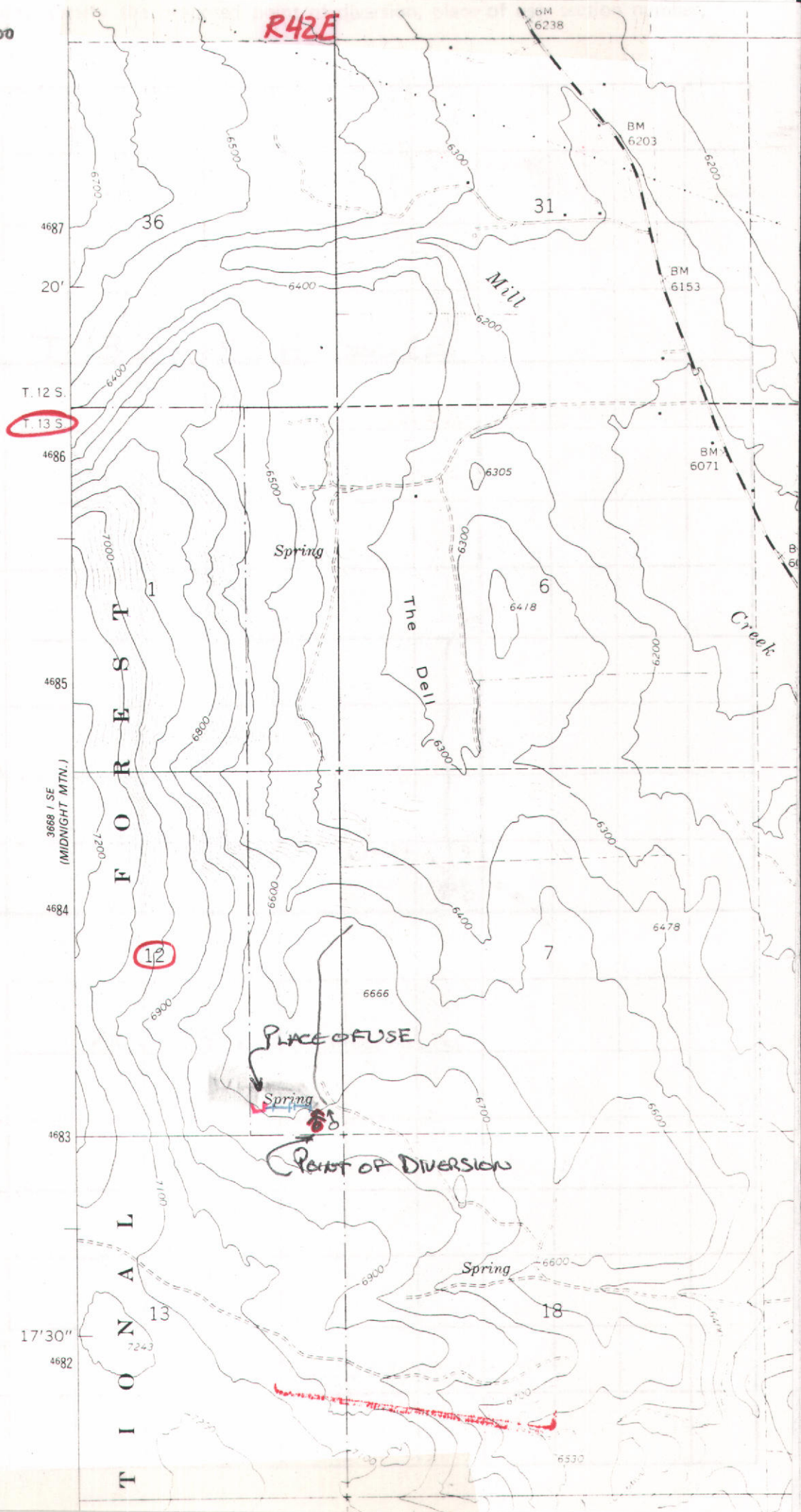


ovid 7.5 min Topo



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.

REEL FILMED

District Manager

JUN 28 1988

L. L. Ferguson
(Applicant)

(Applicant)

No 3440

DEC 31 1987 AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

County of Bear Lake

ss.

Therese Stamm

being duly sworn,

deposes and says:

That he is the Editor of THE NEWS-EXAMINER, a weekly newspaper published at Montpelier, in the County of Bear Lake and State of Idaho; and said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Montpelier; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for 1 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

December 17, 1987, and ending
with the issue of December 24, 1987.

Fees, \$23.66.

Subscribed and sworn to before me this 31st day
of Dec, 1987.

Therese Stamm
Notary Public, Residing at Montpelier, Idaho

My Commission Expires June 7, 1992

RECEIVED

JAN 7 1988

Department of Water Resources
Eastern District Office

NOTICE OF APPLICATION
FOR WATER RIGHT

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

11-7370

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT., IDAHO
STATE OFFICE, 3380 AMERICANA
TERRACE, BOISE, ID 83706
Source: UNNAMED SPRING trib. to
MILL CREEK

Diversion Pt: SESESE Sec 12 T 13S R
42E

Use: STOCKWATER (0.050 SFS)
WILDLIFE (0.010 CFS)

Date Filed: 11-06-1987

In: SESE Sec 12 T 13S R 42E

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Eastern Region, 150 Shoup, Suite 15, Idaho Falls, Idaho 83402 on or before JANUARY 4, 1988.

R. KEITH HIGGINSON, Dir.

Legal No. 3440 -26L- Publish Dec.
17, 24, 1987.

JUN 28 1988

Form 202
NOV 06 1987
Department of Water Resources

Ident. No. 11 7370

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED

1987 NOV -3 AM 7:45

BLM-IDS0

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant USDI, Bureau of Land Management Phone 529-1020

Post office address 940 Lincoln Road, Idaho Falls, ID 83401

2. Source of water supply Unnamed Spring which is a tributary of Mill Creek

3. Location of point of diversion is SE CORNER $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 12 Township 13S

Range 42E B.M. Bear Lake County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.05 cfs for livestock purposes from 6/1 to 10/20 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.01 cfs for wildlife purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

5. Total quantity to be appropriated: *Change as per tele-con with Tim Bozarth on 12-2-87
and copy sent to same. HWJ

a. ~~0.06~~ 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. perforated pipe, headbox, pipeline to
trough

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

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

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

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

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 12 Township 13S
Range 42E B.M.

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

(3) List number of each kind of livestock to be watered 150 range cows with calves

(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: Deer and other wildlife as found
in the area

MICROFILMED

JUN 28 1988

in the summer of 1988. The northwest spring will be developed and piped across the FS boundary to supply cattle run by Paris-Liberty. JDR #3011. Location of spring in Max Young allotment #4293. Project to be known as

applicant to make this filing.

a. Who owns the property at the point of diversion	US Government
b. Who owns the land to be irrigated or place of use	US Government

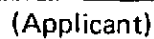
c. Describe any other water rights used for the same purposes as described above.

Total number of acres to be irrigated

[illegible]

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

R42E



No 3440

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

County of Bear Lake

ss.

Theresa Stamm

deposes and says: being duly sworn,

That he is the Editor of THE NEWS-EXAMINER, a weekly newspaper published at Montpelier, in the County of Bear Lake and State of Idaho; and said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Montpelier; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for 2 consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

December 17....., 1987, and ending with the issue of December 24....., 1987.

Fees, \$23.60.

Subscribed and sworn to before me this 31st day of Dec....., 1987.

Theresa Stamm
Notary Public, Residing at Montpelier, Idaho

My Commission Expires June 7....., 1992.

RECEIVED

JAN 7 1988

Department of Water Resources
Eastern District Office

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

11-7370

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT., IDAHO
STATE OFFICE, 3380 AMERICANA
TERRACE, BOISE, ID 83706
Source: UNNAMED SPRING trib. to
MILL CREEK

Diversion Pt: SESESE Sec 12 T 13S R
42E

Use: STOCKWATER (0.060 SFS)
WILDLIFE (0.010 SFS)

Date Filed: 11-06-1987

Int. SESESE Sec 12 T 13S R 42E

The applicant(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Eastern Region, 150 Shoup, Suite 20, Idaho Falls, Idaho 83403 on or before JANUARY 4, 1988.

Letting: 3440 - 3441 - Public Sec. 17, 20.

JUN 28 1988

December 11, 1992

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 837060000

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 11-07370

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. 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 this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

RECEIVED

DEC 15 1992

12/04/92
Form 217
08/89

08:16

208 524 7505

BLM IDAHO FALLS → ID WATER RESOURCES

002

For Office Use Only

Am. of Fee \$ 50.00

Date 11/14/92

Receipt No. E018061

Received by Kern Wilson

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES RECEIVED

PROOF OF BENEFICIAL USE

DEC 4 1992

Department of Water Resources

The Idaho Department of Water Resources will consider this form as 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 11-07370

Telephone No. 524-7500

Name(s) of Permit Holder(s): Bureau of Land Management

Post Office Address: 940 Lincoln Road Idaho Falls, ID 83401

Source of Water: Unnamed Spring (The Dell Waters)

If ground water, well driller's name: _____

Date drilled: _____

Extent of Use:

Domestic _____ (No. of households)

Irrigation _____ (No. of acres)

Stockwater 150 (No. and type of stock)
Range cows w/calves

Other _____

Total rate and/or volume for which proof is submitted 0.05 cfs _____ acre/feet
0.06
12/4/92 KLG

Show date water was first diverted and beneficially used under this permit: 10/01/92

One of the following may be a condition of approval of your permit:

Measuring device: Required? Yes ✓No Installed? Yes ✓No

OR

Flow Measurement Port: Required? Yes ✓No Installed? Yes ✓No

Fee Enclosed: \$ 50.00 (See License Examination Fee Schedule)

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

Karen Aslett
Name

524-7500

Telephone No.

940 Lincoln Road Idaho Falls, ID 83401
Address

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

10-28-92
Date

[Signature]
Signature (and title if on behalf of a company or organization)

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 11-07370

Reviewed by Klg

Date 12/4/92

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?

Stock - 150

yes Address same as permit?

yes Proof timely received?

Correct Uses? yes

If not, complete calculation below.

SOURCE OF WATER

✓ Surface water source

 Ground water source

NA 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

NA Required?

 Installed?

 Waiver requested?

PRIORITY CALCULATION

Date proof received NA

Date proof due -

No. of days late =

Priority Date +

New Priority Date

DEFICIENCIES OR ACTION ITEMS

proof acceptable

DATA ENTRY

New Address

Proof Made 11/4/92

12/4/92 Klg

MEMORANDUM

TO: File

FROM: Karen L. Gustafson

DATE: December 4, 1992

RE: Proof of Beneficial Use for Permit No. 11-07370

Karen Aslett, from the regional BLM office called. She indicated that she had filed proof of beneficial use on this permit on 11/04/92 at our regional office. She had a receipt numbered E018061 and signed by Keith Wilson. A call to Keith indicated that the proof had been forwarded to this office on 11/09/92. As of this date, I have not received it, nor is there any indication that we received it at the state office. I called Karen back this morning and asked that she fax me a copy, which she will do. I will date stamp it received 11/04/92, and fill in the receipt information.

Karen L. Gustafson
Karen L. Gustafson

RECEIVED

DEC 15 1992

November 30, 1992

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 837060000

PROOF DUE NOTICE

RE: PERMIT NO. 11-07370

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 February 1, 1993. (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.

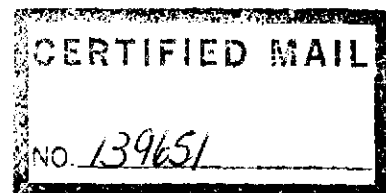
SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures



DEC 15 1992



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
FEBRUARY 04, 1988

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT.
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE, ID 83706

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 11-7370

DEAR PERMIT HOLDER:

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

PLEASE NOTE THE REQUIREMENT THAT AS A PERMIT HOLDER YOU MUST COMMENCE THE EXCAVATION OR CONSTRUCTION OF DIVERTING WORKS WITHIN ONE YEAR OF THE DATE THE PERMIT WAS ISSUED, AND YOU MUST PROCEED DILIGENTLY UNTIL THE PROJECT IS COMPLETED. THE ENCLOSED BLUE CARD MUST BE COMPLETED AND RETURNED TO THIS OFFICE AS SOON AS YOU COMMENCE CONSTRUCTION, NO LATER THAN ONE YEAR FROM THE DATE THE PERMIT WAS APPROVED.

WE HAVE ENCLOSED A FORM ENTITLED "INSTRUCTIONS FOR PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

SINCERELY,

GARY SPACKMAN
SUPERVISOR, WATER ALLOCATION SECTION

GS: SC
ENCLOSURES

MICROFILMED

JUN 28 1988

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: ESV APPLICATION NUMBER: 11 7370
BLM - Sprins

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☐ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.

☒ Fee.

☐ Yes ☒ No

Field check required.

☐ Yes ☒ No

Critical groundwater area.

☐ Yes ☒ No

Request dam safety information. Sent by: _____ Date: _____

☒ Yes ☐ No*

In form to receipt.

Field check by: _____

Date: _____

Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT:

Send copy of corrected applic. to applicants - Done

SEND COPIES TO:

- ☐ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☒ Other DIST 11

Copies sent by: _____ Date: _____

PROCESSING:

☐ Yes ☒ No

Platted by: _____ Map No. _____

☐ Yes ☒ No

Other rights on same place of use. _____

☒ Yes ☐ No*

In form for advertising.

Final date for protests: 1-4-88

☐ Yes ☒ No

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

FINAL REGIONAL PROCESSING REVIEW:

☒ Affidavit of publication received. Date: 1-07-88

☒ Application published correctly. If not, record action taken: _____

☒ Fee amount, receipt date & number, recorded on application.

☒ Publication dates and paper, recorded on application.

☒ Protests, dates, withdrawal, etc., recorded on application.

☒ Recommendation & initial, recorded on application.

☐ Yes ☒ No

Measuring device required.

☐ Yes ☒ No

Access port required.

☒ Yes ☐ No

Will water be delivered by watermaster? If yes, what district? W.D. 11 ✓

6 Nov 1987 Date of priority recommended.

Special conditions of approval or cover letter. _____

By: Ernest Carlson Date: 8 Jan 1988

STATE OFFICE REVIEW:

217 26 05 (11, Bear River)

☐ See attached sheet for more information.

By: KW Date: 1/26/88

Department of Water Resources

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
IDAHO STREAM CODE INDEX						

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IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
IDAHO STREAM CODE INDEX						



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

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

December 10, 1987

Pete Peterson, Watermaster
Water District #11
2483 Riverdale Road
Preston, Idaho 83263

RE: Application for Permit No. 11-7370

Dear Sir:

This office is currently in the process of publishing notices that the above application was filed with the Department of Water Resources. Since the application maybe of interest to you, a copy is enclosed for your examination. Comments concerning the application should be addressed to the applicant with a copy forwarded to this office. Protests objecting to granting the permit should be directed to this Department and received no later than January 4, 1988. Final action will be taken by this office shortly after this date, provided there are no protests lodged against the application.

Respectfully submitted,

Ernest Carlsen
Water Rights Supervisor

EC/dg
Enclosure

MAILED

JUN 28 1988



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

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

December 10, 1987

USDI Bureau of Land Mgmt.
940 Lincoln Road
Idaho Falls, Idaho 83401

RE: Application for Permit No. 11-7370 & 29-7838

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right applications for permit. The applications have been assigned identification no. 11-7370 & 29-7838. Please refer to these number in all further correspondence.

This office is currently in the process of advertising the applications in the News-Examiner & Caribou County Sun respectfully. The advertisements will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If an 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 application 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,

Ernest Carlsen
Water Rights Supervisor

EC/dg

RECEIVED

JUN 28 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

DECEMBER 9, 1987

The News-Examiner
~~P. O. Box 278~~ 847 Washington
Montpelier, Idaho 83254

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

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

Please send the affidavit of publication and publication billing to this office before JANUARY 4, 1988.

Yours truly,

Deena Green
Office Secretary

Encl.

RECEIVED

JUN 28 1988

NOTICE OF APPLICATION FOR WATER RIGHT

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

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Eastern Region, 150 Shoup, Suite 15, Idaho Falls, Idaho 83402 on or before JANUARY 4, 1988.

R. KEITH HIGGINSON, Dir.

Published 12/17 & 12/24/88.

MANUSCRIPT

JUN 28 1988

11-7370

U.S. DEPT. OF INTERIOR

BUREAU OF LAND MGMT., IDAHO STATE OFFICE, 3380 AMERICANA TERRACE,
BOISE, ID 83706

Source: UNNAMED SPRING trib. to MILL CREEK

Diversion Pt: SESESE Sec 12 T 13S R 42E

Use: STOCKWATER (0.050 CFS)
WILDLIFE (0.010 CFS)

Date Filed: 11/06/1987

In: SESE Sec 12 T 13S R 42E

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FOR WATER RIGHT**

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been filed to appropriate the public
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11-7370
U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT., IDAHO
STATE OFFICE, 3380 AMERICANA
TERRACE, BOISE, ID 83706
Source: UNNAMED SPRING trib. to
MILL CREEK
Diversion Pt: SESESE Sec 12 T 13S R
42E
Use: STOCKWATER (0.050 SFS)
WILDLIFE (0.010 CFS)
Date Filed: 11-06-1987
In: SESE Sec 12 T 13S R 42E
The permit(s) will be subject to all
prior water rights. Protests must be
filed with the Director, Dept. of Water
Resources, Eastern Region, 150 Shoup,
Suite 15, Idaho Falls, Idaho 83402 on or
before JANUARY 4, 1988.
Legal No. R. KEITH HIGGINSON, Dir.
3440 — 28L — Publish Dec.
17, 24, 1987.

RECEIVED

JUN 28 1988



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE, IDAHO 83706



IN REPLY REFER TO:

7250 (931)

NOV 04 1987

RECEIVED
NOV 06 1987

Water Allocation Division
Department of Water Resources
Statehouse
Boise, ID 83720

Department of Water Resources

Gentlemen:

Enclosed for processing are two (2) "Application for Permit" forms. Billing is to be made through order number ID-910-BP8-0010.

Please return the approved applications to the following address:

Ervin R. Cowley
Bureau of Land Management
Idaho State Office
3380 Americana Terrace
Boise, Idaho 83706

Thank you for your cooperation.

Sincerely yours,

Ervin R. Cowley
Ervin R. Cowley
Soil Scientist

Enclosures

2 app to Eastern

RECEIVED

JUN 28 1988