

RANGE 45E

TOWNSHIP
7
N

15

POINT OF DIVERSION

22

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.

(Applicant)

MICROFILMED

AFFIDAVIT OF PUBLICATION

State of Idaho)
) ss
County of Teton)

I, Lawrence D. Norton,
being first duly sworn depose and say

that I am the publisher
of the Teton Valley News, a news-
paper as defined by Idaho Codes Anno-
tated, Section 58-106, as amended, and
that said newspaper is a weekly news-
paper printed and published at Driggs,
in Teton County, Idaho, having a gen-
eral circulation in said county, and that
said newspaper has been printed in
said county for more than 78 consecu-
tive weeks prior to the first publication
of the attached notice, advertisement
or publication of

Notice of Application for Water Permit
G. Lynn and/or Lucille L. Rudd #22-7101

And affiant further says that said
attached notice, advertisement or pub-
lication, as per clipping attached, was
published in said newspaper, in the
regular and entire issue thereof, and
not in any supplement issue thereof,

for 2 consecutive issues thereof;
first publication having been made on

the 15 day of August

19 74.

and last publication on the 22

day of August, 19 74.

And affiant further says that at the
times herein mentioned said newspaper
was made up of at least eight pages
of at least five columns each, printed
from type matter, of at least sixteen
and one-half inches deep.

Lawrence D. Norton

Subscribed in my presence and sworn

to before me this 22 day of

August, 19 74.

(SEAL) Notary Public for the State of
Idaho, residence and postoffice
address, Driggs, Idaho.

My Commission expires

9-30, 19 75.

NOTICE OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that
G. Lynn and/or Lucille L.
Rudd, Route 2, St. Anthony,
Id., have on 8-6-74 submitted
Application No. 22-7101 for a
permit to appropriate 4.84 cu-
bic feet per second and/or 90
acre feet per annum of water
from Pole Creek tributary of
Bitch Creek by means of dam,
reservoir, pump and pipeline
within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sect. 15,
T. 7N, R. 45E, B.M., Teton
County; to be used from Jan.
1 to Dec. 31 for fish propaga-
tion and from May 1 to Nov.
1 for stockwatering purposes
for 200 head of beef cattle
within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 15,
T. 7N, R. 45E; and from Apr.
15 to Oct. 15 for the irrigation
of 250 acres within the S $\frac{1}{2}$
NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 15 NW $\frac{1}{4}$ -
NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec 22, T. 7N,
R. 45E, B.M.

If issued, this permit will
be subject to all prior water
rights. Protests against the
granting of the permit must
be filed with the Idaho Depart-
ment of Water Resources, 1515
Lincoln Road, Idaho Falls,

Idaho, 83401 on or before Sep-
tember 3, 1974.

R. KEITH HIGGINSON
Director

Published in the Teton Valley
News, Driggs, Idaho on Au-
gust 15 and August 22, 1974.

RECEIVED

AUG 23 1974

Department of Water Resources
Eastern District Office

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FEB 06 1991

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$$\begin{array}{r} 8 \\ 475 \end{array}$$

9	10
16	15

DRY
CULL

A
480
A-278
267-A

H-2

105

C
642

POINT OF DIVERSION &
PLACE OF USE IN-STREAM

Pole Creek

$$\begin{array}{r} 328 \\ \times 72 \\ \hline 2736 \\ 3280 \\ \hline 23616 \end{array}$$

272-A

274-A

T7N
Flora

501
A-27E
270-A

Well

55A
A-22
271-A

C
751

16	15
21	22

440
A-22
SEA-A

REFILED
FEB 06 1955

22-7102

1-305
655-A
650

NOT TO SEE.

22-7102

PLACE OF USE
POINT OF DIVERSION

R45E

T
7
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FEB 06 1991



22-7101

MAILED
FEB 06 1991

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that G. Lynn and/or Lucille L. Rudd, Route 2, St. Anthony, Id., have on 8-6-74 submitted Application No. 22-7101 for a permit to appropriate 4.84 cubic feet per second and/or 90 acre feet per annum of water from Pole Creek tributary of Bitch Creek by means of dam, reservoir, pump and pipeline within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sect. 15, T. 7N, R. 45E, B.M., Teton County; to be used from Jan. 1 to Dec. 31 for fish propagation and from May 1 to Nov. 1 for stockwatering purposes for 200 head of beef cattle within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 15, T. 7N, R. 45E; and from Apr. 15 to Oct. 15 for the irrigation of 250 acres within the S $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 15 NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec 22, T. 7N, R. 45E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before September 3, 1974.

R. KEITH HIGGINSON
Director

Published in the Teton Valley News, Driggs, Idaho on August 15 and August 22, 1974.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 22-07101

Priority: September 24, 1974

Maximum Diversion Rate:

0.03 CFS

Maximum Diversion Volume:¹

1.4 AF

This is to certify, that G. LYNN RUDD
LUCILLE L. RUDD

RT. 2 BOX 18

ST. ANTHONY, ID 83445

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated August 6, 1974; and has submitted Proof of Beneficial Use on July 15, 1983. An examination indicates that the works have a diversion capacity of .030 cfs of water from:

POLE CREEK

tributary to BITCH CREEK

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	05/01 to 11/01	0.03 CFS	1.4 AF

LOCATION OF POINT(S) OF DIVERSION:

SENW , Sec. 15, Township 07N, Range 45E
SWNE , Sec. 15, Township 07N, Range 45E
SENE , Sec. 15, Township 07N, Range 45E
SWNW , Sec. 15, Township 07N, Range 45E
TETON County

PLACE OF USE: STOCKWATER
TWN RGE SEC

07N 45E 15

SWNE
SENW

SENE

SWNW

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right is for in-stream stockwatering of 60 cattle.

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FEB 06 1991

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 22-07101

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 1ST
day of FEBRUARY, 1991.

Acting for


R. Keith Higginson, Director

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FEB 06 1991

State of Idaho
Department of Water Resources

RECEIVED
DEC 12 1990

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 22-07101

Department of Water Resources

APPROVED

Date of Priority: September 24, 1974

Maximum Diversion Rate:

0.03 CFS

Maximum Diversion Volume:¹

1.4 AF

Comes now

G. LYNN RUDD
LUCILLE L. RUDD

RT. 2 BOX 18

ST. ANTHONY, ID 83445

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. 22-07101, and requests that the permit be changed as follows:

Source: POLE CREEK

tributary to BITCH CREEK

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	05/01 to 11/01	0.03 CFS	1.4 AF

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 15, Township 07N, Range 45E
SWNE , Sec. 15, Township 07N, Range 45E
SENE , Sec. 15, Township 07N, Range 45E
SWNW , Sec. 15, Township 07N, Range 45E
TETON County

PLACE OF USE: STOCKWATER

TWN RGE SEC

07N 45E 15

SWNE
SENE

SENE

SWNW

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 at St Anthony, Idaho, this 11th day of December, 1990.

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FEB 06 1991

G. Lynn Rudd
(Signature)
by Linda R. Holliet
Attorney in Fact

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 22-07101

FOR DEPARTMENT USE ONLY

Preliminary check by SC Fee ✓ \$20.00 Received by 12 Date 12/12/90 4019120

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 22-07101 with the following;

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right is for in-stream stockwater use.

Witness my hand this 15th day of FEBRUARY, 1991.

Acting for R. Keith Higginson Director

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FEB 16 1991

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF REMOVING THE MEASURING)
DEVICE REQUIREMENT FOR PERMIT NO. 22-7101) ORDER
IN THE NAME OF G. LYNN &/OR LUCILLE L. RUDD)

This matter coming before the Department of Water Resources by a request from the permit holder to remove the measuring device requirement of Permit No. 22-7101:

FINDINGS OF FACT

1. On September 18, 1974 the Department issued Permit No. 22-7101 in the name of G. Lynn &/or Lucille L. Rudd with a condition of approval which states:

A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

2. On May 8, 1986 the Department received a request from the permit holder to remove the measuring device requirement.

CONCLUSIONS OF LAW

The Department has determined that a device is not required for the development stated by the permit holder.

ORDER

IT IS HEREBY ORDERED that the condition of approval on said water right requiring that a measuring device approved by

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the Department shall be installed by the permit holder is hereby
REMOVED.

Dated this 18th day of August, 1986.

L. Glen Saxton

L. GLEN SAXTON
Chief, Operations Bureau

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF EXTENDING THE PROOF DUE	)	
DATE IN CONNECTION WITH PERMIT NO. 22-7101	)	
IN THE NAME OF G. LYNN AND/OR LUCILLE L. RUDD	)	ORDER

WHEREAS, on August 6, 1974, G. Lynn Rudd and/or Lucille L. Rudd applied to the Department of Water Resources for a permit to appropriate 4.84 cubic feet per second of water from Pole Creek from a point within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 15, Twp. 7N, Rge. 45E B.M., Teton County, to be used for irrigation, stockwater, and fish propagation; and,

WHEREAS, on September 18, 1974, the Department approved said application and issued Permit No. 22-7101 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before September 1, 1979; and,

WHEREAS, on August 1, 1979, the permit holders submitted a request for an extension of time; and,

WHEREAS, it appears that under the circumstances, the permit holders have been proceeding with reasonable diligence and has given good cause for delay;

IT IS, THEREFORE, HEREBY ORDERED that the time within which to submit proof of beneficial use of water is extended to September 1, 1984.

Dated this 21 day of August, 1979.



DAVID R. TUTHILL, JR.
Acting Chief, Operations Bureau

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Identification No. 22 7101
Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant G. Lynn Rudd and/or Lucille L. Rudd
post office address Route #2, St. Anthony, Idaho PH: 624-7893
2. Source of water supply Pole Creek which is a tributary of Bitch Creek
3. a. Location of point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 15 Township 7N
Range 45E B.M. Teton County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 4.8 for Irrig. purpose from Apr. 15 to Oct. 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.04 for Stock purpose from May 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 90 for Fish prop. purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 4.84 cubic feet per second and/or
b. 90 acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Dam and reservoir water pumped
from pond for sprinkler irrigation.

b. Height of storage dam 15 feet, active reservoir capacity _____ acre feet; total reservoir
capacity 90 acre feet, materials used in storage dam: Earth
Period of year during which storage will occur Jan. 1 to Dec. 31 inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 30,000.00.
8. Description of proposed uses:
a. If water is not for irrigation:
(1) Give the place of use of water: SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 15 Township 7N
Range 45E B.M.
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered 200 head of beef cattle

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____.
(5) If water is to be used for other purposes describe: fish propagation

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

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7N	45E	15							40	30		40	40						150
"	"	22		20			40	40											100

Total number of acres to be irrigated 250

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

9. a. Who owns the property at the point of diversion Applicant

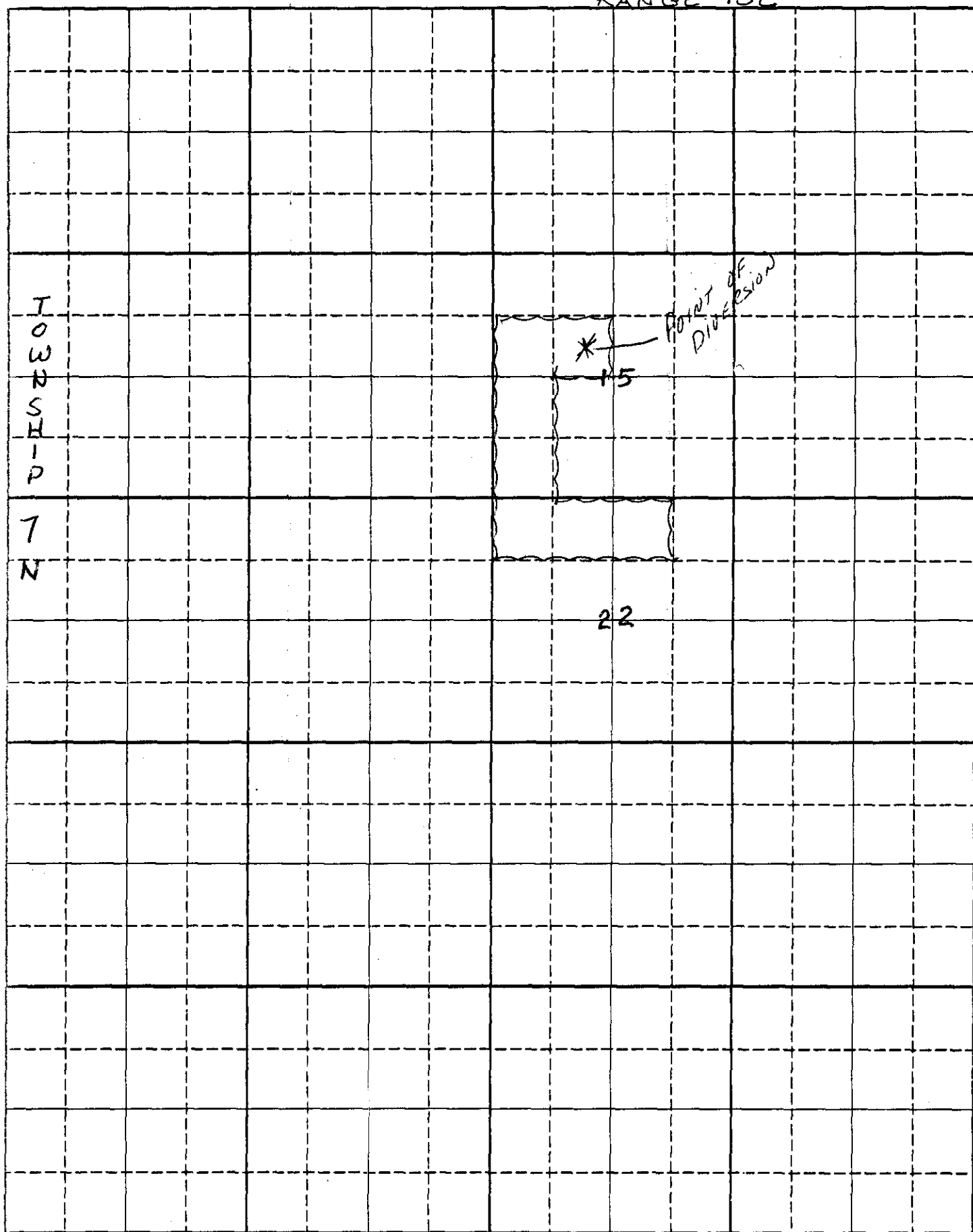
b. Who owns the land to be irrigated or place of use Applicant

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

10. Remarks _____

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

RANGE 45E



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.

L. Lynn Budd
(Applicant)

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Proposed Priority 8-06-1974

Received by MB Date 8-06-74 Time 4:55 PM
Preliminary check by RDC Fee \$ 65.00
Receipted by MB Date 8-06-74 # 13003
Publication prepared by MB Date 8-8-74
Published in Idaho Valley News
Publication dates Aug. 15 + 22, 1974
Publication approved CB Date 8/23/74
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by DF

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

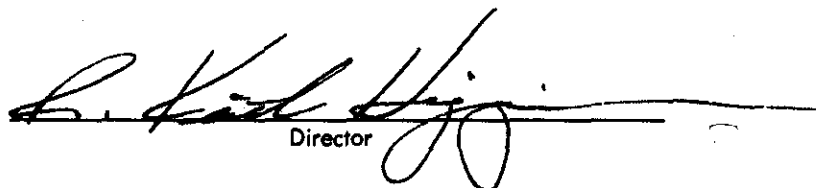
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 22-7101, and said application is hereby APPROVED.

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 September 1, 19 79.
- c. Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 18 day of September 19 74.


Director

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	<u>JW</u>	<u>8/9/74</u>	Application No. <u>22-7101</u>
(2)			☒ Source ☒ Point of Diversion ☒ County ☒ Quantity of Water and Period of Use ☒ Description of Diverting Works ☒ Time required for B/U of water ☒ Place of Use or Acres Irrigated ☒ Map ☒ Signature ☒ Fee
(3)	<u>"</u>	<u>"</u>	In form to receipt <u>yes</u>
	<u>"</u>	<u>"</u>	Send Copies to: ☐ Idaho State Health Department ☐ Idaho Fish and Game Department ☐ Bureau of Land Management
(4)	<u>"</u>	<u>"</u>	Request Special Use Permit from U.S.F.S. Request Easement from B.L.M. Request Information from Applicant
(5)	<u>"</u>	<u>"</u>	In form for advertising <u>yes</u>
(6)	<u>"</u>	<u>"</u>	Located within Water District No. <u>01</u>
(7)	<u>"</u>	<u>"</u>	Critical groundwater area: yes <u>no</u> ☒
(8)	<u>"</u>	<u>"</u>	Groundwater levels: <u>NA</u> Decline (comment) _____ Stable (comment) _____ Increasing (comment) _____
(9)			Comments: _____
(10)	<u>MB</u>	<u>8/23/74</u>	Affidavit of Publication received (date) <u>Aug 23, 1974</u>
(11)			Final date for protests <u>September 3, 1974</u> Protests received: <u>yes</u> <u>no</u>
(12)	<u>JW</u>	<u>9/10/74</u>	Date and Place of hearing <u>No protest received.</u> Decision reached at hearing _____
(13)	<u>"</u>	<u>"</u>	All requested information received from agencies or applicant yes <u>no</u> <u>None requested</u>
(14)	<u>"</u>	<u>"</u>	Action recommended: ☒ Approve Priority <u>8/6/74</u> ☐ Deny Reason for Reduction _____ ☒ Measuring device required ☐ See attached sheet for additional conditions of approval ☐ No additional conditions for approval
(15)	District <u>Eastern</u>	By <u>Lynn Johnson</u>	Date <u>9/10/74</u>

MICROFILMED

AFFIDAVIT OF PUBLICATION

State of Idaho)
) ss
 County of Teton)

Lynne L. Dwyer
 being first duly sworn depose and say

that I am the publisher.....
 of the Teton Valley News, a news-
 paper as defined by Idaho Codes Anno-
 tated, Section 58-106, as amended, and
 that said newspaper is a weekly news-
 paper printed and published at Driggs,
 in Teton County, Idaho, having a gen-
 eral circulation in said county, and that
 said newspaper has been printed in
 said county for more than 78 consecu-
 tive weeks prior to the first publication
 of the attached notice, advertisement
 or publication of

Notice of Application for Water Permit
H. Lynne L. Dwyer, Publisher #22-7101

And affiant further says that said
 attached notice, advertisement or pub-
 lication, as per clipping attached, was
 published in said newspaper, in the
 regular and entire issue thereof, and
 not in any supplement issue thereof,

for 21 consecutive issues thereof;
 first publication having been made on

the 15 day of August.....

19 74.

and last publication on the 22.....

day of August....., 19 74....

And affiant further says that at the
 times herein mentioned said newspaper
 was made up of at least eight pages
 of at least five columns each, printed
 from type matter, of at least sixteen
 and one-half inches deep.

Lynne L. Dwyer

Subscribed in my presence and sworn

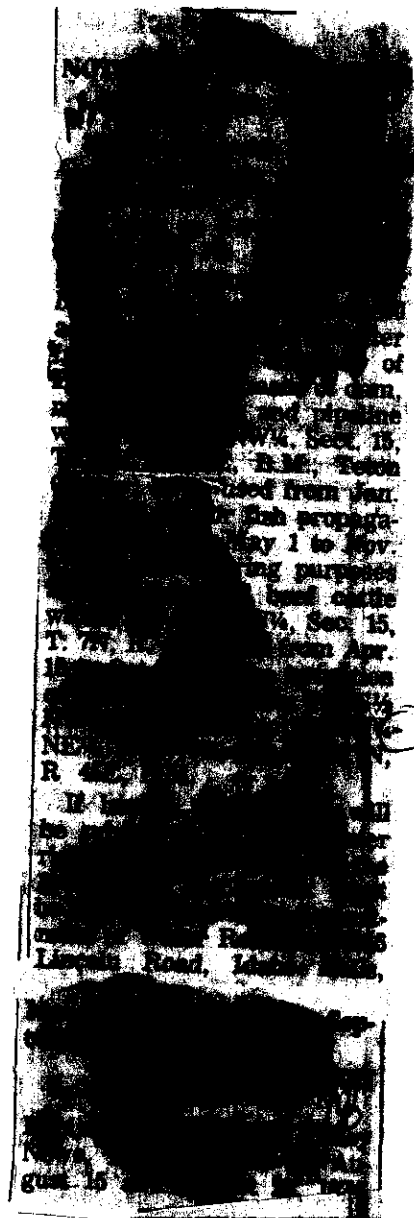
to before me this 22..... day of

August....., 19 74....

(SEAL) Notary Public for the State of
 Idaho, residence and postoffice
 address, Driggs, Idaho.

My Commission expires

9-20....., 19 75....



RECEIVED

196 23 1014

MICROFILMED

February 5, 1991

G. LYNN RUDD
LUCILLE L. RUDD
RT. 2 BOX 18
ST. ANTHONY, ID 83445

RE: WATER RIGHT NO. 22-07101

Dear Water Right Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved application for amendment.

Should you have any questions regarding these documents, please feel free to contact our office.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosure

MICROFILMED

FEB 06 1991

Microfilm No. 409854
8. Day May 19 89
At 4:59 O'clock P - M
BETTY J. HILL
FREMONT CO. RECORDER
Fee \$ 3.00 Deputy
Recorded At Request of
Lynda Hollist

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

That Lucille L. Rudd of Route 2, Box 18, St. Anthony, Idaho 83445, has made, constituted and appointed, and by these presents does make, constitute and appoint Lynda R. Hollist of Route 2, Box 19, St. Anthony, Idaho 83445, my true and lawful attorney for and in my name, place and stead giving and granting unto my said attorney full power and authority to do and perform all and every act and thing whatsoever requisite and necessary to be done in and about the premises, as fully to all intents and purposes as I might or could do if personally present, with full power of substitution and revocation, hereby ratifying and confirming all that my said attorney or her substitute shall lawfully do or cause to be done by virtue thereof.

This power of attorney shall be in full force and effect until revoked by me in writing.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 14th day of April, 1989.

Lucille L. Rudd
LUCILLE L. RUDD

STATE OF IDAHO)
County of Fremont) ss.

BE IT KNOWN that on the 14th day of April, 1989, before me personally appeared Lucille L. Rudd above named, who is to me known to be the person described in and who executed the above Power of Attorney, and acknowledged the same to be her free act and deed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal, the day and year last above written.

Marge S. Chantille
Notary Public for Idaho
Residing at: Rexburg
Comm. Expires: 12-31-91

RECORDED & INDEXED

FEB 06 1991

FEB 06 1991



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

December 13, 1990

RE: Permit No. 22-7101 (G. Lynn &/or Lucille L. Rudd)

Lynda R. Hollist
Rt. 2, Box 19
St. Anthony, ID 83445

Dear Ms. Hollist:

I have received the amendment form for licensing of the above referenced permit which you recently signed and returned. Although you stated on the amendment that you are the Attorney in Fact for the Rudd's, we have nothing in our file to indicate that you are empowered as such by the Rudd's.

If you can submit a statement signed by the Rudd's that you are authorized to act in their behalf, we can accept the amendment and issue the license. Please submit this information at your earliest convenience.

If you have any further questions, please feel free to contact me.

Sincerely,

Sharla Curtis

SHARLA CURTIS
Technical Records Specialist

MICROFILMED

FEB 06 1991

November 30, 1990

G. LYNN RUDD
LUCILLE L. RUDD
RT. 2 BOX 18
ST. ANTHONY, ID 83445

RE: WATER RIGHT NO. 22-07101

Dear Water Right Holder(s):

We previously forwarded to you an Amendment for Water Permit so that you could amend your permit to correspond with the findings of the Department's field examiner.

As of this date, we have not received this amendment. If we do not receive the amendment within fifteen (15) days, we will issue a Water Right License which reduces the amount that could have been allowable to you. Enclosed for your convenience is another amendment form in the event the first one was misplaced.

If you have any questions, please contact us.

Sincerely,

SHARLA CURTIS
Technical Records Specialist

SC:blm

Enclosure

RECEIVED

FEB 6 1991

October 23, 1990

G. LYNN RUDD
LUCILLE L. RUDD
RT. 2 BOX 18
ST. ANTHONY, ID 83445

RE: PERMIT NO. 22-07101

Dear Permit Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed application for amendment contains information that will be included on the license when it is issued. Please review carefully and if you concur, sign the amendment and return with the \$20.00 filing fee within 30 days.

Please note that the date of priority of this right has been advanced due to late submittal of the examination fee &/or exam fee information sheet.

If you do not concur with these findings or if you have any questions, please contact us within the 30-day period.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosure

MICROFILMED

FEB 06 1991

POINT OF DIVERSION OVER

WR-NUMBER	TWP	RNG	SC	TRACT	LT	#SOURCE	#NAME
				1\4 1\4 1\4			
2207101	07N	45E	15	SE NW		POLE CREEK	RUDD, G. LYNN

RECEIVED

FEB 06 1991

BENEFICIAL USE FIELD REPORT REVIEW

TO: TO FILE 22-7101

FROM: ROXANNE MCCARTHY

RE: PRIORITY ADVANCE REVIEW

DATE: 9-DEC-1988

This review memo is prepared to show the process for determining what elements were involved in advancement of the priority.

	<u>DATE</u>	<u>JULIAN</u>
PERMIT		
Permit priority Date:	AUGUST 06 1974	218
EXAM FEE NOTICE		
Exam Fee Notice Date:	JANUARY 26 1987	26
Exam Fee/Info Sheet Received Date:	MAY 15 1987	135
Exam Fee or Info Due Date:	MARCH 27 1987	86
Days Late:		49 DAY(S)
NEW PRIORITY DATE		
Orginal Priority Date:	AUGUST 06 1974	218
Total Days Late:		49 DAY(S)
New Priority Date:	SEPTEMBER 24 1974	267

MICROFILMED

FEB 06 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Staff Analysis Sheet
for
Beneficial Use Field Report

22-7101

Permit No.

Rudd

limited to stockwater
by fee letter *ES*

RECEIVED

OCT 23 1987

A. Prior to Conducting the Exam, the File Contains:

- ☒ Blank Field Report Form
- ☒ Copy of Permit
- ☒ Copies of any Amendments/Orders with conditions of approval
- ☒ Computer Data Proof Report
- ☒ Copy of U.S.G.S. Quad

☐ Check for Government Lots. If so, make a copy of Government Department of Water Resources

Check of P/D index *ES* 6/1/87 (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of exam(s) attached?

Type of Overlap? ☐ Add acres or uses to existing system

☐ Increase rate of flow or volume

☐ Other: _____

Check of P/U index *ES* 6/1/87 (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of water right(s) attached?

Type of Overlap? ☐ Increase rate of flow or volume

☐ Add P/D's

☐ Increase number of acres within tracts

☐ Other: _____

Aerial Photo

Required? ☐ yes ☒ no If yes: ☐ copy attached?

Scheduling Letter sent? _____ (Initial and date)

☐ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

- ☒ Fully completed and signed Field Report Form
- ☒ Photographs of Point of Diversion and Place of Use
- ☒ Corrected Computer Data Proof Report with recommended license information, and date and signature of examiner.

C. Review and Processing:

Exam Completed 3-Aug-1987 *ES* (Signature of examiner and date)

Exam Reviewed by Senior Water Resource Agent 7/6/9-10-87 (Initial and date)

Exam Reviewed by Manager of Regional Office SM 9-30-87 (Initial and date)

Exam Date Entered in Computer _____ (Initial and date)

Exam sent to State Office 10/21/87 (Initial and date)

Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original
Refiled in White File _____ (Initial and date)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

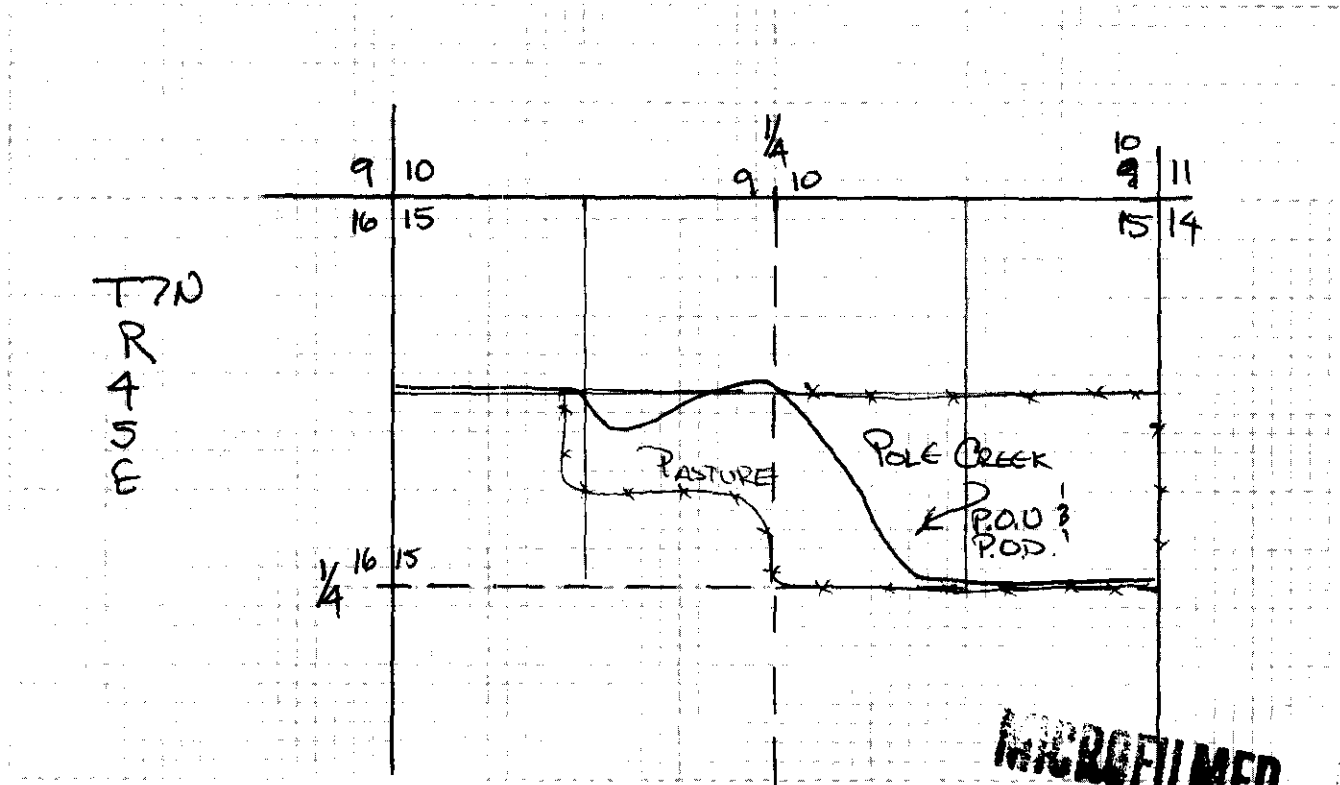
1. Owner: G. Lynn or Lucille RUDD Permit No. 7101 22-7102
Current Address: RT 2 Box 18 ST. ANTONY, ID. 83445 Phone No. 624-7893
2. Accompanied by: BOYD LYNN HOLIST EXAM. DATE: AUG-3-1987
Address: RT 2 Box 18 ST. ANTONY ID 83445 Phone No. 624-7893
Relationship to Permit Holder: OPERATOR / SON-IN-LAW
3. Source: POLE CREEK tributary to BITCH CREEK

B. OVERLAP REVIEW

1. Other water rights with same place of use: NONE ☐ Copies Attached
2. Other water rights with same point of diversion: NONE ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = No Scale

2. ☒ Copy of U.S.G.S. 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 or more).
☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).

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FEB 18 1991

System Description (continued)

3. **Narrative:** Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

ORIGINAL PERMIT INCLUDED DIVERTING FOLE CREEK INTO POND
AND USING WATER FOR RECREATION POND, IRRIGATION, STOCKWATER.
THE POND WAS BUILT BUT BOTTOM COULD NOT BE SEALED DUE
TO GRAVEL BOTTOM. ONLY USE OF WATER FROM FOLE CREEK
UNDER THIS PERMIT IS NOW IN-STREAM STOCKWATERING FOR
UP TO 60 HEAD OF RANGE CATTLE.
STREAM RUNS THROUGH PERMITTEE'S PROPERTY WHERE
COWS WATER AND PASTURE.

☐ See Remarks on page 4 for continuation

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

5. **Point(s) of Diversion:**

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SW	NE	15	7N	4SE	TETON	ON SITE / USGS QUAD
			SE	NE	15	7N	4SE	TETON	
			SW	NW	15	7N	4SE	TETON	
			SE	NW	15	7N	4SE	TETON	

6. **Place(s) of Use:**

Indicate Method of Determination _____

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7N	4SE	15			S	S			S	S									

NOT FILMED

FEB 06 1991

Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

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

2. Measurements:

NONE. ALLOW 0.04 cfs per permit from perennial stream.
Visual estimate 100 gpm.
* Stockwater chart allows 0.03 cfs for 60 head of stock
H&J

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3); Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

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

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

(12 gal/HEAD/DAY) (60 HEAD) (184 DAYS/YEAR) = 0.4 Acre-foot.
325,850 gal/Acre

(0.04) (184 days) (1.9835) = 14.6 AFA

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FEB 06 1991

[illegible]

1. Recommended Amounts

2. Recommended Amendments

- ## J. AUTHENTICATION

Geo McCormick

CONSULTANT SEAL

- Ryanne McCarthy* 12/9/88

DECLASSIFIED

FEB 16 1951

R-45

H

A
104

B
475

9 10

15

Dray
Creek

440
A-278
267-A

H-2

B
105

C
98

C
642

POINT OF DIVERSION &
TRACE OF OLD W-STREAM

Pole Creek

B
398
A-72
273-A
382

272-A

274-A

T7N
R7E

501
A-278
270-A

WELL

504
A-22
271-A

C
751

E
393

A
440
A-22
534-A

16 17
21 22

B
894

C
816

D
568

E
420

E
965

22-7102

Revised 2-1-40

Page 21

1-305
555-A
630

NOT TO SCALE

22-7102

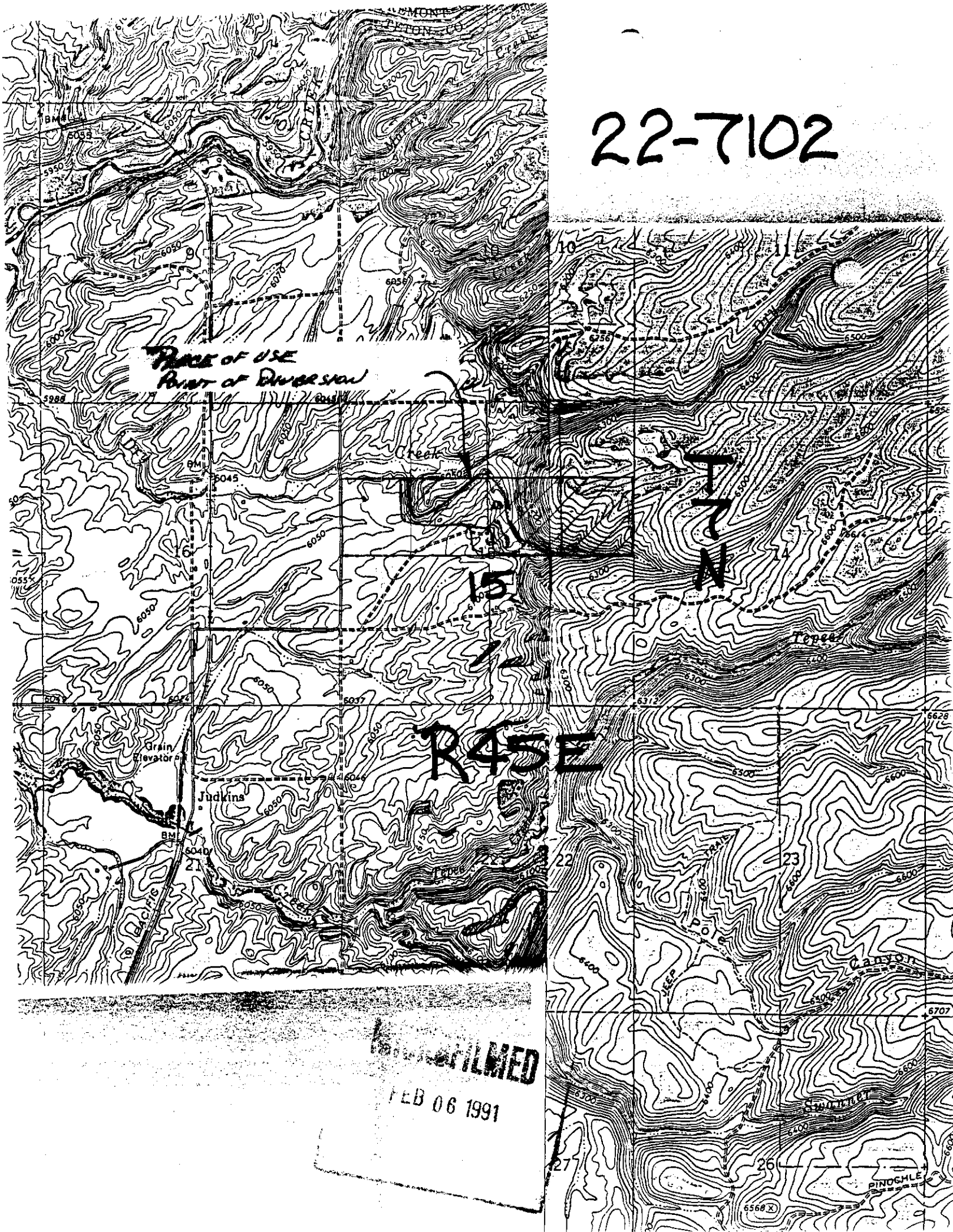
PLACE OF USE
POINT OF DIVERSION

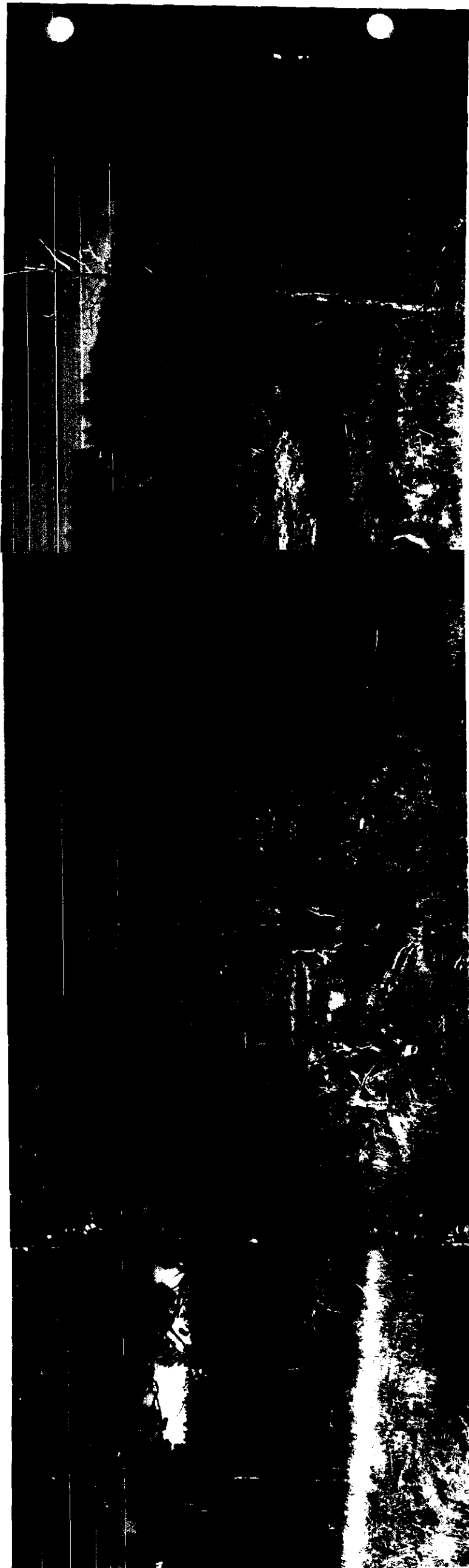
R45E

T
7
N

REFILMED

FEB 06 1991





22-7101

REPRODUCED
FEB 06 1991

4/86
RECEIVED

MAY 15 1987

Department of Water Resources
Eastern District Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

EXAMINATION FEE INFORMATION

Mr. Lee
For Office Use Only
Fee Received 0
Date 5-15-87
Receipt # _____
Receipt by _____
Sent to S.O. _____

RECEIVED

JUN 03 1987

1. Permit No. 22-7101

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE:

Department of Water Resources

☐ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: G. Lynn or Lucille Ruda

3. Post Office Address: Rt 2 Box 18 St. Anthony 83445

Telephone No. 624-7893

4. Source of Water: Pole Creek

5. Extent of Use:

Domestic _____ (No. of households) Stockwater 15 ^{Beef} (No. and type of stock)

Irrigation _____ (acres) Other/Remark _____

6. Total rate &/or volume for which proof is submitted 0.04 cfs _____ acre-feet

7. Show the date water was first diverted and beneficially used under this permit:

6 Aug 1974

8. Person to contact to accompany the department representative during the field examination:

Same
(Name)

Same
(Address)

MICROFILMED

(Telephone Number)

FEB 06 1991

☐ I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner I have selected verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

15 May 1987
Date

G. Lynn Ruda
Signature of Permit Holder (and title, if appropriate)

State of Idaho
Department of Water Resources

LICENSE EXAMINATION FEE SCHEDULE

(c.f.s. = cubic feet per second
AF = acre feet)

cfs	AF	Fee
0 - 0.04	0 - 4	\$ 0
.05 - 0.20	5 - 20	50.00
.21 - 1.0	21 - 100	100.00
1.01 - 2.0	101 - 200	125.00
2.01 - 3.0	201 - 300	150.00
3.01 - 4.0	301 - 400	175.00
4.01 - 5.0	401 - 500	200.00
5.01 - 6.0	501 - 600	225.00
6.01 - 7.0	601 - 700	250.00
7.01 - 8.0	701 - 800	275.00
8.01 - 9.0	801 - 900	300.00
9.01 - 10.0	901 - 1000	325.00
10.01 - 11.0	1001 - 1100	350.00
11.01 - 12.0	1101 - 1200	375.00
12.01 - 13.0	1201 - 1300	400.00
13.01 - 14.0	1301 - 1400	425.00
14.01 - 15.0	1401 - 1500	450.00
15.01 - 16.0	1501 - 1600	475.00
16.01 - 17.0	1601 - 1700	500.00
17.01 - 18.0	1701 - 1800	525.00
18.01 - 19.0	1801 - 1900	550.00
19.01 - 20.0	1901 - 2000	575.00
20.01 & over	2001 & over	600.00

Checks should be made payable to the
Department of Water Resources

No fee is required for single family
domestic use or stockwater use.



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

150 Shoup — Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

A. Kenneth Dunn
Director
May 6, 1987

22-7101
RUDD, G. LYNN
RUDD, LUCILLE L.
RT. 2 BOX 18
ST. ANTHONY, ID 83445

Dear Permit Holder:

On January 26, 1987 this Department sent you a certified letter explaining the recent statutory changes in the licensing procedure that will pertain to the above referenced permit. The new statutes provide the permit holder with a choice of who will perform the licensing field examination. You may either choose a certified water rights examiner from the private sector, or select the Department. If you elect to have the examination done by the Department there is now a fee for this service based on the amount of water being diverted.

The letter advised you had a period of 60 days to notify the Department of your decision. You were to notify the Department by returning the examination fee information form which accompanied the certified letter and the appropriate examination fee, provided you wanted the Department to do the examination. As indicated in the certified letter, failure to return the form and submit the examination fee, within 60 days would cause the priority of your permit to be advanced.

Our records indicate you did not respond within the 60 day period. Starting with March 27, 1987 the priority of your permit will be advanced one day for each day your response is late. Failure to submit a completed examination fee information form, with the examination fee, by March 27, 1988 will result in the permit being lapsed.

As always our staff is available to assist you or answer questions concerning the above matter. For your convenience, we have enclosed another examination fee information form.

Respectfully submitted,

Ernest Carlsen
Assistant Regional Manager

EC/md

Enclosure

MICROFILMED
FEB 06 1991



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

22-7101
RUDD, G. LYNN
RUDD, LUCILLE L.
RT. 2 BOX 18
ST. ANTHONY, ID 83445

January 26, 1987

150 Shoup — Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

EXAMINATION FEE NOTICE



Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this Department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the Department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the Department, but you must within sixty (60) days of the date of this letter return to the Department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and submit the fee needed for the Department to conduct the field examination, but you may change to another certified examiner.

Certified water right examiners are licensed engineers, geologists, or land surveyors certified by the Department to conduct water right examinations. The procedure for certifying examiners results from the recently enacted HB 671 and is being developed at this time. A listing of certified water right examiners will be available from this Department when examiners have been certified.

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FEB 06 1991

If your permitted use, in fact, has already been examined by the Department and you have not asked to have the examination repeated, the fee requirement is not applicable to your permit. If you believe this is the case, please contact the Department.

The license examination fee is to be based on the amount of water you indicate you have developed, as listed in item 6 on the examination fee information sheet. The amount of water on which the examination fee is based can be less than the permitted amount, if less water has been diverted and beneficially used. The licensed amount of water, however, will not exceed the amount you claim on the examination fee information sheet. The enclosed license examination fee schedule shows a listing of applicable fees.

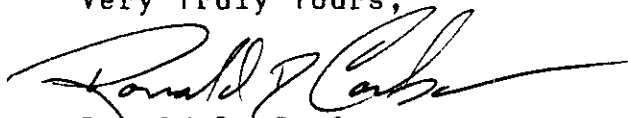
FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

FAILURE TO SUBMIT THE FEE OR THE COMPLETED FIELD EXAMINATION REPORT WITHIN A YEAR WILL BE CAUSE TO CONSIDER THE PROOF OF BENEFICIAL USE TO BE INCOMPLETE AND TO LAPSE THE PERMIT.

The attached examination fee information sheet and the fee may be submitted to the following Department office:

Eastern Region
Idaho Dept. of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83401
Phone: 525-7161

Very Truly Yours,



Ronald D. Carlson
Eastern Regional Manager

Enclosures

MICROFILMED

FEB 06 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 22-7101
Name(s) of Permit Holder(s): D. Raymond and Lucille Rupp
Post Office Address: St Anthony Id. Rte 2
Tel. No. 624-7593

☒ I hereby certify that construction of diversion works on the above referenced permit began on 1975 and I understand that I must continue to develop the water system with due diligence to maintain a valid permit.

☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control*:

This is only 10 ft dam used only at low water. The flood in this dam is 7 ft over and goes dry soon after high water

*Note: A financing difficulty is not an acceptable reason.

Date

Signature of Permit Holder

G. Lynn Rudd
Rte 2, St Anthony ID 83445

PLACE
STAMP
HERE



MICROFILMED

FEB 06 1991

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

August 18, 1986

RE: Permit No. 22-7101

G. Lynn &/or Lucille L. Rudd
Rt. 2, Box 18
St. Anthony, ID 83445

Dear Mr. and Mrs. Rudd:

Enclosed is an Order which removes the requirement of the above referenced permit that a measuring device be installed and maintained as part of the diverting works.

If you have any questions concerning this matter, please feel free to contact our office.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

RECEIVED

MAY 9 1986

INTER-DEPARTMENT MEMO — 1

DATE May 8, 1986

FROM Steve McCormick

TO Jim Johnson

Department of Water Resources

SUBJECT 22-7101

Mr. Ruld submitted this letter, if you
have any questions please call me.

(Enc Steve - If you, Lockwater has been
developed then why has he listed
the other uses on the "You Statement"?

SIGNATURE

May 8, 1986

Jim Johnson
Idaho Department of Water Resources
Statehouse
Boise, Idaho 83720

Re: Permit 22-7101

Dear Mr. Johnson:

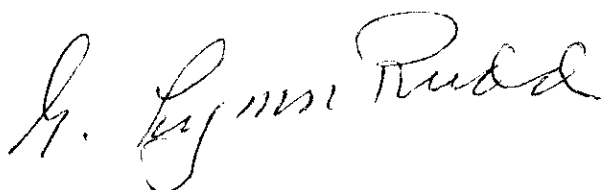
The uses under this permit have not been fully developed. The only beneficial use to which the water has been applied is stockwater. There is no irrigation or fish propagation use.

The right is only allowed to divert high water.

I request the Department remove the measuring device requirement because installation of a device on the upstream end of the pond is not possible due to high water conditions. We do have a small measuring flume through which the water flows to exit the pond.

Thank you,

G. Lynn Rudd

A handwritten signature in cursive script, reading "G. Lynn Rudd". The signature is written in dark ink and is positioned to the right of the typed name "G. Lynn Rudd".

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

150 Shoup
Idaho Falls, Idaho 83401
(208) 525-7161

August 1, 1982

C. Lynn Rudd
Rt. 2, Box 118
St. Anthony, ID 83445

RE: Permit 422-7101 and 22-7102

Dear Permit Holder:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department.

_____ A field examination of your system has been scheduled for _____.

If this time and date is not convenient for you, please contact this office as soon as possible.

 X A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office.

Sincerely,

KEITH D. WILSON
Gr. Resource Agent

KCW:JF

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 22-7101.

Name(s) of Permit Holder: G. Lynn Rudd

Post Office Address: Rt 2 St Anthony Id 83445
Box 18

Tel. No. 624-7893

Source of Water: Pole Creek

Extent of Use:

☐ Domestic

(number of households)

☒ Stockwater

200 Baf

(number and type of stock)

☒ Irrigation

250

(acres)

☒ Other

Fish Prop

JUN 28 1983

Measuring Device: Required?

☒ Yes ☐ No

Installed? ☐ Yes ☐ No

Access Port: Required?

☐ Yes ☒ No

Installed? ☒ Yes ☒ No

Eastern District Office

The above information is a true statement of the extent to which the above numbered permit has been developed.

6-28-83

Date

G. Lynn Rudd
Signature of Permit Holder

PLACE
13 CENT
STAMP
HERE



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

August 23, 1979

G. Lynn &/or Lucille Rudd
Route 2, Box 18
St. Anthony, ID 83445

Dear Mr. & Mrs. Rudd:

RE: Permit No. 22-7101 & 22-7102

Enclosed are copies of the Orders extending the proof due date for the above referenced permits. The time within which to submit proof of beneficial use has been extended on Permit No. 22-7101 to September 1, 1984 and on Permit No. 22-7102 to January 1, 1985.

In your letter you mentioned constructing a dam on Swanner Creek rather than Teepee Creek. This could cause many changes to be made on your permit. Because of this we suggest you talk with personnel from our Eastern Regional Office on 1515 Lincoln Road in Idaho Falls (523-7186) before beginning on this project.

If you have any questions concerning the extensions, please contact us.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG:rr

Enclosure

RECEIVED



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

161052

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

June 29, 1979

G. Lynn and/or Lucille L. Rudd
Route 2
St. Anthony, ID 83445

Dear Mr. and Mrs. Rudd:

One of the conditions of approval of your water Permit No. 22-7101 was that evidence of the extent of development must be submitted to this office on or before September 1, 1979. (See last page of your approved permit). Enclosed is a post card which may be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use post card or a request for an 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 within 60 days.

Sincerely,

RITA FLECK
Sr. Secretary

Enc: 1

MICROFILMED

September 19, 1974

Re: Permit No. 22-7001

Mr. G. Lynn Rudd
Route 2
St. Anthony, Idaho 83445

Dear Mr. Rudd:

Enclosed is a copy of your approved Application for Permit No. 22-7101. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jfr

Enclosures

MICROFILMED

XXXXXXXXXXXXXXXXXXXXX RESOURCES

August 27, 1974

Mr. P. L. Stott
Felt
Idaho 83424

Dear Mr. Stott:

This office is in receipt of your letter of August 26, 1974, indicating your objection to granting of permits filed by G. Lynn &/or Lucille L. Rudd. Section 42-203 of the Idaho Code requires that a protest must clearly set forth the objections to the approval of the application. We, therefore, cannot consider your letter to be a formal protest against the applications; but we will consider it to be an indication of your intent to protest and will give you 10 days from the date of this letter to clarify your objections.

The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the individuals concerned through action outside of the water right proceedings.

MICROFILMED

22-7101

Mr. P. L. Stott
Page 2
August 27, 1974

Mr. & Mrs. Rudd have filed two Applications for Permits No. 22-7101 and No. 22-7102, but it is unclear which of these you wish to protest. Application No. 22-7101 lists the source of water as Pole Creek with the point of diversion in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 15, T. 7N, R. 45E, B.M., Teton County, requesting 4.84 c. f.s. Application No. 22-7102 lists the source of water as Tepee Creek with the point of diversion in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 22, T. 7N, R. 45E, B.M., Teton County, requesting 4.04 c.f.s. If you wish to protest either or both of these applications, please clearly indicate the application number and your reasons for protesting.

Please provide this office with further details within the time limit previously stated, or we will consider that you no longer wish to continue it. If you have any questions, do not hesitate to contact this office.

Very truly yours,

RONALD D. CARLSON
Asst. to District Engineer

RDC:MB

cc: Mr. & Mrs. Rudd

22-7101

RECEIVED

AUG 27 1974

Department of Water Resources
Eastern District Office

P. L. STOTT
FELT, ID.
Aug. 26-1974

Idaho Dept. of Water Resources.
Idaho Falls, Idaho -

Gentlemen:

Ref. to Application For
Water Permit AS Advertised From
G. Lynn and/or Lucille L Rudd.

I would like to file a protest
Against this permit AS this
water is the source of water
owned by myself, supplied thru
Swanner Creek.

I have contacted Madison
Fremont Irrig. Dist. & they
are going to file a protest along
with me on this matter.

Very Truly Yours,

P. L. Stott

22-7101

~~XXXXXXXXXXXXXXXXXXXX~~ RESOURCES

August 9, 1974

Re: Application for Permit No. 22-7100 Ehco Ranch, Inc.
" " " No. 22-7101 Rudd
" " " No. 22-7102 "

Teton Valley News
Driggs
Idaho 83422

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing time for you to submit us a galley proof for 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. 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.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:MB

Bill submitted 8-23-74 by MB

Enc: Legal Notice (3)

22-7101

[REDACTED]

Rudd, Route 2, St. Anthony, Id., have on 8-6-74 submitted Application No. 22-7101 for a permit to appropriate 4.84 cubic feet per second and/or 90 acre feet per annum of water from Pole Creek tributary of Birch Creek by means of dam, reservoir, pump and pipeline within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sect. 15, T. 7N, R. 45E, B.M., Teton County; to be used from Jan. 1 to Dec. 31 for fish propagation and from May 1 to Nov. 1 for stockwatering purposes for 200 head of beef cattle within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sect. 15, T. 7N, R. 45E; and from Apr. 15 to Oct. 15 for the irrigation of 250 acres within the S $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 15 NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec 22, T. 7N, R. 45E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before September 3, 1974.

R. KEITH HIGGINSON
Director

Published in the Teton Valley News, Driggs, Idaho on August 15 and August 22, 1974.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that G. Lynn and/or Lucille L. Rudd

Route #2, St. Anthony, Idaho

has on 8-6-74 submitted Application No. 22-7101
for a permit to appropriate 4.84 cubic feet per second &/or 90 acre feet per annum
of water from Pole Creek tributary of Bitch Creek
by means of dam, reservoir, pump and pipeline
within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 15, T. 7N, R. 45E, B.M., Teton County;

to be used from Jan. 1 to Dec. 31 for fish propagation and from May 1 to Nov. 1
for stockwatering purposes for 200 head of beef cattle within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 15,
T. 7N, R. 45E; and from Apr. 15 to Oct. 15 for the irrigation of 250 acres
within the S $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 15, NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 22, T. 7N, R. 45E, B.M.

If issued, this permit will be subject to all prior water rights. Protests
against the granting of the permit must be filed with the Idaho Department of
Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before _____
September 3, 1974.

R. KEITH HIGGINSON

Director

Published in the Teton Valley News, Driggs, Idaho

on August 15 and August 22, 1974

RDC - J
CB-A. CB-A.

MICROFILMED