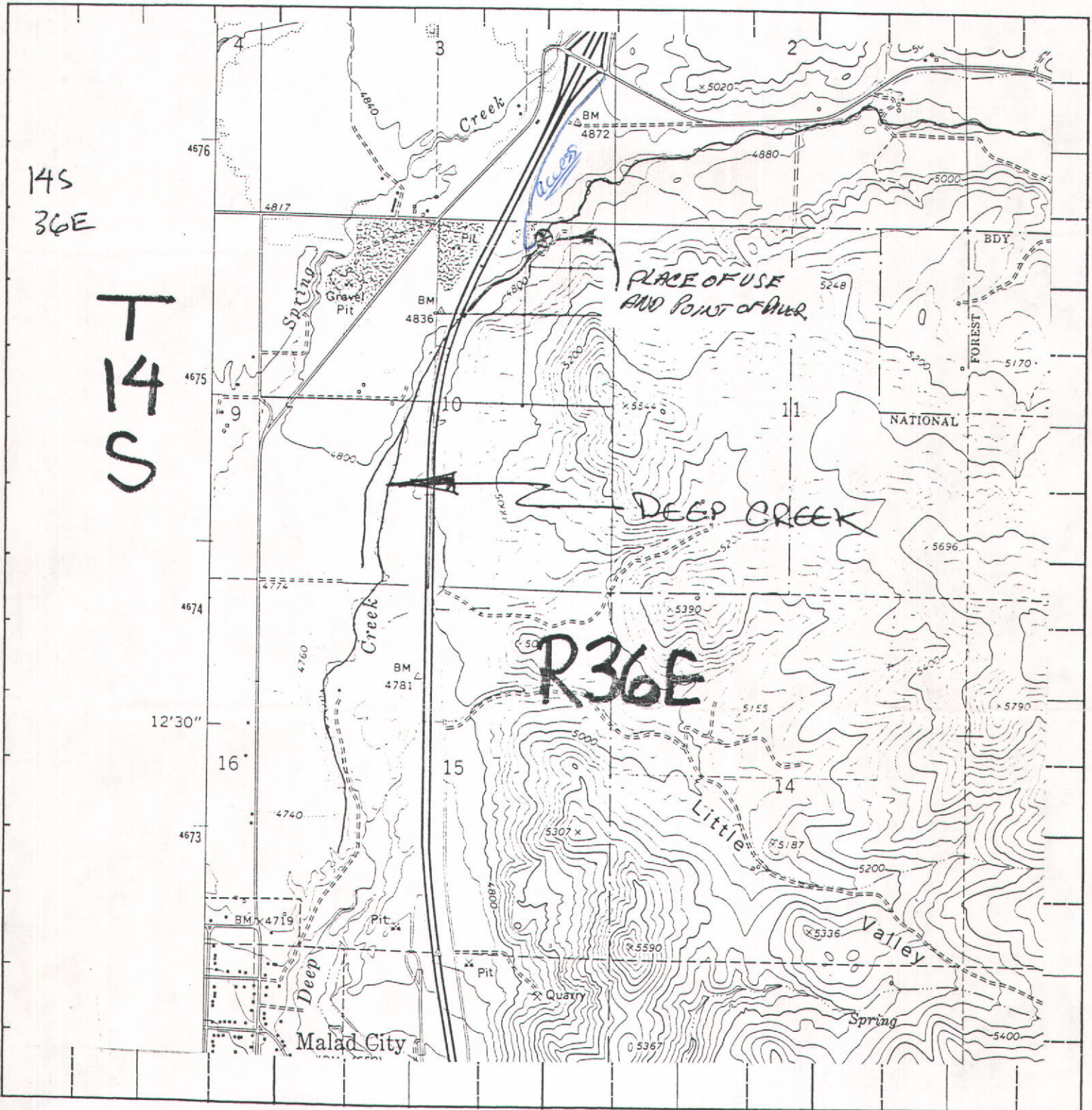


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

MICROFILMED
AUG 17 2000

[Signature]
(Applicant)

3 IV SE
100% PEAK



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

RECEIVED
JUL 17 2000
Department of Water Resources

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

1. Permit No. 15-87169 Telephone No. 435-458-3595
2. Name of Permit Holder(s): Ted D MacFarlane
3. Mailing Address: PO Box 154
City Riverside State UT Zip 84334-0154
4. Source of Water: Spring If GROUNDWATER (well), Date Drilled: mo. _____ / yr. _____

a. Well Driller: _____ Drilling Permit Number: _____ - _____ - _____ - _____

5. Use(s) (as authorized by the water right permit):

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

Irrigation (No. of acres): _____ Other: Recreation

6. Total rate of diversion and/or volume for which proof is submitted: 0.03 cfs OR 1.00 acre feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required?

Yes _____ or No X

Has the measuring device been installed?

Yes _____ or No X

8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

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

Name: Ted D MacFarlane Telephone Number: 435-458-3595

Address: PO Box 154 Riverside UT 84334-0154

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

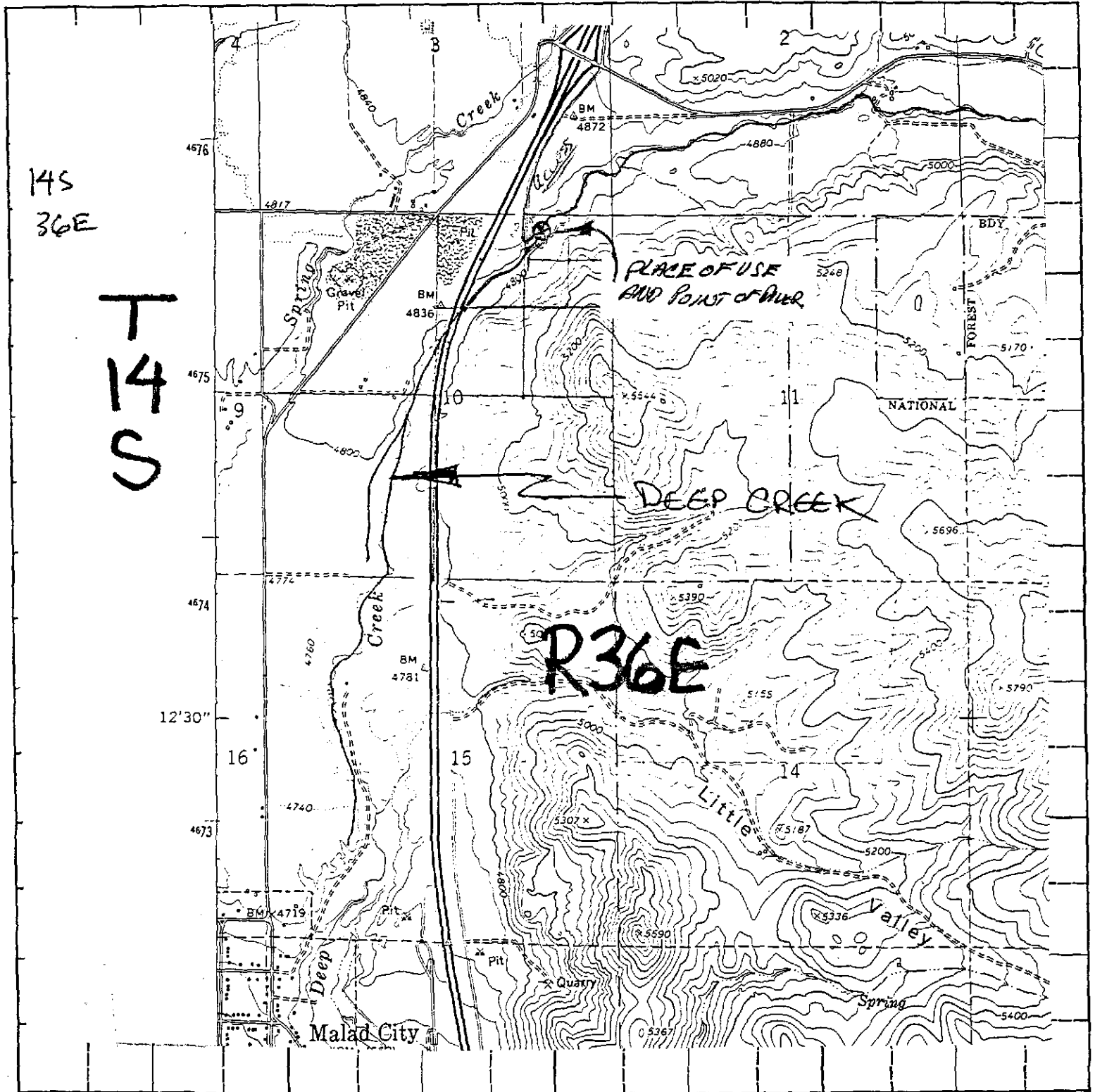
Signature of permit holder: Ted MacFarlane
(include your title, if on behalf of company or organization)

Date: 7/12/00

Recd

MICROFILMED
AUG 17 2000

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



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth

MICROFILMED

AUG 17 2000

[Signature]
(Applicant)

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 15-07169

Proposed Priority: June 11, 1998

Maximum Diversion Rate:

0.03 CFS

This is to certify, that **TED D MACFARLANE**

PO BOX 154

RIVERSIDE UT 84334-0154

has applied for a permit to appropriate water from:

SPRING

tributary of **DEEP CREEK**

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
RECREATION STORAGE	01/01 to 12/31		1.0 AF
DIVERSION TO STORAGE	01/01 to 12/31	0.03 CFS	
	Totals	0.03 CFS	

LOCATION OF POINT(S) OF DIVERSION:

NWNE , Sec. 10, Township 14S, Range 36E
ONEIDA County

PLACE OF USE: RECREATION STORAGE

TWN RGE SEC

14S 36E 10

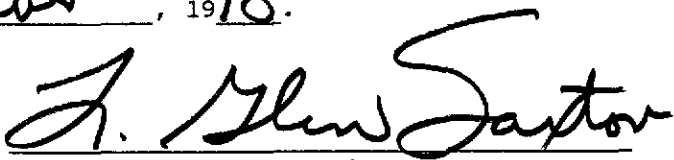
NENE

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **September 1, 2000**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Recreation storage use is for a fish pond.

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

9th day of September, 1998.


for Karl J. Dreher, Director

MICROFILMED

SEP 24 1998

Ident. No. 15-07169
RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

AUG 07 1998

Department of Water Resources

1. Name of Applicant TED D. MacFARLANE Phone (801) 458-3595
Mailing address P.O. Box 154, RIVERSIDE, UT 84834
2. Source of water supply SPRING which is a tributary of DEEP CREEK
3. Location of point of diversion is Township 14S Range 36E Sec. 10 in the NW 1/4, NE 1/4, NE 1/4, Govt. Lot _____, B.M., Oneida County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 1.0 AFA for RECREATION Storage purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.03 cfs for Diversion to Storage purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.03 and/or (b) 1.0
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Describe type and size of devices used to divert water from the source EXPANSION OF EXISTING POND.
COMPLETED DIMENSIONS WILL BE ~100' x 50' x 8'. PIPELINE FROM SOURCE TO POND.
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
 - c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet
 - d. Is ground water with a temperature of greater than 85°F being sought? _____
 - e. If well is already drilled, when? _____; Drilling firm _____
Well was drilled for (well owner) _____; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is 2 years (minimum 1 year)
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. RECREATIONAL USE FOR WILDLIFE USE AND FISH POND.

MICROFILMED RECEIVED

SEP 24 1998

JUN 11 1998

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.

[illegible]

10. Describe any other water rights used for the same purposes as described above. 15-07116

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

វិស័យ ឧស្សាហកម្ម

12. Remarks: This application is for an expansion of use already licensed

୩୩୯୦-୫୧ ଶତବଦନ

BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8 1/2"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

Signature of Applicant (and title, if applicable)

7-537 24 1998
MICROFILMED

Received by FWJ Fee \$ 50.00

Date 6-11-98 Time

Preliminary check by

E08918

Date _____

Publication prepared by

Date _____

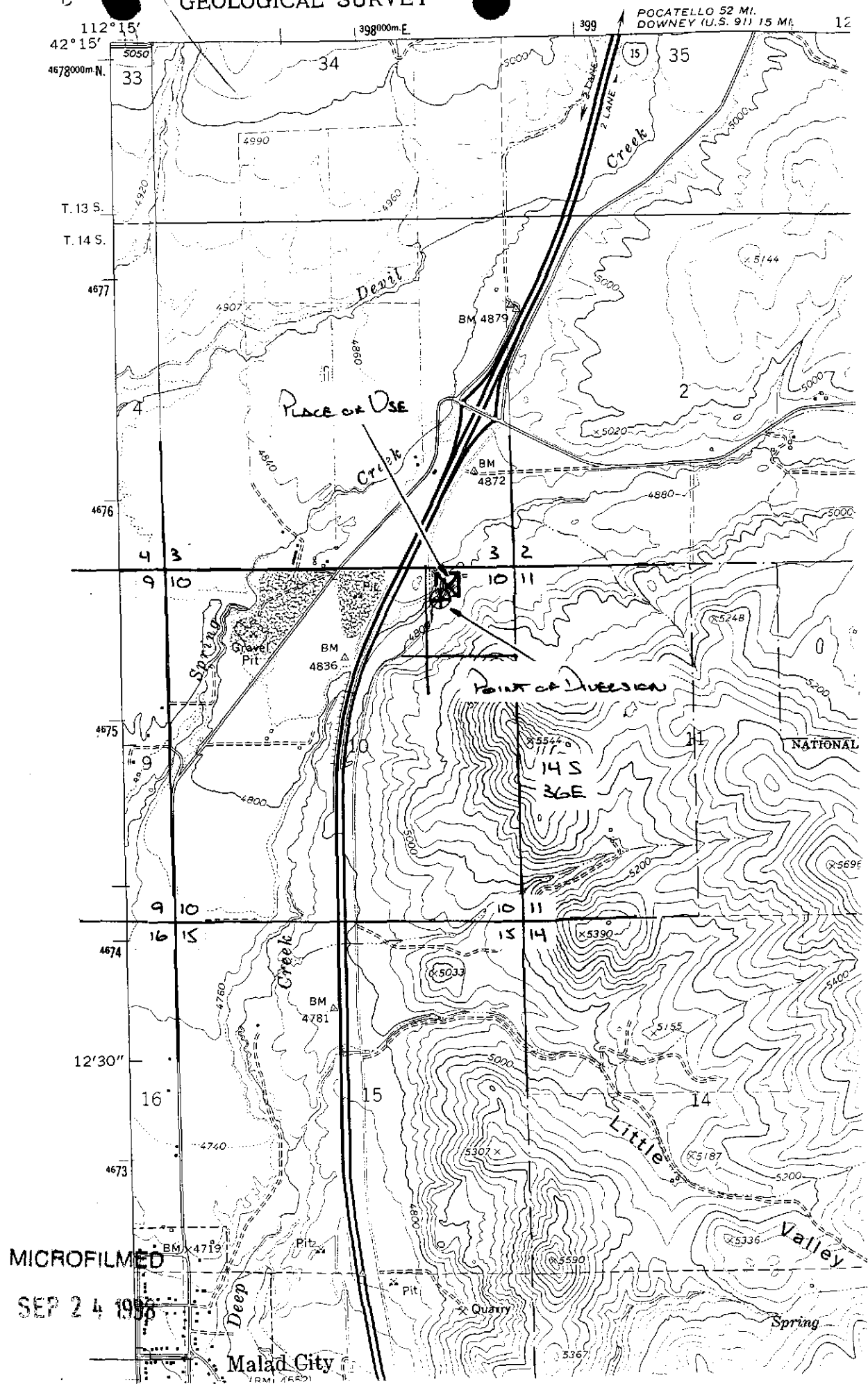
86-6-6

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10

98.

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY





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

July 18, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

TED D MACFARLANE
PO BOX 154
RIVERSIDE UT 84334-0154

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 15-07169

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 meets the permitted beneficial use.

Be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions concerning the field examination, please contact the **Eastern** Regional Office of the department in Idaho Falls at (208) 525-7161.

Sincerely,

Deborah Drew-Ellis
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office

MICROFILMED

915 17 2000

To: File 15-07169
Fr: Bryce Contor
Date: 7/12/2000



Re: Proof of Beneficial Use

Mr. MacFarlane states that in the spring, the system delivers full capacity authorized by the permit. Right now, due to the drought, the flow is down.

He requests that the examiner contact him prior to exam to make sure the system is operating to full capacity. Mr. MacFarlane would like to accompany the examiner when the system is measured.

MICROFILMED

AUG 17 2000

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 15-07169 Reviewed by D. Elie Date 7/18/00

GENERAL CONSIDERATIONS

Yes Name same as permit?

Yes Address same as permit?

Yes Proof timely received?

If not, complete calculation below.

TYPES OF USE

Recreation/Storage

Correct Uses? Yes

SOURCE OF WATER

Yes Surface water source

No Ground water source

/ Drilling permit required?

/ Copy in the file? Drilling Permit No. /

/ Amount paid for permit

/ Well log in the file?

/ Correct?

LICENSE EXAMINATION FEE

Yes Required?

\$50 Amount Submitted

Yes Correct?

MEASURING DEVICE

No Required?

No Installed?

/ Waiver requested?

PRIORITY CALCULATION

Date proof received

Date proof due

No. of days late

Priority Date

New Priority Date

7/12/00
9/1/00 - /
/ = /
/ + /

DEFICIENCIES OR ACTION ITEMS

Acknowledge proof.

DATA ENTRY

New Address

No

Proof Made

7/12/00

June 30, 2000

TED D MACFARLANE
PO BOX 154
RIVERSIDE UT 843340154

PROOF DUE NOTICE

RE: PERMIT NO. 15-07169

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, 2000.

(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.

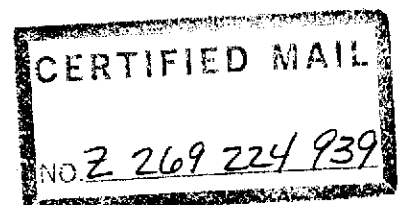
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

DEBORAH DREW-ELLIS
Administrative Assistant

Enclosures

MICROFILMED
AUG 17 2000





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

September 11, 1998

PHILIP E. BATT
GOVERNOR

TED D MACFARLANE
PO BOX 154
RIVERSIDE UT 84334-0154

KARL J. DREHER
DIRECTOR

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 15-07169

Dear Permit Holder:

The Department of Water Resources (IDWR) has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a preliminary order issued by IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a "Proof Due Notice" approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

Please note that a separate stream channel alteration permit must be obtained from the IDWR prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed at least sixty days prior to the commencement of work in the stream.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

MICROFILMED

SEP 24 1998

SK:klt
Enclosures

CERTIFICATE OF MAILING

I hereby certify that on the 11th day of **September, 1998**, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER (Approved Permit)** to the person(s) listed below:

Water Right No. 15-07169

**TED D MACFARLANE
PO BOX 154
RIVERSIDE UT 84334-0154**


Kari Lynn Townsend
Secretary

MICROFILMED
SEP 24 1998

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order 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 the 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 a 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, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a 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.

ORAL ARGUMENT

If the Department grants a petition to review a 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.

MICROFILMED

SEP 24 1998

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with a 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.

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.

MICROFILMED

SEP 24 1998



IDAHO FISH & GAME

SOUTHEAST REGION
1345 Barton Road
Pocatello, Idaho 83204-1819

Philip E. Batt / Governor
Stephen P. Mealey / Director

August 31, 1998

Ms. Cindy Zimmerman
Water Resource Agent
Idaho Department of Water Resources
1301 North Orchard Street
P.O. Box 83720
Boise, Idaho 83720-0098

RECEIVED
SEP 08 1998
Department of Water Resources

Re: Application for Permit No. 15-07169

Dear Ms. Zimmerman:

Idaho Department of Fish and Game personnel have reviewed the above referenced application for a water appropriation permit. It is our understanding that this application is to divert 0.03 cfs (or 1 acf annually) from a spring along Deep Creek into an existing pond and that it represents an expansion of a use already licensed. The Department has no objection to this permit. If plans involve further excavation of the pond, excavated materials should be hauled to an upland site for disposal. Construction should be designed to prevent additional sediment into Deep Creek. If Mr. MacFarlane plans to stock fish in the enlarged pond, he will need to obtain a free permit from the Department. The project may require a 404 permit from the U.S. Army Corps of Engineers if any wetlands will be filled due to construction activities. Thank you for the opportunity to review this application and provide comments.

Sincerely,

Dexter R. Pitman
Southeast Regional Supervisor

DRP/HJH/hjh

cc: Richard Scully
Jerome Hansen
Tom Lucia
Natural Resources Policy Bureau
Ted D. MacFarlane

MICROFILMED

APPLICATION FOR PERMIT STATE OFFICE ANALYSIS

by *Cindy Lou*
 No.: 15-7169 Name: MacFarlane Date: 8/19/98 Ad OK? ☒ ☒ Gvmt Lts: ☒

AREA OF CONCERN: - No/Yes: _____ Mor / _____ GWMA / Trust / Non-trust

PROTESTED: - 020 (Protest Agreement) or *W19 (Order)

SYSTEM COMPLETED:

 > 1 year - 26A-P17
 ≤ 1 year/no proof - P16

GROUNDWATER: (✓ FLO-CH)

WMD (✓ MAP)

> 0.24 cfs/5 acres - North / East / West

≤ 0.24 cfs/5 acres - 067 or No MD (in-stream stock or power)

WMD Supplemental use

> 0.24 cfs/5 acres - No MD

≤ 0.24 cfs/5 acres - 065-079 (if GW use SW 1st-statewide)-(cannot move SW off)

DRILLING PERMIT:

All wells (✓ WDQ3)

In Basin 34?

Irr. within WD

- 046-P23

- 085

- P05 (new well location)

SURFACE WATER: (✓ FLO-CH) (Surface water that doesn't sink is regulated):

FISH & GAME CONTACTED: 8/19

IN/ABOVE MIN. STR. FLOW (✓ MAP)

WD (✓ MAP & LISTING)

> 0.10 cfs

≤ 0.10 cfs

WMD (✓ MAP)

> 0.24 cfs/5 acres

≤ 0.24 cfs/5 acres

SPRINGS/SINK, INACTIVE WD & REST OF STATE

> 0.24 cfs/5 acres

≤ 0.24 cfs/5 acres

RIVER BASINS: (*Surface water):

Snake R (01)

(02/03-irr)

Payette R(65)

Salmon R (70's)

Weiser R (67)

- *W22 -P04, NA

- 007 (w/ remark *WB9 if above Weiser), NA

- *W22 (regulated uses), 047-P04 (Payette Lake), NA

- 029 (fish screens), NA

- 086, 087

USE:

Domestic surface

>1 in rest. area

Fire Protection

Fish Propagation

Heating/Cooling

Irr ≤ 5 acres

> 5 acres

Mining

Municipal

Power

Stockwater

Storage (✓ 3 compo.)

- *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA

- 071-070

- 077

- 029-007-042(req)-081 (WQ)-P10

- R07 (injection well)

- R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)

- R62/R63/R64/R65 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)

- 054(req)-081-P10

- 022, 075, 004 (+memo?), NA (not in restricted area)

- 17H/17K(+uses)-08A-025(P18)-01N-028-081(P10)-027 (if no other cons. use);

17G (FERC) or 17M (FERC); 18B-P09; >25 cfs-P18

- R37 (BLM/USFS); NA

- 18A (in & out MD for on-stream storage), 18B-P09 (>10' dam), NA

LOCATION:

42-248 area

Boise Front LoGeo

In-stream dev.

Mitigation

SWAN FALLS FLAG (See Code Chart)

Trust

Non-Trust (1)

- P84 (in 20/30/40/50/60/70/80 (87) basin)

- 058 (<85° GW temp only)

- P52 (stream channel alteration)

- 120

OWNERSHIP:

OTHER CONDITIONS:

STANDARD REMARKS:

BENEFICIAL USE DUE:

COMMENTS:

- 051-052-053-P74 (Consumptive Uses), NA

- 048-049 (Consumptive Uses), NA

- 004 (PD/PU)

- Rec Sta / fishing pond

- 9/1/ 2000



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

August 19, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Idaho Dept. of Fish & Game
Southeast Region
1345 Barton Rd
Pocatello ID 83204

RE: Application for Permit Nos. 15-07169 & 21-07581

To Whom It May Concern:

The Department of Water Resources (IDWR) is preparing to issue a water appropriation permit for the above applications. Before proceeding, IDWR would appreciate receiving your comments, if any, on the proposed diversion and use of surface water. I have enclosed copies of the applications for your review. Please respond with your comments by September 2. If I have not heard from you by then, I will assume you have no comment and will proceed with issuing the permits.

If you have any questions, you may contact me directly at (208) 327-7944 or by electronic mail at czimmerm@idwr.state.id.us.

Respectfully,

Cindy Zimmerman
Water Resource Agent

Enclosure

MICROFILMED
SEP 24 1998

RECEIVED

AUG 07 1998

Dist. for staffing
Submitted for advertising 6-11-98

Form No. 202
4/87

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

INITIAL REVIEW BY HLW DATE 6-11-98 APPLICATION NO. 15-071169

MAC FARLANE
REQUIRED INFORMATION

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

ADDITIONAL INFORMATION

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

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Same pd as 15-07116

Date Requested _____

PROCESSING

☒ Yes ☒ No In form for advertising
☒ Yes ☒ No Statewide advertising
☒ Yes ☒ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO

☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM
☐ Idaho Dept. of Fish & Game ☐ U.S. Forest Service
☐ Idaho Dept. of Lands ☐ Water District
☐ Adjudication Bureau Unit ☐ Other _____

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received
☒ Yes ☐ No Application published correctly. If not, record action taken _____
☒ Yes ☐ No Publication dates & paper, recorded on application
☐ Yes ☒ No Protests received
Final date for protest _____
☒ Yes ☐ No Protests, dates, resolution of protest, recorded on application
☐ Yes ☐ No Recommendations attached
☐ Yes ☐ No Measuring device required
☐ Yes ☐ No Access port required
☐ Yes ☐ No Will water be delivered by watermaster? If yes, what Dist. _____
☐ Yes ☐ No Special conditions of approval or cover letter below.

Date of priority recommended 6-11-1998
By: [Signature] Date: 8-04-1998
STATE OFFICE REVIEW

By _____ Date: _____
ADDITIONAL INFORMATION

LOCAL PUBLIC INTEREST

Comments received from

_____ City	_____ Idaho Fish & Game	_____ Irrigation Dist.
_____ County	_____ Idaho Health & Welfare	_____ Canal Company
_____ Reservations	_____ Div. of Environment	_____ Other _____

Project impacts/implications report

COMMENTS

[illegible]

2457

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
COUNTY OF ONEIDA)

Kristine D. Smith, begin duly sworn, deposes and says:
That she is the publisher of *THE IDAHO ENTERPRISE*, a weekly newspaper published at Malad, in the County of Oneida and State of Idaho; that said newspaper has been and is in general circulation in the county aforesaid, and in the vicinity of Malad; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for 2 consecutive weeks in the regular and entire issue of said newspaper during the period of time of publication, and was published in the newspaper proper and not a supplement; that said newspaper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with 7-2, 1998, and ending with the issue of 7-9, 1998.

Kristine D. Smith

STATE OF IDAHO)
)
COUNTY OF ONEIDA)

On this 31 day of July in the year of 1998, before me, Susan J. Whitman, a Notary Public, personally appeared Kristine D. Smith, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Susan J. Whitman
Notary public for Idaho
Residing at 2-9-2000 Malad Idaho
My commission expires: 2-9-2000

NOTICE OF APPLICATION FOR WATER RIGHT

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

15-07169

MACFARLANE, TED D
PO BOX 154
RIVERSIDE, UT 84334
Source: SPRING
Tributary: DEEP CREEK
Diversion Pt: NWNENE Sec 10 T
14S R 36E in ONEIDA County.
Use: RECREATION

STORAGE (1.00 AF)
DIVERSION TO
STORAGE (0.030 CFS)
TOTAL DIVERSION: (0.030 CFS) (1.00 AF)

DATE FILED: 6/11/1998

IN: ONEIDA County

T14S R36E S10 NENE

Any protest against the proposed application must be filed with the Department of Water Resources, 900 N Skyline Dr., Ste A, Idaho Falls, ID, 83402, together with a protest fee of \$25.00 on or before JULY 20, 1998, to be considered by the Department in its decision to grant or deny any part of the proposed application. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director
Published: 7/2/1998 & 7/9/1998
#2457 7/2/9/98/T2

RECEIVED

AUG 04 1998

MICROFILMED
Department of Water Resources
Eastern Region
SEP 24 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JUNE 24, 1998

Legal Notices Department
THE IDAHO ENTERPRISE
P.O. BOX 205
MALAD CITY, ID 83252

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.

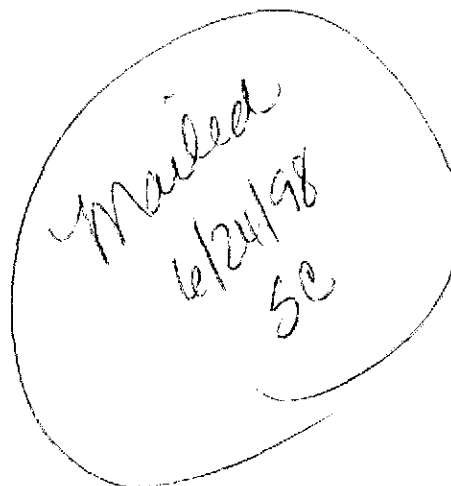
An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before JULY 20, 1998.

Yours truly,

Sharla Cox
Secretary

Encl.



MICROFILMED
SEP 24 1998

NOTICE OF APPLICATION FOR WATER RIGHT

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

MICROFILMED

SEP 24 1998

15-07169

MACFARLANE, TED D
PO BOX 154
RIVERSIDE, UT 84334

Source: SPRING

Tributary: DEEP CREEK

Diversion Pt: NWNENE Sec 10 T 14S R 36E in ONEIDA County.

Use: RECREATION STORAGE	(	1.00 AF)
DIVERSION TO STORAGE	(	0.030 CFS)
Total Diversion:	(	0.030 CFS)
	(	1.00 AF)

Date Filed: 6/11/1998

In: ONEIDA County
T14S R36E S10 NENE

MICROFILMED

SEP 24 1998

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KARL J. DREHER, Director

Published: 7/ 2/1998 & 7/ 9/1998

MICROFILMED

SEP 24 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

June 24, 1998

KARL J. DREHER
DIRECTOR

TED D MACFARLANE
PO BOX 154
RIVERSIDE UT 84334

RE: Application for Permit #15-07169

Dear Applicant:

This office is currently in the process of advertising the application in the Idaho Enterprise on July 2 and 9, 1998. The advertisement will be published once a week 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.

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

Sincerely,

Harold W. Jones
Water Right Supervisor

HWJ::sc

MICROFILMED

SEP 24 1998