

RECEIVED

JUN 3 1975

Department of Water Resources
Eastern District Office

MB NOTICE OF APPLICATION
FOR WATER PERMIT
Notice is hereby given that
Joseph A. DiMambro &/or Ed-
ward B. Kutylowski, Soda
Springs, Idaho have on 5/13/75
submitted Application No. 11-
7084 for a permit to appropriate
0.12 cubic feet per second of
water from unnamed springs
tributary of sinks by means of
headbox and pipeline within the
NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 1, T. 9S, R. 41E,
B. M., Caribou County; to be
used from Jan. 1 to Dec. 31 for
domestic purposes for three fam-
ilies within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec.
1, T. 9S, R. 41E, 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 June 9, 1975.
R. KEITH HIGGINSON, CW
Director
Published in the Caribou
County Sun, Soda Springs, Ida-
ho on May 22 and May 29, 1975.

Affidavit of Publication

County of Caribou }
State of Idaho } ss.

V. E. Lansberry

being first duly sworn on his
oath, states:

That he is Publisher
of the Caribou County Sun, a
newspaper of general circula-
tion in Caribou County, Idaho,
published weekly at Soda
Springs in said County, that said
newspaper has been pub-
lished in said County uninterr-
uptedly and continuously for
over seventy-eight consecutive
weeks, prior to the first publi-
cation of the annexed notice or
advertisement;

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

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

22nd day of
May, 19 75

The date of the last publication
being the 29th day of
May, 19 75

Subscribed and sworn to be-
fore me this 29th day

of May, 19 75

Elaine S. Johnson
Notary Public, residing
at Soda Springs, Idaho
(SEAL)

My Commission expires the
1st day of November

19 78

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 11-7084 Priority May 13, 1975 Amount 0.04 cfs

THIS IS TO CERTIFY, that Joseph A. DiMambro &/or Edward B. Kutylowski
of Soda Springs, Idaho, has complied with the terms and conditions of Permit
No. 11-7084 issued pursuant to Application for Permit dated May 13, 1975,
and has submitted proof to the Department of Water Resources on June 16, 1977,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.04 cfs of water from unnamed springs,
tributary to Sinks, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Domestic</u>	from <u>January 1</u> to <u>December 31</u>	at <u>0.04</u> cfs and	<u>1.2 acre feet</u>
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 0.04 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1.2 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 1, Twp. 9S,
Rge. 41E, B.M., in the County of Caribou

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
9S	41E	1									X								

Total number of acres irrigated _____

NOTE: Modifications to or variance from this license must be made within the limits of 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 29 day of

May, 19 79.

Director

MICROFILMED

Identification No. 11 7084

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROVED APPLICATION FOR PERMIT

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

- Edward B.
1. Name of applicant Joseph A. DiMambro &/or Kutylowski Phone: 547-4785
post office address The Cedars, Soda Springs, Idaho
2. Source of water supply Unnamed Springs which is a tributary of Sinks
3. a. Location of point of diversion is NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 1 Township 9S
Range 41E B.M. Caribou 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 0.12 for Domestic 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)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 0.12 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Spring Box, gravity delivery 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 2 years.
b. Estimated construction cost is \$ 1,200.00.
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 SW $\frac{1}{4}$ of Section 1 Township 9S
Range 41E 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 _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water 3.
(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.	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	

Total number of acres to be irrigated_____

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

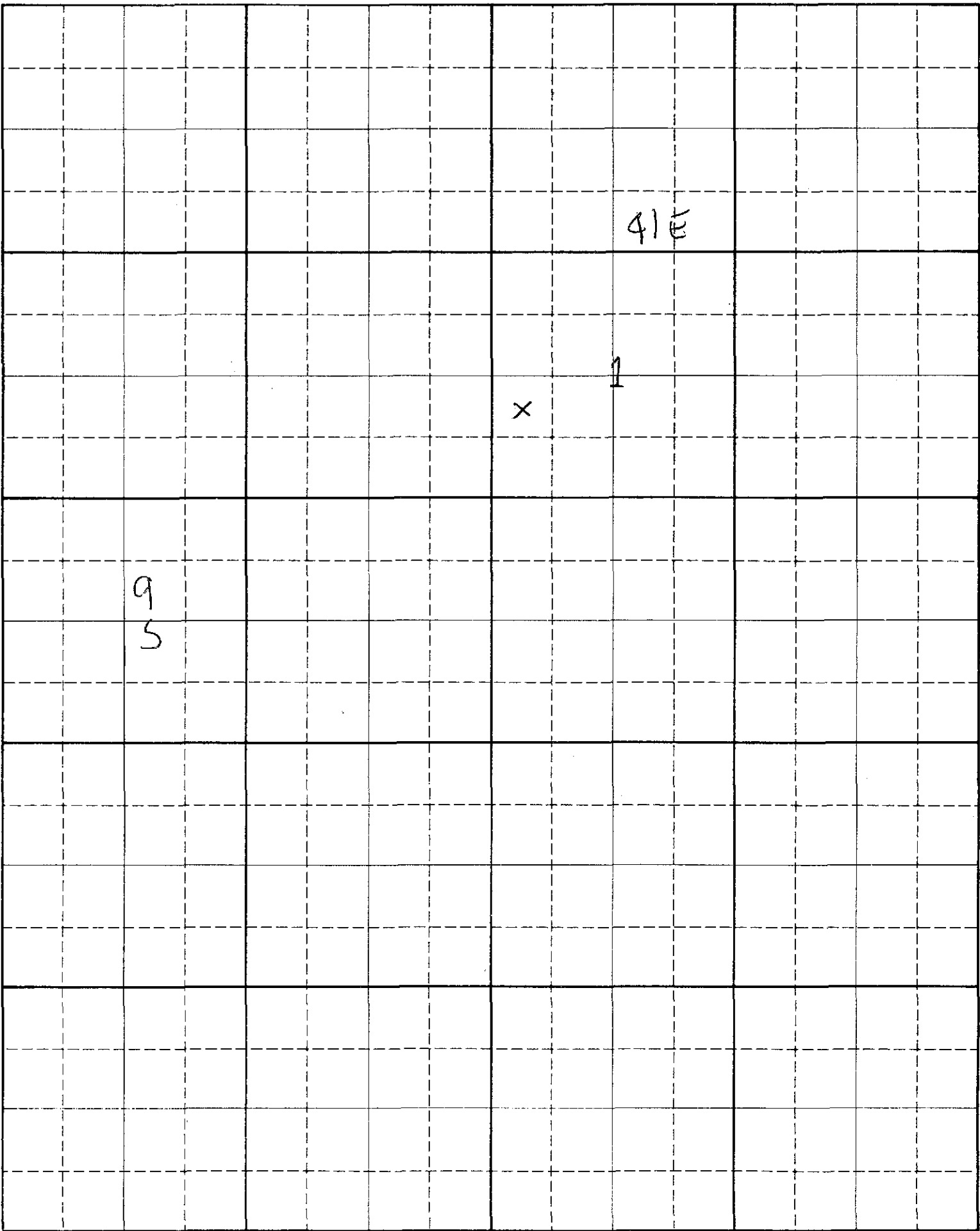
9. a. Who owns the property at the point of diversion Applicants

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 _____

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.

Edward B. Fitch
(Applicant)

Proposed priority: 5/13/1975

Received by MB Date 5/13/75 Time 10:05 A

Preliminary check by BR Fee \$ 10.00

Receipted by MB Date 5-13-75 # 4239

Publication prepared by MB Date 5-14-75

Published in Caribou County Sun

Publication dates May 22 + 29, 1975

Publication approved MB Date 6-03-75

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by MB

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. 11-7084, 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 August 1, 19 77.

c. Other: _____

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

Witness my hand this 3 day of July, 19 75.

R. Keith Higgins
Director

Affidavit of Publication

County of Caribou }
State of Idaho } ss.

V. E. Lansberry

being first duly sworn on his
oath, states:

That he is Publisher
of the Caribou County Sun, a
newspaper of general circula-
tion in Caribou County, Idaho,
published weekly at Soda
Springs in said County, that said
newspaper has been pub-
lished in said County uninterr-
ruptedly and continuously for
over seventy-eight consecutive
weeks, prior to the first publi-
cation of the annexed notice or
advertisement;

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

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

22nd day of

May, 19 75

The date of the last publication

being the 29th day of

May, 19 75

V. E. Lansberry

Subscribed and sworn to be-

fore me this 29th day

of May, 19 75

Elaine S. Johnson

Notary Public, residing
at Soda Springs, Idaho

(SEAL)

My Commission expires the

1st day of November

19 78

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JUN 3 1975

Department of Water Resources
Eastern District Office

OFFICE OF THE COMMISSIONER
OF WATER RESOURCES
The following is the text of the
annexed notice or advertisement
published in the Caribou County
Sun, a newspaper of general
circulation in Caribou County,
Idaho, published weekly at Soda
Springs in said County, that said
newspaper has been published
in said County uninterru-
ptedly and continuously for
over seventy-eight consecutive
weeks, prior to the first publi-
cation of the annexed notice or
advertisement;

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

for 2 successive weekly
issues thereof, the date of the
first publication being the
22nd day of
May, 19 75

The date of the last publication
being the 29th day of
May, 19 75

V. E. Lansberry

Subscribed and sworn to be-

fore me this 29th day
of May, 19 75

Elaine S. Johnson

Notary Public, residing
at Soda Springs, Idaho

(SEAL)

My Commission expires the
1st day of November
19 78

May 30, 1979

Re: Permit No. 11-7084

Joseph A. DiMambro &/or
Edward B. Kutylowski
Box 665, The Cedars
Soda Springs, ID 83276

Gentlemen:

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

Sincerely,

JAN GROVER
Water Rights Supervisor

JG:lr

Enclosure

MICROFILMED



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

John V. Evans
Governor

C. Stephen Allred
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

April 26, 1979

Re: Permit No. 11-7084

Joseph A. DiMambro
&/or Edward B. Kutylowski
Box 665, The Cedars
Soda Springs, Idaho 83276

Gentlemen:

A representative of this Department made an examination of the works covered by your Permit No. 11-7084 on February 17, 1978, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 0.04 cfs Source: unnamed springs

The maximum quantity diverted shall not exceed 1.2 acre feet per
year.

Point of diversion: NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 1, Twp. 9S, Rge. 41E, B. M.

Beneficial use: Domestic use within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 1, Twp. 9S, Rge.
41E, B. M.

Priority date established: May 13, 1975

If you do not concur with these findings please contact us within 10 days, otherwise a water license will be issued as set forth above.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG/kw

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DEPARTMENT OF WATER RESOURCES
FIELD REPORT

RECEIVED

1. Name of permit holder Joseph A. DiMambro &/or Edward B. Kutylowski JUN 27 1977 547-4187
Post office address Box 665, The Cedars, Soda Springs, ID 83276 Department of Water Resources
Person to contact _____ Phone _____ District Office

2. Source of water supply: Groundwater ☐ Surface water ☒ Unnamed springs
Sinks (name spring, stream, etc.) _____
Tributary to _____

3. Water will be used for the following purposes:

Amount 0.12 c.f.s. for Domestic (3)
AF/Annum (nature of use)

Period of Use: from Jan. 1 to Dec. 31
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

Permit No. 11-7084
Examination for b/u

4. Total amount to be appropriated:

Max Rate of Diversion 0.12 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 9S N/S, Range 41E E/W, B.M., Section 1, Subdivision NW 1/4 SW 1/4, Caribou
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____
County

Other Points of Diversions: _____

Description of diverting works: 4" perforated pipe at springs to a 1600 gal. specially constructed steel tank. Pipe is covered with washed gravel and visquin. Tank is submerged with a 1/2hp sub. pump inside. Water is then pumped from tank to house through 3/4" pipe.

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

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	
9S	41E	1									X								

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TOTAL ACREAGE _____

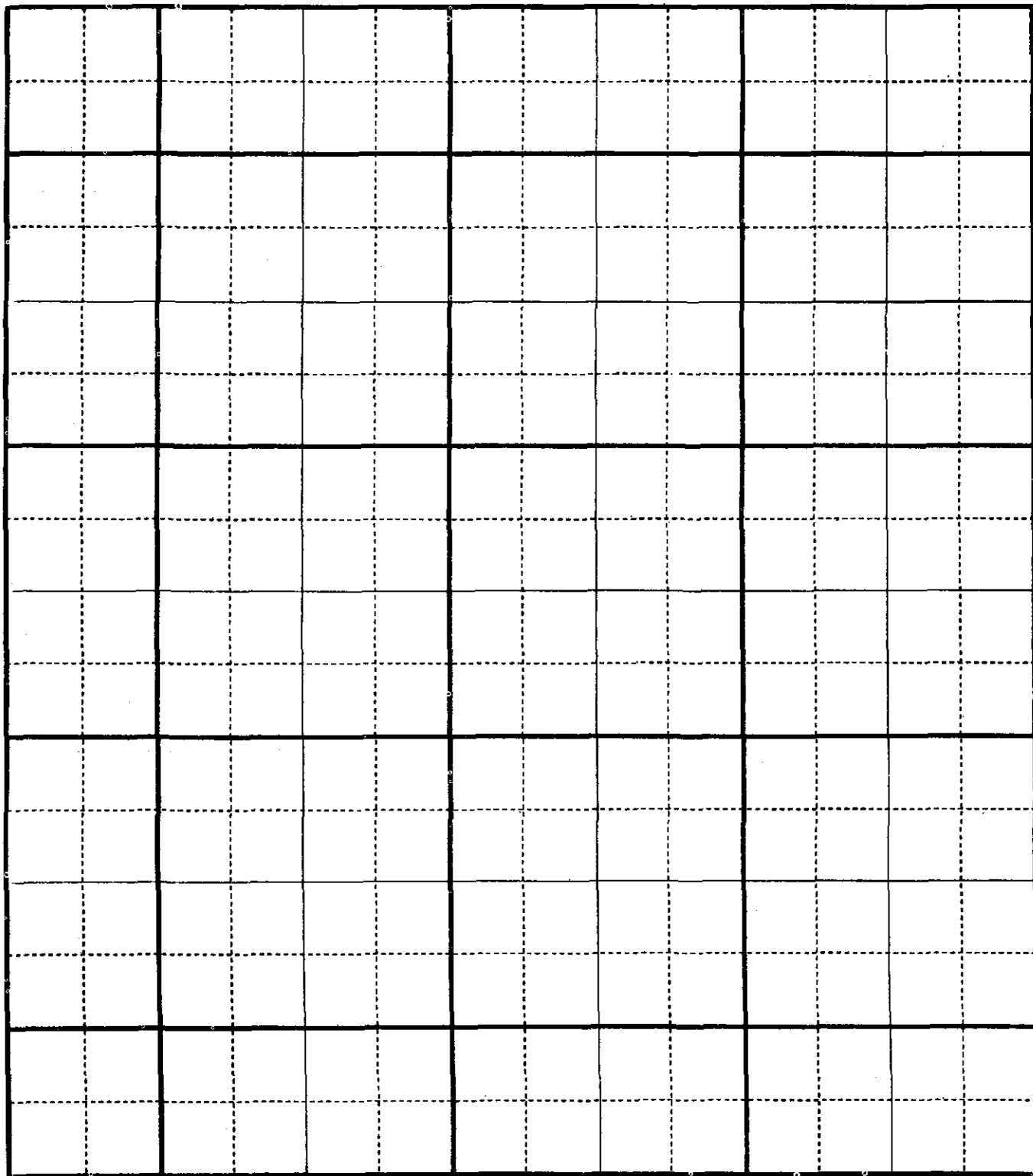
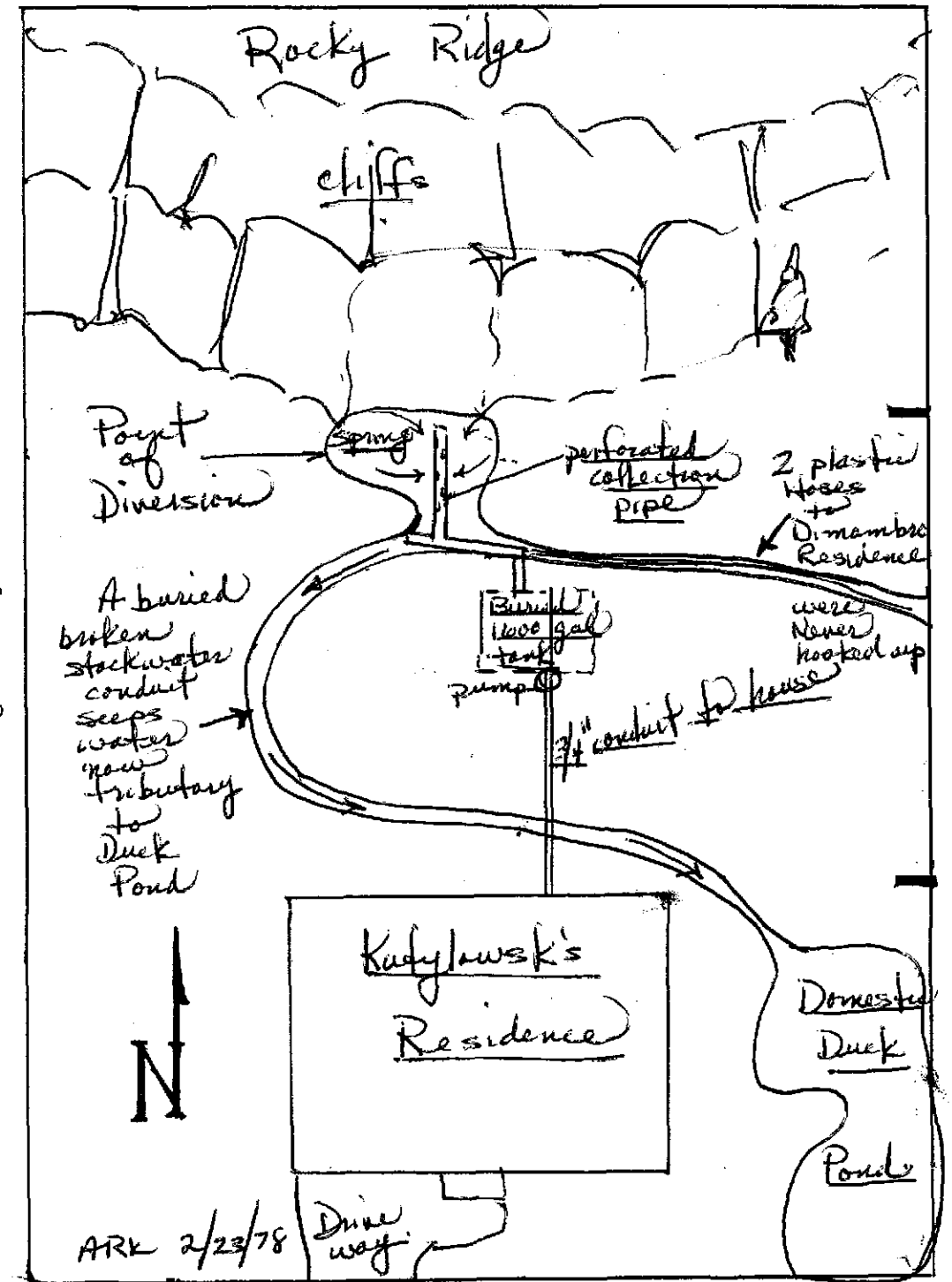


Diagram of System



DATE OF EXAM 2/17/78

ACREAGE
Found n/a
Recommended n/a

Irrigation Requirement n/a Ac Ft/Ac

USE

Irrigation Q = 0.04 c.f.s. V = 1.20 AF/Ann. from Jan 1 to Dec 31
Domestic Q = 0.04 c.f.s. V = 1.20 AF/Ann. from Jan 1 to Dec 31
Livestock Q = 0.04 c.f.s. V = 1.20 AF/Ann. from Jan 1 to Dec 31

Is water co-mingled? yes no X

Name source: n/a
twp. N/S, Rge E/W, B.M., Sec. 1/4, Sub. 1/4 County

Exchange? yes no X

Name source exchanged with: n/a
twp. N/S, Rge E/W, B.M., Sec. 1/4, Sub. 1/4 County

Point of injection: n/a
twp. N/S, Rge E/W, B.M., Sec. 1/4, Sub. 1/4 County

Point of exchange: n/a
twp. N/S, Rge E/W, B.M., Sec. 1/4, Sub. 1/4 County

Total Q measured n/a Method of measurement n/a

Total Q recommended 0.04 cfs Meter No. n/a Type n/a Condition n/a

Total V recommended 1.20 AF/yr.

Recommended Amendments: Mr. Dimambro moved back east and cannot be located to initiate an assignment of permit to Kutylowski

P.D. None
Place of Use None
Other None

MEASUREMENT CALCULATION:

$Q = 0.04 \text{ cfs}$ $V = 1.20 \text{ AF/yr}$
Single Family Domestic Unit
ARK 2/23/78

SYSTEM DESCRIPTION:

Surface water from an unnamed spring is collected by a 4" diam. buried perforated pipe packed in gravel and then directed via pipeline to a 1600 gallon steel tank buried a short distance from the spring. There is a 1/2 H.P. buried pump inside the tank that provides pressure for the water system. Water is diverted from the tank and into Kutylowski's residence through a 3/4" diam. conduit.

Although this spring was filed on for 3 domestic units, only one house is at present putting this water to a beneficial use. Mr. Dimambro sold his house to Mr. Lowe who upon purchase of the house had a domestic well drilled exclusively for his use. System shown & described by Glen Kutylowski

Examiner's Signature Anthony R. Kozlowski Date 2/23/78

Checked by Samuel M. Dunn Date 2/28/78

Approved by _____ Date _____

3 people live at residence, 2 baths, Kitchen sink, no dishwasher, washing machine... Kutylowski's keep a dozen domestic ducks in a small pond created when an old stockwater conduit broke a provided necessary flow.

June 28, 1977

Re: Permit No. 11-7084

Joseph A. DiMambro &/or
Edward B. Kutylowski
Box 665, The Cedars
Soda Springs, Idaho 83276

Gentlemen:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced 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 may show him the system.

If you have any questions regarding the field examination, please contact our Regional Office in Idaho Falls.

Sincerely,

JANICE RENK
Water Rights

RECEIVED

Identification No. _____

Permit No. 11-7084

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 16 1977

Department of Water Resources

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Edward B. Kutylowski

b) Post Office Address Box 665, The Cedars Soda Springs, Idaho 83276

2. Permit Number 11-7084

3. Date of Priority that you are prepared to establish May 13, 1975

4. a) Source from which water was appropriated Unnamed Springs

b) Location of the point of diversion: NW 1/4 SW 1/4, Section L

Township 9 S, Range 41E Boise Meridian, Other points of diversion: _____

5. a) The amount of water and use to which the water has been applied:

Amount 0.12 for Domestic purposes from Jan. 1 to Dec. 31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)

Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)

Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)

b) We have no way to measure the water and estimate
Total amount appropriated one normal household's use. cfs and/or acre-feet per annum

c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: _____

6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:

a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____

b) Describe the agreement or understanding by which you take water from the works: _____

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) From springs site placed 4" perforated pipe to a 1600

gal specially constructed steel tank. Perforated pipe is covered with washed
gravel and visquin. Tank is submerged with a horse Sears submersable pump
inside. Water is then pumped from tank to house thru 3/4" pipe Total Cost \$2200.00

b) Excess water flows in same manner that it has for x number of years.
Describe the type and size of measuring device which you have installed at your point of diversion: _____

c) Give well driller's name and address and the date the well was completed: _____

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: _____

It provides water entirely for the use of one household.

Exam typed 6/22/77 by j

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres irrigated _____

10. Remarks: _____

The above information is a true statement of the extent to which the above numbered permit has been developed.

6-10-77

(Date)

Edward B. Fitzpaulski
(Signature)

State of Idaho)

County of Caribou) ss.

On this 10 day of June, 19 77, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

La Rue Stone
Notary Public residing at Isada Springs Idaho

My commission expires Lifetime

May 31, 1977

CERTIFIED MAIL

138540

Re: Permit No. 11-7084

Joseph A. DiMambro &/or
Edward B. Kutylowski
Box 665, The Cedars
Soda Springs, Idaho 83276

Gentlemen:

One of the conditions of approval of your water Permit No. 11-7084 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before August 1, 1977. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.



C. STEPHEN ALLRED
Director

CSA:jfr

Enc: Proof affidavit

REPROFILMED

April 27, 1976

Re: Permit No. 11-7084

Edward B. Kutylowski
Box 665
The Cedars
Soda Springs, Idaho 83276

Dear Mr. Kutylowski:

Your recent letter requested information on any other water rights, especially those of Mr. Glen Irving, that may exist on the springs shown as the source of water on your Permit No. 11-7084.

A search of our records indicates that your permit is the only water right of record on that spring. However, you should be aware that if the spring has been used for several years, a water right for that use may have been established by the diversion and beneficial use of that water. Your permit would entitle you to the water that is not being used.

Your permit has been reviewed for a letter of protest from Mr. Irving, but no protest was received from him. A letter was received from the Henry Stampede, Inc., but was not acceptable as a protest. Henry Stampede was allowed ten days to submit an acceptable protest but no protest was ever received.

Your permit has a priority of May 13, 1975, and is, of course, subject to all existing prior rights.

If you have further questions or require additional information, please do not hesitate to contact us.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jfr

RECEIVED

APR 22 1976

Department of Water Resources

Box 665
The Cedars
Soda Springs, Id.
April 20, 1976

State of Idaho
Department of Water Resources
Boise, Idaho

Attention: Bobby Fleenor

Dear Sir:

Last July (1975) I received approval for filing on the water rights on my property. Ref. (11-7084)

Today a man by the name of Glen Irving comes on my property and tells me that the water belongs to him, that he filed on the water in 1947 and that he wrote the Dept. of Water Resources a letter last year (1975) protesting our filing. This included an assortment of threats.

Personally I think the man is lying because if he had the water rights or had written you in protest, the Dept. would not have approved my application. However I do not take threats lightly and do not intend to be harassed by this man or his attorney. Please send me a letter of clarification that I may duplicate and send to this Irving that I may settle his misconceptions once and for all.

I have invested \$2,000. in my culinary water system and improvements and I don't like such threats to my investment.

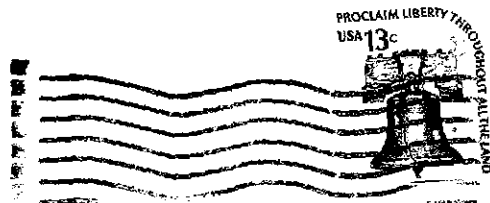
Appreciate your attention to this matter as soon as possible.

Yours truly,

Edward B. Kutylowski

Edward B. Kutylowski

Edward Kutylowski
P.O. Box 665
Soda Springs, Idaho
83276



MICROFILMED

State of Idaho
Department of Water Resources
Statehouse
Boise, Idaho 83720

Attention: B.D. Fleenor

July 3, 1975

Re: Permit No. 11-7084

Joseph A. DiMambro &/or Edward B. Kutylowski
The Cedars
Soda Springs ID 83276

Gentlemen:

Enclosed is a copy of your approved Application for Permit No. 11-7084. We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jfr

Enclosure

NOTED

June 18, 1975

Re: Application for Permit No. 11-7084
Joseph A. DiMambro &/or Edward B. Kutylowski

Mr. Harold Haggerty, Pres.
Henry Stampede, Inc.
Soda Springs, Idaho 83276

Dear Mr. Haggerty:

This office has received your letter of June 9, 1975, stating a desire to protest issuance of a permit in connection with the above referenced application.

You should be aware that the following are the principle items we can consider at a conference &/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 will withhold action on this application for ten days to allow you time to submit a valid protest. We are enclosing a copy of the application for your review.

Unless we hear from you on or before June 28, 1975, final action will be taken on this application. If you have questions, please contact us within the 10-day period.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:DR
Enc: Copy of app for permit

RECEIVED

JUN 10 1975

Department of Water Resources
Eastern District Office

Soda Springs, Idaho

June 9, 1975

Idaho Department of Water Resources
1515 Lincoln Rd.
Idaho Falls, Idaho 83401

Dear Sir:

We desire to protest the water application # 11-7084, listed in the Soda Springs Sun on May 22, May 29th, as it is our understanding the springs is included with the Henry Stampede in Sec. 2T 9S-R 41E. The above named water is used for irrigation.

hg-di

Sincerely Yours,

Harold Haggerty, Jr.
Henry Stampede Inc.
Harold Haggerty, Pres.

May 14, 1975

RE: Application for Permit No. 13-7111 GRACE CEMETERY
" " " No. 11-7084 DIMAMBRO &/OR KUTYLOWSKI

Caribou County Sun
P.O. Box 815
Soda Springs, ID

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
District Engineer

Bill submitted 6-3-75 by MB

RDC:MB

Enc: Legal Notice (2)

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Joseph A. DiMambro &/or Edward B. Kutylowski, Soda Springs, Idaho have on 5/13/75 submitted Application No. 11-7084 for a permit to appropriate 0.12 cubic feet per second of water from unnamed springs tributary of sinks by means of headbox and pipeline within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 1, T. 9S, R. 41E, B. M., Caribou County; to be used from Jan. 1 to Dec. 31 for domestic purposes for three families within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 1, T. 9S, R. 41E, 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 June 9, 1975.

R. KEITH HIGGINSON,
Director

Published in the Caribou County Sun, Soda Springs, Idaho on May 22 and May 29, 1975.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Joseph A. DiMambro &/or Edward B.
Kutylowski, Soda Springs, Idaho
have ~~xxx~~ on 5/13/75 submitted Application No. 11-7084
for a permit to appropriate 0.12 cubic feet per second ~~zero feet per second~~
of water from unnamed springs tributary of sinks
by means of headbox and pipeline
within the NW 1/4 Sec. 1, T. 9S, R. 41E, B.M., Caribou County,
to be used from Jan. 1 to Dec. 31
for domestic purposes for three families
within the NW 1/4 Sec. 1, T. 9S, R. 41E, 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
June 9, 1975.

R. KEITH HIGGINSON

Director

Published in the Caribou County Sun, Soda Springs, Idaho
on May 22 and May 29, 1975

*CW-R.
CW-A
CW-A*

May 13, 1975

RE: Application for Permit No. 11-7084

Mr. ShirI C. Boyce, Jr.
Idaho State Planning & Community Affairs Agency
Regional Office, Idaho State University
Box 73
Pocatello, Idaho 83201

Dear Mr. Boyce:

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, please submit them to our Department as soon as possible. The last date of protest is June 9, 1975 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
District Engineer

RDC:MB

Enclosure



DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 11-7084

☒ 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) KDF 5-13-76

In form to receipt yes

(2) " "

Send Copies to:

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

(3) " "

☒ Shari Boyce - Prescott

☐ Request Special Use Permit from U.S.F.S.

NA ☐ Request Easement from B.L.M.

☐ Request Information from Applicant

(4) " "

In form for advertising yes

(5) " "

NA Platted on Map No. NA

(6) " "

NA Located within Water District No. NA

(7) " "

NA Critical groundwater area: yes no 1

(8) " "

NA Groundwater levels:

Declining, Stable, Increasing

(comment) _____

(9) " "

NA Other rights on the same place of use

(10) _____

Comments: _____

(11) MB 6/3/75

Affidavit of Publication received(date) June 3

(12) CW 6/9/75

Final date for protests June 9, 1975

Protests received: yes no

(13) BDC 6/9/75

All requested information received from agencies or applicant: yes no

(14) A "

Action recommended:

☒ Approve

☐ Deny

5/13/75 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 BDC

Date 6/9/75

RECEIVED

JUN 10 1975

Department of Water Resources

RECEIVED