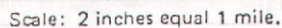


R. 41 E.	R. 42 E.
----------	----------



— Ted V. Russell

REKUPILMED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 11-07351

Priority: June 15, 1985

Maximum Diversion Rate:

0.02 CFS

Maximum Diversion Volume:

1.0 AF

This is to certify, that US DEPT OF AGRICULTURE
FOREST SERVICE
FEDERAL BLDG SUITE 282
250 S 4TH AVE
POCATELLO ID 83201

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated April 23, 1985; and
has submitted Proof of Beneficial Use on August 3, 1990. An examination indicates
that the works have a diversion capacity of .020 cfs of water from:

SPRING

tributary to BAILEY CREEK

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	06/01 to 09/30	0.02 CFS	1.0 AF

LOCATION OF POINT(S) OF DIVERSION:

NWNE , Sec. 7, Township 10S, Range 42E
BEAR LAKE County

PLACE OF USE: STOCKWATER
TWN RGE SEC

10S 42E 7 NWNE

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right, when considered with all other rights common to the same grazing allotment, shall be limited to the quantity of water beneficially used by the number of stock within the allotment.
6. Use of water under this water right will be regulated by the watermaster of State Water District No. 11A.

RECORDED

JUN 29 1993

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 11-07351

CONDITIONS/REMARKS:

7. Place of use is located within the Bailey Creek C & H Allotment.
Water used under this right also includes water for wildlife.
8. Stockwater use is for 200 range cattle.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 8TH
day of JUNE, 1993.

Acting for

R. Keith Higginson, Director

JUN 29 1993

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 11-7351 IN THE)
NAME OF U.S. FOREST SERVICE) ORDER OF REINSTATEMENT
_____)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before June 1, 1990; and,

WHEREAS, the Department notified the permit holder by certified mail that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

WHEREAS, the Department notified the permit holder that the permit lapsed for failure of the permit holder to submit the proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on August 3, 1990;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 11-7351 be REINSTATED and the priority advanced to June 15, 1985.

Dated this 27th day of August, 1990.


L. GLEN SAXTON, Chief
Water Allocation Bureau

MICROFILMED

SEP 25 1990

RECEIVED

AUG 3 1990

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

For Office Use Only
Fee Received _____
Date _____
Receipt # _____
Receipt by _____
Reviewed by _____
Sent to region _____

PROOF OF BENEFICIAL USE

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has 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. 11-07351

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

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

Telephone No. (801) 625-5360

Source of Water: Spring

Extent of Use:

Domestic _____ (number of households) Stockwater 200 cattle (number and type of stock)

Irrigation _____ (acres) Other/Remark _____

Total rate and/or volume for which proof is submitted 0.02 cfs _____ acre-feet

Show the date water was first diverted and beneficially used under this permit: 1985

Measuring Device: Required? ☐ Yes ☒ No
Installed? ☐ Yes ☒ No
Fee enclosed \$ N/A
(See License Examination Fee Schedule)

Flow Measurement Port: Required? ☐ Yes ☒ No
Installed? ☐ Yes ☒ No

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

Mark L. Johnson (209) 847-0375
(Name) (Telephone Number)

431 clay street, Montpelier, Id 83254
(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.

SEP 20 1990

7/30/90
Date

United States of America - Forest Service

[Signature]
Signature of Permit Holder (and title, if appropriate)

(for) J.S. TIXIER, Regional Forester

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

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

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

2. Source of water supply unnamed spring which is a tributary of Bailey Creek

3. Location of point of diversion is NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 7 Township 10 S.

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

None (012-178)

4. Water will be used for the following purposes:

Amount .02 cfs for Stockwater purposes from January 1 to December 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)

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

5. Total quantity to be appropriated:

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

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. steel head box 2' diameter
set 3 1/2 ft. in ground with 1 1/4" PVC pipe leading 100' to
10' metal water trough

b. Height of storage dam N.A. 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 N.A. inches; proposed depth of well is _____ feet.

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

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 7 Township 10 S.
Range 42 E B.M.

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

(3) List number of each kind of livestock to be watered 200 cattle

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

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

MICROFILMED

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

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

Total number of acres to be irrigated _____

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

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

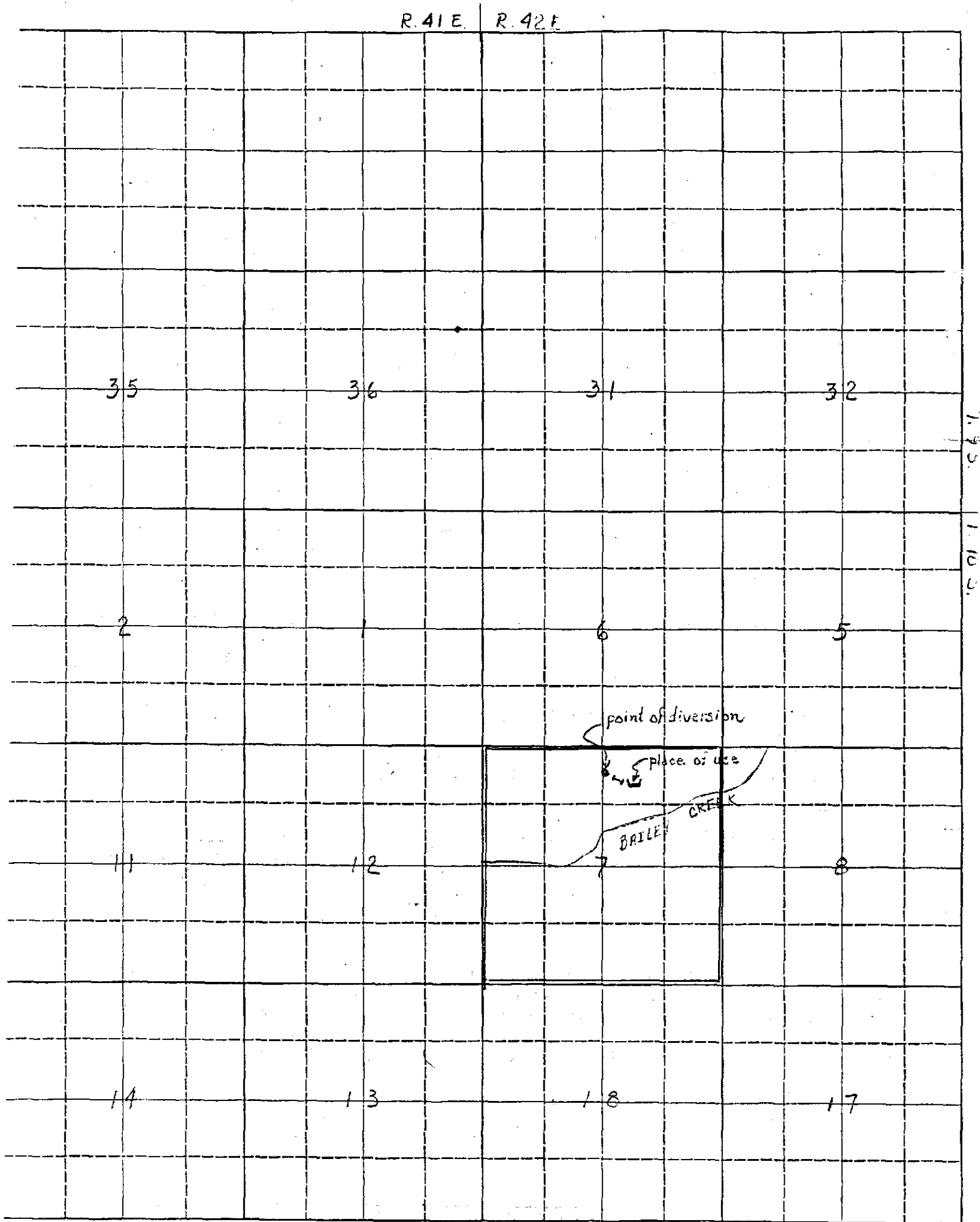
b. Who owns the land to be irrigated or place of use Same

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

10. Remarks This water development is to be located on the Baiky Creek CSH Allotment. It will water an estimated 200 cattle in addition to big game, upland game, and non-game species.

11/1/2011

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



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth. United States of America - Forest Service

W. A. Russell
(for) J. S. TIXIER (Applicant) Regional Forester

RECORDED

Proposed Priority 4/23/85

Received by OW

4/23/85 Time 2:00 p.

Preliminary chg. HWS

Fee \$ 30.00

Receipted by OW

6-10-85 # 33317

Publication prep: CT

Date 5-8-85

Published in News Examiner

Publication date 5-16 & 5-23-85

Publication app: CT

Date 6-7-85

Protests filed by: none

Copies of prote:

Hearing held by

Date

Recommended: APPROVAL

denial

by

EMC. KW

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 11-7351, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations & 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 June 1, 1990.

c. The rate of diversion, if water it to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. Other: Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

Use of water under this permit is subject to control by the watermaster of State Water District No. 11A, Eight Mile & Bailey Creeks.

Witness my hand this 19th day of June, 1985.

L. Glen Saylor
Chief, Operations Bureau



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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

June 9, 1993

US DEPT OF AGRICULTURE
FOREST SERVICE
FEDERAL BLDG SUITE 282
250 S 4TH AVE
POCATELLO ID 83201

RE: WATER RIGHT NO. 11-07351

Dear Water Right Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

Brenda Chapman

for JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

MISSOURI

JUN 29 1993

WR0749NP
No. L11-07351

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

DATE: 06/04/93
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	US DEPT OF AGRICULTURE FOREST SERVICE FEDERAL BLDG SUITE 282 250 S 4TH AVE POCATELLO ID 83201 (208) 847-0375	06/15/1985	STOCKWATER	06-01 09-30	0.02 CFS	1.0 AFA
TOTAL DIVERSION:					0.02 CFS	1.0 AFA

Water Source: SPRING

Tributary to: BAILEY CREEK

Stage: LICENSE

Point(s) of Diversion Capacity: 0.02 CFS

Point(s) of Diversion: T10S R42E S07 NW NE

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
10S	42E	7	:																	:
			:																	:

Pou County: BEAR LAKE

Conditions of Approval:

- R37 - This right, when considered with all other rights common to the
- same grazing allotment, shall be limited to the quantity of water
- beneficially used by the number of stock within the allotment.
R04 - Use of water under this water right will be regulated by the
- watermaster of State Water District No. 11A.

Remarks: Place of use is located within the Bailey Creek C & H Allotment.
Water used under this right also includes water for wildlife.
Stockwater use is for 200 range cattle.

Dates:	App. Received:	04/23/1985	Priority Date:	06/15/1985	(Priority Date Advanced.)
	Proof Due Date:	06/01/1990	Proof Made Date:	08/03/1990	(Proof Received Late.)
	Exam Made Date:	12/31/1992	Exam Sent to S.O.:	05/25/1993	
	Licensed Date:				

Misc: Water District Number: 11A Field Exam Fee: N (Not Required)

Audit: 06/04/93 CHAPMAN

LICENSE REVIEW CHECKLIST

Permit # 11-7351 Date 6-4-93 Brenda Chapman

	<u>Yes</u>	<u>No</u>	
NAME	☒	☐	Address Change?
PRIORITY DATE	☐	☒	Advance? <u>Already Done to 6-15-1985</u>
	☐	☒	Memo to Advance
	☐	☒	Order to Reinstate Needed?
TOTAL CFS	☒	☐	Incorrect Fee for rate recommended?
	☒	☐	Measurement Done
	☒	☐	Pumping Theoretical $(8.8) \times () \times (.7)$
	☐	☒	$(+ [2.31 \times])$
	☒	☐	System Capacity <u>.02</u>
	☐	☒	Allowable Amount: <u>Permitted .02 cfs</u>
TOTAL VOLUME			Rate/ac _____ AFA Irr. Season _____
			Standard Irr. Season _____
			<u>6-1 to 9-30</u> Season Recommended
	☒	☐	Disagree with Examiner's Calculations?
	☒	☐	$200 \times 12 \times 131 \div 325850 = 1.0 \text{ AF}$
	☒	☐	Flow limit: <u>.02</u> $\times 131 \times 1.9835 = 5.2 > 1.0 \text{ AF}$
SOURCE	☒	☐	Changes? Clarification of <u>Originally</u>
	☒	☐	<u>Intended</u> source
	☒	☐	Notice of Intent to Void.
P/D	☒	☐	Amendment Needed?
	☒	☐	Overlap Analysis a Consideration?
P/U	☒	☐	Amendment Needed?
	☒	☐	Overlap Analysis for 5+ Acres Needed?
USES	☒	☐	Change(s) in Nature of Use? _____
	☒	☐	Amendment Needed? _____
REMARKS	☒	☐	Multiple P/Ds in 1/4 1/4? _____
	☒	☐	Non-Irr. Uses <u>Stockwater</u>
	☒	☐	Special Overlap Condition _____
	☒	☐	Other <u>WQS "WILDLIFE REMARK"</u>
CONDITIONS	☒	☐	Measuring Devices
	☒	☐	W/Master Control
	☒	☐	Standard/Irr/Overlap
	☒	☐	Water Quality
			Dates/Misc
			<u>11A</u> Water Dist
			<u>4-23-85</u> App Rec'd
			<u>12-31-92</u> Exam Made
COMMENTS:	<u>Referenced 2-26-81 "USFS Field Exam" Memorandum</u>		
	<u>200 Cattle / Bailey Creek C+H Allotment</u>		
LICENSE	☒	☐	AMEND
	☐	☐	SPECIAL PARAGRAPH

(L)

FROM: KEITH C. WILSON - EASTERN

24 May 93
DATE

TO: JIM JOHNSON - WATER ALLOCATIONS - BOISE

RE: FIELD EXAMS TO BE REVIEWED AND WRITTEN UP

EXAM DATE: 12-31-92 PERMIT NO. 11-7351

ACCOMPANIED/ASSISTED BY: Brad Transtrum

RECOMMENDED AMENDMENTS:

☒ NONE

☐ CANCELLATION/RELINQUISHMENT

☐ Change P.D. as reflected

☐ Add P.D. as reflected

☐ Change P.U. as reflected

☐ Add P.U. as reflected

☐ OTHER

COMMENTS/REMARKS:

☐ SEE ATTACHMENTS/MAPS


KEITH C. WILSON
SENIOR RESOURCE AGENT

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 11-7351

1. Owner: United States of America-Forest Service Phone No. (801) 625-5360

Current Address: Federal Building, Suite 282, 250 South 4th Avenue
Pocatello, ID. 83201

2. Accompanied by: Brad Transtrum EXAM DATE: 12-31-92

Address: 431 clay street, Montpelier Phone No. 847-0375

Relationship to Permit Holder: Range tech.

3. Source: Spring tributary to Bailey Creek

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:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			NW	NE	7	10S	42E	Bear Lake	U.S.G.S. Quad Map

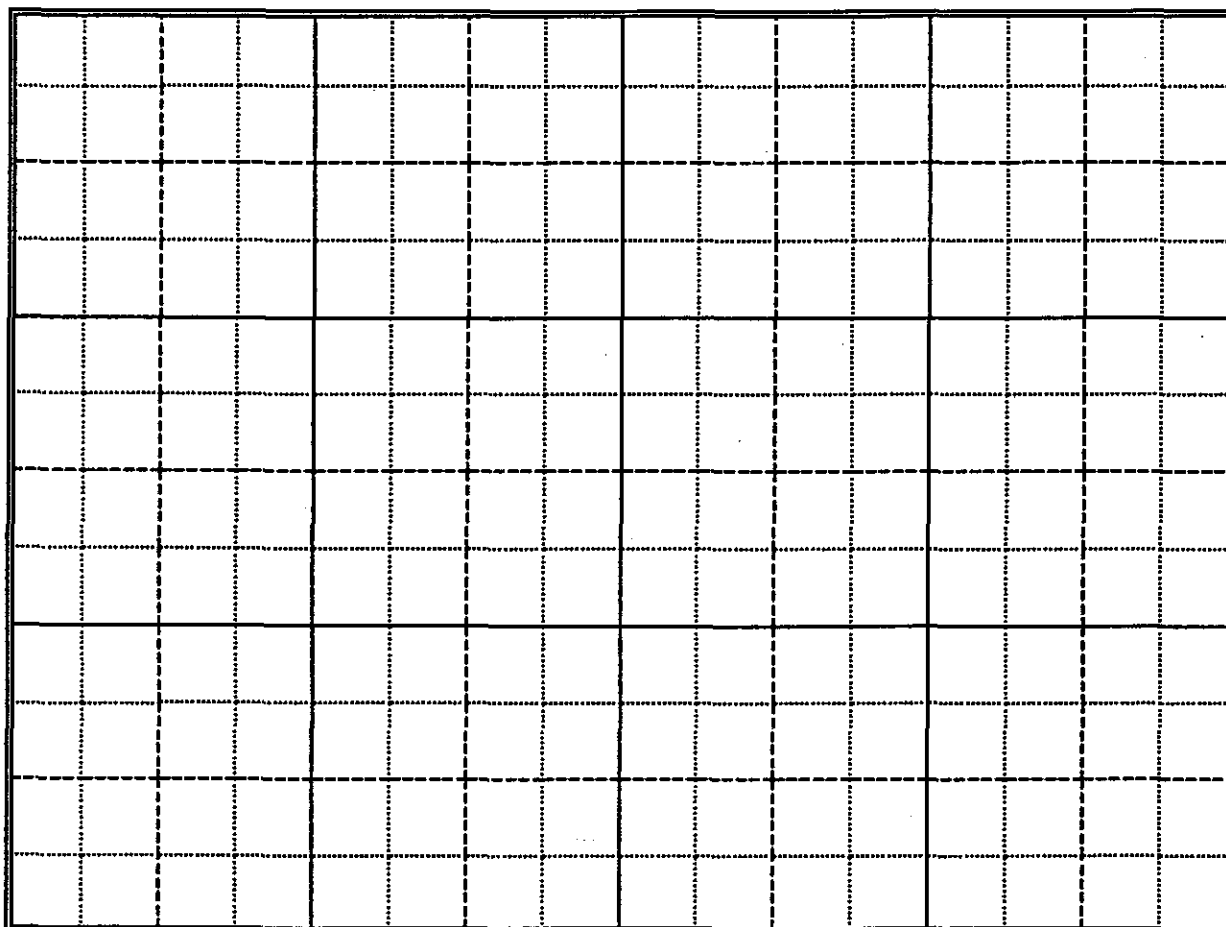
2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	42E	7		S															

JUN 29 1993

3. **Delivery System Diagram:** Illustrate all major components and distances between components. Indicate weir size/ditch size/pipe i.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. N/A

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 See Memorandum U.S.F.S. Field Exam Dtd Feb 26 1981

1.

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

2. **Measurements:** See Memorandum U.S.F.S. Field Exam Dtd Feb 26, 1981

JUN 29 1993

E. NARRATIVE/REMARKS/COMMENTS

Spring to steel head box 2' diameter set 3 1/2' in ground with 1 1/4" PVC pipe leading 100' to 10' metal water trough supplying water to wildlife year round and 200 Range cattle from 6/1 to 9/30.

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

RECEIVED

JUN 29 1993

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

de minimus $Q = 0.02 \text{ cfs}$ **G. VOLUME CALCULATIONS**

1. Volume Calculations for Irrigation:

 $V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$ $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$ $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$

2. Volume Calculations for Other Uses:

de minimus $V =$ **H. RECOMMENDATIONS**1. Recommended Amounts *see Remarks*

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>Stockwater (S)</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>Wildlife (W)</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Totals:			<u> </u>	<u> </u>

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 Gary Buss Date 12-31-92

Reviewer _____ Date _____

SEAL
JUN 29 1993

11-7351

T
10
S
R 4ZE

6

5

point of diversion

place of use

CREEK

BAILE

12

8

13

18

17

RECEIVED

JUN 29 1993

September 7, 1990

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

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 11-07351

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order advancing the priority of the permit since the proof was received after the proof due date. 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,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

Enclosure

MICROFILMED

SEP 20 1990

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 11-7351

Date: 8-9-90

General Considerations:

☒ Name same as permit
☒ Signature the same as permit holder
☒ Address change NO If yes, prepare a data entry
☒ Proof received timely NO
 Reinstated

Source of Water:

☒ Surface water
☐ Groundwater
 1. well log in file
 2. drilling permit
 A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

☒ Rate of diversion appropriate for uses
☒ Is rate or volume and fee appropriate?
☒ Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

☒ Is a measuring device or access port required?
☒ Has one been installed?
☒ Waiver or modification of measuring device requested

Remarks:

Proof reinstated

Priority Calculation:

Date proof received	<u>Aug 3, 1990</u>	<u>215</u>
Date proof due	<u>June 1, 1990</u>	<u>- 152</u>
No. of days late		<u>= 53</u>
Priority date	<u>April 23, 1985</u>	<u>+ 113</u>
NEW PRIORITY DATE	<u>June 15, 1985</u>	<u>= 166</u>

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM



United States
Department of
Agriculture

Forest
Service

Caribou
National
Forest

Federal Bldg. Suite 282
250 South Fourth Avenue
Pocatello, Idaho 83201

Reply to: 2540

Date: July 30, 1990

L. Glen Saxton
Chief, Water Allocation Bureau
Department of Water Resources
1301 North Orchard Street, Statehouse Mall
Boise, ID 83720

RECEIVED
AUG 3 1990

Department of Water Resources

Dear Mr. Saxton:

Enclosed are completed Proof of Beneficial Use forms for water use permits numbers 11-07348, 11-07349, 11-07350, 11-07351, 11-07353, and 27-07403. No fees are enclosed as each of the water uses divert less than 0.04 cfs and less than 4.0 acre feet.

Sincerely,

PAUL R. NORDWALL
Forest Supervisor

Enclosure

cc:
G.Boyle, R-4

LLEFFERT:lw:7/30/90

MICROFILMED

SEP 25 1990



WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

June 13, 1990

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

LAPSE NOTICE

RE: PERMIT NO. 11-07351

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated March 31, 1990. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifteen dollar (\$15) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosures

LGS:RF

MICROFILMED

SEP 23 1990

CERTIFICATION OF MAILING

I hereby certify that on 6-15-90
a copy/an original of this document was
deposited in the United States mail
postage prepaid addressed to the
individual(s) named above.



138387

March 31, 1990

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

PROOF DUE NOTICE

RE: PERMIT NO. 11-07351

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 June 1, 1990. (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,

Rita Fleck
Secretary/Records Manager

MICROFILMED

SEP 25 1990



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

July 2, 1985

RE: Permit Nos. 11-7348/7349/7350/7351/7352/7353/7354, 24-7167/
7168

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

Gentlemen:

Enclosed are copies of your approved Applications for Permit. We direct your attention to the conditions of approval on the fourth pages.

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 permits were issued and you must proceed diligently until the projects are completed. The enclosed blue cards must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permits were 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 these permits into licenses.

Sincerely,

A handwritten signature in dark ink, appearing to read "David R. Tuthill, Jr.", is written over a horizontal line.

DAVID R. TUTHILL, JR., P.E.
Supervisor, Water Allocation Section

DRT:sc

Enclosures

MICROFILMED

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: HWS

APPLICATION NUMBER: 11 7351

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: _____

Bailey Creek WD seems inactive

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 _____

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: 6-3-85
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 6-6-85
☒ 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? 11-A
4-23-85 Date of priority recommended.
Special conditions of approval or cover letter. _____

#26

By: Ernest Carlson

Date: June 11, 1985

STATE OFFICE REVIEW:

L17

26 05

(11A, Eight mile & Bailey creeks)

- ☐ See attached sheet for more information.

By: KW

Date: 6/18/85

JUN 18 1985

Department of Water Resources

MICROFILMED

POINT OF DIVERSION AND STREAM INDEX INFORMATION

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

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

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

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

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

AFFIDAVIT OF PUBLICATION

REGISTERED

JUN 6

Department of Water Resources
Eastern District Office

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 *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

May 23, 19*85*, and ending with the issue of *May 30*, 19*85*

Therese Stamm
Fees, *98.28*

Subscribed and sworn to before me this *31st* day

of *May*, 19*85*
Dennis Green

Notary Public, Residing at Montpelier, Idaho

My Commission Expires *September*, 19*85*

11-7349
U.S. DEPT. OF AGRI.
FOREST SERVICE, FEDERAL BLDG.,
324 25TH ST., OGDEN, UT 84401
Source: SPRING trib. to DRY CREEK
Date Filed: 04/23/1985
Diversion Pt: SESW Sec 16 T 11S R 46E
Use: STOCKWATER (0.02 CFS)
STOCKWATER STORAGE (0.1 AF)
STOCKWATER FROM STORAGE (0.1 AF)

In: SESW Sec 16 T 11S R 46E
11-7349

U.S. DEPT. OF AGRI.
FOREST SERVICE, FEDERAL BLDG.,
324 25TH ST., OGDEN, UT 84401
Source: SPRING trib. to BAILEY CREEK
Date Filed: 04/23/1985
Diversion Pt: NWSE Sec 07 T 10S R 42E
Use: STOCKWATER (0.02 CFS)
STOCKWATER STORAGE (0.1 AF)
STOCKWATER FROM STORAGE (0.1 AF)

In: NWSE Sec 07 T 10S R 42E
11-7350

U.S. DEPT. OF AGRI.
FOREST SERVICE, FEDERAL BLDG.,
324 25TH ST., OGDEN, UT 84401
Source: UNNAMED STREAM trib. to BAILEY CREEK
Date Filed: 04/23/1985
Diversion Pt: SESW Sec 07 T 10S R 42E
Use: STOCKWATER (0.02 CFS)
STOCKWATER STORAGE (0.1 AF)
STOCKWATER FROM STORAGE (0.1 AF)

In: SESW Sec 07 T 10S R 42E

11-7351

U.S. DEPT. OF AGRI.
FOREST SERVICE, FEDERAL BLDG.,
324 25TH ST., OGDEN, UT 84401
Source: SPRING trib. to BAILEY CREEK
Date Filed: 04/23/1985

Diversion Pt: NWNE Sec 07 T 10S R 42E
Use: STOCKWATER (0.02 CFS)
In: NWNE Sec 07 T 10S R 42E

11-7352

U.S. DEPT. OF AGRI.
FOREST SERVICE, FEDERAL BLDG.,
324 25TH ST., OGDEN, UT 84401
Source: UNNAMED STREAM trib. to MILL CREEK
Date Filed: 04/23/1985

Diversion Pt: NWSE Sec 28 T 13S R 42E
Use: STOCKWATER (0.02 CFS)
STOCKWATER STORAGE (0.1 AF)
STOCKWATER FROM STORAGE (0.1 AF)

In: NWSE Sec 28 T 13S R 42E
11-7353

U.S. DEPT. OF AGRI.
FOREST SERVICE, FEDERAL BLDG.,
324 25TH ST., OGDEN, UT 84401
Source: SPRING trib. to PREUSS CREEK
Date Filed: 04/23/1985

Diversion Pt: SENW Sec 23 T 11S R 45E
Use: STOCKWATER (0.02 CFS)
STOCKWATER STORAGE (0.1 AF)
STOCKWATER FROM STORAGE (0.1 AF)

In: SENW Sec 23 T 11S R 45E
11-7354

U.S. DEPT. OF AGRI.
FOREST SERVICE, FEDERAL BLDG.,
324 25TH ST., OGDEN, UT 84401
Source: UNNAMED STREAM trib. to MILL CREEK
Date Filed: 04/23/1985

Diversion Pt: NWNE Sec 12 T 13S R 42E
Use: STOCKWATER (0.02 CFS)
STOCKWATER STORAGE (0.1 AF)
STOCKWATER FROM STORAGE (0.1 AF)

In: NWNE 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, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before June 10, 1985.

KEN DUNN, Dir.
5-23, 5-30

11-7351

U.S. DEPT. OF AGRI.

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

Source: SPRING trib. to BAILEY CREEK

Date Filed: 04/23/1985

Diversion Pt: NWNE Sec 07 T 10S R 42E

Use: STOCKWATER (0.02 CFS)

In: NWNE Sec 07 T 10S R 42E

11-7351
U.S. DEPT. OF AGRI.
FOREST SERVICE, FEDERAL BLDG.,
324 25TH ST., OGDEN, UT 84401
Source: SPRING trib. to BAILEY CREEK
Date Filed: 04/23/1985
Diversion Pt: NWNE Sec 07 T 10S R 42E
Use: STOCKWATER (0.02 CFS)
In: NWNE Sec 07 T 10S R 42E

ENCLOSURE