

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 23-11372

Priority: November 07, 2007

Maximum Diversion Rate: 0.04 CFS

It is hereby certified that UNITED STATES OF AMERICA
CARIBOU-TARGHEE NATIONAL FOREST
1405 HOLLIPARK DR
IDAHO FALLS ID 83401 has complied with the terms and conditions of
the permit, issued pursuant to Application for Permit dated October 29, 2007; and has submitted Proof of
Beneficial Use on January 11, 2013. An examination confirms water is diverted from:

SOURCE

GROUND WATER

and a water right has been established as follows:

BENEFICIAL USE

DOMESTIC

PERIOD OF USE

01/01 to 12/31

DIVERSION RATE

0.04 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SE1/4NE1/4 Sec. 18, Twp 01S, Rge 45E, B.M., BONNEVILLE County

PLACE OF USE: DOMESTIC

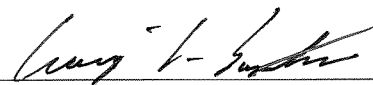
Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	45E	18														X			

CONDITIONS OF APPROVAL

1. The irrigation occurring under this domestic use shall not exceed 1/2 acre.
2. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
3. Domestic use is for 1 home.
4. Place of use is located within Lot 3, Calamity Summer Home Area.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed this 19th day of July, 2013.


For GARY SPACKMAN
Director

State of Idaho
Department of Water Resources
Attachment To Water Right License
23-11372

This map depicts the DOMESTIC place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.

45E



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.0075 0.015 0.03 Miles



State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 23-11372

RECEIVED
JUL 12 2013
Department of Water Resources
Eastern Region

Date of Priority: November 07, 2007

Maximum Diversion Rate: 0.04 CFS

Comes now UNITED STATES OF AMERICA
CARIBOU-TARGHEE NATIONAL FOREST
1405 HOLLIPARK DR

IDAHO FALLS ID 83401 and represents to the Director of the Idaho Department of Water Resources that he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 23-11372, and requests that the permit be changed as follows:

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
DOMESTIC	01/01 to 12/31	0.04 CFS

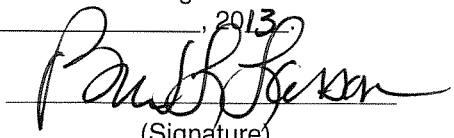
LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SE1/4NE1/4 Sec. 18, Twp 01S, Rge 45E, B.M.
BONNEVILLE County

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
01S	45E	18																X	

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk. Signed this 12th day of July, 2013.


(Signature)

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 23-11372

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = 100 Received by SC # 2038882 Date 7/12/13

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, GARY SPACKMAN, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 23-11372 with the following:

CONDITIONS OF APPROVAL

1. The irrigation occurring under this domestic use shall not exceed 1/2 acre.
2. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
3. Domestic use is for 1 home.
4. Place of use is located within Lot 3, Calamity Summer Home Area.

Witness my hand this 19th day of July, 2013.

For 
GARY SPACKMAN
Director



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

July 19, 2013

UNITED STATES OF AMERICA
CARIBOU-TARGHEE NATIONAL FOREST
1405 HOLLIPARK DR
IDAHO FALLS ID 83401

RE: License No. 23-11372

Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-287-4916.

Sincerely,

for 
Craig Saxton
Water Right Supervisor

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on July 19, 2013 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 23-11372

**UNITED STATES OF AMERICA
CARIBOU-TARGHEE NATIONAL FOREST
1405 HOLLIPARK DR
IDAHO FALLS ID 83401**

A handwritten signature in cursive script, reading "Jean Hersley", is written over a horizontal line.

Jean Hersley

Technical Records Specialist II

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

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GARY SPACKMAN

Director
July 8, 2013

C.L. "BUTCH" OTTER
Governor

UNITED STATES OF AMERICA
CARIBOU-TARGHEE NATIONAL FOREST
1405 HOLLIPARK DR
IDAHO FALLS ID 83401

RE: Water Right Permit No. 23-11372

Dear Permit Holders:

The Department of Water Resources sent you an Application for Amendment form on June 19, 2013, for the above referenced Permit. The amendment is required because the field examiner who verified the point of diversion established in connection with your permit reported that the location of the well differs from the permit. As of this date the Department has not received a response.

If I do not receive the amendment within fourteen (14) days, I will assume you are no longer interested in obtaining a water right license and your permit will be voided. In case the amendment form I sent you has been misplaced, a new one is enclosed.

If you have any questions, please contact me as soon as possible at (208) 287-4942.

Sincerely,

A handwritten signature in black ink that reads "Jean Hersley". The signature is written in a cursive, flowing style.

Jean Hersley
Technical Records Specialist II

Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

June 19, 2013

UNITED STATES OF AMERICA
CARIBOU-TARGHEE NATIONAL FOREST
1405 HOLLIPARK DR
IDAHO FALLS ID 83401

RE: Water Right Permit No. 23-11372

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit. The examiner who verified your water use reported that certain elements of the permit have been developed differently than described on your permit. Changes that do not increase the authorized use of water under the permit can be requested and approved in accordance with Section 42-211, Idaho Code. Before a license can be issued, your permit must be amended to depict your water use as it was actually developed.

Based on the examiner's report, the following elements were developed differently than described on your permit:

☒ **Point(s) of Diversion**

☒ **Place(s) of Use**

The permit listed the point of diversion as located in L6 (NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$), Department personnel GPS'd the well and it is located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$. For the point of diversion, we are removing the L6 from the license. The property is not located in Gov't Lot 6 but in Tract 37.

The enclosed Application for Amendment form depicts the elements of the water right as they will appear on the license when it is issued. I have also enclosed a copy of the original permit. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$100.00 filing fee within 14 days.

If you have any questions, please call me at 208-287-4942.

Sincerely,

Jean Hersley
Technical Records Specialist II

Enclosure(s)



United States
Department of
Agriculture

Forest
Service

Caribou-Targhee
National
Forest



1405 Hollipark Drive
Idaho Falls, ID 83401
208-524-7500

File Code: 2540

Date: February 6, 2013

RECEIVED

FEB 08 2013

DEPARTMENT OF
WATER RESOURCES

Jean Hersley
State of Idaho
Idaho Department of Water Resources
PO Box 83720
Boise, ID 83707-9815

Dear Jean:

Please find enclosed the requested map showing the approximate well location for water right 23-11372. This should clarify the location as described in your January 28, 2013 letter. If you have additional questions please feel free to contact me at (208) 557-5783.

Sincerely,

Louis Wasniewski,
Forest Hydrologist

Enclosure



State of Idaho
Department of Water Resources
Permit to Appropriate Water
23-11372

Please mark the location of the well and return to IDWR.



0 0.005 0.01 0.02 Miles

Legend

-  Place Of Use Boundary
-  State Outline
-  Townships
-  PLS Sections
-  Quarter Quarters

 Approximate well location.





State of Idaho

DEPARTMENT OF WATER RESOURCES

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C.L. "BUTCH" OTTER

Governor

GARY SPACKMAN

Director

January 28, 2013

UNITED STATES OF AMERICA
CARIBOU TARGHEE NATIONAL FOREST
1405 HOLLIPARK DR
IDAHO FALLS ID 83401

RE: Water Right Permit 23-11372- Point of Diversion

Dear Water Right Permit Holder:

The Idaho Department of Water Resources is in the process of reviewing your water right permit for licensing. After reviewing the permit, a question arose about the location of the point of diversion.

The permit lists the point of diversion located in Township 01S, Range 45E, Section 18, NENESE. The well log noted on your Proof of Beneficial Use lists the well in Township 01S, Range 45E, Section 18 SENE. I am enclosing a copy of the well report for your information.

I am also enclosing a map of the water right permit and would like you to mark on the map where the well is located. Please return this map in the enclosed envelope within 14 days so we may complete licensing process.

If you have any questions, please contact me at (208) 287-4942. Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Jean Hersley". The signature is written in dark ink and is positioned above the printed name and title.

Jean Hersley
Technical Records Specialist I

Enclosures