

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 29-7442 Priority March 13, 1978 Amount 0.04 cfs

THIS IS TO CERTIFY, that Garry R. Garton
of Pocatello, Idaho, has complied with the terms and conditions of Permit
No. 29-7442 issued pursuant to Application for Permit dated March 13, 1978,
and has submitted proof to the Department of Water Resources on March 11, 1980,
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 0.06 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
Domestic (1 Unit)	from <u>January 1</u> to <u>December 31</u> at <u>0.04</u> cfs and <u>1.2</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 0.04 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 confined is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1.2 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 23,
Twp 6S, Rge 35E in the County of Bannock

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 $\frac{1}{4}$	
6S	35E	23	X																

Total number of acres irrigated _____

P/U also known as Lot 4, Block 2, Whispering Pines Subdivision #2.

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, and is subject to all prior water rights, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 10TH day of
AUGUST, 19 84.

RECORDED

Acting for the Director

Norman C. Young

Identification No. 29 7442
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 Garry R. Garton Phone: 237-3679
post office address 5646 Sorrell Drive, Chubbuck, Idaho 83201
2. Source of water supply ground water which is a tributary of _____
3. a. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 23 Township 6S
Range 35E B.M. Bannock 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 and pipeline to house

- 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 105 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 2 years.
b. Estimated construction cost is \$ 2,000.00
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 23 Township 6S
Range 35E 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: _____

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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	
6S	35E	23	X																

Total number of acres to be irrigated _____

c. Describe any other water rights used for the same purposes as described above. None

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

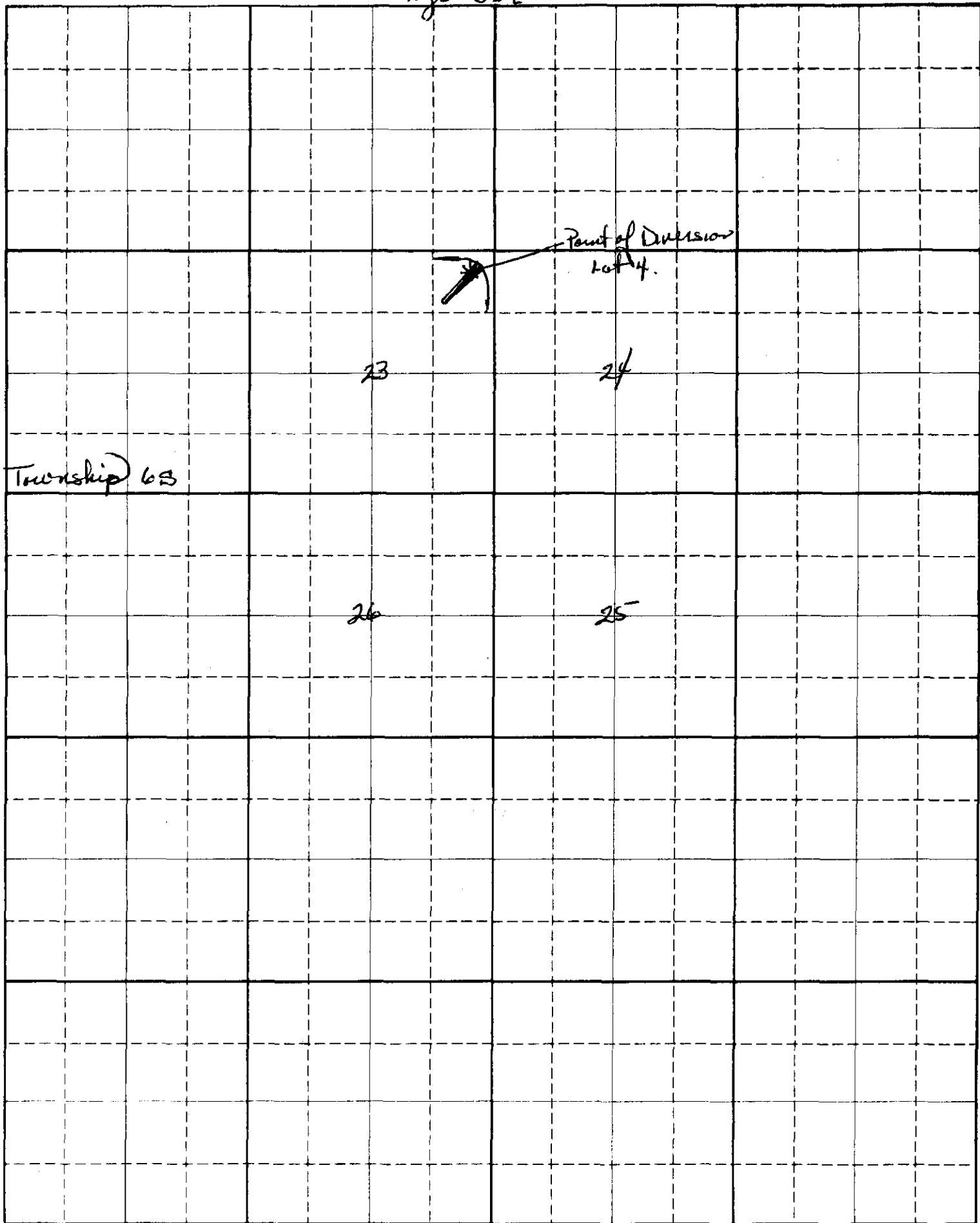
b. Who owns the land to be irrigated or place of use Applicant

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.

Rgn 35E.



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.

Sam R. Norton
(Applicant)

Proposed Priority 3/13/78

Received by PW Date 3-13-78 Time 2:10 p.

Preliminary check by ARK Fee \$ 10.00

Receipted by PW Date 3-13-78 # 9872

Publication prepared by PW Date 3-14-78

Published in Idaho State Journal

Publication dates Mar 23rd - 30 - 1978

Publication approved me Date April 7, 1978

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by ARK jg

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. 29-7442, 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 May 1, 19 80.
- c. Other: _____

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

Witness my hand this 26TH day of April 1978.

Norman C Young
Administrator

PROOF OF PUBLICATION

RECEIVED

APR 7 1978

Department of Justice
Eastern District Office

STATE OF IDAHO
County of Bannock

ss.

Patricia Peck

being first duly sworn on oath deposes and says: That *she* was at all times herein mentioned a citizen of the United States of America, more than 21 years of age, and the Principal Clerk of THE IDAHO STATE JOURNAL, a daily newspaper, printed and published at Pocatello, Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

MARCH 23, 1978, 19.....

MARCH 30, 1978, 19.....

....., 19....., 19.....

....., 19....., 19.....

....., 19....., 19.....

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice or advertisement and is a newspaper within the meaning of the laws of Idaho.

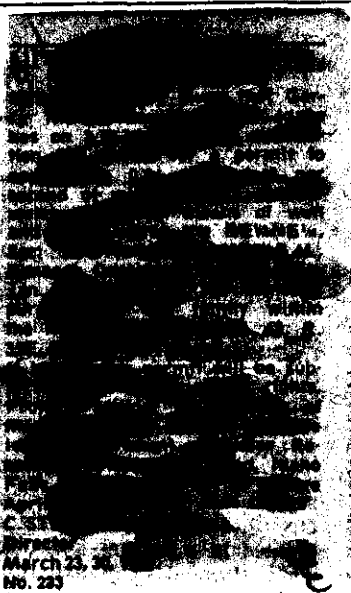
Patricia Peck

Subscribed and sworn to before me this *6th*

day of *APRIL*, 1978

[Signature]

Notary Public, State of Idaho
Residence: Pocatello, Idaho



MICROFILMED

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Gary R. Garton, Chubbuck, Idaho has on 3-13-78 submitted Application No. 29-7442 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 NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 23, T. 6S, R. 35E, B.M., Bannock County; to be used from Jan. 1 to Dec. 31 for domestic purposes for one family within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 23, T. 6S, R. 35E, 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 April 10, 1978.

C. STEPHEN ALLRED
Director
March 23, 30, 1978
No. 233

Patricia Peck she
being first duly sworn on oath deposes and says: That

was at all times herein mentioned a citizen of the United States of America, more than 21 years of age, and the Principal Clerk of THE IDAHO STATE JOURNAL, a daily newspaper, printed and published at Pocatello, Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

MARCH 23, 1978, 19____
MARCH 30, 1978, 19____
_____, 19____, 19____
_____, 19____, 19____
_____, 19____, 19____

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice or advertisement and is a newspaper within the meaning of the laws of Idaho.

Patricia Peck
Subscribed and sworn to before me this 6th
day of April, 1978

[Signature]

Notary Public, State of Idaho
Residence: Pocatello, Idaho

RECEIVED
FILED

August 10, 1984

RE: Permit No. 29-7442

Garry R. Garton
Moonlight Mine Rd.
Pocatello, ID 83201

Dear Mr. Garton:

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

Sincerely,

A handwritten signature in cursive script, appearing to read "Jim Johnson", with a long horizontal flourish extending to the right.

JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure

RECEIVED
AUG 14 1984
FBI

DEPARTMENT OF WATER RESOURCES
FIELD REPORT

1. Name of permit holder Harry R. Norton
Post office address 5646 Lowell Drive, Clatskanie 97201 Phone 237-3679
Person to contact _____ Phone 234-1831

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

3. Water will be used for the following purposes:

Amount .04 c.f.s. for Domestic
 _____ AF/Annum (nature of use)

Period of Use: from Jan 1 to Dec 31
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

4. Total amount to be appropriated:

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

5. Location of Point(s) of Diversion:

Township 6S N/S, Range 35E E/W, B.M., Section 23, Subdivision NE $\frac{1}{4}$ NE $\frac{1}{4}$, Barnack
County

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

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

Other Points of Diversions: _____

Description of diverting works: _____

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

[illegible]**TOTAL ACREAGE**

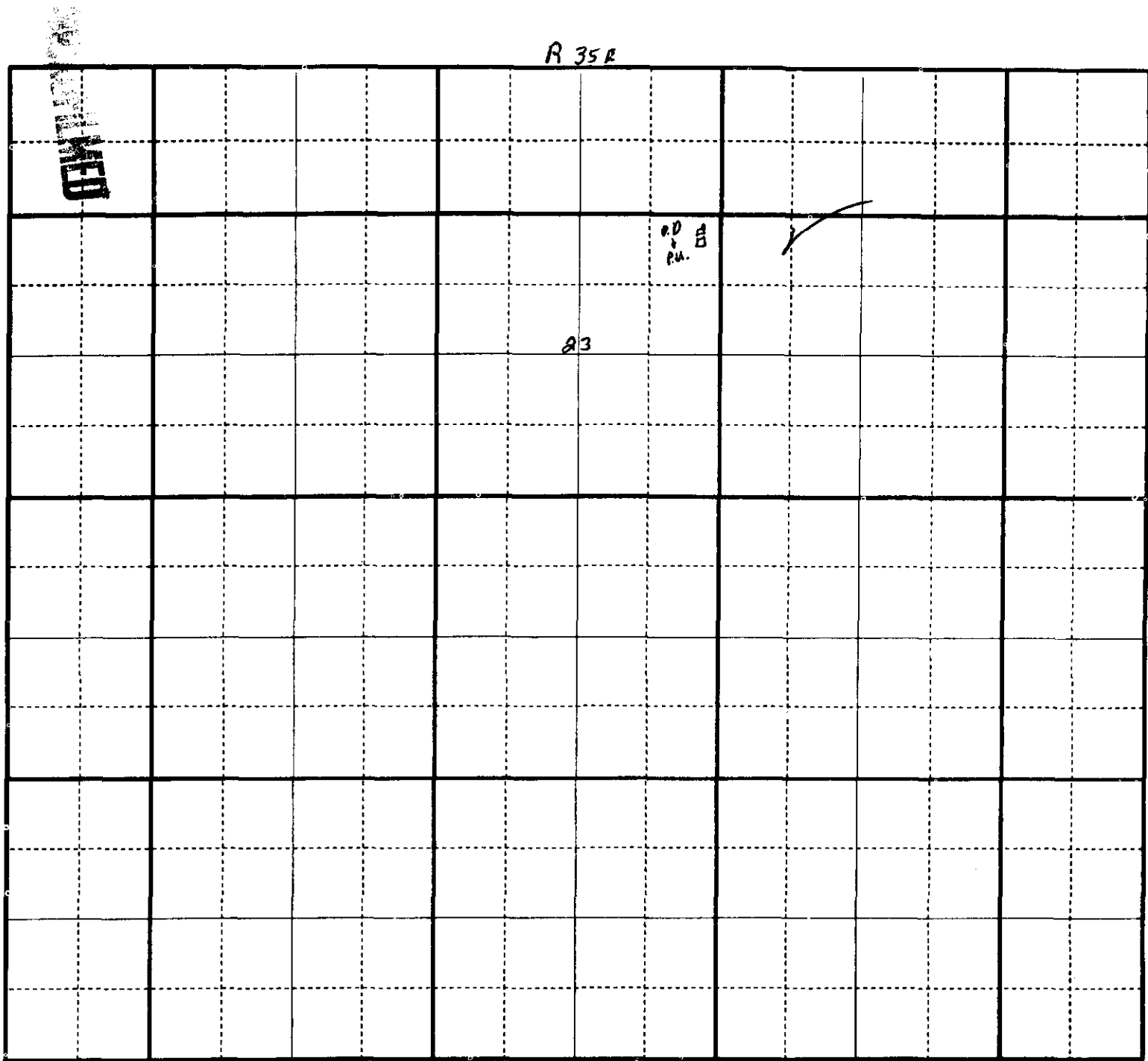
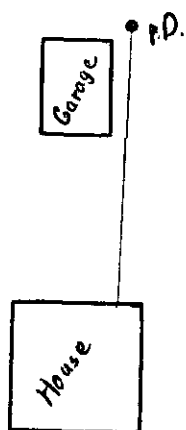


Diagram of System



DATE OF EXAM 3/11/80

ACREAGE
Found n/a
Recommended n/a

Irrigation Requirement n/a Ac Ft/Ac

USE
Irrigation Q = c.f.s. V = AF/Ann. from to
☒ Domestic Q = .04 c.f.s. V = 1.2 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 .06 cfs capacity Method of measurement flow test

Total Q recommended .04 cfs Meter No. Type Condition

Total V recommended 1.2 AF/Ann. ✓

Recommended Amendments:

P.D.
Place of Use
Other
None

MEASUREMENT CALCULATION:

$Q = \frac{(1.2)(8.81)(.80)}{30' + (25' \text{ psi})(2.308)} = .064 \text{ cfs}$ ✓

$V = 1.2 \text{ AF/Ann. Assigned}$

SYSTEM DESCRIPTION:

Flowmeter is diverted from an 6" by 105' deep well, 30' to 50' by a 1 hp submersible pump purchased from Landstroms (bill 1200). The meter is on 1/4 Block 2 in capacity piece subdivision #2, County Clerk confirmed.

REMARKS:

Talked to Gary A. Norton by telephone to get the description of the property. Called the county recorder's office to confirm property #232-8231.

Examiner's Signature John D. Cannon Date 3/11/80

Checked by Anthony R. Kozlowski Date 4-7-80

Approved by Kay Walker Date 8-8-84



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

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

April 7, 1980

RE: Permit No. 29-7442

Garry R. Garton
Moonlight Mine Road
Pocatello, ID 83201

Dear Mr. Garton:

We acknowledge receipt of the proof of beneficial use card submitted 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 eastern regional office.

Very truly yours,


JACKIE S. DENNING
Senior Clerk

cc: IDWR - State Office

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DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 297442

Name(s) of Permit Holder: GARRY R. GARZON

Post Office Address: MOONLIGHT MINE Rd.

Tel. No. 234-1831

Source of Water: PRIVATE Well

Extent of Use: ☒ Domestic ONE (number of households)
☐ Stockwater _____ (number and type of stock)
☐ Irrigation _____ (acres)
☐ Other FIELD INSPECTION COMPLETED

Measuring Device: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

Access Port: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

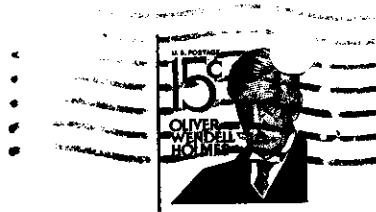
The above information is a true statement of the extent to which the above numbered permit has been developed.

2-11-80
Date

USE INSTRUCTIONS

[Signature]
Signature of Permit Holder

G.R. GAZTON
Moonlight Mine Rd.
Pocatello, Id. 83201



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720



STAT OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

GARTON, GARY R.
5646 SURRELL DR.
POCATELLO, ID 83201

101795

FEBRUARY 28, 1980

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 29-7442 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE MAY 01, 1980. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU HAVE NOT PREVIOUSLY RECEIVED AN EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME PROVIDED THE DELAY IS FOR REASONABLE CAUSE AS INDICATED IN SECTION 42-204, IDAHO CODE, AMENDED. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED.

EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME 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 WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENC: 1

101795



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

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

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

May 3, 1978

Re: Permit No. 29-7442

Garry R. Garton
5646 Sorrell Drive
Chubbuck, ID 83201

Dear Mr. Garton:

Enclosed is a copy of your approved Application for Permit No. 29-7442. We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:kw
Enclosure

MICROFILMED

March 17, 1978

RE: Application for Permit No. 29-7442 GARTON

Idaho State Journal
Box 431
Pocatello, Idaho 83201
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

Bill submitted 4-07-78 by CW

RDC: CW

Enc: Legal Notice (1)

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Notice is hereby given that Garry R. Garton,
Chubbuck, Idaho

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 _____
April 10, 1978

Published in the Idaho State Journal, Pocatello, Idaho March 30, 1978
March 23

the d. the. a.

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

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) ENC 3/14/78

In form to receipt YES.

(2) " "

Send Copies to:

N/A ☐ Idaho State Health Department
☐ Idaho Fish and Game Department
☐ Bureau of Land Management

(3) " "

N/A ☐ Request Special Use Permit from U.S.F.S.
☐ Request Easement from B.L.M.
☐ Request Information from Applicant

(4) " "

In form for advertising YES.

(5) " "

Platted on Map No. 6S 35E

(6) " "

Located within Water District No. 29

(7) " "

Critical groundwater area: yes _____ no X

(8) " "

Groundwater levels:

_____ Declining, X Stable, _____ Increasing
(comment) _____

(9) " "

Other rights on the same place of use None

(10) " "

Comments: None

(11) CW 4-07-78

Affidavit of Publication received (date) April 7-78

(12) RBC 4/10/78

Final date for protests April 10-1978
Protests received: yes _____ no _____

(13) " "

All requested information received from agencies or applicant: yes _____ no _____

(14) " "

Action recommended:

☒ Approve _____ Deny

RECEIVED
APR 12 1978

Department of Water Resources

3/14/78 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 RBC Date 4/10/78

Copy
Sent

MICROFILMED