

WATER RIGHT LICENSE

License of Water Right No. 29-7323 Priority April 5, 1976 Amount 0.04 cfs

THIS IS TO CERTIFY, that DeVere Tovey
of Preston, Idaho, has complied with the terms and conditions of Permit
No. 29-7323 issued pursuant to Application for Permit dated April 5, 1976,
and has submitted proof to the Department of Water Resources on March 13, 1981,
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 0.04 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 January 1 to December 31	at 0.04 cfs and	1.2 acre feet
	from	cfs and	
	from	cfs and	

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 confirmed 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 NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 17, Twp. 9S, Rge. 37E in the County of Bannock

Description and location of place of use:

[illegible]

Total number of acres irrigated _____

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 29th day of April, 19 82.

Acting for the Director

Identification No. 29 7323
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 De Vere Tovey Phone: 852-1595
post office address 80 North 4th West Preston 83263
2. Source of water supply G.W which is a tributary of _____
3. a. Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 17 Township 9S
Range 37E 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 .08 for Domestic purpose from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .10 for IRR purpose from Apr 1 to Nov 1 (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. .18 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 10hp
motor

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 4 inches; proposed depth of well is 80 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 \$ _____.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 17 Township 9S
Range 37E 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 2.
(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	
9S	87E	17														5			5

Total number of acres to be irrigated 5

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

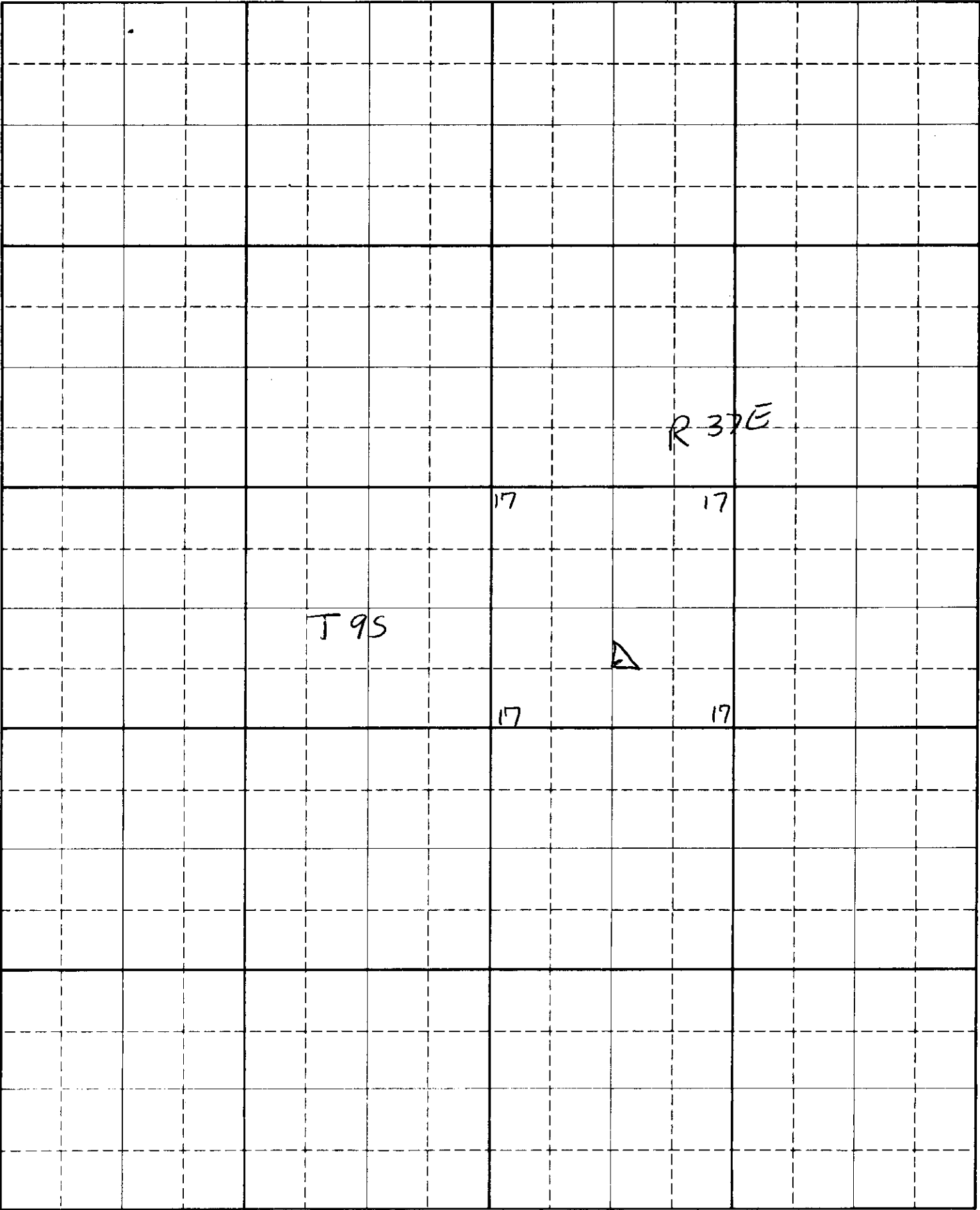
9. a. Who owns the property at the point of diversion DeVore Tooley

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: 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.

DeWane Jovey
(Applicant)

Proposed Priority 4-5-76

Received by CW Date 4-05-76 Time 11:15 A.
Preliminary check by MR Fee \$ 10.00
Receipted by CW Date 4-05-76 # 1523
Publication prepared by CW Date 4-08-76
Published in Idaho State Journal
Publication dates April 15 + 22, 1976
Publication approved me Date 4-30-76
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by RPC DRT

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. 29-7323, and said application is hereby APPROVED.

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

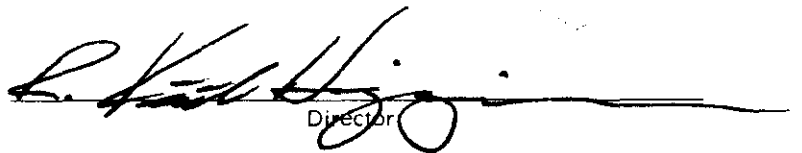
a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 1981.

c. Other: _____

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

Witness my hand this 10 day of May, 1976.


Director

PROOF OF PUBLICATION **RECEIVED**

APR 30 1976

STATE OF IDAHO }
County of Bannock } ss.

Department of Water Resources
Eastern District Office

Katherine Wanner

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:

April 15	1976	19
April 22	1976	19
	19	19
	19	19
	19	19

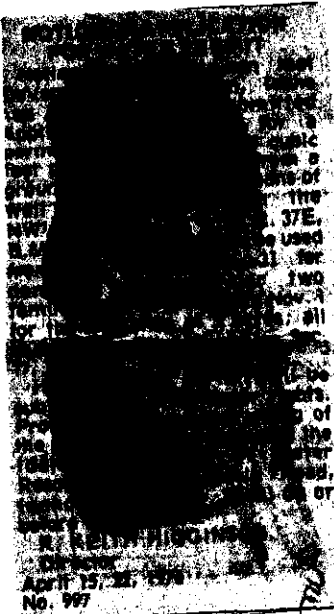
That said paper has been continuously and uninterruptedly pub-
lished in said County for a period of seventy-eight weeks prior to the
publication of said notice or advertisement and is a newspaper within
the meaning of the laws of Idaho.

Katherine Wanner

Subscribed and sworn to before me this 22nd
day of April, 1976

Paul L. Lindstedt

Notary Public, State of Idaho
Residence: Pocatello, Idaho



PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that DeVere Tovey, Preston, Idaho has on 4.05.76 submitted Application No. 29-7323 for a permit to appropriate 0.18 cubic feet per second of water from a ground water source by means of well and pump within the NW1/4SE1/4, Sec. 17, T. 9S, R. 37E, B.M., Bannock County; to be used from Jan. 1 to Dec. 31 for domestic purposes for two families, and from Apr. 1 to Nov. 1 for the irrigation of 5 acres; all uses within the NW1/4SE1/4, Sec. 17, T. 9S, R. 37E, 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 May 3, 1976.
R. KEITH HIGGINSON
Director
April 15, 22, 1976
No. 997

Natharine Wanner

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:

April 11, 1976, 19
April 22, 1976, 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.

Subscribed and sworn to before me this 22nd day of April, 1976

Notary Public, State of Idaho
Residence: Pocatello, Idaho

May 20, 1982

RE: Permit No. 29-7329

DeVere Tovey
80 North 4th West
Preston, ID 83263

Dear Mr. Tovey:

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

Sincerely,



JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure

MICROFILMED



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

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

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

April 12, 1982

RE: Permit No. 29-7323

DeVere Tovey
80 North 4th West
Preston, ID 83263

Dear Mr. Tovey:

A representative of this Department has made an examination of the works covered by your Permit No. 29-7323, and has 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 1.2 acre feet per year.

Point(s) of diversion: NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, Twp. 9S, Rge. 37E, Bannock County

Beneficial use: Domestic use for 1 unit within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17,
Twp. 9S, Rge. 37E

Priority date established: April 5, 1976

Conditions (if any):

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

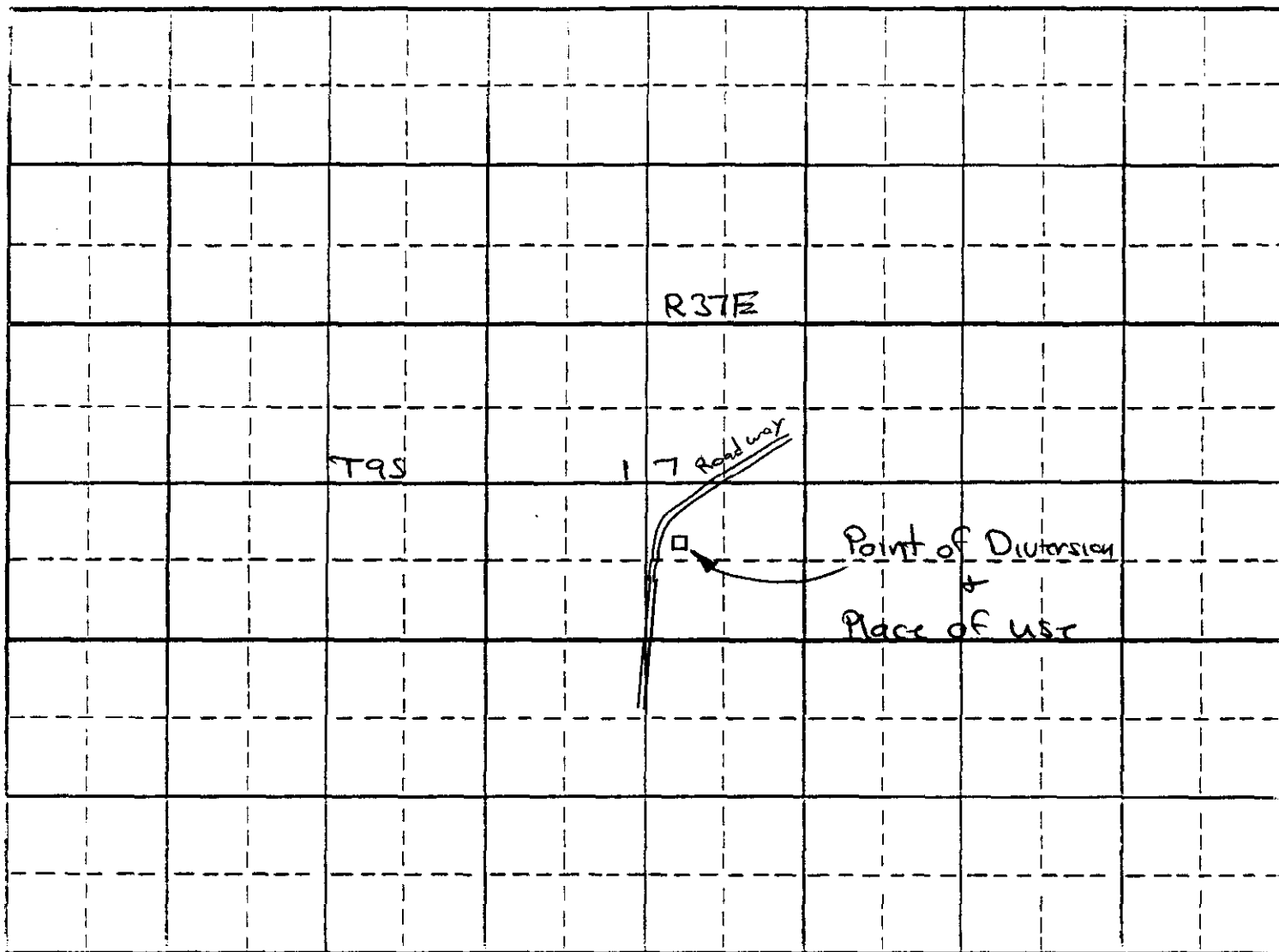
Sincerely,

JIM JOHNSON
Water Distribution Supervisor

MICROFILMED

MICROFILMED

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion: NE 1/4 SE 1/4 Sect. 17 T9S R37E

Place(s) of Use

TWP.	RGE.	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
9S	37E	17													X				

Recommended Amendments:

- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

Examiner's Signature

Checked by

Approved by

Date 3-25-82

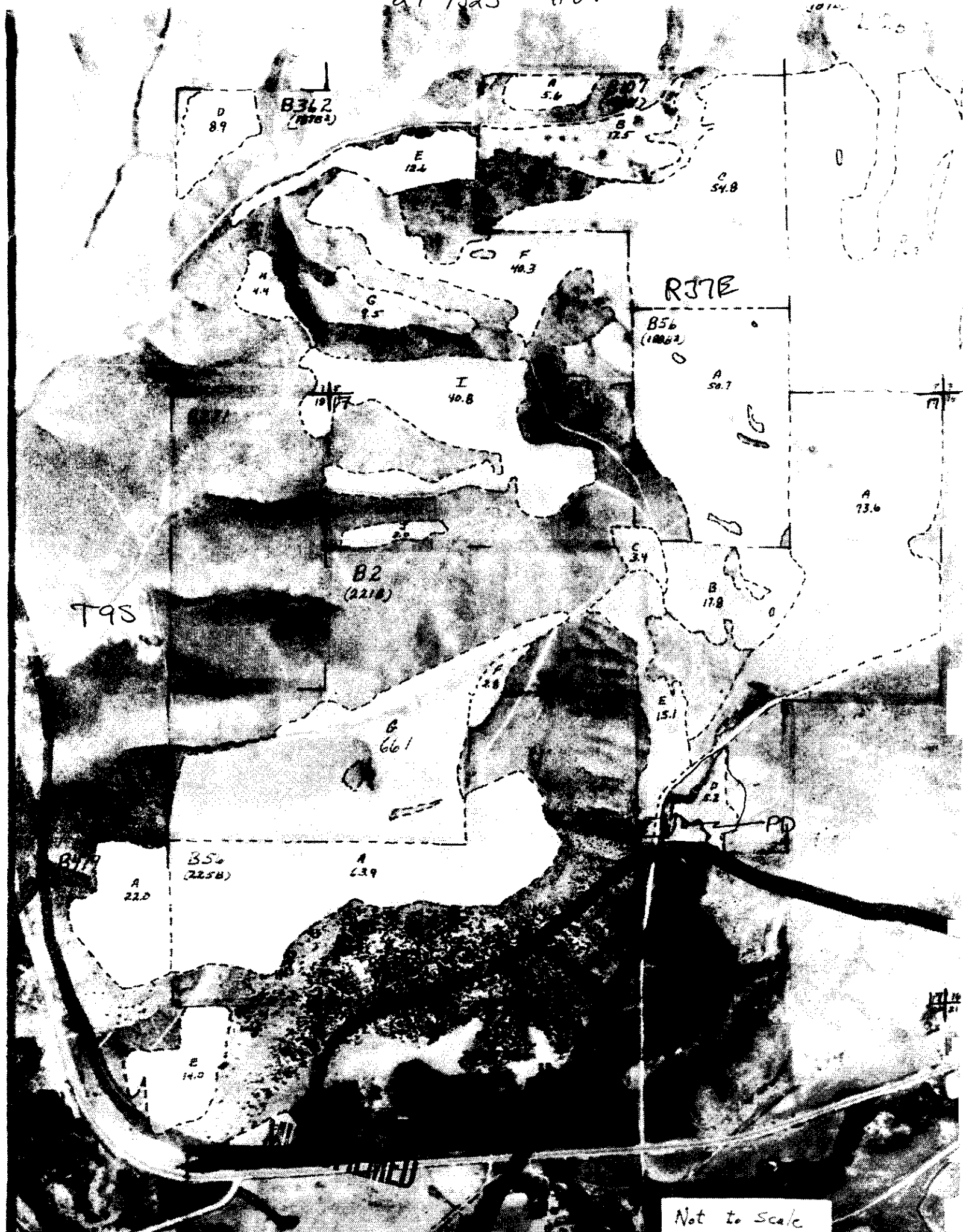
Date 3-25-82

Date 4-9-82

MICROFILMED

29-7323 HWT

1012 120



Not to Scale



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 14, 1981

RE: Permit No. **28**-7323

Devere Tovey
80 North 4th West
Preston, Idaho 83263

Dear Mr. Tovey:

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,

HAROLD W. JONES
Sr. Resource Agent

cc: IDWR - State Office

RECORDED

DEPARTMENT OF WATER RESOURCES

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. 29-7323

Name(s) of Permit Holder: DeVere Tovey

Post Office Address: 80 N 4th West Preston, Ida 83263

Tel. No. 832-1595

Source of Water: well

Extent of Use: ☒ Domestic 2 (number of households)
☒ Stockwater 30 cattle (number and type of stock)
☒ Irrigation 8 (acres)
☐ Other

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.

March 8, 1981 Date DeVere Tovey Signature of Permit Holder

RECORDED

DeVere Torrey
80 N 4th West
Preston, Idaho 83263

RECEIVED



MAR 13 1981

Department of Water Resources
IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

TOVEY, DE VERE
80 N. 4TH W.
PRESTON, ID 83263

138353

FEBRUARY 28, 1981

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 29-7323 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE MAY 01, 1981. (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. A REQUEST FOR EXTENSION OF TIME FORM IS ENCLOSED FOR YOUR CONVENIENCE. PLEASE NOTE THAT A FEE OF \$15.00 MUST BE SUBMITTED WITH THIS FORM.

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

ENCLOSURES

MICROFILMED

May 10, 1976

Re: Permit No. 29-7323

DeVere Tovey
80 North 4th West
Preston, ID 83263

Dear Mr. Tovey:

Enclosed is a copy of your approved Application for Permit No. 29-7323. We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jfr

Enclosure

April 8, 1976

RE: Application for Permit No. 29-7323

Mr. BeVere Tovey
80 North 4th West
Preston, Idaho 83263

Dear Mr. Tovey:

Attached herewith is departmental receipt No. 15736 in the amount of \$10.00 for the above referenced application.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

Attachment

April 8, 1976

RE: Application for Permit No. 29-7323 TOVEY

Idaho State Journal
Box 431
Bocatello, 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

RDC:CW

Bill submitted 4-30-76 by cew

Enc: Legal Notice (1)

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that DeVere Tovey,
Preston, Idaho

has on 4-05-76 submitted Application No. 29-7323
for a permit to appropriate 0.18 cubic feet per second XXXXXXXXXXXXXXXXXXXX
of water from a ground-water source
by means of well and pump
within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 9S, R. 37E, B.M., Bannock County;

to be used from Jan. 1 to Dec. 31 for domestic purposes for two families,
XXXX and from Apr. 1 to Nov. 1 for the irrigation of 5 acres; all uses
for

within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 9S, R. 37E, 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 _____
May 3, 1976

R. KEITH HIGGINSON

Director

Published in the Idaho State Journal, Pocatello, Idaho

on April 15 and April 22, 1976

*me-f.
me-a.*

State of Idaho
Department of Water Administration
WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Administration within 30 days after the completion or abandonment of the well.

[illegible]

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. Incey

☒ 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) BR 4-6

In form to receipt

(2) BR 4-6

Send Copies to:

Idaho State Health Department
NO Idaho Fish and Game Department
Bureau of Land Management

(3) " "

Request Special Use Permit from U.S.F.S.
NO Request Easement from B.L.M.
Request Information from Applicant

(4) " "

In form for advertising

(5) " "

Platted on Map No. 95 37E

(6) " "

Located within Water District No. N.A.

(7) " "

Critical groundwater area: yes no ☒

(8) " "

Groundwater levels:

Declining, ☒ Stable, Increasing

(comment) No Adjacent obs Wells

(9) " "

Other rights on the same place of use No G.W.

(10) " "

Comments:

(11) CW 4-30-76

Affidavit of Publication received (date) April 30, 1976

(12) CW 5-03-76

Final date for protests May 3, 1976
Protests received: yes no ☒

(13) RDC 5/3/76

All requested information received from agencies or applicant: yes no

(14) " "

Action recommended:

☒ Approve Deny

4/5/76 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 5/3/76

Copy made