

PHASE I INSPECTION REPORT
NATIONAL DAM SAFETY PROGRAM
MONTPELIER CREEK DAM

PROJECT INFORMATION

1.1 General

a. Authority

Montpelier Creek Dam is classified as a high hazard dam by the State of Idaho. Title 42, Chapter 17, Section 42-1714 of the Idaho Code, and the National Dam Inspection Act (Public Law 92-367), authorizes inspection of such structures by the Idaho Department of Water Resources (IDWR) and the United States Army Corps of Engineers, respectively. Under Contract No. DAC W 68-78-C-0020, with the Corps of Engineers, IDWR has agreed to satisfy these requirements.

b. Purpose of Inspection

This inspection was made to satisfy the inspection requirements of the above referenced legislation. Montpelier Dam was inspected because it is classified as a high hazard structure by the IDWR, and to determine the current condition of the dam. High hazard classification refers to the concentration of people and property downstream, height of the dam, and storage capacity of the reservoirs, and not to the current condition of the dam and appurtenant features.

1.2 Description of Project

a. Description of Dam and Appurtenances

Montpelier Creek Dam was authorized as part of the Montpelier Creek Watershed Project. This project was authorized in 1964 under the Watershed Protection and Flood Prevention Act (Public Law 566). Sponsors of the project were the Montpelier Irrigation Company, Bear Lake Soil and Water Conservation District, and the City of Montpelier. It was a cost-sharing project between the Federal Government and the sponsors.

The dam is a zoned earthfill structure, 840 feet long, with a height of 82 feet above streambed. A concrete chute spillway with an ungated fixed crest drop inlet is located on the left abutment (east side) of the dam. The outlet works is a 36-inch reinforced concrete pipe having a maximum capacity of 220 cubic feet per second (cfs). Allowance for sediment storage is 210 acre-feet, and a joint use storage, flood control, and irrigation of 3840 acre-feet makes a total storage capacity of 4050

acre-feet. The reservoir has a surface area of 125 acres at maximum storage capacity. Pertinent dam and reservoir data are included in subsection 1.3c.

b. Location

The dam is located approximately seven miles east of the town of Montpelier, Bear Lake County, Idaho, on the main stream of Montpelier Creek, about one-half mile above the confluence with the South Fork. The dam is located in Section 26 and 27, Township 12 South, Range 45 East, as shown on the location map, drawing Number 2.

This location is within the Basin and Range geologic structure province. The dam is located in an area of complexly folded and faulted sedimentary rocks. Historic earthquake activity and evidence of geologically recent movement along faults in the area have led to a seismic zone 3 classification.

c. Size Classification

The structure is classified as a large dam in accordance with Safety of Dams, Rules and Regulations, adopted by the State of Idaho. Montpelier Creek Dam has a height of 82 feet and a maximum storage capacity of 4050 acre-feet. Classification under federal guidelines for this size dam is intermediate.

d. Hazard Classification

The town of Montpelier has a population of about 3,120, and is located about seven miles downstream from the dam. The city lies at an elevation of 5963 feet above mean sea level (MSL), which is 561 feet below the elevation of the top of the dam. A small camping area is located about 2,000 feet downstream, as shown in Photograph No. 10. U.S. Highway 89 crosses the downstream valley about one-half mile below the dam.

e. Ownership

Montpelier Irrigation Company is the owner of the dam.

f. Purpose of Dam

Montpelier Creek Dam is a multi-purpose project, providing supplemental irrigation water to 3,500 acres of irrigable land, reducing flood possibility to the town of Montpelier, and increasing the fishing potential in the area.

g. Design and Construction History

Designs and specifications were prepared by the U. S. Department of Agriculture, Soil Conservation Service (SCS). Designs were completed in 1967 and approved by the State Conservation Engineer, Montpelier Irrigation Company, Bear Lake Soil Conservation Chairman, and State Reclamation Engineer. A report, dated June 5,



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 14, 1995

MONTPELIER IRRIGATION CO
232 N 9TH
MONTPELIER ID 83254

RE: WATER RIGHT NO. 11-02159

Dear Water Right Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed Application for Amendment contains information that will be included on the license when it is issued. The amendment reflects a change in the location of the point(s) of diversion and the place(s) of use description. Please review carefully and if you concur, sign the amendment and return with the \$50.00 filing fee within 14 days.

The last page of the Application for Amendment form contains a list of CONDITIONS/REMARKS proposed for the license when it is issued. These conditions/remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208) 327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

MEMORANDUM

DATE: February 21, 1995

TO: File 11-02159

FROM: Shelley W. Keen *SWK*

RE: Conversation with Gene Passey

=====

Gene Passey, Secretary/Treasurer of the Montpelier Irrigation Co., called today from Mesa, Arizona, to request additional time to respond to our licensing amendment request. He said he would respond as soon as he returns to Idaho, which should be some time in March. I indicated that a response by the end of March would be satisfactory.

INTER-DEPARTMENT MEMO--1

FROM S.W. Keen

DATE 3/6/95

TO File 11-02159

SUBJECT Phone Call from Gene Passey

Mr. Passey called this morning to let me know that he will return the ~~pre~~ pre-licensing amendment shortly. We also discussed adding the canal headings as points of redirection on this license. He said he would attach a map or letter showing the redirection points so that they can be added to the license.

Shelley Walter Keen
SIGNATURE

RECEIVED
MAR 8 1995
Department of Water Resources

March 6, 1995

Shelley W. Keen
Idaho Dept Water Resource

Dear Mr Keen,

As per our phone conversation of today, I am mailing the signed ammendment and check for \$ 50.00. You ask if there were any major points of diversion below the dam on the main channel of the creek. As I told you I thought there was the North Canal, the South Canal and the Burgoyne Ditch. In checking this out with some if the Directors of the company these are the main diversions, there are a few small ones also. However the main diversion is the Montpelier Dam which is the description on the ammendment , according to the Soil Conservation office here.

Thanks again for your cooperation on the extension of time and information. Please note change in mailing address.

Sincerely,



Gene H. Passey, Sec, Treas
Montpelier Irrigation Co
418 North 9th st.
Montpelier, Idaho 83254

State of Idaho
Department of Water Resources

RECEIVED
MAR 8 1995

Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 11-02159

Date of Priority: March 20, 1963

Maximum Storage Volume: 3840.0 AF

Comes now
418 ~~000~~ N 9TH
MONTPELIER ID 83254

MONTPELIER IRRIGATION CO

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. 11-02159, and requests that the permit be changed as follows:

Source: MONTPELIER CREEK tributary to BEAR RIVER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION STORAGE	01/01 to 12/31		3840.0 AF
IRRIGATION FROM STORAGE	04/15 to 10/15		3840.0 AF
Totals			3840.0 AF

LOCATION OF POINT(S) OF DIVERSION:

NESE , Sec. 27, Township 12S, Range 45E
BEAR LAKE County

PLACE OF USE: IRRIGATION FROM STORAGE

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
12S	44E	21	SWNE 6	SENE 5	NESW 23	
			NWSW 9	SWSW 33	SESW 40	
			NESE 27	NWSE 34	SWSE 40	
			SESE 39			256
		22	SWNW 3	SENE 11	NESW 29	
			NWSW 29	SWSW 35	SESW 11	118
		23	SWSW 3			3
		26	NWNW 24	SWNW 40	SENE 4	
			NESW 9	NWSW 40	SWSW 39	
			SESW 40			196
		27	NENE 11	NWNE 10	SWNE 39	
			SENE 40	NENW 39	NWNW 25	
			SWNW 36	SENE 38	NESW 39	
			NWSW 39	SWSW 39	SESW 39	
			NESE 39	NWSE 39	SWSE 40	
			SESE 40			552
		28	NENE 35	NWNE 40	SWNE 40	
			SENE 39	NENW 40	NWNW 34	
			SWNW 8	SENE 38	NESW 17	
			NESE 39	NWSE 39	SWSE 17	
			SESE 39			425
		33	NENE 39	SENE 39	NESW 32	
			NWSW 2	SESW 24	NESE 39	

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 11-02159

PLACE OF USE: IRRIGATION FROM STORAGE

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
			NWSE 35	SWSE 39	SESE 7	256
	34		NENE 39	NWNE 39	SWNE 26	
			SENE 39	NENW 38	NWNW 39	
			SWNW 40	SENE 36	NESW 19	
			NWSW 31	SWSW 24		370
	35		NENW 19	NWNW 38	SWNW 13	
			NWSW 14	SWSW 2		86
13S	44E	1	NESW 15	NWSW 30	SWSW 19	
			SESW 30	NESE 25	NWSE 18	
			SWSE 17	SESE 3		157
	2		SWNE 3	SWNW 19	SENE 17	
			NWSW 1	NESE 34	NWSE 10	
			SESE 7			91
	3	Lot 1 (NENE)	19	Lot 2 (NWNE)	19	
			SENE 9	Lot 3 (NENW)	4	
			SWNW 4	SWSE 7	Lot 4 (NWNW)	13
	4		SWNW 4	SENE 28	SWSW 33	
			SESW 32	SWSE 5		102
	5		SESE 11			11
	8		NENE 40	NWNE 17	SWNE 20	
			SENE 37	NESE 10	NWSE 9	133
	9		NWNE 31	SWNE 39	SENE 30	
			NENW 40	NWNW 40	SWNW 34	
			SENE 39	NESW 40	NWSW 8	
			SWSW 5	SESW 28	NESE 33	
			NWSE 40	Lot 6 (SWSE)	4	
	10		NWNE 28	SWNE 21	Lot 5 (SESE)	7
			SWNW 39	SENE 35	NENW 12	
			NWSW 39	SWSW 15	NESW 40	
			NESE 11	NWSE 19	SESW 20	
			SESE 27		SWSE 9	
						315
	11		NWSW 34	SWSW 40	SESE 32	106
	14		NENW 8	NWNW 25		33
	15		NENE 23	SENE 4		27

Total number of acres irrigated: 3737

PAGE 3

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 11-02159

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at MONTPELIER, this 6 day of MARCH, 1995

Lene H. Rossey
(Signature)
SEC-TRANS.

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 11-02159

FOR DEPARTMENT USE ONLY

Preliminary check by RT Fee = 50⁰⁰ Received by RT # C032283 Date 3-8-95

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 11-02159 with the following;

CONDITIONS/REMARKS:

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

Witness my hand this _____ day of _____, 19____.

R. Keith Higginson, Director



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 31, 1995

Gene H. Passey
Montpelier Irrigation Co.
418 North 9th St.
Montpelier, ID 83254

RE: Permit No. 11-02159

Dear Mr. Passey:

Thank you for responding to my request for information about the points of diversion associated with Permit No. 11-02159, Montpelier Irrigation Co.'s right for irrigation from storage water in Montpelier Creek Reservoir.

I have been informed recently that all of the Irrigation Company's points of redirection from Montpelier Creek should be described on this right. Therefore, before a license can be issued, I will need to know the exact location of all of the points where storage water is redirected from Montpelier Creek.

I have enclosed a photocopy of a map for you to mark the redirection locations. Please be very precise. When you return the map to me, I will use it to prepare a new amendment for you to sign. Because we will be replacing the application for amendment that you sent me already, there will be no additional amendment fee for this clarification.

Thank you for your help. If you have any questions, please contact me at 208-327-7946 in Boise.

Sincerely,

Shelley Walter Keen
Water Rights Supervisor

SWK
Enclosures:
Map

ER-DEPARTMENT MEMO--1

FROM Shelley Walter Keen
TO File 11-02159

DATE April 18, 1995

SUBJECT Phone conversation with Gene Passey (208-847-0612)

Today Gene Passey called to inform me that he will be responding to my 3/31/95 request soon. He presented the request at a shareholder's meeting last week.

Shelley Walter Keen
SIGNATURE

MR SHELLY KEEN
STATE OF IDAHO
DEPT OF WATER RESOURCES
BOISE, IDAHO 83720

APRIL 20, 1995

RE: PERMIT #11-02159

RECEIVED
APR 24 1995
Department of Water Resource

DEAR MR KEEN,

ENCLOSED IS THE MAP WITH ALL OF THE POINTS OF REDIVERSION MARKED. I WORKED WITH THE MONTPELIER IRRIGATION CO BOARD OF DIRECTORS, THE WATER MASTER OF THE COMPANY AND THE LOCAL SOIL & WATER CONSERVATION OFFICE.

THE CITY OF MONTPELIER IS THE BIGGEST SHAREHOLDER IN THE MONTPELIER IRRIGATION CO WITH 468 SHARES. THEY HAVE BEEN PAYING REGULAR ASSESSMENTS AND USING VERY LITTLE OR NO WATER FROM THE CREEK. AT THE PRESENT TIME THEY ARE USING A PIPELINE FROM ONE OF THE SPRINGS IN HOME CANYON AND THIS WATER NEVER GETS INTO THE MONTPELIER CREEK. THE CITY IS HAVING A STUDY DONE TO INSTALL A SECONDARY WATER SYSTEM FOR IRRIGATION FOR PARKS, GOLF COURSE, LAWNS AND GARDENS, (NON CULLINARY USE)

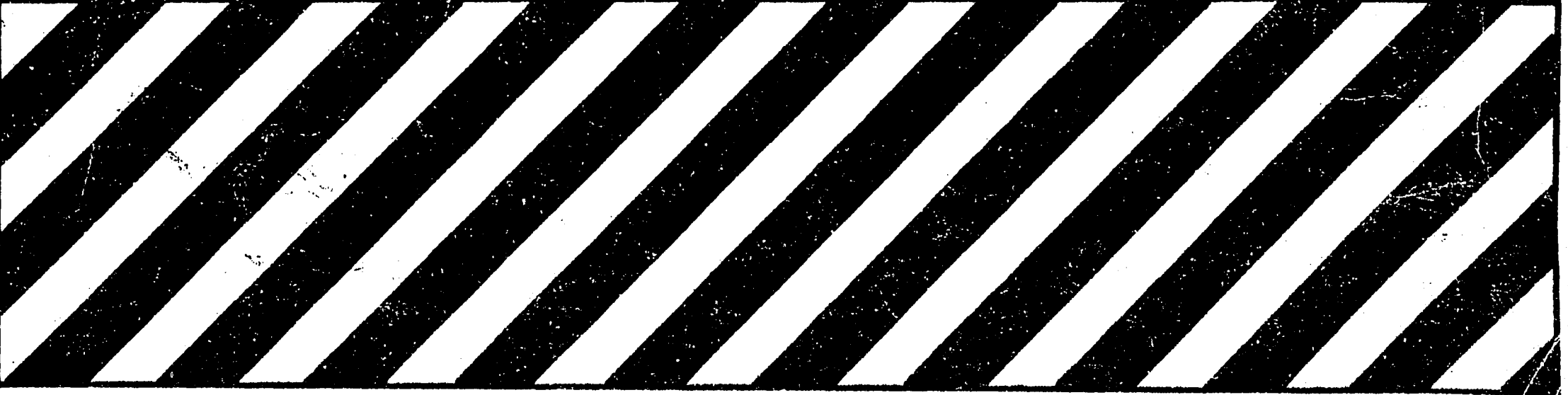
IF THEY INSTALL A SECONDARY SYSTEM THEY WILL DIVERT WATER FROM THE MAIN CREEK (THIS IS NOT MARKED ON THE MAP) AS A LOCATION IS NOT YET DETERMINED. I THOUGHT IT SHOULD BE NOTED ON THE APPLICATION. ANY QUESTIONS PLEASE CALL ME 208-847-0612.

SINCERELY YOURS,


GENE H. PASSEY, SECRETARY
MONTPELIER IRRIGATION CO.
418 NORTH 9TH
MONTPELIER, IDAHO 83254



**MAP(~~S~~) TOO
LARGE TO FILM -
SEE FILE...**



RECEIVED
MAY 01 1995
Department of Water Resources

*Paul Loertscher
5 SHARES*

Dear Mr. Keen,

Enclosed is a map I obtained from the local ASCS office. The property is two small pieces south of the hiway 89 going up the canyon. The best description the ASCS office had is on the back of the map.

I talked to Paul Loertscher last night on the phone and he said they have been using water from the creek for over 30 years that he knew of. His father did some flood and sprinkler irrigation before he bought it from the family.

Hoping this information is sufficient to finalize this. Thanks again for your help on this, I remain,

Very truly yours,

Gene

Gene H. Passey, Secretary
Montpelier Irrigation
418 North 9th St.
Montpelier, Idaho 83254

LOERTSCHER
PLACE

BWM

11-02159

65
8

Points of Redivision on map supplied by the permit holder.
 Rediversion supplied

Reg.	T13S	R44E	S. 8	NW SE	Kunz
			S. 9	NE NE	King + Jewell
			S. 3	SE NE	South + Burgoyne
			S. 2	SW NW	North + Charles
			S. 1	NE SW	Hayes
				NE SE	Jenkinson
				SE NE	Wuthrich
Reg.	T13S	R45E	S. 6	SW NW Lots	Hill
	T12S	R45E	S. 32	NE SW	Loertscher

No. P.O.U. is listed near the Loertscher diversion. On 4/26/95 I called Gene Passey to ask for additional information related to Mr. Loertscher's use of MIC storage water. Mr. Passey said he will supply evidence of the P.O.U. and how long Mr. Loertscher has been diverting there.

S.W. Keen

Right No.
 11-02159



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 10, 1995

Gene H. Passey
Montpelier Irrigation Co.
418 North 9th St.
Montpelier, ID 83254

RE: Permit No. 11-02159

Dear Mr. Passey:

Thank you for responding to my request for information about the diversion and use of water by Mr. Loertscher. I have assimilated the additional information into a new recommendation for licensing which is reflected on the enclosed application for amendment form. If you agree with the information presented on the form, please sign it and return it to me as soon as possible. Because we are replacing the application for amendment that you sent me already, there will be no additional amendment fee for this clarification.

Thank you for your help. If you have any questions, please contact me at 208-327-7946 in Boise.

Sincerely,

Shelley Walter Keen
Water Rights Supervisor

SWK
Enclosures:
Application for Amendment



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 25, 1995

MONTPELIER IRRIGATION CO
418 N 9TH
MONTPELIER ID 83254

RE: WATER RIGHT NO. 11-02159

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the
above referenced permit along with a copy of your approved
Application for Amendment.

Should you have any questions regarding these documents, please
contact me.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

APPLICATION FOR PERMIT

To Construct a Reservoir and Appropriate and Store
The Public Waters of the State of Idaho

Application No. R 39137
Permit No. R 1150

1. Name of Applicant: Montpelier Irrigation Co.

Post office address: Montpelier

County Bear Lake State Idaho

I. If applicant is a corporation, give:

(a) Date and place of incorporation: 1895 - Paris, Idaho (b) Amount of Capital Stock: \$ 10,000

(c) Amount paid in: \$ 2989.95

(d) Names and addresses of directors: Owen Stephens, 313 N. 9th,
Montpelier, Idaho; Don Ipsen, Montpelier, Idaho;
C. N. Sparks, 258 N. 4th, Montpelier, Idaho;
James Headlee, Montpelier, Idaho; Phil Derricott,
Montpelier, Idaho

II. The financial resources of the corporation are:

(a) Cash on hand: \$ 2900.00

(b) Treasury Stock: \$

(c) Bonds to be issued: \$

(d) Other resources:

2. Quantity of water to be stored: 1000

acre feet per annum.

3. Source of water supply is Montpelier (Creek) (River) (Spring), a tributary of Bear River.

4 The outlet of the proposed reservoir is located approx. 1500 feet, distant from the S.E. corner of Section 26 , Township 12 S. ,

Range 15 E. , B.M. and is in the S.W. 1/4 of S.E. 1/4 of Section 27 , Township 12S , Range 15E , B.M. County of Bear Lake

5. Fill out either (a) or (b).

(a) The reservoir is located in the channel of Montpelier

(Creek) (River).

(b) The reservoir is to be filled through a feeder canal, the point of diversion for which is located

feet distant from

the corner of Section , Township , Range , B.M., and is in the (bearing) 1/4 of

Section , Township , Range , B.M.; width at bottom feet, width at top

feet, depth of water

feet; Capacity

cubic feet per second

6. (a) The area of the high water line of the reservoir is 95

acres.

(b) The reservoir capacity is 1000

acre feet.

7. Height of reservoir dam 80 feet, length at top 700 feet, length at bottom 550 feet, size of outlet

by feet. The dam is to be constructed of materials as follows: Earth Fill

(If height will exceed 10 feet, plans must be approved by Department of Reclamation, before beginning construction.)

8. (a) Will water stored in reservoir be diverted to canal or aqueduct, thence to land to be irrigated without commingling with natural flow of

Montpelier (Creek) (River)? No

(b) Water stored in reservoir will be carried in the channel of Montpelier

(Creek) (River) a distance

of 6 miles to point of diversion located (bearing) , feet, distant from the corner of Section

Township , Range , B.M., and in the S.W. 1/4 of N.W. 1/4 of Section Sec 2 Township 13 S. , Range

14 E. , B.M.

9. (a) Area of watershed above dam site 30

square miles.

(b) Estimated maximum flow of stream 250

cubic feet per second.

10. Water is to be used for Irrigation

purposes.

11. If for mining, milling, power or manufacturing purposes give:

(a) Point of use of water (bearing) feet, distant from Corner of Section , Township , Range

, B.M., and is in the 1/4 of 1/4 of Section , Township , Range

(b) Amount of power generated: H.P., under

feet head.

(c) Water is to be returned to

(Creek) (River) (Spring) at a point

distant from the corner of Section , Township , Range (bearing) feet

the 1/4 of 1/4 of Section , Township , Range , B.M. in

12. Water stored in accordance with this Permit will be carried to place of use through a canal heretofore constructed under the terms of Permit No. ,

which is hereby referred to and made a part hereof.

13. Kind of diversion works: Existing Concrete Structure (Dam, canal, flume, pipe, etc.)

14. Height of diversion dam: feet, length at top feet. The dam is to be constructed

of materials as follows:

(If height will exceed 10 feet, plans must be approved by Department of Reclamation, before beginning construction.)

13. Size of headgate: Width feet, Height feet.
16. Diversion Canal: Width at bottom feet, width at water line feet, depth of water feet, Dimensions of Flume Diameter of Pipe inches; Length of Conduit miles. Average grade per mile feet.
17. Estimated Cost of Works: Storage Works: \$ 350,000 Diversion Works: \$
18. Time required for completion of work 5 years.
19. Time required for complete application of water to proposed beneficial use is three years.
20. The land to be irrigated is described in the following tabulation:

(Give Irrigable acreage in each 40-acre subdivision.)

Twp.	Range	Sec.	NE 1/4			NW 1/4			SW 1/4			SE 1/4			Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
12 S	14 E	21													
"	"	22													
"	"	27													
"	"	28													
"	"	33													
"	"	34													
"	"	35													
13 S	14 E	1													
"	"	2													
"	"	3													
"	"	4													
"	"	5													
"	"	8													
"	"	9													
"	"	10													
"	"	15													

Total Number of Acres to Be Irrigated 2600

21. Existing rights and/or valid permits appurtenant to lands described above are All existing rights. Land owned by stock holders in the Montpelier Irrigation Co.

REMARKS:

BE IT KNOWN That the undersigned hereby makes application for permit to construct a reservoir and appropriate and store the public waters of Idaho as herein set forth, and that the enclosed map is hereby made a part of this application.

Montpelier Irrigation Company, Applicant.

By s/ Bennett Sneddon, Agent.

Secretary

Date of first receipt at Department of Reclamation: 8:30 A.M. March 20, 1963

Returned to applicant for correction:

Corrected application received:

APPROVAL OF STATE RECLAMATION ENGINEER

The number of this permit is R 1150

Recorded in book R 5, page 1150. Approved March 22, 1963

This is to certify that I have examined the within application for a permit to construct a reservoir and appropriate and store 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

May 22, 1963

Work to begin on or before , and to continue diligently 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 September 22, 1965

The whole of said work to be completed on or before March 22, 1968

Beneficial use of water stored in accordance herewith, to be made on or before March 22, 1971

Witness my hand this 22nd day of March, 1963.

s/ CARL E. TAPPAN
Assistant State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYTHE, 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 22nd day of March, 1963.

COUNTERSIGNED

By s/ ARNOLD WILLIAMS, Secretary of State.

By s/ ROBERT E. SMYTHE

Governor.

(SEAL)

✓ APPROVAL OF STATE RECLAMATION ENGINEER

I, CARL E. TAPPAN, State Reclamation Engineer of the State of Idaho, hereby extend the time for the completion of construction work under Permit to Appropriate the Public Waters of the State of Idaho, No. R-1150 to February 22, 1970.

WITNESS MY HAND this 20th day of October, 1965.

/s/ CARL E. TAPPAN
State Reclamation Engineer

Montpelier, Idaho
March 19, 1963

RECEIVED

MAR 20 1963

Department of Reclamation

Mr. Ralph W. Thomas
STATE OF IDAHO
Department of Reclamation
Boise, Idaho

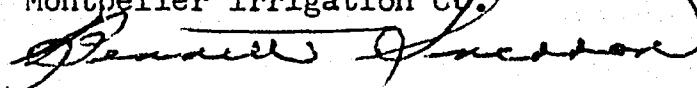
Dear Mr. Thomas:

Enclosed is the application form filled in per your instructions, and also a check in payment for the permit.

Will you kindly send the application forms to file on all of the flood water rights in the thirty mile square area above the proposed dam site. Thank you.

Very truly yours,

Montpelier Irrigation Co.



Bennett Sneddon, Secretary

R-1150

March 29, 1963

Re: Application No. 39137

Bennett Sneddon, Secretary
Montpelier Irrigation Co.
Montpelier, Idaho

Dear Mr. Sneddon:

Enclosed is form for tabulation of lands to be irrigated:

Your application to store 4,000 acre feet per annum is acceptable, except the lands to be irrigated are not shown on the maps or on the application. The application shows Sec. 1, T. 13 S., R. 44 E., as being part to be irrigated.. That section appears to be above the point of diversion.

Kindly complete one form showing lands to be irrigated under the water storage application.

You requested forms to file on the flood water rights in the thirty mile square area above the proposed dam site. That is the water you will store in your reservoir, when constructed. I believe you now have the right to divert all the water from Montpelier Creek that can be used beneficially.

Very truly yours,

GEO. W. CARTER
State Reclamation Engineer

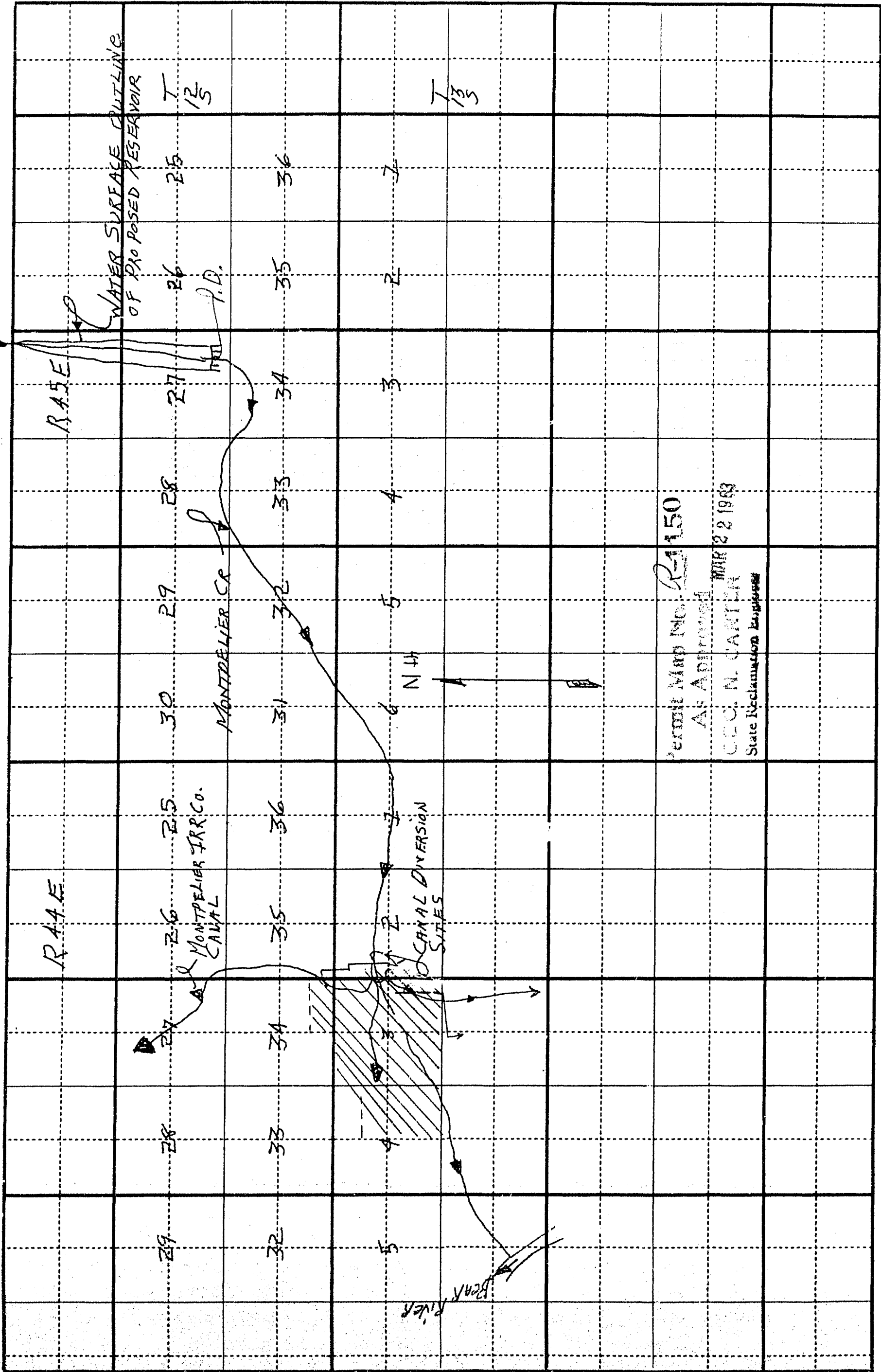
By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. forms

P-1150



Permit No. R-1150
As Approved MAR 22 1963
CCO. N. CARTER
State Reclamation Engineer

April 4, 1963

Re: Permit No. R-1150
Montpelier Irrigation Co.

Mr. Bennett Sneddon, Secretary,
Montpelier Irrigation Co.,
716 Lincoln St.,
Montpelier, Idaho.

Dear Mr. Sneddon:

We enclose Permit No. R-1150 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. 31485 which was issued covering payment in the amount of \$ 8.75 for the filing fee of the above mentioned permit.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:pmk
Encl. ..

R-1150

Montpelier Irrigation Company

Montpelier, Idaho

October 2, 1965

RECEIVED
OCT 4 1965

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

Department of Reclamation

Dear Mr. Tappan:

I would like to refer to our Storage Permit No. 1150 for the Montpelier Irrigation Company. It so reads ~~that~~ one fifth of the work specified is to be completed on or before Sept. 22, 1965. We have run into various difficulties concerning easements and right of way which I mentioned to you on your visit here. However, we are working on these and we believe that they should be ironed out before too long. The surveys and core drilling have been taken care of and a considerable amount of work has been accomplished. We held our election and the vote carried at a ratio of four to one in favor of the project. This means that we will go to work in earnest. Will you be kind enough to give us what ever extension is necessary. It was nice to visit you while you were here.

Sincerely,

MONTPELIER IRRIGATION COMPANY

Bennett Sneddon
Bennett Sneddon, Secretary

41600 ACFT
2600 AC

\$350,000 cost

R-1150

October 4, 1965

RE: Permit No. R-1150

Bennett Snedden, Secretary
Montpelier Irrigation Company
Montpelier, Idaho

Dear Mr. Snedden:

We received your letter in regard to completion of works within 1/5 of the time allowed for completion of works.

The provision of the permit is required by State Statutes. This provision is not ordinarily policed by this department.

The extension of time for finishing 1/5 of the work cannot be allowed except by extension of time for completion of works. Statutes provide that an extension of time may be allowed if the applicant is delayed in obtaining approval from the Federal Government for right-of-way or other matters, or by litigation of any nature that may question right to the water.

You have probably completed sufficient work to win the case if it was brought before the District Judge.

Very truly yours,

RALPH W. THOMAS
Deputy State Reclamation Engineer

RWT:mr

R-1150

Montpelier Irrigation Company
Montpelier, Idaho

October 18, 1965

RECEIVED
OCT 19 1965

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

Dear Sir:

Department of Reclamation

For the reasons listed below, we formally request an extension of our storage permit No. R-1150, dated March 22, 1963. We request that this permit be extended to January 1, 1969, as this is the date the dam in Montpelier Canyon will be completed and turned over to the Montpelier Irrigation Company, under a revised schedule of construction as furnished us by the Project Engineer of the Soil Conservation Service, Mr. Phil Whiting.

The reasons for the request for an extension of the storage permit are:

1. Unforeseen delay in securing easements and rights-of-way for phase I of the Project.
2. Delay in the completion of plans and specifications for the construction of the dam on the part of the Soil Conservation Service.
3. The Farmers Home Administration, due to an increase in the interest rate on the proposed loan, advised that the stock-holders be given another opportunity to vote on said loan which has been successfully accomplished. This caused an unforeseen delay in negotiating the loan.

We trust that you will give this matter the full cooperation of your office.

Yours truly,

MONTPELIER IRRIGATION COMPANY

[Signature]
Secretary

R-1150

October 20, 1965

RE: Permit No. R-1150

Bennett Sneddon, Secretary
Montpelier Irrigation Company
Montpelier, Idaho

Dear Mr. Sneddon:

Enclosed is an extension of time for completion of
works on the above numbered permit to February 22, 1970.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

CET:mr

Enc. extension

R-1150

APPROVAL OF STATE RECLAMATION ENGINEER

I, Carl E Tappan State Reclamation
Engineer of the State of Idaho, hereby extend the time for the
completion of construction work under Permit to appropriate the
Public Waters of the State of Idaho No. R-1150 to 2-22-70.

WITNESS MY HAND this 20th day of October 1965.

Carl E Tappan
State Reclamation Engineer

R-1150

Montpelier Irrigation Company

Montpelier, Idaho

August 26, 1966

RECEIVED
AUG 29 1966

Department of Reclamation

Mr. R. Keith Higginson
State Reclamation Engineer
Department of Reclamation
Room 107 State House
Boise, Idaho 83701

Dear Sir:

Re: In reference to your notice of August 25, 1966 concerning
the cancellation of Permit No. R1091. —

A check of the records in your office should show that a permit
no. R1150 was issued to the Montpelier Irrigation Company, dated
22 March, 1963, covering the storage permit for 4,050 acre feet
of water to be stored in the dam on Montpelier Creek.

We would appreciate verification of this more recent permit
for storage as soon as possible as the construction of the
dam is planned to start July 1, 1967.

Cordially,

Phil Derricott

Phil Derricott
President

PD:gs

R- 1150

August 29, 1966

RE: Permit R-1150

Phil Derricott
Montpelier Irrigation Company
Montpelier, Idaho

Dear Mr. Derricott:

This is in reply to your letter of August 26, 1966, regarding the above numbered permit. You are right, you do have a permit, R-1150, for construction of a dam on Montpelier Creek. You have two permits exactly alike except that permit R-1091 was cancelled as stated in our notice of August 25, 1966. This in no way effects the current status of permit R-1150.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:efw

R-1150

Little Willow Irrigation District

Payette, Idaho

RECEIVED

JAN 31 1968

Department of Reclamation

January 29, 1968

State of Idaho
Department of Reclamation
107 State House
Boise, Idaho

Attention: Mr. Donald W. McEldowney

Dear Mr. McEldowney:

Some long time ago, we filed a permit with you on the McIntyre Dam on Little Willow Irrigation District and we seem to have lost our copy of the permit.

Would you please advise us what the expiration date of this permit is.

Thanks a lot.

Yours very truly,

LITTLE WILLOW IRRIGATION
DISTRICT



R. C. Whiting
Secretary

RCW/sat

R-1150

February 1, 1968

Re: Permit No. R-1150

Mr. R. C. Whiting, Secretary
Little Willow Irrigation District
Payette, Idaho

Dear Mr. Whiting:

Pursuant to your request we are forwarding a copy of Permit No. R-1150. Please note the date on which completion of works is due.

Please contact us if we may be of further assistance.

Very truly yours,

Donald W. McElldowney
Water Rights Clerk

DWM:ks

Enclosure: Copy of permit

R-1150

August 15, 1969

RE: Permit No.: R-1150

Montpelier Irrigation Company
Montpelier
Idaho

Gentlemen:

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 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

SC
Enc. Order
Adv. Package

R-1150

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. R-1150)
in the name of Montpelier Irrigation Co.)
Montpelier, Idaho)

ORDER MODIFYING REQUIREMENTS
FOR COMPLETION OF PERMIT TO
APPROPRIATE WATER

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,

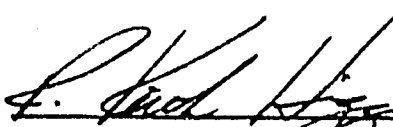
WHEREAS, on August 1, 1968, the Department of Reclamation adopted Rules of Practice
and Procedures for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. R-1150 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.
 - b. The permittee will not be required to submit proof of completion
of works as originally specified, but will be required to submit
proof to the Department of Reclamation of the application of the
water to beneficial use on or before February 22, 1973. The per-
mit holder should be aware that failure to complete one-fifth
(1/5) of the works within one-half (1/2) of the time originally
set for Completion of Works may be grounds for cancellation at
the instance of the Department.

Dated this 14th day of August, 1969.


R. KEITH HIGGINSON
State Reclamation Engineer

R-1150

October 1, 1969

Re: Permit No. R-1150

Montpelier Irrigation Company
Montpelier, Idaho 83254

Gentlemen:

The legal notice for the above referenced permit is being published in the ~~News-Examiner, Montpelier, Idaho,~~ on ~~October 9~~ and ~~October 16, 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:JMB

Note: We are returning the Order of Modification to you to be kept with your records of the permit.

October 1, 1969

Re: Permit No. R-1150 - Montpelier Irrigation Company

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 cannot publish the notice on the proposed dates, please contact the Department of Reclamation immediately.

The expense of the publication is to be paid by ~~the Montpelier Irrigation Company, Montpelier, Idaho 83254~~, to whom you should furnish an affidavit of publication.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:JMB

Enc. Legal Notice (1)

Measurement of Perforation

1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 26

[illegible]

Approximate storage of 4000 cubic feet per second acre feet per annum

subject to all prior rights. The priority to be established under this permit is

March 20, 1963 and the permit was approved March 22, 1963 .

Water is to be diverted by a dam and reservoir

from a point within the SW~~1~~SE~~4~~, Sec. 27, T. 12S, R. 45E, B.M.,

Bear Lake County

to be used for irrigation of

2600 acres located in portions of Sec. 21, 22, 27, 28, 33, 34, and 35,

T. 12S, R. 44E, B.M.; Sec. 1, 2, 3, 4, 5, 8, 9, 10, and 15, T. 13S, R. 44E, B.M.

Proof of the application of the water to beneficial use is to be submitted to the Department on or before February 22, 1973. 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 _____

~~October 9~~ and October 16, 1969

State Reclamation Engineer:

Permit No. R-1150

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.

✓ Montpelier Irrigation Co
(Signature) Walter Palmer Sec

✓ 232 N 9th Street Minneapolis Minn
(Address)
✓ 9-22-69
(Date)

THE NEWS-EXAMINER

MONTPELIER, IDAHO

RECEIVED

DEC 2 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 October 9, 1969
and ending with the issue

dated October 16, 1969

W. Jerome Taylor
Publisher and Foreman

Subscribed and sworn to before me this 24th day of

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Montpelier Irrigation Company, Montpelier, Idaho has received an approved permit No. R-1150 issued by the Idaho State Reclamation Department authorizing the storage of 4000 acre feet per annum of water from Montpelier Creek, a tributary of Bear River subject to all prior right. The priority to be established under this permit is March 20, 1963 and the permit was approved March 22, 1963. Water is to be diverted by a dam and reservoir from a point within the SW 1/4, Sec. 27, T. 12S, R. 43E, B. M., Bear Lake County to be used for irrigation of 2600 acres located in portions of Sec. 21, 22, 27, 28, 33, 34 and 35, T. 12S, R. 44E, B. M.; Sec. 1, 2, 3, 4, 5, 8, 9, 10, and 15, T. 13S, R. 44E, B. M.

Proof of the application of the water to beneficial use is to be submitted to the Department on or before February 22, 1973. 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 October 9 and October 16, 1969.

(0-9'16) 9

Tom L. Buehner
Notary Public.

November 25, 1969

Re: Permit No. R-1150 (New No. 11-2159)

Montpelier Irrigation Company
232 North 9th Street
Montpelier, Idaho 83254

ATTENTION: Secretary

Gentlemen:

As of this date we have not yet received the affidavit of publication to be submitted in connection with the above referenced permit. Proof of beneficial use is not required until February 22, 1973; however, many newspapers do not keep copies of these advertisements in their files. We, therefore, recommend that you obtain this affidavit from the News-Examiner, Montpelier, Idaho, and submit it to the Department as soon as possible. This insures that when you are ready to submit proof of beneficial use there will be no unnecessary delay or added expense.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:JMB

R-1150
11-2159

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

November 25, 1969

RECEIVED

DEC 2 1969

Department of Reclamation

Re: Permit No. R-1150 (New No. 11-2159)

Montpelier Irrigation Company
232 North 9th Street
Montpelier, Idaho 83254

ATTENTION: Secretary

Gentlemen:

As of this date we have not yet received the affidavit of publication to be submitted in connection with the above referenced permit. Proof of beneficial use is not required until February 22, 1973; however, many newspapers do not keep copies of these advertisements in their files. We, therefore, recommend that you obtain this affidavit from the News-Examiner, Montpelier, Idaho, and submit it to the Department as soon as possible. This insures that when you are ready to submit proof of beneficial use there will be no unnecessary delay or added expense.

Very truly yours,

A handwritten signature in cursive script, reading "Donald W. McEldowney".
Donald W. McEldowney
Appropriation Examiner

DWM:JMB

RECEIVED w/ AFFIDAVIT OF PUBLICATION JWS

11-2159

December 2, 1969

Re: Permit No. R-1150/11-2159

Montpelier Irrigation Company
232 North 9th Street
Montpelier, Idaho 83254

ATTENTION: Secretary

Dear Sir:

We acknowledge receipt of the affidavit of publication submitted in connection with the above referenced permit. Since proof of beneficial use of the water is not required until February 22, 1973, the Department will notify you sixty days in advance of this date as to further requirements. We wish to advise you, however, that if you have fulfilled the requirements under the permit you may submit proof anytime prior to the above date.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:JMB

R-1150
11-2159

December 1, 1972 CERTIFIED MAIL

#24124

Re: Permit No. R-1150/11-2159

Montpelier Irrigation Co.
232 N. 9th St.
Montpelier, Idaho 83254

Gentlemen:

One of the conditions of approval of your water Permit No. R-1150/11-2159 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before February 22, 1973. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit 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.



R. KEITH HIGGINSON
Director

Enc: Proof affidavit

11 2159

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)

☐ Show to whom, date and address
where delivered

☐ Deliver ONLY
to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

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

CERTIFIED NO.

24124

1

Montpelier Tring. Co.

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

2

Mrs. Hester Rolner

DATE DELIVERED

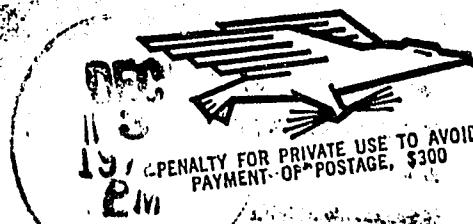
SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

11-2-72

3

11 2159

U.S. POSTAL SERVICE
OFFICIAL BUSINESS



Postmark of Delivering Office

SENDER INSTRUCTIONS

Print in the space below your name, address, including ZIP Code.
• If special services are desired, check block(s) on other side.
• Moistened gummed ends and attach to back of article.

**RETURN
TO**

DEPARTMENT OF WATER ADMINISTRATION
STATEHOUSE - ANNEX #2
BOISE, IDAHO 83707

11 2159

PS Form 3811 Nov. 1970 655-16-81277-1

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Identification No. _____

Permit No. R-1150/11-2159

RECEIVED
JAN 5 1973

Department of Water Administration

1. a) Name of Permit Holder Montpelier Irrigation Company
b) Post Office Address 232 North 9th, Montpelier, Idaho 83254
2. Permit Number R-1150/11-2159
3. Date of Priority that you are prepared to establish May 1, 1971
4. a) Source from which water was appropriated Montpelier Creek - Storage behind Montpelier Creek Dam
b) Location of the point of diversion: SE 1/4 NE 1/4, Section 27
Township 12 South, Range 45 East Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
amount 4050 acre feet for Irrigation purposes from May 1 to September 30 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 4050 acre feet 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: Storage capacity determined from elevation of water surface in reservoir and capacity curve supplied by Meader Wilkins, SCS Engineer
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: NA
b) Describe the agreement or understanding by which you take water from the works: NA
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) Water is stored in Montpelier Creek reservoir. It is conveyed to the place of use by the natural channel of Montpelier Creek and the distribution system of the Montpelier Irrigation Company.
b) Describe the type and size of measuring device which you have installed at your point of diversion: A concrete Parshall measuring flume with a capacity of 105 c.f.s. is installed in the outlet from the principal spillway of the Montpelier Creek dam.
c) Give well drillers name and address and date the well was completed NA

11 2159

Exam typed 1-10-73 by W

11 2159

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use NA

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

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
12 S	44 E	21													30		20	35	85
		22											40						40
		26					10	40			40								90
		27			40	40	40	40	40	40	40	40	40	40	40	40	40	40	560
		28	40	40	40	40	40	20		30	20	20							290
		33	35			40				20			30	40				30	195
		34	40	40	30	35	35	35	40	35	30	40	40	30					430
		35									15	5							20
13 S	44 E	1									20	35	15	25	35	30	10		170
		2							15	15					35	15		10	90
		3	25	25	15	20	20	30	20	10	5	5	5	10		10	10		210
		4		40	20	15				15	15			20	5	10	15	5	160
		8													30	20	20	40	110
		9	15	35	35	30	30	20	30	30	40	20	30	40	30	30	35	30	480
		10		30	30		30	10	35	35	40	35	20	30		20	20		335
		14							25										25
		15		15	10	20													45

Total number of acres irrigated 3335

10. Remarks:

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

Jan 4 1973
(Date)

Chas. Johnson
(Signature)

State of Idaho
County of Blaine ss.

On this 4 day of Jan, 19 73, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

[Signature]
Notary Public residing at Paris, Idaho

My commission expires 9-20-76

January 10, 1973

C
Re: Permit No. R-1150/11-2159

O
Montpelier Irrigation Co.
232 No. 9th St.
Montpelier, Idaho 83254

Gentlemen:

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

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the exam so that you may arrange to have someone show him the system.

Y
If you have any questions regarding the field exam, please contact our Eastern District Office at 240 South Holmes, Idaho Falls, Idaho.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

bc: Eastern District Office
Enc: Field exam report

11 3450

APPROVED

State of Idaho
Department of Water Resources

RECEIVED

MAY 17 1995

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 11-02159

Department of Water Resources

Date of Priority: March 20, 1963

Maximum Storage Volume: 3840.0 AF

Comes now

MONTPELIER IRRIGATION CO

418 N 9TH

MONTPELIER ID 83254

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. 11-02159, and requests that the permit be changed as follows:

Source: MONTPELIER CREEK

tributary to BEAR RIVER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION STORAGE	01/01 to 12/31		3840.0 AF
IRRIGATION FROM STORAGE	04/15 to 10/15		3840.0 AF
	Totals		3840.0 AF

LOCATION OF POINT(S) OF DIVERSION:

Rediversion	NESE , Sec. 27, Township 12S, Range 45E
Rediversion	NESW , Sec. 32, Township 12S, Range 45E
Rediversion	SENE , Sec. 1, Township 13S, Range 44E
Rediversion	NESW , Sec. 1, Township 13S, Range 44E
Rediversion	NESE , Sec. 1, Township 13S, Range 44E
Rediversion	SWNW , Sec. 2, Township 13S, Range 44E
Rediversion	SENE , Sec. 3, Township 13S, Range 44E
Rediversion	NWSE , Sec. 8, Township 13S, Range 44E
Rediversion	NENE , Sec. 9, Township 13S, Range 44E
Rediversion	Lot 5(SWNW), Sec. 6, Township 13S, Range 45E

BEAR LAKE County

PLACE OF USE: IRRIGATION FROM STORAGE

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
12S	44E	21	SWNE 6	SENE 5	NESW 23	
			NWSW 9	SWSW 33	SESW 40	
			NESE 27	NWSE 34	SWSE 40	
			SESE 39			256
		22	SWNW 3	SENE 11	NESW 29	
			NWSW 29	SWSW 35	SESW 11	118
		23	SWSW 3			3
		26	NWNW 24	SWNW 40	SENE 4	
			NESW 9	NWSW 40	SWSW 39	
			SESE 40			196
		27	NENE 11	NWNE 10	SWNE 39	
			SENE 40	NENW 39	NWNW 25	
			SWNW 36	SENE 38	NESW 39	
			NWSW 39	SWSW 39	SESW 39	
			NESE 39	NWSE 39	SWSE 40	

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 11-02159

PLACE OF USE: IRRIGATION FROM STORAGE

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
			SESE 40			552
28			NENE 35	NWNE 40	SWNE 40	
			SENE 39	NENW 40	NWNW 34	
			SWNW 8	SENE 38	NESW 17	
			NESE 39	NWSE 39	SWSE 17	
			SESE 39			425
33			NENE 39	SENE 39	NESW 32	
			NWSW 2	SESW 24	NESE 39	
			NWSE 35	SWSE 39	SESE 7	256
34			NENE 39	NWNE 39	SWNE 26	
			SENE 39	NENW 38	NWNW 39	
			SWNW 40	SENE 36	NESW 19	
			NWSW 31	SWSW 24		370
35			NENW 19	NWNW 38	SWNW 13	
			NWSW 14	SWSW 2		86
45E 32			NESW 8	NWSW 5		13
13S 44E 1			NESW 15	NWSW 30	SWSW 19	
			SESW 30	NESE 25	NWSE 18	
			SWSE 17	SESE 3		157
2			SWNE 3	SWNW 19	SENE 17	
			NWSW 1	NESE 34	NWSE 10	
			SESE 7			91
3	Lot 1	(NENE)	19	Lot 2 (NWNE)	19	
			SENE 9	Lot 3 (NENW)	4	
			SWNW 4	SWSE 7	Lot 4 (NWNW)	13
4			SWNW 4	SENE 28		82
			SESW 32	SWSE 5	SWSW 33	
5			SESE 11			102
8			NENE 40	NWNE 17	SWNE 20	11
			SENE 37	NESE 10	NWSE 9	133
9			NWNE 31	SWNE 39	SENE 30	
			NENW 40	NWNW 40	SWNW 34	
			SENE 39	NESW 40	NWSW 8	
			SWSW 5	SESW 28	NESE 33	
			NWSE 40	Lot 6 (SWSE)	4	418
10			NWNE 28	SWNE 21	Lot 5 (SESE)	7
			SWNW 39	SENE 35	NENW 12	
			NWSW 39	SWSW 15	NESW 40	
			NESE 11	NWSE 19	SESW 20	
			SESE 27		SWSE 9	
11			NWSW 34	SWSW 40	SESW 32	315
14			NENW 8	NWNW 25		106
15			NENE 23	SENE 4		33
						27

Total number of acres irrigated: 3750

PAGE 3

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 11-02159

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at MONTPELIER - ID, this 12 day of MAY, 1995.

Gene H. Passey.
(Signature)
SECRETARY

PAGE 4

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 11-02159

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = 50. Received by _____ # C032283 Date 3/8/95

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 11-02159 with the following;

CONDITIONS/REMARKS:

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

Witness my hand this 24TH day of MAY, 1995.


Acting for KARL J. DREHER, Director

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 11-02159

Priority: March 20, 1963

Maximum Storage Volume:

3840.0 AF

This is to certify, that MONTPELIER IRRIGATION CO

418 N 9TH

MONTPELIER ID 83254

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated March 20, 1963; and has submitted Proof of Beneficial Use on January 5, 1973. An examination indicates that the works have a storage capacity of 4050.000 af of water from:

MONTPELIER CREEK

tributary to BEAR RIVER

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION STORAGE	01/01 to 12/31		3840.0 AF
IRRIGATION FROM STORAGE	04/15 to 10/15		3840.0 AF
	Totals		3840.0 AF

LOCATION OF POINT(S) OF DIVERSION:

Rediversion
Rediversion
Rediversion
Rediversion
Rediversion
Rediversion
Rediversion
Rediversion
Rediversion
Rediversion

NESE Sec. 27, Township 12S, Range 45E
NESW, Sec. 32, Township 12S, Range 45E
SENE, Sec. 1, Township 13S, Range 44E
NESW, Sec. 1, Township 13S, Range 44E
NESE, Sec. 1, Township 13S, Range 44E
SWNW, Sec. 2, Township 13S, Range 44E
SENE, Sec. 3, Township 13S, Range 44E
NWSE, Sec. 8, Township 13S, Range 44E
NENE, Sec. 9, Township 13S, Range 44E
Lot 5 (SWNW), Sec. 6, Township 13S, Range 45E
BEAR LAKE County

PLACE OF USE: IRRIGATION FROM STORAGE

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
12S	44E	21	SWNE 6	SENE 5	NESW 23	
			NWSW 9	SWSW 33	SESW 40	
			NESE 27	NWSE 34	SWSE 40	
			SESE 39			256
		22	SWNW 3	SENE 11	NESW 29	
			NWSW 29	SWSW 35	SESW 11	118
		23	SWSW 3			3
		26	NWNW 24	SWNW 40	SENE 4	
			NESW 9	NWSW 40	SWSW 39	
			SESW 40			196
		27	NENE 11	NWNE 10	SWNE 39	
			SENE 40	NENW 39	NWNW 25	
			SWNW 36	SENE 38	NESW 39	
			NWSW 39	SWSW 39	SESW 39	
			NESE 39	NWSE 39	SWSE 40	

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 11-02159

PLACE OF USE: IRRIGATION FROM STORAGE

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
				SESE	40				552
		28		NENE	35	NWNE	40	SWNE	40
				SENE	39	NENW	40	NWNW	34
				SWNW	8	SENE	38	NESW	17
				NESE	39	NWSE	39	SWSE	17
				SESE	39				425
		33		NENE	39	SENE	39	NESW	32
				NWSW	2	SESW	24	NESE	39
				NWSE	35	SWSE	39	SESE	7
		34		NENE	39	NWNE	39	SWNE	26
				SENE	39	NENW	38	NWNW	39
				SWNW	40	SENE	36	NESW	19
				NWSW	31	SWSW	24		370
		35		NENW	19	NWNW	38	SWNW	13
				NWSW	14	SWSW	2		86
45E	32			NESW	8	NWSW	5		13
13S	44E	1		NESW	15	NWSW	30	SWSW	19
				SESW	30	NESE	25	NWSE	18
				SWSE	17	SESE	3		157
		2		SWNE	3	SWNW	19	SENE	17
				NWSW	1	NESE	34	NWSE	10
				SESE	17				91
		3	Lot 1 (NENE)	19	Lot 2 (SWNE)	19	SWNE	7	
			SENE	9	Lot 3 (NENW)	4	Lot 4 (NWNW)	13	
			SWNW	4	SWSE	7			82
		4	SWNW	4	SENE	28	SWSW	33	
			SESW	32	SWSE	5			102
		5	SESE	11					11
		8	NENE	40	NWNE	17	SWNE	20	
			SENE	37	NESE	10	NWSE	9	133
		9	NWNE	31	SWNE	39	SENE	30	
			NENW	40	NWNW	40	SWNW	34	
			SENE	39	NESW	40	NWSW	8	
			SWSW	5	SESW	28	NESE	33	
			NWSE	40	Lot 6 (SWSE)	4	Lot 5 (SESE)	7	418
		10	NWNE	28	SWNE	21	NENW	12	
			SWNW	39	SENE	35	NESW	40	
			NWSW	39	SWSW	15	SESW	20	
			NESE	11	NWSE	19	SWSE	9	
			SESE	27					315
		11	NWSW	34	SWSW	40	SESW	32	106
		14	NENW	8	NWNW	25			33
		15	NENE	23	SENE	4			27

Total number of acres irrigated: 3750

State of Idaho
Department of Water Resources

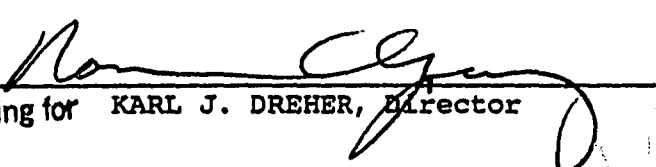
WATER RIGHT LICENSE

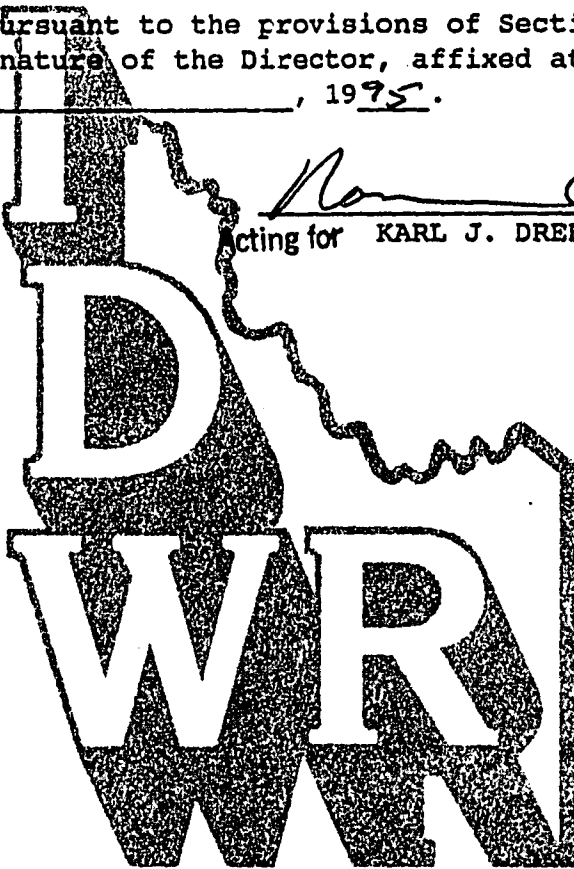
WATER RIGHT NO. 11-02159

CONDITIONS/REMARKS:

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. 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 license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 24TH day of MAY, 1995.


Acting for KARL J. DREHER, Director



August 18, 1988

Montpelier Irrigation Co.
232 North 9th Street
Montpelier, ID 83254

Dear Sirs:

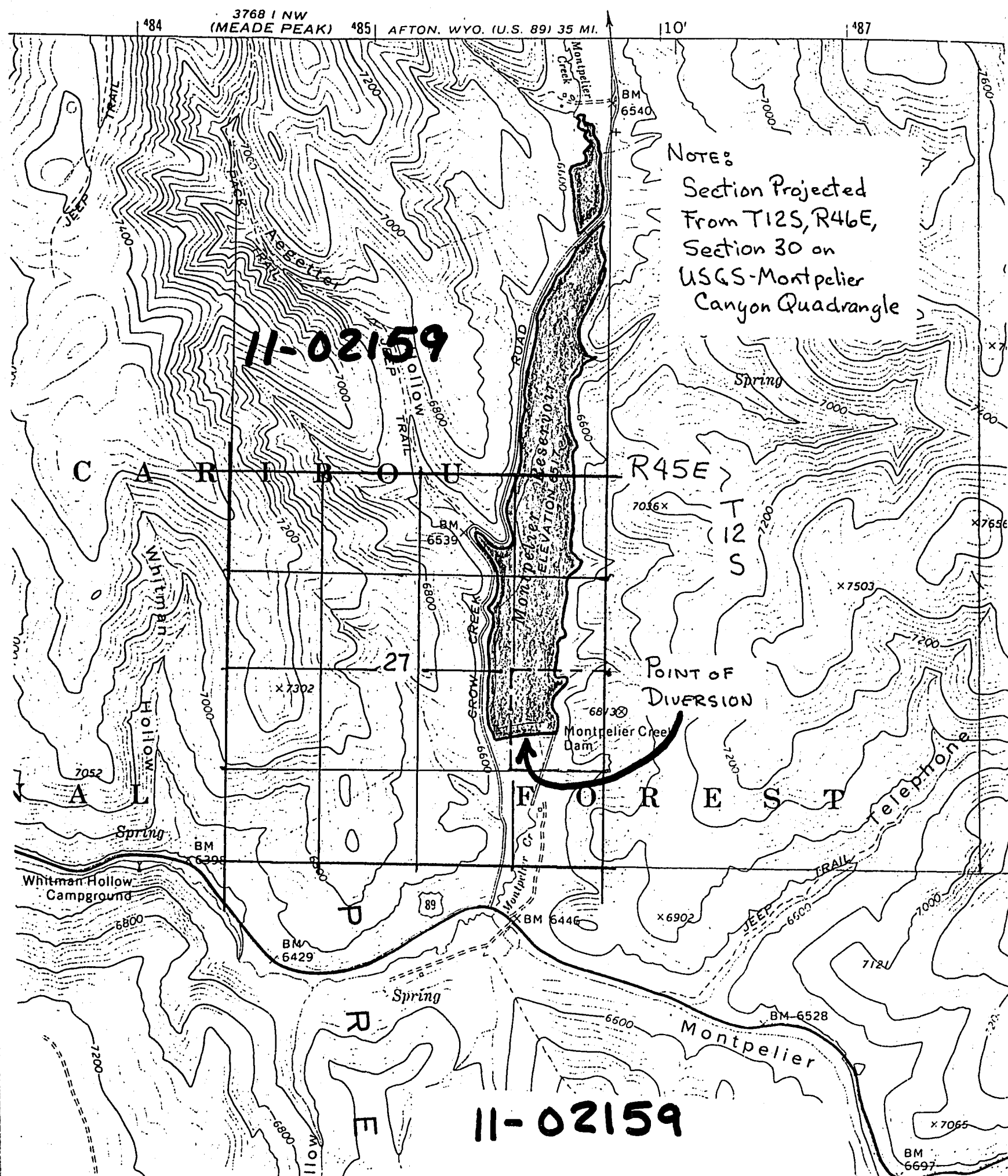
Enclosed is a copy of an aerial photo which depicts the irrigated land described by Watermaster John Taggart in green. According to the map, I compute the irrigated acreage to be 3737 acres, which exceeds the amount of 2600 acres applied for.

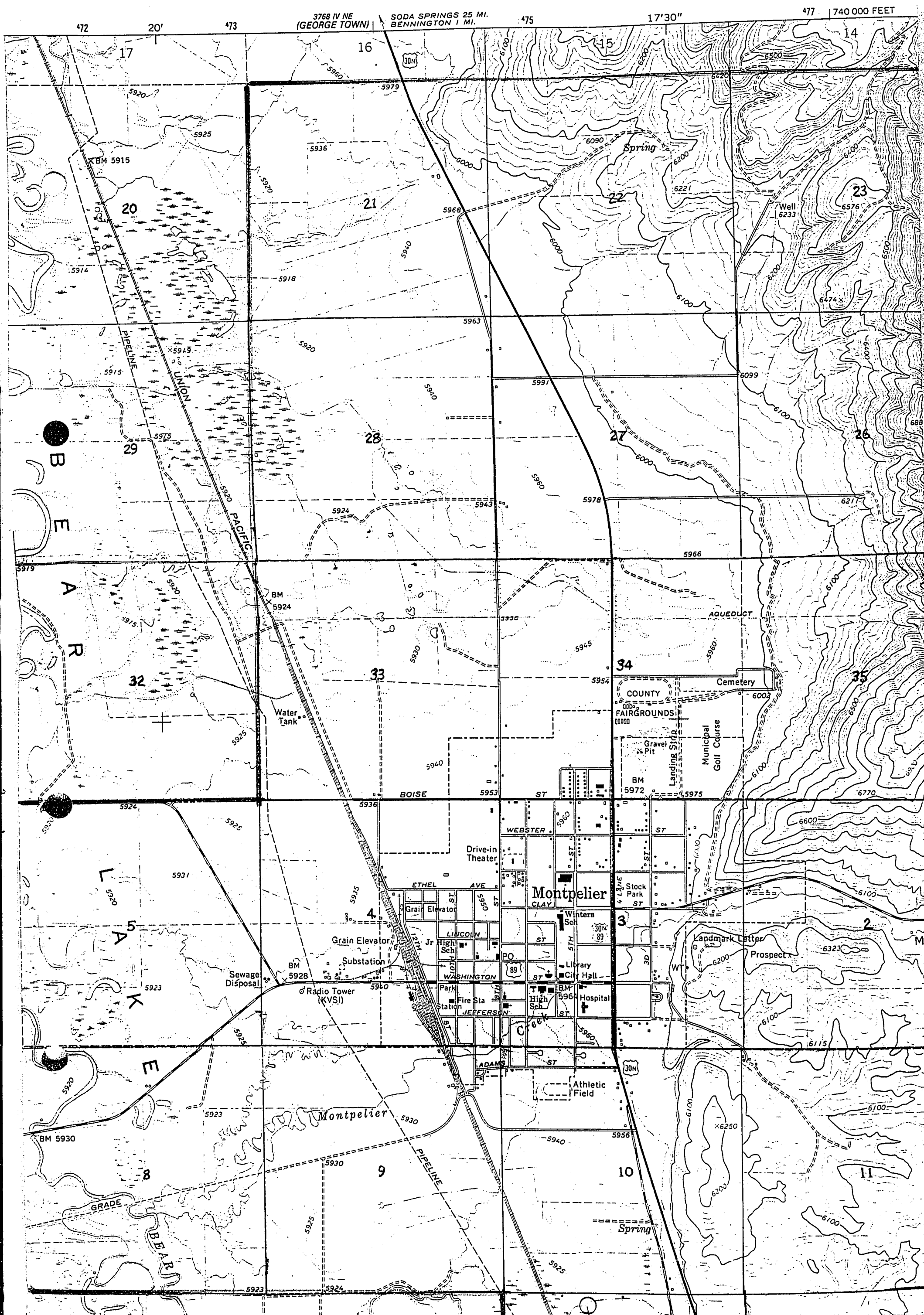
Therefore, I suggest that you review the land list enclosed along with the aerial photo and outline in red pen the 2600 acres you wish to be licensed for irrigation under said permit.

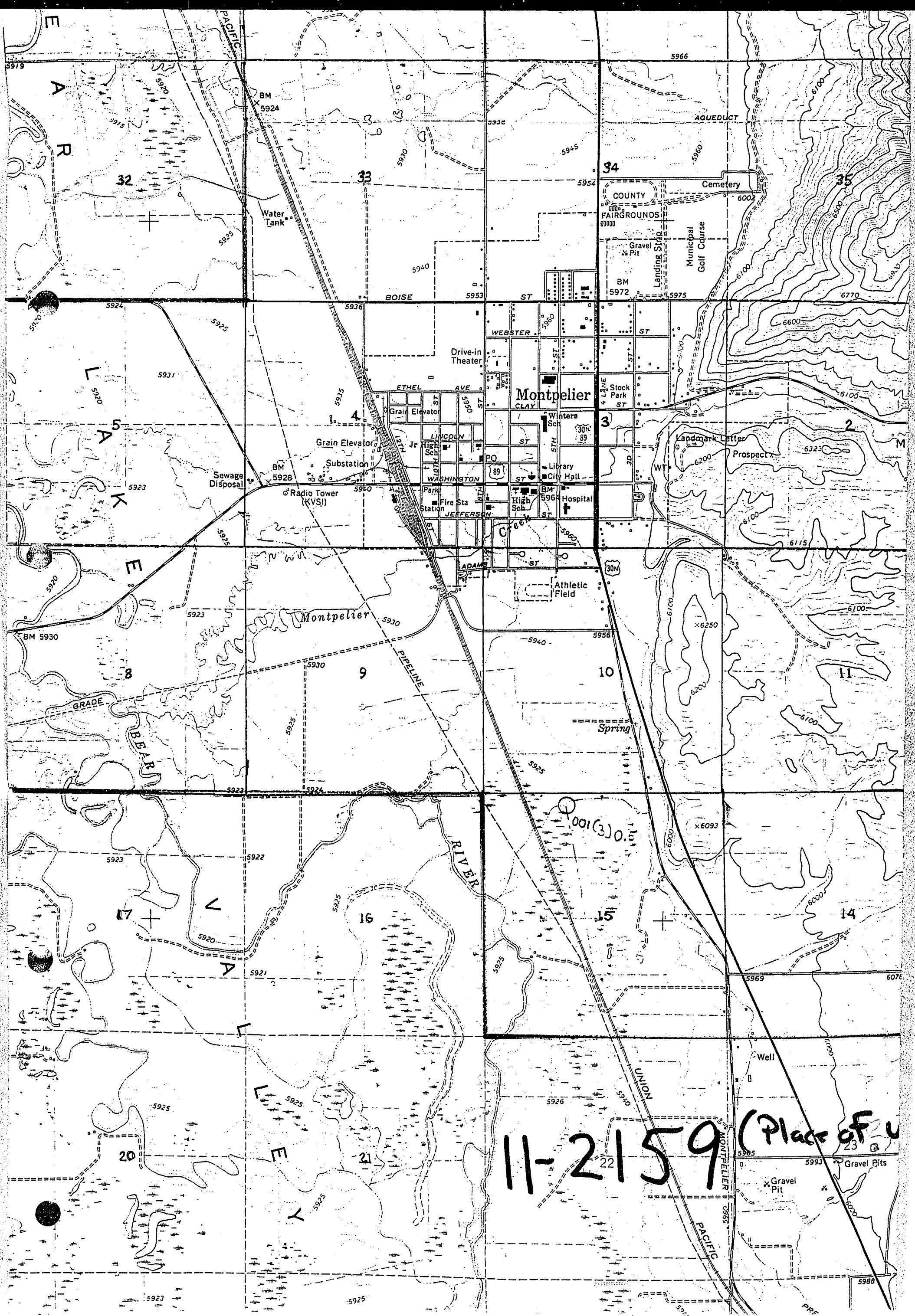
Please return the corrected version of both the land list and the aerial photo as soon as possible so licensing procedures can be initiated.

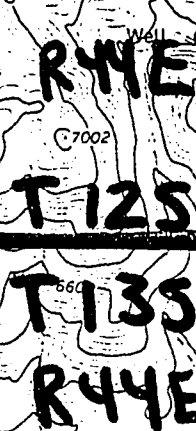
Sincerely,

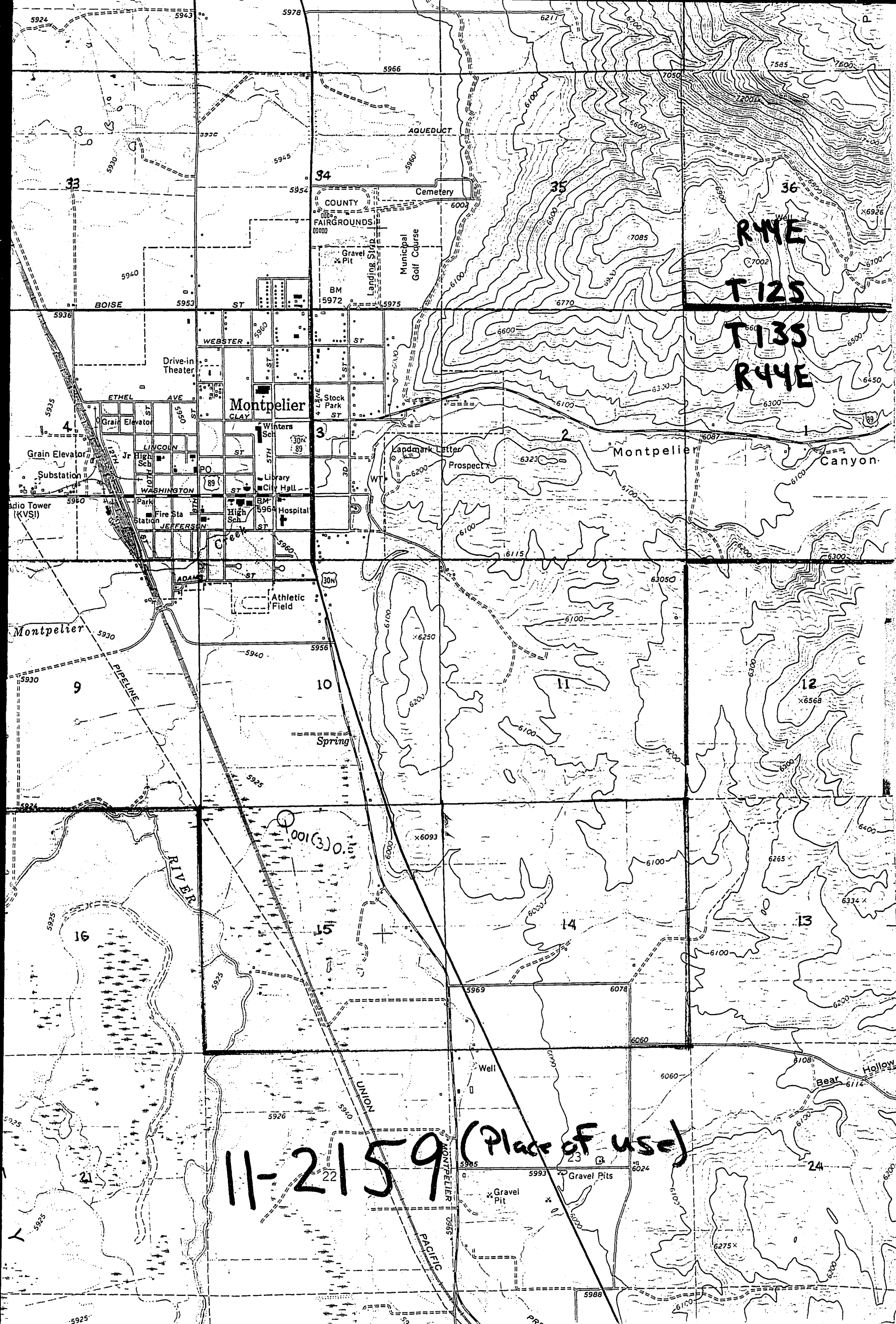
Richard Lenon
Water Agent Examiner



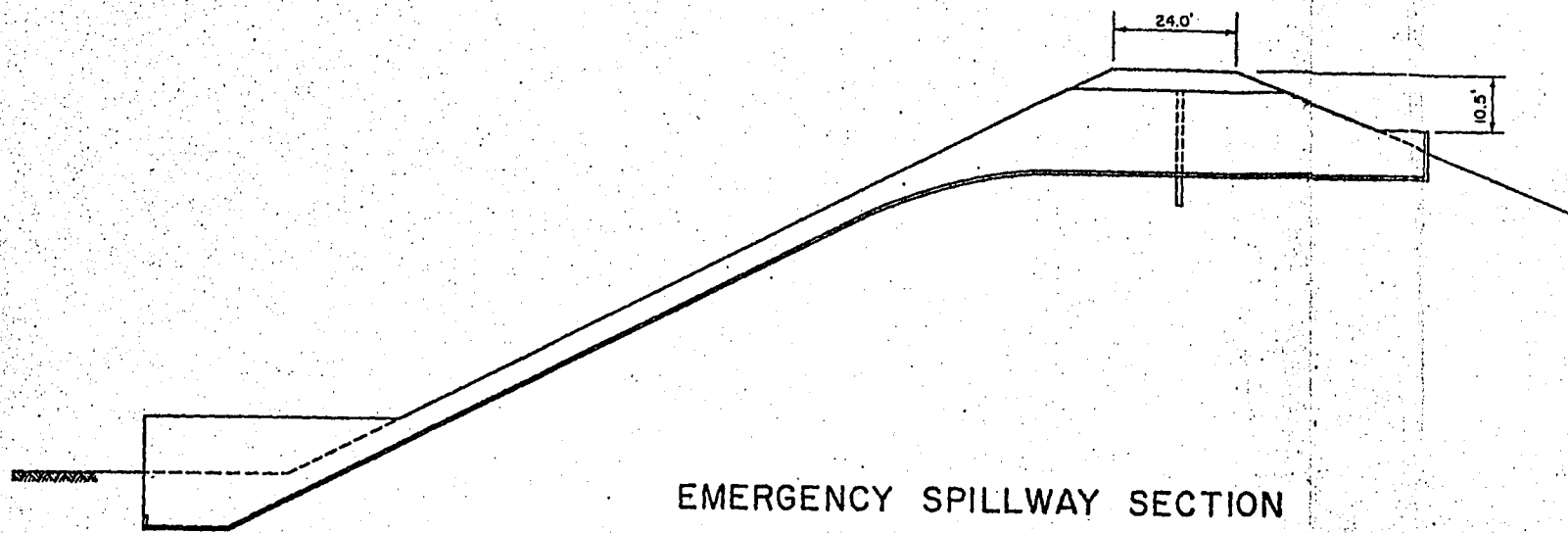




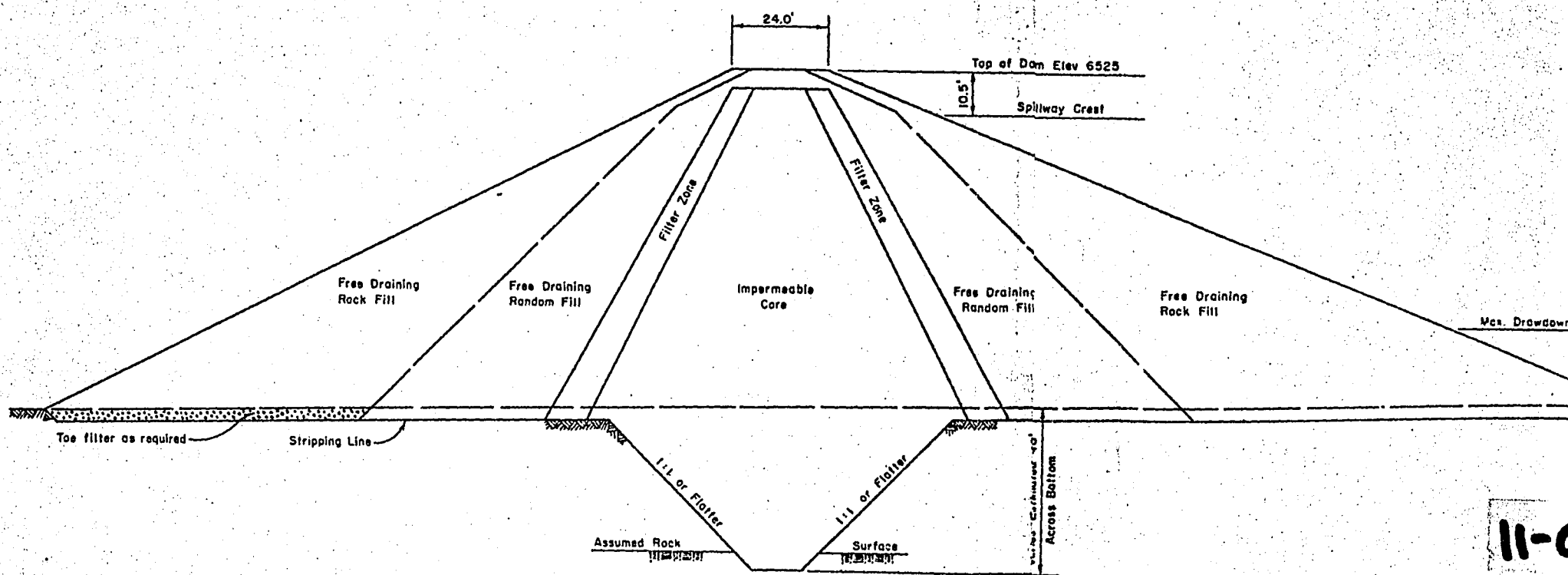
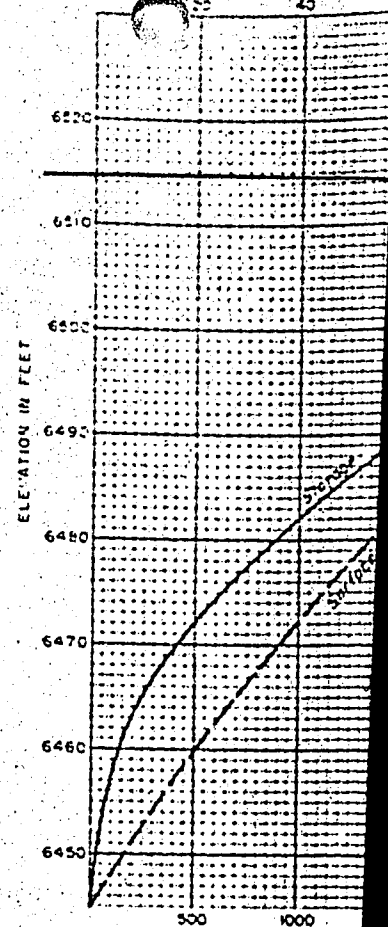




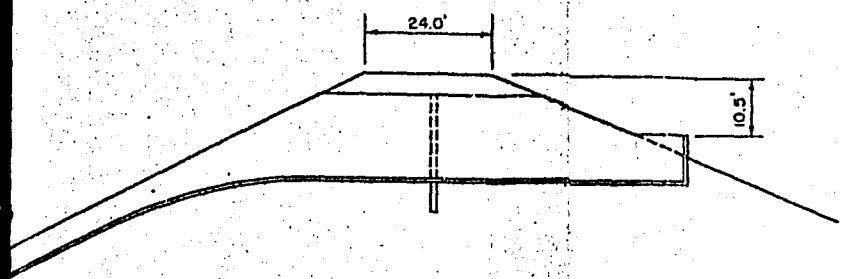
11-2159 (Place of Use)



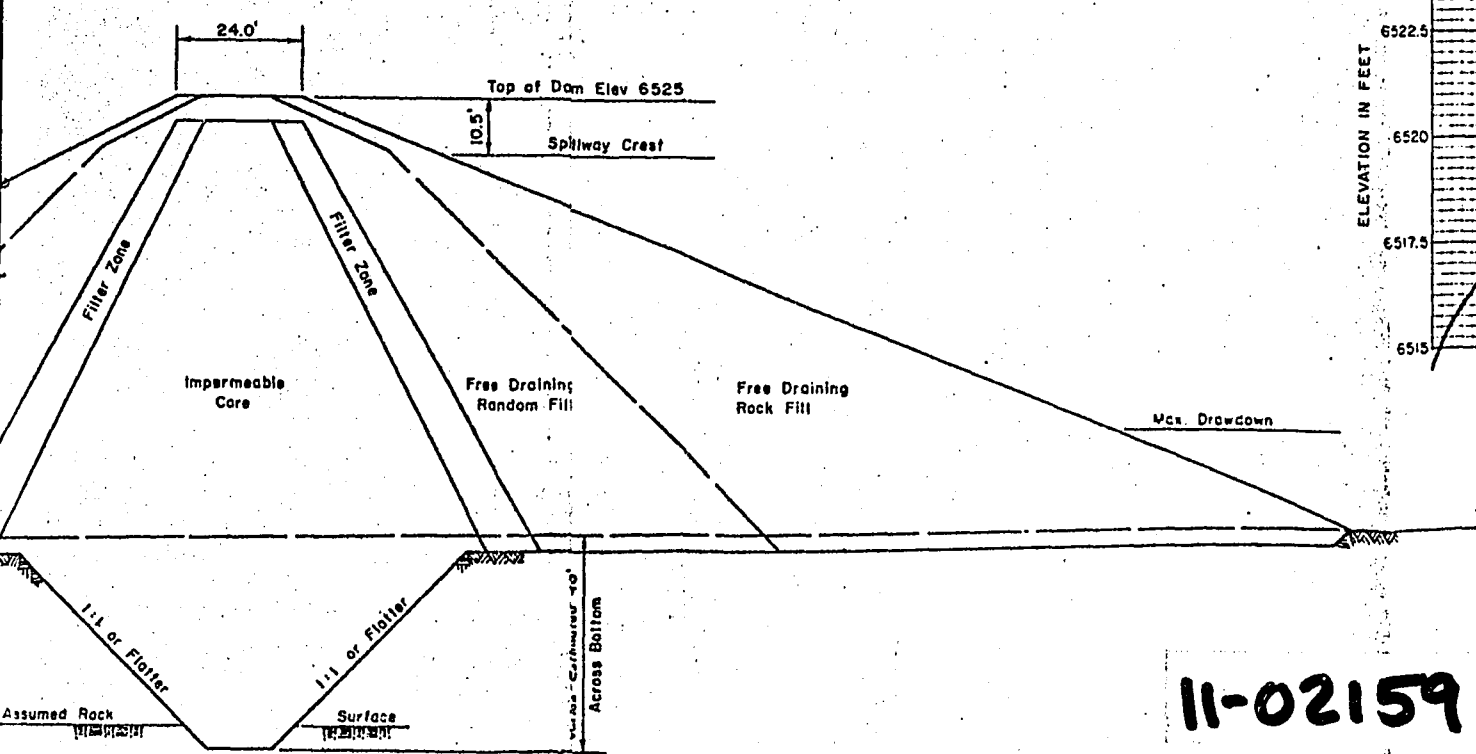
EMERGENCY SPILLWAY SECTION



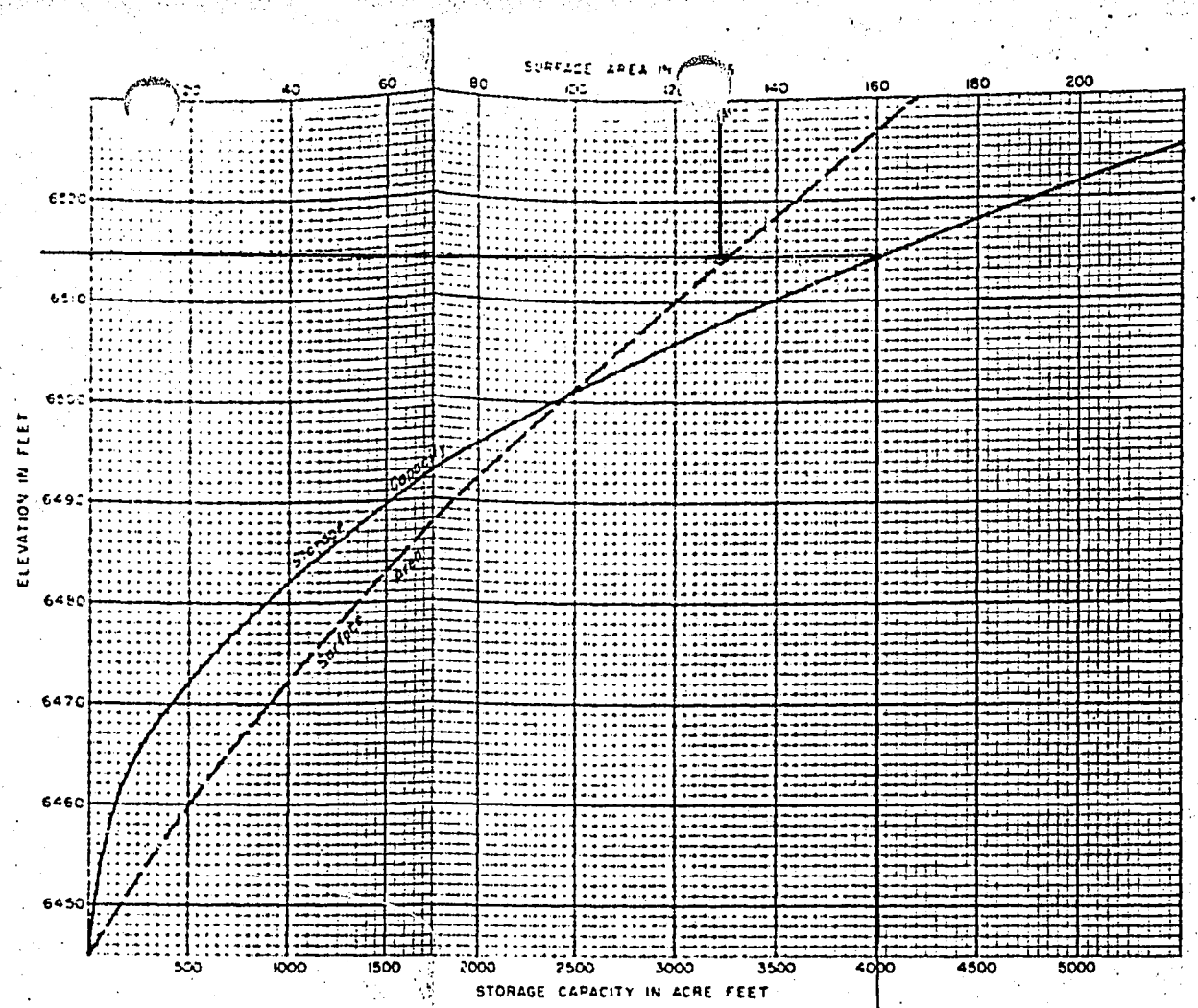
TYPICAL ZONED FILL SECTION



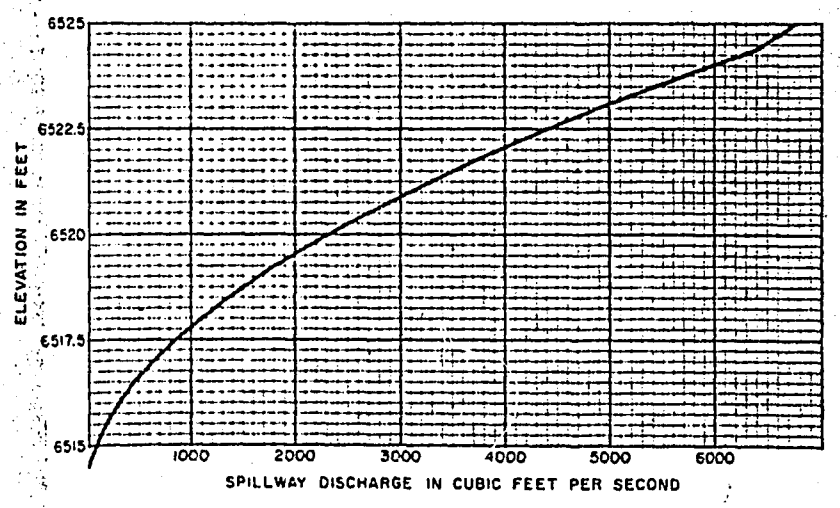
EMERGENCY SPILLWAY SECTION



TYPICAL ZONED FILL SECTION



AREA CAPACITY CURVE

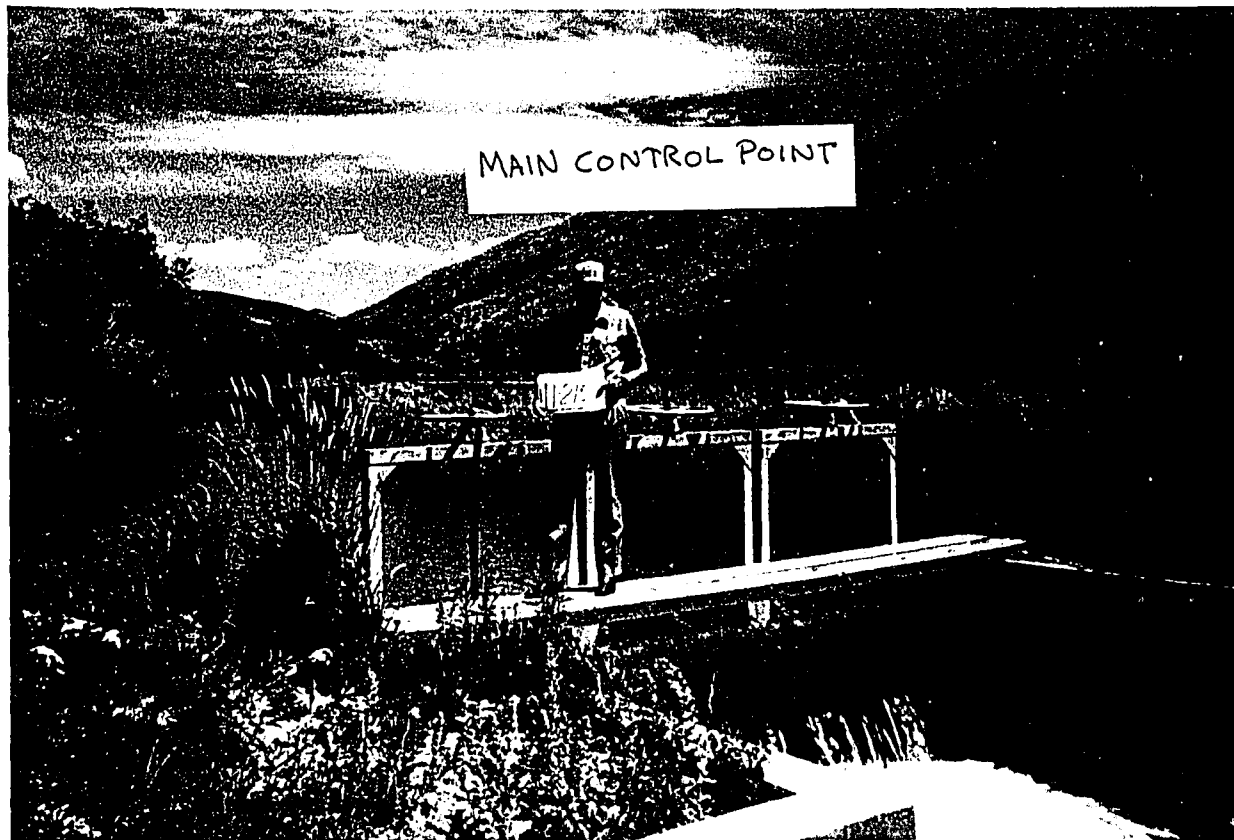


DISCHARGE CAPACITY

11-02159

WORK PLAN
DAM DETAILS
 MONTEPELIER CREEK WATERSHED
 BEAR LAKE COUNTY, IDAHO
 PRELIMINARY PLANS
 U.S. DEPARTMENT OF AGRICULTURE, SOIL CONSERVATION SERVICE
 Prepared by W.D.B. Date 2/64 Drwg. No. 7-E-17711
 Sheet 3 of 5 Sheets

11-2159



control
main diversion
Point

11-02159



***FOR CLARITY
OF ANY
PHOTOGRAPHS
MICROFILMED,
SEE FILE.***



**MAP(~~S~~) TOO
LARGE TO FILM -
SEE FILE...**



Montpelier, Idaho
July 25, 1989

Idaho Department of Water Resources
Idaho Falls, Idaho.

attn: Richard Lenon.

The enclosed aerial photograph, marked in red, delineates, as closely as can be determined, the irrigated land served by the original decree of the Montpelier Irrigation Company before the construction of the Montpelier Creek dam in 1964-66. and the consequent expansion of the irrigated lands.

You should understand that there were nearly 120 acres within the Montpelier City boundaries, consisting of small lots of 4 to 5 acres, that were originally served by the company and have now been sub-divided and have homes on them.

I hope that this will provide you with the information that you need to complete your examination of the company's record.

Yours truly
John Saggart, Watermaster
151 Canyon Road
Montpelier, Idaho 83254

11-02159

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

NOV 07 1994

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 11-2159
1. Owner: Montpelier Irrigation Co. Phone No. 847-0614
Current Address: 232 No. 9th Street, Montpelier, Id 83254
2. Accompanied by: John Taggart EXAM. DATE: 1988
Address: _____ Phone No. 847-2346
Relationship to Permit Holder: Watermaster
3. Source: Montpelier Creek tributary to Bear River.

B. OVERLAP REVIEW

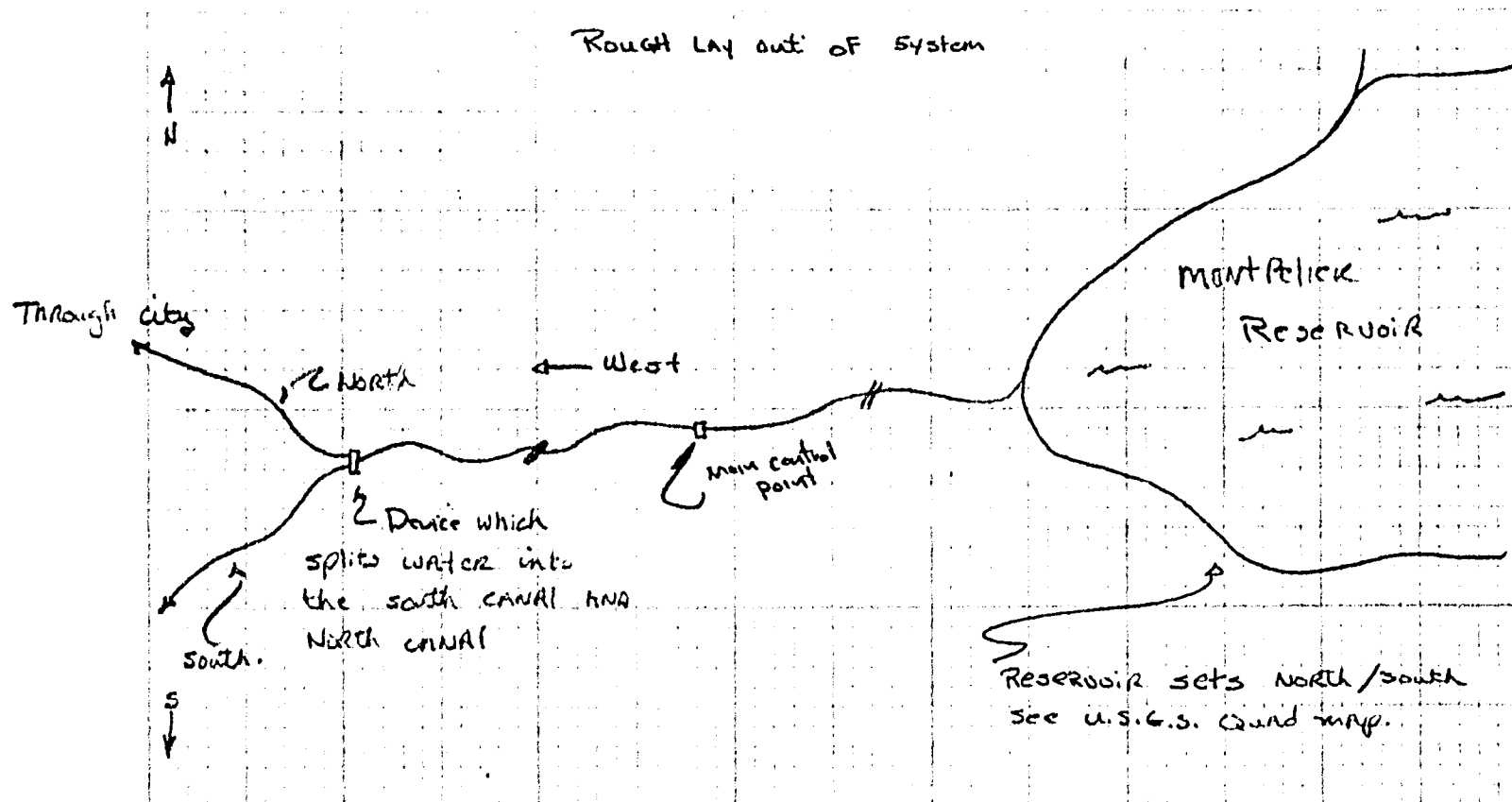
1. Other water rights with same place of use: NA

☐ Copies Attached
2. Other water rights with same point of diversion: NA

☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. Diversion System Diagram: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: ~~1" = 1 mile~~

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required). ☒ Aerial Photo Attached
(required for irrigation of 10 acres or more).
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

System Description (continued)

3. **Narrative:** Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

Montpelier Reservoir to A main diversion head gate(s)
and then downstream to another point of diversion which
splits water into a north canal which turns N/west through city
and a south canal that runs south/west.

John Taggart estimates a 2500-2700 acres that
are irrigated from this source.

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
N/A.					

*Code to correspond with No. on map and aerial photo

5. **Point(s) of Diversion:**

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			NE	SE	27	12S	45E	Bea. Ldr.	USGS MAP

6. **Place(s) of Use:** see attachments.

Indicate Method of Determination ASCS Aerial Photo

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	

Do not use this space

Do not use this space

D. FLOW MEASUREMENTS see Field Report ☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
1						

2. Measurements:

E. FLOW CALCULATIONS ☐ Additional Computation Sheets Attached

1. Measured Method:

See Attached sheets

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

See attached sheets

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

1. THE STATE OF TEXAS
 2. COUNTY OF DALLAS
 3. BEFORE ME, the undersigned authority, on this day personally appeared
 4. JOHN A. SMITH, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.
 5. Given under my hand and seal of office this 15th day of January, 2024.
 6. NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
 7. My commission expires this 15th day of January, 2025.

1. Recommended Amounts

2. 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

Field Examiner's Name Richard Leno
Signature Richard Leno
Certification Date 8-18-93
Field Report Preparation Date _____

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

* SEE attached adjustment

MEMORANDUM

TO: File 11-02159 / Montpelier Irrigation Co.
FROM: Brenda Chapman
DATE: February 7, 1995
RE: Recommendation Adjustment(s)

=====

The final licensing recommendations for the above referenced water right are based on the information below:

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Div	Annual Vol
Irr Storage	1-01 to 12-31		3840.0
Irr from Stor	4-15 to 10-15		3840.0

The permit is for irrigation storage and irrigation from storage. There is no active flow component.

Also, attachments enclosed on the reservoir's parameters indicate the irrigation storage limit is 3840 af.

2. Recommended Amendments

☒ Change P.D.	☐ Add P.D.	☐ None
☐ Change P.U.	☒ Add P.U.	☐ Other

The exam not only confirms a change in the point of diversion but also in the place of use requiring an amendment for both.

11-2159

LAND LIST ATTACHMENT - Places of Use

Description and location of place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
12S	44E	21			6	5					23	9	33	40	27	34	40	39	256
"	"	22							3	11	29	29	35	11					118
"	"	23											3						3
"	"	26						24	40	4	9	40	39	40					196
"	"	27	11	10	39	40	39	25	36	38	39	39	39	39	39	39	40	40	552
"	"	28	35	40	40	39	40	34	8	38	17				39	39	17	39	425
"	"	33	39			39					32	2		24	39	35	39	7	256
"	"	34	39	37	26	39	38	34	40	36	19	31	24						370
"	"	35					19	38	13		14	2							86
"															Total =			2,262	
13S	44E	1									15	30	19	30	25	18	17	3	157
"	"	2			3				19	17		2			34	10		7	91
"	"	3	L-1	L-2			L-3	L-4									7		82
"	"	4	19	19	7	9	4	13	4										
"	"	4							4	28			33	32			5		102
"	"	5																11	11
"	"	8	40	17	20	37									10	9			133
"	"	9		31	39	30	40	40	34	39	40	8	5	28	33	40	L-6	L-5	418
"	"	10		28	21		12		39	35	40	39	15	20	11	19	9	27	315
"	"	11										34	40	32					106
"	"	14					8	25											33
"	"	15	23			4													27
"															Total =			1475	

Total number of acres irrigated 3,737 ac

11-02159

Attachment For 11-02159

Montpelier Creek Watershed

PROBLEM: Wasted water and flood damage during periodic spring floods

SCS PHOTO 5-1805-6



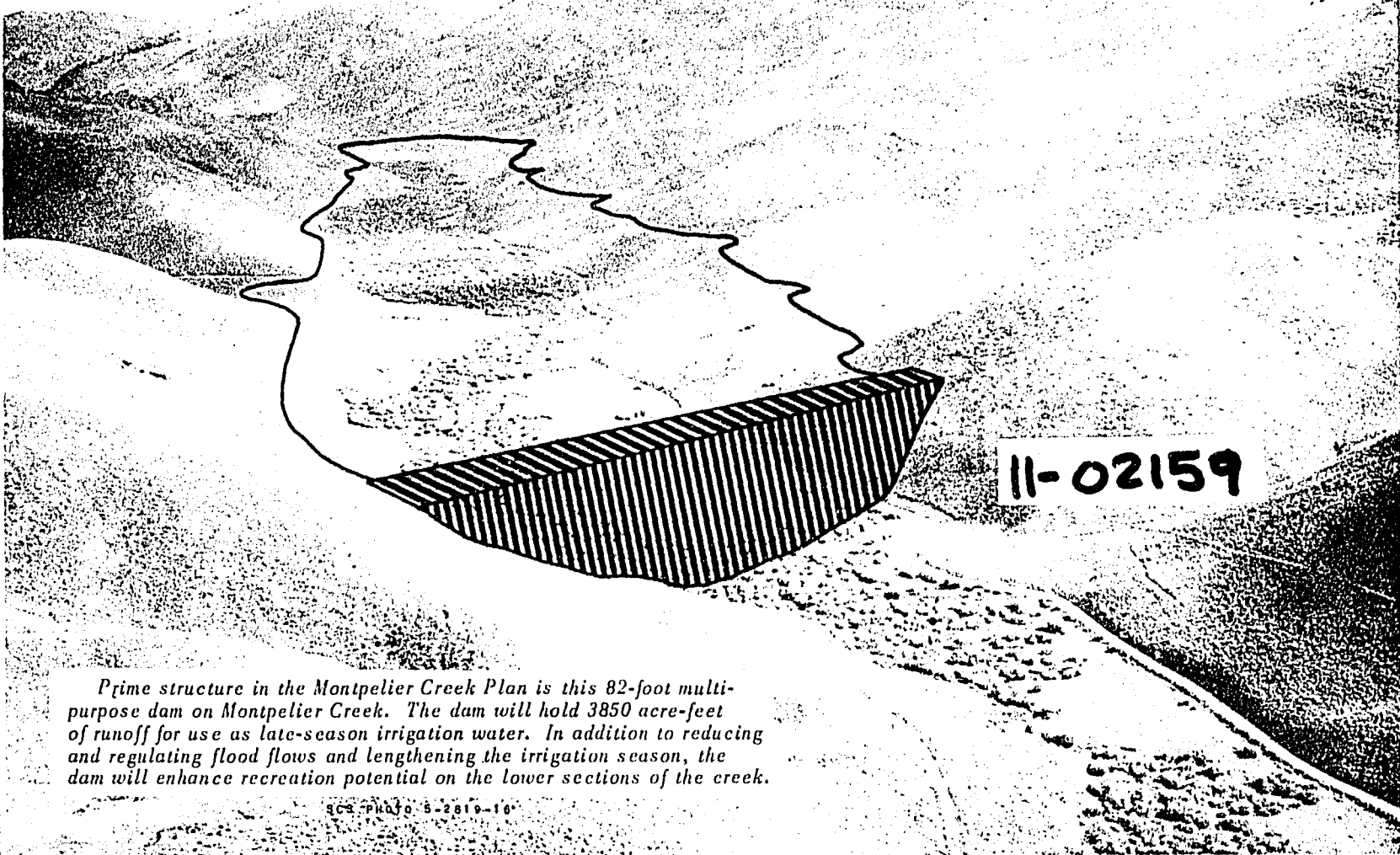
Floodwaters pouring into the city from Montpelier Creek, May 1965 caused heavy damages to townspeople. Damaging floods occurred in 1943, 1948, 1950, 1952, 1955, 1962, 1963 and 1965.

SCS PHOTO 5-2330-4



Overflow on farmland damaged canals, ditches and roads.

SOLUTION: Catch floodwater and store it to provide late-season irrigation water



Prime structure in the Montpelier Creek Plan is this 82-foot multi-purpose dam on Montpelier Creek. The dam will hold 3850 acre-feet of runoff for use as late-season irrigation water. In addition to reducing and regulating flood flows and lengthening the irrigation season, the dam will enhance recreation potential on the lower sections of the creek.

SCS PHOTO 5-2819-16

PROGRESS ON ALL FRONTS

Floodwater Control

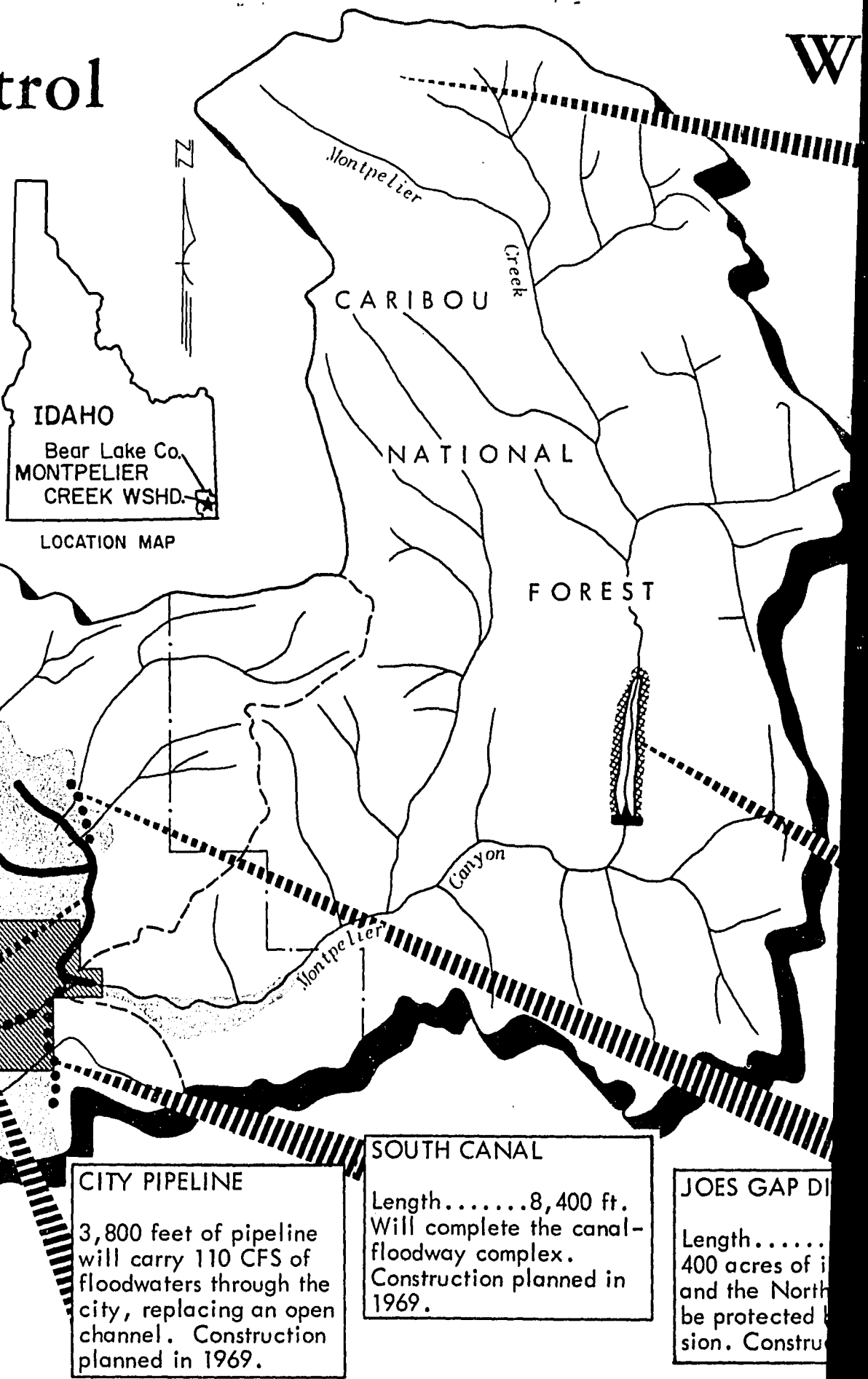
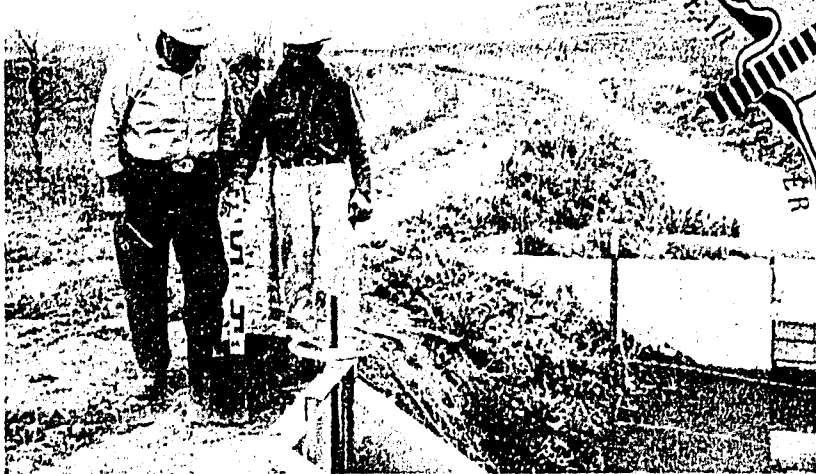


19,000 feet of multi-purpose channel ready to drain water from Montpelier Creek, Joes Gap, and farm drains into the Bear River. Completed in 1967. SCS PHOTO 5-2819-5

Benefited Area



North Canal - 15,077 feet of combination canal-floodway. Ed Messerly, watermaster, and Phil Derricott, President of Montpelier Irrigation Company, are shown at one of the new irrigation turn-outs. The canal will also serve to route floodwaters away from Montpelier to the drain channel. SCS PHOTO 5-2927-10



PROGRESS ON ALL FRONTS

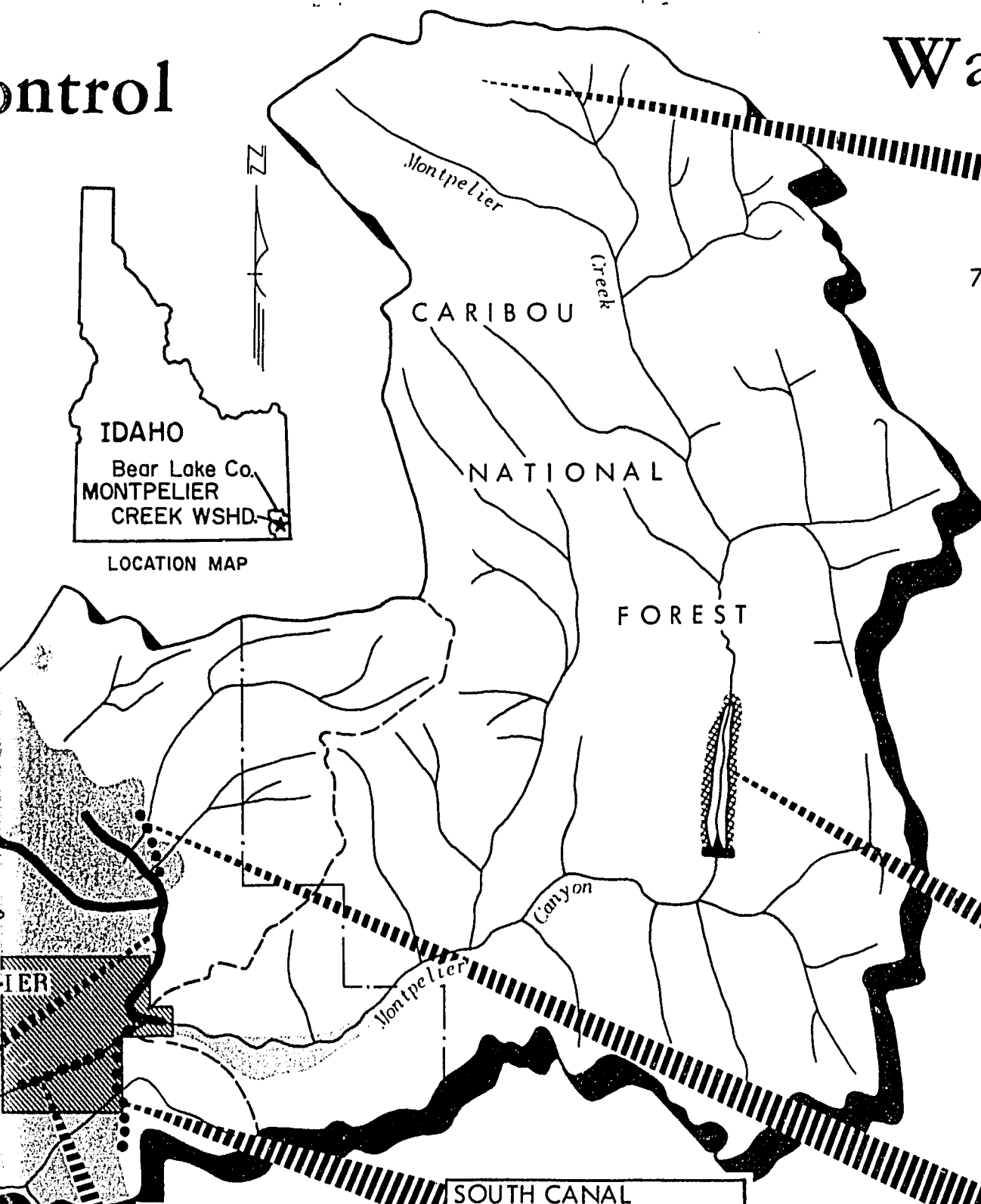
ontrol

Watershed Stabilization

CARIBOU NATIONAL FOREST



LOCATION MAP



70 acres of level terraces have been completed by the Forest Service on critically gullied land. These and other control measures to be installed in the next five years include gully plugs, grass seedings, and road erosion control. These will assure that the headwaters of Montpelier Creek provide a stable source of water without excess runoff or sediment.



SCS PHOTO 5-2478-12

MONTPELIER CREEK DAM

Height	82 feet
Volume of Fill	644,400 cubic yards
Type Construction	Zoned Earthfill
Sediment Storage	210 acre-feet
Flood Control & Irrigation Storage	3840 acre-feet
Total Storage	4050 acre-feet
Surface Area of Pool - Minimum	10 acres
Maximum	125 acres
Watershed Controlled by Dam	17,600 acres
Scheduled for Completion	1969
Bid Price	\$1,125,000
76% Paid by PL 566 funds	

CITY PIPELINE

3,800 feet of pipeline will carry 110 CFS of floodwaters through the city, replacing an open channel. Construction planned in 1969.

SOUTH CANAL

Length.....8,400 ft. Will complete the canal-floodway complex. Construction planned in 1969.

JOES GAP DIVERSION

Length.....3,600 ft. 400 acres of irrigated land and the North Canal will be protected by this diversion. Constructed in 1968.

Management of this reservoir is unique in that the entire irrigation water storage is managed for flood control also. This is made possible by the use of accurate stream flow forecasts based on snow surveys taken during the winter months.

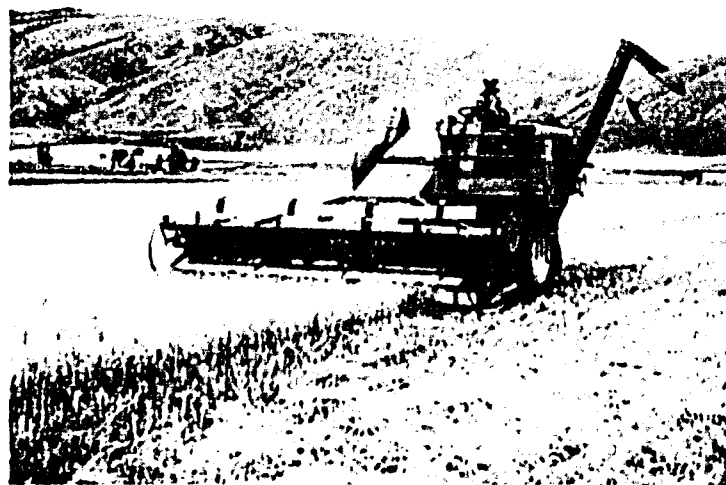
MONTPELIER CREEK WATERSHED - A brief outline

Authorized in 1964 under the Watershed Protection and Flood Prevention Act (P.L. 566), the project is scheduled for completion in 1974. The project is sponsored by the Montpelier Irrigation Company, Bear Lake Soil and Water Conservation District, and the City of Montpelier. Costs in the project will be shared between the Federal Government and the sponsors. Benefits from reduced flood damages and supplemental irrigation water are estimated to average \$118,564 per year.

Of the 51,600 acres in the watershed, 34,133 are Caribou National Forest lands, 15,107 are privately owned, and the remainder is State and public domain. About 6,900 acres of the private lands are irrigated and 2,466 acres are dry cropland. Irrigation water stored in Montpelier dam will serve 3,500 acres.

LAND TREATMENT - AN IMPORTANT PART OF P.L. 566

Private landowners have been working actively in cooperation with the Bear Lake SWCD to provide conservation treatment on their lands in the project area. 475 acres of irrigated cropland have been improved by leveling, installation of borders or corrugations, and proper irrigation water management. Treated land can make best use of the new water storage. As the late-season water from the reservoir becomes available, this work will pay big dividends as irrigation water efficiency rises from 25% before treatment to 55% or more. Proper land treatment is well underway in the upstream watershed.



Conservation Treatment Means Better Crops

OTHER BENEFITS

In addition to the obvious benefits to the community from flood damage reduction and a more stable irrigation water supply for 3,500 acres, the Montpelier Creek project will:

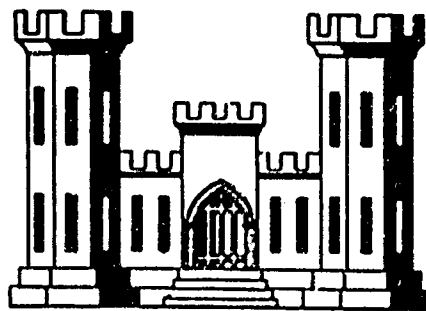
1. Increase fishing potential in the area an estimated 5,900 fisherman-days per year. This will come both in the reservoir, which will have an average surface area of 105 acres during the May-August season, and in the lower sections of the creek where a better late-season flow will be maintained to enhance fish survival.
2. Provide a drainage outlet in the drain channel for about 1,600 acres of land. This improved drainage will allow the lands to be upgraded for higher production.

*Attachment
11-02159*

BEAR LAKE BASIN

**MONTPELIER CREEK DAM
BEAR LAKE COUNTY, IDAHO
FEDERAL NUMBER ID 62
STATE NUMBER D11-2159**

PHASE I INSPECTION REPORT NATIONAL DAM SAFETY PROGRAM



11-02159

**Prepared by:
STATE OF IDAHO, DEPARTMENT OF WATER RESOURCES**

**For:
U.S. ARMY ENGINEER DISTRICT, WALLA WALLA
CORPS OF ENGINEERS**

SEPTEMBER 1978

Bear Lake Basin