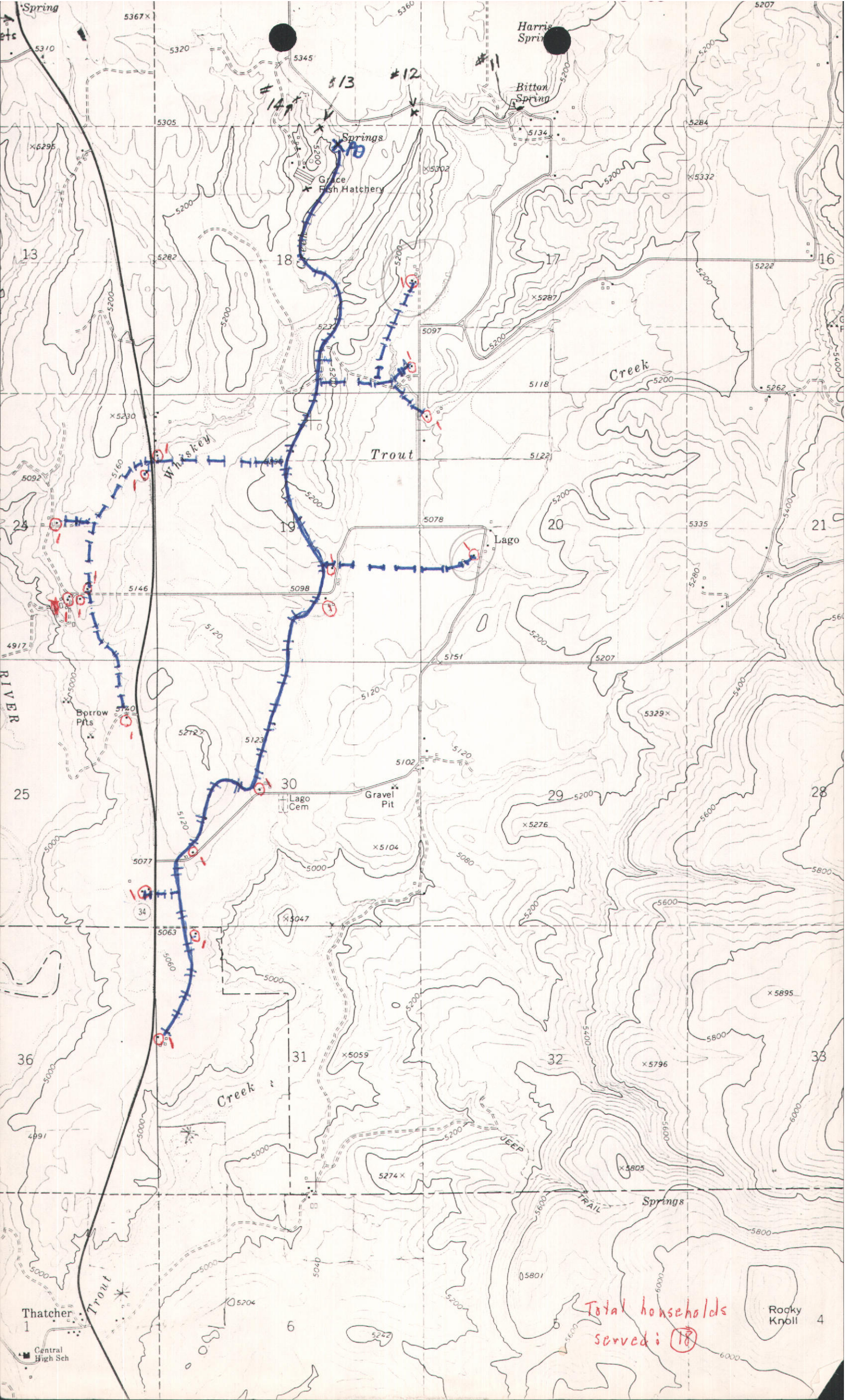




Total households served: 18

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 13-7015 Priority May 15, 1970 Amount 0.04 cfs

THIS IS TO CERTIFY, that Whiskey Creek Water Users Association
of Grace, Idaho, has complied with the terms and conditions of Permit
No. 13-7015 issued pursuant to Application for Permit dated May 15, 1970,
and has submitted proof to the Department of Water Resources on July 30, 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 0.32 cfs of water from an unnamed spring,
tributary to Whiskey 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
Domestic	from <u>January 1</u> to <u>December 31</u>	at <u>0.04</u> cfs and	<u>2.4</u> acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than *0.04 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
2.4 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 18, Twp. 11S,
Rge. 41E, B. M. in the County of Caribou

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 $\frac{1}{4}$	
11S	41E	18													X				
		20									X								

Total number of acres irrigated _____

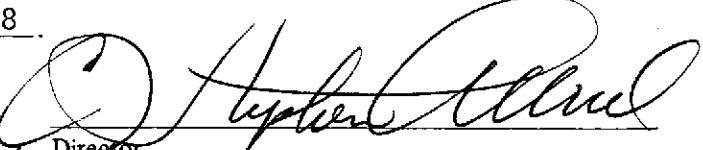
*Subject to the condition that no more than 0.32 cfs be diverted at any one time
when combined with Transfer No. 1671.

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 23 day of
March, 19 78.

RECORDED


Director

Identification No. 13-7015
Application No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
APPLICATION FOR PERMIT

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

APPROVED

1. Name of applicant WHISKEY CREEK WATER USERS ASSOCIATION CORP.
post office address c/o Glenn V. Turner STAR RTE. Box 372, Grace, Idaho 83241
2. Source of water supply a spring which is a tributary of WHISKEY CREEK.
3. a. Location of point of diversion is 21° SOUTH ^{NENE} 1/4 of W 300' ^{DECE} 1/4 of Section 18 Township 11 SOUTH
Range 41 EAST B.M. CARIBOU County; additional points of diversion if any: FROM
THE NORTHEAST CORNER OF SECTION 18
- b. If water is not consumed, it will be discharged into WHISKEY CREEK at a point in SAME 1/4
as above. of 1/4 of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 0.30 for multiple ^{domestic} purpose from Jan. 1 to Dec. 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. .30 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. CONCRETE STORAGE BOX
EMPTYING INTO PVC PLASTIC WHICH WILL DELIVER 1"
TO EACH OF 15 HOMES OF PARTIES INVOLVED.
- 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 Jan 1 to Dec 31 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 5 years.
b. Estimated construction cost is \$ 16000.00
8. Description of proposed uses:
a. If water is **not** for irrigation:
WHISKEY CREEK WATER USES FOR CULINARY
(1) Give the place of use of water: _____ 1/4 of _____ 1/4 of Section _____ Township USE ONLY
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 15.
(5) If water is to be used for other purposes describe: _____

13-7015

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

[illegible]

Total number of acres to be irrigated.

c. Describe any other water rights used for the same purposes.

9. a. Who owns the property at the point of diversion Kiota Bittor
b. Who owns the land to be irrigated or place of use applicants
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing.

applicant to make this filing -

10. Remarks Right of Diversion From each member as listed.

NAME	DATE	TIME	LOCATION
James A. O'Renshaw	1"	1"	From Rasmussen Ditch.
Daniel Mickelson	2"	1"	1" From Bitten-Olenschow Ditch
Franklin Mickelson	1"	1"	3" From Mickelson Ditch
Malvin Mickelson	1"	1"	4" From Mendenhall Ditch
Carl Bossert	1"	2"	From Collins Ditch.
H. Jay Turner	1"		
Gert Rasmussen	1"		
Maris H. Mickelson	2"		
John V. Turner	1"		
Roe Bennett	1"		
Elmer Bennett	1"		
Dwight Mendenhall	1"		

Received by el Date 5-15-70 Time 2:00 pm
Preliminary check by Qui Fee \$ 10.00
Receipted by el Date 6-24-70
Publication prepared by du Date 7-2-70
Published in Shaw Citizen
Publication dates 7-9+16-70
Publication approved du Date 7-22-70
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by Qui, Qui

ACTION OF STATE RECLAMATION ENGINEER

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 13-7015, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

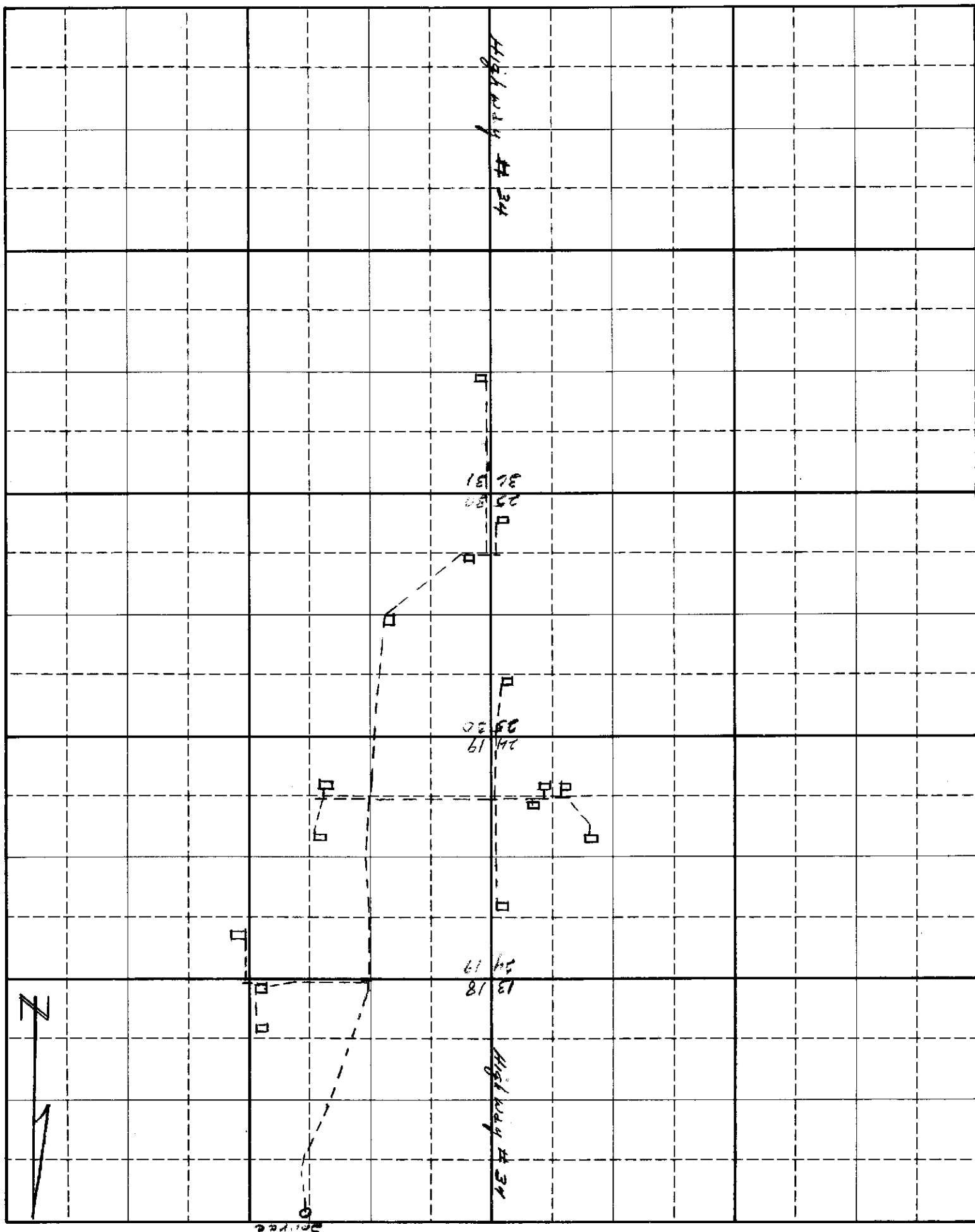
- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 19 75.
- c. Other: The permit holder shall permanently install and maintain a measuring device of a type approved by the department as part of the diverting works. Subject to regulation by the watermaster.

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

Witness my hand this 10th day of August, 19 70.


Deputy State Reclamation Engineer

11. Map of proposed project:



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.

Whisper Creek Water Users Association, Inc.
 Mrs. Emily A. Nicholson
 427 6622 -
 (Applicant)
 427 6672 - Sec. Clerk U. S. Court
 WATER MASTER/Director - Elmer Bennett

DEPARTMENT OF WATER ADMINISTRATION

STAFF ANALYSIS

Application No. 13-7015 Name Whiskey Creek Water Users Assn. Corp.

Source spring, trib. Whiskey Creek

Point of Diversion NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 18, T. 11S, R. 41E, B.M., Caribou

Quantity 0.30 Use mult. domestic Period Jan. 1 - Dec. 31

Quantity Use Period

Quantity Use Period

Well Size Diameter Proposed Depth Feet

Use 15 families

Date Forwarded 7-6-70 Date Returned 8-7-70 Received by *SW*

COMMENTS: Groundwater levels, which directly affect spring activity in this area, have shown either no change or increases (W.I.B.'s 4 & 11). Water quality may be affected as irrigation water percolates into ow system supplying the springs.

RECOMMENDED:

Applied: Qty. 0.30 Use MULT. DOM. Period 1/1 - 12/31 AF/A AF

Qty. Use Period AF/A AF

Qty. Use Period AF/A AF

Maximum: Qty. 0.30 Use MULT. DOM. Period 1/1 - 12/31 AF/A AF

Qty. Use Period AF/A AF

Qty. Use Period AF/A AF

ACTION: Approved ☒ Denied

Conditions of approval or reason for denial:

INVESTIGATION By *Paul M. Castelin* Title W.R.I. - I

Date *August 7, 1970*

13-7015

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

ss.

County of Franklin

Wayne D. 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

July 9, 19 *70*, and ending with the issue of *July 16*, 19 *70*.

Wayne D. Bell

Fees, \$ *9.66*

Subscribed and sworn to before me this *21st* day

of *July*, 19 *70*.

DeAnn D. Geddes

Notary Public, Residing at Preston, Idaho

My Commission Expires *March*, 19 *74*

NOTICE OF APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Notice is hereby given that Whiskey Creek Water Users Association, c/o Glenn V. Turner, Star Rte., Box 372, Grace, Idaho, have on May 15, 1970, submitted Application No. 13-7015 to appropriate the public waters of a spring tributary of Whiskey Creek.

The application proposes a maximum diversion and appropriation of 0.30 cubic feet per second of water to be diverted by concrete storage box within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 18 T. 11 S., R. 41 E., B.M. Caribou County and is to be used for the multiple domestic use of the Whiskey Creek Water Users from Jan. 1 to Dec. 31.

Any permit issued pursuant to this application will be subject to ALL PRIOR WATER RIGHTS and subject to the CONTROL OF A STATE WATERMASTER. Any protest against this application must be filed with the Idaho Department of Water Administration on or before July 27, 1970.

R. KEITH HIGGINSON
Director

Published in The Grace Citizen, Grace, Idaho on July 9th and July 16th, 1970.

Legal No. 1779-Pub. July 9, 16, 1970.

13-7015

March 30, 1978

Re: Permit No. 13-7015

Whiskey Creek Water Users Assn.
c/o Glenn V. Turner
Star Route
Box 372
Grace, ID 83241

Gentlemen:

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

Sincerely,

JAN GROVER
Water Rights Supervisor

JG :lr

MICROFILMED

March 2, 1978

Re: Permit No. 13-7015

Whiskey Creek Water Users Assn.
c/o Glenn V. Turner
Star Route, Box 372
Grace, ID 83241

Gentlemen:

In August of 1976 a representative of this Department made an examination of the works covered by your Permit No. 13-7015 and the Department is prepared to issue a water right license as follows:

Amount of water that can be recognized as beneficially used under
Idaho law: 0.04 cfs*

Point of diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 18, Twp. 11S, Rge. 41E, B. M.

Beneficial Use: Domestic purposes within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 18;
NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20; Twp. 11S, Rge. 41E, B. M.

Priority date established: May 15, 1970

*Subject to the condition that no more than 0.32 cfs be diverted at any
one time when combined with Transfer No. 1671.

This water right license is for the two residences that have been added to your water system and that were not included in Transfer No. 1671 of your decreed rights.

Please let us know if you do not agree with our proposed license. If we do not hear from you within 10 days we will assume you have no objections and a water right license will be issued as proposed above.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG/kw

RECORDED

INTER-DEPARTMENT MEMO — 1

RECEIVED

DATE 10/28/76

OCT 29 1976

Department of Water Resources
Eastern District Office

FROM

Darlene

TO

Ron Carlson *HELP*

SUBJECT

Exam for 13-7015

The field report indicates that there are 18 users on the system. However,
I believe at least 14 of these ^{or 15 or 16?} are covered under Transfer No. 1671 (11-0627, etc.).

Can we only license the additional users under 13-7015? If so, do we need to determine the exact location of the place of use? What about the p.d., the transfer also lists the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 18.

As you can tell, am somewhat confused w/this one. Appreciate your help ~~in~~ in straightening me out!

*2 separate
sources?*

SIGNATURE

Wed morn.
9:00

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

1. Name of permit holder Whiskey Creek Water Users Assoc.
Post office address Glenn V. Turner, Secretary Phone 427-4672
Person to contact Star Route, Box 372, Grace, ID 83241 Phone AUG 11 1973
2. Source of water supply: Groundwater ☐ Surface water ☒ Spring Department of Water Resources
(name spring, stream, etc.) Eastern District Office
Tributary to Whiskey Creek

3. Water will be used for the following purposes:

Amount 0.30 c.f.s. for Domestic (18) 18
AF/Annum (nature of use)

Period of Use: from Jan. 1 to Dec. 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 0.30 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 11S N/S, Range 41E E/W, B.M., Section 18, Subdivision NE $\frac{1}{4}$ NE $\frac{1}{4}$, Caribou
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: water from spring is collected in concrete head box, and fed into a PVC plastic pipe, which delivers water through pipeline to the points where individual users take out their water in a 3/4" pipe.

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use. (the northeast corner of Section 18)

[illegible]**TOTAL ACREAGE**

Diagram of System

Barred concrete
collection box

30 ft - 10" steel pipe

Cement system

w/ drain (6' x 6' x 8' deep)

sparling meter

6" trunk line → PVC barred

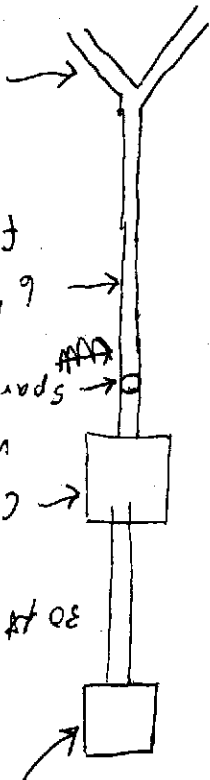
for = 1.5 m. to second
"T"

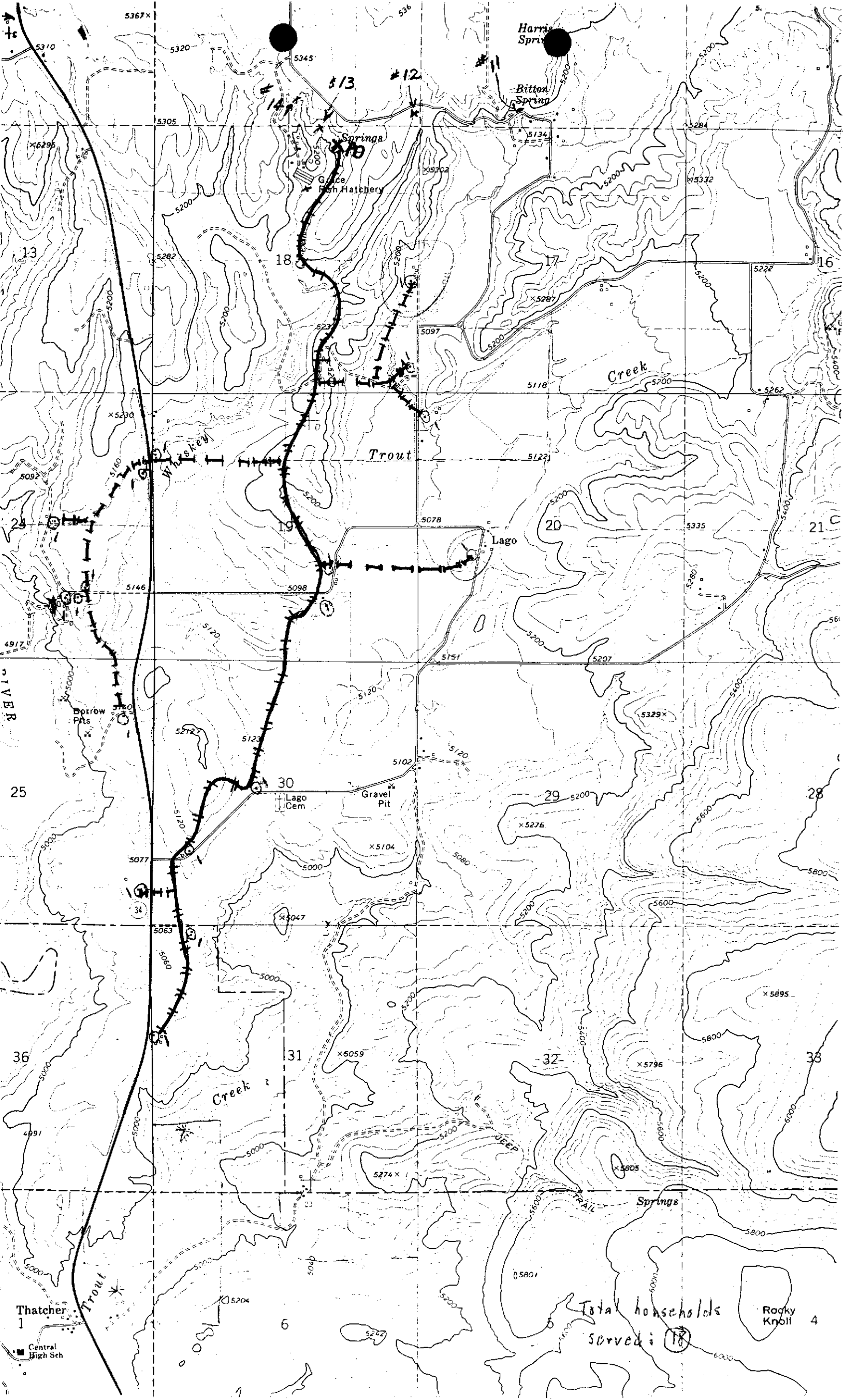
At second "T", splits

to 2 - 4" mains, one
continuing south, the

other running west across

station. Both 4" mains reduced to
3" then to 2 1/2" then to 1 1/2"





Total households served: 18

Rocky Knoll 4

Thatcher 1
Central High Sch

DATE OF EXAM 8/18/76

ACREAGE

Found N/A
Recommended _____

Irrigation Requirement N/A Ac Ft/Ac

USE

Irrigation Q = 0.04 c.f.s. V = 2.4 AF/Ann. from Jan 1 to Dec 31
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Note: To keep from enlarging right, V was calculated for 15 households ~~15~~

Is water co-mingled? yes _____ no ☒

Name source: _____

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

Exchange? yes _____ no ☒

Name source exchanged with: _____

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

Point of injection: N/A

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

Point of exchange: N/A

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

Total Q measured 130 gpm (329 cfs) Method of measurement In-line flow meter

Total Q recommended 0.04 cfs Meter No. is blank Type Budger Condition Good

Total V recommended 2.4 AF/ann. (gpm) 130 gpm.

Recommended Amendments:

(P.D.) NW 1/4 Sec 18, T15S, R41E, E8M Caribou Co.
Place of Use NW 1/4 Sec 18, NW 1/4 Sec 20, T15S, R41E B.M.
Other _____
None _____

MEASUREMENT, CALCULATION:

~~Spring water~~ N/A $V = (15)(1.2 \text{ AF/ann}) = 18 \text{ AF/ann}$

NOTE: 16 households are licensed for 0.32 cfs under Transfer NO. 1671. (See map on TRANSFER FOR LOCATIONS), The two remaining households will be licensed under this permit.

SYSTEM DESCRIPTION:

Spring water collected via buried collection box. 10" steel pipe 30ft south to cement system. 6" trunk line runs south from system to delivery system as diagramed above and shown on map

REMARKS:

System shown by Glenn Turner

Note: Mr. Turner notified water users to turn on all available faucets at the time of exam.

Examiner's Signature William B. Graham Date 8/24/76

Checked by Ernest M. Carlson Date 10/21/76

Approved by _____ Date _____

August 7, 1975

Re: Permit No. 13-7015

Glenn V. Turner, Secretary
Whiskey Creek Water Users Assoc., Inc.
Star Route, Box 372
Grace, ID 83241

Gentlemen:

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 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 District Office in **Idaho Falls.**

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JC

MAIL ROOM

OK JP

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Whiskey Creek Water Users Association, an Idaho corporation.
 b) Post Office Address c/o Glenn V. Turner, Grace, Idaho 83241
2. Permit Number 13-7015
3. Date of Priority that you are prepared to establish May 15, 1970.
4. a) Source from which water was appropriated Spring
 b) Location of the point of diversion: NE ¼ NE ¼, Section 18,
Township 11 South, Range 41 East of the Boise Meridian, Other points of diversion:

5. a) The amount of water and use to which the water has been applied:
 Amount .3 cfs for culinary purposes from January 1 to Dec. 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 .3 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: Sparling flow meter used to measure flow, in gallons.
Meter reading was made by Glenn V. Turner, an officer of the association.
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: System has a concrete head box which delivers water into a PVC plastic pipe,
which delivers water to the various water users in the association.
 b) Describe the agreement or understanding by which you take water from the works: Each member has
a 3/4 - inch outlet from the main system, which outlet will deliver approximately
one inch of water to each member.
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) Water from spring is collected in concrete head box, and
fed into a PVC plastic pipe, which delivers water, through said pipeline, to the
points where individual users take out their water in a 3/4-inch pipe.
 b) Describe the type and size of measuring device which you have installed at your point of diversion: A Sparling
FLOW meter, installed in a six-inch pipe, at the head box, measures the flow in
total gallons.
 c) Give well driller's name and address and the date the well was completed: N.A.
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: Water is delivered to the home of each member for culinary use.

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____
N.A.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres irrigated _____

10. Remarks: Each member of the association has conveyed to the association, from
his prior decreed rights, a sufficient amount of water to cover his proposed
uses hereunder.

The above information is a true statement of the extent to which the above numbered permit has been developed.

WHISKEY CREEK WATER USERS ASSOCIATION

July 29, 1975.
(Date)

By: Shawn V. Turner
(Signature) Secretary.

State of IDAHO)
) ss.
County of Caribou)

On this 29th day of July, 19 75, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he ~~(she)~~ ~~(they)~~ executed the same, for and on behalf of said Water Users Association.

Leonard O. Kingsford
Notary Public residing at Soda Springs, Idaho.

My commission expires August 14, 1977.

- **SENDER:** Complete items 1 and 2.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).

- ☒ Show to whom and date delivered..... 15¢
☐ Show to whom, date, & address of delivery... 35¢
☐ DELIVER ONLY TO ADDRESSEE and show to whom and date delivered..... 65¢
☐ DELIVER ONLY TO ADDRESSEE and show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:

W **CERTIFIED MAIL**

3. ARTICLE DESCRIPTION:

REGISTERED NO. | CERTIFIED NO. | INSURED NO.

26816

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE

DATE OF DELIVERY
JUN 9 1975

POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE

CLERK'S
INITIALS

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1 and 2 on reverse side.
- Moisten gummed ends and attach to back of article.

**RETURN
TO**

**DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720**

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



June 2, 1975

CERTIFIED MAIL

26816

Re: Permit No. 13-7015

Whiskey Creek Water Users Assn., Corp.
c/o Glenn V. Turner
Star Route, Box 372
Grace, Idaho 83241

Dear MR. Turner:

One of the conditions of approval of your water Permit No. 13-7015 (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 August 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

R. KEITH HIGGINSON
Director

RRH:jg

Enc: Proof affidavit

cc: Leonard Kingsford, Attorney

February 17, 1978

Re: Permit No. 13-7015

**Mr. Leonard O. Kingsford
Attorney at Law
Box 915
Soda Springs, Idaho 83276**

Dear Mr. Kingsford:

Your suggestion, in your letter of February 9, that each member of the Whiskey Creek Water Users Association transfer a portion of their decreed right to the Association appears to be the best way to insure an adequate supply of water.

In 1969, we had a similar request to assign several decreed rights to one organization and also to transfer the point of diversion and the place of use. These rights were combined in the following manner. Each member conveyed to the association, by means of a grant deed, a specific portion of their water right. The association then being the owner of those portions of the water rights filed one application for transfer of water right. The transfer included a tabulation of each members right, as requested under item 2 of the application for transfer.

I have enclosed an Application for Transfer of Water Right form as you have requested. If you have further questions concerning this matter, please contact me.

Very truly yours,

**BOBBY D. FLEENOR
Assistant Director**

BDF/kh

Enclosure

13-7015

LEONARD O. KINGSFORD

ATTORNEY AT LAW

Box 915

Soda Springs, Idaho 83276

February 9, 1971

Department of Reclamation
Statehouse
Boise, Idaho 83701

Gentlemen:

A group known as Whiskey Creek Water Users Association, in an attempt to set up a culinary water system, in the Lago, Idaho, area, applied for the right to appropriate water. The application was approved under Identification No. 13-7015, on August 10, 1970.

This group has since come to me with some of their problems, and in checking their plans, it appears to me that they have begun the wrong type of action to accomplish their intended purposes.

From my conversations with these gentlemen, it appears that each member of the association is a farmer-land owner in the Lago area, and that each is the owner of a decreed water right. These people propose to transfer one inch of water, each, to the association to provide necessary water for their culinary system. We question that there is any water available for appropriation; but if this transfer can be made, with a change in point of diversion as to the one inch per member only, such transfer to affect the water for the culinary system, only, and the new point of diversion being as shown in the application above cited, then the culinary system can be made to function, we believe.

Would you please supply to this office, for use by the members of the association, necessary forms for application for change of point of diversion? There will be about 15 members of the association. I would presume that each must make his separate application; but if a joint application can be made, this might simplify handling of the total matter. Your thoughts hereon would be appreciated.

Very truly yours,

Leonard O. Kingsford
LEONARD O. KINGSFORD

13-7015

August 10, 1970

Re: Permit No. 13-7015

Whiskey Creek Water Users Assn., Corp.
c/o Glenn V. Turner
Star Rte, Box 372
Grace, Idaho 83241

Dear Mr. Turner:

Enclosed is a copy of your approved Application for Permit No. 13-7015. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Very truly yours,

C. Stephen Allred
Deputy Director

CEA:kh

Enclosures: Copy of permit
Receipt No. 4807 for \$10
1 letter

13-7015

July 27, 1970

Re: Permit No. 13-7015

Mr. Percy A. Norcutt
Star Route, Box 384
Grace, Idaho 83241

Dear Mr. Norcutt:

At the time of your first inquiry into the matter of the Whiskey Creek Water Users Association's plan to install a pipeline, we had no knowledge of their intentions. On May 15 of this year, we received the application for the appropriation of 0.30 c.f.s. of the waters of Whiskey Creek.

This permit, if issued, will require that a measuring device be installed and this right will be subject to control of the watermaster and have a May 15, 1970 priority. It will not interfere with any of the decreed water rights which have prior rights on the stream.

A copy of the application is being enclosed and since you have two letters on file, we will grant you another 10 days in which to enter a formal protest in the event you wish to do so. If we receive a protest from you by August 5, 1970, it will be considered and a hearing will probably be held.

If we can be of further assistance, please advise.

Very truly yours,

ROBERT W. HAMILTON
Supervisor of Water Distribution

RWH:mjl

Enclosure

13-7015

Public Notice

NOTICE OF APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Notice is hereby given that Whiskey Creek Water Users Association, c/o Glenn V. Turner, Star Rte., Box 372, Grace, Idaho, have on May 15, 1970, submitted Application No. 13-7015 to appropriate the public waters of a spring tributary of Whiskey Creek.

The application proposes a maximum diversion and appropriation of 0.30 cubic feet per second of water to be diverted by concrete storage box within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 18 T. 11 S., R. 41 E., B.M., Caribou County and is to be used for the multiple domestic use of the Whiskey Creek Water Users from Jan. 1 to Dec. 31.

Any permit issued pursuant to this application will be subject to ALL PRIOR WATER RIGHTS and subject to the CONTROL OF A STATE WATERMASTER. Any protest against this application must be filed with the Idaho Department of Water Administration on or before July 27, 1970.

R. KEITH HIGGINSON
Director

Published in The Grace Citizen, Grace, Idaho on July 9th and July 16th, 1970.

Legal No. 1779—Pub. July 9, 16, 1970.

Star Rt. Box 384
Grace, Ida, 83241.
Water Dist - 5 G.

Mr. Robert W. Hamilton
Supervisor of Water Distribution,
Dear Sir:

I wrote to you on April 27,
concerning the whiskey Creek water
users plan to put a pipeline at
the head of Whiskey Creek. and
after your reply, heard nothing
more until this notice appeared
in the paper. James Olerenshaw
says they have been surveying
on the water known locally
as Middle Whiskey Creek - he and
L. K. Bitton have water rights
on that, but neither one knows
for sure if this is the water
the Application refers to. and
we can't tell from the description,
in this notice.

We would appreciate
it if you could tell us just

13-7015

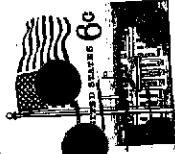
what water this is, & who
owns the prior rights.

So much suspicion and
distrust have been generated
by the belligerent actions of
this group that we feel we'd
like to know from your office.

Sincerely

Percy A. Norcutt.

Mr. & Mrs. Percy-Norcutt
Star Route, Box 384
Grace, Idaho 83241



State of Idaho
Dept of Reclamation
Statehouse - Annex 2
Boise, Idaho, 83707

13-7015

RECEIVED

JUL 8 1970

RECEIVED JUL 8 1970

**NOTICE OF APPLICATION
FOR PERMIT
TO APPROPRIATE THE
PUBLIC WATERS OF THE
STATE OF IDAHO**

Notice is hereby given that Whiskey Creek Water Users Association, c/o Glenn V. Turner, Star Rte., Box 372, Grace, Idaho, have on May 13, 1970, submitted Application No. 13-7015 to appropriate the public waters of a spring tributary of Whiskey Creek.

The application proposes a maximum diversion and appropriation of 0.30 cubic feet per second of water to be diverted by concrete storage box within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 18 T. 11 S., R. 41 E., B.M., Caribou County and is to be used for the multiple domestic use of the Whiskey Creek Water Users from Jan. 1 to Dec. 31.

Any permit issued pursuant to this application will be subject to ALL PRIOR WATER RIGHTS and subject to the CONTROL OF A STATE WATERMASTER. Any protest against this application must be filed with the Idaho Department of Water Administration on or before July 27, 1970.

R. KEITH HIGGINSON
Director

Published in The Grace Citizen, Grace, Idaho on July 9th and July 16th, 1970.

Legal No. 1779—Pub. July 9, 16, 1970.

13-7015

July 1, 1970

Re: Application for Permit No. 13-7015 - Whiskey Creek Water Users Assn.

Grace Citizen
Grace,
Idaho 83241

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 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 of Reclamation 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 the claimant)

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:kh
Enclosure

*Bill submitted
7-22-70
dw*

13-7015

NOTICE OF APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Notice is hereby given that ~~Whiskey Creek Water Users Association, c/o Glenn V.~~
~~Turner, Star Rte, Box 372, Grace, Idaho,~~ have ~~xxx~~ on May 15, 1970,
submitted Application No. 13-7015 to appropriate the public waters of
~~a spring tributary of Whiskey Creek~~

~~The proposed uses are~~
~~XXXXXXXXXXXX~~

The application proposes a maximum diversion and appropriation of 0.30
cubic feet per second ~~acres feet~~ of water to be diverted by
~~concrete storage box~~ within the ~~NE 1/4 Sec. 18~~
~~T. 11 S., R. 41 E., B. M., Caribou County~~

and is to be used ~~within the~~ ~~for the multiple domestic use of the Whiskey Creek~~
~~Water Users from Jan. 1 to Dec. 31~~

Any permit issued pursuant to this application will be subject to ALL PRIOR
WATER RIGHTS and subject to the CONTROL OF A STATE WATERMASTER. Any protest
against this application must be filed with the Idaho Department of ~~Water Administration~~
or before July 27, 1970.

R. KEITH HIGGINSON
Director
~~State Registration Engineer~~

Published in the The Grace Herald, Grace, Idaho
on July 9th and July 16th, 1970

13-7015

Dear -

Sorry! I forgot to give you
this check -

Hope this will do.

Thank you

John.

13-7015

June 25, 1970

C
O
P
Y

Whiskey Creek Water Users Assn.
c/o Glenn V. Turner
Star Route, Box 372 Grace, Idaho 83241

Gentlemen:

We have reviewed the matter of your domestic water supply through the Idaho Attorney General's office. In view of the details of your situation, we feel it would be best to proceed with your application for permit as filed on May 15, 1970.

We will continue to look at the situation, and see if we can find any other solution.

If you have any questions on the matter, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/cm

13-7015