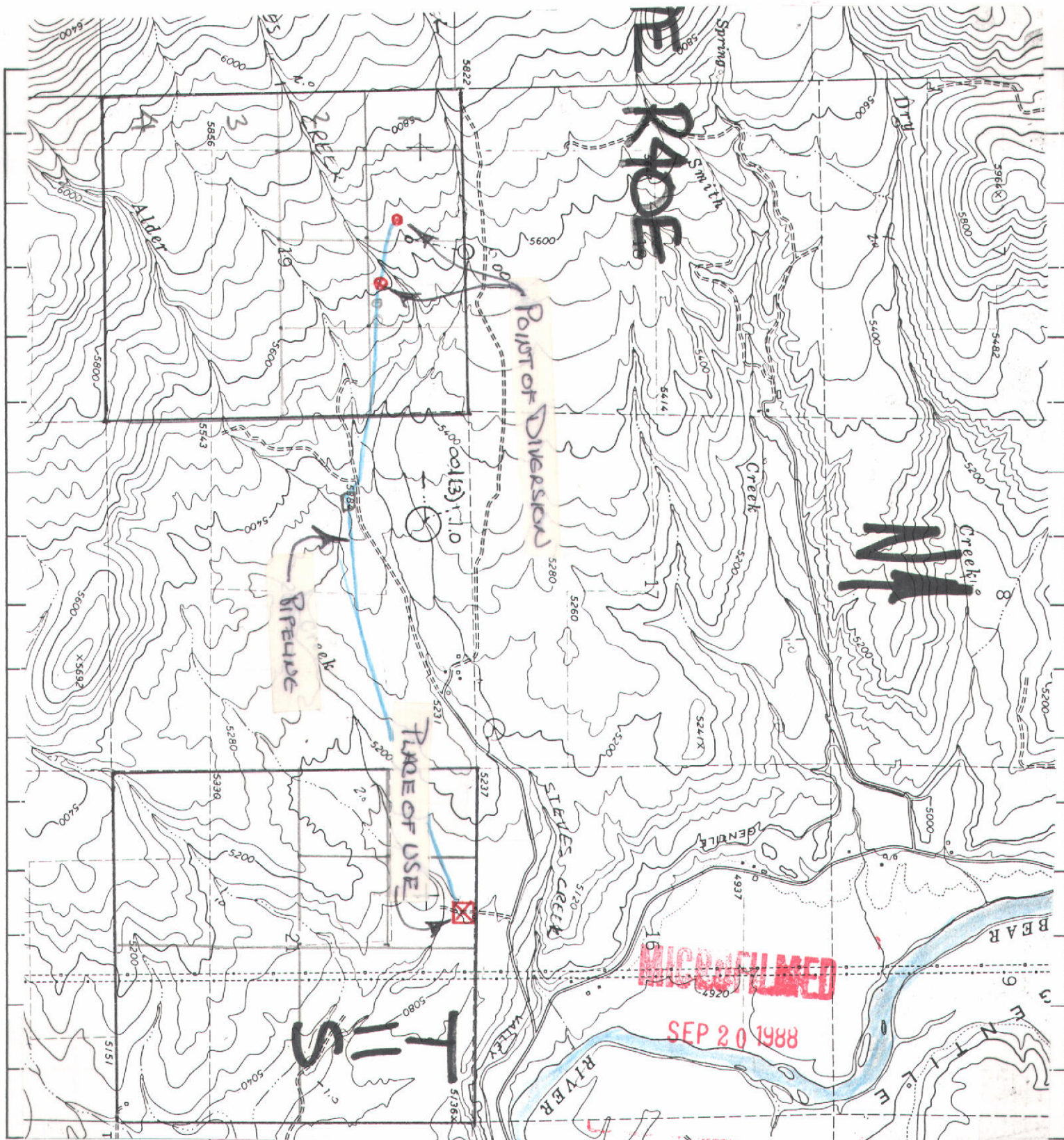




Scale: 2 inches equal 1 mile.

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.

Shaw Land & Livestock
Julio C Shaw
 (Applicant)
Sen. Gardner

RECEIVED

DEC 10 1987

Department of Water Resources
Eastern District Office

PUBLIC NOTICE

First Time Published

**NOTICE OF APPLICATION FOR
WATER RIGHT**

The following application(s) have
been filed to appropriate the public
waters of the State of Idaho:
13-7447

SHAW LAND & LIVESTOCK CO.
ROUTE 1 BOX 130, GRACE,
IDAHO 83241

Source: SPRINGS trib. to SINKS
Diversion Point: SWNENW SENW-
NE Sec. 19 T 11S R 40 E
Use: IRRIGATION (0.060 CFS),
STOCKWATER (0.090 CFS), DO-
MESTIC (0.080 CFS)

Date filed: October 26, 1987
In: NENW Sec. 21 T 11S R 40E
FOR 3 ACRES.

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,
Suite 15, Idaho Falls, Idaho 83402 on or
before NOVEMBER 23, 1987.

R. KEITH HIGGINSON
Director
Published Nov. 5 and 12, 1987 in the
Caribou County Sun.

RECEIVED

SEP 20 1988

Affidavit of Publication

County of Caribou }
State of Idaho } ss.

Mark Steele

being first duly sworn on his
oath, states:

That he is Publisher
of the Caribou County Sun, a
newspaper of general circula-
tion in Caribou County, Idaho,
published weekly at Soda
Springs in said County that said
newspaper has been published
in said County uninterruptedly
and continuously for over sev-
enty-eight consecutive weeks,
prior to the first publication of
the annexed notice or advertise-
ment;

That the annexed notice was
published as per clipping at-
tached in the regular and entire
edition of said newspaper and
not in any supplement thereof

for 2 successive weekly
issues thereof, the date of the
first publication being the

5th day of
November, 1987

The date of the last publication

being the 12th day of
November, 1987

Subscribed and sworn to be-
fore me this 5th day
of December, 1987

C. L. Anderson
Notary Public, residing
at Soda Springs, Idaho
(SEAL)

My Commission expires the
1st day of March
1988.



Largest Spring Area



Smaller Spring Area

INDEXED

SEP 20 1988

13-7447

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 13-07447)
IN THE NAME OF SHAW LAND AND LIVESTOCK) ORDER OF
REINSTATEMENT)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before July 1, 1992; and,

WHEREAS, the Department notified the permit holder by certified mail that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

WHEREAS, the Department notified the permit holder that the permit had lapsed for failure to submit the proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on July 13, 1992;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 13-07447 be REINSTATED with an advance in priority to November 11, 1987.

Dated this 15th day of July, 1992.

For: L. Glen Saxton
Chief, Water Allocation Bureau

MICROFILMED
JUL 29 1992

RECEIVED
JUN 14 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

For Office Use Only
\$15 FEE Received by J. Saylor
Date 6/14/90
Receipt # 6017284

REQUEST FOR EXTENSION OF TIME

Department of Water Resources To provide additional time in which to submit proof of beneficial use for a water right permit

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of a water right under the provisions of Section 42-204, Idaho Code.

Permit No. 13-07447

Name(s) of Permit Holder: Shaw Land & Livestock Ruler C. Shaw Land Part.

Post Office Address: 1739 Raper Lane Araco Id. 83241

Telephone No. 427-6609

Date Proof is Due: _____

Describe what work has been completed toward the development of this water right: Spring has been
(This must be filled out! If no work has been completed, show "none".)

developed and app. 300 ft of pipe installed. app. 1 mile of
pipe needs to be yet installed. I have been hauling water.
I would welcome an inspection any time if a representative is
in area. Thanks very much. Ruler C. Shaw. Costing \$ 2489.96

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

Lack of funds due to Drought conditions of last two
years.

Permit holder(s) request an extension to Nov 1, 1992 Ruler C. Shaw
(1 yr. minimum) (Signature)*

FEE: \$15.00

*IF OTHER THAN PERMIT HOLDER,
POWER OF ATTORNEY MUST BE SUPPLIED.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to July 1, 1992.

Signed this 13th day of August, 19 90.

J. Saylor
Chief, Water Allocation Bureau

MICROFILMED

AUG 31 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant Shaw Land & Livestock Co. Phone 427-6609
Post office address Rt. 1, Box 130, Grace, ID 83241
2. Source of water supply springs which is a tributary of sinks
3. Location of point of diversion is SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of NW $\frac{1}{4}$, Govt. Lot _____
Sec. 19 Township 11S Range 40E B.M. Caribou County; additional
points of diversion if any: SEWNNE, Sec. 19, T. 11S, R. 40 E., B.M.
4. Water will be used for the following purposes:
Amount 0.06cfs for Irrigation purposes from 4/1 to 11/1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.08 cfs for Domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.09 cfs for Stockwater 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)
5. Total quantity to be appropriated is (a) 0.23 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
- a. Description of ditches, flumes, pumps, headgates, etc. spring headboxes @ 2 springs with
3" to 2" pipeline to 3 homes, troughs & garden hoses for irrigation around homes
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
- d. Is ground water with a temperature of greater than 90°F being sought? _____
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
2 years (minimum 1 year).

SEP 20 1988

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. 400 head range cattle
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. 3
- e. Other; describe fully. _____

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	
11S	40E	21					3												3
							D/S												
		20																	

Total number of acres to be irrigated 3

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

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

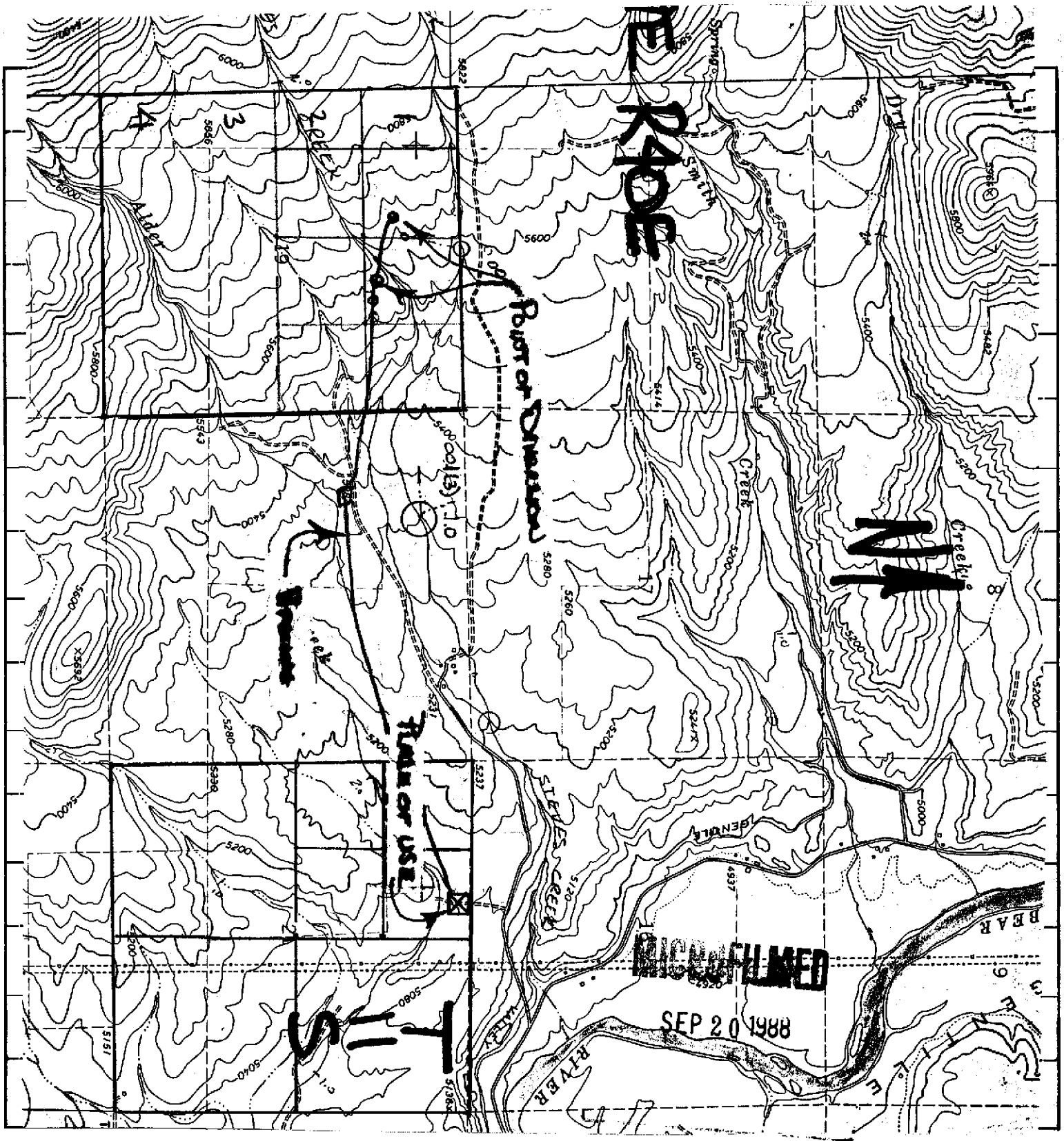
b. Who owns the land to be irrigated or place of use? Applicant

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

12. Remarks: _____

RECEIVED

SEP 20 1993



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.

Shaw Land & Livestock
Felix C. Shaw
 (Applicant)
Sen. Cartner

ASST BY: EU

Proposed Priority 10/26/87
Received by CA Date 12-36-87 Time 10-26-87 Preliminary check by KCW
Fee \$ 45.00 Received by CW # 42084 Date 10-26-87
Publication prepared by dag Date 10-28-87 Published in Caribou County Sun
Publication approved CW Date 12-11-87

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. 13-7447, 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 July 1, 19 90.

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:

Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

If withdrawal of water under this permit is found to affect flows in Steves Creek, this right shall be subject to the control of the watermaster of State Water District No. 11, Bear River.

Witness my hand this 3rd day of August, 1988.

[Signature]
Director

MICROFILMED

SEP 20 1988

Affidavit of Publication

DEC 10 1987

Department of Water Resources
Eastern District Office

County of Caribou }
State of Idaho } ss.

Mark Steele

being first duly sworn on his
oath, states:

That he is Publisher
of the Caribou County Sun, a
newspaper of general circula-
tion in Caribou County, Idaho,
published weekly at Soda
Springs in said County that said
newspaper has been published
in said County uninterruptedly
and continuously for over sev-
enty-eight consecutive weeks,
prior to the first publication of
the annexed notice or advertise-
ment;

That the annexed notice was
published as per clipping at-
tached in the regular and entire
edition of said newspaper and
not in any supplement thereof

for 2 successive weekly
issues thereof, the date of the
first publication being the

5th day of
November, 1987

The date of the last publication

being the 12th day of
November, 1987

Subscribed and sworn to be-
fore me this 5th day

of December, 1987

[Signature]
Notary Public, residing
at Soda Springs, Idaho
(SEAL)

My Commission expires the
1st day of March

1988.

RECEIVED

PUBLIC NOTICE

First Time Published

NOTICE OF APPLICATION FOR WATER RIGHT

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

13-7447

SHAW LAND & LIVESTOCK CO.
ROUTE 1 BOX 130, GRACE,
IDAHO 83241

Source: SPRINGS trib. to SINKS

Diversion Point: SWNENW SENW-
NE Sec. 19 T 11S R 40 E

Use: IRRIGATION (0.060 CFS),
STOCKWATER (0.090 CFS), DO-
MESTIC (0.080 CFS)

Date filed: October 26, 1987

In: NENW Sec. 21 T 11S R 40E
FOR 3 ACRES.

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,
Suite 15, Idaho Falls, Idaho 83402 on or
before NOVEMBER 23, 1987.

R. KEITH HIGGINSON
Director

Published Nov. 5 and 12, 1987 in the
Caribou County Sun.

RECEIVED

SEP 20 1988

July 17, 1992

SHAW LAND & LIVESTOCK CO.
1739 ROPER LANE
GRACE ID 832410000

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 13-07447

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order advancing the priority of the permit since the proof was received after the proof due date. 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

Enclosure

MICROFILMED
JUL 29 1992

RECEIVED

JUL 13 1992

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

OFFICE USE ONLY

Amt. of Fee \$ 50.00Date 7-14-92Receipt No. 0624904Receipt by [Signature]**PROOF OF BENEFICIAL USE**

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

1. Permit No. 13-07447 Telephone No. 208-427-6609
2. Name(s) of Permit Holder(s): SHAW LAND & LIVESTOCK
3. Mailing Address: 1739 Roper Lane Grace, Id. 83241
4. Source of Water: Seepage & Spring

If **GROUNDWATER**, Well Driller's Name: _____ Date Drilled: _____

OPTIONAL:

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

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

Domestic X 2 (No. of households) Stockwater 200 Beef Cows (No. and type of stock)

Irrigation 3 (No. of acres) Other Sprinkling around houses & yard.
app 4 gals per min

6. Total rate and/or volume for which proof is submitted 0.1/3 cfs OR _____ acre/feet

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

Measuring device: Required? _____ Yes X No Installed? _____ Yes X No

OR

Flow Measurement Port: Required? _____ Yes X No Installed? _____ Yes X No

8. Fee Enclosed: \$ 50.00 (See License Fee Schedule on back of Instruction Sheet)

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

Rulon C Shaw 427-6609
Name Telephone No.

1739 Roper Lane Grace, Id. 83241
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.

RECEIVED
JUL 29 1992

July 8, 1992 Shaw Land & Livestock Rulon C. Shaw Gen. Part
Date Signature (and title, if on behalf of a company or organization)

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 13-07447

Reviewed by Klg

Date 7/14/92

GENERAL CONSIDERATIONS

yes Name same as permit?
yes Address same as permit?
no Proof timely received?
If not, complete calculation below.

TYPES OF USE

domestic-2 stock-200
irrigate 3
Correct Uses? yes

SOURCE OF WATER

✓ Surface water source
Ground water source

NA Drilling permit required?

/ Copy in the file? Drilling Permit No. _____

/ Amount paid for permit _____ Correct?

/ Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
50 Amount Submitted
yes Correct?

MEASURING DEVICE

NA Required?
/ Installed?
/ Waiver requested?

PRIORITY CALCULATION

Date proof received 7/13/92 193
Date proof due 7/1/92 - 182
No. of days late = 11
Priority Date 10/26/87 + 299
New Priority Date 11/11/87 310

DEFICIENCIES OR ACTION ITEMS

proof acceptable

DATA ENTRY

New Address _____

needs an order
Proof Made 7/13/92 7/17/92 Klg



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

July 7, 1992

Shaw Land and Livestock
1739 Roper Lane
Grace, ID 83241

Re: Permit No. 13-07447

LAPSE NOTICE

Dear Permit Holder:

Under the provisions of Section 42-218a of the Idaho Code, you are hereby notified that the above referenced permit has lapsed since the Department could not approve the request for extension of time you submitted.

You can file a new application within one year of the time you actually intend to develop a water right. Since Idaho is now under a mandatory permit procedure to develop a water right, the new application will provide an additional period of time for development, although the priority date will be later in time.

Should you wish to file a proof of beneficial use on that portion of the permit that you have developed, you must do so within 60 days of the date of this lapse notice. However, your priority date is being penalized one day for every day the proof is received late.

If you have any questions or if we can be of any further assistance, please feel free to contact our office.

Sincerely,

L. Glen Saxton
Chief, Water Allocation Bureau

MICROFILMED

JUL 29 1992

CERTIFICATION OF MAILING

I hereby certify that on 7/7/92
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.



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

July 2, 1992

Shaw Land and Livestock
1739 Roper Lane
Grace, ID 83241

Re: Permit No. 13-07447

Dear Permit Holder:

Enclosed is a copy of the denied request for extension of time which you submitted to the department in connection with the above referenced permit. Section 42-204, Idaho Code, provides that the department can only grant one extension of time based on due diligence. Please note that the department has previously granted an extension of time in connection with this permit.

I suggest that you file the enclosed proof of beneficial use form for that portion of the development completed. If there has been no beneficial use of the water, I suggest you file a new application within one year of the time you actually intend to develop the water right. Since Idaho is now under a mandatory permit procedure to develop a water right, the new application will provide an additional period of time for development, although the priority date will be later in time.

If you have any questions or if we can be of any further assistance, please feel free to contact us or any of our regional offices.

Sincerely,

L. GLEN SAXTON
Chief, Water Allocation Bureau

Enc: Proof of Beneficial Use form/instruction
Extension of Time

C: IDWR - Regional Office

MICROFILMED

JUL 29 1992

RECEIVED
JUN 19 1992For Office Use Only
\$15 Fee Received by CH
Date 6-19-92
Receipt No. C024620STATE OF IDAHO
Department of Water Resources
DEPARTMENT OF WATER RESOURCES**REQUEST FOR EXTENSION OF TIME****TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT**

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of water right under the provisions of Section 42-204, Idaho Code.

Permit No. 13-07447Name(s) of Permit Holder: SHAW LAND & LIVESTOCK - Rulon C ShawMailing Address: 1739 ROPER LANE GRACE ID 83241Date Proof is Due 7-1-92 Telephone No. 427-6609

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

spring has been developed and piped app 200 ft.
water is being hauled for drinking purposes and
stock watering.

Costing \$ 2500.00

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

pipe line to house is app. another 8,000 ft and
crossing crop land that has to be harvested
hoping to finish project by Nov. 15, 1992. Thankyou.

Permit holder(s) request an extension to 11-30, 19 94.

FEE: \$15.00

Shaw Land & Livestock Rulon C. Shaw Sen. P.
(Signature)*

*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be DENIED
pursuant to Section 42-204, which only authorizes one extension
of time based on due diligence.

JUL 29 1992

Signed this 1ST day July, 19 92

R. Keith Higgins
R. Keith Higgins, Director

ANALYSIS SHEET
FOR
EXTENSION OF TIME

Permit No. 13-07447 Reviewed by Klg Date 6/30/92

BASIC INFORMATION

6/19/92 Date stamp received
yes Extension received timely
yes Fee received and receipted
yes Name and signature same as permit
no Address Change

BASIS FOR EXTENSION REQUEST

_____ Has adequate work been completed to demonstrate due diligence?
_____ Has the permit been involved in litigation?
_____ Is supporting documentation needed to complete the file? _____ Requested? _____
_____ Is delay by a government agency?
_____ Is supporting documentation needed to complete the file? _____ Requested? _____
_____ Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?

ACTION TAKEN

Deny - extension for due diligence has already been granted.

PRIORITY CALCULATION

Date extension received	_____	=	_____
Proof due date	_____	=	_____
Number of days late	_____	=	_____
Priority date	_____	=	_____
New Priority Date	_____	=	_____

DATA ENTRY

New Address _____
Change Proof Due Date _____
Change Priority Date _____

April 30, 1992

SHAW LAND & LIVESTOCK CO.
1739 ROPER LANE
GRACE ID 832410000

PROOF DUE NOTICE

RE: PERMIT NO. 13-07447

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 July 1, 1992. (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

RECEIVED

JUL 29 1992

CERTIFIED MAIL

NO. 138817

August 14, 1990

Rulon C. Shaw, General Partner
Shaw Land and Livestock
1739 Roper Lane
Grace, ID 83241

Dear Mr. Shaw:

Re: Permit No. 13-7447

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to July 1, 1992.

Returned is the proof of beneficial use form submitted along with the request for extension of time. This form should be submitted at the time the water has been diverted and put to a beneficial use and no further development is needed.

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

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosures

MICROFILMED

AUG 31 1990

STAFF REVIEW SHEET - EXTENSION OF TIME

Permit No. 13-7447

Reviewed by [Signature]

Date 8-6-90

BASIC INFORMATION

- 4 Date stamp received
- 4 Extension received timely (not too early not too late)
- 4 Fee received and receipted
- 4 Name and signature same as permit
- 4 Address change

BASIS FOR EXTENSION REQUEST

- 4 Has adequate work been completed to demonstrate due diligence?
- 4 Has the cost incurred been adequate to demonstrate an intent to complete the project?
- N/A Has the permit been involved in litigation?
 - a. Swan Falls _____ Dismissed from Swan Falls _____
 - Other _____ Identify _____
 - b. Is supporting documentation needed to complete the file? _____
 - Requested _____
 - c. Calculate the period of delay

Date litigation completed _____

Date litigation began _____

Total period of delay = _____

Present proof due date + _____

NEW PROOF DUE DATE = _____

- N/A Is delay by a government agency?
 - Is supporting documentation needed to complete the file? _____
 - Requested? _____

ACTION TAKEN - *Recommend approval based on due diligence for 2 years*
Return Proof

- N/A Reinstate
 - Date extension received _____ = _____
 - Proof due date _____ = _____
 - No. of days late _____ = _____
 - Priority date _____ = + _____
 - ADJUSTED PRIORITY DATE _____ = _____

DATE ENTRY

- ✓ Change proof due date
- ✓ Priority date change
- X Address change

138634
April 30, 1990

SHAW LAND & LIVESTOCK CO.
RT. 1 BOX 130
GRACE, ID 832410000

PROOF DUE NOTICE

RE: PERMIT NO. 13-07447

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 July 1, 1990.

(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,

Rita Fleck
Secretary/Records Manager

Enclosures

MICROFILMED

AUG 31 1990

S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

Statehouse
Boise, Idaho 83720
(208) 334-7900
August 8, 1988

SHAW LAND & LIVESTOCK CO.
RT. 1 BOX 130
GRACE, ID 832410000

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. 13-07447

Dear Permit Holder:

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

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

Gary Spackman
Supervisor, Water Allocation Section

GS: SC
Enclosures

INDEXED

SEP 20 1988

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: KCW APPLICATION NUMBER: 13 7447

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☐ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☐ Yes ☐ No* In form to receipt.

Field check by: _____
Date: _____
Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department. Copies sent by: _____ Date: _____
☐ Idaho Fish and Game Department. _____
☐ Idaho Department of Lands. _____
☐ U.S. Bureau of Land Management. _____
☐ U.S. Forest Service. _____
☐ Other _____

PROCESSING:

- ☐ Yes ☒ No Platted by: _____ Map No. _____
☐ Yes ☒ No Other rights on same place of use. _____
☒ Yes ☐ No* In form for advertising.
Final date for protests: 11-23-87
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 12-10-87
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☐ Yes ☒ No Access port required.
☒ Yes ☒ No Will water be delivered by watermaster? If yes, what district? 11-N/A-source
26 Oct. 1987 Date of priority recommended. see pre-permit exam.
Special conditions of approval or cover letter. _____

2 yrs. is reasonable for B/U development

By: Ernest Calver Date: 31 May 1988

STATE OFFICE REVIEW:

P17 26 05 spec

☐ See attached sheet for more information.
By: KW Date: 6/10/88

RECEIVED

MAY 23 1988

Department of Water Resources

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

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lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

DATE: 19 April 1988 ACCOMPANIED BY: Rulon Shaw TOTAL MEASURED: N/A
(of exam)

METHOD OF MEASUREMENT: N/A S/N _____

APPLICANT CONTACTED YES: DATE 19 April 1988

NO : DATE _____ REASON: _____

REASON FOR EXAM: Insure that no water rights will be injured and sufficient water is available for the purposes on the application

ACCESS (location direction): _____

LOCATION: Point of Diversion Confirmed
Place of Use Confirmed

☒ Yes
☒ Yes

☐ No (See sketch)
☐ No (See sketch)

GENERAL OBSERVATIONS: DATA FOR ADMINISTRATIVE DECISIONS

A: Source (Describe in detail i.e., flow, apparent confluence, etc)

Springs trib. to Sinks - both springs arise on applicants land and sink just a few feet later (with in 15 feet ground is no longer wet. See attached photos

B: OTHER USES OF SOURCE: Stock ^{can} drink from larger spring

C: WORK IN AREA RELATED TO APPLICATION: NONE

INDEXED

SKETCH: See attached Photos ; Map.

SEP 20 1988

It is my opinion that these springs represent un-appropriated water and the application should be approved.

Keith C. Wilson
SIGNATURE



Largest Spring Area



Smaller Spring Area

SEP 20 1988

13-7447

WATER RIGHTS BY POINT OF DIVERSION

IN	RNG	SEC	TRACT	LOT	USES	WATER RIGHT NUMBER	STAGE PRIORITY	FLG	SOURCE OF WATER	LAST NAME	OWNER CODE
115	40E	66	SESM	01, 43		13-2018	L				
07		07	SMSH	01		11-0556	D		11-15-1907 UNNAMED STREAMS	THRATCHER	C
10		10	SHNE	01		11-0616	D		05-07-1883 BOBS CREEK	SMITH SMITH	C
12		12	NENH	04, 43		13-7228	L		09-10-1880 COLD SPRING CREEK	HARRINGTON	C
			NAMH	04, 43		13-7228	L		01-12-1978 GROUNDWATER	JENKINS	C
			SHNH	01, 43		13-2010	L		01-12-1978 GROUNDWATER	JENKINS	C
									03-16-1905 GIBBS SPRING	COLE FOWLER	C
13		13	NAMH	01		13-2188	L		06-25-1955 SPRING	FOWLER	C
			SMSH	01		13-2165	L		10-02-1952 UNNAMED STREAM	HARRIS	C
14		14	SHNE	43		13-4055	S		01-01-1900 SPRING	UHN DENAKKER	C
16		16	SMSH	43		13-4119	S		11-01-1959 SPRING	HOGAN	C
17		17	NENE	01		11-0558	D		05-07-1883 BOBS CREEK	HOGAN	C
			NAMH	01		11-0557	D		05-07-1883 BOBS CREEK	HOGAN	C
			SMSH	01		11-0560	D		12-08-1882 STEVES CREEK	BARTLOHE	C
19		19	NH	01		11-0612	D		06-01-1880 STOVER-WALKER SPRINGS	ROPER ROPER ROPER ROPER	C D D D
			NENH	01		11-0559	D		12-08-1882 STEVES CREEK	ROPER ROPER ROPER	D D D
			NESH	01, 04		13-4074	S		06-04-1948 SPRING	ANDERSEN	C
20		20	NAMH	43		13-4102	S		06-01-1941 UNNAMED SPRING	ROPER	C
			NAMH	43		13-7372	L		12-11-1782 GROUNDWATER	ETCHISON ETCHISON	C C
			SENE	01		11-0561B	J		12-08-1882 HEDER CREEK	HILLER MILLER	C C
			SENE	01		11-0562D	D		06-01-1890 HEDER CREEK	HILLER MILLER	C C
									STEVES CREEK	MILLER	C



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Mailing Address:
150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

January 6, 1988

Shaw Land & Livestock Co.
Rt. 1, Box 130
Grace, Idaho 83241

Dear Sirs:

Department policy normally requires a field investigation be conducted prior to recommending final action on applications seeking to appropriate surface water in the Bear River drainage. Available information reveals there are decreed rights from surface water sources in the same drainage containing the springs identified on the above captioned application. Consequently, to insure no water rights will be injured and sufficient water is available for the purposes listed on the application, it has been decided to defer further administrative action until an investigation can be conducted.

Ideally, this investigation will be performed next spring. However, we can attempt to conduct it before then provided we are advised of the reason for having to do it sooner and the weather conditions are suitable to allow access into the area.

If you have questions concerning this matter, feel free to contact me.

Respectfully submitted,

Ernest Carlsen
Water Rights Supervisor

EC/dg



SEP 20 1988

13-7447
Prepermit Field Investigation

14 December 1987

INTERDEPARTMENT MEMO

From: Ernest Carlsen
To: File No. 13-7447, Shaw Land & Livestock Co.

Some of the factors that need to be evaluated in a recommendation of whether or not to approve this application necessitate performing a field investigation. Two of these are:

- A) The source of water
- B) Water Master Control

Though the application states the springs sink, their location on the plat map shows them to be in close proximity to Steves Creek. This creek is a part of the Bear River Decree and is the source of water for existing rights. Also if the amount of water requested on the application is an indication of what the springs are flowing, they could be tributary. An inspection of these springs is needed to confirm whether or not they are tributary to Steves Creek.

Watermaster regulation is required if the springs are tributary to Steves Creek. Use of the springs for domestic and stockwater might not require regulation because the consumptive use would be insignificant. But the irrigation use though comparatively small should be junior to existing rights, and regulated.

To insure there is no injury to existing water rights both the watermaster and parties holding water rights from Steves Creek should be interviewed. They can not protest the application, however, any concerns they have should be considered in making a recommendation on the application.

RECEIVED

SEP 20 1988



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Mailing Address:
150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

December 3, 1987

Caribou County Sun
P.O. Box 815
Soda Springs, Idaho 83276

RE: Application No. 13-7447, Shaw Land & Livestock
Co.

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application. The legal notice was to have been published in your paper on November 5, and 12, 1987.

Your cooperation in this matter is greatly appreciated.

Sincerely,

Deena Green
Office Secretary

MAILED

SEP 20 1988

October 29, 1987

Shaw Land & Livestock Co.
Rt 1, Box 130
Grace, Idaho 83241

RE: Application for Permit No. 13-7447

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned identification no. 13-7447. Please refer to this number in all further correspondence.

This office is currently in the process of advertising the application in the Caribou County Sun. The advertisement will be published for two 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,

Ernest Carlsen
Water Rights Supervisor

EC/dg

RECEIVED

SEP 20 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

OCTOBER 28, 1987

Caribou County Sun
P. O. Box 815
Soda Springs, Idaho 83276

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. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. 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 NOVEMBER 23, 1987.

Yours truly,

Deena Green
Office Secretary

Encl.

MICROFILMED

SEP 20 1988

NOTICE OF APPLICATION FOR WATER RIGHT

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

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, Suite 15, Idaho Falls, Idaho 83402 on or before NOVEMBER 23, 1987.

R. KEITH HIGGINSON, Dir.

Published 11/5 & 11/12/87.

RECEIVED

SEP 20 1988

13-7447

SHAW LAND & LIVESTOCK CO.

RT. 1 BOX 130, GRACE, ID 83241

Source: SPRINGS trib. to SINKS

Diversion Pt: SWNENW SENWNE Sec 19 T 11S R 40E

Use: IRRIGATION	(0.060 CFS)
STOCKWATER	(0.090 CFS)
DOMESTIC	(0.080 CFS)

Date Filed: 10/26/1987

In: NENW Sec 21 T 11S R 40E FOR 3 ACRES

FILED

SEP 20 1988