

165-39E





State of Idaho
Department of Water Resources
WATER RIGHT LICENSE

License of Water Right No. 13-7045 Priority May 22, 1973 Amount 0.05 cfs

THIS IS TO CERTIFY, that S. FLOYD THOMPSON
of Preston, Idaho, has complied with the terms and conditions of Permit
No. 13-7045 issued pursuant to Application for Permit dated May 22, 1973,
and has submitted proof to the Department of Water Resources on August 5, 1975,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.05 cfs of water from an unnamed drain,
tributary to Worm Creek, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>May 1</u> to <u>Oct. 31</u>	at <u>0.05</u> cfs and	<u>8.75 acre feet or</u>
	from _____ to _____	at _____ cfs and	<u>3.5 af per acre</u>
	from _____ to _____	at _____ cfs and	
(both dates inclusive)			

Subject, however, to the condition that no more than 0.05 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
8.75 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 15,
Twp. 16 S, Rge. 39 E, B. M. in the County of Franklin

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
16 S	39 E	15	2.5																2.5

Total number of acres irrigated 2.5

NOTE: Modifications to or variance from this license must be made within the limits of 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 4 day of
November, 19 76.

Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR EXTENSION OF TIME

State of Idaho)
County of FRANKLIN)

Permit No. 13-7045

S. FLOYD THOMPSON of 173 N. FIRST E. - PRESTON, IDAHO
(name) (address)

State of _____, being first duly sworn, upon his oath deposes and says:

That he is the holder, or the duly authorized agent of the holder *, of Permit to
Appropriate the Public Waters of the State of Idaho No. _____.

That under the terms and conditions of said permit, work thereunder was required
to be completed on or before OCTOBER 1, 1974.

That he has heretofore performed the following work described under said permit:

DITCHING EQUIPMENT WORKING NOW

Costing \$ _____

That he is unable to complete the remainder of the work within the required time for
the following reasons, to-wit: PLEASE SEE ATTACHED SHEET.

Wherefore, he asks that the Department of Water Resources extend the time for the
completion of obligations under said permit to OCTOBER 1, 1975.

S. Floyd Thompson
(signature) *

Subscribed and sworn before me this 30th day of September, 1974.

seal

James J. Asaro
Notary Public residing at
Preston, Idaho

My commission expires January 6, 1977

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. KEITH HIGGINSON, Director of the Idaho Department of Water Resources,
hereby approve the above application for extension of time for Permit No.
13-7045 to October 1, 1975.

Witness my hand this 5 day of October, 1974.

R. Keith Higginson
Director

* IF OTHER THAN HOLDER, Power of Attorney must be supplied. Forms are available
through the Department of Water Resources, State Capitol, Boise, Idaho 83720.

Microfilm

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION
OF THE
STATE OF IDAHO

In the Matter of Application for Permit No.)
13-7045 in the name of S. FLOYD THOMPSON)
_____)

MEMORANDUM DECISION
AND ORDER

On May 22, 1973, S. Floyd Thompson applied to the Department of Water Administration for a permit to appropriate 0.05 cubic feet per second of water from an unnamed drain tributary to Worm Creek with point of diversion located within the NE¹/₄NE¹/₄, Sec. 15, T. 16S, R. 39E, B.M. Franklin County to be used from May 1 to October 31 for irrigation purposes.

Notice of the application was published in the Preston Citizen at Preston, Idaho on May 31 and June 7, 1973. The Department received protests against the issuance of permit from Owen W. Sharp, A. Vern Hinckley and Myrl Bodily.

A conference was held to consider the protests against said application on July 12, 1973 at Preston, Idaho. The applicant was present and represented himself. Protestants Hinckley and Bodily were present and represented themselves. Protestant Owen W. Sharp, Secretary of the Fairview Cemetary District, was not present, but was represented by James Cottle.

During the pre-hearing conference protestant Bodily agreed to withdraw his protest because the applicants' proposed development is down stream from his use of water and, therefore, could not affect his right.

The applicant and remaining protestants were unable to reach an agreement to resolve their differences; however, all agreed to waive their rights to a formal hearing and let the Department of Water Administration make a decision on S. Floyd Thompson's Application for Permit No. 13-7045 based upon information heard at the pre-hearing conference, a field examination and any information contained in the Department's records.

It appears from information available to the Department that each year water shortages do occur in which even existing rights cannot be filled. However, it is also generally agreed that some unappropriated water is available during some periods of time that the applicant could put to beneficial use if the permit were issued. It also appears that there is sufficient water available at the applicant's proposed

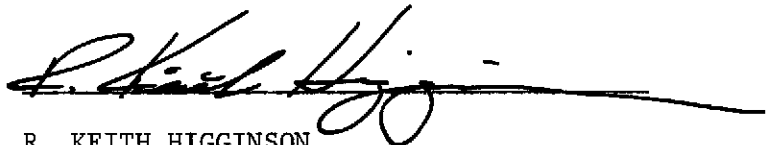
point of diversion for his project. Although there is not presently a watermaster charged with the District of Worm Creek Waters, there probably will be one when the determination of the water rights in the Worm Creek Drainage is issued by the district court. The use of water by the applicant could then be controlled to assure that all prior rights are protected.

Having considered all information available to the Department, the Director of the Department of Water Administration finds that the protests against Application for Permit No. 13-7045 should be set aside with prejudice; and,

IT IS, THEREFORE, HEREBY ORDERED that Application for Permit No. 13-7045 be APPROVED subject to the following conditions:

1. That said permit be and is subject to all prior water rights.
2. That proof of construction of works and application of water to beneficial use be submitted to the Department on or before September 1, 1974.
3. That the right shall be under the control of any Worm Creek Watermaster, if such a watermaster is appointed in the future.

Dated this 22 day of SEPTEMBER, 1973.



R. KEITH HIGGINSON

Director

Identification No. 13 7045

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant S. FLOYD THOMPSON
post office address 173 N. First East Preston, Idaho 83263 PHONE: 852-2740

2. Source of water supply Unnamed drain which is a tributary of Woen CK 5/25/23

3. a. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 15 Township 16S
Range 39E B.M. Franklin County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into drain at a point in NE $\frac{1}{4}$
of NE $\frac{1}{4}$ of Section 15 Township 16S Range 39E B.M. _____

4. Water will be used for the following purposes:

Amount 0.05 for Irrigation purpose from 5/1 to 10/31 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

5. Total quantity to be appropriated:

a. 0.05 cubic feet per second and/or

b. _____ acre feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. headgate - gravity flow

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____

Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is one years.

b. Estimated construction cost is \$ 50.00.

8. Description of proposed uses:

a. If water is **not** for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M.

(2) Amount of power to be generated: _____ hp under _____ feet of head.

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

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____.

(5) If water is to be used for other purposes describe: _____

Total number of acres to be irrigated 2.5

c. Describe any other water rights used for the same purposes as described above. NONE

JOHN KING

9. a. Who owns the property at the point of diversion.

APPLICANT

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. Letter of authority will be supplied.

applicant to make this filing _____ Letter of authority will be supplied.

10. Remarks

[illegible]

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

See attached aerial photo

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.

Steve Thompson
(Applicant)

13 7945

Received by RLW Date 5-22-1973 Time 10:20 AM
Preliminary check by RLW Fee \$ 10.00 Rec'd # 10516
Received by RLW Date 5/22/73
Publication prepared by RLW Date 5-24-73
Published in Idaho Statesman (Cotton)
Publication dates May 31, June 7, 1973
Publication approved MLT Date 9/10/73
Priority ~~Approved~~ 5-22-73 Reason _____
Protests filed by: Jim Alkley, Owen Steep
Myrl Bodily
Copies of protests forwarded by MLT
Hearing held by BOE Date 7/12/73
Recommended for approval/denial by NCY

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 13-7045, 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 October 1, 19 74.

c. Other: Pursuant to Memorandum Decision and Order of this date.

2. Denial of said application is for the following reasons:

Witness my hand this 22 day of September, 19 73.

Director

INTER-DEPARTMENT MEMO — 1

FROM Norm

DATE June 18, 1973

TO File No. 13-7045 - S. Floyd Thompson

SUBJECT PROTEST FILED

The protests received from Vern Hinkley and Owen Sharp do not indicate the reason for protest. However, because of the Worm Creek Adjudication, this office is well aware that the particular drain in question is heavily appropriated and that the two protestants do have water right claims filed on it. Therefore, clarification of the protest was not felt to be necessary.

13 7045

NCY

SIGNATURE

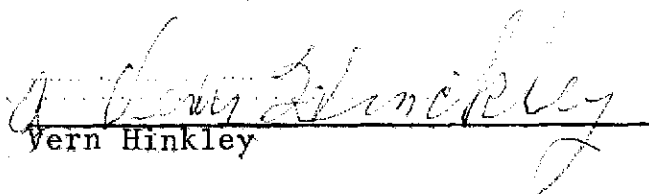
RECEIVED

JUN 18 1973
ms

June 15, 1973

Department of Water Administration
Eastern District Office

I the undersigned, Vern Hinkley, of Route 1 Preston, Idaho, hereby respectfully protests the application for a water permit for one S. Floyd Thompson, application #13-7045, to appropriate 0.05 cubic feet per second from an unnamed stream, a tributary of Worm Creek in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 15, Township 16 South, Range 39 East of the Boise Meridian, in Franklin County, Idaho, for irrigation purposes.


Vern Hinkley

13 7045

RECEIVED

JUN 18 1973

Department of Water Resources
Boise, Idaho 83725

I the undersigned, Owen Sharp, Secretary of the Fairview Cemetery, hereby respectfully protests the application for a water permit for one S. Floyd Thompson, application #13-7045, to appropriate 0.05 cubic feet per second from an unnamed stream, a tributary of Worm Creek in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 15, Township 16 South, Range 39 East of the Boise Meridian in Franklin County, Idaho, for irrigation purposes.

DATED THIS 15th DAY OF JUNE, 1973.

Owen W. Sharp
Owen Sharp

13 7045

RECEIVED

JUL 19 1973

Department of Water Administration
Eastern District Office

I the undersigned, Myrl Bodily, of Route 1, Preston, Idaho, hereby respectfully protest the application for a water permit for one S. Floyd Thompson, application #13-7045, to appropriate 0.05 cubic feet per second from an unnamed stream, a tributary of Worm Creek in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 15, Township 16 South, Range 39 East of the Boise Meridian, in Franklin County, Idaho, for irrigation purposes.

DATED THIS 16th DAY OF JUNE, 1973.


Myrl Bodily

13 7045

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	<u>JF</u>	<u>5/23/73</u>	Application No. _____ Name <u>Lloyd Thompson</u>
(2)	<u>JF</u>	<u>"</u>	Check: ☒ Signature ☒ Point of Diversion ☒ Quantity of Water and Period of Use ☒ Description of Diverting Works ☒ Time required for C/W and application of water to B/U ☒ Place of Use ☒ Map ☒ Fee ☒ <u>County</u> Send copies to: ☐ Idaho State Health Department ☐ Idaho Fish and Game Department ☐ Bureau of Land Management ☒ <u>Watermaster Dist 13A</u> ☐ Request Special Use Permit from U.S.F.S. ☐ Request Easement from B.L.M.
(3)	<u>JF</u>	<u>"</u>	
(4)	<u>JF</u>	<u>"</u>	
(5)	<u>JF</u>	<u>"</u>	In form for advertising <u>Yes</u>
(6)	<u>mb</u>	<u>6/20/73</u>	Affidavit of Publication received <u>6-20-73</u>
(7)	<u>mb</u>	<u>5-31-73</u>	Final date for protests <u>June 18, 1973</u> Protests received: yes <u>X</u> no _____
(8)			Date and Place of hearing _____ Decision reached at hearing _____
(9)			Located within Water District No. <u>13A</u>
(10)	<u>N/A</u>		Critical groundwater area: yes _____ no _____
(11)	<u>N/A</u>		Groundwater levels: ☐ Decline (comment) _____ ☐ Stable (comment) _____ ☐ Increasing (comment) _____
(12)	<u>NCF</u>	<u>5/25/73</u>	Comments: <u>Water may be available from Lewiston</u> <u>Cub River Irrig Co. Many other recorded rights</u> <u>& Worm Ck adjac claims filed on this drain</u>
(13)	<u>NCF</u>	<u>9/10/73</u>	Action recommended: ☒ Approve Priority <u>5/22/73</u> ☐ Deny Reason for Reduction _____ <u>memorandum Decision</u> <u>" "</u> See <u>attached sheet</u> for conditions of approval No conditions for approval
(14)			District <u>E</u> By <u>NCF</u> Date <u>9/10/73</u> Title <u>D.E</u>

Copy to g
13 7045

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

County of Franklin

ss.

Wayne R. Bell

being duly sworn,

deposes and says:

That he is the *Co-publisher* 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 *two* 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

May 31, 19 *73*, and ending with the issue of *June 7*, 19 *73*.

Wayne R. Bell

Fees, \$ *11.10*

Subscribed and sworn to before me this *19* day of *June*, 19 *73*.

Robert R. Laddie

Notary Public, Residing at Preston, Idaho

My Commission Expires *March*, 19 *74*.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that S. Floyd Thompson, 173 N. First East, Preston, Idaho has on 5-23-73 submitted Application No. 13-7045 for a permit to appropriate 0.05 cubic feet per second of water from unnamed drain, tributary to Worm Creek by means of headgate and ditch within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 15, T. 16S, R. 39E, B.M. Franklin County; to be used from May 1 to Oct. 31 for the irrigation of 2.5 acres within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 15, T. 16S, R. 39E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 240 South Holmes, Idaho Falls, Idaho,

83401 on or before June 18, 1973.

R. KEITH HIGGINSON
Director

Published in the Preston Citizen, Preston, Idaho on May 31 and June 7, 1973.

Legal No. 2403—Pub. May 31, June 7, 1973.

RECEIVED

JUN 11 1973

RECEIVED

13 7045

November 9, 1976

Re: Permit No. 13-7045

S. Floyd Thompson
173 N. First East
Preston, ID 83263

Dear Mr. Thompson:

Enclosed herewith is a copy of the water right license issued on the above referenced permit.

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:mef

Enc.

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

1. Name of permit holder S. Floyd Thompson
Post office address 173 N. First East, Preston, ID Phone 572-2740
Person to contact _____ Phone 572-2740
2. Source of water supply: Groundwater ☐ Surface water ☒ Unnamed drain
(name spring, stream, etc.)
Tributary to Worm Creek East 3rd District Office

3. Water will be used for the following purposes:

Amount 0.05 c.f.s. for Irrigation
_____ AF/Annum (nature of use)

Period of Use: from May 1 to Oct. 31
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

4. Total amount to be appropriated:

Max Rate of Diversion 0.05 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 16S N/S, Range 39E E/W, B.M., Section 15, Subdivision NE $\frac{1}{4}$ NE $\frac{1}{4}$, Franklin
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ $\frac{1}{4}$, _____
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ $\frac{1}{4}$, _____
County

Other Points of Diversions: _____

Description of diverting works: Holding pond for sprinkler system.

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
16S	39E	15	2.5																2.5

TOTAL ACREAGE 2.5

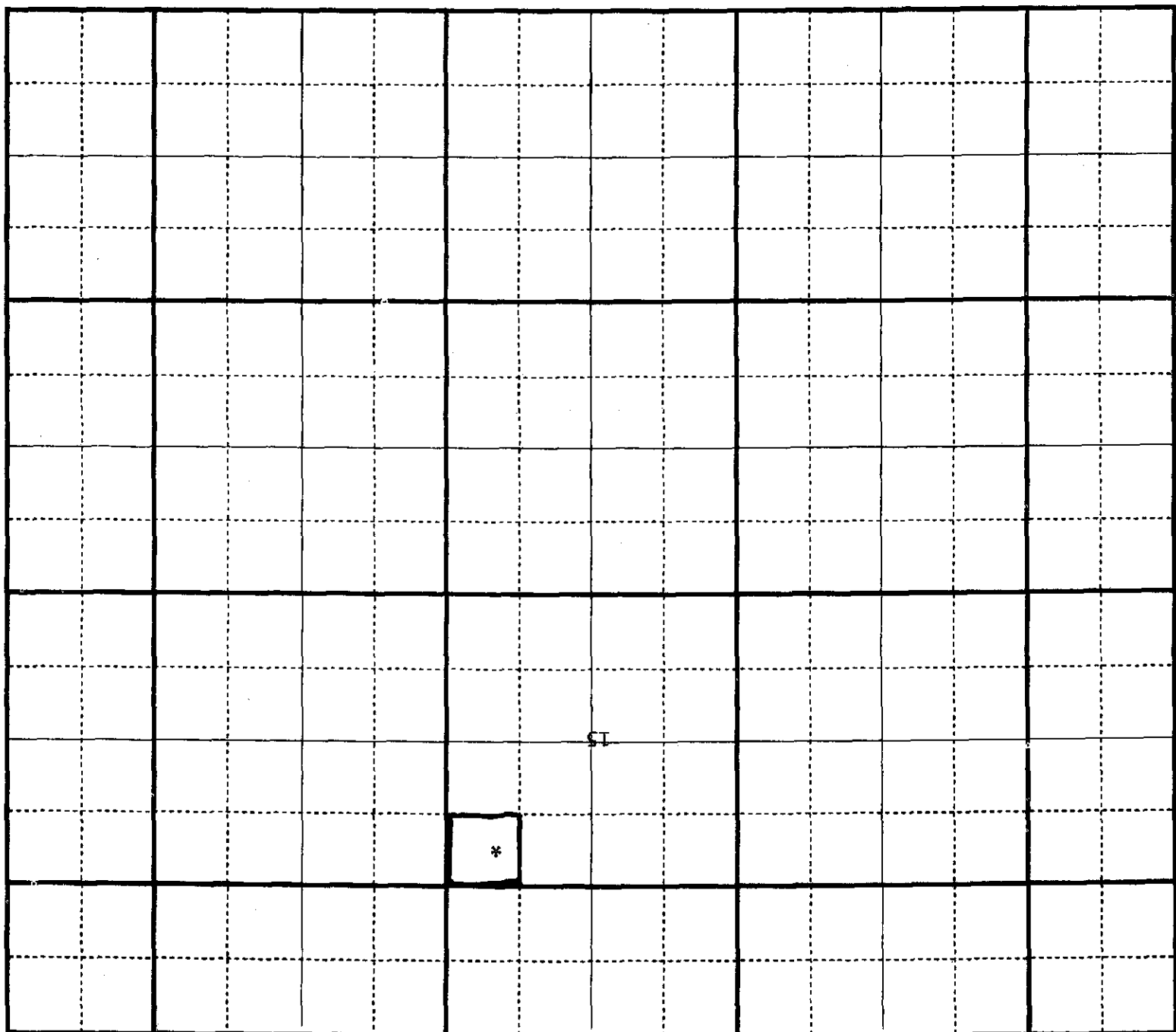
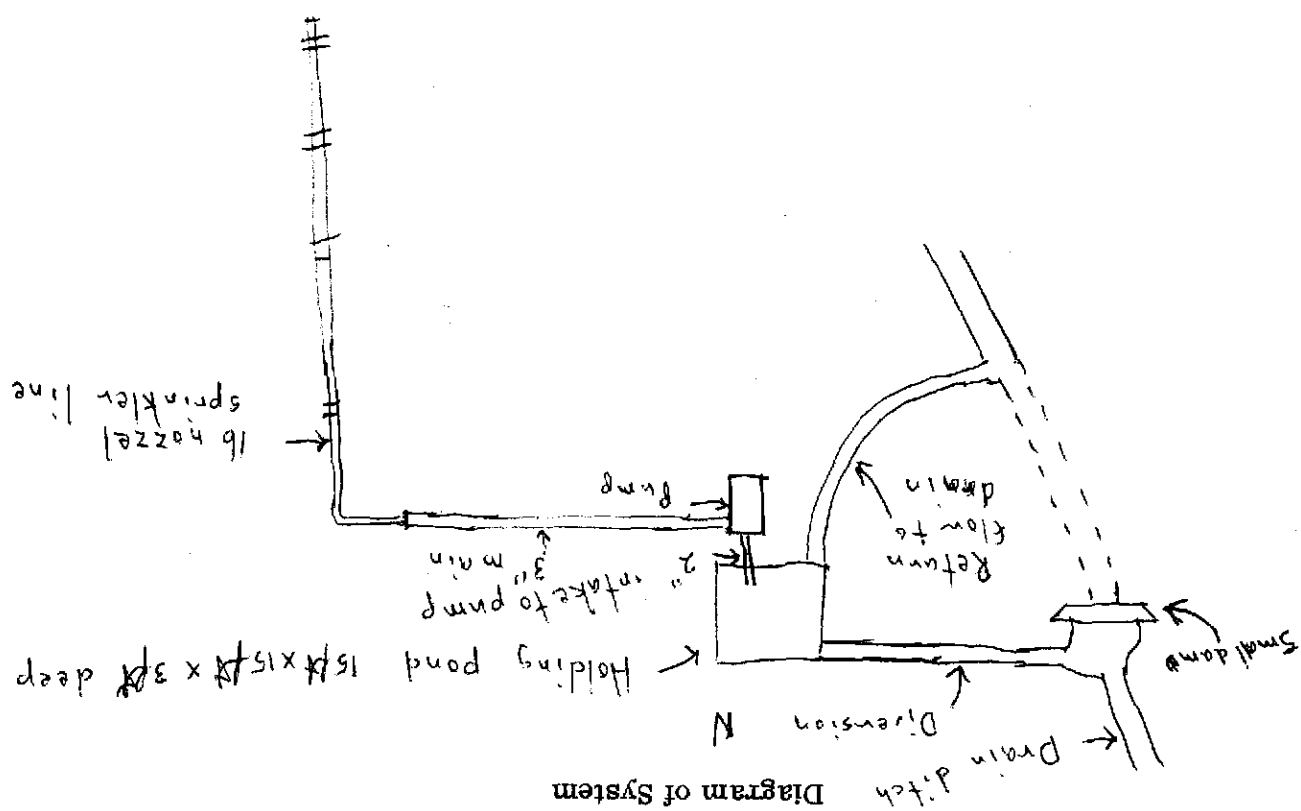
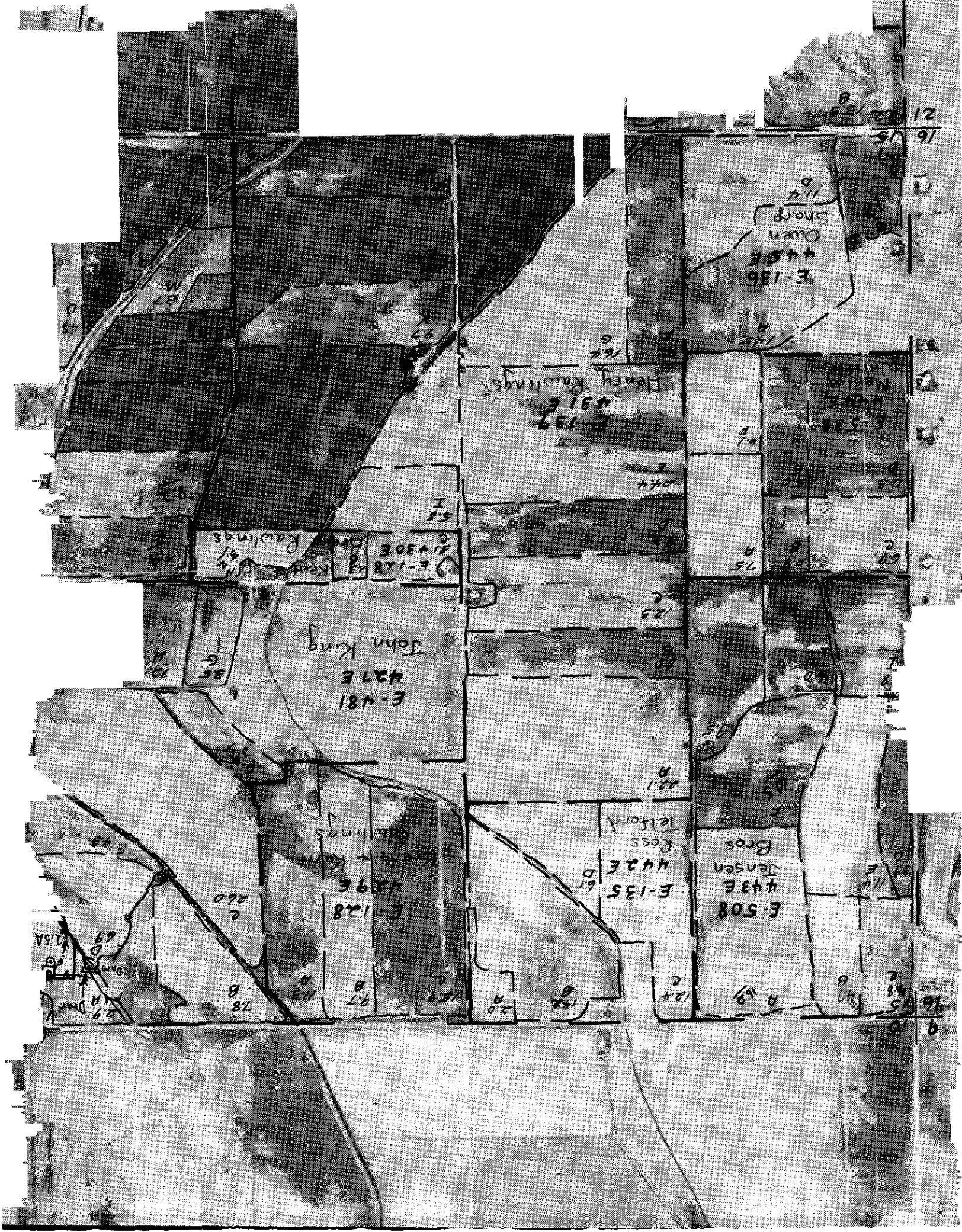


Diagram of System





Owen Sharp
445E
E-139

Henry Kawlings
431E
E-137

Kawlings
E-128
E-130E

John King
427E
E-481

Kawlings
429E
E-128

Jefford
Koss
442E
E-135

Bros Jensen
443E
E-508

12
16
19

12
16
19

12
16
19

12
16
19

12
16
19

DATE OF EXAM 7/22/76

ACREAGE
Found 2.5
Recommended 2.5

Irrigation Requirement 3.5 Ac Ft/Ac

USE
Irrigation Q = 0.05 c.f.s. V = 8.75 AF/Ann. from May 1 to Oct 31
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no X

Name source: _____
twp. _____ N/S, Rge. _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County

Exchange? yes _____ no X

Name source exchanged with: _____
twp. _____ N/S, Rge. _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County

Point of injection: _____
twp. _____ N/S, Rge. _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County

Point of exchange: _____
twp. _____ N/S, Rge. _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County

Total Q measured 0.16 cfs Method of measurement Pedo Tube

Total Q recommended 0.05 cfs Meter No. _____ Type _____ Condition _____

Total V recommended 8.75 AF/ann 16 nozzels @ 15.6 ^{psi} pr =
(16)(4.36 gpm ea) = 69.8 gpm

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None _____

System Description
MEASUREMENT CALCULATION:

Division from drain to small holding pond. Pump - Gasoline 6 cyl Ford motor (100 hp)
to centrifugal pump - outlet to 3" portable main ~~E~~ running E-W
for 150 ft. One sprinkler line - 16 nozzels - 3/16" nozzels.

measurement calculation.
SYSTEM DESCRIPTION:

$$Q = (16 \text{ noz})(4.36 \text{ gpm ea}) \left(\frac{1 \text{ cfs}}{448.8 \text{ gpm}} \right) = 0.16 \text{ cfs}$$

REMARKS:

System shown by S. Floyd Thompson
Sprinkler heads approximately 20 ft apart

Examiner's Signature William S. Graham Date 9/21/76

Checked by Ernest M. Carlson Date 11/01/76

Approved by _____ Date _____

August 11, 1975

Re: Permit No. 13-7045

S. Floyd Thompson
173 N. First E.
Preston, Idaho 83263

Dear Mr. Thompson:

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

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell during which part of the irrigation season this examination will be made, however, our examiner will try to contact you at the time he makes the exam so that you may show him the system.

If you have any questions concerning the field exam, please contact our District Office in Idaho Falls.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG

MICROFILMED

RECEIVED
Identification No. _____
Permit No. 13-7045
ALB 5/13/73
Department of Water Resources
OK jr

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder S. FLOYD THOMPSON
b) Post Office Address 173 N. FIRST E. PRESTON.
2. Permit Number 13 7045
3. Date of Priority that you are prepared to establish 5/22/73
4. a) Source from which water was appropriated UN NAMED DRAIN.
b) Location of the point of diversion: NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 15
Township 16 So., Range 39 E Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
Amount .05 CFS for IRRIGATION purposes from 5/1 to 10/31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated .05 CFS. cfs and/or acre-feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: _____
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____
b) Describe the agreement or understanding by which you take water from the works: _____
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) HOLDING POND FOR SPRINKLER SYSTEM
b) Describe the type and size of measuring device which you have installed at your point of diversion: _____
c) Give well driller's name and address and the date the well was completed: _____
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: _____

Exam typed 8-11-75

MICROFILMED

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3. ARTICLE DESCRIPTION:

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CERTIFIED NO.

INSURED NO.

86997

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SIGNATURE

Steve J. Thompson

DATE OF DELIVERY

8-2-75

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INITIALS

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

August 1, 1975

CERTIFIED MAIL

26997

Re: Permit No. 13-7045

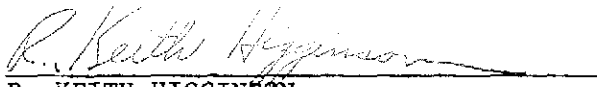
S. Floyd Thompson
173 N. 1st East
Preston, Idaho 83263

Dear Mr. Thompson:

One of the conditions of approval of your water Permit No. 13-7045 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before October 1, 1975. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.


R. KEITH HIGGINSON
Director

RKH:jg
Enc: Proof affidavit

October 7, 1974

Re: Permit No. 13-7045

S. Floyd Thompson
173 N. 1st E.
Preston, ID 83263

Dear Mr. Thompson:

Enclosed is a copy of the approved application for extension of time submitted in connection with the above referenced permit.

The time within which to submit proof of beneficial use has been extended to October 1, 1975.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:JG
Enclosure

173 North 1st East
Preston, Idaho 83263
September 28, 1974

Mr. Bob Fleener
Department of Water Resources
Statehouse
Boise, Idaho 83720

Dear Mr. Fleener,

While in Boise this past week I called your office and discussed the problem presented here with your man Mr. Glen Saxton. You may want to confer with him further, or please feel free to call me at my home collect, and at your convenience. The phone number is 852-2740.

At the time of my filing on this water and the proving of beneficial use of same I was to have access thru the property west of my property for a small diversion ditch. This property is owned by Mr. John King of Fairview. I was ready to go with the equipment and the measuring device but was stopped by him shortly after receipt of your registered letter of August 2, 1974. The reason for the stoppage was a possible sale of his entire farm, and so he said he didn't want anything "queering the deal." So as a consequence I offered to buy the piece of property immediately west of my present property. This he agreed upon and I set wheels in motion to buy the land.

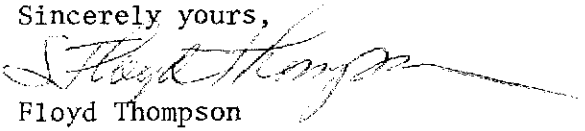
His original buyer of the entire farm fell thru, as did at least two others (interested buyers), and again during this time he wouldn't sell the small piece to me because of pressure from his proposed buyers, nor would he allow me to cut the small ditch required to bring the water on to my land. As you can see it has been a hassle to say the least. At the present time he has given me the O.K. to put the ditch thru.

That ditch is in the process of being put in now, and will be completed this week. The measuring device won't be installed in time to meet your deadline of October 1st, therefore, I am requesting the extension of time for the completion of the project.

At the time the system is completed I will contact your office for an inspector to visit for his inspection.

Thanks for your help and consideration in this project.

Sincerely yours,


Floyd Thompson

S. Floyd Thompson

called today & explained
an easement problem.

He requested we send
him an extension form
& put a note in this
file.

Sent extension Glen Saylor
form 9/25/74 Sept 24, 1974

SENDER: Be sure to follow instructions on other side

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SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

W. Lloyd Thompson

George Thompson

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13-7045

3

2

1

Aug 2, 1974

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DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

MICROFILMED

August 1, 1974

CERTIFIED MAIL

#25872

Re: Permit No. 13-7045

S. Floyd Thompson
173 N. First East
Preston, ID 83263

Dear Mr. Thompson:

One of the conditions of approval of your water Permit No. 13-7045 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before October 1, 1974. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.



R. KEITH HIGGINSON
Director

Enc: Proof affidavit

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215



Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

October 2, 1973

Re: Permit No. 13-7045

Mr. S. Floyd Thompson
173 N. First East
Preston, Idaho 83263

Dear Mr. Thompson:

Enclosed is a copy of your approved Application for Permit No. 13-7045 along with a copy of the Memorandum Decision and Order.

We direct your attention to the conditions of approval as listed in the Order.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF/bjg

Enc: Copy of Permit
with copy of Order

cc: Mr. Owen W. Sharp
Mr. A. Vern Hinckley
Mr. Myrl Bodily

Enc: Copy of Order

13 7045

M E M O R A N D U M

TO: File

FROM: Norm

RE: Prepermit Field Review of 13-7045, S. Floyd Thompson

DATE: August 23, 1973

The prepermit field review was made on August 16, 1973, by Norman C. Young and Ronald Carlson.

1. Applicant's Proposed Project

Thompson has about a 2½ acre tract located along the apparently natural drain. It appears that he does not have any ownership along the banks of the stream at any point. The parcel is seeded to dry land alfalfa and has been harvested this year. A sawmill and mink rearing shed cover one-half acre or more of the parcel. The flow in the drain along the Thompson property was visually estimated to be about 10 to 15 inches.

The drain appears to begin just across the county road to the north (about ¼ mile away) and no apparent use is made of the water upstream. The drain is heavily overgrown with a watercress type plant. Control of this water-loving plant could save more water than this application requests.

2. Hinckley Reservoir

Hinckley Reservoir was full and spilling over one 8-inch flashboard placed in the spillway at the time of the inspection. We could not locate the Hinckley's to discuss their water use with them, but a neighbor, Mr. Hazen Gilbert, indicated that neither Hinckley or the Cemetary District was using water at the time. He said that another user upstream was putting canal water into the drain and taking it out again. We did observe a tractor powered portable pump pumping from the reservoir into a ¼-mile line of

13 7045

sprinklers. The water was being used on Mr. Hinckley's land.

3. Mr. Hazen Gilbert's Use of Water

Mr. Gilbert said that he was pumping from the drain below Hinckley Reservoir and that he was not getting enough water even at that time to be sure that his pump would not fail. He said that he believed that too many people were already pumping from the drain. He does not want any more permits issued. He also said that at times during the irrigation season water did flow past his pump and on into Worm Creek. He was not sure whether the water that does reach Worm Creek was used before it entered the Bear River or not. Mr. Gilbert claims a right by reason of diversion and beneficial use. His claim filed on the Worm Creek Adjudication lists a priority date of June 28, 1902.

4. Conclusions

1. Sufficient water does appear to be available at the applicant's proposed point of diversion for his project.
2. The drain is heavily appropriated but most users interviewed do admit that some water that could be beneficially used by the applicant does flow from the drain into Worm Creek on normal years. Thus, it appears that a new use as proposed by Mr. Thompson could be made without injuring prior rights.

5. Recommendations

1. Approve the application with the following conditions:
 1. Subject to all prior water rights as determined in the Worm Creek Adjudication.
 2. The right should be under control of any future Worm Creek watermaster.

NCY

20 10 15

M E M O R A N D U M

RE: Conference on Application No. 13-7045

A conference was held at Preston, Idaho on July 12, 1973, to consider the protest against issuance of permit on the above referenced application.

The applicant, S. Floyd Thompson, was present and represented himself. The protestants, Vern Hinkley and Myrl Bodily, were present and represented themselves. The protestant, Owen W. Sharp, Secretary of the Fairview Cemetary District was not present, but was represented by James Cottle. The Department of Water Administration was represented by Bob Fleenor, Hearing Officer, and Norman C. Young.

At the conference, it was determined that the applicant would be taking water from the drain downstream from protestant Myrl Bodily's point of diversion and could not affect Mr. Bodily's right. Therefore, Mr. Bodily withdrew his protest.

The proposed point of diversion is upstream and could possibly affect the rights of the other protestants.

Mr. Hinkley indicated that at most of the year all the flow of the stream is necessary to fill his right and other rights downstream. It was possible, however, that at certain times of the year there might be water over and above the rights of the protestants.

Both the applicant and the protestants agreed to allow the Department to reach a decision based upon information heard at the conference, a field examination, and from information contained in the application and protests.

NCF
NORMAN C. YOUNG
District Engineer

July 17, 1973

13-7045

Applicants & Protestants agreed to allow the department to reach a decision based upon information at the conference, a field examination and the information contained in the application and protests.

Stuart Thompson
James Gottle
Vern Donckley

I, Myrl L. Bodily, hereby withdraw my protest
against Application for Permit 13-7045 in the
name of S. Floyd Thompson subject to the
condition that it is subject to my existing water
rights.

Signed at Preston this 12th day of July, 1973.

Myrl L. Bodily
Myrl L. Bodily

13 7045

13-7045 - S. Floyd Thompson

Courtroom, Franklin County Courthouse, Preston, Idaho

July 12, 1973 - 11:00 a.m.

ROSTER OF ATTENDANCE

Name	Address	Representing
S. Floyd Thompson	173 N. FIRST E	Self.
Wayne Phillips	PRESTON Idaho-	Self
	RT# 2 Preston	
James Little	Preston Idaho	
Vern Quinley	Preston Id.	Self.
Chue Bodily	Preston Idaho	
Myrl L. Bodily	Preston Idaho.	

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Idaho Falls, Id. 83401

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Robert W. Smith

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JUN 28 1973

JUN 28 1973

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655-16-81277-2

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Joe W. Smith

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

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DATE DELIVERED

JUN 28 1973

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Idaho Falls, Ida. 83401

FS Form 3811 Sep. 72

655-10-81977-2

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DATE DELIVERED

28 June

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Conne & Thomas, Inc.

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JUN 29 1973

Department of Water Administration Engineering Office

Eastern District Office
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Idaho Falls, Ida. 83401

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Mary B. Kelly

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

DATE DELIVERED

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6-28-73

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PS Form 3811 Sep. 1972

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Department of Water Administration

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*Dept. of Water Administration
240 S. Holmes Ave.
Idaho Falls, Id. 83401*

SENDER: Be sure to follow instructions on other side

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SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)
Don Michael

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY
James H. Michael

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13 7045

DATE DELIVERED
6-28-73

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3

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
Eastern District Office
240 South Holmes Ave. • Idaho Falls, Idaho
83401

Receipts for 13-7048

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION
OF THE
STATE OF IDAHO

In the Matter of Protests Against Approval)
of Application for Permit No. 13-7045)
in the name of S. FLOYD THOMPSON)
_____)

NOTICE OF CONFERENCE
AND/OR HEARING

On May 22, 1973, S. Floyd Thompson filed with the Department of Water Administration an application to appropriate the public water of the State of Idaho. On June 18, 1973, the Department received protests against approval of said application from Owen Sharp and Vern Hinckley and on June 19, 1973 from Myrl Bodily.

The Department has set the matter of protests for conference and/or hearing for Thursday, July 12, 1973, at 11:00 a.m., in the Courtroom of the Franklin County Courthouse, Preston, Idaho. Any hearing will be held in accordance with the Rules and Regulations of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Administration. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

Any party may request in writing five (5) days before any hearing that the oral proceedings thereof be taken in the form of stenographic notes. Any party may have such stenographic notes of the oral proceedings, or part thereof, transcribed at his own expense. A taped record of the proceedings will be maintained for the appeal period.

Failure to appear at the time and place set for hearing by the applicant or protestants may allow the Department without prejudice to dismiss the protests or the application. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

Dated this 22nd day of JUNE, 1973.

Norman C. Young
NORMAN C. YOUNG
District Engineer

13 7045

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APPLICATION FOR REGISTRATION OR CERTIFICATION

(Surcharges are not required on international registered mail)

June 19, 1973

Franklin County Courthouse
Clerk of the District Court
Preston, Idaho 83263

Dear Sir:

This is to confirm the use of the Courtroom for conference and/or hearing to be held by this office on Thursday, July 12, 1973, all day.

Thank you for your cooperation in this matter.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:mb

13 7045

June 19, 1973

Re: Application for Permit No. 13-7045 - S. Floyd Thompson

Myrl Bodily
c/o Dell W. Smith
Attorney at Law
Preston, ID 83263

Dear Mr. Smith:

Enclosed please find a letter addressed to Mr. Myrl Bodily in reference to the above application.

If you have any questions, please contact this office.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:mb

Enclosure

13 7045

June 19, 1973

Re: Application No. 13-7045

Myrl Bodily
c/o Dell W. Smith
Attorney at Law
Preston, ID 83263

Dear Mr. Bodily:

This is to acknowledge receipt of your protest to issuance of a permit pursuant to the above referenced application. The official protest period ended June 18, 1973. We propose, however, to tentatively accept your protest and you will be notified of any future conference or hearing concerning the application. At such conference or hearing one of the items that will be considered is the timeliness of your protest.

The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

The Department may reject an application and refuse issuance of a permit, partially approve the permit, approve the permit for a quantity of water less than applied for, or approve the permit subject to special conditions.

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the individuals concerned through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for conference and/or hearing to discuss the matters of protest. If we may be of further assistance, please contact us.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:mb

13 7045

June 19, 1973

Re: Application No. 13-7045

S. Floyd Thompson
173 N. First East
Preston, ID 83263

Dear Mr. Thompson:

We have enclosed a copy of an additional protest filed against the issuance of a permit pursuant to your Application No. 13-7045. This protest was received subsequent to the end of the official protest period, but we propose to tentatively accept it and notify Mr. Bodily of any conference or hearing concerning the application. At such conference or hearing one of the items that may be considered is the timeliness of the protest.

If you have any questions, please contact this office.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:mb

Enclosure

13 7045

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

EASTERN DISTRICT OFFICE



Cecil D. Andrus
Governor

240 South Holmes Avenue
Idaho Falls, Idaho 83401
(208) 523-7186

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

R. Keith Higginson
Director

S. Floyd Thompson
173 N. First East
Preston, ID 83263

June 18, 1973

Re: Application for Permit No.

Dear Mr. Thompson:

We have enclosed a copy of the protest filed against the issuance of a permit pursuant to your Application No. 13-7045. You should be aware that the following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

The Department cannot allow a permit for irrigation purposes which would entail the use of more than a continuous flow of 0.02 cubic feet per second of water for each acre of land, or an annual amount of 5 acre feet for each acre of land, unless the applicant can show that more is required. (Section 42-202, Idaho Code)

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the applicant through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for a conference and/or hearing to discuss the matters of protest. Legal counsel is not mandatory at any proceeding before the Department, although you may desire to employ an attorney in your behalf.

If we may be of any assistance, please contact us.

Very truly yours,

Norman C. Young

NORMAN C. YOUNG
District Engineer

NCY:mb

13 7045

Enc: Copy of Protest(s)

June 18, 1973

Re: Application for Permit No. 13-7045 - S. Floyd Thompson

Dell W. Smith
Attorney at Law
Preston, ID 83263

Dear Mr. Smith:

Enclosed please find letters addressed to Mr. Vern Hinkley and Mr. Owen Sharp in reference to their protests on the above application.

If you have any questions, please contact this office.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:mb

Enclosures

13 7045

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
EASTERN DISTRICT OFFICE



Cecil D. Andrus
Governor
R. Keith Higginson
Director

240 South Holmes Avenue
Idaho Falls, Idaho 83401
(208) 523-7186

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

June 18, 1973

Re: Application No. 13-7045

Vern Hinkley
c/o Dell W. Smith
Preston, ID 83263

Dear Mr. Hinkley:

This is to acknowledge receipt of your protest to issuance of a permit pursuant to the above referenced application. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

The Department may reject an application and refuse issuance of a permit, partially approve the permit, approve the permit for a quantity of water less than applied for, or approve the permit subject to special conditions.

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the individuals concerned through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for conference and/or hearing to discuss the matters of protest. If we may be of further assistance, please contact us.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY: mb

13 7045

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
EASTERN DISTRICT OFFICE



Cecil D. Andrus
Governor
R. Keith Higginson
Director

240 South Holmes Avenue
Idaho Falls, Idaho 83401
(208) 523-7186

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

June 18, 1973

Re: Application No. 13-7045

Owen Sharp
c/o Dell W. Smith
Preston, ID 83263

Dear Mr. Sharp:

This is to acknowledge receipt of your protest to issuance of a permit pursuant to the above referenced application. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

The Department may reject an application and refuse issuance of a permit, partially approve the permit, approve the permit for a quantity of water less than applied for, or approve the permit subject to special conditions.

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the individuals concerned through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for conference and/or hearing to discuss the matters of protest. If we may be of further assistance, please contact us.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:mb

13 7045

May 25, 1973

Re: Application No. 13-7044 - Ben E. Johnson
13-7045 - S. Floyd Thompson

Preston Citizen
Box 472
Preston, Idaho 83263

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Very truly yours,

NORMAN C. YOUNG
District Engineer

MCY:mb

Enc: Legal notices (2)

Bill submitted 6-20-73 by ymb

13 7045

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that S. Floyd Thompson

173 N. First East, Preston, Idaho

has on 5/23/73 submitted Application No. 13-7045

for a permit to appropriate 0.05 cubic feet per second ~~XXXXXX XXXXXX~~

of water from unnamed drain, tributary to Worm Creek

by means of headgate & ditch

within the NE 1/4, Sec. 15, T. 16S, R. 39E, B.M., Franklin County;

to be used from May 1 to Oct. 31

for the irrigation of 2.5 acres

within the NE 1/4, Sec. 15, T. 16S, R. 39E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 240 South Holmes, Idaho Falls, Idaho, 83401 on or before June 18, 1973.

R. KEITH HIGGINSON

Director

Published in the Preston Citizen, Preston, Idaho

on May 31 and June 7, 1973

13 7045

May 23, 1973

Roland Carter, Watermaster
Rt. #2, Box 100
Preston, Idaho 83263

Dear Mr. Carter:

We are enclosing a copy of an application that may be of interest to your agency. Please review the application and if you have any comments, please submit them to our Department as soon as possible. We normally complete the processing of an application within a 3-week period and we are required to take final action shortly thereafter.

If we may be of further assistance, please contact us.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY: mb

Enclosure

13 7045