

FORM 202 11/13

RECEIVED

MAR 21 2016

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Department of Water Resources  
Eastern Region  
**APPLICATION FOR PERMIT**  
To appropriate the public waters of the State of Idaho

Ident. No. 13-7964

RECEIVED

APR 13 2016

Department of Water Resources  
(435) 764-2947 Region

1. Name of applicant(s)
- Hyer Family Limited Partnership

Name connector (check one) ☐ and ☐ or ☐ end/orPhone (435) 764-2947Mailing address 3410 South Tenaya Way 1616 Shadow Rock Dr City Las VegasState NV Zip 89117 Email chriskarren@gmail.com

2. Source of water supply
- Bear River
- which is a tributary of
- Great Salt Lake

3. Location of point(s) of diversion:

TWP	RGE	SEC	Cont Lat	1/4	1/4	1/4	County	Source	Local name or tag #
18S	39E	20			SE	SE	Franklin	Bear River	CRIC Pump Station

4. Water will be used for the following purposes:

Amount 5.10 cfs for irrigation purposes from 4/1 to 10/31 (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)

5. Total quantity to be appropriated is (a)
- 5.10
- cubic feet per second (cfs) and/or (b)
- 358.24
- acre feet per year (af).

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source. Water will be conveyed through the Cub River Pump Station and delivery pipeline.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 11. For dams 10 feet or more in height OR reservoirs with a total 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. \_\_\_\_\_

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

a. Hydropower; show total feet of head and proposed capacity in kW. \_\_\_\_\_

b. Stockwatering; list number and kind of livestock. \_\_\_\_\_

c. Municipal; complete and attach the Municipal Water Right Application Checklist.

d. Domestic; show number of households \_\_\_\_\_

e. Other; describe fully. \_\_\_\_\_

13-7964

## 8. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. 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	
14N	01E	21			X	X				X	X	X	X	X	X	X	X	X	
		22											X						
		28		X			X			X									

Total number of acres to be irrigated: 215.4

9. 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?

This right is supplemental to shares in Cub River Irrigation Company. It is a primary (sole source) water right for 89.56 acres. Storage water through the Utah Small Irrigators Inc. is also used on the property.

10. a. Who owns the property at the point of diversion? Cub River Irrigation Company
- b. Who owns the land to be irrigated or place of use? Applicant
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: Agreement with CRIC to carry water through pipeline.

11. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary.

This application is meant to mirror Utah water rights 25-3263 and 25-3265. This does not represent a new use of water. The Utah water rights were recently transferred to the CRIC Bear River pump station (located in Idaho). Idaho notified us that a water right was needed for the Idaho diversion.

12. Time required for completion of works and application of water to proposed beneficial use is
- 5
- years (minimum 1 year).

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2" x 11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.

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.

Mollie C Hyer  
Signature of Applicant

Mollie C Hyer  
Print Name (and title, if applicable)

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Print Name (and title, if applicable)

## For Department Use:

Received by \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_ Preliminary check by \_\_\_\_\_  
Fec \$ 450.00 Recd by [Signature] Receipt No. E041932 Date 3-21-2016

8. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. 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.

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MAR 24 2015  
Department of Water Resources  
Eastern Region

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N	01E	21			X	X				X	X	X	X	X	X	X	X	X	
		22											X						
		28		X			X			X									

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12. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year).

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2" x 11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.

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.

Hyer Family Limited Partnership  
Signature of Applicant

Chris Karrick  
Signature of Applicant

Print Name (and title, if applicable)

Chris KARRICK  
Print Name (and title, if applicable)

For Department Use:

Received by                      Date                      Time                      Preliminary check by                       
Fee \$ 450.00 Received by                      Receipt No. E041932 Date 3-21-2016

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Department of Water Resources  
Eastern Region

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

## APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No. 13-7964

1. Name of applicant(s) Hyer Family Limited Partnership Phone (435) 764-2947  
 Name connector (check one): ☐ and ☐ or ☐ and/or  
 Mailing address 3110 South Tenaya Way City Las Vegas  
 State NV Zip 89117 Email chriskarren@gmail.com

2. Source of water supply Bear River which is a tributary of Great Salt Lake

3. Location of point(s) of diversion:

TWP	RGE	SEC	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
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 (cfs or acre-feet per year)

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 (cfs or acre-feet per year)

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5. Total quantity to be appropriated is (a) 5.10 cubic feet per second (cfs) and/or (b) 358.24 acre feet per year (af).

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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. \_\_\_\_\_.

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

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b. Stockwatering; list number and kind of livestock. \_\_\_\_\_

c. Municipal; complete and attach the [Municipal Water Right Application Checklist](#).

d. Domestic; show number of households \_\_\_\_\_

e. Other; describe fully. \_\_\_\_\_

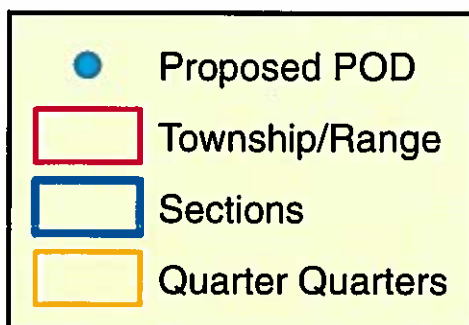




## Application for Permit (Hyer Family Ltd. Partnership)



2013 Aerial Photo





Google earth

miles  
km



Place of Use  
in Utah

# APPLICATION FOR PERMANENT CHANGE OF WATER

STATE OF UTAH

Rec. by \_\_\_\_\_

Fee Amt. \$460.00

Receipt # \_\_\_\_\_

*Approved*

For the purpose of obtaining permission to make a permanent change of water in the State of Utah, application is hereby made to the State Engineer, based upon the following showing of facts, submitted in accordance with the requirements of Section 73-3-3 Utah Code Annotated 1953, as amended.

CHANGE APPLICATION NUMBER:

WATER RIGHT NUMBER: 25-3263

(c11626CBUTTARS)

\*\*\*\*\*

This Change Application proposes to change the POINT(S) OF DIVERSION.

\*\*\*\*\*

## 1. OWNERSHIP INFORMATION.

A. NAME: Hyer Family Limited Partnership  
ADDRESS: 3110 South Tenaya Way  
Las Vegas NV 89117  
INTEREST: 100%

B. PRIORITY OF CHANGE:

FILING DATE:

C. EVIDENCED BY: 25-3263 (A27673), 25-3265 (A27677)

\*-----\*

\* DESCRIPTION OF CURRENT WATER RIGHT: \*

\*-----\*

## 2. SOURCE INFORMATION.

A. QUANTITY OF WATER: 5.1 cfs

B. SOURCE: Cub River

COUNTY: Cache

C. POINT(S) OF DIVERSION.

POINTS OF DIVERSION -- SURFACE:

- (1) N 1,240 feet W 470 feet from E $\frac{1}{4}$  corner, Section 21, T 14N, R 1E, SLBM
- (2) N 960 feet W 1,470 feet from SE corner, Section 21, T 14N, R 1E, SLBM
- (3) S 1,900 feet W 645 feet from N $\frac{1}{4}$  corner, Section 28, T 14N, R 1E, SLBM
- (4) S 280 feet E 40 feet from N $\frac{1}{4}$  corner, Section 28, T 14N, R 1E, SLBM

## 3. WATER USE INFORMATION.

(For the purposes of this Change Application, it has been specified that the nature of use of the underlying water rights will NOT BE CHANGED. Therefore, the quantification of the individual sole-supply use values for the underlying water rights is not necessary. Consequently, the values shown below are the combined unique Supplemental Group totals of all of the underlying water rights associated with this Change Application.

IRRIGATION: from Apr 1 to Oct 31. Supplemental Acres: 215.4000.



\*-----\*

## 4. PLACE OF USE.

(Which includes all or part of the following legal subdivisions:)

BASE	TOWN	RANG	SEC	NORTH-WEST $\frac{1}{4}$				NORTH-EAST $\frac{1}{4}$				SOUTH-WEST $\frac{1}{4}$				SOUTH-EAST $\frac{1}{4}$			
				NW	NE	SW	SE	NW	NE	SW	SE	NW	NE	SW	SE	NW	NE	SW	SE
SL	14N	1E	21			X	***			X	X	***	X	X	X	X	***	X	X
			22				***					***			X		***		
			28		X		X	***	X			***					***		

## 5. EXPLANATORY.

Water right 25-3263 is limited to a sole supply for 40.0 acres.  
 Water right 25-3265 is limited to a sole supply for 49.56 acres.

\*-----\*

\* THE FOLLOWING CHANGES ARE PROPOSED: \*

\*-----\*

## 6. SOURCE INFORMATION.

A. QUANTITY OF WATER: 5.1 cfs OR 358.24 acre-feet

B. SOURCE: Cub River

COUNTY: Cache

C. POINT(S) OF DIVERSION. Changed as Follows:

POINT OF DIVERSION -- SURFACE:

(1) S 83 feet W 1,462 feet from E $\frac{1}{4}$  corner. Section 21, T 14N, R 1E, SLBM

D. COMMON DESCRIPTION: 2.5 miles SE of Lewiston

## 7. WATER USE INFORMATION. Same as HERETOFORE.

\*-----\*

## 8. PLACE OF USE. Same as HERETOFORE.

## 9. EXPLANATORY.

Presently, these water rights are supplemental to shares in Cub River Irrigation Company. The Company has installed a pressurized irrigation system and has agreed to let the applicant transfer their water rights in Cub River into the system and take water from a valve at the end of the system at the described point of diversion.

## 10. SIGNATURE OF APPLICANT(S).

The undersigned hereby acknowledges that even though he/she/they may have been assisted in the preparation of the above-numbered application through the courtesy of the employees of the Division of Water Rights, all responsibility for the accuracy of the information contained herein including maps and other documents attached, at the time of filing, rests with the applicant(s).

Hyer Family Limited Partnership (En)  
Hyer Family Limited Partnership



**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](http://www.idwr.idaho.gov)

---

April 27, 2016

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

HYER FAMILY LTD PARTNERSHIP  
1616 SHADOW ROCK DR  
LAS VEGAS, NV 89117

Application For Permit No. 13-7964

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 5/4/2016 and 5/11/2016. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

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,

Judea Jones  
Administrative Assistant

## Cox, Sharla

---

**From:** Cox, Sharla  
**Sent:** Wednesday, April 27, 2016 3:51 PM  
**To:** 'Preston Citizen'  
**Subject:** Legal Notice for Your Newspaper  
**Attachments:** Preston Citizen E-Mail.doc  
  
**Contacts:** Preston Citizen

*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](mailto:sharla.cox@idwr.idaho.gov)  
208-525-7161 phone  
208-525-7177 fax*



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

13-7964

HYER FAMILY LTD PARTNERSHIP

1616 SHADOW ROCK DR

LAS VEGAS, NV 89117

Point of Diversion SESE

S20 T16S R39E

FRANKLIN County

Source BEAR RIVER Tributary GREAT SALT LAKE

Use: IRRIGATION

04/01 to 10/31 5.1 CFS

358.2 AF

Total Diversion: 5.1 CFS

358.2 AF

Date Filed: 3/21/2016

Place Of Use: IRRIGATION

T14N R01E S21

SWNE SENE SENW NESW NWSW SWSW SESW NESE NWSE SWSE SESE

T14N R01E S22

SWSW

T14N R01E S28

NWNE NENW SENW

Total Acres: 215.4, all within Cache County Utah

13-7965

MERLIN C WEEKS

DIANE S WEEKS

1710 WEST CENTER

LEWISTON, UT 84320

Point of Diversion SESE

S20 T16S R39E

FRANKLIN County

Source BEAR RIVER Tributary GREAT SALT LAKE

Use: IRRIGATION

04/01 to 10/31 48 AF

Total Diversion: 48 AF

Date Filed: 4/11/2016

Place Of Use: IRRIGATION

T14N R01W S11

NWNE SWNE

Total Acres: 13, all within Cache County Utah

13-7966

CROSS ROADS PROPERTIES LLC

563 ASPEN CIR

PRESTON, ID 83263

Point of Diversion SENENE

S1 T14S R39E

FRANKLIN County

Source SPRINGS Tributary SINKS

Use: STOCKWATER

01/01 to 12/31 0.02 CFS

Total Diversion: 0.02 CFS

Date Filed: 4/20/2016

Place Of Use: STOCKWATER

T14S R39E S1

NENE

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 together with a protest fee of \$25.00 for each application on or before 5/23/2016. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 5/4/2016 and 5/11/2016