33379

13-

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

APPLICATION No. 41633
PERMIT No. 33379
DISTRICT No.

1. Name of Applicant: Elden S. Tanner

Postoffice address: Preston County: Franklin State: Idaho

I. 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:

II. The financial resources of the applicant are:
(a) Cash on hand:
(b) Treasury stock:
(c) Bond to be issued:
(d) Other resources:

2. Quantity of water claimed: .92 cubic feet per second.

3. Source of water supply: New drain on my farm which is a tributary of -

4. Location of point of diversion: about 75 feet North feet distant from the SE Corner NE¼SW¼ corner of Section 15, T. 15 S, R. 39 E, B.M., and is in the of section , T. , R. , 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 , T. , R. , 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 , T. , R. , B.M., in the of Section , T. , R. , B.M.

7. Estimated cost of works: $ 2,000.00

8. Kind of works: Drains, pump and manhole

9. Height of dam feet; length of dam at top feet; length of dam at bottom feet; material used in dam:

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom 2 fee; width at water line feet; depth of water feet; dimensions of flume:
Diameter of pipe 6" and 10" inches; length of conduit about ½ miles.
Average grade per mile feet.

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

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

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: 37 shares in Preston Riverdale and Minkcreek Canal Co., 10 shares in Preston Whitney Irrigation Company.

16. (a) Is reservoir to be used? no If so, fill in (b) and (c) below:
(b) Name of Reservoir and number of Storage Permit: no
(c) Date of filing of Application for Storage Permit and Name of Applicant: no

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

/s/ ELDEN S. TANNER *Applicant.*

By *Agent.*

Date of first receipt at Department of Reclamation: January 5, 1967 9:20 A.M.

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 33379
Recorded in Book 116 Page 33379 Approved January 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 on or 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 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

/s/ R. KEITH HIGGINSON
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, 19 67

Countersigned:

(SEAL)

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

STATE OF IDAHO

By /s/ DON SAMUELSON
Governor.

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

14.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
15 S	39 E	15									37			9					46

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

RECEIVED
JAN 5 1967
9:20 AM
Department of Reclamation

Application No. 41633

Permit No. 33379

District No. .....

1. Name of Applicant: Elden S. Tanner

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: $ ~~5000~~

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

(d) Other resources: land

2. Quantity of water claimed: ~~46 inches~~ .92 cfs. 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 SE corner NE¼ SW¼

of Section 15, Twp 15 S., Rge 39 E., B. M., and is in the .....

of Section ....., Twp....., Rge..... 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....., E. 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: Drains, pump and manhole -
(Reservoir, 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 2 feet; Width at water line ..... feet; Depth of water ..... feet;

Dimensions of flume .....; Diameter of pipe 6" & 10" inches.

Length of conduit about ½ miles. Average grade per mile — feet.

33379

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

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

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

(Give irrigable acreage in each 40-acre subdivision

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
15 S	39 E	15									37			9					46

Total Number of Acres to be Irrigated..... 46

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: 37 shares in Preston Riverdale & Mitchell Canal Co., 10 shares Preston Whitney Irr. Co.

33379

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.

Elden S Tanner
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)
) ss.
County of .....)

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.

.....
Notary Public.

My commission expires .....

33379

Approval of State Reclamation Engineer

The number of this permit is 33379

Recorded in Book 116 Page 33379 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, 19 67

R. Keith Higginson
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.

No. 33379

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, $ 5.00

FILING FEES FOR USE PERMIT:

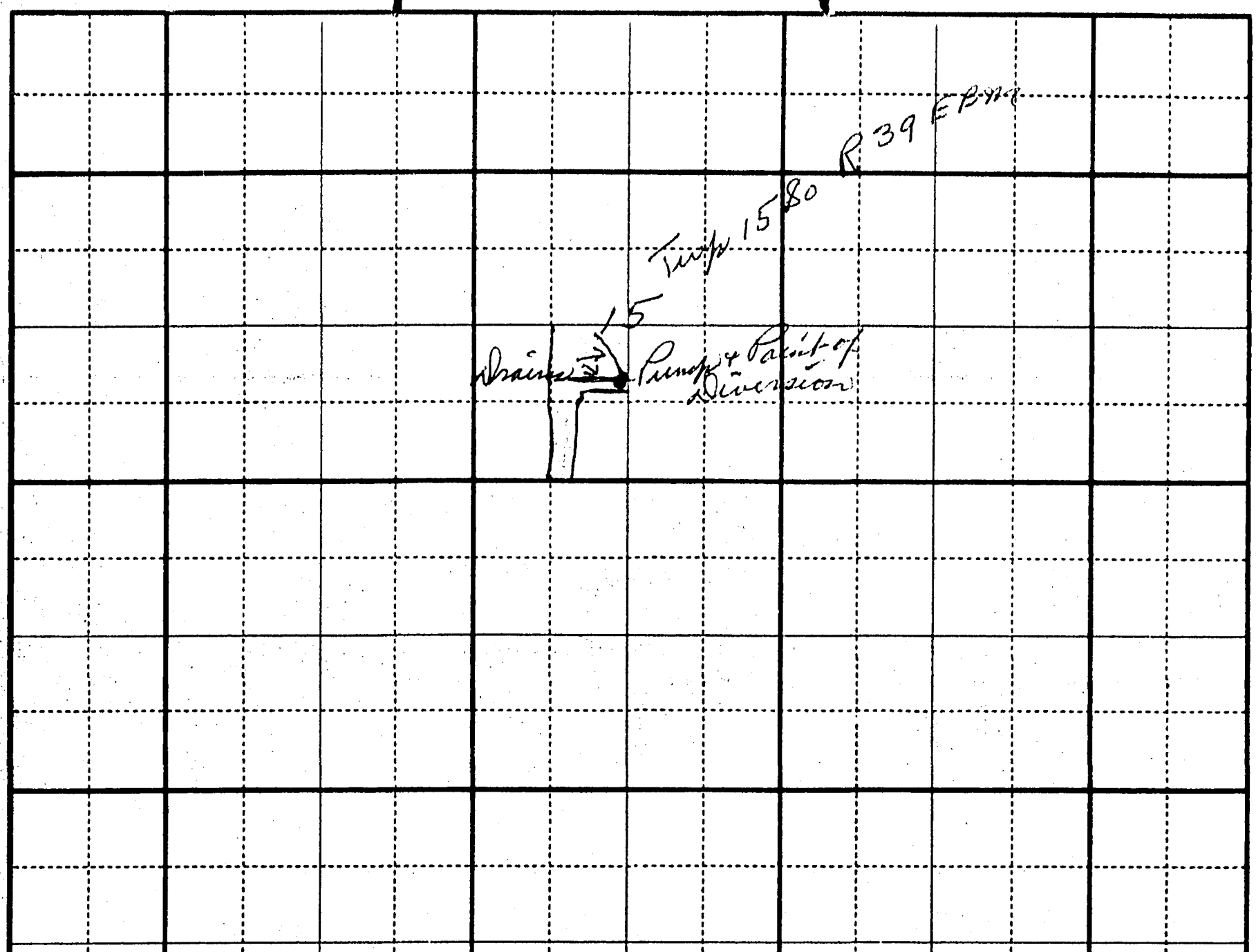
For the first Sec. Ft. $5.00

For each additional Sec. Ft. or Fraction Thereof 25

33379

NAME OF APPLICANT Elden S Tanner

Form No. 0



APPROVED
JAN 10 1967
33379
STATE RECLAMATION ENGINEER

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

33379

January 19, 1967

Re: Permit No. 33379

Elden S. Tanner
Preston, Idaho

Dear Mr. Tanner:

We enclose Permit No. 33379 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. 33573 which was issued covering payment in the amount of $ 5.00 for the filing fee of the above mentioned permit.

Very truly yours,

Enc.

M. RUSSELL BOSCH
Office Manager

MRBirje

Encl: Receipt
Permit

33379

November 4, 1968

Re: Permit No. 33379

Elden S. Tanner
Preston, Idaho 83263

Dear Mr. Tanner:

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 [redacted]. 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. McIldowney
Appropriation Examiner

DWM:tg
Enc: Order
Advertising package

33379

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 33379)
in the name of **Elden S. Tanner**)
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. 33379 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

33379

NOTICE OF APPROVED APPLICATION FOR WATER

Notice is hereby given that Elden S. Tanner, Preston, Idaho

has received an approved permit No. 33379 to divert ~~state/~~ .92 cubic feet per second ~~acre/feet~~ of water from ~~drain/~~ drain. The priority to be established under this permit is January 5, 1967. Water will be diverted by drains, pump and manhole within the NE¼SW¼, Sec. 15, T. 15 S., R. 39 E., B. M., Franklin County

and is to be used for irrigation in the E½SW¼, Sec. 15, T. 15 S., R. 39 E., B. M.

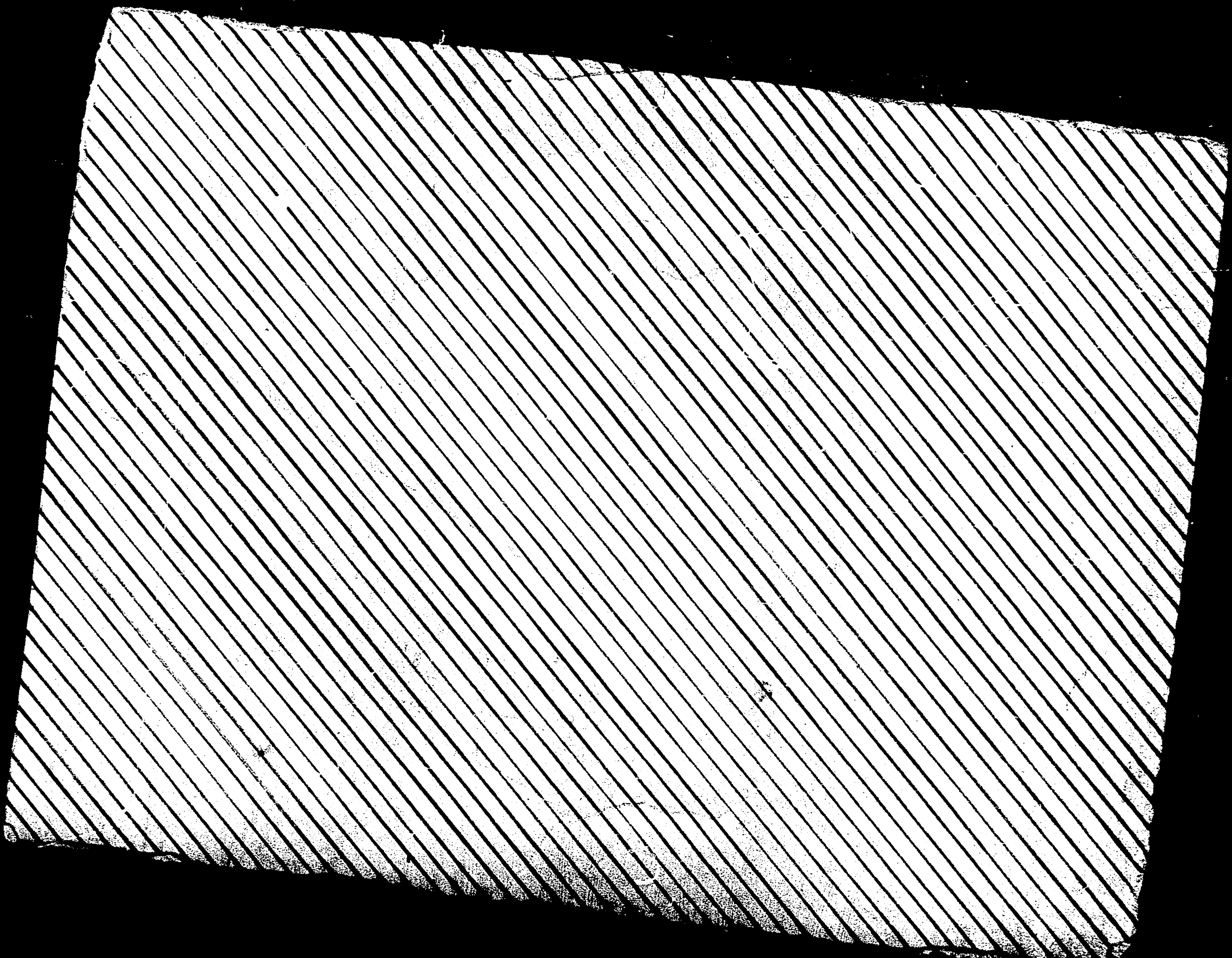
Any protests against the intent of the permit must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Preston Citizen, Preston, Idaho

on _____ and _____.

33379



October 30, 1970

Re: Permit No. 33379 (New No. 13-2277)

Mr. Elden S. Tanner
Preston,
Idaho 83263

Dear Mr. Tanner:

One of the conditions of the approval of your Permit No. 33379/13-2277 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.

R. Keith Higginson

Director

Enc: Proof affidavit
dr

CERTIFIED MAIL
22283

13-2277
33379

INSTRUCTIONS TO DELIVERING EMPLOYEE

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

(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

CERTIFIED NO. 22283

INSURED NO.

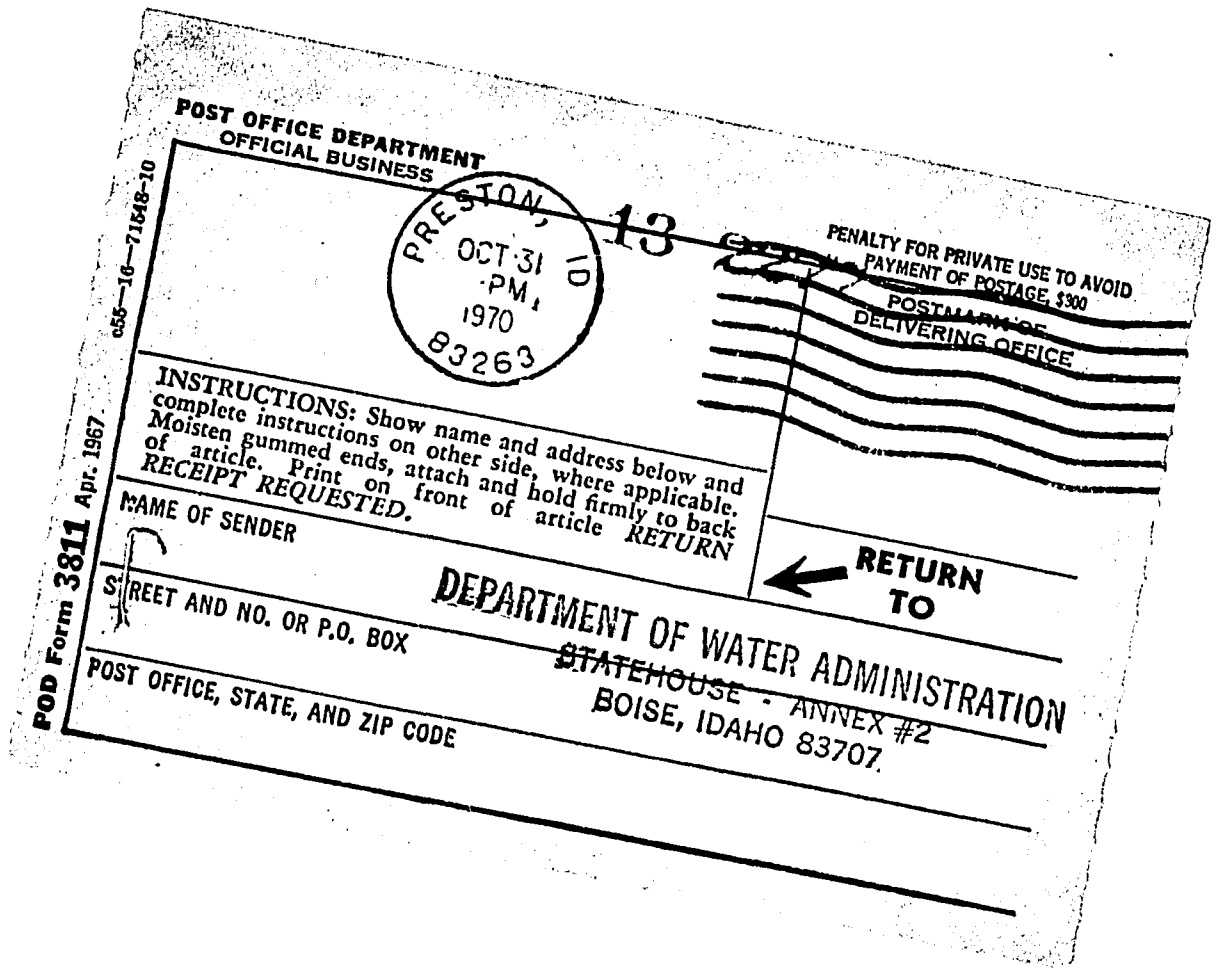
DATE DELIVERED 10-31-78

1 SIGNATURE OR NAME OF ADDRESSEE (*Must always be filled in*) Elden S. Tanner

2 SIGNATURE OF ADDRESSEE'S AGENT, IF ANY Gayle Steele

3 SHOW WHERE DELIVERED (*only if requested*) ~~13 2222~~ 13-2222

c55—16—71548-10 GPO


POST OFFICE DEPARTMENT
OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, $300
POSTMARK OF DELIVERING OFFICE
PRESTON, ID
OCT 31
PM
1970
83263
13
INSTRUCTIONS: Show name and address below and complete instructions on other side, where applicable. Moisten gummed ends, attach and hold firmly to back of article. Print on front of article RETURN RECEIPT REQUESTED.
NAME OF SENDER
STREET AND NO. OR P.O. BOX
POST OFFICE, STATE, AND ZIP CODE
RETURN TO
DEPARTMENT OF WATER ADMINISTRATION
STATEHOUSE - ANNEX #2
BOISE, IDAHO 83707
POD Form 3811 Apr. 1967
655—16—71548-10

January 8, 1971

Re: Permit No. 33379/13-2277

Mr. Eldon S. Tanner
217 E. Oneida
Preston, Idaho 83263

Dear Mr. Tanner:

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 2277

April 16, 1971

Re: Permit No. 33379/13-2277

Mr. Elden S. Tanner
217 East Oneida
Preston, Idaho 83263

Dear Mr. Tanner:

Please be advised that before the Department can schedule a field examination and license the above referenced permit, it will be necessary for you to publish notice of this permit.

We are again forwarding a copy of the proposed publication notice and the authorization for the Department to cause the notice to be published at your expense for two consecutive weeks.

Please complete the form and return it to this office as soon as possible.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR
Enc: Adv. authorization

13 2277

RECEIVED
APR 26 1971
Department of Water Administration

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Elden S. Tanner, 217 East Oneida, Preston, Idaho, has received an approved Permit No. 33379/13-2277 issued by the Idaho Department of Water Administration authorizing the diversion ~~storage~~ of 0.92 cubic feet per second ~~acre-feet~~ ~~per annum~~ of water from unnamed drain, tributary to Bell drain well.

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 to irrigation ditches from a point within the NE¼SW¼ Sec. 15, T. 15S, R. 39E, B.M., Franklin County,

to be used for irrigation purposes & watering livestock in the E½SW¼ 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 ~~proof due~~ 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 objections to the issuance of permit. Diverting may commence prior to the date permit is due without further notice.~~

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

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

Permit No. 33379/13-2277

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.

Elden S. Tanner
(Signature)

April 20 1971
(Date)

217 East Oneida 13 2277
(Address)

Preston Idaho
83263

April 28, 1971

Re: Permit No. G-33379/13-2277 - Elden S. Tanner

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 Elden S. Tanner 217 East Oneida, Preston, Idaho, to whom you should furnish an affidavit of publication.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/BB
Enc: legal notice

13 2277

April 28, 1971

Re: Permit No. 33379/13-2277

Mr. Elden S. Tanner
217 East Oneida
Preston, Idaho 83263

Dear Mr. Tanner:

We acknowledge receipt of the advertising authorization in connection with the above referenced permit. The legal notice is to be published in the Preston Citizen on May 6th and 13th, 1971. You will be required to submit an affidavit of publication to this office; the affidavit may be obtained from the newspaper upon payment of the bill for publication.

Please be advised that if you wish to include stockwater as a beneficial use under this permit, it will be necessary to file an application for amendment. We have taken the liberty to partially complete an amendment form for your use. Please complete item 2 - the period of use for irrigation - and submit the application with a $5.00 filing fee.

If you have any questions or if we may be of further assistance, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR
Enc: Amendment app.

13 2277

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
Statehouse – Annex 2
Boise, Idaho 83707
(208) 384-2215

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

April 28, 1971

Re: Permit No. 33379/13-2277

Mr. Elden S. Tanner
217 East Oneida
Preston, Idaho 83263

Dear Mr. Tanner:

We acknowledge receipt of the advertising authorization in connection with the above referenced permit. The legal notice is to be published in the Preston Citizen on May 6th and 13th, 1971. You will be required to submit an affidavit of publication to this office; the affidavit may be obtained from the newspaper upon payment of the bill for publication.

Please be advised that if you wish to include stockwater as a beneficial use under this permit, it will be necessary to file an application for amendment. We have taken the liberty to partially complete an amendment form for your use. Please complete item 2 - the period of use for irrigation - and submit the application with a $5.00 filing fee.

If you have any questions or if we may be of further assistance, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR
Enc: Amendment app.

13 2277

RECEIVED
MAY 8 3263
1971
Department of Water Administration

Preston, Idaho 83263
May 4, 1971

State of Idaho
Dept. of Water Administration
Boise, Idaho 83707

Dear Sir!

On my 55 acres farm land their will be some pasture land. Also in the Fall when crops are harvested, there is feed in the field for livestock.

The water in the well accumulates from tile drains on my farm.

We have a pump which lifts the water out of the well into an irrigation ditch which carries the water away from the well and this ditch runs thru my land and would be very convenient for watering livestock in the field

I am sending the ck. for $5.00 for the filing fee.

Thankfully you for your letter and for sending the amendment

I remain

Yours truly,
Elden S. Tanner

13 2277

May 11, 1971

Re: Permit No. 33379/13-2277

Mr. Elden S. Tanner
217 E. Oneida
Preston, Idaho 83263

Dear Mr. Tanner:

We are returning your personal check in the amount of $10.00 and application for amendment. Pursuant to your request, the Department can process your application for amendment as soon as you have signed the application and dated it on the back-side of the application form. As soon as this is completed, return the application and a $5.00 fee.

If we can be of further assistance, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/bb

Enc: Check # 92-273
Amendment form

13 2277

July 14, 1971

Re: Permit No. 13-2277

Mr. Elden S. Tanner
217 East Oneida
Preston, Idaho 83263

Dear Mr. Tanner:

Enclosed please find a copy of the APPROVED application for amendment in connection with the above referenced permit. Also enclosed is departmental receipt No. 6448 in the amount of $5.00 covering the filing fee for the amendment.

As of this date, we have not yet received the affidavit of publication for this permit. You should be aware that many newspapers do not keep copies of these advertisements for their files. We, therefore, recommend that you obtain the affidavit as soon as possible from the Preston Citizen and submit it to this office. The Department cannot schedule a field examination and issue a license until the affidavit is received.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR
Enc: Copy of amendment
Receipt #6448

13 2277

THE PRESTON Citizen

Phone 852-0155 Published Thursdays

PRESTON, IDAHO 83263

RECEIVED
AUG -- 1971
Department of Water Administration

August 9, 1971

Donald W. McEldowney
Appropriation Supervisor
State of Idaho
Department of Water Administration
Statehouse -- Annez 2
Boise, Idaho 83707

Sir:

Mr. Elden S. Tanner came into our office with a letter from you concerning a legal that was to have been published in our paper. We have not received this legal and therefore it has not been published.

Would you please check into your records and see if this legal was ever mailed to us.

If you cannot locate this legal if you would mail us a duplicate one, we would be happy to publish this in our paper for you.

Sincerely,

J. Walter Ross
Co-publisher

JWR/dg

13 2277

August 11, 1971

Re: Permit No. 33379/13-2277 - Elden S. Tanner

J. Walter Ross
Co-publisher
The Preston Citizen
Box 472
Preston, Idaho

Dear Mr. Ross:

Pursuant to your letter of August 9, 1971, we are enclosing a duplicate legal notice in connection with the above referenced permit. The legal was originally forwarded to you on April 28th but was evidently lost in the mail.

We have inserted the publication dates, allowing ample time for you to submit to us a galley proof for our review before publication.

The expense of the publication is to be paid by Elden S. Tanner, 217 East Oneida, Preston, Idaho, to whom you should furnish an affidavit of publication.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR:bb

Enc: legal notice

13 22777

August 25, 1971

Re: Permit No. 33379/13-2277

COPY

Elden S. Tanner
217 East Oneida
Preston, Idaho 83263

Dear Mr. Tanner:

As of this date, we have not yet received the affidavit of publication to be submitted in connection with Permit No. 33379/13-2277. 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.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/bb

13 2277

September 27, 1971

Re: Permit No. 33379/13-2277

Mr. Elden S. Tanner
217 East Oneida
Preston, Idaho 83263

Dear Mr. Tanner:

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,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR

13 2277

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

Permit No. 33379/13-2277

Examination for B/U

1. Name of permit holder Mr. Elden S. Tanner

   Post office address 217 East Oneida, Preston, Idaho Phone _____

   Person to contact _____ Phone _____

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

   Tributary to _____

3. Water will be used for the following purposes:

   Amount .92 c.f.s. for Irrigation
   _____ AF/Annum (nature of use)

   Period of Use: from May 1 to November 1
   (mo.-day) inclusive (mo.-day)

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

   Period of Use: from January 1 to December 31
   (mo.-day) inclusive (mo.-day)

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

   Period of Use: from January 1 to December 31
   (mo.-day) inclusive (mo.-day)

   Other uses: _____

4. Total amount to be appropriated:

   Max Rate of Diversion .92 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion: *An Amendment may be needed on the p.d. and the use of water

   Township 15 N/S, Range 39 E/W, B.M., Section 15, Subdivision SE Corner of NE ¼ SW ¼, Franklin County

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

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

   Other Points of Diversions: _____

   Description of diverting works: 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 second foot centrifugal pump with 5 h.p. electric motor

   Measuring device required: yes [ ] no [x]

6. Lands to be irrigated or place of use.

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
15S	39E	15									37			9					46

TOTAL ACREAGE 46

13 2277

Diagram of System

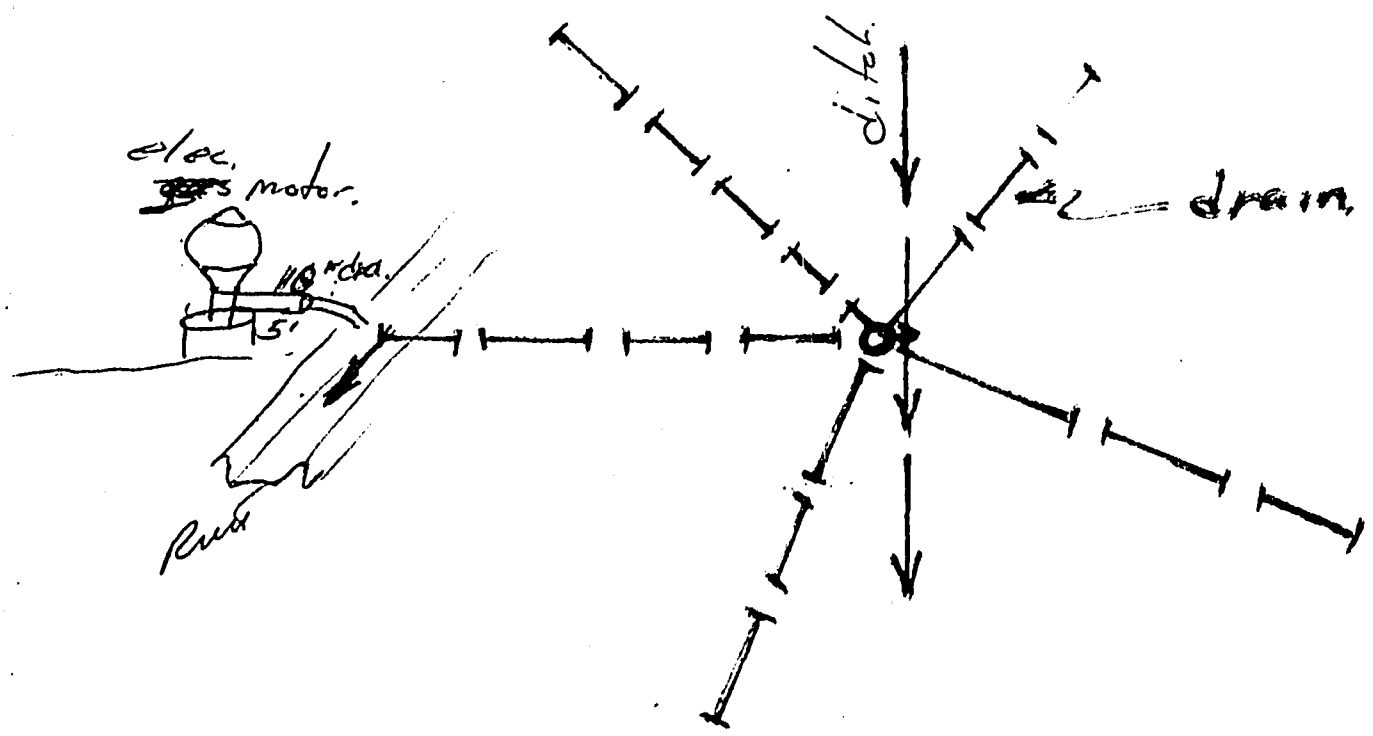


TABLE 6

SUMMARY OF BELL-TANNER-HOWELL DRAIN DISCHARGE

Date 1968	Drain (1) (gpm)	Drain (2) (gpm)	Drain (3) (gpm) [4]	Drain (4) (gpm)	Drain (5) (gpm)	Total System Discharge (gpm)
Feb. 22 [1]						
April 8	41	14	39	30	38	162
April 29						100
July 2	32	6	33	34	49	154
July 12						167
July 16						240 [2]
Aug. 1	50	8	19	42	57	176 [3]
Aug. 15	50	4	48	54	94	250 [3]
Aug. 16	42	4	27	46	56	175
Aug. 26	32	6	28	30	40	136
Sept. 3						86
Sept. 9	32	0	17	15	33	97
Sept. 25						109
Oct. 4						88
Dec. 10						98

[1] Pump turned on after being off during Winter.

[2] Just completed irrigating major part of land in drainage system.

[3] Pump just turned on after being off for several days.

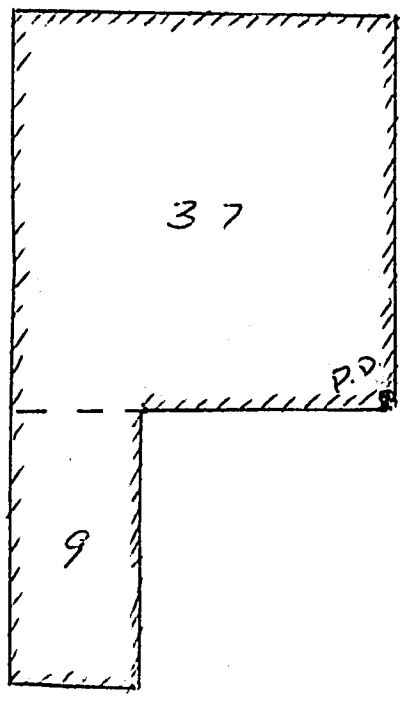
[4] Includes only the flow gain in this section. The flows of drains 1 and 2 have been deducted from the total flow of drain 3 at sump.

This is a flow record kept by U.S. Bureau of Rec. for the year 1968

13 2277

9	10
16	15

10	11
15	14



16	15
21	22

15	14
22	23

T3 S5E S15

Eldon S. Tanner
13-2277
Rwr

DATE OF EXAM Aug 28 1972

ACREAGE
Found 4C
Recommended 4C

Irrigation Requirement 3.5 Ac Ft/Ac

USE
Irrigation Q= 0.48 c.f.s. V= 204 (161) AF/Ann. from _____ to _____
Domestic Q=_____c.f.s. V=_____ AF/Ann. from _____ to _____
Livestock Q=_____c.f.s. V=_____ AF/Ann. from _____ to _____

Is water co-mingled? yes_____ no ✓

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

Exchange? yes_____ no ✓

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

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

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

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

Total Q recommended 0.48 Meter No._____ Type_____ Condition _____

Total V recommended 204

Recommended Amendments:

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

MEASUREMENT CALCULATION:
10 gals in 28 Sec for 214.94 gpm or 0.48 cfs

SYSTEM DESCRIPTION: 5 hp U.S. Motor #399325 Fairbanks Morse F2M234 ~~gas motor~~ pump in a collection sump from 5" bored drain. 10" open discharge

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 ~~not to exceed AF/Ann~~.
Accompanied by Theo. Bell
No Domestic & No Stockwater.

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

Checked by Norman C. Young, P.E. Date 10/27/72

Approved by _____ Date _____

13 227

June 6, 1973

Mr. Elden S. Tanner
217 East Oneida
Preston, Idaho 83263

Dear Mr. Tanner:

A representative of this Department has made an examination of the works covered by your Permit No. 33379/13-2277 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 161 acre feet per year.

Beneficial use: Irrigation of 46 acres within the E½SW¼, Sec. 15, Twp. 15S, Rge. 39E, B.M.

Point of diversion: NE¼SW¼ Sec. 15, Twp. 15S, Rge. 39E, B.M.

Priority date established: 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.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

13 2277

June 21, 1973

Re: Permit No. 33379/13-2277

Elden S. Tanner
217 East Oneida
Preston, Idaho 83263

Dear Mr. Tanner:

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

Sincerely,

BOBBY D. FLEENOR
Assistant Director

jc
Enclosure

13 2277

№ 2017

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Franklin } ss.

Wayne D. Bell

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

August 19, 19 71, and ending

with the issue of August 26 19 71

Wayne D. Bell

Fees, $ 15.91

Subscribed and sworn to before me this 30 day

of August, 19 71.

Deann D. Geddes

Notary Public, Residing at Preston, Idaho

My Commission Expires March, 19 74

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Elden S. Tanner, 217 East Oneida, Preston, Idaho, has received an approved Permit No. 33379/13-2277 issued by the Idaho Department of Water Administration authorizing the diversion of 0.92 cubic feet per second of water from 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 NE¼SW¼, Sec. 15, T. 15S, R. 39E, B.M., Franklin County, to be used for irrigation and stockwater purposes in the E½SW¼, Sec. 15, T. 15S, R. 39E, B.M.

Proof of the application of the water to beneficial use was to be submitted to the Department on December 31, 1970. Any protest against the issuance of the license for the above referenced permit should be filed with the Idaho Dept. of Water Administration, Statehouse, Boise, Idaho, 83707, within ten (10) days of the last date of publication of this notice.

R. KEITH HIGGINSON
Director

Published in the Preston Citizen, Preston, Idaho on August 19th and August 26th, 1971.

Legal No. 2017—Pub. Aug. 19, 26, 1971.

13 2277

Identification No. _____

Permit No. 33379/13-2277

RECEIVED

Dept. of Water Administration

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Elden S. Tanner

   b) Post Office Address 217 E. Oneida Preston, Idaho

2. Permit Number 33379/13-2277

3. Date of Priority that you are prepared to establish April 1967 January 5, 1967

4. a) Source from which water was appropriated Tile Drainage

   b) Location of the point of diversion: SW NE¼ SE SW ¼, Section 15 Township 15 S, Range 39 E dy. Boise Meridian, Other points of diversion: Being the NW corner of the SW1/4SE1/4 Section 15 Township 15, Range 39 of the Boise Meridain

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

   amount .32 s.f. (cfs and/or acre feet per annum) for Irrigated & culinary purposes from 1st Nov. (Month-Day) to 1st Mar. (Month-Day) incl.

   amount .50 (cfs and/or acre feet per annum) for do purposes from 1st Mar. (Month-Day) to 1st May (Month-Day) incl.

   amount ,66 (cfs and/or acre feet per annum) for _____ purposes from 1st May (Month-Day) to 1st Nov. (Month-Day) incl.

   b) Total amount appropriated ~~1.50~~ e 92 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 Reclammation, 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 - Permit No. 33378/13-2276 and a basis of 1/3, Permit No.33379/13-2277, water appropriated continuously.

7. a) Breifly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give breif description of diversion structure and/or canal or ditch) 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

13 2277

Item typed 9-29-71
mjl

13 2277

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.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
15S	39E	15									X								

Total number of acres irrigated 40 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)

Golden S. Tanner (Signature)

State of Idaho)
County of Franklin) ss.

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

Notary Public residing at Preston Idaho

My commission expires January 6, 1973

RECEIVED
MAY 17 1971
Department of Water Administration

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR AMENDMENT

Permit No. 13-2277

Comes now Elden S. Tanner of (address) 217 East Oneida, Preston, Idaho, and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 33379/13-2277, and requests that the permit and permit map be changed as follows:

1. Point of diversion: ____ ¼ ____ ¼, Sec. ____, T. ____, R. ____; B.M. Other points of diversion ____

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

		mo. - day		mo. - day	
For	irrigation	purposes from	May 1	to Nov. 1	(both dates incl.)
For	stockwater	purposes from	Jan. 1	to Dec. 31	(both dates incl.)
For	domestic	purposes from	Jan. 1	to Dec. 31	(both dates incl.)
For		purposes from		to	(both dates incl.)

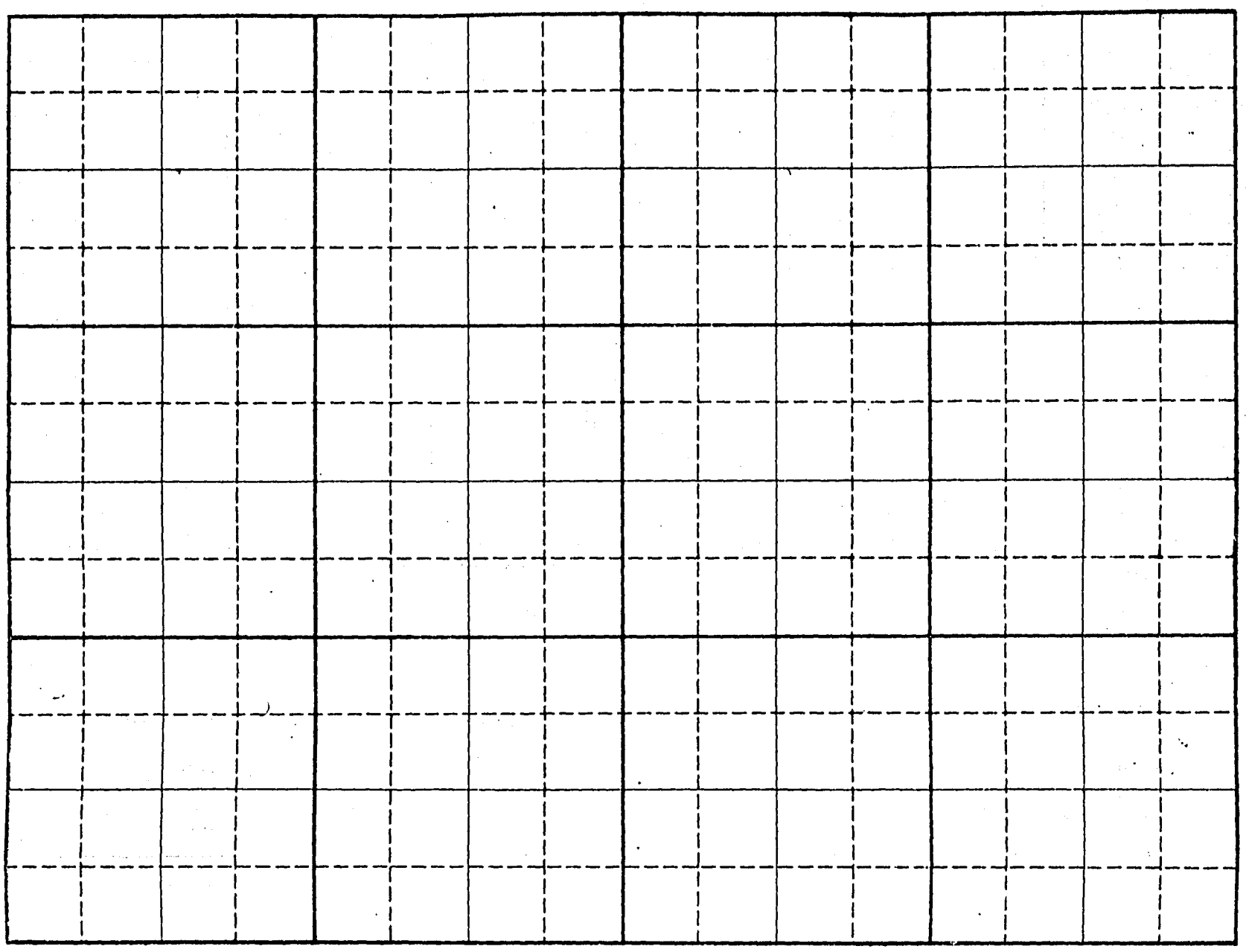
3. Place of use or land to be irrigated:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated 13 2277

13 2277

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 Preston, Idaho 83263, this 14 day of May, 19 71.

Calden S. Tanner
(signature)

ACTION OF STATE RECLAMATION ENGINEER

I, R. KEITH HIGGINSON, Director Dept. of Water Admin. ~~State Reclamation Engineer~~ of the State of Idaho, hereby approve the above application for amendment for Permit No. 13-2277.

Witness my hand this 13th day of July, 19 71

R. Keith Higginson
~~State Reclamation Engineer~~
Director

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 33379/13-2277 Priority Jan. 5, 1967 Amount 0.48 cfs

THIS IS TO CERTIFY, that ELDEN S. TANNER of Preston, Idaho, has complied with the terms and conditions of Permit No. 33379/13-2277 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 a ground water source 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 NE¼SW¼ 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 161 acre feet per year or 3.5 acre feet per acre.

Description and location of place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
15 S	39 E	15									37			9					46

Total number of acres irrigated 46

The maximum rate of diversion shall not exceed 0.48 cfs when combined with License No. 33378/13-2276.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 19 day of June, 1973.

Director

13 2277

file 13-2277

SOURCE: Miscellaneous Sources

IDENT. NO.	NAME AND ADDRESS	PRIORITY	PURPOSE	PERIOD OF USE From	To	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
13-0287	GOLIGHTLY, Marvin Rt. #2 Preston, Idaho	8-01-1960	Stockwater	1-1	12-31	1.0	0.02	SW¼SE¼, S.34 T15S, R39E	Sec. 34 SW¼SE¼ 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	NE¼NE¼, S.31 T15S, R40E	Sec. 31 NE¼NE¼ T15S, R40E		Beneficial Use Unnamed Drain
✓13-2276	BELL, Theo J. Preston, Idaho	1-05-1967	Irrigation	4-1	11-1	205.0	0.48	NE¼SW¼, S.15 T15S, R39E	Sec. 15 NW¼SE¼ SW¼SE¼ T15S, R39E	40.0 39.0 79.0	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	NE¼SW¼, S.15 T15S, R39E	Sec. 15 NE¼SW¼ SE¼SW¼ T15S, R39E	37.0 9.0 46.0	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 NE¼NE¼ T16S, R39E	35.0 35.0	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	Rallison, Mrs. Frederick W. Rt. #1 Preston, Idaho	1-01-1900	Irrigation	4-1	11-1	21.0	0.05	NE¼SW¼, S.31 T15S, R40E	Sec. 31 NE¼SW¼ Lot 3 T15S, R40E	15.0 14.0 29.0	Beneficial Use Unnamed Drain
		1-01-1900	Stockwater	1-1	12-31	0.4 21.4	0.02 0.07				

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