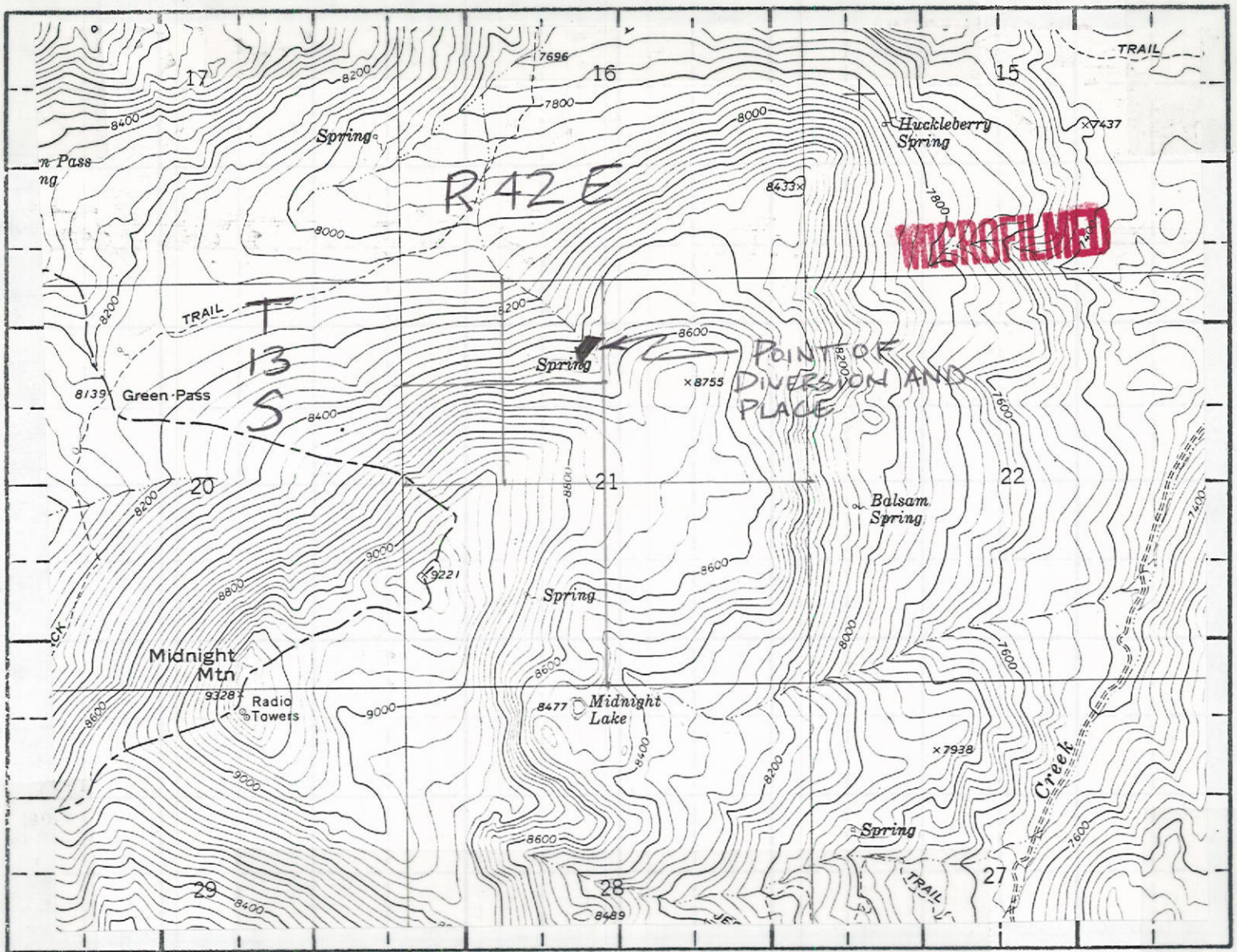




SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

SEE MEMORANDUM DATED 26 February 1981, U.S.F.S. Field Examinations

Point(s) of diversion: NE 1/4 NW 1/4 SEC. 21 TWP. 13 S, R. 42 E., Boise Meridian, Bear Lake Co.

Place(s) of Use ✓

| TWP. | RGE. | SEC. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | TOTALS |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |      |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
| 13 S | 42 E | 21   |        |        |        |        | S      |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
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|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

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 \_\_\_\_\_

Examiner's Signature H.W. Jones      Date 2-4-86  
 Checked by Gary Spackman      Date 2-4-86  
 Approved by R. Walker      Date 5-5-86

State of Idaho  
Department of Water Resources



WATER RIGHT LICENSE

License No. 11-7245 Priority 04/16/1981 Amount 0.02 CFS 14.5 AF

THIS IS TO CERTIFY, that U.S. Dept. of Agri., Forest Service

of Ogden, Utah, has complied with the terms and conditions of

Permit No. 11-7245 issued pursuant to Application for Permit dated 04/16/1981, and has

submitted proof to the Department of Water Resources on 02/22/1982, that he has applied water to a

beneficial use; and examination by the Department indicates that the works have a capacity for the

diversion of 0.02 cfs of water from Midnight Mountain Spring

tributary to Dry Fork Mill Creek, and that the permit holder has

applied to a beneficial use and established a right to use water as follows:

| RATE OF DIVERSION | VOLUME  | BENEFICIAL USE | PERIOD OF USE |
|-------------------|---------|----------------|---------------|
| 0.02 cfs          | 14.5 af | Stockwater     | 01/01 - 12/31 |

Location of point of diversion: NENW, Sec. 21, Twp 13S, Rge 42E, Bear Lake Co.

Location of place of use:

| TWP. | RGE. | SEC. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTALS |
|------|------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|      |      |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
| 13S  | 42E  | 21   |     |     |     |     | X   |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

Total number of acres irrigated \_\_\_\_\_

Use of water under this license is subject to control by the watermaster of State Water District No. 11, Bear River.

Subject to all prior water rights.

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NOTE: Modifications to or variance from the use of water as shown on this license must be made in accordance with Section 42-222, Idaho Code, or the applicable Idaho law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho this 9<sup>TH</sup> day of MAY, 1986.

Acting for the  Director

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 Midnight Mountain Spring which is a tributary of Dry Fork Mill Creek.
3. Location of point of diversion is NE  $\frac{1}{4}$  of NW  $\frac{1}{4}$  of Section 21 Township 13S  
Range 42E B.M. Bear Lake County, additional points of diversion if any: 012-159
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. Circular metal headbox with 1200 feet of PVC pipe leading to a metal cattle watering 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: NE  $\frac{1}{4}$  of NW  $\frac{1}{4}$  of Section 21 Township 13S  
Range 42E 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 1480 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.

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

[illegible]

Total number of acres to be irrigated

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

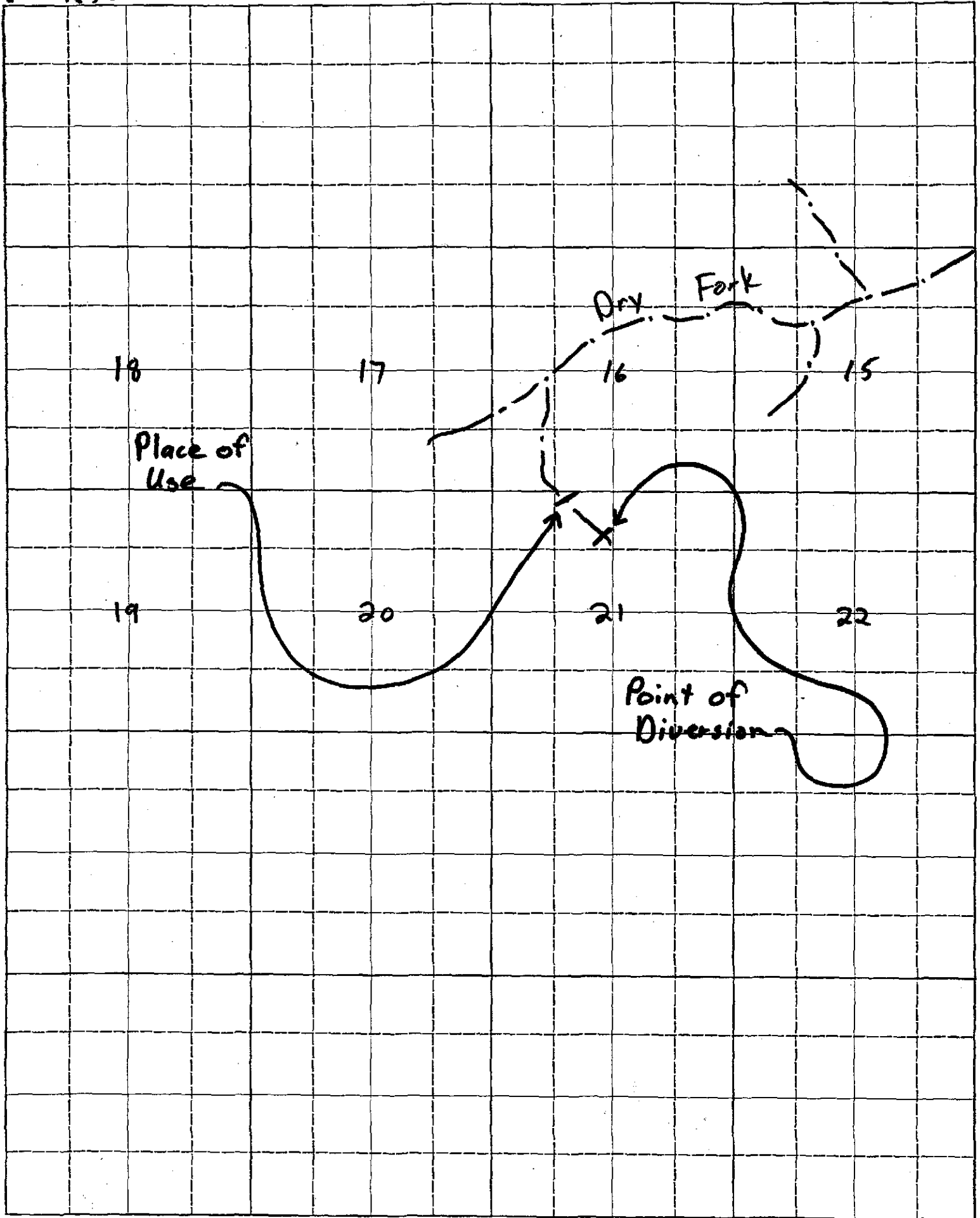
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing N.A.

10. Remarks This water development is located on Paris-Liberty Cattle Allotment which has 22 water developments for watering 1480 cattle, and big game, upland game, and non-game wildlife.

**MICROFILMED**

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

1 R42 E



T  
1  
3  
S

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**

MICROFILMED

*Paul J. Baird*  
(for) L KENT MAYS, JR. (Applicant) Deputy Regional Forester, Resources

Proposed Priority 4/16/1981

Received by KW Date 4/16/81 Time \_\_\_\_\_

Preliminary check by HWS Fee \$ 12520.

Receipted by KW Date 5/18/81 # 17660

Publication prepared by KW Date 5/7/81

Published in News Examiner

Publication dates 5/14 & 5/21/81

Publication approved KW Date 6/22

Protests filed by: Terry-R.-Hymas,-Mill-Canyon-Irrigation-Company;

Marvin-Hymas,-Liberty-Hillside-Canal- WITHDRAWN

Copies of protests forwarded by \_\_\_\_\_

Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Recommended for approval denial by EMC RC

#### 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. 11-7245, and said application is hereby APPROVED.

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before January 1, 19 87.

c. The rate of diversion, if water is 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: \_\_\_\_\_

Witness my hand this 4<sup>th</sup> day of January, 19 82.

J. Glen Saxton  
Chief, Operations Bureau

MICROFILMED

May 22-1981

Department of Water Resources

Dear Sir.

We wish to protest the  
granting of any permit to the  
Forest Service of water rights in  
the Mill Canyon area.

Sincerely  
Liberty Hillside Land Co  
Marvin Hyman

MICROFILMED

RECEIVED

MAY 26 1981

Department of Water Resources  
Eastern District Office

May 20, 1981

Dear Sir,  
As President of the Mill Canyon  
Irrigation Company we protest against  
application of water right on permit:

11-7245

This permit has been filed on  
and is in use.

Sincerely

Arny R. Nyman  
Box 27-A  
Ovilo, Idaho 83260

945-2076

RECEIVED

MAY 26 1981

Department of Water Resources  
Eastern District Office

MICROFILMED

RECEIVED

JUN 9 1981

AFFIDAVIT OF PUBLICATION

Department of Water  
Eastern District

STATE OF IDAHO,  
County of Bear Lake

ss.

Marge Hauch

being duly sworn,

deposes and says:

That he is the Office Manager 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 14, 1981, and ending with the issue of May 21, 1981

Fees, 111.28

Subscribed and sworn to before me this 29th day of May, 1981

Kim O. Allen  
Notary Public, Residing at Montpelier, Ida

My Commission Expires June 2, 1982

U RSD A Y, MAY 21, 1981 - A-11

45E. BEAR LAKE Co.  
Use: STOCKWATER (0.02 CFS)  
from 06-01 to 09-30

STOCKWATER STORAGE  
(0.1 AC-FT) from 01-01 to 12-31

STOCKWATER FROM STORAGE  
(0.1 AC-FT) from 06-01 to 09-30

Place of Use: NWNW Sec 08 T 12S R 45E  
Diversion Means: STOCKPOND.

11-7245  
U.S. DEPT. OF AGRI. OK W  
FOREST SERVICE, FEDERAL BLDG.,  
324 25TH ST., OGDEN, UT 84401  
Source: MIDNIGHT MOUNTAIN  
SPRING tributary to DRY FORK MILL  
CREEK

Date Filed: 04-16-1981  
Amount: 0.02 CFS  
Diversion Point: NENW Sec 21 T 13S R  
42E. BEAR LAKE Co.  
Use: STOCKWATER (0.02 CFS)  
from 01-01 to 12-31

Place of Use: NENW Sec 21 T 13S R 42E  
Diversion Means: HEADBOX & PIPE-  
LINE.

11-7246  
U.S. DEPT. OF AGRI. OK W  
FOREST SERVICE, FEDERAL BLDG.,  
324 25TH ST., OGDEN, UT 84401  
Source: UNNAMED STREAM tributary  
to WEST ELBOW HOLLOW

Date Filed: 04-16-1981  
Amount: 0.02 CFS 0.1 AC-FT  
Diversion Point: NESW Sec 03 T 13S R  
45E. BEAR LAKE Co.  
Use: STOCKWATER (0.02 CFS)  
from 06-01 to 09-30

STOCKWATER STORAGE  
(0.1 AC-FT) from 01-01 to 12-31

STOCKWATER FROM STORAGE  
(0.1 AC-FT) from 06-01 to 09-30

Place of Use: NESW Sec 03 T 13S R 45E  
Diversion Means: STOCKPOND.

11-7247  
U.S. DEPT. OF AGRI. OK W  
FOREST SERVICE, FEDERAL BLDG.,  
324 25TH ST., OGDEN, UT 84401  
Source: UNNAMED STREAM tributary  
to TWIN SPRING CREEK

Date Filed: 04-16-1981  
Amount: 0.02 CFS 0.1 AC-FT  
Diversion Point: NESE Sec 02 T 13S R  
45E. BEAR LAKE Co.  
Use: STOCKWATER (0.02 CFS)  
from 06-01 to 09-30

STOCKWATER STORAGE  
(0.1 AC-FT) from 01-01 to 12-31

STOCKWATER FROM STORAGE  
(0.1 AC-FT) from 06-01 to 09-30

Place of Use: NESE Sec 02 T 13S R 45E  
Diversion Means: STOCKPOND.

11-7248  
U.S. DEPT. OF AGRI. OK W  
FOREST SERVICE, FEDERAL BLDG.,  
324 25TH ST., OGDEN, UT 84401  
Source: UNNAMED STREAM tributary  
to SOUTH ELBOW HOLLOW

Date Filed: 04-16-1981  
Amount: 0.02 CFS 0.1 AC-FT  
Diversion Point: SENE Sec 10 T 13S R  
45E. BEAR LAKE Co.  
Use: STOCKWATER (0.02 CFS)  
from 06-01 to 09-30

STOCKWATER STORAGE  
(0.1 AC-FT) from 01-01 to 12-31

STOCKWATER FROM STORAGE  
(0.1 AC-FT) from 06-01 to 09-30

Place of Use: SENE Sec 10 T 13S R 45E  
Diversion Means: STOCKPOND.

11-7249  
U.S. DEPT. OF AGRI. OK W  
FOREST SERVICE, FEDERAL BLDG.,  
324 25TH ST., OGDEN, UT 84401  
Source: UNNAMED STREAM tribu y

LEGAL NO. 1649

NOTICE OF APPLICATION  
FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the S of Idaho:

11-724  
U.S. DEPT. OF AGRI.

MICROFILMED



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

May 13, 1986

RE: Permit Nos. 11-7186/7189/7190/7191/7192/7193/7194/7195/7202/  
7212/7213/7214/7227/7228/7229/7230/7231/7232/  
7233/7235/7236/7238/7239/7241/7242/7243/7244/  
7245/7246/7247/7248/7249/7250/7251/7252

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

Gentlemen:

Enclosed herewith are copies of the Water Right Licenses issued on the above referenced permits.

Sincerely,

JIM JOHNSON  
Water Rights Supervisor

JJ:sc

Enclosures

**MICROFILMED**

State of Idaho  
DEPARTMENT OF WATER RESOURCES  
WATER RIGHT BENEFICIAL USE FIELD REPORT

11-7245

Permit No.

UNITED STATES OF AMERICA - FOREST SERVICE

CONTACT WITH PERMIT HOLDER

☐ Appointment letter mailed:

DATE

INITIALS

RECEIVED

REMARKS

FEB 20 1986

☐ Telephone call made

(List Telephone No. used)

Department of Water Resources

☐ Appointment scheduled for:

(Date, time, location)

EXAMINATION

Date 3-22-83

Accompanied by Tom Robison

THEORETICAL - 0.02 cfs

Total Q measured

Source Midnight Mountain Spring

Tributary to Dry Fork Mill Creek

Supp. annubar measurement sheet used? NO

If source is surface water, estimate total flow of source

Methods of measurement THEORETICAL

Meets permit requirements? YES

Measurement calculations:

SEE MEMORANDUM DATED February 26, 1981, U.S.F.S. FIELD EXAMINATIONS

$$V = \frac{1480 \text{ Head} \times 12 \text{ gal/day/head} \times 365 \text{ days}}{325850 \text{ gal/af}} = 19.9 \text{ afa}$$

Round to 20 afa

0.02 cfs limits  
yearly afa to  
14.5 afa ✓

| WELL/DIV.<br>NO. | HP | MOTOR<br>MAKE | MOTOR<br>SERIAL NO. | PUMP<br>MAKE | PUMP<br>SERIAL NO. | MEASURING<br>DEVICE TYPE | CONDITION OF<br>MEAS. DEVICE | REMARKS |
|------------------|----|---------------|---------------------|--------------|--------------------|--------------------------|------------------------------|---------|
|                  |    |               |                     |              |                    |                          |                              |         |
|                  |    |               |                     |              |                    |                          |                              |         |
|                  |    |               |                     |              |                    |                          |                              |         |
|                  |    |               |                     |              |                    |                          |                              |         |

System Description HEADBOX PIPED TO 1 TROUGH(S)

\*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

USE

Irrigation requirement =

AFA/Acre

Q (cfs)

V (afa)

FROM

TO

STOCKWATER ✓

0.02 cfs ✓

14.5

20 afa ✓

1/1 ✓

12/31 ✓

Total

0.02 cfs ✓

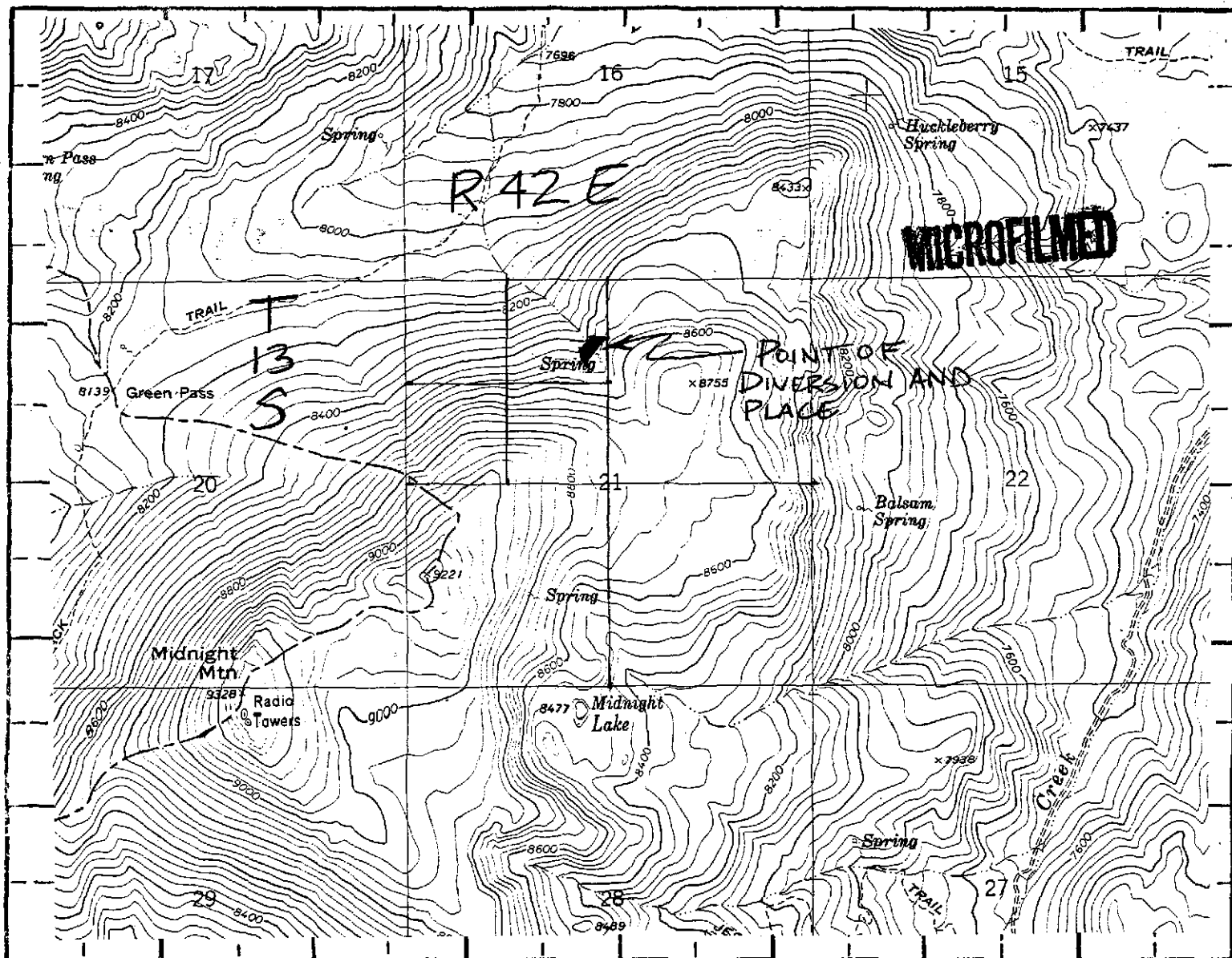
14.5 ✓

20 afa

Remarks STOCKWATER FOR 1480 Range Cattle

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# MAP (Attach Aerial Photo)



## SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

SEE MEMORANDUM DATED 26 February 1981, U.S.F.S. Field Examinations

Point(s) of diversion: NE 1/4 NW 1/4 SEC. 21 TWP. 13 S, R. 42 E, Boise Meridian, Bear Lake Co.

Place(s) of Use ☒

| TWP. | RGE. | SEC. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | TOTALS |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |      |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
| 13 S | 42 E | 21   |        |        |        |        | S      |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
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|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

### Recommended Amendments:

- ☐ Change P.D. as reflected above
- ☐ Change P.U. as reflected above

- ☐ Add P.D. as reflected above
- ☐ Add P.U. as reflected above

- ☒ None
- ☐ Other

Examiner's Signature H. W. Jones  
 Checked by Gary Spackman  
 Approved by R. Walker

Date 2-4-86  
 Date 2-4-86  
 Date 5-5-86



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

March 3, 1982

United States of America  
Forest Service  
Federal Building  
324 25th Street  
Ogden, UT 84401

Gentlemen:

Re: (See attached lists of water right numbers)

I acknowledge receipt of the statement of beneficial use postcards for the water rights listed on the attached pages.

Before a license can be issued, a field examination must be made by a representative of this department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our Eastern Regional office.

Sincerely,

RITA I. FLECK  
Sr. Secretary

MICROFILMED

012-159

## DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has consented development to the extent shown below of Permit No. 11-7245.

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

Post Office Address: Federal Building, 324 25th Street  
Ogden, Utah 84401 Tel. No. (801) 625-5360

Source of Water: Midnight Mountain Spring, Trib to Dry Fork Mill Creek

Extent of Use: ☐ Domestic (number of households)  
☒ Stockwater 1480 Cattle (number and type of stock)  
☐ Irrigation (acres)  
☐ Other

Measuring Device: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

Access Port: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

The above information is a true statement of the extent to which the above numbered permit has been developed. (for) Deputy Regional Forester, Resources

February 18, 1982  
 Date

Richard L. Anderson  
 Signature of Permit Holder

MICROFILMED

PLACE  
TEN CENT  
STAMP  
HERE

Department of Water Resources

APR 29 1982

RECEIVED



IDAHO DEPARTMENT OF WATER RESOURCES  
STATEHOUSE  
BOISE, IDAHO 83720



January 20, 1982

RE: Permits Nos. 11-7245, 23-7071 through 23-7077, 25-7265 and 25-7266

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

Gentlemen:

Enclosed herewith are copies of your approved applications for permit. We direct your attention to the conditions of approval on the fourth pages.

We have enclosed a form entitled "Making Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop these permits into licenses.

Sincerely,

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

DRT:kw  
Enclosures

MICROFILMED

State of Idaho  
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

11 7245

INITIAL REVIEW BY: HWT

APPLICATION NUMBER: 012-159

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 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  
☐ Yes ☒ No

Platted by: \_\_\_\_\_ Map No. \_\_\_\_\_

Other rights on same place of use. \_\_\_\_\_

- ☒ Yes ☐ No\*

In form for advertising.

Final date for protests: June 1 ✓

- ☒ Yes ☐ No

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

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 6/09/81 ✓  
☒ 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? \_\_\_\_\_

- ☒ Yes ☒ No

Date of priority recommended. 4-10-81

Special conditions of approval or cover letter. \_\_\_\_\_

By: Ernest Carlson

Date: Nov. 19, 1981

STATE OFFICE REVIEW:

Shw/ocord

- ☐ See attached sheet for more information.

By: Relyn

Date: 12/28/81

RECEIVED

NOV 20 1981

Department of Water Resources

MICROFILMED

November 19, 1981

RE: Application for Permit No. 11-7245

Frank G. Beitia  
Branch Chief  
Caribou National Forest  
250 S. 4th, Suite 294  
Pocatello, Idaho 83201

Dear Mr. Beitia:

This is to advise you that Terry R. Hymas has withdrawn his protest against approval of the above referenced application. The Department will take no further action in setting a hearing in this matter and has resumed the processing of your application.

If you have any questions concerning this matter, please feel free to contact this office.

Very truly yours,

ERNEST CARLSEN  
Assistant Regional Supervisor

EC:cw

RECEIVED

November 19, 1981

RE: Application for Permit No. 11-7245 FOREST SERVICE

Terry R. Hymas  
Mill Canyon Irrigation Company  
Box 27-A  
Ovid, Idaho 83260

Dear Mr. Hymas:

This letter is to acknowledge receipt of your withdrawal of protest against approval of the above referenced application. The Department will take no further action in this matter.

Respectfully submitted,

ERNEST CARLSEN  
Assistant Regional Supervisor

EC:cw

MICROFILMED

UNITED STATES DEPARTMENT OF AGRICULTURE  
FOREST SERVICE

Caribou National Forest  
250 S. 4th, Suite 294  
Pocatello, Idaho 83201

2540

RECEIVED

NOV 13 1981

Department of Water Resources  
Eastern District Office

November 9, 1981



Mr. Ron Carlson  
Eastern Regional Supervisor  
Department of Water Resources  
150 Shoup Street  
Idaho Falls, ID 83401

Dear Mr. Carlson:

Ernest Carlsen on your staff has brought it to our attention that a protest filed by Mr. Terry Hymas of Mill Canyon Canal Company on our Application for Permit No. 11-7245 has not been resolved. Caribou National Forest personnel have discussed the protest with Mr. Hymas and resolved his concerns. Attached is his statement.

If I can be of further assistance, please let me know.

Sincerely,

*Tom Tolson*

For FRANK G. BEITIA  
Branch Chief

Enclosure

MICROFILMED

To whom it may concern.

PD-19-81

As Pres. of North Mill Canyon Const.  
Co. we withdraw our protest to  
the filing of midnight spring 11-7245  
After talking it over we reached  
a understanding

Ferry R. Hyman

RECEIVED

NOV 18 1981

Department of Water Resources  
Eastern District Office

MICROFILMED

November 5, 1981

RE: Application for Permit No. 11-7245

Frank Beitia  
Branch Chief  
Caribou National Forest  
Federal Building, Suite 294  
Pocatello, Idaho 83201

Dear Mr. Beitia:

This is to acknowledge your letter and the receipt of withdrawal of protest filed by Marvin Hymas. The Department will void the protest in our file; however, there is a protest submitted by Terry Hymas in behalf of Mill Canyon Irrigation Company still outstanding.

If you have any questions concerning this matter, please feel free to contact this office.

Respectfully submitted,

ERNEST CARLSEN  
Assistant Regional Supervisor

EC:cw

MICROFILMED

November 5, 1981

RE: Application for Permit No. 11-7245 FOREST SERVICE

Marvin Hymas  
Liberty Hillside Canal  
Ovid, Idaho 83260

Dear Mr. Hymas:

This letter is to acknowledge receipt of your withdrawal of protest against approval of the above referenced application. The Department will take no further action in this matter.

Respectfully submitted,

ERNEST CARLSEN  
Assistant Regional Supervisor

EC:cw

MICROFILMED

UNITED STATES DEPARTMENT OF AGRICULTURE  
FOREST SERVICE

Caribou National Forest  
Federal Building, Suite 294  
Pocatello, Idaho 83201

RECEIVED

OCT 30 1981

Department of Water Resources  
Eastern District Office

2540

October 27, 1981



Mr. Ron Carlson  
Eastern Regional Supervisor  
Department of Water Resources  
150 Shoup Street  
Idaho Falls, Idaho 83401

Dear Mr. Carlson:

Caribou National Forest personnel have discussed with Mr. Marvin Hymas a protest he filed on our Application for Permit No. 11-7245. Mr. Hymas has withdrawn his protest as per the attached statement. If I can be of further assistance, please let me know.

Sincerely,

*Frank A. Beitia*

FRANK BEITIA  
Branch Chief

Enclosure

MICROFILMED

19-19-81

To Whom it May Concern

As president of the Thelwellside Canal Co  
we withdraw our protest to the filing  
of midnight Spring 11-7245. After  
discussion with the Forest Service,  
we have reached an understanding

Manu Hymas

MICROFILMED

RECEIVED

OCT 30 1981

Department of Water Resources  
Eastern District Office

June 2, 1981

United States Forest Service  
324 25th Street  
Ogden, Utah 84401

Gentlemen:

Enclosed is a copy of a protest filed against the issuance of a permit pursuant to your Application No. 11-7245. The Department suggests you contact the protestant directly in an effort to determine the nature of the protest and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Section 42-203, Idaho Code):

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

If this office can be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON  
Eastern Regional Supervisor

RDC:cw:kw

Enclosure

cc: IDWR - State Office

MICROFILMED

June 2, 1981

RE: Application for Permit No. 11-7245 US FOREST SERVICE

Marvin Hymas  
Liberty Hillside Canal Company  
Ovid, Idaho 83260

Dear Mr. Hymas:

Your protest against the approval of the above referenced application has been received and a copy has been sent to the applicant. The Department suggests you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying an application for permit (Section 42-203, Idaho Code):

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

If this office can be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON  
Eastern Regional Supervisor

RDC:cw:kw

cc: IDWR - State Office

MICROFILMED

June 2, 1981

RE: Application for Permit No. 11-7245 US FOREST SERVICE

Terry R. Hymas  
Box 27-A  
Ovid, Idaho 83260

Dear Mr. Hymas:

Your protest against the approval of the above referenced application has been received and a copy has been sent to the applicant. The Department suggests you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying an application for permit (Section 42-203, Idaho Code):

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

If this office can be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON  
Eastern Regional Supervisor

RDC:cw:kw

cc: IDWR - State Office

MICROFILMED

11-7245

U.S. DEPT. OF AGRI.

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

Source: MIDNIGHT MOUNTAIN SPRING tributary to DRY FORK MILL CREEK

Date Filed: 04/16/1981

Amount: 0.02 CFS

Diversion Point: NENW Sec 21 T 13S R 42E, BEAR LAKE Co.

Use: STOCKWATER (0.02 CFS) from 01/01 to 12/31

Place of Use: NENW Sec 21 T 13S R 42E

Diversion Means: HEADBOX & PIPELINE.

MICROFILMED