

ATT: M. Oaden

Form 217
11/91

RECEIVED

OCT 14 1993

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

OFFICE USE ONLY

Amt. of Fee \$ 50.00Date 10-14-93Receipt No. C028775Receipt by g

50.00

10-6-93

C028731

gvarant

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 23-07158 Telephone No. 208-522-7784
2. Name(s) of Permit Holder(s): RICHARD I. CLAYTON JR. - MRS. OGDEN
3. Mailing Address: 545 SHoup AVE IDAHO FALLS Id. 83402
3750 NORTH YELLOWSTONE HIGHWAY IDAHO FALLS, Id 83401
4. Source of Water: GROUND WATER

If **GROUNDWATER**, Well Driller's Name: NONE Date Drilled: _____

OPTIONAL:

Pump horsepower: NONE Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use (as authorized by the permit):

Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)

Irrigation _____ (No. of acres) Other RECREATIONAL

6. Total rate and/or volume for which proof is submitted _____ cfs OR 50 acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? ____ Yes ✓ No Installed? ____ Yes ____ No

OR

Flow Measurement Port: Required? ____ Yes ✓ No Installed? ____ Yes ____ No

8. Fee Enclosed: \$ 100.00 (See License Fee Schedule on back of Instruction Sheet)

9. Person to contact to accompany the Department representative during field examination of the water system.

RICHARD I. CLAYTON JR.

208-522-7784

MRS. OGDEN

208-524-4322

Name

Telephone No.

545 SHoup AVE
Address IDAHO FALLS, Id 83402

3750 NORTH YELLOWSTONE
IDAHO FALLS Id. 83401

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

RECEIVED
JAN 10 1994

Date

Signature (and title, if on behalf of a company or organization)

SCANNED

APR 21 2003

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 23-07158

Proposed Priority: July 8, 1992

Maximum Storage Volume: 50.0 AF

This is to certify, that **RICHARD I CLAYTON JR**
5005 S 9 E
IDAHO FALLS ID 83402

has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
RECREATION	01/01 to 12/31		50.0 AF

LOCATION OF POINT(S) OF DIVERSION:

NENW , Sec. 18, Township 01N, Range 44E
BANNOCK County

PLACE OF USE: RECREATION
TWN RGE SEC

01N 44E	7	SESW
	18	NWNE

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **December 1, 1993**.
2. Subject to all prior water rights.
3. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
4. The Director retains jurisdiction of the right and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
5. Use of water under this right shall be non-consumptive.
6. Recreational use is for a private, non-commercial fish pond.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

30 day of October, 1992.

[Signature]
for R. Keith Higginson, Director

MICROFILMED
NOV 13 1992

45 Fee

23~7158

Ident. No. _____

RECEIVED
JUL 8 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Department of Water Resources

To appropriate the public waters of the State of Idaho

1. Name of applicant RICHARD I CLAYTON JR Phone 522-7784

Post office address 5005 S 9 E, Idaho Falls ID 83402

2. Source of water supply Groundwater (Pond) which is a tributary of _____

3. Location of point of diversion is _____ 1/4 of NE 1/4 of NW 1/4, Govt. Lot _____

Sec. 18 Township 1N Range 44E B.M. Bonneville County; additional

points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 50 AF for RECREATION purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) _____ and/or (b) 50 AF
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Pond for recreational use.

* GRAVEL pit that water percolates into.

b. Height of storage dam NA feet; active reservoir capacity _____ acre-feet; total

reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:

_____ to _____ inclusive.

c. Proposed well diameter is NA inches; proposed depth of well is _____ feet.

d. Is ground water with a temperature of greater than 90°F being sought? NO

7. Time required for the completion of the works and application of the water to the proposed beneficial use is

1 years (minimum 1 year).

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* BLW - See 8E

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. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. Fish pond, gravel pit that subs. Private use, non commerical.

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	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1N	44E	18		R															
		7											R						

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. None

11. a. Who owns the property at the point of diversion? Applicant

b. Who owns the land to be irrigated or place of use? Applicant

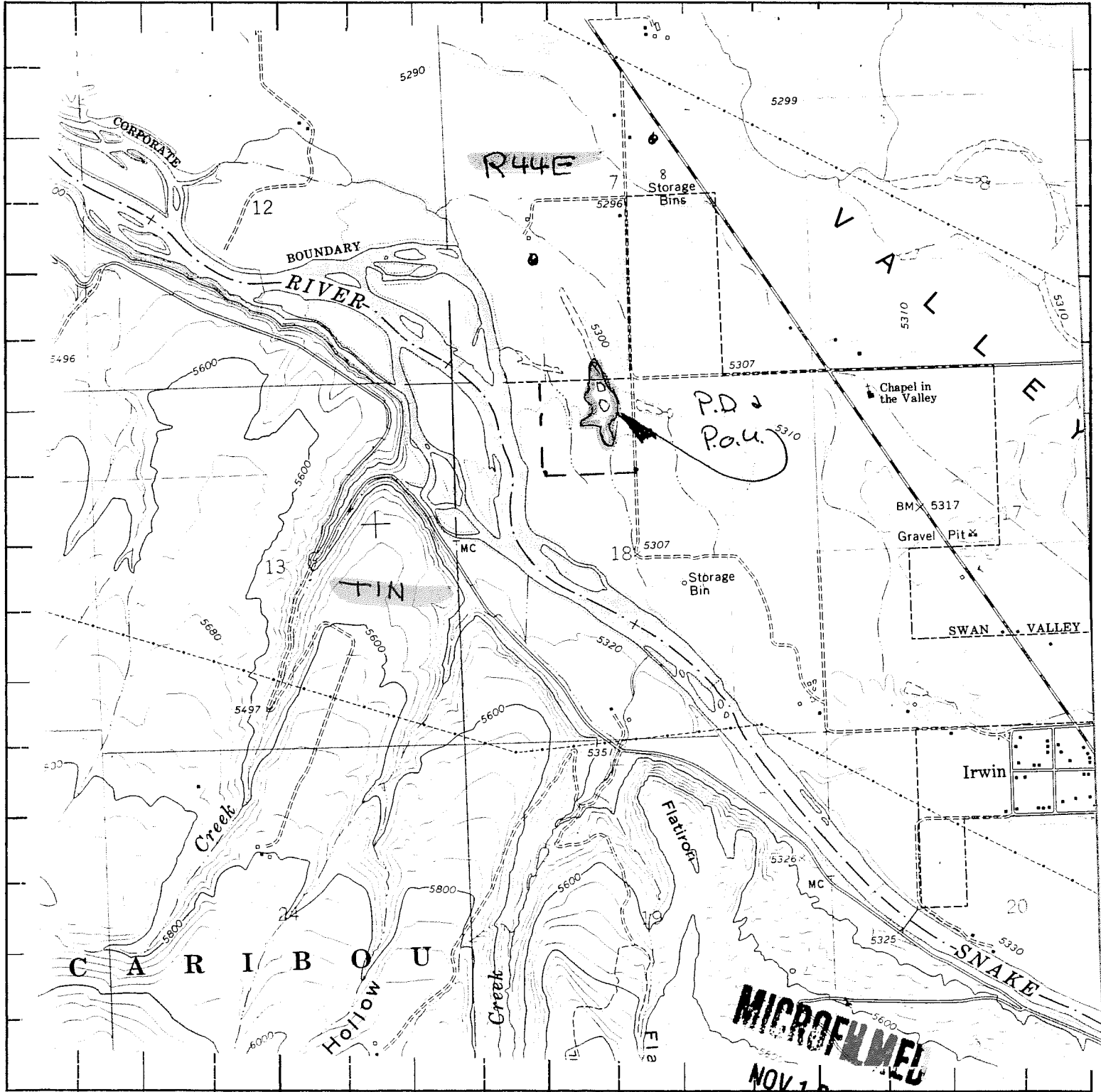
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: _____

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NOV 13 1992

23-7158

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

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.

Richard L. Chitt
(Applicant)

Received by LB Date 7-10-92 Time 1:45 Preliminary check by _____
Fee \$ 45.00 Receipted by LB # C024841 Date 7-8-92
Publication prepared by LB Date 8-6-92 Published in Post-Register
Publication approved LB Date 8-24-92

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

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NOV 13 1992

Proof of Publication

The Post-Register

State of Idaho, }
County of Bonneville } ss

I, **S. BOB BRIGHT or TED DELEZENE**....., first being duly sworn, depose and say: That I am the **Production Supervisor or Asst. Prod. Supervisor** of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931, and each of said newspapers have been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eight (78) weeks and said Post-Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post-Register for Two..... consecutive weeks, first publication having been made on the 6th..... day of August....., 19. 92., last publication having been made on the 13th..... day of August....., 19. 92., and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this 13th.. day of August....., 19. 92.

Ted Delezene.....
Susan Wagner.....
Notary Public

My commission expires July 1st....., 19. 97..

NOTICE OF APPLICATION FOR WATER RIGHT

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

23-07157
US DEPT OF AGRICULTURE
FOREST SERVICE
TARGHEE NATIONAL FOREST
PO BOX 208
ST ANTHONY, ID 83445
Source: SPRING CANYON SPRING
Tributary: RAINEY CREEK
Diversion Pt: NENWSE Sec 6 T 01N R 45E in BONNEVILLE County.
Use: STOCKWATER (.015 CFS)
Total Diversion: (.015 CFS)
Date Filed: 6/24/1992
In: BONNEVILLE County
T02N R45E S31 NWSW

23-07158
CLAYTON JR, RICHARD I
5005 S 9 E
IDAHO FALLS, ID 83402
Source: POND
Diversion Pt: NENW Sec 18 T 01N R 44E in BANNOCK County.
Use: RECREATION (50.00 AF)
Total Diversion: (50.00 AF)
Date Filed: 7/ 8/1992
In: BANNOCK County
T01N R44E S07 SESW
S18 NWE

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Eastern Region, 150 Shoup Avenue, Suite 15, Idaho Falls, Idaho 83402 on or before AUGUST 24, 1992.

R. KEITH HIGGINSON, Director
Published: August 6 13. 1992

B10

Bonneville

Bannock

RECORDED
NOV 13 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
MAR 11 2002
DEPARTMENT OF WATER RESOURCES

A. GENERAL INFORMATION

Permit No. 23-7158

1. Owner: Richard I Clayton Jr. Phone No. 483-2318

Current Address: P.O. Box, 155 Swan Valley, ID 83449

2. Accompanied by: Richard I Clayton EXAM DATE: 7-19-01

Address: Same Phone No. _____

Relationship to Permit Holder: Same

3. Source: (Ponds) Subwater Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: No 23-50E (PALISADES CREEK)

2. Other water rights with the same point of diversion: No

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NW	NE	NW	18	1N	44E	Bonneville	GPS R071921A / R071921B (SMALL POND)
		NE	NE	NW	18	1N	44E	Bonneville	(LARGE POND)

2. Place(s) of Use:

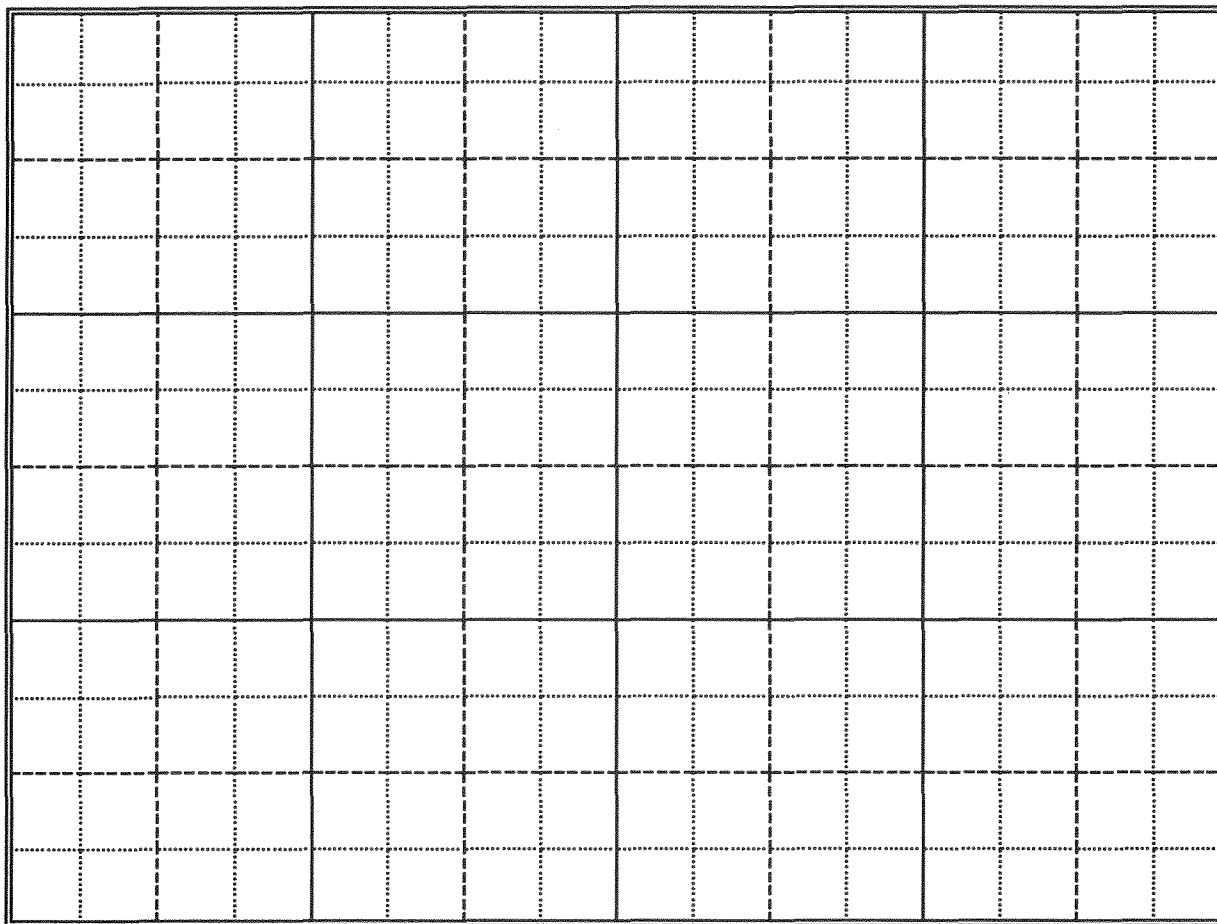
Indicate Method of Determination GPS files

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1N	44E	7																	
		18																	

SCANNED

APR 21 2003

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe I.d. as applicable.



Scale: 1" = _____.

_____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

_____ Aerial Photo Attached (required for irrigation of 10+ acres)

_____ Photo of Diversion and System Attached

4.

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

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements: No measurements required

LARGE POND 4AC (SURFACE AREA) x 14' deep x 0.4 = 23 AF

SMALL POND 3/4 AC x 15' deep x 0.4 = 5 AF

E. NARRATIVE/REMARKS/COMMENTS

2 ponds filled by subwater only

Large pond 12-14 ft deep at center (4.0 acres surface)
look at USGS Website to see if ponds are visible.
GPS unit was placed 5 ft west of large pond

Large pond done in 1984

(3/4 acre small pond) Small pond done 1993

RO 71921A large pond to east Gps unit 5 ft west of pond.
RO 71921B small pond to west Gps unit 5 ft east of pond.

Richard said surface area of small pond is $\frac{3}{4}$ acre.
Maximum depth is 15 ft. Bottom of both ponds vary. They made
shallow areas and deeper areas. Mr Clayton is a realtor
his judgement on the surface area is probably pretty close.
The size and shape of the ponds, the large one in particular
make measurements of surface area difficult.

Both ponds fill with sub-water.

pon on permit list in ~~the~~ wrong $\frac{1}{4}$, $\frac{1}{4}$ in sec 18

Have conditions of permit approval been met? ☒ yes ☐ no

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

two ponds

$$4 \text{ AC} \times 14' \times 0.4 = 23 \text{ AF}$$

$$75 \text{ AF} \times 15' \times 0.4 = 5 \text{ AF}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
RECREATION STORAGE	01/01	12/31		28 AF
Totals:				28 AF

2. Recommended Amendments

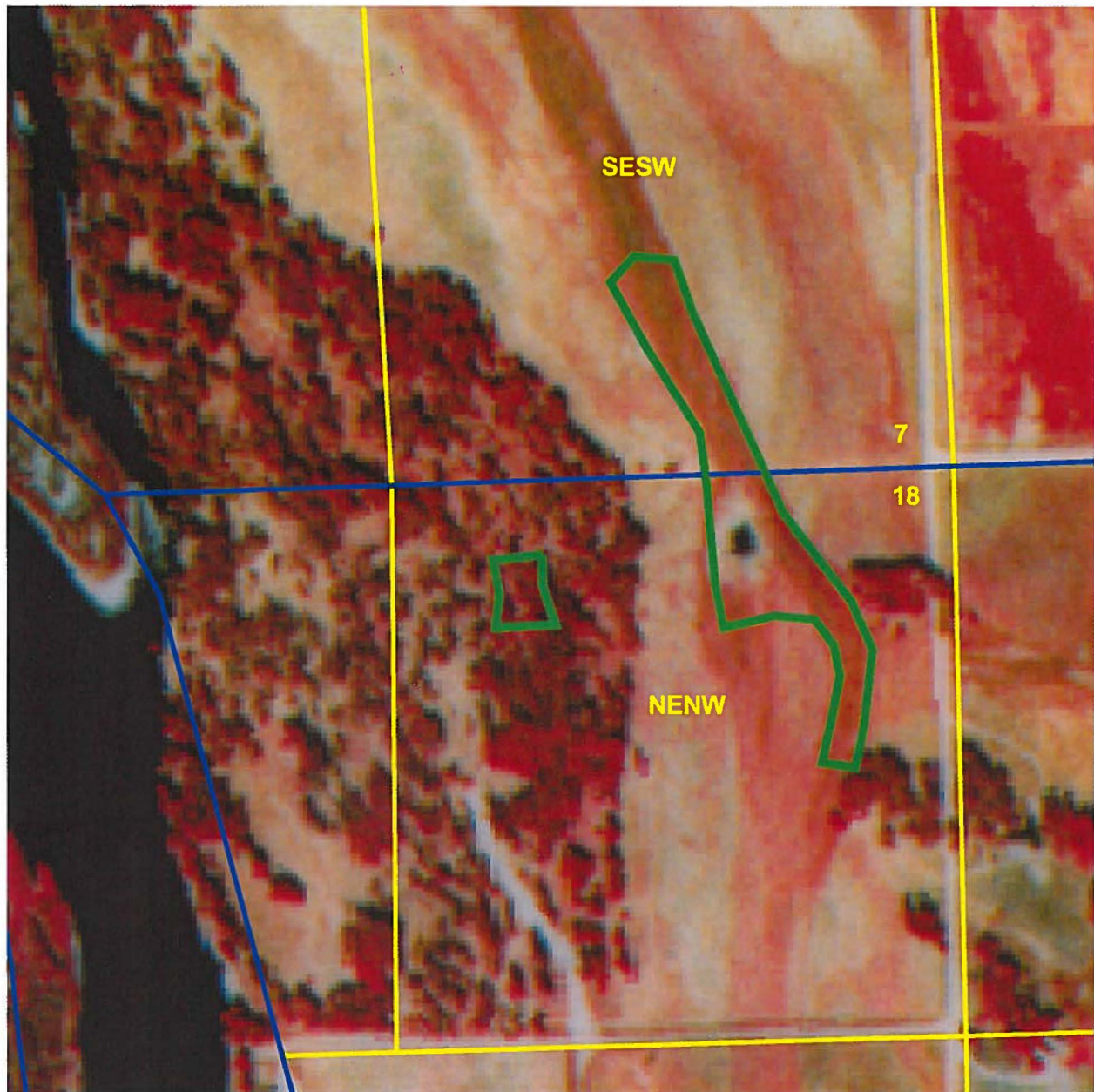
☐ Change P.D. as reflected above ☒ Add P.D. as reflected above ☐ None
☒ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATIONField Examiner's Name Steve Mueller Date 7-19-01Reviewer DAVE CARLSON Date 3/4/2002

SEAL

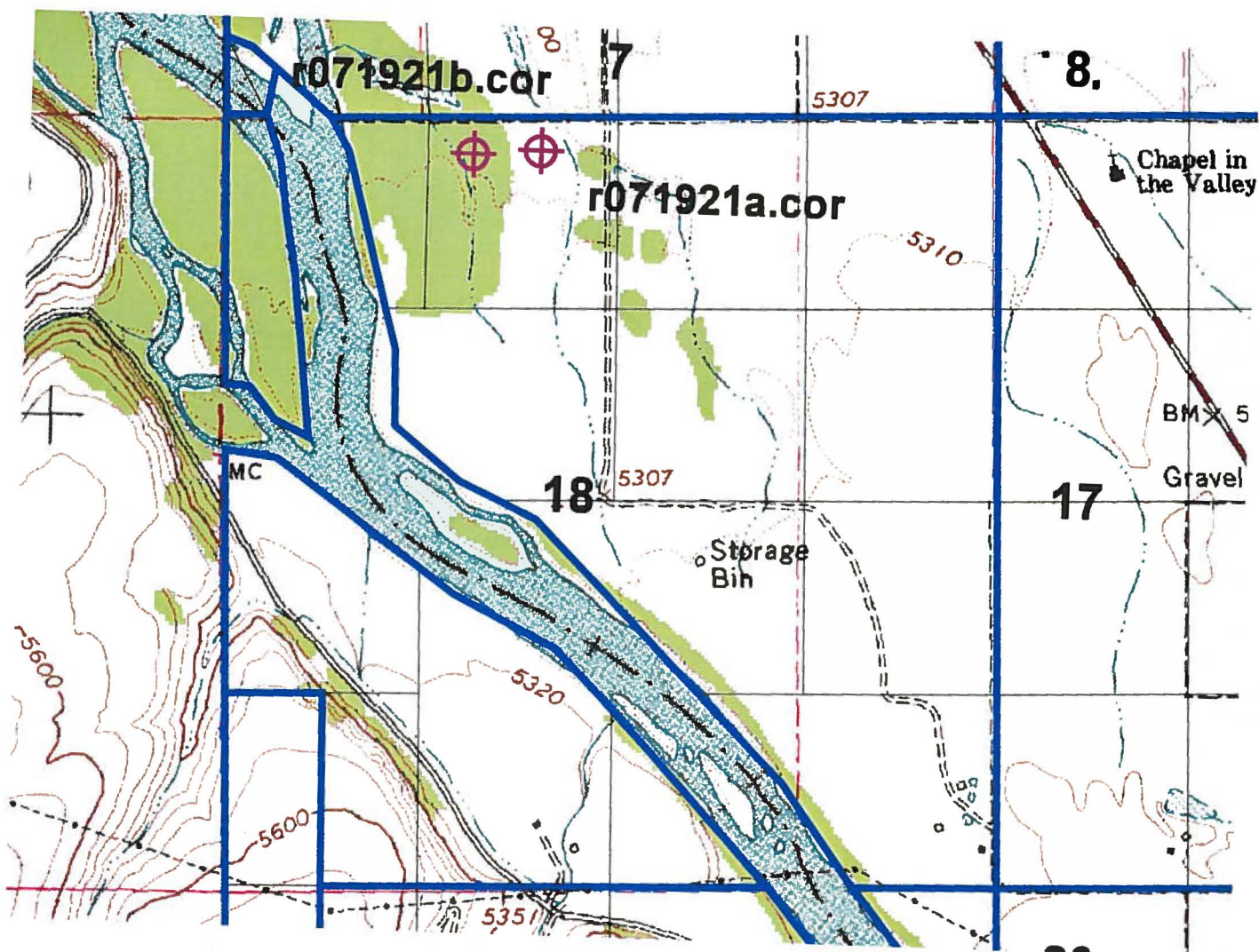
23-07158

01N, 44E SEC. 7, 18



 **POINT OF DIVERSION**

 **PLACE OF USE**



-  S01n44e.shp
-  Posnpnt.shp
-  T01n44e.shp

23-07158



Longest pond
23-7158

0 100M 0 100yd

Image courtesy of the US Geological Survey.



23-7158 Small pond.



23-7158 Large pond ↗↘

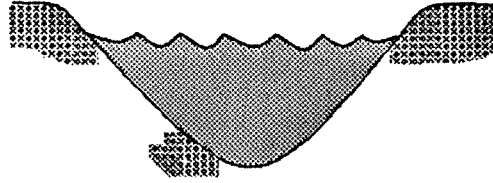


#23-7158

3. DETERMINING RESERVOIR CAPACITY

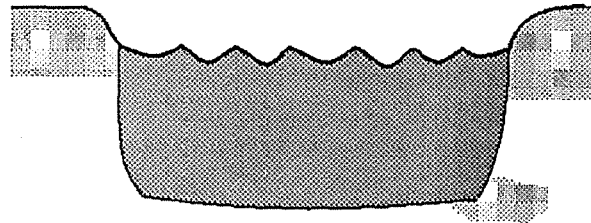
A. V shaped reservoirs, lakes, and ponds.

$$\text{Capacity} = \text{Surface Area} \times \text{Maximum Depth} \times 0.4$$

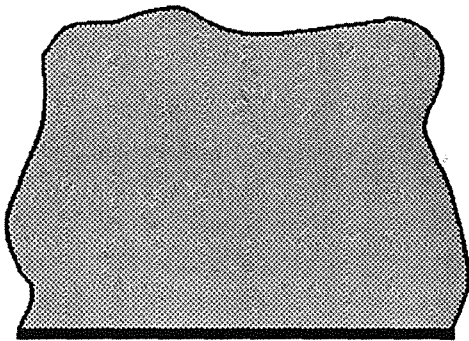


B. Flat Bottom reservoirs, lakes, and ponds.

$$\text{Capacity} = \text{Surface Area} \times \text{Maximum Depth}$$



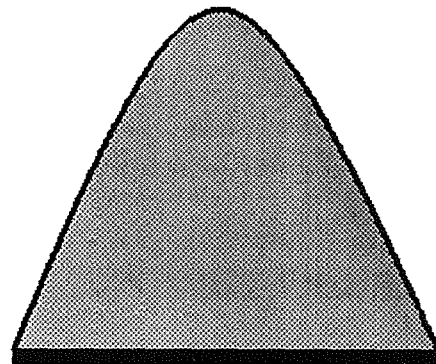
EXAMPLES:



1. Smith Creek Pond is 300' wide, 726' long and 8' deep.

$$\begin{aligned} \text{Surface Area} &= \frac{300' \times 726'}{43,560} \\ &= 5 \text{ acres} \end{aligned}$$

$$\begin{aligned} \text{Capacity} &= 5 \text{ acres} \times 8 \text{ feet} \\ &= 40 \text{ acre feet} \end{aligned}$$



1. Trout Creek Reservoir is 800' wide, 1089' long and 9' deep.

$$\begin{aligned} \text{Surface Area} &= \frac{1/2(800') \times 1089'}{43,560} \\ &= 10 \text{ acres} \end{aligned}$$

$$\begin{aligned} \text{Capacity} &= 10 \text{ acres} \times 9 \text{ feet} \times 0.4 \\ &= 36 \text{ acre feet} \end{aligned}$$

144

December 14, 1993

RICHARD I CLAYTON JR
545 SHOUP AVE
IDAHO FALLS ID 83402

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 23-07158

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls, at (208)525-7161.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

c: IDWR - Region

JAN 10 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 8, 1993

Richard J Clayton
545 Shoup Ave
Idaho Falls, ID 83402

Re: Permit No. 23-07158

Dear Permit Holder:

Returned is the Proof of Beneficial Use form submitted in connection with the above referenced permit. Unfortunately, it is unacceptable as filed for several reasons.

First of all, the form indicates the total annual volume of water to be 50 af. When the total annual volume is greater than 4 af, a license examination fee is required to be submitted with the proof. A license examination fee based on an annual volume of 50 af is \$100. Note the back of the enclosed instruction sheet/fee schedule. Since you have already submitted \$50, you need only submit an additional \$50.

Secondly, the proof of beneficial use indicates there may be another individual who wishes to be added to the permit. Since a water right permit is personal property, before the Department can add or change owners, the original owner of the permit must complete an assignment form. I have enclosed a form so that this transaction can be completed should you wish to do so.

Lastly, the Department cannot accept a COPY of the proof of beneficial use. In order for the Department to accept the proof, you will need to submit an original with an original signature.

In order to be in compliance with the required dates, you must resubmit an original proof and the additional \$50 license exam fee on or before December 1, 1993. Also, in order to add or change the name on the permit to Mr. Ogden, you must complete and submit the enclosed assignment form.

If you have any questions or if I can be of any further assistance, please feel free to contact me.

Sincerely,

Karen L. Gustafson
Karen L. Gustafson
Senior Secretary

Enclosures

RECORDED
JAN 10 1994

RECEIVED

OCT 06 1993

Department of Water Resources

WACKERLI REALTY, INC

TEL: 208-522-7402

Oct 04, 93

10:39 No.002 P.01

ATT: M. Ogden

Form 217
11/91OFFICE USE ONLY
Amt. of Fee \$ 50.00
Date 10-6-93
Receipt No. 0028731
Receipt by QuarantSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 23-07158 Telephone No. 208-522-7784
2. Name(s) of Permit Holder(s): RICHARD J. CRYSTON JR. M.D. OGDEN
3. Mailing Address: 545 SHARP AVE IDAHO FALLS ID. 83402
4. Source of Water: 3750 NORTH YELLOWSTONE HIGHWAY IDAHO FALLS, ID 83401
GROUNDWATER

If GROUNDWATER, Well Driller's Name: NONE Date Drilled: _____

OPTIONAL:

Pump horsepower: NONE Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use (as authorized by the permit):

Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)

Irrigation _____ (No. of acres) Other RECREATIONAL

6. Total rate and/or volume for which proof is submitted _____ cfs OR
- 50
- acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? _____ Yes NO Installed? _____ Yes _____ NoOR
Flow Measurement Port: Required? _____ Yes NO Installed? _____ Yes _____ No

8. Fee Enclosed: \$
- 100.00
- (See License Fee Schedule on back of Instruction Sheet)

9. Person to contact to accompany the Department representative during field examination of the water system.

RICHARD J. CRYSTON JR.
M.D. OGDEN208-522-7784208-524-4322

Name Telephone No.

545 SHARP AVE
Address IDAHO FALLS, ID 834023750 NORTH YELLOWSTONE
IDAHO FALLS ID. 83401

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

Oct 5, 1993
DateRichard J. Cryston Jr.
Signature (and title, if on behalf of a company or organization)

JAN 10 1994

September 30, 1993

RICHARD I CLAYTON JR
5005 S 9 E
IDAHO FALLS ID 83402

PROOF DUE NOTICE

RE: PERMIT NO. 23-07158

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before December 1, 1993. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

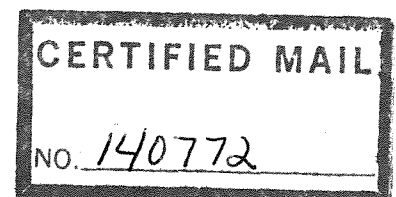
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 3, 1992

RICHARD I CLAYTON JR
5005 S 9 E
IDAHO FALLS ID 83402

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 23-07158

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

You should be aware that you are located within a drainage basin where surface water diversions are regulated by a watermaster. It is possible that diversion of groundwater under your permit may cause a reduction of surface water flow. Siting your well as far as possible from surface water channels and casing your well so that groundwater tributary to surface water flows are not diverted will reduce the potential for the watermaster to regulate your water use.

Sincerely,

BRENDA L. MILLER
Water Resource Agent

BLM:cz

Enclosures

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NOV 13 1992

APPLICATION FOR PERMIT REVIEW

BLM

Application #: 23-7158 Date: 10-26-92 Reviewer: Brenda Miller

SYSTEM COMPLETED:

No - 26A-P17
 Complete in 1 year - P16
 Yes
 Proof not submitted - P16
 Proof submitted - N/A

GROUNDWATER:

GT. 0.2 cfs <flo-ch> - 01G-P03, 01C-P03 (existing well)
 - NMR <fl ch>, A of C
 LT. 0.2 cfs - No measurement required <flow chart>
 Drilling Permit:
 Approved w/permit - P99
 Not included - 046-46A-46B-P23 (after 7/1/87), N/A
 SURFACE WATER: not in w/d - 01C-P03 (=GT.2 w/pump), NMR <flow chart>

LOCATION:

Water Districts - WD No. 01
 Surface water - R04, R04-01H-P01(LT.2 w/pump)
 - R04-01J-P08(GT.2), NMR <flow chart>
 Groundwater - P05
 Irrigation Districts - 023
 Canal Co. Areas - 023
 Drainage Districts - 024
 Boise Front (63) - 058 (Groundwater)
 Swan Falls Flag - R (1, Blank or Other)
 Trust - 051-052-053-P74(Consumptive Uses)
 Non Trust <1> - 048-049

RIVER BASINS:

(Surface Water) Water District Control Condition &....
 Boise (63) - 05A & 11E
 Payette (65) - 047-P04, 059-P71
 Snake (01, 02 & 03) - 11A-P04(01), 061-P07(02/03 No W.D.Cond.)

USE:

Fish Propagation - 06A, 09E-P10 & 010 (WQ/Choose One),
 042(req.), 002-P06(MD), 07A(Spec.),
 044(Policy 5G)
 Power - Use Power Review
 Mining - 06A, 010, or 09E-P10 & 054(req.)
 Storage - 18A-for multiple measuring devices(In WD),
 18B-P09(Size)
 Rec/Wildlf/Aes - 027(Non-Consumptive)
 Domestic - 021 (Boise River - upstream from L Peak)
 (restricted areas) 27A (Payette River & main tributaries)

OWNERSHIP:

Non land owner - 004

PROTESTED:

Agreement - 020

Beneficial Use Due Date: -

Other Conditions/Remarks: -

Recreational use is for a
 recreational, non-commercial
 fish pond.

Ok to advertise
Send copy to F+G - DL Falls

Dist. for staffing: 14-Jul-1992
Submitted for advertising: 7-15-92

Form No. 202a
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATIONS FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY HWS DATE 7-15-92 APPLICATION NO. 23-7158
APPLICANT NAME: RICHARD I CLAYTON JR

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
☒ Address
☒ Source (See USGS Quad for names of water sources)
☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
☒ County
☒ Quantity (flow and/or volume)
☒ Period of Use
☒ Nature of proposed use (Include description of use.)
☒ Description of diverting works
☒ Time required for beneficial use of water
☒ Place of use or acres irrigated
☒ Map
☒ Signature (If applicant is corp. partnership, or municipality, title of signator is required)
☒ Fee
☒ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION

- Overlapping place of use (Describe source & relationship to present application on the back.)
Overlapping point of diversion
Yes ☒ No ☐ Field check required
Field check by _____
Yes ☒ No ☐ Field report attached
Yes ☒ No ☐ Critical groundwater area
Yes ☒ No ☐ Groundwater management area
Yes ☒ No ☐ Send dam safety information
Yes ☒ No ☐ Send power requirement letter
Yes ☒ No ☐ Send fish farm requirement letter
Yes ☒ No ☐ Power residency affidavit
Yes ☒ No ☐ Power efficiency form
Yes ☒ No ☐ Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
Yes ☒ No ☐ Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)

See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested

RECEIVED
AUG 26 1992

Department of Water Resources

<u>SEND COPIES TO</u>	_____ Idaho Dept. of Health & Welfare	_____ U.S. BLM
	<u>X</u> _____ Idaho Dept. of Fish & Game	_____ U.S. Forest Service
	_____ Idaho Dept. of Lands	_____ Water District
	_____ Adjudication Bureau Unit	_____ Other

ADDITIONAL INFORMATION

LOCAL PUBLIC INTEREST

Comments received from

_____ City	_____ Idaho Fish & Game	_____ Irrigation District
_____ County	_____ Idaho Health & Welfare	_____ Canal Company
_____ Reservations	_____ Division of Environment	_____ Other _____

Project impacts/implications report

COMMENTS

29-Jul-1992

FISH & GAME
REGION 6
1515 LINCOLN RD
IDAHO FALLS ID 83401

RE: Application NO. 23-07158

Dear Sir:

We are enclosing a copy of the application(s) that may be of interest to your department. Please review the application(s) and submit any comments you may have to our Department as soon as possible. The last date of protest is 8-24-1992, and we are required to take final action shortly thereafter.

If we may be of further assistance, please feel free to contact us.

Respectfully submitted,


HAROLD W. JONES *rb*
Water Rights Supervisor

HWJ/rb
enc.

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NOV 13 1992

28-Jul-1992

RICHARD I CLAYTON JR
5005 S 9 E
IDAHO FALLS ID 83402

RE: Application No. 23-07158

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the Post Register on 8-6 & 13-92. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,


HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

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NOV 13 1992

23-07158

CLAYTON JR, RICHARD I
5005 S 9 E
IDAHO FALLS, ID 83402

Source: POND

Diversion Pt: NENW Sec 18 T 01N R 44E in BANNOCK County.

Use: RECREATION (50.00 AF)
Total Diversion: (50.00 AF)

Date Filed: 7/ 8/1992

In: BANNOCK County
T01N R44E S07 SESW
S18 NWNE

RECORDED

NOV 13 1992

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Eastern Region, 150 Shoup Avenue, Suite 15, Idaho Falls, Idaho 83402 on or before AUGUST 24, 1992.

R. KEITH HIGGINSON, Director

Published: 8/ 6/1992 & 8/13/1992

RECEIVED
NOV 13 1992