

Application For Permit To Appropriate the Public Waters of the State of Idaho

APPLICATION NO. 41634
PERMIT NO. 33378
DISTRICT NO.

1. Name of Applicant: Theo J. Bell
Postoffice address: Preston
County: Franklin State: Idaho

1. If applicant is a corporation, give:
(a) Date and place of incorporation:
(b) Amount of capital stock:
(c) Amount paid in:
(d) Names and addresses of directors:

11. The financial resources of the applicant are:

(a) Cash on hand: \$1,000.00
(b) Treasury stock:

(c) Bond to be issued:
(d) Other resources:
cubic feet per second.

2. Quantity of water claimed: 80 inches or 1.6

which is a tributary of -

3. Source of water supply: New drain on my farm

feet distant from the SW Corner NW $\frac{1}{4}$ SE $\frac{1}{4}$

4. Location of point of diversion: about 75 feet North

corner of Section 15, T. 15 S, R. 39 E, B.M., and is in the NW $\frac{1}{4}$ SE $\frac{1}{4}$

of section 15, T. 15 S, R. 39 E, B. M., County of Franklin

5. Water is to be used for irrigation

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

(a) Point of use of water: feet distant from corner of Section
T. , R. , B.M., in the of Section of
H.P., under T. , R. , B.M.
at a point feet head.
(b) Amount of power generated:
(c) Water is to be returned to , R. , B.M.
distant from the corner of Section of Section , T. , R. , B.M.

feet

7. Estimated cost of works: \$ 2,000.00

8. Kind of works: drain, pump and manhole and pipe

feet; length of dam at top feet; length of dam at bottom

9. Height of dam

feet; material used in dam:

feet.

10. Size of headgate: Width

feet; height

11. Ditch: Width at bottom 2

feet; width at water line

feet; depth of water

dimensions of flume:

Diameter of pipe 6" & 10" inches; length of conduit about $\frac{1}{2}$ mile

Average grade per mile

feet.

miles:

12. The time required for the completion of such work is 2 years.

additional years.

13. The time required for the complete application of the water to the proposed use is 2

14. The land to be irrigated is described in the following tabulation: See remarks.

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: 84 shares in Preston Riverdale and

Minkcreek Canal Company. 10 shares in Preston Whitey (Whitney) Irrigation Co.

- If so, fill in (b) and (c) below:
 Submit:
 Title and Name of Applicant:

BE IT KNOWN THAT The undersigned hereby makes application for permit herein set forth.

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public water of the State of Idaho herein set forth.

/s/ THEO J. BELL

Agent.

January 5, 1967 9:20 A.M.

Approval of State Reclamation Engineer

33378
Page 33378
Approved January 10, 1967

gained the within application for a permit to appropriate the public waters of the State of Idaho, and subject to the following limitations and conditions:

to be filed on or before
March 10, 1967

and to continue diligently and uninterruptedly to completion, it holder has no control.

Completed on or before	January 10, 1968
Completed on or before	January 10, 1969

ted in accordance herewith, to be made on or before January 10, 1971

day of
January, 1967

/s/ R. KEITH HIGGINSON
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, ... DON W. SAMUELSON
....., Governor of the State of Idaho.

EDSON H. DEAL

..... EDSON H. DEAL, 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 10th

January 19 67

STATE OF IDAHO

By...../s/ EDSON H. DEAL
Secretary of State.

By...../s/ DON W. SAMUELSON
Governor.

REMARKS:

This is an application for a permit to use supplemental water developed from drains on my farm.

14.

Twp.	Range	Sec.	NE 1/4	NW 1/4	SW 1/4	SE 1/4	Totals
15 S	39 E	15	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	80

Address all communications to

Form No. 1
5M 1-65

P. O.

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 41634

Permit No. 33378

District No.

RECEIVED
JAN 5 1967
7:20 AM
Department of Reclamation

1. Name of Applicant: Theo J. Bell
Post Office address: Preston County: Franklin State: Idaho

If applicant is a corporation, give:

- (a) Date and place of incorporation: _____
(b) Amount of Capital stock: \$ _____ (c) Amount paid in: \$ _____
(d) Names and addresses of directors: _____

The financial resources of the applicant are: (a) Cash on hand: \$1000.00

- (b) Treasury stock: _____ (c) Bonds to be issued: _____
(d) Other resources: _____

2. Quantity of water claimed: 80 inches 1.6 cubic feet per second

3. Source of water supply: New Drain on my farm
which is tributary of _____

4. Location of point of diversion: about 75 feet North feet distant from the SW corner NW 1/4 SE 1/4
of Section 15, Twp. 15 S, Rge. 39 E B.M., and is in the NW 1/4 SE 1/4
of Section 15, Twp. 15 S, Rge. 39 E B.M., County of Franklin

5. Water is to be used for: irrigation

6. If for any non-irrigation purpose, give:

- (a) Point of use of water: _____ feet distant from _____ corner of Section _____
Twp. _____, Rge. _____, B. M., in the _____ of Section _____, Twp. _____, Rge. _____, B. M.

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

(c) Water is to be returned to _____ at a point _____ feet
distant from the _____ corner of Section _____, Twp. _____, Rge. _____, B. M., in the
_____ of Section _____, Twp. _____, Rge. _____, B. M.

7. Estimated cost of works: \$2000

8. Kind of works: Drain, pump and manhole + pipe
(licensor, dam, ditch, flume, pipe, etc.)

9. Height of dam _____ feet; length of dam at top _____ feet; length of dam at bottom _____

feet; material used in dam _____
(If height of dam will exceed 10 feet or will store more than 100 acre feet of water, send to Department of Reclamation for Regulations.)

10. Size of headgate: Width _____ feet; Height _____ feet

11. Ditch: Width at bottom 7 feet; Width at water line _____ feet; Depth of water _____ feet;

Dimensions of flume _____; Diameter of pipe 6" + 10" inches;

Length of conduit about 1/2 mile miles. Average grade per mile _____ feet.

33378

16. (a) Is reservoir to be used? (If so, fill in (b) and (c) below.)
(b) Name of reservoir and number of Storage Permit:
(c) Date of filing of Application for Storage Permit and Name of Applicant:

Remarks: *This is an application for a permit to use supplemental water developed from drains on my farm -*

BE IT KNOWN That the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Geo. H. Bell

Applicant.

By, Agent

Affidavit of Permission to File on Springs

(Not to be used when spring is situated on lands owned by applicant.)

I, ..., of, County of, State of, do hereby certify that I am the owner of the land on which the spring mentioned in the application of is located, to-wit:

and that I do hereby grant unto the said permission to file on the said spring as set forth in the foregoing application.

STATE OF IDAHO

County of } ss.

On this day of, 19....., before me, a Notary Public for the State of Idaho, residing at, personally appeared..... known to me to be the person.... whose name..... subscribed to the foregoing certificate, and acknowledged to me that he.... executed the same.

Witness my hand and seal, the day and year in this certificate first above written.

My commission expires

Notary Public.

33378

Approval of State Reclamation Engineer

The number of this permit is.....

33378

Recorded in Book 116 Page Approved JAN 10 1967

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 before

Work to begin on or before March 10, 1967, 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 January 10, 1968

The whole of said work to be completed on or before January 10, 1969

Beneficial use of water appropriated in accordance herewith, to be made on or before January 10, 1971

Witness my hand this 10th day of January, 1967

R. Keith Higgins
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, DON W. SAMUELSON Governor of the State of Idaho,

and EDSON H. DEAL, 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 10th day of January, 1967.

Countersigned

By

Edson H. Deal
Secretary of State.

STATE OF IDAHO

By

Don Samuelson
Governor.

33378

No.

PERMIT

Date of first receipt at office of State
Reclamation Engineer

January 5, 1967 9:20 A.M.

Returned to applicant for correction

Corrected application received

Fees, \$ 5.25

FILING FEES FOR USE PERMIT:

For the first Sec. Ft. \$5.00

For each additional Sec. Ft. or Fraction

Thereof 25

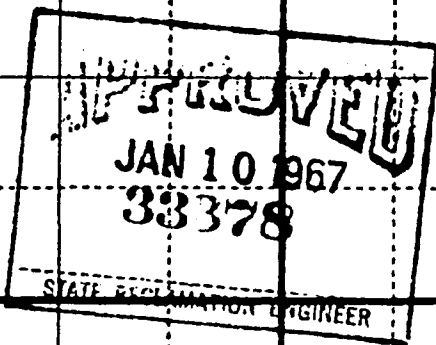
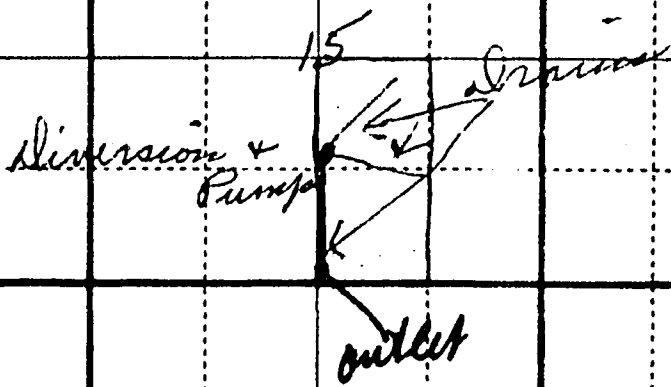
33378

NAME OF APPLICANT.....

Form No. 0

R39F

T 15 S



January 19, 1967

Re: Permit No. 33378

Theo J. Bell
Preston, Idaho

Dear Mr. Bell:

We enclose Permit No. 33378 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. 33574 which was issued covering payment in the amount of \$ 5.25 for the filing fee of the above mentioned permit.

Very truly yours,

Enc.

permit, receipt

M. RUSSELL BOSCH
Office Manager

MRB:ejw

33378

November 4, 1968

Re: Permit No. 33378

Theo J. Bell
Preston, Idaho 83263

Dear Mr. Bell:

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 those 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 submitted proof of beneficial use of water~~. 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. McKelowney
Appropriation Examiner

DWM:tg
Enc: Order
Advertising package

33378

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 33378)

in the name of Theo J. Bell)

Preston, 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. 33378 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 January 10, 1971. The permit 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 _____ day of _____, 19_____.

R. KEITH HIGGINSON
State Reclamation Engineer

33 378

NOTICE OF APPROVED APPLICATION FOR WATER

Notice is hereby given that Theo J. Bell, Preston, Idaho

has received an approved permit No. 33378 to divert ~~store~~
1.6 cubic feet per second ~~acre/feet~~ of water from
drain

_____ . The priority to be established
under this permit is January 5, 1967 .

Water will be diverted by drain, pump, manhole and pipe
within the NW1/4, Sec. 15,
 T. 15 S., R. 39 E., B. M., Franklin County

and is to be used for /irrigation/

in the W²SE⁴, Sec. 15, T. 15 S., R. 39 E., B. M.

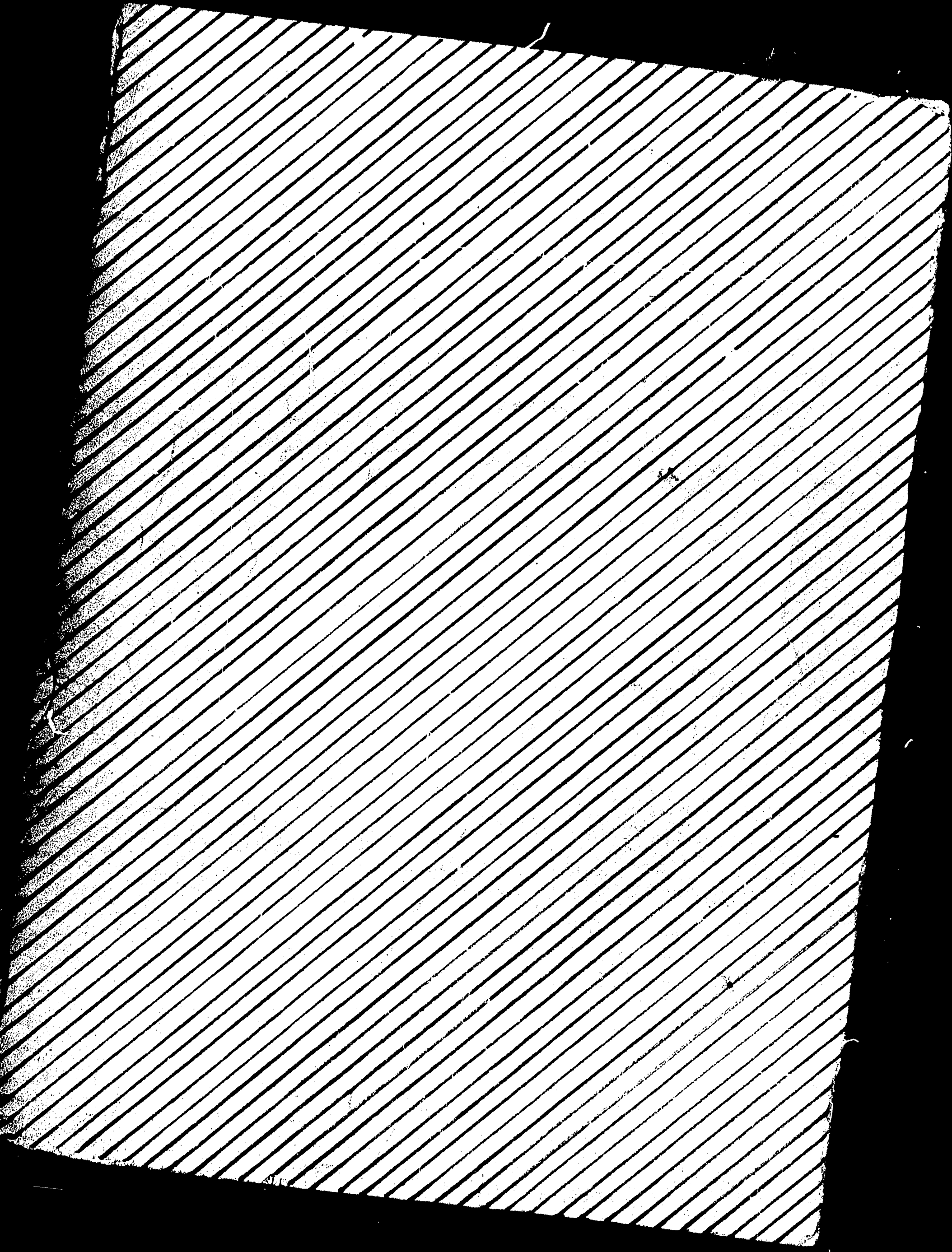
Any protests against the intent of the permit must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Preston Citizen, Preston, Idaho

on _____ and _____

33378



October 30, 1970

Re: Permit No. 33378 (New No. 13-2276)

Mr. Theo J. Bell
Preston,
Idaho 83263

Dear Mr. Bell:

One of the conditions of the approval of your Permit No. 33378/13-2276 was that proof of application of the water to beneficial use be submitted to this office on or before January 10, 1971.

Enclosed is an affidavit form which must be used to submit proof of beneficial use. You may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended.

Either the proof affidavit or a request for 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.



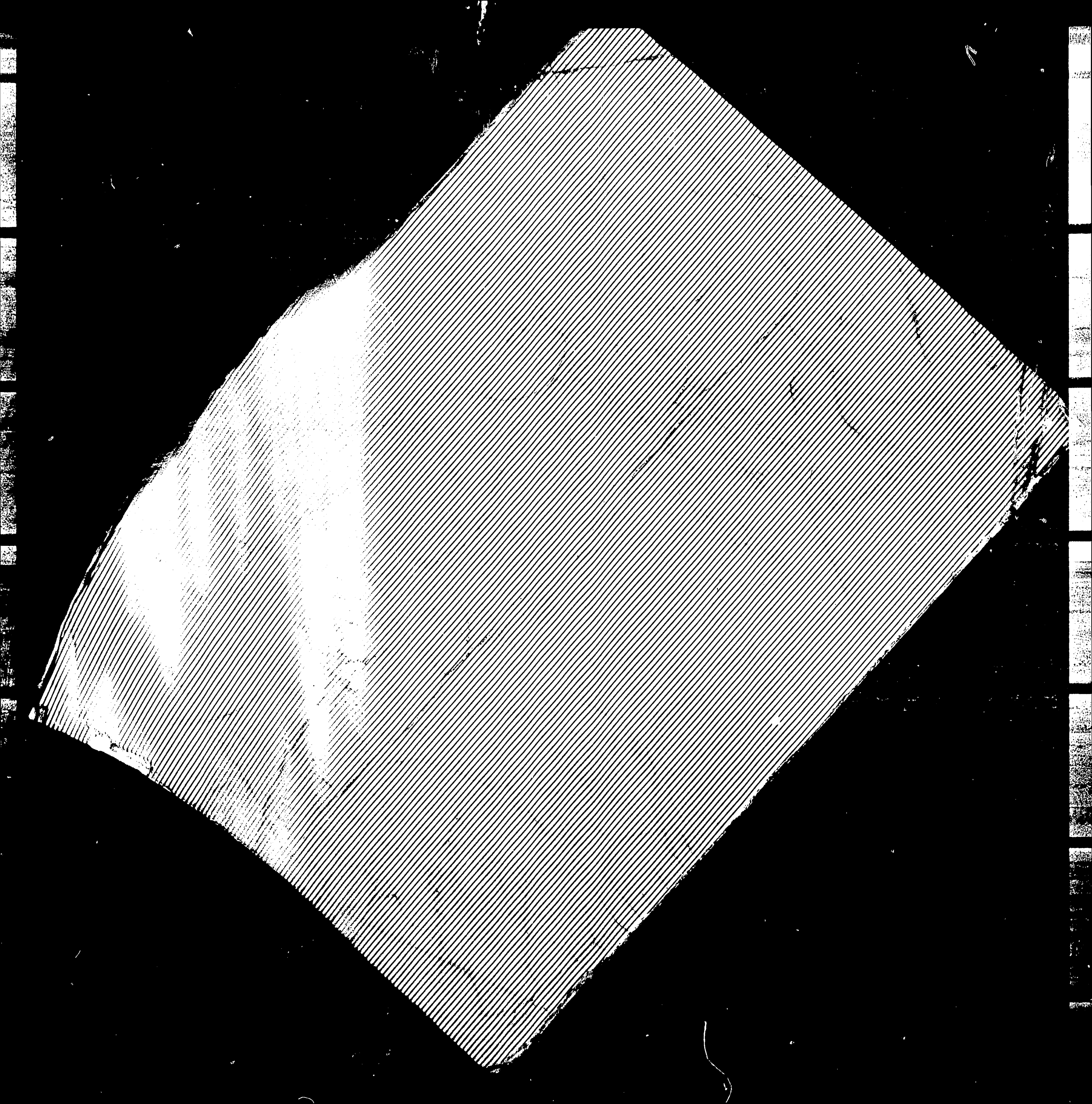
Director

Enc: Proof affidavit
dr

CERTIFIED MAIL

22282

13-2276
33378



STON,
INSTRUCTIONS TO DELIVERING EMPLOYEE
☒ Show to whom, date, and address where delivered
(Additional charges required for these services)
☐ Deliver ONLY to addressee

RECEIPT
Received the numbered article described below.

REGISTERED NO.	1 2 3	SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)
CERTIFIED NO. 22282		SIGNATURE OF ADDRESSEE'S AGENT, IF ANY
INSURED NO.		
DATE DELIVERED 10-31-70		SHOW WHERE DELIVERED (only if requested) 13 2276 13-2276

655-16-71648-10 GPO

POST OFFICE DEPARTMENT OFFICIAL BUSINESS	
PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, \$300	
POSTMARK OF DELIVERING OFFICE	
13 OCT 31 PM 1970 PRESTON, ID 83263	
INSTRUCTIONS: Show name and address below and complete instructions on other side, where applicable. Moistened gummed ends, attach and hold firmly to back of article. Print on front of article RETURN RECEIPT REQUESTED .	
NAME OF SENDER DEPARTMENT OF WATER ADMINISTRATION	STREET AND NO. OR P.O. BOX STATEHOUSE - ANNEX #2 BOISE, IDAHO 83707
POST OFFICE, STATE, AND ZIP CODE	TO RETURN

POD Form 3811 Apr. 1967

GSF-10-71548-10

January 8, 1971

Re: Permit No. 33378/13-2276

Mr. Theo J. Bell
West 8th North
Preston, Idaho 83263

Dear Mr. Bell:

We acknowledge receipt of the affidavit of beneficial use 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. However, before we can schedule your permit for a field examination, it will be necessary for notice of your permit to be published in the Preston Citizen of Preston, Idaho.

A yellow copy of this notice was sent to you on November 4, 1968. We will need your signature as authorization for the Department to have this notice published at your expense. Please sign the authorization and return it to this department as soon as possible.

If you have any questions regarding this matter, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG

13 2276

March 22, 1971

Re: Permit No. 33378/13-2276

C
Mr. Theo J. Bell
West 8th North
Preston, Idaho 83263

O
Dear Mr. Bell:

Pursuant to your phone conversation with Mr. R. Keith Higginson, Director of this Department, we are enclosing the advertising authorization in connection with the above referenced permit.

P
If you will complete the form and return it to this office, we will cause the notice to be published at your expense. If you have any questions regarding this matter, please contact us.

Very truly yours,

Y
Donald W. McEldowney
Appropriation Supervisor

DWM:DR

Enc: Adv. authorization

13-2276

RECORDED

and 1971

has received an approved Permit No.

33378/13-2276 issued by the Idaho Department of Water Administration authorizing the diversion ~~storage~~ of 1.6 cubic feet per second ~~from~~ ~~excess~~ of water from an unnamed ~~drain~~ drain.

The priority to be established under this permit is January 5, 1967.

and the permit was approved January 10, 1967.

Water is to be diverted by pump and pipe
from a point within the NW $\frac{1}{4}$ Sec. 15, T. 15S, R. 39E, B.M., Franklin
County,

to be used for irrigation purposes

in the W₂SE₄ Sec. 15, T. 15S, R. 39E, B.M.

Proof of the application of the water to beneficial use ~~is to be~~^{was} submitted to the Department on ~~or before~~^{December 31, 1970}. Any protests against the issuance of the license for the above referenced permit should be filed with the Idaho Department of Water Administration within ten (10) days of the last date of publication of this notice ~~or prior to the licensing of the permit.~~^{of the permit.}

R. KEITH HIGGINSON, Director
Idaho Dept. of Water Administration
STATEHOUSE, Boise, Idaho

Published in the Preston Citizen, Preston, Idaho,
on May 6th and May 13th, 1971.

Permit No. 33378/13-2276

Director:

You are hereby authorized to have the above notice published at my expense in the Preston Citizen of Preston, Idaho; published in the county in which the works are situated.

(Signature)

(Address)

(Date)

13 2276

April 22, 1971

Re: Permit No. G-33378/13-2276 - Theo J. Bell

Preston Citizen
Box 472
Preston, Idaho 83263

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 to 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 Water Administration immediately.

The expense of the publication is to be paid by Theo J. Bell
Preston, Idaho 83263, to whom you should furnish
an affidavit of publication.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/BB
Enc: legal notice

2276

April 22, 1971

Re: Permit No. G-33378/13-2276

Mr. Theo J. Bell
Preston,
Idaho 83263

Dear Mr. Bell:

The legal notice for the above-referenced permit is being published in the
Preston Citizen on May 6th
and May 13th, 1971.

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.

Thank you for your cooperation in this matter.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/BB

13.2276

August 25, 1971

Re: Permit No. 33378/13-2276

C
Theo J. Bell
Preston,
Idaho 83263

Dear Mr. Bell:

C
As of this date, we have not yet received the affidavit of publication to be submitted in connection with Permit No. 33378/13-2276. You should be aware that many newspapers do not keep copies of these advertisements for their files. We, therefore, recommend that you obtain this affidavit as soon as possible from the Preston Citizen, Box 472, Preston, Idaho and submit it promptly to the Department. Please be advised that a license will not be issued until we are in receipt of this affidavit.

P
Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

Y
DWM/bb

13 2276

September 27, 1971

Re: Permit No. 33378/13-2276

Mr. Theo J. Bell
West 8th North
Preston, Idaho 83263

Dear Mr. Bell:

We are herewith returning the receipt from the newspaper in connection with the legal notice which was advertised for the above referenced permit.

The Department requires that you submit an affidavit of publication. The affidavit is a notarized statement from the newspaper with a clipping of the legal notice attached. If the newspaper has not supplied you with an affidavit, please contact the newspaper and request that they forward the affidavit to this office.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR
Enclosure

13 2276

October 29, 1971

Re: Permit No. 33378/13-2276

Mr. Theo J. Bell
West 8th North
Preston, Idaho 83263

Dear Mr. Bell:

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 so that you may show him the system.

Very truly yours,

James Booker
Appropriation Examiner

/BB

Enclosure: Receipt from newspaper

13 2276

October 29, 1971

Re: Permit No. 33378/13-2276

C
Mr. Theo J. Bell
West 8th North
Preston, Idaho 83263

Dear Mr. Bell:

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 so that you may show him the system.

P
Very truly yours,

James Booker
Appropriation Examiner

Y
JB/BB

Enclosure: Receipt from newspaper

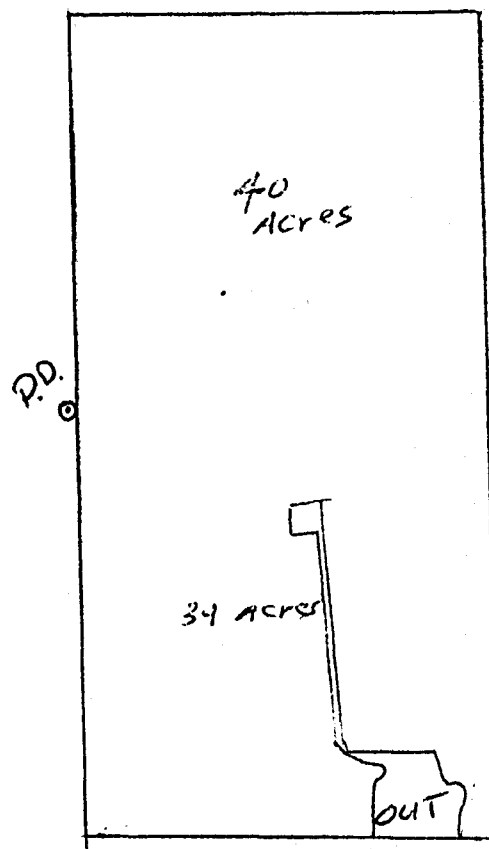
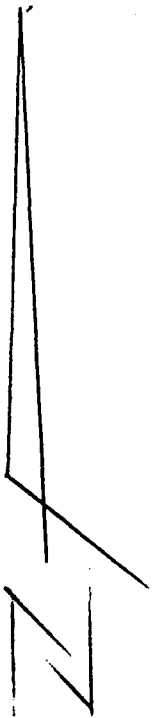
13 2276

R 396

9	10
16	15

10	11
15	14

T 155



16	15
21	22

15	14
22	23

10/2/72
RWR

13 2276

NOTE: there is a discrepancy between B/U affidavit and the permit - may need an amendment

DEPARTMENT OF WATER ADMINISTRATION

FIELD REPORT

Helen Hardman

note - all

1. Name of permit holder THEO J. BELL

Post office address Preston, Idaho Phone _____

Person to contact _____ Phone _____

2. Source of water supply: Groundwater ☐ Surface water ☐ tile drainage
(name spring, stream, etc.)

Tributary to _____

3. Water will be used for the following purposes:

Amount 1.50 c.f.s. for irrigation
_____ AF/Annum (nature of use)

Period of Use: from April 1 to November 1
(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 1.50 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 15S N/S, Range 39E E/W, B.M., Section 15, Subdivision SouthWest Corner of NW 1/4 SE 1/4 Franklin
Township 15S N/S, Range 39E E/W, B.M., Section 15, Subdivision NorthWest Corner of SW 1/4 SE 1/4 Franklin
County _____
Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____
County _____

Other Points of Diversions: _____

Description of diverting works: 12' well casing 24" wide with 3 lines of buried drain tile
1-10" drain tiles, 2-6 drain tiles; one mile of continuous drainage. A 3 sec. ft.
centrifugal pump, with 5 HP electric motor.

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or 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	
15S	39E	15														40	40		80

TOTAL ACREAGE 80

13 2276

R 39 E

T
15
S

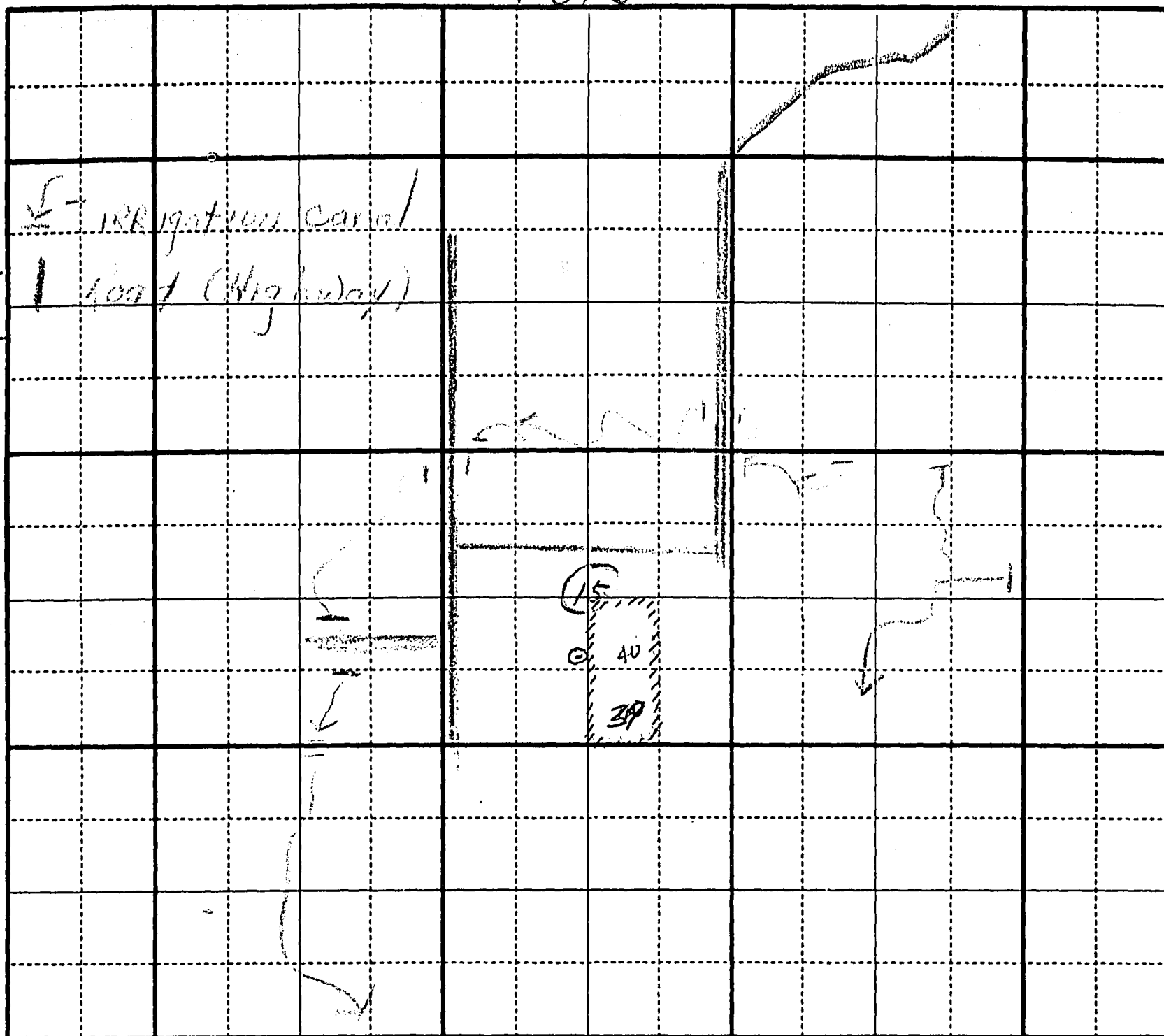
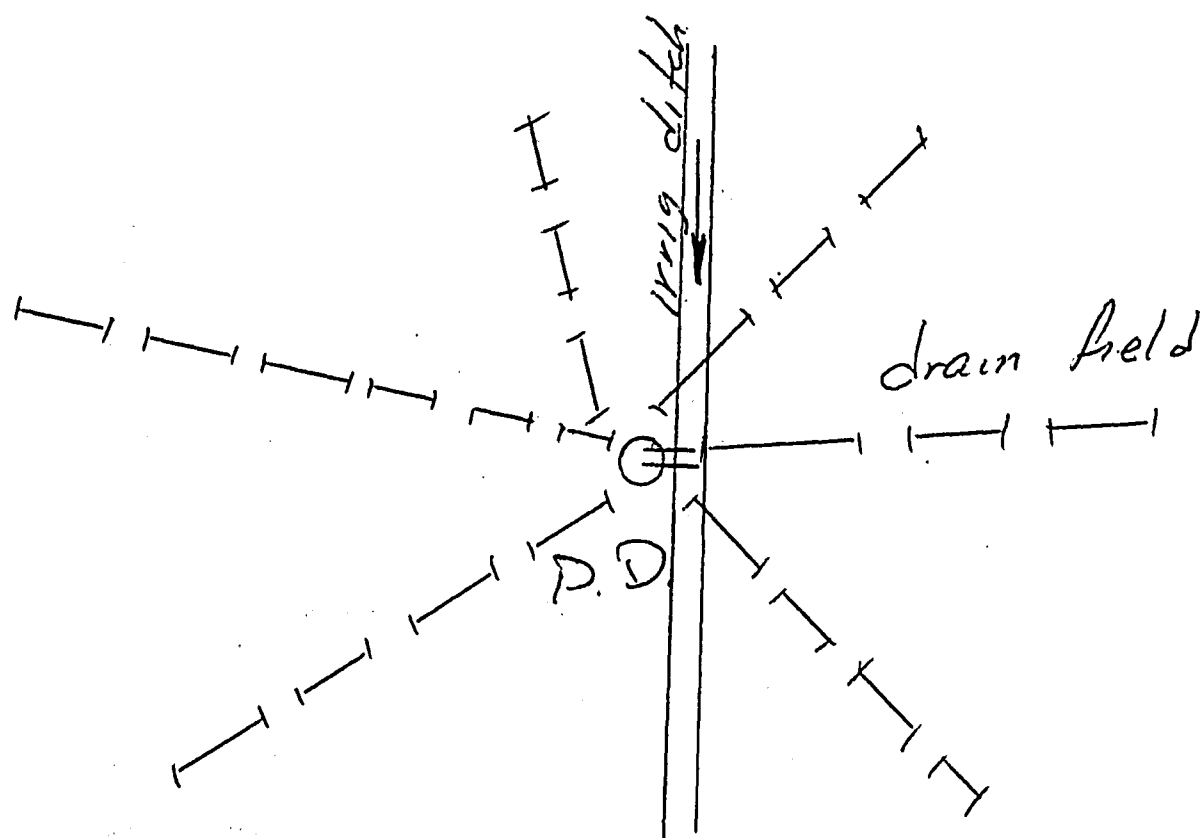


Diagram of System



DATE OF EXAM Aug 28, 1972

ACREAGE
Found 80 59 1
Recommended 80 79

Irrigation Requirement 3.5 Ac Ft/Ac

USE
Irrigation Q = 0.48 c.f.s. V = 2.04 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. _____ 1/4 _____ 1/4 _____ County

Exchange? yes _____ no ☒

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County

Point of injection: N.A.
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County

Point of exchange: N.A.
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County

Total Q measured 0.48 Method of measurement 10 gal can & stop watch

Total Q recommended 0.48 Meter No. _____ Type _____ Condition _____

Total V recommended 2.04 AF/Ann

Recommended Amendments:

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

MEASUREMENT CALCULATION:
10 gal in 2.85 sec for a flow of 214.9 gal/min or 0.48 cfs.

SYSTEM DESCRIPTION:

REMARKS: This pump and drain are shared jointly between THEO. J. BELL and ELDEN S. TANNER. The total flow between the two shall not exceed 0.48 cfs nor 2.04 gals per annum. pump is driven by combustion engine and very few times in the year.

Examiner's Signature R. M. Thompson Date 9/7/72

Checked by Norman C. Young, P.E. Date 10/3/72

Approved by _____ Date _____

MEMORANDUM

TO: Bob Fleenor

FROM: Norm Young

RE: Application for Amendment No. 13-2276

DATE: October 3, 1972

The above referenced application for amendment is enclosed and is the result of the examiner's findings.

I recommend that this amendment be approved without advertising.

RECEIVED
OCT 4 1972
Department of Water Administration

13 2276

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215

January 15, 1973



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

Mr. Theo J. Bell
West 8th North
Preston, Idaho 83263

Dear Mr. Bell:

A representative of this Department has made an examination of the works covered by your Permit No. 33378/13-2276 and has found the following:

Quantity of water diverted: 0.48 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 0.48 cfs

The maximum quantity diverted shall not exceed 204 acre feet per season.

Beneficial use: Irrigation of 79 acres within the W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 15, Twp. 15S, Rge. 39E, B.M.

Point of diversion: NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 15, Twp. 15S, Rge. 39E, B.M.

The priority date established is: Jan. 5, 1967

If you do not concur with these findings, please advise us within 10 days; otherwise, a license will be issued as set forth in this letter.

Enclosed please find a copy of the approved application for amendment for this permit.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enc: Copy of amendment

13 2276

January 31, 1973

C Re: Permit No. 33378/13-2276

Mr. Theo J. Bell
West 8th North
Preston, Idaho 83263

Dear Mr. Bell:

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

P Sincerely,

BOBBY D. FLEENOR
Assistant Director

Y
BDF:DR
Enclosure

13 2276

Nº 1963

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

County of Franklin

ss.

J. Walter Ross

being duly sworn,

deposes and says:

That he is the *Co-publisher* of THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for *two* consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

May 6, 19 *71*, and ending with the issue of *May 13*, 19 *71*

Fees, \$ *6.12*

Subscribed and sworn to before me this *1* day of *June*, 19 *71*

DeAnn D. Liddell

Notary Public, Residing at Preston, Idaho

My Commission Expires *March*, 19 *74*

RECEIVED

OCT 25 1971

Department of Water Administration

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Theo J. Bell, Preston, Idaho, has received an approved Permit No. 33378/13-2276 issued by the Idaho Department of Water Administration authorizing the diversion of 1.6 cubic feet per second of water from an unnamed drain. The priority to be established under this permit is January 5, 1967, and the permit was approved January 10, 1967.

Water is to be diverted by pump and pipe from a point within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 15, T. 15S, R. 39E, B.M., Franklin County, to be used for irrigation purposes in the W $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 15, T. 15S, R. 39E, B.M..

Proof of the application of the water to beneficial use was submitted to the Department on December 31, 1970. Any protests against the issuance of the license for the above referenced permit should be filed with the Idaho Department of Water Administration within ten (10) days of the last date of publication of this notice.

R. KEITH HIGGINSON,
Director, Idaho Dept. of
Water Administration
STATEHOUSE,
Boise, Idaho

Published in the Preston Citizen, Preston, Idaho, on May 6th and May 13th, 1971.
Legal No. 1963-Pub. May 6, 13, 1971.

13 2276

Identification No. _____

Permit No. 33378/13-2276

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

RECEIVED

DEC 31 1970

Department of Water Administration

1. a) Name of Permit Holder THEO J. BELL
- b) Post Office Address West eighth North, Preston, Idaho
2. Permit Number 33378/13-2276
3. Date of Priority that you are prepared to establish January 5, 1967
April 1967
4. a) Source from which water was appropriated Tile drainage
- b) Location of the point of diversion: SW NW 1/4 SE 1/4, Section 15
15 S, Range 39 E of Boise Meridian, Other points of diversion:
Being the NW corner of the SW1/4SE1/4, Section 15, Township 15, Range 39
of the Boise Meridian
5. a) The amount of water and use to which the water has been applied:
amount .64 Sec. Feet for Irrigated & Culinary purposes from 1st Nov. to 1st Mar. incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount 1.00 for do purposes from 1st Mar. to 1st May incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount 1.33 for _____ purposes from 1st May to 1st Nov. incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 1.50 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: Heber Hardman, drainage engineer, Bureau of Reclamation, Logan, Utah, has measured annually for the last 3 years, measurement by a water meter.
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: not applicable
- b) Describe the agreement or understanding by which you take water from the works: Water should be divided on a basis of 2/3 as per Permit No. 33378/13-2276 and a basis of 1/3, Permit No. 33379/13-2277, water appropriated continuously.
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) 12' well casing 24" wide with 3 lines of buried drain tile, 1-10" drain tiles, 2-6" drain tiles; one mile of continuous drainage. A 3 sec. foot centrifugal pump, with 5 H.P. electric motor.
- 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 Earl McEntire A.S.C. 1966

Examined
12/1/72
C.S.

13 2276

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use At point of diversion for watering livestock.

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	
15S	39E	15														X	X		

Total number of acres irrigated 80 acres

10. Remarks:

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

29 Dec 1970
(Date)

(Signature)

State of Idaho
County of Franklin ss.

On this 29th day of December, 1970, personally appeared before me the signer of the above instrument, who duly acknowledged to me that he (~~she~~) (~~they~~) executed the same.

Notary Public residing at Idaho, Idaho

My commission expires January 6, 1973

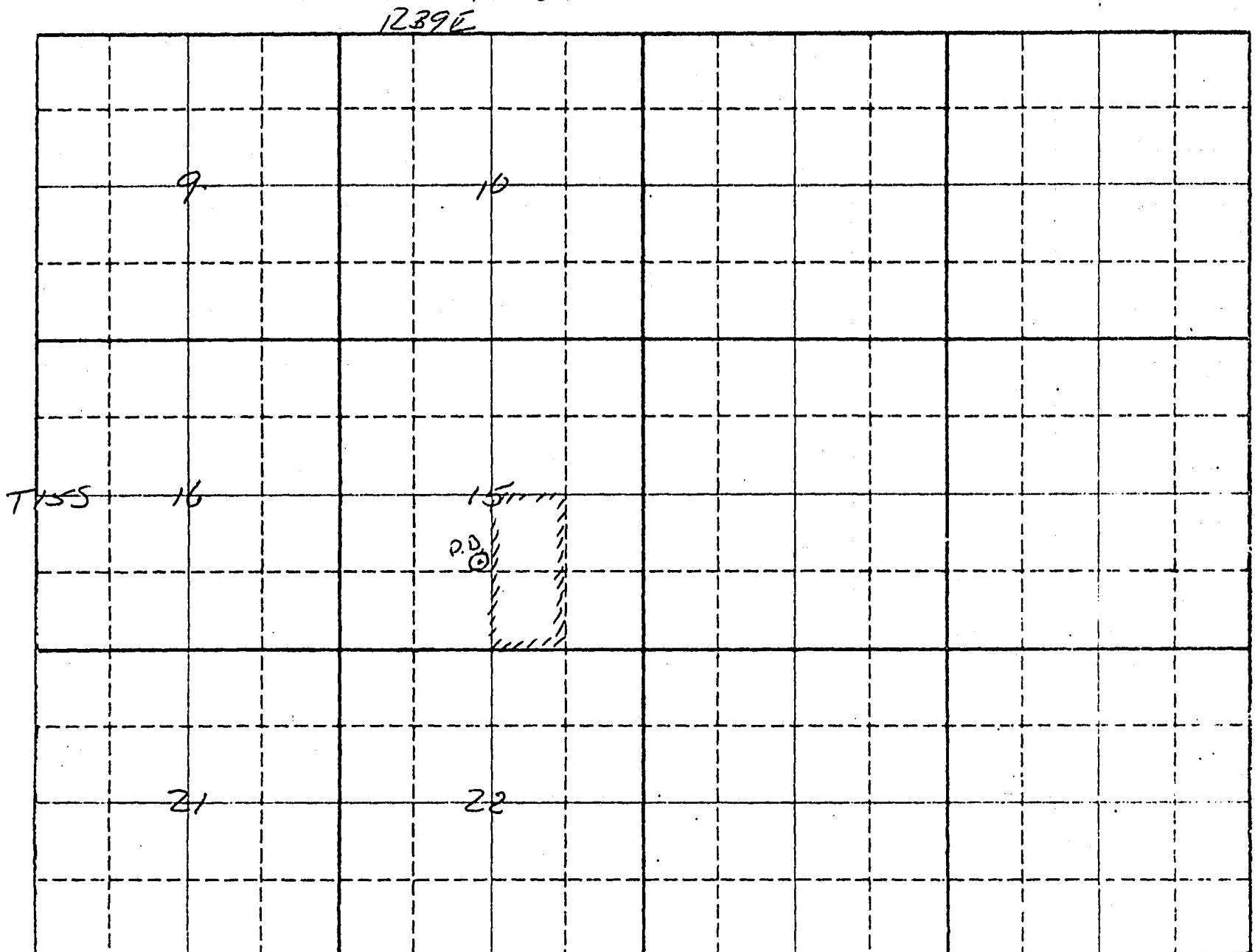
OCT 2 1972

Department of Water Adminis
Eastern District Office

Permit No. 13-2276

13 2276

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40 acre subdivisions, sections, 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 holder's own risk.

Signed at Theo J. Bell, this 30th day of Sept, 1972

(signature)

ACTION OF STATE RECLAMATION ENGINEER

Dept. of Water Admin.

I, R. KEITH HIGGINSON, Director

~~State Reclamation Engineer~~ of the State of Idaho,

hereby approve the above application for amendment for Permit No. 33378/13-2276.

Witness my hand this 12 day of January, 19 73

R. Keith Higgins
~~State Reclamation Engineer~~

DEPT. OF WATER ADMINISTRATION
 DISTRICT OFFICE
 210 S. HOLMES
 IDAHO FALLS, IDAHO 83401

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 33378/13-2276 Priority Jan. 5, 1967 Amount 0.48 cfs

THIS IS TO CERTIFY, that THEO J. BELL
of Preston, Idaho, has complied with the terms and conditions of Permit
No. 33378/13-2276 issued pursuant to Application for Permit dated January 5, 1967,
and has submitted proof to the Department of Water Administration on December 31, 1970,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 0.48 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from an unnamed drain
tributary of _____, is hereby confirmed in the following amounts:

Amount 0.48 cfs for Irrigation from April 1 to Nov. 1 (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Subject, however, to the condition that no more than 0.48 cfs of water be diverted at
any one time, said waters to be diverted within the _____

NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 15, Twp. 15 S, Rge. 39 E, B.M.

in the county of Franklin; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 204 acre feet per year or _____
3.5 acre feet per acre.

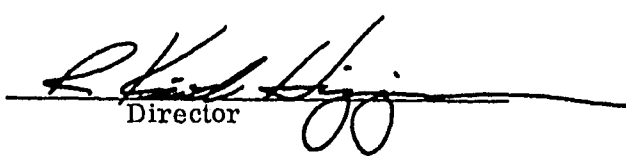
Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
15 S	39 E	15														40	39		79

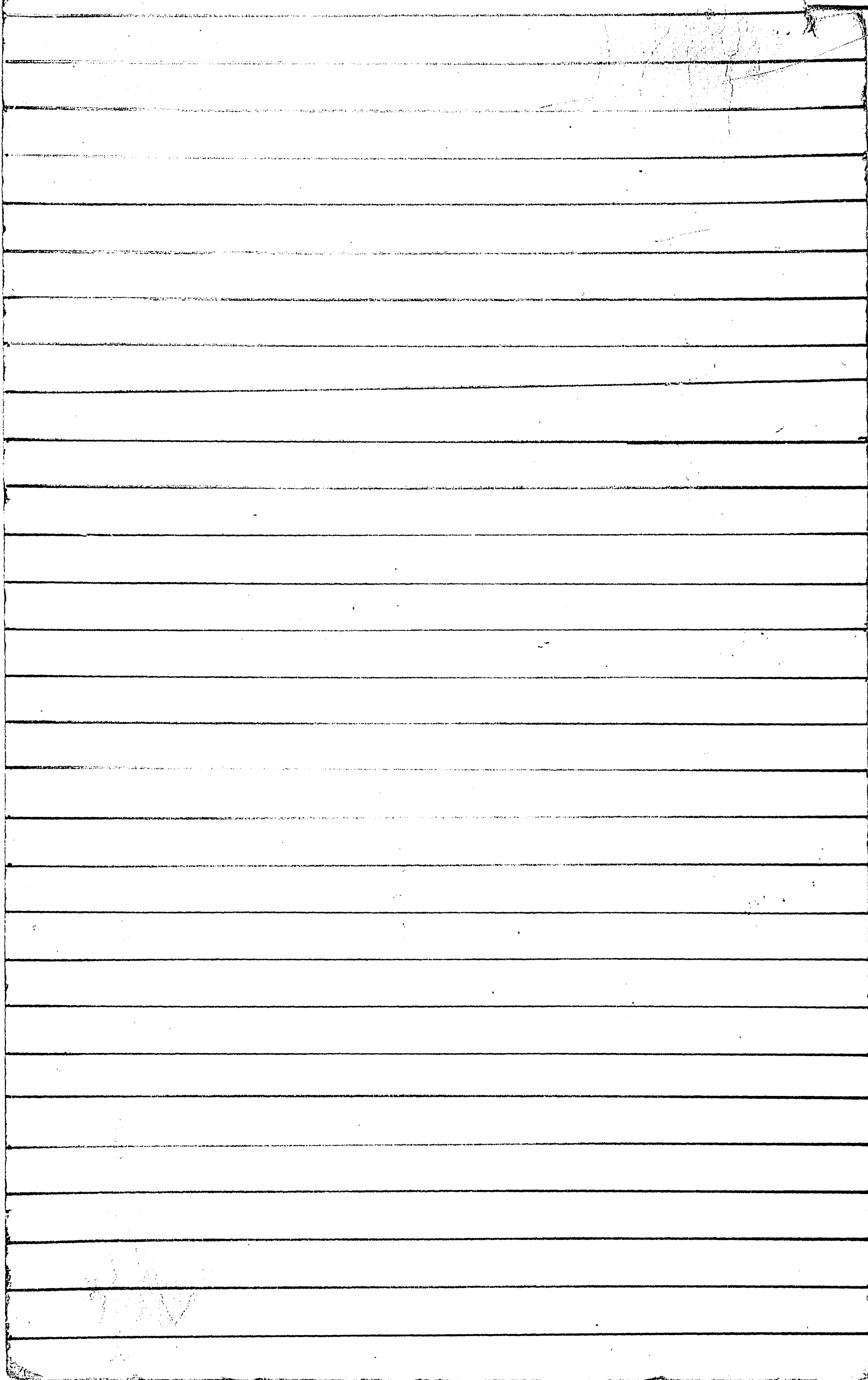
Total number of acres irrigated 79

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 30 day of
January, 19 73.


Director

13 2276



PROPOSED FINDING OF WATER RIGHTS - WORM CREEK DRAINAGE

SOURCE: Miscellaneous Sources

file 13-2276

IDENT. NO.	NAME AND ADDRESS	PRIORITY	PURPOSE	PERIOD OF USE		AMOUNT ACRE FEET PER ANNUM	MAXIMUM RATE OF DIVERSION c.f.s.	POINT OF DIVERSION	PLACE OF USE and LANDS IRRIGATED	BASIS OF RIGHT and REMARKS
				From	To					
13-0287	GOLIGHTLY, Marvin Rt. #2 Preston, Idaho	8-01-1960	Stockwater	1-1	12-31	1.0	0.02	SW $\frac{1}{4}$ SE $\frac{1}{4}$, S.34 T15S, R39E	Sec. 34 SW $\frac{1}{4}$ SE $\frac{1}{4}$ T15S, R39E	Beneficial Use Unnamed Drain
13-0230	BODILY, Lawrence C. Rt. #3, Box 373 Preston, Idaho	1-01-1966	Stockwater	1-1	12-31	1.7	0.07	NE $\frac{1}{4}$ NE $\frac{1}{4}$, S.31 T15S, R40E	Sec. 31 NE $\frac{1}{4}$ NE $\frac{1}{4}$ T15S, R40E	Beneficial Use Unnamed Drain
✓13-2276	BELL, Ineb J. Preston, Idaho	1-05-1967	Irrigation	4-1	11-1	205.0	0.48	NE $\frac{1}{4}$ SW $\frac{1}{4}$, S.15 T15S, R39E	Sec. 15 NW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ T15S, R39E	License Unnamed Drain
										The amount of water diverted using this right, and 13-2277 shall not exceed 0.48 c.f.s.
✓13-2277	TANNER, Eldon S. Preston, Idaho	1-05-1967	Irrigation	4-1	11-1	161.0	0.48	NE $\frac{1}{4}$ SW $\frac{1}{4}$, S.15 T15S, R39E	Sec. 15 NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ T15S, R39E	License Unnamed Drain
										The amount of water diverted using this right, and 13-2276 shall not exceed 0.48 c.f.s.
13-7025	PHILLIPS, Wayne G. &/or Joan N. Rt. #2 Preston, Idaho	7-13-1971	Irrigation	4-1	11-1		0.70	Lot 1, S.3 T16S, R39E	Sec. 3 NE $\frac{1}{4}$ NE $\frac{1}{4}$ T16S, R39E	Permit Unnamed Drain
13-0202	DUNKLEY, Richard P. 16764 C. Ave. E. Augusta, Michigan	3-26-1943	Stockwater	1-1	12-31	0.7	0.02	Lot 4, S.30 T15S, R40E	Sec. 30 Lot 4 T15S, R40E	Beneficial Use Spring
13-0332	Kallison, Mrs. Frederick W. Rt. #1 Preston, Idaho	1-01-1900	Irrigation	4-1	11-1	21.0	0.05	NE $\frac{1}{4}$ SW $\frac{1}{4}$, S.31 T15S, R40E	Sec. 31 NE $\frac{1}{4}$ SW $\frac{1}{4}$ Lot 3 T15S, R40E	Beneficial Use Unnamed Drain
		1-01-1900	Stockwater	1-1	12-31	0.4	0.02			
						21.4	0.07			
										29.0

13-0333 see p. 8, Appendix A, final decree.