

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

ss.

County of Bear Lake

being duly sworn,

deposes and says:

That he is the publisher 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 two consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

December 22, 1977, and ending
with the issue of December 29, 1977

Fees, 22.83

Subscribed and sworn to before me this 29 day
of December, 1977

Notary Public, Residing at Montpelier, Idaho

My Commission Expires March 13, 1979

LEGAL NOTICES

NOTICE OF AMENDED APPLICATION
FOR WATER PERMIT

Notice is hereby given the Application for Permit No. 11-7093 in the name of Robert M. Crane was filed for the diversion of 3.54 c.f.s. of water from Three Mile Creek tributary to sinks, with points of diversion within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 28, T. 11S, R. 44E, B.M., Bear Lake County; to be used from Jan. 1 to Dec. 31 for stockwatering purposes for 450 head ewes and lambs and 20 head cattle within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 28, T. 11S, R. 44E, and from Apr. 15 to Oct. 15 for irrigation of 175 acres within the E $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 21, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 28, T. 11S, R. 44E, B.M.

The applicant now proposes to amend application No. 11-7093, requesting the applicant's names to read Robert M. Crane and-or William B. Crane. The applicants propose to divert 2.80 c.f.s. of water from Three Mile Creek tributary to sinks within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21, T. 11S, R. 44E, B.M., Bear Lake County; to be used from Jan. 1 to Dec. 31 for stockwatering purposes for 550 sheep and 70 head of cattle within the W $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 28, T. 11S, R. 44E, and from Apr. 15 to Oct. 15 for the irrigation of 140 acres within the W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 28, T. 11S, R. 44E, B.M.

Any protest to the proposed amending of the application must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401, on or before January 9, 1978.

C. STEPHEN ALLRED
Director

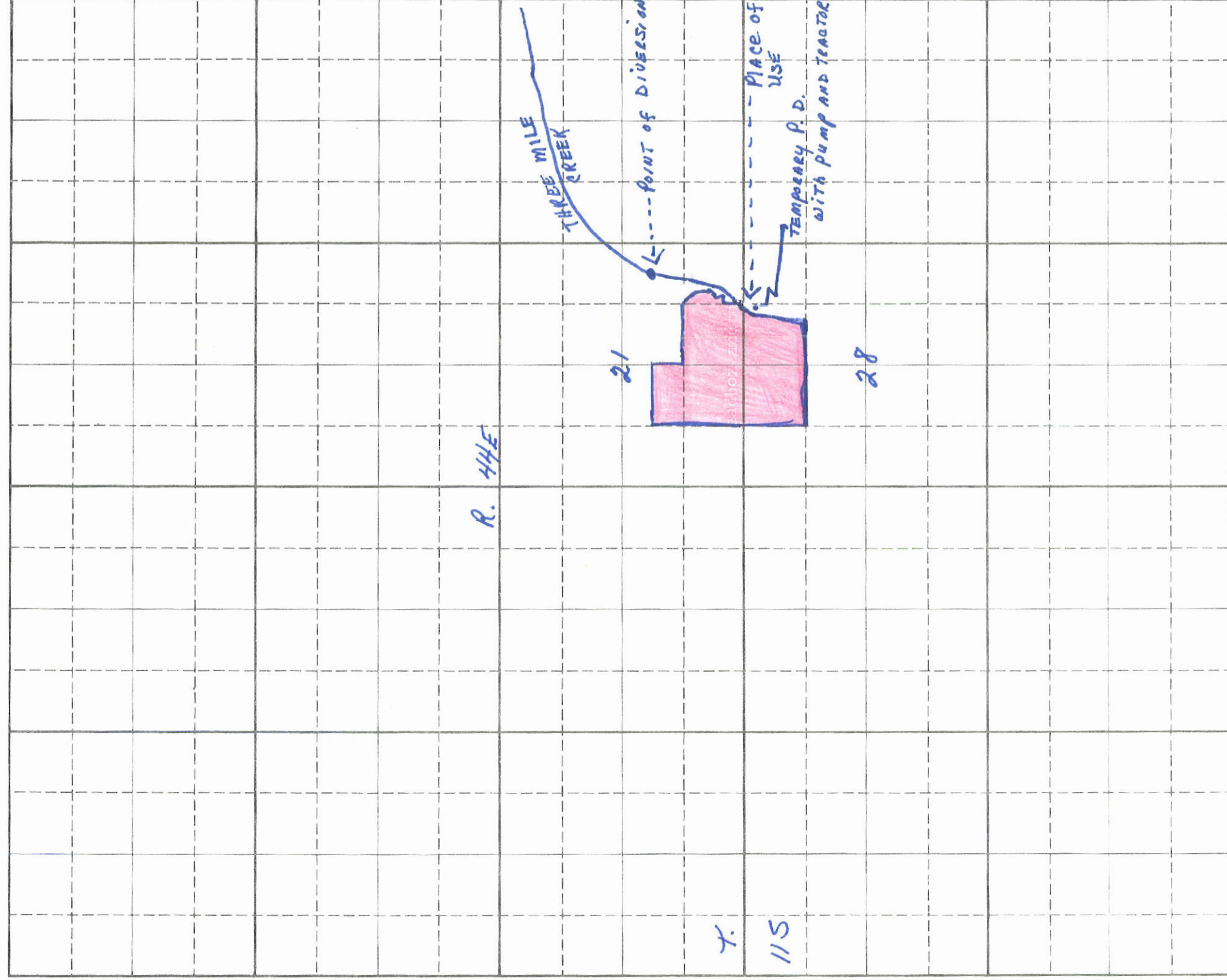
Published in the News Examiner, Montpelier, Idaho, on
December 22 and December 29, 1977.

RECEIVED

MICROFILMED JAN 10 1978

Department of Water Resources
Eastern District Office

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.

Robert M. Crane
(Applicant)

RECORDED

RECEIVED

AUG 9 1976

AFFIDAVIT OF PUBLICATION

Department of Water Resources
Eastern District Office

STATE OF IDAHO,

ss.

County of Bear Lake

Loren M. Thompson
being duly sworn,

deposes and says:

That he is the *publisher* 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 *two* consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

July 15 19*76*, and ending
with the issue of *July 22* 19*76*

Fees, *16.00*Subscribed and sworn to before me this *5th* dayof *August* 19*76*

Notary Public, Residing at Montpelier, Idaho

My Commission Expires *March 13*, 19*79*NOTICE OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that Robert M. Crane, Montpelier, Idaho has on 7-07-76 submitted Application No. 11-7093 for a permit to appropriate 3.54 cubic feet per second of water from Three Mile Creek tributary to sinks by means of headbox and pipeline within the NE¹/₄-SE¹/₄, Sec. 21, NW¹/₄NE¹/₄, Sec. 28, T. 11S, R. 44E, B.M., Bear Lake County; to be used from Jan. 1 to Dec. 31 for stockwatering purposes for 450 head of ewes and lambs and 20 head of cattle within the NW¹/₄NE¹/₄, Sec. 28, T. 11S, R. 44E, and from Apr. 15 to Oct. 15 for the irrigation of 175 acres within the E¹/₂SW¹/₄, S¹/₂SE¹/₄, Sec. 21, NW¹/₄NE¹/₄, NE¹/₄NW¹/₄, Sec. 28, T. 11S, R. 44E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before August 2, 1976.

R. KEITH HIGGINSON
Director

Published in the News Examiner, Montpelier, Idaho on July 15 and July 22, 1976.

Jy 13-22

MICROFILMED

6-31



Robert M. Crane
C283

pne intake
Measured
Sept 2, 1977

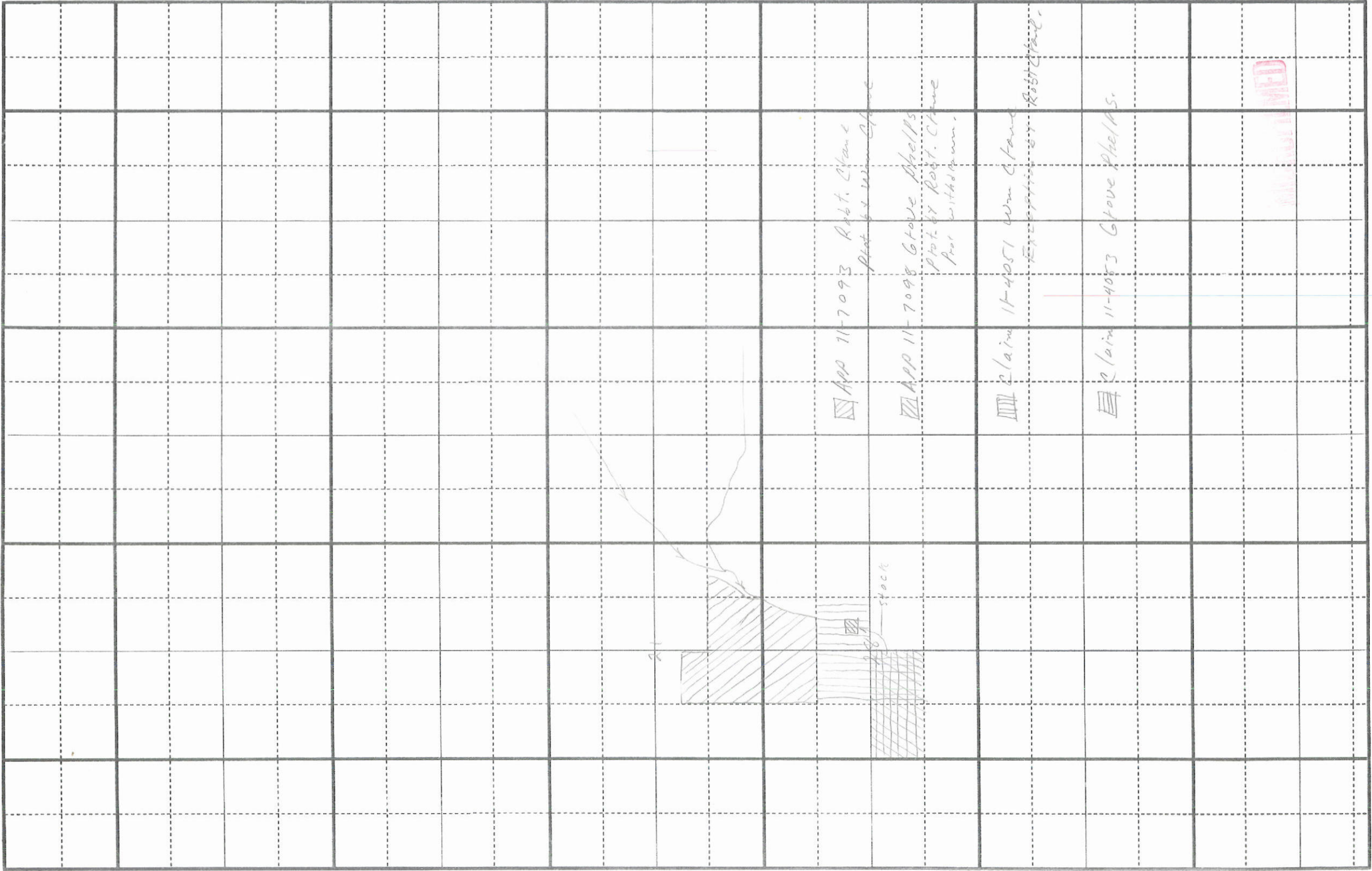
151 cfs
check structure

Reservoir (dam)

Wm Crane
10.5 x 10'

PROPOSED

20.21
29.28



APP 11-7093 Rpt. Change
Plot 64 w/m Change

APP 11-7098 Grove Phelps
Plot 67 Rpt. Change
Plot withdrawn.

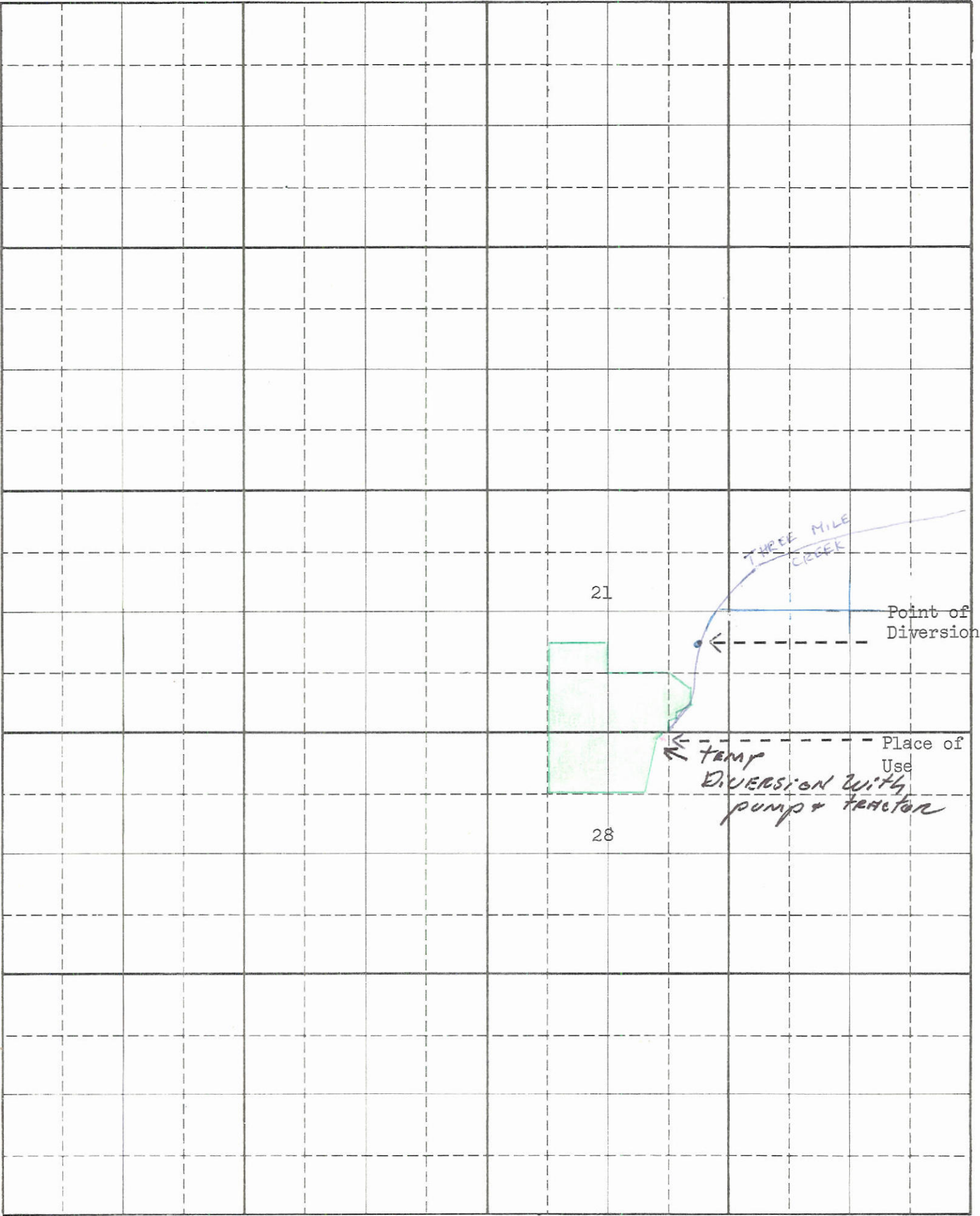
Claim 11-4051 w/m Change
Exception by Rpt. Change.

Claim 11-4083 Grove Phelps.

RECEIVED

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

Township 11 South, Range 44 East of the Boise Meridian



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.

Robert M Crane
(Applicant)

MICROFILMED

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Permit	11-7093	Crane, Robert M. William B.	2.8
Full Assignment	11-7093	Crane, Melvin R. Timothy W. Joseph M. Laurence M.	2.8

MICROFILMED

MAK 19 1987

RECEIVED
JAN 20 1987

Department of Water Resources
Eastern District Office

State of Idaho
Department of Water Resources

RECEIVED
FEB 09 1987

ASSIGNMENT OF PERMIT

I, William B. Crane, hereby assign to Melvin R. Crane, Timothy W. Crane
and Joseph M. Crane and Laurence M. Crane
of Star Rt 2 Montpelier, Idaho 83254
Address

CHECK ONE

☒ All my right, title, and interest in and to Permit No. 11-7093
to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 19th day of January, 19 87.

William B. Crane
Permit Holder

Spouse of Permit Holder

State of Idaho)
County of Bear Lake) ss.

On this 19 day of January, 19 87, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

Deloy M. Buckner
Notary Public/residing at
Lenex

My commission expires:

88

MICROFILMED

MAR 19 1987

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. 11-7093

ORDER

WHEREAS, the above numbered permit was approved with the condition that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on July 1, 1978, the Department adopted a new water measurement condition which states: "An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department"; and,

WHEREAS, the former condition required the permit holder to purchase and install a measuring device or hire a professional engineer to certify the rate of diversion; and,

WHEREAS, the measuring device condition effective July 1, 1978, requires less capital expenditure by the permit holder; and,

WHEREAS, to be equitable to holders of permits issued prior to July 1, 1978, the new condition should be retroactive;

NOW THEREFORE, it is hereby ordered that the condition of approval of this permit related to water measurement is hereby changed as follows:

"The permit holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department".

Dated this 1st day of June 1981.

Glen Saxton

GLEN SAXTON
Chief, Operations Bureau

MICROFILMED

Identification No. _____

Application No. 11-7093

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES **APPROVED**

AMENDED **APPLICATION FOR PERMIT** AMENDED

To Appropriate the Public Waters of the State of Idaho

(TYPE OR PRINT IN INK)

1. Name of applicant Robert M. Crane &/or William B. Crane Phone: 847-1120
post office address Star Route #2, Montpelier, Idaho 83254
2. Source of water supply Three Mile Creek which is a tributary of sinks
3. a. Location of point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 21 Township 11S
Range 44E B.M. Bear Lake County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 2.80 for Irrigation purpose from Apr. 15 to Oct. 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.04 for Stockwater purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 2.80 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. headbox and pipeline for use with
a gravity sprinkler system

- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 25,000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation: SW NE
(1) Give the place of use of water: NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 28 Township 11S
Range 44E B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____
550 sheep, 70 cattle
(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: _____

APPROVED

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

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
11S	44E	28		X 30	X 30		40			40									140

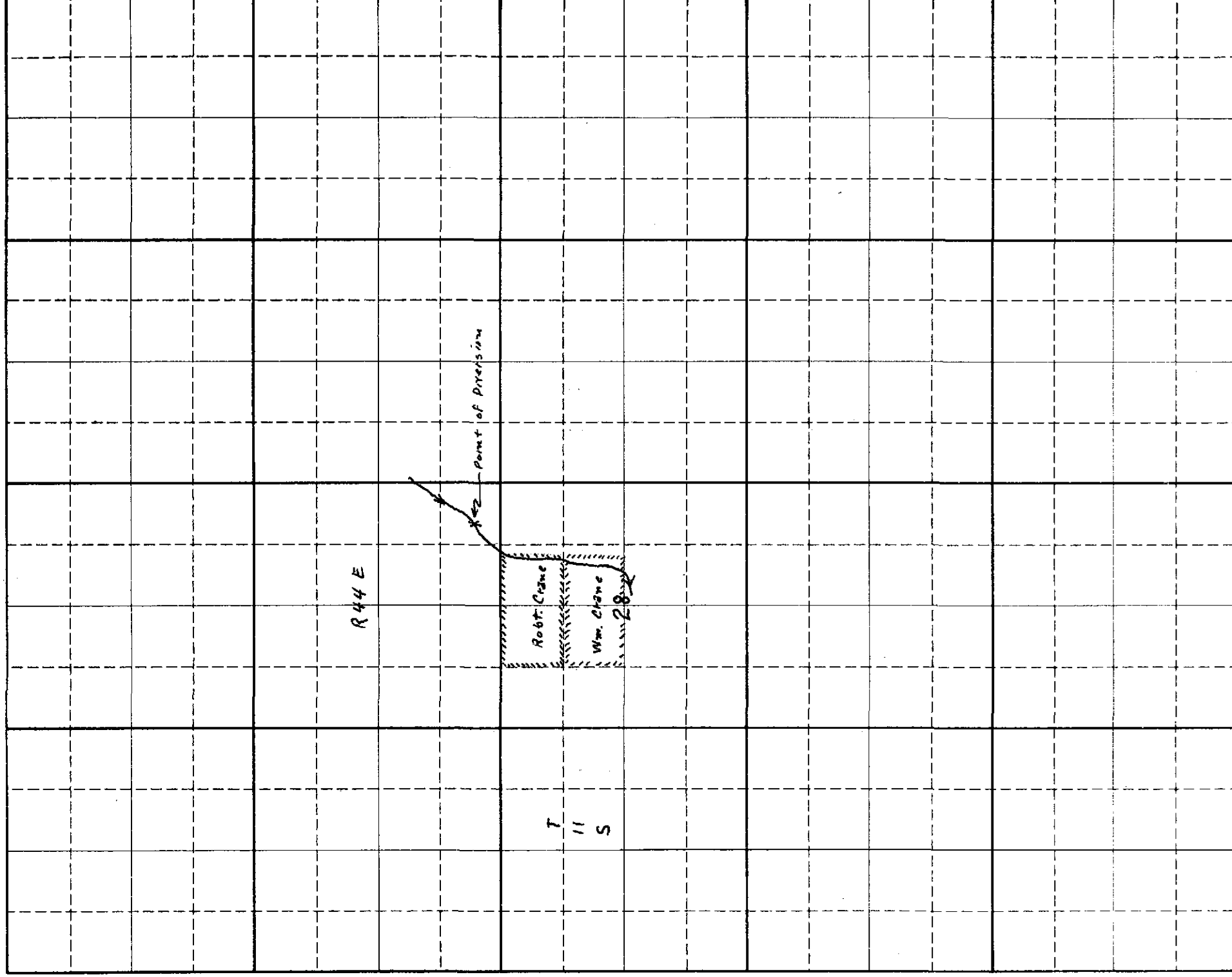
Total number of acres to be irrigated. 140

c. Describe any other water rights used for the same purposes as described above. None

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

10. Remarks This amended application is filed to resolve a protest by William B. Crane. The application reflects an equal division of water and irrigated lands between the two applicants.

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.

Robert M. Cross
(Applicant)

SECRET

07/08/76
Proposed Priority _____

Received by CW Date 12-12-77 Time 11:10 A.
Preliminary check by LT Fee \$ 10.00 AMENDED
Received by CW Date 12-12-77 # 9127
Publication prepared by CW Date 12-12-77
Published in Idaho Examiner
Publication dates Dec. 22 + 29, 1977
Publication approved me Date January 10, 1978
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by [Signature]

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. 11-7093, 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 March 1, 1983.
 - c. Other: For licensing purposes a scientific measurement of the diversion rate of the system as it is normally operated shall be provided by either properly installing an approved type of measuring device or by having a professional engineer certify the rate of diversion to the Department prior to submitting proof of beneficial use of water.
2. Denial of said application is for the following reasons: _____

Witness my hand this 8 day of _____ March 1978.

[Signature]
Deputy Director

AFFIDAVIT OF PUBLICATION

County of ~~Bear~~ Lake

SS.

being duly sworn,

deposes and says:

That he is the owner 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 two consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

November 22, 1977, and ending
with the issue of December 29, 1977

Fees, 22.03

Subscribed and sworn to before me this 29 day

of December 1961

Notary Public, Residing at Montpelier, Idaho

My Commission Expires March 13 1995

[illegible]

RECEIVED
MICHIGAN 1978

Department of Water Resources
Eastern District Office

4/86

RECEIVED
JAN 20 1987

Department of Water Resources
Eastern District Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

EXAMINATION FEE INFORMATION

For Office Use Only
Fee Received 150.00
Date 1-20-87
Receipt # 41001
Receipt by MD
Sent to S.O.

RECEIVED

FEB 27 1987

1. Permit No. 11-7093

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE:

☒ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: Melvin R. Crane, Timothy W. Crane, Joseph M. Crane, Laurence M. Crane

3. Post Office Address: Star Route 2 Box 2220 Montpelier, Idaho 83254

Telephone No. 208 - 847 - 2956

4. Source of Water: Three Mile Creek

5. Extent of Use:

Domestic (No. of households) Stockwater 70 Cattle (No. and type of stock)
530 Sheep

Irrigation 140 (acres) Other/Remark

6. Total rate &/or volume for which proof is submitted 280 CFS Irrigation .04 CFS acre-feet
Stockwater

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

1962

8. Person to contact to accompany the department representative during the field examination:

Melvin R. Crane

(Name)

Star Route 2, Box 2220 Montpelier, Id

(Address)

83254

208-847-2956

(Telephone Number)

☐ I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner I have selected verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

Date

Signature of Permit Holder (and title, if appropriate)

Copy retained for file

State of Idaho

Department of Water Resources

LICENSE EXAMINATION FEE SCHEDULE

(c.f.s. = cubic feet per second
AF = acre feet)

cfs	AF	Fee
0 - 0.04	0 - 4	\$ 0
.05 - 0.20	5 - 20	50.00
.21 - 1.0	21 - 100	100.00
1.01 - 2.0	101 - 200	125.00
2.01 - 3.0	201 - 300	150.00
3.01 - 4.0	301 - 400	175.00
4.01 - 5.0	401 - 500	200.00
5.01 - 6.0	501 - 600	225.00
6.01 - 7.0	601 - 700	250.00
7.01 - 8.0	701 - 800	275.00
8.01 - 9.0	801 - 900	300.00
9.01 - 10.0	901 - 1000	325.00
10.01 - 11.0	1001 - 1100	350.00
11.01 - 12.0	1101 - 1200	375.00
12.01 - 13.0	1201 - 1300	400.00
13.01 - 14.0	1301 - 1400	425.00
14.01 - 15.0	1401 - 1500	450.00
15.01 - 16.0	1501 - 1600	475.00
16.01 - 17.0	1601 - 1700	500.00
17.01 - 18.0	1701 - 1800	525.00
18.01 - 19.0	1801 - 1900	550.00
19.01 - 20.0	1901 - 2000	575.00
20.01 & over	2001 & over	600.00

Checks should be made payable to the
Department of Water Resources

No fee is required for single family
domestic use or stockwater use.

March 12, 1987

RE: Permit No. 11-7093

Melvin R. & Timothy W. Crane, et al
Star Rt. 2
Montpelier, ID 83254

Dear Permit Holder(s):

This office acknowledges receipt of the Assignment of the above referenced permit to you. Enclosed for your records is a copy of the permit.

As new owners of the permit, you are required to submit either an EXAMINATION FEE or a statement from a certified examiner that he has been retained to do a field examination of your water use.

Enclosed is a copy of the EXAMINATION FEE NOTICE sent to the previous permit owner. Please read and take proper action. You should note that the notice was sent on December 8, 1986 and after 60 days a day of priority of your permit is lost for every day the fee or statement is not received by this office.

In order to keep this permit in good standing, you must respond to the Examination Fee Notice as soon as possible. If you have any questions regarding this matter, please feel free to contact us.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc
Enclosures

MICROFILMED

MAR 19 1987

Permit No. 11-7093

ASSIGNMENT REVIEW CHECK LIST

1. Signature of Permit Holder? Yes
2. Notary? Yes
3. a. Full Assignment? Yes
b. Partial Assignment?
4. "No assignment" condition on permit?
5. Commencement of Works received? Yes B/a rec'd
 - a. Commencement of works requested?
 - b. Show Cause Order drafted & sent?
 - c. Cancellation necessary?
6. Affidavit of residency required? NO
7. Extension granted due to litigation?
(If yes, commencement of works is not required.)

1. Type permit summary ~~sheet~~.
2. Coding sheet. ✓
3. Acknowledgement letter type.
4. Copy to region.

Sharla —

Sharla —

#1 spec

Sharla —

Date 3-10-87

Employee Jm



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

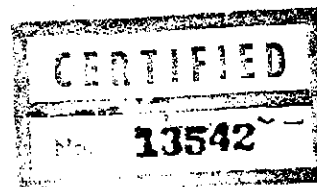
DEC 10 1986

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

Department of Water Resources

11-7093
CRANE, ROBERT M.
CRANE, WILLIAM B.
STAR RT 2
MONTPELIER, ID 83254

December 8, 1986



EXAMINATION FEE NOTICE

Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this Department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the Department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the Department, but you must within sixty (60) days of the date of this letter return to the Department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and submit the fee needed for the Department to conduct the field examination, but you may change to another certified examiner.

Certified water right examiners are licensed engineers, geologists, or land surveyors certified by the Department to conduct water right examinations. The procedure for certifying examiners results from the recently enacted HB 671 and is being developed at this time. A listing of certified water right examiners will be available from this Department. Examiners have been certified.

MICROFILMED

MAR 19 1987

If your permitted use, in fact, has already been examined by the Department and you have not asked to have the examination repeated, the fee requirement is not applicable to your permit. If you believe this is the case, please contact the Department.

The license examination fee is to be based on the amount of water you indicate you have developed, as listed in item 6 on the examination fee information sheet. The amount of water on which the examination fee is based can be less than the permitted amount, if less water has been diverted and beneficially used. The licensed amount of water, however, will not exceed the amount you claim on the examination fee information sheet. The enclosed license examination fee schedule shows a listing of applicable fees.

FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

FAILURE TO SUBMIT THE FEE OR THE COMPLETED FIELD EXAMINATION REPORT WITHIN A YEAR WILL BE CAUSE TO CONSIDER THE PROOF OF BENEFICIAL USE TO BE INCOMPLETE AND TO LAPSE THE PERMIT.

The attached examination fee information sheet and the fee may be submitted to the following Department office:

Eastern Region
Idaho Dept. of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83401
Phone: 525-7161

Very Truly Yours,



Ronald D. Carlson
Eastern Regional Manager

Enclosures

MICROFILMED

MAR 19 1987

December 30, 1982

William B. and/or Robert M. Crane
Rt. 2
Montpelier, ID 83254

Gentlemen:

Re: Permit No. 11-7093

This office acknowledges receipt of the statement of beneficial use submitted for the permit.

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

If you have any questions regarding the field examination, please contact our Eastern Regional office at 208 525-7161.

Sincerely,

RITA I. FLECK
Sr. Secretary

Enclosures

cc: Federal Land Bank
Regional Office - Idaho Falls

RECEIVED
FEB 1 1983
FEDERAL LAND BANK
IDAHO FALLS

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 11-7093.

Name(s) of Permit Holder: Robert M. Crane and/or William B. Crane

Post Office Address: Star Route #2
Montpelier, Idaho 83254

Source of Water: Three mile Creek

Extent of Use: ☐ Domestic (number of households)
☒ Stockwater 550 Sheep, 70 cattle (number and type of stock)
☒ Irrigation 140 (acres)
☐ Other

NOV 24 1982

Department of Water Resources
Measuring Device Required? ☒ Yes ☐ No Installed? ☐ Yes ☒ No
Access Point 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.

11-16-82
Date

William B. Crane
Signature of Permit Holder

Federal Land Bank Association of Preston

Soda Springs Branch

P. O. Box 747 W. Hyway #30

Soda Springs, Idaho 83276

PLACE
TEN CENT
STAMP
HERE



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

Federal Land Bank Association of Preston

P. O. Box 386, 102 North State
Preston, Idaho 83263
Telephone: (208) 852-2145
J. P. GARNER, Manager

SODA SPRINGS BRANCH

P. O. Box 747, West Highway 30
Soda Springs, Idaho 83276
Telephone: (208) 547-4956

DALE N. CLARK, Branch Manager



11-7093

RECEIVED

November 23, 1982

NOV 24 1982

Re: Loan No. 193986-1
Timothy W. Crane

Department of Water Resources
Eastern District Office

State of Idaho
Department of Water Admin.
Eastern District Office
150 Shoup
Idaho Falls, ID 83401

Dear Gentlemen:

Enclosed is the original copy of the Proof of Application of Water to Beneficial Use signed by William B. Crane and dated November 16, 1982.

Will you please place this on record and send written proof of this being done to this office and also to William B. Crane? Address - Star Route 2, Montpelier, Idaho 83254.

Thank you for your help concerning this matter.

Sincerely,


Bonnie J. Ruger
Secretary

bjr
encl.

RECEIVED





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

November 17, 1982

Dear Wateruser:

The enclosed Order changes the measuring device condition of approval on your water right permit.

The changed condition is less restrictive and provides you the option to install an access port or have your system measured and certified by a professional engineer. Instructions for access port installation are also enclosed.

If you have questions regarding this matter, please contact the regional office nearest to you.

Sincerely,

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

DRT:jg

Enclosures

NORTHERN REGION OFFICE
Route #5, Box 203, Government Way
Coeur d'Alene, Idaho 83814
Telephone 667-6484

EASTERN REGION OFFICE
150 Shoup Avenue
Idaho Falls, Idaho 83401
Telephone 525-7161

SOUTHERN REGION OFFICE
1041 Blue Lake Boulevard North
Twin Falls, Idaho 83301
Telephone 734-3578

WESTERN REGION OFFICE
92 South Cole Road
Boise, Idaho 83709
Telephone 334-2190

RECEIVED



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

John V. Evans
Governor

C. Stephen Allred
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

March 14, 1978

Re: Permit No. 11-7093

Robert M. Crane &/or William B. Crane
Star Route #2
Montpelier, ID 83254

Dear Sirs:

Enclosed is a copy of your approved Application for Permit No. 11-7093. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to either install and maintain a measuring device at your point of diversion or to provide the Department a certified measurement of the systems diversion capacity prior to submitting proof of beneficial use of water. We have enclosed a letter describing the different types of measuring devices accepted by this office.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:KW

Enclosure

MICROFILMED

January 9, 1978

RE: Amended Application for Permit No. 11-7093 CRANE

The News Examiner
P.O. Box 278
Montpelier, Idaho 83254

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application. The notice was to have been published in your paper on December 22 and December 29, 1977.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

RONALD D. CARLSON
Supervisor
Eastern Region

RDC:CD

MIC

December 16, 1977

RE: Amended Application for Permit No. 11-7093 CRANE

The News Examiner
P.O. Box 278
Montpelier, Idaho 83254

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

Bill submitted 1-10-78 by cu

RDC:CW

Enc: Legal Notice (1)

MICROFILMED

NOTICE OF AMENDED APPLICATION FOR WATER PERMIT

Notice is hereby given that Application for Permit No. 11-7093 in the name of Robert M. Crane was filed for the diversion of 3.54 c.f.s. of water from Three Mile Creek tributary to sinks, with points of diversion within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 28, T. 11S, R. 44E, B.M., Bear Lake County; to be used from Jan. 1 to Dec. 31 for stockwatering purposes for 450 head ewes and lambs and 20 head cattle within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 28, T. 11S, R. 44E, and from Apr. 15 to Oct. 15 for the irrigation of 175 acres within the E $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 21, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 28, T. 11S, R. 44E, B.M.

The applicant now proposes to amend application No. 11-7093, requesting the applicant's names to read Robert M. Crane and/or William B. Crane. The applicants propose to divert 2.80 c.f.s. of water from Three Mile Creek tributary to sinks within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21, T. 11S, R. 44E, B.M., Bear Lake County; to be used from Jan. 1 to Dec. 31 for stockwatering purposes for 550 sheep and 70 head of cattle within the W $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 28, T. 11S, R. 44E, and from Apr. 15 to Oct. 15 for the irrigation of 140 acres within the W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 28, T. 11S, R. 44E, B.M.

Any protest to the proposed amending of the application must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401, on or before January 9, 1978.

C. STEPHEN ALLRED

Director

Published in the News Examiner, Montpelier, Idaho, on December 22 and December 29, 1977.

MICROFILMED
70-2-74

December 12, 1977

RE: Application for Permit No. 11-7093 AMENDED

Verdene R. Crane
Star Route #2
Montpelier, ID 83254

Dear Ms. Crane:

Attached herewith is Departmental receipt No. 9127 in the amount of \$10.00 for the above referenced amendment of Application No. 11-7093 in the name of Robert M. Crane &/or William B. Crane.

Very truly yours,

COLLEEN WRAY
Secretary

CW:CD

Attachment

MICROFILMED

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 11-7093 Amended

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) 204 12/14/77

In form to receipt yes

(2) " "

Send Copies to:

NA Idaho State Health Department
NA Idaho Fish and Game Department
NA Bureau of Land Management

(3) " "

NA Request Special Use Permit from U.S.F.S.
NA Request Easement from B.L.M.
NA Request Information from Applicant
NA Request Dam Safety Information

(4) " "

In form for advertising yes

(5) " "

Platted on Map No. CC-48

(6) " "

Located within Water District No. WD 11 - Basin 11

(7) " "

Critical groundwater area: yes no

(8) " "

Groundwater levels:

NA Declining, Stable, Increasing

(comment) —

(9) " "

Other rights on the same place of use None

(10) " "

Comments: No known conflicting water rights
none known

(11) CW 1-10-78

Affidavit of Publication received (date) Jan 10-1978

(12) CW 1-10-78

Final date for protests January 9-1978

Protests received: yes no

(13) LA 1-10-78

All requested information received from agencies or applicant: yes no

(14) LA 1-10-78

Action recommended:

☒ Approve Deny

7-8-76 Proposed Priority

Reason for Reduction

☒ Measuring device required

See attached sheet for other conditions of approval

No special conditions for approval

(15) District E

By John O'Halloran Date 1-10-78

Copy Sent

RECEIVED

JUL 29 1976

Department of Water Resources
Eastern District Office

PROTEST

TO: State of Idaho Department of Water Resources

Re: Application No. 11-7093 of ROBERT M. CRANE

STATE OF IDAHO)
) ss.
County of Bear Lake)

WILLIAM B. CRANE, being first duly sworn, deposes and says:

THAT pursuant to I.C. 42-203 he objects to the granting of the permit to appropriate 3.54 cubic feet per second of water from three Mile Creek heretofore applied for by ROBERT M. CRANE on July 7, 1976.

THAT the nature of his objection is as follows: Prior to May 20, 1971, he diverted and applied to beneficial use the entire stream flow of Three Mile Creek which water theretofore had not been appropriated, and that pursuant to said diversion and application to beneficial use he acquired first priority to the entire stream flow of said water way, and that if the application of ROBERT M. CRANE were granted, his existing water rights to said water way would be jeopardized.

William B. Crane
WILLIAM B. CRANE

SUBSCRIBED AND SWORN to before me on this 27th day of July, 1976.

Jay A. Kohler
Notary Public for Idaho
Residing at Montpelier.
Com. Expires: Lifetime

11 7093

Identification No. _____

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

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

1. Name of applicant Robert M. Crane Phone: 847-1120
 post office address Star Route #2, Montpelier, Idaho 83254
2. Source of water supply Three Mile Creek which is a tributary of sinks
3. a. Location of point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 21 Township 11S
 Range 44E B.M. Bear Lake County; additional points of diversion if any: _____
Temporary diversion point in NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 28, T. 11S, R. 44E, B.M.
- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
 of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
 Amount 3.50 for Irrigation purpose from Apr. 15 to Oct. 15 (both dates inclusive)
(cfs or acre-feet per annum)
 Amount 0.04 for Stockwater purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
 Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
 a. 3.54 cubic feet per second and/or
 b. _____ acre feet per annum.
6. Proposed diverting works:
 a. Description of ditches, flumes, pumps, headgates, etc. headbox and pipeline for use with
a gravity flow sprinkler system
- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
 capacity _____ acre feet, materials used in storage dam: _____
 Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
 is 5 years.
 b. Estimated construction cost is \$ 25,000.00.
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 28 Township 11S
 Range 44E B.M.
 (2) Amount of power to be generated: _____ hp under _____ feet of head.
 (3) List number of each kind of livestock to be watered 450 head ewes and lambs; 20 head
cattle
 (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: _____

Microfilm

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	
11S	44E	21									20			40			40	5	105
		28		30			40												70

Total number of acres to be irrigated 175

c. Describe any other water rights used for the same purposes as described above. None

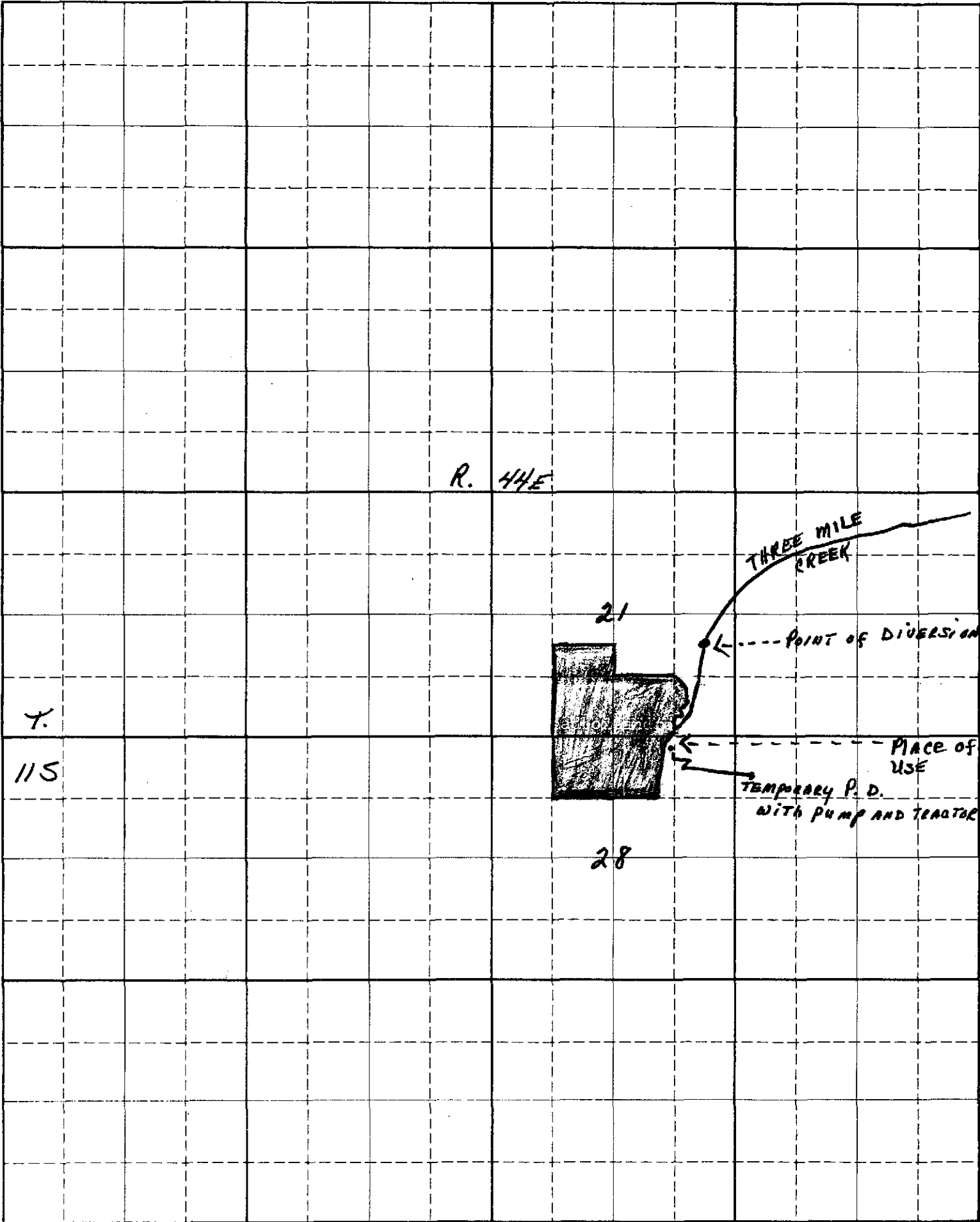
9. a. Who owns the property at the point of diversion Applicant

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 water for livestock has been used for many years. Irrigation has been carried on for the past two years, but applicant desires to get such use properly approved.

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.

Robert M. Crane
(Applicant)

MICROFILMED

CW 7-13-76 11:00 A.
CW 7-07-76 11:00 A.
ME 6-29-76 11:21 A.

Received by DRB Date 6-21-76 Time 8:30 A.

Preliminary check by DRT Fee \$ 55.00

Receipted by CW Date 7-08-76 #2448

Publication prepared by CW Date 7-08-76

Published in News Examiner

Publication dates July 15 and 22, 1976

Publication approved me Date 8/09/76

Priority reduced to _____ Reason _____

Protests filed by: William B. Cranes

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by _____

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. _____, and said application is hereby _____.

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 _____, 19____.

c. Other: _____

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

Witness my hand this _____ day of _____ 19____.

Director

RECEIVED

AUG 9 1976

AFFIDAVIT OF PUBLICATION

Department of Water Resources
Eastern District Office

STATE OF IDAHO,

SS.

County of Bear Lake

being duly sworn,

deposes and says:

That he is the publisher 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 two consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

July 15, 1974, and ending
with the issue of July 22, 1974

Fees, 10.00

Subscribed and sworn to before me this 5th day
of August 1974

Notary Public, Residing at Montpelier, Idaho

My Commission Expires March 13 199

[illegible]

WILLIAMS



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

December 7, 1977

RE: Application for Permit No. 11-7093

Mr. Robert M. Crane
Star Route #2
Montpelier, Idaho 83254

Dear Mr. Crane:

In accordance with your request of November 22, 1977, I have prepared an amended application for permit which includes both you and William B. Crane as applicants. The land list has been revised to include 70 acres of each applicant's land, which agrees with the findings of the field inspection which we made last fall.

The quantity of water has also been changed to 2.80 c.f.s. for irrigation which is one-inch per acre on the listed lands. I don't believe this reduced amount of water will be detrimental to the application since our field inspection showed a total flow of only 0.321 c.f.s. at the diversion point.

The application is filled out in the names of Robert M. &/or William B. Crane so that either one or both of you may sign it, and file proof of beneficial use.

If the application is satisfactory, please sign it and return it to this office with a \$10.00 fee for an amended application.

If no further difficulties arise, we will forward the application for approval upon completion of the advertising period. If you have any questions, please contact us.

Very truly yours,

LOREN O. HOLMES
Assistant Regional Supervisor

LOH:cw

Enclosure

cc: William B. Crane
Jay Kohler, Attorney

MICROFILMED

November 22, 1977

Dear Sirs:

Robert M. Crane & William S. Crane
are writing in regard to the water
permit filed on three-mile Creek.

William S. Crane wishes to with-
draw the protest filed against the
Robert Crane water permit no. 11-7093.
We have agreed to share the
water in three-mile Creek fifty per-
cent each.

The water is to be divided by
even number of drops or even number
of sprinkler heads.

RECEIVED

NOV 25 1977

Department of Water Resources
Eastern District Office

Sincerely:

William S. Crane
Robert M. Crane

MEMORANDUM

TO: File
FROM: Loren Holmes *LH*
RE: Pre-Permit Field Examination
DATE: September 2, 1977

The water was measured at the two points indicated on the attached aerial photo.

The flow measured 0.321 c.f.s. at the upper point, which is where the applicant presently diverts water, and 0.181 c.f.s. at the downstream end of the applicant's property, where the water enters the protestant's property; a distance of about 2,000 feet. No water was reaching the reservoir on the protestant's property another 1,500 feet downstream.

The aerial photo and field observation indicate that the protestant can irrigate about 60 acres adjacent to the creek if water is available. There is an old wooden check structure at the upstream end of the protestant's property indicating that the water has been diverted in the past.

The protestant's claim No. 11-4051, claims irrigation of the SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 25, T. 11S, R. 44E, however, the Bear Lake County ASCS Office aerial photo of the section indicates that he does not own the NE $\frac{1}{4}$ SW $\frac{1}{4}$, but instead owns the SE $\frac{1}{4}$ SW $\frac{1}{4}$, which is not reached by water from this stream. Stockwater was being used upon the protestant's property and the applicant had extended his pipeline to supply stockwater.

Whatever use the protestant has made of the water in the past was probably limited to the 60 acres within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 25, T. 11S, R. 44E.

RECORDED
INDEXED

6-31

53.9

32.0

45.7

Robert M. Crane
CZ 13

126.5

38.5

59.6

Crane

Wm Crane

10' 0"

10'

Wm Crane

RECEIVED

MAY 2 1977

JAY A. KOHLER
ATTORNEY AT LAW
552 WASHINGTON STREET
MONTPELIER, IDAHO
83254

DIRECTOR	
PLANNING	
WATER PLAN	
TECH. STUDIES	
OPERATIONS	
ENGINEERING	
INSTRUMENTATION	
INVESTIGATION	
LEGAL	
FISCAL	
BOARDS	
FILES	

Department of Water Resources

April 28, 1977

Department of Water Resources
Boise, Idaho 83707

Re: Protests Against Approval of Application for Permit No. 11-
7093 in the Name of Robert M. Crane.

Atten: Loren O. Holmes

Dear Mr. Homes:

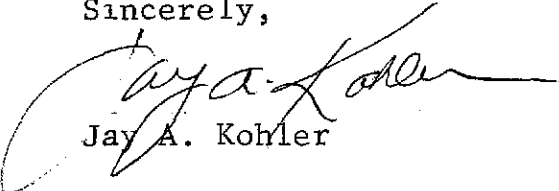
A hearing in this matter was held November 5, 1976, at 11:00 a.m., in the Franklin County Courthouse, Preston, Idaho. At the hearing, it was suggested by the Department that the Protestant, William Crane, and the Applicant, Robert Crane, attempt to reach an agreement on the division of the water in question. The Department then prepared a short handwritten agreement providing that the Applicant and the Protestant would temporarily waive the requirement that the Department prepare a memorandum opinion on the hearing pending a mutual agreement on the division of the water in question. It is our understanding that this agreement is still in the Department's possession. We request that you send us a copy of this agreement.

We further wish to bring to your attention that the Protestant and Applicant have not succeeded in reaching a mutual acceptable division of the water in question. Therefore, it is the request of the Protestant, William Crane, that the Department proceed to issue its memorandum opinion in this matter.

It is also the request of Mr. William Crane, that the Department take the necessary steps to have the stream flow of Three Mile Creek, the disputed water, measured. It is felt that it would be extremely helpful in resolving this matter to know the total stream flow available for diversion.

We wish to thank you in advance for your cooperation in this regard.

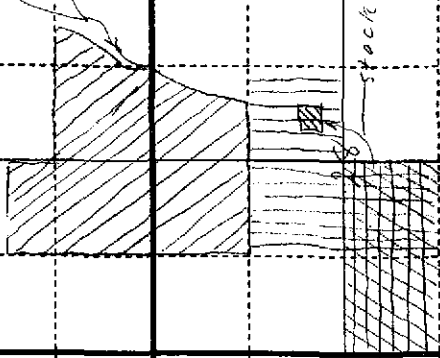
Sincerely,


Jay A. Kohler

JAK/jw

cc. William Crane

21



APP 11-7093 Rabb. Change
Plot by Wm. C. Lane

APP 11-7098 Grove Phel/ps
Plot by Rabb. Change
Plot with Wm. C. Lane

Claim 11-4051 Wm. C. Lane
Exception by Rabb. Change

Claim 11-4083 Grove Phel/ps

MEMORANDUM

TO: File
FROM: Loren Holmes *LH*
RE: Conference Held November 5, 1976
DATE: November 16, 1976

All parties concerned agreed to let the Department reach a decision on the application; however, they thought they may be able to agree on building a joint system so that the protest could be resolved.

We agreed to hold the decision for thirty (30) days to allow them to work out their differences if possible.

In the meantime, a field exam should be done to determine the extent of the protestants irrigation and the losses in the creek.

MICROFILMED

FROM RON

DATE 11/30/76

TO FILE 11-7093

SUBJECT TC w/ Robert Crane

Mr. Crane call to tell us that the SCS is doing some preliminary work & will probably not be finished in 30 days. I told him that would be no problem but to keep us advised.

~~X~~ MICROFILMED

SIGNATURE

MEMORANDUM

TO: FILE NO. 11-7093

FROM: BOB FLEENOR

DATE: NOVEMBER 8, 1976

Conference was held at Preston, Idaho, on November 5, 1976.

After hearing the evidence and testimony it was decided that the protestant and applicant would allow the Idaho Department of Water Resources to reach a decision based upon the information obtained at the conference.

It was also felt that the applicant and the protestant might be able to reach an agreement and if an agreement is reached the Department will be notified and a Memorandum Decision will not be necessary.

MICROFILMED

Claim

Protestant — is irrigating 35 reasonable

Flow about 4 cfs at upper reach —

Mr. Kohler

Mr William Crane has established a water right
by diversion and beneficial
1st used 1962

There is a wooden headgate — and lateral ditches

Development has not taken place.

5/8

$$\begin{array}{r} 1.75 \\ \cancel{35} \\ 80 \\ \hline 4290.5 \\ 8 \overline{) 1450} \\ 8 \overline{) 1665} \\ 208 \end{array}$$

4.16

MICROFILMED

11-7093 - Robert M. Crane

Courtroom, Franklin County Courthouse, Preston, Idaho

November 5, 1976 - 11:00 a.m.

ROSTER OF ATTENDANCE

Name	Address	Representing
Jay A. Kohler	852 Washington Montpelier, Id.	William Crane
William B. Crane	Bennington, Id.	
Jed S. Crane	Bennington, Id.	
Melvin R. Crane	Bennington, Idaho	William Crane
Joseph M. Crane	"	"
Robert M. Crane	Bennington	Robert M. Crane

MICROFILMED

In The Matter of Application
for Permit No 11-7093

We hereby agree to allow the Department of Water
Resources to reach a decision on application for permit
no 11-7093 based upon to testimony and evidence
obtained at the conference held at Preston, Idaho on
November 5, 1976.

Signed at Preston Idaho on Nov. 5, 1976

Robert M. Evans
Applicant

William B. Evans
Protestant

▶

☐ REGISTERED ☐ REGISTERED
☐ C.O.D.
☐ CERTIFIED

DECLASSIFIED

NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET AND POST OFFICE ADDRESS	POSTAGE	FEE	R.R. FEE	HEAVY DEL. FEE	ACTUAL VALUE	HANDLING CHARGE	REMARKS*
1 220	Fred O. Trapp, McCannan, Ida.	13	60					29-7236
2 221	Wall Street, Box 36, Inkorn, Ida.							"
3 222	Wong Hattay, Box 117A, Inkorn, Ida.							"
4 223	W. A. Hahler, Box 199, Inkorn, Ida.							"
5 224	Madison J. Davis, Box 44A, Malad, Id.							15-7232
6 225	Kurt M. Lewis, P.O. Box 224, Crescent, Id.							"
7 226	Arthur W. Atkinson, Rt. #1, Box 42B, Malad, Id.							"
8 227	Alvin S. Williams, Rt. #1, Box 42C, Malad, Id.							"
9 228	Samuel H. Hinton, 136 N. 100 W. Malad, Id.							"
10 229	B. R. Grant, Station, Rt. #3, Preston, Id.							13-7125
11 230	J. W. Crenshaw, 2234 State, Carey, Id.							"
12 231	Robert M. Crane, Star Route #1, Marsden, Id.							11-7895
13 232	Jay A. Kehler, 352 Washington St., Marsden, Id.							"
14								
15								
16								
17								
18								
19								
20	Copy sent John Sharp, Attorney Not Certified. 13-7125							

Sent by Certified Mail

MAHO FALLS, ID.
 OCT 26
 1976

TOTAL NO. OF PIECES LISTED BY SENDER
 13

TOTAL NO. OF PIECES REC'D AT P.O.
 13

POSTMASTER, PER (Name of responsible employee)
 [Signature]

*Show under "Remarks" class postage paid if other than first or if international

(Declaration of value is required on international registered mail)

★ U. S. GOVERNMENT PRINTING OFFICE: 1974-0-529-726

FORM MUST BE MADE OUT IN INK OR BALL POINT PEN

October 26, 1976

Franklin County Clerk
Franklin County Courthouse
Preston, Idaho 83263

Gentlemen:

This is to confirm the use of the Courtroom for conference and/or hearing to be held by this office on Friday, November 5, 1976, beginning at 9:00 a.m.

Thank you for your cooperation in this matter.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CM

RECEIVED

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

In the Matter of Protests Against Approval)
of Application for Permit No. 11-7093)
in the Name of ROBERT M. CRANE)
_____)

NOTICE OF CONFERENCE
AND/OR HEARING

On July 7, 1976, Robert M. Crane filed with the Department of Water Resources an application to appropriate the public waters of the State of Idaho. On July 29, 1976, the Department received a protest against approval of said application from William B. Crane.

The Department has set the matter of protests for conference and/or hearing for Friday, November 5, 1976, at 11:00 a.m., in the Franklin County Courthouse, Preston, Idaho. Any hearing will be held in accordance with the Rules and Regulations of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

Any party may request in writing five (5) days before any hearing that the oral proceedings thereof be taken in the form of stenographic notes. Any party may have such stenographic notes of the oral proceedings, or part thereof, transcribed at his own expense. A taped record of the proceedings will be maintained for the appeal period.

Failure to appear at the time and place set for hearing by the applicant or protestants may allow the Department without prejudice to dismiss the protests or the application. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

Dated this 26th day of October, 1976.

Loren O. Holmes
LOREN O. HOLMES
Assistant Regional Supervisor

RECEIVED
OCT 27 1976



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT

Cecil D. Andrus
Governor

August 2, 1976

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

R. Keith Higginson
Director

RE: Application for Permit No. 11-7093
ROBERT M. CRANE

Mr. Jay A. Kohler
Attorney at Law
852 Washington Street
Montpelier, Idaho 83254

Dear Mr. Kohler:

This is to acknowledge receipt of your protest to issuance of a permit pursuant to the above referenced application. The following are the principle items we can consider at a conference and/or hearing 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 purposes 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?

The Department may reject an application and refuse issuance of a permit, partially approve the permit, approve the permit for a quantity of water less than applied for, or approve the permit subject to special conditions.

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the individuals concerned through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for conference and/or hearing to discuss the matters of protest. If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC: CW

cc: IDWR - State Office



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT

Cecil D. Andrus
Governor

August 2, 1976

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

R. Keith Higginson
Director

Mr. Robert M. Crane
Star Route #1
Montpelier, Idaho 83254

Dear Mr. Crane:

We have enclosed a copy of the protest filed against the issuance of a permit pursuant to your Application No. 11-7093. You should be aware that the following are the principal items we can consider at a conference and/or hearing 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 purposes 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?

The Department cannot allow a permit for irrigation purposes which would entail the use of more than a continuous flow of 0.02 cubic feet per second of water for each acre of land, or an annual amount of 5 acre feet for each acre of land, unless the applicant can show that more is required (Section 41-202, Idaho Code).

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the applicant through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for a conference and/or hearing to discuss the matters of protest. Legal counsel is not mandatory at any proceeding before the Department, although you may desire to employ an attorney in your behalf.

If we may be of any assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC: CW

cc: IDWR - State Office

Received August 2, 1976

JAY A. KOHLER

ATTORNEY AT LAW
852 WASHINGTON STREET
MONTPELIER, IDAHO 83254
TELEPHONE 847-2499

RECEIVED

JUL 28 1976

Department of Water Resources
Eastern District Office

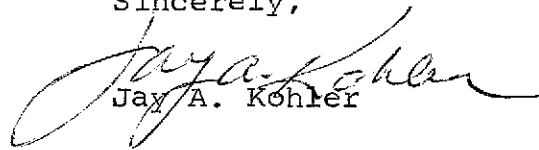
July 28, 1976

Loy H. Johnson
Senior Water Resource Agent
State of Idaho Department of Water Resources
Eastern District
1515 Lincoln Road
Idaho Falls, Idaho 83401

Dear Mr. Johnson:

Please find enclosed Mr. William B. Crane's protest in the matter of Robert Crane's application for a water permit, application No. 11-7093.

Sincerely,


Jay A. Kohler

bd
encl:

RECORDED

August 2, 1976

RE: Application for Permit No. 11-7093 CRANE
Claim to a Water Right No. 11-4050 CLARK

The News Examiner
P.O. Box 278
Montpelier, Idaho 83254

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced applications. The legal notice was to have been published in your paper on July 15 and July 22, 1976.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

cc: IDWR - State Office

RECEIVED



STATE OF IDAHO

DEPARTMENT OF FISH AND GAME

REGION 5
636 PERSHING, SUITE B
POCATELLO, IDAHO 83201

RECEIVED

July 14, 1976

JUL 15 1976

Department of Water Resources
Eastern District Office

Mr. Ron Carlson, Supervisor
Department of Water Resources
1515 Lincoln Road
Idaho Falls, Idaho 83401

Dear Ron:

Re: Application for Permit #11-7093

We have no specific comments on this application for water right at this time as this stream has been used by the applicant for this purpose the past few years.

Sincerely,

IDAHO DEPARTMENT OF FISH AND GAME
Joseph C. Greenley, Director

Bill Davidson

Bill Davidson, Supervisor
Region 5

RECEIVED

Identification No. 11 7093

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

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

1. Name of applicant Robert M. Crane Phone: 847-1120
post office address Star Route # 1, Montpelier, Idaho 83254
2. Source of water supply 3 mile creek which is a tributary of nothing sinks
3. a. Location of point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 21 Township 11 S
Range 44 E B.M. Bear Lake County; additional points of diversion if any: _____
Temporary diversion point in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 28, Township 11 South Range 44
East of the Boise Meridian.
- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 3.5 cfs for irrigation purpose from April 15 to October 15 (both dates inclusive)
(cfs or acre-feet per annum)
.04 Amount .1 cfs for stock water purpose from January 1 to December 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 3.854 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Headbox and pipe line for use with
a gravity flow sprinkler system.

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 25,000.00.
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 28 Township 11
Range 44 B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered 450 HEAD EWES + LAMBS
ALSO 20 HEAD CATTLE
(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: _____

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

TWP.	RANGE	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	
11 S	44 E	21									20			40			40	5	105
11 S	44 E	28		30			40												70

Total number of acres to be irrigated 175

c. Describe any other water rights used for the same purposes as described above. none.

9. a. Who owns the property at the point of diversion Robert M. Crane

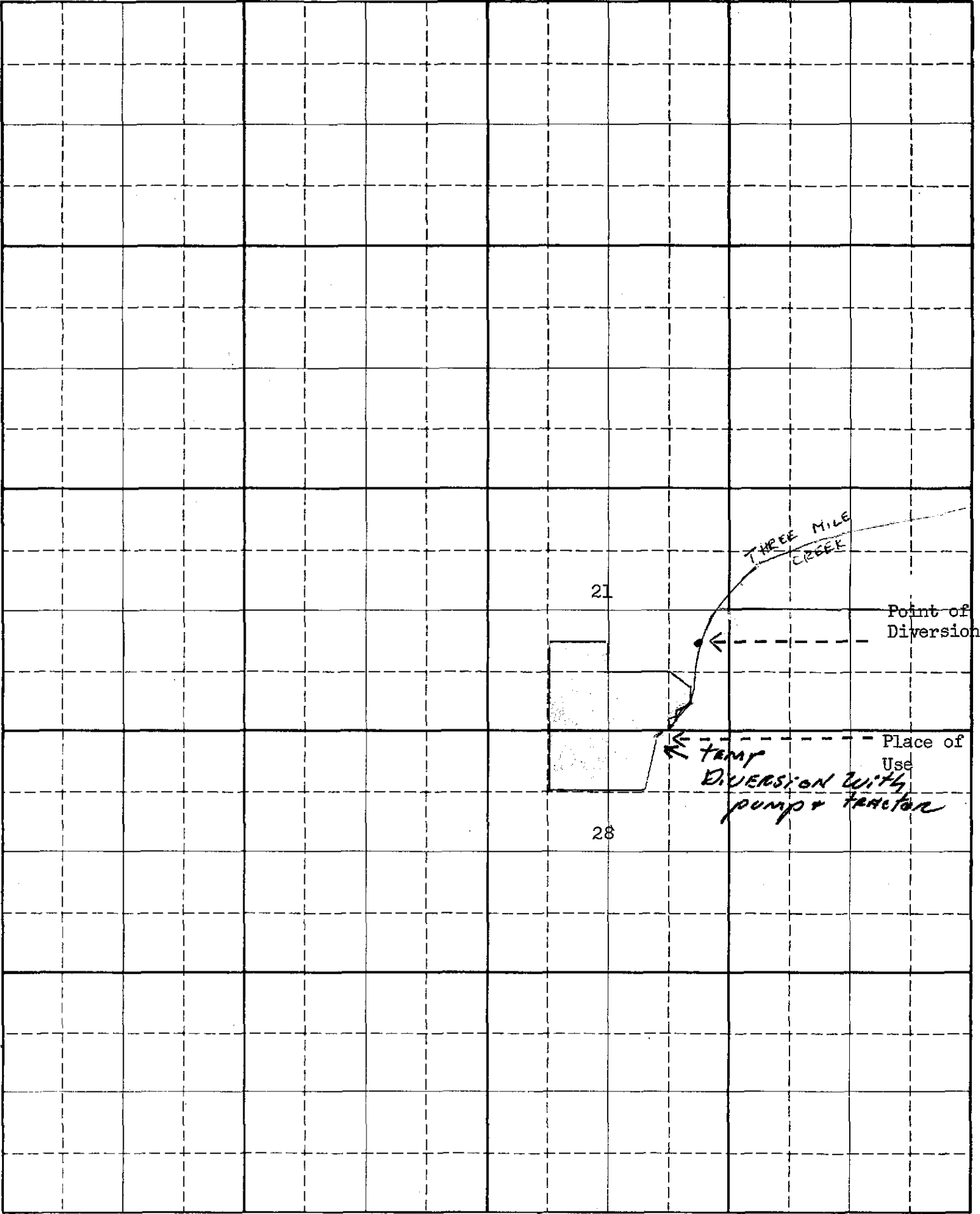
b. Who owns the land to be irrigated or place of use Robert M. Crane

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 water for livestock has been used for many years. Irrigation has been carried on for the past two years, but applicant desires to get such use properly approved.

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

Township 11 South, Range 44 East of the Boise Meridian



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.

Robert M. Crane
(Applicant)

RECEIVED

July 8, 1976

RE: Application for Permit No. 11-7093 CRANE

The News Examiner
P.O. Box 278
Montpelier, Idaho 83254

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

Bill submitted 8-09-76 by CW

Enc: Legal Notice (1)

MICROFILMED

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Robert M. Crane,
Montpelier, Idaho

has on 7-07-76 submitted Application No. 11-7093
for a permit to appropriate 3.54 cubic feet per second ~~acre feet per annum~~
of water from Three Mile Creek tributary to sinks
by means of headbox and pipeline
within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 28, T. 11S, R. 44E, B.M.,
Bear Lake County;

to be used from Jan. 1 to Dec. 31 for stockwatering purposes for 450
~~XXX~~ head of ewes and lambs and 20 head of cattle within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 28, T.
11S, R. 44E, and from Apr. 15 to Oct. 15 for the irrigation of 175 acres
within the E $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 21, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 28, T. 11S, R. 44E, B.M.

If issued, this permit will be subject to all prior water rights. Protests
against the granting of the permit must be filed with the Idaho Department of
Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before _____
August 2, 1976

R. KEITH HIGGINSON

Director

Published in the News Examiner, Montpelier, Idaho

on July 15 and July 22, 1976

WILKUTILMED
-NO. 5.
-the 5.

July 8, 1976

RE: Application for Permit No. 11-7093 CRANE

Mr. Russell Stoker, Watermaster
Water District 11
Box 726
Soda Springs, Idaho 83276

Dear Mr. Stoker:

We realize that Three Mile Creek does not indicate a surface expression which ties it directly to the Bear River, but, it is in fact, a part of the Bear River Drainage. Therefore, we offer this information for your records.

If you have any questions, please feel free to contact me.

Very truly yours,

BILL RHOADS
Regional Planner

BR:cw

Enclosure

RECEIVED
JUL 10 1976
FBI - SALT LAKE CITY

July 8, 1976

RE: Application for Permit No. 11-7093

Mr. John Heimer
Regional Fishery Biologist
Idaho Department of Fish & Game
636 Pershing
Pocatello, Idaho 83201

Dear John:

We are enclosing a copy of an application that may be of interest to your agency. Please review the application and if you have any comments, submit them to our Department as soon as possible. The last date of protest is August 2, 1976, and we are required to take final action shortly thereafter.

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

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

Enclosure

MICROFILMED

July 8, 1976

RE: Application for Permit No. 11-7093

Mr. Robert M. Crane
Star Route #1
Montpelier, Idaho 83254

Dear Mr. Crane:

Attached herewith is departmental receipt No. 2448 in the amount of \$55.00 for the above referenced application.

Enclosed you will also find a retyped application. Please sign this application and return to this office as soon as possible. We have begun the processing and the final date of protest is August 2, 1976. However, final action can not be taken until the new application is returned.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

Attachment

Enclosure

RECEIVED
JUL 14 1976
FBI - MONTPELIER

June 29, 1976

Mr. Robert M. Crane
Star Route #1
Montpelier, Idaho 83254

Dear Mr. Crane:

Please find enclosed your application for permit and check No. 92-206 in the amount of \$55.00 which we again find necessary to return for correction.

You have included the location of a temporary point of diversion in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21, which is the same description as the permanent point of diversion you previously indicated. I have marked a small red "x" in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 28, which is where you indicate it should be in Item 3.

Also, the irrigation season in your area is April 15 to October 15 and, therefore, the period of use in Item 4 should be changed accordingly.

Please make the requested corrections and return with your check at your earliest convenience.

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

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

Attachment: Check No. 92-206

Enclosure

RECEIVED



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

RECEIVED
JUN 29 1976

Department of Water Resources
Eastern District Office

June 21, 1976

Robert M. Crane
Star Route 1
Montpelier, Idaho 83254

Dear Mr. Crane:

The enclosed application must include some additional information before it can be accepted by our Department.

Please include in Item 8a(1) the place of use of the stockwater. Also, list in 8a(3) the number and kind of livestock to be watered.

Please indicate on the map the location of the temporary diversion point, as it should be recognized as a diversion point for this right.

As the irrigation season on the land in question is April 15 through October 15, Item 4 should be changed to reflect this.

Upon completion of these changes the application may be sent to our Eastern Regional Office at 1515 Lincoln Road, Idaho Falls, Idaho 83401. They will be happy to help you further.

Sincerely,

David R. Tuthill Jr.

DAVID R. TUTHILL, JR.
Water Resource Analyst

DRT/jfr

Enclosure: Application for permit
Check No. 92-286 for
\$55.00

MICROFILMED

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. _____

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) BR 7-8

In form to receipt

(2) LI 11

Send Copies to:

☒ Idaho State Health Department
☒ Idaho Fish and Game Department
☒ Bureau of Land Management
☒ Bear River Watermaster / Info only
Request Special Use Permit from U.S.F.S.
Request Easement from B.L.M.
Request Information from Applicant

(4) LI 61

In form for advertising

(5) LI 11

Platted on Map No. _____

(6) LI 11

Located within Water District No. D.A.

(7) LI 11

Critical groundwater area: yes _____ no D.A.

(8) LI 11

Groundwater levels: N.A.
_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) LI 4

Other rights on the same place of use As described
None

(10) _____

Comments: _____

(11) CW 8-09-76

Affidavit of Publication received (date) Aug. 9, 1976

(12) CW 8-02-76

Final date for protests August 2, 1976
Protests received: yes 1 no _____

(13) _____

All requested information received from agencies or applicant: yes _____ no _____

(14) _____

Action recommended:

_____ Approve _____ Deny

_____ Proposed Priority

_____ Reason for Reduction _____

_____ Measuring device required

_____ See attached sheet for other conditions of approval

_____ No special conditions for approval

(15) District _____ By _____ Date _____

NOT RECORDED

Copy MB.