G-29899

APPLICATION FOR PERMIT
To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 37909
Permit No. G- 29899
District No.

1. Name of Applicant: Walter Buhler

   Postoffice address: Montpelier County: Bear Lake State: Idaho

2. Quantity of water claimed: 3 cubic feet

   (a) Rate of withdrawal in cubic feet per second or Idaho Miners' inches or gallons per minute

   (b) Annual withdrawal in acre feet per annum

3. Source of water supply: subterranean

4. Location of point of diversion or well is in the SE ¼ of the NE ¼ of Section 9 Twp. 13 S , Rge. 44 E , B.M., County of Bear Lake

5. Water is to be used for: irrigation

6. If for municipal, industrial or recreational purposes, give:

   (a) Point of use of water is in the ¼ of the ¼ of Section , Twp. Rge. , B.M.

   (b) Waste water or sewage effluent is to be returned to at a point in the ¼ of the ¼ of Section , Twp. , Rge. , B.M.

7. Kind of works: Well

8. Estimated cost of works: $ 3,500

9. (a) Is reservoir to be used? no

   (b) Capacity of reservoir:

10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.

11. If applicant is a corporation, give:

   I. (a) Date and place of incorporation:

   (b) Amount of capital stock: $ (c) Amount paid in: $

   (d) Names and addresses of directors:

   II. The financial resources of the applicant are (a) Cash on hand: $

   (b) Treasury stock: (c) Bonds to be issued:

   (d) Other resources:

12. The land to be irrigated is described in the following tabulation:

13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:
Stock in Montpelier Irrigation Co.,

   (a) 2 (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.

   (b) 1 (cubic feet per second, inches or gallons per minute) is for new lands.

Remarks:

BE IT KNOWN THAT The undersigned hereby makes appli cation for permit to appropriate the public waters of the State of Idaho as herein set forth.

s/ Walter Buhler *Applicant.*

By *Agent.*

Date of first receipt at Department of Reclamation: 8:00 A.M. July 3, 1961

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G— 29899

Recorded in Book 105 Page 29899 Approved July 11, 1961

This is to certify that I have examined the within application for a permit tc appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of $ to be filed on or before

Work to begin on or before and to continue deligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before January 11, 1964

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before July 11, 1966

Witness my hand this 11th day of July, 1961

s/ GEO. N. CARTER
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, Governor of the State of Idaho, and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 11th day of July, 1961

Countersigned:

(SEAL)

By s/ ARNOLD WILLIAMS
Secretary of State.

STATE OF IDAHO

By s/ ROBERT E. SMYLIE
Governor

12.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
13 S	44 E	9	40	40	40	40	40	40	40										280

June 19, 1961

Application for Permit

Mr. Walter Buhler
Montpelier, Idaho

Dear Mr. Buhler:

Returned herewith is your application for permit with attached check for $5.50 filing fee.

The point of diversion and land list on your application do not check your maps.

On one map we show the land and well location as described in your application. Kindly check and correct the error or errors.

Return the corrected application with the check attached for processing.

Very truly yours,

[illegible] H. DAVIS
State Reclamation Engineer

By:

Ralph W. Thomas, Deputy
State Reclamation Engineer

RWT/ec
encl.

27897

June 27, 1961

Application for Permit

Mr. Walter Buhler
Montpelier, Idaho

Dear Mr. Buhler:

We have your application which you returned, however we still do not know where the well is to be so have included two wells, one in SE¼NE¼ as shown on your last map and also one in NW¼NW¼ Sec. 9 as you show on the application form.

Kindly sign the application on page 3 which you neglected to complete and return.

Very truly yours,

GEO R. CARTER
State Reclamation Engineer

By:

Ralph W. Thomas, Deputy
State Reclamation Engineer

RWT/wp
encl.

29899

ROBERT E. SMYLIE
Governor

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
GEO. N. CARTER, STATE RECLAMATION ENGINEER
BOISE

IDAHO TERRITORIAL CENTENNIAL 1863 1963

June 27, 1961

RECEIVED
JUL 3 1961
Department of Reclamation

Application for Permit

Mr. Walter Buhler
Montpelier, Idaho

Dear Mr. Buhler:

We have your application which you returned, however we still do not know where the well is to be so have included two wells, one in $SE\frac{1}{4}NE\frac{1}{4}$ as shown on your last map and also one in $NW\frac{1}{4}NW\frac{1}{4}$ Sec. 9 as you show on the application form.

Kindly sign the application on page 3 which you neglected to complete and return.

Very truly yours,

GEO N. CARTER
State Reclamation Engineer

By: Ralph W. Thomas

Ralph W. Thomas, Deputy
State Reclamation Engineer

RWT/mo
encl.

Ralph W. Thomas
Dear Sir the Well Will Be Located
As Shown on the Map
Walter Buhler

29899

NAME OF APPLICANT Walter Baker

Form No. 0

Well #6

Well

T 13S R 44E

Permit Map No. 29899
As Approved JUL 11 1961
GEO. N. CARTER
Reclamation Engineer

SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

29897

July 20, 1961

Re: Permit No. G-29899

Mr. Walter Buhler,
Montpelier, Idaho.

Dear Mr. Buhler:

We enclose Permit No. G-29899 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. G-6156 which was issued covering payment in the amount of $5.50 for the filing fee of the above mentioned permit.

You will note, under Question 10, that we have changed the required time for completion of works and complete application of the water to the proposed use to five years. However, you may make the required proofs at any time you are prepared to do so within that time.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

Encl.
EPRapak

2 75?9

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G29899

May 1, 1966

Walter Buhler
Montpelier, Idaho

Dear Mr. Buhler:

The date for proofs of Completion of Works and Application of water to beneficial use, as set out under terms of Permit No. G-29899 are due not later than July 11, 1966

Before these proofs can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper within the county in which the land is located. In completing the Notice of proof for publication, the information should be taken from your Permit, including any amendments made in connection with a change of point of diversion or land list, which has been recorded in this department. If changes have been made and no amendments are on record, we advise you request a form for this purpose before your Notice is published.

We enclose Form 36, in duplicate, which is to be filled out and returned to this department at least FORTY (40) DAYS BEFORE THE MENTIONED DATE, (allowing for four weeks publication). Please give the name of the town, the address of the place where the depositions will be executed, and, the name of the notary public before whom you will appear to make the depositions of proof (this may be at any place convenient for you and your two witnesses), the quantity of water filed; for what purpose it is used; the point, or points, of diversion; and the location of use or the lands which are irrigated -- all by legal land description.

Enclosed also is Form 11, which is the authorization for us to have the notice published in the designated county newspaper at your expense. This is to be returned with two Forms 36.

At the time we send the notice to the newspaper we will send to you the forms for the depositions of holder and two disinterested witnesses. It is important that the depositions be executed at the time, on the date set, at the place named, and before the notary public, as advertised in the publication notice.

Very truly yours,

Carl E. Tappan

State Reclamation Engineer

Enclosures Form 36 and 11

29899

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

August 25, 19 66

Re: Permit No. G- 29899

To Walter Buhler

Montpelier, Idaho

It appearing to the State Reclamation Engineer that the terms and conditions of Permit No. G-29899 to Appropriate the Public Waters of the State of Idaho, have not been complied with as to

Completion of Works and Beneficial Use Proofs due July 11, 1966

YOU ARE HEREBY notified in compliance with Sec. 42-234, Idaho Code that said Permit No. G- 29899 is hereby held for cancellation.

YOU ARE HEREBY required to show cause before the State Reclamation Engineer on or before sixty days from date of this notice why said Permit should not be cancelled.

SAID PERMIT NO. G- 29899 claims the use of 3.0 cubic feet per second of the Subterranean Waters a well with point of diversion located SE¼NE¼, Sec. 9, T. 13 S., R. 44 E., B. M., Bear Lake County and was approved July 11, 1961.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of my office at Boise, Idaho, the 25th day of August, 19 66.

[redacted]

State Reclamation Engineer

29899

RECEIVED
SEP 6 1966
Department of Reclamation

September 1, 1966

State of Idaho
Department of Reclamation
State Reclamation Engineer
Boise, Idaho

Gentlemen:

In regards to Permit No. G-29899 to appropriate the Public Waters of the State of Idaho, we weren't aware as to the date of completion of works. We recently purchased the property from Walter Buhler, and aren't familiar with procedures necessary to prove up on a well. Therefore, we would like to know what we must do, and if there are forms to fill out, etc. We would appreciate all the information required to prove up on the well.

Sincerely yours,

Charles H. Stewart

Charles H. Stewart
245 Woodlawn
Montpelier, Idaho

29899

September 8, 1966

RE: Permit G-29399
Walter Buhler

Charles N. Stewart
245 Woodlawn
Montpelier, Idaho

Dear Mr. Stewart:

We are enclosing the proper forms for having the permit assigned to you. Also enclosed are the forms for making the publication notice in connection with the proofs. There is a 50¢ fee for recording the assignment.

Please complete all the enclosed forms and return promptly.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw

Encl: Assignment
Notice

29877

S T A T E OF I D A H O

DEPARTMENT OF RECLAMATION

WHEREAS, Permit No. G-29899, in the name of Walter Buhler required proofs of completion of works and beneficial use on July 11, 1966; and,

WHEREAS, applicant had sold his property and this department was not notified and all papers were mailed to him, which were not forwarded to Daniel S. and Charles Stewart, present owners; and,

WHEREAS, the assignment of the said permit reached this office on October 24th, but was held for lack of fees;

NOW, THEREFORE, An Extension of time is granted on said permit 29899 to December 15, 1966, in order for him to complete his advertising and make proofs.

Signed at Boise, Idaho, this 21st day of November, 1966.

Carl A. Barnett

Assistant State Reclamation Engineer

29899

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Show to whom and when delivered ☐ Show to whom, when, and address where delivered ☐ Deliver ONLY to addressee

(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

CERTIFIED NO.
19212

INSURED NO.

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

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY
L Bubler

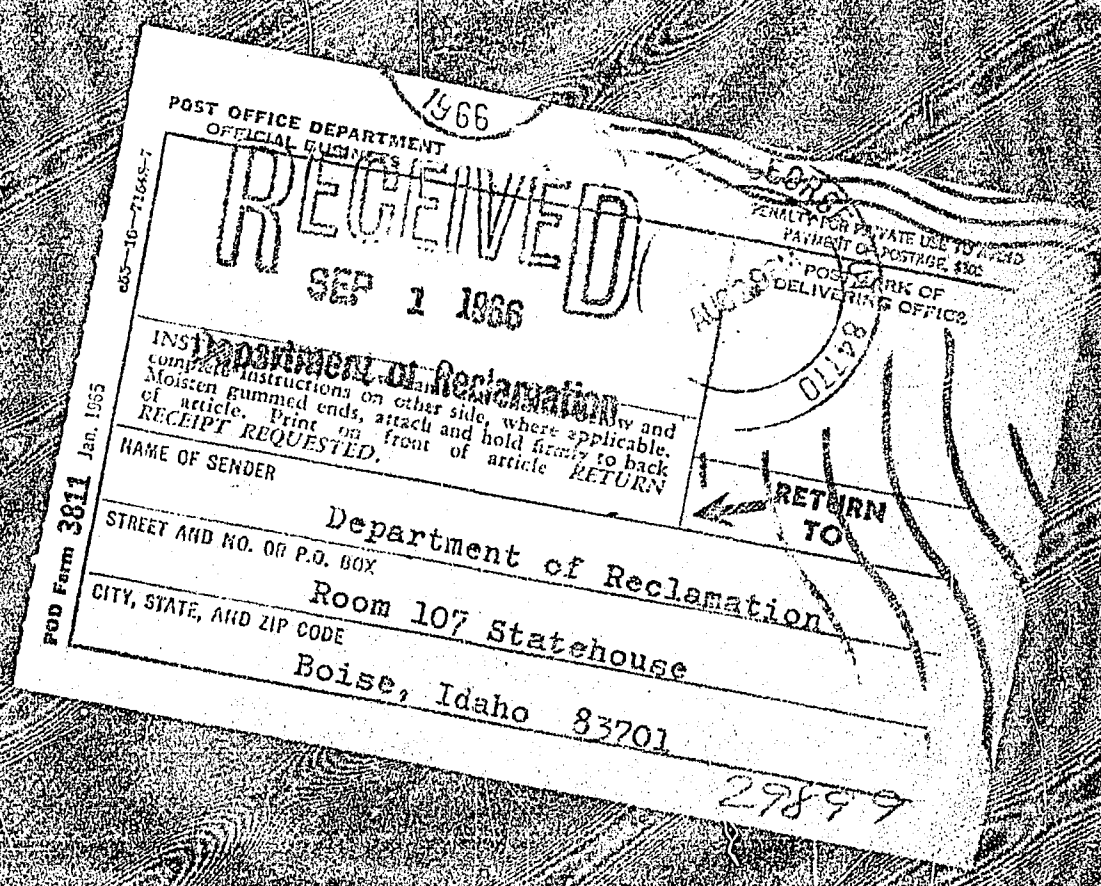
DATE DELIVERED
5-24-66

SHOW WHERE DELIVERED (*only if requested*)

29899

c65—16—71548-7 GPO

29899


1966
POST OFFICE DEPARTMENT
OFFICIAL BUSINESS
RECEIVED
SEP 1 1966
Department of Reclamation
PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, $300
POSTMARK OF DELIVERING OFFICE
RETURN TO
POD Form 3811 Jan. 1965
NAME OF SENDER
Department of Reclamation
STREET AND NO. OR P.O. BOX
Room 107 Statehouse
CITY, STATE, AND ZIP CODE
Boise, Idaho 83701
29899

RECEIVED
NOV 14 1966
Department of Reclamation

RECEIVED
NOV 2 1966
Department of Reclamation

RECEIVED
OCT 24 1966
Department of Reclamation

ASSIGNMENT

For value received, I hereby assign all of my right, title and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. 6-29899 to Daniel L. Stewart & Charles Stewart
Address: 245 Woodlawn, Montpelier, Idaho

*

Walter Bullen
Permit Holder

Kate Bullen
Wife of Permit Holder

STATE OF ~~IDAHO~~ UTAH)
: ss
County of Washington)

On this 20th day of September, 1966, before me, a Notary Public for the State of ~~Idaho~~ Utah, residing at Hurricane, Utah, personally appeared Walter Bullen and Kate Bullen, husband, known to me to be the persons whose names are ~~is~~ subscribed to the within instrument and duly acknowledged to me that they executed the same.

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

Lillian C. Covington
Notary Public
Residing at Hurricane, Utah

My commission expires: Nov. 26, 1968

Note:

* If fractional part of permit is to be assigned, the fractional part of the land to which the assigned fraction is appurtenant should be described by legal subdivisions.

29899

RECEIVED
NOV 14 1966
Department of Reclamation

Application for Amendment

LAND LIST

Permit No. G-29899

RECEIVED
NOV 2 1966
Department of Reclamation

Comes now Charles H. Stewart, and represents to the STATE RECLAMATION ENGINEER of the State of Idaho:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. G-29899, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

[illegible]

[illegible] Fraction S.E. S.W., Sec. 4, T. 13, R. 44, Fraction N.E. N.W., Fraction S.E. N.W., W.½ N.E., Fraction N.E. N.E., Fraction S.E. N.E., Fraction N.E. S.W., Fraction S.E. S.W., and N.½ S.E. all in Sec. 9, T. 13, R. 44.

, making a total of 700.67 acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Montpelier, Idaho this 31st day of October, 1966

Charles H. Stewart

Date of receipt at office of Department of Reclamation November 2, 1966

APPROVAL OF STATE RECLAMATION ENGINEER

Jack A. Barnett, Assistant
I, ~~[illegible] CARTER~~, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. G-29899. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

Jack A. Barnett
Assistant,
State Reclamation Engineer

29899

Form No. 2N 12-62

RECEIVED
NOV 14 1966
Department of Reclamation

RECEIVED
NOV 2 1966
Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) October 31, 1966

(P. O.) Montpelier, Idaho

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the News-Examiner of Montpelier, Idaho Published in the county in which the works are situated.

Charles H. Stewart

(In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well known and competent engineer)

I hereby certify that the facts set forth in the attached notice are true.

Engineer

29899

No. 36 - 4M
1/65

RECEIVED
NOV 14 1966
Department of Reclamation

RECEIVED
NOV 2 1966
Department of Reclamation

NOTICE OF PROOF OF COMPLETION OF WORKS
and
APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that ~~at 10:00A M.~~, on the ~~14th~~ 5th day of ~~December~~ January 19 66, at Montpelier, County of Bear Lake, State of Idaho before Howard W. Tolley, Notary Public, at (address) 1025 Washington, Montpelier, Idaho, proof will be submitted of the completion of works for the diversion of 3 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-29899, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Daniel S. Stewart & Charles H. Stewart, 245 Woodlawn, Montpelier, Idaho

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 3 cubic feet per second.

3. The use to which said water has been applied is Irrigation, purposes and the amount applied to beneficial use is 2 cubic feet per second.

4. The point of diversion of said water is S.E. ¼ N.E. ¼, Sec. 9, T. 13 S., R. 44E., B.M., Bear Lake County

5. The place where said water is used is (~~Erection~~ S.E.¼S.W.¼, Sec. 4; ~~T. 13, R. 44E~~ ~~Erection~~ N.E¼N.W¼, ~~Erection~~ S.E¼N.W¼, W.½N.E¼, ~~Erection~~ N.E¼N.E¼, ~~Erection~~ S.E¼N.E¼, ~~Erection~~ N.E¼S.W¼, ~~Erection~~ S.E.¼S.W¼, ~~and~~ N.½S.E¼ ~~in~~ Sec. 9, T. 13S, R. 44E, B.M. ~~Total acreage 309.07~~

6. The date of priority which said user is prepared to establish is ~~July 11, 1961~~ November 2 1966.

State Reclamation Engineer

29899

No. 36 - 4M
1/65

RECEIVED
NOV 14 1966
Department of Reclamation

RECEIVED
NOV 2 1966
Department of Reclamation

NOTICE OF PROOF OF COMPLETION OF WORKS
and
APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at [illegible] M., on the 14 th day of December 19 66, at Montpelier, County of Bear Lake, State of Idaho before Howard W. Tolley, Notary Public, at (address) 1025 Washinton, Montpelier, Idaho, proof will be submitted of the completion of works for the diversion of 3 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-29899, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Daniel S. Stewart & Charles H. Stewart, 245 Woodlawn, Montpelier, Idaho

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 3 cubic feet per second.

3. The use to which said water has been applied is Irrigation, purposes and the amount applied to beneficial use is 2 cubic feet per second.

4. The point of diversion of said water is S.E.¼ N.E.¼, Sec. 9, T. 13S., R. 44E. B.M., Bear Lake County

5. The place where said water is used is (Fraction S.E. S.W., Sec. 4, T. 13S B. 44E (Fraction N.E. N.W., Fraction S.E. N.W., W.½ N.E., Fraction N.E. N.E., Fraction S.E. N.E., Fraction N.E. S.W., Fraction S.E. S.W., and N.½ S.E. all in Sec. 9, T. 13S R. 44E, Total Acreage 309.07 [illegible]

6. The date of priority which said user is prepared to establish is July 11, 1961.

State Reclamation Engineer

27899

No. 36 - 4M
1/65

NOTICE OF PROOF OF COMPLETION OF WORKS
and
APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that ~~XX~~ ____ ~~XXX~~ on the 5th day of January 19 67, at Montpelier, County of Bear Lake, State of Idaho before Howard W. Tolley, Notary Public, at (address) 1025 Washington, Montpelier, Idaho; proof will be submitted of the completion of works for the diversion of 3 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-29899, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Daniel S. Stewart & Charles H. Stewart, 245 Woodlawn, Montpelier, Idaho

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 3 cubic feet per second.

3. The use to which said water has been applied is irrigation, purposes and the amount applied to beneficial use is 2 cubic feet per second.

4. The point of diversion of said water is SE¼NE¼, Sec. 9, T. 13 S, R. 44 E, B.M.

5. The place where said water is used is SE¼SW¼, Sec. 4; E½NE¼, NW¼, E½SW¼, N½SE¼, Sec. 9, T. 13 S, R. 44 E, B.M.

6. The date of priority which said user is prepared to establish is November 2, 1966.

R. KEITH HIGGINSON

State Reclamation Engineer

G-29899

RECEIVED
NOV 14 1966
Department of Reclamation

Nov. 4, 1966

State of Idaho
Department of Reclamation
Reclamation Engineer
Boise, Idaho

Mr. Russell Bosch,

I'm sorry that the fees necessary for assignment of permit no. 6-29899, and also for the land list.

Please find enclosed $1.50 to cover these fees.

Sincerely yours,
Charles D. Stewart

29899

November 15, 1966

Re: Permit No. G-29899

News-Examiner
Montpelier, Idaho

Gentlemen:

Enclosed you will find a legal notice which we wish to have published for four consecutive weeks prior to January 5, 1967. The expense of the publication is to be paid by Charles H. Stewart of 245 Woodlawn, Montpelier, Idaho to whom you should furnish proof of publication on or prior to the above date.

Please acknowledge receipt of this notice and furnish this office with a copy or tear sheet of the notice for checking at least one week prior to the first publication.

Very truly yours,

[redacted]
State Reclamation Engineer

RKH:nw

29899

xxxxxxxx

November 15, 1966

Re: Permit No. G-29899

Daniel S. and Charles H. Stewart
245 Woodlawn
Montpelier, Idaho

Dear Mr. Stewart:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. G-29899. The proofs are to be made at ~~_____~~ Malad, on the 5th day of January, 19 67. before Howard W. Tolley Montpelier, Idaho, Notary Public.

As of this date, we have mailed the Notice to the News-Examiner, with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof then mail the Affidavit of Publication and statement of costs to you.

It is important that the enclosed depositions be executed by you and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the place, on the date, and at the time and before the Notary, as advertised. It is very important and necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been signed, the Notary's seal has been placed on each and that all depositions, (holder and two witnesses) are being returned. Also be sure to enclose the AFFIDAVIT OF PUBLICATION

Very truly yours,

MRB:mw

M. Russell Bosch
Office Manager

Encl.

cc: Notary

29899

November 15, 1966

RE: Permit 2-29399

Charles H. Stewart
245 Woodlawn
Montpelier, Idaho

Dear Mr. Stewart:

Enclosed herewith is the assignment and amendment to land list on the above referenced permit which was recorded in our office.

Also enclosed is departmental receipt No. G-11085 in the amount of $1.50 which covers the recording fee.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:tejw

Encl: Amendment
Receipt

29877

Form 16 - 2M
5-5-65

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G-29899

RECEIVED
JAN 9 1967
Department of Reclamation

* * * * * * *

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

DEPOSITION OF HOLDER

Ques. 1. State your name, residence occupation and postoffice address:

Charles H. Stewart, Rancher, Montpelier, Idaho

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf:

Ques. 3. State number, approval date of permit, and date of priority: G-29899

July 11, 1961, and Nov. 2, 1966

Ques. 4. State source of water supply: Underground water from a well.
Give location of point of diversion, showing subdivision, section, township and range

S.E.¼ N.E.¼, Sec. 9, T. 13S, R.44E.

Ques. 5. Describe your works of diversion: Underground water from a well.

; state amount of water they are capable of conveying from point of diversion to place of use: 3 cubic ft./sec. Give name of canal or ditch or other works by which water is conducted to such place of use: privately owned ditch and 6" pipeline. ; if a well, state depth of well 150 ft. ; depth and size of casing 22in. casing. ; depth to water 4 ft. ; if pump is used, state discharge of pump: 800 gal./min.; tell how it was measured or determined Calculated estimate through barrels. ; if sprinkler irrigation, give number and size of nozzles and operating pressure: 66, 5/16" nozzles. Operated at 80 # pressure

Ques. 6. State for what purpose water is used:
(If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water:

Fraction S.E. S.W., (Sec. 4, (13.5acres), N.E. N.W., Sec. 9, (5.08 acres), S.E. N.W., (35.5 acres), W.½ N.E., (75 acres), N.E. N.E., (30 acres), S.E. N.E., (30 acres), N. E. S.W., (35 acres), S.E. S.W., (15 acres), W.½ S.E. (80 acres) all in Sec. 9 T. 13, R. 44.

29899

State nature of all improvements which have been made as a direct result of said use:

¼ mile of 6" underground main line, reservoir, sprinkler lines, and new ditches

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: Johnson Well Drillers, Twin Falls, Idaho

Ques. 7. If for other than irrigation purposes, show full legal description of place of use and state purpose for which water is used:

For Irrigation Only

Ques. 8: If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder:

It was Acquired by assignment.

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: 1963- 2 second feet - Time used since first use:

Used during the summers of 1964, 1965, and 1966. Used the most during 1966

Ques. 10. Describe all other water rights appurtenant to same place of use:

134 3/4 shares on the Montpelier Creek from the Montpelier Irrigation Co.

(sign) Charles H. Stewart

* * * * * * * * * * *

I hereby certify that the foregoing testimony was read to the above subscribed, before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Montpelier, County of Bear Lake State of Idaho, on this 5 day of Jan, A. D. 1967.

Montpelier

My commission expires: Apr 26, 1972

29897

Form 17A - 4M
5-6-65

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G-29899

* * * * * * *

RECEIVED
JAN 9 1967
Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case.

Ques. 1 State your name, age, residence, occupation and postoffice address:

Orlando Kunz, age 73, Bern, Idaho, Retired, Bern, Idaho.

Ques. 2 Are you acquainted with Charles H. Stewart, the holder of Permit No. G-29899 ? How long have you known him and where does he reside?

I have know him since August, 1964 and he resides in Montpelier, Idaho

Ques. 3. Have you read or heard said Permit No. G-29899 read, and are you familiar with its provisions and conditions: Yes Yes No.

Ques. 4. State source of water supply: Underground water from a well

Give location of place of diversion, showing subdivision, section, township and range

S.E.¼ N.W.¼, Sec. 9, T.13S, R.44E.

Describe works for conveying water to place of use: 6 in. underground mainline, and private ditch.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: 2 second feet How much water have you seen being so conveyed? 2 second feet

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving full legal description:

Fraction S.E. S.W., (Sec. 4, (13.5 acres), N.E. N.W., Sec. 9, (5.08 acres), S.E. N.W., (35.5 acres), W.½ N.E., (75 acres), N.E. N.E., (30 acres), S.E. N.E., (30 acres), N.E. S.W., (25 acres), S.E. S.W., (15 acres), N.½ S.E. (80 acres) all in Sec. 9, T. 13, R.44

27899

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

For Irrigation Only

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Black loam soil - Needs 1" water per acre for profitable cultivation

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned? If so, in what way and to what extent? no

Ques. 10. When did you first see this water used? 1963

Other times you have seen such use: 1964, 1965, and 1966

(Signed):

Orlando Kunz

* * * * * * * *

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Montpelier, County of Bear Lake, State of Idaho, on this 5 day of Jan, A. D. 1967

Howard W. Talley

Notary Public for the State of Idaho

Residing Montpelier, Ida.

My commission expires April 26, 1972

29899

Form 17A - 4M
5-6-65

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G-29899

* * * * * * *

RECEIVED
JAN 9 1967
Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case.

Ques. 1 State your name, age, residence, occupation and postoffice address:

Weston H. Wright, age 53, Montpelier, Idaho, Railroad Engineer, Montpelier, Idaho

Ques. 2 Are you acquainted with Charles H. Stewart, the holder of Permit No. G-29899? How long have you known him and where does he reside?

I have known him since August, 1964 and he resides in Montpelier, Idaho

Ques. 3. Have you read or heard said Permit No. G-29899 read, and are you familiar with its provisions and conditions: Yes Yes No. _____

Ques. 4. State source of water supply: Underground water from a well

Give location of place of diversion, showing subdivision, section, township and range

NE
S.E.¼, N.W.¼, Sec. 9, T.13s, R.44E.

Describe works for conveying water to place of use: 6 in. underground mainline, and private ditch

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: 2 second feet How much water have you seen being so conveyed? 2 second feet

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving full legal description:

Fraction S.E. S.W., (Sec. 4, (13.5acres), NE. N.W., Sec. 9, (5.08acres), S.E.N.W. (35.5acres), W.½N.E., (75acres), N.E. N.E., (30acres), S. E. N. E., (30acres), N.E. S. W., (25acres), S.E. S.W., (15acres), N.½ S.E. (80acres) all in Sec. 9, T. 13, R.44

29899

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

For Irrigation only

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Black loam soil - Needs 1" per acre for profitable cultivation

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned? If so, in what way and to what extent? no

Ques. 10. When did you first see this water used? 1963

Other times you have seen such use: 1964, 1965, and 1966

(Signed):

Gustave H. Wright

* * * * * * * *

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Montpelier, County of Bear Lake, State of Idaho, on this 5 day of Jan, A. D. 19 67

Howard W. Talley.

Notary Public for the State of Idaho

Residing Montpelier

My commission expires Apr 26, 1972

29879

RECEIVED
JAN 9 1967
Department of Reclamation

THE NEWS-EXAMINER
MONTPELIER, IDAHO

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,)
County of Bear Lake,) ss.

W. Jerome Taylor

being first duly sworn, deposes and says he is Publisher and Foreman of the **News-Examiner**; that the said **News-Examiner** is a weekly newspaper published at Montpelier, County of Bear Lake, State of Idaho, of general circulation in said County and State.

That the notice attached was published in the said **News-Examiner,** and not in a supplement, for four successive weeks, commencing with the issue dated December 1, 1966 and ending with the issue dated December 22, 1966

W. Jerome Taylor
Publisher and Foreman.

NOTICE OF PROOF OF COMPLETION OF WORKS
and
APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that on the 5th day of January, 1967, at Montpelier, County of Bear Lake, State of Idaho, before Howard W. Tolley, Notary Public, at 1025 Washington, Montpelier, Idaho, proof will be submitted of the completion of works for the diversion of 3 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-29899, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice adresses of the person or corporation holding said permit is Daniel S. Stewart and Charles H. Stewart, 245 Woodlawn, Montpelier, Idaho.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 3 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes and the amount applied to beneficial use is 2 cubic feet per second.

4. The point of diversion of said water is SE¼NE¼, Sec. 9, T. 13 S., R. 44, E. B. M.

5. The place where said water is used is SE¼SW¼, Sec. 4; E½NE¼, NW¼, E½SW¼, N½SE¼, Sec. 9, T. 13 S, R. 44 E. B. M.

6. The date of priority which said user is prepared to establish is November 2, 1966.

R. KEITH HIGGINSON
State Reclamation Engineer
(d-1|8|15|22)

Subscribed and sworn to before me this 23rd day of December, 1966

Tom L Burgoyne
Notary Public.

27899

[illegible]

Bear Lake

January 17, 1967

Re: Permit No. G-29899

Charles H. Stewart
Montpelier, Idaho

Dear Mr. Stewart:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the News-Examiner, all submitted in proof of completion of works and beneficial use on Permit No. G-29899.

Before final action is taken in the matter, the law requires that a field examination be made by an engineer from this department.

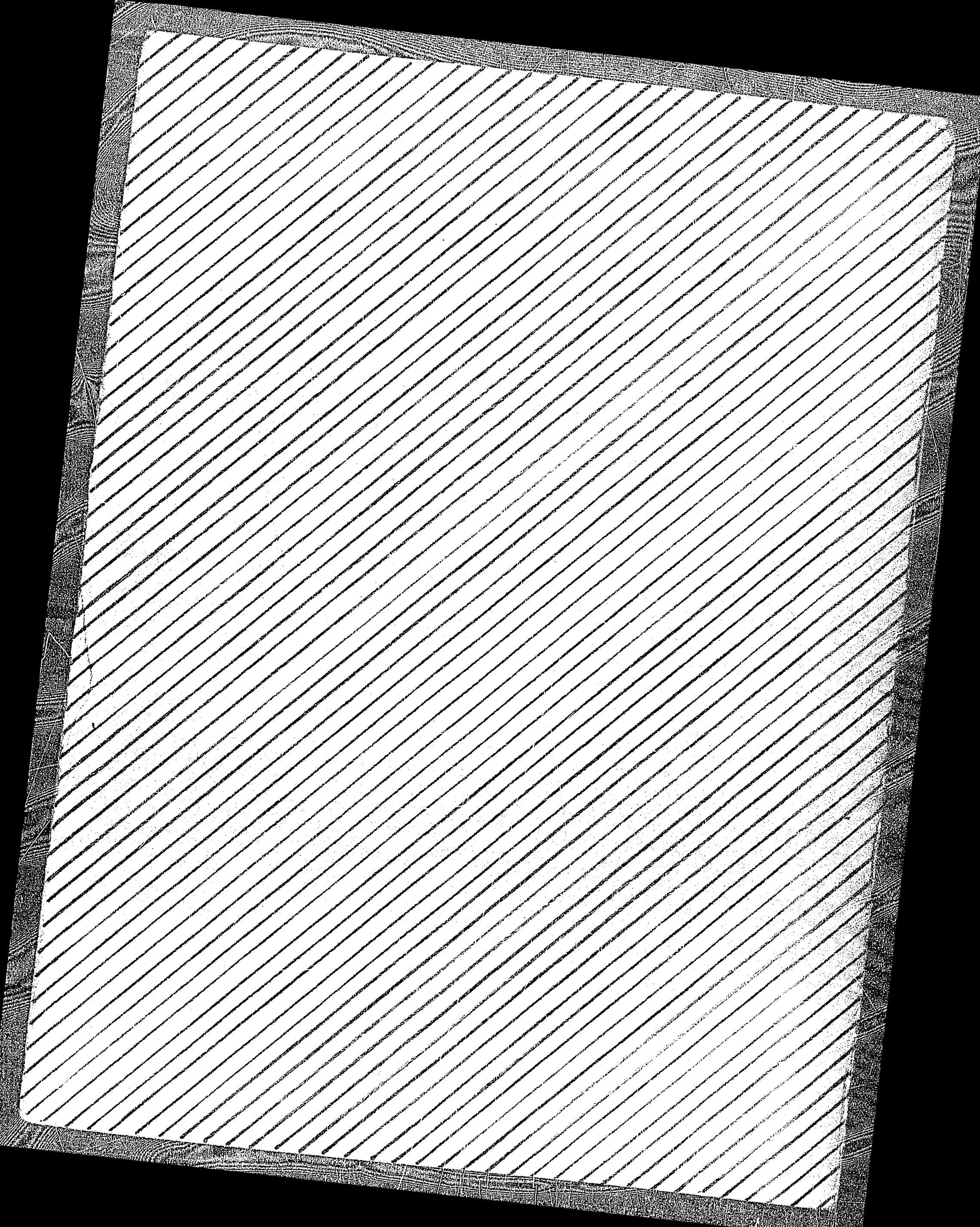
We cannot tell just when this examination will be made, but our field engineer will try to contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

M. Russell Bosch
Office Manager

MRB:nw

29899



Filing Fee: $10.00
Receipt # 5365

RECEIVED
APR 16 1976
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR AMENDMENT

Permit No. 29899/11-2123

Comes now Daniel S. Stewart & Charles Stewart of (address) Montpelier, Idaho, and represents to the Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 29899/11-2123, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NE ¼ NE ¼, Sec. 9 Twp. 13 S Rge. 44 E, B.M., County of Bear Lake. Other points of diversion:

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)
NO CHANGE

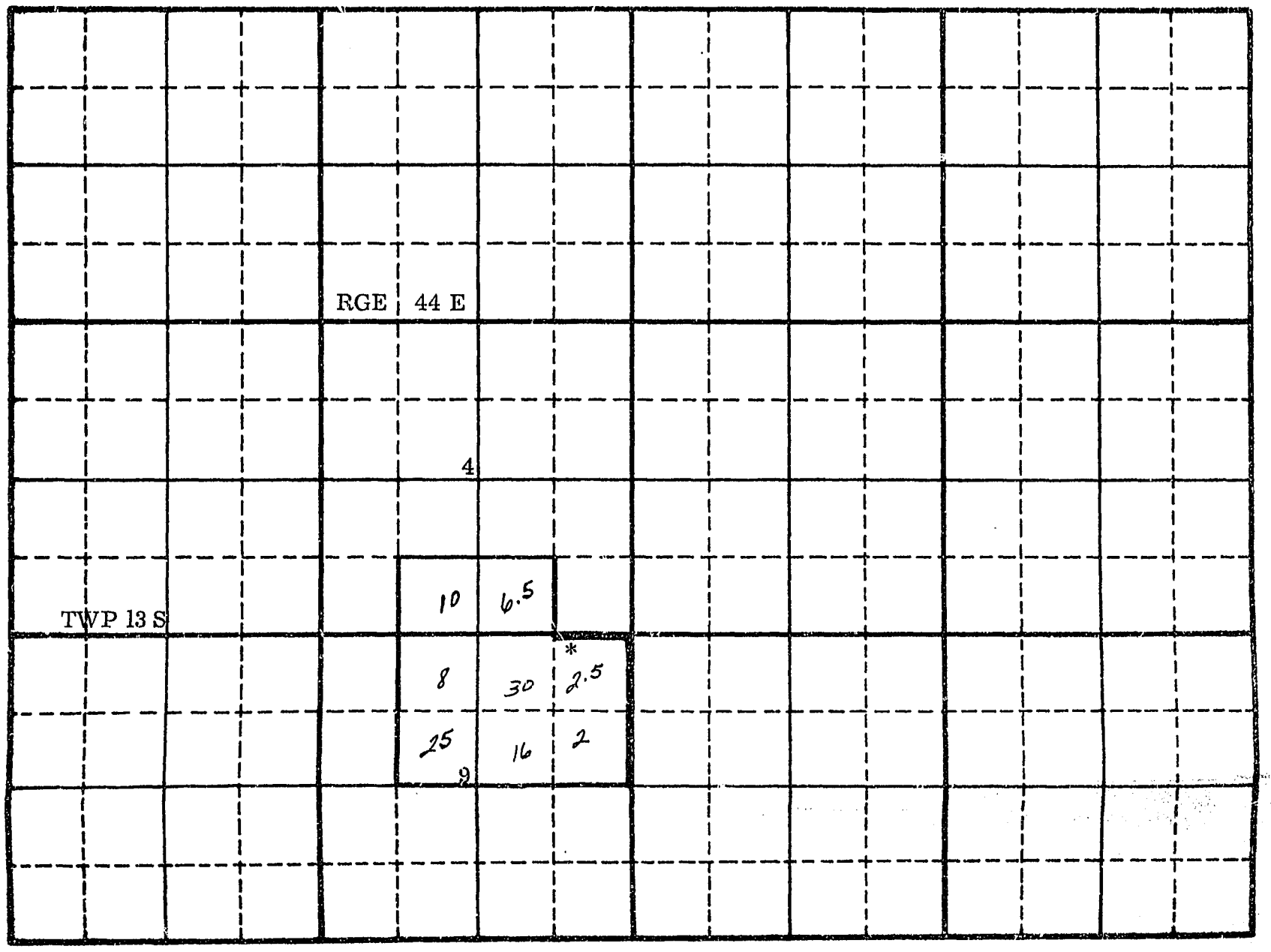
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated:

TWP	RANGE	SEC	NE ¼				NW ¼				SW ¼				SE ¼				TOTALS
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
13 S	44 E	4												10			6.5		16.5
		9	2.5	30	16	2	8			25									83.5

Total number of acres to be irrigated 100

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile

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

Signed at Montpelier, Idaho, this 9 day of August, 1976.

Daniel A. Stewart
(signature)

Charles W. Stewart

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, R. KEITH HIGGINSON, Director of the Department of Water Resources hereby approve the foregoing application for amendment for Permit No. 29899/11-2123.

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

Director

State of Idaho

Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 29899/11-2123 Priority July 24, 1961 Amount 2.0 cfs

THIS IS TO CERTIFY, that Daniel S. Stewart & Charles Stewart

of Montpelier, Idaho, have complied with the terms and conditions of Permit No. 29899/11-2123 issued pursuant to Application for Permit dated July 3, 1961, and has submitted proof to the Department of Water Resources on January 5, 1967 (late proof), 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 2.0 cfs of water from a ground water 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
Irrigation	from April 15	to Oct. 15	at 2.0 cfs and	300 acre feet or 3.0 af per acre
	from	to	at cfs and	
	from	to	at cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 2.0 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 300 acre feet per year, said waters to be diverted within the NE¼NE¼ of Sec. 9, Twp. 13 S, Rge. 44 E, B.M. in the County of Bear Lake

Description and location of place of use:

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
13 S	44 E	4												10			6.5		16.5
		9	2.5	30	16	2	8			25									83.5

Total number of acres irrigated 100

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 19 day of August, 19 76.

Director

DEPARTMENT OF WATER ADMINISTRATION

FIELD REPORT

Permit No. G-29899/11-2123

Examination for

1. Name of permit holder Charles H. & Daniel S. Stewart

   Post office address 300 South 9th, Montpelier, Idaho Phone 847-1492

   Person to contact Wayne Kuntz, Manager 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 3.00 c.f.s. for Irrigation
   _____ 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)

   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 3.00 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

   Township 13S N/S, Range 44E E/W, B.M., Section 9, Subdivision SE ¼ NE ¼, Bear Lake County

   Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ ¼ _____ ¼, _____ County

   Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ ¼ _____ ¼, _____ County

   Other Points of Diversions: _____

   Description of diverting works: _____

   Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
13S	44E	4												x					
		9	x	x	x	x	x			x	x			x	x	x			

TOTAL ACREAGE _____

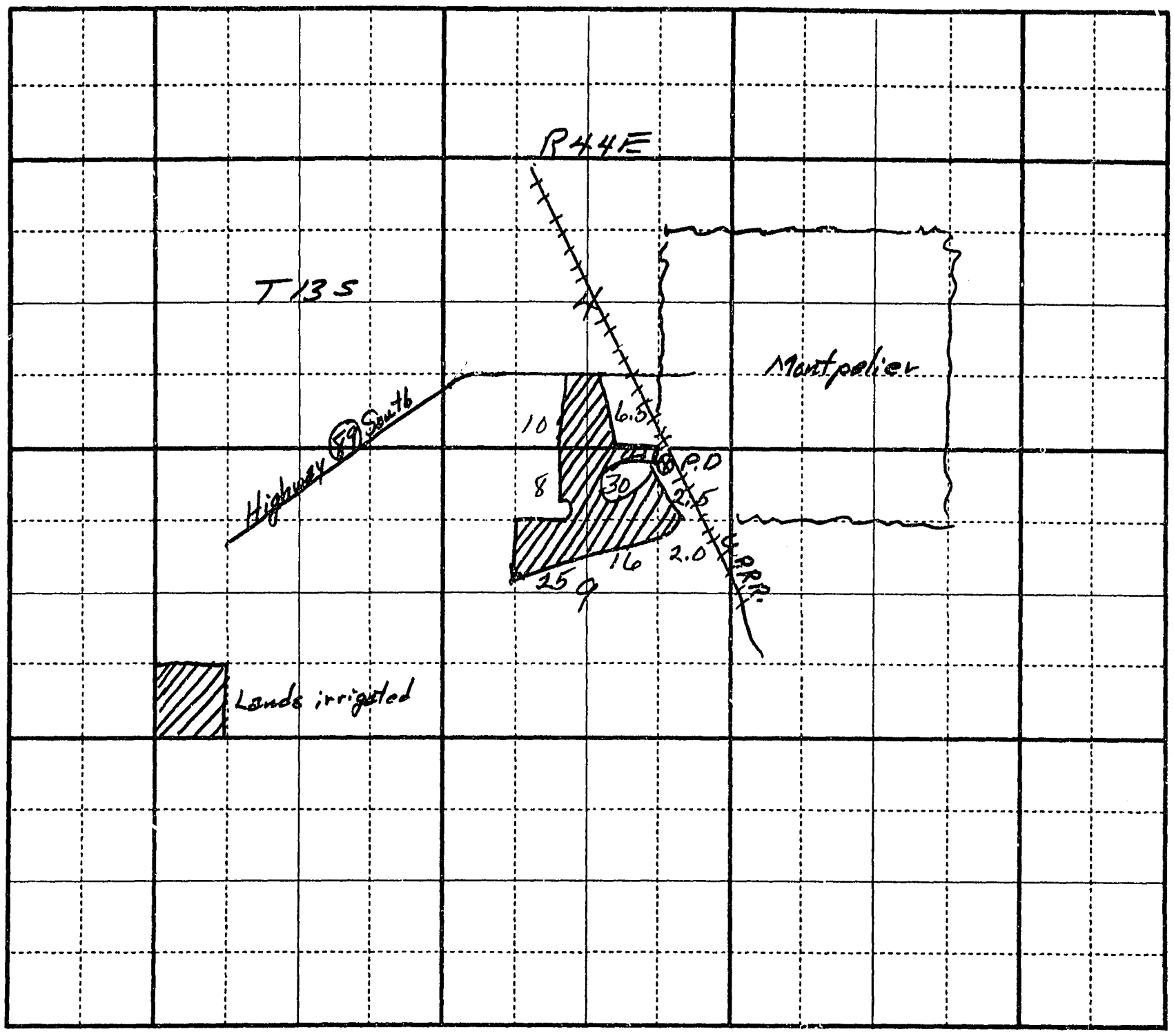
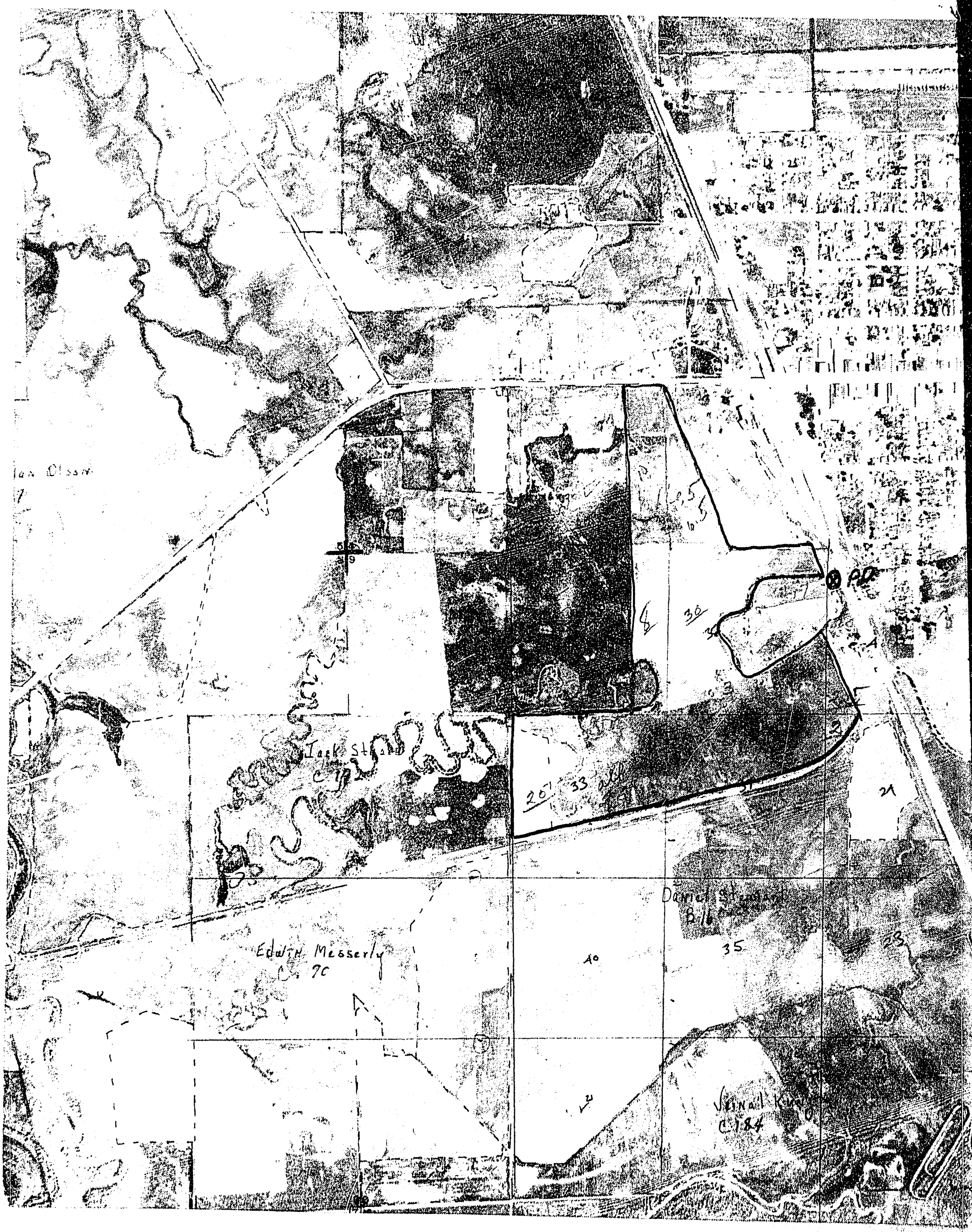


Diagram of System


Jack Stand
Edwin Messerly
Daniel Standard
Final Ky
C. 184

LJ-200
1-63

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Date 6/25, 1925 DISCHARGE MEASUREMENT NOTES

Charles Stewart River at Ditch on Permit # 11-2123

Angle coefficient	Dist. from initial point	Width	Depth	Observation depth	Revolutions	Time in seconds	VELOCITY: At point	VELOCITY: Mean in vertical	Adjusted for hor. angle or ---	Area	Discharge
	ELB										
	1.0	.165	.5	80%			.310			.083	.026
	1.33	.33	.7	.6	15	42	.387			.297	.115
	1.66	.33	1.0		25	40	.644			.330	.213
	2.0	.33	1.1		30	47	.666			.363	.238
	2.33	.33	1.1		40	39	.826			.363	.300
	2.66	.33	1.2		40	46	.877			.396	.347
	3.0	.33	1.2		30	41	.746			.396	.295
	3.33	.33	1.1		25	50	.524			.363	.190
	3.66	.33	1.0		15	41	.396			.330	.131
	4.0	.365	1.0		7	42	.205			.365	.075
	ELB										
	4.4	.2	.7	80%			.164			.14	.023
											1.953
											245

No. 1 of 1 Sheets. Comp. by [signature] Chk. by _____

DATE OF EXAM 6-25-75

ACREAGE
Found 100
Recommended 100

Irrigation Requirement 3.0 Ac Ft/Ac

USE
Irrigation Q= 1.953 c.f.s. V= 300 AF/Ann. from April 1 to Nov. 1
Domestic Q=_____c.f.s. V=_____ AF/Ann. from _____ to _____
Livestock Q=_____c.f.s. V=_____ AF/Ann. from _____ to _____

Is water co-mingled? yes_____ no ✓

Name source: _____
twp._____N/S, Rge_____E/W, B.M., Sec._____, Sub._____¼_____¼_____
County

Exchange? yes_____ no ✓

Name source exchanged with: _____
twp._____N/S, Rge_____E/W, B.M., Sec._____, Sub._____¼_____¼_____
County

Point of injection:
twp._____N/S, Rge_____E/W, B.M., Sec._____, Sub._____¼_____¼_____
County

Point of exchange:
twp._____N/S, Rge_____E/W, B.M., Sec._____, Sub._____¼_____¼_____
County

Total Q measured 1.953 cfs Method of measurement pygmy meter

Total Q recommended 1.953 cfs Meter No. R-796 Type_____ Condition Good

Total V recommended 300 AF/Ann

Recommended Amendments:

P.D. NE¼ NE¼, Sec. 9 T13S, R4E
Place of Use SE¼ SW¼, SW¼ SE¼, Sec. 4, NE¼, E½ NW¼, Sec. 9, T13S R4E, BM.
Other_____
None _____

MEASUREMENT CALCULATION:
Q = See attach discharge measurement notes. 1.953 cfs
V = (100 acres)(3.0 AF/acre) = 300 AF/Ann

SYSTEM DESCRIPTION:
See data on gas engine on old field report. Well 150' deep, 22" casing. Flood irrigate to the south of pump & sprinkler irrigate land to west & north.

REMARKS:
Charles Stewart accompanied examiner. Principle crop hay.

Examiner's Signature Kenneth D Fleuelen Date 6-25-75

Checked by Lorin O Holmen Date 12-24-75

Approved by _____ Date _____

August 4, 1976

Daniel S. & Charles Stewart
245 Woodlawn
Montpelier, ID 83254

Gentlemen:

A representative of this Department has made an examination of the works covered by your Permit No. 29899/11-2123 and has found the following:

Quantity of water diverted: 2.0 cfs Source: ground water

Amount of water that can be recognized as beneficially used under Idaho law: 2.0 cfs

The maximum quantity diverted shall not exceed 300 acre feet, or 3.0 af per acre, per year.

Point of diversion: NE¼NE¼, Sec. 9, Twp. 13 S, Rge. 44 E, B.M.

Beneficial use: Irrigation of 100 acres within the SE¼SW¼, SW¼SE¼, Sec. 4; NE¼, E½NW¼, Sec. 9; Twp. 13 S, Rge. 44 E, B.M.

Priority date established: July 24, 1961 (late proof)

Our examiner found that the location of the point of diversion and place of use differs from that description listed under the permit. Therefore, it will be necessary to amend the permit before a license is issued. Enclosed is a partially completed application for amendment for your use in this matter; please note that there is a $10.00 filing fee.

Please be advised that there is also a licensing fee due in the amount of $21.00. Please sign and return the amendment application along with a total of $31.00 within 30 days in order that we may issue your license as set forth above. If you do not concur with these findings or have any questions, please contact us within the 30-day period.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

Enc: Application for amendment

August 20, 1976

Re: Permit No. 29899/11-2123

Daniel S. & Charles Stewart
245 Woodlawn
Montpelier, ID 83254

Gentlemen:

Enclosed herewith is a copy of the water right license issued on the above referenced permit.

Also enclosed is a copy of the approved application for amendment along with receipt no. 5365 in the amount of $10.00.

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:mef

Enc.



G- 32063

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 40196
Permit No. G- 32063
District No.

1. Name of Applicant: L. Jack Stuart,
   Postoffice address: 420 North Third Street, Montpelier County: Bear Lake State: Idaho

2. Quantity of water claimed: 1.03 c.f.s.

   (a) Rate of withdrawal in cubic feet per second or Idaho
   Miners' inches or gallons per minute

   (b) Annual withdrawal in acre feet per annum

3. Source of water supply: Subterranean

4. Location of point of diversion or well is in the SW ¼ of the SW ¼ of Section 4
   Twp. 13 S. , Rge. 44 E. , B.M., County of Bear Lake

5. Water is to be used for: Irrigation and stock watering

6. If for municipal, industrial or recreational purposes, give:

   (a) Point of use of water is in the ¼ of the ¼ of Section , Twp.
   Rge. , B.M.

   (b) Waste water or sewage effluent is to be returned to
   at a point in the ¼ of the ¼ of Section , Twp. , Rge. , B.M.

7. Kind of works: Flowing well, 75 ft. deep, 4" pipe 18 ft. deep and ditches

8. Estimated cost of works: $ 750.00

9. (a) Is reservoir to be used? No

   (b) Capacity of reservoir:

10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.

11. If applicant is a corporation, give:

   I. (a) Date and place of incorporation:

   (b) Amount of capital stock: $ (c) Amount paid in: $

   (d) Names and addresses of directors:

   II. The financial resources of the applicant are (a) Cash on hand: $

   (b) Treasury stock: (c) Bonds to be issued:

   (d) Other resources:

12. The land to be irrigated is described in the following tabulation:

13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:
   15 shares in Montpelier Irrigation Company

   (a) 1.03 c.f.s. (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.

   (b) (cubic feet per second, inches or gallons per minute) is for new lands.

Remarks: This well was drilled by the Amerada Petroleum Company in July of 1958. The applicant has been using the well continuously since 1958.

BE IT KNOWN THAT The undersigned hereby makes appli cation for permit to appropriate the public waters of the State of Idaho as herein set forth.

s/ L. Jack Stuart *Applicant.*

By *Agent.*

Date of first receipt at Department of Reclamation: 8:00 A.M. September 14, 1964

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G— 32063

Recorded in Book 112 Page 32063 Approved September 18, 1964

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of $ to be filed on or before

Work to begin on or before and to continue deligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before March 18, 1967

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before September 18, 1969

Witness my hand this 18th day of September, 1964

s/ RALPH W. THOMAS
Deputy STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, Governor of the State of Idaho, and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 18th day of September, 1964

Countersigned:

(SEAL)

By s/ ARNOLD WILLIAMS
Secretary of State.

STATE OF IDAHO

By s/ ROBERT E. SMYLIE
Governor

12.

Twp.	Range	Sec.	NE¼ NE¼	NE¼ NW¼	NE¼ SW¼	NE¼ SE¼	NW¼ NE¼	NW¼ NW¼	NW¼ SW¼	NW¼ SE¼	SW¼ NE¼	SW¼ NW¼	SW¼ SW¼	SW¼ SE¼	SE¼ NE¼	SE¼ NW¼	SE¼ SW¼	SE¼ SE¼	Totals
13S	44 E	4											X						11½
13S	44 E	9						X											40
																	TOTAL		51½

ELBERT E. GASS
ATTORNEY AT LAW
PROFESSIONAL BUILDING
MONTPELIER, IDAHO

PROSECUTING ATTORNEY
BEAR LAKE COUNTY

CITY ATTORNEY
MONTPELIER

P. O. BOX 159
TELEPHONE 847-0805

June 22, 1964

RECEIVED
JUN 24 1964
Department of Reclamation

Mr. Carl E. Tappan
State Reclamation Engineer
State House
Boise, Idaho

Dear Mr. Tappan:

I enclose Application for Permit and check in the amount of $6.25 upon behalf of L. Jack Stuart. You could submit proof of completion of works as soon as possible, and if there is any further information you wish, please advise.

Very truly yours,

Elbert E. Gass

EEG:vm
Encl. 2

320 63

BK

June 24, 1964

Re: Application for Permit

L. Jack Stuart
420 N. Third St.
Montpelier, Idaho

Dear Mr. Stuart:

Returned herewith is your application for permit with attached check for $6.25.

You claim 10 c.f.s. under 2 of the application and show 51½ acres to be irrigated under 12. The maximum allowable is one cubic foot per second for each 50 acres irrigated, hence 1.03 c.f.s. is the maximum allowable. The fees for application are shown on back page of application being $7.25 for 10 c.f.s., and $5.25 for 1.03 c.f.s.

You show 4-inch pipe under No. 7. We do not know how long that pipe is, however, that pipe is rather small to carry one c.f.s. of water.

I believe the description of your land or the acres are in error, as shown in "Remarks".

Correct the application and return with the proper fee.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. application with
check

cc: Albert E. Cass
Attorney at Law
Box 159, Montpelier, Idaho

32063

ELBERT E. GASS
ATTORNEY AT LAW
PROFESSIONAL BUILDING
MONTPELIER, IDAHO

PROSECUTING ATTORNEY
BEAR LAKE COUNTY

CITY ATTORNEY
MONTPELIER

P. O. BOX 159
TELEPHONE 847-0808

RECEIVED
SEP 14 1964
Department of Reclamation

September 4, 1964

Ralph W. Thomas, Deputy
State Reclamation Engineer
107 State House
Boise, Idaho

Dear Mr. Thomas:

Upon behalf of Mr. Jack Stuart, I reenclose application for permit with his check attached in the amount of $5.25 for 1.03 c.f.s.

I believe we have answered all your questions and corrected the application in accordance with your letter of June 24, 1964. However, as to your belief that the land or acres described in "Remarks" is in error, an area of land 20 chains by 7.25 chains is approximately 14½ acres. We had indicated on the prior application that there was a road running across the north and west portion of the described property, leaving approximately 11½ acres for utilization.

I trust that this explains the land or acres in the Southwest Quarter of the Southwest Quarter of Section 4.

Very truly yours,

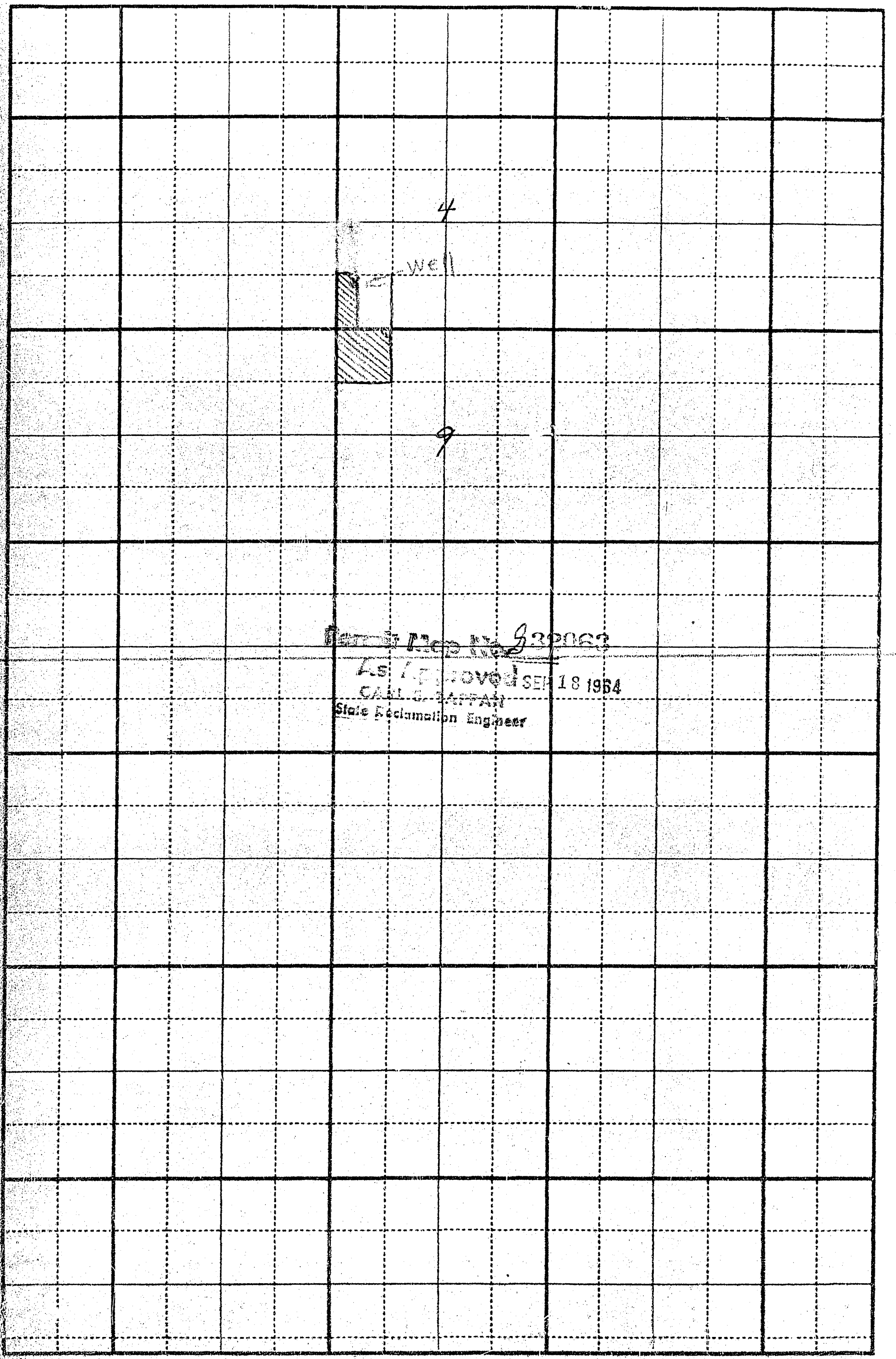
Elbert E. Gass

EEG:vm
Encl. 2

32063

NAME OF APPLICANT L. Jack Stuart

Form No. 0



Filed as Reg No. 32063

APPROVED SEP 18 1964

CARL D. BRAUN

State Reclamation Engineer

SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

32063

September 23, 1964

Re: Permit No. G-32063

Mr. L. Jack Stuart,
420 North Third St.,
Montpelier, Idaho.

Dear Mr. Stuart:

We enclose Permit No. G-32063 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. G-8887 which was issued covering payment in the amount of $ 5.25 for the filing fee of the above mentioned permit.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk

32063

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that L. Jack Stuart, 420 N. 3rd St., Montpelier, Idaho, has received an approved permit No. G-32063 issued by the Idaho State Reclamation Department authorizing the diversion ~~storage~~ of 1.03 cubic feet per second ~~/acre/feet/per/annum~~ of water from a ground water source, subject to all prior rights. The priority to be established under this permit is September 14, 1964 and the permit was approved September 18, 1964. Water is to be diverted by flowing well and ditches from a point within the SW¼SW¼, Sec. 4, T. 13 S, R. 44 E, B.M., Bear Lake County to be used for irrigation and stock watering in the SW¼SW¼, Sec. 4; NW¼NW¼, Sec. 9, T. 13 S, R. 44 E, B.M.

Proof of the application of the water to beneficial use is to be submitted to the Department on or before September 18, 1969. Amy protests against the issuance of a license for the above referenced permit should be filed with the Department of Reclamation within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the News-Examiner, Montpelier, Idaho on _____ and _____.

- - - - - - - - - - - -

G2063

July 1, 1969

L. Jack Stuart
420 North Third Street
Montpelier, Idaho

Re: Permit No. G-32063

Dear Mr. Stuart:

One of the conditions of the approval of your permit G-32063 was that proof of application of the water to beneficial use be submitted to this office on or before Sept. 12, 19 69.

Enclosed is an affidavit form which must be used to submit this proof. You may 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.

R. Keith Higginson

State Reclamation Engineer

Enclosure: Proof form
DR

Form 5

G-32063

July 1, 1969

Re: Permit No. G-32063

L. Jack Stuart
420 North Third St.
Montpelier, Idaho

Dear Mr. Stuart:

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

The enclosed order modifies your permit to comply with these rules and regulations. As a part of the new procedure, you will be required to publish a notice at your expense for two consecutive weeks in a paper as prescribed by the Department, stating that you have been issued a permit and are now submitting proof of beneficial use. Previously, a permit holder had to publish a notice for four weeks when he submitted proof under his permit.

If you will complete the enclosed forms, we will cause the notice to be published. Should you require additional forms or information, we will be glad to supply it upon request at any time.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR
Enc: Order
Proof due notice
Proof package
Adv. package

32063

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. G-32063)
in the name of L. Jack Stuart) ORDER MODIFYING REQUIREMENTS FOR COMPLETION OF PERMIT TO APPROPRIATE WATER
420 North Third Street, Montpelier, Idaho)

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

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

WHEREAS, on August 1, 1968, the Department of Reclamation adopted Rules of Practice and Procedures for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. G-32063 was issued previous to that date;

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

1. The above-numbered permit will be completed under the terms of Title 42, Chapter 2, Idaho Code, as amended by the 39th Idaho Legislature.

2. The conditions of the above-numbered permit are modified as follows:

   a. Notice of the issuance of the permit will be published at the permit holders expense for two weekly issues in the official newspaper of the county in which the point of diversion lies.

Dated this 23rd day of June, 1969.

R. KEITH HIGGINSON
State Reclamation Engineer

32063

THE NEWS-EXAMINER

MONTPELIER, IDAHO

RECEIVED
AUG 13 1969
Department of Reclamation

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,)
County of Bear Lake,) ss.

W. Jerome Taylor

being first duly sworn, deposes and says he is Publisher and Foreman of the News-Examiner; that the said News-Examiner is a weekly newspaper published at Montpelier, County of Bear Lake, State of Idaho, of general circulation in said County and State.

That the notice attached was published in the said **News-Examiner,** and not in a supplement, for two successive weeks, commencing with the issue dated July 31, 1969 and ending with the issue dated August 7, 1969

W. Jerome Taylor
Publisher and Foreman.

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that L. Jack Stuart, 420 North 3rd Street, Montpelier, Idaho, has received an approved permit No. G-32063 issued by the Idaho State Reclamation Department authorizing the diversion of 1.03 cubic feet per second of water from a ground water source subject to all prior rights. The priority to be established under this permit is September 14, 1964 and the permit was approved September 18, 1964. Water is to be diverted by flowing well and ditches from a point within the SW¼SW¼, Sec. 4, T. 13 S, R. 44 E, B. M., Bear Lake County to be used for irrigation and stock watering in the SW¼SW¼, Sec. 4; NW¼NW¼, Sec. 9, T. 13 S, R. 44 E, B. M.

Proof of the application of the water to beneficial use is to be submitted to the Department on or before September 18, 1969. Any protests against the issuance of a license for the above referenced permit should be filed with the Department of Reclamation within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in The News-Examiner, Montpelier, Idaho on July 31 and August 7, 1969.

(j31|a7)

Subscribed and sworn to before me this 8th day of August, 1969

Tom L Burgon
Notary Public.

Montpelier, Idaho
July 19 - 1969.

Dear Sirs

Please return the map if possible -
I hope this is satisfactory

RECEIVED
JUL 23 1969
Department of Reclamation

L Jack Stuart
c/2 ONO 3rd
Montpelier - Idaho

3202
11-2135

Identification No. _____

Permit No. 32063

RECEIVED
DEC 26 1969
Department of Reclamation

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder I Jack Stuart

   b) Post Office Address 420 N 3rd St. Montpelier, Idaho

2. Permit Number G. 32063

3. Date of Priority that you are prepared to establish Sept 14 1964

4. a) Source from which water was appropriated Subterranean Flowing Well

   b) Location of the point of diversion: SW ¼ SW ¼, Section 4

   Township 13 S R., Range 44 E Boise Meridian, Other points of diversion: _____

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

   amount 1.0 (cfs and/or acre feet per annum) for Irrigation purposes from 6-1 (Month-Day) to 8-30 (Month-Day) incl.

   amount .03 (cfs and/or acre feet per annum) for Livestock watering purposes from 1-1 (Month-Day) to 12-30 (Month-Day) incl.

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

   b) Total amount appropriated 1.03 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: this is a calculated measurement

6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:

   a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____

   b) Describe the agreement or understanding by which you take water from the works: _____

7. a) Breifly 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 breif description of diversion structure and/or canal or ditch) 25 HP Gasoline Pump. 4" well casing. 70 ft Deep

   b) Describe the type and size of measuring device which you have installed at your point of diversion: None

   c) Give well drillers name and address and date the well was completed Amarada Drilling Co. July 25, 1958

32063
H-2135

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use For watering Livestock the full year on Feed Ground Pasture and Corral.

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

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
13S	44E.	4			✓								✓						

Total number of acres irrigated 25

10. Remarks: The Reason I applied for Permit was due to the fact that my neighbor was going to dig a drain ditch along my lower feed line which would dry up my well and drain all my Pasture and hay Ground that is put Irrigated. I needed the water claim to protect my Ground. I have about 100 acres that is not Irrigated

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

7-11-69 (Date)

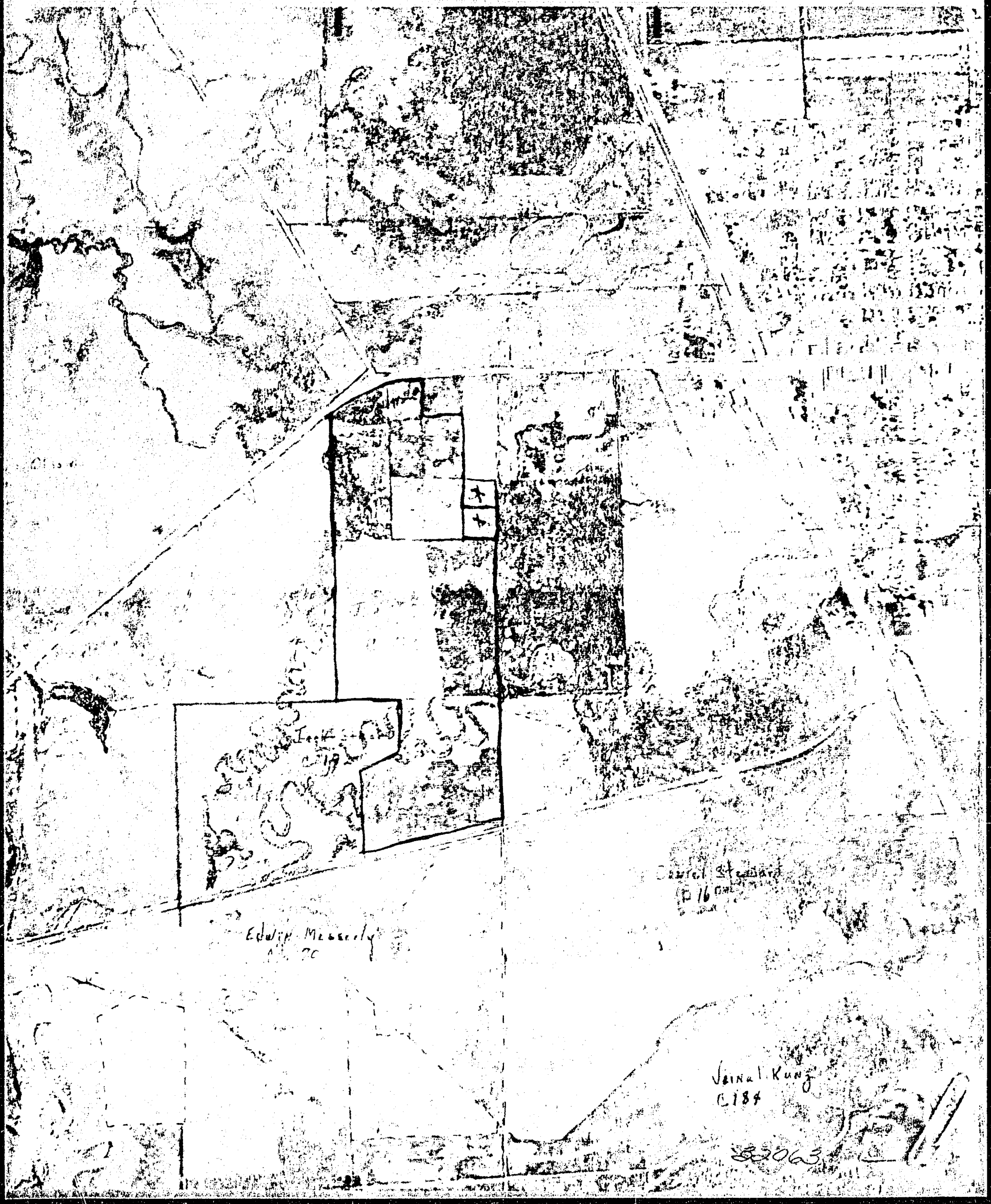
I Jack Stuart (Signature)

State of Idaho)
ss.
County of Bear Lake)

On this 16th day of July, 1969, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Paul J. Haddock
Notary Public residing at Bloomington, Idaho.
Bear Lake County

My commission expires August 21, 1969


Edwin Meese
AAG
Daniel Stewart
C 16
Vernal Kung
C184
82063

RECEIVED
JUL 28 1969
Department of Reclamation

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that L. Jack Stuart, 420 N. 3rd St., Montpelier, Idaho, has received an approved permit No. G-32063 issued by the Idaho State Reclamation Department authorizing the diversion ~~storage~~ of 1.03 cubic feet per second ~~acre feet per annum~~ of water from a ground water source, subject to all prior rights. The priority to be established under this permit is September 14, 1964 and the permit was approved September 18, 1964. Water is to be diverted by flowing well and ditches from a point within the SW¼SW¼, Sec. 4, T. 13 S, R. 44 E, B.M., Bear Lake County to be used for irrigation and stock watering in the SW¼SW¼, Sec. 4; NW¼NW¼, Sec. 9, T. 13 S, R. 44 E, B.M.

Proof of the application of the water to beneficial use is to be submitted to the Department on or before September 18, 1969. Any protests against the issuance of a license for the above referenced permit should be filed with the Department of Reclamation within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the News-Examiner, Montpelier, Idaho on July 31 and August 7, 1969.

State Reclamation Engineer: Permit No. G-32063

You are hereby authorized to have the attached notice published at my expense in the News-Examiner of Montpelier, Idaho; published in the county in which the works are situated.

L Jack Stuart
(Signature)

420 N 3rd St. Montpelier Idaho
(Address)

7-11-69
(Date)

52063
11-2135

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that L. Jack Stuart, 420 North 3rd Street, Montpelier, Idaho, has received an approved permit No. G-32063 issued by the Idaho State Reclamation Department authorizing the diversion of 1.03 cubic feet per second of water from a ground water source subject to all prior rights. The priority to be established under this permit is September 14, 1964 and the permit was approved September 18, 1964. Water is to be diverted by flowing well and ditches from a point within the SW¼SW¼, Sec. 4, T. 13 S, R. 44 E, B. M., Bear Lake County to be used for irrigation and stock watering in the SW¼SW¼, Sec. 4; NW¼NW¼, Sec. 9, T. 13 S, R. 44 E, B. M.

Proof of the application of the water to beneficial use is to be submitted to the Department on or before September 18, 1969. Any protests against the issuance of a license for the above referenced permit should be filed with the Department of Reclamation within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in The News-Examiner, Montpelier, Idaho on July 31 and August 7, 1969.

(j31|a7)

32063
11-2-38

July 23, 1969

Re: Permit No. G-32063
L. Jack Stuart

News-Examiner
P.O. Box 278
Montpelier, Idaho 83254

Gentlemen:

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

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

The expense of the publication is to be paid by L. Jack Stuart, 420 North 3rd St., Montpelier, Idaho, to whom you should furnish an affidavit of publication.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR
Enc: Legal notice

32063
11-0435

July 23, 1969

Re: Permit No. G-32063

L. Jack Stuart
420 North 3rd St.
Montpelier, Idaho

Dear Mr. Stuart:

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

The legal notice for the above referenced permit is being published in the News-Examiner, Montpelier, Idaho, on July 31 and August 7, 1969.

You will be required to submit an affidavit of publication to this department. The affidavit may be obtained from the above mentioned newspaper upon payment of the bill of publication.

Thanking you for your cooperation in this matter.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR
Enc: Map submitted with proof

11-2155
32063

August 13, 1969

Re: Permit No. G-32063

L. Jack Stuart
420 N. 3rd St.
Montpelier, Idaho 83254

Dear Mr. Stuart:

We acknowledge receipt of the affidavit of publication 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. If someone other than yourself should be contacted, please advise.

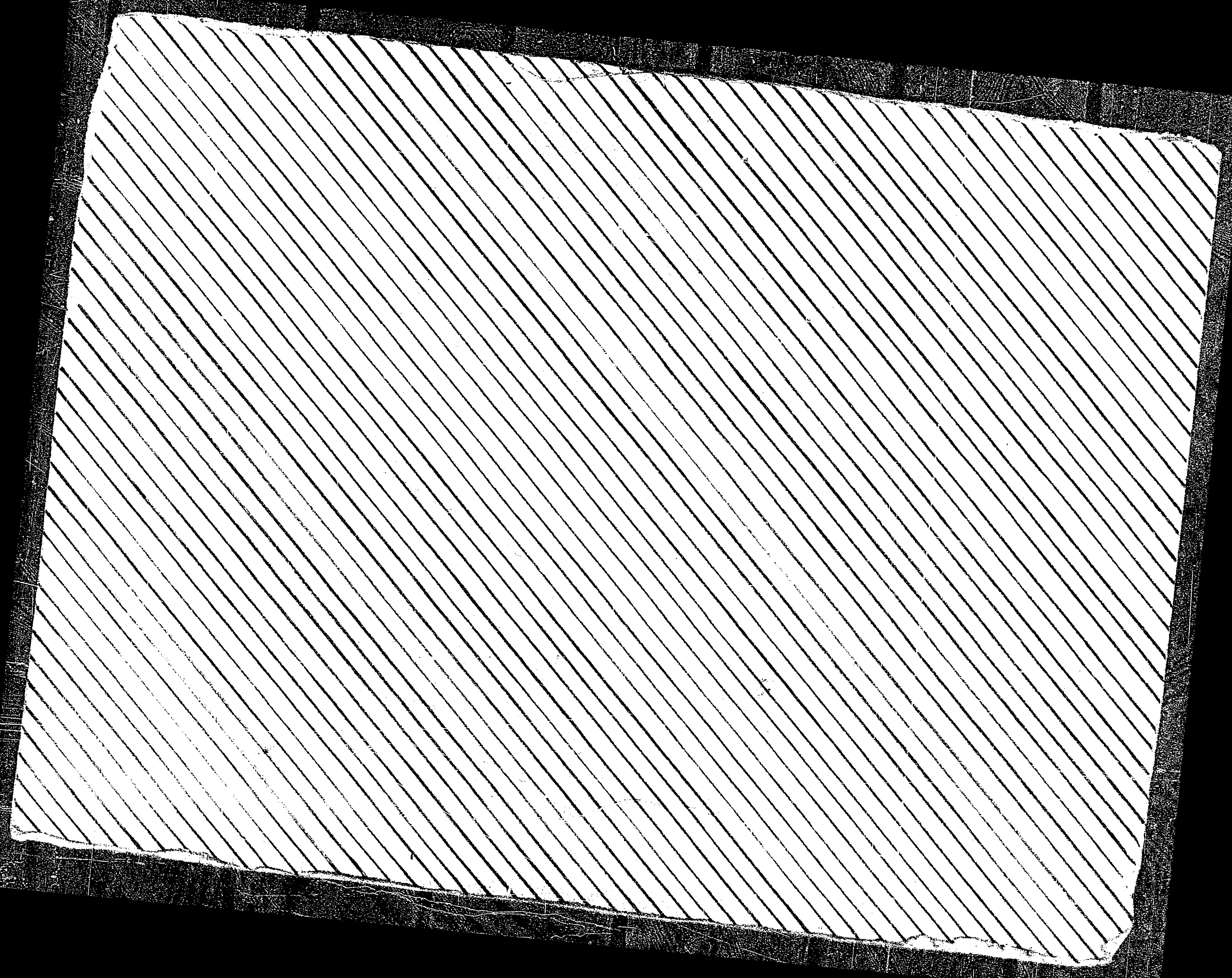
Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR

Exam typed
9-10-69
gms

32063
11-2135



State of Idaho

Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 32063/11-2135 Priority Sept. 14, 1964 Amount 0.04 cfs

THIS IS TO CERTIFY, that L. JACK STUART

of Montpelier, Idaho, has complied with the terms and conditions of Permit No. 32063/11-2135 issued pursuant to Application for Permit dated September 14, 1964, and has submitted proof to the Department of Water Resources on July 23, 1969, 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 ground water 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
Stockwater	from Jan. 1 to Dec. 31	at 0.02 cfs and	0.7 acre feet
Irrigation	from April 15 to Oct. 15	at 0.04 cfs and	15.0 acre feet or 3.0 af per acre
	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 confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 15.7 acre feet per year, said waters to be diverted within the $SW\frac{1}{4}SW\frac{1}{4}$ of Sec. 4, Twp. 13 S, Rge. 44 E, B.M. in the County of Bear Lake

Description and location of place of use:

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
13 S	44 E	4											23.5						23.5

Total number of acres irrigated 23.5

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 19 day of August, 19 76.

Director

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

Permit No. 32063/11-2135

Examination for _____

1. Name of permit holder L. Jack Stuart

   Post office address 420 North Third Street, Montpelier, Idaho Phone 847-1677

   Person to contact _____ Phone _____

2. Source of water supply: Groundwater [x] Surface water [ ] _____
   (name spring, stream, etc.)

   Tributary to _____

3. Water will be used for the following purposes:

   Amount 1.03 c.f.s. for Irrigation & Livestock
   _____ 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)

   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 1.03 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

   Township 13S N/S, Range 44E E/W, B.M., Section 4, Subdivision SW ¼ SW ¼, Bear Lake County

   Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ ¼ _____ ¼, _____ County

   Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ ¼ _____ ¼, _____ County

   Other Points of Diversions: _____

   Description of diverting works: _____

   Measuring device required: yes [ ] no [x]

6. Lands to be irrigated or place of use.

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
13S	44E	4											11.5						11.5
		9						40											40

TOTAL ACREAGE _____ 51.5

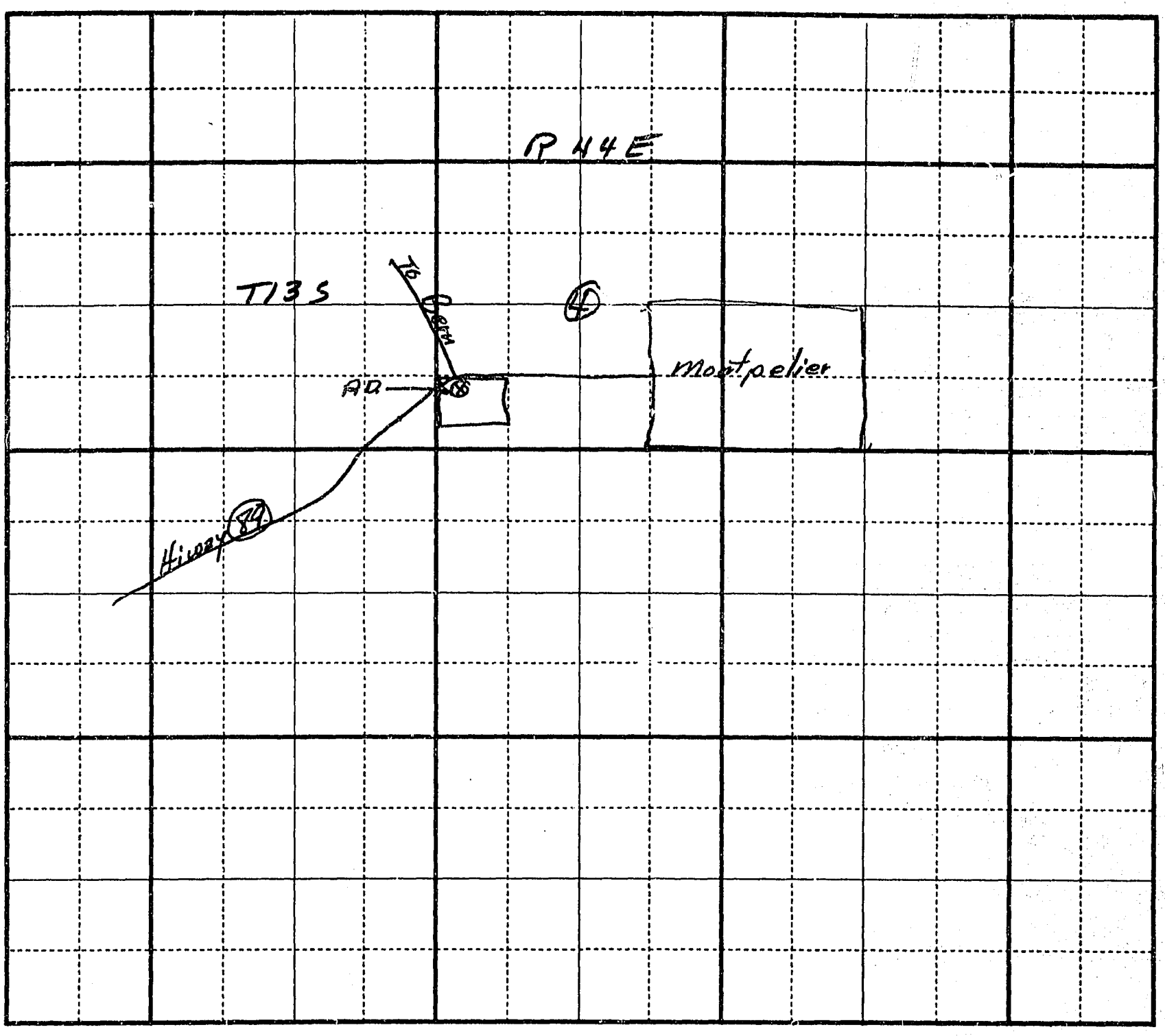
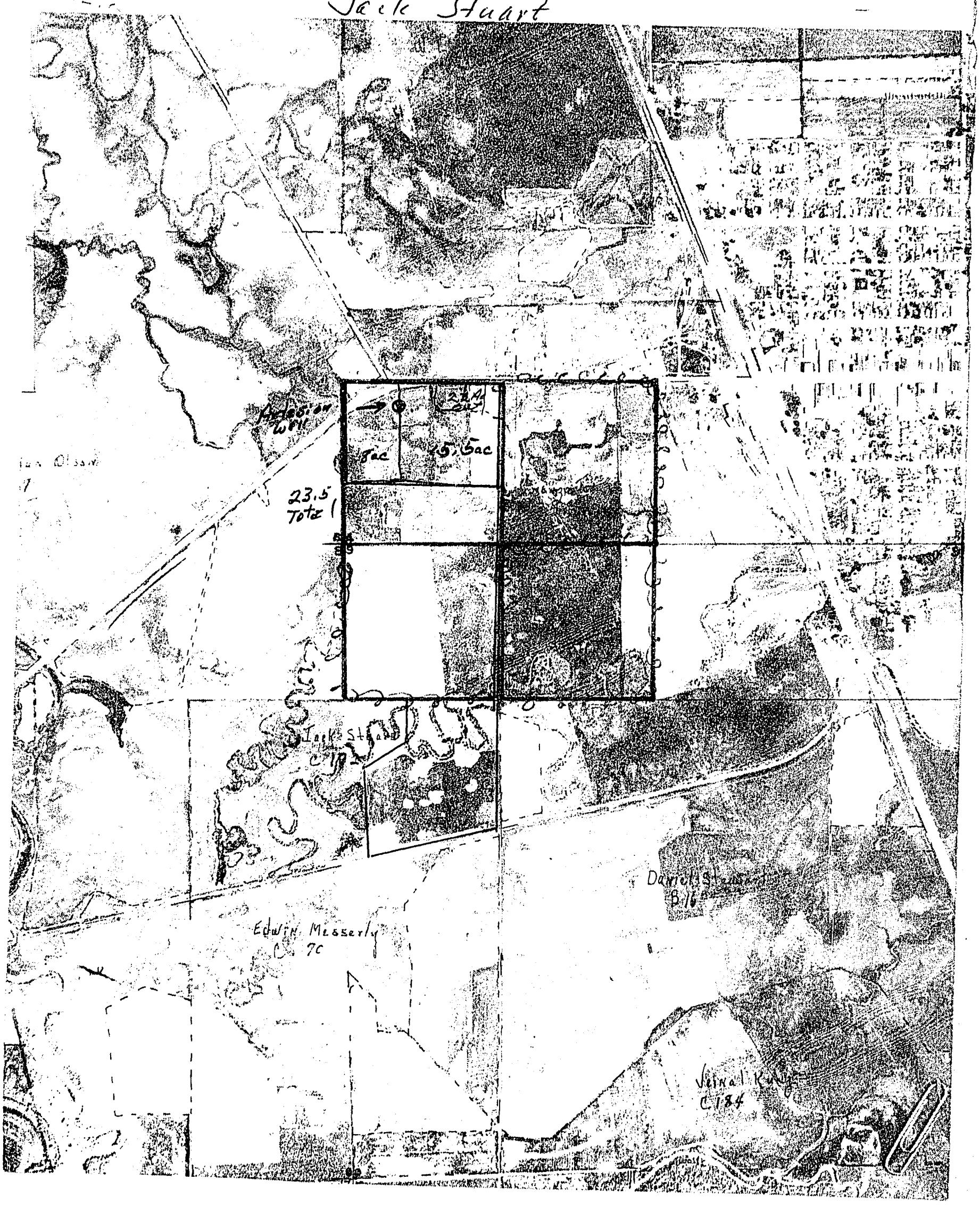


Diagram of System

Jack Staart Ph. 847-1677

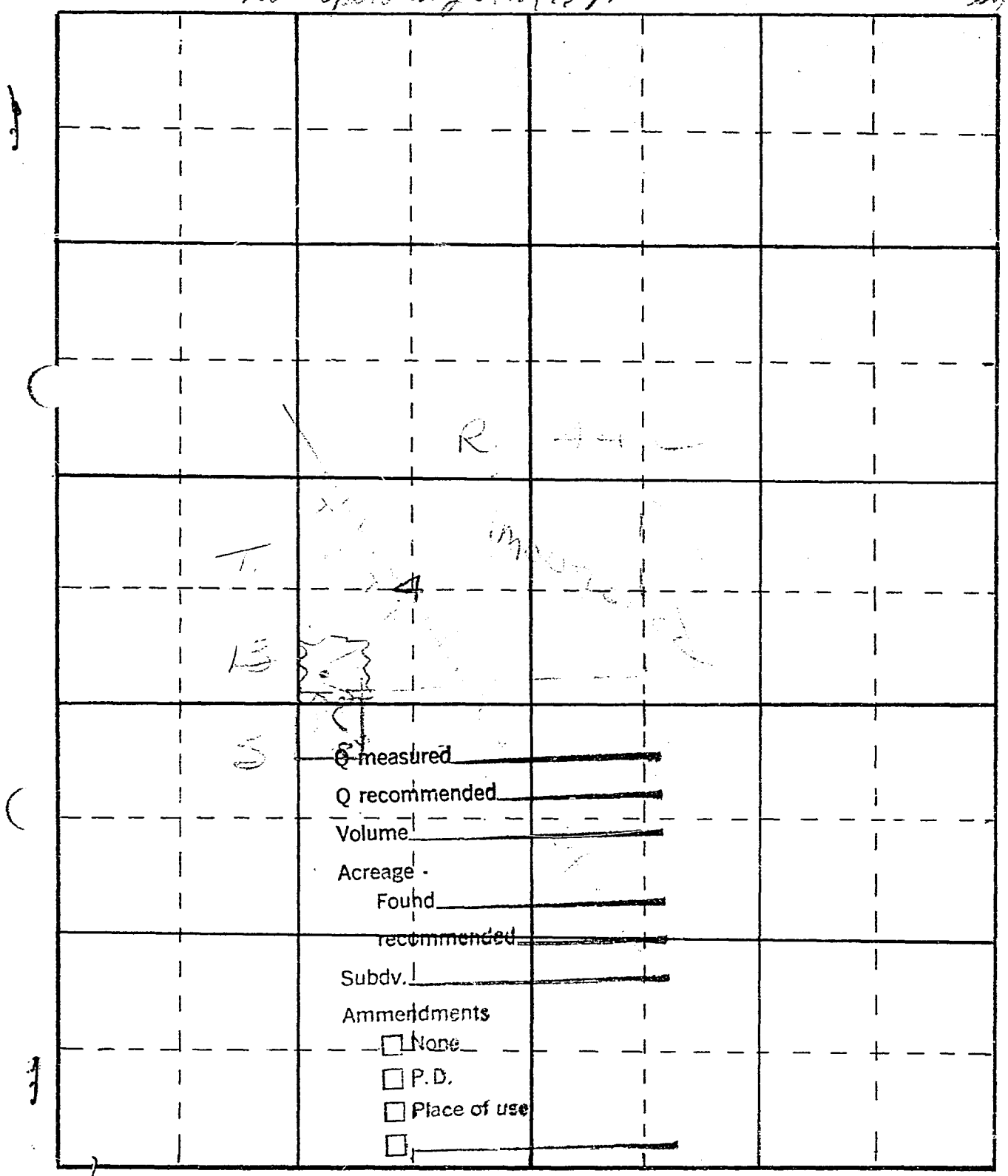
Jack Stuart

Ph. 847-16[illegible]



Not Operating 6/13/73 JT

System not operating, unable to locate owner 9/27/72 847-1677



Permit No. 11-2135 / 32063

Name of Applicant L. Jack Stuart, 420 N. 3rd St., Montpelier, Idaho

Source of Water Ground water

a tributary of

Location of P.D. SW¼SW¼, Sec. 4, T. 13 S, R. 44 E, B. M.,
Bear Lake County

Water is used for Irrigation & livestock

Quantity of water claimed: Permit 1.03 cfs Depositions 1.03 cfs

Type of measuring device installed or method of measurement and general description of diversion works proof- 25 HP gasoline pump, 4" well casing, 70' deep
PERMIT- FLOWING WELL @ 75' DEEP @ 4" PUMP
18' DEEP & DITCHES

Land to be irrigated or place of use:

TWP.	RGE.	SEC.	Description	
13 S	44 E	4	SW¼SW¼	25 acres
PERMIT-		9	NW NW	40 ACRES

Total acreage 25 acres 51 ACRES

Filed: September 14, 1964
Made: August 13, 1969

Due: September 18, 1969
Priority: September 14, 1964

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

B.B. gms

Source of supply _____

a tributary of _____

Location of P.D.(s) _____

_____

Water is used for _____

Quantity of water found _____

How was the measurement made? _____

Measurement calculations _____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

Diversion works description and diagram

_____

_____

_____

_____

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Indicate area irrigated in each subdivision on the map.

Total acreage irrigated _____

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.

_____

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Who represented the permit holder at the examination?

_____

Recommended allowance for licensing _____

Description of required amendments. Comments. _____

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Report checked? _____

Examination date _____

Signature _____

DATE OF EXAM 7-30-75

ACREAGE
Found 40
Recommended 23.5

Irrigation Requirement 3.0 Ac Ft/Ac

USE
Irrigation Q= 0.037 c.f.s. V= 11.21 AF/Ann. from May 1 to Oct. 1
Domestic Q= ~~DT~~ c.f.s. V= ~~DT~~ AF/Ann. from _____ to _____
Livestock Q= 0.02 c.f.s. V= 0.7 AF/Ann. from Jan. 1 to Dec. 31

Is water co-mingled? yes_____ no ✓

Name source: _____
twp._____N/S, Rge_____E/W, B.M., Sec._____, Sub._____¼_____¼_____
County

Exchange? yes_____ no ✓

Name source exchanged with: _____
twp._____N/S, Rge_____E/W, B.M., Sec._____, Sub._____¼_____¼_____
County

Point of injection:
twp._____N/S, Rge_____E/W, B.M., Sec._____, Sub._____¼_____¼_____
County

Point of exchange:
twp._____N/S, Rge_____E/W, B.M., Sec._____, Sub._____¼_____¼_____
County

Total Q measured 0.037 cfs Method of measurement 10 gal. can.

Total Q recommended 0.037 cfs Meter No._____ Type_____ Condition _____

Total V recommended ~~11.91~~ 11.91 AF/Ann

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None None

MEASUREMENT CALCULATION:
Q = 10 gal/36 sec = 0.28 gal/sec = 16.66 gal/min ÷ 448.8 gal/cfs = (0.037 cfs) Irr.

V = (153 Da/season)(1.98 AF/Da)(0.037 cfs) = (11.21 AF/Ann) Irr.

Q = (0.02 cfs) allowed for 40 head V. = 0.7 AF/Ann stockwater

SYSTEM DESCRIPTION:
Artesian well, ½ H.P. Electric motor end pump 3400 RPM, Ser.# 1-48, one inch suction hose inserted into 4 inch well casing with a ¾" discharge. When pump is running, hose is positioned for flood irrigation or can be attached to line for 4 sprinkler heads. Stockwater is run into sump holes. well is 75' deep, 4" casing.

REMARKS:
Mr. Jack Stewart accompanied examiner. Informed him of the required for have a control device on artesian well. 40 head of cattle are the maximum number watered.

Examiner's Signature Kenneth D Slaughenhaupt Date 7-30-75

Checked by Loren O Hahn Date Dec 18, 1975

Approved by _____ Date _____

FULL MICRO SAFETY N

August 4, 1976

Mr. L. Jack Stuart
420 North 3rd St.
Montpelier, ID 83254

Dear Mr. Stuart:

A representative of this Department has made an examination of the works covered by your Permit No. 32063/11-2135 and has found the following:

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

The maximum quantity diverted shall not exceed 15.7 acre feet, or 3.0 af per acre, per year.

Point of diversion: SW¼SW¼, Sec. 4, Twp. 13 S, Rge. 44 E, B.M.

Beneficial use: Irrigation of 23.5 acres in the SW¼SW¼ of Sec. 4 and stockwater purposes.

Priority date established: September 14, 1964

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,

BOBBY D. FLEENOR
Chief, Water Rights

August 20, 1976

Re: Permit No. 32063/11-2135

L. Jack Stuart
420 North 3rd St.
Montpelier, ID 83254

Dear Mr. Stuart:

Enclosed herewith is a copy of the water right license issued on the above referenced permit.

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:mef

Enc.

