

POINT OF DIVERSION
AND PLACE OF USE

31 32
6 5

32 33 T9S
5 4 T10S R42E

6 5
7 8

5 4
8 9

3
Bailey

ROSE DITCH

MONROE DITCH

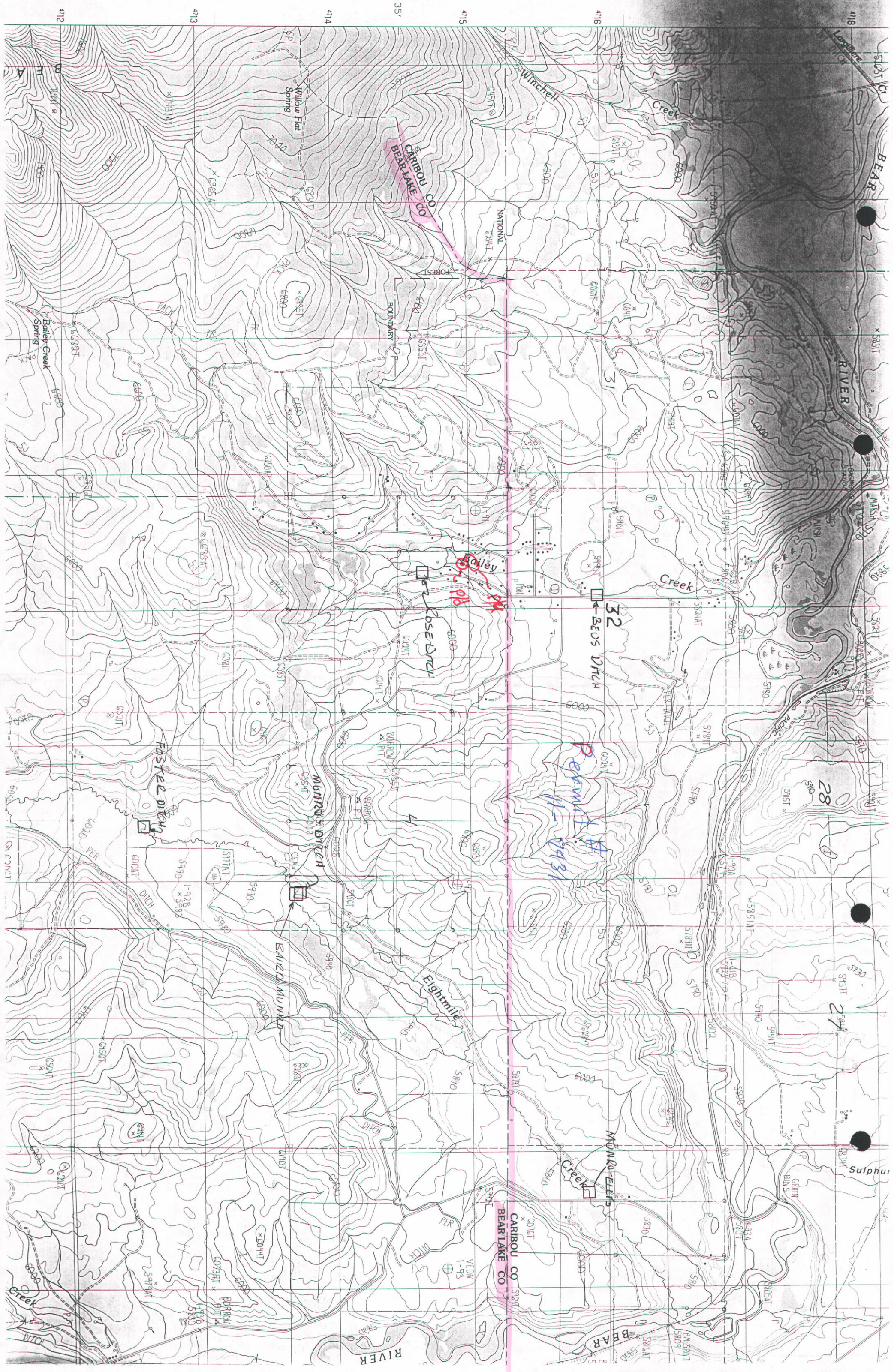
FOSTER DITCH

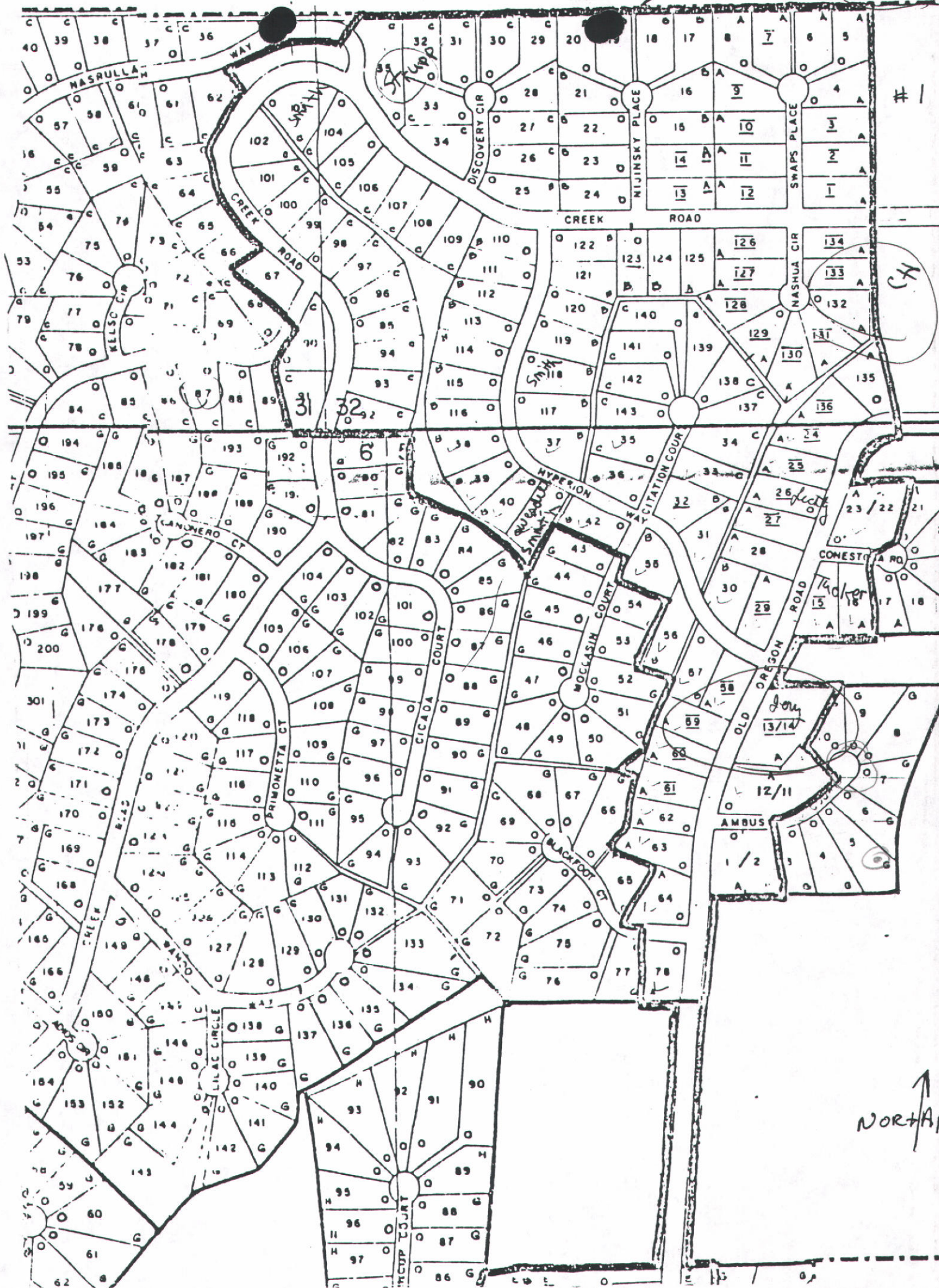
Bailey Creek Spring

NOTED

AUG 07 1996

11-07431





#1

CH

Don
13/14

NORTH



Looking South to
point of diversion.
Hole for locking
shown in Poto.

Poto shows open
channel from P/d
to the pond

Permit # 11-7431



Looking South at inlet to pond



Looking East By South at outlet
pipe

Permit #11-7431



Looking down on outlet Screen



Looking North East a outlet
pipe and open channel back Permit # 11-7431
to Bailey Creek



Looking East showing P/d, open channel and exit
from pond

Permit # 7431

32
5

④
72

⑤
65

③
68

②
32

①
24.6

205

T 470

32 33
5 4

P/D → P of Use

Permit #
11-7431



FOR OFFICE USE ONLY
 Amt. of Fee \$: 50.00
 Receipt No: 042715
 Receipt By: VS
 Date Received: 2/1/98

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 01 1998

PROOF OF BENEFICIAL USE

Department of Water Resources

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

1. Permit No. 11-07431 Telephone No. 208 547 3305
2. Name(s) of Permit Holder(s): Scattered Acres INC
3. Mailing Address: P.O. Box 378 Soda Springs ID 83276
4. Source of Water: Barley Creek If **GROUNDWATER** (well), Date Drilled: mo. _____ / yr. _____
- a. Well Driller: _____ Drilling Permit Number: _____ - _____ - _____ - _____
- b. **OPTIONAL:**
Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): _____ Stockwater (No. and type of stock): _____
Irrigation (No. of acres): _____ Other: Non commercial Fish Propagation - Private Fish Pond
6. Total rate of diversion and/or volume for which proof is submitted: .20 cfs OR 2.0 acre feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)
- | | |
|--|---|
| Measuring Device: Is a measuring device required? | Yes _____ or No ☒ |
| Has the measuring device been installed? | Yes _____ or No _____ |
| Flow Measurement Port: Is a flow measurement port required? | Yes _____ or No ☒ |
| Has the measurement port been installed? | Yes _____ or No _____ |
8. Fee Enclosed: \$ 50⁰⁰ (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
Name: Gerard L. Brown Telephone Number: 208 547 3305
Address: P.O. Box 378 Soda Springs ID 83276
10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: HL Bour pres. Date: 6/29/98
(include your title, if on behalf of company or organization) MICROFILMED

Please See Attached

AUG 20 1998

State of Idaho
Department of Water Resources
Permit To Appropriate Water
NO. 11-07431

Proposed Priority: March 22, 1996

Maximum Diversion Rate:

0.20 CFS

This is to certify, that **SCATTERED ACRES INC**

C/O GERALD BROWN

PO BOX 378

SODA SPRINGS ID 83276-0378

has applied for a permit to appropriate water from:

BAILEY CREEK

tributary of **BEAR RIVER**

and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
RECREATION STORAGE	01/01 to 12/31		2.0 AF
DIVERSION TO STORAGE	01/01 to 12/31	0.20 CFS	
	Totals	0.20 CFS	

LOCATION OF POINT(S) OF DIVERSION: Lot 3 (NENW), Sec. 5, Township 10S, Range 42E
CARIBOU County

PLACE OF USE: RECREATION STORAGE

TWN RGE SEC

10S 42E 5 Lot 3(NENW)

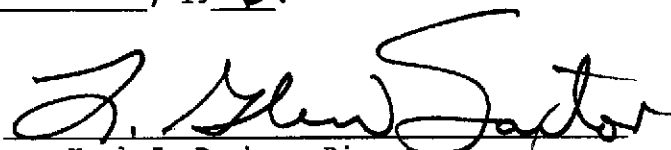
CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before July 1, 1998.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Use of water under this right is subject to control by the watermaster of State Water District No. 11A.
5. A lockable device, subject to the approval of the Department, shall be installed on the diverting works in a manner that will provide the watermaster suitable control of the diversion prior to diversion of water under this right.
6. Recreation storage use is for fishing.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

9th day of July, 1996.

AUG 07 1996


for Karl J. Dreher, Director

RECEIVED

JUN 24 1996

APR 01 1996

Department of Water Resources

Ident. No. 11-07431

Department of Water Resources
Eastern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: SCATTERED ACRES INC
Address: C/O GERALD BROWN
PO BOX 378
SODA SPRINGS ID 83276
208-547-3305
2. Source: BAILEY CREEK Trib. to: BEAR RIVER
3. Location of Point of Diversion: Lot 3 (SWNEW), Sec. 5, Township 10S, Range 42E
CARIBOU County
Bear Lake
4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
RECREATION STORAGE	01/01	12/31			2.00
DIVERSION TO STORAGE	01/01	12/31	0.200		
5. Total quantity to be appropriated is:
0.200 CFS (and/or) AF
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc.
6 INCH PIPE IN CREEK TO POND WITH RETURN FLOW HEADWORKS
 - b. Height of storage dam 6 feet; active reservoir capacity 2.00
acre-feet; total reservoir capacity 2.00 acre-feet; period of
year when water will be diverted to storage: 1/01 to 12/31 inclusive.
 - c. Proposed well diameter is inches; proposed depth of well is
feet.
 - d. Is groundwater with a temperature greater than 85F being sought? NO
 - e. If well is already drilled, when?
Drilling Firm
Well was drilled for
7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 2 year(s).
8. Place of Use: RECREATION STORAGE

TWN RGE SEC
10S 42E 5 Lot 3 (NEW)

AUG 07 1996

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

10. Remarks:

Non-consumptive off stream use for recreational fish pond. Water
will flow from creek to pond and back to stream.

11. Map of proposed point of diversion and place of use attached? ☒

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.

X M. J. Bean

Applicant

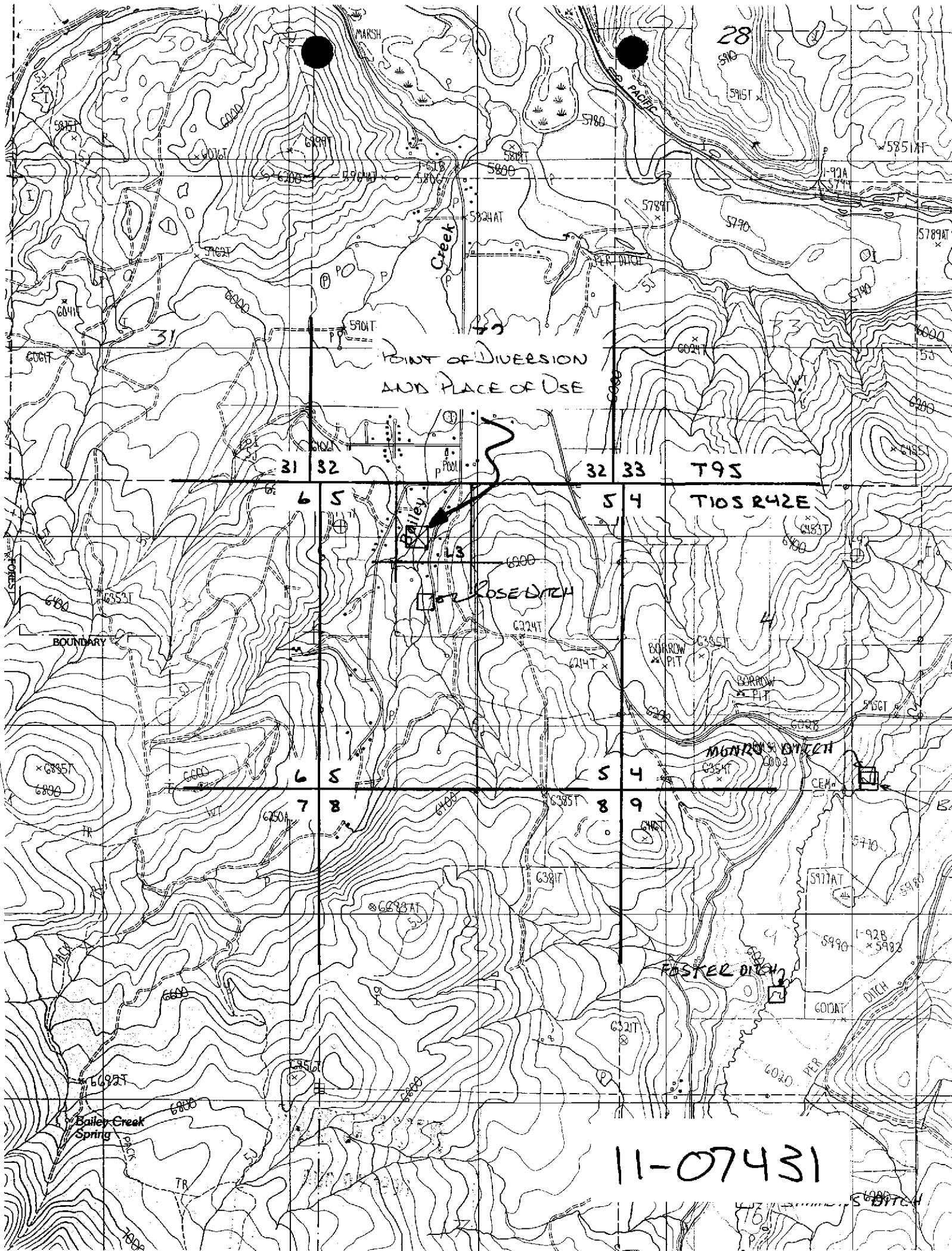
Received by PM Date 3-22-96 Time 13:40 Preliminary check by _____

Fee \$ 50%100 Receipted by PM # E021992 Date 3-22-96

Publication prepared by AB Date 5-29-96 Published in Caribou County Sun

Publication approved _____ Date _____

AUG 07 1996



Form 219

6/92
MAR 22 1994

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 11-07431

1. Owner: Scattered Acres Inc. % Gerald Brown Phone No. 847-3036
Current Address: PO Box 378 Soda Springs Idaho 83276-0378

2. Accompanied by: Gerald Brown EXAM DATE: 9-1-98

Address: 222 Old Oregon Rd Soda Spring Idaho Phone No. 547-0743

Relationship to Permit Holder: Corp. Pres.

3. Source: Bailey Creek tributary to Bear River

B. OVERLAP REVIEW

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

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

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

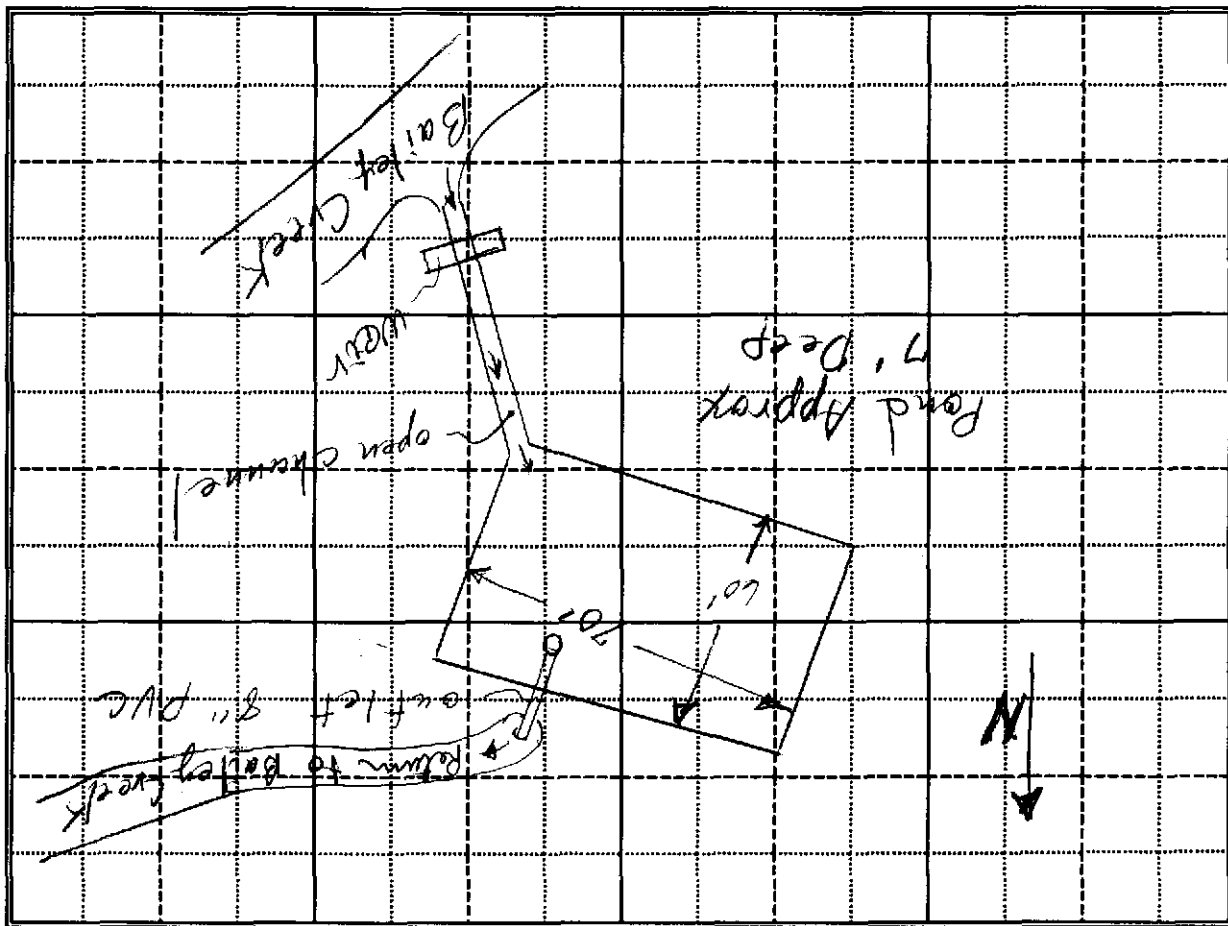
[illegible]

2. Place(s) of Use:

Indicate Method of Determination

[illegible]

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



Scale: 1" =

Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).
Aerial Photo Attached (required for irrigation of 10+ acres)
Photo of Diversion and System Attached

4.

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

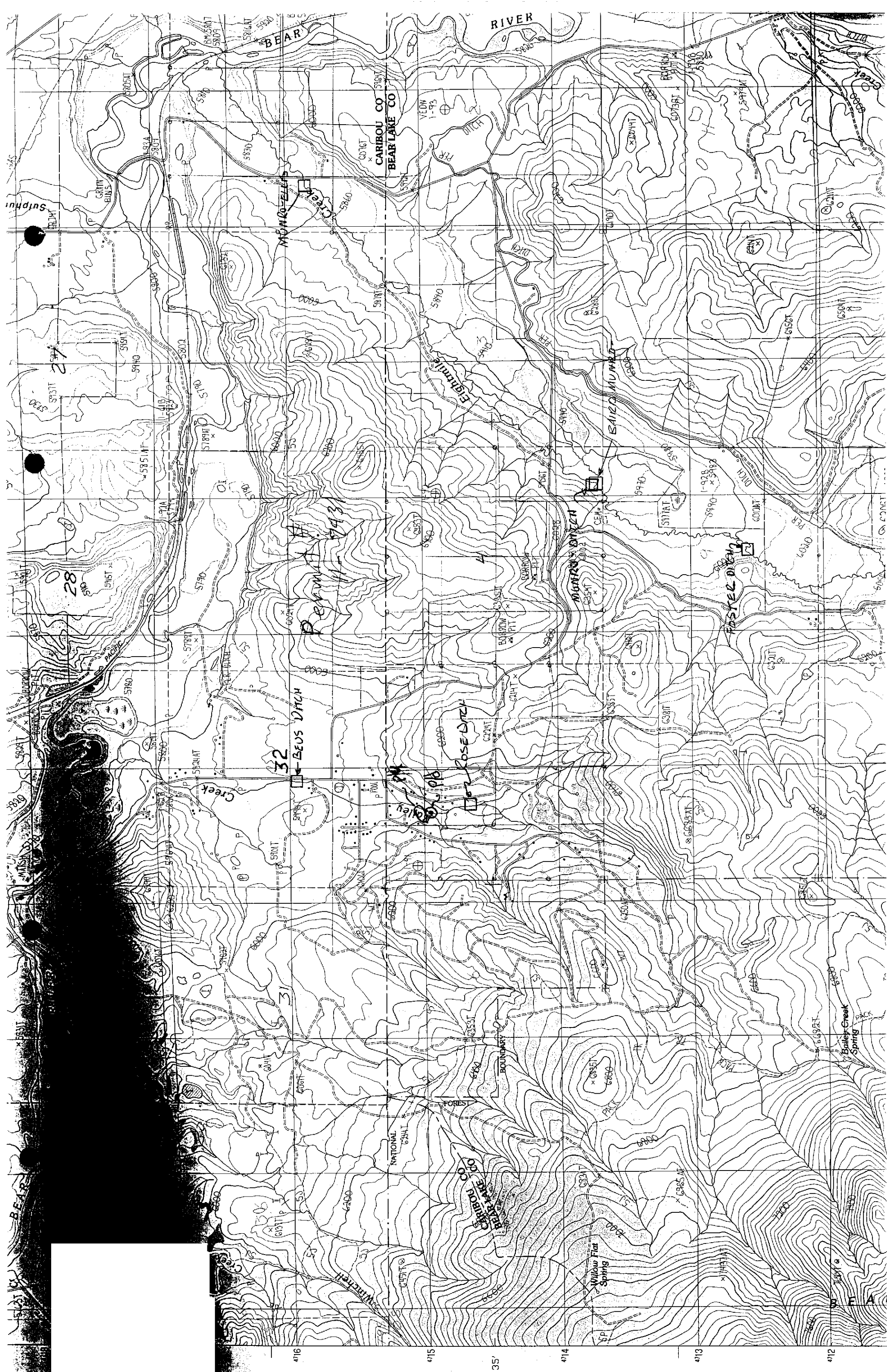
*Code to correspond with No. on map and aerial photo

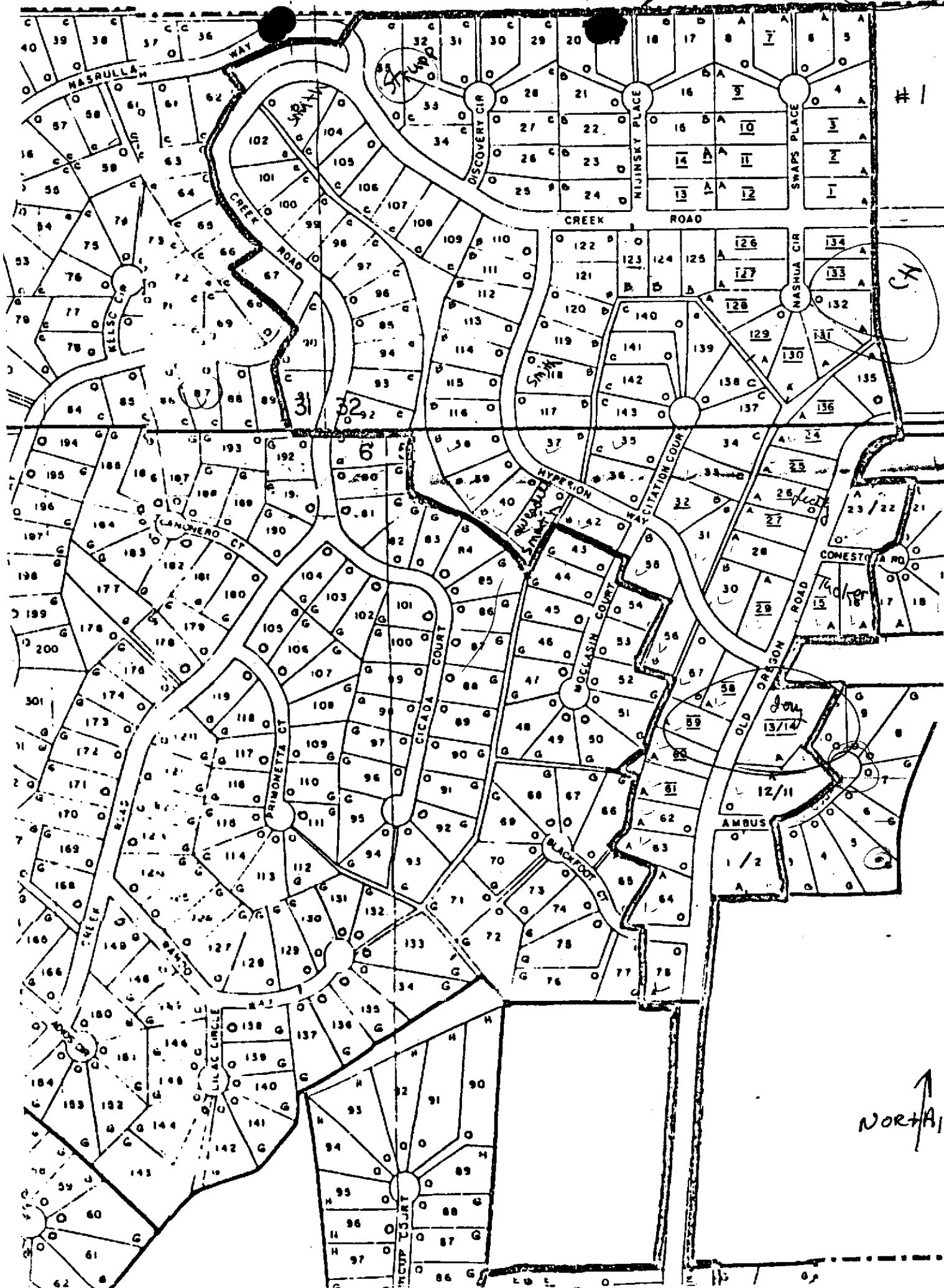
D. FLOW MEASUREMENTS

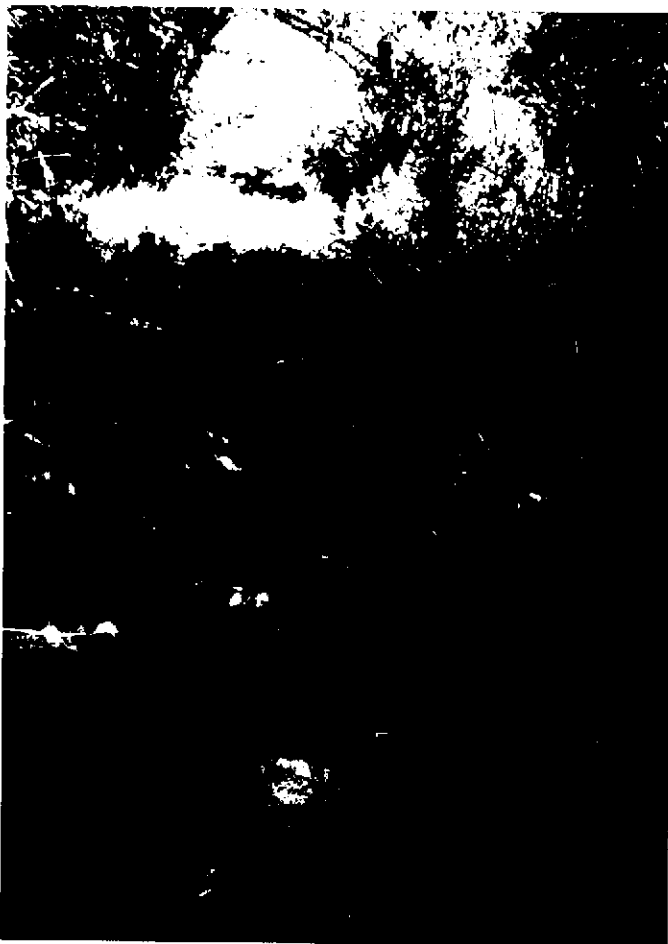
1.

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

2. Measurements: ^{cut}Weir Measurement 1.6 in → 0.21 cfs → 94 gal/min
outlet. - 4 gal Bucket filled in ± 2.5 sec → 96 gal/min







Looking South to
point of diversion.
Hole for locking
shown in Poto.

Poto shows open
channel from P/d
to the pond

Permit # 11-7431



Looking South at inlet to pond



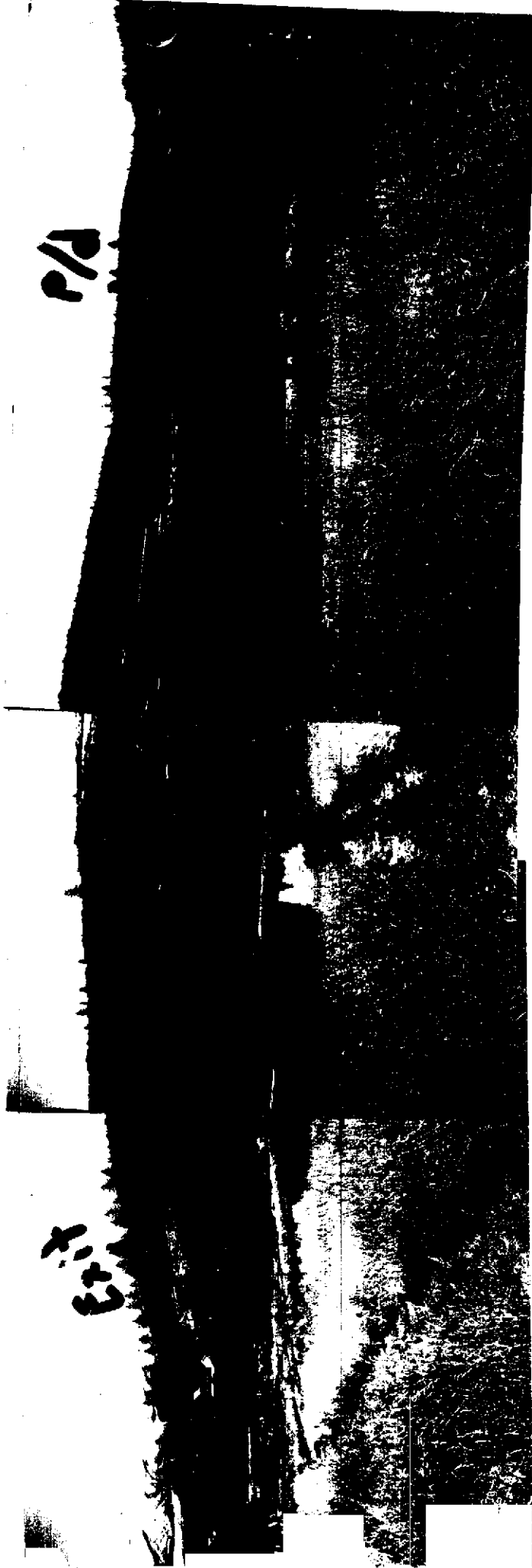
Looking East By South at outlet
pipe Permit #11-7431



Looking down on outlet Screen



Looking North East a outlet
Pipe and open channel back Permit # 11-7431
to Bailey Creek



Exit

P/d

Looking East showing P/d, open channel and exit
from pond

Permit # 7431

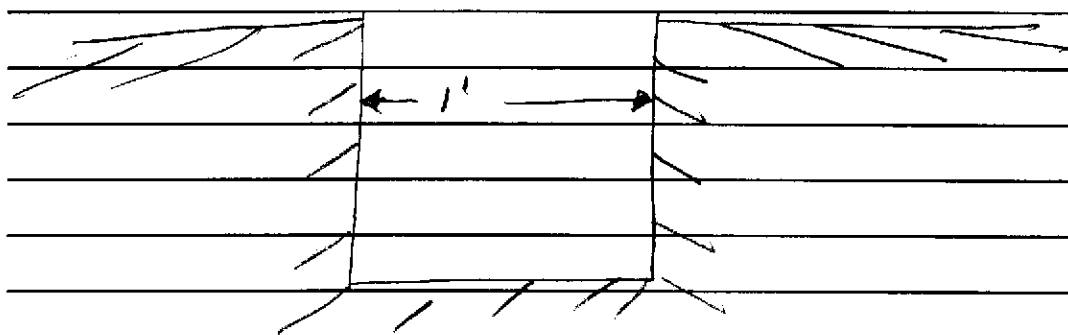




Permit # 11-07431

E. NARRATIVE/REMARKS/COMMENTS

Cross section at weir.



Water is diverted from Bailey into a open channel. It enters the pond on the South East corner and exits the pond on the North Side and returns to Bailey Creek in an open channel. The diversion at the time of the field inspection was 0.21 cfs

A locking gate is in place at the diversion so that the gate can be locked - see photos -

Note - this diversion and pond is in Bear Lake County and not Caribou.

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

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method:

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{4cm}}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{4cm}}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{4cm}}$$

2. Volume Calculations for Other Uses:

$$70' \times 60' \times 7' = (29,400 \text{ ft}^3) \times \left(\frac{1 \text{ Af}}{43,600 \text{ ft}^3} \right) = 0.67 \text{ Af}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Recreation Storage	01/01	12/31		0.67 Af
Diversion to Storage	01/01	12/31	0.20 cfs	
Totals:				

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☒ Other

I. AUTHENTICATIONField Examiner's Name Lee Simmons Date 9/1/98Reviewer Dennis M. Dunn Date 11 February 99

SEAL

WR0749NP
No. 11-07431

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 08/17/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SCATTERED ACRES INC C/O GERALD BROWN PO BOX 378 SODA SPRINGS ID 83276-0378 (208) 547-3305	03/22/1996	RECREATION STORAGE DIVERSION TO STORAGE	01/01 12/31 01/01 12/31	0.200 CFS	2.00 AFA
TOTAL DIVERSION:					0.200 CFS	

Water Source: BAILEY CREEK

Tributary to: BEAR RIVER

Stage: PERMIT

Point(s) of Diversion: T10S R42E S05 Lot 03(NENW)

BEAR LAKE County

Place of use Legal Description for: RECREATION STORAGE

NE				NW				SW				SE							
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
10S	42E	5	:															:	
				: 03-R															

Pou County: BEAR LAKE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

11-00368 11-00373 11-00375 11-07077

Conditions of Approval:

- 26A - Project construction shall commence within one year from the
 - date of permit issuance and shall proceed diligently to
 - completion unless it can be shown to the satisfaction of the
 - Director of the Department of Water Resources that delays were
 - due to circumstances over which permit holder had no control.
- 005 - Use of water under this right is subject to control by the
 - watermaster of State Water District No. 11A.
- 01H - Prior to diversion of water under this right, the right holder
 - shall install a lockable device, subject to the approval of the
 - Department, in a manner that will provide the watermaster
 - suitable control of the diversion.

Remarks: GEN Recreation storage use is for fishing.

Dates: App. Received: 03/22/1996 Priority Date: 03/22/1996
Proof Due Date: 07/01/1998 Proof Made Date: 07/01/1998
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 11A Field Exam Fee: R (Received)

Comments: Date: 07/02/1996 User-ID: CZIMMERM Subject: CORPORATE OFFICERS
The officers of Scattered Acres, Inc. are:
Gerald Brown, President;

WR0749NP
No. 11-07431

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 08/17/98
PAGE: 2

=====
Comments: Date: 07/02/1996 User-ID: CZIMMERM Subject: CORPORATE OFFICERS
Robyn Brown, Secretary/Treasurer.
Home address is 222 Old Oregon Rd, Soda Springs ID 83276.

Date: 07/02/1998 User-ID: VAULT Subject: Proof of Beneficial Use Rcvd
Proof of Beneficial Use Rcvd

Audit: 03/26/96 PMEYER 04/02/96 SCURTIS 06/25/96 CZIMMERM 07/02/96 CZIMMERM
07/02/98 COMMENTS 08/17/98 JYARBROU 08/17/98 CZIMMERM

MEMORANDUM

DATE: August 17, 1998
TO: File No. 11-07431
FROM: Cindy Zimmerman *CJ.*
SUBJECT: County Correction

The permit holder notified the department that the county was incorrect on the permit document. I confirmed that the point of diversion and place of use are located within Bear Lake County and updated the database.

MICROFILMED

AUG 20 1998

State of Idaho
Department of Water Resources
Permit To Appropriate Water
NO. 11-07431

Proposed Priority: March 22, 1996

Maximum Diversion Rate:

0.20 CFS

This is to certify, that **SCATTERED ACRES INC**

C/O GERALD BROWN

PO BOX 378

SODA SPRINGS ID 83276-0378

has applied for a permit to appropriate water from:

BAILEY CREEK

tributary of **BEAR RIVER**

and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
RECREATION STORAGE	01/01 to 12/31		2.0 AF
DIVERSION TO STORAGE	01/01 to 12/31	0.20 CFS	
	Totals	0.20 CFS	

LOCATION OF POINT(S) OF DIVERSION: Lot 3(NENW), Sec. 5, Township 10S, Range 42E
CARIBOU County

PLACE OF USE: RECREATION STORAGE

TWN RGE SEC

10S 42E 5 Lot 3(NENW)

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before July 1, 1998.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Use of water under this right is subject to control by the watermaster of State Water District No. 11A.
5. A lockable device, subject to the approval of the Department, shall be installed on the diverting works in a manner that will provide the watermaster suitable control of the diversion prior to diversion of water under this right.
6. Recreation storage use is for fishing.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

9th day of July, 1996.

MICROFILMED

AUG 20 1998

[Signature]
for Karl J. Dreher, Director

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 11-07431 Reviewed by [Signature] Date 8-14-98

GENERAL CONSIDERATIONS

yes Name same as permit?
yes Address same as permit?
yes Proof timely received?
If not, complete calculation below.

TYPES OF USE

storage, fish

Correct Uses? yes

SOURCE OF WATER

☒ Surface water source

☐ Ground water source

☐ Drilling permit required?

☐ Copy in the file? Drilling Permit No. _____

☐ Amount paid for permit _____ Correct?

☐ Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
50- Amount Submitted
yes Correct?

MEASURING DEVICE

yes Required?
no Installed?
no Waiver requested?

PRIORITY CALCULATION

Date proof received	_____	_____
Date proof due	_____	_____
No. of days late	_____	_____
Priority Date	_____	_____
New Priority Date	_____	_____

DEFICIENCIES OR ACTION ITEMS

advise of lockable device requirement
Proof acceptable

DATA ENTRY

New Address _____ Proof Made 7-1-98



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

August 14, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Scattered Acres Inc
PO Box 378
Soda Springs ID 83276

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 11-07431

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form and license examination fee submitted for the above referenced permit.

One of the conditions of your water right permit requires that you install a lockable controlling device to provide the watermaster suitable control of the water diverted from the waste water source. Your proof submittal shows that you have not installed this device. Please be aware that your failure to have this device installed and operable at the time the department conducts the field examination may jeopardize the validity of the permit.

Please be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water. If you have questions concerning the field examination or the lockable device condition, please contact the **EASTERN** Regional Office of the department in Idaho Falls at (208)525-7161.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary, Water Allocation Bureau

c: IDWR - Region

MICROFILMED

AUG 20 1998

April 30, 1998

SCATTERED ACRES INC
C/O GERALD BROWN
PO BOX 378
SODA SPRINGS ID 832760378

PROOF DUE NOTICE

RE: PERMIT NO. 11-07431

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before July 1, 1998.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

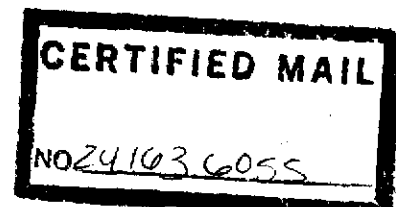
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED

AUG 20 1998





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 11, 1996

SCATTERED ACRES INC
C/O GERALD BROWN
PO BOX 378
SODA SPRINGS ID 83276-0378

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 11-07431

Dear Permit Holder:

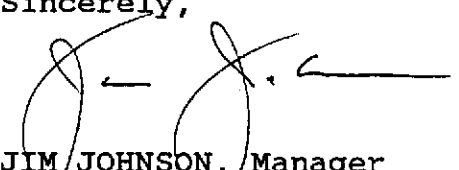
Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "Conditions of Approval and Remarks" listing on the permit.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a "Proof Due Notice" approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

Be sure to note the special condition requiring you to install a lockable device that will provide the watermaster control on your diversion.

Sincerely,


JIM JOHNSON, Manager
Water Right Permits Section

JJ:rl

Enclosures


AUG 07 1996

WR0749NP
No. P11-07431

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 07/02/96
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SCATTERED ACRES INC C/O GERALD BROWN PO BOX 378 SODA SPRINGS ID 83276-0378 (208) 547-3305	03/22/1996	RECREATION STORAGE DIVERSION TO STORAGE	01/01 12/31 01/01 12/31	0.200 CFS	2.00 AFA
TOTAL DIVERSION:					0.200 CFS	

Water Source: BAILEY CREEK

Tributary to: BEAR RIVER

Stage: PERMIT

Point(s) of Diversion: T10S R42E S05 Lot 03(NENW)

CARIBOU County

Place of use Legal Description for: RECREATION STORAGE

NE				NW				SW				SE			
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac
10S 42E 5 :															
: 03-R :															

Pol County: CARIBOU

Other Water Rights with Same Point(s) of Diversion and Source:

11-00368 11-00373 11-00375

Conditions of Approval:

- 26A - Project construction shall commence within one year from the
- date of permit issuance and shall proceed diligently to
- completion unless it can be shown to the satisfaction of the
- Director of the Department of Water Resources that delays were
- due to circumstances over which permit holder had no control.
- 005 - Use of water under this right is subject to control by the
- watermaster of State Water District No. 11A.
- 01H - A lockable device, subject to the approval of the Department,
- shall be installed on the diverting works in a manner that will
- provide the watermaster suitable control of the diversion prior
- to diversion of water under this right.

Remarks: Recreation storage use is for fishing.

Dates: App. Received: 03/22/1996 Priority Date: 03/22/1996
Proof Due Date: 07/01/1998 Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 11A Field Exam Fee:

Comments: Date: 07/02/1996 User-ID: CZIMMERM Subject: CORPORATE OFFICERS
The officers of Scattered Acres, Inc. are:
Gerald Brown, President;

WR0749NP
No. P11-07431

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 07/02/96
PAGE: 2

=====

Comments: Date: 07/02/1996 User-ID: CZIMMERM Subject: CORPORATE OFFICERS
Robyn Brown, Secretary/Treasurer.
Home address is 222 Old Oregon Rd, Soda Springs ID 83276.

Audit: 06/25/96 CZIMMERM 07/02/96 CZIMMERM

**APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman**

No.: 11-7431 Name: Scattered Acres Inc. Date: 6/25/96 Ad OK? ✓
 Correct Fee? ✓ Receipt #: E021992 Priority: 3/22/96 ✓ Gvmt Lts: ✓

AREA OF CONCERN: - No/Yes _____ Mor _____ GWMA Trust/Non-trust
PROTESTED: - 020 (Protest Agr) or W19 (See Final/Prelim Order)
SYSTEM COMPLETED:
 Yes/proof filed - NA
 1 year/no proof - P16
 +1 year - 26A-P17
GROUNDWATER: <✓ FLO-CH>
 + 0.2 cfs - 01M
 =- 0.2 cfs - No MD
 =/+ 5 a. - 01M, 065 (if GW use SW 1st)
 Drilling Permit:
 Existing well - NA (pre 7/1/87)
 Included w/permit - Permit No. _____, P99
 No WD permit? - 046-46B-P23 (post 7/1/87)
 irr. in WD - P05 (new well)
SURFACE WATER <✓ FLO-CH> (Surface water that doesn't sink is regulated):
 Water District (dem) - 005 (req) WD # 11-A <SEE MAP & LISTING>
 + 0.2 cfs - 01J (meas dev) - P08
 =- 0.2 cfs - 01H (lock dev) - P01 or No MD
 In-WD + 0.2 cfs - 01M or No MD (in-stream)
 - 0.2 cfs - No MD
 =/+ 5 a. irr. - 01M
RIVER BASINS (*Surface water):
 Snake R (01) - 11A-P04, NA
 (02/03-irr) - 007-P07 (w/remark WB9-† Weiser), NA
 Boise R (63) - 05A (if WD), 11E (not 42-111 use), NA
 Payette R (65) - 064 (regulated uses), 047-P04 (Payette Lake), NA
USE:
 Domestic (surface) - 021 (Boise R † Star Bridge); 27A (Payette R); NA
 Fish Propagation - 07A-042 (rq) - 010/06A/09E (WQ) - P10; 044 (N 1000 Spr)
 Irr <POU> =/- 5 a - 057 (0.03 cfs/A)
 + 5 a - 03A (0.02 cfs/A)
 Mining - 054 (req) & 06A/010/09E-P10
 Power - 08A-17K-025-027-01M-01F (P19) - 09E (P10);
 +25 cfs-P18; 17G (FERC) or 17M (FERE); 18B-P09
 Storage (✓ 3 compo.) - 18A (multi MD in WD), ~~43B-P09~~ (+10' dam), NA
LOCATION:
 Boise Front LoGeo - 058 (-85° GW temp only)
 In-stream dev. - P52 (stream channel alteration)
 Irr Dist/Canal Co. - 023 (Twin Falls area)
 Swan Falls Flag - B <SEE CODE CHART>
 Trust - 051-052-053-P74 (Consumptive Uses), NA
 Non-Trust <1> - 048-049 (Consumptive Uses), NA
OWNERSHIP: Non-land owner - 004 (PD/PU) _____
OTHER CONDITIONS: _____
STANDARD REMARKS: - 0 Rec str / fish pond.
BENEFICIAL USE DUE: - 7-1-1998
COMMENTS: - Requested Comp off 6/25/96

SCATTERED ACRES, INC.

VOICE (208) 547-3305

**P.O. BOX 378
SODA SPRINGS, ID 83276-0378**

FAX (208) 547-3305

June 30, 1996

Cindy Zimmerman
IDWR
1301 North Orchard Street
Statehouse Mail
Boise, ID 83720-9000

RE: Application for Permit No. 11-07431

Dear Ms. Zimmerman,

I am in receipt of your letter dated June 25, 1996. I am faxing this response to your questions in an effort to speed this application process along.

The officers of Scattered Acres, Inc. are Gerald Brown, President, and Robyn Brown, Secretary/Treasurer. Our mailing address is the same as in the above letterhead. The home street address is 222 Old Oregon Road.

Since Scattered Acres, Inc. is a corporation there are no partners. However, the above officers own 100% of the corporation's stock.

If you have any further questions please let me know.

Sincerely yours,



Gerald Brown
President

RECEIVED
AUG 07 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

June 25, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

SCATTERED ACRES INC
C/O GERALD BROWN
PO BOX 378
SODA SPRINGS ID 83276-0378

RE: Application for Permit No. 11-07431

Dear Mr. Brown:

I received the above application for permit for recreation storage use for final review. However, due to the requirement of Water Allocation Rule 035.03.b.i., I need a list of the names, titles, and addresses of all the officers and/or partners of Scattered Acres Incorporated.

I will hold further processing on your application for 14 days pending your response. Please submit this information as quickly as possible within the 14-day period to prevent any further undue delay in processing your application.

If you have any questions, you may contact me directly at (208) 327-7944.

Sincerely,

Cindy Zimmerman
Water Resource Agent

RECEIVED

AUG 07 1996

Form No. 202
4/87

to advertise
Dist. for staffing 4-1-96
Submitted for advertising 4-2-96

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATIONS FOR PERMIT ANALYSIS PERMIT

INITIAL REVIEW BY HWT DATE 4-3-96 APPLICATION NO. 11-02431

Scattered Acres, Inc.

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
☒ Address
☒ Source (See USGS Quad for names of water sources)
☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
☒ County
☒ Quantity (flow and/or volume)
☒ Period of Use
☒ Nature of proposed use (Include description of use.)
☒ Description of diverting works
☒ Time required for beneficial use of water
☒ Place of use or acres irrigated
☒ Map
☒ Signature (If applicant is corp., partnership, or municipality, title of signatory is required)
☒ Fee
☒ Yes ☐ No* In form to receipt

RECEIVED
JUN 24 1996

Department of Water Resources

ADDITIONAL INFORMATION

- Overlapping place of use (Describe source & relationship to present application on the back.)
Overlapping point of diversion
Yes ☐ No ☐ Field check required
Field check by _____
Yes ☐ No ☐ Field report attached
Yes ☐ No ☐ Critical groundwater area
Yes ☐ No ☐ Groundwater management area
Yes ☐ No ☐ Send dam safety information
Yes ☐ No ☐ Send power requirement letter
Yes ☐ No ☐ Send fish farm requirement letter
Yes ☐ No ☐ Power residency affidavit
Yes ☐ No ☐ Power efficiency form
Yes ☐ No ☐ Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
Yes ☒ No ☐ Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)

See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT _____

_____ Date Requested _____

PROCESSING

☒ Yes ☒ No In form for advertising
☐ Yes ☒ No Statewide advertising
☒ Yes ☐ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO

☒ Idaho Dept. of Health & Welfare ☐ U.S. BLM
☒ Idaho Dept. of Fish & Game *Pokx* ☐ U.S. Forest Service
☐ Idaho Dept. of Lands ☒ Water District *11-4*
☐ Adjudication Bureau Unit ☐ Other

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received
☒ Yes ☐ No Application published correctly. If not, record action taken

☒ Yes ☐ No Publication dates & paper, recorded on application
☐ Yes ☒ No Protests received
Final date for protest *5-20-1996*
☐ Yes ☐ No Protests, dates, resolution of protest, recorded on application
☐ Yes ☐ No Recommendations attached
☐ Yes ☐ No Measuring device required
☐ Yes ☐ No Access port required
☒ Yes ☐ No Will water be delivered by watermaster? If yes, what Dist. *11-4*
☐ Yes ☒ No Special conditions of approval or cover letter below.

Date of priority recommended *3-22-96*
By: *[Signature]* Date: *6-14-96*

STATE OFFICE REVIEW

By _____ Date: _____

ADDITIONAL INFORMATION

LOCAL PUBLIC INTEREST

Comments received from

<u> </u> City	<u> </u> Idaho Fish & Game	<u> </u> Irrigation Dist.
<u> </u> County	<u> </u> Idaho Health & Welfare	<u> </u> Canal Company
<u> </u> Reservations	<u> </u> Div. of Environment	<u> </u> Other

Project impacts/implications report

COMMENTS

[illegible]



IDAHO FISH & GAME

SOUTHEAST REGION
1345 Barton Road
Pocatello, Idaho 83204-1819

Phil Batt / Governor
Jerry M. Conley / Director

May 10, 1996

RECEIVED

MAY 14 1996

Department of Water Resources
Eastern District Office

Harold W. Jones
Water Right Supervisor
Idaho Department of Water Resources
900 N. Skyline Dr.
Idaho Falls, ID 83402-1718

Re: Application 11-07431 - Brown

Dear Skip,

Department personnel have reviewed the application by Gerald Brown to divert 0.2 cfs of water from Bailey Creek into an off-channel, private pond and have no objection to the permit issuance. We have contacted Mr. Brown regarding our pond permit requirements (I.C. 36-706). We have also discussed his construction plans and are satisfied that the construction will not weaken stream banks or impact riparian vegetation.

Thank you for the opportunity to review this permit application and provide comments.

Sincerely:

Dexter R. Pitman
Regional Supervisor

DRPJL\jl

cc: Jim Lukens
Larry Hlavaty
Wes Cannon
Natural Resources Policy Bureau

RECEIVED

AUG 07 1996

RECEIVED

JUN 24 1996

Department of Water Resources

Affidavit of Publication

County of Caribou }
State of Idaho } ss.

Mark Steele

being first duly sworn on his
oath, states:

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

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

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

2nd day of
May, 1996

The date of the last publication
being the 9th day of
May, 1996

On this 3rd day of June

in the year of 1996 before
me, a Notary Public, personally
appeared

Mark Steele
known or identified to me to be the
person whose name subscribed to
the within instrument, and being
by me first duly sworn, declared
that the statements therein are
true, and acknowledged to me that
he executed the same.

Wendy H. Hilde
Notary Public for Idaho
Residing at Soda Springs, Idaho
My commission expires:
March 11, 2000

PUBLIC NOTICE

First Time Published

NOTICE OF APPLICATION FOR WATER RIGHT

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

11-07431

SCATTERED ACRES, INC.
C/O GERALD BROWN
P.O. BOX 378
SODA SPRINGS, ID 83276
Source: BAILEY CREEK
Tributary: BEAR RIVER

Diversion Pt.: LOT 3
(SWNENW) Sec 5 T 10S R 42E in
CARIBOU COUNTY
Use: DIVERSION TO STOR-
AGE (0.200 CFS), RECREATION
STORAGE (2.00 AF), Total
Diversion: (0.200 CFS)

Date Filed: 3/22/1996

In: CARIBOU COUNTY, T10S
R42E S05 Lot 3 (NENW)

The permit(s) will be subject to
all prior water rights. Protests must
be filed with the applicant and the
Director, Dept. of Water Resources,
along with a \$25.00 filing fee,
Eastern Region, 900 North Skyline,
Idaho Falls, Idaho 83402 on or
before MAY 20, 1996.

(s) KARL J. DREHER,
Director

Published May 2 and 9, 1996 in
the Caribou County Sun.

RECEIVED

JUN 10 1996

Department of Water Resources
Eastern District Office

11-07431

SCATTERED ACRES INC
C/O GERALD BROWN
PO BOX 378
SODA SPRINGS, ID 83276

Source: BAILEY CREEK

Tributary: BEAR RIVER

Diversion Pt: LOT 3 (SWNENW) Sec 5 T 10S R 42E in CARIBOU County.

Use: DIVERSION TO STORAGE	(	0.200 CFS)	
RECREATION STORAGE			(2.00 AF)
Total Diversion:	(	0.200 CFS)	

Date Filed: 3/22/1996

In: CARIBOU County
T10S R42E S05 Lot 3 (NENW)

APR 2 1996

The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and the Director, Dept. of Water Resources, along with a \$25.00 filing fee, Eastern Region, 900 N Skyline, Idaho Falls, Idaho 83402 on or before MAY 20, 1996.

KARL J. DREHER, Director

Published: 5/ 1/1996 & 5/ 8/1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 1, 1996

GERALD BROWN
SCATTERED ACRES INC
PO BOX 378
SODA SPRINGS ID 83276

RE: Notice of Application for Permit 11-07431

Dear Applicant:

The Department of Water Resources acknowledges receipt of your water right application. This office is currently in the process of advertising the application in the Caribou County Sun on May 2 & 9, 1996. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in about five weeks. State Office Personnel will conduct a complete review prior to final processing of the applications and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,


Harold W. Jones
Water Right Supervisor

HWJ/rb



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 1, 1996

KEN MUNRO
WATER DIST 11-A
368 S MAIN
SODA SPRINGS ID 83267

RE: Application for Permit No. 11-07431

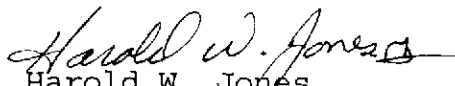
Dear Mr. Munro:

Please find enclosed a copy of the above referenced application. Please review the application and submit any comments you may have to our Department as soon as possible.

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

Thank you for your cooperation in this matter.

Respectfully submitted,


Harold W. Jones
Water Right Supervisor

HWJ/rb
enc.



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 1, 1996

JIM LUKENS
ID DEPT OF FISH & GAME
REGION 5
1345 BARTON RD
POCATELLO ID 83201

RE: Application No. 11-07431

Dear Sir:

We are enclosing a copy of the application (s) that may be of interest to your department. Please review the application (s) and submit any comments you may have to our Department as soon as possible. The last date of protest is May 20, 1996, and we are required to take final action shortly thereafter.

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

Respectfully submitted,

Harold W. Jones
Harold W. Jones
Water Right Supervisor

HWJ/rb
enc.

11-07431

AUG 07 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

APRIL 22, 1996

Legal Notices Department
CARIBOU COUNTY SUN
P.O. BOX 815
SODA SPRINGS, ID 83276

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before MAY 20, 1996.

Yours truly,

Rita Bodell
Secretary

Encl.

RECEIVED
APR 23 1996