

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

Ident. No.

13-8024
RECEIVED
JUL 09 2018

Department of Water Resources
Eastern Region

1. Name of applicant(s) Doyle A. and Glenda Elison Phone 208-852-1627
 Name connector (check one): ☒ and ☐ or ☐ and/or
 Mailing address 1077 S Giraffe Rd. City Preston
 State ID _____ ZIP 83263 Email gelison@plmw.com
2. Name of representative, if any _____ Phone _____
 Mailing address _____ City _____
 State _____ ZIP _____ Email _____
- a. ☐ Send all correspondence for this application to the representative and not to the applicant OR
☐ Send original correspondence to the applicant and copies to the representative.
- b. ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation.
3. Source of water supply Unnamed Spring which is a tributary of Sinks
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
15S	40E	28		SW	SE	SE	Franklin	Unnamed Spring	

5. Water will be used for the following purposes:
- Amount .01 for Stockwater purposes from 01/01 to 12/31 (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
6. Total quantity to be appropriated is (a) .01 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).
7. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source. 2 inch plastic pipe from collection box to stock tank.
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 12. For dams 10 feet or more in height AND having a storage capacity of 50 acre-feet or more, submit a separate Application for Construction or Enlargement of a New or Existing Dam. Application required? ☐ Yes ☐ No
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
- d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ No
- e. If well is already drilled, when? _____; drilling firm _____;
 well was drilled for (well owner) _____; Drilling Permit No. _____

Received by SE Date 7/9/18 Time _____ Preliminary check by _____
 Fee \$ 100- Receipted by SE Receipt No. E04483 Date 7/9/18

13-8024

8. Description of proposed uses (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in kW. _____
- Stockwatering; list number and kind of livestock. 18 horses and cattle
- Municipal; must complete and attach the [Municipal Water Right Application Checklist](#).
- Domestic; show number of households _____
- Other; describe fully. _____

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15S	40E	33		S															

Total number of acres to be irrigated: N/A

10. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? N/A

- Who owns the property at the point of diversion? Doyle A. and Glenda Elison
- Who owns the land to be irrigated or place of use? Doyle A. and Glenda Elison
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. The spring has been diverted to fill water troughs on my property for several decades to water up to 40 horses and cattle, but no application for water rights was previously filed. At the time of filing, 18 horses are currently on my property.

13. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year).
14. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map or maps clearly identifying the proposed point of diversion, place of use, section #, township & range. The map scale shall not be less than two (2) inches equal to one (1) mile.

The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Doyle Elison
 Signature of Applicant
 Doyle Elison owner
 Print Name (and title, if applicable)

Glenda Elison
 Signature of Applicant
 Glenda Elison owner
 Print Name (and title, if applicable)

208952

Recorded at the n. east of

First American Title Co.a.m. FEB 02 2000 12:40
p.m.V. ELLIOTT LARSEN, RECORDER
By Ruth K. Rawlings Deputy
FRANKLIN COUNTY, IDAHO

WARRANTY DEED

For Value Received, Kwen D. Griffeth, as his sole and separate property,

Hereinafter called the Grantors, hereby grant, bargain, sell and convey unto

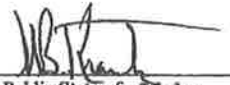
Doyle A. Elison and Glenda Elison, husband and wife,

whose address is: 1077 South Giraffe Road, Preston, Idaho 83263

Hereinafter called the Grantee, the following described premises situated in Franklin County, Idaho, to-wit:

Township 15 South, Range 40 East of the Boise Meridian, Franklin County,
Idaho.Section 28: SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 33: NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, except the following tract:Commencing at the Northwest Corner of the NE $\frac{1}{4}$, NE $\frac{1}{4}$ of Section 3; thence
South 742.44 feet; thence South 33°11'36" East 268.34 feet to the North
right-of-way line of an existing county road; thence North 86°22'21" West
34.93 feet along said road; thence North 31°38'03" West 218.54 feet; thence
North 33°45'27" West 934.58 feet; thence East 519.33 feet to the TRUE POINT
OF BEGINNING.SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use
regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns
forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said
premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S.
Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and
defend the same from all claims whatsoever.Dated: January 25, 2000
Kwen D. GriffethState of Idaho
County of FranklinOn this 25th day of January, 2000, before me, a Notary Public in and for said State, personally appeared
Kwen D. Griffeth known or identified to me to be the person(s)
whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same. In witness
whereof I have set my hand and affixed my official seal the day and year in this certificate first above written.

Courtesy of First American Title Company of Preston


Notary Public State of Idaho
Residing at: Preston, Idaho
Commission Expires: 9-24-2004

13-8024

Declaration of Water Usage of "Unnamed Spring"

Location of Unnamed Spring: TWP 15S, RGE 40E, SEC 28, SE, SE, Franklin County

Current Owner of Property and Sole User of the Water: Doyle and Glenda Elison

Address of Usage: 1077 S. Giraffe Rd., Preston, Idaho 83263

DENTON HARRIS

I [FULL NAME] hereby declare and state as follows:

1. I am a resident of the State of Idaho, over the age of 18, and fully competent to make this Declaration.
2. The matters stated below, unless stated to be made upon information and belief, are based upon my own personal knowledge, and if I were called to testify as a witness, I could and would competently attest thereto.
3. The Unnamed Spring was used to water livestock at the property named above as early as [Date]. **1952**
4. On or about [Date], I [tell how you know]. **SEE Addendum "A" ATTACHED**
5. I declare under penalty of perjury that the foregoing is true and correct.

Dated this 2 day of JAN., 2018

DENTON DEE HARRIS



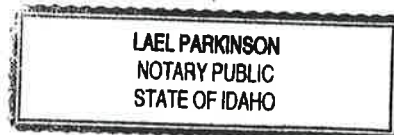
[Full Legal Name]

Address: **2807 East 3200 South**
Franklin, Idaho 83237

Subscribed and sworn to before me this 2nd day of January, 2018.



Notary Public



MY COMMISSION EXPIRES:
September 15, 2021

13-8024

Addendum A

January 2, 2018

I Denton Harris residing at 2807 East 3200 South in Franklin Idaho, 83237, give the following affidavit concerning an unnamed spring located in Franklin County at: TWP 155, RGE 40E, SEC 28, SE, SE.

I was born at the house and lived there until 1953. This was my parent's farm, they being Thayne and Adra Harris. In 1952 or 1953 my brother and I helped my father dig into the upper spring Northeast of our home and approximately 100 yards up the small ravine. We dug into the Northeast bank following the spring and installed a small steel pipe to gather not only the water for the house but for the livestock as well. Up to that point we had carried water by bucket. The water would normally flow down the ravine to the house. Before my parents bought and moved there the Chattertons lived there numerous years and also used the water for the house and livestock.

We continued to own and operate the farm until Kwen and Evelyn Griffeth purchased it in about 1964. After the purchase I helped Kwen extend the use of the spring by plastic pipe and concrete troughs three additional locations in about 1965. This expanded out the use to additional pastures.

To my knowledge the spring has continued to be in use since that time for the home and livestock. There was never an issue as to the ownership or use of the spring during this time.

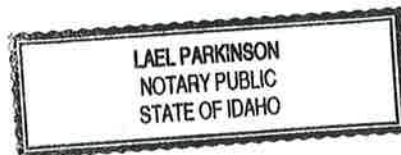
Denton Harris

Subscribed and sworn to before me in my
Presence, this 2 day of January
2018, a Notary Public in and for the
County of Franklin State of Idaho

(Signature)

Notary Public

My commission expires MY COMMISSION EXPIRES:
September 15, 2021



Water Permit Application

When assembling necessary data for this permit application we became aware of differences between the Water Right Locator and Franklin Co. maps from the assessor's office. Obviously these will produce different legal descriptions. Existing fence and property lines vary from the Locator view.

We have included both in the attachments.

Thank you

Joelle Elison

included

Application page 1-2

Warranty deed

Denny Harris page 1-2

letter

Hand drawn map

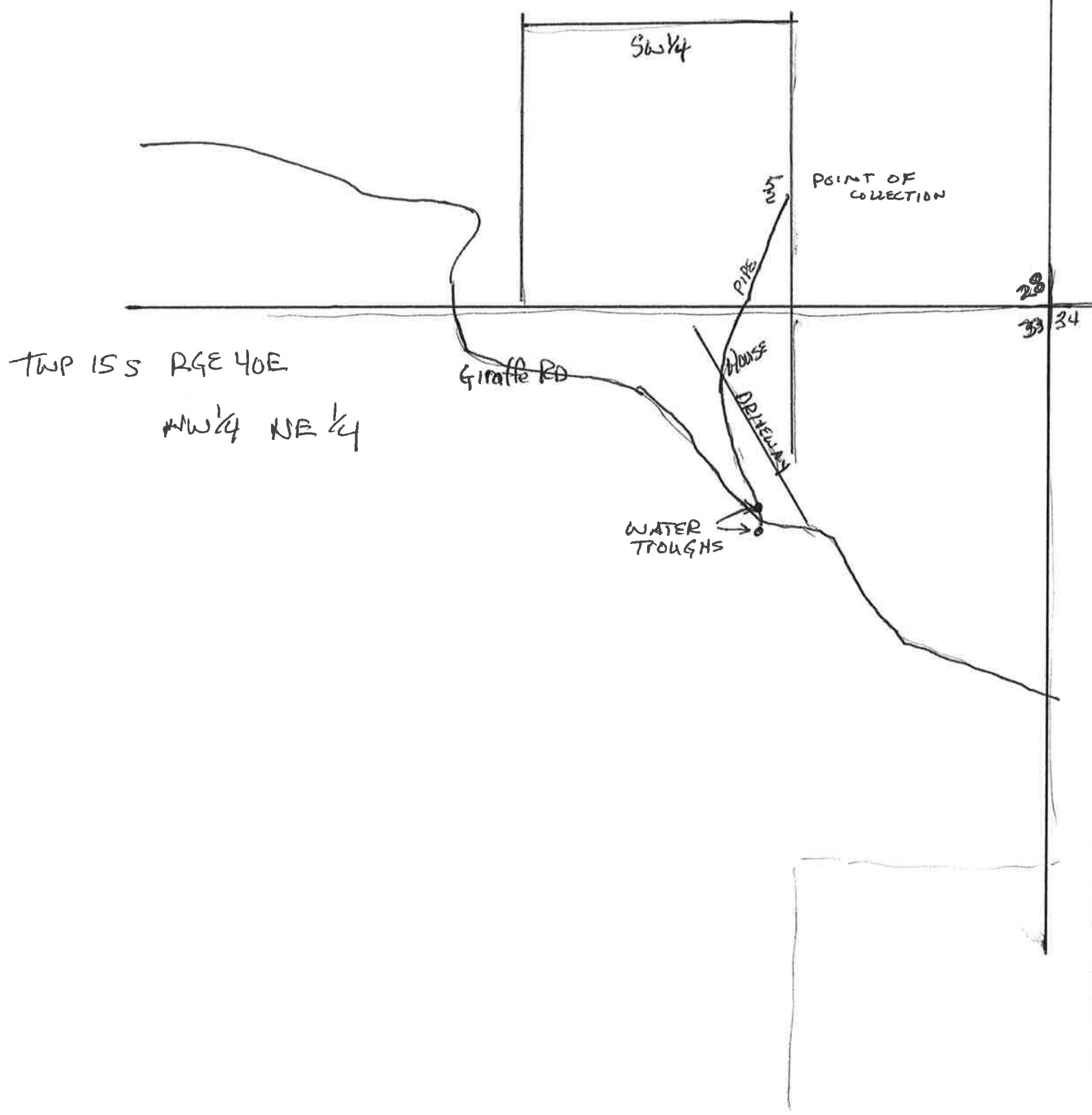
Water Locator map

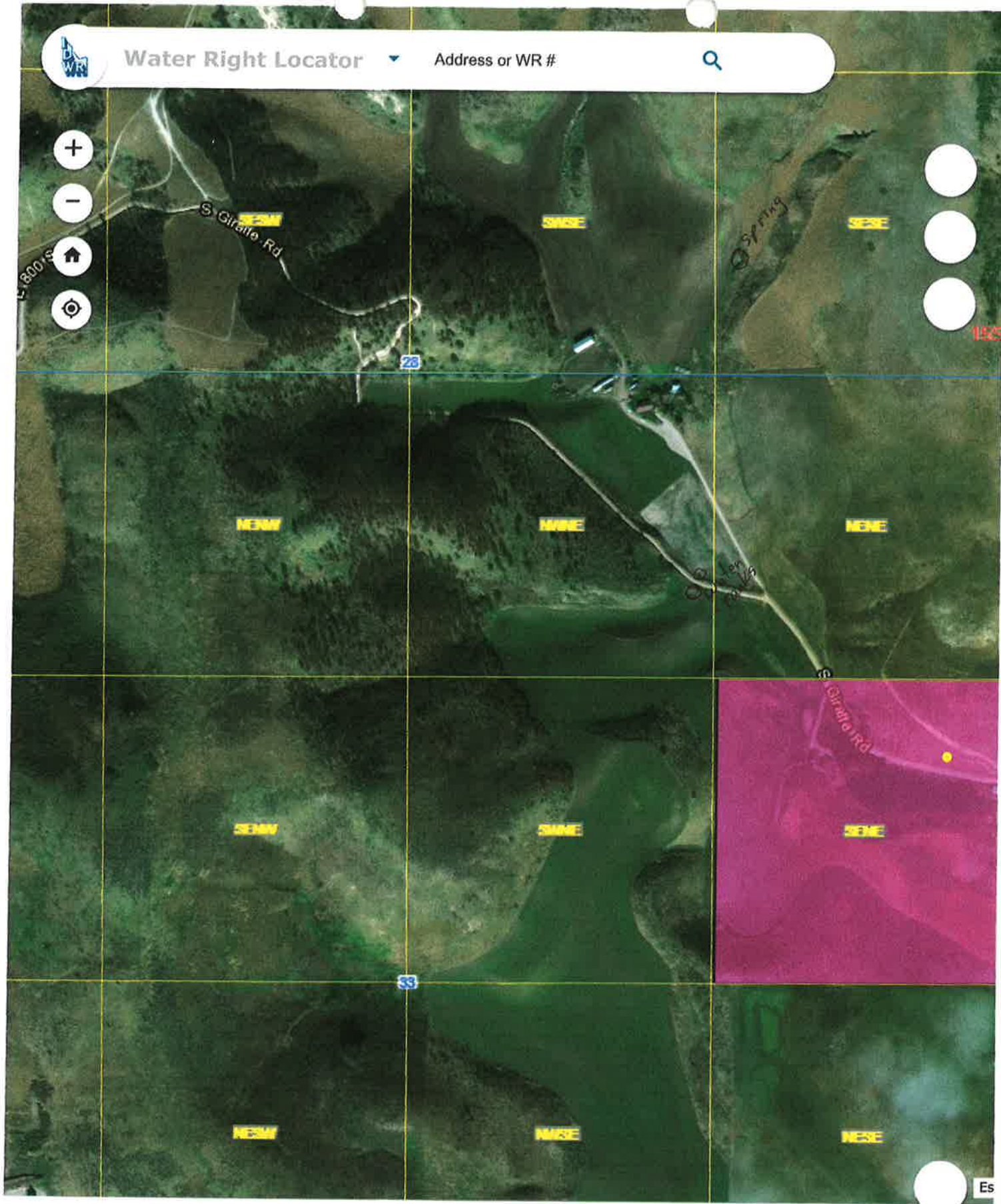
County photo

check # 2025
fee

TWP 15S RGE 40E SW $\frac{1}{4}$ ST SEC 28

SE $\frac{1}{4}$





-111.785 42.081 Degrees

600ft

13-8024



29 28

32 32

1-6
19.8
NHCL
W
2310

2312

1-2
35.1

3
10.5
HEL

4-5-6-7-8
68.2
NHCL

2311

9
1.6

1
17.0
NHCL
W

2-3

23.8
HEL/W

32 33

5 4

2771
2772

22.5
3-4-5-7
23.5
2771
2772
4.737
NHCL/W

2
10.7
NHCL
W

10.1
NHCL/W

24.6
NHCL/W

10
12.6

2770



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

August 9, 2018

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

DOYLE ELISON
GLENDA ELISON
1077 S GIRAFFE RD
PRESTON, ID 83263

Application For Permit No. 13-8024

Dear Applicant(s):

The Department of Water Resources has received your water right application. Please refer to the number referenced above in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the PRESTON CITIZEN on August 15 and 22, 2018. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**on September 4, 2018 at 5:00 pm**).

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the permit.

Please contact this office if you have any questions regarding the application.

Sincerely,

Sharla Cox
Administrative Assistant



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

August 9, 2018

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

Kirk Iverson
Water District 13A
2724 S 1400 West
Preston ID 83263

RE: Application for Permit 13-8024

Dear Watermaster:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

IDWR's regional offices can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered during regional review. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Please contact this office if you have any questions regarding the application.

Sincerely,


Sharla Cox
Administrative Assistant

Enclosure(s)

Cox, Sharla

From: Cox, Sharla
Sent: Thursday, August 09, 2018 8:49 AM
To: 'ljackson@hjnews.com'
Subject: Legal Notice for your paper
Attachments: Preston Citizen E-Mail.doc

Sharla

*Sharla Cox
Administrative Assistant
Idaho Dept of Water Resources
900 N Skyline Dr. Ste A.
Idaho Falls ID 83402
sharla.cox@idwr.idaho.gov
208-525-7161 phone
208-525-7177 fax*

August 9, 2018

MAY CONTAIN MORE THAN ONE PAGE!

Legal Notice Department

Preston Citizen
PO Box 472
Preston ID 83263

RE: Legal Ad for your paper

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before **September 4, 2018**. Your cooperation is appreciated.

Sincerely

Sharla Cox
Administrative Assistant
Dept of Water Resources
900 N Skyline Dr Ste A
Idaho Falls ID 83402
208-525-7161
208-525-7177 – fax

PLEASE PUT IN NORMAL COLUMN AND NO BORDERS. THANK YOU.

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

13-8024

DOYLE ELISON
GLENDA ELISON
1077 S GIRAFFE RD
PRESTON, ID 83263

Point of Diversion
SWSESE S28 T15S R40E
FRANKLIN County
Source SPRING Tributary SINKS

Use: STOCKWATER

01/01 to 12/31 0.01 CFS

Total Diversion: 0.01 CFS

Date Filed: 7/9/2018

Place Of Use: STOCKWATER

T15S R40E S33 NWNE

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Eastern Region office at (208) 525-7161. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Eastern Region, 900 N SKYLINE DR STE A, IDAHO FALLS ID 83402-1718 together with a protest fee of \$25.00 for each application on or before September 4, 2018. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on August 15 and 22, 2018

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

13-8024

DOYLE ELISON

GLENDA ELISON

1077 S GIRAFFE RD

PRESTON, ID 83263

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SWSESE S28 T15S R40E

FRANKLIN County

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GARY SPACKMAN, Director

Published on August 15 and 22, 2018