

# AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }  
County of Franklin } ss.

*ok kw 6/23*

*J. Walter Ross*  
being duly sworn,  
*Co-Publisher*

deposes and says:

That he is the ..... of THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; 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 of 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

May 7, 1981, and ending with the issue of May 14, 1981

*J. Walter Ross*

Fee \$ 1849

Subscribed and sworn to before me this 28th day of May, 1981

*Ken O. Allen*

Notary Public, Residing at Preston, Idaho

My Commission Expires June 7, 1982

## NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

13-7315

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

Source: UNNAMED STREAM tributary to TROUT CREEK

Date Filed: 04/16/1981

Amount: 0.02 CFS 0.1 AC-FT

Diversion Point: SENE Sec 02 T 12S R 41E, FRANKLIN Co.

Use: STOCKWATER (0.02 CFS) from 06/01 to 08/31; STOCKWATER STORAGE (0.1 AC-FT) from 01/01 to 12/31; STOCKWATER FROM STORAGE (0.1 AC-FT) from 06/01 to 08/31  
Place of Use: SENE Sec 02 T 12S R 41E

Diversion Means: STOCKPOND

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83401 on or before MAY 25, 1981.

A. KENNETH DUNN  
Director

Published 5/07 & 5/14/81

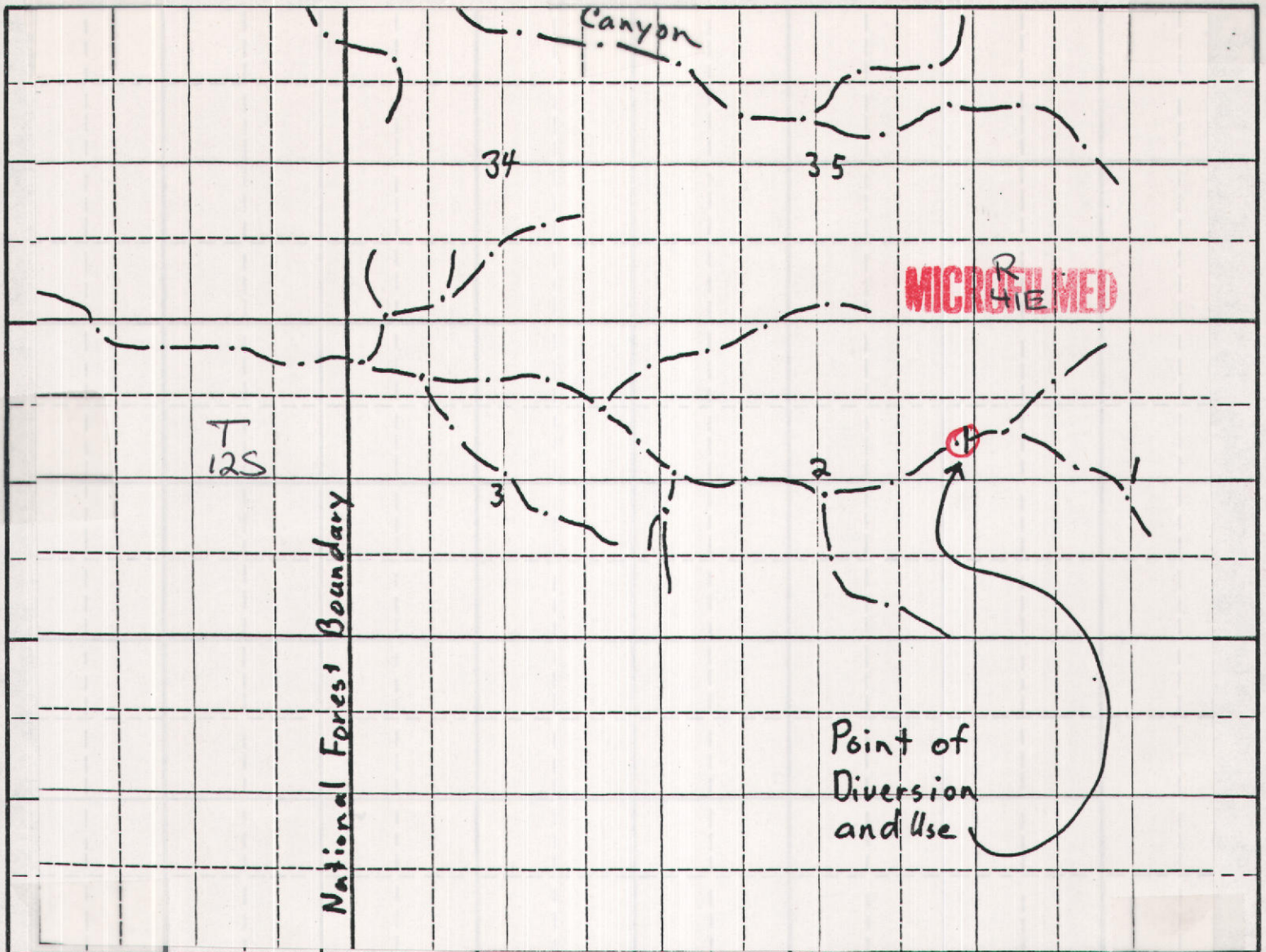
Legal No. 1338-37L — Pub. May 7, 14, 1981

RECEIVED  
JUN 8 1981

Department of Water Resources  
Eastern District Office

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# MAP (Attach Aerial Photo)



## SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion: SE 1/4 NE 1/4 Sect. 2 T12S R41E

Place(s) of Use ✓

| TWP. | RGE. | SEC. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | TOTALS |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |      |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
| 12S  | 41E  | 2    |        |        |        | X      |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
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|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

### Recommended Amendments:

- ☐ Change P.D. as reflected above  
☐ Change P.U. as reflected above

- ☐ Add P.D. as reflected above  
☐ Add P.U. as reflected above

- ☒ None  
☐ Other

Examiner's Signature HW Jones

Date 11-06-85

Checked by Kay Walker

Date 5-8-86

Approved by Kay



# WATER RIGHT LICENSE

License No. 13-7315 Priority 04/16/1981 Amount 0.02 CFS 0.1 AF

THIS IS TO CERTIFY, that U.S. Dept. of Agri., Forest Service

of Ogden, Utah, has complied with the terms and conditions of  
Permit No. 13-7315 issued pursuant to Application for Permit dated 04/16/1981, and has  
submitted proof to the Department of Water Resources on 02/22/1982, that he has applied water to a  
beneficial use; and examination by the Department indicates that the works have a capacity for the  
diversion of 0.02 cfs of water from an unnamed stream  
tributary to Trout Creek, and that the permit holder has  
applied to a beneficial use and established a right to use water as follows:

| RATE OF DIVERSION | VOLUME | BENEFICIAL USE          | PERIOD OF USE |
|-------------------|--------|-------------------------|---------------|
| 0.02 cfs          | 0.1 af | Stockwater              | 06/01 - 08/31 |
| N/A               | 0.1 af | Storage for Stockwater  | 01/01 - 12/31 |
| N/A               | 0.1 af | Stockwater from Storage | 06/01 - 08/31 |

Location of point of diversion: SENE, Sec. 2, Twp 12S, Rge 41E, Franklin Co.

Location of place of use:

| TWP. | RGE. | SEC. | NE% |     |     |     | NW% |     |     |     | SW% |     |     |     | SE% |     |     |     | TOTALS |
|------|------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|      |      |      | NE% | NW% | SW% | SE% | NE% | NW% | SW% | SE% | NE% | NW% | SW% | SE% | NE% | NW% | SW% | SE% |        |
| 12S  | 41E  | 2    |     |     |     | X   |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

Total number of acres irrigated \_\_\_\_\_

Use of water under this license is subject to control by the watermaster of  
State Water District No. 13S, Whiskey Creek.

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Subject to all prior water rights.

NOTE: Modifications to or variance from the use of water as shown on this license must be made in accordance with Section 42-222, Idaho Code, or the applicable Idaho law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho this 19<sup>TH</sup> day of MAY, 19 86.

Acting for the Director

*Norman C. Young*

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT

**APPROVED**

To appropriate the public waters of the State of Idaho

1. Name of applicant United States of America, Forest Service Phone (801) 626-3561

Post office address 324 25th Street, Ogden, Utah 84401

2. Source of water supply Unnamed Stream which is a tributary of Trout Creek

3. Location of point of diversion is SE  $\frac{1}{4}$  of NE  $\frac{1}{4}$  of Section 2 Township 12S

Range 41E B.M. Franklin County, additional points of diversion if any: \_\_\_\_\_

013-141

4. Water will be used for the following purposes:

Amount .1AF for Storage for Stockwater purposes from January 1 to December 31 (both dates inclusive)  
(cfs or acre-feet per annum) Stockwater

Amount .1AF for from Storage purposes from June 1 to Aug 31 (both dates inclusive)  
(cfs or acre-feet per annum)

Amount .02cfs for Stockwater purposes from June 1 to Aug 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:

a. .02 cubic feet per second and/or b. .1 acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Stockpond

b. Height of storage dam 8 feet, active reservoir capacity .1 acre-feet; total reservoir capacity .1 acre-feet, materials used in storage dam: existing soil

Period of year when water will be diverted to storage January 1 to December 31 inclusive.  
(Month/Day) (Month/Day)

c. Proposed well diameter is N.A. inches; proposed depth of well is \_\_\_\_\_ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: SE  $\frac{1}{4}$  of NE  $\frac{1}{4}$  of Section 2 Township 12S

Range 41E B.M.

(2) Amount of power to be generated: N.A. horsepower under \_\_\_\_\_ feet of head.

(3) List number of each kind of livestock to be watered 898 cattle

(4) Name of municipality to be served N.A., or number of families to be supplied with domestic water \_\_\_\_\_

(5) If water is to be used for other purposes describe: N.A.

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

| TWP | RANGE | SEC. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTALS |
|-----|-------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|     |       |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

Total number of acres to be irrigated \_\_\_\_\_

c. Describe any other water rights used for the same purposes as described above. N.A.

9. a. Who owns the property at the point of diversion United States Government, Administered by USDA Forest Service

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

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

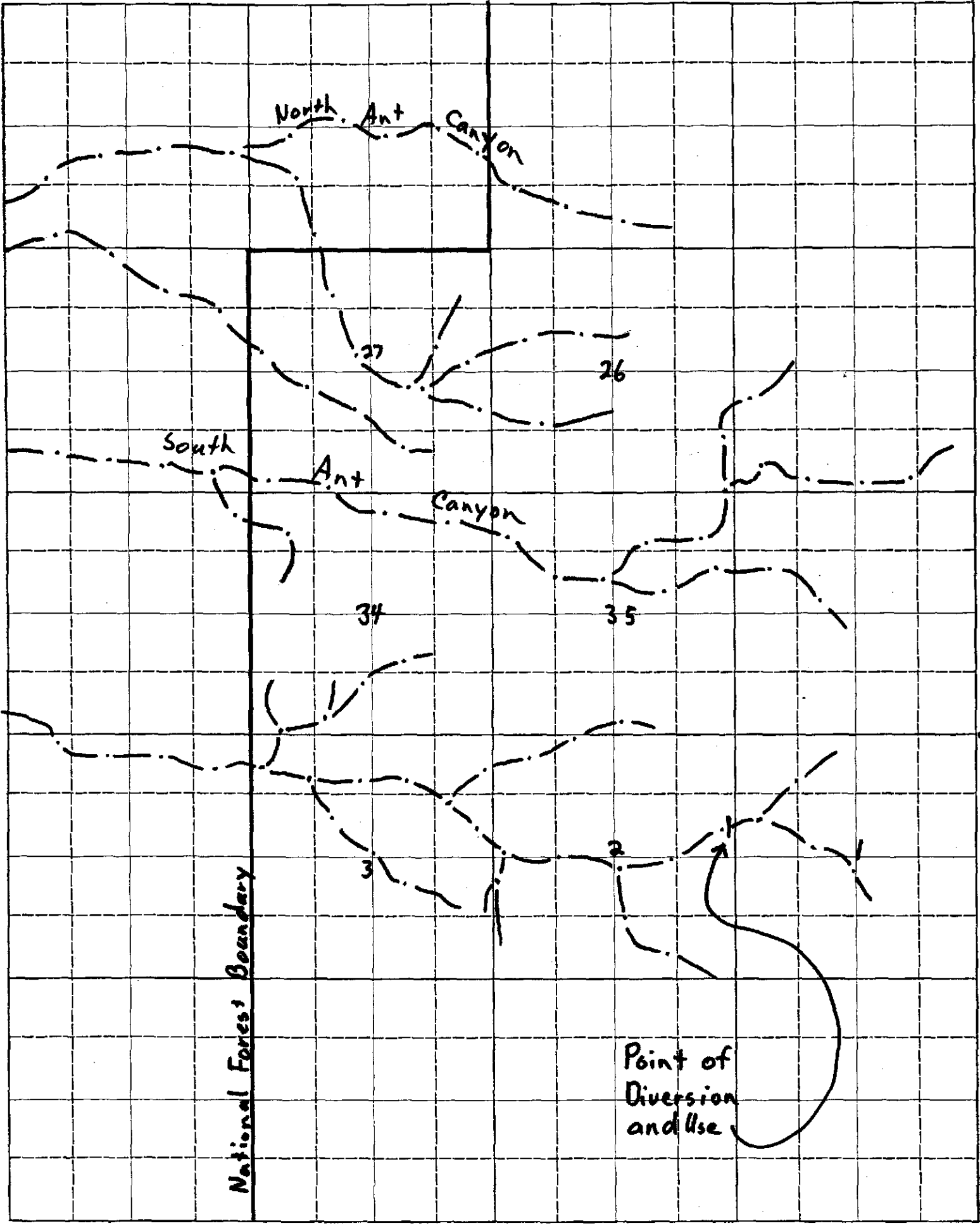
10. Remarks This water development is located on Lago Cattle Allotment which has 30 water developments for watering 898 Cattle, and big game, upland game, and non-game wildlife.

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

R41E

R42E



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1  
S

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

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*Paul J. Baird*  
(for) L. KENT MAYS, JR. (Applicant) Deputy Regional Forester, Resources

Proposed Priority

4/16/81

Received by kw Date 4/16/81 Time \_\_\_\_\_  
Preliminary check by Kew Fee \$ 2520.30<sup>00</sup>  
Receipted by kw Date 5/18/81 # 17660  
Publication prepared by kw Date 4/30/81  
Published in Preston Citizen  
Publication dates 5/07 & 5/14/81  
Publication approved kw Date 6/23  
Protests filed by: none  
Copies of protests forwarded by \_\_\_\_\_  
Hearing held by \_\_\_\_\_ Date \_\_\_\_\_  
Recommended for approval denial by EMC. RC

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. 13-7315, 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 86.
- 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. Other: Use of water under this permit is subject to control by the watermaster of State Water District # 13-S, Whiskey Creek.

Witness my hand this 13<sup>th</sup> day of July, 19 81.

Norman C Young  
Administrator, Resources Admin. Div.

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# AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }  
County of Franklin } ss.

*J. Walter Ross*  
Co. Publisher

deposes and says:

being duly sworn,

That he is the ..... of THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; 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 of 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

..... May 7 ..... 1981, and ending with the issue of ..... May 14 ..... 1981

Fee \$..... 1849 .....

Subscribed and sworn to before me this ..... 28th ..... day of ..... May ..... 1981

*Ken O. Allen*

Notary Public, Residing at Preston, Idaho

My Commission Expires ..... June 7 ..... 1982

*ok kw 6/23*

## NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

13-7315

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

Source: UNNAMED STREAM tributary to TROUT CREEK

Date Filed: 04/16/1981

Amount: 0.1 AC-FT  
Diversion Point: SENE Sec 02 T 12S R 41E, FRANKLIN Co.

Use: STOCKWATER (0.02 CFS) from 06/01 to 08/31; STOCKWATER STORAGE (0.1 AC-FT) from 01/01 to 12/31; STOCKWATER FROM STORAGE (0.1 AC-FT) from 06/01 to 08/31  
Place of Use: SENE Sec 02 T 12S R 41E

Diversion Means: STOCKPOND

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83401 on or before MAY 25, 1981.

A. KENNETH DUNN  
Director

Published 5/07 & 5/14/81

Legal No. 1339-37L — Pub. May 7, 14, 1981

10

Department of Agriculture  
Customs and Border Protection



State of Idaho

## DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

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

May 19, 1986

RE: Permit Nos. 13-7294/7296/7303-7322/7324-7330/7332-7341/7343/7344/  
7360-7362, 24-7099/7111/7112/7129-7141/7143/  
27-7167-7180/7182-7185/7187-7197/7199-7206/  
7208-7219

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

Gentlemen:

Enclosed herewith are copies of the Water Right Licenses issued on the  
above referenced permits.

Sincerely,

JIM JOHNSON  
Water Rights Supervisor

JJ:sc

Enclosures

**MICROFILMED**



MAP (Attach Aerial Photo)



State of Idaho

## DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

March 3, 1982

United States of America  
Forest Service  
Federal Building  
324 25th Street  
Ogden, UT 84401

Gentlemen:

Re: (See attached lists of water right numbers)

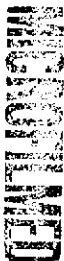
I acknowledge receipt of the statement of beneficial use postcards for the water rights listed on the attached pages.

Before a license can be issued, a field examination must be made by a representative of this department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our Eastern Regional office.

Sincerely,

RITA I. FLECK  
Sr. Secretary



013-141

## DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 13-7315.

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

Post Office Address: Federal Building, 324 25th Street  
Ogden, Utah 84401

Tel. No. (801) 625-5360

Source of Water: unnamed, Tributary Trout Creek

Extent of Use: ☐ Domestic (number of households)  
☒ Stockwater 898 cattle (number and type of stock)  
☐ Irrigation (acres)  
☐ Other

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

The above information is a true statement of the extent to which the above numbered permit has been developed. (for) Deputy Regional Forester, Resources

February 18, 1982  
 Date

Robert J. Anderson  
 Signature of Permit Holder

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PLACE  
TEN CENT  
STAMP  
HERE



IDAHO DEPARTMENT OF WATER RESOURCES  
STATEHOUSE  
BOISE, IDAHO 83720

FEB 22 1982

Department of Water Resources

REGISTERED



State of Idaho

## DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 384-2215

July 17, 1981

U.S. Forest Service  
Federal Building  
324 25th Street  
Ogden, UT 84401

Dear Sirs,

RE: Permit No.'s 11-7235/7236, 11-7241 thru 11-7244, 11-7246 thru 11-7252, 13-7307 thru 13-7319, 13-7321, 13-7324 thru 13-7334, 77-7139

Enclosed is a copy of your approved Application for Permit. We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

*David R. Tuthill, Jr.*

DAVID R. TUTHILL, JR.  
Supervisor, Water Allocations Section

DRT:lr

Enclosure

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State of Idaho  
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

13 7315

INITIAL REVIEW BY: KC Wilson

APPLICATION NUMBER: WFS 013-141  
13-7315

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.

Field check by: \_\_\_\_\_

Date: \_\_\_\_\_

Comments: \_\_\_\_\_

☒ 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.

\*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 Water Dist 13-5

Copies sent by: \_\_\_\_\_

Date: \_\_\_\_\_

PROCESSING:

☐ Yes ☒ No

Platted by: \_\_\_\_\_ Map No. \_\_\_\_\_

☐ Yes ☒ No

Other rights on same place of use. \_\_\_\_\_

☒ Yes ☐ No\*

In form for advertising.

☐ Yes ☒ No

Final date for protests: May 25 ✓  
Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 6-8-81  
☒ 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? 13-5

☒ Yes ☒ No

Date of priority recommended. 4-16-81

Special conditions of approval or cover letter. \_\_\_\_\_

By: Ernest Carlson

Date: June 28, 1981

STATE OFFICE REVIEW:

SL/Record 05 (135 Whiskey R.)

☐ See attached sheet for more information.

By: Ralep

Date: 7/7/81

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**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
EASTERN REGION

John V. Evans  
Governor

150 Shoup Ave.

-1515 Lincoln Road -  
Idaho Falls, Idaho 83401  
(208)-523-7186-  
525-7161

C. Stephen Allred  
Director

May 11, 1981

RE: Applications for Permit Nos. 13-7315 and 13-7317

Glenn Turner  
Thatcher, Idaho 83283

Dear Watermaster:

The U.S. Forest Service has filed the above numbered applications for permit with the Department for appropriation of water within your water district. Because of the number of applications received from the U.S.F.S., we are not routing copies of their applications to the watermasters as in the past. However, they are being advertised in your local paper on May 7 and 14, 1981. In reviewing the published advertisements, if you have questions concerning a specific application we will be glad to furnish copies upon request.

Applications from parties other than the U.S.F.S. will receive normal routing.

Respectfully submitted,

ERNEST CARLSEN  
Sr. Resource Analyst

EC:kw

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13-2315

U.S. DEPT. OF AGRI.

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

Source: UNNAMED STREAM tributary to TROUT CREEK

Date Filed: 04/16/1981

Amount: 0.02 CFS      0.1 AC-FT

Diversion Point: SENE Sec 02 T 12S R 41E, FRANKLIN Co.

|                         |             |                     |
|-------------------------|-------------|---------------------|
| Use: STOCKWATER         | (0.02 CFS)  | from 06/01 to 08/31 |
| STOCKWATER STORAGE      | (0.1 AC-FT) | from 01/01 to 12/31 |
| STOCKWATER FROM STORAGE | (0.1 AC-FT) | from 06/01 to 08/31 |

Place of Use: SENE Sec 02 T 12S R 41E

Diversion Means: STOCKPOND.

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