

AUG 26 1986 AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Bear Lake

ss.

Therese Stamm

being duly sworn,

deposes and says:

That he is the Editor of THE NEWS-EXAMINER, a weekly newspaper published at Montpelier, in the County of Bear Lake and State of Idaho; and said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Montpelier; 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 paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper 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

August 7, 1986, and ending
with the issue of August 14, 1986

Therese Stamm
Fees, \$23.66

Subscribed and sworn to before me this 31st day
of Aug, 1986
K. O. Allen

Notary Public, Residing at Montpelier, Idaho

My Commission Expires June 7, 1992

NOTICE OF APPLICATION
FOR WATER RIGHT

The following application has been filed to appropriate the public waters of the State of Idaho:

13-7435

U.S. Dept. of Agriculture
Forest Service, Federal Bldg., 324
25th St., Ogden, Utah 84401

Source: Spring trib. to Nelson Canyon

Diversion Pt: NESWSW Sec 29 T 09S R 41E

Use: Stockwater (0.020 CFS), stockwater storage (0.1 AF), stockwater from storage (0.1 AF)

In: SWSW Sec 29 T 09S R 41E

The permit will be subject to all prior water rights. Protests must be filed with the director of the Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before August 25, 1986.

KEN DUNN
Director

Legal No. 3128—26L—Publish August 7, 14, 1986.

RECEIVED
AUG 29 1986

Department of Water Resources
Eastern District Office

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 13-07435

Priority: September 16, 1986

Maximum Diversion Rate:
Maximum Diversion Volume:

0.02 CFS
2.2 AF

This is to certify, that US DEPT OF AGRICULTURE
FOREST SERVICE
FEDERAL BLDG SUITE 282
250 S 4TH AVE
POCATELLO ID 83201

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated July 16, 1986; and
has submitted Proof of Beneficial Use on January 4, 1988. An examination indicates
that the works have a diversion capacity of .020 cfs of water from:

SPRING

tributary to **NELSON CANYON**

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	05/01 to 10/31	0.02 CFS	2.0 AF
STOCKWATER STORAGE	01/01 to 12/31		0.1 AF
STOCKWATER FROM STORAGE	05/01 to 10/31		0.1 AF
	Totals	0.02 CFS	2.2 AF

LOCATION OF POINT(S) OF DIVERSION:

NESWSW , Sec. 29, Township 09S, Range 41E
BEAR LAKE County

PLACE OF USE: STOCKWATER
TWN RGE SEC

09S 41E 29 SWSW

PLACE OF USE: STOCKWATER FROM STORAGE, same as STOCKWATER use

CONDITIONS/REMARKS:

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

MICROFILMED

JUN 29 1993

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

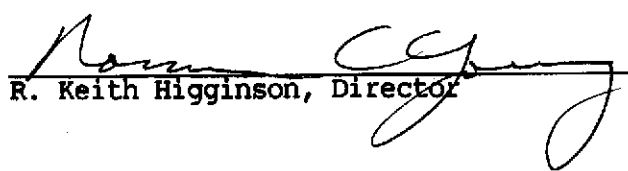
WATER RIGHT NO. 13-07435

CONDITIONS/REMARKS:

5. This right, when considered with all other rights common to the same grazing allotment, shall be limited to the quantity of water beneficially used by the number of stock within the allotment.
6. Use of water under this water right will be regulated by the watermaster of State Water District No. 11.
7. Place of use is located within the Soda Point C & H Allotment.
8. Water used under this right also includes water for wildlife.
9. Stockwater use is for 300 range cattle.

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 8th day of JUNE, 1993.

Acting for


R. Keith Higginson, Director

RECEIVED

JUN 29 1993

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 13-7435 IN THE
NAME OF U.S. FOREST SERVICE

)
) ORDER OF REINSTATEMENT
)
)

WHEREAS, the Department has 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 November 1, 1987; 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 has notified the permit holder that the permit has lapsed for failure of the permit holder 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,

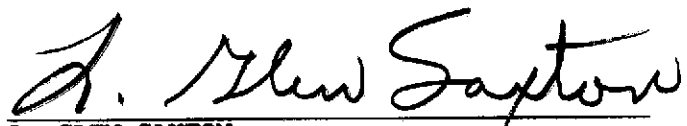
WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on January 4, 1988;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 13-7435 be REINSTATED and the priority advanced to September 16, 1986.

Dated this 19th day of January, 1988.

RECEIVED
FILMED

FEB 24 1988


L. GLEN SAXTON
Chief, Operations Bureau

RECEIVED

JAN 04 1988

no # encl. JS
STATE OF IDAHO Department of Water Resources

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only
Fee Received _____
Date _____
Receipt # _____
Receipt by _____
Reviewed by _____
Sent to region _____

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has 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.

Permit No. 13-7435

Name(s) of Permit Holder: United States of America - Forest Service

Post Office Address: 324 25th Street, Ogden, UT 84401

Telephone No. (801) 625-5360

Source of Water: Unnamed Spring

Extent of Use:

Domestic _____ (number of households) Stockwater 174 cattle (number and type of stock)

Irrigation _____ (acres) Other/Remark _____

Total rate and/or volume for which proof is submitted .02 cfs _____ acre-feet

Show the date water was first diverted and beneficially used under this permit: May 28, 1906

Measuring Device: Required? ☐ Yes ☒ No
Installed? ☐ Yes ☐ No

Fee enclosed \$ _____
(See License Examination Fee Schedule)

Flow Measurement Port: Required? ☐ Yes ☒ No
Installed? ☐ Yes ☐ No

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

Brad Transtrum

(208) 847-3118

(Name)

(Telephone Number)

Montpelier Ranger District, 431 Clay Street, Montpelier, ID 8

(Address)

FEB 24 1988

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.

United States of America - Forest Service

DEC 30 1987

Date

J. C. Baedner
Signature of Permit Holder (and title, if appropriate)
(for) J. S. TIXIER, Regional Forester

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 United States of America - Forest Service Phone (801) 625-5360
Post office address 324 25th Street, Ogden, UT 84401
2. Source of water supply ~~unnamed~~ Spring which is a tributary of Nelson Canyon
3. Location of point of diversion is * NE SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot _____
Sec. 29 Township 9 S Range 41 E B.M. Bear Lake County; additional
points of diversion if any: none (013-163) * Changes as per telecon with Tim Burton
7-22-86 HWJ
4. Water will be used for the following purposes:
Amount .02 cfs for stockwater purposes from January 1 to December 31 (both dates inclusive)
(cfs or acre-feet per annum) storage for
Amount .1 AF for stockwater purposes from January 1 to December 31 (both dates inclusive)
(acre-feet per annum) stockwater
Amount .1 AF for from storage purposes from May 1 to October 31 (both dates inclusive)
(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) .02 and/or (b) 1
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. stockpond
 - b. Height of storage dam n/a feet; active reservoir capacity 1 acre-feet; total
reservoir capacity 1 acre-feet; period of year when water will be diverted to storage:
January 1 to December 31 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? _____
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).

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. 300 cattle
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- 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	
9 S	41 E	29											S						

Total number of acres to be irrigated _____

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? United States of America - Forest Service

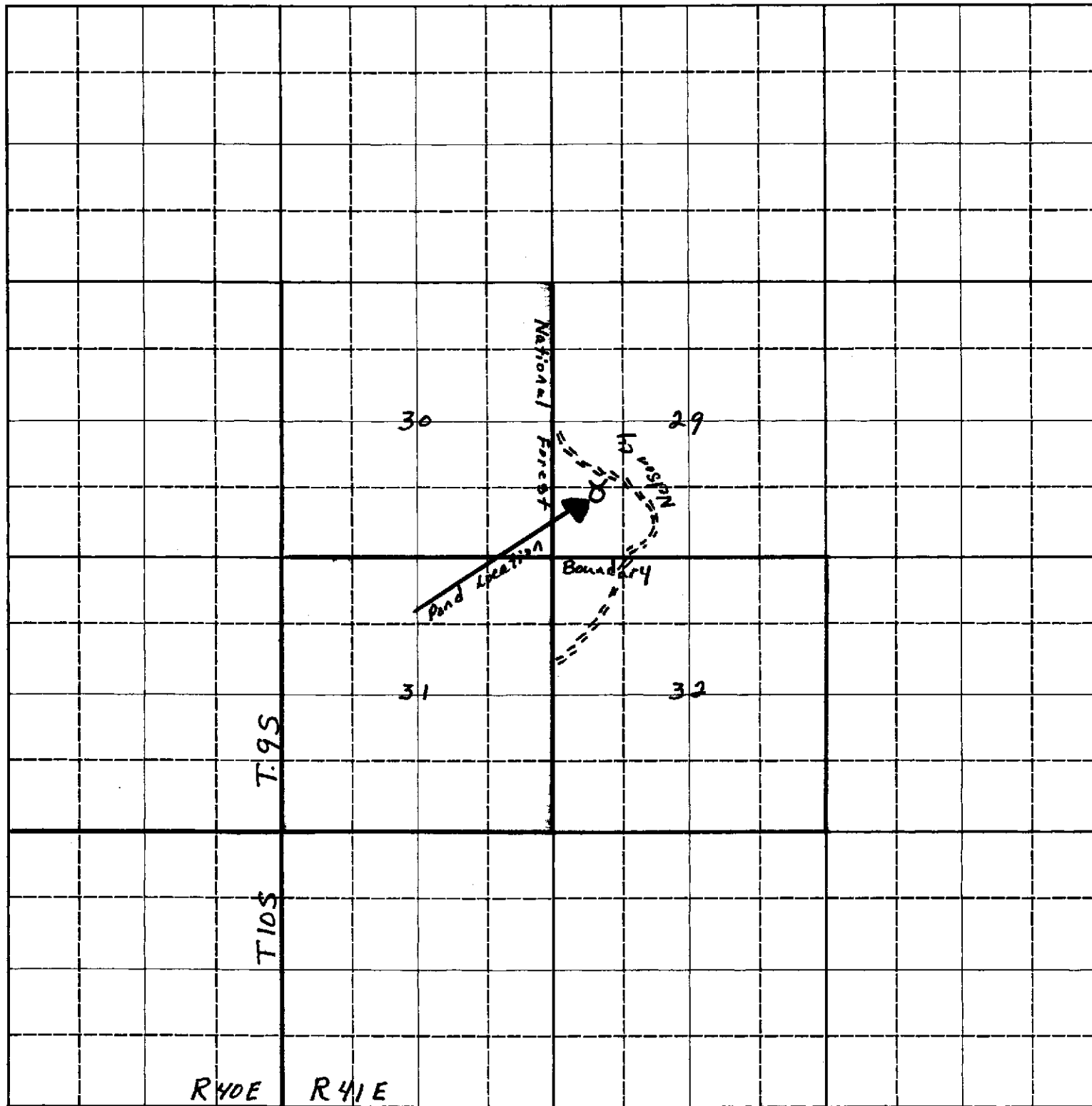
b. Who owns the land to be irrigated or place of use? United States of America - Forest Service

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: This water development is to be located on the Soda Point C&H Allorment.

It will water an estimated 300 cattle, as well as big game, upland game, and non-game wildlife.

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. United States of America - Forest Service

Douglas M. Burt
(for) J. S. TIXIER (Applicant) Regional Forester

Proposed Priority 7/16/86

Received by *MD*

Date 7-16-86 Time 12:50p

Preliminary check by *MD*

Fee \$ 30.00

Received by *MD* # 39891

Date 9-22-86

Published in *NEWS EXAMINER* 8-14-86

Date 7-30-86

Date 9-05-86

Publication approved *MD*

Publication prepared by *MD*

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. 13-7435, 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

November 1, 1987

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: Use of water under this permit is subject to control by the watermaster of State Water District No. 11, Bear River.

Witness my hand this 14th day of October, 1986.

J. Allen Saylor
Chief, Operations Bureau



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

June 9, 1993

US DEPT OF AGRICULTURE
FOREST SERVICE
FEDERAL BLDG SUITE 282
250 S 4TH AVE
POCATELLO ID 83201

RE: WATER RIGHT NO. 13-07435

Dear Water Right Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

Brenda Chapman

for JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

RECEIVED

JUN 29 1993

DATE: 06/04/93
PAGE: 1

Stage: LICENSE

Audit: 06/04/93 CHAPMAN

LICENSE REVIEW CHECKLIST

Permit # 13-7435

Date 6-4-93

Brenda Chapman

NAME	<u>Yes</u> ☒ <u>No</u> ☐	Address Change?
PRIORITY DATE	☐ ☒ ☐ ☒ ☐ ☒	Advance? <u>Already advanced to 9-16-86</u> Memo to Advance Order to Reinstate Needed?
TOTAL CFS	<u>-NA-</u> ☐ <u>-NA-</u> ☐ <u>-NA-</u> ☐	Incorrect Fee for rate recommended? Measurement Done Pumping Theoretical $(8.8) \times () \times (.7)$ $+ [2.31 \times]$ System Capacity <u>.02</u> ☒ Allowable Amount: <u>Permitted amount .02</u>
TOTAL VOLUME	☐ ☒ ☐ ☒ ☐ ☒	Rate/ac <u>5-1 to 10-31</u> AFA Irr. Season <u>Standard Irr. Season</u> Season Recommended Disagree with Examiner's Calculations? $300 \times 12 \times 183 \div 325850 = 2 \text{ AF} + .2 = 2.2 \text{ AF}$ Flow limit: <u>.02</u> ☒ $\times 183 \times 1.9835 = 7.3 > 2.2 \text{ AF}$
SOURCE	☐ ☒ ☐ ☒ ☐ ☒	Changes? Clarification of <u>Originally Intended</u> source Notice of Intent to Void.
P/D	☐ ☒ ☐ ☒	Amendment Needed? Overlap Analysis a Consideration?
P/U	☐ ☒ ☐ ☒	Amendment Needed? Overlap Analysis for 5+ Acres Needed?
USES	☐ ☒ ☐ ☒	Change(s) in Nature of Use? Amendment Needed?
REMARKS	☐ ☒ ☐ ☒ ☐ ☒	Multiple P/Ds in 1/4 1/4? Non-Irr. Uses <u>STOCKWATER</u> Special Overlap Condition Other <u>W25 "WILDLIFE REMARK"</u>
CONDITIONS	<u>R04</u> ☒ ☐ ☒ ☐ ☒ ☐ ☒	Measuring Devices W/Master Control Standard/Irr/Overlap Water Quality Dates/Misc <u>11</u> Water Dist <u>7-16-86</u> App Rec'd <u>12-31-92</u> Exam Made
COMMENTS: <u>Referenced "2-26-81 USFS FIELD EXAM) MEMORANDUM"</u> <u>300 Cattle / Soda Point C+H Allotment</u>		
LICENSE <u>L</u> AMEND <u> </u> SPECIAL PARAGRAPH <u> </u>		

(L)

RECEIVED
MAY 28 1993
Department of Water Resources

24 May 93
DATE

FROM: KEITH C. WILSON - EASTERN

TO: JIM JOHNSON - WATER ALLOCATIONS - BOISE

RE: FIELD EXAMS TO BE REVIEWED AND WRITTEN UP

EXAM DATE: 12-31-92

PERMIT NO. 13-7435

ACCOMPANIED/ASSISTED BY: Brad Transtram

RECOMMENDED AMENDMENTS:

☒ NONE

☐ CANCELLATION/RELINQUISHMENT

☐ Change P.D. as reflected

☐ Add P.D. as reflected

☐ Change P.U. as reflected

☐ Add P.U. as reflected

☐ OTHER

COMMENTS/REMARKS:

☐ SEE ATTACHMENTS/MAPS


KEITH C. WILSON
SENIOR RESOURCE AGENT

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 13-7435

1. Owner: United States of America-Forest Service Phone No. (801) 625-5360

Current Address: Federal Building, Suite 282, 250 South 4th Avenue
Pocatello, ID. 83201

2. Accompanied by: Brad Transtrum EXAM DATE: 12-31-92

Address: 431 clay st, Montpelier, Id. Phone No. 847-0375

Relationship to Permit Holder: Range tech.

3. Source: Spring tributary to Nelson Canyon

B. OVERLAP REVIEW

1. Other water rights with the same place of use: _____

2. Other water rights with the same point of diversion: _____

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NE	SW	SW	29	9S	41E	Bear Lake	U.S.G.S. Quad Map

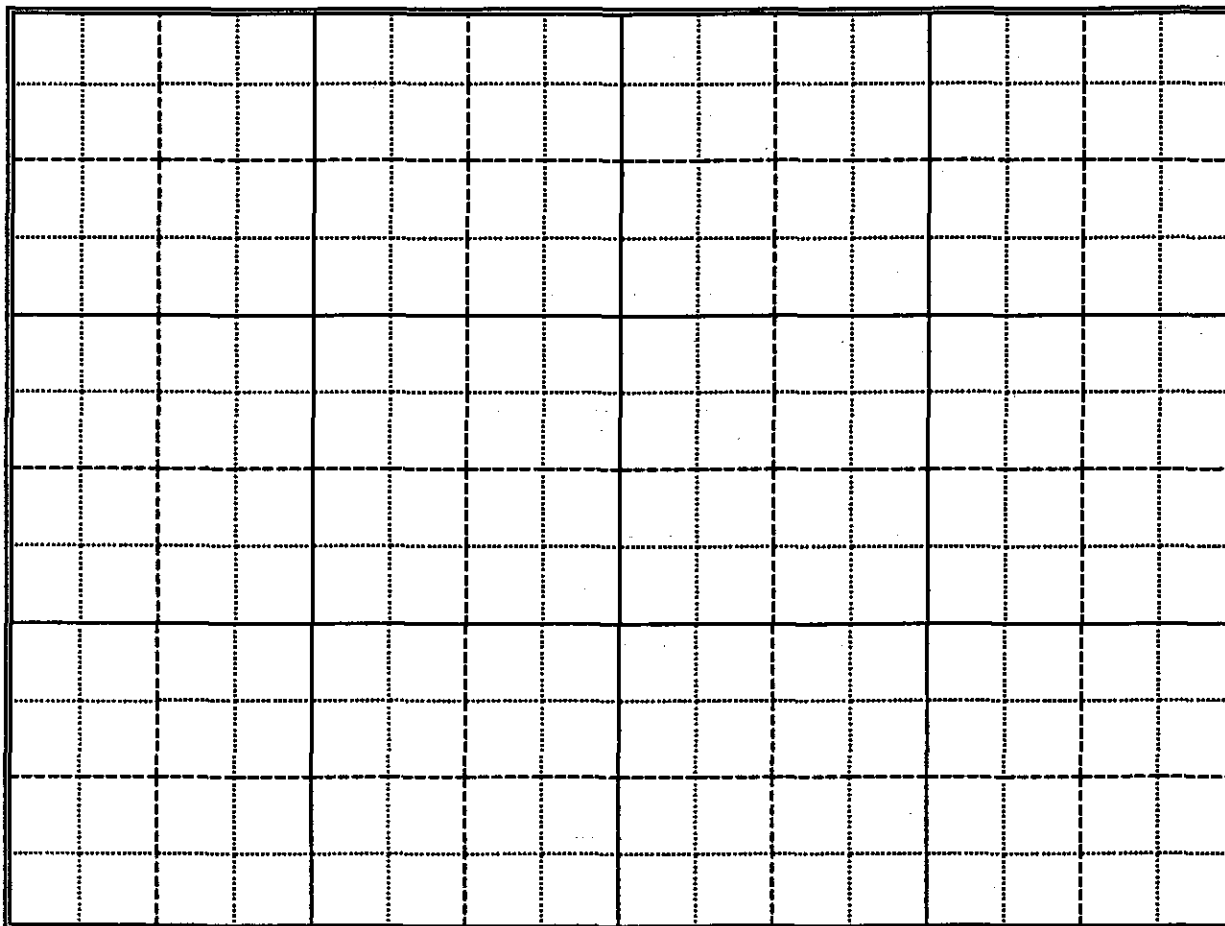
2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
9S	41E	29											5						

JUN 29 1993

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



Scale: 1" = _____

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4. N/A

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS See Memorandum U.S.F.S. Field Exam Dtd Feb 26 1981

1.

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

2. **Measurements:** See Memorandum U.S.F.S. Field Exam Dtd Feb 26, 1981

JUN 29 1993

E. NARRATIVE/REMARKS/COMMENTS

0.1 of Stock pond supplying water for
wild life year round and 300 Range cattle
between 5/1 and 10/31.

Have conditions of permit approval been met? ☒ yes ☐ no

RECEIVED

JUN 29 1993

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

de minimus $Q = 0.02$ **G. VOLUME CALCULATIONS****1. Volume Calculations for Irrigation:** $V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____ $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____ $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____**2. Volume Calculations for Other Uses:**de minimus $V =$ _____**H. RECOMMENDATIONS****1. Recommended Amounts***See Remarks*

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Stockwater (S)	_____	_____	_____	_____
Wildlife (W)	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			_____	_____

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. AUTHENTICATIONField Examiner's Name Gary Buss Date 12-31-92

Reviewer _____ Date _____

SEAL

REGISTERED

JUN 29 1993

13-7435

T
9
S
R 41E

30

29

National Forest

Pond location

Boundary

h2
pos
N

31

32

T.9S

T10S

RECEIVED

JUN 29 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

FEBRUARY 26, 1988

U.S. FOREST SERVICE
324 25TH STREET
OGDEN UT 84401

RE: Permit No. 13-7435

Dear Permit Holder:

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

Enclosed please find a copy of an order involving your permit.

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

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

If you have any questions regarding the field examination, please contact this office by phone at 525-7161 or in person in the third floor State Office Building, 150 Shoup, Idaho Falls, Idaho.

Sincerely,
s/HAROLD W. JONES
Sr. Resource Agent

Enclosure

NOTED

JUN 29 1993

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 13-7435

Date: 1-14-1988

General Considerations:

y Name same as permit
y Signature the same as permit holder
N Address change If yes, prepare a data entry
N Proof received timely
y Reinstated

Source of Water:

 Surface water
 Groundwater
 1. well log in file
 2. drilling permit
 A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

 Rate of diversion appropriate for uses
 Is rate or volume and fee appropriate?
 Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

 Is a measuring device or access port required?
 Has one been installed?
 Waiver or modification of measuring device requested

Remarks:

<u> </u> Priority Calculation:		365
<u> </u> Date proof received	<u>Jan 4</u>	<u>4</u>
		<u>369</u>
<u> </u> Date proof due	<u>Nov 3</u>	<u>+307</u>
<u> </u> No. of days late		<u>= 62</u>
<u> </u> Priority date	<u>July 16, 1986</u>	<u>+197</u>
<u> </u> NEW PRIORITY DATE	<u>Sept 16, 1986</u>	<u>259</u>

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

RECEIVED

FEB 24 1988



United States
Department of
Agriculture

West
Service

Intermountain
Region

324 25th Street
Ogden, UT 84401

Caring for the Land and Serving People

Reply to: 2540

Date: DEC 30 1987

RECEIVED
JAN 04 1987

Mr. R. Keith Higginson, Director
Idaho Department of Water Resources
Towers Building, 3rd Floor
450 W. State Street
Boise, ID 83720

Department of Water Resources

Dear Mr. Higginson:

Enclosed is Proof of Beneficial Use for Permit No. 13-7435 on the Caribou National Forest. The form is ready for final processing.

Thank you for your assistance.

Sincerely,

J. S. Tixier
for J. S. TIXIER
Regional Forester

Enclosure

NOT REFILED

FEB 24 1988



WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

November 3, 1987

U.S. DEPT. OF AGRI.
FOREST SERVICE
FEDERAL BLDG.
324 25TH ST.
OGDEN, UT 84401

LAPSE NOTICE

RE: Permit No. 13-7435

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218a, Idaho Code, the above referenced water permit has lapsed. This office did not receive either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time. You were provided the proper forms in our proof due notice to you dated August 31, 1987.

Your permit cannot be reinstated unless you submit proof of beneficial use or submit an extension of time request showing reasonable cause for delay. Either the completed proof of beneficial use submittal (including the examination fee or a completed field examination report) or the extension request form together with the \$15 fee must be received by this Department within sixty days of the date of mailing of this lapse notice.

A proof of beneficial use form and a request for extension of time form are again enclosed for your use. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a governmental agency or by litigation which might bring title to the water in question.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

Enclosure

RECEIVED

FEB 24 1988

CERTIFICATION OF MAILING

I hereby certify that on 11-13-1987
a copy of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

[Signature]

U.S. DEPT. OF AGRI.
FOREST SERVICE
FEDERAL BLDG.
324 25TH ST.
OGDEN, UT 84401

CERTIFIED MAIL
August 31, 1987

138947

PROOF DUE NOTICE

RE: Permit No. 13-7435

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 November 1, 1987. (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 completed 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, or the permit will no longer be of any force nor effect.

Sincerely,

RITA FLECK
Secretary/Records Manager

Enclosures

NOTIFIED

FEB 24 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

- - - - -

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
OCTOBER 17, 1986

U.S. DEPT. OF AGRI.
FOREST SERVICE
FEDERAL BLDG.
324 25TH ST.
OGDEN, UT 84401

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 13-7435

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

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. ALSO ENCLOSED FOR YOUR CONVENIENCE IS THE STATEMENT OF BENEFICIAL USE FORM THAT MUST BE SUBMITTED WHEN YOUR PROJECT IS COMPLETED.

SINCERELY,

GARY SPACKMAN
SUPERVISOR, WATER ALLOCATION SECTION

GS: SC
ENCLOSURES

RECEIVED
OCT 20 1986
WATER RESOURCES

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: HWS

APPLICATION NUMBER: 4585

013-163

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.

Field check by: _____

Date: _____

Comments: _____

- ☐ Yes ☒ No
☐ Yes ☒ No
☐ Yes ☒ No
☒ Yes ☐ No*

Field check required.

Critical groundwater area.

Request dam safety information. Sent by: _____

Date: _____

In form to receipt.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

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

Copies sent by: _____

Date: _____

PROCESSING:

- ☐ Yes ☒ No
☐ Yes ☒ No

Platted by: _____ Map No. _____

Other rights on same place of use. _____

- ☒ Yes ☐ No*

In form for advertising.

Final date for protests: 8-25-86

- ☐ Yes ☒ No

Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 8-29-86
☒ 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

16 July 1986 Date of priority recommended.

Special conditions of approval or cover letter. _____

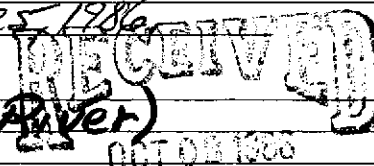
By: Ernest Carlson

Date: Sept. 25, 1986

STATE OFFICE REVIEW:

L16

05 (11, Bear River)



- ☐ See attached sheet for more information.

By: EW

Date: 10/8/86

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)

IDAHO STREAM CODE INDEX

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

IDAHO STREAM CODE INDEX

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

IDAHO STREAM CODE INDEX

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

IDAHO STREAM CODE INDEX

AUG 2 8 1986 AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Bear Lake

ss.

Therese Stamm

being duly sworn,

deposes and says:

That he is the Editor of THE NEWS-EXAMINER, a weekly newspaper published at Montpelier, in the County of Bear Lake and State of Idaho; and said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Montpelier; 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 paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper 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

August 7, 1986, and ending with the issue of August 14, 1986

Therese Stamm
Fees, \$23.66

Subscribed and sworn to before me this 31st day of Aug, 1986

Lu. O. Allen

Notary Public, Residing at Montpelier, Idaho

My Commission Expires June 7, 1992

NOTICE OF APPLICATION FOR WATER RIGHT

The following application has been filed to appropriate the public waters of the State of Idaho:

13-7435

U.S. Dept. of Agriculture
Forest Service, Federal Bldg., 324
25th St., Ogden, Utah 84401

Source: Spring trib. to Nelson Canyon

Diversion Pt: NESWSW Sec 29-T
09S R 41E

Use: Stockwater (0.020 CFS), stockwater storage (0.1 AF), stockwater from storage (0.1 AF)

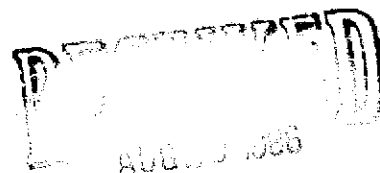
In: SWSW Sec 29 T 09S R 41E

The permit will be subject to all prior water rights. Protests must be filed with the director of the Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before August 25, 1986.

KENDUNN

Director

Legal No. 3128-26L-Pub
August 7, 14, 1986.



Department of Water Resources
Eastern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

JULY 30, 1986

The News-Examiner
P. O. Box 278
Montpelier, Idaho 83254

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 AUGUST 25, 1986.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

MICROFILMED

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, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before AUGUST 25, 1986.

KEN DUNN, Dir.

Published 8/7 & 8/14/86.

RECEIVED
AUG 14 1986

13-7435

U.S. DEPT. OF AGRI.

FOREST SERVICE, FEDERAL BLDG., 324 25TH ST., OGDEN, UT 84401

Source: SPRING trib. to NELSON CANYON

Diversion Pt: NESWSW Sec 29 T 09S R 41E

Use: STOCKWATER	(0.020 CFS)
STOCKWATER STORAGE	(0.1 AF)
STOCKWATER FROM STORAGE	(0.1 AF)

In: SWSW Sec 29 T 09S R 41E

RECEIVED
MAY 25 1964
MAY 25 1964