: Application for Permit No. 25-7097 SCHMALZ

Post Register
P.O. Box 1800
Idaho Falls, Idaho 83401

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 time for you to submit us a galley proof for 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. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

Enc: Legal Notice (1)

Bill submitted _____ by _____

Bill Not Certified 8-18-76

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Bruce L. Schmalz,
Idaho Falls, Idaho
has on 7-26-76 submitted Application No. 25-7097
for a permit to appropriate 0.04 cubic feet per second ~~advisory permit~~
of water from a ground-water source
by means of well and pump
within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19, T. 2N, R. 39E, B.M., Bonneville County;

to be used from Jan. 1 to Dec. 31
for domestic purposes for one family

within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19, T. 2N, R. 39E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before _____

August 23, 1976

R. KEITH HIGGINSON

Director

Published in the Post Register, Idaho Falls, Idaho
on August 5 and August 12, 1976

me. h.
me. a.

July 28, 1976

RE: Application for Permit No. 25-7097

Bruce L. Schmalz
Rt. #1, Box 76
Idaho Falls, Idaho 83401

Dear Mr. Schmalz:

Attached herewith is departmental receipt No. 2483 in the amount of \$10.00 for the above referenced application.

Pursuant to our telephone conversation, we have taken the liberty of retyping your application. Please review this application, sign and return to this office as soon as possible. We have begun the processing of your application however, final action can not be taken until the retyped application has been returned.

If you have any questions, please feel free to contact this office.

Very truly yours,

LOY H. JOHNSON
Senior Water Resource Agent

LHJ:CW

Attachment

Enclosure

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Bruce L. Schmalz

Item Initial Date

Application No. _____

- ☒ Source
- ☒ Point of Diversion
- ☒ County
- ☒ Quantity of Water and Period of Use
- ☒ Description of Diverting Works
- ☒ Time required for B/U of water
- ☒ Place of Use or Acres Irrigated
- ☒ Map
- ☒ Signature
- ☒ Fee

(1) Jag 7/20/76

In form to receipt yes

(2)

Send Copies to:

- Idaho State Health Department
- Idaho Fish and Game Department
- NA Bureau of Land Management

(3)

- Request Special Use Permit from U.S.F.S.
- NA Request Easement from B.L.M.
- Request Information from Applicant

(4)

In form for advertising yes

(5)

Platted on Map No. 2N-39E

(6)

Located within Water District No. N.A.

(7)

Critical groundwater area: yes no ☒

(8)

Groundwater levels: No Obs wells in the Area

Declining, Stable, Increasing

(comment) Bulletin #27 - Part C G/W-L

(9)

Other rights on the same place of use 1/3 interest

(10)

Comments: in Permit #25-7091

(11) GW 8/18/76

Affidavit of Publication received(date) Aug. 18, 1976

(12) RDC 8/23/76

Final date for protests August 23, 1976
Protests received: yes no

(13)

All requested information received from agencies or applicant: yes no

(14)

Action recommended:

☒ Approve Deny

7/26/76 Proposed Priority

Reason for Reduction

Measuring device required

See attached sheet for other conditions of approval

☒ No special conditions for approval

(15) District E By RDC Date 8/23/76

Copy 1/6