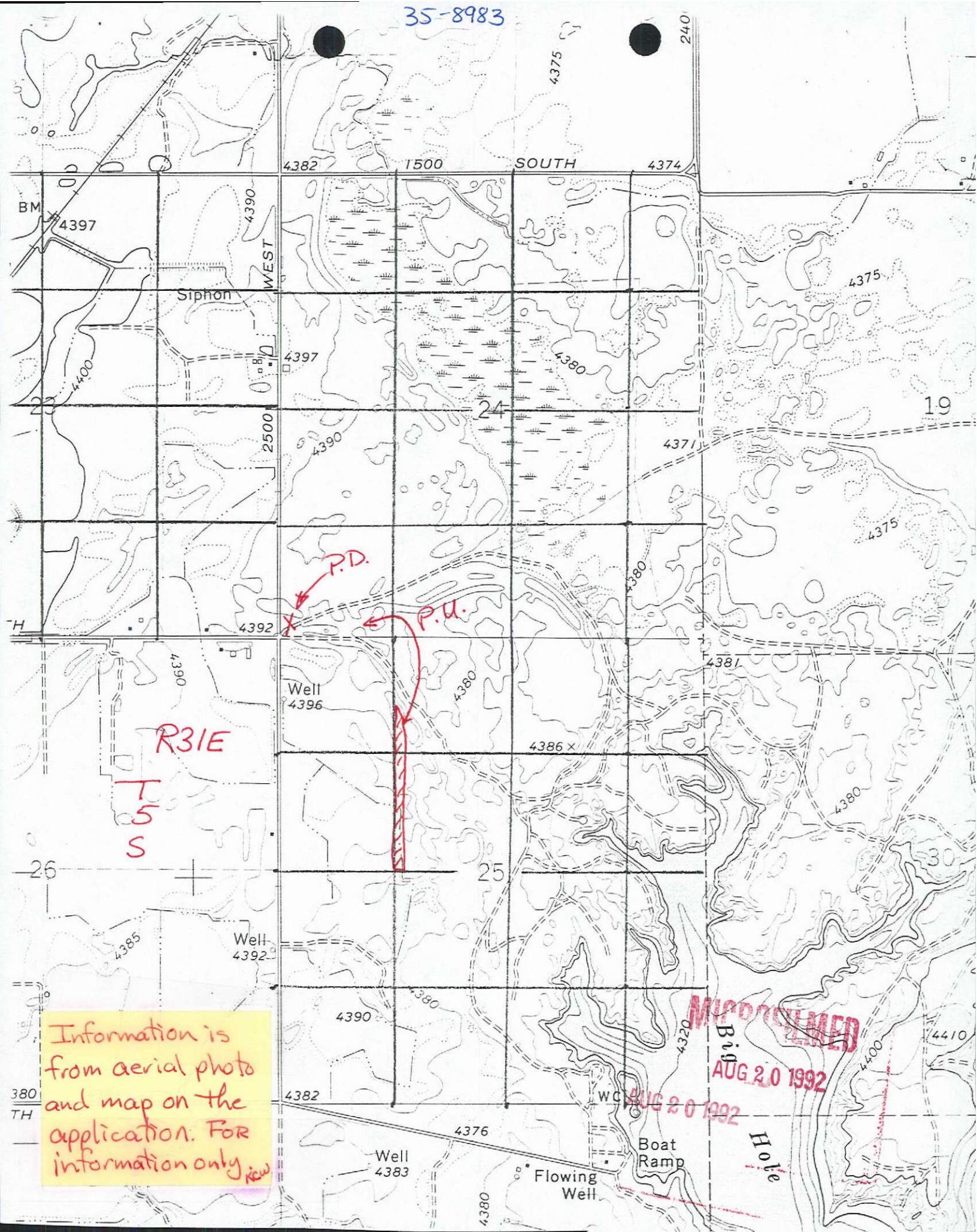
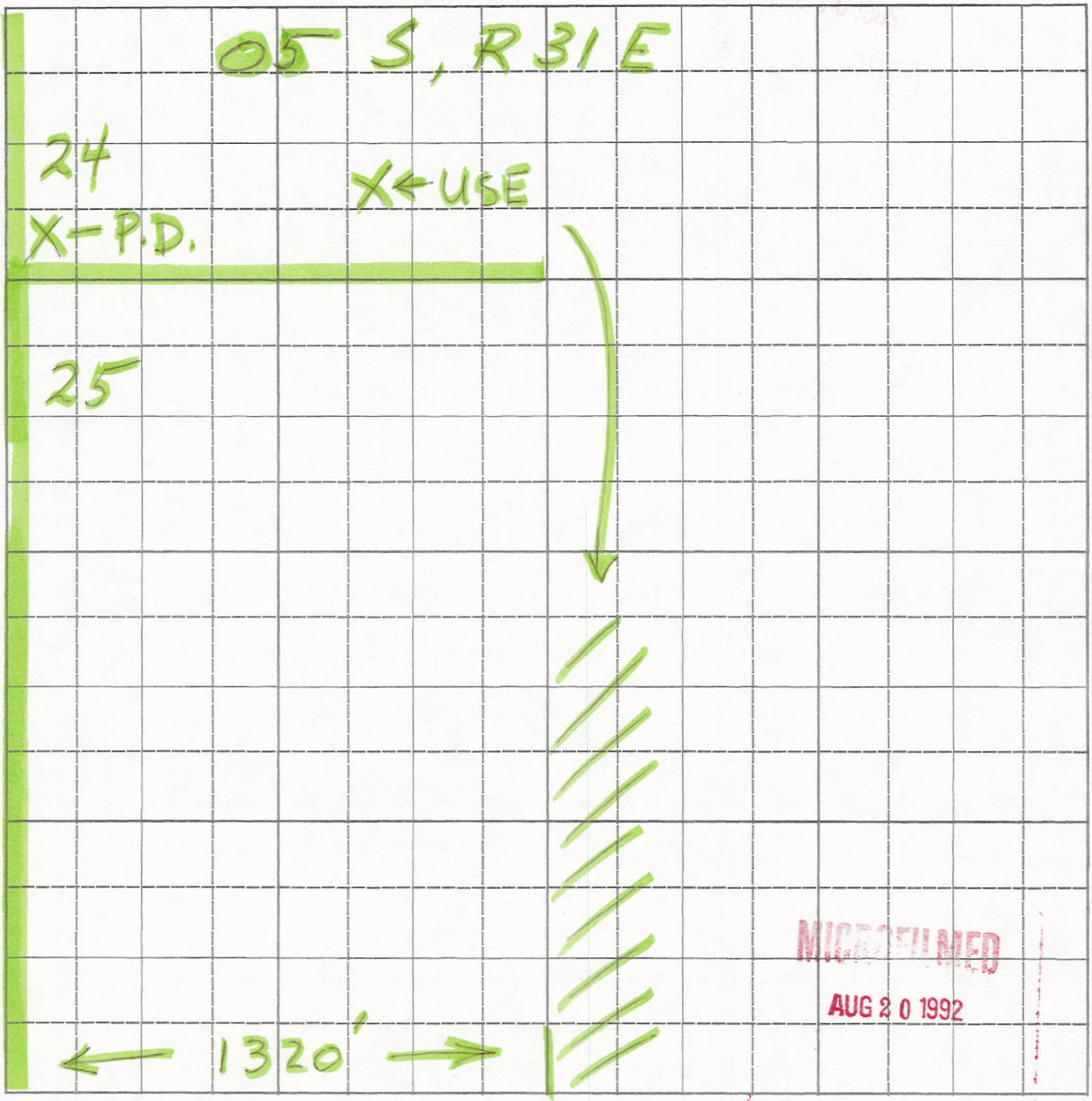
384-9
35-8983
T.05S. R.31E.
PROJECT BOUNDARY
P.D.
UBE
STERLING WMA
PROJECT BOUNDARY
25
STATE OF IDAHO
Department of Fish and Game
1345 Barton Road
POCATELLO, IDAHO 83204-1847
MICROFILMED
AUG 2 0 1992


35-8983
1500 SOUTH
WEST
2500
BM 4397
Siphon
4397
4382
4374
4375
4390
4400
4380
4371
4392
4396
4386
4381
4385
4392
4390
4320
4410
4382
4376
4383
Well
Flowing Well
Boat Ramp
Hole
WC
23
24
25
26
19
30
P.D.
P.U.
R31E
T
5
S
Information is from aerial photo and map on the application. For information only
MICROFILMED
AUG 20 1992
AUG 20 1992

4382
1500
SOUTH
4374
Siphon
WEST
4397
2500
24
19
4371
4392
4381
Well
4396
4386 X
25
30
Well
4392
4390
4410
4387
4382
W
Well
4383
Flowing
Well
MICROFILMED
AUG 2 0 1992

35-8983

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



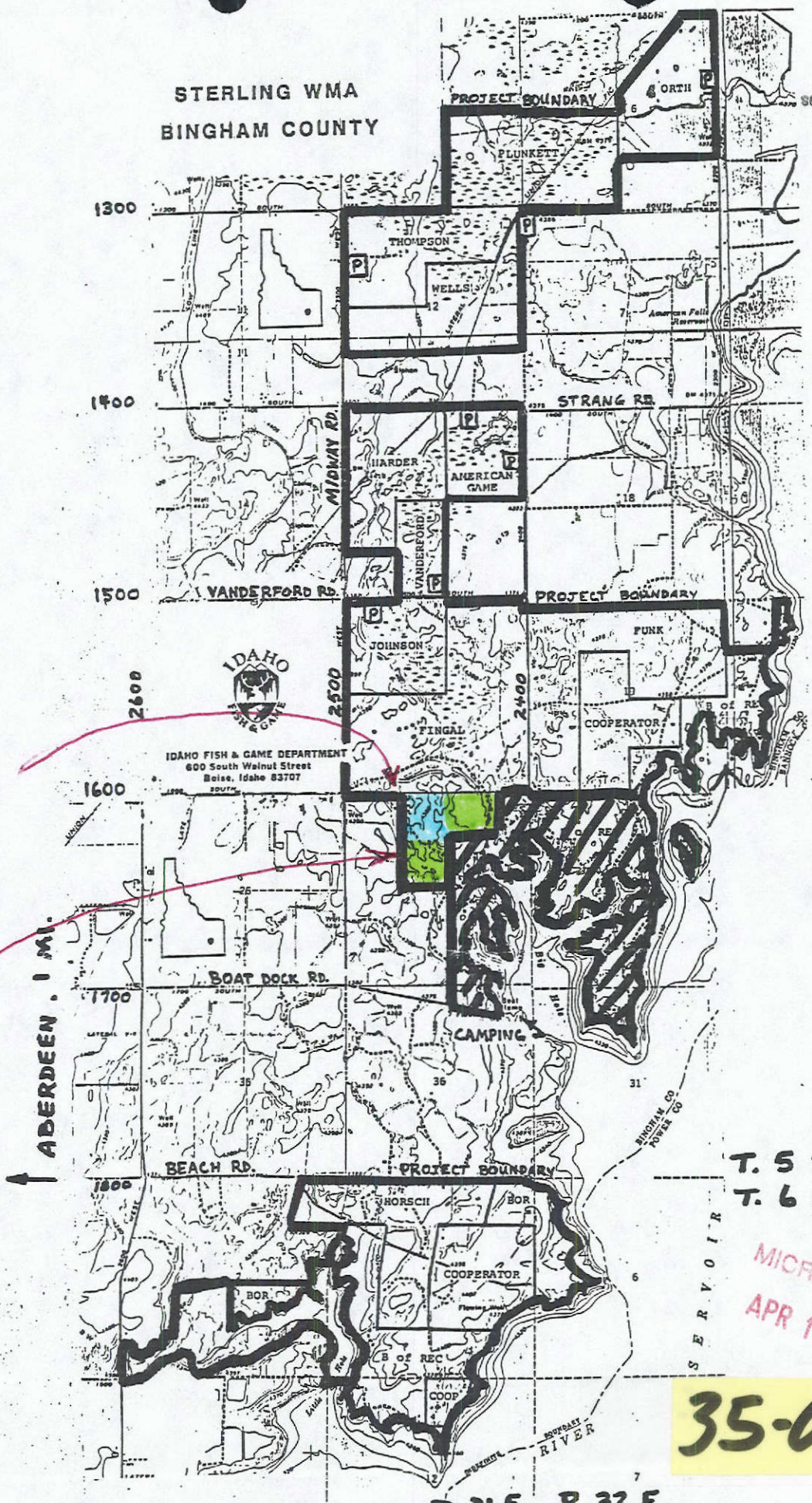
MICROFILMED
AUG 2 0 1992

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.

B. B. Wasko 12/31/91
(Applicant)

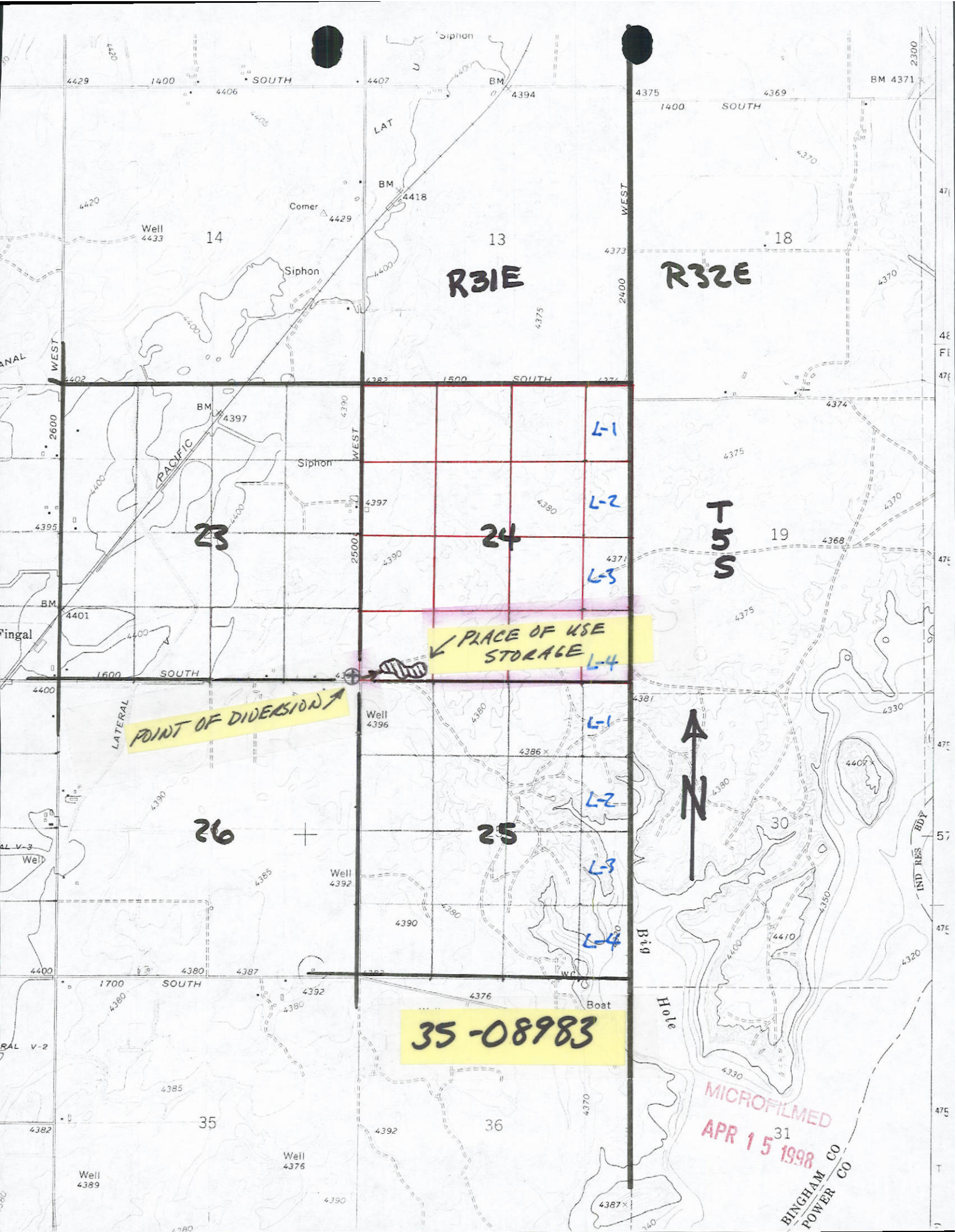
REGIONAL LAND MANAGER, REG. 5

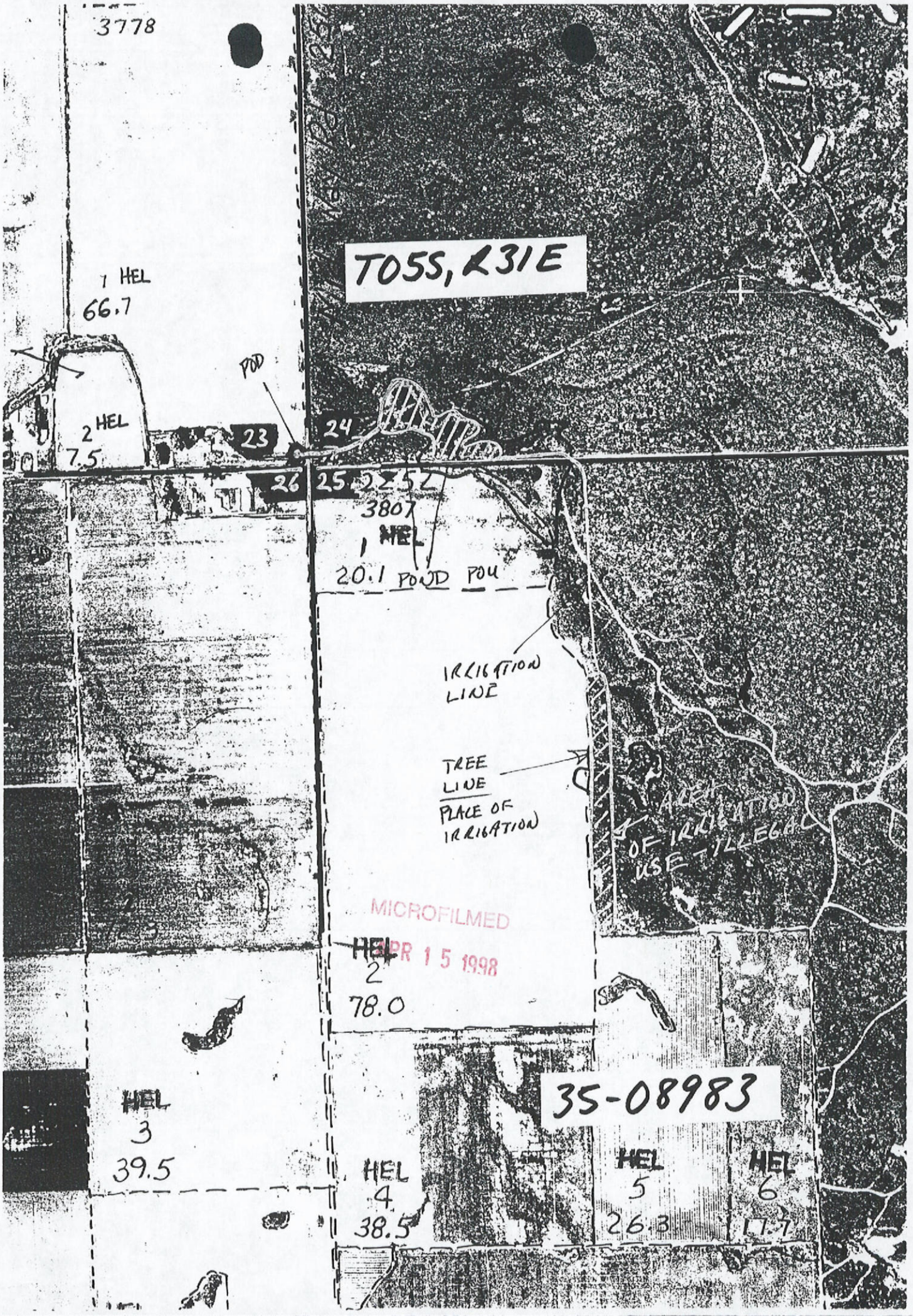


RECEIVED
MAY 10 1996
Department of Water Resources
Eastern Region

MICROFILMED
APR 15 1998

35-08983


R31E
R32E
T 5 S
13
14
18
19
23
24
25
26
30
31
35
36
1400 SOUTH
1500 SOUTH
1600 SOUTH
1700 SOUTH
WEST
L-1
L-2
L-3
L-4
PLACE OF USE STORAGE
POINT OF DIVERSION
PACIFIC LATERAL
Siphon
Comer
Well
Boat
Hole
Big
BM
N
35-08983
MICROFILMED
APR 15 1998
BINGHAM CO POWER CO


3778
T05S, R31E
1 HEL
66.7
POD
2 HEL
7.5
23
24
26
25
3807
1 HEL
20.1
POND
POD
IRRIGATION LINE
TREE LINE
PLACE OF IRRIGATION
AREA OF IRRIGATION USE - ILLEGAL
MICROFILMED
APR 15 1998
HEL 2
78.0
35-08983
HEL 3
39.5
HEL 4
38.5
HEL 5
26.3
HEL 6
17.7

Guide

H13

23 24

HEL 3 16.5

HEL 2 18.0

9a HEL 39

HEL 6 9.8

9 HEL 8.2

10 HEL 7.5

T2322 3778

1 HEL 66.7

2 HEL 7.5

T055, R31E

H20

POD

23 24

26 25 2252 3807 HEL 20.1

POU

IRRIGATION LINE

TREE LINE

PLACE OF IRRIGATION

AREA OF IRRIGATION USE - ILLEGAL

2 72.3

HEL 2 78.0

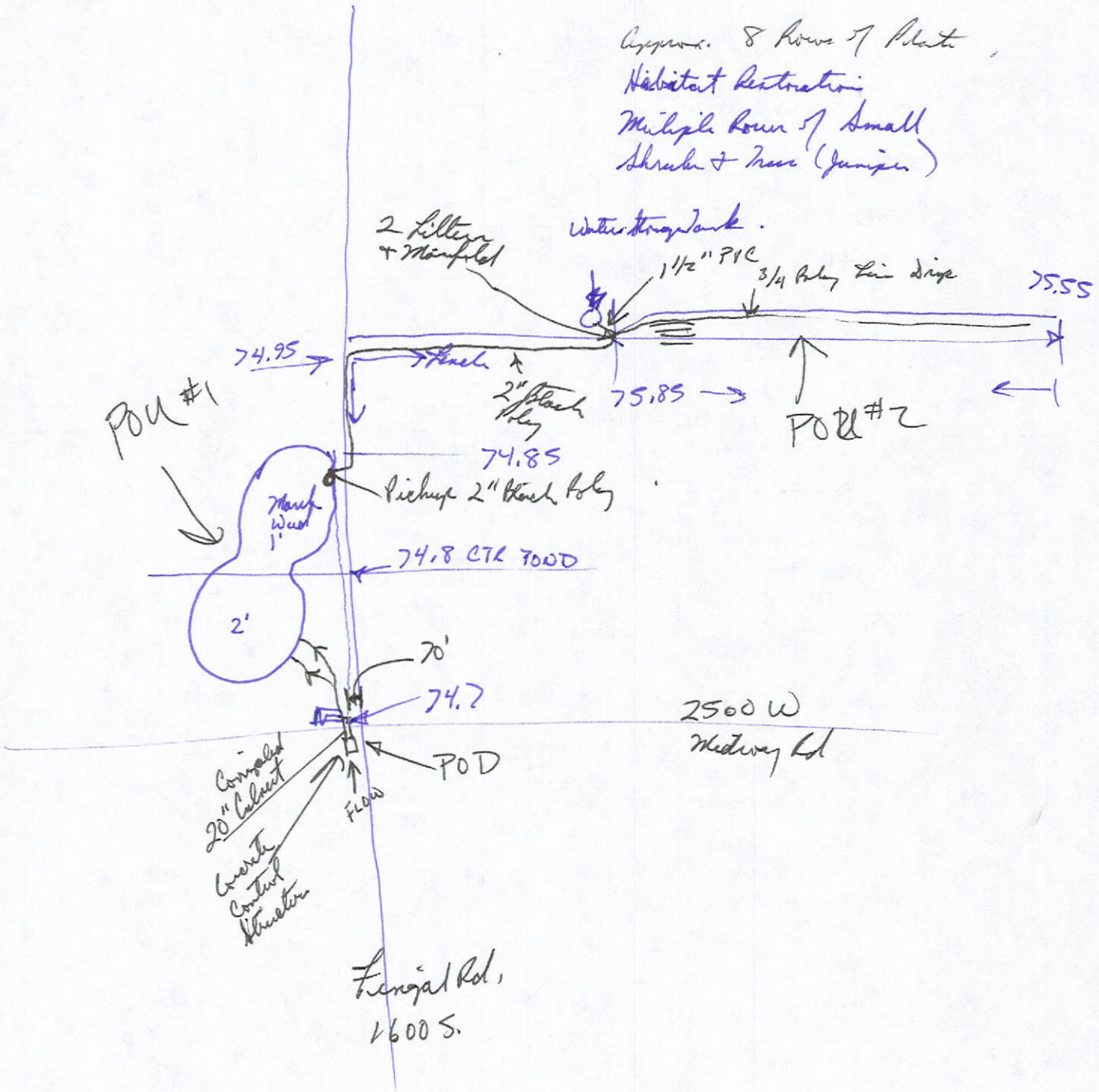
35-08983

HEL 3 39.5

HEL 4 38.5

HEL 5 26.3

HEL 6 17.7



Portable living
3½ HP ℄ Tank thru
Trickle feed down ℄ Trees

MICROFILMED
APR 15 1998

35-08983

STATE OF IDAHO

WILDLIFE STORAGE

1 of 1

VIEW EAST

POINT OF DIVERSION

END OF CANAL

VIEW NORTH OF PONDS

PERMIT NUMBER 35-08983

MICROFILMED
APR 15 1998

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-08983

Priority: January 2, 1992 Maximum Storage Volume: 1.3 AF

This is to certify, that STATE OF IDAHO
DEPT OF FISH & GAME
PO BOX 25
BOISE ID 83707-0025 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 2, 1992; and has submitted Proof of Beneficial Use on August 2, 1993. An examination indicates that the works have a storage capacity of 1.300 af of water from:

WASTE WATER tributary to **SINKS**

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

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
WILDLIFE STORAGE	04/01 to 11/01		1.3 AF

LOCATION OF POINT(S) OF DIVERSION: SWSW , Sec. 24, Township 05S, Range 31E
BINGHAM County

PLACE OF USE: WILDLIFE STORAGE

TWN	RGE	SEC	
05S	31E	24	SWSW

CONDITIONS OF APPROVAL AND REMARKS

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Use of water under this water right will be regulated by the watermaster of State Water District No. 01.
5. 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.
6. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
7. Place of use is within Sterling Wildlife Management Area.
8. Wildlife storage use is for a wetland and pond.

MICROFILMED

APR 15 1998

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-08983

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 9TH day of April, 1998.

Acting for KARL J. DREHER, Director

MICROFILMED
APR 15 1998

Form 247
07/90

For Office Use Only
Amt. of Fee $ 50.00
Date 8-2-93
Receipt No CO23826/
Received by

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

RECEIVED
AUG 2 1993
Department of Water Resources

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 35-08983 Telephone No. 232-4703

2. Name(s) of Permit Holder(s): STATE OF IDAHO, DEPT. OF FISH AND GAME

3. Post Office Address: P.O. BOX 25 BOISE, ID 83707

4. Source of Water: WASTEWATER

   a. If ground water, well driller's name: _____ Date drilled: _____

   b. Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use:

   Domestic _____ (No. of households) Irrigation _____ (No. of acres)

   Stockwater _____ (No. and type of stock) Other WILDLIFE STORAGE

6. Total rate and/or volume for which proof is submitted _____ cfs 2.0 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: $ 50.00 (See License Examination Fee Schedule)

9. Person to contact to accompany the Department representative during the field examination:

   PAUL WACKENHUT 232-4703
   Name Telephone No.

   IDAHO DEPT. FISH AND GAME, 1345 BARTON RD., POCATELLO, ID 83204
   Address

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.

8/21/92 P.B. Wackenhut REGIONAL HABITAT MANAGER
Date Signature (and title if on behalf of a company or organization)

APPROVED

AUG 2 6 1993

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 35-08983

Proposed Priority: January 2, 1992 Maximum Storage Volume: 2.0 AF

This is to certify, that **STATE OF IDAHO**
DEPT OF FISH & GAME
PO BOX 25
BOISE ID 83707
has applied for a permit to appropriate water from:

WASTEWATER tributary of **SINKS**

and a permit is **APPROVED** for development of water as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
WILDLIFE STORAGE	04/01 to 11/01		2.0 AF

LOCATION OF POINT(S) OF DIVERSION: SWSWSW , Sec. 24, Township 05S, Range 31E
BINGHAM County

PLACE OF USE: WILDLIFE STORAGE

TWN	RGE	SEC	
05S	31E	24	SWSW

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **September 1, 1993.**
2. Subject to all prior water rights.
3. Use of water under this right is subject to control by the watermaster of State Water District No. 01.
4. 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.
5. 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.
6. Water stored under this right shall provide wetland habitat for wildlife.

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

6th day of August, 1992.

MICROFILMED
AUG 20 1992

for R. Keith Higginson, Director

Form 202
6/85

Ident. No. 35 8983

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant IDAHO DEPT. OF FISH AND GAME Phone 334-3180

   Post office address BOX 25, BOISE, IDAHO 83707

2. Source of water supply ~~LOW-LINE CANAL~~ Wastewater* which is a tributary of ~~ABERDEEN-SPRINGFIELD~~ Sinks*

3. Location of point of diversion is SW ¼ of SW ¼ of SW ¼, Govt. Lot ____

   Sec. 24 Township 05S Range 31E B.M. BINGHAM County; additional points of diversion if any: ____

4. Water will be used for the following purposes:

   Amount 2 af (cfs or acre-feet per annum) for Wildlife ~~Storage~~ Storage purposes from 4-1 to 11-1 (both dates inclusive)

   BLM ~~Amount .25 cfs~~ 0.07* (cfs or acre-feet per annum) for ~~Irrigation~~ purposes from ~~4-1~~ to ~~11-1~~ (both dates inclusive)

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

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

5. Total quantity to be appropriated is (a) ~~.25~~ 0.07* cubic feet per second and/or (b) ~~2~~ 2 acre feet per annum

6. Proposed diverting works:

   a. Description of ditches, flumes, pumps, headgates, etc. Waste water enters property currently. Portable pump and plastic pipe will be used to transport water to drip irrigation system. (Pump - 3hp)

   b. Height of storage dam 3 feet; active reservoir capacity 2 acre-feet; total reservoir capacity 2 acre-feet; period of year when water will be diverted to storage: 4-1 to 11-1 inclusive.

   c. Proposed well diameter is N/A 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*).

MICROFILMED

AUG 20 1992

*Changes as per telecon w/Paul Wackenhut 1-22-1992 by ~~KW~~ KCW

* " " " " " 7/92 by BLM

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

   a. Hydropower; show total feet of head and proposed capacity in KW. _____

   b. Stockwatering; list number and kind of livestock. _____

   c. Municipal; show name of municipality. _____

   d. Domestic; show number of households. _____

   e. Other; describe fully. Waste water will be impounded to provide wetland habitat for wildlife, primarily waterfowl.

9. Description of place of use:

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

   b. If water is used for other purposes, place a symbol of the use (*example: D for Domestic*) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
05S	31E	24											W						
05S	31E	25					.5			5.5									6.0

Total number of acres to be irrigated 6.0

BLM

10. Describe any other water rights used for the same purposes as described above. _____

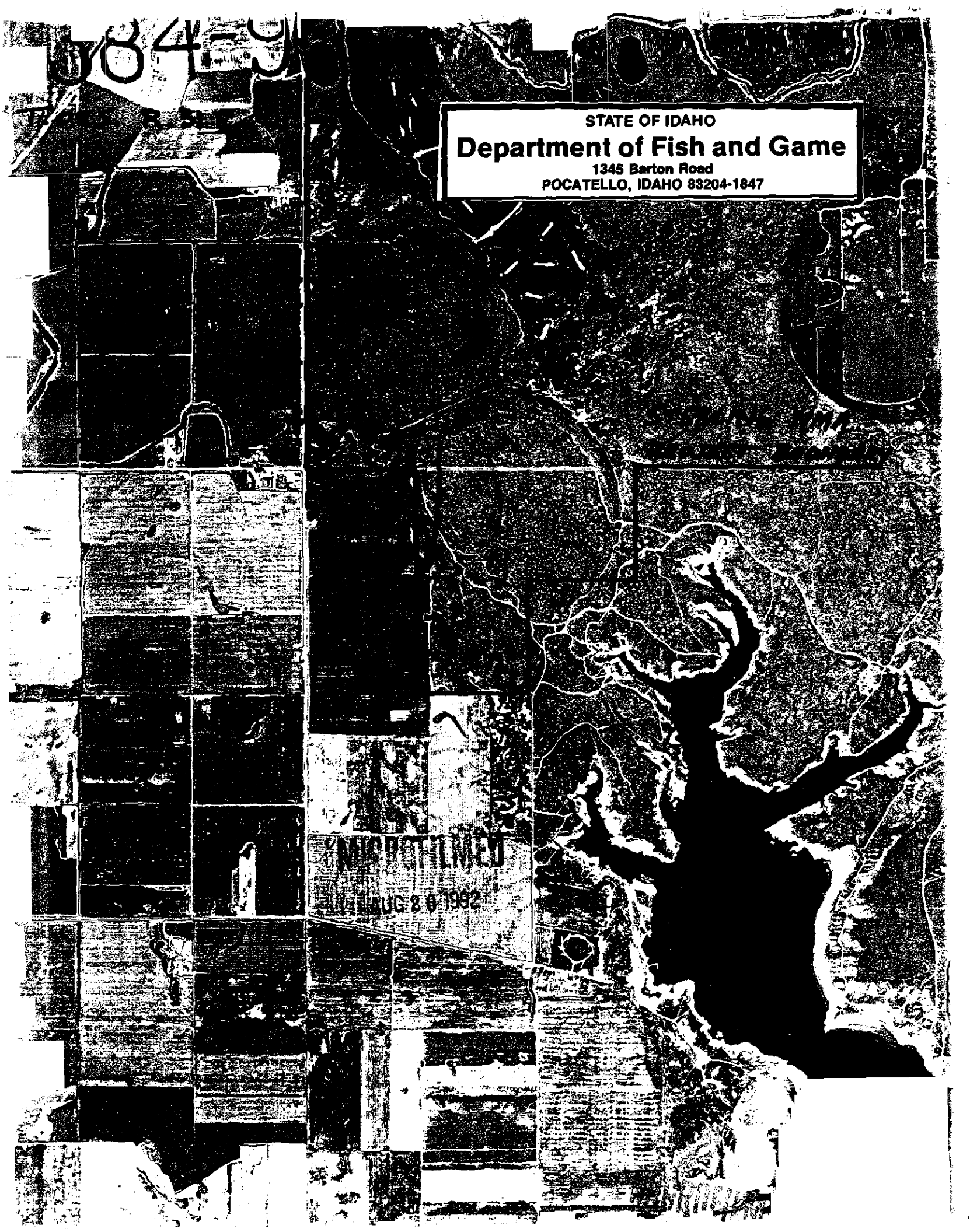
11. a. Who owns the property at the point of diversion? Applicant

    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. _____

AUG 20 1992

12. Remarks: This wastewater currently flows onto Department owned land and provides wildlife habitat. We would like to raise the dike to prevent water from flowing onto the neighbor to the south and pump water from the impoundment to irrigate about 1000 trees/shrubs with a drip system.

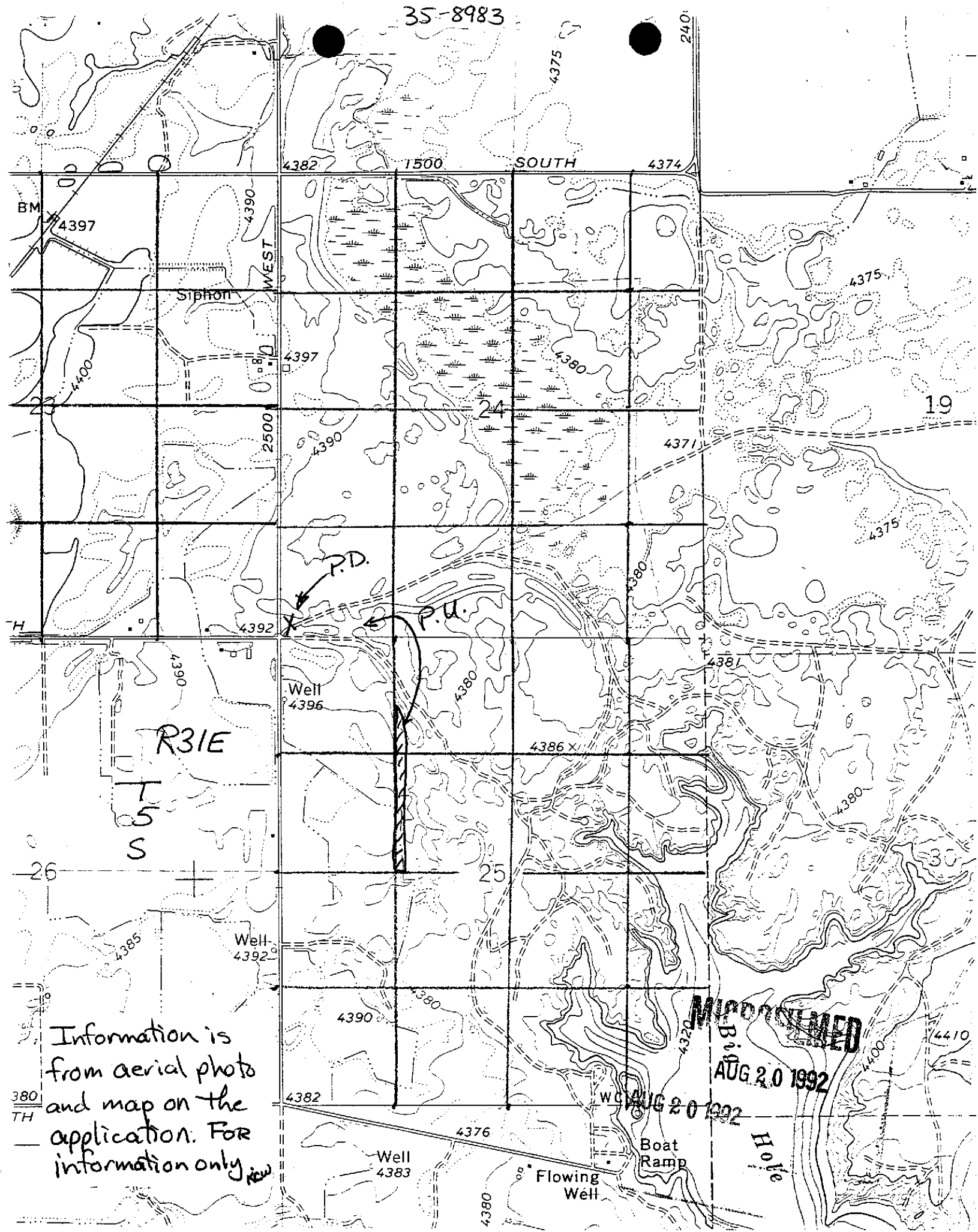


STATE OF IDAHO

Department of Fish and Game

1345 Barton Road
POCATELLO, IDAHO 83204-1847

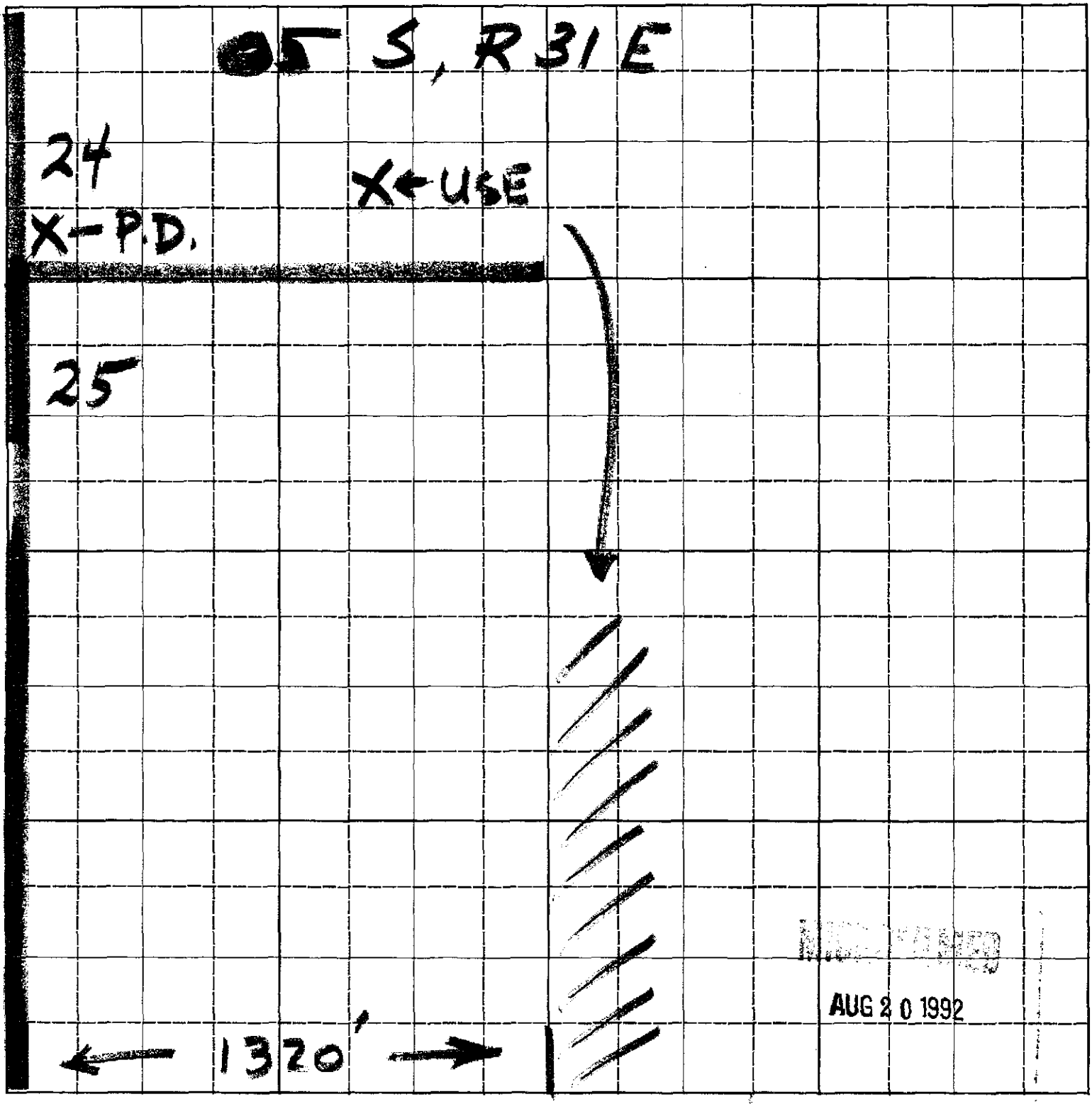
MICROFILMED
AUG 2 9 1992


35-8983
1500
SOUTH
WEST
2500
BM
4397
Siphon
P.D.
P.U.
Well
4396
Well
4392
Well
4383
Flowing
Well
Boat
Ramp
Hole
R31E
T
5
S
24
25
26
19
Information is from aerial photo and map on the application. For information only
RECEIVED
AUG 20 1992
WC
AUG 20 1992

2500
4397
19
2600
4396
30
25
4390
4410
4387
4382
Well
4383
Flowline
AUG 20 1992

35-8983

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



AUG 2 0 1992

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.

B. L. Wasko 12/31/91
(Applicant)

REGIONAL LAND MANAGER, REG. 5

Received by RB Date 1-2-92 Time 1:35 Preliminary check by KW

Fee $ 30.00 Receipted by KW # E016896 Date 4 Feb 1992

Publication prepared by RB Date 2-20 & 22-92 Published in Morning News

Publication approved RB Date 3-4-92

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:

RECEIVED
AUG 20 1992

RECEIVED

MAR 0 2 1992

Department of Water Resources
Eastern District Office

DEPT. OF WATER RESOURCES
150 Shoup Avenue, Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

NOTICE OF APPLICATION FOR WATER RIGHT

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

35-08976

PIERCE, Isaac D.
2592 W. 1300 S.
Sterling, Idaho 83210
Source: GROUNDWATER
Diversion Pt: SENW, Sec. 20, T. 04S, R. 33E, in BINGHAM County.
Use: IRRIGATION (3.200 CFS).
Total Diversion: (3.200 CFS).
Date Filed: 1/15/1992.
In: BINGHAM County, T04S, R33E, S20, NESW, NWSW, SWSW, SESW.
160.0 ACRES TOTAL.

35-08980

DUFFIN, Vern R.
2142 S. 2800 W.
Aberdeen, Idaho 83210
Source: GROUNDWATER
Diversion Pt: SWNWNW, SEC. 20, T. 05S, R. 31E, IN BINGHAM County.
Use: IRRIGATION (2.200 CFS).
Total Diversion: (2.200 CFS).
Date Filed: 1/16/1992.
In: BINGHAM County, T05S, R31E, S19, SENE; S20, NWNW, SWNW.
110.0 ACRES TOTAL.

35-08983

STATE OF IDAHO
Dept. of Fish & Game
P.O. Box 25
Boise, Idaho 83707
Source: WASTEWATER
Tributary: SINKS
Diversion Pt: SWSWSW, Sec. 24, T. 05S, R. 31E, in BINGHAM County.
Use: IRRIGATION (.070 CFS).
WILDLIFE STORAGE (2.00 AF).
Total Diversion: (.070 CFS).
Date Filed: 1/2/1992
In: BINGHAM County, T05S, R31E, S24, SWSW; S25, NENW, SENW.
6.0 ACRES TOTAL.

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Eastern Idaho, 150 Shoup Avenue, Suite 15, Idaho Falls, Idaho, 83402, on or before March 9, 1992.

R. KEITH HIGGINSON
Director

(1392)
Pub.: 2/20, 27

AUG 2 0 1992

Legals

AFFIDAVIT OF PUBLICATION

County of Bingham)
ss
State of Idaho)

I, Kaye Dayton do solemnly

swear that I am the Publisher of The Morning News, which is a daily newspaper of general circulation, published each day except Sunday at Blackfoot, Bingham County, Idaho, said newspaper having been so published at Blackfoot, aforesaid for more than one year past; that said newspaper heretofore complied with all the provisions of Chapter 154 of the Sessions Laws of Idaho of 1911, approved March 11, 1911, and duly designated, pursuant to law, a particular day of the week as the day on which legal notices required by law or by the order of any Court of competent jurisdiction within the State of Idaho shall be published to-wit: of each week; that the notice attached hereto and which is a part of this affidavit and part of the proof of publication was published in said issue of said newspaper 2 consecutive weeks the first publication having been made on the 20th day of February, 1992; and the last publication having been made on the 27th day of February 19 92; that said notice was published in the regular and entire isue of every number of the paper as aforesaid during the period and time of publication, and that notice was published in the newspaper and not in a supplement.

Kaye Dayton

On this 28th day of February, in the year 19 92, before me a Notary Public of said State, personally appeared Kaye Dayton known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Patricia A. Johnson

Notary Public for the State of Idaho
Residing at Blackfoot, Idaho
My Commission Expires:
October 10, 1994

Affidavit Processing Fee..... $5.00

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

April 9, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

STATE OF IDAHO
DEPT OF FISH & GAME
PO BOX 25
BOISE ID 83707-0025

RE: WATER RIGHT NO. 35-08983

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. 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 of the Department unless a party petitions for reconsideration or files an exception and/or brief 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. 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 twenty-one (21) 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. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

MICROFILMED
APR 15 1998

ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department 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 Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department 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 Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department 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 Department 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 issuance 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.

MICROFILMED
APR 15 1998

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.

If you have any questions, please call me at 208-327-7946.

Sincerely,

Shelley Watter Keen

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED
APR 15 1998

CERTIFICATE OF MAILING

I hereby certify that on the **9th** day of **April, 1998**, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER (Approved License)** to the person(s) listed below:

Water Right No. 35-08983

STATE OF IDAHO
DEPT OF FISH & GAME
PO BOX 25
BOISE ID 83707-0025

Kari Lynn Townsend
Secretary

MICRO
APR 15

12/97

B/U FIELD EXAM REVIEW

by Cindy Lou

Permit #: 35-08983 Name: F&G Date: 4/6/98 ✓Lots ✓

	Chng	Same	
NAME		✓	Or Address Change?
SOURCE		✓	Clarify source
			Prelim. Order to Void - Source change.
P/D		✓	Amendment Needed? Addn'l ¼¼? ___ Legal ___ **P39**
			Same ¼¼? ___ W32 ___ **P36**
			Overlap(s)
P/U		✓	Amendment Needed? **P41**
			Overlap(s)
			(Gov't use special ¶'s) *P/D & P/U Amend? **P37**
~~RATE~~ No Flow		✓	Permit/proof fee limits / 4.0
			Measured Quantity = ___ cfs Theoretical Quantity = ___ cfs
			(HP) 8.8 x 0.70 x ___ = ___ + (2.31 x ___) cfs
			Recommended capacity ___ cfs
			Recommended rate ___ cfs
VOLUME		✓	Season: (/) 1/1-12/31 = 365 days
			Calculations: pond = 1.3 AF
		✓	Flow limit: cfs x days/yr. x 1.9835 = ___ AF
			Recommended volume 1.3 AF
USES		✓	Same Nature of Use? **P46**
		~~✓~~	Amendment Needed?
REMARKS		—	Multiple p/d's in same ¼¼? Use W32
		✓	(1) WL use (2) P/U
CONDITIONS		—	Measuring Device *(R43)* *or* Lockable Controlling Works *(R02)*
		R04	Watermaster Control *(R04)* - WD # 01
			Irrigation rate/annual volume overlap
			GW irrigation replaces surface water *(050)*
			GW irrigation suppliments surface water *(065)*
			Water Quality
		✓	Other 048, 049

PRIORITY

App Rcd 2/1/92 Due 9/1/93 Rc'd 8/2/93
Receipt# C02-8261 Fee OK? (Yes)/No $50
Order to Reinstate Needed? Yes (No) Done? ___ Advanced to: ___
Priority 2/1/92 Examined 4/17/96

COMMENTS: See adjustment memo

USE	CFS	VOLUME
WL Stor	NA	1.3
TOTAL	NA	1.3

SRBA Overlap None
Adjustment Memo ✓
LICENSE
#1 AMEND: ___ /**P38**
#2 AMEND: (R)**P42**/(C)**P47**

MEMORANDUM

DATE: April 7, 1998

TO: File No. 35-08983

FROM: Cindy Lou Zimmerman CLZ.

SUBJECT: Review of Beneficial Use Field Report

Per telecon today with Dean Rose, Idaho Fish & Game @ Sterling Wildlife Management Area, the irrigation waste water naturally drains into these natural depression ponds then sinks. These ponds have not been enhanced by Fish & Game in any way. The irrigation user upstream may block the water using the weir photographed in the exam (top photo on page 1 of 1). Given this additional information, it appears the ponds are insteam. I recommend the point of diversion be identified on the license as located within SWSW, S24, T05S, R31E.

The following adjustments[1] were made on the field report to reflect the irrigation use developed under this permit:

C. Diversion and Delivery System.

1. Point of diversion:

TWP	RGE	SEC	N E				N W				S W				S E				Total P/Ds
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	31E	**24**											**X**						1

Examiner: Don Simpkins
Examined: April 17, 1996

[1] Adjustments are **bolded and underlined**.

MICROFILMED
APR 15 1998

Form 219
6/92

RECEIVED
JAN 16 1998
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 35-08983

1. Owner: STATE OF IDAHO IDAHO DEPT. OF FISH & GAME Phone No. (208) 232-4703

Current Address: P. O. Box 25, BOISE, IDAHO 83707

2. Accompanied by: N/A EXAM DATE: 4/12/96

Address: N/A Phone No. N/A

Relationship to Permit Holder: N/A

3. Source: IRRIGATION WASTEWATER tributary to SINKS

B. OVERLAP REVIEW

1. Other water rights with the same place of use: NONE

2. Other water rights with the same point of diversion: NONE

C. DIVERSION AND DELIVERY SYSTEM

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

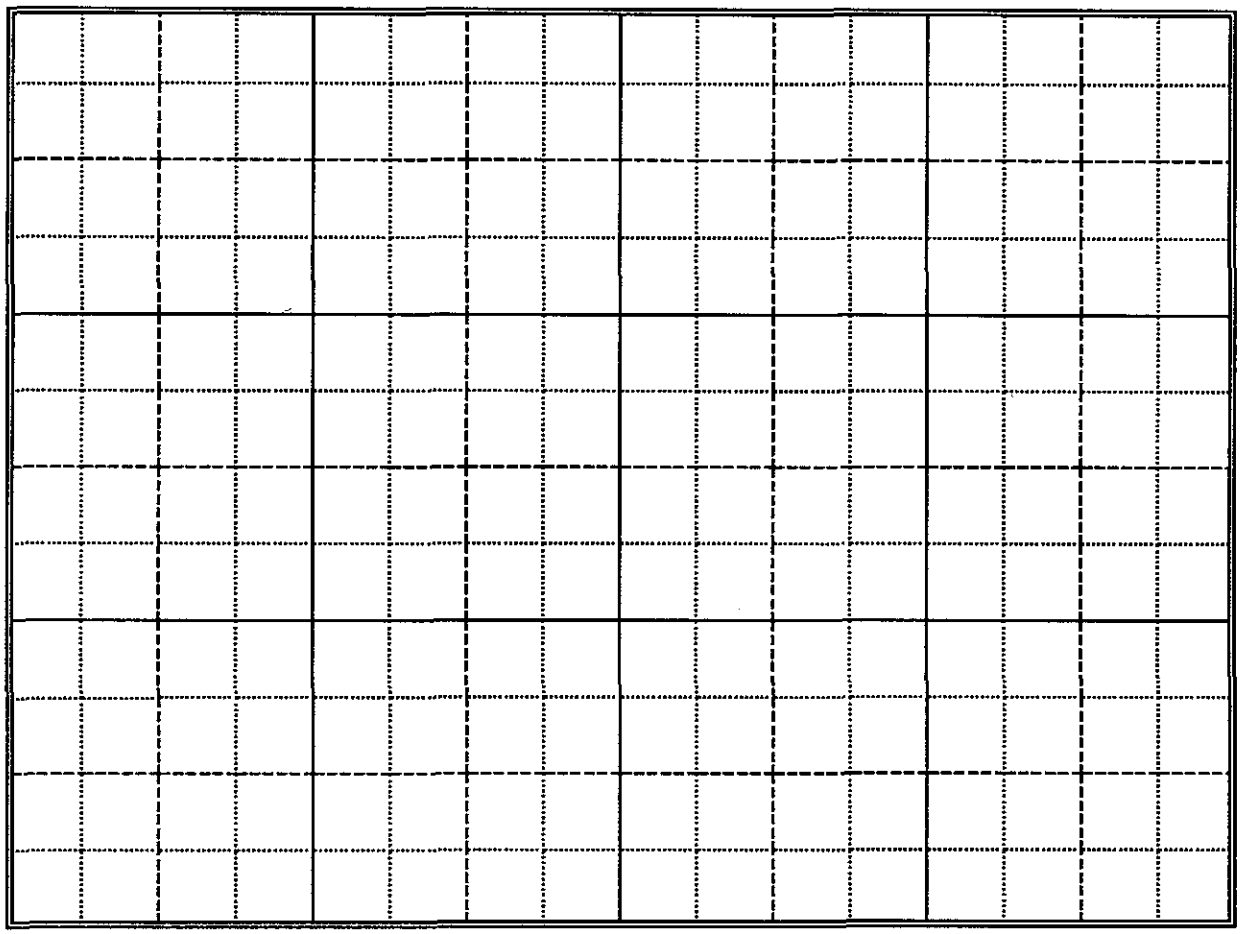
Ident No.	Gov't Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SE	SE	SE	23	05S	31E	BINGHAM	U.S.G.S. TOPO MAP

2. **Place(s) of Use:** Indicate Method of Determination ON SITE INSP.

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	31E	24											W						

MICROFILMED
APR 15 1998

3. **Delivery System Diagram**: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. SEE ATTACHMENTS & PHOTOS



Scale: 1" = _____.

____ Copy of USGS Quadrange 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
N/A	GRAVITY FLOW				

Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

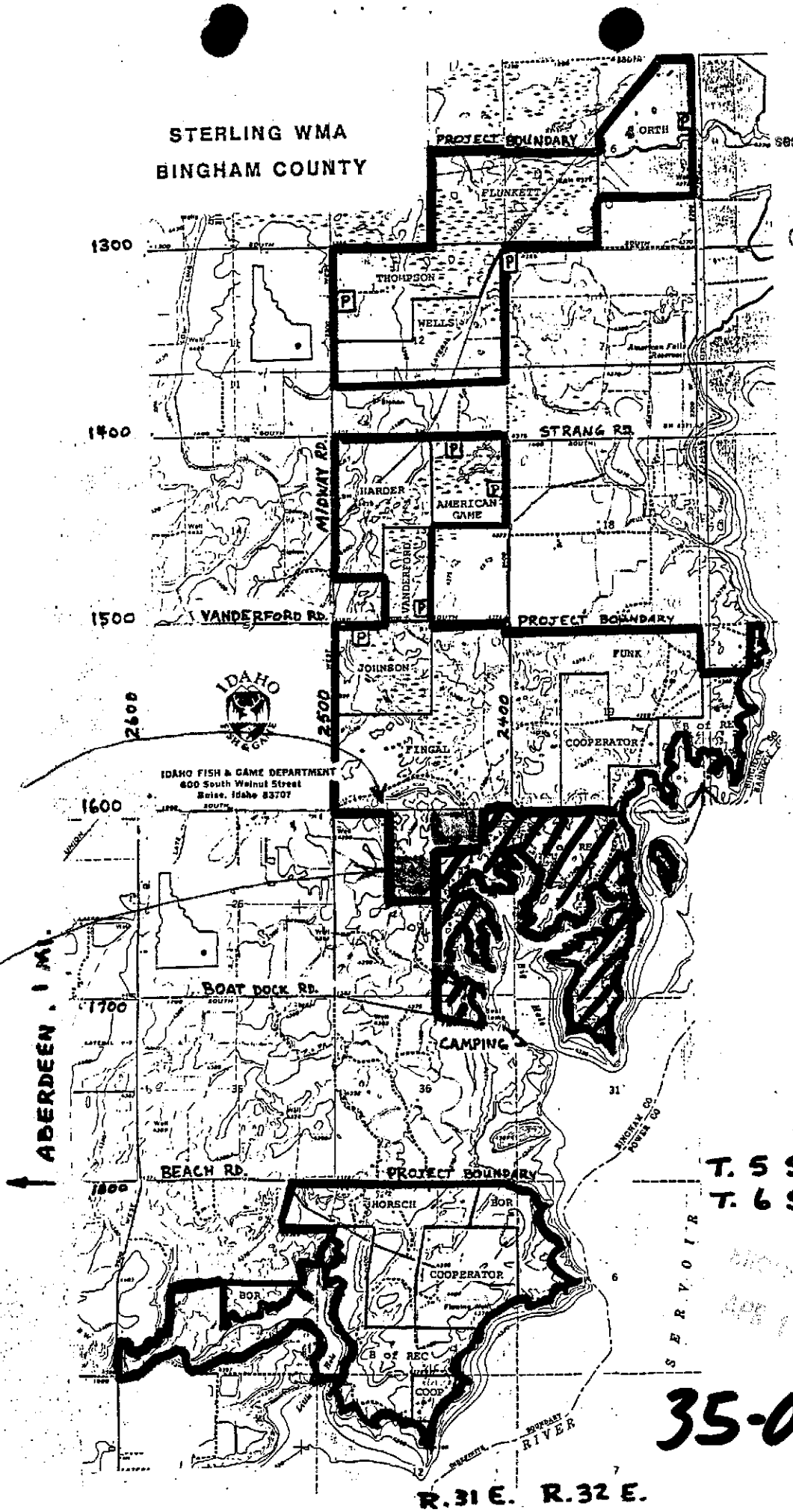
1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
N/A						

2. **Measurements:** NO MEASUREMENTS TAKEN – NO WATER IN DITCH AT THE TIMES (3) I VISITED THIS SITE, ESTIMATES MADE BY LATEST HIGH WATER MARK ON PONDS.

MICROFILMED

RECEIVED
MAY 10 1996
Department of Water Resources
Eastern Region



Pond

Trees (Irrigation)

APPROVED
APR 15 1996

35-08983

ACNO	NAME	FUNDS	CONVEYANCE	INSTNUM	DATEAQUIR	AQUIREFROM	COST	ACRES
06-0099	STERLING WMA	PR	WARRANTY DEED	162078	5/12/71	HAROLD ORTH	$ 20500	201

T 5 S, R 32 E, BM.
Sec. 6, that portion of the SE¼ described as follows: beginning at a point 77 rods North of the Southwest corner of said SE¼, thence North 83 rods to the center of said Sec. 6, thence East 160 rods, thence South along the East line of Sec. 6 seventy-nine rods, thence in a westerly direction a distance of 160.48 rods to the place of beginning. Also, that portion of the NE¼ lying east of the
railroad right-of-way of the Aberdeen branch of the Union Pacific Railroad. No water rights acquired.

06-0100	STERLING WMA	PR	WARRANTY DEED	203075	7/23/75	WILBUR D THOMPSON	$ 60000	140

T 5 S, R 31 E, BM.
Sec. 12, N½NW¼, N½SW¼NW¼, NW¼SW¼. Sixty shares Aberdeen Springfield Canal stock. Forty-five-acre-feet storage, American Falls Reservoir. Note: Relocation cost, $7,574.

06-0101	STERLING WMA	NONE	AGREEMENT	7-07-10-L084	6/23/87	USBR	$ 0	575

T 6 S, R 31 E, BM.
Sec. 2, SW¼, except the NW¼SW¼ and a portion of the SW¼SW¼, N½SE¼, SE¼NE¼ (portion); Sec. 1, SW¼NW¼, SW¼ except the NE¼SW¼, S½SE¼, NE¼NE¼; Sec. 12, N½ except a portion of the NE¼.
T 6 S, R 32 E, BM.
Sec. 6, W½. Note: Little Hole segment.

06-0102	STERLING WMA	HB530	PATENT	204483	9/5/75	BLM	$ 1541.63	616.65

T 5 S, R 31 E, BM.
Sec. 12, NW¼NE¼; Sec. 13, E½SW¼; Sec. 24, Lots 1, 2, 3, and 4, W½E½ and SW¼; Sec. 25, NE¼NW¼. Water Rights: Permit - 35-8654 - 1 cfs
T 5 S, R 32 E, BM.
Sec. 19, Lot 1. Water Rights: Permit - 35-8624 - 4 cfs

06-0103	STERLING WMA	HB530	PATENT	296790	7/9/81	BLM	$ 1597.5	638.77

T 5 S, R 31 E, BM.
Sec. 25, NW¼NE¼ and SE¼NW¼.
T 5 S, R 32 E, BM.
Sec. 19, Lots 2, 3, and 4, NE¼ and NE¼NW¼.
T 6 S, R 31 E, BM.
Sec. 1, Lots 2, 3, and 4, SE¼NW¼ and NE¼SW¼; Sec. 2, Lot 1.

Form 1860–9
(March 1965)
(formerly 4–1043)

I-8439

The United States of America

To all to whom these presents shall come, Greeting:

WHEREAS

State of Idaho, Department of Fish and Game

is entitled to a Land Patent pursuant to the Act of June 14, 1926, 44 Stat. 741, as amended, 43 U.S.C. 869, for the following described land:

Boise Meridian, Idaho
T. 5 S., R. 31 E.,
Sec. 25, NW¼NE¼, SE¼NW¼.

T. 5 S., R. 32 E.,
Sec. 19, Lots 2, 3, and 4, NE¼, NE¼NW¼.

T. 6 S., R. 31 E.,
Sec. 1, Lots 2, 3, and 4, SE¼NW¼, NE¼SW¼;
Sec. 2, Lot 1.

Containing 638.77 acres

NOW KNOW YE, that there is, therefore, granted by the UNITED STATES unto the above named claimant the land above described; TO HAVE AND TO HOLD the said land with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said claimant, its successors and assigns, forever;

EXCEPTING AND RESERVING TO THE UNITED STATES:

1. A right-of-way thereon for ditches or canals constructed by the authority of the United States. Act of August 30, 1890, 26 Stat. 391; 43 U.S.C. 945.

2. All the mineral deposits in the lands so patented, and to it, or persons authorized by it, the right to prospect, mine and remove such deposits from the same under applicable law.

3. The right to itself, its permittees or licensees, to enter upon, occupy and use, any part or all of the NW¼NE¼ and SE¼NW¼ Section 25, T. 5 S., R. 31 E., and NE¼NE¼ and S½NE¼ Section 19, T. 5 S., R. 32 E., B.M., for the purposes set forth in and subject to the conditions and limitations of Sec. 24 of the Federal Power Act of June 10, 1920, 41 Stat. 1075, as amended, (16 U.S.C. 818), and subject to the stipulation that, if and when, the lands are required in whole or in part, for power development purposes, any structures or improvements placed thereon which shall be found to obstruct or interfere with such development shall, without expense to the United States, its permittees or licensees, be removed or relocated insofar as is necessary to eliminate interference with power development.

46

SEP 9 PM 5 01

2337730

RECORDED AT THE REQUEST OF
Les Trout
Dept Fish & Game

Patent Number 11-81-0070

GPO 841-090

SUBJECT TO:

1. Those rights for a transmission line granted to Idaho Power Company, its successors or assigns, by Right-of-Way No. Blackfoot 055722 pursuant to the Act of March 4, 1911 (36 Stat. 1253; 43 U.S.C., Sec. 961) as to Lot 2, Sec. 1, T. 6 S., R. 31 E.

2. Those rights for an irrigation ditch granted to Athel Cornforth, Leonard S. Cornforth, and Leon Michael Stier, their successors and assigns, by Right-of-Way No. I-4508, pursuant to the Act of March 3, 1891, as to the NE¼NW¼ Sec. 19, T. 5 S., R. 32 E.

3. Those rights for a powerline granted to Idaho Power Company, its successors or assigns, by Right-of-Way No. I-17350, pursuant to Title V of the Act of October 21, 1976 (90 Stat. 2743), as to Lot 2, Sec. 19, T. 5 S., R. 32 E.

Provided, that if, the patentee or its successor attempts to transfer title to or control over the lands to another or the lands are devoted to a use other than upland game bird and waterfowl habitat restoration, without the consent of the Secretary of the Interior or his delegate, or the patentee prohibits or restricts, directly or indirectly, or permits its agents, employees, contractors, or subcontractors (including without limitations, lessees, sublessees and permittees), to prohibit or restrict directly or indirectly the use of any part of the patented lands or any of the facilities thereon by any person because of such person's race, creed, color, or national origin, title to the lands shall revert to the United States.

If the patentee or its successor in interest does not comply with the provisions of the approved plan of development, filed on July 24, 1980, with the Bureau of Land Management, or by any revision thereof approved by the Secretary of the Interior or his delegate, said Secretary or his delegate, after due notice, and opportunity for a hearing, may declare the terms of this grant terminated in whole or in part. The patentee, by acceptance of this patent, agrees for itself and its successors in interest that such declaration shall be conclusive as to the facts found by the Secretary or his delegate and shall, at the option of the Secretary or his delegate, operate to revest in the United States full title to the lands involved in the declaration.

Patent Number 11-81-00

Form 1800-5
(March 1965)
(formerly 4-1043)

I-8438

The United States of America

To all to whom these presents shall come, Greeting:

WHEREAS

Idaho Department of Fish and Game

is entitled to a Land Patent pursuant to the Act of June 14, 1926, 44 Stat. 741, as amended, 43 U.S.C. 869, for the following described land:

Boise Meridian, Idaho

T. 5 S., R. 31 E.,

Section 12, NW¼NE¼;
Section 13, E½SW¼;
Section 24, Lots 1, 2, 3 and 4, W½E½, SW¼;
Section 25, NE¼NW¼.

T. 5 S., R. 32 E.,

Section 19, Lot 1,

containing 616.65 acres.

NOW KNOW YE, that there is, therefore, granted by the UNITED STATES unto the above named claimant the land above described; TO HAVE AND TO HOLD the said land with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said claimant, its successors and assigns, forever;

EXCEPTING AND RESERVING TO THE UNITED STATES:

1. A right-of-way thereon for ditches and canals constructed by the authority of the United States. Act of August 30, 1890, 26 Stat. 391; 43 U.S.C. 945.

2. All the mineral deposits in the lands so patented, and to it, or persons authorized by it, the right to prospect, mine and remove such deposits from the same under applicable law.

SUBJECT TO those rights for an irrigation ditch granted to Athel Cornforth, Leonard Cornforth, and Leon Stier, their successors or assigns, by right-of-way No. I-4508, pursuant to the Act of March 3, 1891 as to lot 1 and NW¼NE¼ Sec. 24, T. 5 S., R. 31 E., B.M.; and lot 1, Sec. 19, T. 5 S., R. 32 E., B.M.

If the patentee or its successor in interest does not comply with the provisions of the approved plan of development, filed on November 5, 1974, with the Bureau of Land Management, or by any revision thereof approved by the Secretary of the Interior or his delegate, said Secretary or his delegate, after due notice, and opportunity for a hearing, may declare the terms of this grant terminated in whole or in part. The patentee by acceptance of this patent, agrees for itself and its successors in interest that such declaration shall be conclusive as to the facts found by the Secretary or his delegate and shall, at the option of the Secretary or his delegate, operate to revest in the United States full title to the lands involved in the declaration.

Provided, that if, the patentee or its successor attempts to transfer title to or control over the lands to another or the lands are devoted to a use other than upland game bird and waterfowl habitat restoration without the consent of the Secretary of the Interior or his delegate, or the patentee prohibits or restricts, directly or indirectly, or permits its agents, employees, contractors, or subcontractors (including without limitations, lessees, sublessees and permittees), to prohibit or restrict, directly or indirectly the use of any part of the patented lands or any of the facilities thereon by any person because of such person's race, creed, color, or national origin, title to the lands shall revert to the United States.

Patent Number 11-76-0021

GPO 847 - 946

(July 1975)

The grant of the herein described lands is subject to the following reservations, conditions, and limitations:

(1) The patentee or his (its) successor in interest shall comply with and shall not violate any of the terms or provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 241), and requirements of the regulations, as modified or amended, of the Secretary of the Interior issued pursuant thereto (43 CFR 17) for the period that the lands conveyed herein are used for the purpose for which the grant was made pursuant to the act cited above, or for another purpose involving the provision of similar services or benefits.

(2) If the patentee or his (its) successor in interest does not comply with the terms or provisions of Title VI of the Civil Rights Act of 1964, and the requirements imposed by the Department of the Interior issued pursuant to that title, during the period during which the property described herein is used for the purpose for which the grant was made pursuant to the act cited above, or for another purpose involving the provision of similar services or benefits, the Secretary of the Interior or his delegate may declare the terms of this grant terminated in whole or in part.

(3) The patentee, by acceptance of this patent, agrees for himself (itself) or his (its) successors in interest that a declaration of termination in whole or in part of this grant shall, at the option of the Secretary or his delegate, operate to revest in the United States full title to the lands involved in the declaration.

(4) The United States shall have the right to seek judicial enforcement of the requirements of Title VI of the Civil Rights Act of 1964, and the terms and conditions of the regulations, as modified or amended, of the Secretary of the Interior issued pursuant to said Title VI, in the event of their violation by the patentee.

(5) The patentee or his (its) successor in interest will, upon request of the Secretary of the Interior or his delegate, post and maintain on the property conveyed by this document signs and posters bearing a legend concerning the applicability of Title VI of the Civil Rights Act of 1964 to the area or facility conveyed.

(6) The reservations, conditions, and limitations contained in paragraphs (1) through (5) shall constitute a covenant running with the land, binding on the patentee and his (its) successors in interest for the period for which the land described herein is used for the purpose for which this grant was made, or for another purpose involving the provision of similar services or benefits.

(7) The assurances and covenant required by sections (1)–(6) above shall not apply to ultimate beneficiaries under the program for which this grant is made. "Ultimate beneficiaries" are identified in 43 CFR 17.12(h).

IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1948 (62 Stat. 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

[SEAL]

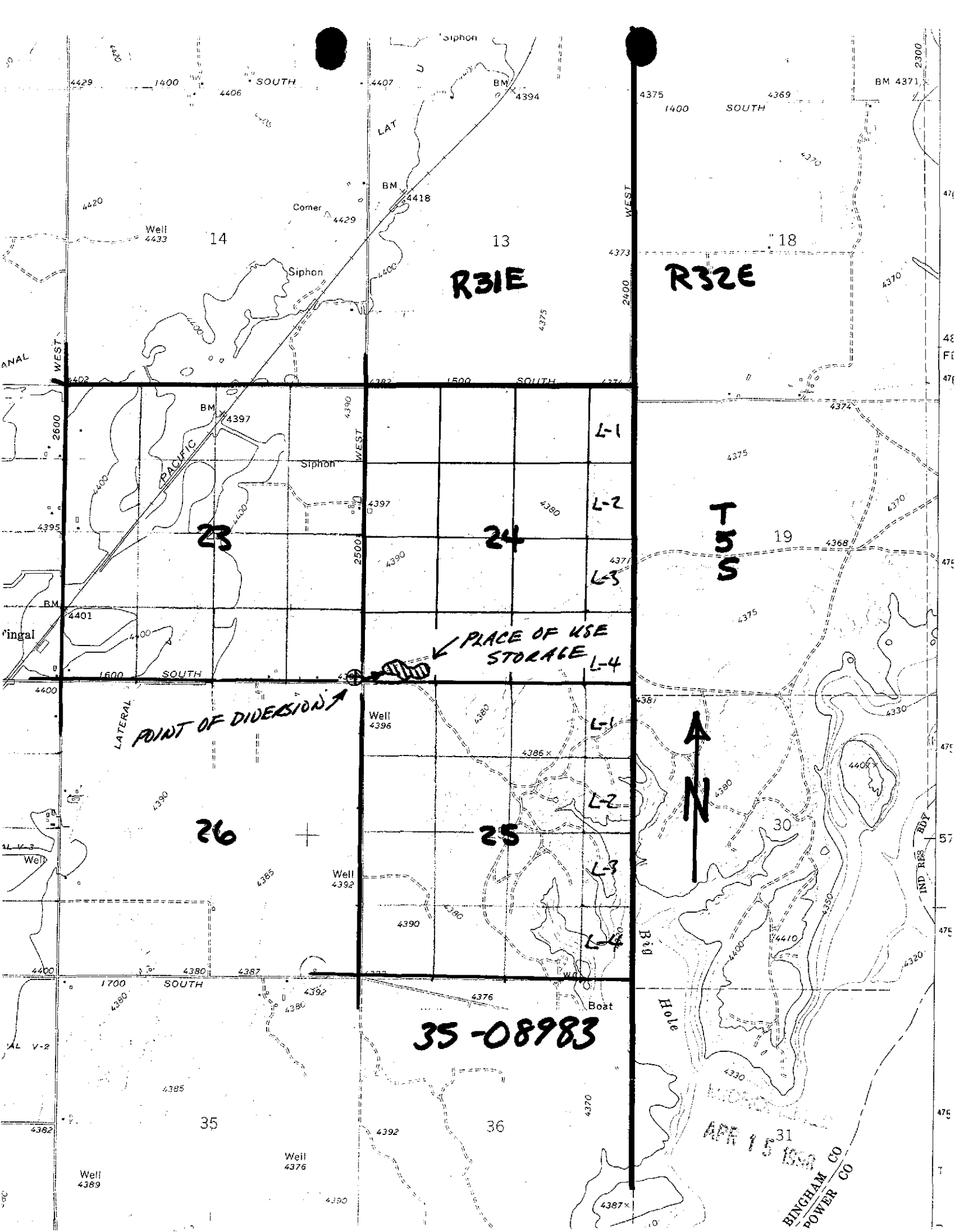
GIVEN under my hand, in Boise, Idaho
the FIFTH day of SEPTEMBER in the year
of our Lord one thousand nine hundred and SEVENTY-FIVE
and of the Independence of the United States the two hundredth.
~~and~~

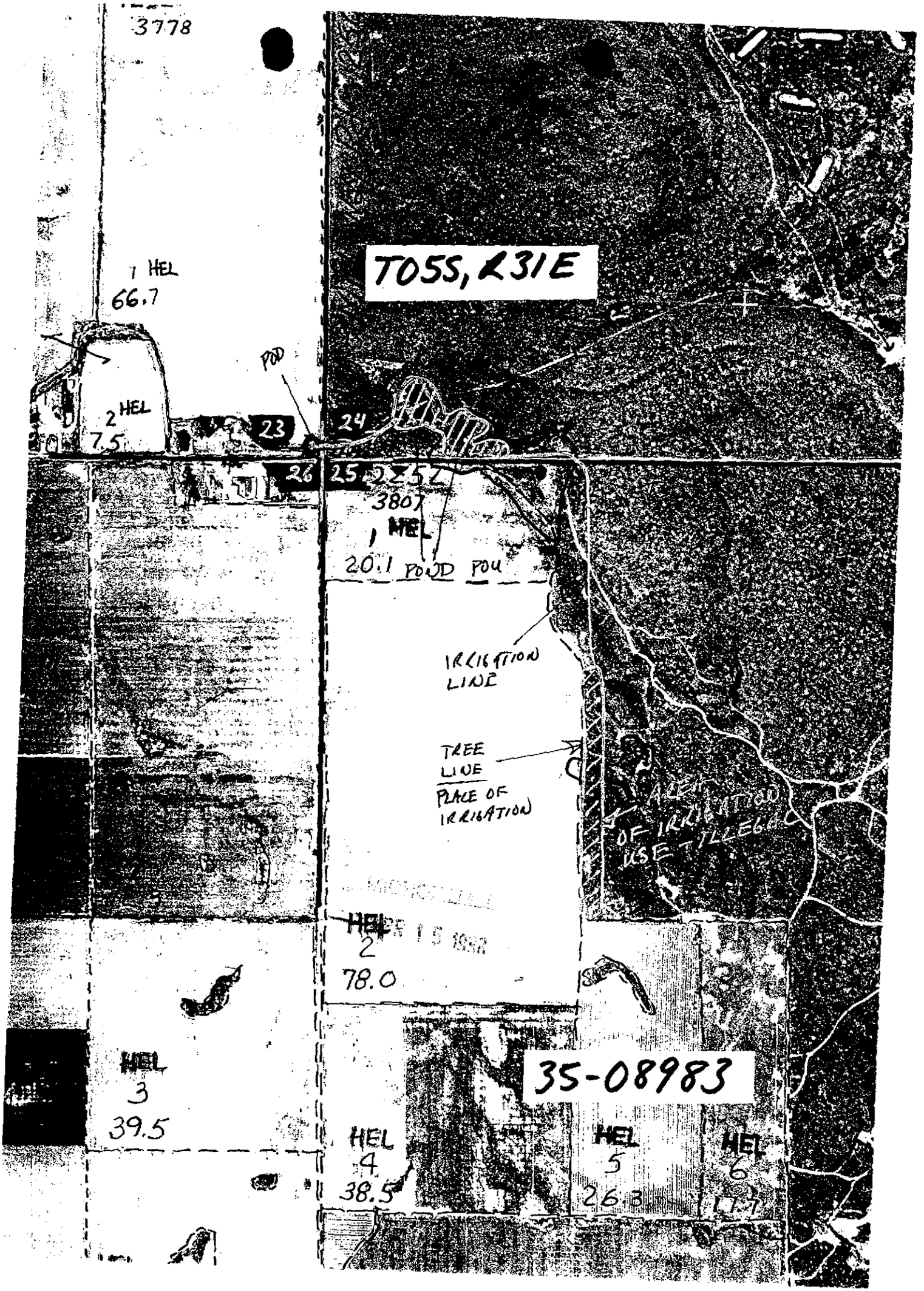
By _____

State Director

Patent Number 11-76-0021

GPO 830-571


R31E
R32E
T 5 S
13
14
18
19
23
24
25
26
30
35
36
L-1
L-2
L-3
L-4
PLACE OF USE STORAGE
POINT OF DIVERSION
LATERAL
PACIFIC
Siphon
Well
Boat
Hole
Big
N
35-08983
APR 15 1952
BINGHAM CO POWER CO


3778
T05S, R31E
1 HEL
66.7
POD
2 HEL
7.5
23
24
26
25
3807
1 HEL
20.1
POND
POD
IRRIGATION LINE
TREE LINE
PLACE OF IRRIGATION
HEL
2
78.0
HEL
3
39.5
HEL
4
38.5
HEL
5
26.3
HEL
6
35-08983

T55, R31E

23

HEL 3 16.5

HEL 2 18.0

HEL 6 9.8

9A HEL 2.9

9 HEL 8.2

10 HEL 7.5

T2322 3778

1 HEL 66.7

POD

2 HEL 7.5

23

24

26

25 T2322 3807

1 HEL 20.1 POD POU

IRRIGATION LINE

TREE LINE

PLACE OF IRRIGATION

AREA OF IRRIGATION USE - ILLEGAL

HEL 2 78.0

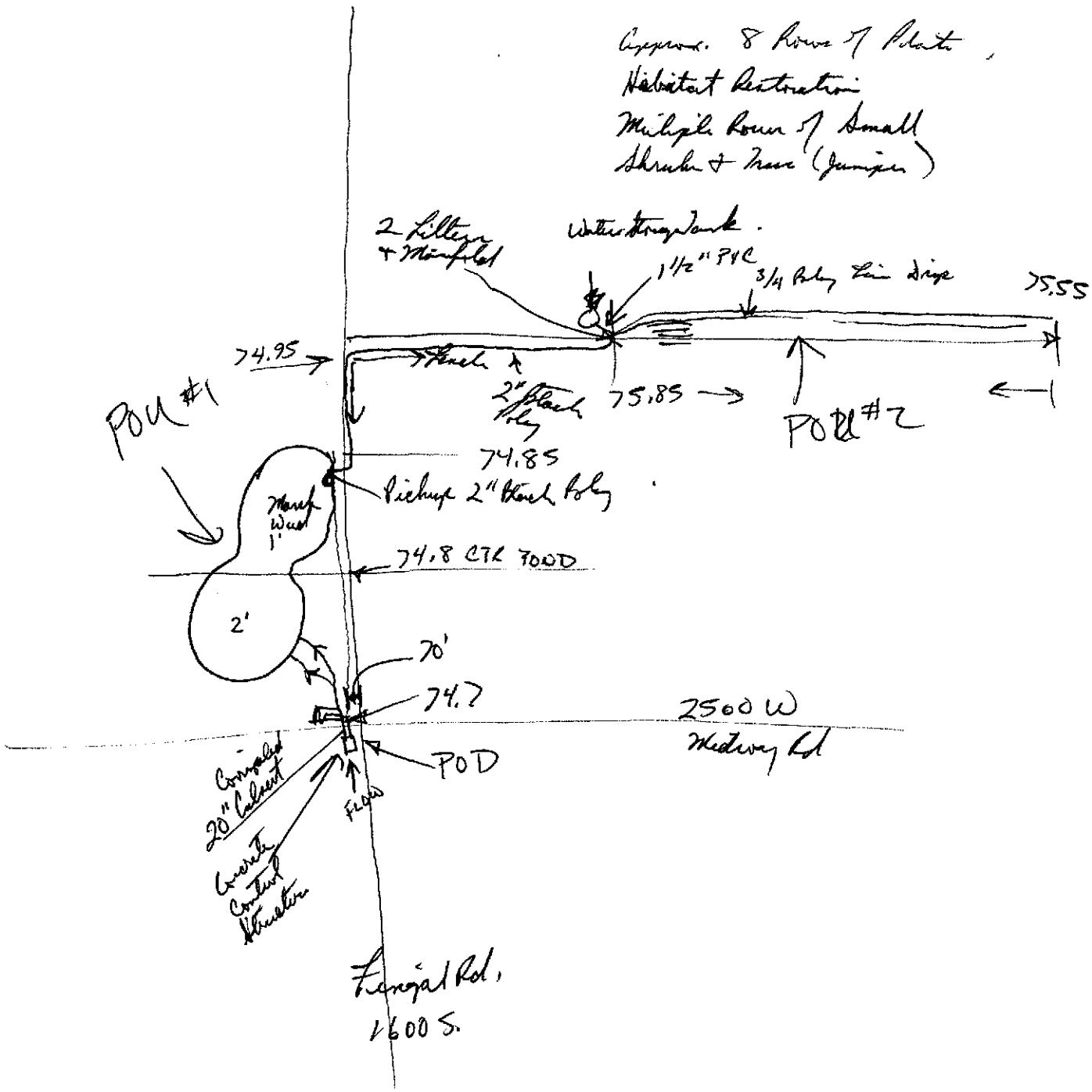
HEL 3 39.5

HEL 4 38.5

HEL 5 26.3

HEL 6 11.7

35-08983



Portable living
3½ HP Tecumseh
Trickle feed down Tree

RECEIVED
APR 15 1992

35-08983

FIELD EXAM NOTES

EXAM # 35-8983

DATE OF EXAM 4/17/96

PERMITEE NAME F+G

OTHER WATER RIGHTS SAME POD _____

OTHER WATER RIGHTS SAME POU _____

PUMP #1 HP _____ MAKE _____ SERIAL # _____
COLOR AND DESCRIPTION _____
OUTPUT DIAMETER _____ SYSTEM PRESSURE _____PSI WELL DEPTH _____
STATIC H2O _____ WELL DEPTH _____ DYNAMIC PUMP _____
PSI GAGE TYPE _____ CHECK VALVE [Y] [N] GATE VALVE [Y] [N]

PUMP #2 HP _____ MAKE _____ SERIAL # _____
COLOR AND DESCRIPTION _____
OUTPUT DIAMETER _____ SYSTEM PRESSURE _____PSI WELL DEPTH _____
STATIC H2O _____ WELL DEPTH _____ DYNAMIC PUMP _____
PSI GAGE TYPE _____ CHECK VALVE [Y] [N] GATE VALVE [Y] [N]

BOOSTER PUMP #1 HP _____ MAKE _____ SERIAL # _____
COLOR AND DESCRIPTION _____

BOOSTER PUMP #2 HP _____ MAKE _____ SERIAL # _____
COLOR AND DESCRIPTION _____

CIRCLE PIVOT [Y] [N] NUMBER OF TOWERS _____ PIVOT LENGTH _____
PRESSURE [H] [L]

HAND LINES [Y] [N] NUMBER OF LINES _____ LENGTH OF LINES _____

RAIN BIRDS PER LINE _____ NOZZEL DIAMETER _____

SURFACE WATER TYPE OF MEASUREING DEVICE _____

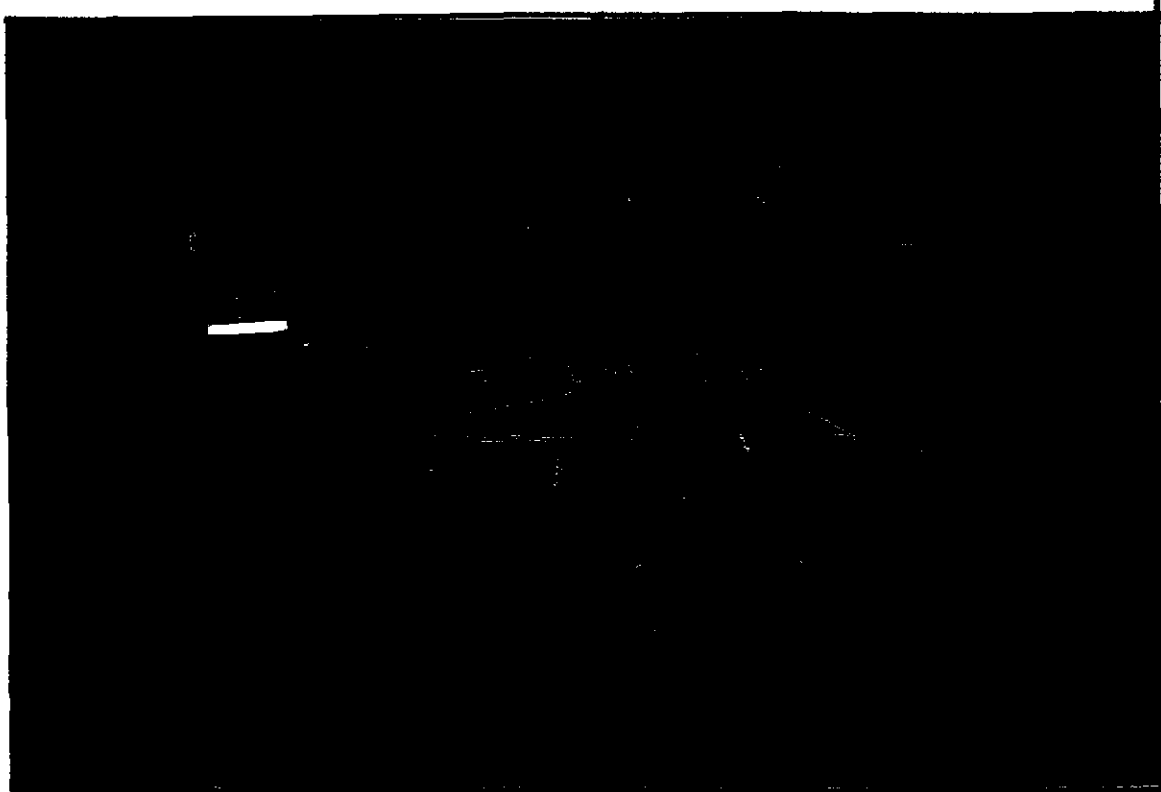
AA METER PIGMY METER WEIR OR FLUME BUCKET/WATCH _____/___

USE BACK OF PAGE FOR SKETCH AND MEASUREMENTS OF SYSTEM

STATE OF IDAHO

WILDLIFE STORAGE

1 of 1



VIEW EAST

POINT OF DIVERSION

END OF CANAL

VIEW NORTH OF PONDS

PERMIT NUMBER 35-08983

RECEIVED

APR 15 1998

E. NARRATIVE/REMARKS/COMMENTS

WATER FOR THIS PERMIT IS SUPPLIED BY AN IRRIGATION DITCH WHICH OVERFLOWS, WHEN ALLOWED, INTO TWO SMALL PONDS [THIS IS THE END OF THE DITCH].

* NOTE: WATER IS ~~DO~~ PUMPED OUT OF THESE PONDS AND USED TO ILLEGALLY WATER 1,000 TREES IN THE NE AND SE OF THE NW OF SECTION 25, T05S, R31E. IRRIGATION PORTION OF APPLICATION REMOVED. USING DOT CALCULATOR, APPROXIMATE PONDS SIZE IS 3 1/4 ACRES WITH AN AVERAGE DEPTH OF 2' WHEN FULL. PONDS ALSO COLLECT SPRING RUNOFF OUT OF FARM FIELDS VIA THIS DITCH.

STORAGE CAPACITY OF PONDS = 3.25 AC X 4 = 1.3 AF

WR 35-8654 RELINQUISHED (REF. F46 ATTACHMENT)
WR 35-08624 NOT APPLICABLE TO THIS POD OR POU
NO POU POD OVERLAP.

Have conditions of permit approval been met? ✓ yes ___ no

MICROFILMED
APR 15 1998

F. FLOW CALCULATIONS _____ Additional Computation Sheets Attached

Measured Method:

N/A

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.}$ = (Acres Irrigated) x (Irrigation Requirement) = _____

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

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

2. Volume Calculations for Other Uses:

STORAGE CAPACITY = 3.25 ACRES X .4 (FACTOR) = 1.3 AF

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use From	Period of Use To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
WILDLIFE STORAGE	4/1	11/1	-0-	1.3 AFA
		Totals:	N/A	1.3 AFA

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. AUTHENTICATION

Field Examiner's Name SIMPKINS Date 1/8/98

Reviewer _____ Date _____ SEAL

MICROFILMED
APR 1998

August 6, 1993

STATE OF IDAHO
DEPT OF FISH & GAME
PO BOX 25
BOISE ID 83707

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 35-08983

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,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

MICROFILMED
AUG 2 6 1993

June 30, 1993

STATE OF IDAHO
DEPT OF FISH & GAME
PO BOX 25
BOISE ID 83707

PROOF DUE NOTICE

RE: PERMIT NO. 35-08983

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 September 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

MICROFILMED

AUG 26 1993

CERTIFIED MAIL
NO. 140324

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

August 10, 1992

STATE OF IDAHO
DEPT OF FISH & GAME
PO BOX 25
BOISE ID 83707

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 35-08983

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.

Sincerely,

BRENDA L. MILLER
Water Resource Agent

BLM:cz

Enclosures

MICROFILMED
AUG 20 1992

State of Idaho
DEPARTMENT OF WATER RESOURCES
150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

14-Feb-1992

FISH & GAME
PO BOX 25
BOISE ID 83707

RE: Application No. 35-8983

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 Morning News on 2-20 & 27-1992. 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 Jones
HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

MICROFILMED
AUG 20 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

FEBRUARY 13, 1992

THE MORNING NEWS
P.O. BOX 70
BLACKFOOT, ID 83221

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before MARCH 9, 1992.

Yours truly,

Rita Bodell
Secretary

Encl.

MICROFILMED
AUG 20 1992

NOTICE OF APPLICATION FOR WATER RIGHT

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

MICROFILMED

AUG 2 0 1992

35-08983

STATE OF IDAHO
DEPT OF FISH & GAME
PO BOX 25
BOISE, ID 83707

Source: WASTEWATER Tributary: SINKS

Diversion Pt: SWSWSW Sec 24 T 05S R 31E in BINGHAM County.

Use: IRRIGATION (.070 CFS)
WILDLIFE STORAGE (2.00 AF)
Total Diversion: (.070 CFS)

Date Filed: 1/ 2/1992

In: BINGHAM County
T05S R31E S24 SWSW
S25 NENW SENW

6.0 ACRES TOTAL

MICROFILMED
AUG 2 0 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 MARCH 9, 1992.

R. KEITH HIGGINSON, Director

Published: 2/20/1992 & 2/27/1992

RECEIVED
AUG 20 1992